

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 92-10321

Priority: May 24, 2011

Maximum Diversion Rate: 0.07 CFS

This is to certify, that MARC ALLEN VANHARN
PO BOX 300
PALOUSE WA 99161

has applied for a permit to appropriate water from:

Source: ALDER CREEK

Tributary: ST MARIES 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>
DOMESTIC	01/01 to 12/31	0.04 CFS
IRRIGATION	03/15 to 10/31	0.03 CFS

LOCATION OF POINT(S) OF DIVERSION:

ALDER CREEK, NW1/4NW1/4, Sec. 36, Twp 45N, Rge 03W, B.M., BENEWAH County

PLACE OF USE: IRRIGATION, 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 03W 36							1.0										1.0

Total Acres: 1

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2012**.
2. Subject to all prior water rights.
3. Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
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. This right does not grant any right-of-way or easement across the land of another.
7. Water shall not be diverted under this right when flows in the St. Maries River are below minimum flow amounts as defined by Right 92-7200.

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 10 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 14, 2011

MARC ALLEN VANHARN
PO BOX 300
PALOUSE WA 99161

RE: Permit No.92-10321

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.

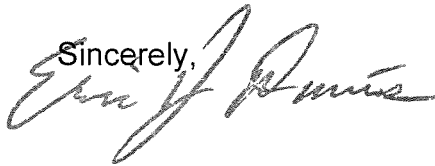
The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date 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,


Eric Davis
Sr. Water Resource Agent

Enclosure(s)

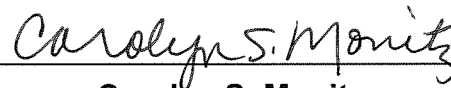
CERTIFICATE OF SERVICE

I hereby certify that on November 15, 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.

92-10321

**MARC ALLEN VANHARN
PO BOX 300
PALOUSE WA 99161**

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.

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

W.R. # 92-10321 APPLICATION ID # 77281 ENT. ED BCA 9/16 OK to Publish 9/15/11
 APPLICANT: VAN HARN INITIAL REVIEW BY: ED DATE: 7/20/2011

- 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 5-11 By: ED
☐ Field check: by _____
☐ Field report attached
☐ Analysis Supp. Attached (>5cfs/500af)
 _____ Water delivered by water master? Water District # _____

PROCESSING

(Yes)(No) PRIORITY DATE: 5/24/2011

____ ☒ (Include Moratorium Remark)
 ____ ☒ Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN: Benevise County
 Newspaper: SM
 Dates scheduled for publication 9/21 & 28/11
 Affidavit of Publication received: 9/30/11
 Dates actually published: 9/21 & 28/11
 Application published correctly. Yes ☒ No _____
 If not, action taken: _____

Final Date for Protest: 10/11/11
 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?

Alder Creek

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: 1/4 inch screen at Point of Diversion.
 ____ ☒ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by:

Eric Rain

Date: 10/20/2011 Sr. Agent initial ED

APPLICATION NOTICE

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

92-10321

MARC ALLEN VANHARN

PO BOX 300

PALOUSE, WA 99161

Point of Diversion NWNW S36 T45N R03W

BENEWAH County

Source ALDER CREEK tributary ST MARIES RIVER

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

Use: IRRIGATION 03/15 to 10/31 0.03 CFS

Total Diversion: 0.07 CFS

Date Filed: 5/24/2011

Place Of Use: DOMESTIC T45N R03W S36 NWNW

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 1

Domestic use is for 1 home.

92-10700

PATTIE LYNN STANIS

RAYMOND STANIS

2782 ALDER CREEK RD

ST MARIES, ID 83861

Point of Diversion NESW S29 T45N R03W

Point of Diversion SESW S29 T45N R03W

BENEWAH County

Source SPRINGS tributary SINKS

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

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

Total Diversion: 0.04 CFS

Date Filed: 8/11/2011

Place of Use: DOMESTIC and STOCKWATER

T45N R03W S29 NESW SESW

Domestic use is for 1 home.

Stockwater use is for 10 head of mixed stock.

95-15010

DON INGERSOLL

MARY INGERSOLL

211 STRIFE LN

PLUMMER, ID 83851

Points of Diversion(2) NENWSE S33 T46N R04W

Point of Diversion SENWSE S33 T46N R04W

BENEWAH County

Source SPRINGS tributary LITTLE PLUMMER CREEK

Use: Diversion to Storage 01/01 to 12/31 0.2 CFS

Use: Fire Protection Storage 01/01 to 12/31 8.2 AF

Use: Irrigation 04/01 to 10/31 0.15 CFS

Use: Irrigation From Storage 04/01 to 10/31 15 AF

Use: Irrigation Storage 01/01 to 12/31 22.5 AF

Use: Recreation Storage 01/01 to 12/31 8.2 AF

Use: Stockwater 01/01 to 12/31 0.03 CFS

Use: Stockwater from Storage 01/01 to 12/31 1 AF

Use: Stockwater Storage 01/01 to 12/31 9.2 AF

Use: Wildlife Storage 01/01 to 12/31 8.2 AF

Total Diversion: 0.2 CFS 24.2 AF

Date Filed: 5/11/2011

Place Of Use: ALL USES: T46N R04W S33 NWSE

Place Of Use: STOCKWATER FROM STORAGE

Total Acres: 5

Stockwater use for 75 head mixed stock.

Recreation use for swimming and boating.

95-15013

ERLING PLACE

1066 MINALOOSA

PLUMMER, ID 83851

Point of Diversion SESE S16 T46N R04W

BENEWAH County

Source UNNAMED Stream tributary PLUMMER CREEK

Use: STOCKWATER 01/01 to 12/31 0.05 CFS

Use: Stockwater from Storage 01/01 to 12/31 2.7 AF

Use: Stockwater Storage 01/01 to 12/31 10 AF

Total Diversion: 0.05 CFS 10 AF

Date Filed: 5/16/2011

Place of Use: Stockwater & Stockwater Storage

T46N R04W S16 SESE

Stockwater use is for 150 head mixed stock.

95-15014

JOHN DANIEL RAGAN

621 MAIN ST

ST MARIES, ID 83861

Point of Diversion SWNE S11 T46N R04W

BENEWAH County

Source SPRING tributary SINKS

Use: Fire Protection Storage 01/01 to 12/31 1.2 AF

Use: Recreation Storage 01/01 to 12/31 1.2 AF

Use: Stockwater From Storage 01/01 to 12/31 0.2 AF

Use: Stockwater Storage 01/01 to 12/31 1.4 AF

Total Diversion: 1.4 AF

Date Filed: 5/20/2011

Place of Use: ALL USES T46N R04W S11 SWNE

Stockwater use is for 10 head mixed stock.

Recreation use is for fishing, swimming & boating.

95-15105

JOHN RAGAN

JANIE RAGAN

621 MAIN ST

ST MARIES, ID 83861

Point of Diversion SWNE S14 T46N R03W

Source UNNAMED STREAM tributary BENEWAH CREEK

Point of Diversion SWNE S14 T46N R03W

Source GROUND WATER

Point of Diversion SWSENE S14 T46N R03W

Source SPRING tributary BENEWAH CREEK

Use: Diversion to Storage 01/01 to 12/31 0.04 CFS

Use: Fire Protection Storage 01/01 to 12/31 2 AF

Use: Recreation Storage 01/01 to 12/31 2 AF

Total Diversion: 0.04 CFS 2 AF

Date Filed: 5/23/2011

Place Of Use: FIRE PROTECTION STORAGE

T46N R03W S14 SWNE

Place Of Use: RECREATION STORAGE

T46N R03W S14 SWNE

Recreation use is for swimming, fishing and boating.

95-15151

STEVEN CUVALA

PEGGY CUVALA

PO BOX 146

ST MARIES, ID 83861

Point of Diversion NWSESW S9 T45N R03W

BENEWAH County

Source SPRING tributary BENEWAH CREEK

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

Total Diversion: 0.02 CFS

Date Filed: 6/6/2011

Place of Use: STOCKWATER T45N R03W S9 SESW

Stockwater use is for 20 head mixed stock.

95-15274

STEVEN CUVALA

PEGGY CUVALA

PO BOX 146

ST MARIES, ID 83861

Points of Diversion(2) SWSW S9 T45N R03W

BENEWAH County

Source UNNAMED STREAM tributary BENEWAH CREEK

Use: Recreation Storage 01/01 to 12/31 4.5 AF

Use: Fire Protection Storage 01/01 to 12/31 4.5 AF

Use: Stockwater From Storage 01/01 to 12/31 0.3 AF

Use: Stockwater Storage 01/01 to 12/31 4.8 AF

Use: Wildlife Storage 01/01 to 12/31 4.5 AF

Total Diversion: 4.8 AF

Date Filed: 6/20/2011

Place Of Use: All Storage Uses T45N R03W S9 SWSW

Stockwater use is for 20 head of mixed stock.

Recreational use is for swimming and 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 10/11/2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

8112 Sept. 21-Sept. 28

RECEIVED
SEP 30 2011
IDWR / NORTH

RECEIVED
SEP 30 2011
IDWR / NORTH

Affidavit of Publication

STATE OF IDAHO

County of Benewah, ss.

Cynthia Ann Hammes, being first duly sworn on oath, deposes and says that she is vice president of The Corporation, owner of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah County, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of notice of advertisement herein.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of two issues, the first publication being on the 24 day of September, 2011 and the last on the 28 day of September, 2011.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

Dated this 28 day of September, 2011.

Cynthia Ann Hammes

)

STATE OF IDAHO

)

COUNTY OF BENEWAH

)

)

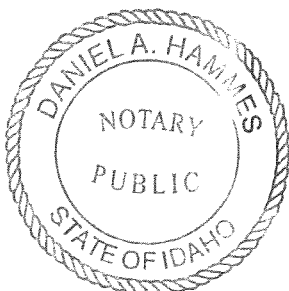
On this 28 day of September, in the year of 2011
before me, a Notary Public, personally appeared Cynthia Ann Hammes, known or identified to me to be the person whose name subscribed to within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Anna G. Hamm

Notary Public for Idaho

Residing at St. Maries, Idaho

My commission expires:



07-13-2013

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

92-10321

MARC ALLEN VANHARN
PO BOX 300
PALOUSE, WA 99161
Point of Diversion NWNW S36 T45N R03W
BENEWAH County
Source ALDER CREEK tributary ST MARIES RIVER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Use: IRRIGATION 03/15 to 10/31 0.03 CFS
Total Diversion: 0.07 CFS

Date Filed: 5/24/2011

Place Of Use: DOMESTIC T45N R03W S36 NWNW

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 1

Domestic use is for 1 home.

92-10700

PATTIE LYNN STANIS
RAYMOND STANIS
2782 ALDER CREEK RD
ST MARIES, ID 83861
Point of Diversion NESW S29 T45N R03W
Point of Diversion SESW S29 T45N R03W
BENEWAH County
Source SPRINGS tributary SINKS
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Use: STOCKWATER 01/01 to 12/31 0.02 CFS
Total Diversion: 0.04 CFS

Date Filed: 8/11/2011

Place of Use: DOMESTIC and STOCKWATER

T45N R03W S29 NESW SESW

Domestic use is for 1 home.

Stockwater use is for 10 head of mixed stock.

95-15010

DON INGERSOLL
MARY INGERSOLL
211 STRIFE LN
PLUMMER, ID 83851
Points of Diversion(2) NENWSE S33 T46N R04W
Point of Diversion SENWSE S33 T46N R04W
BENEWAH County
Source SPRINGS tributary LITTLE PLUMMER CREEK
Use: Diversion to Storage 01/01 to 12/31 0.2 CFS
Use: Fire Protection Storage 01/01 to 12/31 8.2 AF
Use: Irrigation 04/01 to 10/31 0.15 CFS
Use: Irrigation From Storage 04/01 to 10/31 15 AF
Use: Irrigation Storage 01/01 to 12/31 22.5 AF
Use: Recreation Storage 01/01 to 12/31 8.2 AF
Use: Stockwater 01/01 to 12/31 0.03 CFS
Use: Stockwater from Storage 01/01 to 12/31 1 AF
Use: Stockwater Storage 01/01 to 12/31 9.2 AF
Use: Wildlife Storage 01/01 to 12/31 8.2 AF
Total Diversion: 0.2 CFS 24.2 AF

Date Filed: 5/11/2011

Place Of Use: ALL USES: T46N R04W S33 NWSE

Place Of Use: STOCKWATER FROM STORAGE

Total Acres: 5

Stockwater use for 75 head mixed stock.

Recreation use for swimming and boating.

95-15013

ERLING PLACE
1066 MINALOOSA
PLUMMER, ID 83851
Point of Diversion SESE S16 T46N R04W
BENEWAH County
Source UNNAMED Stream tributary PLUMMER CREEK
Use: STOCKWATER 01/01 to 12/31 0.05 CFS
Use: Stockwater from Storage 01/01 to 12/31 2.7 AF
Use: Stockwater Storage 01/01 to 12/31 10 AF
Total Diversion: 0.05 CFS 10 AF

Date Filed: 5/16/2011

Place of Use: Stockwater & Stockwater Storage

T46N R04W S16 SESE

Stockwater use is for 150 head mixed stock.

95-15014

JOHN DANIEL RAGAN

621 MAIN ST

ST MARIES, ID 83861

Point of Diversion SWNE S11 T46N R04W

BENEWAH County

Source SPRING tributary SINKS

Use: Fire Protection Storage 01/01 to 12/31 1.2 AF

Use: Recreation Storage 01/01 to 12/31 1.2 AF

Use: Stockwater From Storage 01/01 to 12/31 0.2 AF

Use: Stockwater Storage 01/01 to 12/31 1.4 AF

Total Diversion: 1.4 AF

Date Filed: 5/20/2011

Place of Use: ALL USES T46N R04W S11 SWNE

Stockwater use is for 10 head mixed stock.

Recreation use is for fishing, swimming & boating.

95-15105

JOHN RAGAN

JANIE RAGAN

621 MAIN ST

ST MARIES, ID 83861

Point of Diversion SWNE S14 T46N R03W

Source UNNAMED STREAM tributary BENEWAH CREEK

Point of Diversion SWNE S14 T46N R03W

Source GROUND WATER

Point of Diversion SWSNE S14 T46N R03W

Source SPRING tributary BENEWAH CREEK

Use: Diversion to Storage 01/01 to 12/31 0.04 CFS

Use: Fire Protection Storage 01/01 to 12/31 2 AF

Use: Recreation Storage 01/01 to 12/31 2 AF

Total Diversion: 0.04 CFS 2 AF

Date Filed: 5/23/2011

Place Of Use: FIRE PROTECTION STORAGE

T46N R03W S14 SWNE

Place Of Use: RECREATION STORAGE

T46N R03W S14 SWNE

Recreation use is for swimming, fishing and boating.

95-15151

STEVEN CUVALA

PEGGY CUVALA

PO BOX 146

ST MARIES, ID 83861

Point of Diversion NWSESW S9 T45N R03W

BENEWAH County

Source SPRING tributary BENEWAH CREEK

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

Total Diversion: 0.02 CFS

Date Filed: 6/6/2011

Place of Use: STOCKWATER T45N R03W S9 SESW

Stockwater use is for 20 head mixed stock.

95-15274

STEVEN CUVALA

PEGGY CUVALA

PO BOX 146

ST MARIES, ID 83861

Points of Diversion(2) SWSW S9 T45N R03W

BENEWAH County

Source UNNAMED STREAM tributary BENEWAH CREEK

Use: Recreation Storage 01/01 to 12/31 4.5 AF

Use: Fire Protection Storage 01/01 to 12/31 4.5 AF

Use: Stockwater From Storage 01/01 to 12/31 0.3 AF

Use: Stockwater Storage 01/01 to 12/31 4.8 AF

Use: Wildlife Storage 01/01 to 12/31 4.5 AF

Total Diversion: 4.8 AF

Date Filed: 6/20/2011

Place Of Use: All Storage Uses T45N R03W S9 SWSW

Stockwater use is for 20 head of mixed stock.

Recreational use is for swimming and 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 10/11/2011. The protestant
must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 9/21/2011 and 9/28/2011

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, September 15, 2011 3:23 PM
To: 'Kaisie Brede'
Subject: Application for Permit No. 95-15010, 95-15013, 95-15014, 95-15105, 92-10321, 95-15151, 95-15274, 92-10700
Attachments: LegalNotice 09-15-11 SM e-mail 92-10321,10700,95-15010,13,14,15105,151,274.doc

Good afternoon, Kaisie,

Please publish the enclosed legal notice on the dates indicated, September 21 and 28, 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 actually 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 10/11/2011. Your cooperation is, as always, greatly appreciated.

Thanks for all your wonderful 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



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 15, 2011

MARC ALLEN VANHARN
PO BOX 300
PALOUSE, WA 99161

Application For Permit No. 92-10321

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 ST MARIES GAZETTE RECORD on 9/21/2011 and 9/28/2011. 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,

A handwritten signature in cursive script, appearing to read "Eric J. Davis".

Eric J. Davis
Senior Water Resource Agent

Enc. Receipt No. N027269

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, September 15, 2011 12:04 PM
To: mary.terra-berns@idfg.idaho.gov
Subject: Application for Permit Nos. 92-10321; 92-10700; 95-15010; 95-15013; 95-15014; 95-15105; 95-15151; 95-15274
Attachments: 92-10321_Vanharn.pdf; 92-10700_Stanis.pdf; 95-15010_Ingersoll.pdf; 95-15013_Place.pdf; 95-15014_Ragan_John.pdf; 95-15105_Ragan_J_and_J.pdf; 95-15151_Cuvala.pdf; 95-15274_Cuvala.pdf

Dear Mary,

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 publication in the St Maries Gazette on September 21 and 28, with October 11, 2011 as 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



State of Idaho

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 26, 2011

MARK ALLEN VANHARN
PO BOX 300
PALOUSE, WA 99161

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

The application you had submitted was missing some data. I discovered this after the application was submitted. 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 in Alder creek. Please review this map for the correct location of the place of use and point of diversion. Please make your changes to the application and map to reflect how this water application is to be used.

Once the department receives this additional information, 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