

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED
MAY 27 2009
IDWR/North

1. Name of Applicant William Bixby and/or Delphine Bixby Phone 208 772-2906
Mailing address 24120 N. Derting Rd. Hayden ID 83835 Email _____
2. Source of water supply Spring which is a tributary of unnamed stream
3. Location of point of diversion is Township 52 N Range 3 W Sec. 9, in the NW $\frac{1}{4}$,
SE $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot -, B.M., Kootenai County;
additional points of diversion if any: None
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purposes from 1/1 to 12/31 (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) 0.04 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 _____
 - 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 house 1 cabin
 - e. Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
52N	3W	9			D														

Total number of acres to be irrigated: _____

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? None

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. _____

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"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.

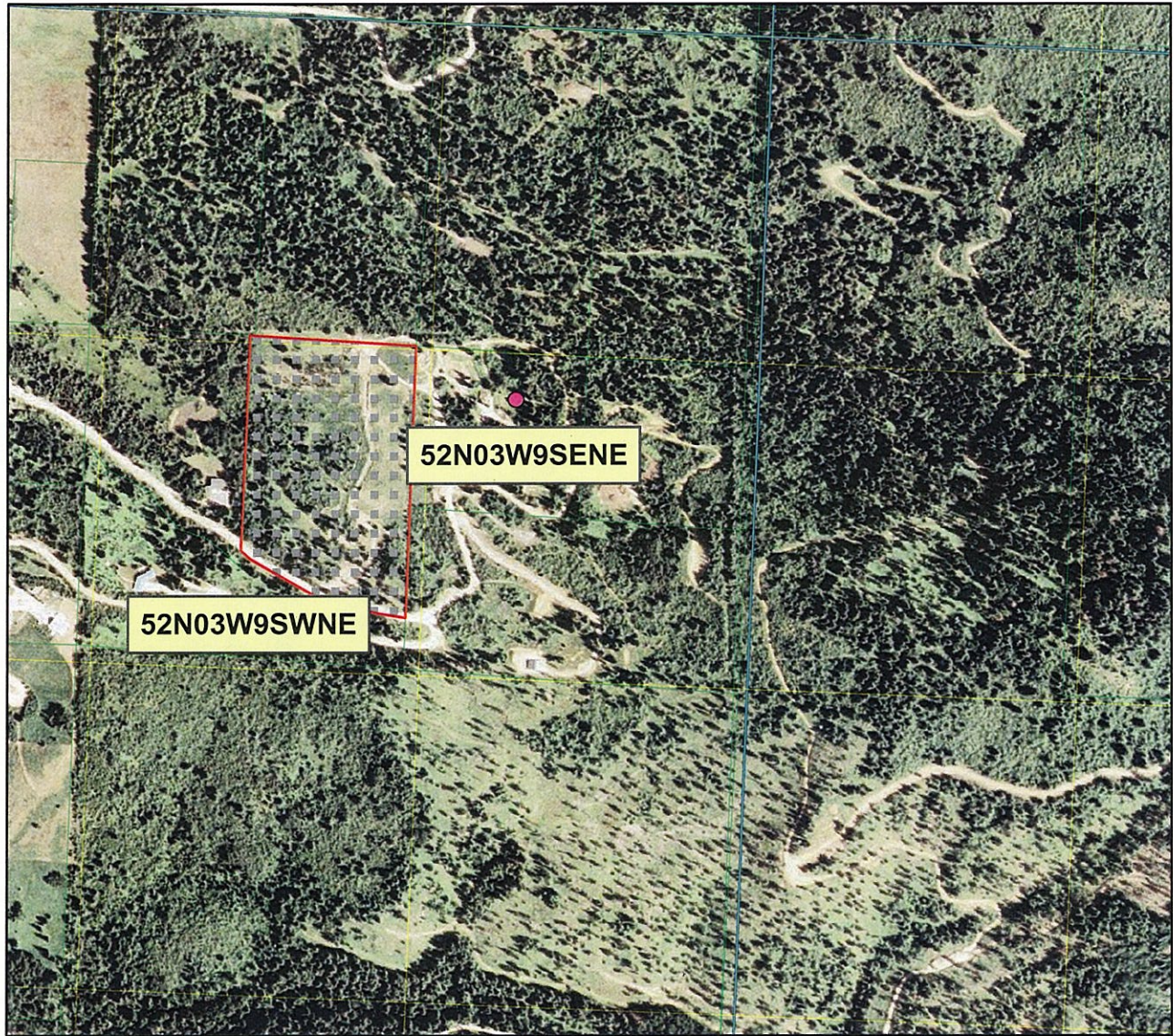
Wm F Bixby
Signature of Applicant

Wm F Bixby
Print Name (and title, if applicable)

For Department Use:

Received by cm Date 5-27-09 Time 12:06pm Preliminary check by _____
Fee \$ 100.00 Received by cm Receipt No. NO 20 219 Date _____

95-10585



Legend

-  Application POU
-  Application POD
-  Taxlots
-  QQ

0 260 520 1,040 1,560 2,080 Feet





V9SWNE

52N03W9SENE

SPRING

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, July 02, 2009 9:57 AM
To: mary.terra-berns@idfg.idaho.gov
Subject: Agency Comment Request.doc

Attachments: Agency Comment Request.doc; 95-10585 Bixby, William F.pdf

Hi, Mary,

Attached is our letter requesting your comments on WR App 95-10585. Copy of application also attached.

Please contact Eric Davis on this one!

Note ~ this is from a spring.



Agency Comment
Request.doc (31...



95-10585 Bixby,
William F.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

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. 95-10585 – William Bixby

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 Coeur d'Alene Press.

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 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

July 9, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

WILLIAM BIXBY
DELPHINE BIXBY
24120 N DERTING RD
HAYDEN, ID 83835

Application For Permit No. 95-10585

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,

Eric J. Davis
Sr. Water Resource Agent

Enclosure(s) Receipt No. N020719

Ball, Dianne

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

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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

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)

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