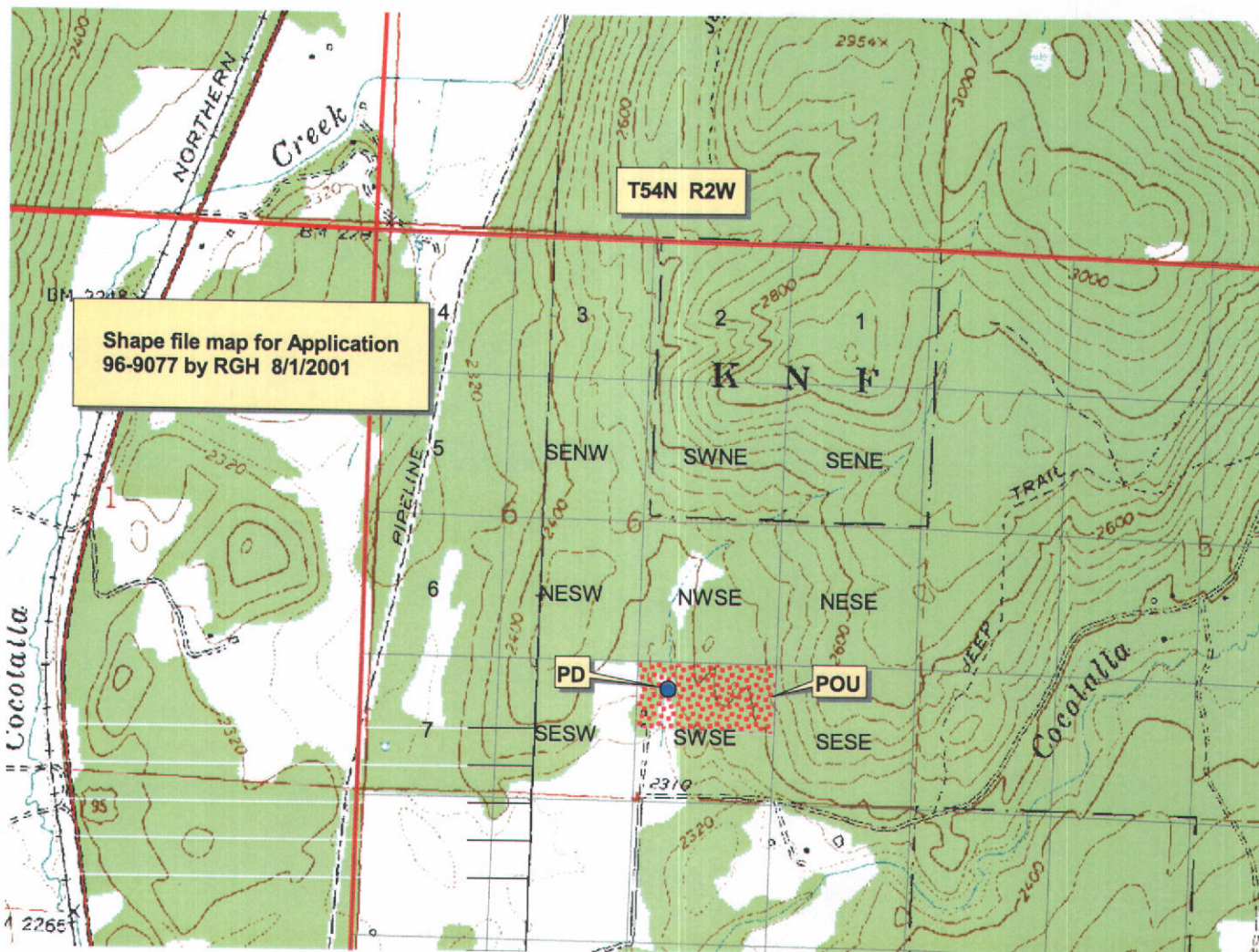


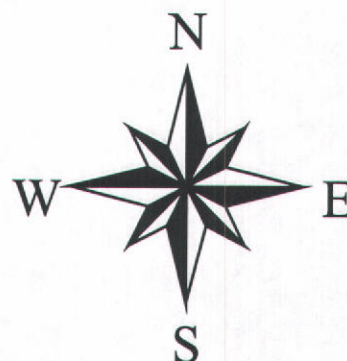


0.3 0 0.3 0.6 Miles

- GcdbT54N02W.shp
- POD- ApplicationApplication POD
- Application POU
- Townships

MICROFILMED

FEB 25 2002



State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09077

Priority: 05/24/2001

Maximum Diversion Rate: 0.20 CFS

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

And/Or

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

has applied for a permit to appropriate water from:

Source: UNNAMED STREAM 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	0.10 CFS	
DOMESTIC STORAGE	01/01 to 12/31		3.3 AF
DOMESTIC FROM STORAGE	01/01 to 12/31		3.3 AF
POWER	01/01 to 12/31	0.20 CFS	
POWER STORAGE	01/01 to 12/31		3.3 AF
POWER FROM STORAGE	01/01 to 12/31		3.3 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM SW¼SE¼ Sec. 6, Twp 54N, Rge 02W, B.M. BONNER County

PLACE OF USE: POWER

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	

PLACE OF USE: POWER STORAGE, same as Power

PLACE OF USE: POWER FROM STORAGE, same as Power

PLACE OF USE: DOMESTIC, same as Power

PLACE OF USE: DOMESTIC STORAGE, same as Power

PLACE OF USE: DOMESTIC FROM STORAGE, same as Power

1. Proof of application of water to beneficial use shall be submitted on or before **September 1, 2006**.
2. Subject to all prior water rights.

MICROFILMED

FEB 25 2002

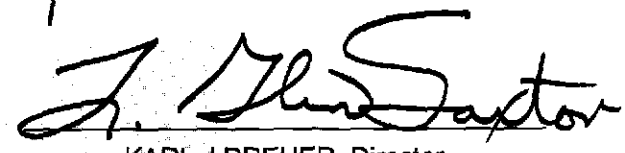
State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09077

CONDITIONS OF APPROVAL

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. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
5. Use of water for power purposes under this right shall be non-consumptive.
6. This right is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this right. Failure to comply with these provisions is cause for immediate cancellation of this right.
7. The right holder shall install a measuring device that can be used to determine the instantaneous rate of flow of water through the system, or the right holder shall provide to the department a flow rate measurement or computation made by a certified water right examiner in accordance with actual system design and operation.
8. The water right acquired under this permit for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
9. The Director retains jurisdiction of this right in order to limit the use of water for hydropower generation purposes to a specific term of years as required by Section 42-203B(7), Idaho Code.
10. Domestic use is for 4 homes.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 26th day of September, 2001.


for **KARL J DREHER, Director**

MICROFILMED

FEB 25 2002

69159

Ident. No. 46-9077

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant Ross A. & Sheila Falconer Phone 208 667-4053
 Mailing address 3139 N 10th St Coeur d'Alene, ID 83815

2. Source of water supply Unnamed Stream which is a tributary of None Sinks

3. Location of point of diversion is Township 54N Range 2W Sec. 6 in the SE 1/4, SW 1/4, SE 1/4, Govt. Lot _____, B.M., Bonner County;
 additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.0 for DOMESTIC purposes from Y1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount 3.3 for STORAGE FOR DOMESTIC purposes from Y1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount 3.3 for FROM STORAGE purposes from Y1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount 20 for POWER purposes from Y1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount 3.3 for STORAGE FOR POWER purposes from Y1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount 3.3 for POWER FROM STORAGE purposes from Y1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.20 and/or (b) 3.3
 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 (1) - 1.1 Aft Pond, (1) 2.2 Aft Pond - Gravity flow to hydro system + homes.

b. Height of storage dam BOTA 9' feet; active reservoir capacity (1) - 1.1, (1) 2.2 acre-feet; total reservoir capacity (1) 1.5, (1) 2.5 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. 30' Head 1.5 KW/DAM

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. 4

e. Other; describe fully. _____

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FEB 25 2002

9. Description of place of use:

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

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

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
54N	24W	6															P		
																	D		
																	X - STORAGE FOR POWER		
																	X STORAGE FOR DOMESTIC		

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: _____

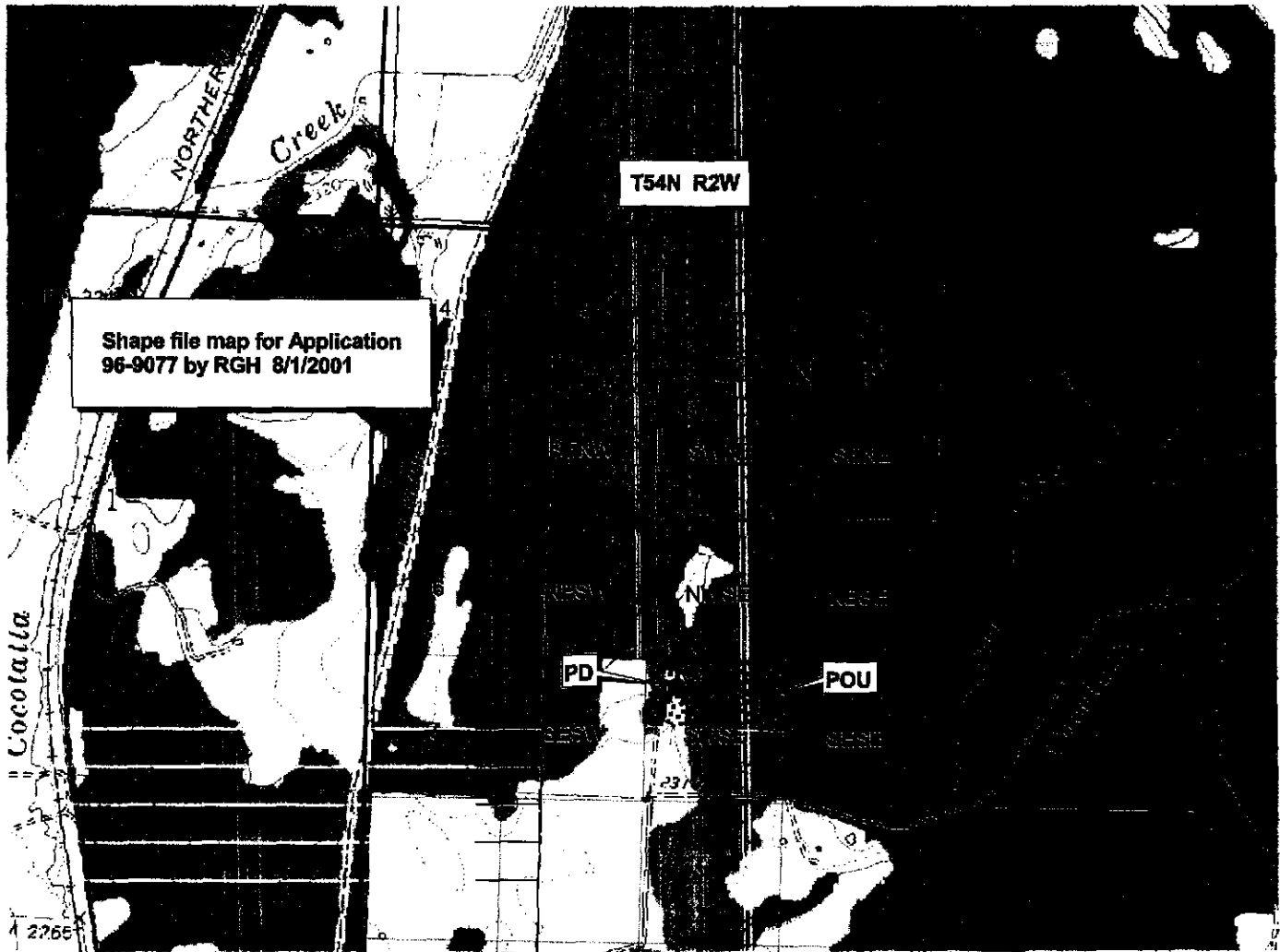
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.

[Signature]
Signature of Applicant (and title, if applicable)

MICROFILMED
SEP 23 2002

Received by AB Date 5-24-01 Time 11:30 Preliminary check by AB
Fee \$ 100 Received by AB # NO14391 Date 5-24-01
Publication prepared by db Date 5/30/01 Published in Boomer & Bailey, Inc 6/12/01
Publication approved db Date 6/19/01

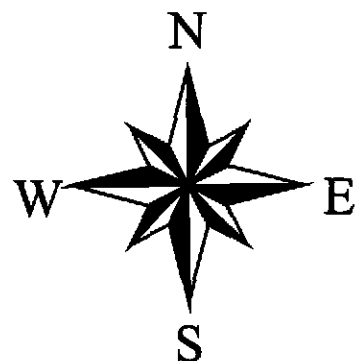


0.3 0 0.3 0.6 Miles

- GCDT54N02W.shp
- POD- Application Application POD
- Application POU
- Townships

MICROFILMED

FEB 1 1992



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AFFIDAVIT

Permit No. _____

for
Water Rights to be used for Power Purposes

A. Establishment of Residency: (Complete either 1, or 2).

1. Individual Applicant or individual Members of a Partnership:

I, ROSS FALCONER of cd'A
(name) (city)
County of KOOTENAI State of Idaho, being duly sworn, do
hereby certify that I am a bona fide resident of the State of Idaho.

2. Corporation:

I, _____ of _____
(name) (city)
County of _____, State of Idaho, being duly sworn, depose and say: That
I am the designated registered agent of the _____: That as such
(name of corporation)
I am in charge of the registered office of the said corporation as required by Section
30-1-12, Idaho Code, at _____, Idaho, wherein are kept the corporate
(city)
records required by Section 30-1-52, Idaho Code: and that _____
(name of corporation)
is a corporation qualified to do business in the State of Idaho under the laws of the
State of Idaho.

B. Ownership of Facilities:

The hydropower facility to be developed pursuant to the attached Appropriation Application:

- _____ Will utilize existing man-made irrigation facilities such as a dam or a canal, and
permission of the owner is documented in an affidavit attached hereto.
☒ Will utilize existing man-made irrigation facilities such as a dam or a canal, and
the owner of the facilities is the signee of this affidavit.
_____ Will not utilize existing man-made irrigation facilities such as a dam or a canal.

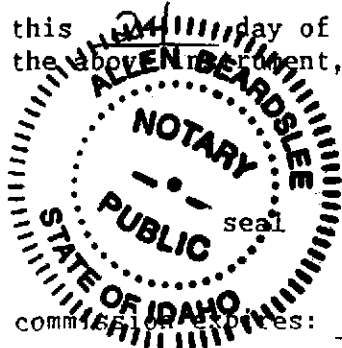
C. Purpose:

- ☒ The power to be produced pursuant to the attached Appropriation Application is for my own
personal use and will not to be offered for sale.
_____ The power to be produced pursuant to the attached Appropriation Application is to be
offered for sale.

State of Idaho)
County of KOOTENAI)
ss.

X Ross C Falconer
Applicant

On this 24 day of MAY, 1989, personally appeared before me the signer(s)
of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



MICROFILMED

FEB 25 1992

8/8/06

cd'A
Notary Public residing at
Allen Beardslee



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 27, 2001

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

RE: Permit No. 96-9077

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.

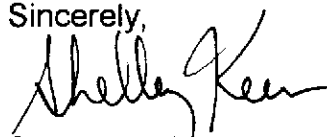
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FEB 26 2002

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 Keen". The signature is fluid and cursive, with the first name "Shelley" and last name "Keen" clearly distinguishable.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

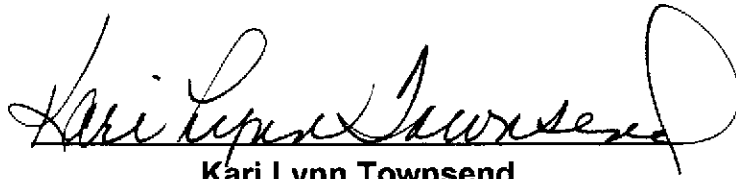
FEB 23 2002

CERTIFICATE OF MAILING

I hereby certify that on September 27, 2001 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. 96-9077

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

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

MICROFILMED

FEB 25 2002

**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).

MICROFILMED
FEB 25 2002

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

FEB 25 2002

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 8/8/01

No. 96-9077 Name: Falcones Corp. Officers N/A Ad ok ✓ Govt Lots

AREA OF CONCERN: No/Yes Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

~~WMD~~

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
Trust - 051 (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated) 01N
025-027-~~R27~~-08A

BENEFICIAL USE DUE: 10/01/2006

MISC CONDITIONS/REMARKS:

~~Protested~~ - 020-W19
Development Period
> 1 yr - 26A
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response

In/Above MSF - WB9

PLANNING REVIEW/RESPONSE

WD - R04 (WD#)

≤ 0.20 cfs/others - 01H, 01P or No MD

> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WD

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

MUNICIPAL

Restricted area - 022,075

Irr. GW supp to SW - 102

Future needs - 007,109

FISH PROP - 029 (70's only)-007-042-106

DOMESTIC W01 (A)

Surface water - WB5 (Big Wood/Boise above Star Bridge)

- 27A (Payette R)

>1 in restricted area - 070-071-075 (no parks/common areas)

Irr separate or none allowed - WB5

GW w/irrigation from SW evident - 065-104

Moratorium approvable - W03 (2500 gpd - meets domestic def
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32

Subd lot desc (pd) - W59

Subd lot desc (pu) - W60

Use definitions - W02 example - S/50 range

Pre-1987 development - 068-074 (allow 120 days for proof due)

Single p/d intended - 076

IRRIGATION SEASON - (Per updated map)

IRR VOLUME/ACRE

OTHER CONDITIONS/REMARKS per telecon, some garden irr. is intended w/ the dom.

COMMENTS

491205 dom.
06 dom's st.
07 dom's st

491208 power
09 power's st.
10 power's st

use 9/21/01

MEMORANDUM

To: File 96-9077

From: Sharla

Date: August 8, 2001

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 beds or lakes. 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.

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

MICROFILMED

FEB 25 2002

Ball, Dianne

From: RAY HENNEKEY [rhenneke@IDFG.STATE.ID.US]
Sent: Friday, June 22, 2001 4:18 PM
To: dball@idwr.state.id.us
Subject: comments

Diane -- you may already have rec'd, but I'm not sure, so

REFERENCE: Applications for the following water rights permits:

96-9073 from Pend Orielle River;

96-9074 C&R HOLDINGS from Sand Creek;

96-9077 ROSS AND SHEILA FALCONER from an unnamed stream;

98-7804 SKIN CREEK WATER ASSN from Skin Creek;

#96-99073 GLENN EATON from Lake Coeur d'Alene.

We have no specific objections or comments about the above applications. However, water lines and pumps are an encroachment in lakes and rivers which can be detrimental to fish and fish habitat.

We recommend that applicants be required to install lines beneath the lake, river or stream bed should occur during low water periods when underwater excavation will be minimized. Dug materials should be sidecast to only one side and the bottom contour and substrate restored. Any unburied sections of the line should be anchored on the bottom to prevent it from floating and interfering with boat anchors or anglers' lines or capturing debris. The applicant should also provide a smooth cover for the pump to avoid interference with boat anchors or anglers' lines and to avoid capturing debris. It would be preferable to place pumps on land rather than in the water. 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.

Thank you for the opportunity to comment.

MICROFILMED

FEB 23 2002

AUG -3 2001

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION ANALYSIS SHEET

69159

APPLICATION # 96-9077

Department of Water Resources

INITIAL REVIEW

BCA/WRA

APPLICANT: FALCONERBY: JBDATE: 5/24/01

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)

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

PROCESSING

(Yes) (No) PRIORITY DATE: 5/24/01☒ (Include Moratorium Remark)☒ Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).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

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 JB☒ Protests received, Final protest date: 6/25/01☒ Measuring device required☒ Measuring port required☒ Special conditions:☒ Special conditions of approval supplement and/or cover letter attached:Approval Recommended by: AG RMTDate: 7/19/01

JUN 18 2001

IDWR/North

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner, Shelby 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 uninterrupted

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:

Legal Notice

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

said paper for a period of 2 consecutive weeks,commencing on 7 day of June, 2001and ending on the 14 day of June, 2001

and that said notice was published in said newspaper.

On this 14 day of June in the yearof 2001, before me, a Notary Public, personallyappeared Shelby 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.

Notary Public for Idaho

Residing at

My Commission expires:

LEGAL NOTICE

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

96-9073

MAC LLC

41 LAKESHORE DR

SAGLE ID 83860

Point(s) of Diversion L4 NWSESW S35 T57N R02W BONNER County

Source PEND OREILLE RIVER Tributary To COLUMBIA RIVER

Use: IRRIGATION 03/15 To 11/15 0.03 CFS

Use: AESTHETIC 01/01 To 12/31 0.45 CFS

Total Diversion: 0.48 CFS

Date Filed: 05/11/2001

Place Of Use: IRRIGATION

T57N R02W S35

SESW Lot 4

Number of Acres 1.5

Place Of use: AESTHETIC same as IRRIGATION.

96-9074

C & R HOLDINGS

PO BOX 553

SANDPOINT ID 83864

Point(s) of Diversion SWNW S23 T59N R01W BONNER County

Source SAND CREEK Tributary To PEND OREILLE, LAKE

Use: IRRIGATION 03/15 To 11/15 0.04 CFS

Use: STOCKWATER 01/01 To 12/31 0.02 CFS

Use: FIRE PROTECTION 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 05/09/2001

Place Of Use: IRRIGATION

T59N R01W S23

SWNW

Number of Acres 1.5

Place Of Use: FIRE PROTECTION and STOCKWATER same as IRRIGATION

96-9077

ROSS A FALCONER and SHEILA FALCONER

3139 N 10TH STREET

COEUR D'ALENE ID 83815

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

Source UNNAMED STREAM Tributary To SINKS

Use: POWER 01/01 To 12/31 0.2 CFS

Use: POWER STORAGE 01/01 To 12/31 3.3 AFA

Use: POWER FROM STORAGE 01/01 To 12/31 3.3 AFA

Use: DOMESTIC 01/01 To 12/31 0.1 CFS

Use: DOMESTIC STORAGE 01/01 To 12/31 3.3 AFA

Use: DOMESTIC FROM STORAGE 01/01 To 12/31 3.3 AFA

Total Diversion: 0.2 CFS

Date Filed: 05/24/2001

Place Of Use: DOMESTIC

T54N R02W S6

SWSE

Place Of Use: DOMESTIC FROM STORAGE, DOMESTIC STORAGE,

POWER, POWER FROM STORAGE and POWER STORAGE same as

DOMESTIC.

Remark: Domestic use is for 4 homes.

Hydropower is for 30 feet of head, 1.5KW/day.

Permits will be subject to all prior water rights. protests may be submitted based on the criteria of Sec 4-2203A, 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 06/25/2001. The

protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Legal SNP#2626

June 7, 14, 2001

MICROFILMED

FEB 25 2002

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

96-9073

MAC LLC
41 LAKESHORE DR
SAGLE ID 83860
Point(s) of Diversion L4 NWSESW S35 T57N R02W BONNER County
Source PEND OREILLE RIVER Tributary To COLUMBIA RIVER
Use: IRRIGATION 03/15 To 11/15 0.03 CFS
Use: AESTHETIC 01/01 To 12/31 0.45 CFS
Total Diversion: 0.48 CFS
Date Filed: 05/11/2001
Place Of Use: IRRIGATION
T57N R02W S35 SESW Lot 4
Number of Acres 1.5
Place Of Use: AESTHETIC same as IRRIGATION.

96-9074

C & R HOLDINGS
PO BOX 553
SANDPOINT ID 83864
Point(s) of Diversion SWNW S23 T59N R01W BONNER County
Source SAND CREEK Tributary To PEND OREILLE, LAKE
Use: IRRIGATION 03/15 To 11/15 0.04 CFS
Use: STOCKWATER 01/01 To 12/31 0.02 CFS
Use: FIRE PROTECTION 01/01 To 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 05/09/2001
Place Of Use: IRRIGATION
T59N R01W S23 SWNW
Number of Acres 1.5
Place Of Use: FIRE PROTECTION and STOCKWATER same as IRRIGATION

96-9077

ROSS A FALCONER and SHEILA FALCONER
3139 N 10TH STREET
COEUR D'ALENE ID 83815
Point(s) of Diversion SWSE S6 T54N R02W BONNER County
Source UNNAMED STREAM Tributary To SINKS
Use: POWER 01/01 To 12/31 0.2 CFS
Use: POWER STORAGE 01/01 To 12/31 3.3 AFA
Use: POWER FROM STORAGE 01/01 To 12/31 3.3 AFA
Use: DOMESTIC 01/01 To 12/31 0.1 CFS
Use: DOMESTIC STORAGE 01/01 To 12/31 3.3 AFA
Use: DOMESTIC FROM STORAGE 01/01 To 12/31 3.3 AFA
Total Diversion: 0.2 CFS
Date Filed: 05/24/2001
Place Of Use: DOMESTIC
T54N R02W S6 SWSE
Place Of Use: DOMESTIC FROM STORAGE, DOMESTIC STORAGE, POWER, POWER FROM STORAGE and POWER STORAGE same as DOMESTIC.
Remark: Domestic use is for 4 homes.
Hydropower is for 30 feet of head, 1.5 KW/day.

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 06/25/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on 6/7 and 14, 2001.

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FEB 23 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

May 29, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Legal Notice Department
BONNER COUNTY DAILY BEE
PO BOX 159
SANDPOINT ID 83864

RE: Application for Permit No. 96-9073, 96-9074, and 96-9077

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 06/25/2001. Your cooperation is appreciated.

Shirley D.C.

Sincerely

Dianne Ball

Dianne Ball
Administrative Assistant

MICROFILMED

JUN 13 2001



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

May 29, 2001

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

RE: Application for Permit No 96-9077

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 Bonner County Daily Bee on June 7 and 14, 2001. 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 sixty to ninety days.

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

Sincerely,

Al Beardslee
Senior Water Resource Agent

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SEP 15 2001