

RECEIVED

DEC 12 2003

FOR OFFICE USE ONLY

Amt. of Fee \$: 30.00

Receipt No. N016030

Receipt By: dp

Date Received: 12/12/03

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

DEC 12 2003

IDWR/North

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.

1. Permit No. 95-8999 Telephone No. _____

2. Name of Permit Holder(s): Ellen Larsen

3. Mailing Address: W 6734 Sturgeon Rd

City Rathdrum ID 83858 State _____ Zip _____

4. Source of Water: ^{Spring} Unnamed Stream If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____

Well Driller: _____ Drilling Permit Number: _____

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

Domestic (No. of households): 1 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 3 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.9 cfs cfs OR .1 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 X or No _____

Has the measuring device been installed?

Yes _____ or No X

While the source is with Water District 95-C, the water is not tributary to Rathdrum Creek and I request the measuring device and lockable headgate be waived

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: Same Telephone Number: _____

Address: _____

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

Signature of permit holder: [Signature] Date: 12/12/03
(include your title, if on behalf of company or organization)

MICROFILMED

MAR 29 2004

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 95-08999

Proposed Priority: October 22, 1998 Maximum Diversion Rate: 0.09 CFS

This is to certify, that ELLEN LARSEN

W 6700 STURGEON RD

RATHDRUM ID 83858

has applied for a permit to appropriate water from:

SPRING

tributary of SINKS

UNNAMED STREAM

tributary of RATHDRUM 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	0.09 CFS	
IRRIGATION STORAGE	01/01 to 12/31		0.1 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		0.1 AF
WILDLIFE STORAGE	01/01 to 12/31		0.1 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	
DOMESTIC STORAGE	01/01 to 12/31		0.1 AF
DOMESTIC FROM STORAGE	01/01 to 12/31		0.1 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		0.1 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.09 CFS	
	Totals	0.09 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 19, Township 52N, Range 04W
NENWNE , Sec. 19, Township 52N, Range 04W
NWNWNE , Sec. 19, 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	19	NWNE	3.0		3.0

Total number of acres irrigated: 3.0

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

PLACE OF USE: DOMESTIC, same as IRRIGATION use

PLACE OF USE: DOMESTIC FROM STORAGE, 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 February 1, 2004.
2. Subject to all prior water rights.

MICROFILMED

APR 15 1999

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 95-08999

CONDITIONS OF APPROVAL AND REMARKS

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. Use of water under this water right will be regulated by the watermaster of State Water District No. 95C.
5. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
6. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
7. This right authorizes a point of diversion from an unnamed stream located in NWNE, S19; and a point of diversion from a spring located on or near the line between NENWNE and NWNWNE, S19, T52N, R04W.
8. Domestic storage use is for 1 bed & breakfast inn.
9. Water shall not be diverted from storage for fire protection use under this right except to fight or repel an existing fire.

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

29th day of January, 1999.

Karl J. Dreher
for
Karl J. Dreher, Director

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APR 15 1999

Ident. No. 95-08999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

JAN 13 1999

DEPARTMENT OF WATER RESOURCES

1. Name of Applicant Ellen Larsen Phone 687 9333
Mailing address W6700 Sturgeon Rd Rathdrum ID 83858
2. Source of water supply SPRING UNNAMED STREAM which is a tributary of SINKS RATHDRUM CREEK
3. Location of point of diversion is Township S2N. Range 4W Sec. 19 in the 1/4,
NW 1/4, NE 1/4, Govt. Lot ROOTEAU, B.M., ROOTEAU County;

additional points of diversion if any: SPRING IS ON LINE BETWEEN NE 1/4 & NW 1/4
17 4. Water will be used for the following purposes:
44 Amount .11 for STORAGE FOR WILDLIFE purposes from Y1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) STORAGE FOR DOMESTIC
02 Amount .11 for STORAGE FOR IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum) IRRIGATION
03 Amount .11 for FROM STORAGE purposes from " to " (both dates inclusive)
(cfs or acre-feet per annum) "
01 Amount 0.09 for IRRIGATION purposes from " to " (both dates inclusive)
(cfs or acre-feet per annum) DIVERSION TO STORAGE
55 Amount 0.09 for STORAGE purposes from Y1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) STORAGE FOR
50 Amount 0.11 for FIRE PROTECTION purposes from Y1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.09 and/or (b) 0.11
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source DEVELOPED SPRING +
ON-STREAM FOLD
b. Height of storage dam 4' feet; active reservoir capacity 0.11 acre-feet; total
reservoir capacity 0.11 acre-feet
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
d. Is ground water with a temperature of greater than 85°F being sought? X
e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 5 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 Home / Bed & Breakfast Inn
e. Other; describe fully. _____

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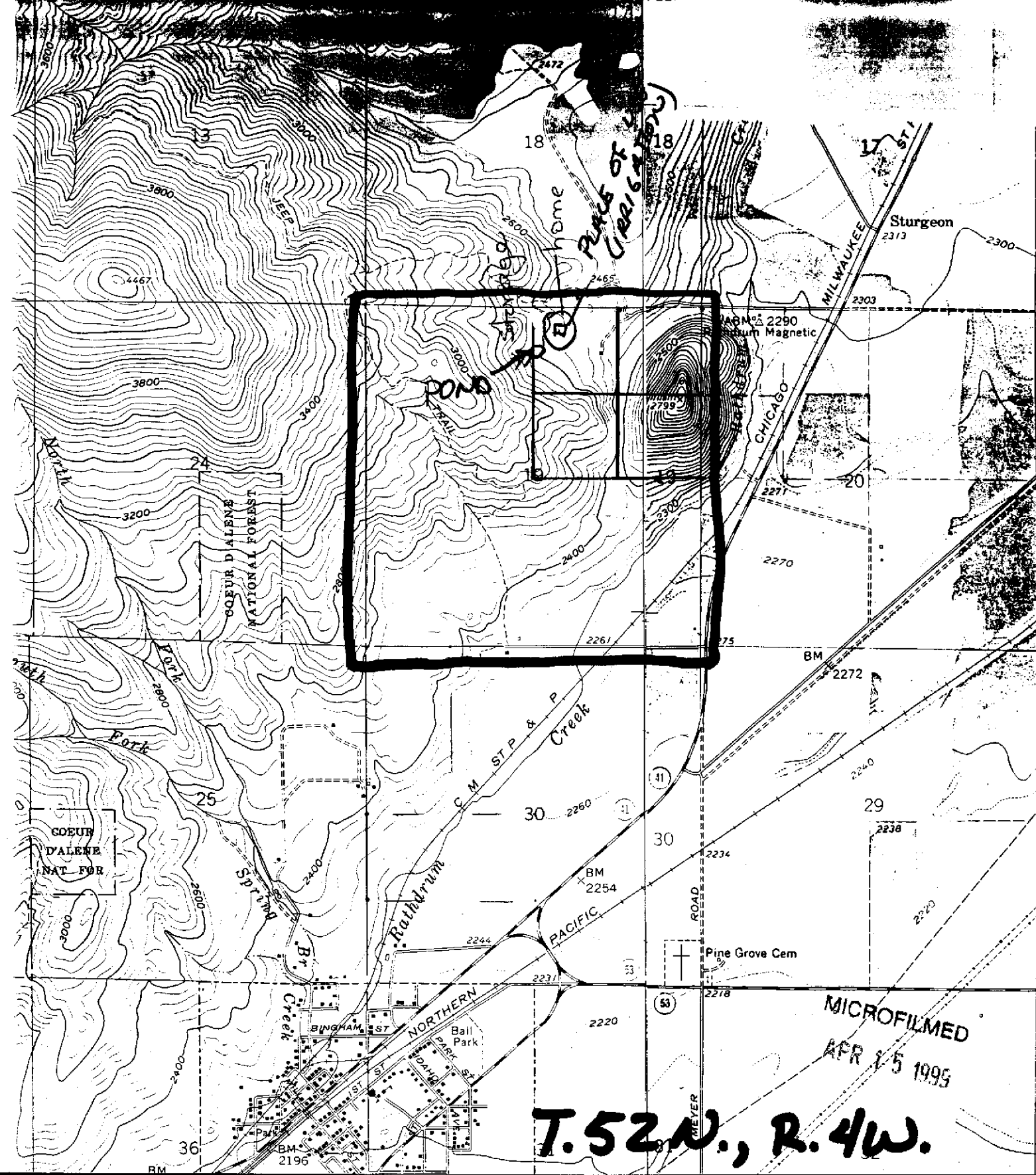
APR 15 1999

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.

2 260 000
FEET



MICROFILMED
APR 15 1995

T.52W., R.4W.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

January 30, 2004

KARL J. DREHER
Director

ELLEN LARSEN
2 6734 STURGEON RD
RATHDRUM ID 83858

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 95-8999

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.

You requested that the measurement device and lockable controlling works requirement condition for this permit be waived. Please supply me with a letter from the water master for water district 95 agreeing that this condition is unnecessary. Upon receipt of that agreement, the department can review your request. If approved, the department will issue an Order waiving the measurement device and lockable controlling works requirement from this permit.

Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **Northern** Regional Office in Coeur d'Alene at (208) 769-1450, or myself at (208) 327-7953.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure
c: IDWR - Region

MICROFILMED

MAR 29 2004

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-8999

Reviewed By: dgibson

Date: January 29, 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.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		N016030	Well driller's report filed?		
Additional Amount Due:			Measuring device required?	X	
Name and address same as permit?		X	Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?	X	

Priority Calculation

Date proof received	12/12/2003
Date proof due	- 02/01/2004
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 10/22/1998
New priority date	= 10/22/1998

Deficiencies of Actions Items

Acknowledge proof. Request watermaster acceptance of waiver of measuring device.

November 30, 2003

ELLEN LARSEN
W 6734 STURGEON RD
RATHDRUM, ID 83858

PROOF DUE NOTICE

RE: PERMIT NO. 95-8999

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 February 01, 2004. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed 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.

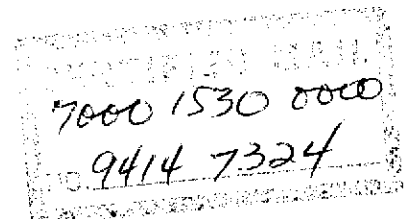
Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILMED

MAR 2 3 2004





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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 2, 1999

ELLEN LARSEN
W 6700 STURGEON RD
RATHDRUM ID 83858

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-08999

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.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED

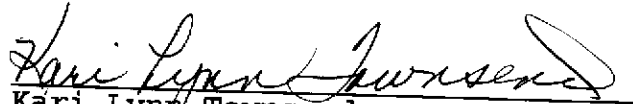
APR 15 1999

CERTIFICATE OF MAILING

I hereby certify that on the 2nd day of **February, 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. 95-08999

ELLEN LARSEN
W 6700 STURGEON RD
RATHDRUM ID 83858


Kari Lynn Townsend
Secretary

MICROFILMED
APR 15 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.

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 Lou*No.: 95-8999 Name: Rarsen Date: 1/26/99 Ad OK? ☒ / Gvmt Lts: ☒

AREA OF CONCERN:

- No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED:

- 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year

- 26A/P17

≤ 1 year/no proof

- P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT:

All wells (✓ WDQ3)

- 046-P23

In Basin 34?

- 085

Irr. 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 Supplemental use

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

> 0.24 cfs/5 acres

- 01M (report when notified)

≤ 0.24 cfs/5 acres

- No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that *doesn't sink* is regulated):

FISH & GAME CONTACTED:

- YES / NO; WHEN: ? RESPONSE: None

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9

WD (✓ MAP & LISTING)

- R04 (WD # 95C)

> 0.10 cfs

- 01J-P08 (MD & LD)

≤ 0.10 cfs ~~use 18A~~- ~~01H-P08~~ (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

In-stream dev.

- P52 (stream channel alteration)

RIVER BASINS: (*Surface water):

Snake R (01)

- *W22 -P04, NA

(02/03-irr)

- 007 (w/ remark *WB9 if above Weiser), NA

Payette R(65)

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's)

- 029 (fish screens), NA

Weiser R (67)

- 086, 087

USE:

Storage (✓ 3 compo.)

- ~~18A~~ (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

Irr ≤ 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); NA

Mining

- 054(req) -081-P10

Fish Propagation

- 029(70's only)-007-042(req)-081 (WQ)-P10

Heating/Cooling

- R07 (injection well)

Power

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

Municipal

17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

Domestic surface

- 022, 075, 004 (+memo?), NA (not in restricted area)

>1 in rest. area

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

Fire Protection

- 071-070

LOCATION:

- 077 modify

Boise Front LoGeo

- 058 (<85° GW temp only)

Mitigation

- 120

42-248 area

- P84 (in 20/30/40/50/60/70/80 (87) basin)

SWAN FALLS FLAG (See Code Chart)

Trust

- 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS:

- 1 woi/1 @ 976

BENEFICIAL USE DUE:

- 2 /1/ 2004

COMMENTS:

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
JAN 13 1999
DEPARTMENT OF WATER RESOURCES

APPLICATION # 95-08999

INITIAL REVIEW

APPLICANT: LARSEN BY: _____ DATE: 10/22/98

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

(Yes)(No)

- X Field check: by _____
- X Field report attached
- X Analysis Supp. attached(>5cfs/500af)
- X Water delivered by water master?
- Water District # 95-C

PROCESSING

(Yes)(No) PRIORITY DATE: 10/22/98

- 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:	Type:	Fees	Receipt No.	Upgrade Needed?
_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y () N ()
_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y () N ()
_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y () N ()

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

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

- X Notice of pending void order issued. Final order response date: _____/_____/_____
- X Further information required from applicant
- X Affidavit of publication received
- X Application published correctly. If not, record action taken: _____

Publication dates and paper recorded on application | Sp Agent initial AB

Protests received, Final protest date: 11/23/98

Measuring device required

Measuring port required

Special conditions:

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

Approval Recommended by: AB

Date: 12/28/98

Memorandum to File

Date: December 28, 1998

From: Beardslee

File: 95-08999

RE: Fish and Game review of surface water Application for Permit

The Idaho State Fish and Game Department was given the opportunity to review this filing, in addition to our notification of new water right filings list.

Northern Region was given no negative response to the approval of this filing.

MICROFILMED

APR 15 1999

AFFIDAVIT OF PUBLICATION

NOV 17 1998

NOV 17 1998

IDWR/North

STATE OF IDAHO,
County of Kootenai,

ss.

STATE 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 5 day of NOVEMBER 1998, and ending on the 12 day of NOVEMBER 1998, 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.

State Walker

Subscribed and sworn to before me this 12 day of NOVEMBER 19 98

Regina Mason

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

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:

95-08995

DAWN, JON N
4600 W. RIVERVIEW
POST FALLS, ID 83854
Source: UNNAMED STREAM Tributary: SPOKANE RIVER
Diversion Pt: NENE Sec 18 T 50N R 05W in KOOTENAI County.
NWNE Sec 18 T 50N R 05W in KOOTENAI County.
Use: IRRIGATION (0.100 CFS)
STOCKWATER (0.020 CFS)
Total Diversion: (0.120 CFS)

Date Filed: 10/6/1998
In: KOOTENAI County
T50N R05W S18 NENE NWNE
5.0 ACRES TOTAL

95-08996

HARMONS PROPERTY OWNERS ASSN
1511 S. MICA PARK DR.
SPOKANE, WA 99206
Source: GROUNDWATER Tributary: N/A
Diversion Pt: LOT 3 (NWSW) Sec 19 T 47N R 03W in KOOTENAI County.
LOT 4 (SWSW) Sec 19 T 47N R 03W in KOOTENAI County.
Use: MUNICIPAL (0.200 CFS)
Total Diversion: (0.200 CFS)

Date Filed: 10/7/1998
In: KOOTENAI County
T47N R03W S19 Lot 2 (SENW) Lot 3 (NWSW) Lot 4 (SWSW)
R04W S24 Lot 1 (NENE) SENE
1.0 ACRES TOTAL

95-08997

BUZOLICH, ANTONE NICK
6680 E SPORTSMAN PARK ROAD
HAYDEN LAKE, ID 83835
Source: HAYDEN LAKE Tributary: SINKS
Use: IRRIGATION (0.040 CFS)
Total Diversion: (0.040 CFS)

Date Filed: 10/13/1998
In: KOOTENAI County
T52N R03W S34 Lot 3 (SWNW)
1.0 ACRES TOTAL

95-08998

LARSEN, ELLEN
W 6700 STURGEON
RATHDRUM, ID 83858
Source: GROUNDWATER
Diversion Pt: NWNE Sec 19 T 52N R 04W in KOOTENAI County.
Use: IRRIGATION (0.050 CFS)
STOCKWATER (0.020 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.050 CFS)

Date Filed: 10/22/1998
In: KOOTENAI County
T52N R04W S19 NWNW
20.0 ACRES TOTAL

95-08999

LARSEN, ELLEN
W 6700 STURGEON ROAD
RATHDRUM, ID 83858
Source: SPRING Tributary: SINKS
Source: UNNAMED STREAM Tributary: RATHDRUM CREEK
Diversion Pt: NWNE Sec 19 T 52N R 04W in KOOTENAI County.
NENWNE Sec 19 T 52N R 04W in KOOTENAI County.
NWNWNE Sec 19 T 52N R 04W in KOOTENAI County.
Use: IRRIGATION (0.090 CFS)
IRRIGATION STORAGE (0.11 AF)
IRRIGATION FROM STORAGE (0.11 AF)
WILDLIFE STORAGE (0.11 AF)
DOMESTIC STORAGE (0.11 AF)
FIRE PROTECTION STORAGE (0.11 AF)
DIVERSION TO STORAGE (0.090 CFS)
Total Diversion: (0.090 CFS) (0.11 AF)

Date Filed: 10/22/1998
In: KOOTENAI County
T52N R04W S19 NWNW
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 NOVEMBER 23, 1998.

Legal 167
November 5, 12, 1998

KARL J. DREHER, Director

MICROFILMED

APR 15 1999

95-08999

LARSEN, ELLEN
W 6700 STURGEON ROAD
RATHDRUM, ID 83858

Source: SPRING
Source: UNNAMED STREAM

Tributary: SINKS
Tributary: RATHDRUM CREEK

Diversion Pt: NWNE Sec 19 T 52N R 04W in KOOTENAI County.
 NENWNE Sec 19 T 52N R 04W in KOOTENAI County.
 NWNWNE Sec 19 T 52N R 04W in KOOTENAI County.

Use: IRRIGATION	(	0.090 CFS)	
IRRIGATION STORAGE	(		0.11 AF)
IRRIGATION FROM STORAGE	(		0.11 AF)
WILDLIFE STORAGE	(		0.11 AF)
DOMESTIC STORAGE	(		0.11 AF)
FIRE PROTECTION STORAGE	(		0.11 AF)
DIVERSION TO STORAGE	(	0.090 CFS)	
Total Diversion:	(	0.090 CFS)	0.11 AF)

Date Filed: 10/22/1998

In: KOOTENAI County
T52N R04W S19 NWNE

3.0 ACRES TOTAL

MICROFILMED

APR 15 1999

October 28, 1998

Ms Ellen Larsen
W 6700 Sturgeon
Rathdrum ID 83858

Re: Water Appropriation Application No. 95-08999 - Spring and Unnamed Stream

Dear Ms. Larsen:

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 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 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

MICROFILMED

APR 15 1999

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/27/98

PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ELLEN LARSEN W 6700 STURGEON ROAD RATHDRUM ID 83858 (208) 687-9333	10/22/1998	IRRIGATION	03/15 11/15	0.090 CFS	
			IRRIGATION STORAGE	03/15 11/15		0.11 AFA
			IRRIGATION FROM STORAGE	03/15 11/15		0.11 AFA
			WILDLIFE STORAGE	01/01 12/31		0.11 AFA
			DOMESTIC STORAGE	01/01 12/31		0.11 AFA
			FIRE PROTECTION STORAGE	01/01 12/31		0.11 AFA
			DIVERSION TO STORAGE	01/01 12/31	0.090 CFS	
TOTAL DIVERSION:					0.090 CFS	0.11 AFA

Water Source: SPRING
UNNAMED STREAMTributary to: SINKS
RATHDRUM CREEK

Stage: APPLICATION

Point(s) of Diversion: T52N R04W S19 NWNE NENWNE NWNWNE KOOTENAI County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: SUM
52N	04W	19	:	03	:	:	:	:	:	:	:	:	:	:	:	: 3.0
TOTAL ACRES															3.0	

Place of use location for IRRIGATION FROM STORAGE is the same location as described for: IRRIGATION

Pou County: KOOTENAI

Remarks: GEN Domestic storage use is for 1 home - bed & breakfast inn.

Dates: App. Received: 10/22/1998 Priority Date: 10/22/1998
 Proof Due Date: Proof Made Date:
 Exam Made Date: Exam Sent to S.O.:
 Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 10/27/1998 User-ID: DBALL Subject: Examiner's notes.
 Developed spring and on-stream pond.
 Spring is on line between NENWNE & NWNWNE.
 Unnamed stream is tributary to sinks, however is within Rathdrum
 Creek Drainage.
 Time required 5 years.

Audit: 10/27/98 DBALL