

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-11866

Priority: January 07, 2010

Maximum Diversion Rate: 0.32 CFS

This is to certify, that ARTHUR R BRAND AND STEPHANIE BRAND TRUST
23100 S HWY 95
COEUR D ALENE ID 83814
(208) 667-0189

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>
IRRIGATION	03/15 to 11/15	0.30 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER, L5 (SW1/4NW1/4) Sec. 12,, Twp 48N, Rge 05W, B.M., KOOTENAI County

PLACE OF USE: IRRIGATION Same as STOCKWATER

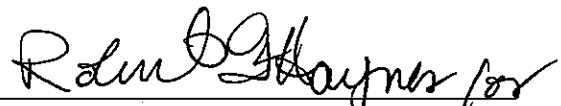
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
48N 05W 12							15.0										15.0
							L 5										

Total Acres: 15

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 0.02 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 50 head of mixed stock.

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 14th 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 17, 2010

ARTHUR R BRAND AND STEPHANIE BRAND TRUST
23100 S HWY 95
COEUR D ALENE ID 83814

RE: Permit No.95-11866

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 stylized with a large, looped "K" and a cursive "Franklin".

Keith E. Franklin

Sr. Water Resources Agent

Enclosure(s)

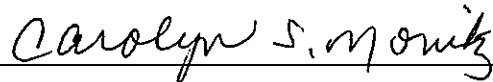
CERTIFICATE OF SERVICE

I hereby certify that on May 17, 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.

95-11866

**ARTHUR R BRAND AND STEPHANIE BRAND TRUST
23100 S HWY 95
COEUR D ALENE ID 83814**

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. # 95-11866

APPLICATION ID # 760281

ENT. 1/29 BCA 3/22

OK to Publish 3/22/10

APPLICANT: Arthur B. Brand & Stephanie Brand Trust

BY: KJ

DATE: 1/29/2010

INITIAL REVIEW

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 1/29 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: 1/17/2010

(Include Moratorium Remark)

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

ADVERTISE IN:

Newspaper: COA Kootenai County

Dates scheduled for publication 4/1 + 8/10

Affidavit of Publication received: 4/19/10

Dates actually published: 4/1 + 8/10

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: Well to be hand dug.

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:

Kurt J. Franklin

Date: 4/27/2010 Sr. Agent initial

KJ

9454

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

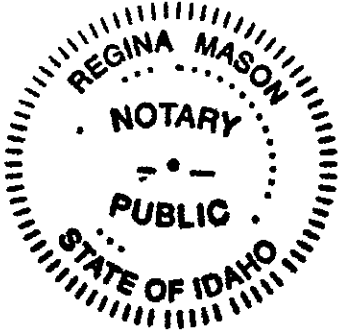
RECEIVED
APR 09 2010
IDWR / NORTH

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 2010, and ending on the 8 day of April 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 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

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

94-7548

RATHDRUM MOUNTAIN LLC

18634 W QUAIL LN

POST FALLS, ID 83854

Point of Diversion SESW S9 T47N R03W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION	04/01 to 10/31	0.54 CFS
Use: STOCKWATER	01/01 to 12/31	0.02 CFS
Use: DOMESTIC	01/01 to 12/31	0.04 CFS
Total Diversion:		0.6 CFS

Date Filed: 1/27/2010

Place Of Use: DOMESTIC T47N R03W S9 SESW

Place Of Use: All other uses same as DOMESTIC

Total Acres: 27

Domestic use is for 1 home

Stockwater use is for 10 horses.

95-11854

HEIN FAMILY PROPERTIES LLC

104 MONTGOMERY AVE.

CLEELUM, WA 98922

Point of Diversion L3(NWNE) S10 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: 1/20/2010

Place Of Use: DOMESTIC T50N R05W S10 L3(NWNE)

Domestic use is for 1 home, summer lawn irrigation.

95-11866

ARTHUR R BRAND AND STEPHANIE BRAND TRUST

23100 S HWY 95

COEUR D'ALENE, ID 83814

Point of Diversion L5(SWNW) S12 T48N R05W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION	03/15 to 11/15	0.3 CFS
Use: STOCKWATER	01/01 to 12/31	0.02 CFS
Total Diversion:		0.32 CFS

Date Filed: 1/7/2010

Place Of Use: IRRIGATION T48N R05W S12 L5(SWNW)

Place Of Use: STOCKWATER same as IRRIGATION

Total Acres: 15

Stockwater use is for 50 head of mixed stock.

95-11868

STOTT ROAD LLC

18634 W QUAIL LN

POST FALLS, ID 83854

Point of Diversion SENE S25 T48N R04W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION	03/15 to 10/31	2.36 CFS
Total Diversion		2.36 CFS

Date Filed: 1/27/2010

Place Of Use: IRRIGATION

T48N R04W S25 NENE SENE

T48N R04W S30 L1(NWNW) L2(SWNW)

Total Acres: 118

95-11873

BILL MESSENGER

DONNA MESSENGER

16222 POTTER RD

COEUR D'ALENE, ID 83814

Points of Diversion(3) SESW S6 T48N R04W KOOTENAI CO

Source OVERLAND FLOW Tributary SINKS

Use: IRRIGATION	03/15 to 11/15	0.09 CFS
Use: IRRIGATION STORAGE	01/01 to 12/31	10 AF
Use: IRRIGATION from STORAGE	01/01 to 12/31	9 AF
Use: STOCKWATER	01/01 to 12/31	0.02 CFS
Use: STOCKWATER STORAGE	01/01 to 12/31	0.2 AF
Use: STOCKWATER from STORAGE	01/01 to 12/31	0.2 AF
Total Diversion:		0.09 CFS

Date Filed: 2/2/2010

Place Of Use: IRRIGATION T48N R04W S6 SESW

Place Of Use: All other uses same as IRRIGATION

Total Acres: 3

Stockwater use is for 5 head of mixed stock

95-11875

J. PATRICK ACUFF

112 HAZELWOOD DR

COEUR D'ALENE, ID 83814

Point of Diversion L1(NWNW) S30 T49N R03W KOOTENAI CO

Source COEUR D'ALENE LAKE Tributary SPOKANE RIVER

Use: IRRIGATION	03/15 to 11/15	0.06 CFS
Use: DOMESTIC	01/01 to 12/31	0.04 CFS
Total Diversion:		0.1 CFS

Date Filed: 2/2/2010

Place Of Use: DOMESTIC T49N R03W S30 L1(NWNW)

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 2

Domestic use is for 1 home.

95-11878

RANDY TAYLOR

HEATHER TAYLOR

23835 N. RIMROCK RD

HAYDEN, ID 83835

Points of Diversion(3) L6(NWSW) S4 T52N R03W KOOTENAI CO

Source UNAMED STREAM Tributary SINKS

Points of Diversion(3) L7(NWSWSW) S4 T52N R03W

KOOTENAI COUNTY

Source SPRINGS Tributary SINKS

Use: IRRIGATION	03/15 to 11/15	0.09 CFS
Use: IRRIGATION STORAGE	03/15 to 11/15	11.5 AF
Use: IRRIGATION from STORAGE	03/15 to 11/15	9 AF
Use: STOCKWATER	01/01 to 12/31	0.02 CFS
Use: STOCKWATER STORAGE	01/01 to 12/31	0.2 AF
Use: STOCKWATER from STORAGE	01/01 to 12/31	0.2 AF
Use: RECREATION STORAGE	01/01 to 12/31	2.5 AF
Use: DIVERSION TO STORAGE	01/01 to 12/31	0.2 CFS
Total Diversion:		0.2 CFS

Date Filed: 2/3/2010

Place Of Use: IRRIGATION & IRRIGATION STORAGE

T52N R03W S4 L7(SWSW)

Place Of Use: IRRIGATION from STORAGE

T52N R03W S4 L7(SWSW)

Place Of Use: STOCKWATER STORAGE

T52N R03W S4 L6(NWSW) L7(SWSW)

Place Of Use: STOCKWATER & STOCKWATER from STORAGE

T52N R03W S4 L6(NWSW) L7(SWSW)

Place Of Use: RECREATION STORAGE

T52N R03W S4 L7(SWSW)

Total Acres: 3

Stockwater use is for 25 head of mixed stock.

Recreation Storage is for swimming.

95-11880

DAVID JARVIS

SAMANTHIA JARVIS

3382 S. DUSTY LN

COEUR D'ALENE, ID 83814

Point of Diversion SENWNE S35 T50N R05W KOOTENAI CO

Source SPRING Tributary SINKS

Use: IRRIGATION	03/15 to 11/15	0.15 CFS
Use: STOCKWATER	01/01 to 12/31	0.02 CFS
Total Diversion:		0.17 CFS

Date Filed: 2/3/2010

Place Of Use: IRRIGATION T50N R05W S35 NWNE

Place Of Use: STOCKWATER same as IRRIGATION

Total Acres: 5

Stockwater use is for 10 head of mixed stock.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D'Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 4/19/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal 9454

April 1, 8, 2010

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

94-7548

RATHDRUM MOUNTAIN LLC

18634 W QUAIL LN

POST FALLS, ID 83854

Point of Diversion SESW S9 T47N R03W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION 04/01 to 10/31 0.54 CFS

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

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

Total Diversion: 0.6 CFS

Date Filed: 1/27/2010

Place Of Use: DOMESTIC T47N R03W S9 SESW

Place Of Use: All other uses same as DOMESTIC

Total Acres: 27

Domestic use is for 1 home

Stockwater use is for 10 horses.

95-11854

HEIN FAMILY PROPERTIES LLC

104 MONTGOMERY AVE.

CLEELUM, WA 98922

Point of Diversion L3(NWNE) S10 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: 1/20/2010

Place Of Use: DOMESTIC T50N R05W S10 L3(NWNE)

Domestic use is for 1 home, summer lawn irrigation.

95-11866

ARTHUR R BRAND AND STEPHANIE BRAND TRUST

23100 S HWY 95

COEUR D ALENE, ID 83814

Point of Diversion L5(SWNW) S12 T48N R05W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION 03/15 to 11/15 0.3 CFS

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

Total Diversion: 0.32 CFS

Date Filed: 1/7/2010

Place Of Use: IRRIGATION T48N R05W S12 L5(SWNW)

Place Of Use: STOCKWATER same as IRRIGATION

Total Acres: 15

Stockwater use is for 50 head of mixed stock.

95-11868

STOTT ROAD LLC

18634 W QUAIL LN

POST FALLS, ID 83854

Point of Diversion SENE S25 T48N R04W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION 03/15 to 10/31 2.36 CFS

Total Diversion: 2.36 CFS

Date Filed: 1/27/2010

Place Of Use: IRRIGATION

T48N R04W S25 NENE SENE

T48N R04W S30 L1(NWNW) L2(SWNW)

Total Acres: 118

95-11873

BILL MESSENGER

DONNA MESSENGER

16222 POTTER RD

COEUR D ALENE, ID 83814

Points of Diversion(3) SESW S6 T48N R04W KOOTENAI CO

Source OVERLAND FLOW Tributary SINKS

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

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

Use: IRRIGATION from STORAGE 01/01 to 12/31 9 AF

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

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

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

Total Diversion: 0.09 CFS

Date Filed: 2/2/2010

Place Of Use: IRRIGATION T48N R04W S6 SESW

Place Of Use: All other uses same as IRRIGATION

Total Acres: 3

Stockwater use is for 5 head of mixed stock

95-11875

J. PATRICK ACUFF
112 HAZELWOOD DR

COEUR D ALENE, ID 83814

Point of Diversion L1(NWNW) S30 T49N R03W KOOTENAI CO

Source COEUR D ALENE LAKE Tributary SPOKANE RIVER

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

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

Total Diversion: 0.1 CFS

Date Filed: 2/2/2010

Place Of Use: DOMESTIC T49N R03W S30 L1(NWNW)

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 2

Domestic use is for 1 home.

95-11878

RANDY TAYLOR

HEATHER TAYLOR

23835 N. RIMROCK RD

HAYDEN, ID 83835

Points of Diversion(3) L6(NWSW) S4 T52N R03W KOOTENAI CO

Source UNAMED STREAM Tributary SINKS

Points of Diversion(3) L7(NWSWSW) S4 T52N R03W

KOOTENAI COUNTY

Source SPRINGS Tributary SINKS

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

Use: IRRIGATION STORAGE 03/15 to 11/15 11.5 AF

Use: IRRIGATION from STORAGE 03/15 to 11/15 9 AF

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

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

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

Use: RECREATION STORAGE 01/01 to 12/31 2.5 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 2/3/2010

Place Of Use: IRRIGATION & IRRIGATION STORAGE

T52N R03W S4 L7(SWSW)

Place Of Use: IRRIGATION from STORAGE

T52N R03W S4 L7(SWSW)

Place Of Use: STOCKWATER STORAGE

T52N R03W S4 L6(NWSW) L7(SWSW)

Place Of Use: STOCKWATER & STOCKWATER from STORAGE

T52N R03W S4 L6(NWSW) L7(SWSW)

Place Of Use: RECREATION STORAGE

T52N R03W S4 L7(SWSW)

Total Acres: 3

Stockwater use is for 25 head of mixed stock.

Recreation Storage is for swimming.

95-11880

DAVID JARVIS

SAMANTHIA JARVIS

3382 S. DUSTY LN

COEUR D ALENE, ID 83814

Point of Diversion SENWNE S35 T50N R05W KOOTENAI CO

Source SPRING Tributary SINKS

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

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

Total Diversion: 0.17 CFS

Date Filed: 2/3/2010

Place Of Use: IRRIGATION T50N R05W S35 NWNE

Place Of Use: STOCKWATER same as IRRIGATION

Total Acres: 5

Stockwater use is for 10 head of mixed stock.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D'Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 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: Tuesday, March 23, 2010 4:54 PM
To: Legal Notices-CdA Press; Legal Notices-CdAPress - Kelli Buley
Subject: Application for Permit No. 95-11854, 95-11866, 94-7548, 95-11868, 95-11873, 95-11875, 95-11878, 95-11880

Good day, Kelli,

This is the first of I don't know how many legal notices I'm trying to get scheduled to begin April 1 and publish 4/1 and 4/8. (maybe 1 more, maybe 2 more)

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.

Please send a proof/preview copy for my review before it goes to press.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 4/19/2010. Your cooperation is appreciated.



LegalNotice
3-23-10 CDA e-mai.

Thanks once again for just being your wonderful self!!!

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 23, 2010

ARTHUR R BRAND AND STEPHANIE BRAND TRUST
23100 S HWY 95
COEUR D ALENE, ID 83814

Application For Permit No. 95-11866

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,

A handwritten signature in black ink, appearing to read 'Keith C. Franklin', is written over a horizontal line.

Keith Franklin
Sr. Water Resource Agent



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

January 8, 2010

Authur R. & Stephanie Brand Trust
23100 S. HWY 95
Coeur d'Alene, ID 83814

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

Gentlemen:

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

Item #3 Point of Diversion Location

The point of diversion must be identified as to the nearest quarter quarter of Section 12. Please refer to the attached aerial photograph and make the necessary correction on the application.

Item #4 Purpose of Use

The diversion rate for the irrigation of 10 acres of land is 0.02 cfs per acre or a total of 0.2 cfs instead of the 0.35 cfs as stated on the application. The corresponding season of use is from 3/15 to 11/15. Also you indicate you would like to have stockwater as part of the water right, if this is true it must be added in this section. The normal diversion rate for up to 50 head of mixed stock is 0.02 cfs (9gallons per minute) and the use can be requested for year round, 1/1 to 12/31. From 51 to 100 head of mixed the diversion rate would be 0.03 cfs (13.5 gallons per minute).

Item #5 Total Quantities to Be Appropriated

Combine the irrigation and stockwater diversion rates and enter on line (a.).

Item #8 (b) Number and Kind of Stock

Please indicate the number and kind of stock to be watered.

Item #9 Place of Use

Please refer to the attached aerial photograph. The location of the irrigation and stockwater must be identified by quarter quarter. The location of tax lot #48N05W-12-3700 appears to be located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12 instead of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ as shown on the application. Please make the necessary correction to the application and also indicate the quarter quarters where the stock water is to take place.

COPY

Also, please outline the place of use on the aerial photograph and indicate the location of the point of diversion from Fighting Creek. If the point of diversion is on an other party's property, please supply a copy of the easement or agreement which allows access.

Once the application has been corrected, please return to the departments Northern Regional Office within the next 30 days so as not to delay processing. If you have any questions, feel free to contact me at this office.

Sincerely,

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