

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-11913

Priority: January 28, 2010

Maximum Diversion Rate: 0.04 CFS

This is to certify, that WAYNE D POTTER
1075 COURT DR APT R
DULUTH GA 30096
(770) 881-1280

has applied for a permit to appropriate water from:

Source: SPIRIT LAKE

Tributary: SPIRIT CREEK

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

BENEFICIAL USE

DOMESTIC

PERIOD OF USE

01/01 to 12/31

RATE OF DIVERSION

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

SPIRIT LAKE, L5 (NW1/4SE1/4), Sec. 18, Twp 53N, Rge 04W, B.M., KOOTENAI County

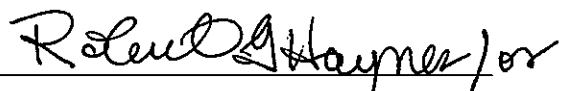
PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N 04W 18														X			L 5

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **May 01, 2011**.
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. Domestic use is for 1 home.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
6. A fish screen of 0.25 inch or smaller mesh shall be installed and maintained at the point of diversion.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Coeur d'Alene, this 13th day of May, 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

May 13, 2010

WAYNE D POTTER
1075 COURT DR APT R
DULUTH GA 30096

RE: Permit No.95-11913

Permit Approval Notice

Dear Permit Holder:

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

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

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

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

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

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

Sincerely,



Keith E. Franklin

Sr. Water Resources Agent

Enclosure(s)

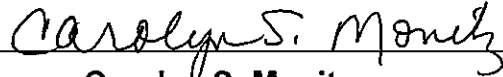
CERTIFICATE OF SERVICE

I hereby certify that on May 13, 2010 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

95-11913

**WAYNE D POTTER
1075 COURT DR APT R
DULUTH GA 30096**

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

P

W.R. # 95-11913

APPLICATION ID # 76304

ENT. 2/11/10 BCA 3/26 OK to Publish 3/25/10

APPLICANT: Wayne O. Potter

INITIAL REVIEW

BY: KJ

DATE: 2/11/2010

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 2/11/10 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: 1/28/2010

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

ADVERTISE IN:

Newspaper: Kootenai County
CSA
 Dates scheduled for publication 4/14 & 1/10
 Affidavit of Publication received: 4/19/10
 Dates actually published: 4/14 & 1/10
 Application published correctly. Yes ☒ No ☐
 If not, action taken: _____

Final Date for Protest: 4/19

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.
☒ Further information required from applicant _____

Final order response date: ____/____/____

☒ Measuring device required
☒ Measuring port required
☒ Special conditions: _____
☒ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by:

Kentel Date: 4/27/2010 Sr. Agent initial KJ

9462

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

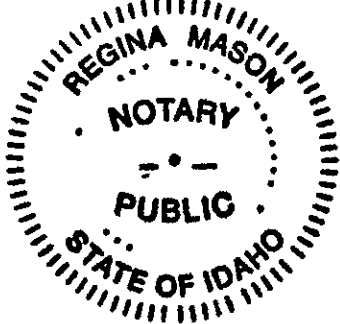
of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 1 day of April 20 10, and ending on the 8 day of April 20 10, and such publication was made as often during said period as said Daily newspaper was regularly 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 8 day of April 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
APR 09 2010
IDWR / NORTH



RECEIVED
APR 09 2010
IDWR / NORTH

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

95-11887

DEAN A PRIMMER

CLARA J PRIMMER

17733 N HWY 41

RATHDRUM, ID 83856

Points of Diversion (2) SESESW S19 T52N R04W KOOTENAI CO

Source SPRINGS Tributary SINKS

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

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

Total Diversion: 0.09 CFS

Date Filed: 2/4/2010

Place Of Use: IRRIGATION T52N R04W S19 SESE

Place Of Use: STOCKWATER same as IRRIGATION

Total Acres: 2

Stockwater use is for 20 head of mixed stock

95-11903

SHARON HARE

3815 E BRIDGEVIEW DR

HARRISON, ID 83833

Point of Diversion L1(NESW) S32 T50N R03W KOOTENAI County

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: 2/10/2010

Place Of Use: DOMESTIC T50N R03W S32 L1(NESW) L2(NWSW)

Domestic use is for 1 home.

95-11913

WAYNE D POTTER

1075 COURT DRAFT R

DULUTH, GA 30096

Point of Diversion L5(NWSE) S18 T53N R04W KOOTENAI County

Source SPIRIT LAKE Tributary SPIRIT CREEK

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

Total Diversion: 0.04 CFS

Date Filed: 1/28/2010

Place Of Use: DOMESTIC T53N R04W S18 L5(NWSE)

Domestic use is for 1 home.

95-11935

GENE W WEBB

AGNES WEBB

2397 SEARCHLIGHT RD

COEUR D ALENE, ID 83814

Point of Diversion SENE S29 T50N R02W KOOTENAI County

Source WOLF LODGE CREEK Tributary COEUR D ALENE LAKE

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

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

Total Diversion: 0.06 CFS

Date Filed: 2/16/2010

Place Of Use: STOCKWATER T50N R02W S29 SENE

Place Of Use: IRRIGATION T50N R02W S29 SENE NESE

Total Acres: 2

Stockwater use is for 25 head of mixed stock.

95-11942

JACK BLOXOM

ZELLA BLOXOM

2213 E CRESTLINE

COEUR D ALENE, ID 83814

Point of Diversion L2(NWSW) S32 T50N 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: 2/16/2010

Place Of Use: DOMESTIC T50N R03W S32 L2(NWSW)

Domestic use is for 1 home.

95-11962

HOWARD F AND BETTY J ROMPS REVOCABLE TRUST

5319 W SPYGLASS LN

COEUR D ALENE, ID 83814

Point of Diversion L9(NESE) S9 T48N R04W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 03/15 to 11/15 0.1 CFS

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

Total Diversion: 0.14 CFS

Date Filed: 2/16/2010

Place Of Use: DOMESTIC T48N R04W S9 L9(NESE)

Place Of Use: IRRIGATION T48N R04W S9 L9(NESE) NWSE

Total Acres: 5

Domestic use is for 1 home.

95-11963

STEVEN MURRAY

SUZANNE MURRAY

6200 VANDIEST RD

WINNEMUCCA, NV 89445

Point of Diversion L6(SENW) S12 T48N R05W KOOTENAI County

Source GROUND WATER

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

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

Use: INDUSTRIAL 01/01 to 12/31 1.9 CFS

Total Diversion: 2.42 CFS

Date Filed: 1/7/2010

Place Of Use: STOCKWATER T48N R05W S12 L6(SENW)

Place Of Use: IRRIGATION and INDUSTRIAL

Same as STOCKWATER

Total Acres: 25

Stockwater use is for 50 head of cattle.

Industrial use is for rock quarry.

95-11975

HOLLOWAY DAVID

HOLLOWAY CHRIS

5293 POLELINE AVE

POST FALLS, ID 83854

Point of Diversion SESE S30 T51N R04W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 03/15 to 11/15 0.18 CFS

Total Diversion: 0.18 CFS

Date Filed: 2/18/2010

Place Of Use: IRRIGATION T51N R04W S30 SESE

Total Acres: 9

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 4/19/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal 9462

April 1, 8, 2010

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

95-11887

DEAN A PRIMMER

CLARA J PRIMMER

17733 N HWY 41

RATHDRUM, ID 83856

Points of Diversion(2) SESESW S19 T52N R04W KOOTENAI County

Source SPRINGS Tributary SINKS

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

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

Total Diversion: 0.09 CFS

Date Filed: 2/4/2010

Place Of Use: IRRIGATION T52N R04W S19 SESE

Place Of Use: STOCKWATER same as IRRIGATION

Total Acres: 2

Stockwater use is for 20 head of mixed stock

95-11903

SHARON HARE

3815 E BRIDGEVIEW DR

HARRISON, ID 83833

Point of Diversion L1(NESW) S32 T50N R03W KOOTENAI County

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: 2/10/2010

Place of Use: DOMESTIC T50N R03W S32 L1(NESW) L2(NWSW)

Domestic use is for 1 home.

95-11913

WAYNE D POTTER

1075 COURT DR APT R

DULUTH, GA 30096

Point of Diversion L5(NWSE) S18 T53N R04W KOOTENAI County

Source SPIRIT LAKE Tributary SPIRIT CREEK

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

Total Diversion: 0.04 CFS

Date Filed: 1/28/2010

Place Of Use: DOMESTIC T53N R04W S18 L5(NWSE)

Domestic use is for 1 home.

95-11935

GENE W WEBB

AGNES WEBB

2397 SEARCHLIGHT RD

COEUR D ALENE, ID 83814

Point of Diversion SENE S29 T50N R02W KOOTENAI County

Source WOLF LODGE CREEK Tributary COEUR D ALENE LAKE

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

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

Total Diversion: 0.06 CFS

Date Filed: 2/16/2010

Place Of Use: STOCKWATER T50N R02W S29 SENE

Place Of Use: IRRIGATION T50N R02W S29 SENE NESE

Total Acres: 2

Stockwater use is for 25 head of mixed stock.

95-11942

JACK BLOXOM

ZELLA BLOXOM

2213 E CRESTLINE

COEUR D ALENE, ID 83814

Point of Diversion L2(NWSW) S32 T50N R03W KOOTENAI County

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: 2/16/2010

Place Of Use: DOMESTIC T50N R03W S32 L2(NWSW)

Domestic use is for 1 home.

95-11962

HOWARD F AND BETTY J ROMPS REVOCABLE TRUST

5319 W SPYGLASS LN

COEUR D ALENE, ID 83814

Point of Diversion L9(NESE) S9 T48N R04W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 03/15 to 11/15 0.1 CFS

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

Total Diversion: 0.14 CFS

Date Filed: 2/16/2010

Place of Use: DOMESTIC T48N R04W S9 L9(NESE)

Place of Use: IRRIGATION T48N R04W S9 L9(NESE) NWSE

Total Acres: 5

Domestic use is for 1 home.

95-11963

STEVEN MURRAY
SUZANNE MURRAY
6200 VANDIEST RD

WINNEMUCCA, NV 89445

Point of Diversion L6(SENW) S12 T48N R05W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION	03/15 to 11/15	0.5 CFS
Use: STOCKWATER	01/01 to 12/31	0.02 CFS
Use: INDUSTRIAL	01/01 to 12/31	1.9 CFS
Total Diversion:		2.42 CFS

Date Filed: 1/7/2010

Place Of Use: STOCKWATER T48N R05W S12 L6(SENW)

Place Of Use: IRRIGATION and INDUSTRIAL

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Total Acres: 25

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95-11975

HOLLOWAY DAVID

HOLLOWAY CHRIS

5293 POLELINE AVE

POST FALLS, ID 83854

Point of Diversion SESE S30 T51N R04W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION	03/15 to 11/15	0.18 CFS
Total Diversion:		0.18 CFS

Date Filed: 2/18/2010

Place Of Use: IRRIGATION T51N R04W S30 SESE

Total Acres: 9

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 4/19/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 4/1/2010 and 4/8/2010

Ball, Dianne

From: Ball, Dianne
Sent: Friday, March 26, 2010 12:32 PM
To: Legal Notices-CdA Press; Legal Notices-CdAPress - Kelli Buley
Subject: Applications for Permit No. 95-11887, 95-11903, 95-11913, 95-11935, 95-11942, 95-11962, 95-11963, 95-11975 to start publication 4/1/10

Hi, Kelli,

This is the third and last legal notice for this upcoming publication cycle – 4/1 and 4/8/10.

Please publish the enclosed legal notice on the dates indicated, April 1 and 8, 2010, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

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 4/19/2010. Your cooperation is very greatly appreciated, as always.



LegalNotice
3-26-10 CDA e-mai.

Please send a proof/preview copy before this goes to press.

Thanks, Kelli, you are great to work with.

Have a simply marvelous weekend.

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

March 26, 2010

WAYNE D POTTER
1075 COURT DR APT R
DULUTH, GA 30096

Application For Permit No. 95-11913

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 4/1/2010 and 4/8/2010. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

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

Sincerely,

Keith Franklin
Sr. Water Resource Agent

Ball, Dianne

From: Ball, Dianne
Sent: Monday, March 29, 2010 9:55 AM
To: mary.terra-berns@idfg.idaho.gov; cwashburn@idl.idaho.gov
Subject: RE: Application for Permit No. 95-11887 Primmer, 95-11903 Hare, 95-11913 Potter, 95-11935 Webb, 95-11942 Bloxom

Dear Mary and Carl,:

The Department of Water Resources is seeking written comments 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.



95-11887
Primmer.pdf



95-11903 Hare.pdf



95-11913
Potter.pdf



95-11935
Webb.pdf



95-11942
Bloxom.pdf

Carl, 95-11887 Primmer is from springs, so you probably won't be interested in that one. Others - Webb is from Wolf Lodge Creek tributary, Hare and Bloxom are from CDA Lake and Potter is from Spirit Lake.

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.

These are hopefully going to be publishing in the CDA Press on April 1 and 8, 2010, with final date for protests to be received in our office of April 19, 2010.

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

February 1, 2010

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

Wayne D Potter
1975 Court Dr., Apt. R
Duluth, GA 30096

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

Dear Mr. Potter:

The Idaho Department of Water Resources is returning your recently submitted application for corrections and/or additional information.

Item #2 Source of Water Supply

Spirit Lake is tributary to Spirit Creek. Please make the addition on the application.

Item #3 Location of Point of Diversion

Please refer to the attached aerial photograph. Your lot is located within the NW¼ of the SE¼ of Government Lot 5 of Section 18. Please add the additional information on the application form.

Item #4 Purpose of Use

I believe what you are applying for is a "Domestic" water right. A domestic right, in addition to in house use would allow for the irrigation of up to ½ acre of irrigation for lawn and garden. The State's guidance for a diversion rate would then be 0.04 cfs (18 gallons per minute). Please make the appropriate changes to the application.

Item #9 Place of Use

Your lot is located within the NW¼ of the SE¼ of Section 18. Please add the additional information as shown on the application.

Once the application has been corrected, please return to me within the next 30 days so as not to delay processing. Also, since Spirit Lake is considered navigable waters, you will need to secure a permit from the Idaho Department of Lands to actually place a water line into the lake. If you have any questions, feel free to contact me at this office.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent
Enclosure

COPY