

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 95-09341

Priority: April 6, 2006

Maximum Diversion Rate: 0.04 CFS

This is to certify, that MERLYN NELSON And/Or
JEAN NELSON
4823 S EDDYVILLE RD
HARRISON ID 83833

has applied for a permit to appropriate water from:

Source: COEUR D ALENE LAKE **Tributary:** SPOKANE RIVER

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>
IRRIGATION	03/15 to 11/15	0.02 CFS
DOMESTIC	01/01 to 12/31	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

COEUR D ALENE LAKE L1 (NE¼NE¼) Sec. 4, Twp 49N, Rge 03W, B.M. KOOTENAI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
49N	03W	4	.3				.7												1.0
			L 1				L 2												

Total Acres: 1

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
49N	03W	4	X																
			L 1																

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 1, 2007**.
2. Subject to all prior water rights.
3. Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
4. This right does not grant any right-of-way or easement across the land of another.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 95-09341

CONDITIONS OF APPROVAL CONTINUED

5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
6. Water shall not be diverted under this right when flows in the Spokane River are below established minimum flow amounts.

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 July, 2006.

Shelley W. Keen
FOR KARL DREHER, Director

72706

Ident. No. 95-9341

RECEIVED

JUL 19 2006

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

APR 06 2006

IDWR/North

1. Name of Applicant Mervyn & Jean Nelson Phone 667-1105
Mailing address 4823 S Eddyville Rd, Harrison, ID 83803
2. Source of water supply Lake CDA which is a tributary of Spokane River
3. Location of point of diversion is Township 49N Range 3W Sec. 4, in the NE 1/4, NE 1/4, Govt. Lot 1, B.M., Kontekai County;

additional points of diversion if any:

4. Water will be used for the following purposes:

Amount 0.02 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for Irrigation purposes from 4/15 to 11/15 (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) .04 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source 15 GAL/m pump - 1" Pipe
b. Height of storage dam NA feet; active reservoir capacity NA acre-feet; total reservoir capacity NA acre-feet
c. Proposed well diameter is NA inches; proposed depth of well is NA feet
d. Is ground water with a temperature of greater than 85°F being sought? NA
e. If well is already drilled, when? NA; Drilling firm _____
Well was drilled for (well owner) NA; Drilling Permit No. NA

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. 0 Ne
e. Other; describe fully. _____

NELSON



- Kootenai taxlots
- GCDB49N03W GCDB
- Application POD
- Application POU
- Pod.shp
- Administrative BasinsAdminbas.shp



0.04 0 0.04 0.08 Miles

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	
49N	3W	4	0.9				0.9												1.0
49N	3W	5	0																

Total number of acres to be irrigated 1.0

10. Describe any other water rights used for the same purposes as described above. None

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

b. Who owns the land to be irrigated or place of use? State

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

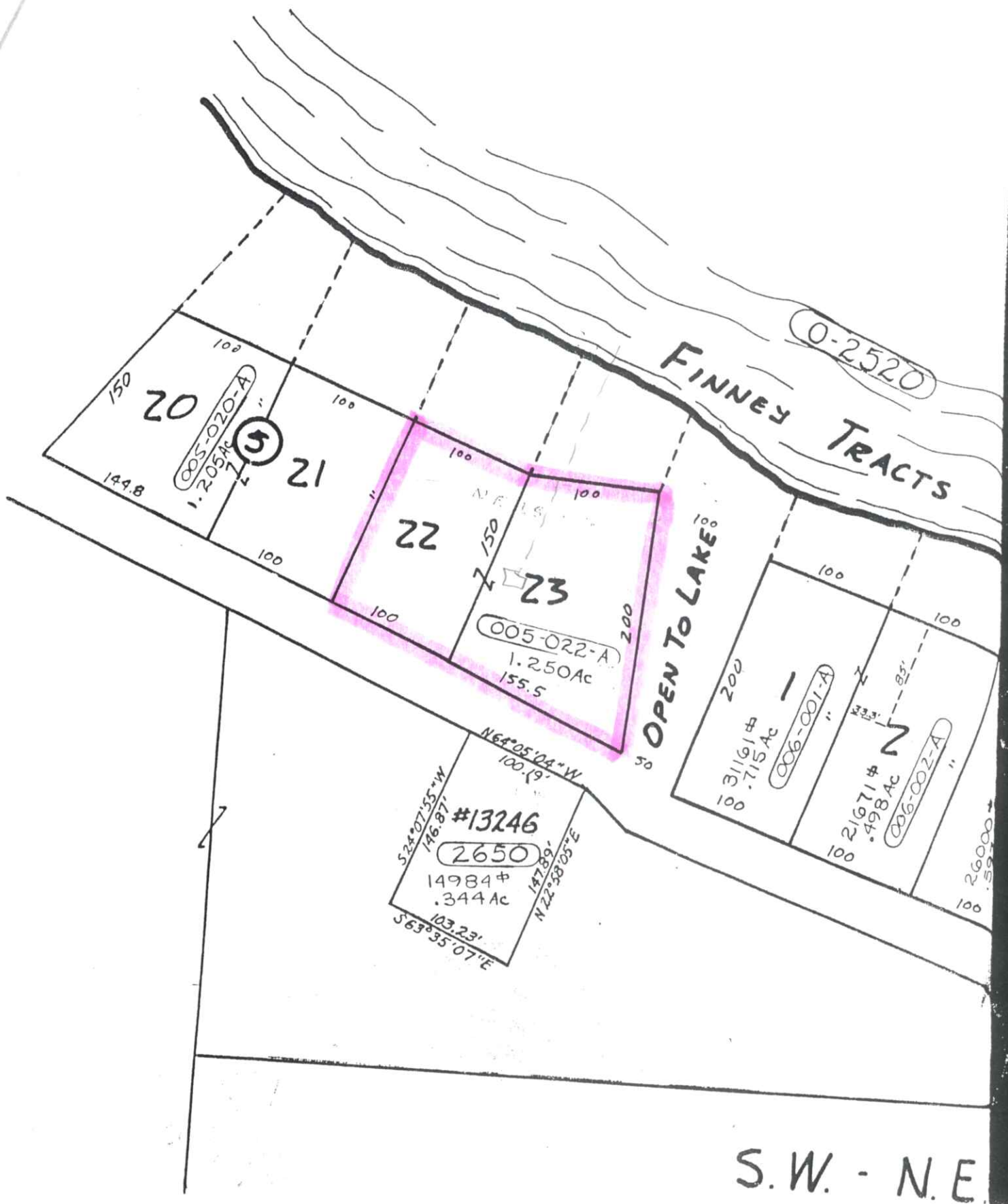
12. Remarks: _____

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.)

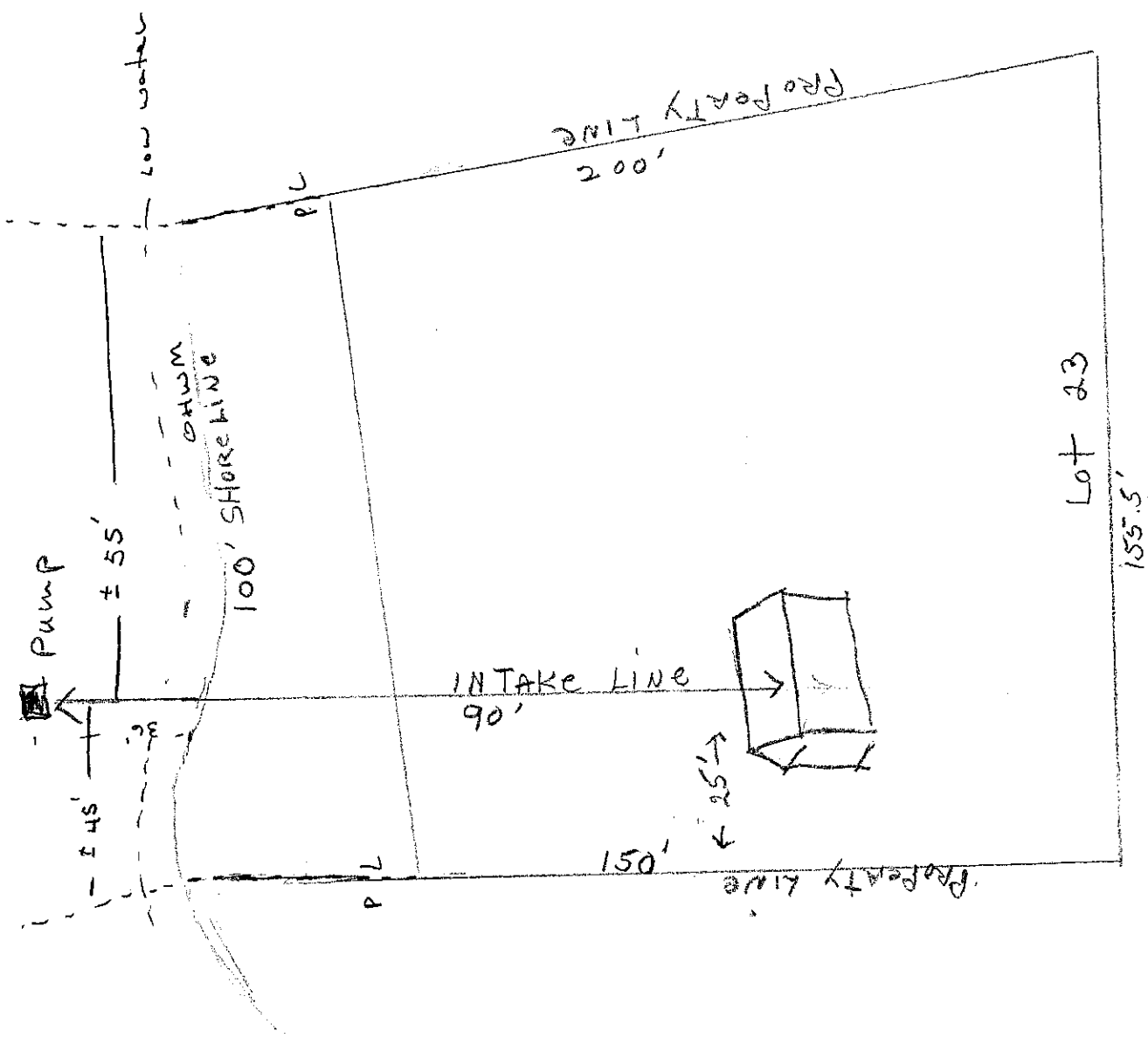
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

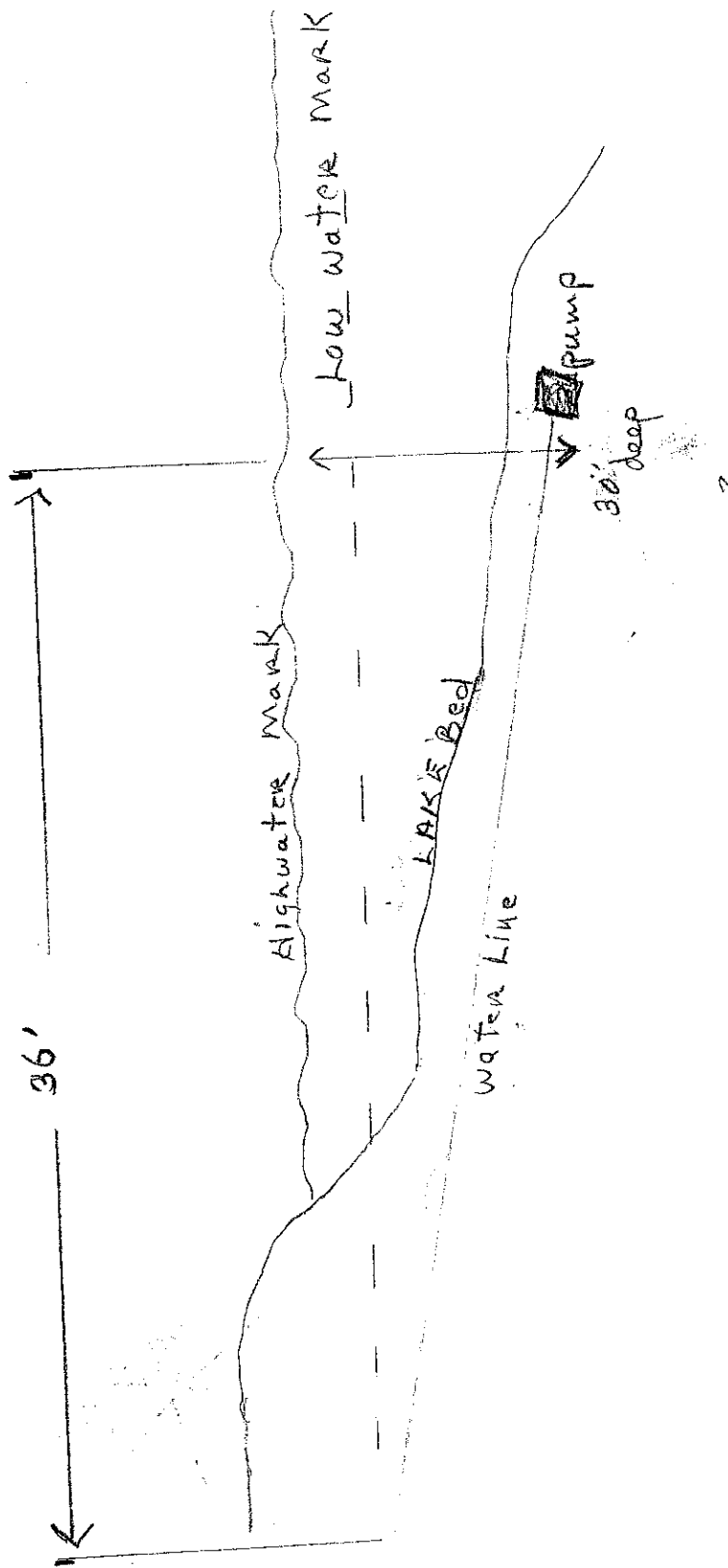

Signature of Applicant (and title, if applicable)

Received by 4/6/06 Date 4/6/06 Time 3:00 PM Preliminary check by _____
 Fee \$ 100.00 Received by [initials] # ND17476 Date 4/6/06
 Publication prepared by CPD Date 4/12/06 Published in CDR Press # 420-27106 6/18/06
 Publication approved [initials] Date 6/21/06



S.W. - N.E.





**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

July 26, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

MERLYN NELSON
JEAN NELSON
4823 S EDDYVILLE RD
HARRISON ID 83833

RE: Permit No. 95-9341

Permit Approval Notice

Dear Permit Holder:

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

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

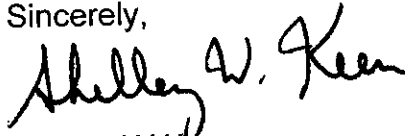
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should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

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

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

If you have any questions, please contact me at 208-287-4947.

Sincerely,

A handwritten signature in black ink that reads "Shelley W. Keen". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Shelley W Keen
Water Rights Supervisor

SWK:ka

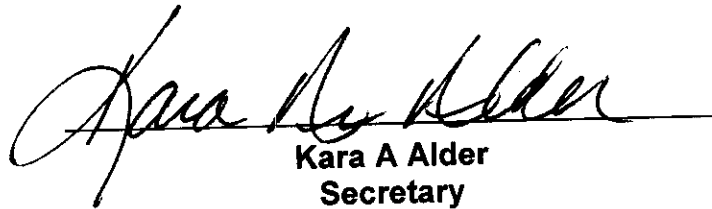
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on July 26, 2006 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. 95-9341

**JEAN NELSON
MERLYN NELSON
4823 S EDDYVILLE RD
HARRISON ID 83833**


**Kara A Alder
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

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 Water Resource 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.

MEMORANDUM

Date: July 20, 2006
To: Water Right File 95-9341
From: eretelle
Re: permit review

No WD or moratorium
No min stream flow

No overlap or protest

Recommend approval as suggested by IDWR Northern.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

June 22, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

MARY TERRA BERNIS
IDAHO DEPARTMENT OF FISH & GAME
2750 KATHLEEN AVE.
COEUR D'ALENE, ID 83815

FAXED TO MARY 6/22/06
7 pages total

Re: Water Permit Application No. 95-9341 - NELSON

Dear Mary:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application follows for your reference.

This application and several others came in while I was off again on medical leave, and some of the steps in the process fell by the wayside.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **July 6, 2006**. If we do not hear from you by that date, we will assume that no comment from you means you have no objection to, concerns about, or conditions pertaining to the issuance of this permit.

You may send comments by regular mail to the address above, by FAX to 769-1454, or by e-mail to Keith.Franklin@idwr.idaho.gov, or to me, Dianne.Ball@idwr.idaho.gov.

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

Thanks for your attention to some of these coming to you this week for quick turn-around. I appreciate your help.

Sincerely,

Dianne Ball
Administrative Assistant

*No comment
received
as of 7/17/06
B*



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

June 22, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

CARL WASHBURN
IDAHO DEPARTMENT OF LANDS
3706 INDUSTRIAL AVE S
COEUR D ALENE ID 83815

FAXED TO CARL 6/22/06
7 pages total

Re: Water Permit Application No. 95-9341 - NELSON

Dear Carl:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application follows for your reference.

This application and several others came in while I was off again on medical leave, and some of the steps in the process fell by the wayside.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **July 6, 2006**. If we do not hear from you by that date, we will assume that no comment from you means you have no objection to, concerns about, or conditions pertaining to the issuance of this permit.

You may send comments by regular mail to the address above, by FAX to 769-1454, or by e-mail to Keith.Franklin@idwr.idaho.gov, or to me, Dianne.Ball@idwr.idaho.gov.

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

Thanks for your attention to some of these coming to you this week for quick turn-around. I appreciate your help.

Sincerely,

Dianne Ball
Administrative Assistant

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

} ss.

JUN 19 2006

IDWR/North

Amy McCree

being first duly sworn

upon oath depose and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

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

3. The

Legal Notice

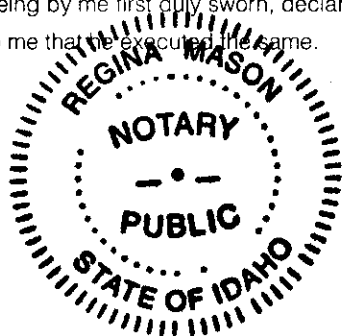
of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 1 day of June, 2006, and ending on the 3 day of June, 2006, and such publication was made as often during said period as said daily newspaper was regularly issued.

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.

On this 8 day of June in the year of 2006, before me, a Notary Public, personally appeared Amy McCree 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.

Regina Mason

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



MY COMMISSION EXPIRES 6/18/09

LEGAL NOTICE

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

95-9341

MERLYN NELSON

JEAN NELSON

4823 S EDDYVILLE RD

HARRISON ID 83833

Point(s) of Diversion L1 (NENE) S4 T49N R03W KOOTENAI
County Source COEUR D'ALENE LAKE

Use: IRRIGATION 04/15 To 11/15 0.02 CFS

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

Total Diversion: 0.04 CFS

Date Filed: 04/06/2006

Place Of Use: IRRIGATION

T49N R03W S4 NENE Lot 1 NENW Lot 2

Number of Acres 1

Place Of Use: DOMESTIC

T49N R03W S4 NENE Lot 1

Remark: Domestic use is for 1 home.

96-9282

PHILLIP RETTSTATT

2183 E BRUNNER RD

ATHOL ID 83801

Point(s) of Diversion L4 (SWSW) S30 T53N R03W KOOTENAI
County Source GROUND WATER

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

Total Diversion: 0.02 CFS

Date Filed: 04/03/2006

Place Of Use: DOMESTIC

T53N R03W S30 SESW

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 06/19/06. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Legal 9227

June 1, 8, 2006

Ball, Dianne

From: Kattie Hoy [khoy@cdapress.com]
Sent: Thursday, May 25, 2006 8:53 AM
To: Ball, Dianne
Subject: Follow up

Hello Dianne-

In looking through my records, I am only able to find one notice scheduled for 4/20 and 4/27/06 and it was an Amendment to Application 95-9045.....not what we're looking for.
So as far as I can see, this one has not published.

Thank you,

--

Kattie Hoy
Coeur d'Alene Press Classifieds
khoy@cdapress.com
208-664-8176 ext.1102

Re Legal Notice for 95-9341 & 96-9282

*Re-sent to publish
6/1 & 8/06*

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, May 24, 2006 4:32 PM
To: Legal Notices-CdA Press (E-mail); Legal Notices-CdA Press2 Glenda Jefferson (E-mail)
Subject: Follow-up on a legal notice

Good day to you Kattie and Glenda,

This is a follow-up on a legal notice that was sent to your attention on 4/12/06 and was to publish on 4/20 and 4/27/06.

This was done by Christy from our office while I was out on medical leave for 2 months. I don't see anything in file that indicates that a proof was received, and I don't find an affidavit or copy of a bill. Perhaps Christy received it and forwarded it to our State office for payment without making a copy for our file.

Do you have any record of receiving this for publication on April 20 and 27, or of it actually published on those dates??

It was for Water Right Applications 95-9341 for Nelson and for 96-9282 for Rettstatt.

I need to know if I have to re-send this for publication for June 1 and 8. If so - I will re-do the legal notice and e-mail it off to you in the morning.

On the other hand, if it published and an affidavit and bill was sent to us, I will have to check with the state office to make sure they have a copy there. I can't close our file here until I have that information.

Please get back to me as soon as possible on this one.

Thanks very much.

Too blessed to be stressed. Dianne

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

*Keith F-11 - Please
note I have sent
out for pub. on
6/1 & 8/06
Please return file to
me after you have
reviewed re-
advertised
info*

Ball, Dianne

From: Kattie Hoy [khoy@cdapress.com]
Sent: Thursday, May 25, 2006 8:53 AM
To: Ball, Dianne
Subject: Follow up

Hello Dianne-

In looking through my records, I am only able to find one notice scheduled for 4/20 and 4/27/06 and it was an Amendment to Application 95-9045.....not what we're looking for.

So as far as I can see, this one has not published.

Thank you,

--

Kattie Hoy
Coeur d'Alene Press Classifieds
khoy@cdapress.com
208-664-8176 ext.1102

*I have re sent
& changed computer
to reflect new posted date
5/25/06
D*

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, May 24, 2006 4:32 PM
To: Legal Notices-CdA Press (E-mail); Legal Notices-CdA Press2 Glenda Jefferson (E-mail)
Subject: Follow-up on a legal notice

Good day to you Kattie and Glenda,

This is a follow-up on a legal notice that was sent to your attention on 4/12/06 and was to publish on 4/20 and 4/27/06.

This was done by Christy from our office while I was out on medical leave for 2 months. I don't see anything in file that indicates that a proof was received, and I don't find an affidavit or copy of a bill. Perhaps Christy received it and forwarded it to our State office for payment without making a copy for our file.

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I need to know if I have to re-send this for publication for June 1 and 8. If so - I will re-do the legal notice and e-mail it off to you in the morning.

On the other hand, if it published and an affidavit and bill was sent to us, I will have to check with the state office to make sure they have a copy there. I can't close our file here until I have that information.

Please get back to me as soon as possible on this one.

Thanks **very** much.

Too blessed to be stressed. Dianne

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

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

95-9341

MERLYN NELSON

JEAN NELSON

4823 S EDDYVILLE RD

HARRISON ID 83833

Point(s) of Diversion L1 (NENE) S4 T49NR03W KOOTENAI County

Source COEUR D ALENE LAKE

Use: IRRIGATION	04/15 To 11/15	0.02 CFS
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Use: DOMESTIC	01/01 To 12/31	0.02 CFS
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Total Diversion:		0.04 CFS
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Date Filed: 04/06/2006

Place Of Use: IRRIGATION

T49N R03W S4 NENE Lot 1 NENW Lot 2

Number of Acres 1

Place Of Use: DOMESTIC

T49N R03W S4 NENE Lot 1

Remark: Domestic use is for 1 home.

96-9282

PHILLIP RETTSTATT

2183 E BRUNNER RD

ATHOL ID 83801

Point(s) of Diversion L4 (SWSW) S30 T53N R03W KOOTENAI County

Source GROUND WATER

Use: DOMESTIC	01/01 To 12/31	0.02 CFS
---------------	----------------	----------

Total Diversion:		0.02 CFS
------------------	--	----------

Date Filed: 04/03/2006

Place Of Use: DOMESTIC

T53N R03W S30 SESW

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 06/19/06. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published on June 1 & 8, 2006



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

May 25, 2006

Please Fax A Proof Copy To Me Prior To Publication At ~ 769-1454
Thanks, Dianne

KATTIE HOY & GLENDA JEFFERSON
LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

RE: Application for Permit No. 95-9341 and 96-9282

Dear Kattie and Glenda:

Enclosed you will find a SECOND legal notice which we wish to have published in your newspaper on the dates Indicated, June 1 and 8, 2006, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

This was originally e-mailed to you on April 12, 2006 by Christy Phillips of our office, while I was out on medical leave. In checking with Kattie, we find it did not publish as requested.

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 06/19/2006. Your cooperation is appreciated.

Sincerely

Dianne

Dianne Ball
Administrative Assistant #

DEPARTMENT OF WATER RESOURCES
1910 NORTHWEST BLVD., SUITE 210 ~ COEUR D'ALENE ID 83814
Phone 208-769-1450 - FAX - 208-769-1454

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, May 25, 2006 10:09 AM
To: Legal Notices-CdA Press (E-mail); Legal Notices-CdA Press2 Glenda Jefferson (E-mail)
Subject: Legal Notice for publication on June 1 and 8, 2006

Good day to you, ladies,

Kattie, thanks for your quick response to my e-mail of yesterday afternoon - this will allow us to get this legal notice published in our next publication cycle, along with the one I e-mailed to you yesterday.

This will be a SECOND LEGAL NOTICE for publication on June 1 and 8, 2006; the first one was e-mailed to you yesterday. I need to make sure that both legal notices, this one and the one I e-mailed to you yesterday, get into the paper for the June 1 and 8, 2006 dates.

This particular legal notice was the one you indicated could not be found in your records. [This was the one Christy Phillips supposedly sent to you back on April 12th when I was out on medical leave, and was originally scheduled for publication April 20 and 27. Something must have happened in the transmission at that time.]

Therefore, attached is our cover letter for this one, requesting publication of this legal notice, also attached. I have updated the legal notice to reflect the currently proposed publication dates and the date by which protests must be filed with our office.

PLEASE FAX A PROOF COPY TO ME BEFORE THIS, AND THE ONE SENT TO YOU YESTERDAY, GO TO PRESS - My FAX number is 769-1454.

If you have ANY questions or problems, please call me at 769-1450.

Thanks VERY much for all your help. You are greatly appreciated.

If everything seems to be coming your way, you're probably in the wrong lane.

Dianne

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



CoverLetter
5-25-06 CDA e-mai.



LegalNotice
5-25-06 CDA 95-93.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 25, 2006

MERLYN NELSON
JEAN NELSON
4823 S EDDYVILLE RD
HARRISON ID 83833

RE: Application for Permit No 95-9341

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.

This was supposed to have published on April 20 and 27, 2006, and for some reason it did not actually get into the paper, although it was sent to them for publication. Therefore we are re-sending it today for publication on June 1 and 8, 2006. 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,

Keith E. Franklin
Water Resource Agent

Phillips, Christy

From: Phillips, Christy
Sent: Wednesday, April 12, 2006 2:10 PM
To: 'legals@cdapress.com'; 'gjefferson@cdapress.com'

Hi Glenda and Kattie,

attached is our cover letter requesting publication of a legal notice on April 20 & 27 2006. The legal notice is attached also.

If you have any questions please call me at 208-769-1450 and **please fax me a proof copy** before this goes to press, at 208-769-1454

thanks have a good day,

Christy Phillips
clerk
Id Dept of Water Resources
1910 Northwest Blvd suite 210
Coeur d Alene Id 83814



LEGAL COVER
LETTER CDA APR 12..



LegalNotice CDA
APR 12.doc

Phone (208)769-1450 Fax(208) 769-1454



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

April 12, 2006

Glenda Jefferson

Kattie Hoy

Legal Notice Department

COEUR D ALENE PRESS

201 N 2ND

COEUR D ALENE ID 83814

RE: Application for Permit No. 95-9341& 96-9282

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 05/08/2006. Your cooperation is appreciated.

Sincerely

Christy Phillips
Clerk

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

95-9341

MERLYN NELSON

JEAN NELSON

4823 S EDDYVILLE RD

HARRISON ID 83833

Point(s) of Diversion L1 (NENE) S4 T49NR03W KOOTENAI County

Source COEUR D ALENE LAKE

Use: IRRIGATION	04/15 To 11/15	0.02 CFS
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Use: DOMESTIC	01/01 To 12/31	0.02 CFS
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Total Diversion:		0.04 CFS
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Date Filed: 04/06/2006

Place Of Use: IRRIGATION

T49N R03W S4 NENE Lot 1 NENW Lot 2

Number of Acres 1

Place Of Use: DOMESTIC

T49N R03W S4 NENE Lot 1

96-9282

PHILLIP RETTSTATT

2183 E BRUNNER RD

ATHOL ID 83801

Point(s) of Diversion L4 (SWSW) S30 T53N R03W KOOTENAI County

Source GROUND WATER

Use: DOMESTIC	01/01 To 12/31	0.02 CFS
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Total Diversion:		0.02 CFS
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Date Filed: 04/03/2006

Place Of Use: DOMESTIC

T53N R03W S30 SESW

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 05/08/2006. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published on April 20 & 27 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 12, 2006

MERLYN NELSON
JEAN NELSON
4823 S EDDYVILLE RD
HARRISON ID 83833

RE: Application for Permit No 95-9341

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 April 20 & 27, 2006. 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,

Keith E. Franklin
Water Resource Agent

Enclosure(s)