

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 96-09298

Priority: August 10, 2006

Maximum Diversion Volume: 0.1 AF

This is to certify, that MAXINE DELBRIDGE
10561 SAGLE RD
SAGLE ID 83860

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>ANNUAL VOLUME</u>
AESTHETIC STORAGE	01/01 to 12/31	0.1 AF
RECREATION STORAGE	01/01 to 12/31	0.1 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER SW¼ NE¼ Sec. 2, Twp 56N, Rge 01W, B.M. BONNER County

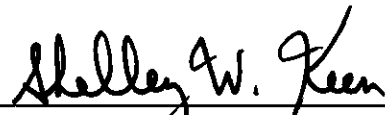
PLACE OF USE: AESTHETIC STORAGE, RECREATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
56N 01W 2			X														

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2008**.
2. Subject to all prior water rights.
3. Recreation storage and aesthetic storage uses are for a fishing pond.
4. Water stored under this right is subject to fluctuations of the water table caused by changes in the flow of local streams and by diversions under prior ground water rights. This right does not guarantee the maintenance of any particular ground water level.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 2nd day of February, 2007.


for DAVID R. TUTTILL, JR., Interim Director

73037

Ident. No. 96-9298

RECEIVED

RECEIVED

AUG 10 2006

IDWR/North

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

DEPARTMENT OF
WATER RESOURCES

Name of Applicant Maxine Delbridge

Phone (208) 255-1254

Mailing address 10561 Sagle Road

Sagle, ID 83860

2. Source of water supply Groundwater which is a tributary of N/A

3. Location of point of diversion is Township 56N Range 1W Sec. 2 in the SW $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot —, B.M., Bonner County;

additional points of diversion if any: —

4. Water will be used for the following purposes:

Amount 0.1 for Pond Aesthetics purposes from Jan. 1 to Dec. 31 (both dates inclusive)

Amount 0.1 for Recreation purposes from Jan. 1 to Dec. 31 (both dates inclusive)

Amount — for — purposes from — to — (both dates inclusive)

Amount — for — purposes from — to — (both dates inclusive)

Amount — for — purposes from — to — (both dates inclusive)

Amount — for — purposes from — to — (both dates inclusive)

Amount — for — purposes from — to — (both dates inclusive)

5. Total quantity to be appropriated is (a) — cubic feet per second and/or (b) 0.1 acre feet per annum

Per T.C. With
with Scott
Brusaw

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source Hole in the ground - fills
with groundwater to form pond

b. Height of storage dam — feet; active reservoir capacity 0.1 acre-feet; total reservoir capacity 0.1 acre-feet

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

d. Is ground water with a temperature of greater than 85°F being sought? NO

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

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

7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in KW. —

b. Stockwatering; list number and kind of livestock. —

c. Municipal; show name of municipality. —

d. Domestic; show number of households. —

e. Other; describe fully. Pond - for aesthetic use only. May add fish
some day.

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	1W	2			~~SW~~														~~SW~~
					J														
					A														

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? Maxine Delbridge

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

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: _____

Just a simple pond to be filled with groundwater.

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.

Maxine M. Delbridge
Signature of Applicant (and title, if applicable)

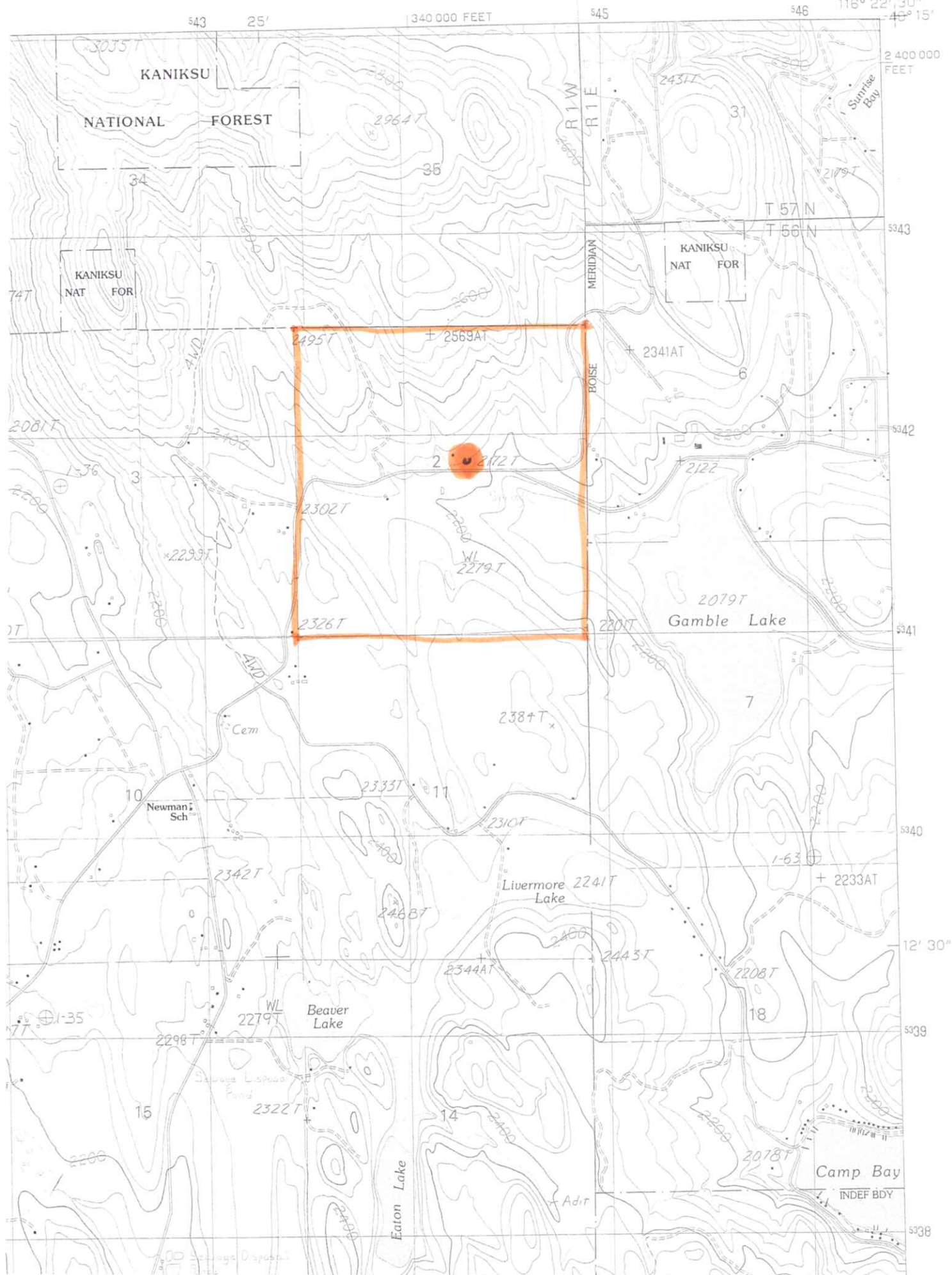
Received by [Signature] Date 8/10/06 Time 1:25 P Preliminary check by _____
Fee \$ 100.00 Receipted by [Signature] # N017789 Date 8/1/06
Publication prepared by [Signature] Date 8/28/06 Published in BC Daily Bee 9/7 + 14/06
Publication approved [Signature] Date 9/25/06

96-9298



-  Bonner taxlots
-  GCDB56N01W GCDB
-  Pou.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp





**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, 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

February 6, 2007

MAXINE DELBRIDGE
10561 SAGLE RD
SAGLE ID 83860

RE: Permit No. 96-9298

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.

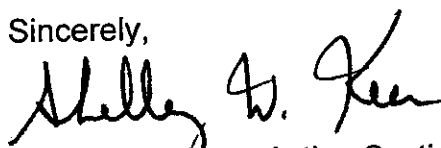
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

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,

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

Shelley W. Keen, Acting Section Manager

Water Right Permits Section

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on February 6, 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.

96-9298

**MAXINE DELBRIDGE
10561 SAGLE RD
SAGLE ID 83860**

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

**Darla Block
Technical Records Specialist**

Statement of Available Procedures and Applicable Time Limits

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

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MEMORANDUM

Date: January 31, 2007
To: Water Right File 96-9298
From: eretelle
Re: permit review

No WD or moratorium

No protests
No overlaps

Recommend approval as suggested by IDWR Northern

AFFIDAVIT OF PUBLICATION

RECEIVED
SEP 22 2006
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 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 7 day of Sept, 2006 and ending on the 14 day of Sept, 2006.

Sherilyn Jones

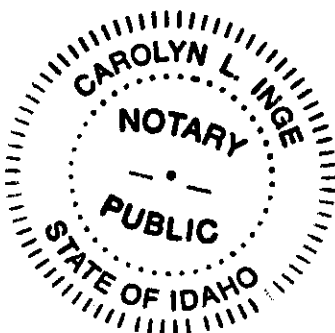
SUBSCRIBED AND SWORN to before me, the undersigned Notary Public, this 15 day of Sept, 2006.

Carolyn L. Inge

Notary Public

Residing at: Sandpoint

Comm. Exp.: 8/12



*See reverse
for legal*

RECEIVED
SEP 22 2006
DWR/North

NOTICE

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

96-9297

ESTHER D. OKANO
195 SUNDOWNER LN
SAGLE ID 83860

Point(s) of Diversion L2 (NWNE) S6 T56N R02W BONNER County
Source PEND OREILLE RIVER - Tributary To COLUMBIA RIVER
Use: IRRIGATION 04/01 To 10/31 0.02 CFS
Total Diversion: 0.02 CFS

Date Filed: 08/09/2006
Place Of Use: IRRIGATION - T56N R02W S6 NWNE Lot 2
Number of Acres 0.5
96-9298

MAXINE DELBRIDGE
10561 SAGLE RD
SAGLE ID 83860

Point(s) of Diversion SWNE S2 T56N R01W BONNER County
Source GROUND WATER
Use: RECREATION 01/01 To 12/31 0.1 AFA
Use: AESTHETIC 01/01 To 12/31 0.1 AFA
Total Diversion: 0.1 AFA

Date Filed: 08/10/2006
Place Of Use: AESTHETIC - T56N R01W S2 SWNE
Place Of Use: RECREATION same as AESTHETIC
Remark: Recreation use is for fishing

96-9299

SOURDOUGH POINT OWNERS ASSN INC
PO BOX 29

SANDPOINT ID 83864

Point(s) of Diversion L2 (NESW) S29 T57N R01W BONNER County
Source PEND OREILLE LAKE - Tributary To PEND OREILLE RIVER
Use: MUNICIPAL 01/01 To 12/31 0.22 CFS
Total Diversion: 0.22 CFS

Date Filed: 08/16/2006
Place Of Use: MUNICIPAL

Remark: Municipal use is within service area of applicant.
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 9/25/2006. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Legl SNP# 8101
September 7, 14, 2006

*See reverse
for Affidavit*

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

96-9297

ESTHER D. OKANO
195 SUNDOWNER LN
SAGLE ID 83860

Point(s) of Diversion L2 (NWNE) S6 T56N R02W BONNER County
Source PEND OREILLE RIVER - Tributary To COLUMBIA RIVER

Use: IRRIGATION 04/01 To 10/31 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 08/09/2006

Place Of Use: IRRIGATION - T56N R02W S6 NWNE Lot 2

Number of Acres 0.5

96-9298

MAXINE DELBRIDGE
10561 SAGLE RD
SAGLE ID 83860

Point(s) of Diversion SWNE S2 T56N R01W BONNER County

Source GROUND WATER

Use: RECREATION 01/01 To 12/31 0.1 AFA

Use: AESTHETIC 01/01 To 12/31 0.1 AFA

Total Diversion: 0.1 AFA

Date Filed: 08/10/2006

Place Of Use: AESTHETIC - T56N R01W S2 SWNE

Place Of Use: RECREATION same as AESTHETIC

Remark: Recreation use is for fishing

96-9299

SOURDOUGH POINT OWNERS ASSN INC
PO BOX 29

SANDPOINT ID 83864

Point(s) of Diversion L2 (NESW) S29 T57N R01W BONNER County

Source PEND OREILLE LAKE - Tributary To PEND OREILLE RIVER

Use: MUNICIPAL 01/01 To 12/31 0.22 CFS

Total Diversion: 0.22 CFS

Date Filed: 08/16/2006

Place Of Use: MUNICIPAL

Remark: Municipal use is within service area of applicant.

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 9/25/2006.

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. DREHER
Director

August 28, 2006

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

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

RE: Application for Permit No. 96-9297, 96-9298 and 96-9299

Dear SHERI:

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 truly greatly appreciated.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Monday, August 28, 2006 11:14 AM
To: Legal Notices-Bonner Co Daily Bee (E-mail)
Subject: Legal notice for publication September 7 and 14, 2006 - re: 3 WR Applications, 9-9297,98,99

Good morning, Sheri,

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
3-28-06 BCDB e-ma.



LegalNotice
3-28-06 BCDB e-ma.



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 28, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

MAXINE DELBRIDGE
10561 SAGLE RD
SAGLE ID 83860

RE: Application for Permit No 96-9298

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 September 7 and 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. N017789

To: Keith Franklin
Idaho Department of Water Resources

From: Scott Brusaw
10561 Sagle Road
Sagle, Idaho 83860

RECEIVED
AUG 01 2006
IDWR/North

Hi Mr. Franklin,

We talked on the phone last week about a pond I'm building. Basically, I've dug a hole in the ground and it is filling up with ground water.

I've filled out the Application for Permit (I hope I did it correctly!) and enclosed it with the fee. The mark indicating the pond on the topo map is not to scale of course: it would be too small to actually see on this map.

Thanks for your help.

If there are any problems or if you have any questions, here is my contact information:

Scott Brusaw
10561 Sagle Road
Sagle, Idaho 83860
(208) 255-1254
scott@rbsfuture.com