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JUN 27 2016

IDWR / NORTH

81013
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

84-12286

1. Name of applicant(s) Cole MacNeil and/or Donna MacNeil Phone 909-275-5067
 Name connector (check one): ☐ and ☐ or ☒ and/or

Mailing address 17166 Manzanita Dr. City Fontana
 State CA Zip 92335 Email momsminidonuts@yahoo.com

2. Source of water supply Ground Water which is a tributary of _____
 3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
36N	03E	1			SE	NW	Clearwater	Ground Water	D0054771

4. Water will be used for the following purposes:
 Amount 0.04 for domestic purposes from 0101 to 1231 (both dates inclusive)
 (cfs or acre-feet per year)
 Amount .02 for stock water purposes from 0101 to 1231 (both dates inclusive)
 (cfs or acre-feet per year)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) .06 cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Drilled well completed in 2008 at 250 ft.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11. For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No

c. Proposed well diameter is 6 inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No

e. If well is already drilled, when? 7-31-08; drilling firm Nail & Sons Well Drilling LLC; well was drilled for (well owner) Linda Driver; Drilling Permit No. 852526

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

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

b. Stockwatering; list number and kind of livestock. 50 mixed stock

c. Municipal; complete and attach the Municipal Water Right Application Checklist.

d. Domestic; show number of households 2

e. Other; describe fully. _____

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8. 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	
36N	03E	1								D						D			
36N	03E	1								S						S			

Total number of acres to be irrigated: _____

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping?

10. a. Who owns the property at the point of diversion? Applicants
- b. Who owns the land to be irrigated or place of use? Applicants
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

Drilled well and water system will be expanded to existing home and additional home to be built. Livestock to be added

12. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" 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.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Cole MacNeil
Signature of Applicant

Cole A. MacNeil
Print Name (and title, if applicable)

Donna L MacNeil
Signature of Applicant

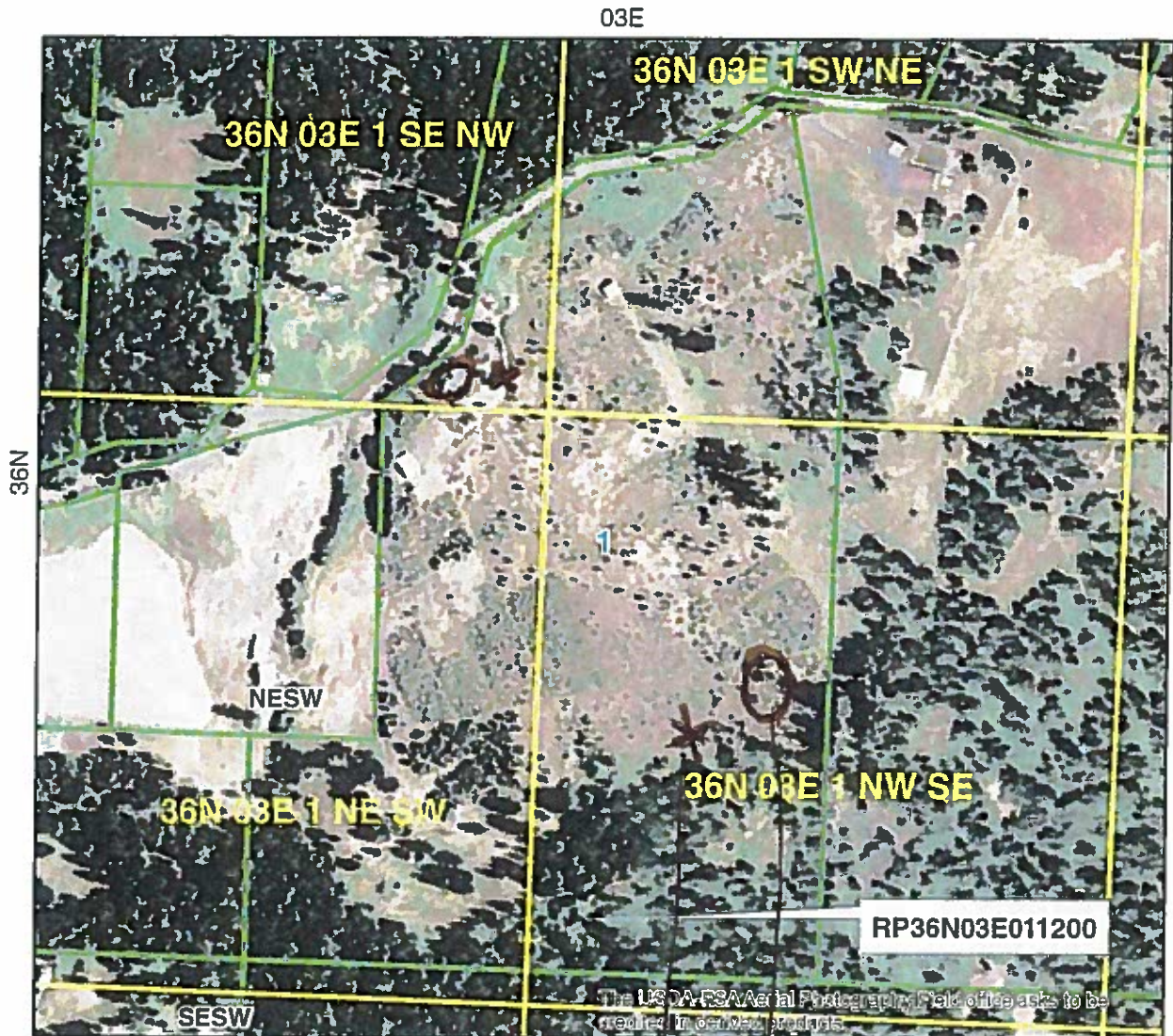
Donna L. MacNeil
Print Name (and title, if applicable)

For Department Use:

Received by [Signature] Date 6/27/16 Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by [Signature] Receipt No. N032000 Date 6/27/16

State of Idaho
Department of Water Resources
Application for Permit
84-XXXXXX

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-  PLS Sections
-  Taxlots

0 0.05 0.1 0.2 Miles

Future Site of house
and stock

* House to be built
O stock



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JUN 28 2016

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READ AND APPROVED

BY: CM
BY: DM

WARRANTY DEED

Linda K. Kornoely, who acquired title as Linda K. Driver, and Beryl G. Kornoely, wife and husband, hereinafter called the Grantor, in and for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby GRANT, CONVEY, and WARRANT to Cole A. MacNeil and Donna L. MacNeil, as Trustees under Cole A. MacNeil and Donna L. MacNeil Living Trust, dated January 29, 2014, whose address is 17166 Manzanita Dr., Fontana, CA 92335, all right, title and interest in the following described real property:

SITUATE IN THE COUNTY OF CLEARWATER, STATE OF IDAHO, to-wit:

Township 36 North, Range 3 E.B.M.
Section 1: NW1/4SE1/4 and that portion of the SW1/4NE1/4 lying South of the County Road

EXCEPTING:

Beginning at the Northwest corner of the NW1/4SE1/4; thence South 00°16' East 688.65 feet; thence East 282.87 feet; thence North 00°16' West to the North line of the NW1/4SE1/4; thence West along said North line to the point of beginning;

ALSO EXCEPTING:

A portion of the SW1/4NE1/4 described as:

Beginning at the Southeast corner of said SW1/4NE1/4; thence North 598 feet; thence South 87°57' West along the South boundary of the County Road, 155.5 feet; thence South 14°41' East to the point of beginning

SUBJECT TO: Rights of the public in and to that portion of said premises lying within Rudo Road.

SUBJECT TO: All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by the record of Survey recorded February 5, 2009, as Instrument Number 210789, but deleting any covenants, condition, or restriction indicating a preference, limitation, discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

WARRANTY DEED

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TO HAVE AND TO HOLD the said premises with their appurtenances, unto the said Grantee and to the Grantee's heirs and assigns forever. The Grantor does hereby covenant to and with the Grantee, that the described real property is free from all encumbrances, except as above described, and that Grantor will warranty and forever defend the title thereto against all lawful claims and demands whatsoever.

DATED this 16 day of June, 2016.

Linda K. Kornely
LINDA K. KORNOELY, who acquired title
as Linda K. Driver

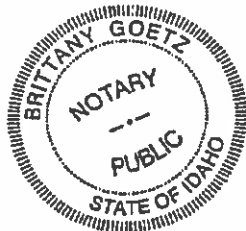
Beryl G. Kornely
BERYL G. KORNOELY

STATE OF IDAHO)
) ss.
County of Clearwater)

On this 16th day of June, 2016, before me, the undersigned Notary Public, personally appeared LINDA K. KORNOELY, who acquired title as Linda K. Driver and Beryl G. Kornely, wife and husband, known or identified to me to be the personS who executed the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(NOTARY SEAL)



Brittany Goetz
NOTARY PUBLIC FOR IDAHO
Commission expires: 8/01/17

WARRANTY DEED



Today's Date:

06/28/2016

Parcel ID:

RP36N03E011200

**Owner(s):**

Owner Name	Parcel Type
DRIVER, LINDA K & VERNON L	RP

Mailing Address:

2588 RUDO RD

OROFINO, ID 83544

Property Address:

2588 RUDO RD

OROFINO

83544

Legal Description:

SEC 1 36N 3E (NWSE)

TAX #1429

LESS TAX #1937

1976 FLEETWOOD 24 X 54

Document Reference:

1: 205235 DC

2: 105235 WD

3:

4:

5:

Values:

Tax Year	Tax Aml	Imps. Value	Land Value	Net Value
2014	876.32	38050	57040	57859

Tax Code Area #: 870000

Ambulance:

Library:

Recreation:

Water/Sewer:

Fire:

City:

Cemetary:

School:

Highway:

Center:

Assessor Information:

Review Year: 2014

Rev. Year	Category	Rec#	Quantity	Units	Value	Exempt	Net
2014	3	1	33.408	AC	15133	0	15133
2014	6	1	9.592	AC	4326	0	4326
2014	10	1	1	AC	37581	18791	18790
2014	32	1	0		1170	0	1170
2014	47	1	0		13840	6920	6920
2014	48	1	0		23040	11520	11520
Totals:			44		95090	37231	57859

Form 235-3, 6/2004

JUN 27 2016

Idaho Dept. of Water Resources

IDWR / NORTH Write Tag Number Here

Start Card/Permit - Single Family Domestic Well Only

(Cold Water less than 85 degrees F.)

1. Owner's Name (please print): LINDA DRIVER

2. Owner's Mailing Address: 2989 RUDD ROAD
 City: OROFINO State: ID Zip Code: 83544 Telephone: (208) 476-4023

3. Proposed Well Location: Twp. 36N, Rge. 3E, Sec. 1 SW 1/4 NE 1/4
 Gov't Lot No. _____ County CLEWIS Lat. _____: _____: _____ Long. _____: _____: _____
 Street Address of Well Site SAME RUDD ROAD City OROFINO
 Must give at least name of road + Distance to Road or Landmark

Lot — Block — and Subdivision —4. Are all adjacent septic tanks and drain fields accurately located? By Property Owner: Yes ☒ No ☐ By Health District: Yes ☐ No ☒

5. Well Construction Information:

A. ☒ New well ☐ Replace ☐ Deepen ☐ Modify Previous well #: _____ B. Proposed Casing Dia. 8 C. Proposed Maximum Depth: 36.56. Construction Start Date: 7-29-07 7. Well Driller: MAIL + SONS Driller's Lic. No. 616

8. The Driller hereby accepts the terms and conditions of the Start Card/Permit.

Driller's Signature: Mail + Sons Date: 7-29-089. The Well Owner affirms to have read this Start Card/Permit, validates its accuracy and accepts the conditions. 7/28/08Owner's Signature: Linda Driver Date: 7/28/08

CONDITIONS FOR USE OF START CARD:

1. This permit authorizes the construction or modification of one domestic well for a single-family residence. No additional residences, businesses, or dwellings may be connected to this well without a valid water right. Limited to irrigation of 1/2 acre lawn/garden and 13,000 gpd.

2. This form must be complete, including the prepaid tag number and signature of the driller. The owner should sign the start card after reviewing these conditions. Mailing must take place no less than 72 hours prior to construction (Dept. address below), hand delivered or faxed to the Dept. prior to commencing construction. The start construction date shall be no more than 10 days after the Department receives the permit. An incomplete form will not be considered a valid permit to drill.

3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare. All wells must be drilled a minimum distance of 100' from a drain field. Domestic wells must be drilled a minimum of 50' from a septic tank.

4. Only Well Drillers licensed in Idaho may use a Start Card for construction of a well. The driller shall maintain a copy of the Start Card and the well I.D. tag at the drilling site during construction.

5. This drilling permit does not authorize trespass on the land of another party.

6. This drilling permit does not constitute other local, county, state or federal approvals, which may be required for construction of a well.

7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.

8. If a bottom hole temperature of 85° F. or greater is encountered, well construction shall cease and the well driller shall contact the Department immediately.

9. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (Digline is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "Digline" Number for your area is 1-800-342-1585.

10. The stainless steel I. D. tag must be welded to the well casing upon completing the well and must remain permanently attached above ground level for the life of the well. Other tags may be added following a repair or modification of the well. The well driller is responsible for permanently attaching the I.D. tag to the casing upon completing the well. The well tag shall be attached by welding at least 3 sides or using Four (4) stainless steel, closed-end pop rivets.

11. A start card is not valid for drilling in Areas of Drilling Concern, Critical Groundwater Areas, Groundwater Management Areas or Areas Identified by the Department as Contaminated.

12. The possession of a well tag does not authorize construction of a well.

13. Any well being replaced by a new well, shall be properly abandoned by the well driller prior to removing the drilling equipment, unless otherwise authorized by the department.

Effective Feb. 1, 2005

Your Start Card/Application and Tag purchase may be submitted to one of the following offices:

Western Region
 Idaho Department of Water Resources
 2735 Airport Way Boise, ID 83705-5082
 Phone: (208) 334-2190 Fax: (208) 334-2348

Northern Region
 Idaho Department of Water Resources
 1910 Northwest Blvd., STE 210 Coeur d'Alene, ID 83814-2615
 Phone: (208) 769-1450 Fax: (208) 769-1454

Eastern Region
 Idaho Department of Water Resources
 900 North Skyline Drive STE A Idaho Falls, ID 83402-1718
 Phone: (208) 525-7161 Fax: (208) 525-7177

Southern Region
 Idaho Department of Water Resources
 1341 Fillmore Street, STE 200 Twin Falls, ID 83301-3380
 Phone: (208) 736-3033 Fax: (208) 736-3037

Form 238-14
11/10/2000 (1st)

Drilling Permit No. _____
Drilling Permit ID. Tag No. 11005477
Water Right No. _____ (if applicable)

State of Idaho
Department of Water Resources

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REQUEST FOR ISSUANCE OF DOMESTIC DRILLING PERMIT
WITH CASING SIZE EXCEEDING SIX (6) INCHES

1. Owner's Name LINDA DRIVER
2. Owner's Mailing Address 2989 RAINBOW ROAD MOBILE AL 36544
3. The owner requests the issuance of Drilling Permit for domestic (exempt) purposes as defined in Idaho Code Section 42-111, which authorizes construction of a well with casing size exceeding six (6) inches in diameter. The Idaho Code states, in part:

"the phrase 'domestic purposes' or 'domestic uses' means:

- a. The use of water for homes, organizations camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use is not in excess of thirteen thousand (13,000) gallons per day, or
- b. Any other use, if the total use does not exceed a diversion rate of four one-hundredths (0.04) cubic feet per second and a diversion volume of twenty-five hundred (2,500) gallons per day.

For purposes of these sections, domestic purposes or domestic uses shall not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use meets the diversion rate and volume limitations set forth in subsection B. of this section."

The request is made to drill a 8 inch diameter well for the following reason(s):

- ☒ A larger diameter is required because of expected limited productivity of formations anticipated to be encountered, or difficulties in drilling that have been experienced.
- ☐ The pumping equipment available requires a larger well diameter and will be valved to prevent excessive diversion.
- ☐ Other _____

4. Who owns the property at the point of diversion? SAME
5. Who owns the land to be irrigated or place of use? SAME
6. If a person other than the applicant owns the property, describe the arrangement enabling the applicant to make this filing in behalf of the well owner: DRIVER
7. Anticipated Well Driller: PAUL & SONS Driller's License No. 616
8. I acknowledge that use of this well for any other purpose than domestic use as defined under Idaho Code Section 42-111 requires approval by the Idaho Department of Water Resources and that failure to comply is a violation of Sections 42-351 and 43-352, Idaho Code.

Wright Noil
Well Owner or Authorized Agent

Wright Noil
Signature

DRIVER
Title

7-29-08
Date

Ball, Dianne

From: Ball, Dianne
Sent: Friday, July 29, 2016 5:29 PM
To: Legal Notices-Clearwater Tribune
Cc: Maxey, Shaun; Case, Morgan
Subject: Application for Permit No. 84-12286
Attachments: LegalNotice 07-29-16 CT 84-12286.doc

Hi, Andrea and Marcie,

Please publish the enclosed legal notice on the dates indicated, August 4 and 11, 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 – for 2-column, 9pt, font. It might be close enough to just copy and paste, with little modification required. I'm sorry but I don't have straight "TIMES" font, so this comes to you in Arial. I assume you can make change for that.

Please note the area(s) 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 8/22/2016. Your cooperation is always appreciated.

It's always a pleasure working with you. I'm really thankful for you. You actually make my work look worthwhile when I see it in print. ☺

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

84-12286

COLE MAC NEIL

DONNA MAC NEIL

17166 MANZANITA DR

FONTANA, CA 92335

Point of Diversion SENW S1 T36N R03E

CLEARWATER County

Source GROUND WATER

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

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Total Diversion: 0.06 CFS

Date Filed: 6/27/2016

Place of Use: DOMESTIC T36N R03E S1 SENW NWSE

Place of Use: STOCKWATER same as DOMESTIC

Domestic use is for 2 homes.

Stockwater use is for 50 head of mixed stock.

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 8/22/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/4/2016 and 8/11/2016



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

July 29, 2016

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

COLE MAC NEIL
DONNA MAC NEIL
17166 MANZANITA DR
FONTANA, CA 92335

Application For Permit No. 84-12286

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 CLEARWATER TRIBUNE on 8/4/2016 and 8/11/2016. 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, appearing to read 'S Maxey'.

Shaun M Maxey
Senior Water Resource Agent

Enc. Receipt No. N032000

Maxey, Shaun

From: Maxey, Shaun
Sent: Tuesday, June 28, 2016 4:36 PM
To: 'Momsminidonuts@yahoo.com'
Subject: Water Right Application
Attachments: DRIVER-TAX-PARCEL-RP36N03E011200.pdf

Mrs. MacNeil:

Please contact me about a Deed after you have reviewed the attachment. It shows that Clearwater County still has Linda Driver as the owner of the Rudo Road property.

Shaun Maxey

Shaun M. Maxey
Sr. Water Resource Agent
Idaho Department of Water Resources, Northern Region
7600 N Mineral DR Suite 100
Coeur d'Alene, ID 83815-7763
Phone (208) 762.2816 /2800
Fax (208) 762.2819
www.idwr.idaho.gov