

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**  
NO. 91-07578

Priority: September 08, 2011

Maximum Diversion Rate: 0.04 CFS

This is to certify, that KIM HOLTE And/Or  
DIANNA HOLTE  
12883 N EMERALD DR  
HAYDEN ID 83835 (208) 772-2269

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                 |

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

ST JOE RIVER, L9 (SW1/4SW1/4), Sec. 31, Twp 46N, Rge 02E, 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 |        |
| 46N | 02E | 31  |    |    |    |    |    |    |    |    |    |    | X   | X   |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    | L 9 | L 9 |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. Proof of application of water to beneficial use shall be submitted on or before **January 01, 2014**.
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. Domestic use is for RV site with trailer.
6. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
7. A fish screen of 0.25 inch or smaller mesh shall be installed and maintained at the point of diversion.
8. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.
9. 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.

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 27 day of December, 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

December 27, 2011

KIM HOLTE  
12883 N EMERALD DR  
HAYDEN ID 83835

DIANNA HOLTE  
12883 N EMERALD DR  
HAYDEN ID 83835

RE: Permit No.91-7578

**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 J. Davis". The signature is written in a cursive, flowing style.

Eric Davis

Sr. Water Resource Agent

Enclosure(s)

## **CERTIFICATE OF SERVICE**

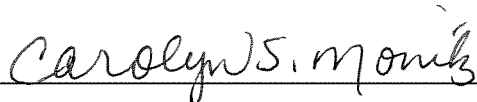
I hereby certify that on December 29, 2011 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

**RE: WATER RIGHT NO.**

**91-7578**

**DIANNA HOLTE  
12883 N EMERALD DR  
HAYDEN ID 83835**

**KIM HOLTE  
12883 N EMERALD DR  
HAYDEN ID 83835**

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.

WYOMING DEPARTMENT OF WATER RESOURCES  
APPROPRIATION APPLICATION ANALYSIS SHEET

P 12/13/11

W.R. # 91-7578

APPLICATION ID # 77505

ENT. 9/8/11 BCA 11/10/11 OK to Publish 11/10/11

APPLICANT: Holte

INITIAL REVIEW

BY: KD DATE: 9/8/11

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 9/8/11 By: KD
- ☐ Field check: by \_\_\_\_\_
- ☐ Field report attached
- ☐ Analysis Supp. Attached (>5cfs/500af)

☐ Water delivered by water master? Water District # \_\_\_\_\_

PROCESSING

(Yes)(No)

PRIORITY DATE: 9/8/11

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

ADVERTISE IN:

Newspaper: SNP Shoshone County  
Dates scheduled for publication 11/17 & 24/11  
Affidavit of Publication received: 11/29/11  
Dates actually published: 11/17 & 24/11  
Application published correctly. Yes ☒ No ☐  
If not, action taken: \_\_\_\_\_

Final Date for Protest: 12/5/11  
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?

St Joe River

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 St. Joe River
- ☒ Special conditions of approval supplement and/or cover letter attached: \_\_\_\_\_

Approval Recommended by: [Signature] Date: 12/8/11 Sr. Agent initial KD

RECEIVED

NOV 29 2011

IDWR / NORTH

## AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.  
County of Shoshone

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.

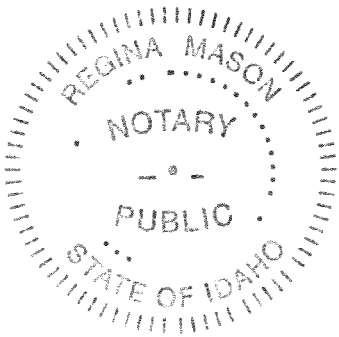
2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Shoshone News Press", a newspaper printed and published daily except Sunday and Monday in Kellogg, Shoshone County, Idaho, and having a general circulation in said county.

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 17<sup>th</sup> day of November, 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 Shoshone County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice Angela Abbott.  
On this 24<sup>th</sup> day of November in the year of 2011, 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

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

**91-7578**

KIM HOLTE

DIANNA HOLTE

12883 N EMERALD DR

HAYDEN, ID 83835

Point of Diversion L9(SWSW) S31 T46N R02E 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: 9/8/2011

Place of Use: DOMESTIC T46N R02E S31

L9(SWSW) L9(SESW)

Domestic use is for 1 RV site.

**91-7591**

JACK W EDWARDS

PO BOX 171

ST MAIRES, ID 83861

Point of Diversion L3(NENW) S6 T45N R02E 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: 9/22/2011

Place of Use: DOMESTIC T45N R02E S6 L3(NENW)

Place of Use: IRRIGATION same as DOMESTIC

Total Acres: 0.8

Domestic use is for 1 RV site.

**91-7592**

RUTH UDAGER

210 N 11TH STREET

ST MARIES, ID 83861

Point of Diversion L7(NENE) S6 T45N R02E 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 0.09 CFS

Total Diversion: 0.09 CFS

Date Filed: 9/22/2011

Place of Use: DOMESTIC T45N R02E S6 L7(NENE)

Place of Use: IRRIGATION same as DOMESTIC

Total Acres: 3

Domestic use is for 2 RV sites.

**92-10739**

ERNEST E. AND JOYCE L. GRIMM 1994 REVOCABLE TRUST

3428 15TH ST. SPACE 20

LEWISTON, ID 83501

Point of Diversion SWSE S5 T42N R02E SHOSHONE CO

Source MERRY CREEK tributary MIDDLE FK ST MARIES RVR

Use: IRRIGATION 03/15 to 10/31 0.15 CFS

Total Diversion: 0.15 CFS

Date Filed: 9/26/2011

Place of Use: IRRIGATION T42N R02E S5 SWSE

Total Acres: 5

**94-8280**

EUGENE DEITZ

KEN CHARITON

TERESA CHARITON

891 E MILES AVE

HAYDEN, ID 83835

Point of Diversion L4(NENW) S21 T50N R04E SHOSHONE CO

Source GROUNDWATER

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

Total Diversion: 0.04 CFS

Date Filed: 8/31/2011

Place Of Use: DOMESTIC T50N R04E S21 L4(NENW)

Domestic use is for 4 RV sites.

RECEIVED  
NOV 29 2011  
IDWR / NORTH

**94-8282**

DOUG SMITH

LINDA SMITH

20786 N RIMROCK RD

HAYDEN, ID 83835

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

Source COEUR D ALENE RVR tributary COEUR D ALENE LAKE

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

Total Diversion: 0.04 CFS

Date Filed: 8/30/2011

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

Domestic use is for 4 RV sites.

**94-8293**

RUSTY DAILEY

JENNIFER BRUMBLAY DAILEY

1107 W 13TH AVE

SPOKANE, WA 99204

Point of Diversion SWNE S32 T50N R04E SHOSHONE CO

Source NORTH FORK COEUR D ALENE RIVER

tributary COEUR D ALENE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 8/23/2011

Place Of Use: DOMESTIC T50N R04E S32 SWNE

Domestic use is for 1 home.

**94-8379**

MEREDITH FAMILY LLC

991 N VERANDA DR

COEUR D ALENE, ID 83814

Point of Diversion SENE S4 T49N R02E SHOSHONE CO

Source GROUNDWATER

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

Use: IRRIGATION 04/01 to 10/31 0.12 CFS

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

Total Diversion: 0.12 CFS

Date Filed: 9/21/2011

Place of Use :DOMESTIC T49N R02E S4 SENE L7(NESE)

Place of Use: IRRIGATION and STOCKWATER

same as DOMESTIC

Total Acres: 4

Domestic use is for 2 RV sites.

Stockwater use is for 10 head mixed stock

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 12/5/2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

SHO Legal 628

November 17, 24, 2011

## Ball, Dianne

---

**From:** Bob Burke [bburke@idl.idaho.gov]  
**Sent:** Tuesday, November 22, 2011 9:00 AM  
**To:** Ball, Dianne  
**Subject:** FW: Application for Permit No. 91-7578 St Joe Rvr, 91-7591 St Joe Rvr, 91-7592 St Joe Rvr, 94-8282 CDA Rvr, 94-8293 N Fk CDA Rvr,

Dianne

The Idaho Department of Lands has no issue with Permit Applications 94-8282 or 94-8293. I will forward the ones on the St Joe to our St Maries office.

Bob Burke  
Cataldo Area Manager  
208-682-4611  
FAX 208-682-2991  
[bburke@idl.idaho.gov](mailto:bburke@idl.idaho.gov)

---

**From:** Jim Brady  
**Sent:** Monday, November 14, 2011 9:10 AM  
**To:** Bob Burke  
**Subject:** RE: Application for Permit No. 91-7578 St Joe Rvr, 91-7591 St Joe Rvr, 91-7592 St Joe Rvr, 94-8282 CDA Rvr, 94-8293 N Fk CDA Rvr,

These are all under spec that would require action by us, so I don't have any problem with them either.

Jim Brady, Lands Resource Specialist, Sr.,  
Navigable Waters and Minerals  
Idaho Department of Lands  
Mica Supervisory Area  
3258 W. Industrial Loop  
Coeur d'Alene, ID 83815  
(208) 769-1577  
(208) 769-1597 fax

---

**From:** Bob Burke  
**Sent:** Monday, November 14, 2011 8:47 AM  
**To:** Jim Brady  
**Subject:** FW: Application for Permit No. 91-7578 St Joe Rvr, 91-7591 St Joe Rvr, 91-7592 St Joe Rvr, 94-8282 CDA Rvr, 94-8293 N Fk CDA Rvr,

Jim

Apps 8282 & 8293 are up the CDA River. One is at Steamboat & the other at Pritchard. I have no issue with either, but wanted to check with you.

Bob Burke  
Cataldo Area Manager  
208-682-4611  
FAX 208-682-2991  
[bburke@idl.idaho.gov](mailto:bburke@idl.idaho.gov)

---

**From:** Ball, Dianne [<mailto:Dianne.Ball@idwr.idaho.gov>]  
**Sent:** Thursday, November 10, 2011 4:21 PM  
**To:** [mary.terra-berns@idfg.idaho.gov](mailto:mary.terra-berns@idfg.idaho.gov); Bob Burke  
**Subject:** RE: Application for Permit No. 91-7578 St Joe Rvr, 91-7591 St Joe Rvr, 91-7592 St Joe Rvr, 94-8282 CDA Rvr, 94-8293 N Fk CDA Rvr,

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 application. A copy of the application is enclosed for your reference.

Being prepared for publication in Shoshone News Press on November 17 and 24, 2011 with final date for protest being December 5, 2011.

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

## Ball, Dianne

---

**From:** Jim Bennett [JBennett@idl.idaho.gov]  
**Sent:** Tuesday, November 22, 2011 9:56 AM  
**To:** Ball, Dianne  
**Subject:** Water Right Applications-St Joe River-112211

Dianne,

Thanks for sending subject for Holte, Edwards & Udager on the St Joe River. All of these properties are above the St. Joe City bridge and are outside of IDL jurisdiction, therefore we have no comment. We do appreciate being informed, thanks.

Jim

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

**91-7578**

KIM HOLTE

DIANNA HOLTE

12883 N EMERALD DR

HAYDEN, ID 83835

Point of Diversion L9(SWSW) S31 T46N R02E 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: 9/8/2011

Place of Use: DOMESTIC T46N R02E S31

L9(SWSW) L9(SESW)

Domestic use is for 1 RV site.

**91-7591**

JACK W EDWARDS

PO BOX 171

ST MAIRES, ID 83861

Point of Diversion L3(NENW) S6 T45N R02E 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: 9/22/2011

Place of Use: DOMESTIC T45N R02E S6 L3(NENW)

Place of Use: IRRIGATION same as DOMESTIC

Total Acres: 0.8

Domestic use is for 1 RV site.

**91-7592**

RUTH UDAGER

210 N 11TH STREET

ST MARIES, ID 83861

Point of Diversion L7(NENE) S6 T45N R02E 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 0.09 CFS

Total Diversion: 0.09 CFS

Date Filed: 9/22/2011

Place of Use: DOMESTIC T45N R02E S6 L7(NENE)

Place of Use: IRRIGATION same as DOMESTIC

Total Acres: 3

Domestic use is for 2 RV sites.

**92-10739**

ERNEST E. AND JOYCE L. GRIMM 1994 REVOCABLE TRUST

3428 15TH ST. SPACE 20

LEWISTON, ID 83501

Point of Diversion SWSE S5 T42N R02E SHOSHONE CO

Source MERRY CREEK tributary MIDDLE FK ST MARIES RVR

Use: IRRIGATION 03/15 to 10/31 0.15 CFS

Total Diversion: 0.15 CFS

Date Filed: 9/26/2011

Place of Use: IRRIGATION T42N R02E S5 SWSE

Total Acres: 5

**94-8280**

EUGENE DEITZ

KEN CHARITON

TERESA CHARITON

891 E MILES AVE

HAYDEN, ID 83835

Point of Diversion L4(NENW) S21 T50N R04E SHOSHONE CO

Source GROUNDWATER

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

Total Diversion: 0.04 CFS

Date Filed: 8/31/2011

Place Of Use: DOMESTIC T50N R04E S21 L4(NENW)

Domestic use is for 4 RV sites.

94-8282

DOUG SMITH

LINDA SMITH

20786 N RIMROCK RD

HAYDEN, ID 83835

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

Source COEUR D ALENE RVR tributary COEUR D ALENE LAKE

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

Total Diversion: 0.04 CFS

Date Filed: 8/30/2011

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

Domestic use is for 4 RV sites.

94-8293

RUSTY DAILEY

JENNIFER BRUMBLAY DAILEY

1107 W 13TH AVE

SPOKANE, WA 99204

Point of Diversion SWNE S32 T50N R04E SHOSHONE CO

Source NORTH FORK COEUR D ALENE RIVER

tributary COEUR D ALENE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 8/23/2011

Place Of Use: DOMESTIC T50N R04E S32 SWNE

Domestic use is for 1 home.

94-8379

MEREDITH FAMILY LLC

991 N VERANDA DR

COEUR D ALENE, ID 83814

Point of Diversion SENE S4 T49N R02E SHOSHONE CO

Source GROUNDWATER

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

Use: IRRIGATION 04/01 to 10/31 0.12 CFS

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

Total Diversion: 0.12 CFS

Date Filed: 9/21/2011

Place of Use :DOMESTIC T49N R02E S4 SENE L7(NESE)

Place of Use: IRRIGATION and STOCKWATER

same as DOMESTIC

Total Acres: 4

Domestic use is for 2 RV sites.

Stockwater use is for 10 head mixed stock

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 12/5/2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 11/17/2011 and 11/24/2011

## Ball, Dianne

---

**From:** Ball, Dianne  
**Sent:** Thursday, November 10, 2011 2:39 PM  
**To:** Legal Notices-Shoshone NP Angie Abbott@cdapress.com;  
ccampbell@shoshonenewspress.com  
**Subject:** Application for Permit No. 94-8280, 94-8282, 94-8293, 91-7578, 94-8379, 91-7591, 91-7592,  
92-10739  
**Attachments:** LegalNotice 11-10-11 NP 91-7578,591,592,92-10739,94-8280,282,293,379.doc

Good afternoon, Angela,

Please publish the enclosed legal notice on the dates indicated, November 17 and 24, 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 12/5/2011. Your cooperation is 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](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

November 10, 2011

KIM HOLTE  
DIANNA HOLTE  
12883 N EMERALD DR  
HAYDEN, ID 83835

Application For Permit No. 91-7578

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 11/17/2011 and 11/24/2011. 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 black ink that reads "Keith E. Franklin". The signature is written in a cursive, flowing style.

Keith E. Franklin  
Interim Program Manager

## Ball, Dianne

---

**From:** Ball, Dianne  
**Sent:** Thursday, November 10, 2011 4:21 PM  
**To:** mary.terra-berns@idfg.idaho.gov; bburke@idl.idaho.gov  
**Subject:** RE: Application for Permit No. 91-7578 St Joe Rvr, 91-7591 St Joe Rvr, 91-7592 St Joe Rvr, 94-8282 CDA Rvr, 94-8293 N Fk CDA Rvr,  
**Attachments:** 91-7578\_Holte.pdf; 91-7591\_Edwards.pdf; 91-7592\_Udager.pdf; 94-8282\_Smith.pdf; 94-8293\_Dailey.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 application. A copy of the application is enclosed for your reference.

Being prepared for publication in Shoshone News Press on November 17 and 24, 2011 with final date for protest being December 5, 2011.

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