

**STARTING
LEFT
SIDE OF
FILE**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

RECEIVED

MAY 17 2004

Department of Water Resources

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

Permit No. 95-9177
Name(s) of Permit Holder: Greenview Condominium Owners Assn. Inc. - Office
Address: 204 1st St. City Post Falls State ID Zip 83854
Telephone No. 208-773-5452 Date Proof is Due: _____
(Stack Knox, Pres. of Assn.)

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

- Bid Process - No physical work, i.e. trenches excavated,
etc.

Costing \$ _____

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

Please note attached memo.

Permit holder(s) request an extension to April 30, 2005, 20 _____

K (Stack Knox, for Greenview Condo Assn.)
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be
REINSTATED with the priority advanced to April 5, 2003. IT IS FURTHER ORDERED that
the time within which to submit proof of beneficial use is extended to May 1, 2005.

Signed this 1st day of June, 2004

Gary Spackman
GARY SPACKMAN

RECEIVED

MAY 17 2004

Department of Water Resources

May 12, 2004

Dept. of Water Resources
1301 North Orchard St.
P.O. Box 83720
Boise, Id. 83720-0091



CONDOMINIUM OWNERS ASSOC., INC.

Dear Sirs:

204 E. 1ST AVE. • OFFICE

Re: Permit No. 95-9177

POST FALLS, ID 83854-4549

We respectfully request your Dept. for an extension of time for the above noted permit for the reasons as stated below.

Unfortunately I misinterpreted your letter of Feb. 29. Later, when it became apparent we would be unable to begin construction as planned during April I somehow got it in mind our request for extension date was May 25. I simply misread your letter.

We had obtained preliminary bids for the work both on land and on the Spokane river floor. Our selection of plumbing/pump Co. and were moving forward with construction plans until we experienced very unusual weather patterns at an early time of the year. We had planned to begin the building process for this necessary project in April of this year, following the thaw of frozen ground during March which coincides with the time the Spokane river pool above the Post Falls dam is at lower depth. Unfortunately this area experienced unusually warm weather during this time which caused unexpected snowmelt in the local mountains with resulting increase of current flow and higher water level in the Spokane River where we must place the pump. We therefore were unable to place a pump in the Spokane river at that time. This circumstance left us with a choice of doing only the trenching work above the river bank, to the water distribution manifold and electric power source, or delaying this work until later this fall when the entire job can be completed. We are unable to place the pump in the river or make proper approach through the river bank while the water is at a higher level. We must wait until Avista Power Co. lowers the pool level above Post Falls dam which usually begins around Oct. 1. Excavation of trenches across existing lawns from the river to where the irrigation water distribution manifold and electric power source are located seemed unwise considering we would not have pumping capability. Knowing the water level will remain high until October 2004 we did not wish to have a half finished project, with trench scarring of the grounds during this summer as we could have no water without proper placement of the pump, necessary inspections, and the Dept's. approval for beneficial use.

Briefly, it seemed unwise to build one half of the system, without surety from your Dept. we could obtain an extension of time for later completion of the project. A water distribution system with no pump would do us no good. My misinterpretation of your Feb. 29 letter was the cause of this delayed request for extension of time.

We respectfully request your positive consideration of this request for extension of time to develop the above noted water right for our beneficial irrigation use.

Sincerely yours

Jack Knox, for 
Greenview Condominium Owners Association
Office, 204 E. 1st. St. Post Falls, Idaho 83854

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 95-09177

Priority: March 20, 2003

Maximum Diversion Rate: 0.14 CFS

This is to certify, that GREENVIEW CONDOMINIUM OWNERS ASSN INC
204 E 1ST AVE
POST FALLS ID 83854

has applied for a permit to appropriate water from:

Source: SPOKANE RIVER Tributary: COLUMBIA RIVER

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	0.14 CFS

LOCATION OF POINT(S) OF DIVERSION:

SPOKANE RIVER L7 (NW $\frac{1}{4}$ SE $\frac{1}{4}$) Sec. 3, Twp 50N, Rge 05W, B.M. KOOTENAI County

PLACE OF USE: IRRIGATION

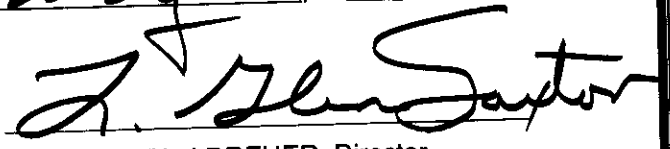
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N 05W 3															2.0		2.0
															L7		

Total Acres: 2

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **May 1, 2004**.
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. This right when combined with all other rights shall provide no more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
5. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
6. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 7th day of May, 2003


KARL J DREHER, Director

MICROFILMED

DEC 03 2003

FEE \$100.00

70495

Ident. No. 95-9177

RECEIVED

MAY - 6 2003

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES +

APPLICATION FOR PERMIT

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of Applicant Greenview CONDOMINIUM OWNERS ASSOC INC Phone 208-773-9808
Mailing address 204 E. 1st AVE OFFICE Post Falls ID 83854
2. Source of water supply SPOKANE RIVER which is a tributary of COLUMBIA RIVER
3. Location of point of diversion is Township 50 North Range 5W Sec. 3, in the NW 1/4, SE 1/4, Govt. Lot 7, B.M., KOOTENAI County;
additional points of diversion if any:
4. Water will be used for the following purposes:
Amount 14 for IRRIGATION purposes from 3/5 to 11/25 (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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 14 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 5HP submersible Pump - PIPELINE TO AUTOMATIC SPRINKLER SYSTEM.
 - b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity _____ acre-feet
 - c. Proposed well diameter is N/A 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? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 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. _____
 - e. Other; describe fully. _____

MICROFILMED
DEC 03 2003

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	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N	5W	3														2.0			2.0

Total number of acres to be irrigated 2.0

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

11. a. Who owns the property at the point of diversion? IDAHO DEPT LANDS

b. Who owns the land to be irrigated or place of use? GreenView Condo. Owners Assoc. Inc

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

12. Remarks:

A DIVERSION RATE OF 0.14 GFS IS BEING APPLIED FOR TO ACCOMMODATE AUTOMATIC SPRINKLER SYSTEM ZONES DESIGNED FOR HIGHER DIVERSION RATES AND SHORTER DURATIONS OF LAWNS & COMMON AREAS.

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.

X Frances Soule

Signature of Applicant (and title, if applicable)

Received by cm Date 3-20-03 Time 10:48 am Preliminary check by AB
 Fee \$ 100.00 Receipted by cm # ND15530 Date 3-20-03
 Publication prepared by cd Date 3/26 Published in CAA Press 4/3 + 10/03
 Publication approved _____ Date _____

MICROFILMED
DEC 03 2003



Greenview Condominium Owners Association, Inc.
204 E. 1st Avenue – Office
Post Falls, Idaho 83854-4549

Officers:

Frances Soule'
Sharon A. Conlon
D. G. Quinton
Cecelia R. Crowe

President
Vice President
Secretary
Treasurer

Phone
208-773-9808

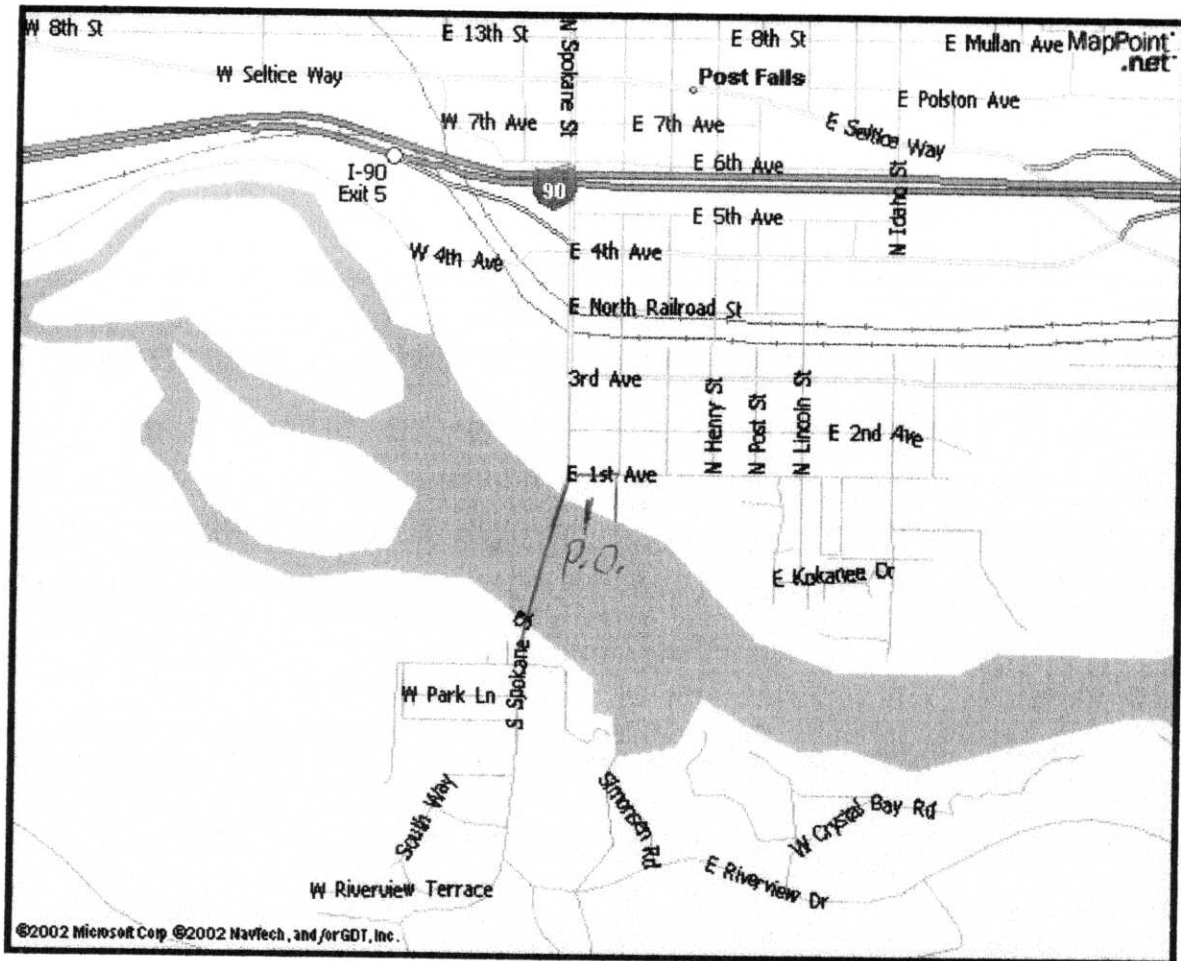
Directors:

Donald Frigaard
LeRoy Knox

MICROFILMED
DEC 03 2003

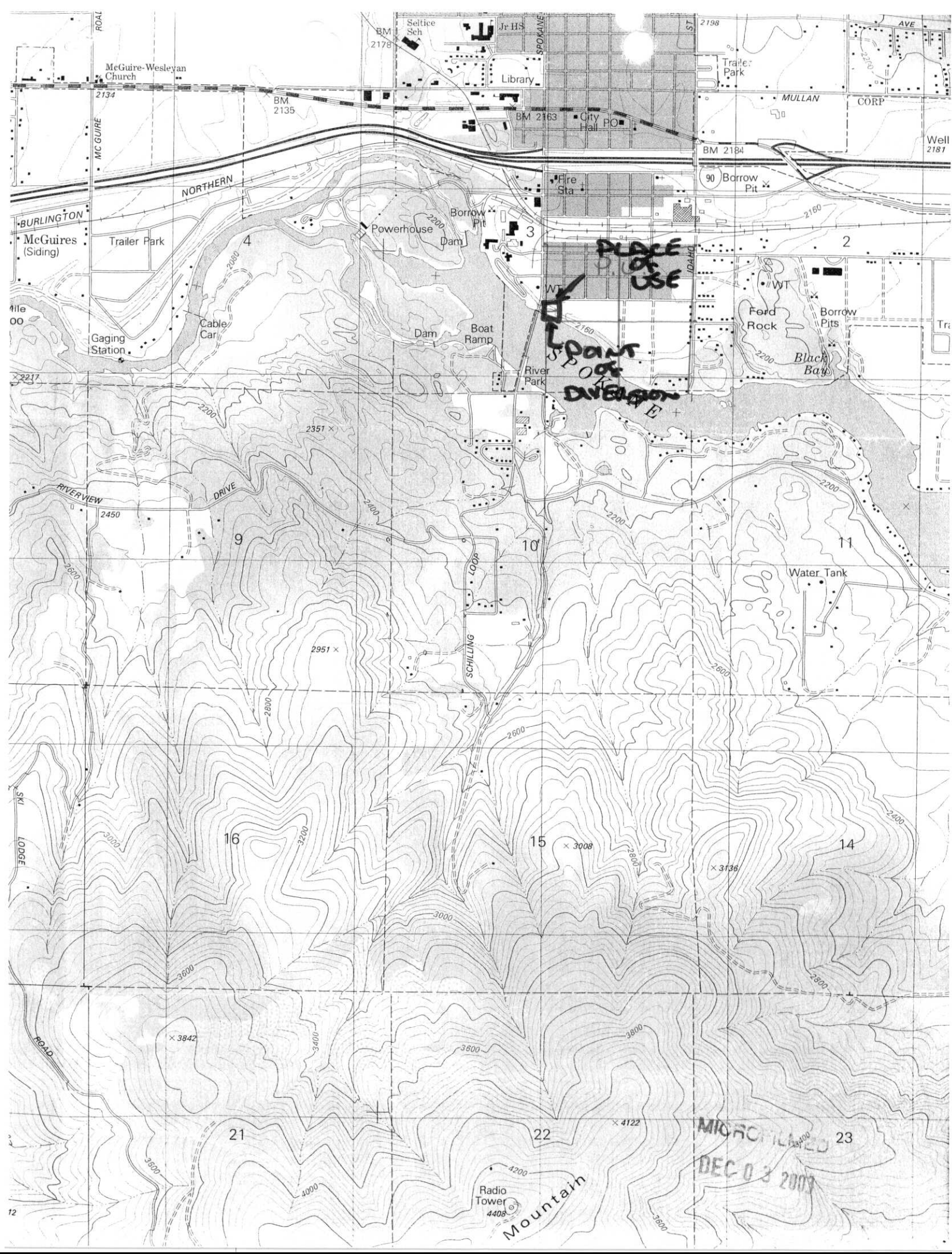
msn Maps & DirectionsFeaturing Microsoft®
MapPoint® Technology

83814, Idaho, United States



Your right to use maps and routes generated on the MSN service is subject at all times to the MSN Terms of Use.
Data credits, copyright, and disclaimer.

MICROFILMED
DEC 03 2003



**NOW
STARTING
RIGHT
SIDE OF
FILE**



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

June 2, 2004

GREENVIEW CONDOMINIUM OWNERS ASSN INC
ATTN JACK KNOX
204 E 1ST AVE
POST FALLS ID 83854

Re: Permit No. 95-9177

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the proof due date to **May 1, 2005**. Please note that the approved request reinstates the permit, however, since your request was submitted after the proof due date the priority of the permit advances to April 5, 2003, as referenced in Section 42-218a, Idaho Code.

Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of the development during the construction period allowed since the department may not be able to grant additional extensions based on due diligence.

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. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please feel free to contact the department if you have questions.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

05-13-04

Dept of Water Resources
1301 North Orchard St.
Boise, Id. 83720-0098

RECEIVED

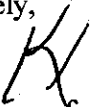
MAY 17 2004

Department of Water Resources

Dear Sirs:
Re: Permit No. 95-9177

With separate envelope, we requested extension of time for irrigation project, Greenview Condominium Owners Assoc. Mailing Dept. failed to enclose \$50.00 check for review purposes. Check No. 5008 is for payment of extension of time request, permit No. 95-9177.

Sincerely,


Jack Knox, for
Greenview Condo. Owners Assoc.

May 6, 2004

GREENVIEW CONDOMINIUM OWNERS ASSN INC
204 E 1ST AVE
POST FALLS, ID 83854

LAPSE NOTICE

RE: PERMIT NO. 95-9177

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in the proof due notice dated February 29, 2004. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

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

Sincerely,

Gary Spackman

Enclosures

CERTIFICATION OF MAILING
I hereby certify that on 5/6/04
a ~~copy~~ original of this document was
deposited in the United States mail,
properly prepared, addressed to the
individual(s) named above.


February 29, 2004

GREENVIEW CONDOMINIUM OWNERS ASSN INC
204 E 1ST AVE
POST FALLS, ID 83854

PROOF DUE NOTICE

RE: PERMIT NO. 95-9177

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 May 01, 2004. (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.

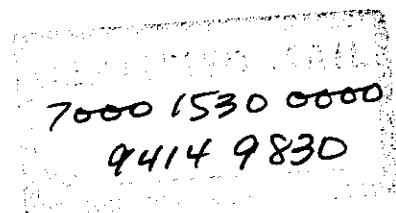
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

KARL J. DREHER
Director

May 7, 2003

GREENVIEW CONDOMINIUM OWNERS ASSN INC
204 E 1ST AVE
POST FALLS ID 83854

RE: Permit No. 95-9177

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.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

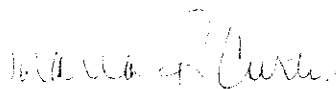
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

MICROFILMED

DEC 03 2003

If you have any questions, please contact me at 208-327-5452.

Sincerely,



Sharla R. Curtis

Sr. Water Resource Agent

SRC:klf

Enclosure(s)

MICROFILMED
DEC 03 2002

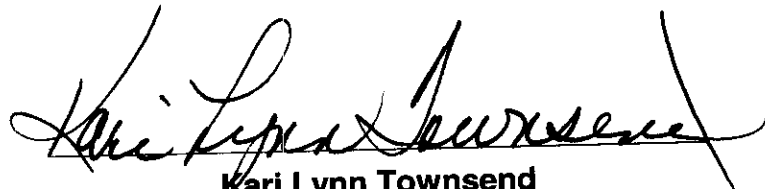
CERTIFICATE OF SERVICE

I hereby certify that on May 7, 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.

95-9177

**GREENVIEW CONDOMINIUM OWNERS ASSN INC
204 E 1ST AVE
POST FALLS ID 83854**



**Kari Lynn Townsend
Secretary**

**MICROFILMED
DEC 03 2003**

**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 95-9177

From: Sharla

Date: May 6, 2003

Re: Fish & Game Comments

The IDFG representative who submitted comments has recommended adding conditions regarding the underwater excavation and pump/pipeline placements in the stream bed. These issues go beyond the scope of the water right application and fall instead under the jurisdiction of the Stream Channel Alteration section of this department and/or Dept. of Lands via an encroachment permit.

The standard conditions regarding the approach velocity and mesh screening will be placed on the permit, but the other issues above will not be addressed by the water right permit.

MICROFILMED

DEC 03 2003

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

} ss.

Misti Flacco

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 *3* day of *April*, 20 *03* and ending on the *10* day of *April*, 20 *03* 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 Flacco

Personally appeared before me this *10* day of *April*, 20 *03*.

Regina Mason

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

MY COMMISSION EXPIRES 6/18/04

MICROFILMED

DEC 03 2003

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-9177

GREENVIEW CONDOMINIUM OWNERS ASSOC INC
204 E 1ST AVE
POST FALLS ID 83854

Point(s) of Diversion: L7 (NWSE) S3 T50N R05W KOOTENAI County
Source SPOKANE RIVER Tributary To COLUMBIA RIVER
Use: IRRIGATION 03/15 To 11/15 0.14 CFS
Total Diversion 0.14 CFS

Date Filed: 03/20/2003

Place Of Use: IRRIGATION

T50N R05W S3 NWSE Lot 7

Number of Acres: 2

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 04/21/2003. The protestant must also send a copy of the protest to the applicant.

Legal 2821

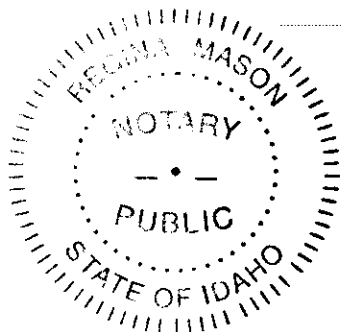
April 3, 10, 2003

KARL J. DREHER, Director

RECEIVED

APR 11 2003

IDWR/North



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

95-9177

GREENVIEW CONDOMINIUM OWNERS ASSOC INC
204 E 1ST AVE
POST FALLS ID 83854

Point(s) of Diversion L7 (NWSE) S3 T50N R05W KOOTENAI County

Source SPOKANE RIVER Tributary To COLUMBIA RIVER

Use: IRRIGATION 03/15 To 11/15 0.14 CFS

Total Diversion: 0.14 CFS

Date Filed: 03/20/2003

Place Of Use: IRRIGATION

T50N R05W S3 NWSE Lot 7

Number of Acres 2

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 04/21/2003. The protestant must also send a
copy of the protest to the applicant.

KARL J DREHER, Director

Published on April 3 and 10, 2003.

MICROFILMED

DEC 03 2003



IDAHO FISH & GAME

PANHANDLE REGION
2750 Kathleen Avenue
Coeur d'Alene, Idaho 83815

RECEIVED
APR 09 2003
IDWR/North

Dirk Kempthorne/Governor
Steven M. Huffaker/Director

April 3, 2003

Mr. Robert Haynes
Idaho Department of Water Resources
Northern Region
1910 Northwest Blvd, S 210
Coeur d'Alene, ID 83814

*Good
Computer
D*

Dear Mr. Haynes:

REFERENCE: #95-9177 GREENVIEW CONDOMINIUM OWNERS
ASSOCIATION WATER RIGHT APPLICATION

The Greenview Condominium Owners Association as has requested a right to withdraw .14 cfs from the Spokane River for irrigation. We have no objection to issuing the water right if your calculations indicate that the withdrawal will not reduce Spokane River volume or flows below those needed to support fish and other beneficial uses.

We note that the applicant has submitted an application to Idaho Department of Lands for an encroachment permit for the water lines and pump. We recommend that applicants install lines beneath the lake, river or stream during low water periods when underwater excavation will be minimized. Dug materials should be sidecast to only one side and the bottom contour and substrate restored. Any unburied sections of the line should be anchored on the bottom to prevent it from floating and interfering with boat anchors or anglers' lines or capturing debris. The applicant should also provide a smooth cover for the pump to avoid interference with boat anchors or anglers' lines and to avoid capturing debris. It would be preferable to place pumps on land rather than in the water.

Diversions or water intakes should be screened to prevent entrainment or impingement of fish. The maximum screen mesh size should be 0.25 inches; approach velocities should not exceed 0.5 ft/second to prevent losses of juvenile fish.

Thank you for the opportunity to comment.

Sincerely,

Greg Tourtlotte
Greg Tourtlotte
Regional Supervisor

GIT:RH:kh

C: Tracey Trent, IDFG Boise
Greenview Condominium Owners Assn, 204 E 1st Ave, Post Falls ID 83854

MICROFILMED

File: IDWR #95-9177 greenview condo assn

DEC 03 2003

Keeping Idaho's Wildlife Heritage



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

March 26, 2003

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LEGAL NOTICE DEPARTMENT

COEUR D ALENE PRESS

201 N 2ND

COEUR D ALENE ID 83814

FAXED TO MISTI FLOOD - JEN PORTER

AT 664-0212

2 pages including letter

✳ PLEASE FAX PROOF PRIOR TO PUBLICATION ✳

RE: Application for Permit No. 95-9177

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 04/21/2003. Your cooperation is appreciated.

Sincerely

Dianne Ball
Administrative Assistant

MICROFILMED

REC D 3 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

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 26, 2003

GREENVIEW CONDOMINIUM OWNERS ASSOC INC
204 E 1ST AVE
POST FALLS ID 83854

RE: Application for Permit No 95-9177

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 April 3 and 10, 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,

A handwritten signature in cursive script that reads "Allen Beardslee".

Allen Beardslee
Senior Water Resource Agent

MICROFILMED

DEC 03 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 **Fax (208) 769-1454**

March 26, 2003

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RAY HENNEKEY
STATE OF IDAHO
DEPT OF FISH & GAME
2750 KATHLEEN AVE
COEUR D ALENE, ID 83814

*Forwarded to Ray 3/26
6 pages total.*

Application to Permit No. 95-9177 - Greenview Condominium Owners Assoc

Dear Ray:

Enclosed is a copy of the above referenced application. Please review the application, complete the enclosed recommendation form, and submit it to this office within two weeks of receipt of this request, before April 21, 2003. If you prefer to reply by e-mail, my e-mail address is dball@idwr.state.id.us.

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Dianne'.

Dianne Ball
Administrative Assistant

Enclosure(s)

MICROFILMED

DEC 03 2003

State of Idaho
Department of Water Resources
Application for Permit
RECOMMENDATION FORM

Application for Permit No 95-9177

Applicant's Name: GREENVIEW CONDOMINIUM OWNERS ASSOC INC
204 E 1ST AVE
POST FALLS ID 83854

Recommendation:

- a) ☐ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:
- c) ☐ I oppose approval of this application for the following reasons:
- d) ☐ Additional Comment:

Dated this _____ day of _____,

Signature

MICROFILMED

DEC 03 2003