

**STARTING
LEFT
SIDE OF
FILE**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
OCT 31 2002

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 96-9002 Telephone No. 208-683-3948
 2. Name of Permit Holder(s): Bayview Water & Sewer District
 3. Mailing Address: P.O. Box 637
City Bayview State ID Zip 83803
 4. Source of Water: Well in Farragut State Park ☒ GROUNDWATER (well), Date Drilled: mo. _____ yr. 1942
Well Driller: _____ Drilling Permit Number: _____
 5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 319 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 180.0 Other: Fire Protection
 6. Total rate of diversion and/or volume for which proof is submitted: 1.78 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 ☒ or No _____
Has the measuring device been installed? Yes ☒ or No _____
 8. Fee Enclosed: \$ 125.00 (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: Neil Peck / system operator Telephone Number: 208-683-3948
Address: P.O. Box 637 Bayview, ID 83803
 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: Debra Z. Peck / Secretary / Treasurer Date: 10-16-02
(include your title, if on behalf of company or organization)

MICROFILMED

MAR 24 2003

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

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. 96-09002

Name(s) of Permit Holder: Bayview Water and Sewer District

Mailing Address: P.O. Box 637, Bayview, ID

Date Proof is Due: November 1, 1999 Telephone No. (208) 683-3948

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".)

1. Pump and Pumphouse Upgrades (No. 8)
2. Discharge Piping to BWSD Reservoir Line.
3. Feasibility Study
4. Environmental Report
5. Preliminary Easement Negotiations
6. Currently working on Topographic & Boundary Surveys.

Costing \$ Approx. \$100,000

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

1. Preliminary review and comment by concerned local, state and federal agencies
(Requirement of DEQ Funding Source).
2. Acquisition of Necessary Easements.

Permit holder(s) request an extension to November 1, 2002.

FEE: \$50.00

C. E. Waller, Chairman
(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 APPROVED and the time within which to submit proof of beneficial use is extended to **November 1, 2002**.
IT IS FURTHER ORDERED that the permit is REINSTATED with no advance **MICROFILMED**

Signed this 8 day of December, 19 99

J. Min Jaxon
Chief, Water Allocation Bureau
DEC 14 1999

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-09002

Proposed Priority: August 27, 1998

Maximum Diversion Rate:

1.78 CFS

This is to certify, that **BAYVIEW WATER & SEWER DISTRICT**
PO BOX 637
BAYVIEW ID 83803-0637

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

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	1.78 CFS
DOMESTIC	01/01 to 12/31	0.70 CFS
FIRE PROTECTION	01/01 to 12/31	1.78 CFS
	Totals	1.78 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 3, Township 53N, Range 02W
NESW , Sec. 3, Township 53N, Range 02W
KOOTENAI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
53N	02W	3		SENE	5.0		NWSE	10.0	15.0
54N	01W	31	Lot 1(NENW)	10.0	Lot 1(NWNW)	20.0	Lot 2(SWNW)	10.0	40.0
	02W	35	Lot 4(SWNW)	5.0	Lot 3(SENW)	5.0	Lot 3(NESW)	5.0	
			Lot 4(NWSW)	5.0	Lot 1(NESE)	5.0	Lot 2(NWSE)	5.0	30.0
		36		SWNE	10.0	Lot 1(SENE)	30.0	SENE	15.0
			Lot 3(NESW)	15.0	Lot 4(NWSW)	10.0	Lot 1(NESE)	5.0	
			Lot 2(NWSE)	10.0					95.0

Total number of acres irrigated: 180.0

PLACE OF USE: DOMESTIC

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>						
53N	02W	3		SENE		NWSE		
54N	01W	31	Lot 1(NENW)		Lot 1(NWNW)		Lot 2(SWNW)	
	02W	35		NWNE	Lot 2(SWNE)		Lot 1(SENE)	
				NENW	NWNW		Lot 4(SWNW)	
			Lot 3(SENW)		Lot 3(NESW)		Lot 4(NWSW)	
			Lot 1(NESE)		Lot 2(NWSE)			
		36		SWNE	Lot 1(SENE)		SENE	
			Lot 3(NESW)		Lot 4(NWSW)		Lot 1(NESE)	
			Lot 2(NWSE)					

PLACE OF USE: FIRE PROTECTION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>						
53N	02W	3		SENE		NWSE		
54N	01W	31	Lot 1(NENW)		Lot 1(NWNW)		Lot 2(SWNW)	
	02W	35	Lot 4(SWNW)		Lot 3(SENW)		Lot 3(NESW)	
			Lot 4(NWSW)		Lot 1(NESE)		Lot 2(NWSE)	
		36		SWNE	Lot 1(SENE)		SENE	

MICROFILMED

JAN 11 1999

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 96-09002

PLACE OF USE: FIRE PROTECTIONTWN RGE SEC

Lot 3 (NESW)

Lot 4 (NWSW)

Lot 1 (NESE)

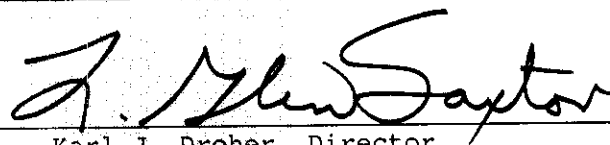
Lot 2 (NWSE)

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1999.**
2. Subject to all prior water rights.
3. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
6. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
7. The issuance of this right does not grant any right-of-way or easement across the land of another.
8. Domestic use is for 319 homes and does not include lawn, garden, landscape, or other types of irrigation.

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

23rd day of October, 1998.


for Karl J. Dreher, Director

MICROFILMED

JAN 11 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 96-09002

RECEIVED

OCT 19 1998

Department of Water Resources

1. Name of Applicant Bayview Water and Sewer District Phone 208-683-3948
Mailing address P.O. Box 637, Bayview, ID 83803
2. Source of water supply groundwater source which is a tributary of _____
3. Location of point of diversion is Township 53N Range 2W Sec. 3, in the NE 1/4,
SW 1/4, 1/4, Govt. Lot _____, B.M., Kootenai County;
additional points of diversion if any: groundwater source, T53N R2W S3, SW1/4, NW1/4, Kootenai County -
Permit No. 96-07985
4. Water will be used for the following purposes:
- | | |
|---|--|
| Amount <u>1.78 cfs</u> for <u>Irrigation</u> | purposes from <u>March 15</u> to <u>Nov. 15</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u>0.70 cfs</u> for <u>Domestic</u> | purposes from <u>Jan. 1</u> to <u>Dec. 31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u>1.78 cfs</u> for <u>Fire Protection</u> | purposes from <u>Jan. 1</u> to <u>Dec. 31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount _____ for _____ | purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount _____ for _____ | purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount _____ for _____ | purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) | |
5. Total quantity to be appropriated is (a) 1.78 cfs 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 800 gpm lineshaft pump with
125 HP motor
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity ~ 0.3 acre-feet
- 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? 1940's ?; Drilling firm unknown
Well was drilled for (well owner) United States Navy?; Drilling Permit No. unknown
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. ~ 300 connections in annexed area, 19 additional connections
within previous District boundary
- e. Other; describe fully. Fire Protection

MICROFILMED

JAN 11 1999

8. 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	
53N	2W	3				5 F,D										10 F,D			15
54N	1W	31					10 F,D	20 F,D	20 F,D										40
54N	2W	36			10 F,D	10 F,D				15 F,D	5 F,D	10 F,D			25 F,D	10 F,D			95
54N	2W	35		D	D	D	D	D	5 F,D	5 F,D	5 F,D	5 F,D			25 F,D	5 F,D			30
																			180

govt lots, ex. ①, added 10/22/98 cz.

Total number of acres to be irrigated 180

10. Describe any other water rights used for the same purposes as described above. See #12 Below

11. a. Who owns the property at the point of diversion? State of Idaho, Dept. of Parks & Recreation
b. Who owns the land to be irrigated or place of use? land owners within District and Dept. of Parks & Rec.
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: See Attached Exhibit A

12. Remarks: This permit application is made in conjunction with existing Permit 96-07985.
The existing point of diversion in Permit 96-07985 and the point of diversion in this application will both be used to supply the place, quantity and nature of use described in the existing Permit 96-07985 and in this application.

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.)

See Attached Exhibit B.

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.

C. E. Waller, Chmn.
Signature of Applicant (and title, if applicable)

Received by db Date 8/11/98 Time 3:30 P Preliminary check by AS
Fee \$ 120 - Receipted by DB # 12012360 Date 8/27/98
Publication prepared by db Date 9/9/98 Published in CDA Press 9/17+24/98
Publication approved db Date 9/28/98

MICROFILMED

JAN 11 1999

EXHIBIT A

TEMPORARY PERMIT

0215 - 003 - 2004

MICROFILMED

JAN 11 1999



**IDAHO DEPARTMENT
OF
PARKS & RECREATION**

CECIL D. ANDRUS

Governor

YVONNE S. FERRELL

Director

FRANKLIN E. BOTELER, Ph.D.

Deputy Director

**IDAHO PARK AND
RECREATION BOARD**

Robert M. Haakenson

Region One

Thomas L. Neal

Region Two

Sheila Robertson

Region Three

Glenn Shewmaker

Region Four

Ren E. Thomson

Region Five

Monte Q. Later

Region Six

**STATEHOUSE MAIL
BOISE, IDAHO 83720-8000**

(208) 327-7444

FAX (208) 327-7406

TDD (208) 377-3529

**Street Address
7800 Fairview Ave.**

Equal Opportunity Employer

March 25, 1994

**Mr. Neil Peck
Bayview Water and Sewer District
P. O. Box 637
Bayview, ID 83803**

Gentlemen:

**Enclosed is the new temporary permit #0215-003-2004
concerning the water system at Farragut State Park.
Expiration date for this permit is December 31, 2004.**

Sincerely,


**Ruth V. Kassens
Administrative Assistant**

f:\farr\transmit.per

MICROFILMED

JAN 11 1999

**STATE OF IDAHO
DEPARTMENT OF PARKS AND RECREATION
TEMPORARY PERMIT NO. 0215-003-2004**

Permission is granted to Bayview Water and Sewer District, P. O. Box 637, Bayview, Idaho, 83803 (the "District"), to reconstruct or renovate, operate and maintain Pumphouse #8, the deep water well in Pumphouse #8, and water line connecting the well to the District water tank, also on Farragut State Park land.

The permit area is administered by the State of Idaho, Department of Parks and Recreation (the "Department") located in Section 3, R2W, T53N as shown on the map attached thereto, and made a part hereof.

In consideration of granting this permit, the District agrees to provide water to Locust Grove and Snowberry developed use areas in the park including any required changes in water lines, pressure controls, and to provide the park water during emergencies.

This permit is subject to the following terms and conditions:

1. All work on the water line is confined to 10 feet each side of the centerline of the buried pipe.
2. All construction will meet all State of Idaho requirements for a public water supply system, including the remodeling of Pumphouse #8, and all plans shall be approved by the Department before work begins.
3. This permit shall not be deemed or held to be an exclusive one and shall not prohibit the Department from granting other permits or franchise rights of like nature or other nature to other public or private utilities, nor shall it prevent the Department from using or constructing roads and structures over or near the land encompassed by this permit or affect the Department's right to full supervision and control over all or any part of this permit, none of which is hereby surrendered.
4. The Director of the Department may revoke, annul, change, amend, amplify, or terminate this permit or any of the conditions of this permit if the District fails and refuses to comply with any or all of its provisions, requirements, or regulations as herein set forth or through willful or unreasonable neglect, or fails to heed or comply with notices properly given.
5. The District shall maintain at its sole expense the structure and objects for which this permit is granted in a condition satisfactory to the Director of the Department.

6. The District shall exercise every reasonable effort to protect the vegetation.
7. During winter when snowpack is adequate for recreation as determined by the park manager, access to pumphouse #8 may be restricted to foot traffic or snowmobile only, except during emergencies.
8. This permit shall expire December 31, 2004, but may be extended upon written request and at the discretion of the Director of the Department.

Issued this _____ day of _____, 1994.

State of Idaho, Department of Parks and Recreation

By: 
Merlyn H. Mews, Chief
Development Bureau

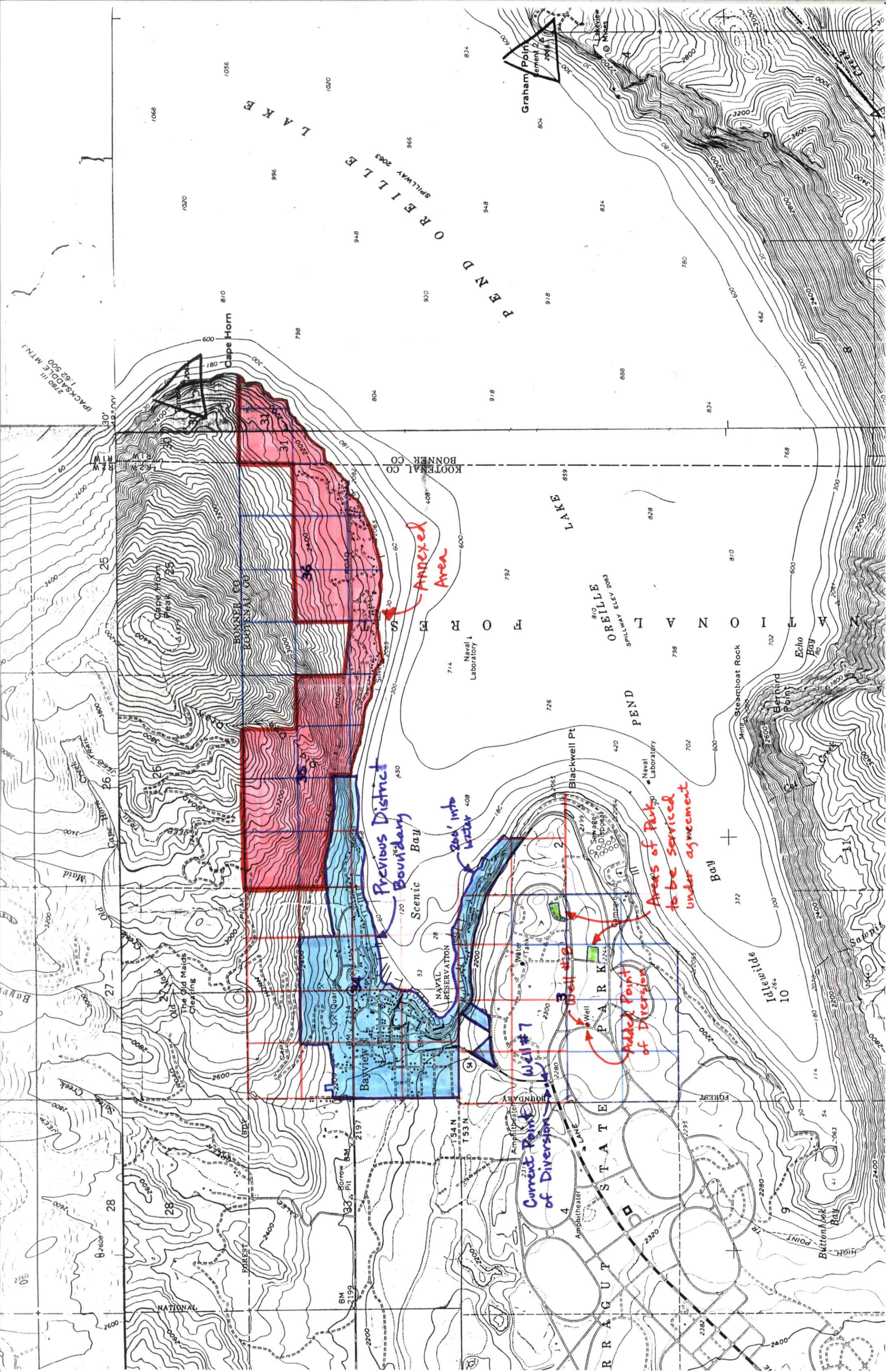
f:\farg\pumphe2.per

RECEIVED
JAN 11 1999

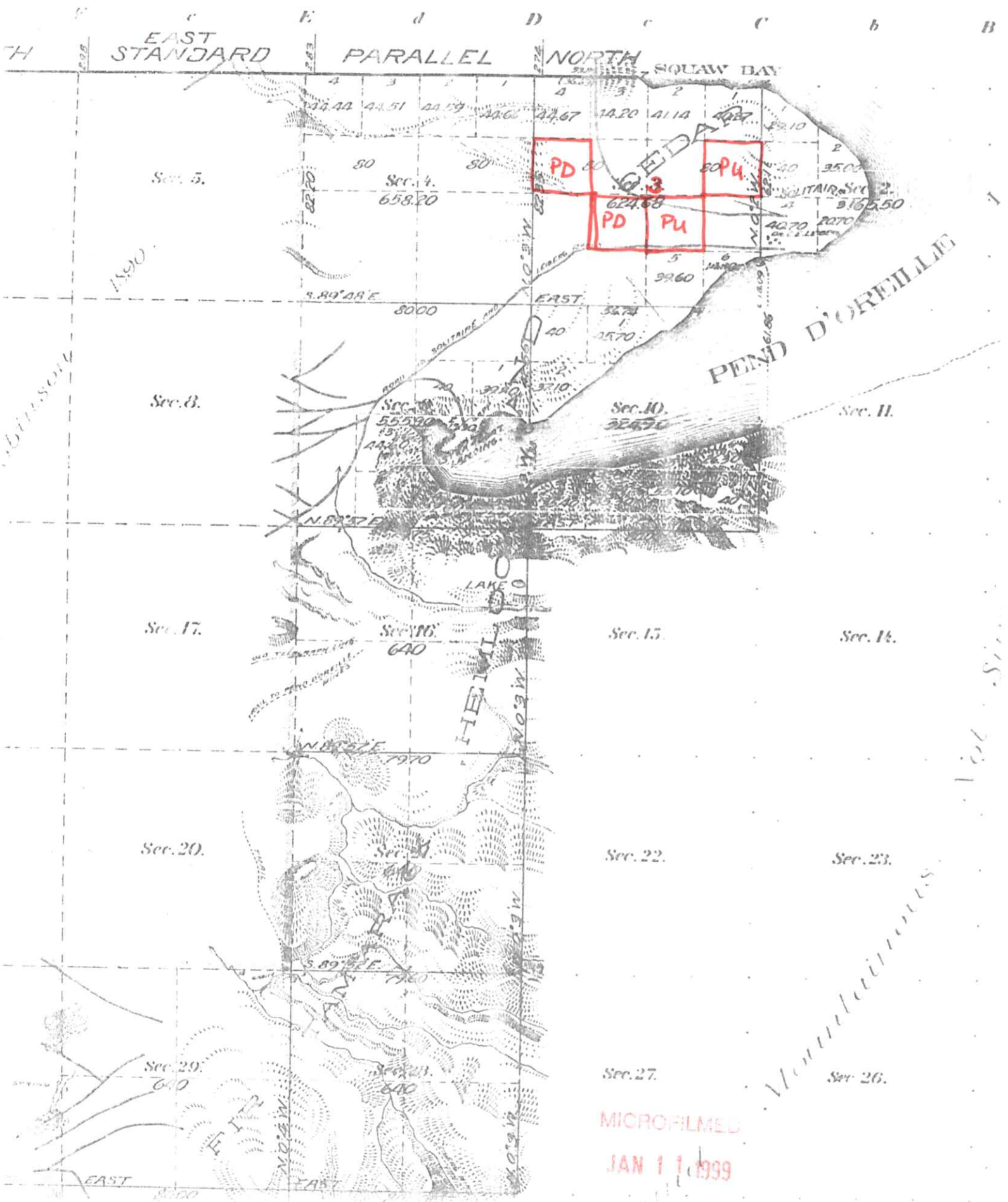
EXHIBIT B
MAP OF AREA

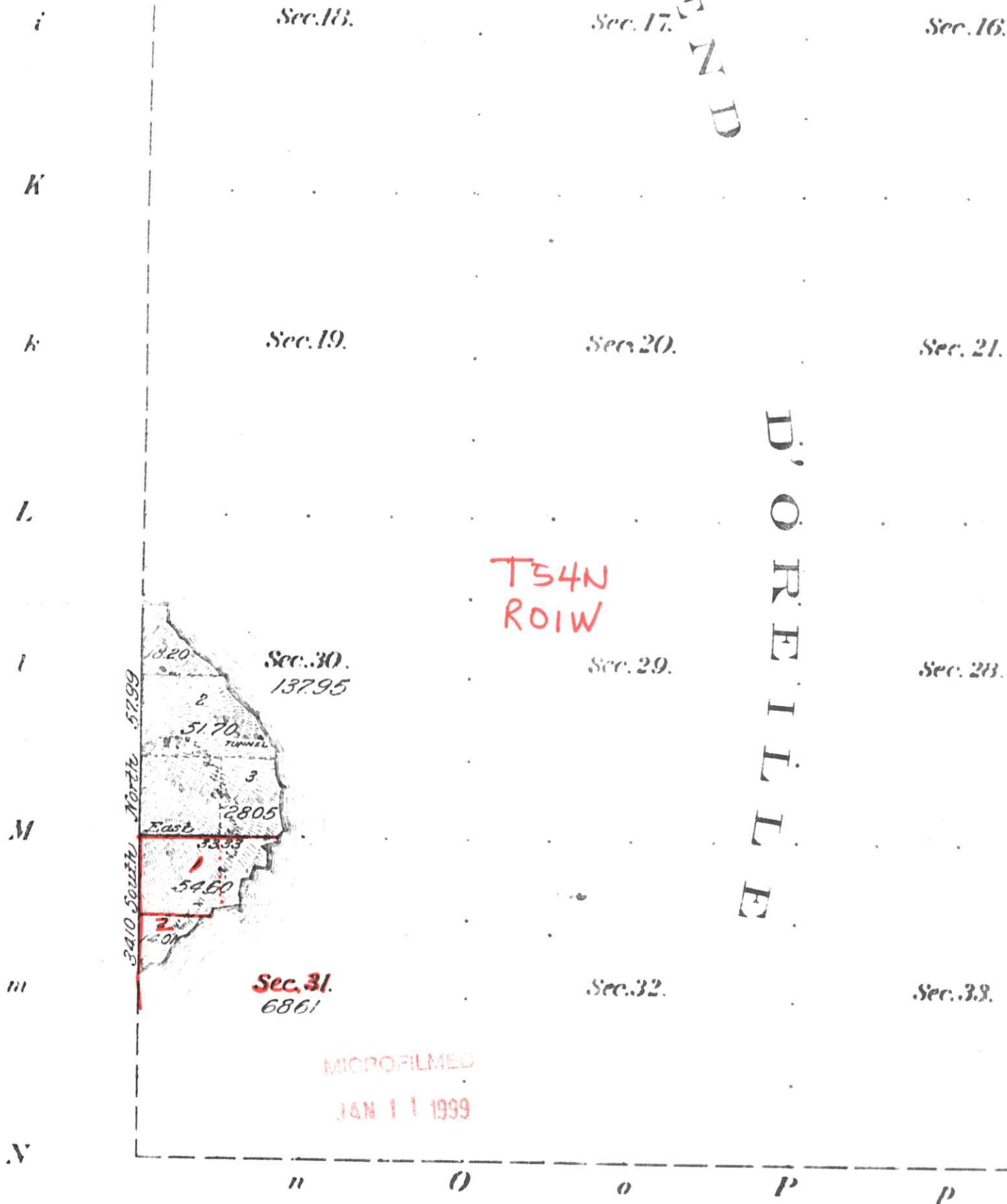
MICROFILMED

JAN 11 1999



Nº 53 North Range Nº 2 West of the Boise Mer





Total number of Acre

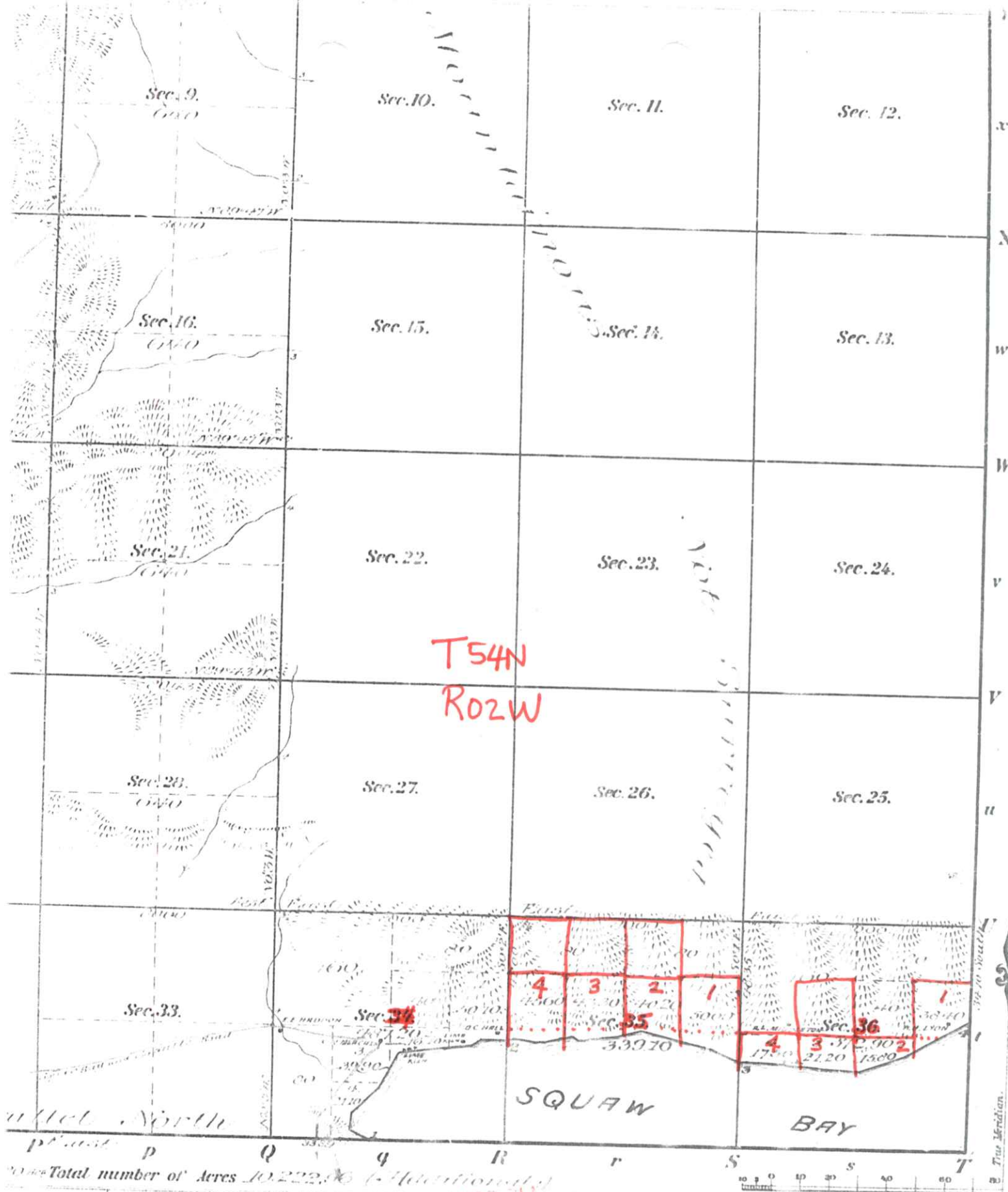
Surveys Designated
N, S and W
Township lines

By Whom Surveyed
George W. Fenley

No. Date of Contract
269 June 23, 1905

Amount of Surveys
M. Ch. Lk.
5 26 80

When Surveyed
May 20 - June 9



Total number of Acres 10,222.10 (Additional)

nt of Surveys Chs	When Surveyed	Mean Inclination
34 10	Aug 26-29-1892	
01 16	Aug 27-30-1892	21° 00' E.
01 21	"	
34 29	Aug 2-1892	

MICROFILM
JAN 11 1959

The above Map, of Township 54 North, Range 2 West, Boise Meridian, Idaho, is notes of the survey thereof on file in this Office, which has been filed in the Surveyor General's Office. Joseph

**NOW
STARTING
RIGHT
SIDE OF
FILE**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 4 2004

A. GENERAL INFORMATION

Permit No. 96-09002

1. Owner: Bay View Water & Sewer District Phone No. (208) 683-3948

Current Address: PO Box 637 Bay View ID 83803

2. Accompanied by: Neil Peck EXAM DATE: 5-13-03

Address: Same as above Phone No. _____

Relationship to Permit Holder: System Operator

3. Source: Ground water tributary to _____

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
#7			SW	NW	03	53N	02W	Kootenai	USGS 7.5 min Quad
#8			NE	SW	03	53N	02W	KOOTENAI	"

2. Place(s) of Use:

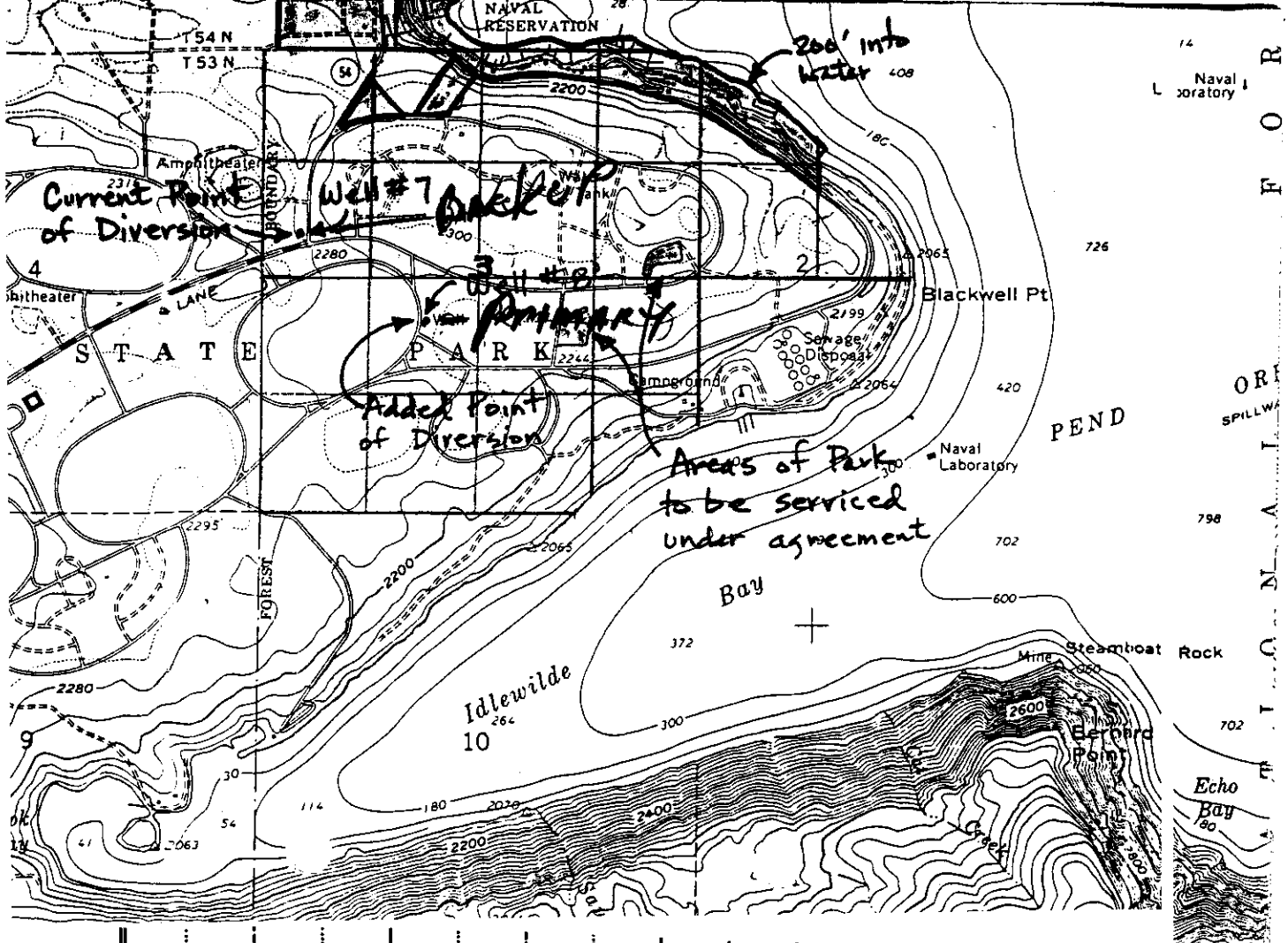
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			Within Boundary of system																
			IPWS# 1280014																

MICROFILMED

APR 6 2004

(PLACE OF USE IS LOCATED WITHIN THE SERVICE AREA
OF BAYVIEW WATER & SEWER DISTRICT)



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#7	U.S.	125	303592		
#8	U.S.	125	3007		

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

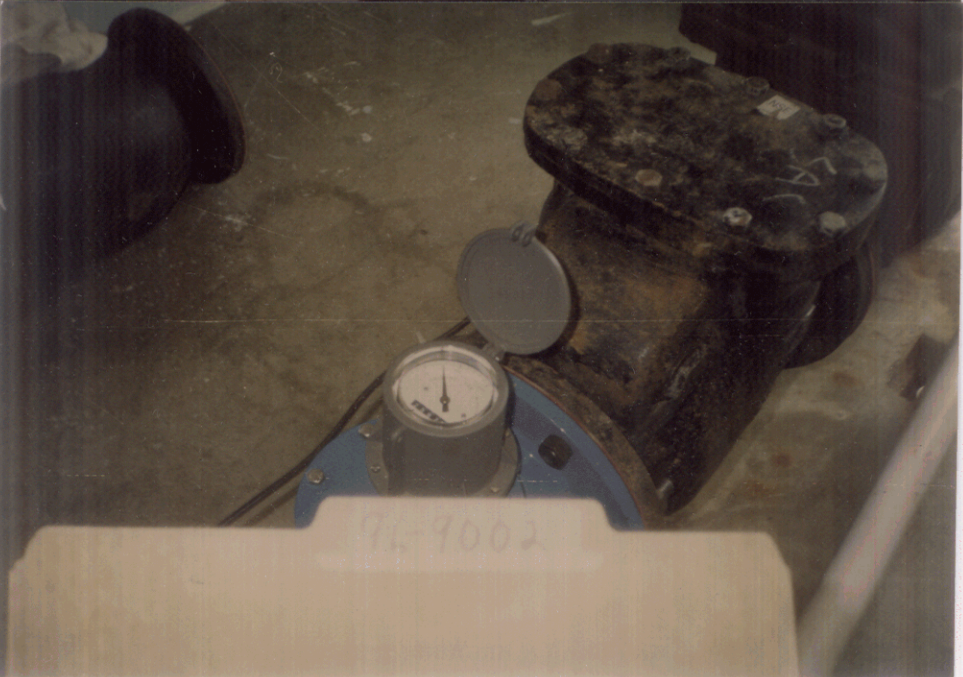
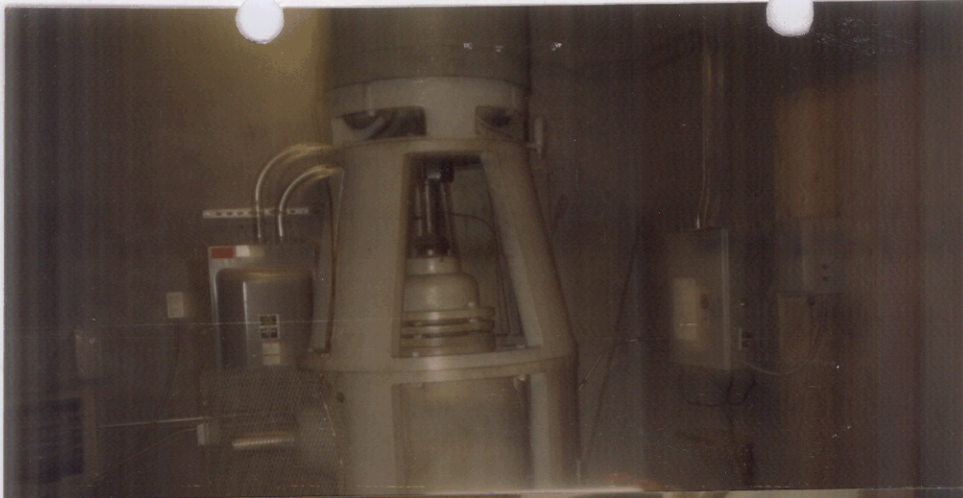
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: _____

MICROFILM

APR 06 2004

96-09002

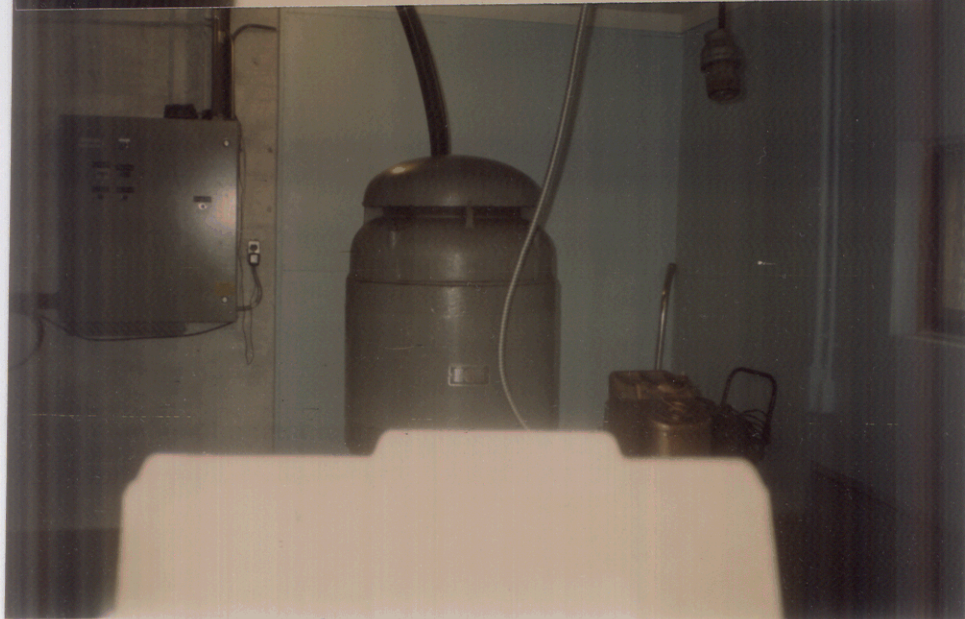
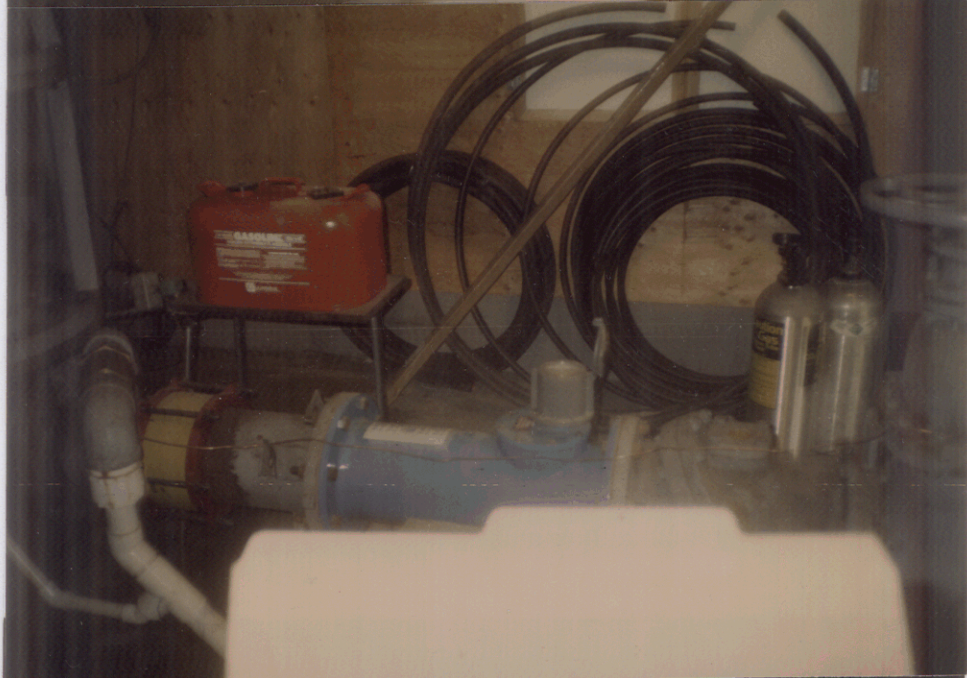
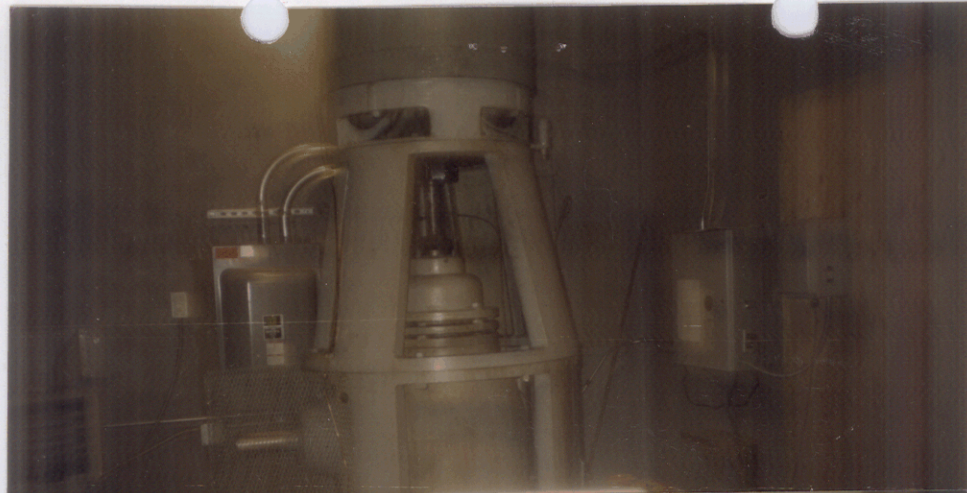


Backup
well #7

Primary well #5

MICROFILMED
APR 06 2004

96-09002



Back up
well

Primary well #s

MICROFILMED
APR 06 2004

E. NARRATIVE/REMARKS/COMMENTS

Well #7 is used for backup at time of exam. This well house is set up with generator in case of power outage.

Well #8 is in regular service each well has a flow meter. I observed both wells run, one at a time at 750 gpm each.

I had conversation with Mr. Beck about amending this permit at licensing to municipal. he is in agreement

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

MICROFILMED
APR 06 2004

Additional Computation Sheets Attached

Slow meter Backups #7 750 9PM
MAIN well #8 750 9PM

$$\frac{750 \text{ ppm} \times 1.3365}{60} = 1.671 \approx 1.7 \text{ cfz}$$

1. Volume Calculations for Irrigation:

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

H. RECOMMENDATIONS

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Municipal	01-01	12-31	1.7	
Totals:			1.7	

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ Other

X-CHARGE USE TO MUNICIPAL

Field Examiner's Name Wayne Baldwin Date 6-10-03

Reviewer _____ Date _____

SEAL

MICROFILMED

APR 06 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

November 5, 2002

BAYVIEW WATER & SEWER DISTRICT
PO BOX 637
BAYVIEW ID 83803

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-9002

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made 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 these water rights 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.

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED
MAR 24 2003



Bayview

Water & Sewer District

P.O. Box 637 • Bayview, Idaho 83803-0637

208-683-3948

RECEIVED

OCT 31 2002

Department of Water Resources

October 16, 2002

State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, ID 83706
Attn: Deborah J. Gibson

Re: Permit # 96-9002

Dear Ms. Gibson:

Enclosed you will find the Proof of Beneficial Use form and associated fee for the Bayview Water and Sewer District Permit #96-9002. The project to bring water to the Cape Horn Area is 99% complete. If you have any questions concerning this permit, you may contact Ellery Howard; JUB Engineers, or Bob Haynes; Department of Water Resources, Coeur d' Alene Office. Thank you.

Respectfully yours,

Debra Peck
Secretary/Treasurer
Bayview Water and Sewer District

enclosures

MICROFILMED

MAR 24 2003

August 30, 2002

BAYVIEW WATER & SEWER DIST
PO BOX 637
BAYVIEW, ID 83803-0637

PROOF DUE NOTICE

RE: PERMIT NO. 96-9002

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, 2002. (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.

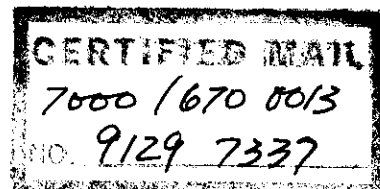
Sincerely,

Deborah J. Gibson, Admin. Asst.
Water Allocation Bureau

Enclosures

MICROFILMED

MAR 24 2003





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

December 8, 1999

KARL J. DREHER
DIRECTOR

Bayview Water and Sewer Dist
PO Box 637
Bayview ID 83803

RE: Permit No. 96-09002

Dear Permit Holder:

I have enclosed a copy of the approved request for extension of time submitted in connection with the above referenced permit, which extends the time within which to submit proof of beneficial use to **November 1, 2002**. Please note that the department granted the extension based on due diligence. It is important that you work diligently towards completion of this project since the department **will not** be able to grant additional extension requests based on due diligence.

Please be advised since the department lapsed the permit by mistake, it was necessary to reinstate the permit. However, the date of priority was not advanced since it was lapsed in error.

Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact this office or any regional 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 contact me at (208)327-7953, if you have any questions regarding this matter.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED

DEC 14 1999

Transmittal Letter

J-U-B ENGINEERS, Inc.
Engineers • Surveyors • Planners
1250 Ironwood Drive, Suite 220
Coeur d'Alene, ID 83814
208-667-1574
Fax: 208-667-2176

To:

Al Beardslee
IDWR - Northern Region

Date: October 21, 1999
Project: BWSD - Water Rights
Project No.:

We are shipping you:

Attached via Hand Delivered the following items:

COPIES	DATE OR NO.	DESCRIPTION
1		Completed "Request For Extension Of Time" Form
1		\$50 check for fee

*Receipt Mailed
to Bayview
Water Service
10/21/99
b*

RECEIVED
OCT 21 1999
IDWR/North

These items are transmitted as checked below:

- ☒ For Approval ☐ As Requested ☐ Returned for Corrections
☐ For Your Information ☐ For Review and Comment ☐

Remarks:

Copy for: _____

Signed _____

Elery T Howard EIT
Elery T. Howard, E.I.T.

If enclosures are not as noted, please notify us at once at 667-1574

DOCUMENT3

RECEIVED
DEC 7 1999

MICROFILMED
DEC 14 1999

To: File No. 96-09002
From: Julie L. Yarbrough
Subject: Extension of Time
Date: December 2, 1999

MEMORANDUM

I spoke to Ellery Howard of J-U-B Engineers and Diane Ball of Northern Region today and Diane informed me that the permit holder (Bayview Water and Sewer Dist. through their Rep. J-U-B) submitted an extension of time to Northern Region on October 21, 1999. The form was help in the Region by mistake and didn't make it to the State Office before the permit lapsed. I informed Diane and Mr. Howard that we would accept the extension as filed timely and would reinstate the permit with no advance at the time the extension was processed. Mr. Howard would like a copy of the correspondence we send Bayview. Mail to:

Ellery Howard
J-U-B Engineers
1250 Ironwood Dr.
STE 220
Coeur d'Alene ID 83814

(208)667-1574

MICROFILMED

DEC 14 1999

November 29, 1999

BAYVIEW WATER & SEWER DISTRICT
PO BOX 637
BAYVIEW ID 838030637

LAPSE NOTICE

RE: PERMIT NO. 96-09002

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 our proof due notice dated August 31, 1999. 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.

L. GLEN SAXTON
Chief, Water Allocation Bureau

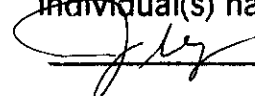
Enclosures

MICROFILMED

DEC 14 1999

CERTIFICATION OF MAILING

I hereby certify that on 11-29-99
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



August 31, 1999

BAYVIEW WATER & SEWER DISTRICT
PO BOX 637
BAYVIEW ID 838030637

PROOF DUE NOTICE

RE: PERMIT NO. 96-09002

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 1, 1999.

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

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

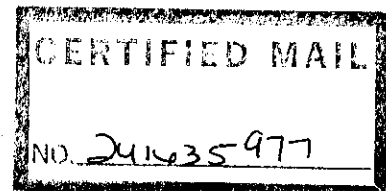
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
DEC 14 1999





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

October 26, 1998

PHILIP E. BATT
GOVERNOR

BAYVIEW WATER & SEWER DISTRICT
PO BOX 637
BAYVIEW ID 83803-0637

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-09002

Dear Permit Holder:

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

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

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.

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

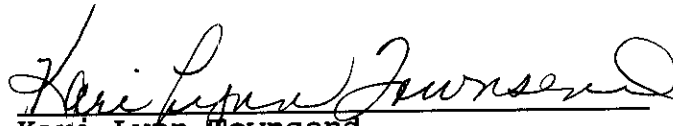
MICROFILMED
JAN 11 1999

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of October, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 96-09002

BAYVIEW WATER & SEWER DISTRICT
PO BOX 637
BAYVIEW ID 83803-0637


Kari Lynn Townsend
Secretary

MICROFILMED
JAN 11 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

JAN 11 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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.

RECEIVED
SEP 28 1998

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Kootenai, IDWR } ss.

STACIE WALKER

being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The LEGAL NOTICE

of which the annexed is a printed copy, was published in the regular THURSDAY issue of said newspaper for 2 consecutive WEEKS commencing on the 17 day of SEPT., 1998, and ending on the 24 day of SEPT., 1998, 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.

Subscribed and sworn to before me this 24 day of Sept., 1998.

Regina Mason

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

MY COMMISSION EXPIRES 6/18/03

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-08992
NORM'S PLUMBING & HEATING INC

PO BOX 1318
COEUR D'ALENE, ID 83816

Source: GROUNDWATER

Diversion Pt: SWNWSW

Use: IRRIGATION

DOMESTIC

Total Diversion:

Date Filed: 8/17/1998

In: KOOTENAI County

T52N R05W S11

38.5 ACRES TOTAL

95-08993

VERKIST, JON

VERKIST, KAREN

11910 CARLIN BAY ROAD

HARRISON, ID 83833

Source: SPRINGS

Diversion Pt: SWSWNW

SESWNW

Use: IRRIGATION

STOCKWATER

FIRE PROTECTION

Total Diversion:

Date Filed: 8/17/1998

In: KOOTENAI County

T49N R03W S29

12.0 ACRES TOTAL

96-09002

BAYVIEW WATER & SEWER DISTRICT

PO BOX 637

BAYVIEW, ID 83803

Source: GROUNDWATER

Diversion Pt: SWNW

NESW

Use: IRRIGATION

DOMESTIC

FIRE PROTECTION

Total Diversion:

Date Filed: 8/27/1998

In: KOOTENAI County

T53N R02W S03

T54N R01W S31

R02W S35

S36

180.0 ACRES TOTAL

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before OCTOBER 5, 1998.

KARL J. DREHER, Director

Legal 951

September 17, 24, 1998

Sec 11 T 52N R 04W in KOOTENAI County.

(0.800 CFS)

(0.290 CFS)

(0.800 CFS)

NENE NWNE SWNE NENW

NWNW SWNW SENW NESW

NWSW

38.5 ACRES TOTAL

95-08993

Sec 29 T 49N R 03W in KOOTENAI County.

Sec 29 T 49N R 03W in KOOTENAI County.

(0.200 CFS)

(0.020 CFS)

(0.200 CFS)

(0.200 CFS)

Total Diversion:

Date Filed: 8/17/1998

In: KOOTENAI County

T49N R03W S29

12.0 ACRES TOTAL

96-09002

BAYVIEW WATER & SEWER DISTRICT

PO BOX 637

BAYVIEW, ID 83803

Source: GROUNDWATER

Diversion Pt: SWNW

NESW

Use: IRRIGATION

DOMESTIC

FIRE PROTECTION

Total Diversion:

Date Filed: 8/27/1998

In: KOOTENAI County

T53N R02W S03

T54N R01W S31

R02W S35

S36

180.0 ACRES TOTAL

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before OCTOBER 5, 1998.

KARL J. DREHER, Director

Legal 951

September 17, 24, 1998

RECORDED

JAN 11 1999

96-09002

BAYVIEW WATER & SEWER DISTRICT
PO BOX 637
BAYVIEW, ID 83803

Source: GROUNDWATER

Diversion Pt: SWNW Sec 3 T 53N R 02W in KOOTENAI County.
 NESW Sec 3 T 53N R 02W in KOOTENAI County.

Use: IRRIGATION (1.780 CFS)
 DOMESTIC (0.700 CFS)
 FIRE PROTECTION (1.780 CFS)
 Total Diversion: (1.780 CFS)

Date Filed: 8/27/1998

In: KOOTENAI County				
T53N R02W S03	SENE	NWSE		
T54N R01W S31	NENW	NWNW	SWNW	
R02W S35	NWNE	SWNE	SENE	NENW
	NWNW	SWNW	SENW	NESW
	NWSW	NESE	NWSE	
S36	SWNE	SENE	SENW	NESW
	NWSW	NESE	NWSE	

180.0 ACRES TOTAL

MICROFILMED

JAN 11 1999

September 9, 1998

Bayview Water and Sewer District
PO Box 637
Bayview ID 83803

Re: Water Appropriation Application No. 96-09002

Gentlemen:

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

Your appropriation application is currently being prepared for advertising in the local county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

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

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

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

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

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB:db

MICROFILMED
JAN 11 1999

Transmittal Letter

J-U-B ENGINEERS, Inc.
Engineers • Surveyors • Planners
1250 Ironwood Drive, Suite 220
Coeur d'Alene, ID 83814
208- 667-1574
Fax: 208-667-2176

To: Al Beardslee
IDWR

Date: August 11, 1998
Project: BWSD Water Rights Permit
Project No.: 20238-02

We are shipping you:
Attached via Hand Delivered the following items:

COPIES	DATE OR NO.	DESCRIPTION
1		Application For Permit

RECEIVED
AUG 11 1998
NORTHERN REGION
IDWR

These items are transmitted as checked below:

- ☒ For Approval ☐ As Requested ☐ Returned for Corrections
☐ For Your Information ☐ For Review and Comment ☐

Remarks:

Al,
Here is the original Water Rights Application for Bayview Water & Sewer District. It has been signed by Chuck Waller, who is the Chairman of the Board. If you have any questions or need any additional information, please feel free to call me.

Thanks again for your help.

Copy for: _____

Signed _____

Elley T Howard EIT
Elley T. Howard, E.I.T.

If enclosures are not as noted, please notify us at once at 667-1574