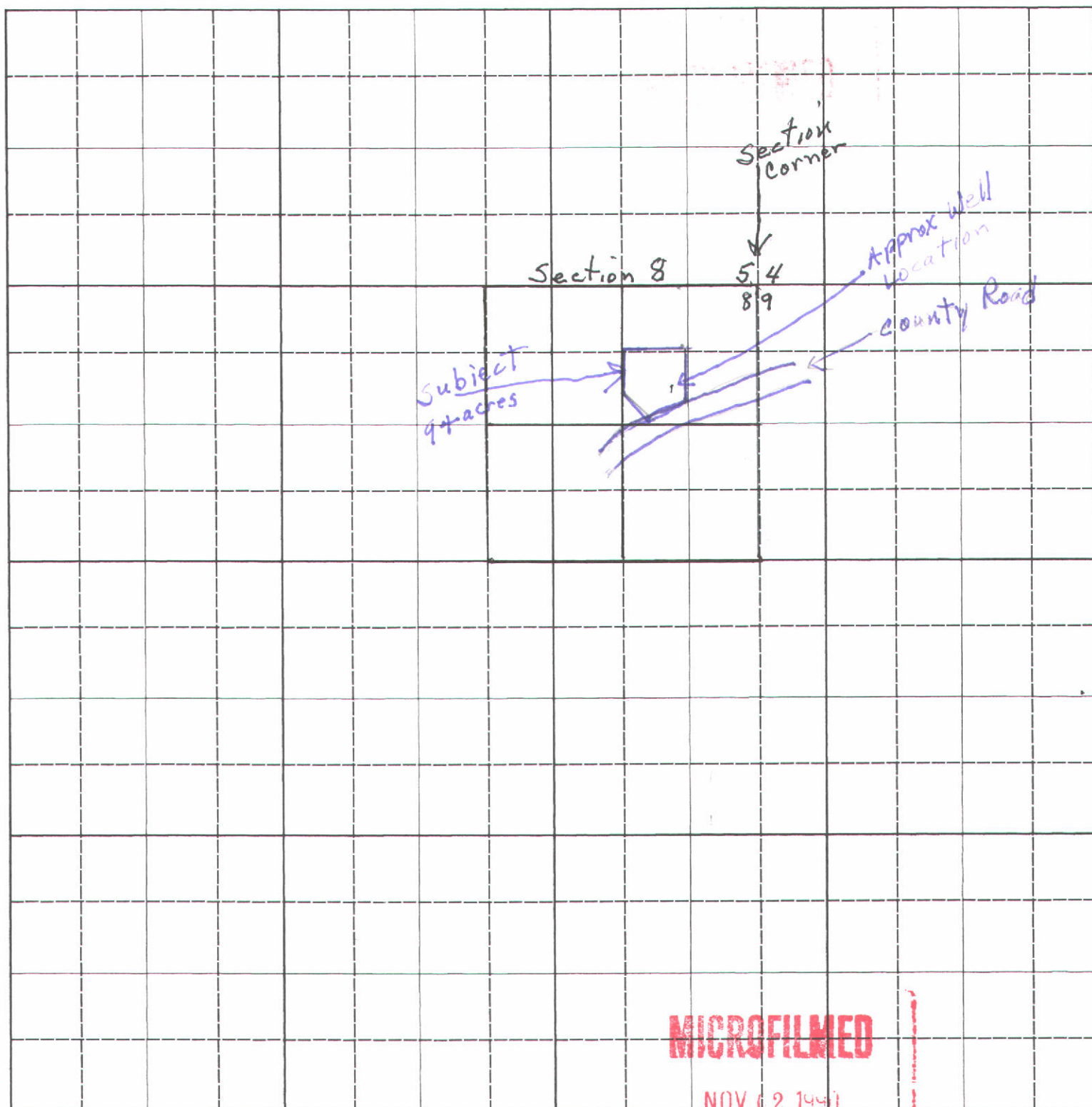


NOV 02 1949

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



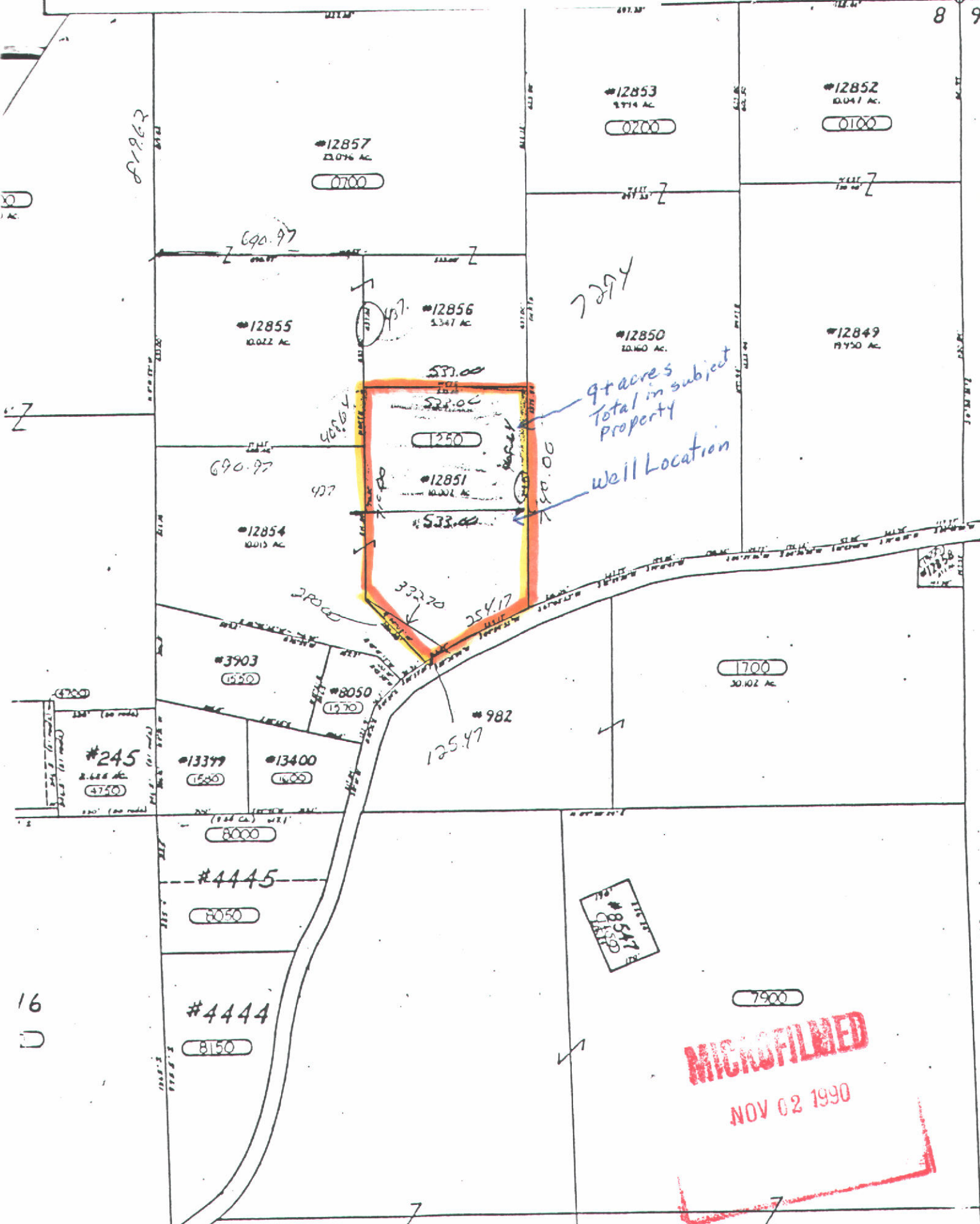
Scale: 2 inches equal 1 mile.

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

Joseph S. Delany
John F. Delany
(Applicant)

EXHIBIT "B"

5 4
8 9

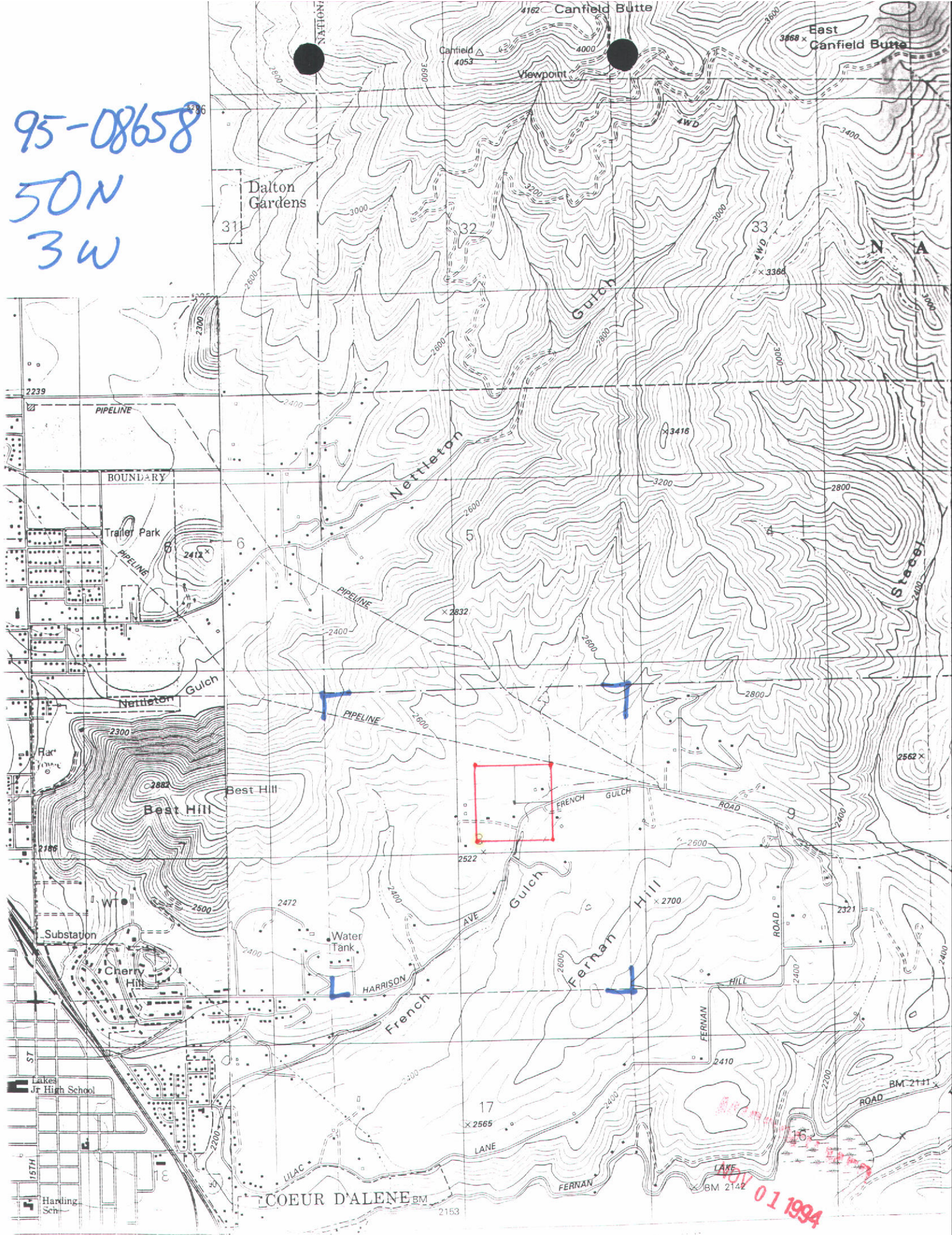


MICROFILMED
NOV 02 1990

95-08658

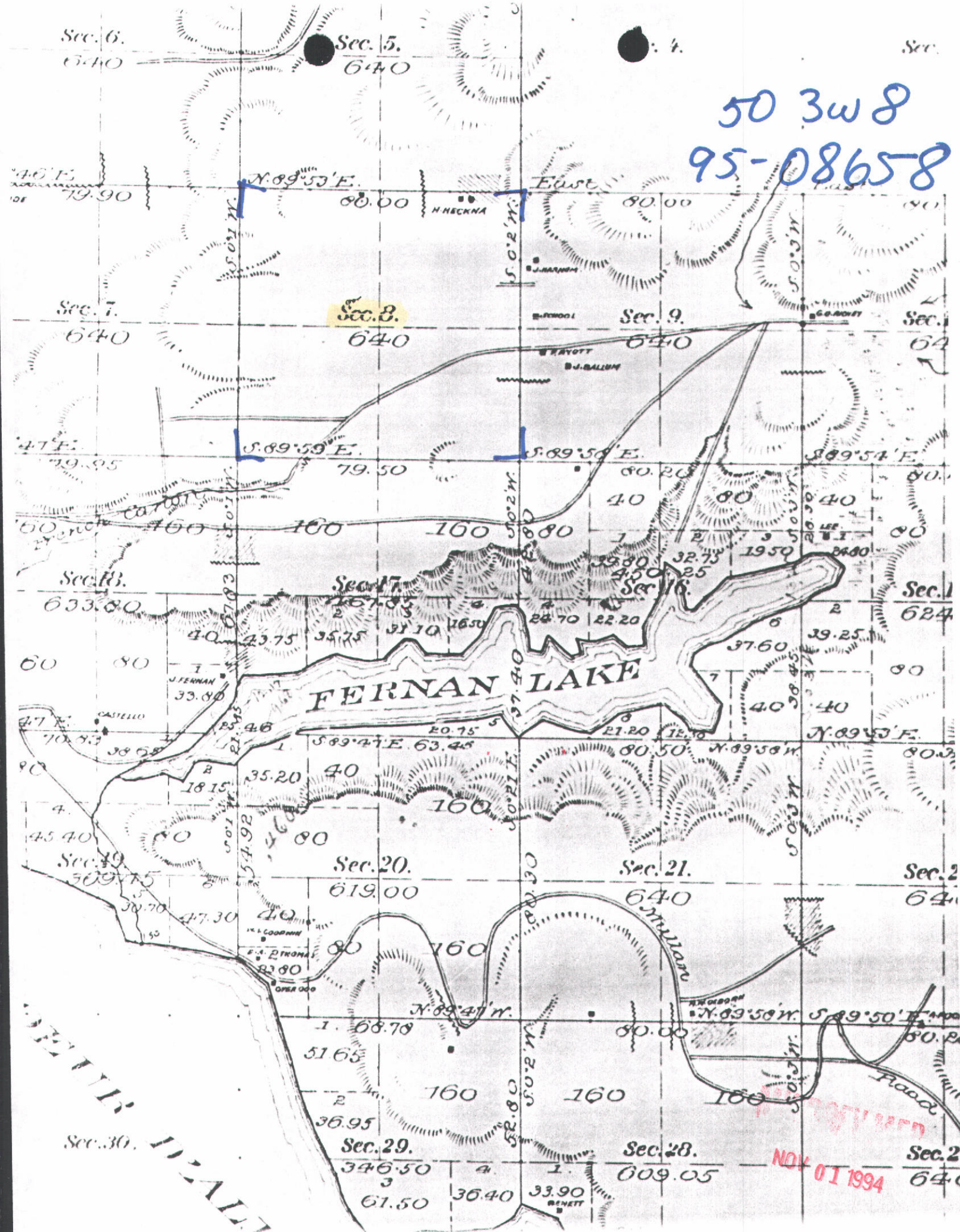
50N

3W



527

503w8
95-08658



95-08658

Mr. Stavish's
Home
P.U.



Mr. Stavish's
Well

P.D.



MISSOURI

NOV 01 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-08658

Priority: July 11, 1990

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.2 AF

This is to certify, that GREGORY P STAVISH
JEANETTE M STAVISH

4315 E FRENCH GULCH RD
COEUR D ALENE ID 83814

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 19, 1990; and has submitted Proof of Beneficial Use on November 2, 1993. An examination indicates that the works have a diversion capacity of .050 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>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: SWNE , Sec. 8, Township 50N, Range 03W
KOOTENAI County

PLACE OF USE: DOMESTIC

TWN RGE SEC

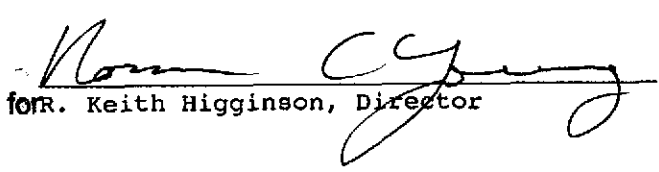
50N 03W 8

SWNE

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.

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 30 day of OCTOBER, 1994.


Acting for. Keith Higginson, Director

NOV 01 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 95-08658)
IN THE NAME OF GREGORY P OR JEANNETTE STAVISH) ORDER OF
REINSTATEMENT)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before October 1, 1993; and,

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

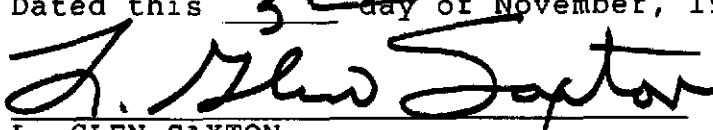
WHEREAS, the Department notified the permit holder that the permit had lapsed for failure to submit the proof of beneficial use; and,

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on November 2, 1993;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 95-08658 be REINSTATED with an advance in priority to July 11, 1990.

Dated this 3rd day of November, 1993.


L. GLEN SAXTON
Chief, Water Allocation Bureau

RECORDED

DEC 06 1993

RECEIVED

NOV 02 1993

Department of Water Resources

OFFICE USE ONLY

Amt. of Fee \$ 50.⁰⁰

Date 11-2-93

Receipt No. C028910

Receipt by J. W. S. S. S.

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. 95-08658 Telephone No. (818) 303-2531
2. Name(s) of Permit Holder(s): GREGORY P. OR Jeannette M. STAVKA
3. Mailing Address: P.O. Box 1729, Monrovia, Ca 91019
4. Source of Water: well

If GROUNDWATER, Well Driller's Name: H2O Well Hayden Lake Date Drilled: 9/90
(208) 772-4004

OPTIONAL:

Pump horsepower: 3/4 Pressure (psi): 40 Dynamic pumping level (ft.): 100'

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

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

Irrigation 0 (No. of acres) Other 7 gal/minute

6. Total rate and/or volume for which proof is submitted 0.1 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.

GREG JORDAN, (owner) (608) 667-4955
Name Telephone No.

4315 E. French Gulch Rd, CRA, 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.

10/29/93 Gregory P. Stak, owner DEC 06 1993
Date Signature (and title, if on behalf of a company or organization)

RECORDED
C# 601
\$ 50.00
enclosed

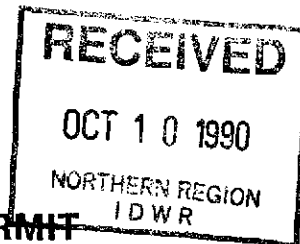
WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	95-8658	Delay, Joseph P. Delay, Helen K.	0.16
Full Assignment	95-8658	Stavish, Gregory P. Stavish, Jeanette M.	0.16

RECEIVED
NOV 27 1990

NOV 27 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



ASSIGNMENT OF APPLICATION FOR PERMIT

I, Joseph P. Delay and Helen K. Delay, husband & wife, hereby assign to Gregory P. Stavish and Jeanette M. Stavish, hus. & wife,

of, 2035 Buckskin Circle, LaVerne, CA. 91750

(Full Address)

All my right, title, and interest in and to Application for Permit No. 95-08658 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 Application for Application for Permit No. _____ to appropriate the public waters of the State of Idaho.

Describe portion of the application 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 27th day of September, 1990.

Joseph P. Delay Helen K. Delay
Joseph P. Delay Applicant Helen K. Delay

State of ~~Idaho~~ WASHINGTON)

ss

County of Spokane)

On this 27th day of September, 1990, personally appeared before me the signer of the above instrument, duly acknowledged to me that he (she) (they) executed the same.

Michael J. Delay
Notary Public
Residing in Spokane, Washington; Com. Expire: _____

seal

My commission expires: 10/23/93

MICROFILMED

NOV 22 1990

NO. 95-08658

HELEN K. DELAY
S. 4318 MAGNOLIA ST.
SPOKANE, WA 99203

NOV 2 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 95-08658

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

27th day of September, 1990

R. Keith Higginson
R. Keith Higginson, Director

for

MICROFILMED

NOV 02 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Joseph P. and Helen K. Delay, hus. & wife Phone 509 448 9893
Post office address South 4318 Magnolia Street, Spokane, Washington 99203
2. Source of water supply Water Well (ground water) which is a tributary of N/A
4315 French Gulch, Couer d'Alene, Idaho
3. Location of point of diversion is Northeast $\frac{1}{4}$ of Southwest $\frac{1}{4}$ of Northeast $\frac{1}{4}$, Govt. Lot _____
Sec. Eight Township Fifty N Range Three West B.M. Kootenai County; additional
points of diversion if any: See map attached.
4. Water will be used for the following purposes:
YD 20 0.10 TDK
Amount four for irrigation purposes from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
YD 0.04 for domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
YD 0.02 for stock purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) four 20 0.16 and/or (b) four TDK
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. None TDK irrigation will be carried on
the subject 10 acre parcel with sprinkler system hooked direct to water well. The
well will be equipped with a submersible pump, to serve household and irrigation.
- 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:
_____ to _____ inclusive.
- c. Proposed well diameter is eight inches; proposed depth of well is 225 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
three years (minimum 1 year).

MICROFILMED

NOV 02 1990

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. Not to exceed 35 head
- c. Municipal; show name of municipality. N/A
- d. Domestic; show number of households. Presently one household
- e. Other; describe fully. Irrigation of crops and garden.

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.

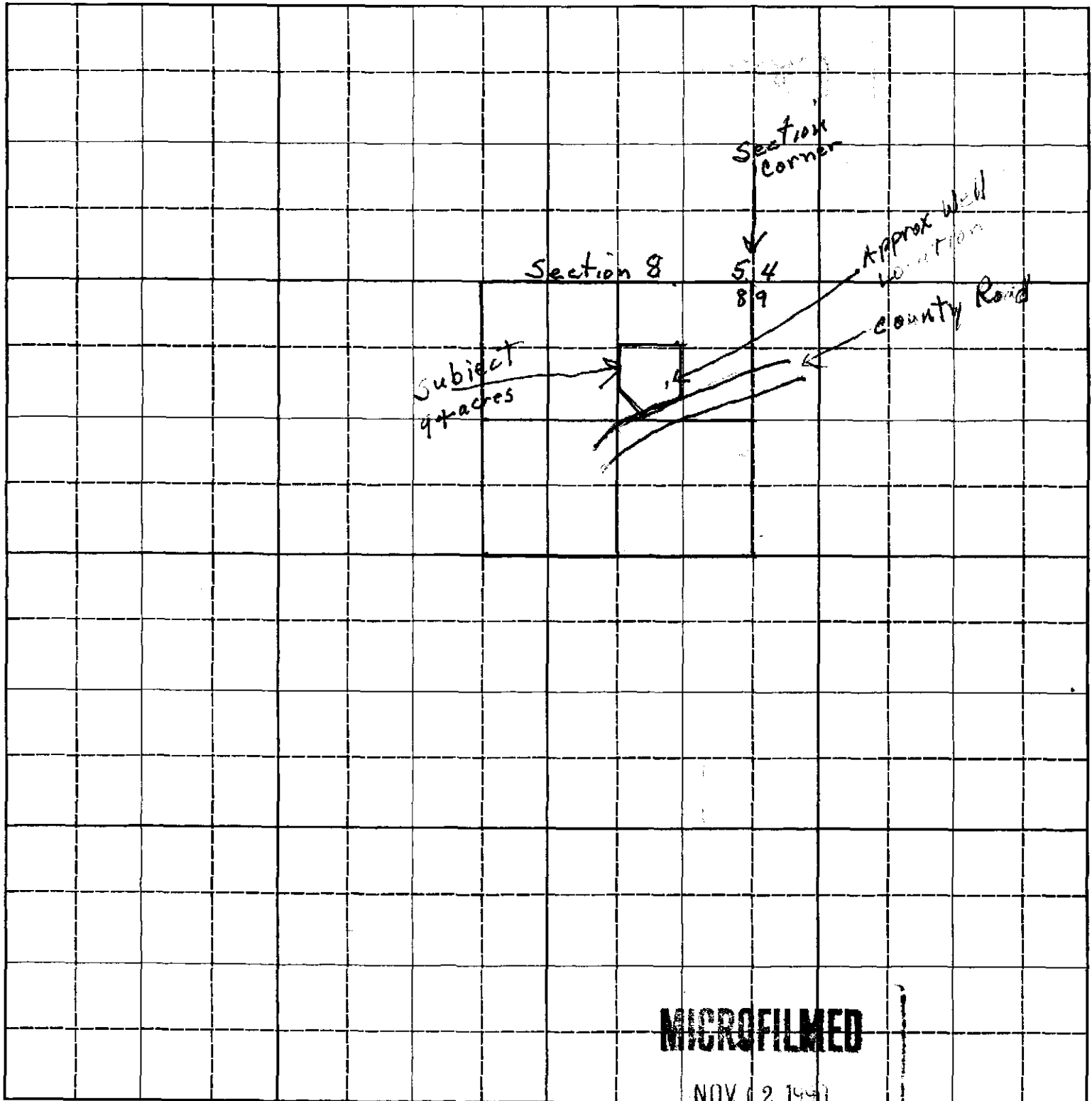
[illegible]

Total number of acres to be irrigated

10. Describe any other water rights used for the same purposes as described above. None
11. a. Who owns the property at the point of diversion? Joseph P. & Helen K. Delay
b. Who owns the land to be irrigated or place of use? Joseph P. and Helen K. Delay
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. N/A

12. Remarks: Description of the ten acre parcel to be served by the subject proposed water right is attached under Exhibit "A" and "B". Exhibit B being the map of the 10 acre parcel. Exhibit A being the legal description of the 10 acre parcel.

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



Scale: 2 inches equal 1 mile.

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

Joseph S. Delaney
William K. Delaney
 (Applicant)



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: _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by	Date	Time	Preliminary check by
<i>[Signature]</i>	6/19/90	12:15 PM	TDA
Fee \$ 105.00			
Received by	Date		
<i>[Signature]</i>	5/31/90	3:00 PM	
Accepted by	Date		
<i>[Signature]</i>	5/31/90		
Publication prepared by	Date		
<i>[Signature]</i>	6/27/90		
Publication approved	Date		
<i>[Signature]</i>	7/17/90		

Published in _____ Date _____

[Signature] 5/31/90

EXHIBIT "A"

A parcel of land lying in the Northeast Quarter of Section 8, Township 50 North, Range 3 West, Boise Meridian, Kootenai County, Idaho, more particularly described as follows:

BEGINNING at the Northeast corner of said Section 8; thence

South 89°53' West along the North line of Section 8, 1,422.74 feet; thence

South 1,259.12 feet to the TRUE POINT OF BEGINNING; thence

South 740.00 feet to a point that is on the North right-of-way line of the County Road; thence

Following along the North right-of-way line of the County Road South 64°54'33" West, 254.17 feet; thence

South 59°35'09" West, 125.47 feet; thence

Leaving the North right-of-way line, North 44°02' West, 280.00 feet; thence

North 710 feet; thence

East 533 feet to the TRUE POINT OF BEGINNING.

EXCEPT A PARCEL OF LAND lying in the Northeast quarter of Section 8, Township 50 North, Range 3 West, Boise Meridian, Kootenai County, Idaho, more particularly described as follows:

BEGINNING at the Northeast corner of said Section 8; thence

South 89°53' West along the North line of Section 8, 1,422.74 feet; thence

South 1,259.12 feet; thence

South 740.00 feet to a point that is on the North right-of-way line of the County Road; thence

Following along the North right-of-way line of the County Road South 64°54'33" West, 254.17 feet to the POINT OF BEGINNING; thence

South 59°35'09" West, 125.47 feet; thence

Leaving the North right-of-way line, North 44°02' West, 280.00 feet; thence

South 65°32'05" East 332.70 feet to the POINT OF BEGINNING

CONTINUED NEXT PAGE

RECORDED
NOV 02 1990



ORDER NO. 8181

EXHIBIT "A" CONTINUED

AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

A part of the Northeast quarter of Section 8, Township 50 North, Range 3 West, Boise Meridian, Kootenai County, Idaho, more particularly described as follows:

BEGINNING at the North quarter corner of said Section 8; thence

South 0°13'52" East along the West line of the Northeast quarter of said Section 8, 819.62 feet; thence

East 690.97 feet; thence

South 437 feet to the True Point of Beginning for this description; thence

South 408.64 feet; thence

East 533.00 feet; thence

North 408.64; thence

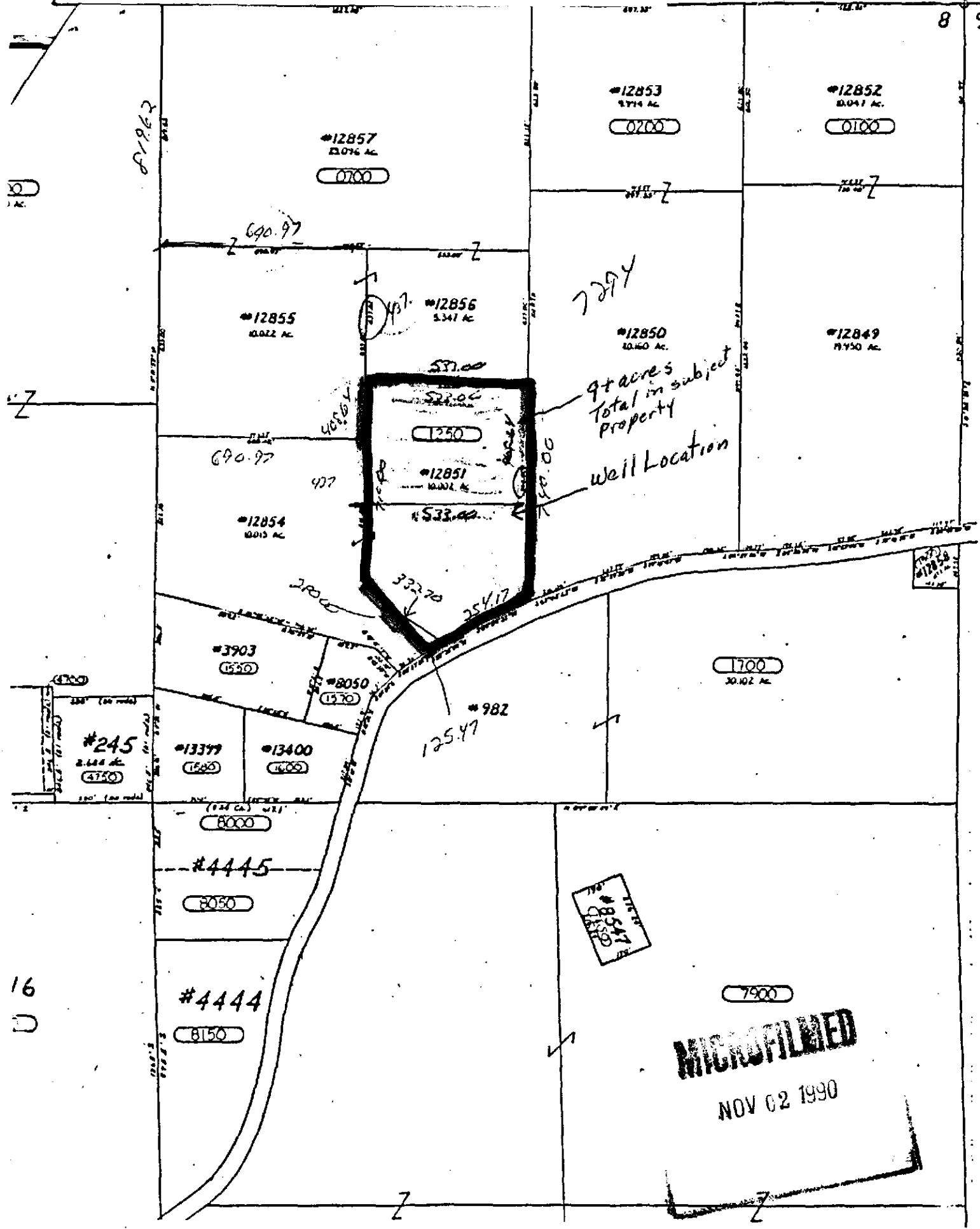
West 533.00 feet to the TRUE POINT OF BEGINNING.

MICROFILMED

NOV 02 1990

EXHIBIT "B"

5 4
8 9



16
D



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

October 4, 1994

GREGORY P STAVISH
JEANETTE M STAVISH
4315 E FRENCH GULCH RD
COEUR D ALENE ID 83814

RE: WATER RIGHT NO. 95-08658

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,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:dc

Enclosure

NOV 01 1994

WR0749NP
No. L95-08658

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/13/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JEANETTE M STAVISH	07/11/1990	DOMESTIC	01-01 12-31	0.04 CFS	1.20 AFA
C	GREGORY P STAVISH					
	4315 E FRENCH GULCH RD					
	COEUR D ALENE ID 83814					
	(208) 667-7710					
				TOTAL DIVERSION:	0.04 CFS	1.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.05 CFS

Point(s) of Diversion: T50N R03W S08 SWNE

KOOTENAI County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
50N	03W	8	:					D	:											:

Pou County:

Other Water Rights Listing Overlapping Place(s) of use:
95-08658

Remarks: Domestic use is for 1 home.

Dates:	App. Received:	06/19/1990	Priority Date:	07/11/1990	(Priority Date Advanced.)
	Proof Due Date:	10/01/1993	Proof Made Date:	11/02/1993	(Proof Received Late.)
	Exam Made Date:	08/09/1994	Exam Sent to S.O.:	08/25/1994	
	Licensed Date:				

Misc: Water District Number: Field Exam Fee: R (Received)

Comments: Date: 10/06/1993 User-ID: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent

Date: 11/02/1993 User-ID: ANDREGG Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Date: 11/02/1993 User-ID: ANDREGG Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit: 09/13/94 BCHAPMAN

LICENSE REVIEW CHECKLIST

PERMIT NO. 95-8658 DATE 9-13-94



NAME	Yes ☒ No ☐	Or <u>Address</u> Change?
PRIORITY DATE	☒ ☐	Advance? <u>YES</u> Advanced to: <u>July 11, 1990</u> Order to reinstate needed? <u>Done</u> Incorrect fee for rate recommended? <u>NO</u>
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? _____ Overlaps? _____
DIV RATE	☐ ☒	Permit/fee limits: <u>.16</u> Meas Q = _____ Theo Q = <u>.05</u> Recommend: <u>.04</u> <u>Domestic only @ .04</u> Combined rates exceed capacity _____
ANNUAL VOLUME	☐ ☒	Season of use: _____ Calculations: <u>Standard Domestic @ 1.2</u> Flow limit: _____ cfs x _____ x 1.9835 = _____ Combined volumes exceed capacity/allowable _____
USES	☒ ☐	Change in Nature of Use or additional uses? <u>DELETE</u> Amendment necessary? _____ <u>IRR 4/8 Stock</u>
REMARKS	☐ ☒	Multiple p/d(s) in 1/4 1/4? _____ Other _____
CONDITIONS	☐ ☒	Measuring/Locking Devices _____ Watermaster control - District _____ Irrigation Overlap _____ Water Quality _____ Other _____ Heat/Cool/ Fish verified _____
COMMENTS: <u>Domestic use only.</u>		

RECOMMENDED

CFS

VOL

SRBA Claim Filed

Adjustment Memo Needed

Domestic

.04

1.2

LICENSE

1ST AMENDMENT LETTER

FINAL AMENDMENT LETTER

WA

☒

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 29 1994

A. GENERAL INFORMATION

Permit No. 95-08658
Department of Water Resources
Phone No. (208) 667-7710

1. Owner: Gregory P. Stavish
Current Address: 4315 E. French Gulch Rd., COEUR D'ALENE, ID 83814

2. Accompanied by: EXAM DATE: 8/9/94

Address: 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: 95-04231, 95-07000, 95-07754

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
			SW	NE	8	50N	3W	Kootenai	U.S.G.S. Topo.,

2. Place(s) of Use:

Indicate Method of Determination U.S.G.S. Topo.,

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N	3W	8			D														

NOV 01 1994

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

Score: 7 = NIS

X - 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)

X Photo of Diversion and System Attached

4.

Well or Diversion Identification No. *	Unknown	HP	3/4	Unknown	Pump Make	Unknown	Pump Serial No. or Discharge Size	Unknown

*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
None						

2. Measurements:

Not

E. NARRATIVE/REMARKS/COMMENTS

Jeanette Stavish explained to me that
the filing has changed to Domestic only.

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

RECEIVED

NOV 01 1994

Additional Computation Sheets Attached

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 95-08658

DATE: 10-AUG-94

COMPLETE BY: JON M. KUNZ

HORSEPOWER = .75

PUMP EFFICIENCY = 75%

DYNAMIC LIFT = 15 FEET

SYSTEM PRESSURE = 40 PSI

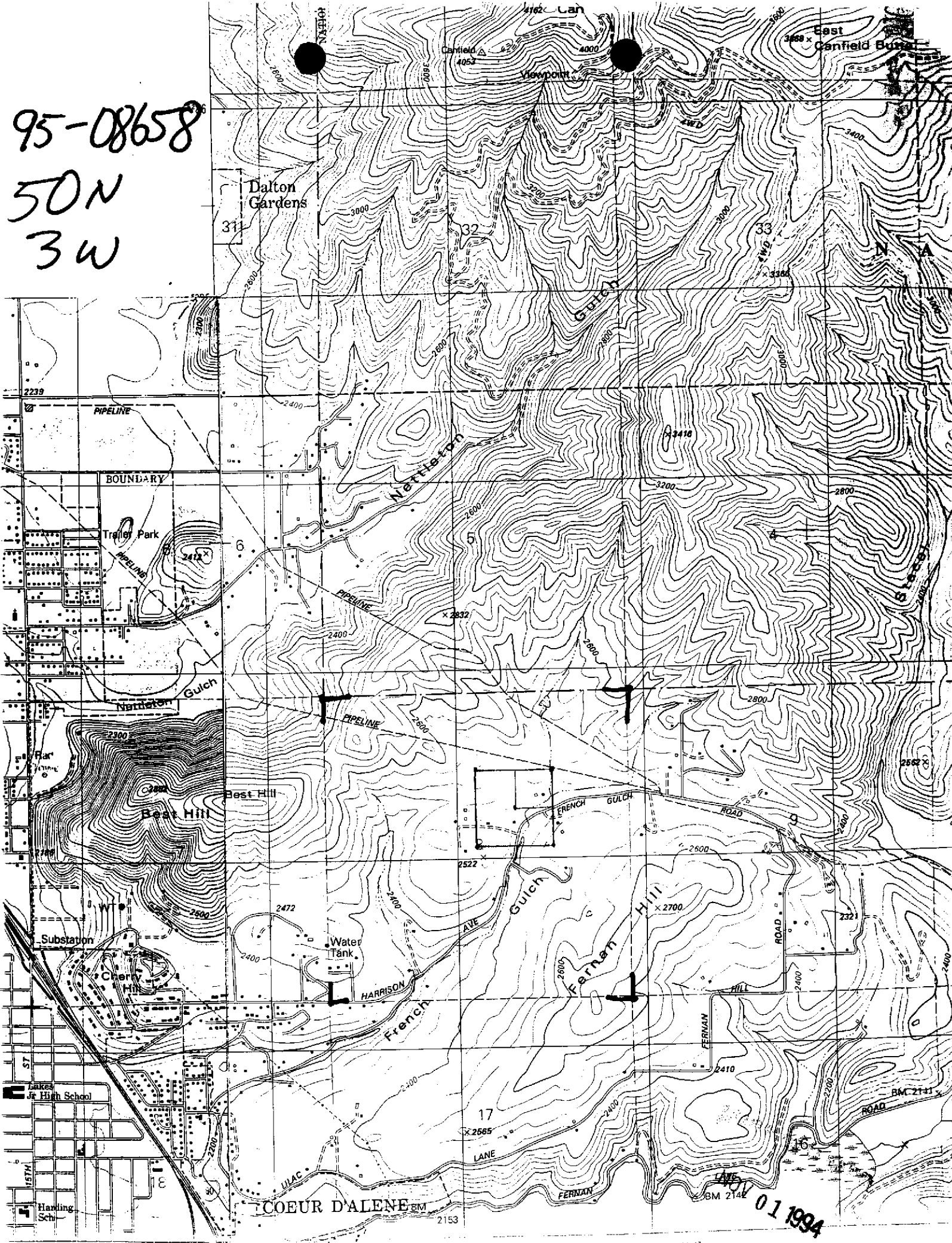
QUANTITY = 0.05 CFS

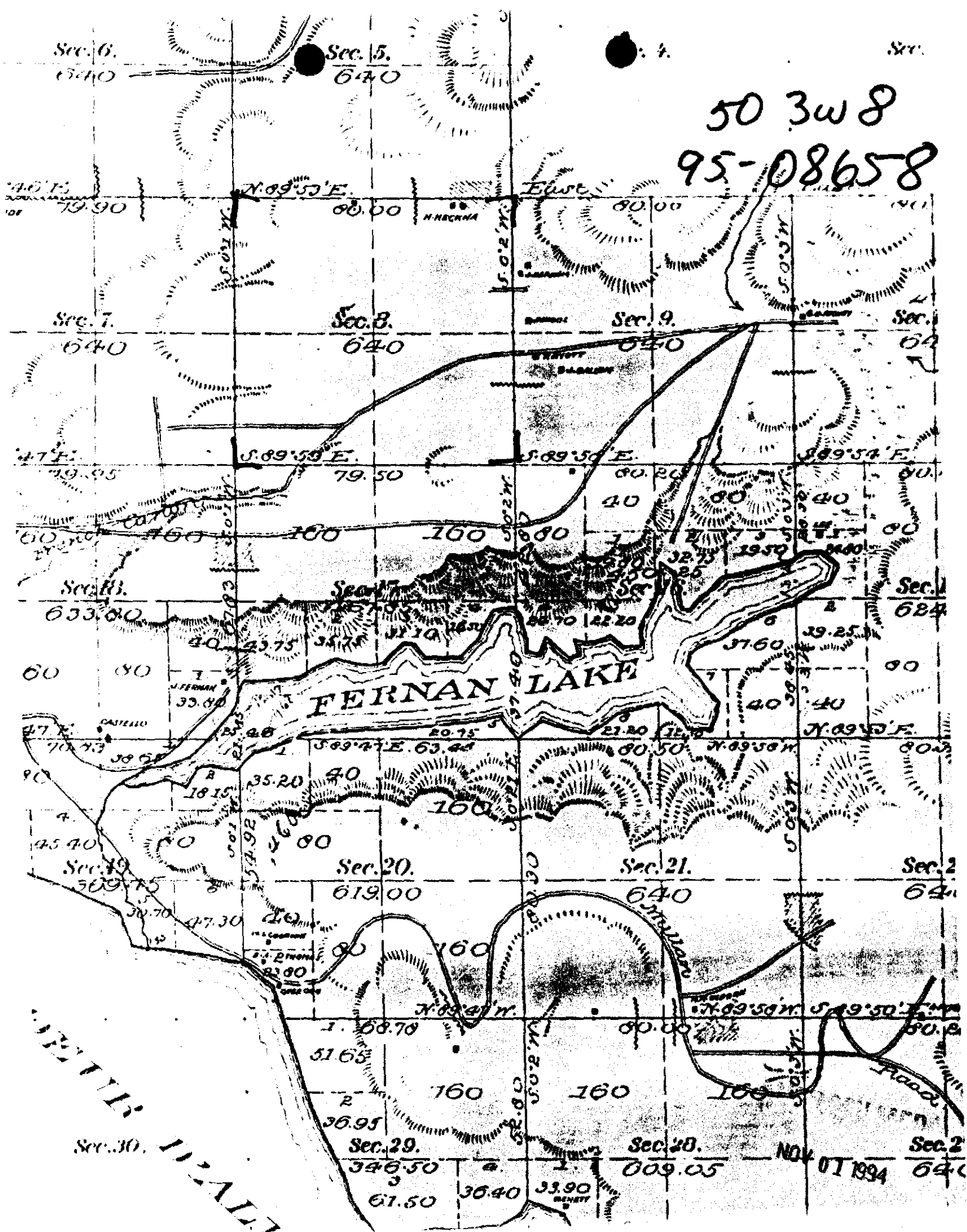
NOV 01 1994

95-08658

50N

3W



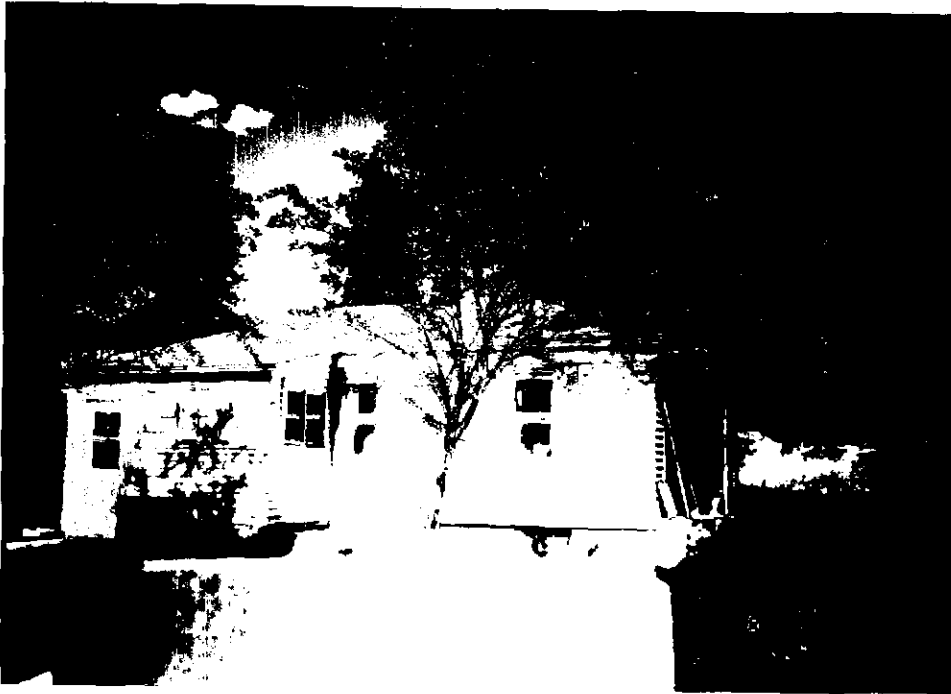


50 3w 8
95-08658

FERNAN LAKE

NOV 01 1994

95-08658



Mr. Stavish's
Home
P.U.



Mr. Stavish's
Well

← P.D.

NOV 01 1994

November 4, 1993

GREGORY P. STAVISH
JEANETTE M. STAVISH
PO BOX 1729
MONROVIA CA 91017

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-08658

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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
Senior Secretary

c: IDWR - Region

Enclosure

MICROFILMED

DEC 06 1993

RECEIVED
MAR 05 1990

State of Idaho
Department of Water Resources

DRILLING PERMIT

Department of Water Resources

(Authorizing Construction of a Well)*

NE 8 50 3W

1. Applicant Joe Delay
2. Address S. 4318 Magnolia St
Spokane wa 99203 Telephone 509-455-9500
() Well Owner () Well Operator () Other, specify _____
3. Proposed well location SW 1/4 NE 1/4, or Gov't lot No. _____,
Sec. 8, Twp. 50N, Rge. 3W, County Latah,
Lot, block and subdivision _____
4. Proposed use of well: (Check all that apply).
(☒) Domestic () Stockwater () Monitoring
() Irrigation () Industrial () Municipal
() Injection () Other, Specify _____
5. Well construction information:
(☒) New well () Deepen (☒) Replace
Proposed surface diameter 6" Maximum depth 250
Anticipated bottom hole temperature: _____
(☒) 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)
6. Anticipated construction start date 3-1-90
7. Well Driller (if known) Hjo Well Service
Address Hayden Idaho
8. Applicant's signature Joseph J Delay
Title owner
Date 2-23-90

* After other pre-requisite approvals have been obtained.

* Fee is \$10 for single family domestic. Other uses may be \$100, \$50 or \$10.

DEC 06 1993

ACTION OF IDWR

(X) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.

SPECIFIC CONDITIONS:

Dated this 27th day of February, 1990.

Signed

Title

David D. Land
Engineering Geologist

Received by [Signature] Fee \$10.00 Date 2/27/90

Receipt No. N 3595 Construction start extension to _____

DEC 06 1982

Extension approved by _____

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

October 6, 1993

GREGORY P. STAVISH
JEANETTE M. STAVISH
2035 BUCKSKIN CIRCLE
LA VERNE CA 91750

LAPSE NOTICE

RE: PERMIT NO. 95-08658

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated July 31, 1993. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

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

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 10/6/93
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

RECEIVED
OCT 10 1993

DEC 06 1993

July 31, 1993

GREGORY P. STAVISH
JEANETTE M. STAVISH
2035 BUCKSKIN CIRCLE
LA VERNE CA 91750

PROOF DUE NOTICE

RE: PERMIT NO. 95-08658

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 October 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.

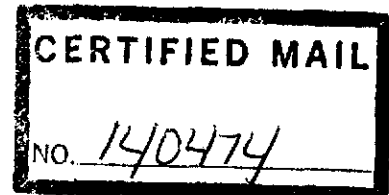
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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



DEC 06 1993

October 22, 1990

Re: Water Right No. 95-8658

Gregory P. Stavish
Jeanette M. Stavish
2035 Buckskin Circle
LaVerne, CA 91750

Dear Water Right Holder(s):

We acknowledge receipt of the correspondence transferring 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,

SHARLA CURTIS
Technical Records Specialist

SC:blm

MICROFILMED

NOV 02 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
September 28, 1990

JOSEPH P. DELAY
HELEN K. DELAY
S. 4318 MAGNOLIA ST.
SPOKANE, WA 99203

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-08658

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.

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.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of

MICROFILMED

NOV 02 1990

Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ: SC
Enclosures

RECEIVED

MAY 2 1966

MEMORANDUM

TO: Debbie Allen, Section Manager - Accounting Section

FM: Tom King, Sr. Water Resource Agent - Northern Region

SUBJECT: Refund

DATE: September 12, 1990

=====

Please refund \$75.00 in appropriation application fees to Mr. Joseph P. Delay. Mr. Delay submitted an appropriation application with a fee of \$105.00 for 4.0 cubic feet per second. We determined that Mr. Delay only needed 0.16 cfs, requiring a fee of \$30.00. Copy of receipt # N-003805 is attached.

MICROFILMED

NOV 02 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region Office

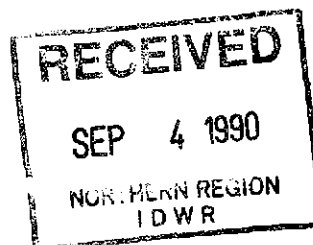
1910 Northwest Blvd. * Suite 210 * Coeur d'Alene, Id. * 83814 * (208) 765-4639

Cecil D. Andrus
Governor

R. Keith Higginson
Director

August 28, 1990

Mr. Joseph P. Delay
S. 4318 Magnolia St.
Spokane, Wa. 99203



Re: 95-08658

Dear Mr. Joseph P. Delay:

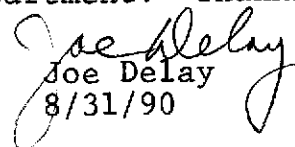
A further review of your application revealed that the irrigation diversion rate is still excessive. The maximum rate of diversion for irrigation is 0.02 cfs per acre (0.03 cfs per acre if less than five acres are to be irrigated). Since you have indicated that you do not wish to file for an excess flow I will reduce the rate of irrigation flow to 0.10 cfs, unless you contact this department prior to September 14, 1990.

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

Mr. King: The above is acceptable. Please refund the excess payment that was made to the Department. Thanks.


Joe Delay
8/31/90

MICROFILMED

NOV 02 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region Office

1910 Northwest Blvd. * Suite 210 * Coeur d'Alene, Id. * 83814 * (208) 765-4639

Cecil D. Andrus
Governor

R. Keith Higginson
Director

August 28, 1990

Mr. Joseph P. Delay
S. 4318 Magnolia St.
Spokane, Wa. 99203

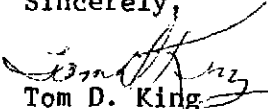
Re: 95-08658

Dear Mr. Joseph P. Delay:

A further review of your application revealed that the irrigation diversion rate is still excessive. The maximum rate of diversion for irrigation is 0.02 cfs per acre (0.03 cfs per acre if less than five acres are to be irrigated). Since you have indicated that you do not wish to file for an excess flow I will reduce the rate of irrigation flow to 0.10 cfs, unless you contact this department prior to September 14, 1990.

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

MICROFILMED

NOV 02 1990

MEMORANDUM

TO: TOM KING

FROM: KAY WALKER

RE: APPLICATION FOR PERMIT 95-8658

DATE: 23-AUG-1990

=====

TOM: This is the application that Jim called and talked to you about. We either need an excessive flow justification in the file or a reduction in the amount of water for irrigation use. We cannot allow 0.04 cfs per acre without the justification submittal. Thanks!! Kay



RECEIVED

NOV 02 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region Office

1910 Northwest Blvd. * Suite 210 * Coeur d'Alene, Id. * 83814 * (208) 765-4639

Cecil D. Andrus
Governor

R. Keith Higginson
Director

June 21, 1990

Mr. Joseph Delay
South 4318 Magnolia St.
Spokane, Wa. 99203

Re: Water Appropriation Application # 95-08658

Dear Applicant:

The Idaho Department of Water Resources acknowledges receipt of your Application For Permit To appropriate the Public Waters Of The State Of Idaho, and your original appropriation application filing fee in the amount of \$105.00 for which your Receipt #N-003805 is enclosed. It is my understanding that you plan to pay the well driller for the well drilling permit. If this is the case, please contact me at this office and I will request a refund of \$85.00 from our accounting department since the appropriation application fee is only \$30.00.

We have assigned #95-08658 to your water appropriation application. To assist us in providing you with prompt, accurate service, please refer to this 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 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 the application is not protested it will be forwarded to Boise, where departmental staff will conduct a more in depth review of the application, to determine if there is a need for further information that will facilitate the Directors decision on the application. It is notified by mail of this decision.

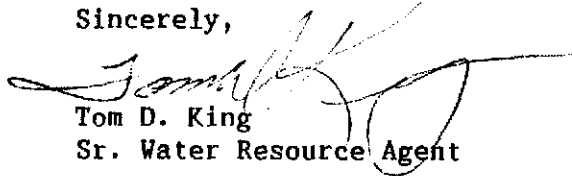
MICROFILMED

NOV 02 1990

Mr. Joseph Delay
Page Two
June 20, 1990

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

MICROFILMED

NOV 02 1990

AFFIDAVIT OF PUBLICATION

RECEIVED

JUL 13 1990

NORTHERN REGION
IDWR

STATE OF IDAHO,
County of Kootenai,

ss. *Juli 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 *Thurs.* issue of said newspaper for *2* consecutive *weeks.* commencing on the *5th* day of *July*, 19*90*, and ending on the *12th* day of *July*, 19*90*, 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 *12th* day of *July*, 19*90*.

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

ROBERTA MANLEY
My commission expires *2-3-93*

MICROFILMED

NOV 02 1990

NOTICE OF APPLICATION FOR WATER RIGHT

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

94-07329

KING, JAMES M.
TIMBER RIDGE RANCH
P.O. BOX 285

HARRISON, ID 83833
Source: SPRING Tributary: SINKS
Diversion Pt: NWNW Sec 14 T 48N R 03W; SWNW Sec 14 T 48N R 03W
Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 6/15/1990

In: T48N R03W S14 NWNE SWNE

95-08654

IRVINE, MICHAEL
IRVINE, JACQUELINE
W. 7746 COUGAR GULCH RD.
COEUR D ALENE, ID 83814
Source: SPRING Tributary: COUGAR CREEK

COUGAR CREEK COEUR D ALENE LAKE

Diversion Pt: SWSWSW Sec 30 T 50N R 04W

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 6/7/1990

In: T50N R04W S30 SWSW

95-08657

GRIFFIN, JOHN
7200 STACK RD.
COEUR D ALENE, ID 83814
Source: COEUR D ALENE LAKE
Tributary: SPOKANE RIVER
Diversion Pt: LOT 2 (SWNE) Sec 16 T 49N R 04W

Use: IRRIGATION (.010 CFS)

Total Diversion: (.010 CFS)

Date Filed: 6/14/1990

In: T49N R04W S16 NENE

0.5 ACRES TOTAL

95-08658

DELAY, JOSEPH P.
DELAY, HELEN K.
S. 4318 MAGNOLIA ST.
SPOKANE, WA 99203
Source: GROUNDWATER
Diversion Pt: NESWNE Sec 8 T 50N R 03W

Use: IRRIGATION (.200 CFS)

STOCKWATER (.020 CFS)

DOMESTIC (.040 CFS)

Total Diversion: (.200 CFS)

Date Filed: 6/19/1990

In: T50N R03W S08 SWNE

5.0 ACRES TOTAL

95-08659

COSTIN, ROBERT P.
W. 5955 PRAIRIE AVE.
POST FALLS, ID 83854
Source: GROUNDWATER
Diversion Pt: NWNNE Sec 24 T 51N R 06W

Use: IRRIGATION (.060 CFS)

STOCKWATER (.020 CFS)

DOMESTIC (.040 CFS)

Total Diversion: (.060 CFS)

Date Filed: 6/19/1990

In: T51N R06W S24 NESE

8.0 ACRES TOTAL

For additional information concerning the property location, call the Northern Regional Office at 765-4839.

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 JULY 23, 1990.

R. KEITH HIGGINSON, Director

Legal 75

July 5, 12, 1990

95-08658

DELAY, JOSEPH P.
DELAY, HELEN K.
S. 4318 MAGNOLIA ST.
SPOKANE, WA 99203

Source: GROUNDWATER

Diversion Pt: NESWNE Sec 8 T 50N R 03W

Use: IRRIGATION	(.200 CFS)
STOCKWATER	(.020 CFS)
DOMESTIC	(.040 CFS)
Total Diversion:	(.200 CFS)

Date Filed: 6/19/ 1990

In: T50N R03W S08 SWNE

5.0 ACRES TOTAL

MICROFILMED

NOV 02 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region Office

1910 Northwest Blvd. * Suite 210 * Coeur d'Alene, Id. * 83814 * (208) 765-4639

Cecil D. Andrus
Governor

R. Keith Higginson
Director

June 4, 1990

Mr. Joseph P. Delay
S. 4318 Magnolia St.
Spokane, Wa. 99203

Re: Water Appropriation Application

Dear Applicant:

The Idaho Department of Water Resources has received your Application For Permit To Appropriate The Public Waters Of The State Of Idaho and your filing fee in the amount of \$105.00 for which receipt #N-003805 is enclosed. However I regret to inform you that the application is not acceptable in its present form, so I am returning it to allow you to clarify / complete the following:

Item #2: You have, in item # 8. d., stated that the well is currently being used for domestic purposes for one household. If this is the case you must list this water right in item #10. If the domestic use of this well has not commenced at this time you must list domestic use in item #4.

ONE HOME
5 ACRE

Item #4: You must complete this item by listing all new uses for which the water is to be used. The usual diversion rate for domestic purposes is 0.04 cfs/home. The maximum rate of diversion for irrigation is 0.02 cfs per acre (0.03 cfs per acre if less than five acres are to be irrigated). To seek approval for an excess flow for irrigation purposes, you must complete the enclosed fact sheet for excessive irrigation flows.

Item #8: You have indicated that a home is already using the water from this well if that is the case domestic should not be mentioned in item #4 nor #9, but should be described in item #10.

Item #9: This item must be completed by listing the location of all proposed water uses to the nearest 40 acre tract. This may be done by following these steps: First insert Township (Twp.) Ranges (Rge.), Sections (Sec); next, identify each use and location of that use within the section by placing the indicated symbol in the appropriate box as shown below.

STOCKWATER = S; DOMESTIC = D; COOLING = L; FISH PROPAGATION = H;
RECREATION = R; COMMERCIAL = C; FIRE PROTECTION = F; INDUSTRIAL = I;
MINING = X; AESTHETICS = J; GROUNDWATER RECHARGE = E;
HEATING = G; MUNICIPAL = M; POWER = P;
IRRIGATION = (NUMBER OF ACRES TO BE IRRIGATED IN EACH 40 ACRE TRACT)

MICROFILMED
NOV 02 1990

Mr. Joseph P. Delay
Page Two
June 4, 1990

Twp.	Rge.	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N	04W	3	S	D	L	I	20	10	6										36

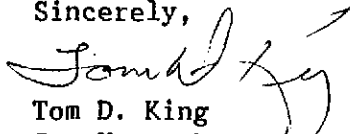
This example shows that within Township 50 North, Range 4 West, Section 3, there is Stockwater use in the NE $\frac{1}{4}$ NE $\frac{1}{4}$; Domestic use in the NW $\frac{1}{4}$ NE $\frac{1}{4}$; Cooling (L) in the SW $\frac{1}{4}$ NE $\frac{1}{4}$; Industrial in the SE $\frac{1}{4}$ NE $\frac{1}{4}$; and irrigation of 20 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 6 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$. For a total of 36 irrigated acres

The property listed in this item must be the same property as shown on the map.

The Application must be completed and returned to this office with any other information you deem appropriate within 30 days of the above date. Failure to communicate with this office within that time may result in the voiding of your application.

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: App.
Receipt

MICROFILMED

NOV 02 1990