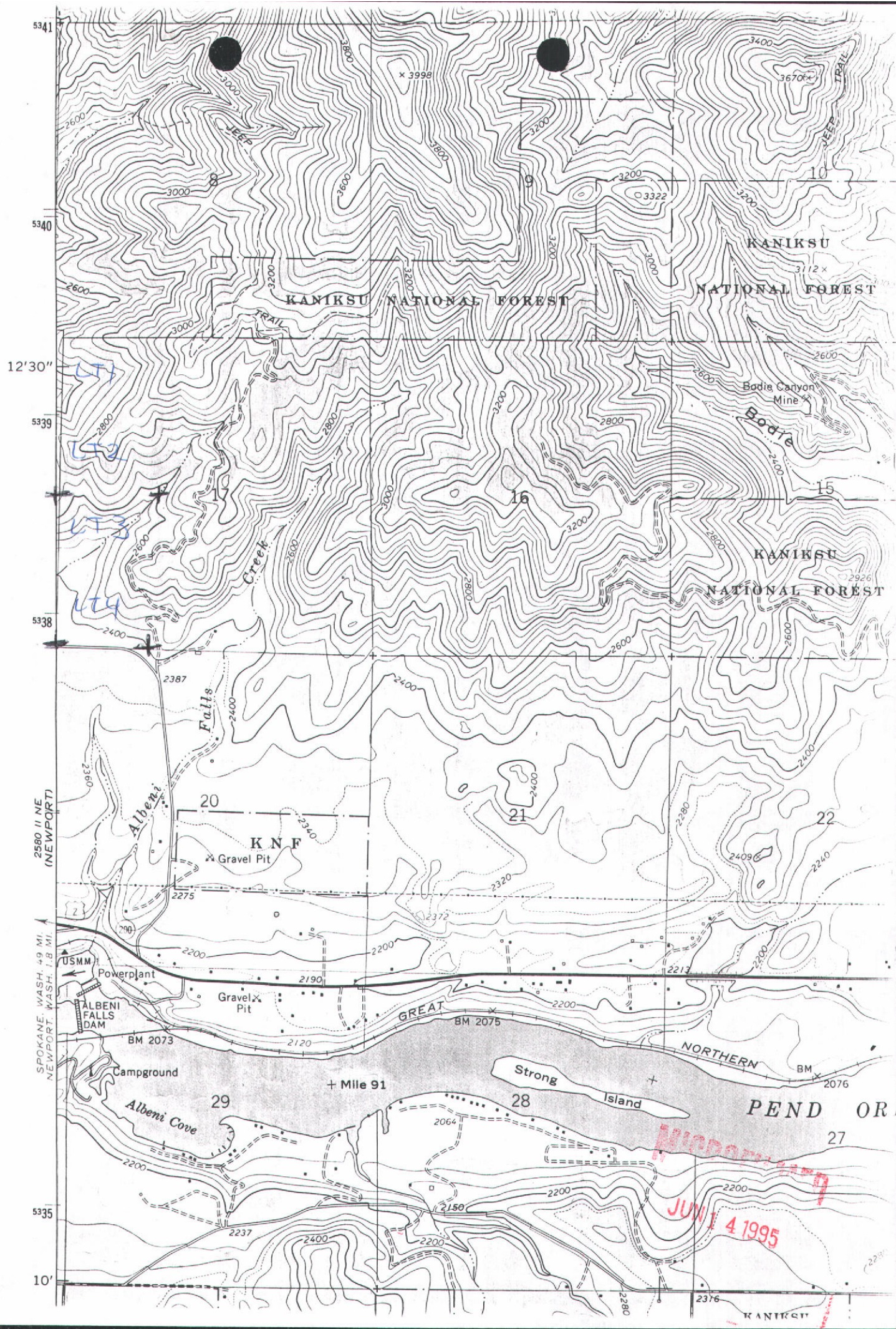
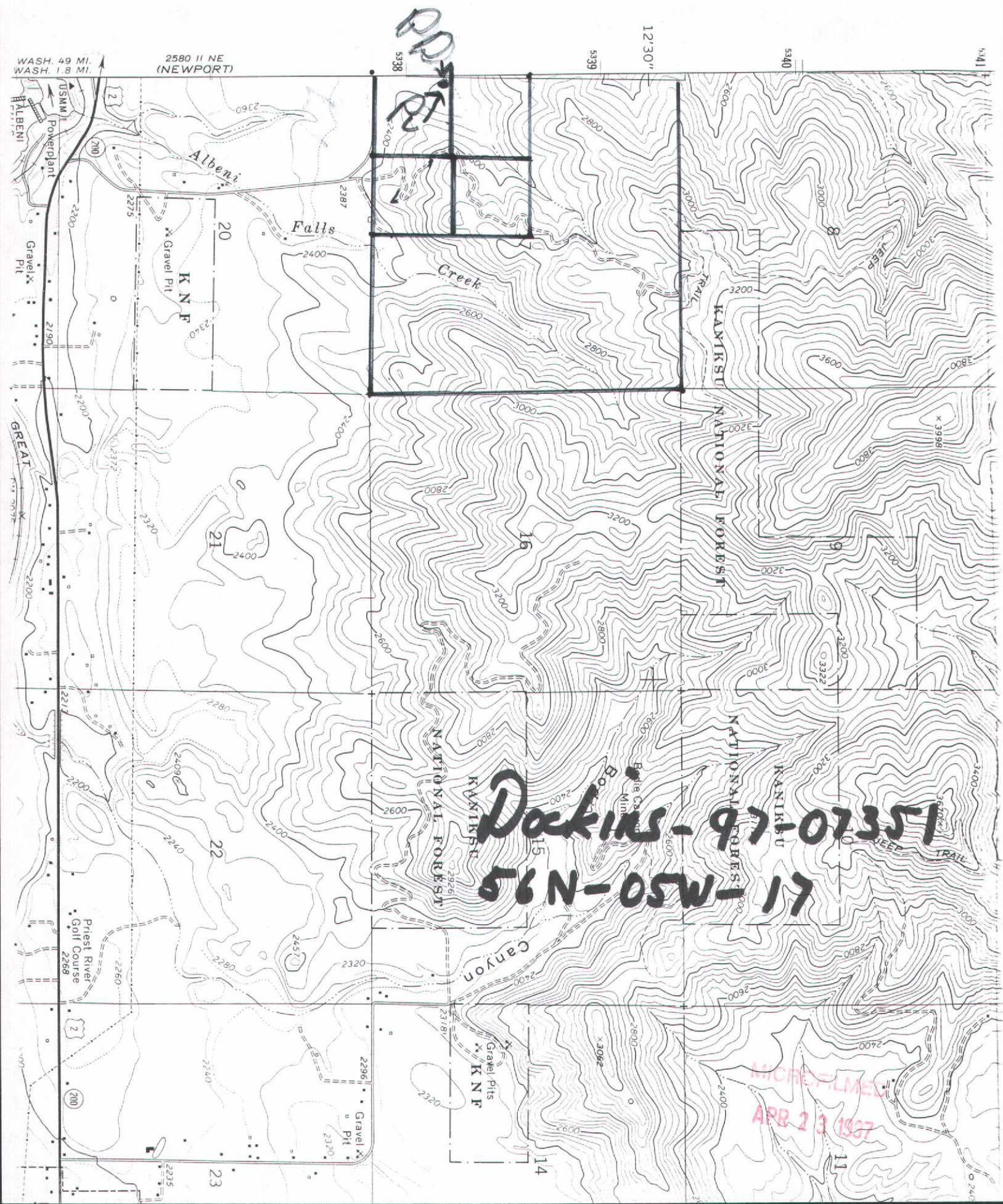








PERMIT # 97-07351

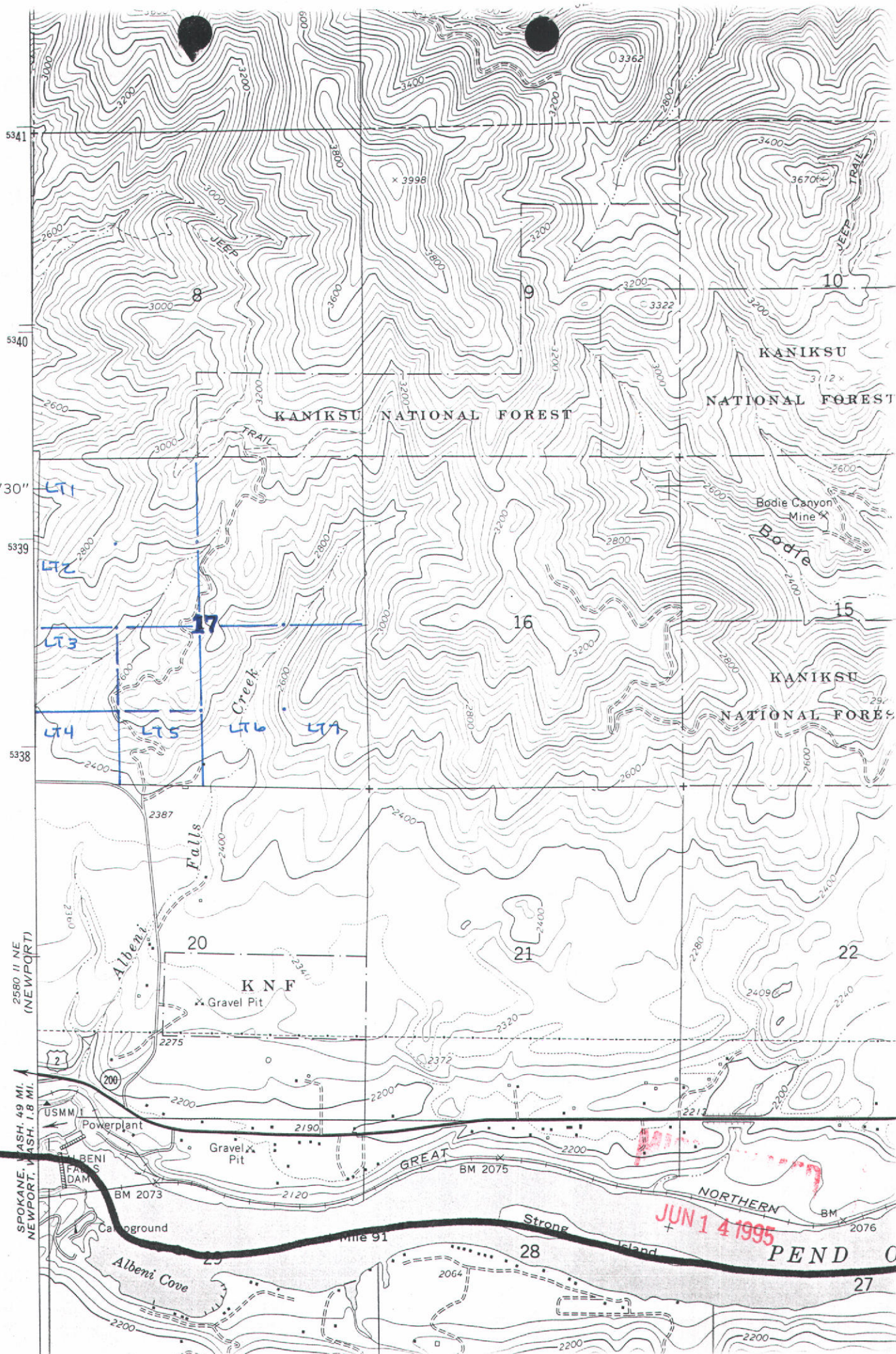
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT



Dockins

MICROFILMED

APR 23 1997



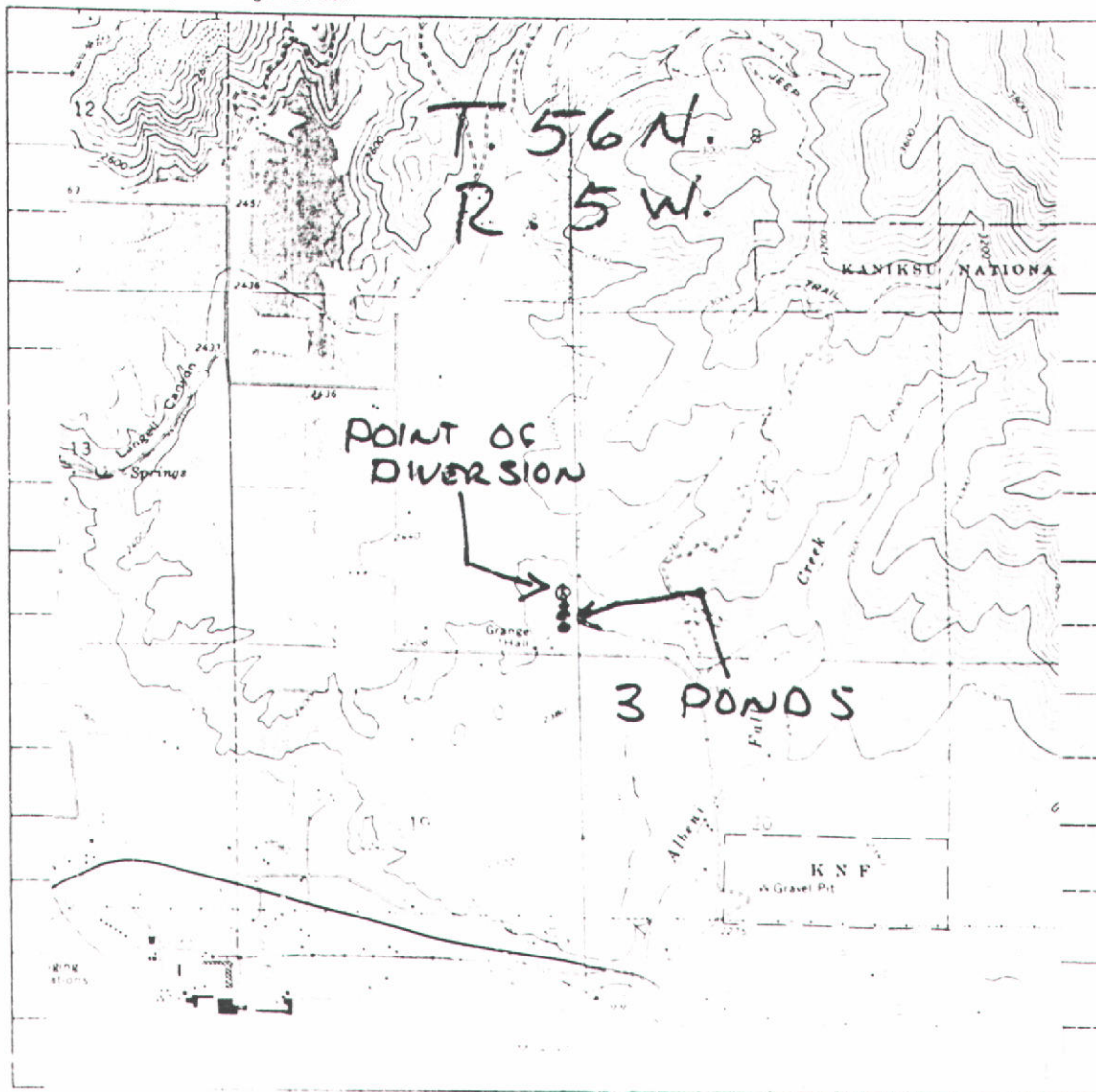
T56N
R05W

97
96

2580 II NE
(NEWPORT)
SPOKANE, WASH. 49 MI.
NEWPORT, WASH. 1.8 MI.

JUN 14 1995
PEND 0

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth

July D. [Signature]
(Applicant)

JUN 14 1995

402287

Gary Finney
attorney at law
212 N First Suite 100
Sandpoint, ID 83864

WARRANTY DEED

R.L.S.
KNOW ALL MEN BY THESE PRESENTS, that Grantors, RALPH D. SWANNACK and IDA SWANNACK, husband and wife, for value and consideration received, do hereby GRANT, BARGAIN, SELL and CONVEY unto the Grantees, BRIAN L. DOCKINS and CYNTHIA L. DOCKINS, husband and wife, of Route 2, Box 372-A, Oldtown, Idaho 83822, the following described real property situated in the County of Bonner, State of Idaho, to-wit:

Government Lot 4 less the South 696.8 feet thereof; and Government Lot 3 less the North 627 feet thereof, all in Section 17, Township 56 North, Range 5 West, Boise Meridian, Bonner County, Idaho.

TOGETHER WITH AND SUBJECT TO an easement sixty feet (60') wide for ingress, egress and utilities, the centerline of which is described as follows:

Beginning at a point on the North line of the right of way of the Freeman Lake County Road, 10 feet West of the East line of Section 18, Township 56 North, Range 5 West, Boise Meridian, Bonner County, Idaho; thence North 1°11'12" East on a line parallel to the said section line a distance of 1615.12 feet; thence North 56°23'35" East 371.56 feet to the South line of the North 627 feet of Government Lot 3 of Section 17, Township 56 North, Range 5 West, Boise Meridian, Bonner County, Idaho.

SUBJECT TO an easement and conditions contained therein in favor of D.A.W. Forest Products Co., for a non-exclusive perpetual easement for access to lands and timber, which the Grantee or its successors may own, recorded January 16, 1987 as Instrument No. 330161, records of Bonner County, Idaho.

SUBJECT TO an easement and conditions contained therein in favor of The State of Idaho, for a permanent easement for the purpose of reconstructing, maintaining and using a road, recorded May 9, 1988, as Instrument No. 348445, records of Bonner County, Idaho.

RESERVING, in favor of Grantors and their adjoining real estate, the present water useage right and the collection box, holding tank and underground water line for the water system as

JUN 14 1995

it now exists, and the right to keep, repair and maintain said system to divert water for household domestic use for Grantors' residential adjoining property. The Grantors only reserve the water and system as presently in use, and Grantors specifically convey all further water, water useage and water rights to the Grantees as Grantors acknowledge that Grantees intend to make use of the waters in conjunction with their domiciliary use of the real estate.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

AND the above named Grantors hereby covenant that the above described premises are free from all encumbrances, and that they and their heirs, executors and assigns, will warrant and defend the above premises against all lawful claims and demands whatsoever, EXCEPT easements and rights of way existing or of record.

IN WITNESS WHEREOF, the Grantors have hereunto set
their hands on this 3rd day of March, 1992.

FILED **Sandpoint Title Insurance**

DATE 3-5-92 TIME 11:23

MARIE SCOTT.

RECORDED & DONNER COUNTY

BY Robert DEPUTY

FEES 6.00

Ralph L. Swannack

RALPH D. SWANNACK

RKS. L.

Ida Swannack

IDA SWANNACK

STATE OF IDAHO

)

SS.

County of Bonner

)

On this 31st day of March, 1992, before me, the undersigned Notary Public, personally appeared RALPH D. SWANNACK and IDA SWANNACK, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

R.L.S

Ketta A. Everhart

Notary Public - State of Idaho

Residing at Bonnors's Terrace

My commission expires: 7-19-97

JUN 14 1995

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Darlene Bennett
Receipt

being duly sworn, says that he is the.....

of the **PRIEST RIVER TIMES**, a weekly newspaper printed and published at Priest River, Bonner County, Idaho, and has been continuously and uninterruptedly published in said County during a period of 78 consecutive weeks prior to the first publication of the annexed notice for publication, is a newspaper of general circulation made up of at least eight pages of at least six columns each, printed from typewritten or steroyped forms of at least nineteen and three-fourths inches depth, has at least 1250 bona fide subscribers living within said Bonner County, and is published at regular weekly intervals. That the annexed

a true copy of the notice for publication in the case of

#1464 - Id Dept Water
Dockins Permit

as it was published in the regular and entire issue of the said paper for a period of 2 consecutive weeks, commencing on 2nd day of June, 1993 and ending on the 9th day of June, 1993 and that said notice was published in said newspaper.

On this 23rd day of June in the year of 1993, before me, a Notary Public, personally appeared Darlene Bennett, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

[Signature]
Notary Public for Idaho

Residing at Priest River, Id

My commission expires: 12/24/92

NOTICE OF AMENDED APPLICATION FOR PERMIT NOTICE IS HEREBY GIVEN THAT Brian L. &/or Cindy L. Dockins, Rt. 2 Box 372A, Oldtown, Id. 83822, has filed with the Department of Water Resources on May 24, 1993, Amended Application for Permit No. 96-8736.

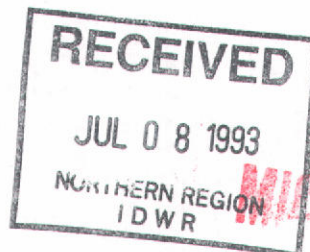
The applicant wishes to divert a total of 0.64 CFS of water from an Unnamed Stream, tributary to Sinks within GL 4 (SWSW) Sec 17 T56N, R5W, Bonner County; with 0.6 CFS to be used for Irrigation use from 4/1/ to 10/1 and 0.04 CFS to be used for Domestic use from 1/1 to 12/31. The place of use is in T56N, R5W, Sec 17, GL 3 (NWSW) and GL 4 (SWSW) for 30 Acres total, in Latah county. The priority date of this amendment is May 24, 1993.

(For additional information concerning the property location, call the Northern Regional Office at 765-4639).

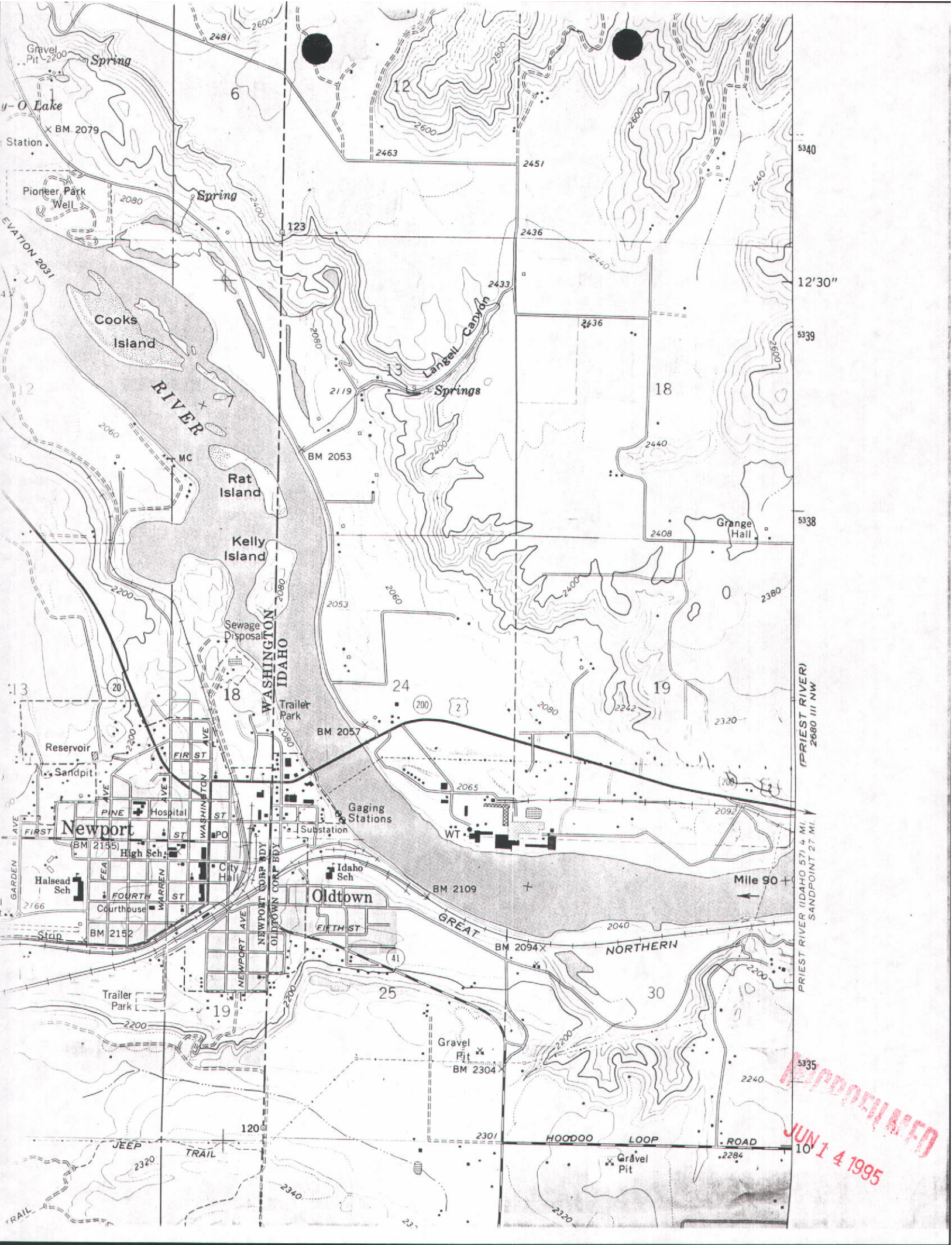
Any protest to the proposed Amended Application for Permit must be filed with the Idaho Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814 on or before JUNE 21, 1993.

R. KEITH HIGGINSON, Dir.
#1464 PRT June 2, 9, 1993

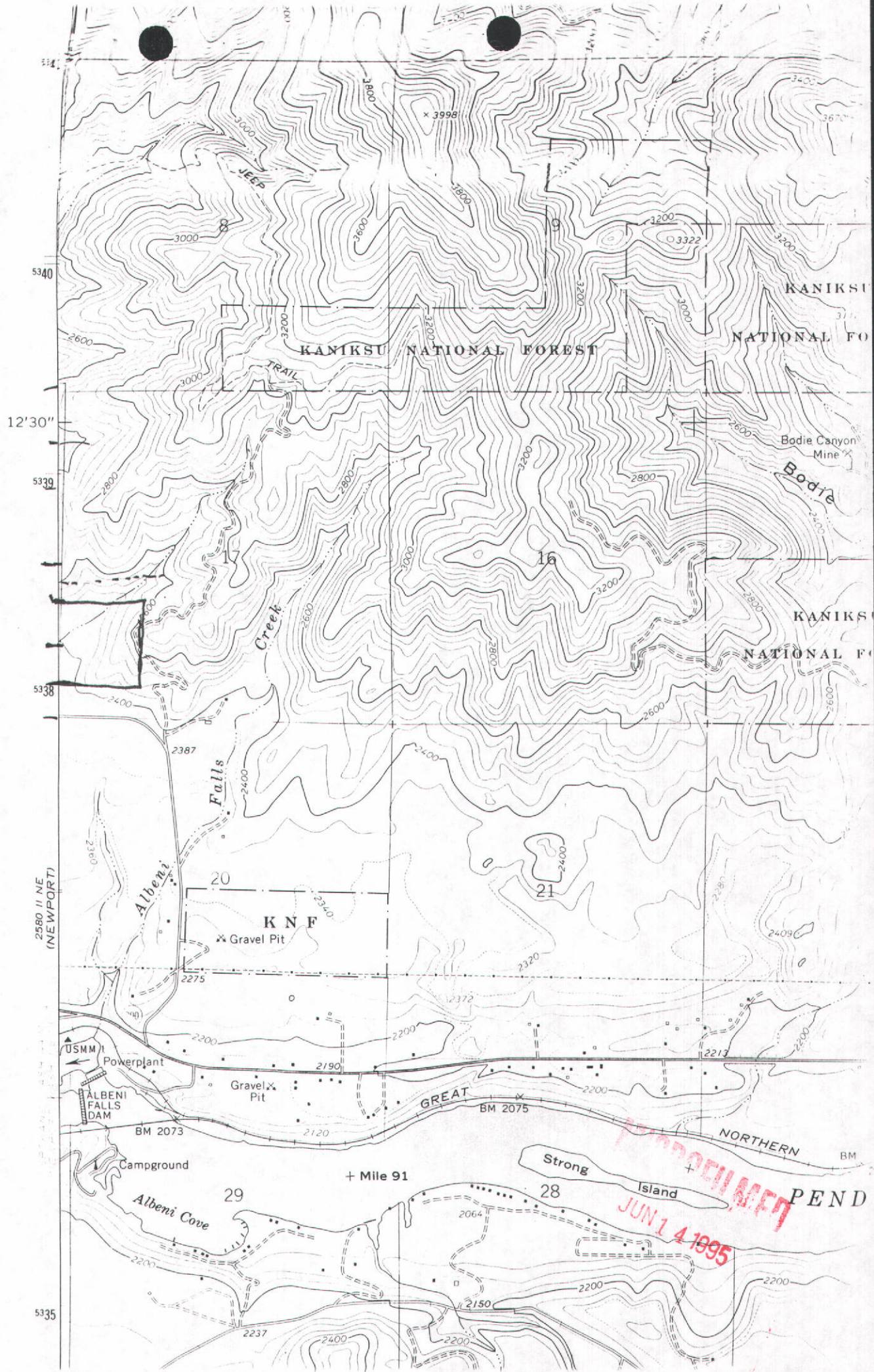
OK
6/12/93



JUN 14 1995



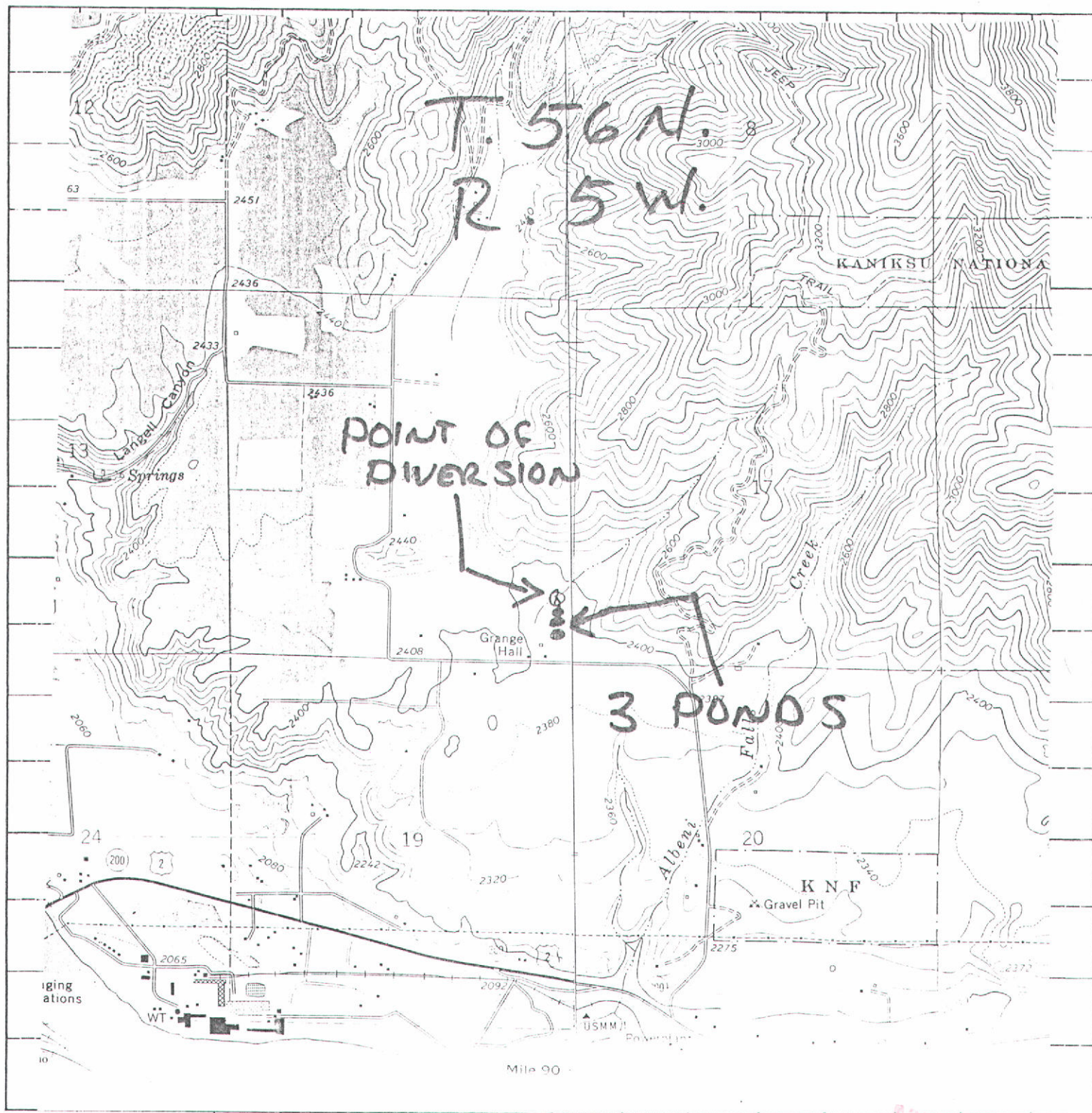
APPROVED
JUN 14 1995



RECEIVED
JUN 14 1995
PENDING

97-7323

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Ruby D. Lawrence
(Applicant)

JUN 14 1995

SENDER:

- Complete items 1 and 2 for additional services.
- Complete items 3, a, and b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

MR ARLEY LAWRENCE
RT 4 BOX 145
OLDTOWN ID 83822

4a. Article Number

48272

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

7-8-94

5. Signature (Addressee)

Virginia Smith

6. Signature (Agent)**8. Addressee's Address (Only if requested and fee is paid)**

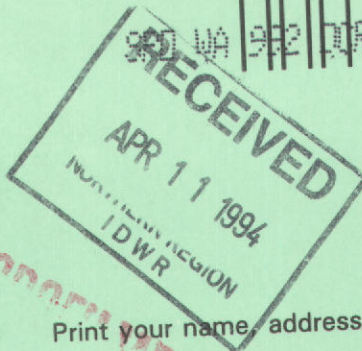
UNITED STATES POSTAL SERVICE

Official Business

980 WA 992 DCR3 2105

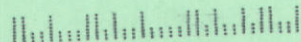


PENALTY FOR PRIVATE
USE, \$300



Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES
150 NORTHWEST BLVD. - SUITE 210
COEUR D'ALENE, IDAHO 83814



SENDER:

- Complete items 1 and 2 for additional services.
- Complete items 3, a, and b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

MR AND MRS BRIAN L DOCKINS
RT 2 BOX 372A
OLDTOWN ID 83822

96-8736

4a. Article Number

48271

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

4/12/94

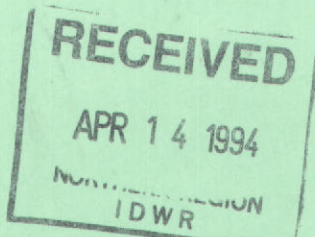
8. Addressee's Address (Only if requested and fee is paid)**5. Signature (Addressee)****6. Signature (Agent)**

UNITED STATES POSTAL SERVICE

Official Business



PENALTY FOR PRIVATE
USE, \$300

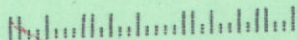


Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES

1910 NORTHWEST BLVD. - SUITE 210

COEUR D'ALENE, IDAHO 83814



SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge)
2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

MR MICHAEL WILCOX
3420 COACH LN STE 6
CAMERON PARK CA 95682

4. Article Number

48242

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Address

X

6. Signature — Agent

X

7. Date of Delivery

12/29/93

8. Addressee's Address (ONLY if requested and fee paid)

JAN 3 1994

NORTHWESTERN UNION
IDWR

UNITED STATES POST SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN
TO

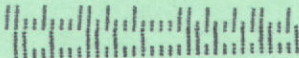


Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
1910 NORTHWEST BLVD. - SUITE 210
COEUR D'ALENE, IDAHO 83814



PENALTY FOR PRIVATE
USE, \$300



SENDER: Complete items 1 and 2 when additional services are desired and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge)
2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

MR AND MRS BRIAN L DOCKINS
RT 2 BOX 372A
OLDTOWN ID 8382

RECEIVED

JAN 3 1994

96-8736

5. Signature — Address

X

6. Signature — Agent

X

7. Date of Delivery

4. Article Number

48239

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

8. Addressee's Address (ONLY if requested and fee paid)

JUN 14 1995

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS:

Print your name, address and ZIP Code in the space below.

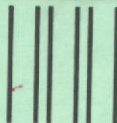
- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
1910 NORTHWEST BLVD. - SUITE 210
COEUR D'ALENE, IDAHO 83814



PENALTY FOR PRIVATE
USE, \$300

JUN 14 1995

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

MR ARLEY LAWRENCE
PO BOX 1931
OLDTOWN ID 83822

96-8736

RECEIVED

JAN 12 1995

NORTHERN REGION
IDWR

4. Article Number

48243

Type of Service:

- | | |
|---------------------------------------|---|
| ☐ Registered | ☐ Insured |
| ☐ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Address

X

6. Signature — Agent

X

7. Date of Delivery

1-10-94

8. Addressee's Address (ONLY if requested and fee paid)

JUN 14 1995

UNITED STATES POST SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

1910 NORTHWEST BLVD. - SUITE 210

COEUR D'ALENE, IDAHO 83814



JUN 14 1995

628 110 0011



PENALTY FOR PRIVATE
USE, \$300

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

MR AND MRS WILLIAM WILCOX
PO BOX 246
GROVELAND CA 95321

4. Article Number

48240

Type of Service:

- | | |
|---|--|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt
for Merchandise |

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature — Address

X

6. Signature — Agent

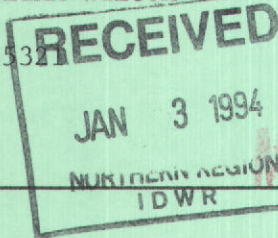
X *Chancellor A. Viney*

7. Date of Delivery

12-29-93 Jm

8. Addressee's Address (ONLY if
requested and fee paid)

JUN 14 1995



UNITED STATES POST SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
1910 NORTHWEST BLVD. - SUITE 210
COEUR D'ALENE, IDAHO 83814

JUN 14 1995



PENALTY FOR PRIVATE
USE, \$300

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region
1910 Northwest Blvd., Suite 210

RECEIVED

FEB 22 1993

NORTHERN REGION
IDWR

Coeur d'Alene, Idaho 83814
(208) 765-4639

FEBRUARY 10, 1993

*Received
at the
Times
2-18-93*

PRIEST RIVER TIMES
P. O. BOX 398 Box 10
PRIEST RIVER, ID 83856

*Returned
2-18-93
Per Pat
Received by [signature]
to [signature]*

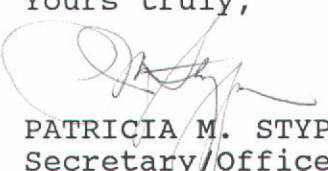
Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 8, 1993.

Yours truly,

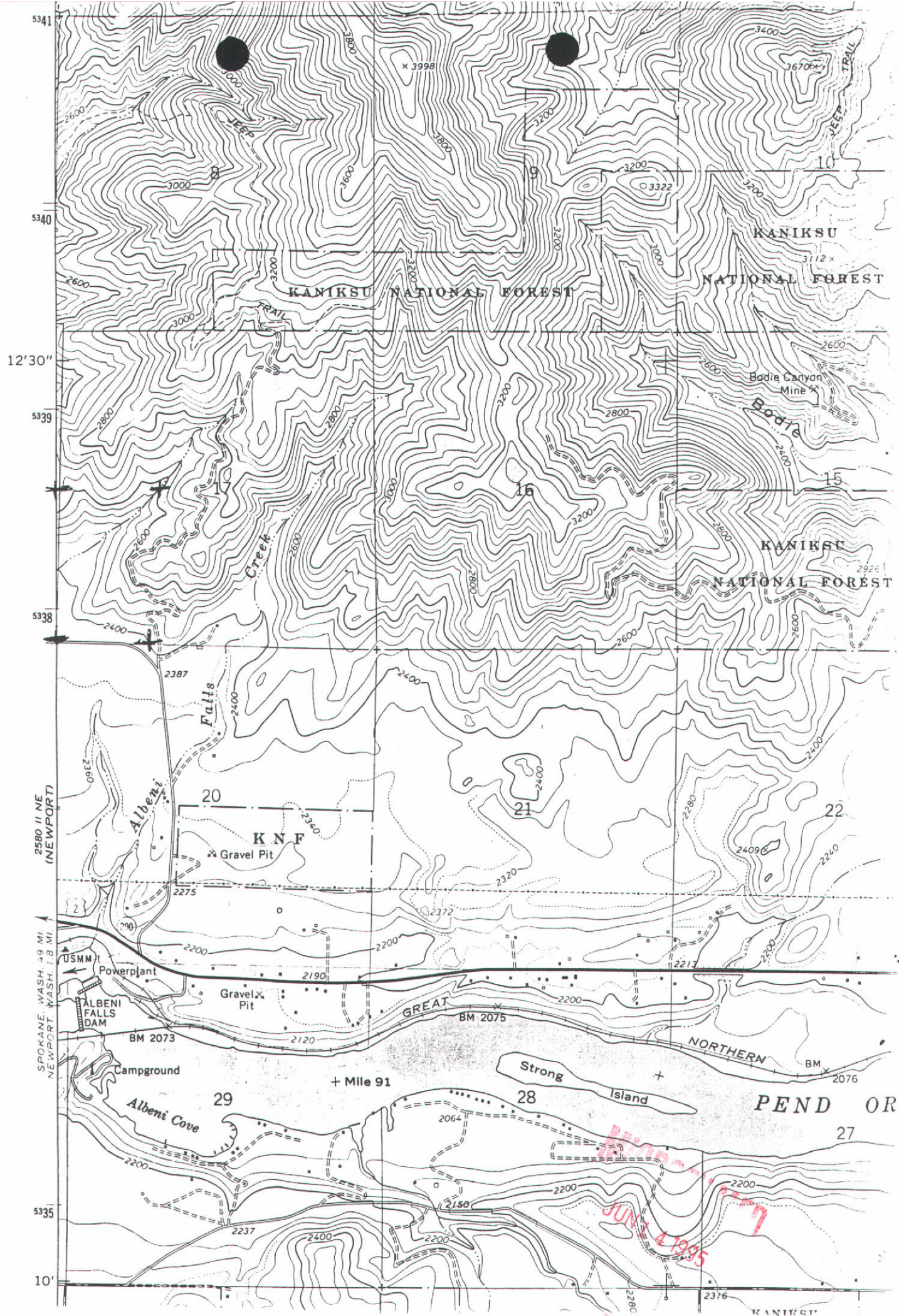
file 3, 963

PATRICIA M. STYPA
Secretary/Office Coordinator

*on
3/17 & 24/93*

Enclosure

MICROFILMED

JUN 14 1995



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 97-07351

Priority: January 22, 1993

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

0.6 AF

This is to certify, that BRIAN L DOCKINS
CINDY L DOCKINS

PO BOX 1577

OLDTOWN ID 83822

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 22, 1993; and has submitted Proof of Beneficial Use on March 22, 1996. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

UNNAMED STREAM

tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SWSW), Sec. 17, Township 56N, Range 05W
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

56N 05W 17 Lot 4(SWSW)

CONDITIONS OF APPROVAL AND REMARKS

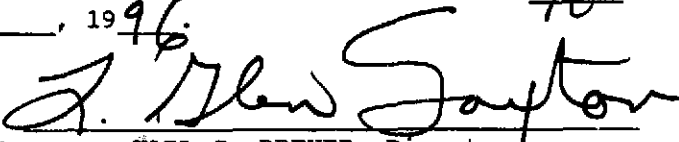
1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for lawn and/or garden irrigation of 1/2 acre or less.

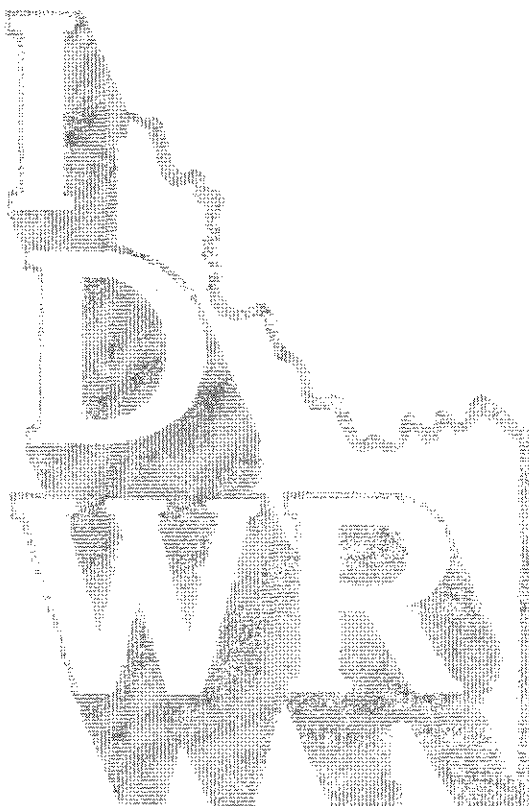
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 97-07351

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 10th
day of December, 1996.


Acting for KARL J. DREHER, Director



RECEIVED

MAR 22 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 97-07351 Telephone No. (208) 437-0155
2. Name(s) of Permit Holder(s): Brian L. and Cindy L. Dockins
3. Mailing Address: Box 1577 Oldtown ID 83822
4. Source of Water: Unnamed stream If **GROUNDWATER** (well), Date Drilled: mo. ____ / yr. ____
 - a. Well Driller: N.A. Drilling Permit Number: ____ - ____ - ____ - ____
 - b. **OPTIONAL:**
Pump Horsepower: ____ Pressure (psi): ____ Dynamic pumping level (ft): ____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): ____ Stockwater (No. and type of stock): (5) horses
Irrigation (No. of acres): garden & lawn less than 1 acre Other: ____
6. Total rate of diversion and/or volume for which proof is submitted: 0.04 cfs OR ____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes	or	No	☒
	Has the measuring device been installed?	Yes	or	No	☒
Flow Measurement Port:	Is a flow measurement port required?	Yes	or	No	☒
	Has the measurement port been installed?	Yes	or	No	☒

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Brian or Cindy Dockins Telephone Number: 208 437-0155
Address: Box 1577 Oldtown, ID 83822

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Brian L. Dockins Date: 3-19-96
(include your title, if on behalf of company or organization)

Thankyou!

MAR 29 1996

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 97-07351 IN THE NAME OF)
BRIAN AND CINDY DOCKINS.)
_____)

FINAL ORDER

On September 21, 1994, the hearing officer for the Department of Water Resources (department) issued a Recommended Order in connection with Application for Permit No.97-07351 in the name of Brian and Cindy Dockins. None of the parties filed a request for reconsideration in connection with the Recommended Order.

Based upon his understanding of the law, the Director makes the following Findings of Fact, Conclusions of Law and Final Order:

FINDINGS OF FACT

1. Brian and Cindy Dockins (applicant) filed Application for Permit No. 97-07351, on January 22, 1993. This application, as subsequently amended, proposes diversion of 0.64 cubic foot per second (cfs) from an Unnamed Stream, tributary to sinks, with a point of diversion located in Government Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 17, Township 56N, Range 5W, BM, for domestic use (0.04 cfs) for one home from January 1 to December 31 and irrigation use (0.6 cfs) for thirty (30) acres from April 1 to October 1, yearly, within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, Township 57N, Range 3W, BM.

2. The department advertised the application in the Priest River Times on March 17th and 24th, 1993, and received protests from Jennifer Alexander on March 25, 1993, and from William and Shirley Wilcox and Michael Wilcox on April 5, 1993, all of which were subsequently withdrawn. Notice of the amended application was advertised by the department in the Priest River Times on June 2nd and 9th, 1993, and received a protest from Arley Lawrence (protestant) on June 15, 1993.

3. The department scheduled this matter for a conference on April 26, 1994, in Coeur d'Alene, Idaho, at which the applicant and the protestant appeared. The conference failed to resolve the matter; however, the protestant and applicant agreed to continue to try to resolve the matter, and, if a settlement had not been reached by June 1, 1994, allow the department to render a decision based on the information presented at the conference.

ORDER - Pg 1

JUN 14 1995

4. The applicant and protestant did not submit a signed agreement to the department.
5. The property owned by both the applicant and the protestant were at one time in one ownership.
6. The applicant purchased their property subject to a reservation of a water system already in place for domestic use on property now owned by the protestant.
7. The protestant holds two permits, 97-07322 & 97-07323, for water from the same source as the applicant's proposed use. Proof of beneficial use was due on or before November 1, 1993, for both permits. An application for extension of time, filed in a timely manner, was received for both permits. No action to approve or deny those applications for extension of time have taken place pending the outcome of this conference .
8. Applicant's domestic use would be for irrigation of a lawn and garden and domestic livestock because a well supplies their in-house water.
9. Since filing the application, applicants have found that the flow of the stream is insufficient to support the irrigation they proposed.
10. Protestant indicated that he believed there was enough to supply his uses and the uses the applicants now desire.

CONCLUSIONS OF LAW

1. The director's consideration of this application is governed by the provisions of Section 42-203A (5), Idaho Code, which reads, in part, as follows:

In all applications ... where the proposed use is such (a) that it will reduce the quantity of water under existing water rights, or (b) that the water supply itself is insufficient for the purpose for which it is sought to be appropriated, or (c) where it appears to the satisfaction of the director that such application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein, or (e) that it will conflict with the local public interest, where the local public interest is defined as the affairs of the people in the area directly affected by the proposed use, or (f) that it is contrary to conservation of water resources within the state of Idaho; the director ... may reject such application and refuse issuance of a permit therefor, or may partially approve and grant a permit for a smaller quantity of water than applied for, or may grant a permit upon conditions.

2. Water is available for appropriation for domestic uses.

JUN 14 1995

3. Water is unavailable for appropriation for irrigation during the times that it would be needed.

ORDER

IT IS HEREBY ORDERED, that Application for Permit No. 97-07351 is **APPROVED IN PART**, subject to the following conditions and limitations:

1. Use of water under this permit is subject to all prior water rights.
2. Proof of construction of works and the application of water to beneficial use shall be submitted to the department of water resources on or before April 1, 1996.
3. The issuance of this permit does not grant any right-of-way or easement across the land of another.
4. Water shall be used only for domestic uses.

IT IS FURTHER HEREBY ORDERED, that the portion of Application for Permit No. 97-07351 for irrigation purposes is **DENIED**.

DATED this 4TH day of April, 1995.



R. KEITH HIGGINSON
Director

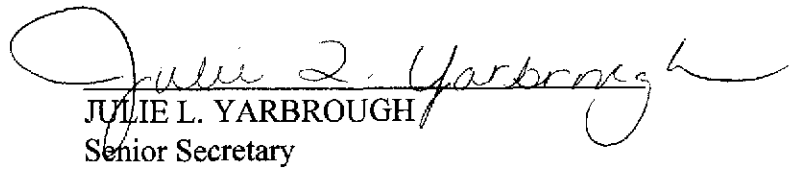
RECEIVED
JUN 14 1995

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 5th day of April, 1995, I mailed a true and correct copy, postage prepaid, of the foregoing **FINAL ORDER** to the following:

Brian and Cindy Dockins
Rt. 2 Box 372A
Oldtown, ID 83822

Arley Lawrence
Rt. 4 Box 145
Oldtown, ID 83822


JULIE L. YARBROUGH
Senior Secretary

RECEIVED
JUN 1 4 1995

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 97-07351

Proposed Priority: January 22, 1993 Maximum Diversion Rate: 0.04 CFS

This is to certify, that BRIAN L DOCKINS
CINDY L DOCKINS
RT 2 BOX 372A
OLDTOWN ID 83822

has applied for a permit to appropriate water from:
UNNAMED STREAM tributary of SINKS

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 4 (SWSW), Sec. 17, Township 56N, Range 05W
BONNER County

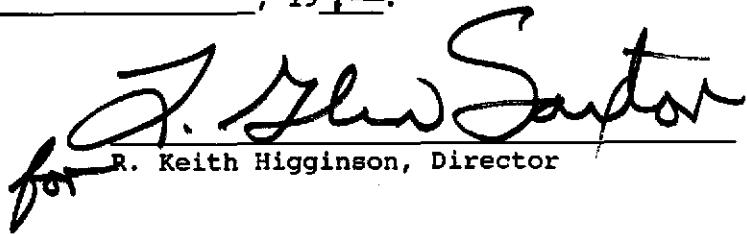
PLACE OF USE: DOMESTIC
TWN RGE SEC
56N 05W 17 SWSW

CONDITIONS/REMARKS:

1. See Final Order for conditions of approval.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

4th day of April, 1995


for R. Keith Higginson, Director

JUN 14 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR	)	
PERMIT TO APPROPRIATE WATER	)	
NO. 96-8736 IN THE NAME OF BRIAN &	)	RECOMMENDED ORDER
CINDY DOCKINS	)	
_____	)	

Protests having been filed against Application No. 96-08736, and a conference having been held, the hearing officer as a representative of the Director of the Department of Water Resources (Department), proposes the following findings of fact, conclusions of law, and order:

FINDINGS OF FACT

1. Brian and Cindy Dockins filed application for permit No. 96-8736, on January 22, 1993. This application, as subsequently amended, proposes diversion of 0.64 cubic foot per second (cfs) from an Unnamed Stream, tributary to sinks, with a point of diversion located in the Government Lot 4 (SWSW), Section 17, Township 56N, Range 5W, Boise Meridian for Domestic use (0.04 cfs) for one home from January 1 to December 31 and Irrigation Use (0.6 cfs) for thirty (30) acres from April 1 to October 1, yearly, within the SWSW, Section 21, Township 57N, Range 3W, Boise Meridian.

2. The department advertised the application in the Priest River Times on March 17 and 24, 1993 and received protests from Jennifer Alexander on March 25, 1993, and from William and Shirley Wilcox and Michael Wilcox on April 5, 1993, all of which were subsequently withdrawn. Notice of the amended application was advertised by the department in the Priest River Times on June 2 and 9, 1993 and received a protest from Arley Lawrence on June 15, 1993.

3. The department scheduled this matter for a conference on April 26, 1994, in Coeur d'Alene, Idaho, at which the applicant and the protestant appeared. The conference failed to resolve the matter; however, the protestant and applicant agreed to continue try to resolve the matter and, if a settlement had not been reached by June 1, 1994, allow the department to render a decision based on the information presented at the conference.

4. No signed agreement has been received by the department.

5. The property owned by both the applicant and protestant were at one time in one ownership.

6. The applicants purchased their property subject to a reservation of a water system already in place for domestic use on property now owned by the protestant.

7. The protestant holds two permits, 97-07322 and 97-07323, for water from the same source as the applicants' proposed use. Proof of beneficial use

ORDER - 96-08736

RECORDED

JUN 14 1995

was due on or before November 1, 1993 for both permits. An application for extension of time, filed in a timely manner, was received for both permits. Action to approve or deny those applications for extension of time has not been taken pending the outcome of this conference.

8. Applicants' domestic use would be for irrigation of a lawn and garden and domestic livestock because a well ~~that~~ supplies their in house water.

9. Since filing the application, applicants have found that the flow of the stream is insufficient to support the irrigation they proposed.

10. Protestant indicated that he believed there was enough to supply his uses and the uses that the applicants now desire.

CONCLUSIONS OF LAW

1. The director's consideration of this application is governed by the provisions of I.C. 42-203A(5) which reads, in part, as follows:

In all applications ... where the proposed use is such (a) that it will reduce the quantity of water under existing water rights, or (b) that the water supply itself is insufficient for the purpose for which it is sought to be appropriated, or (c) where it appears to the satisfaction of the director that such application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein, or (e) that it will conflict with the local public interest, where the local public interest is defined as the affairs of the people in the area directly affected by the proposed use, or (f) that it is contrary to conservation of water resources within the state of Idaho; the director ... may reject such application and refuse issuance of a permit therefor, or may partially approve and grant a permit for a smaller quantity of water than applied for, or may grant a permit upon conditions.

2. Water is available for appropriation for domestic uses.

3. Water is unavailable for appropriation for irrigation during the times that it would be needed.

ORDER

Based on the foregoing findings of fact and conclusions of law, IT IS HEREBY ORDERED that application for permit No. 96-8736 is APPROVED in part, subject to the following conditions and limitations:

1. Use of water under this permit is subject to all prior water rights.

2. Proof of construction of works and the application of water to beneficial use shall be submitted to the department of water resources on or before the date specified in the final order.

JUN 14 1995

3. The issuance of this permit does not grant any right of way or easement across the land of another.

4. Water shall be used only for domestic uses.

and DENIED IN PART, to wit:

1. That portion of the application relating to irrigation.

DATED this 21st day of September, 1994.

Norman C. Young

ORDER - 96-08736

3

JUN 3 4 1995

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of September, 1994, I mailed a true and correct copy, postage prepaid, of the foregoing RECOMMENDED ORDER to the following:

Brian and Cindy Dockins
Rt. 2, Box 372A
Oldtown, ID 83822

Arley Lawrence
P.O. Box 1931
Oldtown, ID 83822

Arley Lawrence
Rt. 4, Box 145
Oldtown, ID 83822


RHONDA J. CHILDERS
Senior Secretary

JUN 14 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF AMENDED APPLICATION)
FOR PERMIT NO. 96-8736 IN THE NAME OF) NOTICE OF HEARING
BRIAN L. &/OR CINDY L. DOCKINS.)

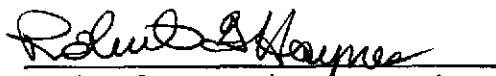
On May 24, 1993, Brian L. &/or Cindy L. Dockins filed with the Department of Water Resources (department) application for permit no. 96-8736. The amended application was protested by Arley Lawrence on June 15, 1993. The conference held by the department on January 19, 1994, did not resolve the matter of protest.

The department has scheduled the matter for hearing on Tuesday, April 26, 1994, at 9:30 AM, in the Department of Water Resources Northern Regional Office Conference Room, 1910 Northwest Blvd., Ste. 210, Coeur d'Alene, Id. 83814. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code, the adopted Rules of Procedure of the department and Water Appropriation Rules 40 and 45. A copy of the rules may be obtained from the department upon request. The presiding officer at the hearing will be Gary Spackman.

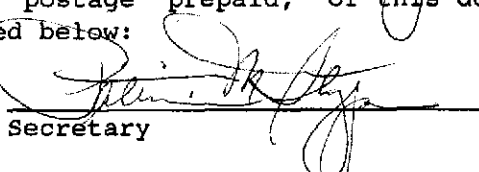
The hearing will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department within (10) days prior to the hearing.

All parties to the matter will have the opportunity to respond and present information and argument on all issues involved.

Dated this 7th day of April, 1994.


Regional Supervisor

I hereby certify that on the 7th day of April, 1994, I mailed a true and correct copy, postage prepaid, of this document to the applicants(s) and protestant(s) listed below:


Secretary

Certified Mail

Mr. and Mrs. Brian L. Dockins
Rt. 2 Box 372A
Oldtown, Id. 83822

Mr. Arley Lawrence
Rt. 4 Box 145
Oldtown, Id. 83822

RECEIVED

JUN 14 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF AMENDED APPLICATION)
FOR PERMIT NO. 96-8736 IN THE NAME)
OF BRIAN L. AND/OR CINDY L. DOCKINS.)

NOTICE OF HEARING

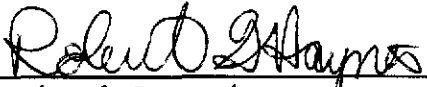
On May 24, 1993, Brian L. &/or Cindy L. Dockins filed with the Department of Water Resources (department) amended application for permit no. 96-8736. The amended application was protested by Arley Lawrence on June 15, 1993.

The department has scheduled the matter for hearing on Wednesday, March 30, 1994, at 9:00 AM, in the conference room of the Idaho Department of Water Resources Northern Regional Office, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code, the adopted Rules of Procedure of the department and Water Appropriation Rules 40 and 45. A copy of the rules may be obtained from the department upon request. The presiding officer at the hearing will be Gary Spackman.

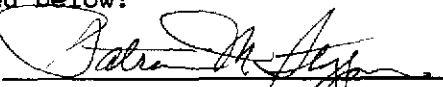
The hearing will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please advise the department within (10) days prior to the hearing.

All parties to the matter will have the opportunity to respond and present information and argument on all issues involved.

Dated this 10th day of May, 1994.


Regional Supervisor

I hereby certify that on the 15th day of March, 1994, I mailed a true and correct copy, postage prepaid, of this document to the applicants(s) and protestant(s) listed below:

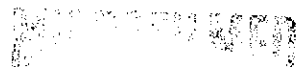

Secretary

Certified Mail

Mr. and Mrs. Brian L. Dockins
Rt. 2 Box 372A
Oldtown, Id. 83822

Mr. Arley Lawrence
Rt. 4 Box 145
Oldtown, Id. 83822

Mr. Arley Lawrence
P.O. Box 1931
Oldtown, Id. 83822



JUN 14 1995

Amend

Ident. No. 96-08736

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: BRIAN L DOCKINS 208-437-3790
Address: RT 2 BOX 372A
OLDTOWN ID 83822
AND/OR
Name: CINDY L DOCKINS 208-437-3790
Address: RT 2 BOX 372A
OLDTOWN ID 83822

2. Source: UNNAMED STREAM Trib. to: SINKS
3. Location of Point of Diversion: Lot 4 (SWSW), Sec. 17, Township 56N, Range 05W
BONNER County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	04/01	10/01	0.600		
DOMESTIC	01/01	12/31	0.040		

5. Total quantity to be appropriated is:
0.640 CFS (and/or) AF

6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc.
4" PIPE FROM DIVERSION DAM
b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
c. Proposed well diameter is inches; proposed depth of well is
feet.
d. Is groundwater with a temperature greater than 85F being sought? NO
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).

8. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
56N	05W	17	Lot 3 (NWSW) 15	Lot 4 (SWSW) 15		30

Total number of acres irrigated: 30

JUN 4 1996

Place of Use: DOMESTIC

TWN RGE SEC
56N 05W 17 SWSW

9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

10. Remarks:
Domestic use is for 1 home.

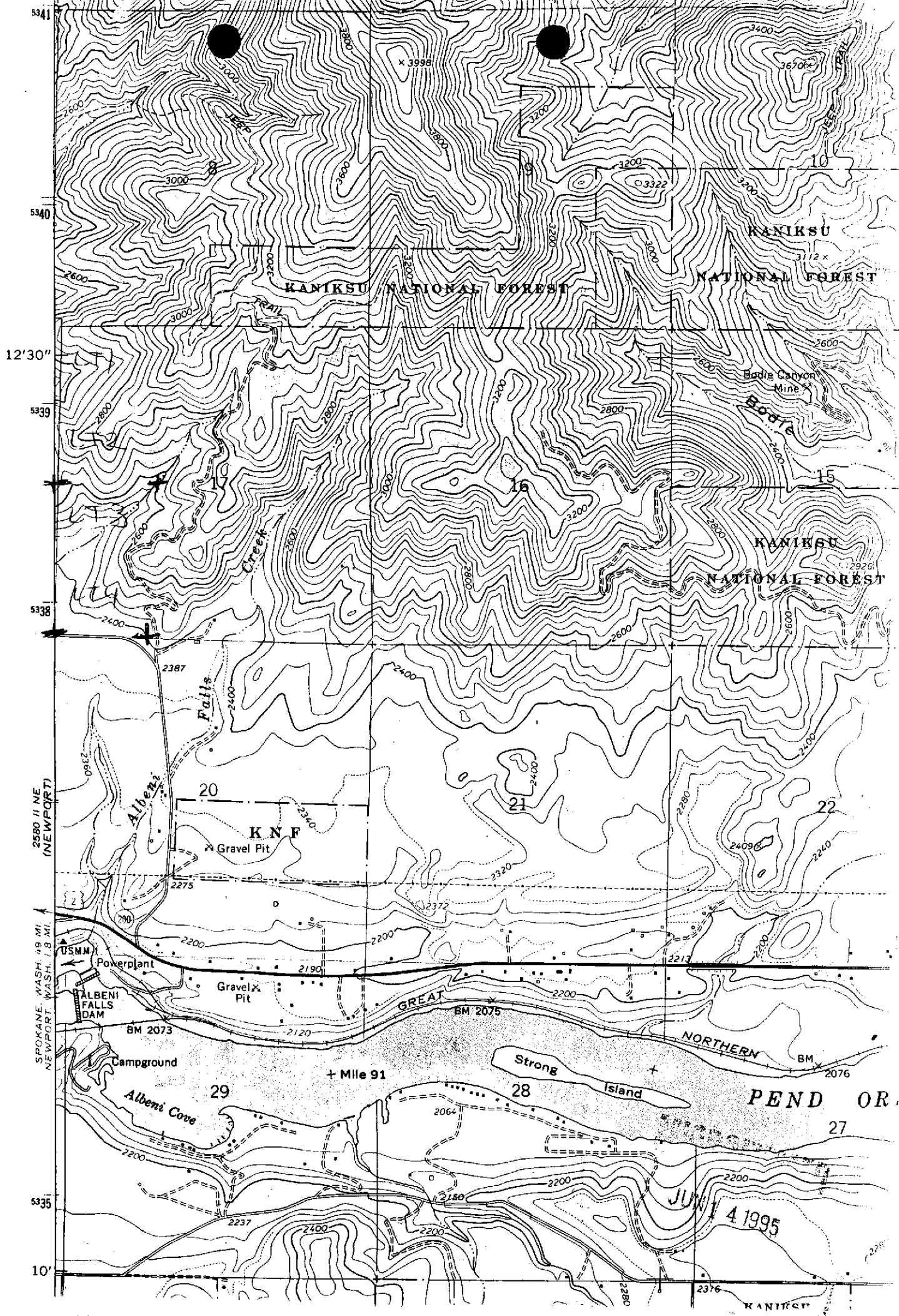
11. Map of proposed point of diversion and place of use attached? []

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Cynthia L Deekins Brian J Oodum
Applicant

Received by me Date 5/14/93 Time 2:30pm Preliminary check by me
Fee \$ 20.00 enclosed app fee L.F. N6494 4/30/93
35.00 Received by C.N.S. #N006245 Date 1/22/1993
Publication prepared by me Date 5/26/93 Published in West River Journal
Publication approved me Date 7/16/93

JUN 14 1995



Identification No. 96-8736

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant BRIAN L. & CINDY L. DOCKINS Phone: (208) 437-3790
post office address ROUTE 2, BOX 372A, OLDTOWN, ID 83822

2. Source of water supply Unnamed Stream which is a tributary of N/A SINKS

3. a. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 8 Township 55
Range 5 W. B.M. Bonner County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into N/A at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 0.04 ~~20GPM~~ for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.60 ~~75AF~~ for Irrigation purpose from Apr. 1 to Oct. 1 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. ~~20GPM~~ 0.64 cubic feet per second and

b. ~~75AF~~ 0.60 acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 4" Pipe from diversion dam

b. Height of storage dam None feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is N/A inches; proposed depth of well is _____ feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.

b. Estimated construction cost is \$ 500.00.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 8 Township 55
Range 5 W. B.M.

(2) Amount of power to be generated: N/A hp under _____ feet of head.

(3) List number of each kind of livestock to be watered Domestic

(4) Name of municipality to be served N/A, or number of families to be
supplied with domestic water 1.

(5) If water is to be used for other purposes describe: _____

JUN 14 1995

JUN 14 1995

6-11-95

10. Remarks

applicant to make this filing

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

b. Who owns the land to be irrigated or place of use Brian L. & Cindy Dockins

9. a. Who owns the property at the point of diversion Brian L. & Cindy Dockins

c. Describe any other water rights used for the same purposes as described above.

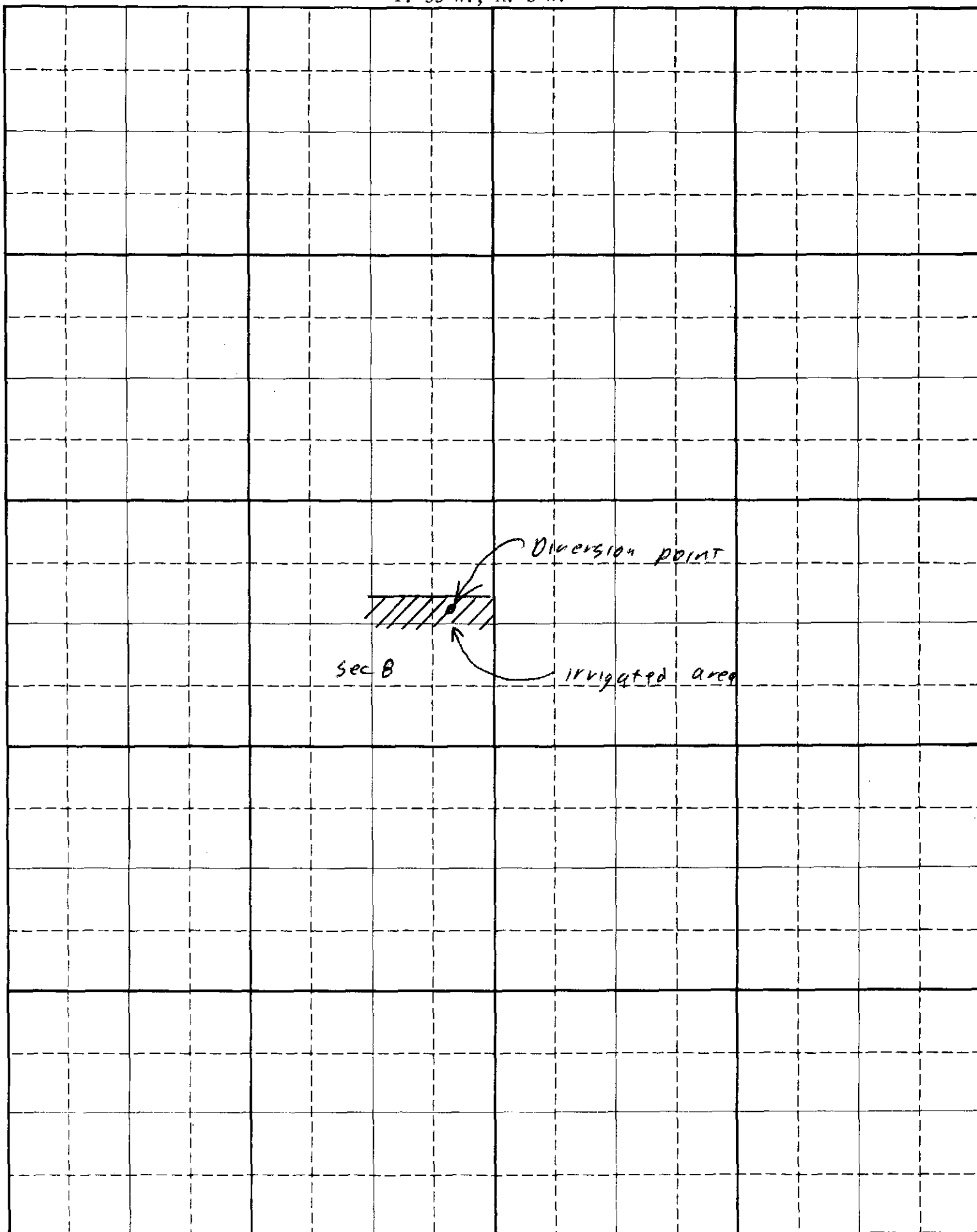
Total number of acres to be irrigated 30

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
55	SW	8																	30
			15	15															

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

T. 55 W., R. 5 W.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Brian J. Dockins
(Applicant)
Emily Dockins
JUN 14 1995

JUN 14 1995

Director

Witness my hand this _____ day of _____, 19____.

2. Denial of said application is for the following reasons:

c. Other: _____

before _____, 19____.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or a. SUBJECT TO ALL PRIOR WATER RIGHTS.

1. Approval of said application is subject to the following limitations and conditions:

Idaho No. _____, and said application is hereby _____.
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Recommended for approval denial by _____

Hearing held by _____ Date _____

Copies of protests forwarded by _____

Protests filed by: _____

Priority reduced to _____ Reason _____

Publication approved _____ Date _____

Publication dates _____
2/17-2/19/93 3/14-11/93 3/17-2/4/93

Published in _____
Date 2/12/93
Mr. Date 2/12/93

Received by _____
Date 1-19-93
Fee \$ (N 6245-95) 7006239-70

Received by _____
Date 1-19-93
Time 2:50
1:00 pm (before 1:00 pm)

AFFIDAVIT OF PUBLICATION

State of Idaho

ss. Linda S Ramsey
 County of Bonner, General Manager
 being duly sworn, says that he is the

of the PRIEST RIVER TIMES, a weekly newspaper printed and published at Priest River, Bonner County, Idaho, and has been continuously and uninterruptedly published in said County during a period of 78 consecutive weeks prior to the first publication of the annexed notice for publication, is a newspaper of general circulation made up of at least eight pages of at least six columns each, printed from typewritten or stereotyped forms of at least nineteen and three-fourths inches in length, has at least 1250 bona fide subscribers living within said Bonner County, and is published at regular weekly intervals. That the annexed is a true copy of the notice for publication in the case of

1418
96-08736 Dockins

as it was published in the regular and entire issue of the said paper for a period of two consecutive weeks, commencing on 17 day of March, 1993 and ending on the 24 day of March, 1993 and that said notice was published in said newspaper.

On this 24 day of March in the year of 1993, before me, a Notary Public, personally appeared Linda S Ramsey, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Don L. Ramsey
 Notary Public for Idaho
 Residing at Priest River
 My commission expires: 12/24/98

ICE OF APPLICATION
 FOR WATER RIGHT
 The Following application(s) have been filed to appropriate the public waters of the State of Idaho:
 96-08736
 DOCKINS, BRIAN L
 DOCKINS, CINDY L
 RT 2 BOX 372A
 OLDTOWN, ID 83822
 Source: UNNAMED STREAM
 Tributary: SINKS
 Diversion Pt: SENE Sec 8 T 55N R 05W in BONNER County.
 Use: IRRIGATION (.600 CFS)
 DOMESTIC (.040 CFS)
 Total Diversion: (.640 CFS)
 Dated Filed: 1/22/1993
 In: BONNER County
 T55N R05W S08 SWNE SENE
 30.0 ACRES TOTAL
 For additional information concerning the property location, call the Northern Regional Office at 765-4639.
 The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814 on or before APRIL 5, 1993.
 R. KEITH HIGGINSON, Director
 #1418 PRT March 17, 25, 1993

OK
 4/22/93

RECEIVED
 APR 05 1993
 TOWN

100-141000

MEMORANDUM

DATE: July 2, 1998

TO: Al Beardslee and Water Right Files 97-07351 and 97-07367

FROM: Shelley W. Keen *SWK*

RE: Place of use and point of diversion

This morning I spoke with Brian Dockins about the points of diversion and places of use for license 97-07351 and permit 97-07367. Based on the field examination for 97-07384 and Mr. Dockins's own estimate, Mr. Dockins believes the points of diversion and places of use for 97-07351 and 97-07367 are actually in govt. lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$) instead of govt. lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$). I advised Mr. Dockins to discuss this matter with the field examiner for 97-07367 and that IDWR would solicit an amendment of permit based on the examiner's findings.

As for the license, 97-07351, the field examiner for 97-07367 should ascertain the locations of the point of diversion and place of use and send me a map and memo describing his or her findings. I strongly recommend the use of a GPS unit for this effort. If the examiner's memo indicates that the place of use and point of diversion descriptions on the license are incorrect, I will determine how to address the issue.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 10, 1996

BRIAN L DOCKINS
CINDY L DOCKINS
PO BOX 1577
OLDTOWN ID 83822

RE: WATER RIGHT NO. 97-07351

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

LICENSE REVIEW CHECKLIST

PERMIT NO. 97-07351

DATE 12/9/96

REVIEWER: S H A R L A

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>No</u>
SOURCE	—	✓	Is change clarification of originally intended source? <u>—</u> If not, prepare Notice of Intent to Void <u>—</u>
POINT OF DIV	—	✓	Amendment required <u>No</u>
PLACE OF USE	—	✓	Amendment required <u>No</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>.04</u> cfs
Fee limit	<u>.20</u> cfs \$50 ⁰⁰
Measured	<u>.02</u> cfs
Theoretical	<u>—</u> cfs

Recommended Total Div Rate .02 cfs

**ANNUAL VOLUME/
NATURE OF USES**

<u>—</u> <u>✓</u>	Use <u>Dom</u>	Volume Calculation
		<u>.6</u> af
		<u>—</u> af
		<u>—</u> af
		<u>—</u> af
		<u>—</u> af
		SUBTOTAL <u>.6</u> af

Flow rate — cfs X — days X 1.9835 = — af
 Total volume recommended — af
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS

Law & garden irrigation
totalling 1/2 ac or less.

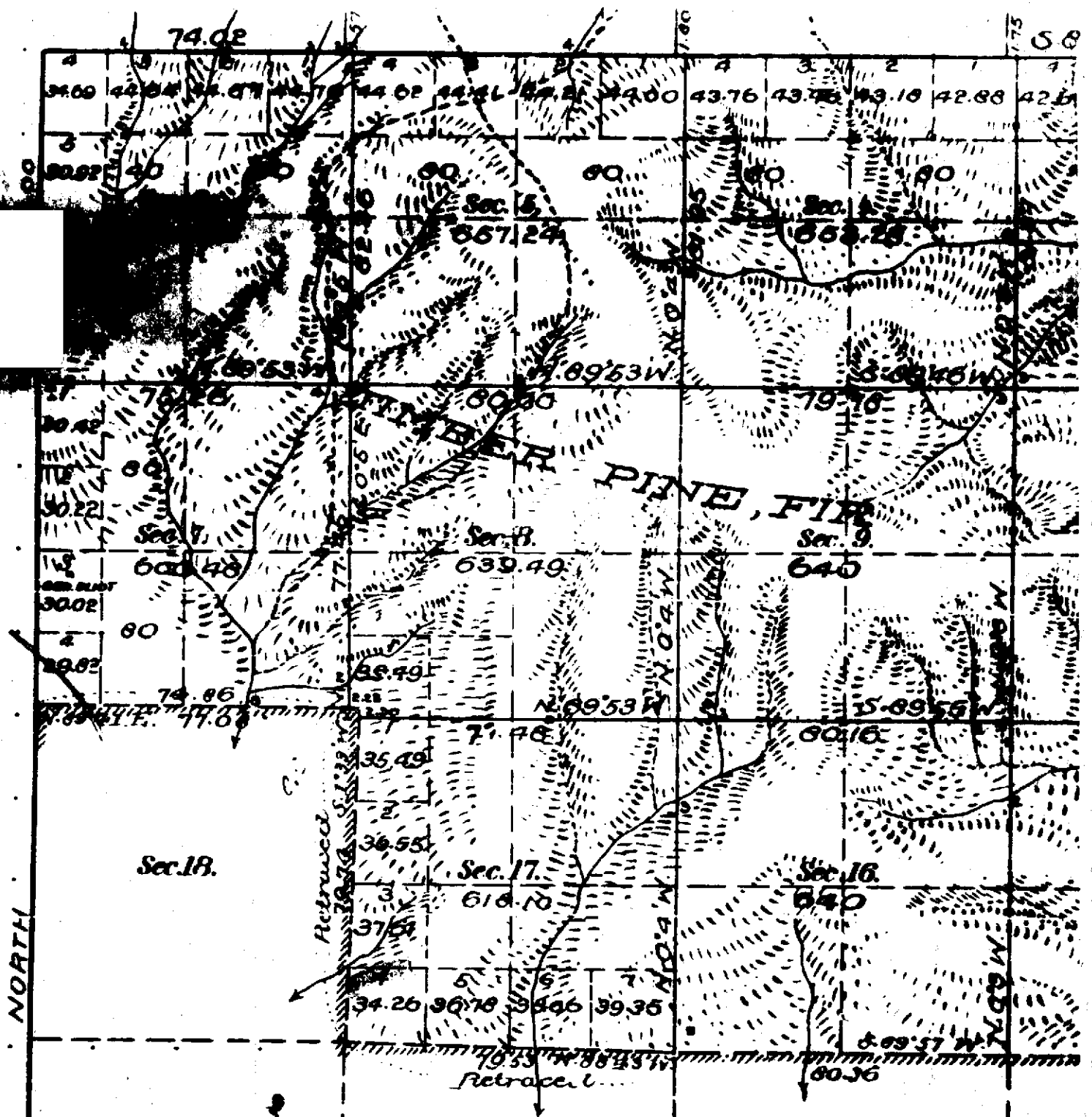
CONDITIONS

— Watermaster Control WD# —
— GW Measurement/Measuring Device
— Overlap
— Use-specific conditions

Advancement of Priority Date Required — yes — no

SRBA Claim Filed N/A
 Adjustment Memo ✓

1st Amend Letter N/A
 2nd Amend Letter —



Previous Survey by Robinson and

Pond d'Orville

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 15 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 97-07351

1. Owner: Brian L. & Cindy L. Dockins Phone No. (208) 437-0155

Current Address: Box 1578 Oldtown Id. 83822

2. Accompanied by: Cindy Dockins EXAM DATE: 7-10-96

Address: same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: unnamed stream tributary to Sinks

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 97-07367

2. Other water rights with the same point of diversion: 97-07367

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	SW	17	56N	05W	Bonner	U.S.G.S. 7.5 min Quad

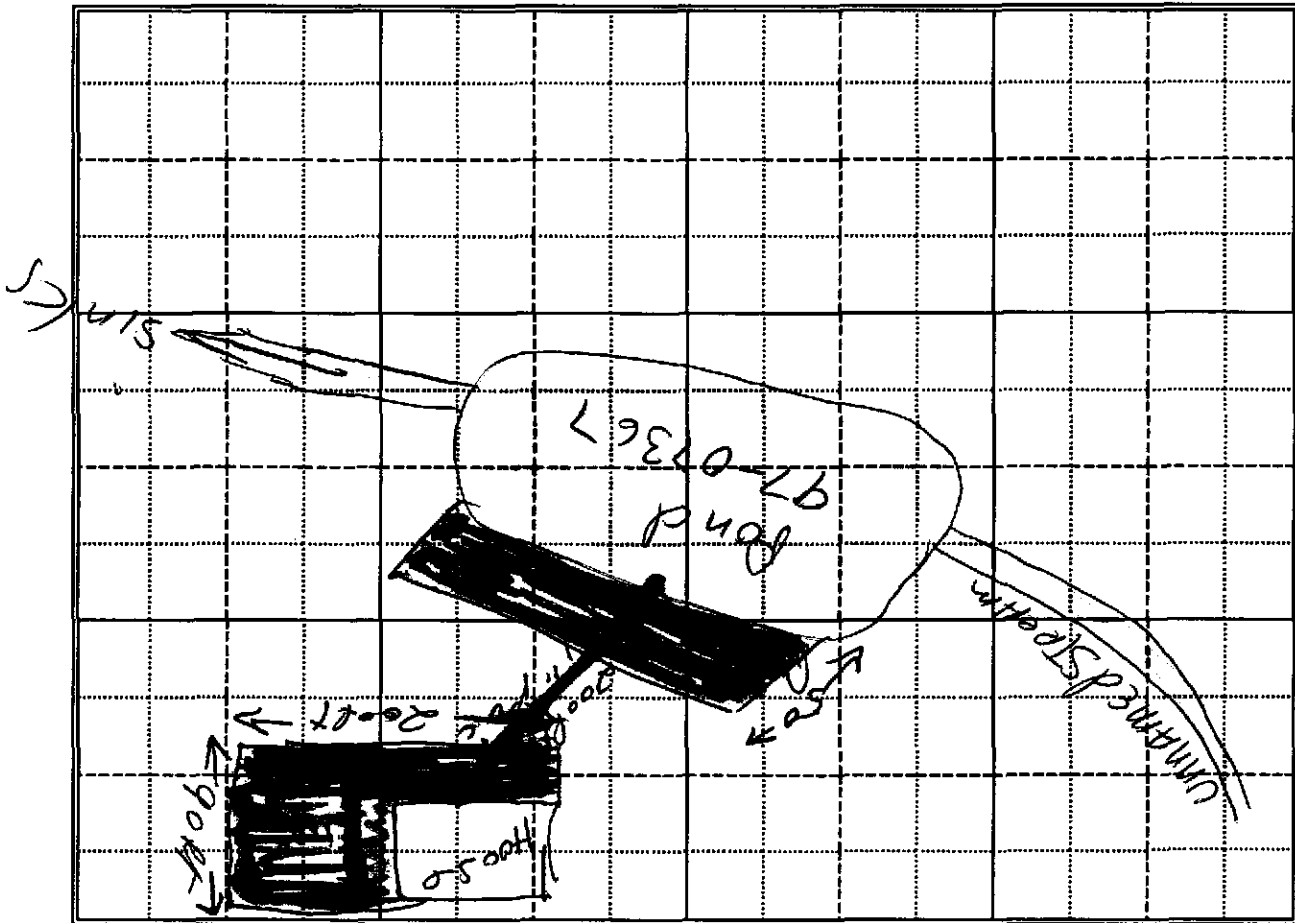
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N	05W	17											D						

APR 25 1997

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe l.d. as applicable.



Scale: 1" = 100'

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
Aerial Photo Attached (required for irrigation of 10+ acres)
Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Sears RoT	5	548422C1581	Sears	250281

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

E. NARRATIVE/REMARKS/COMMENTS

Point of diversion for this permit is in pond which is in stream. The pond is covered on Permit # 97-07367

Irrigation of 9.5 acres is accomplished with garden hose (5/8") attached to frost free valves at desired location

Domestic use does not include household use. Only lawn + garden

Have conditions of permit approval been met? ☒ yes ☐ no

APPROVED
MAY 28 2008

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached
 5 gal bucket 5 gal in 30 sec 109 ft

$$\frac{10 \times 1.33681}{60} = .02 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{D.R.} =$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Domestic

Period of Use
 From 01-01
 To 11-31

Rate of Diversion

Q (cfs)
 .02

Annual Volume

V (afa)
 .6

2. Recommended Amendments

Change P.D. as reflected above
 Change P.U. as reflected above

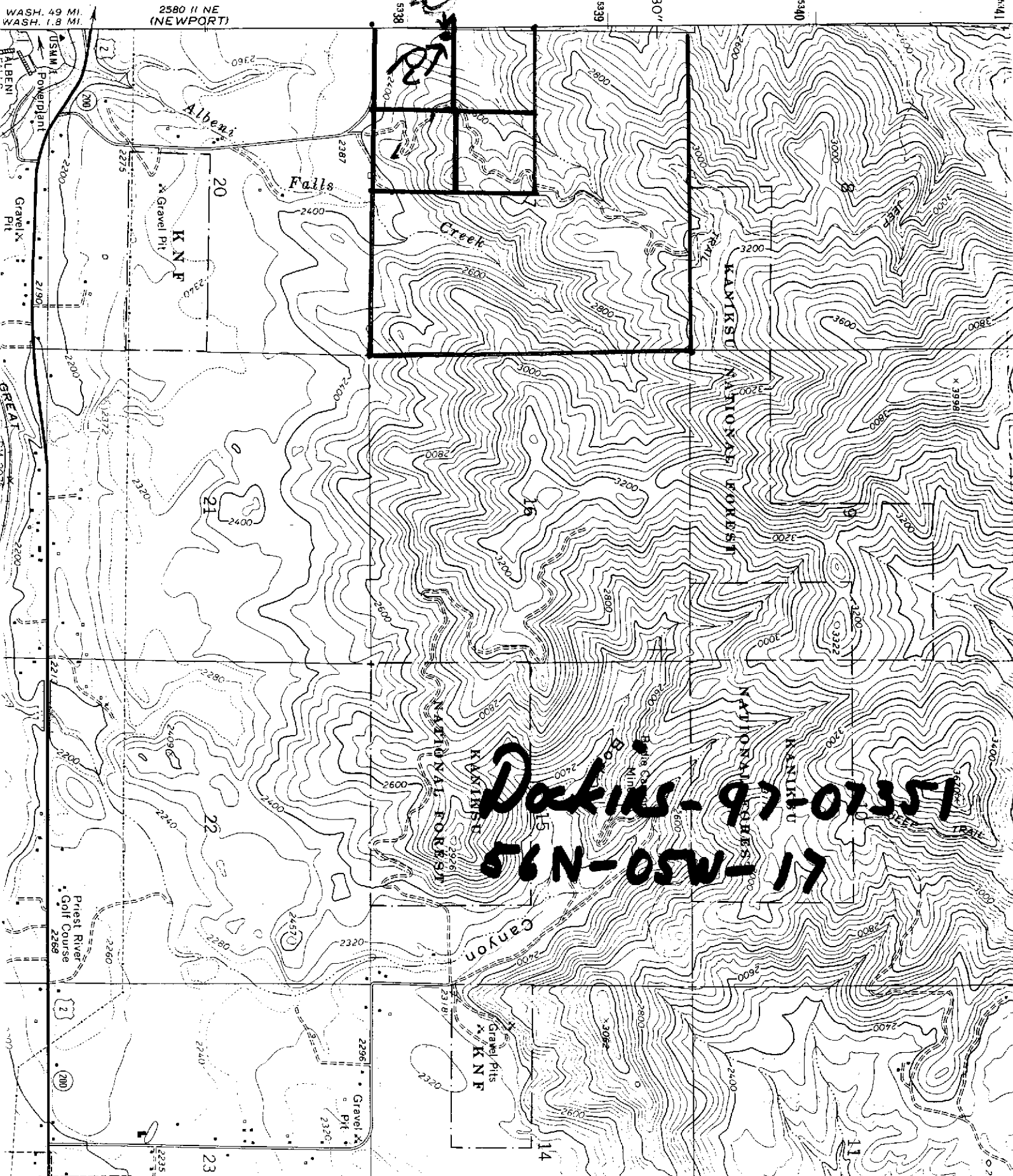
Add P.D. as reflected above
 Add P.U. as reflected above
 None
 Other

I. AUTHENTICATION

Field Examiner's Name *Wayne J. Smith* Date *8-9-96*

Reviewer _____ Date _____

SEAL



DICKINS-97-07351
06N-05W-17

PERMIT # 97-07357

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT



Dockins

Permit No. 97-07351 Reviewed by Shy Date 3-28-96

TYPES OF USE

Correct Uses? yes

☒ Surface water source

~~_____~~ Drilling permit required?
~~_____~~ Copy in the file? Drill
~~_____~~ Amount paid for permit
~~_____~~ Well log in the file?

MEASURING DEVICE

no Required?
/ Installed?
 Waiver requested?

Date proof received	_____		_____
Date proof due	_____	-	_____
No. of days late	_____	=	_____
Priority Date	_____	+	_____
New Priority Date	_____		_____

Proof acceptable

New Address _____ Proof Made 3-26-96

March 28, 1996

BRIAN L DOCKINS
CINDY L DOCKINS
RT 2 BOX 372A
OLDTOWN ID 83822

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 97-07351

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208) 769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

MAR 29 1996

January 31, 1996

BRIAN L DOCKINS
CINDY L DOCKINS
RT 2 BOX 372A
OLDTOWN ID 83822

PROOF DUE NOTICE

RE: PERMIT NO. 97-07351

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1996.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

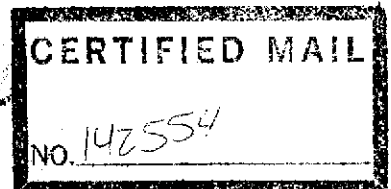
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 5, 1995

RE: In the Matter of Application for Permit No. 96-07351 in the name of Brian and Cindy Dockins

Dear Interested Party:

The accompanying order is a "final order" issued by the department pursuant to section 67-5246 or 67-5247, Idaho Code.

Section 67-5246 provides as follows:

(1) If the presiding officer is the agency head, the presiding officer shall issue a final order.

(2) If the presiding officer issued a recommended order, the agency head shall issue a final order following review of that recommended order.

(3) If the presiding officer issued a preliminary order, that order becomes a final order unless it is reviewed as required in section 67-5245, Idaho Code. If the preliminary order is reviewed, the agency head shall issue a final order.

(4) Unless otherwise provided by statute or rule, any party may file a petition for reconsideration of any order issued by the agency head within fourteen (14) days of the issuance of that order. The agency head shall issue a written order disposing of the petition. The petition is deemed denied if the agency head does not dispose of it within twenty-one (21) days after the filing of the petition.

(5) Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed

JUN 14 1995

a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

(6) A party may not be required to comply with a final order unless the party has been served with or has actual knowledge of the order. If the order is mailed to the last known address of a party, the service is deemed to be sufficient.

(7) A nonparty shall not be required to comply with a final order unless the agency has made the order available for public inspection or the nonparty has actual knowledge of the order.

(8) The provisions of this section do not preclude an agency from taking immediate action to protect the public interest in accordance with the provisions of section 67-5247, Idaho Code.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a final order within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5246(4) Idaho Code.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by a final order or orders previously issued in a matter before the department may appeal the final order and all previously issued orders in the matter to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or

JUN 14 1995

- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days a) of the service date of the final order, b) of an order denying petition for reconsideration, or c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See section 67-5273, Idaho Code. The filing of an appeal to district court does not in itself stay the effectiveness or enforcement of the order under appeal.

Additionally, please be advised that Permit No. 96-08736 has been re-numbered to 97-07351. Please refer to the new number in all future correspondence with the department.

Sincerely,



L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosure

cc: IDWR - Region

RECEIVED
JUN 14 1995

SPECIAL NOTE: THIS IS FOR THE AMENDED APPLICATION.**PROTEST INFORMATION SHEET****Protestant(s)**

	NAME	ADDRESS	PROTEST DATE
1	Arley Lawrence	P.O. Box 1931, Oldtown, Id. 83822	6/15/93
2			
3			
4			
5			
6			
7			
8			
9			
10			

ATTORNEY

ADDRESS

DATE FILED: 6/15/93 PROTEST DUE DATE: 6/21/93ISSUES: Insufficient water to satisfy protestants' and applicants' water rights.**Applicant**

ATTORNEY

ADDRESS

	DATE
Protest Date Entered on Computer	<u>7/19/93</u>
Acknowledgment Letters Sent	<u>7/21/93</u>
Hearing Date	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>

(Other Dates)

Other Information:

Protest information submitted to computer (following hearing):

JUN 14 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

CECIL D. ANDRUS

Governor

September 21, 1994

R. KEITH HIGGINSON

Director

Arley Lawrence
P.O. Box 1931
Oldtown, ID 83822

RE: In the matter of Application for Permit No. 96-08736 in the name of
Brian and Cindy Dockins.

Dear Mr. Lawrence:

The accompanying order is a "recommended order" issued by the department pursuant to Section 67-5243, Idaho Code. The provisions of this order will not become effective until the Director issues a final order in this matter.

Each party to these proceedings who appeared at the hearing may file a petition for reconsideration, briefs and exceptions to the recommended order and may request oral argument before the Director of the department as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a recommended order with the hearing officer issuing the order within fourteen (14) days of the service date of the order. The hearing officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service of this recommended order, (b) the service date of a denial of a petition for reconsideration from this recommended order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this recommended order, any party may in writing support or take exceptions to any part of a recommended order and may file briefs in support of the party's position on any issue in the proceeding. Written briefs in support of or taking exceptions to the recommended order shall be filed with the Director. Opposing parties shall have twenty-one (21) days to respond.

ORAL ARGUMENT

The Director may schedule oral argument in the matter before issuing a final order. Oral argument on exceptions to a recommended order shall be heard at the discretion of the Director. If oral arguments are to be heard,

JUN 14 1995



State of Idaho DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

CECIL D. ANDRUS

Governor

September 21, 1994

R. KEITH HIGGINSON

Director

Brian and Cindy Dockins
Rt. 2, Box 372A
Oldtown, ID 83822

RE: In the matter of Application for Permit No. 96-08736 in the name of
Brian and Cindy Dockins.

Dear Mr. and Mrs. Dockins:

The accompanying order is a "recommended order" issued by the department pursuant to Section 67-5243, Idaho Code. The provisions of this order will not become effective until the Director issues a final order in this matter.

Each party to these proceedings who appeared at the hearing may file a petition for reconsideration, briefs and exceptions to the recommended order and may request oral argument before the Director of the department as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a recommended order with the hearing officer issuing the order within fourteen (14) days of the service date of the order. The hearing officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service of this recommended order, (b) the service date of a denial of a petition for reconsideration from this recommended order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this recommended order, any party may in writing support or take exceptions to any part of a recommended order and may file briefs in support of the party's position on any issue in the proceeding. Written briefs in support of or taking exceptions to the recommended order shall be filed with the Director. Opposing parties shall have twenty-one (21) days to respond.

ORAL ARGUMENT

The Director may schedule oral argument in the matter before issuing a final order. Oral argument on exceptions to a recommended order shall be heard at the discretion of the Director. If oral arguments are to be heard,

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JUN 14 1995

the Director will, within a reasonable time, notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the recommended order shall be served on all other parties to these proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The agency may remand the matter for further evidentiary hearing if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

APPEAL OF FINAL ORDER TO DISTRICT COURT

A party aggrieved by a final order of the Director is entitled to judicial review in compliance with sections 67-5271 through 67-5279, Idaho Code.

Sincerely,



BOB HAYNES, P.E.
Regional Manager

Enclosures

RECEIVED

JUN 14 1995

June 23, 1994

Mr Arley Lawrence
Rt 4 Box 145
Oldtown ID 83822

Re: 96-08736 - Brian & Cindy Dockins

Dear Mr. Lawrence:

I recently received a copy of the agreement that was proposed to resolve your protest of the Dockins' application for permit to appropriate water and the approval of the extension of time on your existing permit. At our conference both you and the Dockins' agreed to allow the department to render a decision on your protest of their application if an agreement had not reached by June 1. The department would still prefer for a settlement to be reached; however, if this is not possible or if you have changed your mind we are willing to render a decision. Please let me know what you want us to do on this matter.

If you have any questions, please contact me.

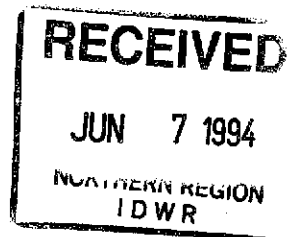
Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RECEIVED

JUN 14 1995

Post Office Box 1577
Oldtown, Idaho 83822
June 3, 1994



Arley and Patricia Lawrence
Post Office Box 1931
Oldtown, Idaho 83822

RE: Dockins/Lawrence Water Agreement

Dear Mr. and Mrs. Lawrence:

As you are probably aware, the June 1st deadline has come and gone as set by the State of Idaho Water Resources, for us to come to an agreement as discussed at the water hearing.

I am enclosing a copy of the agreement Mr. Cooke has drafted, as per the notes taken at the water hearing by the arbitrator. I have also enclosed a copy of the billing received for the said agreement.

I am sure you are very busy, but could you please get us a copy of the proposed reconstruction of the water system as discussed at the hearing?

If the enclosed agreement does not meet with your approval, please let us know. We believe that it encompasses each of our desires very effectively and that it is a well written document. We still, however, need to attach your reconstruction plans.

Thank you for your immediate attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Cindy D.".

Brian and Cindy Dockins

cc: State of Idaho Water Resources w/enclosure (Agreement)

A faint, rectangular stamp, possibly a "RECEIVED" or "FILED" stamp, with illegible text inside.

JUN 14 1995

COOKE LAMANNA SMITH COGSWELL & ELLIOTT

CHARTERED

ATTORNEYS AND COUNSELORS AT LAW

PRIEST RIVER PROFESSIONAL CENTER

P. O. BOX 789

PRIEST RIVER, IDAHO 83856-0789

(208) 448-1221

FAX NUMBER (208) 448-1314

RECEIVED

JUN 7 1994

NORTHERN REGION
IDWR

THOMAS E. COOKE
NICK M. LAMANNA
STEPHEN F. SMITH
DAR COGSWELL
CINDY ELLIOTT
KEVIN D. SATTERLEE

May 19, 1994

SANDPOINT OFFICE
FIRST AND SUPERIOR
SANDPOINT, IDAHO 83864
(208) 263-3115
FAX NUMBER (208) 263-8832

ESTHER L. COX
ADMINISTRATIVE ASSISTANT

Brian and Cindy Dockins
Route 2, Box 372-A
Oldtown, Idaho 83822

RE: Water Rights Matter

Dear Brian and Cindy:

Enclosed please find a Water Agreement that I drafted relative to the above matter. Please read this over carefully and be sure that this covers everything that needs to be covered.

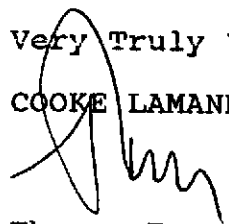
Once the agreement is correctly stated, of course, it needs to be signed and I note that the State of Idaho wants a copy of it as a condition of approving your application for the single family domestic use and for the recreational fish pond. The signatures of all parties need to be notarized and I would recommend that you record this document.

Let me know if you have any questions or if any modifications, etc. are necessary.

Best regards.

Very Truly Yours,

COOKE LAMANNA SMITH COGSWELL & ELLIOTT


Thomas E. Cooke
Attorney at Law
TEC:ns
Enclosure

JUN 14 1995

WATER AGREEMENT

WATER AGREEMENT made and entered into this ____ day of May, 1994 by and between BRIAN L. DOCKINS, DVM and CYNTHIA L. DOCKINS, husband and wife, hereinafter "Dockins" and ARLEY DU WAYNE LAWRENCE and PATRICIA L. LAWRENCE, husband and wife, hereinafter "Lawrence",

WITNESSETH:

WHEREAS Dockins is the owner of the following described real property situated in Bonner County, Idaho to wit:

Government Lot 4, less the South 696.8 feet thereof; and Government Lot 3, less the North 627 feet thereof, all in Section 17, Township 56 North, Range 5 West, Boise Meridian.

and,

WHEREAS Lawrence is the owner of the following described tract, situated immediately to the West of the Dockins property, and generally described as follows:

The East one-half of the Southeast Quarter of Section 18, Township 56 North, Range 5 West, Boise Meridian.

and,

WHEREAS Lawrence is possessed of certain water rights from an unnamed spring situated on the Dockins tract, which water rights are partially represented by State of Idaho Department of Water Resources permits to appropriate water Number 97-07322 and 97-07323, and,

WATER AGREEMENT

Page 1

JUN 14 1995

WHEREAS certain disputes have arisen with respect to the respective parties water rights on their subject properties, and,

WHEREAS the parties have negotiated with one another and agreed to resolve their differences by entering into this Agreement respecting their individual water rights.

NOW, THEREFORE, it is agreed as follows:

1. Dockins hereby recognizes that the following reservation of easement exists against the Dockins properties hereinabove described, the same being in favor of Lawrence:

RESERVING, in favor of Grantors and their adjoining real estate, the present water usage right and the collection box, holding tank, and underground water line for the water system as it now exists, and the right to keep, repair and maintain said system to divert water for household domestic use for Grantors residential adjoining property. The Grantors only reserve the water and system as presently in use, and Grantors specifically convey all further water, water usage and water rights to the Grantees as Grantors acknowledge that Grantees intend to make use of the waters in conjunction with their domiciliary use of the real estate.

2. In conjunction with the foregoing easement, Lawrence shall be permitted to construct a 600 gallon headbox and cistern, at his expense, and to connect the same to a 2 inch pipe traversing the Dockins property and running to the Lawrence property, and located underground. Lawrence agrees, prior to the initiation of any such construction, to provide a written plan to Dockins, which shall evidence the contemplated work, and to obtain Dockins permission

WATER AGREEMENT

Page 2

JUN 14 1995

prior to beginning construction. Dockins agrees not to unreasonably withhold permission, and the parties jointly acknowledge that it is the intent of Lawrence to essentially reconstruct the existing water collection and holding system without expanding its size.

3. Lawrence agrees to limit the taking of water from the above described headbox and cistern to existing domestic use, in an amount not to exceed 13,000 gallons per day, and for one additional domestic dwelling, in an amount not to exceed 2,500 gallons per day.

4. Lawrence further agrees to amend the above referenced permit to appropriate water Number 97-07322 to change the point of diversion shown thereon to the existing cistern on the Dockins property, and to limit the quantity of water to be diverted under said permit to an amount not to exceed 2,500 gallons per day.

5. Dockins agrees to amend his presently pending application with the State of Idaho Department of Water Resources which involves the taking of water from the same source, to one single family domestic use, in a quantity not to exceed 13,000 gallons per day. Lawrence agrees not to protest the same, and to withdraw any protest heretofore filed.

6. Dockins further agrees to file a new application with the State of Idaho Department of Water Resources for permission to divert water from the same source to a recreational fish pond, not

WATER AGREEMENT

Page 3

JUN 14 1995

to exceed 0.1 acre feet in capacity. Lawrence agrees not to protest said application, and to withdraw any protest which may now be pending.

7. Lawrence agrees that all irrigation and stock water uses, except that of the existing domestic use hereinabove referred to, will be diverted from the water source downstream from Dockins.

8. Lawrence agrees to place a gate valve on the 2 inch water transportation line hereinabove referred to during the summer months, in order to avoid the waste of water, and to use said gate valve as necessary to accomplish said end.

9. Lawrence agrees to subordinate his use of water under Permit Number 97-07323 for irrigation purposes to Dockins domestic use, in a quantity by Dockins of not over 25,000 gallons per day.

10. This agreement shall be binding upon the heirs, personal representatives, and successors in interest of the parties hereto.

IN WITNESS WHEREOF the parties have set their hands to the within instrument the day and year set forth hereinbelow.

BRIAN L. DOCKINS DVM

ARLEY DU WAYNE LAWRENCE

CYNTHIA L. DOCKINS

PATRICIA L. DOCKINS

JUN 14 1995

STATE OF IDAHO,)
 :SS
County of Bonner.)

On this _____ day of May, 1994, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared **BRIAN L. DOCKINS and CYNTHIA L. DOCKINS**, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

Notary Public - State of Idaho
Residing at _____ therein.
My commission expires: _____.

STATE OF IDAHO,)
 :SS
County of Bonner.)

On this _____ day of May, 1994, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared **ARLEY DU WAYNE LAWRENCE and PATRICIA L. LAWRENCE**, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

Notary Public - State of Idaho
Residing at _____ therein.
My commission expires: _____.

RECORDED
JUN 14 1995

HEARING
April 26, 1994
96-8736 - Dockins

DOCKINS

1. Recognize easement as allowing the construction of a 600 gallon headbox and cistern (no increase in size) and two-inch pipe across their property restricted to existing domestic (13,000 GPD) use and in-house use on an additional house (2,500 GPD).
2. Amend application to cover only single family domestic (13,000 GPD).
3. File a new application to cover recreational fish pond.

LAWRENCE

1. Drop protest against approval of a permit to Dockins for Domestic (13,000 GPD) use and a fish pond not to exceed 0.1 A/F in capacity.
2. Amend 97-7322 to change point of diversion for in-house use diversion to existing cistern on Dockins' property limited to 2,500 GPD.
3. All irrigation and stockwater uses, except that under existing domestic use, will be diverted downstream from Dockins.
4. Valve 2-inch line to avoid waste.

5. Lawrence subordinate irrigation under permit No. 97-03223 & Dockins in-house use (2,500 GPD).

DEPARTMENT

1. Will process Dockins' application to approval upon receipt of signed agreement from Dockins and Lawrences.

RECEIVED

JUN 14 1995

• • •

File: AMENDED 96-8736 - Brian L. &/or Cindy L. Dockins
Date: Tuesday, April 26, 1994, 9:30 AM
Place: IDWR, 1910 Northwest Blvd., Coeur d'Alene, Id.

ROSTER OF ATTENDANCE

[illegible]

This image shows a blank sheet of white paper with horizontal black ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

In the Matter of)
Application No 96-08361
in the Name of Brian)
and Cindy Dockins)

Agreement

We the undersigned agree to allow the department
to render a decision based on the information
presented at the conference at Coeur d'Alene
on April 26, 1994 if an agreement is not
reached by Dockins and Lawrence by
June 1 1994

Signed

Guthrie L. Dockins
Erica L. Dockins
Clyde Lawrence
Patricia L. Lawrence

RECORDED

JUN 14 1995

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 97-07323

Proposed Priority: June 26, 1992 Maximum Diversion Rate: 0.10 CFS

This is to certify, that ARLEY DU WAYNE LAWRENCE
PO BOX 1931
OLDTOWN ID 83822

has applied for a permit to appropriate water from:

UNNAMED STREAM tributary of SINKS

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.04 CFS	
STOCKWATER STORAGE	01/01 to 12/31		2.0 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		1.4 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	
DOMESTIC STORAGE	01/01 to 12/31		2.0 AF
DOMESTIC FROM STORAGE	01/01 to 12/31		1.2 AF
RECREATION	01/01 to 12/31	0.10 CFS	
RECREATION STORAGE	01/01 to 12/31		2.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.10 CFS	
Totals		0.10 CFS	

LOCATION OF POINT(S) OF DIVERSION: NESESE, Sec. 18, Township 56N, Range 05W
BONNER County

PLACE OF USE: STOCKWATER
TWN RGE SEC

56N 05W 18 SESE

PLACE OF USE: STOCKWATER FROM STORAGE, same as STOCKWATER use

PLACE OF USE: DOMESTIC, same as STOCKWATER use

PLACE OF USE: DOMESTIC FROM STORAGE, same as STOCKWATER use

PLACE OF USE: RECREATION, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1993.
2. Subject to all prior water rights.
3. Stockwater use is for 50 range cattle.
4. Domestic use is for 1 home.

JUN 14 1992

PAGE 2

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 97-07323

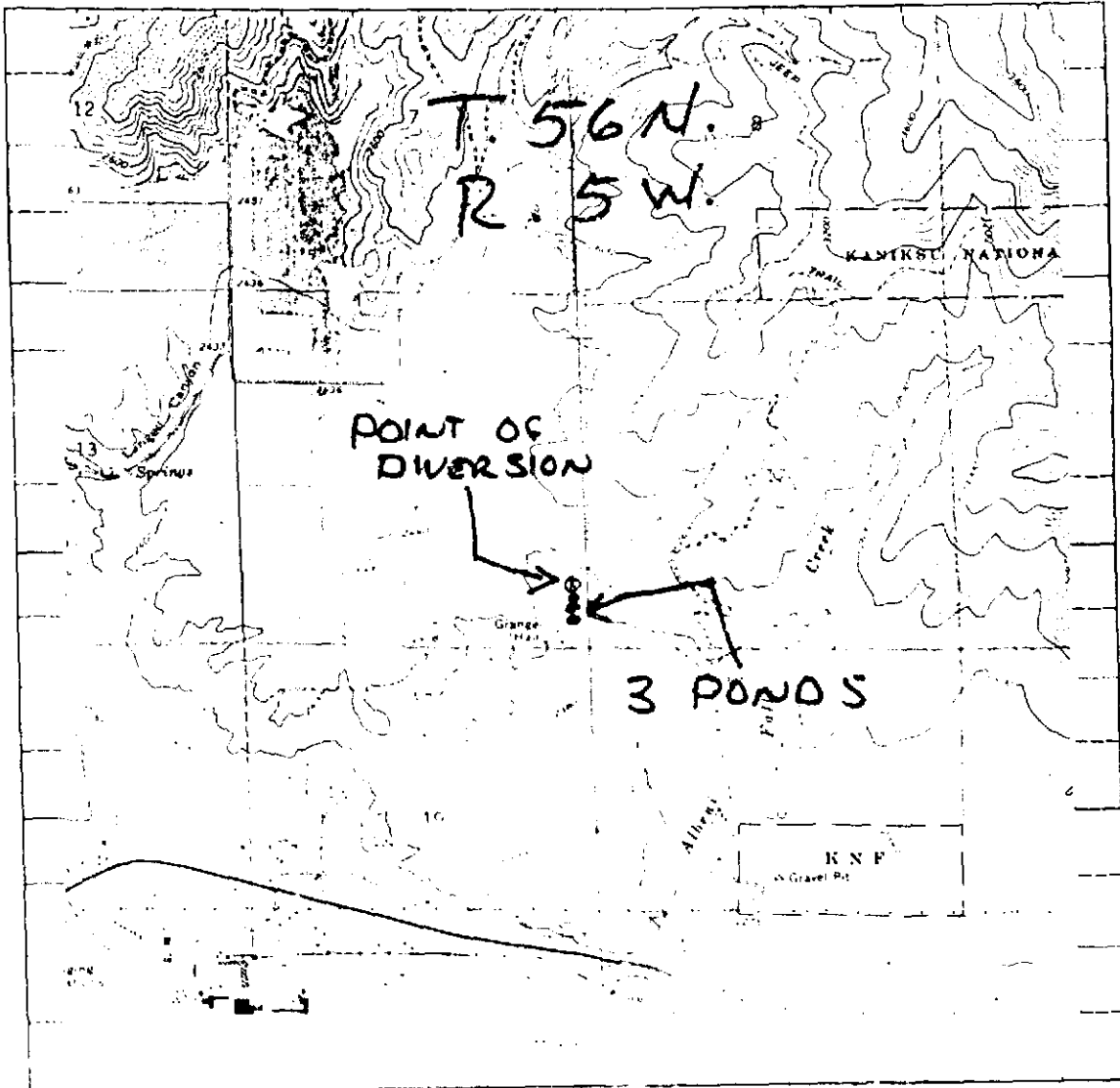
This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

7th day of October, 1992

R. Keith Higginson
for R. Keith Higginson, Director

JUN 1 1992

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth

Ray D. [Signature]
(Applicant)



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

March 23, 1994

Mr. and Mrs. Brian L. Dockins
Rt. 2 Box 372A
Oldtown, Id. 83822

Dear Mr. and Mrs. Dockins:

Re: 96-8736

Please be advised that the hearing that was scheduled for Wednesday, March 30, 1994 at 9:00 AM in the conference room of our northern regional office has been cancelled due to a conflict with the hearing officer.

The hearing will be rescheduled for the last week in April and a new notice will be forthcoming. We are sincerely sorry for any inconvenience and if you have any questions, please feel free to contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms

RECEIVED
JUN 14 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

March 23, 1994

Mr. Arley Lawrence
P.O. Box 1931
Oldtown, Id. 83822

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Regional Manager

RGH/pms

RECEIVED

JUN 14 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

March 23, 1994

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Rt. 4 Box 145
Oldtown, Id. 83822

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Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms

JUN 14 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Northern Region Office
1910 Northwest Blvd - Suite 210
Coeur d'Alene, ID 83814-2615

CERTIFIED MAIL

NO. 48260

RETURN RECEIPT REQUESTED



PERMIT CLOSED NO ORDER
☐ DECEASED
☐ INSUFFICIENT ADDRESS
☐ UNCLAIMED
☐ UNDELIVERED NOT KNOWN
☒ UNDELIVERED AS ADDRESSED/
UNABLE TO FORWARD
DATE _____ REASON _____

JUN 14 1995

FEB 16 1994

MAR 2 1994

MR ARLEY LAWRENCE

PO BOX 1931

OLDTOWN ID 83822

Not at this address

RECEIVED

FEB 22 1994

NORTHERN REGION
IDWR

Is your RETURN ADDRESS
completed on the reverse side?

● SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested. 1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)	
3. Article Addressed to: MR ARLEY LAWRENCE PO BOX 1931 OLDTOWN ID 83822 96-8736	4. Article Number 48260
	Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise
Always obtain signature of addressee or agent and <u>DATE DELIVERED</u> .	
5. Signature — Address X	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature — Agent X	
7. Date of Delivery JUN 1 1985	

Thank you for using
Return Receipt Service.

Is your **RETURN ADDRESS** completed on the reverse side?

● SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested. 1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)		3. Article Addressed to: MR ARLEY LAWRENCE PO BOX 1931 OLDTOWN ID 83822 96-8736		5. Signature — Address X		6. Signature — Agent X		7. Date of Delivery	
4. Article Number 48259		Type of Service: ☐ Registered ☒ Certified ☐ Express Mail ☐ Insured ☐ COD ☐ Return Receipt for Merchandise Always obtain signature of addressee or agent and DATE DELIVERED.		B. Addressee's Address (ONLY if requested and fee paid)					

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

Thank you for using
Return Receipt Service.

48-1-1005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region Office
1910 Northwest Blvd - Suite 210
Coeur d'Alene, ID 83814-2615

CERTIFIED MAIL

NO. 48259

RETURN RECEIPT REQUESTED

SP WA 992 DEC 2 19 57 01/31/94

MR ARLEY LAWRENCE

PO BOX 1931

OLDTOWN ID 83822

FEB - 1 1994
2-8-94

FEB - 5 1994

JUN 14 1995

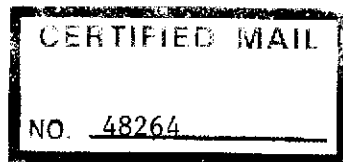


Is your RETURN ADDRESS
completed on the reverse side?

● SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested. 1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)							
3. Article Addressed to: MR ARLEY LAWRENCE PO BOX 1931 OLDTOWN ID 83822 96-8736	4. Article Number 48264 Type of Service: <table><tr><td>☐ Registered</td><td>☐ Insured</td></tr><tr><td>☒ Certified</td><td>☐ COD</td></tr><tr><td>☐ Express Mail</td><td>☐ Return Receipt for Merchandise</td></tr></table> Always obtain signature of addressee or agent and <u>DATE DELIVERED</u>.	☐ Registered	☐ Insured	☒ Certified	☐ COD	☐ Express Mail	☐ Return Receipt for Merchandise
☐ Registered	☐ Insured						
☒ Certified	☐ COD						
☐ Express Mail	☐ Return Receipt for Merchandise						
5. Signature — Address X	8. Addressee's Address (ONLY if requested and fee paid)						
6. Signature — Agent X							
7. Date of Delivery							

Thank you for using
Return Receipt Service.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region Office
1910 Northwest Blvd - Suite 210
Coeur d'Alene, ID 83814-2615



RETURN RECEIPT REQUESTED

JUN 14 1995

POST OFFICE CLOSED NO DELIVERY
RELEASED
X SUFFICIENT ADDRESS
NAMED

MR ARLEY LAWRENCE

PO BOX 1931

OLDTOWN ID 83822

3-11
3-17-94
3-26

83822-1931

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

ISSUES

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

1. Will the proposed appropriation injure other water rights?
2. Is the water supply sufficient for the purpose for which it is sought to be appropriated?
3. Was the application made in good faith or for delay or speculative purposes?
4. Does the applicant have sufficient financial resources with which to complete the proposed project?

BURDEN OF PROOF

The applicant has the initial burden of proof for issues 1, 2, 3, 4, and 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors of which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement or make settlement offers, schedule hearings, establish procedure at hearing and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

March 16, 1994

Mr. and Mrs. Brian L. Dockins
Rt. 2 Box 372A
Oldtown, Id. 83822

Dear Mr. and Mrs. Dockins:

Re: 96-8736

Enclosed is a new Conference and Hearing Procedure Sheet to replace the one that was sent with the Notice of Hearing on March 10, 1994.

The previous information sheet had some errors in it. If you have any questions, please feel free to contact this office.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms

Enc. - Conference and Hearing Procedure Sheet

JUN 16 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

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Regional Manager

RGH/pms

Enc. - Conference and Hearing Procedure Sheet

RECEIVED
MARCH 16 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
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Enc. - Conference and Hearing Procedure Sheet

SENDER:

- Complete items 1 and 2 for additional services.
- Complete items 3, and 4a b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also ☐ to receive the following ☐ (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

MR AND MRS BRIAN L DOCKINS
RT 2 BOX 372A
OLDTOWN ID 83822

4a. Article Number

48262

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

Date of Delivery

3/16/1995

5. Signature (Addressee)**6. Signature (Agent)****7. Addressee's Address (Only if requested and fee is paid)**

UNITED STATES POSTAL SERVICE

Official Business



Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES
1910 NORTHWEST BLVD. - SUITE 210
COEUR D'ALENE, IDAHO 83814



SENDER:

- Complete items 1 and 2 for additional services.
- Complete items 3, and 4 b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
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1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

MR ARLEY LAWRENCE
RT 4 BOX 145
OLDTOWN ID 83822

4a. Article Number

48263

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

3-11-94

5. Signature (Addressee)

Virginia Smith

6. Signature (Agent)**8. Addressee's Address (Only if requested and fee is paid)**

UNITED STATES POSTAL SERVICE

Official Business



RECEIVED

MAR 14 1994

Print your name, address and ZIP Code here

NORTHWEST REGION
IDWR

PENALTY FOR PRIVATE
USE, \$300

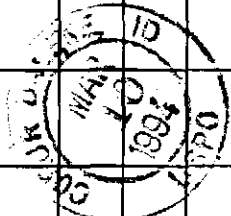
**DEPARTMENT OF WATER RESOURCES
1910 NORTHWEST BLVD. - SUITE 210
COEUR D'ALENE, IDAHO 83814**



For Accountable Mail

DEPARTMENT OF WATER RESOURCES
1910 NORTHWEST BLVD. - SUITE 210
COEUR D'ALENE, IDAHO 83814

Name and Address of Sender		Article Number		Name of Addressee, Street, and Post Office Address		Indicate type of mail		Check appropriate block for Registered Mail:		Affix stamp here if issued as certificate of mailing or for additional copies of this bill.		POSTMARK AND DATE OF RECEIPT	
Line													
1	48262	MR AND MRS BRIAN L DOCKINS	RT 2 BOX 372A	OLDTOWN ID 83822	29c	\$1.00							
2	48263	MR ARLEY LAWRENCE	RT 4 BOX 145	OLDTOWN ID 83822	"	"							
3	48264	MR ARLEY LAWRENCE	PO BOX 1931	OLDTOWN ID 83822	"	"							
4	48265	MR RANDALL DAY	PO BOX 918	BONNERS FERRY ID 83805	"	"							
5	48266	MR AND MRS SCOTT A PETERSON	HCR 01 BOX 395	NAPLES ID 83847	"	"							
6													
7													
8													
9													
10													
11													
12													
13													
14													
15													
Total Number of Pieces Listed by Sender		5		Total Number of Pieces Received at Post Office		Five		POSTMASTER, PER (Name of receiving employee)		lh Chavez		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual 913 and 914 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to third and fourth class parcels.	



SENDER: Complete items 1 and 2 when additional services are desired and complete items 3 and 4.

Put your address in "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

MR AND MRS BRIAN DOCKINS
RT 2 BOX 372A
OLDTOWN ID 83822

4. Article Number

48258

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Address

X

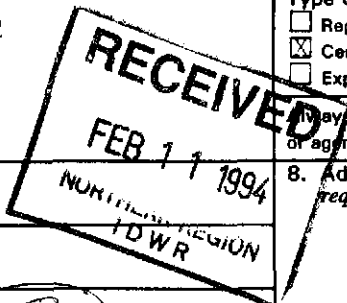
6. Signature — Agent

X

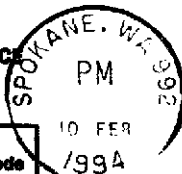
7. Date of Delivery

8. Addressee's Address (ONLY if requested and fee paid)

JUN 1 4 1995



UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE
USE, \$300

PROHIBITED

JUN 14 1995

Print Sender's name, address, and ZIP Code in the space below.

RETURN
TO



DEPARTMENT OF WATER RESOURCES
1910 NORTHWEST BLVD. - SUITE 210
COEUR D'ALENE, IDAHO 83814



DEPARTMENT OF WATER RESOURCES 1910 NORTH 1000 - SUITE 210

Indicate type of mail:
☐ Registered
☐ Insured
☐ COD
☒ Certified
☐ Return Receipt For Merchandise
☐ Int'l Recorded Del.
☐ Express Mail

Check appropriate block for Registered Mail:
☐ With Postal Insurance
☐ Without Postal Insurance

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee	Handling Charge (if Regis.)	Insured Value	Due Sender If COD	R. R. Fee	S. D. Fee	S. H. Fee	Rest. Del. Fee	Remarks
1	48255	MR JAIME NAMSON E 12100 PARKS RD, ATHOL ID 83801	29¢	1.00			1.00					96-8699 " and 92-7202
2	48256	IDAHO DEPT OF FISH & GAME 2750 KATHLEEN AVE COEUR D ALENE ID 83814	"	"			"					92-7202
3	48257	MR GORDON I JAMES C/OMR VIRGIL SEVERANCE PO BOX 1925 POST FALLS ID 83854	"	"			"					92-7202
4	48258	MR AND MRS BRIAN DOCKINS RT 2 BOX 372A OLDTOWN ID 83822	"	"			"					968736
5	48259	MR ARLEY LAWRENCE PO BOX 1931 OLDTOWN ID 83822	"	"			"					"
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Total Number of Pieces Listed by Sender 5		Total Number of Pieces Received at Post Office 	POSTMASTER, PER (Name of receiving employee) 		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual 913 and 914 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to third and fourth class parcels.							

JUN 14 1995

Name and Address of Sender

DEPARTMENT OF WATER RESOURCES
1310 NORTHWEST BLVD. - SUITE 210
COEUR D'ALENE, IDAHO 83814

Indicate type of mail
☐ Registered ☐ Return Receipt
☐ Insured ☐ For Merchandise
☐ COD ☐ Int'l Recorded Del.
☐ Certified ☐ Express Mail

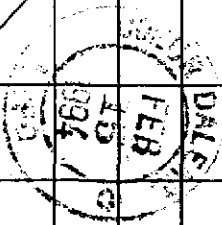
Check appropriate block for
☐ Registered Mail
☐ With Postal Insurance
☐ Without Postal Insurance

Affix stamp here if issued as
certificate of mailing or for
additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

4 1995

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee	Handling Charge	Act. Value (if Regs.)	Insured Value	Due Sender if COD	R. R. Fee	S. D. Fee	S. H. Fee	Rest. Del. Fee
1	48260	MR ARLEY LAWRENCE PO BOX 1931 GIDTOWN ID 83822	29	1.00					1.00			96-8736
2	48261	MR JAIME NAMSON E 12100 PARKS RD ATHOL ID 83801	.29	1.00					1.00			96-8699
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15												



Total Number of Pieces Listed by Sender

2

Total Number of Pieces Received at Post Office

June

POSTMASTER, PER (Name of receiving employee)

Ed Grant

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual 913 and 914 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to third and fourth class parcels.



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615

(208) 769-1450 Fax (208) 769-1454

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 15, 1994

Certified No. 48260
Return Receipt Requested

Mr. Arley Lawrence
P.O. Box 1931
Oldtown, Id. 83822

Re: 96-8736

Dear Mr. Lawrence:

The mailing of the Order to Show Cause on January 31, 1994, had a mixup of documents.

This second mailing is to correct that problem and to insure that everyone receives the correct Order to Show Cause.

Please note that you must respond to this office by March 8, 1994.

Sincerely,


ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms

Enc. - Order to Show Cause

JUN 14 1995

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF AMENDED APPLICATION)

FOR PERMIT NO. 96-8736 IN THE) ORDER TO SHOW CAUSE

NAME OF BRIAN L. & CINDY DOCKINS.)

WHEREAS, on January 22, 1993, Brian L. and Cindy L. Dockins applied to the Department of Water Resources for a permit to appropriate 0.64 cubic feet per second of water from an Unnamed Stream tributary to sinks to be diverted within the SENE Sec. 8 T55N R5W, Bonner County, to be used for Domestic purposes from January 1 to December 31, and Irrigation purposes from April 1 to October 1; within the SWNE and SENE Sec. 8 T55N R5W; and,

WHEREAS, the Department received protests from Jennifer Alexander on March 26, 1993; William and Shirley Wilcox and Michael Wilcox on April 5, 1993; and

WHEREAS, on May 24, 1993, the applicants filed an Amended Application for Permit changing the diversion point to the SWSW (GL 4) Sec. 17 T56N R5W, Bonner County, and the place of use to the NWSW (GL 3), the SWSW (GL4), and the SWSW Sec. 17, T56N, R5W; which resolved the above protests; and,

WHEREAS, on June 2 and 9, 1993, notice of this proposed amended application was published in the Priest River Time, Priest River, Idaho; and,

WHEREAS, on June 15, 1993, the Department received a protest against the approval of said application from Arley Lawrence; and,

WHEREAS, on December 22, 1993, notice of a conference was sent by certified mail to all concerned parties; and,

WHEREAS, on January 19, 1994, a conference concerning this matter

JUN 14 1995

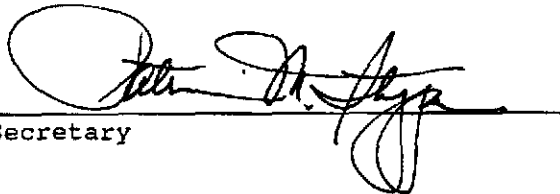
was held at Sandpoint, Idaho, at which the protestant failed to appear.

IT IS, THEREFORE, HEREBY ORDERED that the protestant show cause on or before March 8, 1994, why his protest should not be dismissed for failure to appear at the conference.

DATED, this 15 day of February, 1994.


Robert G. Haynes, Hearing Officer

I hereby certify that on the 15th day of February, 1994, I mailed a true and correct copy, postage prepaid,, of this document to the applicant and protestant listed below:


Secretary

Mr. Arley Lawrence
P.O. Box 1931
Oldtown, Id. 83822

JUN 14 1995

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF AMENDED APPLICATION)
FOR PERMIT NO. 96-8736 IN THE) ORDER TO SHOW CAUSE
NAME OF BRIAN L. & CINDY DOCKINS.)

*Re-pent
m 2/15/94
[signature]*

WHEREAS, on January 22, 1993, Brian L. and Cindy L. Dockins applied to the Department of Water Resources for a permit to appropriate 0.64 cubic feet per second of water from an Unnamed Stream tributary to sinks to be diverted within the SENE Sec. 8 T55N R5W, Bonner County, to be used for Domestic purposes from January 1 to December 31, and Irrigation purposes from April 1 to October 1; within the SWNE and SENE Sec. 8 T55N R5W; and,

WHEREAS, the Department received protests from Jennifer Alexander on March 26, 1993; William and Shirley Wilcox and Michael Wilcox on April 5, 1993; and

WHEREAS, on May 24, 1993, the applicants filed an Amended Application for Permit changing the diversion point to the SWSW (GL 4) Sec. 17 T56N R5W, Bonner County, and the place of use to the NWSW (GL 3), the SWSW (GL4), and the SWSW Sec. 17, T56N, R5W; which resolved the above protests; and,

WHEREAS, on June 2 and 9, 1993, notice of this proposed amended application was published in the Priest River Time, Priest River, Idaho; and,

WHEREAS, on June 15, 1993, the Department received a protest against the approval of said application from Arley Lawrence; and,

WHEREAS, on December 22, 1993, notice of a conference was sent by certified mail to all concerned parties; and,

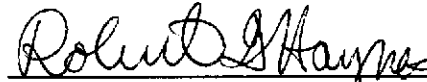
WHEREAS, on January 19, 1994, a conference concerning this matter

JUN 14 1995

was held at Sandpoint, Idaho, at which the protestant failed to appear.

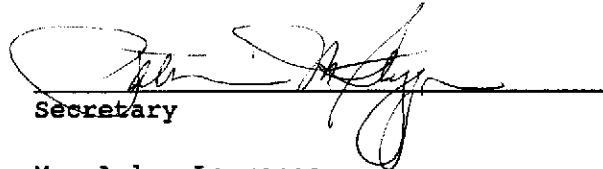
IT IS, THEREFORE, HEREBY ORDERED that the protestant show cause on or before February 22, 1994, why his protest should not be dismissed for failure to appear at the conference.

DATED, this 31 day of January, 1994.



Robert G. Haynes, Hearing Officer

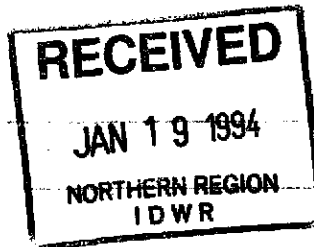
I hereby certify that on the 31st day of January, 1994, I mailed a true and correct copy, postage prepaid,, of this document to the applicant and protestant listed below:


Secretary

Mr. and Mrs. Brian Dockins
Rt. 2 Box 372A
Oldtown Id. 83822

Mr. Arley Lawrence
P.O. Box 1931
Oldtown, Id. 83822


JUN 14 1995



Jan 14, 1994

Dear Mrs. Haynes,

I will withdraw my protest against Brian & Cindy Dockins claim for water rights on my property as long as the claim they are making does not apply to the water rights on my property. The case I am referring to is 96-8736. If the claim is on the property adjacent to mine on Horner's Loop in Olaton, I will still protest it.

Sincerely,

Jennifer Alexander

RECORDED

JUN 14 1995

DEPARTMENT OF WATER RESOURCES

Indicate type of mail
☐ Registered
☐ Insured
☐ COD
☒ Certified

I certify that we have
☐ Commercial Insurance
☐ A deductible clause of \$

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
 POSTMARK AND DATE OF RECEIPT

NAME AND ADDRESS OF SENDER	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (if Registered)	DUE SENDER IF C.O.D.	R.R. FEE	S.D. FEE	S.H. FEE	REST. DEL. FEE	REMARKS
Mr. & Mrs. Brian L. Dockins Rt. 2 Box 372A, Oldtown, Id. 83822	1		29¢	\$1.00				\$1.00				96-8736
Mr. and Mrs. William Wilcox P. O. Box 246, Groveland, Ca. 95321	2		"	"				"				"
Ms. Jennifer Alexander 13967 Olive Grove Ln., Sylmar, Ca. 91342	3		"	"				"				"
Mr. Michael Wilcox 3420 Coach Ln., Ste. 6, Cameron Park, Ca. 95682	4		"	"				"				"
Mr. Arley Lawrence P. O. Box 1931, Oldtown, Id. 83822	5		"	"				"				"
Canyon Mineral Inc. P. O. Box 112, Colburn, Id. 83865	6		"	"				"				"
Department of Fish & Game 2320 Government Way, Coeur d'Alene, Id. 83814	7		"	"				"				"
Ms. Kathy Evans E. 7000 Buncro Rd., Athol, Id. 83801	8		"	"				"				"
Mr. and Mrs. Stephen H. Craun, III N. 24575 McCoy Rd., Athol, Id. 83801	9		"	"				"				"
Jaime Namson E 12100 Parks Rd., Athol, Id. 83801	10		"	"				"				"
Mr. Don Gary Young P. O. Box 18, Plummer, Id. 83851	11		"	"				"				"
Ms. Mildred Socha Rt. 1 Box 82H Coon Creek, St. Maries, Id. 83861	12		"	"				"				"
Mr. Paul Finney 16300 S. Asbury Rd., Harrison, Id. 83833	13		"	"				"				"
Mr. Jeffrey A. Child 105N. 4th St. Ste. 301, Coeur d'Alene, Id. 83814	14		"	"				"				"
Mr. Gordon I. James Rt. 4 Box 208F, St. Maries, Id. 83861	15		"	"				"				"
TOTAL NUMBER OF PIECES LISTED BY SENDER 15		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE 15										

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

* U.S. GOVERNMENT PRINTING OFFICE: 1978-270-037

The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$400 for COD and \$400 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.

Jan 19, 1994

To: Department of Water Resources
From: Brian and Cindy Dockins

Regarding: Personal perspectives regarding water permit application

Dear Sirs:

In March, 1992 we purchased 33 acres from Ralph and Ida Swannick. At the time the Swannicks informed us that previous attempts at drilling a well yielded no water, therefore we requested transference of some of their water rights for our personal use. They were agreeable and the conditions are outlined in the warranty deed. They retained right to water for household use originating on our property. As such, they (now Mr. Lawrence) have first access to the water for household use only.

We initially sought to apply for a water permit (which we were told was more for formality); however, because we did not plan to build for at least 2 years and the water permit has a time restriction, we could not apply at that time. We also unfortunately did not see Mr. Lawrence's water permit application - we thought we were protected and told that Mr. Lawrence was aware of the deed (he purchased his land from Mr. and Mrs. Swannick at a later date).

The following points may pertain regarding your analysis:

1. We have had horses on our property and using water since May, 1992 in the spring through fall months.
2. Our intention is not to use all the water, but to have water for household use if well drilling is unsuccessful. We also desire to use water for a garden, some fruit trees and possible lawn irrigation. We will need water for our 6 horses also. We also enjoy the aesthetics of running water.
3. Mr. Lawrence has indicated that he intends to place a 4 inch underground pipe under our property from the point of diversion on water permit 97-07322. Not only is this not allowed under the warranty deed, it would have effectively diverted the entire stream except at maximum flow times. Our only conclusion is that Mr. Lawrence intends to deprive us of any water use from this stream, despite his knowledge of the warranty deed.
4. Mr. Lawrence, shortly after purchasing the property subsequently logged the place and then divided it into 4 parcels and is presently listed for sale. Mr. Lawrence also told Brian that one of the purposes of the ponds is to increase the value of the land. Your application for water discusses the intent of the water use and reference is made regarding speculation.

JUN 14 1995

Mr. Lawrence has also indicated that he buys and sells properties. It is our belief that Mr. Lawrence is speculating and trying to tie-up the water for his personal gain.

5. Mr. Lawrence to date does not have 50 cows, although he has had about 5 head of cattle and a few horses.

6. We believe that with storage systems, such as ponds, that there can be enough water for both of us to use for our present needs. During very low flows, Mr. Lawrence already has first access to water for household use. Any use of water by us is bound to using only the overflow. Any overflow onto Mr. Lawrence's property is obviously his to use freely also.

RECEIVED
JUL 4 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF AMENDED)
APPLICATION FOR PERMIT)
NO. 96-8736 IN THE NAME OF)
BRIAN L. &/OR CINDY L. DOCKINS)
_____)

NOTICE OF CONFERENCE

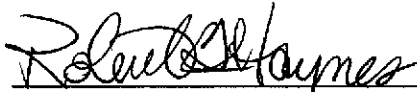
On May 24, 1993, Brian L. &/or Cindy L. Dockins filed with the Department of Water Resources (department) application for permit no. 96-8736. The application was protested by Jennifer Alexander on March 26, 1993; William and Shirley Wilcox and Michael Wilcox on April 5, 1993. The applicants filed and amended application on May 24, 1993. It was protested by Arley Lawrence on June 15, 1993.

The department has scheduled the matter for conference on Wednesday, January 19, 1994, at 10:30 AM, in the Federal Building Conference Room #103, 1500 Highway 2, Sandpoint, Id. 83864. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code, the adopted Rules of Procedure of the department and Water Appropriation Rules 40 and 45. A copy of the rules may be obtained from the department upon request. The presiding officer at the conference will be Robert G. Haynes.

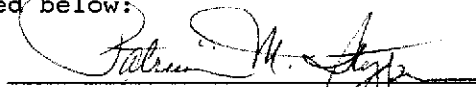
The conference will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise the department within (10) days prior to the conference.

All parties to the matter will have the opportunity to respond and present information and argument on all issues involved.

Dated this 22nd day of December, 1993.


Regional Supervisor

I hereby certify that on the 22nd day of December, 1993, I mailed a true and correct copy, postage prepaid, of this document to the applicants(s) and protestant(s) listed below:


Secretary

Certified Mail

Mr. and Mrs. Brian L. Dockins
Rt. 2 Box 372A
Oldtown, Id. 83822

Mr. and Mrs. William Wilcox
P.O. Box 246
Groveland, Ca. 95321

JUN 14 1995

Ms. Jennifer Alexander
13967 Olive Grove Ln.
Sylmar, Ca. 91342

Mr. Michael Wilcox
3420 Coach Ln., Ste. 6
Cameron Park, Ca. 95682

Mr. Arley Lawrence
P.O. Box 1931
Oldtown, Id. 83822

JUN 14 1995

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

ISSUES

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

1. Will the proposed appropriation injure other water rights?
2. Is the water supply sufficient for the purpose for which it is sought to be appropriated?
3. Was the application made in good faith or for delay or speculative purposes?
4. Does the applicant have sufficient financial resources with which to complete the proposed project?

BURDEN OF PROOF

The applicant has the initial burden of proof for issues 1, 2, 3, 4, and 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors of which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement or make settlement offers, schedule hearings, establish procedure at hearing and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

JUN 14 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION,

Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 ~~(208) 765-4689 • Fax (208) 765-2088~~ **Fax (208) 769-1454**

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

December 23, 1993

Mr. Don Young
Federal Building
1500 Hwy. 2
Sandpoint, Id. 83864

Dear Mr. Young:

This is to confirm reservations for conferences to be held by this Department on Wednesday, January 19, 1994, in Conference Room No. 103, beginning at 9:00 AM and concluding at 1:00 PM.

If your records do not agree with the above, please notify me immediately.

Sincerely,

PATRICIA M. STYPA
Senior Secretary

RECEIVED
JUN 14 1995

Route 2, Box 372-A
Oldtown, Idaho 83822
September 14, 1993
(208)437-3790

Robert G. Haynes, P.E., Regional Manager
STATE OF IDAHO DEPARTMENT OF WATER RESOURCES
Suite No. 210, 1910 Northwest Boulevard
Coeur d'Alene, Idaho 83814-2615

RE: 96-08736, 97-07322 & 97-07323

Dear Mr. Haynes:

Thank you for your letter of August 24, 1993. In regard to our protesting Arley Lawrence's water filing, and its expiration date of August 2, 1992, please refer to the enclosed copy of our Deed. I will quote the pertinent part as follows:

"RESERVING, in favor of Grantors (Swannacks) and their adjoining real estate, the present water useage right and the collection box, holding tank and underground water line for the water system as it now exists, and the right to keep, repair and maintain said system to divert was for household domestic use for Grantors' residential adjoining property. THE GRANTORS ONLY RESERVE THE WATER AND SYSTEM AS PRESENTLY IN USE, AND GRANTORS SPECIFICALLY CONVEY ALL FURTHER WATER, WATER USEAGE AND WATER RIGHTS TO THE GRANTEEES AS GRANTORS ACKNOWLEDGE THAT GRANTEEES INTEND TO MAKE USE OF THE WATERS IN CONJUNCTION WITH THEIR DOMICILIARY USE OF THE REAL ESTATE. (Emphasis supplied.)

Mr. Haynes, it cannot be any clearer that we indeed hold the right to this small stream, and that our intentions when we purchased the property indicated so. Mr. Lawrence was aware of this reservation, as it is contained in his deed. This is an attempt on his part to use the State of Idaho to grant him water rights he is not legally entitled to. At present, the stream is barely running, and will water our livestock and supply water to our household. There will not be enough water to supply Mr. Lawrence with what he has applied for.

We also contend, and have been advised by legal counsel, that Mr. Lawrence's applications for water rights are void, as he cannot possibly get the water from his "point of diversion" as listed on his application. We own that land, and will not give Mr. Lawrence any type of easement to allow him to pump water to his property. His plans were to divert the entire stream underground through our property, thereby leaving us completely without any access to the stream. His intentions were not to even let us know he was doing so, until I pulled his metal pipes from across our property and placed a phone call to him.

We intend to have legal counsel at the hearing that we would ask you put on your immediate agenda. The State of Idaho has no authority to supercede legal deeds and exceptions in those deeds. The intent of the law is clear in this case, in that the Lawrences bought their property, SUBJECT TO the fact that we

JUN 14 1995

Robert G. Haynes, P.E., Regional Manager
September 14, 1993
Page Two

(Dockins) "intend to make use of the waters in conjunction with their domiciliary use of the real estate." It cannot be any clearer.

Sincerely,

Cindy and Brian Dockins

Cindy and Brian Dockins

cc: Gary A. Finney, Attorney at Law
Arley Lawrence
James Stoicheff, State Representative
R. Keith Higginson
Charles A. Finney

JUN 14 1995

402287

WARRANTY DEED

Gary Finney
attorney at law
212 N First Suite 100
Sandpoint, ID 83864

R.L.S. KNOW ALL MEN BY THESE PRESENTS, that Grantors, RALPH ~~D.L.~~ SWANNACK and IDA SWANNACK, husband and wife, for value and consideration received, do hereby GRANT, BARGAIN, SELL and CONVEY unto the Grantees, BRIAN L. DOCKINS and CYNTHIA L. DOCKINS, husband and wife, of Route 2, Box 372-A, Oldtown, Idaho 83822, the following described real property situated in the County of Bonner, State of Idaho, to-wit:

Government Lot 4 less the South 696.8 feet thereof; and Government Lot 3 less the North 627 feet thereof, all in Section 17, Township 56 North, Range 5 West, Boise Meridian, Bonner County, Idaho.

TOGETHER WITH AND SUBJECT TO an easement sixty feet (60') wide for ingress, egress and utilities, the centerline of which is described as follows:

Beginning at a point on the North line of the right of way of the Freeman Lake County Road, 10 feet West of the East line of Section 18, Township 56 North, Range 5 West, Boise Meridian, Bonner County, Idaho; thence North 1°11'12" East on a line parallel to the said section line a distance of 1615.12 feet; thence North 56°23'35" East 371.56 feet to the South line of the North 627 feet of Government Lot 3 of Section 17, Township 56 North, Range 5 West, Boise Meridian, Bonner County, Idaho.

SUBJECT TO an easement and conditions contained therein in favor of D.A.W. Forest Products Co., for a non-exclusive perpetual easement for access to lands and timber, which the Grantee or its successors may own, recorded January 16, 1987 as Instrument No. 330161, records of Bonner County, Idaho.

SUBJECT TO an easement and conditions contained therein in favor of The State of Idaho, for a permanent easement for the purpose of reconstructing, maintaining and using a road, recorded May 9, 1988, as Instrument No. 348445, records of Bonner County, Idaho.

RESERVING, in favor of Grantors and their adjoining real estate, the present water useage right and the collection box, holding tank and underground water line for the water system as

it now exists, and the right to keep, repair and maintain said system to divert water for household domestic use for Grantors' residential adjoining property. The Grantors only reserve the water and system as presently in use, and Grantors specifically convey all further water, water useage and water rights to the Grantees as Grantors acknowledge that Grantees intend to make use of the waters in conjunction with their domiciliary use of the real estate.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

AND the above named Grantors hereby covenant that the above described premises are free from all encumbrances, and that they and their heirs, executors and assigns, will warrant and defend the above premises against all lawful claims and demands whatsoever, EXCEPT easements and rights of way existing or of record.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands on this 3rd day of March, 1992.

FILE Sandpoint Title Insurance

DATE 3-5-92 TIME 11:23

MARIE SCOTT,

RECORDER OF BONNER COUNTY

BY Robert DEPUTY

FEES 6.00

Ralph D. Swannack
RALPH D. SWANNACK
R.D.S. L.

Ida Swannack
IDA SWANNACK

STATE OF IDAHO)
 : ss.
County of Bonner)

On this 3rd day of March, 1992, before me, the undersigned Notary Public, personally appeared RALPH D. SWANNACK and IDA SWANNACK, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same. R.D.S.

Ketty A. Everhart
Notary Public - State of Idaho
Residing at Bonniers Ferry
My commission expires: 7-19-97

August 24, 1993

Brian & Cindy Dockins
Rt 2 Box 372A
Oldtown ID 83822

Re: 96-08736, 97-07322 & 97-07323

Dear Mr. & Mrs. Dockins:

I have review the information contained in the above referenced files. When Mr. Lawrence filed 97-07322 & 97-07323, he indicated that he owned the property at the point of diversion. It is possible that he indicated as such because of the easement, a copy of which, you have provided us.

Mr. Knoblock correctly advised you that the department does not and cannot grant a right-of-way or easement as part of the water permitting process. In fact, where the point of diversion is listed as being owned by someone other than the applicant, the approval generally carries a statement that the permit does not grant a right-of-way or easement on the property of another.

You indicated in your letter to Mr. Lawrence that it was your intention to object to his filing. We need to make you aware that the time for filing objections to the issuance of permits for his applications expired **AUGUST 2, 1992**.

Your letter also indicated that Mr. Knoblock had advised you that you had a constitutional right for one household and the irrigation of up to one/half acre of lawn and garden. Any use of water from a surface source that predated May 20, 1971, had a constitutional water right associated with it. If the use was in excess of domestic purposes, which was defined as household and the irrigation of up to one/half acre of lawn and garden, the right had to be recorded with the Department of Water Resources before June 30, 1988. From the information that we have, it appears that your property and Mr. Lawrence's property was all owned by the Swannack's at one time. The information also talks about a domestic use of water on property that I assume is now owned by Mr. Lawrence. I am unclear about whether a domestic use also existed on property that you now own that would have a constitutional right associated with it. When I talked to Mr. Knoblock about this issue, he was not certain either.

We will schedule a conference on the matter at the earliest possible time. In the meantime, if you have any questions, please contact me.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

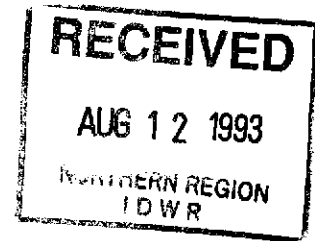
c: Arley Lawrence

JUN 14 1995

Route 2, Box 372-A
Oldtown, Idaho 83822
August 11, 1993

CERTIFIED MAIL
RETURN-RECEIPT REQUESTED

Arley D. Lawrence
Post Office Box 1931
Oldtown, Idaho 83822



RE: Unnamed Stream, SWNESE, Sec. 17, T56N, R5W, Bonner County
Permit No. 97-07322, 97-07323, 96-8736

Dear Mr. Lawrence:

At approximately 8:00 a.m., August 11, 1993, I contacted the State of Idaho Department of Water Resources, and spoke to a Mr. Ken Knoblock. I brought to his attention, the copy of a letter you wrote to Mr. Higginson of the Department of Water Resources, in protest of our water right application. In your letter, you stated, "We have an easement through their property up to the point of diversion from our permit #97-07322." He was quite aghast, as he said the State of Idaho has no right to grant easements through anyone's land, and that it was up to the applicant to get their own easement. He also stated, that Brian and I had the constitutional right to have water rights for one (1) household and up to one-half acre of irrigation, which would be prior to any rights you may have. I asked Mr. Knoblock to send you a letter in regard to your misconception that the State has granted you an easement to put any sort of underground pipe through our property. He said that he would check with his supervisor, and if his supervisor approved, he would do so.

We will both soon be notified of a hearing date, at which time, the above legal facts can be presented. At that time, we plan to protest your water application, because it was granted on a point of diversion that you had no legal right to access. Therefore, we believe our filing will supercede yours.

I have enclosed a copy of our Warranty Deed from Mr. and Mrs. Swannack for you to take to your attorney. The following excerpt concludes that you have no right to the water across our property, other than was granted to the Swannacks from us at the time of our purchase of their property. The Swannacks can only grant you the rights that they held at the time they sold the property to you:

"RESERVING, in favor of Grantors [Swannacks] and their adjoining real estate, the present water useage right and the collection box, holding tank and underground water line for the water system as it now exists, and the right to keep, repair and maintain said system to divert water for household domestic use for Grantors' residential adjoining property. The Grantors only reserve the water and system as presently in use, and Grantors specifically acknowledge that Grantees [Dockins] intend to make use of the waters in conjunction with their domiciliary use of the real estate." Emphasis supplied.

As you can see, you only have the rights that the Swannacks had after we bought this property. You have permission to use this water source to water your livestock and garden for the time being. We intend to revoke that permission when our useage of the water changes.

JUN 14 1995

Mr. Arley D. Lawrence
August 11, 1993
Page Two

I am sorry that you have been mislead as to your legal rights in this matter. I am sure your attorney must not have been aware of your legal rights as they existed to the current water source. Please contact your attorney immediately, so that you can avoid any further misconceptions. I know that he will confirm the contents of this letter.

It is unfortunate that these sorts of things arise, but you must know that the land we bought from Mr. and Mrs. Swannack, will be used to build our home and raise our children. You purchased your land to resell. You don't really care who eventually gets the water as long as you make a profit. There is something to be said about how people treat one another. It is common courtesy to ask your neighbor about anything you need in regard to his property. What ever happened to two neighbors working things out between them? And whatever happened to the property owner's rights to his own land?

I hope that once you have spoken to the State and to your attorney, that this can be laid to rest. You certainly have the right to maintain water for your household, but we would appreciate being notified that you intend to be on our property. It is just a matter of courtesy.

Sincerely,

Brian and Cindy Dockins
(208)437-3790
(208)437-2145

cc: Gary A. Finney, Attorney at Law
✓ Mr. Keith Higginson with Copy of Warranty Deed
STATE OF IDAHO DEPARTMENT OF WATER RESOURCES
1910 Northwest Boulevard
Coeur d'Alene, Idaho 83814

JUN 14 1995

402287

AND the above named Grantors hereby covenant that the above described premises are free from all encumbrances, and that they and their heirs, executors and assigns, will warrant and defend the above premises against all lawful claims and demands whatsoever, EXCEPT easements and rights of way existing or of record.

FILED Sandpoint Title Insurance

Ralph L. Swannack

RALPH D. SWANNACK

RKS L.

Ida Swannack

IDA SWANNACK

On this 31st day of March, 1992, before me, the undersigned Notary Public, personally appeared RALPH D. SWANNACK and IDA SWANNACK, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Kettrich Euerhart
Notary Public - State of Idaho
Residing at Bonners Ferry
My commission expires: 7-19-97

WARRANTY DEED
Page -2-

JUN 14 1995

402287

Gary Finney
attorney at law
212 N First Suite 100
Sandpoint, ID 83864

WARRANTY DEED

R.L.S. KNOW ALL MEN BY THESE PRESENTS, that Grantors, RALPH D. SWANNACK and IDA SWANNACK, husband and wife, for value and consideration received, do hereby GRANT, BARGAIN, SELL and CONVEY unto the Grantees, BRIAN L. DOCKINS and CYNTHIA L. DOCKINS, husband and wife, of Route 2, Box 372-A, Oldtown, Idaho 83822, the following described real property situated in the County of Bonner, State of Idaho, to-wit:

Government Lot 4 less the South 696.8 feet thereof; and Government Lot 3 less the North 627 feet thereof, all in Section 17, Township 56 North, Range 5 West, Boise Meridian, Bonner County, Idaho.

TOGETHER WITH AND SUBJECT TO an easement sixty feet (60') wide for ingress, egress and utilities, the centerline of which is described as follows:

Beginning at a point on the North line of the right of way of the Freeman Lake County Road, 10 feet West of the East line of Section 18, Township 56 North, Range 5 West, Boise Meridian, Bonner County, Idaho; thence North 1°11'12" East on a line parallel to the said section line a distance of 1615.12 feet; thence North 56°23'35" East 371.56 feet to the South line of the North 627 feet of Government Lot 3 of Section 17, Township 56 North, Range 5 West, Boise Meridian, Bonner County, Idaho.

SUBJECT TO an easement and conditions contained therein in favor of D.A.W. Forest Products Co., for a non-exclusive perpetual easement for access to lands and timber, which the Grantee or its successors may own, recorded January 16, 1987 as Instrument No. 330161, records of Bonner County, Idaho.

SUBJECT TO an easement and conditions contained therein in favor of The State of Idaho, for a permanent easement for the purpose of reconstructing, maintaining and using a road, recorded May 9, 1988, as Instrument No. 348445, records of Bonner County, Idaho.

RESERVING, in favor of Grantors and their adjoining real estate, the present water useage right and the collection box, holding tank and underground water line for the water system as

JUN 4 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 ~~1208-769-1450~~ ~~1208-769-1450~~ Fax (208) 769-1454

CECIL D. ANDRUS

Governor
July 21, 1993

R. KEITH HIGGINSON
Director

Mr. Arley Lawrence
P.O. Box 1931
Oldtown, Id. 83822

Re: Amended Application for Permit No. 96-8736.

Dear Mr. Lawrence:

Your protest against the approval of the above-referenced application has been received and a copy has been sent to the applicant. The Department suggests that you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the Application for Permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?
6. Will the proposed use be contrary to the conservation of water resources within the State of Idaho?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager
RGH/pms

RECEIVED

JUN 14 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 ~~208-769-1450~~ Fax (208) 769-1454

CECIL D. ANDRUS

May 21, 1993

R. KEITH HIGGINSON
Director

Mr. and Mrs. Brian Dockins
Rt. 2 Box 372A
Oldtown, Id. 83822

Re: 96-8736 - Amended Application for Permit

Dear Mr. and Mrs. Dockins:

Enclosed is a copy of a protest filed against the approval of the above-referenced amended application for permit to appropriate the public waters of the State of Idaho. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the Amended Application for Permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?
6. Will the proposed use be contrary to the conservation of water resources within the State of Idaho?

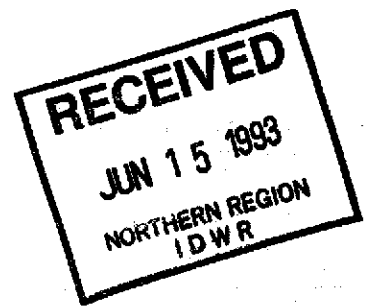
You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager
RGH/pms
Enclosure

RECEIVED
JUN 14 1995

Mr. Keith Higginson
Dept of Water Resources
1910 Northwest Blvd.
Coeur d'Alene, Idaho 83814



RE: Protest of Application for Permit #96-8736

Dear Mr. Higginson:

We hereby protest the Application for Permit Number referenced above filed by Brian and Cindy Rockins.

We have an easement through their property up to the point of diversion from our permit # 97-07322. There is not sufficient water for them to take water from ^{the source and for} our permit.

Also the Permit # 97-07323

Arley Lawrence

6-15-93

RECEIVED

JUN 14 1995

ARLEY LAWRENCE

PO Box 1931

OLD TOWN ID. 83822

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Darlene Bennett
Receipt

being duly sworn, says that he is the.....

of the PRIEST RIVER TIMES, a weekly newspaper printed and published at Priest River, Bonner County, Idaho, and has been continuously and uninterruptedly published in said County during a period of 78 consecutive weeks prior to the first publication of the annexed notice for publication, is a newspaper of general circulation made up of at least eight pages of at least six columns each, printed from typewritten or stereotyped forms of at least nineteen and three-fourths inches depth, has at least 1250 bona fide subscribers living within said Bonner County, and is published at regular weekly intervals. That the annexed

a true copy of the notice for publication in the case of
#1464 - Id Dept Water
Dockins Permit

as it was published in the regular and entire issue of the said paper for a period of 2 consecutive weeks, commencing on 2nd day of June, 1993 and ending on the 9th day of June, 1993 and that said notice was published in said newspaper.

On this 23rd day of June in the year of 1993, before me, a Notary Public, personally appeared Darlene Bennett, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

[Signature]
Notary Public in Idaho
Residing at West
My commission expires: 12/24/92

NOTICE OF AMENDED APPLICATION FOR PERMIT
NOTICE IS HEREBY GIVEN THAT Brian L. &/or Cindy L. Dockins, Rt. 2 Box 372A, Oldtown, Id. 83822, has filed with the Department of Water Resources on May 24, 1993, Amended Application for Permit No. 96-8738.

The applicant wishes to divert a total of 0.64 CFS of water from an Unnamed Stream, tributary to Sinks within GL 4 (SWSW) Sec 17 T56N, R5W, Bonner County; with 0.6 CFS to be used for Irrigation use from 4/1/ to 10/1 and 0.04 CFS to be used for Domestic use from 1/1 to 12/31. The place of use is in T56N, R5W, Sec 17, GL 3 (NWSW) and GL 4 (SWSW) for 30 Acres total, in Latah County. The precise date of this amendment is May 24, 1993.

OK
6/12/93

(For additional information concerning the property location, call the Northern Regional Office at 765-4839).

Any protest to the proposed Amended Application for Permit must be filed with the Idaho Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814 on or before JUNE 21, 1993.
R. KEITH HIGGINSON, Dir.
#1464 PRT June 2, 9, 1993

RECEIVED
JUL 08 1993
NORTHERN REGION
IDWR

JUN 14 1995

NOTICE OF AMENDED APPLICATION FOR PERMIT

NOTICE IS HEREBY GIVEN THAT Brian L. &/or Cindy L. Dockins, Rt. 2 Box 372A, Oldtown, Id. 83822, has filed with the Department of Water Resources on May 24, 1993, Amended Application for Permit No. 96-8736.

The applicant wishes to divert a total of 0.64 CFS of water from an Unnamed Stream, tributary to Sinks within GL 4 (SWSW) Sec 17 T56N, R5W, Bonner County; with 0.6 CFS to be used for Irrigation use from 4/1 to 10/1 and 0.04 CFS to be used for Domestic use from 1/1 to 12/31. The place of use is in T56N, R5W, Sec 17, GL 3 (NWSW) and GL 4 (SWSW) for 30 Acres total, in Latah County. The priority date of this amendment is May 24, 1993.

(For additional information concerning the property location, call the Northern Regional Office at 765-4639.)

Any protest to the proposed Amended Application for Permit must be filed with the Idaho Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814 on or before JUNE 21, 1993.

R. KEITH HIGGINSON, Dir.

Published in the Priest River Times on 6/2 & 9/1993.

JUN 14 1995



State Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 765-4639 • Fax (208) 765-2088

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

May 28, 1993

Mr. and Mrs. Brian Dockins
Rt. 2 Box 372A
Oldtown, Id. 83822

Dear Mr. and Mrs. Dockins:

Subject: Amended Water Application for Permit Number 96-8736.

The Idaho Department of Water Resources hereby acknowledges receipt of the above-referenced Amended Application for Permit to appropriate the Public Waters of the State of Idaho. Enclosed is Receipt Number N6494. Please refer to your Application for Permit Number in future matters concerning this water right application.

Your Application for Permit is currently being prepared for advertising in the local county newspaper. The advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for submittal of protests.

If your application is not protested, it will be forwarded to Boise for processing. Normal processing time is approximately 3 to 4 months, if the application is not protested. If your Application for Permit is protested, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before your Application for Permit can be approved. If the protest is not resolved, this Department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State Office in Boise.

If your Application for Permit is for a well (groundwater) that was constructed after July 1, 1987, you must apply for a well drilling permit upon approval of your Application for Permit if no permit was obtained by previous owners to construct the well. Well Drilling Permits can only be issued by this office to holders of approved Applications for Permit.

If I can be of further assistance, please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resource Agent
Enc. - Receipt

RECEIVED
JUN 1 4 1993

JUN 1 4 1993

ROSTER OF ATTENDANCE

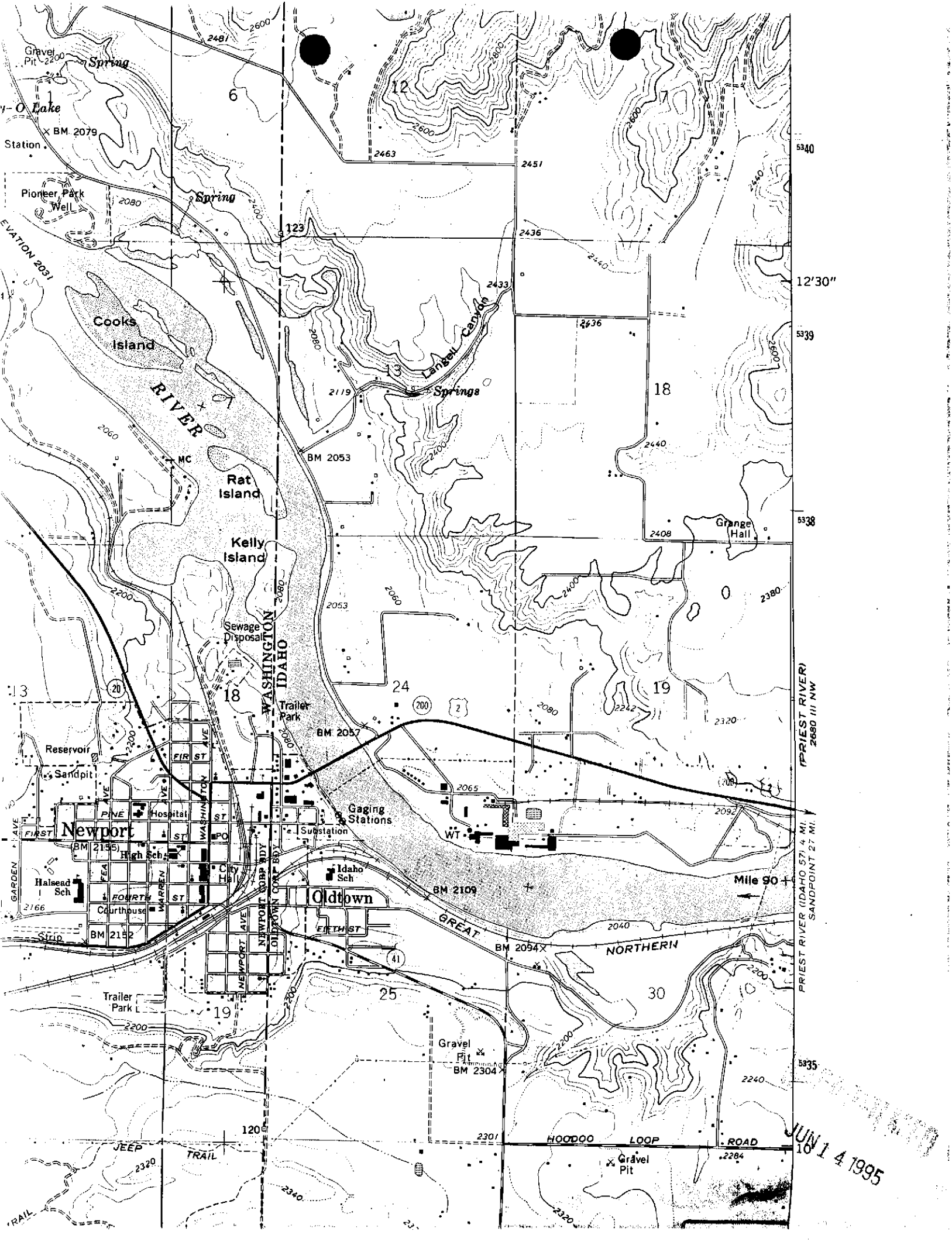
ADDRESS

P.O. Box 1577, Oldtown, ID 83822

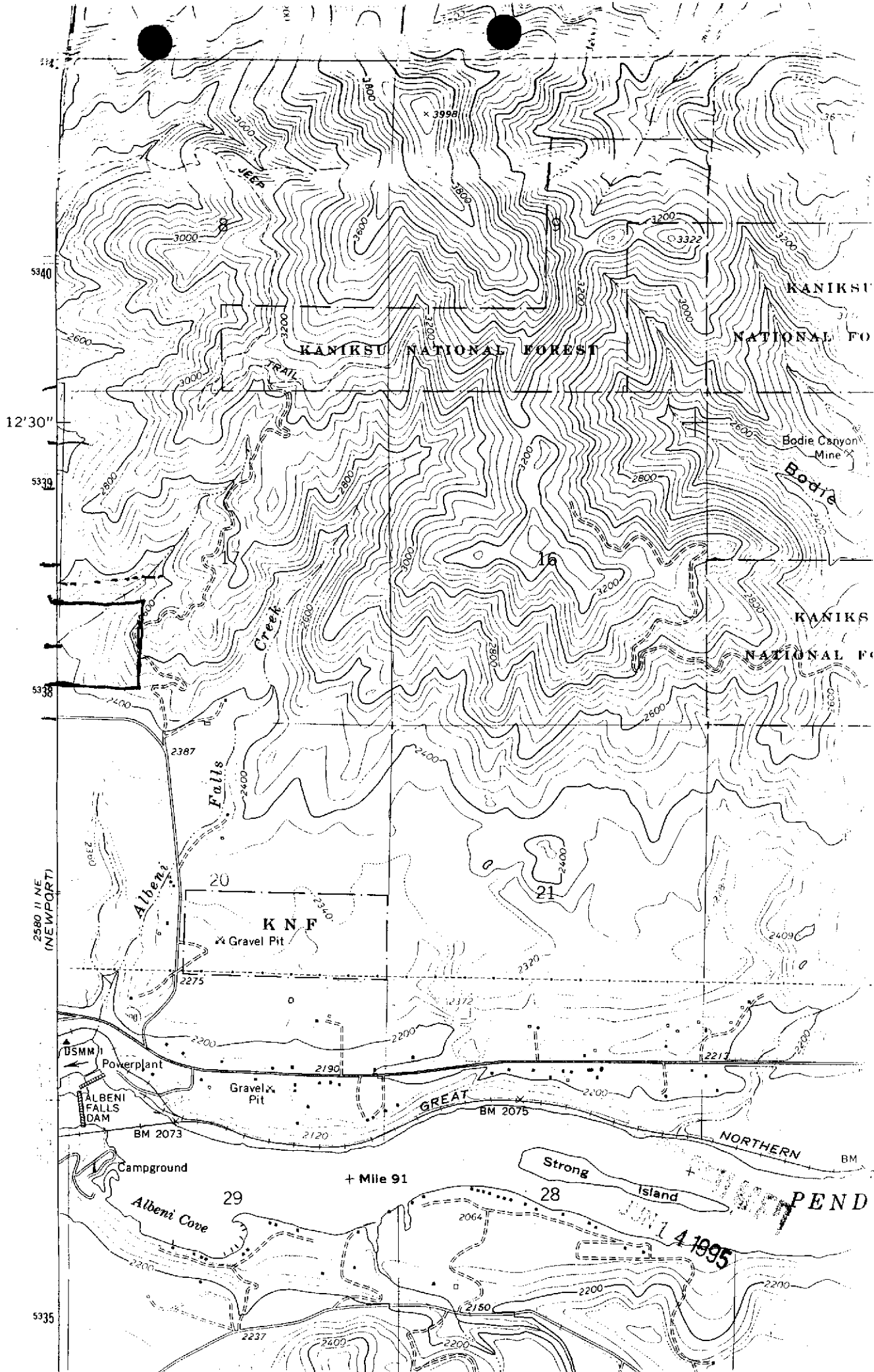
JUN 1 1964

JUN 14 1995

RECEIVED
JUN 14 1995



JUN 14 1995



State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 97-07323

RECEIVED

OCT 19 1992

NORTHERN REGION
IDWR

Proposed Priority: June 26, 1992 Maximum Diversion Rate:

0.10 CFS

This is to certify, that ARLEY DU WAYNE LAWRENCE

PO BOX 1931

OLDTOWN ID 83822

has applied for a permit to appropriate water from:

UNNAMED STREAM

tributary of SINKS

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.04 CFS	
STOCKWATER STORAGE	01/01 to 12/31		2.0 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		1.4 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	
DOMESTIC STORAGE	01/01 to 12/31		2.0 AF
DOMESTIC FROM STORAGE	01/01 to 12/31		1.2 AF
RECREATION	01/01 to 12/31	0.10 CFS	
RECREATION STORAGE	01/01 to 12/31		2.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.10 CFS	
	Totals	0.10 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NESESE, Sec. 18, Township 56N, Range 05W
BONNER County

PLACE OF USE: STOCKWATER

TWN RGE SEC

56N 05W 18

SESE

PLACE OF USE: STOCKWATER FROM STORAGE, same as STOCKWATER use

PLACE OF USE: DOMESTIC, same as STOCKWATER use

PLACE OF USE: DOMESTIC FROM STORAGE, same as STOCKWATER use

PLACE OF USE: RECREATION, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1993.
2. Subject to all prior water rights.
3. Stockwater use is for 50 range cattle.
4. Domestic use is for 1 home.

JUN 14 1995

97-7323

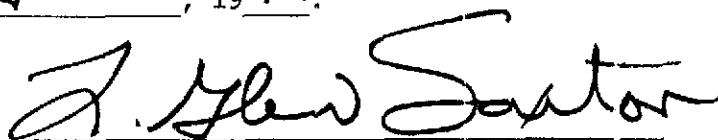
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 97-07323

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

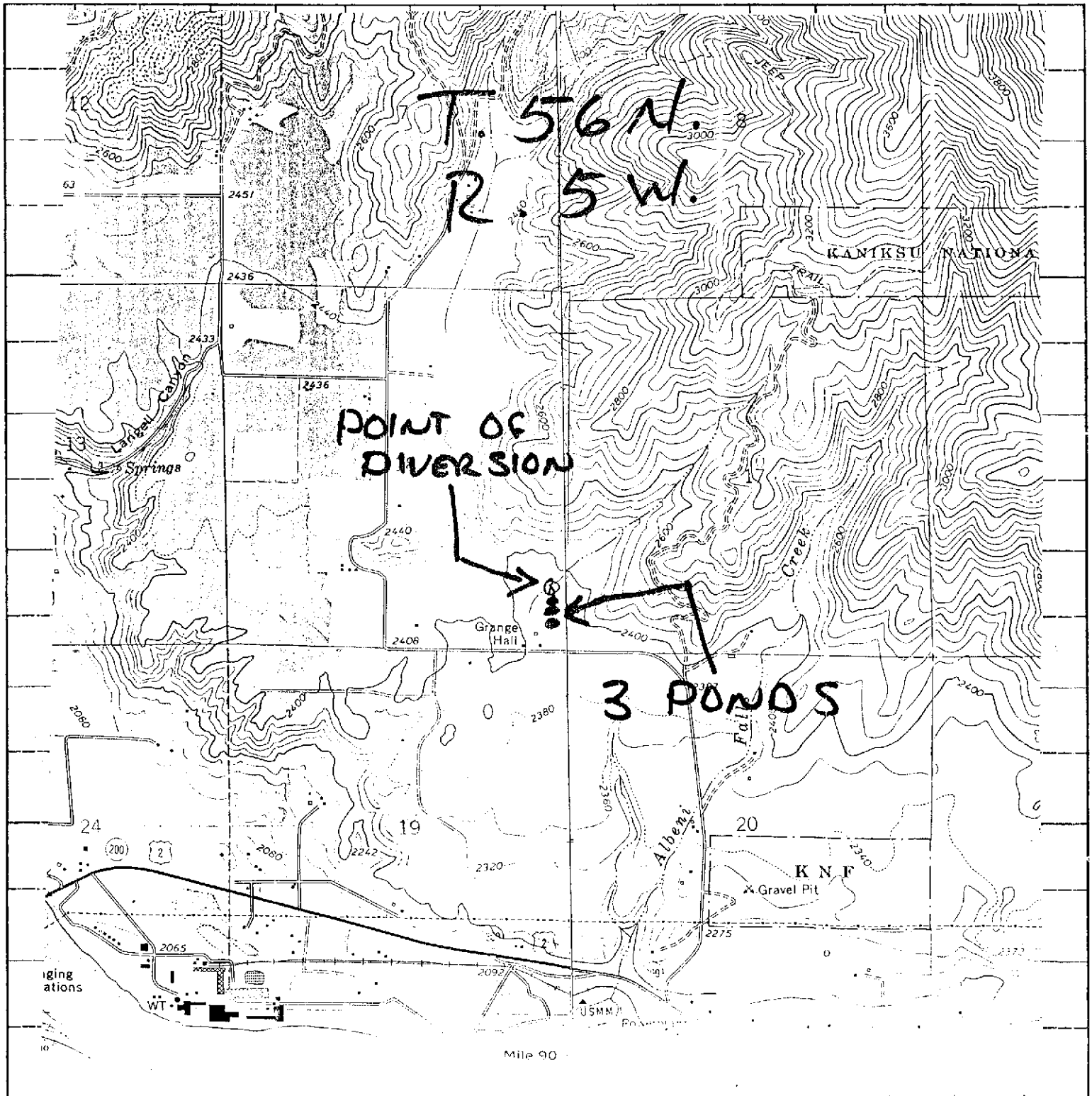
7th day of October, 1992

for 
R. Keith Higginson, Director

3101 4 1985

97-7323

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

[Signature]
(Applicant)

SENDER:

- Complete items 1 and 2 for additional services.
- Complete items 3, a, and b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

MR ARLEY LAWRENCE
RT 4 BOX 145
OLDTOWN ID 83822

96-8736

4a. Article Number

48272

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

JUN 14 1995
9-8-94

5. Signature (Addressee)

Virginia Smith

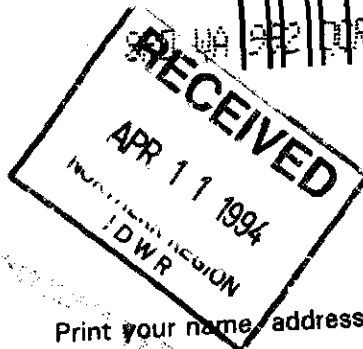
6. Signature (Agent)**8. Addressee's Address (Only if requested and fee is paid)**

UNITED STATES POSTAL SERVICE

Official Business



PENALTY FOR PRIVATE
USE, \$300



Print your name, address and ZIP Code here

JUN 14 1995
DEPARTMENT OF WATER RESOURCES
NORTHWEST BLVD. - SUITE 210
COEUR D'ALENE, IDAHO 83814



SENDER:

- Complete items 1 and 2 for additional services.
- Complete items 3, a, and b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

MR AND MRS BRIAN L DOCKINS
RT 2 BOX 372A
OLDTOWN ID 83822

96-8736

4a. Article Number

48271

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

4/12/94

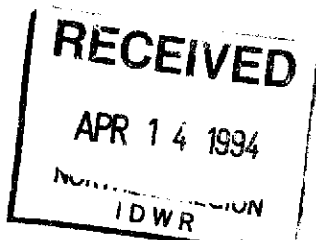
5. Signature (Addressee)**6. Signature (Agent)****8. Addressee's Address (Only if requested and fee is paid)**

UNITED STATES POSTAL SERVICE

Official Business



PENALTY FOR PRIVATE
USE, \$300



Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES

1910 NORTHWEST BLVD. - SUITE 210

COEUR D'ALENE, IDAHO 83814



Name and Address of Sender

DEPARTMENT OF WATER RESOURCES

1001 NORTH WEST BLVD. - SUITE 210

☐ Registered
☐ Insured
☐ COD
☐ Certified
☐ Return Receipt
☐ For Merchandise
☐ Int'l Recorded Del.
☐ Express Mail

☐ Check appropriate block for Registered Mail:
☐ With Postal Insurance
☐ Without Postal Insurance

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

Line	Article Number	Name and Address of Recipient	Post Office Address	Postage	Fee	Handling Charge (if Regis.)	Act Value	Insured Value	Due Sender If COD	R. R. Fee	S. D. Fee	S. H. Fee	Rest. Del. Fee
1	48271	MR & MRS BRIAN L DOCKINS	RT 2 BOX 372A, OLDTOWN ID 83822	.29	1.00					1.00			96-8736
2	48272	MR ARLEY LAWRENCE	RT 4 BOX 145, OLDTOWN ID 83822	"	"					"			"
3	48273	SUMMER MAE FOX	694 WRENCO LOOP #14, SANDPOINT ID 83864	"	"					"			96-8550
4	48274	MR WILLIAM D ELLERMEIER	700 WRENCO LOOP RD, SANDPOINT ID 83864	"	"					"			96-8538-8534
5	48275	MR TIM ALLEN STONE	646 WRENCO LOOP RD, SANDPOINT ID 83864	"	"					"			96-8534
6	48276	MS RUTH E KEMP	696-15 WRENCO LOOP RD, SANDPOINT ID 83864	"	"					"			96-8538
7	48277	MS PENILOPE WOOD	660 WRENCO LOOP RD SANDPOINT ID 83864	"	"					"			96-8335
8	48278	MR AND MRS MAX SINGLETON	400 WRENCO LOOP RD SANDPOINT ID 83864	"	"					"			96-8335
9	48279	MS IRENE SCHORI	680 WRENCO LOOP RD #10, SDPT ID 83864	"	"					"			96-8529
10	48280	MR RICHARD W FUGLE	692 WRENCO LOOP RD #12, SDPT ID 83864	"	"					"			96-8532
11													
12													
13													
14													
15													
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office		POSTMASTER, PER (Name of receiving employee)		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual 913 and 914 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to third and fourth class parcels.							

PS Form 3877, April 1991

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

MR ARLEY LAWRENCE
PO BOX 1931
OLDTOWN ID 83822

RECEIVED

JAN 12 1994

NORTH DAVENPORT
IDWR

4. Article Number

4343

Type of Service:

- ☐ Registered ☐ Insured
☐ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address

X *Arley Lawrence*

6. Signature - Agent

X

7. Date of Delivery

1-10-94

8. Addressee's Address (ONLY if requested and fee paid)

JUN 14 1995

UNITED STATES POST SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
1910 NORTHWEST BLVD. - SUITE 210
COEUR D'ALENE, IDAHO 83814



JUN 14 1995

6666666666



PENALTY FOR PRIVATE
USE, \$300

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

MR MICHAEL WILCOX
3420 COACH LN STE 6
CAMERON PARK CA 95682

1995

4. Article Number

48243

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address

X

6. Signature - Agent

X

7. Date of Delivery

12/29/93

8. Addressee's Address (ONLY if requested and fee paid)

JAN 3 1994

NON-PROFIT
IDWR

UNITED STATES POST SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
1910 NORTHWEST BLVD. - SUITE 210
COEUR D'ALENE, IDAHO 83814



PENALTY FOR PRIVATE
USE, \$300

JUN 14 1995



● **SENDER:** Complete items 1 and 2 when additional services are desired and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
(Extra charge) (Extra charge)

3. Article Addressed to:

MR AND MRS BRIAN L DOCKINS
RT 2 BOX 372A
OLDTOWN ID 83824

RECEIVED

JAN 3 1994

96-8736

5. Signature — Address

X

6. Signature — Agent

X

7. Date of Delivery

4. Article Number

48239

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt
for Merchandise

Always obtain signature of addressee
or agent. **DATE RECEIVED.**

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POST SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
1910 NORTHWEST BLVD. - SUITE 210
COEUR D'ALENE, IDAHO 83814



PENALTY FOR PRIVATE
USE, \$300

JUN 14 1995

SENI

3 and 4.

1. Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

MR AND MRS WILLIAM WILCOX
PO BOX 246
GROVELAND CA 953

RECEIVED

JAN 3 1994

NORTHERN REGION
IDWR

96-8736

5. Signature - Address

X

6. Signature - Agent

X *Chancellor A. Viny*

7. Date of Delivery

12-29-93 Jm

4. Article Number

48240

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Signature of addressee or agent and DATE DELIVERED.

8. Addressee's Address (ONLY if requested and fee paid)

JUN 14 1995

UNITED STATES POST SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

JUN 14 1995



PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
1910 NORTHWEST BLVD. - SUITE 210
COEUR D'ALENE, IDAHO 83814

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region
1910 Northwest Blvd., Suite 210

RECEIVED

FEB 22 1993

NORTHERN REGION
IDWR

Coeur d'Alene, Idaho 83814
(208) 765-4639

FEBRUARY 10, 1993

*Received
at the
Times
2-18-93*

PRIEST RIVER TIMES
P. O. BOX 398 30x10
PRIEST RIVER, ID 83856

*Returned
2-18-93
Per Pat
Received by [signature]
- 100 [signature]*

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 8, 1993.

Yours truly,

[Signature]
PATRICIA M. STYPA
Secretary/Office Coordinator

3/17 ~ 24/93

Enclosure

JUN 14 1995

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

RECEIVED

JUN 14 1985

96-08736

DOCKINS, BRIAN L
DOCKINS, CINDY L
RT 2 BOX 372A
OLDTOWN, ID 83822

Source: UNNAMED STREAM

Tributary: SINKS

Diversion Pt: SENE Sec 8 T 55N R 05W in BONNER County.

Use: IRRIGATION (.600 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.640 CFS)

Date Filed: 1/22/1993

In: BONNER County
T55N R05W S08 SWNE SENE

30.0 ACRES TOTAL

RECEIVED
JAN 14 1995

For additional information concerning the property location, call the Northern Regional Office at 765-4639.

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d' Alene, Idaho 83814 on or before MARCH 8, 1993.

R. KEITH HIGGINSON, Director

Published: 2/17/1993 & 2/24/1993

RECEIVED
JUN 14 1995

No. a
4/87-06/92n

IRI DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

APPLICATION # 96-8736

***** INITIAL REVIEW *****

APPLICANT: DOCKINS BY: AB DATE: 1/22/93

ITEM REQUIRED INFORMATION

1. ☒ Name and Address
2. ☒ Source
3. ☒ Point of Diversion & County
4. ☒ Quantity
☒ Nature of Proposed Use
☒ Period of Use
5. ☒ Total Quantity
6. ☒ Description of diverting works
☐ Dam information requested
or not requested
7. ☒ Time required for b/u
8. ☒ Proposed use
9. ☒ Place of use or acres irrigated
10. ☒ Other Water Rights
11. ☒ Ownership
13. ☒ Map
☒ Signature
☒ Fee (Amt, recpt, acknowlegment)
Send info sheet Y() N()

ADDITIONAL INFORMATION

Yes No

- ☒ Field check: by _____
- ☒ Field report attached
- ☒ Analysis Supp. attached(>5cfs/500af)
- ☒ Water delivered by water master?
- Water District # _____

PROCESSING

Yes No

PRIORITY DATE: 1/22/93

☒ (Include Moratorium Remark)

☒ Statewide Avertising: (Diversion rate greater than 10 cfs or 1,000 af).

2/17/93 Advertised in: West American

County of: Sonner

SEND COPIES TO:

- | | | |
|--|------------------------------------|---|
| ☐ USFS CdA | ☐ USFS Oro | ☐ USFS Grangeville |
| ☐ BLM | ☐ W/W Corps | ☐ Albeni Corps |
| ☐ F&G CdA | ☐ F&G Lew | ☐ IDL () Region |
| ☐ H&W CdA | ☐ H&W Lew | ☐ Adj Div |
| ☐ (Other) _____ | | |

LETTERS SENT REQUESTING:

- ☐ Dam information ☐ Fish Information
- ☐ Power information ☐ Other

INFORMATION RECEIVED

- ☐ Power information ☐ Dam information
- ☐ Fish Information ☐ Other

***** GROUNDWATER SECTION *****

(Yes) (No)

Checked by: _____ Date: ____/____/____

Remarks: _____

- ☒ Groundwater management area
- ☒ Critical ground water area
- ☒ Well Drilling Permit required
- ☒ Well Drilling Application and Fees received
- ☒ Well Drilling Application approved?
- Well Drilling Application Number _____

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes) (No)

- Notice of pending void order issued. Final order response date: ____/____/____
- Further information required from applicant
- Affidavit of publication received
- Application published correctly, If not, record action taken: _____

- Publication dates and paper recorded on application | Sr. Agent initial _____
- Protests received. Final protest date: 3/8/93
- Measuring device required
- Measuring port required
- Special conditions: _____
- Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: _____ Date: ____/____/____

96-08736

DOCKINS, BRIAN L
DOCKINS, CINDY L
RT 2 BOX 372A
OLDTOWN, ID 83822

Source: UNNAMED STREAM

Tributary: SINKS

Diversion Pt: SENE Sec 8 T 55N R 05W in BONNER County.

Use: IRRIGATION (.600 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.640 CFS)

Date Filed: 1/22/1993

In: BONNER County
T55N R05W S08 SWNE SENE

30.0 ACRES TOTAL

RECORDED

JUN 14 1995

Application No. 96-8736

SPECIAL NOTE: _____

PROTEST INFORMATION SHEET

Protestant(s)

	NAME	ADDRESS	PROTEST DATE
1	Jennifer Alexander	13967 Olive Grove Ln, Sylmar, Ca. 91342	3/26/93
2	Wm. & Shirley Wilcox	PO Box 246, Groveland, Ca. 95321	4/5/93
3	Michael Wilcox	3420 Coach Ln, Ste 6, Cameron Park, Ca 95682	4/5/93
4			
5			
6			
7			
8			
9			
10			

ATTORNEY

ADDRESS

DATE FILED: 3/26/93 PROTEST DUE DATE: 4/5/93

ISSUES: Protestants own P/D land. Protestants claim applicants do not own P/U.

Applicant

ATTORNEY

ADDRESS

	DATE
Protest Date Entered on Computer	<u>4/21/93</u>
Acknowledgment Letters Sent	<u>4/22/93</u>
Hearing Date	_____
_____	_____
_____	_____
_____	_____

(Other Dates)

Other Information: _____

Protest information submitted to computer (following hearing): 4 1995

RECEIVED

JAN 10 1994

NORTHERN REGION
IDWR

Jan 7, 1993

Box 1144

Salome Ariz

85348

Idaho Dept Water Resources

1910 Northwest Blvd

Coeur d'Alene Id

83814 2615

Dear Mr. R. Haynes

I would like to withdraw
my objection to case no 96-8736
which was brought against
Bryon and Cindy Dockens

Respectfully
William A. McCoy

1/10/94

JUN 14 1995

CAMERON PLAZA



DENTAL OFFICE

MICHAEL A. WILCOX, D.D.S.

PATRICK E. SHANNAHAN, D.D.S.

3420 Coach Lane • Suite 6 • Cameron Park, CA 95682 • (916) 677-0203

1-11-94

Re: 96-8736 Brian and Cindy Dockins

RECEIVED

JAN 18 1994

NORTH DIVISION
IDWR

Dear Mr. Haynes,

I wish to withdraw my protest to the above referenced water right application which the Dockins originally filed, as long as there is no impact on the property we own.

Sincerely

Michael A Wilcox

RECEIVED

JUN 14 1995

June 28 - 1993.

Robert G. Haynes P.E.

Regional Mgr.

State of Idaho Dept of Water Resources

Suite 210

1910 North West Bld.

Coeur d'Alene, Ida. 838144

Dear Sir,

I do not wish to change
our protest regarding this piece
of property - but don't have any-
thing to do with the other
application.

Sincerely,

Charles A. L. Coe

JUN 14 1995

RECEIVED

JUL 02 1993

NORTHERN REGION
IDWR

William Wilson
Rt Box 246
Hemelock, Ca.
95321



9661 4 1995

Robert C. Haynes P.E.

Regional Mgr.

State of Idaho Dept. of Water Resources.

Suite 210

1910 Northwest Blvd.

Coeur d'Alene, Id. 83814.



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

(208) 769-1450

Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615

~~(208) 769-1450~~

Fax (208) 769-1454

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

June 11, 1993

Ms. Jennifer Alexander
13967 Olive Grove Ln.
Sylmar, Ca. 91342

Re: 96-8736 Brian and Cindy Dockins

Dear Ms. Alexander:

Mr. and Mrs. Brian Dockins have filed an amended application for permit which changes the point of diversion to GL 4 (SWSW) SEC 17 T56N R5W, and the place of use to GL 3 (NWSW) and GL 4 (SWSW) Sec 17 T56N R5W. This amendment moves the proposed water right to different piece of property they own which is approximately 5 miles from the legal description on the original water right application. Therefore, there will be no impact upon the property which you own.

If you wish to withdraw your protest to the above-referenced water right application which the Dockins originally filed, please let us know. If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms

RECEIVED

JUN 14 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION,
(208) 769-1450

Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
~~PHONE (208) 769-1450~~ Fax (208) 769-1454

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

June 11, 1993

Mr. and Mrs. William Wilcox
P.O. Box 246
Groveland, Ca. 95321

Re: 96-8736 Brian and Cindy Dockins

Dear Mr. and Mrs. Wilcox:

Mr. and Mrs. Brian Dockins have filed an amended application for permit which changes the point of diversion to GL 4 (SWSW) SEC 17 T56N R5W, and the place of use to GL 3 (NWSW) and GL 4 (SWSW) Sec 17 T56N R5W. This amendment moves the proposed water right to different piece of property they own which is approximately 5 miles from the legal description on the original water right application. Therefore, there will be no impact upon the property which you own.

If you wish to withdraw your protest to the above-referenced water right application which the Dockins originally filed, please let us know. If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms

JUN 14 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 ~~TELEPHONE (208) 769-1450~~ Fax (208) 769-1454

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

June 11, 1993

Mr. Michael Wilcox
3420 Coach Ln. Ste. 6
Cameron Park, Ca. 95682

Re: 96-8736 Brian and Cindy Dockins

Dear Mr. Wilcox:

Mr. and Mrs. Brian Dockins have filed an amended application for permit which changes the point of diversion to GL 4 (SWSW) SEC 17 T56N R5W, and the place of use to GL 3 (NWSW) and GL 4 (SWSW) Sec 17 T56N R5W. This amendment moves the proposed water right to different piece of property they own which is approximately 5 miles from the legal description on the original water right application. Therefore, there will be no impact upon the property which you own.

If you wish to withdraw your protest to the above-referenced water right application which the Dockins originally filed, please let us know. If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 765-4639 • Fax (208) 765-2088

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

May 4, 1993

Mr. and Mrs. Brian Dockins
Rt. 2 Box 372A
Oldtown, Id. 83822

Re: 96-8736

Dear Mr. and Mrs. Dockins:

Enclosed is Receipt No. N6494 in the amount of \$20 for the filing fee for your above-referenced Amended Application for Permit.

Also enclosed is your Amended Application form. Please review the application and make any changes or corrections that you find. We have located the domestic use to be in the SWSW Section 17 T56N R5W. Please double check this legal description to make sure that it is where the house will be located.

We have enclosed a map and marked off the general location of your area with tick marks. Please indicate on this map where you will divert the water from the stream, where the house will be built, and where the irrigated acre will be located.

After you have completed the above, please sign the form on page two and return to our office for processing.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms

Enc. - Amended Application
Map
Receipt

RECEIVED
JUN 14 1993

Amended

Ident. No. 96-08736

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: BRIAN L DOCKINS 208-437-3790
Address: RT 2 BOX 372A
OLDTOWN ID 83822
AND/OR
Name: CINDY L DOCKINS 208-437-3790
Address: RT 2 BOX 372A
OLDTOWN ID 83822
2. Source: UNNAMED STREAM Trib. to: SINKS
3. Location of Point of Diversion: Lot 4(SWSW), Sec. 17, Township 56N, Range 05W
BONNER County
4. Water will be used for the following purposes:
- | Purpose | From | To | CFS | (or) | AF |
|------------|-------|-------|-------|------|----|
| IRRIGATION | 04/01 | 10/01 | 0.600 | | |
| DOMESTIC | 01/01 | 12/31 | 0.040 | | |
5. Total quantity to be appropriated is:
0.640 CFS (and/or) AF
6. Proposed diverting works:
- Description of ditches, flumes, pumps, headgates, etc.
4" PIPE FROM DIVERSION DAM
 - Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - Proposed well diameter is inches; proposed depth of well is
feet.
 - Is groundwater with a temperature greater than 85F being sought? NO
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).
8. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
56N	05W	17	Lot 3(NWSW) 15	Lot 4(SWSW) 15		30

Total number of acres irrigated: 30

4 1995

Place of Use: DOMESTIC

TWN RGE SEC
56N 05W 17 SWSW

9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

10. Remarks:
Domestic use is for 1 home.

11. Map of proposed point of diversion and place of use attached? []

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Applicant

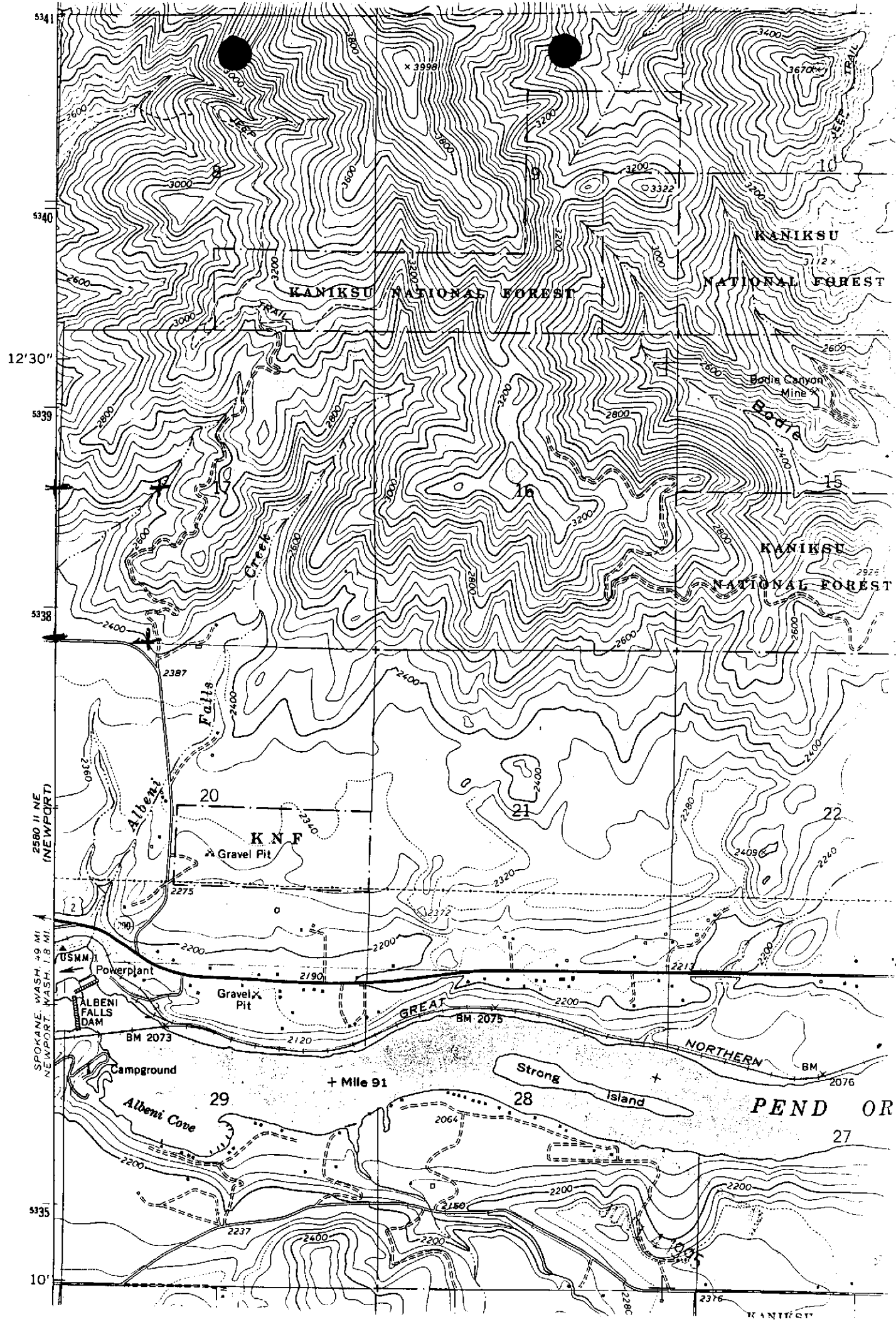
Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ ^{20.00 amended app fee} 35.00 Receipted by ^{L.F.} P.M.S. ^{N6494} #N006245 Date ^{4/30/93} 1/22/1993

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

JUN 14 1995



RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: N006494

Date: 4/30/1993
Time: 15:26:05

Received
From: DOCKINS, BRIAN

Type of Payment	Program A cct	Amount
W/R AMENDMENT-96-8736	65105 229 21 1155	20.00

Total

CHECK 3451

\$20.00

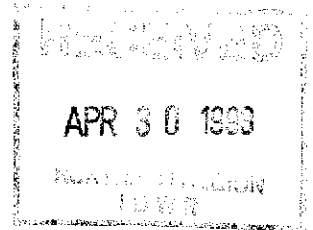
Region: NORTHERN

Signature: _____

A. Hapel

RECEIVED
JUN 14 1995

April 26, 1993



Robert G. Haynes, P.E., Regional Manager
STATE OF IDAHO DEPARTMENT OF WATER RESOURCES
1910 Northwest Boulevard, Suite No. 210
Coeur d'Alene, Idaho 83814-2615

RE: Permit No. 96-8736

Dear Mr. Haynes:

Thank you for speaking with me this morning in regard to the above referenced water permit.

As per our telephone conversation, please amend the legal description of the permit as follows:

Government Lot 4 less the South 696.8 feet
thereof; and Government Lot 3 less the North
627 feet thereof, all in Section 17, Town-
ship 56 North, Range 5 West, Boise Meridian,
Bonner County, Idaho.

The permit in all other respects should remain unchanged. I enclose our check in the amount of \$20.00 for the water right notice publication fee.

By a copy of this letter, I am contacting the protestants to notify them of this error, and that you will be sending them a copy of the Amended Water Right Application, filed by Brian and I.

I am sorry for the inconvenience this has caused your office.

Sincerely,

Brian and Cindy Dockins

cc: Alexander, et al
Enclosure (check)

WAIT FOR
AMENDED
APPLICATION

JUN 14 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 765-4639 • Fax (208) 765-2088

CECIL D. ANDRUS
April 22, 1993

R. KEITH HIGGINSON
Director

Mr. Michael Wilcox
3420 Coach Lane Ste 6
Cameron Park, Ca. 95682

Re: 96-8736 - Brian & Cindy Dockins

Dear Mr. Wilcox:

Your protest against the approval of the above-referenced application has been received and a copy has been sent to the applicant. The Department suggests that you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the Application for Permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?
6. Will the proposed use be contrary to the conservation of water resources within the State of Idaho?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager
RGH/pms

RECEIVED

JUN 14 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 765-4639 • Fax (208) 765-2088

CECIL D. ANDRUS
Governor

April 22, 1993

R. KEITH HIGGINSON
Director

Mr. and Mrs. William Wilcox
P.O. Box 246
Groveland, Ca. 95321

Re: 96-8736 - Brian & Cindy Dockins

Dear Mr. and Mrs. Wilcox:

Your protest against the approval of the above-referenced application has been received and a copy has been sent to the applicant. The Department suggests that you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the Application for Permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?
6. Will the proposed use be contrary to the conservation of water resources within the State of Idaho?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager
RGH/pms

RECEIVED
JUN 14 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 765-4639 • Fax (208) 765-2088

CECIL D. ANDRUS
Governor

April 22, 1993

R. KEITH HIGGINSON
Director

Ms. Jennifer Alexander
13967 Olive Grove Ln.
Sylmar, Ca. 91342

Re: 96-8736 - Brian & Cindy Dockins

Dear Ms. Alexander:

Your protest against the approval of the above-referenced application has been received and a copy has been sent to the applicant. The Department suggests that you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the Application for Permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?
6. Will the proposed use be contrary to the conservation of water resources within the State of Idaho?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager
RGH/pms

RECEIVED
JUN 14 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 765-4639 • Fax (208) 765-2088

CECIL D. ANDRUS

Governor

April 22, 1993

R. KEITH HIGGINSON

Director

Mr. and Mrs. Brian Dockins
Rt. 2 Box 372A
Oldtown, Id. 83822

Re: 96-8736

Dear Mr. and Mrs. Dockins:

Enclosed is a copy of a protest filed against the approval of the above-referenced application for permit to appropriate the public waters of the State of Idaho. The Department suggests you contact the protestants directly in an effort to determine the nature of the protest and attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the Application for Permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?
6. Will the proposed use be contrary to the conservation of water resources within the State of Idaho?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager
RGH/pms
Enclosure

RECEIVED
JUN 14 1993

CAMERON PLAZA



DENTAL OFFICE

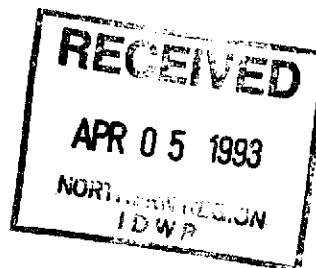
MICHAEL A. WILCOX, D.D.S.

PATRICK E. SHANNAHAN, D.D.S.

3420 Coach Lane • Suite 6 • Cameron Park, CA 95682 • (916) 677-0203

March 29, 1993

Director R. Keith Higinson
Dept of Water Resources
Northern Region
910 North West Blvd. # 210
Courde'Alene, Idaho
Re: Water Rights Application # 96-08736



Dear Mr. Higinson:

This is a strong protest to the permit for water rights claimed by Cindy and Brian Dockins in the above mentioned application.

To begin with, they only own ten acres, and we are part owners in the adjacent 40 acres. They never notified us as to their application for these water rights. They do not own the property on which they are claiming the water rights.

During the purchase of our property which began in November 1991, there was a dispute as to the water rights the Dockings had. Originally it was represented to us by Mrs. Dorothy Smith, the previous owner, that the Dockins had no water rights and that their existing pump, which is located on what is now our land, would be disconnected. Subsequently, a dispute developed, and the parties involved, including Cindy and Brian Dockins reached a complete and final settlement of the issues of the litigation, which states that the Dockins are granted a perpetual easement for six foot by eight foot (6' x 8') parcel, the center of which is a shallow water well with its distribution systems as it currently exists and where it is currently located. The location of this easement is the periphery of our land. No guarantee of quantity or quality of water was given.

We purchased this property with the intention of building three homes on it, to include Jennifer Alexander and family, William and Shirley Wilcox our parents, and myself and my family. Each of us will be supporting whatever livestock and farming we chose. We completed the transaction and purchase understanding and knowing that the Dockins had agreed to the easement as is, without modification or change, which would not infringe on our water needs in the future.

RECEIVED
JUN 14 1995

CAMERON PLAZA



DENTAL OFFICE

MICHAEL A. WILCOX, D.D.S.

PATRICK E. SHANNAHAN, D.D.S.

3420 Coach Lane • Suite 6 • Cameron Park, CA 95682 • (916) 677-0203

March 29, 1993

Page 2

Director R. Keith Higinson

Furthermore, in a dry year, water production would not be 20 gallons per minute, as they are demanding in their permit. If the permit is awarded, it could leave our 40 acres (20 acres of which they are claiming water rights to) without any water at all or at best minimal. In August of 1992, we had a water specialist assess the amount of water available in that area in which the Alexanders are currently also sustaining a household and livestock and it was determined to be only 10 gallons per minute.

I feel it is unjust that the Dockins are pursuing further water rights than they have already agreed to in writing. It is infringing on our property. It is infringing on my water rights as the landowner of the involved property, and it is infringing on my future as to whether there is enough water to sustain my home and my parents home.

In addition, the Dockins have been living on their property only about 9 years, since approximately 1984, which Mrs. Dorothy Smith, the former owner of our land resided there for approximately 40 years. It seems quite clear to me that Mrs. Smith's water rights supercede any rights that the Dockins are claiming.

Enclosed are copies of the original purchase agreement, the warranty deed identifying the parcel with which we are concerned, and the stipulation for settlement the Dockins agreed to.

Sincerely,


Michael A. Wilcox

Minneapolis
JUN 14 1995

DER.

23

Tide

108-5

JUN 14 1995

conditions thereof between George A. Smith and Dorothy G. Smith, husband and wife, and B. C. Land Company, a general partnership comprised of R. C. Land and Cattle Company, a Washington corporation, and R. E. Christensen, Inc., a Washington corporation, records of Bonner County, Idaho.

TOGETHER WITH all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining;

AND, the above named Grantor hereby covenants that the above described premises are free from encumbrances and that she and her heirs, executors and administrators shall warrant and defend the above premises against all lawful claims and demands except current taxes, easements, restrictions, reservations, covenants and rights of way of record and of view.

DATED this 20th day of April 1992.

Dorothy G. Smith
Dorothy G. Smith

STATE OF IDAHO)
 : ss
County of Bonner)

On this 20th day of April, 1992, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared DOROTHY G. SMITH, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

Letter L. Coe
Notary Public - State of Idaho
Residing at Priest River, therein.
My commission expires: 4/8/93

JUN 14 1995

COPY

PURCHASERS' CLOSING STATEMENT
SMITH - WILCOX/ALEXANDER

TOTAL PURCHASE PRICE -----\$66,000.00

PLUS Purchasers' Fees and Costs:

One-half attorney fee and
closing costs -----\$50.00
One-half recording fee ----\$ 3.00

Total Fees and Costs -----\$53.00 -----\$66,053.00

LESS CREDIT FOR:

Earnest money paid directly to Realtor's
Office -----\$ 500.00
*Seller's share of 1992 taxes, prorated
to 4-17-92 -----\$ 98.28

AMOUNT NEEDED BY PURCHASERS TO CLOSE -----\$65,454.72

*This prorate figure was based on the 1991
levy in the amount of \$335.10, prorated to
April 17, 1992, and if the actual tax
figure for the calendar year varies from
this amount, the parties agree to adjust
this prorate figure between themselves.
Purchasers are now responsible for the 1992
taxes, and any and all taxes levied thereafter.

NOTE: The property being purchased herein is under
designated as Forest Lands as provided in
Section 63-701, et seq, Idaho Code. If
Purchasers should decide to change designation,
said change will result in deferred taxes
becoming due. Purchasers herein are aware
of said designation, and have expressed they
wish to maintain said designation.

Seller is responsible
and will pay all
deferred taxes
due to Forest
designation at
close of escrow.

SIGNED and APPROVED this 17th day of April, 1992.

Michael A. Wilcox
Michael A. Wilcox

Kyle J. Alexander
Kyle J. Alexander

SS#: 561-84-5206

SS#: 572-64-0175

Carmen Y. Wilcox
Carmen Y. Wilcox

Jennifer L. Alexander
Jennifer L. Alexander

571-82-0811

569-78-5438

COPY

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That Grantor, DOROTHY G. SMITH, a widow, dealing as her sole and separate property, of Route 2, Box 371, Oldtown, Idaho 83822, FOR A VALUABLE CONSIDERATION, DOES HEREBY grant, bargain, sell and convey unto MICHAEL A. WILCOX and CARMEN Y. WILCOX, husband and wife, and KYLE J. ALEXANDER and JENNIFER L. ALEXANDER, husband and wife, of 4101 Birdseye View, Placerville, California 95667, the Grantees, the following described property in Bonner County, State of Idaho, to wit:

The following described 2 contiguous parcels of land situated in Section 8, Township 55 North, Range 5 West, Boise Meridian:

PARCEL 1:

The South Half of the South Half of the Northeast Quarter of said Section 8, Township 55 North, Range 5 West, Boise Meridian;

LESS the North 33 feet thereof; and

PARCEL 2:

The North 33 feet of the North Half of the Southeast Quarter of Section 8; and

SUBJECT TO liens for any taxes deferred by virtue of the designation of the insured property, or any portion thereof, as Forest Lands as provided in Section 63-1701, et seq, Idaho Code.

ALSO SUBJECT to terms and conditions disclosed in Warranty Deed for access road as provided therein, recorded June 11, 1971 as Instrument No. 133760, records of Bonner County, Idaho.

AND ALSO SUBJECT to Agreement and the terms and

WARRANTY DEED
Page One

KE. LAMANN
& COGSWELL
CHARTERED
ATTORNEYS AT LAW
PRIEST RIVER
PROFESSIONAL CENTER
P.O. BOX 83956
P.O. (208) 448-1221
(208) 448-1314

JUN 14 1995

conditions hereof between George A. Smith and Dorothy G. Smith, husband and wife, and B. C. Land Company, a general partnership comprised of R. C. Land and Cattle Company, a Washington corporation, and R. E. Christensen, Inc., a Washington corporation, records of Bonner County, Idaho.

TOGETHER WITH all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining;

AND, the above named Grantor hereby covenants that the above described premises are free from encumbrances and that she and her heirs, executors and administrators shall warrant and defend the above premises against all lawful claims and demands except current taxes, easements, restrictions, reservations, covenants and rights of way of record and of view.

DATED this 20th day of April 1992.

COPY

Dorothy G. Smith
Dorothy G. Smith

STATE OF IDAHO)
 :SS
County of Bonner)

On this 20th day of April, 1992, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared DOROTHY G. SMITH, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

Butler S. Coy.
Notary Public - State of Idaho
Residing at Priest River, therein.
My commission expires: 4/8/93

JUN 14 1995

J. T. DIEHL
Attorney at Law
806 N. Second Avenue
Sandpoint, ID 83864
(208) 263-8529

COPY

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

BRIAN L. DOCKINS and CYNTHIA
L. DOCKINS, husband and wife,

Plaintiff,

vs.

DOROTHY G. SMITH, a widow,

Defendant.

Case No. CV-92-00210

STIPULATION FOR SETTLEMENT

COMES NOW, the above named Plaintiffs by and through the
attorney, GARY A. FINNEY, and the above named Defendant by and
through her attorney, J. T. DIEHL, and hereby stipulate and agree
as follows:

1. The parties have reached a complete settlement of the
issues of this litigation on the terms hereinafter set forth,
2. The Defendant is in the process of selling her real
estate. Prior to the closing and settlement thereof, the Defendant
shall notify and obtain the consent of purchasers to allow
Defendant to grant a perpetual easement to the Plaintiffs, so that
the Plaintiffs existing shallow water well and distribution system
will remain on the Defendant's real estate as presently located.
The Defendant's sale of real estate shall be subject to the
easement granted to Plaintiffs.

3. The Defendant shall execute an easement to the Plaintiffs.

STIPULATION FOR SETTLEMENT -1-

JUN 14 1995

for a six (6') foot by eight (8') foot easement parcel, the center of which is the center of the existing well. The easement shall be for the perpetual right to keep the Plaintiffs' well and water distribution system as it currently exists and where it is currently located.

4. The Plaintiffs currently have access for ingress and egress over and across Defendant's land, which existing roadway runs in an easterly direction. The parties agree that at some point in the near future the new buyers intend to relocate the roadway approximately thirty three (33') feet in a southerly direction. The relocation of the roadway will place it along the southerly boundary of Defendant's property. The parties agree that Plaintiffs shall continue to have access for ingress/egress along the relocated roadway.

5. Each party shall bear their own attorney's fees and costs of this action.

DATED this 13th day of April, 1992.

Brian L. Dockins
BRIAN L. DOCKINS, Plaintiff

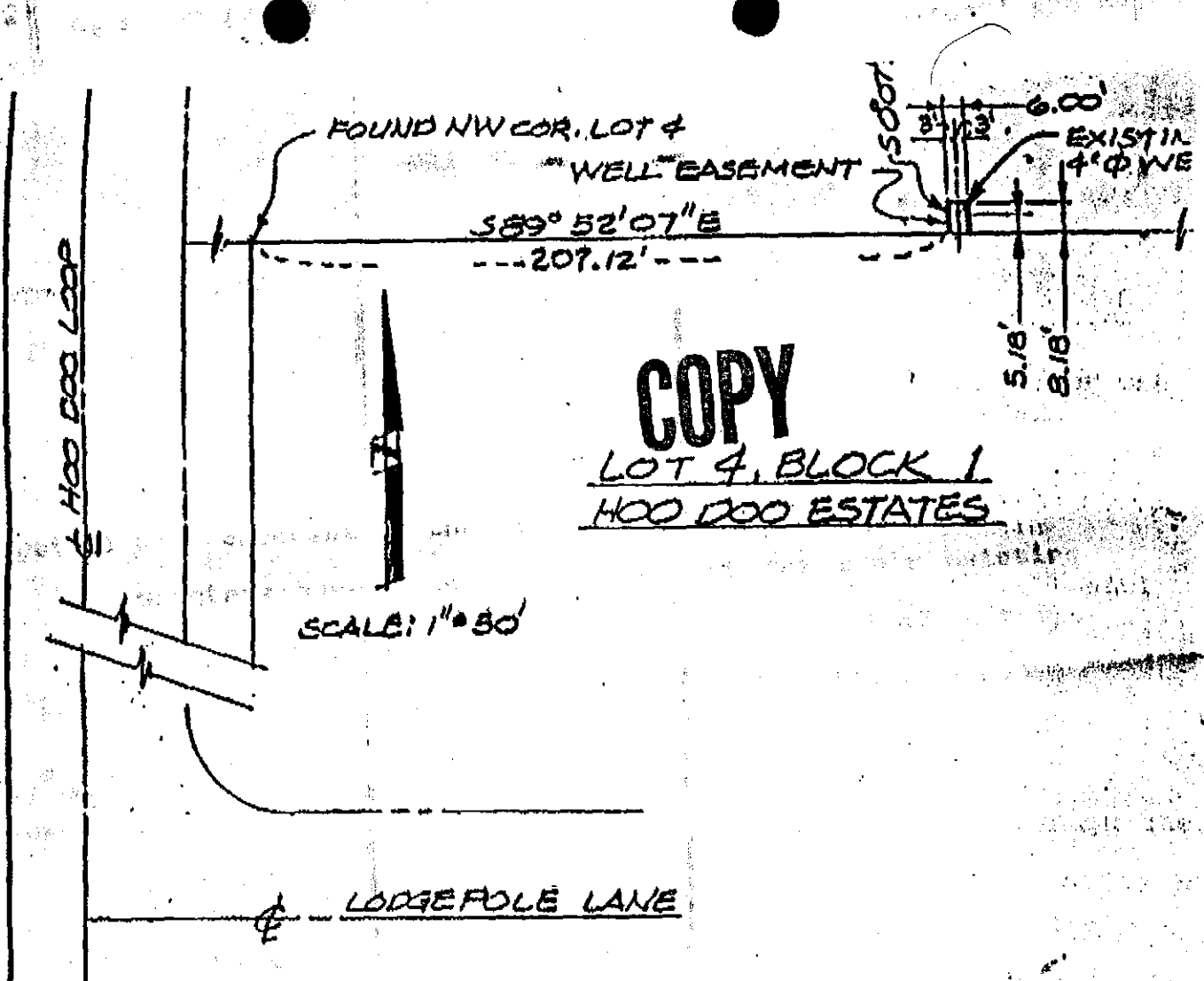
Dorothy G. Smith
DOROTHY G. SMITH, Defendant

Cynthia L. Dockins
CYNTHIA L. DOCKINS, Plaintiff

Gary A. Finney
GARY A. FINNEY
Attorney for Plaintiffs

J. T. Diehl
J. T. DIEHL
Attorney for Defendant

JUN 14 1995



WELL EASEMENT DESCRIPTION

A PORTION OF LAND AROUND AN EXISTING WELL OFF THE NORTH SIDE OF LOT 4, BLOCK 1, HOO DOO ESTATES, A SUBDIVISION IN THE S.E. 1/4 OF SEC. 8, T 55 N, R. 5 W, B.M. BONNER COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID LOT 4 WHICH IS 389° 52' 07" E FROM THE NORTHWEST CORNER OF SAID LOT 4, 207.12 FEET; THENCE N 0° 07' 53" E, 8.18 FEET; THENCE S 89° 52' 07" E, 6.00 FEET; THENCE S 0° 07' 53" W, 8.18 FEET; THENCE N 89° 52' 07" W, 6.00 FEET; TO THE POINT OF BEGINNING.

FB N 191 P 73 G.M.C. 3-

WELL EASEMENT
FOR
BRIAN L. DOCKINS
NORTH OF LOT 4, BLK 1, HOO
ESTATES, BONNER CO., IDAHO

JUN 14 1995

James A. Sewell & Associates
Consulting Engineers
NEWPORT, WASH. 99156
509 447.3826

WELL EASEMENT

COPY

ORIGINAL

GRANTOR: DOROTHY G. SMITH, a widow

GRANTEES: BRIAN L. DOCKINS and CYNTHIA L. DOCKINS,
husband and wife

FOR AND IN CONSIDERATION of the terms and conditions hereinafter set forth, the Grantor does hereby grant and convey a perpetual well easement to the Grantees, as follows:

1. Grantees have a perpetual easement for their existing well within a six (6') by eight (8') foot parcel of land to keep, maintain and repair the existing well and water distribution pump, pipes, and electrical system. The legal description of the easement area is as follows:

See attached Exhibit "A" which is hereby incorporated by reference.

2. This easement is a covenant running with the land. The Grantor's real estate is the servient estate, and the Grantees' real estate consisting of Lots 3 and 4 of Block 1 of Hoodoo Estates and the following is the dominant estate.

In the County of Bonner, State of Idaho, to-wit:

A portion of the Southeast Quarter of Section 8, Township 55 North, Range 5 W.B.M., Bonner County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of said Southeast Quarter, Section 8, Township 55 North, Range 4 W.B.M., Bonner County, Idaho; thence S00°10'35"W along the West line of said Southeast Quarter, a distance of 33.00 feet; thence S 89°52'07"E parallel to the North line of said Southeast Quarter, a distance of 30.00 feet to the East right-of-way of the County Road (Hoodoo Loop Road) and the True Point of Beginning for this description; thence continuing S89°52'07"E, a

JUN 14 1995

distance of 925.00 feet; thence S00°10'35"W, a
distance of 24.00 feet; thence S89°52'07"E, a
distance of 32.00 feet; thence N00°10'35"E, a
distance of 24.00 feet; thence N89°52'07"W, a
distance of 32.00 feet to the True Point of
Beginning.

3. Grantor does not warrant, in any manner, the quality or quantity of water which is the subject of this easement. Further, nothing contained herein shall be construed to limit Grantor's rights to water located within the boundaries of Grantor's property.

IN WITNESS WHEREOF, I have hereunto set my hand on this 6th day of April, 1992.

Dorothy G. Smith
DOROTHY G. SMITH

COPY

STATE OF IDAHO)
County of Bonner) ss.

On this 6th day of April, 1992, before me, a Notary Public in and for said State, personally appeared DOROTHY G. SMITH, a widow, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last above written.

Susan Lachetta
NOTARY PUBLIC - State of Idaho
Residing at: Sandpoint, ID
My Commission Expires: Dec. 1997

JUN 14 1995

March 26, 1993

Mr. R. Keith Higginson
Department of Water Resources
1910 Northwest BLVD.
Coeur d'Alene, ID 83814

RE: Protest of Application for Permit Number 96-08736.

Dear Mr. Higginson:

We hereby protest the Application for Permit Number referenced above filed by Brian and Cindy Dockins.

We own the property where the point of diversion is located. We acknowledge that the Dockin's do have a easement to a shallow well (spring) located on our property.

However, the Application for Permit Number 96-08736 lists an Unnamed Stream as the source of water. We protest any additional developments or diversions on our property other than the shallow well and the limits of the agreement. In addition, there is no unnamed stream on the property listed as their source.

The Dockin's do not own 30 acres of property that is listed on their Application for Permit. We also protest development of our property for irrigation by the Dockin's.

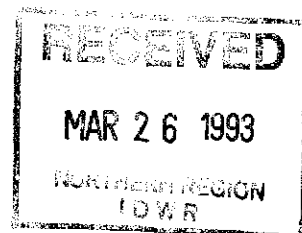
The permit states that the Applicants own the property where the point of diversion is located and that is not true. We own the property where their point of diversion is located.

Sincerely,

Jennifer Alexander

Jennifer Alexander

*13967 Olive Grove Ln.
Fylmar, Ca. 91342*

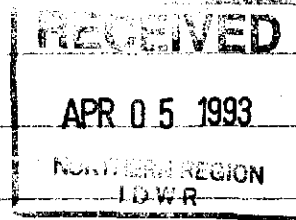


UNRECORDED

JUN 14 1993

March 31, 1993

Director R. Keith Higginson
Dept. of Water Resources
Northern Region



910 North West Blvd. Suite 210
Columbus, Ind. 47314.

Dear Sir,

This is concerning application No. 96-08936.

We are the parents of Jennifer Alexander and Michael Wilson who are the owners of 40 acres of land in the above numbered claim.

We intend to build our home on that land, and strongly resent somebody deliberately trying to steal the water resource. If they succeed, it will mean that we will be able to do nothing. I feel the only reason for this claim is so they can corner these resources and avoid spending the money to drill a well like they are supposed to.

We would appreciate your fairness in resolving this issue. We feel they have no legal claim.

Respectfully,

William A. Wilson
Shirley J. Wilson
P.O. Box 246
Gordonsville, Va. 22646

JUN 14 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 765-4639 • Fax (208) 765-2088

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 11, 1993

Mr. Brian L. Dockins
Rt. 2 Box 372A
Oldtown, Id. 83822

Dear Mr. and Mrs. Dockins:

Subject: Water Application for Permit Number 96-8736.

The Idaho Department of Water Resources hereby acknowledges receipt of the above-referenced Application for Permit to appropriate the Public Waters of the State of Idaho. Enclosed are Receipt Numbers N6245 & N6239. Please refer to your Application for Permit Number in future matters concerning this water right application.

Your Application for Permit is currently being prepared for advertising in the local county newspaper. The advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for submittal of protests.

If your application is not protested, it will be forwarded to Boise for processing. If your Application for Permit is protested, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before your Application for Permit can be approved. If the protest is not resolved, this Department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State Office in Boise.

If your Application for Permit is for a well (groundwater) that was constructed after July 1, 1987, you must apply for a well drilling permit upon approval of your Application for Permit if no permit was obtained by previous owners to construct the well. Well Drilling Permits can only be issued by this office to holders of approved Applications for Permit.

If I can be of further assistance, please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resource Agent

RECEIVED
JUN 14 1995