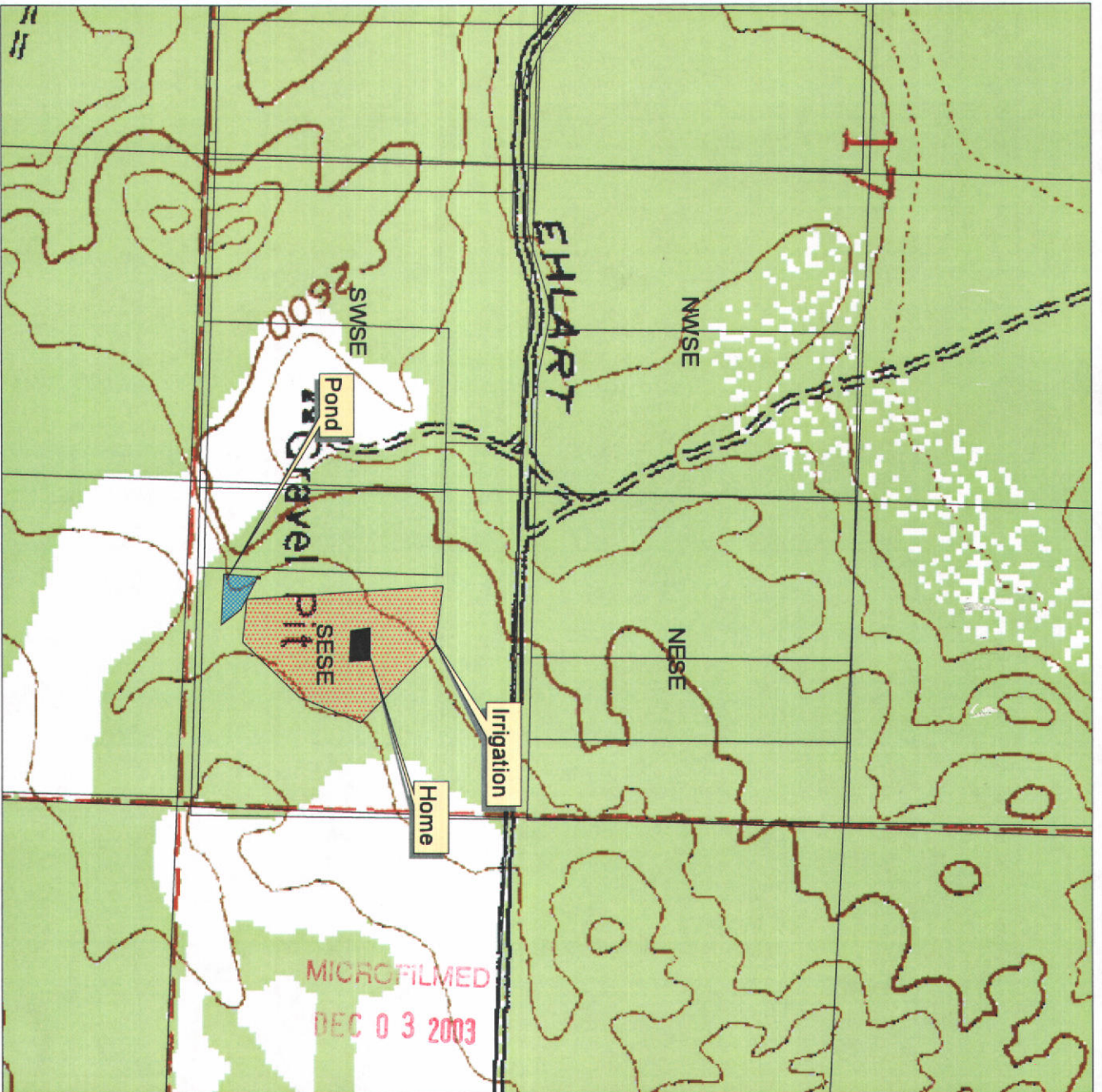


☐ Parcels011001.shp
☐ Quad IndexQuadcov.shp
☐ T53n02w.shp



State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09124

Priority: February 20, 2003

Maximum Diversion Rate: 0.16 CFS

This is to certify, that RODNEY A TWETE And/Or MARILYN G TWETE
E 14386 TWETE RD
ATHOL ID 83801

have applied for a permit to appropriate water from:

Source: BARKER CREEK

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>
DOMESTIC	01/01 to 12/31	0.04 CFS	
IRRIGATION	04/01 to 11/01	0.12 CFS	
IRRIGATION STORAGE	01/01 to 12/31		0.5 AF
IRRIGATION FROM STORAGE	04/01 to 11/01		0.5 AF
RECREATION STORAGE	01/01 to 12/31		0.5 AF

LOCATION OF POINT OF DIVERSION:

BARKER CREEK SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17, Twp 53N, Rge 02W, B.M., KOOTENAI County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
53N 02W 17																X	

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
53N 02W 17																6.0	6.0

Total Acres: 6

PLACE OF USE: IRRIGATION FROM STORAGE – Same as Irrigation

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
53N 02W 17																X	

PLACE OF USE: RECREATION STORAGE – Same as Irrigation Storage

MICRO, 10/1/03

DEC 03 2003

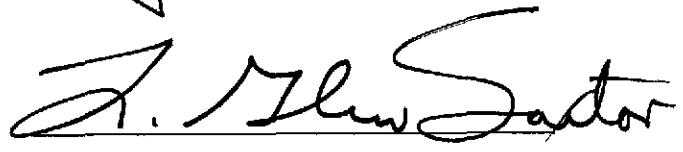
State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09124

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **July 01, 2008**.
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. Domestic use is for 1 home.
5. Recreation storage use is for fishing and swimming.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
7. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
8. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 1st day of July, 2003.


for **KARL J DREHER, Director**

MICROFILMED

DEC 03 2003

RECEIVED

JUN 30 2003

Department of Water Resources

10435

Ident. No. _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

96-9124

1. Name of Applicant ROONEYA AND/OR MARILYN G TWETE Phone 683-2541
Mailing address E. 14386 TWETE RD AMAR ID 83801
2. Source of water supply BARILOR CREEK which is a tributary of SINKS
3. Location of point of diversion is Township S3N Range 2W Sec. 17, in the SE 1/4, SE 1/4, Govt. Lot _____, B.M., KOOTENAI County;

additional points of diversion if any:

4. Water will be used for the following purposes:

Amount .12 for IRRIGATION purposes from 4/1 to 11/01 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.50 for IRR. STORAGE purposes from 4/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.50 for FROM STORAGE purposes from 4/1 to 11/01 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 for DOMESTIC purposes from 4/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.50 for RECREATION STORAGE purposes from 4/1 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) .16 cubic feet per second and/or (b) 0.50 acre feet per annum

6. Proposed diverting works: - POND 50X40 X10' POND

a. Describe type and size of devices used to divert water from the source - ON-STREAM POND
IRRIGATION SYSTEM - PIPELINE TO HOME

b. Height of storage dam 9.5 feet; active reservoir capacity .50 acre-feet; total reservoir capacity .50 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 5 years (minimum 1 year)

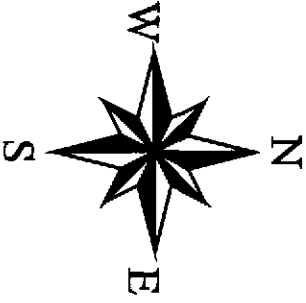
8. Description of proposed uses (if irrigation only, go to item 9):

- 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
- e. Other; describe fully. Recreation for Fishing & Swimming

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DEC 03 2003

9. Description of place of use:

☐ Parcels011001.shp
☐ Quad IndexQuadcov.shp
☐ T63n02w.shp





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

July 2, 2003

RODNEY A TWETE
MARILYN G TWETE
E 14386 TWETE RD
ATHOL ID 83801

RE: Permit No. 96-9124

Permit Approval Notice

Dear Permit Holder:

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

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

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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.

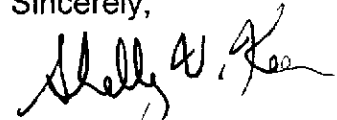
MICROFILMED

DEC 8 3 2003

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

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

Sincerely,

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

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
DEC 6 3 2000

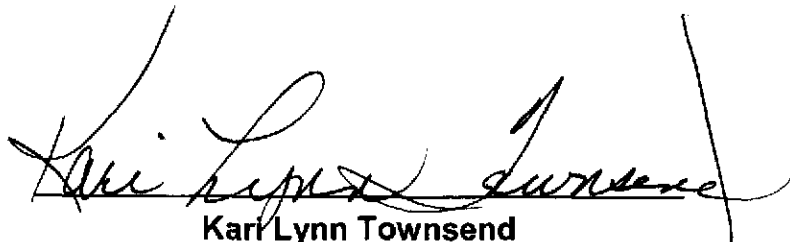
CERTIFICATE OF SERVICE

I hereby certify that on July 2, 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.

96-9124

MARILYN G TWETE
RODNEY A TWETE
E 14386 TWETE RD
ATHOL ID 83801



Karl Lynn Townsend
Secretary

MICROFILMED

DEC 03 2003

**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).

MICHO...

DEC 03 2003

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MEMORANDUM

To: File 96-9124

From: Kay Walker

Date: July 1, 2003

Re: Fish & Game Comments

The IDFG representative who submitted comments has recommended adding conditions regarding the underwater excavation and pump/pipeline placements in the stream bed. These issues go beyond the scope of the water right application and fall instead under the jurisdiction of the Stream Channel Alteration section of this department and/or Dept. of Lands via an encroachment permit.

I also noted that Fish and Game want the applicant to develop their pond off-stream instead of on-stream as proposed. The applicant received a copy of the letter from Fish and Game so they have been advised of this matter. I discussed this with Al Beardslee and he felt the applicant's have been advised and we could issue the permit as is.

The standard conditions regarding the approach velocity and mesh screening will be placed on the permit, but the water right permit will not address the other issues above.

MICROFILMED
DEC 6 3 2005

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

W.R. # 96-9124

APPLICATION ID # 70435
INITIAL REVIEW

ENT. 2/24 BCA 2/25 OK to Publish 2/24

APPLICANT: TWETE BY: AB DATE: 2/21/03

- 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)

☐ 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: 2/20/03

☒ (X) (Include Moratorium Remark)

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

RECEIVED
JUN 30 2003

Department of Water Resources

ADVERTISE IN: KOOTENAI Count

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

Affidavit of publication received

Application published correctly. If not, record action taken: _____

Publication dates and paper recorded on application

Sr. Agent initial

Protests received,

Final protest date:

3/24/03
4/21/03

Measuring device required

Measuring port required

Special conditions:

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

Approval Recommended by: _____ Date: ____/____/____



IDAHO FISH & GAME

PANHANDLE REGION
2750 Kathleen Avenue
Coeur d'Alene, Idaho 83815

Dirk Kempthorne/Governor
Steven M. Huffaker/Director

March 12, 2003

Go on computer

RECEIVED
MAR 21 2003
IDWR/North

Mr. Robert Haynes
Idaho Department of Water Resources
Northern Region
1910 Northwest Blvd, S 210
Coeur d'Alene, ID 83814

Dear Mr. Haynes:

REFERENCE: #96-9124 TWETE WATER RIGHT APPLICATION

Rodney and Marilyn Twete have requested 0.50 acre feet per annum from Barker Creek, a sinking creek, for irrigation, domestic use and recreational storage. We have no objection to issuing the water right if your calculations indicate that the withdrawal will not reduce stream volume or flows below those needed to support fish and other aquatic species.

However, we recommend against permitting construction of a pond on the stream. Small perennial and intermittent streams serve many important biological functions that deserve protection. An in-stream impoundment on Barker Creek may contribute to elevated stream temperatures, impede migrations of amphibians and have other potentially adverse impacts on water quality and stream function. We recommend that the applicant should be required either to withdraw water from the creek on an as-needed basis or install storage off-stream. Water intakes should be screened to prevent entrainment or impingement of fish. The maximum screen mesh size should be 0.25 inches; approach velocities should not exceed 0.5 ft/second to prevent losses of juvenile fish.

If IDWR does permit an in-stream impoundment, the applicants should be made aware that any structure intended to impound water must be designed, installed and maintained to allow fish passage per Idaho Code 36-906.

Finally, we note that the applicant intends to create recreational storage for fish. The applicant should be informed that a permit is required prior to stocking private ponds with fish. In addition, unless the fish to be stocked are delivered by a commercial hatchery (required for trout), the applicant must acquire a fish transport permit to bring fish to the pond. Both permits are available from Idaho Department of Fish and Game.

MICROFILMED

DEC 03 2003

Mr. Robert Haynes – Page 2
March 17, 2003

Thank you for the opportunity to comment.

Sincerely,



Greg Tourtlotte
Regional Supervisor

GIT:RH:kh

C: Tracey Trent, IDFG Boise
Rodney Twete (E 14386 Twete Rd, Athol 83801)

APR 11 2003

JDWB/North

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai, } ss.

Misti Flood 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.

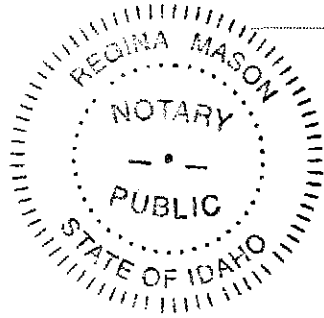
2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The Legal notice

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 3 consecutive weeks commencing on the 3 day of April 20 03, and ending on the 10 day of April 20 03, 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 10 day of April 20 03



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

MY COMMISSION EXPIRES 6/18/03

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

95-9168

LEONARD O WALLACE
1504 E PLAZA
POST FALLS ID 83854
Point(s) of Diversion: SWNE S23 T50N R05W KOOTENAI County
Source SPRING Tributary To SINKS
Use: DOMESTIC 01/01 To 12/31 0.01 CFS
Total Diversion 0.01 CFS

Date Filed: 12/23/2002
Place Of Use: DOMESTIC
T50N R05W S23 SWNE
Remark: Domestic use is for one home and shop.

95-9169

CITY OF COEUR D ALENE
PARK DEPARTMENT
710 MULLAN AVE
COEUR D ALENE ID 83814
Point(s) of Diversion: SENW S34 T51N R04W KOOTENAI County
Source GROUND WATER
Use: IRRIGATION 03/15 To 11/15 0.4 CFS
Total Diversion 0.4 CFS

Date Filed: 12/27/2002
Place Of Use: IRRIGATION
T51N R04W S34 NWNE SWNE NENW SENW
Number of Acres: 10.5

95-9170

CITY OF COEUR D ALENE
PARK DEPARTMENT
710 MULLAN AVE
COEUR D ALENE ID 83814
Point(s) of Diversion: SENE S3 T50N R04W KOOTENAI County
Source GROUND WATER
Use: IRRIGATION 03/15 To 11/15 0.4 CFS
Total Diversion 0.4 CFS

Date Filed: 12/27/2002
Place Of Use: IRRIGATION
T50N R04W S3 SENE NESE
Number of Acres: 28.5

95-9171

CITY OF COEUR D ALENE
PARK DEPARTMENT
710 MULLAN AVE
COEUR D ALENE ID 83814
Point(s) of Diversion: NWNW S24 T50N R04W KOOTENAI County
Source COEUR D ALENE LAKE Tributary To SPOKANE RIVER
Use: IRRIGATION 03/15 To 11/15 0.78 CFS
Total Diversion 0.78 CFS

Date Filed: 12/27/2002
Place Of Use: IRRIGATION
T50N R04W S13 SESW
T50N R04W S24 NENW NWNW
Number of Acres: 15.5

95-9172

NORTH IDAHO FAIR & RODEO
4056 N GOVERNMENT WAY
COEUR D ALENE ID 83815
Point(s) of Diversion: SWSW S36 T51N R04W KOOTENAI County
Source GROUND WATER
Use: IRRIGATION 05/01 To 10/31 0.33 CFS
Total Diversion 0.33 CFS

Date Filed: 02/04/2003
Place Of Use: IRRIGATION
T51N R04W S36 SWSW
Number of Acres: 40

95-9173

RON CAVALIN
2888 E MURPHY RD
COEUR D ALENE ID 83815
Point(s) of Diversion: SENE S18 T50N R03W KOOTENAI County
Source GROUND WATER
Use: IRRIGATION 3/15 To 11/15 0.06 CFS
Use: DOMESTIC 01/01 To 12/31 0.08 CFS
Total Diversion 0.14 CFS

Date Filed: 02/12/2003
Place Of Use: IRRIGATION
T50N R03W S18 SENE
Number of Acres: 3
Place Of Use: DOMESTIC same as IRRIGATION

95-9174

H JAMES MAGNUSON
1250 NORTHWOOD CENTER COURT
COEUR D ALENE ID 83816
Point(s) of Diversion: L2 (SENW) S10 T49N R04W KOOTENAI County
Source COEUR D ALENE LAKE Tributary To SPOKANE RIVER
Use: IRRIGATION 03/15 To 11/15 0.02 CFS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Use: FIRE PROTECTION 01/01 To 12/31 0.2 CFS
Use: AESTHETIC 01/01 To 12/31 0.2 CFS
Total Diversion 0.2 CFS

Date Filed: 02/25/2003
Place Of Use: IRRIGATION
T49N R04W S10 SENW Lot 2
Number of Acres: 0.5
Place Of Use: DOMESTIC, AESTHETIC and FIRE PROTECTION same as IRRIGATION
Remark: Domestic use is for one home.

96-9123

RICK BURDETTE
YOUNG BURDETTE
13611 NUNN RD
ATHOL ID 83801
Point(s) of Diversion: SWNE S32 T53N R02W KOOTENAI County
Source GREEN CREEK Tributary To SAGE CREEK
Use: IRRIGATION 03/15 To 11/15 0.2 CFS
Use: IRRIGATION STORAGE 03/15 To 11/15 1.4 AFA
Use: IRRIGATION FROM STORAGE 03/15 To 11/15 1.4 AFA
Use: AESTHETIC 01/01 To 12/31 0.2 CFS
Use: AESTHETIC STORAGE 01/01 To 12/31 1.4 AFA
Use: DIVERSION TO STORAGE 01/01 To 12/31 0.2 CFS
Total Diversion 0.2 CFS

Date Filed: 02/21/2003
Place Of Use: IRRIGATION
T53N R02W S32 SWNE
Number of Acres: 3
Place Of Use: IRRIGATION STORAGE, IRRIGATION FROM STORAGE, AESTHETIC and AESTHETIC STORAGE same as IRRIGATION

96-9124

MARILYN G TWETE
RODNEY A TWETE
14386 TWETE RD
ATHOL ID 83801
Point(s) of Diversion: SESE S17 T53N R02W KOOTENAI County
Source BARKER CREEK Tributary To SINKS
Use: IRRIGATION 04/01 To 11/01 0.12 CFS
Use: IRRIGATION STORAGE 01/01 To 12/31 0.5 AFA
Use: IRRIGATION FROM STORAGE 04/01 To 11/01 0.5 AFA
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Use: RECREATION STORAGE 01/01 To 12/31 0.5 AFA
Total Diversion 0.16 CFS

Date Filed: 02/20/2003
Place Of Use: IRRIGATION
T53N R02W S17 SESE
Number of Acres: 6
Place Of Use: IRRIGATION STORAGE, IRRIGATION FROM STORAGE, RECREATION STORAGE and DOMESTIC, same as IRRIGATION
Remark: Recreation use is for fishing and swimming.
Domestic use is for 1 home.

*Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42.203A, Idaho Code.
Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814 together with a protest fee of \$25.00 for each application on or before 04/21/03. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Legal 2838
April 3, 10 2003



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

March 28, 2003

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LEGAL NOTICE DEPARTMENT

COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

FAXED TO DEBBIE at 664-0212

5 Pages Total

PLEASE FAX PROOF PRIOR TO PUBLICATION.

RE: Application for Permit No.95-9168, 95-9169, 95-1970, 95-9171, 95-9172, 95-9173,
95-9174, 96-9123 and 96-9124

Dear Debbie:

I decided to make a cover letter to accompany this request. If you have ANY questions, please give me a call.



I'm also faxing a copy of page 15 of our Water Appropriation Rules noting what the law requires for our publication dates.

~~~~~  
Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). **This publication should run on April 3 and 10, 2003. If you cannot publish the notice on the proposed dates, please contact us immediately.**

An affidavit of publication must be submitted to the Department. Please send the affidavit and bill to this office before April 21, 2003. Your cooperation is GREATLY appreciated.

Thanks, and have a simply wonderful day, and a terrific weekend.

Sincerely

*Dianne*

Dianne Ball  
Administrative Assistant

*Originally  
advertised on  
the wrong days  
of the week*

MICROFILMED

REC 03 2003

**96-9123**

RICK BURDETTE  
YOUNG BURDETTE  
13611 NUNN RD  
ATHOL ID 83801

Point(s) of Diversion SWNE S32 T53N R02W KOOTENAI County  
Source GREEN CREEK Tributary To SAGE CREEK

|                              |                |         |
|------------------------------|----------------|---------|
| Use: IRRIGATION              | 03/15 To 11/15 | 0.2 CFS |
| Use: IRRIGATION STORAGE      | 03/15 To 11/15 | 1.4 AFA |
| Use: IRRIGATION FROM STORAGE | 03/15 To 11/15 | 1.4 AFA |
| Use: AESTHETIC               | 01/01 To 12/31 | 0.2 CFS |
| Use: AESTHETIC STORAGE       | 01/01 To 12/31 | 1.4 AFA |
| Use: DIVERSION TO STORAGE    | 01/01 To 12/31 | 0.2 CFS |
| Total Diversion:             |                | 0.2 CFS |

Date Filed: 02/21/2003

Place Of Use: IRRIGATION

T53N R02W S32 SWNE

Number of Acres 3

Place Of Use: IRRIGATION STORAGE, IRRIGATION FROM STORAGE, AESTHETIC and  
AESTHETIC STORAGE same as IRRIGATION

**96-9124**

MARILYN G TWETE  
RODNEY A TWETE  
14386 TWETE RD  
ATHOL ID 83801

Point(s) of Diversion SESE S17 T53N R02W KOOTENAI County  
Source BARKER CREEK Tributary To SINKS

|                                 |                |          |
|---------------------------------|----------------|----------|
| Use: IRRIGATION                 | 04/01 To 11/01 | 0.12 CFS |
| Use: IRRIGATION STORAGE         | 01/01 To 12/31 | 0.5 AFA  |
| Use: IRRIGATION FROM<br>STORAGE | 04/01 To 11/01 | 0.5 AFA  |
| Use: DOMESTIC                   | 01/01 To 12/31 | 0.04 CFS |
| Use: RECREATION STORAGE         | 01/01 To 12/31 | 0.5 AFA  |
| Total Diversion:                |                | 0.16 CFS |

Date Filed: 02/20/2003

Place Of Use: IRRIGATION

T53N R02W S17 SESE

Number of Acres 6

Place Of Use: IRRIGATION STORAGE, IRRIGATION FROM STORAGE, RECREATION STORAGE  
and DOMESTIC, same as IRRIGATION

Remark: Recreation use is for fishing and swimming.  
Domestic use is for 1 home.

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

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region,  
1910 Northwest Blvd, Suite 210, Coeur D'Alene ID 83814 together with a protest fee of \$25.00 for each application on or before

03/24/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director MICRON PUBLISHED Published on ~~March 6 and 13, 2003~~

→ 04/21/03

REC 03 2003

Change to April 3 & 10/2003

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,  
County of Kootenai,

MAE 17 2003

IDW/F/North

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 issue of said newspaper for 2 consecutive Mondays commencing on the 1 day of March 20 03, and ending on the 8 day of March 20 03, 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

Personally appeared before me this

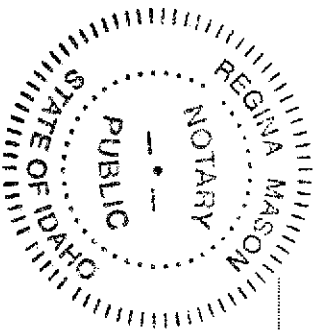
20

03

day of March

Regina Mason

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



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

95-9168

LEONARD O WALLACE  
1504 E PLAZA  
POST FALLS ID 83854

Point(s) of Diversion SWNE 823 T50N R05W  
Source SPRING Tributary To SINKS  
Use: DOMESTIC 01/01 To 12/31 0.01 CFS

Date Filed: 12/23/2002  
Total Diversion: 0.01 CFS

Place Of Use: DOMESTIC  
T50N R05W S23 SWNE  
Remark: Domestic use is for one home and shop.

95-9169

CITY OF COEUR D'ALENE  
PARK DEPARTMENT  
710 MULLAN AVE

COEUR D'ALENE ID 83814  
Point(s) of Diversion SENW S34 T51N R04W  
Source GROUND WATER  
Use: IRRIGATION 03/15 To 11/15 0.4 CFS

Date Filed: 12/27/2002  
Total Diversion: 0.4 CFS

Place Of Use: IRRIGATION  
T51N R04W S34 NWNE SWNE NENW SENW  
Number of Acres 10.5

95-9170

CITY OF COEUR D'ALENE  
PARK DEPARTMENT  
710 MULLAN AVE

COEUR D'ALENE ID 83814  
Point(s) of Diversion SENE 83 T50N R04W  
Source GROUND WATER  
Use: IRRIGATION 03/15 To 11/15 0.4 CFS

Date Filed: 12/27/2002  
Total Diversion: 0.4 CFS

Place Of Use: IRRIGATION  
T50N R04W S3 SWNE NESE  
Number of Acres 28.5

95-9171

CITY OF COEUR D'ALENE  
PARK DEPARTMENT  
710 MULLAN AVE

COEUR D'ALENE ID 83814  
Point(s) of Diversion NWNW S24 T50N R04W  
Source COEUR D'ALENE LAKE Tributary To SPOKANE RIVER  
Use: IRRIGATION 03/15 To 11/15 0.78 CFS

Date Filed: 12/27/2002  
Total Diversion: 0.78 CFS

Place Of Use: IRRIGATION  
T50N R04W S13 SESE  
T50N R04W S24 NENW NWNW  
Number of Acres 15.5

95-9172

NORTH IDAHO FAIR & RODEO  
4056 N GOVERNMENT WAY  
COEUR D'ALENE ID 83815

Point(s) of Diversion SWSW S36 T51N R04W  
Source GROUND WATER  
Use: IRRIGATION 05/01 To 10/31 0.33 CFS

Date Filed: 02/04/2003  
Total Diversion: 0.33 CFS

Place Of Use: IRRIGATION  
T51N R04W S36 SWSW  
Number of Acres 40

95-9173

RON CAVALLIN  
2888 E MURPHY RD  
COEUR D'ALENE ID 83815

Point(s) of Diversion SENE S18 T50N R03W  
Source GROUND WATER  
Use: IRRIGATION 03/15 To 11/15 0.06 CFS

Date Filed: 01/01 To 12/31 0.08 CFS  
Total Diversion: 0.14 CFS

Date Filed: 02/12/2003  
Place Of Use: IRRIGATION  
T50N R03W S18 SENE  
Number of Acres 3  
Place Of Use: DOMESTIC same as IRRIGATION

95-9174

H JAMES MAGNUSON  
1250 NORTHWOOD CENTER COURT  
COEUR D'ALENE ID 83816

Point(s) of Diversion L2 (SENE) S10 T49N R04W KOOTENAI County  
Source COEUR D'ALENE LAKE Tributary To SPOKANE RIVER  
Use: IRRIGATION 03/15 To 11/15 0.02 CFS

Date Filed: 02/25/2003  
Total Diversion: 0.2 CFS

Place Of Use: IRRIGATION  
T49N R04W S10 SENW Loc2  
Number of Acres 0.5

Place Of Use: DOMESTIC, AESTHETIC and FIRE PROTECTION same as IRRIGATION  
Remark: Domestic use is for one home

96-9123

RICK BURDETTE  
YOUNG BURDETTE  
13611 NUNN RD  
ATHOL ID 83801

Point(s) of Diversion SWNE S32 T53N R02W KOOTENAI County  
Source GREEN CREEK Tributary To SAGE CREEK  
Use: IRRIGATION 03/15 To 11/15 0.2 CFS

Date Filed: 02/21/2003  
Total Diversion: 0.2 CFS

Place Of Use: IRRIGATION  
T53N R02W S32 SWNE  
Number of Acres: 3

Place Of Use: IRRIGATION STORAGE, IRRIGATION FROM STORAGE, AESTHETIC and AESTHETIC STORAGE same as IRRIGATION

96-9124

MARLYN G TWETE  
RODNEY A TWETE  
14386 TWETE RD  
ATHOL ID 83801

Point(s) of Diversion SESE S17 T53N R02W KOOTENAI County  
Source BARKER CREEK Tributary To SINKS  
Use: IRRIGATION 04/05 To 11/01 0.12 CFS

Date Filed: 02/20/2003  
Total Diversion: 0.16 CFS

Place Of Use: IRRIGATION STORAGE, IRRIGATION FROM STORAGE, RECREATION STORAGE and DOMESTIC, same as IRRIGATION

Place Of Use: IRRIGATION  
T53N R02W S17 SESE  
Number of Acres 6

Place Of Use: IRRIGATION STORAGE, IRRIGATION FROM STORAGE, RECREATION STORAGE and DOMESTIC, same as IRRIGATION

Remark: Recreation use is for fishing and swimming. Domestic use is for 1 home.

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

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, 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 03/24/2003. The protestant must also send a copy of the protest to the applicant.

Legal 2651  
Mar. 1, 8, 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**

February 26, 2003

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

**LEGAL NOTICE DEPARTMENT**  
COEUR D ALENE PRESS  
201 N 2<sup>ND</sup>  
COEUR D ALENE ID 83814

**FAXED TO JEN PORTER at 664-0212**

**PLEASE FAX PROOF PRIOR TO PUBLICATION.**

*4 pages total*

RE: Application for Permit No.95-9168, 95-9169, 95-1970, 95-9171, 95-9172, 95-9173,  
95-9174, 96-9123 and 96-9124

Dear **LEGAL NOTICE DEPARTMENT:**

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (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 03/24/2003. Your cooperation is GREATLY appreciated.

*Thanks*



Thanks, and have a simply wonderful day.

Sincerely

*Dianne*

Dianne Ball  
Administrative Assistant

MICROFILMED

REC 9 3 2003

**96-9123**

RICK BURDETTE  
YOUNG BURDETTE  
13611 NUNN RD  
ATHOL ID 83801

Point(s) of Diversion SWNE S32 T53N R02W KOOTENAI County

Source GREEN CREEK Tributary To SAGE CREEK

|                              |                |         |
|------------------------------|----------------|---------|
| Use: IRRIGATION              | 03/15 To 11/15 | 0.2 CFS |
| Use: IRRIGATION STORAGE      | 03/15 To 11/15 | 1.4 AFA |
| Use: IRRIGATION FROM STORAGE | 03/15 To 11/15 | 1.4 AFA |
| Use: AESTHETIC               | 01/01 To 12/31 | 0.2 CFS |
| Use: AESTHETIC STORAGE       | 01/01 To 12/31 | 1.4 AFA |
| Use: DIVERSION TO STORAGE    | 01/01 To 12/31 | 0.2 CFS |
| Total Diversion:             |                | 0.2 CFS |

Date Filed: 02/21/2003

Place Of Use: IRRIGATION

T53N R02W S32 SWNE

Number of Acres 3

Place Of Use: IRRIGATION STORAGE, IRRIGATION FROM STORAGE, AESTHETIC and AESTHETIC STORAGE same as IRRIGATION

**96-9124**

MARILYN G TWETE  
RODNEY A TWETE  
14386 TWETE RD  
ATHOL ID 83801

Point(s) of Diversion SESE S17 T53N R02W KOOTENAI County

Source BARKER CREEK Tributary To SINKS

|                              |                |          |
|------------------------------|----------------|----------|
| Use: IRRIGATION              | 04/01 To 11/01 | 0.12 CFS |
| Use: IRRIGATION STORAGE      | 01/01 To 12/31 | 0.5 AFA  |
| Use: IRRIGATION FROM STORAGE | 04/01 To 11/01 | 0.5 AFA  |
| Use: DOMESTIC                | 01/01 To 12/31 | 0.04 CFS |
| Use: RECREATION STORAGE      | 01/01 To 12/31 | 0.5 AFA  |
| Total Diversion:             |                | 0.16 CFS |

Date Filed: 02/20/2003

Place Of Use: IRRIGATION

T53N R02W S17 SESE

Number of Acres 6

Place Of Use: IRRIGATION STORAGE, IRRIGATION FROM STORAGE, RECREATION STORAGE and DOMESTIC, same as IRRIGATION

Remark: Recreation use is for fishing and swimming.  
Domestic use is for 1 home.

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

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with a protest fee of \$25.00 for each application on or before

03/24/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on March 6 and 13, 2003

MICROFILM

DEC 03 2003



**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

February 26, 2003

MARILYN G TWETE  
RODNEY A TWETE  
E 14386 TWETE RD  
ATHOL ID 83801

RE: Application for Permit No 96-9124

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 March 6 and 13, 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,

Allen Beardslee  
Senior Water Resource Agent

MICHAEL J. BEARDSLEE  
FEB 28 2003



**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**

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February 24, 2003

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

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

Application to Permit No. 96-9124

Dear Ray:

Enclosed is a copy of the above referenced application. Please review the application, complete the enclosed recommendation form, and submit it to this office within two weeks of receipt of this request, (on or before March 13, 2003). If you prefer to respond by e-mail, my e-mail address is [dball@idwr.state.id.us](mailto:dball@idwr.state.id.us).

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

Sincerely,

Dianne Ball  
Administrative Assistant

Enclosure(s)

MICROFILM

DEC 6 3 2003