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AUG 19 2008

FORM 202 10/07

75027 IDWR/North Ident. No. 97-7477

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

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AUG 05 2008

IDWR/North

1. Name of Applicant JAMES K. AKRE OR PATRICIA A. AKRE Phone 208-437-3635  
 Mailing address 3016 Hwy 2 PRIST RIVER, ID. 83856 Email \_\_\_\_\_
2. Source of water supply Pond Oreille River which is a tributary of Columbia River
3. Location of point of diversion is Township 28 Range 56 N Sec. 5 W in the NE 1/4, NW 1/4, NW 1/4, Govt. Lot 8, B.M., BOONER County;  
 additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 0.12 cfs for IRRIGATION purposes from 5/1 to 10/31 (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) 0.12 CFS 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 10 HP Cent. Pump  
3" Pipeline 150 FT IN LENGTH

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. \_\_\_\_\_
- 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 |                |
| 56N | 5W  | 28  |    |    |    |    |    | 4 <del>5</del> |    |    |    |    |    |    |    |    |    |    | 4 <del>5</del> |
|     |     |     |    |    |    |    |    |                |    |    |    |    |    |    |    |    |    |    |                |
|     |     |     |    |    |    |    |    |                |    |    |    |    |    |    |    |    |    |    |                |
|     |     |     |    |    |    |    |    |                |    |    |    |    |    |    |    |    |    |    |                |
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|     |     |     |    |    |    |    |    |                |    |    |    |    |    |    |    |    |    |    |                |

Total number of acres to be irrigated: 4~~5~~

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? JAMES K. AKRE OR PATRICIA A. AKRE  
 b. Who owns the land to be irrigated or place of use? JAMES K. AKRE OR PATRICIA A. AKRE  
 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.)

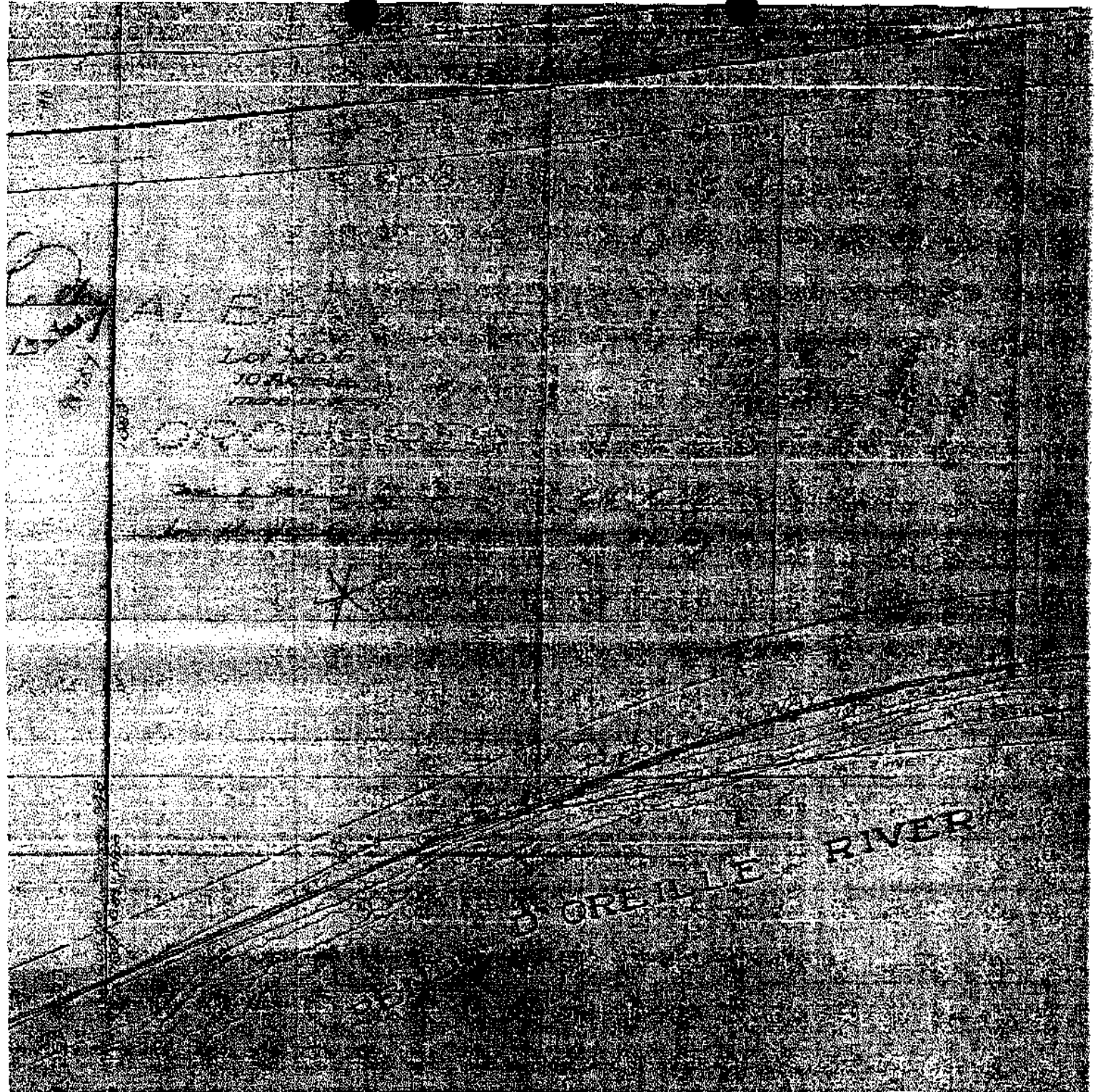
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Patricia A. Akre  
 Signature of Applicant

7-25-08 JAMES K. AKRE  
PATRICIA A. AKRE  
 Print Name (and title, if applicable)

**For Department Use:**

Received by [Signature] Date 8/5/08 Time 1:00 P Preliminary check by [Signature] Date 8/5/08  
 Fee \$ 100.00 Receipted by [Signature] Receipt No. N019464  
 Publication prepared by [Signature] Date 8/28/08 Published in Bear River Times 9/3+10/08  
 Publication approved [Signature] Date 10/9/08 Dates Published 9/3+10/08



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APR 18 2005  
HOWARD

20 21

29 28

333.5

435

T. 56 N. R. 5 W.

32.0

70

60

U.S. HWY. 90

Lot No. 6  
10 Acres  
more or less

ORCHARD

ಮೈಸೂರು, ೨ ಏಪ್ರಿಲ್ ೧೯೪೭

← Ruth F.

Reuben W. & Ella Akre  
569182.

Car. No. 1 Survey 248  
200-583/96

D. ORE

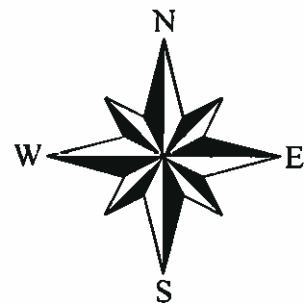
97-7477



0 155 310 620 930 1,240 Feet

### Legend

- QQ
- Taxlots
- workingpod
- workingpou



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AUG 19 2008

DWR/North





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](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

August 13, 2008

James K. Akre  
3016 HWY 2  
Priest River, ID 83856

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

Dear Mr. Akre:

The Idaho Department of Water Resources is returning your recently submitted application for corrections and/or additional information. The needed corrections and additions are as follows:

**Item #3 Point of Diversion**

The location of the point of diversion is in Government Lot 8 instead of Government Lot 6 as shown on the application. Please make the change and acknowledge by initialing.

**Item #4 Purpose of Use**

You are applying for the irrigation of 4 acres of land. The corresponding diversion would be 0.12 cfs instead of the 0.02 cfs as shown on the application. Also, time of use or the irrigation season for your area is between April 1 and October 31 instead of May 20 and September 15. Please make the appropriate changes.

**Item #7 Time for Completion of Work**

This was left blank on the application. An applicant gets to choose between 1 and 5 years by which to have everything ready for a final inspection. Please indicate how long it will take you to get your irrigation system installed and running.

**Map**

The map submitted didn't provide enough information to determine the exact location of your property. On the enclosed areal photograph, please outline the location of your property and point of diversion.

Once the department receives the corrected application and map, processing can continue so please resubmit within the next 30 days and if you have any questions, don't hesitate to contact me at this office.

Sincerely,

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

COPY

**Ball, Dianne**

**From:** Jim Hopkins [jhopkins@idl.idaho.gov]  
**Sent:** Friday, August 22, 2008 3:26 PM  
**To:** Ball, Dianne  
**Cc:** Jim Brady  
**Subject:** RE: Agency Comment Request Ltr.doc rE 97-7477 - AKRE

*E on computer  
8/22/08  
D*

Dianne,

I am working P/T for Jim Brady now and have this file.

We were unable to locate an application or permit for the water line for the address. I'll send him an application and letter explaining what he needs to do to get the permit from us and advise him to continue working with you for your end of the process.

If you need anything else, please contact me.

Jim Hopkins  
208-263-5104

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**From:** Jim Brady  
**Sent:** Friday, August 22, 2008 2:35 PM  
**To:** Jim Hopkins  
**Subject:** FW: Agency Comment Request Ltr.doc rE 97-7477 - AKRE

Jim Brady

---

**From:** Ball, Dianne [mailto:Dianne.Ball@idwr.idaho.gov]  
**Sent:** Friday, August 22, 2008 1:55 PM  
**To:** Jim Brady  
**Subject:** Agency Comment Request Ltr.doc rE 97-7477 - AKRE

Good afternoon once again, Jim,

Attached is another cover letter requesting comments by September 22, 2008 this one for WR App 97-7477 for Akre. A copy of the application is also attached.

Thanks and if work real hard I may have two or three more of these to send to you today.

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

*Dianne*

IDWR

8/22/2008

**Ball, Dianne**

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**From:** Ball, Dianne  
**Sent:** Friday, August 22, 2008 2:00 PM  
**To:** mterrabe@idfg.idaho.gov  
**Subject:** Agency Comment Request Ltr.doc  
**Attachments:** 97-7477-Akre.pdf; Agency Comment Request Ltr.doc

Good afternoon once more, Mary

Attached is another of our letters requesting comments from you for a WR Application 97-7477 - AKRE. A copy of the applicaton is also attached.

Once more, comments please by September 22, 2008.

You will be fortunate to receive two or three more of these if I can get them done and ready for advertising before I leave work today!! [Do I see you doing the "dance of joy"?]

Have yourself a great weekend.

*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

8/22/2008



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](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR  
Director

August 22, 2008

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

Re: Water Permit Application No. 97-7477 - AKRE

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 September 4 and 11, 2008

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **September 22, 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](mailto: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:** Friday, August 22, 2008 1:55 PM  
**To:** jbrady@idl.idaho.gov  
**Subject:** Agency Comment Request Ltr.doc rE 97-7477 - AKRE  
**Attachments:** 97-7477-Akre.pdf; Agency Comment Request Ltr.doc

Good afternoon once again, Jim,

Attached is another cover letter requesting comments by September 22, 2008 this one for WR App 97-7477 for Akre. A copy of the application is also attached.

Thanks and if work real hard I may have two or three more of these to send to you today.

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

*Dianne*

IDWR

8/22/2008



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](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR  
Director

August 22, 2008

JIM BRADY, SR. RESOURCE SPECIALIST  
IDAHO DEPARTMENT OF LANDS  
PEND OREILLE SUPERVISORY AREA  
2550 HWY 2 W  
SANDPOINT ID 83864-7307

Re: Water Permit Application No. 97-7477 - AKRE

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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](mailto: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  
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C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

August 27, 2008

JAMES K AKRE  
PATRICIA A AKRE  
3016 HWY 2  
PRIEST RIVER ID 83856

RE: Application for Permit No 97-7477

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 Priest River Times on September 3 and 10, 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:** Wednesday, August 27, 2008 3:32 PM  
**To:** Legal Notices-Priest River Times - Shannon Foote  
**Subject:** Legal notice for publication September 3 and 10, 2008  
**Attachments:** CoverLetter 08-27-08 PRT e-mail 97-7477.doc; LegalNotice 08-27-08 PRT e-mail 97-7477.doc

Good afternoon, Shannon,

Attached is our cover letter requesting publication of a legal notice on September 3 and 10. The legal notice is also attached.

Please send a proof/preview copy before this goes to press, and if you have any questions, or problems, please call me at 208-762-2800.

Thanks for ALL YOUR SUPER HELP!! You are a blessing.

*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

8/27/2008



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](http://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](mailto:dianne.ball@idwr.idaho.gov)  
Thanks, Dianne*

August 27, 2008

**SHANNON FOOTE**  
**LEGAL NOTICE DEPARTMENT**  
PRIEST RIVER TIMES  
PO BOX 10  
PRIEST RIVER ID 83856

RE: Application for Permit No. 97-7477 - Akre

**Dear Shannon:**

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, September 3 and 10, 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 09/22/2008. Your cooperation is always appreciated.

Shannon, it is 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:

97-7477

JAMES K AKRE

PATRICIA A AKRE

3016 HWY 2

PRIEST RIVER ID 83856

Point of Diversion NWNW S28 T56N R05W BONNER County

Source PEND OREILLE RIVER tributary to COLUMBIA RIVER

Use: IRRIGATION 04/01 To 10/31 0.12 CFS

Total Diversion: 0.12 CFS

Date Filed: 08/05/2008

Place Of Use: IRRIGATION

T56N R05W S28 NWNW

Number of Acres 4

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, 600 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 9/22/2008. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director