

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09436

Priority: June 30, 2009

Maximum Diversion Rate: 0.02 CFS

This is to certify, that LIAM THOMAS FITZGERALD And/Or
PAMELA HANSEN
PO BOX 920049
SNOWBIRD UT 84092

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

DOMESTIC

PERIOD OF USE

01/01 to 12/31

RATE OF DIVERSION

0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

PEND OREILLE LAKE L2 (SW1/4NW1/4) Sec. 8, Twp 56N, Rge 01E, B.M. BONNER 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	
56N 01E 8							X										
							L 2										

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **December 01, 2011**.
2. Subject to all prior water rights.
3. Domestic use is for 1 home.
4. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
6. This right does not grant any right-of-way or easement across the land of another.

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 16th 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 16, 2009

LIAM THOMAS FITZGERALD
PO BOX 920049
SNOWBIRD UT 84092

PAMELA HANSEN
PO BOX 920049
SNOWBIRD UT 84092

RE: Permit No.96-9436

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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" and last name "Franklin" clearly distinguishable.

Keith E. Franklin

Sr. Water Resources Agent

Enclosure(s)

CERTIFICATE OF SERVICE

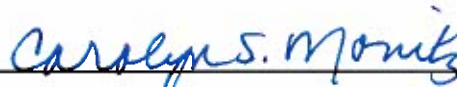
I hereby certify that on December 16, 2009 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

96-9436

**LIAM THOMAS FITZGERALD
PO BOX 920049
SNOWBIRD UT 84092**

**PAMELA HANSEN
PO BOX 920049
SNOWBIRD UT 84092**



**Carolyn S. Monitz
Technical Records Clerk**

**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. # 96-9436

APPLICATION ID # 75720

ENT. 7/15 BCA 8/25/09 OK to Publish 8/17/09

APPLICANT: Liam Fitzgerald and Pam Hansen BY: KJ DATE: 7/28/2009

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 7/28 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: 6/30/2009
☒ (Include Moratorium Remark)
☒ Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).
 ADVERTISE IN: Bonner County
 Newspaper: BCAB
 Dates scheduled for publication 8/20-27/09
 Affidavit of Publication received: 9/2/09
 Dates actually published: 8/20-27/09
 Application published correctly. Yes ☒ No ☐
 If not, action taken: _____

Final Date for Protest: 9/8/09
 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: E. J. [Signature]

Date: 9/18/2009 Sr. Agent initial [Signature]

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

95-10939

TIMOTHY TOPE

BEVERLY JOAN TOPE

132 SUNSET RD

ATHOL, ID 83801

Point of Diversion SESW S18 T54N R02W BONNER CO

Source CAREYWOOD CREEK tributary to SINKS

Point of Diversion(2) SWSE S18 T54N R02W BONNER CO

Source CAREYWOOD CREEK tributary to SINKS

Use: IRRIGATION 04/01 to 10/31 0.5 GFS

Use: IRRIGATION STORAGE 01/01 to 12/31 81.2 AF

Use: IRRIGATION FROM STORAGE 04/01 to 10/31 75 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 6.2 AF

Use: RECREATION STORAGE 01/01 to 12/31 6.2 AF

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 6.2 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 1 GFS

Total Diversion: 1 GFS 81.2 AF

Date Filed: 8/3/2009

Place Of Use: DIVERSION TO STORAGE

T54N R02W S18 SWSE SESW

Place Of Use: IRRIGATION T54N R02W S18 SWSF SESW

Place Of Use: All other uses same as IRRIGATION

Total acres 25

96-9436

LIAM THOMAS FITZGERALD

PAMELA HANSEN

PO BOX 920049

SNOWBIRD, UT 84092

Point of Diversion SWNW S8 T56N R01E BONNER CO

Source PEND OREILLE LK tributary to PEND OREILLE RVR

Use: DOMESTIC 01/01 to 12/31 0.02 GFS

Total Diversion: 0.02 CES

Date Filed: 6/30/2009

Place Of Use: DOMESTIC T56N R01E S8 SWNW

Domestic use is for 1 home.

96-9437

JAMES FISHBACK

ANNETTE FISHBACK

PO BOX 2163

SANDPOINT, ID 83864

Point of Diversion NWSW S25 T58N R01W BONNER CO

Source LOST LAKE tributary to UNNAMED STREAM

Use: IRRIGATION 04/01 to 10/31 0.15 GFS

Use: IRRIGATION STORAGE 01/01 to 12/31 20 AF

Use: IRRIGATION FROM STORAGE 04/01 to 10/31 15 AF

Use: FIRE PROTECTION 01/01 to 12/31 0.15 GFS

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 5 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.15 CFS

Total Diversion: 0.15 CF 20 AF

Date Filed: 7/21/2009

Place Of Use: DIVERSION TO STORAGE

T58N R01W S25 NWSW

Place Of Use: IRRIGATION

T58N R01W S25 NWSW

Place Of Use: All other uses same as IRRIGATION

Total acres 5

96-9438

JAMES W AKERS

5046 EUREKA RD

SAGLE, ID 83860-8839

Point of Diversion NENE S34 T57N R01W BONNER CO

Source UNNAMED STREAM tributary to LK PEND

OREILLE

Use: POWER STORAGE 01/01 to 12/31 8.6 AF

Use: POWER FROM STORAGE 01/01 to 12/31 5 AF

Total Diversion 8.6 AF

Date Filed: 6/5/2009

Place Of Use: POWER STORAGE T57N R01W S34 NENE

Place Of Use: POWER FROM STORAGE

T57N R01W S34 NENE

Small hydropower system for domestic use in off-grid home.

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 9/8/2009. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

SNP Legal 10964

August 20, 27, 2009

RECEIVED

SEP 02 2009

IDWR / NORTH

AFFIDAVIT OF PUBLICATION

RECEIVED
SEP 02 2009
IDWR / NORTH

STATE OF IDAHO)
) ss.
County of Bonner)

Sterling Barkman 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 Barkman 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.

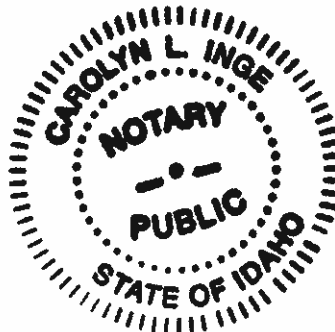
4. The attached Notice was published in the regular and entire issue of the Bonner County Daily Bee for a period of 2 consecutive weeks, commencing on the 20 day of August 2009 and ending on the 27 day of August 2009.

Sterling Barkman

State of Idaho, county of Bonner ss.

On this 27 day of Aug., in the year of 2009, before me, Carolyn Inge, Notary Public, personally appeared Sterling Barkman, 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



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

95-10939

TIMOTHY TOPE
BEVERLY JOAN TOPE
132 SUNSET RD
ATHOL, ID 83801

Point of Diversion SESW S18 T54N R02W BONNER CO
Source CAREYWOOD CREEK tributary to SINKS
Point of Diversion(2) SWSE S18 T54N R02W BONNER CO
Source CAREYWOOD CREEK tributary to SINKS

Use: IRRIGATION	04/01 to 10/31	0.5 CFS
Use: IRRIGATION STORAGE	01/01 to 12/31	81.2 AF
Use: IRRIGATION FROM STORAGE	04/01 to 10/31	75 AF
Use: WILDLIFE STORAGE	01/01 to 12/31	6.2 AF
Use: RECREATION STORAGE	01/01 to 12/31	6.2 AF
Use: FIRE PROTECTION STORAGE	01/01 to 12/31	6.2 AF
Use: DIVERSION TO STORAGE	01/01 to 12/31	1 CFS
Total Diversion:	1 CFS	81.2 AF

Date Filed: 8/3/2009

Place Of Use: DIVERSION TO STORAGE

T54N R02W S18 SWSE SESW

Place Of Use: IRRIGATION T54N R02W S18 SWSE SESW

Place Of Use: All other uses same as IRRIGATION

Total acres 25

96-9436

LIAM THOMAS FITZGERALD
PAMELA HANSEN
PO BOX 920049

SNOWBIRD, UT 84092

Point of Diversion SWNW S8 T56N R01E BONNER CO
Source PEND OREILLE LK tributary to PEND OREILLE RVR

Use: DOMESTIC	01/01 to 12/31	0.02 CFS
Total Diversion:		0.02 CFS

Date Filed: 6/30/2009

Place Of Use: DOMESTIC T56N R01E S8 SWNW

Domestic use is for 1 home.

96-9437

JAMES FISHBACK
ANNETTE FISHBACK
PO BOX 2163
SANDPOINT, ID 83864

Point of Diversion NWSW S25 T58N R01W BONNER CO
Source LOST LAKE tributary to UNNAMED STREAM

Use: IRRIGATION	04/01 to 10/31	0.15 CFS
Use: IRRIGATION STORAGE	01/01 to 12/31	20 AF
Use: IRRIGATION FROM STORAGE	04/01 to 10/31	15 AF
Use: FIRE PROTECTION	01/01 to 12/31	0.15 CFS
Use: FIRE PROTECTION STORAGE	01/01 to 12/31	5 AF
Use: DIVERSION TO STORAGE	01/01 to 12/31	0.15 CFS
Total Diversion:	0.15 CF	20 AF

Date Filed: 7/21/2009

Place Of Use: DIVERSION TO STORAGE

T58N R01W S25 NWSW

Place Of Use: IRRIGATION

T58N R01W S25 NWSW

Place Of Use: All other uses same as IRRIGATION

Total acres 5

96-9438

JAMES W AKERS
5046 EUREKA RD
SAGLE, ID 83860-8839

Point of Diversion NENE S34 T57N R01W BONNER CO
Source UNNAMED STREAM tributary to LK PEND OREILLE

Use: POWER STORAGE	01/01 to 12/31	8.6 AF
Use: POWER FROM STORAGE	01/01 to 12/31	5 AF
Total Diversion		8.6 AF

Date Filed: 6/5/2009

Place Of Use: POWER STORAGE T57N R01W S34 NENE

Place Of Use: POWER FROM STORAGE

T57N R01W S34 NENE

Small hydropower system for domestic use in off-grid home.

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 9/8/2009. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published 8/20, 27, 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

August 17, 2009

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

RE: Application For Permit No.: 95-10939, 96-9436, 37 AND 38

Dear Sheri,

Please publish the enclosed legal notice on the dates indicated, August 20 and 27, 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 9/14/2009. Your cooperation is ever so much appreciated.

Sincerely,

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Monday, August 17, 2009 4:28 PM
To: Legal Notices-Bonner Co Daily Bee-Sheri Jones
Subject: LegalNotice 08-17-09 BCDB e-mail 95-10939, 96-9436,37,38.doc for publication 8/20 and 27, 2009

Attachments: LegalNotice 08-17-09 BCDB e-mail 95-10939, 96-9436,37,38.doc; CoverLetter 08-17-09 BCDB 95-10939, 95-9436,37,38.doc

Hi, Sheri - just under the wire - with request to publish August 20 and 27, 2009.

Any questions, call me in the morning - have to run now to get to the bank.



LegalNotice
3-17-09 BCDB e-ma.



CoverLetter
8-17-09 BCDB 95-1.

Thanks bunches -

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

August 17, 2009

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

LIAM THOMAS FITZGERALD
PAMELA HANSEN
PO BOX 920049
SNOWBIRD, UT 84092

Application For Permit No. 96-9436

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, PRIEST RIVER TIMES on August 20 and 27, 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.

Sincerely,

A handwritten signature in black ink, appearing to read 'Keith E. Franklin'.

Keith E. Franklin
Administrative Assistant

Enclosure(s) – Receipt No. N021082



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

August 17, 2009

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

Re: Water Permit Application No. 96-9436

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 August 20 and 27, 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 **September 8, 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: Monday, August 17, 2009 11:57 AM
To: mary.terra-berns@idfg.idaho.gov
Subject: Agency Comment Request re 96-9436 - Fitzgerald &/or Hansen

Attachments: Agency Comment Request.doc; 96-9436 Fitzgerald-Hansen.pdf

Happy day to you,

Attached is our letter requesting your comments on WR App 96-9436. Copy of application also attached FYI.

Please respond to Keith on this one, by September 8, 2009.

Thanks,



Agency Comment
Request.doc (31...



96-9436
zgerald-Hansen.pdf

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

GARY SPACKMAN
Interim Director

August 17, 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. 96-9436

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 August 20 and 27, 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 **September 8, 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: Monday, August 17, 2009 12:04 PM
To: jbrady@idl.idaho.gov
Subject: Agency Comment Request re WR App 96-9436 Fitzgerald &/or Hansen

Attachments: Agency Comment Request.doc; 96-9436 Fitzgerald-Hansen.pdf

Good day to you,

Attached is our letter requesting your comments re WR App 96-9436. Copy of application also attached FYI

Please respond to Keith Franklin on this by September 8, 2009.



Agency Comment
Request.doc (31...



96-9436
zgerald-Hansen.pdf

Thanks, *Dianne Ball*

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819



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

July 1, 2009

Liam Fitzgerald
Pamela Hansen
PO Box 920049
Snowbird, UT 8492

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

Dear Mr. Fitzgerald and Ms. Hansen:

The Idaho Department of Water Resources is returning your application for permit for the following reasons;

The application must be completed in ink or typed. The department cannot accept an application in pencil.

The way the application is presented it will be in the name of Liam Fitzgerald **and** Pamela Hansen. If this is the case both Liam and Pamela must sign the application and all other documents that are associated with the water right. You can use **and/or** as a name connector, which would mean only one the applicants need to sign where needed.

Item #7 Time Required for Completion of Works

The application indicates one year to complete or perfect the water right, with an astrics. Applicants have a choice of one to five years by which to complete a project before the department does a final inspection. Presently you will be required to have your project complete by 2010 if you stay with the one year.

Item #9 Place of Use

This section needs to be completed. For domestic purposes you signify the place of use by placing a D in the appropriate quarter section box. In you case the property is located within the SW of the NW quarter.

Since no map was submitted with the application, I have enclosed an aerial photograph of the property according to Bonner County tax lot information, for you to verify when you return the corrected application.

COPY

Please return the application within the next 30 days so as not to delay processing and if you have any questions, feel free to contact me at this office.

Sincerely,

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

COPY