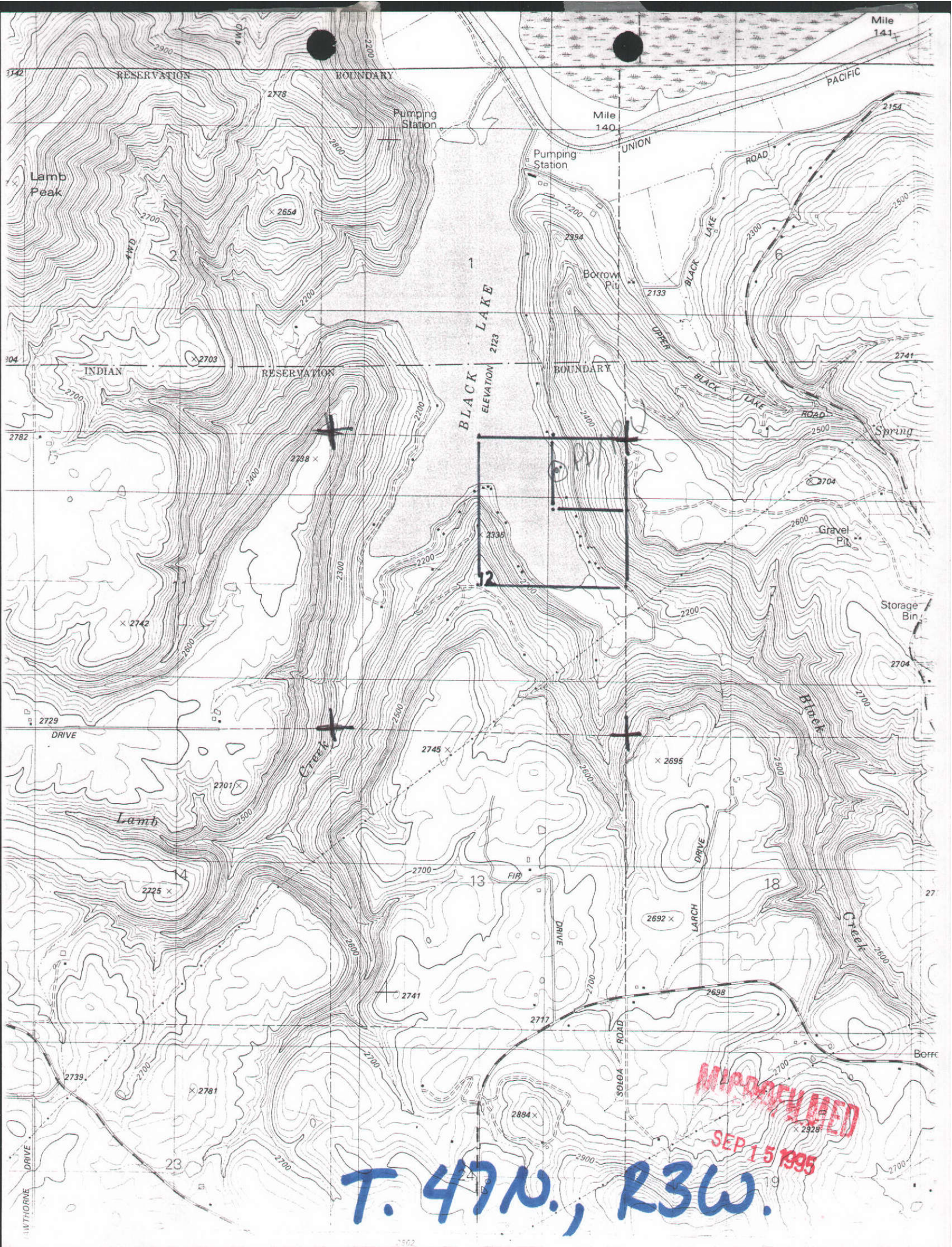


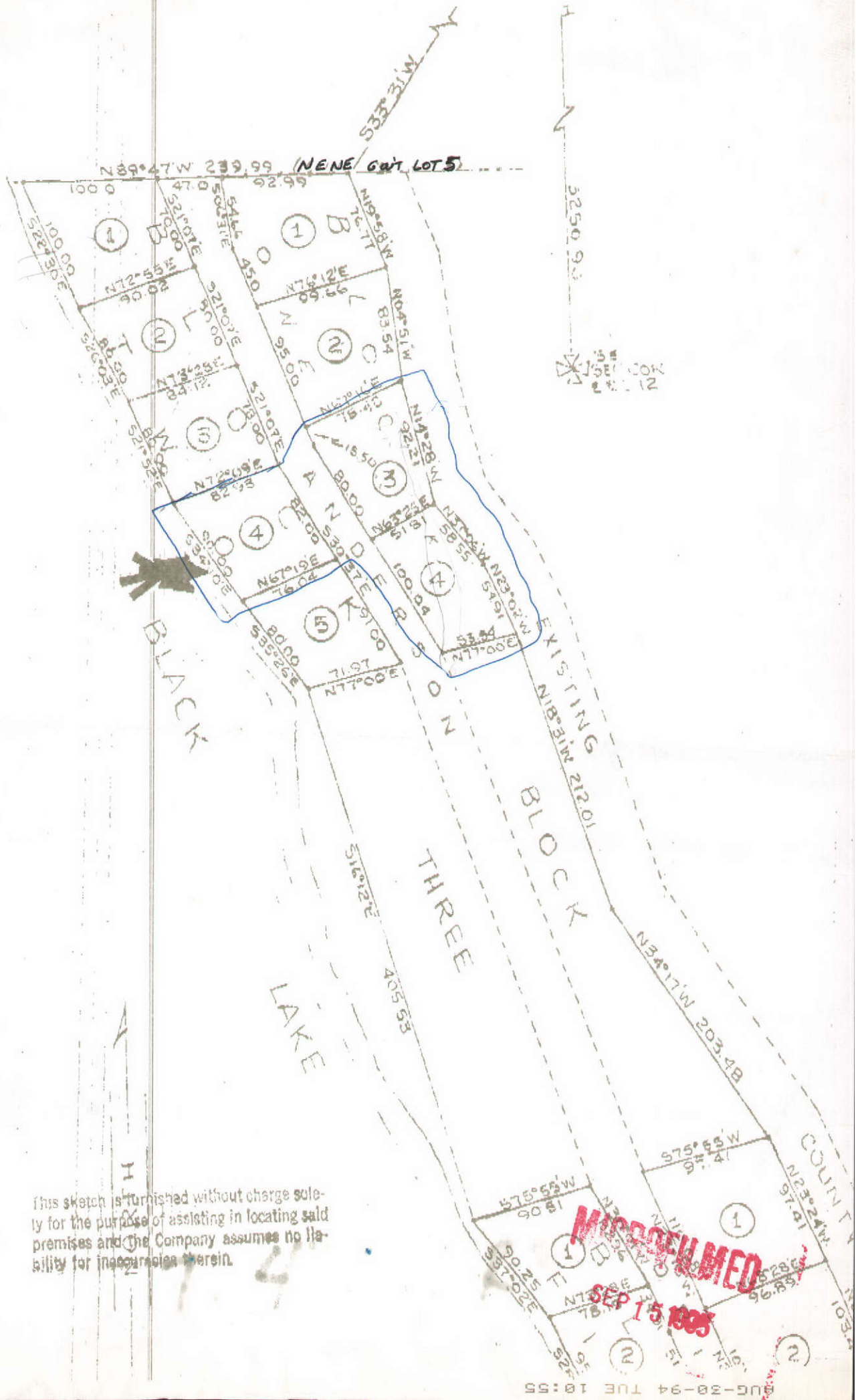
2

[illegible]



T. 47N., R3W.

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SEP 15 1995



This sketch is furnished without charge solely for the purpose of assisting in locating said premises and the Company assumes no liability for inaccuracies therein.

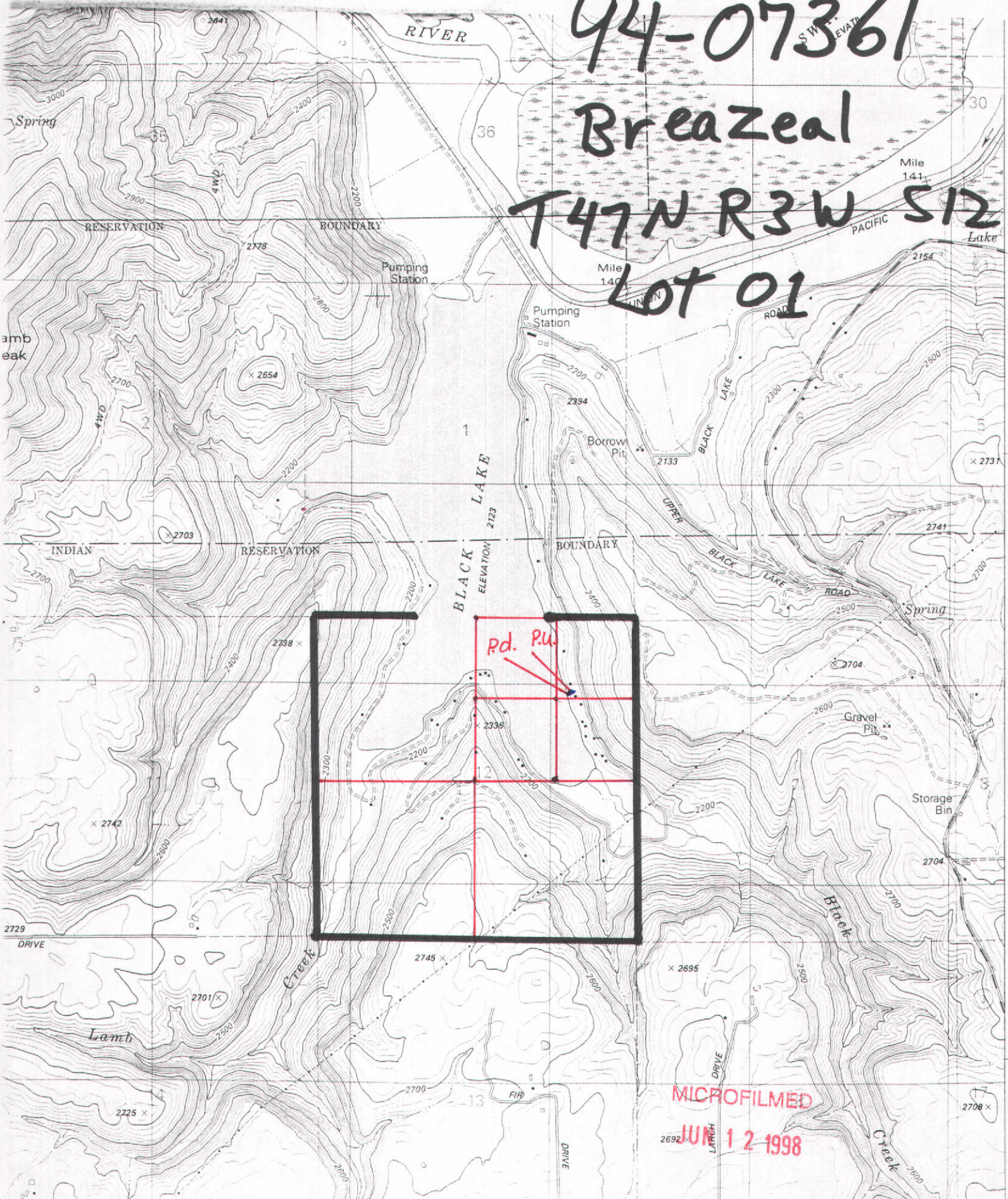
SEP 15 1964

94-07361

Breazeal

T47N R3W S12

Lot 01

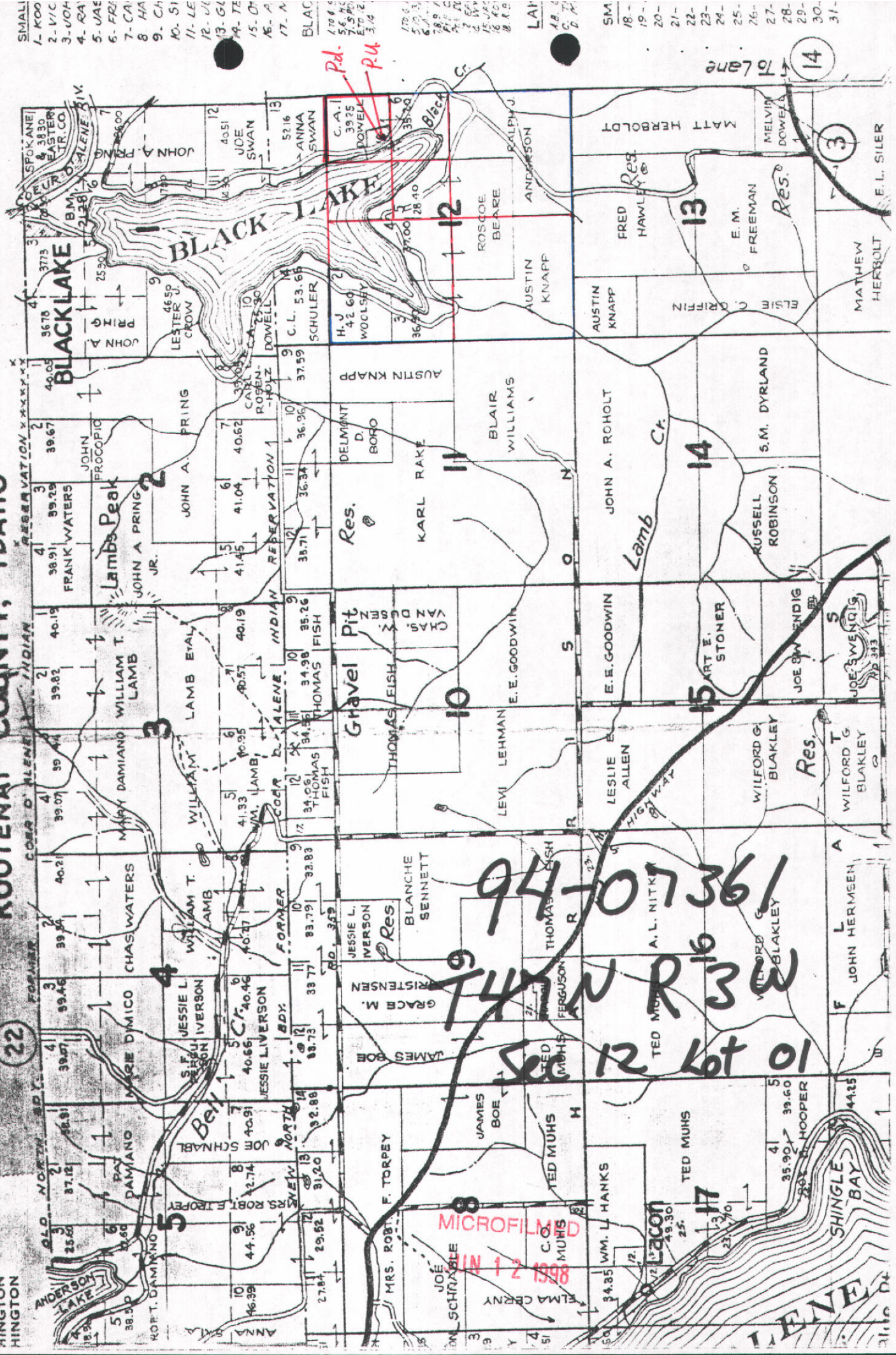


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JUN 12 1998

TOWNSHIP 47 N., RANGE 3 W. B. M.
KOOTENAI COUNTY, IDAHO

PS
HINGTON
HINGTON



SMALL
1- KOO
2- VIC
3- JOH
4- RA
5- JAE
6- FRE
7- CH
8- HA
9- CH
10- S
11- LE
12- GL
13- GL
14- TE
15- D
16- A
17- A
18- A
19- A
20- A
21- A
22- A
23- A
24- A
25- A
26- A
27- A
28- A
29- A
30- A
31- A

To Lane 14

MICROFILM
IN 1 2 1998

SHINGLE BAY
LAKE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT #

94-07361

PHOTOGRAPHS



~~1/2 Hp Pump~~
Pressure
Tank



Point
of
diversion

MICROFILMED

JUN 12 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT # 94-07361



Place

of

USE

MICROFILMED

JUN 12 1998

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai, } ss.

Keri Alexander

being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The *Legal Notice*

of which the annexed is a printed copy, was published in the regular *Thurs.* issue of said newspaper for *2* consecutive *weeks* commencing on the *6th* day of *July*, 19*95*, and ending on the *13th* day of *July*, 19*95*, and such publication was made as often during said period as said *daily* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Keri Alexander

Subscribed and sworn to before me this *13th* day of *July*

NOTARIAL SEAL

SEP 15 1995

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JUL 14 1995

NORTHERN REGION
IDWR

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

ROBERTA MANLEY
My commission expires *2-5-99*

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

94-07361 *ok*

BREAZEL, VERN
BREAZEL, NIKI
1038 WARNER AVENUE
LEWISTON, ID 83501
Source: BLACK LAKE
Tributary: COEUR D ALENE LAKE
Diversion Pt: LOT 1 (NENE) Sec 12 T 47N R 03W in KOOTENAI County.

Use: DOMESTIC (0.040 CFS)
FIRE PROTECTION (0.200 CFS)
Total Diversion: (0.200 CFS)

Date Filed: 5/31/1995
In: KOOTENAI County
T47N R03W S12 Lot 1 (NENE)
95-08916

CROSS, COLIN J
CROSS, SUSAN
395 THERESA TERRACE DRIVE
POST FALLS, ID 83854
Source: SPOKANE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: LOT 3 (NWNE) Sec 10 T 50N R 05W in KOOTENAI County.
Use: DOMESTIC (0.060 CFS)
Total Diversion: (0.060 CFS)

Date Filed: 6/5/1995
In: KOOTENAI County
T50N R05W S10 Lot 3(NWNE)
95-08917

SCHAPER, THOMAS C
12540 CHICKEN POINT RD
HAYDEN LAKE, ID 83835
Source: GROUNDWATER
Diversion Pt: NENE Sec 10 T 51N R 03W in KOOTENAI County.
Use: IRRIGATION (0.030 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.070 CFS)

Date Filed: 6/7/1995
In: KOOTENAI County
T51N R03W S10 NENE
1.0 ACRES TOTAL
96-08877

RED FIR WATER ASSN
1410 LINCOLN WAY
COEUR D ALENE, ID 83814
Source: GROUNDWATER
Diversion Pt: SWSW Sec 12 T 53N R 03W in KOOTENAI County.
Use: IRRIGATION (0.880 CFS)
DOMESTIC (0.250 CFS)
Total Diversion: (1.000 CFS)

Date Filed: 6/21/1995
In: KOOTENAI County
T53N R03W S11 NE-1/4 NESE SESE
S12 SWNW SW-1/4
S13 NWNW
S14 NENE
44.0 ACRES TOTAL
96-08880

HAYES FAMILY TRUST, ROBERT
HAYES FAMILY TRUST, JOAN
E 11700 NUNN ROAD
ATHOL, ID 83801
Source: SAGE CREEK
Diversion Pt: NENW Sec 31 T 53N R 02W in KOOTENAI County.
Use: IRRIGATION (0.400 CFS)
Total Diversion: (0.400 CFS)

Date Filed: 6/26/1995
In: KOOTENAI County
T53N R02W S31 NENW Lot 1 (NWNW) Lot 2 (SWNW) SENW
20.0 ACRES TOTAL
96-08881

HAYES FAMILY TRUST, JOAN
HAYES FAMILY TRUST, ROBERT
ATHOL, ID 83801
Source: GROUNDWATER
Diversion Pt: SENW Sec 31 T 53N R 02W in KOOTENAI County.
Use: IRRIGATION (0.030 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.070 CFS)

Date Filed: 6/26/1995
In: KOOTENAI County
T53N R02W S31 Lot 2 (SWNW) SENW
2.0 ACRES TOTAL

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before JULY 24, 1995.

KARL J. DREHER, Director
Legal 125
July 6, 13, 1995

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 94-07361

Priority: June 21, 1995

Maximum Diversion Rate:

0.01 CFS

Maximum Diversion Volume:

0.6 AF

This is to certify, that VERN BREAZEAL
NIKI BREAZEAL

1038 WARNER AVE

LEWISTON ID 83501

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 31, 1995; and has submitted Proof of Beneficial Use on September 22, 1997. An examination indicates that the works have a diversion capacity of 0.010 cfs of water from:

BLACK LAKE

tributary to COEUR D ALENE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	03/15 to 11/15	0.01 CFS	0.6 AF
FIRE PROTECTION	01/01 to 12/31	0.01 CFS	
	Totals	0.01 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NENE), Sec. 12, Township 47N, Range 03W
KOOTENAI County

PLACE OF USE: DOMESTIC

TWN RGE SEC

47N 03W 12 Lot 1(NENE)

PLACE OF USE:

FIRE PROTECTION, same as DOMESTIC use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.

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JUN 12 1998

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 94-07361

CONDITIONS OF APPROVAL AND REMARKS

6. Place of use is located within Lots 3 & 4, Blk. 1, and Lot 4, Blk. 4, Westview Lots.
7. Domestic use is for 1 home.

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 11TH day of JUNE, 1998.


KARL J. DREHER, Director

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JUN 12 1998

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 94-07361)
)
IN THE NAME OF VERN & NIKI BREAZEAL)
_____)

ORDER OF

REINSTATEMENT

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before September 1, 1997; and,

WHEREAS, the Department notified the permit holder on June 30, 1997, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

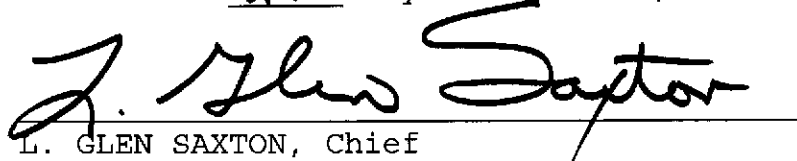
WHEREAS, the Department mailed the permit holder a lapse notice on September 8, 1997, since an acceptable proof of beneficial use or extension of time request had not been received; and,

WHEREAS, Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on September 22, 1997;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 94-07361 is **REINSTATED** with an advance in priority to **June 21, 1995**.

DATED this 20th day of November, 1997.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

JAN 12 1998

RECEIVED

SEP 16 1997

NORTHERN REGION
IDWR

RECEIVED

SEP 22 1997

NORTHERN REGION
IDWR

FOR OFFICE USE ONLY

Amt. of Fee \$: 50.00

Receipt No. 11011627

Receipt By: [Signature]

Date Received: 9/22/97

RECEIVED

SEP 25 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 94-07361 Telephone No. 208-743-2198

2. Name(s) of Permit Holder(s): VERN & NIKI BREAZEAL

3. Mailing Address: 1038 Warner Ave. Lewiston, ID, 83501

4. Source of Water: BLACK LAKE If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____

a. Well Driller: ____ Drilling Permit Number: ____ - ____ - ____ - ____

b. OPTIONAL:
Pump Horsepower: ____ Pressure (psi): ____ Dynamic pumping level (ft): ____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): ____ Stockwater (No. and type of stock): ____

Irrigation (No. of acres): .3 Other: Fire Protection

6. Total rate of diversion and/or volume for which proof is submitted: .20 cfs OR ____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes ____ or No ____

Has the measuring device been installed? Yes ____ or No ____

Flow Measurement Port: Is a flow measurement port required? Yes ____ or No ____

Has the measurement port been installed? Yes ____ or No ____

8. Fee Enclosed: \$ 50 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: VERN BREAZEAL Telephone Number: 208/743-2198

Address: 1038 WARNER Ave. Lewiston, ID. 83501

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

MICROFILMED

Signature of permit holder: Vern Breezeal Date: 1998-13-97
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 94-07361

Proposed Priority: May 31, 1995

Maximum Diversion Rate:

0.20 CFS

This is to certify, that VERN BREAZEAL

NIKI BREAZEAL

1038 WARNER AVE

LEWISTON ID 83501

has applied for a permit to appropriate water from:

BLACK LAKE

tributary of COEUR D ALENE LAKE

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	03/15 to 11/15	0.04 CFS
FIRE PROTECTION	01/01 to 12/31	0.20 CFS
	Totals	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NENE), Sec. 12, Township 47N, Range 03W
KOOTENAI County

PLACE OF USE: DOMESTIC

TWN RGE SEC

47N 03W 12 Lot 1(NENE)

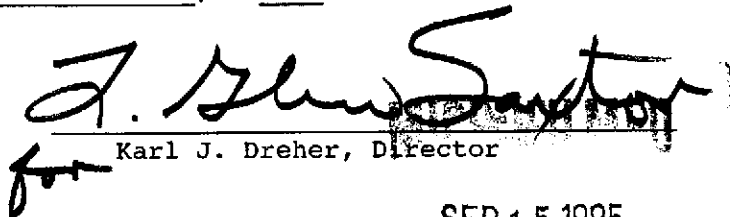
PLACE OF USE: FIRE PROTECTION, same as DOMESTIC use

CONDITIONS/REMARKS:

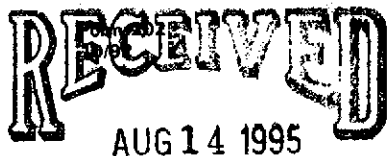
1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1997.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Place of use is located within Lots 3 & 4, Blk. 1, and Lot 4, Blk. 4, Westview Lots.
5. Domestic use is for 1 home.
6. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

17th day of August, 1995.


for Karl J. Dreher, Director

SEP 15 1995



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 94-07361

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant Vern &/or Niki Breazeal Phone 208 799-3995
208 743-2198 Home
Post office address 1038 Warner Ave Lewiston ID 83501
2. Source of water supply Black Lake which is a tributary of COEUR D'ALENE LAKE
3. Location of point of diversion is 1/4 of NE 1/4 Govt. Lot 1
Sec. 12 Township 47N Range 3W B.M. Kootenai County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 20 for Fire Protection purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 4 for Domestic purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 20 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pump and pipe

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 85°F being sought? _____
e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
2 years (minimum 1 year).

SEP 15 1995

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in KW.

b. Stockwatering; list number and kind of livestock.

c. Municipal; show name of municipality.

d. Domestic; show number of households.

e. Other; describe fully.

9. Description of place of use:

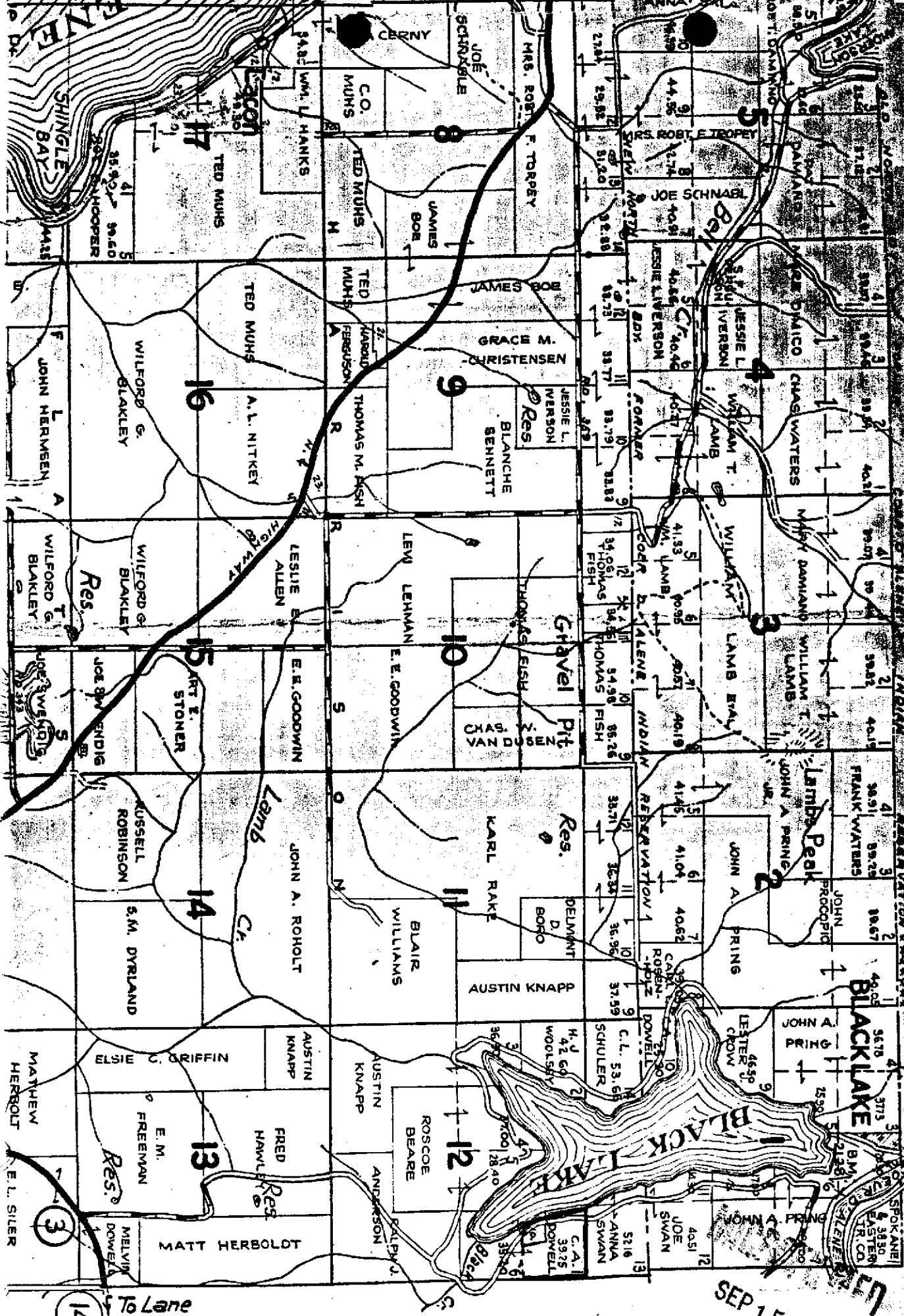
a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SE 1/4				SW 1/4				S 1/2				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4				SE 1/4				SW 1/4							
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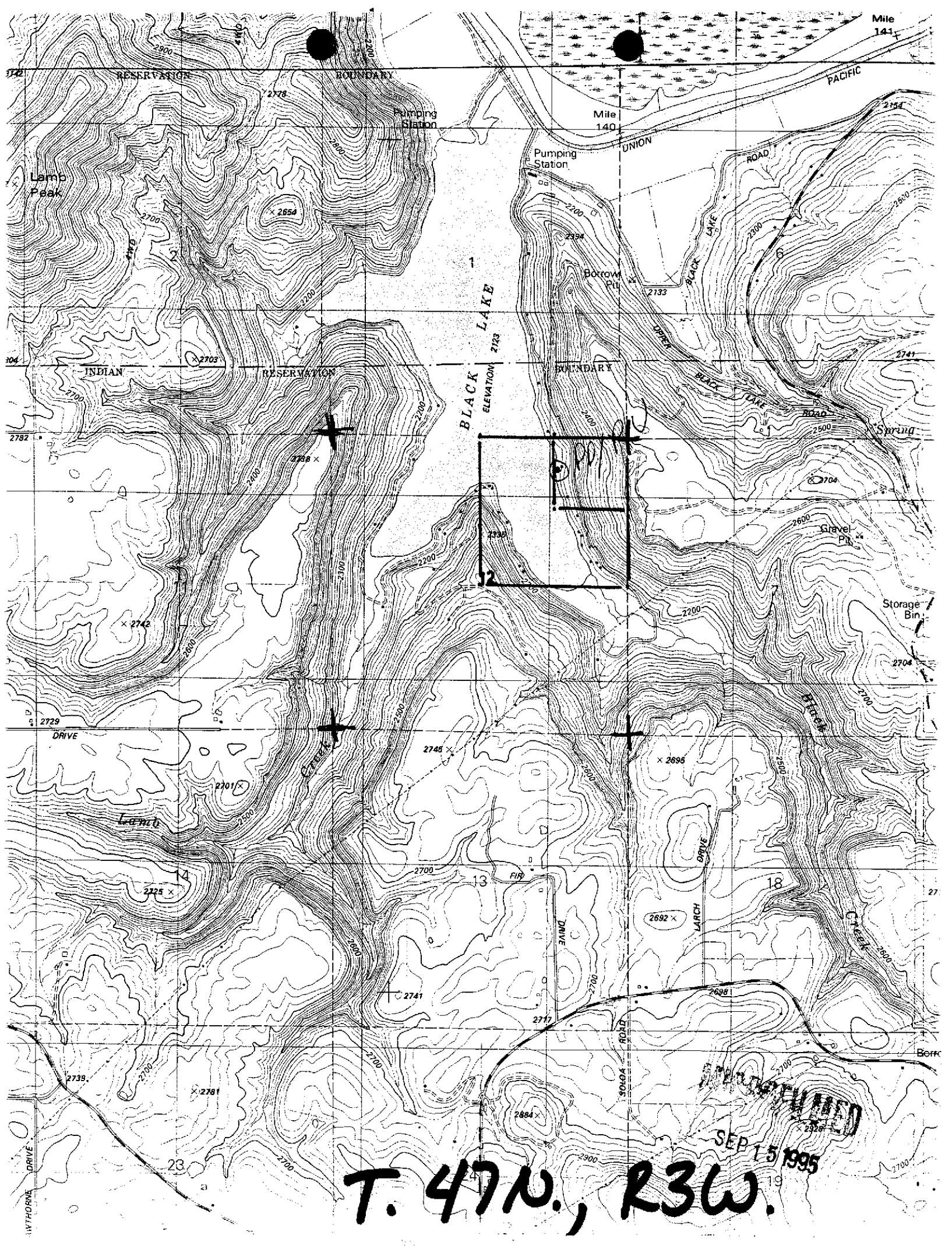
TOWNSHIP 47 N. RANGE 3 W. B. M.

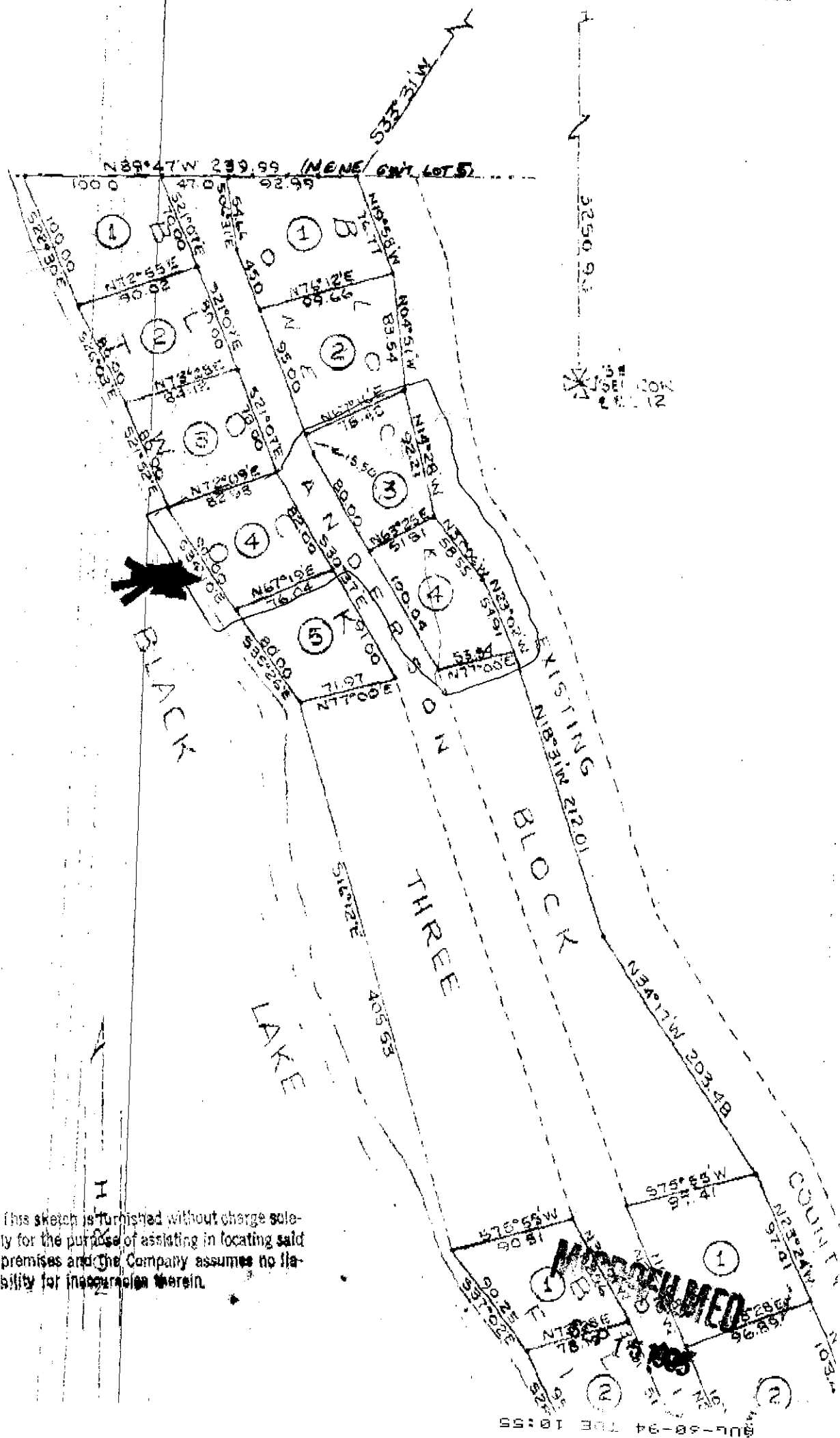
KOOTENAI COUNTY, IDAHO



SEP 15 1908

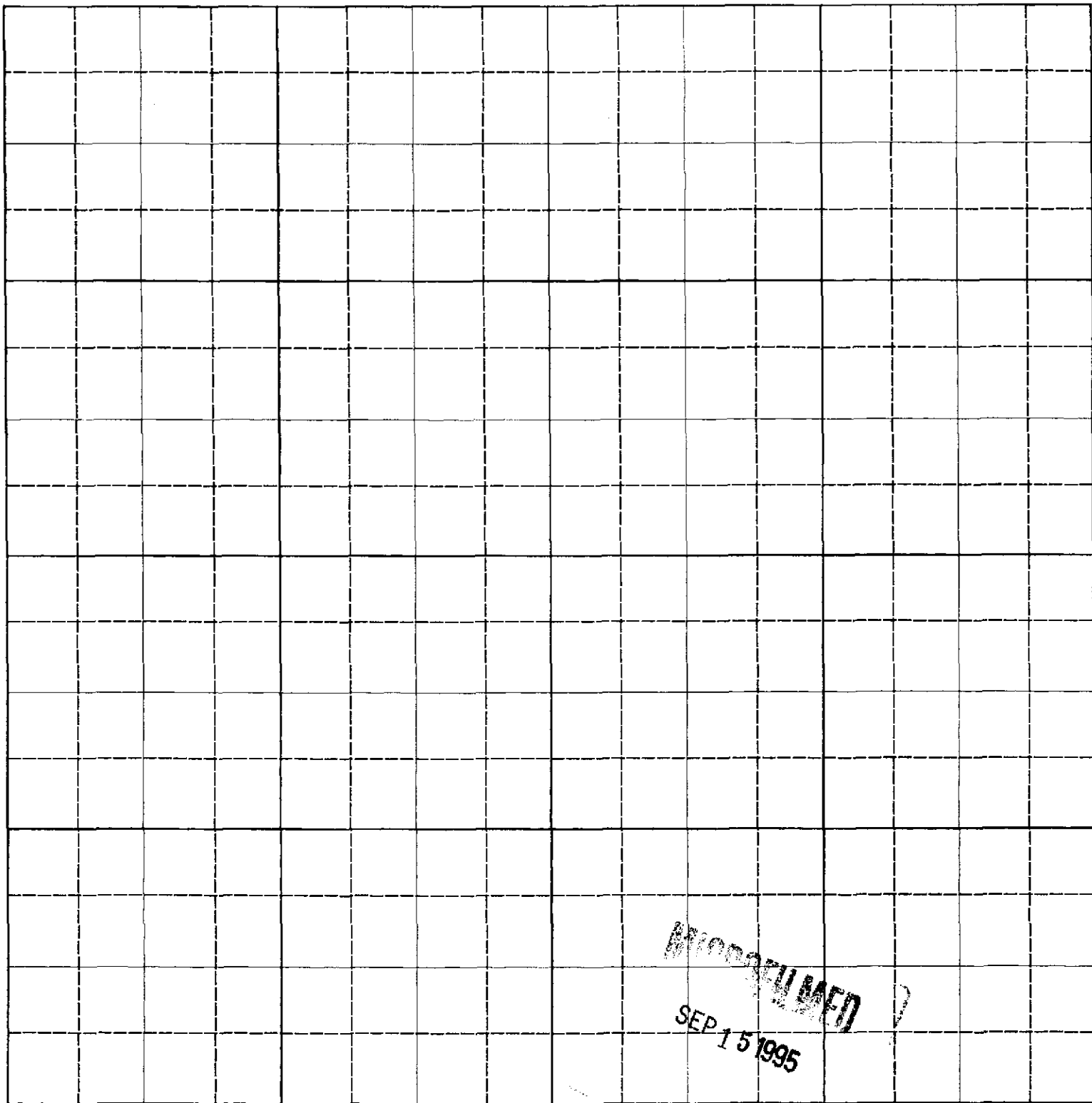
1. KOD	17. A	31.
2. VIC	18. A	32.
3. VOT	19. A	33.
4. OA	20. A	34.
5. VAC	21. A	35.
6. FR	22. A	36.
7. CA	23. A	
8. HA	24. A	
9. CH	25. A	
10. SI	26. A	
11. LE	27. A	
12. UC	28. A	
13. GL	29. A	
14. TE	30. A	
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31. A		





This sketch is furnished without charge solely for the purpose of assisting in locating said premises and the Company assumes no liability for inaccuracies therein.

NOT RECORDED



RECEIVED
SEP 15 1995

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.

Vern Brazel

(Applicant)

SEP 15 1995
WATER RESOURCES

e. Other:

- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

19

- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.

1. Approval of said application is subject to the following limitations and conditions:

Idaho No. _____, and said application is hereby _____

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Publication approved _____

7/17/95 Date *dp*

Publication prepared by _____

6/28 Date *dp*

Fee \$5000 _____

Received by *ant*

119001

Date

5/31/95

Received by *ant* Date 5/31/1995

Time 2:35 PM

Preliminary check by *as*

Published in

ada memo 7/6+13/95



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

June 11, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

VERN BREAZEAL
NIKI BREAZEAL
1038 WARNER AVE
LEWISTON ID 83501

RE: WATER RIGHT NO. 94-07361

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

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ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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JUN 12 1998

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

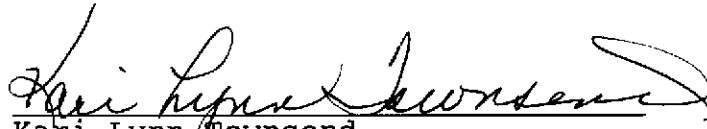
MICROFILMED
JUN 12 1998

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of June, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 94-07361

VERN BREAZEAL
NIKI BREAZEAL
1038 WARNER AVE
LEWISTON ID 83501


Kari Lynn Townsend
Secretary

MICROFILMED
JUN 12 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 94-07361 DATE 6/8/98 REVIEWER: SHARLA

NAME Change/OK
 Address OK
 SOURCE OK Does change clarify orig. intended source? If no, Void permit
 POINT OF DIV OK trib = CD + River
 _ Change (P39 /P47) _ Add (P45/P42) Feds - P40

W32 (multiple in 1/4)
 W36 (overlap)
 W59 (subd. desc)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

PLACE OF USE OK _ Change (P41/P47) _ Add (P41/P42) Feds - P43

W60 (subd. desc)
 W27 (ppu acre limit)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

PD & PU amend (P37) Feds - P48

RATE OF DIV

Permitted Rate .20 cfs
 Fee limit .20 cfs \$50.00
 Measured .01 cfs
 Theoretical .01 cfs @ 40 psi and 125' lift
 Recommended Total Div Rate .01 cfs

WATER USES

WATER USES	Change (P46)	Irrig -	Domestic	Power	Fish (042)	Fire (077)	Wtr Quality (081/R07)
<u>Dom</u>	<u>.01</u> cfs	<u>1.6</u> af					
<u>Fire</u>	<u>.01</u> cfs						
TOTALS							

overlap (R58-R61, R62-R65, R66-R69)
 supp. gw (WB7/065/079)
 overlap spec. combined rts (W35)
 <1acre (W31)
 (W01/WB5/070/071/075)
 (W42 or W43/025/027/R22 or R23)
 Fire (077) Wtr Quality (081/R07)

Flow rate .01 cfs X 365 days X 1.98 = 7.3 af

REMARKS .6 af sufficient for what use is - camp trailer, native grass

ADD'L CONDITIONS _____ Watermaster Control WD# _____
 _____ GW Measurement/Measuring Device
 _____ Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority yes no

SRBA Claim NA

Adjust Memo up around dom
 Amend letters along volume

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAY 20 1998
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 94-07361

1. Owner: Vern Breazeal Phone No. (208) 799-3995

Current Address: 1038 Warner Ave. Lewiston, Idaho 83501

2. Accompanied by: Vern Breazeal EXAM DATE: May 4, 1998

Address: Same Phone No. _____

Relationship to Permit Holder: Self

3. Source: Black Lake tributary to Coeur d'Alene River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	01		NE	NE	12	47N	3W	Kootenai	USGS 7.5' Quad, Metsker

2. Place(s) of Use:

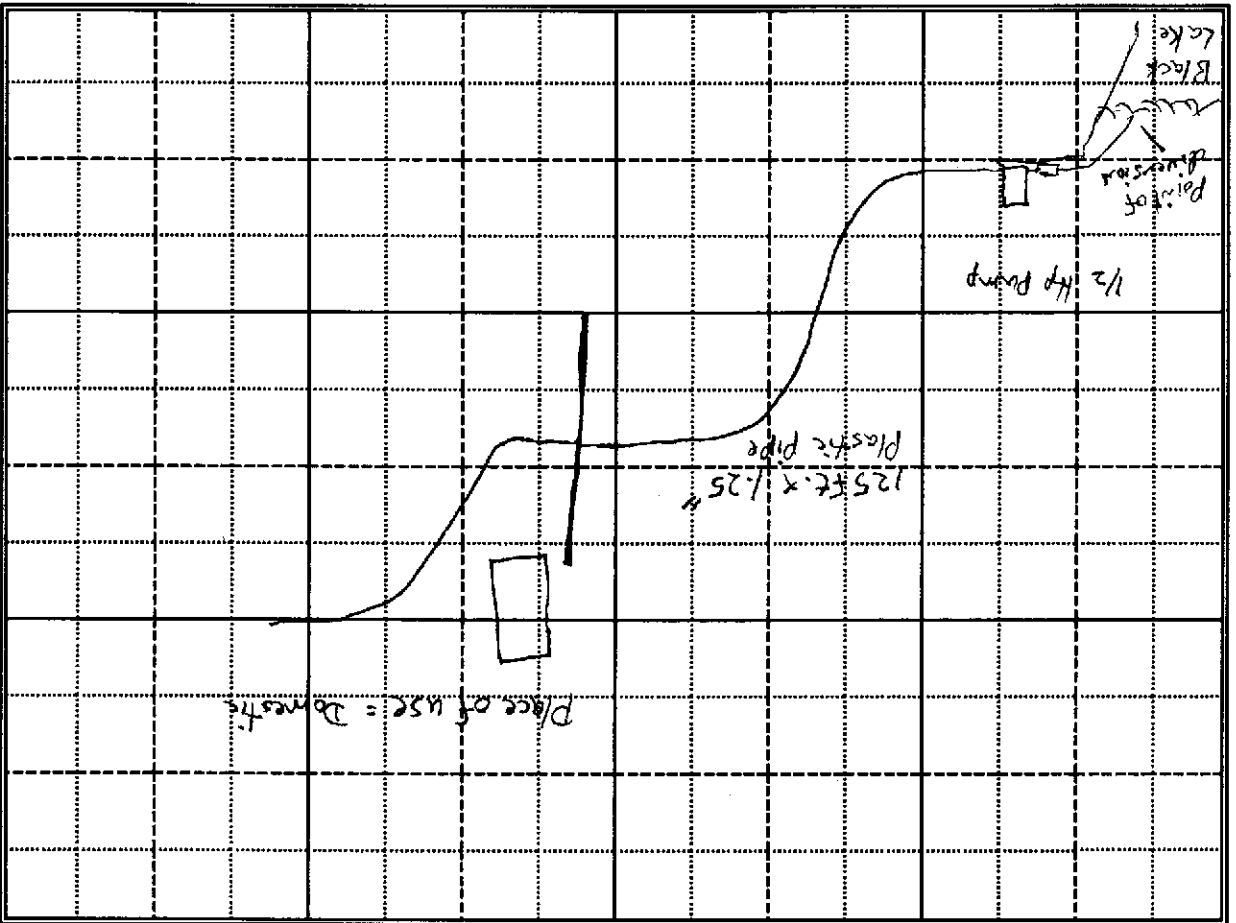
Indicate Method of Determination USGS 7.5' Quad, Metsker

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
47N	3W	12	01-D																

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JUN 12 1998

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe size/ditch size/pipe l.d. as applicable.



Scale 1" = 100'

✓ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

_____ Aerial Photo Attached (required for irrigation of 10+ acres)

✓ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		1/2	900327	Star	

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Bucket/stopwatch	4 gallon					

2. Measurements:

Filled 4 gallon bucket in 44 seconds

MICROFILMED

JUN 17 1986

E. NARRATIVE/REMARKS/COMMENTS

Water is being diverted from Black Lake at the rate of 5.45 gal/min.
using a $\frac{1}{2}$ horsepower pump. Water is being used for domestic use, and less
than $\frac{1}{2}$ acre of irrigation. also for Fire protection.

Have conditions of permit approval been met? ☒ yes ☐ no

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JUN 12 1988

Additional Computation Sheets Attached

$$\frac{x}{1.05} = \frac{5.45 \text{ gpm}}{448.83 \text{ gpm}} = \frac{5.45}{448.83} = .012 \text{ cfs}$$

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

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

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$$

2. Volume Calculations for Other Uses:

1. Recommended Amounts

Period of Use

From

10

D (c/s)

V (a) (2)

Annual Volume

Domestic

Fire Protection

10/10

12/31

10.

Rate of Diversion

Totals:

10.

9.

Change P.D. as reflected above

Change P.U. as reflected above

— Change P.U. as reflected above

Change P.D. as reflected above

____ Add P.U. as reflected above

____ Add P.D. as reflected above

Other _____

None

Field Examiner's Name _____

David A. Boyd

Date _____

May 15, 1998

Date: _____

Reviewer

SEAL

NOTED

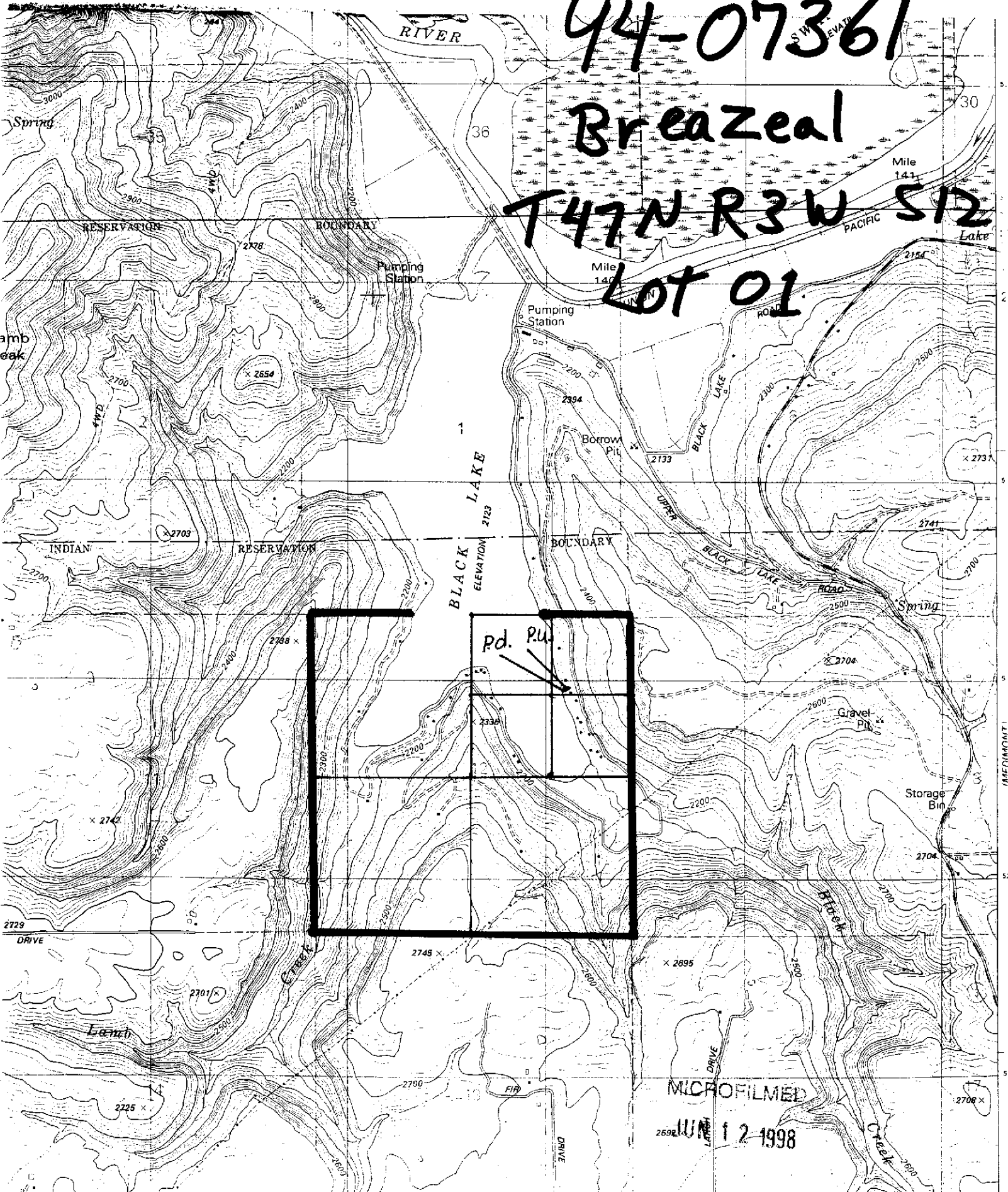
906-21-1000

94-07361

Breazeal

T47N R3W S12

Lot 01



MICROFILMED

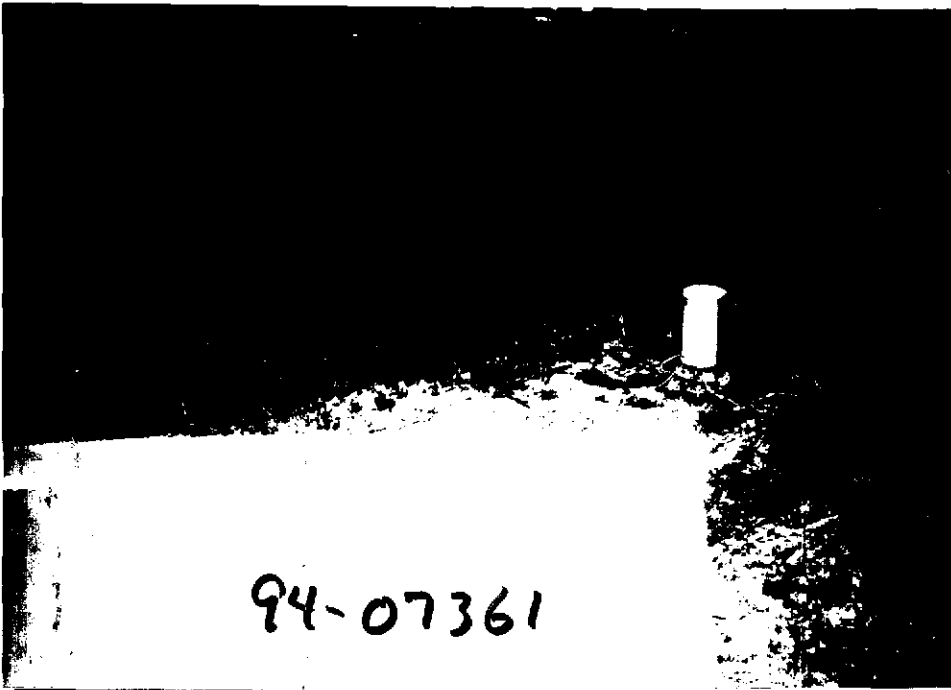
JUN 12 1998

94-07361
THOMAS R
FERGUSON
N R¹⁶ 3W
TED MOORE
BLACKLEY
TED MOORE
Lot 01
5000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

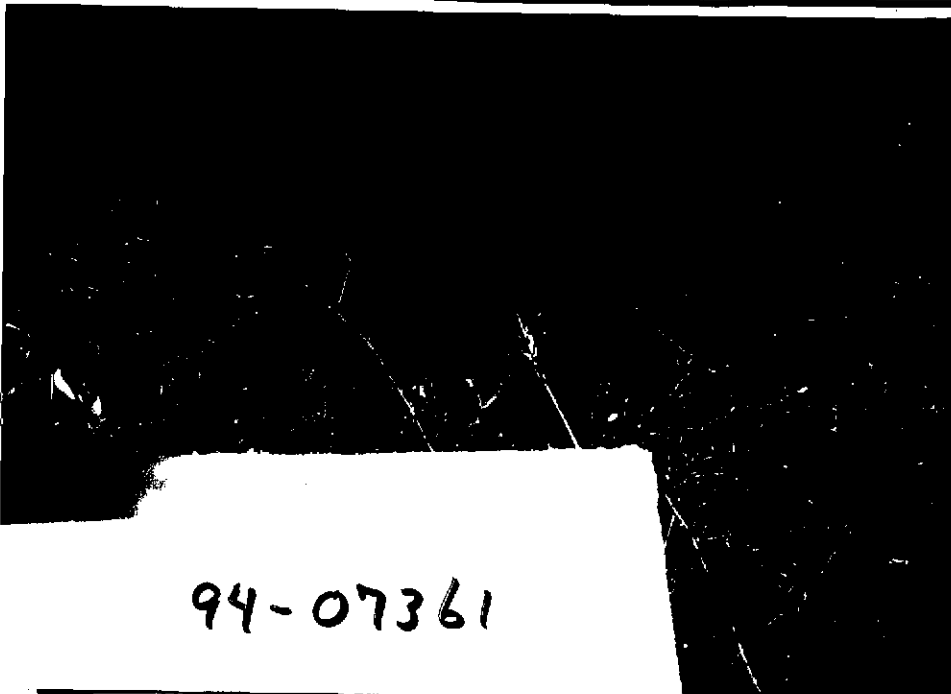
PERMIT # 94-07361

PHOTOGRAPHS



~~1/2 Hp Pump~~

Pressure
Tank



Point
of
diversion

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JUN 12 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT # 94-07361

94-07361

94-07361

94-07361

Place

of

USE

REPRODUCTION

JUN 12 1998

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 94-07361 Reviewed by [Signature] Date 11-18-97

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
no Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

☒ Surface water source
☐ Ground water source
Drilling permit required?
Copy in the file? Drilling Permit No. _____
Amount paid for permit _____ Correct?
Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50- Amount Submitted
yes Correct?
no Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received 9-22-97
Date proof due 9-1-97 -
No. of days late 21 = 21
Priority Date 5-31-95 + 151
New Priority Date 6-21-95 172

> 6/21/95

DEFICIENCIES OR ACTION ITEMS

Reinstate + advance priority to June 21, 1995.
Proof acceptable

DATA ENTRY

New Address [X] Proof Made 9-22-97



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 20, 1997

VERN AND NIKI BREAZEAL
1038 WARNER AVE
LEWISTON ID 83501

PROOF ACKNOWLEDGMENT LETTER

RE: Permit No. 94-07361

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and supporting information submitted for the above referenced permit.

Enclosed is an order reinstating the permit since proof was submitted after the proof due date. Note that the priority date has been advanced to June 21, 1995, as provided in Section 42-218a.2, Idaho Code.

Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination, you may contact the **NORTHERN** Regional Office of the department in Coeur d'Alene at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR - Region

MICROFILMED
JAN 12 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

RECEIVED

OCT 09 1997

Department of Water Resources

Fax (208) 769-1454

PHILIP E. BATT
Governor

KARL J. DREHER
Director

September 17, 1997

Mr. Vern Breazeal
1038 Warner Av
Lewiston ID 83501

RE: Proof of Beneficial Use

Dear Mr. Breazeal:

We are returning your Proof of Beneficial use for Water Right
Permit Number 94-07361.

Please return this filing with the required \$50.00 filing fee.

If you have any questions, please feel free to contact me at this
office.

Sincerely,

Allen Beardslee
Sr. Water Resource Agent

94-7361

MICROFILMED

JAN 12 1998

9/12 -
LEFT MESSAGE
FOR VERN TO MAIL
PROOF OF BENEFICIAL
USE.

September 11, 1997

FAX TO AL

State of Idaho, DEPARTMENT OF WATER RESOURCES
Northern Region, Suite No. 210
1910 Northwest Blvd.
Coeur d'Alene, ID 83814-2615
Fax (208)769-1454

Dear Al:

RE: PERMIT NO. 94-07361

I talked with you a couple of days ago about my permit to pump water out of Black Lake for irrigation and fire protection. You might recall that I told you my permit expired on Sept. 17, 1997. You were going to fax me a PROOF OF BENEFICIAL USE form.

Yesterday, I received the following information from the Dept. of Water Resources Boise office, which contained a copy of the PROOF OF BENEFICIAL USE.

I am going up to Black Lake tomorrow (Friday, Sept. 12th) and I can measure the water flow so that I will know the cfs that is being pumped to put on the PROOF form.

I am concerned that they have notified me that my permit has lapsed. For some reason, as I told you on the phone, I thought that lapse date was Sept. 17, 1997.

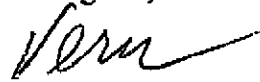
We also talked about me having two major surgeries in the permit period. Do I have to request an extension, or just measure the flow (cfs) and mail or fax the results on Monday, along with the beneficial use form? Do I mail that to you or directly to Boise.

Thanks Al, I feel like I really need your help. I don't want to lose my permit. The system has been paid for, and is installed. The timing is lousy, I admit, but most of that was beyond my control.

Please respond so that I will know what to do. My fax # is (208)799-3995 at work, and (208)743-2198 at home. My work phone number is (208)799-3995, and my home phone is (208)743-2198.

I CAN BE IN COEUR D'ALENE TOMORROW MORNING TO MEET WITH YOU IF THAT WOULD BE HELPFUL. I am going to Black Lake anyway to work and measure the cfs of water flow. Please let me know.

Best regards,


Vern Breazeal
1038 Warner Ave.
Lewiston, Id. 83501.

MICROFILMED

JAN 12 1998

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

September 8, 1997

VERN BREAZEAL
NIKI BREAZEAL
1038 WARNER AVE
LEWISTON ID 83501

LAPSE NOTICE

RE: PERMIT NO. 94-07361

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated June 30, 1997. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

MICROFILMED
JAN 12 1998

CERTIFICATION OF MAILING

I hereby certify that on 9/8/97
~~a copy~~/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

[Signature]

June 30, 1997

VERN BREAZEAL
NIKI BREAZEAL
1038 WARNER AVE
LEWISTON ID 83501

PROOF DUE NOTICE

RE: PERMIT NO. 94-07361

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1997. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

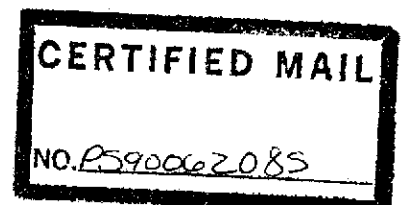
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

JAN 12 1998





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 17, 1995

VERN BREAZEAL
NIKI BREAZEAL
1038 WARNER AVE
LEWISTON ID 83501

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 94-07361

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

SEP 15 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 94-7361 Name: Breaedal Date: 8/15/95 Ad OK? ☒
Correct Fee? ☒ Receipt #: 99001 Priority: 5/31/95 ☒ Gvmt Lts: ☒

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)
SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - P16
+1 year - ~~26A~~-P17
GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. (POU cmp) - 01M, 065(if GW use SW 1st)
Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)
SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink in WD):
Water District(~~dom~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 028(may report)-01J(meas dev)-P08
=/- 0.2 cfs - 028(may report)-01H(lock dev)-P01 or No MD
=/+ 5 a. irr. - 028(may report) (POU cmp)
~~In-WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M
RIVER BASINS (*Surface water):
Snake R (01) - 11A-P04, NA
(02/03) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(consump. use), 047-P04(Payette Lake), NA
USE:
Domestic (surface) - 021(Boise R ↑ L Peak); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)
Irr =/- 5 acres - 057 (0.03 cfs/A) <DO POU COMPARISON>
+ 5 acres - 03A (0.02 cfs/A) <DO POU COMPARISON>
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA
LOCATION:
Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - ~~P52~~(stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - B <SEE CONDITION CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA
OWNERSHIP:Non-land owner - 004 (PD/PU) _____
OTHER CONDITIONS: - _____
STANDARD REMARKS: - ① well/1 ② Pu/LT 344, BK 1, LT 4, BK 4, Westview Lots.
③ WB8
BENEFICIAL USE DUE: - 8-1-1997
COMMENTS: - _____

RECEIVED

INFORMATION DEPARTMENT OF WATER RESOURCE
APPLICATION ANALYSIS SHEET

6 WR1
WRapps
BC

APPLICATION # 94-07361

AUG 14 1995 ***** INITIAL REVIEW *****

Department of Water Resources BREAZEL

BY: AB DATE: 5/31/95

ITEM REQUIRED INFORMATION

1. (x) Name and Address
2. (x) Source
3. (x) Point of Diversion & County
4. (x) Quantity
(x) Nature of Proposed Use
(x) Period of Use
5. (x) Total Quantity
6. (x) Description of diverting works
7. (x) Time required for b/u
8. (x) Proposed use
9. (x) Place of use or acres irrigated
10. (x) Other Water Rights
11. (x) Ownership
13. (x) Map
(x) Signature
(x) Fee (Amt, recpt, acknowledgment)

*** Send info sheet Y() N()

ADDITIONAL INFORMATION

Yes No

- x Field check: by _____
1 Field report attached
1 Analysis Supp. attached(>5cfs/500af)
1 Water delivered by water master?
Water District # _____

PROCESSING

Yes No

PRIORITY DATE: 5/31/95

x (Include Moratorium Remark)

x Statewide Avertising: (Diversion rate greater than 10 cfs or 1,000 af).

CA / Shuro / OK

ADVERTISE IN: KOOTENAI County.

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
() Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
() Power Information () Other: N/A

***** GROUNDWATER SECTION *****

(Yes)(No)

Checked by: _____ Date: ____/____/____

Remarks: _____

- x Groundwater management area
x Critical ground water area
x Well Drilling Permit required
Well Drilling Application and Fees received
Well Drilling Application approved?
Well Drilling Application Number _____

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes)(No)

- Notice of pending void order issued. Final order response date: ____/____/____
Further information required from applicant
7/17 Affidavit of publication received
7/17 Application published correctly, If not, record action taken: _____

6/28 Publication dates and paper recorded on application | Sr. Agent initial AB

- 1 Protests received. Final protest date: 7/24/95
1 Measuring device required
1 Measuring port required
1 Special conditions: _____
1 Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AB PMA

Date: 8/3/95

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Kootenai,

Keri Alexander

being first duly sworn upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The *Legal Notice*

of which the annexed is a printed copy, was published in the regular *THURS* issue of said newspaper for *2* consecutive *WEEKS* commencing on the *6th* day of *July*, 19*95*, and ending on the *13th* day of *July*, 19*95*, and such publication was made as often during said period as said *daily* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Subscribed and sworn to before me this *13th* day of *July*

Keri Alexander

SEP 1 1995

RECEIVED

JUL 14 1995

NORTHERN REGION
IDWR

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

2-5-99

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

94-07361 *ok*
BREAZEAL, VERN
BREAZEAL, NIKI
1038 WARNER AVENUE
LEWISTON, ID 83501
Source: BLACK LAKE
Tributary: COEUR D'ALENE LAKE
Diversion Pt: LOT 1 (NENE) Sec 12 T
47N R 03W in KOOTENAI County.
Use: DOMESTIC (0.040 CFS)
FIRE PROTECTION (0.200 CFS)
Total Diversion: (0.200 CFS)

Date Filed: 5/31/1995
In: KOOTENAI County
T47N R03W S12 Lot 1 (NENE)
96-08916

CROSS, COLIN J
CROSS, SUSAN
395 THERESA TERRACE DRIVE
POST FALLS, ID 83854
Source: SPOKANE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: LOT 3 (NWNE) Sec 10 T
50N R 05W in KOOTENAI County.
Use: DOMESTIC (0.060 CFS)
Total Diversion: (0.060 CFS)

Date Filed: 6/5/1995
In: KOOTENAI County
T50N R05W S10 Lot 3(NWNE)
95-08917

SCHAPER, THOMAS C
12540 CHICKEN POINT RD
HAYDEN LAKE, ID 83835
Source: GROUNDWATER
Diversion Pt: NENE Sec 10 T 51N R 03W
in KOOTENAI County.
Use: IRRIGATION (0.030 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.070 CFS)

Date Filed: 6/7/1995
In: KOOTENAI County
T51N R03W S10 NENE
1.0 ACRES TOTAL
96-08877

RED FIR WATER ASSN
1410 LINCOLN WAY
COEUR D'ALENE, ID 83814
Source: GROUNDWATER
Diversion Pt: SWSW Sec 12 T 53N R 03W
in KOOTENAI County.
Use: IRRIGATION (0.880 CFS)
DOMESTIC (0.250 CFS)
Total Diversion: (1.000 CFS)

Date Filed: 6/21/1995
In: KOOTENAI County
T53N R03W S11 NE-1/4 NESE SESE
S12 SWNW SW-1/4
S13 NWNW
S14 NENE
44.0 ACRES TOTAL
96-08880

HAYES FAMILY TRUST, ROBERT
HAYES FAMILY TRUST, JOAN
E 11700 NUNN ROAD
ATHOL, ID 83801
Source: SAGE CREEK
Diversion Pt: NENW Sec 31 T 53N R 02W
in KOOTENAI County.
Use: IRRIGATION (0.400 CFS)
Total Diversion: (0.400 CFS)

Date Filed: 6/26/1995
In: KOOTENAI County
T53N R02W S31 NENW Lot 1
(NWNW) Lot 2 (SWNW) SENW
20.0 ACRES TOTAL
96-08881

HAYES FAMILY TRUST, JOAN
HAYES FAMILY TRUST, ROBERT
ATHOL, ID 83801
Source: GROUNDWATER
Diversion Pt: SENW Sec 31 T 53N R 02W
in KOOTENAI County.
Use: IRRIGATION (0.030 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.070 CFS)

Date Filed: 6/26/1995
In: KOOTENAI County
T53N R02W S31 Lot 2 (SWNW)
SENW

2.0 ACRES TOTAL

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before JULY 24, 1995.

KARL J. DREHER, Director

Legal 125
July 6, 13, 1995

94-07361

BREAZEAL, VERN
BREAZEAL, NIKI
1038 WARNER AVENUE
LEWISTON, ID 83501

Source: BLACK LAKE

Tributary: COEUR D ALENE LAKE

Diversion Pt: LOT 1 (NENE) Sec 12 T 47N R 03W in KOOTENAI County.

Use: DOMESTIC	(	0.040 CFS)
FIRE PROTECTION	(	0.200 CFS)
Total Diversion:	(	0.200 CFS)

Date Filed: 5/31/1995

In: KOOTENAI County
T47N R03W S12 Lot 1(NENE)

SEP 15 1995

June 28, 1995

Vern and/or Niki Breazeal
1038 Warner Avenue
Lewiston, ID 83501

Re: Water Appropriation Application No. 94-07361

Dear Mr. and/or Mrs. Breazeal:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to Appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. However all protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

If your application is for groundwater and you are using a well that was constructed after July 1, 1987, it will be necessary for you to apply for a well drilling permit upon approval of the appropriation application, if no permit was obtained by you or previous owners to construct the well. Well drilling permits can be issued by this office only to holders of approved appropriation permits.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB:db

SEP 15 1995