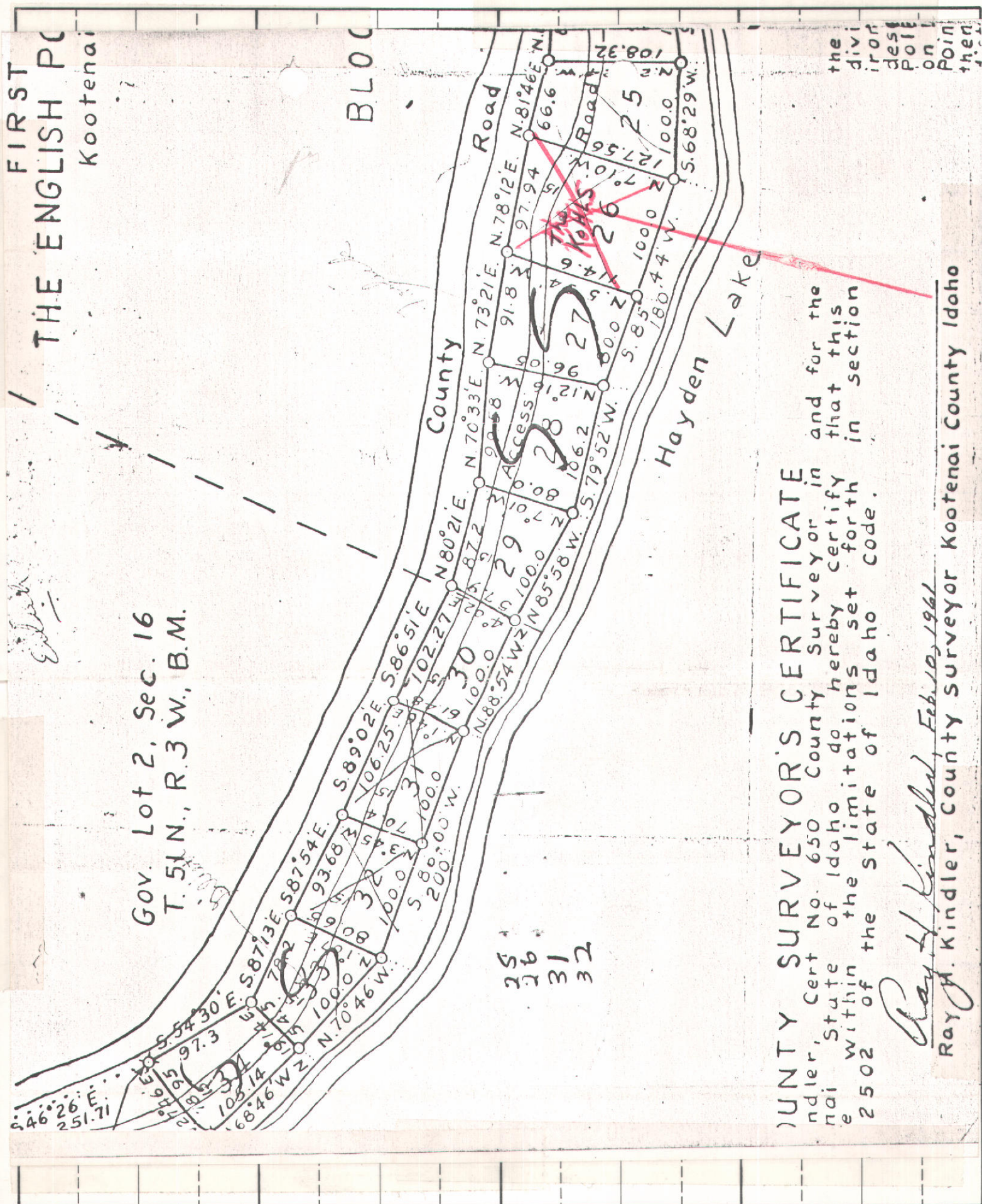


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Richard Kohls
(Applicant)
Ray J. Kindler

95-7162

North, Range N° 3 West of the Boise



RECEIVED
WASHINGTON
MAY 17 1984

TOWNSHIP 51 N., RANGE 3 W.
KOOTENAI COUNTY, IDAHO

95-7162

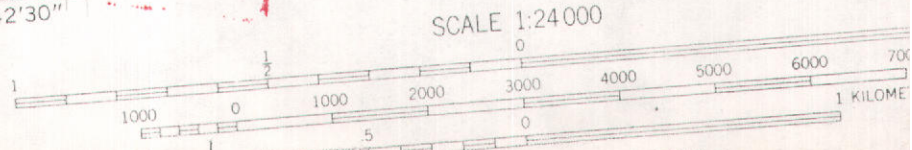
Department of Water Resources





MICROFILMED
MAR 17 1988

Published by the Geological Survey



STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

December 14, 1971

Re: Application No. 95-7161 - Donald C. Gullledge
" " 95-7162 - Richard L. and Marian J. Kohls
" " 95-7163 - Clinton E. Mitschke

Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene, Idaho

Gentlemen:

Would you please submit affidavits of publication and certified bills in connection with the above referenced items. The legal notices were to have been published in your paper on November 18th and November 25th, 1971.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BB

95-7162

November 10, 1971

Re: Application No. 95-7161 - Donald C. Gullledge
" " 95-7162 - Richard L. & Marian J. Kohls
" " 95-7163 - Clinton E. Mitschke

Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene, Idaho 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 our 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 date. 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,

Donald W. McEldowney
Appropriation Supervisor

DWM:cr

Enc: Legal Notice

Bill submitted 12-22-71 By CR

95-7162

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-7162

Priority: January 25, 1972 Amount: .03 CFS 1.2 AFA

This is to certify, that RICHARD L. KOHLS
MARIAN J. KOHLS

31434 W. NINE DR.

LAGUNA NIGUEL, CA 92677

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated October 28, 1971, and has submitted proof to the Department of Water Resources on February 22, 1983, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .03 cfs of water from;

HAYDEN LAKE

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Domestic	01/01 to 12/31	.03 cfs	1.2 afa

LOCATION OF POINT OF DIVERSION(S): LOT 3(SENW), Sec. 16, Township 51N, Range 3W
Kootenai County

PLACE OF USE: Domestic

TWN RGE SEC

51N 3W 16 LOT 3(SENW)

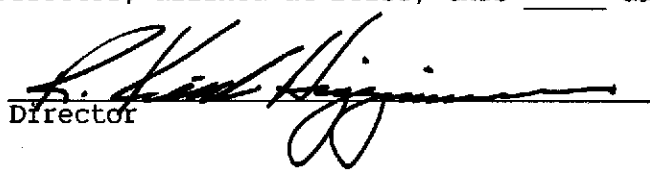
CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Place of use also known as Lot 26, 1st Addn., Block B, English Point Building Sites.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 18th day of November, 19 87.

MICROFILMED

MAR 17 1988


Director

State of Idaho
Department of Water Resources

RECEIVED
OCT 23 1987

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 95-7162

Department of Water Resources

Date of Priority: January 25, 1972

Comes now RICHARD L. KOHLS
MARIAN J. KOHLS
31434 W. NINE DR.
LAGUNA NIGUEL, CA 92677

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 95-7162, and requests that the permit be changed as follows:

Source: HAYDEN LAKE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Domestic	01/01 to 12/31	.03 cfs	1.2 afa

LOCATION OF POINT OF DIVERSION(S): LOT 3(SENW), Sec. 16, Township 51N, Range 3W
Kootenai County

PLACE OF USE: Domestic

TWN RGE SEC

51N 3W 16 LOT 3(SENW)

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Laguna Niguel, CA this 20th day of October, 19 87.

MICROFILMED

MAR 17 1988

(Signature)

Richard L. Kohls
Marian J. Kohls

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 95-7162

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$20.00 Receipted by if Date 10-23-87 #45393

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 95-7162 with the following;

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Place of use also known as Lot 26, 1st Addn., Block B, English Point Building Sites.

Witness my hand this 18th day of November, 1987.

R. Keith Higginson
(Director)

RECORDED

MAR 17 1988

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 95-7162 IN THE)
NAME OF RICHARD L. AND MARIAN J. KOHLS) ORDER OF REINSTATEMENT
)

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before December 1, 1982; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders as to the steps to be taken to make said proof; and,

WHEREAS, the Department has notified the permit holders that the permit has lapsed for failure of the permit holders 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 of the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on February 28, 1983;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 95-7162 be REINSTATED and the priority advanced to January 25, 1972.

Dated this 2nd day of March, 1983.

L. Glen Saxton

L. GLEN SAXTON

Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF EXTENDING THE TIME OF
THE DATE PROOF OF BENEFICIAL USE OF WATER
IS DUE ON PERMIT NO. 95-7162 in the name
of RICHARD L. KOHLS AND MARIAN J. KOHLS

ORDER

WHEREAS, on October 28, 1971, Richard L. & Marian J. Kohls filed with the Department of Water Resources (formerly the Department of Water Administration) an application for permit to appropriate 0.03 cubic feet per second of water from Hayden Lake to be diverted within Lot 2, Sec. 16, Twp. 51N, Rge. 3W, B.M., Kootenai County, to be used for domestic purposes; and,

WHEREAS, on January 4, 1972, the Department approved said application and issued Permit No. 95-7162 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before January 1, 1977; and,

WHEREAS, the permit holders submitted a request for an extension of time of the beneficial use of water on November 26, 1976; and,

WHEREAS, it appears that under the circumstances, the permit holders have been proceeding with reasonable diligence and have given good cause for delay;

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water under Permit No. 95-7162 be extended to December 1, 1982.

Dated this 2 day of December, 1976.


for A. KENNETH DUNN
Administrator, Operations Division

Identification No. 95-7162

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 Richard L. Kohls and Marian J. Kohls - Husband and Wife
post office address 3404 Vendome Ave. Yakima, Wash. 98902 - 509-45-26176
2. Source of water supply Hayden Lake, Idaho which is a tributary of _____
Lot 26, of First Addition to Block B, The English Point Building Sites; according to Plat
3. a. Location of point of diversion 1/4 of Section 16, Township 51N, Range 3W, B.M.
Recorded in Book D of Plats at page 150, records of Kootenai County Idaho. Plat located
in or adjoining Government Lot 2, Section 16 Twn. 51N. Range 3, W.B.M.
b. If water is not consumed, it will be discharged into _____ at a point in _____
of _____ 1/4 of Section _____ Township _____ Range _____ B.M.
4. Water will be used for the following purposes: _____ each year
Amount Total 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. .03 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pipe into lake 1 1/2 hp. pump to bring water
out of lake into storage tank to provide water for Domestic 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 _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
up to is 5 yrs. years. (Dependent upon exact time residence is constructed for permanent
home. Exact time at this time unknown)
b. Estimated construction cost is \$ 500.
8. Description of proposed uses:
a. If water is **not** for irrigation: (1) Lot 26 of 1st addition to Block B, English point Building
(4) Give the place of use of water: 1/4 of 1/4 of Section _____ Township _____
Sites, according to Plat recorded in Book D of Plats at page 150 records Kootenai
Range _____ B.M. county Idaho Plat located in or adjoining Govt. Lot 2, Sec 16, Twn. 51N. Range 3W. B.M.
(2) Amount of power to be generated: 1 1/2 hp under _____ feet of head.
(3) List number of each kind of livestock to be watered none
(4) Name of municipality to be served none, or number of families to be
supplied with domestic water One
(5) If water is to be used for other purposes describe: Sprinkle plants and flowers at residence

95-7162

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

[illegible]

Total number of acres to be irrigated-

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

at use,

9. a. Who owns the property at the point of diversion
at use, Applicants (undersigned) - State of Idaho
Lake bottom, Hayden Lake

b. Who owns the land to be irrigated or place of use. Richard LKohls, Marian J. Kohls - Applicants

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 It is our intention to construct a permanent residence upon the property
where we will reside. The exact time for accomplishing this is at this time uncertain
in view of present employment.

in view of present employment.

95-7169

Gov. Lot 2, Sec. 16
T. 51 N., R. 3 W., B. M.

Gov. Lot 2, Sec. 16
T. 51 N., R. 3 W., B. M.

COUNTY SURVEYOR'S CERTIFICATE

I, _____, County Surveyor in and for the
State of Idaho, do hereby certify that this
within the limitations set forth in section
2502 of the State of Idaho Code.

and for the
that this
in section

Ray H. Kindler, Feb. 10, 1961
Ray H. Kindler, County Surveyor

Ray H. Kindler, County Surveyor Kootenai County Idaho

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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.

(Applicant)

95-7162

95-7162

Received by Date 10/28/71 Time 8:00 P
Preliminary check by Fee \$ 10.00
Receipted by Date 10-29-71
Publication prepared by CR Date 11-10-71
Published in Coeur d'Alene Press
Publication dates 11-18 & 11-25-71
Publication approved CR Date 12-22-71
Priority ~~recommended~~ 10-28-71 Reason
Protests filed by:

Copies of protests forwarded by
Hearing held by Date
Recommended for approval denial by

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 95-7162, 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 January 1, 19 77.

c. Other:

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

Witness my hand this 4 day of January, 19 72.

Director

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS

(WEEKLY)

STATE OF IDAHO, }

ss.

County of Kootenai, }

Callie Portner, 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 *18* day of *November*, 19*71*, and ending on the

25 day of *November*, 19*71*

Callie Portner

Subscribed and sworn to, before me, this *25* day of *November*

19 *71*

Charles 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 Richard L. and Marian J. Kohls, 3404 Vendome Avenue, Yakima, Washington have on October 28, 1971 submitted Application No. 95-7162 for a permit to appropriate 0.03 cubic feet per second of water from Hayden Lake by means of pipe and pump within Lot 26 of 1st addition to Block B of the English Point Building Sites, within Government Lot 2, Sec. 16, T. 51N, R. 3W, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for domestic purposes within Lot 26 of 1st addition to Block B of the English Point Building Sites, within Government Lot 2, Sec. 16, T. 51N, R. 3W, 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, Statehouse, Boise, Idaho, 83707, on or before December 6, 1971.

R. KEITH HIGGINSON
Director

Nov. 18, 25, 1971

95-7162

November 22, 1987

RICHARD L. & MARIAN J. KOHLS
31434 W. NINE DR.
LAGUNA NIGUEL, CA 92677

RE: Permit No. 95-7162

Dear Permit Holder(s):

Enclosed herewith is a copy of your Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED
MAR 17 1988

October 15, 1987

RICHARD L. & MARIAN J. KOHLS
31434 W. NINE DR.
LAGUNA NIGUEL, CA 92677

RE: Permit No. 95-7162

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

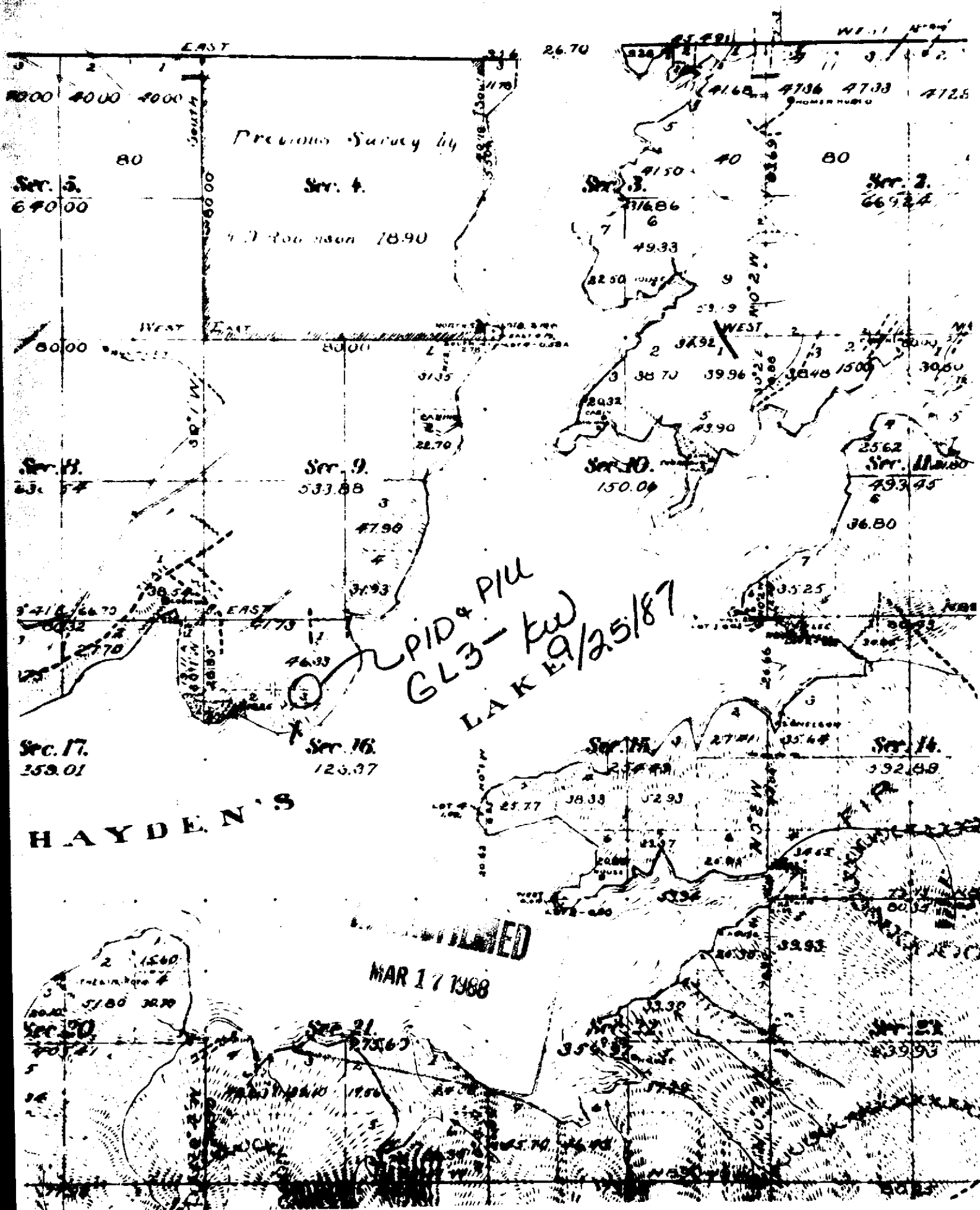
JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED
MAR 17 1988

c *E* *d* *D* *c* *C* *b*



State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 95-7162

Date of Priority: January 25, 1972

Comes now RICHARD L. KOHLS
MARIAN J. KOHLS
31434 W. NINE DR.
LAGUNA NIGUEL, CA 92677

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 95-7162, and requests that the permit be changed as follows:

Source: HAYDEN LAKE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Domestic	01/01 to 12/31	.03 cfs	1.2 afa

LOCATION OF POINT OF DIVERSION(S): LOT 3(SENW), Sec. 16, Township 51N, Range 3W
Kootenai County

PLACE OF USE: Domestic

TWN RGE SEC

51N 3W 16 LOT 2(SENW)

he was also concerned about returning amendment by tomorrow - he has been on vacation since Aug. 23...

9-24-87
talked to Mr. Kohls - he is concerned about this legal disception - told him to ignore - first letter and we would review this again and send him a new letter requesting the amendment
KID

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at _____, this _____ day of _____, 19____.

MAR 17 1988

(Signature)

Mr. Kohls
phone number is: 714-493-5332

August 25, 1987

RICHARD L. & MARIAN J. KOHLS
31434 W. NINE DR.
LAGUNA NIGUEL, CA 92677

RE: Permit No. 95-7162

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED

MAR 17 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

30 DAY

95-7162
Permit No.

1. **Measurement Calculations**

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

Exam, est. cap. as 0.03

- b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

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

- c) Volume Calculations for Other Uses:

(1) Home = 1.2 AF.

2. **Overlap Review**

- a) Other water rights with same place of use: _____

- b) Other water rights with same point of diversion: _____

- c) Analysis:

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MAR 17 1988

RECOMMENDED AMOUNTS

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
------------	----------	--------	-----------	----------------------	-----------------

3. Permit Holder: Richard L. Kohls and Marian J. Kohls
Address: 31434 West Nine Drive - Laguna Niguel, CA, 92677

5. Source: tributary to _____
6. Beneficial Use: Domestic
Period of Use: From 1-1 To 12-31
Rate of Diversion: 0.03 Q (cfs)
Annual Volume: 1.2 V (afa)

7. Point(s) of Diversion:
Allowable Maximums: 0.03 1.2

No.	Govt. Lot	%	%	%	Sec.	Twp.	Rge.	County
	62 3		SE	NW	16	51 N	3 W	Koofena

Place(s) of Use											
8. Place(s) of Use											
Total Acres											

9. Recommended Conditions/Remarks:

10. Recommended Amendments
☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other
11. Examiner's Signature: _____ Date: _____

Checked in Regional Office by: _____ Date: _____
Approved in State Office by: *Ben Houston* Date: 10 Aug-87

RECEIVED
MAR 17 1988

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

95-7162

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	5-16-83	JK	
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 4/24/84 Accompanied by u Total Q measured _____
If source is surface water, estimate total flow of source _____
Methods of measurement Est Meets Permit requirements? _____

Measurement calculations:

One home no lawn or garden @ this time

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

System Description Submersible pump & pipe line to home

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

RECOMMENDED AMOUNTS

USE	Irrigation requirement =		AFA/Acre	
	Q (cfs)	V (afa)	FROM	TO
<u>Domestic</u>	<u>0.03</u>	<u>0.2</u>	<u>1-1</u>	<u>12-31</u>
Total	<u>0.03</u>	<u>1.2</u>		

Remarks GL 3 - assessor's office

MicroFILMED

MAR 17 1988

Examiner's Signature

Date

Date _____

Date

5/19/84

Signature

Recommended Amendments:

~~X~~ Change P.D. as reflected above

☐ Add P.D., as reflected above

☐ Add P.U., as reflected above

☐ Other _____

☐ None

MAR 17 1988

[illegible]

Place(s) of Use

Point(s) of diversion: $GA_3 (SENW), Sec 16, T5N, R3W$

SCHEMATIC DIAGRAM OF SYSTEM

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

[illegible]

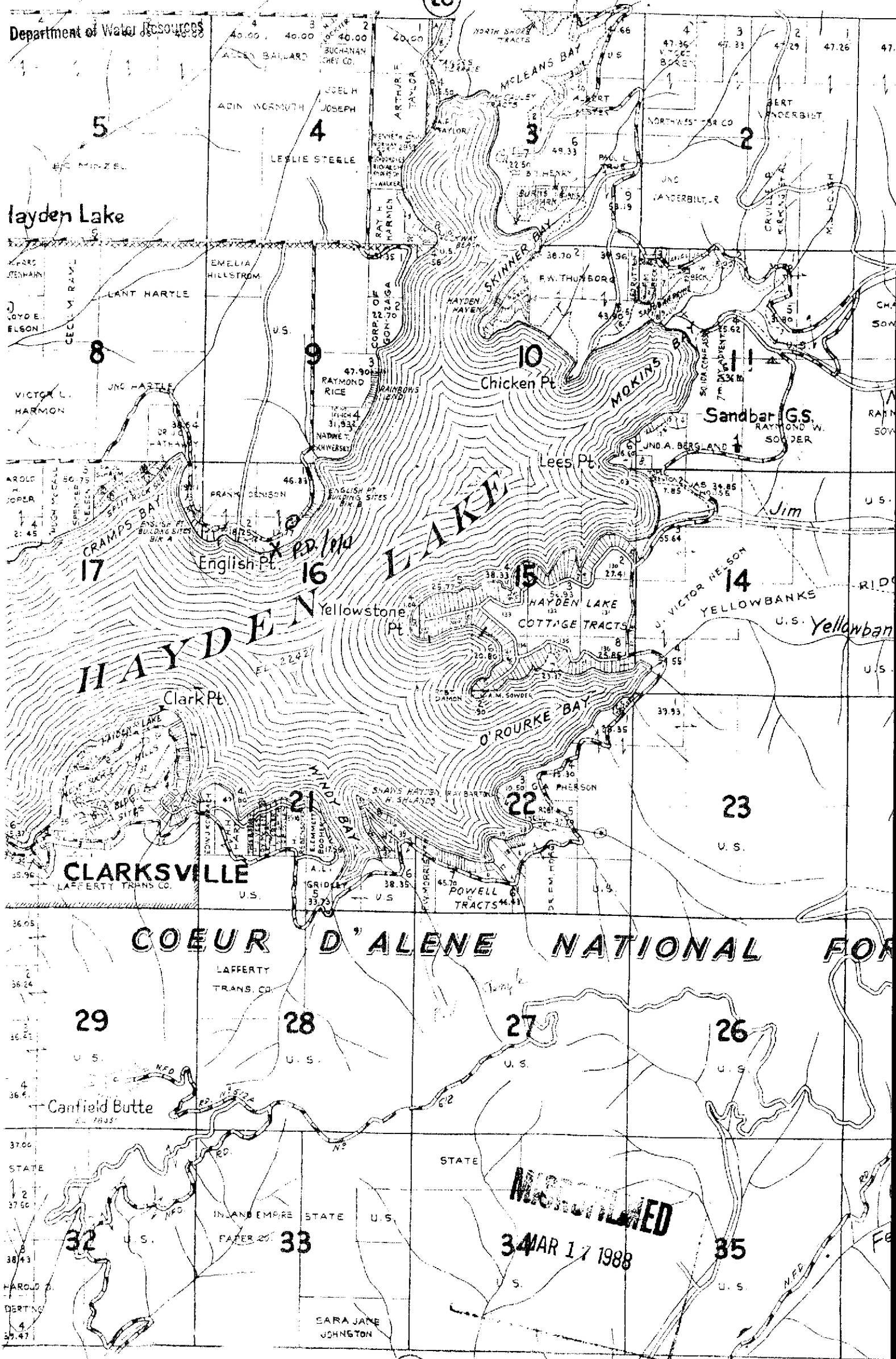
MAP (Attach Aerial Photo)

RECEIVED
MAY 17 1984

TOWNSHIP 51 N., RANGE 3 W.
KOOTENAI COUNTY, IDAHO

95-7162

Department of Water Resources





~~957162~~
957162

Hudlow Mtn
3395

BM
2265

Sportsmens
Park

34

33

35

Creek

McLeans

McLeans
Bay

5

2500

2450

Rockaway
Beach

Harris
Landing

Skinner
Bay

10

Mokins
Slough
Camp
Menden

Chicken
Point

Mokins Bay

Lees Point

Preston
Beach

Evernade Point

English Point

16

Cramps Bay

Yellowstone
Point 16

HAYDEN

ELEVATION 2238 JULY 1958

MICROFILMED

MAR 17 1988

Windy Point

Windy
Bay

O'Rourke
Bay

22

Clark Point
The Clark's
House
Water

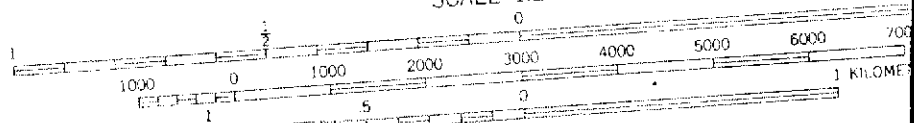
260 000 FEET

42'30"

(LANE 1:62 500)

SCALE 1:24000

shed by the Geological Survey



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN W. EVANS
Governor
A. KENNETH DUNN
Director

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

MARCH 10, 1983

RICHARD KOHLS
31434 WEST NINE DRIVE
LAGUNA NIGUEL CA 92677

RE: Permit No. 95-7162

Dear Permit Holder:

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

Enclosed please find a copy of an order involving your 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,

TOM D. KING
Senior Water Resource Agent

cc: IDWR - State Office

Enclosure

MICROFILMED

MAR 17 1988

CALCULATION OF NEW PRIORITY DATE

FROM: Rita Fleck

TO: File # 95-7162

DATE: March 2, 1983

30

Dec. 1 to Dec. 31

Jan 1 to

Feb. 28

(Dec. 1, 1982)

Date Proof Received

59

Proof Due

89

Number of Days Proof Late

Priority Date

301

Oct. 28, 1971

Number of Days Proof Late

89

New Priority Date

390

365

25

= Jan. 25, 1972

Remarks

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card a statement that the permit holder(s) has completed development to the extent shown below. Permit No. 95-7162

Name(s) of Permit Holder: Richard L & Marian J Rohls

Post Office Address: 31434 West Nine Drive
Laguna Niguel CA 92677 Tel. No. (714) 493-5332

Source of Water: _____

Extent of Use: ☒ Domestic _____ (number of households)
☐ Stockwater _____ (number and type of stock)
☐ Irrigation _____ (acres)
☐ Other _____

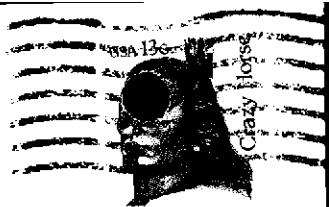
Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No
Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

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

Feb. 16, 1983
Date

Richard L Rohls
Signature of Permit Holder

Kohl's
31434 West Nine Drive
Laguna Niguel CA 92677



RECEIVED

FEB 22 1997

DEPARTMENT OF WATER RESOURCES



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

January 3, 1983

Richard L. and Martin J. Kohls
31434 W. Nine Drive
Laguna Niguel, CA 92677

Gentlemen:

Re: Permit No. 95-7162

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 95-7162 lapsed since the department could not approve the request for extension of time you submitted and the project was not complete enough to submit the statement of beneficial use.

Your permit cannot be reinstated unless an adequate amount of work has been completed to submit either the statement of beneficial use postcard or an acceptable extension of time request showing reasonable cause for delay. Either the completed postcard or the extension request must be received by this office within sixty days of the date of this lapse notice or the permit will no longer be of any force or effect.

A statement of beneficial use postcard and a request for extension of time form are enclosed for your use. Please note that a fee of \$15.00 must accompany an extension of time request.

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

Enclosures

CERTIFICATION OF MAILING

01-03-1983
This document was
certified to be
mailed to the

Pete Steck



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

November 4, 1982

RE: Permit No. 95-7162

Richard L. Kohls
31434 West Nine Drive
Laguna Niguel, CA 92677

Dear Mr. Kohls:

Thank you for your letter of October 29, 1982 requesting an extension of time in which to submit proof of beneficial use of water under Permit No. 95-7162. You mentioned that you're requesting the second extension of time due to Governmental Laws and Regulations. Under the provisions of Section 42-205, Idaho Code, additional time may be granted for the period that the permit holder was prevented from permit development due to lack of approval of a right-of-way from the Federal Government or because of litigation of any nature.

It does not appear that the right-of-way or easement issue is with any Governmental agency nor does it appear that you have taken any formal litigation measures against your neighbor. The Department does not normally share the view that regulations required by Governmental agencies on requirements for installation of items not directly related to the development of the water right as reason for delay. It is assumed these matters were looked into prior to filing for the water right. However, if you have additional information on this matter, please let us know.

If you feel that you still wish to pursue the request for extension of time I have enclosed a request for extension of time form which must be completed and returned with a \$15.00 filing fee. Please be advised that the Department cannot grant more than one extension of time unless the reason is for litigation of lack of consent of right-of-way from a Governmental agency. If you have any questions on this, please let me know.

Sincerely,

JIM JOHNSON

Water Distribution Supervisor

JJ:kw
Enclosure

Richard L. Kohls
31434 West Nine Drive
Laguna Niguel, CA. 92677

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720
Attention: Director

October 29, 1982

re: Permit #95-7162
Richard L. & Marian J. Kohls

Gentlemen;

This letter is submitted as a request for another extension of time to continue the above water permit for an additional five years. We respectfully contend that we have been unable to complete the application of water to beneficial use within the time allowed, due to governmental laws and regulations which made completion of our intended project impossible.

Our water permit #95-7162 is for the use of 0.03 cubic feet per second of water from Hayden Lake to be diverted within Lot 2, Sec. 16, Twp. 51N, Rge. 3W, BM, Kootenai County, to be used for domestic purposes. This was to serve a residence we intended to construct upon our property.

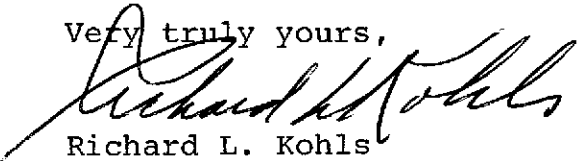
The County Health Department laws and regulations require that any septic tank sewerage disposal drain field of a residence be located a minimum of 300 ft. from the water of Hayden Lake. The depth of our lot 26, of first addition to Block B, the English Point Building Sites, from the water is 127.56 ft. on the East side and 114.6 ft. on the West side.

In order to secure a permit to build the intended residence for which the water is needed, it is necessary that we secure an easement from the owner of the property located across the county road north of our property, allowing the septic tank sewerage disposal drain field to be located upon his property.

All previous negotiations with the owner have been unsuccessful. We are sure we are going to secure the necessary easement as a result of current continued negotiations. This will not occur however until next year at the earliest. This of course is a mandatory pre-requisite to construction of a residence.

We have been prevented from completing our intended project because of the sewerage disposal regulations. This we feel should entitle us to an additional extension of our permit. We respectfully ask you to grant the requested extension and wish to thank you for your cooperation in this matter.

Very truly yours,

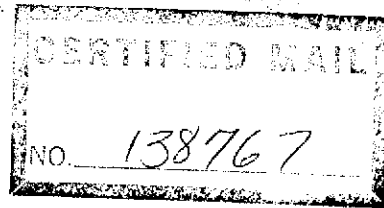

Richard L. Kohls

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

3204



ADDRESSEE UNKNOWN



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138767

KOHLIS, RICHARD L. & MARIAN J.
3404 VENDOME AVE.
YAKIMA, WA 98902

SEPTEMBER 30, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 95-7162 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

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

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

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

138767
KOHLS, RICHARD L. & MARIAN J.
3404 VENDOME AVE.
YAKIMA, WA 98902
SEP 30 1982
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

December 3, 1976

Re: Permit No. 95-7162

Richard L. & Marian J. Kohls
31434 West Nine Drive
Laguna Niguel, CA 92677

Dear Mr. & Mrs. Kohls:

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 December 1, 1982.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

Richard L. Kohls
1434 West Nine Drive
Laguna Niguel, CA 92677



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

Attention: R. Keith Higgison
Director

RECEIVED

NOV 26 1976

Department of Water Resources

DIRECTOR	
PLANNING	
WATER PLAN	
TECH. STUDIES	
OPERATIONS	
CONCRETE	
STRUCTURES	
LANDUSE	
SOIL	
WATER	
BOARD	
FILES	

November 22, 1976

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

Attention: R. Keith Higgison
Director

Re: Permit #95-7162

Gentlemen:

Received your letter advising that either evidence of the extent of development be submitted as proof of application of water to beneficial use concerning the above water permit, or a request for an extension of time must be presented to your office on or before January 1, 1977.

This letter is submitted as a request for an extension of time to continue the above water permit for an additional five years. We have been unable to complete our intended project and we have not previously received an extension of time.

Our water permit #95-7162, as you know, is a permit for the use of water out of Hayden Lake, Idaho for domestic purposes to serve a residence we intend to construct on the waterfront property we own at Hayden Lake, Idaho. The following things have been done in anticipation of constructing the intended residence on such property and resulting use of the water under such permit:

1. A topographical survey of the property.
2. Architectural drawing of the intended residence to be constructed upon the property.
3. Negotiations to secure an easement from adjoining property to the rear of and across a road at the rear of our property, for the purpose of establishing a septic tank drain field. This easement is required in order to comply with the law requiring such sewage disposal systems being a minimum of 300 feet from the lake (water source) to eliminate any contamination of the lake water. To date such negotiations have been

State of Idaho
Department of Water Resources
page two...

November 22, 1976

unsuccessful as the owner of such property to the rear of ours, thus far is unwilling to grant such an easement. We are still pursuing such negotiations.

At the time we acquired the above water permit for our property, we intended that we would have completed our intended project and certainly applied the water to the beneficial use of the property prior to this time. We definitely desire to have everything straightened out concerning the easement for the septic tank sewage disposal system thoroughly resolved before commencing construction. The owner of the property involved is located in the Eastern part of the United States which has made negotiations difficult. In addition to this problem, I was in the Fall of 1973 unexpectedly transferred from Yakima, Washington to Southern California in my employment. Although this fact by itself would not have prevented our commencement of construction, when considered with the easement, our resulting absence and inability to finalize the necessary arrangements for commencing construction and the financing thereof, has certainly been another factor which has prevented us from completing the project as soon as originally intended.

It is definitely our intention to build a residence on our lot at Hayden Lake and to live there. We certainly intend that such project would be completed prior to the expiration of the extension we seek.

We respectfully ask you to grant the extension we request for our water permit and wish to thank you for your cooperation in this matter.

Very truly yours,



Richard L. Kohls

RLK/jeh

31434 West Nine Drive
Laguna Niguel, California 92677

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

Richard L. &/or Marian J. Kohls
3404 Vendome Ave.
Yakima, WA 98902

NO CARD CMU-3

DELIVERABLE
ADDRESS
LE TO FORWARD
RN TO WRITER

MOVED





STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

RECEIVED

NOV 17 1976

Department of Water Resources

October 29, 1976

CERTIFIED MAIL

Re: Permit No. 95-7162

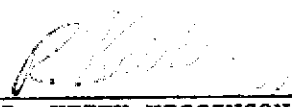
Richard L. Kohls & Marian J. Kohls
3404 Vendome Ave.
Yakima, Washington 98902

Dear Mr. & Mrs. Kohls:

One of the conditions of approval of your water Permit No. 95-7162 (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 January 1, 1977. 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.


R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

WATER RESOURCE BOARD:

John F. Streiff
Chairman

Franklin Jones
Member

George L. Yost
Vice-Chairman

M. Reed Hansen
Member

Donald R. Kramer
Secretary

Scott W. Reed
Member

Edwin C. Schlender
Member

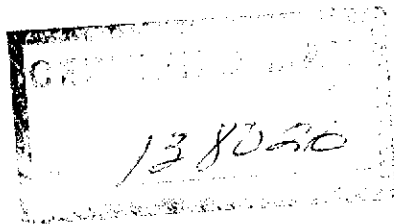
Joseph H. Nettleton
Member

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise Idaho 83720

NO Response
129 C 59

1976

DIRECTORY SEARCHER *m*



NOT DELIVERABLE

AS ADDRESS

UNABLE TO FORWARD

RECEIVED

NOV 8 1976

Department of Water Resources

Wrote to address 11/9/76

Richard L. Kohls & Marian J. Kohls
3404 Vendome Ave.
Yakima, WA 98902

FORWARD TO MAIN OFFICE
FOR DIRECTORY SERVICE

Mc

31434 W. Kim Dr.
Laguna Niguel, CA
92677

NAME
1st Notice 11-1
2nd Notice 11-6
Reason 11-16

October 29, 1976

CERTIFIED MAIL

138024

Re: Permit No. 95-7162

Richard L. Kohls & Marian B. Kohls
3404 Vendome Ave.
Yakima, Washington 98902

Dear Mr. & Mrs. Kohls:

One of the conditions of approval of your water Permit No. 95-7162 (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 January 1, 1977. 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.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

January 6, 1972

Re: Permit No. 95-7162 - Richard L. and Marian J. Kohls

Richard L. Kohls
3404 Vendome Avenue
Yakima, Washington 98902

Dear Mr. Kohls:

Enclosed is a copy of your approved Application for Permit No. 95-7162. We direct your attention to the conditions of approval as listed on the fourth page.

Recently, the Department completed an adjudication of all of the water rights on Hayden Lake. We feel you should be aware of the results of this adjudication, so we have enclosed this final report for your reference. You should realize that the priority of your water right is October 28, 1971 and would be chronologically in order with the other water users included in the adjudication.

If you have any questions regarding this matter, please contact us.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:cr

Enc: Copy
Adjudication Report

95-7162

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

December 14, 1971

Re: Application No. 95-7161 - Donald C. Gullledge
" " 95-7162 - Richard L. and Marian J. Kohls
" " 95-7163 - Clinton E. Mitschke

Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene, Idaho

Gentlemen:

Would you please submit affidavits of publication and certified bills in connection with the above referenced items. The legal notices were to have been published in your paper on November 18th and November 25th, 1971.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BB

95-7162

LEGAL

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Richard L. and Marian J. Kohls, 3404 Vendome Avenue, Yakima, Washington have on October 28, 1971 submitted Application No. 95-7162 for a permit to appropriate 0.03 cubic feet per second of water from Hayden Lake by means of pipe and pump within Lot 26 of 1st addition to Block B of the English Point Building Sites, within Government Lot 2, Sec. 16, T. 51N, R. 3W, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for domestic purposes within Lot 26 of 1st addition to Block B of the English Point Building Sites, within Government Lot 2, Sec. 16, T. 51N, R. 3W, 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, Statehouse, Boise, Idaho, 83707, on or before December 6, 1971.

R. KEITH HIGGINSON
Director

Nov. 18, 25, 1971

O.K.
11-16-71
Z.Z.

95-7162

November 10, 1971

Re: Application No. 95-7161 - Donald C. Gullledge
" " 95-7162 - Richard L. & Marian J. Kohls
" " 95-7163 - Clinton E. Mitschke

Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene, Idaho 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 our 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 date. 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,

Donald W. McEldowney
Appropriation Supervisor

DWM:cr

Enc: Legal Notice

Bill submitted 12-22-71 By CR

95-7162

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Richard L. and Marian J. Kohls,

3404 Vendome Avenue, Yakima, Washington

~~have~~ ~~has~~ on October 28, 1971 submitted Application No. 95-7162

for a permit to appropriate 0.03 cubic feet per second ~~and use of said water for~~

of water from Hayden Lake

by means of pipe and pump

within ~~the~~ Lot 26 of 1st addition to Block B of the English Point Building Sites,

within Government Lot 2, Sec. 16, T. 51N, R. 3W, B.M., Kootenai County

to be used from Jan. 1 to Dec. 31

for domestic purposes

within ~~the~~ Lot 26 of 1st addition to Block B of the English Point Building Sites,

within Government Lot 2, Sec. 16, T. 51N, R. 3W, 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, Statehouse, Boise, Idaho, 83707, on or before December 6, 1971.

R. KEITH HIGGINSON

Director

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

on Nov. 18 and Nov. 25, 1971.

95-7162

November 3, 1971

Richard L. Kohls
3404 Vendome Avenue
Takima, Washington 98902

Dear Mr. Kohls:

8430

10.00

~~your application for permit~~
Attached herewith is your receipt No. _____ in the amount of \$ _____
for _____

which was received in this office.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

95-7162

[illegible]