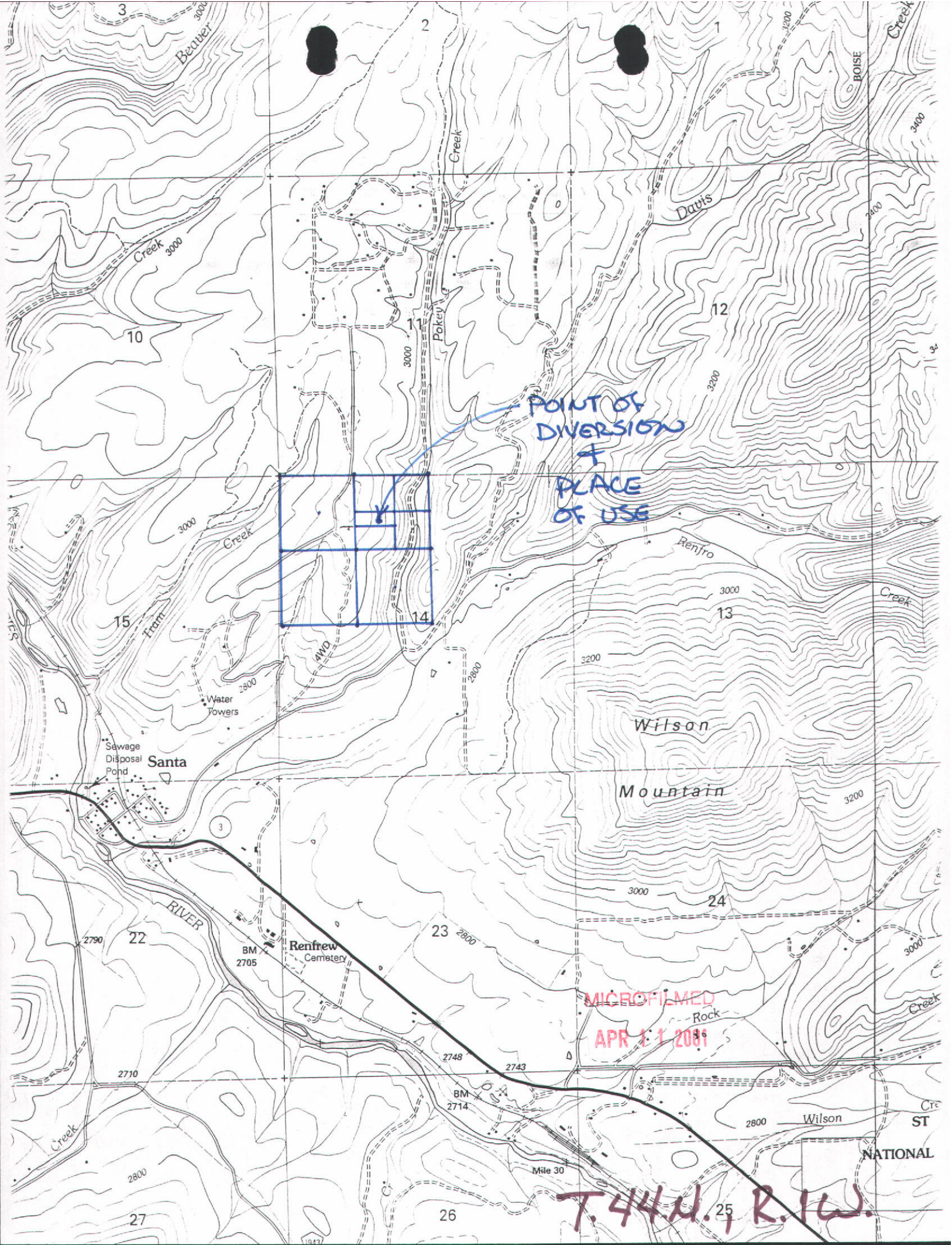




POINT OF
DIVERSION
+
PLACE
OF USE

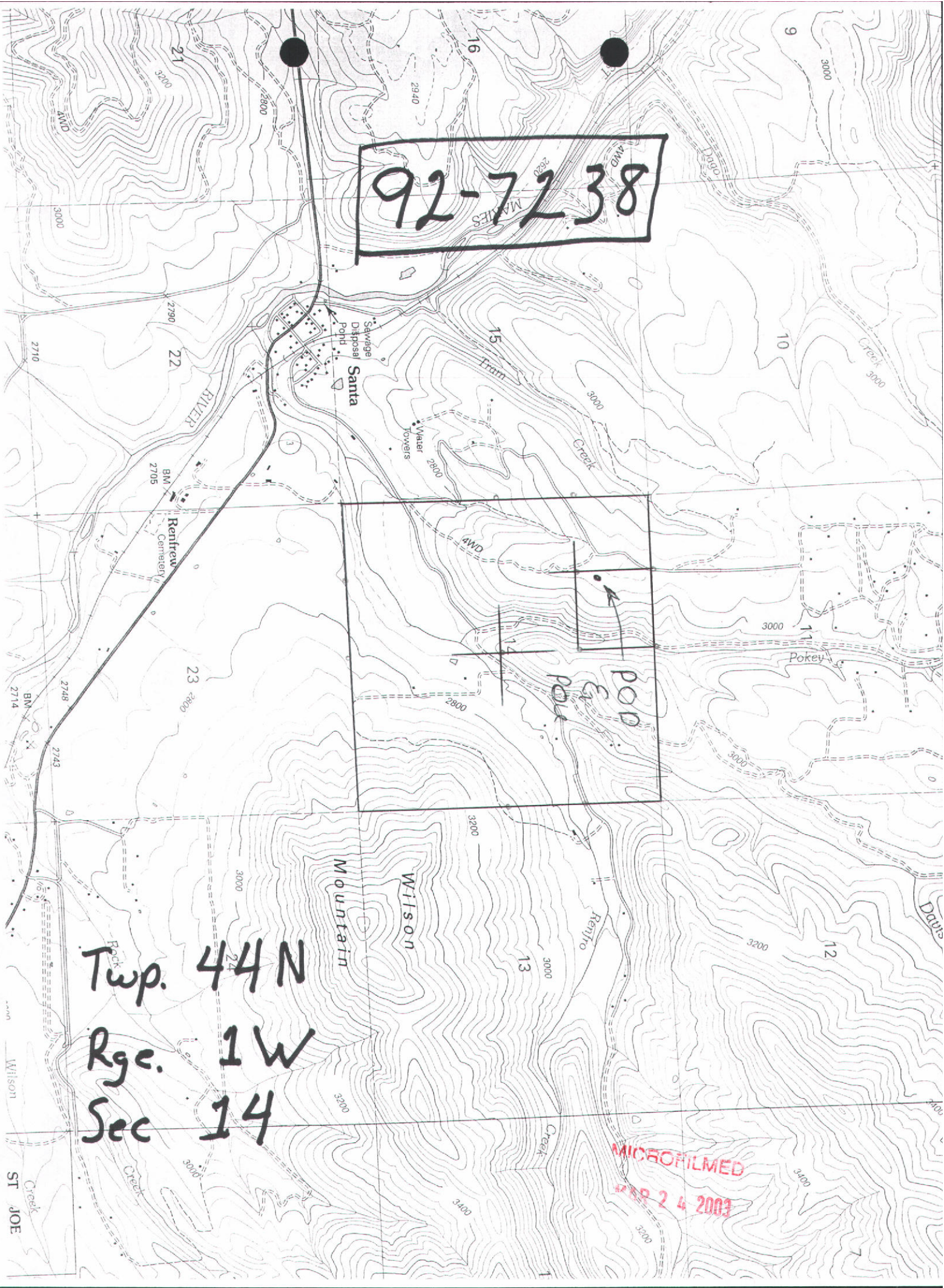
MICROFILMED
APR 11 2001

T. 44 N. 1 R. 1 W.

92-7238

Twp. 44 N
Rge. 1 W
Sec 14

MICROFILMED
FEB 24 2003



92-07238



Photo 1. Showing Mobile Home.



Photo 2. Showing Mobile Home Site.

MICROFILMED

MAR 24 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 92-07238

Priority: February 28, 2000

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.2 AF

It is hereby certified that RONALD M KINYON
606 AIRWAY DR
LEWISTON ID 83501 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated February 28, 2000; and has
submitted Proof of Beneficial Use on June 11, 2001. An examination indicates that the works have a
diversion capacity of 0.04 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 14, Twp 44N, Rge 01W, B.M., BENEWAH County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
44N 01W 14					X												

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 24TH day of FEBRUARY, 2003.

Acting for

KARL J. DREHER
Director

MICROFILMED
MAR 24 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

JUN 11 2001

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.

1. Permit No. 92-07238 Telephone No. 208-743-1106

2. Name of Permit Holder(s): Ronald M. Kinyon

3. Mailing Address: 606 Airway Dr.
City Lewiston State Id Zip 83501

4. Source of Water: Groundwater If **GROUNDWATER** (well), Date Drilled: mo. 06 / yr. 99

Well Driller: Precision Drilling, Inc. Drilling Permit Number: D-000586G
Lic# 0558

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

Domestic (No. of households): 1 Stockwater (No. and type of stock):

0 Irrigation (No. of acres): 1/2 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: .04 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 X

Has the measuring device been installed?

Yes _____ or No X

8. Fee Enclosed: \$ _____ (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: Ronald M. Kinyon Telephone Number: 208-743-1106

Address: 609 Airway Drive 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 water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Ronald Kinyon Date: 6-6-01
(include your title, if on behalf of company or organization)

RECEIVED
JUN 12 2001

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 92-07238

Priority: February 28, 2000

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **RONALD M KINYON**
606 AIRWAY DR
LEWISTON ID 83501

has applied for a permit to appropriate water from: **GROUNDWATER**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 14, Township 44N, Range 01W
BENEWAH County

PLACE OF USE: DOMESTIC

TWN RGE SEC

44N 01W 14

NENW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before **July 1, 2001**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Domestic use is for 1 home.

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

26 day of June, 2000


for Karl J. Dreher, Director

MICROFILMED

APR 11 2001

RECEIVED

MAY 22 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant RONALD M KINYON Phone 208-743-1106
Mailing address 606 AIRWAY DRIVE LEWISTON ID 83501
2. Source of water supply WELL - GROUNDWATER which is a tributary of N/A
3. Location of point of diversion is Township 44 NORTH Range 1 WEST Sec. 14, in the NE 1/4, NW 1/4, Govt. Lot BENEWAH, B.M., BENEWAH County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:

Amount <u>0.04 CFS</u> for <u>DOMESTIC</u>	purposes from <u>MAR 1</u> to <u>NOV 1</u>	(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)		
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)		
Amount _____ for _____	purposes from _____ to _____	(both dates inclusive)
(cfs or acre-feet per annum)		
5. Total quantity to be appropriated is (a) 0.04 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source 6" WELL & 1" PUMP (1hp) 10 GPM
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - c. Proposed well diameter is 6" inches; proposed depth of well is 225 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? 6-19-99; Drilling firm PRECISION DRILLING
Well was drilled for (well owner) YES; Drilling Permit No. D-0005869
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
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. 1
 - e. Other; describe fully. _____

MICROFILMED

APR 11 2001

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	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
44N	1W	14					D												

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? RONALD M & DONNA M KINYON

b. Who owns the land to be irrigated or place of use? RONALD M & DONNA M KINYON

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: _____

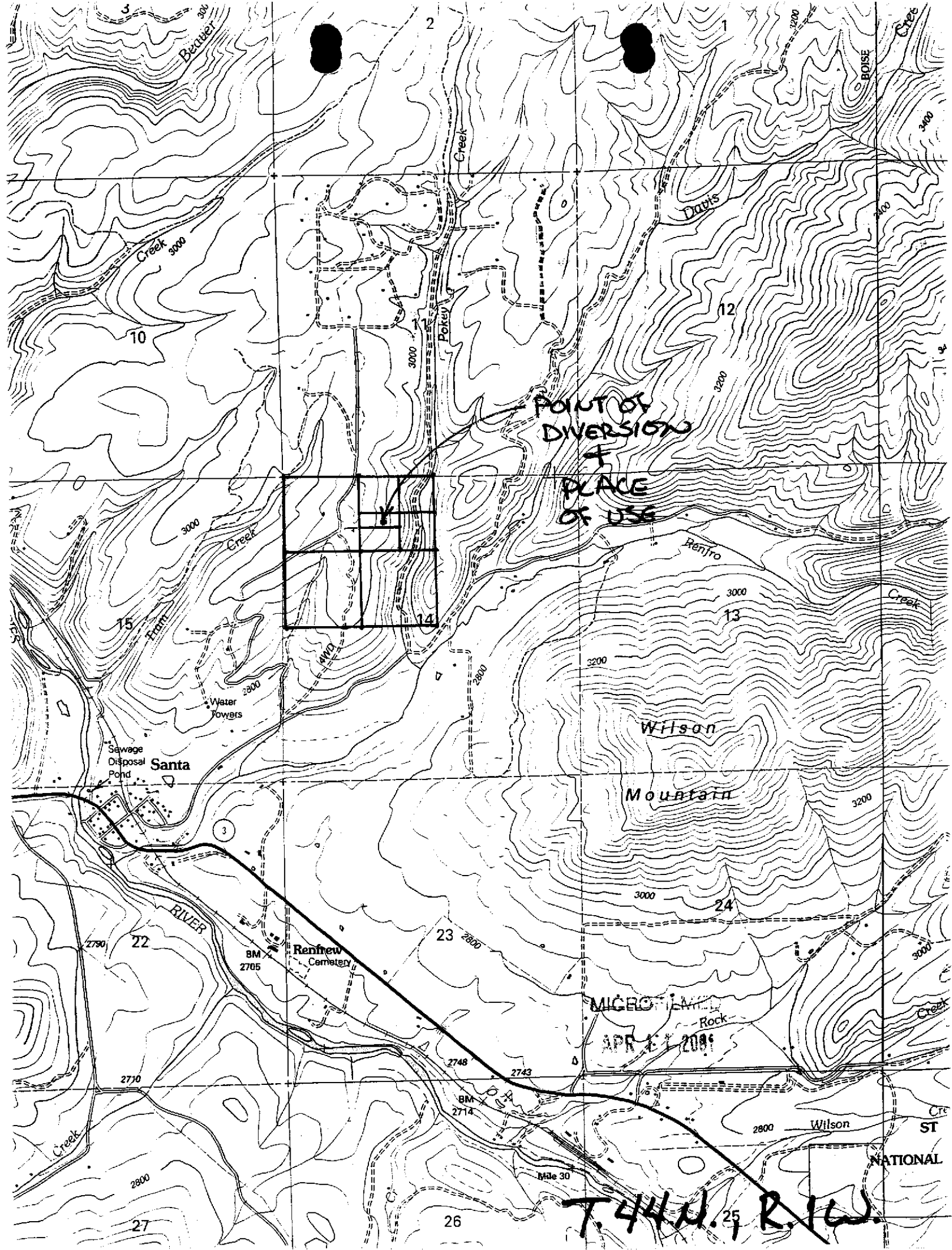
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED
APR 11 2001

Ronald M. Kinyon Donna M Kinyon
Signature of Applicant (and title, if applicable)

Received by db Date 2/28/00 Time 12:00 Noon Preliminary check by db
 Fee \$ 50.00 Receipted by db # N013471 Date 2/28/00
 Publication prepared by db Date 3/29/00 Published in St. Maries Bayette 4/5 + 12/00
 Publication approved db Date 4/17/00





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 25, 2003

RONALD M KINYON
606 AIRWAY DR
LEWISTON ID 83501

RE: License No. 92-7238 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

MAR 24 2003

CERTIFICATE OF SERVICE

I hereby certify that on February 25, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

92-7238

**RONALD M KINYON
606 AIRWAY DR
LEWISTON ID 83501**



**Kari Lynn Townsend
Secretary**

**MICROFILMED
MAR 24 2003**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director 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 Director 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.

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.

MICROFILMED
MAR 24 2003

Comment Report

92-7238

1. kwalker 2/21/2003 License Review

Comment: Recommend as permitted.

2. DBALL 3/21/2000 DIVERSION DESCRIPTION

Comment: Existing 6 inch well with Tag D5869, and 1 hp pump 10 gpm.

MICROFILMED

MAR 24 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 3 - 2003
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 92-7238

1. Owner: Ronald M. Kinyon

Phone No. (208) 743-1106

Current Address: 606 Airway Dr.
Lewiston, ID 83501

2. Accompanied by: Ronald M. Kinyon

EXAM DATE : July 25, 2002

Address: See Above

Phone No. See Above

Relationship to Permit Holder: Permit Holder

3. Source: Groundwater

tributary to:

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

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
NA			NE	NW	14	44N	01W	Benewah	USGS 7½ minute topographical map

2. Place(s) of Use:

Indicate Method of Determination: USGS 7½ minute topographical map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
44N	01W	14					D												

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

NA

Scale: 1" = NA.

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

No Aerial Photo Attached (required for irrigation of 10+ acres)

No Photo of Diversion and System Attached

MICROFILMED
MAR 24 2003

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
NA	NA	NA	NA	NA	NA

*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
NA						

2. Measurements:

NA

E. NARRATIVE/REMARKS/COMMENTS

I spoke with Mr. Kinyon by telephone on June 20, 2002. He informed me that the well was operational, that there was currently a fifth-wheel camp trailer on the property, and that he would soon have a mobile home set up there to replace the camp trailer. I stopped by on July 25, 2002 and found that there was indeed a camp trailer, that a mobile home had been moved onto the property (*Photo 1*), and that Mr. Kinyon was in the process of preparing the site for the mobile home (*Photo 2*).

There were also two small lawns that were being irrigated. The total area of the lawns was much less than 1/2 acre.

I found no tag on the well.

Have conditions of permit approval been met? **X** Yes no

F. FLOW CALCULATIONS

Measured Method:

Domestic (1 Home) = **0.04 cfs**

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

MICROFILMED
JUN 24 2003

2. Volume Calculations for Other Uses:

Domestic (1 Home) = **1.2 AFA**

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Domestic	1/1	12/31	0.04	1.2
	Totals:		0.04	1.2

2. 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

I. AUTHENTICATION

Field Examiner's Name: Jim Zimmerman

Date: July 27, 2002

Signature



Permit No.: 92-7238

MICROFILMED
MAY 24 2003

92-7238

Twp. 44 N
Rge. 1 W
Sec 14

ST JOE

92-07238



Photo 1. Showing Mobile Home.



Photo 2. Showing Mobile Home Site.

MICROFILMED

11/14/2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

July 16, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RONALD M KINYON
606 AIRWAY DR
LEWISTON ID 83501

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 92-07238

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

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.

If you have questions concerning the field examination, please contact the Northern Regional Office of the department in Coeur d'Alene at (208) 769-1450.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED

OCT 12 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 92-7238

Reviewed By: dgibson

Date: June 27, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?		X	Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		N013471,	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		06/11/2001
Date proof due	-	07/01/2001
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	02/28/2000
New priority date	=	02/28/2000

Deficiencies of Actions Items

Acknowledge proof if meets with John Carlson's review of fees paid for the drilling permit. Wait for John's ok, ~~or if not, send out a letter requesting well log and drilling permit.~~

Proof Report

Permit No. 748889
Metal Tag No. D0005869,
Well ID # 278349

Relationship: Owner/Operator
Name: RONALD M KINYON-
Address: 606 AIRWAY DR
LEWISTON ID 83501

Relationship: Owner/Operator
Name: DONNA M KINYON-
Address: 606 AIRWAY DR
LEWISTON ID 83501

Well Location: Township 44N, Range 01W, Section 14, NW, NE, NW
COUNTY BENEWAH

Address of Well Site: POKEY CREEK WEST (SEE MAP)
SANTA ID

Use of Well: Domestic-Single Residence - D.P. fee ok'd w/ JDC 7/13/01.

Activity: New Well

Region: Northern

Construction Method:

Const Start Date: Const End Date:

Well Drilling Company: PRECISION DRILLING INC (No. 558)

Card Hold Name: JAMES DAVID CARMAN- (No. 3998)

Certifying Official:

Date Received:

Date Approved: Jun 21 1999

Date Inspected: Sep 03, 1999246,

Completed Depth: 0 FT Drilled Depth: Surface Diameter:

Primary Flow Depth: Overall Temp: Static Water Level: 0

Head Pipe Length: Tail Pipe Length Production Rate: 0 GPM

Closed in Pressure: 0 Psi Bottom Hole Temp: 0 F. Low Temp Geothermal: NO

Control Device Desc:

Access Port Desc:

Casing

From	To	Diam	Type	Gauge	Join Type	Material
------	----	------	------	-------	-----------	----------

MICROFILMED

OCT 12 2001

Seal

From	To	Material	Amount	Method
------	----	----------	--------	--------

Screen

From	To	Dia	Type	Slot Size	# of Slots	Material	Perforation Meth	Screen Type
------	----	-----	------	--------------	---------------	----------	---------------------	-------------

Lithologic Layer

From	To	Diam	Water	Color	Material	Texture
------	----	------	-------	-------	----------	---------

Drive Shoe

Depth	Test Description
-------	------------------

MICROFILMED

OCT 12 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

April 30, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RONALD M KINYON
606 AIRWAY DR
LEWISTON, ID 83501

PROOF DUE NOTICE

COPY

RE: PERMIT NO. 92-7238

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 July 01, 2001. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed 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.

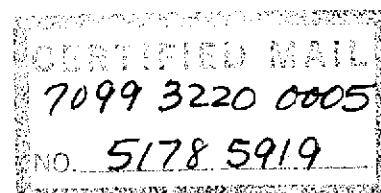
Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILMED

OCT 12 2001





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 27, 2000

DIRK KEMPTHORNE
GOVERNOR

RONALD M KINYON
606 AIRWAY DR
LEWISTON ID 83501

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 92-07238

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

MICROFILMED

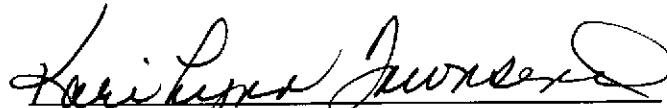
APR 11 2000

CERTIFICATE OF MAILING

I hereby certify that on the 27th day of June, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 92-07238

RONALD M KINYON
606 AIRWAY DR
LEWISTON ID 83501


Kari Lynn Townsend
Secretary

MICROFILMED

APR 11 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED

APR 11 2004

FINAL ORDER

The Director 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 Director 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.

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.

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Cindy Zimmerman on 10/11/00

No. 92-07238 Name: Ronald M. Kingon Corp. Officers N/A Ad ok ✓ Govt Lots ?

AREA OF CONCERN: No/Yes — Moratorium — GWMA — TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT DOCS 869
All wells - 046(P23)

Irr. w/in WD - **P05**
✓WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
WMD
Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - **P84** (20s-70s, 81-86)
Swan Falls Flag - —
Trust - 051(**P74**) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(**P01**), 01P-18B(**P09**)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-081(**P10**)
FISH PROP - 029(70's only)-007-042-081(**P10**)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 7/01/01

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
≤ 1 yr - **P16**
> 1 yr - 26A(**P17**)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

SURFACE WATER: (✓Flow Chart) N/A

F&G contacted - Yes/No Response —
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE —
In-stream development - **P52**
WD - R04 (WD# —)
≤ 0.20 cfs/others - 01H(**P01**), 01P or No MD
> 0.20 cfs - 01J(**P08**)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations) N/A

Snake R (01) - W22(**P04**), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(**P04**) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(**P18**)-01N-081(**P10**)
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per 1/4 - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON — - — (Per updated map)

OTHER CONDITIONS/REMARKS 0301

COMMENTS Existing well 6" x 225' under D5869, 1HP, 10gpm.

WRI
WRA
BCA

INITIAL REVIEW

BY:

DATE: 2 / 28 / 00

PROCESSING

- (Yes) (No) PRIORITY DATE: 2 / 28 / 00
- X (Include Moratorium Remark)
- X Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN: RENEWAL County

LETTERS SENT REQUESTING:

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

ADDITIONAL INFORMATION

(Yes) (No)

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

INFORMATION RECEIVED:

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

GROUNDWATER SECTION

WD Permit No.'s:	Type:	Fees	Receipt No.	Upgrade Needed?
<u>D 0000 5 869</u>	Dom. <u>Y</u> Non-Dom. _____	Paid \$ <u>75</u>	_____	Y () N (<u>X</u>)
_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y () N ()
_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y () N ()

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

Remarks:

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

- _____ Notice of pending void order issued. Final order response date: _____/_____/_____
 _____ Further information required from applicant
 4/17 _____ Affidavit of publication received
 4/17 _____ Application published correctly. If not, record action taken: _____
 3/29 _____ Publication dates and paper recorded on application _____ | Sr. Agent initial AB
 _____ ✓ Protests received, Final protest date: 4/24/00
 _____ ✓ Measuring device required
 _____ ✓ Measuring port required
 _____ ✓ Special conditions:
 _____ ✓ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by:

Date: 5 / 16 / 00

Affidavit of Publication

STATE OF IDAHO

County of Benewah, ss.

Cynthia Ann Hammes, being first duly sworn on oath, deposes and says that she is vice president of The Corporation, owner of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah County, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of notice of advertisement herein.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of 2 issues, the first publication being on the 5th day of April, 2000, and the last on the 12th day of April, 2000.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

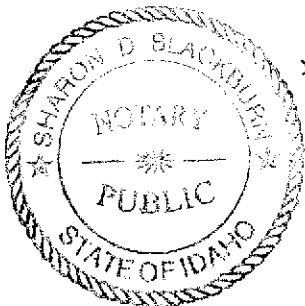
Dated this 12th day of April, 2000.

Cynthia Ann Hammes

STATE OF IDAHO)

COUNTY OF BENEWAH)

On this 12th day of April, in the year of 2000 before me, a Notary Public, personally appeared Cynthia Ann Hammes, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Sharon D. Blackburn

Notary Public for Idaho

Residing at St. Maries, Idaho

My commission expires: Nov. 6, 2004

RECEIVED
APR 17 2000
DWR/North

Water rights

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

92-07238

KINYON, RONALD M.

606 AIRWAY DR.

LEWISTON, ID 83501

Source: GROUNDWATER

Diversion Pt: NENW Sec. 14 T 44N R 01W in BENEWAH County.

Use: DOMESTIC (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 2/28/2000

In: BENEWAH County

T44N R01W S14 NENW

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 April 24, 2000.

KARL J. DREHER, Director

4609-April 5-12

92-07238

KINYON, RONALD M
606 AIRWAY DR
LEWISTON, ID 83501

Source: GROUNDWATER

Diversion Pt: NENW Sec 14 T 44N R 01W in BENEWAH County.

Use: DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.040 CFS)

Date Filed: 2/28/2000

In: BENEWAH County	
T44N R01W S14	NENW

MICROFILMED
APR 11 2001

March 29, 2000

Ronald M. Kinyon
606 Airway Drive
Lewiston ID 83501

Re: Water Appropriation Application No. 92-07238

Dear Mr. Kinyon:

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. Enclosed for your file is Receipt Number N013471.

Your appropriation application is currently being prepared for advertising in the local 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. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. 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. 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.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State office in Boise.

If your source is groundwater, a Well Drilling Permit is required for all wells constructed after July 1, 1987.

A "Domestic" well drilling permit should be obtained for a rate of diversion of up to 18 gallons per minute (0.04 CFS) and a daily volume of up to 2,500 gallons per day. The cost for this permit is \$75.00. For any other use, including multiple homes, or municipal, etc., the Drilling Permit fee is \$200. These Permits can be obtained by your driller, also. It is sometimes possible to upgrade an existing Domestic Drilling Permit by submitting a fee for the difference. This, however, depends on the individual well.

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

Sincerely,

MICROFILMED

ALLEN BEARDSLEE
Senior Water Resources Agent

APR 11 2001

AB:db

Dear Sirs

Here"s the information you requested for property location, because we have no map. Thank you very much for the help on this matter.

Ronald Kinyon

Ronald Kinyon

MICROFILMED

APR 11 2001

BUYER'S SETTLEMENT STATEMENT

Name of Buyer: RONALD M. KINYON and DONNA M. KINYON
 Address: 606 AIRWAY HEIGHTS DRIVE, LEWISTON, ID 83501
 Name of Seller: BRADLEY D. LOOMIS
 Address: 5801 PACIFIC RIM WAU, #130, Bellingham, WA 98226
 Settlement Agent: FIRST AMERICAN TITLE COMPANY OF BENEWAH COUNTY
 Address: 108 N. 8TH ST. MARIES, ID 83861
 Property Location: W½N½S½NE¼NW¼, Section 14, Township 44 North, Range 1 West, BM
 Settlement Date: December 31, 1998

Assets	Contract sale price	\$12,000.00	
purchased	Personal property		
by buyer	City town taxes to		
	County taxes to		
	Assessments to		
	Total Assets purchased by buyer		\$12,000.00

Add Settlement Charges

Sales Commission	Commission Paid at Settlement		
	Money Retained by Broker		
	Applied to Commissions \$)		

Title Charges	Settlement or Closing fee to First American Title Co	\$62.50	
	Title Search to		
	Title Examination		
	Title Insurance Binder		
	Document Preparation		
	Notary Fees		
	Attorney's Fees		
	Title Insurance to First American Title Co		

Government	Recording Fees Deeds - \$ 3.00 per page	\$3.00	
Recording	Mortgage / Deed of Trust		
and Transfer			
Charges			

Additional	Escrow Set-up Fee		
Charges	First Annual Escrow Fee		

Total Charges	Total Settlement Charges		\$65.50
---------------	--------------------------	--	---------

Gross Total	Gross Amount Due From Buyer		\$12,065.50
-------------	-----------------------------	--	-------------

	Less Amount Paid By or In Behalf of Buyer		
--	---	--	--

Amounts Paid	Deposit or Earnest Money	\$1,000.00	
or in	Principal Amount of New Loan[s]		
ehalf of Buyer	Existing Loan[s] Taken Subject to		
	Amount due on or before 2-15-99	\$500.00	
	City, Town taxes		
	County taxes 1-1-98 to		
	Assessments		

Total	Total by/ for Buyer		\$1,500.00
-------	---------------------	--	------------

Net Amount	CASH ☒ FROM ☐ TO BUYER		\$10,565.50
------------	---	--	-------------

The above settlement is hereby approved and Settlement Agent is authorised and directed to disburse the money as indicated herein and deliver instruments, documents and other property, if any, to the designated Grantees and otherwise close this transaction in accordance with the settlement instructions
 I hereby certify that I have received a copy of the Buyers Settlement Statement.

Buyer:

Buyer:

FIRST AMERICAN TITLE COMPANY

By: _____

MICROFILMED
APR 11 2001