

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 87-10047

Priority: August 01, 2006

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 0.1 AF

This is to certify, that ANN BOWES
1060 WALLEN RD
MOSCOW ID 83843

has applied for a permit to appropriate water from:

Source: UNNAMED STREAM

Tributary: SOUTH FORK PALOUSE 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>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.04 CFS	
DIVERSION TO STORAGE	01/01 to 12/31	0.04 CFS	
FIRE PROTECTION	01/01 to 12/31		0.1 AF
STORAGE			
STOCKWATER FROM	01/01 to 12/31		0.1 AF
STORAGE			
STOCKWATER STORAGE	01/01 to 12/31		0.1 AF

LOCATION OF POINT OF DIVERSION:

UNNAMED STREAM NE¼ NW¼ Sec. 12, Twp 39N, Rge 05W, B.M. LATAH County

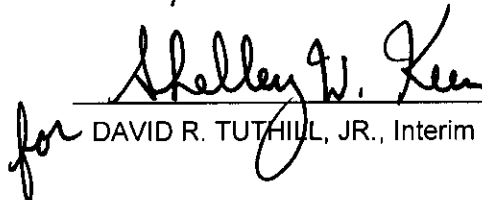
PLACE OF USE: FIRE PROTECTION STORAGE, STOCKWATER, STOCKWATER STORAGE, STOCKWATER FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
39N 05W 12					X												

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **January 01, 2010**.
2. Subject to all prior water rights.
3. Stockwater use is for 150 sheep.
4. This right authorizes the watering of livestock directly from the stream without a diversion.
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 24th day of January, 2007.


for DAVID R. TUTTHILL, JR., Interim Director

SEP 13 2006

DEPARTMENT OF
WATER RESOURCES

73017

Ident. No. 87-10047 12/99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

AUG 01 2006

IDWR/North

1. Name of Applicant Ann Bowes Phone (208) 883-5548
Mailing address 1060 Wallen Road Moscow ID 83843 South Fork
Palouse River
2. Source of water supply unnamed stream which is a tributary of na
3. Location of point of diversion is Township 39N Range 5W Sec. F12 in the
SW quarter of the SW quarter, Latah County

4. Water will be used for the following purposes:

Amount .04 for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)

(cfs or acre-feet per annum)
Amount 0.1 for Stockwater Storage purposes from 1/1 to 12/31 (both dates inclusive)

(cfs or acre-feet per annum)
Amount 0.04 for Diversions to Stock purposes from 1/1 to 12/31 (both dates inclusive)

(cfs or acre-feet per annum)
Amount 0.1 for Fire Protection Stock purposes from 1/1 to 12/31 (both dates inclusive)

(cfs or acre-feet per annum)
Amount 0.1 for Stockwater from Stock purposes from 1/1 to 12/31 (both dates inclusive)

(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)

5. Total quantity to be appropriated is (a) .04 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 pump and
trough

Pump & Pipe
b. Height of storage dam feet; active reservoir capacity 0.1 acre-feet; total
reservoir capacity acre-feet

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

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

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

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

7. Time required for completion of works and application of water to proposed beneficial use is 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. 150 ewes

c. Municipal; show name of municipality.

d. Domestic; show number of households.

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	
39N	5W	12					S						~~SE~~						
							F												

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

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

12. 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.

Ann Bowers
Signature of Applicant (and title, if applicable)

Received by db Date 8/1/06 Time 1:21p Preliminary check by db Date 8/1/06
Fee \$ 100.00 Receipted by db # NO 17188
Publication prepared by db Date 8/10/06 Published in Moscow Pullman Daily News
Publication approved _____ Date 8/17+24/06

87-10047



0.1 0 0.1 0.2 Miles

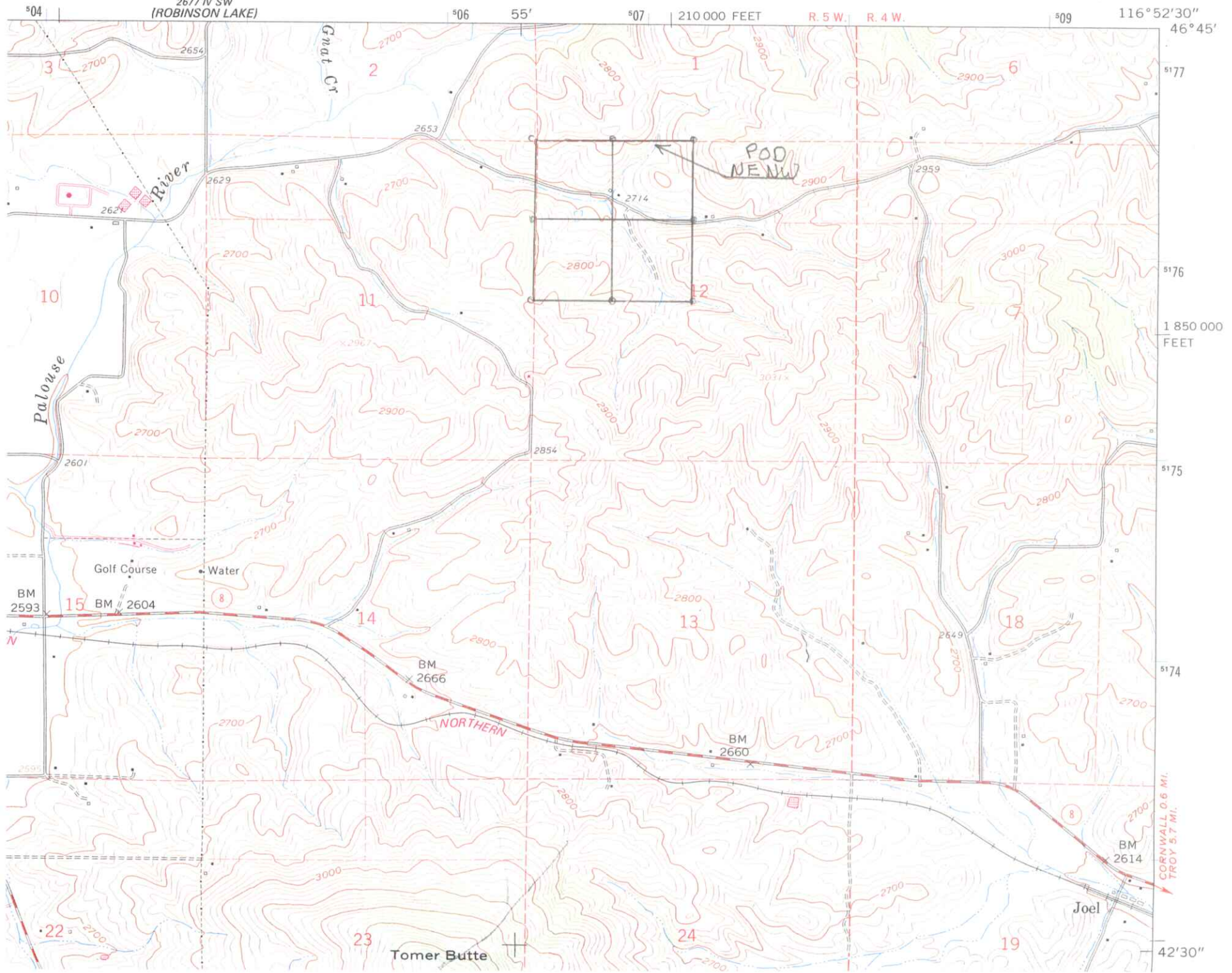
-  Latah taxlots
-  GCDB39N05W GCDB
-  GCDB39N04W GCDB
-  Pou.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp





Tract 11075
Farm 3042

RECEIVED
AUG 01 2006
IDWR/North



**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

January 26, 2007

ANN BOWES
1060 WALLEN RD
MOSCOW ID 83843

RE: Permit No. 87-10047

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.

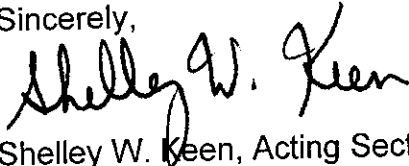
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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,

A handwritten signature in black ink that reads "Shelley W. Keen". The signature is written in a cursive, flowing style.

Shelley W. Keen, Acting Section Manager
Water Right Permits Section

Enclosure(s)

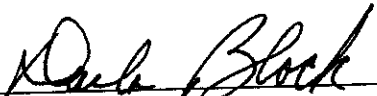
CERTIFICATE OF SERVICE

I hereby certify that on January 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.

87-10047

**ANN BOWES
1060 WALLEN RD
MOSCOW ID 83843**



**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: January 25, 2007
To: Water Right File 87-10047
From: eretelle
Re: permit review

No WD or moratorium

No protest or overlap
No comment from F&G

At exam time:

Is stockwater FROM storage? (with pipe to troughs from reservoir)
GPS beginning and ending points of instream stockwater reach.

Recommend approval as suggested by IDWR Northern.

NEWS REVIEW PUBLISHING COMPANY

The Moscow-Pullman Daily News

P.O.Box 374

Lewiston, Idaho 83501

(208) 743-9411

**LEGAL ADVERTISING
INVOICE**

SOLD TO: IDAHO DEPT/ WATER RESOURCES
1910 NORTHWEST BLVD #210
COEUR D'ALENE ID 83814

Date 08/24/2006INVOICE NO. 435407Account No. 30010311Description 435407 stockwater t39nTimes 2Lines 1**RECEIVED**

Tab. Lines _____

AUG 28 2006\$ 71.50

IDWR/North

PO# _____

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION**LEGAL NOTICE**

435407

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

87-10047

ANN BOWES

1060 WALLEN RD

MOSCOW ID 83843

Point(s) of Diversion NENW S12

T39N R05W LATAH County

Source UNNAMED STREAM

-Tributary To SOUTH FK

PALOUSE RIVER

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

Use: STOCKWATER STORAGE 01/01 To 12/31 0.1 AFA

Use: STOCKWATER FROM STORAGE 01/01 To 12/31 0.1 AFA

Use: FIRE PROTECTION STORAGE 01/01 To 12/31 0.1 AFA

Use: DIVERSION TO STORAGE 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 08/01/2006

Place Of Use: STOCKWATER - T39N R05W S12 NENW

Place Of Use: ALL OTHER USES same as STOCKWATER

Remark: Stockwater use is for 150 sheep.

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 09/05/2006. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER,
Director

August 17, 24, 2006

Rachel McLean, Legal Clerk

being first duly sworn, on oath deposes

and says: That she is the printer of

Moscow-Pullman Daily News, a newspaper

of general circulation, printed and published

daily except Sunday at Moscow, Latah County,

Idaho, in compliance with Sections 60-106,

60-107, and 60-108 of the Idaho Code and the

amendments thereto: that the notice of which the

annexed is a full, true and correct printed

copy was published in the regular and entire

issues of said newspaper and not in a

supplement thereto, upon the following dates:

Rachel McLean

the same being the date designated for the publication of said notice.

August 17, 24 2006

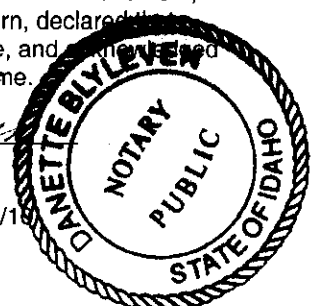
State of Idaho

S.S.

County of Latah

On this 24th day of August in the year of 2006, before me, a Notary Public, personally appeared Rachel McLean, 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.

Janette Blaylock
Notary Public for Idaho,
Residing at Moscow, Idaho
My Commission Expires 08/02/10



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

87-10047

ANN BOWES
1060 WALLEN RD
MOSCOW ID 83843

Point(s) of Diversion NENW S12 T39N R05W LATAH County

Source UNNAMED STREAM -Tributary To SOUTH FK PALOUSE RIVER

Use:	STOCKWATER	01/01 To 12/31	0.04 CFS
Use:	STOCKWATER STORAGE	01/01 To 12/31	0.1 AFA
Use:	STOCKWATER FROM STORAGE	01/01 To 12/31	0.1 AFA
Use:	FIRE PROTECTION STORAGE	01/01 To 12/31	0.1 AFA
Use:	DIVERSION TO STORAGE	01/01 To 12/31	0.04 CFS
	Total Diversion:		0.04 CFS

Date Filed: 08/01/2006

Place Of Use: FIRE PROTECTION STORAGE - T39N R05W S12 NENW

Place Of Use: ALL OTHER USES same as FIRE PROTECTION STORAGE

Remark: Stockwater use is for 150 sheep.

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KARL J DREHER, Director Published on August 17 and 24, 2006

DEPARTMENT OF WATER RESOURCES
1910 NORTHWEST BLVD., SUITE 210
COEUR D'ALENE ID 83814
Phone 208-769-1450 - FAX - 208-769-1454

August 10, 2006

SHARON FLODIN
LEGAL NOTICE DEPARTMENT
MOSCOW-PULLMAN DAILY NEWS
PO BOX 8187
MOSCOW ID 83843-8187

RE: Application for Permit No. 87-10047

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

Dear Sharon:

Following the body of this letter, you will find a legal notice which we wish to have published in your newspaper on the dates indicated, August 17 and 24, 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 09/05/2006. Your cooperation is ALWAYS GREATLY appreciated.

Thanks for your helpfulness.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
87-10047

ANN BOWES
1060 WALLEN RD
MOSCOW ID 83843
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Source UNNAMED STREAM -Tributary To SOUTH FK PALOUSE RIVER
Use: STOCKWATER 01/01 To 12/31 0.04 CFS
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Date Filed: 08/01/2006

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Place Of Use: ALL OTHER USES same as STOCKWATER

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KARL J DREHER, Director Published on August 17 and 24, 2006

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, August 10, 2006 8:56 AM
To: Legal Notices-MoscowPullmanDailyNews (E-mail)
Subject: CoverLetter with LegalNotice~~~Karen - Please publish 8/17 and 8/24/06

DEPARTMENT OF WATER RESOURCES
1910 NORTHWEST BLVD., SUITE 210
COEUR D'ALENE ID 83814
Phone 208-769-1450 - FAX - 208-769-1454

August 10, 2006

KAREN LEWIS *Sharon Flodin*
LEGAL NOTICE DEPARTMENT
MOSCOW-PULLMAN DAILY NEWS
PO BOX 8187
MOSCOW ID 83843-8187

RE: Application for Permit No. 87-10047

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Thanks, Dianne

Dear KAREN: *Sharon:*

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Dianne

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Administrative Assistant

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8/10/2006

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KARL J DREHER, Director

Published on August 17 and 24, 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

Web Site: www.idwr.idaho.gov

August 10, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

ANN BOWES
1060 WALLEN RD
MOSCOW ID 83843

RE: Application for Permit No 87-10047

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 Moscow Pullman Daily News on August 17 and 24, 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
Water Resource Agent

Enclosure(s) – Receipt No. N017788 – for your files



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 8, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

RAY HENNEKEY
IDAHO DEPARTMENT OF FISH & GAME
3316 16TH STREET
LEWISTON, ID 83501

FAXED TO RAY 8/8/06
6 pages total

Re: Water Permit Application No. 87-10047

Dear Ray:

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 5, 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,

Dianne Ball
Administrative Assistant