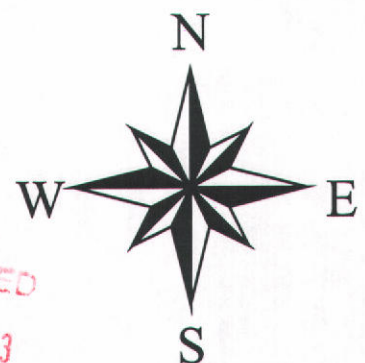
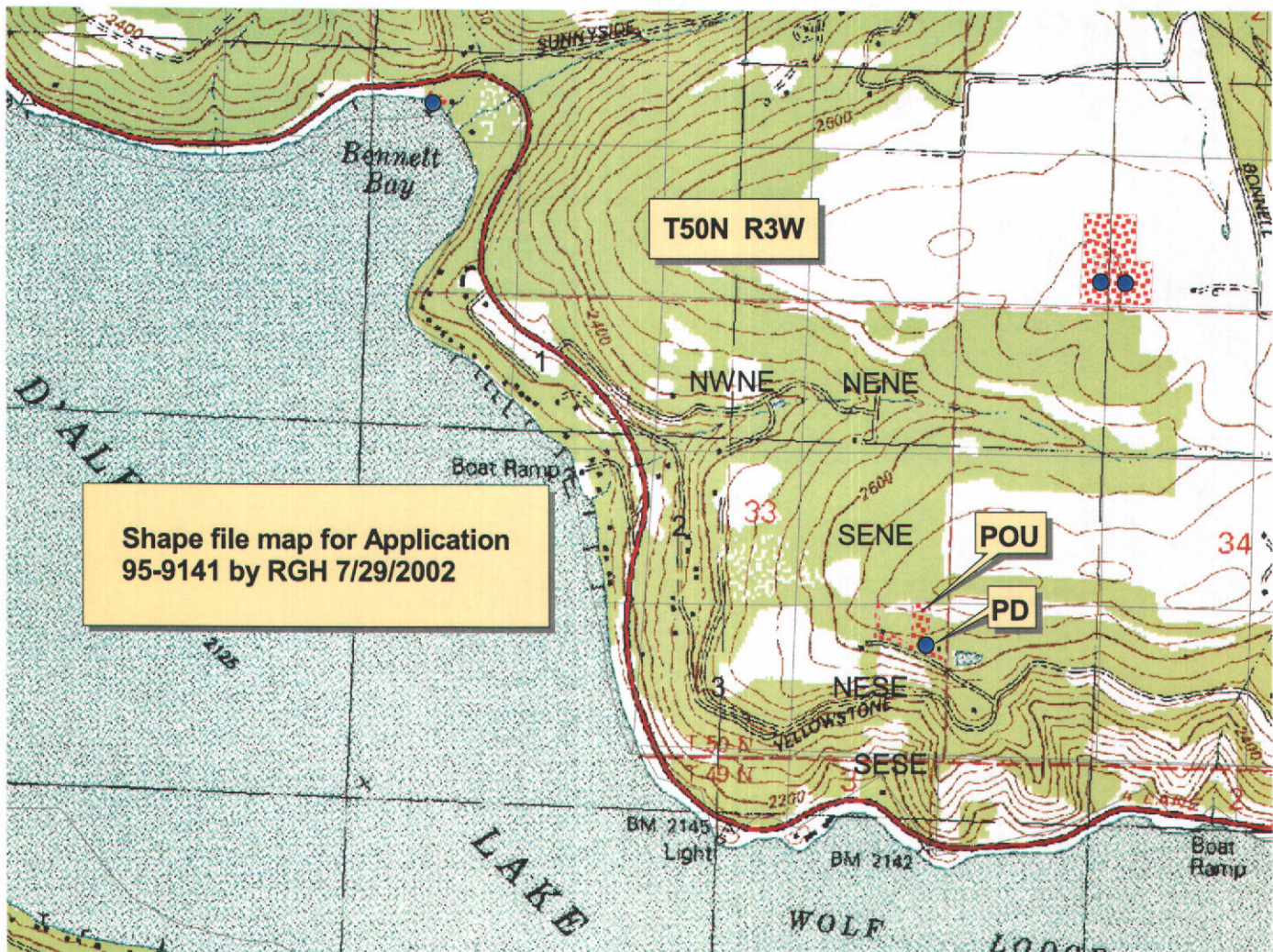




- GCDB50N03W GCDB
- GCDB49N03W GCDB
- POD- Application Application POD
- Application POU

MICROFILMED
MAR 24 2003

AMENDED RECORD OF SURVEY
OF TAX NUMBERS 9211 & 9213 IN TRACT 54 AND THAT PORTION OF TRACT 60 LYING NORTH
OF OLD HWY. NO. 10, LAKESHORE ADDITION TO SUNNYSIDE, ACCORDING TO THE PLAT
RECORDED IN BOOK "C" AT PAGE 64 IN THE S.E. 1/4 OF SECTION 33, TWP. 50 N., R. 3 W., B.M.
KOOTENAI COUNTY, IDAHO

RECORDER

FILED AND RECORDED AT THE REQUEST OF:
EMPIRE SURVEYING & FORESTRY, INC.
DATE: May 13, 1994
TIME: 1:55 P.M.
BOOK: 15 AT PAGE 42
INSTRUMENT NO. 1357132

KOOTENAI COUNTY RECORDER
Sharon L. Loe
DEPUTY

LEGEND

- SET 5/8" IRON ROD W/ P.L.S. 4194 PLASTIC CAP
- FOUND 1/2" IRON ROD W/ LEOPARD & FRAME (SEE UNRECORDED PLAT OF SURVEY)
- ▣ FOUND STATE OF IDAHO HWY. DEPT. STANDARD CONCRETE MONUMENT
- ▣ FOUND IRON PIPE
- ▣ FOUND 1 1/2" SQUARE BAR
- Δ DENOTES CALCULATED POSITION - NOTHING FOUND OR SET
- (M) MEASUREMENT THIS SURVEY
- (R) MEASUREMENT OF RECORD

OTHERS AS NOTED

REFERENCE

- 1) LEOPARD & FRAME SURVEY OF TRACTS 54, 55, 56 & PART OF 59, LAKESHORE ADDITION TO SUNNYSIDE - SEE UNRECORDED PLAT OF SURVEY DATED 11-2-71.
- 2) STATE HIGHWAY PLANS SHEETS FOR OLD U.S. HIGHWAY NO. 10 AND NEW INTERSTATE HWY. 90.
- 3) PLAT OF LAKESHORE ADDITION TO SUNNYSIDE AS RECORDED IN BOOK "C", AT PAGE 64.
- 4) STATE HWY. DEPT. RECORD-OF-SURVEY RECORDED IN BOOK 3 AT PAGE 227.
- 5) SWITH RECORD-OF-SURVEY RECORDED IN BOOK 2 AT PAGE 150.
- 6) PLAT OF FINNEY ADDITION AS RECORDED IN BOOK "C" AT PAGE 174.

BASIS OF BEARING

FROM STATE HWY. DEPT. RECORD-OF-SURVEY RECORDED IN BOOK 3 AT PAGE 227.

NOTES

- 1) THE ATTACHEE HAS NOT MADE TO SHOW ALL PHYSICAL FEATURES OF THE PROPERTY, PRESUMPTIVE DIMENSIONS OR ENTRIES OF RECORD OR IN VISION.

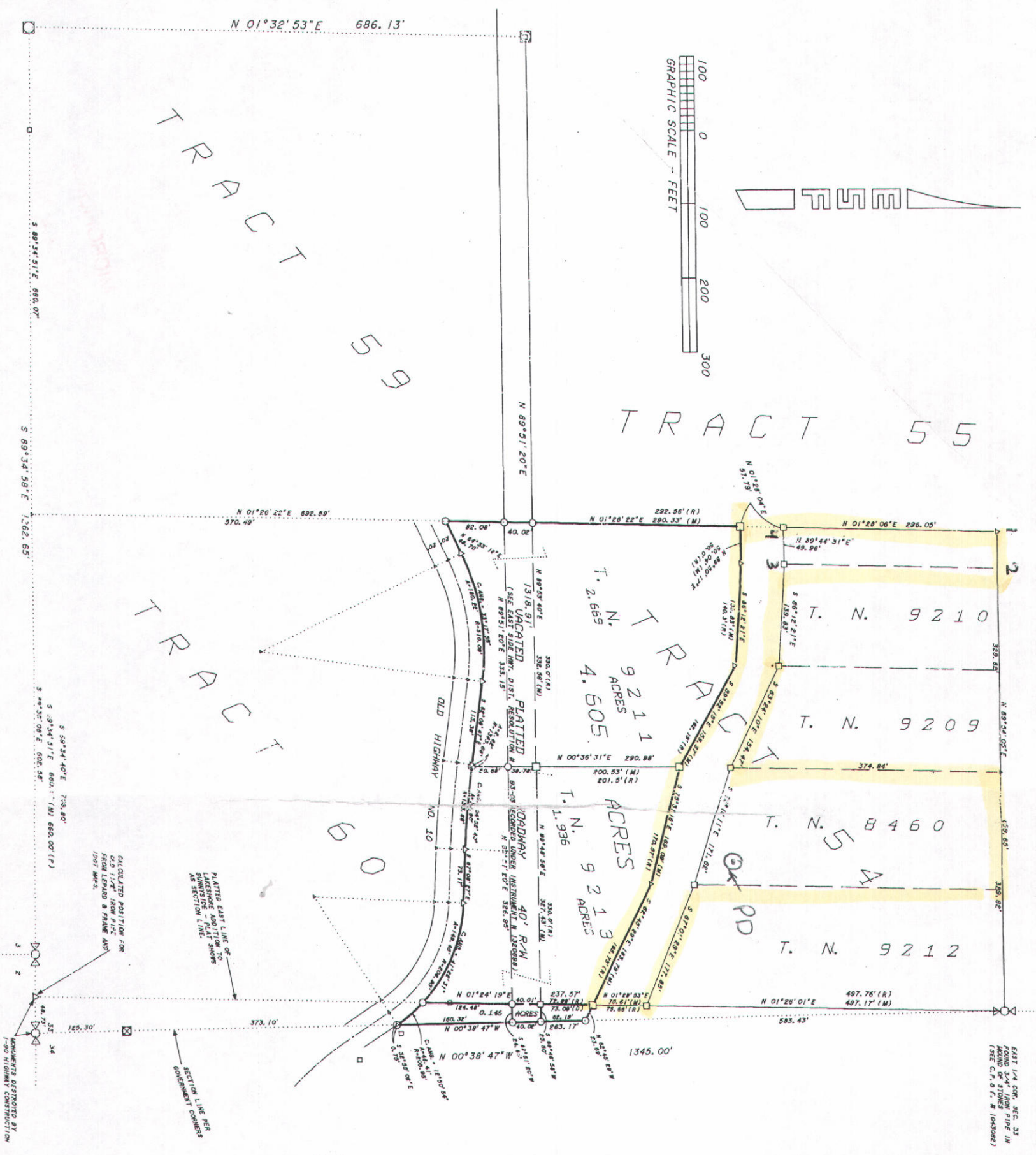
SURVEYOR'S CERTIFICATE

I, JON P. MONACO, REGISTERED PROFESSIONAL LAND SURVEYOR 4194 STATE OF IDAHO DO HEREBY CERTIFY THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME IN ACCORDANCE WITH THE LAWS OF THE STATE OF IDAHO.



EMPIRE
SURVEYING &
FORESTRY, INC. (208) 772-8581
8886 N. GOV'T. WAY
SUITE H
P.O. BOX 12
HAYDEN LAKE, IDAHO 83835

TAX NUMBERS 9211 & 9213 IN TRACT 54 AND THAT PORTION OF TRACT 60 LYING NORTH OF OLD U.S. HWY. NO. 10, LAKESHORE ADDITION TO SUNNYSIDE, B.M. "C", P. 64 IN THE S.E. 1/4 OF SECTION 33, TWP. 50 N., R. 3 W., B.M. KOOTENAI COUNTY, ID.			
PROJECT NO.	502-9401	DRAWN BY:	SMR
DATE	5-3-94	REVIS: 005	5-3-94
		DRAWING NO.:	9029401A
		CHECKED BY:	JPM



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

NOV 19 2002

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

1. Permit No. 95-09141 Telephone No. 208 667 4983
2. Name of Permit Holder(s): David McKeown and Katherine McKeown
3. Mailing Address: 6305 Kingswood Lane
City Coeur d'Alene State Id Zip 83814
4. Source of Water: Ground Water If **GROUNDWATER** (well), Date Drilled: mo. 3 / yr. 1992
Well Driller: Bronson Water Well Drilling Permit Number: 360
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 2 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 3 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.10 cfs OR _____ acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No ✓
Has the measuring device been installed? Yes _____ or No ✓
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: David McKeown Telephone Number: 208 667 4983
Address: 6305 Kingswood Lane
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.
Katherine M. McKeown
David McKeown
Signature of permit holder: _____ Date: 11-15-02
(include your title, if on behalf of company or organization)

MICROFILMED

MAR 26 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09141

Priority: July 01, 2002

Maximum Diversion Rate: 0.10 CFS

This is to certify, that DAVID MC KEOWN And
KATHERINE MC KEOWN
6305 KINGSWOOD LN
COEUR D ALENE ID 83814

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>
DOMESTIC	01/01 to 12/31	0.05 CFS
IRRIGATION	03/15 to 11/15	0.05 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33, Twp 50N, Rge 03W, B.M. KOOTENAI County

PLACE OF USE: DOMESTIC, same as Irrigation

PLACE OF USE: IRRIGATION

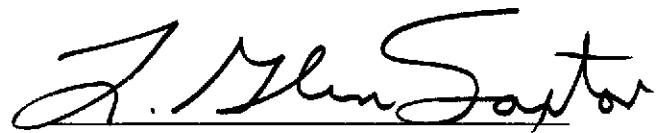
Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
50N 03W 33																	3.0

Total Acres: 3

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 1, 2003**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
5. Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 5th day of November, 2002.


for KARL J DREHER, Director

MICROFILMED

MAR 24 2003

70016

RECEIVED

NOV - 2002

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant David & Katherine McKeown Phone 2086674983
Mailing address 6305 Kingswood Lane, Coeur d'Alene, Idaho 83814
2. Source of water supply groundwater which is a tributary of N.A.
3. Location of point of diversion is Township 50N Range 3W Sec. 33 in the NE SE 1/4, 1/4, Govt. Lot _____, B.M., Kootenai County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.05 cfs for irrigation purposes from Mar 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.05 cfs for domestic 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.10 cfs ^{irrigation} domestic 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 2 hp Gould submersible pump 1000 gal holding tank with 1 hp sump pump. 1 1/2" Abs pipe.
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
d. Is ground water with a temperature of greater than 85°F being sought? No
e. If well is already drilled, when? 3-9-92; Drilling firm Benson Water Wells
Well was drilled for (well owner) David & Katherine McKeown; Drilling Permit No. 95-92-N-0017-100
7. Time required for completion of works and application of water to proposed beneficial use is 1 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. 1 - 2
e. Other; describe fully. lawn and garden irrigation

MICROFILMED

MAR 24 2023

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	
50N	3W	33													3				3

Total number of acres to be irrigated 3

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? David & Katherine McKeown

b. Who owns the land to be irrigated or place of use? David & Katherine McKeown

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

12. Remarks: _____

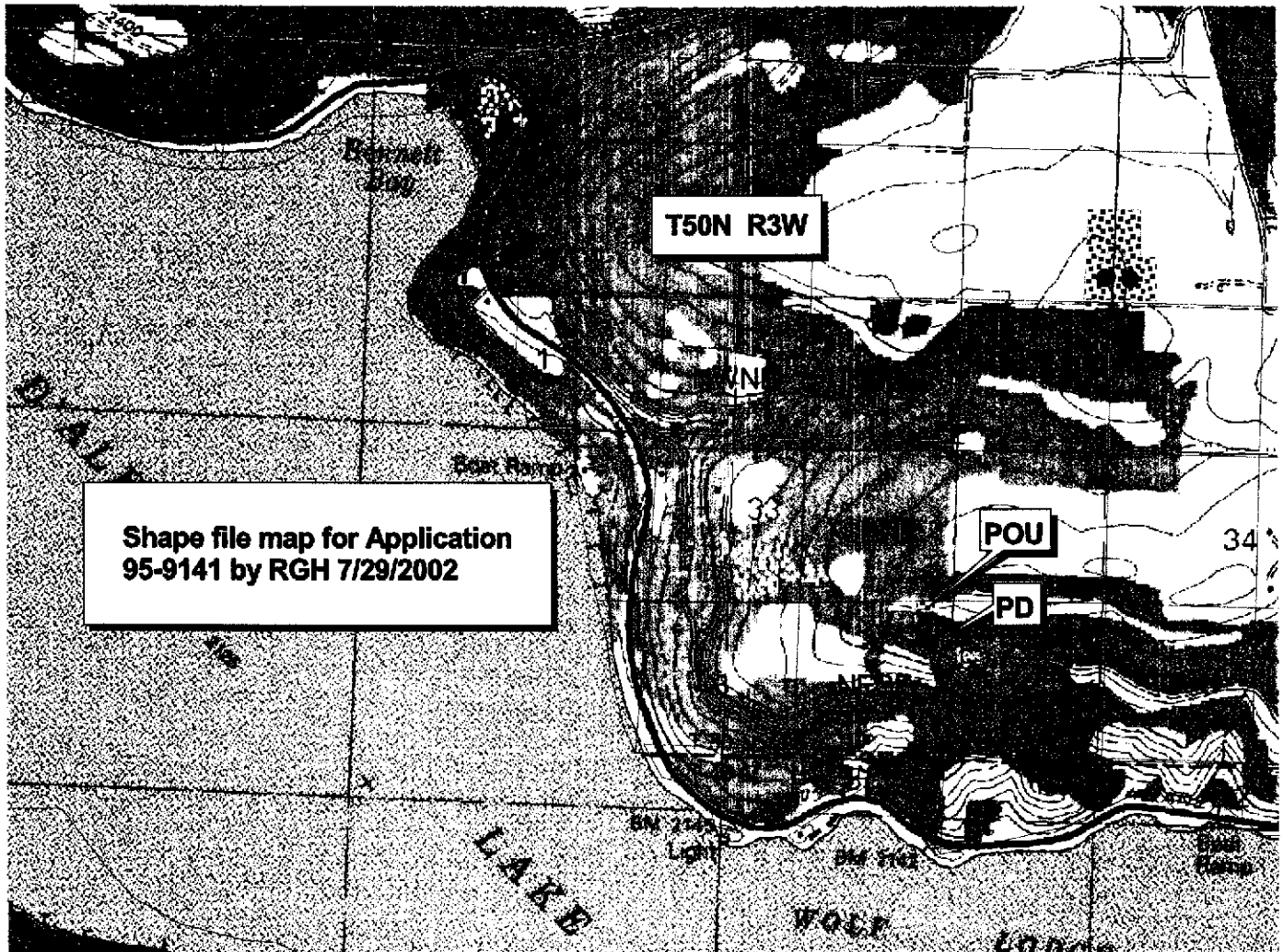
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.

MICROFILMED

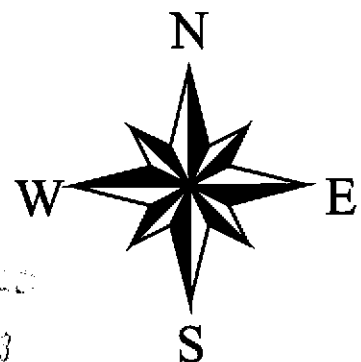
David & Katherine McKeown MAR 24 2003
Signature of Applicant (and title, if applicable)

Received by [Signature] Date 7/1/02 Time 9:30a Preliminary check by _____
Fee \$ 100.00 Received by [Signature] # N015108 Date 7/1/02
Publication prepared by [Signature] Date 7/10/02 Published in Idaho Press 7/18-25/02
Publication approved [Signature] Date 7/26/02



0.3 0 0.3 0.6 Miles

-  GCDB50N03W GCDB
-  GCDB49N03W GCDB
-  POD- Application Application POD
-  Application POU



MICROFILMED
MAR 24 2003

AMENDED RECORD OF SURVEY
OF TAX NUMBERS 9211 & 9213 IN TRACT 54 AND THAT PORTION OF TRACT 60 LYING NORTH
OF OLD HWY. NO. 10, LAKESHORE ADDITION TO SUNNYSIDE, ACCORDING TO THE PLAT
RECORDED IN BOOK "C" AT PAGE 64 IN THE S.E. 1/4 OF SECTION 33, TWP. 50 N., R. 3 W., B.M.
KOOTENAI COUNTY, IDAHO

RECORDER

FILED AND RECORDED AT THE REQUEST OF:
EMPIRE SURVEYING & FORESTRY, INC.
DATE: May 13, 1994
TIME: 11:53 A.M.
BOOK: 15 AT PAGE 42
INSTRUMENT NO. 357132
KOOTENAI COUNTY RECORDER
Sharon L. Lingo
DEPUTY

LEGEND

- SET 5/8" IRON ROD W/ P.L.S. 4194 PLASTIC CAP
- FOUND 1/2" IRON ROD BY LEOPARD & FRAME (SEE UNRECORDED PLAT OF SURVEY)
- FOUND STATE OF IDAHO HWY. DEPT. STANDARD CONCRETE MONUMENT
- FOUND IRON PIPE
- △ FOUND 11/2" SQUARE BAR
- △ DENOTES CALCULATED POSITION - NOTHING FOUND OR SET
- (M) MEASUREMENT THIS SURVEY
- (R) MEASUREMENT OF RECORD

OTHERS AS NOTED

REFERENCE

- 1) LEOPARD & FRAME SURVEY OF TRACTS 54, 55, 56 & PART OF 53, LAKESHORE ADDITION TO SUNNYSIDE - SEE UNRECORDED PLAT OF SURVEY DATED 11-2-71.
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- 5) SWITH RECORD-OF-SURVEY RECORDED IN BOOK 2 AT PAGE 152.
- 6) PLAT OF FUNKY ADDITION AS RECORDED IN BOOK "C" AT PAGE 174.

BASIS OF BEARING

FROM STATE HWY. DEPT. RECORD-OF-SURVEY RECORDED IN BOOK 3 AT PAGE 227.

NOTES

- 1) THE ATTORNEY HAS NOT WARE TO SHOW ALL PERSONS, PARTIES OF THE PROPERTY, INCORPORATE EASEMENTS OR EMBODIES OF RECORD OR IN VIEW.

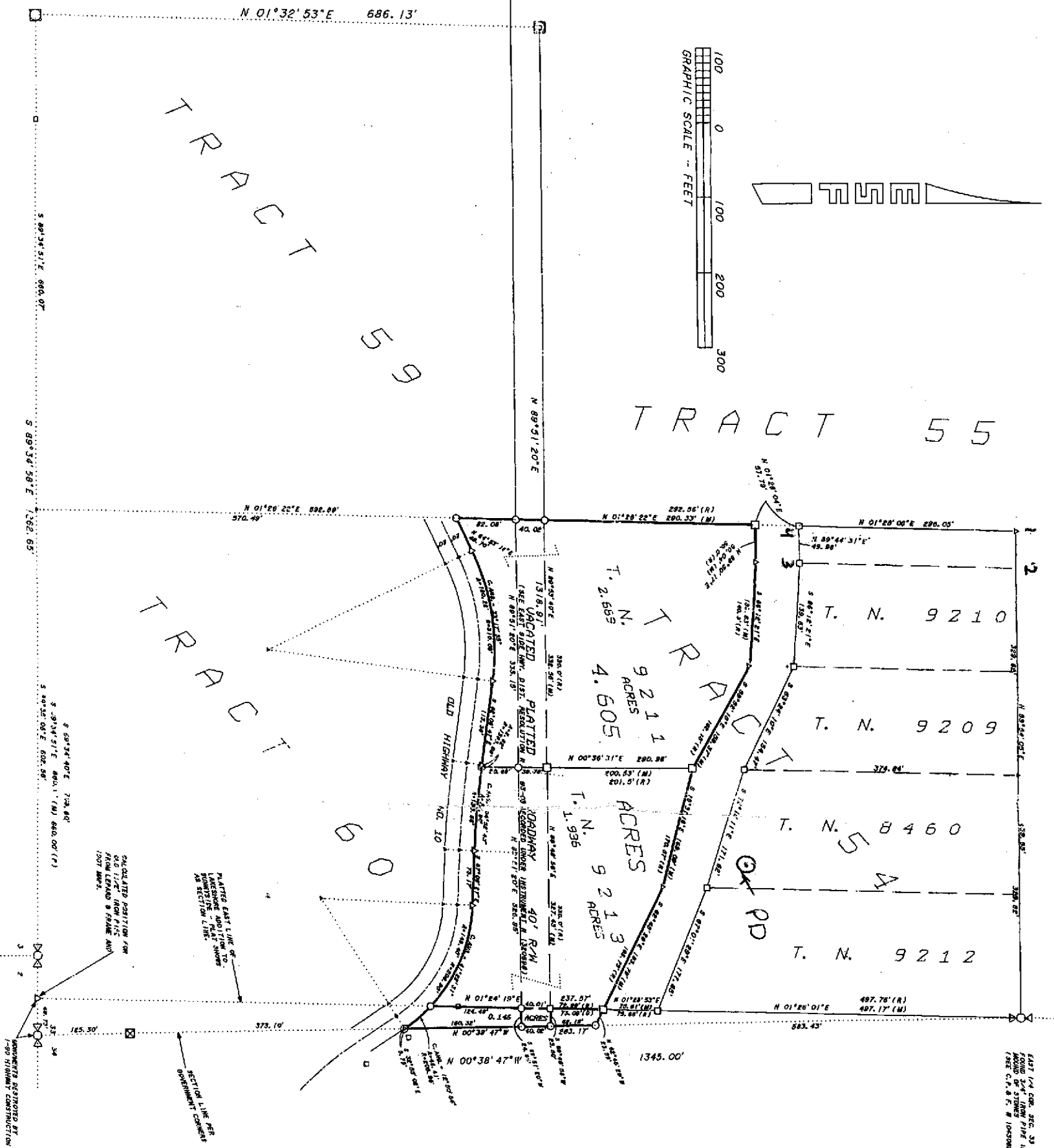
SURVEYOR'S CERTIFICATE

I, JON P. MONACO, REGISTERED PROFESSIONAL LAND SURVEYOR 4194 STATE OF IDAHO DO HEREBY CERTIFY THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME IN ACCORDANCE WITH THE LAWS OF THE STATE OF IDAHO.



EMPIRE
SURVEYING &
FORESTRY, INC. (208) 772-8581
8886 N. GOV'T. WAY
SUITE H
P.O. BOX 12
HAYDEN LAKE, IDAHO
83835

TAX NUMBERS 9211 & 9213 IN TRACT 54 AND THAT PORTION OF TRACT 60 LYING NORTH OF OLD U.S. HWY. NO. 10, LAKESHORE ADDITION TO SUNNYSIDE, B.M. "C", PG. 64 IN THE S.E. 1/4 OF SECTION 33, TWP. 50 N., R. 3 W., B.M. KOOTENAI COUNTY, ID. (208-940) JERRY & JUANITA DIVINE
DATE: 3/3/94 REVISED: 5/3/94 DRAWING NO.: 9029401A CHECKED BY: JPM



Well Proof Report

Permit No. 753165

Metal Tag No.

Well ID # 274154

Water Right No.

Relationship: Owner/Operator

Name: DAVE MCKEOWN Phone:(208)667-4983

Address: E 6465 YELLOWSTONE TL
COEUR D ALENE ID 83814

Well Location: Township 50N, Range 03W, Section 33, NE, SE
COUNTY KOOTENAI

Address of Well Site: E 6465 YELLOWSTONE TRAIL RD
COEUR D ALENE ID

Use of Well: Domestic-Single Residence

Activity: Deepening

Region: Northern

Construction Method:

Const Start Date: Aug 15 1995 Const End Date: Aug 18 1995

Well Drilling Company: BRONSON WATER WELLS (No. 360)

Card Hold Name: HOWARD D BRONSON Phone:(208)437-4132 (No. 3978)

Certifying Official:

Date Received: Sep 15 1995

Date Approved: Aug 16 1995

Date Inspected: Apr 22, 1996,

Completed Depth: 465 FT Drilled Depth: Surface Diameter: 4 inches

Primary Flow Depth: Overall Temp: Static Water Level: 383

Head Pipe Length: Tail Pipe Length Production Rate: 20 GPM

Closed in Pressure: 0 Psi Bottom Hole Temp: 0 F. Low Temp Geothermal: NO

Control Device Desc:

Access Port Desc:

Casing

From	To	Diam	Type	Gauge	Join Type	Material
	465					

Seal

From	To	Material	Amount	Method
------	----	----------	--------	--------

MICRON-MLL

MAR 24 2003



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

November 20, 2002

DAVID MC KEOWN
KATHERINE MC KEOWN
6305 KINGSWOOD LANE
COEUR D ALENE ID 83814

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-09141

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

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

If you have questions, please contact the **Northern** Regional Office of the department in Coeur d'Alene (208) 769-1450.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED

JAN 24 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-9141

Reviewed By: dgibson

Date: November 19, 2002

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:	N015108, C065885		Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		11/19/2002
Date proof due	-	11/01/2003
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	07/01/2002
New priority date	=	07/01/2002

Deficiencies of Actions Items

Acknowledge proof.



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

November 6, 2002

DAVID MC KEOWN
KATHERINE MC KEOWN
6305 KINGSWOOD LN
COEUR D ALENE ID 83814

RE: Permit No. 95-9141

Permit Approval Notice

Dear Permit Holder:

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

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

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

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

MICROFILMED

MAR 24 2003

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 208-327-5452.

Sincerely,



Sharla R. Curtis

Sr. Water Resource Agent

SRC:klt

Enclosure(s)

MICROFILMED

MAR 24 2003

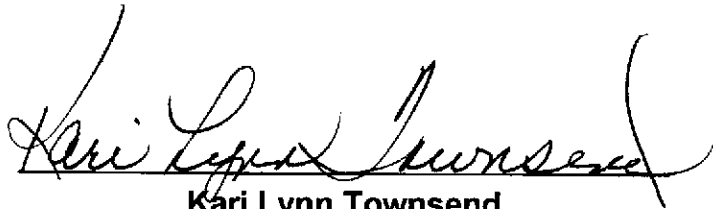
CERTIFICATE OF SERVICE

I hereby certify that on November 6, 2002 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.

95-9141

**DAVID MC KEOWN
KATHERINE MC KEOWN
6305 KINGSWOOD LN
COEUR D ALENE ID 83814**

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

**Kari Lynn Townsend
Secretary**

MICROFILMED

MAR 24 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.

SOUTH CAROLINA DEPARTMENT OF WATER RESOURCES APPROPRIATION APPLICATION ANALYSIS SHEET

W.R. # 95-9141

APPLICATION ID # 70016

ENT. 7/9 BCA 7/9 OK to Publish 7/9

INITIAL REVIEW

APPLICANT: McKeown

BY: RVA

DATE: 7/15/02

RECEIVED

NOV - 4 2002

PROCESSING

(Yes)(No)

PRIORITY DATE: 7/1/02

Department of Water Resources

(Include Moratorium Remark)

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

ADVERTISE IN:

Kahtumai 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?

95-92-N-17-100 (1945 Depend) Dom. X Non-Dom. _____

Paid \$ 35.00

N009359

Y () N ()

753165 Dom. _____ Non-Dom. X

Paid \$ 165.00

N015108

Y () N ()

ID# 274154 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

7/26 Affidavit of publication received

7/26 Application published correctly. If not, record action taken: _____

7/10 Publication dates and paper recorded on application

Protests received,

Final protest date:

8/15/02

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

RECEIVED
JUL 26 2002

STATE OF IDAHO,
County of Kootenai,

} ss.

Muri 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 *legislation*

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 *July* 20 *02*, and ending on the *25* day of *July* 20 *02*, and such publication was made as often during said period as said newspaper was regularly issued.

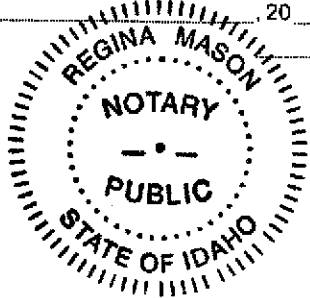
4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Personally appeared before me this *25* day of *July* 20 *02*

Regina Mason

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

MY COMMISSION EXPIRES 6/18/03



NOTICE OF APPLICATION FOR WATER RIGHT

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

95-9137

ok
CITY OF POST FALLS
408 SPOKANE ST
POST FALLS ID 83854
Point(s) of Diversion: NENE S34 T51N R05W KOOTENAI County
Source: GROUND WATER
Use: MUNICIPAL 01/01 To 12/31 3 CFS
Total Diversion 3 CFS
Date Filed: 07/02/2002
Remark: Place of use is within the service area of City of Post Falls.

95-9138

CITY OF POST FALLS
408 SPOKANE ST
POST FALLS ID 83854
Point(s) of Diversion: SWSE S27 T51N R05WKOOTENAI County
Source: GROUND WATER
Use: MUNICIPAL 01/01 To 12/31 5 CFS
Total Diversion 5 CFS
Date Filed: 07/02/2002
Remark: Place of use is within the service area of City of Post Falls.

95-9139

THOMAS J MAEDER
DONA MAEDER
3000 LANE MOUNTAIN TL
RATHDRUM ID 83858
Point(s) of Diversion: SWNW S34 T53N R04W KOOTENAI County
Source: GROUND WATER
Point(s) of Diversion: NWNW S34 T53N R04W KOOTENAI County
Source: GROUND WATER
Use: IRRIGATION 03/15 To 11/15 0.05 CFS
Use: DOMESTIC 01/01 To 12/31 0.06 CFS
Total Diversion 0.11 CFS
Date Filed: 07/01/2002
Place Of Use: IRRIGATION
T53N R04W S34 NWNW
Number of Acres: 1
Place Of Use: DOMESTIC same as IRRIGATION
Remark: Domestic use is for 2 homes.

95-9140

DUANE BRISON
1507 E HAYCRAFT
COEUR D ALENE ID 83815
Point(s) of Diversion: NWNW S19 T52N R03W KOOTENAI County
Source: UNNAMED STREAM Tributary TO SINKS
Use: IRRIGATION 03/15 To 11/15 0.14 CFS
Use: IRRIGATION STORAGE 01/01 To 12/31 1AFA
Use: IRRIGATION FROM STORAGE 03/15 To 11/15 1AFA
Use: STOCKWATER 01/01 To 12/31 0.01 CFS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion 0.2 CFS
Date Filed: 06/03/2002
Place Of Use: IRRIGATION
T52N R03W S19 NWNW
Number of Acres: 7
Place Of Use: IRRIGATION from STORAGE
Number of Acres: 7
Place Of Use: IRRIGATION STORAGE, DOMESTIC and STOCKWATER same as IRRIGATION.
Remark: Stockwater use is for 10-15 head of cows and horses.
Domestic use is for 1 home.

95-9141

ok
DAVID MC KEOWN
KATHERINE MC KEOWN
6306 KINGSWOOD LANE
COEUR D ALENE ID 83814
Point(s) of Diversion: NESE S33 T50N R03W KOOTENAI County
Source: GROUND WATER
Use: IRRIGATION 03/15 To 11/15 0.05 CFS
Use: DOMESTIC 01/01 To 12/31 0.05 CFS
Total Diversion 0.1 CFS
Date Filed: 07/01/2002
Place Of Use: IRRIGATION
T50N R03W S33 NESE
Number of Acres: 3
Place Of Use: DOMESTIC same as IRRIGATION
Remark: Domestic use is for 1-2 homes, including lawn and garden irrigation.

96-9108

ROBERT AND JOAN HAYES FAMILY TRUST
11700 E NUNN RD
ATHOL ID 83801
Point(s) of Diversion: SENW S31 T53N R02W KOOTENAI County
Source: UNNAMED STREAM Tributary To SAGE CREEK
Use: IRRIGATION 03/15 To 11/15 0.15 CFS
Total Diversion 0.15 CFS
Date Filed: 06/04/2002
Place Of Use: IRRIGATION
T53N R02W S31 NENW SENW
Number of Acres: 5

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 08/05/2002. The protestant must also send a copy of the protest to the applicant.

Legal 1383
July 18, 25, 2002

KARL J. DREHER, Director

MICROFILMED

MAR 24 2003

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

95-9137

CITY OF POST FALLS
408 SPOKANE ST
POST FALLS ID 83854

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

Source GROUND WATER

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

Total Diversion: 3 CFS

Date Filed: 07/02/2002

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

95-9138

CITY OF POST FALLS
408 SPOKANE ST
POST FALLS ID 83854

Point(s) of Diversion SWSE S27 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: Place of use is within the service area of City of Post Falls.

95-9139

THOMAS J MAEDER
DONA MAEDER
3000 LANE MOUNTAIN TL
RATHDRUM ID 83858

Point(s) of Diversion SWNW S34 T53N R04W KOOTENAI County

Source GROUND WATER

Point(s) of Diversion NWNW S34 T53N R04W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 03/15 To 11/15 0.05 CFS

Use: DOMESTIC 01/01 To 12/31 0.06 CFS

Total Diversion: 0.11 CFS

Date Filed: 07/01/2002

Place Of Use: IRRIGATION

T53N R04W S34 NWNW

Number of Acres 1

Place Of Use: DOMESTIC same as IRRIGATION

Remark: Domestic use is for 2 homes.

(Legal notice continued on next page)

MICROFILMED

MAR 24 2003

95-9140

DUANE BRISON
1507 E HAYCRAFT
COEUR D ALENE ID 83815

Point(s) of Diversion NWNW S19 T52N R03W KOOTENAI County
Source UNNAMED STREAM Tributary To SINKS

Use: IRRIGATION	03/15 To 11/15	0.14 CFS	
Use: IRRIGATION STORAGE	01/01 To 12/31		1 AFA
Use: IRRIGATION FROM STORAGE	03/15 To 11/15		1 AFA
Use: STOCKWATER	01/01 To 12/31	0.02 CFS	
Use: DOMESTIC	01/01 To 12/31	0.04 CFS	
Total Diversion:		0.2 CFS	

Date Filed: 06/03/2002

Place Of Use: IRRIGATION

T52N R03W S19 NWNW

Number of Acres 7

Place Of Use: IRRIGATION FROM STORAGE

T52N R03W S19 NWNW

Number of Acres 7

Place Of Use: IRRIGATION STORAGE, DOMESTIC and STOCKWATER same as IRRIGATION.

Remark: Stockwater use is for 10-15 head of cows and horses.

Domestic use is for 1 home.

95-9141

DAVID MC KEOWN
KATHERINE MC KEOWN
6305 KINGSWOOD LANE
COEUR D ALENE ID 83814

Point(s) of Diversion NESE S33 T50N R03W KOOTENAI County
Source GROUND WATER

Use: IRRIGATION	03/15 To 11/15	0.05 CFS
Use: DOMESTIC	01/01 To 12/31	0.05 CFS

Total Diversion: 0.1 CFS

Date Filed: 07/01/2002

Place Of Use: IRRIGATION

T50N R03W S33 NESE

Number of Acres 3

Place Of Use: DOMESTIC same as IRRIGATION

Remark: Domestic use is for 1-2 homes, including lawn and garden irrigation.

96-9108

ROBERT AND JOAN HAYES FAMILY TRUST
11700 E NUNN RD
ATHOL ID 83801

Point(s) of Diversion SENW S31 T53N R02W KOOTENAI County
Source UNNAMED STREAM Tributary To SAGE CREEK

Use: IRRIGATION	03/15 To 11/15	0.15 CFS
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Total Diversion: 0.15 CFS

Date Filed: 06/04/2002

Place Of Use: IRRIGATION

T53N R02W S31 NENW SENW

Number of Acres 5

MICROFILMED

(Legal notice continued on next page)

MAR 24 2003

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 08/05/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on 7/18 and 25/2002.

MICROFILMED

APR 24 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

July 10, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LEGAL NOTICE DEPARTMENT

COEUR D ALENE PRESS

201 N 2ND

COEUR D ALENE ID 83814

FAXED TO MISTI SAYLOR - 664-0212

7/10/02

4 pages including letter.

RE: Application for Permit No. 95-9137, 95-9138, 95-9139, 95-9140, 95-9141 and 96-9108

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 08/05/2002. Your cooperation is greatly appreciated.

Thanks D

Sincerely

Dianne

Dianne Ball
Administrative Assistant

MICROFILMED

MAR 14 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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 10, 2002

DAVID MC KEOWN
6305 KINGSWOOD LANE
COEUR D ALENE ID 83814

RE: Application for Permit No 95-9141

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 July 18 and 25, 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)

MAR 24 2003