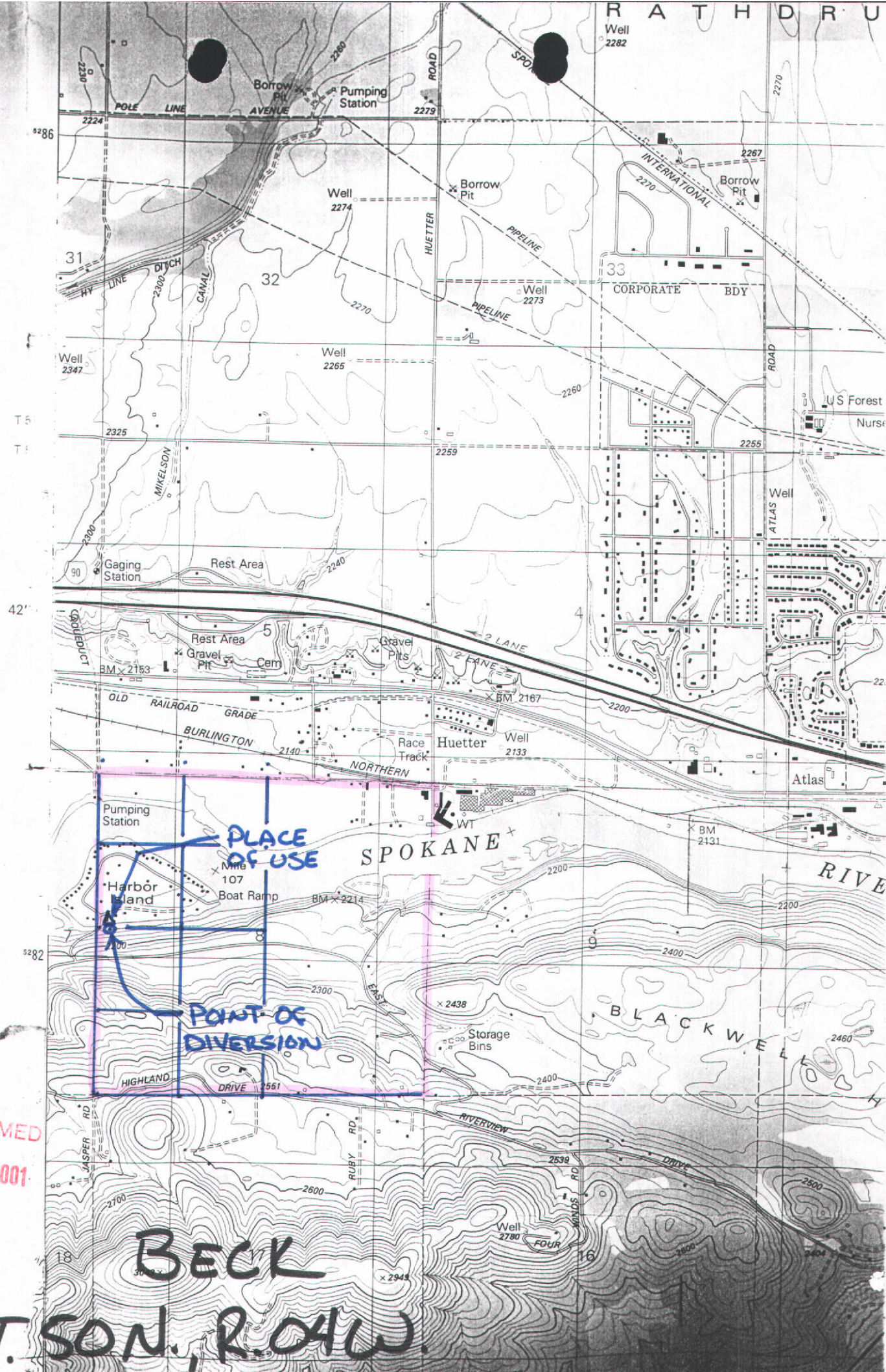


T50N R4W

Government lot check for
95-09051 by RGH 12/6/2000

PD



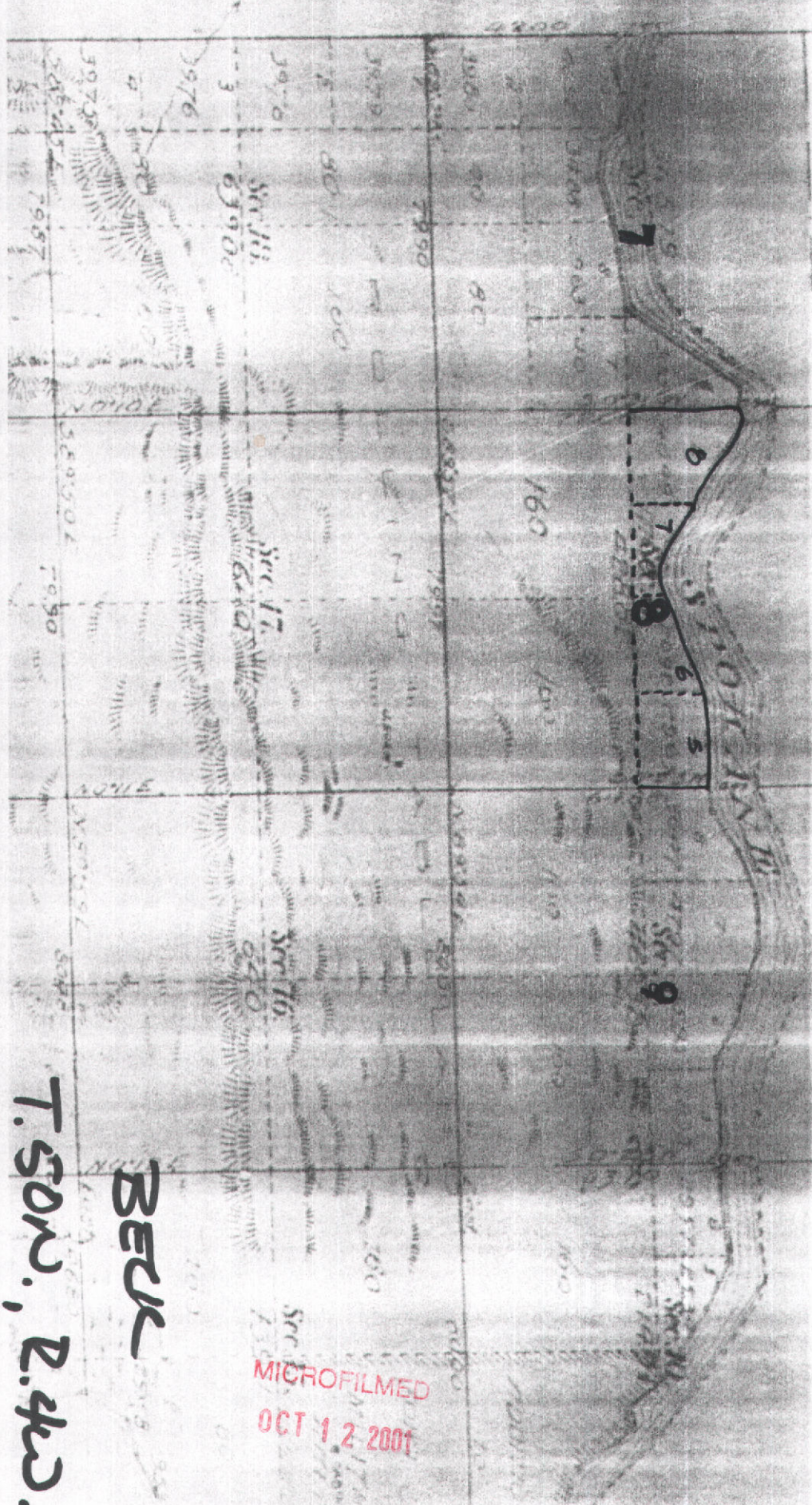


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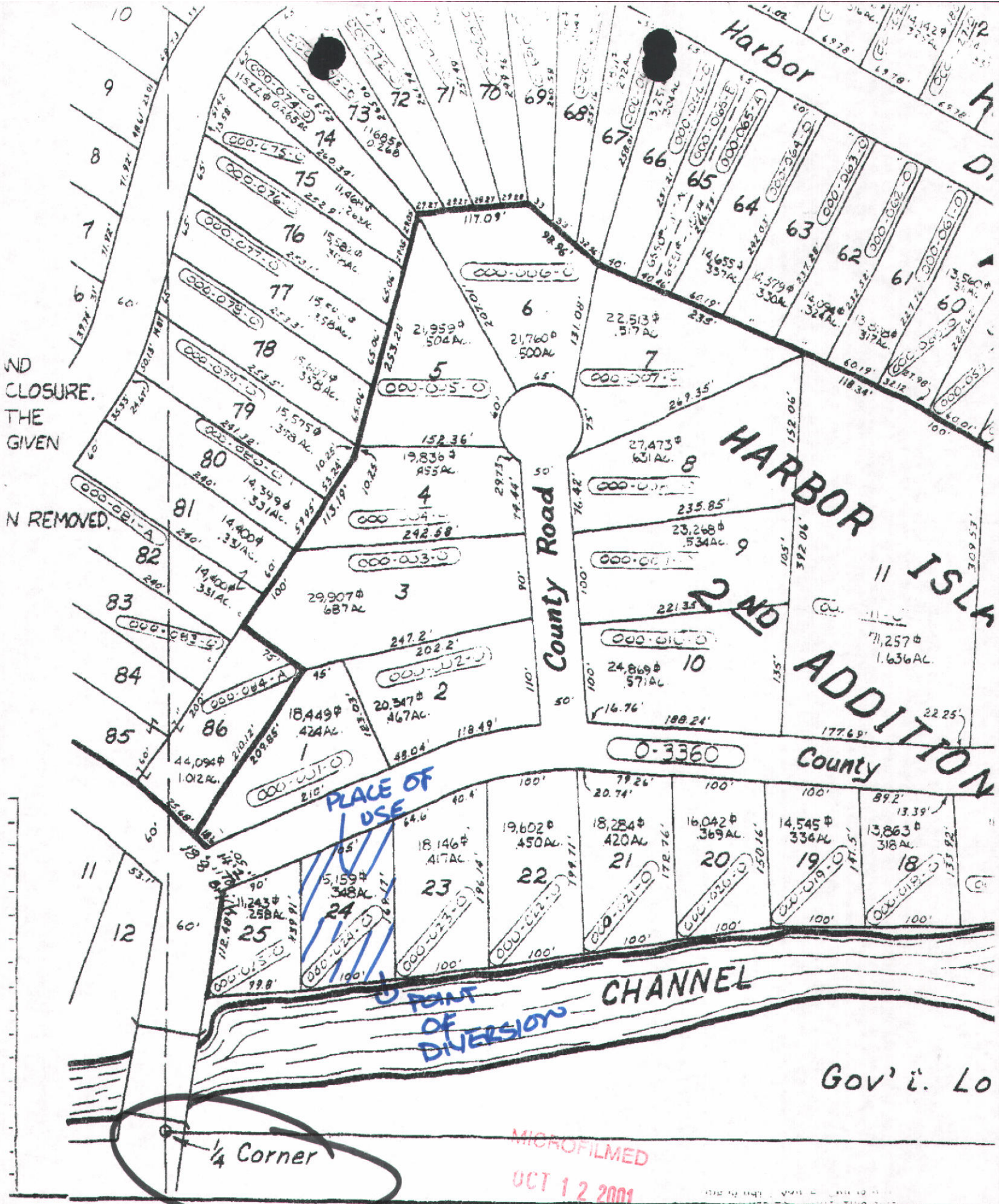
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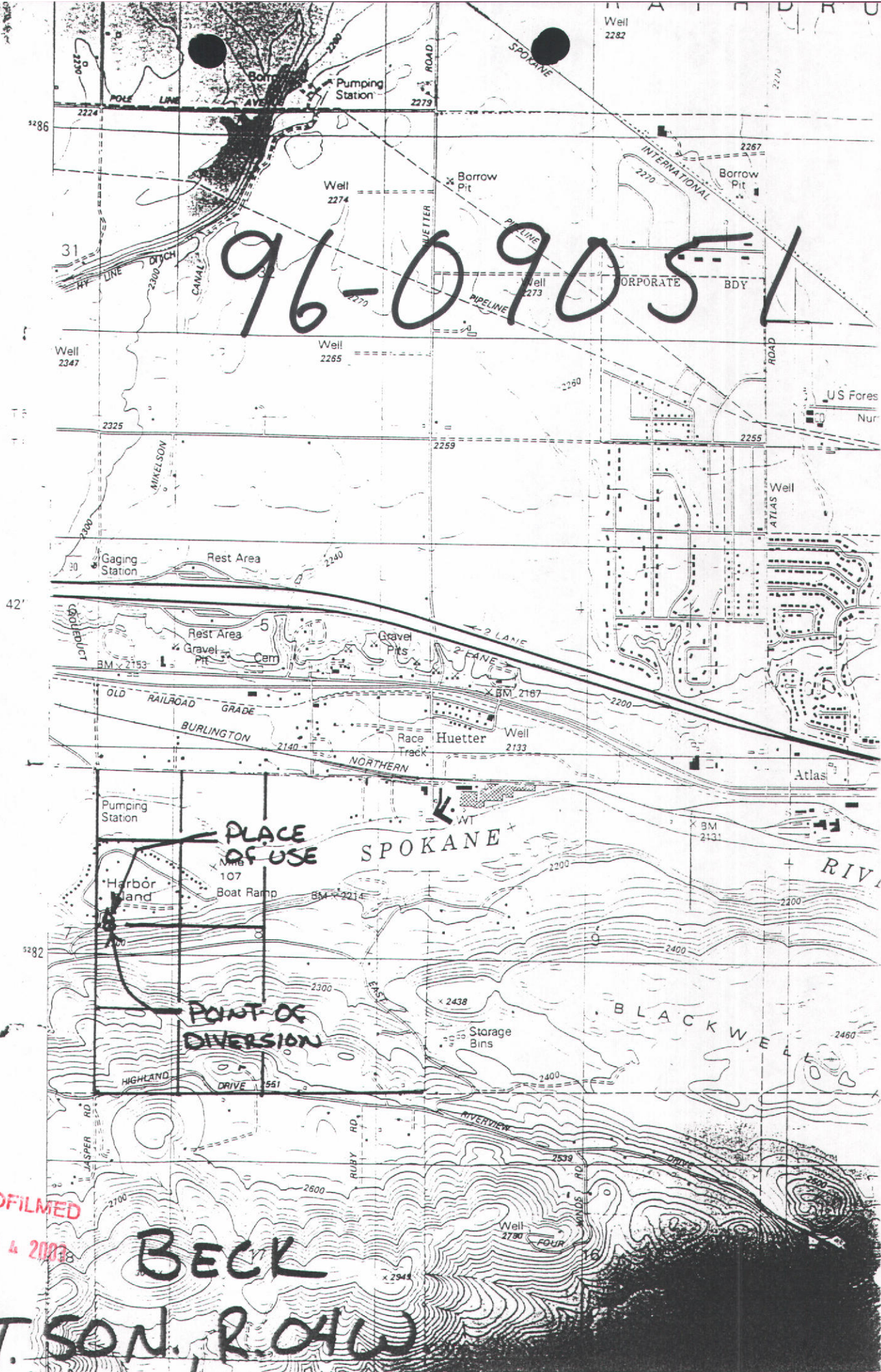
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14'2" to corner of Brick
18'8" to corner stake

BECK
T. SON, R. 4W.



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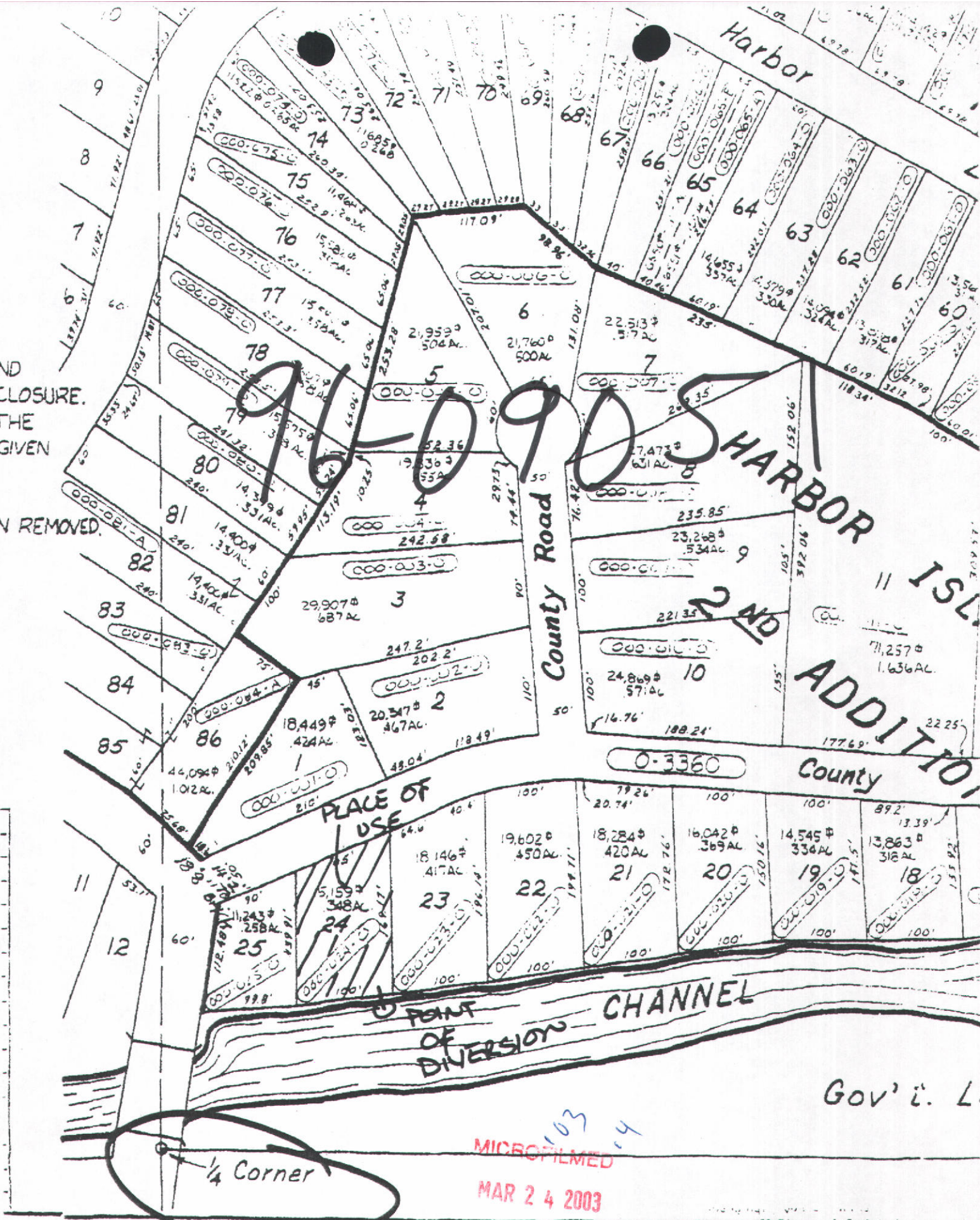
MAR 24 2003

10/00

BECK
T. SON, R. OIL

NO
CLOSURE.
THE
GIVEN

N REMOVED.



14'2" to corner of brick
18'8" to corner stake

BECK
T.SOU. R.4W



pump



PC

96-09051

MICROFILMED
MAR 24 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 95-09051

Priority: October 03, 2000

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

It is hereby certified that DONALD J BECK
PO BOX 3030
COEUR D ALENE ID 83816-3030 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated October 03, 2000; and has
submitted Proof of Beneficial Use on April 13, 2001. An examination indicates that the works have a
diversion capacity of 0.04 cfs of water from:

SOURCE

SPOKANE RIVER

Tributary: COLUMBIA RIVER

and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

03/15 to 11/15

DIVERSION RATE

0.04 CFS

**ANNUAL
DIVERSION VOLUME**

1.2 AF

LOCATION OF POINT OF DIVERSION:

SPOKANE RIVER L8 (NW $\frac{1}{4}$ SW $\frac{1}{4}$) Sec. 8, Twp 50N, Rge 04W, B.M., KOOTENAI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
50N 04W 8							.4										.4
							L8										
Total Acres:	0.4																

CONDITIONS OF APPROVAL

1. Point of diversion and place of use are located within Lot 24, Harbor Island 2nd Addition.
2. This right when combined with all other rights shall provide no more than 0.04 cfs nor more than 1.2 afa at the field headgate for irrigation of the land described above.
3. Water shall not be diverted under this right when flows in the Spokane River are below established minimum flow amounts.

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 18TH day of NOVEMBER, 2002.

MICROFILMED

MAR 24 2003

Acting for

KARL J. DREHER
Director

RECEIVED
APR 13 2001
IDWR/North

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

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. 95-09051 Telephone No. 208 6612681
2. Name of Permit Holder(s): Donald J. Beck
3. Mailing Address: P.O. Box 3030
City Coeur d'Alene State Id Zip 83816
4. Source of Water: Spokane River If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____
5. Use(s) (as authorized by the water right permit): LOT 24 2nd addn.
Harbor Island
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): .05 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 _____

Has the measuring device been installed?

Yes _____ or No _____

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Donald J Beck Telephone Number: 208-661-2681
208-664-4440

Address: 6340 W. Ebbtide CRA 83814 P.O. Box 3030 CRA 83816

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: Donald J Beck Date: 4-10-01
(include your title, if on behalf of company or organization)

MICROFILMED
OCT 12 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09051

Priority: 10/03/2000

Maximum Diversion Rate: 0.04 CFS

This is to certify, that DONALD J BECK
PO BOX 3030
COEUR D ALENE ID 838163030

has applied for a permit to appropriate water from:

SPOKANE RIVER tributary to **COLUMBIA 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>
IRRIGATION	03/15 to 11/15	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

SPOKANE RIVER SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8, Twp 50N, Rge 04W, B.M. KOOTENAI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N 04W 8							.5										.5
							.8										

Total Acres: 0.5

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before January 01, 2002.
2. Subject to all prior water rights.
3. This right when combined with all other rights shall provide no more than 0.08 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
4. Water shall not be diverted under this right when flows in the Spokane River are below established minimum flow amounts.
5. Point of diversion and place of use are located within Lot 24, Harbor Island 2nd Addition.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 9th day of January, 2001.

Karl J Dreher
KARL J DREHER, Director

MICROFILMED

OCT 12 2001

RECEIVED

DEC 8 2000

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Donald J. Beck Cell 208-661-2681
Phone 208-664-4440
Mailing address P.O. BOX 3030 Coeur d'Alene, Id. 83816-3030
2. Source of water supply Spokane River which is a tributary of COLUMBIA RIVER
3. Location of point of diversion is Township 50N Range 04W Sec. 8, in the SW 1/4, NW 1/4, 8 1/4, Govt. Lot 8, 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>Irrigation</u> purposes from <u>3/15</u> to <u>11/15</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 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 1-H.P. Centrifugal Pump with 1 1/4" suction Pipe to 1" Discharge to sprinklers
- 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. _____
- e. Other; describe fully. _____

MICROFILMED

OCT 12 2001

T50N R4W

Government lot check for
95-09051 by RGH 12/6/2000

PD

US Forest Service,
Nursery

Well

ATLAS

Race
Track

Huetter

Well

2193

NORTHERN

Atlas

Gravel Pit

SPOKANE

Large
Bins

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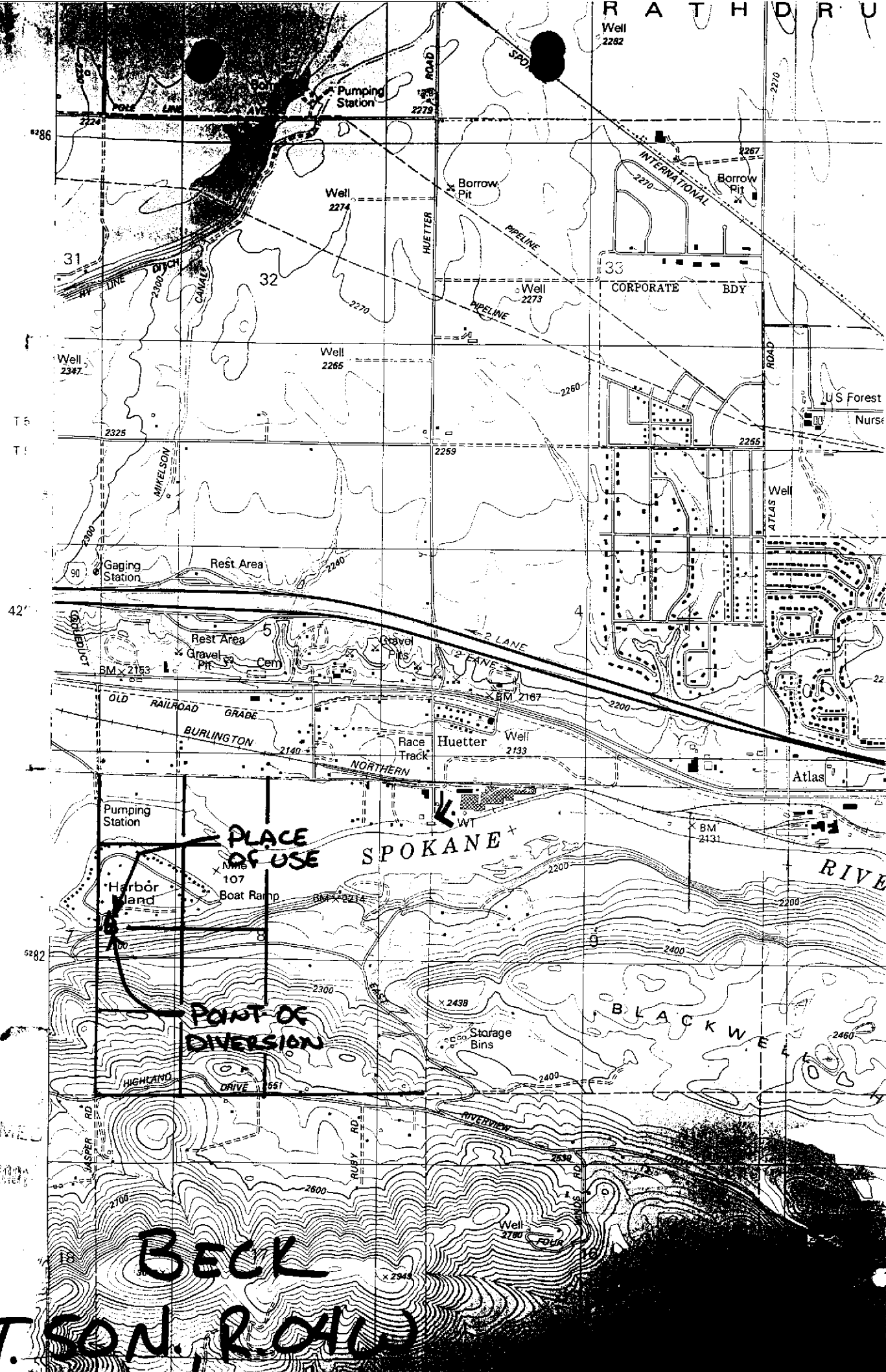
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MICROFILMED
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10/00

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T. SON, R. OIL

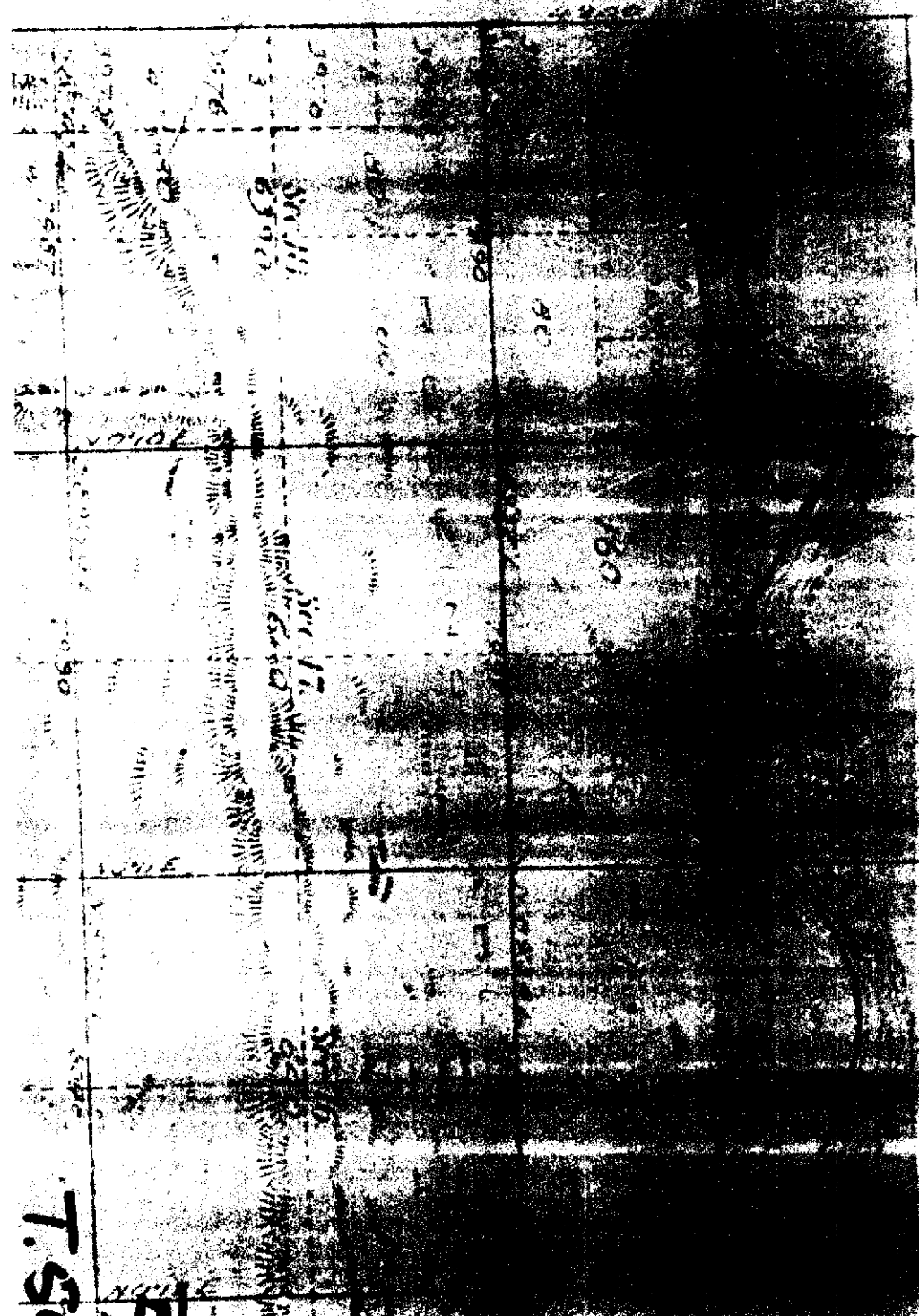
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Sec. 2.

Sec. 3.

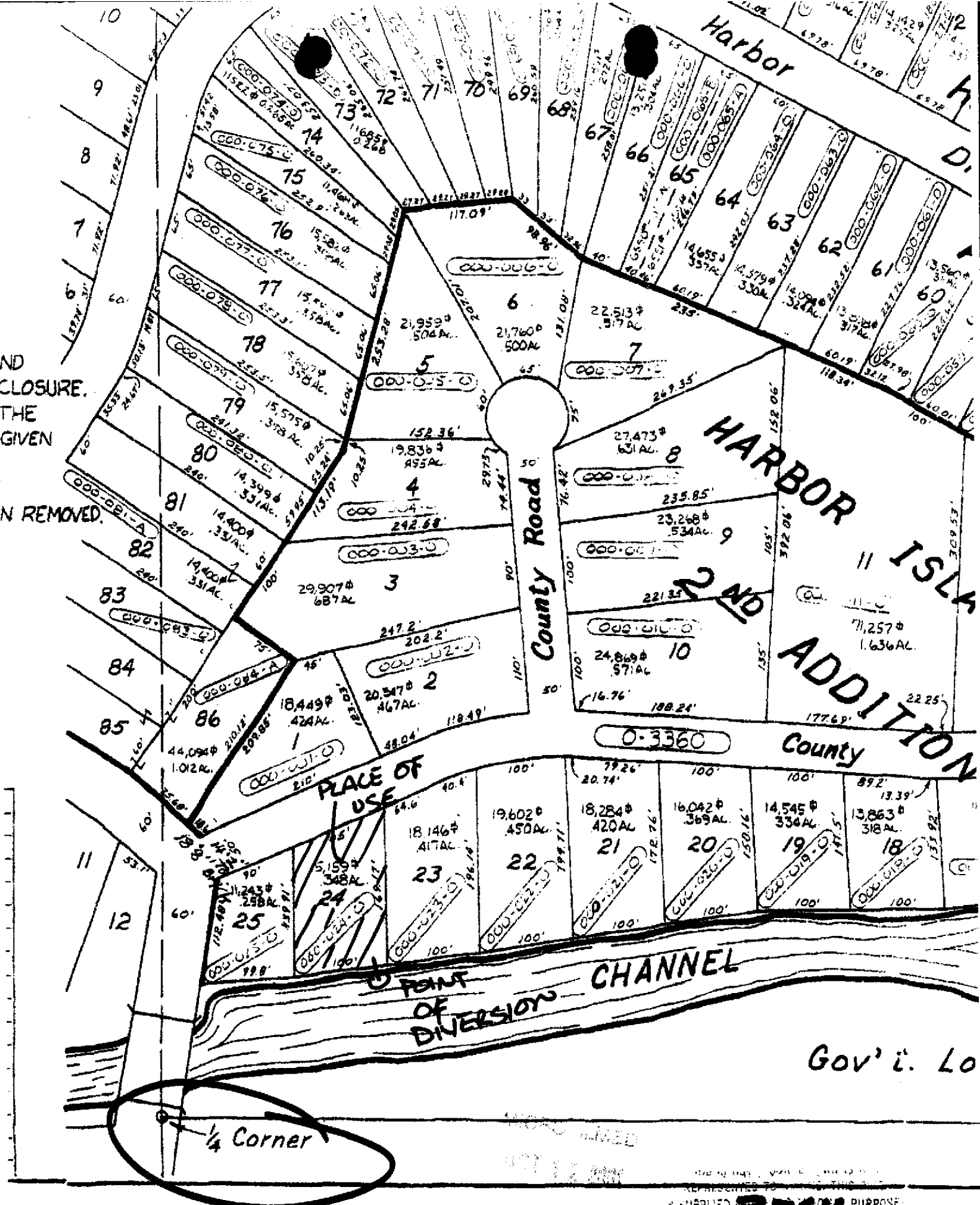


BECK
T. SON, D. 40.

MICROFILMED
OCT 12 2001

NO
CLOSURE.
THE
GIVEN

N REMOVED.



14'2" to corner of Brick
18'8" to corner stake

BECK
T.SON, R.4W.



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 19, 2002

DONALD J BECK
PO BOX 3030
COEUR D ALENE ID 83816-3030

RE: License No. 95-9051 - 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:kit

Enclosure(s)

MICROFILMED
MAR 24 2003

CERTIFICATE OF SERVICE

I hereby certify that on November 19, 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. 95-9051

**DONALD J BECK
PO BOX 3030
COEUR D ALENE ID 83816-3030**


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.

LICENSE REVIEW CHECKLIST

Permit No. 95-9051

Date: 11-12-2002 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44)

Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44)

Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): None

File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.04 cfs

Fee Limit 0.20 cfs

Measured _____ cfs

Theoretical 0.04 cfs

Recommended Total Diversion Rate 0.04

Water Uses

OK Change (P46)

Season of Use per new Standards

3/15 11/15

Irrigation 0.04 cfs 1.2 af

Stockwater _____ cfs _____ af

Domestic _____ cfs _____ af

_____ cfs _____ af

_____ cfs _____ af

Total 0.04 cfs 1.2 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

0.04 cfs x 1.9835 x 246 days = 19.5 af (vs) 0.4 acres x 3.0 (FHR) = 1.2 af
2.0(con)

Remarks: _____

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? yes - see plat below permit

Advance Priority? yes
no

If yes, explain why below.

SRBA Claim? N/A

Adjust memo _____

Amend Letters _____ P87, S06

Second Amendment Notice _____ S06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 17 2002

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 95-09051

1. Owner: Donald J Beck Phone No. (208) 661-2681

Current Address: P.O. Box 3030 Coeur D'Alene Id 83816

2. Accompanied by: Mr. Beck EXAM DATE: 9-03-02

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Spokane River tributary to Columbia 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
			SW	NW	8	50N	04W	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	04W	08							.4										.4

MICROFILMED

SEP 2 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
		1	C48KQEC15		1.5"

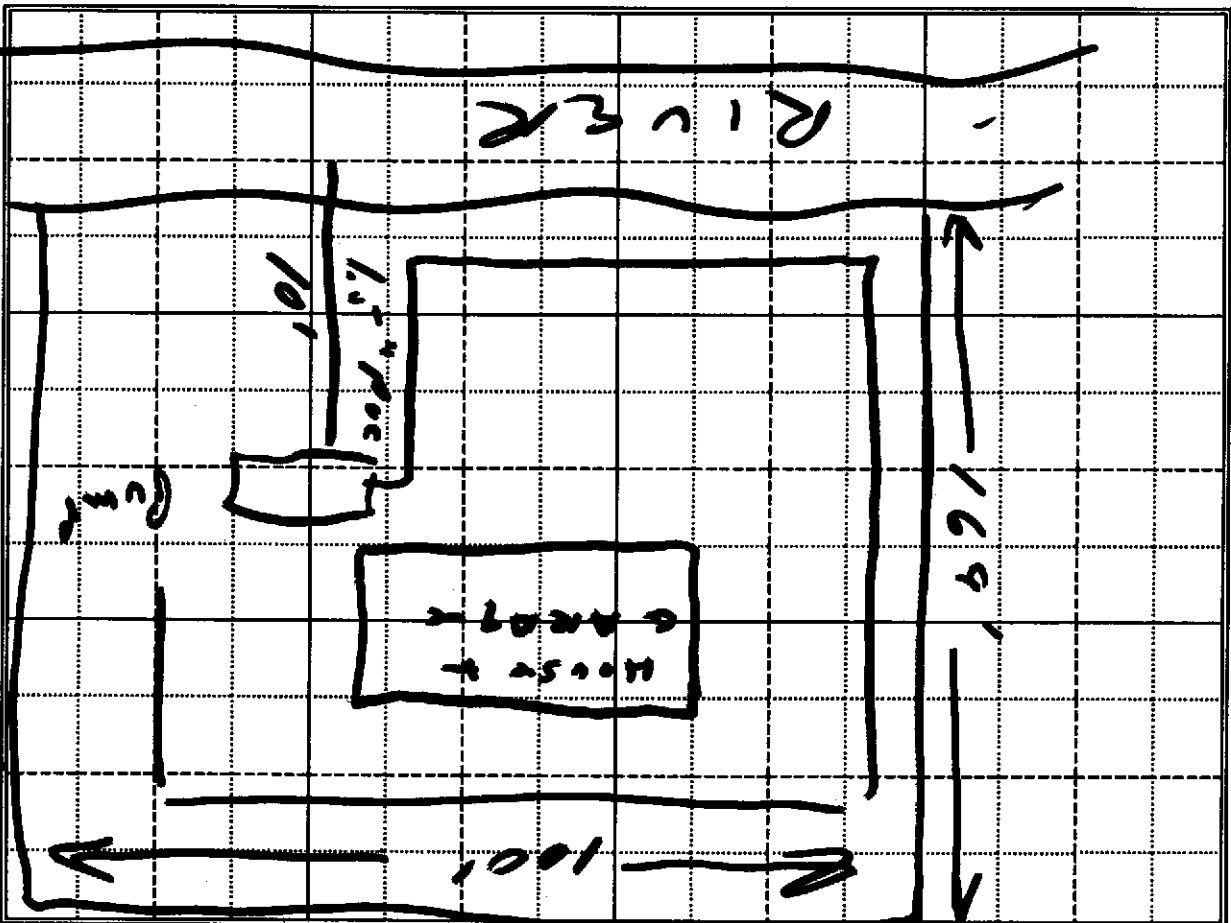
4

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)

Photo of Diversion and System Attached

Score: 7 =



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

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

$$V_{IR} = \frac{8.8(6.7)(1)}{10 + (2.31 \times 5.5)} = \frac{59.3}{137.05} = 0.432$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 4 \times 3 = 12$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 104 \times 245 \times 1.9835 = 49,419$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 12$$

2. Volume Calculations for Other Uses:

$$\text{Lot 512E } 100 \times 169 = 16,900 \text{ sq ft}$$

$$16,900 \text{ sq ft} \times 0.38 \text{ acres/sq ft} = 6,402 \text{ sq ft}$$

$$6,402 \text{ sq ft} \times 103 \text{ cfs/sq ft} = 660,206 \text{ cfs}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

See attached

Period of Use
From To

03-15 11-15

Rate of Diversion
Q (cfs)

0.04

Annual Volume
V (afa)

1.2

2. Recommended Amendments

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

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

I. AUTHENTICATION

Field Examiner's Name

Wayne Schuler

Date

9-12-02

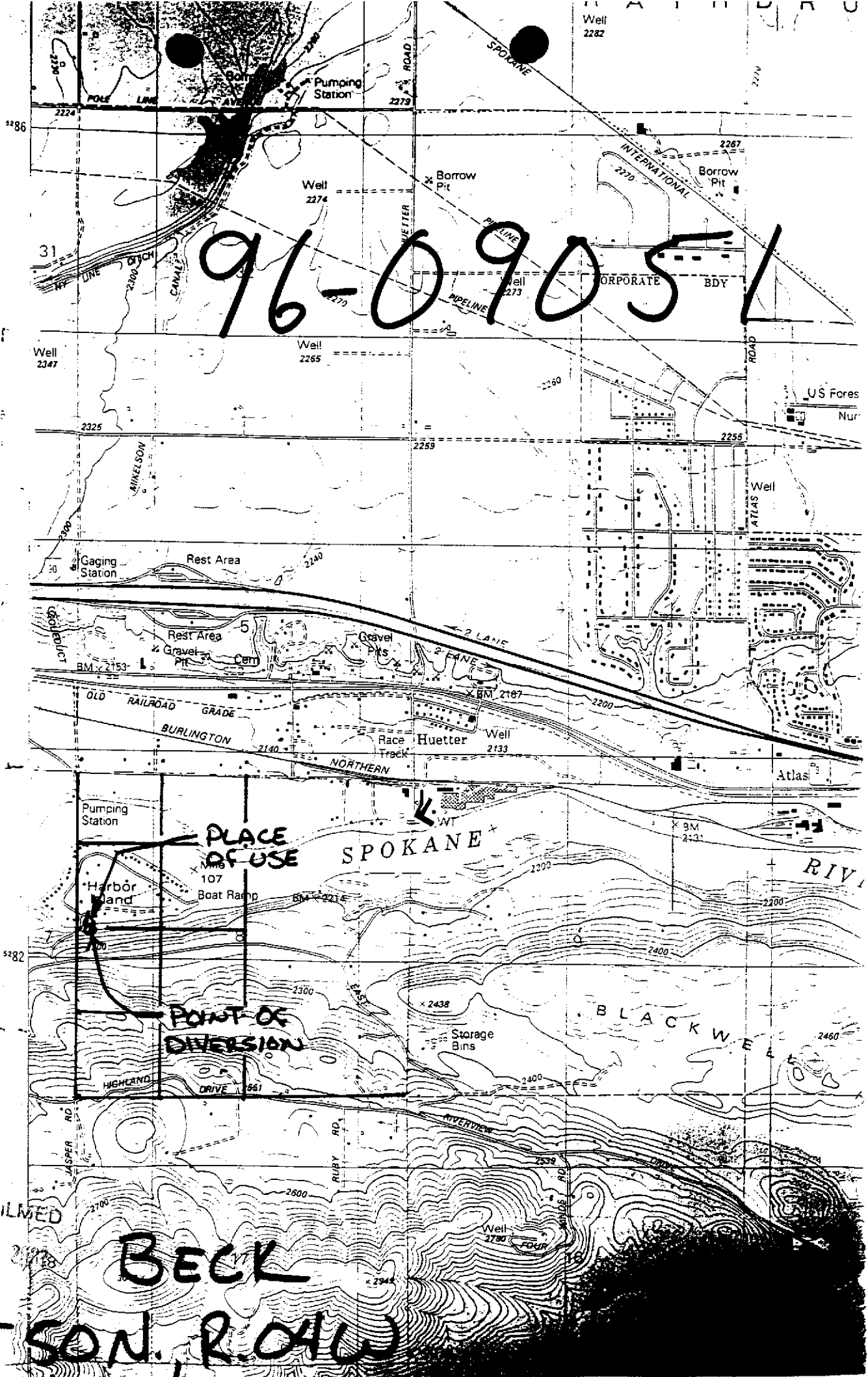
Reviewer

Date

SEAL

MICROFILMED

DATE 2-2-2004

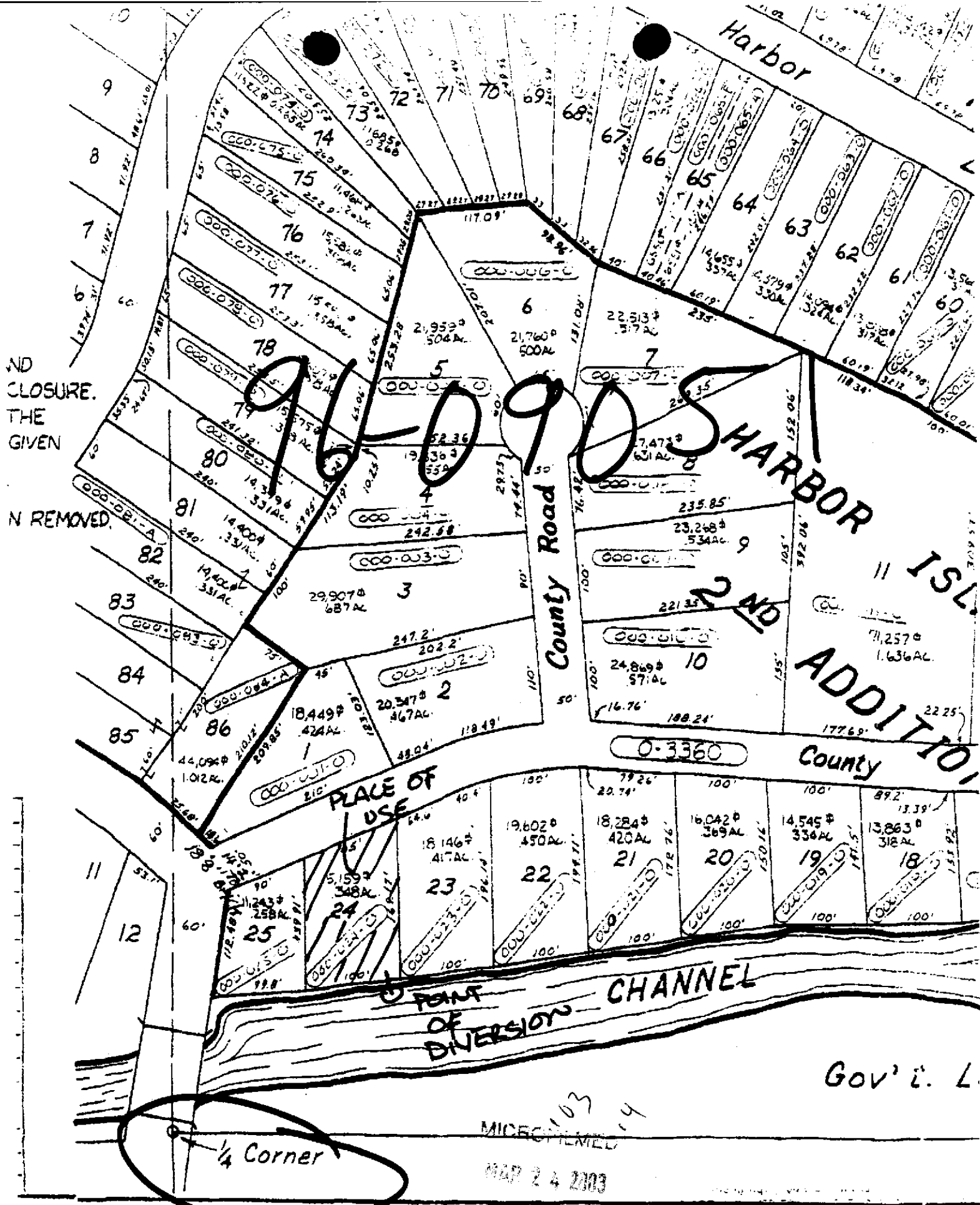


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MICROFILMED
MAR 4 2018

BECK
T. SON., R.O.W.

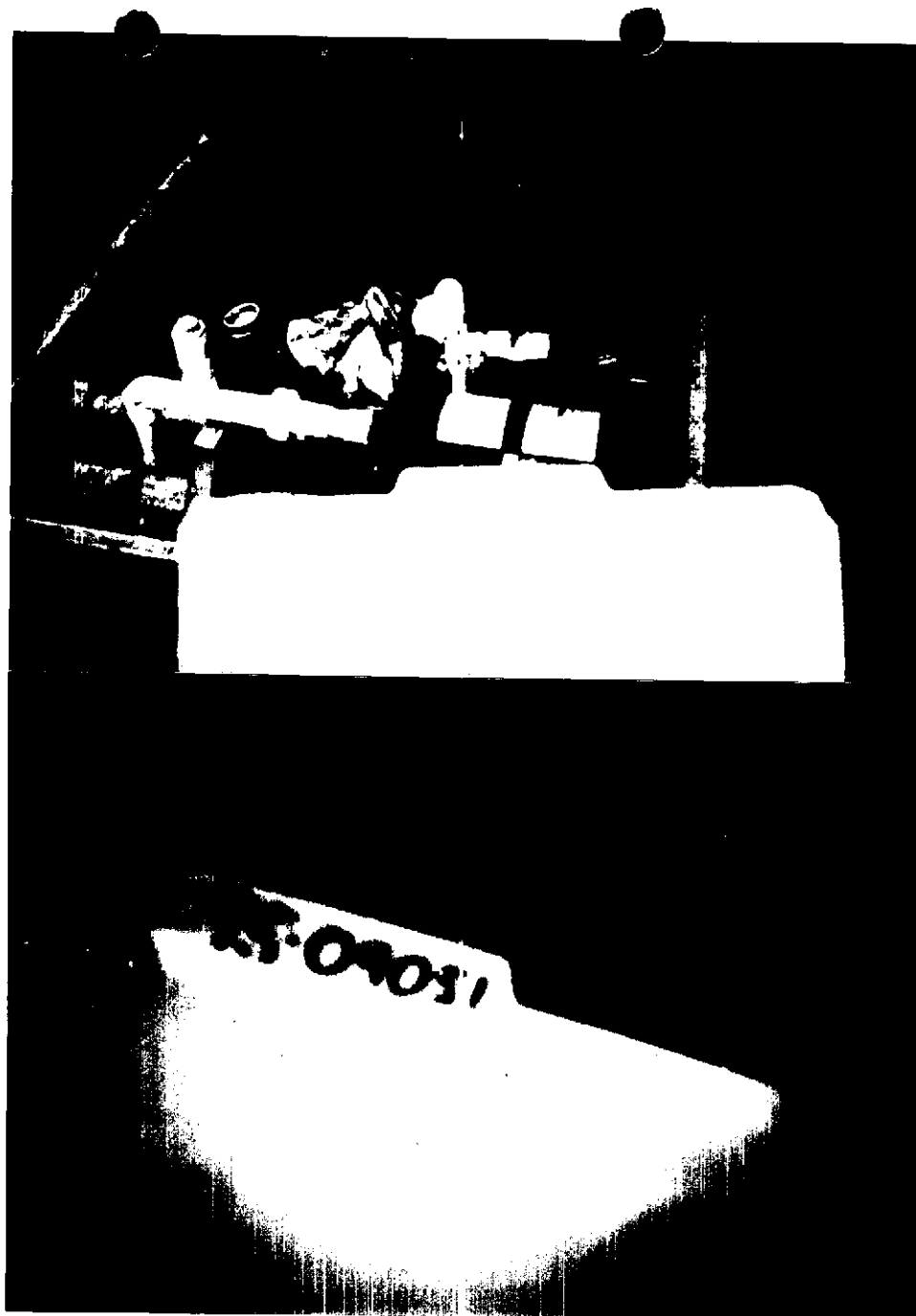
NO
CLOSURE.
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N REMOVED.



14'2" to corner of brick
18'8" to corner stake

T.50W., R.4W



pump

pc

96-09051

MICROFILMED

MAR 2 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

April 20, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DONALD J BECK
PO BOX 3030
COEUR D'ALENE ID 83816

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-09051

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 this water right 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 concerning the field examination, 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 17 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-9051

Reviewed By: dgibson

Date: April 20, 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.:		N013978, N014274	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		04/13/2001
Date proof due	-	01/01/2002
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	10/03/2000
New priority date	=	10/03/2000

Deficiencies of Actions Items

Acknowledge proof.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

January 9, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DONALD J BECK
PO BOX 3030
COEUR D ALENE ID 83816-3030

RE: Permit No. 95-9051

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.

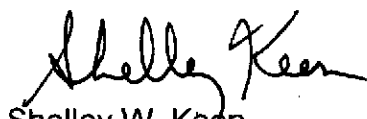
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley Keen". The signature is fluid and cursive, with the first name "Shelley" and last name "Keen" clearly distinguishable.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

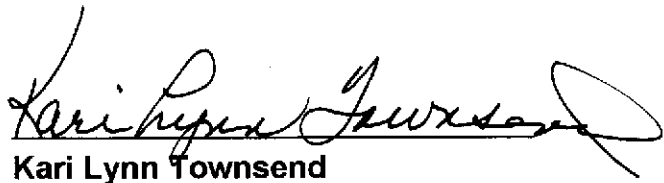
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CERTIFICATE OF MAILING

I hereby certify that on January 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. 95-9051

**DONALD J BECK
PO BOX 3030
COEUR D ALENE ID 83816-3030**


**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).

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FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**

Reviewed by Sharla Curtis on 12/19/00

No. 95-09051 Name: Beck 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(P23)
Basin 34 - 084 (if necessary)
Irr. w/in WD - P05

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
42-248 Area - P84
Swan Falls Flag -
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-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/USFS)
MINING - 054-106(P10)
FISH PROP - 029(70'S only)-007-042-106 (P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 1/01/2002

MISC CONDITIONS/REMARKS:

~~Protested~~ - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (√Flow Chart)

F&G contacted - Yes/No Response _____

In/Above MSF - WB9

PLANNING REVIEW/RESPONSE _____

In-stream development - P52
WD - R04 (WD# _____)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

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

RIVER BASINS: (SW special considerations)

Snake R (01) - W22(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-106 (P10)
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

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

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

IRR VOLUME/ACRE 3.0

OTHER CONDITIONS/REMARKS _____

COMMENTS Applicant asks for >.02 cfs/ac due to landscape sprinkler system design

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

DEC 8 2000

APPLICATION # 95-09051

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW

APPLICANT:

BEK

BY:

RB

DATE:

10/3/00

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()

PROCESSING

(Yes)(No) PRIORITY DATE: 10/3/00

X (Include Moratorium Remark)

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

ADVERTISE IN:

KOOTENAI

Count

LETTERS SENT REQUESTING:

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

INFORMATION RECEIVED:

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

ADDITIONAL INFORMATION

(Yes)(No)

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

GROUNDWATER SECTION

WD Permit No.'s:	Type:	Fees	Receipt No.	Upgrade Needed?
<u>+</u>	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
<u>+</u>	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
<u>+</u>	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: 10/27/10/31/10/6
✓ Further information required from applicant
✓ Affidavit of publication received
✓ Application published correctly. If not, record action taken: _____

Publication dates and paper recorded on application | Sr. Agent initial _____

✓ Protests received, Final protest date: 11/6/00

✓ Measuring device required

✓ Measuring port required

✓ Special conditions:

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

Approval Recommended by:

RNA

Date:

12/6/00

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 19 day of October, 2000, and ending on the 26 day of October, 2000, 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
Subscribed and sworn to before me this 26 day of October, 2000.

Regina Mason

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

MY COMMISSION EXPIRES 8/1/01

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-09051

BECK, DONALD J
PO BOX 3030
COEUR D'ALENE, ID 838163030
Source: SPOKANE RIVER
Diversion Pt: LOT 8 (SWNW)
Use: IRRIGATION

OK
Tributary: COLUMBIA RIVER
Sec 8 T 50N R 04W in KOOTENAI County.
(0.040 CFS)
(0.040 CFS)

Total Diversion:
Date Filed: 10/3/2000
In: KOOTENAI County
T50N R04W S08

Lot 8 (SWNW)

0.5 ACRES TOTAL

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before NOVEMBER 6, 2000.

Legal 936
Oct 19, 26, 2000

KARL J. DREHER, Director

RECEIVED
OCT 27 2000
IDWR/North

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OCT 12 2001

95-09051

BECK, DONALD J
PO BOX 3030
COEUR D ALENE, ID 838163030

Source: SPOKANE RIVER

Tributary: COMUMBIA RIVER

Diversion Pt: LOT 8 (SWNW) Sec 8 T 50N R 04W in KOOTENAI County.

Use: IRRIGATION (0.040 CFS)
Total Diversion: (0.040 CFS)

Date Filed: 10/ 3/2000

In: KOOTENAI County
T50N R04W S08 Lot 8 (SWNW)

0.5 ACRES TOTAL

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Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, October 18, 2000 10:33 AM
To: 'Chip Corsi'; 'Gregg Servheen'
Subject: perweek2.txt

Greetings, gentlemen:

Gregg, I have 2 water rights in this listing on which we need comments from you, i.e. 81-07185 - Gates, and 86-07379 - Welles. Final date for protests to be received in our office on both of these is November 6, 2000.

Chip, there is only 1 water right in this listing on which we need comments from you, i.e. 95-09051 - Beck. Final date for protests on this one is also November 6, 2000.

We would appreciate comments either way from you regarding these water right filings. Thank you VERY much for always so promptly replying.

Dianne



perweek2.txt.htm

*No response
from F & G*

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OCT 12 2001

October 11, 2000

Donald J. Beck
PO Box 3030
Coeur d'Alene ID 83816-3030

Re: Water Appropriation Application No. 95-09051

Dear Mr. Beck:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the local county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State office in Boise.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB:db

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OCT 12 2001

WR0749NP
No. 95-09051

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/03/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DONALD J BECK PO BOX 3030 COEUR D ALENE ID 83816-3030 (208) 664-4440	10/03/2000	IRRIGATION	03/15 11/15	0.040 CFS	
TOTAL DIVERSION:					0.040 CFS	

Water Source: SPOKANE RIVER

Tributary to: COMUMBIA RIVER

Stage: APPLICATION

Point(s) of Diversion: T50N R04W S08 Lot 08(SWNW)

KOOTENAI County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
-----																																0.5
50N 04W 8 :																																0.5
																																TOTAL ACRES 0.5

Pou County: KOOTENAI

Dates: App. Received: 10/03/2000 Priority Date: 10/03/2000
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 10/03/2000 User-ID: DBALL Subject: Examiner's notes.
1 HP centrifugal pump with 1-1/4 inch suction pipe to 1 inch
discharge to sprinklers.
Higher rate than 0.02 cfs is applied for to facilitate automatic
sprinkler system and landscaping irrigation requirements.
Cell phone number for most direct contact is (208) 661-2681.
Time required 1 year.

Audit: 10/03/00 DBALL