

OR# 95-10673
Ident. No. 75682

RECEIVED

JUN 16 2009

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

IDWR/North

To appropriate the public waters of the State of Idaho

1. Name of Applicant JAMES D FRANK Phone 208 772 3063
Mailing address PO BOX 2048 HAYDEN LAKE, ID 83835 Email JFM@IDFCONSUL
2. Source of water supply HAYDEN LAKE which is a tributary of SINK INGRA
3. Location of point of diversion is Township 52N Range 03W Sec. 34 in the NW SW 1/4, 1/4, Govt. Lot 6, B.M., KOOTENIA County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.02 for IRRIGATION purposes from Mar 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
5. Total quantity to be appropriated is (a) _____ and/or (b) _____
cubic feet per second acre feet per year
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source Water Pump
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet;
total reservoir capacity _____ acre-feet
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
 - d. Is ground water with a temperature of greater than 85°F being sought? _____
 - e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in kW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. 1 HOUSEHOLD
 - e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
52M	03W	34										1/2							1/2
												1/2							

Total number of acres to be irrigated: 1/2

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? N/A

11. a. Who owns the property at the point of diversion? APPLICANT
- b. Who owns the land to be irrigated or place of use? APPLICANT
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. SUBMERSIBLE WATER PUMP

PARCEL # 0358000050A

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

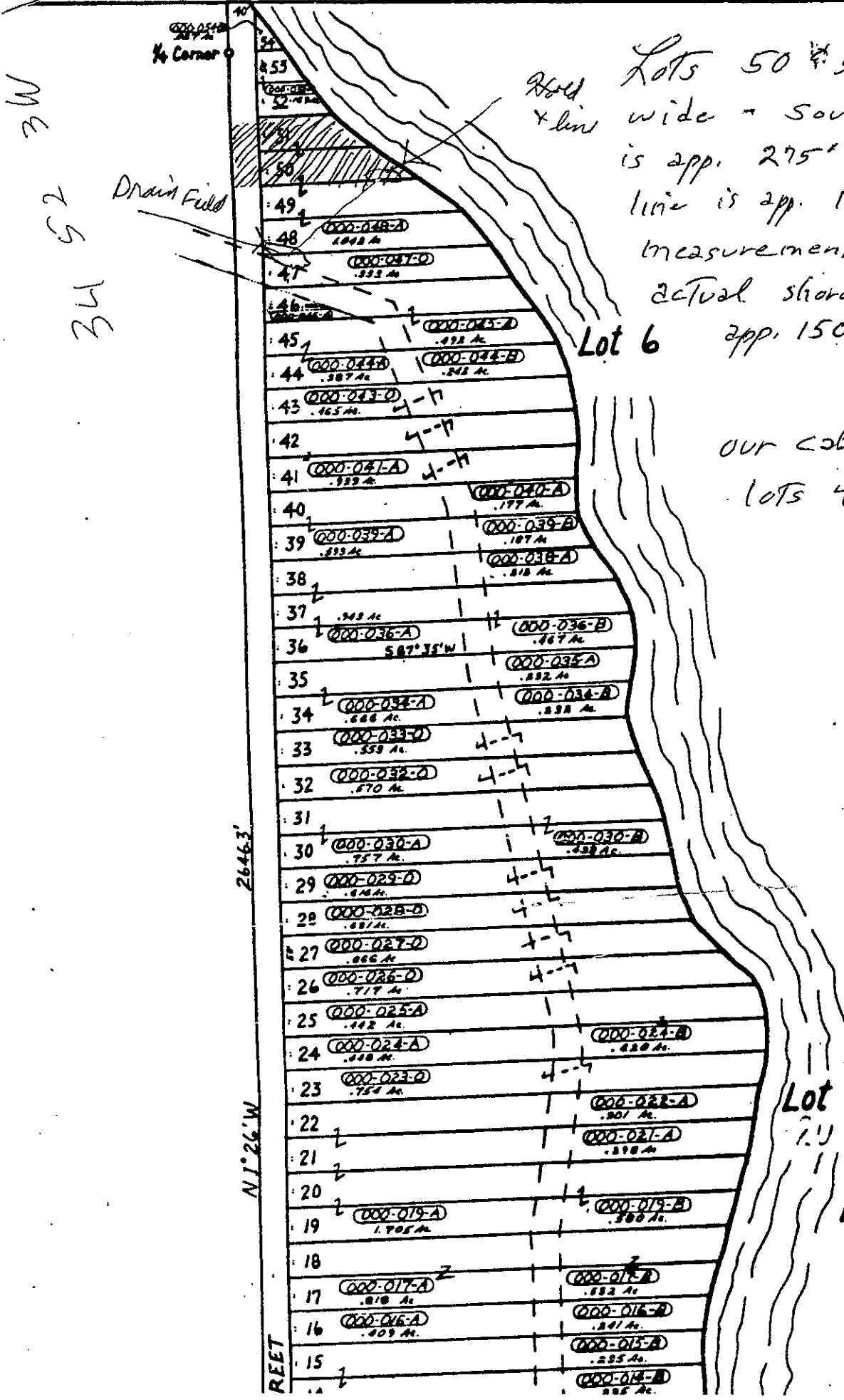
James D Frank
Signature of Applicant

JAMES D FRANK
Print Name (and title, if applicable)

For Department Use:

Received by EDR Date _____ Time _____ Preliminary check by _____

Fee \$ _____ Receipted by _____ Receipt No. 1020936 Date 6-16-09



Hold Lots 50 & 51 are 50' wide - South prop. line is app. 275' - north prop line is app. 150' These measurements include road. actual shoreline is app. 150'

our cabin sits on lots 48 and 49

Lot 7

HAYDEN PARK
0-35610

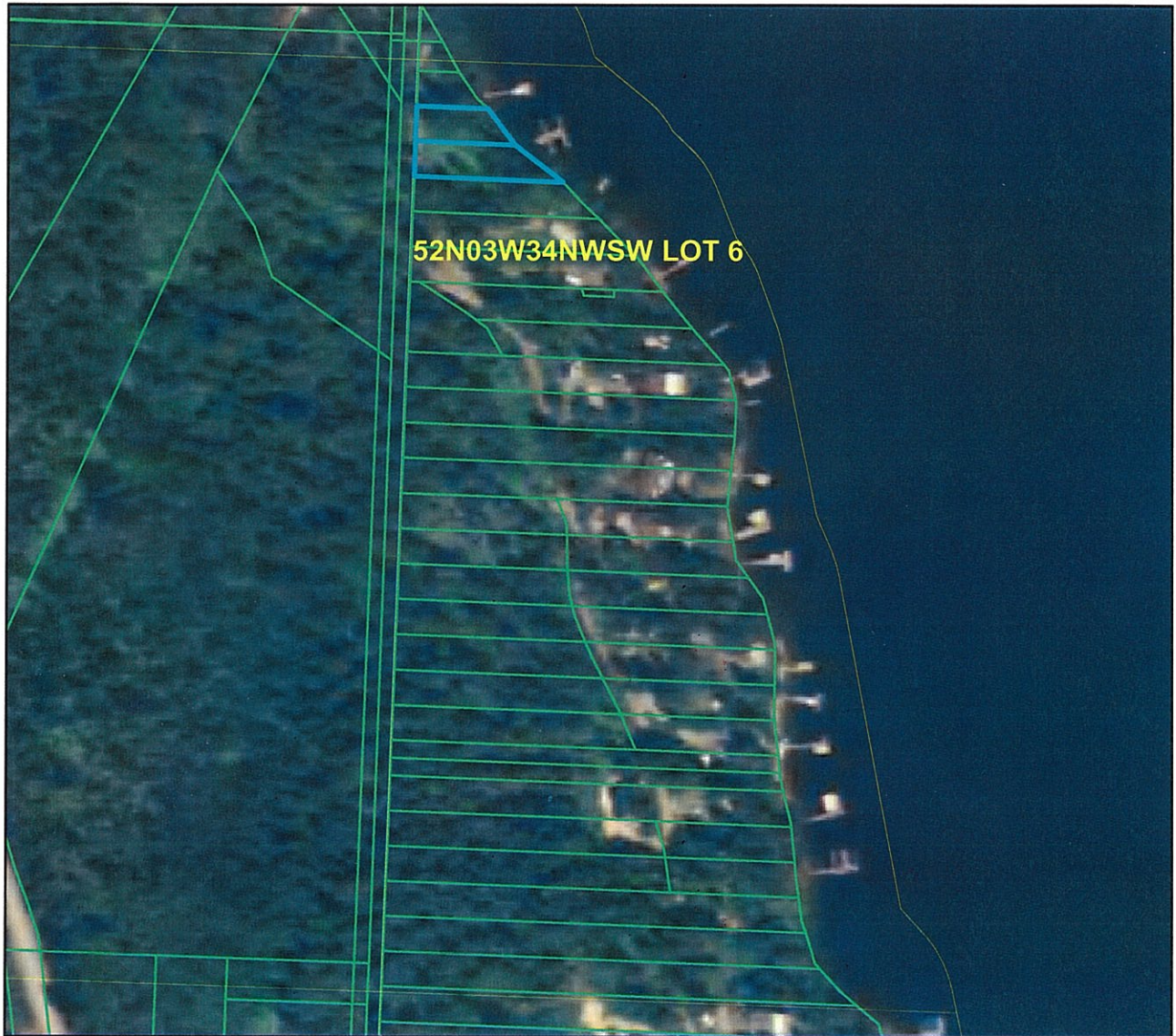
3W
34 52
34 52

Drain Field

1/4 Corner

H A L

FRANK



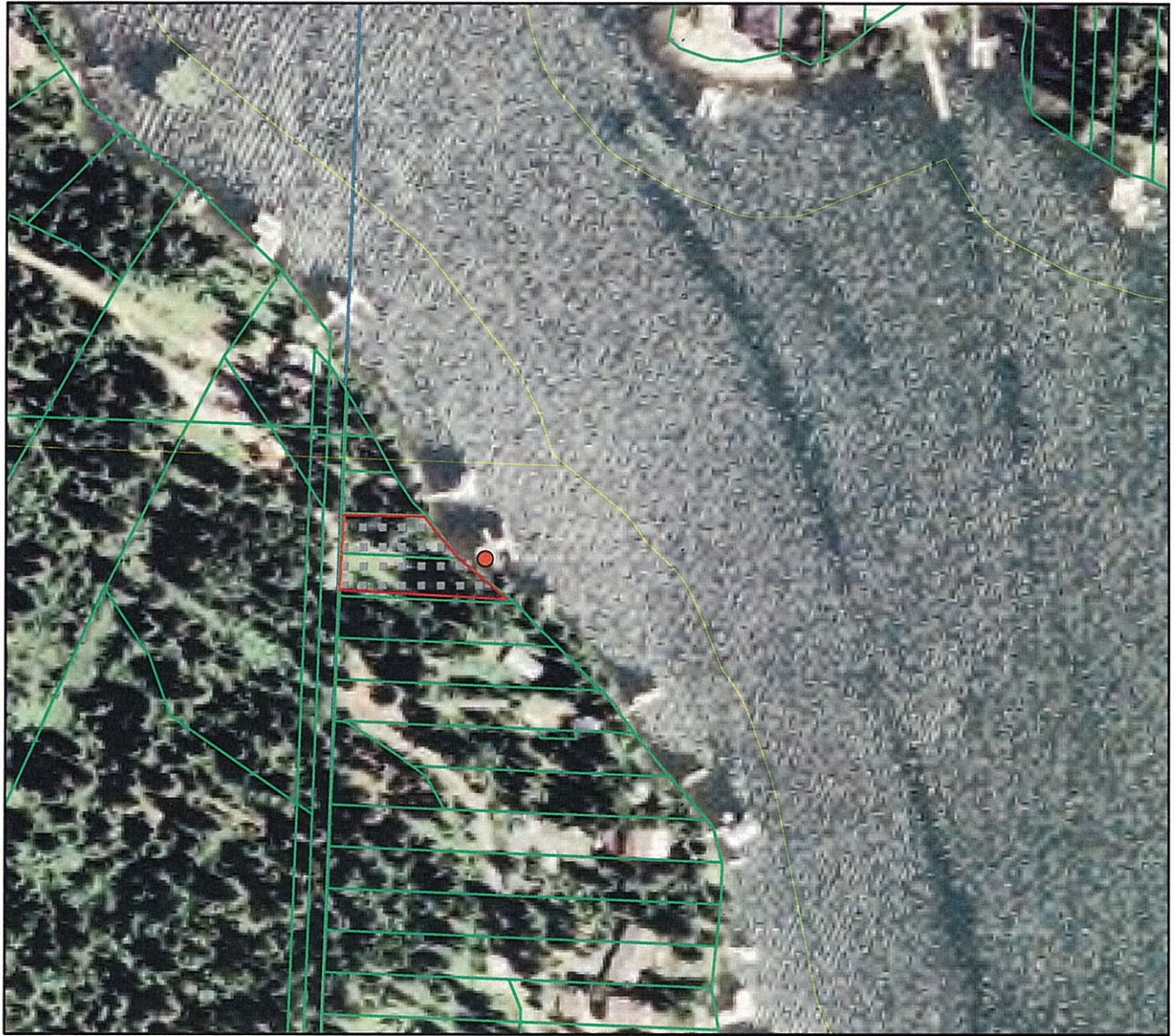
0 95 190 380 570 760 Feet



Legend

 Taxlots

95-10673



Legend

-  Taxlots
-  Application POD
-  Application POU

0 80 160 320 480 640 Feet



Ball, Dianne

From: Ball, Dianne
Sent: Monday, July 20, 2009 4:09 PM
To: cwashburn@idl.idaho.gov
Subject: Agency Comment Request re WR App 95-10673 FRANK

Attachments: Agency Comment Request.doc; 95-10673 Frank.pdf

Hi again, Carl,

Attached is our letter requesting your comments re WR App 95-10673 - FRANK. Copy of application also attached FYI

Please respond to Eric on this one

Thanks,



Agency Comment
Request.doc (31...



95-10673 Frank.pdf
(208 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

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 20, 2009

CARL WASHBURN
IDAHO DEPARTMENT OF LANDS
MICA SUPERVISORY AREA
NAVIGABLE WATER DIVISION
3706 INDUSTRIAL AVE S
COEUR D ALENE ID 83815

Re: Water Permit Application No. 95-10673 - FRANK

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 6 & 13, 2009 in the Coeur d'Alene Press.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **August 24, 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 Eric.Davis@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

Ball, Dianne

From: Ball, Dianne
Sent: Monday, July 20, 2009 4:17 PM
To: mary.terra-berns@idfg.idaho.gov
Subject: Agency Comment Request re R App 95-10673 FRANK

Attachments: Agency Comment Request.doc; 95-10673 Frank.pdf

Hi again,

Attached is our letter requesting your comments on WR App 95-10673 FRANK. Also attached is copy of the application.

Please respond to Eric on this one.



Agency Comment
Request.doc (31...



95-10673 Frank.pdf
(208 KB)

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 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 20, 2009

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

Re: Water Permit Application No. 95-10673 - FRANK

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 6 & 13, 2009 in the Coeur d'Alene Press.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **August 24, 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 Eric.Davis@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



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 21, 2009

JAMES D FRANK
PO BOX 2048
HAYDEN LAKE, ID 83835

Application For Permit No. 95-10673

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 8/6/2009 and 8/13/2009. 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,

Eric J. Davis
Sr. Water Resource Agent

Enclosure – Receipt No. N020936

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, July 21, 2009 2:47 PM
To: Legal Notices-CdA Press; Legal Notices-CdAPress - Kattie Hoy
Subject: Legal Notice for publication 8/6 and 8/13,2009

Attachments: CoverLetter 07-21-09 CDA e-mail 95-10594,10634,638,645,669,673,675,10827.doc;
LegalNotice 07-21-09 CDA e-mail
95-10594,10634,10638,10645,10669,10673,10675,10827.doc

Good afternoon, Kattie,

This is yet another legal notice for publication on August 6 and 13, 2009. Attached is our letter requesting the publication and the legal notice for publication.

Once again requesting proof/preview copy before it goes to press.

We are being inundated with new applications so although I don't know for sure, if I can work fast enough - I may have yet another one for you similar to this one. ;-) (maybe we'll fill up a whole page!)



CoverLetter
7-21-09 CDA e-mal.



LegalNotice
7-21-09 CDA e-mal.

Thanks for all your wonderful help.



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

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.: 95-10594, 10634, 10638, 10645, 10669, 10673, 10675, 10827

Dear Kattie:

Please publish the enclosed legal notice on the dates indicated, August 6 and 13, 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 8/24/2009. Your cooperation is appreciated more than you know.

Sincerely,

Dianne

Dianne Ball
Administrative Assistant

Enclosure(s)

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

95-10594

ANDREW KEMP

14368 N SAMHILL TRAIL

HAYDEN LAKE, ID 83835

Point of Diversion NWNE S3 T51N R03W KOOTENAI County

Source HAYDEN LAKE tributary to SINKS

Use: IRRIGATION 03/15 to 11/15 0.01 CFS

Total Diversion: 0.01 CFS

Date Filed: 5/20/2009

Place Of Use: IRRIGATION

T51N R03W S3 NENW

95-10634

LCT DEVELOPMENT LLC

1677 E MILES AVE STE 100

HAYDEN LAKE, ID 83835

Points of Diversion (2) NWSWSW S24 T51N R04W KOOTENAI CO

Source GROUND WATER

Use: HEATING 01/01 to 12/31 0.47 CFS

Use: COOLING 01/01 to 12/31 0.47 CFS

Total Diversion: 0.47 CFS

Date Filed: 6/5/2009

Place Of Use: HEATING

T51N R04W S24 SWSW

Place Of Use: COOLING same as HEATING

95-10638

BONNIE MAUTH

3833 BRIDGEVIEW DR

HARRISON, ID 83833

Point of Diversion NESW S32 T50N R03W KOOTENAI County

Source COEUR D ALENE LAKE tributary to SPOKANE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 6/3/2009

Place Of Use: DOMESTIC T50N R03W S32 SWNE

Domestic use is for 1 home.

95-10645

LAKESHORE CONDOMINIUM LLC

820 E SHERMAN AVE

COEUR D ALENE, ID 83814

Point of Diversion NESE S36 T50NR04W KOOTENAI County

Source COEUR D ALENE LAKE tributary to SPOKANE RIVER

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

Total Diversion: 0.06 CFS

Date Filed: 6/4/2009

Place Of Use: IRRIGATION T50N R04W S36 SWSE

95-10669

WELCHS K-BAR RANCH

8865 E FERNAN LAKE RD

COEUR D ALENE, ID 83814

Point of Diversion SWNW S10 T50N R03W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 03/15 to 11/15 0.05 CFS

Use: IRRIGATION STORAGE 01/01 to 12/31 24.4 AF

Use: IRRIGATION FROM STORAGE 03/15 to 11/15 24.4 AF

Use: STOCKWATER 01/01 to 12/31 0.05 CFS

Use: STOCKWATER STORAGE 01/01 to 12/31 36.2 AF

Use: STOCKWATER FROM STORAGE 01/01 to 12/31 2 AF

Use: FIRE PROTECTION 01/01 to 12/31 0.05 CFS

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 36.2 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.05 CFS

Total Diversion: 0.05 CFS 36.2 AF

Place Of Use: IRRIGATION

T50N R03W S9 NESE SWSE

T50N R03W S10 NWSW SWNE SWNW SWSW SWSE

Place Of Use: IRRIGATION FROM STORAGE same as IRRIGATION

Place Of Use: STOCKWATER same as IRRIGATION

Place Of Use: IRRIGATION STORAGE

T50N R03W S10 SWNE SWNW

Place Of Use: STOCKWATER STORAGE

T50N R03W S10 SWNE SWNW

Place Of Use: STOCKWATER FROM STORAGE

T50N R03W S9 NESE SWSE

T50N R03W S10 NWSW SW S34 SWNW SWSW SWSE

Place Of Use: FIRE PROTECTION

T50N R03W S9 NESE SWSE

T50N R03W S10 NWSW SWNE SWNW SWSW SWSE

Place Of Use: FIRE PROTECTION STORAGE

T50N R03W S10 SWNE SWNW

Stockwater use is for 150 head of mixed stock.

95-10673

JAMES D FRANK

PO BOX 2048

HAYDEN LAKE, ID 83835

Point of Diversion NWSW S34 T52N R03W KOOTENAI County

Source HAYDEN LAKE tributary to SINKS

Use: IRRIGATION 03/15 to 11/15 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 6/16/2009

Place Of Use: IRRIGATION T52N R03W S34 SWNW

95-10675

JAMES H STRANDY

6017 E LYONS LN

SPOKANE, WA 99217

Point of Diversion NWNW S23 T53N R05W KOOTENAI County

Source SPIRIT LAKE tributary to SINKS

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

Total Diversion: 0.04 CFS

Date Filed: 6/16/2009

Place Of Use: DOMESTIC T53N R05W S23 NWNW

Domestic use is for 1 home.

95-10827

JERRY REGA

5595 S CATAMARAN DR

HARRISON, ID 83833

Point of Diversion SENE S6 T49N R03W KOOTENAI County

Source COEUR D'ALENE LAKE tributary to SPOKANE RIVER

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

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

Total Diversion: 0.2 CFS

Date Filed: 6/11/2009

Place Of Use: DOMESTIC T49N R03W S6 NESE

Place Of Use: FIRE PROTECTION same as DOMESTIC

Domestic use is for 1 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 8/24/2009. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal # _____

Publish 8/6 & 13/2009