

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 92-10166

Priority: April 18, 2011

Maximum Diversion Rate: 0.07 CFS

This is to certify, that NORMA BALDWIN
590 LOST CABIN TRAIL
ST MARIES ID 83861-5007

And

ALVIN BALDWIN
590 LOST CABIN TRAIL
ST MARIES ID 83861-5007

has applied for a permit to appropriate water from:

Source: ALDER CREEK
SPRING

Tributary: ST MARIES RIVER
ALDER CREEK

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	03/15 to 10/31	0.03 CFS

LOCATION OF POINT(S) OF DIVERSION:

SPRING SW1/4SE1/4SW1/4 Sec. 25, Twp 45N, Rge 03W, B.M. BENEWAH County
ALDER CREEK SE1/4SW1/4 Sec. 25, Twp 45N, Rge 03W, B.M. BENEWAH 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	
45N 03W 25												X					

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	
45N 03W 25												1.0					1.0

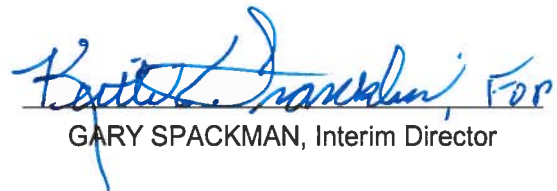
Total Acres: 1

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 92-10166

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **July 01, 2014**.
2. Subject to all prior water rights.
3. Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
4. Water shall not be diverted under this right when flows in the St. Maries River are below minimum flow amounts as defined by Right 92-7200.
5. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion on Alder Creek.
6. The approach velocity at the point of diversion on Alder Creek shall not exceed 0.5 feet per second.
7. 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.
8. 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 24 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 27, 2011

NORMA BALDWIN
590 LOST CABIN TRAIL
ST MARIES ID 83861-5007

ALVIN BALDWIN
590 LOST CABIN TRAIL
ST MARIES ID 83861-5007

RE: Permit No.92-10166

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-762-2800.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith E. Franklin". The signature is stylized with a large, looped "K" and "F".

Keith E. Franklin

Sr. Water Resource Agent

Enclosure(s)

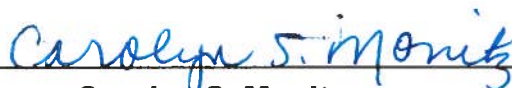
CERTIFICATE OF SERVICE

I hereby certify that on June 28, 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.

92-10166

**ALVIN BALDWIN
NORMA BALDWIN
590 LOST CABIN TRAIL
ST MARIES ID 83861-5007**



**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
APPLICATION ANALYSIS SHEET**

P 5/2/11

W.R. # 92 - 10166

APPLICATION ID # 77194

ENT. ED BCA 4/27 OK to Publish 4/26/11

APPLICANT: Baldwin

INITIAL REVIEW

BY: ED DATE: 4/26/2011

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 4-25-11 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: BENEFAN County
 Newspaper: SM

Dates scheduled for publication 5/4 + 11/4

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. <u>Non-Dom.</u>	Paid \$ _____	_____	Y () N ()
_____	_____	Dom. <u>Non-Dom.</u>	Paid \$ _____	_____	Y () N ()
_____	_____	Dom. <u>Non-Dom.</u>	Paid \$ _____	_____	Y () N ()

Spring / Alder Creek

- ☐ 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: MSF ST. MARIES RIVER, 1/4 screen at diversion on Alder cr.
- ☒ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: Ed [Signature] 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:

-92-10166

ALVIN BALDWIN
NORMA BALDWIN
590 LOST CABIN TRAIL
ST MARIES, ID 83861-5007

IDWR / NORTH

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

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

Point of Diversion SESW S25 T45N R03W
BENEMAH COUNTY
Source SPRING tributary ALDER CREEK
Point of Diversion SESW S25 T45N R03W
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: 4/12/2011

Place Of Use: DOMESTIC T46N R02W S17 L5(SENW)
Domestic use is for 1 home.

92-10158

ROBERT R KREBS
1104 SHEPARD 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 SWSW S25 T45N R03W
BENEMAH COUNTY
Source SPRING tributary ALDER CREEK
Point of Diversion SESW S25 T45N R03W
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

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

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 3.6 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: 4/18/2011

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 3.6 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 SWSW
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
TENNES, 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

Point of Diversion 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.

STUART D AND NORA K LANNING TRUST
1475 SOUTH FORK HANGMAN CREEK RD
TENNES, 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

Point of Diversion 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.

STUART D AND NORA K LANNING TRUST
1475 SOUTH FORK HANGMAN CREEK RD
TENNES, 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

Point of Diversion 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.

STUART D AND NORA K LANNING TRUST
1475 SOUTH FORK HANGMAN CREEK RD
TENNES, 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

Point of Diversion 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.

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
TENNES, 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
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 9 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.

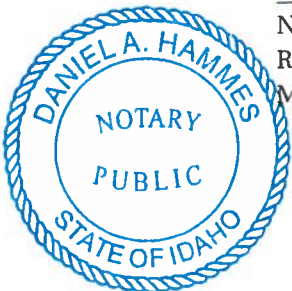
Daniel A. Hammes

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
4-26-11 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

ALVIN BALDWIN
NORMA BALDWIN
590 LOST CABIN TRAIL
ST MARIES, ID 83861-5007

Application For Permit No. 92-10166

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. N026936

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

INSTRUCTIONS REVERSE SIDE.

System Name Spring (Private) PWS ID No. _____

Walden Date Collected 9-14-07 County Brenham

Transporting Sample to Lab Walden

Method of Transport ☐ Cooled ☐ Mail ☐ Carrier ☐ Other

Report Results To: _____

Alvin Walden

40 West Cabin Trail Zip Code 77861

St. Marys State Id

Number 208-245-1789

COLIFORM BACTERIA ANALYSIS REPORT

CONTAMINANT ID# 3100

Certification ID 00965

☐ Public Drinking Water System Compliance Sample ☐ Yes ☒ No

☒ Private Drinking Water

Shaded areas must be fully filled out or samples will not be run. Private samples need not have PWS# or chlorine residual. Clear areas are for lab use only.

Your sample will be analyzed for TOTAL COLIFORMS unless you specify another analysis under Remarks.

For PWS only, if this is a repeat sample, mark the date of the ORIGINAL POSITIVE SAMPLE.

2195 Ironwood Court, Suite C
Coeur d'Alene, ID 83814 • 208-665-5666



Payment ☐ Bill ☐ Prepaid ☒ Payment received with

Sample: Receipt # 35246
Cash by Alvin Baldwin

RESULTS

LABORATORY Sample Number (USE ONLY)	Sample Type Code	Sample Location	Time Collected	Chlorine Residual PPM Total Free	Date of Original Positive Sample	TOTAL COLIFORMS		FECAL COLIFORMS		ESCHERICHIA COLI	
						Method Code	(P)resent (A)bsent #100ml	Method Code	(P)resent (A)bsent #100ml	Method Code	(P)resent (A)bsent #100ml
<u>1327-01</u>		<u>From end of pipe</u>	<u>8:00pm</u>			<u>WMD</u>	<u>P</u>			<u>WMD</u>	<u>A</u>

Type codes RS - Routine Sample RP - Repeat Sample (At original tap) X - Other Repeat W - Unreated (source)
U - Upstream Repeat C - Construction/Special
D - Downstream Repeat E - Enforcement (chain of custody required)

Chain-of-Custody Information

Shed by: Alvin Baldwin Date: 9-14-07 Time: 4:15pm Relinquished by: _____ Date: _____ Time: _____

Received by: Alvin Baldwin Date: 9-14-07 Time: 4:15pm Relinquished by: _____ Date: _____ Time: _____

TIME RECEIVED 9-14-07 1615 ANALYST Alvin Baldwin REMARKS Temp 26°C on arrival

TIME ANALYZED 9-14-07 1700 SUPERVISOR Alvin Baldwin

DATE REVIEWED 9/15/07

7/13/10

F 100 - PARCEL MASTER INQUIRY

10:15:48

PARCEL: RP 000300110290 A F1=SL

F9=MS

F14=HO

F17=DD F19=SP

LEGAL DESCRIPTION

S25 T45N R3W

EG-29 (PT OF BDL-11) (S2S2SESW,
S2SESWSW)

ProVal Area Number 1

CODE AREA 5-0000 OWNER CD

PARC TYPE LOC CODE 4

EFFDATE 1012010 EXPDATE

PREV PARCEL RP000300110290T

590 LOST CABIN TRAIL

ST MARIES ID 83861

590 LOST CABIN TRAIL 83861

X for parcel comments

CAT/ST#	RY	QUANTITY	UN	VALUE	HO	MRKT	HO	EXMP	CB	MRKT	OTHER
15 1	2007	13000	AC	5000		5000		2500			
15 2	2007			42000							
32 1	2007			4420							
37 1	2007			8540		8540		4270			
TOTALS		13000		59960		13540		6770			

ENTER NEXT PARCEL NUMBER RP

A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
 F8=CT F13=TM F18=HS F20=SrcH F22=EU