

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 95-09401

Priority: August 17, 2007

Maximum Diversion Volume: 16.0 AF

This is to certify, that JAMES M MCNAMARA
18299 NORTH CRYSTAL SPRINGS LN
RATHDRUM ID 83858

has applied for a permit to appropriate water from:

Source: UNNAMED STREAM **Tributary:** SOUTH FORK SPRING BRANCH CREEK

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
FIRE PROTECTION STORAGE	01/01 to 12/31	16.0 AF
RECREATION STORAGE	01/01 to 12/31	16.0 AF
WILDLIFE STORAGE	01/01 to 12/31	16.0 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM SE¼NE¼ Sec. 26, Twp 52N, Rge 05W, B.M. KOOTENAI County

PLACE OF USE: FIRE PROTECTION, RECREATION, AND WILDLIFE STORAGE

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	05W	26				X													

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 1, 2012**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
4. The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
6. Wildlife and recreation storage uses are for a pond.
7. Water shall not be diverted from the storage pond for fire protection use under this right except to fight or repel an existing fire.

Page 2

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 95-09401

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 1st day of November, 2007.

Samuel S. Skaggs
for DAVID R. TUTHILL, JR., Director

74022

Ident. No. 95-9401

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

RECEIVED

AUG 17 2007

IDWR/North

1. Name of Applicant JAMES M. McNAMARA Phone 208 687-5438
Mailing address 18299 NORTH CRYSTAL SPRINGS LANE, RATHDRUM, IDAHO 83858
2. Source of water supply unnamed creek which is a tributary of SOUTH FORK OF COYOTE CREEK Spring Branch Creek
3. Location of point of diversion is Township 52N Range 5W Sec. 26, in the SE $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot —, B.M., Kootenai County;
additional points of diversion if any:
4. Water will be used for the following purposes:
Amount 16 for WILDLIFE STORAGE purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 16 for FIRE CONTROL STORAGE purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 16 for RECREATION STORAGE purposes from JAN 1 to DEC 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)
5. Total quantity to be appropriated is (a) — and/or (b) 16
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 IN STREAM POND, NO DIVERSION
 - b. Height of storage dam 19 ± feet; active reservoir capacity — acre-feet; total reservoir capacity 16 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? NO
 - 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 5 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. FIRE PROTECTION, WILDLIFE ENHANCEMENT, RECREATIONAL USE
swimming
Fishing

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	26				F													
						W													
						R													

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? JAMES M. & JODY L. MCNAMARA

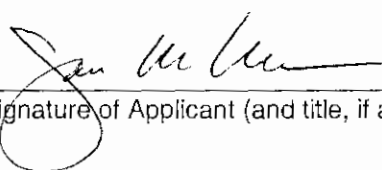
b. Who owns the land to be irrigated or place of use? applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. 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.

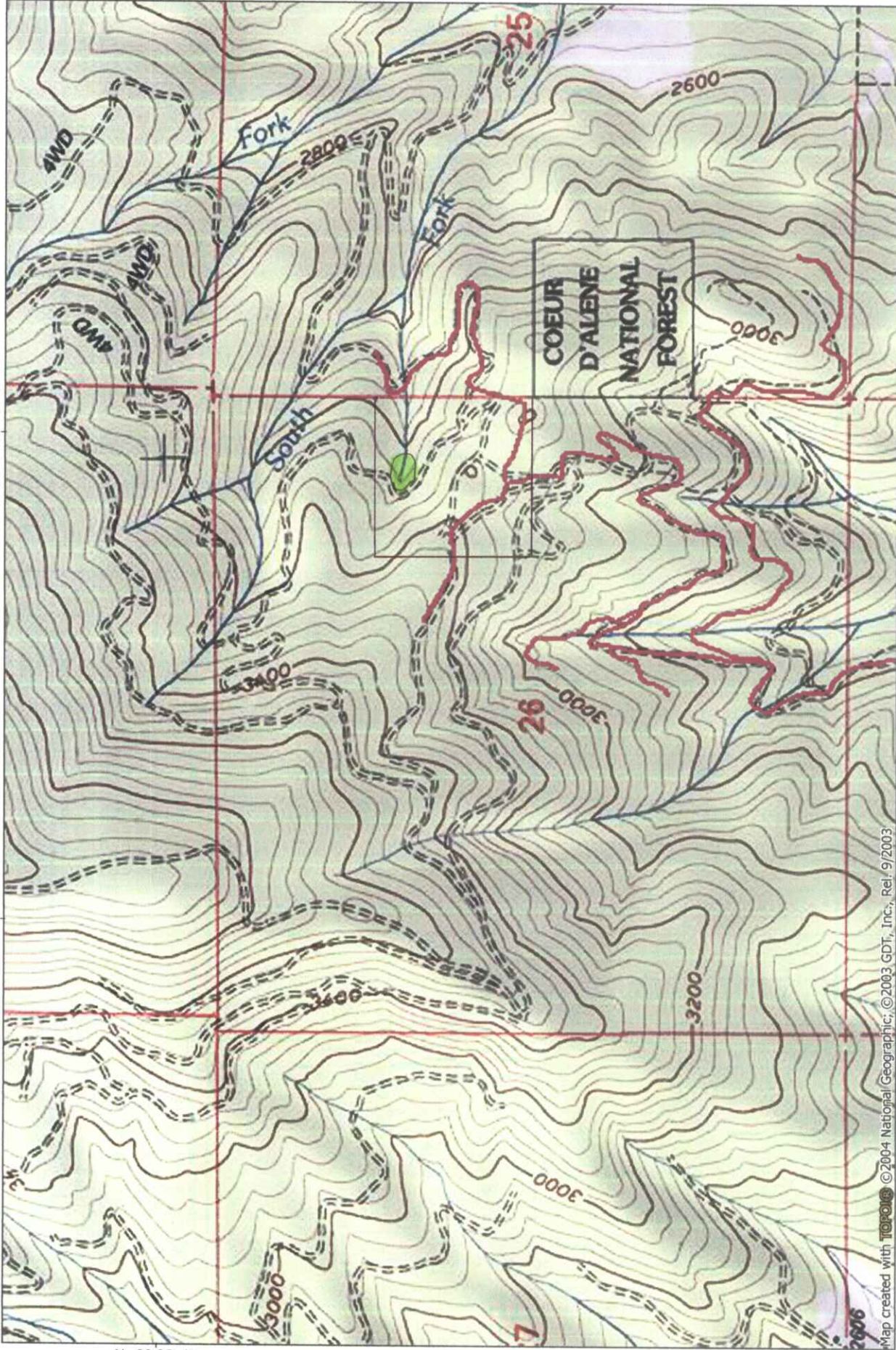

Signature of Applicant (and title, if applicable)

Received by KF Date 8-17-07 Time 9:07am Preliminary check by _____
 Fee \$ 100.00 Received by cm # 1018644 Date 8-17-07
 Publication prepared by  Date 8/31/07 Published in eda Press 9/6 & 13/07
 Publication approved  Date 9/14/07

TOPO! map printed on 08/13/07 from "Untitled2.tpo"

WGS84 116°55'00" W

116°56'00" W



Map created with **TOPO!** ©2004 National Geographic, ©2003 GDT, Inc., Rel. 9/2003

116°56'00" W

WGS84 116°55'00" W



— POND SITE

JAMES M. MINAMARA

TN* MN
16 1/2°
08/13/07

95-9401



- Kootenai taxlots
- GCDB52N05W GCDB
- Recommendation POU
- Pou.shp
- Pod.shp
- Administrative BasinsAdminbas.shp



**NOW
STARTING
RIGHT
SIDE OF
FILE**



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

November 2, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

JAMES M MCNAMARA
18299 NORTH CRYSTAL SPRINGS LN
RATHDRUM ID 83858

RE: Permit No. 95-9401

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

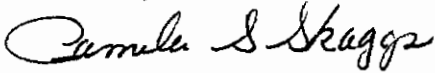
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4947.

Sincerely,



for Shelley W. Keen, Manager
Water Right Permits Section

Enclosure(s)

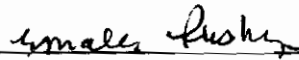
CERTIFICATE OF SERVICE

I hereby certify that on November 2, 2007 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person listed below:

RE: WATER RIGHT NO.

95-9401

**JAMES M MCNAMARA
18299 NORTH CRYSTAL SPRINGS LN
RATHDRUM ID 83858**

A handwritten signature in cursive script, appearing to read "Emalee Rushing", is written over a horizontal line.

**Emalee Rushing
Office Services Supervisor**

Statement of Available Procedures and Applicable Time Limits

RESPONDING TO PRELIMINARY ORDERS ISSUED BY THE IDAHO DEPARTMENT OF WATER RESOURCES (To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: November 01, 2007
To: Water Right File 95-9401
From: cpadilla
Re: Permit Review

WD-none

No protests or overlaps

F&G had some concerns about fish in the in-stream pond and originally recommended against the pond. F&G site visit revealed the stream does not support fish and they do not have an objection to the in-stream pond.

Recommend for approval.

Franklin, Keith

From: Terra-Berns, Mary [mterrabe@idfg.idaho.gov]
Sent: Friday, September 28, 2007 10:17 AM
To: Franklin, Keith
Subject: 95-9401 McNamara

Hi Keith,

Concerning application 95-9401; I, along with one of our fish biologists (Mark Liter), reviewed this site with the property owner and have determined that the stream where the proposed pond is to be constructed, does not support fish (low/intermittent summer flow, downstream barrier).

Mary Terra-Berns
Environmental Staff Biologist
Idaho Department of Fish & Game
2885 W. Kathleen Ave.
Coeur d'Alene, ID 83814
208-769-1414 208-769-1418 fax
mterrabe@idfg.idaho.gov



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 24, 2007

James M. McNamara
18299 North Crystal Springs Ln.
Rathdrum, Idaho 83858

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho,
95-9401.

Dear Mr. McNamara:

The Department of Water Resources has received a letter of concern, from the Idaho Department of Fish and Game (IDFG) over the construction of an in stream pond in connection with your water right application. I have enclosed a copy for your convenience. The IDFG apparently does not object to the issuance of a water right from the unnamed stream, however, they are recommending the water right does not allow for an in-stream pond.

The Department of Water Resources suggests you contact Mr. Chip Corsi, at his office in Coeur d' Alene to address his concern. The Department of Water Resources will hold the application in abeyance for the next 30 days. Please keep the Department informed as to the progress of your discussion with IDFG.

If you have any questions, feel free to contact me at this office.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent

Enclosure

*FEIG concern addressed
by letter E-MAIL from
MAY 2007, dated 9/23/07.*

COPY



RECEIVED
SEP 25 2007
IDWR/North

IDAHO DEPARTMENT OF FISH AND GAME

PANHANDLE REGION
2885 West Kathleen Avenue
Coeur d'Alene, Idaho 83815

C.L. "Butch" Otter/Governor
Cal Groen/Director

September 21, 2007

*in
Computer
9/25/07*

Mr. Keith Franklin
Idaho Department of Water Resources
Northern Region
1910 Northwest Blvd, S 210
Coeur d'Alene, ID 83814

Dear Keith:

REFERENCE: MCNAMARA; 95-9401

We have reviewed the above-named application by James McNamara to create a pond located on an unnamed tributary of South Fork Spring Branch Creek. The application did not describe how the pond will be created. The pond will be used for recreation (swimming and fishing), fire control, and wildlife storage.

According to Section 36 (706), Idaho Code, no person shall establish and maintain a pond on premises owned or leased by him and obtain, possess, propagate and process for his own personal pleasure and use any fish approved by the Commission, unless he has first obtained a permit from the Director of the Idaho Department of Fish and Game. One of the stipulations that must be met before a permit may be issued by the Director is that the pond is not constructed in or across a natural stream bed containing wild fish, except when it has been determined by the Commission that the water flow and volume of wildlife concerned in such proposed private pond are not a significant part of the wildlife resource of the State.

Requirements to obtain a permit include the following.

- Pond construction may not be in or across any natural streambed, lake, or other watercourse containing wild fish, except when determined by the Commission that the water flow and volume of wildlife concerned in the proposed pond are not a significant part of the wildlife resource of the state.
- The pond must be located entirely on private property owned or leased by the applicant.
- Any dam constructed to divert water into the pond must meet all requirements in Section 36-906(a), Idaho Code.
- All inlets to the pond must be screened at the point of diversion as provided in Section 36-906(b), Idaho Code, to prevent the entrance of wild fish into the pond.

RECEIVED
SEP 25 2007
IDWR/North

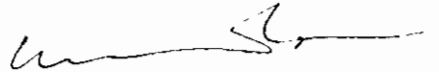
- The permit application is made using the form provided by the Department, which provides information required by the Director.
- The pond shall be posted in three (3) separate conspicuous places and all entrance roads.

In addition, unless the fish to be stocked are delivered by a commercial hatchery (required for trout), the applicant must acquire a fish transport permit to bring fish to the pond. Both permits are available from Idaho Department of Fish and Game. Before any fish are stocked into the pond, it must be inspected by the IDFG to ensure it is properly screened to prevent fish from escaping downstream into areas occupied by native fish.

We do not object to permitting the water right; however, we recommend that the permit does not allow for the in-stream pond.

Thank you for the opportunity to comment.

Sincerely,



Charles E. "Chip" Corsi
Regional Supervisor

CEC:MTB

C: Tracey Trent, IDFG Boise;
COE CdA

**IDAHO DEPARTMENT OF FISH AND GAME**

PANHANDLE REGION
2885 West Kathleen Avenue
Coeur d'Alene, Idaho 83815

C.L. "Butch" Otter/Governor
Cal Groen/Director

September 21, 2007

Mr. Keith Franklin
Idaho Department of Water Resources
Northern Region
1910 Northwest Blvd, S 210
Coeur d'Alene, ID 83814

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Keeping Idaho's Wildlife Heritage

Mr. Keith Franklin – Page 2
September 21, 2007

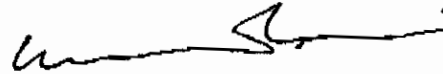
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Thank you for the opportunity to comment.

Sincerely,



Charles E. "Chip" Corsi
Regional Supervisor

CEC:MTB

C: Tracey Trent, IDFG Boise;
COE CdA

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

RECEIVED

SEP 14 2007

IDWR/North being first duly sworn

Billie Kulase
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

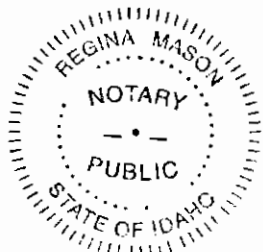
3. The legal notice

of which the annexed is a printed copy, was published in the regular issue of said newspaper for 1 consecutive weeks commencing on the 6 day of September 2007, and ending on the 13 day of September 2007, and such publication was made as often during said period as said newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice Billie Kulase. On this 13 day of September in the year of 2007, before me, a Notary Public, personally appeared Billie Kulase, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Regina Mason
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MY COMMISSION EXPIRES 6/18/09



LEGAL NOTICE

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

95-9398
STACEY STONE
2644 S BIG ROCK ROAD
POST FALLS ID 83854
Point(s) of Diversion NWSE S10 T50N R05W KOOTENAI County
Source SPRING - Tributary To SINKS
Use: STOCKWATER STORAGE 01/01 To 12/31 2 AFA
Use: WILDLIFE STORAGE 01/01 To 12/31 2 AFA
Use: DIVERSION TO STORAGE 01/01 To 12/31 0.02 CFS
Total Diversion: 0.02 CFS

Date Filed: 08/02/2007
Place Of Use: STOCKWATER STORAGE & WILDLIFE STORAGE
T50N R05W S10 NWSE
Remark: Stockwater storage is for 5 horses

95-9399
KIRK HUGHES DEVELOPMENT LLC
315 W DALTON
COEUR D'ALENE ID 83815
Point(s) of Diversion SWNE S6 T48N R03W KOOTENAI County
Source GROUND WATER
Use: IRRIGATION 04/01 To 10/15 0.04 CFS
Use: DOMESTIC 01/01 To 12/31 0.10 CFS
Total Diversion: 0.14 CFS

Date Filed: 07/13/2007
Place Of Use: DOMESTIC & IRRIGATION
T48N R03W S6 NWNE Lot 2 SWNE NENW Lot 3 SENW
Number of Acres: 5.15
Remark: Domestic use is for 24 homes.

95-9400
WADE HAUGEN
JULIE HAUGEN
PO BOX 3264
HAYDEN LAKE ID 83835
Point(s) of Diversion L4 (SWNW) S3 T51N R03W KOOTENAI County
Source HAYDEN LAKE - Tributary To SINKS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 08/14/2007
Place Of Use: DOMESTIC T51N R03W S3 SWNW Lot 4
Remark: Domestic use is for 1 home

95-9401
JAMES M MCNAMARA
18299 NORTH CRYSTAL SPRINGS LN
RATHDRUM ID 83858
Point(s) of Diversion SENE S26 T52N R05W KOOTENAI County
Source UNNAMED STREAM
Tributary To S FORK SPRING BRANCH CREEK
Use: WILDLIFE STORAGE 01/01 To 12/31 16 AFA
Use: RECREATION STORAGE 01/01 To 12/31 16 AFA
Use: FIRE PROTECTION STORAGE 01/01 To 12/31 16 AFA
Total Diversion: 16 AFA

Date Filed: 08/17/2007
Place Of Use: FIRE PROTECTION STORAGE, RECREATION STORAGE AND WILDLIFE STORAGE T52N R05W S26 SENE
Remark: Recreational use is for swimming and fishing

95-9402
JPR ENTERPRISES LLC
10588 E WOLF LODGE BAY RD
COEUR D'ALENE ID 83814
Point(s) of Diversion SWSE S6 T49N R02W KOOTENAI County
Source COEUR D'ALENE LAKE - Tributary To SPOKANE RIVER
Use: IRRIGATION 03/15 To 11/15 0.15 CFS
Total Diversion: 0.15 CFS

Date Filed: 06/06/2007
Place Of Use: IRRIGATION T49N R02W S6 SWSE
Number of Acres: 5

95-9403
ROBERT A TURNER
530 EL MIRADOR DR
FULLERTON CA 92835
Point(s) of Diversion L4 (NENE) S8 T50N R04W KOOTENAI County
Source SPOKANE RIVER - Tributary To COLUMBIA RIVER
Use: IRRIGATION 03/15 To 11/15 0.06 CFS
Total Diversion: 0.06 CFS

Date Filed: 08/17/2007
Place Of Use: IRRIGATION T50N R04W S8 NENE Lot 4
Number of Acres: 2

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 09/24/2007. The protestant must also send a copy of the protest to the applicant.

Legal 913

September 6, 2007

DAVID E TUTHILL, JR., Director

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

95-9398

STACEY STONE

2644 S BIG ROCK ROAD

POST FALLS ID 83854

Point(s) of Diversion NWSE S10 T50N R05W KOOTENAI County

Source SPRING - Tributary To SINKS

Use: STOCKWATER STORAGE 01/01 To 12/31 2 AFA

Use: WILDLIFE STORAGE 01/01 To 12/31 2 AFA

Use: DIVERSION TO STORAGE 01/01 To 12/31 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 08/02/2007

Place Of Use: STOCKWATER STORAGE & WILDLIFE STORAGE

T50N R05W S10 NWSE

Remark: Stockwater storage is for 5 horses

95-9399

KIRK HUGHES DEVELOPMENT LLC

315 W DALTON

COEUR D'ALENE ID 83815

Point(s) of Diversion SWNE S6 T48N R03W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 04/01 To 10/15 0.04 CFS

Use: DOMESTIC 01/01 To 12/31 0.10 CFS

Total Diversion: 0.14 CFS

Date Filed: 07/13/2007

Place Of Use: DOMESTIC & IRRIGATION

T48N R03W S6 NWNE Lot 2 SWNE NENW Lot 3 SENW

Number of Acres 5.15

Remark: Domestic use is for 24 homes.

95-9400

WADE HAUGEN

JULIE HAUGEN

PO BOX 3264

HAYDEN LAKE ID 83835

Point(s) of Diversion L4 (SWNW) S3 T51N R03W KOOTENAI County

Source HAYDEN LAKE - Tributary To SINKS

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

Total Diversion: 0.04 CFS

Date Filed: 08/14/2007

Place Of Use: DOMESTIC T51N R03W S3 SWNW Lot 4

Remark: Domestic use is for 1 home.

95-9401

JAMES M MCNAMARA

18299 NORTH CRYSTAL SPRINGS LN

RATHDRUM ID 83858

Point(s) of Diversion SENE S26 T52N R05W KOOTENAI County

Source UNNAMED STREAM

Tributary To S FORK SPRING BRANCH CREEK

Use: WILDLIFE STORAGE 01/01 To 12/31 16 AFA

Use: RECREATION STORAGE 01/01 To 12/31 16 AFA

Use: FIRE PROTECTION STORAGE 01/01 To 12/31 16 AFA

Total Diversion: 16 AFA

Date Filed: 08/17/2007

Place Of Use: FIRE PROTECTION STORAGE, RECREATION

STORAGE AND WILDLIFE STORAGE T52N R05W S26 SENE

Remark: Recreational use is for swimming and fishing.

95-9402

JPR ENTERPRISES LLC

10588 E WOLFLODGE BAY RD

COEUR D'ALENE ID 83814

Point(s) of Diversion SWSE S6 T49N R02W KOOTENAI County

Source COEUR D'ALENE LAKE - Tributary To SPOKANE RIVER

Use: IRRIGATION 03/15 To 11/15 0.15 CFS

Total Diversion: 0.15 CFS

Date Filed: 08/06/2007

Place Of Use: IRRIGATION T49N R02W S6 SWSE

Number of Acres 5

CONTINUED ON NEXT PAGE

95-9403

ROBERT A TURNER

530 EL MIRADOR DR

FULLERTON CA 92835

Point(s) of Diversion L4 (NENE) S8 T50N R04W KOOTENAI County

Source SPOKANE RIVER - Tributary To COLUMBIA RIVER

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

Total Diversion: 0.06 CFS

Date Filed: 08/17/2007

Place Of Use: IRRIGATION T50N R04W S8 NENE Lot 4

Number of Acres 2

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 09/24/2007. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director - Published September 6 & 13, 2007



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 copy to me before this goes to press
Fax (208) 762-2819
Thanks, Dianne*

August 31, 2007

DEE DUQUETTE & GLENDA JEFFERSON
LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

RE: Application for Permit No. 95-9398, 95-9399, 95-9400, 95-9401, 95-9402 and 95-9403

Dear Dee and Glenda:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates Indicated, September 6 & 13, 2007, (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 09/24/2007. Your cooperation is truly greatly appreciated.

Thank you for all your help – especially on this one, because it is such a huge, long legal notice.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Friday, August 31, 2007 11:45 AM
To: Legal Notices-CdA Press3 Dee Duquette (E-mail); Legal Notices-CdA Press2 Glenda Jefferson (E-mail); Legal Notices-CdA Press (E-mail)
Subject: LARGE Legal Notice for publication September 6 and 13, 2007

Good morning, Dee and Glenda,

Attached is our cover letter requesting publication of a legal notice on September 6 and 13, 2007. The legal notice is also attached.

Please note that this legal is a very large / long one, and I will greatly appreciate receiving the proof for review on this before it goes to press.

I trust that basically you will be able to just copy and paste with minor adjustments.

Thanks for all your good help, and I hope you'll have a wonderful weekend.

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*



CoverLetter
8-31-07 CDA e-mai.



LegalNotice
8-31-07 CDA e-mai.



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

August 31, 2007

JAMES M MCNAMARA
18299 NORTH CRYSTAL SPRINGS LN
RATHDRUM ID 83858

RE: Application for Permit No 95-9401

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 September 6 and 13, 2007. 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,

A handwritten signature in black ink, appearing to read 'Keith E. Franklin', is written over the typed name.

Keith E. Franklin
Senior Water Resource Agent



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

August 20, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

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

FAXED TO MARY
5 pages total

Re: Water Permit Application No. 95-9401

Dear Mary:

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 21, 2007**. 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, or to me, Dianne.Ball@idwr.idaho.gov.

Please contact this office if you have any questions regarding the application.

Sincerely,

Dianne Ball
Administrative Assistant