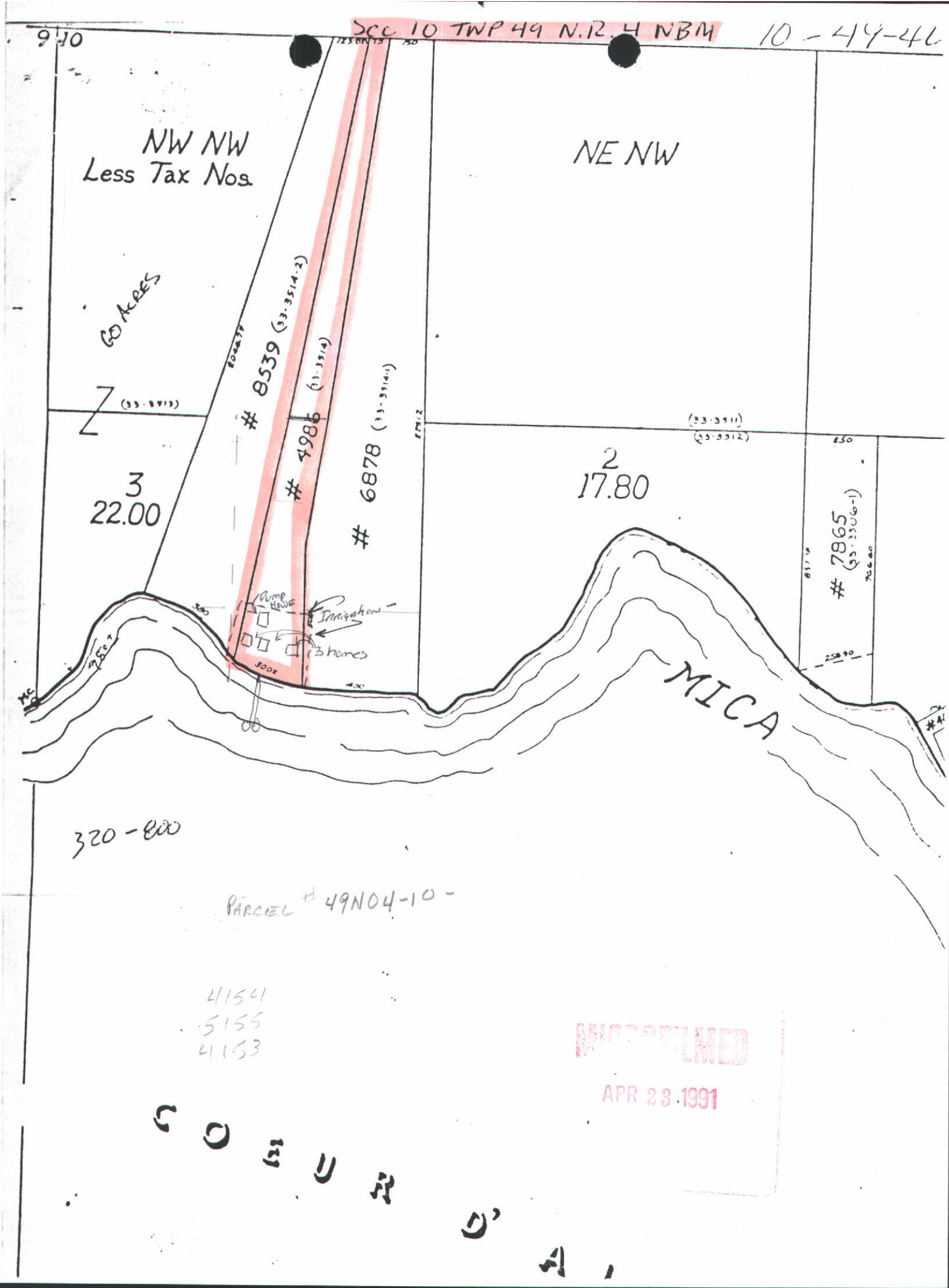

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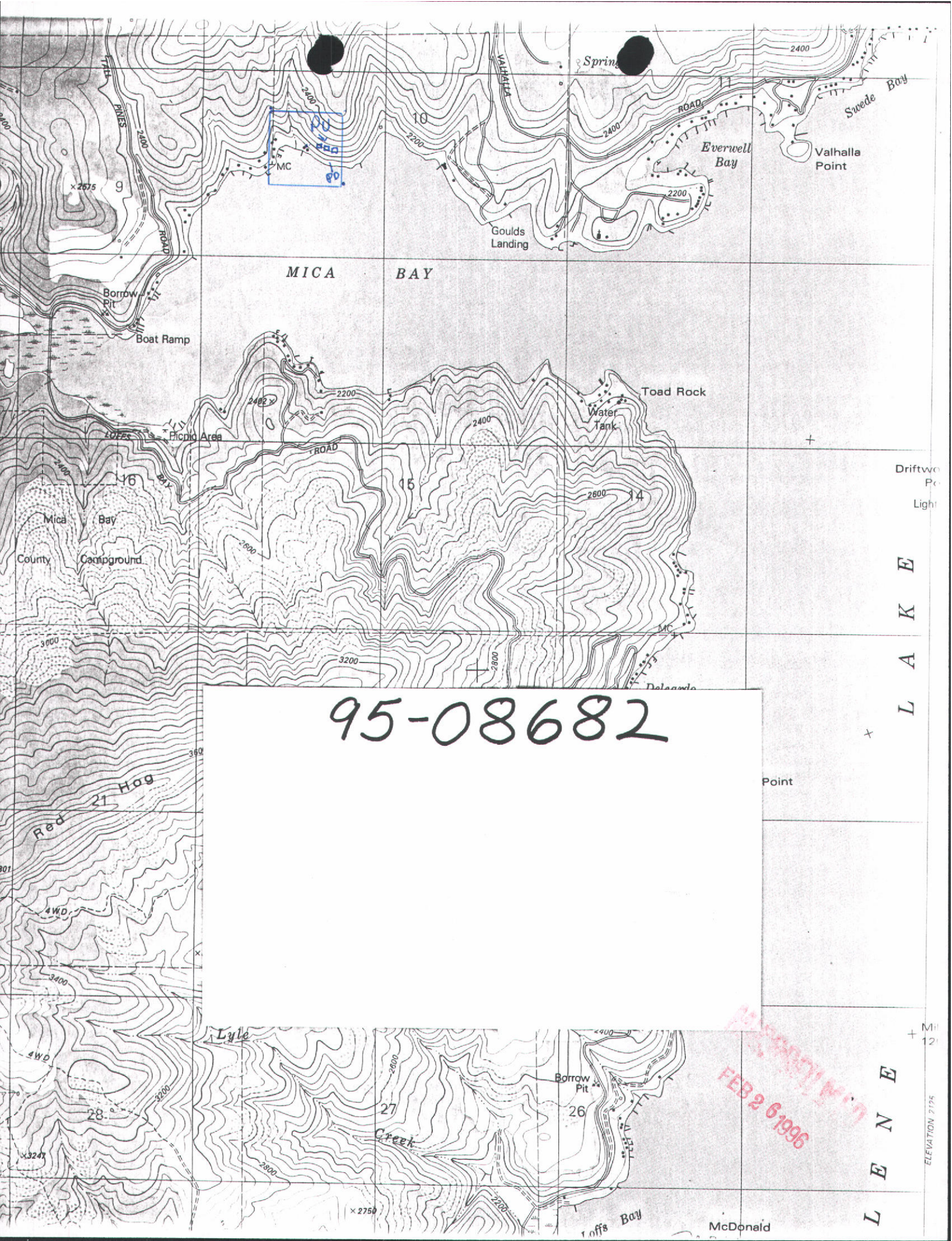
APR 23 1991

orth Range No 4 West of the Boise



95-08682

FEB 26 1996

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95-08682

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	95-08682	Richard V McKernan Kelly N Nelson John D Beebe Jr	0.16
Full Assignment	95-08682	Richard V McKernan Kelly N Nelson Tad Leach	0.16

APR 2 1 199

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-08682

Priority: January 31, 1991 Maximum Diversion Rate: 0.08 CFS
Maximum Diversion Volume: 3.6 AF

This is to certify, that KELLY N NELSON
TAD LEACH
RICHARD V MC KERNAN
N 7488 GOVERNMENT WAY
COEUR D ALENE ID 83814 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 31, 1991; and has submitted Proof of Beneficial Use on February 11, 1994. An examination indicates that the works have a diversion capacity of 0.080 cfs of water from:

COEUR D ALENE LAKE tributary to **SPOKANE RIVER**

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

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
DOMESTIC	01/01 to 12/31	0.08 CFS	3.6 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 3(SWNW), Sec. 10, Township 49N, Range 04W
KOOTENAI County

PLACE OF USE: DOMESTIC

TWN	RGE	SEC	
49N	04W	10	Lot 3(SWNW)

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 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 3 homes.

FEB 2 6 1995

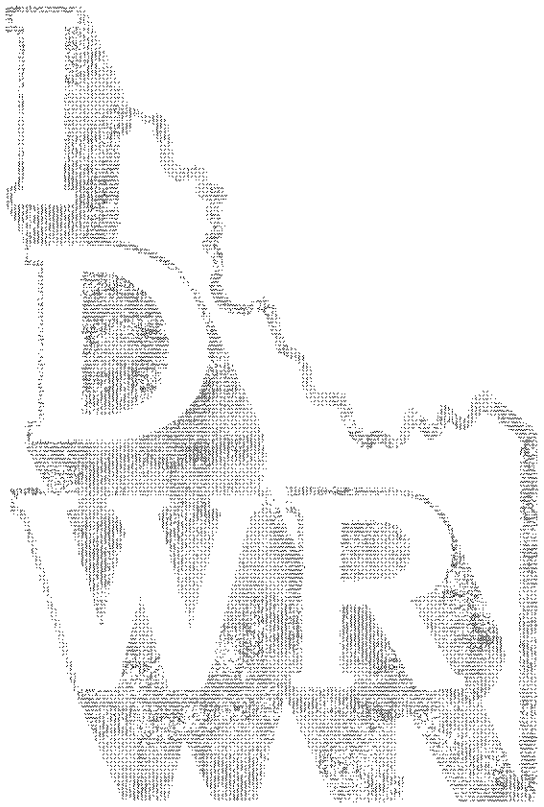
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-08682

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 31st day of JANUARY, 1996.

Acting for KARL J. DREHER, Director



06/93

State of Idaho
DEPARTMENT OF WATER RESOURCES

RECEIVED
APR 07 1994
Department of Water Resources

ASSIGNMENT OF PERMIT
To change the ownership of a permit

I/We, Richard V. McKernan/Kelly N. Nelson/John D. Beebe, Jr.,
(Permit Holders)
hereby assign to Richard V. McKernan, Kelly N. Nelson, & Tad Leach
of N 7488 Government Way, Coeur D'Alene ID 83814
(Full Address)

All our right, title, and interest in and to Permit No. 95-08682 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to Permit No. N/A to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision, point of diversion location, and the amount of water in cubic feet per second.

N/A

Made this _____ day of _____, 19____.

Permit Holder(s)

State of Idaho)
ss
County of Kootenai)

On this 4th day of April, 1994, personally appeared before me the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Marilyn Courrier/Marilyn Courrier
Notary Public

SEAL

Marilyn Courrier/Marilyn Courrier
Signature

My commission expires: 9/23/94

APR 21 1994

Form 217
11/91

RECEIVED
FEB 1 1 1994
Department of Water Resources

OFFICE USE ONLY
Amt. of Fee $ 475.00
Date 2/11/94
Receipt No. C029608
Receipt by DW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

95-08082

1. Permit No. _____ Telephone No. 208-667-1185
2. Name(s) of Permit Holder(s): Kelly Nelson / John D. Beeber Jr / Richard V. McKennan
3. Mailing Address: N. 7488 Govt. Way, Coeur d'Alene Idaho 83814
4. Source of Water: Lake Coeur d'Alene

   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 3 (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 .16 cfs OR 15.01-16.00 acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:

   Measuring device: Required? ___ Yes ✓ No Installed? ___ Yes ___ No

   Flow Measurement Port: Required? ___ Yes OR ✓ No Installed? ___ Yes ___ No

8. Fee Enclosed: $ 475.00 (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.

   Kelly N. Nelson. 1-208-667-1185
   Name Telephone No.

   N. 7488 Govt. Way, CDA, Idaho 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.

2/8/94 Kelly N. Nelson Owner
Date Signature (and title, if on behalf of a company or organization)

APR 2 1 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 95-08682

Proposed Priority: January 31, 1991 Maximum Diversion Rate: 0.16 CFS

This is to certify, that **RICHARD V. MC KERNAN**
KELLY N. NELSON
JOHN D. BEEBE, JR.
N. 7488 GOVERNMENT WAY
COEUR D ALENE, ID 83814

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:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
IRRIGATION	04/01 to 11/15	0.08 CFS
DOMESTIC	01/01 to 12/31	0.08 CFS
	Totals	0.16 CFS

LOCATION OF POINT(S) OF DIVERSION: LOT 3(SESWNW), Sec. 10, Township 49N, Range 04W KOOTENAI County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
49N	04W	10	SWNW	4			4
				Total number of acres irrigated:			4

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 **April 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. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

APR 23 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 95-08682

CONDITIONS/REMARKS:

6. Prior to diversion of water under this permit, the permit holder must obtain approval of the Idaho Department of Lands.
7. Two points of diversion located within SWNW, Lot 3, S10, T49N, R04W.
8. Domestic use is for 3 homes.

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 April, 1991.

for R. Keith Higginson, Director

APR 18 1991

Form 202
6/85

Ident. No. 95-8682

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Richard V. McKernan, Kelly N. Nelson, John D. Beebe, Jr. 667-0557

1. Name of applicant Nelson, McKernan, Beebes Phone 667-1185

   Post office address N. 7488 Government Way, Coeur d'Alene, ID 83814

2. Source of water supply Coeur d'Alene Lake which is a tributary of Spokane River

3. Location of point of diversion is SE ¼ of SW ¼ of NW ¼, Govt. Lot 3

   Sec. 10 Township 49N Range 4W B.M. Kootenai County; additional

   points of diversion if any: 1 additional P/D in SWNW (GL3) Sec. 10 T49N R4W (Total of 2 P/D)

4. Water will be used for the following purposes: 1-US gal = .1337 cub. ft. .1337 x 25gpm = 3.3425 cfm 60 sec = .0557 cfs

   Amount .08 (cfs or acre-feet per annum) for irrigation purposes from April 1 to Nov. 15 (both dates inclusive)

   Amount .08 (cfs or acre-feet per annum) for domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated is (a) .16 cubic feet per second and/or (b) N/A acre feet per annum (no storage)

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. #1 Pump Structure in lake. Discharge 2" line with 3 horsepower Grundfos Pump for domestic water.

   #2 Pump Structure is same as #1 except it is a 5 horsepower Grundfos Pump.

   b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet; period of year when water will be diverted to storage: N/A to N/A inclusive.

   c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet.

   d. Is ground water with a temperature of greater than 90°F being sought? N/A

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (*minimum 1 year*).

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

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

b. Stockwatering; list number and kind of livestock. N/A

c. Municipal; show name of municipality. N/A

d. Domestic; show number of households. 3

e. Other; describe fully. N/A

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (*example: D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
49N	4W	10							4										4 acres
									D										D

Total number of acres to be irrigated 4 acres

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

11. a. Who owns the property at the point of diversion? Kelly N. Nelson

b. Who owns the land to be irrigated or place of use? Nelson, McKernan, Beebee

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

12. Remarks: C. E. Kramer, Nelson, McKernan, Beebee

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

"See attached"

APR 23 1991

Scale: 2 inches equal 1 mile.

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

(Applicant)

Received by [signature] Date 1/31/91 Time 2:00 PM Preliminary check by TDK

Fee $ 30.00 Receipted by [signature] # #4304 Date 1/31/91 Coeur d'Alene Press

Publication prepared by [signature] Date 2/13/91 Published in 2/21 + 28/91

Publication approved [signature] Date 3/4/91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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:

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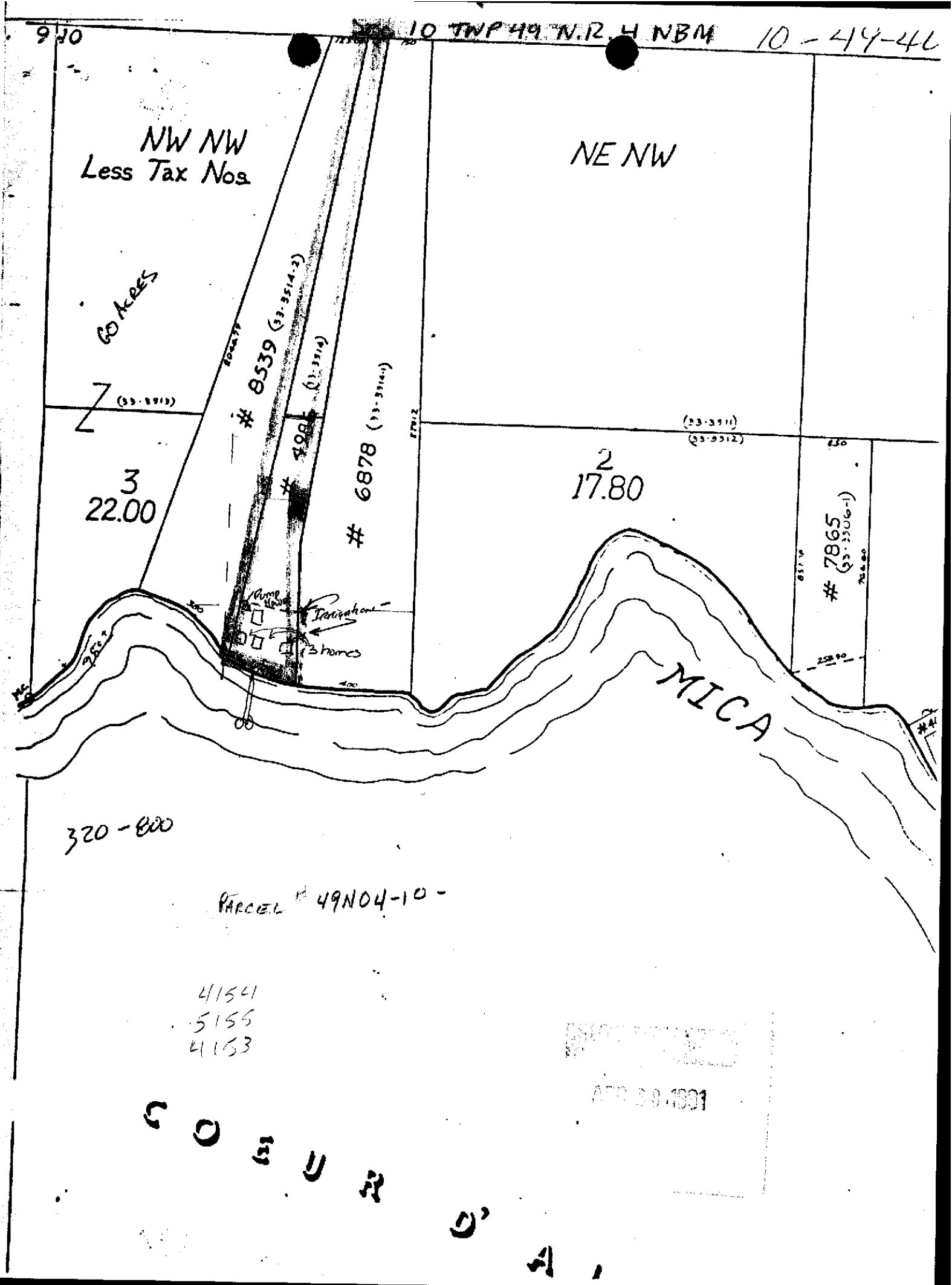
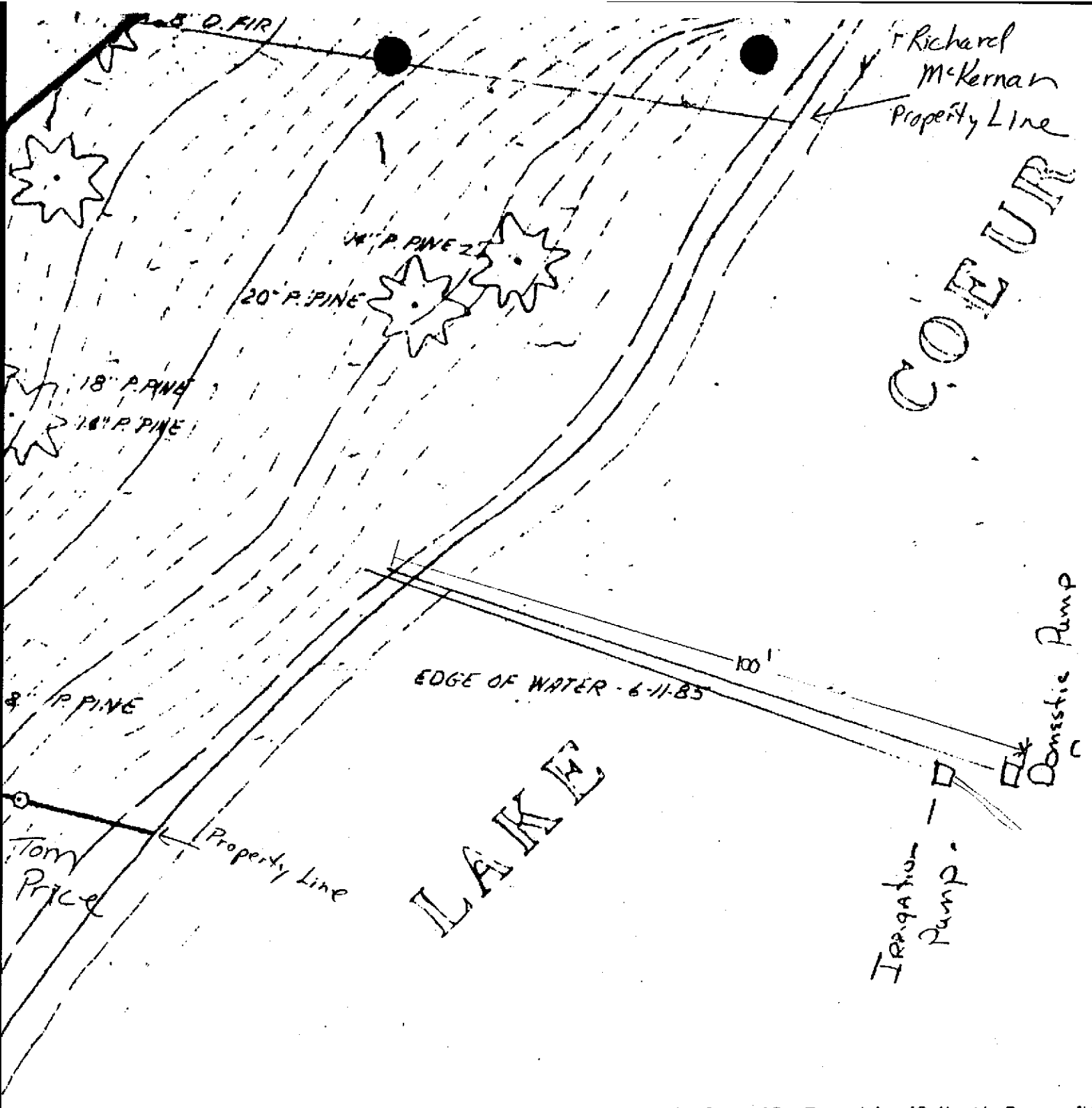
APR 25 1991


10 TWP 49 N. 12 W NBM
10 - 49 - 4W
NW NW
Less Tax Nos
NE NW
60 Acres
8539 (33-3514-2)
6878 (33-3514)
7865 (33-3306-1)
3
22.00
2
17.80
(33-3511)
(33-3512)
Pump House
Transformer
3 Homes
MICA
320 - 800
PARCEL # 49N04-10-
4154
5155
4153
COEUR D' A



NW 1/4, Sec. 10, Township 49 North Range 4W

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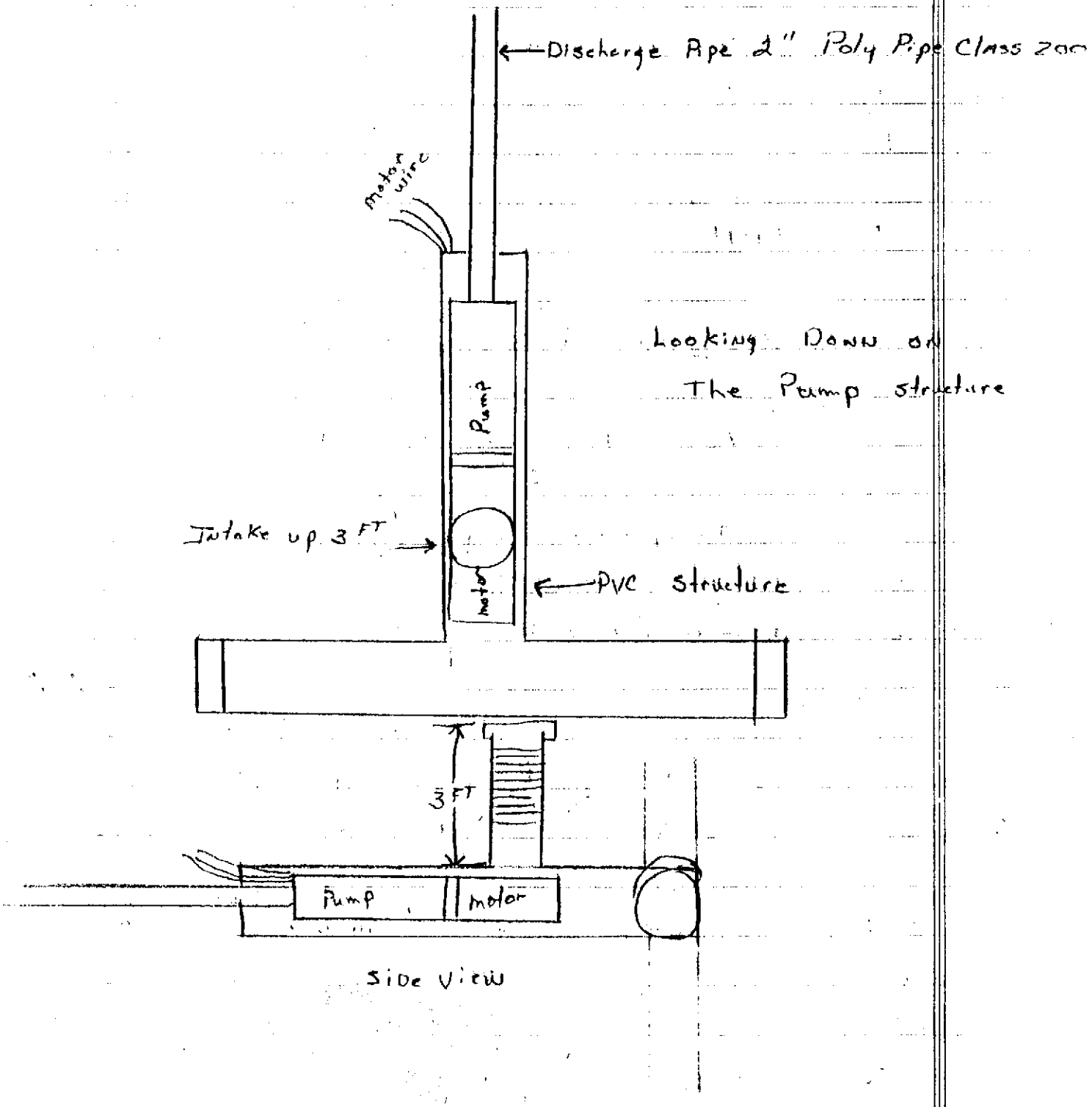
APR 23 1991

1" = 20'


Discharge Ape 2" Poly Pipe Class 200
Motor wire
Looking Down on
The Pump structure
Pump
Intake up 3 FT
PVC structure
3 FT
Pump
Motor
Side View

6A

DOMESTIC AND IRRIGATION WATER AGREEMENT

This agreement made and entered into this 15th day of January, 1991, by and between Kelly N. Nelson, Richard V. McKernan, and John D. Beebe, Jr. as follows:

Kelly N. Nelson, Richard V. McKernan & John D. Beebe, Jr. agree to pay for and install 2 pumps both for irrigation and domestic water use, a pump house to accommodate holding and pressure tanks and filtration systems and all the necessary lines which will traverse throughout the 3 adjoining properties. The pumps and tanks shall be of such a size as to comfortably service 3 single family dwellings.

RECITALS:

A. Beebe owns real property located in Kootenai County described on Exhibit "A" attached hereto and incorporated herein by reference.

B. McKernan owns real property described on Exhibit "B" attached hereto and incorporated herein by reference.

C. Nelson owns real property described on Exhibit "C" attached hereto and incorporated herein by reference.

1. Each of the parties agree that after the installation of the pump house, tanks, pumps and lines, the expense of caring and maintaining this entire system including the utility building shall be born by the individuals utilizing the same in equal shares. If any party fails to pay its proportionate share of the expenses associated with operation of the water system, the non-defaulting parties shall be entitled to recover their court costs and attorney's fees incurred in recovering said sums from the defaulting party or parties.

2. The exact location of the pump house, water lines and pumps has not been determined with any degree of accuracy. It is understood that the submersible pumps and lines will have entry into the lake on the Nelson property with 2 lines running approximately at the lot line of Nelson/McKernan connecting the pump house located on the property of Nelson/McKernan between their 2 proposed garage sites. From this pump house, lines will cross various properties on the south side of the road servicing the 3 residences.

3. Each of the parties shall have the responsibility of paying any and all expenses associated with the care and maintenance of

11C

the system.

4. This agreement shall be binding upon the heirs, successors and assigns of the parties hereto, and this agreement may be recorded of record in order to give notice of the responsibilities of each party concerning the common sewer system.

In witness whereof, the parties hereto have set their hands the day and year first above written.

John D. Beebe, Jr.

Richard V. McKernan

Kelly N. Nelson

APR 23 19

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

January 31, 1996

KELLY N NELSON
TAD LEACH
RICHARD V MC KERNAN
N 7488 GOVERNMENT WAY
COEUR D ALENE ID 83814

RE: WATER RIGHT NO. 95-08682

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 Watte Keen

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED
FEB 26 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 95-08682 DATE 1-29-96

BRENDA

	Change	OK	
NAME	___	✓	Or Address Change?
PRIORITY DATE	___	✓	Advance? ___ Advanced to: _____ Order to reinstate needed? _____ Incorrect fee for rate recommended? NO
SOURCE	___	✓	Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? _____
POINT OF DIV	___	✓	Amendment needed? _____
	___	✓	Overlaps? _____
PLACE OF USE	___	✓	Amendment needed? Add Gov Lot 3 here also.
	___	✓	Overlaps? _____
DIV RATE	___	✓	Permit/fee limits: .16 CFS IRR @ .08 - 4 acres dom @ .08 - 3 homes Meas Q = _____ Theo Q = .30 Recommend: .08 8.8 X .7 X 5 HP 10 + (2.31 X 40) = .30 3 homes @ .08 Combined rates exceed capacity _____
ANNUAL VOLUME	✓	___	Volume Limit: _____ Season: 1-1 to 12-31 Calculations: _____ 3 X 1.2 = 3.6 Flow limit: ____ cfs x ____ x 1.9835 = _____ Combined volumes exceed capacity/allowable _____
USES	___	✓	Change in Nature of Use or additional uses? _____ Amendment necessary? _____
ADDITIONAL INFO	___	✓	Replaces Surface Water 050 Supplemental GW _____
	___	✓	Irr/Dom Combination WB5 PPU Recommendation _____
	___	✓	Boise River/Wood River Source Aes/Rec Uses W38
NEW REMARKS	___	✓	Multiple p/d(s) in ¼ ¼? _____
	___	✓	Other _____
NEW CONDITIONS	___	✓	WM Control- District ____ Meas/Lock Devices ____
	___	✓	Irrigation Overlap
	___	✓	Other _____
	___	✓	Water Quality _____ Heat/Cool/Fish verified ____

COMMENTS: Reduce rate & delete irrigation use.

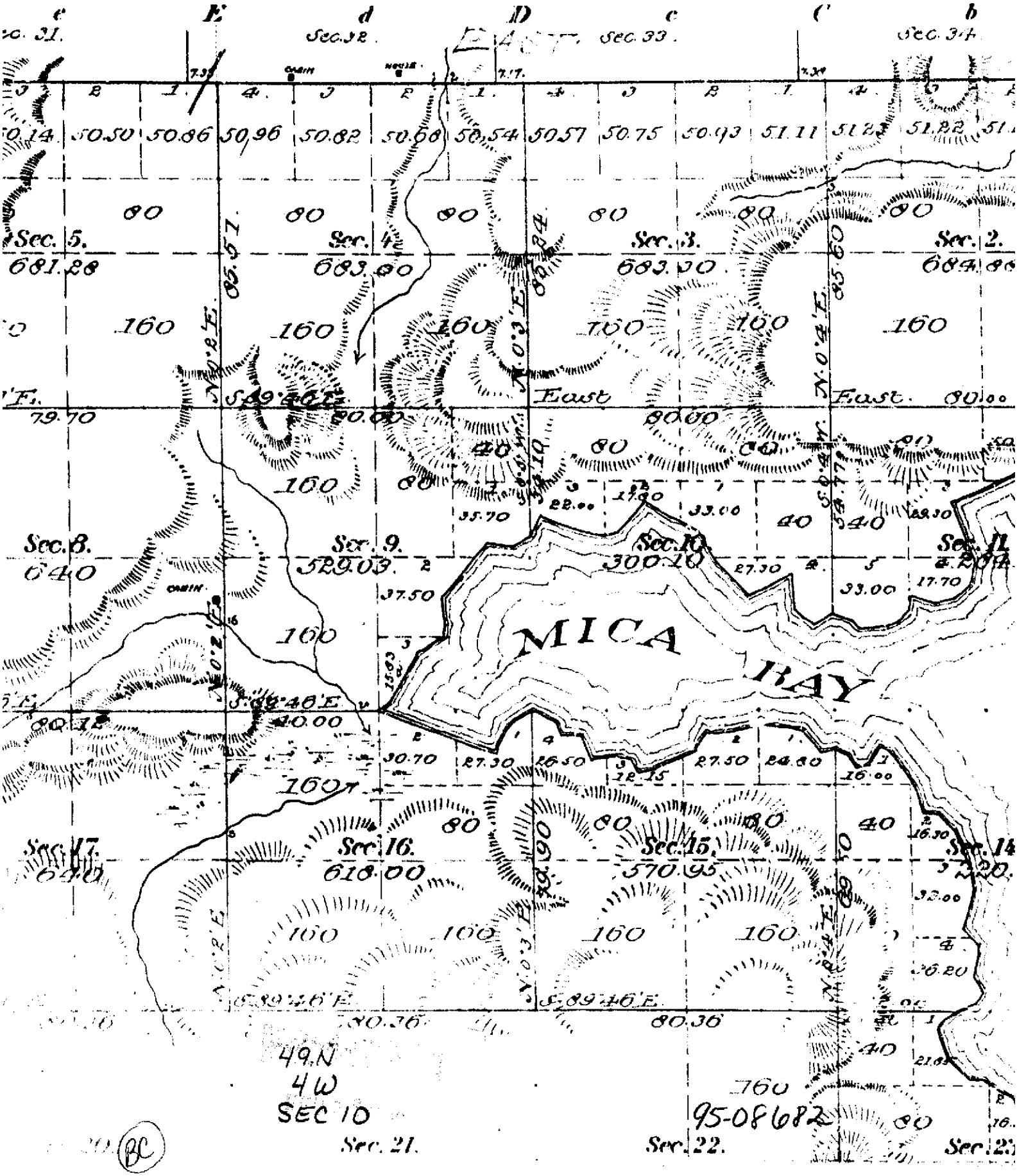
RECOMMENDATION	CFS	VOLUME
Domestic	.08	3.6

SRBA Claim Filed NA
Adjustment Memo Needed YES

LICENSE ✓

1ST AMEND LETTER _____
2ND AMEND LETTER _____

orth Range No 4 West of the Boise



MEMORANDUM

TO: File 95-08682 / Richard V. McKernan

FROM: Brenda Chapman

DATE: January 29, 1996

RE: Recommendation Adjustment(s)

==========

The final licensing recommendations for Right 95-08682 are based on the information below:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Domestic	1-01 to 12-31	.08	3.6

The standard volume recommendation for 3 domestics internal/external use of 3.6 af is being made.

FEB 2 6 1996

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Form 219
6/92
DEC 14 1994
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 95-8682

1. Owner: Richard V Mc Kernan Phone No. (208) 667-1185

Current Address: N 7488 Government Way Coeur D Alene Id 83814

2. Accompanied by: — EXAM DATE: 8-22-94

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Coeur D Alene Lake tributary to Spokane River

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	NW	10	49N	04W	Kootenai	USGS 7.5 min quad

2. **Place(s) of Use:** Indicate Method of Determination _____

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
49N	04W	10							D										

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FEB 06 1995

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = _____

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 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	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
*	Domestic	01-01	12-31	.08	2.4
			Totals:	.08	2.4

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None

___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

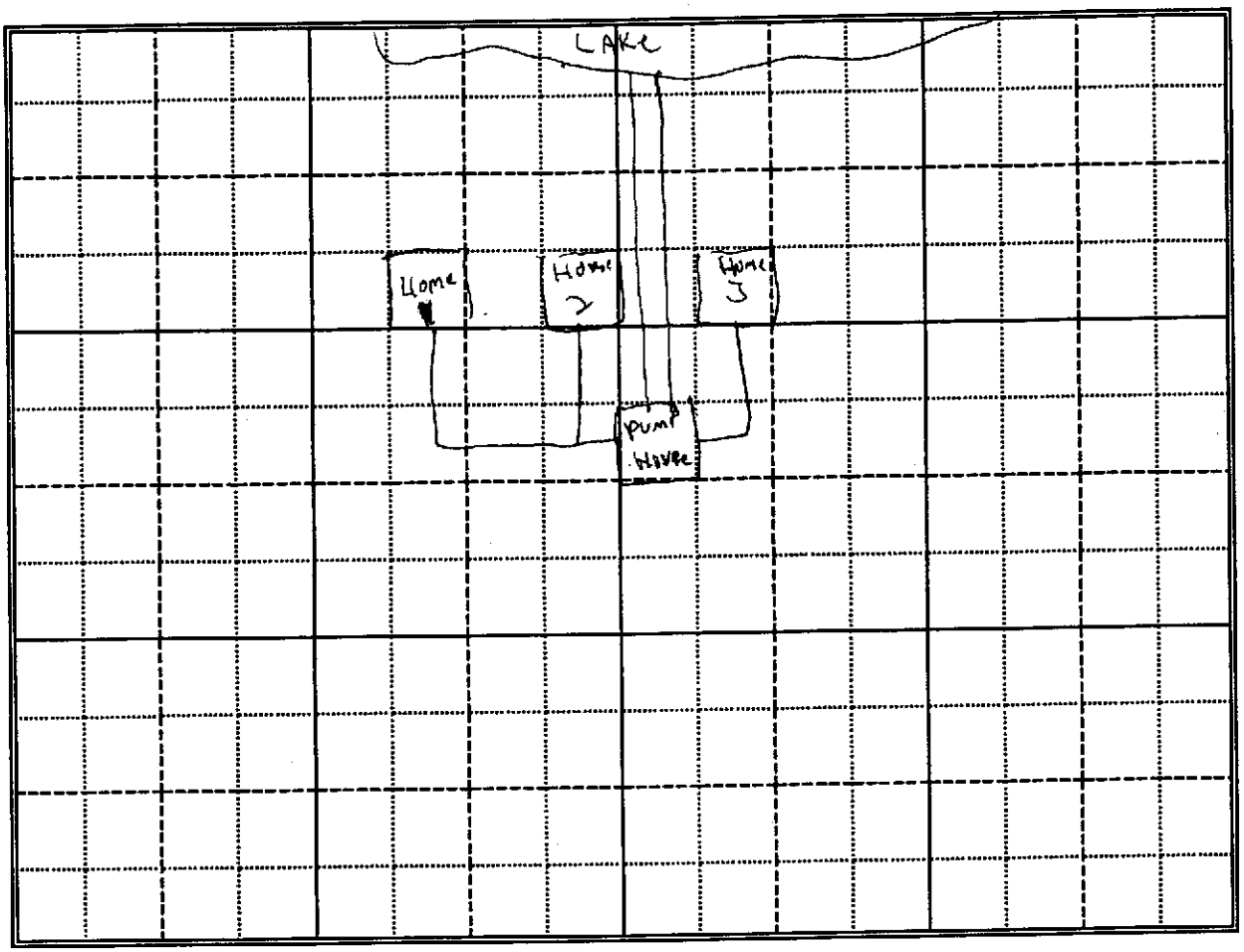
Field Examiner's Name Ted McCracken Date 8-23-94

Reviewer _____ Date _____

SEAL

* See adjustment memo. BC

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



Scale: 1" = _____.

____ Copy of USGS Quadrange 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
		5		Submersible	

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

D. FLOW MEASUREMENTS

1.

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

2. **Measurements:** _____

_____

_____

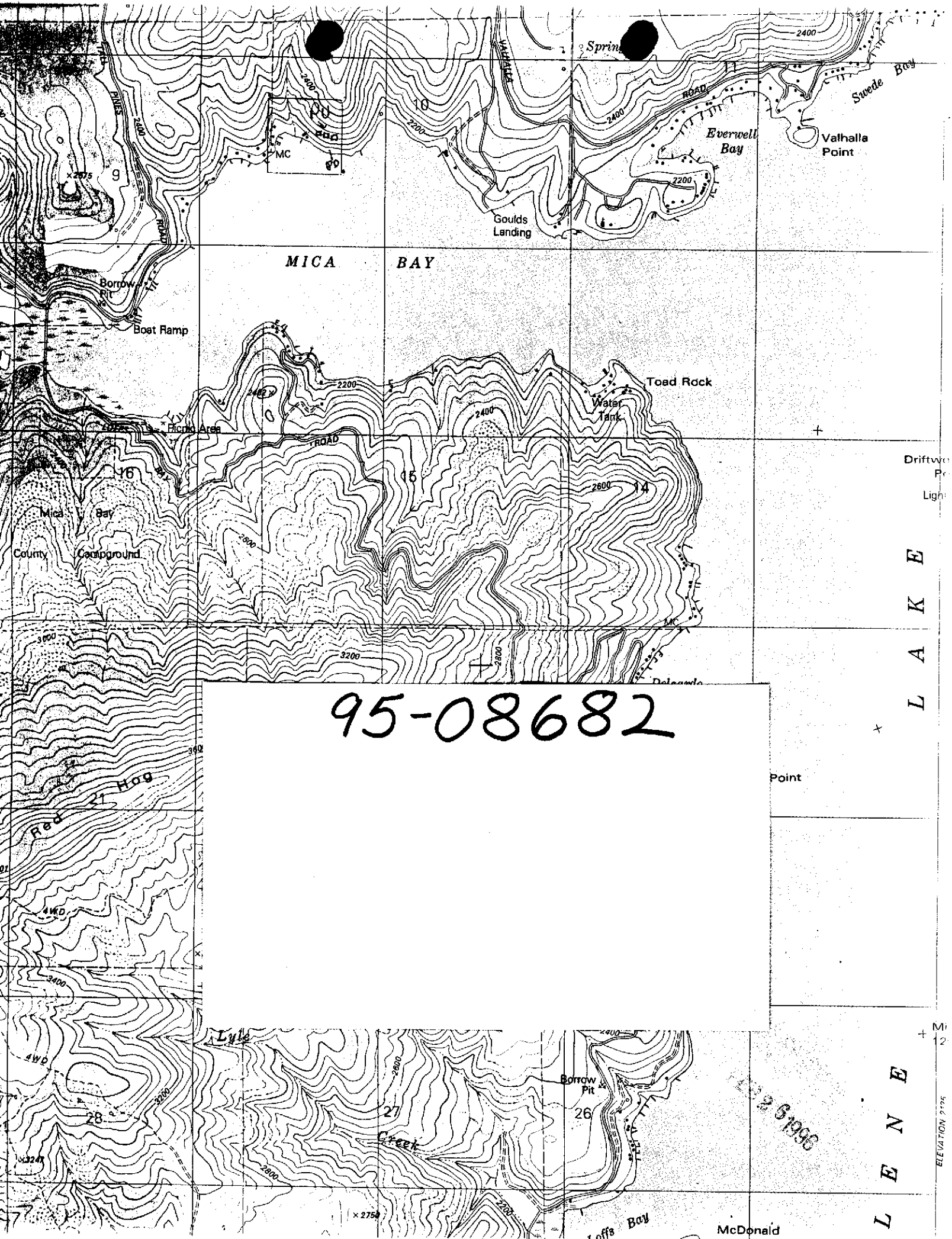
FEB 26 1996

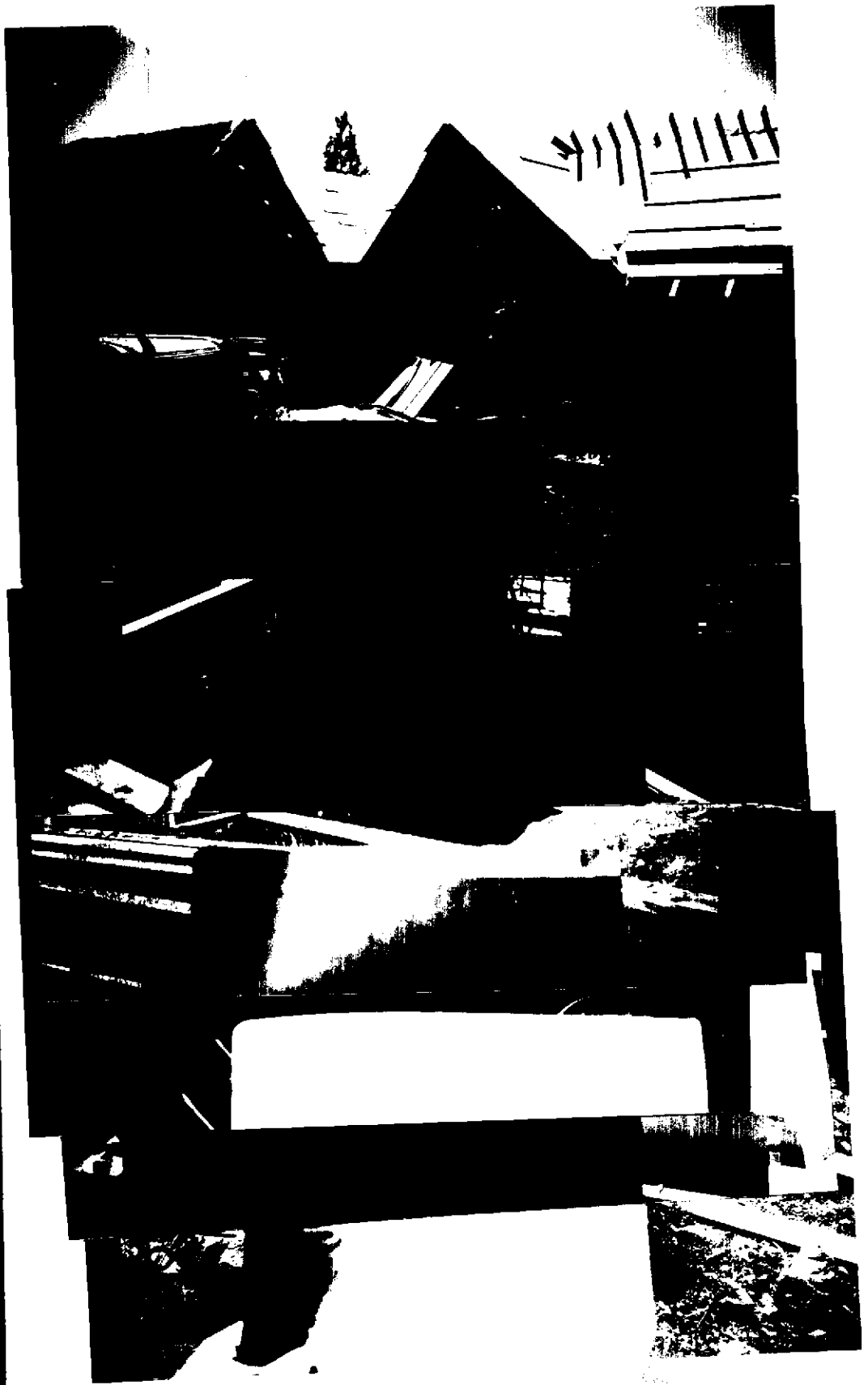
E. NARRATIVE/REMARKS/COMMENTS

WATER FOR 3 HOMES, NO IRRIGATION FOUND

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

FEB 2 0 1992


MICA BAY
LAKE
Swede Bay
Everwell Bay
Valhalla Point
Goulds Landing
Toad Rock
Water Tank
Boat Ramp
Borrow Pit
Picnic Area
Mica Bay County Campground
Point
Lyle Creek
Borrow Pit
McDonald
Loffs Bay
ROAD
MC
4WD
95-08682



FEB 6 1996

95-08682

FEB 2 6 1996

95-08682

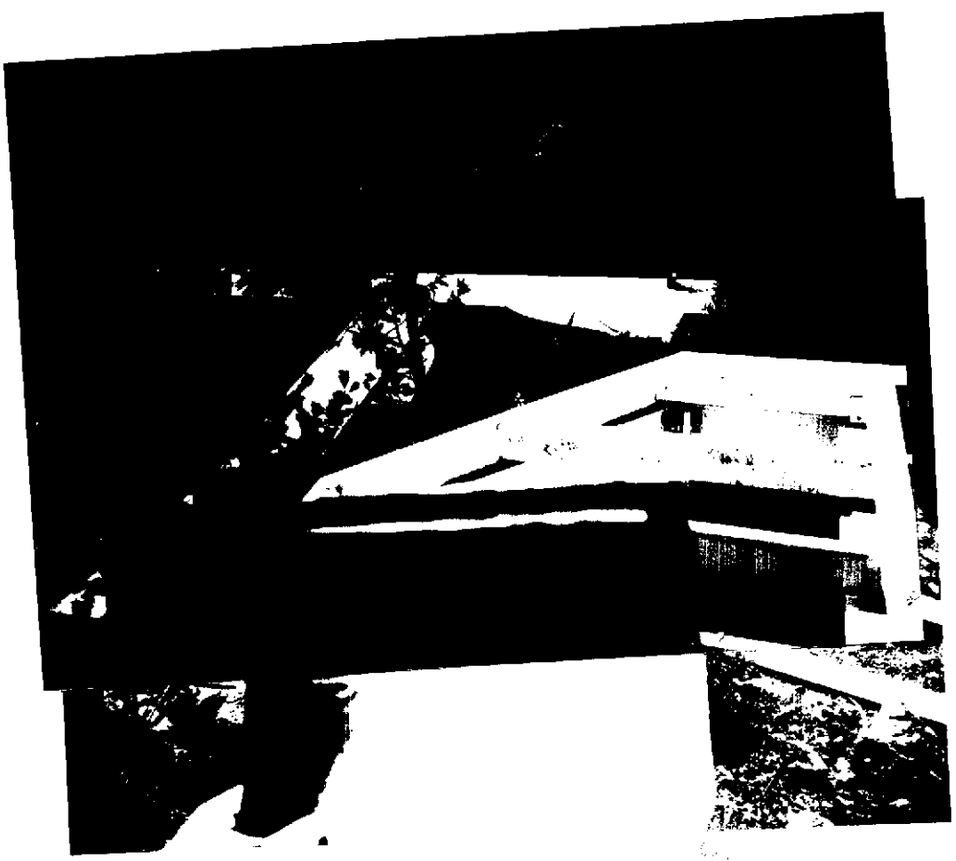
[redacted]

FEB 2 6 1996

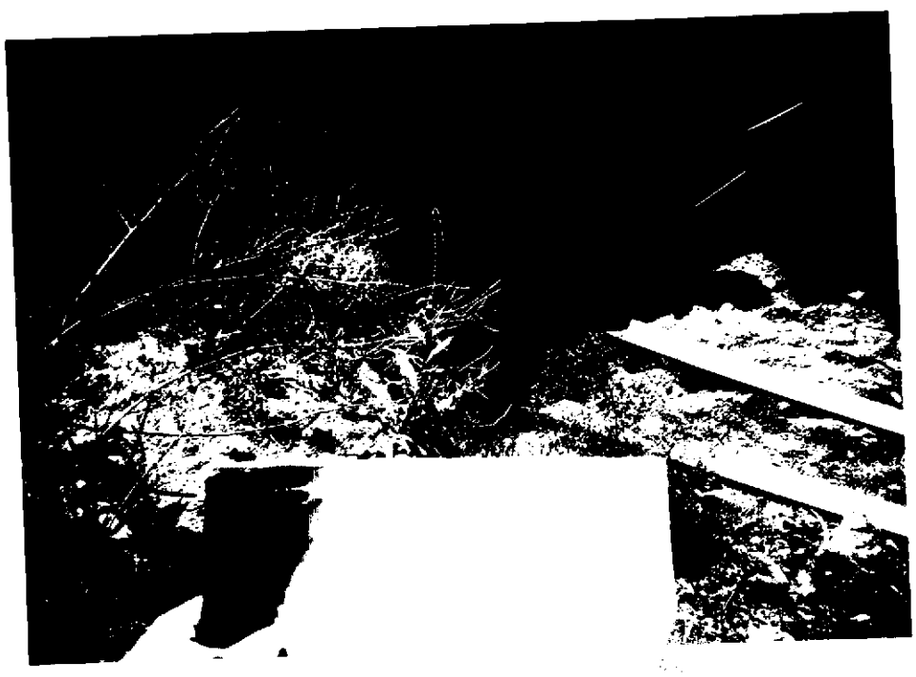
95-08682

FEB 2 6 1996

95-08682



95-08682



FEB 2 6 1996

95-08682

RECEIVED
APR 2 8 1994
D... ...Resources

April 25, 1994

Julie L. Yarbrough
State of Idaho Department of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, ID 83720-9000

RE: Permit No. 95-08682

Dear Ms Yarbrough:

On February 25, 1994 we received your notice on Proof of Beneficial Use acknowledgement. At this time we are waiting for our final examination and look forward to hearing from you.

Thank you for your help.

Sincerely,

Kelly N. Nelson

KNN:dd

... 6 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

April 21, 1994

RICHARD V MC KERNAN
KELLY N NELSON
TAD LEACH
N 7488 GOVERNMENT WAY
COEUR D ALENE ID 83814

Re: Permit No. 95-08682

Dear Water Right Holders:

We acknowledge receipt of the correspondence assigning the ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

c: Art Kress & Sons Inc

APR 21 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

RECEIVED
APR 04 1994
Department of Water Resources

APR 21 1994

RETURN TO SENDER
NO MAIL RECEPTACLE
DATE 4/1 CARRIER B4

TAD LEACH
6706 TALL PINES RD
COEUR D ALENE ID 83814

RETURNED TO SENDER
REASON CHECKED
Unclaimed
Attempted
Insufficient
No such
No such office in state
Do not remail in this envelope

MAR30'94
IDAHO
U S POSTAGE
0.24
PB METER
6736669

95-8682

[redacted]

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

March 28, 1994

JOHN D BEEBE, JR
505 FRONT AVE STE 201
COEUR D ALENE ID 83314

RE: Permit No. 95-08682

Dear Mr. Beebe:

In follow-up of our telephone conversation today, I am forwarding to you a partially completed 'Assignment of Permit' form. This form assigns your interest in the above referenced permit to Tad Leach while at the same time leaving the permit intact and leaving Mr. McKernan's and Mr. Nelson's interest in the permit unchanged.

I am also returning to you the assignment form you submitted earlier. As I explained to you, the assignment you submitted does not clearly show what you intend to assign to Tad Leach. The partially completed form that I have provided will replace your previously submitted assignment.

Please sign the form and have your signature notarized, then return the form to me in the envelope provided. Upon receiving the signed and notarized assignment, I will modify our database to remove your name as part owner and include Tad Leach with Richard McKernan and Kelly Nelson as current owners of the permit.

If you have any questions or need further assistance, please feel free to contact me directly at 327-7944.

Sincerely,

Cindy Zimmerman

CINDY ZIMMERMAN
Water Resource Agent

Enclosures

c: Richard V McKernan
Kelly N Nelson
Tad Leach

RECEIVED
APR 11 1994

06/93

State of Idaho

DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 28 1994
Department of Water Resources

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, JOHN D. BEEBE, JR. (Permit Holder), hereby assign to TAD LEACH

of 6706 TALL PINES ROAD COEUR D'ALENE, ID 83814 (Full Address)

All my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to Permit No. 95-08682 to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision, point of diversion location, and the amount of water in cubic feet per second.

1/3 PORTION OF 4.00 ACRES OR 0.08 CFS FOR 3 HOMES WITH TOTAL DIVERSION OF 0.16 CFS

Made this 25TH day of MARCH, 19 94.

Permit Holder(s)

State of Idaho)
ss
County of Kootenai)

On this 25th day of March, 1994, personally appeared before me the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Marilyn Courrier
Notary Public

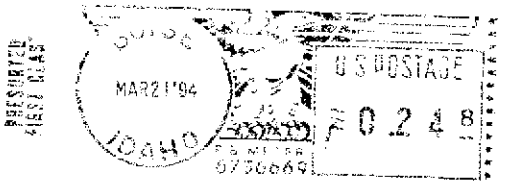
SEAL

Marilyn Courrier
Signature

My commission expires: 9/23/94

APR 21 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
[redacted] North Orchard Street
[redacted], Idaho 83706-2237



[redacted]

RETURN TO SENDER
NO MAIL RECEPTACLE
DATE CARRIER

APR 21 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 18, 1994

TAD LEACH
6706 TALL PINES RD
COEUR D ALENE ID 83814

RE: Permit No. 95-08682

Dear Mr. Leach:

I recently received an 'Assignment of Permit' form identifying you as new owner of the above referenced permit.

I am returning your assignment form because the assignment form is not acceptable as submitted.

The assignment does not clearly show whether owners of record are assigning the entire permit or a portion of the permit to you. The owners of record may assign *either* the entire permit *or* a portion of the permit but not both.

Also, the rate of diversion identified on the assignment (5.00 acre/feet or 5.333 cfs) is in excess of the total rate of diversion identified on the permit.

Permit no. 95-08682 identifies water use of 0.08 cfs for irrigation use for 4 acres and 0.08 cfs for domestic use for 3 homes, with a total rate of diversion of 0.16 cfs.

I have also enclosed a new 'Assignment of Permit' form for the owners of record to complete.

If you have any questions or require assistance, please feel free to contact me directly at (208) 327-7944.

Sincerely,

Cindy Zimmerman

CINDY ZIMMERMAN
Water Resource Agent

Enclosures

c: Permit Holders: Richard V. McKernan
Kelly N. Nelson
John D. Beebe, Jr.

06/93

State of Idaho
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 18 1994
Department of Water Resources

ASSIGNMENT OF PERMIT
To change the ownership of a permit

I, JOHN D. BEEBE, JR. (Permit Holder), hereby assign to TAD LEACH
of 6706 TALL PINES ROAD COEUR D'ALENE, ID 83814 (Full Address)

All my right, title, and interest in and to Permit No. 95-08682 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to Permit No. 95-08682 to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision, point of diversion location, and the amount of water in cubic feet per second.
5.00 ACRES/FT. OR 5.333 CFS

Made this 10th day of March, 19 94.

Permit Holder(s)

State of Idaho)
ss
County of Kootenai)

On this 10th day of March, 1994, personally appeared before me the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Marilyn Courrier
Notary Public

SEAL

Marilyn Courrier
Signature

My commission expires: 9-23-94

06/93

State of Idaho
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, _____, hereby assign to _____
(Permit Holder)

of _____
(Full Address)

All my right, title, and interest in and to Permit No._____ to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision, point of diversion location, and the amount of water in cubic feet per second.

_____

_____

_____

_____

_____

Made this _____ day of _____, 19_____.

_____
Permit Holder(s)

State of Idaho)
ss
County of _____)

On this _____ day of _____, 199_____, personally appeared before me the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

_____
Notary Public

SEAL

_____
Signature

My commission expires: _____

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

March 18, 1994

TAD LEACH
6706 TALL PINES RD
COEUR D ALENE ID 83814

RE: Permit No. 95-08682

Dear Mr. Leach:

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I have also enclosed a new 'Assignment of Permit' form for the owners of record to complete.

If you have any questions or require assistance, please feel free to contact me directly at (208) 327-7944.

Sincerely,

Cindy Zimmerman

CINDY ZIMMERMAN
Water Resource Agent

Enclosures

c: Permit Holders: Richard V. McKernan
Kelly N. Nelson
John D. Beebe, Jr.

APR 21 1994

06/93

State of Idaho
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 18 1994
Department of Water Resources

ASSIGNMENT OF PERMIT
To change the ownership of a permit

I, JOHN D. BEEBE, JR. (Permit Holder), hereby assign to TAD LEACH

of 6706 TALL PINES ROAD COEUR D'ALENE, ID 83814 (Full Address)

All my right, title, and interest in and to Permit No. 95-08682 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to Permit No. 95-08682 to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision, point of diversion location, and the amount of water in cubic feet per second.

5.00 ACRES/FT. OR 5.333 CFS

Made this 10th day of March, 19 94.

Permit Holder(s)

State of Idaho)
ss
County of Kootenai)

On this 10th day of March, 199 94, personally appeared before me the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Marilyn Courrier
Notary Public

SEAL

Marilyn Courrier
Signature

My commission expires: 9-23-94

APR 21 1994

February 25, 1994

Richard V. McKernan
Kelly N. Nelson
John D. Beebe, Jr.
N. 7488 Government Way
Coeur d'Alene, ID 83814

PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 95-08682

Dear Permit Holder:

The Department is in receipt of the proof of beneficial use and the $475.00 license exam fee filed in connection with the above referenced permit.

The proof of beneficial use and your permit authorize the diversion rate of 0.16 cfs. The license exam fee for 0.16 cfs is only $50.00. Therefore, you are entitled to a $425.00 refund from the department. I have begun the process to refund the $425.00 license examination fee you submitted. The process takes approximately one (1) week and will arrive under separate cover.

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 any questions concerning this matter, please feel free to contact me or the NORTHERN Regional Office in Coeur d'Alene, at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

C: IDWR - Region, Fiscal

APR 21 1994

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 95-08682 Reviewed by [signature] Date 2-22-94

GENERAL CONSIDERATIONS

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

TYPES OF USE

Dom.

Correct Uses? yes

SOURCE OF WATER

X Surface water source
____ Ground water source
____ Drilling permit required?
____ Copy in the file? Drilling Permit No. ____
____ Amount paid for permit ____ Correct?
____ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
475.00 Amount Submitted
no Correct? - refund 425.00

MEASURING DEVICE

no Required?
____ Installed?
____ Waiver requested?

PRIORITY CALCULATION

Date proof received			
Date proof due		-	
No. of days late		=	
Priority Date		+	
New Priority Date			

DEFICIENCIES OR ACTION ITEMS

Proof acceptable - exam fee only 50.00 - refund 425.00 !

DATA ENTRY
New Address ____

Proof Made 2-11-94

January 31, 1994

JOHN D. BEEBE, JR.
RICHARD V. MC KERNAN
KELLY N. NELSON
N. 7488 GOVERNMENT WAY
COEUR D ALENE ID 83814

PROOF DUE NOTICE

RE: PERMIT NO. 95-08682

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 April 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.

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 1 1994

CERTIFIED MAIL
NO. 141108

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

April 12, 1991

JOHN D. BEEBE, JR.
RICHARD V. MC KERNAN
KELLY N. NELSON
N. 7488 GOVERNMENT WAY
COEUR D ALENE, ID 83814

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-08682

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,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai, } ss.

Julie Jacob 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 21st day of February, 19 91, and ending on the 28th day of February, 19 91, 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.

Julie Jacob

Subscribed and sworn to before me this 28th day of February, 19 91.

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

ROBERTA MANLEY
My commission expires 9-3-93

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-08681
SYLTE, GORDON D.
SYLTE, EVELYN G.
RT. 4, BOX 854
RATHDRUM, ID 83858
Source: GROUNDWATER
Diversion Pt: NENENE Sec 28T 52N R04W

Use: IRRIGATION (.240 CFS); DOMESTIC (.110 CFS); Total Diversion: (.300 CFS)
Date Filed: 2/11/1991
In: T52N R04W S21 SESE; S28 NENE
16.0 ACRES TOTAL

95-08682
BEEBE, JR., JOHN D.
MC KERNAN, RICHARD V.
NELSON, KELLY N.
N. 7488 GOVERNMENT WAY
COEUR D ALENE, ID 83814

Source: COEUR D ALENE LAKE Tributary: SPOKANE RIVER
Diversion Pt: LOT 3 (SESWNW) Sec 10 T 49N R 04W
Use: IRRIGATION (.080 CFS); DOMESTIC (.080 CFS); Total Diversion: (.160 CFS)

Date Filed: 1/31/1991
In: T49N R04W S10 SWNW
4.0 ACRES TOTAL

3/4/91

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 MARCH 11, 1991.

R. KEITH HIGGINSON, Director

Legal 71
2, 21, 28, 1991

RECEIVED
MAR 0 1 1991
NORTHERN REGION
IDWR

95-08682

BEEBE, JR., JOHN D.
MC KERNAN, RICHARD V.
NELSON, KELLY N.
N. 7488 GOVERNMENT WAY
COEUR D ALENE, ID 83814

Source: COEUR D ALENE LAKE Tributary: SPOKANE RIVER

Diversion Pt: LOT 3 (SESWNW) Sec 10 T 49N R 04W

Use: IRRIGATION (.080 CFS)
DOMESTIC (.080 CFS)
Total Diversion: (.160 CFS)

Date Filed: 1/31/ 1991

In: T49N R04W S10 SWNW

4.0 ACRES TOTAL

APR 23 1991

IDAHO DEPARTMENT OF LANDS
1215 W. State Boise Idaho 83720-7000

STANLEY F. HAMILTON
DIRECTOR

BOARD OF LAND COMMISSIONERS
CECIL D. ANDRUS
Governor
PETE T. CENARRUSA
Secretary of State
LARRY ECHOHAWK
Attorney General
J.D. WILLIAMS
State Auditor
JERRY L. EVANS
Sup't of Public Instruction

RECEIVED
MAR 0 7 1991
NORTHERN REGION
I D W R

March 4, 1991

TO: Department of Water Resources
Northern Region

FROM: Bryce D. Taylor
Leasing Specialist

RE: 95-08682
John Beebe, Jr.
Richard McKernan
Kelly Nelson

The above numbered application involves a navigable lake. The applicant will need to contact the Idaho Department of Lands' Lake Protection Act administrative office in Coeur d'Alene to obtain an encroachment permit.

Bryce

BDT:lr

c: Will Pitman,
LPA, Mgr.

FILMED
IDWR RS 1C

State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 14, 1991

Idaho Dept. of Lands
Statehouse
Boise, Id. 83720

Re: 96-8632

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

Celebrate IDAHO
1890 · CENTENNIAL · 1990