

**STARTING  
LEFT  
SIDE OF  
FILE**

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**  
NO. 96-09313

Priority: December 26, 2006

Maximum Diversion Rate: 0.20 CFS

This is to certify, that CAROLE CHOWNING  
PO BOX 121  
CLARK FORK ID 83811

has applied for a permit to appropriate water from:

**Source:** GROUND WATER

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> |
|-----------------------|----------------------|--------------------------|
| COMMERCIAL            | 01/01 to 12/31       | 0.20 CFS                 |

**LOCATION OF POINT OF DIVERSION:**

GROUND WATER NE¼ NE¼ SW¼ Sec. 34, Twp 56N, Rge 02E, B.M. BONNER County

**PLACE OF USE:** COMMERCIAL

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 56N 02E 34  |    |    |    |    |    |    |    | X  | X  |    |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. Proof of application of water to beneficial use shall be submitted on or before **May 01, 2010**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Commercial use is for light commercial development such as art studio, espresso hut, farmers market
5. 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 22nd day of May, 20 07.

  
for DAVID R. TUTHILL, JR., Director

73306

Ident. No. 96-9313

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 10 2007

IDWR/North

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

DEPARTMENT OF  
WATER RESOURCES

Name of Applicant

CAROLE CHOWNING

Phone 208-266-1571

Mailing address

P.O. BOX 121 CLARK FORK, IDAHO 83811

2. Source of water supply GROUNDWATER which is a tributary of N/A
3. Location of point of diversion is Township 56 N Range 2E Sec. 34 in the NE  $\frac{1}{4}$ ,  
NE  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Govt. Lot N/A, B.M., BONNER County;  
additional points of diversion if any: N/A

4. Water will be used for the following purposes:

Amount 0.20 for COMMERCIAL 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)

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) 0.20 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 \_\_\_\_\_

b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total  
reservoir capacity \_\_\_\_\_ acre-feet

c. Proposed well diameter is 8 inches; proposed depth of well is 300 feet

d. Is ground water with a temperature of greater than 85°F being sought? \_\_\_\_\_

e. If well is already drilled, when? \_\_\_\_\_; Drilling firm \_\_\_\_\_;

Well was drilled for (well owner) \_\_\_\_\_; Drilling Permit No. \_\_\_\_\_

7. Time required for completion of works and application of water to proposed beneficial use is 3 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. LANDOWNER (THIS WELL WILL SERVE LIGHT

d. Domestic; show number of households. COMMERCIAL DEV'T AND WILL BE CONSTRUCTED

e. Other; describe fully. TO MUNICIPAL STANDARDS.) Art Studio,

Espresso Hut, Farmers Market.

3. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | TOTALS |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 56N | 2E  | 34  |    |    |    |    |    |    |    | C  |    |    | C  |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
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|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

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? CHONNING

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

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: \_\_\_\_\_

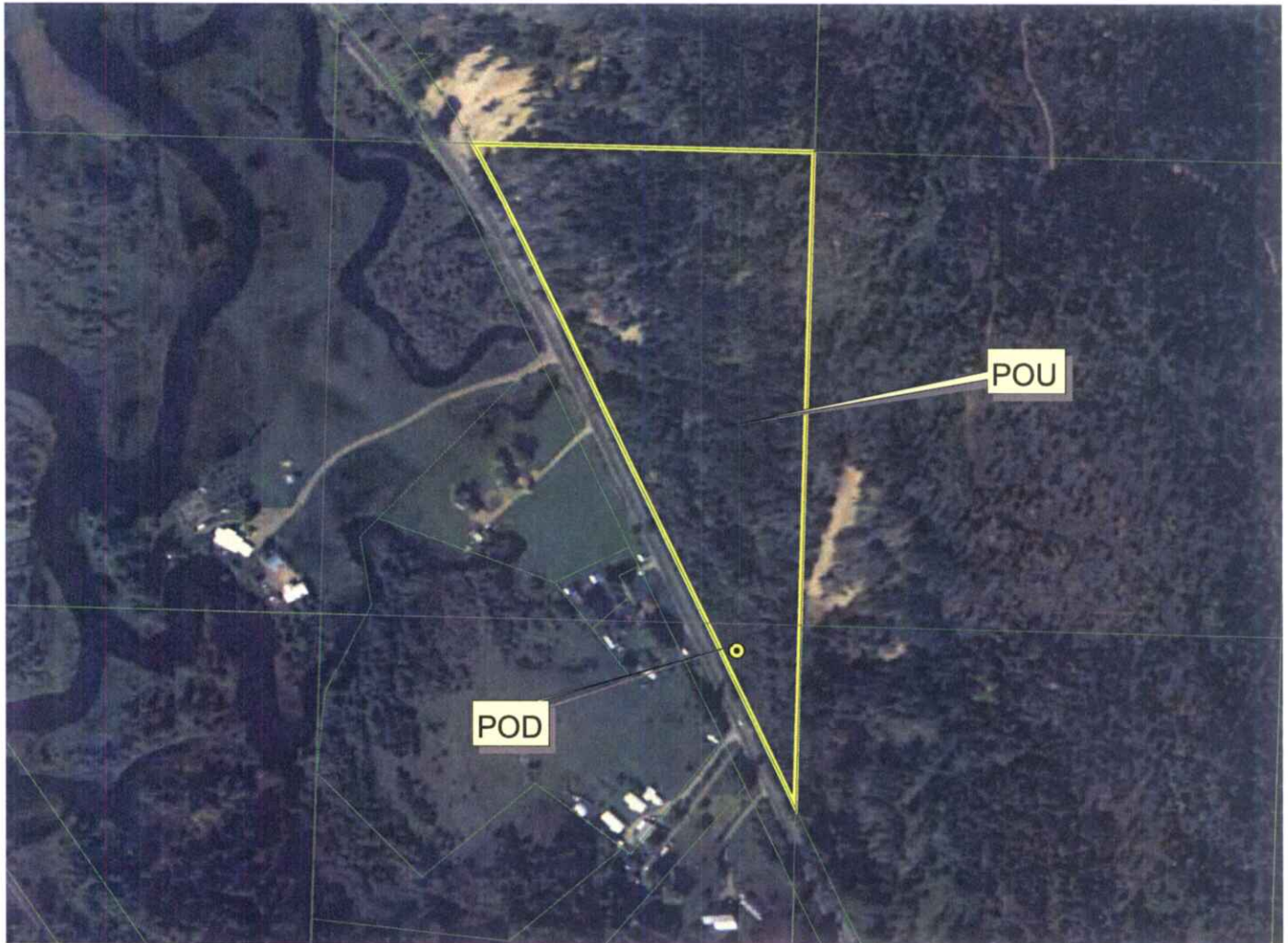
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.

Carol P. Channing - Owner  
Signature of Applicant (and title, if applicable)

Received by Dianne Date 12/26/06 Time 1:49pm Preliminary check by \_\_\_\_\_  
Fee \$ 100.00 Receipted by Dianne # NO18088 Date 12/26/06  
Publication prepared by φ Date 1/23/07 Published in Idaho Daily Bee 2/1+8/07  
Publication approved φ Date 3/2/07

# 96-9313



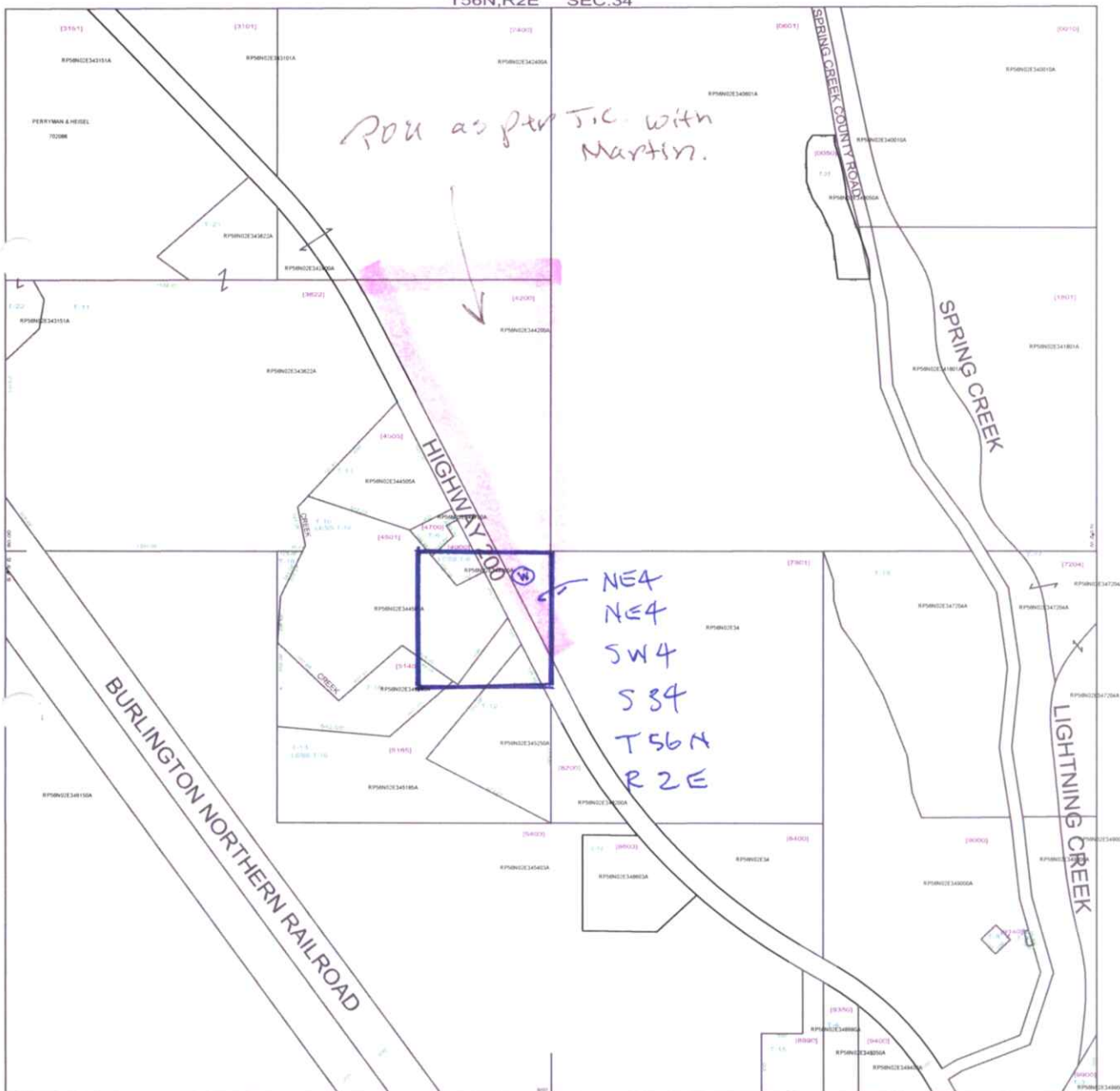
-  Bonner taxlots
-  GCDB56N02E GCDB
-  Foster.shp
-  Pou.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp



RECEIVED  
DEC 26 2006  
IDWR/North

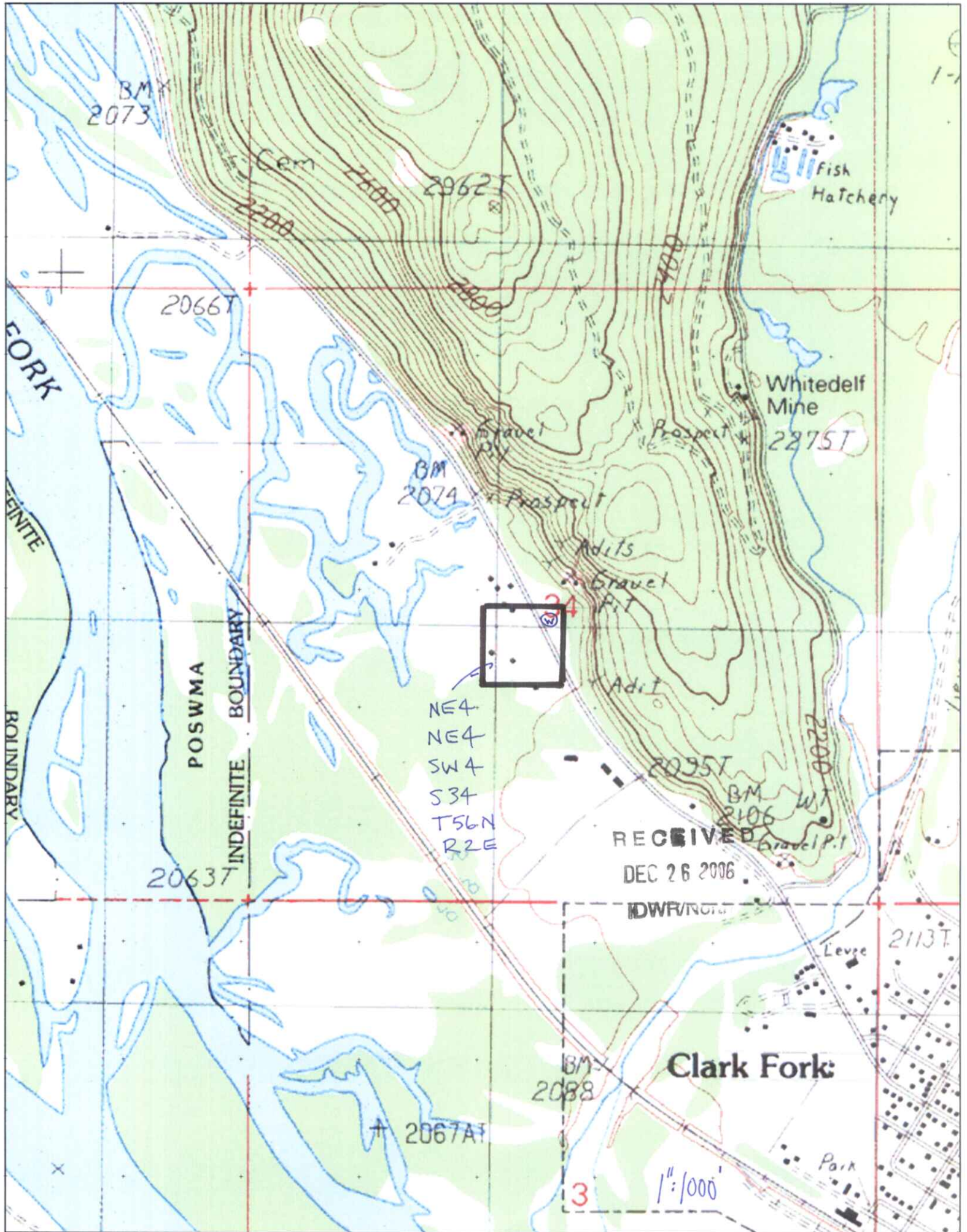
T56N,R2E SEC.34

POU as per TIC with  
Martin.



W ... WELL SITE

1" = 800'



**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](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Interim Director

May 23, 2007

CAROLE CHOWNING  
PO BOX 121  
CLARK FORK ID 83811

RE: Permit No. 96-9313

**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.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

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,

*Shelley W. Keen*  
for Shelley W. Keen, Section Manager  
Water Right Permits Section

Enclosure(s)

## **CERTIFICATE OF SERVICE**

I hereby certify that on May 23, 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.                      96-9313**

**CAROLE CHOWNING  
PO BOX 121  
CLARK FORK ID 83811**

A handwritten signature in cursive script, reading "Emalee Rushing", is positioned above a horizontal line.

**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 22, 2007  
**To:** Water Right File 96-9313  
**From:** eretelle  
**Re:** permit review

---

No WD or moratorium

No protests

No overlaps

Recommend approval as suggested by IDWR Northern

**LEGAL NOTICE**

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

96-9311

PAUL WOOD

JUDITH WOOD

227 LOST IN THE WOODS LN

ATHOL ID 83801

Point(s) of Diversion NESW S33 T54N R03W BONNER County

Source GROUND WATER

Use: IRRIGATION 04/01 To 10/31 0.03 CFS

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

Total Diversion: 0.07 CFS

Date Filed: 11/30/2006

Place Of Use: DOMESTIC and IRRIGATION

T54N R03W S33 NESW

Number of Acres 1

Remark: Domestic use is for 2 homes.

96-9312

JUNCO ENTERPRISES LLC

1673 GOOBY RD

SANDPOINT ID 83864

Point(s) of Diversion NENWNW S17 T57N R02W BONNER County

Source GROUND WATER

Use: IRRIGATION 04/01 To 10/31 0.14 CFS

Use: DOMESTIC 01/01 To 12/31 0.18 CFS

Total Diversion: 0.2 CFS

Date Filed: 12/20/2006

Place Of Use: DOMESTIC and IRRIGATION

T57N R02W S17 NWNW

Number of Acres 4.5

Remark: Domestic use is for up to 9 homes.

96-9313

CAROLE CHOWNING

PO BOX 121

CLARK FORK ID 83811

Point(s) of Diversion NENESW S34 T56N R02E BONNER County

Source GROUND WATER

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

Total Diversion: 0.2 CFS

Date Filed: 12/26/2006

Place Of Use: COMMERCIAL

T56N R02E S34 SENW NESW

Remark: Commercial use is for light commercial development such as art studio, espresso hut, farmers market

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 02/19/2007. The protestant must also send a copy of the protest to the applicant.

DAVID R TUTHILL, Interim Director

Legal SNP# 8410

February 1, 8, 2007

RECEIVED

MAR 02 2007

IDWR/North

*See reverse  
for affidavit*

AFFIDAVIT OF PUBLICATION

RECEIVED  
MAR 02 2007  
IDWR/North

STATE OF IDAHO )  
 ) ss.  
County of Bonner )

Sherilyn Jones being first duly sworn on oath, deposes and states:

1. I am a citizen of the United States of America, over the age of 18 years, a resident of Bonner County, Idaho, and am not a party to the proceedings referred to in the attached Legal Notice.  
My business address is P.O. Box 159, Sandpoint, Idaho.

2. I am the Bookkeeper of the Bonner County Daily Bee, a newspaper of general publication in Bonner County, Idaho;

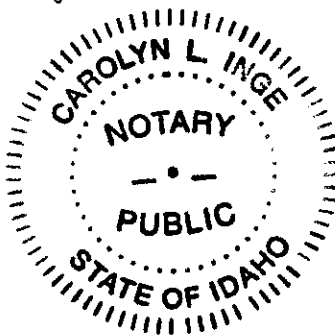
3. Said newspaper has been continuously and uninterruptedly published in Bonner County, Idaho during a period of 12 months prior to the first publication of said Notice, and thereafter.

4. The attached Notice was published in the regular and entire issue of the Bonner County Daily Bee for a period of 2 consecutive weeks, commencing on the 1 day of Feb, 2007, and ending on the 8 day of Feb, 2007.

Sherilyn Jones

SUBSCRIBED AND SWORN to before me, the undersigned Notary Public, this 8 day of July, 2007.

Carolyn L. Inge  
Notary Public  
Residing at: Sandpoint  
Comm. Exp.: 8/12



*See reverse for  
Legal*

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

96-9311

PAUL WOOD

JUDITH WOOD

227 LOST IN THE WOODS LN

ATHOL ID 83801

Point(s) of Diversion NESW S33 T54N R03W BONNER County

Source GROUND WATER

Use: IRRIGATION 04/01 To 10/31 0.03 CFS

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

Total Diversion: 0.07 CFS

Date Filed: 11/30/2006

Place Of Use: DOMESTIC and IRRIGATION

T54N R03W S33 NESW

Number of Acres 1

Remark: Domestic use is for 2 homes.

96-9312

JUNCO ENTERPRISES LLC

1673 GOOBY RD

SANDPOINT ID 83864

Point(s) of Diversion NENWNW S17 T57N R02W BONNER County

Source GROUND WATER

Use: IRRIGATION 04/01 To 10/31 0.14 CFS

Use: DOMESTIC 01/01 To 12/31 0.18 CFS

Total Diversion: 0.2 CFS

Date Filed: 12/20/2006

Place Of Use: DOMESTIC and IRRIGATION

T57N R02W S17 NWNW

Number of Acres 4.5

Remark: Domestic use is for up to 9 homes.

96-9313

CAROLE CHOWNING

PO BOX 121

CLARK FORK ID 83811

Point(s) of Diversion NENESW S34 T56N R02E BONNER County

Source GROUND WATER

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

Total Diversion: 0.2 CFS

Date Filed: 12/26/2006

Place Of Use: COMMERCIAL

T56N R02E S34 SENW NESW

Remark: Commercial use is for light commercial development such as art studio, espresso hut, farmers market

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 02/19/2007. The protestant must also send a copy of the protest to the applicant.

DAVID R TUTHILL, Interim Director--Published February 1 & 8, 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](http://www.idwr.idaho.gov)

---

C.L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR  
Interim Director

January 23, 2007

SHERI JONES  
LEGAL NOTICE DEPARTMENT  
BONNER COUNTY DAILY BEE  
PO BOX 159  
SANDPOINT ID 83864

e-mailed 1/23/07

RE: Application for Permit No. 96-9311, 96-9312 and 96-9313

*Please FAX proof copy before this goes to press, to 762-2819  
Thanks, Dianne*

**Dear Sheri:**

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, February 1 and 8, 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 02/19/2007. Your cooperation is GREATLY appreciated.

It's always a pleasure working with you.

Thank you very much for ALL your help,

Sincerely

*Dianne*

Dianne Ball  
Administrative Assistant

**Ball, Dianne**

---

**From:** Ball, Dianne  
**Sent:** Tuesday, January 23, 2007 4:27 PM  
**To:** Legal Notices-Bonner Co Daily Bee (E-mail)  
**Subject:** Legal notice for publication February 1 and 8, 2007

Good afternoon, Sheri,

Attached is our cover letter requesting publication of a legal notice on February 1 and 8, 2007. The legal notice is also attached.

If you have any questions, or for some reason cannot publish on the dates requested, please call me at 208-762-2800.

Also, as usual, we request a proof prior to publication. That's a big help for our office so we can check layout and avoid most questions from the general public. Please fax that to me at 208-762-2819.

Thanks for all your super help.

*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  
1-23-07 BCDB e-ma.



LegalNotice  
1-23-07 BCDB e-ma.



State of Idaho

DEPARTMENT OF WATER RESOURCES

7600 Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

NORTHERN REGION

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Interim Director

January 23, 2007

CAROLE CHOWNING  
PO BOX 121  
CLARK FORK ID 83811

RE: Application for Permit No 96-9313

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 Bonner County Daily Bee on February 1 and 8, 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,

Keith E. Franklin  
Senior Water Resource Agent

Enclosure(s) – Receipt No. N018088

# JAMES A. SEWELL & ASSOCIATES

Consulting Engineers, Land Surveyors & Land Use Planners

## Newport

600 4th Street West  
Newport, Washington 99156  
(509) 447-3626 (208)437-2641  
(509) 447-2112 Fax

## Sandpoint

1205 West Highway 2, Suite 101  
Sandpoint, Idaho 83864  
(208)263-4160  
(208)263-5229 Fax

## Spokane

9 South Washington, Suite 708  
Spokane, Washington 99201  
(509) 747-5794  
Fax (509) 747-5798

\*Civil Engineering \*Electrical Engineering \*Land Surveying \*Building Inspection \*Land Use Planning

January 8, 2007

Keith E. Franklin, Senior Water Resources Agent  
Idaho Department of Water Resources - Northern Region  
7600 Mineral Drive, Suite 100  
Coeur d'Alene, Idaho 83815

RECEIVED  
JAN 10 2007  
IDWR/North

SUBJECT: *Revised* Chowning Water Right Application

Thank you for your January 3, 2007, letter responding to my December 21, 2006, "municipal" application materials.

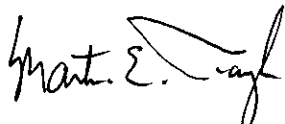
Pursuant to our January 4, 2007, discussion regarding obtaining a public water system number, we are in a "Catch-22." A public water system number cannot be obtained by DEQ until water system plans and specifications are approved by DEQ. The system cannot be designed until the well is constructed and pump tested, thereby determining storage needs, a critical water system component. The well cannot be constructed until the appropriate well permit is obtained from IDWR (a permit for a well serving more than one single family residence). Well permit issuance is subject to approved water rights. Water rights cannot be obtained until the public water system number is issued.

However, after further discussion, it was determined that the appropriate intended use is "commercial," not "municipal." Consequently, attached please find an amended application wherein water will be used for commercial purposes, not to exceed the requested 0.2 cfs.

I appreciate your assistance.

Sincerely,

**JAMES A. SEWELL & ASSOCIATES**



Martin E. Taylor, AICP  
Land Use Planning, Design and Entitlements  
Member -- American Institute of Certified Planners

Attachment: Revised "Application for Permit"



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

Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

JAMES E. RISCH  
Governor

KARL J. DREHER  
Director

January 3, 2007

Martin E. Taylor, AICP  
James A. Sewell & Associates  
1205 West Highway 2, Ste. 101  
Sandpoint, Idaho 83864

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

Dear Mr. Taylor:

The Department of Water Resources is in receipt of the application for Carole Chowning, however, before further processing can begin, the department will need the following additional information:

First, an individual cannot file for a municipal water use. The applicant must fall under the definition for a municipality, which could be a Homeowners Association, LLC, Water Association, Water District, etc., that is registered with Idaho's Secretary of State.

If a municipality is formed, the official name on the application has to be changed from Carole Chowning to the name of the municipality. Also, a Public Water Supply Number (PWS#) will be required as issued by the Department of Environmental Quality.

If you decide to follow through with a municipality, a better map describing the boundary would help in determining its location.

Another option for Carole Chowning would be to file for a commercial water right, if that would be appropriate for the intended use. If you would like to give me a call we can discuss the matter further. My telephone number is 208-762-2800.

Thank you.

Sincerely,

C O P Y

Keith E. Franklin  
Senior Water Resources Agent

Cc. Carole Chowning

# JAMES A. SEWELL & ASSOCIATES

Consulting Engineers, Land Surveyors & Land Use Planners

Newport

600 4th Street West  
Newport, Washington 99156  
(509) 447-3626 (208)437-2641  
(509) 447-2112 Fax

Sandpoint

1205 West Highway 2, Suite 101  
Sandpoint, Idaho 83864  
(208)263-4160  
(208)263-5229 Fax

Spokane

9 South Washington, Suite 708  
Spokane, Washington 99201  
(509) 747-5794  
Fax (509) 747-5798

\*Civil Engineering \*Electrical Engineering \*Land Surveying \*Building Inspection \* Land Use Planning

December 21, 2006

Idaho Department of Water Resources - Northern Region  
7600 Mineral Drive, Suite 100  
Coeur d'Alene, Idaho 83815

RECEIVED  
DEC 26 2006  
IDWR/North

SUBJECT: Chowning Water Right Application

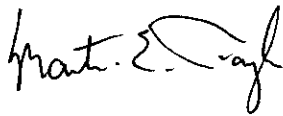
Dear staff:

Enclosed please find the referenced application requesting to appropriate groundwater intended to serve a limited commercial development. As the project representative, please forward all correspondence to my attention at the Sandpoint office noted above.

I appreciate your assistance.

Sincerely,

**JAMES A. SEWELL & ASSOCIATES**



Martin E. Taylor, AICP  
Land Use Planning, Design and Entitlements  
Member -- *American Institute of Certified Planners*

Enclosures: Application for Permit  
\$100.00 filing fee

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

RECEIVED  
DEC 26 2006  
IDWR/North

1. Name of Applicant CAROL CHOWNING Phone 208-266-1571  
Mailing address P.O. BOX 121 CLARK FORK, IDAHO 83811  
2. Source of water supply GROUNDWATER which is a tributary of N/A  
3. Location of point of diversion is Township 56 N Range 2E Sec. 34 in the NE  $\frac{1}{4}$ ,  
NE  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Govt. Lot N/A, B.M., BONNER County;  
additional points of diversion if any: N/A

4. Water will be used for the following purposes:

Amount 0.20 for MUNICIPAL purposes from JAN 31 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)  
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) 0.20 cubic feet per second and/or (b) \_\_\_\_\_ acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source \_\_\_\_\_

b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total  
reservoir capacity \_\_\_\_\_ acre-feet

c. Proposed well diameter is 8 inches; proposed depth of well is 300 feet

d. Is ground water with a temperature of greater than 85°F being sought? \_\_\_\_\_

e. If well is already drilled, when? \_\_\_\_\_; Drilling firm \_\_\_\_\_;  
Well was drilled for (well owner) \_\_\_\_\_; Drilling Permit No. \_\_\_\_\_

7. Time required for completion of works and application of water to proposed beneficial use is 3 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. LAND OWNER (THIS WELL WILL SERVE LIGHT  
d. Domestic; show number of households. COMMERCIAL DEV'T AND WILL BE CONSTRUCTED  
e. Other; describe fully. TO MUNICIPAL STANDARDS.)

Void

3. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | TOTALS |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 56N | 21S | 3A  |    |    |    |    |    |    |    |    | M  |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

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? CHOWNING

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

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.

Carol P. Channing - Owner  
 Signature of Applicant (and title, if applicable)

Received by db Date 12/26/06 Time 1:49 pm Preliminary check by \_\_\_\_\_  
 Fee \$ 100.00 Received by db # N018088 Date 12/26/06  
 Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_ Published in \_\_\_\_\_  
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Valid