

ROBERT
NO WELL -

95-08771
52N 3W 34

WELL (100')

WELL (90')

WELL (112')

GL 4

WOODS

HAYDEN LAKE PARK

0442 95-0233
95-0053
PUMP HOUSE
95-0007

HAYDEN LAKE

10

PD
P/U

BLOCK 3

GL 5

CLEAR

95-0245

95-0404

95-0074

95-0335

95-0133

95-0231

95-0775

95-0403

95-0247

95-0029

95-0459

95-015

BLOCK 2

BLOCK 1

KLOUISE M. HARTLEY
NO WELL - NO IRRIGATION

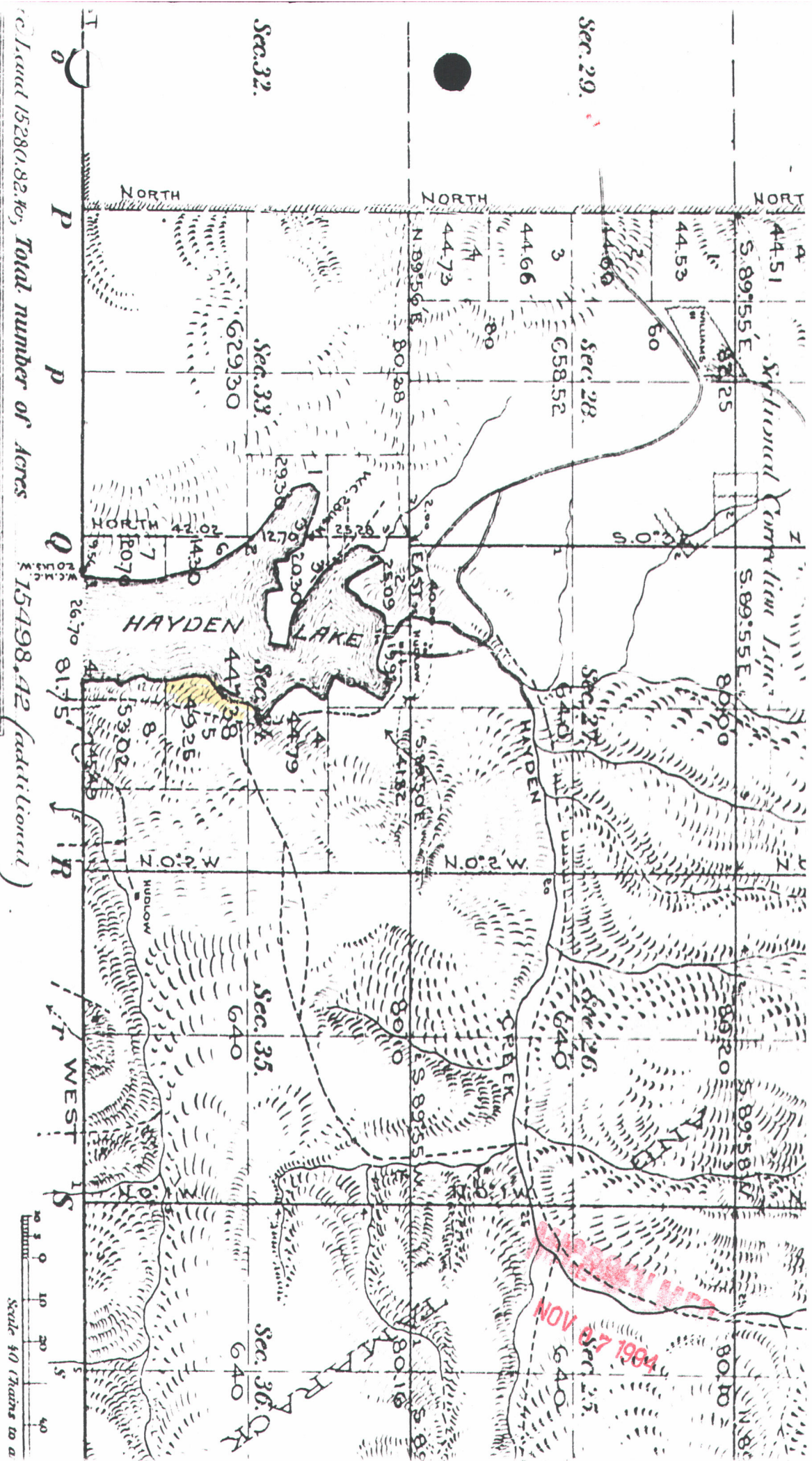
GL 8

WOODS

WOODS

MICROFILMED
MAY 26 1993

OLLINS LAKESHORE



Contract	Amount of Survey M. Ch. Lk.	When Surveyed	New Direction
21, 1897	8 73 99	Sept. 20-28, 1897	21.17 N.
"	36 57 06	Sept. 28-Oct. 12, 1897.	
"	2 52 30	October 8, 1897	
"	0 02 00	"	
1, 1880	13 00 00	Sept 24, 1880-Apr. 19, 1881	
Order	2 09 56	Sept. 18-28, 1890	

Total number of Acres 15498.42 (additional)

The above Map of Township 20 N. Range 18 W. Boise Meridian. Idaho notes of the survey, checked on file, on this day
 Surveyed General's Office
 Boise City, Idaho.
 June 20, 1898.



2679 IV SE
(HAYDEN)

T 52 N
T 51 N

47°30'

NOV 07 1994



IRRIGATED
← AREA



← P.D.

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NOV 07 1994



← spicket



JunkTion
Box

NOV 07 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 95-08771

Priority: August 27, 1992

Maximum Diversion Rate:

0.05 CFS

Maximum Diversion Volume:

1.5 AF

This is to certify, that PHILLIP T BACKER
RT 2 BOX 203 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated August 27, 1992; and
has submitted Proof of Beneficial Use on December 14, 1992. An examination indicates
that the works have a diversion capacity of .050 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>
IRRIGATION	03/15 to 11/15	0.02 CFS	1.5 AF
FIRE PROTECTION	01/01 to 12/31	0.05 CFS	
Totals		0.05 CFS	1.5 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 5(NESW), Sec. 34, Township 52N, Range 03W
ROOTENAI County

<u>PLACE OF USE:</u>	<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
IRRIGATION	52N	03W	34	Lot 5(NESW)	0.5		0.5
Total number of acres irrigated:							0.5

PLACE OF USE:

FIRE PROTECTION, same as IRRIGATION use

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. 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.

NOV 07 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

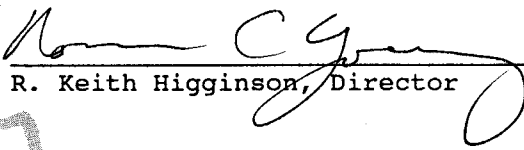
WATER RIGHT NO. 95-08771

CONDITIONS/REMARKS:

6. Use of water under this water right will be regulated by the watermaster of State Water District No. 95A.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
8. The issuance of this right in no way grants any right-of-way or easement across the land of another.

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 13TH day of SEPTEMBER, 1994.

Acting for


R. Keith Higginson, Director

**ID
WR**

RECEIVED
SEP 13 1994

RECEIVED
DEC 14 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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. 95-08771 Telephone No. (208) 772-3200
2. Name(s) of Permit Holder(s): Phillip T. Backer
3. Mailing Address: 212 Box 203 East Hayden Lake Rd
Hayden Lake Id 83855
4. Source of Water: Hayden Lake

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

OPTIONAL:

Pump horsepower: 2.0 Pressure (psi): 30 Dynamic pumping level (ft.): 75'

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

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)
Irrigation 8.5 (No. of acres) Other fire

6. Total rate and/or volume for which proof is submitted 0.05 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: \$ 50.00 (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.

SAME AS ABOVE
Name Telephone No.

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.

MAY 26 1993

12/10/92
Date

Phillip T. Backer
Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 95-08771

Proposed Priority: August 27, 1992 Maximum Diversion Rate: 0.05 CFS

This is to certify, that **PHILLIP T BACKER**
RT 2 BOX 203 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835

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>
IRRIGATION	03/15 to 11/15	0.02 CFS
FIRE PROTECTION	01/01 to 12/31	0.05 CFS
Totals		0.05 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 5(NESW), Sec. 34, Township 52N, Range 03W
KOOTENAI County

<u>PLACE OF USE:</u>	<u>IRRIGATION</u>				
<u>TWN RGE SEC</u>		<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
52N 03W 34	Lot 5(NESW)	0.5			0.5
Total number of acres irrigated:					0.5

PLACE OF USE: FIRE PROTECTION, same as IRRIGATION use

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. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.

RECORDED

MAY 26 1993

State of Idaho
Department of Water Resources

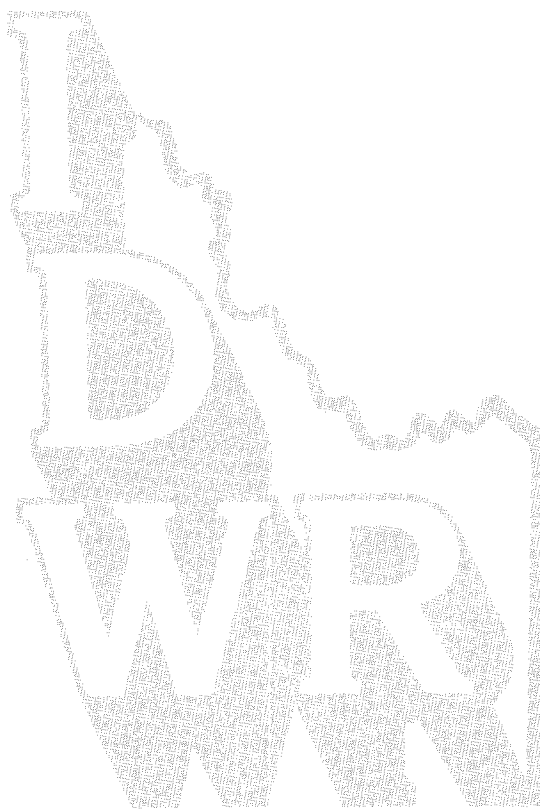
Permit To Appropriate Water

NO. 95-08771

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

27th day of November, 1992

R. Keith Higginson
for R. Keith Higginson, Director



RECORDED

MAY 26 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Phillip T. Barker Phone 208 772-3200
Post office address Rt 2 Box 203 E. Hayden Lake Rd. Hayden Lake Id. 85855
2. Source of water supply Hayden Lake which is a tributary of _____
- ③ Location of point of diversion is _____ 1/4 of NE 1/4 of SW 1/4, Govt. Lot 5
Sec. 34 Township S2N Range 3W B.M. Footwall County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .02 for irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum) 11/15 BLW
Amount .05 for fire protection purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- ⑤ Total quantity to be appropriated is (a) .05 cubic feet per second and/or (b) _____ acre feet per annum
- ⑥ Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. submersible pump house
from dock + 1 1/2" poly 200 PSI discharge line

b. Height of storage dam n/a 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 n/a inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 90°F being sought? n/a
- ⑦ Time required for the completion of the works and application of the water to the proposed beneficial use is
23 days years (minimum 1 year).

MAY 26 1993

the 1990s, the number of people in the world who are under 15 years of age is expected to increase from 1.1 billion to 1.5 billion. The number of people aged 65 and over is expected to increase from 200 million to 400 million. The number of people aged 15 and over is expected to increase from 3.5 billion to 4.5 billion. The number of people aged 15 and over is expected to increase from 3.5 billion to 4.5 billion. The number of people aged 15 and over is expected to increase from 3.5 billion to 4.5 billion.

12. Remarks: my well is $\rightarrow$ Rodicum less than 7 GPH + I
 fear that it might drain the well as well as
 using it for domestic purposes and run it dry.
 System design provided by Rd worst cb is for 0.05 cfs

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

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

11. a. Who owns the property at the point of diversion? — ~~Officer~~ STATE OF TEXAS — LAWS

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

Total number of acres to be irrigated 72 acre

[illegible]

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.

9 Description of place of use:

e. Other, describe fully.

d. Domestic; show number of households.

c. Municipal; show name of municipality.

b. Stockwatering: list number and kind of livestock.

a. Hydropower; show total feet of head and proposed capacity in KW.

8. Description of proposed uses (if irrigation only, go to item 9):

95-08771
52N 3W 34

WELL (100')

WELL (90')

WELL (112')

HAYDEN LAKE PARK

0442 95-0238
95-0058
PUMP HOUSE
95-0007

95-0245

95-0404

95-0074

95-0335

95-0133

95-0231

Z 95.0375

LAKE

HAYDEN

10

COLLINS LAKE SHORE

PD
P/V

Block 3

2 BLOCK*2

BLOCK #1

KLOUISE M. HARTLEY
NO WELL - NO IRRIGATION

WOODS
H

GL
5

GL
8

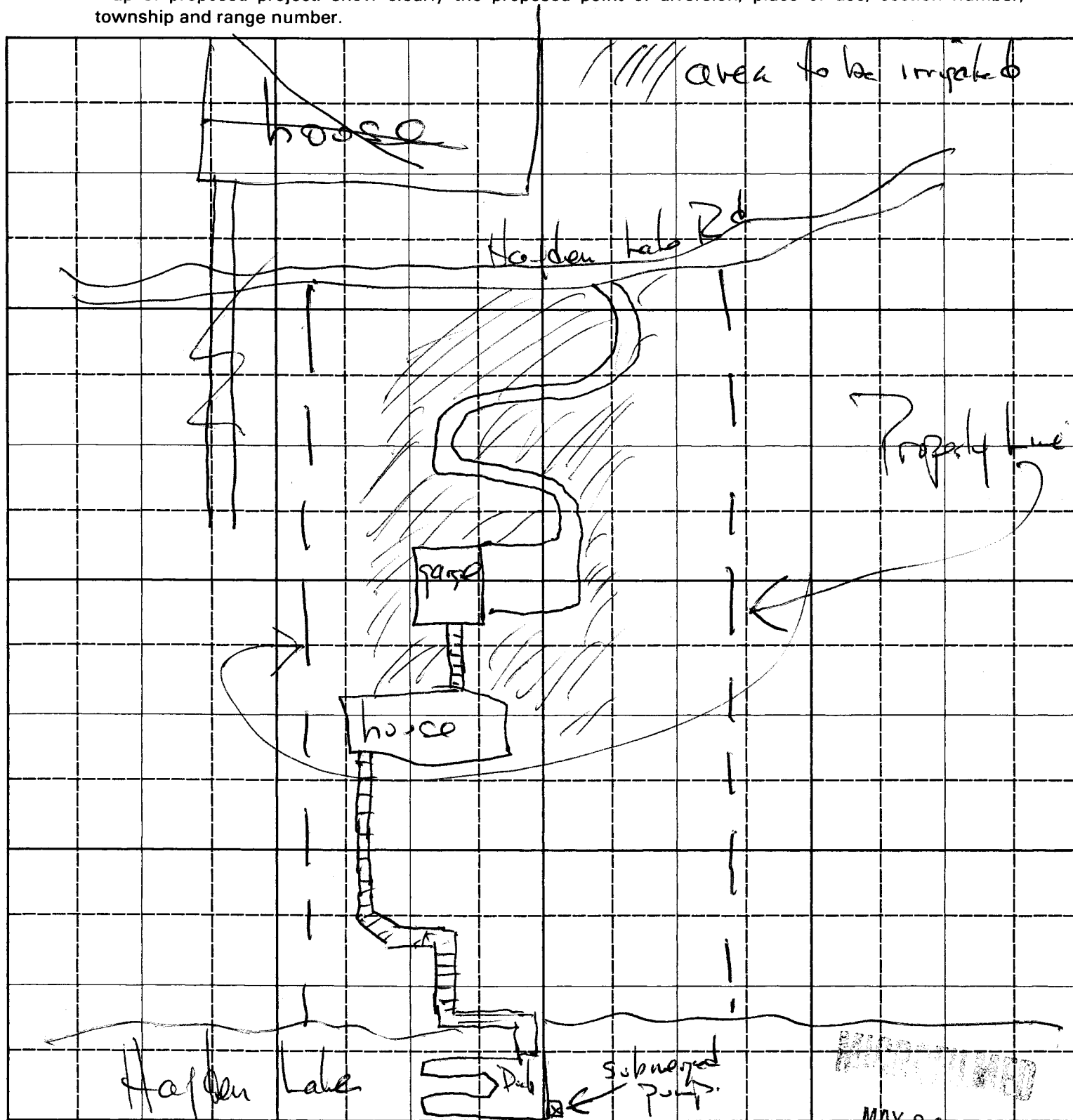
11

WOODS

MICROFILMED
MAY 26 1993

MAY 26 1993

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



Scale: 2 inches equal 1 mile.

MAY 26 1993

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.

[Signature]
(Applicant)

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MAY 26 1993

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 _____

Date _____

9/28/92

Publication prepared by _____

Date _____

9/9/92

Published in _____

9/17-24/92

Fee \$ 30.00

Received by _____

RSK

N 5884

Date _____

8/27/92

Preliminary check by _____

Time 1:30

Date 8/27/92

Received by _____

RSK



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

September 15, 1994

PHILLIP T BACKER
RT 2 BOX 203 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835

RE: WATER RIGHT NO. 95-08771

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,

Shelley W. Keen
Water Rights Supervisor

SK:dc

Enclosure

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NOV 07 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

95-08771

RECEIVED

AUG 29 1994

A. GENERAL INFORMATION

Permit No. Department of Water Resources

1. Owner: Phillip T BACKER Phone No. (208) 772-3200

Current Address: RT2 Box 203 EAST HAYDEN LAKE RD HAYDEN LAKE ID, 83835

2. Accompanied by: OWNER EXAM DATE: 7-17-94

Address: SAME AS ABOVE Phone No. (208)

Relationship to Permit Holder: _____

3. Source: HAYDEN LAKE tributary to SINKS

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 95-00306

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
			NE	SW	39	T52N	R03W	KODENAI	USGS 7.5 min quad

2. Place(s) of Use:

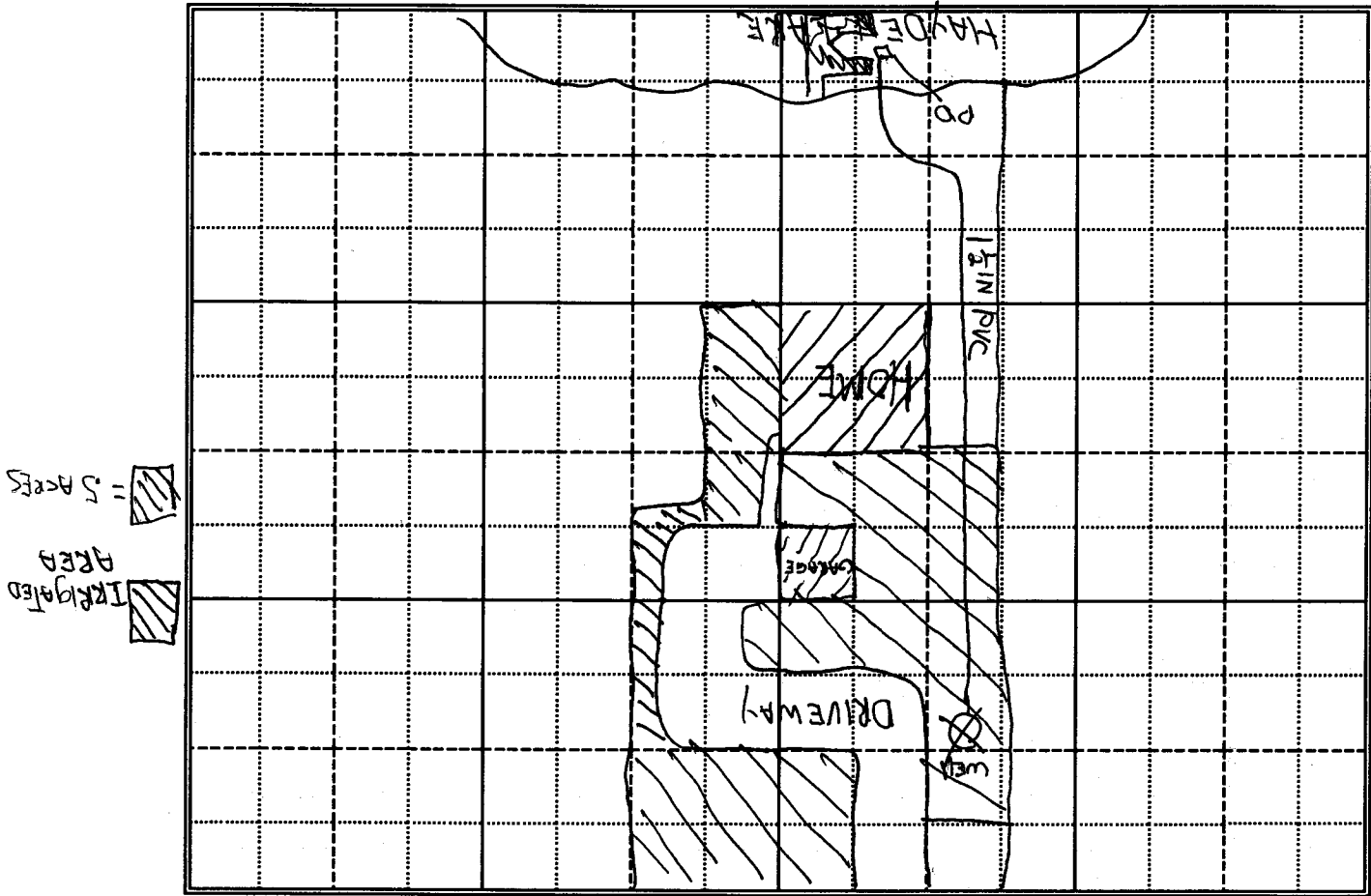
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
52N	03W	39									I								

NOV 07 1994

* SEE attached Adjustment Memo. Re

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



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 _____

4.

Well or Diversion No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	N/A	2.0		SUBMERSIBLE	

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

D. FLOW MEASUREMENTS

1.

2. Measurements:

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

NOV 07 1994

E. NARRATIVE/REMARKS/COMMENTS

WATER TAKEN FROM LAKE SPLITS AT WELL
TO IRRIGATION LINES.

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

NOV 07 1994

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

* 1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = .5 \times 3.5 = 1.7$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 9.7$$

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

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

IRIGATION

FIRE PROTECTION

Period of Use

To

11-15

12-31

Q (cfs)

.02

.05

Annual Volume
V (afa)

1.2

1.2

2. Recommended Amendments

Change P.D. as reflected above

Add P.D. as reflected above

None

Change P.U. as reflected above

Add P.U. as reflected above

Other

I. AUTHENTICATION

Field Examiner's Name

TED McCracken

Date

7-11-94

Reviewer

Date

SEAL

* See attached Adjustment Memo. BC

NOV 07 1994

MEMORANDUM

TO: File 95-08771 / Phillip T. Backer
FROM: Brenda Chapman
DATE: August 30, 1994
RE: Adjustments Made

=====

* The final recommendations for the following portion(s) of the field exam were based on the information below.

C. DIVERSION AND DELIVERY SYSTEM

1. Point of Diversion: P/D is in Gov. Lot #5.
2. Place of Use: P/U is in Gov. Lot #5.

G. VOLUME CALCULATIONS

Volume recommendation changed to 3.0 afa per acre to coincide with the standard for that location.

H. RECOMMENDATIONS

1. Recommended Amounts

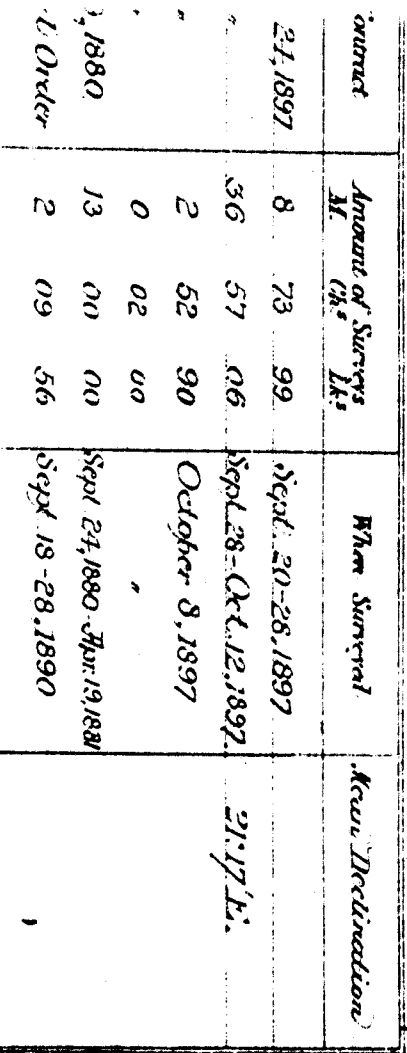
Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	3-15 to 11-15	.02	1.5
Fire Protection	1-01 to 12-31	.05	None

Volume recommendation changed to 3.0 afa per acre to coincide with the standard for that location.

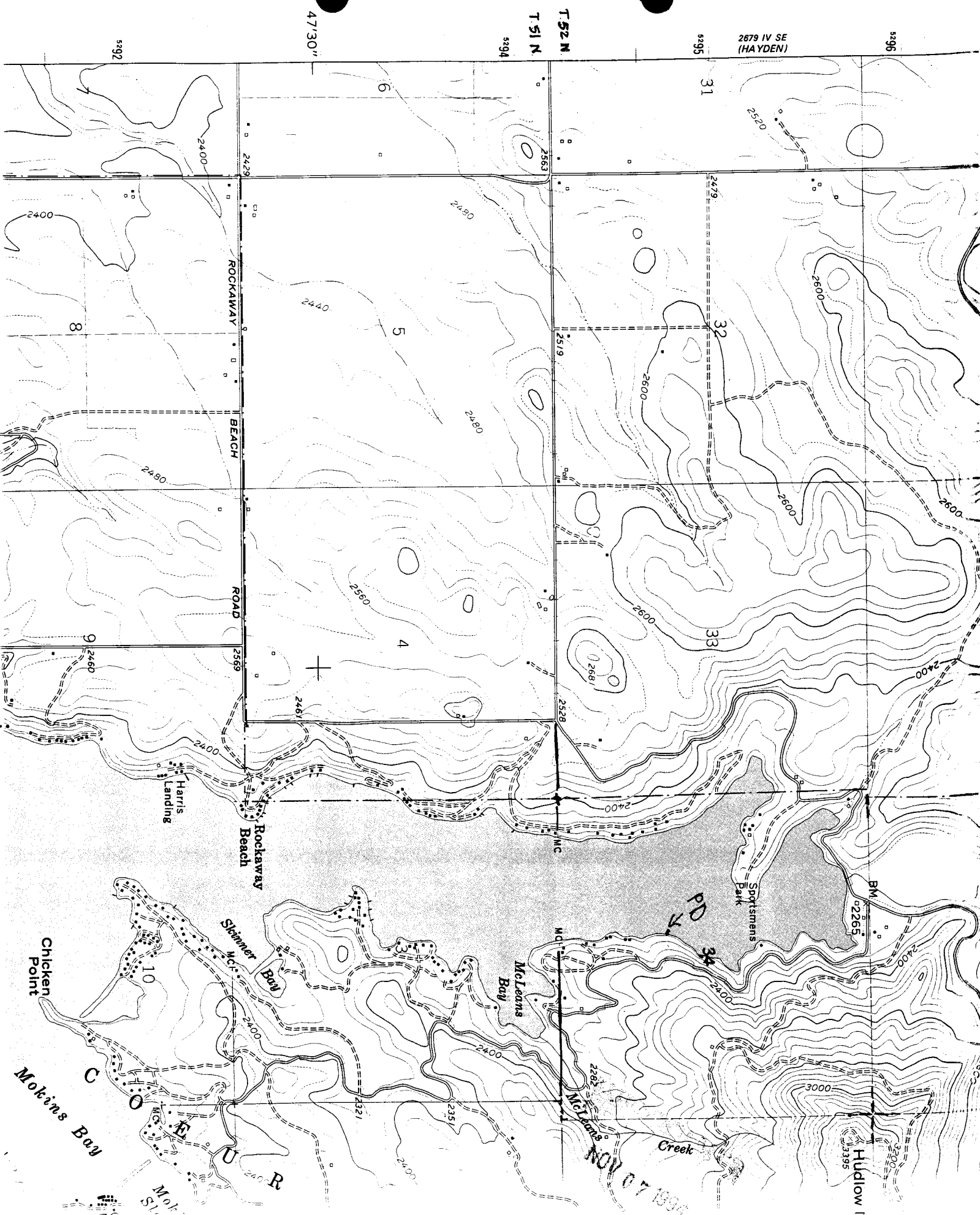
The standard practice is not to list a fire protection volume.

NOV 07 1994

Sec. 32.



The above Map of Townships A. C. 52. N.
Boise Meridian.
notes of the survey thereof on file in this
Surveyor General's Office
Boise City, Idaho.
June 20, 1898.



2679 IV SE
(HAYDEN)

T 52 N
T 51 N

47°30'

5292

5294

5295

5296

Hudlow

Creek

NOV 07 1994

McLeans Bay

Skinner Bay

Chicken Point

Mokins Bay

Rockaway Beach

Harris Landing

BEACH

ROCKAWAY

ROAD



IRRIGATED
← AREA



← P.D.

NOV 07 1994



← spicket



JunkTion
Box

NOV 07 1994

December 18, 1992

PHILLIP T BACKER
RT 2 BOX 203 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-08771

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 conduct a field examination to determine and confirm the use being made of the water.

I note that the permit issued to you by the department requires the installation of a lockable device to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the lockable device must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208)765-4639.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECORDED
INDEXED

MAY 26 1993



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 27, 1992

PHILLIP T BACKER
RT 2 BOX 203 E HAYDEN LAKE RD
HAYDEN LAKE ID 83835

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-08771

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

MAY 26 1993

STANLEY F. HAMILTON
DIRECTOR

BOARD OF LAND
COMMISSIONERS
CECIL D. ANDRUS
Governor

PETE T. CENARRUSA
Secretary of State
LARRY ECHOHAWK
Attorney General
J.D. WILLIAMS
State Auditor
JERRY L. EVANS
Sup't of Public
Instruction

MEMORANDUM

DATE: September 4, 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: Art Trenkle & Robert Heath

FROM: Charlotte Ammon *LA*
Navigable Waters Specialist

RE: NOTICE OF APPLICATION - L-95-S-2877B - BACKER, P. T.

Enclosed is an application and plats requesting permission to install submersible pump and waterline extending 69' waterward of Hayden Lake.

Please submit your recommendations to me by September 18, 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

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MAY 26 1993

KEEP IDAHO GREEN
PREVENT WILDFIRE

EQUAL OPPORTUNITY EMPLOYER

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>2-955-28775</u> Date Received <u>CA 9/2/92</u>
--	--

PLEASE TYPE OR PRINT

3. Applicant <u>Phillip T. Barker</u> Mailing Address <u>Box 203 E. Hayden Lake Rd.</u> <u>Hayden Lake Id 83835</u> Area _____ Work Phone (208) <u>772-3200</u> Home (208) <u>772-3200</u> Fax Number <u>n/a</u>	4. Authorized Agent _____ Mailing Address _____ Area _____ Work Phone () _____ Home () _____ Date of Application _____
---	--

5. Location where proposed activity exists or will occur.

Waterway Hayden Lake
Hayden Lake
In or near city or town _____
County Posteyai State Id. Zip Code 83835

Tributary of: Tax # 10342
Assessor's Desc. (Tax No. or Subdivision, Lot & Block No.)
* S2N. 3 West Sec 34 *(See instructions)

1/4 1/4 34 S2N 3 W or
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).

Installation of pump to extract water from Hayden
Lake to irrigation approximately 2 acres

Describe construction methods and equipment:

installation of pump & line off of
dock -
- see attached map

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

n/a

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

Will material be placed waterward of ordinary high water mark? yes If yes, volume: Pump (cubic yards)
Will material be placed in wetlands? no If yes, area: _____ (acres) (both temporary and permanent)

Type and composition of fill material: n/a (i.e. sand, etc.) Material Source: _____

Will excavation be required? no If yes, volume: _____ (cubic yards) Composition _____

Disposal site for excavated material: n/a Method of dredging: _____

Stream gradient: n/a

Method of controlling turbidity: n/a

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

MAY 26 1993

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 X Other _____

Describe water pump

Necessity and justification for project to irrigate lawns + gardens to avoid exhaustion of well.

10. Proposed Starting Date Sept 1992 Estimated Duration 1 day

11. If any portion of the activity is complete, indicate month and year of completion n/a
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.

Art Treubke 1296 E. Wilbur Ave Patton Gardens Id. 83835
Robert Heath 16 Redcl. Dr. Hudson New Hampshire 03051

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

13. LEGAL OWNER IF OTHER THAN APPLICANT n/a

MAILING ADDRESS _____ CITY, STATE, _____

AREA _____ ZIP CODE _____

PHONE _____ AREA _____

WORK () _____ 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 of Lands</u>	<u>encroachment permit</u>	<u>6-95-S-2877A</u>	<u>10/10/91</u>	<u>11/12/91</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 X (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 agency to which this application is made, the right to come upon the above-described location to inspect the proposed or completed work.

Date 20 Aug 92

Robert Heath
Signature of Applicant (REQUIRED)

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.

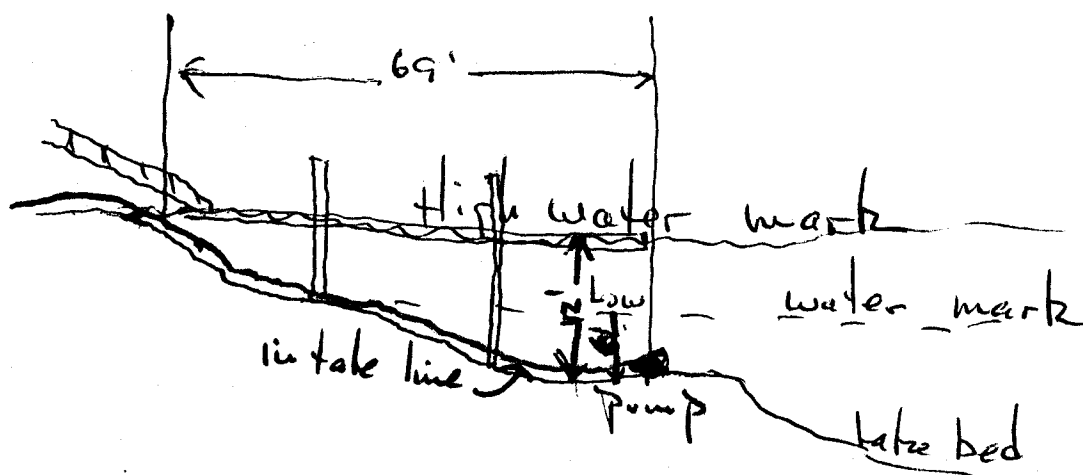
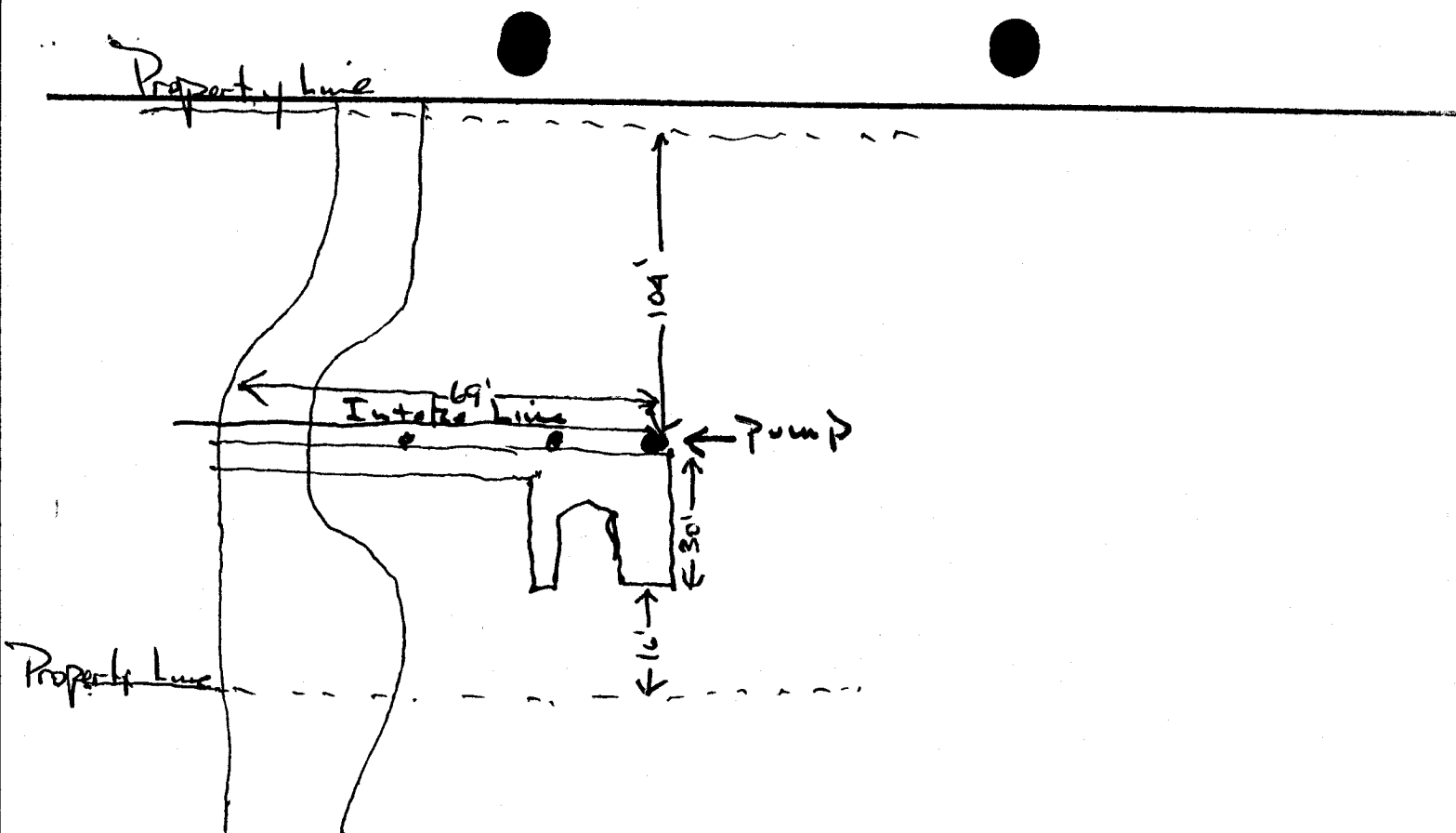
Date _____ Signature of Authorized Agent (if applicable) _____ Signature of Applicant (if applicable) _____

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

MAY 26 1993

100R Form 31

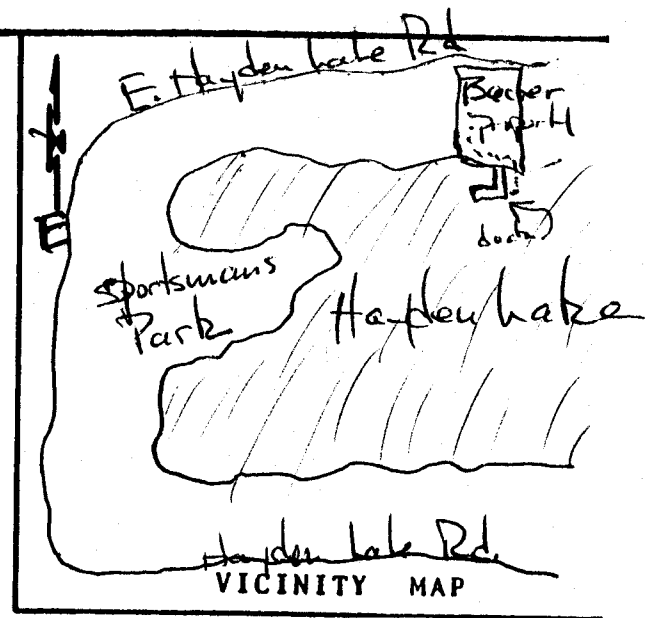
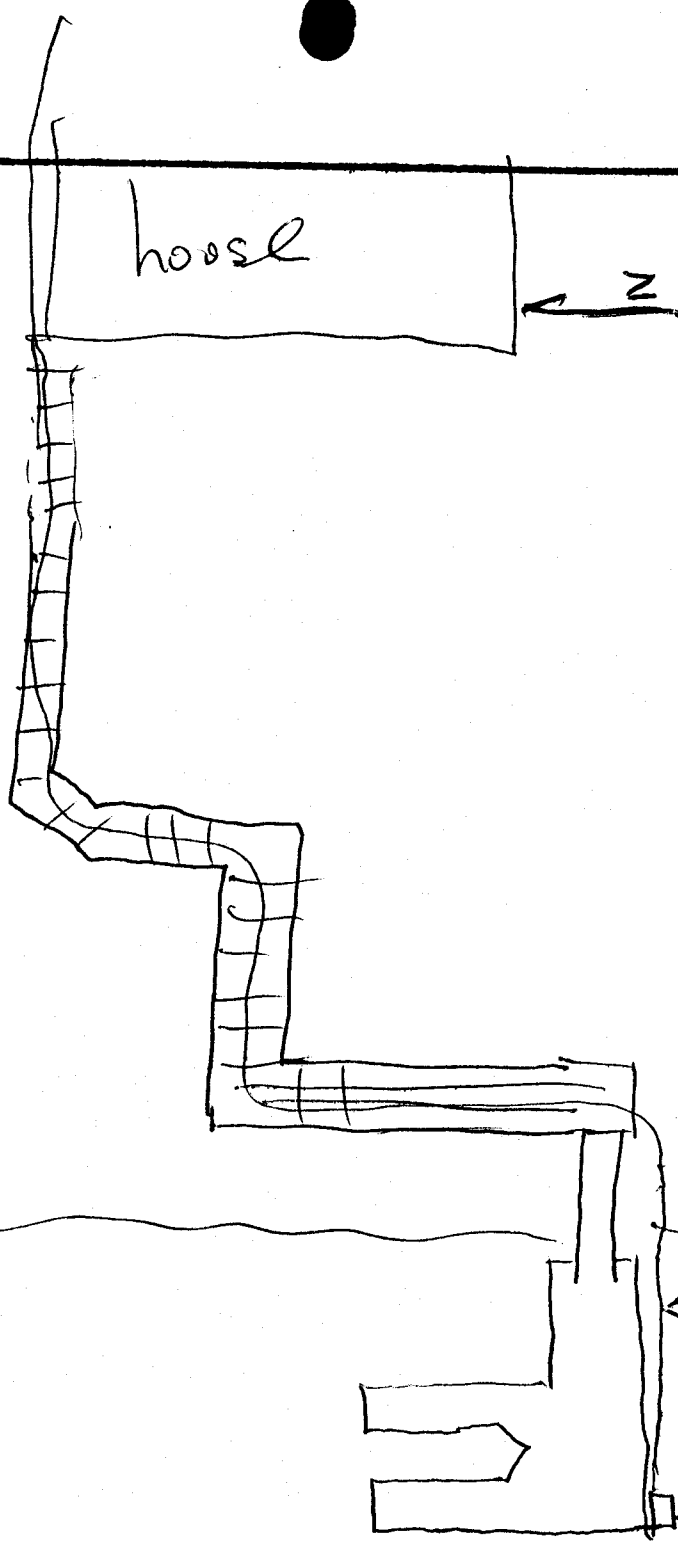


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MAY 26 1993

IN: Hadden Lake
 IN/NEAR Sportsmens Park
 COUNTY, Kootenai
 DATE: 8/20/91 SHEET 1 OF 1

APPLICATION BY:
 Phillip T. Barker



From

MAY 26 1993

IN Hayden Lake
IN/NEAR Sportsman's Park
COUNTY, Kootenai
DATE: 20 Aug 92 SHEET 1 OF 1
APPLICATION BY: Phillip T Barker

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.

Keri Alexander

Subscribed and sworn to before me this *24th* day of *September*, 19 *92*.

RECEIVED

SEP 25 1992

NORTHERN REGION
IDWR

Roberta Manley

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

ROBERTA MANLEY *2.3-93*
My commission expires

RECORDED

MAY 26 1993

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

95-08771

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)

Date Filed: 8/27/1992

In: KOOTENAI County
T52N R03W S34 Lot 5(NESW)

0.5 ACRES TOTAL

MAY 26 1993



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: 95-8771

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

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MAY 26 1993



Expect the Best from Worst

Established 1953

WATER PUMPS and SUPPLIES
SEWAGE PUMPS and SUPPLIES
SEWAGE TREATMENT EQUIPMENT
WATER TREATMENT EQUIPMENT
MOTORS and MOTOR SUPPLIES

(208) 664-2133 / 625 Best Avenue / Coeur d'Alene, Idaho 83814
FAX (208) 667-8775

September 1, 1992

Phil Backer
Rt. Box 203 E. Hayden Lake Rd.
Hayden Lake, Id. 83835

Ref: Public waters of the State of Idaho

Water will be used for Irrigation and peak flow for fire protection. $.02 \text{ ft}^3/\text{sec}$ for irrigation and remaining $.036 \text{ ft}^3/\text{sec}$ for fire protection.

Pump production - 25 GPM

$25 \text{ GPM} = 3.34 \text{ ft}^3/\text{min}$

$3.34 \text{ ft}^3/\text{min} / 60 \text{ sec} = .056 \text{ ft}^3/\text{sec}$

The required flow needed for the irrigation system was calculated by the irrigation system installer. Production of the pump was calculated to meet the needs of the irrigation system and fire protection system. Please note irrigation system will only be operating 2-4 hours per day at the most and fire protection system will only operate in the event of fire.

Kenneth C. Worst
R.C. Worst & Co., Inc.

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MAY 26 1993