

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 91-07651

Priority: December 01, 2011

Maximum Diversion Rate: 0.07 CFS

This is to certify, that JEFF SPOONER And PAULA SPOONER
2116 ST JOE RIVER RD
ST MARIES ID 83861-9133

has applied for a permit to appropriate water from:

Source: ST JOE RIVER

Tributary: COEUR D ALENE LAKE

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
IRRIGATION	04/01 to 10/31	0.03 CFS

LOCATION OF POINT(S) OF DIVERSION:

ST JOE RIVER NE1/4NE1/4 Sec. 15, Twp 45N, Rge 05E, B.M. SHOSHONE County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
45N	05E	15	X																

PLACE OF USE: IRRIGATION

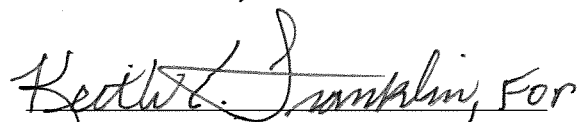
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
45N	05E	15	.5																.5

Total Acres: 0.5

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2013**.
2. Subject to all prior water rights.
3. Domestic use is for 1 home.
4. 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.
5. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
6. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.
7. Water shall not be diverted under this right when flows in the St. Joe River are below minimum flow amounts as defined by Right 91-7122.
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 13 day of February, 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

February 15, 2012

JEFF SPOONER
2116 ST JOE RIVER RD
ST MARIES ID 83861-9133

PAULA SPOONER
2116 ST JOE RIVER RD
ST MARIES ID 83861-9133

RE: Permit No.91-7651

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.

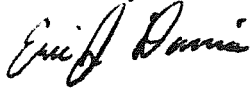
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should 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 Davis", written in a cursive style.

Eric Davis

Sr. Water Resource Agent

Enclosure(s)

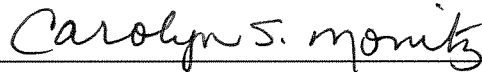
CERTIFICATE OF SERVICE

I hereby certify that on February 16, 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. 91-7651

JEFF SPOONER
2116 ST JOE RIVER RD
ST MARIES ID 83861-9133

PAULA SPOONER
2116 ST JOE RIVER RD
ST MARIES ID 83861-9133

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

P- 1/11/12

W.R. # 91-7651

APPLICATION ID # 77657

ENT. ED BCA 1/8/12 OK to Publish 1/4/12

INITIAL REVIEW

APPLICANT: SPOONER

BY: ED

DATE: 12/12/2011

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 2/12/11 By: ED
- ☐ Field check: by _____
- ☐ Field report attached
- ☐ Analysis Supp. Attached (>5cfs/500af)

☐ Water delivered by water master? Water District # _____

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 ()

ST JOE RIVER

- ☐ 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. Final order response date: _____/_____/_____
- ☒ Further information required from applicant _____

- ☒ Measuring device required
- ☒ Measuring port required
- ☒ Special conditions: 115F ST. JOE RIVER WRT# 91-7122
- ☒ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: [Signature] Date: 2/13/2012 Sr. Agent initial ED

RECEIVED
JAN 27 2012
IDWR / NORTH

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

91-7651

JEFF SPOONER

PAULA SPOONER

2116 ST JOE RIVER RD

SAINT MARIES, ID 83861-9133

Point of Diversion NENE S15 T45N R05E SHOSHONE CO

Source ST JOE RIVER tributary COEUR D ALENE LAKE

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

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

Total Diversion: 0.07 CFS

Date Filed: 12/1/2011

Place of Use: DOMESTIC T45N R05E S15 NENE

Place of Use: IRRIGATION same as DOMESTIC

Total Acres: 0.5

Domestic use is for 1 home.

91-7661

MILTON TURLEY

KAREN TURLEY

PO BOX 87

AVERY, ID 83802

Point of Diversion NENE S15 T45N R05E SHOSHONE CO

Source ST JOE RIVER tributary COEUR D ALENE LAKE

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

Total Diversion: 0.04 CFS

Date Filed: 12/16/2011

Place of Use: DOMESTIC T45N R05E S15 NENE

Domestic use is for 1 home & up to 1/2 acre irrigation.

94-8826

MARK GIST

JILL GIST

21428 COEUR D'ALENE RIVER RD

WALLACE, ID 83873

Points of Diversion(3) SWNE S32 T50N R04E SHOSHONE CO

Source GROUNDWATER

Use: IRRIGATION 04/01 to 10/31 0.09 CFS

Total Diversion: 0.09 CFS

Date Filed: 10/31/2011

Place of Use: IRRIGATION T50N R04E S32 SWNE

Total Acres: 3

94-8855

BRET BOWERS

SUZANNE BOWERS

N 2560 DISTANT STAR RD

POST FALLS, ID 83854

Point of Diversion L4 (SESW) S24 T50N R02E SHOSHONE CO

Source NORTH FORK COEUR D ALENE RIVER

tributary COEUR D ALENE RIVER

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

Total Diversion: 0.03 CFS

Date Filed: 12/7/2011

Place of Use: IRRIGATION T50N R02E S24 L4 (SESW)

Total Acres: 1.2

94-8860

ROY FALER

159 MARMON RD

KINGSTON, ID 83839

Point of Diversion SENE S25 T50N R03E SHOSHONE CO

Source GROUNDWATER

Use: IRRIGATION 04/01 to 10/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 12/9/2011

Place of Use: IRRIGATION T50N R03E S25 NESE NWSE SESE

Total Acres: 21

94-8872

KINGSTON CEDAR LLC

PO BOX 249

KINGSTON, ID 83839

Point of Diversion L5 (SWSE) S5 T49N R02E SHOSHONE CO

Source STUDER CREEK tributary COEUR D'ALENE RIVER

Points of Diversion(2) L5 (SWSE) S5 T49N R02E SHOSHONE CO

Source STUDER CREEK tributary COEUR D'ALENE RIVER

Use: FIRE PROTECTION 01/01 to 12/31 0.2 CFS

Use: INDUSTRIAL 01/01 to 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 12/12/2011

Place of Use: INDUSTRIAL T49N R02E S5 L5 (SWSE)

Place of Use: FIRE PROTECTION same as INDUSTRIAL

Industrial use is for watering logs and for dust.

94-8877

KINGSTON CEDAR LLC

PO BOX 249

KINGSTON, ID 83839

Points of Diversion(3) L5 (SWSE) S5 T49N R02E SHOSHONE CO

Source GROUNDWATER

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

Use: FIRE PROTECTION 01/01 to 12/31 0.2 CFS

Use: INDUSTRIAL 01/01 to 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 12/12/2011

Place Of Use: INDUSTRIAL, DOMESTIC & FIRE PROTECTION

T49N R02E S5 L5 (SWSE)

Industrial use is for watering logs and for dust.

Domestic use is for office and bathrooms.

94-8886

DAVID V GHIGLERI

GIAN S GHIGLERI

715 BURKE RD

WALLACE, ID 83873

Point of Diversion SESWNE S30 T49N R02E SHOSHONE CO

Source SPRING tributary SINKS

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

Use: IRRIGATION 01/01 to 12/31 0.09 CFS

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

Total Diversion: 0.15 CFS

Date Filed: 12/13/2011

Place of Use: IRRIGATION, DOMESTIC & STOCKWATER

T49N R02E S30 SWNE

Total Acres: 3

Domestic use is for 1 home.

Stockwater use is for 10 horses.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D'Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 2/6/2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

SHO Legal 679

January 19, 26, 2012

AFFIDAVIT OF PUBLICATION

RECEIVED
JAN 27 2012
IDWR / NORTH

STATE OF IDAHO, }
County of Shoshone } ss.

Angela Abbott 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 "Shoshone News Press", a newspaper printed and published daily except Sunday and Monday in Kellogg, Shoshone County, Idaho, and having a general circulation in said county.

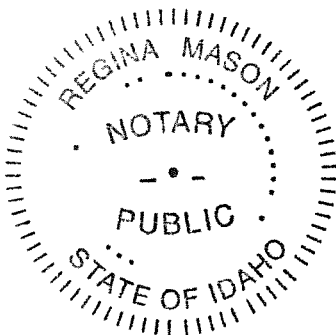
3. The Legal Notice

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 19th day of January, 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 Shoshone County, during a period of more then seventy-eight consecutive weeks immediately prior to the first publication of said notice Angela Abbott.
On this 26th day of January in the year of 2012 before me, a Notary Public, personally appeared Angela Abbott, 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 in Coeur d'Alene, Idaho



MY COMMISSION EXPIRES 6/18/15



IDAHO DEPARTMENT OF FISH AND GAME

PANHANDLE REGION

2885 West Kathleen Avenue
Coeur d'Alene, Idaho 83815

Mr. Keith Franklin
Idaho Department of Water Resources
Northern Region
7600 Mineral Drive, Ste 100
Coeur d'Alene, ID 83815

January 23, 2012

C.L. "Butch" Otter/Governor
Virgil Moore/Director

RECEIVED

JAN 25 2012

IDWR/NORTHERN

Dear Keith:

REFERENCE: SPOONER: 91-7651 (domestic 0.04 cfs, irrigation 0.03 cfs); TURLEY: 91-7661 (domestic 0.04 cfs)

We have reviewed the above-named applications to divert water from the St. Joe River for domestic use and irrigation.

The St. Joe River contains populations of resident, river run (fluvial) and lake run (adfluvial) cutthroat trout. Historically the St. Joe River has been regarded as among the finest cutthroat trout streams in America. The river has regained that status and trends have shown marked improvements in recent years. Additionally, the St. Joe River also harbors bull trout (ESA listed as Threatened) that migrate through the lower reaches to spawn in the headwaters of the St. Joe River. Annual counts of 15 to 91 redds were made in three index streams of the St. Joe River between 1992 and 2005 with an increasing trend over those years. IDFG manages the St. Joe River for quality cutthroat trout fishing. Bull trout are managed under "conservation" status, to conserve and restore bull trout numbers.

Although the amounts requested are small, we are concerned that the cumulative effects of property owners applying for diversions may be harmful to this economically and ecologically important fishery. There is a minimum stream flow on the St. Joe River (WR 91-7122) of 470.0 cfs from August 1 to October 31, and 941.0 cfs from November 1 through July 31. The applicants should be made aware that their diversion cannot negatively impact the established minimum flow in the St. Joe River. Because water right diversions allow water users to manipulate streams, we recommend this permit be conditioned to require no disturbance to the stream channel. If pumps are used, they should be adequately screened to prevent entrainment and /or impingement of juvenile trout (we recommend ≤ 0.25 " mesh, with approach velocity of ≤ 0.5 feet per second).

Thank you for your attention to this matter.

Sincerely,

Charles E. "Chip" Corsi
Regional Supervisor

CEC:MTB

C: Sharon Kiefer, IDFG Boise
USFWS, Spokane

Keeping Idaho's Wildlife Heritage

File: IDWR Combined 91-7651; 7661

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

91-7651

JEFF SPOONER

PAULA SPOONER

2116 ST JOE RIVER RD

SAINT MARIES, ID 83861-9133

Point of Diversion NENE S15 T45N R05E SHOSHONE CO

Source ST JOE RIVER tributary COEUR D ALENE LAKE

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

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

Total Diversion: 0.07 CFS

Date Filed: 12/1/2011

Place of Use: DOMESTIC T45N R05E S15 NENE

Place of Use: IRRIGATION same as DOMESTIC

Total Acres: 0.5

Domestic use is for 1 home.

91-7661

MILTON TURLEY

KAREN TURLEY

PO BOX 87

AVERY, ID 83802

Point of Diversion NENE S15 T45N R05E SHOSHONE CO

Source ST JOE RIVER tributary COEUR D ALENE LAKE

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

Total Diversion: 0.04 CFS

Date Filed: 12/16/2011

Place of Use: DOMESTIC T45N R05E S15 NENE

Domestic use is for 1 home & up to 1/2 acre irrigation.

94-8826

MARK GIST

JILL GIST

21428 COEUR D'ALENE RIVER RD

WALLACE, ID 83873

Points of Diversion(3) SWNE S32 T50N R04E SHOSHONE CO

Source GROUNDWATER

Use: IRRIGATION 04/01 to 10/31 0.09 CFS

Total Diversion: 0.09 CFS

Date Filed: 10/31/2011

Place of Use: IRRIGATION T50N R04E S32 SWNE

Total Acres: 3

94-8855

BRET BOWERS

SUZANNE BOWERS

N 2560 DISTANT STAR RD

POST FALLS, ID 83854

Point of Diversion L4(SESW) S24 T50N R02E SHOSHONE CO

Source NORTH FORK COEUR D ALENE RIVER

tributary COEUR D ALENE RIVER

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

Total Diversion: 0.03 CFS

Date Filed: 12/7/2011

Place of Use: IRRIGATION T50N R02E S24 L4(SESW)

Total Acres: 1.2

94-8860

ROY FALER

159 MARMON RD

KINGSTON, ID 83839

Point of Diversion SENE S25 T50N R03E SHOSHONE CO

Source GROUNDWATER

Use: IRRIGATION 04/01 to 10/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 12/9/2011

Place of Use: IRRIGATION T50N R03E S25 NESE NWSE SESE

Total Acres: 21

94-8872

KINGSTON CEDAR LLC

PO BOX 249

KINGSTON, ID 83839

Point of Diversion L5(SWSE) S5 T49N R02E SHOSHONE CO

Source STUDER CREEK tributary COEUR D'ALENE RIVER

Points of Diversion(2) L5(SWSE) S5 T49N R02E SHOSHONE CO
Source STUDER CREEK tributary COEUR D'ALENE RIVER
Use: FIRE PROTECTION 01/01 to 12/31 0.2 CFS
Use: INDUSTRIAL 01/01 to 12/31 0.2 CFS
Total Diversion: 0.2 CFS

Date Filed: 12/12/2011

Place of Use: INDUSTRIAL T49N R02E S5 L5(SWSE)

Place of Use: FIRE PROTECTION same as INDUSTRIAL

Industrial use is for watering logs and for dust.

94-8877

KINGSTON CEDAR LLC

PO BOX 249

KINGSTON, ID 83839

Points of Diversion(3) L5(SWSE) S5 T49N R02E SHOSHONE CO
Source GROUNDWATER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Use: FIRE PROTECTION 01/01 to 12/31 0.2 CFS
Use: INDUSTRIAL 01/01 to 12/31 0.2 CFS
Total Diversion: 0.2 CFS

Date Filed: 12/12/2011

Place Of Use: INDUSTRIAL, DOMESTIC & FIRE PROTECTION
T49N R02E S5 L5(SWSE)

Industrial use is for watering logs and for dust.

Domestic use is for office and bathrooms.

94-8886

DAVID V GHIGLERI

GIAN S GHIGLERI

715 BURKE RD

WALLACE, ID 83873

Point of Diversion SESWNE S30 T49N R02E SHOSHONE CO
Source SPRING tributary SINKS

Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Use: IRRIGATION 01/01 to 12/31 0.09 CFS
Use: STOCKWATER 01/01 to 12/31 0.02 CFS
Total Diversion: 0.15 CFS

Date Filed: 12/13/2011

Place of Use: IRRIGATION, DOMESTIC & STOCKWATER
T49N R02E S30 SWNE

Total Acres: 3

Domestic use is for 1 home.

Stockwater use is for 10 horses.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 2/6/2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 1/19/2012 and 1/26/2012

Ball, Dianne

From: Ball, Dianne
Sent: Monday, January 09, 2012 2:31 PM
To: Legal Notices-Shoshone NP Angie Abbott@cdapress.com; Legal Notices Shoshone NP-CdA Charlene Harwood billing-collections
Subject: Application for Permit No.91-7651, 91-7661, 94-8826, 94-8855, 94-8860, 94-8872, 94-8877, 94-8886,
Attachments: LegalNotice 01-06-12 NP e-mail 91-7651,61,94-8826,55,60,72,77,86.doc

Good afternoon, Angela,

This will be a second legal notice to begin publishing on the dates indicated, January 19 and 26, 2012, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

I would appreciate a proof/preview copy for my review on this one also before it goes to press.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 2/6/2012. Your cooperation is appreciated.

Hoping this is the start of a happy week for 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



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

January 9, 2012

JEFF SPOONER
PAULA SPOONER
2116 ST JOE RIVER RD
SAINT MARIES, ID 83861-9133

Application For Permit No. 91-7651

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 SHOSHONE NEWS PRESS on 1/19/2012 and 1/26/2012. 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
Sr. Water Resource Agent

Enc. Receipt No. N028671

Ball, Dianne

From: Ball, Dianne
Sent: Friday, January 06, 2012 2:21 PM
To: mary.terra-berns@idfg.idaho.gov; bburke@idl.idaho.gov
Subject: RE: Application for Permit No. 91-7651, 91-7661, 94-8855,
Attachments: 91-7651_Spooner.pdf; 91-7661_Turley.pdf; 94-8855_Bowers.pdf

Dear Mary and Bob:

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.

Planning these for publication in Shoshone News Press on January 19 and 26, 2012, with final date for protests to be received in our office of February 6, 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



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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

December 2, 2011

JEFF & PAULA SPOONER
2116 ST JOE RIVER RD
ST MARIES, ID 83861

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

The application you had submitted was missing some data. Please review the application I have returned to you with this letter. If you agree with all the data on this application please sign and return it with the map. I have attached a map with the outline location of the place use and the location of the pump. Please review this map for the correct location of the place of use and point of diversion (pump). Please make your changes to the application and map to reflect how this water application is to be used.

The cost of this application is \$100.00. We received \$25.00 with your application. The balance due is \$75.00 for this water right.

Once the department receives this additional information and 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
Senior Water Resource Agent
Northern Region