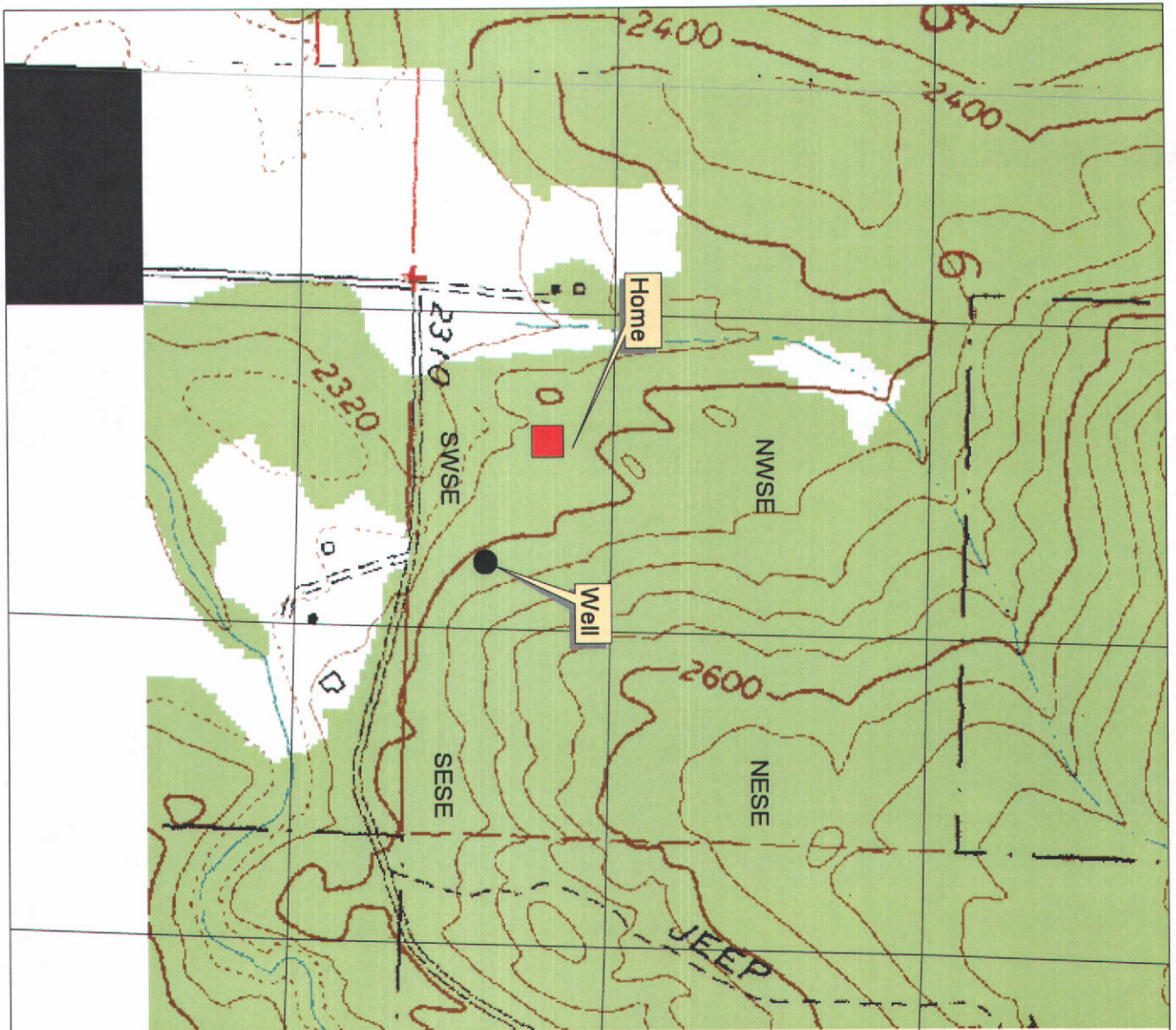


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T54n02w.sbp



MICROFILMED
MAR 26 2003

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
96-9110 IN THE NAME OF)
ROSS A. &/OR SHEILA FALCONER)
_____)

REINSTATEMENT ORDER

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before December 1, 2003; and

WHEREAS, the Department notified the permit holder on September 30, 2003, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request; and

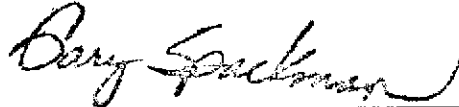
WHEREAS, the Department sent the permit holder a lapse notice on December 9, 2003, since the department had not received an acceptable proof of beneficial use statement or extension of time request; and

WHEREAS, Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the notice of lapsing; and

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting acceptable proof of beneficial use on December 22, 2003.

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 96-9110 is **REINSTATED** with an advance in priority to **August 26, 2002**.

DATED this 2nd day of February, 2004.



GARY SPACKMAN

MICROFILMED
APR 21 2004

RECEIVED

DEC 22 2003

FOR OFFICE USE ONLY

Amt. of Fee \$: _____
Receipt No. _____
Receipt By: _____
Date Received: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 96-9110 Telephone No. 208 667-4053
2. Name of Permit Holder(s): Ross & Sheila Falconer
3. Mailing Address: 3139 N 10th ST
City Coeur d'Alene State ID Zip 83815
4. Source of Water: Well / Groundwater If GROUNDWATER (well), Date Dug mo. 8 / yr. 2002
Well Driller: Hand Dug Drilling Permit Number: N/A

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): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: .04 cfs OR _____ acre-feet

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

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

Measuring Device: Is a measuring device required?
Has the measuring device been installed?

Yes _____ or No X
Yes _____ or No X

8. Fee Enclosed: \$ N/A (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: Ross & Sheila Falconer Telephone Number: (208) 667-4053
Address: 3139 N 10th ST Coeur d'Alene, ID 83815 (208) 699-4326

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: Sheila M Falconer Date: 12/12/03
(include your title, if on behalf of company or organization)

MICROFILMED

APR 21 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09110

Priority: August 05, 2002

Maximum Diversion Rate: 0.04 CFS

This is to certify, that ROSS A & SHEILA FALCONER
3139 N 10TH ST
COEUR D ALENE ID 83815

has applied for a permit to appropriate water from:

Source: GROUND WATER

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>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE¼SW¼SE¼ Sec. 6, Twp 54N, Rge 02W, B.M. BONNER County

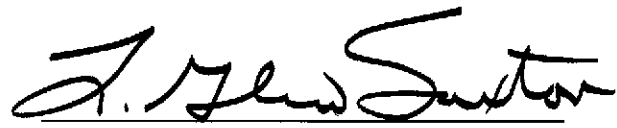
PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
54N 02W 6															X		

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **December 1, 2003**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Domestic use is for 1 home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 26th day of November, 2002


for KARL J DREHER, Director

MICROFILMED
MAR 26 2003

70146

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 26 2002

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources
1. Name of Applicant Ross & Sheila Falconer Phone 208-667-4053

Mailing address 3139 10th St, Coeur d'Alene, ID 83815

2. Source of water supply GROUNDWATER which is a tributary of _____

3. Location of point of diversion is Township S4N. Range 2W. Sec. 6 in the NE $\frac{1}{4}$,
SW $\frac{1}{4}$, SE $\frac{1}{4}$, Govt. Lot _____, B.M., BONNER County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 for DOMESTIC purposes from 7/1 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)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.04 and/or (b) _____
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 DUG WELL & PUMP

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

c. Proposed well diameter is 8 1/2 inches, proposed depth of well is 13 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. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. 1 HOME

e. Other; describe fully. _____

MICROFILMED

MAR 26 2003

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
54N.	2W	6.																D	

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? APPLICANT

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 filing: _____

12. Remarks: _____

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"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.)

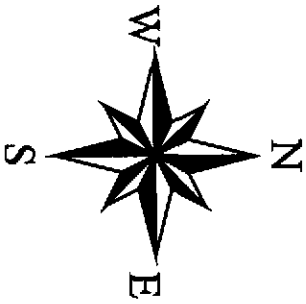
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

X Ron C. [Signature]
Signature of Applicant (and title, if applicable)

MICROFILMED
MAR 28 2003

Received by AB Date 8-5-02 Time 4:10 Preliminary check by TR
 Fee \$ 100 Received by AB # NO/5190 Date 8-5-02
 Publication prepared by db Date 9/11/02 Published in Bonner County, Naily, Bee 9/19+26/02
 Publication approved db Date 10/4/02

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TS4n02w.shp



MICROFILMED
1980-2-6-2000



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 3, 2004

ROSS A FALCONER
SHEILA FALCONER
3139 N 10TH ST
COEUR D'ALENE ID 83815

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 96-9110

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and examination fee submitted for the above referenced permit. Enclosed is an order reinstating the permit advancing the priority since proof was submitted after the proof due date. 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. The regional office staff will contact you when that examination is to be conducted. At the time the examination is conducted the system must be in operation, otherwise this permit will be of no force nor effect.

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.

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure
c: IDWR - Region (w/encl.)

MICROFILMED

APR 2 1 2004

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 96-9110

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.:		N015190	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		12/22/2003
Date proof due	-	12/01/2003
Lapse notice sent	-	12/09/2003
No. of days late	=	21
Holiday allowance	+	
Priority date	+	08/05/2002
New priority date	=	08/26/2002

Deficiencies of Actions Items

Acknowledge proof.

December 9, 2003

ROSS A FALCONER
SHEILA FALCONER
3139 N 10TH ST
COEUR D ALENE, ID 83815

LAPSE NOTICE

RE: PERMIT NO. 96-9110

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in the proof due notice dated September 20, 2003. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

Sincerely,

Gary Spackman
Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING
MICROFILMED
APR 21 2004
Hereby certified that a true and correct copy of this document was placed in the United States mail, postage prepaid addressed to the individual(s) named above.

dg

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

RECEIVED
OCT 20 2003
Department of Water Resources

HAAGTMS 03415
83720/0098

.....

FALC139 1936152002 1903 05 10/15/03
FALCONER RETURN TO SENDER
TEMPORARILY AWAY
RETURN TO SENDER

96-9110

MICROFILMED
APR 21 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

September 30, 2003

ROSS A FALCONER
SHEILA FALCONER
3139 N 10TH ST
COEUR D ALENE, ID 83815

PROOF DUE NOTICE

RE: PERMIT NO. 96-9110

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 December 01, 2003. (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

CERTIFIED MAIL

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720

Boise, Idaho 83720-0098

Return Service Requested



7000 1670 0011 3314 1751

RECEIVED

OCT - 8 2003

Department of Water Resources

MICROFILMED

APR 29 2004

FALC139 T630152010 1903 06 10/03/03
RETURN TO SENDER
FALCONER
TEMPORARILY AWAY
RETURN TO SENDER

*Received 10/10/03 w/o Certified
Handling & w/o Return Service*

0301545059

September 30, 2003

ROSS A FALCONER
SHEILA FALCONER
3139 N 10TH ST
COEUR D ALENE, ID 83815

PROOF DUE NOTICE

RE: PERMIT NO. 96-9110

Dear Permit Holder:

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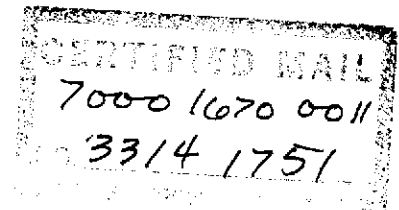
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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

APR 21 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

November 27, 2002

ROSS A FALCONER
SHEILA FALCONER
3139 N 10TH ST
COEUR D ALENE ID 83815

RE: Permit No. 96-9110

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.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

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

MAR 26 2003

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

Sincerely,

for Shelley W. Keen
Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

MAR 2 5 2003

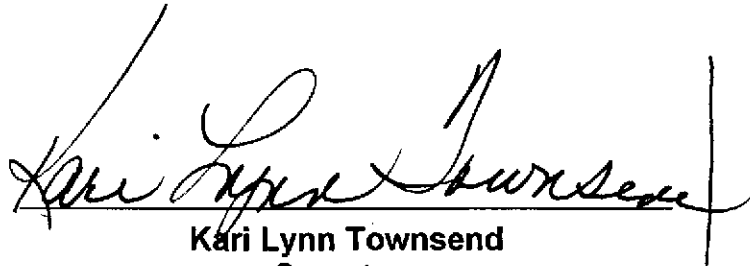
CERTIFICATE OF SERVICE

I hereby certify that on November 27, 2002 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.

96-9110

**ROSS A FALCONER
SHEILA FALCONER
3139 N 10TH ST
COEUR D ALENE ID 83815**



**Kari Lynn Townsend
Secretary**

MICROFILMED

MAR 26 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).

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.

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

W.R. # 96-9110

APPLICATION ID # 70146
INITIAL REVIEW

ENT. 9/6/02 BCA 9/6 OK to Publish 9/6/02

APPLICANT: FALCONER BY: AB DATE: 9/6/02

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 Shape File Created Date 8/6 By: AB
- Field check: by _____
- Field report attached _____
- Analysis Supp. attached(>5cfs/500af) _____
- Water delivered by water master? Water District # _____

PROCESSING

(Yes)(No) PRIORITY DATE: 8/5/02

X (Include Moratorium Remark)

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

RECEIVED

NOV 26 2002

Department of Water Resources

ADVERTISE IN: BONNER 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 _____ Remarks: _____
- Critical ground water area _____
- Well Drilling Permit required _____
- Well Drilling Application and Fees received _____
- Well Drilling Application approved? _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

- Notice of pending void order issued. Final order response date: ____/____/____
- Further information required from applicant _____
- 10/3 Affidavit of publication received
- 10/3 Application published correctly. If not, record action taken: _____

- 9/11 Publication dates and paper recorded on application _____ Sr. Agent initial _____
- Protests received, Final protest date: 10/7/02
- Measuring device required _____
- Measuring port required _____
- Special conditions: _____
- Special conditions of approval supplement and/or cover letter attached: _____

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

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner, Sherilyn Jones

being first duly sworn on oath

deposes and says that he/she is Bookkeeper

of the Bonner County Daily Bee, a newspaper printed and

published at Sandpoint, Bonner County, Idaho; that the

said newspaper has been continuously and uninterruptedly

published in said Bonner County during a period of 12

months prior to the first publication of the hereto attached

notice of publication in the case of:

Notice of App.

as it was published in the regular and entire issue of the

said paper for a period of 2 consecutive weeks,

commencing on 19 day of Sept., 2002

and ending on the 31st day of Sept., 2002

and that said notice was published in said newspaper.

On this 26 day of Sept. in the year

of 2002, before me, a Notary Public, personally

appeared Sherilyn Jones,

known or identified to me to be the person whose name

subscribed to the within instrument, and being by me

first duly sworn, declared that the statements therein are

true, and acknowledged to me that he executed the same.

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

96-9110

ROSS A FALCONER

SHEILA FALCONER

3139 N 10TH ST

COEUR D'ALENE ID 83815

Point(s) of Diversion

NESWSE S6 T54N

R02W BONNER County

Source GROUND WATER

Use: DOMESTIC 01/01

To 12/31 0.04 CFS

Total Diversion: 0.04

CFS

Date Filed: 08/05/2002

Place Of Use: DOMESTIC

T54N R02W S6 SWSE

Remark: Domestic use is for 1 home.

96-9112

MC LEOD MORGAN

ABBY MORGAN

PO BOX 5

HOPE ID 83836

Point(s) of Diversion SESE

S33 T57N R01E BON-

NER County

Source PEND OREILLE LAKE

Tributary To PEND OREILLE

RIVER

Use: DOMESTIC 01/01

To 12/31 0.04 CFS

Total Diversion: 0.04

CFS

Date Filed: 08/27/2002

Place Of Use: DOMESTIC

T57N R01E S33 SESE

T57N R01E S34 SWSW

Remark: 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.

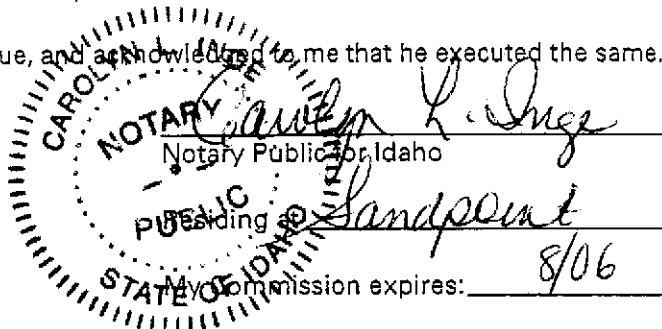
Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D'Alene ID 83814 together with a protest fee of \$25.00 for each application on or before

10/07/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Legal 3752

Sept. 19, 26, 2002



MICROFILMED

MAR 24 2003

RECEIVED
OCT 10 2002
IDAHO DEPT. OF WATER

2752

Dianne Reel

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

96-9110
ROSS A FALCONER
SHEILA FALCONER
3139 N 10TH ST
COEUR D'ALENE ID 83815
Point(s) of Diversion
NESWSE S6 T54N
R02W BONNER County
Source GROUND WATER

Use: DOMESTIC 01/01
To 12/31 0.04 CFS
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Date Filed: 08/05/2002
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T54N R02W S6 SWSE

Remark: Domestic use is for 1 home.

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PO BOX 5
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S33 T57N R01E BON-
NER County
Source PEND OREILLE LAKE
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KARL J DREHER, Director
Legal 3752
Sept. 19, 26, 2002

Proof:

Pls call Carolyn at
263-9534 with any
changes ASAP

Thanks

Carolyn

RECEIVED

SEP 16 2002

Department of Water Resources

9/16/02
J. J. J. J.
D

MICROFILMED

MAR 28 2003

Ball, Dianne

From: Ball, Dianne
Sent: Friday, September 13, 2002 1:45 PM
To: Legal Notices-Bonner Co Daily Bee (E-mail)
Subject: Legal notice for publication on 9/19 and 9/26/02

Sheri, regarding the legal notice I forwarded to you on Wednesday, will you please send me a proof on that when you get it ready, before it runs? Thank you very much. That way I can check it out to make sure I didn't miss something.

Thanks ever so much, and I trust your day today is good - at least it is Friday!! So - have a great weekend.

Being happy doesn't mean everything's perfect.

It means you've decided to see beyond the imperfections. Dianne

MICROFILMED

MAR 28 2003

9/13/2002

Ball, Dianne

From: SJones@cdapress.COM
Sent: Thursday, September 12, 2002 8:11 AM
To: dball@idwr.state.id.us
Subject: Re: Legal notice for publication on 9/19 and 9/26/02

96-9110

Good Morning,

I received your email & it will run as requested. I'm sorry I didn't get back to you yesterday, but I was very Stressed! & not feeling so blessed, but today is bound to be 500% better.

Have a wonderful Day.

Sheri

From: "Ball, Dianne" <dball@idwr.state.id.us>
To: "Legal Notices-Bonner Co Daily Bee (E-mail)" <sjones@cdapress.com>
Subject: Legal notice for publication on 9/19 and 9/26/02
Date: Wed, Sep 11, 2002, 11:58 AM

Good day to you, Sheri.

Attached you will find a Cover Letter, and a Legal Notice which we request that you publish on 9/19 and 9/26/02.

If you have ANY questions, please give me a call.

Please acknowledge receipt of this e-mail.

Thanks very much. Always a pleasure working with you.

Too blessed to be stressed....

Dianne

Dianne Ball, Administrative Assistant
Idaho Department of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814
Phone 208-769-1450 FAX 208-769-1454

MICROFILMED

MAR 2 6 2003

9/12/2002

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

96-9110

ROSS A FALCONER
SHEILA FALCONER

3139 N 10TH ST

COEUR D'ALENE ID 83815

Point(s) of Diversion NESWSE S6 T54N R02W BONNER County

Source GROUND WATER

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 08/05/2002

Place Of Use: DOMESTIC

T54N R02W S6 SWSE

Remark: Domestic use is for 1 home.

96-9112

MC LEOD MORGAN

ABBY MORGAN

PO BOX 5

HOPE ID 83836

Point(s) of Diversion SESE S33 T57N R01E BONNER County

Source PEND OREILLE LAKE Tributary To PEND OREILLE RIVER

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 08/27/2002

Place Of Use: DOMESTIC

T57N R01E S33 SESE

T57N R01E S34 SWSW

Remark: Domestic use is for 1 home.

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KARL J DREHER, Director Published in Bonner County Daily Bee on 9/19 and 9/26/02

MICROFILMED

MAR 23 2003



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

September 11, 2002

LEGAL NOTICE DEPARTMENT
BONNER COUNTY DAILY BEE
PO BOX 159
SANDPOINT ID 83864

emailed to Sheri Jones - sjones@cdapress.com

9/11/02 Please **REPLY** to acknowledge receipt

Thanks very much. Dianne

RE: Applications for Permit Nos. 96-9110 and 96-9112

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 10/07/2002. Your cooperation is greatly appreciated.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

MICROFILMED

MAR 5 9 2002



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 11, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ROSS A FALCONER
SHEILA FALCONER
3139 N 10TH ST
COEUR D ALENE ID 83815

RE: Application for Permit No 96-9110

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 Bonners County Daily Bee on September 19 and 26, 2002. 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

SEP 12 2002