

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 95-16498

Priority: July 25, 2012

Maximum Diversion Rate: 0.04 CFS

This is to certify, that GLENN A SYLTE And/Or
MERRILEE E SYLTE
PO BOX 495
RATHDRUM ID 83858
(208) 687-1183

has applied for a permit to appropriate water from:

Source: RATHDRUM CREEK **Tributary:** SINKS

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

LOCATION OF POINT(S) OF DIVERSION:

RATHDRUM CREEK, SW1/4NE1/4, Sec. 30, Twp 52N, Rge 04W, B.M., KOOTENAI County

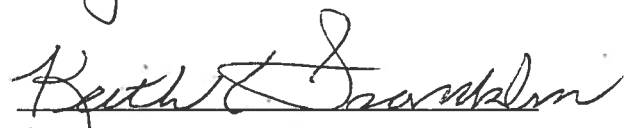
PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
52N	04W	30			X														

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 01, 2014**.
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. Domestic use is for external use for 1 home.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
6. A fish screen of 0.25 inch or smaller mesh shall be installed and maintained at the point of diversion.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 95C.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Coeur d'Alene, this 1 day of August, 2013.


For, GARY SPACKMAN, Director



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

GARY SPACKMAN
Director

August 1, 2013

GLENN A SYLTE
PO BOX 495
RATHDRUM ID 83858

MERRILEE E SYLTE
PO BOX 495
RATHDRUM ID 83858

RE: Permit No.95-16498

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.

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, appearing to read "Eric J. Davis". The signature is written in a cursive, flowing style.

Eric Davis

Sr Water Resource Agent

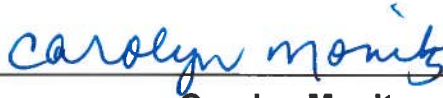
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on August 1, 2013 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. 95-16498

**GLENN A SYLTE
MERRILEE E SYLTE
PO BOX 495
RATHDRUM ID 83858**



Carolyn Monitz

Technical Records Clerk

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.



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

GARY SPACKMAN
Director

July 29, 2013

PAUL FINMAN
764 S CLEARWATER LOOP
POST FALLS, ID 83854

COPY

RE: Withdrawal of Protest against Application for Permit No(s). 95-16498

Dear Protestant(s):

The Department of Water Resources acknowledges receipt of your withdrawal of protest against the above referenced application.

The application does not have any remaining protests; therefore, the department will take the steps necessary to bring the application to a final resolution.

Please contact this office if you have any questions regarding this procedure. Information about water rights and other matters administered by this agency is also available on the Internet at www.idwr.idaho.gov.

Sincerely,

Keith Franklin
Program Manager

cc: Glenn & Merilee Sylte



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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 29, 2013

GLENN A SYLTE
MERRILEE E SYLTE
PO BOX 495
RATHDRUM, ID 83858

COPY

RE: Withdrawal of Protest against Application for Permit No(s). 95-16498

Dear Applicant(s):

The Department of Water Resources has received withdrawal(s) of protest against the above referenced application. Withdrawals have been received from the following protestants:

- 1) PAUL FINMAN

The application does not have any remaining protests; therefore, the department will take the steps necessary to bring the application to a final resolution.

Please contact this office if you have any questions regarding this procedure. Information about water rights and other matters administered by this agency is also available on the Internet at www.idwr.idaho.gov.

Sincerely,

Keith Franklin
Program Manager

cc: Paul Finman

IDAHO DEPARTMENT OF WATER RESOURCES APPROPRIATION APPLICATION ANALYSIS SHEET

P - 8/31/12

W.R. # 95-16498

APPLICATION ID # 78061

ENT. 7/25 BCA 8/20/12 OK to Publish 8/15/12

APPLICANT: Glenn and/or Merrilee Sylte

INITIAL REVIEW

BY: KJ

DATE: 7/25/2012

ITEM REQUIRED INFORMATION

1. ☒ Name and Address
2. ☒ Source
3. ☒ Point of Diversion & County
4. ☒ Quantity
5. ☒ Nature of Proposed Use
6. ☒ Period of Use
7. ☒ Total Quantity
8. ☒ Description of diverting works
9. ☒ Time required for b/u
10. ☒ Proposed use
11. ☒ Place of use or acres irrigated
12. ☒ Other water Rights
13. ☒ Ownership
14. ☒ Map
15. ☒ Signature
16. ☒ Fee (Amt, receipt, acknowledgement)

*** Send info sheet Y () N ()

ADDITIONAL INFORMATION

(Yes)(No)

- ☒ Shape File Created Date 7/25 By: KJ
- ☐ Field check: by _____
- ☐ Field report attached
- ☐ Analysis Supp. Attached (>5cfs/500af)

☐ Water delivered by water master? Water District # _____

PROCESSING

(Yes)(No)

PRIORITY DATE: 7/25/2012

☐ ☒

(Include Moratorium Remark)
Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN:

Newspaper: Coq Kootenai County

Dates scheduled for publication 9/6 + 13/12

Affidavit of Publication received: 9/14/12

Dates actually published: 9/6 + 13/12

Application published correctly. Yes ☒ No ☐

If not, action taken: _____

Final Date for Protest: 9/24/12

Protests Received: Yes ☒ No ☐

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
() Power Information () Other: _____

INFORMATION RECEIVED:

- () Dam Information () Fish Information
() Power Information () Other: _____

GROUNDWATER SECTION

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
_____	_____	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
_____	_____	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
_____	_____	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()

- ☐ Groundwater management area
- ☐ Critical ground water area
- ☐ Well Drilling Permit required
- ☐ Well Drilling Application and Fees received
- ☐ Well Drilling Application approved?

Rathdrum Creek

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

- ☐ Notice of pending void order issued.
- ☐ Further information required from applicant _____
- Final order response date: ____/____/____

- ☐ Measuring device required
- ☐ Measuring port required
- ☒ Special conditions: Water Dist. 95C
- ☐ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: _____ Date: ____/____/____ Sr. Agent initial _____

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

SS.

Amber Juice being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

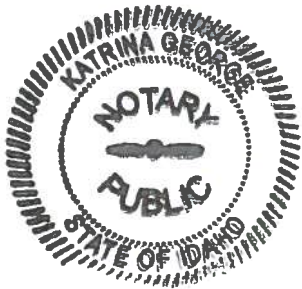
Legal Notice

of which the annexed is a printed copy, was published in the regular issue of said newspaper for 2 consecutive Thurs Weeks commencing on the 16 day of Sept 2012 and ending on the 13 day of Sept 2012 and such publication was made as often during said period as said daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice. On this 13 day of Sept in the year of 2012, before me, a Notary Public, personally appeared Amber Juice, 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.

Katrina George

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.



MY COMMISSION EXPIRES 8/29/17

RECEIVED
SEP 14 2012
IDWR / NORTH

RECEIVED
SEP 14 2012
IDWR / NORTH

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

95-16497

PANHANDLE MOBILE ESTATES WATER ASSOCIATION
PO BOX 627

RATHDRUM, ID 83858

Point of Diversion NESE S22 T52N R04W KOOTENAI CO

Source GROUNDWATER

Point of Diversion NESE S22 T52N R04W KOOTENAI CO

Source GROUNDWATER

Use: MUNICIPAL 01/01 to 12/31 0.8 CFS 145.2 AF
Total Diversion: 0.8 CFS

Date Filed: 7/20/2012

Place of Use: MUNICIPAL T52N R04W S22

NESE NWSE SWSE

Municipal use is within service area of applicant.

95-16498

GLENN A SYLTE

MERRILEE E SYLTE

PO BOX 495

RATHDRUM, ID 83858

Point of Diversion SWNE S30 T52N R04W KOOTENAI CO

Source RATHDRUM CREEK tributary SINKS

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

Date Filed: 7/25/2012

Place of Use: DOMESTIC T52N R04W S30 SWNE

Domestic use is for external use only,

[Internal use is provided by a well.]

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800. 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 9/24/2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Legal 7057

September 6, 13, 2012

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, August 28, 2012 1:30 PM
To: Legal Notices-CdA Press - Amber Tice; Legal Notices-CdA Press
Subject: Application for Permit No. 95-16497, 95-16498
Attachments: LegalNotice 08-28-12 CdA e-mail 95-16497,498.doc

Good afternoon, Amber,

Please publish the enclosed legal notice on the dates indicated, September 6 and 13, 2012, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

Please send a proof/preview copy for my review before this goes to press. That way I can check layout.

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 9/24/2012. Your cooperation is appreciated.

Thanks for all your help on this, and have a great rest of the day.

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:

95-16497

PANHANDLE MOBILE ESTATES WATER ASSOCIATION
PO BOX 627

RATHDRUM, ID 83858

Point of Diversion NESE S22 T52N R04W KOOTENAI CO

Source GROUNDWATER

Point of Diversion NESE S22 T52N R04W KOOTENAI CO

Source GROUNDWATER

Use: MUNICIPAL 01/01 to 12/31 0.8 CFS 145.2 AF
Total Diversion: 0.8 CFS

Date Filed: 7/20/2012

Place of Use: MUNICIPAL T52N R04W S22

NESE NWSE SWSE

Municipal use is within service area of applicant.

95-16498

GLENN A SYLTE

MERRILEE E SYLTE

PO BOX 495

RATHDRUM, ID 83858

Point of Diversion SWNE S30 T52N R04W KOOTENAI CO

Source RATHDRUM CREEK tributary SINKS

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

Date Filed: 7/25/2012

Place of Use: DOMESTIC T52N R04W S30 SWNE

Domestic use is for external use only,

[Internal use is provided by a well.]

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800. 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 9/24/2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Legal #

Published on 9/6/2012 and 9/13/2012



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

GARY SPACKMAN
Interim Director

August 28, 2012

GLENN A SYLTE
MERRILEE E SYLTE
PO BOX 495
RATHDRUM, ID 83858

Application For Permit No. 95-16498

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 COEUR D ALENE PRESS on 9/6/2012 and 9/13/2012. 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,

Keith Franklin
Interim Program Manager



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

GARY SPACKMAN
Interim Director

August 16, 2012

RECEIVED
SEP 12 2012
IDWR / NORTH

WATER DISTRICT 95C
LAURIN S SCARCELLO, WATERMASTER
22389 N KEVIN RD
RATHDRUM, ID 83858

Re: Water Right Application No. 95-16498 Sylte

Dear Mr. Scarcello,

A copy of the above referenced application is enclosed for your reference.

This is being prepared for publication on September 6 and 13, 2012, with September 24, 2012 being the final date for protests to be received in our office.

Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

IDWR's northern regional office can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered during regional review. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

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

Sincerely,

Dianne Ball
Administrative Assistant

Enclosure – copy of Application No. 95-16498

State of Idaho

Department of Water Resources
Application for Permit
RECOMMENDATION OF WATERMASTER

Application for Permit No 95-16498

Applicant's Name: GLENN A SYLTE
PO BOX 495
RATHDRUM ID 83858

MERRILEE E SYLTE
PO BOX 495
RATHDRUM ID 83858

Watermaster's Recommendation:

- a) _____ I do not oppose approval of this application.
b) _____ I do not oppose approval of this application if it is conditioned as follows:

c) _____ I oppose approval of this application for the following reasons:

d) _____ Additional Comment:

Dated this _____ day of _____,

Water District No:

Watermaster's Signature

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, August 16, 2012 4:42 PM
To: 'Terra Berns,Mary'
Cc: Franklin, Keith
Subject: RE: Application for Permit No. 95-16498
Attachments: 95-16498_Glenn_Sylte.pdf

Dear Mary:

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 is attached for your reference.

This is being prepared for publication on September 6 and 13, 2012 with September 24, 2012 as last date for protests to be received in our office.

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.

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

Sincerely,

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