

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**

NO. 96-09488

Priority: August 23, 2011

Maximum Diversion Rate: 0.12 CFS

This is to certify, that BOB ELLIOTT  
337 PIERCE LN  
SAGLE ID 83860  
(503) 707-9203

has applied for a permit to appropriate water from:

**Source:** PEND OREILLE LAKE      **Tributary:** PEND OREILLE 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> |
|-----------------------|----------------------|--------------------------|
| IRRIGATION            | 04/01 to 10/31       | 0.12 CFS                 |

**LOCATION OF POINT(S) OF DIVERSION:**

PEND OREILLE LAKE, L1 (SE1/4SE1/4), Sec. 35, Twp 57N, Rge 02W, 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         |        |
| 57N 02W 35  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 3.5<br>L 1 | 3.5    |
| 57N 02W 36  |    |    |    |    |    |    |    |    | .5 |    |    |    |    |    |    |            | .5     |

Total Acres: 4

**CONDITIONS OF APPROVAL**

1. Proof of application of water to beneficial use shall be submitted on or before **December 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. 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.
6. A fish screen of 0.25 inch or smaller mesh shall be installed and maintained at the point of diversion.

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 28 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](http://www.idwr.idaho.gov)

**C. L. "BUTCH" OTTER**  
Governor

**GARY SPACKMAN**  
Interim Director

November 28, 2011

BOB ELLIOTT  
337 PIERCE LN  
SAGLE ID 83860

RE: Permit No.96-9488

**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, appearing to read "Eric Davis". The signature is written in a cursive, flowing style.

Eric Davis

Sr. Water Resource Agent

Enclosure(s)

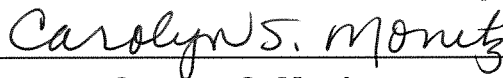
## **CERTIFICATE OF SERVICE**

I hereby certify that on November 29, 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.**

**96-9488**

**BOB ELLIOTT  
337 PIERCE LN  
SAGLE ID 83860**

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.

P10181

I O DEPARTMENT OF WATER RESOURCES  
APPROPRIATION APPLICATION ANALYSIS SHEET

W.R. # 96-9488

APPLICATION ID # 77487

ENT. E.D

BCA 10/12/11 OK to Publish 10/7/11

APPLICANT: BOB ELLIOTT

INITIAL REVIEW

BY: E.D

DATE: 09/14/2011

**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 9-2011 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 ( )     |

- ☐ Groundwater management area
- ☐ Critical ground water area
- ☐ Well Drilling Permit required
- ☐ Well Drilling Application and Fees received
- ☐ Well Drilling Application approved?

Lake Pend Oreille

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: \_\_\_\_\_
- ☐ Special conditions of approval supplement and/or cover letter attached: \_\_\_\_\_

Approval Recommended by: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Sr. Agent initial \_\_\_\_\_

## MEMORANDUM

**Date:** November 25, 2011  
**To:** Water Right File 96-9488  
**From:** kfranklin  
**Re:** Irrigation Diversion

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The irrigation diversion rate for 4 acres is 0.12 cfs rather than 0.14 as what was applied for on the application. The permit will reflect a diversion rate of 0.12 cfs.

RECEIVED  
NOV 02 2011  
IDWR/NORTH

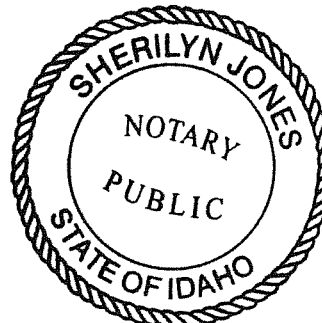
Nichelle Abbott, being first duly sworn on oath, deposes and states:

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 public waters.  
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 20 day of October, 2011, and ending on the 27 day of October, 2011.

Nichelle Abbott

State of Idaho, county of Bonner ss.  
On this 27 day of Oct., in the year of 2011, before me, Sherilyn Jones, Notary Public, personally appeared Nichelle Abbott, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (or they) executed the same.

Sherie Jones  
Notary Public  
Residing at: Sandpoint  
Comm. Exp.: 3/24/12



RECEIVED

NOV 02 2011

IDWR/NORTH

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

96-9485

JAMES MICHAEL NUNKE  
4529 128TH ST NW  
CLEARWATER, MN 55320  
Points of Diversion(2) NENWNE S15 T55N R02W BONNER CO  
Source SPRINGS tributary BUTLER CREEK  
Use: DOMESTIC 01/01 to 12/31 0.04 CFS  
Use: IRRIGATION 04/01 to 10/31 0.03 CFS  
Total Diversion: 0.04 CFS

Date Filed: 7/29/2011

Place of Use: DOMESTIC T55N R02W S15 NWNE

Place of Use: IRRIGATION same as DOMESTIC

Total Acres: 1

Domestic use is for 1 home.

96-9486

CHARLES AND MARLA MAILE FAMILY TRUST

NOVEMBER 24 2008

223 SKY MEADOW LANE

SAGLE, ID 83860

Point of Diversion NESWSW S4 T56N R01W BONNER County

Source SPRING tributary SINKS

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

Total Diversion: 0.04 CFS

Date Filed: 8/17/2011

Place of Use: DOMESTIC T56N R01W S4 SESW

Domestic use is for 1 home.

96-9487

KEVIN W HAGUE

BONNIE HAGUE

4706 W 4TH COURT

KENNEWICK, ID 99336

Point of Diversion L3(NESW) S18 T55N R02W BONNER County

Source COCOALALLA LAKE tributary COCOALALLA CREEK

Use: IRRIGATION 04/01 to 10/31 0.05 CFS

Total Diversion: 0.05 CFS

Date Filed: 8/29/2011

Place of Use: IRRIGATION T55N R02W S18 L3(NESW)

Total Acres: 1.5

96-9488

BOB ELLIOTT

337 PIERCE LN

SAGLE, ID 83860

Point of Diversion L1(SESE) S35 T57N R02W BONNER County

Source PEND OREILLE LAKE tributary PEND OREILLE RIVER

Use: IRRIGATION 04/01 to 10/31 0.14 CFS

Total Diversion: 0.14 CFS

Date Filed: 8/23/2011

Place of Use: IRRIGATION T57N R02W S35 L1(SESE)

T57N R02W S36 SWSW

Total Acres: 4

96-9489

ANDREW WAITE

ANNALEE WAITE

3739 KNOLLWOOD ST

HOUSTON, TX 77019

Point of Diversion L1(NENE) S32 T57N R01W BONNER County

Source PEND OREILLE LAKE tributary PEND OREILLE RIVER

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

Total Diversion: 0.2 CFS

Date Filed: 9/2/2011

Place Of Use: IRRIGATION T57N R01W S32

L1(NENE) L1(NWNE) SWNE

Total Acres: 10.3

96-9490

JOHN RUSSELL

PATRICIA RUSSELL

10815 E 48 TH AVE

SPOKANE VALLEY, WA 99206

Point of Diversion L2(SWNW) S8 T56N R01E BONNER County

Source PEND OREILLE LAKE tributary PEND OREILLE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 9/7/2011

Place of Use: DOMESTIC T56N R01E S8 L2(SWNW)

Domestic use is for 1 home.

96-9491

KENNETH W LUNDE

CELESTE M LUNDE

75 PRFFIN RD

SANDPOINT, ID 83864

Point of Diversion SESE S12 T57N R03W BONNER County

Source UNNAMED STREAM tributary SINKS

Point of Diversion NESE S12 T57N R03W BONNER County

Source SPRING tributary TURNIPSEED CREEK

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

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

Use: Fire Protection Storage 01/01 to 12/31 2.2 AF

Use: IRRIGATION 04/15 to 10/31 0.03 CFS

Use: RECREATION Storage 01/01 to 12/31 2.2 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 2.2 AF

Total Diversion: 0.2 CFS 2.2 AF

Date Filed: 9/7/2011

Place of Use: FIRE Protection T57N R03W S12 NESE SESE

Place of Use: FIRE PROTECTION STORAGE,

RECREATION STORAGE & WILDLIFE STORAGE

T57N R03W S12 SESE

Place of Use: IRRIGATION T57N R03W S12 NESE

Total Acres: 0.5

Recreation storage use for swimming and hunting.

96-9494

THOMAS L NELSON

694 PONDER POINT DR

SANDPOINT, ID 83864

Point of Diversion L3(SENW) S12 T57N R02W BONNER County

Source PEND OREILLE LAKE tributary PEND OREILLE RIVER

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

Total Diversion: 0.03 CFS

Date Filed: 9/22/2011

Place of Use: IRRIGATION T57N R02W S12 L3(SENW)

Total Acres: 0.9

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 11/7/2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

SNP Legal 13347

October 20, 27, 2011

**Ball, Dianne**

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**From:** Ball, Dianne  
**Sent:** Wednesday, October 12, 2011 1:27 PM  
**To:** Legal Notices-Bonner Co Daily Bee - Jennifer Albert (jalbert@bonnercountydailybee.com.)  
**Subject:** Application for Permit No. 96-9485, 96-9486, 96-9491, 96-9487, 96-9488, 96-9489, 96-9490, 96-9494  
**Attachments:** LegalNotice 10-12-11 BCDB e-mail 96-9485,86,87,88,89,90,91,94.doc

Good afternoon, Jennifer,

Please publish the enclosed legal notice on the dates indicated, October 20 and 27, 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, as it will appear in the paper.

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 11/7/2011. Your cooperation is very much appreciated.

Thanks for your great help, and have a wonderful rest of the 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

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

**96-9485**

JAMES MICHAEL NUNKE

4529 128TH ST NW

CLEARWATER, MN 55320

Points of Diversion(2) NENWNE S15 T55N R02W BONNER CO

Source SPRINGS tributary BUTLER CREEK

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

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

Total Diversion: 0.04 CFS

Date Filed: 7/29/2011

Place of Use: DOMESTIC T55N R02W S15 NWNE

Place of Use: IRRIGATION same as DOMESTIC

Total Acres: 1

Domestic use is for 1 home.

**96-9486**

CHARLES AND MARLA MAILE FAMILY TRUST

NOVEMBER 24 2008

223 SKY MEADOW LANE

SAGLE, ID 83860

Point of Diversion NESWSW S4 T56N R01W BONNER County

Source SPRING tributary SINKS

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

Total Diversion: 0.04 CFS

Date Filed: 8/17/2011

Place of Use: DOMESTIC T56N R01W S4 SESW

Domestic use is for 1 home.

**96-9487**

KEVIN W HAGUE

BONNIE HAGUE

4706 W 4TH COURT

KENNEWICK, ID 99336

Point of Diversion L3(NESW) S18 T55N R02W BONNER County

Source COCOLALLA LAKE tributary COCOLALLA CREEK

Use: IRRIGATION 04/01 to 10/31 0.05 CFS

Total Diversion: 0.05 CFS

Date Filed: 8/29/2011

Place of Use: IRRIGATION T55N R02W S18 L3(NESW)

Total Acres: 1.5

**96-9488**

BOB ELLIOTT

337 PIERCE LN

SAGLE, ID 83860

Point of Diversion L1(SESE) S35 T57N R02W BONNER County

Source PEND OREILLE LAKE tributary PEND OREILLE RIVER

Use: IRRIGATION 04/01 to 10/31 0.14 CFS

Total Diversion: 0.14 CFS

Date Filed: 8/23/2011

Place of Use: IRRIGATION T57N R02W S35 L1(SESE)

T57N R02W S36 SWSW

Total Acres: 4

**96-9489**

ANDREW WAITE

ANNALEE WAITE

3739 KNOLLWOOD ST

HOUSTON, TX 77019

Point of Diversion L1(NENE) S32 T57N R01W BONNER County

Source PEND OREILLE LAKE tributary PEND OREILLE RIVER

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

Total Diversion: 0.2 CFS

Date Filed: 9/2/2011

Place Of Use: IRRIGATION T57N R01W S32

L1(NENE) L1(NWNE) SWNE

Total Acres: 10.3

96-9490

JOHN RUSSELL  
PATRICIA RUSSELL  
10815 E 48 TH AVE

SPOKANE VALLEY, WA 99206

Point of Diversion L2(SWNW) S8 T56N R01E BONNER County  
Source PEND OREILLE LAKE tributary PEND OREILLE RIVER

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

Date Filed: 9/7/2011

Place of Use: DOMESTIC T56N R01E S8 L2(SWNW)

Domestic use is for 1 home.

96-9491

KENNETH W LUNDE  
CELESTE M LUNDE  
75 PRFFIN RD

SANDPOINT, ID 83864

Point of Diversion SESE S12 T57N R03W BONNER County  
Source UNNAMED STREAM tributary SINKS

Point of Diversion NESE S12 T57N R03W BONNER County  
Source SPRING tributary TURNIPSEED CREEK

Use: DIVERSION to STORAGE 01/01 to 12/31 0.2 CFS  
Use: FIRE PROTECTION 01/01 to 12/31 0.2 CFS  
Use: Fire Protection Storage 01/01 to 12/31 2.2 AF  
Use: IRRIGATION 04/15 to 10/31 0.03 CFS  
Use: RECREATION Storage 01/01 to 12/31 2.2 AF  
Use: WILDLIFE STORAGE 1/01 to 12/31 2.2 AF  
Total Diversion: 0.2 CFS 2.2 AF

Date Filed: 9/7/2011

Place of Use: FIRE Protection T57N R03W S12 NESE SESE

Place of Use: FIRE PROTECTION STORAGE,  
RECREATION STORAGE & WILDLIFE STORAGE  
T57N R03W S12 SESE

Place of Use: IRRIGATION T57N R03W S12 NESE

Total Acres: 0.5

Recreation storage use for swimming and hunting.

96-9494

THOMAS L NELSON  
694 PONDER POINT DR  
SANDPOINT, ID 83864

Point of Diversion L3(SENW) S12 T57N R02W BONNER County  
Source PEND OREILLE LAKE tributary PEND OREILLE RIVER

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

Date Filed: 9/22/2011

Place of Use: IRRIGATION T57N R02W S12 L3(SENW)

Total Acres: 0.9

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 11/7/2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 10/20/2011 and 10/27/2011



**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](http://www.idwr.idaho.gov)

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C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

October 12, 2011

BOB ELLIOTT  
337 PIERCE LN  
SAGLE, ID 83860

Application For Permit No. 96-9488

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 BONNER COUNTY DAILY BEE on 10/20/2011 and 10/27/2011. 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,

Eric J Davis  
Sr. Water Resource Agent

## Ball, Dianne

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**From:** Ball, Dianne  
**Sent:** Tuesday, October 11, 2011 12:10 PM  
**To:** mary.terra-berns@idfg.idaho.gov; JBrunner@idl.idaho.gov  
**Subject:** RE: Application for Permit No. 96-9487 Cocolalla Lk, 96-9488 Pend Oreille Lk, 96-9489 Pend Oreille Lk, 96-9490 Pend Oreille Lk, 96-9494 Pend Oreille Lk  
**Attachments:** 96-9487\_Hague.pdf; 96-9488\_Elliott.pdf; 96-9489\_Waite.pdf; 96-9490\_Russell.pdf; 96-9494\_Nelson.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 each of the applications is enclosed for your reference.

These are being prepared for preparation in the Bonner County Daily Bee on October 20 and 27, 2011 with November 7 being 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



## Site Specific Design

LICENSED IN IDAHO & MONTANA

- Landscape Architecture
- Analysis • Land Use Planning • Storm Water
- Erosion • Wetland Mitigation • Site Mapping

208.263.9474 or [REDACTED]

RZ 'Mac' MACDONALD • P.O. Box 143 • DOVER, ID 83825

ELLIOTT  
CONTACT

