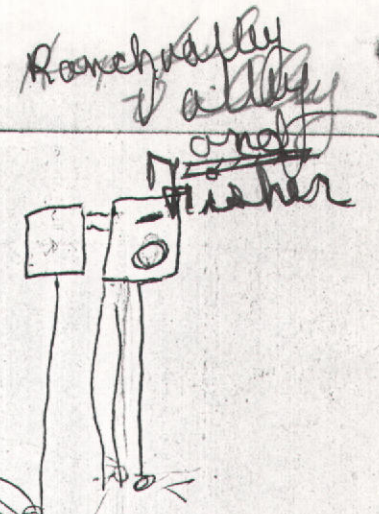
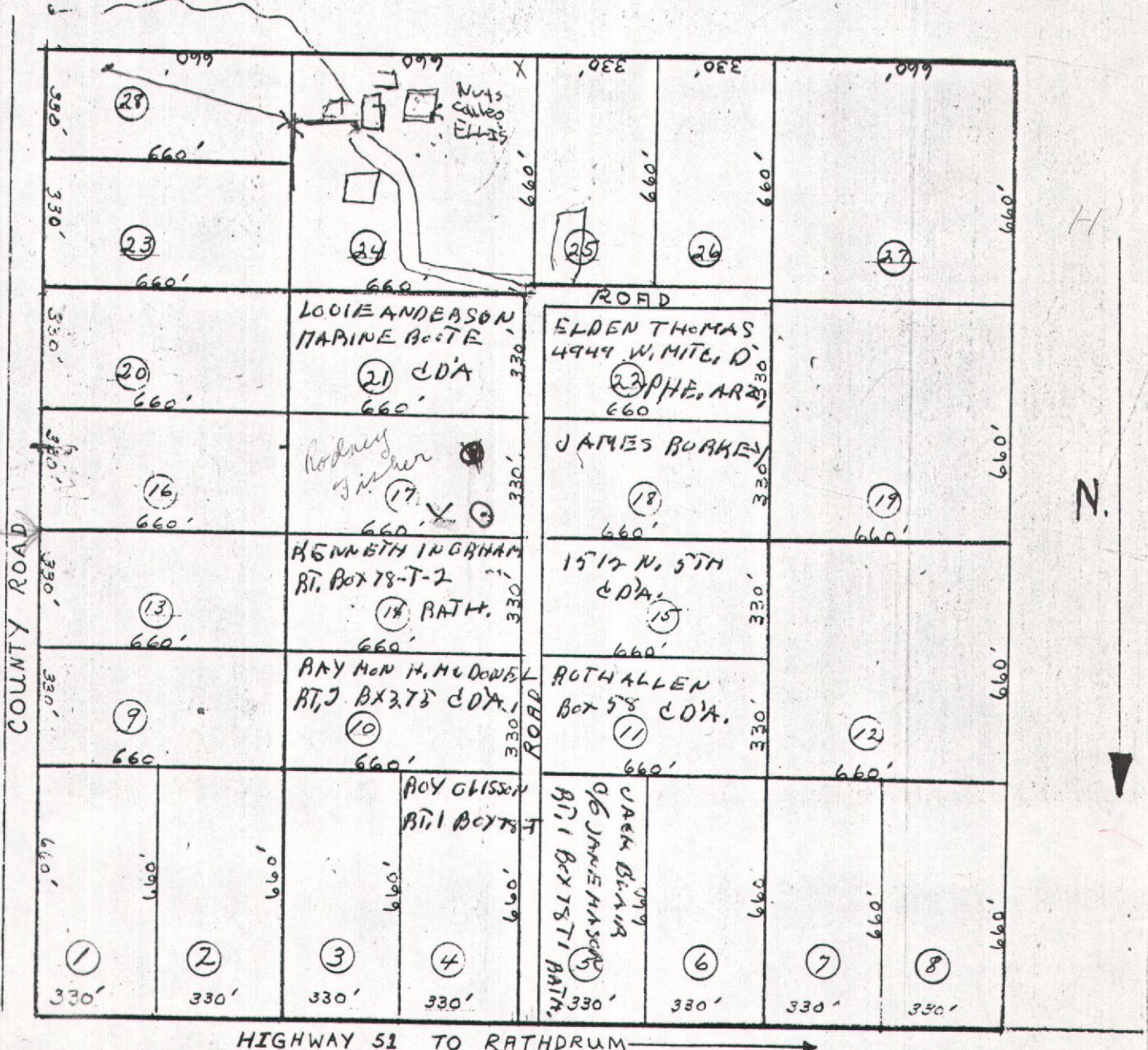


HUGHES Construction Company

773-4231 Post Falls, Idaho 83854



FIVE & TEN ACRE RANCHETTES



NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that
Ranch Valley Water
Association, Route No. 1, Box
78T-3, Rathdrum, Idaho has on
December 18, 1972 submitted
Application No. 95-7231 for a
permit to appropriate 1.0 cubic
feet per second of water from a
ground water source by means
of well, pump, motor, and
pipeline within the NE $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 33, T. 52N, R. 4W, B.M.,
Kootenai County to be used
from Jan. 1 to Dec. 31 for
domestic purposes for 25
families within the NE $\frac{1}{4}$, Sec.
33, T. 52N, 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 January
15, 1973.

R. KEITH HIGGINSON
Director

Dec. 28, 1972, Jan. 4, 1973

77T-3

O.K.
1-11-73
ck

95
7231

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(late proof)
License of Water Right No. 95-7231 Priority February 23, 1973 Amount 0.08 cfs

THIS IS TO CERTIFY, that Ranch Valley Water Association
of Rathdrum, Idaho, has complied with the terms and conditions of Permit
No. 95-7231 issued pursuant to Application for Permit dated January 23, 1973,
and has submitted proof to the Department of Water Resources on September 26, 1980,
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 0.08 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 (13 units)	from January 1 to December 31	at 0.08 cfs	and 15.6 acre feet
	from _____ to _____	at _____ cfs	and _____
	from _____ to _____	at _____ cfs	and _____

(both dates inclusive)

Subject, however, to the condition that no more than 0.08 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
15.6 acre feet per year, said waters to be diverted within the SE 1/4 NE 1/4, Section 33, Twp.
52N, Rge. 4W 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	
52N	4W	33				X													

Total number of acres irrigated _____

This right when combined with Right No. 95-7235 shall not exceed 0.08 cfs.

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29th day of
April, 19 82.

Acting for the Director

Norman C Young

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 95-7231 IN
THE NAME OF RANCH VALLEY WATER ASSOCIATION

ORDER OF REINSTATEMENT

WHEREAS, on January 23, 1971, Ranch Valley Water Association filed amended application for permit to appropriate 1.00 cubic feet per second of water from a groundwater source to be diverted within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 52N, Rge. 4W B.M., Kootenai County, to be used for domestic purposes; and,

WHEREAS, on October 2, 1973, the Department approved said application and issued Permit No. 95-7231 with the condition that proof of construction of works and application of water to beneficial use be submitted on or before September 1, 1978; and,

WHEREAS, on September 6, 1978, the Department approved a request for extension of time to September 1, 1980; and,

WHEREAS, on June 30, 1980, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on September 17, 1980, the Department notified the permit holder that Permit No. 95-7231 had lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on October 2, 1980;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 95-7231 be REINSTATED and the priority advanced to February 23, 1973.

Dated this 23rd day of October, 1980.

L. Glen Saxton
L. GLEN SAXTON

Chief, Operations Bureau

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR EXTENSION OF TIME

RECEIVED
AUG 28 1978
Department of Water Resources
Northern District Office

State of Idaho

County of Kootenai

Permit No. 95-7231

Theresa La Montagne of Rt 3 B415 Rathdrum
(name) (address)

State of Ida, 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. 95-7231.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before Sept 1, 1978.

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

Well drilled and 14 homes using water.

Measuring Device not installed, two more
look ups are available but land not sold

Costing \$

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: In process of selling two
more lots (homes to be built) to be connected
to present system.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to Sept 1, 1980.

Theresa La Montagne
(Signature) *
Pres. Ranch Valley Water Assn.

Subscribed and sworn before me this 24 day of August, 1978.

seal

David Hammond
Notary Public residing at
202 E. Trowbridge

My commission expires 3-15-1980

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 September 1, 1980.

Witness my hand this 6th day of September, 19 78.

A. 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.

MICROFILMED

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF Application for)
Permit No. 95-7231 in the name of)
RANCH VALLEY WATER ASSOCIATION)
_____)

MEMORANDUM DECISION

AND ORDER

On January 23, 1973, Ranch Valley Water Association filed with the Department of Water Administration for a permit to appropriate 1.0 cubic feet per second of water from a ground water source within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 52N, Rge. 4W, B.M., Kootenai County. The water is to be used for year around domestic purposes for twenty-five (25) families. Notice of this application was published in the Coeur d'Alene Press on February 1, and February 8, 1973.

On February 12, 1973, a protest against the approval of this application was received from Rodney L. Fisher.

As a result of that protest, a conference was held April 12, 1973 at Coeur d'Alene, Idaho. The main issue at the hearing appeared to be the ownership of an existing well located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 52N, Rge. 4W, B.M.

Based upon the information in the file, the memorandum of the protestant, the statements made at the conference and the Department's understanding of the law, the Director of the Department of Water Administration makes the following Findings of Fact, reaches the following Conclusions of Law, and issues the following Order.

Findings of Fact

(1) No evidence was submitted concerning the allegation that the application was filed for speculative purposes and not made in good faith.

(2) An existing well is located on a five acre parcel of land owned by the protestant.

(3) The existing well has a 100 foot radius easement to a "water district".

(4) The applicant has incorporated as a non-profit cooperative association under the laws of the State of Idaho for the purpose of supplying water to it's members.

(5) There appears to be groundwater available for appropriation.

Conclusions of Law

(1) A determination of the ownership of the well is not within the jurisdiction of the Department of Water Administration and cannot be a consideration in granting a permit for the diversion and beneficial use of the water.

95 7231

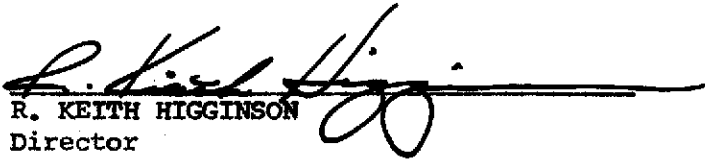
(2) When it is determined that water is available for appropriation without injury to existing water right and that the application was made in good faith and was not made for speculative purposes, then the Department of Water Administration is bound by law to issue a permit for the purposes intended.

Order

IT IS, THEREFORE, ORDERED that the protest of Rodney L. Fisher be set aside and Application for Permit No. 95-7231 is hereby APPROVED subject to the following limitations and conditions:

- (1) That the permit be and is subject to all prior existing water rights.
- (2) That proof of application of water to a beneficial use be submitted to the Department on or before September 1, 1978.
- (3) That a measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.
- (4) That the issuance of this permit in no way grants any right-of-way or easement across the land of another person.

Dated this 27 day of September, 1973.


R. KEITH HIGGINSON
Director

BDF:jc

95 7231

Identification No. 95-7231

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

AMENDED

APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant RANCH VALLEY WATER ASSOCIATION
post office address Route #1 Box 78T-3 Rathdrum, Idaho 83858
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is NE P.P. 1/23/73 S.E. $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 33 Township 52N
Range 4W B.M. Kootenai County; additional points of diversion if any: _____

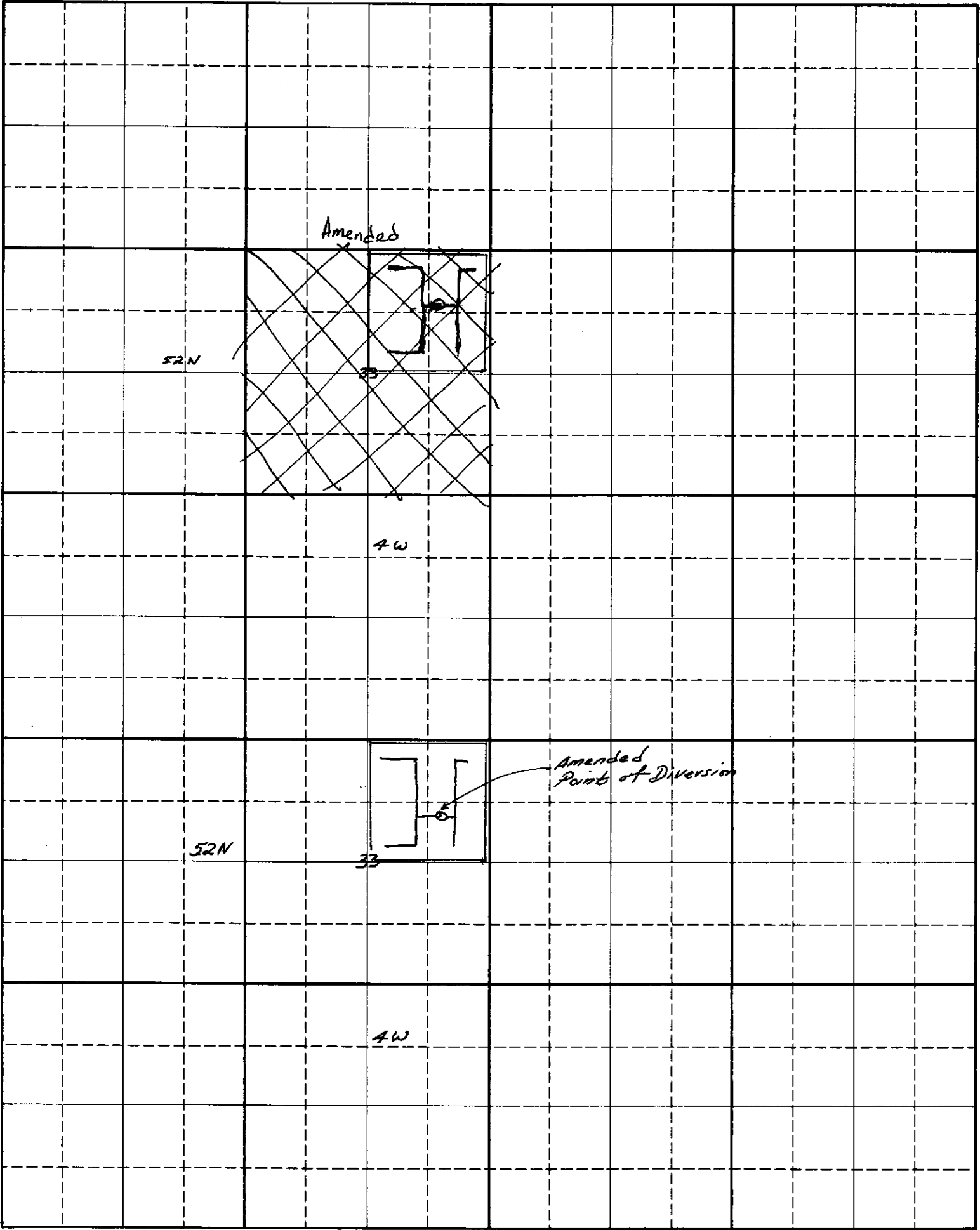
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.0 for Domestic purpose from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well with pump and motor with pipeline to place of use.

- 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 310 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 \$ 5,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 33 Township 52N
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 _____, or number of families to be supplied with domestic water 25.
(5) If water is to be used for other purposes describe: _____

95 7231

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.

James A. Sandler
Phillip C. Powell
(Applicant)
Directors of the Association

95-7231
Proposed priority: 1/23/1978 (date of amended application)
Received by 78 Date 12/18/72 Time 11:30
Preliminary check by 78 Fee \$ 25.00
Received by 78 Date 12/18/72 # 8506 + # 8520 (Amended Application) 1/23/73
Publication prepared by CR Date 12-22-72
Published in Coeur d'Alene Press
Publication dates 12-28-72 & 1-4-73
Publication approved CR Date 1-10-73
Priority reduced to 1/23/73 Reason Amended
Protests filed by: Rodney L. Fisher
Copies of protests forwarded by CR
Hearing held by BDF Date April 12, 1973
Recommended for approval denial by _____

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. 95-7231, 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 September 1, 19 78.

c. Other: Pursuant to Memorandum Decision & Order dated September 27, 1973.

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

Witness my hand this 2nd day of October, 19 73.

Director

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS

RECEIVED
WEEKLY

STATE OF IDAHO,

County of Kootenai,

ss.

Callie Pintner

being first duly sworn,

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 Wednesdays; and that the

Notice of Application

of which a printed copy is annexed hereto, was published in all the regular Wednesday

weekly issues of said newspaper for *two* consecutive weeks, commencing

on the *1* day of *February*, 19*73*, and ending on the

8 day of *February*, 19*73*

Callie Pintner

Subscribed and sworn to, before me, this *8* day of *February*

19*73*

Patrick King

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

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that Application for Permit No. 95-7231 in the name of Ranch Valley Water Association was filed for the diversion of 1.0 c.f.s. of water from a ground water source, with the point of diversion within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T. 52N, R. 4W, B.M., Kootenai County, to be used from Jan. 1 to Dec. 31 for domestic purposes for 25 families within the NE $\frac{1}{4}$, Sec. 33, T. 52N, R. 4W, B.M.

The applicant now proposes to amend Application No. 95-7231, requesting 1.0 cfs of water from a ground water source, to be diverted within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T. 52N, R. 4W, B.M., Kootenai County, to be used from Jan. 1 to Dec. 31 for domestic purposes for 25 families within the NE $\frac{1}{4}$, Sec. 33, T. 52N, R. 4W, B.M.

Any protest to the proposed amending of the above application may be filed with the Idaho Department of Water Administration, 401 Front Avenue, Room 209, Coeur d'Alene, Idaho 83814, within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
Director

Feb. 1, 8, 1973

95 7231

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS

WEEKLY
RECEIVED
JAN 10 1973

11-16

STATE OF IDAHO,

County of Kootenai,

ss.

Callie Poirtner

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 Wednesdays; and that the

Notice of Application

for Water Permit #95-7231

of which a printed copy is annexed hereto, was published in all the regular Wednesday

weekly issues of said newspaper for *two* consecutive weeks, commencing

on the *28* day of *December*, 19 *72*, and ending on the

4 day of *January*, 19 *73*

Callie Poirtner

Subscribed and sworn to, before me, this *4* day of *January*,

19 *73*

C. Patrick King

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

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Ranch Valley Water Association, Route No. 1, Box 78T-3, Rathdrum, Idaho has on December 18, 1972 submitted Application No. 95-7231 for a permit to appropriate 1.0 cubic feet per second of water from a ground water source by means of well, pump, motor, and pipeline within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T. 52N, R. 4W, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for domestic purposes for 25 families within the NE $\frac{1}{4}$, Sec. 33, T. 52N, 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 January 15, 1973.

R. KEITH HIGGINSON
Director

Dec. 28, 1972, Jan. 4, 1973

95 7231

MMY 20, 1982

RE: Permit No. 95-7231

Ranch Valley Water Association
c/o Rane Fisher
Route #2, Box 417-A
Rathdrum, ID 83858

Dear Ms. Fisher:

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

Sincerely,

Jeni Johnson

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

SECRET



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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

April 16, 1982

RE: Permit No. 95-7231

Ranch Valley Water Association
Route #3, Box 417-A, c/o Renee Fisher
Rathdrum, ID 83858

Dear Ms. Fisher:

A representative of this Department has made an examination of the works covered by your Permit No. 95-7231, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.08 cfs Source: groundwater

The maximum quantity diverted shall not exceed 15.6 acre feet per year.

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

Beneficial use: Domestic use for 13 units within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 52N, Rge. 4W

Priority date established: January 23, 1973

Conditions (if any): This right when combined with Right Nos 95-7235 shall not exceed 0.08 cfs.

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

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

DEC 22 1980

Domestic Water Resources

95-7231

Permit No. _____

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	<u>12-16-80</u>	<u>JK</u>	<u>687-0712 Renee Fiedler Sec.</u>
☐ Telephone call made: (List Telephone No. used)	<u></u>	<u></u>	<u>687-0736 Don Von Grundy - Pres</u>
☐ Appointment scheduled for: (Date, time, location)	<u></u>	<u></u>	<u></u>

EXAMINATION

Date 12-16-80 Accompanied by — Total Q measured —

If source is surface water, estimate total flow of source _____

Methods of measurement *Calc/est. tr* Meets Permit requirements? *No. See Remarks*

Measurement calculations: *capacities*

$\frac{8.8(3.5)(.80)}{276 + 20(2.33)} = 74.64$

$\frac{0.07(1.98)(365)}{13(1.2)} = 50.89 \text{ AF}$

$\frac{0.076 \text{ cfs}}{13(1.2)} = 15.6 \text{ AF}$

$\frac{8.8(3.5)(.80)}{276 + 45(2.33)} = 0.665 \text{ cfs}$

Pump @ 340' No bag wall shown shows she

13 homes + 95-7235

[illegible]

System Description 360' x 6" well, pump & 4" main to laterals then to homes

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

RECOMMENDED AMOUNTS

[illegible]

Remarks No well log - Well log for well on Lot 22 Approx 700' away has static water level @ 276 & produces (test) 40 gpm - Pressure tank @ 20-45 psi

hot may leave system & use independent well

not covered on 95-7235

Calculations show that system not capable of producing 1.0 cfs. Recommend Measurement device requirement be stricken
License 95-7235 same well different domestic unit removed
No Overlap Recommend R17 RC 4-14-82

MAP (Attach Aerial Photo)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

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

October 28, 1980

Ranch Valley Water Assn.
c/o Renee Fisher
Rt. 3 Box 417 A
Rathdrum, Idaho 83858

RE. SG-7231

Gentlemen,

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.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/pms

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. 95-7231.

Name(s) of Permit Holder: Ranch Valley Water Association

Post Office Address: Rt 3 Box 417-A 2 miles N. of

Goldburn Rd 83858 Tel. No. 687-0712

Source of Water: Well

Extent of Use:

☒ Domestic

☐ Stockwater

☐ Irrigation

☐ Other

(number of households)
(number and type of stock)

(GPP) 26 1980

Measuring Device: Required? ☐ Yes ☒ No
Access Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

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

Date

9-24-80

Signature of Permit Holder

Renee J. Hershberger
Ranch Valley Water Assn.

IDAHO DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720



RECEIVED

OCT 8 1980

Department of Water Resources

Branch Valley Water Assoc
% Renee Fisher
Rt 3 Box 417-A
Bathlam, Id 83858

PLACE
TEN CENT
STAMP
HERE

DEPARTMENT OF WATER RESOURCES

STATION

BOISE, IDAHO 83720

[Faint, mostly illegible text from a stamp or document fragment]

*AS
pt
Grass*

RECEIVED

SEP 22 1980

Department of Water Resources

file

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

R. L. H.

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

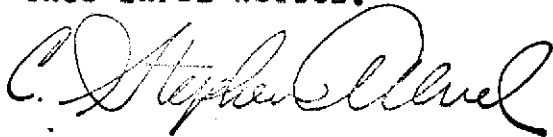
RANCH VALLEY WATER ASSN.
RT. 1 BOX 415
RATHDRUM, ID 83858

SEPTEMBER 03, 1980

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 95-7231 HAS LAPSED SINCE YOU HAVE NOT NOTIFIED US THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT. YOU WERE PROVIDED FORMS FOR THAT PURPOSE IN OUR NOTICE TO YOU DATED JUNE 30, 1980.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD, ENCLOSED, OR SHOW OTHER REASONABLE CAUSE WHY THE PERMIT SHOULD BE REINSTATED WITHIN 60 DAYS FROM THE DATE OF THIS LAPSE NOTICE.



C. STEPHEN ALLRED
DIRECTOR

ENCLOSURE

APPROVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

RANCH VALLEY WATER ASSN.
RT. 1 BOX 415
RATHDRUM, ID 83858

SEPTEMBER 03, 1980

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 95-7231 HAS LAPSED SINCE YOU HAVE NOT NOTIFIED US THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT. YOU WERE PROVIDED FORMS FOR THAT PURPOSE IN OUR NOTICE TO YOU DATED JUNE 30, 1980.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD, ENCLOSED, OR SHOW OTHER REASONABLE CAUSE WHY THE PERMIT SHOULD BE REINSTATED WITHIN 60 DAYS FROM THE DATE OF THIS LAPSE NOTICE.

C. STEPHEN ALLRED
DIRECTOR

ENCLOSURE

MICROFILMED

CERTIFICATION OF MAILING

I hereby certify that on Sept 17, 1980
a copy of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Peter Clark

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

RANCH VALLEY WATER ASSN.
~~RT. 1 BOX 7873~~ Rt 3, Box 115
RATHDRUM, ID 83858

108351

JUNE 30, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 95-7231 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE SEPTEMBER 01, 1980. (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

MICROFILMED

file

INTER-DEPARTMENT MEMO — 1

FROM

Northern

DATE

1/13/80

TO

SUBJECT

95-7231

address change to

Rt 3 Box 415

Rathdrum, ND 58858

MICROFILMED

SIGNATURE

September 8, 1978

Re: Permit No. 95-7231

Theresa LaMontagne
Ranch Valley Water Assn.
Route 3, Box 415
Rathdrum, ID 83858

Dear Ms. LaMontagne:

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 September 1, 1980.

Sincerely,

Jan Grover
Water Rights Supervisor



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

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

C. STEPHEN ALLRED
Director

CERTIFIED MAIL

June 30, 1978

138872

Re: Permit No. 95-7231

Ranch Valley Water Association
Route 1, Box 78T-3
Rathdrum, ID 83858

Gentlemen:

One of the conditions of approval of your water Permit No. 95-7231 (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 September 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.


RITA FLECK
Water Rights

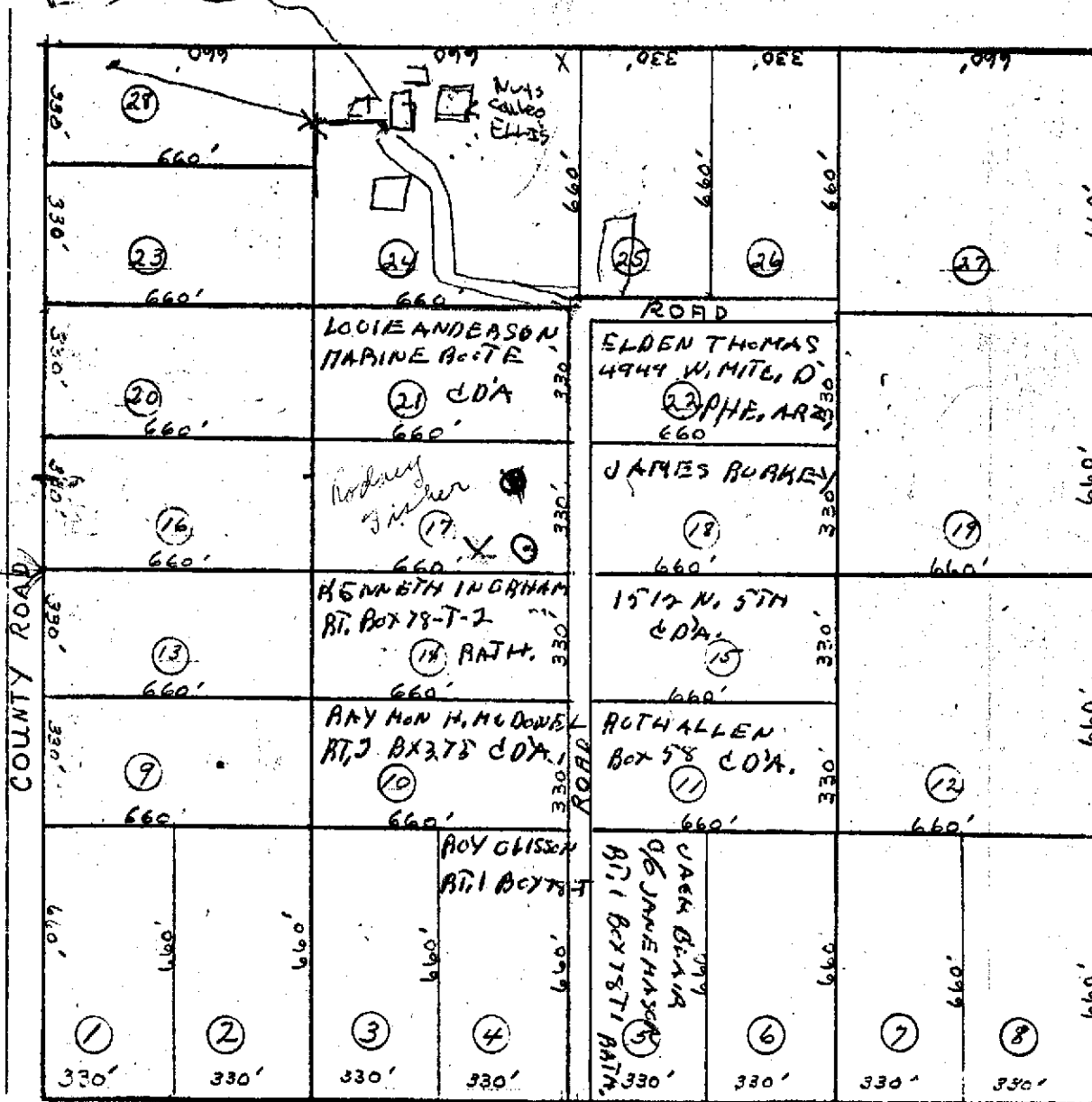
Encl: Proof affidavit

RECORDED

HUGHES Construction Company

773-4231 Post Falls, Idaho 83854

FIVE & TEN ACRE RANCHETTES



HIGHWAY 51 TO RATHDRUM

INTER-DEPARTMENT MEMO — 1

FROM Fred

TO BOB FLEENOR

SUBJECT Application Nos. 95-7231 and 95-7235

April 16, 1973

RECEIVED

APR 17 1973

Department of Water Administration

James Seidler, one of the Directors of Ranch Valley Water Association, was in our office today. He brought in a copy of the Articles of Corporation for Ranch Valley. He also stated that on April 15, 1973, they had a meeting with the water users, and 15 out of the 17 now elects to become members of Ranch Valley. He also stated that the well will be turned over to Ranch Valley.

I told him to submit a document whereas Ranch Valley is now the owner of the well, and we could make our Decision as to who we will issue the permit to. As soon as I receive the above mentioned deed, I will send it to you.

95 7231


SIGNATURE

October 8, 1973

Re: Permit No. 95-7231

Ranch Valley Water Association
Route 1, Box 78T-3
Rathdrum, Idaho 83858

Gentlemen:

Enclosed please find a copy of your approved Application for Permit No. 95-7231 along with a copy of the Memorandum Decision & Order.

We direct your attention to the conditions of approval as set forth in the Order. 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 the permit. We have enclosed a letter describing different types of measuring devices accepted by this Department.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosures

cc: Mr. Rodney L. Fisher
Enc: Copy of Memorandum
Decision & Order

bc: Northern District Office

95 7231

ARTICLES OF INCORPORATION

OF

RANCH VALLEY WATER ASSOCIATION, INC.

The signatories to these Articles hereby associate as a non-profit cooperative association under the laws of the State of Idaho, and particularly Sections 30-1001 to 30-1006, Idaho Code, and amendments thereto and correlated provisions of the laws of the State of Idaho.

ARTICLE I.

The name of this association shall be:

RANCH VALLEY WATER ASSOCIATION, INC.

ARTICLE II.

The objects and purposes of which this association is formed are:

- A. To construct, maintain and operate a domestic water system for supplying water for domestic, livestock and gardening purposes to its members, and to engage in any activity related thereto, including, but not limited to the acquisition of water by appropriation, drilling, pumping and/or purchase, and the purchase, laying, installation, operating, maintenance and repair of wells, pumping equipment, water mains, pipe lines, valves, meters and all other equipment necessary to the construction, maintenance and operation of a water system.
- B. To borrow from any source, money, goods or services without limitation as to amount of corporate indebtedness or liability; and to pledge or mortgage any of its property as security therefor in any manner permitted by law.
- C. To buy, lease, hold and exercise all privileges of ownership in and to the real or personal property as may be necessary or convenient for the conduct and operation of the business of the association, or incidental thereto.
- D. To acquire and to hold, own and exercise all rights of ownership in, and to sell, transfer or pledge shares of capital stock or bonds or become a member or a stock holder of any corporation or association engaged in any related

- E. To establish reserves and to invest the funds thereof in stocks, bonds and other property as the Board of Directors may deem satisfactory.
- F. To levy assessments in such manner and in such amount as may be provided in the By-Laws of this association and to provide for the manner of collection of assessments for water furnished its members and the enforcement thereof.
- G. To have and to exercise all powers, privileges and rights conferred on corporations by laws of the State of Idaho, and all powers and rights incidental in carrying out the purposes for which this association is formed, except such as are inconsistent with the express provisions of the act under which this association is incorporated.
- H. The foregoing shall be construed both as objects and powers and the enumeration thereof shall not be held to limit or restrict in any manner the general powers conferred on this association by the laws of the State of Idaho, all of which are hereby expressly claimed.

ARTICLE III.

The place where the principal business of the association is to be transacted is at Rathdrum, Kootenai County, State of Idaho, but the association may maintain offices and places of business at such other places within the State of Idaho as the Board of Directors may determine.

ARTICLE IV.

The duration of this corporation shall be perpetual.

ARTICLE V.

The private property of the members shall not be subject to payment of association debts to any extent whatever.

ARTICLE VI.

Section 1. This association shall not have capital stock, and its capital shall be represented by membership certificates which shall be issued and subject to ownership in accordance with the By-Laws of this Association. The rights and interests of all members shall be equal and no member can have or acquire a greater interest therein than any other member.

Section 2. This association shall, by its By-Laws, provide the terms and conditions of membership.

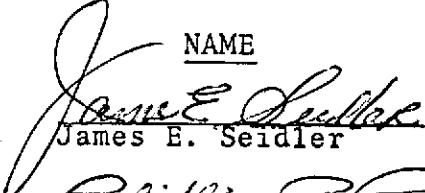
Section 3. Membership fees shall be fixed and regulated by the By-Laws. Each member, whose fees are fully paid and who is not in arrears regarding payments for water services, shall be entitled to one vote at any meeting of the members of the association. Each member shall have one vote only regardless of the number of membership certificates he may hold. Assessments against members, and a determination of their liability, shall be fixed by the By-Laws, of this association, which shall provide for the manner of collection and its enforcement and also for the lapse of membership and forfeiture of the right to the use of water for the non-payment of water service or a non-user.

Section 4. This association is organized as a non-profit association for the mutual benefit of its members and will not have profits. All fees received for admission of members shall be placed in the surplus fund to be used only for the payment of indebtedness, repairs, building and maintenance. After all expenses of the association are paid each year, and a reasonable reserve, as determined by the Board of Directors, set aside, any income of the association in excess thereof shall be used to reduce the charges for the next years operations.

ARTICLE VII.

The number, qualifications, terms of office, manner of election, time and place, manner of calling of meetings, and the powers and duties of the Board of Directors shall be prescribed by the By-Laws.

WITNESS the hands and seals of the incorporators, whose names and addresses are stated below, each subscribing to a membership certificate.

<u>NAME</u>	<u>ADDRESS</u>
 James E. Seidler	Route 1, Box 78-T-3 Rathdrum, Idaho
 Phillip V. Powell	Route 1, Box 78-V Rathdrum, Idaho
 Kenneth Ingerham	Route 1, Box 78-T-2 Rathdrum, Idaho
 Ray Foreman	General Delivery Rathdrum, Idaho
 John Marmon	Route #1 Rathdrum, Idaho

STATE OF Delaware)
County of Kent) ss

On this 8th day of September, 1973, before me the undersigned Notary Public, personally appeared JAMES E. SEIDLER, PHILLIP P. POWELL, KENNETH INGERHAM, RAY FOREMAN and JOHN MARMON, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

W. J. A. Everett
Notary Public for Delaware
Residing at Chesapeake, Del.
My Commission expires: 8/16/75

MEMORANDUM

TO: Files

FROM: BOB FLEENOR

DATE: April 13, 1973

SUBJECT: Protested Application No. 95-7231 and No. 95-7235

A conference was held in Coeur d'Alene on April 12, 1973, to consider the protests against Application No. 95-7231 filed by Ranch Valley Water Association and Application No. 95-7235 filed by Rodney L. Fisher. Each application was protested by the other applicant.

The common goal of both applicants appears to be to form an association to control the water system. At the present time, Ranch Valley Water Association is the only formal organization formed. They claim that they are a non-profit corporation.

Mr. Fisher owns the five-acre parcel of land where the well is situated; however, the well has a 100-foot radius easement and there are also easements to the "water district," whatever that is, for the pipeline. Ranch Valley Water Association filed the first application, but later amended it to this well after Mr. Fisher filed his application.

After hearing both applicants, it appears that the greatest problem is a personality conflict, so it was suggested that both parties go together to the attorney that formed Ranch Valley and find if it can be expanded to include all of the users on the system. In the meantime, we should ask about financial ability to complete the project.

If we do not hear of an agreement within 30 days, we should proceed to issue a decision on the applications.

S/ BOB FLEENOR

95 7231

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>Z.E.</u>	<u>12/14/72</u>	AMENDED Application No. <u>95-7231</u> Name <u>Ranch Valley Water Assoc.</u>
(2)	<u>Z.E.</u>	<u>12/14/72</u>	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)	<u>Z.E.</u>	<u>12/14/72</u>	Send copies to: ☒ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)			☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	<u>Z.E.</u>	<u>12/18/72</u>	In form for advertising <u>OK</u>
(6)	<u>CR</u>	<u>2-22-73</u>	Affidavit of Publication received <u>2-22-73</u>
(7)	<u>CR</u>	<u>1-10-73</u>	Final date for protests <u>FEBRUARY 19, 1973</u>
AMENDED:	<u>CR</u>	<u>1-26-73</u>	Protests received: yes ☒ no ☒
(8)	<u>CR</u>	<u>3-13-73</u>	Date and Place of hearing <u>APRIL 12, 1973 - Kootenai County Courthouse</u> Decision reached at hearing _____
(9)			Located within Water District No. _____
(10)	<u>Z.E.</u>	<u>1/22/73</u>	Critical groundwater area: yes _____ no ☒
(11)	<u>Z.E.</u>	<u>1/22/73</u>	Groundwater levels: ☐ Decline (comment) _____ ☒ Stable (comment) _____ ☐ Increasing (comment) _____
(12)			Comments: <u>ON 1/23/73 this application was</u> <u>amended to the right point of diversion. As a</u> <u>result of the amendment, protests were filed.</u> <u>A hearing was held on 4/13/73. Bob Flannery has not decided.</u>
(13)	<u>Z.E.</u>	<u>1/22/73</u>	Action recommended: <u>a proposed decision as at yet. Z.E. 4/16/73</u> ☒ Approve Priority <u>12/18/72</u> ☐ Deny Reason for Reduction _____
	<u>Z.E.</u>	<u>1/22/73</u>	See attached sheet for conditions of approval No conditions for approval
(14)	<u>Z.E.</u>	<u>1/22/73</u>	District <u>North</u> By <u>[Signature]</u> Date <u>1/22/73</u> Title <u>[Signature]</u>

95 7231

Apr 17
Department of Water

RECEIVED

95-7231 - Ranch Valley Water Association
And 95-7235 Rodney L. Fisher
Community Room, Kootenai County Courthouse
Coeur d'Alene, Idaho

April 12, 1973 - 9:00 a.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
Phillip P. Sowell	Box 78 v Rathdrum, Ida.	Ranch Valley
Jim Suddler	Box 78 T-3 Rathdrum, Ida.	Water Ass. Ranch Valley
Rodney L. Fisher	Rt 1 Box 78-T-4 Rathdrum Idaho	water ass. Rodney Fisher
Harold Ell	Box 78 Z 1	RATHDRUM IDAHO

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)



Show to whom, date and address
where delivered



Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

520311

①

②

Philip P. Powell

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

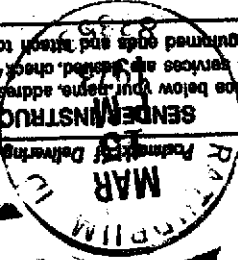
③

3-15-73

95 7234

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

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



Postmaster's Delivery Office

Print in the space below your name, address, including zip code.
• If special services are desired, check (check(s) on other side.
• Moiston gummed ends and attach to back of article.

DEPARTMENT OF WATER ADMINISTRATION
401 FRONT AVE., ROOM 209
COEUR D'ALENE, ID 83814



SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show to whom, date and address
where delivered

☐ Deliver **ONLY**
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

520312

1

Rodney L Fisher

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

3

95-7231

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



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

SENDER INSTRUCTIONS

- Print in the space below your name, address, including ZIP Code.
- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

DEPARTMENT OF WATER ADMINISTRATION
401 FRONT AVE., ROOM 209
COEUR D'ALENE, ID 83814

**RETURN
TO**



56



DEPARTMENT OF WATER ADMINISTRATION

Indicate type of mail
☐ INSURED ☐ C. O. D.
☒ CERTIFIED

Affix stamp here if issued as
certificate of mailing or for
additional copies of this bill.

POSTMARK AND DATE OF RECEIPT March 14, 1973

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER (IF C. O. D.)	ENDORSE- MENT ¹	R. R. FEE	S. D. FEE	S. H. FEE	RESTRICTED DELIVERY FEE REMARKS
1 520304	S. Matt Parker, 2620 N. 4th, Coeur d'Alene, ID 83814	.08	.30			.15			96-7124
2 520305	Robert H. Rickel, Rt. #1, Box 104-A, Athol, ID 83801	"	"			"			"
3 520306	Rodney L. Fisher, Rt. #1, Box 78t4, Rathdrum, ID 83858	"	"			"			95-7235
4 520307	Phillip P. Powell, RANCH VALLEY WATER ASSOCIATION, ROUTE #1, Box 78T-3, Rathdrum, ID 83858	"	"			"			95-7235
5 -----	Southside Water & Sewer Dist., c/o Lyons & Hofmeister, Attorneys at Law, 104 Superior, Sandpoint, ID 83864	"	"			"			96-7113
6 520308	Frank & Phoebe Hubbard, Route #1, Sagle, ID 83860	"	"			"			"
7 -----	James E. Hunt, Attorney, 320 N. 2nd Ave., Sandpoint, ID	"	"			"			"
8 520309	Phillip P. Powell, RANCH VALLEY WATER ASSOCIATION, Route #1, Box 78T-3, Rathdrum, ID 83858	"	"			"			95-7231
9 520310	Rodney L. Fisher, Route #1, Box 78T4, Rathdrum, ID	"	"			"			"
10 520311									
11 -----									
12 520312									
13									
14									
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20									
TOTAL NUMBER OF PIECES LISTED BY SENDER	9(NINE)	TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE	POSTMASTER, PER (Name of receiving employee)						

¹ Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "BH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid-This Side Up."
² Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.

C46-116-72548-2

U. S. GOVERNMENT PRINTING OFFICE

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

In the Matter of Protest Against Approval)
of Application for Permit No. 95-7231 in)
the name of RANCH VALLEY WATER ASSOCIATION)

NOTICE OF CONFERENCE
AND/OR HEARING

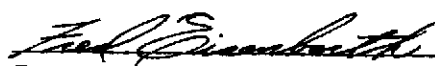
On December 18, 1972, Ranch Valley Water Association filed with the Department of Water Administration an application to appropriate the public waters of the State of Idaho. On February 12, 1973, the Department received a protest against approval of said application from Rodney L. Fisher.

The Department has set the matter of protest for conference and/or hearing for Thursday, April 12, 1973, at 9:00 a.m., in the Community Room of the Kootenai County Courthouse, Coeur d'Alene, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Administration. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestant may allow the Department without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 13th day of March, 1973.


Fred Eisenbarth
Northern District Supervisor

95 7231

March 13, 1973

Harold E. Peterson, Clerk
Kootenai County Courthouse
Coeur d'Alene, ID 83814

Dear Mr. Peterson:

This is to confirm the use of the Community Room for conference and/or hearing to be held by this office on April 12, 1973.

Thank you for your cooperation in this matter.

Very truly yours,

Fred Eisenbarth
Water Resource Supervisor
Northern District

FE:CR

95 7234

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

February 20, 1973

Re: Application for Permit No. 95-7240 - Hopeful Valley Water District
" " " " 95-7231 - Ranch Valley Water Association
" " " " 96-7124 - S. Matt Parker

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

Gentlemen:

Could you please submit the affidavits of publication and certified bills in connection with the above referenced items. The legal notices were to have been published in your newspaper on February 1 and February 8, 1973.

Your assistance in this matter is appreciated.

Very truly yours,

Fred Eisenbarth
Water Resource Supervisor
Northern District

FE:CR

95 7231

February 13, 1973

Re: Application for Permit No. 95-7231

Ranch Valley Water Association
Route #1, Box 78T-3
Rathdrum, ID 83858

Gentlemen:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application No. 95-7231. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

95 7231

Page 2

Re: 95-7231

Ranch Valley Water Association

February 13, 1973

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal council is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

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

Very truly yours,

Fred Eisenbarth
Water Resource Supervisor
Northern District

FE:CR

Enc: Copy of Protest

bcc: State Office

95-7231

February 13, 1973

Re: Application for Permit No. 95-7231 - Ranch Valley Water Association

Rodney L. Fisher
Route #1, Box 78T4
Rathdrum, ID 83858

Dear Mr. Fisher:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

95 7231

Page 2

Re: 95-7231

Rodney L. Fisher

February 13, 1973

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

Fred Eisenbarth
Water Resource Supervisor
Northern District

FE:CR

bcc: State Office

95-7231

February 12, 1973

I, RODNEY L. FISHER, holder of Application No. 95-7235, hereby protest Application No. 95-7231 in the name of Ranch Valley Water Association, for the following reasons:

1. The application was not made in good faith and was made for speculative purposes.
2. The well under Application No. 95-7231 is located on my property.

Rodney L. Fisher
RODNEY L. FISHER
Route #1, Box 78T4
Rathdrum, Idaho

95 7231

January 26, 1973

Re: Amended Application No. 95-7231 - Ranch Valley Water Association
Application No. 95-7240 - Hopeful Valley Water District
" " 96-7124 - S. Matt Parker

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

Gentlemen:

Enclosed you will find 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 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 Supervisor
Northern District

Bill submitted 2-22-73 by cl

95 7231

FE:CR

Enc: Legal Notices (3)

NOTICE OF AMENDED
APPLICATION FOR WATER PERMIT

Notice is hereby given that Application for Permit No. 95-7231 in the name of Ranch Valley Water Association was filed for the diversion of 1.0 c.f.s. of water from a ground water source, with the point of diversion within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T. 52N, R. 4W, B.M., Kootenai County, to be used from Jan. 1 to Dec. 31 for domestic purposes for 25 families within the NE $\frac{1}{4}$, Sec. 33, T. 52N, R. 4W, B.M.

The applicant now proposes to amend Application No. 95-7231, requesting 1.0 cfs of water from a ground water source, to be diverted within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, T. 52N, R. 4W, B.M., Kootenai County, to be used from Jan. 1 to Dec. 31 for domestic purposes for 25 families within the NE $\frac{1}{4}$, Sec. 33, T. 52N, R. 4W, B.M.

Any protest to the proposed amending of the above application may be filed with the Idaho Department of Water Administration, 401 Front Avenue, Room 209, Coeur d'Alene, Idaho 83814, within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
Director

Published in the Coeur d'Alene Press, Coeur d'Alene, ID on Feb. 1 and Feb. 8, 1973.

95 7231

95 7231

PANHANDLE DISTRICT HEALTH DEPT.

P. O. BOX 608 - 412 LAKESIDE AVENUE • COEUR D'ALENE, IDAHO 83814

MESSAGE

REPLY

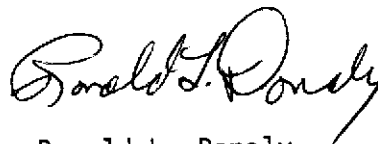
TO Fred Eisenbarth

Subject: Application for Permit No. 95-7231

Ranch Valley Water Association

DATE December 27, 1972

The Panhandle Health District has no
objection to this application at this
time.



Ronald L. Donaly
Environmentalist

DATE

95 7231

BY

SIGNED

FOR SENDER'S USE ONLY - DO NOT WRITE IN THESE SPACES

INSTRUCTIONS TO SENDER:

1. KEEP YELLOW COPY. 2. SEND WHITE AND PINK COPIES WITH CARBON INTACT.

INSTRUCTIONS TO RECEIVER:

1. WRITE REPLY. 2. DETACH STUB, KEEP PINK COPY, RETURN WHITE COPY TO SENDER.

December 22, 1972

Re: Application for Permit No. 95-7231 - Ranch Valley Water Association

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 six-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 Supervisor
Northern District

FE:CR

Enc: copy

95 7231

December 22, 1972

Re: Application No. 95-7231 - Ranch Valley Water Association
Claim No. 94-4010 - Delmer B. Kerns

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

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"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 Supervisor
Northern District

Bill submitted 1-15-73 by cl

FE:CR

95 7231

Enc: Legal Notices (2)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Ranch Valley Water Association,
Route #1, Box 78T-3, Rathdrum, Idaho

has on December 18, 1972 submitted Application No. 95-7231
for a permit to appropriate 1.0 cubic feet per second ~~some of the per second~~
of water from a ground water source
by means of well, pump, motor, and pipeline
within the NE 1/4, Sec. 33, T. 52N, R. 4W, B.M., Kootenai County

to be used from Jan. 1 to Dec. 31
for domestic purposes for 25 families

within the NE 1/4, Sec. 33, T. 52N, 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 January 15, 1973.

R. KEITH HIGGINSON

Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho
on December 28, 1972 and January 4, 1973

95 7231

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that
**Ranch Valley Water
Association, Route No. 1, Box
944-4, Grangeville, Idaho has on
December 18, 1972 submitted
Application No. 95-7231 for a
permit to appropriate 1.0 cubic
feet per second of water from a
ground water source by means
of well, pump, motor, and
pipeline within the NE $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 33, T. 52N, R. 4W, B.M.,
Kootenai County to be used
from Jan. 1 to Dec. 31 for
domestic purposes for 25
families within the NE $\frac{1}{4}$, Sec.
33, T. 52N, 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 January
15, 1973.

R. KEITH HIGGINSON

Director

Dec. 28, 1972, Jan. 4, 1973

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7231

7

OK

1-11-73

ck