

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-12904

Priority: May 12, 2010

Maximum Diversion Rate: 0.05 CFS

This is to certify, that ROGER L AND LINDA U RASMUSSEN 2006 REVOCABLE INTER
VIVOS TRUST
3238 MIDVALE AVE
LOS ANGELES CA 90034
(310) 474-5990

has applied for a permit to appropriate water from:

Source: COEUR D ALENE LAKE **Tributary:** SPOKANE RIVER

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>
IRRIGATION	03/15 to 11/15	0.05 CFS

LOCATION OF POINT(S) OF DIVERSION:

COEUR D ALENE LAKE, L5 (SW1/4NE1/4), Sec. 3, Twp 48N, Rge 04W, B.M., KOOTENAI County

PLACE OF USE: IRRIGATION

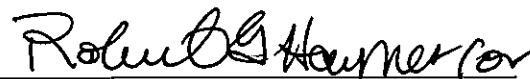
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
48N	04W	3			1.0														1.0
					L 5														

Total Acres: 1

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 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 3.0 afa per acre at the field headgate for irrigation of the lands above.
6. A fish screen of 0.25 inch or smaller mesh shall be installed and maintained at the point of diversion.

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 13th day of October, 2010.



GARY SPACKMAN, Interim Director

SCANNED
OCT 25 2010



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

October 13, 2010

ROGER L AND LINDA U RASMUSSEN
2006 REVOCABLE INTER VIVOS TRUST
3238 MIDVALE AVE
LOS ANGELES CA 90034

RE: Permit No.95-12904

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.

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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,


Keith E. Franklin
Sr. Water Resources Agent

Enclosure(s)

SCANNED
OCT 25 2010

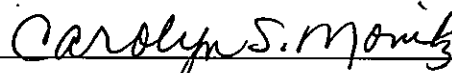
CERTIFICATE OF SERVICE

I hereby certify that on October 13, 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.

95-12904

**ROGER L AND LINDA U RASMUSSEN 2006 REVOCABLE INTER
VIVOS TRUST
3238 MIDVALE AVE
LOS ANGELES CA 90034**



Carolyn S. Monitz

Technical Records Clerk

**SCANNED
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. # 95-12904

APPLICATION ID # 716531

ENT. 8/11

BCA 8/11

OK to Publish 8/10/10

APPLICANT: Rasmussen Trust INITIAL REVIEW

BY: KD

DATE: 7/11/2010

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 7/1 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: 5/12/2010

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

ADVERTISE IN: Kootenai County

Newspaper: CDA

Dates scheduled for publication 8/19 & 26/10

Affidavit of Publication received: 8/30/10

Dates actually published: 8/19 & 26/10

Application published correctly. Yes ☒ No ☐

If not, action taken: _____

Final Date for Protest: 9/7

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()

- CDA Lake
- ☐ 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: _____

Approval Recommended by: [Signature] Date: 9/11/2010 Sr. Agent initial [Signature]

SCANNED

OCT 25 2010

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai, } ss.

RECEIVED
AUG 30 2010
IDWR / NORTH

Jeffrey 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

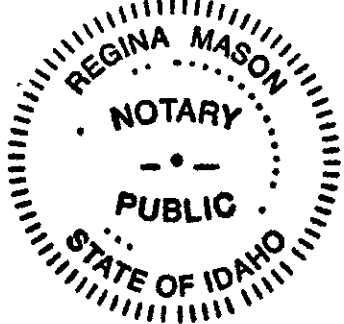
of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 19 day of August, 2010, and ending on the 26 day of August, 2010, and such publication was made as often during said period as said Daily newspaper was regularly 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 26 day of August in the year of 2010, before me, a Notary Public, personally appeared Jeffrey 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



SCANNED
OCT 25 2010

RECEIVED
AUG 30 2010
IDWR / NORTH

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

94-7612

ROBERT W MONTEITH

34009 E CANYON RD

CATALDO, ID 83810

Point of Diversion L1 (SENENW) S33 T49N R01E KOOTENAI CO

Source SPRING Tributary SINKS

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

Use: IRRIGATION 03/15 to 10/31 0.06 CFS

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

Total Diversion: 0.06 CFS

Date Filed: 6/11/2010

Place Of Use: DOMESTIC T49N R01E S33 L1 (NENW)

Place Of Use: IRRIGATION and STOCKWATER

Same as DOMESTIC

Total Acres: 2

Domestic use is for 1 home. Stockwater use is for 4 horses.

94-7635

LARRY J REINHOFER

WENDY REINHOFER

29698 E HARDY LOOP

CATALDO, ID 83810

Point of Diversion SWSESW S19 T49N R01E KOOTENAI CO

Source SPRING Tributary UNAMED STREAM

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

Total Diversion: 0.03 CFS

Date Filed: 6/16/2010

Place Of Use: IRRIGATION T49N R01E S19 SESW

Total Acres: 1

94-7638

LARRY JENICEK

SHARON JENICEK

35306 S HIGHWAY 3

ST. MARIES, ID 83861

Points of Diversion (2) L1 (SENENE) S6 T47N R02W

KOOTENAI CO

Source SPRINGS Tributary SINKS

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

Total Diversion: 0.04 CFS

Date Filed: 6/22/2010

Place Of Use: DOMESTIC T47N R02W S6 L1 (NENE)

Domestic use is for 1 home.

94-7639

OSCAR R STEINLEY

6480 N 16TH

DALTON GARDENS, ID 83815

Points of Diversion (2) NESE S23 T49N R01W KOOTENAI CO

Source UNNAMED STREAM Tributary CATALDO SLOUGH

Use: WILDLIFE 01/01 to 12/31 0.12 CFS

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

Total Diversion: 0.12 CFS

Date Filed: 6/30/2010

Place Of Use: WILDLIFE T49N R01W S23 NESE

Place Of Use: WILDLIFE STORAGE same as WILDLIFE

94-7648

KEVIN SCOTT COLEMAN

PO BOX 218

CATALDO, ID 83810-0218

Point of Diversion NWNESW S16 T49N R01W KOOTENAI CO

Source SPRING Tributary SINKS

Point of Diversion SWNESW S16 T49N R01W KOOTENAI CO

Source SPRING Tributary SINKS

Use: IRRIGATION 04/01 to 10/31 0.2 CFS

Use: FIRE PROTECTION 01/01 to 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 7/2/2010

Place Of Use: IRRIGATION T49N R01W S16 NESW

Place Of Use: FIRE PROTECTION same as IRRIGATION

Total Acres: 14

95-12885

JOANN DELANEY TRIPP

PO BOX 8274

SPOKANE, WA 99203

Point of Diversion L2 (NWSW) S20 T48N 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: 6/15/2010

Place Of Use: DOMESTIC T48N R04W S20 L2 (NWSW)

Domestic use is for 1 home.

95-12887

KILDAIRE HOMEOWNERS ASSN

3200 S LOCHURST LN

COEUR D'ALENE, ID 83814

Point of Diversion L2 (SWSW) S28 T50N R03W KOOTENAI CO

Source GROUNDWATER

Use: IRRIGATION 03/15 to 11/15 0.09 CFS

Use: DOMESTIC 01/01 to 12/31 0.11 CFS

Total Diversion: 0.2 CFS

Date Filed: 5/19/2010

Place Of Use: DOMESTIC T50N R03W S28 L2 (SWSW) SESW

Place Of Use: IRRIGATION

Total Acres: 2.5

Domestic use is for 5 homes.

95-12904

ROGER L AND LINDA U RASMUSSEN

2006 REVOCABLE INTER VIVOS TRUST

3238 MIDVALE AVE

LOS ANGELES, CA 90034

Point of Diversion L5 (SWNE) S3 T48N R04W KOOTENAI CO

Source COEUR D'ALENE LAKE Tributary SPOKANE RIVER

Use: IRRIGATION 03/15 to 11/15 0.05 CFS

Total Diversion: 0.05 CFS

Date Filed: 5/12/2010

Place Of Use: IRRIGATION T48N R04W S3 L5 (SWNE)

Total Acres: 1

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 9/7/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal 0522

August 19, 26, 2010

SCANNED
OCT 25 2010

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

94-7612

ROBERT W MONTEITH

34009 E CANYON RD

CATALDO, ID 83810

Point of Diversion L1(SENENW) S33 T49N R01E KOOTENAI CO

Source SPRING Tributary SINKS

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

Use: IRRIGATION 03/15 to 10/31 0.06 CFS

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

Total Diversion: 0.06 CFS

Date Filed: 6/11/2010

Place Of Use: DOMESTIC T49N R01E S33 L1(NENW)

Place Of Use: IRRIGATION and STOCKWATER

Same as DOMESTIC

Total Acres: 2

Domestic use is for 1 home. Stockwater use is for 4 horses.

94-7635

LARRY J REINHOFER

WENDY REINHOFER

29698 E HARDY LOOP

CATALDO, ID 83810

Point of Diversion SWSESW S19 T49N R01E KOOTENAI CO

Source SPRING Tributary UNAMED STREAM

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

Total Diversion: 0.03 CFS

Date Filed: 6/16/2010

Place Of Use: IRRIGATION T49N R01E S19 SESW

Total Acres: 1

94-7638

LARRY JENICEK

SHARON JENICEK

35306 S HIGHWAY 3

ST. MARIES, ID 83861

Points of Diversion(2) L1(SENENE) S6 T47N R02W KOOTENAI CO

Source SPRINGS Tributary SINKS

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

Total Diversion: 0.04 CFS

Date Filed: 6/22/2010

Place Of Use: DOMESTIC T47N R02W S6 L1(NENE)

Domestic use is for 1 home.

94-7639

OSCAR R STEINLEY

6480 N 16TH

DALTON GARDENS, ID 83815

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Source UNNAMED STREAM Tributary CATALDO SLOUGH

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KEVIN SCOTT COLEMAN

PO BOX 218

CATALDO, ID 83810-0218

Point of Diversion NWNESE S16 T49N R01W KOOTENAI CO

Source SPRING Tributary SINKS

Point of Diversion SWNESE S16 T49N R01W KOOTENAI CO

Source SPRING Tributary SINKS

Use: IRRIGATION 04/01 to 10/31 0.2 CFS

Use: FIRE PROTECTION 01/01 to 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 7/2/2010

Place Of Use: IRRIGATION T49N R01W S16 NESW

Place Of Use: FIRE PROTECTION same as IRRIGATION

Total Acres: 14

SCANNED
OCT 25 2010

95-12885

JOANN DELANEY TRIPP

PO BOX 8274

SPOKANE, WA 99203

Point of Diversion L2(NWSW) S20 T48N 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: 6/15/2010

Place Of Use: DOMESTIC T48N R04W S20 L2(NWSW)

Domestic use is for 1 home.

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KILDAIRE HOMEOWNERS ASSN

3200 S LOCHURST LN

COEUR D ALENE, ID 83814

Point of Diversion L2(SWSW) S28 T50N R03W KOOTENAI CO

Source GROUNDWATER

Use: IRRIGATION 03/15 to 11/15 0.09 CFS

Use: DOMESTIC 01/01 to 12/31 0.11 CFS

Total Diversion: 0.2 CFS

Date Filed: 5/19/2010

Place Of Use: DOMESTIC T50N R03W S28 L2(SWSW) SESW

Place Of Use: IRRIGATION

Total Acres: 2.5

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95-12904

ROGER L AND LINDA U RASMUSSEN

2006 REVOCABLE INTER VIVOS TRUST

3238 MIDVALE AVE

LOS ANGELES, CA 90034

Point of Diversion L5(SWNE) S3 T48N R04W KOOTENAI CO

Source COEUR D ALENE LAKE Tributary SPOKANE RIVER

Use: IRRIGATION 03/15 to 11/15 0.05 CFS

Total Diversion: 0.05 CFS

Date Filed: 5/12/2010

Place Of Use: IRRIGATION T48N R04W S3 L5(SWNE)

Total Acres: 1

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 9/7/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 8/19/2010 and 8/26/2010

SCANNED
OCT 25 2010

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, August 11, 2010 11:01 AM
To: Legal Notices-CdA Press; Legal Notices-CdAPress - Jaylene Farmer
Subject: Application for Permit No. 94-7612, 94-7635, 94-7638, 94-7639, 94-7648, 95-12885, 95-12887, 95-12904

Good morning, Jaylene,

Please publish the enclosed legal notice on the dates indicated, August 19 and 26, 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 there is a blind/hidden tab before Gary Spackman's name, moving his name and title to the right margin. If that occurs, please move it back over to the left margin line.

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 9/7/2010. Your cooperation is, as always, VERY greatly appreciated.



LegalNotice
8-11-10 CDA e-mai.

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

Thanks for all of your wonderful help. Tell your boss you're special!

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

SCANNED
OCT 25 2010



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 11, 2010

ROGER L AND LINDA U RASMUSSEN
2006 REVOCABLE INTER VIVOS TRUST
3238 MIDVALE AVE
LOS ANGELES, CA 90034

Application For Permit No. 95-12904

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 8/19/2010 and 8/26/2010. 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

SCANNED
OCT 25 2010

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, August 10, 2010 4:24 PM
To: mary.terra-berns@idfg.idaho.gov; cwashburn@idl.idaho.gov
Subject: RE: Application for Permit No. 95-12885

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 applications. A copy of each of the applications is enclosed for your reference. Both of these are from CDA Lake.



95-12885 Tripp.pdf



95-12904
Rasmussen trust.pdf

These are being prepared for publication in the CDA Press on August 9 and 26, 2010, with final date for protest to be received in our office of September 7, 2010. 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

SCANNED
OCT 25 2010



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

DAVID R. TUTHILL, JR.
Director

May 13, 2010

Roger L Rasmussen
3238 Midvale Ave.
Los Angeles, CA 90034

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho
Application No. 76531

Dear Mr. Rasmussen:

In reviewing your recently submitted application, the department found the need for corrections and/or additions. To save time the department developed an electronic version of the application with the corrections and additions incorporated for your convenience as follows;

Item #1 Name of Applicant

Kootenai County Tax record shows the lot ownership in the name of "Roger L and Linda U Rasmussen 2005 Revocable Inter Vivos Trust", with Roger L and Linda U as Trustees. The department felt it's best to have the application in the name of the trust with Roger and Linda Rasmussen listed as Trustees.

Item #3 Location of Point of Diversion

According to the BLM original land surveys your lot is located in Government Lot 5, as listed on the application, but the Quarter Quarter appears to be the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ instead of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ as listed on the application. This change was made in the electronic version of the application.

Item #4 Purpose of Use

The normal state allotment for the irrigation of land under 5 acres is 0.03 cfs per acre, which is equivalent to 13.5 gallons per minute. If more instantaneous diversion is needed, the applicant must justify the need, such as a zoned sprinkler system that requires 18 gallons per minute. If you need more than the 0.03 cfs let me know.

Item #9 Place of Use

The electronic version of the application reflects the correct quarter quarter in Government Lot 5. The SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ was changed to read the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$.

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Please review the new application and if it meets with your approval, sign and return the document within the next w30 days so as not to delay processing. If you have any questions, feel free to contact me at this office.

Thank you.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent
Enclosure

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OCT 25 2010

Roger Rasmussen
3238 Midvale Ave
Los Angeles, CA 90034
208-666-0637

Keith Franklin
Senior Water Resources Agent
Idaho Department of Water Resources
7600 N. Mineral Drive, Suite 100
Coeur d' Alene, ID 83814

RECEIVED

JUN 10 2010

IDWR/NORTHERN

Dear Mr. Franklin:

Thank you for your May 13 letter regarding my application #76531 for a water permit. I would like to respond to the four issues you raised.

Item 1 (Name of applicant). The correct name of the trust is "The Roger and Linda Rasmussen 2006 Revocable Inter Vivos Trust." I have contacted Kootenai County to make sure that they have the correct name also.

Item 3 (Point of Diversion). I am sure you are correct about the location of the point of diversion. I admit I don't fully understand how the quarter quarter naming system works.

Item 4 (Purpose of Use). You stated in your letter that I must justify my request for .05 cfs per acre, and suggested that a zoned sprinkler system requiring 18 gallons per minute might be the justification. Actually, I would like to use a 1.5 horsepower pump that delivers 21 GPM (.05 cfs) at 50 PSI to an elevation as much as 75 feet above the summer lake level. The alternative is to use a 1.0 horsepower pump that would presumably deliver 14 GPM (.03 cfs) at 50 PSI to the same elevation.

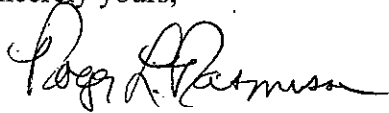
- I have experience with the 1.5 HP pump and know that it can deliver a sufficient flow of water at the elevation I need. I hope that a 1.0 HP pump would deliver a 1/3 lower water flow at the same pressure to the same elevation, but I don't have the experience to know this for a fact.
- I have done a preliminary design of the irrigation system for this parcel. It involves 42 Hunter I-20 rotary sprinkler heads, each delivering 1.5 GPM over a 25' radius. If I were to use the 1.5 HP pump, I could get by with 3 zones. A 1.0 HP pump using the same sprinkler heads would require 5 zones. That means a second vault as well as additional 1.5" piping to get the water to the center of each zone.
- Using the larger pump would not increase the total amount of water I need. (I would just be running it fewer minutes per week.) But the larger pump would save me the expense of additional zones, vaults and piping.

Item 9 (Place of Use). As with Item 3, I accept your description of the quarter quarter where the property is located.

There is another matter that is probably not very important but worth correcting. The map you attached to your letter has a handwritten "parcel 5" designation pointing to a property that is not the subject property and is not parcel 5. Parcel 5 is 3 parcels to the north, as I have noted in my attached copy of your map.

I hope this letter resolves the issues you raised with my initial application. Please give me a call at the phone number listed above if it does not.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Roger Rasmussen".

Roger Rasmussen

SECRET/REVISIONS

The revision data below represents the data used in the preparation of the map. The revision data is for the purpose of the map only. The revision data is not to be used for any other purpose.

10/16/95 - J01
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 10/16/95 - J06
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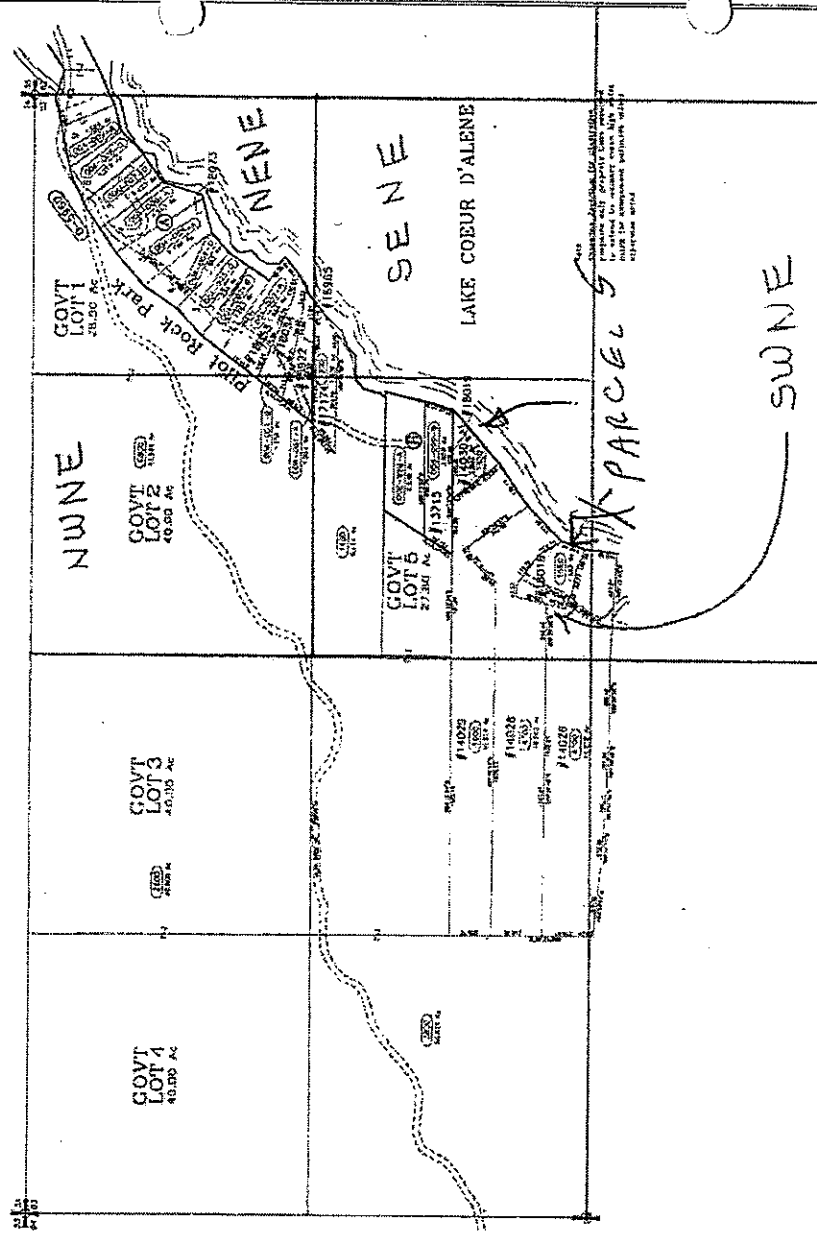
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 OCT 25 2010

N1/2 Sec.3 Twp.48 N. R.4 W.B.M.

48ND4W-03

REVISION	DATE	BY	DESCRIPTION
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2	10/16/95	J02	Revised map
3	10/16/95	J03	Revised map
4	10/16/95	J04	Revised map
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100	10/16/95	J100	Revised map



SCALE: 1 INCH = 400 FEET

N1/2 Sec.3 Twp.48 N.R.4 W.B.M.