

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-11048

Priority: August 13, 2009

Maximum Diversion Rate: 0.01 CFS

This is to certify, that DAVID M HESKETT
S 2614 VIEWMONT CT
SPOKANE VALLEY WA 9901
(509) 921-1885

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:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.01 CFS

LOCATION OF POINT(S) OF DIVERSION:

SPIRIT LAKE, L6 (SW1/4SE1/4), Sec. 13, Twp 53N, Rge 05W, B.M., KOOTENAI County

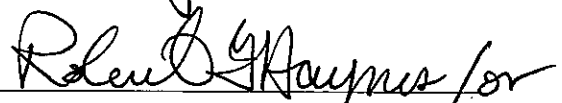
PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
53N 05W 13															X		L 6

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 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 11th day of February, 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

February 12, 2010

DAVID M HESKETT
S 2614 VIEWMONT CT
SPOKANE VALLEY WA 99016

RE: Permit No.95-11048

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

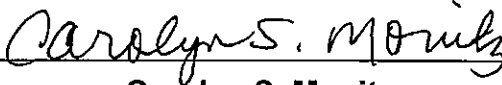
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on February 12, 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. 95-11048

**DAVID M HESKETT
S 2614 VIEWMONT CT
SPOKANE VALLEY WA 99016**



**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. # 95-11048

APPLICATION ID # 75880

ENT. 8/26 BCA 10/23

OK to Publish 10/22/09

APPLICANT: David Heskeft

INITIAL REVIEW

BY: KJ

DATE: 8/26/2009

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 8/26 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: 8/13/2009

(Include Moratorium Remark)

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

ADVERTISE IN:

Newspaper: Chad Kootenai County

Dates scheduled for publication 11/5+12/09

Affidavit of Publication received: 11/16/09

Dates actually published: 11/5+12/09

Application published correctly. Yes ☒ No ☐

If not, action taken: _____

Final Date for Protest: _____

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 J. Johnson

Date: 12/1/2009 Sr. Agent initial

KJ

RECEIVED
AFFIDAVIT OF PUBLICATION

NOV 16 2009

STATE OF IDAHO,
County of Kootenai,

} ss.

IDWR / NORTH

Kelli Builey

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 5 day of November 2009, and ending on the 12 day of November 2009, 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 Builey

On this 12 day of November in the year of 2009, before me,

a Notary Public, personally appeared Kelli Builey,

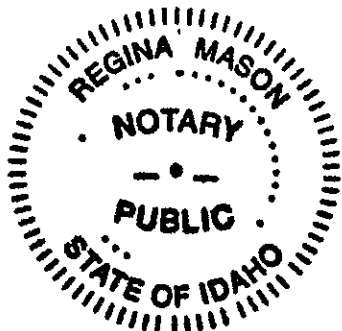
known or identified to me to be the person whose name subscribed to the within instrument, and

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 for appropriate
the public waters of the State of Idaho:

95-11000

JERRY L HANSON ET UX TRUSTEES

926 S TALL PINES RD

COEUR D'ALENE, ID 83814

Point of Diversion: SWNW 38 T49N R4W KOOTENAI CO

Source: SPRINGS tributary to MICA CREEK

Point of Diversion(2): NW 38 T49N R4W KOOTENAI CO

Source: SPRINGS

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

Use: WILDLIFE STORAGE 01/01 to 12/31 4.7 AF

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

Use: RECREATION STORAGE 01/01 to 12/31 4.7 AF

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

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 4.7 AF

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

Use: AESTHETIC STORAGE 01/01 to 12/31 4.7 AF

Total Diversion: 0.2 CFS

Date Filed: 8/20/2009

Place Of Use: RECREATION T49N R4W S4 NW 38 SWSW

Place Of Use: All other uses same as RECREATION

Recreation use is for fish

95-11024

DOUGLAS O NUSTAD

PO BOX 2776

HAYDEN, ID 83835

Point of Diversion: L1(NESE) S4 T51N R4W KOOTENAI CO

Source: HAYDEN LAKE tributary to SINKS

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

Total Diversion: 0.04 CFS

Date Filed: 8/20/2009

Place Of Use: DOMESTIC T51N R4W S4 L1(NESE)

Domestic use is for 1 home

95-11041

KEN GIMBEL

10N SCHWARTZ

ANN CLEVELAND

PO BOX 880

HAYDEN, ID 83835

Point of Diversion: L1(NESE) S4 T49N R4W KOOTENAI CO

Source: GROUND WATER

Use: IRRIGATION 05/15 to 11/15 0.12 CFS

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

Total Diversion: 0.2 CFS

Date Filed: 7/21/2009

Place Of Use: DOMESTIC T49N R4W S4 L1(NESE)

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 5

Domestic use is for 3 homes

95-11042

DON L BUTLER

PO BOX 386

POST FALLS, ID 83877

Point of Diversion: NWSW S17 T51N R4W KOOTENAI CO

Source: GROUND WATER

Use: IRRIGATION 05/15 to 11/15 0.15 CFS

Total Diversion: 0.15 CFS

Date Filed: 8/25/2009

Place Of Use: IRRIGATION T51N R4W S17 NWSW

Total Acres: 8

95-11043

RANDY HURST

100 S ROCKY RIDGE DR

SPOKANE VALLEY, WA 99211

Point of Diversion: NESE S18 T51N R4W KOOTENAI CO

Source: SPIRIT LAKE tributary to SPIRIT CREEK

Use: IRRIGATION 05/15 to 11/15 0.03 CFS

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

Total Diversion: 0.04 CFS

Date Filed: 7/20/2009

Place Of Use: DOMESTIC T51N R4W S18 NESE

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 1

Domestic use is for 1 home

95-11044

LEO RIMPTSON

PO BOX 369

HAYDEN, ID 83835

Point of Diversion: L5(NESE) S4 T51N R4W KOOTENAI CO

Source: HAYDEN LAKE tributary to SINKS

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

Total Diversion: 0.04 CFS

Date Filed: 8/25/2009

Place Of Use: DOMESTIC T51N R4W S4 L5(NESE)

Domestic use is for 1 home

95-11046

RANDY BATES

SUSAN BATES

841 S PLEASANTVIEW RD

POST FALLS, ID 83854

Point of Diversion: L1(SWNW) S8 T50N R6W KOOTENAI CO

Source: SPOKANE RIVER tributary to COLUMBIA RIVER

Use: IRRIGATION 05/15 to 11/15 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 8/28/2009

Place Of Use: IRRIGATION

T50N R6W S7 L1(NESE)

T50N R6W S8 L1(SWNW)

Total Acres: 1.5

95-11048

DAVID M HESKETT

32514 VIEWMONT CT

SPOKANE VALLEY, WA 99016

Point of Diversion: L1(SWSE) S13 T51N R6W KOOTENAI CO

Source: SPIRIT LAKE tributary to SPIRIT CREEK

Use: DOMESTIC 01/01 to 12/31 0.01 CFS

Total Diversion: 0.01 CFS

Date Filed: 8/21/2009

Place Of Use: DOMESTIC T51N R6W S13 L1(SWSE)

Domestic use is for 1 home

95-11052

BARRY HAMMACK

BEVERLY HAMMACK

11960 W COUGAR CULCH RD

COEUR D'ALENE, ID 83814

Point of Diversion: SENWSE S15 T50N R6W KOOTENAI CO

Source: SPRING tributary to SINKS

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

Total Diversion: 0.04 CFS

Date Filed: 8/25/2009

Place Of Use: DOMESTIC T50N R6W S15 NWSE

Domestic use is for 1 home

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code 3-42-211. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 2600 Mineral Drive, Suite 100, Coeur D'Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 11/23/2009. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal 8173

November 5, 12, 2009

RECEIVED
NOV 16 2009
IDWR/NORTH

Ball, Dianne

Endorse base

From: Carl Washburn [cwashburn@idl.idaho.gov]
Sent: Wednesday, November 04, 2009 6:56 AM
To: Ball, Dianne
Subject: RE: Application for Permit No. 95-11043 Hurst, 95-11044 Simpson, 95-11046 Bates, and 95-11048 Heskett

Dianne,

95-11043, Hurst will require a permit from the Department of Lands for the intake line. Please provide a term in your permit stating a permit is required from IDL. Mica Area will send the applicant a letter advising them of the permit requirement.

95-11044, Simpson will require a permit from the Department of Lands for the intake line. Please provide a term in your permit stating a permit is required from IDL. Mica Area will send the applicant a letter advising them of the permit requirement.

95-11046, Bates will not require an encroachment permit from The Department of Lands.

95-11048 Heskett will require a permit from the Department of Lands for the intake line. Please provide a term in your permit stating a permit is required from IDL. Mica Area will send the applicant a letter advising them of the permit requirement.

Thank you for the opportunity to offer comments.

Carl

From: Ball, Dianne [mailto:Dianne.Ball@idwr.idaho.gov]
Sent: Wednesday, October 21, 2009 4:49 PM
To: Carl Washburn
Subject: Application for Permit No. 95-11043 Hurst, 95-11044 Simpson, 95-11046 Bates, and 95-11048 Heskett

Dear 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 application is enclosed for your reference.

<<95-11043 Hurst.pdf>> <<95-11044 Simpson.pdf>> <<95-11046 Bates.pdf>> <<95-11048 Heskett.pdf>>

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.

Final date for protests to be received in our office is November 23, 2009.

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

11/4/2009

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

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

95-11009

JERRY L HANSON ET UX TRUSTEES

9295 S TALL PINES RD

COEUR D ALENE, ID 83814

Point of Diversion SWNWSW S9 T49N R04W KOOTENAI CO

Source SPRINGS tributary to MICA CREEK

Points of Diversion(2) NWSWSW S9 T49N R04W KOOTENAI CO

Source SPRINGS

Use: WILDLIFE	01/01 to 12/31	0.2 CFS
Use: WILDLIFE STORAGE	01/01 to 12/31	4.7 AF
Use: RECREATION	01/01 to 12/31	0.2 CFS
Use: RECREATION STORAGE	01/01 to 12/31	4.7 AF
Use: FIRE PROTECTION	01/01 to 12/31	0.2 CFS
Use: FIRE PROTECTION STORAGE	01/01 to 12/31	6.1 AF
Use: AESTHETIC	01/01 to 12/31	0.2 CFS
Use: AESTHETIC STORAGE	01/01 to 12/31	6.1 AF
Total Diversion:	0.2 CFS	6.1 AF

Date Filed: 8/20/2009

Place Of Use: RECREATION T49N R04W S9 NWSW SWSW

Place Of Use: All other uses same as RECREATION

Recreation use is for fish

95-11024

DOUGLAS O NUSTAD

PO BOX 2776

HAYDEN, ID 83835

Point of Diversion L5(NESE) S4 T51N R03W KOOTENAI CO

Source HAYDEN LAKE tributary to SINKS

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

Date Filed: 8/20/2009

Place Of Use: DOMESTIC T51N R03W S4 L5(NESE)

Domestic use is for 1 home.

95-11041

KEN GIMBEL

ION SCHWARTZ

ANN CLEVINGER

PO BOX 569

HAYDEN, ID 83835

Point of Diversion L1(NENE) S4 T49N R03W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION	03/15 to 11/15	0.12 CFS
Use: DOMESTIC	01/01 to 12/31	0.08 CFS
Total Diversion:	0.2 CFS	

Date Filed: 7/23/2009

Place Of Use: DOMESTIC T49N R03W S4 L1(NENE)

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 5

Domestic use is for 3 homes.

95-11042

DON L BUTLER

PO BOX 2889

POST FALLS, ID 83877

Point of Diversion NWSW S17 T51N R04W KOOTENAI CO

Source GROUND WATER

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

Date Filed: 8/25/2009

Place Of Use: IRRIGATION T51N R04W S17 NWSW

Total Acres: 9

95-11043

RANDY HURST

1920 S ROCKY RIDGE DR

SPOKANE VALLEY, WA 99212

Point of Diversion NESE S18 T53N R04W KOOTENAI CO

Source SPIRIT LAKE tributary to SPIRIT CREEK

Use: IRRIGATION	03/15 to 11/15	0.03 CFS
Use: DOMESTIC	01/01 to 12/31	0.04 CFS
Total Diversion:	0.04 CFS	

Date Filed: 7/29/2009

Place Of Use: DOMESTIC T53N R04W S18 NESE

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 1

Domestic use is for 1 home.

95-11044

LEO R SIMPSON

PO BOX 989

HAYDEN, ID 83835

Point of Diversion L5(NESE) S4 T51N R03W KOOTENAI CO
Source HAYDEN LAKE tributary to SINKS
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 8/25/2009

Place Of Use: DOMESTIC T51N R03W S4 L5(NESE)
Domestic use is for 1 home.

95-11046

RANDY BATES

SUSAN BATES

841 S PLEASANTVIEW RD

POST FALLS, ID 83854

Point of Diversion L1(SWNW) S8 T50N R05W KOOTENAI CO

Source SPOKANE RIVER tributary to COLUMBIA RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 8/18/2009

Place Of Use: IRRIGATION

T50N R05W S7 L3(SENE)

T50N R05W S8 L1(SWNW)

Total Acres: 1.5

95-11048

DAVID M HESKETT

S 2614 VIEWMONT CT

SPOKANE VALLEY, WA 99016

Point of Diversion L6(SWSE) S13 T53N R05W KOOTENAI CO

Source SPIRIT LAKE tributary to SPIRIT CREEK

Use: DOMESTIC 01/01 to 12/31 0.01 CFS

Total Diversion: 0.01 CFS

Date Filed: 8/21/2009

Place Of Use: DOMESTIC T53N R05W S13 L6(SWSE)

Domestic use is for 1 home.

95-11052

HARRY HAMMACK

BEVERLY HAMMACK

11960 W COUGAR GULCH RD

COEUR D'ALENE, ID 83814

Point of Diversion SENWSE S35 T50N R05W KOOTENAI CO

Source SPRING tributary to SINKS

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

Total Diversion: 0.04 CFS

Date Filed: 8/26/2009

Place Of Use: DOMESTIC T50N R05W S35 NWSE

Domestic use is for 1 home.

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 11/23/2009. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 11/5/2009 and 11/12/2009



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

Please Fax or e-mail proof/preview copy to me before this goes to press.

Fax (208) 762-2819 ~ e-mail dianne.ball@idwr.idaho.gov

Thanks, Dianne

October 23, 2009

KELLI BULEY
LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE, ID 83814

RE: Application For Permit No(s): 95-11009, 95-11024, 95-11041, 95-11042, 95-11043, 95-11044, 95-11046, 95-11048, 95-11052

Dear Kelli:

This is the **THIRD** legal notice submitted to the Press for publication on November 5 and 12, 2009, (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 11/23/2009. Your cooperation is appreciated.

Sincerely,

Dianne Ball
Administrative Assistant

Dianne

Enclosure(s)

Ball, Dianne

From: Ball, Dianne
Sent: Friday, October 23, 2009 11:08 AM
To: Legal Notices-CdA Press; Legal Notices-CdAPress - Kelli Buley
Subject: Application for Permit No. 95-11009, 95-11024, 95-11041, 95-11042, 95-11043, 95-11044, 95-11046, 95-11048, 95-11052

Attachments: CoverLetter 10-23-09 CDA e-mail, 95-11009,024,041,042,043,044,046,048,052.doc;
LegalNotice 10-23-09 CDA e-mail 95-11009,024,041,042,043,044,046,048,052.doc

Good morning, Kelli,

This is the **THIRD** legal notice submitted to the Press for publication on November 5 and 12, 2009, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately. Cover letter and legal notice attached.

Please send proof/preview copy for all three for my review, as soon as layout is ready.



CoverLetter
0-23-09 CDA e-mai.



LegalNotice
0-23-09 CDA e-mai.

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 11/23/2009. Your cooperation is very greatly appreciated.

[I may have yet another legal notice if I can get one more completed timely.]

Thanks, Kelli, for all your super 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

October 23, 2009

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

DAVID M HESKETT
S 2614 VIEWMONT CT
SPOKANE VALLEY, WA 99016

Application For Permit No. 95-11048

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 11/5/2009 and 11/12/2009. 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: Thursday, October 22, 2009 2:56 PM
To: Marston, Sascha
Cc: Knoblock, Ken; Franklin, Keith
Subject: N020577[1].PDF - I and Receipt C089142[1].PDF

Attachments: N020577[1].PDF; C089142[1].PDF

Good afternoon, Sascha,

Funds were received in amount of \$25.00, and initially receipted toward a NIA Claim 95-19523 under Receipt No. N020577 on 5/14/09.

NIA Claim withdrawn and new WR Application filed under No. 95-11048.

Copy of original receipt as well as new receipt attached FYI.



N020577[1].PDF (5
KB)



C089142[1].PDF (5
KB)

I believe that the original receipt N020577 still needs to be modified to reflect partial payment for WR App Fee 95-11048. That coupled with the \$75.00 receipted under receipt C089142, will complete the required fee of \$100.00 for the WR Permit Application under No. 95-11048.

I believe the PCA Code for the Northern WR Permit App Fee should be 65103.

If you have any questions, or need more clarification or information, please call me or reply to this e-mail. I'll try to be more specific.

Thanks.

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

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, October 21, 2009 4:43 PM
To: mary.terra-berns@idfg.idaho.gov
Subject: Application for Permit No. 95-11043 Hurst, 95-11044 Simpson, 95-11046 Bates, 95-11048 Heskett, and 95-11052 Hammack

Attachments: 95-11043 Hurst.pdf; 95-11044 Simpson.pdf; 95-11046 Bates.pdf; 95-11048 Heskett.pdf; 95-11052 Hammack.pdf

Dear Mary:

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 application is enclosed for your reference.



95-11043 Hurst.pdf
(355 KB)



95-11044
Simpson.pdf (322 KB)



95-11046 Bates.pdf
(315 KB)



95-11048
Heskett.pdf (370 KB)



95-11052
Hammack.pdf (244 KB)

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.

Final date for protest to be received in our office is November 23, 2009.

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

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, October 21, 2009 4:49 PM
To: cwashburn@idl.idaho.gov
Subject: Application for Permit No. 95-11043 Hurst, 95-11044 Simpson, 95-11046 Bates, and 95-11048 Heskett

Attachments: 95-11043 Hurst.pdf; 95-11044 Simpson.pdf; 95-11046 Bates.pdf; 95-11048 Heskett.pdf

Dear 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 application is enclosed for your reference.



95-11043 Hurst.pdf
(355 KB)



95-11044
Simpson.pdf (322 KB)



95-11046 Bates.pdf
(315 KB)



95-11048
Heskett.pdf (370 KB)

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.

Final date for protests to be received in our office is November 23, 2009.

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

**REQUEST FOR WITHDRAWAL OF CLAIM
WITH FILING FEES APPLIED TO APPLICATION FOR PERMIT**

Name of Claimant: David M. Heskett

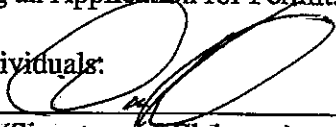
Mailing Address: S. 2614 Viewmont Ct. Greenacres Wa. 99016

Amount: 25.00 Receipt No.: N020577

Claim No(s).: 95-10523

I/We wish to withdraw the Notice(s) of Claim to a Water Right which number(s) appear above and for which I/We previously paid a filing fee to the Idaho Department of Water Resources. I request the filing fee I/We paid on the receipt referenced above be applied to filing an Application for Permit.

For Individuals:


(Signature of Claimant)

8/10/09
(Date)

(Signature of Claimant)

(Date)

For Organizations:

(Signature of Authorized Agent)

(Date)

(Title)

(Name of Organization)

Return to: Idaho Department of Water Resources
Adjudication Bureau
P.O. Box 83720
Boise, ID 83720-0098

COPY

For IDWR Use

Initials

Date

Approval Region
Approval State Office
Data Entry

6/30/09

*original sent to
state office on
8/26/09 KH*