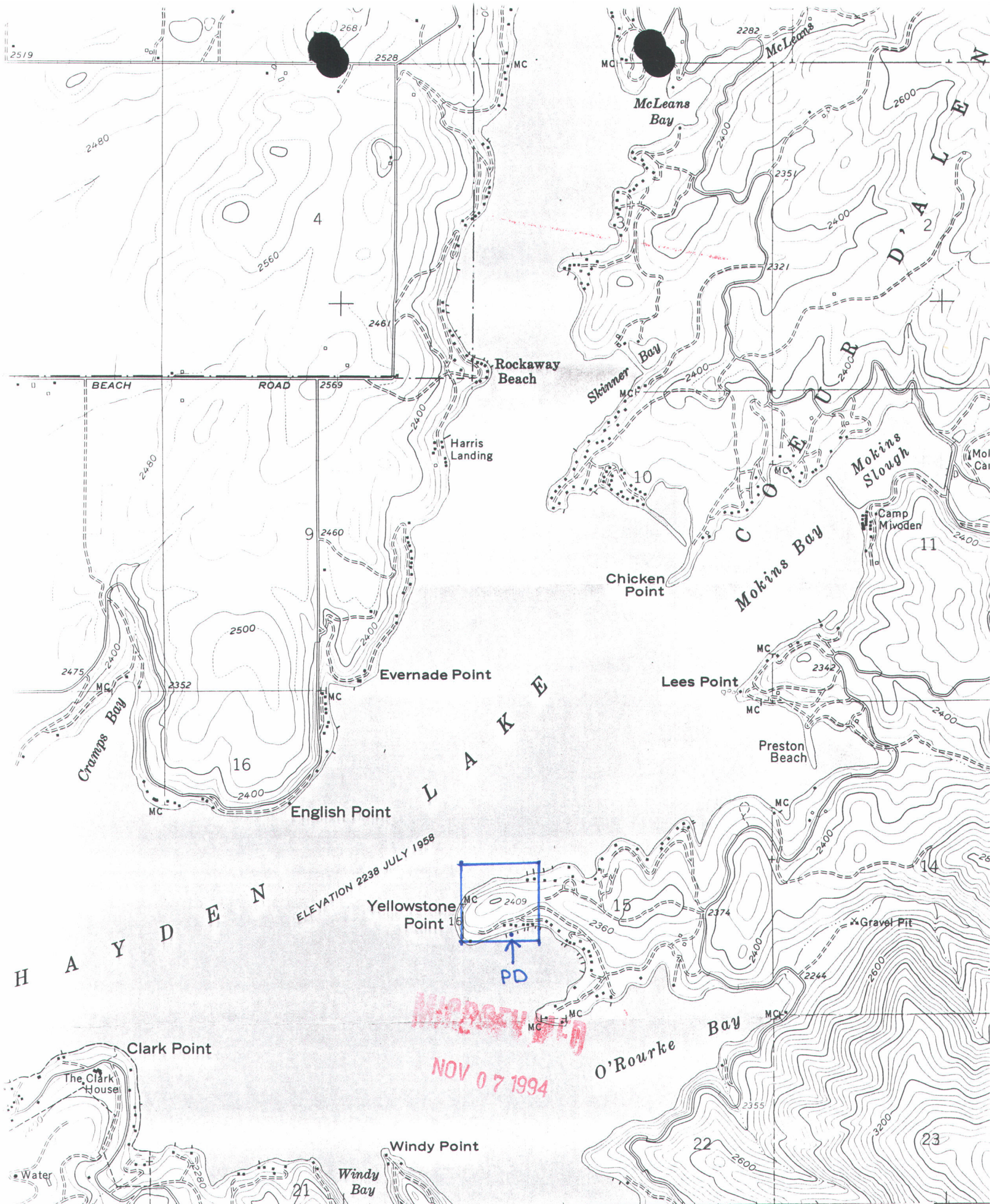






Point of
← Diversion



← PLACE OF USE

RECEIVED
NOV 07 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 95-08773

Priority: September 30, 1992

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that THOMAS K THILO
3659 BUCKSKIN RD

COEUR D ALENE ID 83814

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated September 8, 1992; and
has submitted Proof of Beneficial Use on December 23, 1993. An examination indicates
that the works have a diversion capacity of .040 cfs of water from:

HAYDEN LAKE

tributary to SINKS

source, and a water right has been established as follows:

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

LOCATION OF POINT(S) OF DIVERSION: Lot 5(NWSW), Sec. 15, Township 51N, Range 03W
KOOTENAI County

PLACE OF USE: DOMESTIC

TWN RGE SEC

51N 03W 15 Lot 5(NWSW)

CONDITIONS/REMARKS:

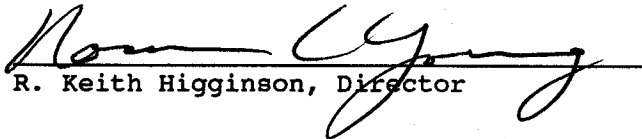
1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 95A.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. The issuance of this right in no way grants any right-of-way or easement across the land of another.
8. Place of use is located within Lot 66, Hayden Lake Cottage Tracts.
9. Domestic use is for 1 home.

NOV 07 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 95-08773

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 30TH
day of SEPTEMBER, 1994.

Acting for 
R. Keith Higginson, Director



NOV 07 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
	)	
NO. 95-08773 IN THE NAME	)	ORDER ADVANCING
	)	DATE OF PRIORITY
OF THOMAS K THILO	)	
_____	)	

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 95-08773 for the issuance of a license, the Department finds, concludes and orders as follows:

FINDINGS OF FACT

1. On November 24, 1992, the Department approved Application for Permit No. 95-08773 to appropriate the public waters of the State of Idaho with a proposed priority of September 8, 1992.

2. On September 30, 1993 the Department sent the permit holder a proof due notice stating that proof of beneficial use was due on December 1, 1993.

3. On November 15, 1993, the permit holder sent in the proof of beneficial use without the appropriate license examination fee. The department notified the permit holder on November 15, 1993, that a \$50.00 license exam fee would be required in order to accept the proof.

4. The license examination fee was received on December 23, 1993, 22 days after the proof was due.

RECORDED
JAN 21 1994

CONCLUSIONS OF LAW

1. The Director may reinstate a lapsed permit upon payment of the examination fee.

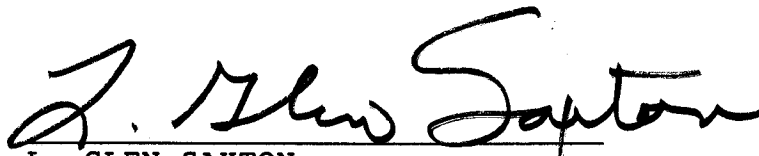
2. The Director may advance the priority date of the permit one day for each day the fee was late, pursuant to the provisions of Section 42-217, Idaho Code.

3. The date of priority of Permit No. 95-08773 should be advanced 22 days.

ORDER

IT IS HEREBY ORDERED that the date of priority of Permit No. 95-08773 is advanced to September 30, 1992.

Dated this 7th day of January, 1994.



L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED

JAN 21 1994

RECEIVED

DEC 23 1993

Department of Water Resources

RECEIVED

NOV 15 1993

Department of Water Resources

OFFICE USE ONLY

Amt. of Fee \$ 50.00

Date 12/23/93

Receipt No. 10029296

Receipt by DW

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 95-8773 ~~L 95-S-3786 A~~ Telephone No. (208) 765-5691
2. Name(s) of Permit Holder(s): Thomas Thilo
3. Mailing Address: 3659 Buckskin Rd. Coeur d'Alene ID 83814
4. Source of Water: Hayden Lake

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: 1.0 Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic 1 (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.04 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes No Installed? Yes No

OR

Flow Measurement Port: Required? Yes No Installed? Yes No

8. Fee Enclosed: \$ N/A (See License Fee Schedule on back of Instruction Sheet)

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

Thomas K Thilo (208) 765-5691
Name Telephone No.

3659 Buckskin Rd. Coeur d'Alene ID 83814
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

11/11/93
Date

[Signature]
Signature (and title, if on behalf of a company or organization)

JAN 21 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 95-08773

Proposed Priority: September 8, 1992 Maximum Diversion Rate: 0.04 CFS

This is to certify, that **THOMAS K THILO**
3659 BUCKSKIN RD
COEUR D ALENE ID 83814

has applied for a permit to appropriate water from:

HAYDEN LAKE tributary of **SINKS**

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: Lot 5(NWSW), Sec. 15, Township 51N, Range 03W
KOOTENAI County

PLACE OF USE: DOMESTIC
TWN RGE SEC

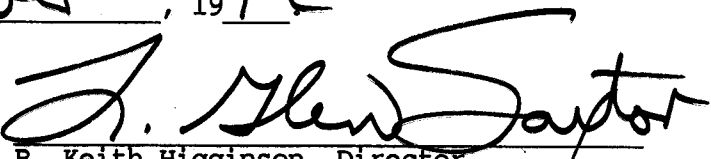
51N 03W 15 Lot 5(NWSW)

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **December 1, 1993**.
2. Subject to all prior water rights.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 95A.
4. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this right.
5. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. Place of use located within Lot 66, Hayden Lake Cottage Tracts.
7. 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

24th day of November, 1992

for 
R. Keith Higginson, Director

DEC 16 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Thomas K. Thilo Phone (208) 765-5691
Post office address 3659 Buckskin Rd - Coeur d'Alene ID 83814
2. Source of water supply Hayden Lake which is a tributary of SINKS BUN
3. Location of point of diversion is 1/4 of NW 1/4 of SW 1/4, Govt. Lot 5
Sec. 15 Township 51 N Range 3 W B.M. Kootenai County; additional
points of diversion if any: HAYDEN LAKE COTTAGE TRACTS LOT 66
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purposes from Jan. 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
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. Description of ditches, flumes, pumps, headgates, etc. _____
1 1/4" pipe out into lake 150 ft with attached pump and
manifold at end of pipe line
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
_____ years (minimum 1 year).

DEC 16 1992

DEC 1 6 1992

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

P.D.
d
1.4

15

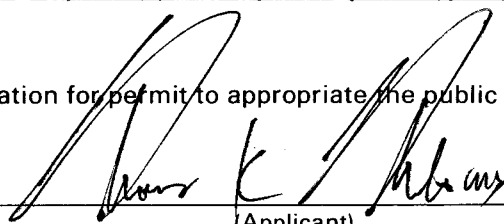
T-51N

R-3W

DEC 16 1982

Scale: 2 inches equal 1 mile.

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


(Applicant)

DEC 16 1992

e. Other:

- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

19

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

1. Approval of said application is subject to the following limitations and conditions:

Idaho No. _____, and said application is hereby _____

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Publication approved _____

Publication prepared by _____

Fee \$ 30.00

Received by _____

Date 9/8/92

Time 4:25

Preliminary check by _____

N-5930

Date 9/8/92

Date 9/28/92

Published in _____

Date 9/17+24/92



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 3, 1994

THOMAS K THILO
3659 BUCKSKIN RD
COEUR D ALENE ID 83814

RE: WATER RIGHT NO. 95-08773

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

A handwritten signature in cursive script that reads 'Shelley W. Keen'.

Shelley W. Keen
Water Rights Supervisor

SK:dc

Enclosure

RECEIVED

NOV 07 1994

LICENSE REVIEW CHECKLIST

PERMIT NO. 95-8773 DATE 9-7-94



NAME	Yes ____	No <u>✓</u>	Or Address Change? _____
PRIORITY DATE	<u>✓</u>	____	Advance? <u>YES</u> Advanced to: <u>SEPT 30, 1992</u> Order to reinstate needed? <u>DONE</u> Incorrect fee for rate recommended? <u>NO</u>
SOURCE	____	<u>✓</u>	Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? _____
POINT OF DIV	____	<u>✓</u>	Amendment needed? <u>VERIFIED GDU LOT #5</u> Overlaps? _____
PLACE OF USE	____	<u>✓</u>	Amendment needed? _____ Overlaps? _____
DIV RATE	____	<u>✓</u>	Measurement Q = _____ Theoretical Q = _____ <u>Standard Domestic</u> Capacity: <u>.04</u> Combined rates exceed capacity _____ Permit/fee limits: <u>.04</u> Allowable: <u>.04</u>
ANNUAL VOLUME	____	<u>✓</u>	Season of use: _____ Calculations: <u>Standard Domestic @ 1.2</u> Flow limit: _____ cfs x _____ x 1.9835 = _____ Combined volumes exceed capacity/allowable _____
USES	____	<u>✓</u>	Change in Nature of Use or additional uses? _____ Amendment necessary? _____
REMARKS	____	<u>✓</u>	Multiple p/d(s) in ¼ ¼? _____ Other _____
CONDITIONS	<u>R02</u> <u>R04</u> ____ ____ ____	____ <u>✓</u> <u>✓</u> <u>✓</u>	Measuring/Locking Devices _____ Watermaster control - District <u>95A</u> Irrigation Overlap _____ Water Quality _____ Other _____

COMMENTS: _____

RECOMMENDED	CFS	VOLUME	LICENSE <u>✓</u>
<u>Domestic</u>	<u>.04</u>	<u>1.2</u>	ADJUSTMENT MEMO NEEDED _____
_____	_____	_____	1ST AMENDMENT LETTER _____
_____	_____	_____	FINAL AMENDMENT LETTER _____
TOTALS	_____	_____	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
AUG 29 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 95-08773

1. Owner: Thomas K Thilo

Phone No. (208) 765-5691

Current Address: 3659 ROCKSKIN RD COEUR D'ALENE ID, 83814

2. Accompanied by: OWNER

EXAM DATE: 6-29-94

Address: SAME AS ABOVE

Phone No. " "

Relationship to Permit Holder: _____

3. Source: HAYDEN LAKE

tributary to SINKS

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		NW	SW	15	S1N	03W	KOOTENAI	USGS 7.5 min quad

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
S1N	03W	15																	

NOV 07 1994

NOV 07 1994

2. Measurements:

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

D. FLOW MEASUREMENTS

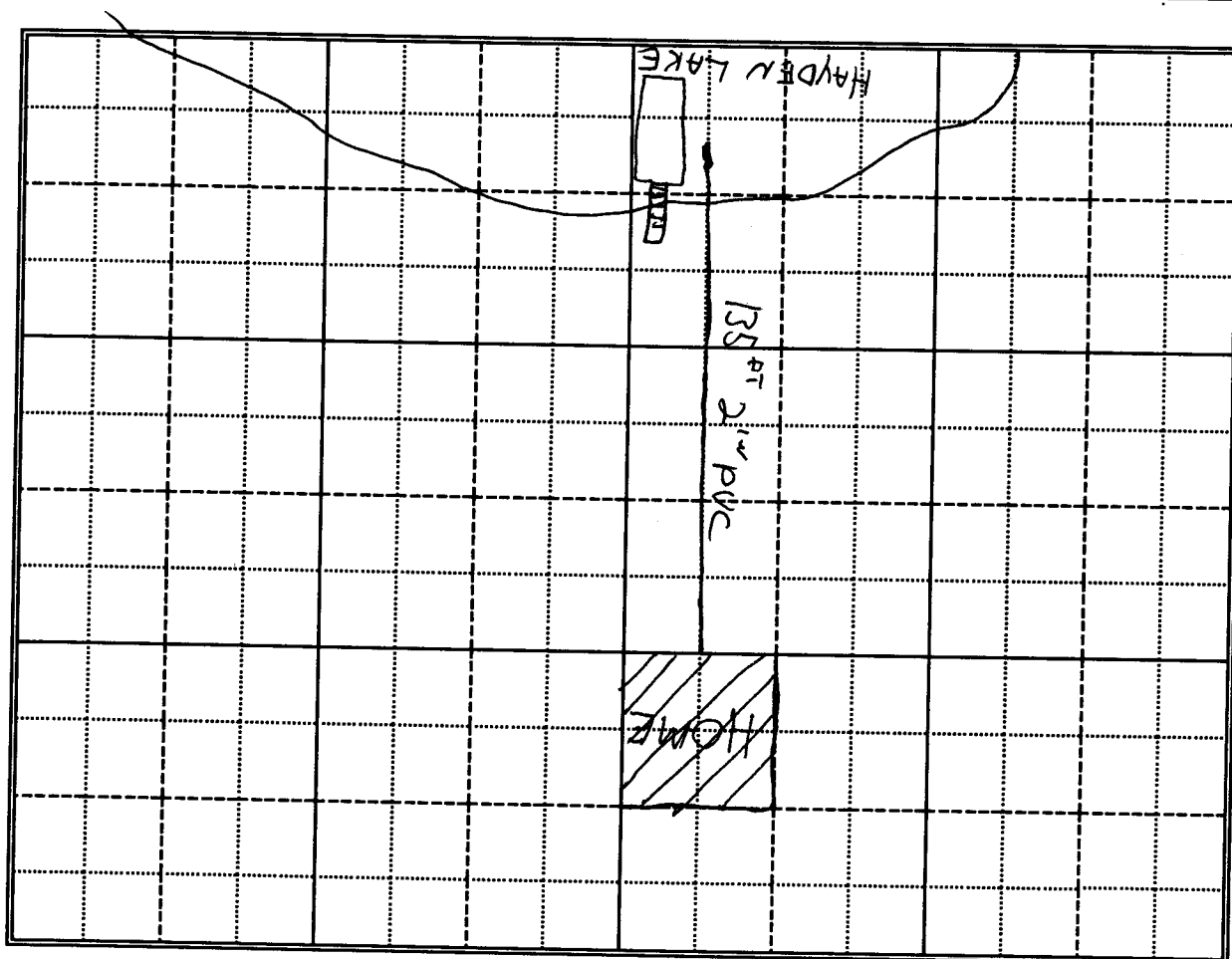
*Code to correspond with No. on map and aerial photo

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		1 HP			506 M5.615

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 of 10+ acres)
Photo of Diversion and System Attached

Scale: 1" =



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

E. NARRATIVE/REMARKS/COMMENTS

PUMP SUPPLIES HOME AND A SMALL AMOUNT
OF WATER FOR IRRIGATION PURPOSES

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

NOV 07 1994

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Domestic

From

Period of Use
To

Rate of Diversion
Q (cfs)

Annual Volume
V (ata)

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

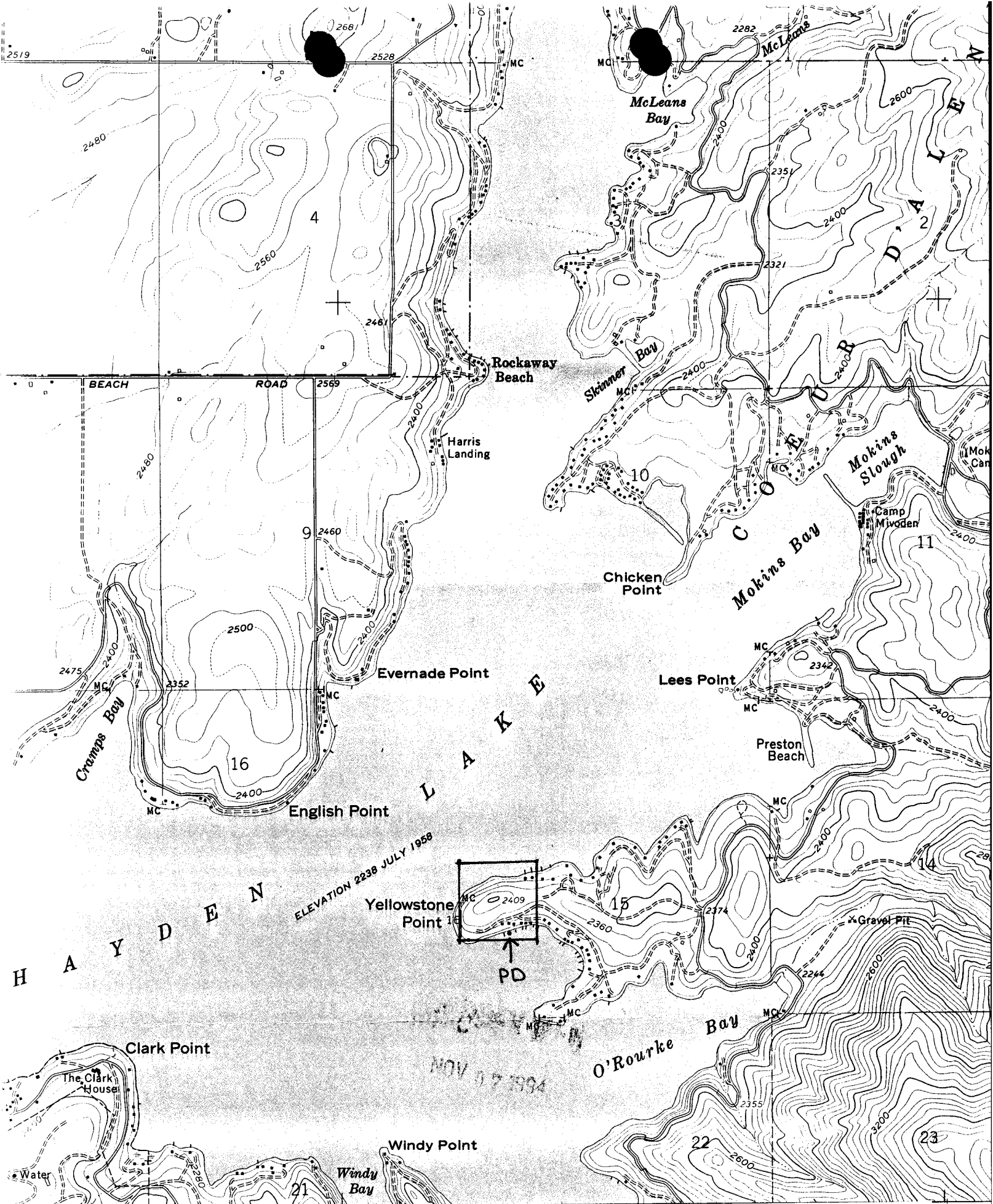
TEB MSC cables Date 6-20-94

Reviewer

Date

SEAL

NOV 07 1994



Geological Survey

95-08773

1 MILE



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mall, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 15, 1993

Copy

Thomas K. Thilo
3659 Buckskin Rd.
Coeur d'Alene, ID 83814

Re: Permit No. 95-08773

Dear Permit Holder:

Returned is the proof of beneficial use you submitted in connection with the above referenced permit. Unfortunately, it is unacceptable as filed.

The Department has determined, from pertinent sections of the Idaho Code, that the permit holder must meet two requirements in order to be exempt from the license exam fee. They are:

- This is wrong!*
1. The water right must use a groundwater (well) source.
 2. The rate of diversion must be .04 cfs or 4.0 AF or less.

As you can see, you do not meet requirement #1 since you use Hayden Lake (surface water) for your source. Therefore, a license examination fee of \$50 applies to each permit. I have enclosed a copy of the Instructions for the Proof of Beneficial Use for your convenience.

If you have any questions or if I can be of any further assistance, please feel to contact me.

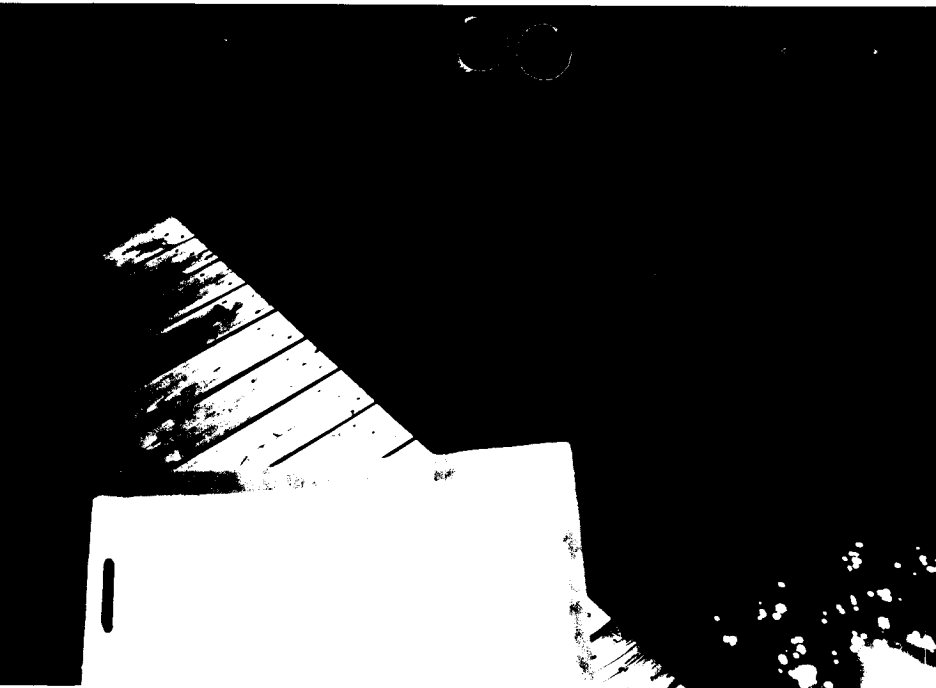
Sincerely,

Rita I. Fleck
Senior Secretary

Enclosure

*this letter is
reason for ~~the~~ advancement of this
Mr. Thilo may be angry at this
Dept error.*

NOV 07 1994



Point of
← Diversion



← PLACE OF USE

NOV 07 1994

January 7, 1994

THOMAS K THILO
3659 BUCKSKIN RD
COEUR D ALENE ID 83814

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-08773

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

Enclosure

RECORDED

JAN 21 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 15, 1993

Copy

Thomas K. Thilo
3659 Buckskin Rd.
Coeur d'Alene, ID 83814

Re: Permit No. 95-08773

Dear Permit Holder:

Returned is the proof of beneficial use you submitted in connection with the above referenced permit. Unfortunately, it is unacceptable as filed.

The Department has determined, from pertinent sections of the Idaho Code, that the permit holder must meet two requirements in order to be exempt from the license exam fee. They are:

1. The water right must use a groundwater (well) source.
2. The rate of diversion must be .04 cfs or 4.0 AF or less.

As you can see, you do not meet requirement #1 since you use Hayden Lake (surface water) for your source. Therefore, a license examination fee of \$50 applies to each permit. I have enclosed a copy of the Instructions for the Proof of Beneficial Use for your convenience.

If you have any questions or if I can be of any further assistance, please feel to contact me.

Sincerely,

Rita I. Fleck
Senior Secretary

Enclosure

RECEIVED

JAN 21 1994

THOMAS K THILO
3659 BUCKSKIN RD
COEUR D ALENE ID 83814

September 30, 1993

PROOF DUE NOTICE

RE: PERMIT NO. 95-08773

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before December 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

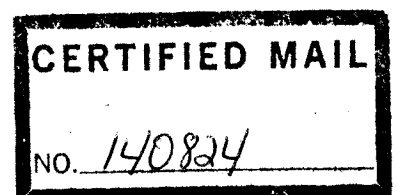
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures





State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 25, 1992

THOMAS K THILO
3659 BUCKSKIN RD
COEUR D ALENE ID 83814

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P95-08773

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

Sincerely,

A handwritten signature in cursive script that reads "Brenda L. Miller".

BRENDA L. MILLER
Water Resource Agent

BLM:cz

Enclosures

RECEIVED

DEC 16 1992

RECEIVED

SEP 15 1992

NORTHWEST REGION
IDWRSTANLEY F. HAMILTON
DIRECTORBOARD OF LAND
COMMISSIONERS
CECIL D. ANDRUS
GovernorPETE T. CENARRUSA
Secretary of StateLARRY ECHOHAWK
Attorney GeneralJ.D. WILLIAMS
State AuditorJERRY L. EVANS
Sup't of Public
Instruction

MEMORANDUM

DATE: September 15, 1992

TO: US Army Corps of Engineers
Idaho Department of Fish and Game
Idaho Department of Health and Welfare, DEQ
Idaho Department of Water Resources
Panhandle Health District 1
Clean Lake Coordinating Council
Kootenai Environmental Alliance
Save Hayden Lake
Adjacent Property Owners: David Allender & Wm. C. Burns

FROM: Charlotte Ammon *CA*
Navigable Waters Specialist

RE: NOTICE OF APPLICATION - L-95-S-3786A - THILO, Thomas

Enclosed is an application and plats requesting permission to install
1 1/4" pipe extending 150 feet waterward w/ submerged pump in Hayden Lake.

Please submit your recommendations to me by September 29, 1992, regarding
the likely effect of the proposed encroachment upon adjacent property,
lake, and streambed value factors of navigation, fish and wildlife
habitat, aquatic life, recreation, aesthetic beauty, or water quality. If
you have concerns or are opposed to the project as proposed, please list
your specific reasons for concern or opposition and any facts or
documentation to support your position.

You should recommend alternate plans if they are economically feasible to
accomplish the purpose of the proposed encroachment. You should also
recommend any mitigation measures or special restrictions/provisions you
would like included as part of the permit if one is issued.

If you do not submit a comment, I will assume you have no objections to
the application. If you have questions concerning the application, I
suggest you contact the applicant. If the applicant cannot answer your
questions, please contact me at (208)765-5235.

mc
enclosures

DEC 16 1992

JOINT APPLICATION FOR PERMIT
U.S. ARMY CORPS OF ENGINEERS
AND
STATE OF IDAHO, DEPARTMENT OF WATER RESOURCES
STATE OF IDAHO, DEPARTMENT OF LANDS

SEPARATE PERMIT DECISIONS MUST
BE RECEIVED FROM BOTH THE STATE
OF IDAHO AND THE CORPS OF
ENGINEERS PRIOR TO START OF
WORK

The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. These laws require permits authorizing structures and work in or affecting navigable waters of the United States and the discharge 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. This application will meet the requirements of the above agencies.

1. Corps of Engineers # _____ Date Received _____	2. State of Idaho # <u>L-95-5-3786A</u> Date Received _____
--	--

PLEASE TYPE OR PRINT

3. Applicant <u>Thomas K. Thilo</u> Mailing Address <u>3659 Buckskin Rd.</u> <u>Coeur d'Alene ID 83814</u> Area (209) <u>667-1588</u> Home (209) <u>765-5691</u> Fax Number <u>(208) 667-3788</u>	4. Authorized Agent _____ Mailing Address _____ Area _____ Work Phone () _____ Home () _____ Date of Application _____
5. Location where proposed activity exists or will occur. Waterway <u>Hayden Lake</u> <u>Hayden Lake ID</u> In or near city or town _____ County <u>Kootenai</u> State <u>IDAHO</u> Zip Code <u>83835</u>	Tributary of: <u>Lot 66 of Hayden Lake Cottage Tracts</u> Assessor's Desc. (Tax No. or Subdivision, Lot & Block No.) * _____ *(See instructions) <u>Book C Page 68</u> <u>15</u> <u>51N</u> <u>3W</u> or 1/4 1/4 Section Township Range UTM Coordinate Grid _____

6. Describe the proposed activity, including description of the type of structures, if any, to be erected on fills, or pile or float-supported platforms. If additional space is needed, use a separate sheet or Section 16 (Remarks).

1 1/4" pipe for intake into lake 150 ft with attached pump and
manifold at end of pipe line

Describe construction methods and equipment: Trench to bury pipeline from O.H.W.M. to
OLWN 18" depth filled & excavated native lake bed

List all soil series located at project site, and indicate if any are on the county's hydric soils list:

Length of project along the stream or extension into lake or reservoir: 150' DEC 16 1992
Will material be placed waterward of ordinary high water mark? X If yes, volume: _____ (cubic yards)
(both temporary and permanent)
Will material be placed in wetlands? NO If yes, area: _____ (acres)
Type and composition of fill material: _____ (i.e. sand, etc.) Material Source: _____
Will excavation be required? yes If yes, volume: Negligible (cubic yards) Composition Native spoils from
Disposal site for excavated material: _____ Method of dredging: excavation
Stream gradient: _____
Method of controlling turbidity: Construct trench at ordinary low water mark time

7. Size and flow capacity of proposed bridge or culvert and area of drainage served (sq. miles):
(Idaho Department of Water Resources requirement.) _____

8. Preparation of drawings. One set of original or good quality reproducible drawings must be attached to this application.
NOTE: DRAWINGS NO LARGER THAN 8-1/2 X 11 INCHES IN SIZE. See the instruction pamphlet for instructions and a checklist for completing the drawings. Include photographs of the project site mounted on 8-1/2 x 11 sheets.

9. Purpose and intended use: Commercial _____ Public _____ Private _____ Other _____

Describe Water source for single family vacation residence

Necessity and justification for project _____

10. Proposed Starting Date 10/1/92 Estimated Duration 24 months

11. If any portion of the activity is complete, indicate month and year of completion.
Indicate the existing work on the drawings.

12. Names, addresses, and telephone numbers of adjoining property owners, lessees, etc., whose property also adjoins the waterway.

Westward lot 6B David G. Allender Eastward lot 65 Wm. C. Burns
B Box 981 852 Pinegrove Rd
Hayden Lake ID 83835 Harvest AL 35749

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

13. LEGAL OWNER IF OTHER THAN APPLICANT _____

MAILING ADDRESS _____ CITY, STATE, ZIP CODE _____

PHONE _____ AREA WORK() _____ AREA HOME() _____

14. List other applications, approvals, or certifications from other Federal, interstate, state, or local agencies for any structures, constructions, discharges, deposits, or other activities described in the application.

Issuing Agency	Type of Approval	Identification No.	Date of Application	Date of Approval
<u>ID DEPT LANDS</u>	<u>Encroachment Permit</u>	<u>L-95-S-3786</u>	<u>6-18-92</u>	<u>7-21-92</u>

15. Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein? Yes _____ No / (If "Yes" explain)

16. Remarks or additional information: _____

17. 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.

Date 9/9/92

Signature of Applicant (REQUIRED) [Signature]

The application must be signed by the applicant. If an authorized agent is to be designated, Item 4 and the following information should be completed.

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

Date _____ Signature of Authorized Agent (if applicable) _____ Signature of Applicant (if applicable) _____

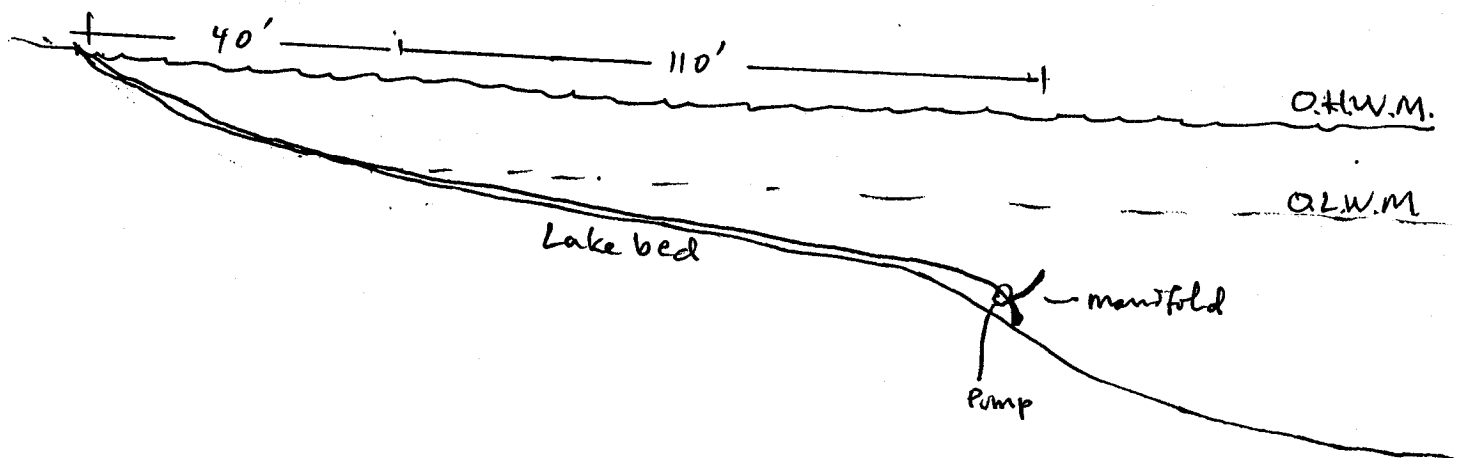
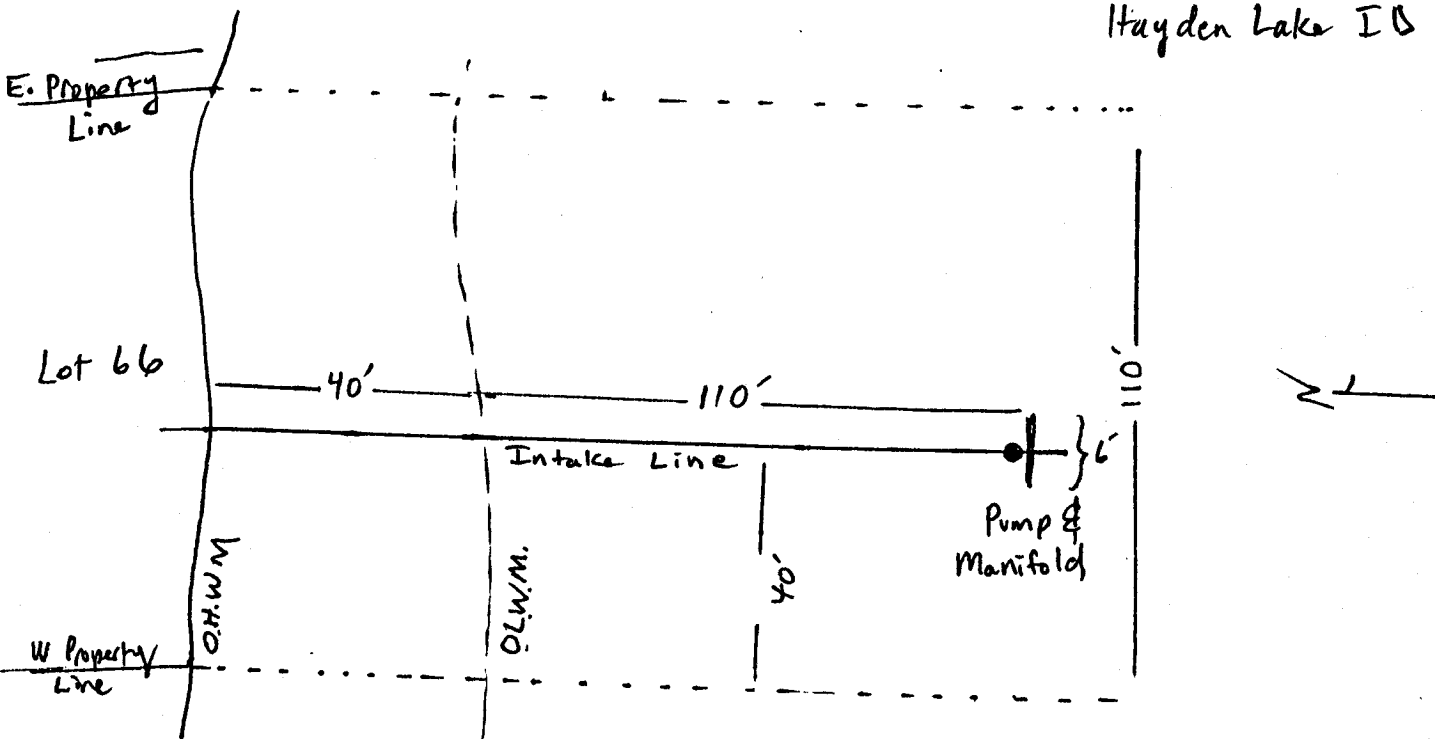
18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations 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 a Federal permit processing fee with this application. The appropriate fee will be assessed when a permit is issued.

DO NOT SEND FEDERAL PROCESSING FEE WITH APPLICATION

DEC 16 1992

Water Encroachment

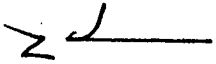
Thomas K Thilo
Hayden Lake ID



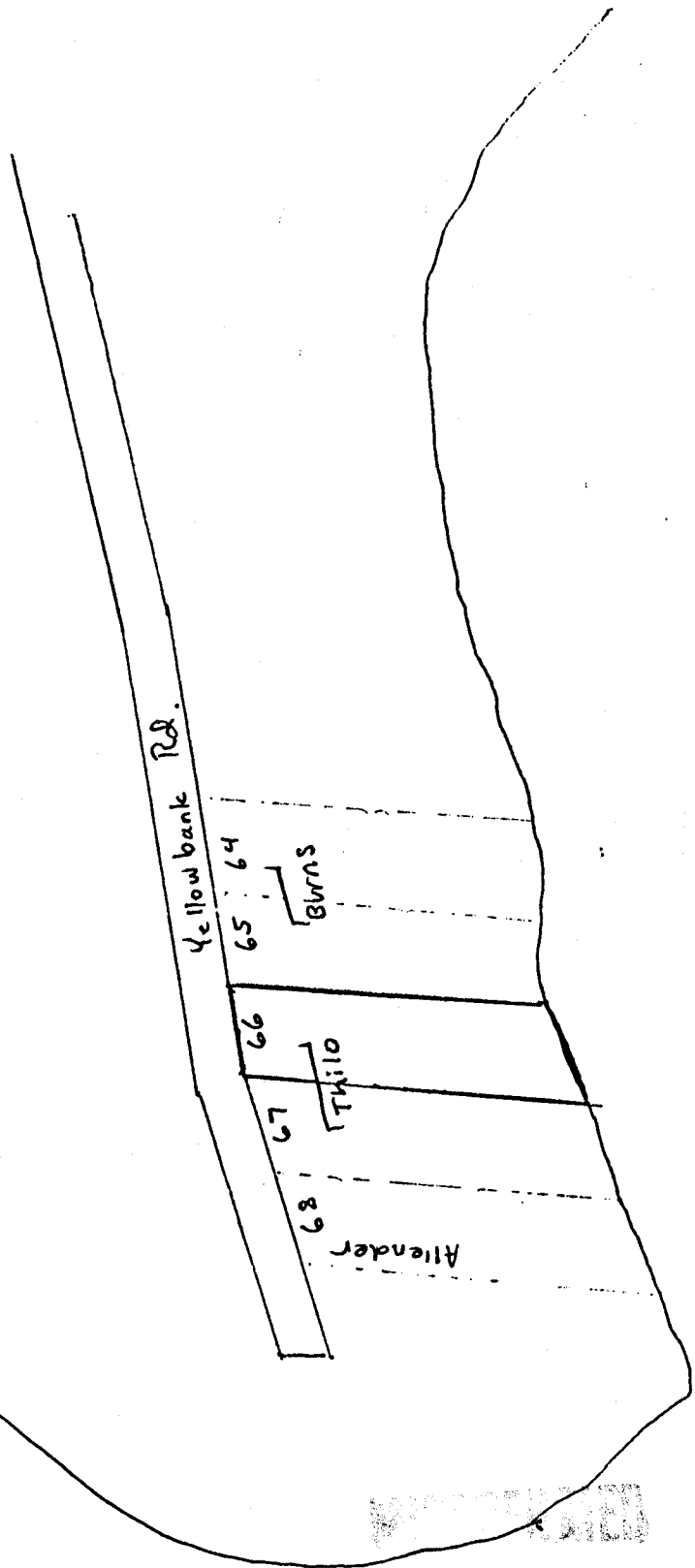
Lot 66 Sec 15 Twp 51 N
R 3 W B M Kootenai Co.

DEC 16 1992

SW 1/4 Sec 15 Twp 51 NR 3 WBM



H A Y D E N



DEC 16 1992

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

ss.

Keri Alexander

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 *Thurs* issue of said newspaper for *2* consecutive *weeks* commencing on the *17th* day of *September*, 19 *92*, and ending on the *24th* day of *September*, 19 *92*, 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.

Subscribed and sworn to before me this

24th day of *September*

19 *92*

Keri Alexander

RECEIVED

SEP 25 1992

NORTHERN REGION
IDWR

Roberta Manley

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

ROBERTA MANLEY *9-3-93*
My commission expires

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-08770

FLUME, J B
FLUME, SALLY
3543 S CROYDON CT
SPOKANE, WA 99203
Source: COEUR D ALENE LAKE
Tributary: SPOKANE RIVER
Diversion Pt: SWSW Sec 35 T 49N R 04W
in KOOTENAI County.
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Dated Filed: 8/27/1992
In: KOOTENAI County
T49N R04W S35 SWSW
95-08771

BACKER, PHILLIP T
RT 2 BOX 203 E HAYDEN LAKE RD
HAYDEN LAKE, ID 83835
Source: HAYDEN LAKE
Tributary: SINKS
Diversion Pt: LOT 5 (NESW) Sec 34 T
52N R 03W in KOOTENAI County.
Use: IRRIGATION (.020 CFS)
FIRE PROTECTION (.050 CFS)
Total Diversion: (.050 CFS)
Dated Filed: 8/27/1992
In: KOOTENAI County
T52N R03W S34 Lot 5 (NESW)
0.5 ACRES TOTAL
95-08772

ADAMS, GEORGE
FOLSOM, ROBERT
KASUN, ROBERT
1092 E 16TH ST
POST FALLS, ID 83854
Source: GROUNDWATER
Diversion Pt: NENWSW Sec 35 T 51N R
05W in KOOTENAI County.
Use: IRRIGATION (.200 CFS)
Total Diversion: (.200 CFS)
Dated Filed: 8/28/1992
In: KOOTENAI County
T51N R05W S35 NWSW
10.0 ACRES TOTAL
95-08773

THILO, THOMAS K
3659 BUCKSKIN RD
COEUR D ALENE, ID 83814
Source: HAYDEN LAKE
Tributary: SINKS
Diversion Pt: LOT 5 (NWSW) Sec 15 T
51N R 03W in KOOTENAI County.
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Dated Filed: 9/8/1992
In: KOOTENAI County
T51N R03W S15 LOT 5 (NWSW)

For additional information concerning the property location, call the Northern Regional Office at 765-4639.

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814 on or before OCTOBER 5, 1992.

R. KEITH HIGGINSON, Director
Legal 144
Sept. 17, 24, 1992

95-08773

THILO, THOMAS K
3659 BUCKSKIN RD
COEUR D ALENE, ID 83814

Source: HAYDEN LAKE

Tributary: SINKS

Diversion Pt: LOT 5 (NWSW) Sec 15 T 51N R 03W in KOOTENAI County.

Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 9/ 8/1992

In: KOOTENAI County
T51N R03W S15 Lot 5(NWSW)

RECEIVED
FEB 6 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 765-4639 • Fax (208) 765-2088

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

September 10, 1992

Idaho Dept. of Lands
Statehouse
Boise, Id. 83720

Re: 95-8773

Gentlemen:

Enclosed is a recent filing with this Department that may be of interest to your agency.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB/pms

Enclosure

DEC 16 1992