

To appropriate the public water of the State of Idaho

8. **PLACE OF USE:** FIRE PROTECTION

Twp Rge Sec	NE				NW				SW				SE				
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
44N 01W 8												X					

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
44N 01W 8												X					

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

APPLICANT

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.


Applicant

Received by EM Date 4/16/09 Time 12:24 PM Preliminary check by _____
Publication prepared by _____ Date _____ Published in _____

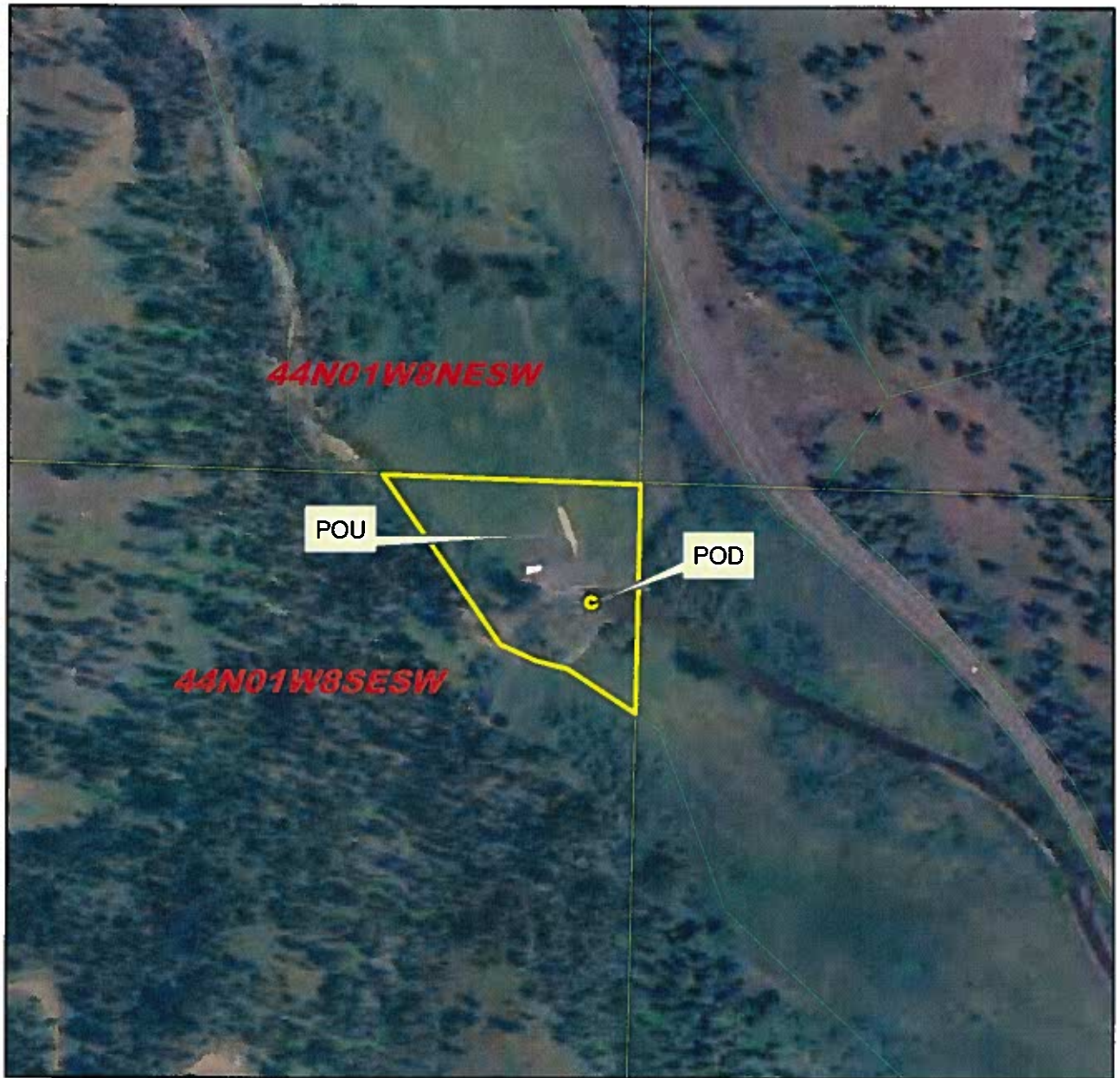
Publication approved _____ Date _____

Receipt No. N020332 and T087939

Date: 4/16/09

Received by: EM

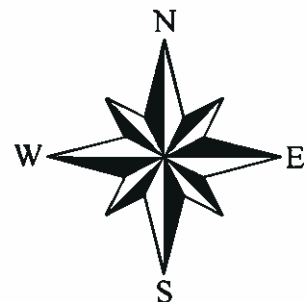
92-10048



0 150 300 600 900 1,200 Feet

Legend

- workingpod
- workingpou
- Taxlots
- QQ





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

March 23, 2009

COPY

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

NANCY FLAMAND
EUGENE FLAMAND
5002 INDUSTRIAL WAY #2
COEUR D ALENE ID 83815

Ch. # 4239
4/14/09
N 020332

RE: Coeur d'Alene-Spokane River Basin Adjudication
Withdrawal of Claims 91-7180 & 92-10039
Filing application for permit

RECEIVED

APR 16 2009

IDWR / NORTH

Dear Mr. and Ms. Flamand:

Per my conversation with Mr. Flamand on 3-31-09, I am enclosing several documents:

- Partially completed application for permit for St Joe River
- Partially completed application for permit for Santa Creek
- Fee Schedule for Permit Applications
- Partially completed claim withdrawal form

Look over the application for permits and complete the areas marked with yellow highlighter. Initial any changes you wish to make. Per our conversation, I have added stockwater to one of the applications. I did not know which application you wanted stockwater shown as a purpose of use, or if you wanted it on both applications. Simply cross out what you don't want to apply for, or add in something I am missing.

Unfortunately, the filing fee for permits is more than a claim fee. Each application for permit is a \$100 filing fee. So if you choose to file both applications for permit, you will need to submit an additional \$150. (\$200.00 - \$50.00 already paid = \$150.00)

If for whatever reason, you choose not to file the applications for permit and just want to withdraw your claims and get a refund, just alter the claim withdrawal form to reflect that decision. With that said, I do want to make sure you understand that any appropriation of surface water for use other than in stream stockwatering requires a water right.

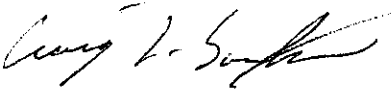
When ready, you can send both permits and the claim withdrawal form to the Northern Region Office of IDWR in Coeur d'Alene.

NORTHERN REGION
IDWR

7600 MINERAL DR., SUTIE 100
COEUR D ALENE ID 83815

I understand that this process can be foreign and frustrating if you are not familiar with it. I am more than happy to assist you through this process as much as I can. Please feel free to contact me if you have further questions.

Respectfully submitted,



Craig L. Saxton
Water Right Supervisor
Adjudication Bureau
craig.saxton@idwr.idaho.gov
208-287-4916

Enclosure(s):

REQUEST FOR WITHDRAWAL OF CLAIM

Name of Claimant: Eugene and/or Nancy Flamand

Mailing Address: 5002 Industrial Way #2

City: Coeur d'Alene State: Idaho Zip: 83815

RECEIVED

APR 16 2009

Claim #: 91-7180

Receipt #: T087935

Amount: \$25

Claim #: 92-10039

Receipt #: T087939

Amount: \$25

IDWR / NORTH

I wish to withdraw the Notice(s) of Claim to a Water Right which numbers(s) appear above and for which I previously paid a filing fee to the Idaho Department of Water Resources. I do ☒/do not ☐ request a refund of the filing fee. If a refund is requested I have included explanation of the justification for granting a refund below.

Explanation/Comment:

I would like to withdraw claims 91-7180 and 92-10039 and apply the filing fees paid for those claims to the enclose applications for permit.

Eugene Flamand
(Signature of Claimant)

Eugene Flamand
(Signature of Claimant)

4-14-09
(Date)

4-14-09
(Date)

Return to:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION BUREAU
PO BOX 83720
BOISE ID 83720-0098

For IDWR Use

	<u>Initials</u>	<u>Date</u>
Approval Region	_____	_____
Approval state office	_____	_____
Data Entry	_____	_____
Claim File	_____	_____



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 17, 2009

Eugene Flamand
5002 Industrial Way #2
Coeur d'Alene, ID 83815

Re: Applications For Permit to Appropriate the Public Waters of the State of Idaho
75540 and 75541

Dear Mr. Flamand:

The Department of Water Resources is in receipt of your two applications for permit, however, before processing can begin, a few corrections need to be made to both applications. The narratives suggest fire protection will be a use in addition to domestic, however, domestic was the only use applied for. I've included fire protection as a use on both applications with a corresponding diversion rate of 0.2 cfs.

To save time, I have attached two electronic versions of your applications that include the necessary corrections. Please review the documents and if they meet with your approval, sign and return them to me within the next 30 days, so as not to delay processing. If you have any questions, feel free to contact me at this office.

Sincerely,

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

COPY

Ball, Dianne

From: Ball, Dianne
Sent: Monday, April 27, 2009 4:16 PM
To: mterrabe@idfg.idaho.gov
Subject: Agency Comment Request Re: 92-10048 - FLAMAND
Attachments: 92-10048 Flamand.pdf; Agency Comment Request Ltr.doc

Good afternoon Mary,

This is the first of two WR Applications for FLAMAND. This one is in Benewah County. Second will come later - it is in Shoshone County.

Attached is our cover letter requesting your comments re WR Application 92-10048 - FLAMAND. Copy of application and map also attached.

Please respond to Keith before May 26, 2009 - last date for protests to be received in our office.

If you have any quesitons, please check with Keith.

Thanks, and have a great evening.

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

4/27/2009



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 27, 2009

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

Re: Water Permit Application No. 92-10048 FLAMAND

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 Record.

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



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

April 28, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

EUGENE FLAMAND
NANCY FLAMAND
5002 INDUSTRIAL WAY #2
COEUR D ALENE ID 83815

RE: Application for Permit No 92-10048

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

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*

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