

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09434

Priority: May 26, 2009

Maximum Diversion Rate: 0.04 CFS

This is to certify, that CHRIS R ASHENBRENER
621 W MALLON #509
SPOKANE WA 99201

has applied for a permit to appropriate water from:

Source: PEND OREILLE LAKE

Tributary: PEND OREILLE RIVER

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

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

04/01 to 10/31

RATE OF DIVERSION

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

PEND OREILLE LAKE, L5 (NW1/4SW1/4), Sec. 2, Twp 56N, Rge 01E, B.M., BONNER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
56N	01E	2	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
											.5	.5							1.0
											L4	L5							

Total Acres: 1

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **December 01, 2010**.
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. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

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 1th day of December, 2009.


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

December 8, 2009

CHRIS R ASHENBRENER
621 W MALLON #509
SPOKANE WA 99201

RE: Permit No.96-9434

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 December 8, 2009 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.

96-9434

**CHRIS R ASHENBRENER
621 W MALLON #509
SPOKANE WA 99201**



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) day 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.

W.R. # 96-9434 APPLICATION ID # 75626 ENT. 6/10 BCA 11/09 OK to Publish 11/09
INITIAL REVIEW
APPLICANT: Chris Ashenbrenner BY: KSA DATE: 6/10/2009

PROCESSING

(Yes)(No)

PRIORITY DATE: 5/26/2009

(Include Moratorium Remark)

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

ADVERTISE IN:

Newspaper: ECNA

Dates scheduled for publication 7/16 + 23/09 9/17 + 24/09

Affidavit of Publication received: 8/10/09

Dates actually published: 7/16 & 23/09/17

Application published correctly. Yes ☒ 10/5/09 No ☐

If not, action taken: *computer scrambled*

QAD for PDU & Readerless

Final Date for Protest: ~~8/3/09~~ 10/5/09

Protests Received: Yes _____ No X

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: [Signature] Date: 11/9/09 Sr. Agent initial [Signature]

AFFIDAVIT OF PUBLICATION

RECEIVED

OCT 05 2009

STATE OF IDAHO)

) ss.

County of Bonner)

IDWR / NORTH

Stirling Burkley being first duly sworn on oath, deposes and states:

1. I am a citizen of the United States of America, over the age of 18 years, a resident of Bonner County, Idaho, and am not a party to the proceedings referred to in the attached Notice of Correction. My business address is P.O. Box 159, Sandpoint, Idaho.

2. I am the Bookkeeper of the Bonner County Daily Bee, a newspaper of general publication in Bonner County, Idaho;

3. Said newspaper has been continuously and uninterruptedly published in Bonner County, Idaho during a period of 12 months prior to the first publication of said Notice, and thereafter.

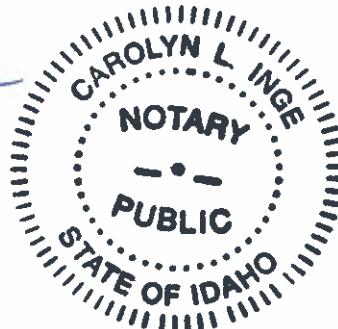
4. The attached Notice was published in the regular and entire issue of the Bonner County Daily Bee for a period of 2 consecutive weeks, commencing on the 17 day of September 2009 and ending on the 24 day of September 2009.

Stirling Burkley

State of Idaho, county of Bonner ss.

On this 28 day of Sept, in the year of 2009, before me, Carolyn Inge, Notary Public, personally appeared Stirling Burkley, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (or they) executed the same.

Carolyn L Inge
Notary Public
Residing at: Sandpoint
Comm. Exp.: 8-7-12



#11025

RECEIVED

OCT 05 2009

IDWR / NORTH

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATIONS FOR PERMITS No. **96-9434** in the name of Chris R Ashenbrenner, 621 W Mallon #509, Spokane, WA 99201, and No. **97-7486** in the name of Steve and Greg Bradbury, were incorrectly advertised on July 16 and 23, 2009.

In each case the Place of Use was incorrectly advertised.

Place of Use for Ashenbrenner, Application No. 96-9434 was shown as SWNE, SWNW whereas correctly it should be **NESW, NWSW**.

Place of Use for Bradbury, Application No. 97-7486 was shown as SWSW, SWSE whereas correctly it should be **SWSW, SESW**.

In the original publication, Greg Bradbury's name was omitted. Application is in the names of both Steve and Greg Bradbury.

(For additional information concerning the property locations, call the Northern Regional Office at 762-2800.)

Any protests against the approval of the above-referenced corrections must be filed with the applicant and with the Director, Dept. of Water Resources, 7600 N Mineral Drive, Suite 100, Coeur d'Alene, Id. 83815, together with a protest fee of \$25.00 on or before October 5, 2009.

GARY SPACKMAN, Interim Director

SNP Legal 11035
September 17, 24, 2009

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATIONS FOR PERMITS No.96-9434 in the name of Chris R Ashenbrenner, 621 W Mallon #509, Spokane, WA 99201, and No.97-7486 in the name of Steve and Greg Bradbury, were incorrectly advertised on July 16 and 23, 2009.

In each case the Place of Use was incorrectly advertised.

Place of Use for Ashenbrenner, Application No.96-9434 was shown as SWNE, SWNW whereas correctly it should be NESW, NWSW.

Place of Use for Bradbury, Application No.97-7486 was shown as SWSW, SWSE whereas correctly it should be SWSW, SESW.

In the original publication, Greg Bradbury's name was omitted. Application is in the names of both Steve and Greg Bradbury.

(For additional information concerning the property locations, call the Northern Regional Office at 762-2800.)

Any protests against the approval of the above-referenced corrections must be filed with the applicant and with the Director, Dept. of Water Resources, 7600 N Mineral Drive, Suite 100, Coeur d'Alene, Id. 83815, together with a protest fee of \$25.00 on or before October 5, 2009.

GARY SPACKMAN, Interim Director

Legal # _____

Published on Sept.17 & 24, 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*

September 3, 2009

LEGAL NOTICE DEPARTMENT
BONNER COUNTY DAILY BEE
PO BOX 159
SANDPOINT, ID 83864

RE: Application For Permit No.: 96-9434 and 97-7486

Dear Sheri:

Please publish the enclosed legal Notice of Correction on the dates indicated, September 17 and 24, 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 10/5/2009. Your cooperation is, as always, greatly appreciated.

Thanks for all your wonderful help.

Sincerely,

Dianne

Dianne Ball
Administrative Assistant

Enclosure(s)

Ball, Dianne

From: Ball, Dianne
Sent: Friday, September 04, 2009 9:55 AM
To: Legal Notices-Bonner Co Daily Bee-Sheri Jones; Legal Notices-Bonner Co Daily Bee2 - Sheri Jones
Subject: Legal notice for publication Sept 17 and 24, 2009
Attachments: CoverLetter 09-03-09 BCDB e-mail 96-9434, 97-7486.doc; LegalNotice of Correction 09-03-09 BCDB e-mail 96-9434 and 97-7486.doc

Good day to you Sheri - wherever you are today. I guest with your promotiion you get to float between several of the newspaper office up that way - Priest River Times, Daily Bee and Bonners Ferry Herald. Hope you are keeping them all straight and on their toes! Is is still OK for me to address my requests for publication to you for those to publish in the "Bee"?

I just spoke with Shirley and pulled one legal previously scheduled for 9/17 and 24/2009 - legal SNP11004 for the "Notice of Minimum Lake Level Hearing".

Now I have another separate legal notice for which we are requesting publication on Sept. 17 and 24, 2009. See my cover letter attached, together with a copy of the legal "Notice of Correction", also attached.

If you have any questions please call me or reply to this e-mail.

Thanks so much for all your help.



CoverLetter
9-03-09 BCDB e-ma.



LegalNotice of
Correction 09-0...

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

September 3, 2009

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

CHRIS R ASHENBRENER
621 W MALLON #509
SPOKANE, WA 99201

Application For Permit No. 96-9434

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 was prepared and scheduled for publication in the Bonner County Daily Bee on July 16 and 23, 2009. There was a computer error in the Place of Use, so we need to publish a Notice of Correction, and it is scheduled for publication on 9/17/2009 and 9/24/2009. Protests to this application may now be submitted for a period ending ten (10) days after the second publication of the Notice of Correction..

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.

Sincerely,

Keith E. Franklin
Sr. Water Resource Agent

AFFIDAVIT OF PUBLICATION

RECEIVED
AUG 10 2009
IDWR / NORTH

STATE OF IDAHO)
) ss.
County of Bonner)

Starling Buckner being first duly sworn on oath, deposes and states:

1. I am a citizen of the United States of America, over the age of 18 years, a resident of Bonner County, Idaho, and am not a party to the proceedings referred to in the attached Legal Application.
My business address is P.O. Box 159, Sandpoint, Idaho.

2. I am the Bonkeeper of the Bonner County Daily Bee, a newspaper of general publication in Bonner County, Idaho;

3. Said newspaper has been continuously and uninterruptedly published in Bonner County, Idaho during a period of 12 months prior to the first publication of said Notice, and thereafter.

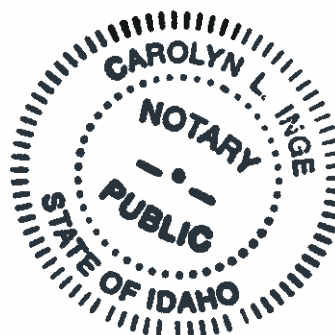
4. The attached Notice was published in the regular and entire issue of the Bonner County Daily Bee for a period of 2 consecutive weeks, commencing on the 16 day of July, 2009 and ending on the 23 day of July, 2009.

Starling Buckner

State of Idaho, county of Bonner ss.

On this 24 day of July, in the year of 2009 before me, Carolyn Inge, Notary Public, personally appeared Starling Buckner, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (or they) executed the same.

Carolyn L Inge
Notary Public
Residing at: Sandpoint
Comm. Exp.: 8-7-12



See review for legal

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

96-9434

CHRIS R ASHENBRENER

621 W MALLON #509

SPOKANE, WA 99201

Point of Diversion NWSW S2 T56N R01E BONNER County

Source PEND OREILLE LAKE

Tributary to PEND OREILLE RIVER

Use: IRRIGATION	04/01 to 10/31	0.04 CFS
Total Diversion:		0.04 CFS

Date Filed: 5/26/2009

Place Of Use: IRRIGATION

T56N R01E S2 ~~SWNR~~ (SWNW)

97-7486

STEVE BRADBURY

26605 HWY 57

PRIEST LAKE, ID 83856

Point of Diversion SESWSW S31 T60N R04W BONNER Co.

Source SPRING Tributary to SINKS

Use: INDUSTRIAL	01/01 to 12/31	0.03 CFS
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Use: DOMESTIC	01/01 to 12/31	0.03 CFS
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Use: FIRE PROTECTION	01/01 to 12/31	0.03 CFS
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Total Diversion:		0.03 CFS
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Date Filed: 6/3/2009

Place Of Use: INDUSTRIAL

T60N R04W S31 SWSW SWSE

Domestic use is for 1 home and office.

Industrial use is for machinery for small sawmill.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

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 8/3/2009. The protestant must also send a copy of the protest to the applicant.

SNP Legal 10809

July 16, 23, 2009

RECEIVED

AUG 10 2009

IDWR / NORTH



See review for affidavit

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

96-9434

CHRIS R ASHENBRENER

621 W MALLON #509

SPOKANE, WA 99201

Point of Diversion NWSW S2 T56N R01E BONNER County

Source PEND OREILLE LK Tributary to PEND OREILLE RVR

Use: IRRIGATION 04/01 to 10/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 5/26/2009

Place Of Use: IRRIGATION

T56N R01E S2 SWNE SWNW

97-7486

STEVE BRADBURY

26605 HWY 57

PRIEST LAKE, ID 83856

Point of Diversion SESWSW S31 T60N R04W BONNER County

Source SPRING Tributary to SINKS

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

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

Use: FIRE PROTECTION 01/01 to 12/31 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 6/3/2009

Place Of Use: INDUSTRIAL

T60N R04W S31 SWSW SWSE

Domestic use is for 1 home and office.

Industrial use is for machinery for small sawmill.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

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 8/3/2009. The protestant must also send a copy of the protest to the applicant.

Legal #

Published July 16, 23, 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

DAVID R. TUTHILL, JR
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

July 9, 2009

SHERI JONES
LEGAL NOTICE DEPARTMENT
PRIEST RIVER TIMES
PO BOX 10
PRIEST RIVER, ID 83856

RE: Application for Permit No.: 96-9434 & 97-7486

Dear Sheri:

Please publish the enclosed legal notice on the dates indicated, July 16 and 23, 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 8/3/2009. Your cooperation is VERY GREATLY appreciated.

Always a pleasure to work with you. Thanks!!

Sincerely,

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Friday, July 10, 2009 11:53 AM
To: Legal Notices-Bonner Co Daily Bee-Sheri Jones
Subject: CoverLetter 07-09-09 BCDB e-mail 96-9434,97-7486.doc

Attachments: CoverLetter 07-09-09 BCDB e-mail 96-9434,97-7486.doc; LegalNotice 07-09-09 BCDB e-mail 96-9434,97-7486.doc

Good day to you, Sheri,

Attached is our letter requesting publication of a legal notice on July 16 and 23, 2009. The legal notice is also enclosed.

Please send proof/preview copy for my review before this goes to press.

Thanks once again for all your super help. Truly you are greatly appreciated.



CoverLetter
7-09-09 BCDB e-ma.



LegalNotice
7-09-09 BCDB e-ma.

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

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

July 9, 2009

CHRIS R ASHENBRENER
621 W MALLON #509
SPOKANE, WA 99201

Application For Permit No. 96-9434

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 Bonner County Daily Bee on July 16 and 23, 2009. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). 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 approval document

Please contact this office if you have any questions.

Sincerely,

Keith Franklin
Sr. Water Resource Agent

Enclosure(s) Receipt No. N020696



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

DAVID R. TUTHILL, JR
Director

July 2, 2009

MARY TERRA-BERNS
IDAHO DEPARTMENT OF FISH AND GAME
2885 W KATHLEEN AVE.
COEUR D'ALENE, ID 83815

Re: Water Permit Application No. 96-9434 - Ashenbrener

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 follows for your reference.

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, and by sending a copy of your protest to the applicant. This will be scheduled for publication on July 16 and 23, 2009 in the Bonner County Daily Bee.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **August 3, 2009**. That is also the final date for protest to be received in our office.

If we do not hear from you by that date, we will assume that no comment from you means you have no objection to, concerns about, or conditions pertaining to the issuance of this permit.

You may send comments by regular mail to the address above, by FAX to 762-2819, or by e-mail to Keith.Franklin@idwr.idaho.gov.

We request that you send a copy of your comments regarding, and/or notice that you intend to protest this application to the applicant as well as to our office.

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

Sincerely,

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, July 01, 2009 3:36 PM
To: mary.terra-berns@idfg.idaho.gov
Subject: Agency Comment Request.doc

Attachments: 96-9434 Ashenbrener.pdf; Agency Comment Request.doc

Good afternooon, Mary,

Attached is our letter requesting your comments on WR Application 96-9434 for Ashenbrener .

Please respond to Keith on this one.

Thanks for your response.



96-9434
96-9434 Ashenbrener.pdf (352 I



Agency Comment
Request.doc (30...

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 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

DAVID R. TUTHILL, JR.
Director

July 2, 2009

JIM BRADY, SR. RESOURCE SPECIALIST
IDAHO DEPARTMENT OF LANDS
PEND OREILLE SUPERVISORY AREA
2550 HWY 2 W
SANDPOINT ID 83864-7307

Re: Water Permit Application No. 96-9434 - Ashenbrener

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 follows for your reference.

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, and by sending a copy of your protest to the applicant. This will be scheduled for publication on July 16 and 23, 2009 in the Bonner County Daily Bee.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **August 3, 2009**. That is also the final date for protest to be received in our office.

If we do not hear from you by that date, we will assume that no comment from you means you have no objection to, concerns about, or conditions pertaining to the issuance of this permit.

You may send comments by regular mail to the address above, by FAX to 762-2819, or by e-mail to Keith.Franklin@idwr.idaho.gov.

We request that you send a copy of your comments regarding, and/or notice that you intend to protest this application to the applicant as well as to our office.

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

Sincerely,

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, July 01, 2009 3:44 PM
To: jbrady@idl.idaho.gov
Subject: Agency Comment Request.doc

Attachments: Agency Comment Request.doc; 96-9434 Ashenbrener.pdf

Good afternoon, Jim

Attached is our letter requesting your comments re WR Application 96-9434 - Ashenbrener. Copy of application also attached.

Please respond to Keith on this one.

Thanks for your comments.



Agency Comment
Request.doc (31...



96-9434
96-9434 Ashenbrener.pdf (352 I

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

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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

June 3, 2009

Chris Ashenbrener
621 W Mallon #509
Spokane, WA 99201

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho

Dear Mr. Ashenbrener:

Thank you for returning the aerial photograph. Now that we have a location of your lot, there are a couple of additional pieces of information needed before we can begin processing the application. The lot you have outlined is in two different quarter sections, the NWSW Government Lot 5 and the NESW Government Lot 4. The application indicates 0.5 acres of irrigation is to take place in the SWSW.

Please refer to the attached aerial photograph. The department needs to know how many acres are to be irrigated in the perspective quarter sections. I assume the majority of irrigation is going to occur around the home, so all of the ½ acre of irrigation may be in the NWSW Government Lot 5. Either give me a call at 208-762-2800 or mark on the photo the location and number of acres to be irrigated and return to this office.

Thank you.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent
Enclosure(s)

COPY

RECEIVED
JUN - 3 2009
IDWR/North

Keith:

Here is your aerial photo with our house shown in the red outline. There is an existing dock, as shown, and the water intake point will be about 15' beyond the end of that current dock.

Hopefully, this helps. If I can do anything further, please let me know as I would like to get my irrigation system hooked up before all my plants die or I run out of energy running back and forth watering.

Thanks so much.



Chris Ashenbrener

509-999-9730 cell



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

DAVID R. TUTHILL, JR.
Director

May 29, 2009

Chris Ashenbrener
621 W Mallon #509
Spokane, WA 99201

Re: Application for Permit to Appropriate the Public Waters of the State of Idaho

Dear Mr. Ashenbrener:

Before the Department of Water Resources can process your application, the location of your property needs to be further defined for our data base. Bonner County has not updated their tax lot information to the State of Idaho's data base for your area. On the enclosed aerial photograph, please draw in the location of your tax lots and return to the Coeur d'Alene office within the next 30 days, so as not to delay processing.

If you have any questions, feel free to contact me at this office.

Thank you.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent
Enclosure

COPY