

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-11405

Priority: October 23, 2009

Maximum Diversion Rate: 0.04 CFS

This is to certify, that FRANK HETTMANN
16735 VISTA DEL VALLE CT
MORGAN HILL CA 95037

has applied for a permit to appropriate water from:

Source: COEUR D ALENE LAKE **Tributary:** SPOKANE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

COEUR D ALENE LAKE, L3 (NE1/4SW1/4), Sec. 29, Twp 50N, Rge 03W, B.M., KOOTENAI County

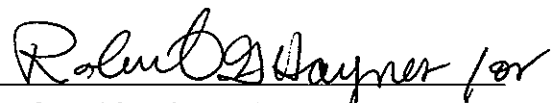
PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
50N 03W 29									X								L 3

CONDITIONS OF APPROVAL

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

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 29th day of March, 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

April 1, 2010

FRANK HETTMANN
16735 VISTA DEL VALLE CT
MORGAN HILL CA 95037

RE: Permit No.95-11405

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,

A handwritten signature in black ink, appearing to read "Keith E. Franklin". The signature is stylized with a large, prominent "K" and "F".

Keith E. Franklin

Sr. Water Resources Agent

Enclosure(s)

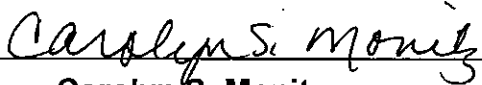
CERTIFICATE OF SERVICE

I hereby certify that on April 1, 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.

95-11405

**FRANK HETTMANN
16735 VISTA DEL VALLE CT
MORGAN HILL CA 95037**



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. # 95-11405

APPLICATION ID # 76065

ENT. 10/23/10 BCA 1/28/10 OK to Publish 1/28/10

APPLICANT: Frank Hettmann

INITIAL REVIEW

BY: KJ

DATE: 10/23/2009

ITEM REQUIRED INFORMATION

1. ☒ Name and Address
2. ☒ Source
3. ☒ Point of Diversion & County
4. ☒ Quantity
☒ Nature of Proposed Use
☒ Period of Use
5. ☒ Total Quantity
6. ☒ Description of diverting works
7. ☒ Time required for b/u
8. ☒ Proposed use
9. ☒ Place of use or acres irrigated
10. ☒ Other water Rights
11. ☒ Ownership
12. ☒ Map
☒ Signature
☒ Fee (Amt, receipt, acknowledgement)

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

ADDITIONAL INFORMATION

(Yes)(No)

- ☒ Shape File Created Date 10/23/09 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: 10/23/2009

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

ADVERTISE IN:

Newspaper: dea Kootenai County
Dates scheduled for publication 2/4 + 11/10
Affidavit of Publication received: 2/12/10
Dates actually published: 2/4 + 11/10
Application published correctly. Yes ☒ No ☐
If not, action taken: _____

Final Date for Protest: 2/22/10

Protests Received: Yes _____ No _____

LETTERS SENT REQUESTING:

☐ Dam Information ☐ Fish Information
☐ Power Information ☐ Other: _____

INFORMATION RECEIVED:

☐ Dam Information ☐ Fish Information
☐ Power Information ☐ Other: _____

GROUNDWATER SECTION

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
_____	_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y () N ()
_____	_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y () N ()
_____	_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y () N ()

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

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

- ☒ Notice of pending void order issued.
- ☒ 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: Keith L. [Signature]

Date: 3/10/2010 Sr. Agent initial [Signature]

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

95-11390

MONICA DIETRICH
MANFORD DIETRICH
5444 E WAVERLY LOOP
HAYDEN LAKE, ID 83835
Point of Diversion L3(SENW) S16 T51N R03W KOOTENAI CO
Source HAYDEN LAKE Tributary SINKS
Use: DOMESTIC 01/01 to 12/31 0.02 CFS
Total Diversion: 0.02 CFS

Date Filed: 10/20/2009
Place Of Use: DOMESTIC T51N R03W S16 L3(SENW)
Domestic use is for 1 home.

95-11392

SUMMERFIELD WELL ASSN
17235 W SUMMERFIELD RD
POST FALLS, ID 83854
Point of Diversion SENW S17 T50N R05W KOOTENAI CO
Source GROUND WATER
Use: IRRIGATION 03/15 to 11/15 0.14 CFS
Use: DOMESTIC 01/01 to 12/31 0.11 CFS
Total Diversion: 0.2 CFS
Date Filed: 10/16/2009
Place Of Use: DOMESTIC T50N R05W S17 NW
Place Of Use: IRRIGATION T50N R05W S17 N1/2NW SWNW
Total Acres: 4.5
Domestic use is for 6 homes

95-11394

BRAD STOUFFER
SHERRI STOUFFER
PO BOX 2970
COEUR D'ALENE, ID 83816
Point of Diversion NESENE S32 T50N R04W KOOTENAI CO
Point of Diversion SENENE S32 T50N R04W KOOTENAI CO
Source Both Points of Diversion are SPRINGS Tributary SINKS
Use: IRRIGATION STORAGE 01/01 to 12/31 5.9 AF
Use: IRRIGATION FROM STORAGE 03/15 to 11/15 3 AF
Use: STOCKWATER STORAGE 01/01 to 12/31 3 AF
Use: STOCKWATER FROM STORAGE 01/01 to 12/31 0.1 AF
Use: WILDLIFE STORAGE 01/01 to 12/31 2.9 AF
Use: FIRE PROTECTION STORAGE 01/01 to 12/31 2.9 AF
Total Diversion: 6 AF
Date Filed: 10/16/2009
Place Of Use: STOCKWATER STORAGE
T50N R04W S32 NENE SENE
Place Of Uses: All other uses same as STOCKWATER STORAGE
Total Acres: 1
Stockwater use is for 4 head of mixed stock.

95-11403

GUYMON LIVING TRUST
1150 BRIDLE DR
RICHLAND, WA 99352
Point of Diversion L1(NWNE) S16 T51N R03W KOOTENAI CO
Source HAYDEN LAKE Tributary SINKS
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 10/22/2009
Place Of Use: DOMESTIC T51N R03W S16 L1(NWNE)
Domestic use is for 1 home

95-11404

GIAO ESTATES
6099 E GIAO WOODS CT
HAYDEN LAKE, ID 83835
Point of Diversion L1(NENE) S4 T51N R03W KOOTENAI CO
Source GROUND WATER
Use: IRRIGATION 03/15 to 11/15 0.06 CFS
Use: DOMESTIC 01/01 to 12/31 0.08 CFS
Total Diversion: 0.14 CFS

Date Filed: 10/21/2009
Place Of Use: DOMESTIC T51N R03W S4 L1(NENE)
Place Of Use: IRRIGATION same as DOMESTIC
Total Acres: 2
Domestic use is for 3 homes.

95-11405

FRANK HETTMANN
16735 VISTA DEL VALLE CT
MORGAN HILL, CA 95037
Point of Diversion L3(NESW) S29 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: 10/23/2009
Place Of Use: DOMESTIC T50N R03W S29 L3(NESW)
Domestic use is for 1 home.

95-11411

LEON HARDY
LINDA HARDY
5419 S STATELINE RD
POST FALLS, ID 83854
Point of Diversion SESW S25 T50N R06W KOOTENAI CO
Source CABLE CREEK Tributary SPOKANE RIVER
Use: IRRIGATION 03/15 to 11/15 0.2 CFS
Use: STOCKWATER 01/01 to 12/31 0.02 CFS
Total Diversion: 0.2 CFS

Date Filed: 10/21/2009
Place Of Use: IRRIGATION T50N R06W S25 SESW
Place Of Use: STOCKWATER T50N R06W S25 E1/2SW
Total Acres: 10
Stockwater use is for 15 head of mixed stock

95-11421

CHARLES M MORRIS
5683 E HAYDEN LN RD
HAYDEN, ID 83835
Point of Diversion L4(SENE) S20 T51N R03W KOOTENAI CO
Source HAYDEN LAKE Tributary SINKS
Use: IRRIGATION 03/15 to 11/15 0.02 CFS
Total Diversion: 0.02 CFS

Date Filed: 10/27/2009
Place Of Use: IRRIGATION T51N R03W S20 L4(SENE)
Total Acres: .5

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 2/22/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director
Legal 8921

February 4, 11, 2010

RECEIVED

FEB 12 2010

~~IDWR AFFIDAVIT~~ AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

} ss.

Kelli Buley being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Legal Notice

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 4 day of February, 20 10, and ending on the 11 day of February, 20 10, and such publication was made as often during said period as said Daily newspaper was regularly issued.

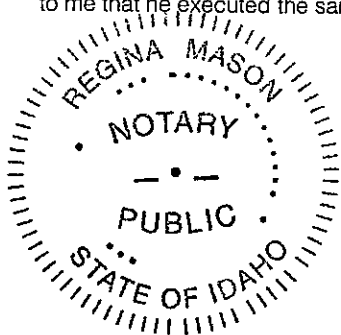
4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice Kelli Buley

On this 11 day of February 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



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

95-11390

MONICA DIETRICH

MANFORD DIETRICH

5444 E WAVERLY LOOP

HAYDEN LAKE, ID 83835

Point of Diversion L3(SENW) S16 T51N R03W KOOTENAI CO

Source HAYDEN LAKE Tributary SINKS

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

Total Diversion: 0.02 CFS

Date Filed: 10/20/2009

Place Of Use: DOMESTIC T51N R03W S16 L3(SENW)

Domestic use is for 1 home.

95-11392

SUMMERFIELD WELL ASSN

17235 W SUMMERFIELD RD

POST FALLS, ID 83854

Point of Diversion SENW S17 T50N R05W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION 03/15 to 11/15 0.14 CFS

Use: DOMESTIC 01/01 to 12/31 0.11 CFS

Total Diversion: 0.2 CFS

Date Filed: 10/16/2009

Place Of Use: DOMESTIC T50N R05W S17 NW

Place Of Use: IRRIGATION T50N R05W S17 N1/2NW SWNW

Total Acres: 4.5

Domestic use is for 6 homes

95-11394

BRAD STOUFFER

SHERRI STOUFFER

PO BOX 2970

COEUR D ALENE, ID 83816

Point of Diversion NESENE S32 T50N R04W KOOTENAI CO

Point of Diversion SENENE S32 T50N R04W KOOTENAI CO

Source Both Points of Diversion are SPRINGS Tributary SINKS

Use: IRRIGATION STORAGE 01/01 to 12/31 5.9 AF

Use: IRRIGATION FROM STORAGE 03/15 to 11/15 3 AF

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

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

Use: WILDLIFE STORAGE 01/01 to 12/31 2.9 AF

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 2.9 AF

Total Diversion: 6 AF

Date Filed: 10/16/2009

Place Of Use: STOCKWATER STORAGE

T50N R04W S32 NENE SENE

Place Of Uses: All other uses same as STOCKWATER STORAGE

Total Acres: 1

Stockwater use is for 4 head of mixed stock.

95-11403

GUYMON LIVING TRUST

1150 BRIDLE DR

RICHLAND, WA 99352

Point of Diversion L1(NWNE) S16 T51N R03W KOOTENAI CO

Source HAYDEN LAKE Tributary SINKS

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

Total Diversion: 0.04 CFS

Date Filed: 10/22/2009

Place Of Use: DOMESTIC T51N R03W S16 L1(NWNE)

Domestic use is for 1 home

95-11404

GIAO ESTATES

6099 E GIAO WOODS CT

HAYDEN LAKE, ID 83835

Point of Diversion L1(NENE) S4 T51N R03W KOOTENAI CO

Source GROUND WATER

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

Use: DOMESTIC 01/01 to 12/31 0.08 CFS

Total Diversion: 0.14 CFS

Date Filed: 10/21/2009

Place Of Use: DOMESTIC T51N R03W S4 L1(NENE)

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 2

Domestic use is for 3 homes.

95-11405

FRANK HETTMANN

16735 VISTA DEL VALLE CT

MORGAN HILL, CA 95037

Point of Diversion L3(NESW) S29 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: 10/23/2009

Place Of Use: DOMESTIC T50N R03W S29 L3(NESW)

Domestic use is for 1 home.

95-11411

LEON HARDY

LINDA HARDY

5419 S STATELINE RD

POST FALLS, ID 83854

Point of Diversion SESW S25 T50N R06W KOOTENAI CO

Source CABLE CREEK Tributary SPOKANE RIVER

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

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

Total Diversion: 0.2 CFS

Date Filed: 10/21/2009

Place Of Use: IRRIGATION T50N R06W S25 SESW

Place Of Use: STOCKWATER T50N R06W S25 E1/2SW

Total Acres: 10

Stockwater use is for 15 head of mixed stock

95-11421

CHARLES M MORRIS

5683 E HAYDEN LN RD

HAYDEN, ID 83835

Point of Diversion L4(SENE) S20 T51N R03W KOOTENAI CO

Source HAYDEN LAKE Tributary SINKS

Use: IRRIGATION 03/15 to 11/15 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 10/27/2009

Place Of Use: IRRIGATION T51N R03W S20 L4(SENE)

Total Acres .5

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 2/22/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 2/4/2010 and 2/11/2010

Ball, Dianne

From: Ball, Dianne
Sent: Friday, January 29, 2010 1:47 PM
To: Legal Notices-CdA Press; Legal Notices-CdAPress - Kelli Buley
Subject: Application for Permit No. 95-11390, 95-11392, 95-11394, 95-11403, 95-11404, 95-11405, 95-11411, 95-11421

Attachments: LegalNotice 01-29-10 CDA e-mail 95-11390,92,94,403,04,05,411,421.doc

Good afternoon, Kelli,

This is a **second legal notice** being submitted for publication to start next week on February 4th.

Please publish the enclosed legal notice on the dates indicated, **February 4 and 11, 2010**, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.



LegalNotice
1-29-10 CDA e-mai.

Please send a proof/preview copy for my review to double check layout. With columns being a little narrower, I'm not always sure I have the set-up quite right.

If you have ANY questions, please call me at number below or reply to this e-mail.

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 2/22/2010. Your cooperation is appreciated.

Thanks for all your wonderful help.

Dianne Ball

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

January 29, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

FRANK HETTMANN
16735 VISTA DEL VALLE CT
MORGAN HILL, CA 95037

Application For Permit No. 95-11405

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 2/4/2010 and 2/11/2010. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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

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

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

Sincerely,

Keith Franklin
Sr. Water Resource Agent

Enc. Receipt No. N022582

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, January 28, 2010 4:15 PM
To: mary.terra-berns@idfg.idaho.gov; cwashburn@idl.idaho.gov
Subject: Application for Permit No. 95-11390 Dietrich, 95-11394 Stouffer, 95-11403 Guymon Living Trust, 95-11405 Hettmann, 95-11411 Hardy, 95-11421 Morris

Attachments: 95-11390 Dietrich.pdf; 95-11394 Stouffer.pdf; 95-11403 Guymon Living Trust.pdf; 95-11405 Hettmann.pdf; 95-11411 Hardy.pdf; 95-11421 Morris.pdf

Dear Mary and Carl,

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications. A copy of each of the applications is enclosed for your reference.



95-11390
ietrich.pdf (171 KB).



95-11394
ouffer.pdf (348 KB).



95-11403 Guymon
Living Trust.p...



95-11405
ttmann.pdf (267 KB)



95-11411
Hardy.pdf (319 KB)



95-11421
Morris.pdf (296 KB)

Carl, I don't think you'll be interested in 95-11394 Stouffer - since it's a spring trib to sinks - and probably not 95-11411 Hardy - from Cable Creek into Spokane River. This just saves me sending 2 separate e-mails, and I hope you don't mind receiving a couple you can ignore. (I try to give you a heads up but at least this way you can check them out FYI.)

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 being prepared for publication in CDA Press Feb. 4 and 11, 2010 with final date for protest being 2/22/10

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

95-114105
parties as of date of possession, said pro-ratio being based on latest known assessed valuation. The purchaser agrees to pay all taxes and assessments that may be legally levied against said property subsequent to date of possession, such payments to be paid promptly and said taxes not to be permitted to become delinquent by said purchaser.

It is understood and agreed by the purchaser that the property herein sold is to be conveyed to purchaser subject to the following restrictions:

1. No more than one residence or dwelling house (residence, garage excepted) shall be erected or maintained on said lot herein conveyed.
2. No residence shall be erected or placed upon said lot unless it shall contain at least nine hundred (900) square feet of floor space.
3. No house shall be erected upon said lot which shall not have a sewage system, including either a cesspool or septic tank.
4. No temporary construction, mobil homes or trailer houses shall be used on said lot, but rather, it shall be restricted to houses of permanent type construction.

The seller covenants to purchaser the right to connect with the existing water pipe at purchaser's expense, at any point on the lot frontage provided that the continued connection to said line is permitted only so long as the lot owner, her heirs or assigns, pay their proportionate share of the cost of operation, maintenance, and repair of the then existing water system and the care and maintenance of the dedicated street, Evergreen Lane. By "proportionate share" is meant the proportion which the one lot owner bears to the number of lots occupied in Kildow Subdivision by dwellings and connected for water. Such proportionate costs shall be payable during the current calendar month in which they are assessed.

The seller hereby covenants that identical covenants and restrictions as hereinabove stated shall be included in all deeds of conveyance hereafter made as to all lots in Blocks One and Two, Kildow Subdivision.