

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 98-07903

Priority: May 04, 2010

Maximum Diversion Rate: 0.20 CFS

This is to certify, that CURLEY CREEK WATER ASSN
PO BOX 6
MOYIE SPRINGS ID 83845

has applied for a permit to appropriate water from:

Source: GROUNDWATER

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>
MUNICIPAL	01/01 to 12/31	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

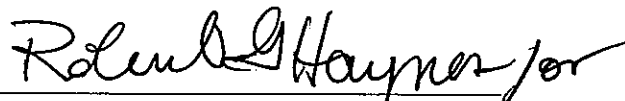
GROUNDWATER NE1/4NW1/4 Sec. 22, Twp 62N, Rge 03E, B.M. BOUNDARY County
GROUNDWATER SE1/4SW1/4 Sec. 21, Twp 62N, Rge 03E, B.M. BOUNDARY County

PLACE OF USE: MUNICIPAL

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 01, 2011**.
2. Subject to all prior water rights.
3. Place of use is within the area served by the public water supply system of Curley Creek Water Association. The place of use is generally located within Section 21,22,27, Township 62N, Range 03E.
4. Prior to or in connection with the proof of beneficial use statement to be submitted for municipal water use under this right, the right holder shall provide the department with documentation showing that the water supply system is being regulated by the Idaho Department of Environmental Quality as a public water supply and that it has been issued a public water supply number.
5. This right does not grant any right-of-way or easement across the land of another.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

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 29th day of September, 20 10.


GARY SPACKMAN, Interim Director

00252100
SCANNED



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

September 30, 2010

CURLEY CREEK WATER ASSN
PO BOX 6
MOYIE SPRINGS ID 83845

RE: Permit No.98-7903

Permit Approval Notice

Dear Permit Holder:

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

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

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

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

SCANNED
OCT 25 2010

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

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

Sincerely,

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

Keith E. Franklin

Sr. Water Resources Agent

Enclosure(s)

SCANNED
OCT 25 2010

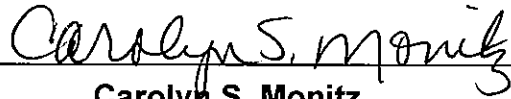
CERTIFICATE OF SERVICE

I hereby certify that on September 30, 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.

98-7903

**CURLEY CREEK WATER ASSN
PO BOX 6
MOYIE SPRINGS ID 83845**



Carolyn S. Monitz

Technical Records Clerk

**RECORDED
OCT 25 2010**

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. # 98-7903

APPLICATION ID # 76492

ENT. ED

BCA

6/22/10

OK to Publish

6/22/10

INITIAL REVIEW

APPLICANT: Curley Creek Water Assn

BY: ED

DATE: 5/4/2010

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)

PROCESSING

(Yes)(No)

PRIORITY DATE: 5/4/2010

☐ ☒

(Include Moratorium Remark)

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

ADVERTISE IN:

Newspaper: BEH Boundary County

Dates scheduled for publication 7/1 + 8/10

Affidavit of Publication received:

Dates actually published:

Application published correctly. Yes ☐ No ☐

If not, action taken:

Final Date for Protest: 7/19/10

Protests Received: Yes ☐ No ☐

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

ADDITIONAL INFORMATION

(Yes)(No)

☒ Shape File Created Date 5-4-10 By: ED

☐ Field check: by

☐ Field report attached

☐ Analysis Supp. Attached (>5cfs/500af)

☐ Water delivered by water master? Water District #

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?

00022417

Dom. ☐ Non-Dom. ☒

Paid \$

Dom. ☐ Non-Dom. ☒

Paid \$

Dom. ☐ Non-Dom. ☐

Paid \$

Y () N (☒)

Y () N (☒)

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:

☐ Special conditions of approval supplement and/or cover letter attached:

RECEIVED

6/7/10

Approval Recommended by:

Erie

Date: 7/27/2010

Sr. Agent initial

ED

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, September 02, 2010 9:43 AM
To: Marston, Sascha
Subject: Bill for legal 8003 Bonners Ferry Herald

Good morning, Sascha,

I'm e-mailing this as an attachment and putting hard copy in the mail today. **BFH originally billed us \$12.88 on this!** Not a bad price, but obviously not correct. It has taken until today to get the billing correct for legal 8003, Curley Creek Water Assn. (It published 7/1 and 8, 2010).

This attached statement also covers another legal that published in August. Do not pay for that at this time. The balance that will be remaining of \$84.98 for legal #8046, will either be separately billed or can be paid after I receive the affidavit of publication for that legal #8046, and get a copy sent down to you marked OK to pay.



BFH adjusted
bill-legal 8003.p...



BFH affidavit Curley
ck 8003.p...

On this statement it is OK to pay for the items circled for **legal #8003** – top three items on bill/statement, for a **total of \$84.98**.

If you have any questions, call me and I'll try to clarify.

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

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, September 02, 2010 8:57 AM
To: 'Sheri Jones'
Subject: RE: Statement for Legal 8003 Curley Creek Water Assn. published 7/1 and 8/2010 in BFH
Attachments: BFH original bill legal 8003.pdf; BFH adjusted bill-legal 8003.pdf; BFH affidavit Curley ck 8003.pdf

Thank you, Sheri.

I'm sending a copy of the affidavit I have in file for the Legal 8003 for Curley Creek Water Assn, and this statement to our State Office in Boise, with authorization to pay the \$84.98 for Legal 8003. (The attachments here are just for clarification purposes.)

I assume, I hope correctly, that I will receive a separate billing for the August 19 and 26, 2010 publication of Legal 8046 – together with an affidavit with tear sheet attached for that legal notice. When I receive the affidavit and tear sheet for that Legal 8046, I will at that time forward that to our State Office in Boise for payment.

[I also assume that when I receive that billing for Legal 8046, it will also show a breakdown similar to the breakdown shown for the legal 8003 that published July 1 and 8, 2010.]

Thanks for all your help on this one. It was interesting, to say the least! ☺

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

Dianne

From: Sheri Jones [mailto:sjones@bonnercountydailybee.com]
Sent: Wednesday, September 01, 2010 2:44 PM
To: Ball, Dianne
Subject: Statement

Hi Dianne,

Here is a statement that shows the correction for you. So sorry :)

Thank you,
Sheri Jones
Bo Co Daily Bee
sjones@bonnercountydailybee.com

Begin forwarded message:

From: "sjones@cdapress.com" <sjones@cdapress.com>
Date: August 31, 2010 6:32:32 PM PDT
To: "sjones@cdapress.com" <sjones@cdapress.com>
Subject: Production Notice

Please open the attached document.
This document was sent to you using an HP Digital Sender.

SCANNED
OCT 7 5 2010

AFFIDAVIT OF PUBLICATION

State of Idaho

ss

County of Boundary, Shirley Crossman
being first duly sworn on oath deposes and says that
he/she is Bookkeeper of the
Bonners Ferry Herald, a newspaper printed and
published at Bonners Ferry, Boundary County, Idaho;
that the said newspaper has been continuously and
uninterruptedly published in said Boundary County
during a period of 12 months prior to the first publication
of the hereto attached notice of publication in the case
of:

Curley Creek Water

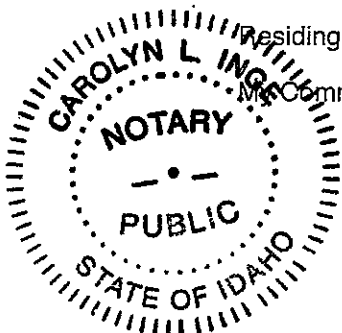
_____ as it
was published in the regular and entire issue of the said
paper for a period of 2 consecutive weeks,
commencing on 1 day of July, 2010 and
ending on the 8 day of July, 2010 and
that said notice was published in said newspaper.

[Signature]
SUBSCRIBED AND SWORN TO before me, this

13 day of August, 2010.

Carolyn L. Inge
Notary Public-State of Idaho

Residing at: Sandpoint
My Commission Expires: 8-7-12



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

98-7903

CURLEY CREEK WATER ASSN

PO BOX 6

MOYIE SPRINGS, ID 83845

Point of Diversion NENW S22 T62N R03E BOUNDARY CO

Source GROUNDWATER

Point of Diversion SESW S21 T62N R03E BOUNDARY CO

Source GROUNDWATER

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

Total Diversion: 0.2 CFS

Date Filed: 5/4/2010

Place Of Use: MUNICIPAL

Municipal use is with service area of applicant.

Permits will be subject to all prior water rights. Protests may be
submitted based on the criteria of Idaho Code § 42-203A. Any pro-
test 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 7/19/2010. The prot-
estant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

BFH Legal 8003

July 1, 8, 2010

SCANNED
AUG 25 2010

Bonnerr's Ferry Herald
P.O. Box 539
Bonnerr's Ferry, ID 83805
Phone (208) 267-5521
Fax (208) 267-5523

**ADVERTISING
REMINDER**

Reminder Date	Client Name
09/01/10	
Total Amount Due	Terms of Payment
169.96	Payment past due

Page #	Billed Account Name & Address	Billed Account #	Agency/Client Number
1	IDAHO DEPARTMENT OF WATER RESOURCES DIANNE BALL 7600 MINERAL DRIVE, SUITE 100 COEUR D ALENE, ID 83815	BH50105427	
Acct Type: BH ROP/ CL DIS		Remittance Address: Bonnerr's Ferry Herald P.O. Box 539 7183 Main St. Bonnerr's Ferry, ID 83805	
If paying by credit card, please fill out:		Card Number	Exp Date
Amount		Signature	Card Type

PLEASE DETACH AND RETURN UPPER FORM WITH YOUR REMITTANCE

Date	Reference #	Description-Other Comments/Charges	Type	Units	Runs	Rate	Outstanding
07/01/10	1065621	#8003 IDAHO DEPT.	CDISP	52.00 Li	1	IDLEGL	11.54
07/08/10		#8003 IDAHO DEPT.	CDISP	52.00 Li	1	IDLEGL	1.34
08/25/10	#8003 PRIC	#8003 PRICE CORRECTION	DEBIT				72.10
08/26/10	1141234	#8046 LEGAL NOTICE	LINE	52.00 Li	2	IDLEGL	84.98
<i>ok to pay for legal 8003</i>							169.96

Total Amount Due
169.96

Bonnerr's Ferry Herald
P.O. Box 539
Bonnerr's Ferry, ID 83805

Past due accounts are subject to finance charges of 1 1/2 % per month, which is an annual percentage of 18%, applied to the previous balance.

Advertiser Information

Reminder Date	Billed Account #	Client Account Number	Client Name
09/01/10	BH50105427		

PLEASE CALL & MAKE PAYMENT ARRANGEMENTS

SCANNED

SEP 25 2010

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, August 25, 2010 4:02 PM
To: Legal Notices-Bonner Co Daily Bee-Sheri Jones
Subject: BFH Bill

Sheri

So sorry for all the confusion on this one.

If you could even just put something together on Bonners Ferry letterhead, that would probably work. I would just need something to indicate this was for legal 8003 for Curley Creek Water Assn. and for publication on the dates of July 1 and 8, 2010.

OR ~ ~ ~ I sent you a copy of the original statement today in my earlier e-mail, showing the \$12.88. You might be able to print that off and use that, modifying it somehow maybe by whiting out the total on that form (\$12.88), and add the charge for the publication and just show the total of \$84.98 at the bottom.

How would that work for you???

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

Customer Activity Report

Activity from 7/1/2010 to 8/31/2010

IDAHO DEPARTMENT OF WATER RESOURCES

BH50105427 BHROP/CLDIS

7600 MINERAL DRIVE SUITE 1

COEUR D'ALENE, ID 83815

208-762-2800

Date	Ad Id	Description	Trans Type	Editions	Inches	Amount
07/01/2010	1065621	#8003 IDAHO DEPT.	REVENUE	BH01/	5.81	\$11.54
07/08/2010	1065621	#8003 IDAHO DEPT.	REVENUE	BH01/	5.81	\$1.34
08/25/2010	0	#8003 PRICE CORRECTION	ADJ-DEBITS		0.00	\$72.10
Total Activity from 7/1/2010 to 8/31/2010					11.61	\$84.98

RECEIVED
AUG 25 2010
IDWR / NORTH

08/25/10 at 10:18 AM

Transaction List for BH50105427

IDAHO DEPARTMENT OF WATER RES

Date	Amount	Outstanding	Type	Invoice	Due Date	Ad ID	Inserts ID	Reference	Description	Posted	Tran ID	Client
08/25/2010	42.05	42.05	DEBIT		00/00/00			addition to legal		00/00/00	1137976	
07/08/2010	1.34	1.34	CLASS DISP	521452	00/00/00	1065621		re OrderEntry 1007i Ad: (for 7/8/2010 & 07/31/2010			1081904	
07/01/2010	11.54	11.54	CLASS DISP	521451	00/00/00	1065621		re OrderEntry 1007i Ad: (for 7/1/2010 & 07/31/2010			1081583	
	54.93	54.93										

Diane.

The total is ~~\$~~54.93

Still not there @ BODB
all of her bills

Should be 84.98
per Sheri

Bonnors Ferry Herald
P.O. Box 539
Bonnors Ferry, ID 83805
Phone (208) 267-5521
Fax (208) 267-5523

**ADVERTISING
INVOICE/STATEMENT**

Statement		Client Name		
07/31/10				
Total Amount Due		Terms of Payment		
12.88		Remit payment by the 15th		
Current Due	1-30 Days	31-60 Days	61-90 days	Over 90 Days
12.88	0.00	0.00	0.00	0.00

Page #	Billed Account Name & Address	Billed Account #	Agency/Client Number
1	IDAHO DEPARTMENT OF WATER RESOURCES DIANNE BALL 7600 MINERAL DRIVE, SUITE 100 COEUR D ALENE, ID 83815	BH50105427	
	Acct Type: BH ROP/ CL DIS	Remittance Address: Bonnors Ferry Herald P.O. Box 539 7183 Main St. Bonnors Ferry, ID 83805	
If paying by credit card, please fill out:		Card Number	Exp Date
Amount		Signature	Card Type

PLEASE DETACH AND RETURN UPPER FORM WITH YOUR REMITTANCE

Date	Reference #	Description-Other Comments/Charges	Type	Units	Runs	Rate	Amount	Total
06/30/10		BALANCE FORWARD					0.00	0.00
07/01/10	1065621	#8003 IDAHO DEPT.	CDISP	52.00 Li	1	IDLEGL	11.54	11.54
07/08/10	1065621	#8003 IDAHO DEPT.	CDISP	52.00 Li	1	IDLEGL	1.34	12.88

RECEIVED
AUG 04 2010
IDWR / NORTH

Statement of Account Aging of Past Due Amounts

Current Amount Due	1-30 Days	31-60 Days	61-90 days	Over 90 Days	Total Amount Due
12.88	0.00	0.00	0.00	0.00	12.88

Bonnors Ferry Herald
P.O. Box 539
Bonnors Ferry, ID 83805

Past due accounts are subject to finance charges of 1 1/2 % per month, which is an annual percentage of 18%, applied to the previous balance.

Advertiser Information

Statement Date	Billed Account #	Client Account Number	Client Name
07/31/10	BH50105427		SCANNED

AUG 25 2010

PLEASE CALL & MAKE PAYMENT ARRANGEMENTS

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

98-7903

CURLEY CREEK WATER ASSN

PO BOX 6

MOYIE SPRINGS, ID 83845

Point of Diversion NENW S22 T62N R03E BOUNDARY CO

Source GROUNDWATER

Point of Diversion SESW S21 T62N R03E BOUNDARY CO

Source GROUNDWATER

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

Total Diversion: 0.2 CFS

Date Filed: 5/4/2010

Place Of Use: MUNICIPAL

Municipal use is with service area of applicant.

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 7/19/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 7/1/2010 and 7/8/2010

SCANNED
OCT 7 5 2010

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, June 22, 2010 4:40 PM
To: Legal Notices-BFHerald (screnshaw@bonnersferryherald.com); Legal Notices-BFHerald (aschall@cdapress.com)
Subject: Application for Permit No. 98-7903 Curley Creek water Assn

Good afternoon, ladies,

Please publish the enclosed legal notice on the dates indicated, July 1 and 8, 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 before this goes to press so I might check layout. I try to work within your margin area and with the font and size you use, but sometimes things look different when it actually is ready for publication.

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 7/19/2010. Your cooperation is very greatly appreciated.

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

Thanks for all your wonderful help.



LegalNotice
6-22-10 BFH e-mai.

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

June 22, 2010

CURLEY CREEK WATER ASSN
PO BOX 6
MOYIE SPRINGS, ID 83845

Application For Permit No. 98-7903

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 BONNERS FERRY HERALD on 7/1/2010 and 7/8/2010. 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,

Eric J. Davis
Sr. Water Resource Agent

SCANNED
OCT 7 5 2010

Form 238-7
11/97 JGEIDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

1. WELL TAG NO. D 0022417

DRILLING PERMIT NO. 787295

Other IDWR No. 358351

2. OWNER:

Name CURLEY CREEK WATER ASSNAddress HCR 62 BOX 274City MOYIE SPRINGS State ID Zip 83845

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N		Twp. <u>62N</u>		North ☒	or	South ☐
E		Rge. <u>03</u>		East ☒	or	West ☐
S		Sec. <u>21</u>		NE 1/4	SE 1/4	SW 1/4
		Gov't Lot		County <u>BOUNDARY</u>		
		Lat		Long:		
		Address of Well Site <u>CO RD72D</u>				

(Give or last name of road - Distance to Road or Landmark)
LL BIK Sub. Name

4. USE:

☐ Domestic ☒ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK: check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other

6. DRILL METHOD:

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES:

Seal/Filter Pack			AMOUNT Sacks or Pounds	METHOD
Material	From	To		
BENTONITE -	0			
GRANULAR		20	800#	TEMP CASED

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 80Was drive shoe seal tested? ☐ Y ☒ N How?

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6	+2	79	280	STEEL	☒	☐	☒	☐

Length of Headpipe Length of Tailpipe

9. PERFORATIONS/SCREENS:

☐ Perforations ☐ Screens Method Screen Type

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

32 ft. below ground Artesian pressure lb.Depth flow encountered 80 ft. Describe access port or controldevices: WELLED CAP

Office Use Only		
Inspected by		
Twp	Rge	Sec
1/4	1/4	1/4
Lat	Long	

11. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
60	100	100	6 HRS

Water Temp. COLD Bottom hole temp. COLDWater Quality test or comments: GOODDepth first Water Encounter 80

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Water Y N
11	0	1	TOP SOIL	
11	1	20	BROWN TAN SILT / DRY	
6	20	28	BROWN TAN SILT / DRY	
6	28	40	GREY - BLUE SILT / WET	
6	40	70	BLUE - GREY SILT / WET	
6	70	80	SOLF BROKEN SHALE / GRAY	X
6	80	100	GREY SHALE / SOFT MED	
6	100	124	GREY SHALE / MED HARD	
WATER DID CLOUD UP AT FIRST BUT BY THE TIME THE DEVELOPING WAS DONE THERE WAS VERY LITTLE.				
NOTE THE WATER DID NOT COME IN UNTIL THE NEXT DAY AT START UP!				

Completed Depth 120 (Measurable)
Date: Started 09/30/2002 Completed 10/01/2002

13. DRILLER'S CERTIFICATION:

We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name MINDEN WATER WELLS INC. Firm No. 320Firm Official
andDate 10/03/2002

Driller or Operator

Date 10/03/2002

(Sign once if Firm Official & Operator)

SCANNED

OCT 25 2010

FORWARD WHITE COPY TO WATER RESOURCES

CURLEY CREEK WATER ASSOCIATION, INC.

PO Box 6
Moyie Springs, ID 83845

May 10, 2010

RECEIVED

MAY 12 2010

IDWR/North

Idaho Department of Water Resources
Eric Davis
7600 North Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7736

Re: Application for Permit, Ident. No. 98-7903

Dear Eric:

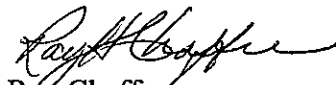
Enclosed are copies of easements for the sites of both of the groundwater sources for item 9a.

Item 9b. The distribution system is within the municipality boundaries.

If you have other questions please call me at 208-267-7740.

Thank you for your help.

Sincerely,



Ray Chaffee
Secretary/Operator

SCANNED
MAY 15 2010

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that ROBERT HEWETT

Clara Hewett

hereinafter called Grantors, in consideration of One (\$1.00) Dollar and other good and valuable consideration paid by CURLEY CREEK WATER ASSOCIATION, IN., hereinafter called the Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, transfer, and convey to said Grantee, its successors, and assigns, a perpetual easement with the right to erect, construct, install, and lay and thereafter use, operate, inspect, repair, maintain, replace, and remove a water line, meters and valves over and across the following land owned by Grantor in Boundary County, State of Idaho:

A parcel of land lying in the NW $\frac{1}{4}$ Section 22, T62N, R3 E.B.M. and further described as follows:

Commencing at the NW corner of Sec. 22, T62N, R3E B.M. thence S 66° 51' 14" E 1698.55 feet to the true point of beginning, thence East 200.00 feet; thence South 200.00 feet, thence West 200.00 feet, thence North 200.00 feet to the true point of beginning.

The consideration recited herein shall constitute payment in full for all damages sustained by Grantors by reason of the installation of the structures referred to herein and the Grantee will maintain and use such easement in a state of good repair and efficiency so that no unreasonable damages will result from its use to Grantors' premises. This Agreement together with other provisions of this grant shall constitute a covenant running with the land for the benefit of the Grantee, its successors and assigns. The Grantors covenant that they are the owners of the above-described lands and that said lands are free and clear of all encumbrances and liens except the following.

IN WITNESS WHEREOF the said Grantors have executed this instrument this 8th day of Sept, 1969.

Robert Hewett
Clara Hewett

STATE OF IDAHO)
) ss.
County of Boundary)

On this 8 day of Sept, 1969, before me, the undersigned, a notary public in and for said State, personally appeared Robert Hewett & Clara Hewett known to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Ruth Allred
Notary Public for Idaho
Ruth Allred, Notary Public

SCANNED
OCT 25 2010

104633

RECEIVED ☒
INDEXED ☒
FILED ☒
DELIVERED ☐
MAILED ☐

STATE OF IDAHO }
County of Boundary } SS

Filed for record at the request of

Norton & Norton

on the 23 day of Sept 19 69 at 4:22

o'clock P. M., and recorded in Book 6

of Instruments on page 285

JANIS M. BOSTON

County Recorder

By R. Brazier

Deputy

Fee \$ 2.00

Mail to _____

PERMANENT EASEMENT

In exchange for one (1) water service connection for the life of the well and the right to extend electrical power service from the well site (for private use at grantor's cost), Jerry Everhart and Judy Everhart, husband and wife, of P.O. Box 1267, Bonners Ferry, Idaho 83805, hereinafter grantors do hereby grant and convey to Curley Creek Water Association, of HCR 62, Box 274, Moyie Springs, Idaho 83845 hereinafter grantee:

A Well lot and easement described as follows: a 25 foot wide strip of land approximately 120 feet long on the West side of the East boundary line of grantor's real property located in the NE 1/4 of the SE 1/4 of the SW 1/4 of Sec. 21 T62N, R3E, BM, Boundary County, Idaho, commencing approximately 1,030 feet from the South Quarter Corner of Section 21 on a line North 0 degrees 09' 49" West and terminating at an approximate 100x100 square foot well lot area having one boundary along the West side of the East Boundary line. The well lot is to be an exclusive easement, for use by grantee only, and the 120 long easement is to be an easement for ingress and egress to and from the well lot, and for location of water pipeline(s) and electrical service, and for ingress and egress to maintain the well lot, pipeline(s), and electrical service. See Exhibit A, which maps the easement in full detail.

Said exclusive easement for the well lot and easement for pipeline(s), electrical service, and ingress and egress are intended to last for the life of the well and are effective as to Grantors, and grantors heirs, assigns or transferees so long as the well is used by Grantee and/or its assigns. The said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises and that they are free to grant the easement on/over/for their real property as herein described.

Judy Everhart Judy H. Everhart

Jerry Everhart Jerry Everhart

State of Idaho }
 } ss.
County of Boundary }

I, Ruth Ann Wilson, a Notary Public for the State of Idaho, do hereby certify that on this 17 day of Dec, 2002, personally appeared before me Judy Everhart and Jerry Everhart, who, being by me first duly sworn declared that they are the owners of the above property and that they signed the foregoing document, and that the statements herein contained are true.

Ruth Ann Wilson
Notary Public for Idaho
Residing at:
My Comm. Exp: 10-25-04

