

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 93-07174

Priority: April 18, 2011

Maximum Diversion Rate: 0.07 CFS
Maximum Diversion Volume: 3.6 AF

This is to certify, that DAMAN LAND AND TIMBER LLC
1828 SHEEP CREEK RD
DESMET ID 83824

And/Or

GLENN DAMAN
1828 SHEEP CREEK RD
DESMET ID 83824

has applied for a permit to appropriate water from:

Source: SPRING

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>	<u>ANNUAL VOLUME</u>
IRRIGATION FROM STORAGE	03/15 to 11/15		3.0 AF
IRRIGATION STORAGE	03/15 to 11/15		3.6 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.04 CFS	
RECREATION STORAGE	01/01 to 12/31		3.6 AF
WILDLIFE STORAGE	01/01 to 12/31		3.6 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		3.6 AF
IRRIGATION	03/15 to 11/15	0.03 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SPRING SE1/4NW1/4SE1/4 Sec. 31, Twp 44N, Rge 04W, B.M.
BENEWAH County

PLACE OF USE: RECREATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
44N 04W 31															X	X	

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 93-07174

PLACE OF USE: WILDLIFE STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
44N 04W 31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														X	X		

PLACE OF USE: FIRE PROTECTION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
44N 04W 31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														X	X		

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
44N 04W 31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
															1.0		1.0

Total Acres: 1

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **July 01, 2012**.
2. Subject to all prior water rights.
3. Water shall not be diverted from fire protection storage except to fight or repel an existing fire.
4. Right 93-7174 authorize the diversion of an annual total of 3.6 acre-feet to be used for the initial filling of the pond and for the replacement of losses caused by seepage and evaporation.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
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. This right does not grant any right-of-way or easement across the land of another.

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 30 day of June, 2011.


GARY SPACKMAN, Interim Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

June 30, 2011

DAMAN LAND AND TIMBER LLC
1828 SHEEP CREEK RD
DESMET ID 83824

GLENN DAMAN
1828 SHEEP CREEK RD
DESMET ID 83824

RE: Permit No.93-7174

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,

A handwritten signature in black ink, appearing to read "Keith E. Franklin". The signature is fluid and cursive, with the first name "Keith" being more prominent.

Keith E. Franklin

Sr. Water Resource Agent

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on July 1, 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. 93-7174

**GLENN DAMAN
1828 SHEEP CREEK RD
DESMET ID 83824**

**DAMAN LAND AND TIMBER LLC
1828 SHEEP CREEK RD
DESMET ID 83824**

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.

MEMORANDUM

Date: June 30, 2011
To: Water Right File 93-7174
From: edavis
Re: diversion rate

The rate of diversion was data entered as 5.70 cfs instead of 0.07 cfs and so advertised. This error was found and corrected at permitting. No need was found to re-advertise the application.

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

P 5/2/11

W.R. # 93-7174

APPLICATION ID # 77158

ENT. ED

BCA 4/27

OK to Publish 4/26/11

APPLICANT: DAMAN

INITIAL REVIEW

BY: ED

DATE: 4/18/2011

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 4-8-11 By: ED
- Field check: by _____
- Field report attached _____
- Analysis Supp. Attached (>5cfs/500af) _____
- Water delivered by water master? Water District # _____

PROCESSING

(Yes)(No)

PRIORITY DATE: 4/18/2011

☒ ☒

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

ADVERTISE IN:

Newspaper: Bendwah County

Dates scheduled for publication 5/4 & 11/1

Affidavit of Publication received: 5/12/11

Dates actually published: _____

Application published correctly. Yes ☒ No _____

If not, action taken: _____

Final Date for Protest: 5/23

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	<u>Spring</u>	Remarks: _____	
_____	_____	Critical ground water area		_____	
_____	_____	Well Drilling Permit required		_____	
_____	_____	Well Drilling Application and Fees received		_____	
_____	_____	Well Drilling Application approved?		_____	

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:



Date: 6/17/2011 Sr. Agent initial ED

APPLICATION NOTICE

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

91-7303

RONALD E CRAIG

MARYT CRAIG

1960 COTTONWOOD DR

ST MARIES, ID 83861

Point of Diversion L5(SENW) S17 T46N R02W

BENEMAH 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: 4/12/2011

Place Of Use: DOMESTIC T46N R02W S17 L5(SENW)

Domestic use is for 1 home.

92-10158

ROBERT R KREBS

1104 SHEPHARD RD

ST MARIES, ID 83861

Point of Diversion SWSW S16 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: 4/11/2011

Place Of Use: DOMESTIC T46N R02W S16 L9(SWSW)

Domestic use is for 1 home.

92-10161

JACK WAGNER

ANDREA WAGNER

1415 28 TH AVE

LEWISTON, ID 83501

Point of Diversion SWSW S16 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: 4/15/2011

Place Of Use: DOMESTIC T46N R02W S16 L9(SWSW)

Domestic use is for 1 home and 1 RV site.

92-10162

GARY DAWSON

5111 S ADAMS ST

SEATTLE, WA 98118

Point of Diversion L9(SWSW) S16 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: 4/18/2011

Place Of Use: DOMESTIC T46N R02W S16 L9(SWSW)

Domestic use is for 1 home.

92-10166

ALVIN BALDWIN

NORMA BALDWIN

590 LOST CABIN TRAIL

ST MARIES, ID 83861-5007

Point of Diversion SWSW S25 T45N R03W

BENEMAH COUNTY

Source SPRING tributary ALDER CREEK

Point of Diversion SESW S25 T45N R03W Benewah CO

Source ALDER CREEK tributary ST MARIES RIVER

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

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

Total Diversion: 0.07 CFS

Date Filed: 4/18/2011

Place Of Use: DOMESTIC T45N R03W S25 SESW

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 1

Domestic use is for 1 home.

93-7174

DAMAN LAND AND TIMBER LLC

GLENN DAMAN

1828 SHEEP CREEK RD

DESMET, ID 83824

Point of Diversion SENWSE S31 T44N R04W Benewah CO

Source SPRING

Use: IRRIGATION 03/15 to 11/15 0.03 CFS

Use: IRRIGATION Storage 03/15 to 11/15 3.6 AF

Use: IRRIGATION from Storage 03/15 to 11/15 3 AF

Use: WILDLIFE Storage 01/01 to 12/31 3.6 AF

Use: RECREATION Storage 01/01 to 12/31 3.6 AF

Use: FIRE PROTECTION Storage 01/01 to 12/31 3.6 AF

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

Total Diversion: 5.7 CFS

Date Filed: 4/4/2011

Place Of Use: RECREATION STORAGE, WILDLIFE STORAGE

AND FIRE PROTECTION STORAGE

T44N R04W S31 NWSE SWSW

Place Of Use: IRRIGATION T44N R04W S31 SWSE

Total Acres: 1

Recreation use is for fishing and swimming.

93-7178

STUART D AND NORA K LANNING TRUST

1475 SOUTH FORK HANGMAN CREEK RD

TENSED, ID 83870

Points of Diversion(3) SESE S12 T43N R04W Benewah CO

Source Unnamed Stream tributary So. Fork Hangman Creek

Point of Diversion SESE S12 T43N R04W BENEMAH CO

Source RUNOFF tributary SINKS

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

Use: STOCKWATER Storage 01/01 to 12/31 11.5 AF

Use: STOCKWATER from Storage 01/01 to 12/31 0.7 AF

Use: WILDLIFE Storage 01/01 to 12/31 10.8 AF

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

Use: DOMESTIC Storage 01/01 to 12/31 6.2 AF

Use: DOMESTIC from Storage 01/01 to 12/31 1.2 AF

Use: RECREATION Storage 01/01 to 12/31 5.8 AF

Use: FIRE PROTECTION Storage 01/01 to 12/31 10.8 AF

Total Diversion: 0.06 CFS

Date Filed: 4/18/2011

Place Of Use: DOMESTIC T43N R04W S12 SESE

Place Of Use: ALL OTHER USES same as DOMESTIC

Domestic use is for 1 home.

Recreation use is for fishing and swimming.

Stockwater use is for 50 head of mixed stock.

93-7181

STUART D AND NORA K LANNING TRUST

1475 SOUTH FORK HANGMAN CREEK RD

TENSED, ID 83870

Points of Diversion(2) SWSW S23 T44N R04W Benewah CO

Source SPRINGS tributary HANGMAN CREEK

Use: Irrigation Storage 01/01 to 12/31 7.5 AF

Use: Irrigation from Storage 04/01 to 10/31 3 AF

Use: Stockwater Storage 01/01 to 12/31 7.8 AF

Use: Stockwater from Storage 01/01 to 12/31 0.7 AF

Use: Wildlife Storage 01/01 to 12/31 7.1 AF

Use: Recreation Storage 01/01 to 12/31 7.1 AF

Use: Fire Protection Storage 01/01 to 12/31 7.1 AF

Total Diversion: 10.8 AF

Date Filed: 4/18/2011

Place Of Use: IRRIGATION STORAGE

T44N R04W S23 NWSW SWSW

Place Of Use: IRRIGATION FROM STORAGE

T44N R04W S23 SWSW

Place Of Use: ALL OTHER STORAGE USES

T44N R04W S23 NWSW SWSW

Total Acres: 1

Stockwater use is for 50 head of mixed stock.

Recreation use is for swimming and fishing.

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 5/23/2011. The protestant must also send a

copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

7954 May 4-May 11

Affidavit of Publication

RECEIVED
MAY 12 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 11 day of May, 2011 and the last on the 11 day of May, 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 11 day of May, 2011.

Cynthia Ann Hammes

STATE OF IDAHO)

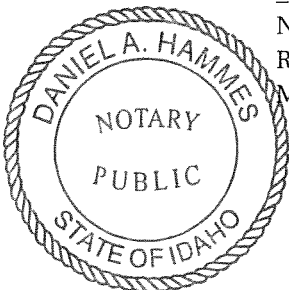
COUNTY OF BENEWAH)

On this 11 day of May, 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



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

91-7303

RONALD E CRAIG
MARY T CRAIG
1960 COTTONWOOD DR
ST MARIES, ID 83861
Point of Diversion L5(SENW) 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: 4/12/2011
Place Of Use: DOMESTIC T46N R02W S17 L5(SENW)
Domestic use is for 1 home.

92-10158

ROBERT R KREBS
1104 SHEPHARD RD
ST MAIRES, ID 83861
Point of Diversion SWSW S16 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: 4/11/2011
Place Of Use: DOMESTIC T46N R02W S16 L9(SWSW)
Domestic use is for 1 home.

92-10161

JACK WAGNER
ANDREA WAGNER
1415 28 TH AVE
LEWISTON, ID 83501
Point of Diversion SWSW S16 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: 4/15/2011
Place Of Use: DOMESTIC T46N R02W S16 L9(SWSW)
Domestic use is for 1 home and 1 RV site.

92-10162

GARY DAWSON
5111 S ADAMS ST
SEATTLE, WA 98118
Point of Diversion L9(SWSW) S16 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: 4/18/2011
Place Of Use: DOMESTIC T46N R02W S16 L9(SWSW)
Domestic use is for 1 home.

92-10166

ALVIN BALDWIN
NORMA BALDWIN
590 LOST CABIN TRAIL
ST MARIES, ID 83861-5007
Point of Diversion SWSESW S25 T45N R03W
BENEWAH COUNTY
Source SPRING tributary ALDER CREEK
Point of Diversion SESW S25 T45N R03W Benewah CO
Source ALDER CREEK tributary ST MARIES RIVER
Use: IRRIGATION 03/15 to 10/31 0.03 CFS
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.07 CFS

Date Filed: 4/18/2011
Place Of Use: DOMESTIC T45N R03W S25 SESW
Place Of Use: IRRIGATION same as DOMESTIC
Total Acres: 1
Domestic use is for 1 home.

93-7174

DAMAN LAND AND TIMBER LLC
GLENN DAMAN
1828 SHEEP CREEK RD
DESMET, ID 83824
Point of Diversion SENWSE S31 T44N R04W Benewah CO
Source SPRING

Use: IRRIGATION	03/15 to 11/15	0.03 CFS
Use: IRRIGATION Storage	03/15 to 11/15	3.6 AF
Use: IRRIGATION from Storage	03/15 to 11/15	3 AF
Use: WILDLIFE Storage	01/01 to 12/31	3.6 AF
Use: RECREATION Storage	01/01 to 12/31	3.6 AF
Use: FIRE PROTECTION Storage	01/01 to 12/31	3.6 AF
Use: DIVERSION to Storage	01/01 to 12/31	0.04 CFS
Total Diversion:		5.7 CFS

Date Filed: 4/4/2011

Place Of Use: RECREATION STORAGE, WILDLIFE
STORAGE AND FIRE PROTECTION STORAGE

T44N R04W S31 NWSE SWSE

Place Of Use: IRRIGATION T44N R04W S31 SWSE

Total Acres: 1

Recreation use is for fishing and swimming.

93-7178

STUART D AND NORA K LANNING TRUST

1475 SOUTH FORK HANGMAN CREEK RD

TENSED, ID 83870

Points of Diversion(3) SESE S12 T43N R04W Benewah CO

Source Unnamed Stream tributary South Fork Hangman Creek

Point of Diversion SESE S12 T43N R04W BENEWAH CO

Source RUNOFF tributary SINKS

Use: STOCKWATER	01/01 to 12/31	0.02 CFS
Use: STOCKWATER Storage	01/01 to 12/31	11.5 AF
Use: STOCKWATER from Storage	01/01 to 12/31	0.7 AF
Use: WILDLIFE Storage	01/01 to 12/31	10.8 AF
Use: DOMESTIC	01/01 to 12/31	0.04 CFS
Use: DOMESTIC Storage	01/01 to 12/31	6.2 AF
Use: DOMESTIC from Storage	01/01 to 12/31	1.2 AF
Use: RECREATION Storage	01/01 to 12/31	5.8 AF
Use: FIRE PROTECTION Storage	01/01 to 12/31	10.8 AF
Total Diversion:		0.06 CFS

Date Filed: 4/18/2011

Place Of Use: DOMESTIC T43N R04W S12 SESE

Place Of Use: ALL OTHER USES same as DOMESTIC

Domestic use is for 1 home.

Recreation use is for fishing and swimming.

Stockwater use is for 50 head of mixed stock.

93-7181

STUART D AND NORA K LANNING TRUST

1475 SOUTH FORK HANGMAN CREEK RD

TENSED, ID 83870

Points of Diversion(2) SWSW S23 T44N R04W Benewah CO

Source SPRINGS tributary HANGMAN CREEK

Use: Irrigation Storage	01/01 to 12/31	7.5 AF
Use: Irrigation from Storage	04/01 to 10/31	3 AF
Use: Stockwater Storage	01/01 to 12/31	7.8 AF
Use: Stockwater from Storage	01/01 to 12/31	0.7 AF
Use: Wildlife Storage	01/01 to 12/31	7.1 AF
Use: Recreation Storage	01/01 to 12/31	7.1 AF
Use: Fire Protection Storage	01/01 to 12/31	7.1 AF
Total Diversion:		10.8 AF

Date Filed: 4/18/2011

Place Of Use: IRRIGATION STORAGE

T44N R04W S23 NWSW SWSW

Place Of Use: IRRIGATION FROM STORAGE

T44N R04W S23 SWSW

Place Of Use: ALL OTHER STORAGE USES

T44N R04W S23 NWSW SWSW

Total Acres: 1

Stockwater use is for 50 head of mixed stock

Recreation use is for swimming and fishing.

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 5/23/2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 5/4/2011 and 5/11/2011

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, April 27, 2011 11:24 AM
To: Legal Notices-SMGazette Benewah Co (kaisie@smgazette.com)
Subject: Application for Permit No. 91-7303, 92-10158, 92-10161, 92-10162, 92-10166. 93-7174, 93-7181, 93-7178

Hi, Kaisie,

This one is quite large – contains 8 applications.

Please publish the enclosed legal notice on the dates indicated, May 4 and 11, 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 5/23/2011. Your cooperation is, as always, very greatly appreciated.

Thanks for your patience as we work together on these.



LegalNotice
14-26-11 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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

April 26, 2011

DAMAN LAND AND TIMBER LLC
GLENN DAMAN
1828 SHEEP CREEK RD
DESMET, ID 83824

Application For Permit No. 93-7174

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 5/4/2011 and 5/11/2011. 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

Enc. Receipt No. N026937

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, April 26, 2011 2:13 PM
To: mary.terra-berns@idfg.idaho.gov
Subject: RE: Application for Permit No. 92-10166; 93-7174, 93-7178 and 93-7181

Dear Mary:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference.

These are being prepared for publication in St Maries Gazette on May 4 and 11, 2011 with May 23, 2011 as final date for protests to be received in our office.



92-10166_Baldwin.
pdf



93-7174_Daman_La
nd_and_Timber....



93-7178_Lanning_T
rust.pdf



93-7181_Lanning_T
rust.pdf

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 Eric Davis in this office if you have any questions regarding Baldwin or Daman Land and Timber applications.

Please contact Keith Franklin in this office if you have any questions regarding either of the Lanning Trust 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

APR 04 2011

IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. _____

1. Name of applicant(s) Daman Land & Timber LLC, and/or Glenn Daman Phone 208-274-5333
Name connector (check one): ☐ and ☐ or ☒ and/or

Mailing address: 1828 Sheep Creek Road City DeSmet

State ID Zip 83824 Email: damanfarm@cpcinternet.com

2. Source of water supply spring which is a tributary of sink

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
44N	4W	31			W1/2	SE	Benewah	<u>Spring</u>	

4. Water will be used for the following purposes:

Amount 1 for Irrigation purposes from 5-1 to 9-30 (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for Recreation purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for Wildlife purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for Fire Protection purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) _____ cubic feet per second (cfs) and/or (b) 1 acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Water will be pumped with an 1/2-3/4 horse electric pump to the yard and garden area. The pond as a berm of about 2' with an average water depth of 10'

b. Height of storage dam 2' feet; active reservoir capacity 2.7 acre-feet; total reservoir capacity 2.7 acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.

For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No

e. If well is already drilled, when? _____; drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____.

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households _____

e. Other; describe fully. Pond was originally dug in the late 1990's for a fish pond and recreation, the pond was stocked with trout at that time. It currently has no fish, however we may restock in the future.

8. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
44N	4W	31															1		1

Total number of acres to be irrigated: 1

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? Other water right 93-4019 is used for the yard and garden at this time

10. a. Who owns the property at the point of diversion? Daman Land & Timber LLC and/or Glenn Daman

b. Who owns the land to be irrigated or place of use? Paul and Leann Daman (partners in Daman Land & Timber LLC)

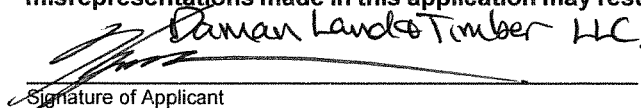
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Keith Daman is general Manager for Daman Land & Timber LLC

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. This pond will be used to irrigate a yard and garden area including fruit trees of approximately 1 acre
The Pond was constructed in the 1990's and was a fish and recreation pond. With the potential use for irrigating a yard, garden and fruit trees.

12. Time required for completion of works and application of water to proposed beneficial use is years (minimum 1 year).

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Daman Land & Timber LLC


Signature of Applicant

Keith W. Daman GM
 Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by db Date 4/4/11 Time Preliminary check by

Fee \$ Received by Receipt No. Date



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

April 7, 2011

Daman Land & Timber LLC
1828 Sheep Creek Rd
DeSmet, ID 83824

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

The application you had submitted was missing some data. I discovered this after the application was submitted. Please review the application I have returned to you with this letter. If you agree with all the data on this application please sign and return it with the map. I have attached a map with the outline location of the place use. The map that you supplied with your application did not indicate the location of spring. Please review this map for the correct location of the place of use and point of diversion. Please make your changes to the application and map to reflect how this water application is to be used. The fee for this application is \$100.00.

Once the department receives this additional information and fee, processing of the application can continue. If you have any questions, please call me at 208-762-2800 or email me at eric.davis@idwr.idaho.gov.

Sincerely,

Eric Davis
Senior Water Resource Agent
Northern Region