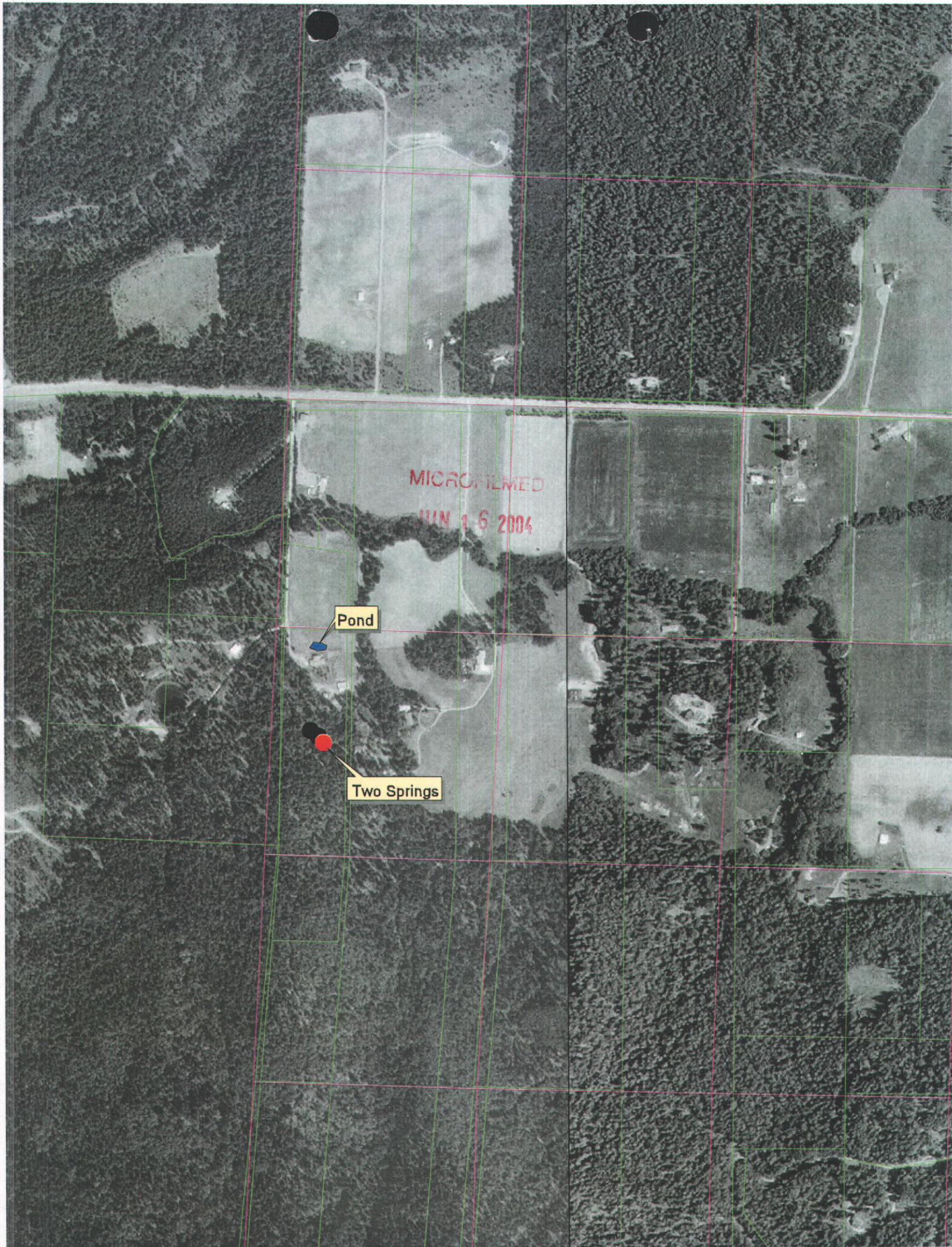
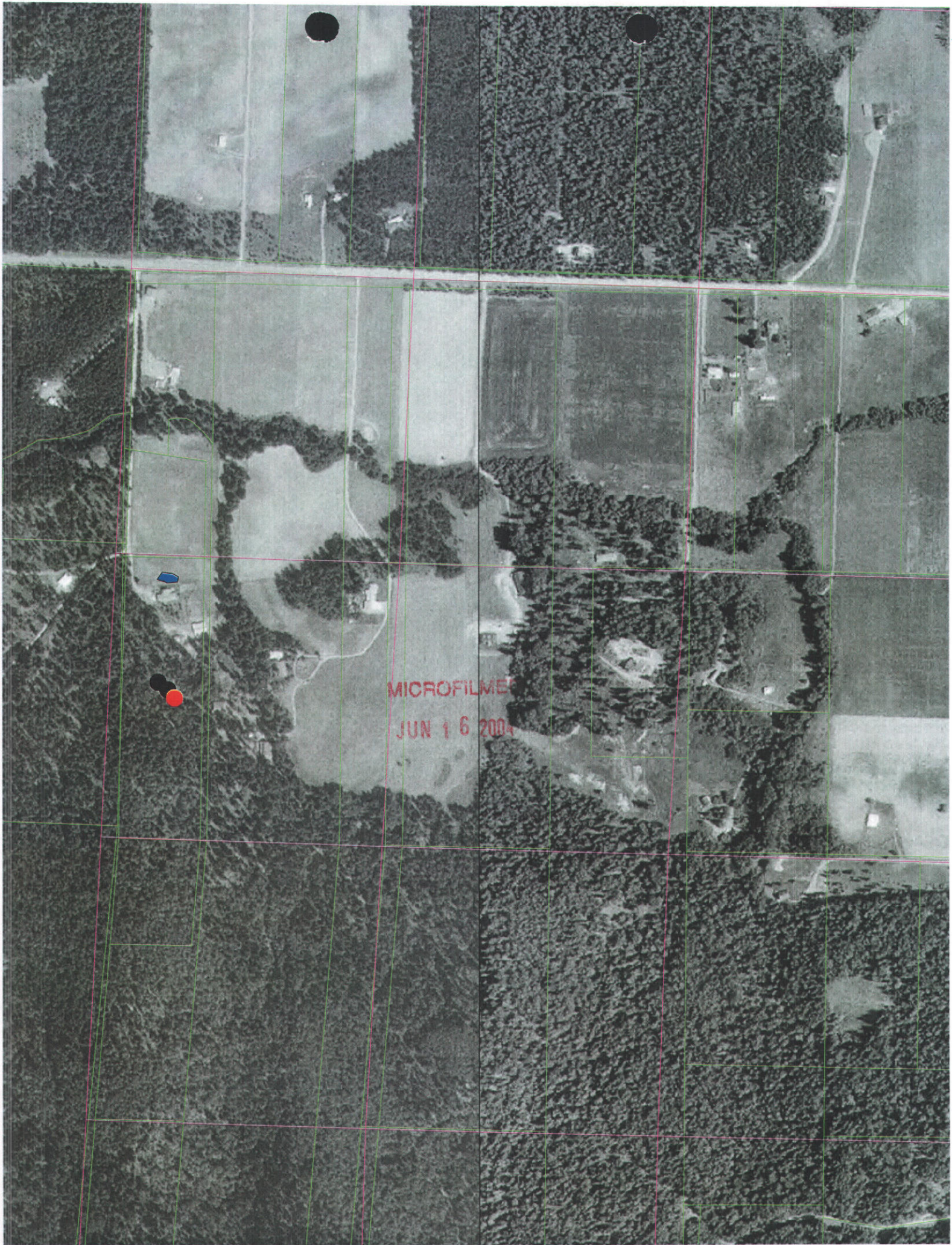


MICROFILMED
JUN 16 2004

Pond

Two Springs





PARTIALLY SURVEYED TOWNSHIP 53 NORTH RANGE 2 WEST OF THE BOISE MERIDIAN, IDAHO

Projection Diagram No 106 approved 10/4/1965

KOOTENAI COUNTY 055

COEUR D'ALENE DISTRICT

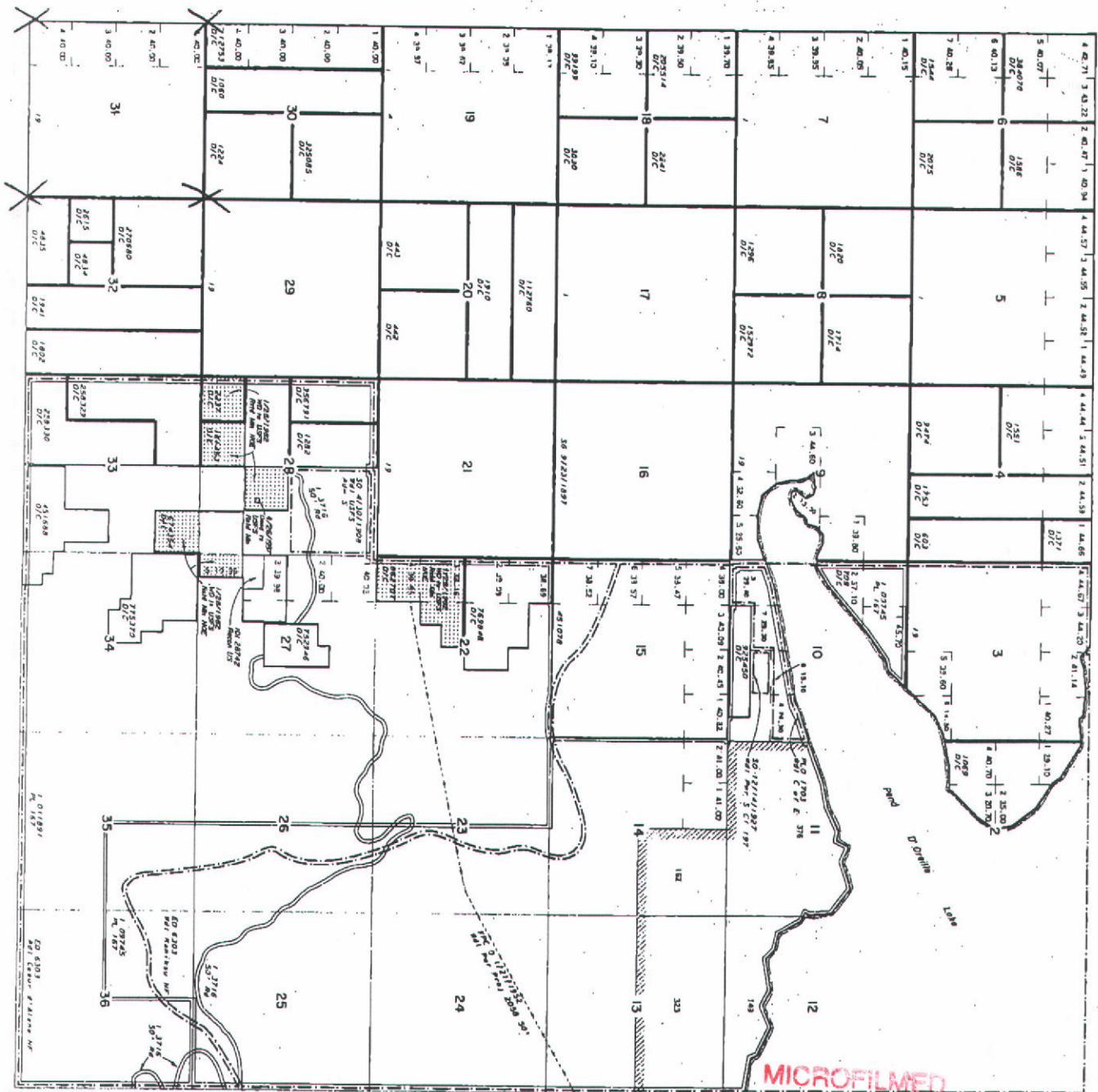
 STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LAND

MT PLAT

INDEX TO SEGREGATED TRACT

TRACT NO.	T	R	SEC	ORIGINAL SURVEY
1	53	2	1	1891
2	53	2	2	1891
3	53	2	3	1891
4	53	2	4	1891
5	53	2	5	1891
6	53	2	6	1891
7	53	2	7	1891
8	53	2	8	1891
9	53	2	9	1891
10	53	2	10	1891
11	53	2	11	1891
12	53	2	12	1891
13	53	2	13	1891
14	53	2	14	1891
15	53	2	15	1891
16	53	2	16	1891
17	53	2	17	1891
18	53	2	18	1891
19	53	2	19	1891
20	53	2	20	1891
21	53	2	21	1891
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27	53	2	27	1891
28	53	2	28	1891
29	53	2	29	1891
30	53	2	30	1891
31	53	2	31	1891
32	53	2	32	1891
33	53	2	33	1891
34	53	2	34	1891
35	53	2	35	1891
36	53	2	36	1891

 PL 1703 8/4/1958 Mt. C. of E. Mt. Land
within 1/4 mile of Road 400 ft. in Lake
Secs 11, 12

 1 01/1991 Cont. Mt. Mt. Land of Cont. 7/23/95
Completed 7/23/1962. All Mt. Surface Map
1 07/245 Mt. Mt. Mt. Land of Cont. 7/23/95
Completed 8/10/1964. All Mt. Surface Map


JUN 16 2004

 FOR OWNERS EFFECTING DISPOSAL ON USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

COMMENT TO

COMMENT TO

COMMENT TO

COMMENT TO

COMMENT TO

COMMENT TO

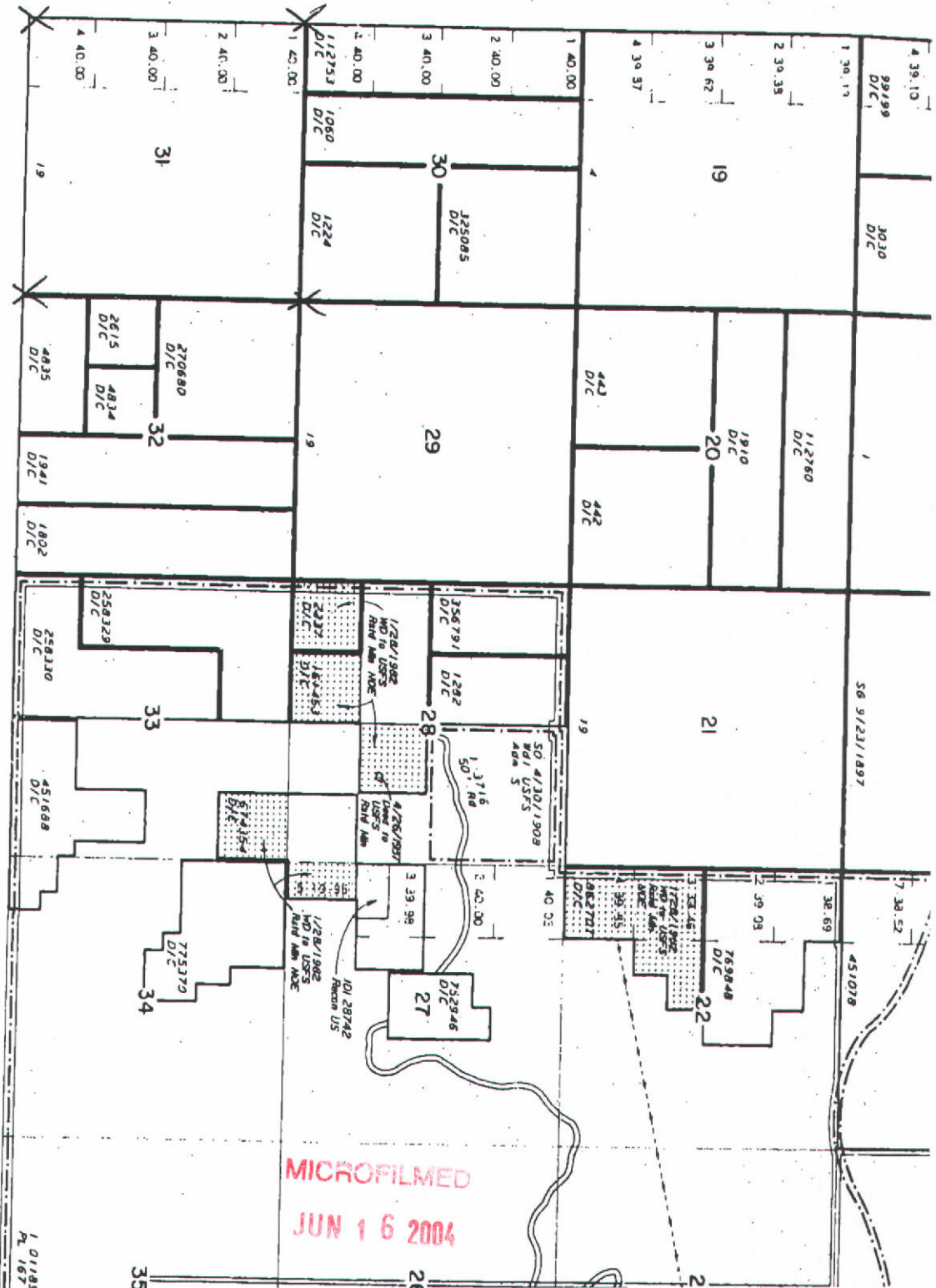
COMMENT TO

COMMENT TO

COMMENT TO

COMMENT TO

1532
Road
SE
Sumo



MICROFILMED
JUN 16 2004

**This play
only as
words have
effected!**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 19 2003

PROOF OF BENEFICIAL USE

Department of Water Resources

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. 96-9154 Telephone No. 208-683-3666

2. Name of Permit Holder(s): EUGENE H. VONDERHARR

3. Mailing Address: 25150 N. INFINITY RD.

City Arhee State ID Zip 83801

4. Source of Water: SPRINGS 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): _____ Stockwater (No. and type of stock): 3 HORSES

Irrigation (No. of acres): _____ Other: FIRE PROTECTION

6. Total rate of diversion and/or volume for which proof is submitted: 0.20 cfs OR 1.0 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 X

Has the measuring device been installed?

Yes _____ or No X

8. Fee Enclosed: \$ 50.00 (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: EUGENE H. VONDERHARR Telephone Number: 208-683-3666

Address: 25150 N. INFINITY RD. Arhee ID. 83801

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: Eugene H. Vonderharr Date: 12-16-03
(include your title, if on behalf of company or organization)

MICROFILMED

JUN 15 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09154

Priority: July 31, 2003

Maximum Diversion Rate: 0.20 CFS
Maximum Diversion Volume: 1.0 AF

This is to certify, that EUGENE H VONDERHARR
25150 N INFINITY RD
ATHOL ID 83801

has applied for a permit to appropriate water from:

Source: SPRINGS

Tributary: SINKS

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>
DIVERSION TO STORAGE	01/01 to 12/31	0.20 CFS	
RECREATION STORAGE	01/01 to 12/31		1.0 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		1.0 AF
STOCKWATER STORAGE	01/01 to 12/31		1.0 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		1.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRINGS L2 (SW1/4NW1/4) Sec. 31, Twp 53N, Rge 02W, B.M. KOOTENAI County

PLACE OF USE: RECREATION STORAGE, FIRE PROTECTION STORAGE
STOCKWATER STORAGE & STOCKWATER FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N 02W 31							X										
							L2										

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **December 01, 2004**.
2. Subject to all prior water rights.
3. Recreational storage use is for aesthetics.
4. Stockwater use is for 6 mixed livestock.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 10th day of December, 2003.


KARL J DREHER, Director

MICROFILMED

JUN 15 2004

70813
STATE OF IDAHO

Ident. No. 96-9154

RECEIVED

OCT 30 2003

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

JUL 31 2003

IDWR/North

1. Name of Applicant EUGENE VONDERHARR Phone 683-3666

Mailing address 25150 N. Infinity Rd. Arco, ID 83401

2. Source of water supply SPRINGS which is a tributary of SINKS

3. Location of point of diversion is Township 53N Range 2W Sec. 31, in the SW 1/4, NW 1/4, Govt. Lot KOOTENAI County;

additional points of diversion if any:

4. Water will be used for the following purposes:

- 1.0 Amount 0.95 for RECREATION STORAGE purposes from Y1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- 1.0 Amount 0.95 for STORAGE FOR FIRE PROT. purposes from Y1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.20 for DIVERSION TO STORAGE purposes from Y1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- 1.0 Amount 0.95 for STOCK WATER STORAGE purposes from Y1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- 1.0 Amount 0.95 for STOCK WATER FROM STORAGE purposes from Y1 to 12/31 (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) 1.20 and/or (b) 0.95
cubic feet per second acre feet per annum

6. Proposed diverting works: OFF-STREAM POND

a. Describe type and size of devices used to divert water from the source GRAVITY FLOW

SYSTEM - WATER IS PIPED FROM SPRINGS TO POND

b. Height of storage dam 8 feet; active reservoir capacity 1.0 acre-feet; total reservoir capacity 1.0 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? _____

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

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

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

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

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. 6 MIXED

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. _____

MICROFILMED

JUN 15 2004

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.

[illegible]

Total number of acres to be irrigated -

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

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

File:

12. Remarks:

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Signature of Applicant (and title, if applicable)

Received by

Publication prepared by

Date:

Received by _____

Date 1-31-03 Time 1:51

#

Date: _____

Published in 1997

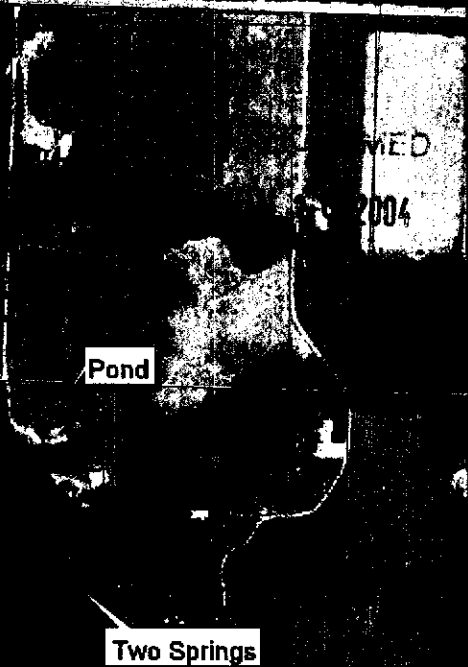
10/15/03

Preliminary check by

05/15/18

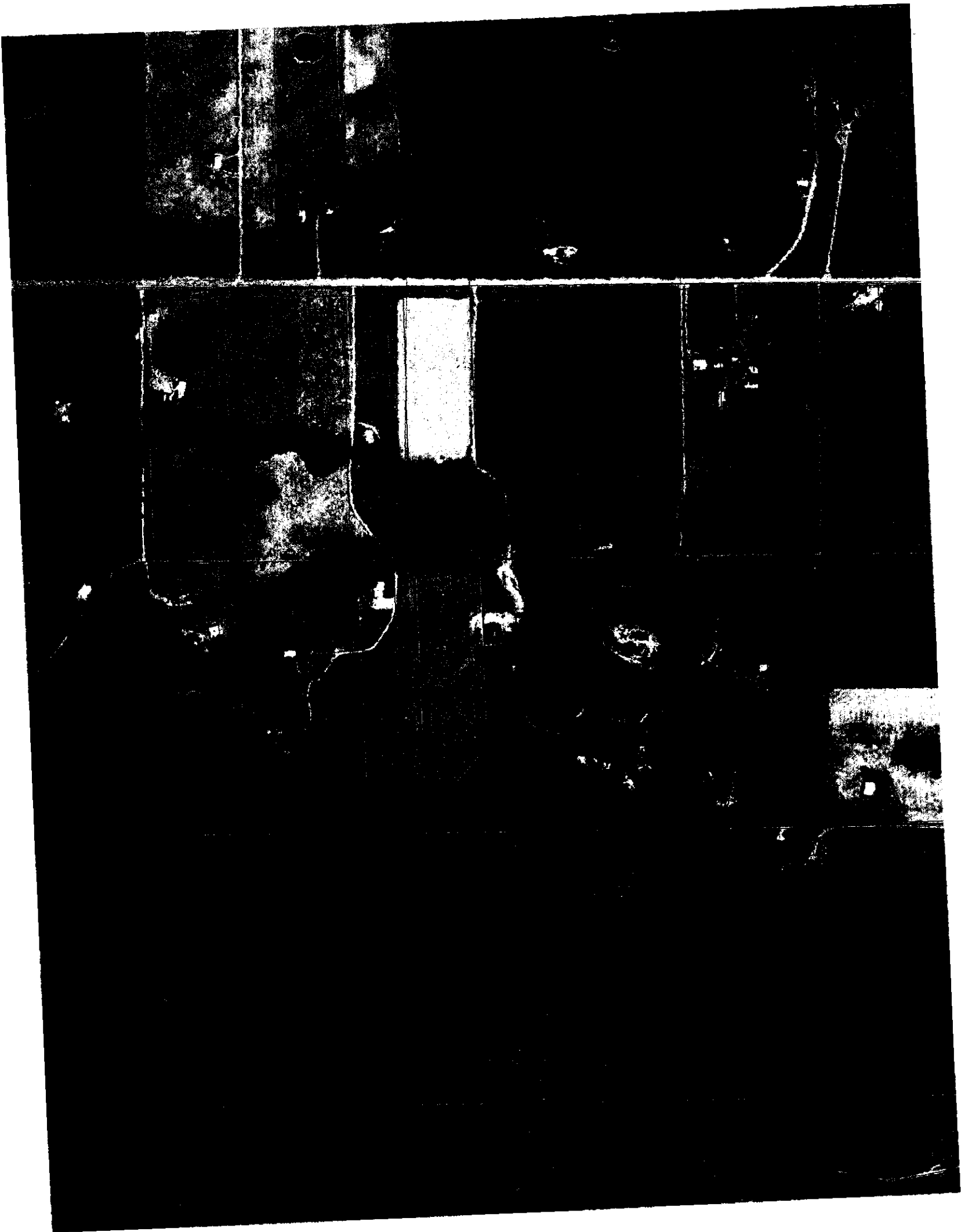
9/03

30.12



WED

2004





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

KARL J. DREHER
Director

December 12, 2003

EUGENE H VONDERHARR
25150 N INFINITY RD
ATHOL ID 83801

RE: Permit No. 96-9154

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

MICROFILMED
JUN 9 6 2004

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

Sincerely,

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

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
JUN 18 2004

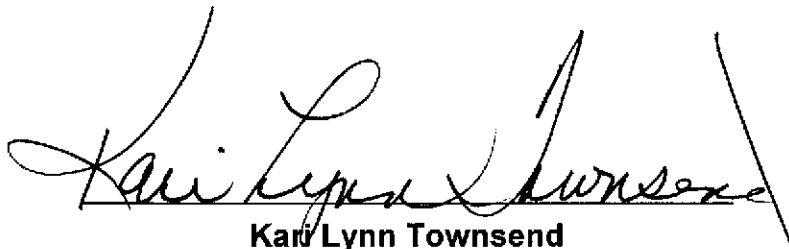
CERTIFICATE OF SERVICE

I hereby certify that on December 12, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

96-9154

EUGENE H VONDERHARR
25150 N INFINITY RD
ATHOL ID 83801



Karl Lynn Townsend
Secretary

MICROFILMED

DEC 16 2004

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
JUN 16 2004

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 96-9154

Reviewed By: dgibson

Date: January 30, 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.:		N015813, C072047	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?		

Priority Calculation

Date proof received	12/19/2003
Date proof due	- 12/01/2004
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 07/31/2003
New priority date	= 07/31/2003

Deficiencies of Actions Items

Acknowledge proof.



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

KARL J. DREHER
Director

February 2, 2004

EUGENE H VONDERHARR
25150 N INFINITY RD
ATHOL ID 83801

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO 96-9154

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 contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights 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, or at the department's website at: www.idwr.state.id.us.

If you have questions, please contact the **Northern** Regional Office of the department in Coeur d'Alene (208) 769-1450.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED

JUN 15 2004

RECEIVED

OCT 30 2003

FAX

September 28, 2003

Department of Water Resources

To: Dianne Ball - IDWR - Northern Regional Office
Fax # (208) 769-1454

From: Lin Buck - BLM - Idaho State Office
Fax # (208) 373-3839

Re: Application for Permit No. 96-09154 for Eugene H. Vonderharr

Hi Dianne:

Our office reviewed the above water right application for permit from the IDWR New Water Rights filing report dated September 22, 2003 (copy attached).

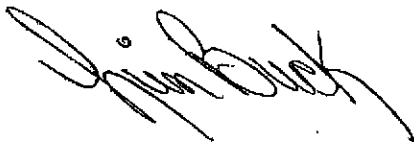
Our MTP (copy attached) shows there may be a missing number on the following:

POD: T53N R02W S31 SWNW
POU: T53N R02W S31 SWNW

BLM does not have a problem with this claim; we are just providing this for your information.

Thank you.

Have a nice day!

Pages 4 (includes cover sheet)

cc: Craig Johnson - Cottonwood FO
FAX: (208) 962-3275

MICROFILMED
OCT 30 2004

IDAHO DEPARTMENT OF WATER RESOURCES
NEW WATER RIGHT FILINGS

DATE: 09/22/03

Application for Permit No. 96-9154

Name: EUGENE H VONDERHARR

Diversion Pt SWNW Sec 31 T 53N R 02W KOOTENAI County Source SPRINGS

Use: DIVERSION TO STORAGE 01/01 To 12/31 0.2 CFS

Use: RECREATION STORAGE 01/01 To 12/31 1 AFA

Use: FIRE PROTECTION STORAGE 01/01 To 12/31 1 AFA

Use: STOCKWATER STORAGE 01/01 To 12/31 1 AFA

Use: STOCKWATER FROM STORAGE 01/01 To 12/31 1 AFA

Total Diversion: 0.2 CFS 1 AFA

Date Filed: 07/31/2003

Place Of Use: RECREATION STORAGE

T53N R02W S31 SWNW

Place Of Use: FIRE PROTECTION STORAGE

T53N R02W S31 SWNW

Place Of Use: STOCKWATER STORAGE

T53N R02W S31 SWNW

Place Of Use: STOCKWATER FROM STORAGE

T53N R02W S31 SWNW

Remarks: Stockwater storage use is for 6 head of mixed stock.

MICROFILMED

JUN 16 2004

Bop — 10/16/03
Paper advertised
this as # 95-9154
NO Need
Do I need to
readvertise for
this? All other info
was correct/no protests

**IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET**

W.R. # 96-9154

APPLICATION ID # 70813
INITIAL REVIEW

ENT. 9/17/03 BCA 9/17 OK to Publish 9/17/03

APPLICANT: VONDERHARR BY: AB DATE: 9/15/03

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)

___ **Shape File Created** Date ___ By: ___
___ Field check: by ___
___ Field report attached
___ Analysis Supp. attached(>5cfs/500af)
___ Water delivered by water master? Water District # ___

PROCESSING

(Yes)(No)

PRIORITY DATE: 7/31/03

(Include Moratorium Remark)

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

RECEIVED

OCT 30 2003

Department of Water Resources

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:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
___	___	Dom. ___ Non-Dom. ___	Paid \$ ___	___	Y() N()
___	___	Dom. ___ Non-Dom. ___	Paid \$ ___	___	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
10/10 Affidavit of publication received
10/15 Application published correctly. If not, record action taken: _____
9/24 Publication dates and paper recorded on application
___ Protests received, Final protest date: 10/20/03 Sr. Agent initial _____
___ Measuring device required
___ Measuring port required
___ Special conditions: _____
___ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: _____ Date: ___/___/___

RECEIVED

OCT 10 2003

IDWR/North

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai, } ss.

Katie Hay 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 People's 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 9th day of October 2003, and ending on the 16th day of October 2003, 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.

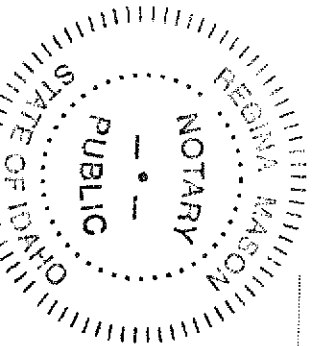
Personally appeared before me this

2003

day of October

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

MY COMMISSION EXPIRES 6/18/09



NOTICE OF APPLICATION FOR WATER RIGHT
The following application(s) have been filed to appropriate the public waters of the State of Idaho:
95-9202

DAELAND INC
11463 W RIVERVIEW DR
POST FALLS ID 83854
Point(s) of Diversion: NWSW S29 T51N R05W KOOTENAI County
Source: GROUND WATER
Use: IRRIGATION 03/15 To 11/15 0.9 CFS
Total Diversion 0.9 CFS
Date Filed: 07/17/2003
Place Of Use: IRRIGATION T51N R05W S29 NWSW SWSW
Number of Acres: 45

KEVIN DORMAN
8836 COUGAR GULCH RD
COEUR D'ALENE ID 83814
Point(s) of Diversion: SESW S30 T50N R04W KOOTENAI County
Source: COUGAR CREEK Tributary To COEUR D'ALENE LAKE
Use: IRRIGATION 03/15 To 11/15 0.06 CFS
Total Diversion 0.06 CFS
Date Filed: 07/21/2003
Place Of Use: IRRIGATION T50N R04W S30 SESW
Number of Acres: 1

EUGENE H VONDERHARR
25150 N INFINITY RD
ATHOL ID 83801
Point(s) of Diversion: SWNW S31 T53N R02W KOOTENAI County
Source: SPRINGS Tributary To SINKS
Use: STOCKWATER STORAGE 01/01 TO 12/31 IAEA
Use: STOCKWATER FROM STORAGE 01/01 TO 12/31 IAEA
Use: FIRE PROTECTION STORAGE 01/01 TO 12/31 IAEA
Use: DIVERSION TO STORAGE 01/01 TO 12/31 0.2 CFS
Total Diversion 0.2 CFS
Date Filed: 07/31/2003
Place Of Use: RECREATION STORAGE T53N R02W S31 SWNW
Place Of Use: All other uses same as RECREATION STORAGE use.
Remark: Stockwater storage use is for 6 head of mixed stock.
Permits will be subject to all prior water rights. Protests must be submitted based on the criteria of Sec. 42-203A, Idaho Code.
Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814 together with a protest fee of \$25.00 for each application, on or before 10/20/2003. The protestant must also send a copy of the protest to the applicant.

Legal 3938
Oct 2, 9, 2003

KARL J. DREHER, Director



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

September 24, 2003

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

EUGENE H VONDERHARR
25150 N INFINITY RD
ATHOL ID 83801

RE: Application for Permit No 96-9154

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Coeur d'Alene Press on October 2 and 9, 2003. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Allen Beardslee".

Allen Beardslee
Senior Water Resource Agent

MICROFILMED
JUN 16 2004



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

→ **PLEASE FAX PROOF PRIOR TO PUBLICATION** ←

September 24, 2003

LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

FAXED TO KATTIE HOY 9/24/03

RE: Application for Permits Nos. 95-9202, 95-9203 and 96-9154

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated October 2 and 9, 2003, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 10/20/2003. Your cooperation is GREATLY appreciated, as always.

Sincerely

Dianne Ball
Administrative Assistant

MICROFILMED
JUN 16 2004

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

95-9202

DAELAND INC

11463 W RIVERVIEW DR

POST FALLS ID 83854

Point(s) of Diversion NWSW S29 T51N R05W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 03/15 To 11/15 0.9 CFS

Total Diversion: 0.9 CFS

Date Filed: 07/17/2003

Place Of Use: IRRIGATION T51N R05W S29 NWSW SWSW

Number of Acres 45

95-9203

KEVIN DORMAN

8836 COUGAR GULCH RD

COEUR D ALENE ID 83814

Point(s) of Diversion SESW S30 T50N R04W KOOTENAI County

Source COUGAR CREEK Tributary To COEUR D'ALENE LAKE

Use: IRRIGATION 03/15 To 11/15 0.06 CFS

Total Diversion: 0.06 CFS

Date Filed: 07/21/2003

Place Of Use: IRRIGATION T50N R04W S30 SESW

Number of Acres 1

96-9154

EUGENE H VONDERHARR

25150 N INFINITY RD

ATHOL ID 83801

Point(s) of Diversion SWNW S31 T53N R02W KOOTENAI County

Source SPRINGS Tributary To SINKS

Use: STOCKWATER STORAGE 01/01 To 12/31 1 AFA

Use: STOCKWATER FROM STORAGE 01/01 To 12/31 1 AFA

Use: RECREATION STORAGE 01/01 To 12/31 1 AFA

Use: FIRE PROTECTION STORAGE 01/01 To 12/31 1 AFA

Use: DIVERSION TO STORAGE 01/01 To 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 07/31/2003

Place Of Use: RECREATION STORAGE T53N R02W S31 SWNW

Place Of Use: All other uses same as RECREATION STORAGE use.

Remark: Stockwater storage use is for 6 head of mixed stock.

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

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D'Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 10/20/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on October 2 and 9, 2003

MICROFILMED

JUN 15 2004



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 17, 2003

RAY HENNEKEY
STATE OF IDAHO
DEPT OF FISH & GAME
2750 KATHLEEN AVE
COEUR D ALENE, ID 83814

FAXED TO RAY 9/17/03
TOTAL OF 4 PAGES

Application to Permit No. 96-9154

Dear Ray:

Enclosed is a copy of the above referenced application. Please submit your comments to this office within two weeks of receipt of this request, by October 1, 2003. You may do so by e-mail if you would prefer, at dball@idwr.state.id.us.

Please feel free to contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Dianne', is written in dark ink.

Dianne Ball
Administrative Assistant

Enclosure(s)

9/17/03

SEP 18 2003