

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 92-10029

Priority: August 2, 2007

Maximum Diversion Rate: 0.08 CFS

This is to certify, that RANDY PHILLIPS
913 SANTA CREEK RD
ST MARIES ID 83861

And/Or

RUBY PHILLIPS
913 SANTA CREEK RD
ST MARIES ID 83861

has applied for a permit to appropriate water from:

Source: SOUTH FORK SANTA CREEK **Tributary:** SANTA CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.02 CFS
IRRIGATION	04/01 to 10/31	0.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

SOUTH FORK SANTA CREEK NW¼SW¼SW¼ Sec. 36, Twp 44N, Rge 03W, B.M. BENEWAH County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
44N 03W 36											X						

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
44N 03W 36											2.0						2.0

Total Acres: 2

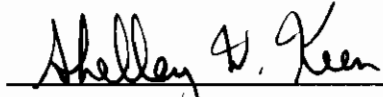
CONDITIONS OF APPROVAL

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.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 92-10029

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. Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 24th day of October, 2007.


for DAVID R. TUTHILL, JR., Director

74015

Ident. No. 92-10029

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

RECEIVED
AUG 02 2007
IDWR/North

1. Name of Applicant RANDY & RUBY PHILLIPS Phone 208-245-4210
Mailing address 913 SANTA CR. RD. SE. MARIGES, IDAHO 83861
2. Source of water supply S. FR. SANTA CREEK which is a tributary of SANTA CREEK
3. Location of point of diversion is Township 44N Range 3W Sec. 36, in the NW $\frac{1}{4}$,
SW $\frac{1}{4}$, SW $\frac{1}{4}$, RP Govt. Lot 44N 03W 36 6100 T, B.M., BENEWAH County;
additional points of diversion if any:
4. Water will be used for the following purposes: RP
Amount 4.02 for DOMESTIC & IRRIGATION purposes from JAN. 1 to DEC. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.06 for IRRIGATION purposes from Apr. 1 to Oct. 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)
5. Total quantity to be appropriated is (a) ~~4.08~~ 0.08 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 2" SUCTION HOSE w/ 1/16" ARIA STRAINER
WITH 1 HP ELECTRIC PUMP To 1" POLY PIPE.
b. Height of storage dam N/A feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
c. Proposed well diameter is N/A 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. RP
7. Time required for completion of works and application of water to proposed beneficial use is 54 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, In House Only
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	
44N	3W	36											~~D~~ 2AC	~~D~~ 2AC					2AC

Total number of acres to be irrigated 2AC

10. Describe any other water rights used for the same purposes as described above. N/A

11. a. Who owns the property at the point of diversion? APPLICANT
- b. Who owns the land to be irrigated or place of use? SAME
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A

12. Remarks: WE WOULD LIKE TO ^{USE} THE WATER FOR OUR HOME (JUST DO NOT INTEND TO DRINK) WE BUY BOTTLED WATER TO ADD GARDIA & ECOH. ALL OTHER USES I ASSUME TO BE CLASSIFIED AS DOMESTIC. WE WOULD LIKE TO IRRIGATE 2 ACRES, HOWEVER WE DO NOT INTEND TO DEVELOP FRUIT TREES & BERRIES FOR FURTHER IRRIGATION UNTIL DEVELOPED.

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 Phillips
Signature of Applicant (and title, if applicable)

Received by [Signature] Date 8/2/07 Time 11:20a Preliminary check by [Signature]
 Fee \$ 100.00 Receipted by [Signature] # NO18590 Date 8/2/07
 Publication prepared by [Signature] Date 8/22/07 Published in St. Marias Gazette 9/5+12/07
 Publication approved [Signature] Date 9/17/07

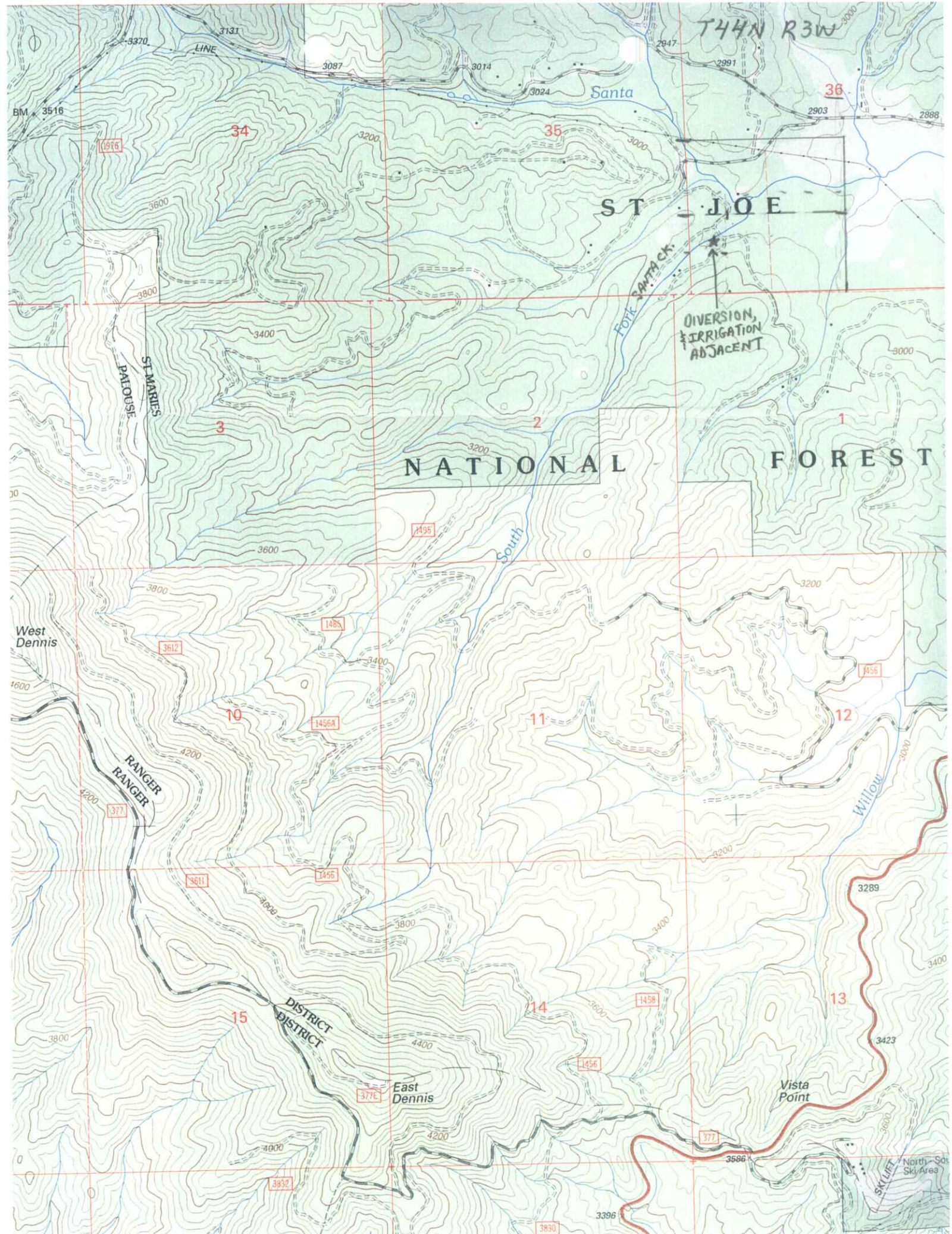
92-10029

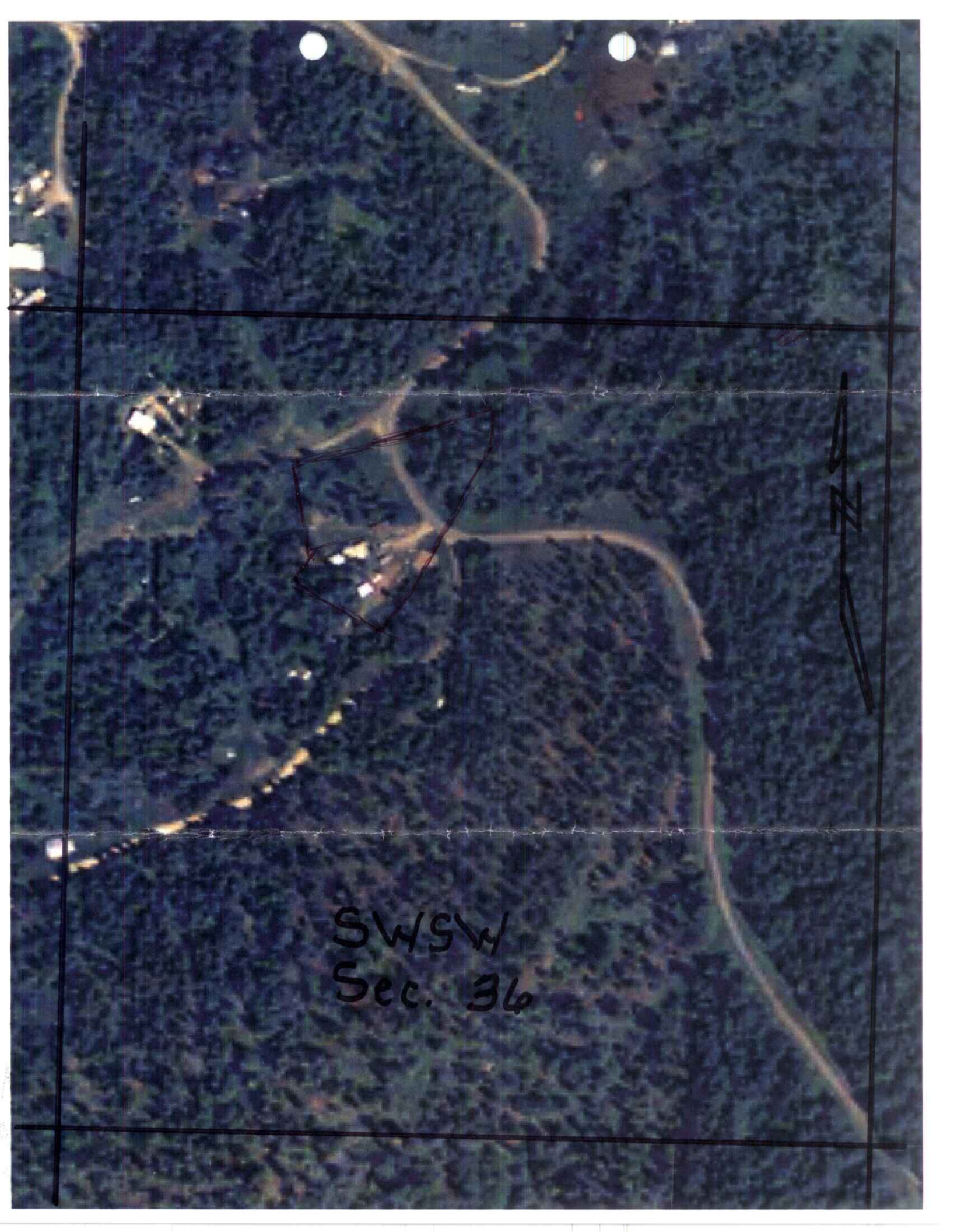


0.05 0 0.05 0.1 Miles

- GCDB44N03W GCDB
- Pou.shp
- Pod.shp







An aerial photograph of a forested area. A road or path runs diagonally from the bottom right towards the center. A rectangular area in the upper left is outlined in red. The text 'SWSW Sec. 36' is written in the bottom right. A north arrow is on the right side. Two white circular marks are at the top.

SWSW
Sec. 36

**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

October 26, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

RANDY PHILLIPS
RUBY PHILLIPS
913 SANTA CREEK RD
ST MARIES ID 83861

RE: Permit No. 92-10029

Permit Approval Notice

Dear Permit Holder(s):

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.

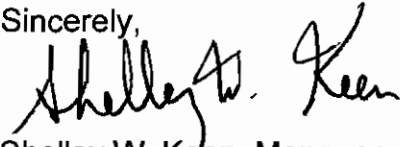
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being more prominent.

Shelley W. Keen, Manager
Water Right Permits Section

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on October 26, 2007 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

92-10029

**RANDY PHILLIPS
913 SANTA CREEK RD
ST MARIES ID 83861**

**RUBY PHILLIPS
913 SANTA CREEK RD
ST MARIES ID 83861**

A handwritten signature in cursive script, reading "Darla Block", is written over a horizontal line.

**Darla Block
Technical Records Specialist**

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: October 24, 2007
To: Water Right File 92-10029
From: cpadilla
Re: Permit Review

NO WD, overlaps or protests
Irrigation is for 2 acres and domestic is for 1 home
Recommend for approval as suggested by the region.

RECEIVED

SEP 17 2007

IDWR/North

Affidavit of Publication

STATE OF IDAHO

County of Benewah, ss.

Cynthia Ann Hammes, being first duly sworn on oath, deposes and says that she is vice president of The Corporation, owner of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah County, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of notice of advertisement herein.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of two issues, the first publication being on the 5th day of Sept, 2007 and the last on the 12th day of Sept, 2007.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

Dated this 12 day of Sept, 2007

Cynthia Ann Hammes

STATE OF IDAHO)

COUNTY OF BENEWAH)

On this 12 day of Sept, in the year of 2007 before me, a Notary Public, personally appeared Cynthia Ann Hammes, known or identified to me to be the person whose name subscribed to within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Daniel A. Hammes

Notary Public for Idaho

Residing at St. Maries, Idaho

My commission expires:

07-13-2013

Application notice

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

91-7165

RON PUGH

DARLA PUGH

PO BOX 2

ST MARIES ID 83861

Point(s) of Diversion NESW S6 T46N R02W BENEWAH Co.

Source GROUND WATER

Use: IRRIGATION 03/15 To 10/31 0.06 CFS

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

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

Use: FIRE PROTECTION 01/01 To 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 08/07/2007

Place Of Use: DOMESTIC, IRRIGATION, STOCKWATER and

FIRE PROTECTION

T46N R02W S6 NESW

Number of Acres 2

Remark: Domestic use is for 1 home.

Stockwater use is for 10 head of mixed stock.

91-7166

RAYMOND GLEASON

DARLENE GLEASON

CHARLES DARNOLD

DONNA DARNOLD

BRENDA OLSTAD

330 S 23RD

ST MARIES ID 83861

Point(s) of Diversion L2 (NWSW) S15 T46N R01W BENEWAH Co.

Source ST JOE RIVER - Tributary To COEUR D'ALENE LAKE

Use: IRRIGATION 03/15 To 10/31 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 08/20/2007

Place Of Use: IRRIGATION

T46N R01W S15 NWSW Lot 2

Number of Acres 0.5

91-7167

RODNEY THORMAHLEN

SCOTTIE THORMAHLEN

PO BOX 492

ST MARIES ID 83861

Point(s) of Diversion L11 (SENE) S16 T46N R01W BENEWAH Co.

Source ST JOE RIVER - Tributary To COEUR D'ALENE LAKE

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

Total Diversion: 0.04 CFS

Date Filed: 08/21/2007

Place Of Use: DOMESTIC

T46N R01W S15 SWNW

T46N R01W S16 SENE Lot 11

Remark: Domestic use is for 1 home,

92-10029

RANDY PHILLIPS

RUBY PHILLIPS

913 SANTA CREEK RD

ST MARIES ID 83861

Point(s) of Diversion NWSWSW S36 T44N R03W BENEWAH Co.

Source SOUTH FORK SANTA CREEK - Tributary To SANTA CREEK

Use: IRRIGATION 04/01 To 10/31 0.06 CFS

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

Total Diversion: 0.08 CFS

Date Filed: 08/02/2007

Place Of Use: DOMESTIC and IRRIGATION

T44N R03W S36 SWSW

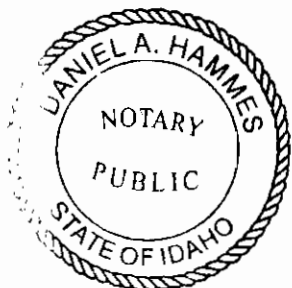
Number of Acres 2

Remark: Domestic use is for 1 home.

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 Sept. 5 & 12, 2007
6838 Sept. 5-Sept. 12



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

91-7165

RON PUGH
DARLA PUGH
PO BOX 2

ST MARIES ID 83861

Point(s) of Diversion NESW S6 T46N R02W BENEWAH County

Source GROUND WATER

Use: IRRIGATION	03/15 To 10/31	0.06 CFS
Use: STOCKWATER	01/01 To 12/31	0.02 CFS
Use: DOMESTIC	01/01 To 12/31	0.02 CFS
Use: FIRE PROTECTION	01/01 To 12/31	0.2 CFS
Total Diversion:		0.2 CFS

Date Filed: 08/07/2007

Place Of Use: DOMESTIC, IRRIGATION, STOCKWATER and FIRE PROTECTION

T46N R02W S6 NESW

Number of Acres 2

Remark: Domestic use is for 1 home.

Stockwater use is for 10 head of mixed stock.

91-7166

RAYMOND GLEASON
DARLENE GLEASON
CHARLES DARNOLD
DONNA DARNOLD
BRENDA OLSTAD

330 S 23RD

ST MARIES ID 83861

Point(s) of Diversion L2 (NWSW) S15 T46N R01W BENEWAH County

Source ST JOE RIVER - Tributary To COEUR D ALENE LAKE

Use: IRRIGATION	03/15 To 10/31	0.02 CFS
Total Diversion:		0.02 CFS

Date Filed: 08/20/2007

Place Of Use: IRRIGATION

T46N R01W S15 NWSW Lot 2

Number of Acres 0.5

91-7167

RODNEY THORMAHLEN
SCOTTIE THORMAHLEN
PO BOX 492

ST MARIES ID 83861

Point(s) of Diversion L11 (SENE) S16 T46N R01W BENEWAH County

Source ST JOE RIVER - Tributary To COEUR D ALENE LAKE

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

Date Filed: 08/21/2007

Place Of Use: DOMESTIC

T46N R01W S15 SWNW

T46N R01W S16 SENE Lot 11

Remark: Domestic use is for 1 home,

92-10029

RANDY PHILLIPS
RUBY PHILLIPS
913 SANTA CREEK RD
ST MARIES ID 83861

Point(s) of Diversion NWSWSW S36 T44N R03W BENEWAH County

Source SOUTH FORK SANTA CREEK - Tributary To SANTA CREEK

Use: IRRIGATION	04/01 To 10/31	0.06 CFS
Use: DOMESTIC	01/01 To 12/31	0.02 CFS
Total Diversion:		0.08 CFS

Date Filed: 08/02/2007

Place Of Use: DOMESTIC and IRRIGATION

T44N R03W S36 SWSW

Number of Acres 2

Remark: Domestic use is for 1 home.

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 Sept. 5 & 12, 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 a proof copy to me before this goes to press, to 762-2819
Thanks, Dianne

August 29, 2007

KAISIE BREDE
LEGAL NOTICE DEPARTMENT
ST MARIES GAZETTE RECORD
610 MAIN AVE
ST MARIES ID 83861-1838

RE: Application for Permit No. 91-7165, 91-7166, 91-7167 and 92-10029

Dear Kaisie:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, September 5 and 12, 2007, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

This notice is rather long, compared to many we send. I trust that a copy and paste will be very helpful for you on this one.

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 very much for all your good help.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, August 29, 2007 2:36 PM
To: Legal Notices-SMGazette (E-mail)
Subject: Legal notice for publication Sept. 5 and 12, 2007

Good afternoon, Kaisie,

Attached is our cover letter requesting publication of a legal notice, also attached.

This is a long one and I sure hope you can use the "copy and paste" method. I would hate to think you had to retype this.

If you have ANY questions, please call me at 208-762-2800

- AND ALSO -

Please fax or e-mail me a proof copy before it goes to press. Fax number is 208-762-2819. Either fax or e-mail is fine.

Thanks and have a super rest of the day.

Happiness held is the seed...happiness shared is the flower.

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
8-29-07 SM 91-716.



LegalNotice
8-29-07 SM e-mail..



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 29, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

RANDY PHILLIPS
RUBY PHILLIPS
913 SANTA CREEK RD
ST MARIES ID 83861

RE: Application for Permit No 92-10029

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 St Maries Gazette on September 5 & 12, 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'. The signature is fluid and cursive, with a large, stylized 'K' at the beginning.

Keith E. Franklin
Senior Water Resource Agent

Enclosure(s) – Receipt No. N018590



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. 92-10029

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



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 3, 2007

Randy Phillips
913 Santa Creek Rd
St. Maries, Idaho 83861

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

Dear Mr. Phillips:

The Idaho Department of Water Resources (IDWR) is returning your application for corrections, additional information and clarification.

Item #4 Water Use and Purpose

The application indicates "domestic & irrigation" but "non-potable". You are also applying for the irrigation of 2 acres of land. If the water is not going to be used for in-house domestic use, you only need to apply for an irrigation right for the 2 acres. If this is correct, please make and initial the necessary changes on the application. Also, the period of use in your area for irrigation is between 4/1 and 10/31. Please make the necessary changes on the application for the period of use.

Item #9 Place of Use

The application indicates the 2 acres is located in the NWSW and the USGS map submitted shows the land located within the SWSW. If the SWSW is correct, please make and initial the necessary corrections on the application. I have also attached an aerial photograph of the SWSW of Section 36. Please outline the location of the 2 acres to be irrigated and return when the application is re-submitted.

Please return the corrected application and the requested additional information within the next 30 days so processing of your application can continue. If you have any questions, feel free to contact me at this office.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent

Enclosure.

COPY