

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Amendment of Permit

NO. 95-09217

Priority: January 22, 2004

Maximum Diversion Rate: 2.51 CFS

This is to certify, that NORTH KOOTENAI WATER DISTRICT
PO BOX 2290
HAYDEN ID 83834

has applied for an amendment of a permit and the amendment is APPROVED for development of water as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
MUNICIPAL	01/01 to 12/31	2.51 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESWSW	Sec. 2 Twp 51N	Rge 04W	KOOTENAI County
GROUND WATER	NWNE	Sec. 11 Twp 51N	Rge 04W	KOOTENAI County
GROUND WATER	NWNWNE	Sec. 11 Twp 51N	Rge 04W	KOOTENAI County
GROUND WATER	NWNE	Sec. 14 Twp 51N	Rge 04W	KOOTENAI County
GROUND WATER	L7 (SWSE)	Sec. 15 Twp 51N	Rge 04W	KOOTENAI County
GROUND WATER	SESW	Sec. 23 Twp 51N	Rge 04W	KOOTENAI County
GROUND WATER	NESE	Sec. 23 Twp 51N	Rge 04W	KOOTENAI County
GROUND WATER	NESE	Sec. 23 Twp 51N	Rge 04W	KOOTENAI County
GROUND WATER	SWSE	Sec. 23 Twp 51N	Rge 04W	KOOTENAI County
GROUND WATER	NWSW	Sec. 24 Twp 51N	Rge 04W	KOOTENAI County
GROUND WATER	SESE	Sec. 23 Twp 51N	Rge 05W	KOOTENAI County
GROUND WATER	NESW	Sec. 32 Twp 51N	Rge 05W	KOOTENAI County
GROUND WATER	SESW	Sec. 32 Twp 51N	Rge 05W	KOOTENAI County
GROUND WATER	SENE	Sec. 7 Twp 52N	Rge 03W	KOOTENAI County
GROUND WATER	SWNW	Sec. 8 Twp 52N	Rge 03W	KOOTENAI County
GROUND WATER	NWSE	Sec. 18 Twp 52N	Rge 03W	KOOTENAI County
GROUND WATER	NWSE	Sec. 18 Twp 52N	Rge 03W	KOOTENAI County
GROUND WATER	L1 (SENE)	Sec. 6 Twp 52N	Rge 04W	KOOTENAI County
GROUND WATER	SESE	Sec. 17 Twp 52N	Rge 04W	KOOTENAI County
GROUND WATER	SESE	Sec. 17 Twp 52N	Rge 04W	KOOTENAI County
GROUND WATER	NESE	Sec. 28 Twp 52N	Rge 04W	KOOTENAI County

CONDITIONS OF APPROVAL

1. Subject to all prior water rights.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. Place of use is within the service area of North Kootenai Water District as provided for under Idaho law. The place of use is generally located within Sections 1, 6, 7, 8, 17, 18, 19, 20, 30, Township 51N, Range 3W; Sections 1, 2, 3, 11, 12, 14, 15, 22, 23, 24, 26, Township 51N, Range 4W; Section 32, Township 51N, Range 5W; Sections 4, 5, 6, 7, 8, 17, 18, 19, 20, Township 52N, Range 3W; Sections 5, 6, 8, 9, 16, 17, 28, 33, 35, 36, Township 52N, Range 4W; Sections 32 & 33, Township 53N, Range 3W; Sections 28 & 31, Township 53N, Range 4W; and Section 36, Township 53N, Range 5W.

State of Idaho
Department of Water Resources
Amendment of Permit
NO. 95-09217

CONDITIONS OF APPROVAL CONTINUED

4. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of the management plan approved by the director for the RPGWMA.

This amendment of permit is issued pursuant to the provisions of Section 42-211, Idaho Code. Witness the signature of the Director, affixed at Boise, this 30th day of August, 2006.

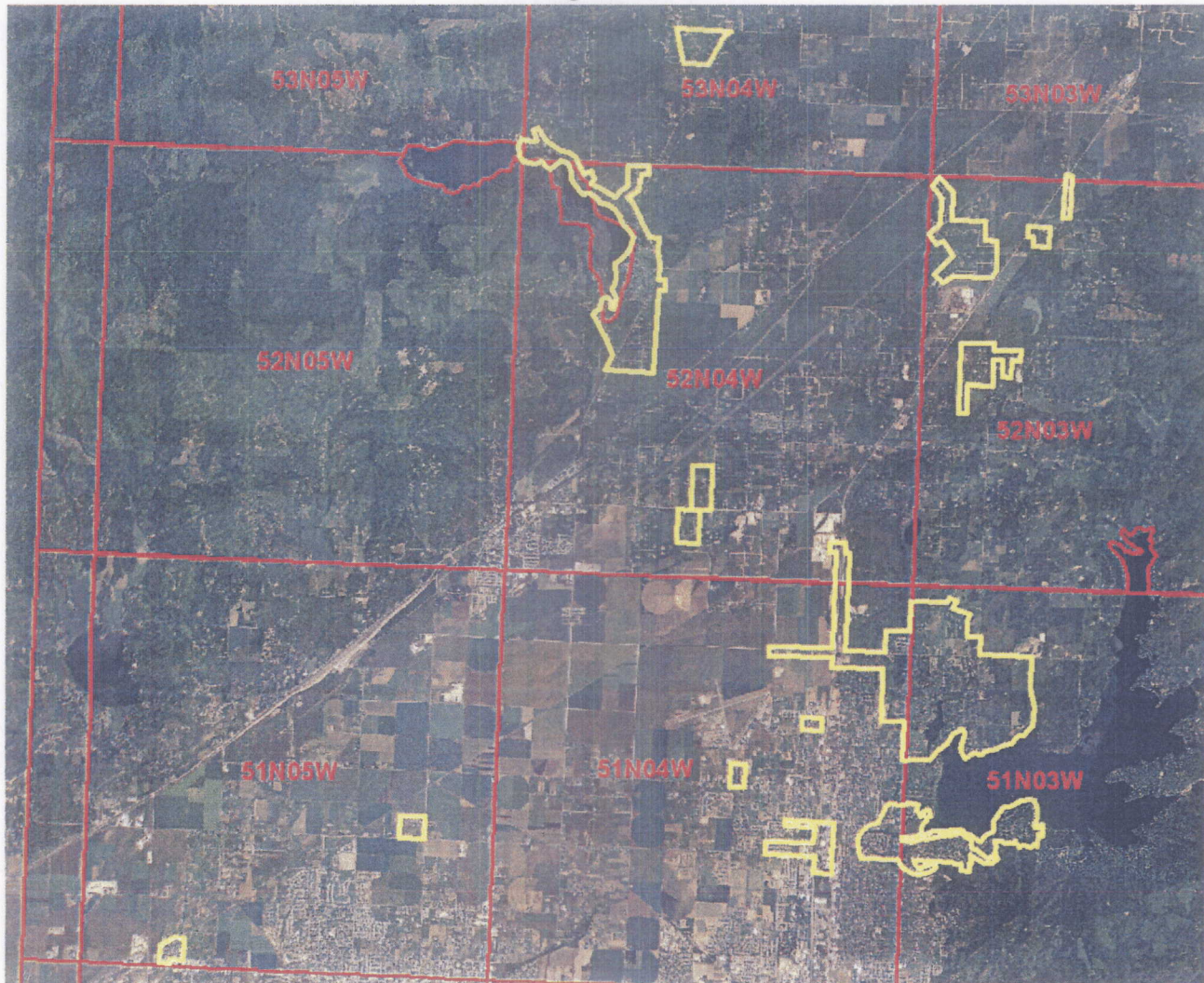
Shelley W. Keen
FOR KARL J. DREHER, Director

State of Idaho
Department of Water Resources
Amendment of Permit

NO. 95-09217

Digital Boundary for North Kootenai Water District

August 30, 2006



 North Kootenai Water District Service Area
 Township/Range

6000 0 6000 12000 Feet




72421
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Fee 150.00
Receipt NO17268
Received by [Signature]
Date NOV 14 2005
RECEIVED

APPLICATION FOR AMENDMENT OF A PERMIT

Name of Applicant North Kootenai Water District Phone IDWR/North

Mailing address P.O. Box 2290 Hayden, ID 83835

I am the owner and the holder of Permit to Appropriate the Public Waters of the State of Idaho No. 95-9217, and request that the permit and permit map be amended and/or changed as follows:

Purpose of Amendment: Change point of diversion X Add point of diversion

Change place of use Change nature of use Change period of use Other

1. Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, Township 52 N, Range 3 W, B.M., County of Kootenai. Other points of diversion See permitted diversion points listed in Table 1.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.111 for Municipal purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per year) (water use) (Begin Month) (End month)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year) (water use) (Begin Month) (End month)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year) (water use) (Begin Month) (End month)

3. Place of use or land to be irrigated: Refer to Table 2.

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total number of acres to be irrigated _____

4. a. Who owns the property at the point of diversion? North Kootenai Water District
- b. Who owns the land to be irrigated or place of use? Service area of NKWD.
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

Complete the following map by showing land and point of diversion as proposed by this amendment.
Show $\frac{1}{4}$ $\frac{1}{4}$, section, township, range and ditches. (The smallest subdivision represents 40 acres.)

Refer to Figure 1

Scale: 2 inches equal 1 mile

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 14 day of NOVEMBER, 2005.

Michael R. Shuter
Permit Holder Signature (and title, if for a company or organization)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by _____ Publication prepared by db/db Date 11/22/05 / 12/7/05
Published in Cda Press / Cda Press Publication dates 12/14/05 (didn't publish) / 12/15+22/05 db
I, _____, of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 20 _____.

SIGNATURE

North Kootenai Water District
Applications for New Water Rights

Table 1:
North Kootenai Water District Points of Diversion

New Well →

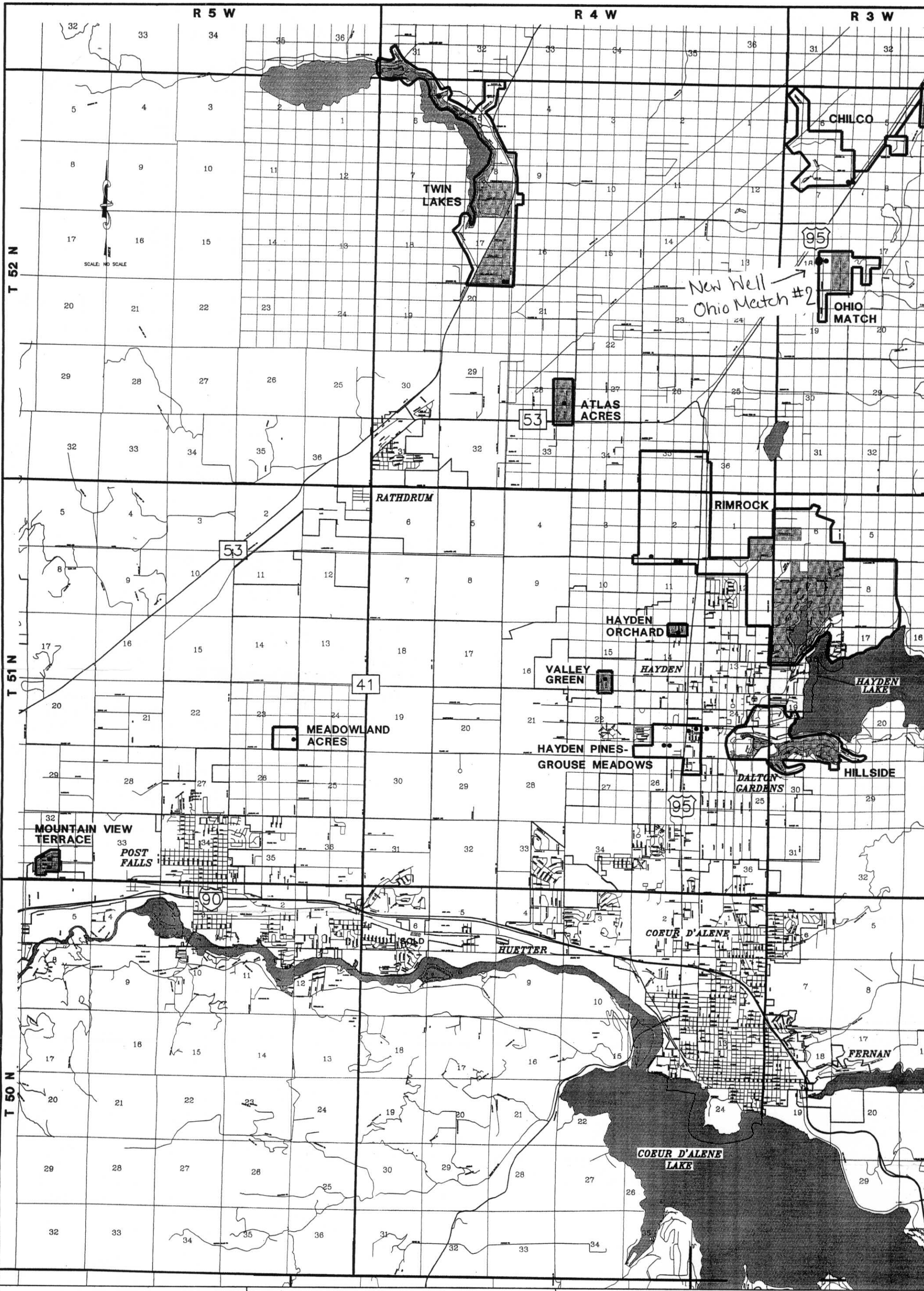
Well	Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
Ohio Match			NW	SE •	18	52N	3W	Kootenai	Rathdrum Aquifer
Ohio Match 2			NW	SE •	18	52N	3W	Kootenai	Rathdrum Aquifer
Finucane			NW	SW •	24	51N	4W	Kootenai	Rathdrum Aquifer
Hayden Well			NE	SE •	23	51N	4W	Kootenai	Rathdrum Aquifer
Hayden Pines			NE	SE •	23	51N	4W	Kootenai	Rathdrum Aquifer
GTE 1			SE	SW •	23	51N	4W	Kootenai	Rathdrum Aquifer
GTE 2			SW	SE •	23	51N	4W	Kootenai	Rathdrum Aquifer
Tree Farm			SE	SE •	17	52N	4W	Kootenai	Rathdrum Aquifer
Tree Farm			SE	SE •	17	52N	4W	Kootenai	Rathdrum Aquifer
Echo Beach	1		SE	NE •	6	52N	4W	Kootenai	Rathdrum Aquifer
Rimrock		NW	NW	NE •	11	51N	4W	Kootenai	Rathdrum Aquifer
Rimrock			NW	NE •	11	51N	4W	Kootenai	Rathdrum Aquifer
Rimrock		SE	SW	SW •	2	51N	4W	Kootenai	Rathdrum Aquifer
Hayden Orchard			NW	NE •	14	51N	4W	Kootenai	Rathdrum Aquifer
Chilco			SE	NE •	7	52N	3W	Kootenai	Rathdrum Aquifer
Chilco			SW	NW •	8	52N	3W	Kootenai	Rathdrum Aquifer
Atlas			NE	SE •	28	52N	4W	Kootenai	Rathdrum Aquifer
Mt View			NE	SW •	32	51N	5W	Kootenai	Rathdrum Aquifer
Mt View			SE	SW •	32	51N	5W	Kootenai	Rathdrum Aquifer
Meadowland Acres			SE	SE •	23	51	5W	Kootenai	Rathdrum Aquifer
Valley Green	7		SW	SE •	15	51N	4W	Kootenai	Rathdrum Aquifer

Table 2:
NKWD Place of Use

Table 2:
NKWD Place of Use

TWP	RANGE	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
51N	3W	5									M	M	M	M	M	M	M	M	
		6			M	M			M	M	M	M	M	M	M	M	M	M	
		7	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	
		8	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	
		17		M	M		M	M	M	M									
		18	M	M	M	M	M	M	M	M									
		19						M	M	M	M	M	M	M	M	M	M	M	
		20	M	M	M	M	M			M	M	M	M	M	M	M	M	M	
		21							M		M	M	M	M					
		30	M				M	M											
51N	4W	1						M	M		M	M	M	M	M	M	M	M	
		2	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	
		10	M																
		11	M	M			M	M											
		12	M	M	M	M	M	M							M	M	M	M	
		14		M															
		15									M			M		M	M		
		23									M		M	M	M	M	M	M	
		24	M	M	M	M					M			M	M	M	M	M	
		26	M	M															
51N	5W	23													M	M	M	M	
		32									M	M	M	M					
52N	3W	4						M	M			M							
		5	M		M	M					M			M	M	M	M	M	
		6					M	M	M	M	M	M	M	M	M	M	M	M	
		7	M	M	M	M	M		M	M	M	M							
		8	M			M	M	M	M	M									
		17							M		M	M	M	M					
		18							M	M					M	M	M	M	
		19	M	M	M														
		20						M											
52N	4W	5	M	M	M		M	M	M	M	M	M		M		M	M	M	
		6	M	M	M	M	M	M						M					
		8	M	M	M	M				M	M		M	M	M	M	M	M	
		9	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	
		16	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	
		17	M	M	M	M	M	M	M	M	M	M		M	M	M	M	M	
		18																	
		28			M	M									M	M	M	M	
		35			M	M				M	M	M	M	M	M	M	M	M	
		36							M			M	M						
53N	3W	32																	M
		33												M					
53N	4W	31				M			M	M	M	M	M	M	M	M	M	M	
		32							M			M	M						
53N	5W	36																	M

Total number of acres to be irrigated N/A



ADAPTED FROM KOOTENAI COUNTY
ASSESSOR'S MAP JUNE 19, 1998

LEGEND

- NORTH KOOTENAI WATER DISTRICT SERVICE AREAS
- NORTH KOOTENAI WATER DISTRICT BOUNDARIES
- NKWD WELLS

Figure 1:
**NORTH KOOTENAI WATER DISTRICT
BOUNDARIES AND DISTRICT SERVICE AREAS**

PROOF OF BENEFICIAL USE

RECEIVED
FEB 14 2005
DEPARTMENT OF
WATER RESOURCES

- Holder: CHAIRMAN
(include your title, if on behalf of company or organization)

North Kootenai Water District
Applications for New Water Rights

Table 1
North Kootenai Water District Points of Diversion and Description of Diversion Works

Well	Description of Diversion Works	Date Drilled	Drilling Firm	Drilling Permit
Ohio Match	6" Well with 52 gpm Submersible Pump and Motor	Jul-76	Associated Well Drillers	95-76-N-91
Finucane	16" Well with 460 gpm Deep Well Turbine Pump and 75 HP Motor	No Well Log		
Hayden Well ¹	16" Well with 1100 gpm Deep Well Turbine Pump and 200 HP Motor	Oct-77	EA Holman Drilling Co.	95-77-N-112
Hayden Pines	8" Well with 40 gpm Submersible Pump and 30HP Motor	Jul-71	EA Holman Drilling Co.	95-71-N-62
GTE 1	16" Well with 500 gpm Submersible Pump and 50HP Motor	Dec-77	EA Holman Drilling Co.	95-77-N-111
GTE 2	10" Well with 250 gpm Submersible Pump and 30HP Motor	No Well Log		
Tree Farm	8" Well with 170 gpm Submersible Well Pump and Motor	Feb-75	Carmon Development	95-75-N-80
Tree Farm	10" Well with 170 gpm Submersible Well Pump and Motor	Dec-85	EA Holman Drilling Co.	95-85-N-78
Echo Beach	8" Well with 230 gpm Submersible Well Pump and Motor	Not Dated	EA Holman Drilling Co.	95-64-N-3
Rimrock	16" Well with 1150 gpm Well and 200 HP Motor	Jun-80	Holmak Drilling Company	95-80-N-29
Rimrock	10" Well with 400 gpm Pump and Motor	Jun-90	H2O Well Service	95-90-N-17
Rimrock	16" Well with 980 gpm Pump and 200 HP Motor	Jun-02	Holt Drilling Inc.	7-76-57-8
Hayden Orchard	8" Well with Pump and 15 HP Motor	Jul-77	EA Holman Drilling Co.	95-77-N-77
Chilco	12" well with 250 gpm Pump and 10 HP Motor	Apr-78	EA Holman Drilling Co.	95-78-N-31
Chilco	10" well with 300 gpm Submersible Pump and 10 HP Motor	Nov-94	H2O Well Service	95-94-N-0257
Atlas	8" Well with 58 gpm Pump and 10 HP Motor	Jun-78	EA Holman Drilling Co.	95-78-N-46
Mt View	6" Well with 92 gpm Submersible Pump and 7.5 HP Motor.	Pre 1936 (No Well Log)		
Mt View	10" Well with 425 gpm Deep Well Turbine Pump and 50 HP Motor.	Pre 1963 (No Well Log)		
Meadowland Acres	260 gpm Submersible Pump and Motor	No Well Log	River City Construction	
Valley Green	8" Well with 75 gpm Pump and 10 HP Motor	Jan-77	Associated Well Drillers	95-77-N-157

1. This well is owned by Honeysuckle Hills. Honeysuckle Hills and NKWD have an agreement allowing NKWD to utilize 60% of the current pumping capacity for municipal use to serve its customers.

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09217

Priority: January 22, 2004

Maximum Diversion Rate: 2.51 CFS

This is to certify, that NORTH KOOTENAI WATER DISTRICT
PO BOX 2290
HAYDEN ID 83835

has applied for a permit to appropriate water from:

Source: GROUND WATER

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>
MUNICIPAL	01/01 to 12/31	2.51 CFS

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	NW¼SE¼	Sec. 18, Twp 52N, Rge 03W, B.M., KOOTENAI County
GROUND WATER	NW¼NE¼	Sec. 11, Twp 51N, Rge 04W, B.M., KOOTENAI County
GROUND WATER	NW¼SW¼	Sec. 24, Twp 51N, Rge 04W, B.M., KOOTENAI County
GROUND WATER	NE¼SE¼	Sec. 23, Twp 51N, Rge 04W, B.M., KOOTENAI County
GROUND WATER	SE¼SW¼	Sec. 23, Twp 51N, Rge 04W, B.M., KOOTENAI County
GROUND WATER	SW¼SE¼	Sec. 23, Twp 51N, Rge 04W, B.M., KOOTENAI County
GROUND WATER	L1 (SE¼NE¼)	Sec. 6, Twp 52N, Rge 04W, B.M., KOOTENAI County
GROUND WATER	NW¼NW¼NE¼	Sec. 11, Twp 51N, Rge 04W, B.M., KOOTENAI County
GROUND WATER	SE¼SW¼SW¼	Sec. 2, Twp 51N, Rge 04W, B.M., KOOTENAI County
GROUND WATER	NW¼NE¼	Sec. 14, Twp 51N, Rge 04W, B.M., KOOTENAI County
GROUND WATER	SE¼NE¼	Sec. 7, Twp 52N, Rge 03W, B.M., KOOTENAI County
GROUND WATER	SW¼NW¼	Sec. 8, Twp 52N, Rge 03W, B.M., KOOTENAI County
GROUND WATER	NE¼SE¼	Sec. 28, Twp 52N, Rge 04W, B.M., KOOTENAI County
GROUND WATER	NE¼SW¼	Sec. 32, Twp 51N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	SE¼SW¼	Sec. 32, Twp 51N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	SE¼SE¼	Sec. 23, Twp 51N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	L7 (SW¼SE¼)	Sec. 15, Twp 51N, Rge 04W, B.M., KOOTENAI County
GROUND WATER	NE¼SE¼	Sec. 23, Twp 51N, Rge 04W, B.M., KOOTENAI County
GROUND WATER	SE¼SE¼	Sec. 17, Twp 52N, Rge 04W, B.M., KOOTENAI County
GROUND WATER	SE¼SE¼	Sec. 17, Twp 52N, Rge 04W, B.M., KOOTENAI County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2005**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 95-09217

4. Place of use is within the service area of North Kootenai Water District as provided for under Idaho law. The place of use is generally located within Sections 5, 6, 7, 8, 17, 18, 19, 20, 30, Township 51N, Range 3W; Sections 1, 2, 11, 12, 14, 15, 23, 24, 26, Township 51N, Range 4W; Section 32, Township 51N, Range 5W; Sections 4, 5, 6, 7, 8, 17, 18, 19, 20, Township 52N, Range 3W; Sections 5, 6, 8, 9, 16, 17, 28, 35, 36, Township 52N, Range 4W; Sections 32 & 33, Township 53N, Range 3W; Sections 31 & 32, Township 53N, Range 4W; and Section 36, Township 53N, Range 5W.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of any management plan approved by the director for the RPGWMA. If the director determines that the ground water supply in the RPGWMA is insufficient to meet the demands of prior water rights within the RPGWMA, the director may order the diversion and use of water under this right to be reduced or curtailed until the director determines that there is sufficient ground water available for this right.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 13th day of April, 2004.



KARL J DREHER, Director

APR 08 2004

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

RECEIVED

JAN 22 2004

IDWR/North

95-9217

Department of Water Resources

North Kootenai Water District

Phone **(208) 772-3619**

Mailing address

P.O. Box 2290 Hayden, Idaho 83835

- | | | | |
|----|--|---|---------------------|
| 2. | Source of water supply <u>Groundwater</u> | which is a tributary of <u>N/A</u> | |
| 3. | Location of point of diversion is _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt Lot _____ | | |
| | Sec. _____ Township _____ Range _____ B.M. _____ County; additional _____ | | |
| | points of diversion if any: Multiple diversion points, Refer to Table 1. | | |
| 4. | Water will be used for the following purposes: | | |
| | Amount _____ (cfs or acre/feet per annum) | for <u>2.51</u> for <u>Municipal</u> purposes from <u>Jan 1</u> to <u>Dec 31</u> (both dates inclusive) | |
| | Amount _____ (cfs or acre/feet per annum) | for _____ purposes from _____ to _____ (both dates inclusive) | |
| | Amount _____ (cfs or acre/feet per annum) | for _____ purposes from _____ to _____ (both dates inclusive) | |
| | Amount _____ (cfs or acre/feet per annum) | for _____ purposes from _____ to _____ (both dates inclusive) | |
| 5. | Total quantity to be appropriated is (a) <u>2.51</u> and/or (b) <u>N/A</u> | | |
| | | cubic feet per second | acre feet per annum |
| 6. | Proposed diverting works: | | |
| | a. Describe type and size of devices used to divert water from the source | Refer to Table 2. | |
| | b. Height of storage dam <u>N/A</u> feet; active reservoir capacity <u>N/A</u> acre-feet; total Reservoir capacity <u>N/A</u> acre-feet | | |
| | c. Proposed well diameter is <u>N/A</u> inches; proposed depth of well is <u>N/A</u> feet. | | |
| | d. Is ground water with a temperature of greater than 85° F being sought? <u>N/A</u> | | |
| | e. If well is already drilled, when? _____; Drilling firm _____ | | |
| | Well was drilled for (well owner) _____ | Drilling Permit No. _____ | |
| 7. | Time required for the completion of the works and application of the water to be proposed beneficial use is <u>Water has been put into beneficial use.</u> years (minimum 1 year). | | |
| 8. | Description of proposed uses (if irrigation only, go to item 9): | | |
| | a. Hydropower; show total feet of head and proposed capacity in KW. | _____ | |
| | b. Stockwatering; list number and kind of livestock. | _____ | |
| | c. Municipal; show name of municipality. | _____ | |
| | d. Domestic; show number of households. | _____ | |

e. Other; describe fully.

9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Refer to Table 3.

TWP	RANGE	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated N/A

10. Describe any other water rights used for the same purposes as described above. Multiple transfers have been filed as well as one amendment, for the above place of use. Refer to Table 4.

11. a. Who owns the property at the point of diversion? North Kootenai Water District
b. Who owns the land to be irrigated or place of use? N/A (Place of Use is NKWD Service Area)
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. N/A

12. Remarks: The requested diversion rate is to cover existing diversion capacity that has been in use for municipal purposes for several years but is presently un-permitted.

13. MAP OF PROPOSED PROJECT REQUIRED: Attach an 8 1/2" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township and range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred).

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

[Signature]
Signature of Applicant (and title, if applicable)

Received by [Signature] Date 1/22/04 Time 10:18 am Preliminary check by
Fee \$ 330 Received by [Signature] # N016070 Date 1/23/04
Publication prepared by [Signature] Date 2/27/04 Published in Cda Press 3/4x11/04
Publication approved [Signature] Date 3/12/04

* Original funds received 1/22/04, in excess of required fee.
Receipt N016069, voided, NKWD reissued for correct amt.

North Kootenai Water District
Applications for New Water Rights

Table 1:
North Kootenai Water District Points of Diversion and Description of Diversion Works

Well	Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion	Description of Diversion Works
Ohio Match			NW	SE	18	52N	3W	Kootenai	Rathdrum Aquifer	6" Well with 52 gpm Submersible Pump and Motor
Finucane			NW	SW	24	51N	4W	Kootenai	Rathdrum Aquifer	16" Well with 460 gpm Deep Well Turbine Pump and 75 HP Motor
Hayden Well ¹			NE	SE	23	51N	4W	Kootenai	Rathdrum Aquifer	16" Well with 1100 gpm Deep Well Turbine Pump and 200 HP Motor
Hayden Pines			NE	SE	23	51N	4W	Kootenai	Rathdrum Aquifer	8" Well with 40 gpm Submersible Pump and 30HP Motor
GTE 1			SE	SW	23	51N	4W	Kootenai	Rathdrum Aquifer	16" Well with 500 gpm Submersible Pump and 50HP Motor
GTE 2			SW	SE	23	51N	4W	Kootenai	Rathdrum Aquifer	10" Well with 250 gpm Submersible Pump and 30HP Motor
Tree Farm			SE	SE	17	52N	4W	Kootenai	Rathdrum Aquifer	8" Well with 170 gpm Submersible Well Pump and Motor
Tree Farm			SE	SE	17	52N	4W	Kootenai	Rathdrum Aquifer	10" Well with 170 gpm Submersible Well Pump and Motor
Echo Beach	1		SE	NE	6	52N	4W	Kootenai	Rathdrum Aquifer	8" Well with 230 gpm Submersible Well Pump and Motor
Rimrock			NW	NW	11	51N	4W	Kootenai	Rathdrum Aquifer	16" Well with 1100 gpm Well and 200 HP Motor
Rimrock			NW	NE	11	51N	4W	Kootenai	Rathdrum Aquifer	10" Well with 400 gpm Pump and Motor
Rimrock			SE	SW	2	51N	4W	Kootenai	Rathdrum Aquifer	16" Well with 980 gpm Pump and 200 HP Motor
Hayden Orchard			NW	NE	14	51N	4W	Kootenai	Rathdrum Aquifer	8" Well with Pump and 15 HP Motor
Chilco			SE	NE	7	52N	3W	Kootenai	Rathdrum Aquifer	12" well with 250 gpm Pump and 10 HP Motor
Chilco			SW	NW	8	52N	3W	Kootenai	Rathdrum Aquifer	10" well with 300 gpm Submersible Pump and 10 HP Motor
Atlas			NE	SE	28	52N	4W	Kootenai	Rathdrum Aquifer	8" Well with 58 gpm Pump and 10 HP Motor
Mt View			NE	SW	32	51N	5W	Kootenai	Rathdrum Aquifer	6" Well with 92 gpm Submersible Pump and 7.5 HP Motor.
Mt View			SE	SW	32	51N	5W	Kootenai	Rathdrum Aquifer	10" Well with 425 gpm Deep Well Turbine Pump and 50 HP Motor.
Meadowland Acres			SE	SE	23	51N	5W	Kootenai	Rathdrum Aquifer	260 gpm Submersible Pump and Motor
Valley Green	7		SW	SE	15	51N	4W	Kootenai	Rathdrum Aquifer	8" Well with 75 gpm Pump and 10 HP Motor

1. This well is owned by Honeysuckle Hills. Honeysuckle Hills and NKWD have an agreement allowing NKWD to utilize 60% of the current pumping capacity for municipal use to serve its customers.

North Kootenai Water District
Applications for New Water Rights

Table 2
North Kootenai Water District Points of Diversion and Description of Diversion Works

Well	Description of Diversion Works	Date Drilled	Drilling Firm	Drilling Permit
Ohio Match	6" Well with 52 gpm Submersible Pump and Motor	Jul-76	Associated Well Drillers	95-76-N-91
Finucane	16" Well with 460 gpm Deep Well Turbine Pump and 75 HP Motor	No Well Log		
Hayden Well ¹	16" Well with 1100 gpm Deep Well Turbine Pump and 200 HP Motor	Oct-77	EA Holman Drilling Co.	95-77-N-112
Hayden Pines	8" Well with 40 gpm Submersible Pump and 30HP Motor	Jul-71	EA Holman Drilling Co.	95-71-N-62
GTE 1	16" Well with 500 gpm Submersible Pump and 50HP Motor	Dec-77	EA Holman Drilling Co.	95-77-N-111
GTE 2	10" Well with 250 gpm Submersible Pump and 30HP Motor	No Well Log		
Tree Farm	8" Well with 170 gpm Submersible Well Pump and Motor	Feb-75	Carmon Development	95-75-N-80
Tree Farm	10" Well with 170 gpm Submersible Well Pump and Motor	Dec-85	EA Holman Drilling Co.	95-85-N-78
Echo Beach	8" Well with 230 gpm Submersible Well Pump and Motor	Not Dated	EA Holman Drilling Co.	95-64-N-3
Rimrock	16" Well with 1150 gpm Well and 200 HP Motor	Jun-80	Holmak Drilling Company	95-80-N-29
Rimrock	10" Well with 400 gpm Pump and Motor	Jun-90	H2O Well Service	95-90-N-17
Rimrock	16" Well with 980 gpm Pump and 200 HP Motor	Jun-02	Holt Drilling Inc.	7-76-57-8
Hayden Orchard	8" Well with Pump and 15 HP Motor	Jul-77	EA Holman Drilling Co.	95-77-N-77
Chilco	12" well with 250 gpm Pump and 10 HP Motor	Apr-78	EA Holman Drilling Co.	95-78-N-31
Chilco	10" well with 300 gpm Submersible Pump and 10 HP Motor	Nov-94	H2O Well Service	95-94-N-0257
Atlas	8" Well with 58 gpm Pump and 10 HP Motor	Jun-78	EA Holman Drilling Co.	95-78-N-46
Mt View	6" Well with 92 gpm Submersible Pump and 7.5 HP Motor.	Pre 1936 (No Well Log)		
Mt View	10" Well with 425 gpm Deep Well Turbine Pump and 50 HP Motor.	Pre 1963 (No Well Log)		
Meadowland Acres	260 gpm Submersible Pump and Motor	No Well Log	River City Construction	
Valley Green	8" Well with 75 gpm Pump and 10 HP Motor	Jan-77	Associated Well Drillers	95-77-N-157

Table 3:
NKWD Place of Use

TWP	RANGE	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
51N	3W	5									M	M	M	M	M	M	M	M	
		6			M	M			M	M	M	M	M	M	M	M	M	M	
		7	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	
		8	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	
		17		M	M		M	M	M	M									
		18	M	M	M	M	M	M	M	M									
		19						M	M	M	M	M	M	M	M	M	M	M	
		20										M	M	M					
		30	M				M	M											
51N	4W	1						M	M		M	M	M	M	M	M	M	M	
		2	M		M						M	M	M	M	M	M	M	M	
		11	M	M	M	M	M	M	M	M					M				M
		12	M	M	M	M	M	M	M	M									
		14				M													
		15									M			M		M	M		
		23									M	M	M	M	M	M	M	M	
		24	M	M	M	M					M			M	M	M	M	M	
		26	M	M											M	M	M	M	
51N	5W	32	M	M	M	M													
52N	3W	4						M	M			M							
		5	M		M	M					M			M	M	M	M	M	
		6					M	M	M	M	M	M	M	M	M	M	M	M	
		7	M	M	M	M	M		M	M	M	M							
		8	M			M	M	M	M	M									
		17							M		M	M	M	M					
		18							M	M					M	M	M	M	
		19	M	M	M														
		20						M											
52N	4W	5	M	M	M		M	M	M	M	M	M		M		M	M	M	
		6	M	M	M	M	M	M						M	M	M	M	M	
		8	M	M	M	M				M	M		M	M	M	M	M	M	
		9	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	
		16	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	
		17	M	M	M	M	M	M	M	M	M	M		M	M	M	M	M	
		28													M				
		35				M													M
		36							M			M	M						M
53N	3W	32												M					
		33																	
53N	4W	31				M			M	M	M	M	M	M	M	M	M	M	
		32							M			M	M						M
53N	5W	36																	

Total number of acres to be irrigated N/A

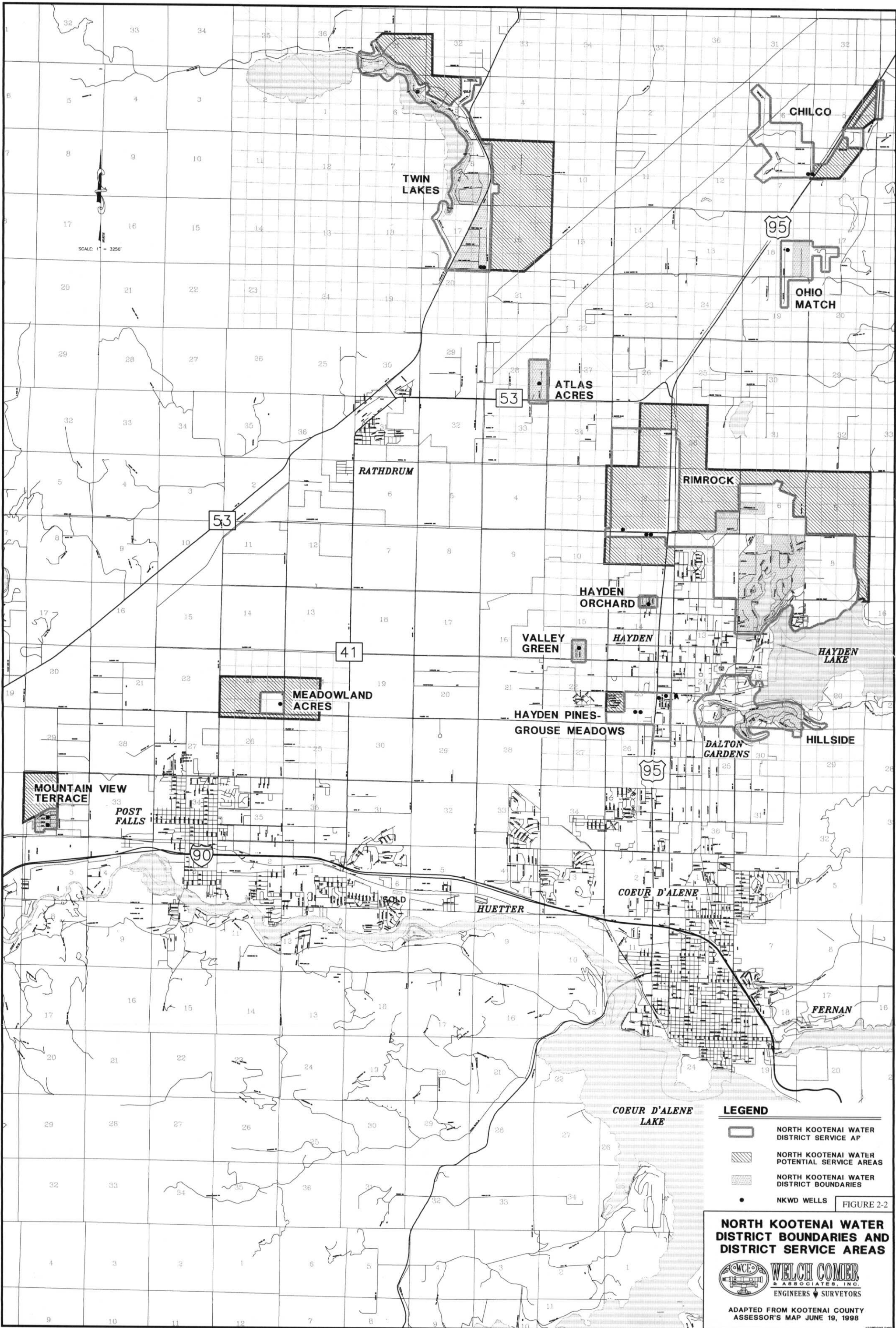
North Kootenai Water District
Applications for New Water Rights

Table 4:
Other Water Rights Associated with North Kootenai Water District

Action	1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period	Of	Use
Transfer	95-7827	3/29/1978	0.2	Municipal	1-Jan	to	31-Dec
Transfer ¹	95-7107	4/28/1970	1.31	Municipal	1-Jan	to	31-Dec
Transfer	95-8522	8/20/1986	0.61	Municipal	1-Jan	to	31-Dec
Transfer ²	95-4027	9/1/1963	1.2	Municipal	1-Jan	to	31-Dec
Transfer	95-7713	3/30/1977	0.04	Municipal	1-Jan	to	31-Dec
Transfer	95-7138	3/25/1971	0.14	Municipal	1-Jan	to	31-Dec
Amendment	95-8639	1/5/1990	1	Municipal	1-Jan	to	31-Dec

1. This water right could not be transferred. This water right is for a different point of diversion. Thus this application for new water right will cover this diversion.

2. This water right could not be transferred. This water right is a claim, proof of beneficial use prior to March 1963 could not be provided. Thus this application for new water right will cover this diversion.



**NORTH KOOTENAI WATER DISTRICT
SUMMARY/STATUS OF WATER RIGHTS**

IDWR Filing Made	Water System	Well Name	DATE WELL ESTABLISHED	WELLS	IDEQ PWS NO.	EXISTING IDWR PERMIT NO.	PERMITTED DIVERSION RATE (CFS)	CURRENT WATER DIVERSION (Well Capacity CFS)	CURRENT IDWR STATUS
NEW APPLICATION ¹	Atlas Acres	Atlas Acres	Jun-78	1	1280005	---	---	0.13	NKWD currently owns and operates well but no water right was established by original owner.
AMMENDMENT	Rimrock	Lancaster Well #2	Jun-90	1	1280009	95-8639	1	0.89	File Ammendment to Pending Permit. Change Beneficial Use, Place of Use.
NEW APPLICATION ¹	Rimrock	Lancaster Well #1	Jun-80	1	1280009	---	---	2.56	NKWD currently owns and operates well but no water right was established by original owner.
NEW APPLICATION ¹	Rimrock	Lancaster Well #3	Jun-02	1	1280009	---	---	2.18	New well requiring a new water right.
TRANSFER ²	Chilco	Chilco #1	Apr-78	1	1280048	95-7827	0.2	0.56	Change water right ownership from Hayden Pines Water Company to NKWD. Transfer Water Right to Municipal.
NEW APPLICATION ¹	Chilco	Chilco #2	Nov-94	1	1280048	---	---	0.67	NKWD currently owns and operates well but no water right was established by original owner.
NEW APPLICATION ¹	Hayden Orchard	Hayden Orchard	Jul-77	1	1280088	---	---	0.27	NKWD currently owns and operates well but no water right was established by original owner.
TRANSFER ²	Hillside	Finucane Well	RIGHT ESTABLISHED NOVEMBER 1975	1	1280095	---	0	1.02	NKWD currently owns and operates well but no water right was established by original owner.
No Action, Not Owned by NKWD	Hillside	Hayden Well	Oct-77	1	1280095	95-7763	0	0	This well is owned by Honeysuckle Hills Homeowner's Association. NKWD and Honeysuckle Hills have an agreement, which allows NKWD to use 60% of the wells source capacity. Because they do not own this well, no action to the existing water right will be pursued by NKWD.
NEW APPLICATION ¹	Twin Lakes	Echo Beach	NO WELL LOG (PRE-1972)	1	1280099	---	0	0.51	Inc. to NKWD. Transfer Water Right to Municipal. Increase diversion rate.
NEW APPLICATION ¹	Twin Lakes	Tree Farm #1	Feb-75	1	1280099	95-8522	0	0.38	Company to NKWD. Transfer Water Right to Municipal. Increase diversion rate.
TRANSFER ²	Twin Lakes	Tree Farm #2	Dec-85	1	1280099	95-8522	0.61	0.38	
TRANSFER ²	Mountain View	Mountain View #1	NO WELL LOG (PRE-1936)	1	1280123	---	---	0.2	NKWD currently owns and operates well but no water right was established by original owner.
Covered Under Well #1	Mountain View	Mountain View #2	NO WELL LOG (PRE-1963)	1	1280123	---	---	0.95	
TRANSFER ²	Ohio Match	Ohio Match	Jul-76	1	1280127	95-7713	0.04	0.12	Company to NKWD. Transfer Water Right to Municipal. Increase diversion rate.
NEW APPLICATION ¹									
NEW APPLICATION ¹	Valley Green	Valley Green	Jan-77	1	1280195	---	---	0.17	NKWD currently owns and operates well but no water right was established by original owner.
NEW APPLICATION ¹	Hayden Pines/Grouse Meadows	GTE Inner	NO WELL LOG (PRE-1979)	1	1280257	---	---	0.56	NKWD currently owns and operates well but no water right was established by original owner.
NEW APPLICATION ¹	Hayden Pines/Grouse Meadows	GTE Outer	Dec-77	1	1280257	---	---	1.11	NKWD currently owns and operates well but no water right was established by original owner.
TRANSFER ²	Hayden Pines/Grouse Meadows	Hayden Pines	Jul-71	1	1280257	95-7138	0.14	0.09	Change water right ownership from Idaho Contractors, Inc. to NKWD. Transfer Water Right to Municipal.
NEW APPLICATION ¹	Meadowland Acres	Meadowland Acres	NO WELL LOG	1	1280277	---	---	0.58	NKWD currently owns and operates well but no water right was established by original owner.
TOTAL							1.99	13.33	

1. NEW APPLICATION (#95-9199) INCLUDES A MAXIMUM DIVERSION CAPACITY OF 8.83 CFS AND CAN BE USED INTERCHANGEABLY BETWEEN ALL DISTRICT WELLS

2. TRANSFER APPLICATION (#70394) INCLUDES A MAXIMUM DIVERSION CAPACITY OF 1.99 CFS AND CAN BE USED INTERCHANGEABLY BETWEEN ALL DISTRICT WELLS

3. A 2ND NEW APPLICATION FOR A MAXIMUM DIVERSION RATE OF 2.51 CFS WAS FILED IN JANUARY 2004 TO RECOVER WATER RIGHT CAPACITY LOST THROUGH 2 NON-APPLICABLE WATER RIGHTS.

**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

August 30, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

NORTH KOOTENAI WATER DISTRICT
PO BOX 2290
HAYDEN ID 83834

RE: Permit No. 95-9217

Amendment of Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed amendment of permit approving your application to amend the permit referenced above. Please be sure to thoroughly review every element including the conditions of approval listed on your permit.

The amendment of permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4947.

Sincerely,

Shelley W Keen
Water Rights Supervisor

SWK:ka

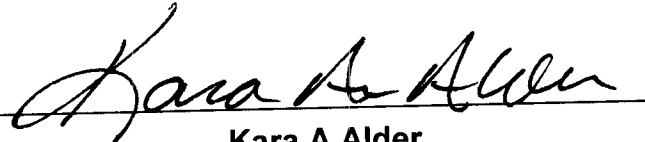
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on September 1, 2006 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Amendment of Permit) to the person(s) listed below:

RE: WATER RIGHT PERMIT NO. 95-9217

**NORTH KOOTENAI WATER DISTRICT
PO BOX 2290
HAYDEN ID 83834**


**Kara A Alder
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department 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 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period 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 preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (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 Director may remand the matter for further evidentiary hearings 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.

Section 67-5246(5), Idaho Code, provides as follows:

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

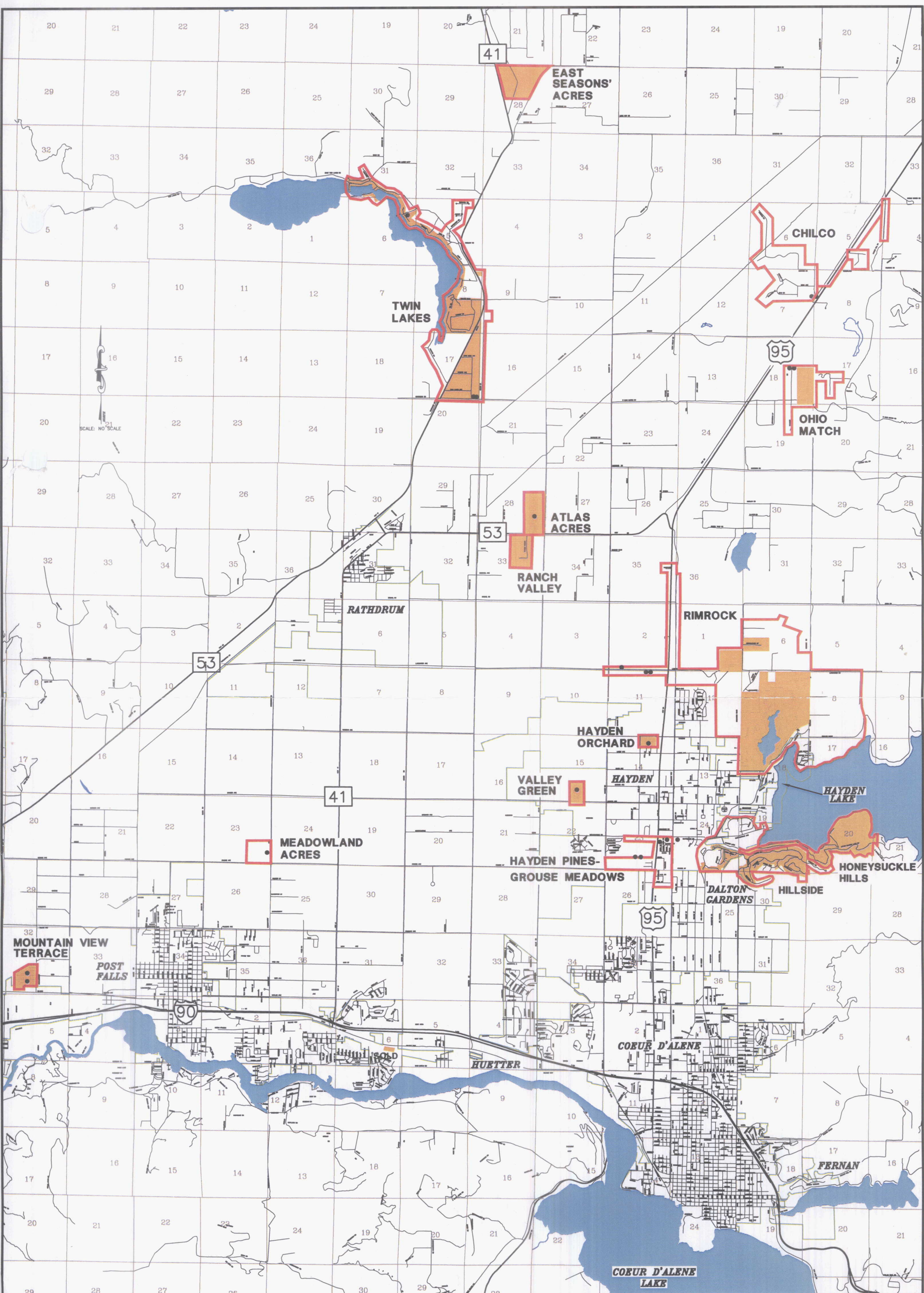
- (a) the petition for reconsideration is disposed of, or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case 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
- 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 of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



WELCH COMER
ASSOCIATES, INC.
ENGINEERS & SURVEYORS

ADAPTED FROM KOOTENAI COUNTY
ASSESSOR'S MAP JUNE 19, 1998

LEGEND

- NORTH KOOTENAI WATER DISTRICT SERVICE AREAS
- NORTH KOOTENAI WATER DISTRICT BOUNDARIES
- NKWD WELLS

**NORTH KOOTENAI WATER DISTRICT
BOUNDARIES AND DISTRICT SERVICE AREAS**



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 31, 2006

NORTH KOOTENAI WATER DISTRICT
PO BOX 2290
HAYDEN, ID 83835

PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 95-9217

Dear Permit Holder(s):

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.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have any questions concerning the field examination, please contact the Northern Regional Office of the department in Coeur d'Alene at 208-769-1450.

Sincerely,

A handwritten signature in black ink, appearing to read 'Shelley W. Keen', is written over a horizontal line.

Shelley W. Keen

Water Rights Supervisor

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO.
County of Kootenai.

} ss.

Kattie Hay

being first duly sworn

upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Legal Notice

of which the annexed is a printed copy, was published in the regular *Thursday* issue of said newspaper for *2* consecutive *weeks* commencing on the *15* day of *December* 20*05*, and ending on the *22* day of *December* 20*05*, and such publication was made as often during said period as said *Daily* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

On this *22* day of *December* in the year of *2005*, before me, a Notary Public, personally appeared *Kattie Hay*, 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.

Regina Mason

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MY COMMISSION EXPIRES 6/18/09

RECEIVED
DEC 23 2005
IDWR/North

NOTICE

The following application has been filed to amend Permit to Appropriate Water - 95-9217

NORTH KOOTENAI
WATER DIST.

PO BOX 2290

HAYDEN ID 83835

Use: Municipal

01/01-12/31 2.51 CFS

Total Diversion: 2.51 CFS

Date Filed: 11/14/2005

Place Of Use: MUNICIPAL

Place of use is within service area of applicant.

Remark: - The purpose of this amendment is to ADD A POINT OF DIVERSION in the NWSE, Sec. 18, Twp. 52N Range 3W, Kootenai Co.

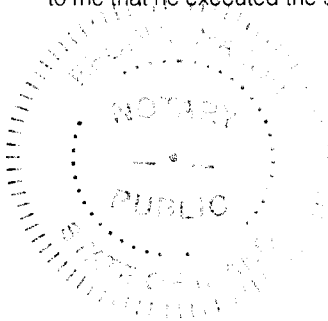
There will be no change in the amount of water, the use of water, or the place of use as a result of this amendment.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-211, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 01/03/2006. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director
Legal 8381

December 15, 22, 2005





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

①

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 7, 2005

3 pages total

KATTIE HOY & GLENDA JEFFERSON
LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

*Please FAX proof copy before publication, to 208-769-1454
Thanks, Dianne*

RE: Application to Amend Permit No. 95-9217

Dear Kattie & Glenda:

This is the legal notice that was e-mailed to you on November 22, 2005 requesting publication on December 1 and 8, 2005 – that you say never reached you. It was e-mailed to legals@cdapress.com as is our usual procedure, and has been for several years [and additionally to gjefferson@cdapress.com for the past several publication requests].

→ { ***I am e-mailing this again – as well as FAXING it to you. There are 2 attachments in the e-mail, both are MS WORD documents – and 2 pages will be faxed – this cover letter as well as the legal notice we now want published on December 15 and 22, 2005.*** } ←

Enclosed you will find a legal notice to amend a permit which we wish to have published in your newspaper on the dates indicated, **December 15 and 22, 2005** (once a week for two consecutive weekly issues). **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. **Please send the affidavit and bill to this office before 01/03/2006.** Your cooperation is appreciated.

Thank you,

Sincerely

Dianne

Dianne Ball
Administrative Assistant

The following application has been
filed to amend Permit to Appropriate
Water - 95-9217
NORTH KOOTENAI WATER DIST.
PO BOX 2290
HAYDEN ID 83835
Use:-Municipal-01/01-12/31 2.51 CFS
Total Diversion: 2.51 CFS

Date Filed: 11/14/2005

Place Of Use: MUNICIPAL. Place of
use is within service area of applicant.

Remark: - The purpose of this
amendment is to ADD A POINT OF
DIVERSION in the NWSE, Sec. 18,
Twp. 52N Range 3W, Kootenai Co.

**There will be no change in the
amount of water, the use of water,
or the place of use as a result of
this amendment.**

Permits will be subject to all prior
water rights. Protests may be
submitted based on the criteria of Sec
42-211, Idaho Code.

Any protest against the approval of
this application must be filed with the
Director, Dept. of Water Resource,
Northern Region, 1910 Northwest
Blvd, Suite 210, Coeur D' Alene ID
83814 together with a protest fee of
\$25.00 for each application on or
before 01/03/2006. The protestant
must also send a copy of the protest
to the applicant.

KARL J DREHER, Director
Published December 15 & 22, 2005

To Kattie & Glenda

See next page
it's enlarged for
clarity in a single column
should fit
w/ 8 pt font
Dianne

The following application has been
filed to amend Permit to Appropriate
Water - 95-9217
NORTH KOOTENAI WATER DIST.
PO BOX 2290
HAYDEN ID 83835
Use:-Municipal-01/01-12/31 2.51 CFS

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83814 together with a protest fee of
\$25.00 for each application on or
before 01/03/2006. The protestant
must also send a copy of the protest
to the applicant.

KARL J DREHER, Director
Published December 15 & 22, 2005

To Kattie & Glenda

*Amended for
Clarity*

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, December 07, 2005 8:55 AM
To: 'Legal Notices-CdA Press (E-mail)'; 'Legal Notices-CdA Press2 Glenda Jefferson (E-mail)'
Subject: A SECOND Legal Notice for publication on December 15 and 22, 2005 - ALSO BEING FAXED

Importance: High

**TO WHOM IT MAY CONCERN - PLEASE SEE THAT THIS
E-MAIL GETS TO GLEND A JEFFERSON AND KATTIE
HOY!!!**

Good day to you Kattie and Glenda:

Attached you will find **ANOTHER** cover letter requesting publication of a **SECOND** legal notice on December 15 and 22, 2005. Also attached is the legal notice. **THIS INFORMATION IS ALSO BEING FAXED TO YOU.**

This is the legal notice that was originally e-mailed to you at <mailto:legals@cdapress.com> and to <mailto:gjefferson@cdapress.com> on November 22, 2005 for publication on December 1 and 8, 2005 - that for some reason did not reach your desks.

Both of these attachments are, again, **standard MS WORD documents** and should easily be able to be opened, and copied and pasted to save you having to type from scratch.

This information is also being **FAXED** due to it's importance!!

ONCE AGAIN I REQUEST THAT YOU PLEASE FAX A PROOF COPY TO ME BEFORE PUBLICATION SO WE CAN CHECK LAYOUT, ETC. - FAX 769-1454

IF YOU CANNOT PUBLISH ON THE DATES REQUESTED, PLEASE CONTACT ME IMMEDIATELY AT 769-1450.

If you have **ANY** questions at all, please call me.

Thank you very much for all your help!!

Dianne

Dianne Ball
Administrative Assistant
Idaho Dept of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814
Phone (208)769-1450 FAX (208)769-1454



CoverLetter
2-07-05 CdA e-mai.



LegalNotice
2-07-05 CdA e-mai.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 7, 2005

MICHAEL GALANTE, GENERAL MANAGER
NORTH KOOTENAI WATER DISTRICT
PO BOX 2290
HAYDEN ID 83835

RE: Application to Amend Permit No 95-9217

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your application to amend the permit number referenced above. Please refer to the above referenced number in all future correspondence regarding this application.

The legal notice scheduled to run in the Coeur d'Alene Press on December 1 and 8, 2005 did not run as scheduled, due to paper error.

Presently, a legal notice of the application has again been prepared and is now scheduled for publication in the Coeur d'Alene Press on December 15 and 22, 2005. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gregory J. Taylor', written in a cursive style.

Gregory J. Taylor
Senior Water Resource Agent

Kattie Hoy

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, November 30, 2005 11:55 AM
To: Legal Notices-CdA Press (E-mail); Legal Notices-CdA Press2 Glenda Jefferson (E-mail)
Subject: Proof prior to publication

Good morning, Kattie and Glenda,

I am looking for a **proof prior to publication** of a legal notice e-mailed to you November 22, 2005.

This legal notice is scheduled to run tomorrow (12/1) and the following Thursday, (12/8). for an application to amend Permit to Appropriate Water - 95-9217 - NORTH KOOTENAI WATER DIST.

Please send the proof before this goes to press for last minute check of layout, etc. - to 769-1454.

Thank you very much,

Kattie Hoy

⑤ pages
total.
Dianne

Dianne

Dianne Ball
Administrative Assistant
Idaho Dept of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814
Phone (208)769-1450 FAX (208)769-1454

DEPARTMENT OF WATER RESOURCES
1910 NORTHWEST BLVD. SUITE 210
COEUR D ALENE ID 83814

Phone 769-1450
FAX 769-1454

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, November 29, 2005 11:08 AM
Subject: Proof for legal notice scheduled to run 12/1 and 8, 2005

Katie Hoy
This went to
Legals &
to Glenda

Good morning - trusting you had a wonderful Thanksgiving!

This is just a reminder that I am looking for a proof prior to publication for the legal notice scheduled to run December 1 and 8, 2005.

Thank you very much, and have a happy day.

Dianne

Dianne Ball
Administrative Assistant
Idaho Dept of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814
Phone (208)769-1450 FAX (208)769-1454

Katie:
This is same e-mail
where I included
2 other papers &
sent it BCC -
just a reminder -
I got responses
from Bonner Co Daily Bee
and Bonners Ferry
Herald
Dianne



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 22, 2005

KATTIE HOY & GLENDA JEFFERSON
LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

Kattie Hoy
Note dated
letter &
email (next page)

Please FAX proof copy before publication, to 208-769-1454
Thanks, Dianne

RE: Application to Amend Permit No. 95-9217

Dear Kattie & Glenda:

Enclosed you will find a legal notice to amend a permit which we wish to have published in your newspaper on the dates indicated, December 1 and 8, 2005 (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 12/19/2005. Your cooperation is, as always, GREATLY appreciated.

Thank you,

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, November 22, 2005 10:21 AM
To: Legal Notices-CdA Press (E-mail); Legal Notices-CdA Press2 Glenda Jefferson (E-mail)
Subject: Legal Notice for publication on December 1 and 8, 2005

Good morning,

Attached are two WORD documents - the first one is our cover letter requesting publication of a legal notice on December 1 and 8, 2005, and the second one is the actual Legal Notice for publication.

PLEASE FAX ME A PROOF COPY PRIOR TO PUBLICATION - AT 769-1454.

If you cannot publish on the dates requested, or if you have ANY questions concerning the legal notice, please call me at 769-1450.

I trust that because they are regular WORD documents you will be able to open them without difficulty.

It's a pleasure to work with you.

Thank you,

Dianne

*Dianne Ball
Administrative Assistant
Idaho Dept of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814
Phone (208)769-1450 FAX (208)769-1454*



CoverLetter
1-22-05 CdA e-mai.



LegalNotice
1-22-05 CdA e-mai.

The following application has been
filed to amend Permit to Appropriate
Water - 95-9217
NORTH KOOTENAI WATER DIST.
PO BOX 2290
HAYDEN ID 83835
Use:-Municipal-01/01-12/31-2.51 CFS
Total Diversion: -2.51 CFS

Date Filed: 11/14/2005
Place Of Use: MUNICIPAL
Place of use is within service area of
applicant.

Remark: - The purpose of this
amendment is to ADD A POINT OF
DIVERSION in the NWSE, Sec. 18,
Twp. 52N Rge 3W.

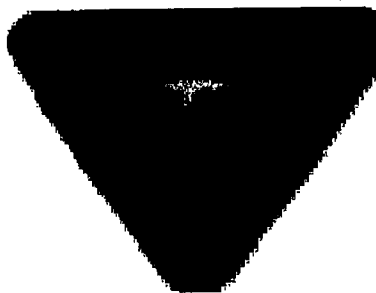
**There will be no change in the
amount of water, the use of water,
or the place of use as a result of
this amendment.**

Permits will be subject to all prior
water rights. Protests may be
submitted based on the criteria of Sec
42-211, Idaho Code.

Any protest against the approval of
this application must be filed with the
Director, Dept. of Water Resource,
Northern Region,
1910 Northwest Blvd, Suite 210,
Coeur D' Alene ID 83814 together
with a protest fee of \$25.00 for each
application on or before
12/19/2005. The protestant must also
send a copy of the protest to the
applicant.

KARL J DREHER, Director
Published December 1 & 8, 2005

*Kattie Hoy:
Legal notice
sent in e-mail
on 11/22/05
Dianne*



Lin Buck - Water Rights Assistant (ID933B)
Department of the Interior - Bureau of Land Management - Idaho State Office
1387 South Vinnell Way - Boise, Idaho 83709
Phone: (208) 373-4097 Fax: (208) 373-3839 Email: Lin_Buck@blm.gov

FAX

December 6, 2005

To: Dianne Ball - IDWR - Northern Regional Office - Fax # (208) 769-1454
cc: Mike Stevenson - BLM - Coeur d'Alene Field Office - Fax # (208) 769-5050

From: Lin Buck - BLM - Idaho State Office - Fax # (208) 373-3839

Re: Application for Permit #95-09217 for North Kootenai Water District

Good Afternoon Dianne:

Our office reviewed the above water right application for permit from the IDWR New Water Rights filing report dated November 21, 2005 (copy attached).

Our MTP (copy attached) indicates the following may be missing lot #s:

POU: T51N R03W S19	SWNW ✓	NESW ✓	NWSW ✓
T52N R03W S06	SESW ✓	SWSE ✓	NWSW ✓
T53N R04W S31	SWSW ✓	SESW ✓	SESW ✓

BLM is providing this for your information.

Thank you. Have a nice day!! HAPPY HOLIDAYS!!!!!!

of pages: 10 (includes coversheet)



IDAHO DEPARTMENT OF WATER RESOURCES NEW WATER RIGHT FILINGS

DATE: 11/21-28/05

Application for Amendment of Permit No. 95-9217

Name: NORTH KOOTENAI WATER DISTRICT

Diversion Pt NWSE	Sec 18 T 52N R 03W KOOTENAI County	Source GROUND WATER
Diversion Pt NWSE	Sec 18 T 52N R 03W KOOTENAI County	Source GROUND WATER
Diversion Pt NWNE	Sec 11 T 51N R 04W KOOTENAI County	Source GROUND WATER
Diversion Pt NWSW	Sec 24 T 51N R 04W KOOTENAI County	Source GROUND WATER
Diversion Pt NESE	Sec 23 T 51N R 04W KOOTENAI County	Source GROUND WATER
Diversion Pt SESW	Sec 23 T 51N R 04W KOOTENAI County	Source GROUND WATER
Diversion Pt SWSE	Sec 23 T 51N R 04W KOOTENAI County	Source GROUND WATER
Diversion Pt L1 SENE	Sec 6 T 52N R 04W KOOTENAI County	Source GROUND WATER
Diversion Pt NWNWNE	Sec 11 T 51N R 04W KOOTENAI County	Source GROUND WATER
Diversion Pt SESWSW	Sec 2 T 51N R 04W KOOTENAI County	Source GROUND WATER
Diversion Pt NWNE	Sec 14 T 51N R 04W KOOTENAI County	Source GROUND WATER
Diversion Pt SENE	Sec 7 T 52N R 03W KOOTENAI County	Source GROUND WATER
Diversion Pt SWNW	Sec 8 T 52N R 03W KOOTENAI County	Source GROUND WATER
Diversion Pt NESE	Sec 28 T 52N R 04W KOOTENAI County	Source GROUND WATER
Diversion Pt NESW	Sec 32 T 51N R 05W KOOTENAI County	Source GROUND WATER
Diversion Pt SESW	Sec 32 T 51N R 05W KOOTENAI County	Source GROUND WATER
Diversion Pt SESE	Sec 23 T 51N R 05W KOOTENAI County	Source GROUND WATER
Diversion Pt L7 SWSE	Sec 15 T 51N R 04W KOOTENAI County	Source GROUND WATER
Diversion Pt NESE	Sec 23 T 51N R 04W KOOTENAI County	Source GROUND WATER
Diversion Pt SESE	Sec 17 T 52N R 04W KOOTENAI County	Source GROUND WATER
Diversion Pt SESE	Sec 17 T 52N R 04W KOOTENAI County	Source GROUND WATER
Use: MUNICIPAL	01/01 To 12/31 2.51 CFS	

Total Diversion: 2.51 CFS

Date Filed: 11/14/2005

Place Of Use: MUNICIPAL

T51N R03W S17	NENE Lot 2 NENW Lot 3 NWNW SWNW Lot 4 SENW Lot 3
T51N R03W S18	NENE NWNE Lot 8 SWNE Lot 7 SENE Lot 9 NENW NWNW Lot 1 SWNW Lot 2 SENW
T51N R03W S19	NENW Lot 1 SWNW SWNW Lot 2 NESW NESW Lot 5 NWSW NWSW Lot 3 SWSW Lot 4 SESW NESE Lot 7 NWSE Lot 6 SWSE SESE
T51N R03W S20	NENE Lot 1 NWNE Lot 2 SWNE Lot 2 SENE Lot 4 NENW Lot 3 NESW Lot 5 NWSW Lot 6 SWSW Lot 7 SESW NESE NWSE SWSE SESE
T51N R03W S21	SWNW Lot 4 NESW Lot 3 NWSW Lot 4 SWSW SESW
T51N R03W S30	NENE NENW NWNW Lot 1
T51N R03W S5	NESW NWSW SWSW SESW NESE NWSE SWSE SESE
T51N R03W S6	SWNE SENE SWNW Lot 5 SENW NESW NWSW Lot 6 SWSW Lot 7 SESW NESE NWSE SWSE SESE
T51N R03W S7	NENE NWNE SWNE SENE NENW NWNW Lot 1 SWNW Lot 2 SENW NESW NWSW Lot 3 SWSW Lot 4 SESW NESE NWSE SWSE SESE
T51N R03W S8	NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE Lot 1
T51N R03W S9	SWSE Lot 4
T51N R04W S1	NWNW Lot 4 SWNW NESW NWSW SWSW SESW NESE NWSE SWSE SESE
T51N R04W S10	NENE
T51N R04W S11	NENE NWNE NENW NWNW

IDAHO DEPARTMENT OF WATER RESOURCES

NEW WATER RIGHT FILINGS

DATE: 11/21-28/05

T51N R04W S12	NENE NWNE SWNE SENE NENW NWNW
T51N R03W S17	NENE Lot 2 NENW Lot 3 NWNW SWNW Lot 4 SENW Lot 3
T51N R03W S18	NENE NWNE Lot 8 SWNE Lot 7 SENE Lot 9 NENW NWNW Lot 1 SWNW Lot 2 SENW
T51N R03W S19	NENW Lot 1 SWNW SWNW Lot 2 NESW NESW Lot 5 NWSW NWSW Lot 3 SWSW Lot 4 SESW NESE Lot 7 NWSE Lot 6 SWSE SESE
T51N R03W S20	NENE Lot 1 NWNE Lot 2 SWNE Lot 2 SENE Lot 4 NENW Lot 3 NESW Lot 5 NWSW Lot 6 SWSW Lot 7 SESW NESE NWSE SWSE SESE
T51N R03W S21	SWNW Lot 4 NESW Lot 3 NWSW Lot 4 SWSW SESW
T51N R03W S30	NENE NENW NWNW Lot 1
T51N R03W S5	NESW NWSW SWSW SESW NESE NWSE SWSE SESE
T51N R03W S6	SWNE SENE SWNW Lot 5 SENW NESW NWSW Lot 6 SWSW Lot 7 SESW NESE NWSE SWSE SESE
T51N R03W S7	NENE NWNE SWNE SENE NENW NWNW Lot 1 SWNW Lot 2 SENW NESW NWSW Lot 3 SWSW Lot 4 SESW NESE NWSE SWSE SESE
T51N R03W S8	NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE Lot 1
T51N R03W S9	SWSE Lot 4
T51N R04W S1	NWNW Lot 4 SWNW NESW NWSW SWSW SESW NESE NWSE SWSE SESE
T51N R04W S10	NENE
T51N R04W S11	NENE NWNE NENW NWNW
T51N R04W S12	NENE NWNE SWNE SENE NENW NWNW
T51N R04W S14	NWNE
T51N R04W S15	NESW SESW NWSE SWSE
T51N R04W S2	NENE Lot 1 NWNE Lot 2 SWNE SENE NENW Lot 3 NWNW Lot 4 SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE
T51N R04W S23	NESW SWSW SESW NESE NWSE SWSE SESE
T51N R04W S24	NENE NWNE SWNE SENE NESW SESW NESE NWSE SWSE SESE
T51N R04W S26	NENE NWNE
T51N R05W S23	NESE NWSE SWSE SESE
T51N R05W S32	NESW NWSW SWSW SESW
T52N R03W S17	SWNW NESW NWSW SWSW SESW
T52N R03W S18	SWNW Lot 2 SENW NESE NWSE SWSE SESE
T52N R03W S19	NENE NWNE SWNE
T52N R03W S20	NWNW
T52N R03W S4	NENW Lot 3 NWNW Lot 4 SWNW Lot 5 NWSW Lot 6
T52N R03W S5	NENE Lot 1 SWNE SENE NESW SESW NESE NWSE SWSE SESE
T52N R03W S6	NENW Lot 3 NWNW Lot 4 SWNW Lot 5 SENW NESW NWSW Lot 6 SWSW Lot 7 SWSW Lot 7 SESW SESW SESW NESE NWSE SWSE SWSE SWSE SESE SESE
T52N R03W S7	NENE NWNE SWNE SENE NENW SWNW Lot 2 SENW NESW NWSW Lot 3
T52N R03W S8	NWNE SWNE NENW NWNW SWNW SENW
T52N R04W S16	NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE
T52N R04W S17	NENE NWNE Lot 1 SWNE SENE NWNW Lot 3 SWNW SENW Lot 2 NESW NWSW SESW NESE NWSE SWSE SESE
T52N R04W S21	NENW NWNW

IDAHO DEPARTMENT OF WATER RESOURCES NEW WATER RIGHT FILINGS

DATE: 11/21-28/05

T52N R04W S28	SWNE SENE NESE NWSE SWSE SESE
T52N R04W S35	SWNE SENE SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE
T52N R04W S36	SWNW NWSW SWSW
T52N R04W S5	NENE Lot 1 NWNE Lot 2 SWNE NENW Lot 3 NWNW Lot 4 SWNW Lot 5 SENW NESW NWSW Lot 6 NWSE SWSE Lot 8 SESE
T52N R04W S6	NENE Lot 1 NENW Lot 2 NWNW Lot 3
T52N R04W S8	NWNE Lot 1 SWNE Lot 2 SWSW Lot 5 NWSE Lot 3 SWSE Lot 4 SESE
T52N R04W S9	NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE
T53N R03W S31	SWSW Lot 4 SESW
T53N R03W S32	SESE
T53N R03W S33	SWSW SESW
T53N R04W S31	SENE SWNW Lot 2 SENW NESW NWSW Lot 3 SWSW SWSW Lot 4 SESW SESW Lot 6 NESE NWSE SWSE SWSE Lot 7 SESE
T53N R04W S32	SWNW NWSW SWSW
T53N R05W S36	SESE Lot 1

Remarks: The purpose of this amendment is to add a POINT OF DIVERSION in the NWSE, Sec. 18, Twp. 52N Rge 3W.
There will be no change in the amount of water, the use of water, or the place of use as a result of this amendment..

005/01 10/01

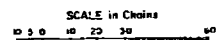
COEUR D'ALENE DISTRICT

52 K-3 R

• 52 4-2 •

BLM IAC

12/06/05 15:31 FAX 2083733899



WARNING STATEMENT

This plot is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records herein do not reflect title changes which may have been effected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWAL ORDER.

Doing Mar
T. 51N
R. 3W

[illegible]

1 GHOOT4 Det Pl 167 (Act of Com 7/23/1953)
completed 4/19/1962. All MF surface Mgmt by USFS

1 GI1891 Det PL 167 (Act of Cong 7/23/1955)
completed 7/31/1962. All MF surface light by USFS

CCD 3/30/500

Sec ID: Lot 4 (Purified)

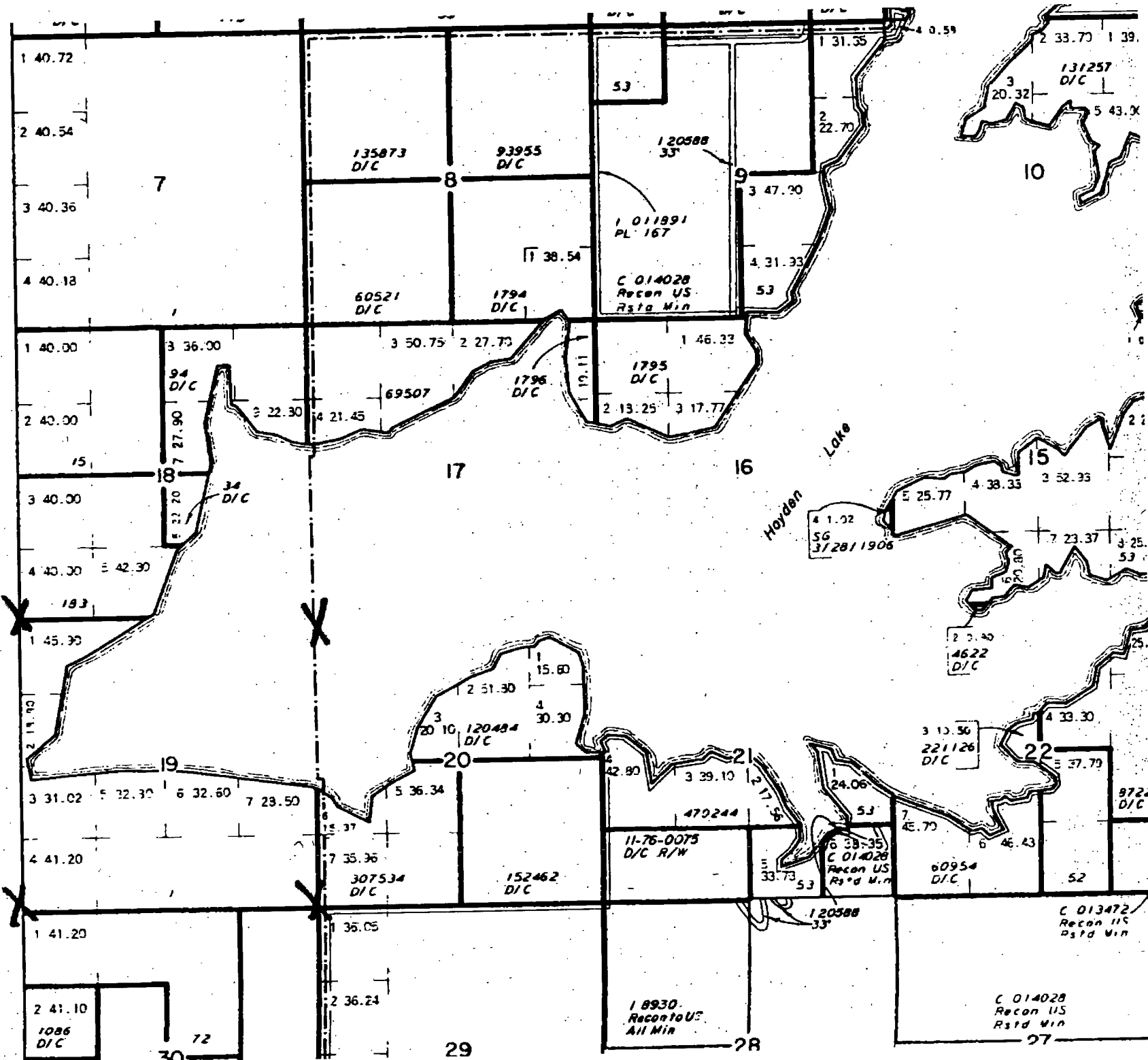
0.02 cents more or less

FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
100 2 7 1000	

USE PLATS:

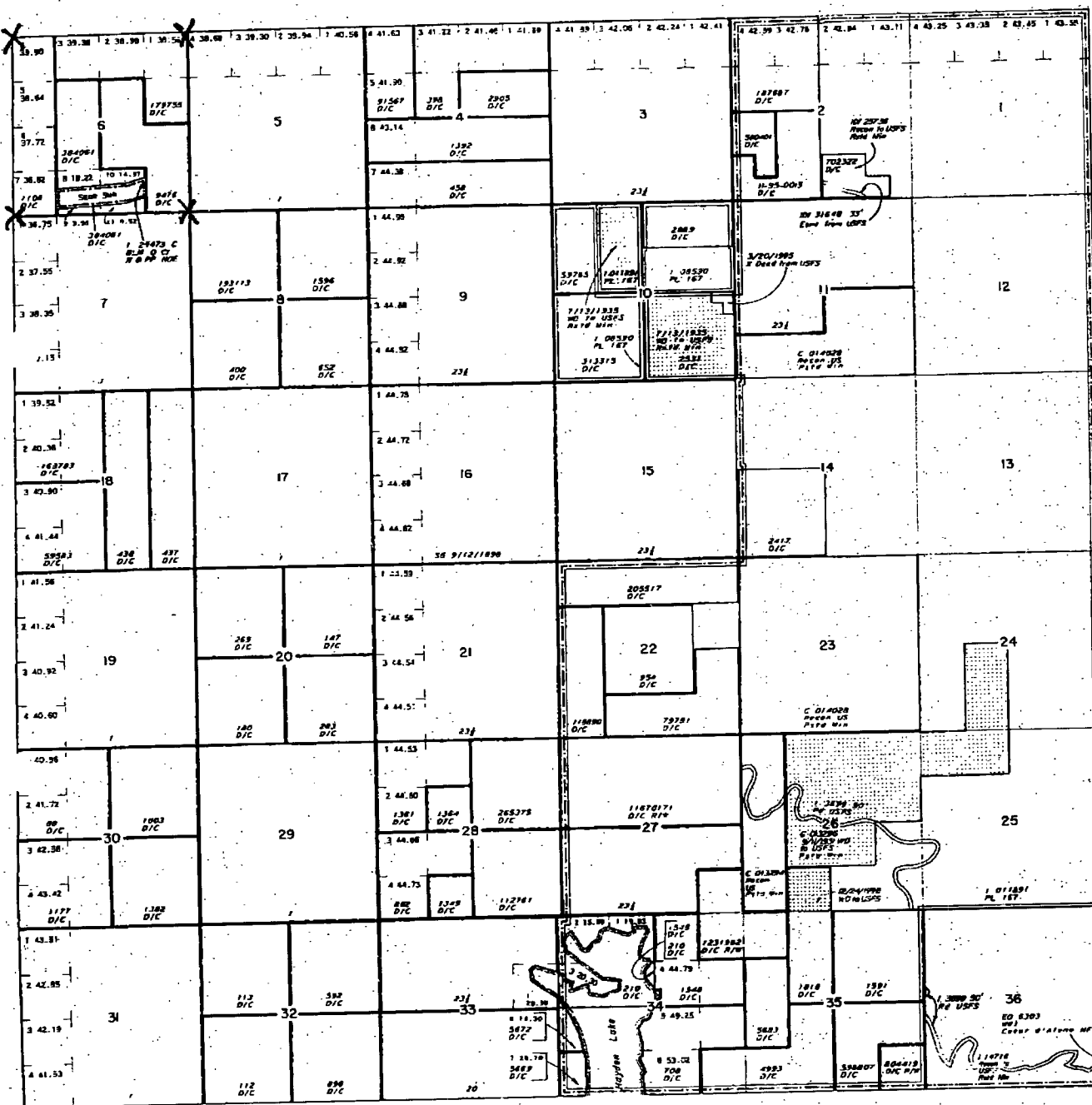
TS1N
R03W
S19



007/01 070

COEUR D'ALENE DISTRICT

MT PLAT

[illegible]

1/28/1908 R/R Spokane International Ry
Sec 9 B. 10

C 013295 9/3/1931 A/B RR excepted from WD
Sec 25: MAB

C 013294 9/11/1931 A/T RA, excepted From FO
 Sec 25: NLE

Dept of Agri 0 9/13/1958, all land Acq by-USFS
administered as part of Coeur d'Alene NF within
Sec 10- E1NW1, SE1

1 00590 Det PL 167 (Act of Cong 7/23/1955)
completed 9/28/1960. All PD surface light by BLN

1 011891 Det PL 157 (Act of Cong 7/23/1955)
completed 7/31/1962, All NF surface Mgmt. by USFS

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO MAY 1 0 1968	CURRENT TO

USE PLATS:

Brine Mar
T. 52 M
R. 3 W

SCALE in Chains

WARNING STATEMENT

This plan is the Bureau's Record of Title, and should be used only as a graphic display of the ownership survey data. Records herein do not reflect title changes which may have been effected by lateral movements of pipes or other location of water meter in the residential service for actual survey information.

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWAL ORDER

BLM IAC

12/06/05 15:34 FAX 20837338^7

22

17

11

8.5

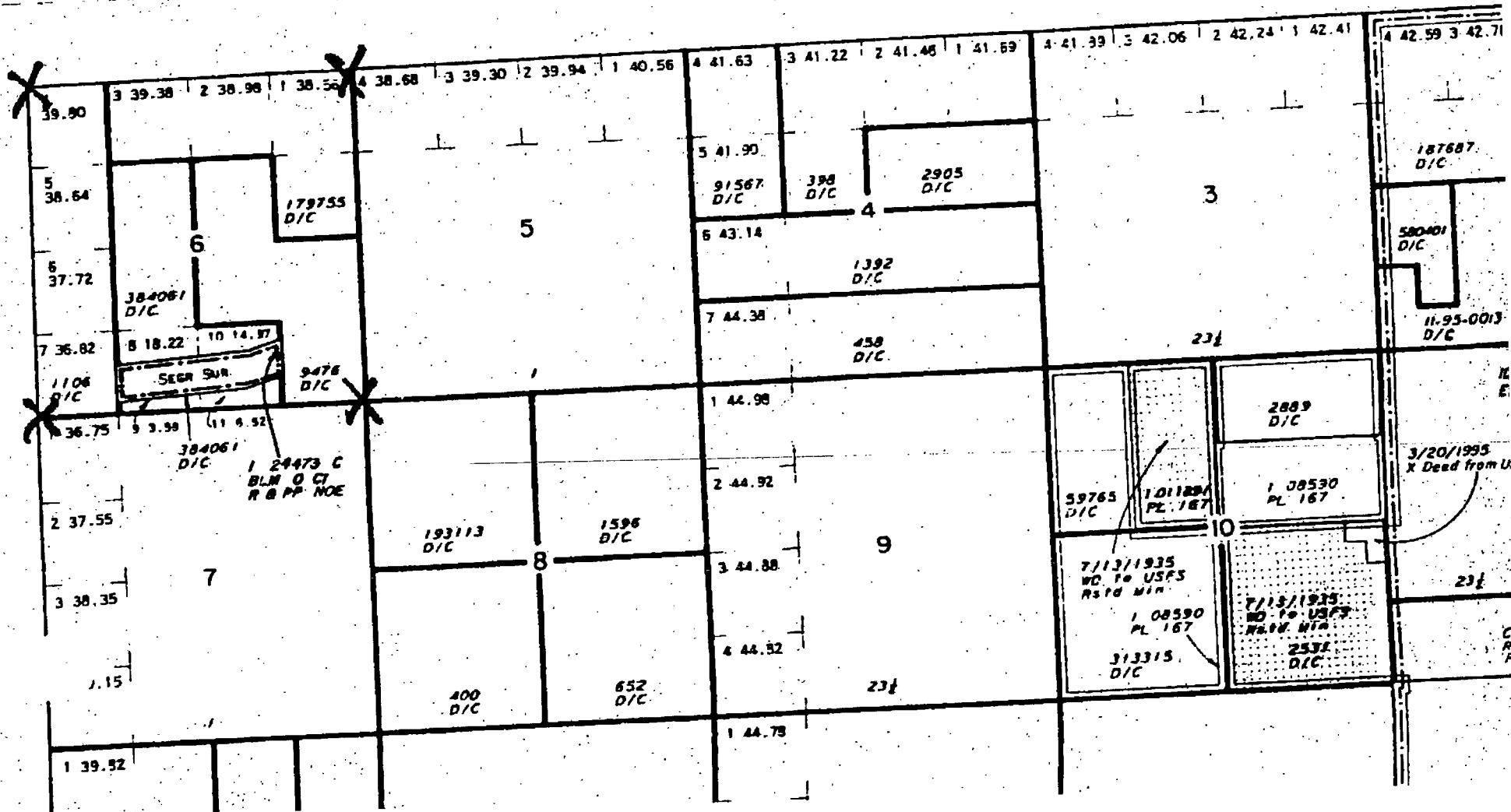
8.5

T52N
R03W
S06

TOWNSHIP 52 NORTH RANGE 3 WEST OF THE

KOOTENAI COUNTY 055

COEUR D'ALENE DISTRICT

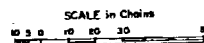


009/01

BLM IAC

12/06/05 15:35 FAX 20837333

MT PLAT



WARNING STATEMENT

This plot is the Bureau's Record of Tides, and should be used only as a graphic display of the township survey data. Not wide between do not reflect title changes which may have been effected by lateral movements of rivers or other bodies of water. Refer to the colored surveys for official survey information.

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWAL ORDER

[illegible]

Dept of Agri 0 9/13/1956, will land Ag by USFS
administered as part of Cour d'Alene NF within

Sec 4: E

Sec 10: NW, SE

Sec 26: MEINEJ, SYNEJ, NWA²NUZ, NWA²SWA

SE¹SW¹, SW¹SE¹

Sec 27: N_2^+

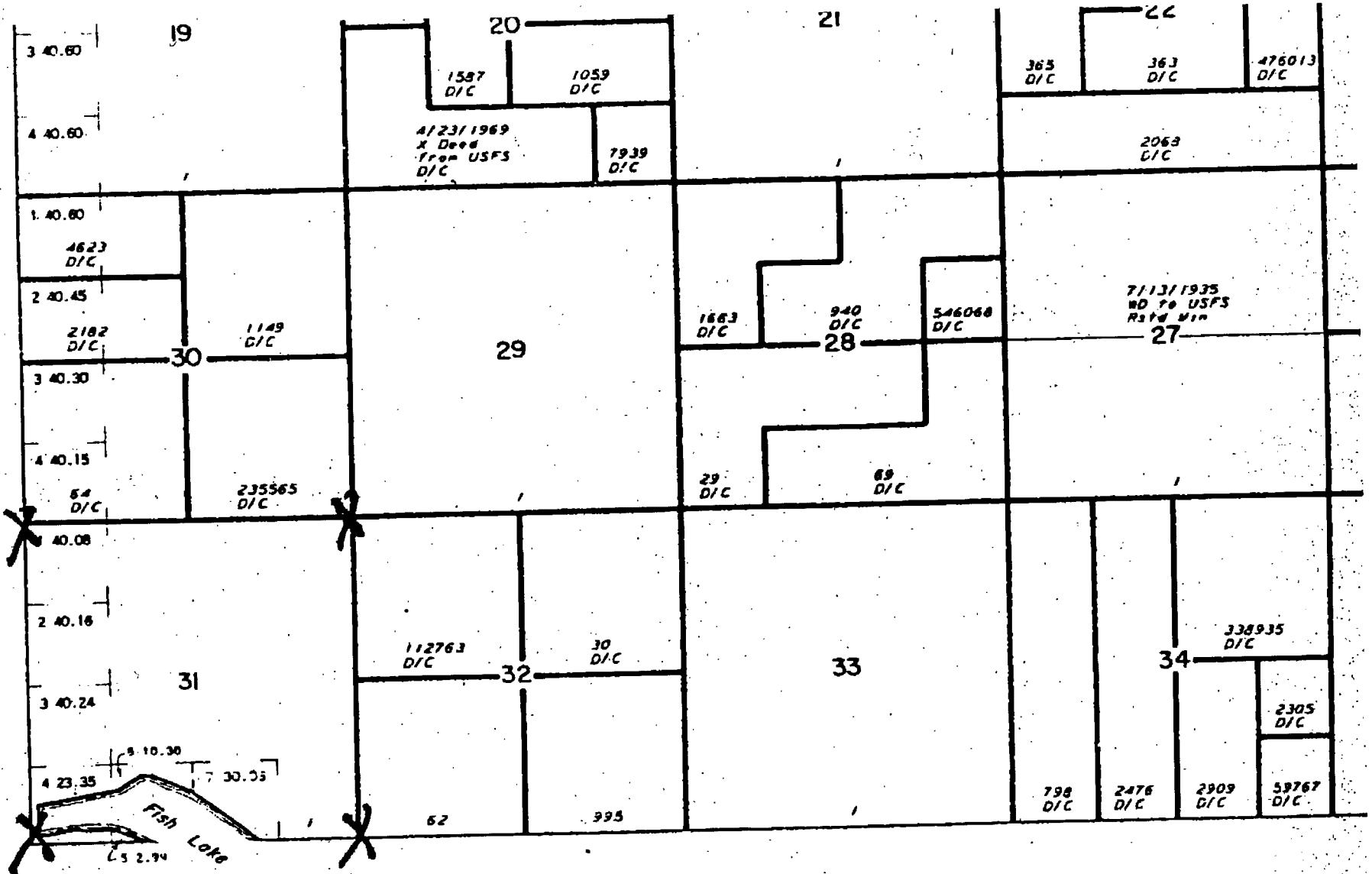
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
MAY 6 1966	
USE PLATS:	

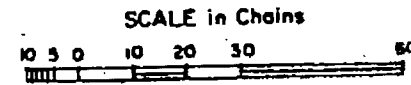
Boise Mer

T. 53 N

R. 4W.



T53N
R.04W
S31



This
only
order
affects
Refer



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 22, 2005

MICHAEL GALANTE, GENERAL MANAGER
NORTH KOOTENAI WATER DISTRICT
PO BOX 2290
HAYDEN ID 83835

RE: Application to Amend Permit No 95-9217

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your application to amend the permit number referenced above. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Coeur d'Alene Press on December 1 and 8, 2005. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

Gregory J. Taylor
Senior Water Resource Agent

**NORTH KOOTENAI WATER DISTRICT
EMPLOYEES
ADDRESS & PHONE NUMBERS**

✓ Michael Galante - General Manager - Telephone 661-9182
8653 N. Half-Mile Rd
Hayden, Idaho 83835

Brad White - Field Supervisor Telephone No. 772-2881
3975 Upper Hayden Lake Rd.
Hayden, Idaho
83835

Curtiss Shoup Telephone No. 772-4187
9660 N. Ramsey Rd.
Hayden, Idaho
83835

Thomas J. Patton Telephone 664-2677
2872 Versailles Dr.
Coeur D'Alene, Idaho 83815

Patrick Watson - Telephone 773-4560
545 N McGuire Rd.
Post Falls, Idaho 83854

Carol Vineyard - Office Supervisor Telephone No. 772-7158
20249 E. Hayden Lake Rd.
Hayden, Idaho
83835

Debbie Wilson Telephone No. 762-2159
E. 1356 Deerhaven Ave.
Dalton Gardens, Idaho
83815

Donna Heath - 765-1895
924 Spruce Ave.
Coeur D'Alene, Idaho
83814

RECEIVED
NOV 16 2005
IDWR/North

NORTH KOOTENAI WATER DISTRICT**BOARD MEMBERS
ADDRESSES & PHONE NUMBERS**

- ✓ Linda Davis - President
8381 Montrose Ct
Hayden, Idaho 83835-9047
Telephone No: 772-4898
Cell No. 755-3637
Work 765-3333
- ✓ Richard Fairhurst
8396 Westview Dr.
Coeur D'Alene, Idaho 83815
Telephone No : 762-2775
- ✓ Maimie Moore-Secretary/Treasurer
P.O. Box 883
Rathdrum, Idaho 83858
Telephone No: 687-0867
- ✓ Jackson T. Berger, Jr.
W. 3615 Ridge Drive
Post Falls, Idaho 83854
Telephone No: 773-5496
- ✓ Tom Crimmins
12662 N. Avondale Loop Rd.
Hayden ID 83835
Telephone No: 762-2298

RECEIVED
NOV 16 2005
IDWR/North

FAX COVER SHEET

NORTH KOOTENAI WATER DISTRICT

P.O. Box 2290
1841 W. Hayden Avenue
Hayden ID 83835

RECEIVED
NOV 16 2005
IDWR/North

APPID#
72421
95-9217

Phone: (208) 772-3819
Fax: (208) 762-0355
E-Mail: nkwdclv@adelphia.net (Carol Vineyard, Office Manager)
nkwdclaw@adelphia.net (Debbie Wilson, Account Specialist)

To:	From:
Name: <u>Diane</u>	Name: <u>Carol</u>
Company: <u>Dept of Water Resources</u>	Date: <u>11/15/05</u>
Phone #	
Fax # <u>769-1454</u>	CC:
RE:	

☐ Urgent ☐ Reply ASAP ☐ Please Comment ☐ Please Review ☐ For Your Information

Total Pages, including cover: 3

COMMENTS

Lists
Boards of Directors
Employees

TRANSMITTAL

ATTN.:	Bob Haynes	DATE:	November 14, 2005
TO:	IDWR	RE:	NKWD
			Ohio Match Well #2 Water Right
		Proj. #:	11228.20.0

ITEMS TRANSMITTED

☐ MAILED

☒ DELIVERED – Rec'd by: _____ Date _____

COPIES	DATE	DESCRIPTION
1	11/14/05	Amendment to Water Right 95-9217
		Check for \$50.00

THESE ARE TRANSMITTED AS CHECKED BELOW:

☒ FOR APPROVAL

☐ NO EXCEPTIONS TAKEN

☐ RETURNED AFTER LOAN TO US

☐ FOR YOUR USE

☐ MAKE CORRECTIONS NOTED

☐ REJECTED - SEE REMARKS

☐ AS REQUESTED

☐ REVISE AND RESUBMIT

☐ RETURN ____ CORRECTED PRINTS

☐ FOR YOUR REVIEW AND COMMENT

☐ _____

REMARKS:

--

COPY TO:

FROM: Necia Maiani, P.E.

1626 Lincoln Way, Coeur d'Alene, ID 83814 (208) 664-9382 FAX (208) 664-5946
E-Mail: wc@welchcomer.com

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
Permit	11/14/05	0011975	50.00			50.00
Idaho Department of Water Reso						
IIB1	1	Totals	50.00			50.00

RECEIVED
NOV 14 2005
IDWR/North

Idaho Department of Water Resources Receipt

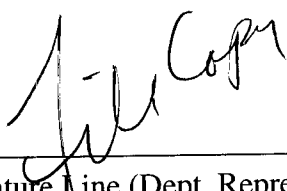
Receipt ID N017268

Payment Amount	\$50.00	Date Received	11/14/2005 3:03:30 PM	Region	Northern	Status	
Payment Type	Check	Check Number	25329				

Payer WELCH COMER FOR NO.KOOTENAI WATER DIST**Comment** APPLICATION FOR AMENDMENT OF A PERMIT - 92-9217

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	AMENDMENTS	0229	21	65105	1155



Signature Line (Dept. Representative)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Permit Report 95-9217

WATER RIGHT NUMBER: 95-9217

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NORTH KOOTENAI WATER DISTRICT PO BOX 2290 HAYDEN, ID 83835 (208)772-3619

Priority Date: 01/22/2004

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	01/01 to 12/31	2.510 CFS	
	<u>Total Diversion:</u>	2.510 CFS	

<u>Location of Point(s) of Diversion</u>		
GROUND WATER	✓ NW1/4SE1/4	Sec. 18, Twp 52N, Rge 03W, B.M.
KOOTENAI County		
GROUND WATER	✓ NW1/4NE1/4	Sec. 11, Twp 51N, Rge 04W, B.M.
KOOTENAI County		
GROUND WATER	✓ NW1/4SW1/4	Sec. 24, Twp 51N, Rge 04W, B.M.
KOOTENAI County		
GROUND WATER	✓ NE1/4SE1/4	Sec. 23, Twp 51N, Rge 04W, B.M.
KOOTENAI County		
GROUND WATER	✓ SE1/4SW1/4	Sec. 23, Twp 51N, Rge 04W, B.M.
KOOTENAI County		
GROUND WATER	✓ SW1/4SE1/4	Sec. 23, Twp 51N, Rge 04W, B.M.
KOOTENAI County		
GROUND WATER	✓ L1 (SE1/4NE1/4)	Sec. 6, Twp 52N, Rge 04W, B.M.
KOOTENAI County		
GROUND WATER	✓ NW1/4NW1/4NE1/4	Sec. 11, Twp 51N, Rge 04W, B.M.
KOOTENAI County		
GROUND WATER	✓ SE1/4SW1/4SW1/4	Sec. 2, Twp 51N, Rge 04W, B.M.
KOOTENAI County		
GROUND WATER	✓ NW1/4NE1/4	Sec. 14, Twp 51N, Rge 04W, B.M.
KOOTENAI County		
GROUND WATER	✓ SE1/4NE1/4	Sec. 7, Twp 52N, Rge 03W, B.M.
KOOTENAI County		
GROUND WATER	✓ SW1/4NW1/4	Sec. 8, Twp 52N, Rge 03W, B.M.
KOOTENAI County		
GROUND WATER	✓ NE1/4SE1/4	Sec. 28, Twp 52N, Rge 04W, B.M.
KOOTENAI County		
GROUND WATER	✓ NE1/4SW1/4	Sec. 32, Twp 51N, Rge 05W, B.M.
KOOTENAI County		
GROUND WATER	✓ SE1/4SW1/4	Sec. 32, Twp 51N, Rge 05W, B.M.
KOOTENAI County		
GROUND WATER	✓ SE1/4SE1/4	Sec. 23, Twp 51N, Rge 05W, B.M.
KOOTENAI County		
GROUND WATER	✓ L7 (SW1/4SE1/4)	Sec. 15, Twp 51N, Rge 04W, B.M.
KOOTENAI County		
GROUND WATER	✓ NE1/4SE1/4	Sec. 23, Twp 51N, Rge 04W, B.M.
KOOTENAI County		
GROUND WATER	✓ SE1/4SE1/4	Sec. 17, Twp 52N, Rge 04W, B.M.
KOOTENAI County		
GROUND WATER	✓ SE1/4SE1/4	Sec. 17, Twp 52N, Rge 04W, B.M.
KOOTENAI County		

Place of Use

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 95-9217

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. 133 This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of any management plan approved by the director for the RPGWMA. If the director determines that the ground water supply in the RPGWMA is insufficient to meet the demands of prior water rights within the RPGWMA, the director may order the diversion and use of water under this right to be reduced or curtailed until the director determines that there is sufficient ground water available for this right.
4. 126 Place of use is within the service area of North Kootenai Water District as provided for under Idaho law. The place of use is generally located within Sections 5, 6, 7, 8, 17, 18, 19, 20, 30, Township 51N, Range 3W; Sections 1, 2, 11, 12, 14, 15, 23, 24, 26, Township 51N, Range 4W; Section 32, Township 51N, Range 5W; Sections 4, 5, 6, 7, 8, 17, 18, 19, 20, Township 52N, Range 3W; Sections 5, 6, 8, 9, 16, 17, 28, 35, 36, Township 52N, Range 4W; Sections 32 & 33, Township 53N, Range 3W; Sections 31 & 32, Township 53N, Range 4W; and Section 36, Township 53N, Range 5W.

Remarks:Comments:Dates and Other Information:

Permit Proof Due Date: 4/1/2005
Permit Proof Made Date:
Permit Approved Date: 4/13/2004
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Field Exam Date:
Date Sent to State Office:
Date Received at State Office:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

January 31, 2005

NORTH KOOTENAI WATER DISTRICT
PO BOX 2290
HAYDEN, ID 83835

PROOF DUE NOTICE

RE: PERMIT NO. 95-9217

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 01, 2005. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed 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,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures



7003 0500 0003 1969 3000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 13, 2004

NORTH KOOTENAI WATER DISTRICT
PO BOX 2290
HAYDEN ID 83835

RE: Permit No. 95-9217

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

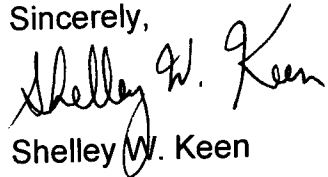
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

A handwritten signature in black ink that reads "Shelley W. Keen". The signature is written in a cursive style with a large, stylized "S" and "K".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

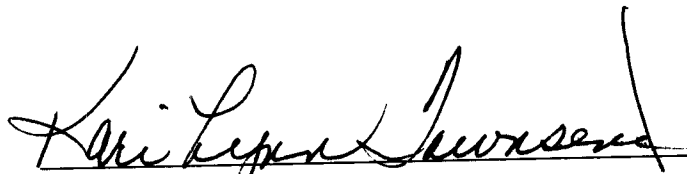
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on April 13, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 95-9217

**NORTH KOOTENAI WATER DISTRICT
PO BOX 2290
HAYDEN ID 83835**

A handwritten signature in black ink, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department 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 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period 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 preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (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 Director may remand the matter for further evidentiary hearings 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.

Section 67-5246(5), Idaho Code, provides as follows:

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 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.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case 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
- 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 of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Comment Report

95-9217

1. dball 2/17/2004 Legal Notice Remarks

Comment: Municipal use is within the service area of applicant.

2. dball 2/17/2004 Comment/Analysis

Comment: The existing diversion rate is to cover existing diversion capacity that has been in use for municipal purposes for several years but is presently un-permitted.

3. kwalker 4/12/2004 Municipal Requirements

Comment: For the Order creating North Kootenai Water District please see file 95-9199. That file also contains confirmation that the district is being monitored by IDEQ.

RECEIVED

MAR 12 2004

AFFIDAVIT OF PUBLICATION

IDWR/North

STATE OF IDAHO
County of Kootenai, } ss.

Kattie Hay being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Legal Notice

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 4 day of March 2004, and ending on the 11 day of March 2004, and such publication was made as often during said period as said Daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

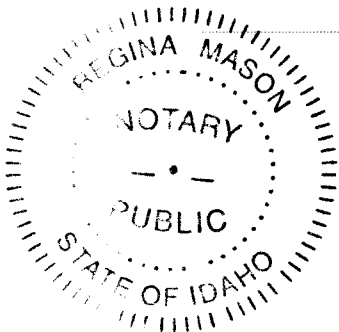
Personally appeared before me this 11 day of March 2004

Kattie F. Hay

Regina Mason

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MY COMMISSION EXPIRES 6/18/09



NOTICE OF APPLICATION FOR WATER RIGHT

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

95-9217

NORTH KOOTENAI WATER DISTRICT

PO BOX 2290

HAYDEN ID 83835

Point(s) of Diversion	NWSE	S18	T52N	R03W
Point(s) of Diversion	NWSW	S24	T51N	R04W
Point(s) of Diversion	NESE	S23	T51N	R04W
Point(s) of Diversion	NESE	S23	T51N	R04W
Point(s) of Diversion	SESW	S23	T51N	R04W
Point(s) of Diversion	SWSE	S23	T51N	R04W
Point(s) of Diversion	SESE	S17	T52N	R04W
Point(s) of Diversion	SESE	S17	T52N	R04W
Point(s) of Diversion	L1 (SENE)	S6	T52N	R04W
Point(s) of Diversion	NWNWNE	S11	T51N	R04W
Point(s) of Diversion	NWNE	S11	T51N	R04W
Point(s) of Diversion	SESWSW	S2	T51N	R04W
Point(s) of Diversion	NWNE	S14	T51N	R04W
Point(s) of Diversion	SENE	S7	T52N	R03W
Point(s) of Diversion	SWNW	S8	T52N	R03W
Point(s) of Diversion	NESE	S28	T52N	R04W
Point(s) of Diversion	NESW	S32	T51N	R05W
Point(s) of Diversion	SESW	S32	T51N	R05W
Point(s) of Diversion	SESE	S23	T51N	R05W
Point(s) of Diversion	L7 (SWSE)	S15	T51N	R04W

All Points of Diversion are in KOOTENAI County

Source for all points of diversion is GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 2.51 CFS

Total Diversion: 2.51 CFS

Date Filed: 01/22/2004

Remark: Place Of Use: MUNICIPAL use is within the service area of the applicant.
*Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur d'Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 03/22/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Legal 4764

March 4, 11, 2004



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 27, 2004

NORTH KOOTENAI WATER DISTRICT
PO BOX 2290
HAYDEN ID 83835

RE: Application for Permit No 95-9217

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Coeur d'Alene Press on March 4 and 11, 2004. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Allen Beardslee'.

Allen Beardslee
Senior Water Resource Agent



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 27, 2004

--PLEASE FAX PROOF PRIOR TO PUBLICATION--

KATTIE HOY AND KRISTY PEAK
LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

e-mailed to legals@cdapress.com
and kpeak@cdapress.com

RE: Application for Permit No. 95-9217

Dear Kattie and Kristy:

Enclosed you will find a legal notice that I am sure you will be delighted not to have to type out, but instead just be able to copy or cut and paste. We wish to have this published in your newspaper on the dates indicated, March 4 and 11, 2004, (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 03/22/2004. Your cooperation is GREATLY appreciated, and as always, it's a pleasure to work with you.

Sincerely

A handwritten signature in cursive script, appearing to read 'Dianne'.

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Friday, February 27, 2004 2:56 PM
To: Legal Notices-CdA Press (E-mail); Kristy Peak (E-mail)
Subject: Legal notice for publication on March 4 and 11, 2004

Good afternoon, ladies,

Attached you will find our cover letter requesting publication of a legal notice on March 4 and 11, 2004. The legal notice is also attached.

I believe you will be delighted not to have to type this one yourselves because of the many points of diversion.

Please fax a proof prior to publication.

Thanks for all your great help - it's terrific working with you.

Have a great day and a wonderful weekend.

 *Dianne*

Dianne Ball, Administrative Assistant
Idaho Department of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814
Phone 208-769-1450 FAX 208-769-1454

2/27/2004

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

95-9217

NORTH KOOTENAI WATER DISTRICT
PO BOX 2290
HAYDEN ID 83835

Point(s) of Diversion	NWSE	S18	T52N	R03W
Point(s) of Diversion	NWSW	S24	T51N	R04W
Point(s) of Diversion	NESE	S23	T51N	R04W
Point(s) of Diversion	NESE	S23	T51N	R04W
Point(s) of Diversion	SESW	S23	T51N	R04W
Point(s) of Diversion	SWSE	S23	T51N	R04W
Point(s) of Diversion	SESE	S17	T52N	R04W
Point(s) of Diversion	SESE	S17	T52N	R04W
Point(s) of Diversion	L1 (SENE)	S6	T52N	R04W
Point(s) of Diversion	NWNWNE	S11	T51N	R04W
Point(s) of Diversion	NWNE	S11	T51N	R04W
Point(s) of Diversion	SESWSW	S2	T51N	R04W
Point(s) of Diversion	NWNE	S14	T51N	R04W
Point(s) of Diversion	SENE	S7	T52N	R03W
Point(s) of Diversion	SWNW	S8	T52N	R03W
Point(s) of Diversion	NESE	S28	T52N	R04W
Point(s) of Diversion	NESW	S32	T51N	R05W
Point(s) of Diversion	SESW	S32	T51N	R05W
Point(s) of Diversion	SESE	S23	T51N	R05W
Point(s) of Diversion	L7 (SWSE)	S15	T51N	R04W

All Points of Diversion are in KOOTENAI County
Source for all points of diversion is GROUND WATER

Use: MUNICIPAL	01/01 To 12/31	2.51 CFS
	Total Diversion:	2.51 CFS

Date Filed: 01/22/2004

Remark: Place Of Use: MUNICIPAL use is within the service
area of the applicant.

Permits will be subject to all prior water rights. Protests may be
submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed
with the Director, Dept. of Water Resource, Northern Region,
1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814
together with a protest fee of \$25.00 for each application on or
before 03/22/2004. The protestant must also send a copy of the
protest to the applicant.

KARL J DREHER, Director Published on March 4 & 11, 2004



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 23, 2004

NECIA MAIANI
WELCH, COMER & ASSOCIATES, INC.
1626 LINCOLN WAY
COEUR D ALENE ID 83814

Re: North Kootenai Water District Application for Water Rights

Dear Necia:

Thanks for sending Welch, Comer's check No. 22994 in the amount of \$330.00 to replace the North Kootenai Water District's check No. 005853 in the amount of \$350.00, which we received yesterday, January 22, 2004. A receipt for your records is enclosed.

This is much faster than trying to process a refund of \$20.00 through our State Office in Boise.

We are enclosing North Kootenai Water District's check to you herewith, and request that you return it to them.

Bob will review the paperwork received and begin processing it. If you have any questions, please contact him.

Sincerely,

A handwritten signature in cursive script that reads "Dianne".

Dianne Ball
Administrative Assistant

Enc. - North Kootenai Water District's Check No.005853
Receipt for Welch, Comer's check No. 22994

RECEIVED
JAN 23 2004
IDWR/North

TRANSMITTAL

ATTN.:	Mr. Bob Haynes, PE	DATE:	January 23, 2004
TO:	Idaho Department of	RE:	North Kootenai Water District
	Water Resources		Water Rights
	Coeur d'Alene, ID 83814	Proj. #:	11228

ITEMS TRANSMITTED

☐ MAILED

☒ DELIVERED – Rec'd by: _____ Date _____

COPIES	DATE	DESCRIPTION
1	01/23	\$330 Application Fee for North Kootenai Water District, New Water Rights
		Welch Comer and Associates, Inc. Check No. 22994

THESE ARE TRANSMITTED AS CHECKED BELOW:

☐ FOR APPROVAL

☐ NO EXCEPTIONS TAKEN

☐ RETURNED AFTER LOAN TO US

☒ FOR YOUR USE

☐ MAKE CORRECTIONS NOTED

☐ REJECTED - SEE REMARKS

☐ AS REQUESTED

☐ REVISE AND RESUBMIT

☐ RETURN ____ CORRECTED PRINTS

☐ FOR YOUR REVIEW AND COMMENT

☐ _____

REMARKS:

Please find enclosed the application fee for the Water Rights Application we submitted on behalf of North Kootenai Water District 01/22/04. The application fee originally submitted was \$350, the actual fee is \$330. Please return the cancelled (\$350) check to Welch Comer and Associates, Inc. c/o Necia Maiani.

COPY TO:

FROM: Necia Maiani, E.I.T.

1626 Lincoln Way, Coeur d'Alene, ID 83814 (208) 664-9382 FAX (208) 664-5946
E-Mail: wc@welchcomer.com

Idaho Department of Water Resources Receipt

Receipt ID N016070

Payment Amount \$330.00 Date Received 1/23/2004 11:47:25 AM Region Northern Status ☐
Payment Type Check Check Number 22994

Payer WELCH COMER & ASSOCIATES INC
Comment WR Permit App Fee for North Kootenai Water District

Fee Detail

Amount Description Fund FD PCA SO
\$330.00 PERMITS 0229 21 65103 1155

Signature Line (Dept. Representative)

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
PO#2290 App Fee	1/22/04	0008971	330.00			330.00
Idaho Department of Water Reso IIB1 1			Totals	330.00		330.00

RECEIVED
JAN 23 2004
IDWR/North

Original Ok was for 350⁰⁰
Received 1/22/04

Use 1/22/04 for Priority Date

(See cancelled receipt w 1/22/04 date)

Idaho Department of Water Resources Receipt

Receipt ID N016069

Payment Amount \$350.00 Date Received 1/22/2004 11:14:32 AM Region Northern Status Void
Payment Type Check Check Number 5853

Payer NORTH KOOTENAI WATER DISTRICT
Comment WR Permit App Fee
VOIDED - incorrect fee amount. Notified Necia at Welch Comer

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$350.00	PERMITS	0229	21	65103	1155

Signature Line (Dept. Representative)

WELCH COMER
& ASSOCIATES, INC.
ENGINEERS SURVEYORS

RECEIVED
JAN 22 2004
IDWR/North

January 2, 2004

IDAHO

1020 Lincoln Way
Coeur d'Alene, ID 83814
208-664-9382
Fax 208-664-5945

WASHINGTON

2910 N. Miller Road
Suite 101
Coeur d'Alene, WA 99019
208-556-6000
Fax 208-556-6000

Toll free
1-877-315-5672

E-mail
nanderson@welchcomer.com

Mr. Bob Haynes
Idaho Department of Water
Resources
1910 Northwest Blvd #210
Coeur d'Alene, ID 83814

Re: Application for New Water Rights

Dear Bob:

Enclosed, please find an application for new water rights, submitted on behalf of North Kootenai Water District. The purpose of this new application is to replace the diversion capacity of two water rights (95-4027 and 95-7107), which the District was unable to transfer. (Refer to transfer application 70394.) The District was unable to provide the following information needed to transfer these rights:

- 1) Proof of beneficial use of the Mt. View well (95-4027) prior to March 1963
- 2) Proof of ownership of the Finucane water right 95-7107

Thus the District has requested that these two rights be removed from the rest of the transfer application. The combined diversion capacity of these two rights is still needed by the District in order to meet peak day demands/available well capacity across the District. Therefore, the District is submitting this application for new water right in the amount of 2.51 cfs in order to replace this diversion capacity.

Please contact me should you have any questions or comments or should you require additional information.

Sincerely,
Welch, Comer & Associates, Inc.



Necia Maiani, E.I.T.
Project Engineer

NMM/nmm
Enclosure
cc: Dick Fairhurst, NKWD