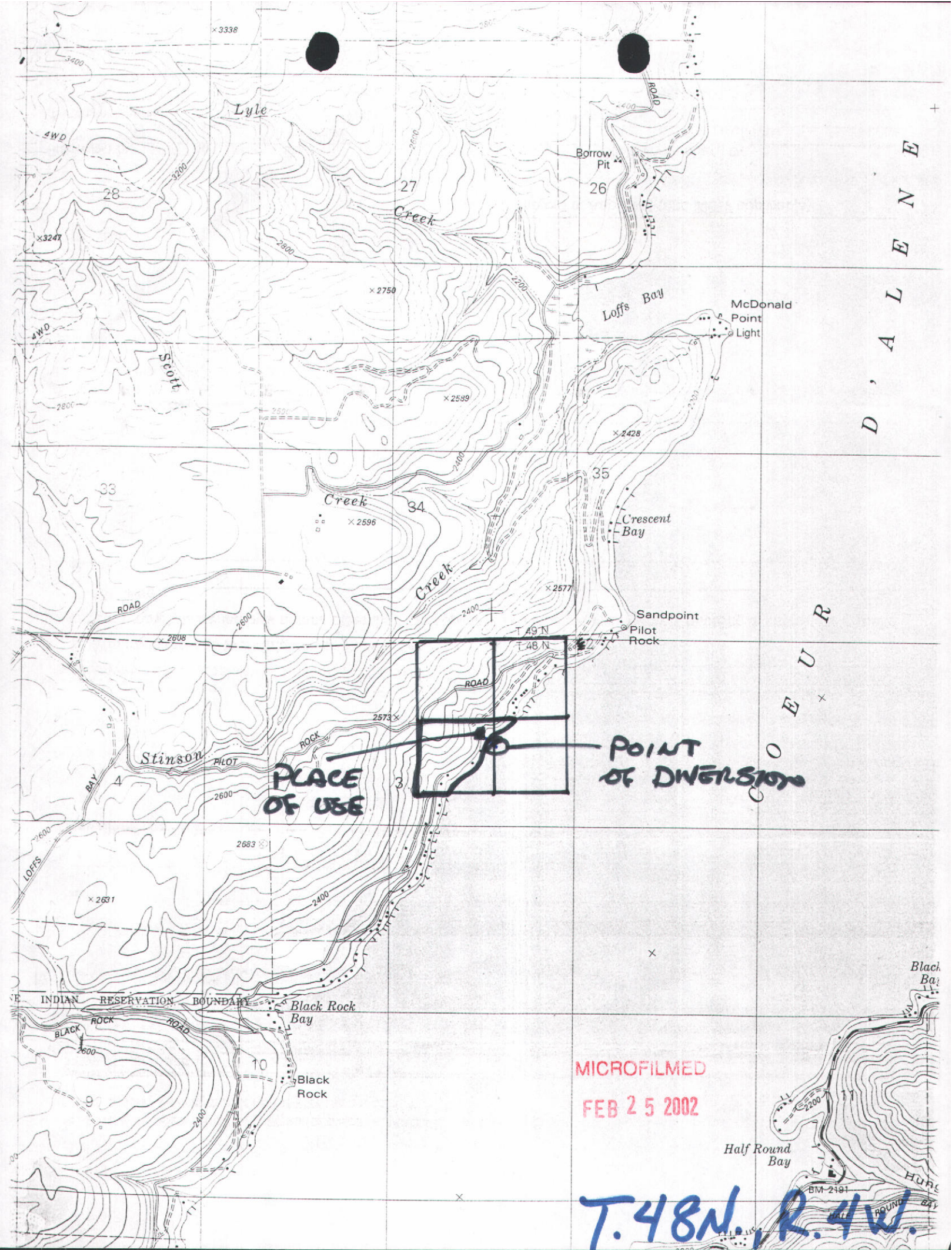




x 3338

Lyle

28

27

Creek

26

Borrow Pit

Loffs Bay

McDonald Point Light

Scott

x 2599

35

Crescent Bay

Creek

34

x 2596

Creek

x 2577

Sandpoint Pilot Rock

T.49 N

T.48 N

Stinson

PILOT

PLACE OF USE

POINT OF DIVERSION

2683

x 2631

INDIAN RESERVATION BOUNDARY

Black Rock Bay

Black Rock

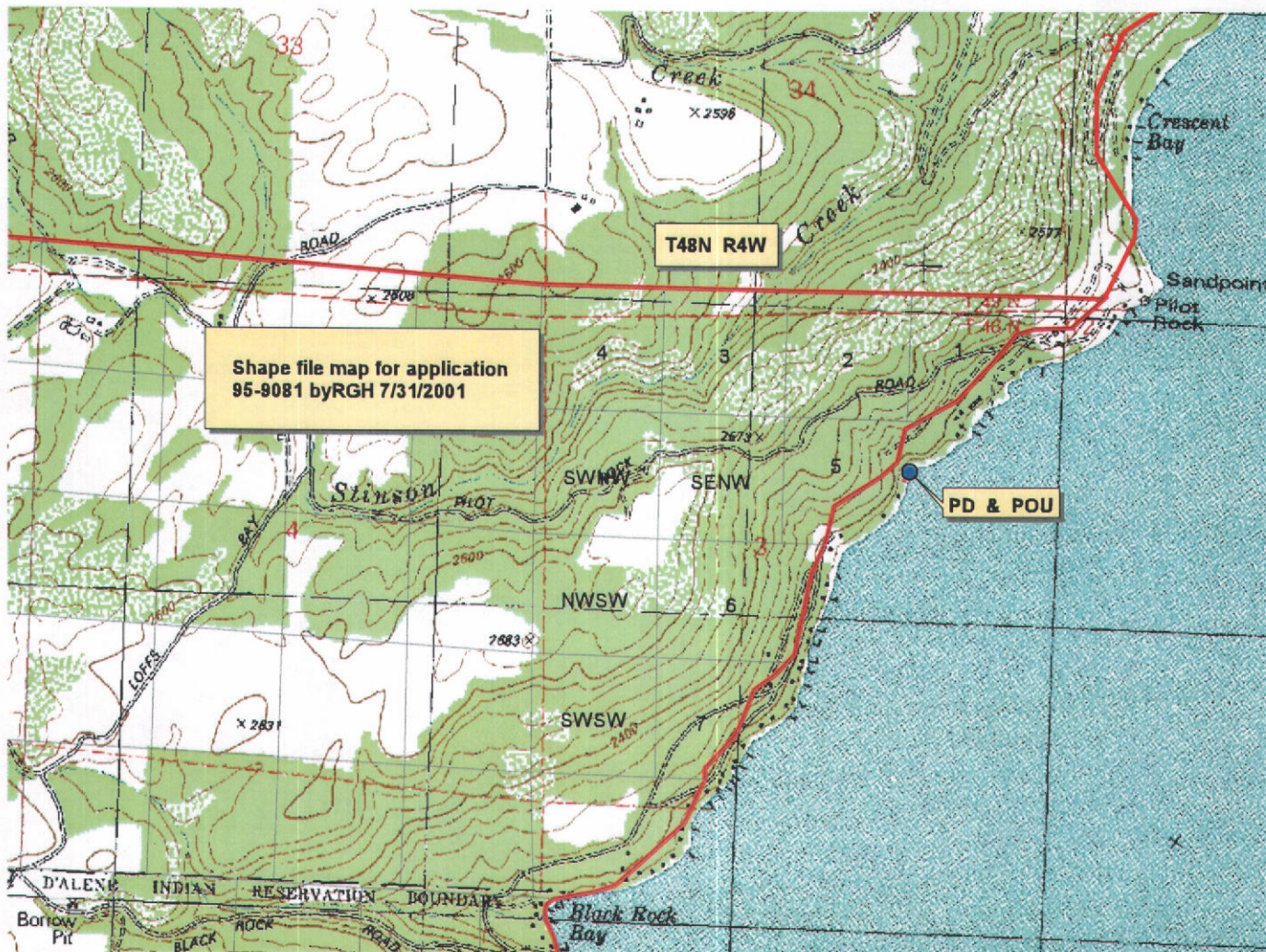
10

MICROFILMED
FEB 25 2002

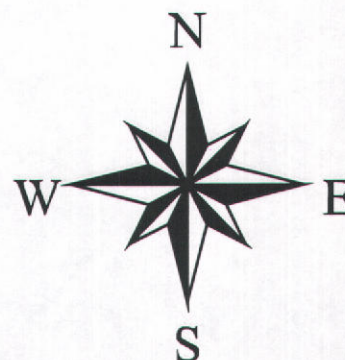
Half Round Bay

BM 2191

T.48N., R.4W.



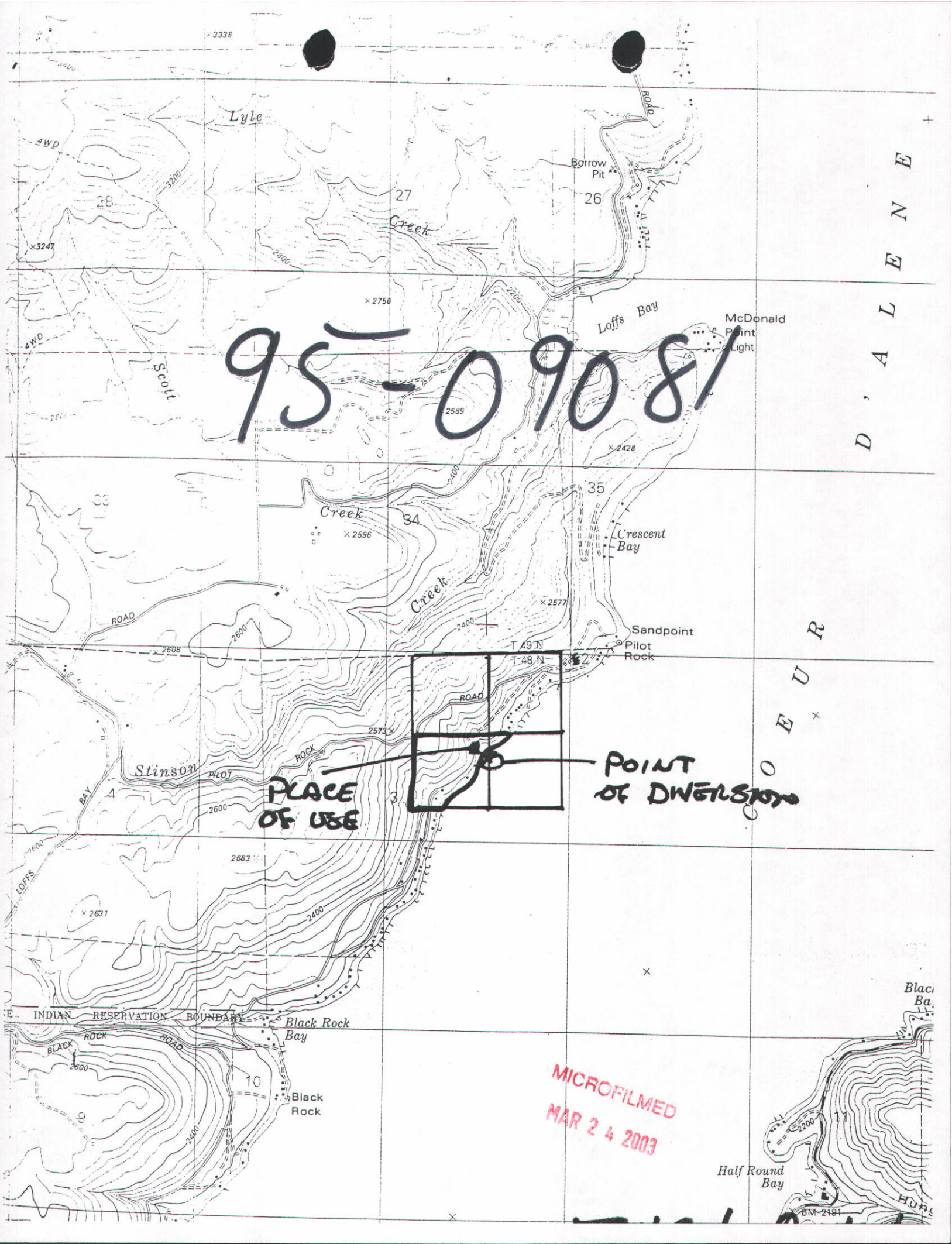
0.3 0 0.3 0.6 Miles



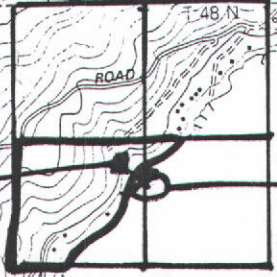
- GCDBT48N04W.shp
- POD- ApplicationApplication POD
- Application POU
- Townships

MICROFILMED

FEB 25 2002



95-09081



POINT OF DIVERGENCE

PLACE OF USE

MICROFILMED
MAR 24 2003



pu



pu

95-09081

MICROFILMED
MAR 24 2003



MICROFILMED
FEB 25 2002

T.48N. R.4W.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 95-09081

Priority: May 10, 2001

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

It is hereby certified that W STACEY COWLES
1908 E 25TH AVE
SPOKANE WA 99203 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated May 10, 2001; and has
submitted Proof of Beneficial Use on May 16, 2002. An examination indicates that the works have a
diversion capacity of 0.03 cfs of water from:

SOURCE

COEUR D ALENE LAKE

Tributary: SPOKANE RIVER

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:

COEUR D ALENE LAKE L5 (SW¼NE¼) Sec. 3, Twp 48N, Rge 04W, B.M., KOOTENAI County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
48N 04W 3			X														
			L5														

CONDITIONS OF APPROVAL

1. The issuance of this right does not grant any right-of-way or easement across the land of another.
2. A fish screen of ¼ inch or smaller mesh shall be installed and maintained at the point of diversion.
3. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.
4. 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 22nd day of NOVEMBER, 2002.

Acting for 
KARL J. DREHER
Director

MICROFILMED

MAR 24 2003

Amt. of Fee \$: 50.00
Receipt No. 2042112
Receipt By: SM
Date Received: 5-16-02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 16 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. 95-9081 Telephone No. 509-534-7320
2. Name of Permit Holder(s): W. STACEY COULES
3. Mailing Address: 1908 E. 25TH
City SPOKANE State WA Zip 99203
4. Source of Water: COEUR D'ALENE LK. If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.04 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 X
Has the measuring device been installed? Yes _____ or No X
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: DENNIS PLOYHAR Telephone Number: 208-765-1534
Address: 2839 WHITE PINES DR, COEUR D'ALENE, ID 83814
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: [Signature]
(include your title, if on behalf of company or organization)

Date: 5/14/02

MICROFILMED
OCT 17 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09081

Priority: 05/10/2001

Maximum Diversion Rate: 0.04 CFS

This is to certify, that W STACEY COWLES
1908 E 25TH AVE
SPOKANE WA 99203

has applied for a permit to appropriate water from:

Source: COEUR D ALENE LAKE **Tributary:** SPOKANE RIVER

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:

COEUR D ALENE LAKE L5 SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 3, Twp 48N, Rge 04W, B.M. KOOTENAI County

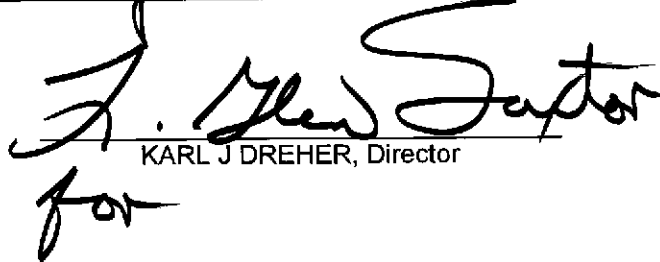
PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
48N 04W 3			X														
			L5														

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. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. A fish screen of $\frac{1}{4}$ inch or smaller mesh shall be installed and maintained at the point of diversion.
5. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.
6. 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 8th day of August, 2001.


KARL J DREHER, Director
for

MICROFILMED

FEB 25 2002

\$ 100.00

AL BEARDSLEE

208-769-1450

FORM 202

2/96 RECEIVED

69133

Ident. No. 95-9081

AUG - 2 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of Applicant W. STACEY COWLES Phone (509) 534-7320
Mailing address 1908 E. 25th AVE SPOKANE WA 99203
2. Source of water supply COEUR D'ALENE LAKE which is a tributary of SPOKANE RIVER
3. Location of point of diversion is Township 46N Range 4W Sec. 3 in the 1/4,
SW 1/4, NE 1/4, Govt. Lot 5, B.M., KOOTENAI County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | | |
|--|------------------------------|
| Amount <u>0.04</u> for <u>DOMESTIC</u> purposes from <u>4/1</u> to <u>12/31</u> (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 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source PUMP IN LAKE, PUMP TO HOME
- 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. ONE
- e. Other; describe fully. _____

MICROFILMED

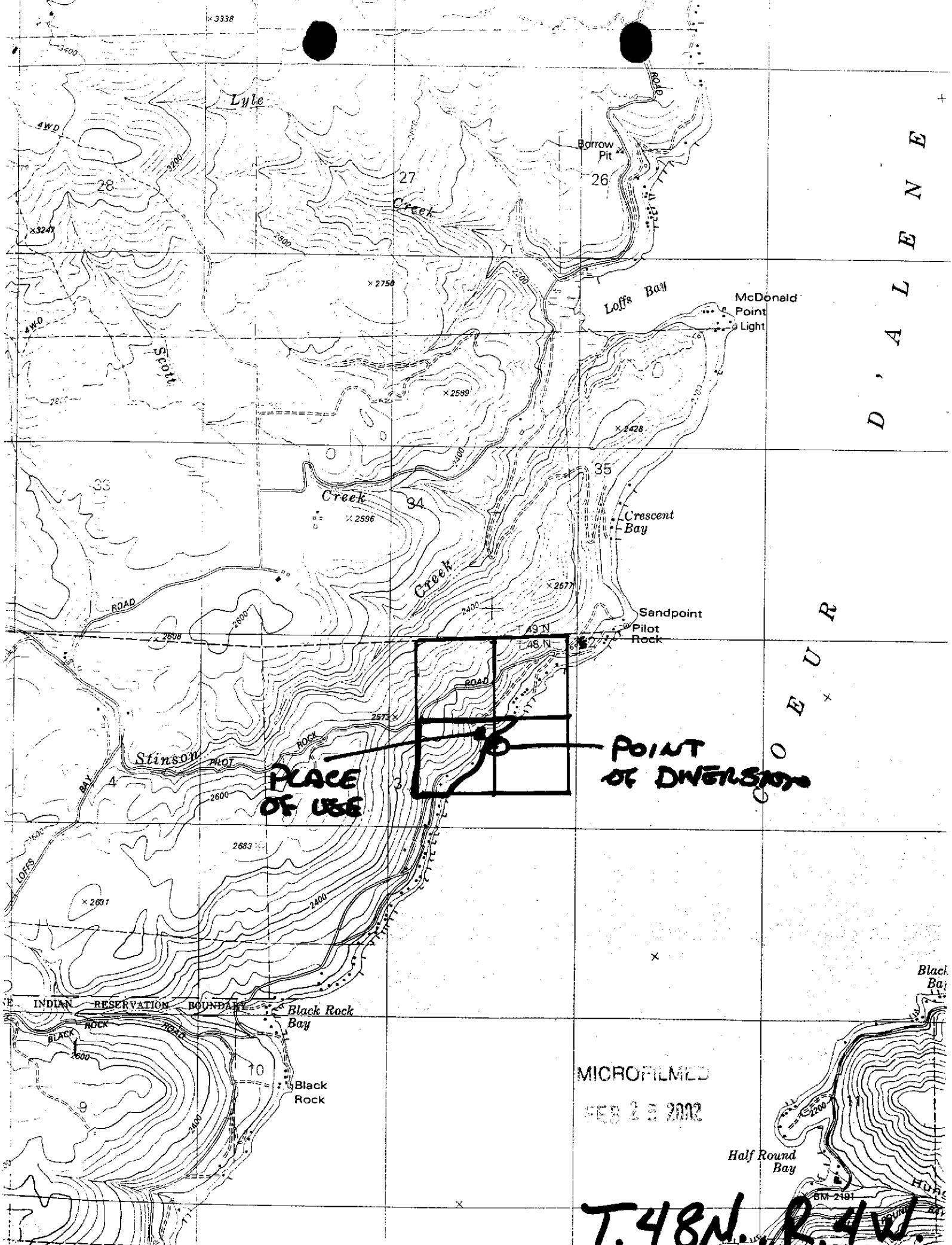
FEB 25 2002

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												
44	4	3												

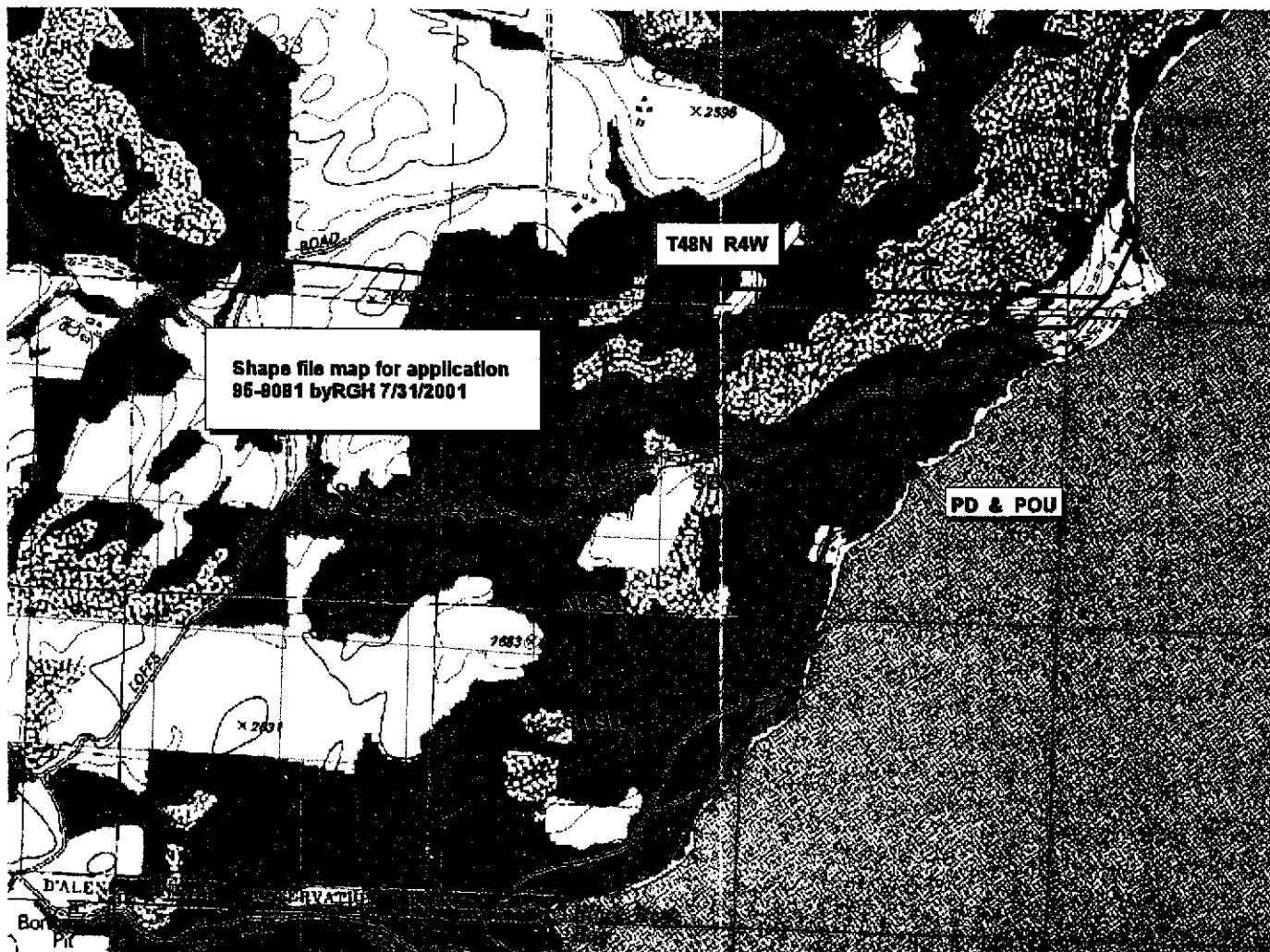


D A L E N E

R
U
E

MICROFILMED
SEP 2 1982

T. 48N., R. 4W.

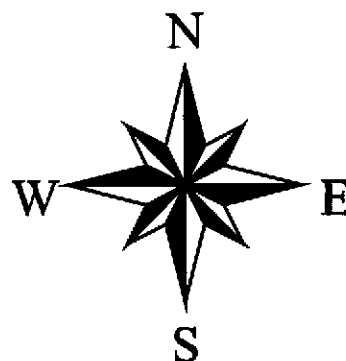


0.3 0 0.3 0.6 Miles

-  GCDBT48N04W.shp
-  POD- ApplicationApplication POD
-  Application POU
-  Townships

MICROFILMED

FEB 25 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 27, 2002

W STACEY COWLES
1908 E 25TH AVE
SPOKANE WA 99203

RE: License No. 95-9081 - 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,

for Shelley W. Keen
Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
MAR 24 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.

95-9081

W STACEY COWLES
1908 E 25TH AVE
SPOKANE WA 99203



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.

Comment Report

95-9081

1. kwalker 11/26/2002 License Review

Comment: Recommend license as permitted.

2. dball 5/30/2001 10:22:17 AM Legal Notice Remarks

Comment: Domestic use is for 1 home.

The examiner measured 0.03 cfs using the bucket + stopwatch method. This method may not be accurate if the water is being pumped into a pressurized storage tank before it's distributed. A theoretical calculation suggests a diversion capacity of at least 0.04 cfs. Therefore, the license will be issued for 0.04 cfs.

S. Keen
11/26/2002

MICROFILMED

MAR 24 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 30 2002
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 95-09081

1. Owner: Ms. Stacy Cowles Phone No. (509) 534-7320

Current Address: 1908 E 25th Spokane Wa. 99203

2. Accompanied by: unaccompanied EXAM DATE: 9-6-02

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Coeur D'Alene Lake tributary to Spokane River

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
	05		SW	NE	3	48N	04W	Kootenai	USFS 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	
48N	04W	3			D														

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SEP 24 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
	Frank	1	2801084915	Sob	111

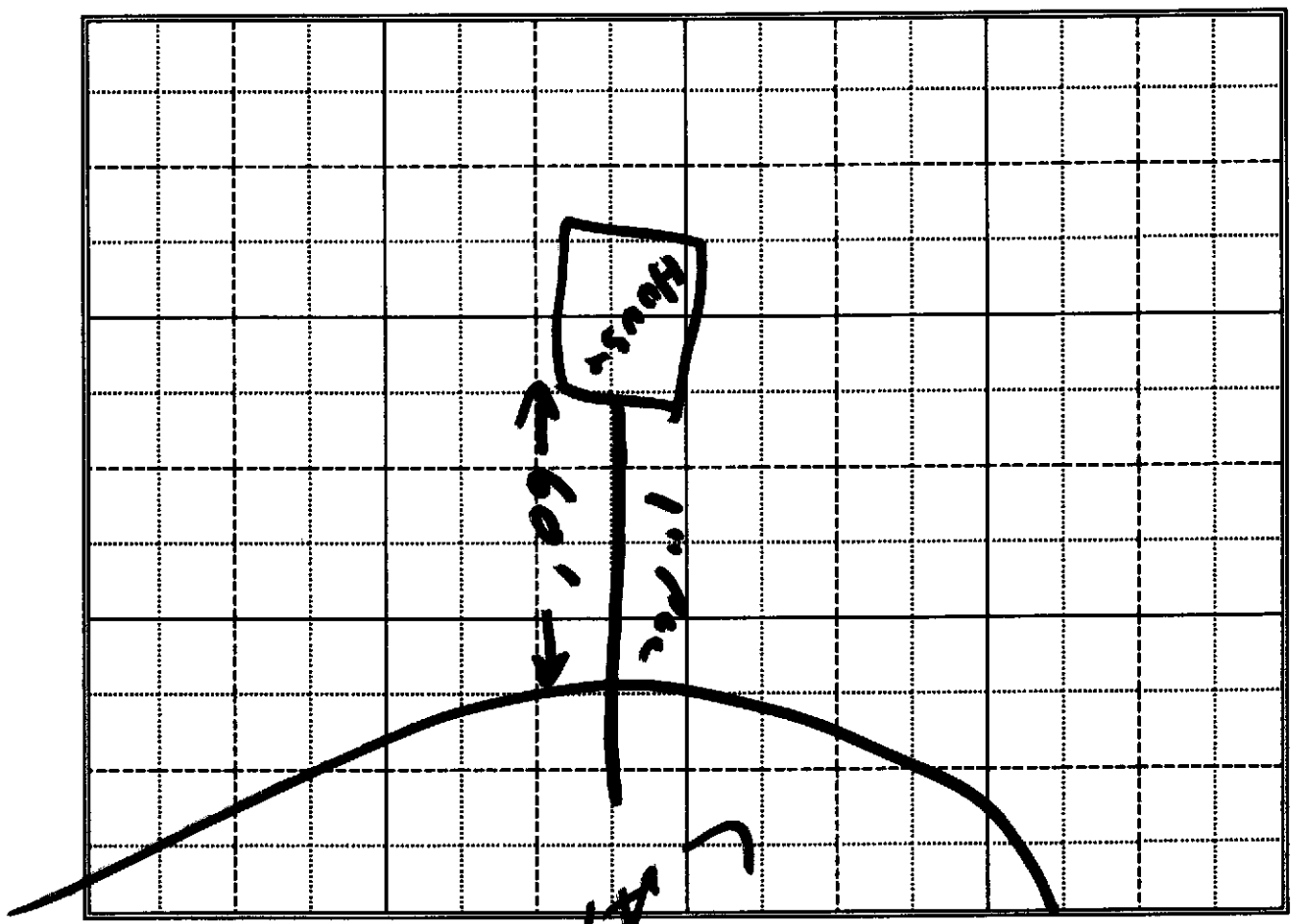
4.

Scale: 1" = _____.

_____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

_____ Aerial Photo Attached (required for irrigation of 10+ acres)

_____ Photo of Diversion and System Attached



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

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

MICROFILMED
MAR 24 2002

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

$$5 \text{ gal} \times 20 \text{ sec} = 100 \text{ sec}$$

$$15 \times 1.33681 = 20.05215$$

$$20.05215 - 100 = -79.94785$$

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

Period of Use

From 01-01 To 11-31

Rate of Diversion

Q (cfs) 103

Annual Volume

V (afa) 112

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

Wagner Beldin

Date

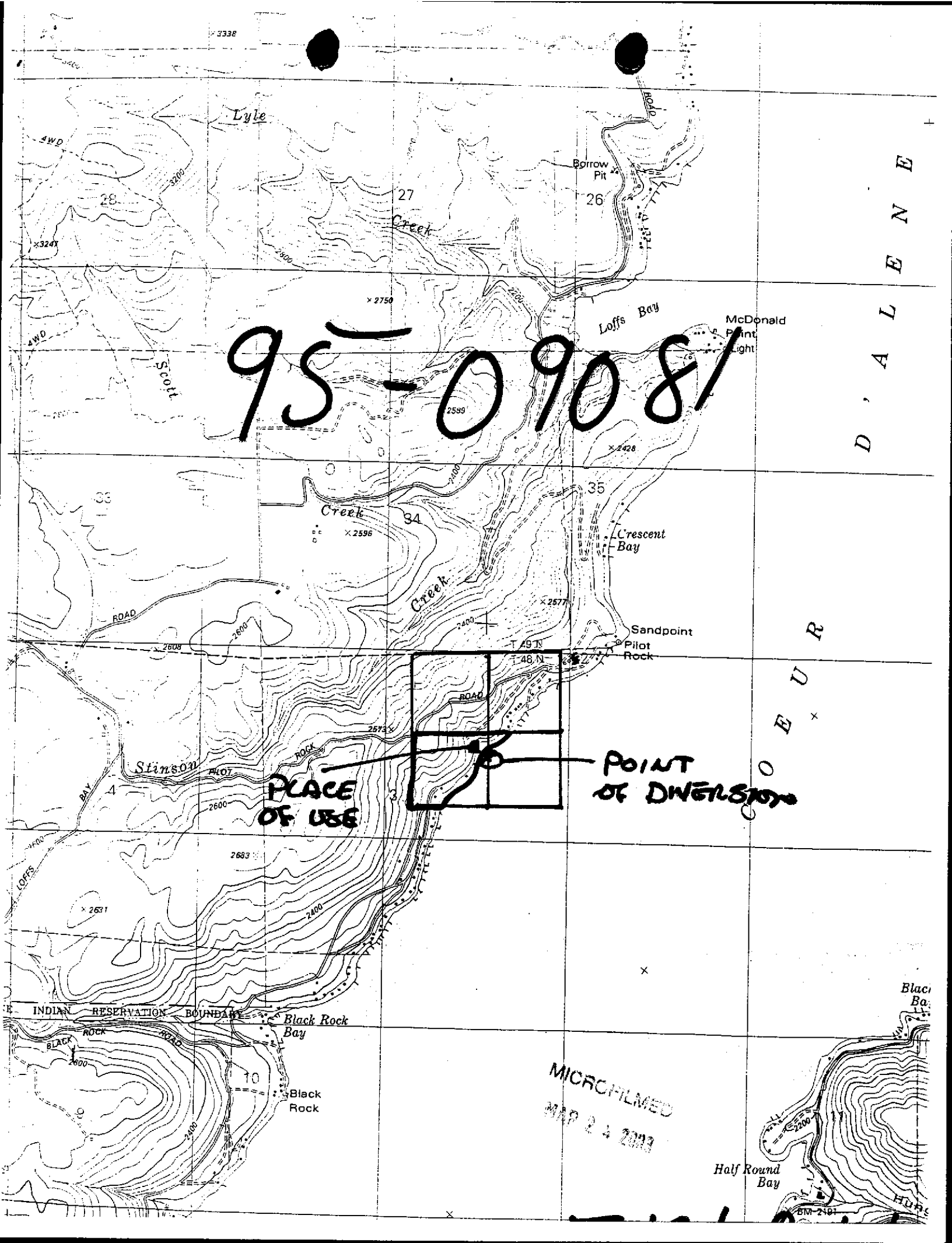
9-29-02

Reviewer

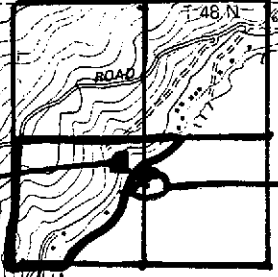
SEAL

MICROFILMED

2002 2 2 000



95-09081



PLACE OF USE

POINT OF DIVERSION

MICROFILMED
MAP 2 4 2013

D A L E N E

E U R

Black Bay

Half Round Bay

HUR



p2

p1

95-09081

MICROFILM

MAR 24 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

May 17, 2002

W STACEY COWLES
1908 E 25TH
SPOKANE WA 99203

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-09081

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 at (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.: 95-9081

Reviewed By: dgibson

Date: May 16, 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.:		N014347, C062112	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		05/16/2002
Date proof due	-	08/01/2002
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	05/10/2001
New priority date	=	05/10/2001

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

August 9, 2001

W STACEY COWLES
1908 E 25TH AVE
SPOKANE WA 99203

RE: Permit No. 95-9081

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.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

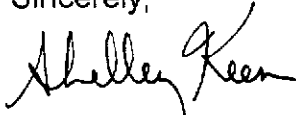
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's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

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

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

SEP 25 2002

CERTIFICATE OF MAILING

I hereby certify that on August 9, 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. 95-9081

**W STACEY COWLES
1908 E 25TH AVE
SPOKANE WA 99203**

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

**Kari Lynn Townsend
Secretary**

MICROFILMED

AUG 25 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).

MICROFILMED

FEB 25 2002

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

To: File 95-9081

From: Sharla

Date: August 6, 2001

Re: Fish & Game Comments

The IDFG representative who submitted comments has recommended adding conditions regarding the underwater excavation and pump/pipeline placements in the stream beds or lakes. These issues go beyond the scope of the water right application and fall instead under the jurisdiction of the Stream Channel Alteration section of this department and/or Dept. of Lands via an encroachment permit.

The standard conditions regarding the approach velocity and mesh screening will be placed on the permit, but the other issues above will not be addressed by the water right permit.

MICROFILMED

SEP 13 2001

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**
Reviewed by Sharla Curtis on 8/3/01

No. 95-9081 Name: Stacy 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: (√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)
>1 in restricted area - 070-071-075 (no parks/common areas)
Irr separate or none allowed - WB5
GW w/irrigation from SW evident - 065-104
Moratorium approvable - 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 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 p/d intended - 076

IRRIGATION SEASON _____ - _____ (Per updated map)

IRR VOLUME/ACRE _____

OTHER CONDITIONS/REMARKS _____

COMMENTS _____

Ball, Dianne

From: RAY HENNEKEY [rhenneke@IDFG.STATE.ID.US]
Sent: Monday, July 09, 2001 12:42 PM
To: dball@idwr.state.id.us
Cc: GREG TOURTLOTTE; TRACEY TRENT
Subject: Comments re. several WR applications

July 9, 2001

Idaho Department of Water Resources
Northern Region
1910 Northwest Blvd, S 210
Coeur d'Alene, ID 83814

Via email to Diane Ball:

REFERENCE: Applications for the following water rights permits:

- # 95-9081 - W STACEY COWLES
- # 95-9083 - WILLIAM BYERS
- # 95-9084 - DAVID R MATHER
- # 95-9087 - JOSEPH H LONAM
- # 95-9076 - WAYNE ARTHUR HOMAN

Idaho Department of Fish and Game has no specific objections or comments about the above applications. However, water lines and pumps are an encroachment in lakes and rivers that can be detrimental to fish and fish habitat.

We recommend that applicants be required to (install lines beneath the lake, river or stream bed during low water periods when underwater excavation will be minimized. Dug materials should be sidecast to only one side and the bottom contour and substrate restored. Any unburied sections of the line should be anchored on the bottom to prevent it from floating and interfering with boat anchors or anglers' lines or capturing debris. The applicant should also provide a smooth cover for the pump to avoid interference with boat anchors or anglers' lines and to avoid capturing debris. It would be preferable to place pumps on land rather than in the water.) Water intakes should be screened to prevent entrainment or impingement of fish. The maximum screen mesh size should be 0.25 inches; approach velocities should not exceed 0.5 ft/second to prevent losses of juvenile fish.

use 0.25" & modify to fit

(WIS)

Applicants should obtain necessary encroachment permits prior to installing water lines and pumps in State waters.

✓ filed, see email from idl 6/1/01

Thank you for the opportunity to comment.

Ray Hennekey
Environmental Staff Biologist
Idaho Department of Fish and Game, Region 1

C: Tracey Trent, IDFG Boise; Greg Tourtlotte, IDFG Region 1

MICROFILMED

SEP 10 2002

Ball, Dianne

From: Jim Brady [jbrady@idl.state.id.us]

Sent: Friday, June 01, 2001 7:23 AM

To: 'dball@idwr.state.id.us'

Subject: William Stacey Cowles Waterline

Diane, I am in receipt of an application for encroachment to place a waterline in to Lake Coeur d'Alene at section 3 T48N R4W, Kootenai County. Included in the application is an application for a water right. IDL will be processing the encroachment application over the next 3 weeks and do not anticipate any objections and as such IDL has no objection to appropriate water. Jim Brady, Resource Manager - Minerals & Navigable Waters

MICROFILMED

SEP 23 2002

6/1/01

AUG - 2 2001

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION ANALYSIS SHEET

Department of Water Resources

69133
APPLICATION # 95-9081

INITIAL REVIEW

BC/WRT

APPLICANT: COWLES

BY: AB

DATE: 5/10/01

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

(Yes) (No)

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

PROCESSING

(Yes) (No) PRIORITY DATE: 5/10/01

☒ (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: Per Jim Brady, IDL
encasement permit being
processed - anticipate no objection
+ as such IDL has no obj. to WRD
6/1/01

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

- ☒ Notice of pending void order issued. Final order response date:
- ☒ Further information required from applicant
- 6/15 ☒ Affidavit of publication received
- 6/19 ☒ Application published correctly. If not, record action taken:
- 7/30 ☒ Publication dates and paper recorded on application | Sr. Agent initial AB
- ☒ Protests received, Final protest date: 6/25/01
- ☒ Measuring device required
- ☒ Measuring port required
- ☒ Special conditions:
- ☒ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AB RYN

Date: 7/19/01

JUN 15 2001

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai, SS,

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.

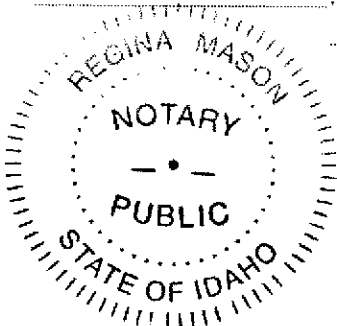
3. The Legal Notice

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 7 day of June, 2001, and ending on the 14 day of June, 2001, and such publication was made as often during said period as said daily newspaper was regularly issued.

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

Jennifer Standridge
Personally appeared before me this 14 day of June, 2001

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



MICROFILMED

MY COMMISSION EXPIRES 6/18/03 2 5 2003

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-9081

W STACEY COWLES
1908 E 25TH AVE
SPOKANE WA 99203
Point(s) of Diversion L5 SWNE S3 T48N R04W KOOTENAI
County.
Source: COEUR D'ALENE LAKE Tributary: To SPOKANE RIVER
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 05/10/2001
Place of Use: DOMESTIC T48N R04W S3 SWNE Lot 5
Remark: Domestic use is for 1 home

95-9082

GREEN FERRY WATER & SEWER DISTRICT
PO BOX 1105
POST FALLS ID 83854
Point(s) of Diversion SWNW S12 T50N R05W KOOTENAI
County.
Source: GROUNDWATER
Point(s) of Diversion SENW S12 T50N R05W KOOTENAI
County.
Source: GROUNDWATER
Use: MUNICIPAL 01/01 To 12/31 1 CFS
Total Diversion: 1 CFS

Date Filed: 05/10/2001
Remark: Municipal use is for applicant's service area

95-9083

WILLIAM BYERS
2587 LEISURE WORLD
MESA AZ 85206-5421
Point(s) of Diversion L5 NWSW S4 T49N R03W KOOTENAI
County.
Source: COEUR D'ALENE LAKE Tributary To SPOKANE RIVER
Use: IRRIGATION 03/15 To 11/15 0.07 CFS
Total Diversion: 0.07 CFS

Date Filed: 05/10/2001
Place of Use: IRRIGATION T49N R03W S4 NWSW Lot 5
Number of Acres 0.5

95-9084

DAVID R MATHER
606 W SQUIRREL TRAIL
COEUR D'ALENE ID 83814
Point(s) of Diversion NWSE S1 T49N R04W KOOTENAI
County.
Source: COEUR D'ALENE LAKE Tributary To SPOKANE RIVER
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 05/14/2001
Place of Use: DOMESTIC T49N R04W S1 NWSE
Remark: Domestic use is for 1 home.

95-9085

MB BUILDERS INC
4 S RANCH
7400 N COLFAX
DALTON GARDENS ID 83815
Point(s) of Diversion SESE S33 T52N R03W KOOTENAI
County.
Source: GROUNDWATER
Point(s) of Diversion NENW S33 T52N R03W KOOTENAI
County.
Source: GROUNDWATER
Use: IRRIGATION 03/15 To 11/15 0.15 CFS
Use: DOMESTIC 01/01 To 12/31 0.18 CFS
Total Diversion: 0.33 CFS

Date Filed: 05/15/2001
Place of Use: DOMESTIC T52N R03W S28 NESW SESW
T52N R03W S33 NENW NWNW
Place of Use: IRRIGATION same as DOMESTIC
Number of Acres 7.5
Remark: Domestic use is for 15 homes.

95-9087

JOSEPH H LONAM
4401 HOLMES
COEUR D'ALENE ID 83815
Point(s) of Diversion SESW S27 T50N R03W KOOTENAI
County.
Source: SPRING Tributary To SINKS
Point(s) of Diversion SESW S27 T50N R03W KOOTENAI
County.
Source: GROUNDWATER
Use: IRRIGATION 03/15 To 11/15 0.02 CFS
Use: IRRIGATION STORAGE 03/15 To 11/15 1AFA
Use: IRRIGATION FROM STORAGE 03/15 To 11/15 1AFA
Use: STOCKWATER 01/01 To 12/31 0.02 CFS
Use: STOCKWATER STORAGE 01/01 To 12/31 1AFA
Use: STOCKWATER FROM STORAGE 01/01 To 12/31 1AFA
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Use: DOMESTIC STORAGE 01/01 To 12/31 1AFA
Use: DOMESTIC FROM STORAGE 01/01 To 12/31 1AFA
Use: FIRE PROTECTION 01/01 To 12/31 1AFA
Total Diversion: 0.02 CFS

Date Filed: 05/24/2001
Place of Use: FIRE PROTECTION STORAGE T50N R03W S27 SESW
Place of Use: IRRIGATION, IRRIGATION STORAGE, IRRIGATION FROM STORAGE, DOMESTIC, and STOCKWATER same as FIRE PROTECTION.
Remark: Domestic use is for 1 home
Stockwater use is for 7-8 head of mixed stock.

96-9075

UEBERROTH FAMILY TRUST
C/O MICK BLAKELY
16284 RIM ROCK RD
HAYDEN ID 83835
Point(s) of Diversion NENW S36 T53N R03W KOOTENAI
County.
Source: UNNAMED STREAM Tributary To SAGE CREEK
Point(s) of Diversion NWNW S36 T53N R03W KOOTENAI
County.
Source: UNNAMED STREAM Tributary to SAGE CREEK
Use: IRRIGATION 03/15 To 11/15 0.02 CFS
Use: IRRIGATION STORAGE 03/15 To 11/15 2AFA
Use: IRRIGATION FROM STORAGE 03/15 To 11/15 2AFA
Use: STOCKWATER STORAGE 01/01 To 12/31 2AFA
Use: STOCKWATER FROM STORAGE 01/01 To 12/31 2AFA
Use: RECREATION STORAGE 01/01 To 12/31 2AFA
Use: FIRE PROTECTION STORAGE 01/01 To 12/31 2AFA
Use: DIVERSION TO STORAGE 01/01 To 12/31 0.2CFS
Total Diversion: 0.02 CFS

Date Filed: 05/22/2001
Place of Use: IRRIGATION T53N R03W S36 NENW NWNW
Number of Acres 10
Place of Use: IRRIGATION STORAGE, IRRIGATION FROM STORAGE, DIVERSION TO STORAGE, STOCKWATER STORAGE and RECREATION STORAGE same as IRRIGATION
Remark: Recreation use is for fishing and swimming.
Stockwater use is for 10 horses.
Recreation use is for fishing and swimming.
Stockwater use is for 10 horses.

96-9076

WAYNE AUTHUR HOMAN
311 MONTGOMERY PLACE
POST FALLS ID 83854
Point(s) of Diversion L4 NWSW S14 T53N R05W KOOTENAI County.
Source: SPIRIT LAKE Tributary To SPIRIT CREEK
Use: IRRIGATION 03/15 To 11/15 0.8 CFS
Use: DOMESTIC 01/01 To 12/31 0.4CFS
Total Diversion: 0.12 CFS

Date Filed: 05/22/2001
Place of Use: IRRIGATION T53N R05W S14 NWSW Lot 4
T53N R05W S15 NESE
Number of Acres 3
Place of Use: DOMESTIC T53N R05W S14 NWSW Lot 4
T53N R05W S15 NESE

Remark: Recreation use is for fishing and swimming.
Stockwater use is for 10 horses.
Recreation use is for fishing and swimming.
Stockwater use is for 10 horses.

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 06/25/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Legal 179
June 7, 14, 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

May 30, 2001

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

RE: Application for Permit No. 95-9081, 95-9082, 95-9083, 95-9084, 95-9085, 95-9087, 96-9075, and 96-9076

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 06/25/2001. Your cooperation is appreciated.

Thanks D C

Sincerely

Dianne Ball

Dianne Ball
Administrative Assistant

MICROFILMED

APR 11 2002

95-9081

W STACEY COWLES
1908 E 25TH AVE
SPOKANE ID 99203
Point(s) of Diversion L5 SWNE S3 T48N R04W KOOTENAI County
Source COEUR D ALENE LAKE Tributary To SPOKANE RIVER
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 05/10/2001
Place Of Use: DOMESTIC T48N R04W S3 SWNE Lot 5
Remark: Domestic use is for 1 home.

95-9082

GREEN FERRY WATER & SEWER DISTRICT
PO BOX 1105
POST FALLS ID 83854
Point(s) of Diversion SWNW S12 T50N R05W KOOTENAI County
Source GROUND WATER
Point(s) of Diversion SENW S12 T50N R05W KOOTENAI County
Source GROUND WATER
Use: MUNICIPAL 01/01 To 12/31 1 CFS
Total Diversion: 1 CFS
Date Filed: 05/10/2001
Remark: Municipal use is for applicant's service area

95-9083

WILLIAM BYERS
2587 LEISURE WORLD
MESA AZ 85206-5421
Point(s) of Diversion L5 NWSW S4 T49N R03W KOOTENAI County
Source COEUR D ALENE LAKE Tributary To SPOKANE RIVER
Use: IRRIGATION 03/15 To 11/15 0.07 CFS
Total Diversion: 0.07 CFS
Date Filed: 05/10/2001
Place Of Use: IRRIGATION T49N R03W S4 NWSW Lot 5
Number of Acres 0.5

95-9084

DAVID R MATHER
606 W SQUIRREL TRAIL
COEUR D ALENE ID 83814
Point(s) of Diversion NWSE S1 T49N R04W KOOTENAI County
Source COEUR D ALENE LAKE Tributary To SPOKANE RIVER
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 05/14/2001
Place Of Use: DOMESTIC T49N R04W S1 NWSE
Remark: Domestic use is for 1 home.

95-9085

M B BUILDERS INC
4 S RANCH
7400 N COLFAX
DALTON GARDENS ID 83815
Point(s) of Diversion SESE S33 T52N R03W KOOTENAI County
Source GROUND WATER
Point(s) of Diversion NENW S33 T52N R03W KOOTENAI County
Source GROUND WATER
Use: IRRIGATION 03/15 To 11/15 0.15 CFS
Use: DOMESTIC 01/01 To 12/31 0.18 CFS
Total Diversion: 0.33 CFS
Date Filed: 05/15/2001
Place Of Use: DOMESTIC T52N R03W S28 NESW SESW
T52N R03W S33 NENW NWNW
Place Of Use: IRRIGATION same as DOMESTIC
Number of Acres 7.5
Remark: Domestic use is for 15 homes.

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SEP 25 1995

Continued on next page

JOSEPH H LONAM

4401 HOLMES

COEUR D'ALENE ID 83815

Point(s) of Diversion SESW S27 T50N R03W KOOTENAI County

Source SPRING Tributary To SINKS

Point(s) of Diversion SESW S27 T50N R03W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 03/15 To 11/15 0.2 CFS

Use: IRRIGATION STORAGE 03/15 To 11/15 1 AFA

Use: IRRIGATION FROM STORAGE 03/15 To 11/15 1 AFA

Use: STOCKWATER 01/01 To 12/31 0.02 CFS

Use: STOCKWATER STORAGE 01/01 To 12/31 1 AFA

Use: STOCKWATER FROM STORAGE 01/01 To 12/31 1 AFA

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

Use: DOMESTIC STORAGE 01/01 To 12/31 1 AFA

Use: DOMESTIC FROM STORAGE 01/01 To 12/31 1 AFA

Use: FIRE PROTECTION STORAGE 01/01 To 12/31 1 AFA

Total Diversion: 0.2 CFS

Date Filed: 05/24/2001

Place Of Use: FIRE PROTECTION STORAGE T50N R03W S27 SESW

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

Remark: Domestic use is for 1 home.

Stockwater use is for 7-8 head of mixed stock.

96-9075

UEBERROTH FAMILY TRUST

C/O MICK BLAKELY

16284 RIM ROCK RD

HAYDEN ID 83835

Point(s) of Diversion NENW S36 T53N R03W KOOTENAI County

Source UNNAMED STREAM Tributary To SAGE CREEK

Point(s) of Diversion NWNW S36 T53N R03W KOOTENAI County

Source UNNAMED STREAM Tributary To SAGE CREEK

Use: IRRIGATION 03/15 To 11/15 0.2 CFS

Use: IRRIGATION STORAGE 03/15 To 11/15 2 AFA

Use: IRRIGATION FROM STORAGE 03/15 To 11/15 2 AFA

Use: STOCKWATER STORAGE 01/01 To 12/31 2 AFA

Use: STOCKWATER FROM STORAGE 01/01 To 12/31 2 AFA

Use: RECREATION STORAGE 01/01 To 12/31 2 AFA

Use: FIRE PROTECTION STORAGE 01/01 To 12/31 2 AFA

Use: DIVERSION TO STORAGE 01/01 To 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 05/22/2001

Place Of Use: IRRIGATION T53N R03W S36 NENW NWNW

Number of Acres 10

Place Of Use: IRRIGATION STORAGE, IRRIGATION FROM STORAGE, DIVERSION TO STORAGE, STOCKWATER STORAGE and RECREATION STORAGE same as IRRIGATION

Remark: Recreation use is for fishing and swimming.

Stockwater use is for 10 horses.

Recreation use is for fishing and swimming.

Stockwater use is for 10 horses.

96-9076

WAYNE ARTHUR HOHMAN

311 MONTGOMERY PLACE

POST FALLS ID 83854

Point(s) of Diversion L4 NWSW S14 T53N R05W KOOTENAI County

Source SPIRIT LAKE Tributary To SPIRIT CREEK

Use: IRRIGATION 03/15 To 11/15 0.08 CFS

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

Total Diversion: 0.12 CFS

Date Filed: 05/22/2001

Place Of Use: IRRIGATION

T53N R05W S14 NWSW Lot 4

T53N R05W S15 NESE

Number of Acres 3

Place Of Use: DOMESTIC T53N R05W S14 NWSW Lot 4

T53N R05W S15 NESE

Remark: Recreation use is for fishing and swimming.

Stockwater use is for 10 horses.

Recreation use is for fishing and swimming.

Stockwater use is for 10 horses.

Continued on next page

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 06/25/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on June 7 and 14, 2001.

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SEP 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

May 30, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

W STACEY COWLES
1908 E 25TH AVE
SPOKANE ID 99203

RE: Application for Permit No 95-9081

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 June 7 and 14, 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 sixty to ninety days.

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

Sincerely,

Al Beardslee
Senior Water Resource Agent

Enclosure(s) Receipt No. 14347

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JUN 25 2002

ENCROACHMENT

This application may be used to apply for both a Department of the Army permit from the U.S. Army Corps of Engineers (Corps) and for State of Idaho permits. Department of the Army permits are required by Section 10 of the Rivers and Harbors Act of 1899 for any structures or work in or affecting navigable waters of the United States and by Section 404 of the Clean Water Act for discharges of dredged or fill material into waters of the United States, including their adjacent wetlands. State permits are required under the State of Idaho, Stream Channel Protection Act (Title 42, Chapter 38, Idaho Code) and the Idaho Lake Protection Act, Section 58-142 et. seq., Idaho Code. Routine Uses: information provided on this form will be used in evaluating the application. Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor can permits be issued. Applicants should send this completed application, along with one set of good reproducible drawings showing the location and character of the proposed project to both the Corps of Engineers and the State of Idaho. NOTE: DRAWINGS NO LARGER THAN 8-1/2 X 11 INCHES IN SIZE. The Applicant Information pamphlet provides instructions and a checklist for completing the drawings.

1. Corps of Engineers # _____	2a. Department of Water Resources # _____	2b. Department of Lands # _____
Date Received _____	Date Received _____	Date Received _____
	Fee Rec'd By: _____ Receipt # _____	Fee Rec'd By: _____ Receipt # _____

PLEASE TYPE OR PRINT

3. Applicant STACEY COWLES 4. Authorized Agent Dennis Ployhar, Ployhar Const

Mailing Address 1908 E 25th
Spokane, WA 99203
Area Work Phone (509) 459-5217 Home (509) 534-7320
Area Fax Number 509-534-0740
Email Address ACOWLES@Acl.com

Mailing Address 2839 White Pines Dr.
Cda ID 83815
Area Work Phone (208) 660-3827 Home (208) 765-1534
Area Fax Number 208-765-2756
Email Address BULLO44@Cleanweb.net

5. Location where proposed activity exists or will occur

Waterway Coeur d'Alene Lake
21 miles - Cda, ID
Distance/Direction from nearest city or town County/State
83814 Kootenai Co.
Zip Code Local jurisdiction (city or county)

Tax Assessor's Description

SW NE 3 48 N 4 W
1/4 1/4 Section Township Range
UTM Coordinate Grid Zone Northing Easting

Directions to the site SOUTH ON 95, L-ROCKFORD BAY RD, L-LOFFS BAY RD, R-PILOT ROCK RD, R-KVERN RD

6. Describe Project (Work below the ordinary high water mark or in wetlands).

Water line encroachment

Construction methods and equipment:

Dig line

Length of project along the stream or extension into lake or reservoir: 4 ft

COMPLETE THE FOLLOWING FOR DISCHARGES OF DREDGED OR FILL MATERIAL

Volume dredged or fill material to be placed waterward of ordinary high water mark (BOTH TEMPORARY AND PERMANENT)? _____ (cubic yards)

Will fill be placed in wetlands? _____ If yes, area _____ (acres) Type of fill material: _____ (i.e. sand, rock, clay, concrete, etc.)

Will dredging be required waterward of the ordinary high water mark or in wetlands? _____ If yes, volume _____ (cubic yards)

Type of dredged material _____

Disposal site for dredged material: _____ Method of dredging: _____

Method to control turbidity and sedimentation: _____

Is project located in a mapped floodway? _____ If yes, complete the Engineering "No-Rise" certification form.

7. Purpose and intended use: Commercial ☐ Public ☐ Private ☒ Other ☐ Domestic Irrigation
- Reason for project 6-15-01 Estimated Duration 5 day
8. Proposed Starting Date 6-15-01
9. List portions of the project that are complete with month and year of completion All
Label this work on your drawings.

10. Names, addresses, and telephone numbers of adjoining property owners, lessees, etc., whose property also adjoins the waterway
- | | | |
|--------------------|-----------------------------|---------------------|
| <u>JACK HEATH</u> | <u>1420 E. OVERBLUFF RD</u> | <u>509-536-8766</u> |
| | <u>SPOKANE, WA 99203</u> | |
| <u>JACK PEARCE</u> | <u>4401 N. W. 1st AVE</u> | <u>509-467-1400</u> |
| | <u>SPOKANE, WA 99203</u> | <u>747-8384</u> |
| | <u>315 W. 37TH</u> | |

☐ Check here if the alteration is located on endowment lands administered by the Idaho Department of Lands

11. LEGAL OWNER IF OTHER THAN APPLICANT

Name same Phone Work () _____
Mailing Address _____ Home () _____
City, State, Zip Code _____

12. List applications, approvals, or certifications from other Federal, state, or local agencies for work described in this application.

Issuing Agency	Type of Approval	Identification No.	Date of Application	Date of Approval
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

13. Has any agency denied approval for the proposed activity? Yes _____ No ☒ (If "Yes" explain)

14. Other comments/information:

15. Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to come upon the above-described location to inspect the proposed or completed work.

X [Signature] WILLIAM STACEY COZZES 4/22/01
Signature of Applicant (ORIGINAL SIGNATURE REQUIRED) Printed Name Date

16. If you wish to designate an authorized agent, complete item 4 and the following information.

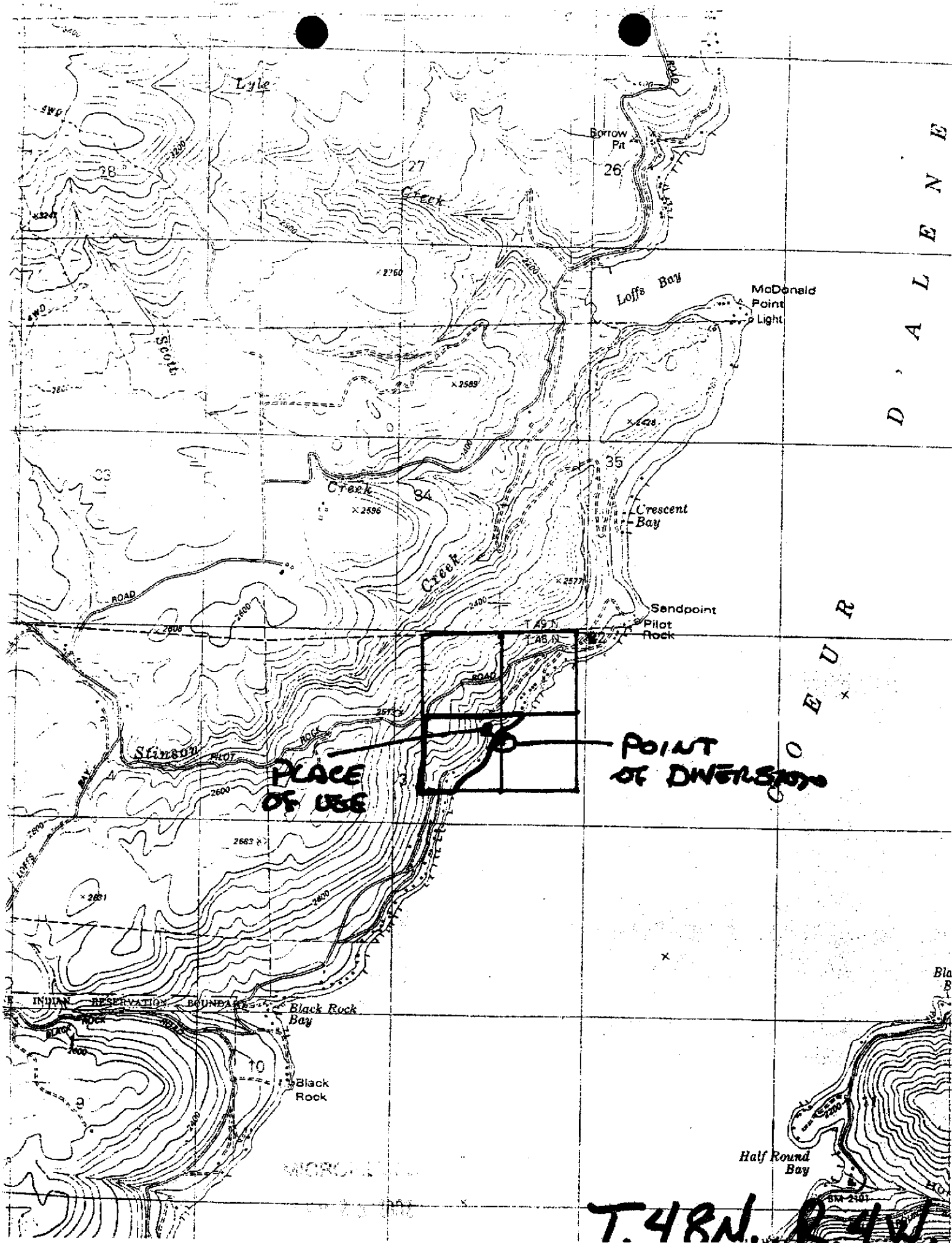
I hereby designate DENNIS ROYMAR to act as my agent in matters related to this permit application. I understand that if Federal permit is issued, I must sign the permit.

[Signature] 5-4-01 [Signature] 4/22/01
Original Signature of Authorized Agent Date Original Signature of Applicant Date

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both.

DO NOT SEND CORPS PROCESSING FEE WITH APPLICATION

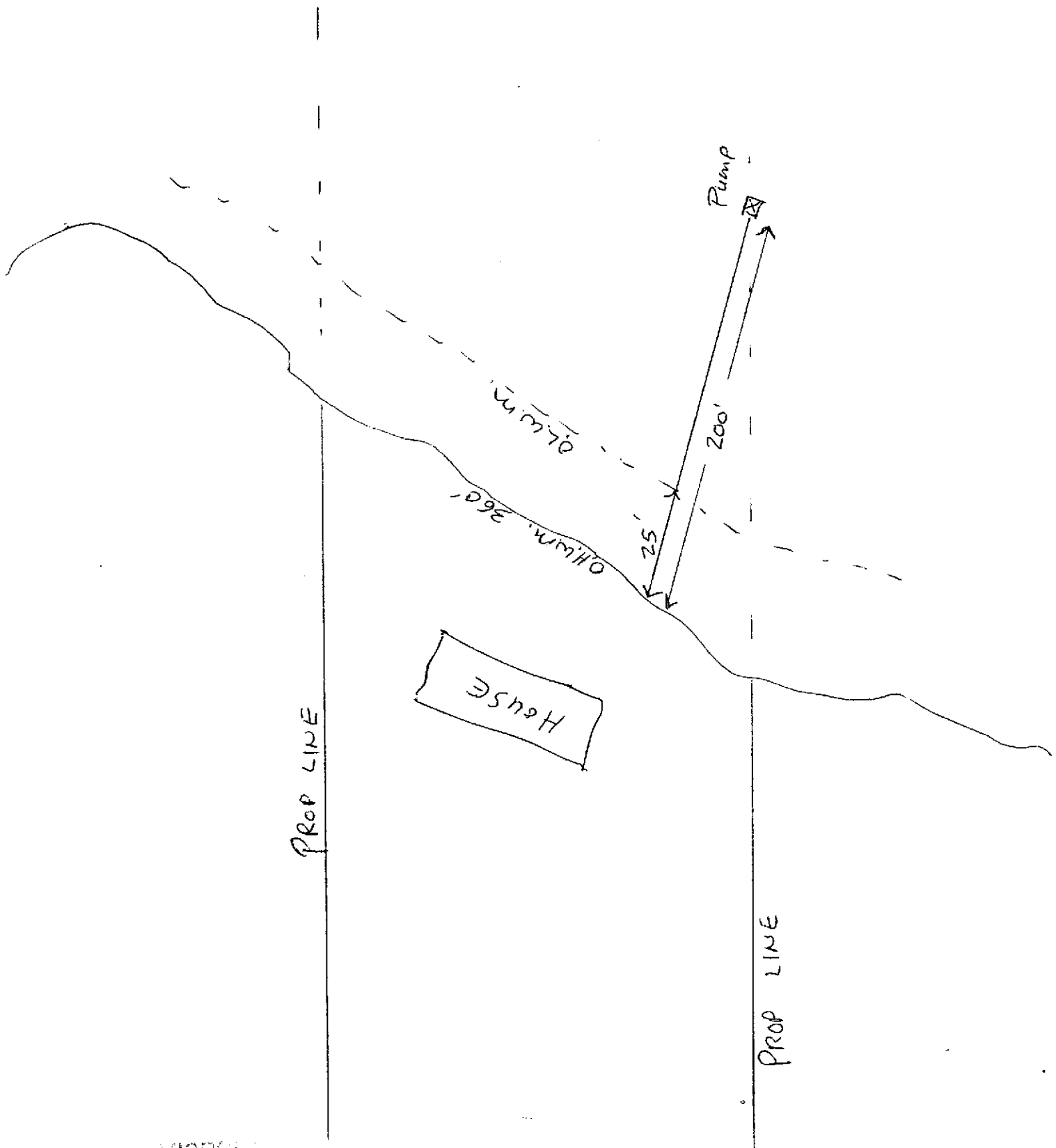
SEND IDAHO DEPARTMENT OF WATER RESOURCES OR IDAHO DEPARTMENT OF LANDS FILING FEE WITH APPLICATION



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T.48N. R.4W.



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