State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 97-07511

Priority: December 18, 2012 Maximum Diversion Rate: 0.04 CFS

This is to certify, that ELIZABETH OHALLORAN
16916 N DARTFORD DR
SPOKANE WA 99208

has applied for a permit to appropriate water from:

Source: PRIEST LAKE **Tributary:** PRIEST RIVER

and a permit is APPROVED for development of water as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:
PRIEST LAKE L1 (SE1/4NE1/4) Sec. 9,Twp 61N, Rge 04W, B.M. BONNER County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
61N 04W 9				X L1													

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **March 01, 2014.**
2. Subject to all prior water rights.
3. Domestic use is for 1 home.
4. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
5. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
6. This right does not grant any right-of-way or easement across the land of another.

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 26 day of February, 2013.

Keith W. Franklin
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

March 6, 2013

ELIZABETH OHALLORAN
16916 N DARTFORD DR
SPOKANE WA 99208

RE: Permit No.97-7511

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,

Eric J Davis

Eric Davis
Sr. Water Resource Agent

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on March 7, 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. 97-7511

ELIZABETH OHALLORAN
16916 N DARTFORD DR
SPOKANE WA 99208

Carolyn S. Monitz

Carolyn S. Monitz
Technical Records Specialist

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.

P 12/20/12

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

W.R.# 97 - 7511 APPLICATION ID # 78326 ENT. E.D BCA 12/28 OK to Publish 12/28/12

INITIAL REVIEW

APPLICANT: Elizabeth O'Halloran BY: E.D DATE: 12/20/2012

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 12-20-12 By: E.D
- ___ ___ Field check: by ___
- ___ ___ Field report attached
- ___ ___ Analysis Supp. Attached (>5cfs/500af)
- ___ ___ Water delivered by water master? Water District # ___

PROCESSING

(Yes)(No) PRIORITY DATE: 12/18/2012

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

ADVERTISE IN: Bonner County
Newspaper: BCDB
Dates scheduled for publication 1/17 & 24/13
Affidavit of Publication received: 2/4/13
Dates actually published: 1/17 & 24/13
Application published correctly. Yes ✓ No ___
If not, action taken: ___

Final Date for Protest: 2/4/13
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 Priest Lake
- ___ ___ Critical ground water area
- ___ ___ Well Drilling Permit required
- ___ ___ Well Drilling Application and Fees received
- ___ ___ Well Drilling Application approved?

Remarks: ___

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

- ✓ ___ Notice of pending void order issued. Final order response date: ___/___/___
- ✓ ___ Further information required from applicant ___
- ✓ ___ Measuring device required
- ✓ ___ Measuring port required
- ✓ ___ Special conditions: ___
- ✓ ___ Special conditions of approval supplement and/or cover letter attached: ___

Approval Recommended by: Eric J Wilson Date: 02/25/2013 Sr. Agent initial E.D.

RECEIVED

FEB 04 2013

IDWR / NORTH

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Bonner)

Ambre Chapman, 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 applications
My business address is P.O. Box 159, Sandpoint, Idaho.

2. I am the Bookkeeper 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 17 day of January, 2013, and ending on the 24 day of January 2013.

Ambre Chap

State of Idaho, county of Bonner ss.
On this 24 day of Jan, in the year of 2013, before me, Sherilyn Jones, Notary Public, personally appeared
Ambre Chap, 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.

Sherilyn Jones
Notary Public
Residing at: Sandpoint
Comm. Exp.: 2/24/17

SHERILYN JONES NOTARY PUBLIC STATE OF IDAHO

#1912

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

97-7511
ELIZABETH OHALLORAN
16916 N DARTFORD DR
SPOKANE, WA 99208
Point of Diversion L1(SENE) S9 T61N R04W BONNER CO
Source PRIEST LAKE tributary PRIEST RIVER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 12/18/2012
Place of Use: DOMESTIC T61N R04W S9 L1(SENE)
Domestic use is for 1 home.

97-7512
ELIZABETH OHALLORAN
16916 N DARTFORD DR
SPOKANE , WA 99208
Point of Diversion L1(NENE) S9 T61N R04W BONNER CO
Source PRIEST LAKE tributary PRIEST RIVER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 12/18/2012
Place of Use: DOMESTIC T61N R04W S9 L1(NENE)
Domestic use is for 1 home.

97-7513
STATE OF IDAHO DEPARTMENT OF LANDS
PO BOX 83720-0050
BOISE, ID 83720-0050
Point of Diversion L2(SWNW) S26 T60N R04W BONNER CO
Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 7/3/2012
Place of Use: DOMESTIC T60N R04W S26
L2(SWNW) L3(SENW) NESW
Domestic use is for an office building, bunkhouse, shop and 3 residences.

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 2/4/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
SNP Legal 1912
January 17, 24, 2013

Ball, Dianne

From: Ball, Dianne
Sent: Friday, December 28, 2012 3:29 PM
To: Legal Notices - Bonner Co Daily Bee-Amber Bangeman
Subject: Application for Permit Nos. 97-7511, 97-7512, 97-7513
Attachments: LegalNotice 12-28-12 BCDB e-mail 97-7511,12,13.doc

A very good afternoon to you, Amber,

Please publish the enclosed legal notice in the *Bonner County Daily Bee* on the dates indicated, *January 17 and 24, 2013*, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

We prefer 2-column and I understand you are still using CenturyOldStyle font in 8 pt. This should be press ready with only minor adjustments.

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

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 2/4/2013. Your cooperation is always appreciated.

Thanks for all your great help, and have a happy and fulfilling New Year.

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

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97-7511
ELIZABETH OHALLORAN
16916 N DARTFORD DR
SPOKANE, WA 99208
Point of Diversion L1(SENE) S9 T61N R04W BONNER CO
Source PRIEST LAKE tributary PRIEST RIVER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 12/18/2012
Place of Use: DOMESTIC T61N R04W S9 L1(SENE)
Domestic use is for 1 home.

97-7512
ELIZABETH OHALLORAN
16916 N DARTFORD DR
SPOKANE , WA 99208
Point of Diversion L1(NENE) S9 T61N R04W BONNER CO
Source PRIEST LAKE tributary PRIEST RIVER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 12/18/2012
Place of Use: DOMESTIC T61N R04W S9 L1(NENE)
Domestic use is for 1 home.

97-7513
STATE OF IDAHO DEPARTMENT OF LANDS
PO BOX 83720-0050
BOISE, ID 83720-0050
Point of Diversion L2(SWNW) S26 T60N R04W BONNER CO
Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 7/3/2012
Place of Use: DOMESTIC T60N R04W S26
L2(SWNW) L3(SENW) NESW
Domestic use is for an office building, bunkhouse, shop and 3 residences.

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 2/4/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on 1/17/2013 and 1/24/2013

Ball, Dianne

From: Ball, Dianne
Sent: Friday, December 28, 2012 3:33 PM
To: critchie@idl.idaho.gov; mary.terra-berns@idfg.idaho.gov
Subject: RE: Application for Permit No. 97-7511 and 97-7512 both from Priest Lake
Attachments: 97-7511_OHALLORAN.pdf; 97-7512_OHALLORAN.pdf

Dear Carl and 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 each of the applications is enclosed for your reference.

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

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

December 28, 2012

ELIZABETH OHALLORAN
16916 N DARTFORD DR
SPOKANE , WA 99208

Application For Permit No. 97-7511and 97-7512

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 1/17/2013 and 1/24/2013. 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,

Eric J. Davis
Sr. Water Resource Agent

Elizabeth O'Halloran
16916 N. Dartford Dr.
Spokane, WA 99208
509-466-0862
betsyoh@gmail.com

RECEIVED
DEC 18 2012
IDWR / NORTH

Idaho Department of Water Resources
Northern Region
7600 N. Mineral Dr.
Suite 100
Coeur d'Alene, ID 83815

December 16, 2012

Dear Idaho Department of Water Resources,

Enclosed please find my application for water rights for 61N 4W Section 9, Government lot 01, SE NE, in Bonner County. I have already sent in a check for $100 with a previous application that incorrectly had two properties on one application. Please use that check to cover the fee for this application that is enclosed.

Thank you.

Merry Christmas.

Sincerely,

Elizabeth O'Halloran