

GARWOOD

ROAD

2800

2829 x

2503

29

28

27

30

2519

2600

2600

BM

2265

Sportsmens
Park

31

2479

32

33

34

2600

2600

2563

2519

2528

MC

MC

McLeans
Bay

6

5

4

2480

2480

2560

2461

2400

ROCKAWAY

BEACH

ROAD

2569

Rockaway
Beach

Harris
Landing

Skinner
Bay

10

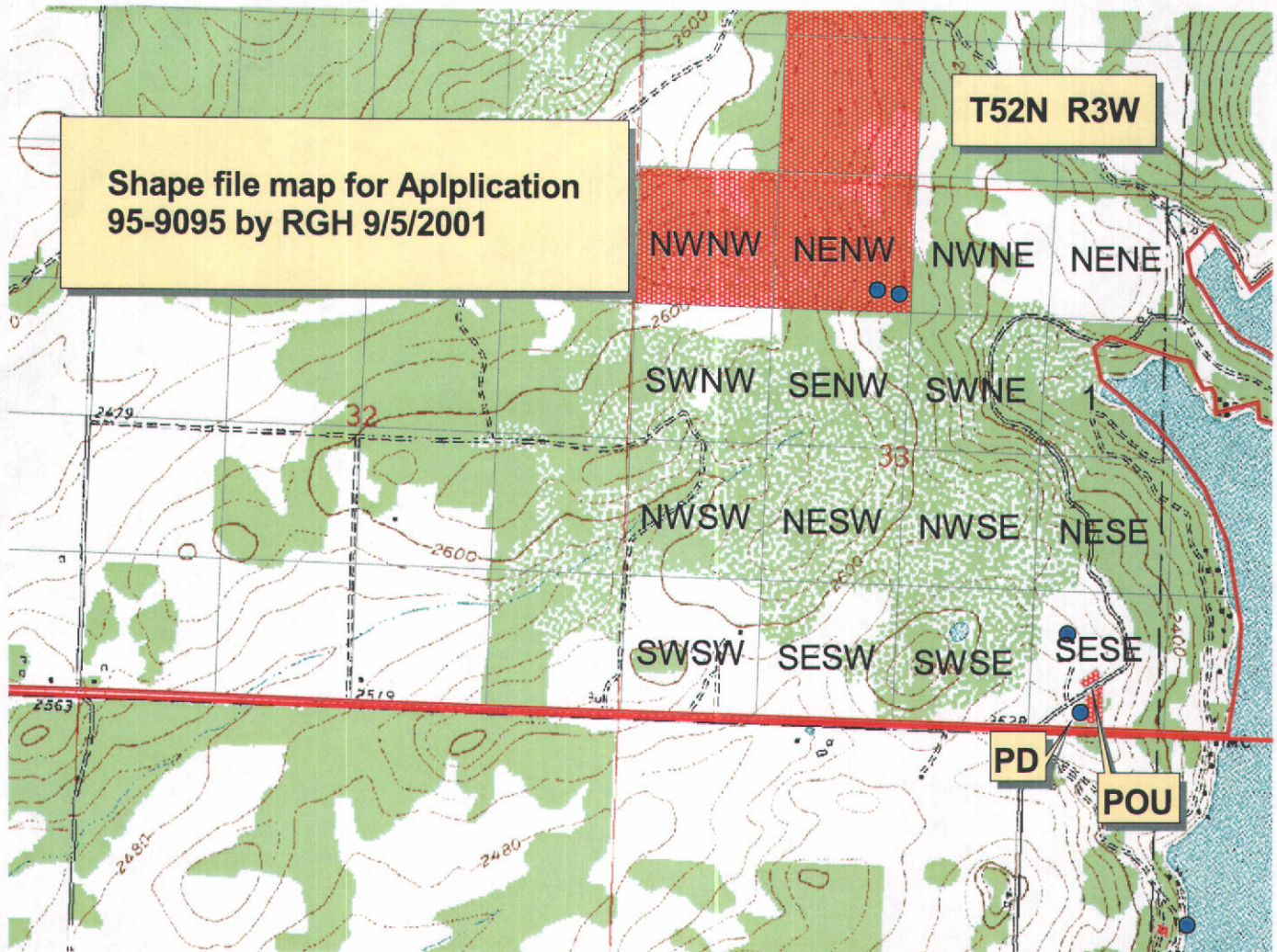
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9

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FEB 25 2002

Chicken
Point

T. 52N., R. 3W.



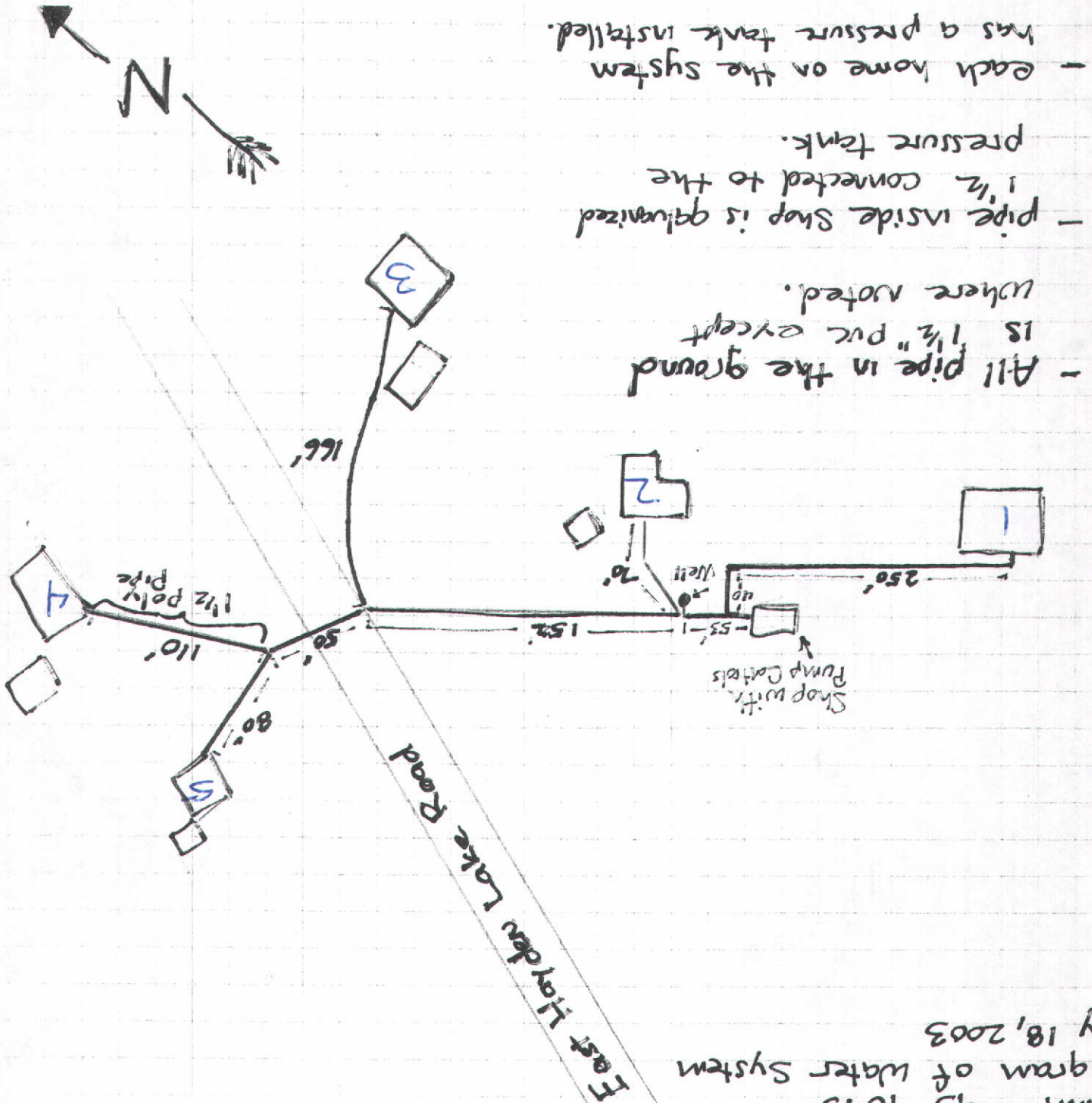
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- POD- ApplicationApplication POD
- Application POU
- Townships

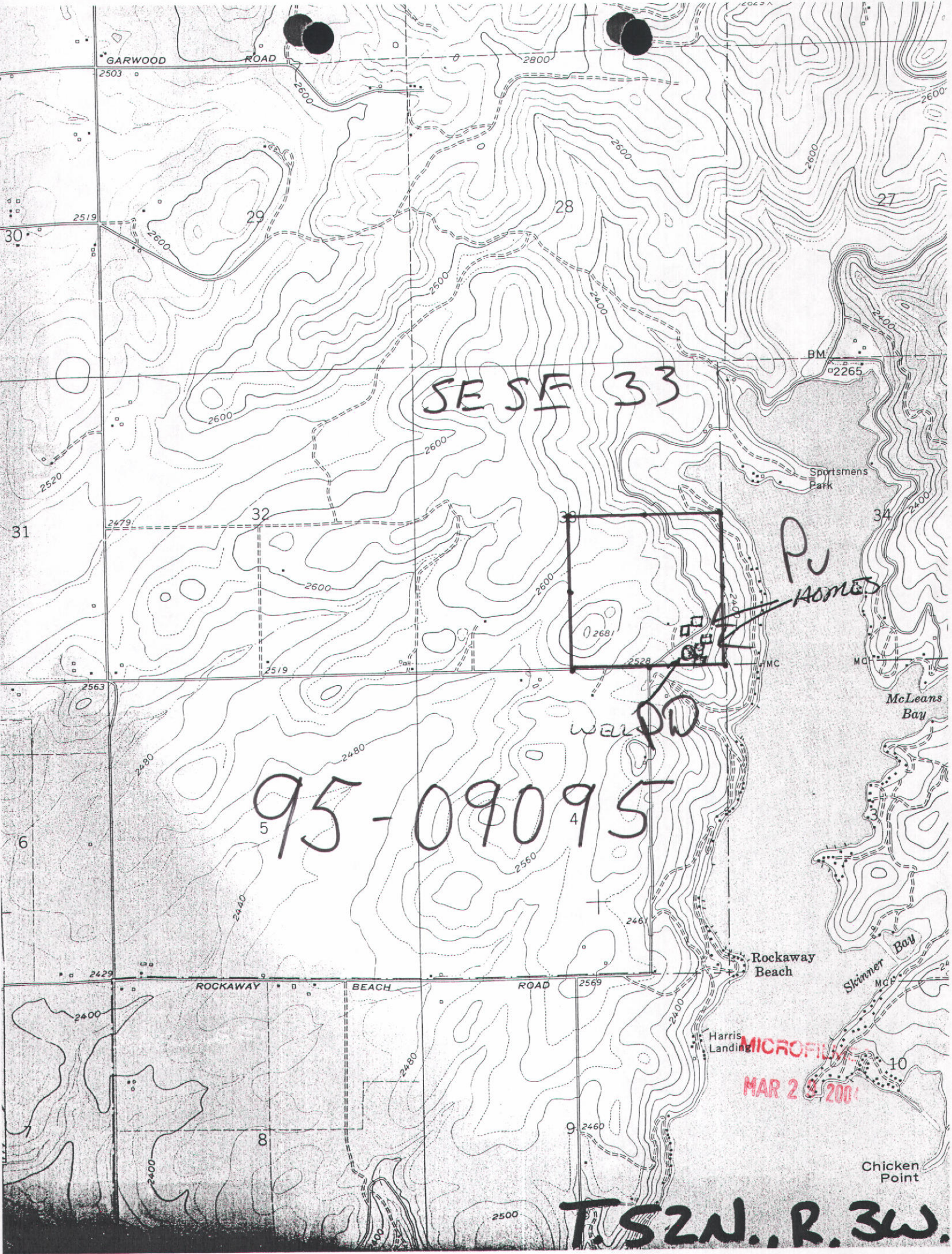
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FEB 25 2002



Hayden Hills North Water Association Permit # 95-9095 Diagram of Water System May 18, 2003



- All pipe in the ground is 1 1/2" pvc except where noted.
- pipe inside Shop is galvanized 1 1/2" connected to the pressure tank.
- each home on the system has a pressure tank installed.



95-09095-



PD



PJ



PJ



PJ

MICROFILMED
MAR 29 2004



PV

Ab photo of ech home -

100-100111111

RECEIVED

SEP 28 2001

IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

Jennifer Standridge

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 issue of said newspaper for commencing on the 28 day of September 2001, and ending on the 29 day of September 2001, 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.

Jennifer Standridge

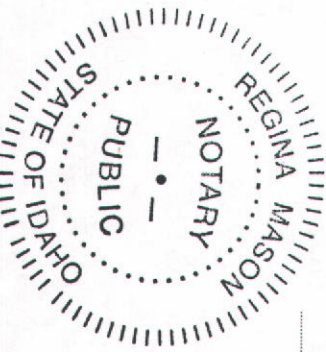
Personally appeared before me this

2001

20 day of *September*

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:

94-7338

KEN ADDINGTON
PO BOX 340

HARRISON ID 83833

Point(s) of Diversion: I6 SENW S5 T47N R03W

Source: GROUND WATER

Use: IRRIGATION

Use: DOMESTIC

Date Filed: 08/22/2001

Place Of Use: DOMESTIC

T47N R03W S5 SENW Lot 6

Place Of Use: IRRIGATION

T47N R03W S5 SENW Lot 6

Number of Acres: 10

Remark: Domestic use is for 1 home and 30 RV hookups.

95-9095

HAYDEN HILLS NORTH WATER ASSOCIATION

36703 E HAYDEN LAKE RD

HAYDEN LAKE ID 83835

Point(s) of Diversion: SESE S33 T52N R03W

Source: GROUND WATER

Use: IRRIGATION

Use: DOMESTIC

Date Filed: 08/22/2001

Place Of Use: IRRIGATION

T52N R03W S33 SESE

Number of Acres: 2.5

Place Of Use: DOMESTIC

T52N R03W S33 SESE

Remark: Domestic use is for 5 homes.

95-9099

CARL WINZER

7213 W CARNIE RD

COEUR D'ALENE ID 83814

Point(s) of Diversion: NESW S5 T49N R04W

Source: UNNAMED STREAM

Use: WILDLIFE STORAGE

Use: RECREATION STORAGE

Use: FIRE PROTECTION

Use: STORAGE

Date Filed: 09/07/2001

Place Of Use: RECREATION STORAGE

T49N R04W S5 NESW

Place Of Use: WILDLIFE STORAGE

T49N R04W S5 NESW

Place Of Use: FIRE PROTECTION STORAGE

T49N R04W S5 NESW

Remark: Recreation storage is for fish.

Permit 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 10/09/2001. The protest must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

MILOFILMED
SEP 25 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 23 2002

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 95-09095 Telephone No. 772-7421
2. Name of Permit Holder(s): Hayden Hills North Water Association
3. Mailing Address: 36703 E. Hayden Lake Road
City Hayden Lake State Id Zip 83835
4. Source of Water: Groundwater If **GROUNDWATER** (well), Date Drilled: mo. Aug / yr. 2001
Well Driller: United Drilling INC Drilling Permit Number: D0017703
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 5 Stockwater (No. and type of stock): 0
Irrigation (No. of acres): 2.5 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .19 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: Aram Eramian Telephone Number: (H) 772-7421 (W) 765-7372
Address: 36703 E. Hayden Lake Road, Hayden Lake, Idaho 83835
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.

Signature of permit holder: Aram D Eramian vice president Date: Aug 30, 2002
(include your title, if on behalf of company or organization)

MICROFILMED

OCT 17 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09095

Priority: 08/22/2001

Maximum Diversion Rate: 0.19 CFS

This is to certify, that HAYDEN HILLS NORTH WATER ASSN
36703 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835

has applied for a permit to appropriate water from:

Source: GROUND WATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.08 CFS
DOMESTIC	01/01 to 12/31	0.11 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33, Twp 52N, Rge 03W, B.M. KOOTENAI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
52N	03W	33																	2.5	2.5

Total Acres: 2.5

PLACE OF USE: DOMESTIC, same as Irrigation

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before November 1, 2002.
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 5 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 31st day of October, 2001.


KARL J DREHER, Director

MICROFILMED

FEB 25 2002

69355

Ident. No. 95-9095

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

OCT 17 2001

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant Hayden Hills North Water Association Phone 772-7421
Mailing address 36703 E. Hayden Lake Road Hayden Lk ID 83835
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is Township 52N Range 3W Sec. 33, in the _____ 1/4,
SE 1/4, SE 1/4, Govt. Lot _____, B.M., KOOTENAI County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount 0.11 for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.08 for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.19 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source WELL, PUMP & PIPELINES
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. Proposed well diameter is 6 inches; proposed depth of well is 220 feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____

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. 5 HOMES
- e. Other; describe fully. _____

RECORDED
OCT 17 2002

a. If water is for irrigation, indicate acreage in each subarea.

use below. See instructions for standard symbols.

[illegible]

58

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? APPLICANTS

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

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

၂. ငွေ၊ နှစ်

12. Remarks:

President + Richard Neavey
Robbie Neavey
et/Neavey
Bobby Hatfield

Members: Mike + Terry Gaglio

[Handwritten signature]

Joyce + Lyle Walker

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

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

Signature of Applicant (and title, if applicable)

Received by 100.00
Fee \$ 100.00
Publication prepared by _____
Publication approved _____

Date 8/22/10 Time 10:00 AM
Received by P Date 9/2/10

Preliminary check by # N014608
Published in DDA/ma Date 10/3/01

GARWOOD

ROAD

2503

2600

2829 x

2519

29

28

27

BM

2265

Sportsmens
Park

32

33

34

~~ASME~~

MC

McLeans
Bay

5

4

Rockaway
Beach

BEACH

ROAD

Harris
Landing

Skinner
Bay

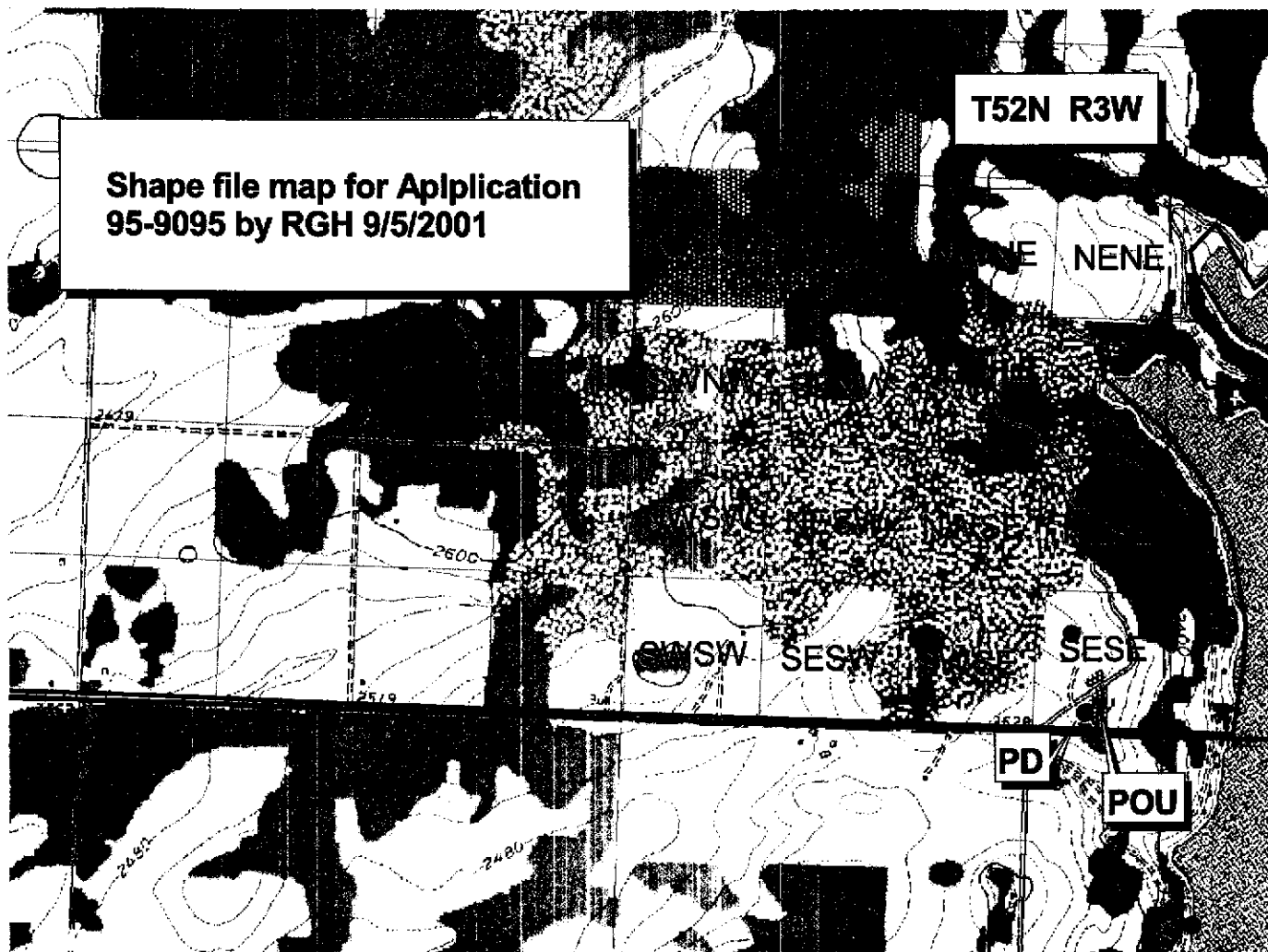
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FEB 25 2002

Chicken
Point

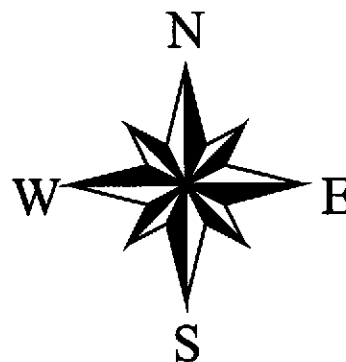
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-  POD- Application Application POD
-  Application POU
-  Townships

MICROFILMED

FEB 25 2002



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB - 4 2004

A. GENERAL INFORMATION

Permit No. 95-09095

1. Owner: Jayden Hills North Water Ass. Phone No. (208) 772-7421

Current Address: 36703 E. Jayden Lake Rd.

2. Accompanied by: Aram Craman EXAM DATE: 5-13-03

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	SE	33	52N	03W	Kootenai	USGS 7.5 min Quad

2. Place(s) of Use:

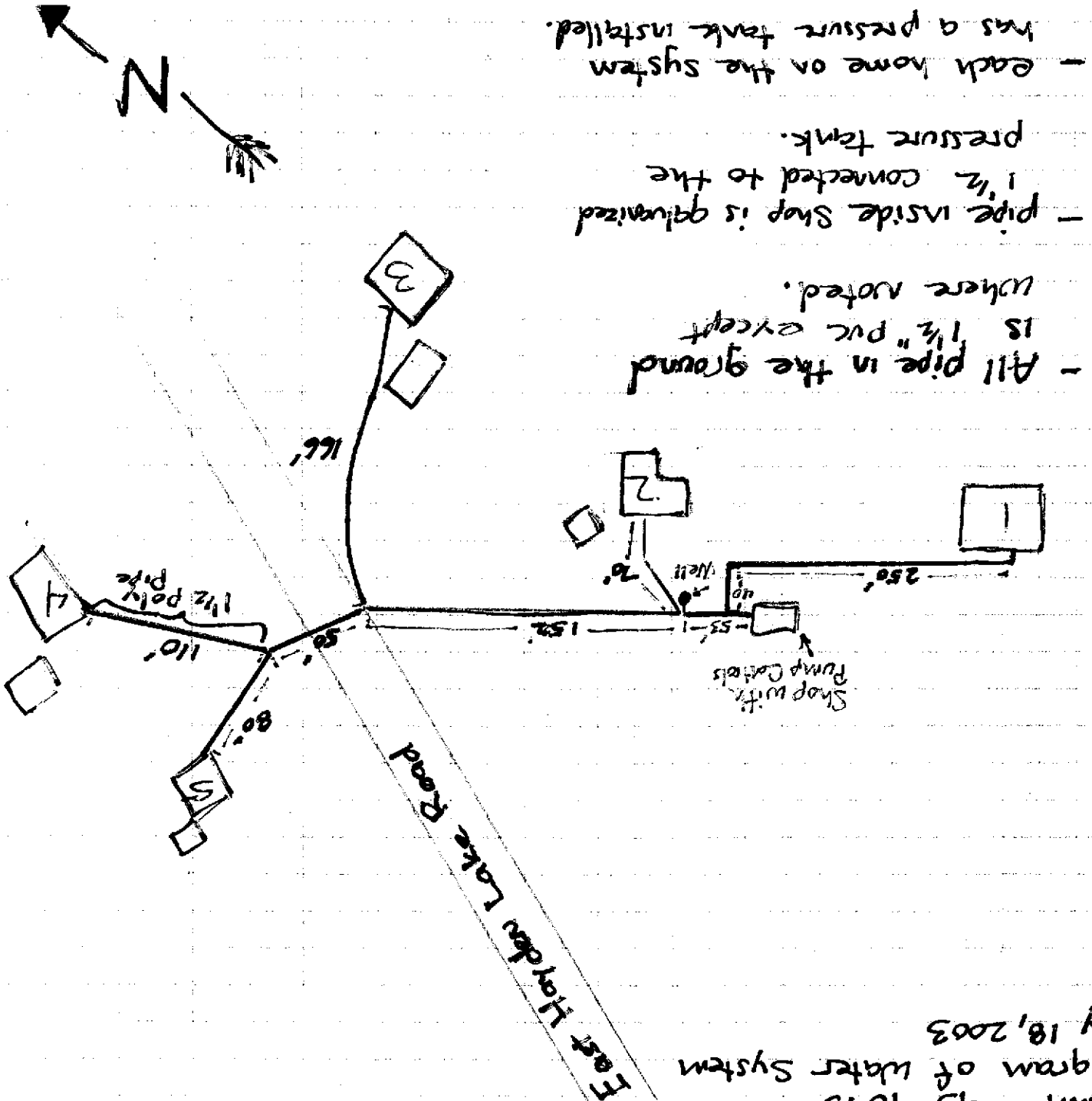
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
52N	03W	33																P	5
																	2.5		2.5

MICROFILMED

MAR 29 2004

Hayden Hills North Water Association Permit # 95-9095 Diagram of Water System May 18, 2003



- All pipe in the ground is 1 1/2" PVC except where noted.
- pipe inside Shop is galvanized 1 1/2" connected to the pressure tank.
- each home on the system has a pressure tank installed.

GARWOOD

ROAD

2503

2800

2519

29

28

27

30

31

2479

32

33

34

Sportsmens Park

BM 2265

P

HOME

McLeans Bay

ward

95-09095

6

2429

ROCKAWAY

BEACH

ROAD

Rockaway Beach

Harris Land

MICRO

Skinner Bay

10

MAR 28 21

Chicken Point

T. 52N., R. 3W.

95-09095-

95-09095-

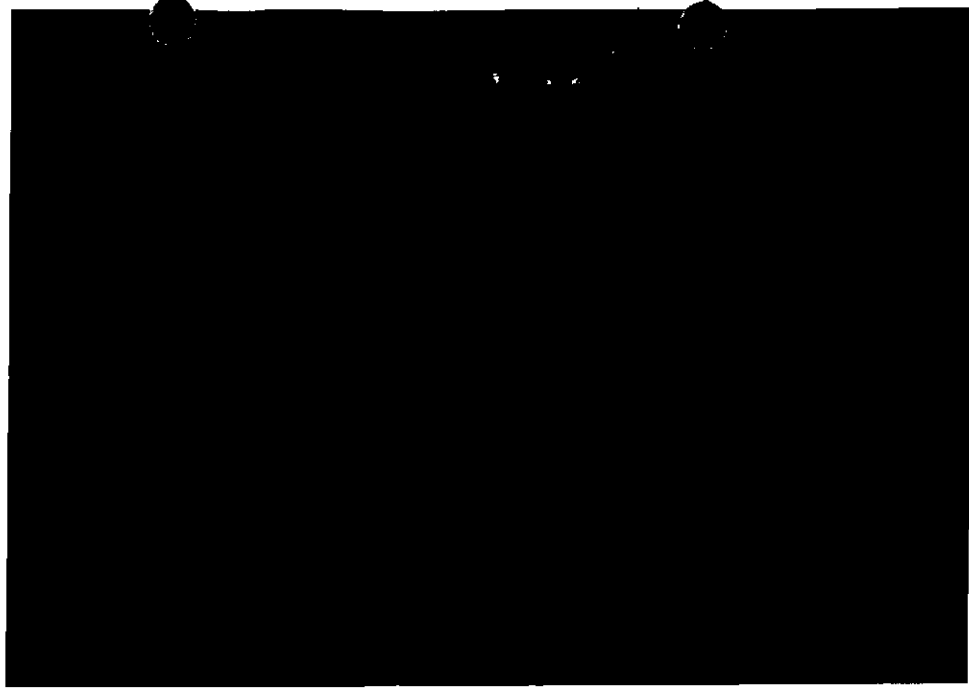
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PD

PD

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MAR 29 2004



PV

26 photo of each home -

E. NARRATIVE/REMARKS/COMMENTS

Did theoretical pump calculations in the field. Came up with 105 cfs. Speaking with Mr. Craman, he said that was exactly what he was told by the company that put the pump in. I did not pace off each house, but I did visit each home and found only domestic type irrigation (lawn & garden).

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

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MAR 29 2004

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

$$8.8(3)(.7) = 18.48$$

$$18.48 + (2.31 \times 50) = 353.5$$

$$353.5 = .05 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2.5 \times 3 = 7.5$$

$$V_{or} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .05 \times 245 \times 1.9835 = 24.3$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Domestic
Navigation

From

01-01

Period of Use

To

12-31

11-15

Rate of Diversion

Q (cfs)

1.05

1.05

Annual Volume

V (afa)

3

7.5

Totals:

1.05

10.5

2. Recommended Amendments

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

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

I. AUTHENTICATION

Reviewer

Date

Field Examiner's Name: *Wayne Schubert* Date: *6-11-03*

SEAL

MICROFILMED
MAR 29 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

October 10, 2002

HAYDEN HILLS NORTH WATER ASSOCIATION
36703 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-9095

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

OCT 17 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-9095

Reviewed By: dgibson

Date: October 9, 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.:	N014608, N015282		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		09/18/2002
Date proof due	-	11/01/2002
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	08/22/2001
New priority date	=	08/22/2001

Deficiencies of Actions Items

Acknowledge proof.

August 30, 2002

HAYDEN HILLS NORTH WATER ASSN
36703 E HAYDEN LAKE RD
HAYDEN LAKE, ID 83835

PROOF DUE NOTICE

RE: PERMIT NO. 95-9095

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 01, 2002. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

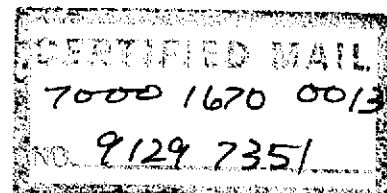
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

Sincerely,

Deborah J. Gibson, Admin. Asst.
Water Allocation Bureau

Enclosures

MICROFILMED
OCT 17 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

November 1, 2001

HAYDEN HILLS NORTH WATER ASSN
36703 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835

RE: Permit No. 95-9095

Permit Approval Notice

Dear Permit Holder:

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

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

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

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

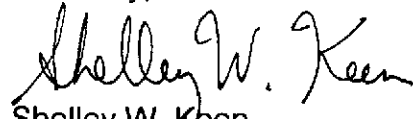
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's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

MICROFILMED

SEP 25 2002

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

Sincerely,


Shelley W. Keen
Water Rights Supervisor

SWK:klr

Enclosure(s)

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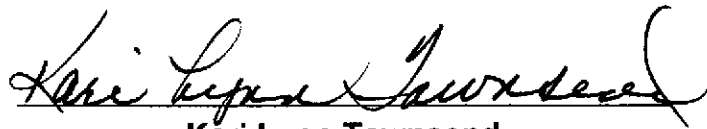
FEB 15 2002

CERTIFICATE OF MAILING

I hereby certify that on November 1, 2001 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. 95-9095

**HAYDEN HILLS NORTH WATER ASSN
36703 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835**

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

**Kari Lynn Townsend
Secretary**

MICROFILMED

FEB 23 2002

**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.

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS
Reviewed by Sharla Curtis on 10/29/01

No. 95-9095 Name: Hayden Corp. Officers ✓ Ad ok ✓ Govt Lots

AREA OF CONCERN: No/Yes Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

~~WMD~~

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121

Trust - 051 (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

~~STORAGE~~ - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
≥ 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-R22-08A

BENEFICIAL USE DUE: 11/01/2002

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
> 1 yr - 26A
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H, 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WB

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
Future needs - 007,109
FISH PROP - 029 (70's only)-007-042-106
DOMESTIC
Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
> 1 in restricted area - 070-071-075 (no parks/common areas)
Irr separate or none allowed - WB5 (5)
GW w/irrigation from SW evident - 065-104
Moratorium approvable - W03 (2500 gpd - meets domestic def
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single pd intended - 076

IRRIGATION SEASON 3/15 - 11/15 (Per updated map)

IRR VOLUME/ACRE 3.0

OTHER CONDITIONS/REMARKS

COMMENTS

493843 - in
42 dom

OCT 17 2001

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Department of Water Resources

69355

APPLICATION # 95-9095

INITIAL REVIEW

(E)

WRA/BCA

HAYDEN HILLS

APPLICANT: NORTH WATER ASSOCIATION

BY: *AS*

DATE: 8/22/01

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

(Yes) (No)

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

PROCESSING

(Yes) (No)

PRIORITY DATE: 8/22/01

(X) (Include Moratorium Remark)

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

ADVERTISE IN: KOOTENAI County

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

GROUNDWATER SECTION

WD Permit No.'s:	TAG #	Type:	Fees	Receipt No.	Upgrade Needed?
_____	_____	Dom. Non-Dom. <u>X</u>	Paid \$ <u>200</u>	_____	Y () N (X)
_____	_____	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
- 9/28 Affidavit of publication received
- 10/3 Application published correctly. If not, record action taken:
- 9/12 Publication dates and paper recorded on application | Sr. Agent initial
- Protests received, Final protest date: 10/9/01
- Measuring device required
- Measuring port required
- Special conditions:
- Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: *PSA*

Date: 10/5/2001

RECEIVED

SEP 28 2001

Idaho North

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

Jennifer Standridge SS

being first duly sworn

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*

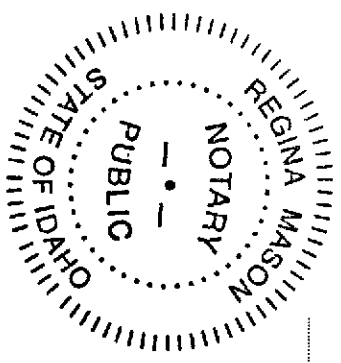
of which the annexed is a printed copy, was published in the regular *Thursday* issue of said newspaper for *2* consecutive *weeks* commencing on the *27* day of *September* 20 *01*, and ending on the *29* day of *September* 20 *01*, and such publication was made as often during said period as said newspaper 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.

Jennifer Standridge

Personally appeared before me this *27* day of *September* 20 *01*

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



MY COMMISSION EXPIRES 6/18/03

FILED

2002

NOTICE OF AFFIDAVIT FOR WATER RIGHT

1. The following water right has been filed to appropriate the public waters of the State of Idaho: Lot 6, Section 36, T19N, R03W, N11E, Kootenai County, Idaho. The water right is for 0.2 cfs.

2. The water right is for 0.2 cfs. The water right is for 0.2 cfs. The water right is for 0.2 cfs.

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32. The water right is for 0.2 cfs. The water right is for 0.2 cfs. The water right is for 0.2 cfs.

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

94-7388

KEN ADDINGTON

PO BOX 340

HARRISON ID 83833

Point(s) of Diversion L6 SENW S5 T47N R03W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION

03/15 To 11/15 0.2 CFS

Use: DOMESTIC

01/01 To 12/31 0.2 CFS

Total Diversion:

0.2 CFS

Date Filed: 08/22/2001

Place Of Use: DOMESTIC

T47N R03W S5 SENW Lot 6

Place Of Use: IRRIGATION

T47N R03W S5 SENW Lot 6

Number of Acres 10

Remark: Domestic use is for 1 home and 30 RV hookups.

95-9095

HAYDEN HILLS NORTH WATER ASSOCIATION

36703 E HAYDEN LAKE RD

HAYDEN LAKE ID 83835

Point(s) of Diversion SESE

S33 T52N R03W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION

03/15 To 11/15 0.08 CFS

Use: DOMESTIC

01/01 To 12/31 0.11 CFS

Total Diversion:

0.19 CFS

Date Filed: 08/22/2001

Place Of Use: IRRIGATION

T52N R03W S33 SESE

Number of Acres 2.5

Place Of Use: DOMESTIC

T52N R03W S33 SESE

Remark: Domestic use is for 5 homes.

95-9099

CARL WINZER

7213 W CARNIE RD

COEUR D'ALENE ID 83814

Point(s) of Diversion NESW

S5 T49N R04W KOOTENAI County

Source UNNAMED STREAM

Tributary To SINKS

Use: WILDLIFE STORAGE

Use: RECREATION STORAGE

Use: FIRE PROTECTION

STORAGE

Total Diversion:

20 AFA

Date Filed: 09/07/2001

Place Of Use: RECREATION STORAGE

T49N R04W S5 NESW

Place Of Use: WILDLIFE STORAGE

T49N R04W S5 NESW

Place Of Use: FIRE PROTECTION STORAGE

T49N R04W S5 NESW

Remark: Recreation storage is for fish.

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 10/09/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on 9/20 and 27/2001.

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FEB 23 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

(208) 769-1450

Fax (208) 769-1454

September 12, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

RE: Applications for Permits No. 94-7388, 95-9095 and 95-9099

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 10/09/2001. Your cooperation is appreciated.

Sincerely

Thanks to "

Dianne Ball

Dianne Ball
Administrative Assistant

MICROFILMED

FEB 25 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 12, 2001

HAYDEN HILLS NORTH WATER ASSOCIATION
36703 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835

RE: Application for Permit No 95-9095

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 September 20 and 27, 2001.. 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 and twelve weeks.

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

Sincerely,

Allen Beardslee
Senior Water Resource Agent

MICROFILMED

FEB 23 2002

WD T No. D17703
Drilling Permit No. _____
Water Right Permit No. 95-9095
Injection Permit No. _____

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT
(FOR THE CONSTRUCTION OF A WELL)

1. Applicant (property owner): HAYDEN HILLS NORTH WATER ASSOCIATION
(PLEASE PRINT)

2. Mailing Address: 36703 E Hayden Lake Rd.,
City & State Hayden Lake ID Zip Code 83835 Telephone 208 772 7421

☒ Well Owner ☐ Well Operator ☐ Contractor or Other, specify: _____

3. Proposed Well Location: Twp. 52N, Rge. 3W, Sec. 33, 1/4 SE 1/4 SE 1/4;

Gov't Lot No. _____ County Kootenai Lat. _____:_____:_____ Long. _____:_____:_____

Street Address of Well Site _____

Give at least name of road + distance to road or landmark

Lot, block and subdivision _____

4. Proposed Use of Well:

☐ DOMESTIC: The use of water for homes, organization camps, public campgrounds, livestock (1,000 head or less) and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivision, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

NON-DOMESTIC: ☐ Irrigation ☐ Municipal ☐ Industrial
☐ Stock ☐ Test ☒ Other Domestic (5 homes) + irrigator
(Over 1,000 head) (Describe)

☐ INJECTION

☐ MONITORING: A well bore schematic and map is required for each blanket permit.
No. of proposed wells: _____

5. Well Construction Information:

A. ☒ New well ☐ Modify ☐ Replace
B. Proposed Casing Diameter 6" Proposed Maximum Depth 220'

C. Anticipated bottom hole temperature:

☒ 85°F or less ☐ 85°F to 212°F ☐ 212°F or more
(Cold Water Well) (Low Temp. Geo. Well) (Geothermal Well)

6. Construction Start Date: 8/23/01

7. Anticipated Well Driller (Firm): United Well Drilling Driller's Lic. No. 414

NOTE: The actual well drilling firm must be identified prior to drilling.

8. Applicant's Signature: [Signature] Date 8-22-01

Title PRES.
(Applicant, Firm Representative, Driller, Other)

MICROFILMED

FEB 25 2002

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is APPROVED Date 8/22/01

If approved, this permit authorizes the construction or modification of a well subject to the following conditions.
READ CAREFULLY!

GENERAL CONDITIONS:

1. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic and Public Water Supply wells must be drilled a minimum of 50 feet and 100 feet respectively from a septic tank.
3. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

SPECIFIC CONDITIONS:


Signature of Authorized Department Representative

Title

Receipt No. NO14608 Received by db Fee \$ 200⁰⁰ Date 8/22/01

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension expires: _____

MICROFILMED

FEB 25 2002