

State of Idaho  
Department of Water Resources

# Permit to Appropriate Water

NO. 95-11544

Priority: November 25, 2009

Maximum Diversion Rate: 0.12 CFS  
Maximum Diversion Volume: 12.5 AF

This is to certify, that HENKOSKI FAMILY TRUST  
PO BOX 750  
ATHOL ID 83801  
(208) 683-9139

has applied for a permit to appropriate water from:

**Source:** GROUND WATER

and a permit is APPROVED for development of water as follows:

| <u>BENEFICIAL USE</u>   | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-------------------------|----------------------|--------------------------|----------------------|
| DIVERSION TO STORAGE    | 01/01 to 12/31       | 0.12 CFS                 |                      |
| IRRIGATION              | 04/01 to 10/31       | 0.12 CFS                 |                      |
| IRRIGATION FROM STORAGE | 04/01 to 10/31       |                          | 12.0 AF              |
| IRRIGATION STORAGE      | 01/01 to 12/31       |                          | 12.4 AF              |
| STOCKWATER              | 01/01 to 12/31       | 0.02 CFS                 |                      |
| STOCKWATER STORAGE      | 01/01 to 12/31       |                          | 0.5 AF               |
| STOCKWATER FROM STORAGE | 01/01 to 12/31       |                          | 0.1 AF               |
| FIRE PROTECTION         | 01/01 to 12/31       | 0.12 CFS                 |                      |
| FIRE PROTECTION STORAGE | 01/01 to 12/31       |                          | 0.4 AF               |

**LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER, SE1/4NE1/4, Sec. 36, Twp 53N, Rge 03W, B.M., KOOTENAI County

**PLACE OF USE:** IRRIGATION same as IRRIGATION FROM STORAGE and IRRIGATION STORAGE

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 53N 03W 36  | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | 4.0    |

Total Acres: 4

**PLACE OF USE:** STOCKWATER same as STOCKWATER STORAGE and STOCKWATER FROM STORAGE

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 53N 03W 36  | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | X      |

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**  
NO. 95-11544

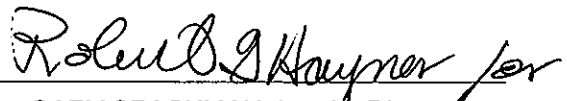
**PLACE OF USE:** FIRE PROTECTION same as FIRE PROTECTION STORAGE

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 53N 03W 36  |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. Proof of application of water to beneficial use shall be submitted on or before **May 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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. Stockwater use is for 20 head of sheep.
8. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
9. Water shall not be diverted from fire protection storage except to fight or repel an existing fire.
10. The pond established by the storage of water under this right shall not exceed a total capacity of 0.2 acre-feet.
11. This right authorizes the diversion of an annual total of 12.5 acre-feet to be used for the initial filling of the pond, the replacement of losses caused by evaporation and for the storage of water for irrigation, stockwater and fire protection.

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 26<sup>th</sup> day of April, 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](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

April 27, 2010

HENKOSKI FAMILY TRUST  
PO BOX 750  
ATHOL ID 83801

RE: Permit No.95-11544

**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.

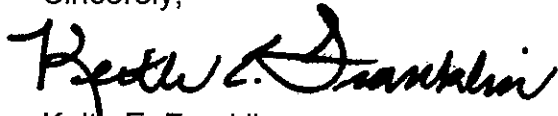
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

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 April 27, 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.**

**95-11544**

**HENKOSKI FAMILY TRUST  
PO BOX 750  
ATHOL ID 83801**

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 - 11544

APPLICATION ID # 76132

ENT. 12/1

BCA 3/5

OK to Publish 3/4/10

APPLICANT: HenKOSKI Family Trust

BY: KJ

DATE: 12/1/2009

## 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 12/1 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: 11/25/2009

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

## ADVERTISE IN:

Newspaper: CDR Kootenai County  
Dates scheduled for publication 3/18+25/10  
Affidavit of Publication received: 3/31  
Dates actually published: 3/18+25/10  
Application published correctly. Yes ☒ No ☐  
If not, action taken: \_\_\_\_\_

Final Date for Protest: 4/5/10  
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?        |
|------------------|-----------------|----------------------------------------------------------------------------|--------------------|----------------|------------------------|
| <u>804370</u>    | <u>00028437</u> | Dom. <input checked="" type="checkbox"/> Non-Dom. <input type="checkbox"/> | Paid \$ <u>135</u> | <u>N022988</u> | Y ( ) N ( ) <u>Yes</u> |
| _____            | _____           | Dom. <input type="checkbox"/> Non-Dom. <input type="checkbox"/>            | Paid \$ _____      | _____          | Y ( ) N ( )            |
| _____            | _____           | Dom. <input type="checkbox"/> Non-Dom. <input type="checkbox"/>            | Paid \$ _____      | _____          | Y ( ) N ( )            |

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

*20 sheep*

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: Keith Hankins Date: 4/16/2010 Sr. Agent initial KJ

# AFFIDAVIT OF PUBLICATION

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

RECEIVED

MAR 31 2010

IDWR/NORTHERN

Kelli Bailey 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 Notices

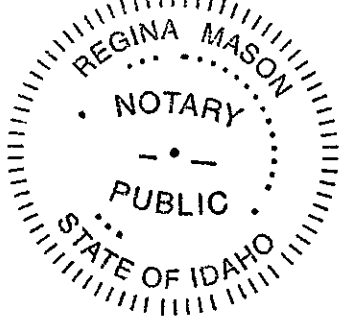
of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive Weeks commencing on the 18 day of March 2010, and ending on the 25 day of March 2010, and such publication was made as often during said period as said Daily newspaper was regularly 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 Kelli Bailey.  
On this 20 day of March in the year of 2010, before me, a Notary Public, personally appeared Kelli Bailey, 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



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

94-7530

**TORRMERE FARMS OF IDAHO INC**

12449 AVONDALE RD

HAYDEN, ID 83835

Points of Diversion(2) L7(SWSE) S3 T47N R02W KOOTENAI CO

Source UNNAMED STREAM Tributary EVANS CREEK

Points of Diversion(2) L7(SWSE) S3 T47N R02W KOOTENAI CO

Source EVANS CREEK Tributary MEDICINE LAKE

Points of Diversion(2) L7(SWSE) S3 T47N R02W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION 03/15 to 10/31 0.52 CFS

Use: IRRIGATION STORAGE 01/01 to 12/31 87.5 AF

Use: IRRIGATION from STORAGE 03/15 to 10/31 77.7 AF

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

Use: STOCKWATER STORAGE 01/01 to 12/31 5.1 AF

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

Use: WILDLIFE STORAGE 01/01 to 12/31 9.8 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.54 CFS

Total Diversion: 0.54 CFS 87.7 AF

Date Filed: 9/25/2009

Place Of Use: IRRIGATION

T47N R02W S3 L6(SESW) L10(SWSE) L8(SESE)

Place Of Use: IRRIGATION from STORAGE same as IRRIGATION

Place Of Use: IRRIGATION STORAGE T47N R02W S3 L7(SWSE)

Place Of Use: WILDLIFE STORAGE & STOCKWATER STORAGE

T47N R02W S3 L7(SWSE)

Place Of Use: STOCKWATER from STORAGE

T47N R02W S3 L6(SESW) L10(SWSE) L8(SESE)

Place Of Use: STOCKWATER

same as STOCKWATER from STORAGE

Total Acres: 25.9

Stockwater is for 10 head of mixed stock.

95-11544

**HENKOSKI FAMILY TRUST**

PO BOX 750

ATHOL, ID 83801

Point of Diversion SENE S36 T53N R03W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION 04/01 to 10/31 0.12 CFS

Use: IRRIGATION STORAGE 01/01 to 12/31 12.4 AF

Use: IRRIGATION FROM STORAGE 04/01 to 10/31 12 AF

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

Use: STOCKWATER STORAGE 01/01 to 12/31 0.5 AF

Use: STOCKWATER FROM STORAGE 01/01 to 12/31 0.1 AF

Use: FIRE PROTECTION 01/01 to 12/31 0.12 CFS

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 0.4 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.12 CFS

Total Diversion: 0.12 CFS 12.5 AF

Date Filed: 11/25/2009

Place Of Use: IRRIGATION T53N R03W S36 SENE

Place Of Use: IRRIGATION From STORAGE

T53N R03W S36 SENE

Place Of Use: IRRIGATION STORAGE

T53N R03W S36 SENE

Place Of Use: STOCKWATER T53N R03W S36 SENE

Place Of Use: STOCKWATER STORAGE

T53N R03W S36 SENE

Place Of Use: STOCKWATER FROM STORAGE

T53N R03W S36 SENE

Place Of Use: FIRE PROTECTION T53N R03W S36 SENE

Place Of Use: FIRE PROTECTION STORAGE

53N R03W S36 SENE

Total Acres: 4

Stockwater is for 20 sheep.

95-11592

**DENNIS W HOLLOWAY**

PO BOX 566

ATHOL, ID 83801

**JAMES THORNE**

P O BOX 666

ATHOL, ID 83801

**DICK ADAMS**

P O BOX 181

ATHOL, ID 83801

**JEFF VOIPE**

P O BOX 371

ATHOL, ID 83801

Point of Diversion NENE S9 T53N R03W KOOTENAI CO

Source GROUND WATER

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

Use: DOMESTIC 01/01 to 12/31 0.1 CFS

Total Diversion: 0.2 CFS

Date Filed: 11/30/2009

Place Of Use: DOMESTIC T53N R03W S9 NENE

Place Of Use: IRRIGATION T53N R03W S9 NENE SENE

Total Acres: 13

Domestic use is for 4 homes.

95-11594

**THE DAVID L HAMAN TRUST**

C/O DAVID L HAMAN

PO BOX 3311

HAYDEN, ID 83835

Point of Diversion SWNW S13 T51N R05W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION 03/15 to 11/15 0.5 CFS

Total Diversion: 0.5 CFS

Date Filed: 11/30/2009

Place Of Use: IRRIGATION T51N R05W S13 SWNW SENW

Total Acres: 80

95-11615

**HAUSER RIDGE ESTATES LOWER WATER ASSOCIATION INC.**

15015 N MOBBS RD

HAUSER, ID 83854

Point of Diversion L2(NWNE) S1 T51N R06W KOOTENAI CO

Source GROUND WATER

Point of Diversion NWSE S1 T51N R06W KOOTENAI CP

Source GROUND WATER

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

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

Total Diversion: 0.12 CFS

Date Filed: 12/3/2009

Place Of Use: DOMESTIC

T51N R06W S1 L2(NWNE) SWNE L3(NENW) SENW NESW

NWSE SWSE

Place Of Use: IRRIGATION

T51N R06W S1 L2(NWNE) SWNE NWSE SWSE

Total Acres: 4

Domestic use is for 7 homes.

95-11629

**SUN-UP BAY RESORT INC**

9526 W PINE TERRACE RD

WORLEY, ID 83876

Point of Diversion L4(NWSW) S19 T48N R04W KOOTENAI CO

Source GROUND WATER

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

Total Diversion: 0.2 CFS

Date Filed: 12/10/2009

Place Of Use: MUNICIPAL

Municipal use is within applicant's service area

95-11639

**KEVIN WOLTER**

6696 MAPLEWOOD AVE.

POST FALLS, ID 83854

Point of Diversion L3(NWNE) S8 T50N R04W KOOTENAI CO

Source SPOKANE RIVER Tributary COLUMBIA RIVER

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

Total Diversion: 0.03 CFS

Date Filed: 11/16/2009

Place Of Use: IRRIGATION T50N R04W S8 L3(NWNE)

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 4/5/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal 9308

March 18, 25, 2010

RECEIVED

MAR 31 2010

IDWR/NORTH

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

94-7530

TORRMERE FARMS OF IDAHO INC

12449 AVONDALE RD

HAYDEN, ID 83835

Points of Diversion(2) L7(SWSE) S3 T47N R02W KOOTENAI CO

Source UNNAMED STREAM Tributary EVANS CREEK

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Place Of Use: IRRIGATION from STORAGE same as IRRIGATION

Place Of Use: IRRIGATION STORAGE T47N R02W S3 L7(SWSE)

Place Of Use: WILDLIFE STORAGE & STOCKWATER STORAGE

T47N R02W S3 L7(SWSE)

Place Of Use: STOCKWATER from STORAGE

T47N R02W S3 L6(SWSE) L10(SWSE) L8(SESE)

Place Of Use: STOCKWATER

same as STOCKWATER from STORAGE

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95-11544

HENKOSKI FAMILY TRUST

PO BOX 750

ATHOL, ID 83801

Point of Diversion SENE S36 T53N R03W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION 04/01 to 10/31 0.12 CFS

Use: IRRIGATION STORAGE 01/01 to 12/31 12.4 AF

Use: IRRIGATION FROM STORAGE 04/01 to 10/31 12 AF

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

Use: STOCKWATER STORAGE 01/01 to 12/31 0.5 AF

Use: STOCKWATER FROM STORAGE 01/01 to 12/31 0.1 AF

Use: FIRE PROTECTION 01/01 to 12/31 0.12 CFS

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 0.4 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.12 CFS

Total Diversion: 0.12 CFS 12.5 AF

Date Filed: 11/25/2009

Place Of Use: IRRIGATION T53N R03W S36 SENE

Place Of Use: IRRIGATION From STORAGE

T53N R03W S36 SENE

Place Of Use: IRRIGATION STORAGE

T53N R03W S36 SENE

Place Of Use: STOCKWATER T53N R03W S36 SENE

Place Of Use: STOCKWATER STORAGE

T53N R03W S36 SENE

Place Of Use: STOCKWATER FROM STORAGE

T53N R03W S36 SENE

Place Of Use: FIRE PROTECTION T53N R03W S36 SENE

Place Of Use: FIRE PROTECTION STORAGE

53N R03W S36 SENE

Total Acres: 4

Stockwater is for 20 sheep.

95-11592

DENNIS WHOLLOWAY

PO BOX 566

ATHOL, ID 83801

JAMES THORNE

P O BOX 666

ATHOL, ID 83801

DICK ADAMS  
P O BOX 181  
ATHOL, ID 83801

JEFF VOIPE  
P O BOX 371  
ATHOL, ID 83801

Point of Diversion NENE S9 T53N R03W KOOTENAI CO  
Source GROUNDWATER

Use: IRRIGATION 03/15 to 11/15 0.2 CFS  
Use: DOMESTIC 01/01 to 12/31 0.1 CFS  
Total Diversion: 0.2 CFS

Date Filed: 11/30/2009

Place Of Use: DOMESTIC T53N R03W S9 NENE  
Place Of Use: IRRIGATION T53N R03W S9 NENE SENE  
Total Acres: 13

Domestic use is for 4 homes.

95-11594

THE DAVID L HAMAN TRUST  
C/O DAVID L HAMAN  
PO BOX 3311

HAYDEN, ID 83835

Point of Diversion SWNW S13 T51N R05W KOOTENAI CO  
Source GROUND WATER

Use: IRRIGATION 03/15 to 11/15 0.5 CFS  
Total Diversion: 0.5 CFS

Date Filed: 11/30/2009

Place Of Use: IRRIGATION T51N R05W S13 SWNW SENW  
Total Acres: 80

95-11615

HAUSER RIDGE ESTATES LOWER WATER ASSOCIATION INC.  
15015 N MOBBS RD  
HAUSER, ID 83854

Point of Diversion L2(NWNE) S1 T51N R06W KOOTENAI CO  
Source GROUND WATER

Point of Diversion NWSE S1 T51N R06W KOOTENAI CP  
Source GROUND WATER

Use: IRRIGATION 03/15 to 11/15 0.12 CFS  
Use: DOMESTIC 01/01 to 12/31 0.12 CFS  
Total Diversion: 0.12 CFS

Date Filed: 12/3/2009

Place Of Use: DOMESTIC  
T51N R06W S1 L2(NWNE) SWNE L3(NENW) SENW NESW  
NWSE SWSE

Place Of Use: IRRIGATION

T51N R06W S1 L2(NWNE) SWNE NWSE SWSE

Total Acres: 4

Domestic use is for 7 homes.

95-11629

SUN-UP BAY RESORT INC  
9526 W PINE TERRACE RD  
WORLEY, ID 83876

Point of Diversion L4(NWSW) S19 T48N R04W KOOTENAI CO  
Source GROUND WATER

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

Date Filed: 12/10/2009

Place Of Use: MUNICIPAL

Municipal use is within applicant's service area

95-11639

KEVIN WOLTER

6696 MAPLEWOOD AVE.  
POST FALLS, ID 83854

Point of Diversion L3(NWNE) S8 T50N R04W KOOTENAI CO  
Source SPOKANE RIVER Tributary COLUMBIA RIVER

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

Date Filed: 11/16/2009

Place Of Use: IRRIGATION T50N R04W S8 L3(NWNE)

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 4/5/2010. The protestant  
must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 3/18/2010 and 3/25/2010

**Ball, Dianne**

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**From:** Ball, Dianne  
**Sent:** Tuesday, March 09, 2010 11:11 AM  
**To:** Legal Notices-CdA Press; Legal Notices-CdAPress - Kelli Buley  
**Subject:** Application for Permit No. 94-7530, 95-11639, 95-11544, 95-11592, 95-11594, 95-11615, 95-11629

Good morning, Kelli,

Please publish the enclosed legal notice on the dates indicated, March 18 and 25, 2010, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

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 4/5/2010. Your cooperation is very greatly appreciated.

Please send a proof/preview copy to me before this goes to press. This is a regular style but a long one.

I'm also working on another one – hope to have it to you sometime tomorrow or Thursday at the latest.

It's a real pleasure to be working with you. Thanks for ALL your wonderful help.



LegalNotice  
3-09-10 CDA e-mai.

*Dianne Ball*

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



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

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

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

March 9, 2010

HENKOSKI FAMILY TRUST  
PO BOX 750  
ATHOL, ID 83801

Application For Permit No. 95-11544

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 3/18/2010 and 3/25/2010. 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

IDAHO DEPARTMENT OF WATER RESOURCES  
WELL DRILLER'S REPORT

|                    |                 |           |
|--------------------|-----------------|-----------|
| Office Use Only    |                 |           |
| Inspected by _____ |                 |           |
| Twp _____          | Rge _____       | Sec _____ |
| 1/4 _____          | 1/4 _____       | 1/4 _____ |
| Lat: : : _____     | Long: : : _____ |           |

1. WELL TAG NO. **D0028427**DRILLING PERMIT N **804370**

Other IDWR No \_\_\_\_\_

2. OWNER:

Name **Mike Henkoski**Address **25189 N. Infinity Road**City **Athol**State **ID**Zip **83801**

3. LOCATION OF WELL by legal description:

|   |  |                 |  |                                                                             |  |
|---|--|-----------------|--|-----------------------------------------------------------------------------|--|
| N |  | Twp <b>53N</b>  |  | North <input checked="" type="checkbox"/> or South <input type="checkbox"/> |  |
| W |  | Rge <b>03W</b>  |  | East <input type="checkbox"/> or West <input checked="" type="checkbox"/>   |  |
| E |  | Sec <b>36</b>   |  | 1/4 SE 1/4 NW 1/4                                                           |  |
| S |  | 10 Ac           |  | 40 Ac 160 Ac                                                                |  |
|   |  | Gov't Lot _____ |  | County <b>Kootenai</b>                                                      |  |
|   |  | Lat _____       |  | Long _____                                                                  |  |

Address of Well Site: (see next line)

Nunn Road to Infinity Road then right on Infinity 1/4 mile

City **Athol**

Lot \_\_\_\_\_ Blk \_\_\_\_\_ Sub. Name (see next line)

4. USE:

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

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

- ☒ New Well ☐ Modify ☐ Abandonment ☐ Other

6. DRILL METHOD

- ☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

| SEAL/FILTER PACK |      |    | Amount    | Method   |
|------------------|------|----|-----------|----------|
| Material         | From | To | Sacks/Lbs |          |
| Bentonite Gran.  | 0    | 31 | 5 Sacks   | Dry Pour |
|                  |      |    |           |          |
|                  |      |    |           |          |

Drive Shoe Used? ☒ Y ☐ N Shoe Depth(s) **31'**Drive Shoe Seal Tested? ☐ Y ☒ N How? \_\_\_\_\_

8. CASING/LINER

| Diam | From | To  | Gauge | Material | Casng                               | Liner                               | Weld                                | Thrded                   |
|------|------|-----|-------|----------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 6"   | +1   | 31  | 0.250 | STEEL    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4"   | -10  | 500 | 0.160 | PVC      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|      |      |     |       |          | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |

Length Headpipe \_\_\_\_\_ Length Tailpipe \_\_\_\_\_

9. PERFORATIONS/SCREENS

☐ Perforations?

Method \_\_\_\_\_

☒ Screens?Screen Type **PVC Johnson**

| From | To  | Slot | Nmbr | Diam | Material | Casng                    | Liner                               |
|------|-----|------|------|------|----------|--------------------------|-------------------------------------|
| 460  | 500 | 40   |      | 4"   | PVC      | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|      |     |      |      |      |          | <input type="checkbox"/> | <input type="checkbox"/>            |
|      |     |      |      |      |          | <input type="checkbox"/> | <input type="checkbox"/>            |

10. STATIC WATER LEVEL or ARTESIAN PRESSURE

15 ft. below ground. Artesian pressure \_\_\_\_\_ lb.

Depth flow encountered **34** ft. Describe access port orcontrol devices: **Steel Cap Welded**

11. WELL TESTS:

☐ Pump☐ Bailer☒ Air☐ Flowing Artesian

| Yield gal./min. | Drawdown | Pump Level | Time   |
|-----------------|----------|------------|--------|
| 6               | 100%     | 500        | 1 Hour |
|                 |          |            |        |
|                 |          |            |        |

Water Temp. \_\_\_\_\_ Cold Bottom hole temp. \_\_\_\_\_ Cold

Water Quality test or comments: (below) Depth first Water Encountered **34**

Clear

12. LITHOLOGIC LOG (Describe repairs or abandonment)

| Bore Diam | From | To  | Remarks: Lithology, Water Quality and Temperature | Water                                 |                                       |
|-----------|------|-----|---------------------------------------------------|---------------------------------------|---------------------------------------|
| 8         | 0    | 8   | Sand with Decomposed Granite                      | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N |
| 8         | 8    | 10  | Boulder                                           | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N |
| 8         | 10   | 27  | Decomposed Granite - Soft                         | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N |
| 8         | 27   | 31  | Decomposed Granite - Medium                       | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N |
| 6         | 31   | 34  | Decomposed Granite - Soft                         | <input checked="" type="checkbox"/> Y | <input type="checkbox"/> N            |
| 6         | 34   | 39  | Granite - Salt & Pepper with Green                | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N |
| 6         | 39   | 107 | Granite - Salt & Pepper - Medium                  | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N |
| 6         | 107  | 129 | Granite - Salt & Pepper with Pink - Soft          | <input checked="" type="checkbox"/> Y | <input type="checkbox"/> N            |
| 6         | 129  | 237 | Granite - Salt & Pepper - Medium                  | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N |
| 6         | 237  | 259 | Granite - Salt & Pepper with Pink - Soft          | <input checked="" type="checkbox"/> Y | <input type="checkbox"/> N            |
| 6         | 259  | 374 | Granite - Salt & Pepper - Medium                  | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N |
| 6         | 374  | 449 | Granite - Salt & Pepper with Brown - Med          | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N |
| 6         | 449  | 500 | Granite - Salt & Pepper - Medium/Hard             | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N |

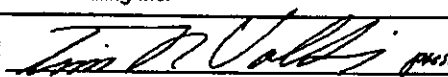
Completed Depth **500** (Measurable)Date: Started **7/3/03** Completed **7/7/03**

13. DRILLERS CERTIFICATION

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

Firm Name **United Drilling Inc.**Firm No **414**

Firm Official and

Date **7/8/03**Supervisor or Operator **Mark A. Penick**Date **7/8/03**

53N 3W 36



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

November 19, 2009

Mike Henkoski  
PO Box 750  
Athol, ID 83801

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho,  
No. 95-11544

Dear Mr. Henkoski:

Enclosed please find an electronic version of your application as discussed on November 19, 2009. Please review the application and if it meets with your approval sign and return it to me within the next 30 days so as not to delay processing. Also please enclose a check made out to IDWR, in the amount of \$225.00 to cover the application and well upgrade fee.

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

Sincerely,

Keith E. Franklin  
Senior Water Resources Agent  
Enclosure(s)

COPY

## Henkosi Trust

Well Tag # 00028427

Pond Size 40ft in diam., 5ft Ave. depth

$$A = \frac{\pi D^2}{4} = 1,257 \text{ ft}^2 \times 5 \text{ ft} = 6,283 \text{ ft}^3 = 0.14 \text{ AF}$$

round to 0.2 AF

$$\text{Evaporation on } 1,257 \text{ ft}^2 \text{ surface area} = 243 \text{ gpd}$$
$$243 \text{ gpd} \times 245 \text{ days} / 325,850 \frac{\text{gal}}{\text{AF}} = 0.2 \text{ AF}$$

0.12 cfs Div. To Storage

0.12 cfs Irrigation (4 AC x 0.03 cfs/AC)

|         |              |                                                                   |                |
|---------|--------------|-------------------------------------------------------------------|----------------|
| 12.4 AF | Irr. Storage | a) Pond Size                                                      | 0.2 AF         |
|         |              | b) Evap.                                                          | 0.2 AF         |
|         |              | c) Seep. (lined with PVC)                                         | 0 AF           |
|         |              | d) Irrig. $\frac{3 \text{ AC ft}}{\text{AC}} \times 4 \text{ AC}$ | 12 AF          |
|         |              | Total                                                             | <u>12.4 AF</u> |

12.0 AF Irr. from Stor. (3 AC ft/AC x 4 AC)

0.02 cfs Stockwater (gohead sherp)

|        |                  |               |        |
|--------|------------------|---------------|--------|
| 0.5 AF | Stockwater Stor. | a) Pond Size  | 0.2 AF |
|        |                  | b) Evap.      | 0.2 AF |
|        |                  | c) Seep.      | 0      |
|        |                  | d) Allocation |        |

$$\frac{20 \text{ h} \times 2 \text{ gpd} \times 365}{325,850} = \frac{0.1 \text{ AF}}{0.5 \text{ AF}}$$

0.1 AF Stockwater from Stor. (Allocation)

0.12 cfs Fire Protection

0.4 AF Fire Prot. Stor. (a+b)

$$\text{Total Storage} = 12.4 + 0.1 = \underline{12.5 \text{ AF}}$$