

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-11330

Priority: September 16, 2009

Maximum Diversion Rate: 0.04 CFS

This is to certify, that STEPHEN D BEHLMER
9 MUELLER CT
HELENA MT 59601
(406) 443-1999

has applied for a permit to appropriate water from:

Source: SPOKANE RIVER

Tributary: COLUMBIA RIVER

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:

SPOKANE RIVER, L4 (NW1/4NW1/4), Sec. 12, Twp 50N, Rge 05W, 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	
50N 05W 12						X											
						L 4											

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **March 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 12th 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

March 15, 2010

STEPHEN D BEHLMER
9 MUELLER CT
HELENA MT 59601

RE: Permit No.95-11330

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 fluid and cursive, with the first name "Keith" being more prominent.

Keith E. Franklin

Sr. Water Resources agent

Enclosure(s)

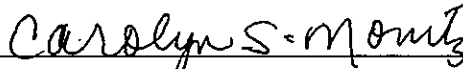
CERTIFICATE OF SERVICE

I hereby certify that on March 15, 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.

95-11330

**STEPHEN D BEHLMER
9 MUELLER CT
HELENA MT 59601**



**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. # 95-11330

APPLICATION ID # 76030

ENT. 10/9

BCA 12/30

OK to Publish 12/30/09

APPLICANT: Stephen D. Behlmer INITIAL REVIEW

BY: KJ

DATE: 10/9/2009

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 10/9 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: 9/16/2009

(Include Moratorium Remark)

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

ADVERTISE IN:

Kootenai County

Newspaper: ceda

Dates scheduled for publication 1/24/10

Affidavit of Publication received: 1/15/10

Dates actually published: 1/24/10

Application published correctly. Yes ☒ No ☐

If not, action taken: _____

Final Date for Protest: 1/25

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 Sandelin Date: 1/27/2010 Sr. Agent initial KJ

RECEIVED

JAN 15 2010

AFFIDAVIT OF PUBLICATION

IDWR / NORTH

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

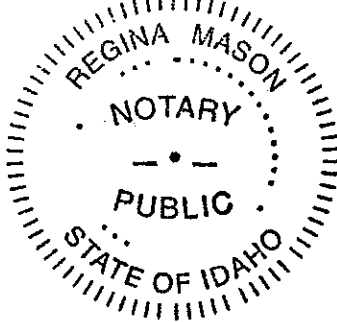
of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 7 day of January, 2010, and ending on the 14 day of January, 2010, and such publication was made as often during said period as said Daily newspaper was regularly 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 14 day of January, 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:

95-11326

GERALD VANDERZANDEN

DONNA VANDERZANDEN

8735 N SANDY COVE RD

HAYDEN LAKE, ID 83835

Point of Diversion L4(SWNW) S21 T51N R03W KOOTENAI CO

Source HAYDEN LAKE Tributary SINKS

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

Use: FIRE PROTECTION 01/01 to 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 10/6/2009

Place Of Use: IRRIGATION T51N R03W S21 L4(SWNW)

Place Of Use: FIRE PROTECTION same as IRRIGATION

Total Acres: 0.5

95-11330

STEPHEN D BEHLMER

9 MUELLER CT

HELENA, MT 59601

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

Source SPOKANE RIVER Tributary COLUMBIA RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 9/16/2009

Place Of Use: DOMESTIC T50N R05W S12 L4(NWNW)

Domestic use is for 1 home.

95-11331

STATE OF IDAHO DEPARTMENT OF PARKS & RECREATION

PO BOX 83720

BOISE, ID 83720-0065

Point of Diversion L1(NENE) S2 T49N R03W KOOTENAI CO

Source COEUR D'ALENE LAKE Tributary SPOKANE RIVER

Use: IRRIGATION 03/15 to 11/15 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 10/8/2009

Place Of Use: IRRIGATION T49N R03W S2 L1(NENE)

Total Acres: 1.2

95-11342

FREDRIC MANTHEY

LORRAINE MANTHEY

PO BOX 619

MULLAN, ID 83846

Point of Diversion L6(NWSW) S34 T52N 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: 10/9/2009

Place Of Use: DOMESTIC T52N R03W S34 L6(NWSW)

Domestic use is for 1 home.

95-11350

JAMES FINK

PAMELA FINK

12473 N SHERWOOD CT

HAYDEN, ID 83835

Point of Diversion L2(NWNW) S14 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: 10/13/2009

Place Of Use: DOMESTIC T51N R03W S14 L2(NWNW)

Domestic use is for 1 home.

95-11357

JESS GOETZ

PO BOX 338

BAYVIEW, ID 83803

Point of Diversion L5(SWNW) S12 T50N R05W KOOTENAI CO

Source GROUNDWATER

Use: IRRIGATION 03/15 to 11/15 0.51 CFS

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

Total Diversion: 0.51 CFS

Date Filed: 10/14/2009

Place Of Use: IRRIGATION T50N R05W S12

L5(SWNW) NWSW SWSW SESW

Place Of Use: DOMESTIC T50N R05W S12 L5(SWNW)

Total Acres: 37.75

Domestic use is for 1 home.

95-11360

DEAN A PRIMMER

CLARA J PRIMMER

17733 N HWY 41

RATHDRUM, ID 83856

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

Source SPRINGS Tributary SINKS

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

Total Diversion: 0.04 CFS

Date Filed: 10/8/2009

Place Of Use: DOMESTIC T52N R04W S19 SESE

Domestic use is for 1 home.

95-11363

RUBERT FAMILY 2000 TRUST

9323 NORTH GOVERNMENT WAY

HAYDEN, ID 83835

Point of Diversion L5(SENE) S10 T51N R03W KOOTENAI CO

Source HAYDEN LAKE Tributary SINKS

Use: IRRIGATION 03/15 to 11/15 0.05 CFS

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

Total Diversion: 0.09 CFS

Date Filed: 10/14/2009

Place Of Use: DOMESTIC T51N R03W S10 L5(SENE)

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 1

Domestic use is for 2 homes

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-211. 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 1/25/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal 8685

January 7, 14, 2010

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

95-11326

GERALD VANDERZANDEN

DONNA VANDERZANDEN

8735 N SANDY COVE RD

HAYDEN LAKE, ID 83835

Point of Diversion L4(SWNW) S21 T51N R03W KOOTENAI CO

Source HAYDEN LAKE Tributary SINKS

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

Use: FIRE PROTECTION 01/01 to 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 10/6/2009

Place Of Use: IRRIGATION T51N R03W S21 L4(SWNW)

Place Of Use: FIRE PROTECTION same as IRRIGATION

Total Acres: 0.5

95-11330

STEPHEN D BEHLMER

9 MUELLER CT

HELENA, MT 59601

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

Source SPOKANE RIVER Tributary COLUMBIA RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 9/16/2009

Place Of Use: DOMESTIC T50N R05W S12 L4(NWNW)

Domestic use is for 1 home.

95-11331

STATE OF IDAHO DEPARTMENT OF PARKS & RECREATION

PO BOX 83720

BOISE, ID 83720-0065

Point of Diversion L1(NENE) S2 T49N R03W KOOTENAI CO

Source COEUR D ALENE LAKE Tributary SPOKANE RIVER

Use: IRRIGATION 03/15 to 11/15 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 10/8/2009

Place Of Use: IRRIGATION T49N R03W S2 L1(NENE)

Total Acres: 1.2

95-11342

FREDRIC MANTHEY

LORRAINE MANTHEY

PO BOX 619

MULLAN, ID 83846

Point of Diversion L6(NWSW) S34 T52N 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: 10/9/2009

Place Of Use: DOMESTIC T52N R03W S34 L6(NWSW)

Domestic use is for 1 home.

95-11350

JAMES FINK

PAMELA FINK

12473 N SHERWOOD CT

HAYDEN, ID 83835

Point of Diversion L2(NWNW) S14 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: 10/13/2009

Place Of Use: DOMESTIC T51N R03W S14 L2(NWNW)

Domestic use is for 1 home.

95-11357

JESS GOETZ

PO BOX 338

BAYVIEW, ID 83803

Point of Diversion L5(SWNW) S12 T50N R05W KOOTENAI CO

Source GROUNDWATER

Use: IRRIGATION 03/15 to 11/15 0.51 CFS

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

Total Diversion: 0.51 CFS

Date Filed: 10/14/2009

Place Of Use: IRRIGATION T50N R05W S12

L5(SWNW) NWSW SWSW SESW

Place Of Use: DOMESTIC T50N R05W S12 L5(SWNW)

Total Acres: 37.75

Domestic use is for 1 home.

95-11360

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: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 10/8/2009

Place Of Use: DOMESTIC T52N R04W S19 SESE

Domestic use is for 1 home.

95-11363

RUBERT FAMILY 2000 TRUST

9323 NORTH GOVERNMENT WAY

HAYDEN, ID 83835

Point of Diversion L5(SENE) S10 T51N R03W KOOTENAI CO

Source HAYDEN LAKE Tributary SINKS

Use: IRRIGATION 03/15 to 11/15 0.05 CFS

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

Total Diversion: 0.09 CFS

Date Filed: 10/14/2009

Place Of Use: DOMESTIC T51N R03W S10 L5(SENE)

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 1

Domestic use is for 2 homes

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-211. 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 1/25/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 1/7/2010 and 1/14/2010

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, December 30, 2009 4:04 PM
To: Legal Notices-CdA Press; Legal Notices-CdAPress - Kelli Buley
Subject: Application for Permit No. 95-11326, 95-11330, 95-11331, 95-11342, 95-11350, 95-11357, 95-11360, 95-11363

Attachments: LegalNotice 12-30-09 CDA e-mail 95-11326,30,31,42,50,57,60,63doc.doc

Good afternoon, Kelli,

Here is a second legal notice of our regular style - with the request to also please publish this enclosed legal notice on the dates indicated, January 7 and 14, 2010, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately. That will make 2 legal notices of this style, and one short one for a Notice of Correction, all to start publishing January 7th.

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

If you have ANY questions, please call me 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 1/25/2010. Your cooperation is, as always, very greatly appreciated.

Thanks for your super help.



LegalNotice
2-30-09 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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

December 30, 2009

STEPHEN D BEHLMER
9 MUELLER CT
HELENA, MT 59601

Application For Permit No. 95-11330

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 1/7/2010 and 1/14/2010. 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

Enclosure(s) Receipt No. N022114



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

September 28, 2009

Stephen D Behlmer
9 Mueller Ct
Helena, MT 59601

Re: Application For Permit To appropriate the Public Waters of the State of Idaho

Dear Mr. Behlmer:

The Idaho Department of Water Resources is returning your recently submitted application since it's incomplete.

Item #4 Purpose of Use

The guideline for a domestic diversion rate is 0.04 cfs (18 gallons per minute) or a lesser amount. Please indicate your desired diversion rate. Also, for domestic the use dates should be stated as year round, 1/1 to 12/31.

Item #5 Total Appropriated Quantity

This should match the diversion rate on Item # 4.

Item #7 Time to Complete Works

An applicant has between 1 and 5 years by which to perfect a water right. If this already exists, you can indicate one (1) year.

Item #9 Place of Use

Please refer to the attached aerial photograph. Your property is located in the NW¼ of the NW¼, Government Lot 4. Please complete this section on the application.

Once the corrections have been made, resubmit the application 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

COPY