State of Idaho
Department of Water Resources

# Permit to Appropriate Water

**NO. 96-09490**

Priority: September 07, 2011 Maximum Diversion Rate: 0.04 CFS

This is to certify, that JOHN RUSSELL And/Or
PATRICIA RUSSELL
10815 E 48 TH AVE
SPOKANE VALLEY WA 99206
(509) 928-9956

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:

| BENEFICIAL USE | PERIOD OF USE | RATE OF DIVERSION |
|---|---|---|
| DOMESTIC | 01/01 to 12/31 | 0.04 CFS |

**LOCATION OF POINT(S) OF DIVERSION:**
PEND OREILLE LAKE, L2 (SW1/4NW1/4), Sec. 8, Twp 56N, Rge 01E, B.M., BONNER 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 | |
| 56N | 01E | 8 | | | | | | | X | | | | | | | | | | |
| | | | | | | | | | L 2 | | | | | | | | | | |

**CONDITIONS OF APPROVAL**

1. Proof of application of water to beneficial use shall be submitted on or before **December 01, 2012.**
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. Domestic use is for 1 home.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
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.

Keith E. Dunnbaum, For
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 28, 2011

JOHN RUSSELL
10815 E 48 TH AVE
SPOKANE VALLEY WA 99206

PATRICIA RUSSELL
10815 E 48 TH AVE
SPOKANE VALLEY WA 99206

RE: Permit No.96-9490

**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 J. 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. 96-9490**

**JOHN RUSSELL**
**10815 E 48 TH AVE**
**SPOKANE VALLEY WA 99206**

**PATRICIA RUSSELL**
**10815 E 48 TH AVE**
**SPOKANE VALLEY WA 99206**

Carolyn S. Monitz

**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.

P 10/18/11

# IDAHO DEPARTMENT OF WATER RESOURCES
## APPROPRIATION APPLICATION ANALYSIS SHEET

W.R. # 96 - 9490 APPLICATION ID # 77501 ENT. ED BCA 10/12/11 OK to Publish 10/7/11

INITIAL REVIEW

APPLICANT: Russell BY: ED DATE: 9/8/2011

| 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( )

**PROCESSING**

(Yes)(No) **PRIORITY DATE:** 9/7/2011

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

**ADVERTISE IN:** Bonner County
Newspaper: BCDB
Dates scheduled for publication 10/20 & 27/11
Affidavit of Publication received: 11/2/11
Dates actually published: 10/20 & 27/11
Application published correctly. Yes ✓ No ___
If not, action taken: ___

Final Date for Protest: 11/7/11
Protests Received: Yes ___ No ✓

**LETTERS SENT REQUESTING:**
( ) Dam Information ( ) Fish Information
( ) Power Information ( ) Other: ___

**INFORMATION RECEIVED:**
( ) Dam Information ( ) Fish Information
( ) Power Information ( ) Other: ___

**ADDITIONAL INFORMATION**

(Yes)(No)
X ___ **Shape File Created** Date 9-8-11 By: ED
___ ___ Field check: by ___
___ ___ Field report attached
___ ___ Analysis Supp. Attached (>5cfs/500af)

___ ___ Water delivered by water master? Water District # ___

**GROUNDWATER SECTION**

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

___ ___ Groundwater management area Pend Oreille Lake
___ ___ 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.
___ ✓ Further information required from applicant ___

Final order response date: ___/___/___

___ ✓ Measuring device required
___ ✓ Measuring port required
___ ✓ Special conditions: ___
___ ✓ Special conditions of approval supplement and/or cover letter attached: ___

Approval Recommended by: Keith W. Dunklin Date: 11/25/2011 Sr. Agent initial KD

RECEIVED
NOV 02 2011
IDWR / NORTH

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO )
) ss.
County of Bonner )

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.

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

SHERILYN JONES NOTARY PUBLIC STATE OF IDAHO

12317

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 o 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 01/01 to 12/31 2.2 AF
Total Diversion: 0.2 CFS

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

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

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JAMES MICHAEL NUNKE
4529 128TH ST NW
CLEARWATER, MN 55320
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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.

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NOVEMBER 24 2008
223 SKY MEADOW LANE
SAGLE, ID 83860
Point of Diversion NESWSW S4 T56N R01W BONNER County
Source SPRING tributary SINKS
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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
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Total Diversion: 0.05 CFS
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SAGLE, ID 83860
Point of Diversion L1(SESE) S35 T57N R02W BONNER County
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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
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KENNETH W LUNDE
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75 PRFFIN RD
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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

## Ball, Dianne

**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

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

October 12, 2011

JOHN RUSSELL
PATRICIA RUSSELL
10815 E 48 TH AVE
SPOKANE VALLEY, WA 99206

Application For Permit No. 96-9490

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**

**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