

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 96-09294

Priority: July 27, 2006

Maximum Diversion Rate: 0.02 CFS

This is to certify, that PHILIP C LASSWELL And/Or
ROBERT A SHAILER
PO BOX 34
MARSHALL WA 99020

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>
DOMESTIC	01/01 to 12/31	0.02 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER SE¼ NE¼ Sec. 7, Twp 53N, Rge 03W, B.M. KOOTENAI County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N 03W 7				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. Domestic use is for 1 home.
4. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. 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.
8. This right does not grant any right-of-way or easement across the land of another.
9. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.

State of Idaho
Department of Water Resources
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NO. 96-09294

10. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of the management plan approved by the director for the RPGWMA.
11. When notified by the Department, the right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code, and/or the management plan for the Rathdrum Prairie Ground Water Management Area.

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 January, 2007.

Shelley W. Keen
FOR DAVID R. TUTHILL, JR., Interim Director

RECEIVED

SEP 13 2006

DEPARTMENT OF
WATER RESOURCES
SEP 13 2006

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 96-9294

RECEIVED

JUL 27 2006

IDWR/North

1. Name of Applicant Philip C. Lasswell & Robert A. Shailer Phone 509 448-2524
- Mailing address P.O. Box 34 Marshall, WA 99020
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is Township 53N Range 34W Sec. 7, in the _____ 1/4,
SE 1/4, NE 1/4, Govt. Lot _____, B.M., Kootenai County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:

Amount <u>0.08</u> for <u>Domestic</u> purposes from <u>1/1</u> to <u>12/31</u> (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) 0.08 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works: Pump in well
 - 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 6" inches; proposed depth of well is 523 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? 2003; Drilling firm United Drilling Inc.
Well was drilled for (well owner) _____; Drilling Permit No. 00028268
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. _____
 - d. Domestic; show number of households. 1
 - 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	
53N	3W	7				0													

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? Hans Juergensen

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: Easement

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.

Philip C. Juergensen

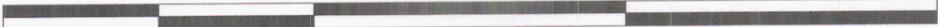
Signature of Applicant (and title, if applicable)

Received by [Signature] Date 7/25/06 Time 2:36p Preliminary check by _____
 Fee \$ 100.00 Received by [Signature] # N017780 Date 7/27/06
 Publication prepared by [Signature] Date 8/10/06 Published in CDA Prep 8/17 + 24/06
 Publication approved [Signature] Date 8/29/06

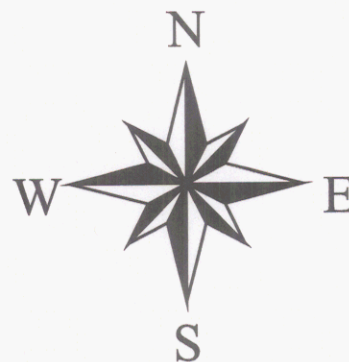
96-9294



0.08 0 0.08 0.16 Miles

A horizontal scale bar with alternating black and white segments, corresponding to the mile markings above it.

-  Kootenai taxlots
-  GCDB53N03W GCDB
-  Pou.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp



CLAGSTONE

ROAL

N 00°34'36"E 2652.52' (R2)
N 00°34'27"E 2652.16' (R1)
N 00°36'40"W 2652.03' (M-R3)

1326.02'

S 00°36'40"E 663.01'

30' ROAD RIGHT-OF-WAY DEDICATION

331.52'

331.52'

75' SPECIAL SETBACK LINE

EXISTING LAKES H.D.
10' ROADWAY, UTILITY
AND DRAINAGE EASEMENT
INST. NO. 1713657

1327.30'

1297.30'

LOT 1

430522 SQ. FT.
9.883 ACRES (NET)

NE
SE Well location

S 89°25'02"W 1297.84'

LOT 2

430701 SQ. FT.
9.887 ACRES (NET)

BLOCK ONE

1298.38'

1328.38'

EXISTING LAKES H.D.
10' ROADWAY, UTILITY
AND DRAINAGE EASEMENT
INST. NO. 1713657

S 89°23'35"W

332.07'

332.07'

N 00°31'04"W

664.13'

66

SECTION

N 1/4 E 1/4

S. 1/2 SF - NF

NE - NE

GRANT OF EASEMENT, WATER SHARE AND JOINT USE AGREEMENT

THIS AGREEMENT made this ____ day of June, 2004 by HANS JUERGENSEN and LINDA JUERGENSEN, husband and wife, of 31575 N. Clagstone Road, Athol ID 83801.

WHEREAS, the parties are the owners of certain real property located in the County of Kootenai, State of Idaho, more particularly described as:

PARCEL #1 - Lot 1, Block 1, JUERGENSEN ADDITION, according to the plat thereof recorded in Book J of Plats at page 19, records of Kootenai County, Idaho.

PARCEL #2 - Lot 2, Block 1, JUERGENSEN ADDITION, according to the plat thereof recorded in Book J of Plats at page 19, records of Kootenai County, Idaho.

WHEREAS, there is presently a well which is located on the real property described above as **PARCEL #1**. The location of the well is generally depicted on Exhibit "A" attached hereto and by reference fully incorporated herein. At this time only **PARCEL #1** is hooked up to and using the well. It is necessary that this instrument be made a matter of record to establish the rights, interests, and further responsibilities of each parcel owner as it concerns the maintenance, repair and use of the well, pump, and water transmission line to the owners of the property described as **PARCEL #1** and **PARCEL #2**.

NOW THEREFORE, it is hereby established as follows:

1. Well. An easement is hereby granted, conveyed and reserved for the use of the well, and water system located on the real property described herein as the **PARCEL #1**, more particularly described hereinabove. The well described herein shall be used for the exclusive use of **PARCEL #1** and **PARCEL #2**, described herein. The well and pump are located on **PARCEL #1** and their location is generally depicted in the schematic marked as Exhibit "A" attached hereto and by reference fully incorporated herein. The owner of **PARCEL #1** shall be entitled to an undivided fifty percent (50%) interest in the well and the owner of **PARCEL #2** shall be entitled to an undivided fifty percent (50%) interest in the well. Use of the well and the water system cannot be expanded to other properties or other uses as limited by this agreement without written consent of all of the owners of **PARCEL #1** and **PARCEL #2**. In the event there is any shortage of water which requires any rationing and/or limitations to be placed on the well, the same shall be proportionate to said ownership. This easement shall be appurtenant to the property described as

PARCEL #1 and PARCEL #2 and shall run with the land.

2. Well, Pump, and Water Transmission Line Easement. An easement is hereby granted, conveyed, established and reserved twenty-five (25) feet around the well and pump, in their present location, for the placement, maintenance and repair of the well and pump, on **PARCEL #1 and PARCEL #2**. Said easement location is generally depicted in the schematic marked as Exhibit "A" attached hereto and by reference fully incorporated herein.

An easement is also granted, conveyed, established and reserved for the installation, maintenance and repair of the water transmission line from the well and pump to **PARCEL #2**. The location of the easement for the water transmission line is generally depicted in the schematic marked as Exhibit "A" and shall be seven and one-half (7 ½) feet in width on either side of the water line, for a total of fifteen (15) feet in width.

An easement is also granted, conveyed, established and reserved to provide access to said easement for necessary repairs and maintenance to the water transmission line.

All easements described in this paragraph 2 shall be appurtenant to the property described as **PARCEL #1 and PARCEL #2** and shall run with the land.

3. Costs. All costs for the maintenance and repair of the well, including the pump and accessories, shall be shared equally with the owners of **PARCEL #1** being responsible for fifty percent (50%) of the costs and the owners of **PARCEL #2** being responsible for fifty percent (50%) of the costs. Costs for any maintenance and repair shall include restoring any portion of the easement area that is disturbed to its previous undisturbed state after repairs are completed. The owner of **PARCEL #2** shall not be responsible for any costs for the maintenance and repair of the well, including the pump, until such time as **PARCEL #2** begins use of the hook up to the well. Each parcel owner shall be responsible for the maintenance and repair of their own water transmission line from the well. Each parcel owner agrees to restore any of the easement area that is disturbed to its previous undisturbed state after repairs are completed at the cost of the party undertaking the maintenance and repair. Once use of the water has started, the responsibility for payment of costs shall continue, regardless of any discontinuance of use by a parcel thereafter.

4. Electricity. All electricity for the well and pump shall be shared evenly and be the responsibility of all of the parcel owners, once **PARCEL #2** begins using the well. Presently

2. GRANT OF EASEMENT, WATER SHARE AND JOINT USE AGREEMENT

there is a separate electric meter for the well and the owner of **PARCEL #1** is being billed for the electricity for the well. The owner of **PARCEL #2** shall pay their proportionate share of the electricity bill for the well to the owner of **PARCEL#1** after **PARCEL #2** begins using the well. Said payment shall be made on or before the 15th of each month after a copy of the electricity bill is presented to the owner of **PARCEL #2**. Regardless of which parcel owner is actually being billed for the electricity for the well, the parcel owner who is not being billed is responsible to reimburse the owner of the billed parcel for its proportionate share of the electricity for the well as described in this paragraph once that parcel has commenced using the well.

5. Hookup Costs. All costs to hook onto the system shall be borne by the individual parcel owners. Any costs for the continued maintenance and repair of the water transmission line from the well, including individual holding tanks, as is constructed to the individual parcels shall be the responsibility of the individual parcel owners. Any such hook up shall be done and maintained in such a manner as to not permit any back flow contamination of the well at any time.

6. Use. Use of the water shall not be disproportionate to the other users. Use of the water shall be limited to use for one (1) household for each parcel. The water shall only be used for domestic use, lawn irrigation, garden and pets and not for any agricultural use or irrigation use (small gardens excluded) and not commercial crop or commercial livestock operations. No animals shall be pastured within fifty (50) feet of the well.

7. Default. In the event any owner fails to pay their share of the costs for the repair and maintenance of the well, or electricity, within ten (10) days after written demand from the other parcel owner, then in that event, their right to use the well can be terminated until such time as all costs and expenses have been reimbursed, plus interest at a rate of eighteen percent (18%) per annum to be calculated thirty (30) days after the first written demand for contribution has been made. Furthermore, in the event the nonpayment should continue, a lien right is hereby established and the other owners shall have the right to file and record a claim of lien and to foreclose the lien on the individual tract as a mortgage under the laws of the State of Idaho. Any and all costs and attorney's fees incurred resulting from said default shall be paid by the defaulting party.

8. Attorney's fees and representation. In the event any legal action is necessitated

3. GRANT OF EASEMENT, WATER SHARE AND JOINT USE AGREEMENT

for the enforcement of the terms of this agreement attorney's fees and costs shall be allowed to the prevailing party.

HANS JUERGENSEN

LINDA JUERGENSEN

STATE OF IDAHO)

.ss

County of Kootenai)

On this ____ day of June, 2004 before me, _____,
a Notary Public for the State of Idaho, personally appeared HANS JUERGENSEN and LINDA JUERGENSEN, known or identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

Notary Public for Idaho
Residing in:
Commission expires:

**READ AND
APPROVED**

**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 25, 2007

PHILIP C LASSWELL
ROBERT A SHAILER
PO BOX 34
MARSHALL WA 99020

RE: Permit No. 96-9294

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,



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

Enclosure(s)

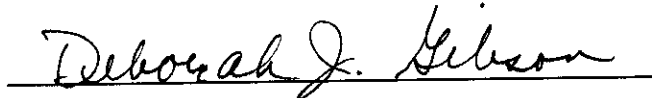
CERTIFICATE OF SERVICE

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.

96-9294

**PHILIP C LASSWELL
ROBERT A SHAILER
PO BOX 34
MARSHALL WA 99020**

A handwritten signature in cursive script, reading "Deborah J. Gibson", is written over a horizontal line.

**Deborah Gibson
Administrative Assistant**

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 23, 2007
To: Water Right File 96-9294
From: eretelle
Re: permit review

No WD
Rathdrunm GWMA

No protests
No PoU overlap
PoD is existing well

Recommend approval as suggested by IDWR Northern

RECEIVED

AUG 29 2006

IDWR/North

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

} ss.

Amy McCree being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Legal Notice

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 17 day of August, 2006, and ending on the 24 day of August, 2006, and such publication was made as often during said period as said daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

On this 24 day of August in the year of 2006, before me,

a Notary Public, personally appeared Amy McCree, 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.

Regina Mason

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MY COMMISSION EXPIRES 6/18/09

LEGAL NOTICE

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
95-9355

LINDA J STEPHENSON
EDGAR T STEPHENSON
PO BOX 1394

COEUR D ALENE ID 83816

Point(s) of Diversion SESWSW S20 T50N R04W KOOTENAI County

Source UNNAMED STREAM - Tributary To COUGAR CREEK
Use: STOCKWATER STORAGE 01/01 To 12/31 5.5 AFA
Use: WILDLIFE STORAGE 01/01 To 12/31 5.5 AFA
Use: RECREATION STORAGE 01/01 To 12/31 5.5 AFA
Use: FIRE PROTECTION STORAGE 01/01 To 12/31 5.5 AFA
Use: AESTHETIC STORAGE 01/01 To 12/31 5.5 AFA
Total Diversion: 5.5 AFA

Date Filed: 07/28/2006

Place Of Use: AESTHETIC STORAGE - T50N R04W S20 SWSW
Place Of Use: ALL OTHER USES same as AESTHETIC STORAGE

Remark: Stockwater storage is for 10 head of mixed stock
Recreational storage is for swimming and fishing
96-9294

PHILIP C LASSWELL
ROBERT A SHAILER
PO BOX 34

MARSHALL WA 99020

Point(s) of Diversion SENE S7 T53N R03W KOOTENAI County

Source GROUND WATER

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

Date Filed: 07/27/2006

Place Of Use: DOMESTIC - T53N R03W S7 SENE

Remark: Domestic use is for 1 home.

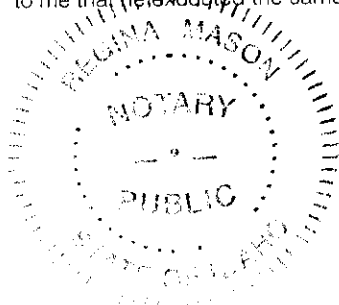
Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

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

KARL J DREHER, Director

Legal 9663

August 17, 24, 2006



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

95-9355

LINDA J STEPHENSON
EDGAR T STEPHENSON
PO BOX 1394

COEUR D'ALENE ID 83816

Point(s) of Diversion SESWSW S20 T50N R04W KOOTENAI County
Source UNNAMED STREAM - Tributary To COUGAR CREEK

Use:	STOCKWATER STORAGE	01/01 To 12/31	5.5 AFA
Use:	WILDLIFE STORAGE	01/01 To 12/31	5.5 AFA
Use:	RECREATION STORAGE	01/01 To 12/31	5.5 AFA
Use:	FIRE PROTECTION STORAGE	01/01 To 12/31	5.5 AFA
Use:	AESTHETIC STORAGE	01/01 To 12/31	5.5 AFA
	Total Diversion:		5.5 AFA

Date Filed: 07/28/2006

Place Of Use: AESTHETIC STORAGE - T50N R04W S20 SWSW

Place Of Use: ALL OTHER USES same as AESTHETIC STORAGE

Remark: Stockwater storage is for 10 head of mixed stock

Recreational storage is for swimming and fishing

96-9294

PHILIP C LASSWELL
ROBERT A SHAILER
PO BOX 34

MARSHALL WA 99020

Point(s) of Diversion SENE S7 T53N R03W KOOTENAI County

Source GROUND WATER

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

Date Filed: 07/27/2006

Place Of Use: DOMESTIC - T53N R03W S7 SENE

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

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 www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

August 10, 2006

AMY McCREE, GLENDA JEFFERSON, KATTIE HOY
LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

RE: Application for Permits No.95-9355 and 96-9294

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

Dear Amy, Glenda & Kattie:

Enclosed 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 greatly appreciated.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, August 10, 2006 10:41 AM
To: Legal Notices-CdA Press (E-mail); Legal Notices-CdA Press2 Glenda Jefferson (E-mail); Legal Notices-CdA Press3 Amy (E-mail)
Subject: Legal notice for publication Aug.17 & 24, 2006 - PLEASE FAX PROOF PRIOR TO PUBLICATION

Good morning, one and all,

Attached is my cover letter requesting publication of a legal notice on August 17 and 24, 2006. The legal notice is also attached.

If you have ANY questions, please call me at 769-1450.

PLEASE FAX A PROOF COPY TO ME BEFORE THIS GOES TO PRESS - at 769-1454.

Thank you VERY much for all your help.

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
8-10-06 Cda e-mai..



LegalNotice
8-10-06 Cda e-mai..



State of Idaho

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Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

August 10, 2006

PHILIP C LASSWELL
ROBERT A SHAILER
PO BOX 34
MARSHALL WA 99020

RE: Application for Permit No 96-9294

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 Coeur d'Alene Press 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,

A handwritten signature in black ink, appearing to read 'Keith E. Franklin'. The signature is fluid and cursive, with a small circular mark at the end.

Keith E. Franklin
Water Resource Agent

Form 238-7
11/97

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
1/4 1/4 1/4
Lat: : : Long: : :

Receipt NO 15533
\$75.00 fee

1. WELL TAG NO. D0028268 RECEIVED

DRILLING PERMIT NO 801039 JUN 03 2003

Other IDWR No.

2. OWNER: IDWR/North

Name Dale Adickes

Address 1726 W Hillside Road

City Athol State ID Zip 83801

3. LOCATION OF WELL by legal description:

N Twp 53N North ☒ or South ☐
Rge 03W East ☐ or West ☒
Sec 07 SE 1/4 NE 1/4 1/4
10 Ac 40 Ac 160 Ac
Gov't Lot County Kootenai
Lat _____ Long _____
Address of Well Site: (see next line)

City _____
Lot _____ Blk _____ Sub. Name (see next line)

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK			Amount	Method
Material	From	To	Sacks/Lbs	
Bentonite Gran.	0	18	5 Sacks	Pour In

Drive Shoe Used? ☒ Y ☐ N Shoe Depth(s) _____ Ring Bit @523'

Drive Shoe Seal Tested? ☐ Y ☒ N How? _____

8. CASING/LINER

Diam	From	To	Gauge	Material	Casing	Liner	Weld	Thread
6	+2	523	0.250	Steel	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length Headpipe _____ Length Tailpipe _____

9. PERFORATIONS/SCREENS

☒ Perforations? Method Air Perforator

☐ Screens? Screen Type _____

From	To	Slot	Nmbr	Diam	Material	Casing	Liner
490	510	1x1/4	200	6"	Steel	☒	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL or ARTESIAN PRESSURE

475 ft. below ground. Artesian pressure _____ lb.
Depth flow encountered 475 ft. Describe access port or control devices: Steel Cap Welded

11. WELL TESTS

☐ Pump ☐ Baller ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pump Level	Time
15+	100%	520	3 Hours

Water Temp. _____ Cold _____ Bottom hole tem _____ Cold _____

Water Quality test or comments: (below) Depth first Water Encountered 470

Clear, Cold, No Smell

12. LITHOLOGIC LOG (Describe repairs or abandonment)

Bore Diam	From	To	Remarks: Lithology, Water Quality and Temperature	Water
				Y N
10	0	1	Topsoil	☐ ☒
8	1	18	Sand & Gravel - 3/4 minus	☐ ☒
8	18	187	Sand & Gravel - 3/4 minus	☐ ☒
8	187	290	Sand & Gravel - 1/2 minus	☐ ☒
8	290	295	Boulder	☐ ☒
8	295	440	Sand & Gravel - 3/4 minus	☐ ☒
8	440	470	Sand & Gravel with some Clay - 3/4 minus	☐ ☒
8	470	523	Sand & Gravel - 3/4 minus	☒ ☐

Completed Depth 523 (Measurable)
Date: Started 5/14/03 Completed 5/19/03

13. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name United Drilling Inc.

Firm No 414

Firm Official and

Jason C. Beckham

Date 5/21/03

Supervisor or Operator Jason C. Beckham

Date 5/21/03

53 N 3 W 7