

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**  
NO. 91-07392

Priority: May 11, 2011

Maximum Diversion Rate: 0.03 CFS

This is to certify, that MARCIE TELFORD  
1914 COTTONWOOD DR  
ST MARIES ID 83861  
(208) 245-3018

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> |
|-----------------------|----------------------|--------------------------|
| IRRIGATION            | 03/15 to 10/31       | 0.03 CFS                 |

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

ST JOE RIVER, L5 (SE1/4NW1/4), Sec. 17, Twp 46N, Rge 02W, B.M., BENEWAH County

**PLACE OF USE:** IRRIGATION

| Twp Rge Sec | NE |    |    |    | NW |    |     |     | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW  | SE  | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 46N 02W 17  |    |    |    |    |    |    |     | .5  | .5 |    |    |    |    |    |    |    | 1.0    |
|             |    |    |    |    |    |    | L 5 | L 8 |    |    |    |    |    |    |    |    |        |

Total Acres: 1

**CONDITIONS OF APPROVAL**

1. Proof of application of water to beneficial use shall be submitted on or before **September 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. 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 0.25 inch or smaller mesh shall be installed and maintained at the point of diversion.
6. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.
7. 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 29 day of August, 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

September 1, 2011

MARCIE TELFORD  
1914 COTTONWOOD DR  
ST MARIES ID 83861

RE: Permit No.91-7392

**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,



Keith E. Franklin

Sr. Water Resource Agent

Enclosure(s)

### **CERTIFICATE OF SERVICE**

I hereby certify that on September 2, 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.**

**91-7392**

**MARCIE TELFORD  
1914 COTTONWOOD DR  
ST MARIES ID 83861**



**Carolyn S. Monitz  
Technical Records Specialist**

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

P 7/26/11

W.R. # 91-7392

APPLICATION ID # 77293

ENT. 5/27

BCA 6/7/11

OK to Publish 6/2/11

APPLICANT: Narcie Telford

INITIAL REVIEW

BY: KD

DATE: 5/27/2011

**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 5/27/11 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: 5/11/2011

(Include Moratorium Remark)

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

**ADVERTISE IN:**

Newspaper: Benewah County

Dates scheduled for publication 8/3 + 10/1/11

Affidavit of Publication received: 8/12/11

Dates actually published: 8/3 + 10/1/11

Application published correctly. Yes ☒ No ☐

If not, action taken: \_\_\_\_\_

Final Date for Protest: 8/22/11

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.
- ☒ 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: Keith Franklin

Date: 8/24/2011 Sr. Agent initial KD

AUG 12 2011

IDWR / NORTH

**NOTICE OF APPLICATION**

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

91-7343

DONALD J HARVEY

89178 HWY 3 N

ST MARIES, ID 83861

Point of Diversion L7 (NESE) S7 T46N R02W

BENEWAH County

Source ST JOE RIVER tributary COEUR D ALENE LK

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

Total Diversion: 0.03 CFS

Date Filed: 4/19/2011

Place of Use: IRRIGATION

T46N R02W S07 Lot 7 NESE

Total Acres: 1

91-7344

TERRY BRANDVOLD

BEVERLEE BRANDVOLD

PO BOX 877

NEWMAN LAKE, WA 99025-0877

Point of Diversion L9 (NESE) S20 T46N R01E

BENEWAH County

Source ST JOE RIVER tributary COEUR D ALENE LK

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

Use: FIRE PROTECTION 01/01 to 12/31 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 5/9/2011

Place of Use IRRIGATION

T46N R01E S20 Lot 9 (NESE)

Place of Use FIRE PROTECTION

T46N R01E S20 Lot 9 (NESE)

Total Acres: 1

91-7347

DONNY L MASTERSON

32 WHITT'S END

ST MARIES, ID 83861

Point of Diversion(4) NESE S10 T46N R02W

BENEWAH County

Source UNNAMED STREAM tributary ST JOE RIVER

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

Use: Stockwater Storage 01/01 to 12/31 0.20 AF

Use: Wildlife Storage 01/01 to 12/31 1.20 AF

Use: Fire Protection Storage 01/01 to 12/31 1.20 AF

Use: Stockwater from Storage 01/01 to 12/31 0.20 AF

Total Diversion: 0.02 CFS 1.20 AF

Place of Use: STOCKWATER T46N R02W S10 NESE

Place of Use: All storage uses same as Stockwater

Stockwater use is for 10 head of mixed stock.

91-7363

WILLIAM F BARDEN

KATHLEEN E BARDEN

624 SHEPHERD RD

ST MARIES, ID 83861

Point of Diversion L13 (SWSE) S17 T46N R02W

BENEWAH County

Source ST JOE RIVER tributary COEUR D ALENE LK

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

Total Diversion: 0.03 CFS

Date Filed: 5/17/2011

Place of Use: Irrigation T46N R02W S17 Lot 13(SWSE)

Total Acres: 1

91-7383

GREGORY RAPP

JANN RAPP

1796 COTTONWOOD DR

ST. MARIES, ID 83861

Point(s) of Diversion L8 (NESW) S17 T46N R02W

BENEWAH County

Source ST JOE RIVER tributary COEUR D ALENE LK

Use IRRIGATION 03/15 to 10/31 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 5/24/2011

Place of Use Irrigation T46N R02W S17 Lot 8(NESW)

Total Acres: 1.5

91-7388

CHESTER L SCHILLING

DEBORAH J SCHILLING

836 SHEPHERD RD

ST MARIES, ID 83861

Point of Diversion L13 (SESE) S17 T46N R02W

BENEWAH County

Source ST JOE RIVER tributary COEUR D ALENE LK

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

Total Diversion: 0.04 CFS

Date Filed: 5/17/2011

Place of Use Domestic T46N R02W S17 Lot 13(SESE)

Domestic use is for 1 home.

91-7392

MARCIE TELFORD

1914 COTTONWOOD DR

ST MARIES, ID 83861

Point of Diversion L5 (SENE) S17 T46N R02W

BENEWAH County

Source ST JOE RIVER tributary COEUR D ALENE LK

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

Total Diversion: 0.03 CFS

Date Filed: 5/11/2011

Place of Use: Irrigation T46N R02W S17

Lot 5(SENW), Lot 8(NESW)

Total Acres: 1

91-7393

RICHARD B COULTER JR

MAE COULTER

606 EVERGREEN TERRACE RD

ST MARIES, ID 83861

Point of Diversion L11 (SENE) S16 T46N R01W

BENEWAH County

Source ST JOE RIVER tributary COEUR D ALENE LK

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

Total Diversion: 0.04 CFS

Date Filed: 5/24/2011

Place of Use: Domestic T46N R01W S16 Lot 11(SENE)

Domestic use is for 1 seasonal recreation lot.

Permits will be subject to all prior water rights. 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 applica-

tion on or before 8/22/2011. The protestant must also send

a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

8048 Aug. 3-Aug. 10

RECEIVED

AUG 12 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 ten issues, the first publication being on the 3 day of August, 2011 and the last on the 10 day of August, 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.

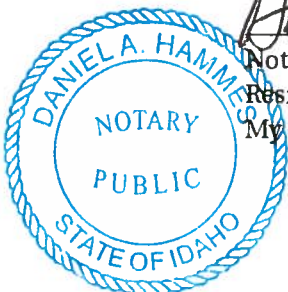
Dated this 10 day of August, 2011.

Cynthia Ann Hammes

STATE OF IDAHO

COUNTY OF BENEWAH

On this 10 day of August, 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 G. Hammes  
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:

**91-7343**

DONALD J HARVEY  
89178 HWY 3 N  
ST MARIES, ID 83861  
Point of Diversion L7 (NESE) S7 T46N R02W  
BENEWAH County  
Source ST JOE RIVER tributary COEUR D ALENE LK  
Use: IRRIGATION 03/15 to 10/31 0.03 CFS  
Total Diversion: 0.03 CFS

Date Filed: 4/19/2011  
Place of Use: IRRIGATION  
T46N R02W S07 Lot 7 NESE  
Total Acres: 1

**91-7344**

TERRY BRANDVOLD  
BEVERLEE BRANDVOLD  
PO BOX 877  
NEWMAN LAKE, WA 99025-0877  
Point of Diversion L9 (NESE) S20 T46N R01E  
BENEWAH County  
Source ST JOE RIVER tributary COEUR D ALENE LK  
Use: IRRIGATION 03/15 to 10/31 0.03 CFS  
Use: FIRE PROTECTION 01/01 to 12/31 0.03 CFS  
Total Diversion: 0.03 CFS

Date Filed: 5/9/2011  
Place of Use IRRIGATION  
T46N R01E S20 Lot 9 (NESE)  
Place of Use FIRE PROTECTION  
T46N R01E S20 Lot 9 (NESE)  
Total Acres: 1

**91-7347**

DONNY L MASTERSON  
32 WHITTS END  
ST MARIES, ID 83861  
Point of Diversion(4) NESE S10 T46N R02W  
BENEWAH County  
Source UNNAMED STREAM tributary ST JOE RIVER  
Use: Stockwater 01/01 to 12/31 0.02 CFS  
Use: Stockwater Storage 01/01 to 12/31 0.20 AF  
Use: Wildlife Storage 01/01 to 12/31 1.20 AF  
Use: Fire Protection Storage 01/01 to 12/31 1.20 AF  
Use: Stockwater from Storage 01/01 to 12/31 0.20 AF  
Total Diversion: 0.02 CFS 1.20 AF

Place of Use: STOCKWATER T46N R02W S10 NESE  
Place of Use: All storage uses same as Stockwater  
Stockwater use is for 10 head of mixed stock.

**91-7363**

WILLIAM F BARDEN  
KATHLEEN E BARDEN  
624 SHEPHERD RD  
ST MARIES, ID 83861  
Point of Diversion L13 (SWSE) S17 T46N R02W  
BENEWAH County  
Source ST JOE RIVER tributary COEUR D ALENE LK  
Use: IRRIGATION 01/01 to 12/31 0.03 CFS  
Total Diversion: 0.03 CFS

Date Filed: 5/17/2011  
Place of Use: Irrigation T46N R02W S17 Lot 13(SWSE)  
Total Acres: 1

**91-7383**

GREGORY RAPP  
JANN RAPP  
1796 COTTONWOOD DR  
ST. MARIES, ID 83861  
Point(s) of Diversion L8 (NESW) S17 T46N R02W  
BENEWAH County  
Source ST JOE RIVER tributary COEUR D ALENE LK  
Use IRRIGATION 03/15 to 10/31 0.03 CFS  
Total Diversion: 0.03 CFS

Date Filed: 5/24/2011  
Place of Use Irrigation T46N R02W S17 Lot 8(NESW)  
Total Acres: 1.5

**91-7388**

CHESTER L SCHILLING  
DEBORAH J SCHILLING  
836 SHEPHERD RD  
ST MARIES, ID 83861  
Point of Diversion L13 (SESE) S17 T46N R02W  
BENEWAH County  
Source ST JOE RIVER tributary COEUR D ALENE LK  
Use: DOMESTIC 01/01 to 12/31 0.04 CFS  
Total Diversion: 0.04 CFS

Date Filed: 5/17/2011  
Place of Use Domestic T46N R02W S17 Lot 13(SESE)  
Domestic use is for 1 home.

**91-7392**

MARCIE TELFORD  
1914 COTTONWOOD DR  
ST MARIES, ID 83861  
Point of Diversion L5 (SENW) S17 T46N R02W  
BENEWAH County  
Source ST JOE RIVER tributary COEUR D ALENE LK  
Use: IRRIGATION 03/15 to 10/31 0.03 CFS  
Total Diversion: 0.03 CFS

Date Filed: 5/11/2011  
Place of Use: Irrigation T46N R02W S17  
Lot 5(SENW), Lot 8(NESW)  
Total Acres: 1

**91-7393**

RICHARD B COULTER JR  
MAE COULTER  
606 EVERGREEN TERRACE RD  
ST MARIES, ID 83861  
Point of Diversion L11 (SENE) S16 T46N R01W  
BENEWAH County  
Source ST JOE RIVER tributary COEUR D ALENE LK  
Use: DOMESTIC 01/01 to 12/31 0.04 CFS  
Total Diversion: 0.04 CFS

Date Filed: 5/24/2011  
Place of Use: Domestic T46N R01W S16 Lot 11(SENE)  
Domestic use is for 1 seasonal recreation lot.  
Permits will be subject to all prior water rights. 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 8/22/2011. The protestant must also send a copy of the protest to the applicant.  
GARY SPACKMAN, Interim Director  
Legal #  
Published on 8/3/2011 and 8/10/2011

## Ball, Dianne

---

**From:** Ball, Dianne  
**Sent:** Friday, July 22, 2011 3:26 PM  
**To:** Legal Notices-SMGazette Benewah Co (kaisie@smgazette.com)  
**Subject:** Application for Permit No. 91-7343, 91-7344, 91-7347, 91-7363, 91-7383, 91-7388, 91-7392, 91-7393

Hi, Kaisie,

Please publish the enclosed legal notice on the dates indicated (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.

We're having some computer problems, so I will need to review thoroughly to make sure everything got in as planned.

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 8/22/2011. Your cooperation is greatly appreciated.

Thank you for all your wonderful help.



LegalNotice  
07-22-11 SM e-mail..

*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

July 22, 2011

MARCIE TELFORD  
1914 COTTONWOOD DR  
ST MARIES, ID 83861

Water Right No.91-7392

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 8/3/2011 and 8/10/2011. 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 Franklin  
Sr. Water Resource Agent



## IDAHO DEPARTMENT OF FISH AND GAME

### PANHANDLE REGION

2885 West Kathleen Avenue  
Coeur d'Alene, Idaho 83815

July 12, 2011

C.L. "Butch" Otter/Governor  
Virgil Moore/Director

Mr. Keith Franklin  
Idaho Department of Water Resources  
Northern Region  
7600 Mineral Drive, Ste 100  
Coeur d'Alene, ID 83815

RECEIVED  
JUL 14 2011  
IDWR / NORTH

Dear Keith:

#### REFERENCE:

HARVEY: 91-7343 (irrigation 0.03 cfs); BARDEN: 91-7363 (irrigation 0.03 cfs);  
RAPP: 91-7383 (irrigation 0.03 cfs); SCHILLING: 91-7388 (domestic 0.04 cfs);  
TELFORD: 91-7392 (irrigation 0.03 cfs); COULTER: 91-7393 (domestic 0.04 cfs)  
BRANDVOLD: 91-7344 (irrigation 0.03 cfs & fire protection 0.03 cfs)

We have reviewed the above-named applications to divert water from the St. Joe River for domestic use, irrigation, and fire protection.

The St. Joe River contains populations of resident, river run (fluvial) and lake run (adfluvial) cutthroat trout. Historically the St. Joe River has been regarded as among the finest cutthroat trout streams in America. The river has regained that status and trends have shown marked improvements in recent years. Additionally, the St. Joe River also harbors bull trout (ESA listed as Threatened) that migrate through the lower reaches to spawn in the headwaters of the St. Joe River. Annual counts of 15 to 91 redds were made in three index streams of the St. Joe River between 1992 and 2005 with an increasing trend over those years. IDFG manages the St. Joe River for quality cutthroat trout fishing. Bull trout are managed under "conservation" status, to conserve and restore bull trout numbers.

Although the amounts requested are small, we are concerned that the cumulative effects of property owners applying for diversions may be harmful to this economically and ecologically important fishery. There is a minimum stream flow on the St. Joe River (WR 91-7122) of 470.0 cfs from August 1 to October 31, and 941.0 cfs from November 1 through July 31. The applicants should be made aware that their diversion cannot negatively impact the established minimum flow in the St. Joe River. Because water right diversions allow water users to manipulate streams, we recommend this permit be conditioned to require no disturbance to the stream channel. If pumps are used, they should be adequately screened to prevent entrainment and /or impingement of juvenile trout (we recommend  $\leq 0.25''$  mesh, with approach velocity of  $\leq 0.5$  feet per second).

Mr. Keith Franklin  
July 12, 2011

Page 2

Thank you for your attention to this matter.

Sincerely,



Charles E. "Chip" Corsi  
Regional Supervisor

RECEIVED  
JUL 14 2011  
IDWR / NORTH

CEC:MTB

C: Sharon Kiefer, IDFG Boise  
USFWS, Spokane

File: IDWR Combined 91-7343;7344;7363;7383;7388;7392;7393

## Ball, Dianne

---

**From:** Jim Bennett [JBennett@idl.idaho.gov]  
**Sent:** Monday, June 13, 2011 10:25 AM  
**To:** Ball, Dianne  
**Subject:** RE: RE: Application for Permit No. 91-7343, 91-7344, 91-7363, 91-7383, 91-7388, 91-7392, 91-7393

Dear Diane,

Thank you for subject notification. The IDL, St. Joe Area does not have any opposition or comment to subject applications. Brandvold and Coulter applications are located within the St. Joe jurisdiction and we will pursue encroachment permits for a water intake line with these property owners. Please contact me if you have questions or comments.

Jim

---

**From:** Ball, Dianne [<mailto:Dianne.Ball@idwr.idaho.gov>]  
**Sent:** Friday, June 10, 2011 3:02 PM  
**To:** [mary.terra-berns@idfg.idaho.gov](mailto:mary.terra-berns@idfg.idaho.gov); Jim Bennett  
**Subject:** FW: RE: Application for Permit No. 91-7343, 91-7344, 91-7363, 91-7383, 91-7388, 91-7392, 91-7393

This is to notify you that due to network problems with our legal notice portion of our workflow process, these applications sent earlier stating scheduled for publication June 15 and 22, 2011 will now be publishing the first 2 weeks in July with final date for protest being July 25, 2011,

If you have any questions, please contact me.

Thanks,

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

*Dianne*

---

**From:** Ball, Dianne  
**Sent:** Friday, June 03, 2011 1:30 PM  
**To:** [mary.terra-berns@idfg.idaho.gov](mailto:mary.terra-berns@idfg.idaho.gov); [jbennett@idl.idaho.gov](mailto:jbennett@idl.idaho.gov)  
**Subject:** RE: Application for Permit No. 91-7343, 91-7344, 91-7363, 91-7383, 91-7388, 91-7392, 91-7393

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

<<91-7343\_Harvey.pdf>>      <<91-7344\_Brandvold.pdf>>      <<91-7363\_Barden.pdf>> <<91-7383\_Rapp.pdf>>  
<<91-7388\_Schilling.pdf>>      <<91-7392\_Telford.pdf>>      <<91-7393\_Coulter.pdf>>

## Ball, Dianne

---

**From:** Ball, Dianne  
**Sent:** Friday, June 10, 2011 3:02 PM  
**To:** 'mary.terra-berns@idfg.idaho.gov'; 'jbennett@idl.idaho.gov'  
**Subject:** FW: RE: Application for Permit No. 91-7343, 91-7344, 91-7363, 91-7383, 91-7388, 91-7392, 91-7393

This is to notify you that due to network problems with our legal notice portion of our workflow process, these applications sent earlier stating scheduled for publication June 15 and 22, 2011 will now be publishing the first 2 weeks in July with final date for protest being July 25, 2011,

If you have any questions, please contact me.

Thanks,

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

*Dianne*

---

**From:** Ball, Dianne  
**Sent:** Friday, June 03, 2011 1:30 PM  
**To:** [mary.terra-berns@idfg.idaho.gov](mailto:mary.terra-berns@idfg.idaho.gov); [jbennett@idl.idaho.gov](mailto:jbennett@idl.idaho.gov)  
**Subject:** RE: Application for Permit No. 91-7343, 91-7344, 91-7363, 91-7383, 91-7388, 91-7392, 91-7393

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



91-7343\_Harvey.p  
df



91-7344\_Brandvold  
.pdf



91-7363\_Barden.pd  
f



91-7383\_Rapp.pdf



91-7388\_Schilling.p  
df



91-7392\_Telford.pd  
f



91-7393\_Coulter.p  
df

Being prepared for publication in the St Maries Gazette on June 15 and 22, 2011 with July 5, 2011 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

## Ball, Dianne

---

**From:** Ball, Dianne  
**Sent:** Friday, June 03, 2011 1:30 PM  
**To:** mary.terra-berns@idfg.idaho.gov; jbennett@idl.idaho.gov  
**Subject:** RE: Application for Permit No. 91-7343, 91-7344, 91-7363, 91-7383, 91-7388, 91-7392, 91-7393

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



91-7343\_Harvey.p  
df



91-7344\_Brandvold  
.pdf



91-7363\_Barden.pd  
f



91-7383\_Rapp.pdf



91-7388\_Schilling.p  
df



91-7392\_Telford.pd  
f



91-7393\_Coulter.p  
df

Being prepared for publication in the St Maries Gazette on June 15 and 22, 2011 with July 5, 2011 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