

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

RECEIVED
APR 13 2009
IDWR/North

1. Name: SERENITY GUSTIN
PO BOX 284
FERNWOOD ID 83830
(208)245-7809

2. Source: ST MARIES RIVER Tributary to: ST JOE RIVER

3. Location of Point of Diversion:

#1 ST MARIES RIVER SW1/4NE1/4NW1/4 Sec. 22, Twp 44N, Rge 01W, B.M.
BENEWAH County

4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u> <u>To</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 10/31	0.03 CFS

5. Total quantity to be appropriated is: 0.03 CFS

6. Proposed diverting works:

POINT OF DIVERSION #1

a. Type and size of devices used to divert water from the source: GAS POWERED WATER PUMP

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

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8.

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
44N 01W 22	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	.5

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

Point of Diversion #1: LINDA ALLMAN - WRITTEN PERMISSION

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.

Serenity Austin
Applicant

Received by Cm Date 4/13/09 Time 10:40 Preliminary check by _____
 Publication prepared by _____ Date _____ Published in _____
 Publication approved _____ Date _____

Receipt No. N020209

Date: 4/2/09Received by: Cm

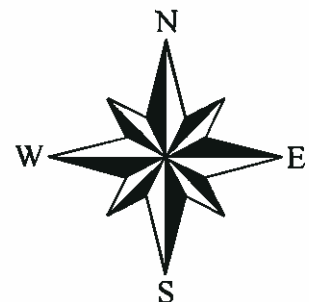
92-10047



0 80 160 320 480 640 Feet

Legend

- workingpod
- workingpou
- Taxlots
- QQ





16

15

THAN
RIW
Sec 22

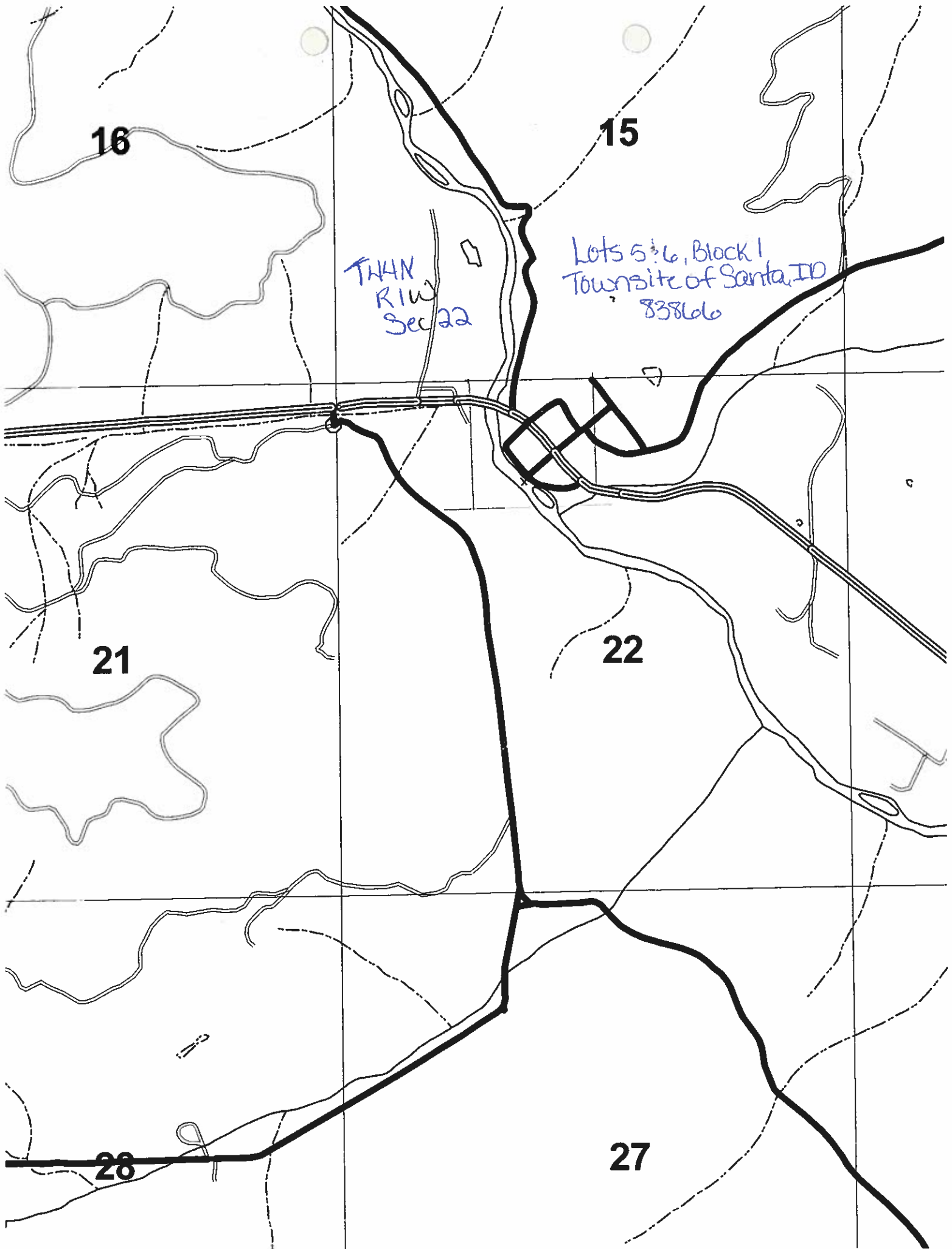
Lots 5 & 6, Block 1
Townsite of Santa, ID
838666

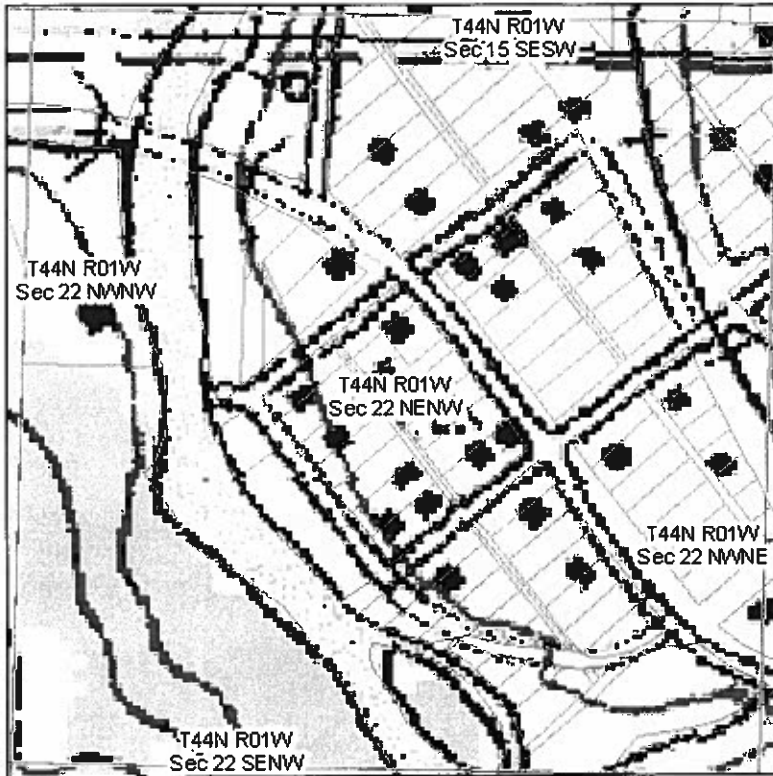
21

22

28

27



**Map Tools****Map Background**

- ☐ No Background
☒ USGS Quadrangle
☐ Aerial Photo

Search By Address

Address

City

Find Address

Search By Parcel Number

PIN

County

Choose A County

If a county is missing from the list then we do not have its parcel information

Find PIN

Search By PLSS

Township

44

☐ South

Range

1

Section

22

Quarter-Quarter

NENW

Find Township

☒ North☐ East ☒ West

Idaho Department of Water Resources



Pointer 47°08'57.84" N 116°27'02.28" W elev 2641 ft

© 2009 Tele Atlas
Streaming 100%

Google™

Eye alt 5000 ft

I Linda C. Allman give permission
to cross my property to get to the
river to get water for watering her
garden.

Thank You

Linda C. Allman

3-19-09



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

April 3, 2009

Serenity Gustin
PO Box 284
Fernwood, ID 83830

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho

Dear Ms. Gustin:

The Idaho Department of Water Resources (IDWR) is in receipt of your application to appropriate water from the St. Maries River for irrigation purposes. In reviewing the application, IDWR found several errors and/or omissions that need correction. I have enclosed an electronic version of the application for your consideration.

The corrections that are incorporated in the electronic version are as follows: The tributary of the St. Maries River is the St. Joe River. This was left blank on the original application. For application purposes, the diversion for the irrigation of ½ acre should be 0.03 cfs and the time of use or the irrigation season for your area is between April 1 and October 31 of each year.

The written permission to access the river was submitted by Linda Allman. County records indicate a Mr. Jack Allman owns the property. Linda Allman could be a valid owner, but since the county records didn't reflect her as being an owner, the department raises that as a question.

Please review the application and if it meets your approval, sign and return it to me within the next 30 days so as not to delay signing. If you have any questions, feel free to contact me at this office.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent
Enclosure(s)

COPY

I, Jack R. Allman

Give my permission for
Dorothy Gustin + Bunnie
Gustin to access my property
to get to the river.

Jack R. Allman

4/8/09



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR
Director

April 23, 2009

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

Re: Water Permit Application No. 92-10047 – Gustin

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 May 6 and 13, 2009 in the St Maries Gazette.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **May 26, 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.

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: Thursday, April 23, 2009 2:39 PM
To: mterrabe@idfg.idaho.gov
Subject: Agency Comment Request re 92-10047 Gustin
Attachments: 92-10047 GUSTIN.pdf; Agency Comment Request Ltr.doc

Good afternoon, Mary,

Are you enjoying this mexed bag of weather today?

Attached is our request letter seeking your comments on this WR Permit Application. Copy of application with map also attached.

Please direct your response to Keith by May 26, 2009, last date for protests to be filed with our office.

Any questions, please contact Keith.

Thanks for your response.

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

4/23/2009



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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR
Director

April 23, 2009

JIM BENNETT
IDAHO DEPT OF LANDS
1806 MAIN AVE
ST MARIES ID 83861

Re: Water Permit Application No. 92-10047 – Gustin

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 May 6 and 13, 2009 in the St Maries Gazette.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **May 26, 2009**. That is also the final date for protest to be received in our office.

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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: Thursday, April 23, 2009 2:35 PM
To: jbenett@idl.idaho.gov
Subject: Agency Comment Request Ltr.doc
Attachments: 92-10047 GUSTIN.pdf; Agency Comment Request Ltr.doc

Good afternoon, Jim,

Attached is our letter requesting your comments concerning Water Permit Application 92-10047 - Serenity Gustin. Copy of application with maps also attached FYI.

This is scheduled for publication May 6 and 13 in St Maries Gazette. Please respond to Keith Franklin in this matter by or before May 26, 2009, final date for protests to be received.

Thanks for you response.

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

4/23/2009



State of Idaho

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April 28, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

SERENITY GUSTIN
PO BOX 284
FERNWOOD ID 83830

RE: Application for Permit No 92-10047

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 Record on May 6 and 13, 2009. 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: Tuesday, April 28, 2009 4:09 PM
To: Legal Notices-SM Gazette - Kaisie Brede
Subject: Legal notice for publication on May 6 and 13, 2009
Attachments: CoverLetter 04-28-09 SM e-mail 92-10047,48.doc; LegalNotice 04-28-09 SM e-mail 92-10047,48.doc

Good afternoon, Kaisie,

I'm looking for the sunshine. Have you found it today?

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

Once again, please send a proof/preview copy for my review before this actually goes to press.

Thanks for all you extra special help with our legals. You are truly appreciated!

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

4/28/2009



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

April 28, 2009

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

RE: Application for Permit No. 92-10047 AND 92-10048

Dear Kaisie:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, May 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 05/26/2009. Your cooperation is very much appreciated. It's always a pleasure to work with you.

Thanks,

Sincerely

Dianne

Dianne Ball
Administrative Assistant

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

92-10047

SERENITY GUSTIN

PO BOX 284

FERNWOOD ID 83830

Point(s) of Diversion SWNENW S22 T44N R01W BENEWAH County

Source ST MARIES RIVER tributary to ST JOE RIVER

Use: IRRIGATION 04/01 To 10/31 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 04/02/2009

Place Of Use: IRRIGATION

T44N R01W S22 NENW

Number of Acres 0.5

92-10048

EUGENE FLAMAND

NANCY FLAMAND

5002 INDUSTRIAL WAY #2

COEUR D ALENE ID 83815

Point(s) of Diversion SESW S8 T44N R01W BENEWAH County

Source SANTA CREEK tributary to ST MARIES 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 04/16/2009

Place Of Use: FIRE PROTECTION

T44N R01W S8 SESW

Place Of Use: DOMESTIC same as FIRE PROTECTION

Remark: Domestic use is for 1 RV site.

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 05/26/2009.

The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Legal #

Published May 6 & 13, 2009