

State of Idaho
Department of Water Resources

Priority: April 13, 2016

**This is to certify, that CAROL A BAUER
236 SKY VIEW RD
SAGLE ID 83860**

Source: SPRING

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	01/01 to 12/31	0.04 CFS
IRRIGATION	04/01 to 10/31	0.16 CFS

SPRING NW1/4,SW1/4, SE1/4, Sec. 27, Twp 57N,Rge 01W, B.M., BONNER County

Twp	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
57N	01W	27														X			
																L2			

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N 01W 27														5.0	1.0		6.0

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before August 01, 2021.
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. 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 the permit holder had no control.
5. Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
7. Place of use is located within Lot 2 Eureka Heights subdivision.

Signed, this 2nd day of August, 20 16.

Morgan Case
MORGAN CASE, Northern Regional Manager

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-9614

This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place Of Use Boundary
- PLS Sections
- Taxlots

0 0.03 0.06 0.12 Miles

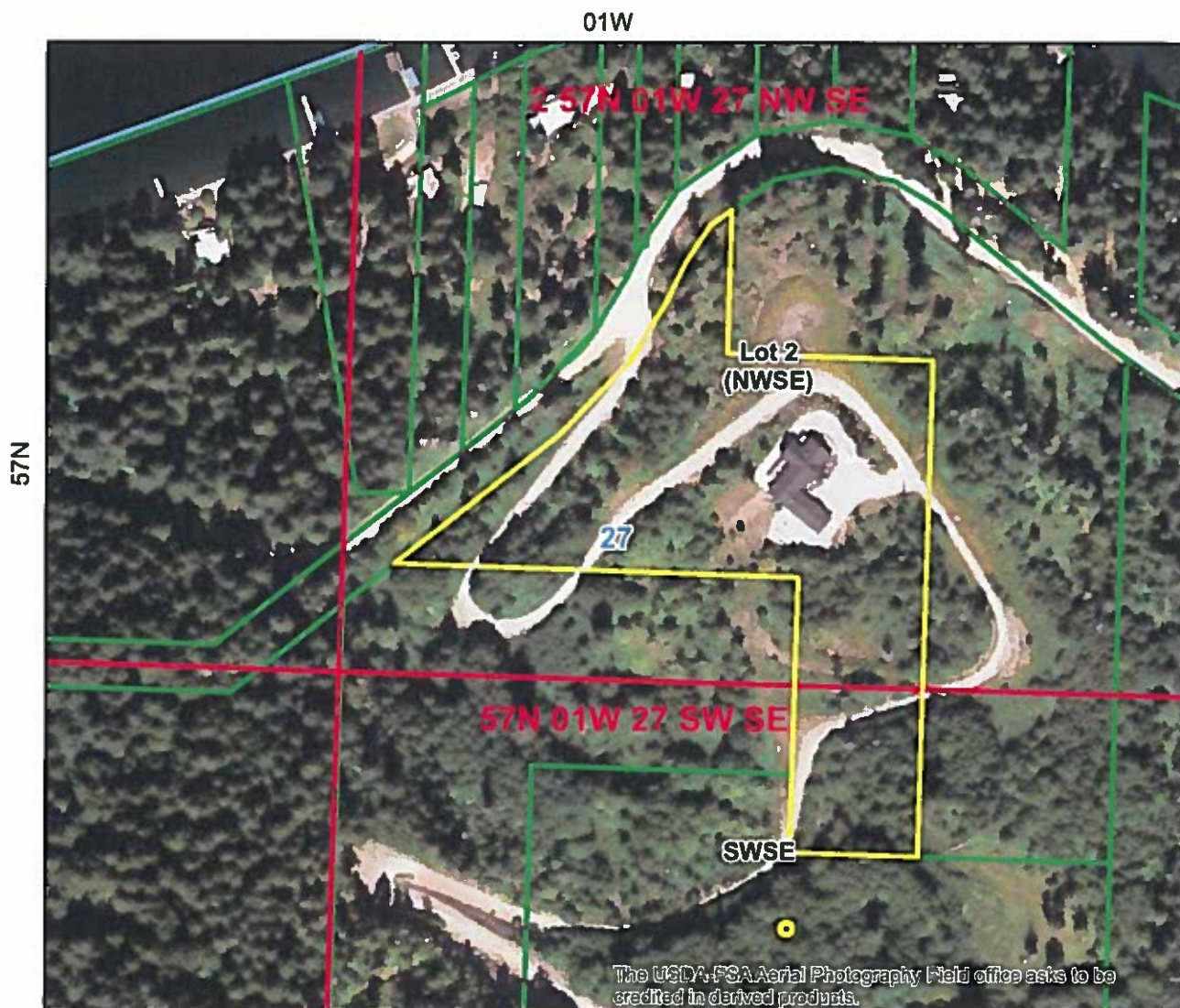


State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-9614

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place Of Use Boundary
- PLS Sections
- Taxlots

0 0.0275 0.055 0.11 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

August 5, 2016

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

CAROL A BAUER
236 SKY VIEW RD
SAGLE ID 83860

RE: Permit No.96-9614

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.

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 Department 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.

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.

If you have any questions, please contact me at 208-762-2800.

Sincerely,



Morgan Case
Northern Regional Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on August 5, 2016 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.

96-9614

**CAROL A BAUER
236 SKY VIEW RD
SAGLE ID 83860**



**Dianne L Ball
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

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. **Note: the petition must be received by the department within this fourteen (14) day period.** 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 Water Resource 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 service date 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.

AFFIDAVIT OF PUBLICATION

RECEIVED
JUL 18 2016
IDWR / NORTH

STATE OF IDAHO)
) ss.
County of Bonner)

Holly Fredericks being first duly sworn on oath, deposes and states:

1. I am a citizen of the United States of America, over the age of 18 years, a resident of Bonner County, Idaho, and am not a party to the proceedings referred to in the attached legal notice. My business address is P.O. Box 159, Sandpoint, Idaho.
2. I am the legals clerk of the Bonner County Daily Bee, a newspaper of general publication in Bonner County, Idaho;
3. Said newspaper has been continuously and uninterruptedly published in Bonner County, Idaho during a period of 12 months prior to the first publication of said Notice, and thereafter.
4. The attached Notice was published in the regular and entire issue of the Bonner County Daily Bee for a period of 2 consecutive weeks, commencing on the 7 day of July, 2016 and ending on the 14 day of July, 2016.

Holly Fredericks

State of Idaho, county of Bonner ss.

On this 14 day of July, in the year of 2016, before me, Katrina George, Notary Public, personally appeared Holly Fredericks, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (or they) executed the same.

Katrina George
Notary Public

Residing at: Kootenai County

Comm. Exp. ~~MY COMMISSION EXPIRES 8/29/17~~



RECEIVED
JUL 18 2016
IDWR / NORTH

The following is a correction to an application filed to appropriate the public waters of the State of Idaho:

96-9614

CAROL A BAUER

236 SKY VIEW RD

SAGLE, ID 83860

Point of Diversion NWSWSE S27 T57N R01W BONNER County

Source SPRING Tributary SINKS

Use: DOMESTIC 01/01 to 12/31 0.04 GFS

Use: IRRIGATION 04/01 to 10/31 0.16 CFS

Total Diversion: 0.2 CFS

Date Filed: 4/13/2016

Place of Use: DOMESTIC T57N R01W S27 L2(NWSE)

Place of Use: IRRIGATION T57N R01W S27 L2(NWSE) SWSE

Total Acres: 6

Domestic use is for 1 house

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800; or for a full description of the right(s), please see:

<http://www.idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/>

Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D'Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 7/25/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

SNP LEGAL 3898

JUL 14 2016

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
7600 N. Mineral Drive, Suite 100
Coeur d'Alene, Idaho 83815

Return Service Requested

SPOKANE
IDA 950
JUN 27 2016
PM 4 L



RECEIVED

JUN 27 2016

IDWR/NORTHERN

CAROLA BAUER
236 SKY VIEW RD
SAGLE, ID 83860



83815@7763

T 992 N7E 1790516C0005/25/15
RETURN TO SENDER
CAROL A
BAUER
TEMPORARILY AWAY
BC: 83815776325 *2029-02509-22-32

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
7600 N. Mineral Drive, Suite 100
Coeur d'Alene, Idaho 83815

Return Service Requested

SPOKANE
IDA 950
MAY 13 2016
PM 1 L



RECEIVED

MAY 13 2016

IDWR / NORTH

CAROLA BAUER
236 SKY VIEW RD
SAGLE, ID 83860



83815@7763

T 992 D7E 1790516C0005/12/16
RETURN TO SENDER
CAROL A
BAUER
TEMPORARILY AWAY
BC: 83815776325 *1729-05831-10-39

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, June 22, 2016 11:10 AM
To: Legal Notices BCDB & CDA - Holly Fredericks (hfredericks@cdapress.com)
Cc: Case, Morgan; Maxey, Shaun
Subject: Application for Permit No. 96-9614
Attachments: LegalNotice 06-22-16 BCDB e-mail 96-9614 CORRECTION .doc

Hi, Holly,

Please publish the attached legal notice on the dates indicated, July 7 and 14, 2016, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

This should be very close to press ready (possibly even copy and paste) – for 2-column, 8pt, Century Old Style font.

Please note the area under **USE** containing dates and water amounts that are offset and lined up. Our legal should appear in this format.

Please also send a proof/preview copy for my review before this actually goes to press.

If you have any questions, please contact me as early as possible.

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 7/25/2016. Your cooperation is greatly appreciated.

Thanks for all your super help. It's always a pleasure working with you.

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819

The following is a correction to an application filed to appropriate the public waters of the State of Idaho:

96-9614

CAROL A BAUER
236 SKY VIEW RD
SAGLE, ID 83860

Point of Diversion NWSWSE S27 T57N R01W BONNER County

Source SPRING Tributary SINKS

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Use: IRRIGATION 04/01 to 10/31 0.16 CFS

Total Diversion: 0.2 CFS

Date Filed: 4/13/2016

Place of Use: DOMESTIC T57N R01W S27 L2(NWSE)

Place of Use: IRRIGATION T57N R01W S27 L2(NWSE) SWSE

Total Acres: 6

Domestic use is for 1 house

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800; or for a full description of the right(s), please see:

<http://www.idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/>.

Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 7/25/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/7/2016 and 7/14/2016



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 22, 2016

CAROL A BAUER
236 SKY VIEW RD
SAGLE, ID 83860

Application For Permit No. 96-9614

Dear Applicant(s):

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

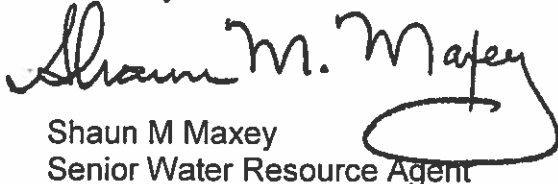
A legal notice of the application has been prepared and is scheduled for publication in the BONNER COUNTY DAILY BEE on 7/7/2016 and 7/14/2016. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. 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, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in black ink that reads "Shaun M. Maxey". The signature is written in a cursive style with a large, looping flourish at the end.

Shaun M Maxey
Senior Water Resource Agent

Enc. Receipt No. N031829

AFFIDAVIT OF PUBLICATION

RECEIVED
JUN 08 2016
IDWR / NORTH

STATE OF IDAHO)
) ss.
County of Bonner)

Holly Fredericks being first duly sworn on oath, deposes and states:

1. I am a citizen of the United States of America, over the age of 18 years, a resident of Bonner County, Idaho, and am not a party to the proceedings referred to in the attached Legal Notice.
My business address is P.O. Box 159, Sandpoint, Idaho.

2. I am the Legal Clerk of the Bonner County Daily Bee, a newspaper of general publication in Bonner County, Idaho;

3. Said newspaper has been continuously and uninterruptedly published in Bonner County, Idaho during a period of 12 months prior to the first publication of said Notice, and thereafter.

4. The attached Notice was published in the regular and entire issue of the Bonner County Daily Bee for a period of 2 consecutive weeks, commencing on the 19 day of May, 2016, and ending on the 26 day of May, 2016.

H Fredericks

State of Idaho, county of Bonner ss.

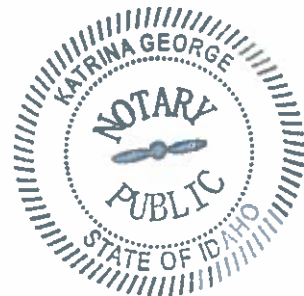
On this 26 day of May, in the year of 2016, before me, Katrina George, Notary Public, personally appeared

Holly Fredericks, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (or they) executed the same.

Katrina George
Notary Public

Residing at: Kootenai County

Comm. Exp.: MY COMMISSION EXPIRES 8/29/17



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

95-17157

DARLA FLETCHER
THOMAS FLETCHER
720 RAVEN LN
CAREYWOOD, ID 83809
Point of Diversion SWNE S8 T54N R02W BONNER County
Source UNNAMED STREAM tributary THREE SISTERS CREEK
Use HIRE PROTECTION Storage 01/01 to 12/31 1.3 AF
Use IRRIGATION from Storage 04/01 to 10/31 6 AF
Use IRRIGATION Storage 01/01 to 12/31 7.3 AF
Use STOCKWATER from Storage 01/01 to 12/31 0.2 AF
Use STOCKWATER Storage 01/01 to 12/31 1.5 AF
Total Diversion: 7.3 AF

Date Filed: 4/29/2016
Place of Use: IRRIGATION STORAGE T54N R02W S8 SWNE
Place of Use for ALL OTHER STORAGE same as IRRIGATION.
Total Acres: 2
Stockwater use is for 12 head of mixed stock.

96-9614

CAROL A BAUER
236 SKY VIEW RD
SAGLE, ID 83860
Point of Diversion NWSWSE S27 T57N R01W BONNER County
Source SPRING tributary SINKS
Use DOMESTIC 01/01 to 12/31 0.04 CFS
Use IRRIGATION 04/01 to 10/31 0.16 CFS
Total Diversion: 0.2 CFS

Date Filed: 5/13/2016
Place of Use: DOMESTIC T57N R01W S27 L2(NWSE) SWSE
Place of Use: IRRIGATION T57N R01W S27 L2(NWSE) SWSE
Total Acres: 6
Domestic use is for 1 house.

96-9615

THOMPSON LAND TRUST
PO BOX 1267
SANDPOINT, ID 83864
Point of Diversion NWSWSE S27 T57N R01W BONNER County
Source SPRING tributary SINKS
Use DOMESTIC 01/01 to 12/31 0.04 CFS
Use IRRIGATION 04/01 to 10/31 0.16 CFS
Total Diversion: 0.2 CFS

Date Filed: 4/13/2016
Place of Use: DOMESTIC T57N R01W S27 SWSE
Place of Use: IRRIGATION T57N R01W S27 SWSE
Total Acres: 6
Domestic use is for 1 house.

96-9620

DEANNA BARRETT
KENNETH BARRETT
611 WATKINS ST
BIRMINGHAM, MI 48009
Point of Diversion NWSE S11 T59N R02W BONNER County
Source PACK RIVER tributary LAKE PEND OREILLE
Use IRRIGATION 04/01 to 10/31 0.06 CFS
Total Diversion: 0.06 CFS

Date Filed: 4/25/2016
Place of Use: IRRIGATION T59N R02W S11 NWSE
Total Acres: 2

96-9621

TRACIE FINNEY
SCOTT FINNEY
157 W BRONX RD
SANDPOINT, ID 83864
Point of Diversion SESE S35 T58N R02W BONNER County
Source SAND CREEK tributary LAKE PEND OREILLE
Use IRRIGATION 04/01 to 10/31 0.14 CFS
Total Diversion: 0.14 CFS

Date Filed: 5/4/2016
Place of Use: IRRIGATION T58N R02W S35 SESE
Total Acres: 7

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800; or for a full description of the right(s), please see:

www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp.

Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D'Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 6/6/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on 5/19/2016 and 5/26/2016
SNP LEGAL 3773
MAY 19, 26, 2016

RECEIVED
JUN 08 2016
IDWR / NORTH