

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

JUN 03 2009

To appropriate the public waters of the State of Idaho

IDWR/North

1. Name of Applicant MCCADLEY EMERALD OWNERS ASSOC., INC Phone 208 762-9955
Mailing address P.O. BOX 3333 HAYDEN, ID 83835 Email _____
2. Source of water supply GROUND WATER which is a tributary of _____
3. Location of point of diversion is Township 51N Range 3W Sec. 3 in the NW $\frac{1}{4}$,
NE $\frac{1}{4}$, Govt. Lot 5, B.M., Kootenai County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .13 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) .13 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 PUMP IN WELL
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. 8 HOMES
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	
				D	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? _____

11. a. Who owns the property at the point of diversion? HOA MEMBER
- b. Who owns the land to be irrigated or place of use? HOA MEMBER
- 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. 1 WELL WILL SERVICE 8 HOMES.

ON PIN # 0-5080-003-010-A HOME WAS BUILT IN 1959 ASSUMPTION IS WELL WAS DRILLED IN 1959.

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.

Michael A. Buskirk
Signature of Applicant

MICHAEL A. BUSKIRK PRESIDENT.
Print Name (and title, if applicable)

For Department Use:

Received by CM Date 6-3-09 Time 10:48 AM Preliminary check by _____

Fee \$ 100.00 Received by CM Receipt No. NO 20796 Date 6-3-09

95-10643



Legend

-  Application POD
-  Application POU
-  Taxlots

0 65 130 260 390 520 Feet



APPLICATION

2

WELL



0 60 120 240 360 480 Feet



Legend

 Taxlots

 = POU

 = POD



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

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

Application For Permit No. 95-10639, 95-10640 and 95-10643

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the numbers 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 – Receipt No. N020796

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

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR
Director

Please Fax or e-mail proof/preview copy to me before this goes to press.

Fax (208) 762-2819 ~ e-mail dianne.ball@idwr.idaho.gov

Thanks, Dianne

July 9, 2009

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