

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 95-13374

Priority: September 03, 2010

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 3.34 AF

This is to certify, that FALLS AT HAYDEN LAKE HOMEOWNERS ASSN
4547 W SELTICE WAY
COEUR D ALENE ID 83814

has applied for a permit to appropriate water from:

Source: HAYDEN LAKE

Tributary: SINKS

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>
DIVERSION TO STORAGE	03/15 to 10/31	0.04 CFS	
IRRIGATION	03/15 to 10/31	0.03 CFS	
IRRIGATION STORAGE	01/01 to 12/31		3.2 AF
IRRIGATION FROM STORAGE	03/15 to 10/31		3.0 AF
AESTHETIC	03/15 to 10/31	0.03 CFS	
AESTHETIC STORAGE	01/01 to 12/31		0.34 AF
AESTHETIC FROM STORAGE	03/15 to 10/31		0.14 AF

LOCATION OF POINT(S) OF DIVERSION:

HAYDEN LAKE, L3 (SE1/4NW1/4), Sec. 17, Twp 51N, Rge 03W, B.M., KOOTENAI County

PLACE OF USE: IRRIGATION, IRRIGATION FROM STORAGE, IRRIGATION STORAGE, AESTHETIC, AESTHETIC STORAGE, AESTHETIC FROM 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	
51N 03W 17								1.0									1.0
								L 3									

Total Acres: 1

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 95-13374

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **December 01, 2015**.
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. 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 lands above.
6. Aesthetic is for a water feature.
7. The pond established by the storage of water under this right shall not exceed a total capacity of 0.14 acre-feet.
8. This right authorizes the diversion of an annual total of 3.34 acre-feet to be used for the initial filling of the pond, for the replacement of losses caused by evaporation and for the storage of water for irrigation and aesthetic uses.
9. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 95 A.
10. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

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 15th day of December, 20 10.


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

December 17, 2010

FALLS AT HAYDEN LAKE HOMEOWNERS ASSN
4547 W SELTICE WAY
COEUR D ALENE ID 83814

RE: Permit No.95-13374

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,



Keith E. Franklin

Sr. Water Resource Agent

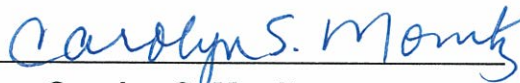
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on December 17, 2010 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. 95-13374

**FALLS AT HAYDEN LAKE HOMEOWNERS ASSN
4547 W SELTICE WAY
COEUR D ALENE ID 83814**



**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. # 95-13374

APPLICATION ID # 76707

ENT. 9/3 BCA 9/29 OK to Publish 9/28/10

APPLICANT: Falls at Hayden Lake HOA

INITIAL REVIEW
BY: KD DATE: 9/13/2010

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 9/3 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: 9/13/2010
 _____ (Include Moratorium Remark)
 _____ Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).
 ADVERTISE IN: Idaho Post-Tribune County
 Newspaper: _____
 Dates scheduled for publication 10/7 & 14/10
 Affidavit of Publication received: 10/15/10
 Dates actually published: 10/7 & 14/10
 Application published correctly. Yes ☒ No _____
 If not, action taken: _____
 Final Date for Protest: 10/25
 Protests Received: Yes _____ No ☒

LETTERS SENT REQUESTING:

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

INFORMATION RECEIVED:

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

GROUNDWATER SECTION

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

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

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

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

☒ Measuring device required
☒ Measuring port required
☒ Special conditions: Water District 95A
☒ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: Bertie K. Samblor Date: 11/24/2010 Sr. Agent initial KD

RECEIVED
OCT 15 2010
IDWR / NORTH

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

95-13358

DENNIS CADA
CARLENE CADA
20621 S HIGHWAY 97
HARRISON, ID 83833

Point of Diversion L3(NWSE) S6 T49N R03W KOOTENAI CO
Source COEUR D ALENE LAKE Tributary SPOKANE RIVER
Use: IRRIGATION 03/15 to 11/15 0.12 CFS
Total Diversion: 0.12 CFS
Date Filed: 9/1/2010
Place of Use: IRRIGATION T49N R03W S6 L2(ENE)
L3(NWSE)
Total Acres: 4

95-13374

FALLS AT HAYDEN LAKE HOMEOWNERS ASSN
4547 W SELTICE WAY
COEUR D ALENE, ID 83814
Point of Diversion L3(ENE) S17 T51N R03W KOOTENAI CO
Source HAYDEN LAKE Tributary SINKS
Use: IRRIGATION 03/15 to 10/31 0.03 CFS
Use: IRRIGATION STORAGE 01/01 to 12/31 3.2 AF
Use: IRRIGATION from STORAGE 03/15 to 10/31 3 AF
Use: AESTHETIC 03/15 to 10/31 0.03 CFS
Use: AESTHETIC STORAGE 01/01 to 12/31 0.3 AF
Use: AESTHETIC from STORAGE 03/15 to 10/31 0.1 AF
Use: DIVERSION TO STORAGE 03/15 to 10/31 0.04 CFS
Total Diversion: 0.04 CFS 3.3 AF
Date Filed: 9/3/2010
Place Of Use: IRRIGATION T51N R03W S17 L3(ENE)
Place Of Use: ALL OTHER USES - same as IRRIGATION
Total Acres: 1

95-13418

RICHARD OPEL
ELLEN OPEL
2642 MARY LANE
ESCONDIDO, CA 92025
Point of Diversion L2(SWNE) S13 T49N R04W KOOTENAI CO
Source COEUR D ALENE LAKE Tributary SPOKANE RIVER
Use: IRRIGATION 03/15 to 11/15 0.03 CFS
Use: DOMESTIC 01/01 to 12/31 0.06 CFS
Total Diversion: 0.06 CFS
Date Filed: 9/9/2010
Place Of Use: DOMESTIC T49N R04W S13 L2(SWNE)
Place Of Use: IRRIGATION same as DOMESTIC
Total Acres: 0.75
Domestic use is for 1 home and 1 shop with domestic use.

95-13439

DOUGLAS W WRIGHT
KRISTI WRIGHT
220805 E FINLEY RD
KENNEWICK, WA 99337
Point of Diversion L4(SWNE) S4 T47N R04W KOOTENAI CO
Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 9/13/2010
Place Of Use: DOMESTIC T47N R04W S4 L4(SWNE)
Domestic use is for 1 home.

95-13440

WILFRED J HOFF
2741 S SUNNYBROOK LN
SPOKANE, WA 99037
Point of Diversion L4(SWNE) S4 T47N R04W KOOTENAI CO
Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 9/13/2010
Place Of Use: DOMESTIC T47N R04W S4 L4(SWNE)
Domestic use is for 1 home.

95-13442

VANCE BLAKELY
CORINA BLAKELY
2826 W HAWTHORNE RD
SPOKANE, WA 99208
Point of Diversion L1(NENW) S13 T47N R04W KOOTENAI CO
Source COEUR D ALENE LAKE Tributary SPOKANE RIVER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 9/9/2010
Place Of Use: DOMESTIC T47N R04W S13 L1(NENW)
Domestic use is for 1 home.

95-13447

FLORENCE KINZEL
924 N FELTS
SPOKANE, WA 99206
Point of Diversion L1(NWNE) S4 T47N R04W KOOTENAI CO
Source COEUR D ALENE LAKE Tributary SPOKANE RIVER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 9/2/2010
Place Of Use: DOMESTIC T47N R04W S4 L1(NWNE)
Domestic use is for 1 home.

95-13448

DAVID A ODGERS
BARBARA J ODGERS
28971 S SYRINGA LANE
WORLEY, ID 83876
Point of Diversion L3(ENE) S19 T47N R03W KOOTENAI CO
Source COEUR D ALENE LAKE Tributary SPOKANE RIVER
Use: IRRIGATION 01/01 to 12/31 0.02 CFS
Total Diversion: 0.02 CFS
Date Filed: 9/9/2010
Place Of Use: IRRIGATION T47N R03W S19 L3(ENE)
Total Acres: 0.5
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 10/25/2010. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Interim Director
Legal 0989
October 7, 14, 2010

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

SS.

Jaylene Farmer being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

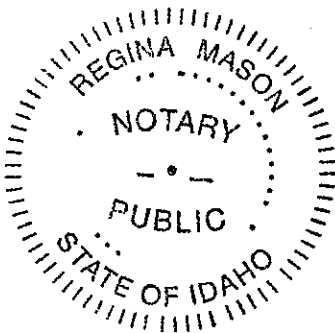
3. The

Legal Notice

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 8 consecutive weeks commencing on the 7 day of October, 2010, and ending on the 14 day of October, 2010, and such publication was made as often during said period as said Daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

On this 14 day of October in the year of 2010 before me, a Notary Public, personally appeared Jaylene Farmer, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



Regina Mason
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MY COMMISSION EXPIRES 6/18/15

RECEIVED
OCT 15 2010
IDWR / NORTH

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

95-13358

DENNIS CADA

CARLENE CADA

20621 S HIGHWAY 97

HARRISON, ID 83833

Point of Diversion L3(NWSE) S6 T49N R03W KOOTENAI CO

Source COEUR D ALENE LAKE Tributary SPOKANE RIVER

Use: IRRIGATION 03/15 to 11/15 0.12 CFS

Total Diversion: 0.12 CFS

Date Filed: 9/1/2010

Place of Use: IRRIGATION T49N R03W S6 L2(SENE) L3(NWSE)

Total Acres: 4

95-13374

FALLS AT HAYDEN LAKE HOMEOWNERS ASSN

4547 W SELTICE WAY

COEUR D ALENE, ID 83814

Point of Diversion L3(SENW) S17 T51N R03W KOOTENAI CO

Source HAYDEN LAKE Tributary SINKS

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

Use: IRRIGATION STORAGE 01/01 to 12/31 3.2 AF

Use: IRRIGATION from STORAGE 03/15 to 10/31 3 AF

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

Use: AESTHETIC STORAGE 01/01 to 12/31 0.3 AF

Use: AESTHETIC from STORAGE 03/15 to 10/31 0.1 AF

Use: DIVERSION TO STORAGE 03/15 to 10/31 0.04 CFS

Total Diversion: 0.04 CFS 3.3 AF

Date Filed: 9/3/2010

Place Of Use: IRRIGATION T51N R03W S17 L3(SENW)

Place Of Use: ALL OTHER USES – same as IRRIGATION

Total Acres: 1

95-13418

RICHARD OPEL

ELLEN OPEL

2642 MARY LANE

ESCONDIDO, CA 92025

Point of Diversion L2(SWNE) S13 T49N R04W KOOTENAI CO

Source COEUR D ALENE LAKE Tributary SPOKANE RIVER

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

Use: DOMESTIC 01/01 to 12/31 0.06 CFS

Total Diversion: 0.06 CFS

Date Filed: 9/9/2010

Place Of Use: DOMESTIC T49N R04W S13 L2(SWNE)

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 0.75

Domestic use is for 1 home and 1 shop with domestic use.

95-13439

DOUGLAS W WRIGHT

KRISTI WRIGHT

220805 E FINLEY RD

KENNEWICK, WA 99337

Point of Diversion L4(SWNE) S4 T47N R04W KOOTENAI CO

Source GROUND WATER

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

Total Diversion: 0.04 CFS

Date Filed: 9/13/2010

Place Of Use: DOMESTIC T47N R04W S4 L4(SWNE)

Domestic use is for 1 home.

95-13440

WILFRED J HOFF

2741 S SUNNYBROOK LN

SPOKANE, WA 99037

Point of Diversion L4(SWNE) S4 T47N R04W KOOTENAI CO

Source GROUND WATER

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

Total Diversion: 0.04 CFS

Date Filed: 9/13/2010

Place Of Use: DOMESTIC T47N R04W S4 L4(SWNE)

Domestic use is for 1 home.

95-13442

VANCE BLAKELY

CORINA BLAKELY

2826 W HAWTHORNE RD

SPOKANE, WA 99208

Point of Diversion L1(NENW) S13 T47N R04W KOOTENAI CO

Source COEUR D ALENE LAKE Tributary SPOKANE RIVER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 9/9/2010

Place Of Use: DOMESTIC T47N R04W S13 L1(NENW)

Domestic use is for 1 home.

95-13447

FLORENCE KINZEL

924 N FELTS

SPOKANE, WA 99206

Point of Diversion L1(NWNE) S4 T47N R04W KOOTENAI CO

Source COEUR D ALENE LAKE Tributary SPOKANE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 9/2/2010

Place Of Use: DOMESTIC T47N R04W S4 L1(NWNE)

Domestic use is for 1 home.

95-13448

DAVID A ODGERS

BARBARA J ODGERS

28971 S SYRINGA LANE

WORLEY, ID 83876

Point of Diversion L3(SENW) S19 T47N R03W KOOTENAI CO

Source COEUR D ALENE LAKE Tributary SPOKANE RIVER

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

Total Diversion: 0.02 CFS

Date Filed: 9/9/2010

Place Of Use: IRRIGATION T47N R03W S19 L3(SENW)

Total Acres: 0.5

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 10/25/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 10/7/2010 and 10/14/2010

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, September 28, 2010 3:35 PM
To: Legal Notices-CdA Press; Legal Notices-CdAPress - Jaylene Farmer
Subject: Application for Permit No. 95-13374, 95-13358, 95-13418, 95-13439, 95-13440, 95-13442, 95-13447, 95-13448

Good afternoon, Jaylene,

Please publish the enclosed legal notice on the dates indicated, October 7 and 14, 2010, (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.

Occasionally a blind/hidden tab appears just before Gary Spackman's name, moving his name to the right margin. If that occurs, please move his name back to the left margin.

If you have ANY questions, please call me or reply to this e-mail.

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 10/25/2010. Your cooperation is as always, greatly appreciated.



LegalNotice
9-28-10 CDA 95-13.

Thanks for all your super wonderful help.

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

September 28, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

FALLS AT HAYDEN LAKE HOMEOWNERS ASSN
4547 W SELTICE WAY
COEUR D ALENE, ID 83814

Application For Permit No. 95-13374

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 COEUR D ALENE PRESS on 10/7/2010 and 10/14/2010. 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

Enc. Receipt No. N025563

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, September 28, 2010 1:55 PM
To: mary.terra-berns@idfg.idaho.gov; cwashburn@idl.idaho.gov
Subject: RE: Application for Permit No. 95-13358 CDA Lk, 95-13374 Hayden Lk, 95-13418 CDA Lk, 95-13442 CDA Lk, 95-13447 CDA Lk, 95-13448 CDA Lk

Dear Mary and Carl:

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 the CDA Press on October 7 and 14, 2010. Final date for protests to be received in our office would be 10/25/10.

All of these are from Coeur d'Alene Lake with the exception of 95-13374 which is from Hayden Lake.



95-13358 Cada.pdf



95-13374 Falls at
Hayden Lk .p...



95-13418 Opel.pdf



95-13442
Blakely.pdf



95-13447 Kinzel.pdf



95-13448
Odgers.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 Keith Franklin at this office for the first two (CADA and FALLS AT HAYDEN LAKE HOA) if you have any questions regarding these two applications. For all others, please contact Eric Davis at this office.

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

August 3, 2010

Steve Klatt
Better Sites Design Service
PO Box 345
Sandpoint, ID 83864

RECEIVED
SEP 03 2010
IDWR / NORTH

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho
Falls At Hayden Lake Homeowners Assn.

Dear Mr. Klatt:

Enclosed please find an electronic version of the application for the Falls At Hayden Lake Homeowners Association as we previously discussed. Please review the application and pay special attention to the work sheet for the pond. I estimated the evaporation of the water feature to be 0.14 acre feet per year based on estimated dimensions as shown on the work sheet. If we need to change this let me know.

If the application is meets with your satisfaction, have Mr. ~~St~~am sign the document and return it to me within the next 30 days so we can get it to advertising. The application should also be accompanied by a check made out to IDWR, in the amount of \$100.00 for the filing fee. If you have any questions, feel free to contact me at this office.

Thank you.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent
Enclosure