

75602  
STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

1. Name: JAMES DAY AND/OR  
ROSE E DAY  
PO BOX 1026  
HAYDEN ID 83835  
(208)699-3466

2. Source: GROUND WATER  
SPRING Tributary to: UNNAMED STREAM  
UNNAMED STREAM Tributary to: SINKS

3. Location of Point of Diversion:

|                   |                 |                                |
|-------------------|-----------------|--------------------------------|
| #1 SPRING         | SW1/4SE1/4NE1/4 | Sec. 9, Twp 52N, Rge 03W, B.M. |
| KOOTENAI County   |                 |                                |
| #2 SPRING         | SW1/4SE1/4NE1/4 | Sec. 9, Twp 52N, Rge 03W, B.M. |
| KOOTENAI County   |                 |                                |
| #3 UNNAMED STREAM | SW1/4SE1/4NE1/4 | Sec. 9, Twp 52N, Rge 03W, B.M. |
| KOOTENAI County   |                 |                                |
| #4 GROUND WATER   | SE1/4NE1/4      | Sec. 9, Twp 52N, Rge 03W, B.M. |
| KOOTENAI County   |                 |                                |
| #5 UNNAMED STREAM | SW1/4SE1/4NE1/4 | Sec. 9, Twp 52N, Rge 03W, B.M. |
| KOOTENAI County   |                 |                                |

4. Water will be used for the following purposes:

| <u>Purpose</u>               | <u>From</u> <u>To</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|------------------------------|-----------------------|--------------------------|----------------------|
| FIRE PROTECTION FROM STORAGE | 01/01 to 12/31        |                          | 2.5 AF               |
| DIVERSION TO STORAGE         | 01/01 to 12/31        | 0.15 CFS                 |                      |
| FIRE PROTECTION              | 01/01 to 12/31        | 0.15 CFS                 |                      |
| FIRE PROTECTION STORAGE      | 01/01 to 12/31        |                          | 4.4 AF               |
| WILDLIFE STORAGE             | 01/01 to 12/31        |                          | 4.4 AF               |
| RECREATION STORAGE           | 01/01 to 12/31        |                          | 4.4 AF               |
| IRRIGATION                   | 03/15 to 11/15        | 0.15 CFS                 |                      |
| IRRIGATION STORAGE           | 01/01 to 12/31        |                          | 19.4 AF              |
| IRRIGATION FROM STORAGE      | 03/15 to 11/15        |                          | 15.0 AF              |
| AESTHETIC                    | 01/01 to 12/31        | 0.09 CFS                 |                      |
| AESTHETIC STORAGE            | 01/01 to 12/31        |                          | 4.4 AF               |
| AESTHETIC FROM STORAGE       | 01/01 to 12/31        |                          | 2.5 AF               |

5. Total quantity to be appropriated is: 0.15 CFS 24.4 AF

75604  
STATE OF IDAHO

Ident. No. -95-10603

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

6. Proposed diverting works:

POINT OF DIVERSION #1 SPRING

a. Type and size of devices used to divert water from the source: SURFACES IN THE BOTTOM OF POND #1

POINT OF DIVERSION #2 SPRING

a. Type and size of devices used to divert water from the source: DISCHARGES INTO POND #1

POINT OF DIVERSION #3

- a. Type and size of devices used to divert water from the source: POND #1  
b. Height of storage dam 10 feet;  
Active reservoir capacity 0.8 acre-feet;  
Total reservoir capacity 0.8 acre-feet;.

POINT OF DIVERSION #4

- a. Type and size of devices used to divert water from the source: SUBMERSIBLE PUMP IN WELL  
b. Height of storage dam \_\_\_\_\_ feet;  
Active reservoir capacity \_\_\_\_\_ acre-feet;  
Total reservoir capacity \_\_\_\_\_ acre-feet;.  
c. Proposed well diameter is 4 inches;  
Proposed depth of well is 240 feet.  
d. Is ground water with a temperature of greater than 85F being sought? N  
e. If well is already drilled, when? 5/19/2006;  
Drilling Firm: MCCARTY DRILLING & PUMP INC;  
Drilling Permit No. 839650.

POINT OF DIVERSION #5

- a. Type and size of devices used to divert water from the source: POND #2  
b. Height of storage dam 10 feet;  
Active reservoir capacity 1.7 acre-feet;  
Total reservoir capacity 1.7 acre-feet;.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

# APPLICATION FOR PERMIT

**To appropriate the public water of the State of Idaho**

**PLACE OF USE:** FIRE PROTECTION FROM STORAGE

[illegible]

**PLACE OF USE:** FIRE PROTECTION

[illegible]

**PLACE OF USE:** FIRE PROTECTION STORAGE

[illegible]

**PLACE OF USE:** WILDLIFE STORAGE

[illegible]

**PLACE OF USE:** RECREATION STORAGE

[illegible]

75602

Ident. No. - 95-10603

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

**PLACE OF USE:** IRRIGATION

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 52N 03W 9   | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | 5.0    |

Total Acres: 5

**PLACE OF USE:** IRRIGATION STORAGE

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 52N 03W 9   | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | X      |

**PLACE OF USE:** IRRIGATION FROM STORAGE

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 52N 03W 9   | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | 5.0    |

Total Acres: 5

**PLACE OF USE:** AESTHETIC

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 52N 03W 9   | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | X      |

**PLACE OF USE:** AESTHETIC STORAGE

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 52N 03W 9   | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | X      |

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## APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

**PLACE OF USE:** AESTHETIC FROM STORAGE

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 52N 03W 9   | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
|             |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |    |    |        |

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

10. Remarks:

11. Map of proposed point of diversion and place of use attached? [ X ]

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Applicant

Received by NS Date 5/29/09 Time 1:15 PM Preliminary check by \_\_\_\_\_  
 Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_ Published in \_\_\_\_\_  
 Publication approved \_\_\_\_\_ Date \_\_\_\_\_

Receipt No. N030748

Date: 5/29/09

Received by: \$ 22.5 02

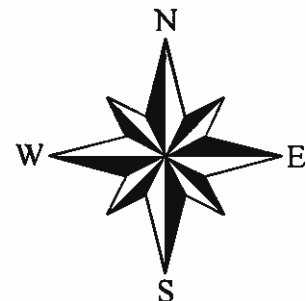
95-10603



0 90 180 360 540 720 Feet

### Legend

-  workingpod
-  workingpou
-  Taxlots



# IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

| Office Use Only |     |      |   |
|-----------------|-----|------|---|
| Inspected by    |     |      |   |
| Twp             | Rge | Sec  |   |
| 1/4             | 1/4 | 1/4  |   |
| Lat             | :   | Long | : |

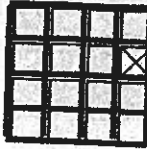
1. DRILLING PERMIT NO. 839650  
Other IDWR No. D 0041450

2. OWNER:

Name James Day  
Address 2221 River Plaza Dr. Apt 336  
City Sacramento State CA Zip 95833

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location

W  E  
Twp. 52 North ☒ or South ☐  
Rge. 3 East ☐ or West ☒  
Sec. 9 1/4 SE 1/4 NE 1/4  
10 acres 40 acres 160 acres

Gov't lot \_\_\_\_\_ County Kootenai  
Lat: \_\_\_\_\_ Long: \_\_\_\_\_  
Address of Well Site 24102 Derting Road  
City Hayden  
(Give at least name of road + Distance to Road or Landmark)

Lt. \_\_\_\_\_ Blk. \_\_\_\_\_ Sub. Name \_\_\_\_\_

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation  
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

| SEAL/FILTER PACK |      | AMOUNT |                 | METHOD       |
|------------------|------|--------|-----------------|--------------|
| Material         | From | To     | Sacks or Pounds |              |
| Bentonite        | 0    | 20     | 350#            | Dry Granular |
|                  |      |        |                 |              |

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 76'

Was drive shoe seal tested? ☐ Y ☒ N How?

8. CASING/LINER:

| Diameter | From | To  | Gauge | Material | Casing                              | Liner                               | Welded                              | Threaded                 |
|----------|------|-----|-------|----------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 6"       | +2   | 76  | .250  | Steel    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4"       | 7    | 207 | S 40  | PVC      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |

Length of Headpipe \_\_\_\_\_ Length of Tailpipe \_\_\_\_\_

9. PERFORATIONS/SCREENS

☒ Perforations Method saw cut 1/8" x 6" certa-lok  
☐ Screens Screen Type \_\_\_\_\_

| From | To  | Slot Size | Number | Diameter | Material | Casing                   | Liner                               |
|------|-----|-----------|--------|----------|----------|--------------------------|-------------------------------------|
| 180  | 200 | 1/8"      | 48     | 4"       | PVC      | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|      |     |           |        |          |          | <input type="checkbox"/> | <input type="checkbox"/>            |

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

56' ft. below ground Artesian Pressure \_\_\_\_\_ lb  
Depth flow encountered \_\_\_\_\_ ft. Describe access port or control devices: \_\_\_\_\_

11. WELL TESTS:

| Yield gal/min. | Drawdown | Pumping Level | Time  |
|----------------|----------|---------------|-------|
| 35-40 gpm      |          |               | 4 hrs |
|                |          |               |       |

Water Temp. \_\_\_\_\_ Bottom hole temp. \_\_\_\_\_  
Water Quality test or comments: Cold and Clear

Depth first Water Encountered 86'

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

| Water                            | Bore Dia | From | To  | Remarks: Lithology, Water Quality & Temp.       | Y | N |
|----------------------------------|----------|------|-----|-------------------------------------------------|---|---|
|                                  | 10"      | 0    | 20  | Clay, brown                                     |   |   |
|                                  | 8"       | 20   | 46  | Clay, brown                                     |   |   |
|                                  |          | 46   | 48  | Shale, decomposed, soft                         |   |   |
|                                  |          | 48   | 54  | Clay, brown                                     |   |   |
|                                  |          | 54   | 57  | Shale, decomposed, soft, tan                    |   |   |
|                                  |          | 57   | 69  | Clay, brown                                     |   |   |
|                                  |          | 69   | 76  | Shale, decomposed, soft, grey                   |   |   |
|                                  | 6"       | 76   | 86  | Shale, medium, grey                             |   |   |
|                                  |          | 86   | 89  | Shale, med, grey, broken, 1/2 gpm               |   |   |
|                                  |          | 89   | 112 | Shale, medium, grey                             |   |   |
|                                  |          | 112  | 118 | Shale, broken, brown, soft                      |   |   |
|                                  |          | 118  | 148 | Shale, medium, dark grey                        |   |   |
|                                  |          |      |     | (Burke fm)                                      |   |   |
|                                  |          | 148  | 155 | Shale, medium, very broken 5 gpm                |   |   |
|                                  |          | 155  | 178 | Shale, medium, grey                             |   |   |
|                                  |          | 178  | 186 | Shale, very broken, grey with brown silt 10 gpm |   |   |
|                                  |          | 186  | 212 | Shale, dark grey                                |   |   |
|                                  |          | 212  | 221 | Shale, very broken, 25 gpm                      |   |   |
|                                  |          | 221  | 240 | Shale, dark grey                                |   |   |
| NOTE: Do not set pump below 207' |          |      |     |                                                 |   |   |

RECEIVED  
MAY 17 2006  
IDWR/North

Completed Depth: 240 (Measurable)  
Date: Started 05/18/06 Completed 05/19/06

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name McCarty Drilling & Pump Inc Firm No. 586

Firm Official [Signature] Date \_\_\_\_\_

Supervisor or Operator \_\_\_\_\_ Date 5-15-06  
(Sign once if Firm Official & Operator)

Date: 5/15/2006 Time: 3:29:28 PM

SCANNED  
MAY 14 2009

52 N 3 W 9

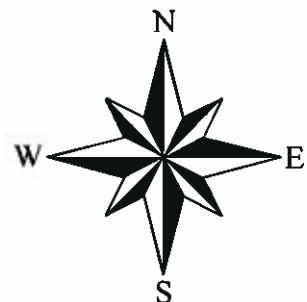
75602



0 87.5 175 350 525 700 Feet

### Legend

-  workingpod
-  workingpou
-  Taxlots



John Day

### Sources

2 - Springs, one under Pond #1 and other diverting into pond #1.

2 - ponds on unnamed stream - sinks  
1 - Well, diverts into pond #2

Pond #1  $75' \times 75' \times 6' = 33,750 \text{ ft}^3$   
Surf. Area =  $5,625 \text{ ft}^2$

Pond #2  $75' \times 100' \times 10' = 75,000 \text{ ft}^3$   
Surf. Area =  $7,500 \text{ ft}^2$

Spring diverts 0.06 cfs into pond #1

Well diverts 0.04 cfs into pond #2

### Total Storage:

|              |                |
|--------------|----------------|
| Pond size    | 2.5 AF         |
| Evap.        | 1.9 AF         |
| Fire Protec. | 2.5 AF         |
| Aesthetics   | 2.5 AF         |
| Inorg.       | <u>15.0 AF</u> |
|              | 24.4 AF        |

0.15 cfs Div. To. Storage

0.15 cfs Fire Protection

4.4 AF Fire Protection Storage a) Pond size 2.5 AF

2.5 AF Fire Prot. from Stor. b) Evap.  $\frac{1.9}{4.4}$

4.4 AF Wildlife Storage

4.4 AF Recreation Stor.

0.15 Irrig.

18.4 Irr. Stor.

a) 2.5

b) 1.9

c) 15.0

19.4

15 Irr. from Stor.

0.09 cfs Aesthetics

4.4 Aesthetics Stor.

~~2.5~~ Aesthetic from Stor.

3.9

Note: Water captured in pond #1 from spring and pumped up to pond #2.

Well water will be used to replenish pond #2 later in the year. Well and pond #2 water will be pumped up into stream to recirculate water for fish and aesthetics.

**NOTICE OF CORRECTION**

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 95-10603 in the name of JAMES DAY &/or ROSE E DAY, PO BOX 1026, HAYDEN, ID 83835, was incorrectly advertised on July 16 and 23, 2009.

The name of ROSE E DAY should also have been included. Also, when listing the IRRIGATION Place of Use, the Number of acres was inadvertently left off of the publication notice. Correctly that should have appeared as follows:

Place of Use: IRRIGATION

T52N R03W S9 SENE

Number of acres: 5

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

Any protests against the approval of the above-referenced correction 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 August 24, 2009.

GARY SPACKMAN, Interim Director

Legal #\_\_\_\_\_

Published 8/6 & 8/13, 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](http://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](mailto:dianne.ball@idwr.idaho.gov)  
Thanks, Dianne*

July 21, 2009

KATTIE HOY  
LEGAL NOTICE DEPARTMENT  
COEUR D ALENE PRESS  
201 N 2ND  
COEUR D ALENE, ID 83814

RE: Application For Permit No.: 95-10603 – DAY – Notice of Correction

Hi Kattie:

Please publish the enclosed short legal "Notice of Correction" for the above referenced water right application, on the dates indicated, August 6 and 13, 2009, (once a week for two consecutive weekly issues). If you cannot publish this 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 8/24/2009. Your cooperation is appreciated more than you know.

Sincerely,

*Dianne*

Dianne Ball  
Administrative Assistant

Enclosure(s)



## 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](http://www.idwr.idaho.gov)

July 23, 2009

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

JAMES DAY  
ROSE E DAY  
PO BOX 1026  
HAYDEN, ID 83835

Application For Permit No. 95-10603

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 Correction has been prepared and is scheduled for publication in the COEUR D ALENE PRESS on 8/6/2009 and 8/13/2009. This was necessary because the previous publication omitted the number of acres to be irrigated. 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,

Keith E. Franklin  
Senior Water Resource Agent

## Ball, Dianne

---

**From:** Ball, Dianne  
**Sent:** Thursday, July 23, 2009 11:57 AM  
**To:** Legal Notices-CdA Press; Legal Notices-CdAPress - Kattie Hoy  
**Subject:** A short legal notice for publication 8/6 and 8/13, 2009 - Notice of Correction

**Attachments:** CoverLetter 07-23-09 CDA e-mail 95-10603 DAY Notice of Correction.doc; LegalNotice of Correction 07-23-09 CDA e-mail 95-10603 Day.doc

Good day to you, Kattie,

Attached is our letter requesting publication of a legal Notice of Correction on August 6 and 13, 2009. The legal notice is also attached.

Please send proof/preview copy before publication, and bill to our office before 8/24/09, if possible.



CoverLetter  
7-23-09 CDA e-mail.



LegalNotice of  
Correction 07-2...

*Dianne Ball*

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

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

**95-10585**

WILLIAM BIXBY  
24120 N DERTING RD  
HAYDEN, ID 83835

Point of Diversion NWSENE S9 T52N R03W KOOTENAI CO

Source SPRING Tributary to SINKS

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

Date Filed: 5/27/2009

Place Of Use: DOMESTIC

T52N R03W S9 NESW

Domestic use is for 1 home.

**95-10600**

CLIFFORD ROATCH  
1527 N WILLAMETTE DR  
POST FALLS, ID 83854

Point of Diversion SENE S7 T53N R04W KOOTENAI CO

Source SPIRIT LAKE Tributary to SPIRIT CREEK

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

Date Filed: 5/29/2009

Place Of Use: DOMESTIC

T53N R04W S7 NESE

Domestic use is for 1 home.

**95-10603**

JAMES DAY  
PO BOX 1026  
HAYDEN, ID 83835

Point of Diversion SWSENE S9 T52N R03W KOOTENAI CO

Source SPRING Tributary to UNNAMED STREAM

Point of Diversion SWSENE S9 T52N R03W KOOTENAI CO

Source SPRING Tributary to UNNAMED STREAM

Point of Diversion SWSENE S9 T52N R03W KOOTENAI CO

Source UNNAMED STREAM Tributary to SINKS

Point of Diversion SWSENE S9 T52N R03W KOOTENAI CO

Source UNNAMED STREAM Tributary to SINKS

Point of Diversion SENE S9 T52N R03W KOOTENAI CO

Source GROUND WATER

|                                 |                |                  |
|---------------------------------|----------------|------------------|
| Use: IRRIGATION                 | 03/15 to 11/15 | 0.15 CFS         |
| Use: IRRIGATION STORAGE         | 01/01 to 12/31 | 19.4 AF          |
| Use: IRRIGATION FROM STORAGE    | 03/15 to 11/15 | 15 AF            |
| Use: WILDLIFE STORAGE           | 01/01 to 12/31 | 4.4 AF           |
| Use: RECREATION STORAGE         | 01/01 to 12/31 | 4.4 AF           |
| Use: FIRE PROTECTION            | 01/01 to 12/31 | 0.15 CFS         |
| Use: FIRE PROTECTION STORAGE    | 01/01 to 12/31 | 4.4 AF           |
| Use: FIRE PROTECTION FROM STRGE | 01/01 to 12/31 | 2.5 AF           |
| Use: AESTHETIC                  | 01/01 to 12/31 | 0.09 CFS         |
| Use: AESTHETIC STORAGE          | 01/01 to 12/31 | 4.4 AF           |
| Use: AESTHETIC FROM STORAGE     | 01/01 to 12/31 | 2.5 AF           |
| Use: DIVERSION TO STORAGE       | 01/01 to 12/31 | 0.15 CFS         |
| Total Diversion:                |                | 0.15 CFS 24.4 AF |

Date Filed: 5/29/2009

Place Of Use: IRRIGATION

T52N R03W S9 SENE

Place of Use: All other uses same as IRRIGATION

**95-10616**

RICHARD G WITTER  
525 E 12TH AVE  
SPOKANE, WA 99202

Point of Diversion NENE S24 T53N R05W KOOTENAI County

Source SPIRIT LAKE Tributary to SPIRIT CREEK

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

Date Filed: 6/2/2009

Place Of Use: DOMESTIC

T53N R05W S24 NENE

Domestic use is for 1 home.

**95-10639**

MC CAULEY EMERALD OWNERS ASSN INC  
PO BOX 3333  
HAYDEN, ID 83835

Point of Diversion NWNE S3 T51N R03W KOOTENAI County

Source GROUND WATER

|                  |                |          |
|------------------|----------------|----------|
| Use: DOMESTIC    | 01/01 to 12/31 | 0.06 CFS |
| Total Diversion: |                | 0.06 CFS |

Date Filed: 6/3/2009

Place Of Use: DOMESTIC

T51N R03W S3 NENW NESW

Domestic use is for 3 homes.

**95-10640**

MC CAULEY EMERALD OWNERS ASSN INC

PO BOX 3333

HAYDEN, ID 83835

Point of Diversion NWNE S3 T51N R03W KOOTENAI County

Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.06 CFS

Total Diversion: 0.06 CFS

Date Filed: 6/3/2009

Place Of Use: DOMESTIC

T51N R03W S3 NENW

Domestic use is for 3 homes.

**95-10643**

MC CAULEY EMERALD OWNERS ASSN INC

PO BOX 3333

HAYDEN, ID 83835

Point of Diversion NWNE S3 T51N R03W KOOTENAI County

Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.13 CFS

Total Diversion: 0.13 CFS

Date Filed: 6/3/2009

Place Of Use: DOMESTIC

T51N R03W S3 NENW NESW

Domestic use is for 8 homes.

**95-10750**

SHAWN MONTEE

PO BOX 1329

POST FALLS, ID 83877

Point of Diversion NESE S6 T50N R03W KOOTENAI County

Source NETTLETON GULCH CREEK Tributary to SPOKANE RIVER

Use: STOCKWATER STORAGE 01/01 to 12/31 4 AF

Use: STOCKWATER FROM STORAGE 01/01 to 12/31 0.1 AF

Total Diversion: 4 AF

Date Filed: 5/7/2009

Place Of Use: STOCKWATER FROM STORAGE

T50N R03W S6 SWSE

Stockwater use is for 4 head of mixed stock

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](http://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](mailto:dianne.ball@idwr.idaho.gov)  
Thanks, Dianne*

July 9, 2009

KATTIE HOY  
LEGAL NOTICE DEPARTMENT  
COEUR D ALENE PRESS  
201 N 2ND  
COEUR D ALENE, ID 83814

RE: Application for Permit No.: 95-10585, 95-10600, 603, 616, 639, 640 ,643, 750

Dear Kattie:

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.

Sincerely,

*Dianne*

Dianne Ball  
Administrative Assistant

Enclosure(s)

## Ball, Dianne

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**From:** Ball, Dianne  
**Sent:** Friday, July 10, 2009 11:58 AM  
**To:** Legal Notices-CdA Press; Legal Notices-CdAPress - Kattie Hoy  
**Subject:** CoverLetter 07-09-09 CDA e-mail 95-10585,600,03,16,39,40,43,750.doc

**Attachments:** CoverLetter 07-09-09 CDA e-mail 95-10585,600,03,16,39,40,43,750.doc; LegalNotice 07-09-09 CDA e-mail 95-10585,10600,03,16,39,40,43,750.doc

Good day to you, Kattie,

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

This is a pretty long one - but again should be straight copy/paste. Preferable all in one up and down view - 2 column wide.

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

Also - per usual I request a proof/preview copy for my review before this goes to press.

Thanks once again for all your wonderful help.



CoverLetter  
7-09-09 CDA e-mai.



LegalNotice  
7-09-09 CDA e-mai.

*Dianne Ball*

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



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

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

July 9, 2009

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

JAMES DAY  
ROSE E DAY  
PO BOX 1026  
HAYDEN, ID 83835

Application For Permit No. 95-10603

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 7/16/2009 and 7/23/2009. 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,

Keith E. Franklin  
Sr. Water Resource Agent



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](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR  
Director

July 10, 2009

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

Re: Water Permit Application No. 95-10603 - Day

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.

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](mailto: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:** Friday, July 10, 2009 2:09 PM  
**To:** mary.terra-berns@idfg.idaho.gov  
**Subject:** Agency Comment Request re 95-10603 DAY

**Attachments:** Agency Comment Request.doc; 95-10603 Day.pdf

Hi Mary,

Just one being sent today - it appears I should have sent this a few days ago, but missed it some way, probably because it is from both groundwater and surface water - the surface water being springs and unnamed streams. Copy of application also attached.

If you have any questions, please contact Keith on this one.

Thanks,



Agency Comment  
Request.doc (31...



95-10603 Day.pdf  
(271 KB)

*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**

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**C. L. "BUTCH" OTTER**  
Governor

**DAVID R. TUTHILL, JR.**  
Director

May 21, 2009

John Day  
PO Box 1026  
Hayden, ID 83835

Re: Application For Permit To Appropriate The Public Waters Of The State Of Idaho  
#75602

Dear Mr. Day:

Enclosed is an electronic version of the application we discussed the other day. Please look it over and if it meets with your approval, sign and return the document along with a check made out to IDWR, in the amount of \$225.00, to cover the \$100.00 application fee and \$125.00 for the well upgrade fee.

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

Sincerely,

Keith E. Franklin  
Senior Water Resources Agent  
Enclosure

**COPY**