

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 91-07158

Priority: August 08, 2006

Maximum Diversion Rate: 0.04 CFS

This is to certify, that DAN MCKINNEY And/Or
DENISE MCKINNEY
PO BOX 396
CALDER ID 83808

has applied for a permit to appropriate water from:

Source: BEAR CREEK**Tributary:** ST JOE RIVER

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>
AESTHETIC	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.02 CFS
COOLING	06/05 to 11/05	0.02 CFS

LOCATION OF POINT OF DIVERSION:

BEAR CREEK SW¼ NE¼ Sec. 3, Twp 45N, Rge 02E, B.M. SHOSHONE County

PLACE OF USE: AESTHETIC, DOMESTIC, COOLING

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
45N	02E	3			X														

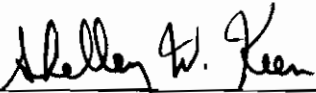
CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **May 01, 2009**.
2. Subject to all prior water rights.
3. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
4. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.
5. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
6. Cooling use is for a spring house.
7. Aesthetic use is for a water wheel.
8. Use of water under this right shall be non-consumptive. At such time in the future as the Director determines necessary to protect the prior rights of other users, the Director may require determination of the rate of loss within the system using a procedure approved by the Director, and may require mitigation for all system losses.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 91-07158

9. 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 25th day of May, 2007.


for DAVID R. TUTHILL, JR., Director

JAN 11 2007

Ident. No. 91-7158

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

RECEIVED
AUG 08 2006
IDWR/North

1. Name of Applicant DAN + DENISE MCKINNEY Phone 208-245-0186
Mailing address #2 ALDER STREET, P.O. BOX 396, CALDER, IDAHO 83808
2. Source of water supply BEAR CREEK which is a tributary of St. Joe River
3. Location of point of diversion is Township 45 N Range 2 E Sec. 3, in the SW $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot Shoshone County;
additional points of diversion if any:

4. Water will be used for the following purposes: D -) + A
- Per T.C. with Denise
- Amount 0.00 cfs for AESTHETIC purposes from JAN 1 to JAN 1 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.00 cfs for DOMESTIC purposes from JAN 1 to JAN 1 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.00 cfs for COOLING purposes from JUNE 1 to OCT 1 (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) 0.04 Per T.C. with Denise and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works: An adjustable height water wheel w/ pinion black bearing -
- a. Describe type and size of devices used to divert water from the source Small wheel will lift water up to a spillway which will collect in a plastic catch basin w/ biter in it to creek again + one household - Spring House to be constructed around this.
- b. Height of storage dam _____ 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. _____

7. Time required for completion of works and application of water to proposed beneficial use is 9-10 months (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
- e. Other; describe fully. 3/ Aesthetic + 4/ Cooling - Spring House
pop + watermelons in summer

WATER TO HOUSE YEAR ROUND - HOPEFULLY

9. Description of place of use:

#2 ALDER STREET, CALDER, IDAHO.

T45N, R2E
SECTION 3
LOTS 1, 2, 3, 4 of
Block 1

TAX PARCEL #
~~0085-0-0100A~~
~~0040~~ RP0085
0001001 A A

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

Partic. With Denise

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
45N	2E	3			0						~~1/4~~								~~1/4~~
					5						~~1/4~~								~~1/4~~
					2						~~1/4~~								~~1/4~~
											~~1/4~~								~~1/4~~

Total number of acres to be irrigated N/A

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?

BEAR CREEK
DAN + DENISE MCKINNEY - We own on both sides of creek

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

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.

Denise McKinney

Signature of Applicant (and title, if applicable)

Received by

[Signature]

Date

8/8/06

Time

1:25p

Preliminary check by

Fee \$

100.00

Received by

[Signature]

Date

8/28/06

Published in

Shoshone Co News Press

Date

8/8/06

Publication prepared by

[Signature]

Date

8/28/06

Published in

Shoshone Co News Press

Date

9/7 & 14/06

Publication approved

[Signature]

Date

9/19/06

91-7158



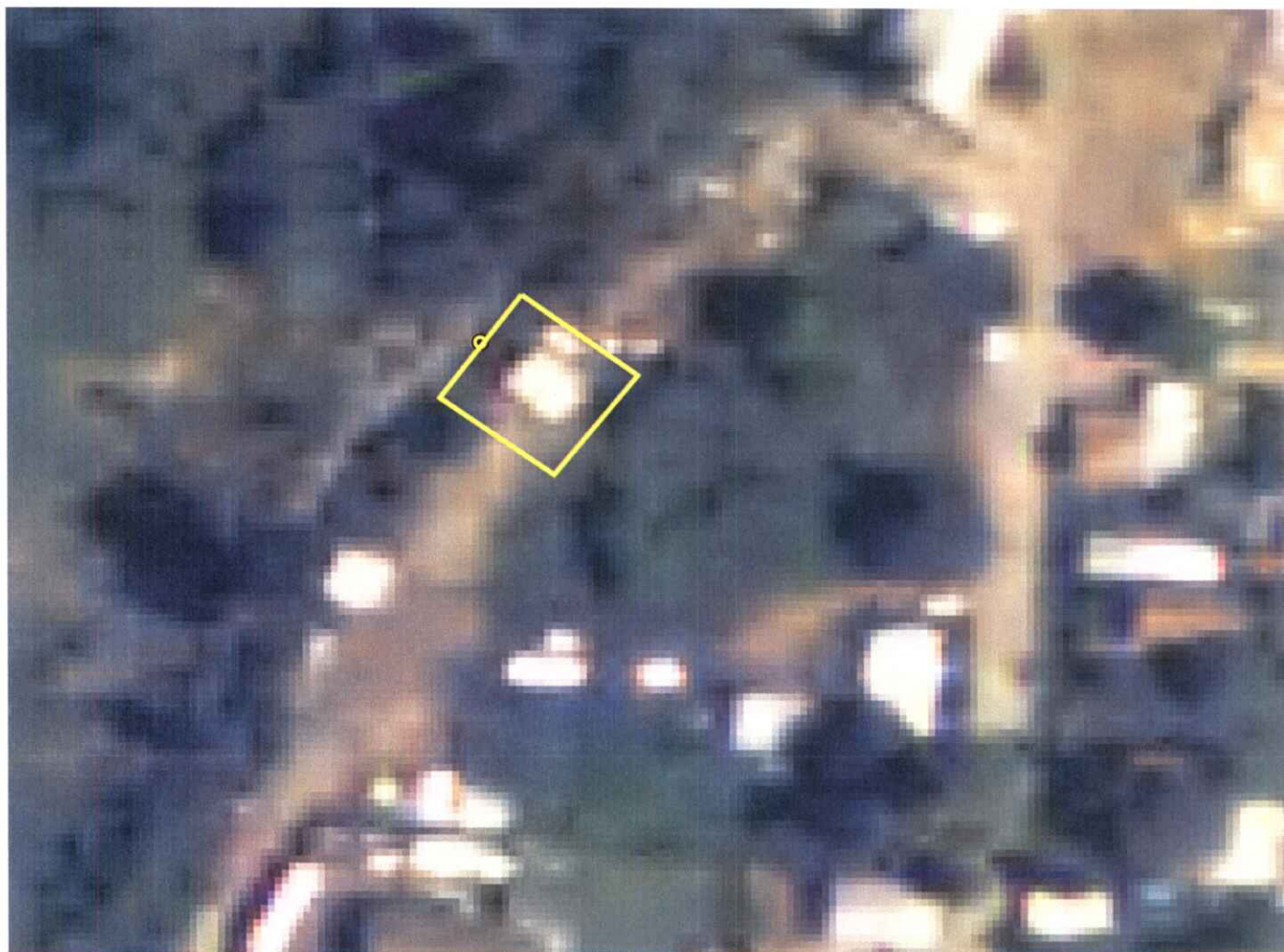
0.1 0 0.1 0.2 Miles

A horizontal scale bar with markings at 0.1, 0, 0.1, and 0.2 miles. The bar is divided into segments corresponding to these distances.

-  GCDB45N02E GCDB
-  Pou.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp



91-7158

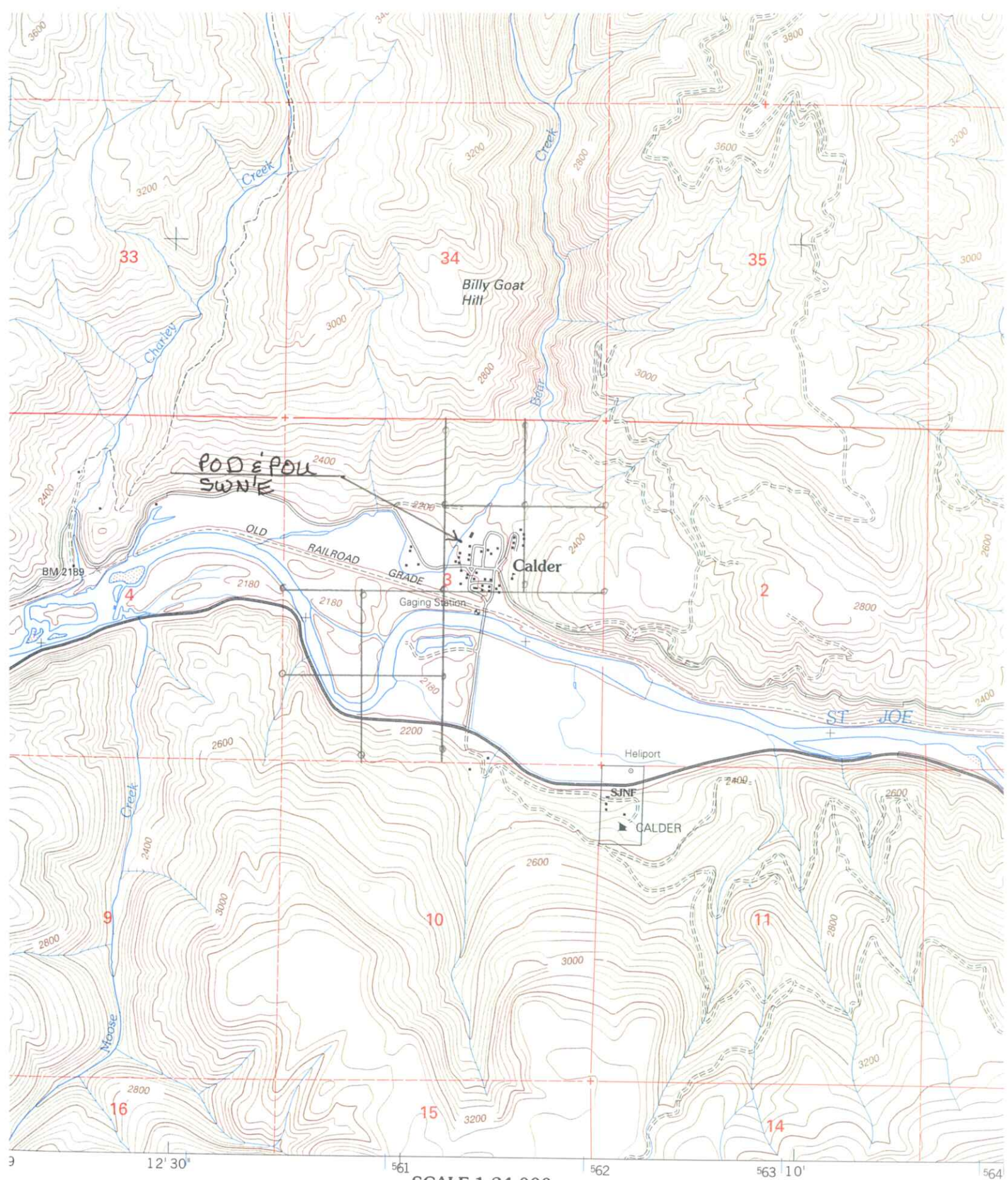


0.03 0 0.03 0.06 Miles

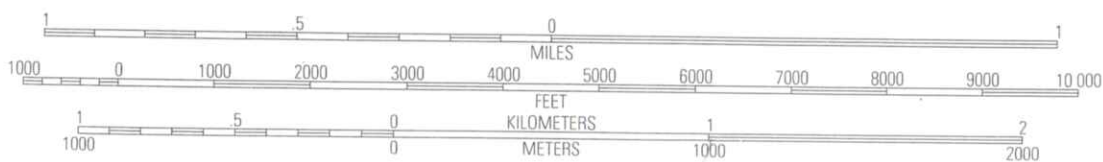
-  GCDB46N02E GCDB
-  GCDB45N02E GCDB
-  Pou.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp







SCALE 1:24 000



CONTOUR INTERVAL 40 FEET





(208) 762-4766

1-800-552-5695

FAX (208) 762-5210

Email: aaron@foreststeel.com

Visit our web page at: <http://www.foreststeel.com>

1ST STREET
7448 Aqua Circle • Dalton Gardens, ID 83815

TOM LAMB

GATES

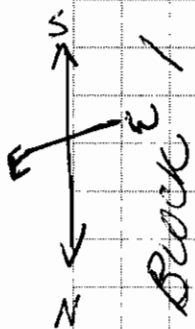
DRIVE

LOT 4

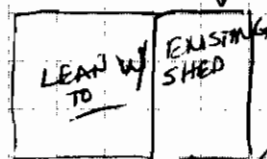
LOT 3

LOT 2

LOT 1



BACK



EXISTING FENCE

20'

25'

23'

SITE POINT

A Steel Service Center To Serve All Your Steel Needs

JULY 2006 (OLD MILL SITE) BURNED DOWN



APPROX. POINT
INSERT

ST. P.

R.

LOT 12
25.50 Ac.

LOT 13
8.30 Ac.

29.30 Ac.

16040 Road

**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

May 29, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

DAN MCKINNEY
DENISE MCKINNEY
PO BOX 396
CALDER ID 83808

RE: Permit No. 91-7158

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.

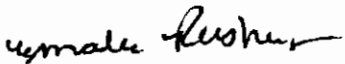
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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, Section Manager
Water Right Permits Section

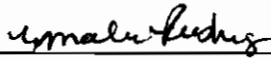
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on May 30, 2007 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the persons listed below:

RE: WATER RIGHT NO. 91-7158

**DAN MCKINNEY
DENISE MCKINNEY
PO BOX 396
CALDER ID 83808**



**Emalee Rushing
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: May 24, 2007
To: Water Right File 91-7158
From: eretelle
Re: permit review

No WD or moratorium
Min Stream Flow St. Joe River

No overlaps (91-7107 for domestic does not cover this new house)
F & G comment letter - resolved. Conditions added.

Spoke with applicant 5/25/07 - no irrigation intended under domestic use.

Recommend approval as suggested by IDWR Northern

RECEIVED
JAN 08 2007
IDWR/North

Oct 18, 2006

Keith Franklin
Department of Water Resources
7600 Mineral Drive
Suite 100
Coeur d' Alene, Idaho 83815

Dear Keith Franklin,

As discussed and agreed upon with Department of Idaho Fish and Game to decrease the
ascetic diversion from .2 to .02 and cooling from .2 to .02 with a total diversion .04.

Again thank you for all the help for which I would never have figured this all out.

Sincerely,

Dan and Denise Mckinney
PO Box 396
Calder, Idaho 83808

Franklin, Keith

From: Terra-Berns, Mary [mterra@idfg.idaho.gov]
Sent: Monday, October 16, 2006 4:20 PM
To: Franklin, Keith
Cc: Corsi, Charles
Subject: McKenney water right

Keith,
We have no objection to the adjusted water right request (0.04 (total) for domestic, cooling, and aesthetics) for McKenney (91-7158).

Thanks!

Please Note Correct Email Address Below

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
mterra@idfg.idaho.gov

Franklin, Keith

From: Haynes, Bob
Sent: Friday, September 29, 2006 12:46 PM
To: Franklin, Keith
Subject: FW: McKinney water right

-----Original Message-----

From: Corsi, Charles [mailto:ccorsi@idfg.idaho.gov]
Sent: Friday, September 29, 2006 12:44 PM
To: Haynes, Bob
Subject: FW: McKinney water right

Hi Bob,

Apparently I didn't have Keith's e-mail correct. Can you please forward? Thanks.

Chip

From: Corsi, Charles
Sent: Friday, September 29, 2006 1:41 PM
To: 'kfranklin@idwr.idaho.gov'
Cc: Terra-Berns, Mary
Subject: McKinney water right

Hi Keith,

I was contacted by Denise McKinney regarding their water right request for a total of 0.22 cfs from Bear Creek, in the St. Joe drainage. It is my understanding they are willing to amend their request so that the diversion is a screened pipe, which will then carry water to their water wheel.

If the pipe is appropriately screened (1/4 inch or smaller mesh, with approach velocity not to exceed .5 feet per second); and the inlet is designed so as to minimize disturbance to the streambed over the life of the diversion, we have no objection to the project.

Chip Corsi
Panhandle Regional Supervisor
Idaho Department of Fish and Game
2885 Kathleen Ave
Coeur d'Alene, ID 83815

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

91-7158

DAN MCKINNEY

DENISE MCKINNEY

PO BOX 396

CALDER ID 83808

Point(s) of Diversion SWNE S3 T45N R02E SHOSHONE County

Source BEAR CREEK - Tributary To ST JOE RIVER

Use:	COOLING	06/05 To 11/05	0.2 CFS
Use:	DOMESTIC	01/01 To 12/31	0.02 CFS
Use:	AESTHETIC	01/01 To 12/31	0.2 CFS
Total Diversion:			0.2 CFS

Date Filed: 08/08/2006

Place Of Use: AESTHETIC - T45N R02E S3 SWNE

Place Of Use: DOMESTIC & COOLING same as AESTHETIC

Remark: Domestic-use is for 1 home.

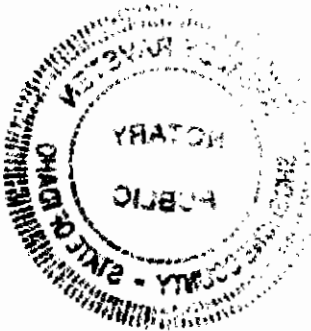
Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 09/25/2006. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER,

LEGAL # SHO220

2x9/07,14/2006



*See reverse
for affidavit*

PROOF OF PUBLICATION

RECEIVED

SEP 19 2006

IDWR/North

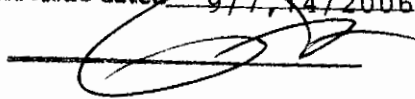
) IDAHO DEPARTMENT OF WATER RESOURCES
) NORTH REGION
) 1910 NORTHWEST BLVD., SUITE 210
) COEUR D'ALENE, ID 83814-2615

s/ Daniel C. Drewry, being first duly sworn deposes and says:
SHOSHONE NEWS-PRESS, a daily newspaper of general circulation in said county, published in the city of Kellogg, in the County of Shoshone and the State of Idaho, and which has been published continuously in said county for a period of 78 weeks immediately prior to the publication of this notice hereinafter described, and that the

LEGAL NOTICE

LEGAL# 220

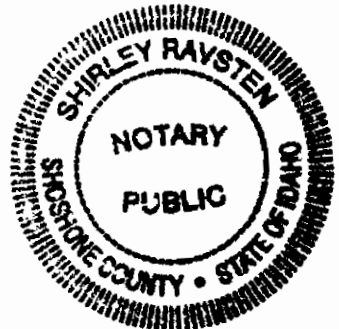
of which the annexed is a true copy, was published in each regular weekly/daily issue of said newspaper, and not in supplement thereto, for a period of two (2) consecutive weeks/days, the first publication thereof being in the issue dated 9/7, 14/2006



STATE OF IDAHO

COUNTY OF

SHOSHONE



On this 15th day of September in the year of 2006, before me a Notary Public, personally appeared Daniel C. Drewry 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.


Notary Public for Idaho
Residing in Kellogg, Idaho
My Commission expires:
09/14/07

See reverse for legal



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

September 14, 2006

Mr. And Mrs. McKinney
P.O. Box 396
Calder, Idaho 83808

Re: Application For Permit Number 91-7158

Dear Mr. and Mrs. McKinney:

Please find enclosed a copy of a letter the department received from the Idaho Department of Fish and Game, expressing a concern over the amount of requested diversion for aesthetic use and cooling. The letter goes on to say, they are willing to meet with you to discuss your project and potential alternatives.

The Idaho Department of Water Resources (IDWR) suggests you meet with Fish and Game and resolve any concerns, then report back to the IDWR prior to the deadline for a protest, which is September 25, 2006.

If you have any questions, don't hesitate to contact me at our new office location, 7600 N Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815-7763 or by phone 208-762-2800.

Thank you.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent

Encl/kf
Cc: Charles E. "Chip" Corsi, IDFG



RECEIVED
SEP 12 2006
IDWR/North

IDAHO DEPARTMENT OF FISH AND GAME

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

James E. Risch/Governor
Steven M. Huffaker/Director

September 6, 2006

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

*See computer
9/20/06
b*

Dear Keith:

REFERENCE: MCKINNEY: 91-7158

We have reviewed the above-named application by Dan and Denise McKinney to appropriate 0.20 cfs from Bear Creek, a tributary of the St. Joe River, for aesthetics, domestic use, and cooling.

Bull trout, a threatened species, and westslope cutthroat trout, an Idaho State Species of Special Concern, inhabit the St. Joe River and likely use Bear Creek. This project is within an important migratory reach of the St. Joe River for adfluvial westslope cutthroat trout and bull trout, and provides at least seasonal holding and foraging habitat for salmonids.

The applicant did not provide designs for the waterwheel. Idaho Code 36-906 states that obstructions must be designed, installed and maintained to allow fish passage. From the brief description provided by the applicant, it sounds as though the waterwheel will likely trap fish. Prior to permitting the applicant should be required to provide detailed plans for the waterwheel.

We do not object to 0.02 for domestic use; however, we question the use of 0.20 for aesthetic use and cooling (pop and watermelons). The Department believes that this request is in conflict with the local public interest, and affects a recognized beneficial use (fish and wildlife).

We are willing to meet with the applicant to discuss the project and potential alternatives. If you have questions concerning our comments please call us at 769-1414.

Thank you for the opportunity to comment.

Sincerely,

Charles E. "Chip" Corsi
Regional Supervisor

CEC:MTB:kh

C: Tracey Trent, IDFG Boise
David Barber, AG, Boise

Keeping Idaho's Wildlife Heritage

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

91-7158

DAN MCKINNEY

DENISE MCKINNEY

PO BOX 396

CALDER ID 83808

Point(s) of Diversion SWNE S3 T45N R02E SHOSHONE County

Source BEAR CREEK - Tributary To ST JOE RIVER

Use: COOLING 08/05 To 11/05 0.2 CFS

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

Use: AESTHETIC 01/01 To 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 08/08/2006

Place Of Use: AESTHETIC - T45N R02E S3 SWNE

Place Of Use: DOMESTIC & COOLING same as AESTHETIC

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, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 09/25/2006. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published on September 7 & 14, 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450 FAX: (208) 769-1454 www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREIER
Director

August 28, 2006

NIKKI ROSS & DON REDDING
LEGAL NOTICE DEPARTMENT
SHOSHONE COUNTY NEWS PRESS
PO BOX 149
KELLOGG ID 83837-0149

Please FAX proof copy before this goes to press, to 769-1454
Thanks, Dianne

RE: Application for Permit No. 91-7158

Dear Nikki and Don:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, September 7 and 14, 2006, (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 09/25/2006. Your cooperation is always appreciated.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Monday, August 28, 2006 11:06 AM
To: Legal Notices-Shoshone Co NP (E-mail); Legal Notices-Shoshone Co NP-2 (E-mail)
Subject: Legal notice for publication on September 7 and 14, 2006 - WR Application No. 91-7158

Good morning Nikki and Don,

Attached is our cover letter requesting publication of a legal notice on September 7 and 14, 2006.

The legal notice is also attached.

If you have ANY questions, please call me or Keith Franklin at 208-769-1450.

ALSO - Please FAX a proof report to our office **to the attention of KEITH FRANKLIN** - with the request that he check it to make sure it is ok - because I have to leave Wednesday, 8/30 to go to Denver. My Mother is in an assisted living place - and needing some help and attention. I will not be back until Wednesday, 9/6.

Thanks VERY much for ALL your help - ALWAYS.

Dianne

Dianne Ball
Administrative Assistant
Idaho Dept of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814
Phone (208)769-1450 FAX (208)769-1454



CoverLetter
18-28-06 NP e-mail..



LegalNotice
18-28-06 NP e-mail..



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

August 25, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

DAN MCKINNEY
DENISE MCKINNEY
PO BOX 396
CALDER ID 83808

RE: Application for Permit No 91-7158

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 Shoshone County News Press on September 7 & 14, 2006. 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

Enclosure(s) – Receipt No. N017807



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

August 16, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

MARY TERRA-BERNS
IDAHO DEPARTMENT OF FISH & GAME
2750 KATHLEEN AVE
COEUR D ALENE ID 83815

FAXED TO MARY 8/16/2006
6 pages total

Re: Water Permit Application No. 91-7158

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 22, 2006**. 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 769-1454, 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,

A handwritten signature in cursive script, appearing to read 'Dianne', is written over a horizontal line.

Dianne Ball
Administrative Assistant