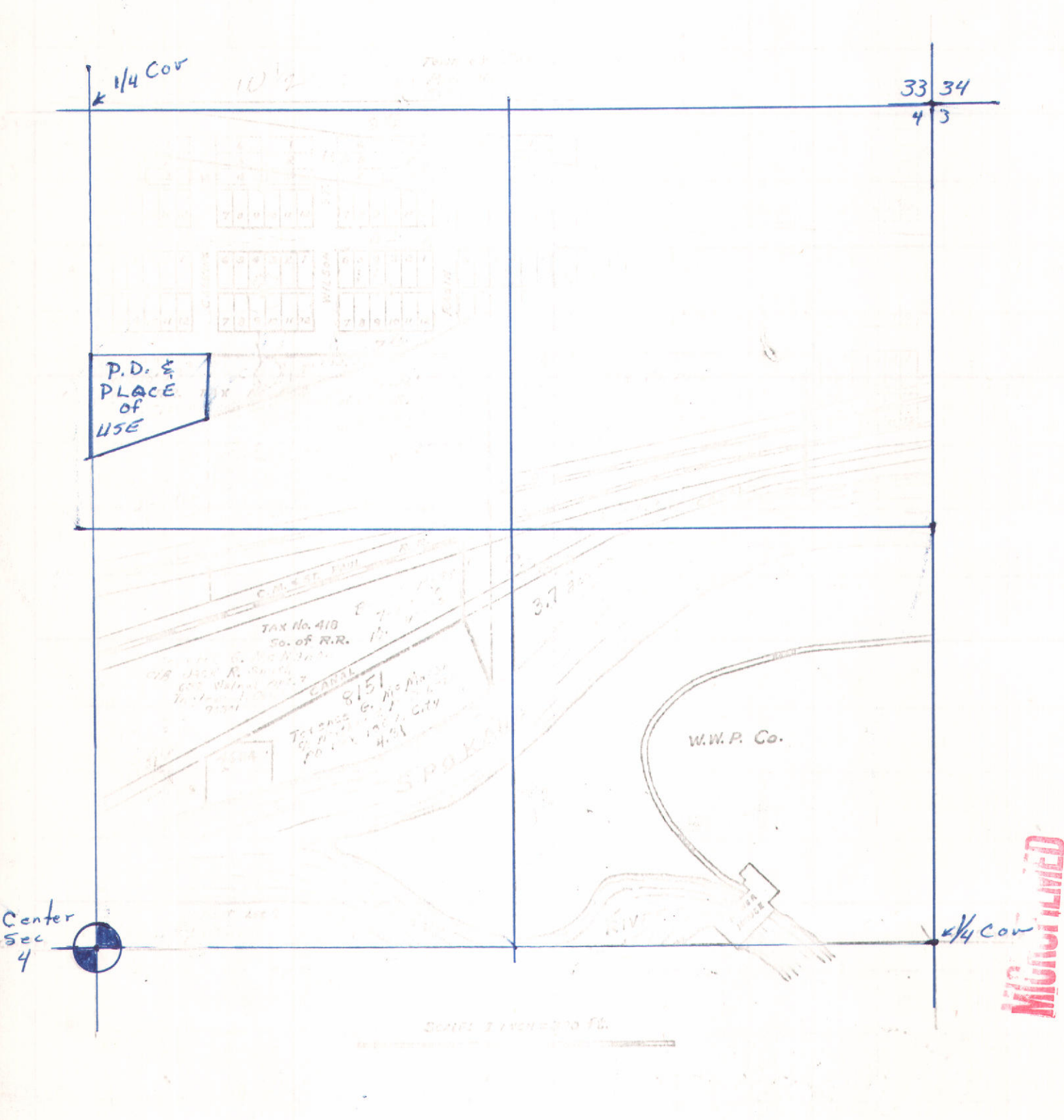


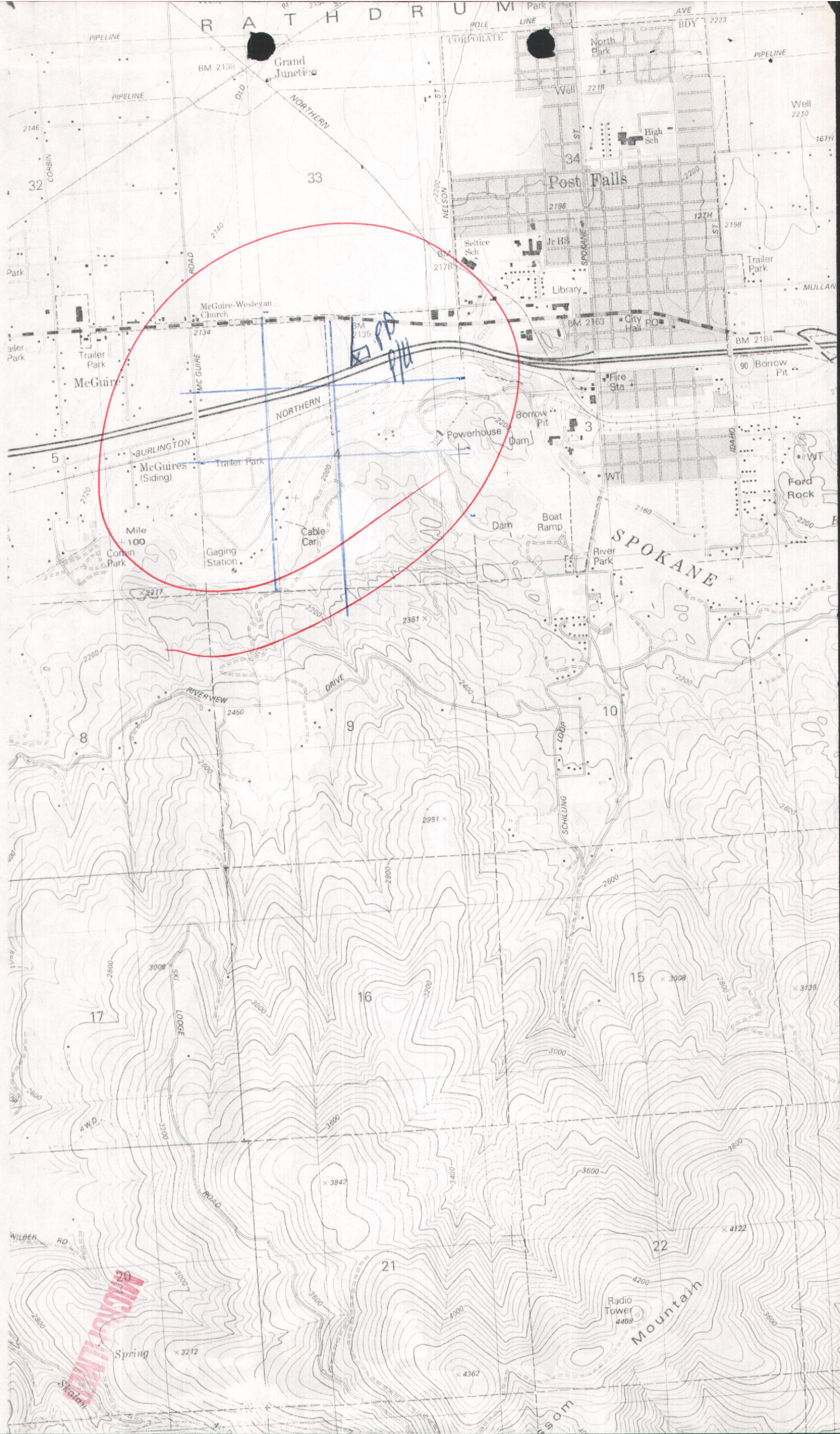
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

[Signature]
(Applicant)



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7781 Priority September 7, 1977 Amount .07 CFS

THIS IS TO CERTIFY, that D. L. Smith
of Kellogg, ID, has complied with the terms and conditions of Permit
No. 95-7781 issued pursuant to Application for Permit dated September 7, 1977,
and has submitted proof to the Department of Water Resources on September 6, 1982,
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 .07 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>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>.03</u> cfs and	<u>5.3 Acre Feet</u>
<u>Commercial</u>	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>.04</u> cfs and	<u>8.3 Acre Feet</u>
	from _____ to _____	at _____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than .07 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
13.6 acre feet per year, said waters to be diverted within the NW NE Sec. 4
Twp. 50N Rge. 5W in the County of Kootenai

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
50N	5W	4	2																2

Total number of acres irrigated 2

Ac. Irr. = 1.5
Commercial is an Automobile Dealership.

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, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23rd day of
December, 19 82.


Director

Identification No. _____
Application No. 95-7781

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 D. L. Smith Phone: X 784-1208
post office address X 310 N. Division Kellogg, Id. 83837
2. Source of water supply Ground Water which is a tributary of -
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 4 Township 50N
Range 5W 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 0.04 for Commercial purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.03 for Irrigation purpose from Nov 15 to Nov 15 (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. 0.07 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 & ppe line

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 6 inches; proposed depth of well is 300 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: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 4 Township 50N
Range 5W 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 _____.
(5) If water is to be used for other purposes describe: New Car Dealership (4 rest rooms 2 coffee rooms &
car wash)

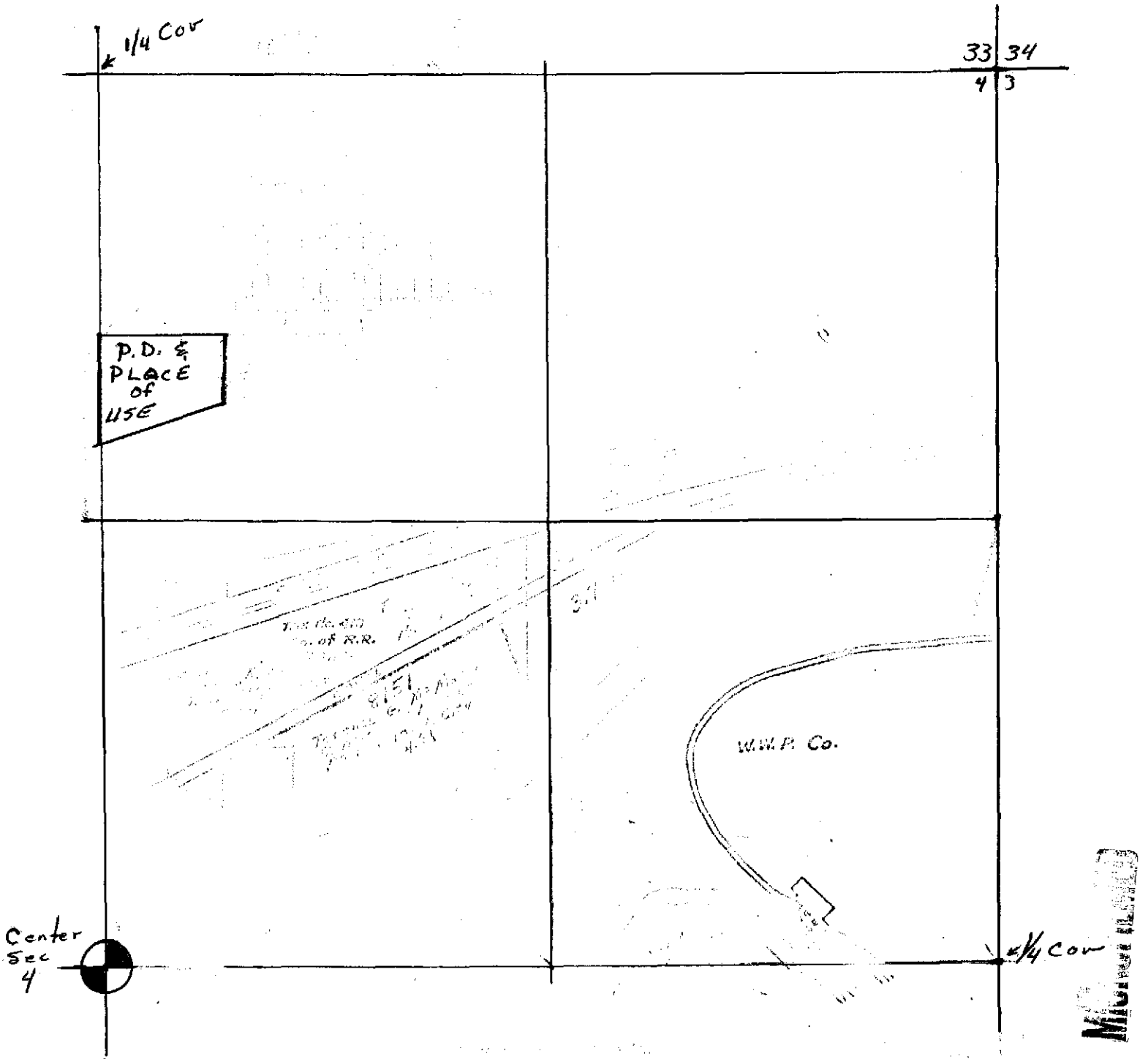
[illegible]

9. a. Who owns the property at the point of diversion Applicant
b. Who owns the land to be irrigated or place of use Applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

10. Remarks	

[illegible]

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



Scale: ~~200 feet = 1 inch~~

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.

x *D. L. Smith*
(Applicant)

Imposed Priority 9/7/77

Received by JE Date 9-7-77 Time 11:15 AM
Preliminary check by JE Fee \$ 10.00
Received by JE Date 9-7-77 (5780)
Publication prepared by JE Date 9-9-77
Published in Orville J. Allen Record
Publication dates 9-22-77-9-22
Publication approved SW Date 10-3-77
Priority reduced to _____ Reason _____

Protests filed by: _____
Copies of protests forwarded by: _____
Hearing held by _____ Date _____
Recommended for approval denial JE

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. 95-7781, 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 November 1, 19 82.
c. Other: _____

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

Witness my hand this 17 day of November, 19 77.

[Signature]
Deputy Director

AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that D. L. Smith, 210 N. Division, Kellogg, ID, has on September 7, 1977 submitted Application No. 95-7781 for a permit to appropriate 0.07 cubic feet per second of water from a groundwater source by means of well, pump and pipeline within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, T50N, R5W B.M. Kootenai County to be used from Jan. 1 to Dec. 31 (0.04 cfs) for commercial and (0.03 cfs) for irrigation of 1.5 acres from March 15 to November 15 within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, T50N, R5W 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 October 10, 1977.

C. STEPHEN ALLRED
Director

Legal No. 599
Sept. 22, 29, 1977

OK SDW
10-5-77

10.80

STATE OF IDAHO, } ss.
County of Kootenai,

Sandra Newlan 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 application for
water permit - Smith

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks, commencing on the 22nd day of September, 1977, and ending on the 29th day of September, 1977, 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.

Sandra Newlan

Subscribed and sworn to before me this 29 day of Sept, 1977

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

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

October 8, 1982

David L. Smith
PO Box 1446
Post Falls, Id. 83854

RE: 95-7781

Dear Mr. Smith:

We acknowledge receipt of your statement of completion of water development and use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We do not know at this time when he will be able to conduct the examination, however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. If you will not be available to show the system, please provide this office with the name and address of someone who will be able to do so. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office. Please be sure to use the above-referenced permit number in all future correspondence concerning this examination.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/rms

cc: IDWR - State Office

January 18, 1983

RE: Permit No. 95-7781

D. L. Smith
P.O. Box 1446
Post Falls, ID 83854

Dear Mr. Smith:

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

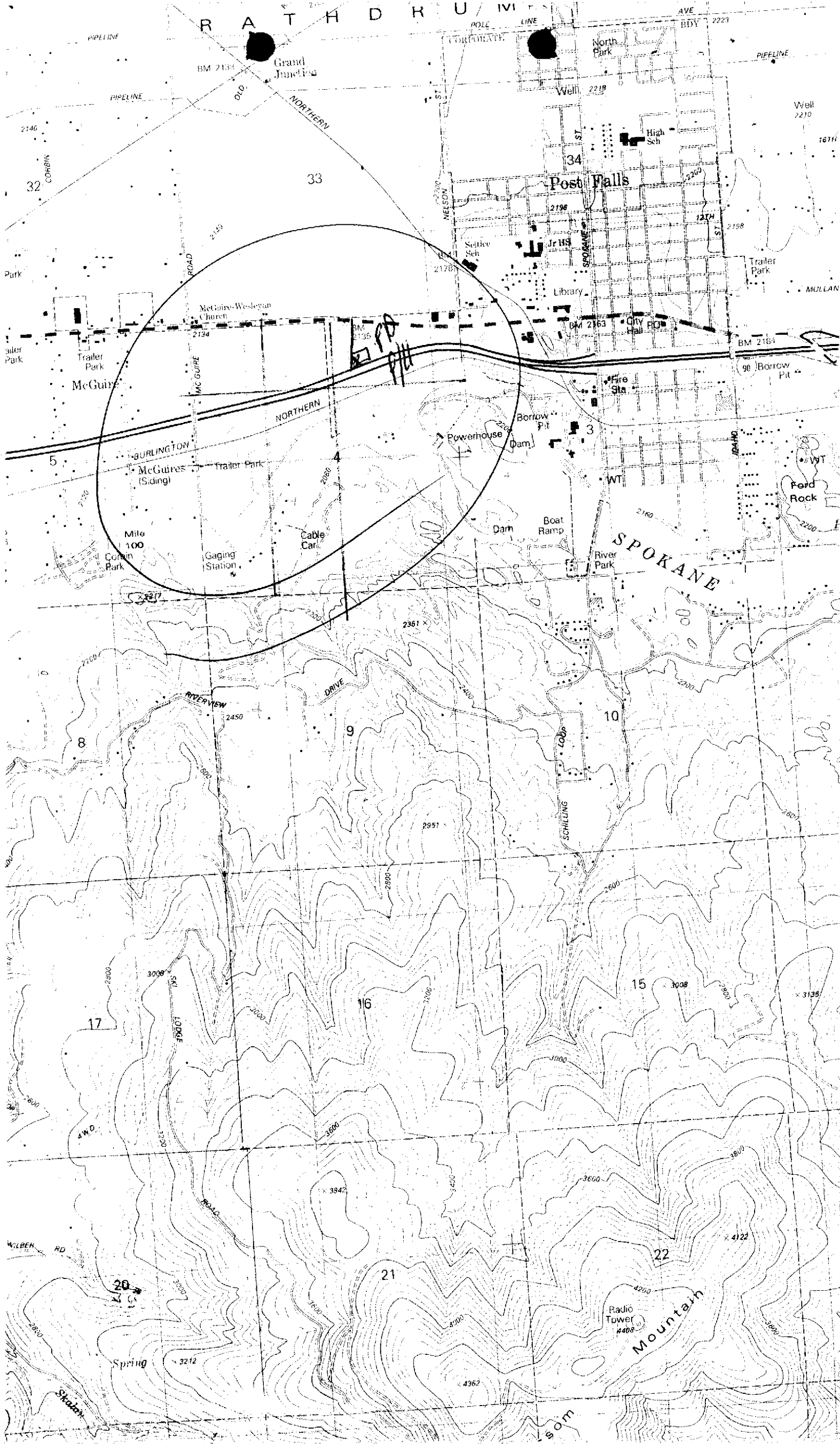
Sincerely,

A handwritten signature in cursive script that reads "Jim Johnson".

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

informed Mr. Smith that he was using more water for irrigation than allowed. He plans to increase the area irrigated so I told him that when he gets ready to proceed he should apply for further ir. & to explain that all ^{the} water is used at one time for a short length of time.



DEPARTMENT OF WATER RESOURCES

95-7781

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

Name(s) of Permit Holder:

DAVID L. SMITH

Post Office Address:

P.O. Box 1446

POST FALLS, IDAHO 83854

Tel. No.

784-1208

Source of Water:

WELL

Extent of Use:

☐ Domestic

(number of households)

☐ Stockwater

(number and type of stock)

☒ Irrigation

(acres)

☒ Other

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.

9-3-82

Date

David L. Smith

Signature of Permit Holder

PLACE
13 CENT
STAMP
HERE

SEP 6 1982



Idaho Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138632

SMITH, D. L.
210 N. DIVISION
KELLOG, ID 83837

AUGUST 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 95-7781 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

IDENT. NO. 95-7781

IDENT. NO. 95-7781

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG[illegible]

November 18, 1977

Re: Permit No. 95-7781

D. L. Smith
210 N. Division
Kellogg, ID 83837

Dear Mr. Smith:

Enclosed is a copy of your approved Application for Permit No 95-7781 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF/cah

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. _____

☒ 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) JE 9/8/77

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) JE 9/8/77

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: none

(11) SLW 10-5-77

Affidavit of Publication received (date) 10-5-77

(12) _____

Final date for protests Oct 10, 1977
Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

9-7-77 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 B. B. Haynes Date 10-11-77

RECEIVED

OCT 14 1977

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

September 15, 1977

RE: Applications No. 95-7782, 95-7783 & 95-7781

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
10-5-77
OK [signature]*

RECEIVED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that D. L. Smith
210 N. Division, Kellogg, ID
has on September 7, 1977 submitted Application No. 95-7781
for a permit to appropriate 0.07 cubic feet per second ~~zero feet per second~~
of water from a groundwater source
by means of well, pump and pipeline
within the NW 1/4, Sec 4, T50N, R5W B.M. Kootenai County

to be used from Jan 1 to Dec 31 (0.04 cfs) for commercial and (0.03 cfs)
for irrigation of 1.5 acres from March 15 to November 15.

within the NW 1/4, Sec 4, T50N, R5W. 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
October 10, 1977.

C. STEPHEN ALLRED
Director

Published in the Coeur d'Alene Press, Coeur d'Alene, ID
on September 22 and September 29, 1977

11-1-77