

**STARTING
LEFT
SIDE OF
FILE**

FOR OFFICE USE ONLY
Amt. of Fee \$: 150.00
Receipt No. C039188
Receipt By: jm
Date Received: 9-23-05

RECEIVED

SEP 23 2005

DEPARTMENT OF
WATER RESOURCES

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

1. Permit No. 95-9137 Telephone No. 208-777-9857
2. Name of Permit Holder(s): CITY OF POST FALLS
3. Mailing Address: 408 N. Spokane Street
City Post Falls State ID Zip 83854
4. Source of Water: Groundwater If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____
5. Use(s) (as authorized by the water right permit): Priority Date: 08/16/1961 (See: 95-4457)
Domestic (No. of households): 6000 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 3 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? Yes X or No _____
Has the measuring device been installed? Yes X or No _____
8. Fee Enclosed: \$ 150.00 (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: Terry Werner Telephone Number: 208-777-9857
Address: 2002 W. Settice Way - Post Falls, Idaho 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: Terry Werner
Public Works Superintendent Date: 09-06-05
(include your title, if on behalf of company or organization)

or - Matt Isch at same number and address.

State of Idaho
Department of Water Resources
Amendment of Permit

NO. 95-09137

Priority: July 02, 2002

Maximum Diversion Rate: 3.00 CFS

This is to certify, that CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

has applied for an amendment of a permit and the amendment is APPROVED for development of water as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
MUNICIPAL	01/01 to 12/31	3.00 CFS

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	NE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 34, Twp 51N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	NW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 34, Twp 51N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	NW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 34, Twp 51N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	NW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 1, Twp 50N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	SW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 27, Twp 51N, Rge 05W, B.M., KOOTENAI County
GROUND WATER L1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)		Sec. 2, Twp 50N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	SW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 27, Twp 51N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	NW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 34, Twp 51N, Rge 05W, B.M., KOOTENAI County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2005**.
2. Subject to all prior water rights.
3. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of any management plan approved by the director for the RPGWMA. If the director determines that the ground water supply in the RPGWMA is insufficient to meet the demands of prior water rights within the RPGWMA, the director may order the diversion and use of water under this right to be reduced or curtailed until the director determines that there is sufficient ground water available for this right.
4. 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.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. 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.
7. Place of use is within the service area of the City of Post Falls municipal water supply system as provided for under Idaho Law.

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State of Idaho
Department of Water Resources
Amendment of Permit

NO. 95-09137

8. Rights 95-04457, 95-04458, 95-04460, 95-07436, 95-08048, 95-08862, and 95-09147 are also diverted through the points of diversion described above.

This amendment of permit is issued pursuant to the provisions of Section 42-211, Idaho Code. Witness the signature of the Director, affixed at Boise, this 6th day of February, 2004.


for KARL J DREHER, Director

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RECEIVED
FEB - 2 2004

70967

RECEIVED
DEC 02 2003
IDWR/North

Fee. \$50.00
Receipt N016025
Received by
Date 12/2/03

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR AMENDMENT OF A PERMIT

Name of Applicant City of Post Falls Phone (208)777-9857

Mailing address 408 North Spokane Street, Post Falls, Idaho 83854

I am the owner and the holder of Permit to appropriate the Public Waters of the State of Idaho No. 95-09137, and request that the permit map be amended and/or changed as follows.

Purpose of Amendment:

1. ☒ Change point of diversion ☒ Add diversion point (s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

1. Point of diversion: NE 1/4 NE 1/4 1/4, Section 34, Township 51N, Range 05W, B.M.,
County of Kootenai. Other points of diversion See Attached.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 3.00 cfs for Municipal purposes from 01/01 to 12/31 (both dates inclusive)
(cfs/ac-ft) (water use) (Begin Month) End Month)

Amount for purposes from to (both dates inclusive)
(cfs/ac-ft) (water use) (Begin Month) End Month)

Amount for purposes from to (both dates inclusive)
(cfs/ac-ft) (water use) (Begin Month) End Month)

3. Place of use of land to be irrigated: Within City Limits of City of Post Falls

Twp.	Rge.	Sec.	NE 1/4			SW 1/4	SE 1/4					TOTALS
			NE 1/4	NW 1/4	S 1/2		SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

p/d listed on this page is also listed on attachment - only 1 p/d in 1515331

Total Acres _____

4. a. Who owns the property:

b. Who owns the land to be

c. If the property is owner
filing: N/A

ingement enabling the applicant to make this

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JUN 16 2004

RECEIVED
FEB - 2 2004

70967

RECEIVED
DEC 02 2003
DWR/North

Fee. \$50.00
Receipt NO 16025
Received by
Date 12/2/03

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR AMENDMENT OF A PERMIT

Name of Applicant City of Post Falls Phone (208)777-9857

Mailing address 408 North Spokane Street, Post Falls, Idaho 83854

I am the owner and the holder of Permit to Appropriate the Public Waters of the State of Idaho No. 95-09137, and request that the permit map be amended and/or changed as follows.

Purpose of Amendment:

1. ☒ Change point of diversion ☒ Add diversion point (s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

1. Point of diversion: NE 1/4 NE 1/4 1/4, Section 34, Township 51N, Range 05W, B.M.,
County of Kootenai. Other points of diversion See Attached.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 3.00 cfs for Municipal purposes from 01/01 to 12/31 (both dates inclusive)
(cfs/ac-ft) (water use) (Begin Month) End Month)

Amount for purposes from to (both dates inclusive)
(cfs/ac-ft) (water use) (Begin Month) End Month)

Amount for purposes from to (both dates inclusive)
(cfs/ac-ft) (water use) (Begin Month) End Month)

3. Place of use of land to be irrigated: Within City Limits of City of Post Falls

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total Acres _____

4. a. Who owns the property at the point of diversion? City of Post Falls

b. Who owns the land to be irrigated or place of use? Municipal Use

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

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Complete the following map by showing land and point of diversion as proposed by this amendment. Show $\frac{1}{4}$ $\frac{1}{4}$, section, township, range and ditches. (The smallest subdivision represents 40 acres.)

[illegible]

Scale: 2 inches equal 1 mile

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 2 day of Dec, 2003. Jerry Cullner
Permit Holder Signature (and title, if for a company or organization)
Public Works Superintendent

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Prelim check by _____ Publication prepared by db Date 12/11/03

Published in cdg Press Date 12/18 + 25/03

I, _____, of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 200__.

SIGNATURE

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JUN 16 2004

CITY OF POST FALLS
408 N SPOKANE STREET
POIST FALLS, IDAHO 83854
208-777-9857
95-9137

Attachment: Other Points of Diversion

LOT	¼	1/4	SECTION	TWP	RANGE	COUNTY	LOCAL NAME
	NE	NE	34	51N	5W	KOOTENAI	WELL 3
	NW	NE	34	51N	5W	KOOTENAI	WELL 2
	NW	NE	34	51N	5W	KOOTENAI	WELL 1
	NW	SW	1	50N	5W	KOOTENAI	WELL 4
	SW	SE	27	51N	5W	KOOTENAI	WELL 5
	NE	NE	2	50N	5W	KOOTENAI	WELL 6
	SW	SE	27	51N	5W	KOOTENAI	WELL 7
	NW	NW	34	51N	5W	KOOTENAI	WELL 8

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JUN 16 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09137

Priority: July 02, 2002

Maximum Diversion Rate: 3.00 CFS

This is to certify, that CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

has applied for a permit to appropriate water from:

Source: GROUND WATER

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>
MUNICIPAL	01/01 to 12/31	3.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE1/4NE1/4 Sec. 34, Twp 51N, Rge 05W, B.M. KOOTENAI County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2005**.
2. Subject to all prior water rights.
3. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of any management plan approved by the director for the RPGWMA. If the director determines that the ground water supply in the RPGWMA is insufficient to meet the demands of prior water rights within the RPGWMA, the director may order the diversion and use of water under this right to be reduced or curtailed until the director determines that there is sufficient ground water available for this right.
4. 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.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. 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.
7. Place of use is within the service area of the City of Post Falls municipal water supply system as provided for under Idaho Law.

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JUN 16 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 95-09137

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 26th day of November, 2003.

A handwritten signature in cursive script, appearing to read "Karl J. Dreher", is written over a horizontal line.

KARL J DREHER, Director

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JUN 16 2004

RECEIVED

NOV 02 2001

IDWR/North

70003

Ident. No. 95-9137
(See 95-4457)

RECEIVED

OCT 30 2003

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

NOV 02 2001

IDWR/North

1. Name of Applicant City of Post Falls Phone (208) 777-9857
Post Office address 408 North Spokane Street, Post Falls, Idaho 83854
2. Source of water supply Deep Well/Ground Water which is a tributary of N/A
3. Location of point of diversion is NE 1/4 of NE 1/4 of 1/4, Govt. Lot
Sec. 34 Township 51N Range 5W B.M. Kootenai County; additional points of diversion if any:
4. Water will be used for the following purposes:
Amount 3.0 for Municipal purposes from Jan. 1 to Dec. 31 (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) 3.00 and/or (b) ~~95 acre-feet~~
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 200 hp pump, 18" O.D. casing, 12" main water line
 - 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 inches; proposed depth of well is feet.
 - d. Is ground water with a temperature of greater than 85° F being sought? No
 - e. If well is already drilled, when? 1948+; Drilling firm N/A
Well was drilled for (well owner) City of Post Falls
7. Time required for completion of works and application of water to proposed beneficial use is 2 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 if KW. N/A
 - b. Stockwatering; list number and kind of livestock. N/A
 - c. Municipal; show name of municipality. City of Post Falls
 - d. Domestic; show number of households. N/A
 - e. Other; describe fully.

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JUN 18 2004

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	
51N 5W	5W	34	m																

PLACE OF USE IS WITHIN THE
SERVICE AREA OF CITY OF POST FALLS.

Total number of acres to be irrigated 0

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

Permits #95-4460, 95-4458, 95-7436, 95-8048, 95-8862

11. a. Who owns the property at the point of diversion? City of Post Falls

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

c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make this filing: N/A

12. Remarks: This application is to update permit #95-4457. The pump motor was increased to a 200 hp which pumps 1350 gpm. The old pump was 60 hp.

13. MAP OF PROPOSED PROJECT ATTACHED Show clearly the proposed point of diversion, place of use, section number, township and range number.

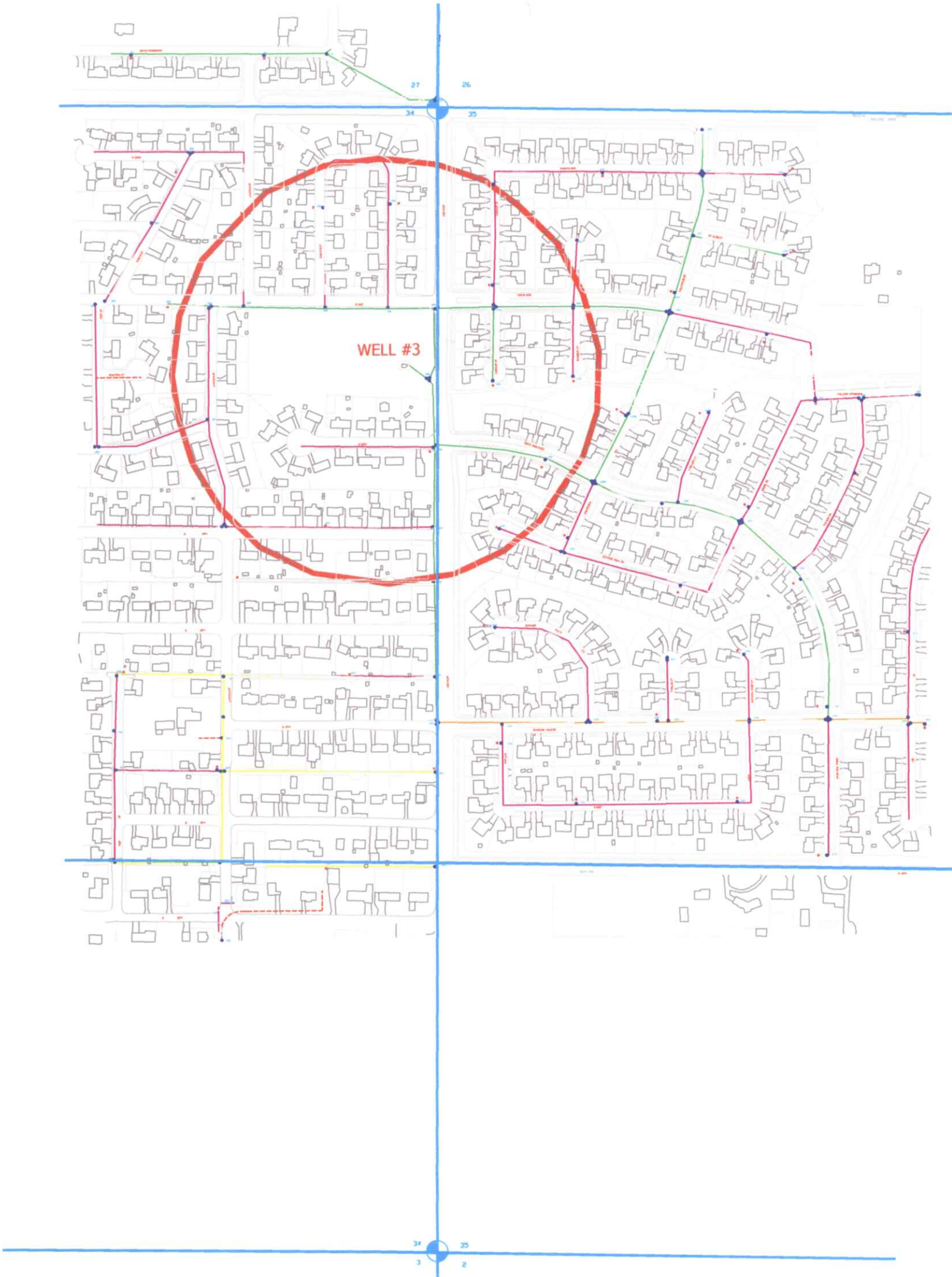
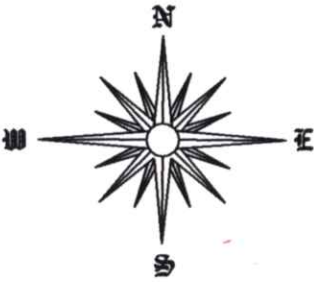
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

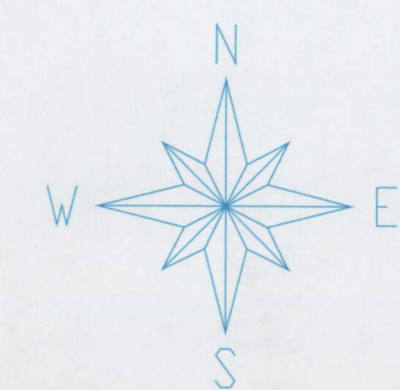
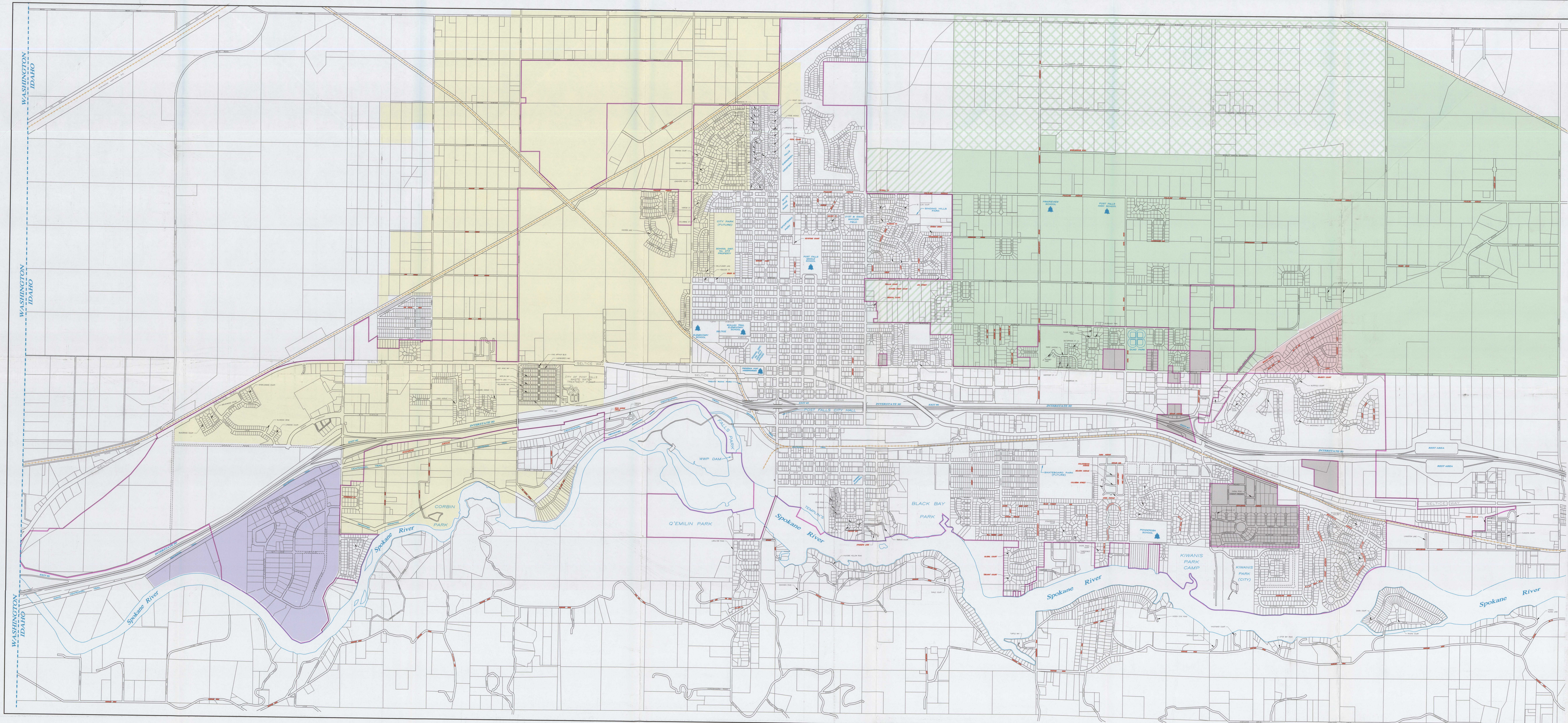
Jerry Currier / Utility Superintendent
(Applicant) City of Post Falls

Received by db Date 11/2/01 Time 1:55P Preliminary check by AB
Fee \$ 330.00 Receipted by db # N014858 Date 2/28/02
Publication prepared by db Date 7/10/02 Published in CIA Press 7/18+25/02
Publication approved db Date 7/26/02

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JUN 16 2004

WELL 3
40 ACRE AREA





- LEGEND
- STREET RIGHT-OF-WAY OR PUBLIC ACCESS
 - UNPLATTED AND / OR INCOMPLETE STREET RIGHT-OF-WAY OR PUBLIC ACCESS
 - RAILROAD
 - LOT / PROPERTY LINES
 - CITY LIMITS
 - STATE LINE
 - UNINCORPORATED AREAS WITHIN CITY BOUNDARIES
 - JACKLIN WATER DISTRICT
 - EAST GREENACRES WATER DISTRICT
 - ROSS POINT WATER DISTRICT
 - VALLEY WATER DISTRICT

RECEIVED
FEB 25 2002
IDWAWM



408 SPOKANE STREET
POST FALLS, IDAHO 83854
(208) 775-5911

Post Falls Water District Map

PWID No. 02-020 SCALE: 1" = 1,000' SHEET 1 of 1
FILE: 1000 WPP WATER DISTRICT.DWG DATE: February 19, 2002

**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 5, 2006

CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

PROOF ACKNOWLEDGMENT LETTER

Re: Permit No 95-9137

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:

August 31, 2005

CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS, ID 83854

PROOF DUE NOTICE

RE: PERMIT NO. 95-9137

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 November 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.

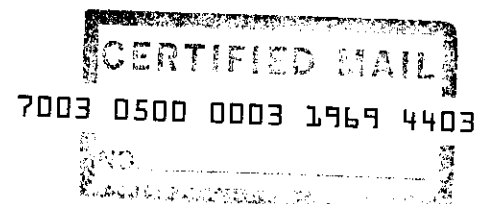
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 6, 2004

CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

RE: Permit No. 95-9137

Amendment of Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed amendment of permit approving your application to amend the permit referenced above. Please be sure to thoroughly review every element including the conditions of approval listed on your permit.

The amendment of permit 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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or 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 forms and instructions.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

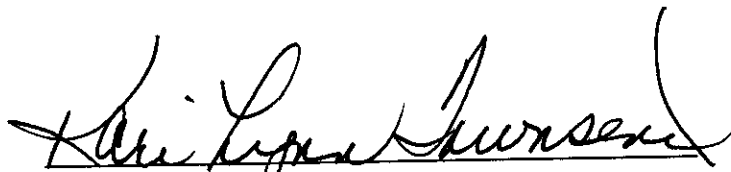
MICROFILMED
JUN 16 2004

CERTIFICATE OF SERVICE

I hereby certify that on February 6, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Amendment of Permit) to the person(s) listed below:

RE: WATER RIGHT PERMIT NO. 95-9137

**CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854**

A handwritten signature in black ink, appearing to read "Kar Lynn Townsend", written over a horizontal line.

**Kar Lynn Townsend
Secretary**

MICROFILMED

JUN 16 2004

**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.

MEMORANDUM

TO: Files 95-9137 and 95-9147

FROM: KAY WALKER

RE: Amendment Applications

Date: February 6, 2004

.....

The applications for amendment of these permits were filed to add all of the wells the city uses to these permits. I recommend approval with an additional condition noting all the other rights that are diverted from these points of diversion.

MICROFILMED
JUN 16 2004



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MEMORANDUM

January 30, 2004

MEMO TO: FILE

FROM: Al Beardslee

RE: Amendment to WR Nos. 95-9137 and 95-9147- City of Post Falls

It is the recommendation of this office that these two amendments be approved.

A handwritten signature in cursive script, reading 'Al Beardslee'.

Al Beardslee
Senior Water Resource Agent

MICROFILMED
JUN 15 2004

FAX

December 23, 2003

To: Dianne Ball - IDWR - Northern Regional Office - Fax # (208) 769-1454

From: Lin Buck - BLM - Idaho State Office - Fax # (208) 373-3839

Re: Application for Permit No. 95-09137 for City of Post Falls

Hi Dianne:

Our office reviewed the above water right application for permit from the IDWR New Water Rights filing report dated December 15, 2003 (copy attached).

Our MTP (copy attached) shows:

POD: T50N R05W S2 NENE

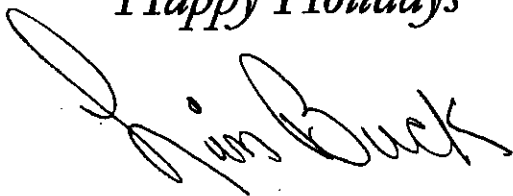
may be missing a lot number.

Got Lot 1
entered on
computer 12/24/03
db

BLM does not have a problem with this claim; we are just providing this for your information.

Thank you.

Have a nice day!

Happy HolidaysPages 4 (includes cover sheet)

cc: Craig Johnson - Cottonwood FO - FAX: (208) 962-3275

MICROFILMED
JUN 16 2004

IDAHO DEPARTMENT OF WATER RESOURCES
NEW WATER RIGHT FILINGS

DATE: 12/15/03

Application for Amendment of Permit No. 95-9137

Name: CITY OF POST FALLS

Diversion Pt NENE	Sec 34 T 51N R 05W	KOOTENAI County	Source GROUND WATER
Diversion Pt NWNE	Sec 34 T 51N R 05W	KOOTENAI County	Source GROUND WATER
Diversion Pt NWNE	Sec 34 T 51N R 05W	KOOTENAI County	Source GROUND WATER
Diversion Pt NWSW	Sec 1 T 50N R 05W	KOOTENAI County	Source GROUND WATER
Diversion Pt SWSE	Sec 27 T 51N R 05W	KOOTENAI County	Source GROUND WATER
X Diversion Pt NENE	Sec 2 T 50N R 05W	KOOTENAI County	Source GROUND WATER
Diversion Pt SWSE	Sec 27 T 51N R 05W	KOOTENAI County	Source GROUND WATER
Diversion Pt NWNW	Sec 34 T 51N R 05W	KOOTENAI County	Source GROUND WATER
Use: MUNICIPAL	01/01 To 12/31 3 CFS		

Total Diversion: 3 CFS

Date Filed: 12/02/2003

Remarks: Municipal use is within service area of City of Post Falls.

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JUN 16 2004

TOWNSHIP 50 NORTH RANGE 5 WEST OF THE BOISE MERIDIAN, IDAHO
KOOTENAI COUNTY 055
CROWN PLATE DISTRICT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

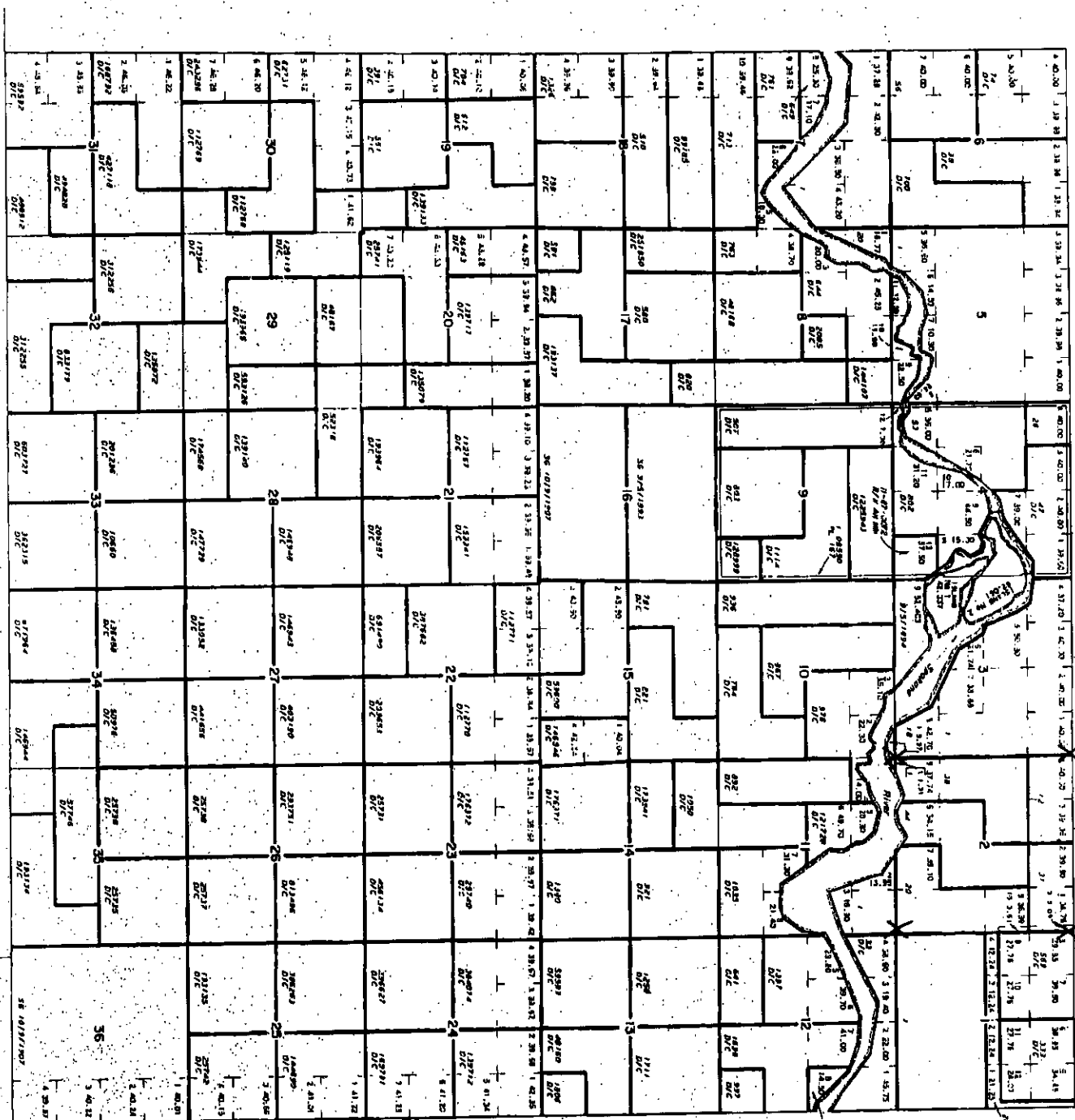
MT PLAT

INDEX TO SEGREGATED TRACTS

TRACT NO.	OWNER	ACRES	REMARKS
1	BLM	1.00	
2	BLM	1.00	
3	BLM	1.00	
4	BLM	1.00	
5	BLM	1.00	
6	BLM	1.00	
7	BLM	1.00	
8	BLM	1.00	
9	BLM	1.00	
10	BLM	1.00	
11	BLM	1.00	
12	BLM	1.00	
13	BLM	1.00	
14	BLM	1.00	
15	BLM	1.00	
16	BLM	1.00	
17	BLM	1.00	
18	BLM	1.00	
19	BLM	1.00	
20	BLM	1.00	
21	BLM	1.00	
22	BLM	1.00	
23	BLM	1.00	
24	BLM	1.00	
25	BLM	1.00	
26	BLM	1.00	
27	BLM	1.00	
28	BLM	1.00	
29	BLM	1.00	
30	BLM	1.00	
31	BLM	1.00	
32	BLM	1.00	
33	BLM	1.00	
34	BLM	1.00	
35	BLM	1.00	
36	BLM	1.00	

1.000000 AC. NOT LIES OF 1/23/1953
COMPILED 9/28/1960, ALL 40 SURFACES OWNED BY BLM

MICROFILMED
JAN 15 2004



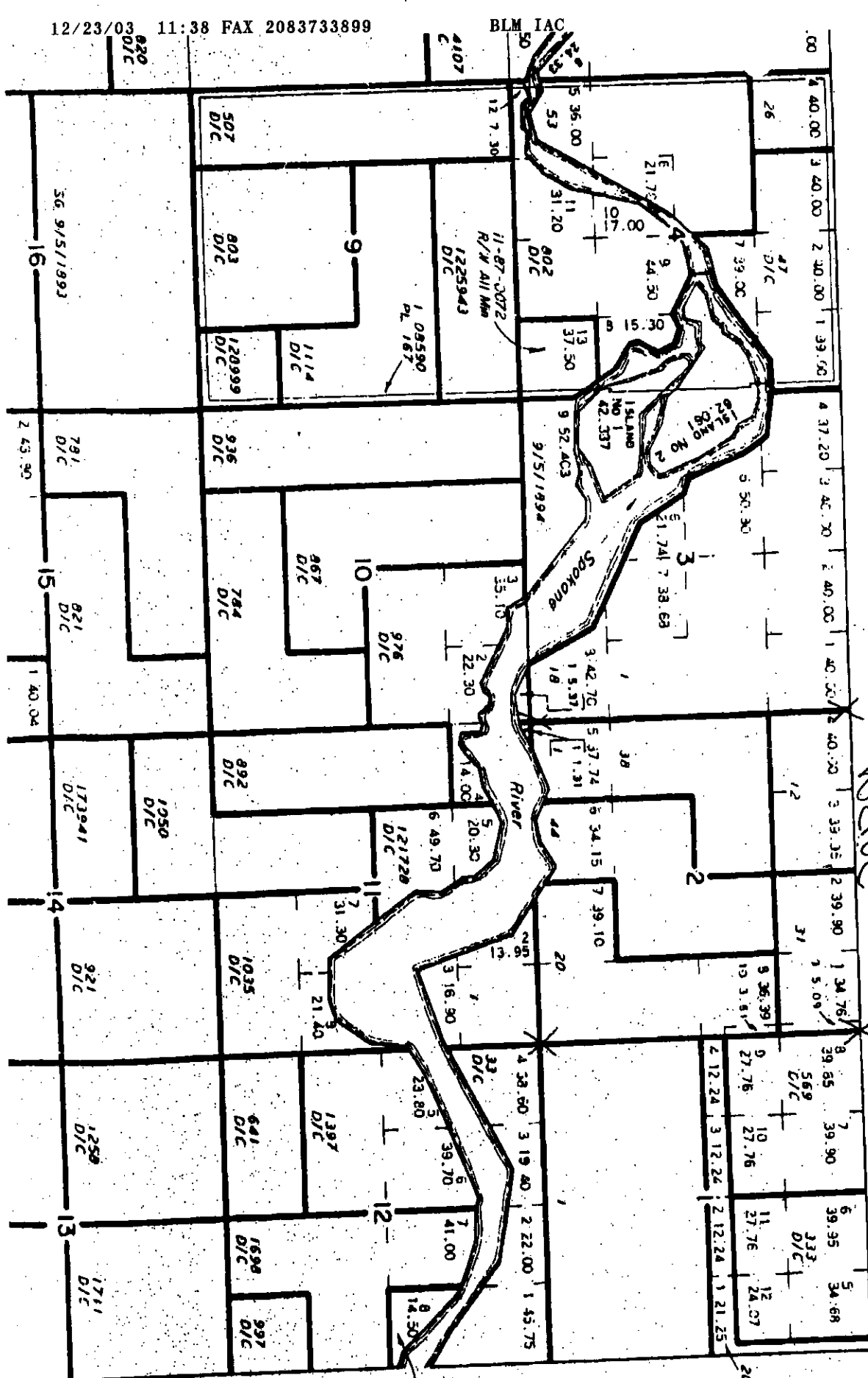
SCALE IN CHAINS
0 10 20 30 40

THE NOTATION SHOWING ON WITHHOLDINGS REPRESENTS THE LAST
ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE

COMMENT TO	COMMENT TO
FOR OWNERS EFFECTING DISPOSAL OF LAND OR UNDEVELOPED LANDS REFER TO INDEX OF RECORDS DOCUMENTS	
DATE OF 1/23/1953	DATE OF 1/23/1953
1.000000 AC. NOT LIES OF 1/23/1953	1.000000 AC. NOT LIES OF 1/23/1953
COMPILED 9/28/1960, ALL 40 SURFACES OWNED BY BLM	COMPILED 9/28/1960, ALL 40 SURFACES OWNED BY BLM

KOOTENAI COUNTY 055
COEUR D'ALENE DISTRICT

1502



MICROFILMED
JUN 16 2004

The following applications have been filed to amend Permits to Appropriate Water

95-9137

CITY OF POST FALLS,
408 N SPOKANE ST
POST FALLS ID 83854

Point(s) of Diversion	NENE	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NWNE	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NWNE	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NWSW	S1	T50N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	SWSE	S27	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NENE	S2	T50N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	SWSE	S27	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NWNW	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 3 CFS
Total Diversion: 3 CFS

Date Filed: 12/02/2003

Remark: Municipal use is within service area of City of Post Falls.

95-9147

CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

Point(s) of Diversion	NWNE	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NWNE	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NENE	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NWSW	S1	T50N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	SWSE	S27	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NENE	S2	T50N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	SWSE	S27	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NWNW	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 5.79 CFS
Total Diversion: 5.79 CFS

Date Filed: 12/02/2003

Remark: Municipal use is within service area of City of Post Falls.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-211, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 01/05/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on December 18 and 25, 2003

MICROFILMED

JUN 16 2004



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 11, 2003

LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

e-mailed to legals@cdapress.com

RE: Application to Amend Permit No. 95-9137 and 95-9147

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 01/05/2004. Your cooperation is GREATLY appreciated, as always.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

MICROFILMED

JUN 16 2004

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, December 10, 2003 4:55 PM
To: Legal Notices CdA Press (E-mail)
Subject: Legal Notice for publication 12/18 and 12/25/2003

A good day to you.

Attached you will find a copy of our cover letter requesting publication of a legal notice, also attached, on December 18 and 25, 2003.

Please FAX a PROOF prior to publication.

If you have ANY questions, please call me at 769-1450.

Thank you, and have a wonderful day.

 *Dianne*

Dianne Ball, Administrative Assistant
Idaho Department of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814
Phone 208-769-1450 FAX 208-769-1454

MICROFILMED

JUN 16 2004

12/10/2003



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 10, 2003

CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

RE: Application to Amend Permit No 95-9137 and 95-9147

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your application to amend the permit number referenced above. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Coeur d'Alene Press on December 18 and 25, 2003. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

Allen Beardslee
Senior Water Resource Agent

MICROFILMED
JUN 16 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 1, 2003

CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

RE: Permit No. 95-9137

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources 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 the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date 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 water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

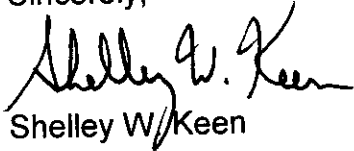
MICROFILMED

JUN 15 2004

Also, please note that water right owners are required to report any change of water right ownership and/or 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 forms and instructions.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name being the most prominent.

Shelley W. Keen

Water Rights Supervisor

Enclosure(s)

MICROFILMED
JUN 16 2004

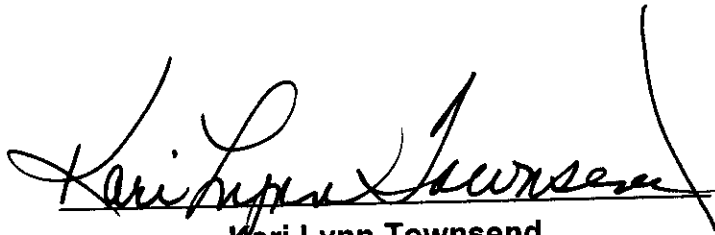
CERTIFICATE OF SERVICE

I hereby certify that on December 1, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

95-9137

CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854



Kari Lynn Townsend
Secretary

MICROFILMED
JUN 16 2004

**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.

MEMORANDUM

To: File Nos. 95-9137 & 95-9147
From: Gary Spackman *Gary*
Date: November 26, 2003

Re: **Waiver of Water Appropriation Rule no. 40.05 (Additional Information)
Requirement**

On October 30, 2003, the City of Post Falls filed application to appropriate water no. 95-9137 (3.0 cfs) and application to appropriate water no. 95-9147 (5.79 cfs). For applications proposing appropriation of water in excess of 5.0 cfs, Rule 40.05 of the Water Appropriation Rules requires the submittal of additional information related to the factors IDWR must consider in determining whether an application should be approved. If the rule were blindly followed, the city would be required to submit information for application no. 95-9147 (5.79) but not for 95-9137 (3.0 cfs). Because the applications were filed on the same day, and will provide water to the larger City of Post Falls system, additional information should have been provided for both applications. IDWR has the discretion to require the additional information for any application.

Northern Region forwarded the files to the state office without the additional information. I discussed the applications with Bob Haynes, Northern Regional Manager, who stated he thought the applications represented existing constructed system capacity at the identified points of diversion. Haynes later sent the attached memo confirming that the use proposed by the applications was in place prior to the filing of the applications.

While there is no specific provision in the Water Appropriation Rules expressly allowing IDWR to waive the extra information requirements, most of the submittals establish facts that help prospectively evaluate the effect of **future** beneficial use. If the use is already in place, most of the information has little value to IDWR.

Because the applications represent existing development and use of water, the extra information requirements of Rule 40.05 are waived.

MICROFILMED

JUN 16 2004

MEMORANDUM

To: Files 95-9137 & 95-9147
From: Bob Haynes
Date: November 18, 2003
Subject: Conversation with Terry Werner, Post Falls Public Works Superintendent

On November 17, 2003 I confirmed with Terry Werner that the above referenced applications were filed in connection with pumping capacity for the City of Post Falls that already is in place, but for which there were no valid permits.

MICROFILMED

JUN 16 2004

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

} ss.

Misti Saylor

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 *July*, 20 *02*, and ending on the *25* day of *July*, 20 *02*, 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.

Misti Saylor

Personally appeared before me this

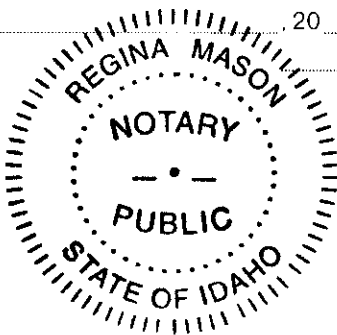
20

02

25

day of

July



Regina Mason

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

MY COMMISSION EXPIRES 6/18/03

NOTARIZED
JUN 15 2004

RECEIVED

JUL 26 2002

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-9137
CITY OF POST FALLS
408 SPOKANE ST
POST FALLS ID 83854
Point(s) of Diversion: NENE S34 T51N R05W
Source: GROUND WATER
Use: MUNICIPAL
Total Diversion: 01/01 To 12/31 3 CFS
Date Filed: 07/02/2002
Remark: Place of use is within the service area of City of Post Falls.

95-9138
CITY OF POST FALLS
408 SPOKANE ST
POST FALLS ID 83854
Point(s) of Diversion: SWSE S27 T51N R05W
Source: GROUND WATER
Use: MUNICIPAL
Total Diversion: 01/01 To 12/31 5 CFS
Date Filed: 07/02/2002
Remark: Place of use is within the service area of City of Post Falls.

95-9139
THOMAS J MAEDER
DONA MAEDER
3000 LANE MOUNTAIN TL
RATHDRUM ID 83858
Point(s) of Diversion: SWNW S34 T53N R04W
Source: GROUND WATER
Use: IRRIGATION
Total Diversion: 03/15 To 11/15 0.05 CFS
Date Filed: 07/01/2002
Place Of Use: IRRIGATION
T53N R04W S34 NWNW
Number of Acres: 1
Place Of Use: DOMESTIC same as IRRIGATION
Remark: Domestic use is for 2 homes.

95-9140
DUANE BRISON
1507 E HAYCRAFT
COEUR D ALENE ID 83815
Point(s) of Diversion: NWNW S19 T52N R03W
Source: UNNAMED STREAM Tributary TO SINKS
Use: IRRIGATION
Use: IRRIGATION STORAGE
Use: IRRIGATION FROM STORAGE
Use: STOCKWATER
Use: DOMESTIC
Total Diversion: 03/15 To 11/15 0.14 CFS
Date Filed: 06/03/2002
Place Of Use: IRRIGATION
T52N R03W S19 NWNW
Number of Acres: 7
Place Of Use: IRRIGATION from STORAGE
Number of Acres: 7
Place Of Use: IRRIGATION STORAGE, DOMESTIC and STOCKWATER same as IRRIGATION.
Remark: Stockwater use is for 10-15 head of cows and horses.
Domestic use is for 1 home.

95-9141
DAVID MC KEOWN
KATHERINE MC KEOWN
6305 KINGSWOOD LANE
COEUR D ALENE ID 83814
Point(s) of Diversion: NESE S33 T50N R03W
Source: GROUNDWATER
Use: IRRIGATION
Use: DOMESTIC
Total Diversion: 03/15 To 11/15 0.05 CFS
Date Filed: 07/01/2002
Place Of Use: IRRIGATION
T50N R03W S33 NESE
Number of Acres: 3
Place Of Use: DOMESTIC same as IRRIGATION
Remark: Domestic use is for 1-2 homes, including lawn and garden irrigation.

96-9108
ROBERT AND JOAN HAYES FAMILY TRUST
11700 E NUNN RD
ATHOL ID 83801
Point(s) of Diversion: SENW S31 T53N R02W
Source: UNNAMED STREAM Tributary To SAGE CREEK
Use: IRRIGATION
Total Diversion: 03/15 To 11/15 0.15 CFS
Date Filed: 06/04/2002
Place Of Use: IRRIGATION
T53N R02W S31 NENW SENW
Number of Acres: 5

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42.203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814 together with a protest fee of \$25.00 for each application on or before 08/05/2002. The protestant must also send a copy of the protest to the applicant.

Legal 1383
July 18, 25, 2002

KARL J. DREHER, Director

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

95-9137

CITY OF POST FALLS
408 SPOKANE ST
POST FALLS ID 83854

Point(s) of Diversion NENE S34 T51N R05W KOOTENAI County

Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 3 CFS

Total Diversion: 3 CFS

Date Filed: 07/02/2002

Remark: Place of use is within the service area of City of Post Falls.

95-9138

CITY OF POST FALLS
408 SPOKANE ST
POST FALLS ID 83854

Point(s) of Diversion SWSE S27 T51N R05W KOOTENAI County

Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 5 CFS

Total Diversion: 5 CFS

Date Filed: 07/02/2002

Remark: Place of use is within the service area of City of Post Falls.

95-9139

THOMAS J MAEDER
DONA MAEDER
3000 LANE MOUNTAIN TL
RATHDRUM ID 83858

Point(s) of Diversion SWNW S34 T53N R04W KOOTENAI County

Source GROUND WATER

Point(s) of Diversion NWNW S34 T53N R04W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 03/15 To 11/15 0.05 CFS

Use: DOMESTIC 01/01 To 12/31 0.06 CFS

Total Diversion: 0.11 CFS

Date Filed: 07/01/2002

Place Of Use: IRRIGATION

T53N R04W S34 NWNW

Number of Acres 1

Place Of Use: DOMESTIC same as IRRIGATION

Remark: Domestic use is for 2 homes.

(Legal notice continued on next page)

MICROFILMED
JUN 16 2004

95-9140

DUANE BRISON
1507 E HAYCRAFT
COEUR D ALENE ID 83815

Point(s) of Diversion NWNW S19 T52N R03W KOOTENAI County
Source UNNAMED STREAM Tributary To SINKS

Use: IRRIGATION	03/15 To 11/15	0.14 CFS	
Use: IRRIGATION STORAGE	01/01 To 12/31		1 AFA
Use: IRRIGATION FROM STORAGE	03/15 To 11/15		1 AFA
Use: STOCKWATER	01/01 To 12/31	0.02 CFS	
Use: DOMESTIC	01/01 To 12/31	0.04 CFS	

Total Diversion:

0.2 CFS

Date Filed: 06/03/2002

Place Of Use: IRRIGATION

T52N R03W S19 NWNW

Number of Acres 7

Place Of Use: IRRIGATION FROM STORAGE

T52N R03W S19 NWNW

Number of Acres 7

Place Of Use: IRRIGATION STORAGE, DOMESTIC and STOCKWATER same as IRRIGATION.

Remark: Stockwater use is for 10-15 head of cows and horses.

Domestic use is for 1 home.

95-9141

DAVID MC KEOWN
KATHERINE MC KEOWN
6305 KINGSWOOD LANE
COEUR D ALENE ID 83814

Point(s) of Diversion NESE S33 T50N R03W KOOTENAI County
Source GROUND WATER

Use: IRRIGATION	03/15 To 11/15	0.05 CFS
Use: DOMESTIC	01/01 To 12/31	0.05 CFS

Total Diversion:

0.1 CFS

Date Filed: 07/01/2002

Place Of Use: IRRIGATION

T50N R03W S33 NESE

Number of Acres 3

Place Of Use: DOMESTIC same as IRRIGATION

Remark: Domestic use is for 1-2 homes, including lawn and garden irrigation.

96-9108

ROBERT AND JOAN HAYES FAMILY TRUST
11700 E NUNN RD
ATHOL ID 83801

Point(s) of Diversion SENW S31 T53N R02W KOOTENAI County
Source UNNAMED STREAM Tributary To SAGE CREEK

Use: IRRIGATION	03/15 To 11/15	0.15 CFS
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Total Diversion:

0.15 CFS

Date Filed: 06/04/2002

Place Of Use: IRRIGATION

T53N R02W S31 NENW SENW

Number of Acres 5

(Legal notice continued on next page)

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JUN 16 2004

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 08/05/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on 7/18 and 25/2002.

MICROFILMED
JUN 16 2004



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 **Fax (208) 769-1454**

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 10, 2002

LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

FAXED TO MISTI SAYLOR - 664-0212

7/10/02

4 pages including letter.

RE: Application for Permit No. 95-9137, 95-9138, 95-9139, 95-9140, 95-9141 and 96-9108

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 08/05/2002. Your cooperation is greatly appreciated.

Thanks D

Sincerely

Dianne

Dianne Ball
Administrative Assistant

MICROFILMED

JUN 16 2004



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 10, 2002

CITY OF POST FALLS
408 SPOKANE ST
POST FALLS ID 83854

RE: Application for Permit No. 95-9137 and 95-9138

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Coeur d'Alene Press on July 18 and 25, 2002. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

Allen Beardslee
Senior Water Resource Agent

Enclosure(s)

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JUN 16 2004

Idaho Department of Water Resources Receipt

Receipt ID N014858

Payment Amount \$330.00 Date Received 2/25/2002 1:30:19 PM Region Northern Status ☒
Payment Type Check Check Number 71510

Payer CITY OF POST FALLSComment

Fee Detail

Amount Description Fund FD PCA SO
\$330.00 PERMITS 0229 21 65103 1155



Signature Line (Dept. Representative)

MICROFILMED

JUN 16 2004

Vendor: State of Idaho Dept of Water

Vendor No: S555

Vendor Acct No:

Invoice Number

Date

Description

Wtr Right Well#3

02/21/2002

Water Right Update Well #3

Check Date:

02/21/2002

Check Amount:

\$330.00

Invoice Amount

330.00

Rec NO 14858

RECEIVED

FEB 25 2002

IDWF/North

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JUN 16 2004



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 25, 2002

RACHAEL OSBORN
ATTORNEY AT LAW
2421 WEST MISSION AVE
SPOKANE WA 99201

RE: City of Post Falls water right applications

Dear Rachael:

Pursuant to your request, enclosed are copies of the six City of Post Falls water right applications.

If you have additional questions or comments, please contact Al Beardslee, Senior Water Resource Agent, our water right specialist, or Bob Haynes, our Regional Manager.

Sincerely,

A handwritten signature in cursive script that reads "Dianne Ball".

Dianne Ball
Administrative Assistant

Enclosures

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JUN 16 2004

Rachael Paschal Osborn attorney at law
2421 West Mission Avenue Spokane WA 99201
509.328.1087 tel / 509.328.8144 fax
rdpaschal@earthlink.net

July 25, 2002

Idaho Dep't of Water Resources
Northern Region, Attn: Diane
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615

VIA FACSIMILE: 208-769-1454

Re: City of Post Falls water right applications

Dear Diane,

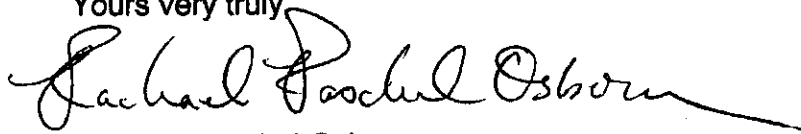
Pursuant to Idaho public records laws, please provide me with a copy of the 6 applications for new water permits filed by the City of Post Falls with your offices on or around July 2, 2002. The application numbers as listed on your website are 95-9137, 95-9138, 95-9144, 95-9145, 95-9146, and 95-9147.

This request encompasses all materials associated with the applications as required under Idaho Code § 42-202(2), including but not limited to documentation to establish the reasonably anticipated future needs, service area and planning horizon of Post Falls.

Please feel free to call me if you have any questions regarding this request. I authorize up to \$50.00 in photocopy expenses. Please let me know in advance if copy costs will exceed this amount.

I would appreciate receiving these materials as soon as possible in order to assess them prior to the August 5 protest deadline for the first two applications. Many thanks for your assistance.

Yours very truly,



Rachael Paschal Osborn

MICROFILMED

JUN 16 2004



RECEIVED
NOV 02 2001
IDWR/North

October 30, 2001

Al Beardslee
Department of Water Resources
1910 Northwest Boulevard, Suite 210
Coeur d'Alene, Idaho 83814-2615

Dear Al,

Attached is an "Application for Permit" that I discussed with you earlier. This request is actually to upgrade a "Claim to a Water Right" claim no. 95-4457.

Please let me know if you need any other information. I sent a map of the City limits and well locations with Mr. Wayne Baldwin when he was out to check Well #6, permit #95-08862.

I can be contacted at 208-777-9857 to answer any questions or get you any additional information you might need.

Thank you.

Sincerely,

Terry Werner
Utility Superintendent

hmf

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JUN 16 2004