

RECEIVED

NOV 06 2008

IDWR/North

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.

County of Bonner)

Sherilyn Jones, 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 Notice of Correction.
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;

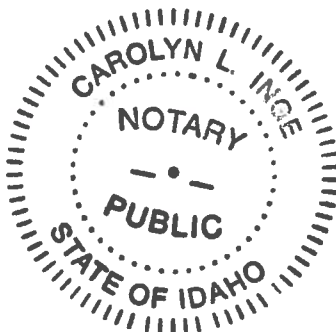
3. Said newspaper has been continuously and uninterruptedly published in Bonner County, Idaho during a period of 12 months prior to the first publication of said Notice, and thereafter.

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 2 day of Oct., 2008, and ending on the 9 day of Oct., 2008.

Sherilyn Jones

SUBSCRIBED AND SWORN to before me, the undersigned Notary Public, this 9 day of Oct, 2008

Carolyn L. Inge
Notary Public
Residing at: Sandpoint
Comm. Exp.: 8-7-12



See records for legal

SCANNED

NOV 13 2008

9975

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 95-9508 in the name of Philip W and/or Patsy Barnhart, 486 Kripple Kreek, Athol, ID 83801, was incorrectly advertised on September 4 and 11, 2008.

The POINT OF DIVERSION was inadvertently left out of the original legal notice. The POINT OF DIVERSION is from an UNNAMED STREAM, tributary to SINKS, located within L1 (NWNW) Sec. 15, Twp. 54N, Rge. 02W BM.

(For additional information concerning the property location, call the Northern Regional Office at 762-2800.)

Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00 on or before October 20, 2008..

DAVID R TUTHILL, JR, Director
Published on October 2 & 9, 2008.

AFFIDAVIT OF PUBLICATION

RECEIVED
OCT 06 2008
IDWR/North

STATE OF IDAHO)
) ss.
County of Bonner)

Sherilyn Jones, 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 Notice of App.
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;

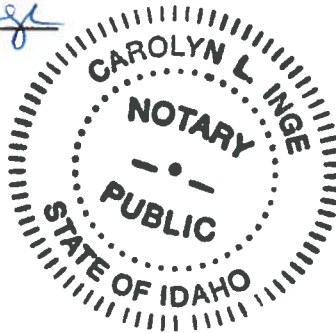
3. Said newspaper has been continuously and uninterruptedly published in Bonner County, Idaho during a period of 12 months prior to the first publication of said Notice, and thereafter.

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 4 day of Sept, 2008, and ending on the 11 day of Sept, 2008.

Sherilyn Jones

SUBSCRIBED AND SWORN to before me, the undersigned Notary Public, this 11 day of Sept, 2008.

Carolyn L. Inge
Notary Public
Residing at: Sandpoint
Comm. Exp.: 8-7-12



*See return
for legal*

SCANNED

NOV 13 2008

0822

RECEIVED

OCT 06 2008

IDWR/North

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

95-9508

PHILIP W BARNHART

PATSY BARNHART

486 KRIPPLE CREEK

ATHOL ID 83801

Use: IRRIGATION 04/01 To 10/31 0.16 CFS

Use: IRRIGATION STORAGE 01/01 To 12/31 29.5 AFA

Use: IRRIGATION FROM STORAGE

04/01 To 10/31 24 AFA

Use: STOCKWATER 01/01 To 12/31 0.02 CFS

Use: STOCKWATER STORAGE 01/01 To 12/31 5.7 AFA

Use: STOCKWATER FROM STORAGE

01/01 To 12/31 0.2 AFA

Use: RECREATION STORAGE 01/01 To 12/31 5.5 AFA

Total Diversion: 0.18 CFS 29.7 AFA

Date Filed: 08/19/2008

Place Of Use: IRRIGATION

T54N R02W S15 NWNW Lot 1

Number of Acres 8

Place Of Use: ALL OTHER USES SAME AS IRRIGATION

Remark: Stockwater use is for 10 head of mixed stock.

96-9395

IDAHO WATER RESOURCE BOARD

PO BOX 83720

BOISE ID 83720-0098

Point of Diversion: COCOLALLA LAKE, BONNER COUNTY

No actual diversion - minimum lake level.

Source COCOLALLA LK tributary to COCOLALLA CREEK

Use: LAKE LEVEL MAINTENANCE 01/01 to 12/31-2207.8 AFA

Total Diversion: 2207.8 AFA

Date Filed: 07/21/2008

Place Of Use: LAKE LEVEL MAINTENANCE

Remark: Lake Level Maintenance is to maintain minimum lake elevation of 2207.77 ft. Water will be used within the boundary of Cocolalla Lake.

96-9405

HENRY V HALSETH

EVELYN J HALSETH

1991 GYPSY BAY RD

SAGLE ID 83860

Point of Diversion I4 (SESE) S27 T57N R03W BONNER CO

Source PEND OREILLE RVR tributary to COLUMBIA RVR

Use: IRRIGATION 04/01 To 10/31 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 08/19/2008

Place Of Use: IRRIGATION

T57N R03W S27 SESE Lot 4

T57N R03W S34 NENE Lot 1

Number of Acres: 0.5

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 09/22/2008. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

SNP Legal 9833

September 4, 11, 2008

See memo for details

SCANNED

NOV 13 2008

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, September 23, 2008 1:54 PM
To: Legal Notices-Bonner Co Daily Bee-Sheri Jones
Subject: Legal Notice of Correction to publish October 2 and 9, 2008
Attachments: LegalNotice 09-23-08 BCDB e-mail 95-9508 Correction.doc

Good afternoon, Sheri,

Attached is a legal Notice of Correction we wish to have published on October 2 and 9, 2008.

This should be short and simple, but if you have ANY questions, please call me at 208-762-2800 or reply to this e-mail.

Please send the affidavit and bill to our office by October 20, 2008.

Thanks for all your super 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

SCANNED

NOV 13 2008

9/23/2008

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

95-9508

PHILIP W BARNHART
PATSY BARNHART
486 KRIPPLE CREEK
ATHOL ID 83801

Use: IRRIGATION 04/01 To 10/31 0.16 CFS
Use: IRRIGATION STORAGE 01/01 To 12/31 29.5 AFA
Use: IRRIGATION FROM STORAGE

04/01 To 10/31 24 AFA
Use: STOCKWATER 01/01 To 12/31 0.02 CFS
Use: STOCKWATER STORAGE 01/01 To 12/31 5.7 AFA
Use: STOCKWATER FROM STORAGE

01/01 To 12/31 0.2 AFA
Use: RECREATION STORAGE 01/01 To 12/31 5.5 AFA
Total Diversion: 0.18 CFS 29.7 AFA

Date Filed: 08/19/2008

Place Of Use: IRRIGATION

T54N R02W S15 NWNW Lot 1

Number of Acres 8

Place Of Use: ALL OTHER USES SAME AS IRRIGATION

Remark: Stockwater use is for 10 head of mixed stock.

96-9395

IDAHO WATER RESOURCE BOARD

PO BOX 83720

BOISE ID 83720-0098

Point of Diversion: COCOLALLA LAKE, BONNER COUNTY

No actual diversion - minimum lake level.

Source COCOLALLA LK tributary to COCOLALLA CREEK

Use: LAKE LEVEL MAINTENANCE 01/01 to 12/31-2207.8 AFA

Total Diversion: 2207.8 AFA

Date Filed: 07/21/2008

Place Of Use: LAKE LEVEL MAINTENANCE

Remark: Lake Level Maintenance is to maintain minimum lake elevation of 2207.77 ft. Water will be used within the boundary of Cocolalla Lake.

96-9405

HENRY V HALSETH

EVELYN J HALSETH

1991 GYPSY BAY RD

SAGLE ID 83860

Point of Diversion L4 (SESE) S27 T57N R03W BONNER CO

Source PEND OREILLE RVR tributary to COLUMBIA RVR

Use: IRRIGATION 04/01 To 10/31 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 08/19/2008

Place Of Use: IRRIGATION

T57N R03W S27 SESE Lot 4

T57N R03W S34 NENE Lot 1

Number of Acres: 0.5

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 09/22/2008. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

POD did not print from
computer - Source was
not shown before saving.
Readvertise by
Notice of Correction

SCANNED

NOV 13 2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR
Director

*Please Fax or e-mail proof/preview copy to me before this goes to press.
Fax (208) 762-2819 ~ e-mail dianne.ball@idwr.idaho.gov
Thanks, Dianne*

August 28, 2008

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

RE: Application for Permit No. 95-9508, 96-9395 and 96-9405

Dear Sheri ~ (and Amber):

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, September 4 and 11, 2008, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 09/22/2008. Your cooperation is appreciated.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

SCANNED

NOV 13 2008

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, August 28, 2008 11:22 AM
To: Legal Notices-Bonner Co Daily Bee-Sheri Jones
Subject: Legal notice for publication Sept. 4 and 11, 2008
Attachments: CoverLetter 08-28-08 BCDB e-mail 95-9508, 96-9395, 96-9405.doc; LegalNotice 08-28-08 BCDB e-mail 95-9508,96-9395, 96-9405.doc

Good day to you, Sheri (and Amber, too)

I'm trying to get my legal notices out early enough that the upcoming holiday on Monday won't affect our getting them published next week.

Attached is our cover letter requesting publication of a legal notice on September 4 and 11, 2008. The legal notice is also attached.

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

If you have ANY questions, please call me at 208-762-2800 or reply to this e-mail – or fax to 208-762-2819.

Thanks for all your great help, and have a marvelous 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

SCANNED

NOV 13 2008

8/28/2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

August 28, 2008

PHILIP W BARNHART
PATSY BARNHART
486 KRIPPLE CREEK
ATHOL ID 83801

RE: Application for Permit No 95-9508

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Bonner County Daily Bee on September 4 and 11, 2008. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

Keith E. Franklin
Senior Water Resource Agent

Enclosure(s) – Receipt No. N019493

SCANNED

NOV 4 3 2008

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, August 27, 2008 2:39 PM
To: mterrabe@idfg.idaho.gov
Subject: Agency Comment Request Ltr.doc
Attachments: 95-9508 Barnhart.pdf; Agency Comment Request Ltr.doc

Good afternoon, Mary,

Attached is our cover letter requesting comments from your agency by September 22, 2008 regarding 95-9508, Barnhart. A copy of the application is also attached.

If you have any questions, please call Keith or me.

Thanks and have a great 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

8/27/2008

SCANNED
AUG 12 2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR
Director

August 27, 2008

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

Re: Water Permit Application No. 95-9508 - Barnhart

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

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so *after the notice is published* by filing a written protest along with a \$25.00 filing fee within 10 days after final publication, and by sending a copy of your protest to the applicant. This will be scheduled for publication on September 4 and 11, 2008.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **September 22, 2008**. That is also the final date for protest to be received in our office.

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

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

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

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

Sincerely,

Dianne

Dianne Ball
Administrative Assistant

SCANNED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

July 28, 2008

Philip W Barnhart
486 Kripple Kreek
Athol, Idaho 83801

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho

Dear Mr. Barnhart:

Enclosed please find an electronic version of your application. Please review the application and if it's satisfactory sign and return it to me within the next 30 days, along with a check made out to "IDWR" in the amount of ~~\$250.00~~ ^{\$100.00} to cover the filing fee.

I could not determine what the unnamed stream was tributary to so I assumed it sank somewhere within your property. If I'm wrong, please let me know.

If you have any questions, don't hesitate to contact me at this office.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent

Enclosure

COPY

NOV 13 2008