

75162
STATE OF IDAHO

Ident. No. 92-10033
RECEIVED

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

OCT 07 2008

IDWR/North

1. Name of Applicant BRUCE C. MOREHOUSE Phone 208 245 1275
Mailing address P.O. Box 509 ST MARIES, Idaho 83861
2. Source of water supply CARLIN CREEK which is a tributary of ST MARIES RIVER
3. Location of point of diversion is Township 45N Range 2 WEST Sec. 20, in the SW $\frac{1}{4}$, NW $\frac{1}{4}$, Govt. Lot _____, B.M., BENEWAH County;
additional points of diversion if any:
4. Water will be used for the following purposes:
Amount 0.18 CFS for HYDROELECTRIC purposes from 1 April to 30 NOV (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.18 CFS and/or (b) 242
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source FOUR (4) INCH PVC P.I.P.E FROM INLET SCOOP TO WATER TURBINE AT OUTLET
b. Height of storage dam NONE feet; active reservoir capacity CONCRETE TANK acre-feet; total reservoir capacity 200 GAL acre-feet
c. Proposed well diameter is N.A. inches; proposed depth of well is N.A. feet
d. Is ground water with a temperature of greater than 85°F being sought? NO
e. If well is already drilled, when? N.A.; Drilling firm N.A.
Well was drilled for (well owner) N.A.; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 3 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. 80 FT HEAD 0.5 KW
b. Stockwatering; list number and kind of livestock. N.A.
c. Municipal; show name of municipality. N.A.
d. Domestic; show number of households. ONE (1)
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	
45N	2W	20							~~E~~ P										

Total number of acres to be irrigated N.A.

10. Describe any other water rights used for the same purposes as described above. N.A.

11. a. Who owns the property at the point of diversion? BRUCE C. MOREHOUSE

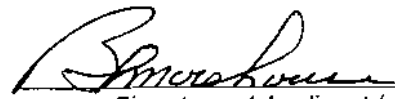
b. Who owns the land to be irrigated or place of use? BRUCE C. MOREHOUSE

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: _____

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.

 **OWNER**
Signature of Applicant (and title, if applicable)

Received by cm Date 10-7-08 Time _____ Preliminary check by _____
 Fee \$ 100.00 Receipted by cm # 2019607 Date 10-7-08
 Publication prepared by cb Date 10/9/08 Published in St. Marias Gazette 10/15 + 22/08
 Publication approved cb Date 10/28/08

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Water Right No.
RECEIVED

OCT 07 2008

AFFIDAVIT FOR WATER RIGHTS TO BE USED FOR POWER PURPOSES

IDWR/North

A. Establishment of Residency: (Complete either 1, or 2).

1. Individual Applicant or Individual Members of a Partnership:

I, BRUCE C MOREHOUSE of ST. MARIES,
(name) (city)
County of BENELIAH, State of Idaho, being duly sworn, do hereby
certify that I am a bona fide resident of the State of Idaho.

2. Corporation:

I, N/A of _____,
(name) (city)
County of _____, State of Idaho, being duly sworn, depose and
say: That I am the designated registered agent of the _____
_____ : that as such I am in charge of the registered office of the said
(name of corporation)
corporation as required by Section 30-1-12, Idaho Code, at _____
(city)
Idaho, wherein are kept the corporate records required by Section 30-1-52, Idaho Code; and that _____
(name of corporation) is a corporation qualified to do business in the State of Idaho under the laws
of the State of Idaho.

B. Ownership of Facilities: (To be completed for hydropower projects only)

The hydropower facility to be developed pursuant to the attached Application for Permit:

(check one)

- ☒ Will not utilize existing man-made irrigation facilities such as a dam or a canal.
☐ Will utilize existing man-made irrigation facilities such as a dam or a canal, and permission of the owner is documented in an affidavit attached hereto.
☐ Will utilize existing man-made irrigation facilities such as a dam or a canal, and the owner is the signee of this affidavit.

B. C. Morehouse
Applicant

STATE OF IDAHO)
County of BENELIAH) ss

On this 2 day of October, 2008, personally appeared before me the signer(s) of
the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

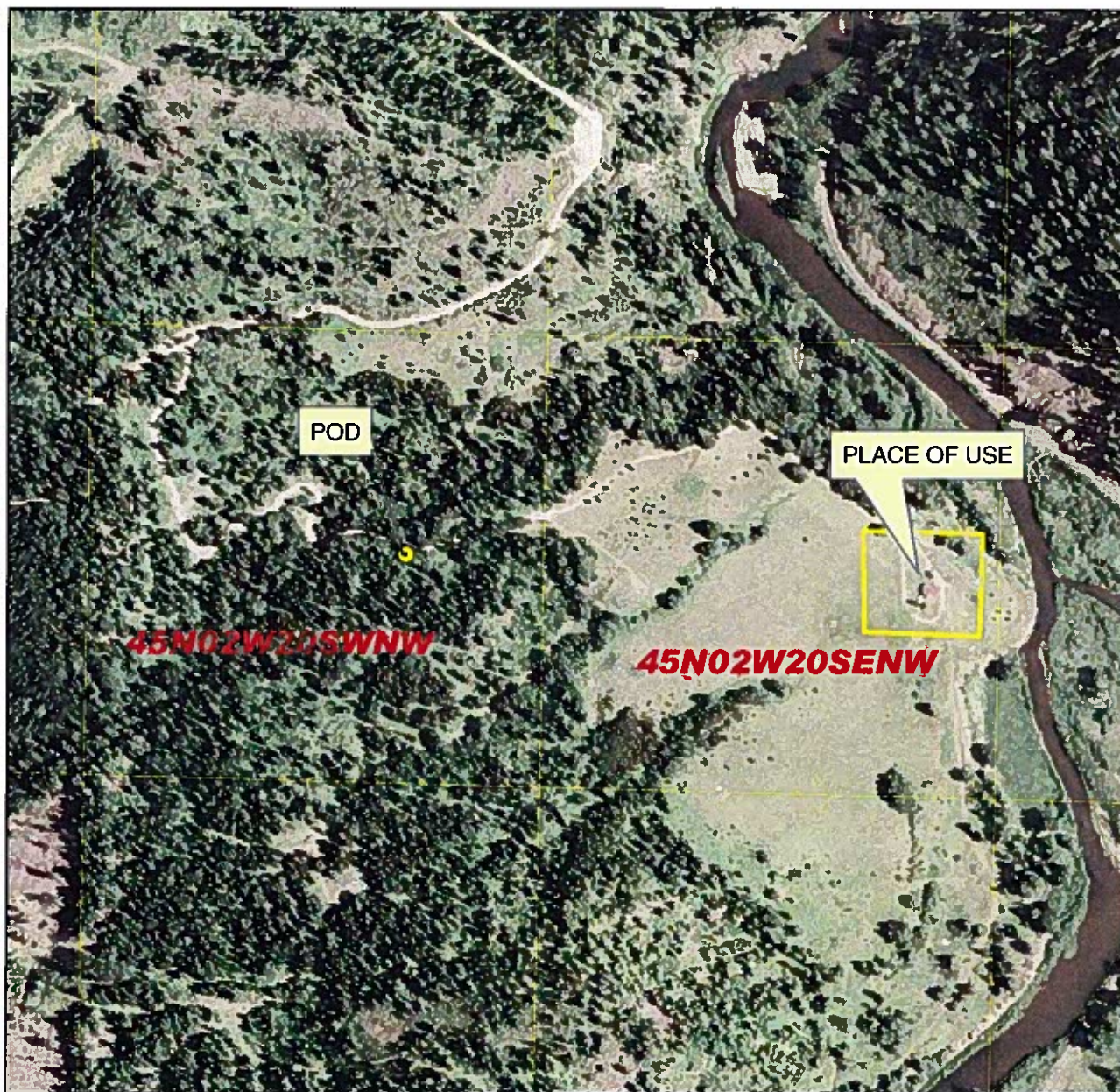


Stacie J. Lamb
Notary Public residing at
Harrison, ID 83833

SEAL

My commission expires: Sept. 17, 2013

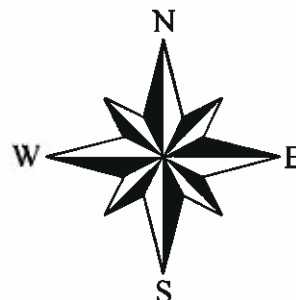
92-10033

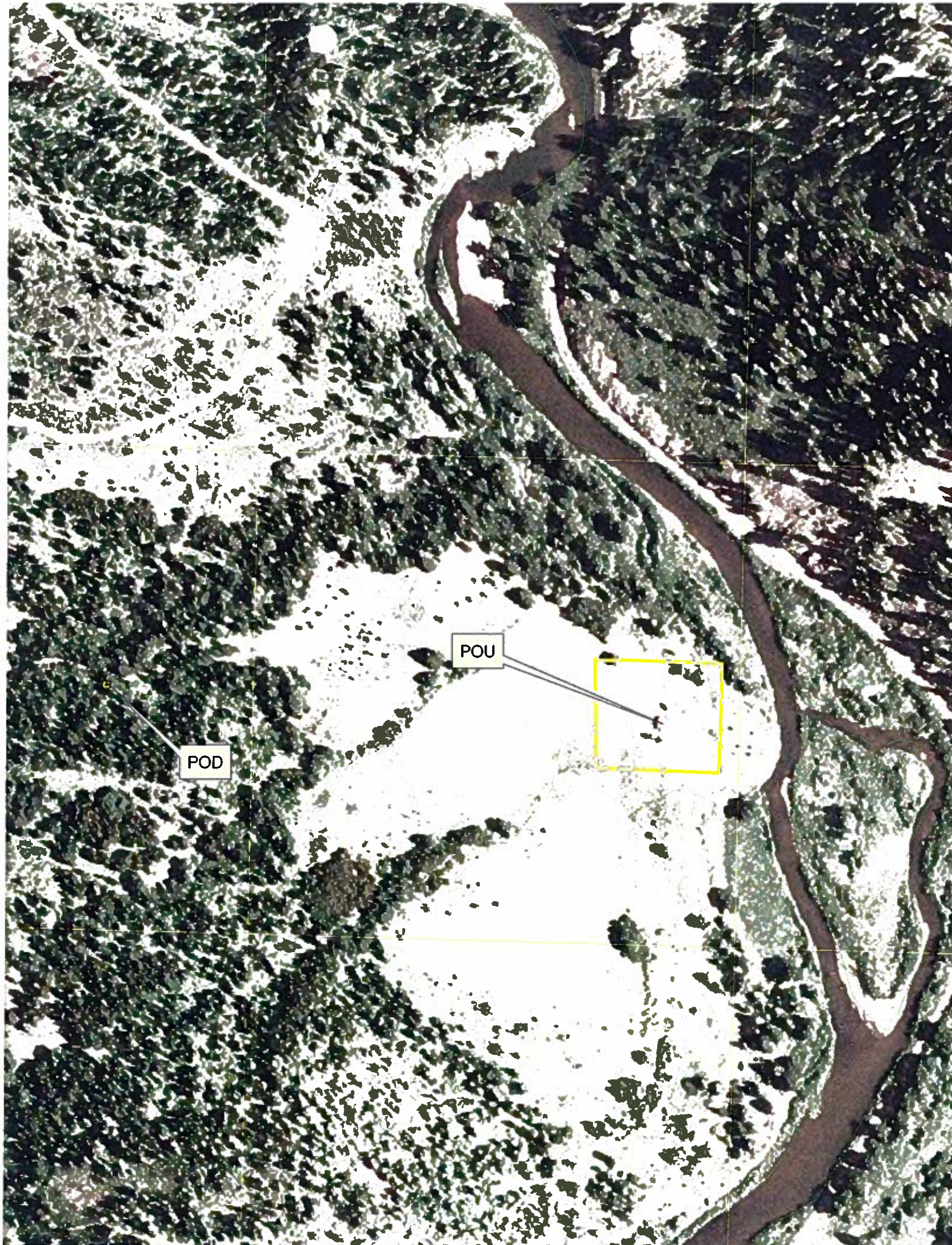


0 200 400 800 1,200 1,600 Feet

Legend

-  QQ
-  Taxlots
-  workingpod
-  workingpou





POU

POD



IDAHO FISH & GAME

600 South Walnut
P.O. Box 25
Boise, Idaho 83707-0025

RECEIVED

OCT 07 2004

IDWR/North

Dirk Kempthorne / Governor
Steven M. Huffaker / Director

July 16, 2004

Mr. Bruce C. Morehouse
Pines Motel
1117 Main St.
St. Maries, Idaho 83861

RECEIVED
APR 30 2008
IDWR/North

Re: Proposed Hydropower Facility on Carlin Creek

Dear Mr. Morehouse:

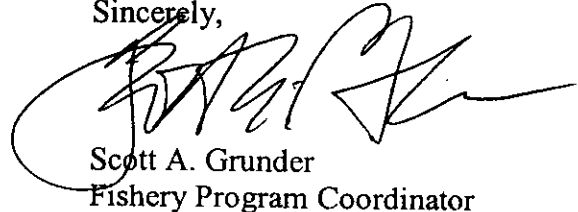
I understand that you have had discussions with Ned Horner of the Idaho Department of Fish and Game's (Department) Panhandle Region Office regarding your desire to build a small hydropower plant on Carlin Creek. Ned has informed you of the Department's desire to protect fish and wildlife resources. To date you have discussed preliminary project design issues with Ned (diversion point just above an existing culvert crossing, 6-inch diversion line buried in the existing access road, approximately 300 feet of head, 1-inch nozzle driving a Pelton wheel). I appreciate your interest in protecting the resource, but it is incumbent upon you to provide us with a more detailed written proposal and plans for your facility so we have a better understanding of the project components and potential impacts to fish and wildlife. Once we have this, Department staff can better serve you in regards to providing recommendations on your facility that will protect the resources of Carlin Creek. The Department will not provide firm recommendations without having a better idea of your plans.

Some of the issues you will need to address include (1) stream flow data if available along with a proposed bypass flow regime to protect fish; (2) diversion structure and screen designs; and (3) the type of device you will use to measure streamflow. These are the basic types of information that the Department routinely requests from applicants seeking to build small hydropower facilities. I believe the most important information you need to collect is some good measurements of streamflow in Carlin Creek, especially during summer baseflow conditions. This information is very important and I recommend you consider hiring a qualified consultant to measure flows.

In addition to working with Fish and Game, you will still need to work with other appropriate state agencies regarding a water right and stream alteration permit, and water quality (Idaho Department of Water Resources, Idaho Department of Environmental Quality). From our standpoint, once we have the necessary streamflow data from you and we can agree on a bypass flow regime, we will ask the Idaho Department of Water Resources to condition your water right to impose the agreed upon bypass flow in Carlin Creek. In this manner, we can be assured that aquatic and riparian resources will be protected.

I realize this is a lot of work, but this is the process that is required to build a hydropower facility on a public resource. Ned also indicated your interest in correcting the fish passage barrier at your road crossing over Carlin Creek. The Department supports your efforts to do this and we will work with you to come up with a suitable plan. Please continue to consult with Ned Horner once you provide him with the necessary information about your proposed project. Feel free to call me anytime at 208-287-2714 if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott A. Grunder', is written over the typed name and title.

Scott A. Grunder
Fishery Program Coordinator

Cc: IDFG Panhandle Region (Ned Horner)



IDAHO FISH & GAME

PANHANDLE REGION
2750 Kathleen Avenue
Coeur d'Alene, Idaho 83815

RECEIVED

OCT 07 2008

IDWR/North

Dirk Kempthorne / Governor
Steven M. Huffaker / Director

March 15, 2005

RECEIVED

APR 30 2008

IDWR/North

Mr. Bruce Morehouse
13723 Landmark Hill
San Antonio, TX 78217

Dear Mr. Morehouse:

**REFERENCE: MINIMUM FLOW RECOMMENDATION FOR
CARLIN CREEK**

You have indicated your intent to build a small-scale hydropower project to generate electricity for your private residence and have requested a minimum flow recommendation for the bypass reach of Carlin Creek, a small tributary of the St. Maries River. The information Idaho Department of Fish and Game (IDFG) provides will be used to make recommendations to the Idaho Department of Water Resources (IDWR) on the application for a water right for the project.

There were no long term flow records for Carlin Creek to base a minimum flow recommendation on. We utilized the expertise of two hydrologists in the area to make a flow measurement during a fall minimum flow period and to evaluate the minimum flow based on accepted models. The actual flow measurement for October 28, 2004 as measured by Mr. Al Beardslee of IDWR and Mr. Mike Stevenson of U. S. Bureau of Land Management (BLM) was 0.48 cfs (cubic feet per second). They determined the cross section where the flow measurement was taken to be fair (i.e., potential for some subsurface loss).

Streamflow was also estimated statistically using the U. S. Geological Service (USGS) Streamflow Statistics Report to get another idea of the type of minimum flow a watershed the size of Carlin Creek might experience. The stream flow statistics are regression estimates or extrapolations and some of the parameters have unknown errors. The flow duration statistics represent the percent of time a specified discharge is equaled or exceeded. For example, in January, the Q20 means that 20 percent of the time Carlin Creek has an estimated discharge of 4.31 cfs or more, the Q50 means that 50 percent of the time Carlin Creek has an estimated discharge of 1.72 cfs or more, and the Q80 means that 80 percent of the time Carlin Creek has an estimated discharge of 0.83 cfs or more.

The USGS Streamflow Flow-Duration Statistics showed Q80 flows at or below 1cfs during the months of July, August, September, October, November, December, January and February.

What this means is that in most years the late summer, fall and winter low flow period will leave little natural flow in Carlin Creek. Your earlier estimates of potential water withdrawal based on a 1 inch nozzle, 6 inch intake line and 300 feet of head would result in a withdrawal of .745 cfs of water. This would dry up a portion of Carlin Creek during a significant portion of the year and would therefore not be acceptable.

Based on what we know, our recommendation for a diversion flow for your hydropower plant in Carlin Creek is 1.0 cfs during March 1 through June 30, bypassing all other natural flow. From July 1 through July 31, we propose a maximum diversion of 0.5 cfs bypassing all other natural flow. During the period August 1 through February 28 we do not support diverting any flow from Carlin Creek for hydropower purposes.

We appreciate your positive working relationship with Regional Fisheries Manager Ned Horner in the Panhandle Region and your efforts to resolve the fish passage barrier issue associated with your access road. I understand that the recommendation that you not divert water during certain times of the year may be a setback to your original plans, but we hope that we can continue to work with you on enhancing the fishery resource of this unique piece of property.

If you have any questions, please do not hesitate to call.

Sincerely,



Charles E. Corsi
Regional Supervisor

C: Scott Grunder, IDFG, NRPB, Boise
Al Beardsley, IDWR
Mike Stevenson, BLM



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OCT 07 2008

IDWR/North

IDAHO DEPARTMENT OF FISH AND GAME
PANHANDLE REGION2885 West Kathleen Avenue
Coeur d'Alene, Idaho 83815C.L. "Butch" Otter / Governor
Cal Groen / Director
September 17, 2007

RECEIVED

APR 30 2008

IDWR/North

Mr. Bruce Morehouse
P.O. Box 509
St. Maries, ID 83861

Dear Bruce:

Our recommendation for a diversion flow for your hydropower plant in Carlin Creek, tributary to the St. Maries River, was 1.0 cfs during March 1 through June 30, bypassing all other natural flow. From July 1 through July 31, we propose a maximum diversion of 0.5 cfs bypassing all other natural flow. During the period August 1 through February 28 we do not support diverting any flow from Carlin Creek for hydropower purposes.

You had requested a modification of these conditions to allow some generation of hydropower during the August 1 through February 28 time period if stream flows exceeded .50 cfs. This request was based on the fact that you would be using considerably less water than originally projected due to a more efficient turbine and less head.

I have discussed your request to modify the conditions of your existing water right with Cindy Robertson of our Natural Resource Policy Bureau. Cindy looked over the additional information you provided and suggested the following recommendations to address IDFG concerns and further recommended that they be included as part of your IDWR water right for the hydro project. These recommendations presume you will be using the hydro facility during the April to November timeframe due to the lack of access during winter months because the county doesn't plow the road between December and March. If in the future you wish to stay year-round, wintertime diversions may become a concern due to low flows, icing, etc. We would therefore like to see no diversion during the December through March period.

1. **Diversion** from Carlin Creek for power production **be limited to maximum rate of 0.18 cfs** (4 nozzles @ 20 gpm = 80 gpm = 0.178 cfs).
2. The proposed storage tank should be buried next to the stream, as proposed in Mr. Morehouse's April 6, 2007 letter, rather than in the stream channel.
3. The inlet pipe to the storage tank should be screened to keep out fish and debris. The size of the screen would be dependent upon the size of fish you need to protect. The Department defaults to the NOAA criteria, which are: 1) for fingerlings and larger fish (> 60 mm), a 0.25" screen with an approach velocity of < 0.8 fps; 2) for fry (< 60 mm) they recommend a 0.0938" [3/32"] screen with an approach velocity of < 0.4 fps. Since Carlin Creek is a spawning and rearing tributary for adfluvial westslope cutthroat trout, you should screen for fry sized fish.

Keeping Idaho's Wildlife Heritage

Mr. Bruce Morehouse

September 17, 2007

Page 2

4. No diversion should occur when stream flows are less than 0.50 cfs. When flows in Carlin Creek are greater than 0.50 cfs but less than 0.68 cfs, applicant could divert between 0.01 cfs and 0.18 cfs. When stream flows exceed 0.68 cfs, all natural flow in excess of his diversion (0.18 cfs) must be bypassed.
5. Install a weir or other device capable of measuring a minimum of 0.50 cfs to measure the bypass flows. The weir should be located upstream of the proposed storage tank to ensure the bypass flows are provided before diversion occurs.
6. Diversion and bypass weir should be checked daily to ensure bypass flows are being provided.

The Bureau of Reclamation publishes a Water Measurement Manual (http://www.usbr.gov/pmts/hydraulics_lab/pubs/wmm/) that describes a variety of weir and flume types and sizes to measure a range of flows from less than 0.05 cfs to many thousands of cfs. Cindy recommends you contact a hydrologist or hydraulic engineer to select and install a weir or flume appropriate for the size of stream, stream conditions, and the flow range that's of interest rather than IDFG recommending a particular type of weir or flume.

I appreciate your efforts to reduce water use from Carlin Creek by finding a more efficient turbine to generate power with. The instream flow and screening recommendations are meant to maintain the native westslope cutthroat trout population that has persisted in that drainage for thousands of years. I will continue to work with you to correct the fish passage barrier on your road crossing.

If you have any questions, please give me a call.

Sincerely,



Ned Horner
Regional Fishery Manager

NJH:njk

C: Cindy Robertson, NRPB
Al Beardsly, IDWR

B.C. Morehouse
13723 Landmark Hill
San Antonio, TX 78217
April 6, 2007

Ned J. Horner
Regional Fishery Manager
Idaho Department of Fish and Game
2750 Kathleen Avenue
Coeur d'Alene, ID 83814

RECEIVED

APR 30 2008

IDWR/North

Re: Proposed Hydropower Facility on Carlin Creek

Dear Mr. Horner:

After a couple of years of getting my property cleaned up I am now in a position to proceed with the formulation and the possible construction of a hydroelectric site on Carlin Creek. The Idaho Department of Fish and Game has provided me with the stream flow data of Carlin Creek along with proposed limits and conditions for the use of that flow (Enclosure 2). With this information I have been able to formulate a plan for a hydroelectric system that should meet the proposed guide lines and limitations.

I have been informed to submit any proposed plan for a hydroelectric system through the Idaho Department of Fish and Game for their evaluation (Enclosure 1). As you are the only one from the Department that has visited the premises and the one most familiar with the property I thought it appropriate to initiate the process by forwarding the proposed plan through your office. I have enclosed copies of the correspondence that I have had to date with the Idaho Department of Fish and Game along with some maps and other supporting documents. These should give a good review of my situation and help you evaluate my plan for constructing a hydroelectric system.

At first, I had envisioned an AC generating system, but now realize that that was not realistic as it would require a huge amount of water flow and be very expensive to install. I have concluded that a DC generating system is by far the best way to go. It is relatively inexpensive to install and uses very little water flow. The system that I have planned would utilize the Harris Hydroelectric System, (Enclosure 3). The Harris System incorporates a Pelton turbine wheel that is only four (4) inches in diameter and affords the flexibility to be set up to run on one to four nozzles. The maximum flow per nozzle on the proposed plan would be only twenty (20) GPM. This system incorporates a Ford Motorcraft Alternator for generating DC electricity. The Harris Hydroelectric System is so small that one would hardly be aware that it's there.

The plan is to construct a pipeline that will be buried in my driveway with the water inlet located upstream of the Carlin Creek culverts and with the electrical generating system located 1000 feet downstream in the deep ravine north of my cabin. This 1000 foot pipeline proceeding down the present gradient of the roadbed and dropping off into the ravine at the end should produce about a 100 feet of head.

The inlet system construction would consist of a concrete container with a volume of about 500 gallons that will be buried along side of Carlin Creek upstream of the culverts. The inlet and outlet to this container will be set at an elevation that will allow the creek water under normal flow conditions to flow into the container, fill it, and overflow back into the creek. In addition, this setting of the elevation of the container inlet and outlet will be such that it will prevent water from flowing into the container anytime the stream flow in Carlin Creek drops below 0.5 CFS. This will ensure that during the dry season Carlin Creek will bypass the container allowing it to flow uninterrupted and allowing it to maintain the dry season normal flow of about 0.48 CFS. The container inlet, outlet, and pipe inlet will be well screened to prevent even the smallest of fish from entering.

The hydroelectric unit will be located and constructed 10 feet above flood level 1000 feet downstream near the bottom of the creek ravine. The unit will be enclosed in a small structure built primarily for protection from the elements. It will be designed to discharge the turbine water back into the stream by the most natural flowage of water into the creek. None of the water flow will be diminished as only the energy of the water is used. There will be no storage batteries at this location as they will be located up near the cabin with all the other required electrical controls. With the exception of the projected correction to alleviate a fish passage barrier at the road crossing over Carlin Creek none of the flowage of Carlin Creek will be disturbed. We do not anticipate any need to dam or in any way restrict the flow of any part of Carlin Creek. It will be left in its' natural state throughout the entire portion of its flowage through this property

In regards to the intent and plan to correct the fish passage barrier at the road crossing over Carlin Creek I would like to do this at the same time we install the hydroelectric pipeline. At that time we expect to have the equipment we will need to accomplish such a task. I really like the suggestion made by yourself and Mr. Al Beardslee of IDWR to build up and thus elevate that short portion of the creek bed on the outlet end of the culverts. I believe we can elevate the stream bed in this area so that the water level in the creek on the downstream side of the culverts will always be a bit higher than the bottom of the culverts. In view of the material required, I have located a number of boulders near the site plus I have an unlimited supply of river rocks on the property. With your expertise and under your supervision I believe we can construct a very natural creek bed that will satisfy the water level requirement to alleviate the fish passage barrier.

I am still in the situation where I have to find a winter home from December through March as Benewah County, Idaho does not maintain nor plow the county road which affords access to my property. It is for this reason I am presently at my Texas residence and will be here until the last week of April. If, at that time, the weather and local road conditions in Idaho permit, I will return to my property in Idaho. My telephone contact here is (210) 655-0642. My address starting May 1, 2007 will be P.O. Box 217, St. Maries, Idaho 83861. I am looking forward to your response to this hydroelectric proposal along with your critique and suggestions. When I return to Idaho I will make every effort to keep in contact with your office. I do not yet have telephone service to my property, but hope to sometime in May.

Sincerely,



Direct Only

B.C. Morehouse
P.O. Box 509
St. Maries, Idaho 83861
April 25, 2008

RECEIVED

APR 30 2008

IDWR/North

Keith Franklin
Idaho Department of Water Resources
7600 Mineral Dr. Suite 100
Coeur d' Alene, Idaho 83815

Re: Proposed Hydroelectric Facility on Carlin Creek in Benewah County

Dear Mr. Franklin,

Please accept this letter as a formal request for a water use permit on Carlin Creek in Benewah County. The requested use of the water will be to provide energy via its flow to run a mini hydroelectric unit. The proposed hydroelectric unit utilizes a turbine that is only four (4) inches in diameter and so will require a minimum of water flow. We project that flow to be about 50 to 80 gallons per minute. There is no intent to consume or absorb any of the water. All the trace water will be released back into Carlin Creek which is the creek it from which it was drawn.

I have been working with the Idaho Department of Fish and Game Regional Fishery Manager Mr. Ned Horner to formulate an approved design that will meet those requirements that the Idaho Department of fish and Game have established to ensure protection of the environment and fish of Carlin Creek. I have also had counsel with Mr. Al Beardslee of the Department of Water Resources. He is one of the individuals that came on the property to measure the water flow in Carlin Creek.

I have enclosed for your review, copies of all the correspondence I have had to date in reference to my endeavor to gain approval to install a hydroelectric unit on Carlin Creek. These should give you a good review of our process so far. They should also assist in giving you an insight on those requirements established by the Department of Fish and Game and the basis of my proposed design to meet those requirements.

I have also enclosed a preliminary "Application for Permit" for your consideration. I know that it is not complete and probably not correct, but I wanted to get something on the table. I will be returning to Idaho this next week and would like to come to your office to get some assistance in completing an appropriate application and to answer any questions you may have on this project.

Sincerely,

B. Morehouse

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, October 09, 2008 9:43 AM
To: mterrabe@idfg.idaho.gov
Subject: Agency Comment Request - 92-10033 Morehouse
Attachments: 92-10033 Morehouse app-map.pdf; 92-10033 Morehouse IDFG info.pdf; Agency Comment Request Ltr.doc

Good morning, Mary,

This is another letter of request for comments - this one for 92-10033 Moorhouse - power usage on Carlin Creek.

I'm including copies of previous correspondence between IDFG and Mr. Morehouse dating back from July 2004, March 2005, April 2007, and September 2007 - for your information.

Please send your comments no later than November 3, 2008 - last date for protests to be filed in this matter.

Thanks, and have a great day,

Don 't count the days, let the days count.

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

10/9/2008



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

October 9, 2008

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

Re: Water Permit Application No. 92-10033 - MOREHOUSE

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 October 15 and 22, 2008.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **November 3, 2008**. 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



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

October 09, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

BRUCE C MOREHOUSE
PO BOX 509
ST MARIES ID 83861

RE: Application for Permit No 92-10033

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the St Maries Gazette on October 15 and 22, 2008. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). 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, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

Keith E. Franklin
Senior Water Resource Agent

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, October 09, 2008 11:14 AM
To: Legal Notices-SM Gazette - Kaisie Brede
Subject: Legal notice for publication on October 15 and 22, 2008
Attachments: CoverLetter 10-09-08 SM e-mail 92-10033.doc; LegalNotice 10-09-08 SM e-mail 92-10033.doc

Good morning, Kaisie,

Attached is our cover letter requesting publication of a legal notice on October 15 and 22, 2008. The legal notice is also attached.

Please send a proof/preview copy to me before this goes to press for my review.

Thanks for all your wonderful help. It is really a pleasure to work with you.

Don't count the days, make the days count.

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

10/9/2008



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

October 09, 2008

**KAISIE BREDE
LEGAL NOTICE DEPARTMENT
ST MARIES GAZETTE RECORD
610 MAIN AVE
ST MARIES ID 83861-1838**

RE: Application for Permit No. 92-10033

Dear Kaisie:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, October 15 and 22, 2008, (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 11/03/2008. Your cooperation is always greatly appreciated.

Thanks for all you super help!

Sincerely

Dianne

Dianne Ball
Administrative Assistant

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

92-10033

BRUCE C MOREHOUSE

PO BOX 509

ST MARIES ID 83861

Point of Diversion SWNW S20 T45N R02W BENEWAH CO

Source CARLIN CREEK tributary to ST MARIES RIVER

Use: POWER 04/01 To 11/30 0.18 CFS

Total Diversion: 0.18 CFS

Date Filed: 10/07/2008

Place Of Use: POWER

T45N R02W S20 SENW

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 Resource, 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 11/03/2008. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director