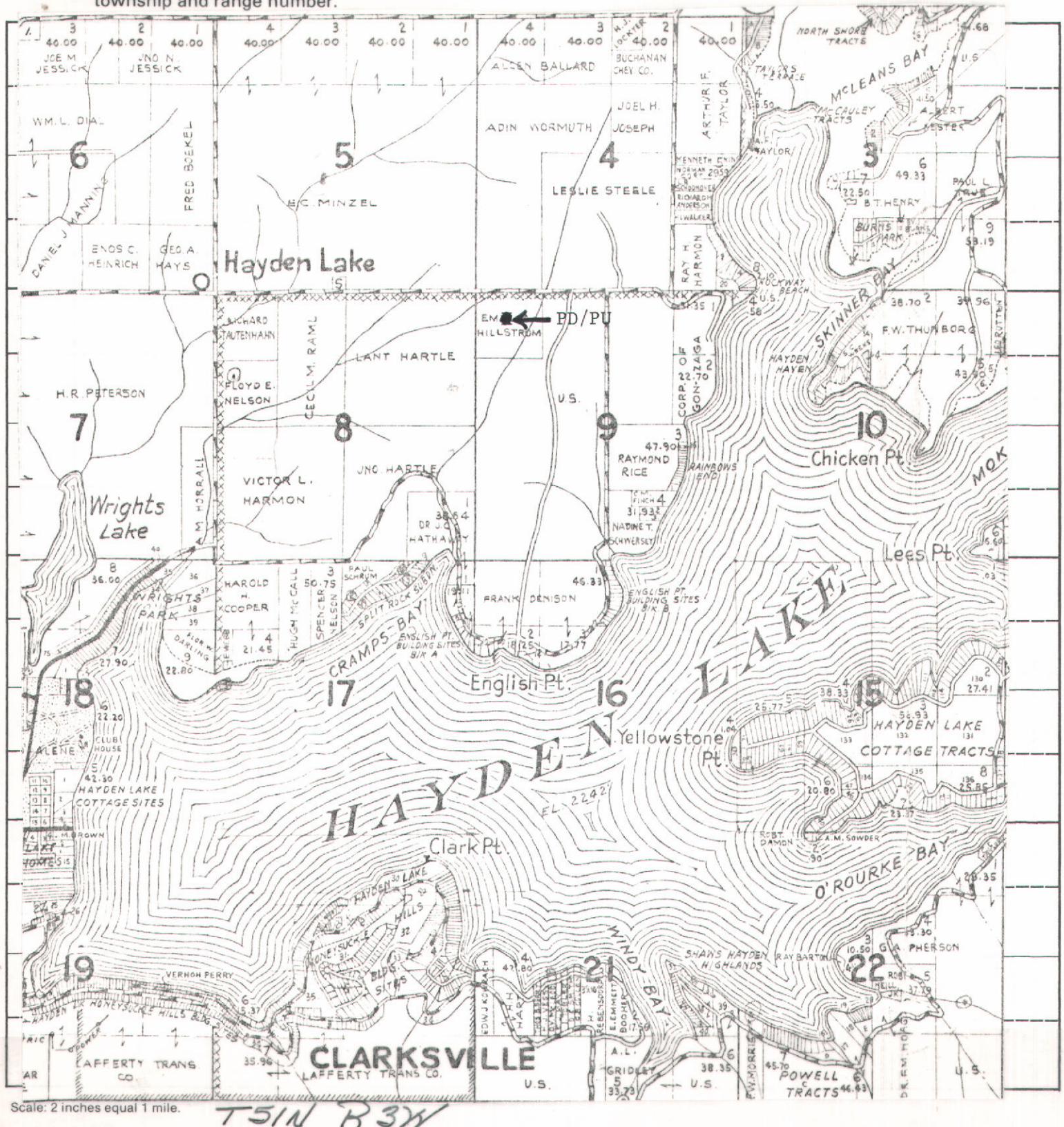


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

x Robert T. Kulpatiel
(Applicant)

MICROFILMED

JAN 31 1996

MEASUREMENTS

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
		5		Submersible	
		3/4		Submersible	

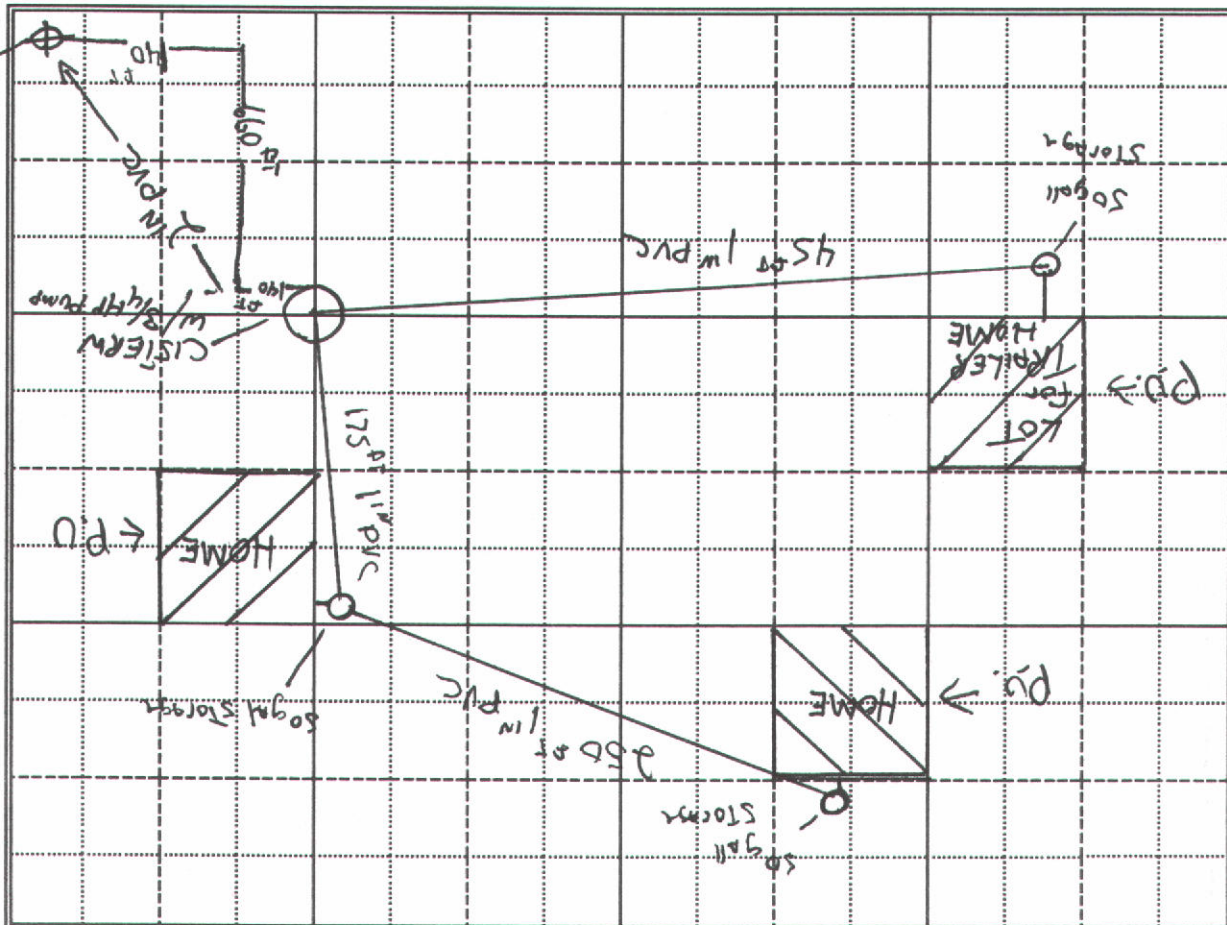
4.

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

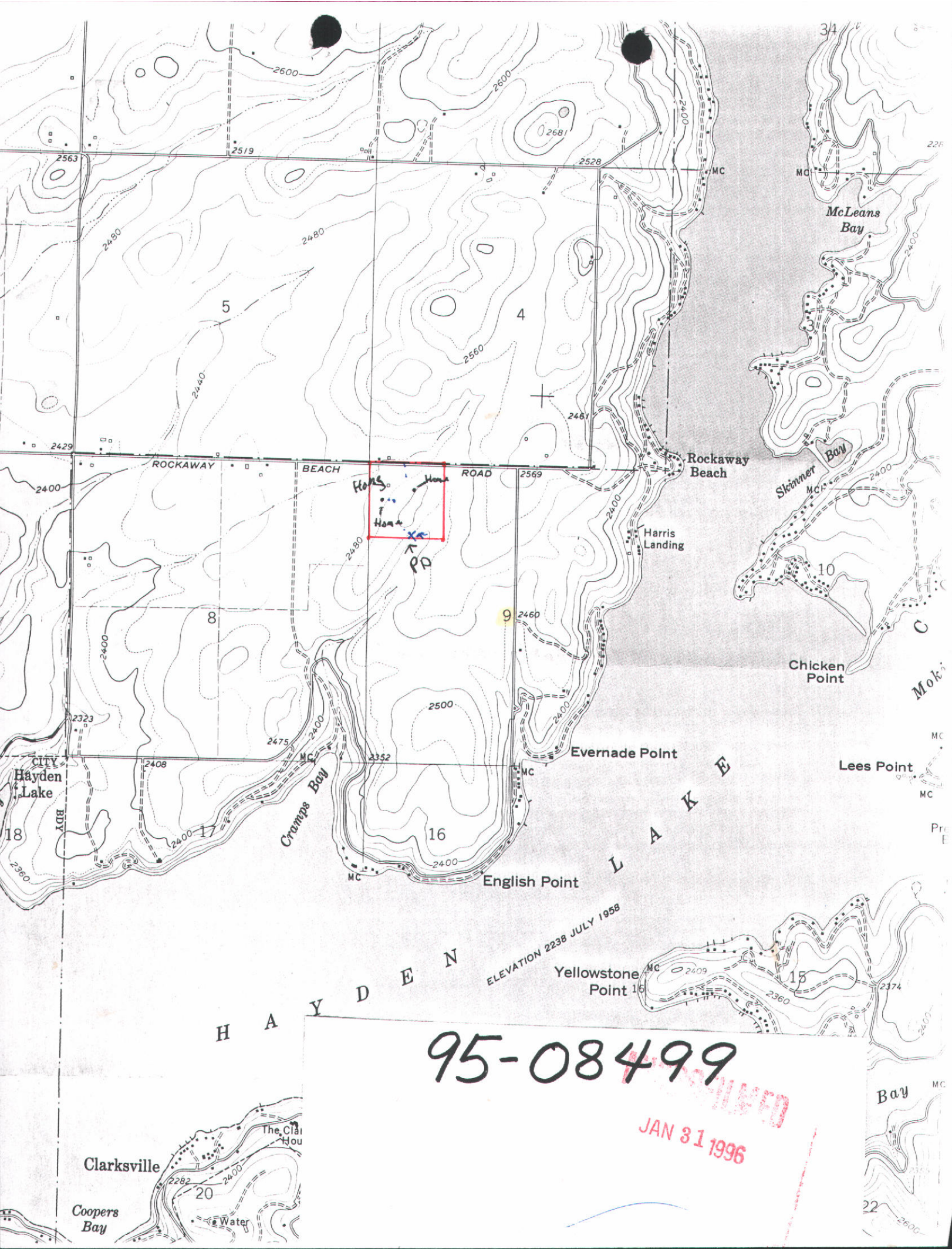
Aerial Photo Attached (required for irrigation of 10+ acres)

Photo of Diversion and System Attached

Scale: 1" = 100'

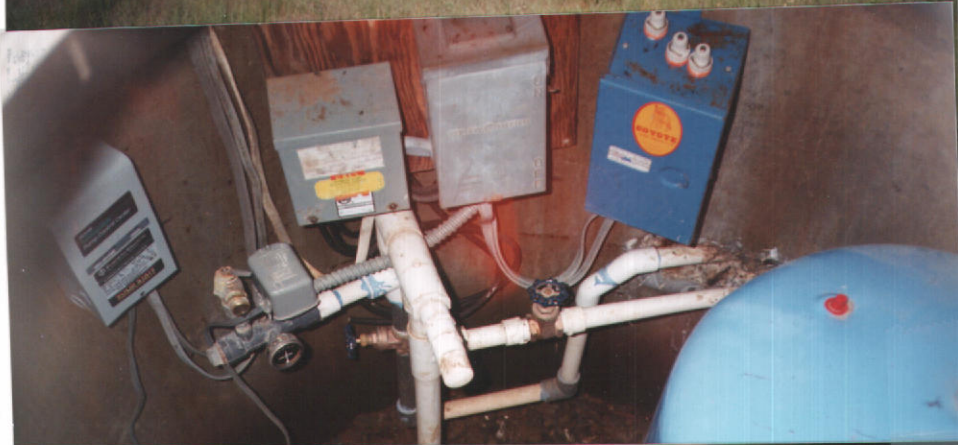


3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe l.d. as applicable.





← PLACE OF USE
#1



← SPLITTING
AREA



← CISTERN



← PLACE OF USE
#2

JAN 31 1996



PLACE
OF
USE #3
←



← POINT OF DIVERSION

JAN 31 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-08499

Priority: February 19, 1986

Maximum Diversion Rate:

0.12 CFS

Maximum Diversion Volume:

3.6 AF

This is to certify, that ROBERT T KIRKPATRICK
JOHN P MALAND

PO BOX 1951

POST FALLS ID 83854

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 19, 1986; and has submitted Proof of Beneficial Use on February 22, 1994. An examination indicates that the works have a diversion capacity of 0.250 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	0.12 CFS	3.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 9, Township 51N, Range 03W
KOOTENAI County

PLACE OF USE: DOMESTIC

TWN RGE SEC

51N 03W 9

NWNW

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.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 25TH day of JANUARY, 1996.

Acting for

KARL J. DREHER, Director

JAN 31 1996

FEB 22 1994

OFFICE USE ONLY
Amt. of Fee \$ 50.00
Date 2-23-94
Receipt No. 0029666
Receipt by JW

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. 95-08499 Telephone No. 765 0958
2. Name(s) of Permit Holder(s): Robert T. Kirkpatrick and John P. Maland
3. Mailing Address: P.O. Box 1951 Post Falls Id. 83854
4. Source of Water: Well

If GROUNDWATER, Well Driller's Name: United Drilling Date Drilled: 1986

OPTIONAL:

Pump horsepower: 1 HP Pressure (psi): _____ Dynamic pumping level (ft.): _____

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

Domestic 2 (No. of households) Stockwater _____ (No. and type of stock)
Irrigation 5 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted .18 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.

Robert T. Kirkpatrick (208) 765-0958
Name Telephone No.
P.O. Box 1951 Post Falls, Id. 83854
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.

2-18-94
Date

Robert T. Kirkpatrick
Signature (and title, if on behalf of a company or organization)

APR 21 1994

DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF BENEFICIAL USE FOR A WATER RIGHT PERMIT FEB 25 1991

Department of Water Resources

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

Permit No. 95-8499

Name(s) of Permit Holder: Robert T. Kirkpatrick &/or John P. Maland

Post Office Address: P. O. Box 1076 Hayden Lake, Id. 83835

Telephone No. 772-4857

Date Proof is Due: March 1, 1991

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

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

Three Homes built, water tank, storage tank, pressure tanks, buried pressure tank house, water lines to 3 homes, well and pump, electricity installed, water line to a future 4th house, built road to well and storage tank.

Costing \$16,000.00 plus homes.

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

Slowed economy now improved. We foresee completing development as market dictates, not
to exceed 5 years.

Permit holder(s) request an extension to March 1, 19 96.
(1 yr. minimum)

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

APR 23 1991

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to March 1, 1994.

Signed this 2 day of April, 19 91.

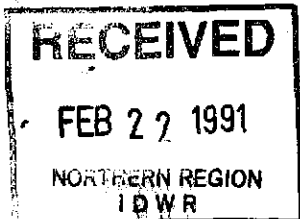
Chief, Water Allocation Bureau

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	95-8499	Robert T. Kirkpatrick	0.20
Full Assignment	95-8499	Robert T. Kirkpatrick John P. Maland	0.20

RECEIVED
WATER RIGHTS DIVISION

APR 23 1994



State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, ROBERT T. KIRKPATRICK hereby assign to ROBERT T. KIRKPATRICK &/OR JOHN P. MALAND
of P.O. Box 1076 Hayden Lake, Id. 83835
(Full Address)

Select A. or B.

A. X All my right, title and interest in and to Permit # 95-8499 to appropriate the
public waters of the State of Idaho.

B. The following described portion of my right, title, and interest in and to
Permit# to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage and/or
number and type of uses within each 40 acre subdivision, legal description of the
point of diversion and the amount of water in cubic feet per second for direct
diversion, or acre feet for storage).

Made this 22nd day of February, 19 91.

Robert T. Kirkpatrick
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Kootenai) ss.

On this 22nd day of February, 19 91, personally
appeared before me the signer (X) of the above instrument, who duly acknowledged to me that
he (~~she~~) executed the same.

seal

Patricia M. Allen
Notary Public residing at
Rathdrum

My commission expires:

12/10/93

APR 23 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Robert T. Kirkpatrick Phone 772-4857
Post office address POB 1076 Hayden Lake, Id. 83835
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 9 Township 51N Range 3W B.M. Kootenai County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.18 for DOMESTIC purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.10 for Irrigation purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.20 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, Pump Pipeline (1.5HP Submersible)

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 8 inches; proposed depth of well is 135 feet.
STATIC WATER LEVEL 90 Feet
d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
5 years (minimum 1 year).

MICROFILMED

WILD

9. Description of place of use:

- ponding place of use below. See instructions for standard symbols.

[illegible]

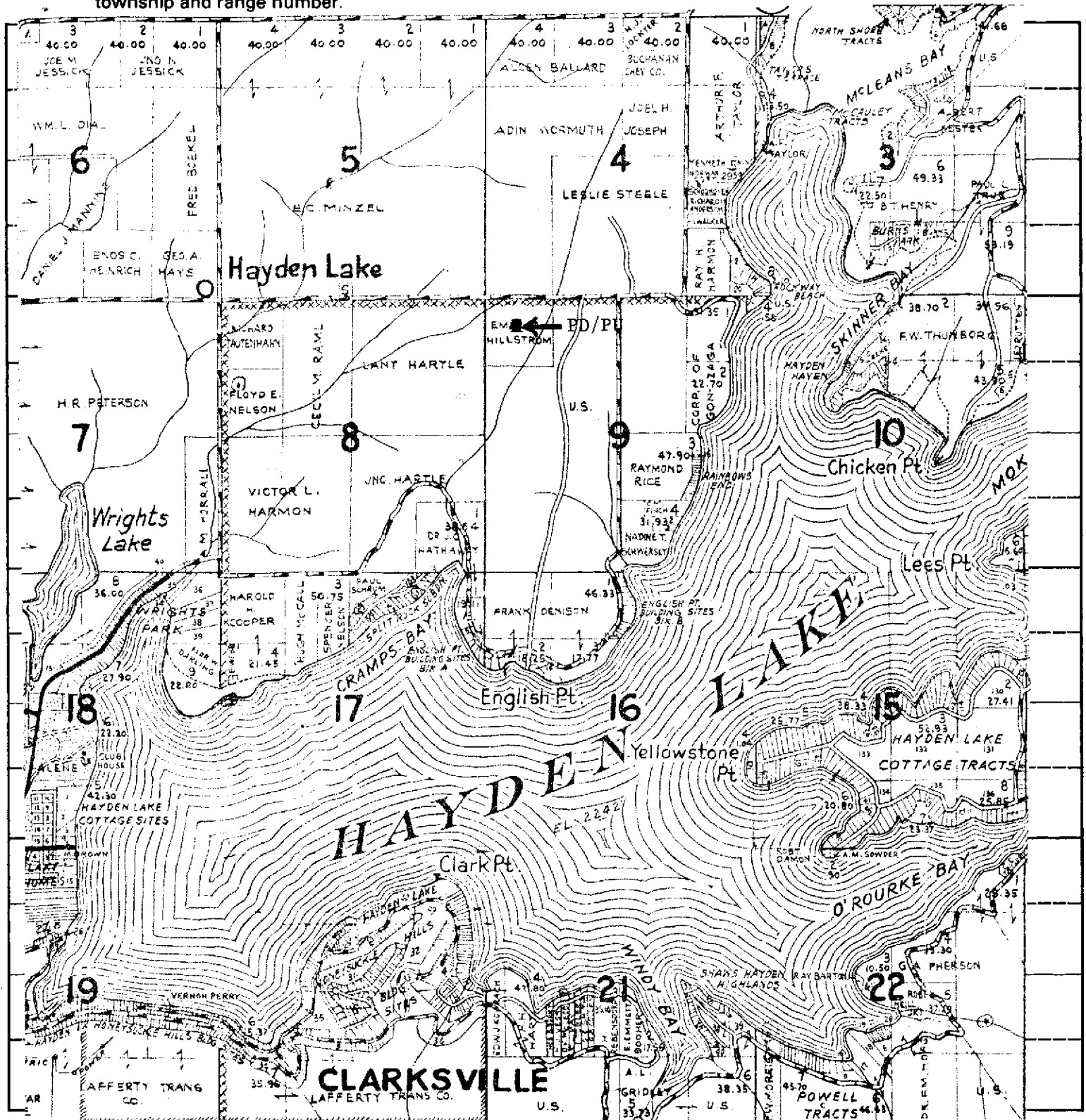
5

- None

- _____
Written Easement
applicant to make this filing.

12. Remarks:

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.

x Robert T. Kulpatniel
(Applicant)

MICROFILMED

Proposed Priority 2/19/86

Received by *JE*

Fee \$ 36⁰⁰

Received by *JE*

Publication approved

Publication prepared by *JE*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

Date *2/19/86*

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. 95-8499, and said application is hereby APPROVED

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

March 1, 19 91

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: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete. The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 27th day of March, 1986.

J. Allen Sayton
Chief, Operations Bureau



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 25, 1996

ROBERT T KIRKPATRICK
JOHN P MALAND
PO BOX 1951
POST FALLS ID 83854

RE: WATER RIGHT NO. 95-08499

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

JAN 31 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 95-08499 DATE 1-24-96



NAME	Change OK ☒	Or Address Change? ☐
PRIORITY DATE	☒	Advance? ☐ Advanced to: _____ Order to reinstate needed? _____ Incorrect fee for rate recommended? _____
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>.20 CFS / 9 homes</u> Meas Q = <u>8.8 X .7 X 5hp</u> Theo Q = <u>.25</u> Recommend: <u>.12</u> <u>100 + 2.31 X 20 = .25 CFS</u> <u>3 homes X .04 = .12</u> Combined rates exceed capacity _____
ANNUAL VOLUME	☒	Volume Limit: _____ Season: <u>1-1 to 12-31</u> Calculations: <u>3 X 1.2 = 3.6</u> 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 <u>050</u> Supplemental GW _____ Irr/Dom Combination <u>WB5</u> PPU Recommendation _____ Boise River/Wood River Source Aes/Rec Uses <u>W38</u>
NEW REMARKS	☐	Multiple p/d(s) in 1/4 1/4? _____ <u>W01</u> Other <u>(3)</u>
NEW CONDITIONS	☐	WM Control- District _____ Meas/Lock Devices _____ Irrigation Overlap _____ Other _____ Water Quality _____ Heat/Cool/Fish verified _____

COMMENTS: 1 Reduce rate
2 Delete irrigation

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	
<u>Domestic</u>	<u>.12</u>	<u>3.6</u>	Adjustment Memo Needed	<u>NA</u>
			LICENSE	☒
			1ST AMEND LETTER	
			2ND AMEND LETTER	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

95-08499

RECEIVED

AUG 29 1994

A. GENERAL INFORMATION

Permit No. _____ Department of Water Resources

1. Owner: ROBERT KIRKPATRICK & John MILAND Phone No. (208) 765-0958

Current Address: PO. Box 1951 POST FALLS Id, 83854

2. Accompanied by: John MILAND EXAM DATE: 7-6-94

Address: P.O. Box 202 HAYDEN LAKE Id, 83835 Phone No. — —

Relationship to Permit Holder: _____

3. Source: GROUND WATER tributary to _____

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	NW	09	51N	03W	KOOTENAI	USGS 7.5 MIN QUAD

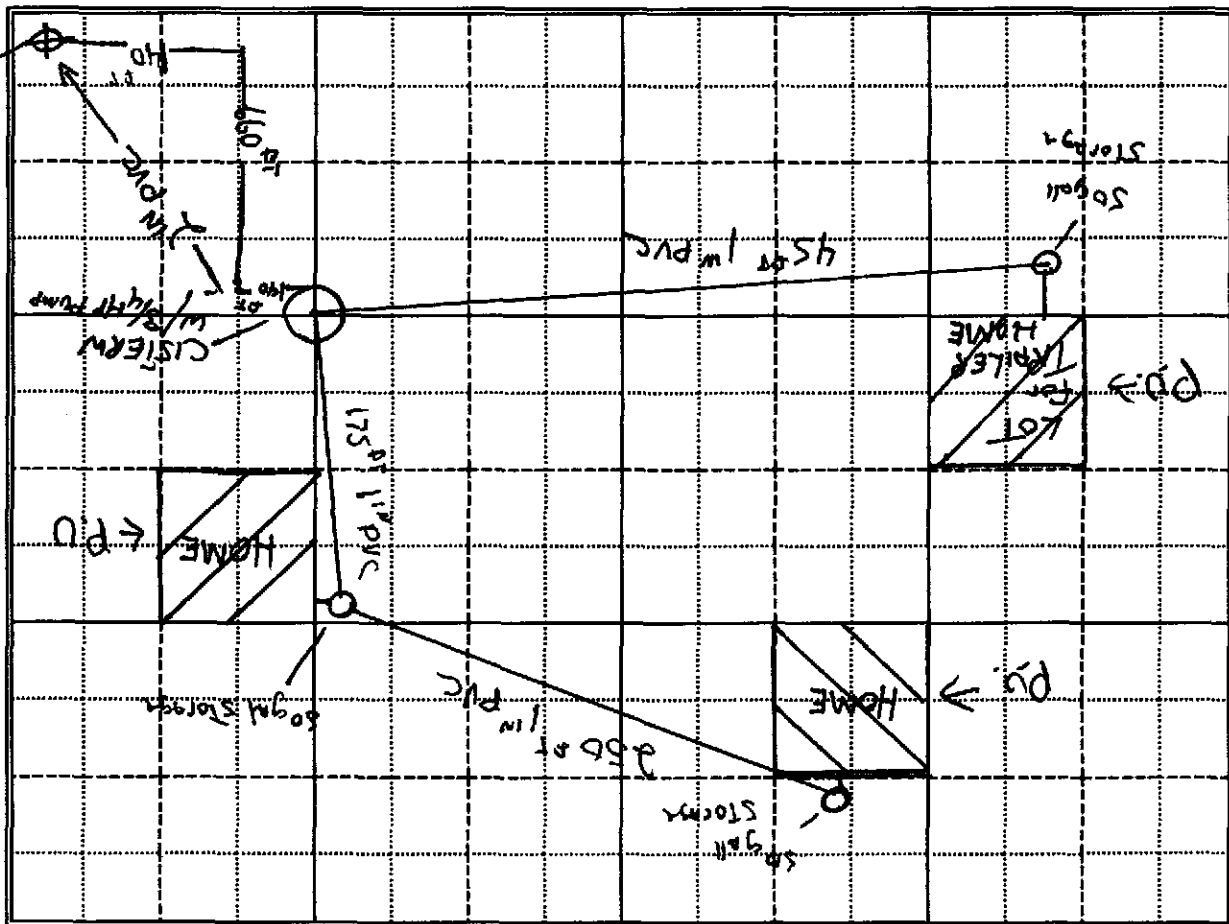
2. Place(s) of Use:

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	
51N	03W	09						D											

JAN 31 1995

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



Scale: 1" = 100'

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached (required for irrigation of 10+ acres)

Photo of Diversion and System Attached

4.

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

JAN 21 1996

E. NARRATIVE/REMARKS/COMMENTS

WELL w/ 5 HP PUMP. PUMPS WATER TO FILL CISTERN
Then 3/4 HP PUMP TAKES OVER TO DELIVER WATER
TO THE 3 HOMES ON THIS PARCEL
FOUND NO IRRIGATION PRESENT AND
MR MALAND DOES NOT WISH TO PURSUE
IRRIGATION RIGHTS

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

RECEIVED
JAN 31 1996

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	From 01-01 To 12-31	.18	3.6

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 _____ Date _____
 Reviewer _____ Date _____

* See Adjustment memo.

JAN 8 1930

SEAL

MEMORANDUM

TO: File 95-08499 / Robert Kirkpatrick
FROM: Brenda Chapman
DATE: January 24, 1996
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for Right 95-08499 are based on the information below:

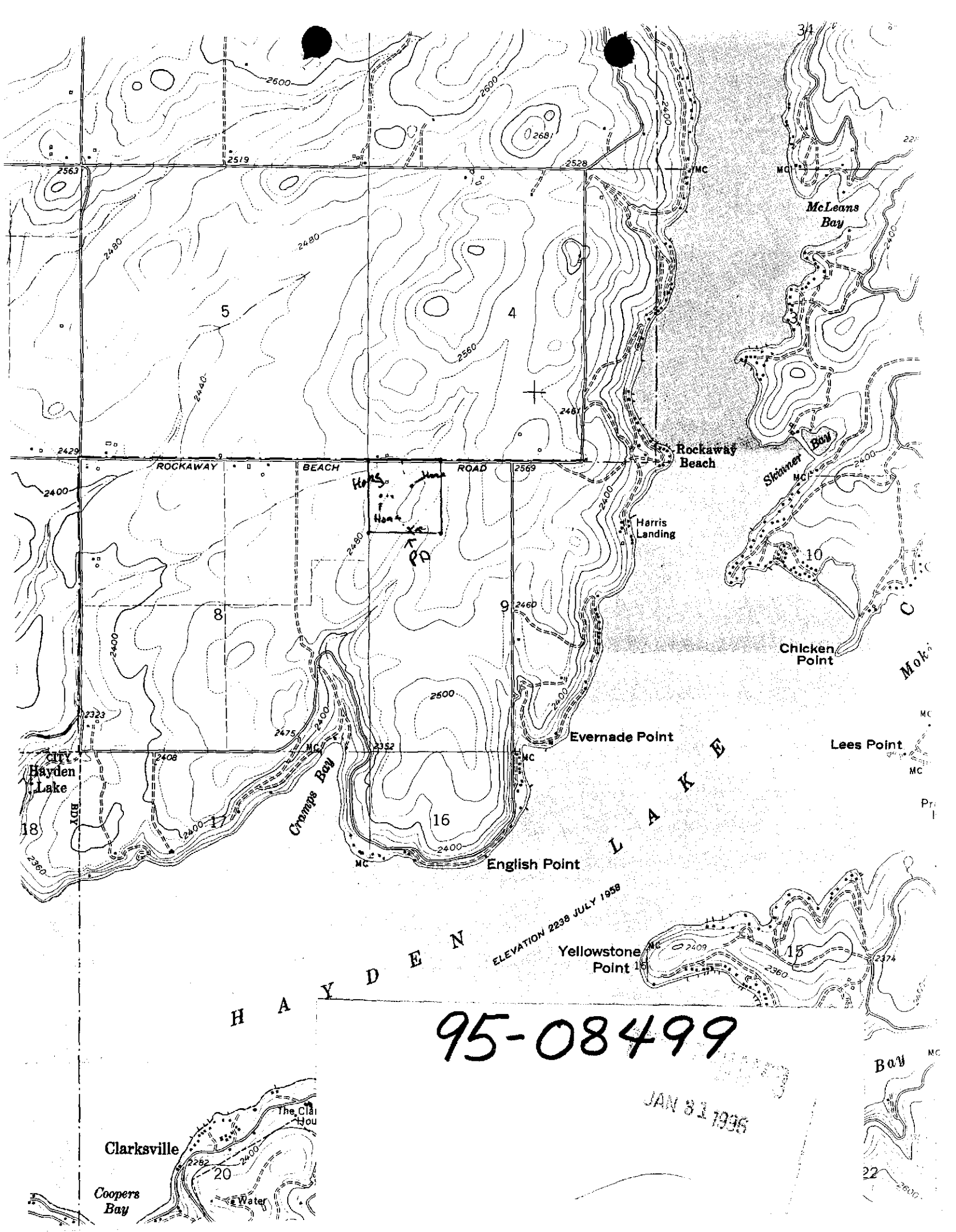
H. RECOMMENDATIONS

1. Recommended Amounts

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

The rate for 3 homes with internal/external use is .12 cfs.

RECEIVED
JAN 31 1996



ELEVATION 2238 JULY 1958

95-08499

JAN 31 1996

Clarksville

Coopers Bay

20

Water

The Clal Hou

Bay

22

WELL DRILLER'S REPORT

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.

[illegible]

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

95-08499 4/18/94
Mr. Kierpatrick called
and said the
well is located
on Malands
property.
Charlotte

No well log
Found
Hydrix
Kierpatrick & drilled
120
2.4/420
Sedse
Baldwin
Avon



← PLACE OF USE
#1

← SPLITTING
AREA

← CISTERN

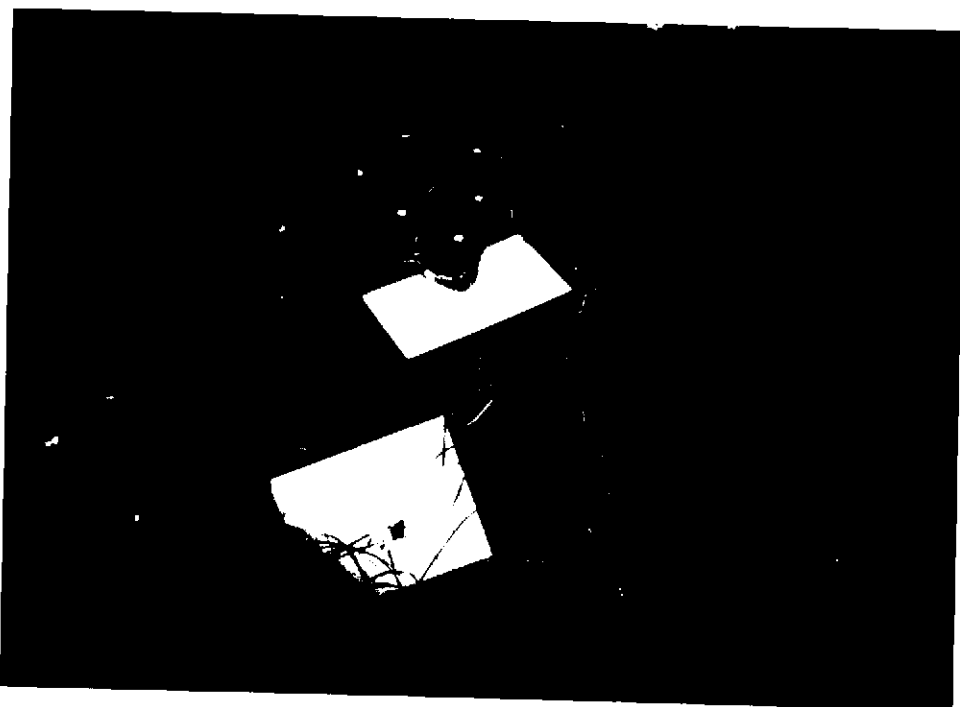


← PLACE OF USE
#2

JAN 21 1986



PLACE
OF
USE #3
←



← POINT OF DIVERSION

JAN 8 1966

March 2, 1994

ROBERT T KIRKPATRICK
JOHN P MALAND
P O BOX 1951
POST FALLS ID 83854

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 95-08499

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,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

MAILED

APR 21 1994

February 9, 1994

Robert T. Kirkpatrick
John P. Maland
P.O. Box 1951
Post Falls, ID 83854

RE: Water Right Permit No. 95-08499

Dear Permit Holder:

Enclosed are the forms needed to file proof of beneficial use on water right permit no. 95-08499. The forms were originally sent by certified mail on December 31, 1993, to the name and address listed on the permit, but they were returned undelivered by the postal service.

Please read the original enclosed letter, complete the necessary forms and return them to this office on or before the proof due date of March 1, 1994.

If you have any questions or I can be of any assistance, please do not hesitate to call.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

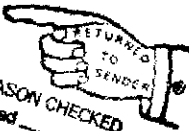
Enclosures

RECEIVED
FEB 21 1994

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

APR 21 1994



 RETURNED TO SENDER

REASON CHECKED

Unclaimed	Refused
Attempted-Not Known	☒
Insufficient Address	
No such street	
No such office in	
Do not re-	

not 1076

RECEIVED
JAN 27 1994
Department of Water Resources

2/9/94
P.O. Box 1951
Post Falls Id. 83854

10
19

December 31, 1993

ROBERT T. KIRKPATRICK
JOHN P. MALAND
P.O. BOX 1076
HAYDEN LAKE ID 83835

PROOF DUE NOTICE

RE: PERMIT NO. 95-08499

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 1, 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.

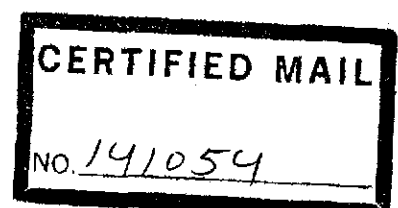
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED

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

April 5, 1991

ROBERT T KIRKPATRICK &/OR
JOHN P MALAND
P O BOX 1076
HAYDEN LAKE ID 83835

Gentlemen:

Re: Permit No. 95-8499

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to March 1, 1994.

The department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

RECEIVED

APR 23 1991

138956
December 31, 1990

ROBERT T. KIRKPATRICK
P.O. BOX 1076
HAYDEN LAKE, ID 838350000

PROOF DUE NOTICE

RE: PERMIT NO. 95-08499

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 1, 1991. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

APR 23 1991

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

} ss.

Linelle Holom 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 *Notice*

of which the annexed is a printed copy, was published in the regular *Thur.*
issue of said newspaper for *2* consecutive *weeks*
commencing on the *27* day of *Feb*, 19*86*, and
ending on the *6* day of *Mar*, 19*86*, 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.

Linelle Holom
Subscribed and sworn to before me this *6* day of *Mar*
19*86*.

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

NOTICE OF APPLICATION FOR WATER RIGHT

The following applica-
tion(s) have been filed to ap-
propriate the public waters of
the State of Idaho.

95-8499

KIRKPATRICK, ROBERT T.
P. O. BOX 1076, HAYDEN
LAKE, ID 83835

Source: GROUNDWATER
Diversion Pt: NWNW Sec 09 T
51N R 03W

Use: IRRIGATION (0.1 CFS);
DOMESTIC (0.180 CFS)

Date Filed: 02/19/1986

In: NWNW Sec 09 T 51N R 03W
FOR 5 ACRES

The permit(s) will be sub-
ject to all prior water rights.
Protests must be filed with the
Director, Dept. of Water Re-
sources, 4055 Gov't Way,
Coeur d'Alene, ID 83814 on or
before MARCH 17, 1986.

KEN DUNN, Dir.

Legal 839

Feb. 27, March 6, 1986

RECEIVED

MAR 7 1986

Department of Water Resources
Northern District Office

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
APRIL 03, 1986

KIRKPATRICK, ROBERT T.
P.O. BOX 1076
HAYDEN LAKE, ID 83835

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-8499

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

YOU SHOULD BE AWARE THAT THE GROUNDWATER YOU PROPOSE TO DIVERT IS LOCATED WITHIN A DRAINAGE BASIN WHERE SURFACE WATERS ARE REGULATED DURING THE MONTHS OF LOW FLOW. IT IS POSSIBLE THAT DIVERSION OF GROUNDWATER MAY HAVE AN ADVERSE IMPACT ON THESE SURFACE WATER FLOWS. INFORMATION AVAILABLE TO US AT THIS TIME DOES NOT WARRANT REFUSING TO ISSUE PERMITS IN YOUR AREA, BUT WE DO CAUTION THAT DIVERSIONS OF GROUNDWATER ARE NOT ALLOWED TO DEplete FLOWS AVAILABLE FOR SURFACE WATER USERS WITH EARLIER PRIORITY DATES. SITING YOUR WELL AS FAR FROM SURFACE SOURCES AS POSSIBLE AND CASING OUT UPPER WATER PRODUCING ZONES MAY REDUCE THE POTENTIAL OF INTERFERENCE.

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 BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

DRT: SC
ENCLOSURES

MICROFILMED

95-8499

KIRKPATRICK, ROBERT T.

P.O. BOX 1076, HAYDEN LAKE, ID 83835

Source: GROUNDWATER

Diversion Pt: NWNW Sec 09 T 51N R 03W

Use: IRRIGATION (0.1 CFS)
DOMESTIC (0.180 CFS)

Date Filed: 02/19/1986

In: NWNW Sec 09 T 51N R 03W FOR 5 ACRES

MICROFILMED