

State of Idaho
 Department of Water Resources
Permit to Appropriate Water

NO. 96-09498

Priority: December 15, 2011

Maximum Diversion Rate: 4.00 CFS

This is to certify, that IDAHO FOREST GROUP LLC
 4447 E CHILCO RD
 ATHOL ID 83801

has applied for a permit to appropriate water from:

Source: PEND OREILLE RIVER **Tributary:** COLUMBIA 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>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.20 CFS	
FIRE PROTECTION STORAGE	01/01 to 12/31		27.5 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		180.0 AF
IRRIGATION STORAGE	04/01 to 10/31		207.5 AF
FIRE PROTECTION	01/01 to 12/31	4.00 CFS	
INDUSTRIAL FROM STORAGE	01/01 to 12/31		500.0 AF
INDUSTRIAL STORAGE	01/01 to 12/31		500.0 AF
INDUSTRIAL	01/01 to 12/31	4.00 CFS	
DIVERSION TO STORAGE	01/01 to 12/31	4.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

PEND OREILLE RIVER SE1/4SE1/4 Sec. 25, Twp 56N, Rge 04W, B.M. BONNER County
 PEND OREILLE RIVER SE1/4NW1/4 Sec. 31, Twp 56N, Rge 03W, B.M. BONNER County

PLACE OF USE: IRRIGATION

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 03W 30									4.0	40.0	11.0	1.0					56.0
56N 03W 31					4.0					L 3	L 4						4.0

Total Acres: 60

Permit to Appropriate Water

NO. 96-09498

PLACE OF USE: FIRE PROTECTION STORAGE

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 03W 31					X												L 3	

PLACE OF USE: IRRIGATION FROM STORAGE

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 03W 30									4.0	40.0	11.0	1.0					56.0	
56N 03W 31					4.0												L 3	4.0

Total Acres: 60

PLACE OF USE: IRRIGATION STORAGE

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 03W 31					X												L 3	

PLACE OF USE: FIRE PROTECTION

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 03W 30									X	X	X	X					L 3	L 4
56N 03W 31					X												L 3	

PLACE OF USE: INDUSTRIAL FROM STORAGE

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 03W 30									X	X	X	X					L 3	L 4
56N 03W 31					X												L 3	

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<u>PLACE OF USE:</u>		INDUSTRIAL STORAGE																					
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	03W	30											X										
													L4										
56N	03W	31					X																
							L3																

<u>PLACE OF USE:</u>		INDUSTRIAL																					
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	03W	30									X		X	X									
													L3	L4									
56N	03W	31					X																
							L3																

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **May 01, 2017**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
4. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
5. Rights 96-9498 and 96-7454 when combined shall not exceed a total diversion rate of 4.14 cfs, a total annual maximum diversion volume of 546.5 af at the field headgate, and the irrigation of 60 acres.
6. Water shall not be diverted from fire protection storage except to fight or repel an existing fire.
7. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
8. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
9. Right 96-9498 authorize the diversion of an annual total of 63.0acre-feet to be used for the initial filling of the ponds and for the replacement of losses caused by seepage and evaporation.
10. The 4 ponds established by the storage of water under this right shall not exceed a total capacity of 63.0 acre-feet.
11. 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 23 day of April, 2012.

Gary Spackman
 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

April 23, 2012

IDAHO FOREST GROUP LLC
4447 E CHILCO RD
ATHOL ID 83801

RE: Permit No.96-9498

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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 that reads "Eric Davis". The signature is written in a cursive style with a large initial "E".

Eric Davis

Sr. Water Resource Agent

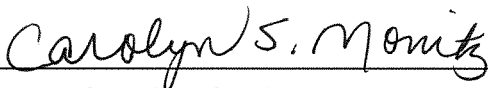
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on April 24, 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. 96-9498

**IDAHO FOREST GROUP LLC
4447 E CHILCO RD
ATHOL ID 83801**



**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.

MEMORANDUM

Date: April 23, 2012
To: Water Right File 96-9498
From: edavis
Re: Permitting

Diversion to storage was added to this application match the 4.0cfs rate of Industrial use that was advertised.

Davis, Eric

From: Fobes, Ryan [rfobes@idfg.com]
Sent: Tuesday, April 17, 2012 1:08 PM
To: Davis, Eric
Subject: RE: Water Permit

Depths:

NW pond 20'

SW pond 15'

SE ponds 10'

Ryan

-----Original Message-----

From: Davis, Eric [Eric.Davis@idwr.idaho.gov]
Received: Tuesday, 17 Apr 2012, 10:15am
To: Fobes, Ryan [rfobes@idfg.com]
Subject: RE: Water Permit

Just seeing if you had time to get the pound depths?

From: Fobes, Ryan [<mailto:rfobes@idfg.com>]
Sent: Monday, April 16, 2012 8:33 AM
To: Davis, Eric
Subject: RE: Water Permit

Eric,
See attached. I am working on depths now and will get those to you today.

Thanks,

Ryan Fobes, P. E.
Idaho Forest Group
Director: Land Improvement Program
(208) 762-2939 - Office
(208) 755-0630 - Cell
(208) 772-2426 - Fax
4447 E. Chilco Road
Athol, ID 83801

From: Davis, Eric [<mailto:Eric.Davis@idwr.idaho.gov>]
Sent: Friday, April 13, 2012 9:58 AM
To: Fobes, Ryan
Subject: Water Permit

Hi Ryan

I will be working on Idaho Forest Group permit Monday. Please send me the dimensions each pond. Thanks

Eric Davis
IDWR
Senior Water Resource Agent
Northern Regional Office
7600 North Mineral Drive, Suite 100
Coeur d'Alene, ID 83815
PHONE: (208)-762-2800
FAX: (208)762-2819

Franklin, Keith

From: Franklin, Keith
Sent: Thursday, April 12, 2012 1:49 PM
To: Thiel, Sandra
Subject: Pend Oreille River Min. Stream Flow
Attachments: DOC000.pdf

Sandra,

This is in response to a memo received March 1, 2012 (copy attached) regarding water right application 96-9498 which source is the Pend Oreille River. The minimum stream flow for the Pend Oreille River 96-8730 is to protect flows released from Albeni Falls Dam. The diversion point for 96-9498 is some miles above the dam.

I would agree that any upstream diversion would be subject to the minimum stream flow except for the condition placed on 96-8730, that says the minimum flow amounts "shall not directly or indirectly cause any change in the operation of Albeni Falls Dam". Since this condition exists on the minimum stream flow license, IDWR does not condition new permits to be subordinate to the minimum stream flow.

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

Keith Franklin

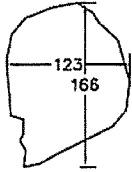
Program Manager Northern Region.

MEMORANDUM

DATE: March 1, 2012
TO: Dianne Ball
FROM: Sandy Thiel
RE: Application for Permit No. 96-9498

The purpose of this memo is to provide the Planning Section's comments on the Application for Permit No. 96-9498 on the Pend Oreille River. The application indicates that the Idaho Forest Group LLC intends to divert 4 cfs for irrigation, fire storage and industrial uses. The applicant should be aware that the Idaho Water Resource Board holds a minimum stream flow water right water right 96-8730 on the Pend Oreille River downstream from the proposed point of diversion. As a junior water right holder the applicant's water may be curtailed when the minimum stream flow is not being met. The Idaho Water Resource Board would like assurance that this water right will be actively administered to protect the Board's minimum stream flow right.

Pond #1



AREA = 14,667 SF
PERIMETER = 472 LF

Depth 20'



Pond #2

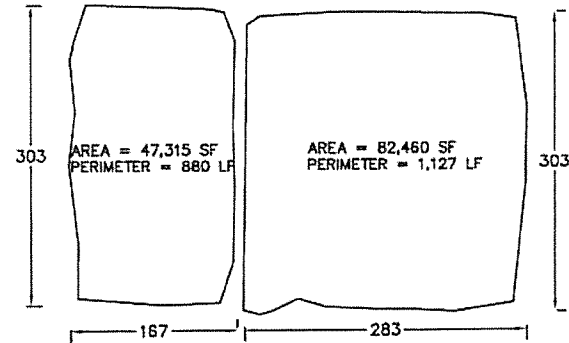


AREA = 4,978 SF
PERIMETER = 300 LF

15' Depth

Pond #3

Pond #4



Depth 10'

96-9498

EVAPORATION (IN/DAY) 0.17

SEEPAGE (FT/DAY) 0.01

Pond #1

1) SIZE = 6.68 AF

2) EVAPORATION = 1.72 AF PER YEAR

3) SEEPAGE = 1.18 AF PER YEAR

TOTAL = 9.58 AF

Pond #2

1) SIZE = 1.71 AF

2) EVAPORATION = 0.59 AF PER YEAR

3) SEEPAGE = 0.40 AF PER YEAR

TOTAL = 2.7 AF

Pond #3

1) SIZE = 10.86 AF

2) EVAPORATION = 3.77 AF PER YEAR

3) SEEPAGE = 3.86 AF PER YEAR

TOTAL = 18.49 AF

Pond #4

1) SIZE = 18.93 AF

2) EVAPORATION = 6.57 AF PER YEAR

3) SEEPAGE = 6.73 AF PER YEAR

TOTAL = 32.23 AF

Total = 63 AF.

AFFIDAVIT OF PUBLICATION

RECEIVED

APR 04 2012

State of Idaho

ss.

IDWR / NORTH

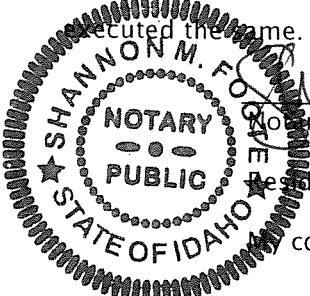
County of Bonner, Terri Jule

being first duly sworn on oath deposes and says that he/she is Managing Editor 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:

- Applications
- 95-16391- Asia & Brian Williams
- 96-9498 Idaho Forest Group LLC
- 96-9501 Thomas W. Barnes

as it was published in the regular and entire issue of the said newspaper for a period of 2 consecutive weeks, commencing on the 7th day of March, 20 12 and ending on the 14th day of March, 20 12 and that said notice was published in said newspaper.

On this 14th day of March in the year of 2012, before me, a Notary Public, personally appeared Terri Jule, 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



Shannon M. F. Notary Public for Idaho
Residing at Priest River
commission expires: 10.9.13

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

95-16391
 ASIA WILLIAMS
 BRIAN WILLIAMS
 2582 BOSTON ST
 WOODBURN, OR 97071
 Points of Diversion(4) SESE S25 T54N R06W BONNER CO
 Source UNNAMED STREAM tributary BLANCHARD CREEK
 Use: IRRIGATION 01/01 to 12/31 0.4 CFS
 Use: STOCKWATER 01/01 to 12/31 0.02 CFS
 Total Diversion: 0.4 CFS
 Date Filed: 1/12/2012
 Place of Use: IRRIGATION T54N R06W S25 SESE
 Place of Use: STOCKWATER same as IRRIGATION
 Total Acres: 20
 Stockwater use is for 5 head of mixed stock.

96-9498
 IDAHO FOREST GROUP LLC
 4447 E CHILCO RD
 ATHOL, ID 83801
 Point of Diversion SESE S25 T56N R04W BONNER CO
 Source PEND OREILLE RIVER tributary COLUMBIA RIVER
 Point of Diversion SENW S31 T56N R03W BONNER County
 Source PEND OREILLE RIVER tributary COLUMBIA RIVER
 Use: FIRE PROTECTION 01/01 to 12/31 4 CFS
 Use: FIRE Protection Storage 01/01 to 12/31 27.5 AF
 Use: INDUSTRIAL 01/01 to 12/31 4 CFS
 Use: INDUSTRIAL from Storage 01/01 to 12/31 500 AF
 Use: INDUSTRIAL Storage 01/01 to 12/31 500 AF
 Use: IRRIGATION 04/01 to 10/31 1.2 CFS
 Use: IRRIGATION from Storage 04/01 to 10/31 180 AF
 Use: IRRIGATION Storage 04/01 to 10/31 207.5 AF
 Total Diversion: 4 CFS
 Date Filed: 12/15/2011
 Place of Use: FIRE PROTECTION STORAGE
 T56N R03W S31 L3(NWNW)
 Place of Use: FIRE PROTECTION
 T56N R03W S30 NESW L3(NWSW) L4(SWSW) SESW
 T56N R03W S31 L3(NWNW)
 Place of Use: INDUSTRIAL STORAGE
 T56N R03W S30 L4(SWSW)
 T56N R03W S31 L3(NWNW)
 Place of Use: INDUSTRIAL
 T56N R03W S30 NESW L3(NWSW) L4(SWSW) SESW
 T56N R03W S31 L3(NWNW)
 Place of Use: INDUSTRIAL FROM STORAGE
 T56N R03W S30 NESW L3(NWSW) L4(SWSW) SESW
 T56N R03W S31 L3(NWNW)
 Place of Use: IRRIGATION Storage
 T56N R03W S31 L3(NWNW)
 Place of Use: IRRIGATION and IRRIGATION from Storage
 T56N R03W S30 NESW L3(NWSW) L4(SWSW) SESW
 T56N R03W S31 L3(NWNW)
 Total Acres: 60
 Industrial use is for watering log decks, boiler make up water, and milling equipment.

96-9501
 THOMAS W BARNES
 PO BOX 95
 PRIEST RIVER, ID 83856
 Point of Diversion L4(SWSW) S30 T56N R04W BONNER CO
 Source PEND OREILLE RIVER tributary COLUMBIA RIVER
 Use: DIVERSION to STORAGE 01/01 to 12/31 0.2 CFS
 Use: IRRIGATION 04/01 to 10/31 0.12 CFS
 Use: IRRIGATION from Storage 04/01 to 10/31 12 AF
 Use: IRRIGATION STORAGE 01/01 to 12/31 12.4 AF
 Use: RECREATION 01/01 to 12/31 0.04 CFS
 Use: RECREATION STORAGE 01/01 to 12/31 0.4 AF
 Total Diversion: 0.2 CFS 12.4 AF
 Date Filed: 2/10/2012
 Place of Use: IRRIGATION T56N R04W S30 L4(SWSW)
 Place of Use: IRRIGATION Storage T56N R04W S30 L4(SWSW)
 Place of Use: IRRIGATION FROM STORAGE
 T56N R04W S30 L4(SWSW)
 Place of Use: RECREATION T56N R04W S30 L4(SWSW)
 Place of Use: RECREATION Storage T56N R04W S30 L4(SWSW)
 Total Acres: 4
 Recreational use is for fishing.
 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 3/26/2012. The protestant must also send a copy of the protest to the applicant.
 GARY SPACKMAN, Interim Director
 PRT legal 2419
 March 7, 14, 2012

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, February 23, 2012 12:00 PM
To: Legal Notices-Priest River Times (prtimes@priestrivertimes.com); Legal Notices-PRT Shannon Foote (sfoote@priestrivertimes.com)
Subject: Application for Permit No. 96-9498, 95-16391, 96-9501
Attachments: LegalNotice 02-23-12 PRT e-mail 95-16391,96-9498,9501.doc

Good afternoon, Shannon,

Please publish the enclosed legal notice on the dates indicated, March 7 and 14, 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. Although it only contains three new applications, it is nonetheless a fairly large legal.

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 3/26/2012. Your cooperation is greatly appreciated.

If you have any questions, please give me a call.

It's always a pleasure to work with you.

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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BRIAN WILLIAMS
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Place of Use: STOCKWATER same as IRRIGATION

Total Acres: 20

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96-9498

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4447 E CHILCO RD
ATHOL, ID 83801

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Source PEND OREILLE RIVER tributary COLUMBIA RIVER
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Use: IRRIGATION 04/01 to 10/31 1.2 CFS
Use: IRRIGATION from Storage 04/01 to 10/31 180 AF
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Total Diversion: 4 CFS

Date Filed: 12/15/2011

Place of Use: FIRE PROTECTION STORAGE
T56N R03W S31 L3(NWNW)

Place of Use: FIRE PROTECTION
T56N R03W S30 NESW L3(NWSW) L4(SWSW) SESW
T56N R03W S31 L3(NWNW)

Place of Use: INDUSTRIAL STORAGE
T56N R03W S30 L4(SWSW)
T56N R03W S31 L3(NWNW)

Place of Use: INDUSTRIAL
T56N R03W S30 NESW L3(NWSW) L4(SWSW) SESW
T56N R03W S31 L3(NWNW)

Place of Use: INDUSTRIAL FROM STORAGE
T56N R03W S30 NESW L3(NWSW) L4(SWSW) SESW
T56N R03W S31 L3(NWNW)

Place of Use: IRRIGATION Storage
T56N R03W S31 L3(NWNW)

Place of Use: IRRIGATION and IRRIGATION from Storage
T56N R03W S30 NESW L3(NWSW) L4(SWSW) SESW
T56N R03W S31 L3(NWNW)

Total Acres: 60

Industrial use is for watering log decks, boiler make up water, and milling equipment.

96-9501

THOMAS W BARNES
PO BOX 95
PRIEST RIVER, ID 83856

Point of Diversion L4(SWSW) S30 T56N R04W BONNER CO
Source PEND OREILLE RIVER tributary COLUMBIA RIVER
Use: DIVERSION to STORAGE 01/01 to 12/31 0.2 CFS
Use: IRRIGATION 04/01 to 10/31 0.12 CFS
Use: IRRIGATION from Storage 04/01 to 10/31 12 AF
Use: IRRIGATION STORAGE 01/01 to 12/31 12.4 AF
Use: RECREATION 01/01 to 12/31 0.04 CFS
Use: RECREATION STORAGE 01/01 to 12/31 0.4 AF
Total Diversion: 0.2 CFS 12.4 AF

Date Filed: 2/10/2012

Place of Use: IRRIGATION T56N R04W S30 L4 (SWSW)

Place of Use: IRRIGATION Storage T56N R04W S30 L4 (SWSW)

Place of Use: IRRIGATION FROM STORAGE

T56N R04W S30 L4 (SWSW)

Place of Use: RECREATION T56N R04W S30 L4 (SWSW)

Place of Use: RECREATION Storage T56N R04W S30 L4 (SWSW)

Total Acres: 4

Recreational use is for fishing.

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 3/26/2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 3/7/2012 and 3/14/2012



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

February 23, 2012

IDAHO FOREST GROUP LLC
4447 E CHILCO RD
ATHOL, ID 83501

Application For Permit No. 96-9498

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 PRIEST RIVER TIMES on 3/7/2012 and 3/14/2012. 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,

A handwritten signature in black ink that reads "Eric J. Davis".

Eric Davis
Sr. Water Resource Agent

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, February 21, 2012 4:18 PM
To: mary.terra-berns@idfg.idaho.gov; JBrunner@idl.idaho.gov
Subject: RE: Application for Permit No. 96-9501 (Also included 96-9498 - see info below)
Attachments: 96-9501_Barnes.pdf; 96-9498_IDAHO_FOREST_GROUP.pdf

Dear Mary and Jamie:

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.

These are being prepared for publication in the Priest River Times on March 7 and 14, 2012 with final date of March 26, 2012 for protests to be received in our office.

Application 96-9498, Idaho Forest Group, did not publish as originally scheduled on February 1 and 9, so it will also be scheduled for publication on these same dates with same final date for protests. It was originally sent to you back on January 28, 2012. I've attached this again, with this notice, as they will publish together, and this extends the protest date on this Idaho Forest Group application.

Your prompt response to this request is appreciated. If your agency desires to formally protest the approval of these applications, 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 these applications.

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

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, January 26, 2012 2:54 PM
To: mary.terra-berns@idfg.idaho.gov; JBrunner@idl.idaho.gov
Subject: Application for Permit No. 96-9498 Pend Oreille River
Attachments: 96-9498_IDAHO_FOREST_GROUP.pdf

Dear Mary and Jamie:

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.

Being prepared for publication in Priest River Times on February 1 & 8, 2012 with final date for protests to be February 21, 2012.

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

WATER RIGHT LICENSE

License of Water Right No. 96-7454 Priority June 18, 1976 Amount 0.14 cfs

THIS IS TO CERTIFY, that Brand "S" Corporation
of LaCleda, Idaho, has complied with the terms and conditions of Permit
No. 96-7454 issued pursuant to Application for Permit dated June 18, 1976,
and has submitted proof to the Department of Water Resources on June 22, 1981,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.14 cfs of water from Pend Oreille River,
tributary to Pend Oreille Lake, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Industrial</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.14</u> cfs and	<u>46.5</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.14 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
46.5 acre feet per year, said waters to be diverted within the SE 1/4 NW 1/4, Section 31, Twp.
56N, Rge. 3W in the County of Bonner

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
56N	3W	30									X				X	X			
		31					X	X											

Total number of acres irrigated _____

Industrial use is log sprinkling.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27th day of
October, 19 82.

Norman C. Young
Acting for the Director