

Article III

Section 1. Annual Meeting. An annual meeting of the members shall be held in one of the homes of the members each year beginning with the year 1978 at the hour of 8:00 P.M. on the first Tuesday in December of each year, for the purpose of electing directors and for the transaction of such other business as may come before the meeting. If the day fixed for the annual meeting shall be a legal holiday in the State of Idaho, such meeting shall be held on the next succeeding business day. If the election of directors shall not be held on the day designated herein for an annual meeting, or at any adjournment thereof, the Board of Directors shall cause the election to be held at a special meeting of the members as soon thereafter as conveniently may be.

Section 2. Special Meetings. Special meetings of the members may be called by the President or 50% of the members having voting rights.

Section 3. Place of Meeting. The Board of Directors may designate any place within the County of Kootenai, State of Idaho, as the place of meeting for an annual meeting or for any special meeting called by the President or Board of Directors. If no designation is made or if a special meeting be otherwise called, the place of meeting shall be the registered office of the association in the County of Kootenai, State of Idaho; but if all of the members shall meet at any time and place, either within or without the County of Kootenai, State of Idaho, and consent to the holding of a meeting, such meeting shall be valid without call or notice and at such meeting any corporate action may be taken.

Section 4. Notice of Meetings. Written or printed notice stating the place, day, and hour of any meeting of members shall be delivered either personally or by mail, to each member entitled to vote at such meeting, by or at the direction of the President, or the secretary or the officers or persons calling the meeting. In case of a special meeting or when required by statute or by these by-laws, the purpose or purposes for which the meeting is called shall be stated in the notice. If mailed, the notice of a meeting shall be deemed to be delivered when deposited in the United States mail addressed to the member at his address as it appears on the records of the association, with postage thereon prepaid.

Section 5. Informal Action by Members. Any action required by law to be taken by the members, or any action which may be taken at a meeting of members, may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the members entitled to vote with respect to the matter thereof.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7911 Priority April 2, 1979 Amount 0.03 cfs

THIS IS TO CERTIFY, that JOHN P. MALAND
of Hayden Lake, Idaho, has complied with the terms and conditions of Permit
No. 95-7911 issued pursuant to Application for Permit dated April 2, 1979,
and has submitted proof to the Department of Water Resources on May 21, 1979,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.03 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u>	<u>from January 1 to December 31</u>	<u>at 0.03 cfs</u>	<u>and 6 acre feet</u>
<u>(5 homes)</u>	<u>from _____</u>	<u>to _____</u>	<u>cfs and _____</u>
	<u>from _____</u>	<u>to _____</u>	<u>cfs and _____</u>
	<u>(both dates inclusive)</u>		

Subject, however, to the condition that no more than 0.03 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
6 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, Twp. 52N,
Rge. 3W, B.M. in the County of Kootenai

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
52N	3W	33																	X

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
March, 19 80.

Director

Identification No. 95-7911

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant JOHN P. MALAND Phone: 772 5654
post office address Route 2, Box 178, Hayden Lake, Idaho 83835
2. Source of water supply HA Well which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 33 Township 52 N
Range 3 W B.M. Kootenai County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount .1 for Domestic purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .1 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. EXISTING 120' well with
1/2 hp pump - 1" water pipes to 5 homesites

b. Height of storage dam _____ feet, active reservoir capacity 41000 gal / Tank acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur Jan 1 to Dec 31 inclusive.
(Mo. Day) (Mo. Day)
c. ~~Proposed~~ well diameter is 6" inches; proposed depth of well is 120 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is Existing. Allow one (1) year. J. J.
b. Estimated construction cost is \$ 4000.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 33 Township 52 N
Range 3 W B.M.
(2) Amount of power to be generated: - hp under _____ feet of head.
(3) List number of each kind of livestock to be watered -

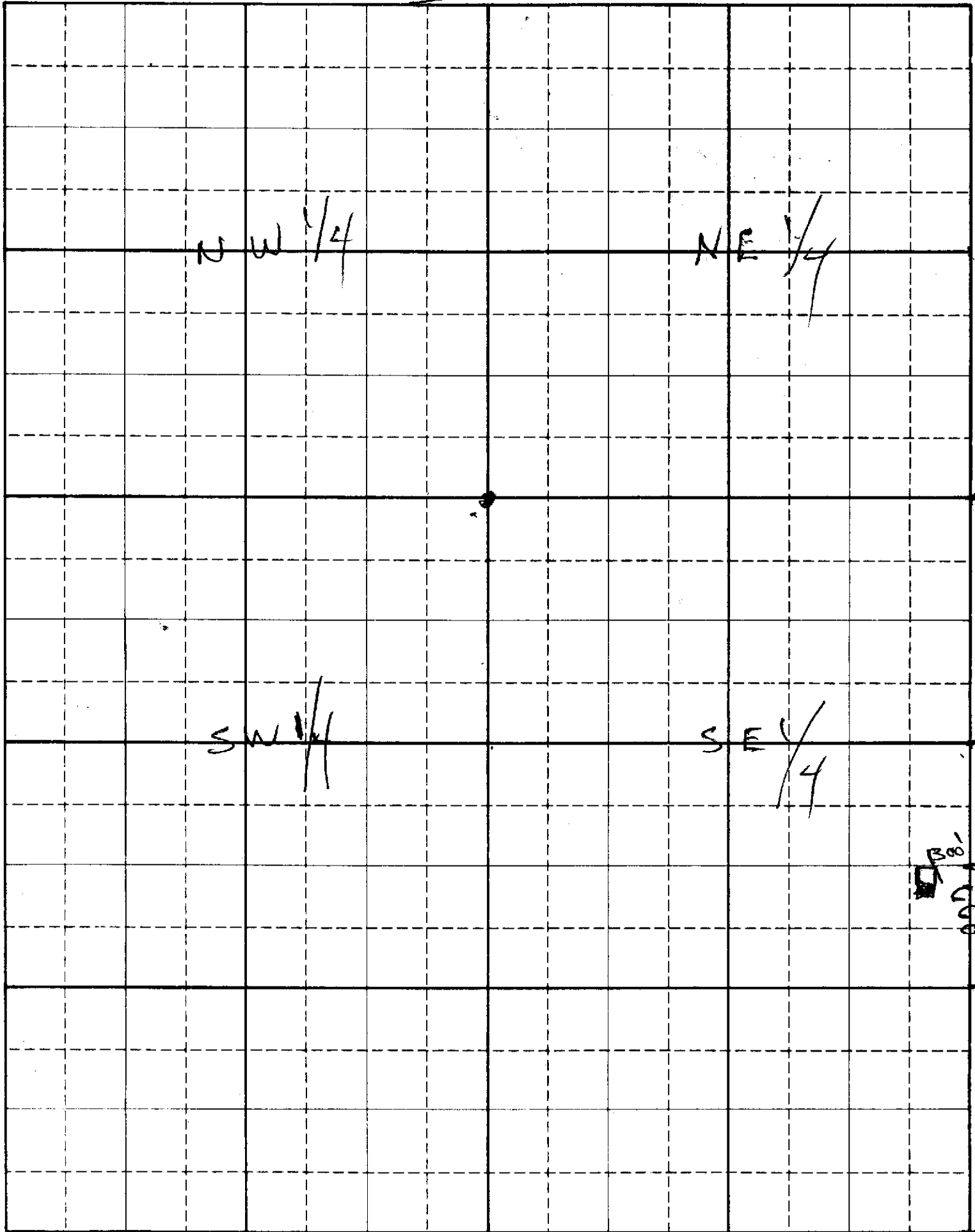
(4) Name of municipality to be served None, or number of families to be
supplied with domestic water 5.
(5) If water is to be used for other purposes describe: -

MICROFILMED

T 52 North, Range 3 WBM

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

SEC 33



Scale: 2 inches equal 1 mile

660' N and 300' West of SE Cor
thence W 4' thence S 20' thence East 60' thence N 20'
thence W 16' to P&B

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

John P. Maland
(Applicant)

Proposed Priority 4-2-79

Received by KC Date 4/2/79 Time 2 pm
Preliminary check by KIC Fee \$ 25.00
Received by pm Date 4/2/79 # 13480
Publication prepared by pm Date 4/4/79
Published in Bozeman Daily Chronicle
Publication dates 4/12 + 19/79
Publication approved pm Date 4/28/79
Priority reduced to _____ Reason _____
Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial 33

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 95-7911, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1980.

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

2. Denial of said application is for the following reasons:

Witness my hand this 7th day of May 19 79.

Chief, Operations Bureau

J. Allen Gayton

PARCEL NO. 1

A portion of the Southeast Quarter of Section 33, Township 52 North, Range 3 West, Boise Meridian, Kootenai County, Idaho, described as follows:

COMMENCING at the Southeast corner of said Section 33; thence, North along the East line of said Section, 560 feet; thence, West 200 feet to the POINT OF BEGINNING; thence, North 100 feet; thence, West 100 feet; thence, North 24 feet to a point on the Southerly line of the County road; thence, Westerly and Southerly along the Southerly line of said road 229 feet to an iron pipe; thence, East 287 feet to the POINT OF BEGINNING.

PARCEL NO. 2

The South 110 feet of the following described parcel;

A parcel of land in the Southeast Quarter of Section 33, Township 52 North, Range 3 West, Boise Meridian, Kootenai County, Idaho described as follows:

BEGINNING at a point 660 feet North and 300 feet West of the Southeast corner of said Section 33; thence, East 100 feet; thence, North 300 feet; thence, West 178 feet to a point on the East right of way line of the County Road; thence, Southerly along said right of way line 242 feet more or less to an iron pipe on said right of way which bears North from the POINT OF BEGINNING: thence, South to the POINT OF BEGINNING.

PARCEL NO. 3

The North 100 feet of the South 210 feet of the following described parcel;

The South 110 feet of the following described parcel;

A parcel of land in the Southeast Quarter of Section 33, Township 52 North, Range 3 West, Boise Meridian, Kootenai County, Idaho described as follows:

BEGINNING at a point 660 feet North and 300 feet West of the Southeast corner of said Section 33; thence, East 100 feet; thence, North 300 feet; thence, West 178 feet to a point on the East right of way line of the County Road; thence, Southerly along said right of way line 242 feet more or less to an iron pipe on said right of way which bears North from the POINT OF BEGINNING: thence, South to the POINT OF BEGINNING.

PARCEL NO. 4

The North 90 feet of the following described parcel;

The South 110 feet of the following described parcel;

A parcel of land in the Southeast Quarter of Section 33, Township 52 North, Range 3 West, Boise Meridian, Kootenai County, Idaho described as follows:

BEGINNING at a point 660 feet North and 300 feet West of the Southeast corner of said Section 33; thence, East 100 feet; thence, North 300 feet; thence, West 178 feet to a point on the East right of way line of the County Road; thence, Southerly along said right of way line 242 feet more or less to an iron pipe on said right of way which bears North from the POINT OF BEGINNING: thence, South to the POINT OF BEGINNING.

WELL SITE

A parcel of land in the Southeast Quarter of Section 33, Township 52 North, Range 3 West, Boise Meridian, Kootenai County, Idaho, described as follows:

BEGINNING at a point 660 feet North and 300 feet West of the Southeast corner of said Section 33; thence, West 4 feet; thence, South 20 feet; thence, East 20 feet; thence, North 20 feet; thence, West 16 feet to the POINT OF BEGINNING.

EASEMENT

The West 10 feet of the following described parcel:

The South 110 feet of the following described parcel;

A parcel of land in the Southeast Quarter of Section 33, Township 52 North, Range 3 West, Boise Meridian, Kootenai County, Idaho described as follows:

BEGINNING at a point 660 feet North and 300 feet West of the Southeast corner of said Section 33; thence, East 100 feet; thence, North 300 feet; thence, West 178 feet to a point on the East right of way line of the County Road; thence,

Southerly along said right of way line 242 feet more or less to an iron pipe on said right of way which bears North from the POINT OF BEGINNING: thence, South to the POINT OF BEGINNING.

The East line of said West 10 feet to be measured parallel with and at right angles to the West line of the property described herein.

Handwritten signature: J. D. P. Mohr

BY-LAWS

SPORTSMAN'S VIEW WATER ASSOCIATION

Article I

Offices

The principal and registered office of the association in the State of Idaho shall be located at Route 2, Box 178, Hayden Lake, Kootenai County, Idaho, with the present mailing address the same.

Article II

Members

Section 1. Eligibility. Each owner of a residential lot on Sportsman's Road, the area identified as Sportsman's View approximately 5 miles East of US 95 served by the water system or systems of the association shall be eligible for membership in the association upon paying a pro rata share of the costs of the water system. Such membership shall at all times be identified with the owner of the said parcel and no membership shall be subject or conditioned upon approval of the Board of Directors or other members if paid in full. Membership and continuation thereof shall be dependent upon the ownership of the parcels, served by the water system of the association.

Section 2. Rights and Interests. There shall be one voting right for each parcel served by the system and owned by the members whether owned in community, jointly or separately.

Section 3. Expulsion or cancellation. There can be no expulsion or cancellation of a member of membership's voting rights so long as he has qualifications set forth in Section 1 hereof. Membership shall automatically terminate whenever the member's eligibility shall cease.

Section 4. Voting by Proxy. Voting by proxy in writing, dated and signed by a member; provided, however, no such proxy shall be valid beyond eleven (11) months after its execution, nor binding upon transferee of a parcel from the person executing such proxy.

Section 5. Registration and Termination. The association shall issue membership certificates to each member. The termination of such membership either by cessation of eligibility or by resignation, shall be recorded in the membership records of the association upon notice of the fact of cessation of eligibility or resignation. Termination of membership shall not relieve the member terminated from the obligation of the association for unpaid assessments and charges.

Article III

Section 1. Annual Meeting. An annual meeting of the members shall be held in one of the homes of the members each year beginning with the year 1978 at the hour of 8:00 P.M. on the first Tuesday in December of each year, for the purpose of electing directors and for the transaction of such other business as may come before the meeting. If the day fixed for the annual meeting shall be a legal holiday in the State of Idaho, such meeting shall be held on the next succeeding business day. If the election of directors shall not be held on the day designated herein for an annual meeting, or at any adjournment thereof, the Board of Directors shall cause the election to be held at a special meeting of the members as soon thereafter as conveniently may be.

Section 2. Special Meetings. Special meetings of the members may be called by the President or 50% of the members having voting rights.

Section 3. Place of Meeting. The Board of Directors may designate any place within the County of Kootenai, State of Idaho, as the place of meeting for an annual meeting or for any special meeting called by the President or Board of Directors. If no designation is made or if a special meeting be otherwise called, the place of meeting shall be the registered office of the association in the County of Kootenai, State of Idaho, but if all of the members shall meet at any time and place, either within or without the County of Kootenai, State of Idaho, and consent to the holding of a meeting, such meeting shall be valid without call or notice and at such meeting any corporate action may be taken.

Section 4. Notice of Meetings. Written or printed notice stating the place, day, hour and purpose of any meeting of members shall be delivered either personally or by mail, to each member entitled to vote at such meeting, by or at the direction of the President, or the secretary or the officers or persons calling the meeting. In case of a special meeting or when required by statute or by these by-laws, the purpose for which the meeting is called shall be stated in the notice. If mailed, the notice of a meeting shall be deemed to be delivered when deposited in the United States mail addressed to the member at his address as it appears on the records of the association with postage thereon prepaid.

Section 5. Informal Action by Members. Any action required by law to be taken by the members, or any action which may be taken at a meeting of members, may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the members entitled to vote with respect to the matter thereof.

Section 6. Quorum. The members holding 51 per cent (51%) of the vote may be cast at any meeting shall constitute a quorum at such meeting. If is not present at any meeting of members, a majority of the members present may adjourn the meeting from time to time without further notice.

Section 7. Proxies. At any meeting of members, a member entitled to vote may vote by proxy executed in writing by the member or by his duly authorized attorney-in-fact. No proxy shall be valid after one month from the date of its execution, unless otherwise provided in the proxy.

Section 8. Voting by Mail. Where directors or officers are to be elected by members, such election may be conducted by mail in such manner as the Board of Directors shall determine.

Article IV

Board of Directors

Section 1. General Powers. The affairs of the association shall be managed by its Board of Directors.

Section 2. Number, Tenure, and Qualifications. The number of directors shall be three unless, at a regular annual meeting of the members, a resolution is adopted providing that the number of directors be changed for the next ensuing year.

Section 3. Regular Meetings. A regular annual meeting of the Board of Directors shall be held without other notice than this by-Law, immediately after, and at the same place as the annual meeting of members. The Board of Directors may provide by resolution the time and place, within the County of Kootenai, State of Idaho, for the holding of additional regular meetings of the Board without other notice than such resolution.

Section 4. Special Meetings. Special meetings of the Board of Directors may be called by or at the request of the President or any two Directors. The person or persons authorized to call special meetings of the Board may fix any place within the County of Kootenai, State of Idaho, as the place for holding any special meeting of the Board called by them.

Section 5. Notice. Notice of any special meeting of the Board of Directors will be given at least two (2) days previously thereto by written notice delivered personally or sent by mail or telegram to each Director at his address as shown by the records of the association. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail in a sealed envelope so addressed, with postage thereon prepaid. If notice be given by telegram, such notice shall be deemed to be delivered

when the telegram is delivered to the telegraph company. Any director may waive notice of any meeting. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting need not be specified in the notice or waiver of notice of such meeting, unless specifically required by law or by these by-laws.

Section 6. Quorum. A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board; but if less than a majority of the Directors are present at such meeting a majority of the Directors present may adjourn the meeting from time to time without further notice.

Section 7. Manner of Acting. The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or by these by-laws.

Section 8. Vacancies. Any vacancy occurring in the Board of Directors and any directorship to be filled by reason of an increase in the number of Directors, shall be filled by the Board of Directors. A director elected to fill a vacancy shall be elected for the unexpired term of his predecessor in office.

Section 9. Compensation. No Director or member shall receive compensation from the association by virtue of the status of being a Director or member, but nothing contained herein shall be construed to preclude any Director or member from serving the association in any other capacity and receiving compensation therefor.

Section 10. Each member of the Harvard Estates Water Association agrees to pay a pro-rata share of the power charges and maintenance and/or repairs that may be required to the pumps or water system from time to time. The Directors shall establish a budget for the ensuing year and recommend to the members a monthly charge to cover the anticipated budget. Each member of the association is expected to pay this budget when due. Failure to pay will constitute a lien against the members' interest in the association.

Article V

Officers

Section 1. Officers. The officers of the association shall be a President, one or more Vice Presidents (the number thereof to be determined by the Board of Directors), a Secretary, a Treasurer, and such other officers as may be elected in accordance with the provisions of this article. Any two or more offices may be held by the same person except that a person may not be both President and Secretary.

Section 2. Election and Term of Office. The officers of the association shall be elected annually by the Board of Directors at the regular annual meeting of the Board

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except the President shall be elected for a term of two years. If the election officers shall not be held at such meeting, such election shall be held as soon thereafter as conveniently may be. New offices may be created and filled at any meeting of the Board of Directors. Each officer shall hold office until his successor shall have been duly elected and shall have qualified.

Section 3. Removal. Any officer elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interests of the association would be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the officer so removed.

Section 4. President. The president shall be the principal executive officer of the association and shall in general supervise and control all of the business and affairs of the association. He shall preside at all meetings of the members and of the Board of Directors. He may sign, with the secretary or any other proper officer of the association authorized by the Board of Directors, any deeds, mortgages, bonds, contracts, or other instruments which the Board of Directors have authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these by-laws or by statute to some other officer or agent of the association; and in general he shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors from time to time.

Section 5. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification, or otherwise, may be filled by the Board of Directors for the unexpired portion of the term.

Section 6. Vice President. In the absence of the President or in event of his inability or refusal to act, the Vice-President (or in the event there be more than one Vice-President, the Vice Presidents in order of their election) shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all the restrictions upon the President. Any Vice-President shall perform such other duties as from time to time may be assigned to him by the president or by the Board of Directors.

Section 7. Treasurer. If required by the Board of Directors, the Treasurer shall give a bond for the faithful discharge of his duties in such sum and with such surety or sureties as the Board of Directors shall determine. He or she shall have charge and custody of and be responsible for all funds and securities of the association in such banks, trust companies, or other depositories as shall be selected in accordance with the provisions of Article VII of these by-laws; and in general perform all the duties

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incident to the office of Treasurer and such other duties as from time to time may be assigned to him by the President or by the Board of Directors.

Section 8. Secretary. The Secretary shall keep the minutes of the meetings of the members and of the Board of Directors in one or more books provided for that purpose; see that all notices are duly given in accordance with the provisions of these by-laws or as required by law; be custodian of the association records.

Article VI

Committees

Section 1. Committees of Directors. The Board of Directors, by resolution adopted by a majority of the Directors in office, may designate one or more committees, which committees, to the extent provided in said resolution, shall have and exercise the authority of the Board of Directors, in the management of the association; but the designation of such committees and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual director, of any responsibility imposed upon him or her by law.

Section 2. Term of Office. Each member of a committee shall continue as such until the next annual meeting of the members of the association and until his successor is appointed, unless the committee shall be sooner terminated, or unless such member be removed from such committee, or unless such member shall cease to qualify as a member thereof.

Section 3. Chairman. One member of each committee shall be appointed chairman by the person or persons authorized to appoint the members thereof.

Section 4. Vacancies. Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

Section 5. Quorum. Unless otherwise provided in the resolution of the Board of Directors designating a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which quorum is present shall be the act of the committee.

Section 6. Rules. Each committee may adopt rules for its own government not inconsistent with these by-laws or with rules adopted by the Board of Directors.

Article VII

Contracts, Checks, Deposits, and Funds

Section 1. Contracts. The Board of Directors may authorize any officer or officers, agent or agents of the association, in addition to the officers to authorized by

these by-laws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the association, and such authority may be general or confined to specific instances.

Section 2. Checks, Drafts, Etc. All checks, drafts, or orders for the payment of money, notes or other evidences of indebtedness issued in the name of the association, shall be signed by such officer or officers, agent or agents or the association, and in such manner as shall from time to time be determined by resolution of the Board of Directors. In the absence of such determination by the Board of Directors, such instruments shall be signed by the Treasurer and counter-signed by the President or a Vice President of the association.

Section 3. Deposits. All funds of the association shall be deposited from time to time to the credit of the association in such banks, trust companies, or other depositories as the Board of Directors may select.

Section 4. The Board of Directors may accept on behalf of the association any contribution, gift, bequest, or devise for the general purposes or for any special purpose of the association.

Article VIII

Certificates of Membership

Certificates of Membership. The Board of Directors shall provide for the issuance of certificates evidencing membership in the association which shall be in such form as may be determined by the Board. Such certificates shall be signed by the President or a Vice President and by the Secretary. All certificates evidencing membership shall be consecutively numbered. The name and address of each member and the date of issuance of the certificate shall be entered on the records of the association. If any certificate shall become lost, mutilated or destroyed, a new certificate may be issued therefor upon such terms and conditions as the Board of Directors may determine.

AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER RIGHT

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

Maland, John P.
Route 2, Box 178, Hayden Lake,
ID 83835

Source: Groundwater
Date Filed: April 2, 1979
Amount: 0.10 cfs

Diversion Point: SESE Sec 33 T
62N R 03W, Kootenai Co.

Use: Domestic (0.10 cfs) from
Jan. 1 to Dec. 31

Place of Use: SESE Sec 33 T 52N
R 03W

Diversion Means: Well, Pump
and Pipeline

95-7912

Thomas, Donald D. &/or Gen-
erative M.

Route 3, Box 430, Coeur d'Alene,
ID 83814

Source: Groundwater

Date Filed: April 2, 1979

Amount: 0.08 cfs

Diversion Point: LOT 02 Sec 33 T
50N R 03W, Kootenai Co.

Use: Domestic (0.08 cfs) from
Jan. 1 to Dec. 31

Place of Use: LOT 02 Sec 33 T 50N
R 03W

Diversion Means: Well and Pump

If issued, the permits will be
subject to all prior water rights.

Protest against the granting of
any permit must be filed with the

Director of the Idaho Department
of Water Resources, 4055 Gov't

Way, Coeur d'Alene, Id., 83814 on
or before April 30, 1979.

C. STEPHEN ALLRED
Director

NOTICE OF CLAIMS
TO WATER RIGHTS

Notice is hereby given that the
following claim(s) to water

right(s) have been established by
diversion and application to bene-
ficial use:

95-4400

Newman, Noel
Route 3, Box 427 B, Coeur
d'Alene, ID 83814

Source: Coeur d'Alene Lake

Priority Date: Jan. 1, 1967

Amount: 0.02 cfs

Diversion Point: LOT 02 Sec 28 T
50N R 03W, Kootenai Co.

Use: Domestic (0.02 cfs) from
Jan. 1 to Dec. 31

Place of Use: LOT 02 (SWSW) Sec
28 T 50N R 03W

Diversion Means: Pump and
Pipeline

Any exception to any claim of
water right may be filed with the

Director of the Idaho Department
of Water Resources, 4055 Gov't

Way, Coeur d'Alene, Id., 83814

C. STEPHEN ALLRED
Director

Legal # 658

April 12, 19, 1979

STATE OF IDAHO,
County of Kootenai,

ss.

Craig Hedges

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

Notice

of which the annexed is a printed copy, was published in the regular issue of said newspaper for

commencing on the

ending on the

publication was made as often during said period as said

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

1979

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

LEADER

99.36



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Storehouse
Boise, Idaho 83720
(208) 384-2215

April 9, 1980

John P. Maland
Rt. 2 Box 178
Hayden Lake, Idaho 83835

Dear Mr. Maland,

RE: License No. 95-7911

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

Sincerely,

Jan Grover
JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Storehouse

Boise, Idaho 83720

(208) 334-4440

March 21, 1980

John P. Maland
Rt. 2 Box 178
Hayden Lake, Idaho 83835

Dear Mr. Maland,

A representative of this Department has made an examination of the works covered by your Permit No. 95-7911, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.03 cfs Source: groundwater

The maximum quantity diverted shall not exceed 6 acre feet
per year.

Point(s) of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, Twp. 52N, Rge. 3W, B.M.

Beneficial use: Domestic use of 5 homes within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33,
Twp. 52N, Rge. 3W.

Priority date established: April 2, 1979

Conditions (if any):

If you do not concur with these findings please contact us within 10 days,
otherwise a water license will be issued as set forth above.

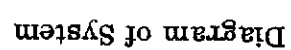
Sincerely,

JAN GROVER
Water Rights Supervisor

RECEIVED
MAY 1 1980

FIELD REPORT

- TOTAL ACREAGE**

[illegible]

DATE OF EXAM 5/21/79

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____
Domestic Q= 0.03 c.f.s. V= 6 AF/Ann. from Jan 1 to Dec 31
Livestock Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ✓

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 0.03 cfs Method of measurement meter

Total Q recommended 0.03 cfs Meter No. 4044563 Type Trydent Condition good

Total V recommended 6 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:

1 cf
35 sec. = 0.03 cfs

SYSTEM DESCRIPTION:

Well with submersible pump to (2) 2,000 gal storage gal storage tank
with bypass to 5 homes

REMARKS:

Mr. Mallard acc.

Examiner's Signature J. L. K Date 5/29/79

Checked by Bob Haynes Date 6/11/79

Approved by _____ Date _____

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 95-7911

Name(s) of Permit Holder:

Post Office Address:

Source of Water:

Extent of Use:

☒ Domestic

☐ Stockwater

☐ Irrigation

☐ Other

(number of households)

(number and type of stock)

(acres)

Measuring Device: Required?

☐ Yes ☐ No

Installed?

☐ Yes ☐ No

Access Port:

Required?

☐ Yes ☐ No

Installed?

☐ Yes ☐ No

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

May 21 1974
Date

[Signature]
Signature of Permit Holder

MICROFILMED

PLACE
TEN CENT
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

May 10, 1979

Re: Permit No.'s 95-7906 & 95-7911

John P. Maland
Route 2, Box 178
Hayden Lake, Idaho 83835

Dear Mr. Maland:

Enclosed are copies of your approved Applications for Permit. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lr

Enclosures

95-7911

STAFF REVIEW - STATE OFFICE

1. ✓ Name vs. Signature
2. W Source
3. ✓ Point of Diversion
4. ✓ Amnt. & Period of Use
5. ✓ Descrip. of Diverting Wrks.
6. 1 Time req. for Proof of B/U
7. ✓ Place of Use for other than irrig.
8. N/A Place of Use for irrigation (add acres)
9. others Property Owner at Pt. of Div. & Pl. of Use
10. NO Map
11. 2 Fee & Rec't. No.

Copies Sent To:

NO Idaho Health Department
7 Idaho Fish & Game Dept.
 Bureau of Land Management

NO U.S.F.S.
7 Dept. of Lands
 Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area yes ✓ no

Other rights on same land N/A

Withdrawals of all protests received N/A yes no

Conditions:

ID Power Co. Letter - Snake R. NO

ID Power Co. Letter - G.W. & Tribs. NO

Snake River Condition NO

Payette River Letter NO

Priority Date 4/2/75

Water Quality #16 NO

Water Quality #10 NO
 intrastate NO interstate NO

Meas. Dev. or Sc. Meas. NO

Totalizing meter NO

Supplemental NO

Right-of-Way Cond. yes

Watermaster Cond. NO

Wtr. Dist No. NO

Meas. Dev. Cond. for apps within a Water Dist. NO

Let's ADD CHANGE TO ITEM
 7a

Jani Reviewer
5/4/75 Date

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 95-7911

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) KK 4/2/79

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) KK 4/2/79

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. 1

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) pm 4/23/79

Affidavit of Publication received(date) 4/20/79

(12) pm 4/30/79

Final date for protests April 30, 1979
Protests received: yes _____ no ☒

(13) pm 4/30/79

All requested information received from agencies or applicant: yes ☒ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

4-279 Proposed Priority

Reason for Reduction _____

Measuring device required

See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Merthou

By B. Hays Date 4-30-79

RECEIVED
MAY 02 1979

Department of Water Resources

95-2911-

MALAND, JOHN P.

ROUTE 2, BOX 178, HAYDEN LAKE, ID 83835

Source: GROUNDWATER

Date Filed: 04/02/1979

Amount: 0.10 CFS

Diversion Point: SESE Sec 33 T 52N R 03W, KOOTENAI Co.

Use: DOMESTIC (0.10 CFS) from 01/01 to 12/31

Place of Use: SESE Sec 33 T 52N R 03W

Diversion Means: WELL, PUMP & PIPELINE