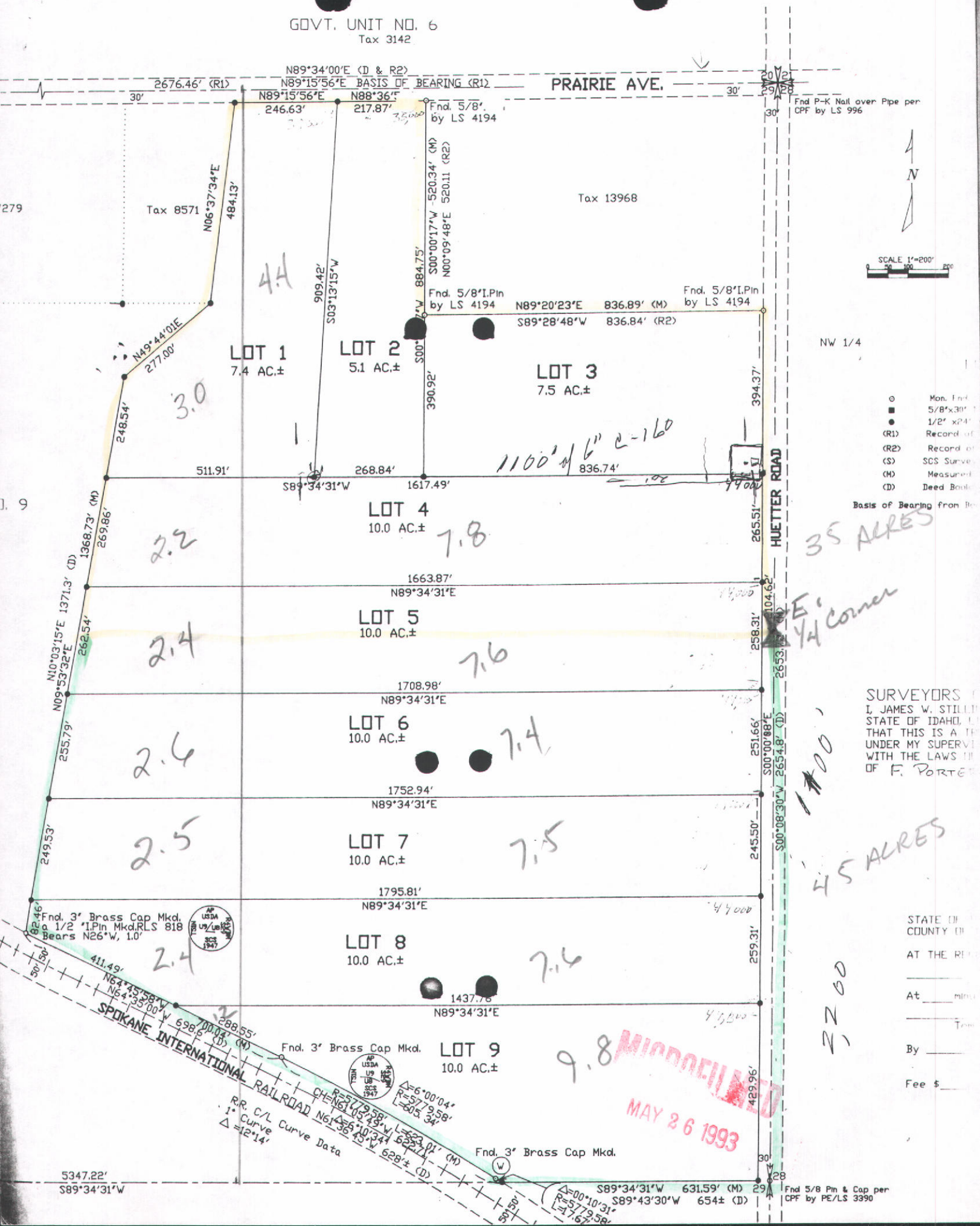


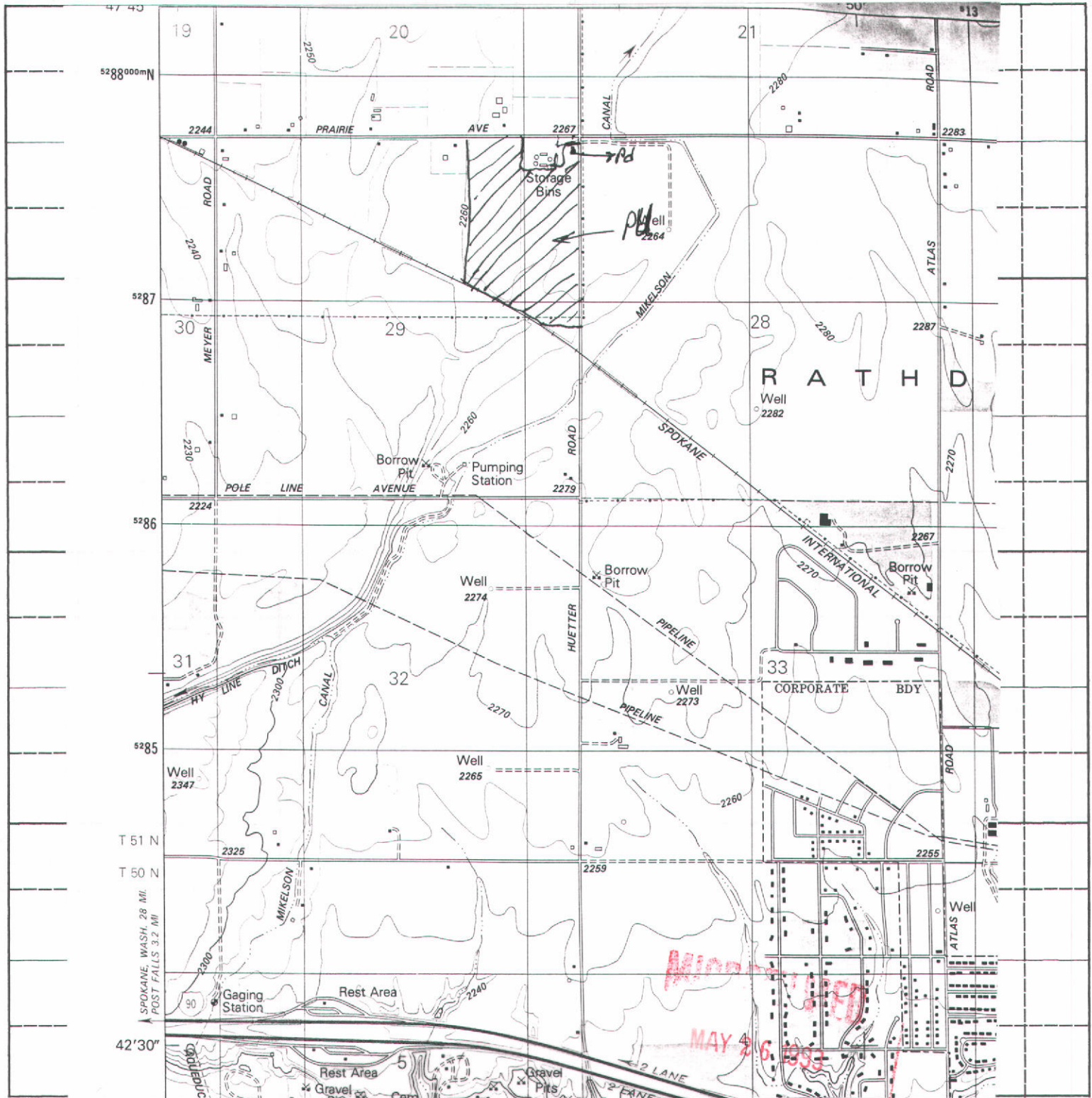
95-8766  
JUNE 1992

GOVT. UNIT NO. 6  
Tax 3142



95-8766

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.

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.

*James B. Zidberg* (Applicant)



P.D.  
P.U.

95-08766

T51N R4W  
Sec 29

Mountain View Ranches

MICROFILMED  
APR 15 1999

19 20  
30 29

20  
29

#A210  
T56  
2570  
①

#900  
T 224  
42.5  
①

R. WALLER P.D.

P.U.

A  
DUG  
FARMS

95-08766  
T51N R4W S0028  
Mountain View  
Ranch

MICROFILMED  
APR 15 1999

Cheryl  
B. D. F.

PERMIT # 95-08766

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES



Point  
of  
diversion

95-08766

Flow  
meter



95-08766



95-08766

Pressure  
System

MICROFILMED  
APR 15 1999

PERMIT # 95-08766

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Places  
of  
USE

Lot 1



Lot 2



Lot 3



MICROFILMED  
APR 15 1999

PERMIT # 95-08766

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES



Lot 4

Lot 5



Lot 6

MICROFILMED  
APR 15 1999

PERMIT # 95-08766

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
FIELD REPORT SUPPLEMENT

PHOTOGRAPHS



Lot 7



Lot 8 (right)

Lot 9 (left)

MICROFILMED  
APR 15 1999

State of Idaho  
Department of Water Resources  
**Water Right License**  
WATER RIGHT NO. 95-08766

Priority: September 19, 1992

Maximum Diversion Rate:

0.34 CFS

Maximum Diversion Volume:

72.9 AF

This is to certify, that MOUNTAINVIEW RANCHES  
7591 N HEUTTER

COEUR D ALENE ID 83814

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 11, 1992; and has submitted Proof of Beneficial Use on April 10, 1997. An examination indicates that the works have a diversion capacity of 0.340 cfs of water from a **GROUNDWATER** 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       | 0.34 CFS                 | 67.5 AF              |
| DOMESTIC              | 01/01 to 12/31       | 0.14 CFS                 | 5.4 AF               |
|                       | Totals               | 0.34 CFS                 | 72.9 AF              |

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 29, Township 51N, Range 04W  
KOOTENAI County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 51N        | 04W        | 29         | NENE 10      | SENE 12.5    |              | 22.5         |

Total number of acres irrigated: 22.5

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
2. Domestic use is for 9 homes and does not include lawn, garden, landscape, or other types of irrigation.

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 administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 13<sup>TH</sup> day of NOVEMBER, 1998.

MICROFILMED

APR 15 1999

Acting for

KARL J. DREHER, Director

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 95-08766 )  
 )  
IN THE NAME OF MOUNTAINVIEW RANCHES ) **ORDER OF**  
 ) **REINSTATEMENT**  
 )

---

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before March 2, 1997; and,

WHEREAS, the Department notified the permit holder on December 31, 1996, by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

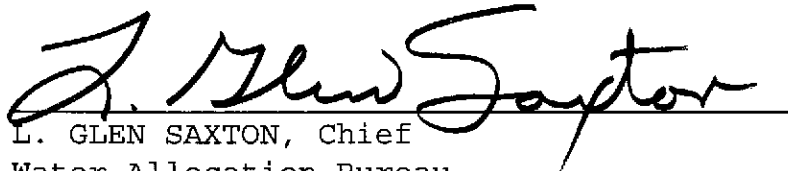
WHEREAS, the department mailed the permit holder a lapse notice on March 14, 1997, since an acceptable proof of beneficial use or extension of time had not been received; and,

WHEREAS, Section 42-218a, Idaho Code, provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on April 10, 1997;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 95-08766 is **REINSTATED** with an advance in priority to September 19, 1992.

DATED this 26<sup>th</sup> day of June, 1997.

  
L. GLEN SAXTON, Chief  
Water Allocation Bureau

RECEIVED

APR 10 1997

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

1. Permit No. 95-8766 Telephone No. 664-3181
2. Name(s) of Permit Holder(s): MOUNTAIN RANCHES
3. Mailing Address: 10T. Vesser 7591 N. Hewter, CDA ID 83814
4. Source of Water: GROUNDWATER If GROUNDWATER (well), Date Drilled: mo. 8 1 yr. 92
- a. Well Driller: H2O Drilling Permit Number: 95-92-N-153
- b. OPTIONAL:
- Pump Horsepower: \_\_\_\_\_ Pressure (psi): \_\_\_\_\_ Dynamic pumping level (ft): 260'

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 9 Stockwater (No. and type of stock): \_\_\_\_\_

Irrigation (No. of acres): 80 Other: \_\_\_\_\_

6. Total rate of diversion and/or volume for which proof is submitted: .50 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 <u>X</u>                |
|                        | Has the measuring device been installed? | Yes _____ | or | No <u>X</u> <i>unknown</i> |
| Flow Measurement Port: | Is a flow measurement port required?     | Yes _____ | or | No <u>X</u>                |
|                        | Has the measurement port been installed? | Yes _____ | or | No <u>X</u>                |

8. Fee Enclosed: \$ 100.00 (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: SCOTT KELLY or Tana Vesser Telephone Number: 664-3181; 667-5207

Address: 2405 N HEWTER, CDA ID 83814  
7591 N. Hewter CDA ID 83814

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

Signature of permit holder: X Tana Vesser, Treasurer Date: 4-8-97  
(include your title, if on behalf of company or organization)

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 95-08766

Proposed Priority: August 11, 1992 Maximum Diversion Rate: 0.50 CFS

This is to certify, that MOUNTAINVIEW RANCHES

E 3115 THOMAS LN

COEUR D ALENE ID 83814

has applied for a permit to appropriate water from: GROUNDWATER  
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       | 0.36 CFS                 |
| DOMESTIC              | 01/01 to 12/31       | 0.14 CFS                 |
|                       | Totals               | 0.50 CFS                 |

LOCATION OF POINT(S) OF DIVERSION: NENE , Sec. 29, Township 51N, Range 04W  
KOOTENAI County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 51N        | 04W        | 29         | NENE 28.6    | NWNE 6.4     | SWNE 8.9     | 80           |
|            |            |            | SENE 36.1    |              |              |              |

Total number of acres irrigated: 80

PLACE OF USE: DOMESTIC

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> |
|------------|------------|------------|
| 51N        | 04W        | 29         |
|            |            | NENE       |
|            |            | SENE       |

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 2, 1997.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Construction of the well must comply with Idaho well construction standards.

MAY 26 1993

# Permit To Appropriate Water

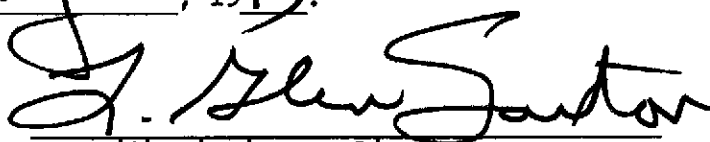
NO. 95-08766

CONDITIONS/REMARKS:

7. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
8. Domestic use is for 9 homes.

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

2<sup>nd</sup> day of February, 1993.



R. Keith Higginson, Director

for

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 Mtn. View Ranches Phone 765-1047  
Post office address E 3115 Thomas Lane Coeur d'Alene, ID 83814
2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_
3. Location of point of diversion is \_\_\_\_\_ 1/4 of NE 1/4 of NE 1/4, Govt. Lot \_\_\_\_\_  
Sec. 29 Township 51 N Range 4 W B.M. Kootenai County; additional  
points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount <sup>0.14</sup>~~0.36~~ for Domestic purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum) IRRIGATION  
Amount <sup>0.36</sup>~~0.36~~ for \_\_\_\_\_ purposes from 3/15 to 11/15 (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) 0.50 cubic feet per second and/or (b) \_\_\_\_\_ acre feet per annum
6. Proposed diverting works:
  - a. Description of ditches, flumes, pumps, headgates, etc. Pump and piped distribution system.
  - b. Height of storage dam NA 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 8" inches; proposed depth of well is 320 feet.
  - d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year).

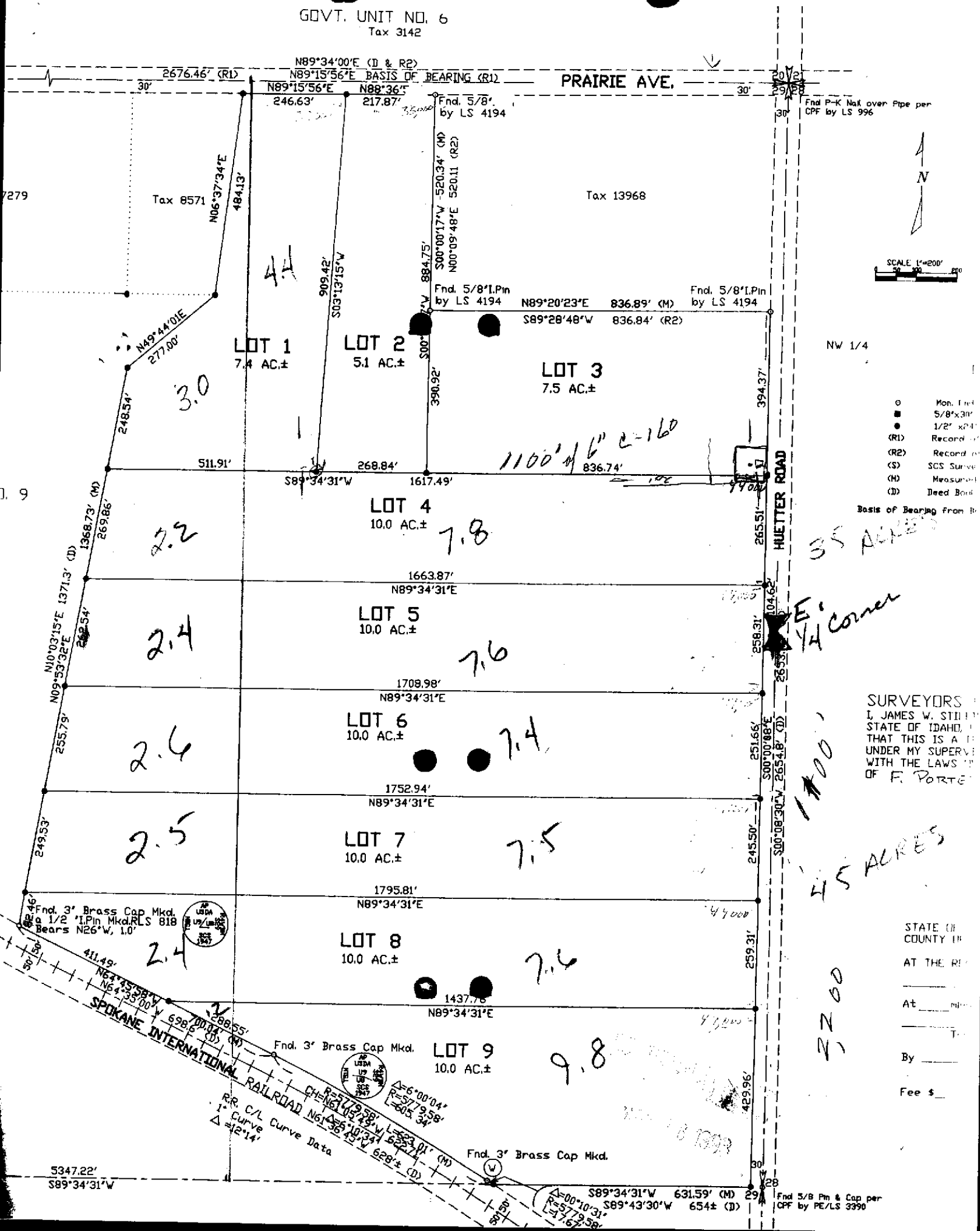
RECEIVED

MAY 26 1993

666-9-2-104

95-8766  
JUNE 1992

GOVT. UNIT NO. 6  
Tax 3142



SCALE 1"=200'

- Mon. End
- 5/8"x30"
- 1/2" x 24"
- (R1) Record of
- (R2) Record of
- (S) SCS Survey
- (M) Measured
- (D) Deed Book

Basis of Bearing from B

SURVEYORS  
I, JAMES W. STILLER  
STATE OF IDAHO,  
THAT THIS IS A  
UNDER MY SUPERV  
WITH THE LAWS  
OF F. PORTER

STATE OF  
COUNTY OF  
AT THE RE  
At \_\_\_\_\_  
By \_\_\_\_\_  
Fee \$ \_\_\_\_\_

35 ACRES

E. 1/4 Corner

1100' x 16' = 160  
45 ACRES

2200

9.8

7.4

7.5

7.6

7.8

2.4

2.5

2.4

2.4

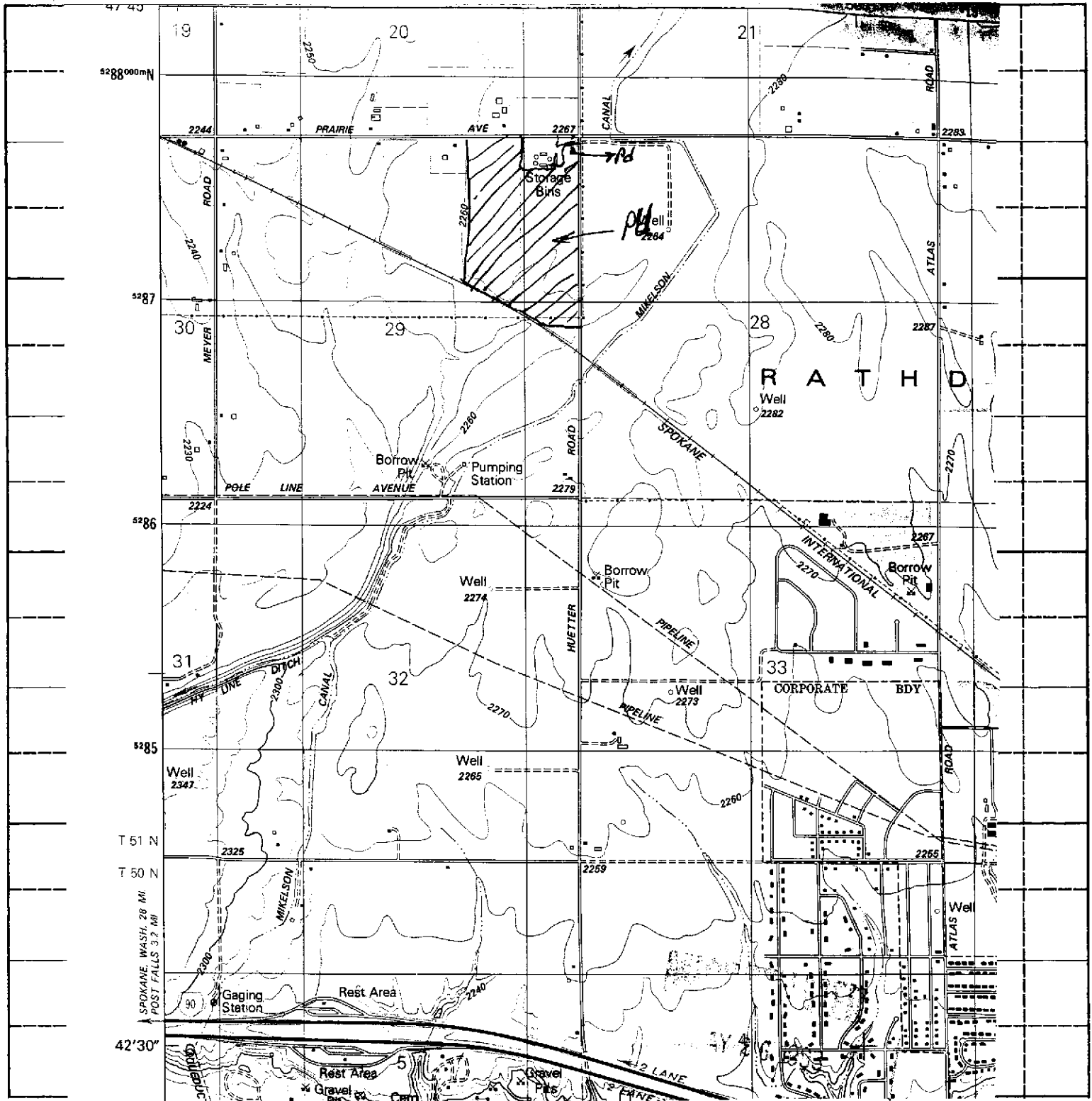
2.2

3.0

4.4

95-8766

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.

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.

*James B. Zidberg*  
(Applicant)

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

Received by        Date 8/11/92 Time 1:30 pm Preliminary check by       

Fee \$ 45 Received by        Date 8/11/92 # N 5818 Date 8/11/92

Publication prepared by        Date 8/12/92 Published in        Date 8/20-27/92

Publication approved        Date 8/19/92

MAY 26 1993

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }  
County of Kootenai, } ss.

Ken 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 December, 1992, and  
ending on the 24th day of December, 1992, 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.

Ken Alexander

Subscribed and sworn to before me this 24th day of December, 1992

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

ROBERTA MANLEY  
My commission expires 2-3-93

## NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 95-8766 in the name of Mountainview Ranches was advertised incorrectly on 8/20, 8/27, 10/1 & 8/1992.

The notice did not include Irrigation use (0.36 CFS). The place of use was incorrectly described as T51N R04W S29 NENE AND SENE; whereas, correctly it should be T51N R04W S29 NENE, SENE, NWNE, and SWNE.

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

Protests to the above-referenced correction must be filed with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814 on or before January 4, 1993.

R. KEITH HIGGINSON, Dir.

Legal 562  
Dec. 17, 24, 1992

RECEIVED

DEC 28 1992

NORTHERN REGION  
IDWR

MAY 26 1993

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 95-8766 in the name of Mountainview Ranches was advertised incorrectly on 8/20, 8/27, 10/1, and 10/8/1992.

The notice did not include Irrigation use (0.36 CFS). The place of use was incorrectly advertised as T51N R04W S29 NENE and SENE; whereas, correctly it should be T51N R04W S29 NENE, SENE, NWNE, and SWNE.

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

Protests to the above-referenced correction must be filed with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814 on or before January 4, 1993.

R. KEITH HIGGINSON, Dir.

Published in the Coeur d'Alene Press on 12/17 & 24/1992.

RECEIVED  
MAY 26 1993

# 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 *1st* day of *October*, 19 *92*, and ending on the *8th* day of *October*, 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 *3th* day of *October*, 19 *92*.

*Roberta Manley*

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

RECORDED  
INDEXED  
2-3-93

## NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 95-8766 in the name of Mountainview Ranches was advertised incorrectly on 8/20 & 27/1992.

The Place of Use was incorrectly described as T51N R04W S29 NENE; whereas correctly it should be T51N R04W S29 NENE and SENE.

APPLICATION FOR PERMIT NO. 95-8768 in the name of Ken Way was also advertised incorrectly on 9/3 & 10/1992.

The Place of Use failed to include the number of irrigated acres; correctly, it should be T50N R05W S08 NWNW for 28 acres.

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

Protests to the above-referenced corrections must be filed with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814 on or before OCTOBER 19, 1992.

R. KEITH HIGGINSON, Dir.

Legal 211

Oct. 1, 8, 1992

RECEIVED

OCT 09 1992

NORTHERN REGION  
IDWR

MAY 26 1993

NOTICES OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 95-8766 in the name of Mountainview Ranches was advertised incorrectly on 8/20 & 27/1992. The Place of Use was incorrectly described as T51N R04W S29 NENE; whereas correctly it should be T51N R04W S29 NENE and SENE.

APPLICATION FOR PERMIT NO. 95-8768 in the name of Ken Way was also advertised incorrectly on 9/3 & 10/1992.

The Place of Use failed to include the number of irrigated acres; correctly, it should be T50N R05W S08 NWNW for 28 acres.

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

Protests to the above-referenced corrections must be filed with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814 on or before OCTOBER 19, 1992.

R. KEITH HIGGINSON, Dir.

Published in the Coeur d'Alene Press on October 1 and 8, 1992.

MAY 26 1993

## 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.

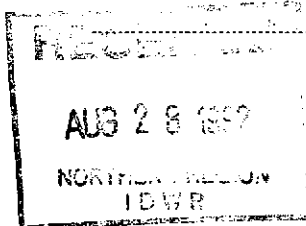
2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

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 20th day of August, 1992, and  
ending on the 27th day of August, 1992, 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 27th day of August,  
1992.



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

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:

95-08765  
AUSTIN, DOROTHY K  
AUSTIN, CLAUDE W  
BROGAN, BUD L  
BROGAN, JOAN  
E 3430 16TH AVE  
POST FALLS, ID 83854  
Source: GROUNDWATER  
Diversion Pt: NWSE Sec 36 T 51N R 05W  
in KOOTENAI County.  
Use: IRRIGATION (.150 CFS)  
STOCKWATER (.020 CFS)  
DOMESTIC (.040 CFS)  
Total Diversion: (.150 CFS)

Dated Filed: 7/30/1992  
In: KOOTENAI County  
T51N R05W S36 NWSE  
5.0 ACRES TOTAL

95-08766  
MOUNTAINVIEW RANCHES  
E. 3115 THOMAS LN  
COEUR D ALENE, ID 83814  
Source: GROUNDWATER  
Diversion Pt: NENE Sec 29 T 51N R 04W  
in KOOTENAI County.  
Use: DOMESTIC (.360 CFS)  
Total Diversion: (.360 CFS)

Dated Filed: 8/11/1992  
In: KOOTENAI County  
T51N R04W S29 NENE  
96-08708

HILDRETH, GALE  
HILDRETH, ANN  
PO BOX 39  
ATHOL, ID 83801  
Source: PEND OREILLE LAKE  
Tributary: PEND OREILLE RIVER  
Diversion Pt: NENWSE Sec 34 T 54N R  
02W in KOOTENAI County.  
Use: IRRIGATION (.070 CFS)  
Total Diversion: (.070 CFS)

Dated Filed: 8/10/1992  
In: KOOTENAI County  
T54N R02W S34 NWSE  
2.0 ACRES TOTAL

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 SEPTEMBER 8, 1992.

R KEITH HIGGINSON, Director  
Legal 25  
Aug. 20, 27, 1992



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

December 8, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

CYNTHIA FOOTE  
6820 E PRAIRIE AVE  
POST FALLS ID 83854

RE: Mountainview Ranches Subdivision

Dear Mrs. Foote:

Thank you for calling today to discuss Water Right License 95-08766, which was issued to Mountainview Ranches. As we discussed, the license is based on existing water use, with the exception that the license recognizes that some landscaping may still be completed on a couple of the lots, as long as the total for all lots does not exceed 22.5 acres. As our field examiner told Scott Kelly, if you are contemplating expanding your water use beyond what is recognized on the license, you can file a new application to establish another water right for the additional use. An application form can be obtained from any IDWR office or via the internet at <http://www.idwr.state.id.us/idwr/info/forms.htm>.

If you have any questions, please contact me at 208-327-7946 or Al Beardslee in Coeur D'Alene at 208-769-1450.

Respectfully,

Shelley Walter Keen  
Water Rights Supervisor

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APR 15 1999



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

November 13, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

MOUNTAINVIEW RANCHES  
7591 N HEUTTER  
COEUR D ALENE ID 83814

RE: WATER RIGHT NO. 95-08766

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. 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 of the Department unless a party petitions for reconsideration or files an exception and/or brief 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 twenty-one (21) 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

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### ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

### FINAL ORDER

The Department 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 Department 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.

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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.

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

Sincerely,

A handwritten signature in cursive script, reading "Shelley W. Keen".

Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosure

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CERTIFICATE OF MAILING

I hereby certify that on the 13th day of November, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 95-08766

MOUNTAINVIEW RANCHES  
7591 N HEUTTER  
COEUR D ALENE ID 83814

  
Kari Lynn Townsend  
Secretary

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APR 15 1999

# MEMORANDUM

**TO: File 95-08766**

**FROM: Sharla**

**DATE: November 6, 1998**

**RE: Recommendation Adjustment(s)**

The adjustments to licensing recommendations for Permit 95-08766 are as follows:

## H. RECOMMENDATIONS

|            |              |          |          |
|------------|--------------|----------|----------|
| Irrigation | 3/15 - 11/15 | 0.34 cfs | 67.5 afa |
| Domestic   | 1/1 - 12/31  | 0.14 cfs | 5.4 afa  |

The standard volume for irrigation in this area is 3.0 af/acre; the volume has been adjusted accordingly.

The domestic use is in-house only; the volume has been adjusted accordingly.

Exam Date: July 27, 1998  
Examiner: David Pagel

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APR 15 1999

# LICENSE REVIEW CHECKLIST

PERMIT NO. 95-08766 DATE 11/3/98 REVIEWER: SHARLA

NAME Change/OK  
 Address OK  
 SOURCE OK Does change clarify orig. intended source? If no, Void permit  
 POINT OF DIV OK Change (P39/P47) Add (P45/P42) Feds - P40  
 W32 (multiple in 1/4)  
 W36 (overlap)  
 W59 (subd. desc)

Overlaps: Right(s): \_\_\_\_\_  
 File reviewed \_\_\_\_\_ Profile reports printed \_\_\_\_\_

PLACE OF USE OK Change (P41/P47) Add (P41/P42) Feds - P43  
 W60 (subd. desc)  
 W27 (ppu acre limit)

Overlaps: Right(s): \_\_\_\_\_  
 File reviewed \_\_\_\_\_ Profile reports printed \_\_\_\_\_

PD & PU amend (P37) Feds - P48

RATE OF DIV  
 Permitted Rate .50 cfs  
 Fee limit 1.00 cfs \$10000  
 Measured .05 cfs  
 Theoretical .34 cfs  
 Recommended Total Div Rate .34 cfs

|            |                |                    |                                                            |
|------------|----------------|--------------------|------------------------------------------------------------|
| WATER USES | <u>OK</u>      | Change (P46)       |                                                            |
| <u>Dom</u> | <u>.34</u> cfs | <u>22.5 X 3</u> af | overlap (R58-R61) (R62-R65, R66-R69)                       |
| <u>Dom</u> | <u>.14</u> cfs | <u>9 X .6 =</u> af | supp. gw (WB7/065/079)                                     |
|            | cfs            | af                 | overlap spec. combined rts (W35)                           |
|            | cfs            | af                 | <1 acre (W31)                                              |
|            | cfs            | af                 | (W01/WB5/070/071/075)                                      |
|            | cfs            | af                 | (W42 or W43/025/027/R22 or R23)                            |
| TOTALS     | <u>.34</u> cfs | <u>72.9</u> af     | Domestic Power Fish (042) Fire (077) Wtr Quality (081/R07) |

Flow rate .34 cfs X 246 days X 1.98 = 165.6 af

REMARKS \_\_\_\_\_

ADD'L CONDITIONS \_\_\_\_\_ Watermaster Control WD# \_\_\_\_\_  
 \_\_\_\_\_ GW Measurement/Measuring Device  
 \_\_\_\_\_ Others Trust (052/R55 - remove 051) Non-trust (048/049)  
 Advance Priority yes no SRBA Claim N/A Adjust Memo in house vol.  
 Amend letters vol/al

RECEIVED

NOV 02 1998

Memorandum

Department of Water Resources

Date: October 29, 1998

TO: ~~Keen~~ file

From: Beardslee

RE: Irrigated Acreage for 95-08766

~~~~~

As per our phone conversation, we are returning the Beneficial Use Field Report to you.

A revisit was made to take another look at the number of acres that were recommended on the original field report.

The homes are on 10 acres lots. The photos don't appear to show the size of lawns that have been developed in Mr. Pagel's original report, however, the lawns are relatively large.

Each home appeared to have an area of lawn, garden & landscaping which was approximately 120 yards X 100 yards. Accounting for driveways and homes, it was determined that each homesite had 2.5 acres of irrigation.

Mr. Scott Kelly, who is a member of the Mountain View Ranches agreed that 2.5 acres of irrigation per lot was accurate.

We therefore resubmit our Beneficial Use Field Report recommending a total of 22.5 acres of irrigation, total.

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APR 15 1999

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED  
NOV 02 1998  
AUG 31 1998  
Department of Water Resources  
Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 95-08766

1. Owner: Mountain View Ranches Phone No. (208) 664-3181

Current Address: 7591 N. Heutter Coeur d'Alene, Id. 83814

2. Accompanied by: Scott Kelly EXAM DATE: July 27, 1998

Address: 7405 N. Heutter Coeur d'Alene Id. 83814 Phone No. (208) 664-3181

Relationship to Permit Holder: member

3. Source: Ground water tributary to \_\_\_\_\_

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: \_\_\_\_\_

2. Other water rights with the same point of diversion: \_\_\_\_\_

**C. DIVERSION AND DELIVERY SYSTEM**

**1. Point(s) of Diversion:**

| Ident No. | Gov't Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County   | Method of Determination/Remarks |
|-----------|-----------|-----|-----|-----|------|------|------|----------|---------------------------------|
|           |           |     | NE  | NE  | 29   | 51N  | 4W   | Kootenai | USGS 7.5' Quad., Aerial Photo   |
|           |           |     |     |     |      |      |      |          |                                 |
|           |           |     |     |     |      |      |      |          |                                 |
|           |           |     |     |     |      |      |      |          |                                 |

**2. Place(s) of Use:**

Indicate Method of Determination Aerial Photo, Planimeter

| TWP | RGE | SEC | NE      |    |    |         | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|---------|----|----|---------|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE      | NW | SW | SE      | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 51N | 4W  | 29  | D<br>12 |    |    | D<br>14 |    |    |    |    |    |    |    |    |    |    |    |    | 26     |
|     |     |     | 10      |    |    | 12.5    |    |    |    |    |    |    |    |    |    |    |    |    |        |
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Measurements: was unable to see system operate at full capacity  
 $t = 10 \text{ gal} / 25 \text{ sec} = 24 \text{ gpm} \cdot (0.053 \text{ cfs})$

•

| Measurement Equipment | Type                                 | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|--------------------------------------|------|-----------|------------|------|-------------|
| Flow meter            | Jaeger<br>Jaeger<br>Class II Turbine |      |           | 92328008   |      |             |

\*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 |
|---------------------------------------|------------|----|------------------|----------------------|-----------------------------------|
| 95-92-N-153                           |            | 20 |                  | Gould<br>Submersible | 150H20 8                          |
|                                       |            |    |                  |                      |                                   |
|                                       |            |    |                  |                      |                                   |

•

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

Score:  $T^* =$ [illegible]

See: as built plans

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

Ground water is being diverted at a maximum rate of .34 cfs (152.5 gpm) for irrigation of 26 acres and domestic use to 9 homes.

A 20 horsepower Submersible pump is being used to supply water. At the time the exam was completed it was not possible to operate this pump at full capacity. My recommendation of .34 cfs is based on the Theoretical Calculation (provided).

My recommendation of 26 acres is based on an average lot size of 295 ft x 420 ft (lawn and garden). I discussed this with Scott Kelly and explained that when this system is further developed to enable the users to irrigate the 54 acres (hay fields) he would have the right to file for additional use.

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

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APR 15 1995

# F. FLOW CALCULATIONS

Measured Method:

✓ Additional Computation Sheets Attached

## G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$22.5 \text{ a} \times 3.5 \text{ ac/a} / 5 \text{ ft} = 78.75 \text{ AFA}$$

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 25.65 \text{ acres} \times 3.5 \text{ ft/ac} = 89.78 \text{ afa}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .34 \text{ cfs} \times 245 \text{ days} \times 1.9835 = 165 \text{ afa}$$

2. Volume Calculations for Other Uses:

$$9 \times 1.2 \text{ afa/home} = 10.8$$

## H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Irrigation

Domestic

From

02/15

01/01

Period of Use

To

11/15

12/31

Rate of Diversion

Q (cfs)

.34

.14

Totals:

.34 cfs

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

David A. Fogel

Date

Aug. 27, 1998

Reviewer

Date

SEAL  
MICROFILMED  
APR 15 1999

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 95-08766, MOUNTAINVIEW  
DATE: 24-JUL-98  
COMPLETE BY: PAGEL

HORSEPOWER = 20

PUMP EFFICIENCY = 70%

DYNAMIC LIFT = 260 FEET

SYSTEM PRESSURE = 45 PSI

QUANTITY = 0.34 CFS

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APR 15 1993



P.D.  
P.U.

RATHDRUM

95-08766

T51N R4W

Sec 29

Mountain View Ranches

MICROFILMED

APR 15 1999

RIVER

19

A  
D400

P.O.

P4

10.0

MICROFILMED

APR 15 1999

500  
P.O.

PERMIT # 95-08766

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES



Point  
of  
diversion



95-08766

Flow  
meter



95-08766



WELL XTROL

WELL

Pressure  
System

MICROFILMED  
APR 15 1999

95-08766

PERMIT # 95-08766

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Places  
of  
USE

Lot 1

Lot 2

Lot 3

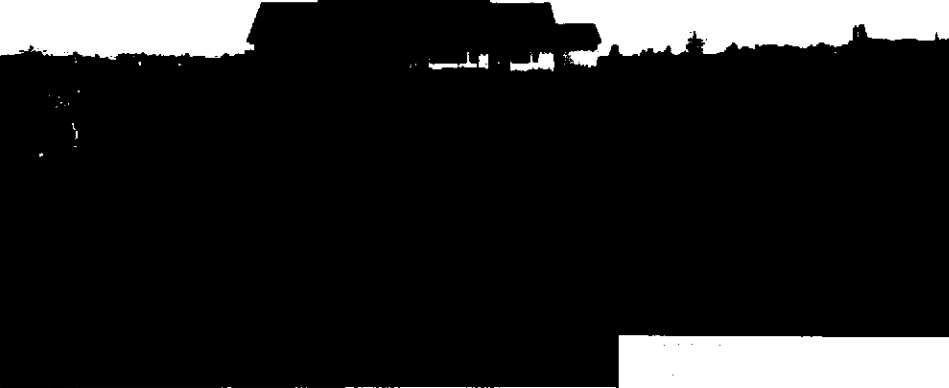
MICROFILMED

APR 15 1999

PERMIT # 95-08766

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

IT



Lot 4

Lot 5



Lot 6

MICROFILMED

APR 15 1999

PERMIT # 95-08766

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
FIELD REPORT SUPPLEMENT

P H O T O G R A P H S



Lot 7



Lot 8 (right)

Lot 9 (left)

MICROFILMED

APR 15 1999

**ANALYSIS SHEET  
FOR  
PROOF OF BENEFICIAL USE**

Permit No. 95-08766 Reviewed by Jy Date 4-21-97

**GENERAL CONSIDERATIONS**

**TYPES OF USE**

yes Name same as permit?  
no Address same as permit?  
no Proof timely received? Correct Uses? yes  
If not, complete calculation below.

**SOURCE OF WATER**

       Surface water source  
✓ Ground water source  
yes Drilling permit required?  
yes Copy in the file? Drilling Permit No. 95-92-N-0153-000  
35- Amount paid for permit yes Correct?  
no Well log in the file?

**LICENSE EXAMINATION FEE**

**MEASURING DEVICE**

yes Required?  
100- Amount Submitted  
yes Correct?  
yes Required?  
no Installed?  
no Waiver requested?

**PRIORITY CALCULATION**

|                     |                |              |
|---------------------|----------------|--------------|
| Date proof received | <u>4-10-97</u> | <u>100</u>   |
| Date proof due      | <u>3-2-97</u>  | <u>- 61</u>  |
| No. of days late    | <u>      </u>  | <u>= 39</u>  |
| Priority Date       | <u>8-11-92</u> | <u>+ 223</u> |
| New Priority Date   | <u>9-19-92</u> | <u>262</u>   |

7 9-19-92

**DEFICIENCIES OR ACTION ITEMS**

Reinstate & advance priority to Sept. 19, 1992.  
Advise of flow port condition  
Proof acceptable

**DATA ENTRY**

New Address 7591 N. Huetter Proof Made 4-10-97  
cdA 83814



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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR  
June 25, 1997

MOUNTAINVIEW RANCHES  
7591 N HEUTTER  
COEUR D ALENE ID 83814

**PROOF ACKNOWLEDGMENT LETTER**

**RE: PERMIT NO. 95-08766**

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

Enclosed is an order reinstating your permit since proof was submitted after the proof due date of March 2, 1997. Please note that the priority date has been advanced to September 19, 1992. Additionally, please be advised that Condition # 4 of your water right permit requires that the permit holder install a flow measurement port to facilitate measurement of water. This condition must be complied with before the license exam, or you can request in writing, a waiver of the condition.

Section 42-248, Idaho Code, which became affective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

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 the field examination, contact the **NORTHERN** Regional Office in Coeur d'Alene at (208)769-1450.

Sincerely,

  
JULIE L. YARBROUGH  
Senior Secretary

Enclosure

C: IDWR - Region

SEP 16 1997

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR DRILLING PERMIT**

1. Name: JIM HEDBURG O 208-765-1047  
Address: 3115 THOMAS LN  
COEUR D ALENE ID 83814

Name: MOUNTAIN VIEW RANCHES O 208-765-1047  
Address: 3115 THOMAS LN  
COEUR D ALENE ID 83814

2. Proposed Well Location: Township 51N, Range 04W, Sec. 29, NENE  
KOOTENAI County

Street Address of Well Site: 1000 FT S OF PRAIRIE

Lot, Block, and Subdivision: Lt  
Blk  
MOUNTAIN VIEW RANCHES

3. Proposed Use of Well: Non-Domestic Municipal

4. Well Construction Information:

- A. NEW WELL
  - B. Proposed Surface Diameter 8 In. Proposed Maximum Depth 320 Ft.
  - C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)
- (NOTE: Construction diagrams and/or other information may be requested for monitor, low temperature geothermal, municipal and artesian wells.)

5. Construction Start Date: 8/15/1992

6. Anticipated Well Driller: H2O WELL SERVICE (No. 0448)

NOTE: The actual well driller must be identified to IDWR prior to drilling commencement.

7. Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

Title \_\_\_\_\_  
(Owner, Firm Representative, Other)

\*\*\*\*\*  
Fee \$ 80.00 Received by \_\_\_\_\_ No. N005818 Date 8/11/1992

Ident. No.

95-92-N-0153-000

**ACTION OF THE DEPARTMENT OF WATER RESOURCES**

This permit is **APPROVED**

Date: **8/12/1992**

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. **READ CAREFULLY!**

**CONDITIONS OF APPROVAL:**

\_\_\_\_\_  
Signature of Authorized Dept. Representative

\_\_\_\_\_  
Title

\*\*\*\*\*  
**EXTENSION OF DRILLING PERMIT**

Extension Approved by: \_\_\_\_\_

Approval Date: \_\_\_\_\_

Expires On: \_\_\_\_\_

# WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

March 14, 1997

MOUNTAINVIEW RANCHES  
E 3115 THOMAS LN  
COEUR D ALENE ID 83814

LAPSE NOTICE

RE: PERMIT NO. 95-08766

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated December 31, 1996. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

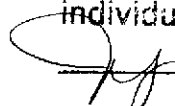
Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON  
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 3-14-97  
~~a copy~~ an original of this document was  
deposited in the United States mail,  
postage prepaid addressed to the  
individual(s) named above.



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

91 North Orchard Street

Boise, Idaho 83706-2237

CERTIFIED MAIL

NO. 143114

RETURN  
TO  
SENDER

NOT DELIVERABLE  
AS ADDRESSED  
UNABLE TO FORWARD

RECEIVED  
JAN 13 1997

Department of Water Resources

JAN - 6 1997

83814 83706/2237  
8564





**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**

**PHILIP E. BATT  
GOVERNOR**

**KARL J. DREHER  
DIRECTOR**

December 31, 1996

MOUNTAINVIEW RANCHES  
E 3115 THOMAS LN  
COEUR D ALENE ID 83814

**PROOF DUE NOTICE**

RE: PERMIT NO. 95-08766

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 March 1, 1997.

(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,

A handwritten signature in cursive script that reads 'Julie L. Yarbrough'.

JULIE L. YARBROUGH  
Senior Secretary

Enclosures

December 31, 1996

MOUNTAINVIEW RANCHES  
E 3115 THOMAS LN  
COEUR D ALENE ID 83814

PROOF DUE NOTICE

RE: PERMIT NO. 95-08766

Dear Permit Holder:

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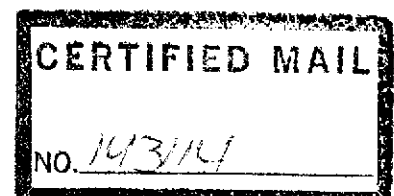
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SINCERELY,

JULIE L. YARBROUGH  
Senior Secretary

Enclosures

10/1/96  
SEP 13 1996





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

February 3, 1993

MOUNTAINVIEW RANCHES  
E 3115 THOMAS LN  
COEUR D ALENE ID 83814

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-08766

Dear Permit Holder(s):

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

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under Condition No. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Sincerely,

*Brenda L. Miller*

BRENDA L. MILLER  
Water Resource Agent

BLM:cz

Enclosure

RECORDED

MAY 26 1993

# APPLICATION FOR PERMIT REVIEW

BLM

Application #: 95-8766 Date: 2-1-93 Reviewer: Brenda Miller

## SYSTEM COMPLETED:

No - 26A-P17  
 Complete in 1 year - P16  
 Yes  
 Proof not submitted - P16  
 Proof submitted - N/A

AREA OF CONCERN? No

## GROUNDWATER:

GT. 0.2 cfs <flo-ch> - 01G-P03, 01C-P03 (existing well)  
 - No measurement required <flow chart>  
 LT. 0.2 cfs - No measurement required <flow chart>

## Drilling Permit:

Approved w/permit - P99 Permit No. No  
 Not included - 046-46A-46B-P23 (after 7/1/87), N/A

SURFACE WATER: not in w/d - 01C-P03 (=GT.2 w/pump), NMR <flow chart>

## LOCATION:

Water Districts - WD No. \_\_\_\_\_  
 Surface water - R04, R04-01H-P01(LT.2 w/pump)  
 R04-01J-P08(GT.2), NMR <flow chart>  
 Groundwater - P05  
 Irrigation Districts - 023  
 Canal Co. Areas - 023  
 Drainage Districts - 024  
 Boise Front (63) - 058 (Groundwater)  
 Swan Falls Flag - \_\_\_\_\_ (1, Blank or Other)  
 Trust - 051-052-053-P74(Consumptive Uses)  
 Non Trust <1> - 048-049

## RIVER BASINS:

(Surface Water) Water District Control Condition &....  
 Boise (63) - 05A & 11E  
 Payette (65) - 047-P04, 059-P71  
 Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

## USE:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),  
 042(req.), 002-P06(MD), 07A(Spec.),  
 044(Policy 5G)  
 Power - Use Power Review  
 Mining - 06A, 010, or 09E-P10 & 054(req.)  
 Storage - 18A-for multiple measuring devices(In WD),  
 18B-P09(Size)  
 Rec/Wildlf/Aes - 027(Non-Consumptive)  
 Domestic - 021 (Boise River - upstream from L Peak)  
 (restricted areas) 27A (Payette River & main tributaries)

## OWNERSHIP:

Non land owner - 004

## PROTESTED:

Agreement - 020

Beneficial Use Due Date - 03-02-1997

Other Conditions/Remarks: - \_\_\_\_\_

**MEMORANDUM**

TO: Application 95-08766  
FROM: Brenda Miller *BM*  
DATE: November 24, 1992  
RE: Application Correction

=====

The amount requested for domestic use for 9 homes far exceeds the maximum allowable amount. It appears that an irrigation component is missing on the application. The file is being returned to the region for correction and if necessary, re-advertisement.

*Done*  
*1/7/93*



MAY 26 1993

\*\*\*\*\* INITIAL REVIEW \*\*\*\*\*

Department of Water Resources

95-08766

MOUNTAINVIEW RANCHES  
E 3115 THOMAS LN  
COEUR D ALENE, ID 83814

Source: GROUNDWATER

Diversion Pt: NENE Sec 29 T 51N R 04W in KOOTENAI County.

Use: DOMESTIC <sup>IRRIGATION</sup> ( <sup>.360</sup> CFS)  
Total Diversion: ( .360 CFS)

Date Filed: 8/11/1992

In: KOOTENAI County  
T51N R04W S29

NENE & SENE NW NE SW NE

*changed on  
computer  
9/22/92*

*added on  
computer  
12/7/92*

RED

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

August 12, 1992

Mountainview Ranches  
E. 3115 Thomas Ln.  
Coeur d'Alene, Id. 83814

Re: 95-8766

Gentlemen:

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 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.

If the application is not protested it will be forwarded to Boise to be considered for approval by the Director. 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. However 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.

If your application is for groundwater and unless you are using a well that was constructed prior to July 1, 1987, it will be necessary for you to apply for a well drilling permit upon approval of the appropriation application. Well drilling permits can be issued by this office only to holders of approved appropriation permits.

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  
Sr. Water Resource Agent

MAY 26 1998