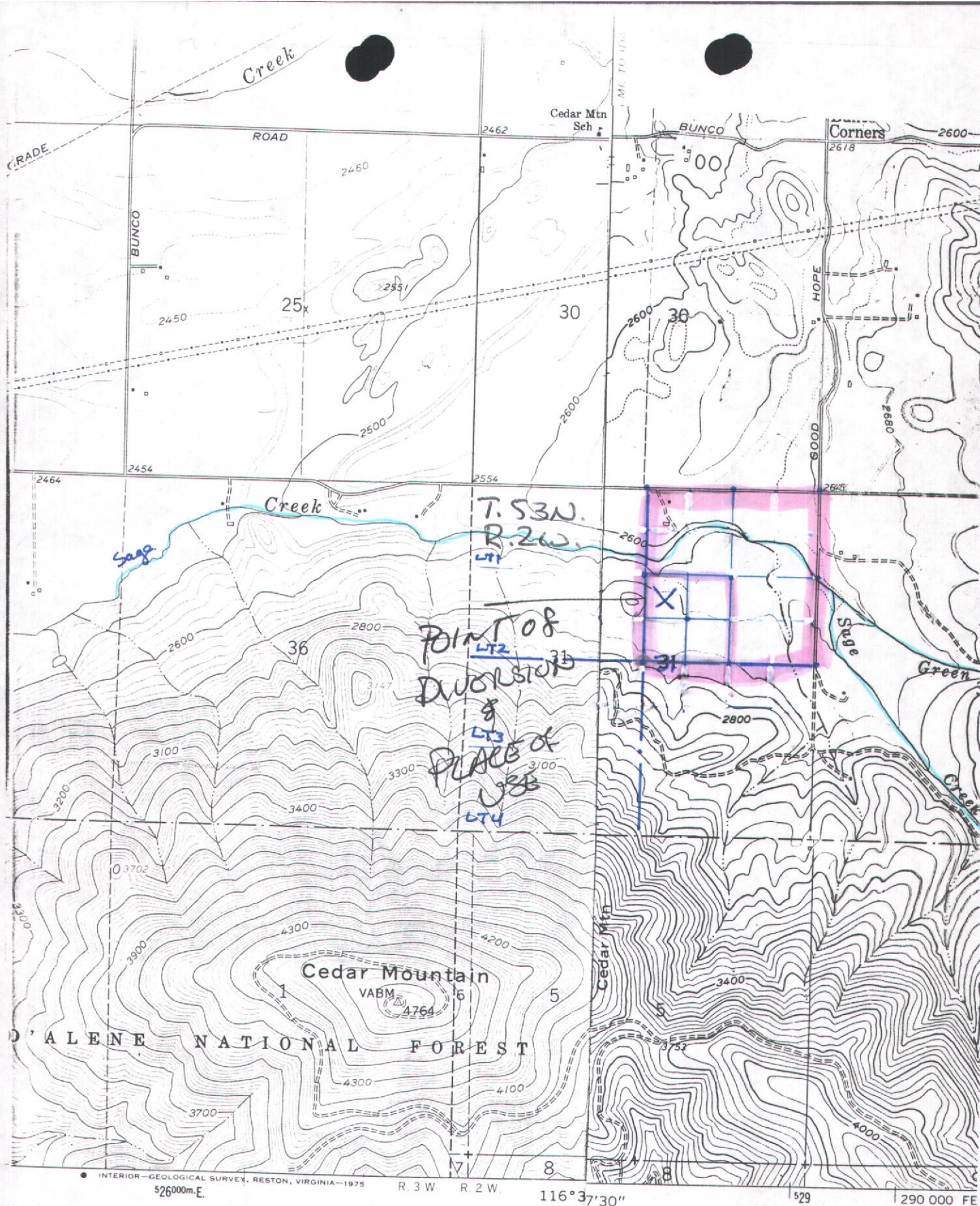




ROAD CLASSIFICATION

Heavy-duty Light-duty
Medium-duty Unimproved dirt =====

 U. S. Route  State Route



QUADRANGLE LOCATION

ATHOL, IDAHO

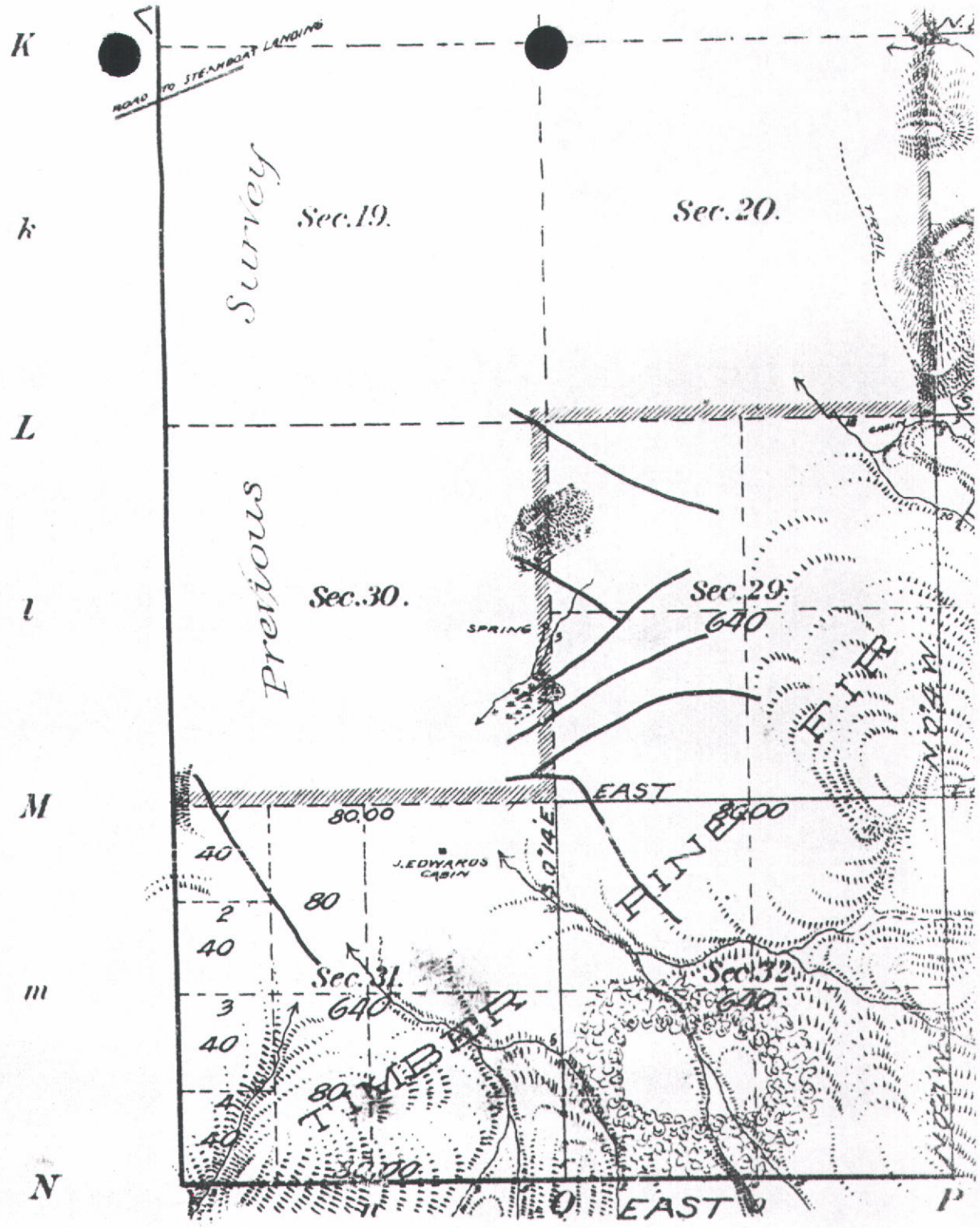
NW/4 ATHOL 15' QUADRANGLE
N4752.5—W11637.5/7.5

Manuscript edited and published by the Geological S

404 1:62 500
2679 1

APR 18 1995

E-5
N



Surveys Designated	By Whom Surveyed	No.	Date of Contract	Amount of S. M.	Ch.
South Township lines	Oscar Sonnenkalb	178	June 10, 1896	2	00
Subdivisions	"	"	"	17	58
Meanders	"	"	"	5	67
Corrections	"	"	"		2
W. boundary	John B. David	83	Aug 9, 1880	6	01
Standard	J. D. Robinson		Spec. Order Dept.	2	00
"	Robinson & Dike	111	May 23, 1892	1	00

MICHIGAN
 APR 18 1895

RECEIVED

MAR 20 1996

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

FOR OFFICE USE ONLY

Amnt. of Fee \$: 50.00

Receipt No. N9985

Receipt By: db

Date Received: 3/15/96

gdi

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 96-08847 Telephone No. 208-683-2835

2. Name(s) of Permit Holder(s): Phillip Cernera

3. Mailing Address: 12148 E Nunn Rd Arhol Id 83801

4. Source of Water: unnamed tribe Sage Cr. If **GROUNDWATER** (well), Date Drilled: mo. / yr.

a. Well Driller: Drilling Permit Number: - - -

b. **OPTIONAL:**
Pump Horsepower: Pressure (psi): Dynamic pumping level (ft):

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): Stockwater (No. and type of stock): 3

Irrigation (No. of acres): 3.0 Other: WILDLIFE, AESTHETIC POND

6. Total rate of diversion and/or volume for which proof is submitted: 0.02 cfs OR acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes or No

Has the measuring device been installed? Yes or No

Flow Measurement Port: Is a flow measurement port required? Yes or No

Has the measurement port been installed? Yes or No

8. Fee Enclosed: \$ 50 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Telephone Number:

Address: SAME AS ABOVE

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho

MAR 29 1996

Signature of permit holder: Phillip Cernera Date: Feb. 16, 96

(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 96-08847

Proposed Priority: February 6, 1995 Maximum Diversion Rate: 0.02 CFS

This is to certify, that **PHILLIP CERNERA**
12148 E NUNN RD
ATHOL ID 83801

has applied for a permit to appropriate water from:
UNNAMED STREAM tributary of **SAGE CREEK**

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>
IRRIGATION	03/15 to 11/15	0.02 CFS	
IRRIGATION STORAGE	01/01 to 12/31		0.3 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		0.3 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	
STOCKWATER STORAGE	01/01 to 12/31		0.2 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		0.2 AF
WILDLIFE	01/01 to 12/31	0.02 CFS	
WILDLIFE STORAGE	01/01 to 12/31		0.3 AF
WILDLIFE FROM STORAGE	01/01 to 12/31		0.3 AF
AESTHETIC	01/01 to 12/31	0.02 CFS	
AESTHETIC STORAGE	01/01 to 12/31		0.3 AF
AESTHETIC FROM STORAGE	01/01 to 12/31		0.3 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.02 CFS	
Totals		0.02 CFS	

LOCATION OF POINT(S) OF DIVERSION: SWNE , Sec. 31, Township 53N, Range 02W
KOOTENAI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
53N	02W	31	SWNE	3.0		3.0

Total number of acres irrigated: 3.0

PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: STOCKWATER FROM STORAGE, same as IRRIGATION use

PLACE OF USE: WILDLIFE, same as IRRIGATION use

PLACE OF USE: WILDLIFE FROM STORAGE, same as IRRIGATION use

PLACE OF USE: AESTHETIC, same as IRRIGATION use

PLACE OF USE: AESTHETIC FROM STORAGE, same as IRRIGATION use

APR 18 1995

State of Idaho
Department of Water Resources

Permit To Appropriate Water

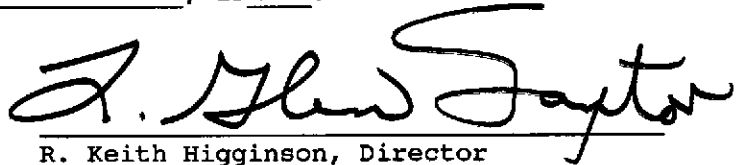
NO. 96-08847

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **April 1, 1996.**
2. Subject to all prior water rights.
3. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
4. Stockwater use is for 3 horses and 1 llama.

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

30th day of March, 1995.



for
R. Keith Higginson, Director

RECEIVED
MARCH 11 1995

MAR 9 1995

RECEIVED
MAR 16 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 96-08847

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant Phillip Cerna Phone 208-683-2835
Post office address 12148 E. Nunn Rd Athol ID 83801
2. Source of water supply unnamed stream (per IDWR standards) which is a tributary of Sage Creek
3. Location of point of diversion is N 1/2 1/4 of S 1/2 1/4 of W 1/2 of 1/4, Govt. Lot W 1/2
(Sec 31 NE 1/4) Township 53N Range 2W B.M. Kootenai County; additional
points of diversion if any: _____

Supplemental storage use sheet

ADD DIV. TO STORAGE 1/1 - 12/31 @ 0.02 cfs

Amount	For	Purposes	From	To (Both dates inclusive)
0.02 cfs		01 Irrigation	3/15	11/15
Amount	For	Purposes	From	To (Both dates inclusive)
① 0.3 0.25 afa		02 Irr. storage 1/1	3/15	12/31/11/15
① 0.3 0.25 afa	For	Purposes	From	To (Both dates inclusive)
		03 Irr. from storage	3/15	11/15

Amount	For	Purposes	From	To (Both dates inclusive)
0.02 cfs		04 stockwater	1/1	12/31
Amount	For	Purposes	From	To (Both dates inclusive)
② 0.28 afa		05 stockwater storage	1/1	12/31
Amount	For	Purposes	From	To (Both dates inclusive)
② 0.25 afa		06 stockwater from storage	1/1	12/31

Amount	For	Purposes	From	To (Both dates inclusive)
0.02 cfs		16 wild life	1/1	12/31
Amount	For	Purposes	From	To (Both dates inclusive)
① 0.3 0.25 afa		17 wild life storage	1/1	12/31
Amount	For	Purposes	From	To (Both dates inclusive)
① 0.3 0.25 afa		wild life	1/1	12/31
		18 from storage		

APR 18 1995

Amount	For	Purposes	From	To (Both dates inclusive)
0.02 cfs		52 aesthetic	1/1	12/31
Amount	For	Purposes	From	To (Both dates inclusive)
① 0.3 0.25 afa		53 aesthetic storage	1/1	12/31
Amount	For	Purposes	From	To (Both dates inclusive)
① 0.3 0.25 afa		aesthetic	1/1	12/31
		54 from storage		

① rounded to nearest 1/10 th per IDWR standards. 3/27/95 cfs.

② max volume allowed for 4 livestock per IDWR standards 3/27/95 cr.

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. 3 horses + 1 llama
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
53N	24	31			3														3
					X														
					I														
					I														
					W														
					W														
					S														
					S														
					B														
					(STORAGE)														

Total number of acres to be irrigated 3

10. Describe any other water rights used for the same purposes as described above. _____

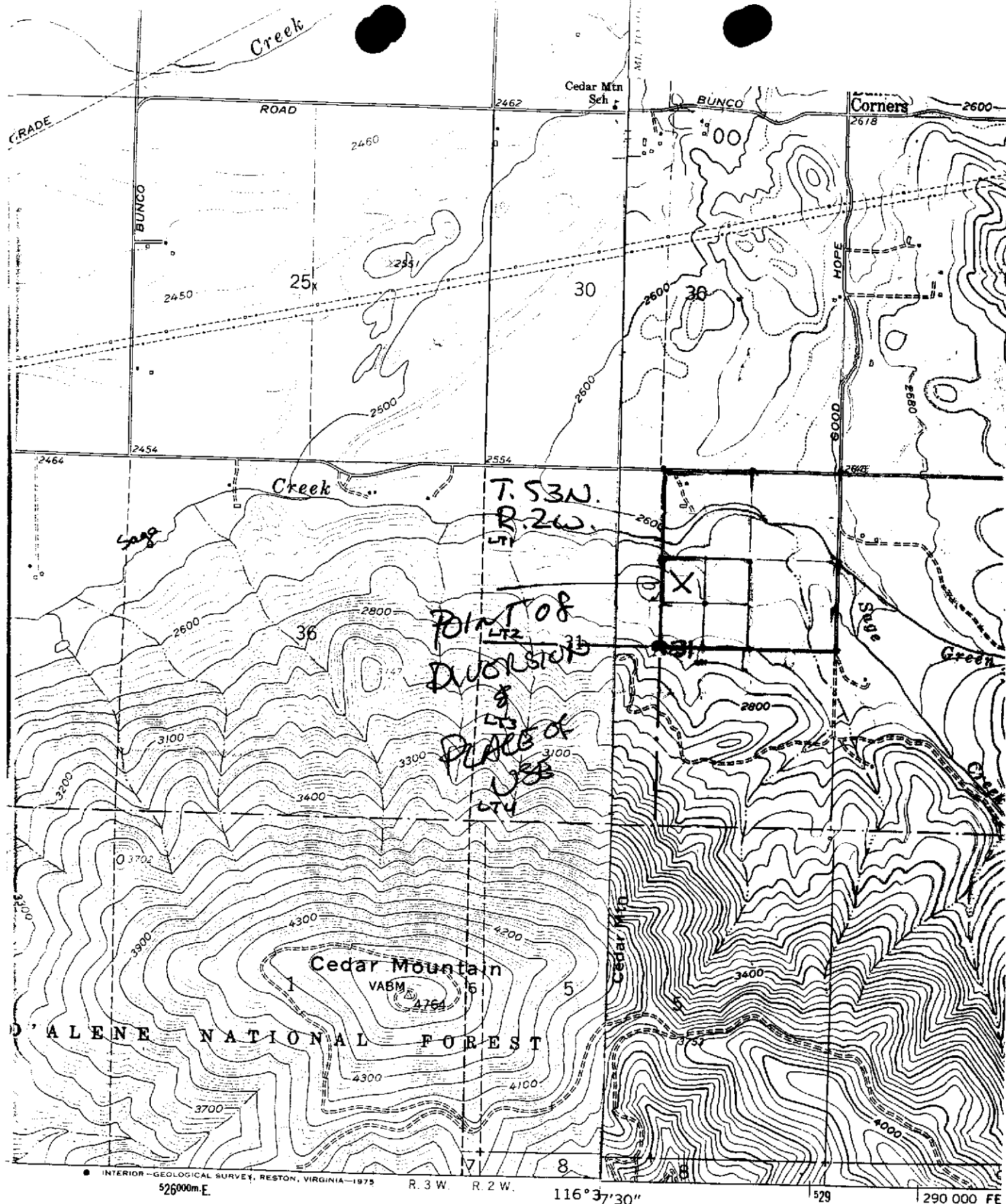
11. a. Who owns the property at the point of diversion? I do

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

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: _____

APR 18 1985



ROAD CLASSIFICATION

- Heavy-duty —————
- Medium-duty —————
- Light-duty —————
- Unimproved dirt - - - - -
- U. S. Route (Shield symbol)
- State Route (Circle symbol)

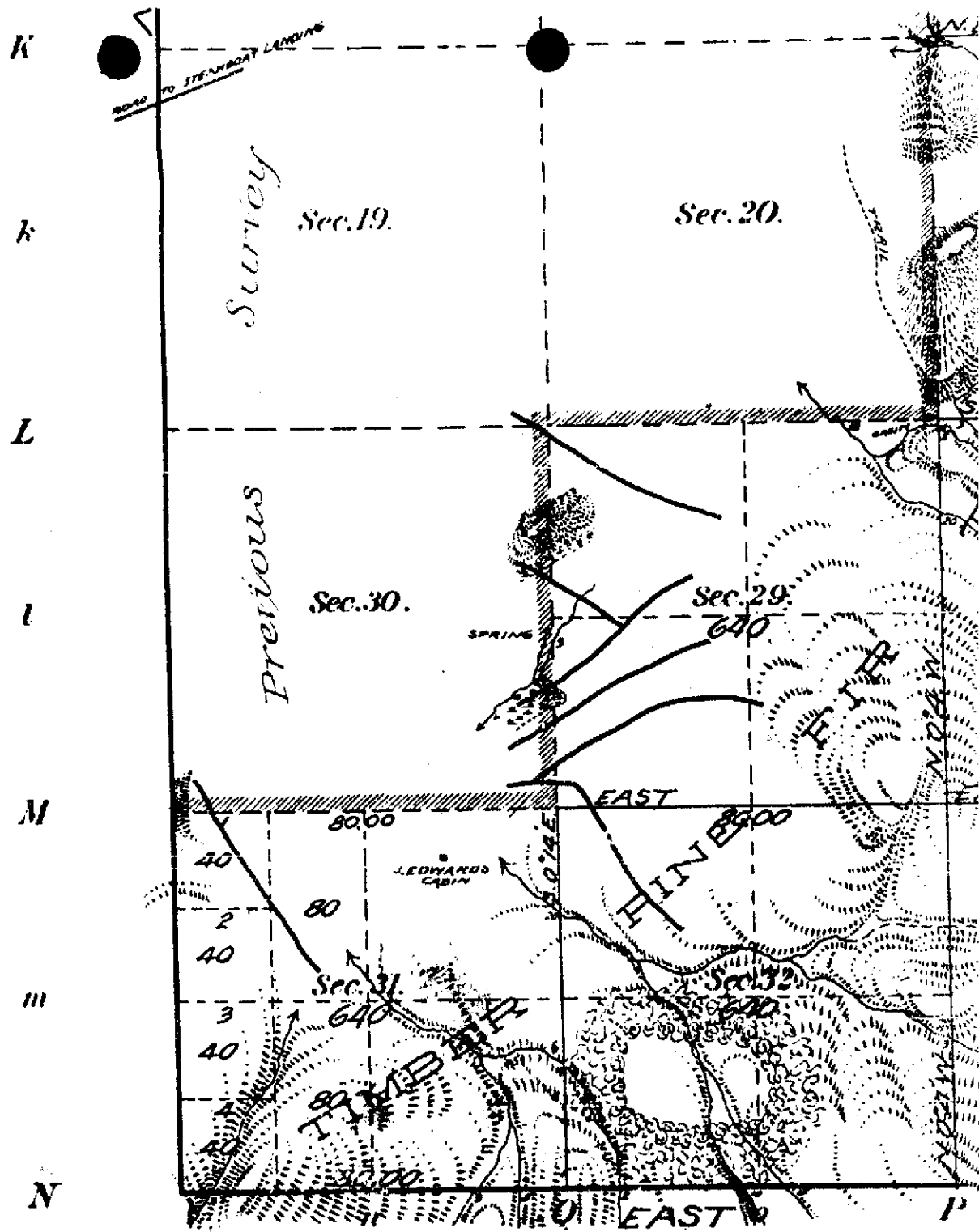


ATHOL, IDAHO
 NW/4 ATHOL 15' QUADRANGLE
 N4752.5—W11637.5/7.5

E-5
 N

APR 18 1995

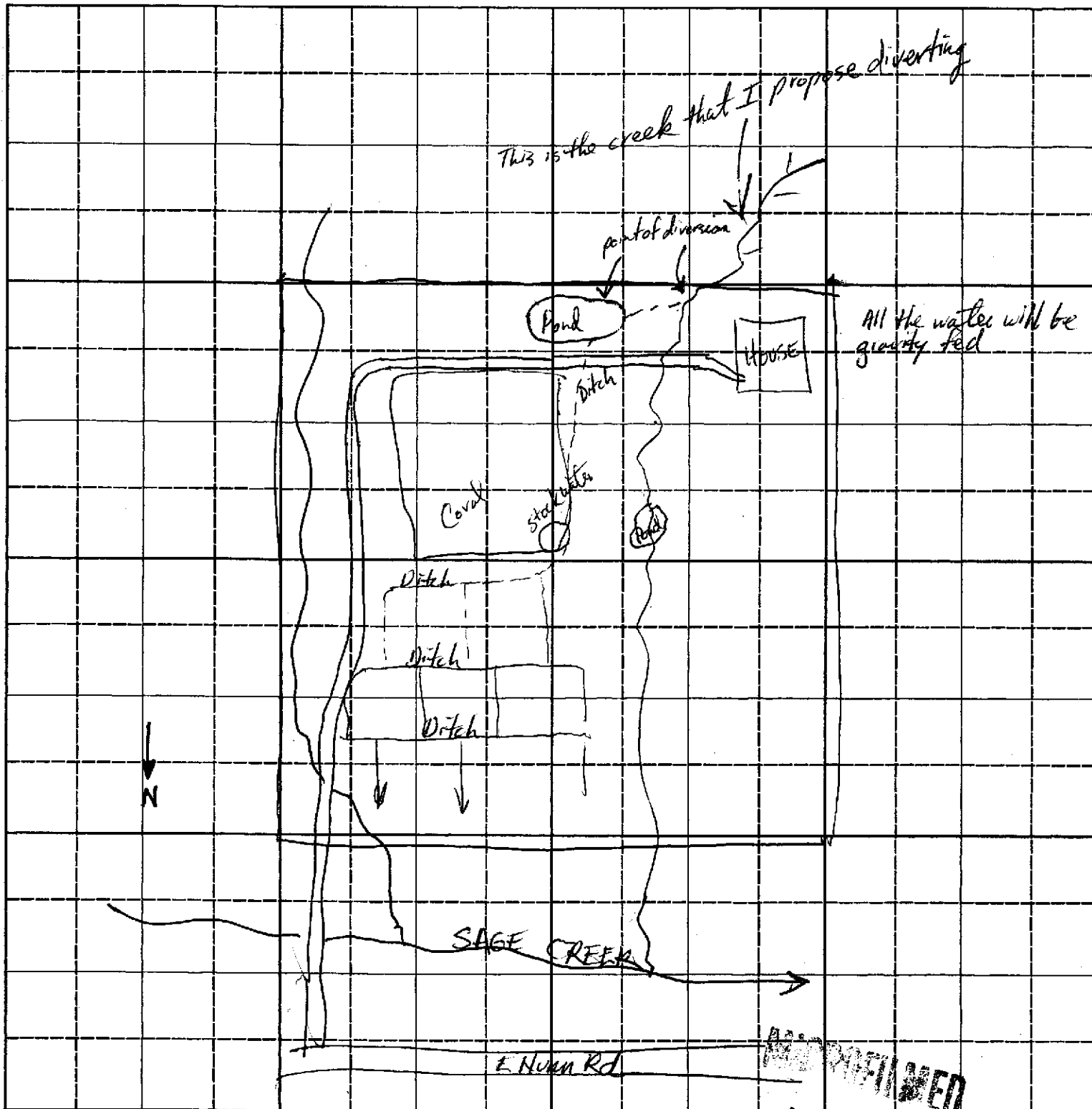
and published by the Geological S



Surveys Designated.	By Whom Surveyed	Date of Contract	Amount of S. M. Ch.
South Township lines	Oscar Sonnenhall	178 June 10, 1896	2 00
Subdivisions	"	" "	17 58
Meanders	"	" "	5 07
Connections	"	" "	1 00
W. boundary	John B. David	83 Aug 9, 1880	0 00
Standard	J. D. Robinson	Spec. Order Dept.	2 00
"	Robinson & Dike	111 May 23, 1892	1 00

APR 8 1895

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Phillip J. Comer
(Applicant)

Received by AB Date 2/6/95 Time 11:55 Preliminary check by AB
Fee \$ 50.00/100 Received by AB # N-8603 Date 2/6/95
Publication prepared by db Date 2/9/95 Published in 2/16 #23/95 CDA News
Publication approved db Date 2/29/95

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

APR 18 1995

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 96-08847 Reviewed by [Signature] Date 3-22-96

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

✓ Surface water source
Ground water source
Drilling permit required?
Copy in the file? Drilling Permit No. _____
Amount paid for permit _____ Correct?
Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50- Amount Submitted
yes Correct?
no Required?
/ Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	_____
Date proof due	_____	_____
No. of days late	_____	_____
Priority Date	_____	_____
New Priority Date	_____	_____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address [X] Proof Made 3-15-96

March 22, 1996

PHILLIP CERNERA
12148 E NUNN RD
ATHOL ID 83801

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08847

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208) 769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

MAR 29 1996

January 31, 1996

PHILLIP CERNERA
12148 E NUNN RD
ATHOL ID 83801

PROOF DUE NOTICE

RE: PERMIT NO. 96-08847

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1996.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

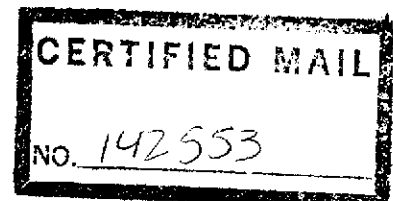
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

1996

1996





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 30, 1995

PHILLIP CERNERA
12148 E NUNN RD
ATHOL ID 83801

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-08847

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

APR 18 1995

MEMORANDUM

DATE: March 27, 1995
TO: File No. 96-08847
FROM: Cindy Zimmerman
SUBJECT: Review of Application

=====

During the review of this application, I noted the irrigation storage date was listed as 3/15 to 11/15; the stockwater storage and stockwater from storage (for 4 head) listed 0.30 AF; and no diversion to storage was listed for this off-stream diversion.

Per departmental standards, I have corrected the irrigation storage season to 1/1 to 12/31; the stockwater storage and stockwater from storage diversion volume to 0.20 AF (the standard for 4 head); and have added diversion to storage from 1/1 to 12/31 with a diversion rate of 0.02 cfs.

APR 1 8 1995

DATE: 03/27/95
PAGE: 1

Pou County: KOOTENAI

WR0749NP
No. P96-08847

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/27/95
PAGE: 2

=====

Other Water Rights with Same Point(s) of Diversion and Source:
96-08847

Other Water Rights Listing Overlapping Place(s) of use:
96-08847

Conditions of Approval:

- 057 - The rate of diversion of water for irrigation under this right
- and all other water rights on the same land shall not exceed
- 0.03 cubic feet per second for each acre of land.

Remarks: Stockwater use is for 3 horses and 1 llama.

Dates: App. Received: 02/06/1995 Priority Date: 02/06/1995
Proof Due Date: 04/01/1996 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 02/08/1995 User-ID: DBALL Subject: DIVERSION DESCRIPTION
The creek will flow thru a pond and ditches will convey water to
lifestock trough and cropland.
Headgates will be earthen; 2 in. x 10 in. boards and visqueen.
Storage dam ht. 5 ft.; .25 AF active capacity; total capac .25 AF
Water will be diverted to storage 1/1 to 12/31 inclusive.

Audit: 03/27/95 CZIMMERM

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 96-8847 Name: Cenersa Date: 3/27/95 Ad OK? ✓
Correct Fee? ✓ Receipt #: N08603 Priority: 2/6/95 ✓ Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020 (Prehearing agreement) or W19 (See Order)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs - 01M
- 0.2 cfs - No MD
+ 5 a. (POU cmp) - 01M, 803 (if GW use SW 1st)

Drilling Permit:

Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink):

Water District (dam) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 01J-P08 or 01M
- 0.2 cfs - 01H-P01 or No MD
+ 5 a. irr. - 01M (POU cmp)
In-WD + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
+ 5 a. irr. - 01M (POU cmp)

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064 (consump. use), 047-P04 (Payette Lake), NA

USE:

Domestic (surface) - 021 (Boise R + L Peak); 064 (Payette R); NA
Fish Propagation - 07A-042 (rq) - 010/06A/09E (WQ) - P10; 044 (N 1000 Spr)
Irr - 5 acres - 057 (0.03 cfs/A)
+ 5 acres - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F (P19) - 09E (P10);
+25 cfs-P18; 17G (FERC) or 17M (FERE); 18B-P09
Storage (✓ 3 compo.) - 18A (multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - 030 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - B <SEE CONDITION CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner

OTHER CONDITIONS:

STANDARD REMARKS:

① woz / 4 livestock

BENEFICIAL USE DUE:

4-1-1996

COMMENTS:

No. a
4/87-06/92n

IDaho DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
MAR 16 1995

APPLICATION # 96-08847

Department of Water Resources

***** INITIAL REVIEW *****

APPLICANT: CERNERA BY: AB DATE: 2/6/95

ITEM REQUIRED INFORMATION

1. () Name and Address
2. () Source
3. () Point of Diversion & County
4. () Quantity
() Nature of Proposed Use
() Period of Use
5. () Total Quantity
6. () Description of diverting works
7. () Time required for b/u
8. () Proposed use
9. () Place of use or acres irrigated
10. () Other Water Rights
11. () Ownership
13. () Map
() Signature
() Fee (Amt, recpt, acknowlegment)

*** Send info sheet Y() N()

ADDITIONAL INFORMATION

Yes No

- X Field check: by _____
1 Field report attached
1 Analysis Supp. attached(>5cfs/500af)
1 Water delivered by water master?
Water District # _____

PROCESSING

Yes No

PRIORITY DATE: 2/6/95

X (Include Moratorium Remark)

X Statewide Avertising: (Diversion rate greater than 10 cfs or 1,000 af).

CA Thurs
ADVERTISE IN: KOOTENAI County.

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
() Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
() Power Information () Other: N/A

***** GROUNDWATER SECTION *****

(Yes) (No)

- X Groundwater management area
1 Critical ground water area
1 Well Drilling Permit required
1 Well Drilling Application and Fees received
1 Well Drilling Application approved?
Well Drilling Application Number _____

Checked by: _____ Date: ____/____/____

Remarks: _____

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes) (No)

- ____ Notice of pending void order issued. Final order response date: ____/____/____
____ Further information required from applicant
2/24/95 X Affidavit of publication received
2/24/95 X Application published correctly, If not, record action taken: _____
2/19/95 1 Publication dates and paper recorded on application | Sr. Agent initial AB
1 Protests received. Final protest date: 3/6/95
1 Measuring device required
1 Measuring port required
1 Special conditions: _____
1 Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AB Date: 3/8/95

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Kootenai, } ss.

Keri Alexander 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 16th day of February, 1995, and
ending on the 23rd day of February, 1995, 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.

Keri Alexander

Subscribed and sworn to before me this 23rd day of February, 1995.

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

ROBERTA MANLEY
My commission expires 2-5-99

APR 1 8 1995

NOTICE OF APPLICATION FOR WATER RIGHT

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

96-08847

OK

CERNERA, PHILLIP
12148 E NUNN RD
ATHOL, ID 83801
Source: UNNAMED 1ST ORDER TRIBU-
TARY

Tributary: SAGE CREEK
Diversion Pt: SWNE Sec 31 T 53N R 02W
in KOOTENAI County.

Use: IRRIGATION (0.020 CFS)
IRRIGATION STORAGE (0.25 AF)
IRRIGATION FROM
STORAGE (0.25 AF)
STOCKWATER (0.020 CFS)
STOCKWATER STORAGE (0.25 AF)
STOCKWATER FROM
STORAGE (0.25 AF)
WILDLIFE (0.020 CFS)
WILDLIFE STORAGE (0.25 AF)
WILDLIFE FROM
STORAGE (0.25 AF)
AESTHETIC (0.020 CFS)
AESTHETIC STORAGE (0.25 AF)
AESTHETIC FROM
STORAGE (0.25 AF)
Total Diversion: (0.020 CFS) (0.25 AF)

Date Filed: 2/6/1995

In: KOOTENAI County

T53N R02W S31 SWNE

3.0 ACRES TOTAL

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before MARCH 6, 1995.

R. KEITH HIGGINSON, Director

Legal 431

Feb. 16, 23, 1995

RECEIVED

FEB 24 1995

NOTARY PUBLIC
IDWR

February 9, 1995

Phillip Cernera
12148 E. Nunn Rd.
Athol, ID 83801

Re: Water Appropriation Application No. 96-08847

Dear Mr. Cernera:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to Appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. However all protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

If your application is for groundwater and unless you are using a well that was constructed prior to July 1, 1987, it will be necessary for you to apply for a well drilling permit upon approval of the appropriation application. Well drilling permits can be issued by this office only to holders of approved appropriation permits.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB:db

APR 18 1995

96-08847

CERNERA, PHILLIP
12148 E NUNN RD
ATHOL, ID 83801

Source: UNNAMED 1ST ORDER TRIBUTARY Tributary: SAGE CREEK

Diversion Pt: SWNE Sec 31 T 53N R 02W in KOOTENAI County.

Use: IRRIGATION	(	0.020 CFS)	(	0.25 AF)
IRRIGATION STORAGE			(	0.25 AF)
IRRIGATION FROM STORAGE			(	0.25 AF)
STOCKWATER	(	0.020 CFS)	(	0.25 AF)
STOCKWATER STORAGE			(	0.25 AF)
STOCKWATER FROM STORAGE			(	0.25 AF)
WILDLIFE	(	0.020 CFS)	(	0.25 AF)
WILDLIFE STORAGE			(	0.25 AF)
WILDLIFE FROM STORAGE			(	0.25 AF)
AESTHETIC	(	0.020 CFS)	(	0.25 AF)
AESTHETIC STORAGE			(	0.25 AF)
AESTHETIC FROM STORAGE			(	0.25 AF)
Total Diversion:	(	0.020 CFS)	(	0.25 AF)

Date Filed: 2/ 6/1995

In: KOOTENAI County
T53N R02W S31 SWNE

3.0 ACRES TOTAL

APR 18 1995