

AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Echo Bay Terrace, 2427 Gov't Way, Coeur d'Alene, Id. has on June 2, 1978 submitted Application No. 95-7849 for a permit to appropriate 0.20 cubic feet per second of water from a groundwater source by means of a well, pump & pipeline within the Gov Lot 2, Sec 7, T49N, R3W, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for domestic water for 26 households within the Gov Lot 2, Sec 7, T49N, R3W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before July 3, 1978.

C. STEPHEN ALLRED
Director

Legal No. 547
June 15, 22, 1978

STATE OF IDAHO,
County of Kootenai,

ss.

Coeur d'Alene 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 *thurs* issue of said newspaper for *2* consecutive *weeks* commencing on the *15* day of *June*, 19*78*, and ending on the *22* day of *June*, 19*78*, 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.

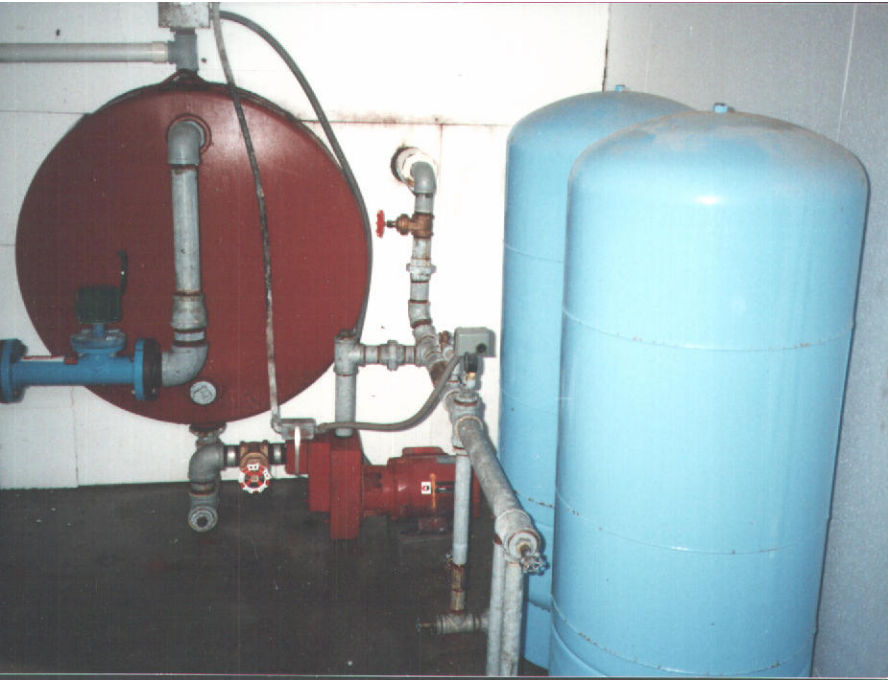
Subscribed and sworn to before me this *22* day of *June*

19 *78*

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

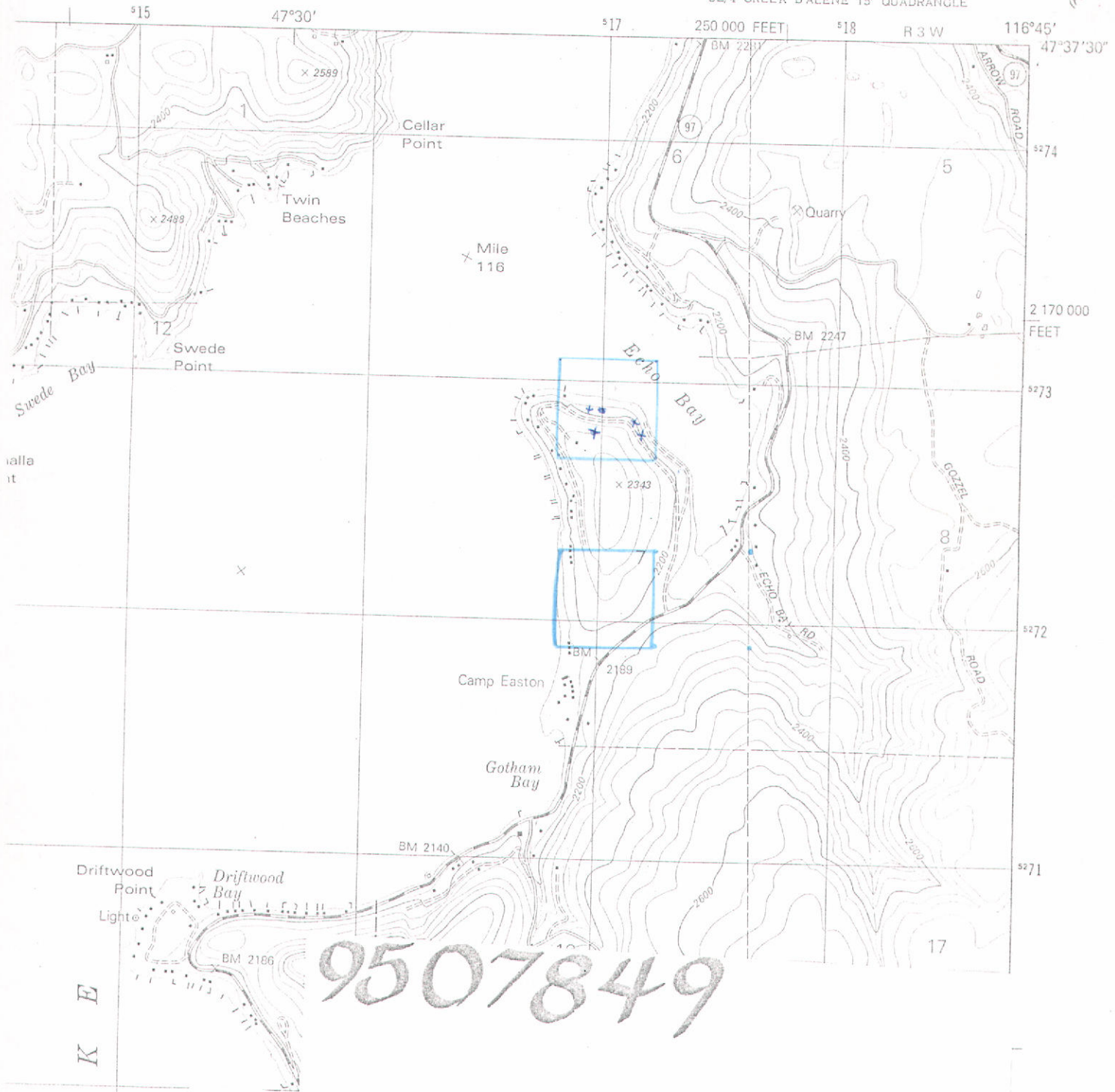
MICROFILMED

1008
LEADER

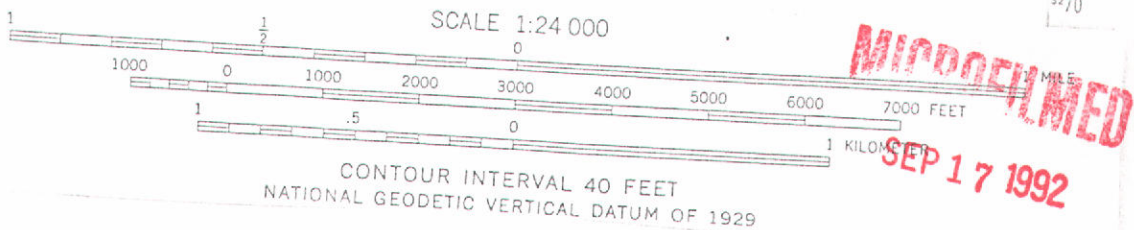


MICA BAY QUADRANGLE
IDAHO-ROOTENAI CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)
SE/4 CREEK D'ALENE 15' QUADRANGLE

2678 P. 15W
(FERMAN LAKE)



9507849



T.49N R3W Sec 7 NWSE

Turner Bay

Turner

Creek

PANORAMA VIEW HOMES

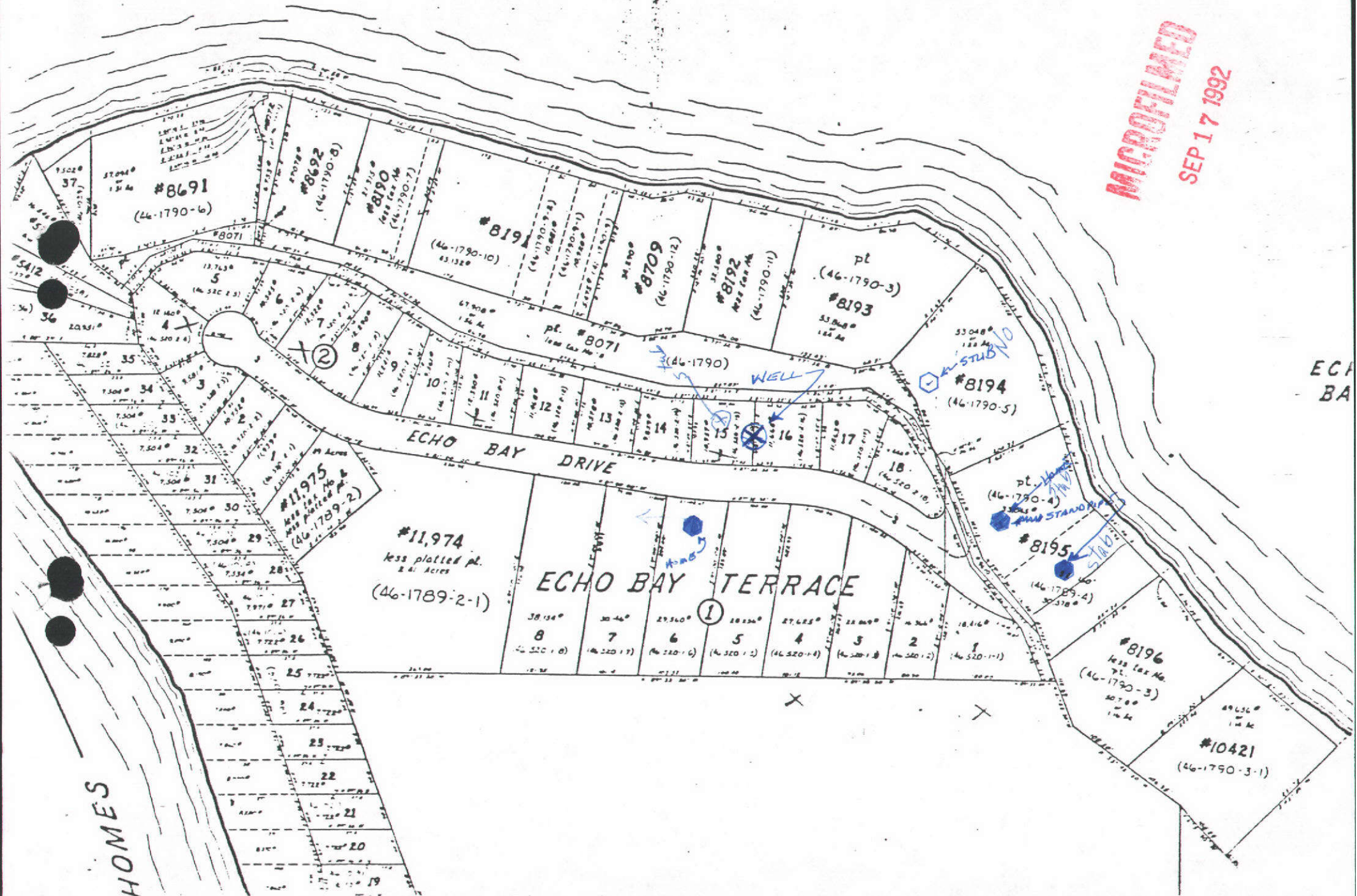


★ STUBS @ 2 HOMES

MICROFILMED
SEP 17 1992

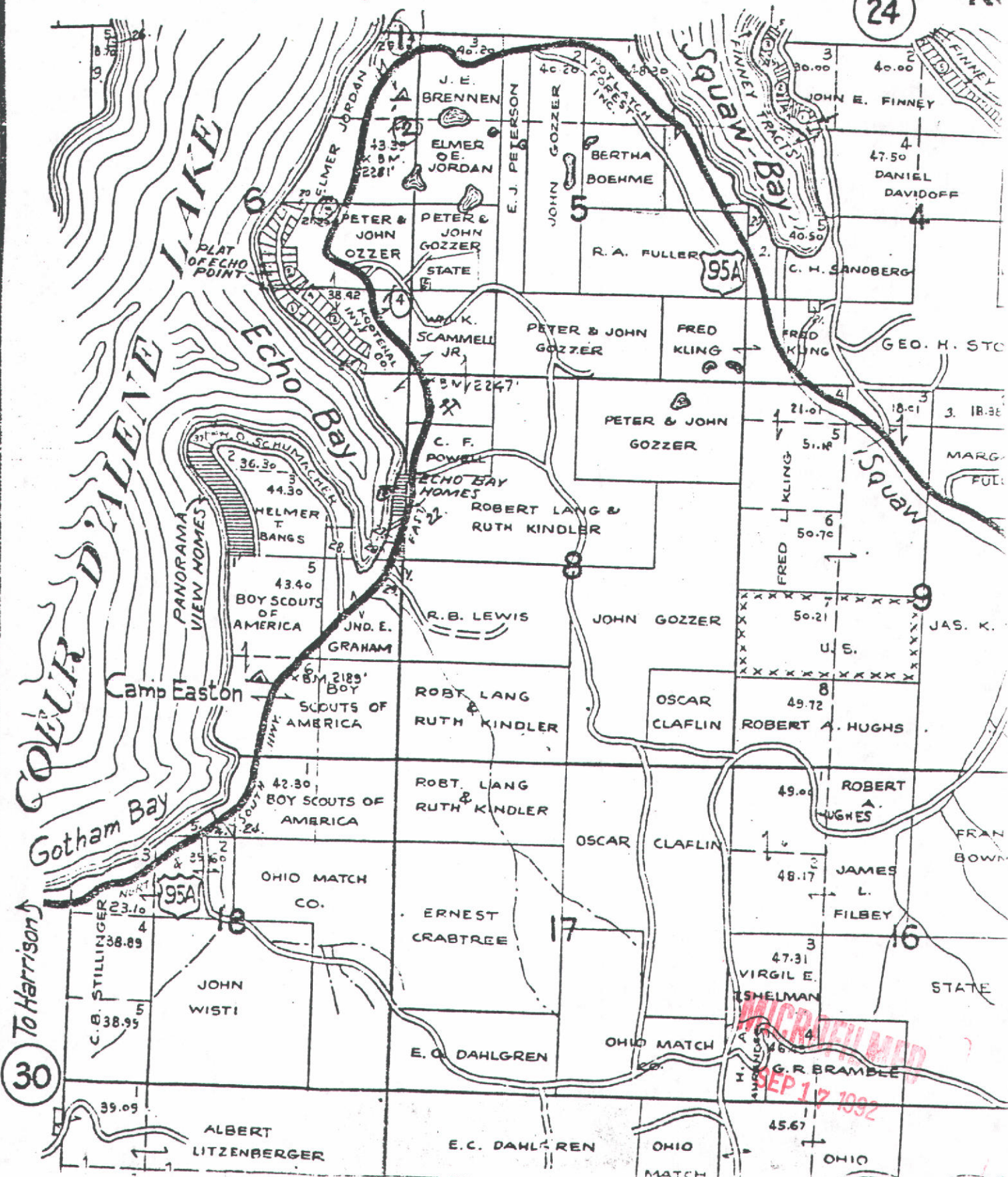
Gov't. Lots 2 and 3, Sec. 7 Twp. 49 N.R. 3 W.B.M.

RECEIVED
SEP 17 1992



TOWNS

24



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-07849

Priority: May 2, 1980

Maximum Diversion Rate: 0.14 CFS
Maximum Diversion Volume: 31.2 AF

This is to certify, that ECHO BAY TERRACE
C/O JOHN HAYES
502 ERMA AVE
COEUR D ALENE ID 83814

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 2, 1978; and has submitted Proof of Beneficial Use on April 13, 1990. An examination indicates that the works have a diversion capacity of .140 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.14 CFS	31.2 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NWNE), Sec. 7, Township 49N, Range 03W
KOOTENAI County

PLACE OF USE: DOMESTIC
TWN RGE SEC

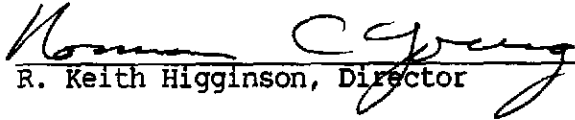
49N 03W 7 Lot 2(NWNE)

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 26 homes.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 10TH day of SEPTEMBER, 1992.

RECEIVED

Acting for  R. Keith Higginson, Director

SEP 17 1992

For Office Use Only
Fee Received <u>15.00</u>
Date <u>6-21-85</u>
Receipt # <u>36870</u>

Note:
All notices, corresp.
etc should be sent to
Peter C. Wagstaff
att'y at Law.
P.O. Box 909
CDA
5-13-85

DES

: TIME

> submit

it permit

JUN 20 1985

Department of Water Resources

bbard, Suite 140

(Address) Coeur d'Alene,

mit to Appropriate the Public Water of

the State of Idaho No. 95-7849

That under the terms and conditions of said permit, work thereunder was required to be completed on or before

July 1, 19 83.

That he has heretofore performed the following work described under said permit:

(This must be filled out! If no work has been completed put none.)

Well has been drilled, submersible pump installed, concrete wellhouse
constructed, containing valves and water purification system, under-
ground storage tank installed, all water lines installed to
twenty-six (26) building lots. This is an operating ~~system~~ system.

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

Building Lots not yet fully populated.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations

under said permit to June 1, 19 90.

(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME

ECHO PAY TERRACE SUBDIVISION
CORPORATION

By:

Fred Fricke (Signature)* President

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within
which to submit the proof of beneficial use is extended to June 1, 1990.

IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to
May 2, 1980, pursuant to Section 42-218a, Idaho Code.

Signed this 26th day of August, 19 85.

A. Glen Saxton
Chief, Operations Bureau

MICROFILMED

For Office Use Only
Fee Received 15.00
Date 6-21-85
Receipt # 36870

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME
To provide additional time in which to submit
proof of beneficial use on a water right permit

RECEIVED
JUN 20 1985

Department of Water Resources

FRED FRICKE, Pres. Echo Bay Terrace of 1000 W. Hubbard, Suite 140

(Name)

(Address) Coeur d'Alene,

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. 95-7849

That under the terms and conditions of said permit, work thereunder was required to be completed on or before July 1, 1983

That he has heretofore performed the following work described under said permit: _____
(This must be filled out! If no work has been completed put none.)

Well has been drilled, submersible pump installed, concrete wellhouse constructed, containing valves and water purification system, underground storage tank installed, all water lines installed to twenty-six (26) building lots. This is an operating sewage system.

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

Building Lots not yet fully populated.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to June 1, 1990
(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME

ECHO PAY TERRACE SUBDIVISION
CORPORATION

By: Fred Fricke
Fred Fricke (Signature)* President
*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

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IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to May 2, 1980, pursuant to Section 42-218a, Idaho Code.

Signed this 26th day of August, 19 85.

J. Glen Saxton
Chief, Operations Bureau

MICROFILMED

Identification No. _____

Application No. 95-7849

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 ECHO BAY TERRACE Phone: _____
post office address 2427 GOV'T WAY; COEUR D'ALENE; ID 83814
2. Source of water supply GROUNDWATER which is a tributary of _____
3. a. Location of point of diversion is GOV LOT 2 $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section 7 Township 49N
Range 3W 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 0.20 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. 0.20 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. WELL & PUMP

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 8 inches; proposed depth of well is 250 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: GOV LOT 2 $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section 7 Township 49N
Range 3W 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 _____, or number of families to be
supplied with domestic water 26.
(5) If water is to be used for other purposes describe: _____

RECEIVED
JAN 10 1996
IDAHO DEPT. OF WATER RESOURCES

10. Remarks.

applicant to make this filing.

- b. Who owns the land to be irrigated or place of use _____

9. a. Who owns the property at the point of diversion.

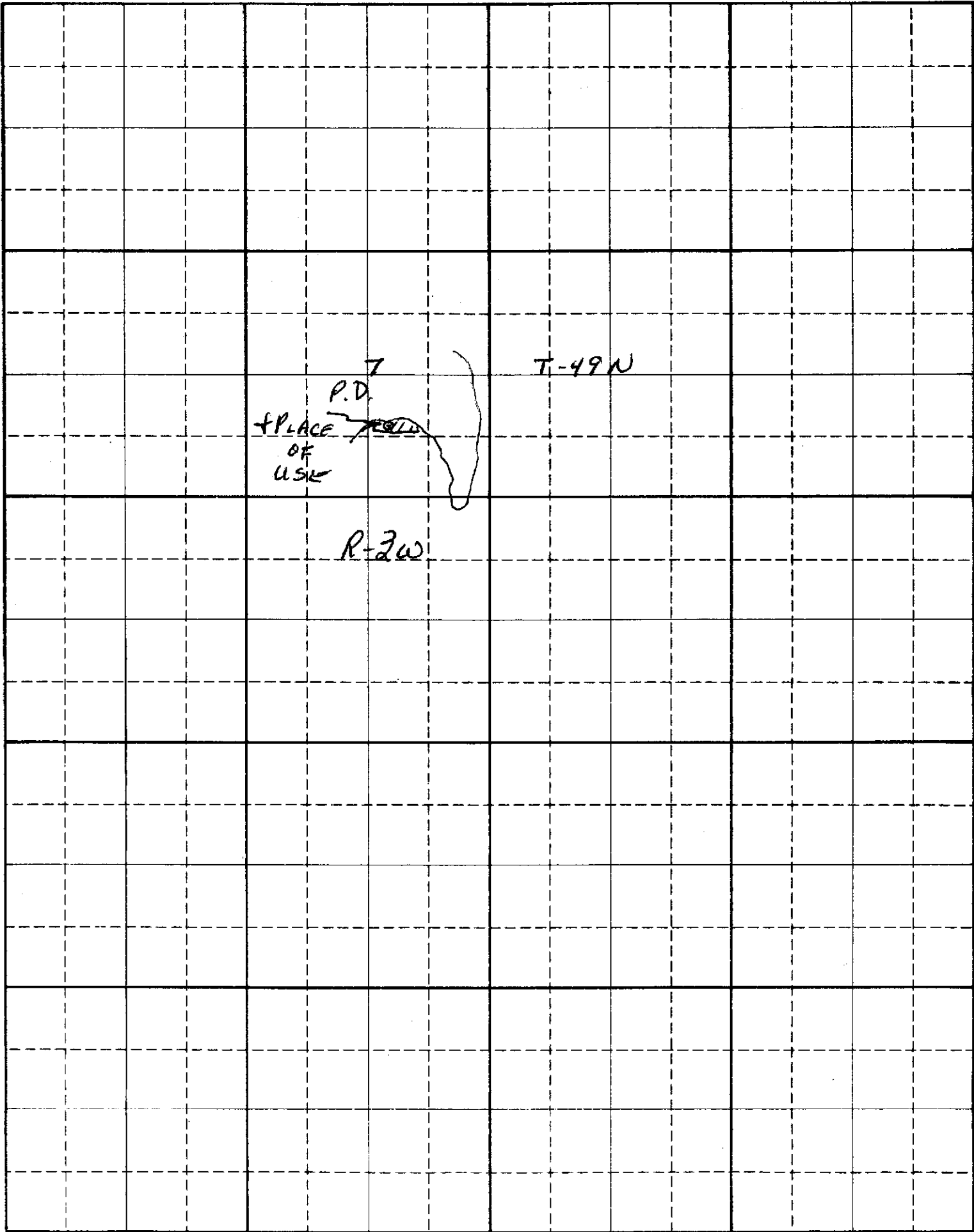
APPLICANT

c. Describe any other water rights used for the same purposes as described above. None

[illegible]

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

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



Scale: 2 inches equal 1 mile

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.

Echo Bay Terracer
Philip E. Kelly
(Applicant) owner

Proposed Priority 6/02/78

Received by HK Date 6/2/78 Time 10:30 A

Preliminary check by HK Fee \$ 10.00

Received by HK Date 6/2/78 #10925

Publication prepared by HK Date 6-5-78

Published in County of Blaine

Publication dates 7-15-78 to 7-22-78

Publication approved by HK Date 6-22-78

Priority reduced to Reason

Protests filed by:

Copies of protests forwarded by

Hearing held by Date

Recommended for approval denial by

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. 95-7849, 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 July 1, 19 83.

c. Other:

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

Witness my hand this 13 day of July 19 78

Chief, Operations Bureau

A. Allen Gayton

AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Echo Bay Terrace, 2427 Gov't Way, Coeur d'Alene, Id. has on June 2, 1978 submitted Application No. 95-7849 for a permit to appropriate 0.20 cubic feet per second of water from a groundwater source by means of a well, pump & pipeline within the Gov Lot 2, Sec 7, T49N, R3W, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for domestic water for 26 households within the Gov Lot 2, Sec 7, T49N, R3W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before July 3, 1978.

C. STEPHEN ALLRED
Director

Legal No. 547
June 15, 22, 1978

STATE OF IDAHO,
County of Kootenai,

} ss.

Cecil Hedge 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 thurs issue of said newspaper for 2 consecutive Weeks commencing on the 15 day of June, 1978, and ending on the 22 day of June, 1978, 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 22 day of June

1978.

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

1008
LEADER

September 15, 1992

ECHO BAY TERRACE
C/O JOHN HAYES
502 ERMA AVE
COEUR D ALENE ID 83814

RE: WATER RIGHT NO. 95-07849

Dear Water Right Holder(s):

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

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

cc: Peter C. Wagstaff

COPIED TO FILE

SEP 17 1992

August 18, 1992

ECHO BAY TERRACE
C/O JOHN HAYES
502 ERMA AVE
COEUR D ALENE ID 83814

RE: WATER RIGHT NO. 95-07849

Dear Water Right Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

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SEP 17 1992

LICENSE REVIEW CHECKLIST

Permit # 95-7849

Date 8-11-92
CS

	Yes	No	
NAME	☐	☒	Address Change?
PRIORITY DATE	☐	☒	Advance?
	☐	☒	Memo to Advance
	☐	☒	Order to Reinstate Needed?
TOTAL CFS	☐	☒	Incorrect Fee for rate recommended?
	☐	☒	Disagree with Actual Measurement?
	☐	☒	<u>.14 cfs (DOM)</u>
	☒	☐	Disagree with Theoretical? <u>$5 \times 8.8 \times .7 = .138$</u>
	☒	☐	Limited by Capacity? <u>.14 cfs 130' + (2.31 \times 40)</u>
TOTAL VOLUME			Rate/ac <u> </u> AFA Irr. Season <u> </u>
			<u> </u> Standard Irr. Season
			<u> </u> Season Recommended
	☒	☐	Disagree with Examiner's Calculations?
		☒	<u>$26 \times 1.2 = 31.2 \text{ afa (DOM)}$</u>
		☒	Limited by Flow? <u>.14 \times 365 \times 1.9835 = 101.4 > 31.2</u>
SOURCE	☐	☒	Changes? Clarification of <u>Originally</u>
		☒	<u>Intended</u> source
		☒	Notice of Intent to Void.
P/D			Verify with Map
	☐	☒	Amendment Needed? <u>Lot 2 = NWNE</u>
	☐	☒	Is Overlap Analysis a Consideration?
P/U			Verify with Map
	☐	☒	Amendment Needed? <u>Lot 2 = NWNE</u>
	☐	☒	Is Overlap Analysis a Consideration?
USES	☐	☒	Change(s) in Nature of Use?
	☐	☒	Amendment Needed?
REMARKS	☐	☒	Multiple P/Ds in 1/4 1/4?
	☒	☐	Non-Irr. Uses <u>DOM/24 Homes</u>
	☐	☒	Special Overlap Condition
	☐	☒	Other
CONDITIONS	☐	☒	Measuring Device
	☐	☒	W/Master Control
	☐	☒	Overlap
	☐	☒	Water Quality
			DATES/MISC
		☒	Water Dist.
		☒	App Rec'd
		☒	Exam Made

COMMENTS/MEMOS NEEDED: Reduced Rate
Well Log & Inspection form show static level est.
at 125' Used 130' as minimum dynamic estimate
Used 40 psi low end DOM estimate & 70% efficiency average.

License 10-Day ☒ 15-Day Special Correspondence

WR0749NP
No. L95-07849

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 08/11/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ECHO BAY TERRACE C/O JOHN HAYES 502 ERMA AVE COEUR D ALENE ID 83814 (208) 765-0476	05/02/1980	DOMESTIC	01-01 12-31	0.14 CFS	31.2 AFA
TOTAL DIVERSION:					0.14 CFS	31.2 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.14 CFS

Point(s) of Diversion: T49N R03W S07 Lot 02(NW NE)

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
49N	03W	7	:			02-D																:

Pou County: KOOTENAI

Remarks: Domestic use is for 26 homes.

Dates:	App. Received:	06/02/1978	Priority Date:	05/02/1980
	Proof Due Date:	06/01/1990	Proof Made Date:	04/13/1990
	Exam Made Date:	09/03/1990	Exam Sent to S.O.:	09/15/1991
	Licensed Date:			

Misc: Water District Number: Field Exam Fee: N (Not Required)

Audit: 08/11/92 SKAGGS

MEMORANDUM

TO: FILE

VIA: Robert Haynes - Manager, Northern Regional office. *RNH*

FM: Tom King - Sr. Water Resource Agent, Northern Region *TDK*

Date: September 13, 1991

SUBJECT: 95-07849

=====

I visited the site this date and confirmed that the water lines have been extended to property outside the 26 lot subdivision that was originally planned. I also verified that there are only four current users. However based on the engineering as-builts and since the Echo Bay terrace has paid the \$50.00 examination fee (N004825), we can recommend 26 homes. Appropriate changes have been made on the examiners field report.

NOT RECORDED

SEP 17 1992

SENIOR AGENT REVIEW

Check List
for
Beneficial Use Field Report

Permit 95-07849

☒ **A. GENERAL INFORMATION**

- ☒ 1. Name and address are most current available. (Check BU statement)
☒ 2. Exam Date
☒ 3. Source (Check Permit)

☒ **B. OVERLAP REVIEW**

- ☒ 1. & 2. (Rule 5,1,4)

☒ **C. SYSTEM DESCRIPTION**

- ☒ 1. Diversion System Diagram (Rule 5,1,3 / 5,1,4)
☒ 2. USGS (Rule 5,1,7 / 5,1,9) Aerial (Rule 5,1,17)
Photo of pd and/or pu or explanation
☒ 3. Word Picture (Rule 5,1,3 / 5,1,4)
☒ 4. Diversion (Rule 5,1,3)
☒ 5. Compare with USGS Map/Land Survey Maps/Aerial Photos/Permit.
Method of determination
☒ 6. Irrigation (Rule 5,1,8), Method of determination,
Compare USGS/Land Survey? Aerial Photos/Permit.

☒ **D. FLOW MEASUREMENTS** Check math (Rule 5,1,13 / 5,1,14)

☒ **E. FLOW CALCULATIONS** Check math (Rule 5,1,13 / 5,1,14)

☒ **F. OPTIONAL**

☒ **G. VOLUME CALCULATIONS**

- Three significant figures/not less than 0.10 (Rule 6,1,2)
Fish (Rule 5,1,11) number stock, homes, etc... (Rule 5,1,12)

☒ **H. REMARKS AND OVERLAP ANALYSES**

- ☒ All actual uses listed (Rule 5,1,2):
☒ All unused, permitted uses listed (Rule 5,1,2):
☒ Overlaps (Rule 5,1,4):
☒ Return flows (Rule 5,1,5):
☒ Conditions (Rule 5,1,6).

☒ **I. RECOMMENDATIONS**

- ☒ 1. Municipal (Rule 5,1,10): Compare with items E & G, permit, fee, capacity
(Rule 5,1,15): Measured flows for each use listed separately (Rule 5,1,14).
Period of year (Rule 5,1,13)
☒ 2. Compare permit to exam for amendments (Rule 5,1,16)

☒ **J. AUTHENTICATION**

Name, Signature, Certification Date, Exam Date.

☒ **WELL INSPECTION REPORT**

Check with permit and well log for discrepancies

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SEP 03 1991

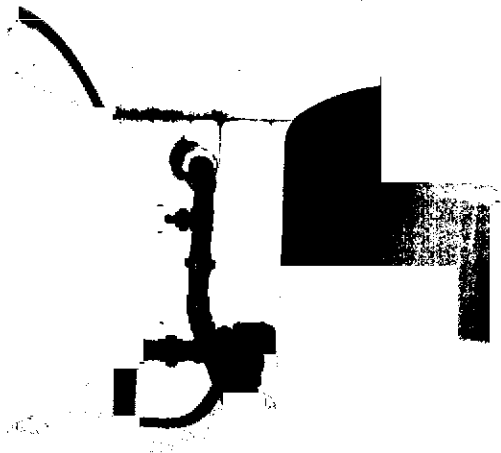
REGION
IDWR

Signature

[Handwritten Signature]

Date

10/31/90



RECEIVED
JUN 24 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 95-07849

1. Owner: Echo Bay Terrace

Phone No. 765-0476

Current Address: 502 Erma Ave, Coeur d'Alene ID 83814

2. Accompanied by: Ron Long

EXAM. DATE: 9/3/90

Address: Hwy 2 Box 118B Harrison ID 83833

Phone No. 667-4712

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: None

☐ Copies Attached

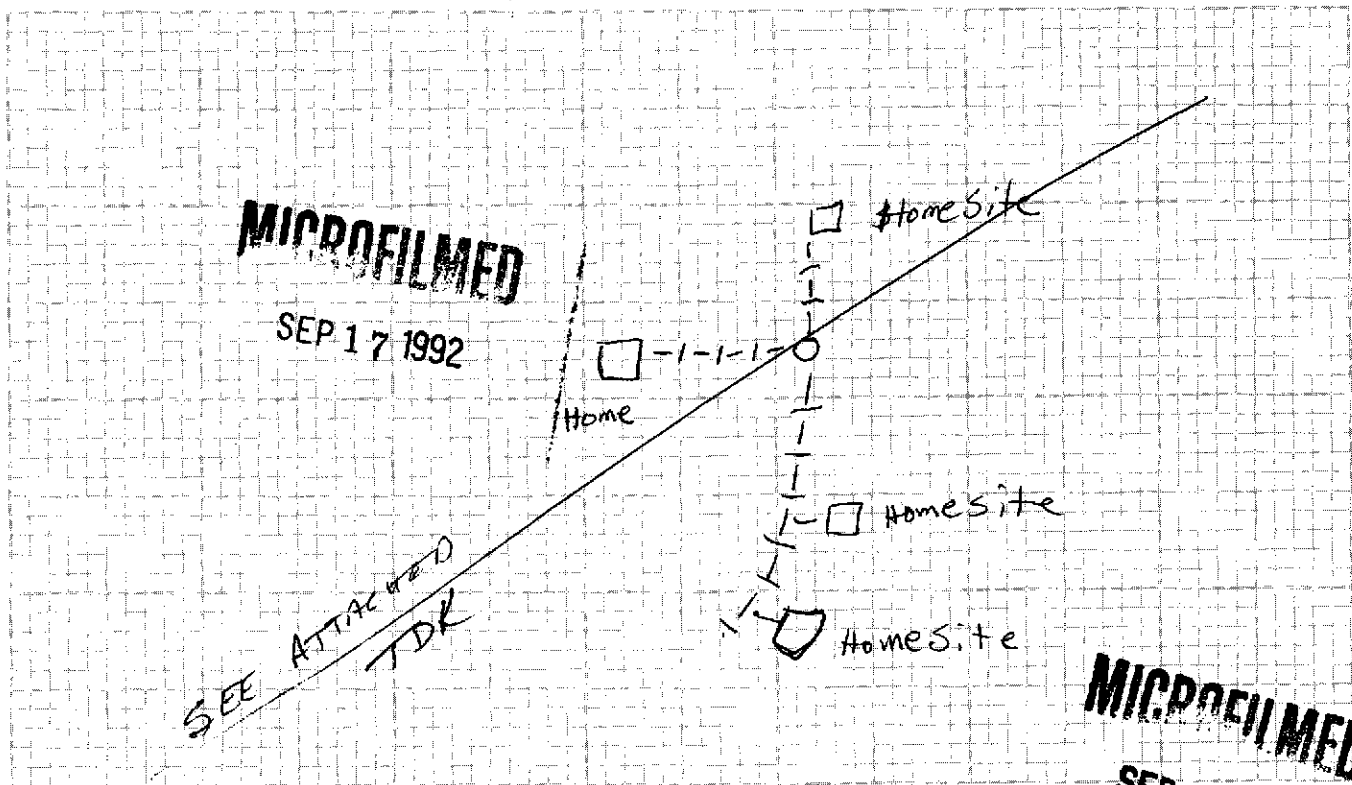
2. Other water rights with same point of diversion: None

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached (also)



Scale: 1" = NTS

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached N/A
(required for irrigation of 10 acres or more).

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Well with 5hp submersible pump and a 1000 gallon storage reservoir. There are also 2 pressure tanks with a gage reading at 45psi.

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No.*	Motor Make	Hp.	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
On Reservoir		5hp			
Submersible					

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
					7	49N	3W	Koofana	Map

6. Place(s) of Use:

Indicate Method of Determination *Map*

Twp.	Rge.	Sec.	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	Totals
49N	3W	7													2

Do not use this space

D. FLOW MEASUREMENTS

None

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

FOR 26 HOMES

1. Measured Method:

$$\frac{(5)(8.8)(60\%)}{(2.31)(45) + 30} = \frac{26.4}{133.95} = 0.20 \text{ cfs} \quad \text{System Capacity}$$

2. Alternate Method for Checking Purposes:

No fees: 0.04 cfs TDK

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2 \times 3.0 = 6.0 \text{ AF}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.04 \times 245 \times 1.9835 = 9.72 \text{ AF}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 6.0 \text{ AF}$$

2. Volume Calculations for Other Uses:

$$\text{Homes: } .6 \times 4 = 2.4 \text{ AFA}$$

$$26 \text{ Homes } (1.6)(26) = 41.6 \text{ AF TDK}$$

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SEP 17 1992

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Legal description on Application is incorrect. Both PD & PU are in NWNE Sec 7, T4N R3W. Legal description on well log is also incorrect. On well log it is listed as SE NW which is in the lake. Govt Lot 2 is correct, but it is in NWNE.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	1-1	0.04 cfs	2.4 AFA TR
Irrigation	3-15	0.04 cfs	6.0 AFA
Domestic	1-1	0.20	15.6 TR
Totals:			
		0.04 cfs	8.4 AFA
		0.20	21.6 TR

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name

Theresa J. Bright

Signature

Theresa J. Bright

Certification Date

4/16/90

Field Report Preparation Date

9/2/90

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.



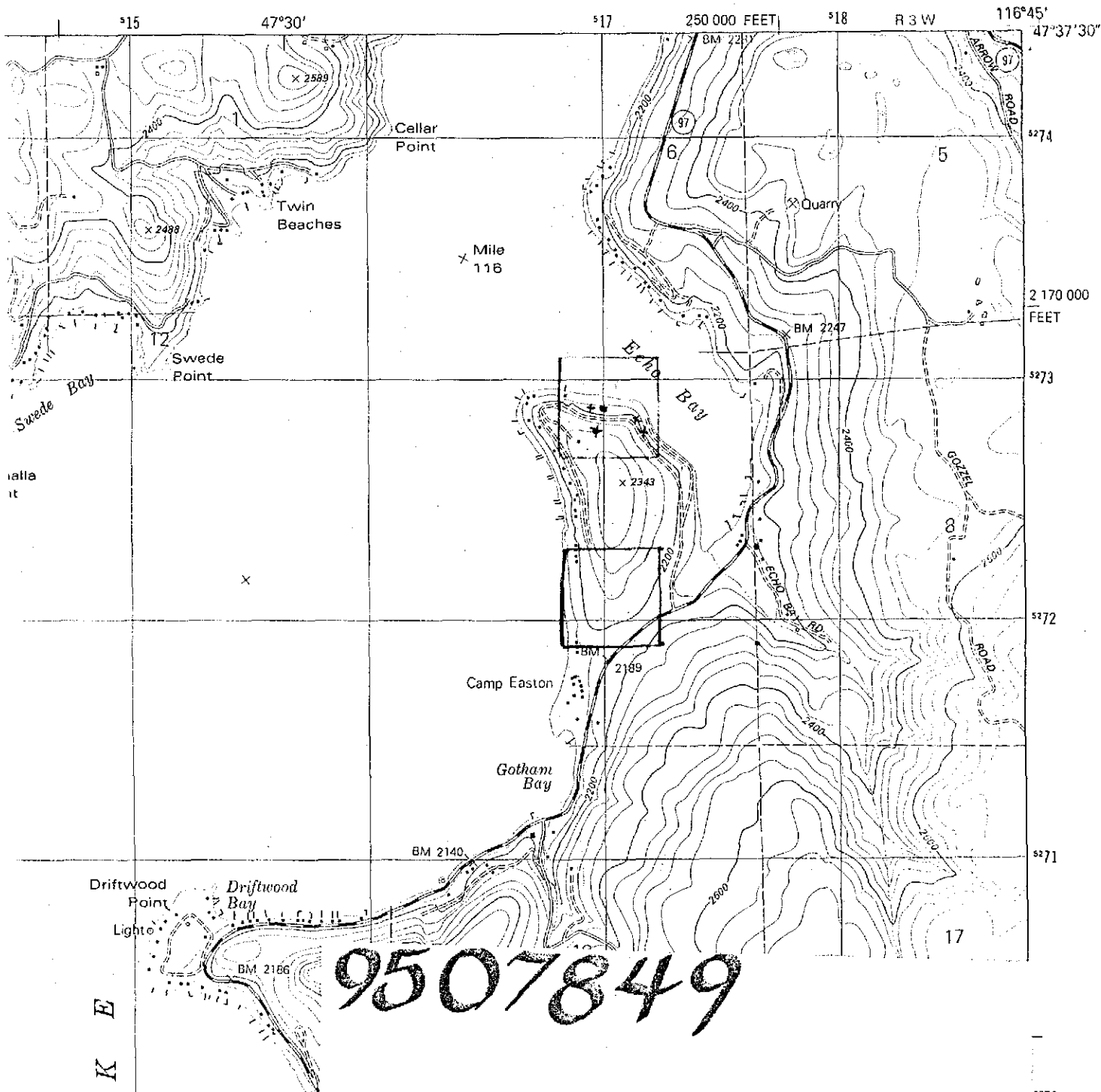
MICROFILMED

SEP 17 1992

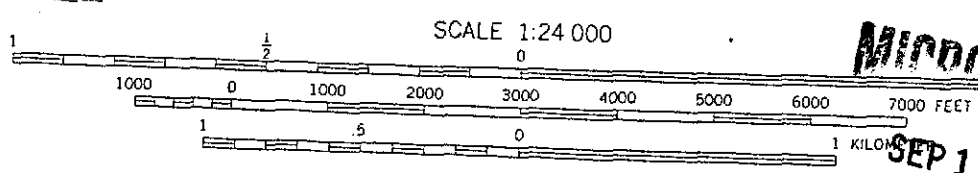
SEP 17 1992

MICA BAY QUADRANGLE
 IDAHO-KOOTENAI CO.
 7.5 MINUTE SERIES (TOPOGRAPHIC)
 SE/4 CREEK DALENE 15' QUADRANGLE

2679 11' 11" (FERMAN LAKE)



9507849



CONTOUR INTERVAL 40 FEET
 NATIONAL GEODETIC VERTICAL DATUM OF 1929

MIDNIGHT MED

SEP 17 1992

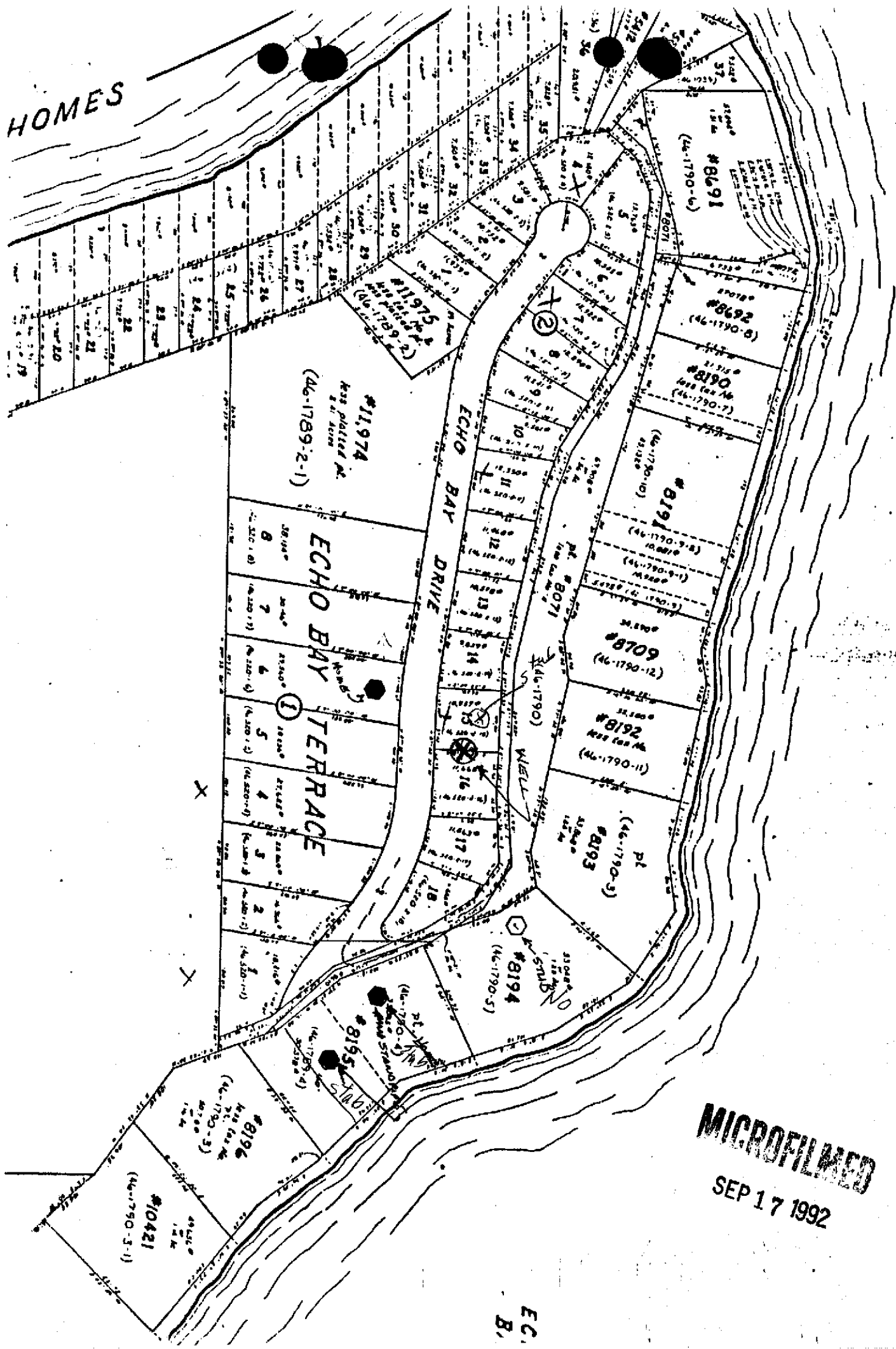
T.49N R3W sec 7 NWSE

Turner Bay Turner Creek

L A K E

Gov't. Lots 2 and 3, Sec. 7 Twp. 49 N.R. 3 W.B.M.

95-07849

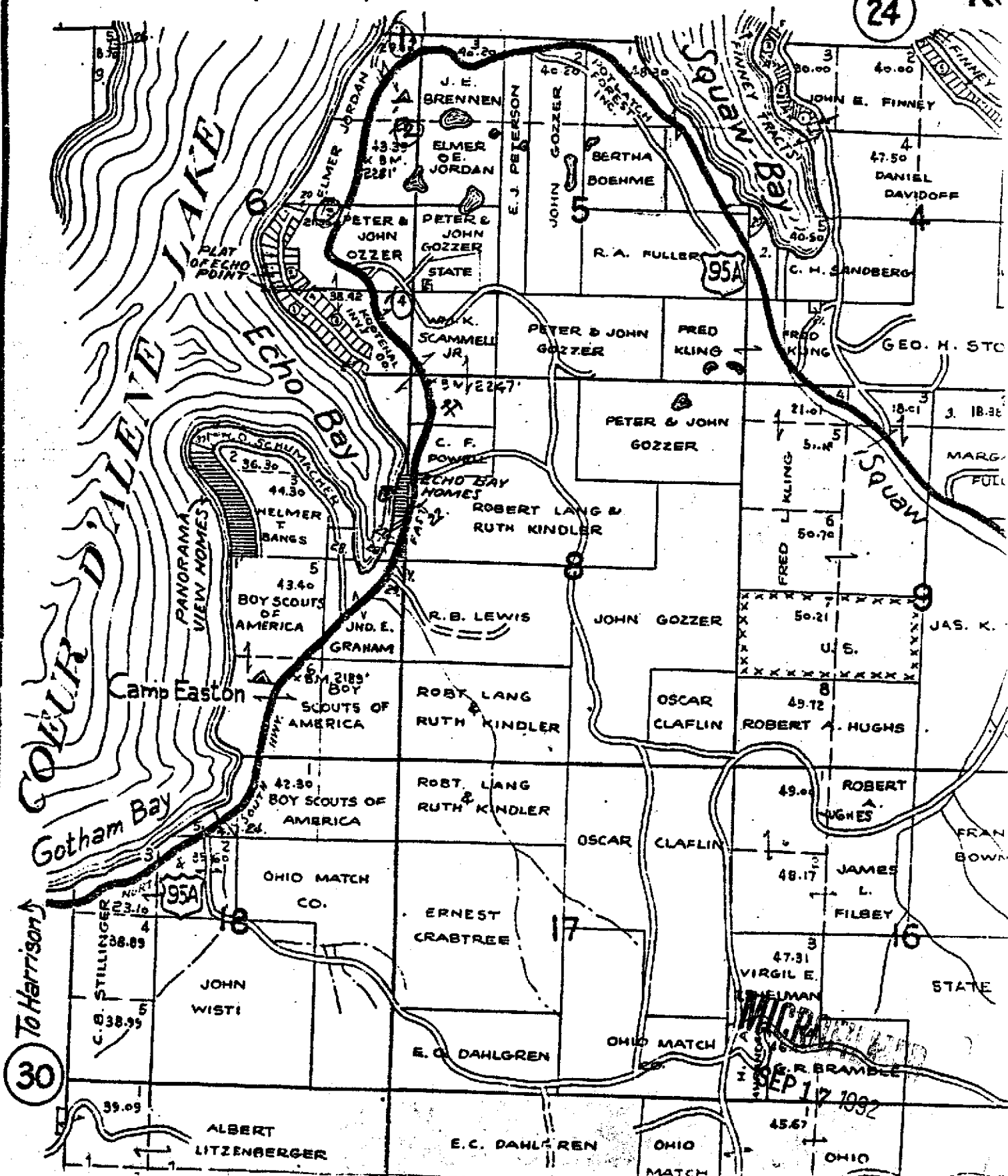


MICROFILMED
SEP 17 1992

EC.
B.

TOWNS

24



State of Idaho
Department Of Water Resources
WELL INSPECTION FORM

If well is associated with water right, provide WR Permit No. 95-07849

Otherwise provide legal description and a sketch map and/or address so that the well can be located easily.

1. Legal Description of Well Location:

Twp. 49 N, Rge. 3W Sec. 7, ^{NW NE} ~~NW SE~~ Gov. Lot 2

2. Owner: Echo Bay Terrace

Address: 502 Erma Ave.

City Coeur d'Alene, State ID 83814

3. Casing $\geq$ 12 inches above ground: Yes X No

4. Access Port: Y X N
Pressure Gauge: Y X N
Flowing: Y N X

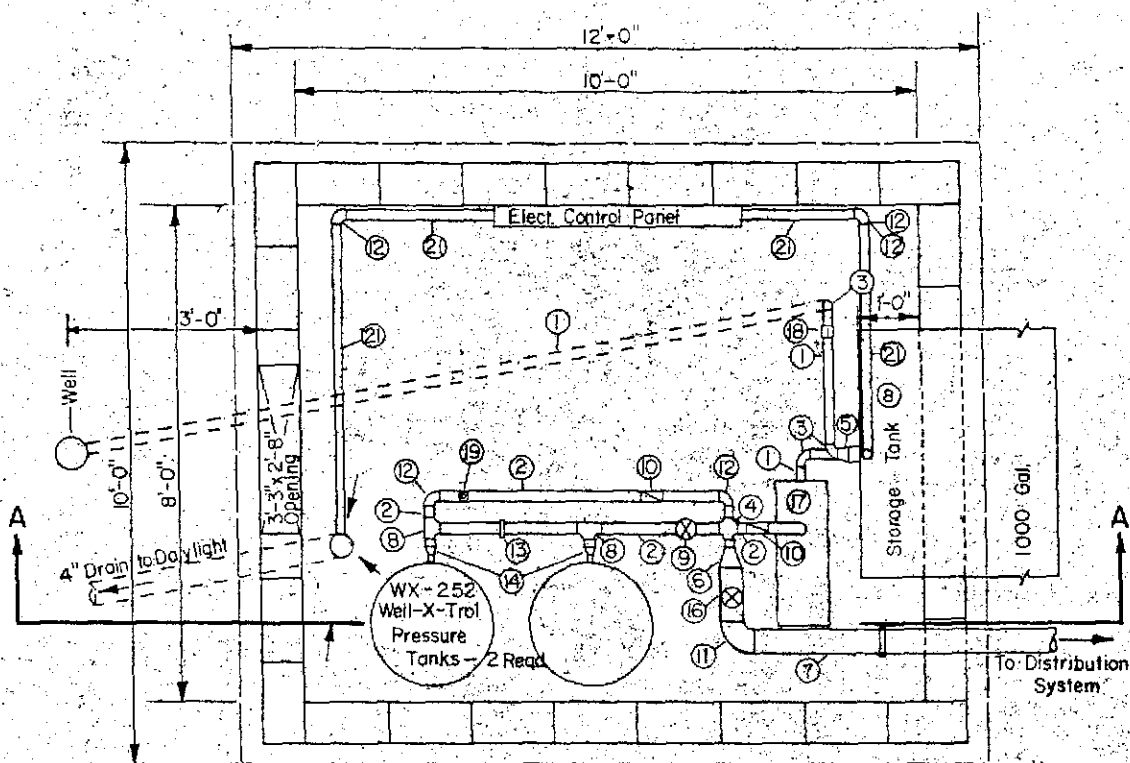
Static Water Level: 125 (estimate)
Casing Diameter: 6"
Temperature: cold

5. Are there any obvious construction problems that may be a source for contamination or waste of water: Y N X

If answer to Item 5 is Yes, describe in remarks and attach photo.

Remarks: Well log attached

PHOTO FILMED
SEP 17 1992

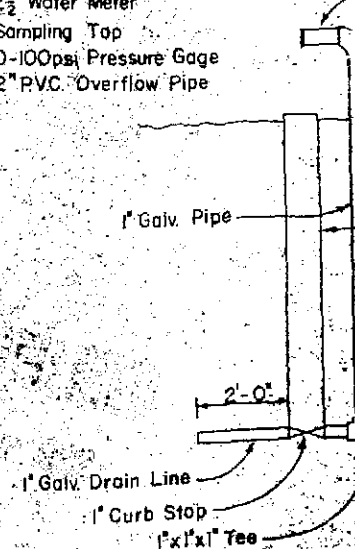


1. 2 1/2" Galv. Stl. Pipe
2. 2" Galv. Stl. Pipe
3. 2 1/2" 90° Bend
4. 2" x 2" Cross
5. 2 1/2" x 3" Reducer
6. 2" x 4" Reducer
7. 4" Water Line
8. 2" x 2" Tee
9. 2" Gate Valve
10. 2" Check Valve
11. 4" 90° Bend
12. 2" 90° Bend
13. Pressure Switch - Cut in Pressure = (65ps)
Cut out Pressure = (95ps)
14. 2" x 1 1/4" Reducer
15. 4" Drain
16. 4" Gate Valve
17. Pump - Red Jacket, 500
SPHA or Approved Equal.
18. 2 1/2" Water Meter
19. Sampling Tap
20. 0-100psi Pressure Gage
21. 2" PVC Overflow Pipe

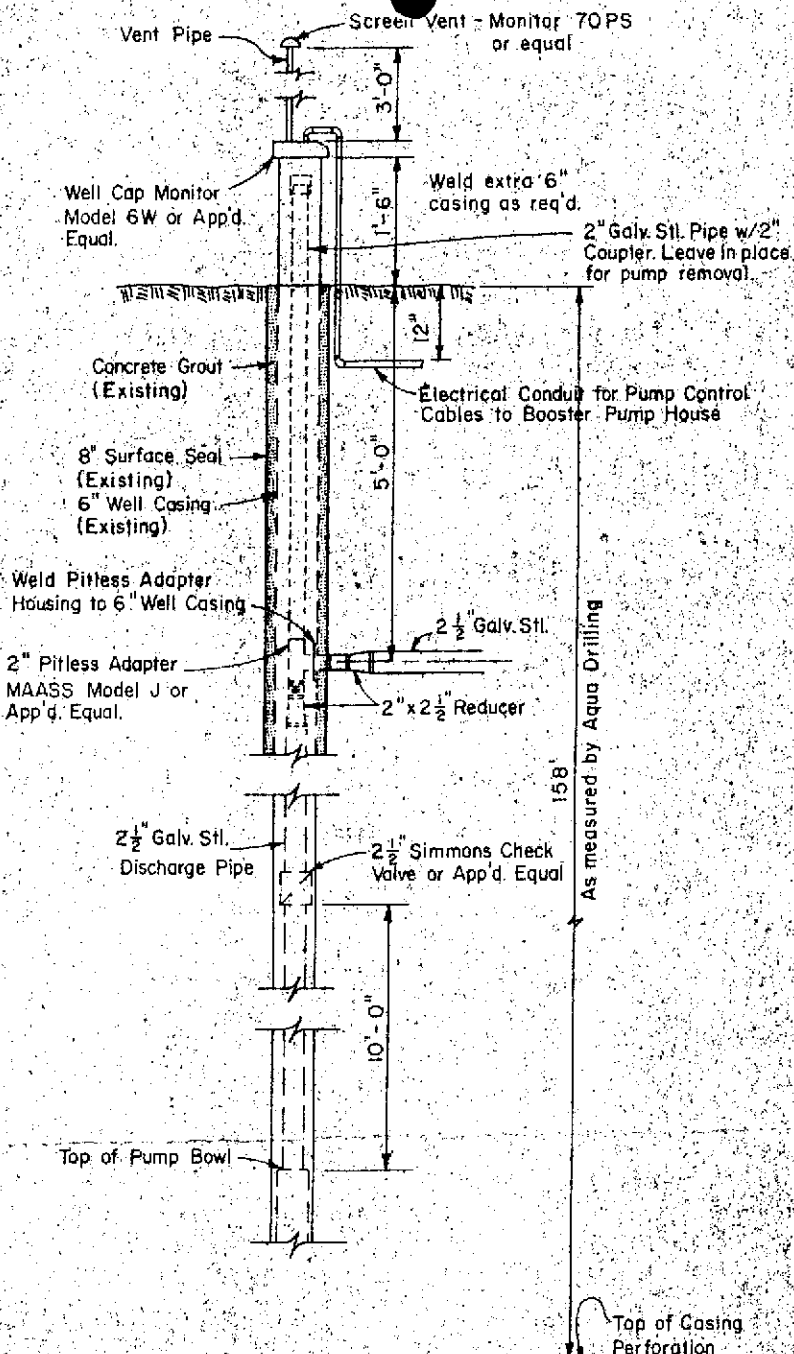
BOOSTER PUMP BUILDING PLAN

Scale 1/2" = 1'-0"

NOTE: All Piping in Building to be Galv. Stl. Schedule 40



Gravel



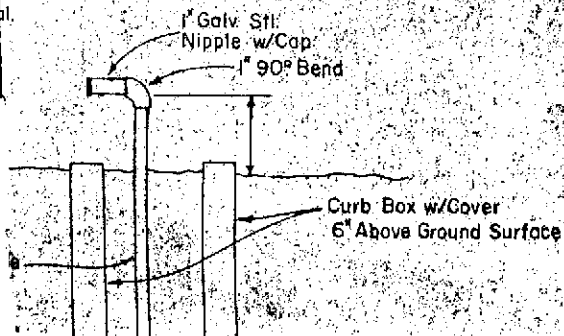
Mount Pump w/Motor
3' Above Casing Perforations
(Red Jacket-500 T.I. 4MB or Approved Equal.)

PUMP INSTALLATION DETAIL

N.T.S.

NOTE: The Pitless Adapter Shall be Tested Using the Procedure Outlined in "Manual of Individual Water Supply System" page 318-319 Published by The Environmental Protection Agency.

Pressure=(65psi)
Pressure=(95psi)



MEMORANDUM

TO: File 95-7849

FROM: Sharla

DATE: August 28, 1991

RE: Returned Field Exam

On this date, the field report for the above referenced permit was returned to Tom King, per his request.

A few days before, I had received a telephone call from John Hayes, president of Echo Bay Terrace. He indicated he was not satisfied with the rate of diversion and number of homes to be licensed. He stated that all the lots were stubbed in and were that way prior to the exam.

Mr. Hayes is willing to pay an examination fee for a re-exam to increase the amount of water and number of homes.

RECEIVED

SEP 17 1992

August 2, 1991

ECHO BAY TERRACE
C/O JOHN HAYES, PRES.
502 ERMA AVE.
COEUR D ALENE, ID 83814

RE: WATER RIGHT NO. 95-07849

Dear Water Right Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

RECORDED

SEP 17 1992

LICENSE REVIEW CHECKLIST

Permit No. 95-7849

Name/Address change? ok ✓

Priority date Advance? yes no ✓
Memo to advance no ✓
Order to reinstate needed? yes no ✓

Total cfs Limited by fee 04
Limited by capacity no

Total volume Limited by flow no
Chart checked for AF rate/ac N/A

Capacity Actual measurement checked no
Theoretical checked no ✓
If greater than permit, check for other rts no

Source Changed? yes no ✓
If so, is memo needed to clarify? no

P/D Verify with map no ✓ permit no ✓
More than one per 1/4? Remember remark no
Check p/d overlap N/A

Uses Check irrigation period of use w/ chart N/A

P/U Verify with map no ✓ permit no ✓
> 5 acres irrigated, run overlap N/A

Remarks More than one p/d in 1/4 no ✓
Description of non-irrig uses no ✓
Special overlap condition no

Conditions -

Measuring device no
W.Master control no
Overlap no
Water quality no
Other no

Dates/Misc. -

Water Dist no
App Rec'd no
Proof Rec'd no

CHECK FOR ADJ. CLAIM Needed according to proof filed no
Filed - needs amended no
Add'l fee required no
Not filed - no
Not needed no ✓

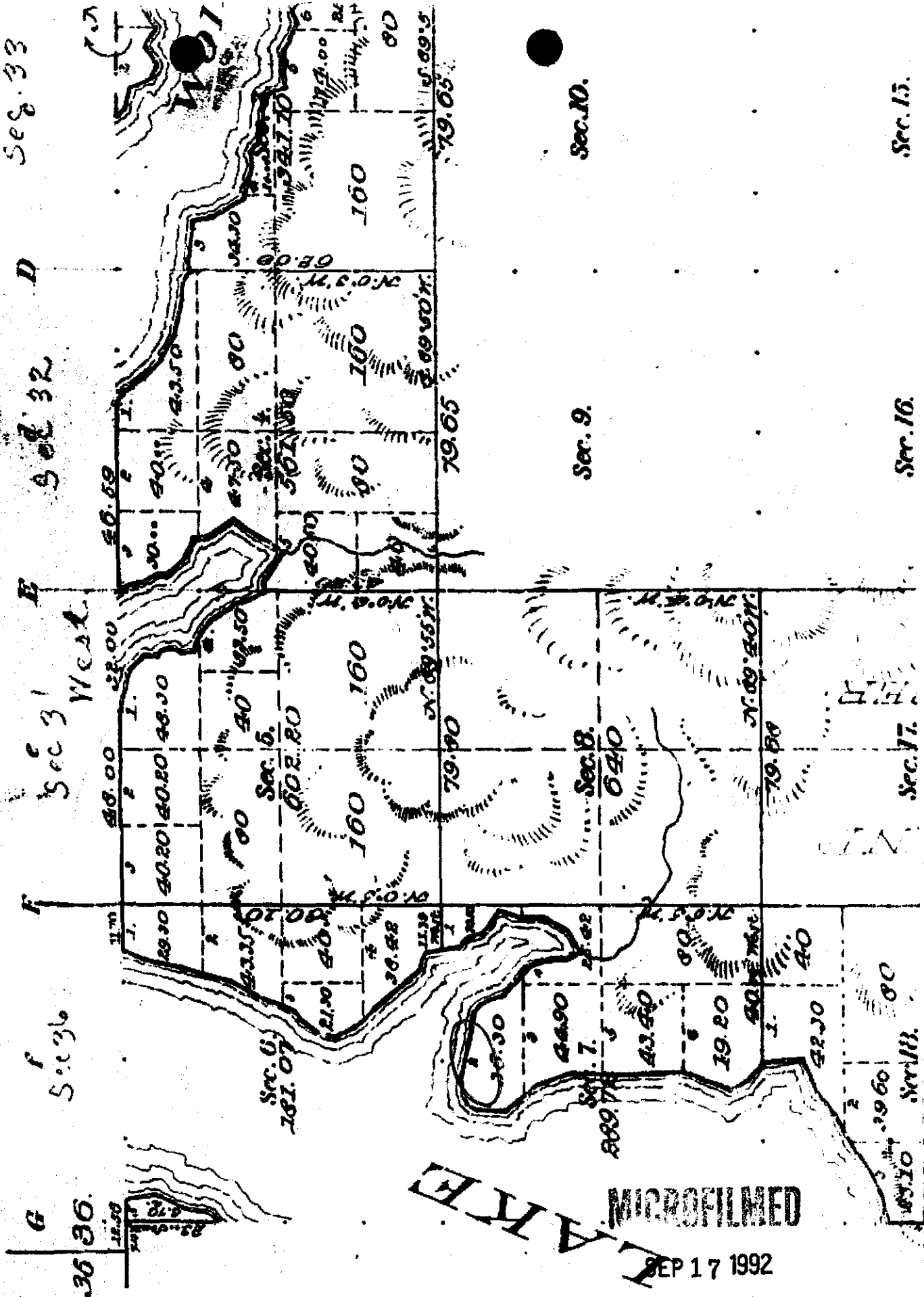
Comments/Changes to Examiner's Recommendations:

License no 10-day no 30-day no

Back of field report signed? no
Reviewer S. Curtis Date 7/24/91 Review time no min.

95-7849

Township N° 49 North Range N° 3 West of The



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

USE TYPEWRITER OR
BALLPOINT PEN

State law requires this report to be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>PHIL HILBY</u> Address <u>3500 E. RINEHILL DRIVE</u> <u>COSUA O'ALAG ID 83814</u> Owner's Permit No. _____	7. WATER LEVEL Static water level <u>EST 125</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature <u>45</u> °F. Quality <u>GOOD</u>																																																																																																									
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____	8. WELL TEST DATA ☐ Pump ☐ Bailer ☒ Air ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> <tr> <td><u>EST 100</u></td> <td><u>AIR TEST</u></td> <td></td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped	<u>EST 100</u>	<u>AIR TEST</u>																																																																																																				
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3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☒ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)	9. LITHOLOGIC LOG <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Hole Diam.</th> <th>Depth From</th> <th>To</th> <th>Material</th> <th>Water Yes No</th> </tr> </thead> <tbody> <tr><td>9"</td><td>0</td><td>1</td><td>OVERBURDEN</td><td></td></tr> <tr><td></td><td>1</td><td>4</td><td>BROKEN BLACK BASALT</td><td></td></tr> <tr><td></td><td>4</td><td>11</td><td>HARD BLACK BASALT</td><td></td></tr> <tr><td></td><td>11</td><td>13</td><td>BROKEN BLACK BASALT</td><td></td></tr> <tr><td></td><td>13</td><td>16</td><td>HARD BLACK BASALT</td><td></td></tr> <tr><td></td><td>16</td><td>20</td><td>MEDIUM HARD BLACK BASALT</td><td></td></tr> <tr><td></td><td>20</td><td>22</td><td>HARD BLACK BASALT</td><td></td></tr> <tr><td></td><td>22</td><td>23</td><td>MEDIUM HARD BLACK BASALT</td><td></td></tr> <tr><td></td><td>23</td><td>43</td><td>HARD BLACK BASALT</td><td></td></tr> <tr><td></td><td>43</td><td>52</td><td>MEDIUM HARD BLACK BASALT</td><td></td></tr> <tr><td></td><td>52</td><td>65</td><td>SOFT BLACK BASALT</td><td></td></tr> <tr><td></td><td>65</td><td>80</td><td>MEDIUM HARD BLACK BASALT</td><td></td></tr> <tr><td></td><td>80</td><td>93</td><td>SOFT BLACK BASALT</td><td></td></tr> <tr><td></td><td>93</td><td>95</td><td>BROWN CLAY</td><td></td></tr> <tr><td></td><td>95</td><td>123</td><td>BROKEN BASALT CLAY STREAKS</td><td></td></tr> <tr><td></td><td>123</td><td>125</td><td>GREY CLAY FINE SAND</td><td></td></tr> <tr><td></td><td>125</td><td>143</td><td>BROKEN BASALT BROWN CLAY</td><td></td></tr> <tr><td></td><td>143</td><td>152</td><td>SOFT BROKEN BASALT</td><td></td></tr> <tr><td></td><td>152</td><td>156</td><td>BROWN CLAY</td><td></td></tr> <tr><td></td><td>156</td><td>170</td><td>COARSE SAND</td><td></td></tr> </tbody> </table>	Hole Diam.	Depth From	To	Material	Water Yes No	9"	0	1	OVERBURDEN			1	4	BROKEN BLACK BASALT			4	11	HARD BLACK BASALT			11	13	BROKEN BLACK BASALT			13	16	HARD BLACK BASALT			16	20	MEDIUM HARD BLACK BASALT			20	22	HARD BLACK BASALT			22	23	MEDIUM HARD BLACK BASALT			23	43	HARD BLACK BASALT			43	52	MEDIUM HARD BLACK BASALT			52	65	SOFT BLACK BASALT			65	80	MEDIUM HARD BLACK BASALT			80	93	SOFT BLACK BASALT			93	95	BROWN CLAY			95	123	BROKEN BASALT CLAY STREAKS			123	125	GREY CLAY FINE SAND			125	143	BROKEN BASALT BROWN CLAY			143	152	SOFT BROKEN BASALT			152	156	BROWN CLAY			156	170	COARSE SAND	
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4. METHOD DRILLED ☒ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____	10. Work started <u>5/11/79</u> finished <u>5/14/79</u>																																																																																																									
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>250</u> inches</td> <td><u>6</u> inches</td> <td><u>1</u> feet</td> <td><u>170</u> feet</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☒ Yes ☐ No How perforated? ☐ Factory ☐ Knife ☒ Torch Size of perforation <u>1/8</u> inches by <u>3</u> inches <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>44</u> perforations</td> <td><u>158</u> feet</td> <td><u>170</u> feet</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>15'</u> Material used in seal: ☐ Gment grout ☒ Puddling clay ☒ Well cuttings Sealing procedure used: ☐ Slurry pit ☒ Temp. surface casing ☒ Overbore seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port _____	Thickness	Diameter	From	To	<u>250</u> inches	<u>6</u> inches	<u>1</u> feet	<u>170</u> feet													Number	From	To	<u>44</u> perforations	<u>158</u> feet	<u>170</u> feet							11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>ADNA DRILLING</u> Firm No. <u>356</u> Address <u>PO BOX 639</u> Address <u>HAYDEN LAKE ID</u> Date <u>5/14/79</u> Signed by (Firm Official) <u>[Signature]</u> and <u>[Signature]</u> (Operator)																																																																									
Thickness	Diameter	From	To																																																																																																							
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6. LOCATION OF WELL Sketch map location must agree with written location Subdivision Name _____ Lot No. _____ Block No. _____ County <u>KOOTENAI</u> Sec. <u>24</u> T. <u>49</u> S. R. <u>3</u> E. <u>10</u>																																																																																																										

MICROFILMED

SEP 17 1992

NW NE

ECHO BAY TERRACE
C/O John Hayes Pres.
502 Erma Ave.
Coeur d'Alene, ID 83814

July 17, 1990

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-07849

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 conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208)765-4639.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

RECEIVED
JUL 30 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 95-7849

Date: 7-17-90

General Considerations:

OK Name same as permit
✓ Signature the same as permit holder
NA Address change If yes, prepare a data entry
✓ Proof received timely
_____ Reinstated

Source of Water:

_____ Surface water
✓ Groundwater
_____ 1. well log in file 1978
NA 2. drilling permit
NA A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

✓ Rate of diversion appropriate for uses
✓ Is rate or volume and fee appropriate?
✓ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

NO Is a measuring device or access port required?
_____ Has one been installed?
✓ Waiver or modification of measuring device requested

Remarks:

Proof acceptable

Priority Calculation:

Date proof received	<u>NA</u>	_____
Date proof due	_____	_____
No. of days late	_____	= _____
Priority date	_____	+ _____
NEW PRIORITY DATE	_____	= _____

J
SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

Address Change

Form 217
03/86

RECEIVED

APR 19 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee \$ 0.00
Date
Receipt #
Received by TDK

PROOF OF BENEFICIAL USE
Department of Water Resources

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit Number 95-07849 Telephone No: 765-0476

Name(s) of Permit Holder(s): John Hayes (Pres.)

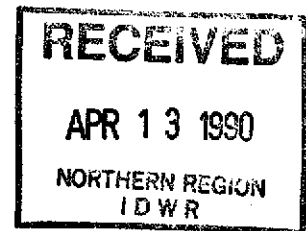
Post Office Address: 502 Erma Ave
Coeur d'Alene, Id. 83814

Source of water: Ground water

Well driller: Worst Co

Date drilled: June 1978

Extent of use: Domestic 4 (No. of homes)
Irrigation *(No. of acres)
Stock *(No. and type of stock)
Other/Remarks



Total Rate and/or volume for which proof is submitted 0.04 cfs/ acre-feet

Date water was first diverted and beneficially used under this permit: 1983

One of the following may be a condition of approval of your permit:

Measuring Device: Required ? *No
Installed ? *No
Measurement Port: Required ? *No
Installed ? *No

MICROFILMED

Fee Enclosed: \$ 0.00 (See License Examination Fee Sched.)

Person to contact to accompany the Department representative during the field examination:

Name Ron Long Telephone Number 667-4712

Address HCR 2 Box 118B, HARRISON ID 83833

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

4/1/90 Philip A. Bowen Secretary
Date Signature (and title if on behalf of a company or organization)

*there is an attachment for you!

ECHO BAY TERRACE SUBDIVISION
ROAD, SEWAGE, AND WATER SYSTEM
PLAN OF OPERATION AND MAINTENANCE

I. INTRODUCTION.

The purpose of this plan is to outline the basic operation and maintenance procedures for the roadway, the water system, and the sewer system for the Echo Bay Terrace Subdivision. The water and sewer systems are privately owned and the maintenance of the two systems as well as the maintenance of the roadway will be the responsibility of the Echo Bay Terrace Subdivision Corporation. We suggest that the Echo Bay Terrace Subdivision Corporation obtain the services of a local company capable of performing the maintenance inspections recommended in the latter sections of this plan.

II. GENERAL DESCRIPTION.

Water System. The water system consists of a six inch well, a five horsepower well pump, a 1,000 gallon storage reservoir, a five horsepower booster pump, two well-x-trol pressure tanks, pumphouse building, and the water distribution system which consists of pipe ranging in size from two inches to four inches in diameter.

Sewer System. The sewer system consists of individual septic tanks, an effluent pump for each lot, the pressure sewer line with an air relief valve located at the high point of the sewer line, two distribution boxes located at the high point of each drainfield, and two drainfields, each sized to handle the design flow for the subdivision.

Road. The right-of-way shown on the Final Plat has been dedicated to the public for public use. However, the Echo Bay Terrace Subdivision Corporation shall be fully responsible for the maintenance of the roadway within the subdivision boundaries until such time that the road is

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

101 North Orchard Street

Boise, Idaho 83706-2237

Uncollected
Addressed Incorrectly
Insufficient Address
No such street
No such office or person
Do not return to this office

Not At This Address OR
WEST Architects
West

RECEIVED

APR 16 1990

Department of Water Resources

CERTIFIED MAIL

NO. 138584



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 31, 1990

ECHO BAY TERRACE
C/O FRED FRICKE, PRES.
1000 W. HUBBARD SUITE 140
COEUR D ALENE, ID 83814

PROOF DUE NOTICE

RE: PERMIT NO. 95-07849

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 June 1, 1990. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

c: Peter C. Wagstaff

MICROFILMED

JUL 3 1990

138584

March 31, 1990

ECHO BAY TERRACE
C/O FRED FRICKE, PRES.
1000 W. HUBBARD SUITE 140
COEUR D ALENE, ID 83814

PROOF DUE NOTICE

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SINCERELY

Rita Fleck
Secretary/Records Manager

Enclosures

c: Peter C. Wagstaff

MICROFILMED

JUL 30 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

September 4, 1985

Fred Fricke, Pres.
Echo Bay Terrace
1000 W. Hubbard, Suite 140
Coeur d'Alene, ID 83814

Dear Mr. Fricke:

Re: Permit No. 95-7849

Enclosed is a copy of your approved request for extension of time. The time within which to submit proof of beneficial use is extended to June 1, 1990. The permit has been reinstated with an advance in priority since the extension was not received prior to proof due date.

Based on provisions of Sec. 42-203D, Idaho Code passed during the 1985 Legislative Session, your permit will also be reviewed under the public interest criteria. The code section reads as follows:

42-203D. Review of permits - Opportunity for hearing.

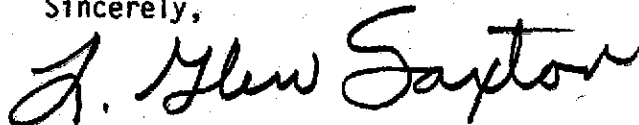
(1) The department shall review all permits issued prior to the effective date [July 1, 1985] of this section, except to the extent a permit has been put to beneficial use prior to July 1, 1985, to determine whether they comply with the provisions of chapter 2, title 42, Idaho Code. If the department finds that the proposed use does not satisfy the criteria of chapter 2, title 42, Idaho Code, then the department shall either cancel the permit or impose the conditions required to bring the permit into compliance with chapter 2, title 42, Idaho Code. If the department finds that the permit satisfies the criteria established in chapter 2, title 42, Idaho Code, then the department shall enter an order continuing the permit.

(2) The department shall provide an opportunity for hearing in accordance with section 42-1701A, Idaho Code, and sections 67-5209 and 67-5215, Idaho Code, for each holder of a permit that is proposed either to be cancelled or made subject to new conditions.

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If you have any questions concerning these permits, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script, reading "L. Glen Saxton". The signature is written in dark ink and is positioned above the typed name.

L. GLEN SAXTON
Chief, Operations Bureau

Enclosure

cc: Peter Charles Wagstaff, Attorney at Law

MICROFILMED

STAFF REVIEW OF REQUESTS FOR EXTENSION OF TIME

Permit Number 95-7849

☒ Date received stamp
☒ Fee received and receipted
☒ Name on request same as on permit
☒ Address same permit as on latest correspondence
☒ Proof due date within six months of due date
☒ Signature same as permit
☒ Source of water the same
☒ Review conditions of approval
☒ Extensions previously approved
☒ Proceed diligently
☒ Is delay caused by litigation: Swan Falls
 Date lit. completed _____
 Date lit. began _____
 Period of delay _____
 New proof due date _____

ACTION: Recommend approval based on due diligence
 $7-1-1983 \text{ to } 12-31-1983 = 183$
 $1-1-1984 \text{ to } 12-31-1985 = 365$
 $1-1-1985 \text{ to } 6-20-1985 = 171$
719 days late
 $+153 \text{ priority (06-02-1978)}$
 872
 $-730 = 2425 + 1978 = 1980$
 $142 = \text{May 2,}$
 Permit lapsed for 719 day
 New Priority date is May 2, 1980.

☒ Is the extension timely received?
☒ Reinstate: Extension received _____
See above Proof due date _____
 Days late _____
 Priority date _____
 Adjusted priority date _____
☒ Is there commencement of works?
 Cover letter _____
 Coding sheet _____
 Rolodex card updated and refiled _____

MICROFILMED

Reviewed by [Signature] Date: 8-20-1985



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

EXTENSION OF TIME

June 21, 1985

Echo Bay Terrace Subdivision
Fred Fricke, President
1000 W. Hubbard, Suite 140
Coeur d'Alene, ID 83814

PERMIT NO. 95-7849

We are in receipt of the 615 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 36870.

Roberta Garrett
Records Supervisor

Enclosure

cc Peter Charles Wagstaff

PROFIL MED

Peter Charles Wagstaff

Attorney at Law

Post Office Box 909

Coeur d'Alene, Idaho 83814

501 Indiana Avenue

(208) 667-0661

RECEIVED
JUN 20 1985

Department of Water Resources

June 17, 1985

L. Glen Saxton
Chief, Operations Bureau
Department of Water Resources
Statehouse
Boise, Idaho 83720

Dear Mr. Saxton:

Pursuant to your letter of May 21, 1985, enclosed please find
REQUEST FOR EXTENSION OF TIME in the above-entitled matter.

Should you require additional information in order to process
this request favorably, please let us know.

Sincerely,



Peter C. Wagstaff

PCW:jsr
encl.

MICROFILMED

May 21, 1985

Peter Wagstaff
P. O. Box 909
Coeur d'Alene, ID 83814

Dear Mr. Wagstaff:

Re: Permit No. 95-7849 - Echo Bay Terrace

The Department has reviewed the "Objection to Cancellation of Water Permit" which you filed on behalf of the above-referenced permit holder.

A review of the file relative to the proof due notice mailing shows that appropriate procedures were followed by the Department. In fact, the Department contacted the Assessor's Office to find another address when the notice sent certified mail was returned. However, it is certainly possible that the person who submitted the proof postcard was not authorized to do so, but submittal of the proof postcard stopped the Department from subsequently sending a lapse notice.

It appears that the most expedient way to resolve this potential controversy would be for you to submit a request for extension of time to the Department on behalf of the permit holder. The Department is willing to consider such a request for approval. If the extension can be approved, the priority of the permit will be advanced in compliance with the statutes. Enclosed is a form along with instructions.

If the department has not received the extension within thirty (30) days, we will continue with the usual procedure of sending a lapse notice.

I hope this proposed solution is satisfactory with you and will avoid an unnecessary controversy.

MICROFILMED

Peter Wagstaff

-2-

May 21, 1985

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

cc: Northern Region
Fred Fricke

MICROFILMED

RECEIVED
MAR 21 1985

Department of Water Resources

March 19, 1985

Department of Water Resources
State of Idaho
Statehouse
Boise, ID 83720

RE: ECHO BAY WATER RIGHTS
Permit #95-7849

Gentlemen:

I would like to inform you that as of March 30, 1985, there will be a full time user on the subject water system to serve a permanent year-round residence.

In addition, another temporary power permit has been issued, so it appears further development will be forthcoming.

We would like to resolve the issue of our water permit at your earliest convenience.

Sincerely,



Fred Fricke, President
Echo Bay Corporation

cc: Peter Wagstaff

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RECEIVED

MAR 19 1985

Peter Charles Wagstaff

Attorney at Law

Post Office Box 909

Coeur d'Alene, Idaho 83814

Department of Water Resources

(208) 667-0661

501 Indiana Avenue

March 14, 1985

Department of Water Resources
State of Idaho
Statehouse
Boise, Idaho 83720

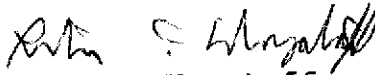
Re: Echo Bay Water Rights
Permit #95-7849

Gentlemen:

To date we have had no word regarding the status of the decision in the above-entitled matter. The validity of the water right remains in doubt until the decision is issued.

We would appreciate your prompt response regarding the status of this case.

Sincerely,


Peter C. Wagstaff

PCW:jsr

cc: Mr. Fred Fricke

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CONVERSATION MEMORANDUM

DATE 10/25/84

FILE 95-7849

NAME OF PARTY Kootenai Co. Assessor's Office/Recorder's Office

EMPLOYEE Dave Tuthill *DT*

RE: Ownership of Echo Bay Terrace

I called the Kootenai Co. Assessor's office to determine if Phillip Hilby owned any portion of Echo Bay Terrace on May 23, 1983, when he signed the Proof of Beneficial Use card.

Between the records of the assessor and of the recorder, they determined that by 5/23/83, Mr. Hilby had deeded all 26 lots of blocks 1 and 2 of Echo Bay Terrace to other individuals, the last deed having been recorded on Feb. 23, 1983.

The records did, however, contain evidence that Mr. Hilby was a contract seller at that time. The recorder's records included conveyances from Ms. Alice Hilby to Mr. Phillip Hilby dated Oct. 1983, whereby she conveyed her interest in deeds of trust associated with Lots 3, 4 Block 1; and Lots 6,7,8,9,10,11,12,13, 13,15,17,18 Block 2, to him. Apparently they had both been contract sellers prior to that time.

MICROFILMED

PETER C. WAGSTAFF
ATTORNEY AT LAW
P.O. BOX 909
Coeur d'Alene, Idaho 83814
(208) 667-0661

RECEIVED

OCT 15 1984

RECEIVED

OCT 9 1984

Department of Water Resources

Department of Water Resources
Northern District Office

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
	)	
No. 95-7849 IN THE NAME	)	
	)	
OF ECHO BAY TERRACE	)	OBJECTION TO CANCELLATION
	)	OF WATER PERMIT
	)	
	)	

COMES now ECHO BAY TERRACE SUBDIVISION CORPORATION (Corporation) to object to the cancellation of the water permit as set forth in the Order to Show Cause as issued by the Chief, Operations Bureau on September 5, 1984. This objection is based upon the accompanying affidavit.

The Department of Water Resources is required to send a notice to the permit applicant by certified mail at least sixty (60) days prior to the date set for completion of the appropriation of water. I.C. §42-204. The notice shall advise the applicant of the necessity of submitting an affidavit of completion or a request for an extension of time. Id.

The Corporation objects to the proposed cancellation on the following grounds:

1. As indicated by DWR records in the archives in Boise, the sixty day notice was not sent by certified mail. A memorandum executed on May 10, 1983 by Rita Fleck, apparently an employee with DWR, stated that Ms. Fleck was sending the notice to Mr. Phillip Hilby, the developer, at another address. "I'm sending the notice to him. It will not go certified mail this time."

MICROFILMED

This action violated the terms of the Idaho statute which requires transmittal by certified mail. I.C. § 42-204. Further, Ms. Fleck sent the notice to Mr. Hilby less than sixty (60) days before the date set for completion of appropriation on July 1, 1983.

2. At the time that Ms. Fleck transmitted the notice, Mr. Hilby apparently owned no real property interest in the Echo Bay Terrace subdivision, except as a seller's interest. Thus, he had no title, right or possession in the water permit at issue. The officials of the Corporation, a homeowner's association, had absolutely no notification by DWR, Mr. Hilby, or any other person regarding the sixty day notice. Otherwise the association would definitely have requested a five year extension of time in which to complete the appropriation of water. The association and its officials would not have submitted an affidavit of completion.

Echo Bay, as a homeowner's association, requests that it be given the opportunity to request an extension of five years in conformance with the statute.

3. Alternatively, the Corporation submits that Mr. Hilby was the inappropriate person to submit an affidavit of completion, since he no longer apparently had any right, title or interest in the real property in Echo Bay Terrace Subdivision, or in the water permit. Thus, the affidavit of completion which he submitted was null and void. The water permit has merely lapsed, since no valid proof of beneficial use has been filed, and no request for extension of time has heretofore been made. I.C. §42-218a. The DWR is therefore mandated to issue a notice of lapsing of the water permit. I.C. §42-218(a)(1). In such a case, the Corporation would again request an extension of time in which to complete the appropriation.

In conclusion, Echo Bay Terrace Subdivision Corporation hereby objects to the cancellation of the permit, and requests an

MICROFILMED

extension of five (5) years in which to complete the appropriation of water under its permit. The Corporation submits that the facts set forth substantiate good cause for such objection and extension.

The Corporation further sets forth that the address of counsel presented above shall henceforth constitute its address of record with regard to the water permit.

DATED this 7th day of October, 1984.



PETER C. WAGSTAFF
Attorney At Law

MICROFILMED

DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

ECHO BAY TERRACE
2427 GOVERNMENT WAY
COEUR D'ALENE, ID 83814

138579

PROOF DUE NOTICE

APRIL 30, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 95-7849 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JULY 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A 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,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

CLAIM
NO.

820972

☐ HOLD

DATE

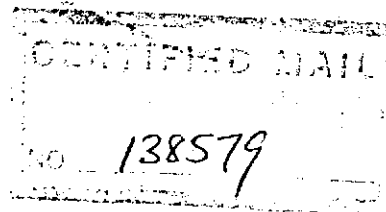
1ST NOTICE

2ND NOTICE

RETURN

Detached from
PS Form 3849-A
Oct. 1980

RETURN TO SENDER
ATTEMPTED NOT KNOWN
DATE 4/30 CARRIER



MICROFILMED

MICROFILMED

INTER-DEPARTMENT MEMO — 1

DATE 5/10/83

FROM Rita Fleck
TO File 96-7661
SUBJECT Returned B/U Notice

Pursuant to a conversation with the Kootenai County Assessor's Office, the current address for Phillip Hilby, developer of Echo Bay Terrance (he also signed the permit) is 3300 Pinehill Drive, Coeur d'Alene, ID 83814. I'm sending the notice to him. It will not go certified mail this time.


SIGNATURE

PETER C. WAGSTAFF
ATTORNEY AT LAW
P.O. BOX 909
Coeur d'Alene, Idaho 83814
(208) 667-0661

RECEIVED

OCT 7 1984

RECEIVED

OCT 9 1984

Department of Water Resources
Northern District Office

Department of Water Resources

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
No. 95-7849 IN THE NAME	)	AFFIDAVIT IN SUPPORT OF
OF ECHO BAY TERRACE	)	OBJECTION TO CANCELLATION
	)	OF WATER PERMIT

COMES now FREDERICK W. FRICKE, being first solemnly sworn, to
state and depose as follows:

1. He is the President of the Echo Bay Terrace Subdivision Corporation, and has been elected to such position since approximately December, 1980.
2. The Echo Bay Terrace Subdivision Corporation is the homeowner's association which is charged with developing and maintaining the subdivision water, sewer and road systems.
3. The officials of the corporation first learned in September, 1984 that water permit No. 95-7849 was subject to cancellation. The officers had not received any prior notice of any action pertaining to the water permit since the affiant came into office as president in December, 1980. In particular, the officers did not receive any notice in the several months prior to the completion date of July 1, 1983.
4. Upon information and belief, during the time that Mr. Philip Hilby submitted the ostensible proof of application to beneficial use, he had only a seller's interest in certain real property located in Echo Bay Terrace Subdivision. In December, 1982, the Corporation's Board of Directors passed a resolution that only vested owners or purchasers with a beneficial interest could be corporation members. Thus, Mr. Hilby also was not a

MICROFILMED

member of the homeowner's association under the membership rules in effect at that time, and at the current time.

5. The water permit is owned by the homeowner's association. The association vigorously requests a five-year extension of time in which to complete the appropriation of water, pursuant to the statements set forth in the OBJECTION TO CANCELLATION OF WATER PERMIT.

DATED this ____ day of October, 1984.

Frederick W. Fricke
FREDERICK W. FRICKE

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 2nd day of October, 1984.

Edna C. Wenzel
NOTARY PUBLIC
Residing at: Concord, N.H.

MICROFILMED

3811, Jan. 1979

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space
reverse.

1. The following service is requested (check one.)

- ☒ Show to whom and date delivered.....¢
☐ Show to whom, date and address of delivery.....¢
☐ RESTRICTED DELIVERY
 Show to whom and date delivered.....¢
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery \$_____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Echo Bay Terrace
 c/o Phil Hilby
 E. 3300 Pine Hill Dr.
 Coeur d'Alene, ID 83814

3. ARTICLE DESCRIPTION:

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

33100

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

☐ Addressee

☐ Authorized agent

4. *Phil Hilby*

DATE OF DELIVERY

9/12

POSTMARK

5. ADDRESS (complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

MICROFILMED

☆ GPO : 1979-388-848

35-7849

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE. \$300



**RETURN
TO**

RECEIVED

SEP 14 1984

MICROFILMED

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

(Name of Sender)

(Street or P.O. Box)

Department of Water Resources

(City, State, and ZIP Code)

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
	)	
NO. 95-7849 IN THE NAME	)	ORDER TO SHOW CAUSE
	)	
OF ECHO BAY TERRACE	)	
_____	)	

WHEREAS, on June 2, 1978, Echo Bay Terrace applied to the Department of Water Resources for a permit to appropriate 0.20 cubic feet per second of water from a groundwater source within the Government Lot 2, Section 7, Township 49 North, Range 3 West, B.M., Kootenai County, to be used for domestic purposes; and,

WHEREAS, on July 13, 1978 the Department approved said Application for Permit; and,

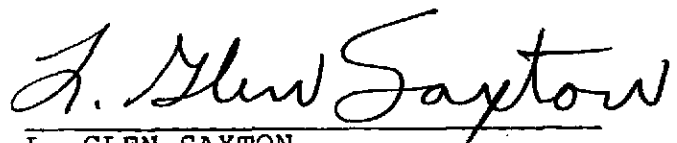
WHEREAS, on May 25, 1983 the Department received Proof of Beneficial Use for said Permit; and,

WHEREAS, on July 31, 1984 the Department conducted a field examination and the examiner's report indicated that water had not been put to a beneficial use; and,

WHEREAS, pursuant to the provisions of Section 42-311, Idaho Code, the Director of the Department of Water Resources is empowered to cancel permits for which development requirements have not been completed;

IT IS, THEREFORE ORDERED that the permit holder show cause before the Director of the Department of Water Resources on or before October 10, 1984 why Permit No. 95-7849 should not be Cancelled.

Dated this 5th day of September, 1984.


L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

September 10, 1984

CERTIFIED MAIL #33100

RE: Permit No. 95-7849

Echo Bay Terrace
c/o Phil Hilby
E. 3300 Pine Hill Dr.
Coeur d'Alene, ID 83814

Gentlemen:

Enclosed is an Order to Show Cause why Permit No. 95-7849 in your name should not be cancelled.

Note that any information in response to this Order must be submitted by October 10, 1984. Please contact this office if you have any questions.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

Enclosure

MICROFILMED

RECEIVED
FOD 213
12/83
AUG 9 1984

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

Department of Water Resources

95-7849
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	7/10/84 7/23/84	JA JR	UTL 664-8052-10 Ans
☐ Telephone call made (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 7/31/84 Accompanied by _____ Total Q measured _____
Source _____ Tributary to _____ Supp. annubar measurement sheet used? _____
If source is surface water, estimate total flow of source _____
Methods of measurement _____ Meets permit requirements? ☒

Measurement calculations:

Spoke with Grady Thomas Thomas Pres. EBTW Assn
He says no homes have been built & he is filing a new App

WELL/DIV. NO.*	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS
	no							

System Description

Cancel

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE

none

Irrigation requirement = _____ AFA/Acre

Q (cfs)

V (afa)

FROM

TO

Total

Remarks

MICROFILMED

7/31/82 Date
8/7/84 Date
8/30/84 Date

Checked by

Examiner's Signature

☐ Change P.U. as reflected above☐ Change P.D. as reflected above

Recommended Amendments:

☐ Add P.U. as reflected above

☐ Add P.D. as reflected above

☒ Other☐ None

~~Other~~ *Cancel*

[illegible]

Place(s) of Use

Point(s) of diversion:

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

[illegible]

MAP (Attach Aerial Photo)

MICROFILMED



STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

A. Kenneth Dunn
Director

NORTHERN REGION

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

July 23, 1984

AUG 9 1984

RECEIVED
Department of Water Resources
Department of Water Resources

Mr. Phil Hilby
E. 3300 Pine Hill Dr.
Coeur d'Alene, Id. 83844

Re: 95-7849

Dear Mr. Hilby:

I have attempted to conduct the required examination of your water system described in Permit No. 95-7849, but I have been unable to locate the well and homes.

It is, therefore, imperative that I speak with you to outline your alternatives and to make arrangements for you or your agent to accompany me on the examination.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

MICROFILM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

SEPTEMBER 6, 1983

PHIL HILBY
E. 3300 PINE HILL DR.
COEUR D ALENE ID 83814

RE: Permit No. 95-7849

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 667-6484 or in person at our office.

Sincerely,

/s/
TOM D. KING
Senior Water Resource Agent

cc: IDWR - State Office

MICROFILMED

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. 95-7849.

Name(s) of Permit Holder:

Phil Hilby

Post Office Address:

E 3300 Pine Hill Dr. Coeur d'Alene

Idaho 83814

Tel. No. 664 8052

Source of Water:

Well

Extent of

- ☐ Domestic 27 (number of households)
☐ Stockwater (number and type of stock)
☐ Irrigation (acres)
☐ Other

Measuring Device:

Required?

☐ Yes ☒ No

Installed?

☐ Yes ☐ No

Access Point:

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.

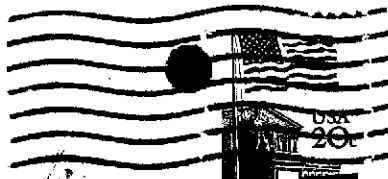
5-23-83

Date

Phil Hilby

Signature of Permit Holder

Mr. & Mrs. Bill Hill
3300 E. Pine Hill Dr.
Coeur D' Alene, ID 83814



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

INTER-DEPARTMENT MEMO — 1

DATE 5/10/83

FROM

Rita Fleck

TO

File 96-7661

SUBJECT

Returned B/U Notice

Pursuant to a conversation with the Kootenai County Assessor's Office, the current address for Phillip Hilby, developer of Echo Bay Terrance (he also signed the permit) is 3300 Pinehill Drive, Coeur d'Alene, ID 83814. I'm sending the notice to him. It will not go certified mail this time.



SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

MICROFILMED

CLAIM CHECK
NO.

820972

☐ HOLD

DATE

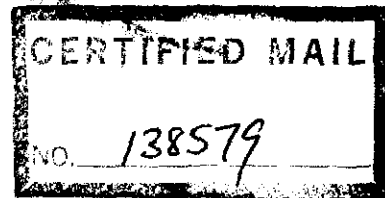
1ST NOTICE

2ND NOTICE

RETURN

Detached from
PS Form 3848-A
Oct. 1980

RETURN TO SENDER
ATTEMPTED NOT KNOWN
DATE 4/30 CARRIER



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

ECHO BAY TERRACE
2427 GOVERNMENT WAY
COEUR D'ALENE, ID 83814

138579

PROOF DUE NOTICE

APRIL 30, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 95-7849 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JULY 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A 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,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES



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:

Statehouse

Boise, Idaho 83720

(208) 384-2215

July 19, 1978

Re: Permit No. 95-7849

Echo Bay Terrace
2427 Gov't. Way
Coeur d'Alene, ID 83814

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 95-7849. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

RECEIVED

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

Copies Sent To:

- | | |
|---|--|
| ☒ Idaho Health Department | ☒ U.S.F.S. |
| ☒ Idaho Fish & Game Dept. | ☒ Dept. of Lands |
| ☒ Bureau of Land Management | ☒ Other |

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

Check:

Critical G.W. Area ☐ yes ☒ no
Other rights on same land None - dom.

Withdrawals of all protests received ☐ yes ☐ no

Conditions:

ID Power Co. Letter - Snake R. ☐	Meas. Dev. or Sc. Meas. <u>no</u>
ID Power Co. Letter - G.W. & Tribs. ☐	Totalizing meter ☐
Snake River Condition ☐	Supplemental ☐
Payette River Letter ☐	Right-of-Way Cond. ☐
Priority Date <u>6/2/78</u>	Watermaster Cond. ☐
	Wtr. Dist No. ☐
Water Quality #16 ☐	Meas. Dev. Cond. for apps within a Water Dist. ☐
Water Quality #10 ☐	
intrastate ☐ interstate ☐	

Jan Graver
Reviewer
7/2/78
Date



STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

Division of Environment
P. O. Box 608
Coeur d'Alene, Idaho 83814
June 26, 1978

ECHO BAY TERRACE
2427 Government Way
Coeur d'Alene, Idaho 83814

RE: Domestic Water Supply for Echo Bay Terrace

Dear Board Members:

On June 2, 1978 you applied for a permit to appropriate public waters to serve domestic water to 26 families. This would constitute a public drinking water system, as defined by Section 1-8002 Paragraph .20 of the Idaho Regulations for Public Drinking Water Systems. Section 39-118 of the Idaho Code (copy enclosed) requires that plans and specifications for the construction, modification, or expansion, of a public drinking water system be submitted to this Department for review and approval prior to construction.

Please contact this office if you have questions concerning this requirement. Our phone number is (208) 664-3166.

95-7849

Sincerely,

DIVISION OF ENVIRONMENT

Roger Tinkey

Roger Tinkey
Environmental Engineer

RT:sc

Enc.

cc: George Wagner
Robert Haynes, Dept of Water Resources - Northern Region ✓

RECEIVED
JUN 29 1978

Department of Water Resources
Northern District Office

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Echo Bay Terrace

☒ 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) RYA 6-5-78

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

(4) RYA 6-5-78

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(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) _____

Affidavit of Publication received(date) 6-22-78

(12) _____

Final date for protests 7-3-78
Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

6-278 Proposed Priority

Reason for Reduction

Measuring device required

See attached sheet for other conditions of
approval

☒ No special conditions for approval

(15) District Northern

By Bob Haynes Date 7-5-78

RECEIVED
JUL 6 1978

Department of Water Resources



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

June 8, 1978

RE: Applications No. 95-7849, 96-7671, 96-7670, & 95-7850.

Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene, Id 83814

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:ab

Enc: Legal Notice(s)

*Bill received
6-27-78
[Signature]*

RECEIVED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Echo Bay Terrace

2427 Gov't Way, Coeur d'Alene, Id

has on June 2, 1978 submitted Application No. 95-7849

for a permit to appropriate 0.20 cubic feet per second ~~acre feet per annum~~

of water from a groundwater source

by means of a well, pump & pipeline

within the Gov Lot 2, Sec 7, T49N, R3W, B.M., Kootenai County

to be used from Jan 1 to Dec 31

for domestic water for 26 households

within the Gov Lot 2, Sec 7, T49N, R3W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before July 3, 1978.

C. STEPHEN ALLRED
Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Id

on June 15 and June 22, 1978

MICROFILMED

June 7, 1979

RE: Applications No. 96-7671 & 95-7849

Ed Tulloch
Dept of Health & Welfare
Division of Environment
1525 Idaho St
Lewiston, Id 83501

Dear Mr Tulloch,

Please find enclosed two applications for permits which may be of interest to your agency. If you have any comments, please submit them as soon as possible.

If we may be of any further assistance, please do not hesitate to contact us.

Sincerely,

ROBERT G. HAYNES, PE.
Regional Supervisor

RGH:ab

Enclosure

MICROFILMED