

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 95-15287

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2013**.
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. 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.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
6. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
7. Water shall not be diverted from fire protection storage except to fight or repel an existing fire.
8. Recreation use is for fishing.
9. The pond established by the storage of water under this right shall not exceed a total capacity of 0.8 acre-feet.
10. This right authorizes the diversion of an annual total of 4.4 acre-feet to be used for the initial filling of the pond, for the replacement of losses caused by seepage and evaporation from the pond and for the storage of water for irrigation, fire protection and recreation.
11. Water shall not be diverted under this right when flows in the Spokane River are below minimum flow amounts as defined by Right 95-8780.
12. A fish screen of 0.25 inch or smaller mesh shall be installed and maintained at the point of diversion.
13. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.

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 4 day of November, 2011.


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

November 7, 2011

JAMES GRASSI
815 S MADISON RD
POST FALLS ID 83854-5795

MARY LOUISE GRASSI
815 S MADISON RD
POST FALLS ID 83854-5795

RE: Permit No.95-15287

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 cursive script, appearing to read "Eric J. Davis".

Eric Davis

Sr. Water Resource Agent

Enclosure(s)

CERTIFICATE OF SERVICE

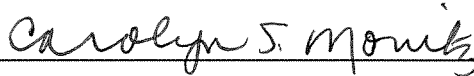
I hereby certify that on November 8, 2011 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

95-15287

**JAMES GRASSI
815 S MADISON RD
POST FALLS ID 83854-5795**

**MARY LOUISE GRASSI
815 S MADISON RD
POST FALLS ID 83854-5795**

A handwritten signature in cursive script, reading "Carolyn S. Monitz", is written over 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.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET**

R 9/14/11

W.R. # 95-15287

APPLICATION ID # 77940

ENT. 6/21

BCA 9/9

OK to Publish 9/8/11

APPLICANT: Grassi

INITIAL REVIEW

BY: KJ

DATE: 6/21/2011

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 6/21/11 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: 6/21/2011

☐ (Include Moratorium Remark)

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

ADVERTISE IN:

Newspaper: Kootenai County

Dates scheduled for publication 9/15 + 22/11

Affidavit of Publication received: 9/23/11

Dates actually published: 9/15 + 22/11

Application published correctly. Yes ☒ No ☐

If not, action taken: _____

Final Date for Protest: 10/3/11

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?

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: Min Stream Flow Spokane River
- ☒ Special conditions of approval supplement and/or cover letter attached

Approval Recommended by: Beth K. Sullivan

Date: 10/21/2011 Sr. Agent initial KJ

AFFIDAVIT OF PUBLICATION

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

Jen Jeffers

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

RECEIVED
SEP 23 2011
IDWR / NORTH

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for two consecutive weeks commencing on the 15 day of September 20 11, and ending on the 22 day of September 20 11, 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.

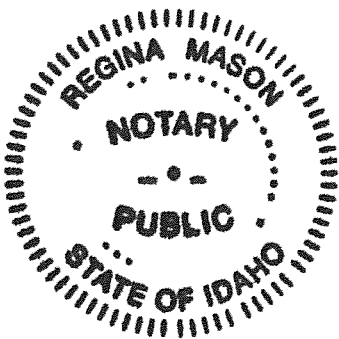
On this 22 day of September in the year of 2011, before me, a Notary Public, personally appeared Jen Jeffers

Jen Jeffers, 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.

Regina Mason

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

MY COMMISSION EXPIRES 6/18/15



RECEIVED

SEP 23 2011

IDWR / NORTH

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

95-15173

PINESONG PROPERTIES LLC

832 N TALEGA AVE

EAGLE, ID 83616-4711

Point of Diversion L3(SWNE) S7 T49N R03W KOOTENAI CO

Source COEUR D ALENE LAKE tributary SPOKANE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 6/8/2011

Place of Use: DOMESTIC T49N R03W S7 L3(SWNE)

Domestic use is for 1 home.

95-15206

WILLIAM SCHOENER

CHERYL SCHOENER

3513 W KIDD ISLAND BAY RD

COEUR D ALENE, ID 83814

Point of Diversion L3(SWNENW) S2 T49N R04W

KOOTENAI County

Source SPRING tributary SINKS

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

Use: IRRIGATION 03/15 to 10/31 0.05 CFS

Total Diversion: 0.05 CFS

Date Filed: 6/10/2011

Place of Use: DOMESTIC T49N R04W S2 L3(NENW)

Place of Use: IRRIGATION same as DOMESTIC

Total Acres: 1.5

Domestic use is for 1 home.

95-15287

JAMES GRASSI

MARY LOUISE GRASSI

815 S MADISON RD

POST FALLS, ID 83854-5795

Point of Diversion L3(SWNW) S8 T50N R05W KOOTENAI CO

Source SPOKANE RIVER tributary COLUMBIA RIVER

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.2 CFS

Use: FIRE PROTECTION Storage 01/01 to 12/31 1.4 AF

Use: IRRIGATION 03/15 to 11/15 0.03 CFS

Use: IRRIGATION FROM Storage 03/15 to 11/15 3 AF

Use: IRRIGATION STORAGE 03/15 to 11/15 4.4 AF

Use: RECREATION STORAGE 01/01 to 12/31 1.4 AF

Total Diversion: 0.2 CFS 4.4 AF

Date Filed: 6/21/2011

Place of Use: IRRIGATION T50N R05W S8 L3(SWNW)

Place of Use: FIRE PROTECTION STORAGE

T50N R05W S8 L3(SWNW)

Place of Use: All Other Uses Listed, same as IRRIGATION

Total Acres: 1

Recreation use is for fishing.

95-15375

JON ROSENOFF

5307 N ARGONNE LN #4

SPOKANE, WA 99212

KRISTI G ROSENOFF

927 132ND ST SW UNIT D2

EVERETT, WA 98204

BRUCE C ROSENOFF

11922 E 33RD AVE

SPOKANE VALLEY, WA 99206

Point of Diversion L3(NWSW) S30 T49N R03W

KOOTENAI County

Source COEUR D ALENE LAKE tributary SPOKANE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 6/21/2011

Place of Use: DOMESTIC T49N R03W S30 L3(NWSW)

Domestic use is for 1 home.

95-15380

SCOTT M BULLOCK

SHERI A BULLOCK

2452 E SUMMIT DR

COEUR D ALENE, ID 83815

Point of Diversion L2(NWNE) S3 T49N R03W KOOTENAI CO

Source COEUR D ALENE LAKE tributary SPOKANE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 6/28/2011

Place of Use: DOMESTIC T49N R03W S3 L2(NWNE)

Domestic use is for 1 home.

95-15397

KENNETH BAILEY

ANN BAILEY

3121 TUSCANY DR

PASCO, WA 99301

Point of Diversion L5(SWNW)

S4 T49N R03W

KOOTENAI County

Source COEUR D ALENE LAKE tributary SPOKANE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 6/29/2011

Place of Use: DOMESTIC T49N R03W S4 L5(SWNW)

Domestic use is for 1 home.

95-15401

SILVER FOX GROUP LLC

3465 S WALKERS BAY RD

COEUR D ALENE, ID 83814

Point of Diversion L1(NENW) S33 T50N R03W KOOTENAI CO

Source COEUR D ALENE LAKE tributary SPOKANE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 6/30/2011

Place of Use: DOMESTIC T50N R03W S33 L1(NENW)

Domestic use is for 2 homes.

95-15433

SCENIC VISTA CORPORATION

24015 E DRUMHELLER RD

ROCKFORD, ID 99030

Point of Diversion NENE S16 T48N R05W KOOTENAI CO

Source UNNAMED STREAM tributary LAKE CREEK

Use: FIRE PROTECTION Storage 01/01 to 12/31 7.2 AF

Use: RECREATION STORAGE 01/01 to 12/31 7.2 AF

Use: STOCKWATER from Storage 01/01 to 12/31 0.7 AF

Use: STOCKWATER STORAGE 01/01 to 12/31 7.9 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 7.2 AF

Total Diversion: 7.9 AF

Date Filed: 7/6/2011

Place of Use: STOCKWATER Storage T48N R05W S16 NENE

Place Of Use: All Other Uses Listed

same as STOCKWATER STORAGE

Stockwater use is for 50 head of mixed stock.

Recreation use is for fishing, swimming & boating.

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 10/3/2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal 3803

September 15, 22, 2011

Ball, Dianne

From: Brittany Baeumel [BBaeumel@idl.idaho.gov]
Sent: Friday, September 16, 2011 10:05 AM
To: Ball, Dianne; Jim Brady
Subject: RE: Application for Permit No. 95-15173 CDA Lk; 95-15287 Spokane River; 95-15375 CDA Lk; 95-15380 CDA Lk; 95-15397 CDA Lk; 95-15401 CDA Lk

Dianne,

Only one of the referenced water right applications has a permit for a water intake line, Pinesong Properties LLC (L-95-S-2401). I will send notices to the remaining applicants and ask that they apply for a permit through IDL.

Thank you for the information.

Brittany

Brittany Baeumel
Idaho Department of Lands
Mica Supervisory Area Office

From: Ball, Dianne [<mailto:Dianne.Ball@idwr.idaho.gov>]
Sent: Friday, September 09, 2011 11:33 AM
To: mary.terra-berns@idfg.idaho.gov; Jim Brady; Brittany Baeumel
Subject: RE: Application for Permit No. 95-15173 CDA Lk; 95-15287 Spokane River; 95-15375 CDA Lk; 95-15380 CDA Lk; 95-15397 CDA Lk; 95-15401 CDA Lk

Dear Mary, Jim and Brittany:

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

Processing for publication September 15 and 22, 2011 with October 3, 2011 final 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

Ball, Dianne

From: Ball, Dianne
Sent: Friday, September 09, 2011 3:28 PM
To: Legal Notices-CdA Press; Legal Notices, CdAPress - Kattie George
Subject: Application for Permit No. 95-15173, 95-15206, 95-15287, 95-15375, 95-15380, 95-15397, 95-15401, 95-15433
Attachments: LegalNotice 09-09-11 CDA e-mail 95-15173,15206,287,375,380,397,402,433.doc

Hi, Kattie,

Please publish the enclosed legal notice on the dates indicated, September 15 and 22, 2011, (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.

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 10/3/2011. Your cooperation is truly appreciated.

Thanks for all your great 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:

95-15173

PINESONG PROPERTIES LLC

832 N TALEGA AVE

EAGLE, ID 83616-4711

Point of Diversion L3(SWNE) S7 T49N R03W KOOTENAI CO

Source COEUR D ALENE LAKE tributary SPOKANE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 6/8/2011

Place of Use: DOMESTIC T49N R03W S7 L3(SWNE)

Domestic use is for 1 home.

95-15206

WILLIAM SCHOENER

CHERYL SCHOENER

3513 W KIDD ISLAND BAY RD

COEUR D ALENE, ID 83814

Point of Diversion L3(SWNENW) S2 T49N R04W

KOOTENAI County

Source SPRING tributary SINKS

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

Use: IRRIGATION 03/15 to 10/31 0.05 CFS

Total Diversion: 0.05 CFS

Date Filed: 6/10/2011

Place of Use: DOMESTIC T49N R04W S2 L3(NENW)

Place of Use: IRRIGATION same as DOMESTIC

Total Acres: 1.5

Domestic use is for 1 home.

95-15287

JAMES GRASSI

MARY LOUISE GRASSI

815 S MADISON RD

POST FALLS, ID 83854-5795

Point of Diversion L3(SWNW) S8 T50N R05W KOOTENAI CO

Source SPOKANE RIVER tributary COLUMBIA RIVER

Use: DIVERSION to STORAGE 01/01 to 12/31 0.2 CFS

Use: FIRE PROTECTION Storage 01/01 to 12/31 1.4 AF

Use: IRRIGATION 03/15 to 11/15 0.03 CFS

Use: IRRIGATION FROM Storage 03/15 to 11/15 3 AF

Use: IRRIGATION STORAGE 03/15 to 11/15 4.4 AF

Use: RECREATION STORAGE 01/01 to 12/31 1.4 AF

Total Diversion: 0.2 CFS 4.4 AF

Date Filed: 6/21/2011

Place of Use: IRRIGATION T50N R05W S8 L3(SWNW)

Place of Use: FIRE PROTECTION STORAGE

T50N R05W S8 L3(SWNW)

Place of Use: All Other Uses Listed, same as IRRIGATION

Total Acres: 1

Recreation use is for fishing.

95-15375

JON ROSENOFF

5307 N ARGONNE LN #4

SPOKANE, WA 99212

KRISTI G ROSENOFF

927 132ND ST SW UNIT D2

EVERETT, WA 98204

BRUCE C ROSENOFF

11922 E 33RD AVE

SPOKANE VALLEY, WA 99206

Point of Diversion L3(NWSW) S30 T49N R03W

KOOTENAI County

Source COEUR D ALENE LAKE tributary SPOKANE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 6/21/2011

Place of Use: DOMESTIC T49N R03W S30 L3(NWSW)

Domestic use is for 1 home.

95-15380

SCOTT M BULLOCK

SHERI A BULLOCK

2452 E SUMMIT DR

COEUR D'ALENE, ID 83815

Point of Diversion L2(NWNE) S3 T49N R03W KOOTENAI CO

Source COEUR D'ALENE LAKE tributary SPOKANE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 6/28/2011

Place of Use: DOMESTIC T49N R03W S3 L2(NWNE)

Domestic use is for 1 home.

95-15397

KENNETH BAILEY

ANN BAILEY

3121 TUSCANY DR

PASCO, WA 99301

Point of Diversion L5(SWNW)

S4 T49N R03W

KOOTENAI County

Source COEUR D'ALENE LAKE tributary SPOKANE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 6/29/2011

Place of Use: DOMESTIC T49N R03W S4 L5(SWNW)

Domestic use is for 1 home.

95-15401

SILVER FOX GROUP LLC

3465 S WALKERS BAY RD

COEUR D'ALENE, ID 83814

Point of Diversion L1(NENW) S33 T50N R03W KOOTENAI CO

Source COEUR D'ALENE LAKE tributary SPOKANE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 6/30/2011

Place of Use: DOMESTIC T50N R03W S33 L1(NENW)

Domestic use is for 2 homes.

95-15433

SCENIC VISTA CORPORATION

24015 E DRUMHELLER RD

ROCKFORD, ID 99030

Point of Diversion NENE S16 T48N R05W KOOTENAI CO

Source UNNAMED STREAM tributary LAKE CREEK

Use: FIRE PROTECTION Storage 01/01 to 12/31 7.2 AF

Use: RECREATION STORAGE 01/01 to 12/31 7.2 AF

Use: STOCKWATER from Storage 01/01 to 12/31 0.7 AF

Use: STOCKWATER STORAGE 01/01 to 12/31 7.9 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 7.2 AF

Total Diversion: 7.9 AF

Date Filed: 7/6/2011

Place of Use: STOCKWATER Storage T48N R05W S16 NENE

Place Of Use: All Other Uses Listed

same as STOCKWATER STORAGE

Stockwater use is for 50 head of mixed stock.

Recreation use is for fishing, swimming & boating.

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 10/3/2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 9/15/2011 and 9/22/2011



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

September 9, 2011

JAMES GRASSI
MARY LOUISE GRASSI
815 S MADISON RD
POST FALLS, ID 83854-5795

Application For Permit No. 95-15287

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 9/15/2011 and 9/22/2011. 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 E. Franklin
Interim Program Manager

Enc. Receipt no. N027755

Ball, Dianne

From: Ball, Dianne
Sent: Friday, September 09, 2011 11:33 AM
To: mary.terra-berns@idfg.idaho.gov; jbrady@idl.idaho.gov; bbaeumel@idl.idaho.gov
Subject: RE: Application for Permit No. 95-15173 CDA Lk; 95-15287 Spokane River; 95-15375 CDA Lk; 95-15380 CDA Lk; 95-15397 CDA Lk; 95-15401 CDA Lk
Attachments: 95-15173_Pinesong.pdf; 95-15287_Grassi.pdf; 95-15375_Rosenoff.pdf; 95-15380_Bullock.pdf; 95-15397_Bailey.pdf; 95-15401_Silver_Fox_Group.pdf

Dear Mary, Jim and Brittany:

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

Processing for publication September 15 and 22, 2011 with October 3, 2011 final 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

95-15287



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

June 15, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

James E Grassi
815 S Madison Rd.
Post Falls, ID 83854

Re: Application For Permit to appropriate the Public Waters of the State of Idaho
Amendment of Adjudication Claim

Dear Mr. Grasse:

Enclosed please find an application for permit, that contains all of the elements we discussed in your office visit on June 14, 2011. Please review the application and if it meets with your approval, sign and return the document to me within the next 30 days so as not to delay processing. The application should also be accompanied by a check made out to "IDWR" in the amount of \$100.00 to cover the required filing fee.

I've also enclosed an amendment to the adjudication claim you previously filed with the department. The claim was for the pond we are currently working on. Since the pond was constructed in 2007 it needed to be covered by a license and could not be claimed in the Northern Idaho Adjudication. The amended claim is for the license you currently have for your domestic well. You have already paid the fee of \$25.00 for the claim, so all you have to do is sign the amended claim form and return it to me along with the application for the pond.

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

Thank you.

Sincerely,

Keith E Franklin
Senior Water Resources Agent

Enclosure(s)

COPY



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

June 8, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

Dr. James E. Grassi
815 S Madison Rd.
Post Falls, ID 83854

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

Dear Dr. Grassi:

The Idaho Department of Water Resources is in receipt of your application for a new water right for a storage pond with a diversion from the Spokane River.

The application, as submitted, is in a form that cannot be processed. Storage ponds, reservoirs, etc. can be quite complicated in the development of an application. Elements such as seepage, evaporation and uses have to be taken into account when determining the annual storage of the facility. I therefore suggest you give me a call, so we can arrange for an appointment to go over the application to include the additional required information.

Please feel free to contact me at 208-762-2800.

Thank you.

Sincerely,

Keith E Franklin
Senior Water Resources Agent

COPY

From the Desk of Dr. James E. Grassi
815 S. Madison Rd.
Post Falls, Idaho 83854
(208) 457-9519

RECEIVED
MAY 25 2011
IDWR/NORTHERN

May 24, 2011

Mr. Chad H. Goodwin
Ken Knoblock

RE: James Grassi Application for Permit to use water from the Spokane River

Per my conversations with both of you during the past few days, I would like to provide you with the attached application. It is my understanding that you recognize the past applications and timeline associated with my property. Also, our legal papers upon purchase of this property tell us we are entitled to and grandfathered in on water rights for the river.

The following is a statement of facts as I know them:

1. Property purchased in 1995 from Patrick Hall who proved to us that we were entitled to river rights from the Spokane River.
2. We joined the Mica Water Association who has a permit for 25 acres to be irrigated from the river (see 95-7568). Only two property owners presently use the river (DeSeves and Grassi's totally less than 4 acres of irrigated land/pond).
3. Subsequent to our purchase of the property we applied for rights to pump from the river for purposes of irrigating our upper landscaped areas. Well water has been used for this purpose instead of river water.
4. In Sept. 1998 we moved to the property described on attached application.
5. In 2007 we developed a small pond and lawn area after completing the application process with all agencies involved.
6. We have maintained good water conservation practices with many expensive drip systems in place.
7. On Thursday May 19, 2011, I received a letter from Chad Goodwin regarding the status of our use of Spokane River water for purposes to occasionally replace water to our pond from evaporation and transpiration.
8. On Friday, May 20, 2011, I spoke with Mr. Ken Knoblock who said not to worry about filing any further paper work.
9. On Monday, May 23, 2011 Mr. Chad Goodwin said to file the Application Permit and not to send any money along as the original funds sent in would cover the processing and permit fee.
10. It is my understanding from Mr. Chad Goodwin that he assured me there was absolutely no problem granting the permit and that it was just completing an administrative process.
11. The attached permit and map are submitted for final approval.

Thank you for your assistance on this matter.

Cordially,
James E. Grassi