

75036

Ident. No. 95-9517

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED
AUG 22 2008

IDWR/North

1. Name of Applicant Randy Hardaway Phone 277 0745
Mailing address 15930 N Three Forks Rd Hauselk Id 83854 Email _____
2. Source of water supply Spring which is a tributary of Sinks
3. Location of point of diversion is Township 62 N Range 5 W Sec. 31 in the NW 1/4, SE 1/4, NE 1/4, Govt. Lot —, B.M., Kootenai County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 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) 0.04 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 4' x 8' Culvert Buried in
ground 14" line
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. 1 home
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	
52N	5W	31			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? Randy Hardaway
- b. Who owns the land to be irrigated or place of use? Randy Hardaway
- 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.

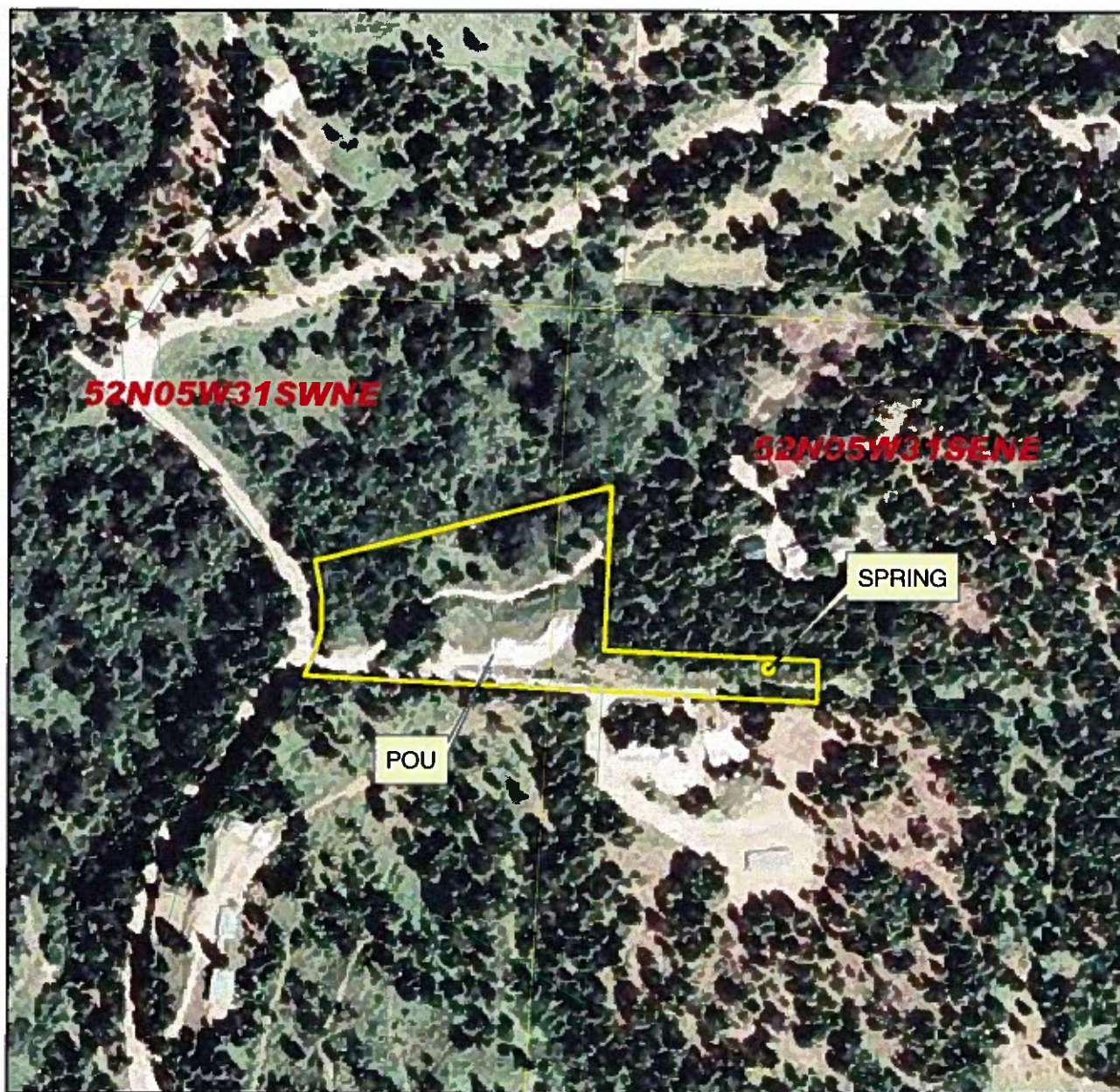
Randy Hardaway
Signature of Applicant

Randy Hardaway
Print Name (and title, if applicable)

For Department Use:

Received by [Signature] Date 8/22/08 Time 2:20 p Preliminary check by _____
 Fee \$ 100.00 Received by [Signature] Receipt No. N919504 Date 8/22/08
 Publication prepared by [Signature] Date 9/11/08 Published in Chapman 9/18 + 25/08
 Publication approved [Signature] Date 10/1/08 Dates Published Chapman 9/18 + 25/08

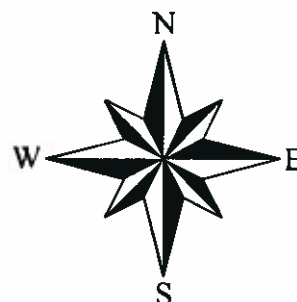
95-9517

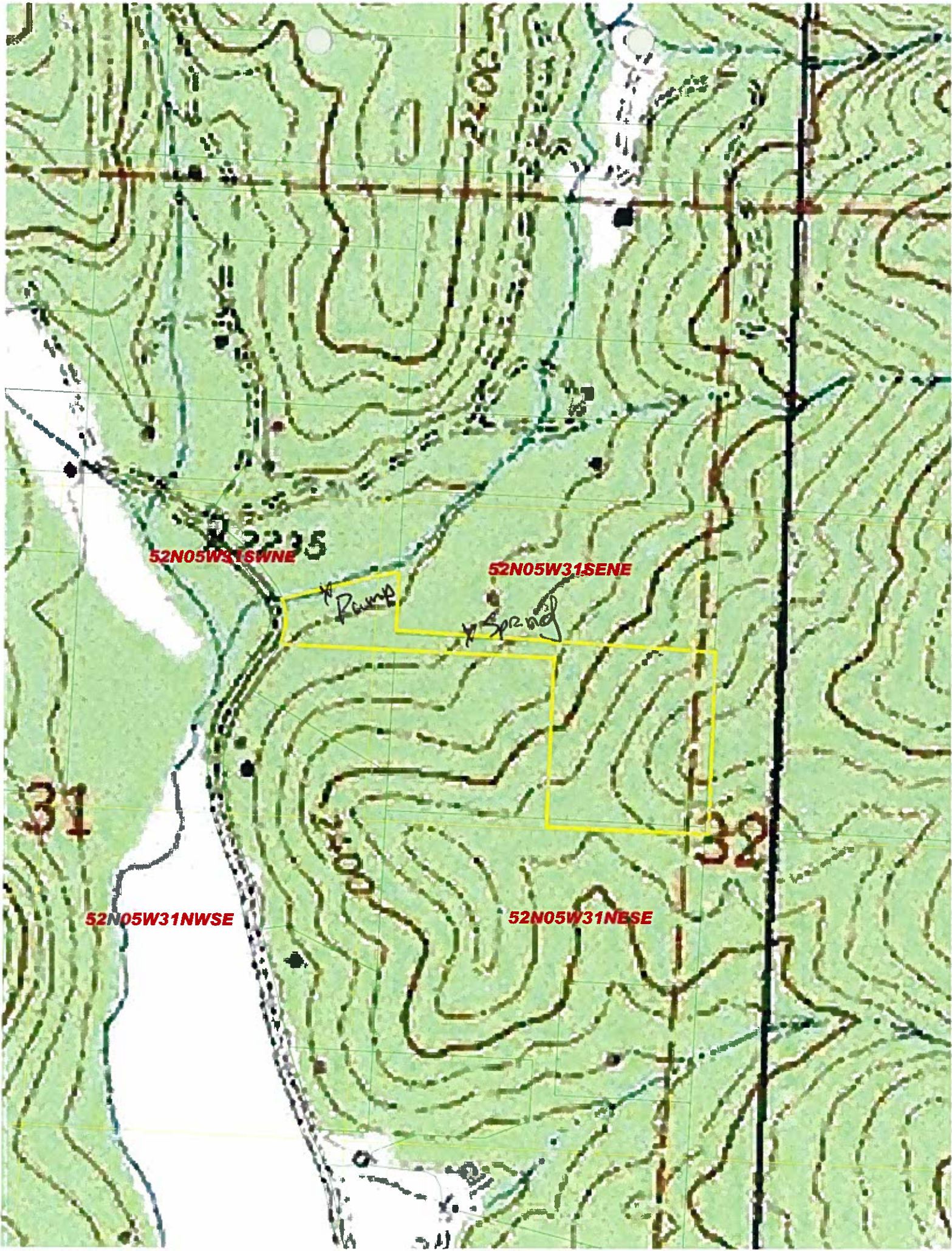


0 110 220 440 660 880 Feet

Legend

-  QQ
-  Taxlots
-  workingpod
-  workingpou







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

September 4, 2008

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

Re: Water Permit Application No. 95-9517 and 95-9518 Hardaway

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 18 and 25, 2008.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **October 6, 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

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, September 04, 2008 4:07 PM
To: mterrabe@idfg.idaho.gov
Subject: Agency Comment Request RE 95-9517 AND 95-9518 - HARDAWAY
Attachments: 95-9517 HARDAWAY 3.pdf; 95-9518 HARDAWAY.pdf; Agency Comment Request Ltr.doc

Hello again, Mary,

We are seeking your comments regarding Water Right Application 95-9517 and 95-9518 for Hardaway. Our request letter is attached. Also attached is a copy of each of the applications.

Thanks for your comments - by October 6, 2008.

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

9/4/2008



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

September 10, 2008

KERRY TUCKER & GLENDA JEFFERSON

Legal Notice Department

COEUR D ALENE PRESS

201 N 2ND

COEUR D ALENE ID 83814

RE: Application for Permit No. 95-9513, 15, 17,18, 19, 25

Dear Kerry and Glenda:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated , September 18 and 25, 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 10/06/2008. Your cooperation is appreciated.

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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

September 11, 2008

RANDY HARDAWAY
15930 N THREE FORKS RD
HAUSER LAKE ID 83854

RE: Application for Permit No 95-9517 and 95-9518

Dear Applicant(s):

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

A legal notice for the applications has been prepared and is scheduled for publication in the Coeur d Alene Press on September 18 and 25, 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, September 11, 2008 10:33 AM
To: Legal Notices-CdA Press; Legal Notices-CdA Press Glenda Jefferson
Subject: LONG Legal notice for publication 9/18 and 25, 2008
Attachments: CoverLetter 09-10-08 CDA e-mail 95-9513,15,17,18,19,25.doc; LegalNotice 09-11-08 CDA e-mail 95-9513,15,17,18,19,25.doc

Good morning Kerry & Glenda,

Attached is our cover letter requesting publication of a legal notice on September 18 and 25, 2008. The Legal Notice is also attached.

If you have ANY questions, please call me at 762-2800 or reply to this e-mail.

As usual, we request **a proof/preview copy** for review before this goes to press.

Thanks and have a marvelous day.

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

9/11/2008

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

95-9513

CLINT CARPENTER
DEBRA CARPENTER
4644 S STATELINE RD
POST FALLS ID 83854

Points of Diversion NESW S25 T50N R06W KOOTENAI County
Source CABLE CREEK tributary To SPOKANE RIVER

Use: WILDLIFE STORAGE	01/01 To 12/31	0.2 AFA
Use: RECREATION STORAGE	01/01 To 12/31	0.2 AFA
Use: FIRE PROTECTION STORAGE	01/01 To 12/31	0.2 AFA
Use: AESTHETIC STORAGE	01/01 To 12/31	0.2 AFA

Total Diversion: 0.2 AFA

Date Filed: 08/08/2008

Place Of Use: AESTHETIC STORAGE

T50N R06W S25 NESW

Place Of Use: All other uses same as Aesthetic Storage

Remark: Recreation use is for swimming.

95-9515

ANTHONY MORSS
JEANNE MORSS
25233 S WELLER
WORLEY ID 83876

Point of Diversion NESE S13 T48N R06W KOOTENAI County

Source UNNAMED STREAM tributary To LAKE CREEK

Points of Diversion(2) NESE S13 T48N R06W KOOTENAI County
Source GROUND WATER

Use: IRRIGATION	03/15 To 11/15	0.15 CFS
Use: IRRIGATION STORAGE	01/01 To 12/31...	105.6 AFA
Use: IRRIGATION FROM STORAGE	03/15 To 11/15...	90 AFA
Use: WILDLIFE STORAGE	01/01 To 12/31...	15.6 AFA
Use: DIVERSION TO STORAGE	01/01 To 12/31	0.04 CFS

Total Diversion: 0.15 CFS

Date Filed: 08/08/2008

Place Of Use: IRRIGATION

T48N R06W S13 NESE NWSE

Number of Acres 30

Place Of Use: All other uses same as IRRIGATION

95-9517

RANDY HARDAWAY
15930 N THREE FORKS RD
HAUSER LAKE ID 83854

Point(s) of Diversion NWSENE S31 T52N R05W KOOTENAI CO

Source SPRING tributary To SINKS

Use: DOMESTIC	01/01 To 12/31	0.04 CFS
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Total Diversion: 0.04 CFS

Date Filed: 08/22/2008

Place Of Use: DOMESTIC

T52N R05W S31 SWNE

Remark: Domestic use is for 1 home.

95-9518

RANDY HARDAWAY
15930 N THREE FORKS RD
HAUSER LAKE ID 83854

Point of Diversion SWNE S31 T52N R05W KOOTENAI County

Source THREE FORKS CREEK tributary To HAUSER LAKE

Use: IRRIGATION	03/15 To 11/15	0.04 CFS
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Total Diversion: 0.04 CFS

Date Filed: 08/22/2008

Place Of Use: IRRIGATION

T52N R05W S31 SWNE SENE

Number of Acres 0.5

95-9519

SUSAN-MARIE SMITH
PO BOX 4
RATHDRUM ID 83858-0004

Points of Diversion NWSESE S25 T52N R05W KOOTENAI County

Source SPRING BRANCH CRK tributary To RATHDRUM CRK

Use: IRRIGATION	03/15 To 11/15	0.05 CFS
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: 08/27/2008

Place Of Use: DOMESTIC

T52N R05W S25 SESE

Place Of Use: All other uses are same as DOMESTIC

Remark: Domestic use is for 1 home.

Number of acres 1.5

95-9525

CONNIE (PONSNESS) MONTANYE

16894 S LOFFS BAY RD

COEUR D ALENE ID 83814

Point of Diversion L3(NESW) S26 T49N R04W KOOTENAI CO

Source COEUR D ALENE LAKE tributary To SPOKANE RIVER

Use: IRRIGATION 03/15 To 11/15 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 09/03/2008

Place Of Use: IRRIGATION

T49N R04W S26 NESW Lot 3

Number of Acres 1

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 10/06/2008.

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

DAVID R. TUTHILL, JR., Director Published 9/18 & 25/2008