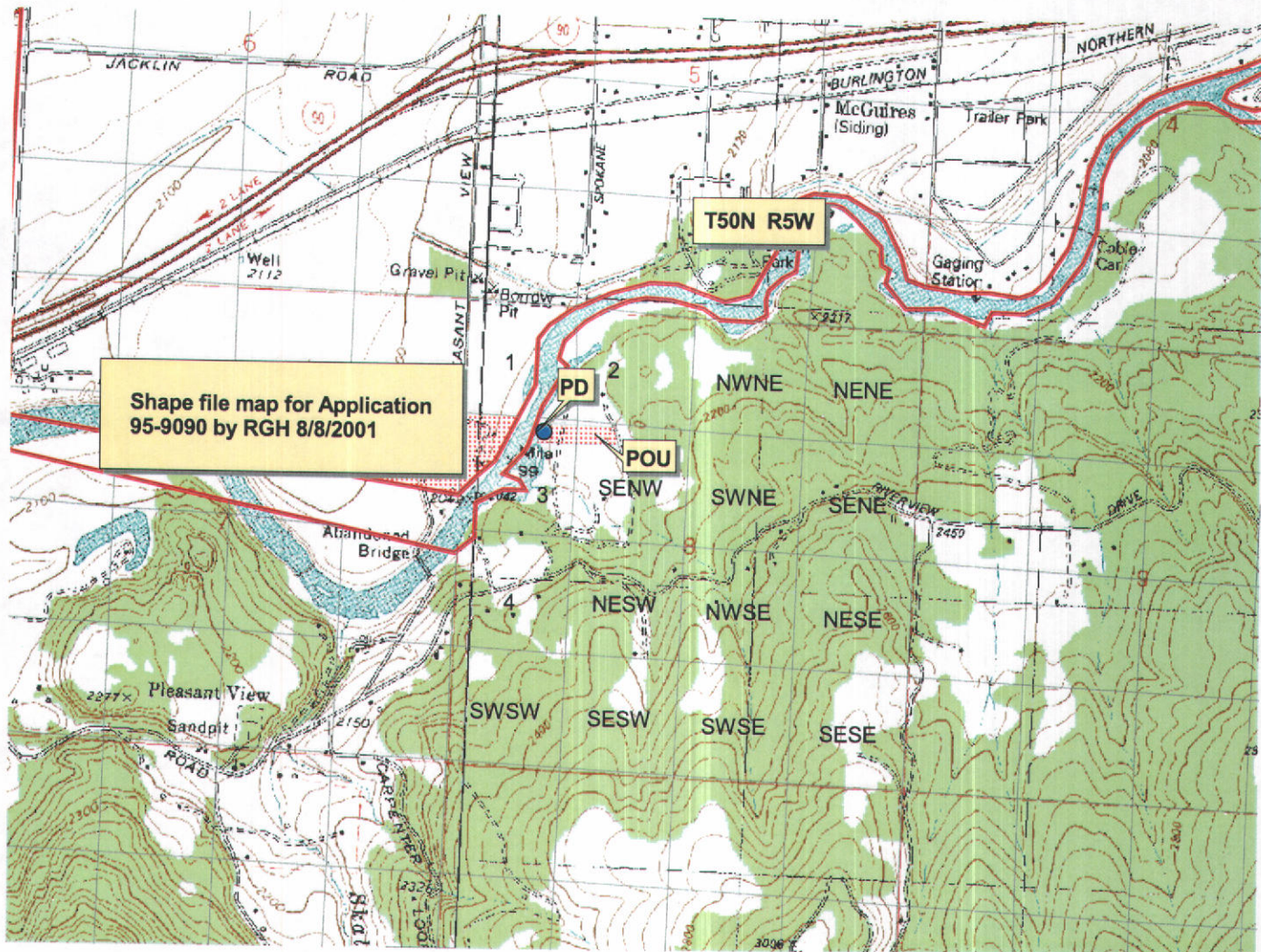
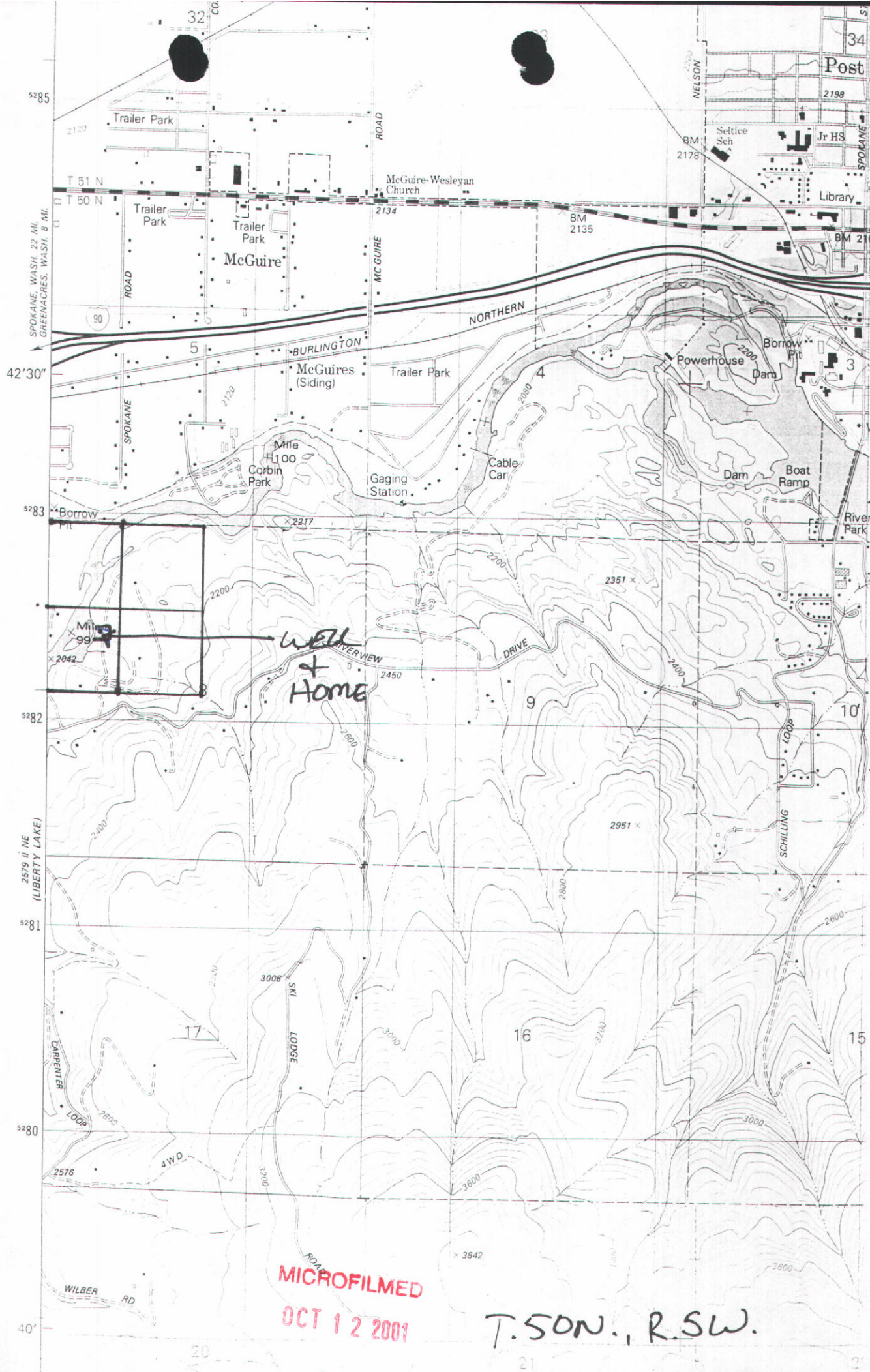




MICROFILMED
OCT 12 2001

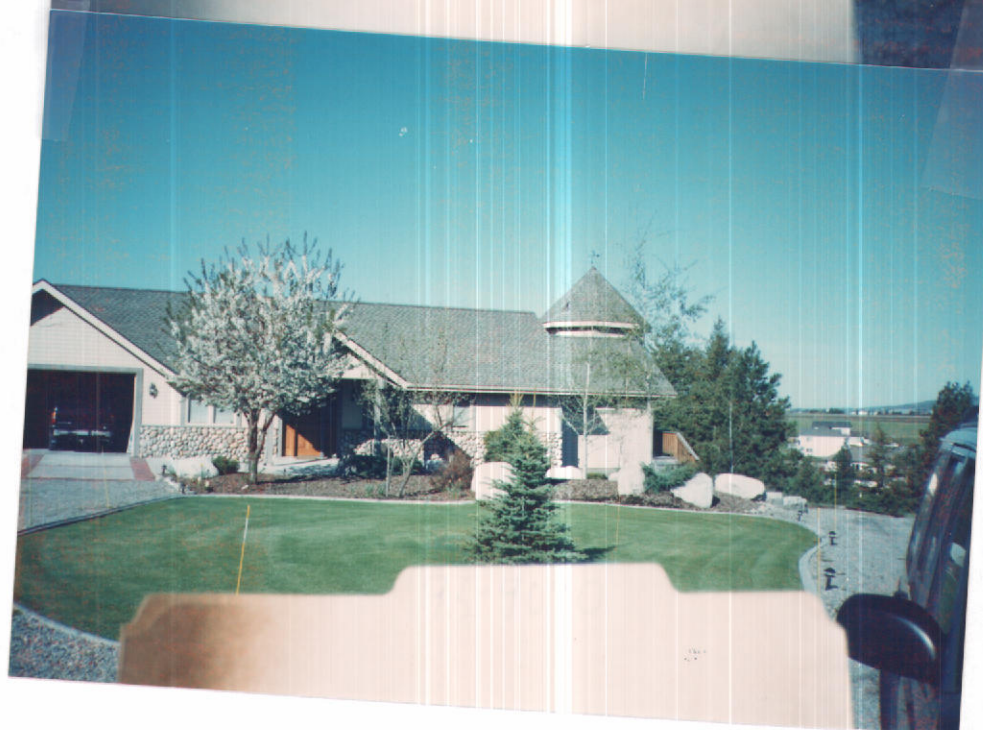




MICROFILMED
MAR 24 2003



PD



PV

95-09090

MICROFILMED
MAR 24 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 95-09090

Priority: June 6, 2001

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.2 AF

It is hereby certified that JAMES GRASSI
309 S MADISON RD
POST FALLS ID 83854 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 6, 2001; and has
submitted Proof of Beneficial Use on September 12, 2001. An examination indicates that the works
have a diversion capacity of 0.04 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER L3 (SW¼NW¼) Sec. 8, Twp 50N, Rge 05W, B.M., KOOTENAI County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N 05W 8							X										
							L3										

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 27th day of NOVEMBER, 2002.

Acting for

KARL J. DREHER
Director



MICROFILMED

MAR 24 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 12 2001

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. 95-9090 Telephone No. 208 457-9519
2. Name of Permit Holder(s): James E + Mary Louise Grassi
3. Mailing Address: 309 S. Madison Rd
City Post Falls State ID Zip 83854
4. Source of Water: Ground If GROUNDWATER (well), Date Drilled: mo. unknown
Well Driller: unknown Drilling Permit Number: unknown
5. Use(s) (as authorized by the water right permit): 30 yr +
Domestic (No. of households): 4 households on well - one is one of the three Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 1/2 acre Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .04 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 ✓ None required
Has the measuring device been installed? Yes _____ or No ✓ None required
8. Fee Enclosed: \$ exempt (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: James E. Grassi Telephone Number: 208- 457-9519
Address: 309 S. Madison Rd. Post Falls ID 83854
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: James E. Grassi Date: 9-10-01
(include your title, if on behalf of company or organization)

MICROFILMED

SEP 12 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09090

Priority: 06/06/2001

Maximum Diversion Rate: 0.04 CFS

This is to certify, that JAMES GRASSI
309 S MADISON RD
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>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L3 SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8, Twp 50N, Rge 05W, B.M. KOOTENAI County

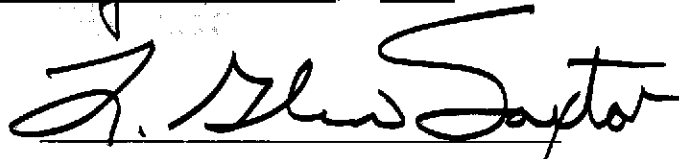
PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N 05W 8							X										
							L3										

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 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. Domestic use is for 1 home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 20th day of August, 2001.


for KARL J DREHER, Director

MICROFILMED

OCT 11 2001

69240

Ident. No. 95-9090

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

AUG 13 2001

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant JAMES GRASSI Phone 457-9519
Mailing address 309 S. MADISON RD POST FALLS ID 83854
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is Township 50N. Range 5W Sec. 8, in the _____ 1/4,
SW 1/4, NW 1/4, Govt. Lot _____, B.M., KOOTENAI County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 for DOMESTIC purposes from 4/1 to 12/31 (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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.04 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 & PIPELINE
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? _____
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. 1 HOME
e. Other; describe fully. _____

MICROFILMED

AUG 13 2001

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

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	500 Bu 8																																																																								
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TOTALS																																																																											

Total number of acres to be irrigated

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

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

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

this filing:

12. Remarks:

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Signature of Applicant (and title, if applicable)

Received by 115-27 Fee \$ 100-
Date 6-6-01 Received by 115-27
Time 11:50

Publication prepared by *DR*

Publication approved.

Date 6/27/0

Date _____

7/12/01

Published in DAF Form 7/5-12/01

Date _____

Preliminary check by

92:11

Time

10-9-6

Date _____

Received by

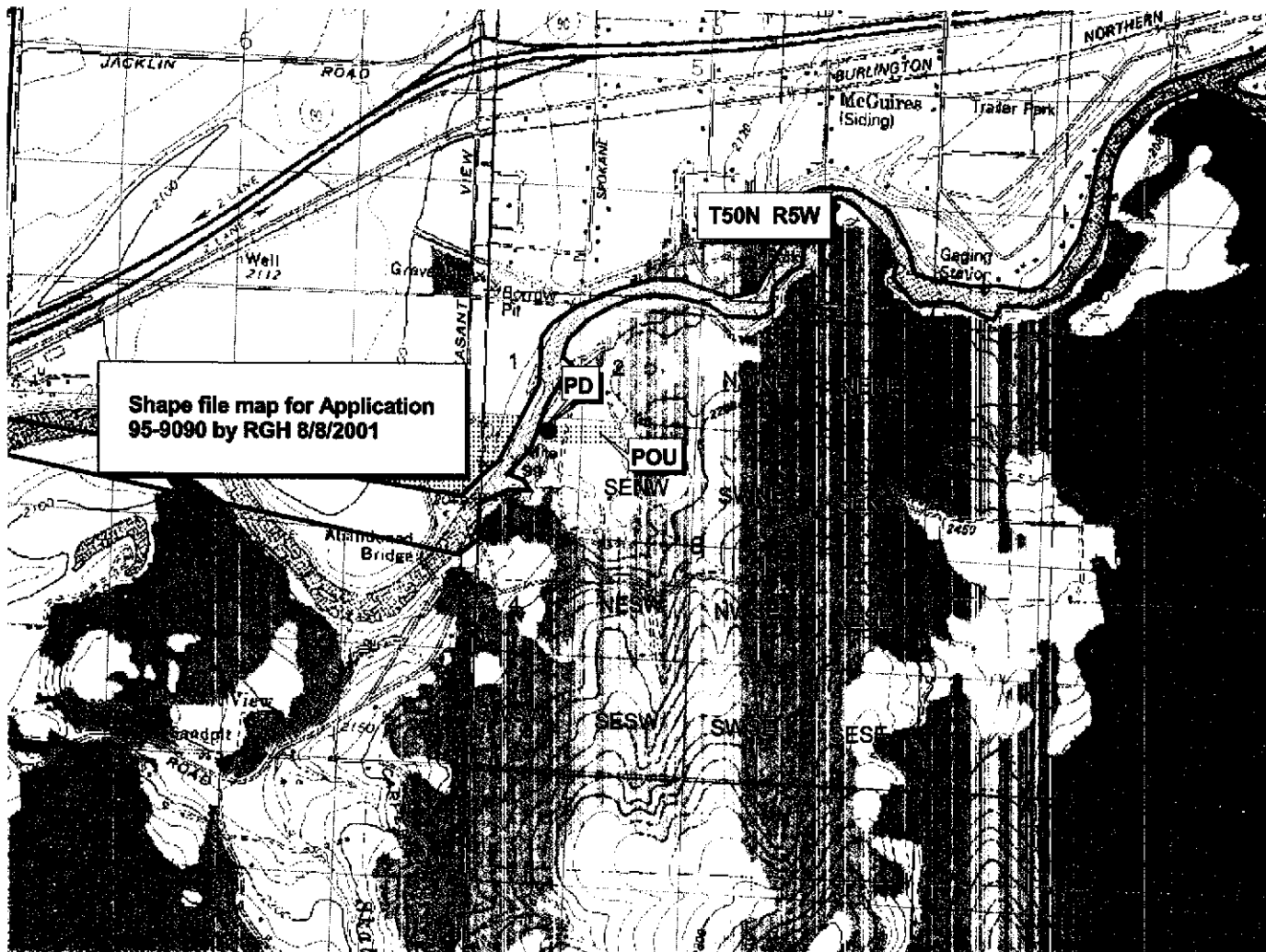
Fee \$ 100

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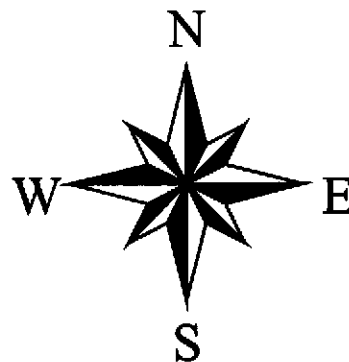
Page 2 of 100

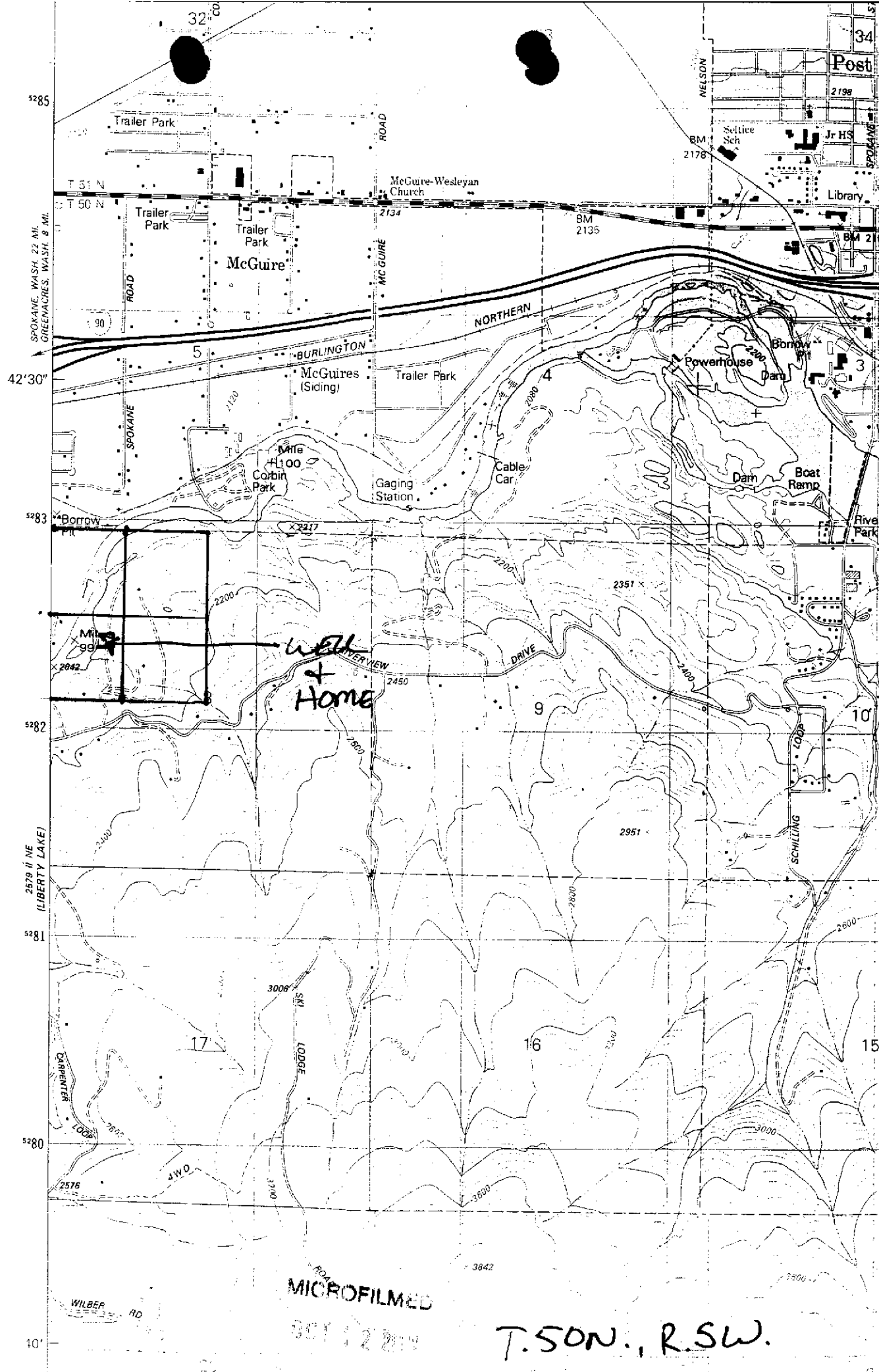


0.3 0 0.3 0.6 Miles

- GCDBT50N05W.shp
- POD- Application Application POD
- Application POU
- Townships

MICROFILMED
OCT 12 2001





MICROFILMED
OCT 12 2014

T. SON., R. SW.



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 27, 2002

JAMES GRASSI
309 S MADISON RD
POST FALLS ID 83854

RE: License No. 95-9090 - Issuance of License

Dear Water Right Holder(s):

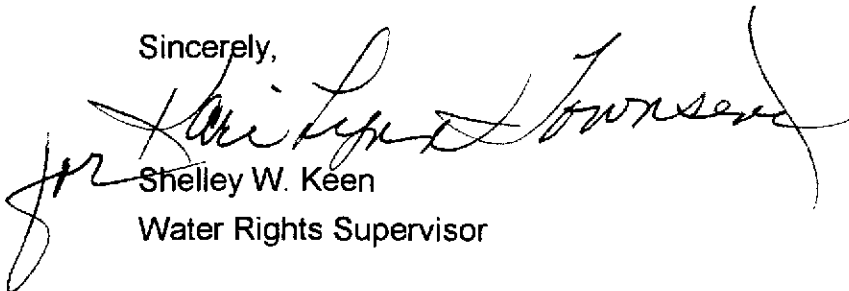
The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license 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.

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)

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NOV 27 2003

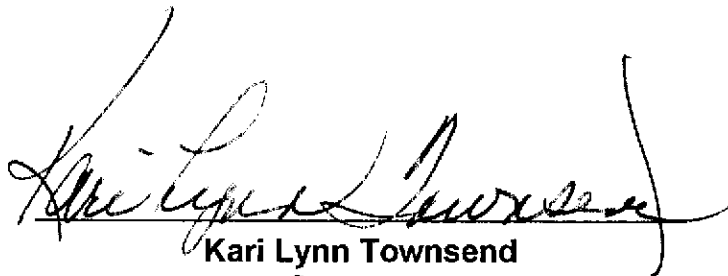
CERTIFICATE OF SERVICE

I hereby certify that on November 27, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

95-9090

**JAMES GRASSI
309 S MADISON RD
POST FALLS ID 83854**



**Kari Lynn Townsend
Secretary**

MICROFILMED

SEP 16 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.

MICROFILMED
MAR 24 2001

Comment Report

95-9090

1. kwalker 11/26/2002 License Review

Comment: Recommended as permitted. Removed wife from data entry - she was not on permit and should have not been added without an assignment.

2. dball 6/27/2001 10:19:09 AM Legal Notice Remarks

Comment: Domestic use is for 1 home.

MICROFILMED

MAR 24 2001

SEP 30 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 95-09090

1. Owner: James & Mary J. Grassi Phone No. 208 457-9579

Current Address: 309 S. Madison Rd. Post Falls Id. 83854

2. Accompanied by: unaccompanied EXAM DATE: 5/8/02

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: ground water 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
	03		SW	NW	8	50N	05W	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	
50N	05W	8							D										

MICROFILMED

MAY 21 2002

2. Measurements:

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

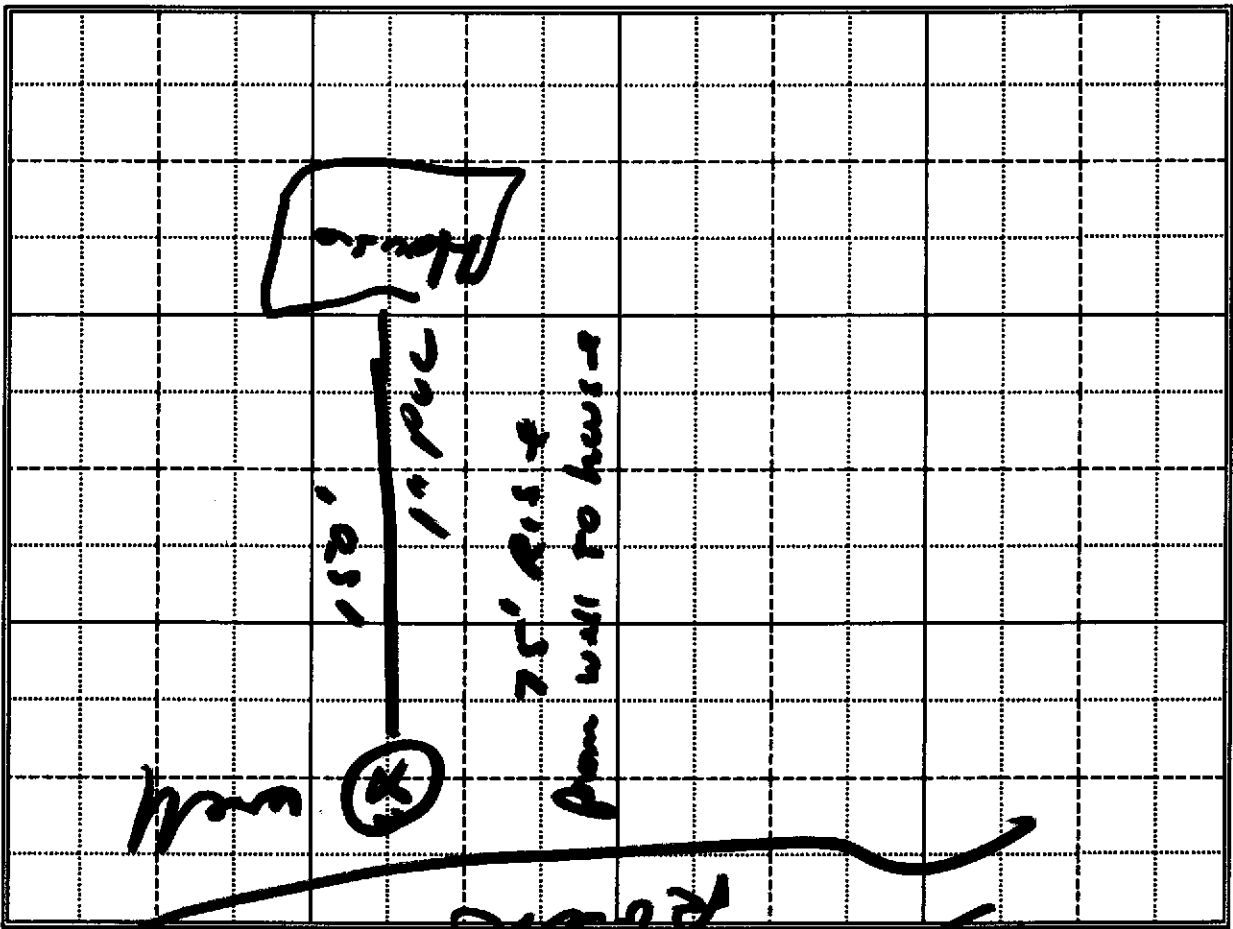
D. FLOW MEASUREMENTS

*Code to correspond with No. on map and aerial photo

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

4.

Scale: 1" = _____
 Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
 Aerial Photo Attached of _____ (required for irrigation of 10+ acres)
 Photo of Diversion and System Attached _____



3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe l.d. as applicable.

E. NARRATIVE/REMARKS/COMMENTS

Mr. Grossi was suppose to send
me pump info. Moka Model etc. But
I never received it. But its the last
day of season, so I'm sending it anyway.

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

MICROFILMED

MAR 24 2011

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

5 gal bucket 5 gal in 17 sec = 17.6 gpm

$$17.6 \times 1.33651 = 0.039 \times 60 = 2.34$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

$$V_{dr} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$

$$V = \text{Smaller of } V_{ir} \text{ and } V_{dr} =$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Domestic

From

01/01

Period of Use

To

12/31

Rate of Diversion

Q (cfs)

0.04

Annual Volume

V (ata)

1.2

Totals:

0.04

1.2

2. Recommended Amendments

Change P.D. as reflected above

Add P.D. as reflected above

None

Change P.U. as reflected above

Add P.U. as reflected above

Other

I. AUTHENTICATION

Field Examiner's Name

Date

9-27-02

Reviewer

MICROFILM

SEAL



PD

PV

95-09090

MICROFILMED

MAR 24 2007



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

September 14, 2001

JAMES E GRASSI
MARY LOUISE GRASSI
309 S MADISON RD
POST FALLS ID 83854

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-09090

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. I have updated your application information to include your middle initial and Mary Louise Grassi as a current owner along with yourself. I am enclosing a Water Permit Report which shows the changes I have made to the Owner Type portion of your permit. If those changes are not appropriate please contact me immediately.

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 at (208) 769-1450.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED

OCT 12 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-9090

Reviewed By: dgibson

Date: September 13, 2001

	<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.:		N014429,	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	09/12/2001
Date proof due	- 08/01/2002
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 06/06/2001
New priority date	= 06/06/2001

Deficiencies of Actions Items

Acknowledge proof.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 95-9090

WATER RIGHT NUMBER: 95-9090

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARY LOUISE GRASSI 309 S MADISON RD POST FALLS, ID 83854 (208)457-9519
Current Owner	JAMES GRASSI 309 S MADISON RD POST FALLS, ID 83854 (208)457-9519

Priority Date: 06/06/2001

Basis:

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	L3 SW1/4NW1/4	Sec. 8,	Twp 50N,	Rge 05W, B.M.
KOOTENAI County				

Place of UseDOMESTIC Within KOOTENAI County

T50N R05W S08 Lot 3 SWNW

Total Acres: 0

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Remarks:

1. General Domestic use is for 1 home.

Dates and Other Information:

Permit Proof Due Date: 8/1/2002
Permit Proof Made Date: 9/12/2001
Permit Approved Date: 8/20/2001

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OCT 12 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 21, 2001

JAMES GRASSI
309 S MADISON RD
POST FALLS ID 83854

RE: Permit No. 95-9090

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.

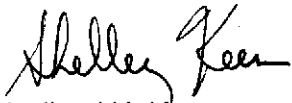
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's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

MICROFILMED

JUL 12 2001

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley Keen".

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

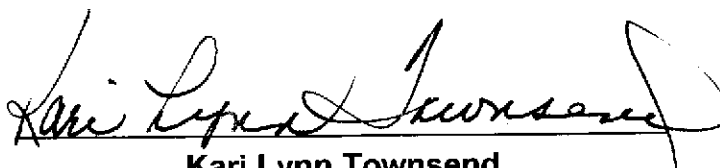
OCT 12 2001

CERTIFICATE OF MAILING

I hereby certify that on August 21, 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. 95-9090

JAMES GRASSI
309 S MADISON RD
POST FALLS ID 83854

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

Kari Lynn Townsend
Secretary

MICROFILMED

OCT 12 2001

**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.

Reviewed by Sharla Curtis on 8/16/01

No. TS-9090 Name: Drassi Corp. Officers N/A 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

SURFACE WATER: ($\sqrt{\text{Flow Chart}}$)

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 ~~WD~~

≤ 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 w01 (1)
 Surface water - WB5 (Big Wood/Boise above Star Bridge)
 - 27A (Payette R)
 - 070-071-075 (no parks/common areas)
 - WB5
 - 065-104
 - W03 (2500 gpd -- meets domestic def
 i.e. D/convenience store)

BENEFICIAL USE DUE: 8 / 01 / 2002

MISC CONDITIONS/REMARKS:

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

Multiple pd's per ¼ - 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 p/d intended - 076

IRRIGATION SEASON _____ - _____ (Per updated map) **IRR VOLUME/ACRE** _____

OTHER CONDITIONS/REMARKS

COMMENTS

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

AUG 13 2001

69240
APPLICATION # 95-9090

Department of Water Resources

INITIAL REVIEW

APPLICANT: GRASSI

BY: *AS*

DATE: 6/26/01

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: 6/6/01

☒ (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: 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.	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
- ☒ Application published correctly. If not, record action taken: _____

6/27 ☒ Publication dates and paper recorded on application | Sr. Agent initial

☒ Protests received, Final protest date: 7/23/01

☒ Measuring device required

☒ Measuring port required

☒ Special conditions:

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

Approval Recommended by: *RMA*

Date: 8/8/2001

RECEIVED

JUL 13 2001

11W/R/North

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai.

Jennifer Standridge SS. 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.

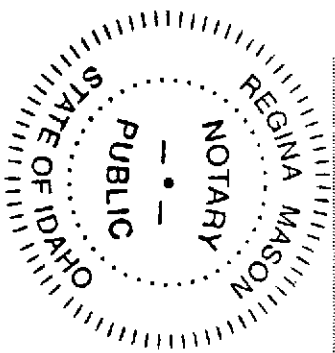
3. The *Legal Notice*

of which the annexed is a printed copy, was published in the regular issue of said newspaper for *Thursday* consecutive *weeks* commencing on the *12* day of *July* 2001, and ending on the *12* day of *July* 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 *12* day of *July* 2001

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



MY COMMISSION EXPIRES 6/30/02

NOTICE OF APPLICATION FOR WATER RIGHTS

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

95-9089

JTL GROUP INC
505 W RIVERSIDE - SUITE 500
SPOKANE WA 99201
Point(s) of Diversion: SWNW S13 T51N R05W KOOTENAI
County: SWNW
Source: GROUND WATER
Use: COMMERCIAL
Date Filed: 06/15/2001
Total Diversion: 01/01 To 12/31
Place of Use: COMMERCIAL T51N R05W S13 SWNW
Remark: Commercial use is for washing aggregate and red-mix concrete production.

95-9090

JAMES GRASSI
309 S MADISON RD
POST FALLS ID 83854
Point(s) of Diversion: SWNW S8 T50N R05W KOOTENAI
County: SWNW
Source: GROUND WATER
Use: DOMESTIC
Date Filed: 06/06/2001
Total Diversion: 01/01 To 12/31
Place of Use: Domestic T50N R05W S8 SWNW
Remark: Domestic use is for 1 home.
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, Idaho 83814, together with a protest fee of \$25.00 for each application on or before 07/23/2001. The protestant must also send a copy of the protest to the applicant.

Legal 374
July 5, 12, 2001

KARL J. DREHER, Director

MICROFILMED

JUL 12 2001



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

June 27, 2001

Legal Notice Department
Coeur D Alene Press
201 N 2nd
COEUR D ALENE ID 83814

RE: Applications for Permit No: 95-9089, and 95-9090

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 07/23/2001. Your cooperation is appreciated.

Sincerely

Dianne Ball
Administrative Assistant

MICROFILMED

OCT 12 2001

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

95-9089

JTL GROUP INC
505 W RIVERSIDE - SUITE 500
SPOKANE WA 99201

Point(s) of Diversion SWNW S13 T51N R05W KOOTENAI County

Source GROUND WATER

Use: COMMERCIAL 01/01 To 12/31 4 CFS

Total Diversion: 4 CFS

Date Filed: 06/15/2001

Place Of Use: COMMERCIAL T51N R05W S13 SWNW

Remark: Commercial use is for washing aggregate and red-mix concrete production.

95-9090

JAMES GRASSI
309 S MADISON RD
POST FALLS ID 83854

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

Source GROUND WATER

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

Total Diversion: 0.04 CFS

Date Filed: 06/06/2001

Place Of Use: DOMESTIC T50N R05W S8 SWNW

Remark: Domestic use is for 1 home.

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 07/23/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in Coeur d'Alene Press on 7/5 and 12/2001

MICROFILMED

OCT 12 2001



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

June 27, 2001

JAMES GRASSI
309 S MADISON RD
POST FALLS ID 83854

RE: Application for Permit No 95-9090

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 5 and 12, 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 60 to 120 days.

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

Sincerely,

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

Al Beardslee
Senior Water Resource Agent

MICROFILMED

OCT 12 2001