

**STARTING
LEFT
SIDE OF
FILE**

FOR OFFICE USE ONLY
Amt. of Fee \$: 100.00
Receipt No. CO-79364
Receipt By: CME
Date Received: 10/14/05

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 14 2005

PROOF OF BENEFICIAL USE

Department of Water Resources

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 be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 95-09046 Telephone No. (208) 773-2770

2. Name of Permit Holder(s): PARKVIEW WATER ASSOCIATION

3. Mailing Address: 12218 W. PARKVIEW DR.

City POST FALLS State ID Zip 83854

4. Source of Water: GROUND WATER if GROUNDWATER (well), Date Drilled: mo. 3 / yr. 76

Well Driller: CARMIN DEVELOPMENT CO. Drilling Permit Number: 95-76-N-62

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 34 Stockwater (No. and type of stock): 0

Irrigation (No. of acres): 8.0 Other: 0

6. Total rate of diversion and/or volume for which proof is submitted: 0.30 cfs OR _____ acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?
Has the measuring device been installed?

Yes _____ or No ☒
Yes ☒ or No _____

8. Fee Enclosed: \$ 100.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: DAVE LINTHUN (PRES.) Telephone Number: 208 773-2770

Address: 12218 W. PARKVIEW DR. POST FALLS, ID. 83854

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature] (PRES.) Date: 10-7-05
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 95-09046

Priority: April 5, 2000

Maximum Diversion Rate:

0.30 CFS

This is to certify, that **PARKVIEW WATER ASSN**
210 W PARKVIEW DR
POST FALLS ID 83854

has applied for a permit to appropriate water from: **GROUNDWATER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.16 CFS
DOMESTIC	01/01 to 12/31	0.30 CFS
	Totals	0.30 CFS

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 10, Township 50N, Range 05W
KOOTENAI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
50N	05W	10	NENW	8.0		8.0

Total number of acres irrigated:

8.0

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before **December 1, 2005**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
7. The issuance of this right does not grant any right-of-way or easement across the land of another.

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APR 11 2001

State of Idaho
Department of Water Resources

Permit To Appropriate Water

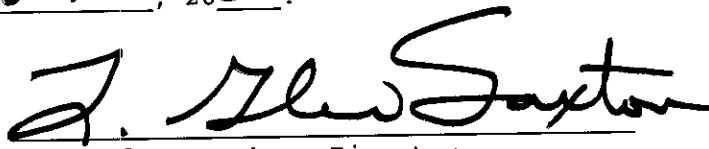
NO. 95-09046

CONDITIONS OF APPROVAL AND REMARKS

8. Point of diversion is located within Lot 5, Blk. 2, Park View Addition.
9. Places of use are located within Lots 1-11, Blk. 1; Lots 1-11, Blk. 2; and Lots 1-12, Blk. 3; Park View Addition.
10. Domestic use is for 34 homes and does not include lawn, garden, landscape, or other types of irrigation.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

27th day of November, 2000.


for
Karl J. Dreher, Director

MICROFILMED

APR 11 2001

Ident. No. 95-09046

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

SEP 6 2000

DEPARTMENT OF WATER RESOURCES

1. Name of Applicant PARKVIEW WATER ASSN. Phone 773-2770
Mailing address 210 W. PARKVIEW DR. POST FALLS, ID. 83854
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is Township 50 N Range 5 W Sec. 10 in the NE 1/4, NE 1/4, NW 1/4, Govt. Lot _____, B.M., KOOTENAI County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:

Amount <u>30</u>	for <u>Domestic</u>	purposes from <u>1-1</u> to <u>12-31</u>	(both dates inclusive)
(cfs or acre-feet per annum)			
Amount <u>16</u>	for <u>Irrigation</u>	purposes from <u>3/15</u> to <u>11/15</u>	(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)			
Amount _____	for _____	purposes from _____ to _____	(both dates inclusive)
(cfs or acre-feet per annum)			
5. Total quantity to be appropriated is (a) 30 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source Well and pump
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - c. Proposed well diameter is 6 inches; proposed depth of well is 77 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? NO
 - e. If well is already drilled, when? 3-13-76; Drilling firm CARMAN DEVELOPMENT CO.
Well was drilled for (well owner) ROBIN WOLLAN; Drilling Permit No. 95-76-N-62
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in KW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. 40
 - e. Other; describe fully. _____

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APR 11 2001

9. Description of place of use:

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

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

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N	5W	10					8												8

Total number of acres to be irrigated 8

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? Applicant

b. Who owns the land to be irrigated or place of use? Members of ASSN.

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

12. Remarks: David Umthun Pres

Linda Langer Sec-Treasurer

Darrel Miller Vice-Pres

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

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APR 11 2001

PRESIDENT

Signature of Applicant (and title, if applicable)

PARKVIEW WATER ASSN.

Received by RYA Date 4/5/2000 Time 9:50 AM Preliminary check by _____
 Fee \$ 100.00 Received by DB # N 13572 Date 4/5/2000
 Publication prepared by db Date 5/10/00 Published in CDA Press 5/18+25/00
 Publication approved db Date 5/30/00

PARK VIEW ADDITION

IN THE NW⁴ SECTION 10, TOWNSHIP 50 NORTH, RANGE 5
WEST, B.M., KOOTENAI COUNTY, IDAHO

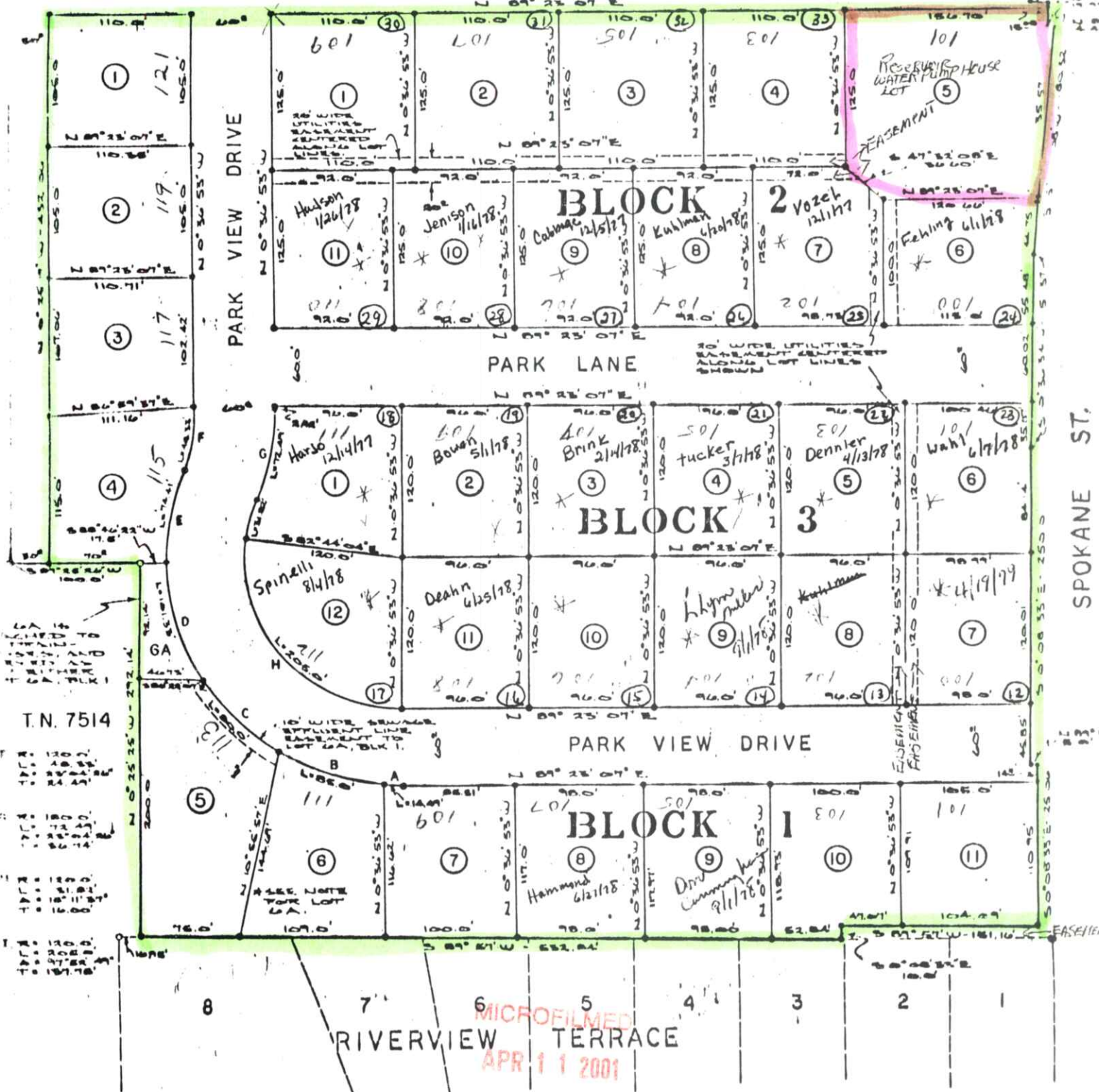
WATER ASSN.
BOUNDARY

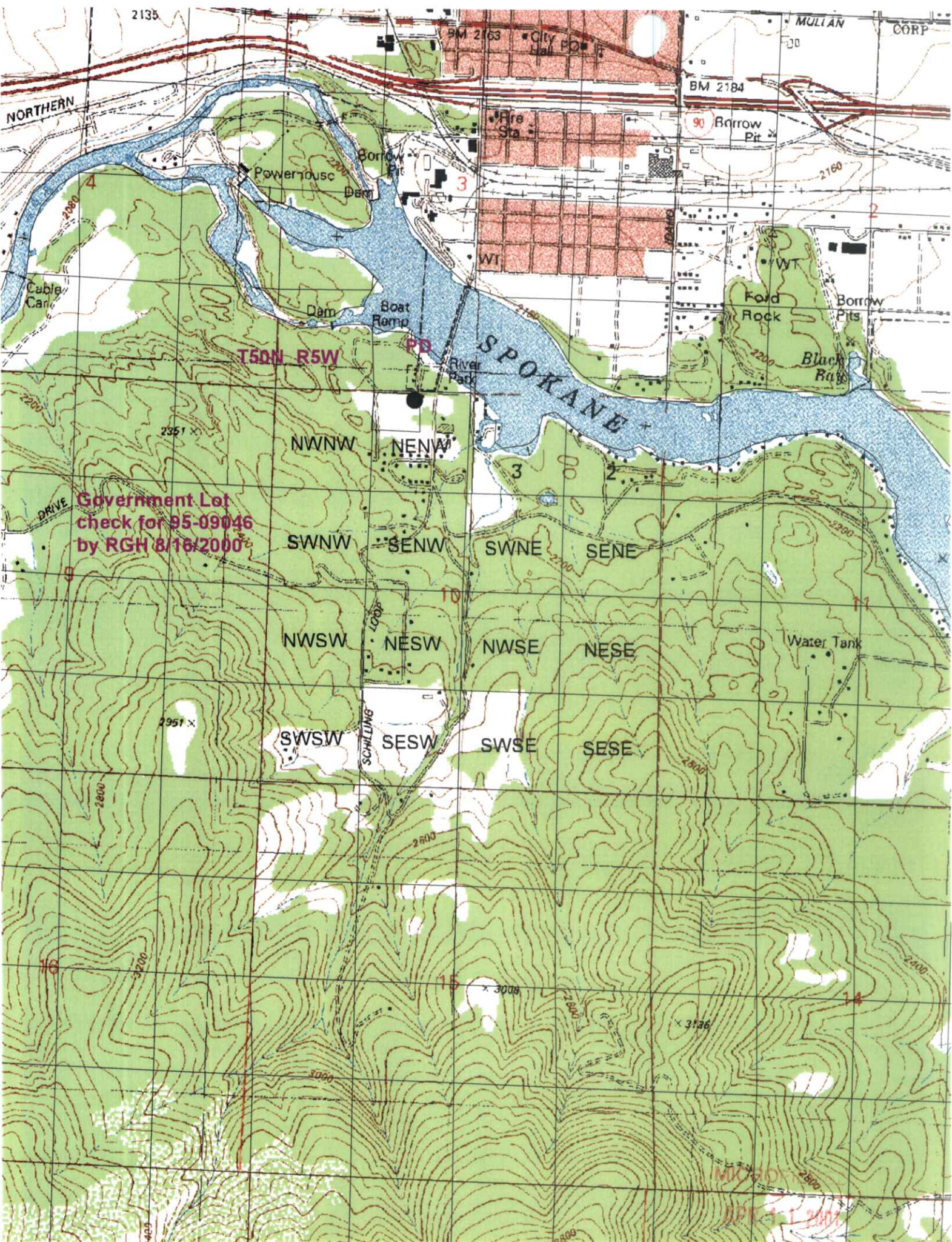
WELL + RESERVOIR
LOT

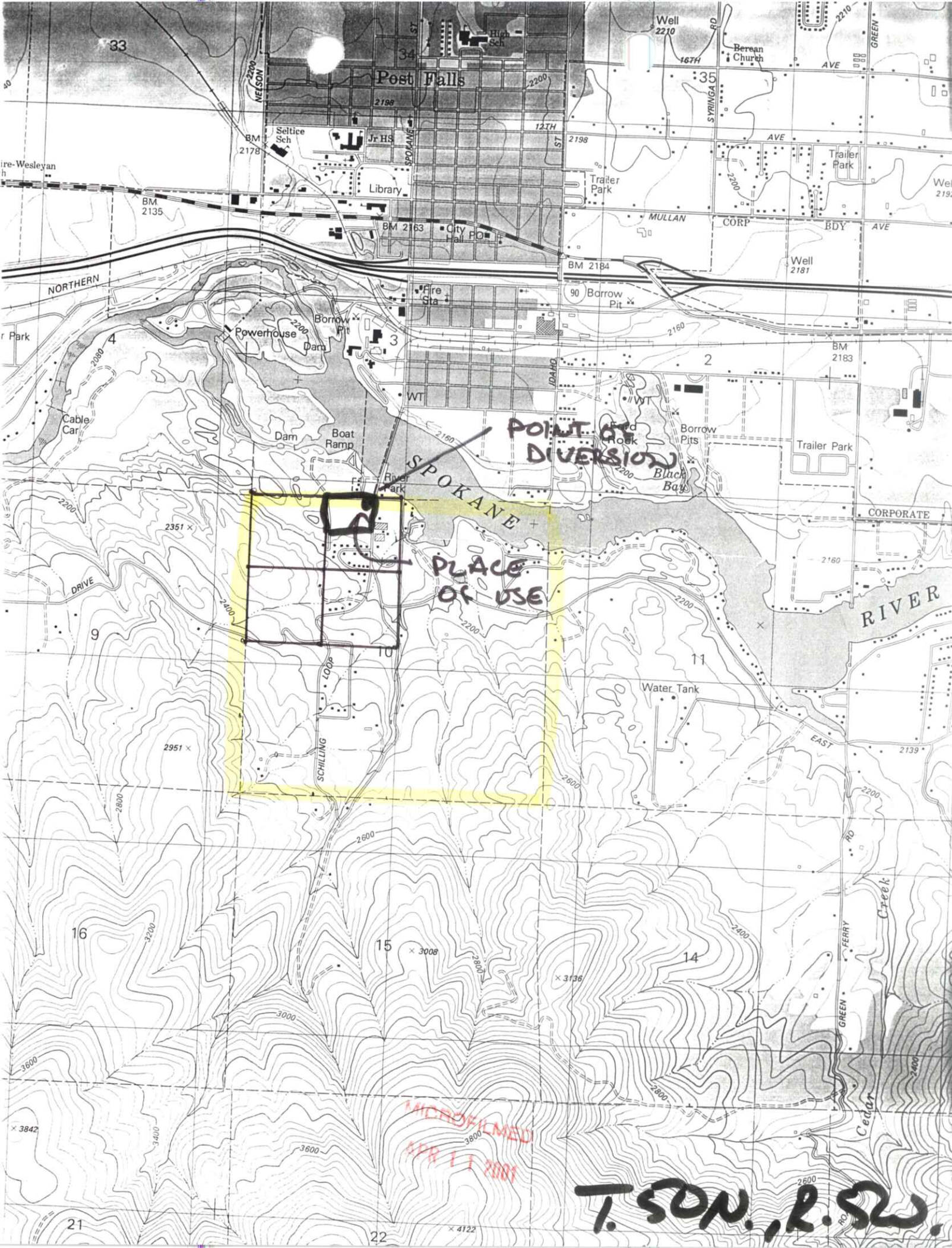
N. LINE SECTION 10
AS ESTABLISHED BY
R. KINDLER ELS 2480

N 89° 23' 07" E - 783.72'

PARK WAY DRIVE



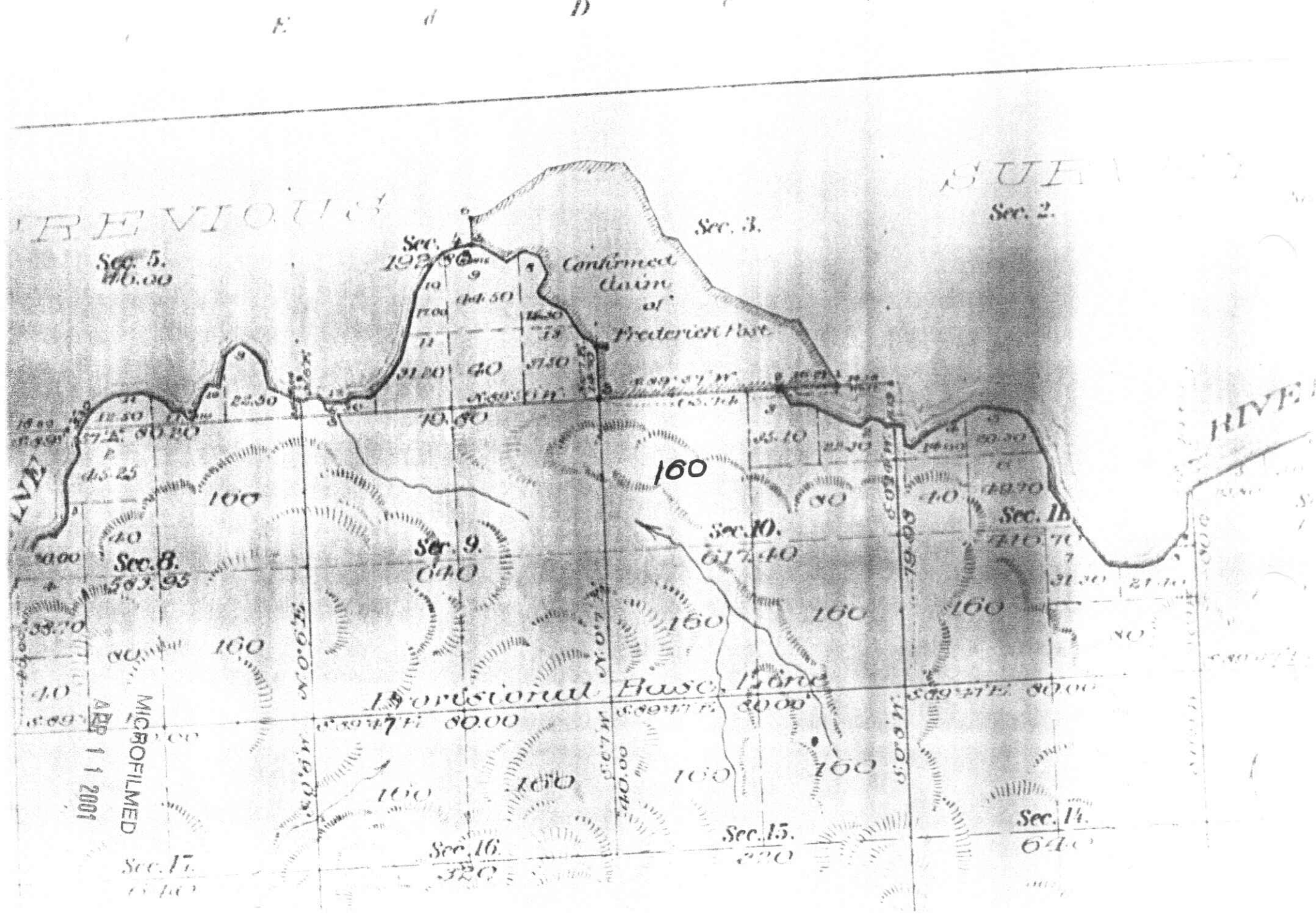




MICROFILMED
APR 11 2001

T. SON, R. SW.

North Range No 7 West of the Boise Meridian



**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 9, 2006

PARKVIEW WATER ASSOCIATION
12218 W PARKVIEW DR
POST FALLS ID 83854

PROOF ACKNOWLEDGMENT LETTER

Re: Permit No 95-9046

Dear Permit Holders:

The department acknowledges receipt of the proof of beneficial use ("proof") form submitted for the above-referenced permit. The next step in the process of developing a water right is for the department to conduct the field examination to determine and confirm the use of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov

If you have questions about the field examination, please contact the **Northern** Regional Office of the department in Coeur d'Alene at (208) 769-1450.

Sincerely,

Christine Roberts

Christine Roberts
Technical Records Specialist

Encl:

September 30, 2005

PARKVIEW WATER ASSN
12218 W PARKVIEW DR
POST FALLS, ID 83854-7120

PROOF DUE NOTICE

RE: PERMIT NO. 95-9046

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 December 01, 2005. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

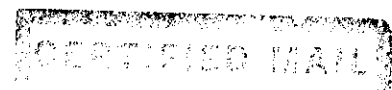
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures



7003 0500 0003 1969 5196



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 27, 2000

PARKVIEW WATER ASSN
210 W PARKVIEW DR
POST FALLS ID 83854

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-09046

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you. MICROFILMED APR 11 2001

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure

to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at 208-327-7946.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

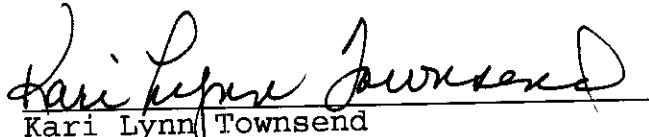
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APR 11 2001

CERTIFICATE OF MAILING

I hereby certify that on the 27th day of November, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 95-09046

PARKVIEW WATER ASSN
210 W PARKVIEW DR
POST FALLS ID 83854


Kari Lynn Townsend
Secretary

MICROFILMED
APR 11 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of, or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

} ss.

Stacie Walker

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 *Thursday* issue of said newspaper for *2* consecutive *weeks* commencing on the *18* day of *May* *2000*, and ending on the *25* day of *May* *2000*, 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.

Stacie Walker

Subscribed and sworn to before me this

25 day of *May*

2000

Regina Mason

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

MY COMMISSION EXPIRES 6/18/01

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-09046

PARKVIEW WATER ASSN
210 W. PARKVIEW DR
POST FALLS, ID 83854

Source: GROUNDWATER

Diversion Pt: NENW Sec 10 T 50N R 05W in KOOTENAI County.

Use: IRRIGATION (0.160 CFS)

DOMESTIC (0.300 CFS)

Total Diversion: (0.300 CFS)

Date Filed: 4/5/2000

In: KOOTENAI County

T50N R05W S10 NENW

8.0 ACRES TOTAL

95-09047

ERLANDSON, GERALD R
1245 E CRYSTAL BAY RD
POST FALLS, ID 83854

Source: SPOKANE RIVER

Diversion Pt: NENW Sec 11 T Tributary: COLUMBIA RIVER

KOOTENAI County. NWNW Sec 11 T 50N R 05W in KOOTENAI County.

Use: IRRIGATION (0.030 CFS)

AESTHETIC (0.150 CFS)

Total Diversion: (0.180 CFS)

Date Filed: 4/28/2000

In: KOOTENAI County

T50N R05W S11 NENW

NWNW

0.6 ACRES TOTAL

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450

The permit (s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before JUNE 5, 2000.

KARL J. DREHER, Director

Legal 103

May 18, 25, 2000

RECEIVED

MAY 26 2000

IDWR/North

MICROFILMED

MAY 1 1 2000

95-09046

PARKVIEW WATER ASSN
210 W PARKVIEW DR
POST FALLS, ID 83854

Source: GROUNDWATER

Diversion Pt: NENENW Sec 10 T 50N R 05W in KOOTENAI County.

Use: IRRIGATION	(	0.160 CFS)
DOMESTIC	(	0.300 CFS)
Total Diversion:	(	0.300 CFS)

Date Filed: 4/ 5/2000

In: KOOTENAI County
T50N R05W S10 NENW

8.0 ACRES TOTAL

MICROFILMED

APR 15 2001

May 10, 2000

Parkview Water Assn
210 W Parkview Dr
Post Falls ID 83854

Re: Water Appropriation Application No. 95-09046

Gentlemen:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the local 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. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. 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.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State office in Boise.

If your source is groundwater, a Well Drilling Permit is required for all wells constructed after July 1, 1987.

A "Domestic" well drilling permit should be obtained for a rate of diversion of up to 18 gallons per minute (0.04 CFS) and a daily volume of up to 2,500 gallons per day. The cost for this permit is \$75.00. For any other use, including multiple homes, or municipal, etc., the Drilling Permit fee is \$200. These Permits can be obtained by your driller, also. It is sometimes possible to upgrade an existing Domestic Drilling Permit by submitting a fee for the difference. This, however, depends on the individual well.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ENCLOSURE

ALLEN BEARDSLEE
Senior Water Resources Agent

AB:db

APR 11 2001

DATE: 05/04/00
PAGE: 1

Audit: 05/04/00 DBALL