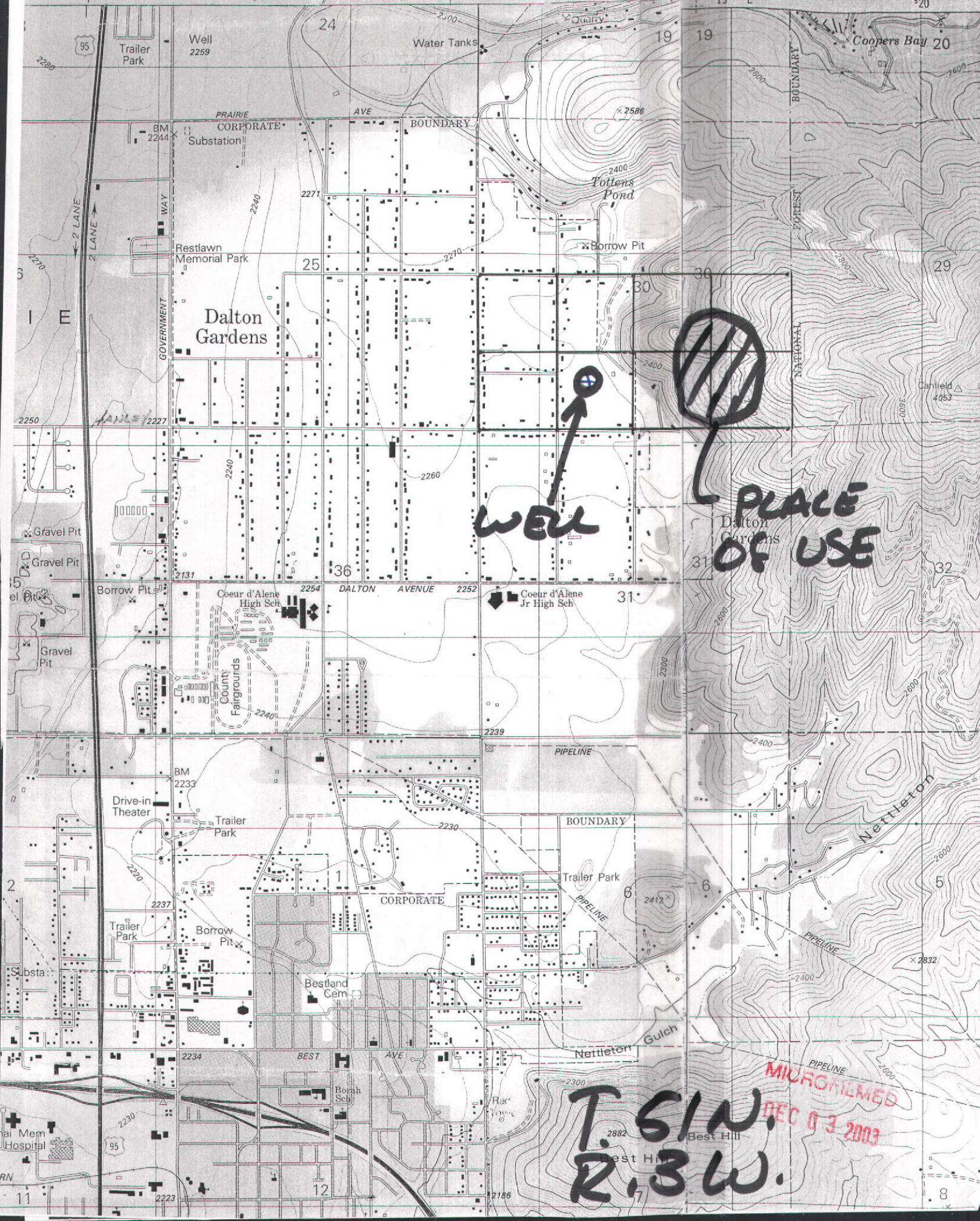


17 R 4 W 250 000 FEET R 3 W

45' 1300000 E 20



State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09148

Priority: July 23, 2002

Maximum Diversion Rate: 0.20 CFS

This is to certify, that MARVIN R ERICKSON And SHARON N ERICKSON
4095 E ERICKSON DR
COEUR D ALENE ID 83815-7949

have 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>
DOMESTIC	01/01 to 12/31	0.14 CFS
IRRIGATION	03/15 to 11/15	0.09 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30, Twp 51N, Rge 03W, B.M., KOOTENAI County

PLACE OF USE: IRRIGATION and DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
51N 03W 30													1.0	1.0	1.5	1.0	4.5

Total Acres: 4.5

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 01, 2008**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. Domestic use is for 9 homes. Irrigation of lawns, gardens and landscaping associated with the homes is authorized under the irrigation component of this right.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

MICROFILMED
DEC 03 2003

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 95-09148

7. 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 7th day of August, 2003.


KARL J DREHER, Director
for

MICROFILMED

DEC 03 2003

70066
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

RECEIVED

JUL 25 2003

To appropriate the public waters of the State of Idaho

1. Name of Applicant MARVIN E SHARON Erickson Phone 208 691-6656 HM# 83815

Mailing address 9095 E Erickson Drive Coeur d'Alene, ID cell 208 691-6656

2. Source of water supply GROUNDWATER which is a tributary of _____

3. Location of point of diversion is Township S1N. Range 3W. Sec. 30 in the _____ 1/4,
SE 1/4, SW 1/4, Govt. Lot _____, B.M., KOOTENAI County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .14 for DOMESTIC purposes from 7/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .09 for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

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

5. Total quantity to be appropriated is (a) 0.20 and/or (b) _____
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 WELL, PUMP & PIPING

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet

c. Proposed well diameter is 6" inches; proposed depth of well is 403 feet

d. Is ground water with a temperature of greater than 85°F being sought? NO

e. If well is already drilled, when? 4-8-02; Drilling firm MCCARTY

Well was drilled for (well owner) ERICKSON; Drilling Permit No. D0022186

7. Time required for completion of works and application of water to proposed beneficial use is 5 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. 9 HOMES

e. Other; describe fully. _____

MICROFILMED
DEC 8 3 2003

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.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
51N	34W	30													D	D	D	D	
															1.0	1.0	1.5	1.0	4.5

Total number of acres to be irrigated 4.5

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

11. a. Who owns the property at the point of diversion? APPLICANT

b. Who owns the land to be irrigated or place of use? APPLICANT

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: _____

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & 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.

X Marvin Erickson
Signature of Applicant (and title, if applicable)

Received by AS Date 7-23-02 Time 2:33 Preliminary check by AS
 Fee \$ 160 Receipted by AS # NP15155 Date 7-23-02
 Publication prepared by AS Date 8/1/02 Published in CIQ Pub 8/15+22/02
 Publication approved AS Date 8/23/02

DEC 03 2003



RECEIVED

Form 23
11/97 APR 10 2002

IDAHO DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

IDWR/North

1. WELL TAG NO. D 0022186

DRILLING PERMIT NO. 775-908

Other IDWR No.

2. OWNER:

Name Marvin Erickson

Address 4095 E. Erickson Drive

City Coeur d'Alene State ID Zip 83815

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N		Twp. 51 North ☒ or South ☐	
W		Rge. 3 East ☐ or West ☒	
E		Sec. 30 1/4 SW 1/4 SE 1/4	
S		Gov't Lot County Kootenai	
		Lat: Long:	

Address of Well Site E. end of Hanley

N of intersect 17th & Hanley City Dalton

Lt. Bk. Sub. Name

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK		AMOUNT		METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	30	16 sacks	overbore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 162Was drive shoe seal tested? ☒ Y ☐ N How? driven into rock no clay returns

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6"	+2	162	250	Steel	☒	☐	☒	☐
4"	122	402	160	PVC	☐	☒	☐	☐

Length of Headpipe Length of Tailpipe

9. PERFORATIONS/SCREENS

☒ Perforations Method saw cut 1/8" x 6"

Screens

Screen Type

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
382	402		48		PVC	☐	☒

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

157' ft. below ground Artesian pressure lb.

Depth flow encountered ft. Describe access port or control devices:

5/11/2002

Office Use Only

Inspected by

Twp Rge Sec

1/4 1/4 1/4

Lat: Long:

11. WELL TESTS:

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
25	air developed	-	4 hrs

Water Temp.

Bottom hole temp.

Water Quality test or comments:

Depth first Water Encounter 178

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
12"	0	1	Topsoil, gravel		
	1	10	Gravel, sand, silt		
	10	19	Gravel, cobbles		
	19	26	Sand, coarse		
8"	26	32	Gravel, coarse		
	32	61	Gravel, cobbles		
	61	62	Boulder, granite		
	62	99	Sand, gravel		
	99	126	Gravel, medium		
	126	158	Sand, gravel		
	158	162	Clay tan, wet		
6"	162	178	Shale, broken 15 gpm	x	
	178	210	Shale, brown, med to soft	x	
	210	212	Clay, silt, tan, soft		
	212	236	Shale, grey		
	236	259	Shale, dark green		
	259	266	Shale, drk green, soft		
	266	270	Shale, tan		
	270	283	Shale, dark green		
	283	289	Shale, very broken w/tan silt 10 gpm	x	
	289	310	Shale, black, very hard		
	310	362	Shale, black & grey, medium	x	
	362	380	Shale, soft, grey, black	x	
	380	394	Shale, light grey		
	394	403	Shale, dark grey medium		

 Completed Depth 403' (Measurable)
 Date: Started 03/29/02 Completed 04/02/02

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name McCarty Drilling & Pump Inc. Firm No. 586

Firm Official Date 4-8-02

Driller or Operator Date

(Sign once if Firm Official & Operator)



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

August 8, 2003

MARVIN R ERICKSON
SHARON N ERICKSON
4095 E ERICKSON DR
COEUR D ALENE ID 83815-7949

RE: Permit No. 95-9148

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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.

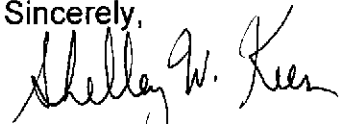
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's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

MICROFILMED

DEC 03 2003

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

DEC 03 2003

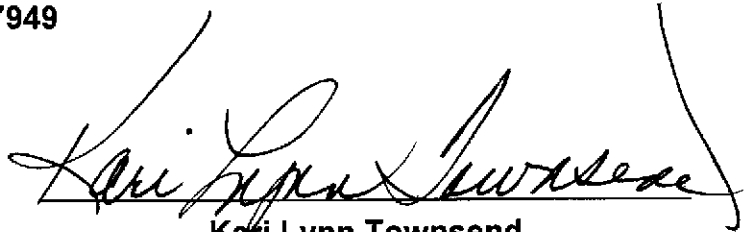
CERTIFICATE OF SERVICE

I hereby certify that on August 8, 2003 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.

95-9148

**MARVIN R ERICKSON
SHARON N ERICKSON
4095 E ERICKSON DR
COEUR D ALENE ID 83815-7949**



**Kari Lynn Townsend
Secretary**

**MICROFILMED
DEC 9 3 2003**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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 Idaho Water Resource Board (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.

MAILED
DEC 13 2005

MEMORANDUM

TO: File 95-9148

FROM: KAY WALKER *KW*

RE: Compliance with stipulations of City of Dalton Gardens

Date: August 5, 2003

.....

In review of this application for permit, I found there were questions regarding compliance with the City of Dalton Gardens. I called Cheri Howell, the planning consultant for the city and talked with her about this. The city had sent a subsequent letter to Mr. Erickson that told him if the well was only serving 9 homes he did not have to apply for the zone change for this property. The city is following DEQ's requirements regarding the use of water for less than 10 homes in this matter.

MICROFILMED

DEC 6 3 2003

RECEIVED

JUL 25 2003

Department of Water Resources

January 28, 2003

Mr. Marvin Erickson
4095 E Erickson Dr
Cd'A ID 83815

RE: Application for Permit

Dear Mr. Erickson:

We are writing in regard to your Application for Permit Number 95-9148.

We have begun processing of the groundwater filings within the Rathdrum Groundwater Management Area.

Please find the enclosed letter from the City of Dalton concerning the zoning of your lot where your wells will be located. We will hold further processing of your filing until you provide our office documentation that you have resolved the City of Dalton's zone issues.

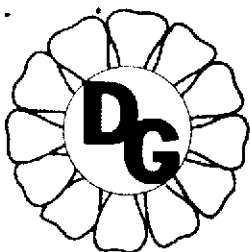
Please feel free to call if you have any further questions.

Sincerely,

Allen Beardslee

MICROFILMED

DEC 9 3 2003



City of Dalton Gardens

208 - 772 - 3698
6360 North Fourth Street
Dalton Gardens, Idaho 83815-9254

January 24, 2003

Bob Haines
Idaho Department of Water Resources
1910 Northwest Blvd. Suite 210
Coeur d' Alene, ID 83814

RECEIVED
JAN 24 2003
IDWR/North

Re: Application Number 95-9148 – Marvin Erickson - Water Rights

Dear Mr. Haines

The City of Dalton Gardens has reviewed the water rights application for Marvin Erickson to place a well for nine home connections. We have not received, or are unaware of any amendments to the application, and as such, our comments are limited to this application.

1. Mr. Erickson has applied for a planned unit development of 44 lots within the Area of City Impact of Dalton Gardens/County.
2. Mr. Erickson states in his PUD application that his water system will be located on his City lot and will be pumped uphill.
3. Upon review of the DEQ letter (attached) on the water system for the proposed PUD, DEQ states that two sources of water will be necessary for the project.
4. The City of Dalton Municipal Code requires that public water systems (per DEQ criteria) must be zoned in a Public Utility District. The current zoning for Mr. Erickson's parcel that the well is located on is Residential. Mr. Erickson will be required to apply for a zone change to Public Utility District to provide a public water supply to his subdivision.

If you have any questions or need further information, feel free to contact me at 772-3698 or our planning consultant, Cheri Howell at 704-2041.

Sincerely,

Roland "Ron" S. Koontz
Mayor

MICROFILMED
DEC 9 3 2003



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

RECEIVED

DEC 11 2002

KOOTENAI COUNTY
PLANNING DEPT.

2110 Ironwood Parkway • Coeur d'Alene, Idaho 83814-2648 • (208) 769-1422

December 11, 2002

Jill Bowes, Associate Planner
Kootenai County Planning Department
P.O. Box 9000
Coeur d'Alene, ID 83816-9000

RECEIVED
JAN 24 2003
IDWR/North

Dirk Kempthorne, Governor
C. Stephen Allred, Director

RE: Erickson Estates PUD and Preliminary Subdivision Request

Dear Ms Bowes:

We have reviewed the information submitted by you on November 8, 2002 pertaining to the above referenced application for a 44-lot residential development located in the county on a 54-acre parcel east of the City of Dalton Gardens. DEQ comments on water quality, public drinking water, and sanitary sewage systems being proposed for the development are as follow:

Water Quality: There are potential impacts of the project on both surface water quality and ground water quality that deserve comment at this time.

Surface Water Quality: The subdivision is located on steep terrain (20-50% slopes) where road, utility, and building construction and shallow, erodible soil conditions have the potential for causing significant erosion and sedimentation problems and possibly contribute to water quality degradation. To reduce this potential, all disturbance work should proceed with implementation of properly selected best management practices (BMPs). In addition, storm water runoff from the development will need to be collected, transported, and properly disposed of to avoid off-site storm water problems.

DEQ recommends that the project designer employ properly selected BMPs as identified in a Storm Water Management Plan prepared in accordance with the *Idaho Catalog of Storm Water Best Management Practices for Idaho Cities and Counties* and approved by Kootenai County. The developer must also comply with the U.S.EPA's NPDES storm water permit for construction sites. This may be done by modifying the county storm water plan to include documentation for the EPA permit. DEQ would be willing to comment on the selection and placement of BMPs in the storm water plan. Recent experiences with similar steep slope development along Hayden Lake may be helpful for identification of successful BMPs for this location.

The Project Character information in the application indicates the subdivision will use an existing private road constructed on and across this property and that this road is undergoing stabilization and revegetation efforts. While the visual appearance of this road may be controversial, it in itself is not the subject of DEQ comment. We are interested in whether this existing roadway can and will be properly stabilized and maintained to avoid long-term water quality problems due to runoff and erosion after storm events.

In this regard, we recommend that remediation of the existing road be completed so that correct remediation methods for the proposed new roads can be identified and the associated costs estimated before new roadways are constructed. This will allow the developer to be more confident in the development's total costs and the new roads to be built with immediate and successful remediation practices in place.

MICROFILMED

DEC 03 2002

RE: Erickson Estates PUD and Preliminary Subdivision Request
December 11, 2002
Page 2 of 2

RECEIVED
JAN 24 2003
IDWR/North

Ground Water Quality: The property is located adjacent to the Rathdrum Prairie-Spokane Valley Aquifer (Aquifer) and the lots may be utilizing individual on-site subsurface sewage disposal systems. Assuming the lots have on-site conditions each acceptable to the Panhandle Health District (PHD) for onsite sewage disposal permitting, the developer may need to demonstrate the impact of the development on ground water quality in the Aquifer in accordance with the Idaho Ground Water Quality Rule. This demonstration typically involves ground water modeling efforts to predict future impacts. If the analysis predicts a change in the existing ground water quality, the design engineer may need to consider an alternative sewage system that will not result in ground water quality problems.

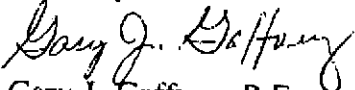
Drinking Water: The application indicated that a new public water system will be constructed to supply drinking water to the 44 lots. On October 9, 2002 DEQ approved plans and specifications for drilling of a water supply well in the Aquifer for this new water system, which was then called Marvin Gardens. Two conditions were attached by DEQ to this approval - the well site had to be re-evaluated for DEQ approval and adequate distances of the proposed well site from sources of contamination had to be demonstrated. These two conditions have not yet been addressed by the engineer.

Although it may prove to be very expensive, the proposed type of drinking water system appears feasible for this development. An engineering design report for the new water system will be needed after the preliminary approval is granted. Two sources of water are required for systems serving over 25 homes.

Sewage: The application indicated that subsurface sewage disposal systems would be installed to serve each lot. As mentioned above, individual on-site systems need to be approved by the PHD in accordance with the Idaho Rules for Individual and Subsurface Sewage Disposal Systems. Importing significant volumes of water via the drinking water system for subsurface sewage disposal may contribute to local or Aquifer ground water contamination or may create saturated local conditions contributing to soil instability and erosion problems in the development. Collection of the sewage from the 44 lots and conveyance of the wastewater to a publicly owned sewage treatment facility is recommended by DEQ because it would reduce possible ground water impacts caused by on-site subsurface sewage disposal.

After the county planning review is completed for this proposed subdivision, DEQ is prepared to review a draft drinking water engineering design report, evaluate analysis of the development's impacts on ground water quality, and comment on the draft storm water management plan. Thank you for the opportunity to comment on this proposal.

Sincerely,


Gary J. Gaffney, P.E.

c: Panhandle Health District, CdA
Scott Jamar, Jamar and Associates, Inc., P.O. Box 352, Hayden, ID 83835
Marvin Erickson, 4095 E. Erickson Drive, Coeur d'Alene, ID 83815
Mayor Ron Koontz, City of Dalton Gardens, 6360 N. 4th Street, Coeur d'Alene, ID 83815

MICROFILMED

DEC 03 2003
DEC

IDAHO DEPARTMENT OF WATER RESOURCES APPROPRIATION APPLICATION ANALYSIS SHEET

W.R. # 95-9148

APPLICATION ID # 70066
INITIAL REVIEW

ENT 125 BCA OK to Publish 656

APPLICANT: ERICKSON BY: TB DATE: 07/23/02

ITEM REQUIRED INFORMATION

1. ☒ Name and Address
2. ☒ Source
3. ☒ Point of Diversion & County
4. ☒ Quantity
☒ Nature of Proposed Use
☒ Period of Use
5. ☒ Total Quantity
6. ☒ Description of diverting works
7. ☒ Time required for b/u
8. ☒ Proposed use
9. ☒ Place of use or acres irrigated
10. ☒ Other water Rights
11. ☒ Ownership
12. ☒ Map
☒ Signature
☒ Fee (Amt, receipt, acknowledgement)

*** Send info sheet Y() N()

ADDITIONAL INFORMATION

(Yes)(No)

Shape File Created Date By:
Field check: by
Field report attached
Analysis Supp. attached(>5cfs/500af)
Water delivered by water master? Water District #

PROCESSING

(Yes)(No)

PRIORITY DATE: 07/23/02

 X (Include Moratorium Remark)

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

ADVERTISE IN: KOOTENAI County

LETTERS SENT REQUESTING:

() Dam Information () Fish Information

() Power Information () Other: N/A

INFORMATION RECEIVED:

() Dam Information () Fish Information

() Power Information () Other: N/A

GROUNDWATER SECTION

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
~~0002218~~ → <u>0002218</u>	<u>D 22186</u>	Dom. <u>X</u> Non-Dom. <u> </u>	Paid \$ <u>75</u>	<u> </u>	Y <u>X</u> N ()
<u>775908</u>	<u> </u>	Dom. <u> </u> Non-Dom. <u> </u>	Paid \$ <u> </u>	<u> </u>	Y () N ()
<u> </u>	<u> </u>	Dom. <u> </u> Non-Dom. <u> </u>	Paid \$ <u> </u>	<u> </u>	Y () N ()

☒ Groundwater management area RPGWMA per arc view - KD 8/5/03 Remarks:
☐ Critical ground water area
☐ Well Drilling Permit required
☐ Well Drilling Application and Fees received
☐ Well Drilling Application approved?

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

 Notice of pending void order issued. Final order response date: / /

 Further information required from applicant

8/22 Affidavit of publication received

8/22 Application published correctly. If not, record action taken:

8/1 Publication dates and paper recorded on application

 Protests received,

Final protest date: 9/3/02

Sr. Agent initial

 Measuring device required

 Measuring port required

 Special conditions:

 Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: Date: / /

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

} ss.

Debbie Magnuson 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 15th day of August 2002 and ending on the 22nd day of August 2002, 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.

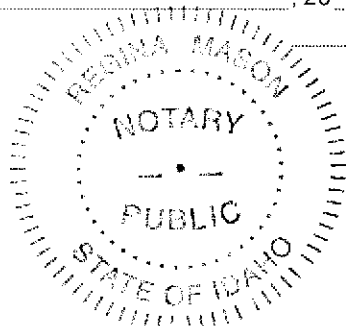
Debbie Magnuson

Personally appeared before me this 22nd day of August 2002.

Regina Mason

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

MY COMMISSION EXPIRES 6/18/03



RECEIVED

AUG 23 2002

IDWR/North

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-9148

MARVIN R ERICKSON
SHARON N ERICKSON
095 E ERICKSON DR
COEUR D ALENE ID 83815-7949
Point(s) of Diversion: SESW S30 T51N R03W KOOTENAI County
Source GROUND WATER
Use: IRRIGATION 03/15 To 11/15 0.09 CFS
Use: DOMESTIC 01/01 To 12/31 0.14 CFS
Total Diversion 0.2 CFS

Address should be 4095 Shermansok

Date Filed: 07/23/2002
Place Of Use: IRRIGATION
T51N R03W S30 NESE NWSE SWSE SESE
Number of Acres: 4.5
Place Of Use: DOMESTIC - same as IRRIGATION
Remark: Domestic use is for 9 homes.

Ok per [signature]

Permits will be subject to all prior water rights. Protests must 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 09/03/2002. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Legal 1567
August 15, 22, 2002

MICHAEL [signature]

AUG 23 2002



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

August 07, 2002

LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

FAXED TO MISTI SAYLOR AT 664-0212
8/7/02
2 pages including letter
Please call to confirm receipt of this fax.

RE: Application for Permit No. 95-9148 - Erickson

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (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 09/03/2002. Your cooperation is appreciated.

Sincerely

Dianne Ball

Dianne Ball
Administrative Assistant

MICRO. 11/11/02

DEC 03 2002

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

95-9148

MARVIN R ERICKSON
SHARON N ERICKSON
095 E ERICKSON DR
COEUR D ALENE ID 83815-7949

Point(s) of Diversion SESW S30 T51N R03W KOOTENAI County
Source GROUND WATER

Use: IRRIGATION 03/15 To 11/15 0.09 CFS

Use: DOMESTIC 01/01 To 12/31 0.14 CFS

Total Diversion: 0.2 CFS

Date Filed: 07/23/2002

Place Of Use: IRRIGATION

T51N R03W S30 NESE NWSE SWSE SESE

Number of Acres 4.5

Place Of Use: DOMESTIC - same as IRRIGATION

Remark: Domestic use is for 9 homes.

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 09/03/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in Coeur d'Alene Press on 8/15 and 22, 2002.

MICROFILMED

DEC 03 2002



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

August 07, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARVIN R ERICKSON
SHARON N ERICKSON
4095 E ERICKSON DR
COEUR D ALENE ID 83815-7949

RE: Application for Permit No 95-9148

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 August 15 and 22, 2002. 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,

Allen Beardslee
Senior Water Resource Agent

Enclosure(s) - Receipt No. N015155

MICROFILMED

DEC 03 2003