

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-11008

Priority: August 13, 2009

Maximum Diversion Rate: 0.01 CFS

This is to certify, that WILLIAM J BAIR
578 CLERMONT DR
RICHLAND WA 99352
(509) 628-8885

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 (NE1/4SE1/4), Sec. 18, Twp 53N, Rge 04W, B.M., KOOTENAI County

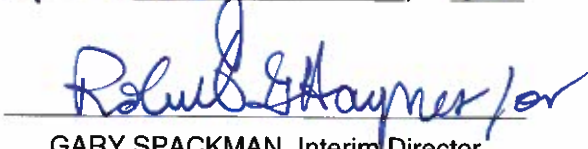
PLACE OF USE: DOMESTIC

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

WILLIAM J BAIR
578 CLERMONT DR
RICHLAND WA 99352

RE: Permit No.95-11008

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.

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.

95-11008

**WILLIAM J BAIR
578 CLERMONT DR
RICHLAND WA 99352**



**Carolyn S. Monitz
Technical Records Clerk**

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

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

Sincerely,



Keith E. Franklin

Sr. Water Resources Agent

Enclosure(s)

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. # 95-11008

APPLICATION ID # 75862

ENT. 8/17 BCA 10/13

OK to Publish 10/15/09

APPLICANT: William J. Bair

INITIAL REVIEW

BY: KJ

DATE: 8/17/2009

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 8/17 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: Kootenai County
 Dates scheduled for publication 4/5 + 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: 4/23/09
 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. Final order response date: ____/____/____
- ☒ Further information required from applicant _____

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

Approval Recommended by: Beth S. ...

Date: 12/8/2009 Sr. Agent initial KJ

RECEIVED
AFFIDAVIT OF PUBLICATION
NOV 16 2009

STATE OF IDAHO,
County of Kootenai,

} SS.

IDWR / NORTH

Kelli Buiey 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

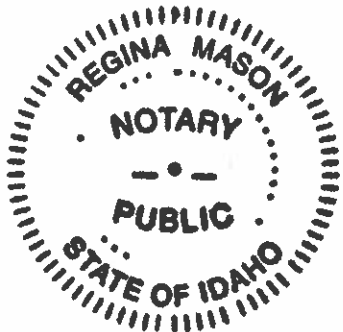
of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 5 day of November, 2009, and ending on the 12 day of November, 2009, and such publication was made as often during said period as said Daily newspaper was regularly 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 Buiey. On this 12 day of November in the year of 2009, before me, a Notary Public, personally appeared Kelli Buiey, 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:
94-7522
THOMAS C
34714 S HW
ST MARIES, ID 83861
Point of Diversion L4(NWNW) S5 T47N R02W KOOTENAI CO
Source CAVE LAKE tributary to Coeur d'Alene River
Use: IRRIGATION 03/15 to 10/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 8/10/2009
Place Of Use: IRRIGATION T47N R02W S5 L4(NWNW)
Total Acres: 2
95-10970
CHRIS KRAFT
LINDA KRAFT
5173 E HUDLOW RD
HAYDEN, ID 83835-7758
Point of Diversion SESWNE S29 T52N R03W KOOTENAI County
Source SPRING tributary to UNNAMED STREAM
Point of Diversion SWNE S29 T52N R03W KOOTENAI County
Source UNNAMED STREAM tributary to UNNAMED STREAM
Use: IRRIGATION 03/15 to 11/15 0.2 CFS
Use: IRRIGATION STORAGE 01/01 to 12/31 34.4 AF
Use: IRRIGATION FROM STORAGE 03/15 to 11/15 30 AF
Use: FIRE PROTECTION 01/01 to 12/31 0.2 CFS
Use: FIRE PROTECTION STORAGE 01/01 to 12/31 4.4 AF
Total Diversion: 0.2 CFS 34.4 AF

Date Filed: 8/7/2009
Place Of Use: IRRIGATION T52N R03W S29 SWNE
Place Of Use: All other uses same as IRRIGATION
Total Acres: 10
95-10980
BRADFORD H BODLEY
19709 27TH AVE NW
SEATTLE, WA 98177
Point of Diversion L3(SWNE) S15 T51N R03W KOOTENAI County
Source HAYDEN LAKE tributary to SINKS
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 8/17/2009
Place Of Use: DOMESTIC T51N R03W S15 L3(SWNE)
Domestic use is for 1 home.
95-10981
JOHN L ANDREWS
DEBRA L ANDREWS
132 OAKVIEW DR
CRANBERRY TWP, PA 16066
Point of Diversion L5(SWNW) S5 T52N R04W KOOTENAI County
Source TWIN LAKES tributary to Rathdrum Creek
Use: IRRIGATION 03/15 to 11/15 0.03 CFS
Total Diversion: 0.03 CFS

Date Filed: 8/12/2009
Place Of Use: IRRIGATION T52N R04W S5 L5(SWNW)
Total Acres: 1
95-10984
FRANZ VISOU
DIANE VISOU
2204 E VENTURE TRAIL
HARRISON, ID 83833
Point of Diversion SWNW S29 T49N R03W KOOTENAI County
Source UNNAMED STREAM tributary to TURNER CREEK
Use: IRRIGATION 03/15 to 11/15 0.03 CFS
Use: IRRIGATION STORAGE 01/01 to 12/31 6.7 AF
Use: IRRIGATION FROM STORAGE 03/15 to 11/15 3 AF
Use: WILDLIFE 01/01 to 12/31 0.03 CFS
Use: WILDLIFE STORAGE 01/01 to 12/31 3.7 AF
Use: RECREATION 01/01 to 12/31 0.03 CFS
Use: RECREATION STORAGE 01/01 to 12/31 3.7 AF
Use: FIRE PROTECTION 01/01 to 12/31 0.2 CFS
Use: FIRE PROTECTION STORAGE 01/01 to 12/31 3.7 AF
Use: AESTHETIC 01/01 to 12/31 0.03 CFS
Use: AESTHETIC STORAGE 01/01 to 12/31 3.7 AF
Use: DIVERSION TO STORAGE 01/01 to 12/31 0.2 CFS
Total Diversion: 0.2 CFS 6.7 AF

Date Filed: 8/20/2009
Place Of Use: IRRIGATION T49N R03W S29 SWNW
Place Of Use: All other uses same as IRRIGATION
Total Acres: 1
Recreational use is for swimming and fishing
95-10985
FLOYD A DAMON
316 W HIGH DR
SPOKANE, WA 99203
Point of Diversion L2(SENE) S15 T51N R03W KOOTENAI County
Source HAYDEN LAKE tributary to SINKS
Use: IRRIGATION 03/15 to 11/15 0.06 CFS
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.06 CFS

Date Filed: 8/13/2009
Place Of Use: DOMESTIC T51N R03W S15 L2(SENE)
Place Of Use: IRRIGATION same as DOMESTIC
Total Acres: 2
Domestic use is for 1 home.
95-10991
TERRY J HORNICK
36972 HORNICK LN
SPIRIT LAKE, ID 83860
Point of Diversion L2(NWSW) S8 T53N R04W KOOTENAI County
Source SPIRIT LAKE tributary to SPIRIT CREEK
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 8/14/2009
Place Of Use: DOMESTIC T53N R04W S8 L2(NWSW)
Domestic use is for 1 home.
95-10992
UPPER COLUMBIA CORPORATION OF SEVENTH DAY ADVENTISTS
PO BOX 19039
SPOKANE, WA 99219-0039
Point of Diversion L4(SENW) S11 T51N R03W KOOTENAI County
Source HAYDEN LAKE tributary to SINKS
Use: IRRIGATION 04/01 to 10/31 0.7 CFS
Use: IRRIGATION STORAGE 01/01 to 12/31 116.5 AF
Use: IRRIGATION FROM STORAGE 04/01 to 10/31 105 AF
Use: FIRE PROTECTION 01/01 to 12/31 0.7 CFS
Use: FIRE PROTECTION STORAGE 01/01 to 12/31 11.5 AF
Use: DIVERSION TO STORAGE 01/01 to 12/31 0.7 CFS
Total Diversion: 0.7 CFS 116.5 AF

Date Filed: 7/23/2009
Place Of Use: DIVERSION TO STORAGE
T51N R03W S11 L4(SENW)
Place Of Use: FIRE PROTECTION STORAGE
T51N R03W S11 NWSE
Place Of Use: IRRIGATION STORAGE T51N R03W S11 NWSE
Place Of Use: IRRIGATION AND IRRIGATION FROM STORAGE
T51N R03W S11 L4(SENW) L6(NESW) NWSE
Place Of Use: FIRE PROTECTION same as IRRIGATION
T51N R03W S11 L4(SENW) L6(NESW) NWSE
Total Acres: 35
95-11008
WILLIAM J BAIR
578 CLERMONT DR
RICHLAND, WA 99352
Point of Diversion L6(NESE) S18 T53N R04W KOOTENAI County
Source SPIRIT LAKE tributary to SPIRIT CREEK
Use: DOMESTIC 01/01 to 12/31 0.01 CFS
Total Diversion: 0.01 CFS

Date Filed: 8/13/2009
Place Of Use: DOMESTIC T53N R04W S18 L6(NESE)
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 8172
November 5, 12, 2009

RECEIVED
NOV 16 2009
IDWR / NORTH

Ball, Dianne

From: Carl Washburn [cwashburn@idl.idaho.gov]
Sent: Tuesday, November 03, 2009 1:56 PM
To: Ball, Dianne
Subject: RE: Application for Permit No. 95-11008

Go in computer

Dianne,

Application 95-11008 will require an encroachment permit from IDL for the water line encroachment into Spirit Lake. Please term you permit stating a permit is required from the Department of Lands prior to installing the water intake line. The Mica Area will forward a letter to the applicant advising them that a permit is needed.

Thank you for the opportunity to offer comments.

Carl

From: Ball, Dianne [mailto:Dianne.Ball@idwr.idaho.gov]
Sent: Thursday, October 15, 2009 4:21 PM
To: Carl Washburn
Subject: RE: Application for Permit No. 95-11008

Dear Carl:

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

<<95-11008 Bair.pdf>>

Scheduled to publish 11/5 and 12/2009 with final date for protests to be received in our office Nov. 23, 2009.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt reponse 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.

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

11/3/2009

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

94-7522

THOMAS G COLLINS

34714 S HWY 3

ST MARIES, ID 83861

Point of Diversion L4(NWNW) S5 T47N R02W KOOTENAI CO

Source CAVE LAKE tributary to Coeur d Alene River

Use: IRRIGATION 03/15 to 10/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 8/10/2009

Place Of Use: IRRIGATION T47N R02W S5 L4(NWNW)

Total Acres: 2

95-10970

CHRIS KRAFT

LINDA KRAFT

5173 E HUDLOW RD

HAYDEN, ID 83835-7758

Point of Diversion SESWNE S29 T52N R03W KOOTENAI County

Source SPRING tributary to UNNAMED STREAM

Point of Diversion SWNE S29 T52N R03W KOOTENAI County

Source UNNAMED STREAM tributary to UNNAMED STREAM

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

Use: IRRIGATION STORAGE 01/01 to 12/31 34.4 AF

Use: IRRIGATION FROM STORAGE 03/15 to 11/15 30 AF

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

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 4.4 AF

Total Diversion: 0.2 CFS 34.4 AF

Date Filed: 8/7/2009

Place Of Use: IRRIGATION T52N R03W S29 SWNE

Place Of Use: All other uses same as IRRIGATION

Total Acres: 10

95-10980

BRADFORD H BODLEY

19709 27TH AVE NW

SEATTLE, WA 98177

Point of Diversion L3(SWNE) S15 T51N R03W KOOTENAI County

Source HAYDEN LAKE tributary to SINKS

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

Total Diversion: 0.04 CFS

Date Filed: 8/17/2009

Place Of Use: DOMESTIC T51N R03W S15 L3(SWNE)

Domestic use is for 1 home.

95-10981

JOHN L ANDREWS

DEBRA L ANDREWS

132 OAKVIEW DR

CRANBERRY TWP, PA 16066

Point of Diversion L5(SWNW) S5 T52N R04W KOOTENAI County

Source TWIN LAKES tributary to Rathdrum Creek

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

Total Diversion: 0.03 CFS

Date Filed: 8/12/2009

Place Of Use: IRRIGATION T52N R04W S5 L5(SWNW)

Total Acres: 1

95-10984

FRANZ VISOUL

DIANE VISOUL

2304 E VENTURE TRAIL

HARRISON, ID 83833

Point of Diversion SWNW S29 T49N R03W KOOTENAI County

Source UNNAMED STREAM tributary to TURNER CREEK

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

Use: IRRIGATION STORAGE 01/01 to 12/31 6.7 AF

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

Use: WILDLIFE 01/01 to 12/31 0.03 CFS

Use: WILDLIFE STORAGE 01/01 to 12/31 3.7 AF

Use: RECREATION 01/01 to 12/31 0.03 CFS

Use: RECREATION STORAGE 01/01 to 12/31 3.7 AF

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

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 3.7 AF

Use: AESTHETIC 01/01 to 12/31 0.03 CFS

Use: AESTHETIC STORAGE 01/01 to 12/31 3.7 AF

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

Total Diversion: 0.2 CFS 6.7 AF

Date Filed: 8/20/2009

Place Of Use: IRRIGATION T49N R03W S29 SWNW

Place Of Use: All other uses same as IRRIGATION

Total Acres: 1

Recreational use is for swimming and fishing

95-10985

FLOYD A DAMON

316 W HIGH DR

SPOKANE, WA 99203

Point of Diversion L2(SENE) S15 T51N R03W KOOTENAI County

Source HAYDEN LAKE tributary to SINKS

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

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

Total Diversion: 0.06 CFS

Date Filed: 8/13/2009

Place Of Use: DOMESTIC T51N R03W S15 L2(SENE)

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 2

Domestic use is for 1 home.

95-10991

TERRY J HORNICK

30972 HORNICK LN

SPIRIT LAKE, ID 83869

Point of Diversion L2(NWSW) S8 T53N R04W KOOTENAI County

Source SPIRIT LAKE tributary to SPIRIT CREEK

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

Total Diversion: 0.04 CFS

Date Filed: 8/14/2009

Place Of Use: DOMESTIC T53N R04W S8 L2(NWSW)

Domestic use is for 1 home.

95-10992

UPPER COLUMBIA CORPORATION OF SEVENTH DAY

ADVENTISTS

PO BOX 19039

SPOKANE, WA 99219-9039

Point of Diversion L4(SENW) S11 T51N R03W KOOTENAI County

Source HAYDEN LAKE tributary to SINKS

Use: IRRIGATION 04/01 to 10/31 0.7 CFS

Use: IRRIGATION STORAGE 01/01 to 12/31 116.5 AF

Use: IRRIGATION FROM STORAGE 04/01 to 10/31 105 AF

Use: FIRE PROTECTION 01/01 to 12/31 0.7 CFS

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 11.5 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.7 CFS

Total Diversion: 0.7 CFS 116.5 AF

Date Filed: 7/23/2009

Place Of Use: DIVERSION TO STORAGE

T51N R03W S11 L4(SENW)

Place Of Use: FIRE PROTECTION STORAGE

T51N R03W S11 NWSE

Place Of Use: IRRIGATION STORAGE T51N R03W S11 NWSE

Place Of Use: IRRIGATION and IRRIGATION FROM STORAGE

T51N R03W S11 L4(SENW) L6(NESW) NWSE

Place Of Use: FIRE PROTECTION same as IRRIGATION

T51N R03W S11 L4(SENW) L6(NESW) NWSE

Total Acres: 35

95-11008

WILLIAM J BAIR

578 CLERMONT DR

RICHLAND, WA 99352

Point of Diversion L6(NESE) S18 T53N R04W KOOTENAI County

Source SPIRIT LAKE tributary to SPIRIT CREEK

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

Total Diversion: 0.01 CFS

Date Filed: 8/13/2009

Place Of Use: DOMESTIC T53N R04W S18 L6(NESE)

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 16, 2009

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

RE: Application For Permit No(s): 94-7522, 95-10970,980,981,984,985,991,992 and 95-11008

Dear Kelli:

This is a second Legal Notice for publication – to publish the same time as the one sent to you earlier this week. Please publish the enclosed legal notice on the dates indicated, 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 VERY GREATLY appreciated.

Sincerely,

Dianne

Dianne Ball
Administrative Assistant

Enclosure(s)

Ball, Dianne

From: Ball, Dianne
Sent: Friday, October 16, 2009 2:38 PM
To: Legal Notices-CdA Press; Legal Notices-CdAPress - Kelli Buley
Subject: Second legal notice for publication on November 5 and 12, 2009.

Attachments: CoverLetter 10-16-09 CDA e-mail 94-7522, 95-10970,80,81,84,85,91,92, & 95-11008.doc;
LegalNotice 10-16-09 CDA e-mail 94-7522,95-10970,80,81,84,85,91,92,95-11008.doc

Good afternoon, Kelli,

This is a second legal notice for publication on **November 5 and 12, 2009**. I may have yet another one or two to send the first of next week. I'm trying to play catch-up after having being off so much recently due to deaths in my family.

Our letter requesting this publication is attached, as well as the legal notice.

Any questions, please call or reply to this e-mail.

Again - I need a proof/preview copy for my review before it actually hits the press.

Thanks and have a great weekend. Tell Kattie hello for me, and tell her she taught you well.



CoverLetter
0-16-09 CDA e-mai.



LegalNotice
0-16-09 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

October 16, 2009

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

WILLIAM J BAIR
578 CLERMONT DR
RICHLAND, WA 99352

Application For Permit No. 95-11008

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 15, 2009 4:21 PM
To: cwashburn@idl.idaho.gov
Subject: RE: Application for Permit No. 95-11008

Attachments: 95-11008 Bair.pdf

Dear Carl:

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



95-11008 Bair.pdf
(352 KB)

Scheduled to publish 11/5 and 12/2009 with final date for protests to be received in our office Nov. 23, 2009.

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.

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: Thursday, October 15, 2009 4:21 PM
To: mary.terra-berns@idfg.idaho.gov
Subject: RE: Application for Permit No. 95-11008

Attachments: 95-11008 Bair.pdf

Dear Mary:

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



95-11008 Bair.pdf
(352 KB)

Scheduled to publish 11/5 and 12/2009 with final date for protests to be received in our office Nov. 23, 2009.

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.

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

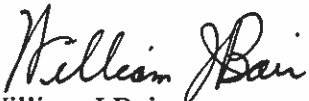
August 10, 2009

Idaho Dept. of Water Resources
7600 N. Mineral Dr., Suite 100
Coeur d'Alene, ID 83815

RECEIVED
AUG 13 2009
IDWR/North

Enclosed are a completed Form 202 7/09, Application for Permit, and a map of the proposed diversion of water.

In payment of the application fee of \$100, a check for \$75.00 and a receipt for \$26.93 previously paid as an adjudication claim fee are enclosed. (See attached letter from Carter Fritschle indicating that it can be applied towards the fee for the application of permit.)


William J Bair

578 Clermont Drive

Richland, WA 99352

(509) 628-8885

e-mail: wjbair@charter.net

Idaho Department of Water Resources Receipt

Receipt ID: N021758

Payment Amount	\$75.00	Date Received	8/14/09 12:17	Region	NORTHERN
Payment Type	Check	Check Number	6617		
Payer	WILLIAM J BLAIR				

Comments PARTIAL APPLICATION FEE FOR A NEW WATER RIGHT PERMIT. BALANCE WAS PAID AS AN ADJUDICATION CLAIM IN THE AMOUNT OF \$26.93. A REFUND OF \$1.93 IS OWING TO THE BLAIRS.

Fee Details

Amount	Description	Fund	Fund Detail	PCA	Subobject
\$75.00	PERMITS	0229	21	65103	1155

Signature Line (Department Representative)

Navigation Tools

Receipt Details for T089032

Status	Adjustment Type	Version
		1

General Information

Date Received	Date Deposited	Region	Total Amount	Payment Type
7/17/2009 5:34:45 PM	7/21/2009 9:46:53 AM	ELECTRONICALLY TRANSMITTED	\$25.00	ELECTRONICALLY TRANSMITTED
Payer	BAIR, WILLIAM			
IPG Transaction ID	2243049			

Comment American Express discount rate = \$0.58, American Express transaction fee = \$0.11, Idaho Information

Fee Details:						
Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	NORTHERN ID ADJUDICATION FILING FEE <i>permits</i>	<i>65103</i> 75503	<i>0229</i> 0337	<i>2</i>		~~155~~

65103 0229 21 1155



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

August 5, 2009

WILLIAM BAIR
578 CLERMONT DR
RICHLAND WA 99352

RE: Coeur d'Alene-Spokane River Basin Adjudication (C-SRBA) claim 95-10850 appears to be in violation of the Mandatory Permit Statute

Dear Claimant:

The Idaho Department of Water Resources (IDWR) is currently in the process of reviewing adjudication claims in your area. Initial review of your claim indicates the priority date claimed is in violation of the Mandatory Permit Statute for the water source and purpose of use claimed.

The permit system for establishing a water right became mandatory for uses developed from ground water after March 25, 1963 (except for domestic purposes as defined by Section 42-111, Idaho Code), and for uses developed from surface water after May 20, 1971 (except for watering stock directly from streams).

The priority date claimed indicates that use of water for domestic purposes from Spirit Lake began after May 20, 1971, and therefore would be in violation of the mandatory permit statute for surface water. If you are certain the water use from Spirit Lake did not begin prior to August 1, 1977, then IDWR will be unable to recommend that the C-SRBA Court decree a water right for your claimed water use. While you may choose to pursue the claim you filed with the August 1, 1977 priority date, you may also withdraw the claim and file an "Application for Permit" form. The adjudication claim fee you paid can be applied towards the fee for the application for permit.

For your convenience, I am enclosing a partially completed Application for Permit form. Please do not hesitate to contact this office if you have any questions or concerns. My phone number is (208) 287-4917 and my email address is Carter.Fritschle@idwr.idaho.gov.

Sincerely,

Carter Fritschle
Section Manager
Adjudication Bureau

Enclosure(s): Application for Permit form
Instructions for above

Bill Bair

From: "Access Idaho" <webmaster@accessidaho.org>
To: <wjbair@charter.net>
Sent: Friday, July 17, 2009 4:34 PM
Attach: receipt.html
Subject: Receipt for Water Right 95-10850 (Claim ID 2329) for BAIR, WILLIAM

Thank you for your business. Your statement will indicate that **Idaho.Gov State of ID** has charged you for the following transaction.

Please save or print this page for future reference -- It is your receipt for these charges.

Water Right 95-10850 (Claim ID 2329) for BAIR, WILLIAM

Service: Adjudication NIA Claims

Description	Cost	Qty	Total
Water Right 95-10850 (Claim ID 2329) for BAIR, WILLIAM	\$26.93	1	\$26.93
Total:			\$26.93

Name: William J Bair

Address: 578 Clermont Drive
Richland, WA US 99352

Telephone Number: 509-628-8885

Email Address: wjbair@charter.net

Card Number: xxxxxxxxxxxxx3005

Card Type: American Express

Transaction ID: 2243049

Description: Water Right 95-10850 (Claim ID 2329) for BAIR, WILLIAM

Cost: \$26.93 (1 x \$26.93)

Billing problems? Contact Access Idaho (208) 332-0102, 1 (877) 4ID-EGOV.

*Emailed this info
to ^{st office} 50 for adj -*

Carolyn

8-14-09

SCANNED

FEB 23 2010

7/17/2009