

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 95-16433

Priority: March 30, 2012

Maximum Diversion Rate: 0.04 CFS

This is to certify, that JEROME PARMENTIER
11011 E 30TH
SPOKANE WA 99206
(509) 928-7363

has applied for a permit to appropriate water from:

Source: COEUR D ALENE LAKE **Tributary:** SPOKANE RIVER

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
FIRE PROTECTION	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

COEUR D ALENE LAKE, L3 (SE1/4NW1/4), Sec. 11, Twp 49N, Rge 04W, B.M., KOOTENAI County

PLACE OF USE: DOMESTIC, FIRE PROTECTION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
49N 04W 11								X									
							L 3										

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **June 01, 2013**.
2. Subject to all prior water rights.
3. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
4. Domestic use is 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. Rights 95-16433 and 95-8347 when combined shall not exceed a total diversion rate of 0.04 cfs, a total annual maximum diversion volume of 2.4 af at the field headgate, and the irrigation of 0.5 acres.
8. 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 24 day of May, 2012.


GARY SPACKMAN, Interim 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
Interim Director

May 29, 2012

JEROME PARMENTIER
11011 E 30TH
SPOKANE WA 99206

RE: Permit No.95-16433

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)

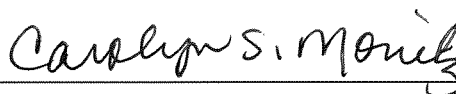
CERTIFICATE OF SERVICE

I hereby certify that on May 30, 2012 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.

95-16433

**JEROME PARMENTIER
11011 E 30TH
SPOKANE WA 99206**

A handwritten signature in cursive script, reading "Carolyn S. Monitz", is positioned above a horizontal line.

**Carolyn S. Monitz
Technical Records Specialist**

Statement of Available Procedures and Applicable Time Limits

RESPONDING TO PRELIMINARY ORDERS ISSUED BY THE IDAHO DEPARTMENT OF WATER RESOURCES (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 issuance 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.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Kootenai, } ss.

RECEIVED
MAY 14 2012
IDWR / NORTH

Madison Mjenzic 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.

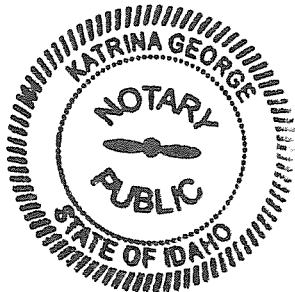
2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Legal Notice

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive Weeks commencing on the 3 day of May, 20 12, and ending on the 10 day of May, 20 12, 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 Madison Mjenzic. On this 10 day of May in the year of 2012, before me, a Notary Public, personally appeared Madison Mjenzic, 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
MAY 14 2012
IDWR / NORTH

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

95-16433

JEROME PARMENTIER

E 11011 30TH

SPOKANE, WA 99206

Point of Diversion L3(SENW) S11 T49N R04W KOOTENAI CO

Source COEUR D ALENE LAKE tributary SPOKANE RIVER

Use: DOMESTIC 01/01 to 12/310.04 CFS

Use: FIRE PROTECTION 01/01 to 12/310.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 3/16/2012

Place of Use: DOMESTIC T49N R04W S11 L3(SENW)

Place of Use: FIRE PROTECTION same as DOMESTIC

Domestic use is for 1 home.

95-16439

PEACHWOOD LLC

PO BOX 2204

COEUR D ALENE, ID 83816

Point of Diversion L5(NWNW) S3 T48N R03W KOOTENAI CO

Source UNNAMED STREAM tributary CARLIN CREEK

Use: IRRIGATION 03/15 to 11/010.09 CFS

Total Diversion: 0.09 CFS

Date Filed: 4/11/2012

Place of Use: IRRIGATION T48N R03W S3 L5(NWNW)

Total Acres: 3

95-16440

PEACHWOOD LLC

PO BOX 2204

COEUR D ALENE, ID 83816

Point of Diversion SWSE S34 T49N R03W KOOTENAI CO

Source CARLIN CREEK tributary COEUR D ALENE LAKE

Point of Diversion L3(NENW) S3 T48N R03W KOOTENAI CO

Source CARLIN CREEK tributary COEUR D ALENE LAKE

Use: DOMESTIC 01/01 to 12/310.04 CFS

Use: IRRIGATION 03/15 to 11/150.11 CFS

Total Diversion: 0.15 CFS

Date Filed: 4/11/2012

Place of Use: DOMESTIC T49N R03W S34 SWSE

Place Of Use: IRRIGATION T48N R03W S3 L3(NENW)

T49N R03W S34 SWSE

Total Acres: 5.5

Domestic use is for 1 RV site or cabin.

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 5/21/2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal 5266

May 3, 10, 2012

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, April 26, 2012 3:11 PM
To: Legal Notices-CdA Press; Legal Notices, CdA Press - Madison McKenzie
Subject: Application for Permit No. 95-16433, 95-16439, 95-16440
Attachments: LegalNotice 04-26-12 CDA e-mail 95-16433,39,40.doc

Good afternoon, Madison,

Please publish the attached legal notice on the dates indicated, May 3 and 10, 2012, (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 5/21/2012. Your cooperation is greatly appreciated.

Thanks for your help.

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:

95-16433

JEROME PARMENTIER

E 11011 30TH

SPOKANE, WA 99206

Point of Diversion L3(SENW) S11 T49N R04W KOOTENAI CO

Source COEUR D ALENE LAKE tributary SPOKANE RIVER

Use: DOMESTIC	01/01 to 12/31	0.04 CFS
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Use: FIRE PROTECTION	01/01 to 12/31	0.04 CFS
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Total Diversion:	0.04 CFS
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Date Filed: 3/16/2012

Place of Use: DOMESTIC T49N R04W S11 L3(SENW)

Place of Use: FIRE PROTECTION same as DOMESTIC

Domestic use is for 1 home.

95-16439

PEACHWOOD LLC

PO BOX 2204

COEUR D ALENE, ID 83816

Point of Diversion L5(NWNW) S3 T48N R03W KOOTENAI CO

Source UNNAMED STREAM tributary CARLIN CREEK

Use: IRRIGATION	03/15 to 11/01	0.09 CFS
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Total Diversion:	0.09 CFS
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Date Filed: 4/11/2012

Place of Use: IRRIGATION T48N R03W S3 L5(NWNW)

Total Acres: 3

95-16440

PEACHWOOD LLC

PO BOX 2204

COEUR D ALENE, ID 83816

Point of Diversion SWSE S34 T49N R03W KOOTENAI CO

Source CARLIN CREEK tributary COEUR D ALENE LAKE

Point of Diversion L3(NENW) S3 T48N R03W KOOTENAI CO

Source CARLIN CREEK tributary COEUR D ALENE LAKE

Use: DOMESTIC	01/01 to 12/31	0.04 CFS
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Use: IRRIGATION	03/15 to 11/15	0.11 CFS
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Total Diversion:	0.15 CFS
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Date Filed: 4/11/2012

Place of Use: DOMESTIC T49N R03W S34 SWSE

Place Of Use: IRRIGATION T48N R03W S3 L3(NENW)

T49N R03W S34 SWSE

Total Acres: 5.5

Domestic use is for 1 RV site or cabin.

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 5/21/2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 5/3/2012 and 5/10/2012



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

April 26, 2012

JEROME PARMENTIER
E 11011 30TH
SPOKANE, WA 99206

Application For Permit No. 95-16433

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 5/3/2012 and 5/10/2012. 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,

Eric J. Davis
Senior Water Resource Agent

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, April 26, 2012 1:50 PM
To: mary.terra-berns@idfg.idaho.gov; bbaeumel@idl.idaho.gov
Subject: RE: Application for Permit No. 95-16433
Attachments: 95-16433_Parmentier.pdf

Dear Mary & Brittany:

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 enclosed for your reference.

This is being prepared for publication in the CDA Press on May 3 and 10, 2012 with May 21, 2012 final day 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



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
Interim Director

March 19, 2012

Jerome Parmentier
11011 E 30th
Spokane, WA 99206

Re: Application for Permit to appropriate the Public Waters of the State of Idaho.

We are returning your application for permit do to no fee of \$100.00 was attached with this application.

Once the department receives the fee, processing of the application can continue. If you have any questions, please call me at 208-762-2800 or email me at eric.davis@idwr.idaho.gov

Sincerely,

Eric Davis
Water Resource Agent
Northern Region