

NO. 96-09618

Maximum Diversion Rate: 0.04 CFS

SCANNED
JUN 15 2016

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-9618

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.

05W



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

0 0.035 0.07 0.14 Miles

SCANNED
JUN 15 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 15, 2016

DR PROPERTY HOLDINGS LLC
611 N LANCASHIRE LN
LIBERTY LAKE WA 99019

RE: Permit No.96-9618

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.

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.

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JUN 15 2016

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,

A handwritten signature in black ink that reads "Morgan Case". The signature is written in a cursive, flowing style.

Morgan Case
Northern Regional Manager

Enclosure(s)

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CERTIFICATE OF SERVICE

I hereby certify that on June 15, 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. 96-9618

**DR PROPERTY HOLDINGS LLC
611 N LANCASHIRE LN
LIBERTY LAKE WA 99019**



**Dianne Ball
Administrative Assistant**

**SCANNED
JUN 15 2016**

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.

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Robin Haley

being first duly sworn on oath deposes and says that he/she is Advertising Manager of the Priest River Times, a newspaper printed and published at Priest River, Bonner County, Idaho; that the said newspaper has been continuously and uninterruptedly published in said Bonner County during a period of 12 months prior to the first publication of the hereto attached notice of publication in the case of:

96-9618 DR Property Holdings

96-9619 James & Lynette Hall

as it was published in the regular and entire issue of the said newspaper for a period of 2 consecutive weeks, commencing on the 18th day of May, 20 16 and ending on the 25th day of May, 20 16

and that said notice was published in said newspaper.

On this 25th day of May

in the year of 2016, before me, a Notary Public,

personally appeared Robin Haley

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 he executed the same.



RECEIVED
JUN 08 2016
IDWR / NORTH

NOTICES OF APPLICATION OF WATER RIGHTS
The following application(s) have been filed to appropriate the public waters of the State of Idaho:

96-9618

DR PROPERTY HOLDINGS LLC

611 N LANCASHIRE LN

LIBERTY LAKE, WA 99019

Point of Diversion L3(NWSE) S29 T56N R05W BONNER County

Source PEND OREILLE RIVER tributary COLUMBIA RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 4/14/2016

Place of Use: DOMESTIC T56N R05W S29 L3(NWSE)

96-9619

JAMES R HALL

LYNNETE M HALL

1827 E 12TH AVE

POST FALLS, ID 83854

Point of Diversion L3(SENW) S2 T55N R04W BONNER County

Source PEND OREILLE RIVER tributary COLUMBIA RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 4/18/2016

Place of Use: DOMESTIC T55N R04W S2 L3(SENW)

Domestic use is for less than 1/2 acre irrigation and less than 2,500 gallons per day.

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

PRT legal 2967

May 18, 25, 2016

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JUN 15 2016

Ball, Dianne

From: Fredericks, Holly [hfredericks@cdapress.com]
Sent: Wednesday, June 01, 2016 10:19 AM
To: Ball, Dianne
Subject: Re: Application for Permit No. 94-9479, 94-9480
Attachments: SHO LEGAL 2216.pdf

Hi Dianne. Here is a proof for your ad running in the Shoshone News Press on the 2nd and 9th. Cost will be \$151.70. Thank you!

On Wed, Jun 1, 2016 at 8:28 AM, Rowley, Jamee <jrowley@cdapress.com> wrote:

----- Forwarded message -----

From: Ball, Dianne <Dianne.Ball@idwr.idaho.gov>
Date: Wed, May 25, 2016 at 8:42 AM
Subject: Application for Permit No. 94-9479, 94-9480
To: "Legal Notices-Shoshone NP, Jamee Rowley," <jrowley@cdapress.com>
Cc: "Maxey, Shaun" <Shaun.Maxey@idwr.idaho.gov>, "Case, Morgan" <Morgan.Case@idwr.idaho.gov>

Good morning, Jamee,

Please publish the enclosed legal notice on the dates indicated, June 2 and 9, 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, 8pt, Century Old Style font.

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 6/20/2016. Your cooperation is appreciated.

It's always a pleasure working with you. Thanks for all you do to make our legals look so good.

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100