

74969

Ident. No.

96-9400

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

JUL 25 2008

IDWR/North

To appropriate the public waters of the State of Idaho

1. Name of Applicant DALE M. WIDEL Phone 253-631-0543
Mailing address 28414 178 AVE SE, KENT, WA- 98042 Email idahodale@hotmail.com
2. Source of water supply Riser creek which is a tributary of Lake Pend Oreille
3. Location of point of diversion is Township 56 N Range 2 E Sec. 6, in the NE $\frac{1}{4}$, NW $\frac{1}{4}$, Govt. Lot #3, B.M., Bonner County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
- Amount .04 CF for domestic purposes from Jan 1 to Dec 1 (both dates inclusive)
(cfs or acre-feet per year)
- Amount .02 CF for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
- Amount .01 AF 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)
- 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) .04 CFS .01 AF and/or (b) _____
cubic feet per second acre feet per year
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source 1 1/4" black poly pipe
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet;
total reservoir capacity _____ acre-feet
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 3 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. one
- e. Other; describe fully. _____

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	
56N	2E	6					D				#								

Total number of acres to be irrigated: _____

10. 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? _____

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

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. WE WILL RUN A WATER LINE FOR USE AT BOTH ANDREW WALKENS HOME AND THE SIGHT OF MY SUMMER/VACATION HOUSE ON RV SIGHT.

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.

Dale M. Widel

Signature of Applicant

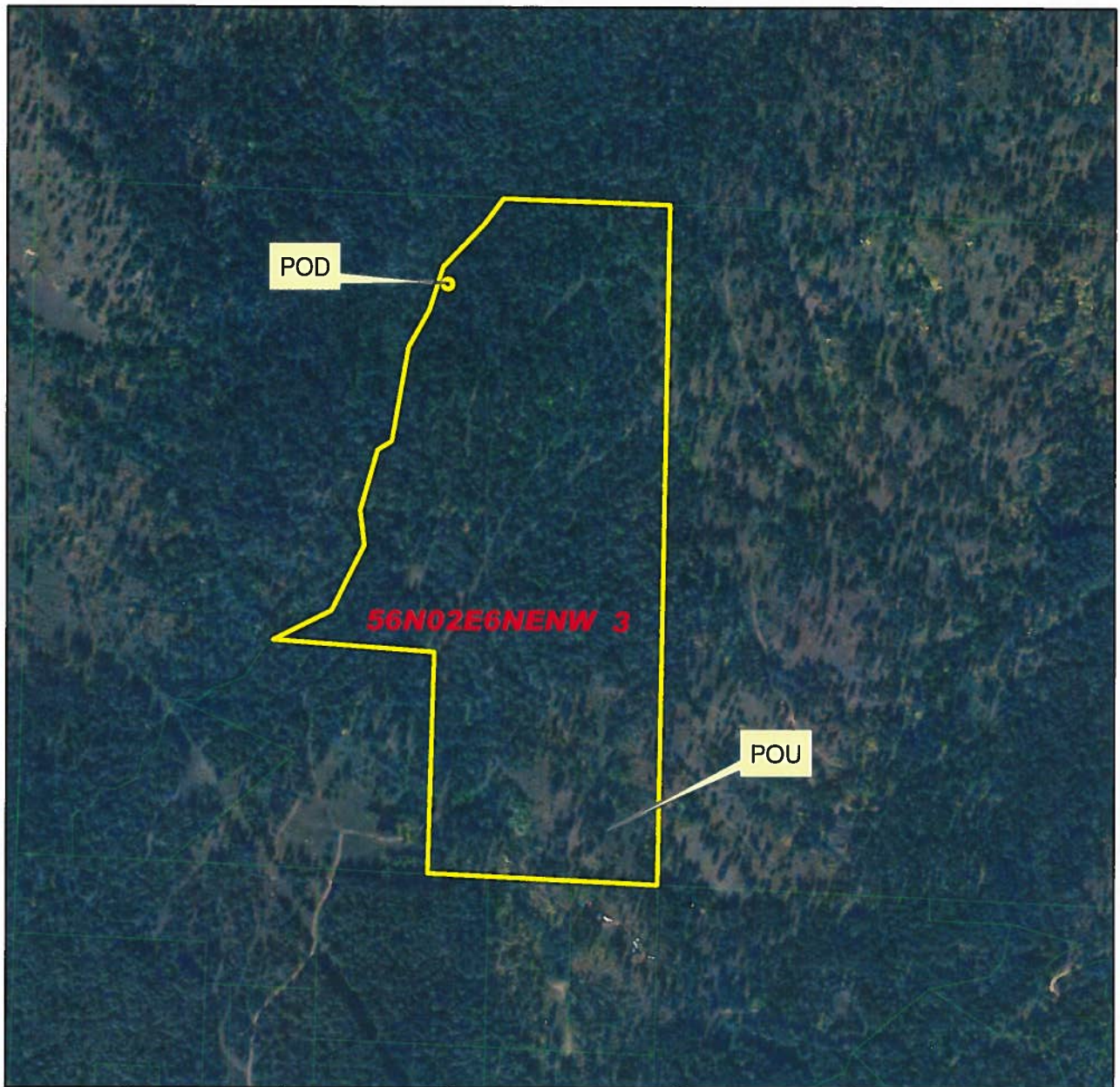
DALE M. WIDEL

Print Name (and title, if applicable)

For Department Use:

Received by cm Date 7-25-08 Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by cm Receipt No. 2019437 Date 7/25/08
 Publication prepared by db Date 9/11/08 Published in Bonner Co Daily Bee 9/18-25/08
 Publication approved db Date 10/8/08 Dates Published 9/18-25/08

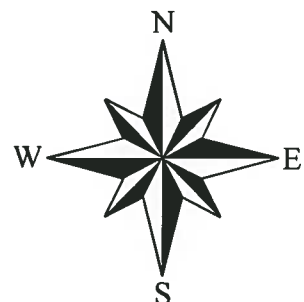
96-9400



0 262.5 525 1,050 1,575 2,100 Feet

Legend

-  Taxlots
-  workingpod
-  workingpou



After recording mail to:
GRANTEE

755378

EASEMENT

FILED BY
Dale Widel
2008 JUL 21 P 2:23
300
MARIE SCOTT
BONNER COUNTY RECORDER
CB

The grantor, Dale M. Widel, a married man as his separate property, for value and consideration received, does hereby GRANT, BARGAIN, SELL AND CONVEY unto BONNER COUNTY

Andrew Walker, Adam Walker, and Aaron Morland, aka Aaron Walker, as joint tenants, their heirs and assigns, the grantees, whose address is P. O. Box 441, Hope, Idaho 83836, a Perpetual EASEMENT for a diversion dam, water pick-up, and waterline, together with the right to enter upon said land to repair or replace the same, said easement is twenty (20.0) feet in width, 10.0 feet on each side of the existing water line as now located or to be located, and a forty foot square area on Riser Creek for a diversion dam and water pick-up, on, over and across the East Half of the Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 6, Township 56 North, Range 2 East, Boise Meridian, Bonner County, Idaho.

For the dual usage and benefit of Dale M. Widel, his heirs and assigns and for the benefit of a tract of land in the Northeast Quarter of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section 6, Township 56 North, Range 2 East, described by Instrument Number 512060, recorded in the records of Bonner County, Idaho on October 9, 1997.

Dale M. Widel

DALE M. WIDEL

RECEIVED

JUL 25 2008

IDWR/North

STATE OF IDAHO)
) ss.
County of Bonner)

On this 21st day of July, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared DALE M. WIDEL, known or identified to me to be the person who executed the within instrument and acknowledged to me that he executed the same.

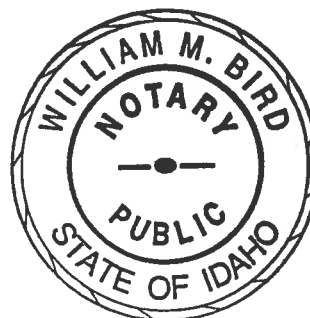
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first written.

William M. Bird

Notary Public for Idaho

Residing at Sandpoint, Idaho.

My Commission expires 2-25-2014.





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

April 9, 2009

Dale M Widel
28414 178 Ave. SE
Kent, WA 98042

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho
#96-9400.

Dear Mr. Widel:

Please be advised the Idaho Department of Water Resources has suspended action on your application for permit until a protest has been settled regarding a previous application for permit, made by Andrew Walker, from the same source and the same point of diversion. The department will keep you advised of the progress in settling the protest.

If you have any questions, feel free to contact me at this office.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent

COPY

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

96-9400

DALE M WIDEL

28414 178 AVE SE

KENT WA 98042

Point of Diversion L3 (NENW) S6 T56N R02E BONNER County

Source RISER CREEK tributary To LAKE PEND OREILLE

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

Total Diversion: 0.04 CFS

Date Filed: 07/25/2008

Place Of Use: DOMESTIC

T56N R02E S6 NENW Lot 3

Remark: Domestic use is for one home

96-9404

CHARLES E SAMSON

MARY D SAMSON

PO BOX 1066

SAGLE ID 83860

Point of Diversion L3 (NENW) S2 T56N R02W BONNER County

Source FRY CREEK tributary To LAKE PEND OREILLE

Use: IRRIGATION 04/01 To 10/31 0.05 CFS

Total Diversion: 0.05 CFS

Date Filed: 08/06/2008

Place Of Use: IRRIGATION

T56N R02W S2 NENW Lot 3 SENW

Number of Acres - 1

96-9406

COLLEEN NEU

LARRY NEU

PO BOX 1095

SANDPOINT ID 83864

Point of Diversion L3 (SENENW) S6 T58N R01E BONNER County

Source SPRING tributary To SINKS

Point of Diversion NWSNW S6 T58N R01E BONNER County

Source SPRING tributary To SINKS

Use: IRRIGATION FROM STORAGE 04/01 To 10/31 0.2 CFS

Use: STOCKWATER 01/01 To 12/31 0.04 CFS

Use: STOCKWATER STORAGE 01/01 To 12/31 6 AFA

Use: WILDLIFE 01/01 To 12/31 0.2 CFS

Use: WILDLIFE STORAGE 01/01 To 12/31 6 AFA

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

Use: DIVERSION TO STORAGE 01/01 To 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 08/26/2008

Place Of Use: DOMESTIC

T58N R01E S6 NENW Lot 3 SENW

Place Of Use: All other uses same as DOMESTIC

Remark: Domestic use is for 2 homes.

Stockwater use is for 20 head of mixed stock.

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 this application must be filed with the Director, Dept. of Water Resource, 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 10/06/2008. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director



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

DAVID R. TUTHILL, JR
Director

Please Fax or e-mail proof/preview copy to me before this goes to press.

Fax (208) 762-2819 ~ e-mail dianne.ball@idwr.idaho.gov

Thanks, Dianne

September 11, 2008

SHERI JONES
LEGAL NOTICE DEPARTMENT
BONNER COUNTY DAILY BEE
PO BOX 159
SANDPOINT ID 83864

RE: Application for Permit No. 96-9400, 9404 and 9406

Dear Sheri:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, September 18 and 25, 2008, (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 10/06/2008. Your cooperation is always greatly appreciated.

Thanks for all your support and help. It's a joy to work with YOU!

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, September 11, 2008 2:06 PM
To: Legal Notices-Bonner Co Daily Bee-Sheri Jones
Subject: Legal notice for publication on September 18 and 25, 2008
Attachments: CoverLetter 09-11-09 BCDB e-mail 96-9400,04,06.doc; LegalNotice 09-11-08 BCDB e-mail 96-9400,04,06.doc

Good afternoon, pretty lady,

Attached is our cover letter requesting publication of a legal notice on September 18 and 25, 2008. The legal notice is also attached.

As usual, we request a proof/preview copy for our review before this goes to press.

If you have any questions regarding our legal notice, please call me or reply to this e-mail.

I'm scheduled for some foot surgery tomorrow afternoon – but I should be back in the office wearing a fashionably glamorous walking bootie on Monday.

Thanks – it's always a great pleasure to work with you. You're GOOOOOD!!!

Dianne Ball

Don't count the days, make the days count!

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

9/11/2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

September 11, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

DALE M WIDEL
28414 178 AVE SE
KENT WA 98042

RE: Application for Permit No 96-9400

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 Bonner County Daily Bee on September 18 and 25, 2008. 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,

Keith E. Franklin
Senior Water Resource Agent



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

DAVID R. TUTHILL, JR
Director

August 29, 2008

MARY TERRA-BERNS
IDAHO DEPARTMENT OF FISH AND GAME
2885 W KATHLEEN AVE.
COEUR D'ALENE, ID 83815

Re: Water Permit Application No. 96-9400 - Widel

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application follows for your reference.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so *after the notice is published* by filing a written protest along with a \$25.00 filing fee within 10 days after final publication, and by sending a copy of your protest to the applicant. This will be scheduled for publication on September 18 and 25, 2008.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **October 6, 2008**. That is also the final date for protest to be received in our office.

If we do not hear from you by that date, we will assume that no comment from you means you have no objection to, concerns about, or conditions pertaining to the issuance of this permit.

You may send comments by regular mail to the address above, by FAX to 762-2819, or by e-mail to Keith.Franklin@idwr.idaho.gov.

We request that you send a copy of your comments regarding, and/or notice that you intend to protest this application to the applicant as well as to our office.

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

Sincerely,

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Friday, August 29, 2008 2:49 PM
To: mterrabe@idfg.idaho.gov
Subject: Agency Request for Comments - re 96-9400 Widel - Riser Creek
Attachments: 96-9400 WIDEL.pdf; Agency Comment Request Ltr.doc

Good afternoon, Mary,

Attached is our cover letter requesting your comments for the above referenced WR Application. Please send your comments by no later than October 6, 2008.

Thanks for your help, and have a super long weekend.

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

8/29/2008

Franklin, Keith

From: DALE WIDEL [idahodale@hotmail.com]
Sent: Wednesday, November 19, 2008 1:35 PM
To: Franklin, Keith; ALAN KEIBERT
Subject: RE: Location of requested water diversion ?

Keith,

The place of diversion is the north west corner of the 60+ acres of land on which the water will be used.

My land boundary on that side is in the center of Riser Creek.

Are we OK with this ? If not, let me know and I will try to get a more exact location of where I plan to place my cabin or RV pad on the land.

At the moment this land is all tree farm.

P.S. What is your phone number ? I must have written it down wrong in my calender because when I tried to call you I got a disconnected message.

DALE & ANNA WIDEL
 28414 178 Ave SE
 Kent, Wa. 98042

house phone 253-631-0543
 Dale (cell) 253-350-6303
 Anna (cell) 253-350-3198 best cell phone to call

Subject: RE: Location of requested water diversion ?
Date: Wed, 19 Nov 2008 13:07:29 -0700
From: Keith.Franklin@idwr.idaho.gov
To: idahodale@hotmail.com

Dale,

The point of diversion location is not in question, it's the place of use. The application shows the place of use is in the same quarter quarter as the point of diversion and I was questioning that.
 Keith.

From: DALE WIDEL [mailto:idahodale@hotmail.com]
Sent: Tuesday, November 18, 2008 2:45 PM
To: Franklin, Keith
Subject: FW: Location of requested water diversion ?
Importance: High

Keith,

See Alan's note below. Is this the diversion point on the request ?
 If not we will need to correct it.

Anna and I are staying at the STONE RIDGE resort this week and we do not have cell service there so I will try to give you a call tomorrow when I get back into Sandpoint. If I need to correct the location of the diversion I could run by your office before I head back to Kent. We are heading

3/10/2009

back on Friday.

P. S. the correct mailing address is below for my home in Wa.

DALE & ANNA WIDEL
28414 178 Ave S.E.
Kent, Wa. 98042

> Date: Sat, 15 Nov 2008 16:41:19 +0000
> Subject: RE: Location of requested water diversion ?
> From: walrus1964@gotsky.com
> To: idahodale@hotmail.com
>
> > Hi Dale,
> Sorry I haven't been in contact lately!!!! I've been thru some financial
> short coming lately, and had both girls and granddaughter here for a couple
> of weeks. They left on Wednesday, all three of them. Court was out of a
> job because of the slow down, so she went down to California with Amber
> for a while.
> I Haven't pulled out the application, but it should have been the
> NE1/4NW1/4 of Section 6 for the diversion point!!!!
> I'll see if I can find it later.
> You coming this way soon?????
> Alan
> 208-255-9493 home
> 208-255-9492 cell
> 208-265-4802 office
>
>
>
> > Keith,
> > I am going to be in the HOPE / SANDPOINT area next week so I will talk to
> > Allen and get back to you.
> > Thanks for all of your help.
> >
> > My CELL # is 253-350-6303 and my wife ANNA's number is 253-350-3198.
> > DALE & ANNA WIDEL (253) 631-0543
> >
> >
> >
> > Subject: RE: Location of requested water diversion ?Date: Fri, 14 Nov 2008
> > 08:18:02 -0700From: Keith.Franklin@idwr.idaho.govTo: idahodale@hotmail.com
> >
> >
> > Dale,
> > I just had a question on the location of the place of use for your
> > application. I'm not sure the application was correct and I wanted to
> > confirm the right quarter quarter.
> > Give me a call when you're free.
> > Thanks.
> > Keith.
> >
> >

3/10/2009

> > From: DALE WIDEL [mailto:idahodale@hotmail.com] Sent: Thursday, November
> > 13, 2008 1:02 PM To: Franklin, Keith Subject: Location of requested water
> > diversion ?
> > Keith, We seem to be missing each other on the phone so I will try e-mail. I
> > will be going to the property sometime next week. What is the problem ?
> > I will talk to my surveyor Allen Kiebert and see if we can get it
> > resolved. I would like to get started on the water system next year. DALE
> > & ANNA WIDEL (253) 631-0543 8414 178 Ave SE Kent, Wa 98042
>
>

Franklin, Keith

From: DALE WIDEL [idahodale@hotmail.com]
Sent: Tuesday, November 18, 2008 2:45 PM
To: Franklin, Keith
Subject: FW: Location of requested water diversion ?
Importance: High

Keith,
 See Alan's note below. Is this the diversion point on the request ?
 If not we will need to correct it.

Anna and I are staying at the STONE RIDGE resort this week and we do not have cell service there so I will try to give you a call tomorrow when I get back into Sandpoint. If I need to correct the location of the diversion I could run by your office before I head back to Kent. We are heading back on Friday.

P. S. the correct mailing address is below for my home in Wa.

DALE & ANNA WIDEL
 28414 178 Ave S.E.
 Kent, Wa. 98042

> Date: Sat, 15 Nov 2008 16:41:19 +0000
 > Subject: RE: Location of requested water diversion ?
 > From: walrus1964@gotmsky.com
 > To: idahodale@hotmail.com
 >
 > > Hi Dale,
 > Sorry I haven't been in contact lately!!!! I've been thru some financial
 > short coming lately, and had both girls and granddaughter here for a couple
 > of weeks. They left on Wednesday, all three of them. Court was out of a
 > job because of the slow down, so she went down to California with Amber
 > for a while.
 > I Haven't pulled out the application, but it should have been the
 > NE1/4NW1/4 of Section 6 for the diversion point!!!!
 > I'll see if I can find it later.
 > You coming this way soon?????
 > Alan
 > 208-255-9493 home
 > 208-255-9492 cell
 > 208-265-4802 office
 >
 >
 >
 > > Keith,
 > > I am going to be in the HOPE / SANDPOINT area next week so I will talk to
 > > Allen and get back to you.
 > > Thanks for all of your help.
 > >

3/10/2009

> > My CELL # is 253-350-6303 and my wife ANNA's number is 253-350-3198.
> > DALE & ANNA WIDEL (253) 631-0543
> >
> >
> >
> > Subject: RE: Location of requested water diversion ?Date: Fri, 14 Nov 2008
> > 08:18:02 -0700From: Keith.Franklin@idwr.idaho.govTo: idahodale@hotmail.com
> >
> >
> > Dale,
> > I just had a question on the location of the place of use for your
> > application. I'm not sure the application was correct and I wanted to
> > confirm the right quarter quarter.
> > Give me a call when you're free.
> > Thanks.
> > Keith.
> >
> >
> > From: DALE WIDEL [mailto:idahodale@hotmail.com] Sent: Thursday, November
> > 13, 2008 1:02 PMTo: Franklin, KeithSubject: Location of requested water
> > diversion ?
> > Keith,We seam to be missing each other on the phone so I will try e-mail.I
> > will be going to the property sometime next week. What is the problem ?
> > I will talk to my surveyor Allen Kiebert and see if we can get it
> > resolved. I would like to get started on the water system next year. DALE
> > & ANNA WIDEL (253) 631-0543 8414 178 Ave SEKent, Wa 98042
>
>