

NO. 84-12147

Maximum Diversion Rate: 0.04 CFS

1997 1 5 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 84-12147

6. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 2nd day of April, 2004.


Acting for KARL J DREHER, Director

MICROFILMED

JUL 15 2004

11-12-02

#10000

FORM 202
12/99Ident. No. 84-12147RECEIVED
MAR 15 2002

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMITRECEIVED
NOV 12 2002
IDWR/North

To appropriate the public waters of the State of Idaho

- Name of Applicant Woodland Meadows Subdivision Phone 476-5173
Mailing address 1221 Lower Wells Bench Rd. Orofino ID 83544
- Source of water supply Ground water which is a tributary of _____
- Location of point of diversion is Township 37N Range 2E Sec. 27, in the _____ 1/4, SW 1/4, NW 1/4, Govt. Lot _____, B.M., Clearwater County; additional points of diversion if any: _____
- Water will be used for the following purposes:

Amount <u>0.04</u> for <u>Domestic</u> purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive)	(cfs or acre-feet per annum)
Amount <u>0.04</u> for <u>Irrigation</u> purposes from <u>3/15</u> to <u>11/15</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)
- Total quantity to be appropriated is (a) 0.04 cubic feet per second and/or (b) _____ acre feet per annum
- Proposed diverting works:
 - Describe type and size of devices used to divert water from the source 8" well, 600' deep, Berkley D-10 pump. 3' pipe runs 2000' to 5000 gallon storage tank.
 - Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - ~~Proposed~~ well diameter is 8 inches; proposed depth of well is 600 feet
 - Is ground water with a temperature of greater than 85°F being sought? _____
 - If well is already drilled, when? 2/1981; Drilling firm unknown
Well was drilled for (well owner) Beecher Sanger; Drilling Permit No. _____
- Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
- Description of proposed uses (if irrigation only, go to item 9):
 - Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; show name of municipality. _____
 - Domestic; show number of households. 14 homes
 - Other; describe fully. _____

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NOV 15 2004

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	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
37N	2E	27							D				D						
37N	2E	27							3.5				3.5						7.0

Total number of acres to be irrigated 7.0

10. Describe any other water rights used for the same purposes as described above. Domestic App. from spring filed at this time.

11. a. Who owns the property at the point of diversion? MARVIN Lyness

b. Who owns the land to be irrigated or place of use? individual lot owners of Woodland M. Sub.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Woodland Meadows subdivision has an easement (50')

12. Remarks: around well.

well was drilled and has been in use since 1981.

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.

Traci L. Telecky, Secretary
Signature of Applicant (and title, if applicable)

Received by He Date 4/12/12 Time 3:10 Preliminary check by AS
Fee \$ 100.00 Receipted by cm # ND 15359 Date 11-12-02
Publication prepared by Ø Date 2/11/04 Published in Idaho State Tribune 2/19+26/04
Publication approved Ø Date 3/11/04

NOT RECORDED

APR 13 2004

TO: Water Resources
February 10, 2004

RECEIVED
FEB 13 2004
IDWR/North

Attn: AL

In regards to your phone message concerning Woodland Meadows Subdivision application for water rights: You requested the following information:

List of officers for water board:

Brent Telecky	476-5173
Gerry Davis	476-7655
William Connor	476-3745

These three are board members for the water decisions. They all have equal power in decision making.

Thank you,

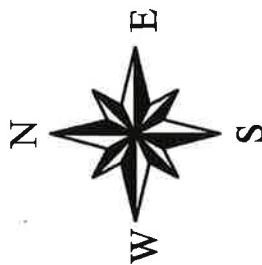
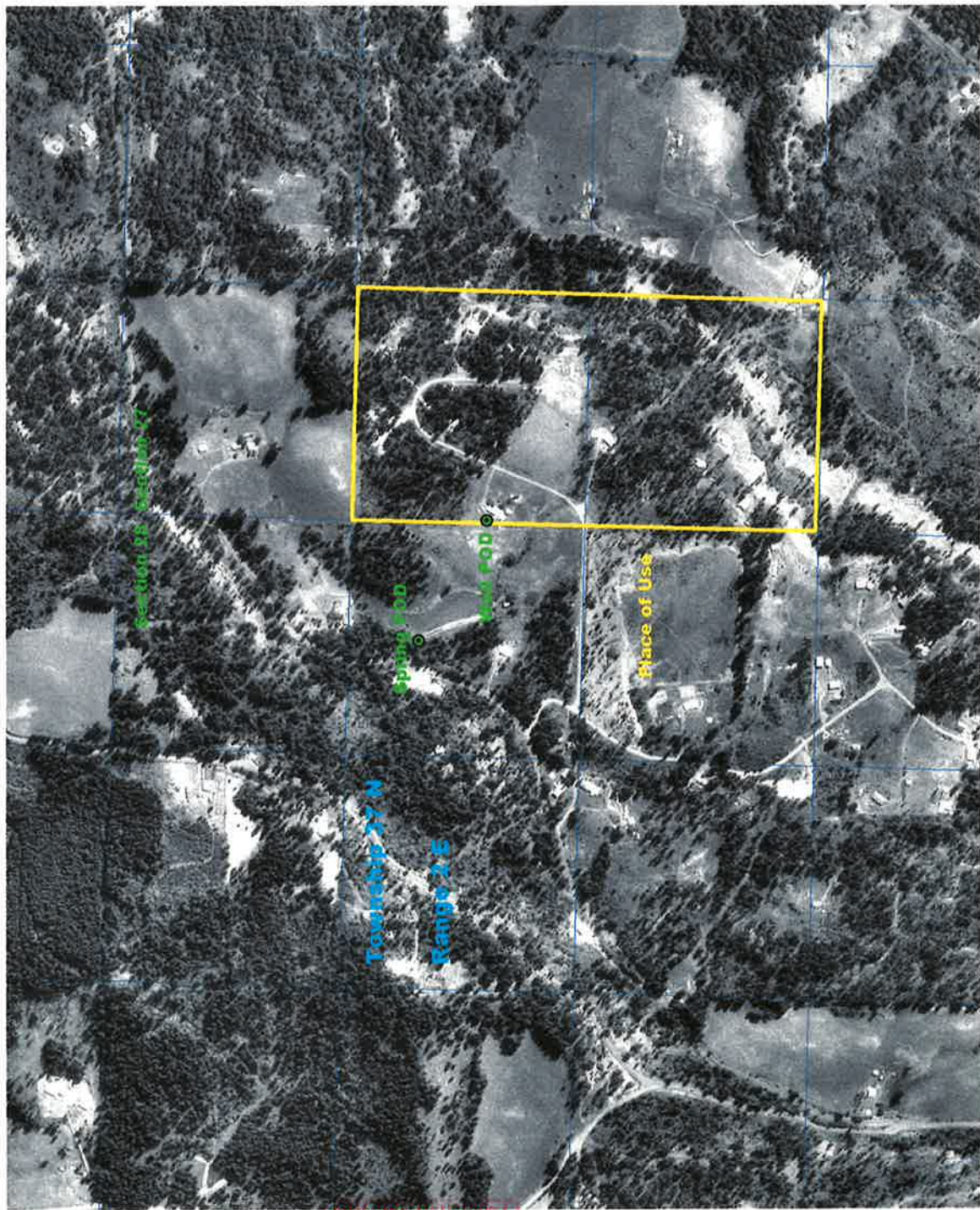
Traci Telecky, Secretary/Treasurer

*Entered on
Computer
2/13/04
b*

RECEIVED

FEB 15 2004

Woodland Meadows Subdivision



T37N R02E
Sections 27 & 28

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1981 1 5 2004



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

April 2, 2004

WOODLAND MEADOWS SUBDIVISION
1221 LOWER WELLS BENCH RD
OROFINO ID 83544

RE: Permit No. 84-12147

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources 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 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.

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 water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

Also, 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.

MICROFILMED
JUL 15 2004

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

Sincerely,

for Kay Walker
Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

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JUN 15 2004

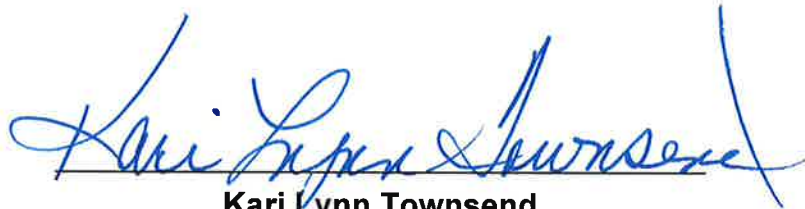
CERTIFICATE OF SERVICE

I hereby certify that on April 2, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

84-12147

**WOODLAND MEADOWS SUBDIVISION
1221 LOWER WELLS BENCH RD
OROFINO ID 83544**



**Kari Lynn Townsend
Secretary**

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III 15 2004

**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.

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JUN 15 2004

AFFIDAVIT OF PUBLICATION

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MAR 08 2004

IDWR/North

STATE OF IDAHO)
) ss.
County of Clearwater)

LA RAE CALL

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of the THE CLEARWATER TRIBUNE; that said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the

APPLICATION FOR APPROPRIATION OF PUBLIC WATER

GARY C. & LYNDAL SWIFT & WOODLAND MEADOWS SUBDIVISION

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for a full period of two consecutive issues, commencing on the 19th day of February 2004 and ending on the 26th day of February 2004.

La Rae Call

STATE OF IDAHO)
)
COUNTY OF CLEARWATER)

On this 27th day of February in the year of 2004, before me, a Notary Public, personally appeared

La Rae Call

known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Pamela A. Jones

Notary Public for Idaho
Resident at Orofino, Idaho
My commission expires: 11-26-07

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

83-11937

GARY C SWIFT
LYNDAL SWIFT
PO BOX 5
NEW MEADOWS ID 83654
Point(s) of Diversion SWSENE S27 T38N R01E CLEARWATER County
Source SPRING Tributary To SINKS
Use: IRRIGATION 03/15 To 11/15 0.08 CFS
Use: STOCKWATER 01/01 To 12/31 0.02 CFS
Use: DOMESTIC 01/01 To 12/31 0.1 CFS
Total Diversion: 0.2 CFS
Date Filed: 01/28/2004
Place Of Use: IRRIGATION T38N R01E S26 SWNW
Number of Acres 4
Place Of Use: DOMESTIC and STOCKWATER same as IRRIGATION
Remark: Domestic use is for 4 homes.
Stockwater use is for 10 horses.

84-12146

WOODLAND MEADOWS SUBDIVISION
1221 LOWER WELLS BENCH RD
OROFINO ID 83544
Point(s) of Diversion NESENE S28 T37N R02E CLEARWATER County
Source SPRING Tributary To SINKS
Use: IRRIGATION 03/15 To 11/15 0.1 CFS
Use: DOMESTIC 01/01 To 12/31 0.1 CFS
Total Diversion: 0.1 CFS
Date Filed: 11/12/2002
Place Of Use: IRRIGATION T37N R02E S27 SWNW NWSW
Number of Acres 7
Place Of Use: DOMESTIC same as IRRIGATION
Remark: Domestic use is for 14 homes.

84-12147

WOODLAND MEADOWS SUBDIVISION
1221 LOWER WELLS BENCH RD
OROFINO ID 83544
Point(s) of Diversion SWNW S27 T37N R02E CLEARWATER County
Source GROUND WATER
Use: IRRIGATION 03/15 To 11/15 0.04 CFS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 11/12/2002
Place Of Use: IRRIGATION T37N R02E S27 SWNW NWSW
Number of Acres 7
Place Of Use: DOMESTIC same as IRRIGATION
Remark: Domestic use is for 14 homes.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of these applications must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur d'Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 03/08/2004. The protestant must also send a copy of the protest to the applicant.

KARL J BREHER, Director

Published on February 19 and 26, 2004

02-19,26c

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1111 1 5 2004



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

Fax (208) 769-1454

February 11, 2004

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

WOODLAND MEADOWS SUBDIVISION
1221 LOWER WELLS BENCH RD
OROFINO ID 83544

RE: Application for Permit No 84-12146 and 84-12147

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Clearwater Tribune on February 19 and 26, 2004. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

Allen Beardslee
Senior Water Resource Agent

Enclosure - Receipt No. N015359

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MAR 15 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 11, 2004

--PLEASE FAX A PROOF COPY PRIOR TO PUBLICATION--

MARCIE STANTON
LEGAL NOTICE DEPARTMENT
CLEARWATER TRIBUNE
PO BOX 71
OROFINO ID 83544

e-mailed to Marcie at cleartrib@clearwater.net

RE: Application for Permit No. 83-11937, 84-12146 and 84-12147

Dear Marcie:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, February 19 and 26, 2004, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 03/08/2004. Your cooperation is GREATLY appreciated.

Thank you,

Sincerely

Dianne

Dianne Ball
Administrative Assistant

MICROFILMED

FEB 15 2004

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, February 11, 2004 3:07 PM
To: Legal Notices-Clearwater Tribune (E-mail)
Subject: Legal notice for publication on February 19 and 26, 2004

Good afternoon Marcie (and Andrea) -

We are having some beautiful and much welcomed sunshine today - I hope you are having some also.

Attached you will find a cover letter requesting that you publish a legal notice on February 19 and 26, 2004. The legal notice is also attached.

Please reply to this e-mail to let me know you received it ok, and also, **please fax a proof copy to my attention at 208-769-1454, prior to publication,**

If you have ANY questions concerning this legal notice, please call me at 208-769-1450.

Thanks very much, and have a wonderful day.

Dianne

Dianne Ball, Administrative Assistant
Idaho Department of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814
Phone 208-769-1450 FAX 208-769-1454

MICROFILMED
MAY 15 2004

2/11/2004

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GARY C SWIFT
LYNDA L SWIFT
PO BOX S
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Source SPRING Tributary To SINKS

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84-12146

WOODLAND MEADOWS SUBDIVISION
1221 LOWER WELLS BENCH RD
OROFINO ID 83544

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Remark: Domestic use is for 14 homes.

84-12147

WOODLAND MEADOWS SUBDIVISION
1221 LOWER WELLS BENCH RD
OROFINO ID 83544

Point(s) of Diversion SWNW S27 T37N R02E CLEARWATER County
Source GROUND WATER

Use: IRRIGATION 03/15 To 11/15 0.04 CFS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 11/12/2002

Place Of Use: IRRIGATION T37N R02E S27 SWNW NWSW
Number of Acres 7

Place Of Use: DOMESTIC same as IRRIGATION

Remark: Domestic use is for 14 homes.

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KARL J DREHER, Director

Published on February 19 and 26, 2004

APR 15 2004

