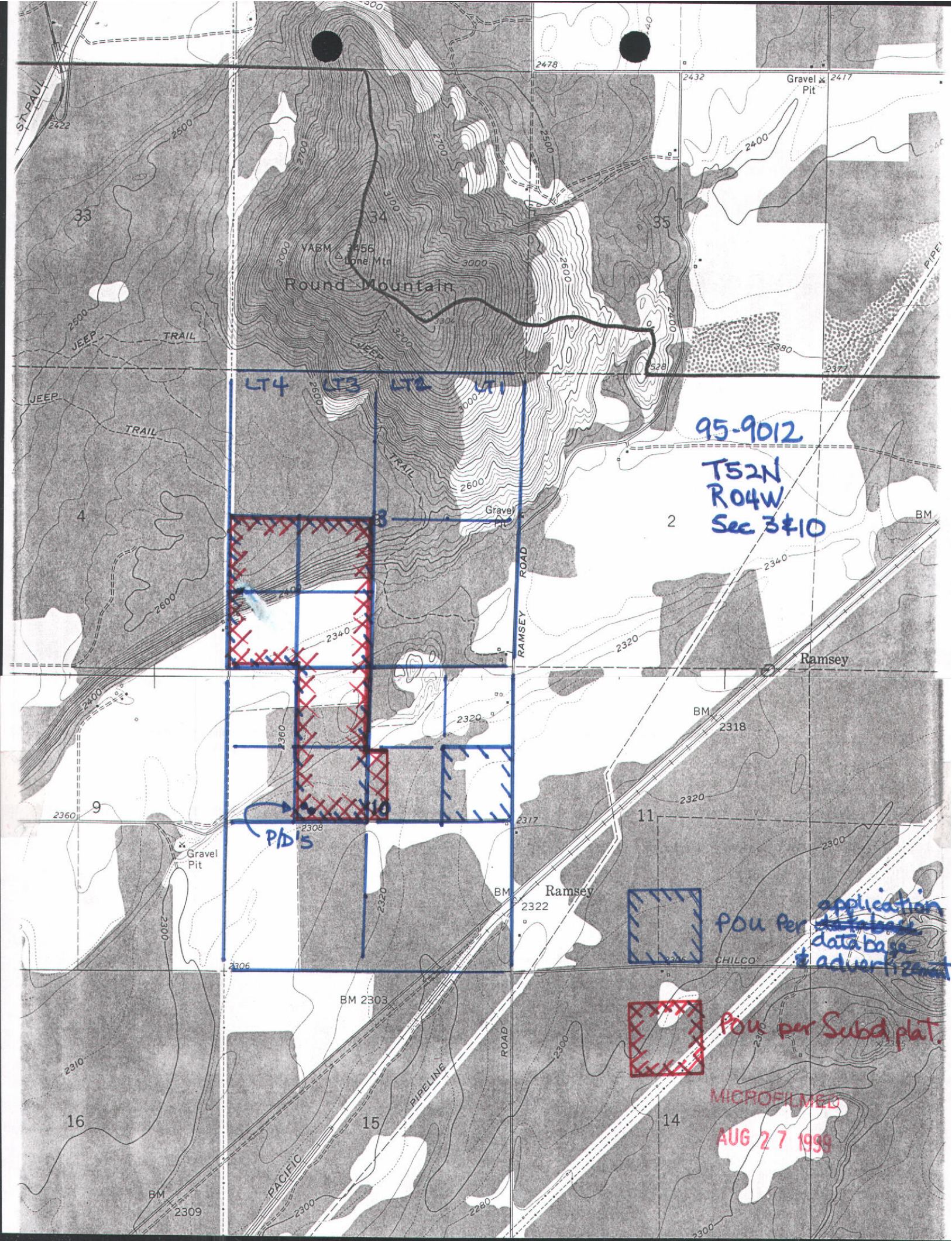




Round Mountain

95-9012
T52N
R04W
Sec 3&10

P.D.'s

application
POU per database
& advertisement

POU per Subd plat.

MICROFILMED
AUG 27 1999

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 95-09012

Proposed Priority: March 22, 1999

Maximum Diversion Rate:

1.00 CFS

This is to certify, that **SCARCELLO RANCH**
E 3180 VILLAGE
RATHDRUM ID 83858

has applied for a permit to appropriate water from: **GROUNDWATER**

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>
IRRIGATION	03/15 to 11/15	1.00 CFS
DOMESTIC	01/01 to 12/31	0.35 CFS
	Totals	1.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 10, Township 52N, Range 04W
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>
52N	04W	3	NESW 8.0	NWSW 8.0	SWSW 8.0	32.0
		10	SESW 8.0	NENW 8.0	SENW 8.0	18.0
			SWNE 2.0			

Total number of acres irrigated: 50.0

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **July 1, 2004**.
2. Subject to all prior water rights.
3. 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 permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
6. The issuance of this right does not grant any right-of-way or easement across the land of another.

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AUG 27 1998

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 95-09012

CONDITIONS OF APPROVAL AND REMARKS

7. Two points of diversion are located within SENW, S10, T52N, R04W.
8. Points of diversion are located within Lot 1, Blk. 1, Scarcello Ranch Subdivision.
9. Place of use is located within Lots 1-12, Blk. 1; Lots 1-20, Blk. 2; and Lots 1-16, Blk. 3; Scarcello Ranch Subdivision.
10. Domestic use is for 48 homes.

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

28 day of June, 1999.

Karl J. Dreher
Karl J. Dreher, Director

for

MICROFILMED
AUG 27 1999

RECEIVED

FORM 202

2/86

JUN 14 1999

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Applicant No. 95-09012

RECEIVED

MAY 04 1999

DEPARTMENT OF WATER RESOURCES

1. Name of Applicant SCARCELO RANCHO Phone 687-2525
Mailing address E. 3180 VILLAGE BATHURUM ID 83858
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is Township 52N Range 40E Sec. 10 in the SE 1/4, 11W 1/4, _____ 1/4, Govt. Lot _____, B.M. KOOTENAI County
additional points of diversion if any, (2 POINTS OF DIVERSION)
4. Water will be used for the following purposes.
- | | |
|--|---|
| Amount <u>0.35</u> for <u>DOMESTIC</u> | Purposes from <u>4</u> to <u>7/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u>4.00</u> for <u>IRRIGATION</u> | Purposes from <u>3/15</u> to <u>7/15</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) | |
5. Total quantity to be appropriated is (a) 1.00 cubic feet per second = (b) _____ acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from _____ source WELL(S) & DELIVERY SYSTEM
- b. Height of storage dam _____ feet, active _____ acre-feet, total _____
reservoir capacity _____ acre-feet
- c. Proposed well diameter is 8" inches; proposed depth 400 feet
- d. Is ground water with a temperature of greater than 85°F be _____
- e. If well is already drilled, when? H2O; Drilling firm _____
Well was drilled for (well owner) _____
7. Time required for completion of works and application of water to _____
8. Description of proposed uses (if irrigation only, go to item 9)
- a. Hydropower; show total feet of head and proposed capacity _____
- b. Stockwatering; list number and kind of livestock _____
- c. Municipal; show name of water company _____
- d. Domestic; show number of households 48
- e. Other; describe fully _____

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AUG 27 1999

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	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
52N	4W	3									80	80	80	80					32
52N	4W	10			2	8				80									18

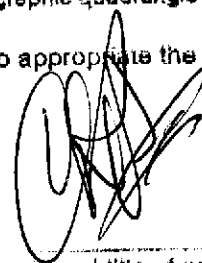
Total number of acres to be irrigated 5010. Describe any other water rights used for the same purposes as described above. N/A11. a. Who owns the property at the point of diversion? APPLICANTb. Who owns the land to be irrigated or place of use? "

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: OWNERS / DEVELOPERS CHARLIE POTTS + BOB BONUCELLI

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a 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.



Applicant (and title, if applicable)

Received by JBFee \$ 100Publication prepared by JBPublication approved JBDate 3-22-99Received by JBDate 3/24/99Time 11:00Eligibility check by JBDate 3-22-99

NO 12693

CDA Press

4/28/99

MICROFILMED

AUG 27 1999

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-9012

Reviewed By: dgibson

Date: July 9, 2004

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X✓		Drilling permit required?	X	
License examination fee required?	✓	X	Drilling permit No.:		D5820
Appropriate fee submitted?	X✓		Drilling permit upgrade needed?		X
Receipt No.:		C074252 ✓	Well driller's report filed?		X
Additional Amount Due:		\$	Measuring device required?	X	✓
Name and address same as permit?	X	No	Measuring device installed?	X✓	
Are the water uses correct?	X		Measure device waiver requested?		X ✓

Priority Calculation

Date proof received	06/21/2004 ✓
Date proof due	- 07/01/2004 ✓
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 03/22/1999 ✓
New priority date	= 03/22/1999 ✓

Deficiencies of Actions Items

*Change of address previously made.
Acknowledge proof.*



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

June 28, 1999

DIRK KEMPTHORNE
GOVERNOR

SCARCELLO RANCH
E 3180 VILLAGE
RATHDRUM ID 83858

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-09012

Dear Permit Holder:

The Department of Water Resources (IDWR) 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 IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief 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 right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

MICROFILMED

AUG 27 1999

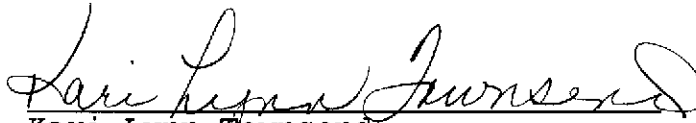
SK:klt

CERTIFICATE OF MAILING

I hereby certify that on the 28th day of June, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 95-09012

SCARCELLO RANCH
E 3180 VILLAGE
RATHDRUM ID 83858


Kari Lynn Townsend
Secretary

MICROFILMED
AUG 27 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the order. 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

AUG 27 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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.

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy*No.: 95-9012 Name: Scareello Ranch Date: 6/24/99 Ad OK? ✓ ✓ Gvmt Lts: ✓AREA OF CONCERN: - No/Yes: Mor / GWMA / Trust / Non-trustPROTESTED: - 020 (Protest Agreement) or *W19 (Order)SYSTEM COMPLETED: > 1 year - 264P17
≤ 1 year/no proof - P18

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT All wells (✓ WDQ3) - 046P23In Basin 34? - 085Irr. within WD - P05 (new well location)WMD (✓ MAP) - North / East / West> 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)≤ 0.24 cfs/5 acres - No MD

WMD

Supp. irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)Supp. irr + uses - 100-101> 0.24 cfs/5 acres - 01M (report when notified)≤ 0.24 cfs/5 acres - No MDSURFACE WATER: (✓ FLO-CH) (Surface water that *doesn't sink* is regulated):FISH & GAME CONTACTED: - YES / NO; WHEN: RESPONSE: IN/ABOVE MSF (✓ MAP) - *WB9IN-STREAM DEVELOPMENT - P52 (stream channel alteration)WD (✓ MAP & LISTING) - R04 (WD #)> 0.20 cfs - 01J-P08 (MD & LD)≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)≤ 0.24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

Snake R (01) - *W22 -P04, NA(02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NAPayette R(65) - *W22 (regulated uses), 047-P04 (Payette Lake), NASalmon R (70's) - 029 (fish screens), NAWeiser R (67) - 086, 087

USE:

STORAGE (✓3 compo.) - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NAIRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)> 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)STOCKWATER - R37 (BLM/USFS); NAMINING - 054(req) -081-P10FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10HEATING/COOLING - R07 (injection well)POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);
17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

MUNICIPAL

In restricted area? - 022, 075, 004 (+memo?)Irr., GW supp. to SW? - 102

DOMESTIC

Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA>1 in rest. area - 071-070

FIRE PROTECTION

 - 077

LOCATION:

BOISE FRONT LOGEO - 058 (<85° GW temp only)MITIGATION - 12042-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)SWAN FALLS FLAG (✓Code) Trust - 051-052-053-P74 (Consumptive Uses), NANon-Trust (1) - 048-049 (Consumptive Uses), NAOWNERSHIP: - 004 (PD/PU)OTHER CONDITIONS: STANDARD REMARKS: - 0459 P032 02 W59 03 W60 04 W01/48BENEFICIAL USE DUE: - 7/1/2004COMMENTS:

IDAHO DEPARTMENT OF WATER RESOURCES
APPROVATION APPLICATION ANALYSIS SHEET

RECEIVED

WRI
OCA
WRA

APPLICATION # 95-09012

MAY 04 1999

INITIAL REVIEW

DEPARTMENT OF WATER RESOURCES

APPLICANT: SCARLELLO

BY: JB

DATE: 3/22/99

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
12. (☒) Map
 - (☒) Signature
 - (☒) Fee (Amt, receipt, acknowledgement)

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

ADDITIONAL INFORMATION

(Yes) (No)

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

PROCESSING

- (Yes) (No) PRIORITY DATE: 3/22/99
- X (Include Moratorium Remark)
- X Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

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

WD Permit No. 's: <u>95 99 N 29</u>	Type: <u>Dom.</u> Non-Dom. _____	Fees	Receipt No. <u>N012658</u> <u>N012733</u>	Upgrade Needed?
	Dom. Non-Dom. _____	Paid \$ <u>75</u>		Y (☒) N ()
	Dom. Non-Dom. _____	Paid \$ <u>125.00</u>		Y () N ()
	Dom. Non-Dom. _____	Paid \$ _____		Y () N ()

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

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

- Notice of pending void order issued. Final order response date: _____/_____/_____
- Further information required from applicant
- Affidavit of publication received
- Application published correctly. If not, record action taken: Read to
- Publication dates and paper recorded on application: 5/12/99 for pub 5/20 & 27/99
- Protests received, Final protest date: 4/1/99
- Measuring device required
- Measuring port required
- Special conditions:

Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: JB

Date: 4/21/99

6 u 99

AFFIDAVIT OF PUBLICATION

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

STACIE WALKER

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 *20* day of *MAY*, 19*99*, and ending on the *27* day of *MAY*, 19*99*, 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.

Stacie Walker

Subscribed and sworn to before me this

27 day of *MAY*

19*99*

Regina Mason

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

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 95-09012 in the name of Scarcello Ranch, E. 3180 Village, Rathdrum, ID 83858, was incorrectly advertised on April 1 and 8, 1999.

The PLACE OF USE was incorrectly advertised as T52N R04W Sec. 03, NESW, NWSW, SWSW, SESW, and Sec 10, SENE, NENW, SENW in KOOTENAI County, whereas correctly is should read T52N R04W Sec. 03, NESW, NWSW, SWSW, SESW, and Sec. 10 SWNE, NENW, SENW in KOOTENAI County.

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

Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00 on or before JUNE 7, 1999.

Legal 131
May 20, 27, 1999

KARL J. DREHER, Dir.

RECEIVED
JUN 10 1999
IDWR/North

MICROFILMED

AUG 27 1999

RECEIVED

JUN 14 1999

MY COMMISSION EXPIRES 6/18/03

May 12, 1999

Legal Notices Department
Coeur d Alene Press
Second and Lakeside
Coeur d Alene ID 83814

Re: 95-09012 - Scarcello Ranch

Gentlemen:

Enclosed you will find a legal Notice of Correction which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

Please send the Affidavit of Publication, and the bill, to this office before June 7, 1999.

Thank you.

Sincerely,

Dianne Ball
Administrative Assistant

Enclosure

ok
6/10/99

MICROFILMED

AUG 27 1999

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 95-09012 in the name of Scarcello Ranch, E 3180 Village, Rathdrum, ID 83858, was incorrectly advertised on April 1 and 8, 1999.

The PLACE OF USE was incorrectly advertised as T52N R04W Sec 03, NESW, NWSW, SWSW, SESW, and Sec 10, SENE, NENW, SENW in KOOTENAI County, whereas correctly it should read T52N R04W Sec 03, NESW, NWSW, SWSW, SESW, and Sec 10, SWNE, NENW, SENW in KOOTENAI County.

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

Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00 on or before June 7, 1999.

KARL J. DREHER, Dir.

Published in the Coeur d Alene Press on 5/20 & 27/1999.

MICROFILMED
AUG 27 1999

MEMORANDUM

DATE: May 5, 1999
TO: Bob Haynes, Northern Region
THRU: Shelley Keen *SK*
FROM: Cindy Zimmerman *CZ*
SUBJECT: Review of Application for Permit No. 95-09012

RECEIVED
MAY 10 1999
IDWR/North

During the review of this application, I noted that one of the places of use 40-acre tract descriptions was incorrectly identified on the application, database, and advertisement. The subdivision plat shows place of use in SW, S03; E½NW and SWNE, S10. The application, database, and advertisement identify the place of use as in SW, S03; E½NW and SENE, S10. For clarification, I outlined on a copy of the topographic maps the place of use as identified on the subdivision plat (red ink) and the application, etc. (blue ink).

I talked with Al Beardslee this afternoon. We agreed for me to return this application to you for verification of my findings and any action you deem appropriate.

Thanks,

Cindy

MICROFILMED

AUG 2 / 1999



AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Kootenai,

Stacie Walker 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 1 day of APRIL, 1999 and ending on the 8 day of APRIL, 1999, and such publication was made as often during said period as said 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.

Stacie Walker
Subscribed and sworn to before me this 8 day of APRIL, 1999.

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

MICROFILMED
APR 27 1999

MY COMMISSION EXPIRES 6/18/03

NOTICE OF APPLICATION FOR WATER RIGHT
The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

95-09010

BOMAR, GEORGE
N 26600 GOODHOPE ROAD
ATHOL, ID 83801
Source: SPRING
Diversion Pt: SWNW NW
Use: STOCKWATER
DOMESTIC
Tributary: THOMPSON LAKE
Sec 16 T 48N R 03W in KOOTENAI County.
(0.040 CFS)
(0.040 CFS)
(0.040 CFS)

Total Diversion:
Date Filed: 3/18/1999
In: KOOTENAI County
T48N R03W S17 SWNE

95-09012

SCARCELLO RANCH
E 3180 VILLAGE
RATHDRUM, ID 83858
Source: GROUNDWATER
Diversion Pt: SENW
Use: IRRIGATION
DOMESTIC
Sec 10 T 52N R 04W in KOOTENAI County.
(1.000 CFS)
(0.350 CFS)
(1.000 CFS)

Total Diversion:
Date Filed: 3/22/1999
In: KOOTENAI County
T52N R04W S03
S10
NWSW
NENW
SESW
SESW
SENW
SENW
50.0 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 APRIL 19, 1999.

KARL J. DREHER, Director
Legal 851
April 1, 8, 1999

RECEIVED

APR 12 1999

IDWR/North

95-09012

SCARCELLO RANCH
E 3180 VILLAGE
RATHDRUM, ID 83858

Source: GROUNDWATER

Diversion Pt: SENW Sec 10 T 52N R 04W in KOOTENAI County.

Use: IRRIGATION	(	1.000 CFS)
DOMESTIC	(	0.350 CFS)
Total Diversion:	(	1.000 CFS)

Date Filed: 3/22/1999

In: KOOTENAI County				
T52N R04W S03	NESW	NWSW	SWSW	SESW
S10	SENE	NENW	SENW	

50.0 ACRES TOTAL

MICROFILMED
433 47 1995

March 24, 1999

Scarcello Ranch
E 3180 Village
Rathdrum ID 83858

Re: Water Appropriation Application No. 95-09012

Gentlemen:

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. Enclosed for your file is Receipt Number N012693.

Your appropriation application is currently being prepared for advertising in the local 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. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. 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. 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.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State office in Boise.

If your source is groundwater, a Well Drilling Permit is required for all wells constructed after July 1, 1987.

A "Domestic" well drilling permit should be obtained for a rate of diversion of up to 18 gallons per minute (0.04 CFS) and a daily volume of up to 2,500 gallons per day. The cost for this permit is \$75.00. For any other use, including multiple homes, or municipal, etc., the Drilling Permit fee is \$200. These Permits can be obtained by your driller, also. It is sometimes possible to upgrade an existing Domestic Drilling Permit by submitting a fee for the difference. This, however, depends on the individual well.

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

MICROFILMED

MAR 27 1999

AB:db

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

N012733

Date:

Time: 4/ 2/1999

13:50:19

*Noted
on
Analysis Sheet
4/2/99*

Received

From:

H2O WELL SERVICE

Type of Payment

Program A cct

Amount

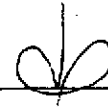
WD UPGRADE SCARCELLO RANCH	D5820	65134	229 21 1155	125.00
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Total \$ 125.00

CHECK 37308

Region: NORTHERN

Signature: _____



H2O WELL SERVICE, INC.

37308

RECEIVED
APR 02 1999
IDWR/North

UPGRADE FEE ON SCARCELLO RANCH/

MICROFILMED CHARLIE POTTS

D5820

AUG 27 1999