

[illegible]

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Irvin Scheller, P. O. Box 163, Osburn, Idaho has on March 12, 1973 submitted Application No. 95-7264 for a permit to appropriate 1.0 cubic feet per second of water from a ground water source by means of well and pump within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 51N, R. 4W, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for domestic purposes for 150 families (Royal Highland Addition) within the W $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 31, T. 51N, R. 4W, 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 Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before April 9, 1973.

R. KETH HIGGINSON
Director

March 22, 29, 1973

O.K.
3-26-73
cl

95
7264

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7264 Priority March 12, 1973 Amount 0.56 cfs

THIS IS TO CERTIFY, that Larry Gilman & John Wheeler
of Hayden Lake, Idaho, has complied with the terms and conditions of Permit
No. 95-7264 issued pursuant to Application for Permit dated March 12, 1973,
and has submitted proof to the Department of Water Resources on April 28, 1983,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.56 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
Domestic (138 Units)	from <u>January 1</u> to <u>December 31</u>	at <u>0.56</u> cfs and	<u>165.6</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.56 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
165.6 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31,
Twp 51N, Rge 4W in the County of Kootenai

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
51N	4W	31											X	X			X	X	

Total number of acres irrigated _____

P/U also known as Royal Highland Addition

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 19TH day of MAY, 19 84.

Norman C. Young
Director

WATER RIGHT SPLIT

SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT C.F.S.
Orginial Permit	95-7264	Irvin Scheller	1.0 cfs
Full Assignment	95-7264	Larry Gilman & John Wheeler	1.0. cfs

MICROFILMED

Robyn

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

RECEIVED

JUL 19 1982

Department of Water Resources

*OK to proceed
RJC 7/20/82*

I, Irvin Scheller, hereby assign to Larry Gilman & John Wheeler
of P.O. Box 1090 Hayden Lake, Idaho 83835
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 95-7264
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 2 day of July, 19 82.

RECEIVED

JUL 16 1982

Department of Water Resources
Northern District Office

Irvin Scheller
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Kootenai) ss.

On this 2 day of July, 19 82, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

Larry Gilman
Notary Public residing at
Coeur d'Alene

My commission expires:

life

seal
MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 95-7264

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:

"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1st day of June 1981.

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME

RECEIVED
MAR 31 1978

State of Idaho

County of Kootenai

Department of Water Resources
Northern District Office

Permit No. 95-7264

Irvin Scheller
(name)

of PO Box 475, Post Falls, Id. 83854
(address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to Appropriation the Public Waters of the State of Idaho No. 95-7264.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before Apr. 1, 19 78.

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

System is completed. There are 39 houses
presently on system and in various stages
of construction

Costing \$ _____

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Size of project too large to
complete in time allotted. However the closer
to completion the faster the progress.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to Apr 1, 19 83.

Irvin Scheller
(signature) *

Subscribed and sworn before me this 31 day of March, 19 78.

seal

Ala Bato
Notary Public residing at
Idaho Falls

My commission expires September

ACTION OF THE DIRECTOR OF THE 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 proof of beneficial use of water is extended
to April 1, 1983.

Witness my hand this 11 day of April, 19 78

D. Glen Saxton
Chief, Operations Bureau

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available through the Department of Water Resources, Statehouse, Boise, Idaho 83720.

Identification No. 95-7264

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Irvin Scheller
 post office address P. O. Box 163, Osburn, Idaho 83849
2. Source of water supply Well which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 31 Township 51N
 Range 4W B.M. Kootenai County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into N.A. at a point in _____ $\frac{1}{4}$
 of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
 Amount 1 cfs 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. One cubic feet per second and/or
 b. _____ acre feet per annum.
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. _____
8" diameter cased well 426' deep w/pump

- b. Height of storage dam N.A. 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 426 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 \$ 20,000.00.
8. Description of proposed uses:

	NW	SE
a. If water is not for irrigation:	SW	SE
	SE	SW

 - (1) Give the place of use of water: SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 31 Township 51N
 Range 4W 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 Royal Highland Addition, or number of families to be
 supplied with domestic water 150.
 - (5) If water is to be used for other purposes describe: _____

95 7264

Total number of acres to be irrigated.

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

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

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

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

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

SECTION 31

Well

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.

X Irvin Scheller
(Applicant)

95 7264

Proposed Priority 3-12-1973

95-7264

Received by GB Date 12 May 73 Time 2:05 PM
Preliminary check by GB Fee \$ 25.00 #8571
Received by GB Date 12 May 1973
Publication prepared by CR Date 3-16-73
Published in Coeur d'Alene Press
Publication dates 3-22 & 3-29-73
Publication approved CR Date 4-9-73
Priority ~~recommended~~ 3-12-73 Reason _____
Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by GB _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 95-7264, 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 April 1, 19 78.

c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 17 day of April, 19 73.

Deputy Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	CB	12 MAR 73	Application No. <u>95-7264</u> Name <u>Arvin Scheller</u>
(2)	CB	12 MAR 73	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
(3)	CB	12 MAR 73	Send copies to: ☒ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	CB	12 MAR 73	☐ Request ^{Done} Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	CB	12 MAR 73	In form for advertising <u>OK</u>
(6)	CR	4-9-73	Affidavit of Publication received <u>April 2, 1973</u>
(7)	CR	3-16-73	Final date for protests <u>April 9, 1973</u> Protests received: yes <u>no</u> ☒
(8)			Date and Place of hearing _____ Decision reached at hearing _____
(9)			Located within Water District No. _____
(10)	FB	4/9/73	Critical groundwater area: yes _____ no ☒
(11)	FB	4/9/73	Groundwater levels: ☐ Decline (comment) _____ ☒ Stable (comment) _____ ☐ Increasing (comment) _____
(12)			Comments: _____
(13)	FB	4/9/73	Action recommended: ☒ Approve Priority <u>5/12/73</u> ☐ Deny Reason for Reduction _____ <u>FB</u> <u>4/9/73</u> See attached sheet for conditions of approval _____ No conditions for approval
(14)	FB	4/9/73	District <u>Nathan</u> By <u>Paul H. Scheller</u> Date <u>4/9/73</u> Title <u>Paul H. Scheller</u>

95 7264

RECEIVED
APR 11 1973
Department of Water Administration

RECOMMENDEDCONDITIONS OF APPROVAL

- ☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
- ☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.
- ☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.
- ☐ Maximum rate of diversion shall not exceed _____ c.f.s.
- ☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.
- ☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.
- ☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.
- ☐ The proposed well shall not be drilled within _____ feet of another well.
- ☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.
- ☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.
- ☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.
- ☐ Other: _____

AFFIDAVIT OF PUBLICATION

(WEEKLY)

APR 2 1973

STATE OF IDAHO,

County of Kootenai,

ss

Department of Water Administration
Northern District Office

deposes and says:

That affiant is now, and at all times herein mentioned has been, a citizen of the United States and a resident of Kootenai County, State of Idaho, over the age of 21 years and not a party to, nor interested in the event of, the above entitled matter, and the printer (principal clerk) of the "Coeur d'Alene Press", during all of the times herein mentioned being a legal daily newspaper, of Coeur d'Alene, Kootenai County, Idaho, as defined by Idaho Code Sec. 60-106 to Sec. 60-108 both inclusive, and Chapter 121 Idaho Session Laws of 1949, and acts amendatory thereof and correlated thereto, and qualified thereunder to publish to the same effect as a weekly

newspaper on ~~Wednesday~~ ^{Thursday} and that the

of which a printed copy is annexed hereto, was published in all the regular ~~Wednesday~~ ^{Thursday}

weekly issues of said newspaper for ~~two~~ ^{two} consecutive weeks, commencing

on the 22 day of March, 1973, and ending on the

29 day of March, 1973

Subscribed and sworn to, before me, this 29 day of March

19 73

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

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Irvin Scheller, P. O. Box 163, Osburn, Idaho has on March 12, 1973 submitted Application No. 95-7264 for a permit to appropriate 1.0 cubic feet per second of water from a ground water source by means of well and pump within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 51N, R. 4W, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for domestic purposes for 150 families (Royal Highland Addition) within the W $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 51N, R. 4W, 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 Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before April 9, 1973.

R. KEITH HIGGINSON
Director

March 22, 29, 1973

95 7264



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

May 21, 1984

RE: Permit No. 95-7264

Larry Gilman & John Wheeler
Box 1090
Hayden Lake, ID 83835

Gentlemen:

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

April 13, 1984

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

RE: Permit No. 95-7264

Larry Gilman & John Wheeler
Box 1090
Hayden Lake, ID 83835

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 95-7264, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 0.56 cfs Source: groundwater

The maximum quantity diverted shall not exceed 165.6 acre feet per year.

Point(s) of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, Twp 51N, Rge 4W

Beneficial Use: Domestic use for 138 units within S $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, Twp 51N, Rge 4W P/U also known as Royal Highland Addition

Priority date established: March 12, 1973

Conditions (if any):

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Remarks *Diversion Point Close to 1/32 line between SW & SE of SE SW, Sec 31*

MAP (Attach Aerial Photo)

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[illegible]

SCHEMATIC DIAGRAM OF SYSTEM

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

Attached - Map of Plans

Point(s) of diversion: 5N(5E 9N) Sec 31, T54N, R24W

Place(s) of Use

[illegible]

Recommended Amendments:

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

☐ Add P.D., as reflected above

☐ Add P.U., as reflected above

None ☒ Other ☐

Examiner's Signature

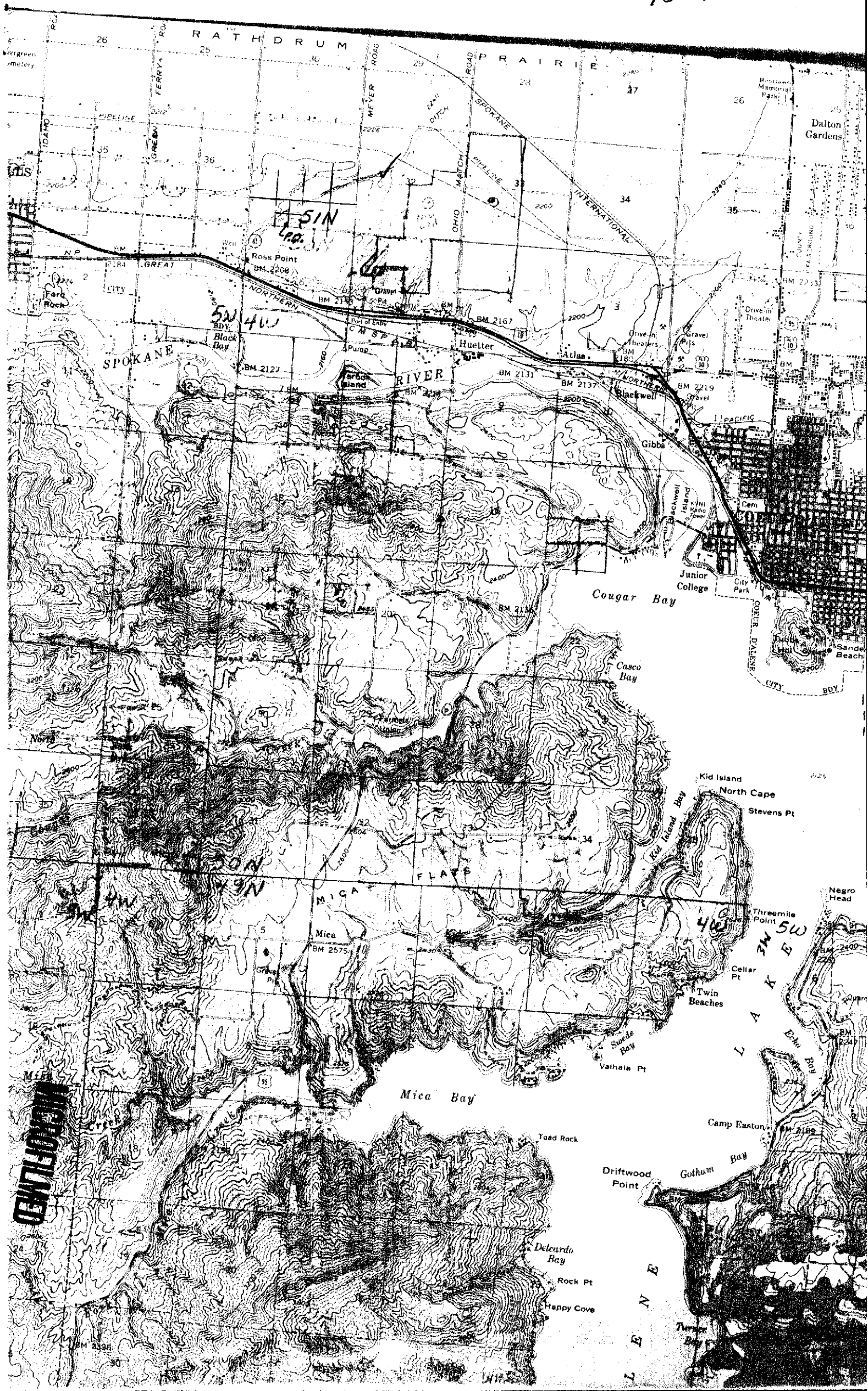
Checked by

Approved by

Paul Walker

Date 2/3/84
Date 3/8/84
Date 4-4-84

95-72641



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

MAY 18, 1983

RATHDRUM PRARIE WATER CO. INC
POB 1090
HAYDEN LAKE ID 83835

RE: Permit No. 95-7264

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

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. 95-7264.

Name(s) of Permit Holder: RATHDRUM PRAIRIE WATER CO INC

Post Office Address: PO BOX 1090

HAYDEN LAKE ID 83835

Tel. No. 208 667-2435

Source of Water: AQUIFER WELL

Extent of Use:

☒ Domestic	<u>150</u>	(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

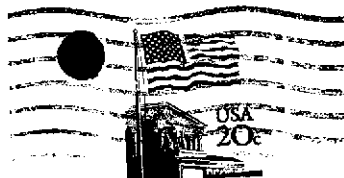
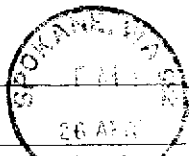
The above information is a true statement of the extent to which the above numbered permit has been developed.

26 APRIL 83

Date

[Signature]
Signature of Permit Holder

psc
PO Box 1090



HAYDEN LAKE ID 83835



RECEIVED
APR 26 1983

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

FORM DA-8 Rev. 7-1-77
WHITE — State Auditor
BLUE — Purchasing Copy
YELLOW — Remittance Advice
PINK — State Auditor then Agency
GOLDENROD — Agency Copy

EXPENDITURE VOUCHER

STATE OF IDAHO
Office of State Auditor

AUDITOR USE

Document No.	
Pre-Audit	Date
Warrant No.	

1766
Date
5-2-83
Code
19-3002

AGENCY NAME: Department of Water Resources

CHECK ONE:

☒ MISCELLANEOUS EXPENDITURE

☐ STATE CONTRACT

☐ PURCHASE ORDER

☐ MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAY Rathdrum Prairie Water Co.
TO P.O. Box 1030
Hayden Lake, Idaho 83835

Encumbrance Reference No.

PAYMENT: ☐ PARTIAL ☐ FINAL

LINE No.	PROGRAM			ACCT.	CLASS		DESCRIPTION (Include Quantity)	COMPLETE ONE		AGENCY USE
	Maj	Min	Ele		Maj	Min		%	LINE AMOUNT	
1	09	20	010	3909	8831		Refund for extension of time request Permit No. 95-7264 <i>fill</i>		15.00	
								TOTAL	100%= 15.00	

E: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date 5-2-83 Head of Agency or Institution M. Russell Bosch

State Auditor



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

April 22, 1983

RE: Permit No. 95-7264

Larry Gilman, President
Rathdrum Prairie Water Company
P.O. Box 1090
Hayden Lake, ID 83835

Dear Mr. Gilman:

On March 23, 1983, we received your request for extension of time in which to submit proof to beneficial use of water under Permit No. 95-7264.

Based upon the information you provided it appears that rather than the request for an extension of time you should submit a proof to beneficial use statement (card enclosed).

Water used for multiple unit subdivisions can be recognized as fully developed when the diversion and distribution facilities have been installed to serve each lot even though not all of the lots have been sold or have houses constructed on them.

In addition, provisions of Section 42-204, Idaho Code limit the Director to approving only one request for extension of time. An extension request was granted under this permit on April 11, 1978.

Please return the signed proof statement before May 15, 1983. A refund of your \$15.00 filing fee will be returned to you under separate cover. If you have any questions, please let us know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosures

RECEIVED
APR 23 1983



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

March 24, 1983

Prairie Water Company
P. O. Box 1030
Hayden Lake, ID 83835

PERMIT NO.

95-7264, Rathdrum Prairie Water Company

We are in receipt of the _____ extension fee for Extension(s) of Time to provide additional ^{\$15}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. 26423.

Roberta Garrett
Records Supervisor

Enclosure

RECEIVED
MAR 28 1983
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

GILMAN, LARRY
P.O. BOX 1090
HAYDEN LAKE, ID 83835

138278

PROOF DUE NOTICE

JANUARY 31, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 95-7264 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE APRIL 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

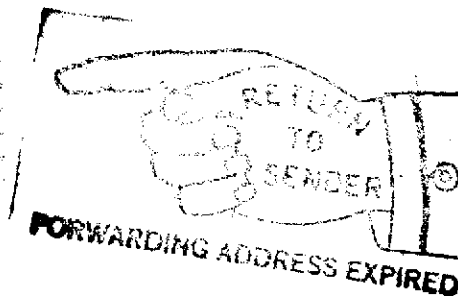
95-7264

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

RECEIVED

DEC 20 1982

Department of Water Resources



Irvin Scheller
Box 163
Osburn, ID 83849

MICROFILMED



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

December 15, 1982

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

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

DRT:jg

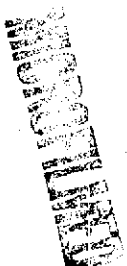
Enclosures

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190



BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 95-7264

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1st day of June 1981.

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau



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

December 15, 1982

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Sincerely,

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

DRT:jg

Enclosures

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Route #5, Box 203, Government Way
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150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190

July 22, 1982

RE: Permit No. 95-7264

Larry Gilman & John Wheeler
P.O. Box 1090
Hayden Lake, ID 83835

Gentlemen:

This office acknowledges receipt of the Assignment of the above referenced permit to you.

Enclosed for your records is a copy of the permit. Be sure to note the special conditions of approval on the fourth page that identify requirements necessary for developing the permit into a licensed water right.

If you have any questions on this matter, please feel free to contact us.

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw
Enclosures

RECEIVED

April 11, 1978

Re: Permit No. 95-7264

Irvin Scheller
P.O. Box 475
Post Falls, Idaho 83854

Dear Mr. Scheller:

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to April 1, 1983.

Sincerely,

Jan Grover
Water Rights Supervisor



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

January 31, 1978

CERTIFIED MAIL

138282

Re: Permit No. 95-7264

Irvin Scheller
P. O. Box 163
Osburn, Idaho 83849

Dear MR. Scheller:

One of the conditions of approval of your water Permit No. 95-7264 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before April 1, 1978. Enclosed is an affidavit form which must 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 affidavit 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.

C. STEPHEN ALLRED
Director

CSA:jfr

Encl: Proof affidavit

April 19, 1973

Re: Permit No. 95-7264

Irvin Scheller
P. O. Box 163
Osburn, ID 83849

Dear Mr. Scheller:

Enclosed is a copy of your approved Application for Permit No. 95-7264. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:cd

Enclosures

95-7264



PANHANDLE HEALTH DISTRICT I

P. O. Box 608 412 Lakeside Avenue Coeur d'Alene, Idaho 83814

March 19, 1973

RECEIVED

MAR 22 1973

Department of Health
Coeur d'Alene, Idaho

Fred Eisenbarth
Department of Water Administration
401 Front Avenue, Room 209
Coeur d'Alene, Idaho

Re: Application Number
95-7264

Dear Mr. Eisenbarth:

The Panhandle Health District has no objection to the above mentioned application. The actual well site should be approved by the Health Department prior to drilling to insure compliance with all State Codes.

Sincerely,

Ronald L. Donaly
Environmentalist

95-7264

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor

R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

March 16, 1973

Re: Application for Permit No. 95-7264 - Irvin Scheller

Ronald L. Donaly
PANHANDLE DISTRICT HEALTH DEPARTMENT
P.O. Box 608
Coeur d'Alene, ID 83814

Dear Mr. Donaly:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, please submit them to our office as soon as possible. We normally complete the processing of an application within a 4-week period, and we are required to take final action shortly thereafter.

If we may be of further assistance, please contact us.

Very truly yours,

Fred Eisenbarth
Water Resource Technician
Northern District

FE:CR

Enc: copy

95 7264

Re: Application No. 95-7264 Claim No. 95-4063
 " " 95-7265 " " 95-4064
 " " 95-7266 " " 95-4065

Gentlemen:

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 the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Fred Eisenbarth
Water Resource Technician
Northern District

Bill submitted 4-9-73 by cl

95 7264

FE:CR

Enc: Legal Notices (6)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Irvin Scheller,

P.O. Box 163, Osburn, Idaho

has on March 12, 1973 submitted Application No. 95-7264

for a permit to appropriate 1.0 cubic feet per second XXXXXXXXXXXXXXXXXXXX acre feet per annum

of water from a ground water source

by means of well and pump

within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 51N, R. 4W, B.M., Kootenai County

to be used from Jan. 1 to Dec. 31

for domestic purposes for 150 families (Royal Highland Addition)

within the W $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 31, T. 51N, R. 4W, 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 Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before April 9, 1973.

R. KEITH HIGGINSON

Director

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

on March 22 and March 29, 1973 95 7264

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that
Irvin Scheller, P. O. Box 163,
Osburn, Idaho has on March
12, 1973 submitted for a
Application No. 95-7264 for a
permit to appropriate 1.0 cubic
feet per second of water from a
ground water source by means
of well and pump within the
SE¼SW¼, Sec. 31, T. 51N, R.
4W, B.M., Kootenai County to
be used from Jan. 1 to Dec. 31
for domestic purposes for 150
families (Royal Highland
Addition) within the W¼SE¼,
SW¼SW¼, Sec. 31, T. 51N, R. 4W,
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
Administration, 401 Front
Ave., Coeur d'Alene, Idaho,
83814 on or before April 9,
1973.

R. KEITH HIGGINSON
Director
March 22, 29, 1973

56
2002

March 16, 1973

Re: Application for Permit No. 95-7264

Ervin Scheller
P.O. Box 163
Osburn, ID 83849

Dear Mr. Scheller:

Attached is your receipt No. 8571 in the amount of \$25 for the filing fee on the above referenced application, which was received in this office.

Very truly yours,

Fred Eisenbarth
Water Resource Technician
Northern District

FE:CR

Enc: Receipt

95 7264