

74918

Ident. No. 95-9504

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

JUL 09 2008

IDWR/North

1. Name of Applicant (see below) Phone (310) 379-8804
Mailing address 1237 NINTH ST., MANHATTAN BEACH, CA 90266
2. Source of water supply Coeur d'Alene Lake which is a tributary of Spokane River
3. Location of point of diversion is Township 49N Range 4W Sec. 13 in the SW $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot 2, B.M., Kootenai County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 104 cfs for domestic purposes from 1/1 to 12/31 (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) 104 cfs and/or (b) _____
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 1 1/2 HP Pump
with 1 1/4" Poly line for approx 25 gal per minute
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 including irrigation
e. Other; describe fully. _____

The 2002 Velarde Family Revocable Trust
date June 12, 2002
and
The Hilton Family Trust

3. 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	
49N	4W	13			D														

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. none

11. a. Who owns the property at the point of diversion? X applicant
- b. Who owns the land to be irrigated or place of use? X applicant
- 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.

Mark A. Ul, Trustee
 Signature of Applicant (and title, if applicable)

X Hugh Hilton, Trustee

Received by [Signature] Date 7/9/08 Time 1:10 PM Preliminary check by [Signature] Date 7/9/08
 Fee \$ 100.00 Received by [Signature] # N014395
 Publication prepared by [Signature] Date 8/1/08 Published in CDA Press 8/7-14/08
 Publication approved [Signature] Date 8/21/08

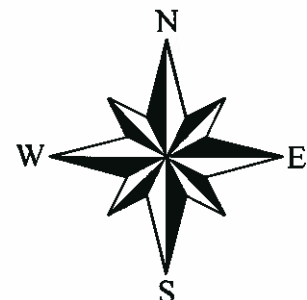
95-9504



0 70 140 280 420 560 Feet

Legend

- QQ
- workingpod
- workingpou
- Taxlots



Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, July 16, 2008 12:12 PM
To: mterrabe@idfg.idaho.gov
Subject: Agency Comment Request

Attachments: Agency Comment Request - WR protest ref_ Letterhead-no address.doc; Velarde-Hilton trusts.pdf

Good afternoon, Mary,

Attached is our cover letter requesting your comments on WR 95-9504 Velarde and Hilton Family Trusts. Copy of application is also attached.



Agency Comment
Request - WR pr...



Velarde-Hilton
trusts.pdf (81 ...

Dianne

Dianne Ball

Administrative Assistant

Idaho Dept of Water Resources

7600 Mineral Drive Suite 100

Coeur d'Alene, ID 83815

Phone (208)762-2800 FAX (208)762-2819



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

July 16, 2008

MARY TERRA-BERNS
IDAHO DEPARTMENT OF FISH AND GAME
2885 W KATHLEEN AVE.

Re: Water Permit Application No. 95-9504

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 August 7 and 14, 2008.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **August 25, 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 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

July 16, 2008

CARL WASHBURN
IDAHO DEPARTMENT OF LANDSMICA SUPERVISORY AREA
NAVIGABLE WATER DIVISION
3706 INDUSTRIAL AVE S
COEUR D ALENE ID 83815

Re: Water Permit Application No. 95-9504

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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 August 7 and 14, 2008.

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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: Wednesday, July 16, 2008 12:16 PM
To: cwashburn@idl.idaho.gov
Subject: Agency Comment Request

Attachments: Agency Comment Request - WR protest ref_ Letterhead-no address.doc; Velarde-Hilton trusts.pdf

Good afternoon, Carl,

Attached is our request for your comments on WR 95-9504 - Velarde & Hilton Family Trusts. Copy of application is also attached.



Agency Comment
Request - WR pr...



Velarde-Hilton
trusts.pdf (81 ...

Thanks for your response.

Dianne

*Dianne Ball
Administrative Assistant
Idaho Dept of Water Resources
7600 Mineral Drive Suite 100
Coeur d'Alene, ID 83815
Phone (208)762-2800 FAX (208)762-2819*



State of Idaho

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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

August 01, 2008

2002 VELARDE FAMILY REVOCABLE TRUST
HILTON FAMILY TRUST
1237 NINTH ST
MANHATTAN BEACH CA 90266

RE: Application for Permit No 95-9504

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 Coeur d'Alene Press on August 7 & 14, 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: Friday, August 01, 2008 12:13 PM
To: Legal Notices-CdA Press; Legal Notices-CdA Press Glenda Jefferson
Subject: Legal notice to publish August 7 and 14, 2008
Attachments: CoverLetter 08-01-08 CDA e-mail 95-9405,9504,05,06,07.doc; LegalNotice 08-01-08 CDA e-mail 95-9495, 95-9504,05,06,07.doc

Good afternoon, ladies,

Attached is our cover letter requesting publication of a legal notice on August 7 and 14, 2008. The legal notice is also attached.

If you are unable to publish on those dates, please contact me immediately.

Thanks for your help,

Dianne Ball
IDWR Northern Region
7600 N Mineral Drive Suite 100
Coeur d'Alene, ID 83815
208-769-2800 FAX 208-769-2819

8/1/2008



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*

August 01, 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. 95-9495, 95-9504, 95-9505, 95-9506, 95-9507

Dear Kerry and Glenda:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, **August 7 and 14, 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 08/25/2008. Your cooperation is greatly appreciated.

Thanks for your help.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

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

95-9495

STACY DAHLMAN

HEATHER DAHLMAN

2411 W KIDD ISLAND RD

COEUR D'ALENE ID 83814

Point of Diversion L1 (NENE) S2 T49N R04W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION 03/15 To 11/15 0.06 CFS

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

Total Diversion: 0.06 CFS

Date Filed: 06/03/2008

Place Of Use DOMESTIC ~ T49N R04W S2 NENE Lot 1

Place Of Use: IRRIGATION same as DOMESTIC

Number of Acres 2

Remark: Domestic use is for 1 home.

95-9504

2002 VELARDE FAMILY REVOCABLE TRUST

HILTON FAMILY TRUST

1237 NINTH ST

MANHATTAN BEACH CA 90266

Point of Diversion L2 (SWNE) S13 T49N R04W KOOTENAI CO

Source COEUR D'ALENE LAKE tributary to SPOKANE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 07/09/2008

Place Of Use: DOMESTIC T49N R04W S13 SWNE Lot 2

Remark: Domestic use is for 1 home.

95-9505

SHIRLEY MCFADDAN

25739 N GOOD HOPE RD

ATHOL ID 83801

Point of Diversion SESE S30 T53N R02W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 04/01 To 10/31 0.2 CFS

Use: STOCKWATER 01/01 To 12/31 0.02 CFS

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

Total Diversion: 0.2 CFS

Date Filed: 07/15/2008

Place Of Use DOMESTIC ~ T53N R02W S30 SESE

Place Of Use: ~ IRRIGATION & STOCKWATER

Same as DOMESTIC

Number of Acres 10

Remark: Domestic use is for 1 home.

Stockwater use is for 10 head of range cattle.

95-9506

WAYNE HAMMOND

PO BOX 921/ 15823 N ONEIDA ST

RATHRUM ID 83858

Point of Diversion NENE S36 T52N R05W KOOTENAI CO

Source SPRING CREEK tributary to RATHRUM CREEK

Use: WILDLIFE STORAGE 01/01 To 12/31 1 AFA

Total Diversion: 1 AFA

Date Filed: 07/21/2008

Place Of Use: WILDLIFE STORAGE T52N R05W S36 NENE

95-9507

HAUSER RIDGE ESTATES UPPER WATER ASSN INC

15290 N MOBBS RD

HAUSER ID 83854

Point of Diversion L3 (NENENE) S1 T51N R06W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION 03/15 To 11/15 0.08 CFS

Use: DOMESTIC 01/01 To 12/31 0.11 CFS

Total Diversion: 0.19 CFS

Date Filed: 07/25/2008

Place Of Use: DOMESTIC T51N R06W S1 NENW Lot 3 SENW

Place Of Use: IRRIGATION same as DOMESTIC

Number of Acres 2.5

Remark: Domestic use is for 5 homes

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 08/25/2008. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director - Published 8/7 & 14, 2008