

Sec. 24 Twp. 49 N.R. 4 W.B.M.

Lake

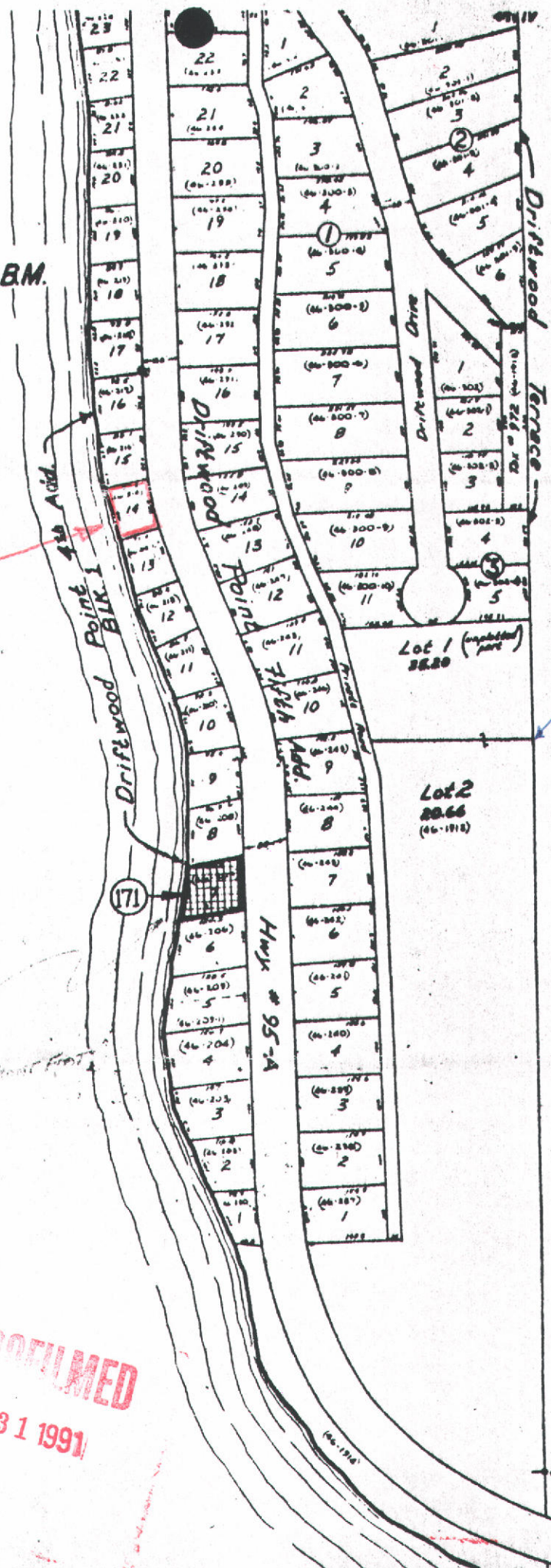
LOT 14

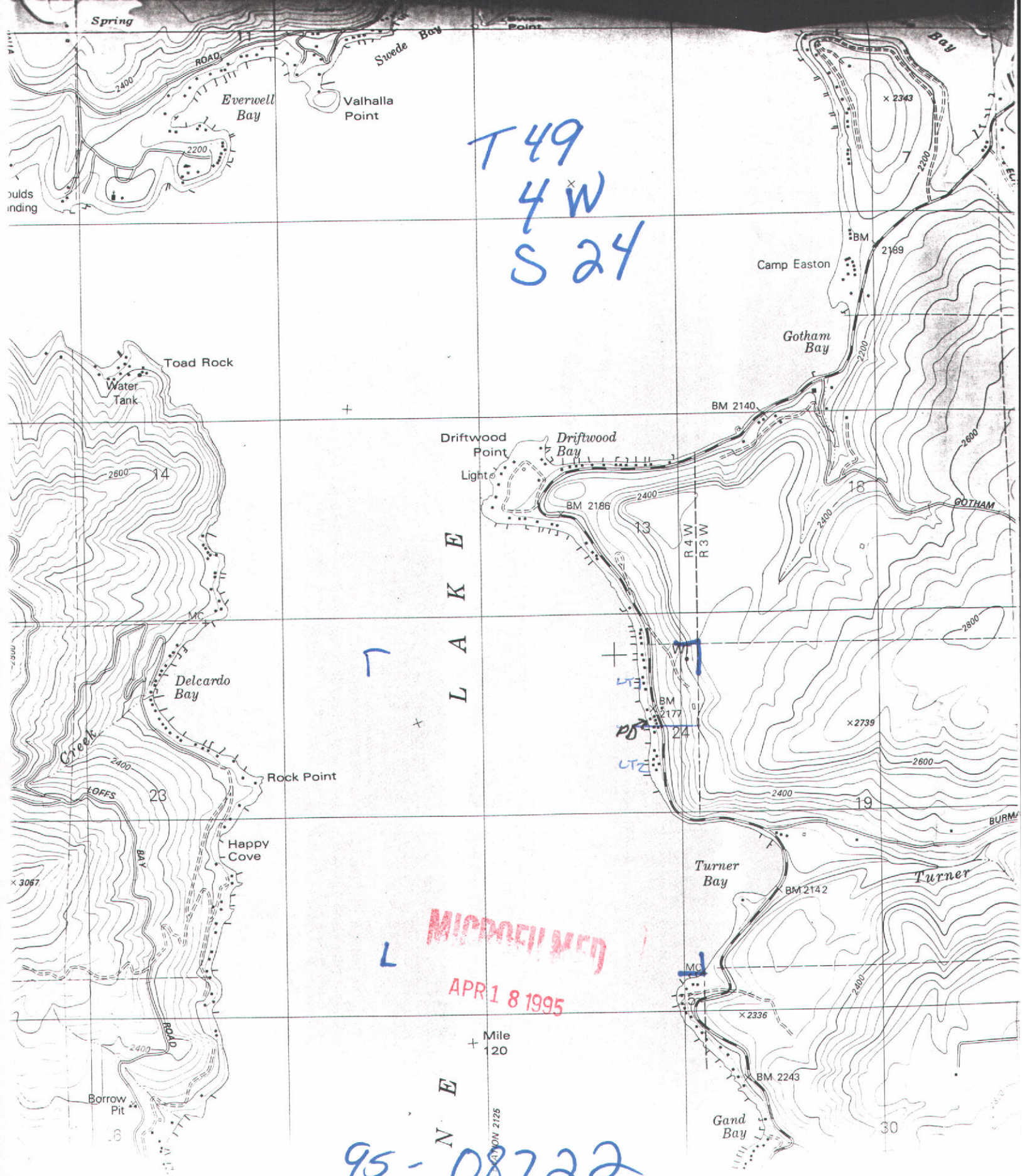
COEUR D'ALENE

171

MICROFILMED

DEC 31 1991





T49
4W
S24

MICROFILMED
APR 18 1995

95-08722

N E

Sec. 24 Twp. 49 N.R. 4 W.B.M.

Lake

LOT 14

COEUR D'ALENE

171

HWY # 95-A

Driftwood Point

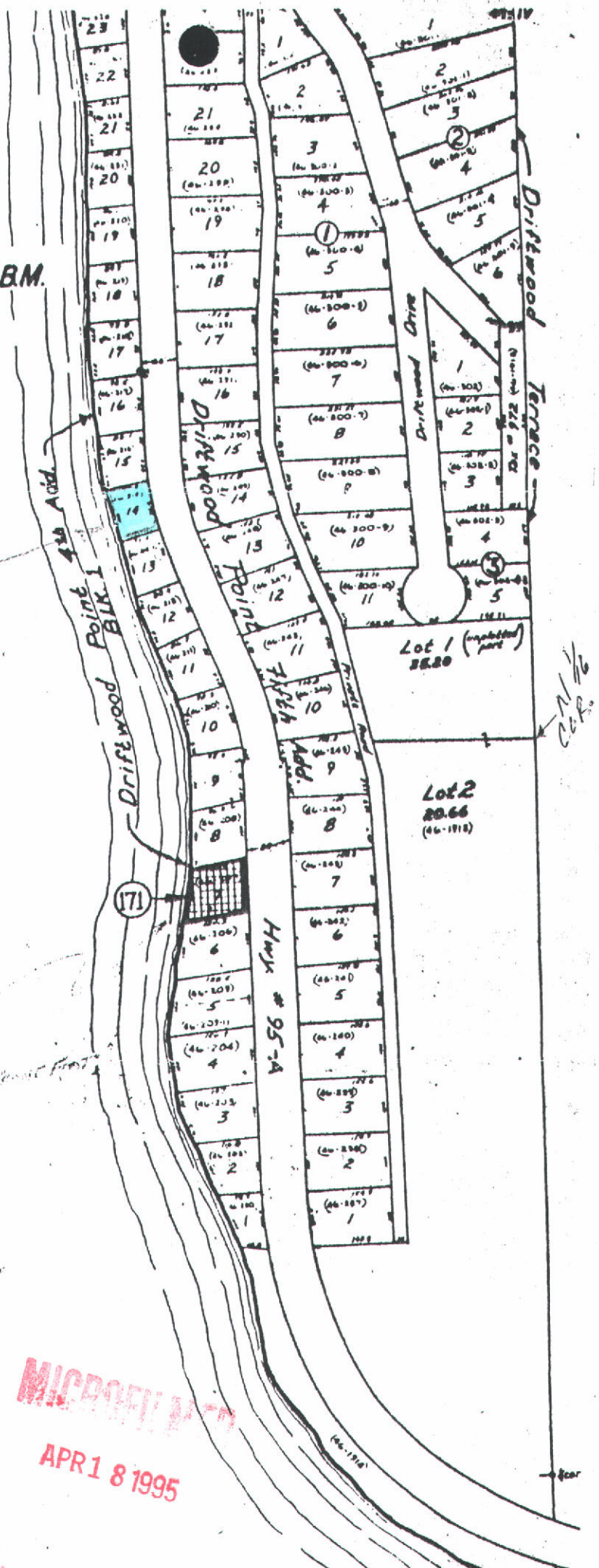
Lot 1 (unimproved) 25.20

Lot 2 20.66 (46-1918)

95-8722

MICROFILM

APR 18 1995



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-08722

Priority: October 7, 1991

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that BARRY A CARLAW
5523 78TH AVE CT W
TACOMA WA 98467

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated October 7, 1991; and
has submitted Proof of Beneficial Use on September 13, 1993. An examination indicates
that the works have a diversion capacity of 0.040 cfs of water from:

COEUR D ALENE LAKE

tributary to SPOKANE RIVER

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

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

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NENE), Sec. 24, Township 49N, Range 04W
KOOTENAI County

PLACE OF USE: DOMESTIC

TWN RGE SEC

49N 04W 24 Lot 1(NENE)

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.
6. Place of use is located within Lot 14, Blk. 1, Driftwood Point 4th Addition.

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 15TH
day of April, 1995.

Acting for


R. Keith Higginson, Director

RECEIVED

SEP 13 1993

Department of Water Resources

OFFICE USE ONLY

Amt. of Fee \$ 50.00

Date 9-13-93

Receipt No. C028542

Receipt by [Signature]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 95-08722 Telephone No. (206) 564-8106
2. Name(s) of Permit Holder(s): BARRY A. CARLAW
3. Mailing Address: 5523 78th AV. CT. W. TACOMA, WA 98467
4. Source of Water: COEUR D'ALENE LAKE

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

OPTIONAL:

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

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

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

Irrigation _____ (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted .04 cfs OR _____ acre/feet

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

Measuring device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

OR

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

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

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

AL SCARTH CONTRACTOR (206) 667-6135
Name Telephone No.

W 3055 RIVERVIEW DRIVE COEUR D'ALENE ID 83814
Address

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

9/7/93
Date

Barry A. Carlaw
Signature (and title, if on behalf of a company or organization)

OCT 28 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 95-08722

Proposed Priority: October 7, 1991 Maximum Diversion Rate: 0.04 CFS

This is to certify, that **BARRY A CARLAW**
5523 78TH AVE CT W
TACOMA WA 98467

has applied for a permit to appropriate water from:

COEUR D ALENE LAKE

tributary of SPOKANE RIVER

and a permit is APPROVED for development of water as follows:

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

LOCATION OF POINT(S) OF DIVERSION: LOT 1(NENE), Sec. 24, Township 49N, Range 04W
KOOTENAI County

PLACE OF USE: DOMESTIC
TWN RGE SEC

49N 04W 24 LOT 1(NENE)

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1993.
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. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
5. Domestic use is for 1 home.

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

15th day of November, 1991.

R. Keith Higginson

for R. Keith Higginson, Director

DEC 31 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant BARRY A. CARLAW Phone (206) 564-8106
Post office address 5523 78TH AV. CT. W. TACOMA, WA 98467
2. Source of water supply COEUR D'ALENE LAKE which is a tributary of SPOKANE RIVER
3. Location of point of diversion is _____ $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot 1
Sec. 24 Township 49N Range 04W B.M. KOOTENAI County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 cfs for DOMESTIC purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.04 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. pump & 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 _____ inches; proposed depth of well is _____ 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
2 years (minimum 1 year).

DEC 31 1991

12. Remarks: LOT 14 DRIFTWOOD POINT 4TH ADDITION
11. a. Who owns the property at the point of diversion? STATE OF IDAHO
 b. Who owns the land to be irrigated or place of use? BARRY A. CARLAW
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.
10. Describe any other water rights used for the same purposes as described above. NONE

Total number of acres to be irrigated _____

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
49N	4W	24	D																

Sec. 24 Twp. 49 N.R. 4 W.B.M.

LAKE

LOT 14

COEUR D'ALENE

171

Hwy # 95-A

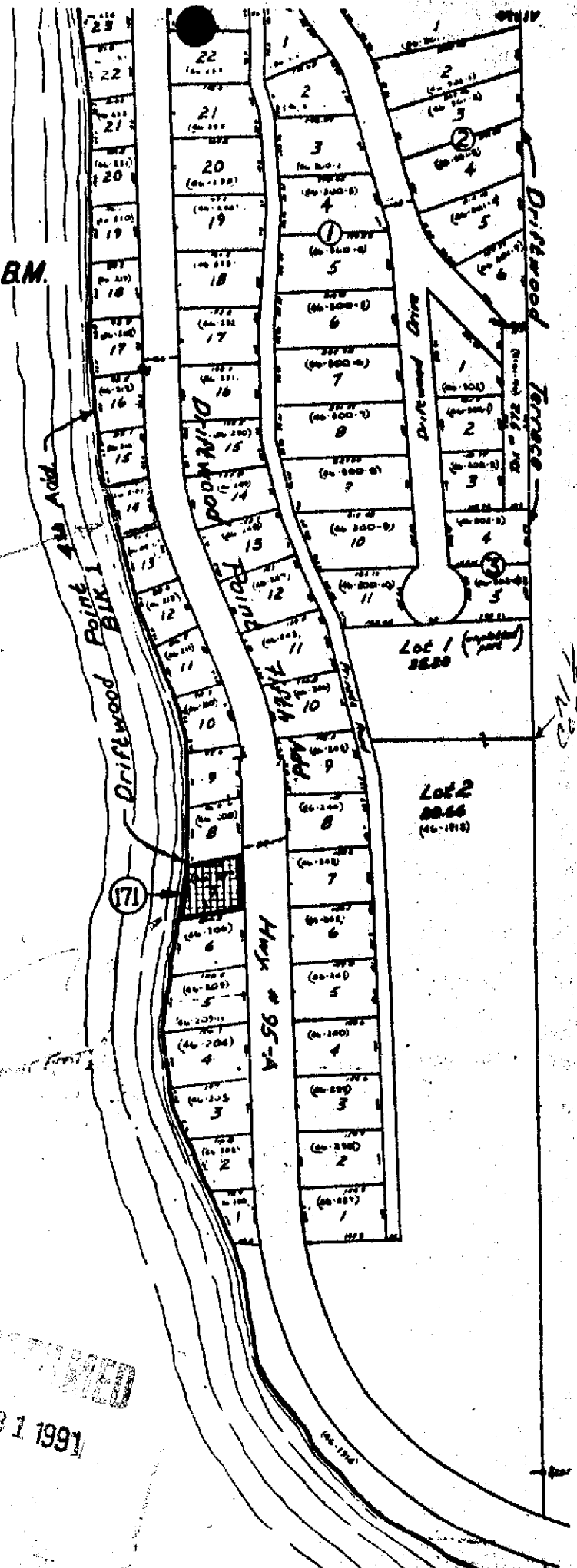
Lot 1 (part)
2820

Lot 2
2844
(66-1918)

21 1/2
C.R.

RECORDED

DEC 31 1991



SEE SUBDIVISION
PLAT MAP
ATTACHED

DEC 31 1961

Barry A. Clelland
(Applicant)

DEC 8 1 1991

RECEIVED

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

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.

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.

e. Other: _____

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 10/7/91 Time 2:30pm Preliminary check by _____

Fee \$ 30.00 Received by _____ # N4953 Date 10/7/91

Publication prepared by _____ Date 11/9/91 Published in _____ 10/17-24/91

Publication approved by _____ Date 12/25/91

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

} ss.

Julie Jacobs

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 issue of said newspaper for 2 consecutive weeks, commencing on the 17th day of October, 1991, and ending on the 24th day of October, 1991, and such publication was made as often during said period as said Daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Subscribed and sworn to before me this

24th day of October

1991

Roberta Manley

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

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:

95-08720
PELZ, DAVID W
PELZ, ROSEMARY
2950 E NETTLETON RD
COEUR D'ALENE, ID 83814
Source: GROUNDWATER
Diversion Pt: NESE Sec 6 T 50N R 03W
Use: IRRIGATION (1.20 CFS);
DOMESTIC (.060 CFS)
Total Diversion: (.180 CFS)
Date Filed: 9/27/1991
In: T50N R03W S06 NESE
6.0 ACRES TOTAL
95-08721

FAIRCLOTH, KENNETH F
4620 E ENGLISH PT RD
HAYDEN LAKE, ID 83835
Source: HAYDEN LAKE
Tributary: SINKS
Diversion Pt: LOT 1 (NENE) Sec 17 T
51N R 03W
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 9/30/1991
In: T51N R03W S17 NENE
95-08722

CARLAW, BARRY A
5523 78TH AVE CT W
TACOMA, WA 98457
Source: COEUR D'ALENE LAKE
Tributary: SPOKANE RIVER
Diversion Pt: LOT 1 (NENE) Sec 24 T
49N R 04W
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 10/7/1991
In: T49N R04W S24 Lot 1 (NENE)

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 NOVEMBER 4, 1991.

R. KEITH HIGGINSON, Director
Legal 524
Oct. 17, 24, 1991

RECEIVED

OCT 25 1991

NORTHERN REGION
IDWR

RECEIVED
DEC 31 1991



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

R. KEITH HIGGINSON
DIRECTOR

April 17, 1995

BARRY A CARLAW
5523 78TH AVE CT W
TACOMA WA 98467

RE: WATER RIGHT NO. 95-08722

Dear Water Right Holder(s):

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

APR 18 1995

Permit #: 95-8722 Name: Carlson Date: 4/12/95

COMMENTS:

RECOMMENDED	CFS	DIV VOL	Adjustment Memo
<u>dom/1</u>	<u>0.04</u>	<u>1.2</u>	SRBA Claim filed
			LICENSE: <u>P49</u>
			#1 AMEND LTR: P46 or
			P39/P41/P37 & P38
<u>TOTAL</u>	<u>0.04</u>	<u>1.2</u>	#2 AMEND LTR: P42/P47

DEC 14 1994

Department of Water Resources

Permit No. 95-8722

1. Owner: BARRY A. CACAW

Phone No.

Current Address: 5523 78TH AV. CT. W. TACOMA WA. 98467

2. Accompanied by:

EXAM DATE: 8-12-94

Address:

Phone No. _____

Relationship to Permit Holder:

3. Source: COEUR D'ALENE tributary to SPOKANE RIVER

1. Other water rights with the same place of use: 95.08455

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

1. Point(s) of Diversion:

[illegible]

2. Place(s) of Use:

Indicate Method of Determination

[illegible]

APR 1965

2. Measurements:

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

D. FLOW MEASUREMENTS

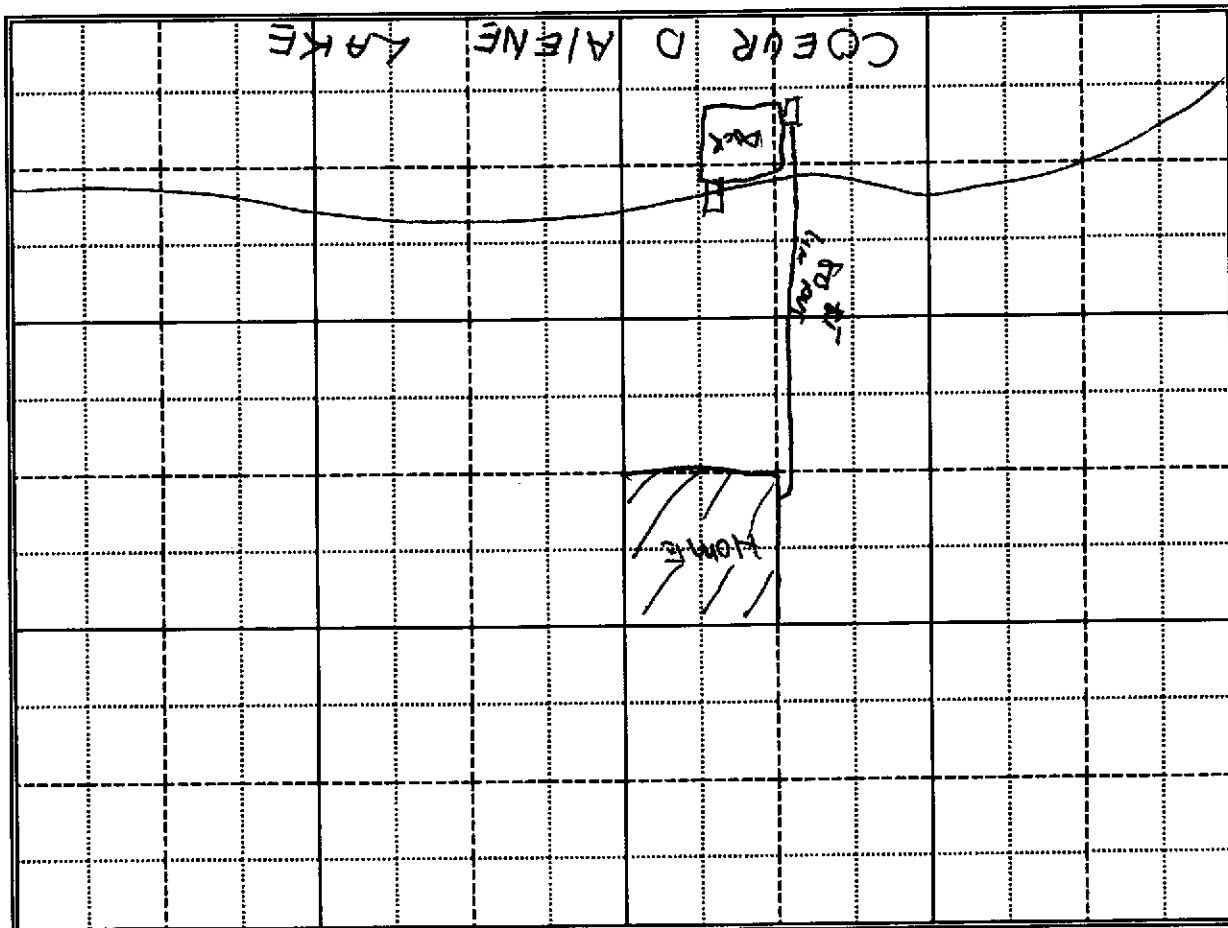
*Code to correspond with No. on map and aerial photo

Well or Diversion Identification No. *	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		3/4		Submersible	

4.

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
Aerial Photo Attached (required for irrigation of 10+ acres)
Photo of Diversion and System Attached

Scale: 1" =



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

E. NARRATIVE/REMARKS/COMMENTS

lake supplies water to home

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

APR 18 1995

Measured Method:

Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ =

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

DOMESTIC

From

Period of Use
To

Rate of Diversion

Annual Volume

V (a13)

(s) b

12-31

10-10

DOMESTIC

Totals:

105

५५

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

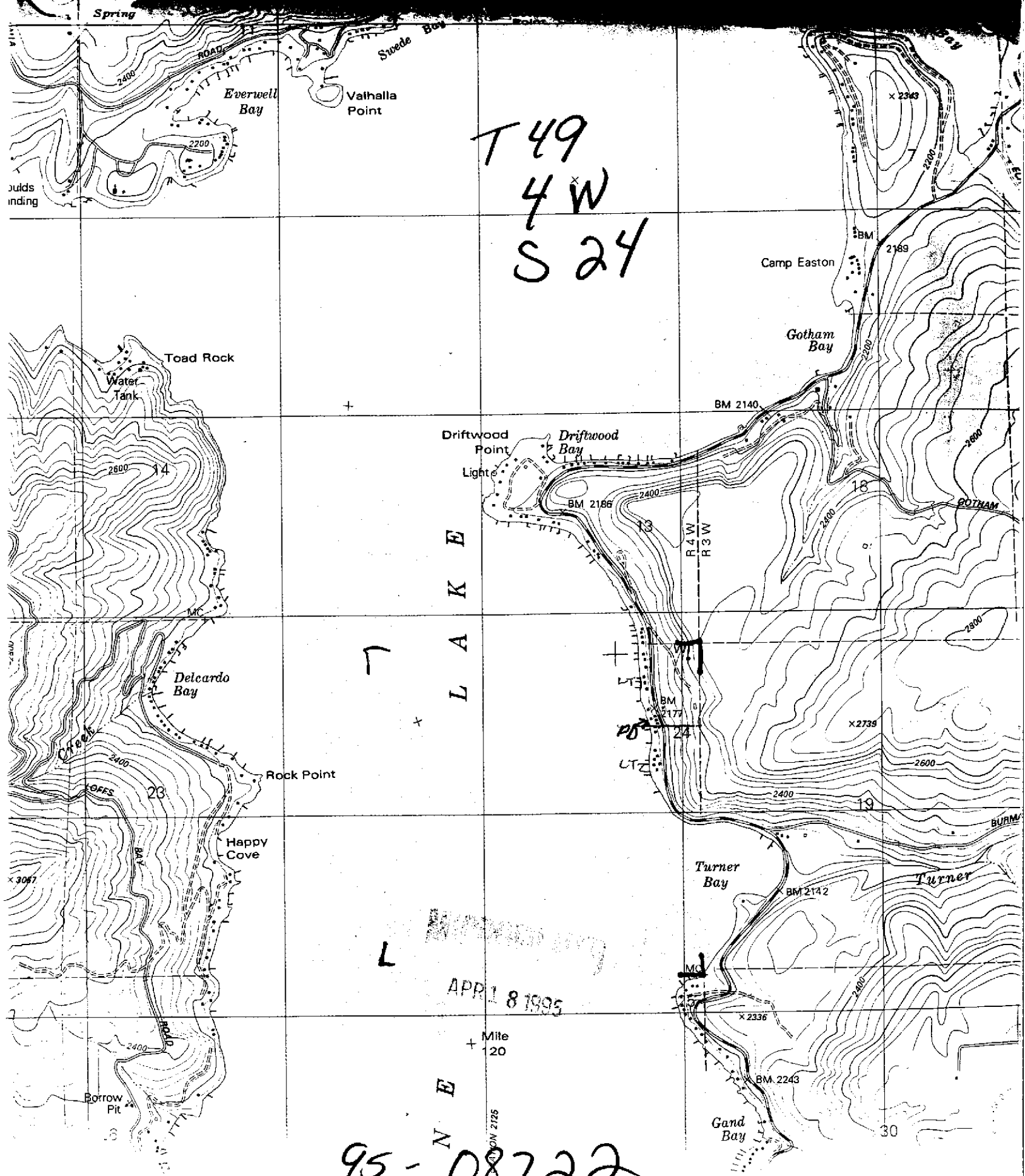
Date _____

SEAL

Field Examiner's Name _____

150 M³ C₆₀K₄ Date 8-18-94

Date _____



Sec. 24 Twp. 49 N.R. 4 W.B.M.

LAKE

LOT 14

COEUR D'ALENE

171

Hwy # 95-A

Driftwood Pointe Add.

Driftwood

Lot 1 (unimproved)
28.80

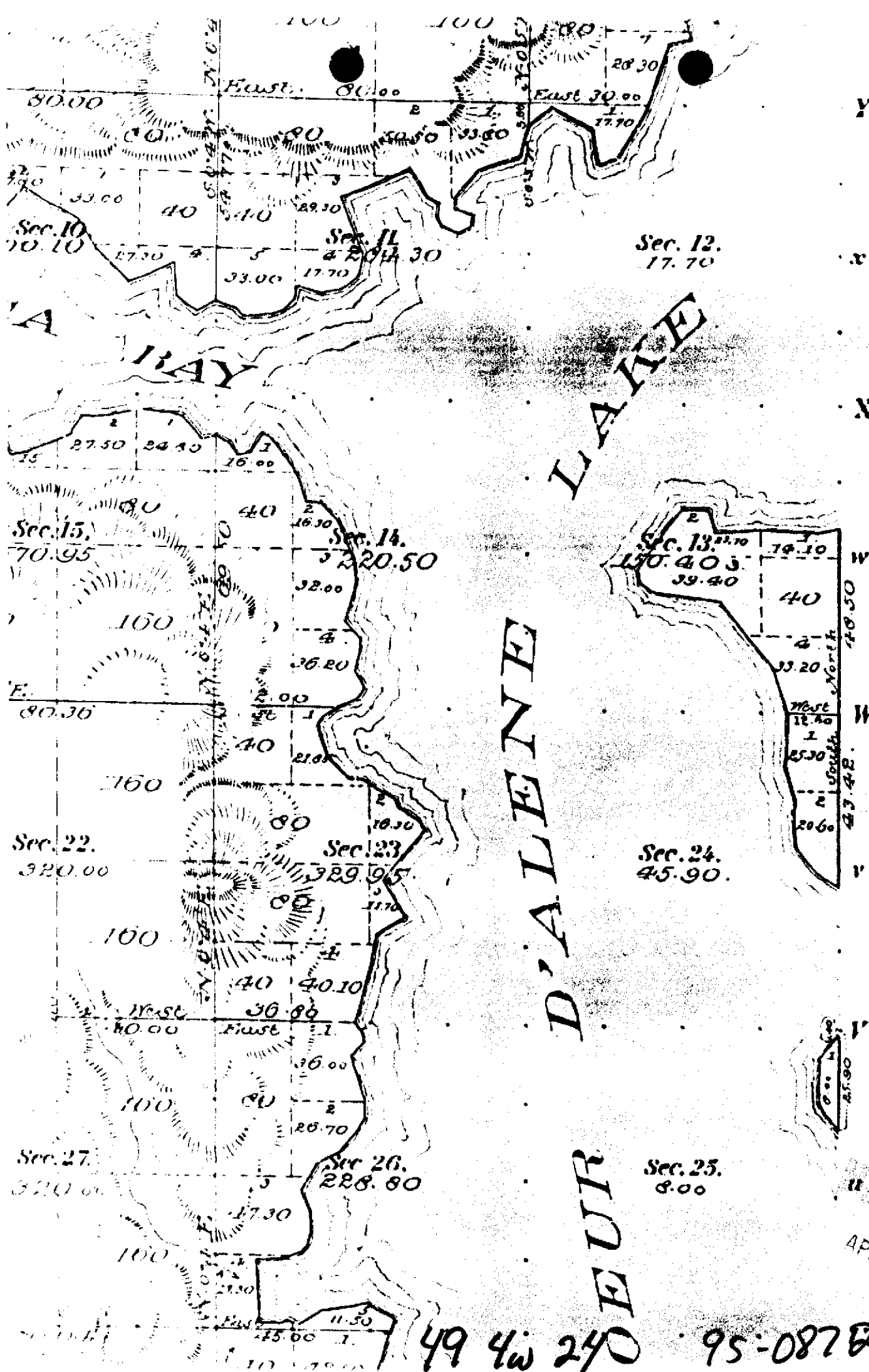
Lot 2
20.66
(46-1918)

Driftwood Terrace

11 1/2
acres

95-8722

APR 18 1995



Accepti

APR 18 1995

49 4w 240 95-08722

September 17, 1993

BARRY A CARLAW
5523 78TH AVE CT W
TACOMA WA 98467

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-08722

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

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OCT 28 1993

August 31, 1993

BARRY A CARLAW
5523 78TH AVE CT W
TACOMA WA 98467

PROOF DUE NOTICE

RE: PERMIT NO. 95-08722

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 November 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

CERTIFIED MAIL

NO. 140565

RECEIVED

OCT 28 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 21, 1991

BARRY A CARLAW
5523 78TH AVE CT W
TACOMA WA 98467

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-08722

Dear Permit Holder:

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

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.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosures

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NOV 31 1991

October 17, 1991

Mr. Barry Carlaw
5523 78th AV CT
Tacoma, Wa 98467

Re: Appropriation Application # 95-08722

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, as well as the required appropriation filing fee, for which your Receipt is enclosed. 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 you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

Tom D. King
Sr. Water Resource Agent

Enc: Receipt

DEC 31 1991



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

October 11, 1991

Idaho Dept. of Lands
Statehouse
Boise, Id. 83720

Re: 95-8722

Gentlemen:

Enclosed is information which may be of interest to your Agency relating to an application recently filed with the Idaho Department of Water Resources.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms
Enclosure

DOC
PRINT

RECEIVED
DEC 31 1991

95-08722

CARLAW, BARRY A
5523 78TH AVE CT W
TACOMA, WA 98467

Source: COEUR D ALENE LAKE

Tributary: SPOKANE RIVER

Diversion Pt: LOT 1 (NENE) Sec 24 T 49N R 04W

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 10/ 7/ 1991

In: T49N R04W S24 Lot 1 (NENE)

DEC 31 1991