

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-11638

Priority: December 09, 2009

Maximum Diversion Rate: 0.11 CFS

This is to certify, that NAUTIQUE HOLDINGS, INC
450 4935 40TH AVE NW
CALGARY AB T3A2N1
(403) 202-3312

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>
IRRIGATION	03/15 to 11/15	0.05 CFS
DOMESTIC	01/01 to 12/31	0.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

HAYDEN LAKE, L2 (NW1/4NW1/4), Sec. 14, Twp 51N, Rge 03W, B.M., KOOTENAI County

PLACE OF USE: IRRIGATION, DOMESTIC

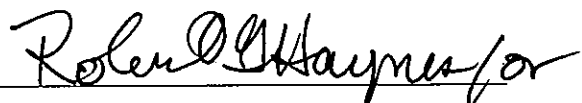
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
51N 03W 14						1.5											1.5
						L 2											

Total Acres: 1.5

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 01, 2012**.
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
5. Domestic use is for 2 homes. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
6. 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.
7. 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.
8. 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 28th day of September, 2010.


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

September 29, 2010

NAUTIQUE HOLDINGS, INC
450 4935 40TH AVE NW
CALGARY AB T3A2N1

RE: Permit No.95-11638

Permit Approval Notice

Dear Permit Holder:

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

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

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

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

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

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

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

Sincerely,

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

Keith E. Franklin

Sr. Water Resources Agent

Enclosure(s)

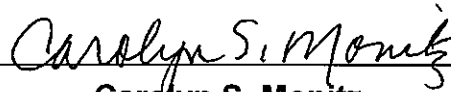
CERTIFICATE OF SERVICE

I hereby certify that on September 29, 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.

95-11638

**NAUTIQUE HOLDINGS, INC
450 4935 40TH AVE NW
CALGARY AB T3A2N1**

A handwritten signature in cursive script, reading "Carolyn S. Monitz", is written over a horizontal line.

Carolyn S. Monitz

Technical Records Clerk

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. # 95-11638 APPLICATION ID # 76175 ENT. 6/4 BCA 7/14 OK to Publish 7/16/10
 APPLICANT: Nautique Holdings, Inc. INITIAL REVIEW BY: KR DATE: 6/4/2010

- 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)

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

ADDITIONAL INFORMATION

(Yes)(No):
☒ Shape File Created Date 6/4 By: KR
☐ Field check: by _____
☐ Field report attached
☐ Analysis Supp. attached(>5cfs/500af)
☐ Water delivered by water master? Water District # _____

PROCESSING

(Yes)(No) PRIORITY DATE: 12/9/2009
☐ (Include Moratorium Remark)
☐ Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).
 ADVERTISE IN: Kootenai County
 Newspaper: cha
 Dates scheduled for publication 8/5 & 12/10
 Affidavit of Publication received: 8/13/10
 Dates actually published: 8/5 & 12/10
 Application published correctly. Yes ☒ No ☐
 If not, action taken: _____

Final Date for Protest: 8/23/10

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: [Signature] Date: 9/22/2010 Sr. Agent initial KR

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

ss.

RECEIVED
AUG 13 2010
IDWR / NORTH

Mylene 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

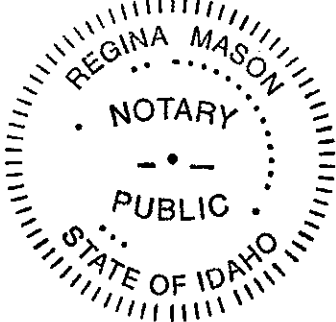
of which the annexed is a printed copy, was published in the regular issue of said newspaper for 2 consecutive Thursday weeks commencing on the 5 day of August, 2010, and ending on the 10 day of August, 2010, and such publication was made as often during said period as said Daily newspaper was regularly 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 10 day of August, in the year of 2010, before me, a Notary Public, personally appeared Mylene 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
AUG 13 2010
IDWR/North

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

95-11638

NAUTIQUE HOLDINGS, INC

450 4935 40TH AVE NW

CALGARY, AB T3A2N1

Point of Diversion L2(NWNW) S14 T51N R03W KOOTENAI CO

Source HAYDEN LAKE Tributary SINKS

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

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

Total Diversion: 0.11 CFS

Date Filed: 12/9/2009

Place Of Use: IRRIGATION T51N R03W S14 L2(NWNW)

Place Of Use: DOMESTIC same as IRRIGATION

Total Acres: 1.5

Domestic use is for 2 homes.

95-12443

ARTHUR III & TRUDY ELLIOTT FAMILY TRUST

3431 S NORTH CAPE RD

COEUR D'ALENE, ID 83814-7788

Point of Diversion L4(SESW) S14 T49N 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: 5/3/2010

Place Of Use: DOMESTIC T49N R04W S14 L4(SESW)

Domestic use is for 1 home.

95-12627

SHARON WILHELM

8909 N BRADBURY

SPOKANE, WA 99208

Point of Diversion L2(SWNE) S13 T49N 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: 5/26/2010

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

Domestic use is for 1 home.

95-12696

CALEB JOSHUA TRUST

15000 N ORIOLE RD

HAYDEN, ID 83835

Point of Diversion NWSWNW S33 T52N R03W KOOTENAI CO

Source SPRING Tributary SINKS

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

Use: STOCKWATER STORAGE 01/01 to 12/31 7.3 AF

Use: STOCKWATER FROM STORAGE 01/01 to 12/31 0.2 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 5/19/2010

Place Of Use: STOCKWATER STORAGE

T52N R03W S33 NWNW SWNW

Place Of Use: STOCKWATER FROM STORAGE

T52N R03W S33 NENW NWNW SWNW SENW NWSW

Place Of Use: STOCKWATER

T52N R03W S33 NENW NWNW SWNW SENW NWSW

Stockwater use is for 12 head of mixed stock.

95-12708

GARY SPENCE

KARIN SPENCE

7974 E COEUR D'ALENE LAKE DR

COEUR D'ALENE, ID 83814

Point of Diversion L1(NENW) S33 T50N R03W KOOTENAI CO

Source GROUND WATER Tributary

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

Total Diversion: 0.04 CFS

Date Filed: 6/2/2010

Place Of Use: DOMESTIC T50N R03W S33 L1(NENW)

Domestic use is for 1 home.

95-12714

JACK JUDD

JULIE JUDD

2119 EAST SUNDOWN DR

COEUR D'ALENE, ID 83815

Points of Diversion(5) L4(NWNW) S23 T50N R03W

KOOTENAI CO

Source UNNAMED STREAM Tributary BLUE CREEK

Use: STOCKWATER STORAGE 01/01 to 12/31 3.6 AF

Use: STOCKWATER FROM STORAGE 01/01 to 12/31 0.7 AF

Total Diversion: 3.6 AF

Date Filed: 6/3/2010

Place Of Use: STOCKWATER STORAGE

T50N R03W S23 L4(NWNW)

Place Of Use: STOCKWATER FROM STORAGE

Same as STOCKWATER STORAGE

T50N R03W S23 L4(NWNW)

Stockwater use is for 50 head of mixed stock.

95-12719

ROBERT L MC GEORGE

6905 W OCTAVE

PASCO, WA 99301

Point of Diversion L1(NENW) S23 T49N 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: 6/3/2010

Place Of Use: DOMESTIC T49N R04W S23 L1(NENW)

Domestic use is for 1 home.

95-12749

RICHARD R PETERS

515 WOLF LODGE CREEK RD

COEUR D'ALENE, ID 83814

Points of Diversion(5) SENW S16 T50N R02W KOOTENAI CO

Source STELLA CREEK Tributary WOLF LODGE CREEK

Points of Diversion(3) NESW S16 T50N R02W KOOTENAI CO

Source STELLA CREEK Tributary WOLF LODGE CREEK

Points of Diversion(2) NESW S16 T50N R02W KOOTENAI CO

Source WOLF LODGE CREEK Tributary COEUR D'ALENE LAKE

Use: IRRIGATION 03/15 to 11/15 0.2 CFS

Use: STOCKWATER 01/01 to 12/31 0.03 CFS

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

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 3 AF

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

Use: AESTHETIC STORAGE 01/01 to 12/31 3 AF

Total Diversion: 0.2 CFS

Date Filed: 6/4/2010

Place Of Use: IRRIGATION

T50N R02W S16 NENW SWNW SENW NESW NWSW

Place Of Use: STOCKWATER same as IRRIGATION

Place Of Use: AESTHETIC T50N R02W S16 SENW NESW

Place Of Use: AESTHETIC STORAGE same as AESTHETIC

Place Of Use: FIRE PROTECTION

T50N R02W S16 SENW NESW

Place Of Use: FIRE PROTECTION STORAGE

T50N R02W S16 SENW NESW

Total Acres: 27.1

Stockwater use is for 100 head of mixed stock.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D'Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 8/23/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal 0319

August 5, 12, 2010

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

95-11638

NAUTIQUE HOLDINGS, INC

450 4935 40TH AVE NW

CALGARY, AB T3A2N1

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Source HAYDEN LAKE Tributary SINKS

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

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

Total Diversion: 0.11 CFS

Date Filed: 12/9/2009

Place Of Use: IRRIGATION T51N R03W S14 L2(NWNW)

Place Of Use: DOMESTIC same as IRRIGATION

Total Acres: 1.5

Domestic use is for 2 homes.

95-12443

ARTHUR III & TRUDY ELLIOTT FAMILY TRUST

3431 S NORTH CAPE RD

COEUR D ALENE, ID 83814-7788

Point of Diversion L4(SESW) S14 T49N 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: 5/3/2010

Place Of Use: DOMESTIC T49N R04W S14 L4(SESW)

Domestic use is for 1 home.

95-12627

SHARON WILHELM

8909 N BRADBURY

SPOKANE, WA 99208

Point of Diversion L2(SWNE) S13 T49N 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: 5/26/2010

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

Domestic use is for 1 home.

95-12696

CALEB JOSHUA TRUST

15000 N ORIOLE RD

HAYDEN, ID 83835

Point of Diversion NWSWNW S33 T52N R03W KOOTENAI CO

Source SPRING Tributary SINKS

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

Use: STOCKWATER STORAGE 01/01 to 12/31 7.3 AF

Use: STOCKWATER from STORAGE 01/01 to 12/31 0.2 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 5/19/2010

Place Of Use: STOCKWATER STORAGE

T52N R03W S33 NWNW SWNW

Place Of Use: STOCKWATER FROM STORAGE

T52N R03W S33 NENW NWNW SWNW SENW NWSW

Place Of Use: STOCKWATER

T52N R03W S33 NENW NWNW SWNW SENW NWSW

Stockwater use is for 12 head of mixed stock.

95-12708

GARY SPENCE

KARIN SPENCE

7974 E COEUR D ALENE LAKE DR

COEUR D ALENE, ID 83814

Point of Diversion L1(NENW) S33 T50N R03W KOOTENAI CO

Source GROUND WATER Tributary

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

Total Diversion: 0.04 CFS

Date Filed: 6/2/2010

Place Of Use: DOMESTIC T50N R03W S33 L1(NENW)

Domestic use is for 1 home.

95-12714

JACK JUDD

JULIE JUDD

2119 EAST SUNDOWN DR

COEUR D'ALENE, ID 83815

Points of Diversion(5) L4(NWNW) S23 T50N R03W

KOOTENAI CO

Source UNNAMED STREAM Tributary BLUE CREEK

Use: STOCKWATER STORAGE 01/01 to 12/31 3.6 AF

Use: STOCKWATER FROM STORAGE 01/01 to 12/31 0.7 AF

Total Diversion: 3.6 AF

Date Filed: 6/3/2010

Place Of Use: STOCKWATER STORAGE

T50N R03W S23 L4(NWNW)

Place Of Use: STOCKWATER FROM STORAGE

Same as STOCKWATER STORAGE

T50N R03W S23 L4(NWNW)

Stockwater use is for 50 head of mixed stock.

95-12719

ROBERT L MC GEORGE

6905 W OCTAVE

PASCO, WA 99301

Point of Diversion L1(NENW) S23 T49N 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: 6/3/2010

Place Of Use: DOMESTIC T49N R04W S23 L1(NENW)

Domestic use is for 1 home.

95-12749

RICHARD R PETERS

515 WOLF LODGE CREEK RD

COEUR D'ALENE, ID 83814

Points of Diversion(5) SENW S16 T50N R02W KOOTENAI CO

Source STELLA CREEK Tributary WOLF LODGE CREEK

Points of Diversion(3) NESW S16 T50N R02W KOOTENAI CO

Source STELLA CREEK Tributary WOLF LODGE CREEK

Points of Diversion(2) NESW S16 T50N R02W KOOTENAI CO

Source WOLF LODGE CREEK Tributary COEUR D'ALENE LAKE

Use: IRRIGATION 03/15 to 11/15 0.2 CFS

Use: STOCKWATER 01/01 to 12/31 0.03 CFS

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

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 3 AF

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

Use: AESTHETIC STORAGE 01/01 to 12/31 3 AF

Total Diversion: 0.2 CFS

Date Filed: 6/4/2010

Place Of Use: IRRIGATION

T50N R02W S16 NENW SWNW SENW NESW NWSW

Place Of Use: STOCKWATER same as IRRIGATION

Place Of Use: AESTHETIC T50N R02W S16 SENW NESW

Place Of Use: AESTHETIC STORAGE same as AESTHETIC

Place Of Use: FIRE PROTECTION T50N R02W S16 SENW

NESW

Place Of Use: FIRE PROTECTION STORAGE

T50N R02W S16 SENW NESW

Total Acres: 27.1

Stockwater use is for 100 head of mixed stock.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D'Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 8/23/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 8/5/2010 and 8/12/2010

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, July 21, 2010 2:05 PM
To: Legal Notices-CdA Press; Legal Notices-CdAPress - Jaylene Farmer
Subject: Application for Permit No. 95-11638, 95-12443, 95-12627, 95-12696, 95-12708, 95-12714, 95-12719, 95-12749

Good day to you, Jaylene,

Please publish the enclosed legal notice on the dates indicated, August 5 and 12, 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 proof/preview copy for my review before this goes to press.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 8/23/2010. Your cooperation is very greatly appreciated.



LegalNotice
7-20-10 CDA e-mai.

Thanks for all your 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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

July 20, 2010

NAUTIQUE HOLDINGS, INC
450 4935 40TH AVE NW
CALGARY, AB T3A2N1

Application For Permit No. 95-11638

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 8/5/2010 and 8/12/2010. 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. N023059

Ball, Dianne

From: Ball, Dianne
Sent: Friday, July 16, 2010 2:41 PM
To: cwashburn@idl.idaho.gov
Subject: 95-11638, 95-12443, 95-12627, 95-12719 - from Hayden Lake and Lake CDA

Dear 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 August 5 and 12, 2010, with final date for protests to be received in our office of August 23, 2010.



95-11638
Nautique.pdf



95-12443 Elliot
family trust.p...



95-12627
Wilhelm.pdf



95-12719
McGeorge.pdf

Your prompt response to this request is appreciated. If your agency desires to formally protest the approval of any of these applications, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee for each application you might want to protest, 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

Ball, Dianne

From: Ball, Dianne
Sent: Friday, July 16, 2010 3:17 PM
To: mary.terra-berns@idfg.idaho.gov
Subject: RE: Application for Permit No. 95-11638 Nautique, 95-12443 Ellion Trust, 95-12627 Wilhelm, 95-12696 Joshua Trust, 95-12714 Judd, 95-12719 McGeorge, 95-12749 Peters

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 August 5 and 12, 2010, with final date for protests to be received in our office of August 23, 2010.



95-11638
Nautique.pdf



95-12443 Elliot
family trust.p...



95-12627
Wilhelm.pdf



95-12696 Caleb
Joshua Trst.pdf...



95-12714 Judd.pdf



95-12719
McGeorge.pdf



95-12749
Peters.pdf

Your prompt response to this request is appreciated. If your agency desires to formally protest the approval of any of these applications, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee for each application you might want to protest, within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815
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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

December 14, 2009

Howard Gimbel
Gimbel Eye Centre
450, 4935-40th Ave. NW
Calgary, AB T3A 2N1

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho
No. 95-11638

Dear Mr. Gimbel:

Thank you for your prompt response in returning the information and filing fee requested on November 24, 2009.

During the processing of your application, the department discovered another discrepancy that needs to be clarified. The Kootenai County tax records shows a lot in the name of Glenn Gimbel, located within the NENW Government Lot 1 of Section 14, please refer to the attached aerial photograph. Your application indicates the place of use is located within the NWNW Government Lot 2. If you own the Glenn Gimbel property please so indicate by changing the place of use on the enclosed application to the NENW and return it to me within the next 30 days.

If you have any questions, feel free to contact me at this office.

Thank you.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent
Enclosure

COPY



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

November 24, 2009

Howard Gimbel
Gimbel Eye Centre
450, 4935-40th Ave. NW
Calgary, AB T3A 2N1

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

Dear Mr. Gimbel:

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

Before the department can accept an application it must be accompanied by a filing fee. You are applying for a domestic water right with a diversion rate of 0.04 cfs (18 gallons per minute) from Hayden Lake. The filing fee in this case would be \$100.00.

Also, the point of diversion or location of your pump appears to be located on another's property. Please provide the department with evidence of an agreement that allows you to access the property for a pump installation.

Please resubmit the application and easement agreement along with a check made out to the IDWR, in the amount of \$100.00 to cover the filing fee. If you have any questions, feel free to contact me at this office.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent
Enclosure