

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 91-07259

Priority: January 04, 2011

Maximum Diversion Rate: 0.04 CFS

This is to certify, that JERRY ROBERT GREGORY And/Or
PATRICIA GAY GREGORY
12530 N HAUSER LAKE RD
HAUSER ID 83854

has applied for a permit to appropriate water from:

Source: ST JOE RIVER

Tributary: COEUR D ALENE LAKE

and a permit is APPROVED for development of water as follows:

BENEFICIAL USE

DOMESTIC

PERIOD OF USE

01/01 to 12/31

RATE OF DIVERSION

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

ST JOE RIVER L8 (NW1/4SE1/4) Sec. 20, Twp 46N, Rge 01E, 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	
46N 01E 20													X	X			L 9 L 8

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **June 01, 2014**.
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
5. Domestic use is for 1 home.
6. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
7. A fish screen of 0.25 inch or smaller mesh shall be installed and maintained at the point of diversion.
8. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.
9. Water shall not be diverted under this right when flows in the St. Joe River are below minimum flow amounts as defined by Right 91-7122.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Coeur d'Alene, this 14 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 14, 2011

JERRY ROBERT GREGORY
12530 N HAUSER LAKE RD
HAUSER ID 83854

PATRICIA GAY GREGORY
12530 N HAUSER LAKE RD
HAUSER ID 83854

RE: Permit No.91-7259

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 fluid and cursive, with the first name "Keith" being more prominent and the last name "Franklin" following in a similar style. The initials "E." are written between the first and last names.

Keith E. Franklin

Sr. Water Resource Agent

Enclosure(s)

CERTIFICATE OF SERVICE

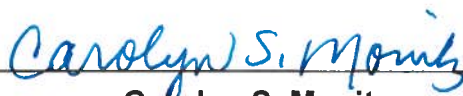
I hereby certify that on June 16, 2011 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

91-7259

**JERRY ROBERT GREGORY
12530 N HAUSER LAKE RD
HAUSER ID 83854**

**PATRICIA GAY GREGORY
12530 N HAUSER LAKE RD
HAUSER ID 83854**



**Carolyn S. Monitz
Technical Records Specialist**

Statement of Available Procedures and Applicable Time Limits

RESPONDING TO PRELIMINARY ORDERS ISSUED BY THE IDAHO DEPARTMENT OF WATER RESOURCES (To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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

W.R. # 91 - 7259

APPLICATION ID # 716996

ENT. 1/10/11 BCA 2/10/11 OK to Publish 2/10/11

APPLICANT: Gregory

INITIAL REVIEW

BY: KD DATE: 1/10/2011

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

(Yes)(No)
☒ **Shape File Created** Date 1/10/11 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: 1/4/2011

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

ADVERTISE IN: Bonewah County

Newspaper: SM

Dates scheduled for publication 2/16 & 23/11

Affidavit of Publication received: 3/4/11

Dates actually published: 2/16 & 23/11

Application published correctly. Yes ☒ No ☐

If not, action taken: _____

Final Date for Protest: 3/7/11

Protests Received: Yes ☐ No ☒

LETTERS SENT REQUESTING:

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

INFORMATION RECEIVED:

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

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()

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

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

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

- ☒ Measuring device required
☒ Measuring port required
☒ Special conditions: Min. Stream Flow St. Joe River
☒ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: Bertie Jordan Date: 3/29/2011 Sr. Agent initial KD

RECEIVED
MAR 04 2011
IDWR / NORTH

PUBLIC NOTICES

NOTICE OF APPLICATIONS

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

91-7250
JACK W HAROLD
MARION L HAROLD
2035 ST JOE RIVER RD
ST MARIES, ID 83861
Point of Diversion NWNW S13 T46N R02W BENENWAH CO
Source BELLS LAKE Tributary ST JOE RIVER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 12/15/2010
Place Of Use: DOMESTIC T46N R02W S13 NWNW
Domestic use is for 1 home.
91-7259
JERRY ROBERT GREGORY
PATRICIA GAY GREGORY
12530 N HAUSER LAKE RD
HAUSER, ID 83854
Point of Diversion L8(NWSE) S20 T46N R01E
BENENWAH 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: 1/4/2011
Place Of Use: DOMESTIC
T46N R01E S20 L9(NWSE) L8(NWSE)
Domestic use is for 1 home.
91-7260
RANDALL ALAN GEIB
MAMIE F GEIB
3718 N MONARCH DR
COEUR D ALENE, ID 83815
Point of Diversion L8(NWSE) S20 T46N R01E BENENWAH 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: 1/4/2011
Place Of Use: DOMESTIC T46N R01E S20 L8(NWSE)
Domestic use is for 1 home.
91-7272
ROBERT F MILLER
22631 SW 96TH DR
TUALATIN, OR 97062

Points of Diversion(2) L6(NWSE) S17 T46N R02W
BENENWAH CO
Source ST JOE RIVER Tributary COEUR D ALENE LAKE
Use: IRRIGATION 03/15 to 10/31 0.03 CFS
Total Diversion: 0.03 CFS
Date Filed: 1/31/2011
Place Of Use: IRRIGATION T46N R02W S17 L6(NWSE)
Total Acres: 1
92-10101
GAIL D HAGEN
1633 AIRWAY AVE.
LEWISTON, ID 83501
Point of Diversion SENE S30 T44N R01E BENENWAH CO
Source CRYSTAL CREEK Tributary ST MARIES RIVER
Use: RECREATION 01/01 to 12/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 1/7/2011
Place Of Use: RECREATION T44N R01E S30 SENE
Place of Use: RECREATION STORAGE same as RECREATION
Recreation use is for fishing, swimming and boating.
92-10109
JOEL NEWSOM
CINDY NEWSOM
260 S RIVER HIDEAWAY
ST MARIES, ID 83861
Point of Diversion SWNE S8 T44N R01W BENENWAH CO
Point of Diversion NWNE S8 T44N R01W BENENWAH CO
Source for both: ST MARIES RIVER tributary ST JOE RIVER
Use: IRRIGATION 03/15 to 10/31 0.1 CFS
Total Diversion: 0.1 CFS
Date Filed: 1/31/2011
Place Of Use: IRRIGATION T44N R01W S8 NWNE SWNE
Total Acres: 5
93-7127
MICHAEL MC CARVER
JENNIFER MC CARVER
PO BOX 115
TENSED, ID 83870
Point of Diversion SENENW S21 T44N R04W BENENWAH CO
Point of Diversion NENENE S21 T44N R04W BENENWAH CO
Point of Diversion SESENE S22 T44N R04W BENENWAH CO
Point of Diversion SESENE S22 T44N R04W BENENWAH CO
All above sources: SPRINGS Tributary HANCMAN CREEK
Point of Diversion NENW S22 T44N R04W BENENWAH CO

Source RUNOFF Tributary SQUAW CREEK
Use: STOCKWATER 01/01 to 12/31 0.19 CFS
Use: STOCKWATER STORAGE 01/01 to 12/31 37.1 AF
Use: STOCKWATER from STORAGE 01/01 to 12/31 10.1 AF
Use: WILDLIFE STORAGE 01/01 to 12/31 27 AF
Use: RECREATION 01/01 to 12/31 0.19 CFS
Use: RECREATION STORAGE 01/01 to 12/31 27 AF
Use: FIRE PROTECTION STORAGE 01/01 to 12/31 27 AF
Use: DIVERSION TO STORAGE 01/01 to 12/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 1/24/2011
Place Of Use: STOCKWATER
T44N R04W S21 NENE NENW
T44N R04W S22 SENE NENW
Place Of Use: ALL OTHER USES same as STOCKWATER
Recreation is for fishing, swimming and boating.
Stockwater use is for 750 head mixed stock.
95-13939
ISL GROUP LLC
7475 E YELLOWSTONE TRAIL
COEUR D ALENE, ID 83816
Point of Diversion SWNE S19 T46N R04W BENENWAH CO
Source UNNAMED STREAM Tributary PLUMMER CREEK
Use: STOCKWATER 01/01 to 12/31 0.02 CFS
Use: STOCKWATER STORAGE 01/01 to 12/31 3.1 AF
Use: STOCKWATER from STORAGE 01/01 to 12/31 0.4 AF
Use: WILDLIFE STORAGE 01/01 to 12/31 2.7 AF
Use: FIRE PROTECTION STORAGE 01/01 to 12/31 2.7 AF
Total Diversion: 0.02 CFS
Date Filed: 1/6/2011
Place Of Use: STOCKWATER T46N R04W S19 SWNE
Place Of Use: ALL OTHER USES same as STOCKWATER
Stockwater use is for 25 head of mixed stock.
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 3/7/2011. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Interim Director
7909 Feb. 16-Feb. 23

Affidavit of Publication

RECEIVED
MAR 04 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 3 issues, the first publication being on the 10 day of February, 2011 and the last on the 23 day of February, 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 23 day of February, 2011.

Cynthia Ann Hammes

STATE OF IDAHO)

COUNTY OF BENEWAH)

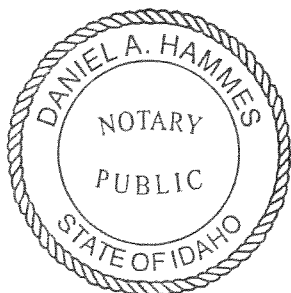
On this 23 day of February, in the year of 2011 before me, a Notary Public, personally appeared Cynthia Ann Hammes, known or identified to me to be the person whose name subscribed to within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Daniel G. Hamm
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:

91-7250

JACK W HAROLD

MARION L HAROLD

2035 ST JOE RIVER RD

ST MARIES, ID 83861

Point of Diversion NWNW S13 T46N R02W BENEWAH CO

Source BELLS LAKE Tributary ST JOE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 12/15/2010

Place Of Use: DOMESTIC T46N R02W S13 NWNW

Domestic use is for 1 home.

91-7259

JERRY ROBERT GREGORY

PATRICIA GAY GREGORY

12530 N HAUSER LAKE RD

HAUSER, ID 83854

Point of Diversion L8(NWSE) S20 T46N R01E 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: 1/4/2011

Place Of Use: DOMESTIC

T46N R01E S20 L9(NESE) L8(NWSE)

Domestic use is for 1 home.

91-7260

RANDALL ALAN GEIB

MAMIE F GEIB

3718 N MONARCH DR

COEUR D ALENE, ID 83815

Point of Diversion L8(NWSE) S20 T46N R01E 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: 1/4/2011

Place Of Use: DOMESTIC T46N R01E S20 L8(NWSE)

Domestic use is for 1 home.

91-7272

ROBERT F MILLER

22631 SW 96TH DR

TUALATIN, OR 97062

Points of Diversion(2) L6(NESE) S17 T46N R02W BENEWAH CO

Source ST JOE RIVER Tributary COEUR D ALENE LAKE

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

Total Diversion: 0.03 CFS

Date Filed: 1/31/2011

Place Of Use: IRRIGATION T46N R02W S17 L6(NESE)

Total Acres: 1

92-10101

GAIL D HAGEN

1633 AIRWAY AVE.

LEWISTON, ID 83501

Point of Diversion SENE S30 T44N R01E BENEWAH CO

Source CRYSTAL CREEK Tributary ST MARIES RIVER

Use: RECREATION 01/01 to 12/31 0.2 CFS

Use: RECREATION STORAGE 01/01 to 12/31 7.7 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 1/7/2011

Place Of Use: RECREATION T44N R01E S30 SENE

Place of Use: RECREATION STORAGE same as RECREATION

Recreation use is for fishing, swimming and boating.

92-10109

JOEL NEWSOM

CINDY NEWSOM

260 S.RIVER HIDEAWAY

ST MARIES, ID 83861

Point of Diversion SWNE S8 T44N R01W BENEWAH CO

Point of Diversion NWNE S8 T44N R01W BENEWAH CO

Source for both: ST MARIES RIVER tributary ST JOE RIVER

Use: IRRIGATION 03/15 to 10/ 0.1 CFS
Total Diversion: 0.1 CFS

Date Filed: 1/31/2011

Place Of Use: IRRIGATION T44N R01W S8 NWNE SWNE

Total Acres: 5

93-7127

MICHAEL MC CARVER

JENNIFER MC CARVER

PO BOX 115

TENSED, ID 83870

Point of Diversion SENENW S21 T44N R04W BENEWAH CO

Point of Diversion NENENE S21 T44N R04W BENEWAH CO

Point of Diversion SESENE S22 T44N R04W BENEWAH CO

Point of Diversion SESENE S22 T44N R04W BENEWAH CO

All above sources: SPRINGS Tributary HANGMAN CREEK

Point of Diversion NENW S22 T44N R04W BENEWAH CO

Source RUNOFF Tributary SQUAW CREEK

Use: STOCKWATER 01/01 to 12/31 0.19 CFS

Use: STOCKWATER STORAGE 01/01 to 12/31 37.1 AF

Use: STOCKWATER from STORAGE 01/01 to 12/31 10.1 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 27 AF

Use: RECREATION 01/01 to 12/31 0.19 CFS

Use: RECREATION STORAGE 01/01 to 12/31 27 AF

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 27 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 1/24/2011

Place Of Use: STOCKWATER

T44N R04W S21 NENE NENW

T44N R04W S22 SENE NENW

Place Of Use: ALL OTHER USES same as STOCKWATER

Recreation is for fishing, swimming and boating.

Stockwater use is for 750 head mixed stock.

95-13939

JSL GROUP LLC

7475 E YELLOWSTONE TRAIL

COEUR D'ALENE, ID 83816

Point of Diversion SWNE S19 T46N R04W BENEWAH CO

Source UNNAMED STREAM Tributary PLUMMER CREEK

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

Use: STOCKWATER STORAGE 01/01 to 12/31 3.1 AF

Use: STOCKWATER from STORAGE 01/01 to 12/31 0.4 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 2.7 AF

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 2.7 AF

Total Diversion: 0.02 CFS

Date Filed: 1/6/2011

Place Of Use: STOCKWATER T46N R04W S19 SWNE

Place Of Use: ALL OTHER USES same as STOCKWATER

Stockwater use is for 25 head of mixed stock.

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 3/7/2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 2/16/2011 and 2/23/2011

Ball, Dianne

From: Ball, Dianne
Sent: Friday, February 11, 2011 12:25 PM
To: Legal Notices-SMGazette Benewah Co (kaisie@smgazette.com)
Subject: Application for Permit No. 91-7250, 95-13939, 93-7127, 91-7259, 91-7260, 92-10101, 91-7272, 92-10109

Good afternoon, Kaisie,

Please publish the enclosed legal notice on the dates indicated, February 16 and 23, 2011, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

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 3/7/2011. Your cooperation is greatly appreciated.

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

Thank you for all your super help!



LegalNotice
12-11-11 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

February 11, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

JERRY ROBERT GREGORY
PATRICIA GAY GREGORY
12530 N HAUSER LAKE RD
HAUSER, ID 83854

Application For Permit No. 91-7259

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 2/16/2011 and 2/23/2011. 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

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, February 10, 2011 1:28 PM
To: mary.terra-berns@idfg.idaho.gov; jbennett@idl.idaho.gov
Subject: RE: Application for Permit No. 91-7259 St Joe River; 91-7260 Geib St Joe River; 91-7272 Miller St Joe River; and 92-10109 St Maries River;

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 each of the applications is enclosed for your reference.



91-7259
Gregory.pdf



91-7260 Geib.pdf



91-7272 Miller.pdf



92-10109
Newsom.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 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



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

91-7259

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

January 5, 2011

Jerry R Gregory
Patricia G Gregory
12530 N Houser Lake Rd
Hauser, ID 83854

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

Dear Mr. and Mrs. Gregory:

The Idaho Department of Water Resources is returning your recently submitted application for the following reasons;

Please refer to **Item #8** of the application and the enclosed aerial photograph. According to the Benewah County tax records your property is located within Government Lot 8 of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and a small part in Government Lot 9 of the NE $\frac{1}{4}$ of the SE of Section 20, Township 46 North, Range 1 East. The application shows the place of use is within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$. Also in **Item #8**, there is a discrepancy in the amount of acres to be irrigated. One total shows 0.8 while the other shows 0.08.

If the area you intend to irrigate is less than $\frac{1}{2}$ acre, I suggest you apply for a "Domestic" use, which would allow the water to be used in-house as well as for the irrigation of lawn and garden. A Domestic use can also be used year round, January 1 through to December 31 each year. The corresponding diversion rate for Domestic would be 0.04 cfs, (18 gallons per minute). However, if the area irrigated is over $\frac{1}{2}$ acre, then the application must remain an "Irrigation" use and the acreage must be indicated in the proper quarter quarter or multiple quarter quarters on line **Item #8**.

Also, when you return the application, please include the attached aerial photograph and indicate on it which side of the property the point of diversion is to be placed.

Please make the necessary changes to the application and return it to me within the next 30 days so as not to delay processing. All changes should be initialed. If you have any questions, feel free to contact me at this office.

Thank you.

Sincerely,

COPY

Keith E Franklin
Senior Water Recourses Agent
Enclosure