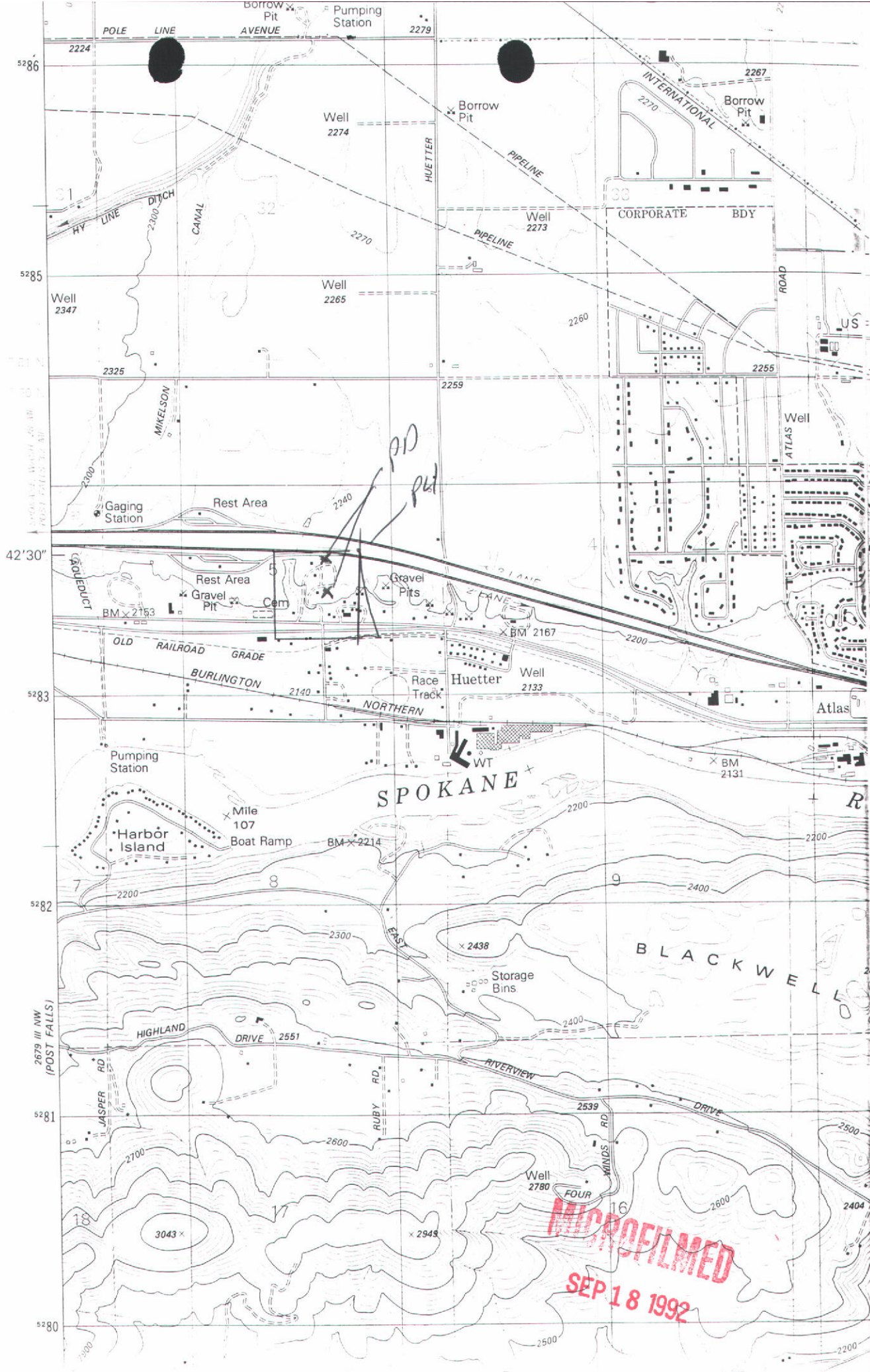




MICROFILMED
SEP 18 1992

AFFIDAVIT OF PUBLICATION

APR 15 1992

NORTHERN REGION

being first duly sworn

STATE OF IDAHO,
County of Kootenai,

ss.

Julio Jacobs

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 issue of said newspaper for 2 consecutive weeks commencing on the 2nd day of April, 1992, and ending on the 9th day of April, 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

9th day of April

1992

Roberta Manley

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

ROBERTA MANLEY

My commission expires 2-3-93

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SEP 18 1992

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-08739
KUHLMAN, NORMAN L
1725 E. 16TH ST.
POST FALLS, ID 83854
Source: GROUNDWATER
Diversion Pt: SWSENE Sec 35 T 51N R 05W in KOOTENAI County.
Use: IRRIGATION (.040 CFS);
DOMESTIC (.020 CFS)
Total Diversion: (.040 CFS)
Date Filed: 3/10/1992
In: KOOTENAI County T51N R05W S35 SWNE
2.4 ACRES TOTAL

95-08740
SCHNEIDER, MICHAEL S
SCHNEIDER, MARLENE M
E. 5095 FRENCH GULCH RD
COEUR D'ALENE, ID 83814
Source: GROUNDWATER
Diversion Pt: SESESE Sec 5 T 50N R 03W in KOOTENAI County.
Use: STOCKWATER (.040 CFS);
DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 2/24/1992
In: KOOTENAI County T50N R03W S05 SESE
2.0 ACRES TOTAL

95-08741
STILKEY, JAY T
STILKEY, DEBORAH
N. 150 SEELEY
POST FALLS, ID 83854
Source: GROUNDWATER
Diversion Pt: NENWSE Sec 5 T 50N R 04W in KOOTENAI County.
Use: DOMESTIC (.110 CFS);
IRRIGATION (.040 CFS)
Total Diversion: (.110 CFS)
Date Filed: 3/25/1992
In: KOOTENAI County T50N R04W S05 NWSE
2.0 ACRES TOTAL

95-08742
PHELPS, H LEE
PHELPS, PATRICIA K
847 LARCH ST
RATHDRUM, ID 83858
Source: HAYDEN LAKE Tributary: SINKS
Diversion Pt: LOT 8 (NESESW) Sec 34 T 52N R 03W in KOOTENAI County.
Use: IRRIGATION (.020 CFS)
Total Diversion: (.020 CFS)
Date Filed: 3/24/1992
In: KOOTENAI County T52N R03W S34 Lot 8 (SESW)
1.0 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 APRIL 20, 1992.

R. KEITH HIGGINSON, Director

Legal 270

April 2, 9, 1992



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APR 09 1998

95-08741

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-08741

Priority: March 25, 1992

Maximum Diversion Rate:

0.07 CFS

Maximum Diversion Volume:

9.6 AF

This is to certify, that JAY T STILKEY
DEBORAH STILKEY

N 150 SEELEY

POST FALLS ID 83854

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 25, 1992; and has submitted Proof of Beneficial Use on May 3, 1996. An examination indicates that the works have a diversion capacity of 0.070 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	0.04 CFS	6.0 AF
DOMESTIC	01/01 to 12/31	0.07 CFS	3.6 AF
	Totals	0.07 CFS	9.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 5, Township 50N, 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>
50N	04W	5	NWSE	2		2

Total number of acres irrigated: 2

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND 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 that 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. 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 irrigation of the lands above.

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APR 09 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-08741

CONDITIONS OF APPROVAL AND REMARKS

6. Domestic use is for 6 homes and does not include lawn, garden, landscape, or other types of irrigation.
7. Rights 95-08182 and 95-08741 when combined shall not provide a domestic water supply for more than 11 homes.

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 25TH day of SEPTEMBER, 1997.


Acting for KARL J. DREHER, Director

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APR 09 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
MAY 13 1996

The Idaho Department of Water Resources will consider this form as a statement that the permit holder has 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 95-08741 Telephone No. 765-6851

2. Name(s) of Permit Holder(s): JAY T AND/OR DEBORAH STILKEY

3. Post Office Address: N. 150 SEELEY POST PAULS ID 83854

4. Source of Water: GROUND WATER

a. If ground water, well driller's name: BRONSON Date drilled: 1993

b. Pump horsepower: 5 Pressure (psi): 50 Dynamic pumping level (ft.): 250

5. Extent of Use:

Domestic 6 (No. of households) Irrigation 2 (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted 0.11 cfs _____ 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: \$ _____ (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

Name

Telephone No.

SAME AS ABOVE

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.

5/3/96
Date

X Jayt Stilkey
Signature (and title if on behalf of a company or organization)

AUG 22 1996

RECEIVED

JUN 3 1994

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 Fee Received by MLC
Date 5/20/94
Receipt No. 17675

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 95-08741

Name(s) of Permit Holder: JAY T Stilkey Deborah Stilkey

Mailing Address: N 150 Seeley Post Falls ID 83854

Date Proof is Due 2-1-94 Telephone No. 208-765-6851

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

Well drilled, pump set, pump house and plumbing
completed

Costing \$10,000 - 12,000

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

I have one more lot to run water line to.

Permit holder(s) request an extension to May 20, 19 99.

FEE: \$15.00

(Signature)* Jay T Stilkey

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to June 1, 1996.

AUG 11 1994

Signed this 10th day June, 19 94

J. New Saylor
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 95-08741

Proposed Priority: March 25, 1992 Maximum Diversion Rate: 0.11 CFS

This is to certify, that JAY T STILKEY
DEBORAH STILKEY
N 150 SEELEY
POST FALLS ID 83854

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	0.04 CFS
DOMESTIC	01/01 to 12/31	0.11 CFS
	Totals	0.11 CFS

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 5, Township 50N, 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>
50N	04W	5	NWSE	2		2

Total number of acres irrigated: 2

PLACE OF USE: DOMESTIC, 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 **July 1, 1994**.
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Construction of the well must comply with Idaho well construction standards.
6. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
7. Domestic use is for 6 homes.
8. Two points of diversion are located within NWSE, S05, T50N, R04W.

REPROFILMED

SEP 18 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 95-08741

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

10th day of June, 1992

R. Keith Higginson
for R. Keith Higginson, Director

RECEIVED

SEP 18 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: JAY T STILKEY 208-765-6851
Address: N 150 SEELEY
POST FALLS ID 83854
OR
Name: DEBORAH STILKEY 208-765-6851
Address: N 150 SEELEY
POST FALLS ID 83854

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: NENWSE Sec. 5, Township 50N, Range 04W
KOOTENAI County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	3/15	01/15	12/31	11/15	0.040
DOMESTIC		01/01	12/31		0.110

5. Total quantity to be appropriated is:
0.110 CFS (and/or) AF

6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc.
WELL PUMP AND PIPELINE
b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
c. Proposed well diameter is 6 inches; proposed depth of well is 250
feet.
d. Is groundwater with a temperature greater than 90F 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.

8. Description of proposed uses:

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SEP 18 1992

9. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
50N	04W	5	NWSE 2			2

Total number of acres irrigated: 2

Place of Use: DOMESTIC, same as IRRIGATION use

10. Describe any other water rights used for the same purposes.
95-08182

11. a. Who owns the property at the point of diversion?
APPLICANT
- b. Who owns the land to be irrigated or place of use?
APPLICANT
- c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

12. Remarks:
Domestic use is for six homes. There are two wells within T50N,
R4W, Section 5, NE NW SE.

13. Map of proposed point of diversion and place of use attached? ☒

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.

* Jay T. Stibben
Applicant

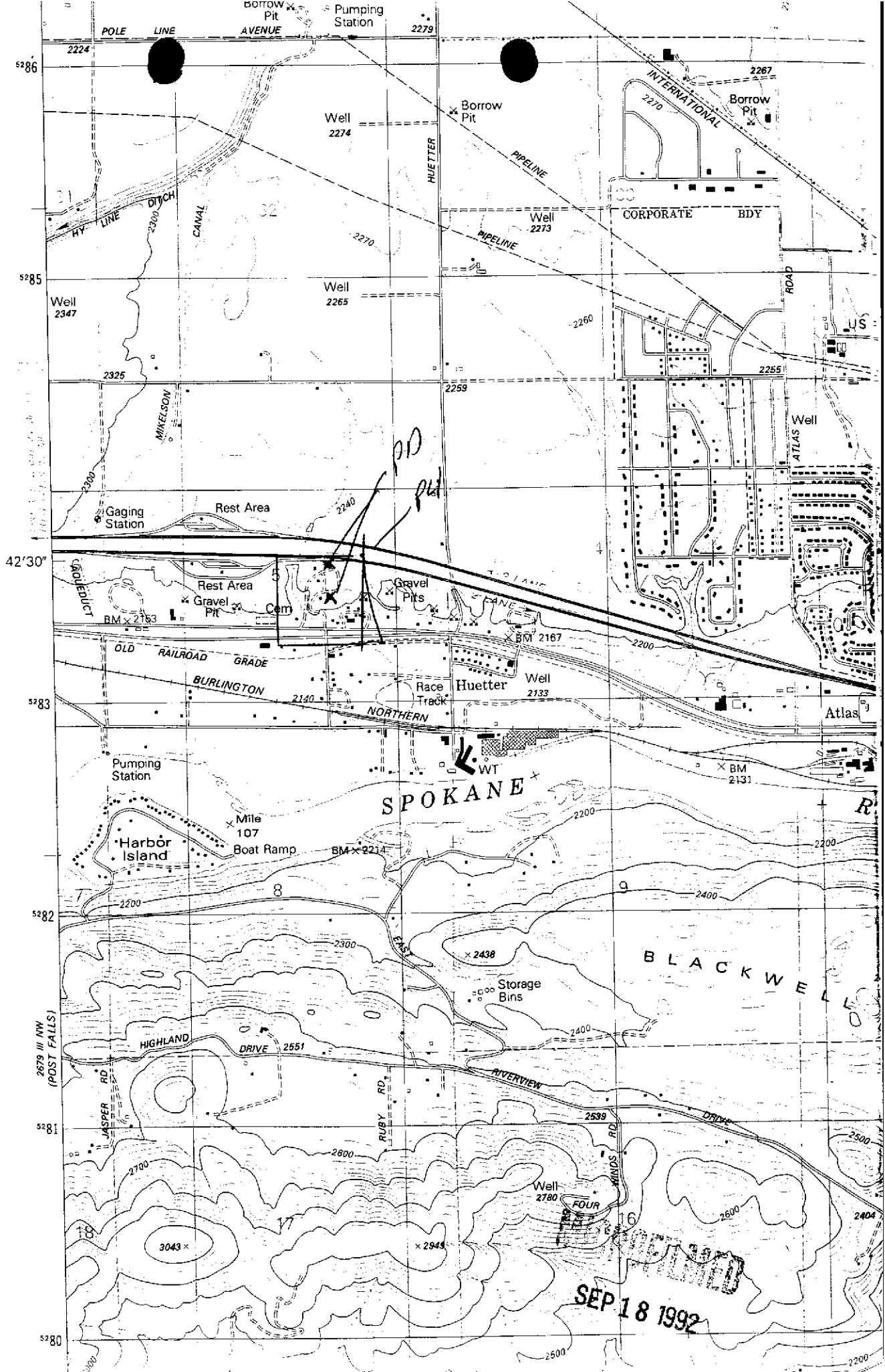
Received by TDK Date 3/25/92 Time 8:45A Preliminary check by TDK

Fee \$ 30⁰⁰ Receipted by TDK # N5303 Date 3/25/92
Gene Dillman Pres

Publication prepared by pm Date 3/25/92 Published in 4/2 & 9/92

Publication approved gpm Date 4/16/92

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SEP 18 1992



SEP 18 1992

AFFIDAVIT OF PUBLICATION

RECEIVED
APR 15 1992
NORTHERN REGION
being first duly sworn

STATE OF IDAHO,
County of Kootenai,

} ss.
Julie Jacobs

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 issue of said newspaper for 2 consecutive weeks commencing on the 2nd day of April, 1992, and ending on the 9th day of April, 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

9th day of April

1992

Roberta Manley

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

ROBERTA MANLEY

Commission expires 2-3-93

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-08739
KUHLMAN, NORMAN L
1725 E. 16TH ST.
POST FALLS, ID 83854
Source: GROUNDWATER
Diversion Pt: SWSENE Sec 35 T 51N R 05W in KOOTENAI County.
Use: IRRIGATION (.040 CFS);
DOMESTIC (.020 CFS)
Total Diversion: (.040 CFS)
Date Filed: 3/10/1992
In: KOOTENAI County T51N R05W S35 SWNE
2.4 ACRES TOTAL

95-08740
SCHNEIDER, MICHAEL S
SCHNEIDER, MARLENE M
E. 5095 FRENCH GULCH RD
COEUR D'ALENE, ID 83814
Source: GROUNDWATER
Diversion Pt: SESESE Sec 5 T 50N R 03W in KOOTENAI County.
Use: STOCKWATER (.040 CFS);
DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 2/24/1992
In: KOOTENAI County T50N R03W S05 SESE
2.0 ACRES TOTAL

95-08741
STILKEY, JAY T
STILKEY, DEBORAH
N. 150 SEELEY
POST FALLS, ID 83854
Source: GROUNDWATER
Diversion Pt: NENWSE Sec 5 T 50N R 04W in KOOTENAI County.
Use: DOMESTIC (.110 CFS);
IRRIGATION (.040 CFS)
Total Diversion: (.110 CFS)
Date Filed: 3/25/1992
In: KOOTENAI County T50N R04W S05 NWSE
2.0 ACRES TOTAL

95-08742
PHELPS, H LEE
PHELPS, PATRICIA K
847 LARCH ST
RATHDRUM, ID 83858
Source: HAYDEN LAKE Tributary: SINKS
Diversion Pt: LOT 8 (NESESW) Sec 34 T 52N R 03W in KOOTENAI County.
Use: IRRIGATION (.020 CFS)
Total Diversion: (.020 CFS)
Date Filed: 3/24/1992
In: KOOTENAI County T52N R03W S34 Lot 8 (SESW)
1.0 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 APRIL 20, 1992.

R. KEITH HIGGINSON, Director

Legal 270
April 2, 9, 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

September 26, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JAY T. STILKEY
DEBORAH STILKEY
N 150 SEELEY
POST FALLS ID 83854

RE: WATER RIGHT NO. 95-08741

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.

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.

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.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

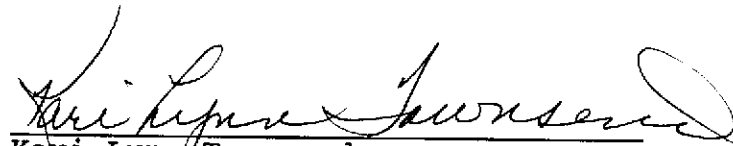
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of **September, 1997**, 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. 95-08741

JAY T STILKEY
DEBORAH STILKEY
N 150 SEELEY
POST FALLS ID 83854


Kari Lynn Townsend
Secretary

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APR 09 1998

MEMORANDUM

TO: File 95-08741

FROM: Sharla Curtis

DATE: July 14, 1997

RE: Telecon

On this date, Mr. Stilkey called me in response to my letter of 7/8. He explained that the homes identified under 95-08182 as homes #1, 6, and 7 are no longer on the system identified under that right. They are now part of the system identified under 95-08741 along with the two homes shown in the second photo attached to the field exam, plus one more home not shown in any of the photos. Therefore, a total of 6 homes are served by the well under 95-08741; there are now only 5 served by the earlier right.

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APR 08 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 95-08741

DATE 7/14/97

REVIEWER: SHARLA

NAME Change OK

Address Change NO

SOURCE Change ✓

Is change clarification of originally intended source? ✓

POINT OF DIV Change ✓

If not, prepare Notice of Intent to Void ✓

PLACE OF USE Change ✓

Amendment required NO

Does map agree with written description? ✓ yes no

OVERLAPS ✓ P/D

✓ P/U 96-08182 - diff well

RATE OF DIV

Permitted Rate .11 cfs

Fee limit .20 cfs \$50⁰⁰

Measured ✓ cfs

Theoretical .07 cfs

8 homes - 3 of which
not part of that system
anymore - 6 homes under
this system (3+3)

Recommended Total Div Rate .07 cfs

ANNUAL VOLUME/
NATURE OF USES

Use ✓

Volume Calculation

Dom. 6 x .6 = 3.6 af

Dr. 2 x 3.0 = 6.0 af

 af

 af

SUBTOTAL 9.6 af

Flow rate .07 cfs X 365 days X 1.98 = 50.6 af

Total volume recommended af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

1/6 homes

CONDITIONS Watermaster Control WD#

 GW Measurement/Measuring Device

 Overlap

 Use-specific conditions

Advancement of Priority Date Required yes ✓ no

SRBA Claim Filed NA

1st Amend Letter NA

Adjustment Memo telecom

2nd Amend Letter NA



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

July 8, 1997

Jay and Deborah Stilkey
N. 150 Seeley
Post Falls, ID 83854

RE: Permit No. 95-8741

Dear Permit Holder(s):

We are in the process of reviewing your permit for the purpose of issuing a license. In order to complete this process we need some additional information.

Our records indicate that in May of 1982, we issued water right license no. 95-08182 to Jay T., Richard and Lynne Stikley for domestic use for 8 homes. In March of 1992, you filed an additional application for permit for 6 homes. I've enclosed copies of the photos taken by the examiner from both files. The pictures indicate that your home was one of the 8 homes licensed under 95-08182.

Are all of the 6 homes filed under 95-08741 in addition to the 8 homes licensed? What is the total number of homes served by this system?

Please review the copies of the photos carefully and if you would like to pursue licensing of this permit please notify us within fourteen (14) days. If you have any questions, please feel free to contact me. My telephone number is (208) 327-5452.

Sincerely;

Sharla Curtis
Water Resource Agent

SC:cb
Enclosure

MICROFILMED

APR 09 1998

RECEIVED
JUN 12 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 95-08741

1. Owner: Jay & Deborah Stilkey Phone No. (208) 765-6851

Current Address: N 150 Seely Past Falls Rd 83854

2. Accompanied by: Jay Stilkey EXAM DATE: 9-25-96

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater 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
			NW	SE	05	50N	04W	Kootenai	U.S.G.S. 7.5 min Quad

2. Place(s) of Use:

Indicate Method of Determination

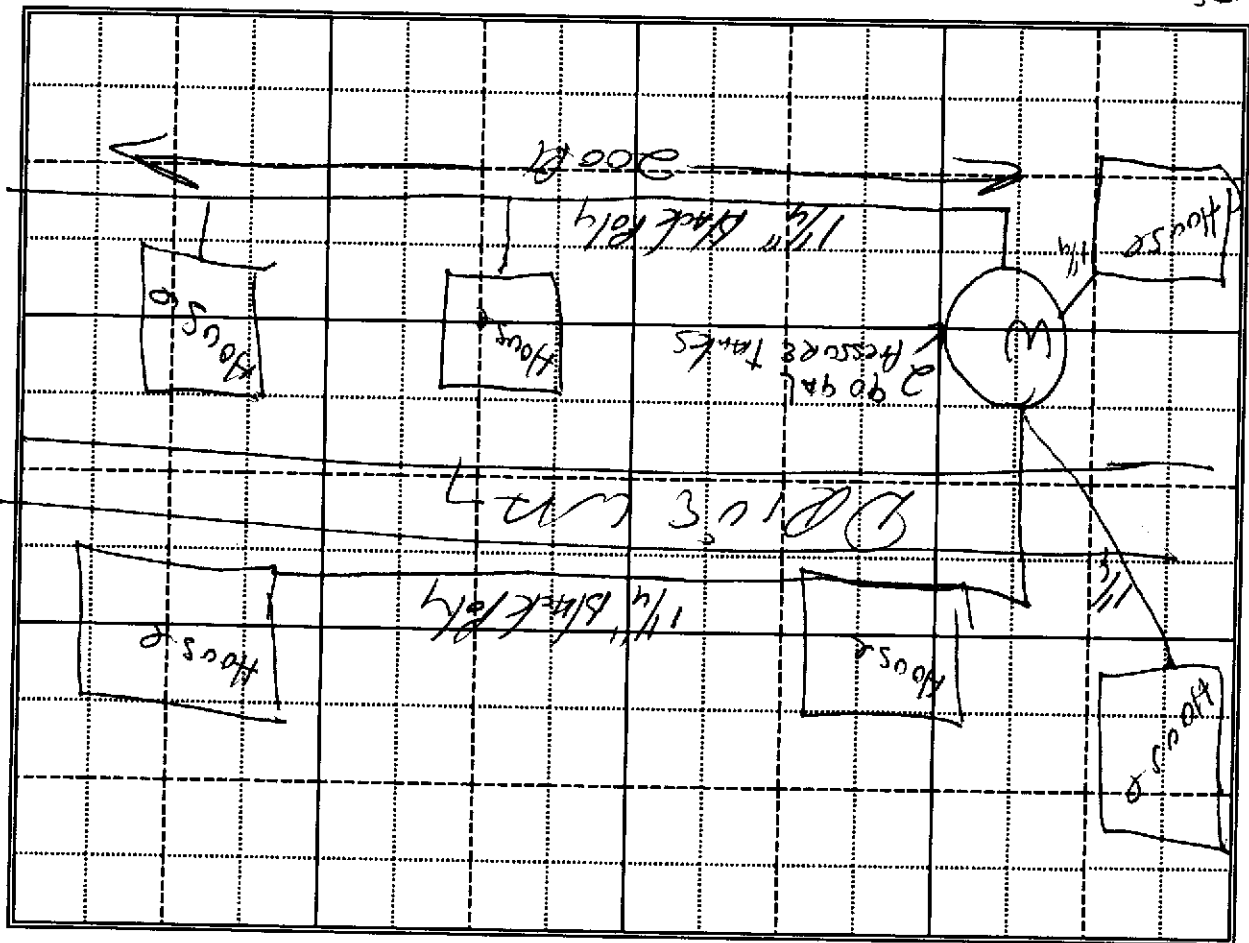
2. Place(s) of Use:

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	
																02			02
																0			0

MICROFILMED
APR 03 1998

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



Scale: 1" = 100'

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 Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Gould	5			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

APR 0 9 1981

[illegible]

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APR 09 1998

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2 \times 3 = 6$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .07 \times 245 \times 1.9835 = 34$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 6$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Domestic
Agriculture

Period of Use

From 01-01 To 12-31
03-15 11-15

Rate of Diversion

Q (cfs) .07 .07

Annual Volume

V (afa) 3.6 6

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

Reviewer

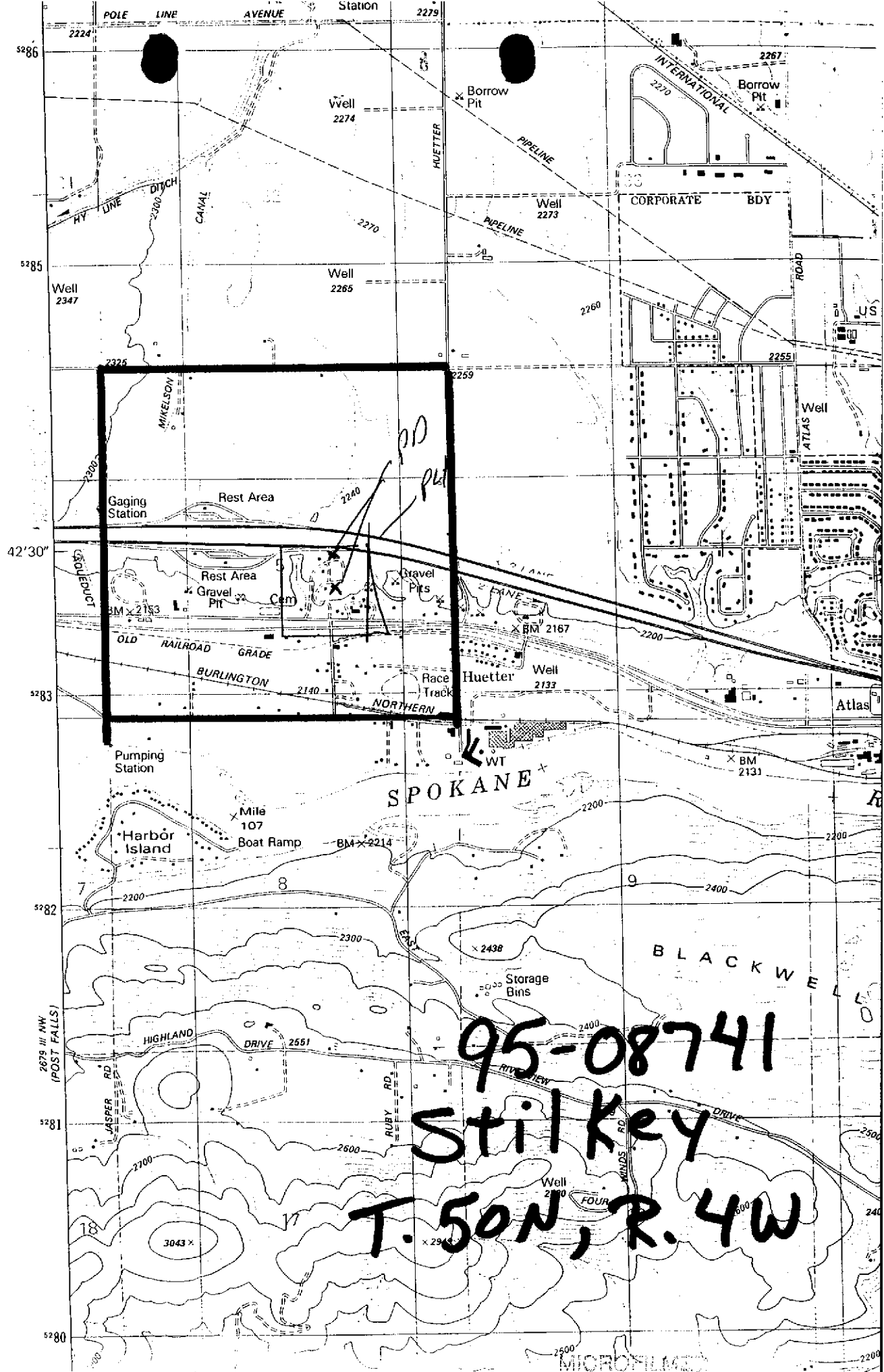
Date

Field Examiner's Name

Date 10-30-96

SEAL

UNRECORDED
APR 8 1997



THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 95-08741

DATE: 30-OCT-96

COMPLETE BY: WAYNE BALDWIN

HORSEPOWER = 5

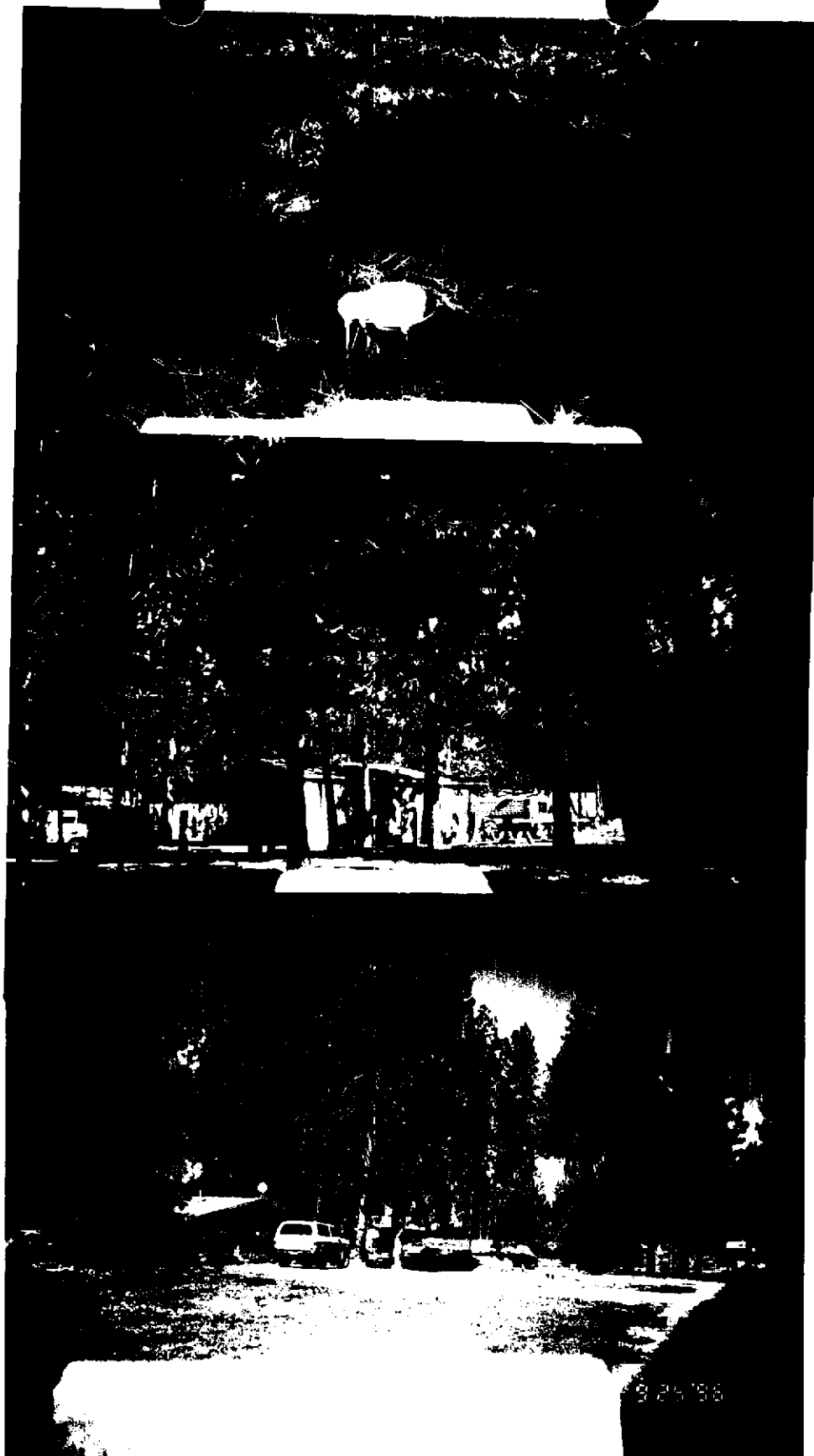
PUMP EFFICIENCY = 70%

DYNAMIC LIFT = 295 FEET

SYSTEM PRESSURE = 50 PSI

QUANTITY = 0.07 CFS

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APR 08 1998



MICROFILM
APR 09 1987

95-08741

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 95-08741 Reviewed by [Signature] Date 5-31-96

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

 Surface water source
✓ Ground water source
yes Drilling permit required?
no Copy in the file? Drilling Permit No. 95-92-N-0124-000
35.00 Amount paid for permit no Correct?
no Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50- Amount Submitted
yes Correct?
no Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>
Date proof due	<u> </u>
No. of days late	<u> </u>
Priority Date	<u> </u>
New Priority Date	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address [Signature] Proof Made 53-94



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

June 25, 1996

JAY T & DEBORAH STILKEY
150 N SEELEY
POST FALLS ID 83854

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 95-08741

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.

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

c: IDWR - Region

AUG 22 1996

March 31, 1996

JAY T STILKEY
DEBORAH STILKEY
N 150 SEELEY
POST FALLS ID 83854

PROOF DUE NOTICE

RE: PERMIT NO. 95-08741

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 June 1, 1996.

(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.

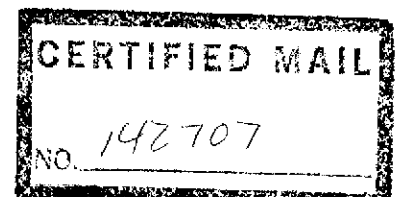
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

APR 2 3 1996



ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. 95-08741 Reviewed by [Signature] Date 6-9-94

BASIC INFORMATION

5-20-94 Date stamp received - received 5-20-94 in northern
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? Requested? _____
Is delay by a government agency?
Is supporting documentation needed to complete the file? Requested? _____
Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

Should extend to June 1, 1997 for due diligence

PRIORITY CALCULATION

Date extension received		=	
Proof due date		=	
Number of days late		=	
Priority date		=	
New Priority Date		=	

DATA ENTRY

New Address _____
Change Proof Due Date 6-1-96
Change Priority Date _____

June 13, 1994

Jay & Deborah Stilkey
N 150 Seeley
Post Falls, ID 83854

RE: Permit No. 95-08741

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to June 1, 1996. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed since the department will not be able to grant additional extensions based on due diligence.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Regional Office

AUG 11 1994

April 30, 1994

JAY T STILKEY
DEBORAH STILKEY
N 150 SEELEY
POST FALLS ID 83854

PROOF DUE NOTICE

RE: PERMIT NO. 95-08741

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 July 1, 1994. (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.

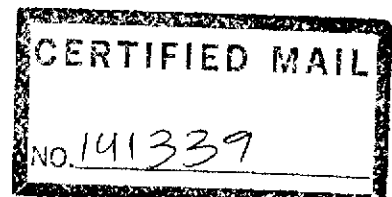
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SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED
AUG 11 1994





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 11, 1992

JAY T STILKEY
DEBORAH STILKEY
N 150 SEELEY
POST FALLS ID 83854

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-08741

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.

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 MILLER
Technical Records Specialist

BLM:cz

Enclosure

RECEIVED

SEP 18 1992

APPLICATION FOR PERMIT REVIEW

Application #: 95-08741 Reviewer: Brenda Miller
 Date: 6-7-92

SYSTEM COMPLETED:

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

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 046B FOR SECOND WELL
 Not included - 046-P23 (All GW, even existing wells)

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

LOCATION:

Water Districts - WD No.
 Surface water - 005, 005-01H-P01 (LT.2 w/pump)
 005-01J-P08 (GT.2)
 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(restricted areas)

OWNERSHIP:

Non land owner - 004

PROTESTED:

Agreement - 020

Beneficial Use Due Date: -

Other Conditions Recommended

07-01-1994

No. a
4/87-11/91n

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

***** INITIAL REVIEW *****

APPLICANT: STILKEY By TDK DATE 3/25/92 APPLICATION # 95-08741

REQUIRED INFORMATION

- (1). ☒ Name and Address:
(2). ☒ Source:
(3). ☒ P. D. including county:
(4). ☒ Quantity:
 ☒ Nature of proposed use:
 ☒ Period of use:
(5). ☒ Total Quantity:
(6). ☒ Description of diverting works:
 ☒ Dam information requested
 or not required
(7). ☒ Time required for b/u
(8). ☒ Proposed uses:
(9). ☒ Place of use or acres irrigated:
(10). ☒ Other Water Rights:
(11). ☒ Ownership:
(13). ☒ Map:
 ☒ Signature:
 ☒ Fee: (Amt, recpt, acknowledgment)

ADDITIONAL INFORMATION

Yes No

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

PROCESSING

Yes No

Proposed Priority 3 / 25 / 92
☒ In form for Advertising in the
 ODA Press 4/22/92
County of KOOTENAI

☒ Statewide advertising: (diversion
greater than (10cfs/1,000af)

SEND COPIES TO:

☐ USFS CdA	☐ USFS Oro	☐ USFS Grangville
☐ BLM	☐ W/W Corps	☐ Albeni Corps
☐ F&G CdA	☐ F&G Lew	☐ IDL
☐ H&W CdA	☐ H&W Lew	☐ Adj Div
☐ (Other) _____		

LETTERS SENT REQUESTING:

☐ Dam information ☐ Fish Information
☐ Power information ☐ Other

INFORMATION RECEIVED

☐ Power information ☐ Dam information
☐ Fish Information ☐ Other

***** GROUNDWATER SECTION *****

(Yes) (No)

- ___ ☒ Groundwater management area:
___ ☒ Critical ground water area:
☒ Well Drilling Permit required:
___ ☒ Well Drilling Application and Fees received:
___ ☒ Well Drilling Application approved?
___ Well Drilling Application Number _____

Checked By TDK

ONE WELL ALREADY IN
195-08182

RECEIVED

***** FINAL REGIONAL PROCESSING/REVIEW ***** MAY 1 1992

(Yes) (No)

- ___ ☒ Notice of pending void order issued: Final date of order re Department of Water Resources
___ ☒ Further information required from applicant:
☒ Affidavit of publication received:
☒ Application published correctly: If not, record action taken: _____

☒ Publication dates and paper recorded on application:
☒ Protests received, Final date for protest 4/20/92
☒ Measuring device required:
☒ Measuring port required:
☒ Special conditions _____
☒ Special conditions of approval supplement and/or cover letter attached:

MR. STILKEY WILL CONTACT WELL DRILLER AFTER APPROVAL TDK
OF PERMIT

Approval Recommended by: TDK PMA

Date 4/22/92

95-08741

STILKEY, JAY T
STILKEY, DEBORAH
N 150 SEELEY
POST FALLS, ID 83854

Source: GROUNDWATER

Diversion Pt: NENWSE Sec 5 T 50N R 04W in KOOTENAI County.

Use: DOMESTIC	(.110 CFS)
IRRIGATION	(.040 CFS)
Total Diversion:	(.110 CFS)

Date Filed: 3/25/1992

In: KOOTENAI County
T50N R04W S05 NWSE

2.0 ACRES TOTAL

RECORDED

SEP 18 1992