

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 91-07522

Priority: June 20, 2011

Maximum Diversion Rate: 0.04 CFS

This is to certify, that RICHARD LISTOE And/Or
KIM LISTOE
1336 N BROOKHEAVEN
POST FALLS ID 83854
(208) 777-1291
And
JOHN SEVY
1336 N BROOKHEAVEN
POST FALLS ID 83854
And
PEGGY PROLO
1336 N BROOKHEAVEN
POST FALLS ID 83854
And
MIKE SUMMERKAMP
1336 N BROOKHEAVEN
POST FALLS ID 83854
And
CYNTHIA MOORE
1336 N BROOKHEAVEN
POST FALLS ID 83854

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, L5 (SW1/4NW1/4), Sec. 20, Twp 46N, Rge 01E, B.M., BENEWAH County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
46N 01E 20							X				X						
							L 5				L 5						

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 91-07522

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
46N 01E 20	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	1.0
							1.0										1.0
							L 5										

Total Acres: 1

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. Domestic use is for 8 RV sites. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
6. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
7. 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 5 day of December, 2011.

Gary Spackman
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

December 6, 2011

RICHARD LISTOE
1336 N BROOKHEAVEN
POST FALLS ID 83854

KIM LISTOE
1336 N BROOKHEAVEN
POST FALLS ID 83854

JOHN SEVY
1336 N BROOKHEAVEN
POST FALLS ID 83854

PEGGY PROLO
1336 N BROOKHEAVEN
POST FALLS ID 83854

MIKE SUMMERKAMP
1336 N BROOKHEAVEN
POST FALLS ID 83854

CYNTHIA MOORE
1336 N BROOKHEAVEN
POST FALLS ID 83854

RE: Permit No.91-7522

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

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".

Eric Davis

Sr. Water Resource Agent

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on December 7, 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.

91-7522

**CYNTHIA MOORE
1336 N BROOKHEAVEN
POST FALLS ID 83854**

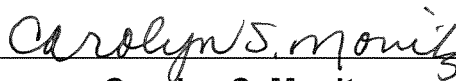
**JOHN SEVY
1336 N BROOKHEAVEN
POST FALLS ID 83854**

**KIM LISTOE
1336 N BROOKHEAVEN
POST FALLS ID 83854**

**MIKE SUMMERKAMP
1336 N BROOKHEAVEN
POST FALLS ID 83854**

**PEGGY PROLO
1336 N BROOKHEAVEN
POST FALLS ID 83854**

**RICHARD LISTOE
1336 N BROOKHEAVEN
POST FALLS ID 83854**

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-10/6/11

W.R. # 91-7522

APPLICATION ID # 77358

ENT. 6/24

BCA 7/27

OK to Publish 9/26/11

INITIAL REVIEW

APPLICANT: Listoe, Sevy, Prolo, Summerkamp
moore

BY: KJ

DATE: 6/24/2011

ITEM REQUIRED INFORMATION

1. ☒ Name and Address
2. ☒ Source
3. ☒ Point of Diversion & County
4. ☒ Quantity
5. ☒ Nature of Proposed Use
6. ☒ Period of Use
7. ☒ Total Quantity
8. ☒ Description of diverting works
9. ☒ Time required for b/u
10. ☒ Proposed use
11. ☒ Place of use or acres irrigated
12. ☒ Other water Rights
13. ☒ Ownership
14. ☒ Map
15. ☒ Signature
16. ☐ Fee (Amt, receipt, acknowledgement)

*** Send info sheet Y () N ()

ADDITIONAL INFORMATION

(Yes)(No)

☒ Shape File Created Date 6/24/11 By: KJ
☐ Field check: by _____
☐ Field report attached _____
☐ Analysis Supp. Attached (>5cfs/500af) _____

☐ Water delivered by water master? Water District # _____

PROCESSING

(Yes)(No)

PRIORITY DATE: 6/20/2011

(Include Moratorium Remark)

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

ADVERTISE IN:

Benevolence County

Newspaper: SM

Dates scheduled for publication 10/5 & 12/11

Affidavit of Publication received: 10/14/11

Dates actually published: 10/5 & 12/11

Application published correctly. Yes ☒ No ☐

If not, action taken: _____

Final Date for Protest: 10/24/11

Protests Received: Yes ☐ No ☒

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
 () Power Information () Other: _____

INFORMATION RECEIVED:

- () Dam Information () Fish Information
 () Power Information () Other: _____

GROUNDWATER SECTION

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
_____	_____	Dom.____ Non-Dom.____	Paid \$_____	_____	Y () N ()
_____	_____	Dom.____ Non-Dom.____	Paid \$_____	_____	Y () N ()
_____	_____	Dom.____ Non-Dom.____	Paid \$_____	_____	Y () N ()

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

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)
☒ Notice of pending void order issued. Final order response date: ____/____/____
☒ Further information required from applicant _____

- ☒ 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: Keith Z. Anderson

Date: 11/23/2011 Sr. Agent initial KJ

NOTICE OF APPLICATION

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

91-7470

CLIFFORD C BECK

756 COTTONWOOD DR

ST MARIES, ID 83861

Point of Diversion NESE S17 T46N R02W BENEWAH 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: 6/10/2011

Place of Use: DOMESTIC T46N R02W S17 L6(NESE)

Domestic use is for 1 home.

91-7522

RICHARD LISTOE

KIM LISTOE

JOHN SEVY

PEGGY PROLO

MIKE SUMMERKAMP

CYNTHIA MOORE

1336 N BROOKHEAVEN

POST FALLS, ID 83854

Point of Diversion L5(SWNW) S20 T46N R01E

BENEWAH County

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: 0.04 CFS

Date Filed: 6/20/2011

Place of Use: DOMESTIC T46N R01E S20

L5(SWNW) L5(NWSW)

Place of Use: IRRIGATION T46N R01E S20 L5(SWNW)

Total Acres: 1

Domestic use is for 8 RV site hookups

91-7527

DAVID HANNON

VALERIE HANNON

4525 BLAKELY AVE NE

BAINBRIDGE ISLAND, WA 98110

Point of Diversion L8(NESW) S17 T46N R02W

BENEWAH County

Source ST JOE RIVER tributary COEUR D ALENE LAKE

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

Total Diversion: 0.03 CFS

Date Filed: 6/24/2011

Place of Use: IRRIGATION T46N R02W S17 L8(NESW)

Total Acres: 0.7

91-7533

JANET JANSSON

1704 COTTONWOOD DR

ST MARIES, ID 83861

Point of Diversion L8(NESW) S17 T46N R02W

BENEWAH County

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: 6/27/2011

Place of Use: DOMESTIC T46N R02W S17 L8(NESW)

Domestic use is for 1 home.

91-7556

SHERYL SUCHOSKI

DONALD SUCHOSKI

1094 COTTONWOOD DRIVE

ST MARIES, ID 83861

Point of Diversion L14(NWSE)

S17 T46N R02W

BENEWAH County

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: 7/20/2011

Place of Use: DOMESTIC T46N R02W S17 L14(NWSE)

Domestic use is for 1 home.

91-7563

SYLVIA HAVEN ASSN

6312 S LATAH HILLS CT

SPOKANE, WA 99224

Point of Diversion SENE S7 T46N R02W BENEWAH CO

Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.14 CFS

Total Diversion: 0.14 CFS

Date Filed: 6/8/2011

Place Of Use: DOMESTIC T46N R02W S7

SENE L7(NESE)

Domestic use is for 1 home & 14 recreational lots.

91-7566

THOMAS CASS

JOAN CASS

RICHARD B COULTER

MAE J COULTER

940 CANTERWOOD DR

MOSCOW, ID 83843

Point of Diversion L11(SENE) S16 T46N R01W

BENEWAH County

Source ST JOE RIVER Tributary COEUR D ALENE LAKE

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

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

Total Diversion: 0.04 CFS

Date Filed: 5/25/2011

Place of Use: IRRIGATION T46N R01W S16 L11(SENE)

Place of Use: DOMESTIC same as IRRIGATION

Total Acres: 1.6

Domestic use is for one home.

92-10732

THOMAS E LOWRY

DONNA J LOWRY

3629 FLATWILLOW RD

GRASS RANGE, MT 59032

Points of Diversion (2) NWNWSE S4 T45N R02W

BENEWAH County

Source SPRING tributary SINKS

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

Total Diversion: 0.04 CFS

Date Filed: 4/4/2011

Place of Use: DOMESTIC T45N R02W S4 NWSE

Domestic use is for 2 homes.

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 10/24/2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

8126 Oct. 5-Oct. 12

RECEIVED
OCT 14 2011
IDWR/NORTH

Affidavit of Publication

RECEIVED
OCT 14 2011
IDWR / NORTH

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 5 day of October, 2011... and the last on the 12 day of October, 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 12 day of October, 2011...

Cynthia Ann Hammes

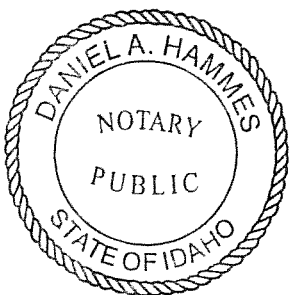
STATE OF IDAHO)
COUNTY OF BENEWAH)

On this 12 day of October, 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.

Daniel A. Hammes

Notary Public for Idaho
Residing at St. Maries, Idaho
My commission expires:

07-13-2013



Ball, Dianne

From: Jim Bennett [JBennett@idl.idaho.gov]
Sent: Thursday, September 29, 2011 3:53 PM
To: Ball, Dianne
Subject: Applications: Cass & Coulter 91-7566, Listoe et al 91-7522 for diversion SJ River, 9/11

Dianne,

Thank you for sending notification of subject applications. The department does not have any comment regarding issuance of a water right. We appreciate the notification as it helps us fulfill jurisdictional responsibilities. The other applications included in the email with subject are located on the Coeur d'Alene Reservation. Please contact me if you have questions or comments.

Jim

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

91-7470

CLIFFORD C BECK
756 COTTENWOOD DR
ST MARIES, ID 83861
Point of Diversion NESE S17 T46N R02W BENEWAH 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: 6/10/2011

Place of Use: DOMESTIC T46N R02W S17 L6(NESE)

Domestic use is for 1 home.

91-7522

RICHARD LISTOE
KIM LISTOE
JOHN SEVY
PEGGY PROLO
MIKE SUMMERKAMP
CYNTHIA MOORE
1336 N BROOKHEAVEN
POST FALLS, ID 83854
Point of Diversion L5(SWNW) S20 T46N R01E
BENEWAH County
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: 0.04 CFS

Date Filed: 6/20/2011

Place of Use: DOMESTIC T46N R01E S20

L5(SWNW) L5(NWSW)

Place of Use: IRRIGATION T46N R01E S20 L5(SWNW)

Total Acres: 1

Domestic use is for 8 RV site hookups

91-7527

DAVID HANNON
VALERIE HANNON
4525 BLAKELY AVE NE
BAINBRIDGE ISLAND, WA 98110
Point of Diversion L8(NESW) S17 T46N R02W
BENEWAH County
Source ST JOE RIVER tributary COEUR D ALENE LAKE
Use: IRRIGATION 03/15 to 10/31 0.03 CFS
Total Diversion: 0.03 CFS

Date Filed: 6/24/2011

Place of Use: IRRIGATION T46N R02W S17 L8(NESW)

Total Acres: 0.7

91-7533

JANET JANSSON
1704 COTTENWOOD DR
ST MARIES, ID 83861
Point of Diversion L8(NESW) S17 T46N R02W
BENEWAH County
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: 6/27/2011

Place of Use: DOMESTIC T46N R02W S17 L8(NESW)

Domestic use is for 1 home.

91-7556

SHERYL SUCHOSKI
DONALD SUCHOSKI
1094 COTTONWOOD DRIVE
ST MARIES, ID 83861
Point of Diversion L14(NWSE)
S17 T46N R02W
BENEWAH County
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: 7/20/2011

Place of Use: DOMESTIC T46N R02W S17 L14(NWSE)

Domestic use is for 1 home.

91-7563

SYLVIA'S HAVEN ASSN
6312 S LATAH HILLS CT
SPOKANE, WA 99224
Point of Diversion SENE S7 T46N R02W BENEWAH CO
Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.14 CFS
Total Diversion: 0.14 CFS

Date Filed: 6/8/2011

Place Of Use: DOMESTIC T46N R02W S7

SENE L7(NESE)

Domestic use is for 1 home & 14 recreational lots.

91-7566

THOMAS CASS
JOAN CASS
RICHARD B COULTER
MAE J COULTER
940 CANTERWOOD DR
MOSCOW, ID 83843
Point of Diversion L11(SENE) S16 T46N R01W
BENEWAH County
Source ST JOE RIVER Tributary COEUR D'ALENE LAKE
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Use: IRRIGATION 03/15 to 10/31 0.03 CFS
Total Diversion: 0.04 CFS

Date Filed: 5/25/2011

Place of Use: IRRIGATION T46N R01W S16 L11(SENE)

Place of Use: DOMESTIC same as IRRIGATION

Total Acres: 1.6

Domestic use is for one home.

92-10732

THOMAS E LOWRY
DONNA J LOWRY
3629 FLATWILLOW RD
GRASS RANGE, MT 59032
Points of Diversion (2) NWNWSE S4 T45N R02W
BENEWAH County
Source SPRING tributary SINKS
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 4/4/2011

Place of Use: DOMESTIC T45N R02W S4 NWSE

Domestic use is for 2 homes.

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 10/24/2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 10/5/2011 and 10/12/2011

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, September 28, 2011 1:18 PM
To: Legal Notices-SMGazette Benewah Co (kaisie@smgazette.com)
Subject: Application for Permit No. 91-7470, 91-7522, 91-7527, 91-7533, 91-7556, 91-7563, 91-7566, 92-10732
Attachments: LegalNotice 09-28-11 SM e-mail 91-7470,522,527,533,556,563,566, 92-10732.doc

Good afternoon, Kaisie,

Will you please publish the enclosed legal notice on the dates indicated, October 5 and 12, 2011, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

Please send a proof/preview copy for my review before this goes to press.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 10/24/2011. Your cooperation is always appreciated.

Thanks very much for all your truly great help.

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819



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 28, 2011

RICHARD LISTOE
1336 N BROOKHEAVEN
POST FALLS, ID 83854

PEGGY PROLO
1336 N BROOKHEAVEN
POST FALLS, ID 83854

KIM LISTOE
1336 N BROOKHEAVEN
POST FALLS, ID 83854

MIKE SUMMERKAMP
1336 N BROOKHEAVEN
POST FALLS, ID 83854

JOHN SEVY
1336 N BROOKHEAVEN
POST FALLS, ID 83854

CYNTHIA MOORE
1336 N BROOKHEAVEN
POST FALLS, ID 83854

Application For Permit No. 91-7522

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 10/5/2011 and 10/12/2011. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Keith E. Franklin
Interim Program Manager

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, September 27, 2011 3:21 PM
To: kockfen@idl.idaho.gov
Subject: FW: RE: Application for Permit No. 91-7470 St Joe Rvr; 91-7522 St Joe Rvr; 91-7527 St Joe Rvr; 91-7533 St Joe Rvr; 91-7556 St Joe River; 91-7566 St Joe Rvr;
Attachments: 91-7470_Beck.pdf; 91-7522_Listoe_et al.pdf; 91-7527_Hannon.pdf; 91-7533_Jansson.pdf; 91-7556_Suchoski.pdf; 91-7566_Cass_and_Coulter.pdf

Hi, Ken, I'm forwarding this to you to cover all bases. I just got Jim's auto-reply and I understand he will be back on Thursday. We have plenty of time on these, but at least this is a heads up in case Jim doesn't get back when expected. All of these are from the St Joe River.

Don't count the days, let the days count.

Dianne

From: Ball, Dianne
Sent: Tuesday, September 27, 2011 3:17 PM
To: mary.terra-berns@idfg.idaho.gov; jbennett@idl.idaho.gov
Subject: RE: Application for Permit No. 91-7470 St Joe Rvr; 91-7522 St Joe Rvr; 91-7527 St Joe Rvr; 91-7533 St Joe Rvr; 91-7556 St Joe River; 91-7566 St Joe Rvr;

Dear Mary and Jim:

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.

These are being prepared for publication in St Maries Gazette on October 5 and 12, 2011 with final date for protest to be October 24, 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 applications.

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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Sincerely,

Dianne Ball

Administrative Assistant
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