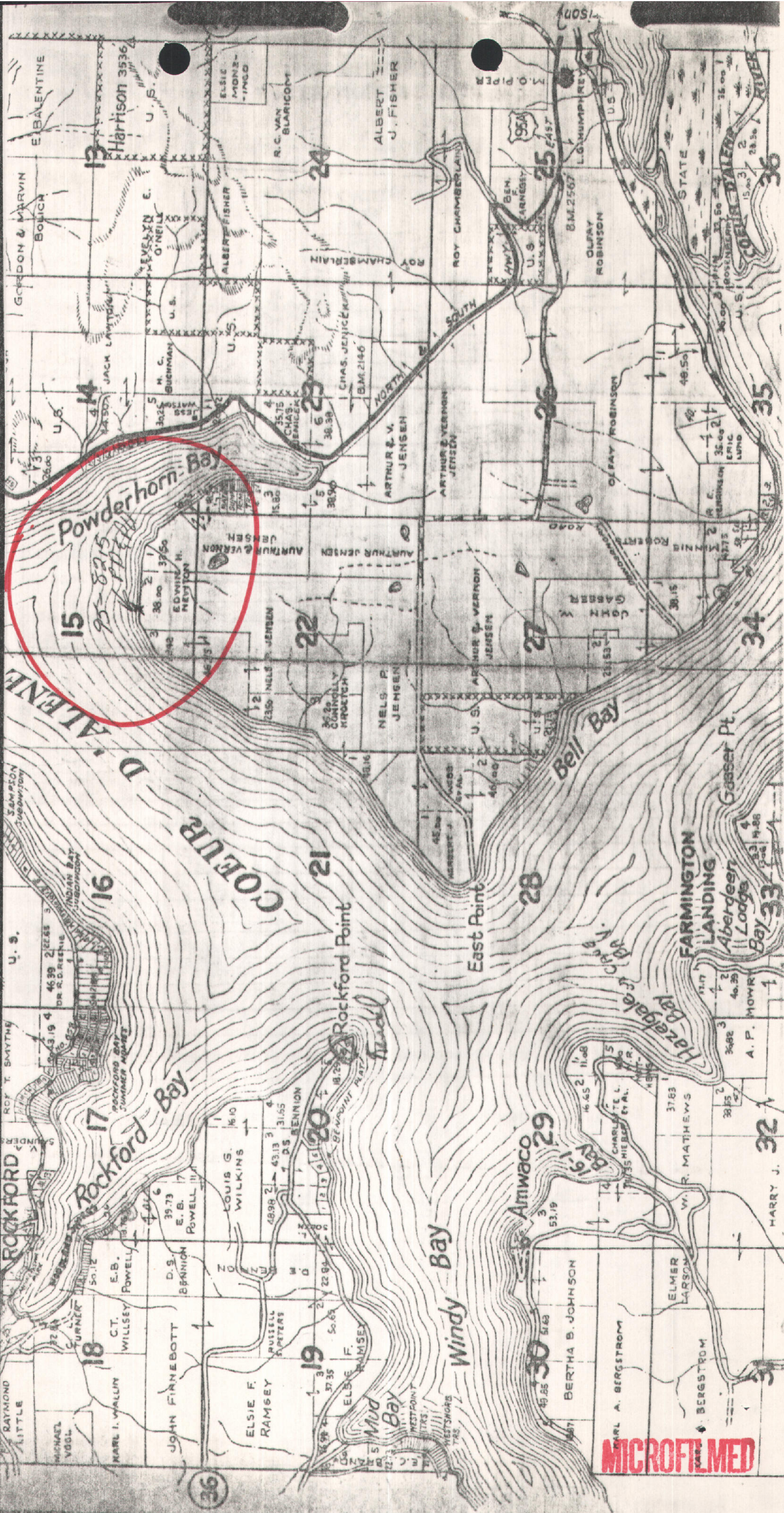


E *d* *D* *c* *C* *b*





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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-8215 Priority August 24, 1982 Amount 0.06 cfs

THIS IS TO CERTIFY, that Lester J. &/or Loyce Kelly
of Spokane, Washington, has complied with the terms and conditions of Permit
No. 95-8215 issued pursuant to Application for Permit dated August 24, 1982,
and has submitted proof to the Department of Water Resources on August 24, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.06 cfs of water from Coeur d'Alene Lake,
tributary to Spokane River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u> <u>(2 Units)</u>	from <u>April 1</u> to <u>November 1</u>	at <u>0.06</u> cfs and	<u>2.4</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.06 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2.4 acre feet per year, said waters to be diverted within the Gov. Lot 2 (SW $\frac{1}{4}$ SE $\frac{1}{4}$)
Section 15, Twp 48N, Rge 4W in the County of Kootenai

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
48N	4W	15															GLZ X		

Total number of acres irrigated _____

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CONDITIONS OF APPROVAL

- a. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license 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 license 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 license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 1ST day of NOVEMBER, 19 85.

Acting for the Director

Norman C. Young

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Lester J. &/or Loyce Kelly Phone (509) 924-8808

Post office address E. 12404 Shawnee Dr., Spokane, Wa. 99206

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

3. Location of point of diversion is G.L. 2 $\frac{1}{4}$ of $\frac{1}{4}$ of Section 15 Township 48N

Range 4W B.M. Kootenai County, additional points of diversion if any:

4. Water will be used for the following purposes:

Amount 0.06 for Domestic purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 0.06 cubic feet per second and/or b. acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.
Pump, pressure tank and pipeline.

b. Height of storage dam feet, active reservoir capacity acre-feet; total reservoir capacity acre-feet, materials used in storage dam:

Period of year when water will be diverted to storage to inclusive.
(Month/Day) (Month/Day)

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

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

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: G.L. 2 $\frac{1}{4}$ of $\frac{1}{4}$ of Section 15 Township 48N
Range 4W B.M.

(2) Amount of power to be generated: horsepower under feet of head.

(3) List number of each kind of livestock to be watered

(4) Name of municipality to be served , or number of families to be supplied with domestic water 2.

(5) If water is to be used for other purposes describe:

TWP	RANGE	SEC.	NE%				NW%				SW%				SE%			
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%
TOTALS			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%

[illegible]

State of Idaho

Applicants own 1 home & Dennis Vermillion owns other home.

by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing Making arrangements with the Department of Lands.

Remarks

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

[illegible]

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 Lester Kelly
(Applicant)

Received by Mr. [Signature] Date 8/24/82 Time 10 AM
Preliminary check by JK Fee \$ 33.50
Received by Mr. [Signature] Date 8/24/82 (24300)
Publication prepared by Mr. [Signature] Date 8/26/82
Published in Cumilla Green
Publication dates 9/20-9/22
Publication approved Mr. [Signature] Date 9/18/82
Protests filed by: None
Copies of protests forwarded by _____
Hearing held by _____
Recommended for approval denial by [Signature] Date [Signature]

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. 95-8215, 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 November 1, 19 83.

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. Other: The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 21st day of October, 1982.

[Signature]
Chief, Operations Bureau

AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

95-8215

KELLY, LESTER J. &/or
LOYCE
E. 12404 SHAWNEE DR.,
SPOKANE, WA 99208
Source: COEUR D ALENE
LAKE tributary to SPOKANE
RIVER
Date Filed: 08/24/1982
Amount: 0.06 CFS
Diversion Point: LOT 02 Sec 15 T
48N R 04W, KOOTENAI Co.
Use: DOMESTIC (0.06 CFS) from
04/01 to 11/01
Place of Use: LOT 02 Sec 15 T 48N
R 04W
Diversion Means: PUMP, TANK
AND PIPE.

95-8216

DEWEY, DONALD G. &/or
KETH
RT. 1 BOX 84, WORLEY, ID 83876
Source: GROUNDWATER
Date Filed: 08/25/1982
Amount: 0.14 CFS
Diversion Point: LOT 01 Sec 04 T
47N R 04E, KOOTENAI Co.
Use: IRRIGATION (0.04 CFS)
from 03/15 to 11/15; DOMESTIC
(0.14 CFS) from 01/01 to 12/31
Place of Use: LOT 01 Sec 04 T 47N
R 04W FOR 2 ACRES
Diversion Means: WELL, PUMP
AND PIPE.

95-8217

TUPPER, DONALD
NILAN, ROBERT
WILAN, WINANO
BAKAMIS, WILLIAM
BAKUS, ELIZABETH
HAFNER, JOANNE
7112 N.E. 63RD AVE., VAN-
COUVER, WA 98061
Source: GROUNDWATER
Date Filed: 08/23/1982
Amount: 0.16 CFS
Diversion Point: LOT 03 Sec 16 T
48N R 04W, KOOTENAI Co.
Use: DOMESTIC (0.16 CFS) from
01/01 to 12/31
Place of Use: LOT 03 Sec 16 T 48N
R 04W
Diversion Means: WELL AND
PUMP

96-8095

BAYVIEW WATER COOP WA-
TER USERS ASSN.
P. O. Box 571, BAYVIEW, ID
83803
Source: GROUNDWATER
Date Filed: 08/25/1982
Amount: 0.20 CFS
Diversion Point: NESW Sec 34 T
54N R 02W, KOOTENAI Co.
Use: IRRIGATION (0.08 CFS)
from 03/15 to 11/15; DOMESTIC
(0.20 CFS) from 01/01 to 12/31
Place of Use: NESW Sec 34 T 54N
R 02W FOR 4 ACRES
Diversion Means: WELL AND
PUMP

If issued, the permit(s) will be
subject to all prior water rights.
Protests against the granting of
any permit must be filed with the
director of the Idaho Department
of Water Resources, 4065 Gov't
Way, Coeur d'Alene, Id, 83814 on
or before SEPTEMBER 20, 1983.

A. KENNETH DUNN
Director

STATE OF IDAHO,
County of Kootenai,

ss.

Alene Hancock 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 Application

of which the annexed is a printed copy, was published in the regular Press issue of said newspaper for 2 consecutive weeks commencing on the 2 day of Sept, 1982, and ending on the 9 day of Sept, 1982, and such publication was made as often during said period as said newspaper 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 9 day of Sept, 1982

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

LEADER

November 1, 1985

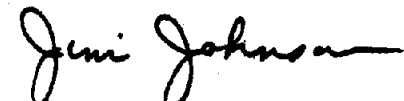
RE: Permit No. 95-8215

Lester J. &/or Loyce Kelly
E. 12404 Shawnee Dr.
Spokane, WA 99205

Dear Permit Holders:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

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CONTINUED

SCHEMATIC DIAGRAM OF SYSTEM

Place(s) of Use ✓

[illegible]

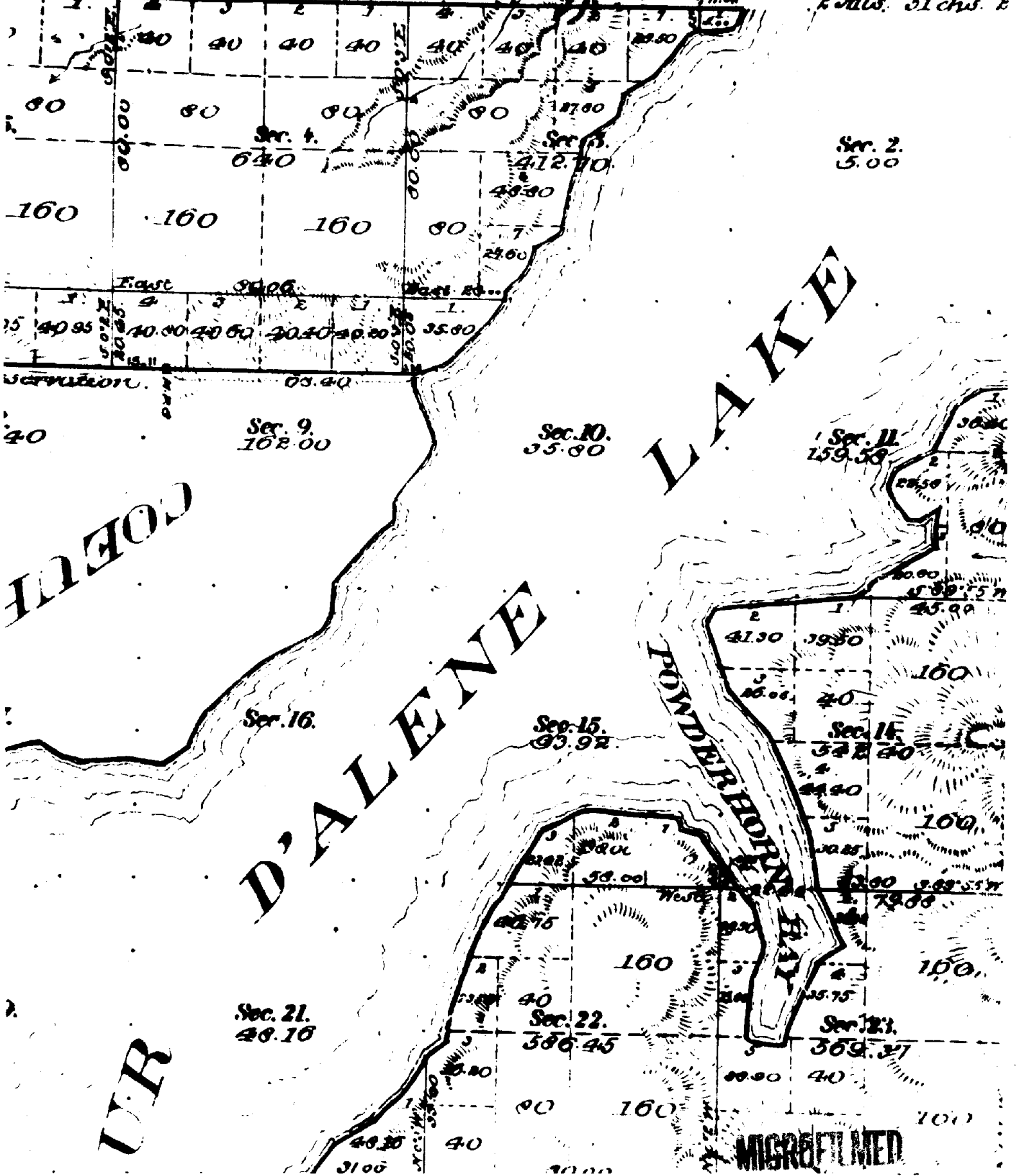
☒ None

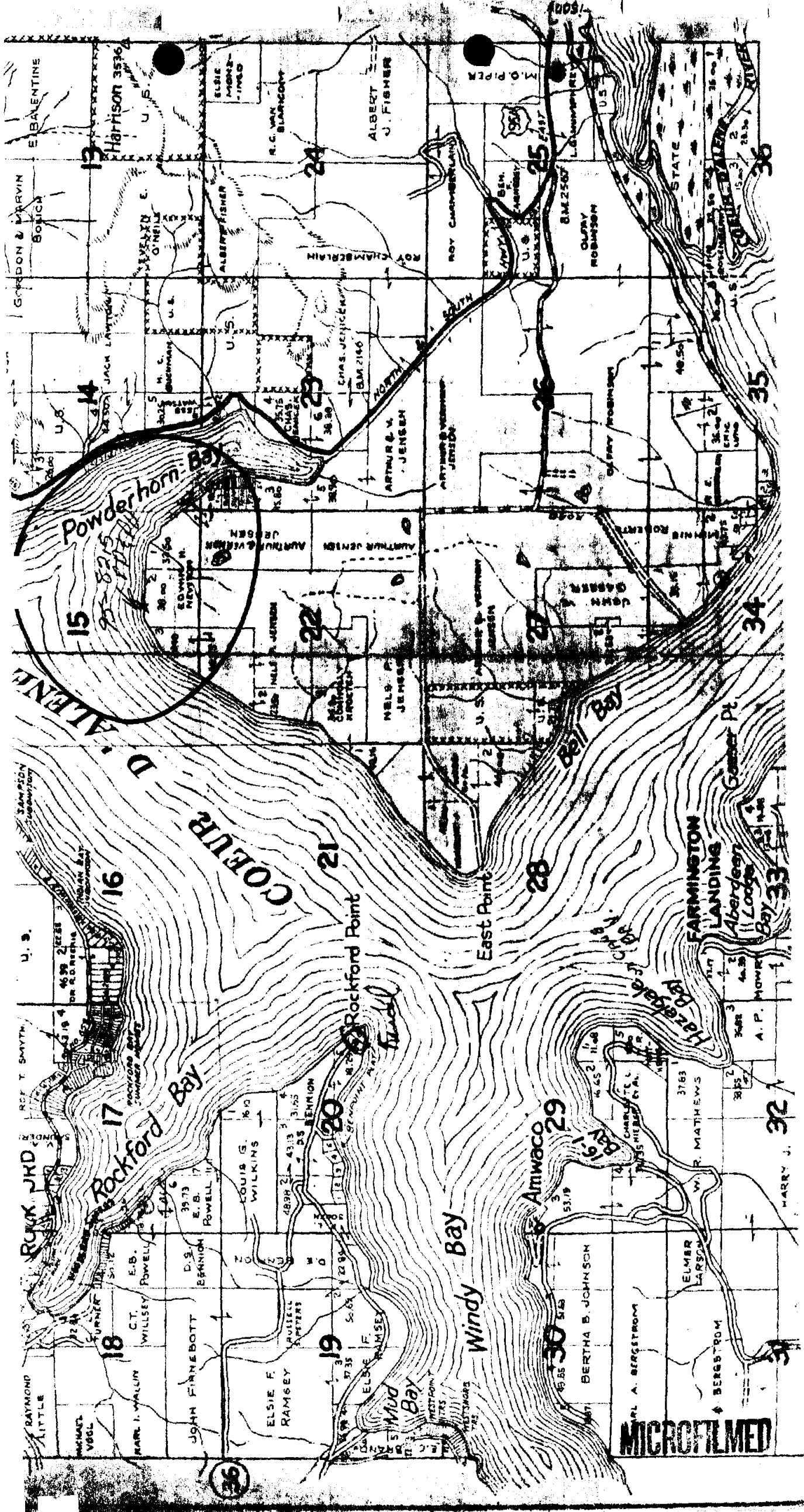
Signature _____

8/14/83
9/1/83
9-30-85

B ***d*** ***D*** ***c*** ***C*** ***b***

2 Mls. 51 chs. E





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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN W. EVANS
Governor
R. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

January 21, 1983

Mr. Lester Kelly
E. 12404 Shawnee Dr.
Spokane, Wa. 99206

RE: 95-8215

Dear Mr. Kelly:

We acknowledge receipt of your statement of completion of water development and use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We do not know at this time when he will be able to conduct the examination, however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. If you will not be available to show the system, please provide this office with the name and address of someone who will be able to do so. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office. Please be sure to use the above-referenced permit number in all future correspondence concerning this examination.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/pms

cc: IDWR - State Office

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DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 95-8315

Name(s) of Permit Holder: Lester J. &/or Loyce Kelly

Post Office Address: _____

Spokane, Wa. 99206 Tel. No. (509) 924-8808

Source of Water: Coeur d'Alene Lake

Extent of Use: ☒ Domestic 2 (number of households)
☐ Stockwater _____ (number and type of stock)
☐ Irrigation _____ (acres)
☐ Other _____

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No
Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

8/24/82
Date

Lester J. Kelly
Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Received 8-24-82
along with App
for Permit
TTC 10/13/82



STATE OF IDAHO

Alene file

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

GORDON C. TROMBLEY
DIRECTOR

STATE BOARD OF LAND COMMISSIONERS

JOHN V. EVANS
GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
DAVID H. LEROY
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
JERRY L. EVANS
SUP'T OF PUBLIC INSTRUCTION

October 4, 1982

Department of Water Resources
Northern Region
4055 Government Way
Coeur d'Alene, ID 83814

RE: 95-8215
Kelly, L.

Gentlemen:

Thank you for the copy of the above numbered diversion application. The applicant will be required to make application for a temporary permit and an encroachment permit from the Department of Lands in addition to your permit.

The applicant has been notified.

Very truly yours,

William A. Scribner
WILLIAM A. SCRIBNER, Chief
Bureau of Navigable Waters

WAS;bv

RECEIVED

OCT 6 1982

Department of Water Resources
Northern District Office

EQUAL OPPORTUNITY EMPLOYER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

KELLY, LESTER J. & LOYCE
E. 12404 SHAWNEE DR.
SPOKANE, WA 99206

OCTOBER 26, 1982

RE: PERMIT NO. 95-8215

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.

SINCERELY,

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

ENCLOSURE

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: JK

APPLICATION NUMBER: 95-8215

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☒ No Field check required.
☒ Yes ☒ No Critical groundwater area.
☒ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☒ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 9/20/82 ✓
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 9/13/82 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
8/24/82 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: [Signature] Date: 9/30/82

STATE OFFICE REVIEW:

SLW/EB 04

RECEIVED
OCT 08 1982

See attached sheet for more information.
By: [Signature] Date: 10/13/82

95-8215_

KELLY, LESTER J. &/or LOYCE

E. 12404 SHAWNEE DR., SPOKANE, WA 99206

Source: COEUR D'ALENE LAKE tributary to SPOKANE RIVER

Date Filed: 08/24/1982

Amount: 0.06 CFS

Diversion Point: LOT 02 Sec 15 T 48N R 04W, KOOTENAI Co.

Use: DOMESTIC (0.06 CFS) from 04/01 to 11/01

Place of Use: LOT 02 Sec 15 T 48N R 04W

Diversion Means: PUMP, TANK AND PIPE.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
~~Regional Supervisor~~
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

September 30, 1982

Mr. William Scribner
Idaho Dept. of Lands
Statehouse
Boise, Id. 83720

Re: 9508215

Dear Bill:

Enclosed is a copy of a recent filing with this Department that
may be of interest to you.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

PMS

Enc. - Application