

75004
STATE OF IDAHO

Ident. No. 95-9512

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED
AUG 11 2008

IDWR/North

1. Name of Applicant John V. Van Gemert (VAN Gemert LLC) Phone 5094484400
Mailing address 3302 E. 7th AVE. Spokane WA 99223 Email Dutch John 7@Hotl.com
2. Source of water supply Hayden Lake which is a tributary of _____
3. Location of point of diversion is Township S1N Range 3W Sec. 22, in the _____ 1/4, NE 1/4, NE 1/4, Govt. Lot 1, B.M., Kootenai County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | | | | |
|--|---------------------|--|------------------------|
| Amount <u>.04</u>
(cfs or acre-feet per year) | for <u>domestic</u> | purposes from <u>1-1</u> to <u>12-31</u> | (both dates inclusive) |
| Amount _____
(cfs or acre-feet per year) | for _____ | purposes from _____ to _____ | (both dates inclusive) |
| Amount _____
(cfs or acre-feet per year) | for _____ | purposes from _____ to _____ | (both dates inclusive) |
| Amount _____
(cfs or acre-feet per year) | for _____ | purposes from _____ to _____ | (both dates inclusive) |
| Amount _____
(cfs or acre-feet per year) | for _____ | purposes from _____ to _____ | (both dates inclusive) |
| Amount _____
(cfs or acre-feet per year) | for _____ | purposes from _____ to _____ | (both dates inclusive) |
5. Total quantity to be appropriated is (a) .04 cubic feet per second and/or (b) _____ acre feet per year
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source _____
Pumping lake
- 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 2 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. one home including irrigation
- 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	
51N	3W	22	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? No

11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? 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. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Domestic use-

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.

John Van Gernert
Signature of Applicant

John V. Van Gernert manager
Print Name (and title, if applicable)

For Department Use:

Received by [Signature] Date 8/11/08 Time 9:30a Preliminary check by _____ Date 8/11/08
 Fee \$ 100.00 Receipted by do Receipt No. N 019478
 Publication prepared by do Date 8/14/08 Published in CSA Regs 8/21+28/08
 Publication approved do Date 9/2/08 Dates Published 8/21+28/08

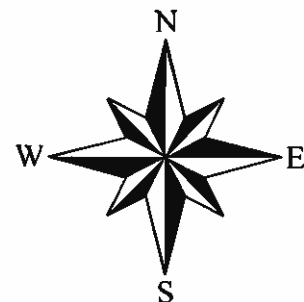
95-9512



0 155 310 620 930 1,240 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

August 14, 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. 95-9512 Van Gemert LLC

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.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **September 8, 2008**. 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.

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 is scheduled for publication on August 21 and 28, 2008.

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, August 14, 2008 11:19 AM
To: cwashburn@idl.idaho.gov
Subject: Request for comments - 95-9512 - Van Gemert LLC
Attachments: 95-9512 VAN GEMERT LLC.pdf; Agency Comment Letter on Letterhead for e-mails- WR.doc

Good day again, Carl,

Attached is our letter requesting comments by September 8, 2008. Copy of application with map also attached.

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

8/14/2008



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

August 14, 2008

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

Re: Water Permit Application No. 95-9512 Van Gemert LLC

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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, August 14, 2008 11:27 AM
To: mterrabe@idfg.idaho.gov
Subject: Comment request re WR 95-9512 Van Gemert LLC
Attachments: 95-9512 VAN GEMERT LLC.pdf; Agency Comment Letter on Letterhead for e-mails- WR.doc

Good day again, Mary

Attached is our letter requesting comments on WR Application 95-9512 VanGemert LLC.
Copy of the application with map is also attached.

Thanks for your comments. If you have any questions, please call Keith in our office.

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

8/14/2008



State of Idaho

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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 14, 2008

VAN GEMERT LLC
3302 E. 71ST AVE
SPOKANE ID 99223

RE: Application for Permit No 95-9512

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 21 & 28, 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



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 14, 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. 95-9512 AND 95-9514

Dear KERRY & GLENDA:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, August 21 and 28, 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 09/08/2008. Your cooperation is greatly appreciated.

Thanks for all your good help.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, August 14, 2008 1:34 PM
To: Legal Notices-CdA Press; Legal Notices-CdA Press Glenda Jefferson
Subject: Legal notice for publication on August 21 and 28, 2008
Attachments: CoverLetter 08-14-08 CDA e-mail 95-9512,14.doc; LegalNotice 08-14-08 CDA e-mail 95-9512,14.doc

Good afternoon, ladies,

Attached is our cover letter requesting publication of a legal notice on August 21 & 28, 2008. The legal notice is also attached.

Again, we request a proof/preview copy before this goes to press, for our review.

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

Thanks for your good work.

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

8/14/2008

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

95-9512

VAN GEMERT LLC
3302 E. 71ST AVE
SPOKANE ID 99223

Point of Diversion L1(NENE) S22 T51N R03W KOOTENAI Co
Source HAYDEN LAKE ~ tributary to SINKS

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

Date Filed: 08/11/2008

Place Of Use: DOMESTIC ~ T51N R03W S22 NENE Lot 1

Remark: Domestic use is for 1 home.

95-9514

ROCKY WATSON
MARY WATSON
11618 ROCKFORD BAY RD
COEUR D ALENE ID 83814

Point of Diversion: SWNW S22 T50N R04W KOOTENAI CO
Source COEUR D ALENE LK tributary to SPOKANE RVR

Use: IRRIGATION 03/15 To 11/15 0.05 CFS
Use: FIRE PROTECTION 01/01 To 12/31 0.07 CFS
Total Diversion: 0.07 CFS

Date Filed: 08/11/2008

Place Of Use: IRRIGATION

T50N R04W S22 SWNW

Place Of Use: FIRE PROTECTION same as IRRIGATION

Number of Acres: 1.5

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 09/08/2008. The protestant must also send a copy of the protest to the applicant.
DAVID R. TUTHILL, JR., Director Published 8/21 & 28, 2008