

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-11024

Priority: August 20, 2009

Maximum Diversion Rate: 0.04 CFS

This is to certify, that DOUGLAS O NUSTAD
PO BOX 2776
HAYDEN ID 83835
(208) 772-4890

has applied for a permit to appropriate water from:

Source: HAYDEN LAKE

Tributary: SINKS

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

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

LOCATION OF POINT(S) OF DIVERSION:

HAYDEN LAKE, L5 (NE1/4SE1/4), Sec. 4, Twp 51N, Rge 03W, 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	
51N 03W 4													X				L 5

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 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.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 95 A.

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 10th 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 11, 2010

DOUGLAS O NUSTAD
PO BOX 2776
HAYDEN ID 83835

RE: Permit No.95-11024

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

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

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

Sincerely,

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

Keith E. Franklin

Sr. Water Resources Agent

Enclosure(s)

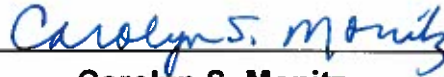
CERTIFICATE OF SERVICE

I hereby certify that on February 11, 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.

95-11024

**DOUGLAS O NUSTAD
PO BOX 2776
HAYDEN ID 83835**



**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
APPLICATION ANALYSIS SHEET**

W.R. # 95-11024

APPLICATION ID # 75869

ENT. 8/27 BCA 10/27

OK to Publish 10/21/09

INITIAL REVIEW

APPLICANT: Douglas O Nustad

BY: KJ

DATE: 8/20/2009

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 8/30 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: 8/20/2009

(Include Moratorium Remark)

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

ADVERTISE IN:

Newspaper: Kootenai County

Dates scheduled for publication 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: Water District 95A
- ☒ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by:

Kurt L. ...

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 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

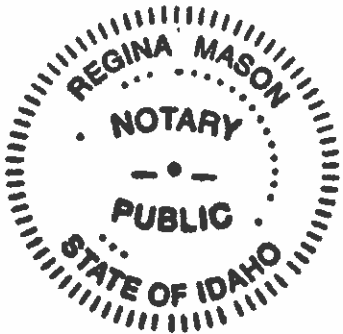
of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 5 day of November 2009, and ending on the 12 day of November 2009 and such publication was made as often during said period as said Daily newspaper was regularly 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 Buley. On this 12 day of November in the year of 2009, 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



use knowing 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 SWNW SW S9 T49N R04W KOOTENAI CO
 Source SPRINGS tributary to MICA CREEK
 Points of Diversion (2) NWSW SW 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

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 83833
 Point of Diversion L5(NENE) 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(NENE)
 Domestic use is for 1 home
 95-11041
 KEN GIMBEL
 DON SCHWARTZ
 ANN CLEVINGER
 PO BOX 569
 HAYDEN, ID 83833
 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 8 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 83833
 Point of Diversion L5(NENE) 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(NENE)
 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: 8/14/2009
 Place Of Use: IRRIGATION
 T50N R05W S7 L3(SENE)
 T50N R05W S8 L1(SWNW)
 Total Acres: 1.5
 95-11048
 DAVID M HESKETT
 S2614 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

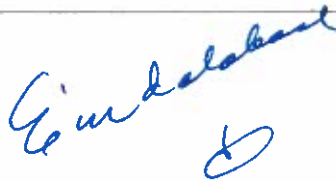
Date Filed: 8/21/2009
 Place Of Use: DOMESTIC T53N R05W S13 L6(SWSE)
 Domestic use is for 1 home
 95-11052
 HARRY HAMMACK
 BEVERLY HAMMACK
 11960 W COUGAR GULCH RD
 COEUR D'ALENE, ID 83814
 Point of Diversion SENWSE S35 T50N R05W KOOTENAI CO
 Source SPRING tributary to SINKS
 Use: DOMESTIC 01/01 to 12/31 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 8173
 November 5, 12, 2009

RECEIVED
 NOV 16 2009
 IDWR / NORTH

Ball, Dianne

From: Carl Washburn [cwashburn@idl.idaho.gov]
Sent: Tuesday, November 03, 2009 2:05 PM
To: Ball, Dianne
Subject: RE: Application for Permit No. 95-11024 Nustad



Dianne,

Application 95-11024 will require an encroachment permit from IDL for the water line encroachment into Hayden 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: Wednesday, October 21, 2009 4:22 PM
To: Carl Washburn
Subject: Application for Permit No. 95-11024 Nustad

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.

<<95-11024 Nustad.pdf>>

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.

Final date for protests to be received in our office will be 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

11/3/2009

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

JON 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-mail.



LegalNotice
0-23-09 CDA 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 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
2600 Mineral Drive, Suite 100
Boise, Idaho 83815

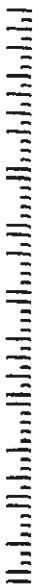
Return Service Requested



DOUGLAS O NUSTAD
PO BOX 2776
HAYDEN, ID 83835

NUSTAD
T 992 N7E 1 A091 00 10/24/09
RETURN TO SENDER
TEMPORARILY AWAY
RETURN TO SENDER
BC: 83815776325

83835-2776





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

DOUGLAS O NUSTAD
PO BOX 2776
HAYDEN, ID 83835

Application For Permit No. 95-11024

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: Wednesday, October 21, 2009 4:02 PM
To: mary.terra-berns@idfg.idaho.gov
Subject: RE: Application for Permit No. 95-11009 Hanson ET UX Trustee, and 95-11024 Nustad

Attachments: 95-11009 Hanson ET UX.pdf; 95-11024 Nustad.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.



95-11009 Hanson
ET UX.pdf (239...



95-11024
Nustad.pdf (576 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 would be 11/23/09

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 4:22 PM
To: cwashburn@idl.idaho.gov
Subject: Application for Permit No. 95-11024 Nustad

Attachments: 95-11024 Nustad.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.



95-11024
Nustad.pdf (576 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 will be 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