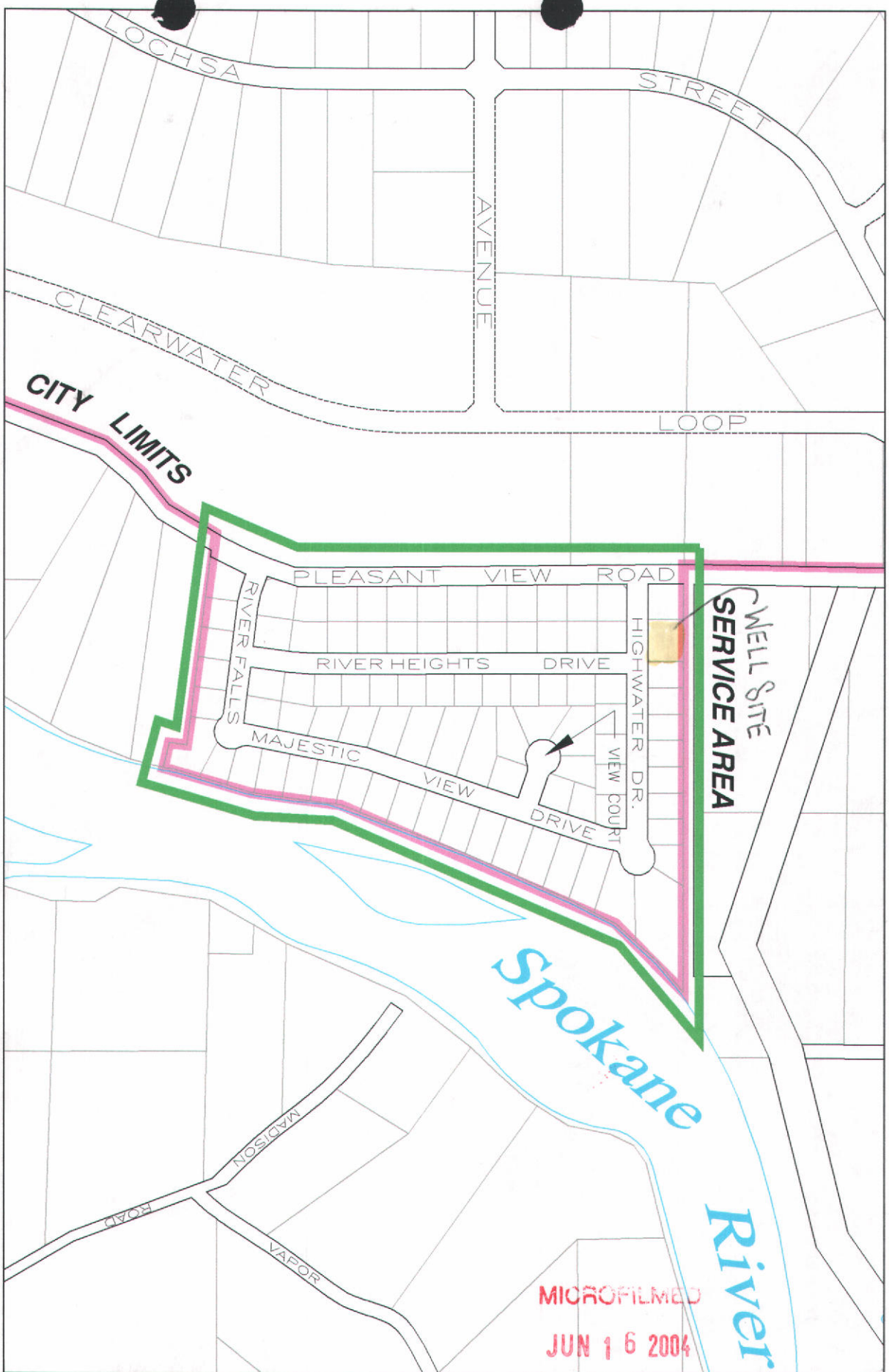




Well Site
Service Area

Spokane
River

MICROFILMED
JUN 16 2004

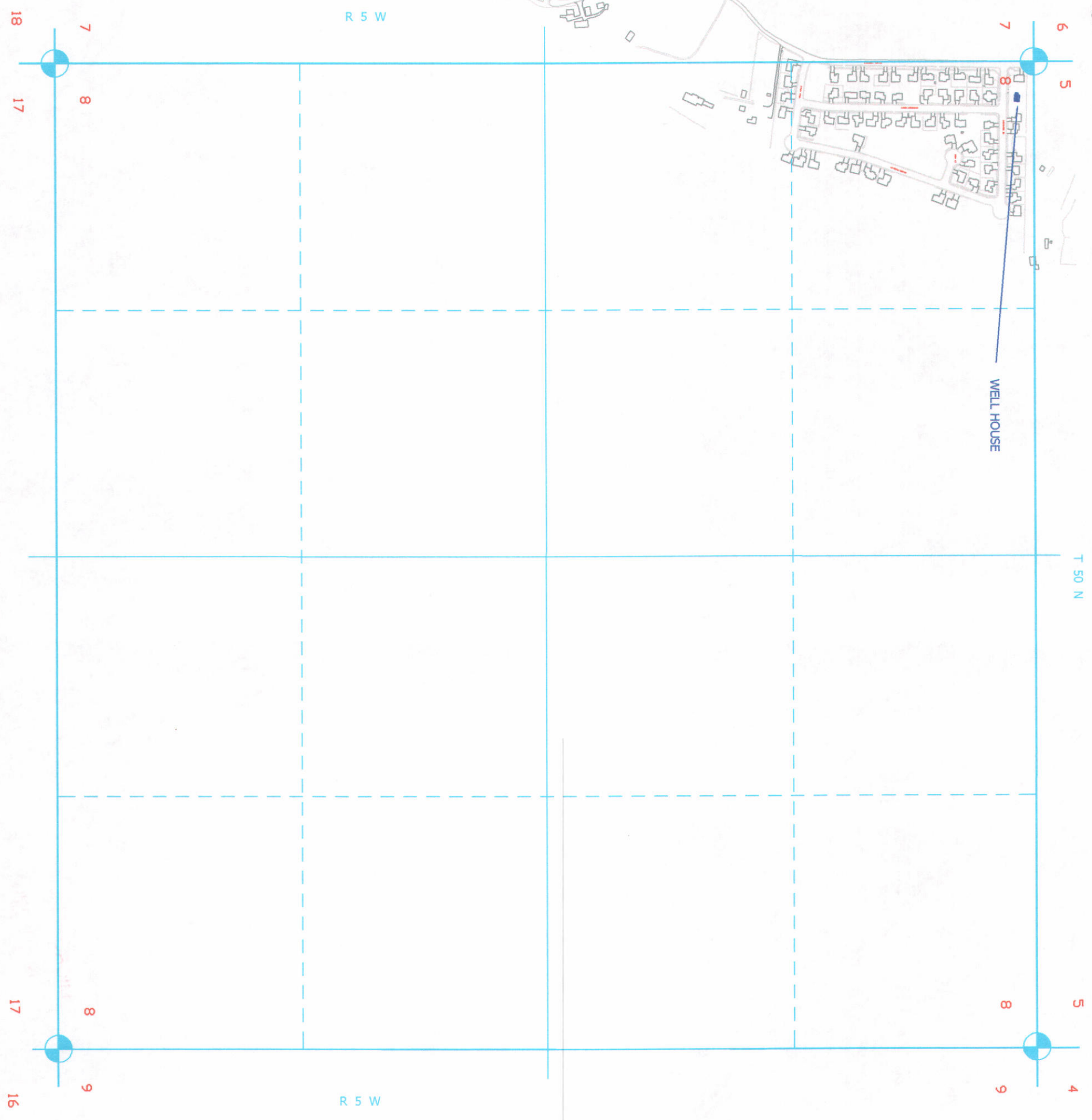


 Established 1891
 Post Falls
 Idaho's River City
 ENGINEERING

408 SPOKANE STREET
 POST FALLS, IDAHO 83854
 (208) 773-3511

Majestic View Water Service Area

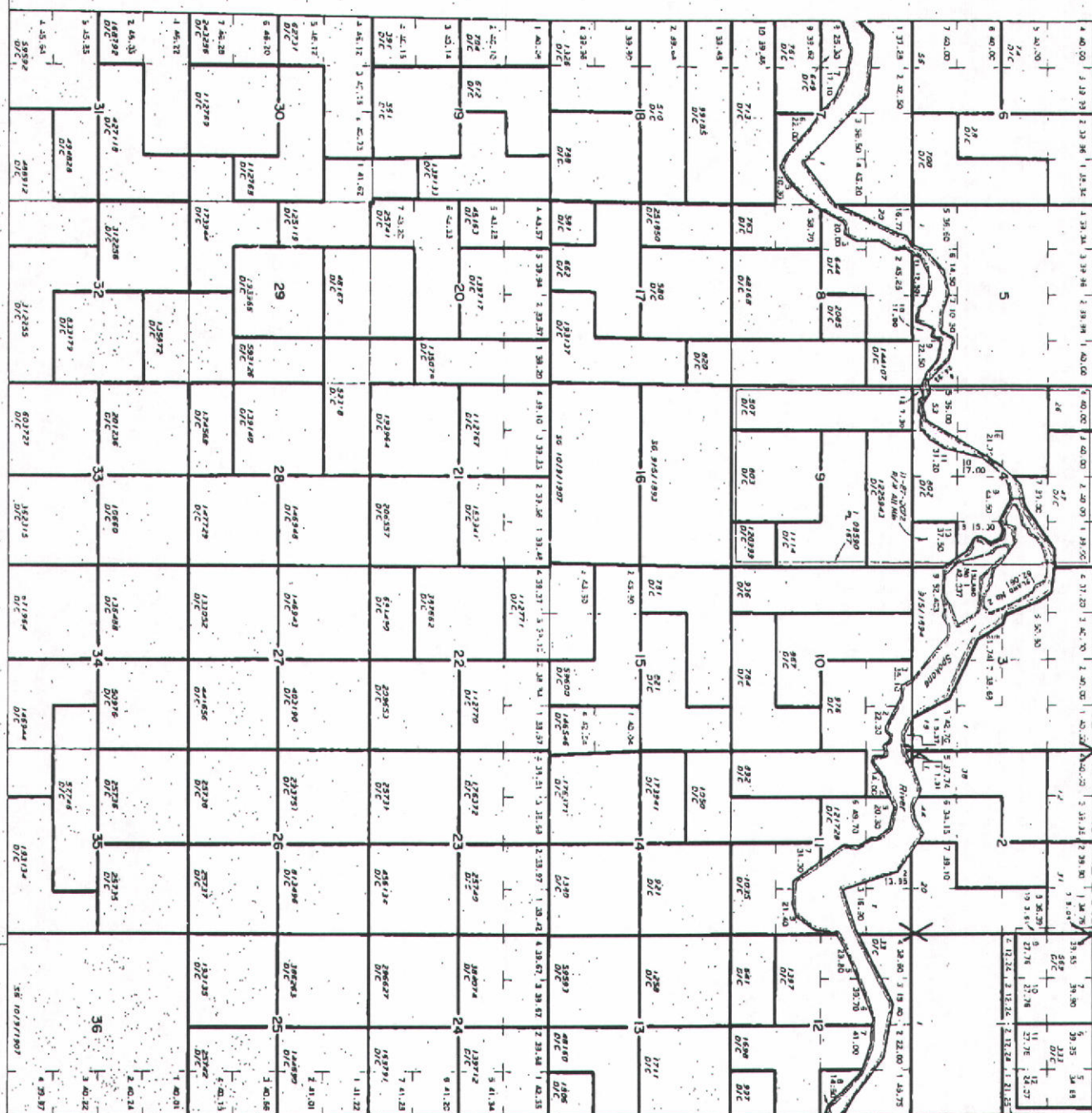
DWG No. 00	SCALE: 1" = 400'	SHEET 1 of 1
FILE: Majestic View Water Service Area	DATE: April 2, 2002	



MAJESTIC VIEW



TOWNSHIP 50 NORTH RANGE 5 WEST OF THE BOISE MERIDIAN, IDAHO

KOOTENAI COUNTY 055
COLORADO DISTRICT

MICROFILMED

15 2004

MT PLAT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

INDEX TO SEGREGATED TRACTS

TRACT NO.	ORIGINAL SURVEY	SUBDIVISION
1	1	1
2	2	2
3	3	3
4	4	4
5	5	5
6	6	6
7	7	7
8	8	8
9	9	9
10	10	10
11	11	11
12	12	12
13	13	13
14	14	14
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17	17	17
18	18	18
19	19	19
20	20	20
21	21	21
22	22	22
23	23	23
24	24	24
25	25	25
26	26	26
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30	30	30
31	31	31
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33	33	33
34	34	34
35	35	35
36	36	36

1:25,000 Scale Map (1:25,000) (G-12) (1955)

Compiled 9/23/1960. All 90 Surface Report by BLM

FOR OWNERS EFFECTING DISPOSAL OF USE OF
UNDEVELOPED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

COMMENT TO COMMENT TO

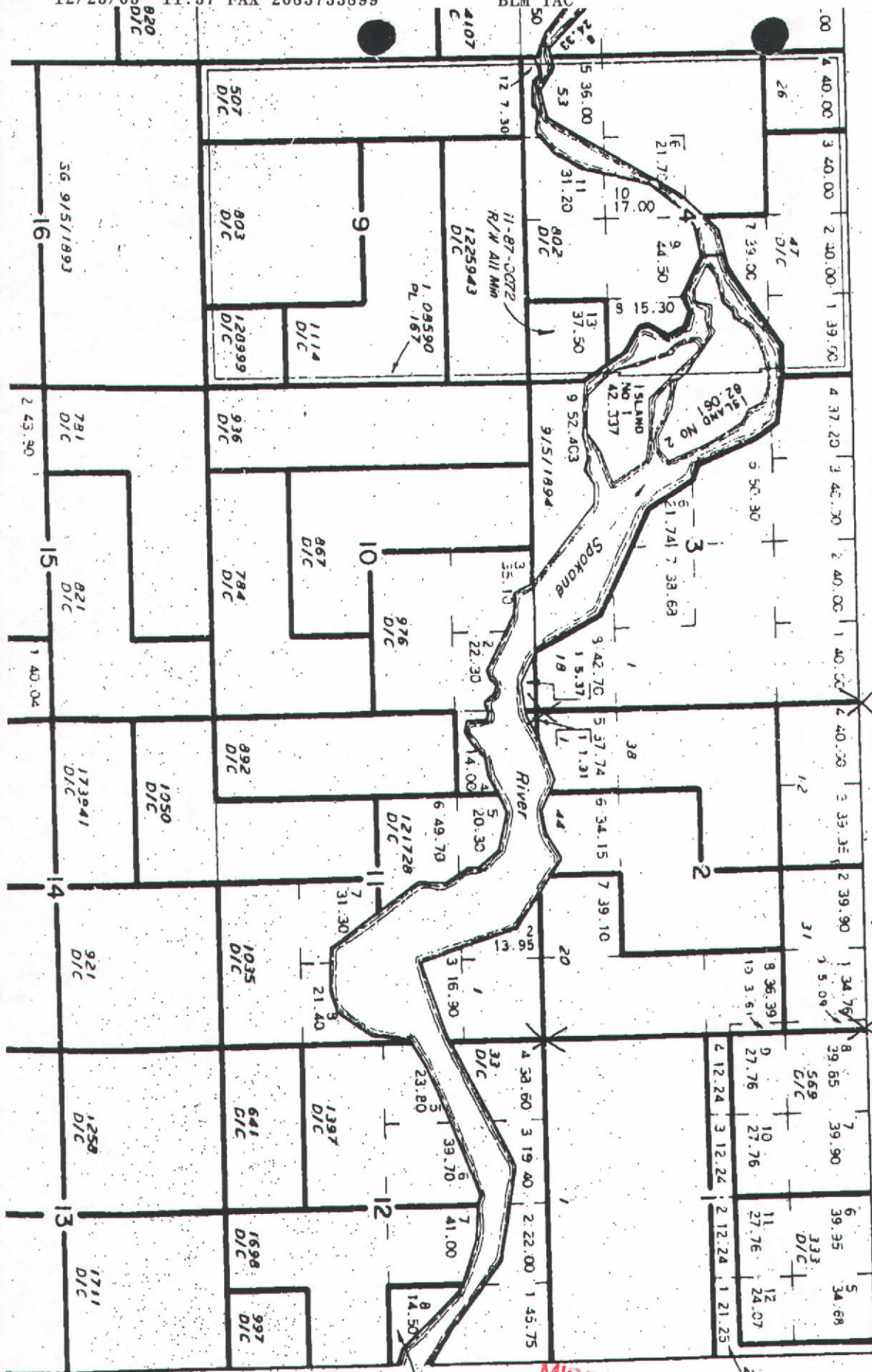
USE PLATS

THE NOTATION SHOWN ON WITHDRAWALS REPRESENTS THE LAST
ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE

KOOTENAI COUNTY 055

COEUR D'ALENE DISTRICT

2222



MICROFILMED
JUN 16 2004

State of Idaho
Department of Water Resources
Amendment of Permit

NO. 95-09147

Priority: July 02, 2002

Maximum Diversion Rate: 5.79 CFS

This is to certify, that CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

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	5.79 CFS

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	NW¼NE¼	Sec. 34, Twp 51N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	NW¼NE¼	Sec. 34, Twp 51N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	NE¼NE¼	Sec. 34, Twp 51N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	NW¼SW¼	Sec. 1, Twp 50N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	SW¼SE¼	Sec. 27, Twp 51N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	L1 (NE¼NE¼)	Sec. 2, Twp 50N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	SW¼SE¼	Sec. 27, Twp 51N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	NW¼NW¼	Sec. 34, Twp 51N, Rge 05W, B.M., KOOTENAI County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2008**.
2. Subject to all prior water rights.
3. 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. 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.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. 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.
7. Place of use is within the service area of the City of Post Falls municipal water supply system as provided for under Idaho Law.

MICROFILMED

JUN 15 2004

State of Idaho
Department of Water Resources
Amendment of Permit

NO. 95-09147

8. Rights 95-04457, 95-04458, 95-04460, 95-07436, 95-08048, 95-08862, and 95-09137 are also diverted through the points of diversion described above.

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 6th day of February, 2004.


for KARL J DREHER, Director

MICROFILMED

JUN 15 2004

Fee. \$50.00
 Receipt NO 16025
 Received by dp
 Date 12/2/03

70968

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

**RECEIVED
 DEC 02 2003
 IDWR/North**

Name of Applicant City of Post Falls Phone (208)777-9857

Mailing address 408 North Spokane Street, Post Falls, Idaho 83854

I am the owner and the holder of Permit to Appropriate the Public Waters of the State of Idaho No. 95-09147, and request that the permit map be amended and/or changed as follows.

Purpose of Amendment:

1. ☒ Change point of diversion . ☒ Add diversion point (s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

1. Point of diversion: NW 1/4 NW 1/4 1/4, Section 8, Township 50N, Range 05W, B.M.,
 County of Kootenai. Other points of diversion See Attached.

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

Amount 5.79 cfs for Municipal purposes from 01/01 to 12/31 (both dates inclusive)
 (cfs/ac-ft) (water use) (Begin Month) End Month)

Amount for purposes from to (both dates inclusive)
 (cfs/ac-ft) (water use) (Begin Month) End Month)

Amount for purposes from to (both dates inclusive)
 (cfs/ac-ft) (water use) (Begin Month) End Month)

3. Place of use of land to be irrigated: Within City Limits of City of Post Falls

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total Acres _____

4. a. Who owns the property at the point of diversion? City of Post Falls

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

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

MICROFILMED

JUN 15 2004

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.)

[illegible]

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 2 day of Dec., 2003.

Jerry Culner
Permit Holder Signature (and title, if for a company or organization)
Public Works Superintendent

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Prelim check by _____ Publication prepared by db Date 12/11/03

Published in CDA Press Date 12/18 + 25/03

I, _____, of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 200 .

MICROFILMED

SIGNATURE

JUN 16 2004

CITY OF POST FALLS
408 N SPOKANE STREET
POIST FALLS, IDAHO 83854
208-777-9857
95-9147

Attachment: Other Points of Diversion

LOT	¼	1/4	SECTION	TWP	RANGE	COUNTY	LOCAL NAME
	NE	NE	34	51N	5W	KOOTENAI	WELL 3
	NW	NE	34	51N	5W	KOOTENAI	WELL 2
	NW	NE	34	51N	5W	KOOTENAI	WELL 1
	NW	SW	1	50N	5W	KOOTENAI	WELL 4
	SW	SE	27	51N	5W	KOOTENAI	WELL 5
	NE	NE	2	50N	5W	KOOTENAI	WELL 6
	SW	SE	27	51N	5W	KOOTENAI	WELL 7
	NW	NW	34	51N	5W	KOOTENAI	WELL 8

MICROFILMED

JUN 15 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09147

Priority: July 02, 2002

Maximum Diversion Rate: 5.79 CFS

This is to certify, that CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

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	5.79 CFS

LOCATION OF POINT OF DIVERSION:

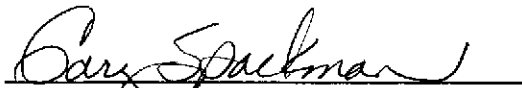
GROUND WATER L1 (NW¼NW¼) Sec. 8, Twp 50N, Rge 05W, B.M., KOOTENAI County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2008**.
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.
4. 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.
5. Place of use is within the service area of the City of Post Falls municipal water supply system as provided for under Idaho Law.
6. This right does not grant any right-of-way or easement across the land of another.
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.
8. 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 26th day of November, 2003.

MICROFILMED
JUN 16 2004


KARL J DREHER, Director

70062

Ident. No. 95-9147

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

RECEIVED
OCT 30 2003

Department of Water Resources

1. Name of Applicant City of Post Falls Phone 208-777-9857
Post Office address 408 North Spokane Street, Post Falls, Idaho 83854
2. Source of water supply Ground Water which is a tributary of N/A
3. Location of point of diversion is NEW 1/4 of NEW 1/4 of _____ 1/4, Govt. Lot _____
Sec. 8 Township 50N Range 5W B.M. Kootenai County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 5.79 cfs for Municipal purposes from Jan. 1 to Dec. 31 (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) 5.79 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. (2) 25 hp pump, 8" casing and 8" distribution lines; (1) 125 hp pump (This is a 3 well field)
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - c. Proposed well diameter is 8" inches; proposed depth of well is 170 feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? 1992; Drilling firm H2O Well Service:
Well was drilled for (well owner) Ken Way (City of Post Falls)
7. Time required for completion of works and application of water to proposed beneficial use is 25.4 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 if KW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. City of Post Falls
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. _____

MICROFILMED

JUN 16 2004

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	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 95-4447, 95-8862, 95-4448
95-4460, 95-7436, 95-8048, 95-9137, 95-9138, 95-9144, 95-9145, 95-9146

11. a. Who owns the property at the point of diversion? City of Post Falls

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

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

12. Remarks: _____

13. MAP OF PROPOSED PROJECT ATTACHED ____ Show clearly the proposed point of diversion, place of use, section number, township and range number.

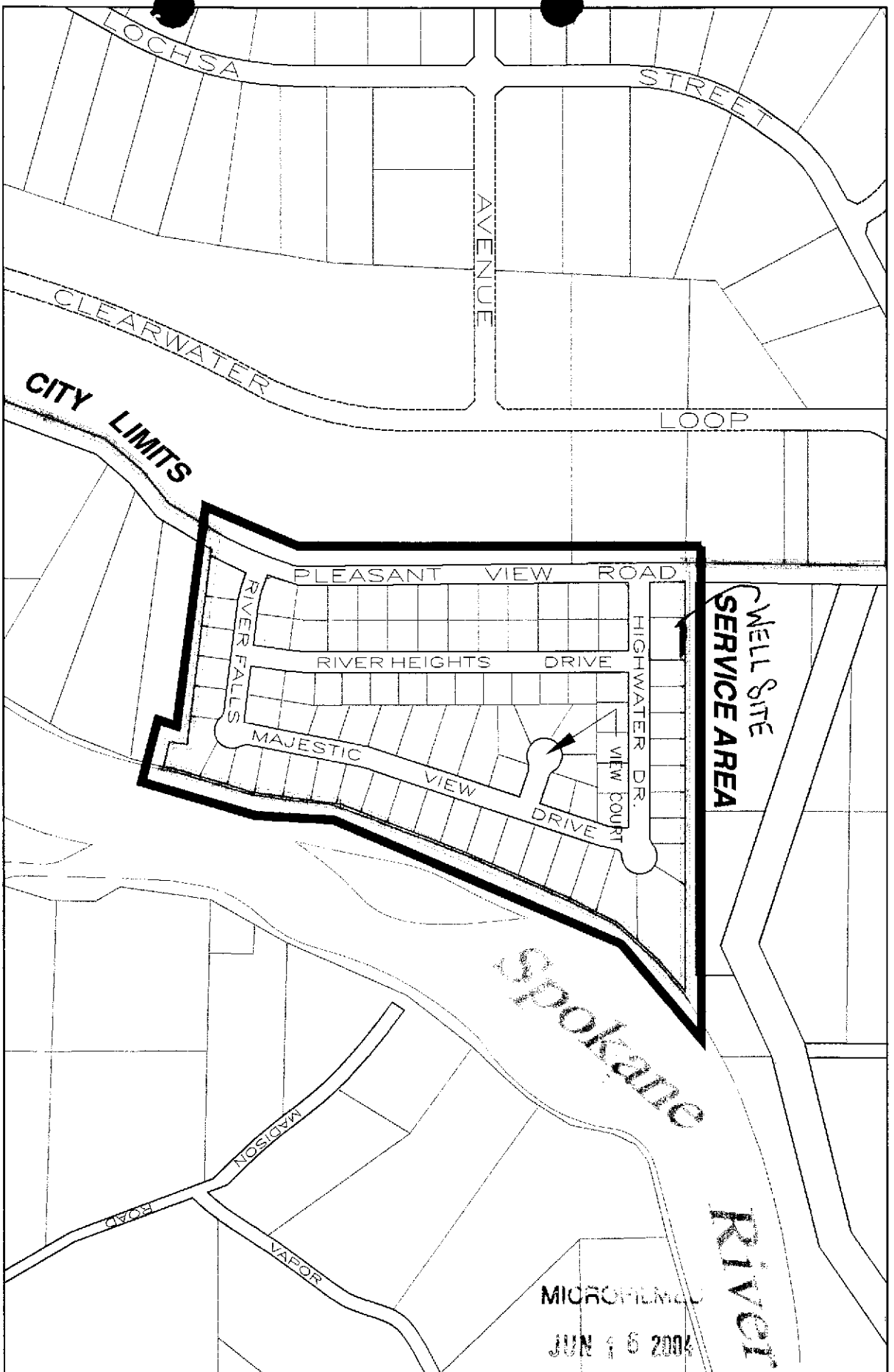
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Derry G. Werner
 (Applicant)

Received by db Date 4/5/02 Time 1:5p Preliminary check by _____
 Fee \$ 450.00 Receipted by db # N014934 Date 4/5/02
 Publication prepared by db Date 7/24/02 Published in IDA Rm 8/1+8/02
 Publication approved db Date 8/9/02

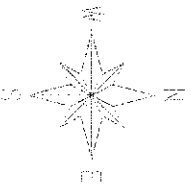
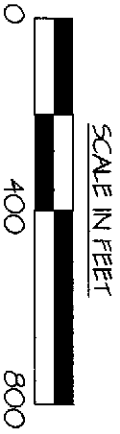
450.

MICROFILMED
 JUN 15 2004



WELL SITE
SERVICE AREA

MICROFILMED
JUN 16 2004

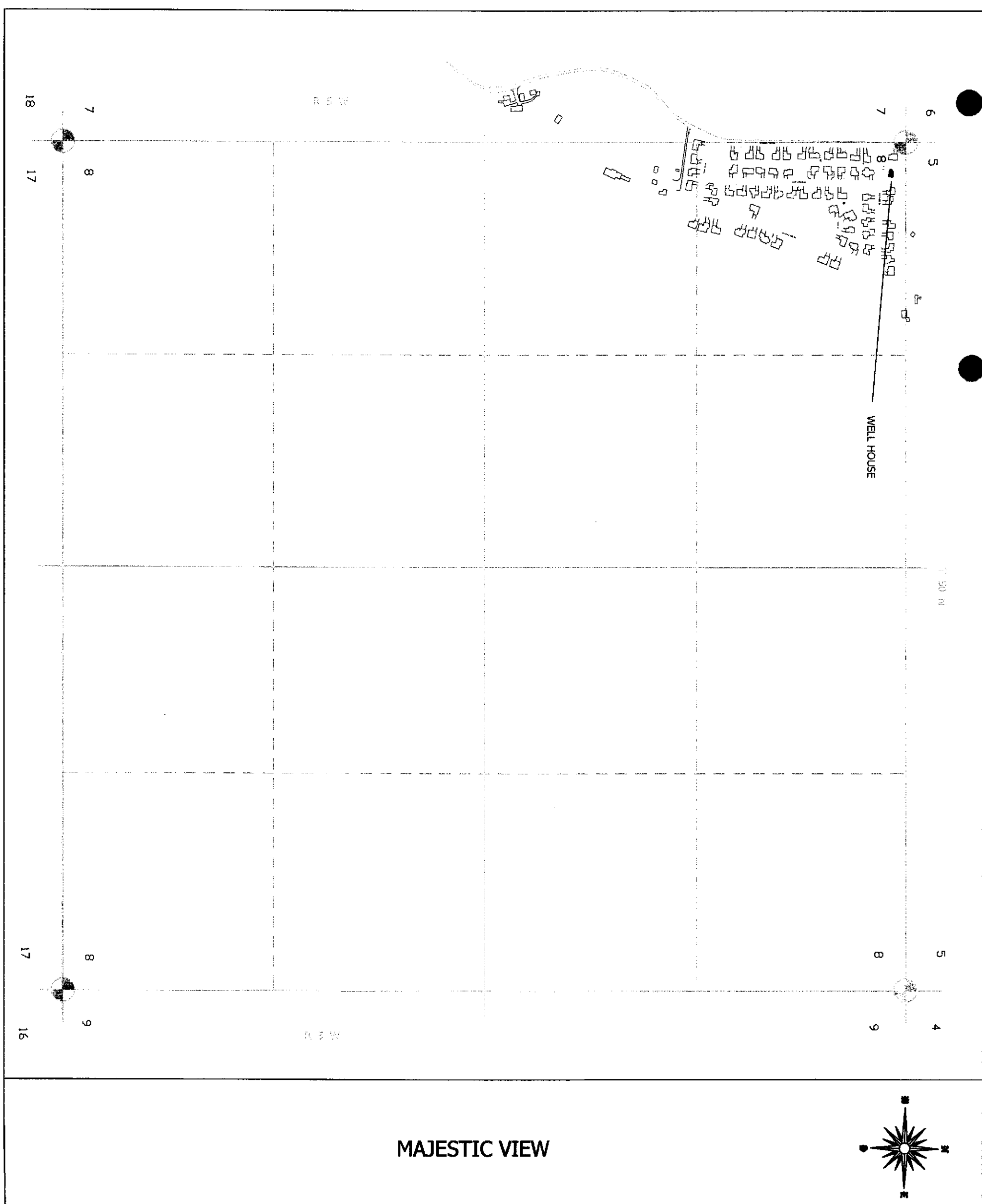


Idaho's River City
ENGINEERING

408 SPOKANE STREET
POST FALLS, IDAHO 83854
(208) 773-3511

Majestic View Water Service Area

DWG No. 00 SCALE: 1" = 400' SHEET 1 of 1
FILE: Majestic View Water Service Area DATE: April 2, 2002





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

February 6, 2004

CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

RE: Permit No. 95-9147

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 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MAILED

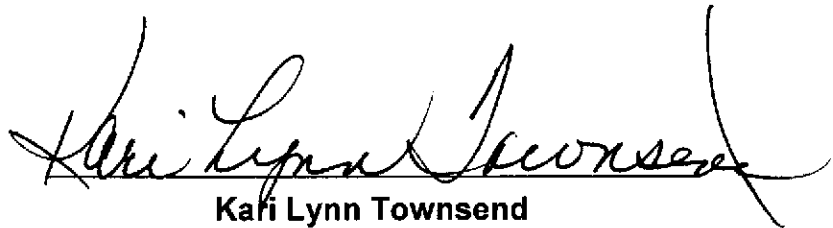
JUN 16 2004

CERTIFICATE OF SERVICE

I hereby certify that on February 6, 2004 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. 95-9147

**CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", is written over a horizontal line.

**Kari Lynn Townsend
Secretary**

MICROFILMED

JUN 15 2004

**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).

MICROFILMED
JUN 15 2004

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.

MEMORANDUM

TO: Files 95-9137 and 95-9147

FROM: KAY WALKER

RE: Amendment Applications

Date: February 6, 2004

.....

The applications for amendment of these permits were filed to add all of the wells the city uses to these permits. I recommend approval with an additional condition noting all the other rights that are diverted from these points of diversion.

MICROFILMED

JUN 15 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

MEMORANDUM

January 30, 2004

MEMO TO: FILE

FROM: Al Beardslee

RE: Amendment to WR Nos. 95-9137 and 95-9147- City of Post Falls

It is the recommendation of this office that these two amendments be approved.

A handwritten signature in cursive script, reading 'Al Beardslee'.

Al Beardslee
Senior Water Resource Agent

MICROFILMED

JUN 16 2004

AFFIDAVIT OF PUBLICATION

RECEIVED

DEC 29 2003

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 *18* day of *December* 20*03*, and ending on the *25* day of *December* 20*03*, 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.

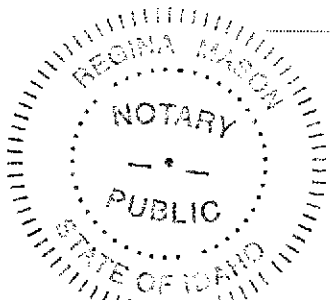
Kattie Hay

Personally appeared before me this *25* day of *December* 20*03*

Regina Mason

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

MY COMMISSION EXPIRES 6/18/09



The following applications have been filed to amend Permits to Appropriate Water
95-9137

CITY OF POST FALLS,
408 N SPOKANE ST
POST FALLS ID 83854

Point(s) of Diversion	NENE	S34	T51N	R05W	KOOTENAI County Source GROUND WATER
Point(s) of Diversion	NWNE	S34	T51N	R05W	KOOTENAI County Source GROUND WATER
Point(s) of Diversion	NWNE	S34	T51N	R05W	KOOTENAI County Source GROUND WATER
Point(s) of Diversion	NWSW	S1	T50N	R05W	KOOTENAI County Source GROUND WATER
Point(s) of Diversion	SWSE	S27	T51N	R05W	KOOTENAI County Source GROUND WATER
Point(s) of Diversion	NENE	S2	T50N	R05W	KOOTENAI County Source GROUND WATER
Point(s) of Diversion	SWSE	S27	T51N	R05W	KOOTENAI County Source GROUND WATER
Point(s) of Diversion	NWNW	S34	T51N	R05W	KOOTENAI County Source GROUND WATER
Use:	MUNICIPAL	01/01 To 12/31	3 CFS		

Date Filed: 12/02/2003
Total Diversion: 3 CFS

Remark: Municipal use is within service area of City of Post Falls.
95-9147

CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

Point(s) of Diversion	NWNE	S34	T51N	R05W	KOOTENAI County Source GROUND WATER
Point(s) of Diversion	NWNE	S34	T51N	R05W	KOOTENAI County Source GROUND WATER
Point(s) of Diversion	NWNE	S34	T51N	R05W	KOOTENAI County Source GROUND WATER
Point(s) of Diversion	NWSW	S1	T50N	R05W	KOOTENAI County Source GROUND WATER
Point(s) of Diversion	SWSE	S27	T51N	R05W	KOOTENAI County Source GROUND WATER
Point(s) of Diversion	NENE	S2	T50N	R05W	KOOTENAI County Source GROUND WATER
Point(s) of Diversion	SWSE	S27	T51N	R05W	KOOTENAI County Source GROUND WATER
Point(s) of Diversion	NWNW	S34	T51N	R05W	KOOTENAI County Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 5.79 CFS

Date Filed: 12/02/2003
Total Diversion: 5.79 CFS

Remark: Municipal use is within service area of City of Post Falls.

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 01/05/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Legal 4356
Dec. 18, 25, 2003

MICHAEL WILSON
JUN 16 2004

FAX

December 23, 2003

To: Dianne Ball - IDWR - Northern Regional Office - Fax # (208) 769-1454

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

Re: Application for Permit No. 95-09147 for City of Post Falls

Hi Dianne:

Our office reviewed the above water right application for permit from the IDWR New Water Rights filing report dated December 15, 2003 (copy attached).

Our MTP (copy attached) shows:

POD: T50N R05W S2 NENE

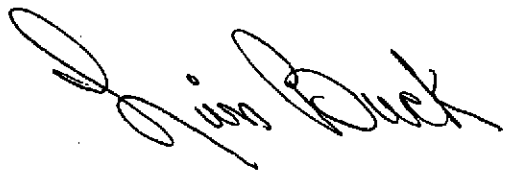
*Got Lot 1
entered on
computer
12/24/03
b*

may be missing a lot number.

BLM does not have a problem with this claim; we are just providing this for your information.

Thank you.

Have a nice day!

Happy HolidaysPages 4 (includes cover sheet)

cc: Craig Johnson - Cottonwood FO - FAX: (208) 962-3275

MICROFILMED

JUN 15 2004

IDAHO DEPARTMENT OF WATER RESOURCES
NEW WATER RIGHT FILINGS

DATE: 12/15/03

Application for Amendment of Permit No. 95-9147

Name: CITY OF POST FALLS

Diversion Pt NWNE	Sec 34 T 51N R 05W	KOOTENAI County	Source GROUND WATER
Diversion Pt NWNE	Sec 34 T 51N R 05W	KOOTENAI County	Source GROUND WATER
Diversion Pt NENE	Sec 34 T 51N R 05W	KOOTENAI County	Source GROUND WATER
Diversion Pt NWSW	Sec 1 T 50N R 05W	KOOTENAI County	Source GROUND WATER
Diversion Pt SWSE	Sec 27 T 51N R 05W	KOOTENAI County	Source GROUND WATER
X Diversion Pt NENE	Sec 2 T 50N R 05W	KOOTENAI County	Source GROUND WATER
Diversion Pt SWSE	Sec 27 T 51N R 05W	KOOTENAI County	Source GROUND WATER
Diversion Pt NWNW	Sec 34 T 51N R 05W	KOOTENAI County	Source GROUND WATER
Use: MUNICIPAL	01/01 To 12/31 5.79 CFS		

Total Diversion: 5.79 CFS

Date Filed: 12/02/2003

Remarks: Municipal use is within service area of City of Post Falls.

MICROFILMED

JUN 15 2004

TOWNSHIP 50 NORTH RANGE 5 WEST OF THE BOISE MERIDIAN, IDAHO
KOOTENAI COUNTY 055
OCEAN DISTRICT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

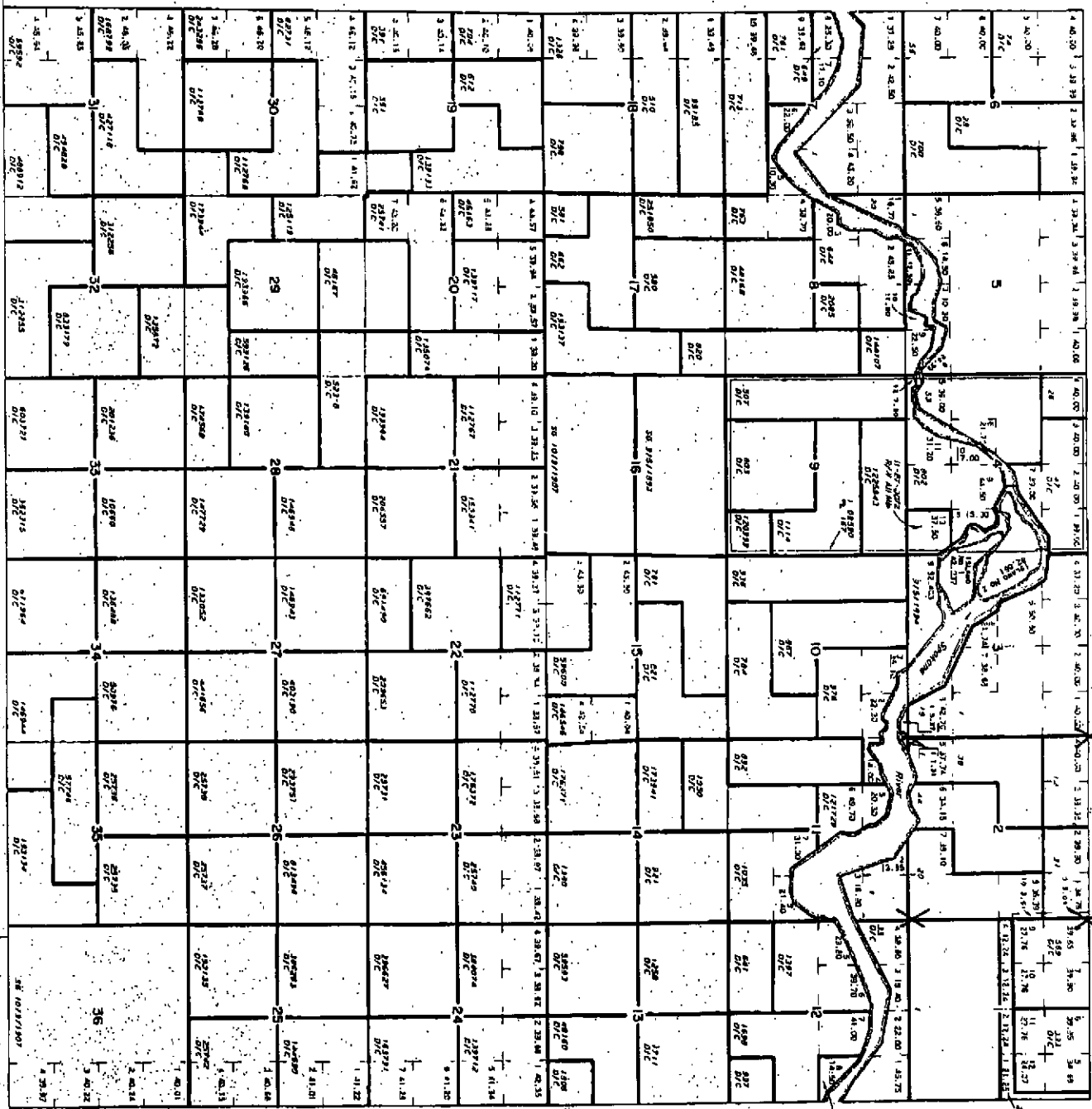
MT PLAT

INDEX TO SEGREGATED TRACTS			
TRACT NO.	SECTION	SUBDIVISION	OWNER
1	1		
2	2		
3	3		
4	4		
5	5		
6	6		
7	7		
8	8		
9	9		
10	10		
11	11		
12	12		
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29	29		
30	30		
31	31		
32	32		
33	33		
34	34		
35	35		
36	36		

1. 2000 Act 9, 107 (Act of Cong. 7/23/1953)
Repealed 8/23/1960, All 10 surface land by BLM

2004

MICHO...



SCALE IN FEET
0 10 20 30

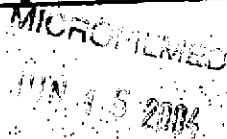
THE NOTATION SHOWN ON WITHIN-PLATS REPRESENT THE LAST ACTION TAKEN AND MAY NOT BE THE EFFECTIVE DATE, SEE...

DATE	TO	FROM
12/23/03	BLM	BLM

KOOTENAI COUNTY 055

COEUR D'ALENE DISTRICT

2322
202
205
200
150



The following applications have been filed to amend Permits to Appropriate Water

95-9137

CITY OF POST FALLS,
408 N SPOKANE ST
POST FALLS ID 83854

Point(s) of Diversion	NENE	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NWNE	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NWNE	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NWSW	S1	T50N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	SWSE	S27	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NENE	S2	T50N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	SWSE	S27	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NWNW	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 3 CFS
Total Diversion: 3 CFS

Date Filed: 12/02/2003

Remark: Municipal use is within service area of City of Post Falls.

95-9147

CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

Point(s) of Diversion	NWNE	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NWNE	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NENE	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NWSW	S1	T50N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	SWSE	S27	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NENE	S2	T50N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	SWSE	S27	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NWNW	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 5.79 CFS
Total Diversion: 5.79 CFS

Date Filed: 12/02/2003

Remark: Municipal use is within service area of City of Post Falls.

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 01/05/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on December 18 and 25, 2003

MICROFILMED

JUN 16 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

December 11, 2003

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

e-mailed to legals@cdapress.com

RE: Application to Amend Permit No. 95-9137 and 95-9147

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 01/05/2004. Your cooperation is GREATLY appreciated, as always.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

MICROFILMED
JUN 16 2004

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, December 10, 2003 4:55 PM
To: Legal Notices CdA Press (E-mail)
Subject: Legal Notice for publication 12/18 and 12/25/2003

A good day to you.

Attached you will find a copy of our cover letter requesting publication of a legal notice, also attached, on December 18 and 25, 2003.

Please FAX a PROOF prior to publication.

If you have ANY questions, please call me at 769-1450.

Thank you, and have a wonderful day.

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

MICROFILMED
JUN 15 2006

12/10/2003



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

December 10, 2003

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

RE: Application to Amend Permit No 95-9137 and 95-9147

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 18 and 25, 2003. 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

MICROFILMED
JUN 16 2004

City of Post Falls • POST FALLS, IDAHO 83854

80184

Vendor: Idaho Dept of Water Resource

Vendor No: 11050

Vendor Acct No:

Invoice Number

Date

Description

Ch request

12/02/2003

Amended to water rights

Check Date:

12/02/2003

Check Amount:

\$100.00

Invoice Amount

100.00

Reference

Receipt 11016025

RECEIVED

DEC 02 2003

IDWR/North

MICROFILMED

JUN 16 2004



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

December 1, 2003

CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

RE: Permit No. 95-9147

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.

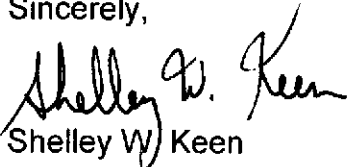
MICROFILMED

JUN 15 2004

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,



Shelley W. Keen

Water Rights Supervisor

SWK:klr

Enclosure(s)

MICROFILMED

JUN 15 2006

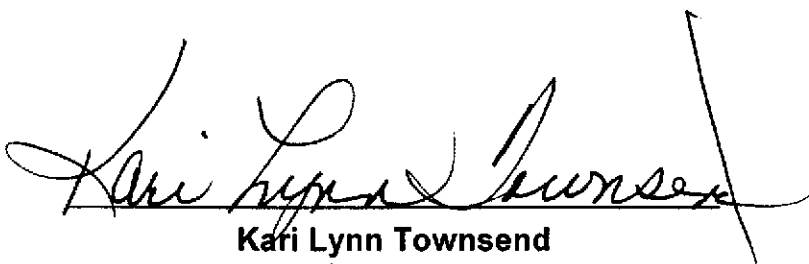
CERTIFICATE OF SERVICE

I hereby certify that on December 1, 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.

95-9147

**CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854**



**Kari Lynn Townsend
Secretary**

MICROFILMED

JUN 15 2004

**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).

MICROFILMED
JUN 16 2004

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.

MICROFILMED
JUN 15 2004

MEMORANDUM

To: File Nos. 95-9137 & 95-9147

From: Gary Spackman *Gary*

Date: November 26, 2003

Re: **Waiver of Water Appropriation Rule no. 40.05 (Additional Information) Requirement**

On October 30, 2003, the City of Post Falls filed application to appropriate water no. 95-9137 (3.0 cfs) and application to appropriate water no. 95-9147 (5.79 cfs). For applications proposing appropriation of water in excess of 5.0 cfs, Rule 40.05 of the Water Appropriation Rules requires the submittal of additional information related to the factors IDWR must consider in determining whether an application should be approved. If the rule were blindly followed, the city would be required to submit information for application no. 95-9147 (5.79) but not for 95-9137 (3.0 cfs). Because the applications were filed on the same day, and will provide water to the larger City of Post Falls system, additional information should have been provided for both applications. IDWR has the discretion to require the additional information for any application.

Northern Region forwarded the files to the state office without the additional information. I discussed the applications with Bob Haynes, Northern Regional Manager, who stated he thought the applications represented existing constructed system capacity at the identified points of diversion. Haynes later sent the attached memo confirming that the use proposed by the applications was in place prior to the filing of the applications.

While there is no specific provision in the Water Appropriation Rules expressly allowing IDWR to waive the extra information requirements, most of the submittals establish facts that help prospectively evaluate the effect of **future** beneficial use. If the use is already in place, most of the information has little value to IDWR.

Because the applications represent existing development and use of water, the extra information requirements of Rule 40.05 are waived.

MICROFILMED

JUN 16 2004

MEMORANDUM

To: Files 95-9137 & 95-9147
From: Bob Haynes
Date: November 18, 2003
Subject: Conversation with Terry Werner, Post Falls Public Works Superintendent

On November 17, 2003 I confirmed with Terry Werner that the above referenced applications were filed in connection with pumping capacity for the City of Post Falls that already is in place, but for which there were no valid permits.

MICROFILMED
JUN 16 2004

KOOTENAI DEPARTMENT OF WATER RESOURCES APPROPRIATION APPLICATION ANALYSIS SHEET

#450

W.R. # 95 - 9147

APPLICATION ID # 70062
INITIAL REVIEW

ENT 7/23 BCA 7/24 OK to Publish 7/23

APPLICANT: CITY OF POST FALLS BY: AB DATE: 07/02/02

- 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)

RECEIVED
OCT 30 2003
Department of Water Resources

PRIORITY DATE: 7/2/02

(Include Moratorium Remark)

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: _____

INFORMATION RECEIVED:

() Dam Information () Fish Information
() Power Information () Other: _____

GROUNDWATER SECTION

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
<u>753336</u>	<u>N/A</u>	Dom. ☒ Non-Dom. ☒	Paid \$ _____	_____	Y() N()
_____	_____	Dom. ☐ Non-Dom. ☐	Paid \$ _____	_____	Y() N()
_____	_____	Dom. ☐ Non-Dom. ☐	Paid \$ _____	_____	Y() N()

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

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

- Notice of pending void order issued. Final order response date: ____/____/____
Further information required from applicant _____
Affidavit of publication received 8/9
Application published correctly. If not, record action taken: _____

7/24 Publication dates and paper recorded on application

Sr. Agent initial _____
Final protest date: 8/19/02

- Protests received _____
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.

Misti Saylor

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 *1* day of *August* 20 *02* and ending on the *8* day of *August* 20 *02* 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.

Misti Saylor

Personally appeared before me this *8* day of *August* 20 *02* *Regina Mason*

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

MY COMMISSION EXPIRES 6/15/08

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-9143

LANCE E OLSON
2034 E SOUTHEAST BLVD.
SPOKANE W 99203

Point(s) of Diversion: L2 SENE S15 T51N R03W KOOTENAI County
Source HAYDEN LAKE Tributary To SINKS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion 0.04 CFS

Date Filed: 07/09/2002
Place Of Use: DOMESTIC
T51N R03W S15 SENE Lot 2
Remark: Domestic use is for 1 home.

95-9144

CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

Point(s) of Diversion: SESE S1 T50N R06W KOOTENAI County
Source GROUND WATER
Use: MUNICIPAL 01/01 To 12/31 5 CFS
Total Diversion 5 CFS

Date Filed: 07/02/2002
Remark: Municipal use is within service area of City of Post Falls.

95-9145

CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

Point(s) of Diversion: NENW S4 T50N R05W KOOTENAI County
Source GROUND WATER
Use: MUNICIPAL 01/01 To 12/31 5 CFS
Total Diversion 5 CFS

Date Filed: 07/26/02
Remark: Municipal use is within service area of City of Post Falls.

95-9146

CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

Point(s) of Diversion: NWNW S34 T51N R05W KOOTENAI County
Source GROUND WATER
Use: MUNICIPAL 01/01 To 12/31 5 CFS
Total Diversion 5 CFS

Date Filed: 07/02/2002
Remark: Municipal use is within service area of City of Post Falls.

95-9147

CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

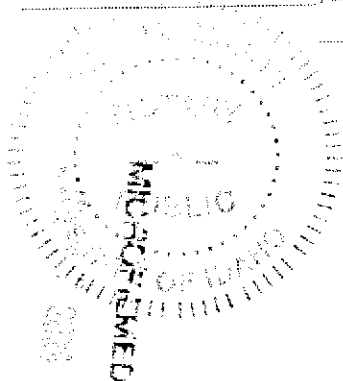
Point(s) of Diversion: NWNW S8 T50N R05W KOOTENAI County
Source GROUND WATER
Use: MUNICIPAL 01/01 To 12/31 5.79 CFS
Total Diversion 5.79 CFS

Date Filed: 07/02/02
Remark: Municipal use is within service area of City of Post Falls.

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 08/19/2002. The protestant must also send a copy of the protest to the applicant.

Legal 1468
August 1, 8, 2002

KARL J. DREHER, Director





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

July 25, 2002

RACHAEL OSBORN
ATTORNEY AT LAW
2421 WEST MISSION AVE
SPOKANE WA 99201

RE: City of Post Falls water right applications

Dear Rachael:

Pursuant to your request, enclosed are copies of the six City of Post Falls water right applications.

If you have additional questions or comments, please contact Al Beardslee, Senior Water Resource Agent, our water right specialist, or Bob Haynes, our Regional Manager.

Sincerely,

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

Dianne Ball
Administrative Assistant

Enclosures

MICROFILMED

JUN 16 2004

Rachael Paschal Osborn attorney at law
2421 West Mission Avenue Spokane WA 99201
509.328.1087 tel / 509.328.8144 fax
rdpaschal@earthlink.net

July 25, 2002

Idaho Dep't of Water Resources
Northern Region, Attn: Diane
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615

VIA FACSIMILE: 208-769-1454

Re: City of Post Falls water right applications

Dear Diane,

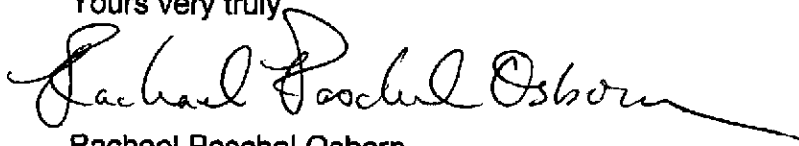
Pursuant to Idaho public records laws, please provide me with a copy of the 6 applications for new water permits filed by the City of Post Falls with your offices on or around July 2, 2002. The application numbers as listed on your website are 95-9137, 95-9138, 95-9144, 95-9145, 95-9146, and 95-9147.

This request encompasses all materials associated with the applications as required under Idaho Code § 42-202(2), including but not limited to documentation to establish the reasonably anticipated future needs, service area and planning horizon of Post Falls.

Please feel free to call me if you have any questions regarding this request. I authorize up to \$50.00 in photocopy expenses. Please let me know in advance if copy costs will exceed this amount.

I would appreciate receiving these materials as soon as possible in order to assess them prior to the August 5 protest deadline for the first two applications. Many thanks for your assistance.

Yours very truly


Rachael Paschal Osborn

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JUN 18 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

July 24, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

RE: Application for Permit No 95-9144, 95-9145, 95-9146 and 95-9147

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 1 and 8, 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):

1. Copies of front page of each application indicating reference number assigned, in order to assist you in matching receipt number/amount with each assigned number.
2. Copies of Receipts No. N014934 and N014987 showing manner in which monies received have been applied.

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JUN 16 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

July 24, 2002

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

FAXED TO MISTI SAYLOR AT 664-0212

*7/24/02 (3 pages including letter)
Please call to acknowledge
receipt of this FAX. JLY
CB*

RE: Application for Permit No. 95-9143, 95-9144, 95-9145, 95-9146 and 95-9147

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 08/19/2002. Your cooperation is greatly appreciated.

Thanks CB

If you have **ANY** questions prior to publication, please call me.

Thanks.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

MICROFILMED

JUN 15 2004

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

95-9143

LANCE E OLSON

2034 E SOUTHEAST BLVD

SPOKANE WA 99203

Point(s) of Diversion L2 SENE S15 T51N R03W KOOTENAI County

Source HAYDEN LAKE Tributary To SINKS

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 07/09/2002

Place Of Use: DOMESTIC

T51N R03W S15 SENE Lot 2

Remark: Domestic use is for 1 home.

95-9144

CITY OF POST FALLS

408 N SPOKANE ST

POST FALLS ID 83854

Point(s) of Diversion SESE S1 T50N R06W KOOTENAI County

Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 5 CFS

Total Diversion: 5 CFS

Date Filed: 07/02/2002

Remark: Municipal use is within service area of City of Post Falls

95-9145

CITY OF POST FALLS

408 N SPOKANE ST

POST FALLS ID 83854

Point(s) of Diversion NENW S4 T50N R05W KOOTENAI County

Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 5 CFS

Total Diversion: 5 CFS

Date Filed: 07/02/2002

Remark: Municipal use is within service area of City of Post Falls

95-9146

CITY OF POST FALLS

408 N SPOKANE ST

POST FALLS ID 83854

Point(s) of Diversion NWNW S34 T51N R05W KOOTENAI County

Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 5 CFS

Total Diversion: 5 CFS

Date Filed: 07/02/2002

Remark: Municipal use is within the service area of City of Post Falls.

95-9147

CITY OF POST FALLS

408 N SPOKANE ST

POST FALLS ID 83854

Point(s) of Diversion NWNW S8 T50N R05W KOOTENAI County

Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 5.79 CFS

Total Diversion: 5.79 CFS

Date Filed: 07/02/2002

Remark: Municipal use is within service area of City of Post Falls.

CONTINUED ON NEXT PAGE

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 08/19/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on 8/1 and 8/2002.

JUN 15 2004

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JUN 16 2004

Idaho Department of Water Resources Receipt

Receipt ID N014934

Payment Amount \$1,350.00
 Date Received 4/5/2002 1:30:01 PM
 Region Northern
 Status ☐

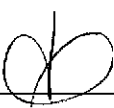
Payment Type Check
 Check Number 72015

Payer CITY OF POST FALLS

Comment Three (3) WR App Fees - \$450.00 each

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$1,350.00	PERMITS	0229	21	65103	1155


 Signature Line (Dept. Representative)

File Copy

95-9138 \$410.-
 95-9146 \$410.-
 → 95-9147 \$450.-
 95-9144 \$80. Partial Fee (Bal due \$330.)

APR 11 2002

MICROFILM

JUN 4 2002