

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-11572

Priority: November 13, 2009

Maximum Diversion Rate: 0.06 CFS

This is to certify, that R. RANDEL HENNEBERG
5757 EVERNADE RD
HAYDEN LAKE ID 83835
(208) 772-6688

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>
DOMESTIC	01/01 to 12/31	0.06 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

HAYDEN LAKE, L4 (SW1/4SE1/4), Sec. 9, Twp 51N, Rge 03W, B.M., KOOTENAI County

PLACE OF USE: DOMESTIC, STOCKWATER

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 9															X		
															L4		

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 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. Domestic use is for 1 home.
6. A fish screen of 0.25 inch or smaller mesh shall be installed and maintained at the point of diversion.
7. Stockwater use is for 5 head of mixed stock.
8. 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. 95A.
9. The irrigation occurring under this domestic use shall not exceed 1/2 acre.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Coeur d'Alene, this 15th day of 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 16, 2010

R. RANDEL HENNEBERG
5757 EVERNADE RD
HAYDEN LAKE ID 83835

RE: Permit No.95-11572

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.

COPY

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)

COPY

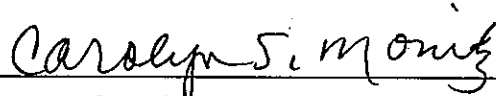
CERTIFICATE OF SERVICE

I hereby certify that on September 16, 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.

95-11572

R. RANDEL HENNEBERG
5757 EVERNADE RD
HAYDEN LAKE ID 83835

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

Carolyn S. Monitz
Technical Records Clerk

COPY

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.

MEMORANDUM

Date: August 19, 2010
To: Water Right File 95-11572
From: kfranklin
Re: Domestic Diversion Rate

The applicant has a zoned lawn sprinkler system that requires approximately 27 gallons per minute.



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 6, 2010

R. Randel Henneberg
5757 Evernade Rd
Hayden Lake, ID 83835

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho
No. 95-11572

Dear Mr. Henneberg:

Thank you for your letter dated July 12, 2010 clarifying a question the department had on the diversion rate amount. Your letter did bring up another concern that needs to be addressed.

Your application is for domestic and stockwater use. The irrigation part of a domestic water right only allows the irrigation of up to $\frac{1}{2}$ acre of lawn and garden. Your letter of July 12th indicates you are irrigating about 1 acre. If more than $\frac{1}{2}$ acre is being irrigated, the balance needs to be covered by an irrigation water right.

One way to solve the irrigation problem is to amend the current application by enter into a new one that includes irrigation as a use along with domestic and stockwater or curtail the irrigation of land over $\frac{1}{2}$ acre. If you elect to amend the current application it will need to be re-advertised and will require an additional fee of \$50.00.

For your convenience I have enclosed an amended application form for your consideration. If you decide to amend the application, please sign the amended application form and return it to me along with a check in the amount of \$50.00 made out to IDWR within the next 30 days. I would appreciate your thoughts on this matter, so please give me a call at 208-762-2800 at your earliest convenience.

Thank you.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent
Enclosure

COPY

*Applicant came in on 8/17/2010
and told me he was only irrig.
 $\frac{1}{2}$ Acre. KJ*



State of Idaho

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Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

April 20, 2010

R. Randel Henneberg
5757 Evernade Rd.
Hayden Lake, ID 83835

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

Dear Mr. Henneberg:

The Idaho State Department of Water Resources is at a point of issuing a permit on your recently submitted application for a water right; however, the department needs a clarification on the diversion rate for domestic purposes.

The normal diversion rate for a domestic purpose is 0.04 cfs (18 gallons per minute) which includes a diversion amount to irrigate up to ½ acre of lawn and garden. Your application indicates a desire to divert 0.06 cfs (27 gallons per minute) for the same purpose). The department can permit the 0.06 cfs but it needs a justification for it, like a zoned sprinkler system that will require 27 gallons per minute for a short duration of time.

If a domestic diversion rate of 0.04 cfs will be adequate, let me know as soon as possible so we can finalize your permit. If you need the larger amount, please send information or specifications that will justify the need and 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

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

July 8, 2010

R. Randel Henneberg
5757 Evernade Rd
Hayden Lake, ID 83835

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

Dear Mr. Henneberg:

On April 20, 2010 the department corresponded with you requesting additional information on your recently submitted application for a new water right, copy of which is enclosed for your reference. To date the department has not heard from you.

Please respond within the next 30 days or the department will assume you are no longer interested in pursuing a water right and will start the process to terminate the application. 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

July 12, 2010

RECEIVED

JUL 15 2010

IDWR/North

Keith E. Franklin
Dept of water resources
State of Idaho

Dear Mr. Franklin:

I thought I replied to the query in the recent past, but perhaps it was lost.

I would appreciate a permit for the diversion rate as is originally requested. I submitted that application with the help of one of your agents in the Hayden office. The rate of 0.06 cfs was recommended to me based on the amount of irrigation used for a 7 zone sprinkler system and also to be able to supply water for 3-4 head of stock. We do have 9 acres, with about 1 acre that receives irrigation water. The house itself is on well water.

Appreciate your help in applying for the proper system. Thank you



R. Randel Henneberg
5757 Evernate Rd
Hayden Lake, Id 83835

4-23-10

Kathy B. Franklin
7600 N. Minerva Drive #100
COA, ID 83815

RECEIVED
APR 26 2010
IDWR/North

Dear Mr. Franklin

Re: Application # 95-11572

The permit applied for is indeed for purpose of irrigating $\frac{1}{2}$ + acre of lawn + garden, which is all on a 6-7 zone sprinkler system. The system of course is on for short durations. At times it has also been used for stock water, although not currently.

The requested amount was decided on after consulting to one of your agents. Hopefully it is not a problem.

Thanks for your help.



R. Randal Henneberg
5757 EVERWAD RD
HAYDEN LAKE, ID 83835

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

W.R. # 95-11572 APPLICATION ID # 76149 ENT. 11/24 BCA 2/26 OK to Publish 2/25/10
 APPLICANT: B. Bandel Henneberg INITIAL REVIEW BY: KJ DATE: 11/24/2009

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 11/24 By: KJ
☐ Field check: by _____
☐ Field report attached
☐ Analysis Supp. attached(>5cfs/500af)
☐ Water delivered by water master? Water District # _____

PROCESSING

(Yes)(No) PRIORITY DATE: 11/13/2009

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

ADVERTISE IN:

Newspaper: Cda Kootenai County
 Dates scheduled for publication 3/4 & 11/10
 Affidavit of Publication received: 3/12/10
 Dates actually published: 3/4 & 11/10
 Application published correctly. Yes ☒ No ☐
 If not, action taken: _____

Final Date for Protest: 3/22
 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: _____
☐ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: _____ Date: ____/____/____ Sr. Agent initial _____

RECEIVED
MAR 12 2010

IDWR / NORTH

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Kootenai, } ss.

Kelli Buley 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

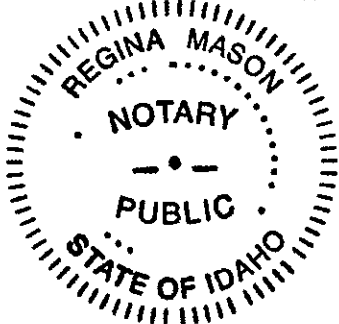
of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 4 day of March 20 10, and ending on the 11 day of March 20 10 and such publication was made as often during said period as said Daily newspaper was regularly 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 Kelli Buley. On this 11 day of March in the year of 2010, before me, a Notary Public, personally appeared Kelli Buley, 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
MAR 12 2010
IDWR/NORTHERN

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

95-11507

LISA MACK

4161 FOOTHILL DR

COEUR D'ALENE, ID 83814

Points of Diversion (2) L7 (SENW) S9 T50N R04W KOOTENAI CO

Source SPOKANE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION	03/15 to 11/15	0.15 CFS
Total Diversion:		0.15 CFS

Date Filed: 11/10/2009

Place Of Use: IRRIGATION T50N R04W S9 L7 (SENW)

Total Acres: 5

95-11549

THOMAS RENDER

JANE RENDER

10498 LAKE VIEW DR

HAYDEN LAKE, ID 83835

Point of Diversion L7 (SWNE) S18 T51N R03W KOOTENAI CO

Source HAYDEN LAKE Tributary SINKS

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

Date Filed: 11/19/2009

Place Of Use: IRRIGATION T51N R03W S18 L7 (SWNE) SENW

Total Acres: 0.5

95-11550

LENORA J SIMON

S 5793 WENIGER HILL RD

COEUR D'ALENE, ID 83814

Point of Diversion NWSENE S3 T49N R04W KOOTENAI CO

Source SPRING Tributary COEUR D'ALENE LAKE

Use: IRRIGATION	03/15 to 11/15	0.09 CFS
Use: DOMESTIC	01/01 to 12/31	0.04 CFS
Total Diversion:		0.13 CFS

Date Filed: 11/20/2009

Place Of Use: DOMESTIC T49N R04W S3 L1 (NENE)

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 3

Domestic use is for 1 home.

95-11562

WESLEY L POGUE

PO BOX 1061

POST FALLS, ID 83877

Point of Diversion SENWSE S30 T52N R05W KOOTENAI CO

Source SPRING Tributary HAUSER CREEK

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

Date Filed: 11/23/2009

Place Of Use: DOMESTIC T52N R05W S30 NWSE

Domestic use is for 1 home.

95-11565

ANGELA QUINN

725 S GREENSFERRY

POST FALLS, ID 83854

Point of Diversion L4 (SWNW) S12 T50N R05W KOOTENAI CO

Source SPOKANE RIVER Tributary COLUMBIA RIVER

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

Date Filed: 11/23/2009

Place of Use: DOMESTIC T50N R05W S12 L4 (NWNW) L4 (SWNW)

Domestic use is for 1 home.

95-11572

R. RANDEL HENNEBERG

5757 EVERNADE RD

HAYDEN LAKE, ID 83835

Point of Diversion L4 (SWSE) S9 T51N R03W KOOTENAI CO

Source HAYDEN LAKE Tributary SINKS

Use: STOCKWATER	01/01 to 12/31	0.02 CFS
Use: DOMESTIC	01/01 to 12/31	0.06 CFS
Total Diversion:		0.06 CFS

Date Filed: 11/13/2009

Place Of Use: DOMESTIC T51N R03W S9 L4 (SWSE)

Place Of Use: STOCKWATER same as DOMESTIC

Domestic use is for 1 home.

Stockwater use is for 5 head of mixed stock.

95-11573

MITCHELL SWENSON

LIANN SWENSON

PO BOX 3502

HAYDEN, ID 83835

Point of Diversion L4 (SENE) S7 T49N R03W 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: 11/23/2009

Place Of Use: DOMESTIC T49N R03W S7 L4 (SENE)

Domestic use is for 1 home.

95-11574

HOLLAND FAMILY TRUST

18637 W HOLLAND RD

POST FALLS, ID 83854

Point of Diversion L8 (NESW) S12 T50N R06W KOOTENAI CO

Source GROUNDWATER

Use: IRRIGATION	03/15 to 11/15	0.06 CFS
Use: DOMESTIC	01/01 to 12/31	0.18 CFS
Total Diversion:		0.18 CFS

Date Filed: 11/23/2009

Place Of Use: DOMESTIC T50N R06W S12 L8 (NESW) SESW

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 2.5

Domestic use is for 12 homes.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D'Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 3/22/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal 9167

March 4, 11, 2010

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

95-11507

LISA MACK

4161 FOOTHILL DR

COEUR D ALENE, ID 83814

Point of Diversion(2) L7(SENW) S9 T50N R04W KOOTENAI CO

Source SPOKANE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION 03/15 to 11/15 0.15 CFS

Total Diversion: 0.15 CFS

Date Filed: 11/10/2009

Place Of Use: IRRIGATION T50N R04W S9 L7(SENW)

Total Acres: 5

95-11549

THOMAS RENDER

JANE RENDER

10498 LAKE VIEW DR

HAYDEN LAKE, ID 83835

Point of Diversion L7(SWNE) S18 T51N R03W KOOTENAI CO

Source HAYDEN LAKE Tributary SINKS

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

Total Diversion: 0.02 CFS

Date Filed: 11/19/2009

Place Of Use: IRRIGATION T51N R03W S18 L7(SWNE) SENW

Total Acres: 0.5

95-11550

LENORA J SIMON

S 5793 WENIGER HILL RD

COEUR D ALENE, ID 83814

Point of Diversion NWSENE S3 T49N R04W KOOTENAI CO

Source SPRING Tributary COEUR D ALENE LAKE

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

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

Total Diversion: 0.13 CFS

Date Filed: 11/20/2009

Place Of Use: DOMESTIC T49N R04W S3 L1(NENE)

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 3

Domestic use is for 1 home.

95-11562

WESLEY L POGUE

PO BOX 1061

POST FALLS, ID 83877

Point of Diversion SENWSE S30 T52N R05W KOOTENAI CO

Source SPRING Tributary HAUSER CREEK

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

Total Diversion: 0.04 CFS

Date Filed: 11/23/2009

Place Of Use: DOMESTIC T52N R05W S30 NWSE

Domestic use is for 1 home.

95-11565

ANGELA QUINN

725 S GREENSFERRY

POST FALLS, ID. 83854

Point of Diversion L4(SWNW) S12 T50N R05W KOOTENAI CO

Source SPOKANE RIVER Tributary COLUMBIA RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 11/23/2009

Place of Use: DOMESTIC T50N R05W S12 L4(NWNW) L4(SWNW)

Domestic use is for 1 home.

95-11572

R. RANDEL HENNEBERG

5757 EVERNADE RD

HAYDEN LAKE, ID 83835

Point of Diversion L4(SWSE) S9 T51N R03W KOOTENAI CO

Source HAYDEN LAKE Tributary SINKS

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

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

Total Diversion: 0.06 CFS

Date Filed: 11/13/2009

Place Of Use: DOMESTIC T51N R03W S9 L4(SWSE)

Place Of Use: STOCKWATER same as DOMESTIC

Domestic use is for 1 home.

Stockwater use is for 5 head of mixed stock.

95-11573

MITCHELL SWENSON

LIANN SWENSON

PO BOX 3502

HAYDEN, ID 83835

Point of Diversion L4(SENE) S7 T49N R03W 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: 11/23/2009

Place Of Use: DOMESTIC T49N R03W S7 L4(SENE)

Domestic use is for 1 home.

95-11574

HOLLAND FAMILY TRUST

18637 W HOLLAND RD

POST FALLS, ID 83854

Point of Diversion L8(NESW) S12 T50N R06W KOOTENAI CO

Source GROUNDWATER

Use: IRRIGATION 03/15 to 11/15 0.06 CFS

Use: DOMESTIC 01/01 to 12/31 0.18 CFS

Total Diversion: 0.18 CFS

Date Filed: 11/23/2009

Place Of Use: DOMESTIC T50N R06W S12 L8(NESW) SESW

Place Of Use: IRRIGATION

Total Acres: 2.5

Domestic use is for 12 homes.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D'Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 3/22/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 3/4/2010 and 3/11/2010

Ball, Dianne

From: Ball, Dianne
Sent: Friday, February 26, 2010 12:27 PM
To: Legal Notices-CdA Press; Legal Notices-CdAPress - Kelli Buley
Subject: Another Application for Permit No. 95-11507, 95-11549, 95-11550, 95-11562, 95-11565, 95-11572, 95-11573, 95-11574 to publish March 4 and 11, 2010.

Please publish the enclosed legal notice on the dates indicated, March 4 and 11, 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. I'm learning a new program as of a couple days ago – and some things are coming off a little differently in this program than in the old one. I've tried to make any necessary adjustments.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 3/22/2010. Your cooperation is as always, *greatly* appreciated.



LegalNotice
2-26-10 CDA e-mai.

Thanks once again for all your marvelous help. It is truly a pleasure to work with you on these legal notices.

I'm so thankful that you don't have to do a lot of re-working on them.

Too blessed to be stressed!

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

February 26, 2010

R. RANDEL HENNEBERG
5757 EVERNADE RD
HAYDEN LAKE, ID 83835

Application For Permit No. 95-11572

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 3/4/2010 and 3/11/2010. 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

Ball, Dianne

From: Ball, Dianne
Sent: Friday, February 26, 2010 2:58 PM
To: mary.terra-berns@idfg.idaho.gov; cwashburn@idl.idaho.gov
Subject: RE: Application for Permit No. 95-11507 Mack, 95-11549 Render, 95-11550 Simon, 95-11562 Pogue, 95-11565 Quinn, 95-11572 Henneberg, 95-11573 Swenson

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.



95-11507 Mack.pdf



95-11549
RENDER.pdf



95-11550
Simon.pdf



95-11562
Pogue.pdf



95-11565
Quinn.pdf



95-11572
Henneberg.pdf



95-11573
Swenson.pdf

Carl you may not be interested in Simon [spring tributary to Coeur d Alene Lake] or Pogue [spring tributary to Hauser Creek].

These are expected to publish in the CDA Press on March 4 and 11, 2010, which would make final date for protests to be received in our office March 22, 2010.

This office can publish notice of the application as soon as the initial review is completed; therefore, 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