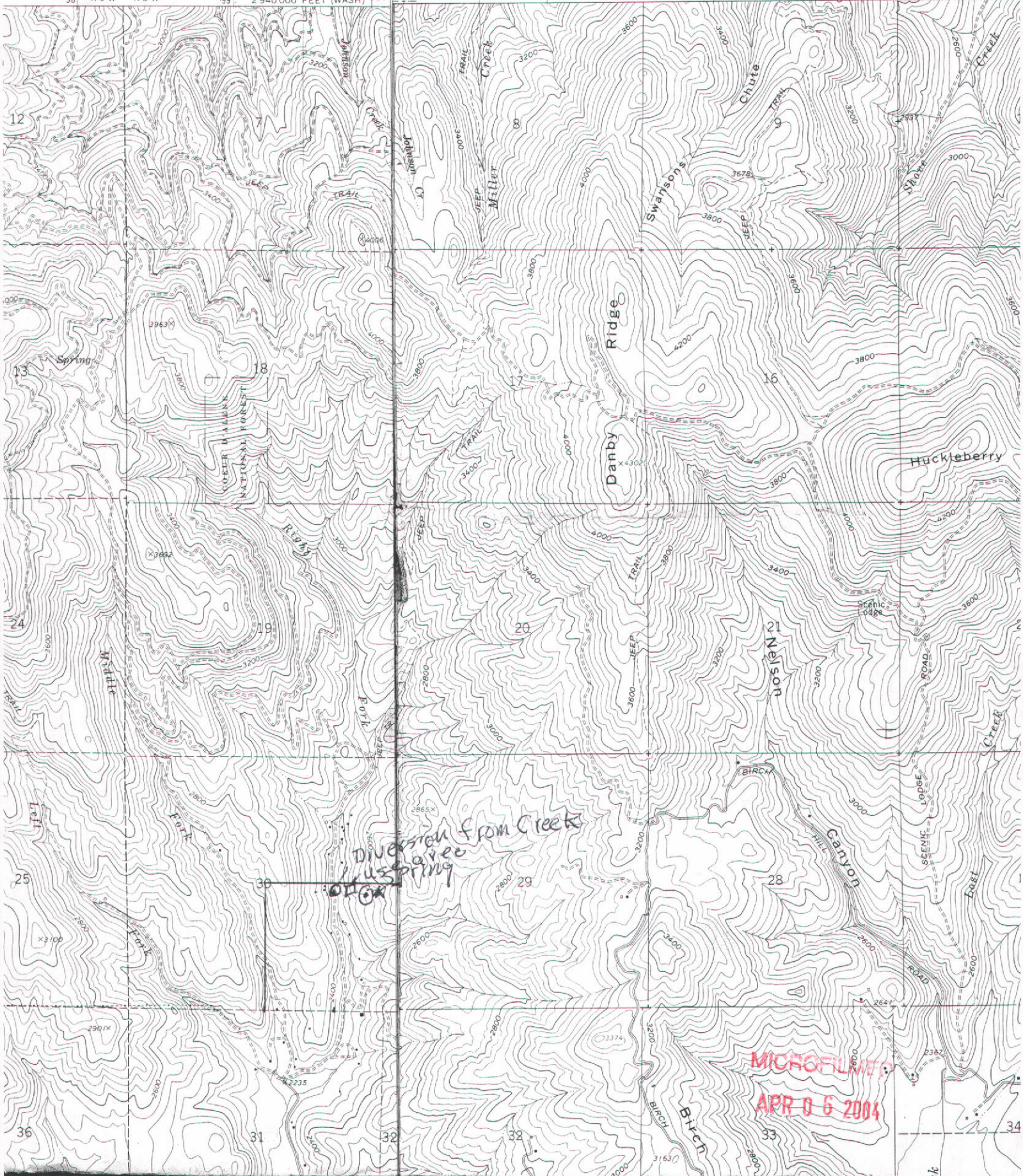


498 R 6 W R 5 W 499 2 940 000 FEET (WASH) 117 00'

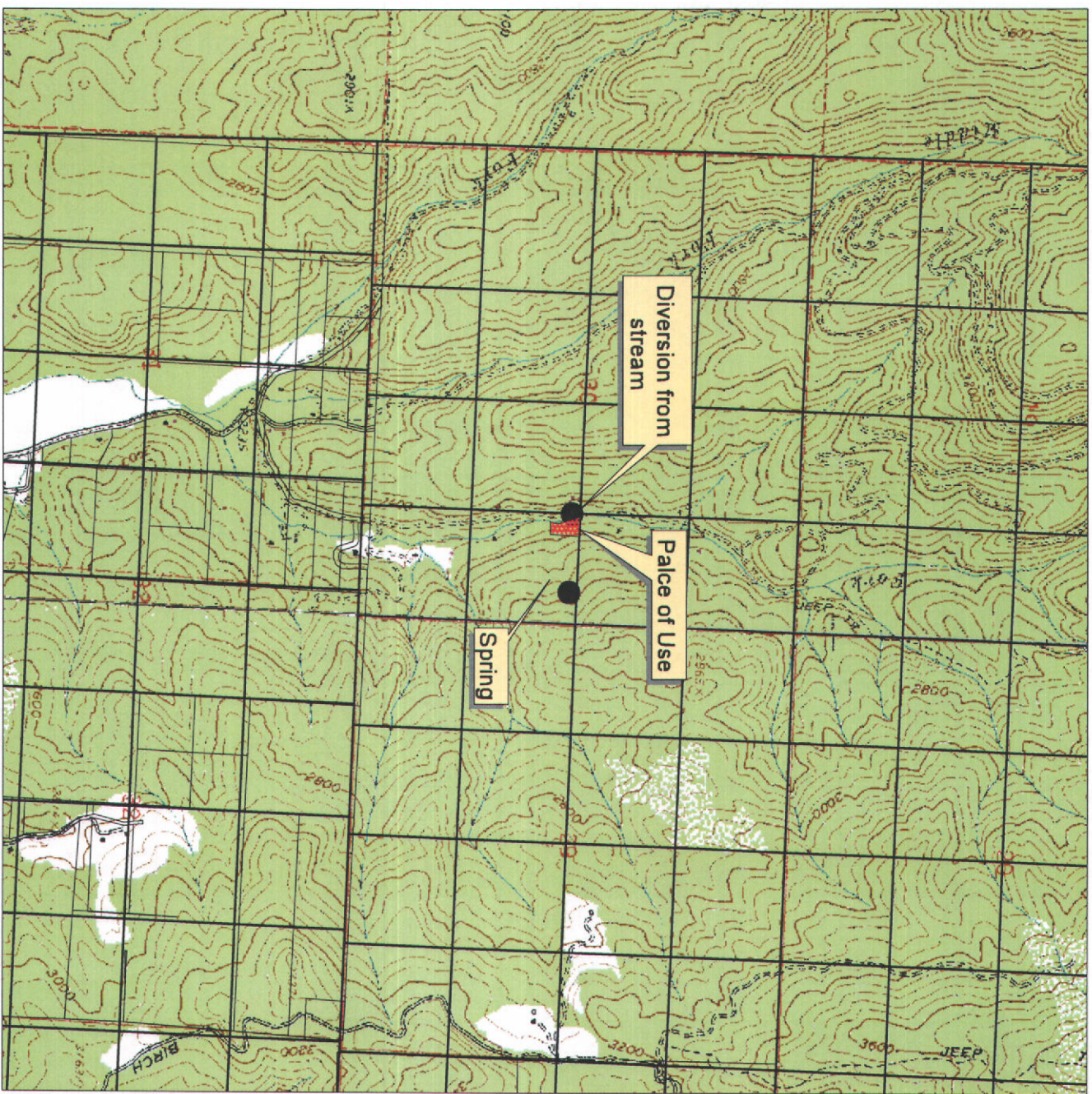
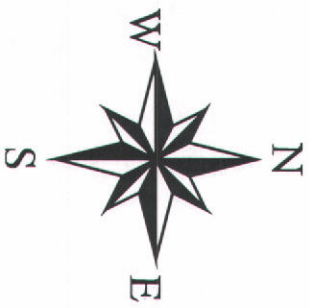
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MICROFILMED
APR 06 2004

Amt. of Fee \$ 50.00
Receipt No. 207095
Receipt By: [Signature]
Date Received: 9-18-03

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

SEP 18 2003

Department of Water Resources

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

1. Permit No. 95-09182 Telephone No. 208-773-5673

2. Name of Permit Holder(s): Kenneth J Birge

3. Mailing Address: PO Box 1104

City Post Falls State ID Zip 83877

4. Source of Water: Spring If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____

Well Driller: X Right Fork House Creek Drilling Permit Number: X

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): 2 Other: Fire Protection

6. Total rate of diversion and/or volume for which proof is submitted: 0.05 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?

Yes _____ or No X

Has the measuring device been installed?

Yes _____ or No X

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Ken Birge Telephone Number: 208-773-5673

Address: PO Box 1104 Post Falls ID 83877

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: Kenneth J Birge Date: 09/08/03
(include your title, if on behalf of company or organization)

MICROFILMED

APR 06 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09182

Priority: May 07, 2003

Maximum Diversion Rate: 0.05 CFS

This is to certify, that KENNETH J BIRGE
PO BOX 1104
POST FALLS ID 83877

has applied for a permit to appropriate water from:

Source: SPRING
RIGHT FORK HAUSER CREEK

Tributary: RT FK HAUSER CREEK
HAUSER LAKE

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>
FIRE PROTECTION	01/01 to 12/31	0.05 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
IRRIGATION	03/15 to 11/15	0.05 CFS

LOCATION OF POINTS OF DIVERSION:

SPRING NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30, Twp 52N, Rge 05W, B.M., KOOTENAI County
RIGHT FORK HAUSER CREEK NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30, Twp 52N, Rge 05W, B.M., KOOTENAI County

PLACE OF USE: FIRE PROTECTION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
52N 05W 30													X				

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
52N 05W 30													X				

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
52N 05W 30													2.0				2.0

Total Acres: 2

MICROFILMED
APR 06 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 95-09182

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **July 01, 2004**.
2. Subject to all prior water rights.
3. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
4. Domestic use is for 1 home.
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. A fish screen of ¼ inch or smaller mesh shall be installed and maintained at the point of diversion.
7. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.

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

Karl J. Dreher
for KARL J DREHER, Director

MICROFILMED
APR 06 2004

RECEIVED

JUN 30 2003

Department of Water Resources

70572

Ident. No. 95-9182

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

MAY 07 2003

IDWR/North

1. Name of Applicant Kenneth J Birge Phone 208-773-5673
Mailing address P O Box 1104 Post Falls ID. 83877

2. Source of water supply Right Fork Hauser Creek which is a tributary of Right Fork Hauser Lake

3. Location of point of diversion is Township 52 N Range 05 W Sec. 30 in the NE 1/4
NE 1/4 SE (SPRING) Govt. Lot 1 B.M. Kootenai County;

additional points of diversion if any: Stream Div. NE 1/4 SE 1/4, Sec. 30, T. 52 N., R. 5 W.

4. Water will be used for the following purposes: Irrigation 3/18th 11/1st

Amount .05 cfs for Aesthetics purposes from April 1 to Oct. 1st (both dates inclusive)
(cfs or acre-feet per annum)

Amount .05 cfs for Fire Protection purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .05 cfs for Domestic - D purposes from Jan 1 to Dec 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)

5. Total quantity to be appropriated is (a) .05 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 1 1/2 Strainer, 1 1/2" Hard Suction, JPF2-A Centrifugal jet pump, 50' 1 1/2 Poly Pipe, Outlets

b. Height of storage dam 2 feet; active reservoir capacity 2 acre-feet; total reservoir capacity 2 acre-feet

c. Proposed well diameter is 2 inches; proposed depth of well is 2 feet

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? 2; Drilling firm 2

Well was drilled for (well owner) 2; Drilling Permit No. 2

7. Time required for completion of works and application of water to proposed beneficial use is 2 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. One

e. Other; describe fully. Fire Protection both residence protection wild land protection

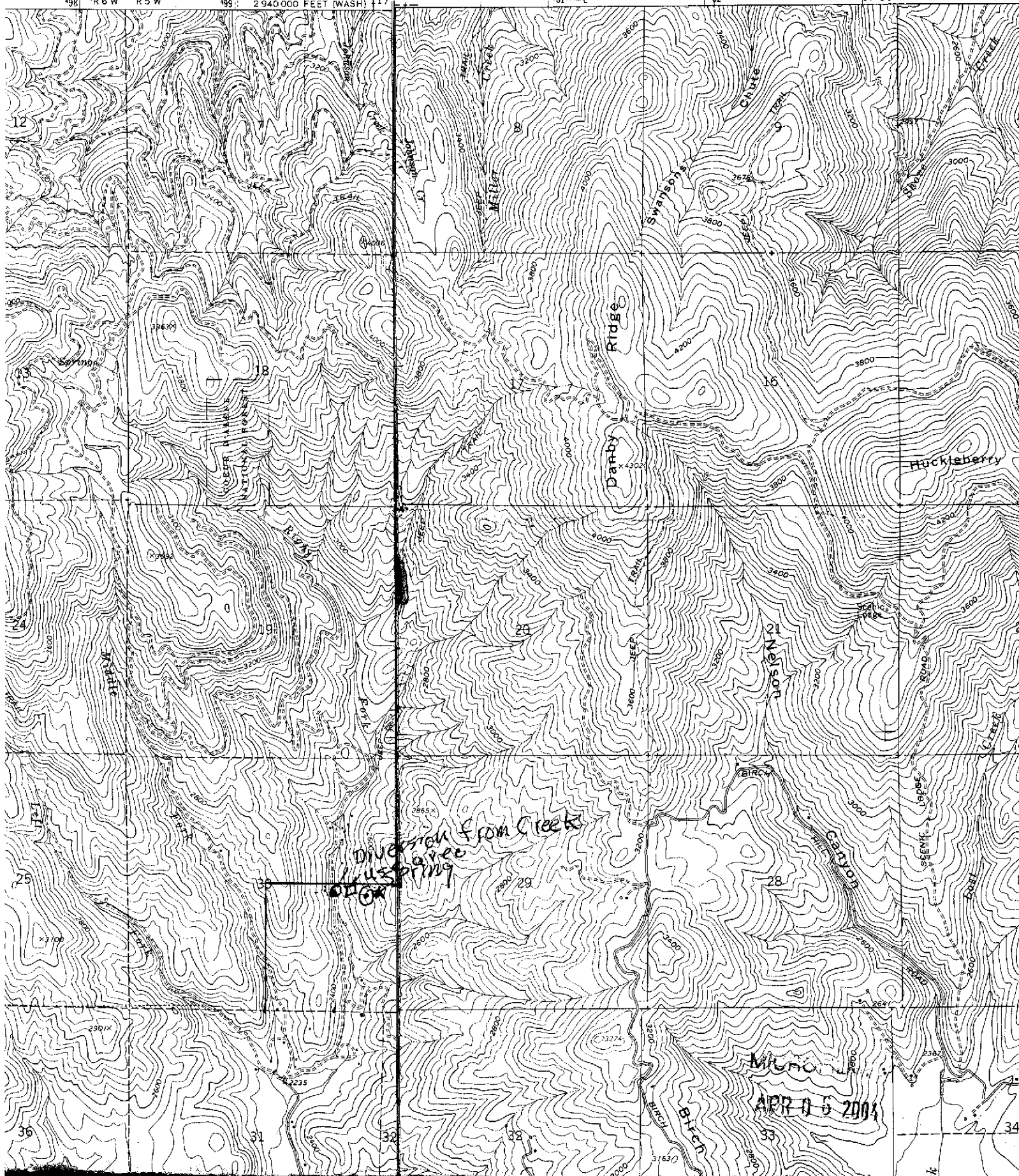
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APR 05 2004

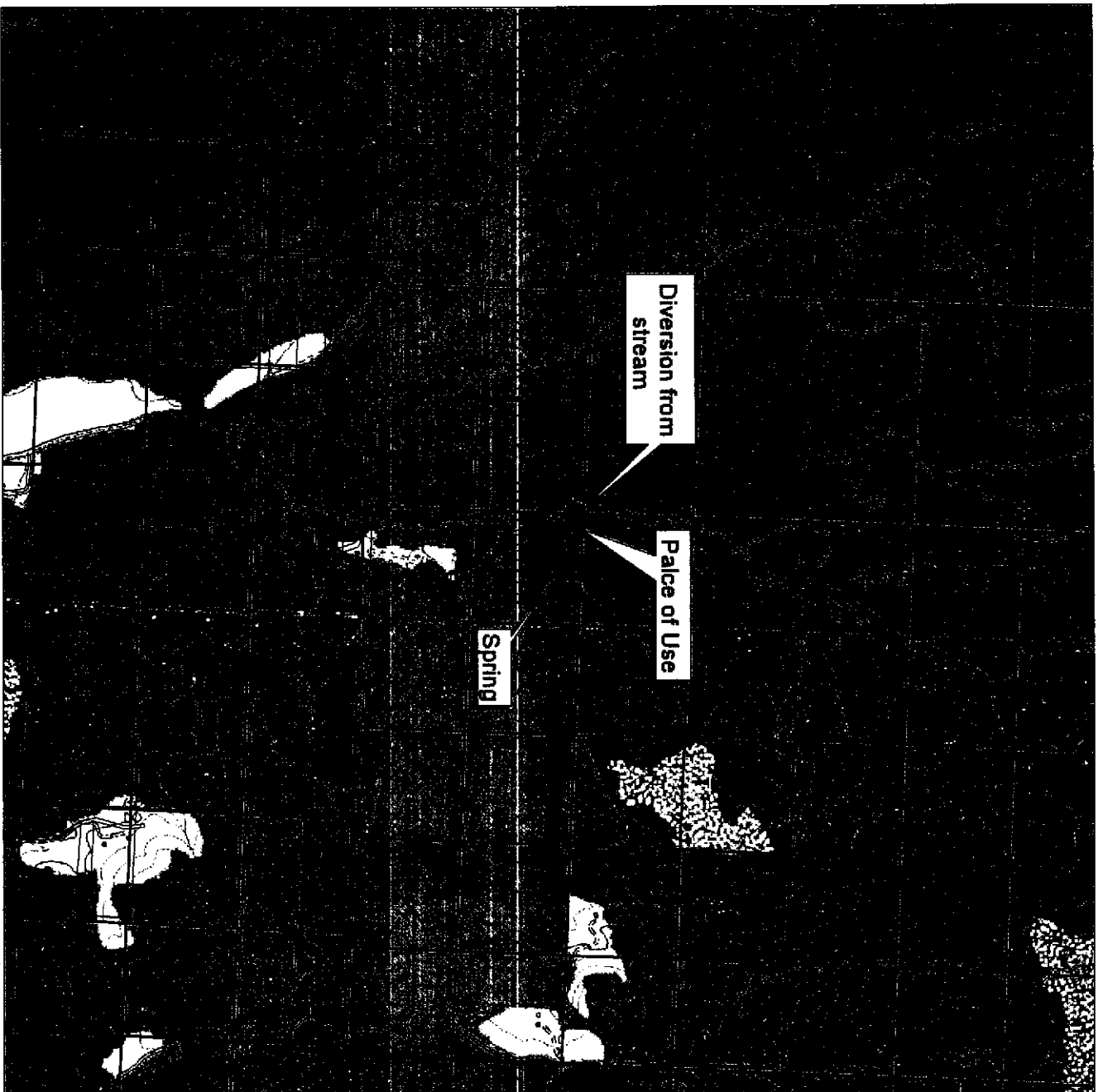
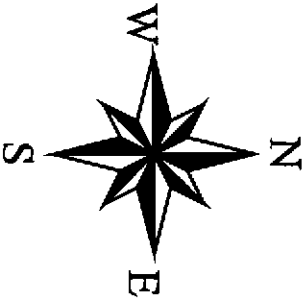
1944-1945

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

www. S



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- ☐ T52n05w.shp



MICHAEL BAKER
APR 05 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 10, 2003

KENNETH J BIRGE
PO BOX 1104
POST FALLS ID 83877

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-9182

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.state.id.us.

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

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

MICROFILMED

APR 05 2004

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-9182

Reviewed By: dgibson

Date: November 7, 2003

	<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.:	N015614, C070955		Well driller's report filed?		
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		09/18/2003
Date proof due	-	07/01/2004
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	05/07/2003
New priority date	=	05/07/2003

Deficiencies of Actions Items

Acknowledge proof.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 2, 2003

KENNETH J BIRGE
PO BOX 1104
POST FALLS ID 83877

RE: Permit No. 95-9182

Permit Approval Notice

Dear Permit Holder:

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

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

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

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

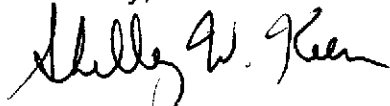
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's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

MICROFILMED

APR 05 2004

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

Sincerely,

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

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

APR 16 2004

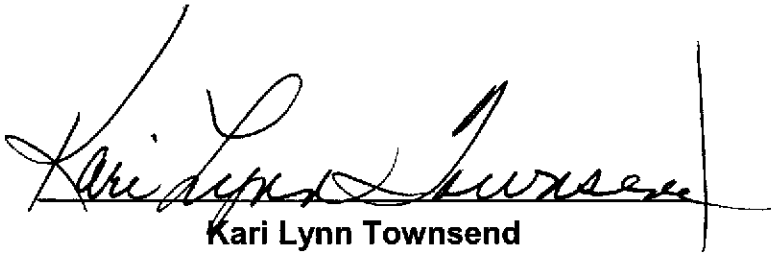
CERTIFICATE OF SERVICE

I hereby certify that on July 2, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

95-9182

**KENNETH J BIRGE
PO BOX 1104
POST FALLS ID 83877**



**Kari Lynn Townsend
Secretary**

MICROFILM

APR 8 8 2004

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

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

W.R. # 05-9182

APPLICATION ID # 70572
INITIAL REVIEW

ENT. 5/8/03 BCA 5/8/03 OK to Publish 5/8/03

APPLICANT: BIRGE BY: [Signature] DATE: 5/7/03

ITEM REQUIRED INFORMATION

1. ☒ Name and Address
2. ☒ Source
3. ☒ Point of Diversion & County
4. ☒ Quantity
5. ☒ Nature of Proposed Use
6. ☒ Period of Use
7. ☒ Total Quantity
8. ☒ Description of diverting works
9. ☒ Time required for b/u
10. ☒ Proposed use
11. ☒ Place of use or acres irrigated
12. ☒ Other water Rights
13. ☒ Ownership
14. ☒ Map
15. ☒ Signature
16. ☒ Fee (Amt, receipt, acknowledgement)

*** Send info sheet Y () N ()

ADDITIONAL INFORMATION

(Yes)(No)

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

PROCESSING

(Yes)(No)

PRIORITY DATE: 5/7/03

(Include Moratorium Remark)

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

ADVERTISE IN: KOOTENAI County

LETTERS SENT REQUESTING:

() Dam Information () Fish Information
() Power Information () Other: N/A

INFORMATION RECEIVED:

() Dam Information () Fish Information
() Power Information () Other: N/A

GROUNDWATER SECTION

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
_____	_____	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
_____	_____	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
_____	_____	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()

- _____ Groundwater management area
- _____ Critical ground water area
- _____ Well Drilling Permit required
- _____ Well Drilling Application and Fees received
- _____ Well Drilling Application approved?

Remarks: See 746 notes in file on computer.

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 5/23
Application published correctly. If not, record action taken: 5/22

5/8 Publication dates and paper recorded on application

Final protest date: 6/2/03 | Sr. Agent initial _____

- _____ Protests received,
- _____ Measuring device required
- _____ Measuring port required
- _____ Special conditions:

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

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



IDAHO FISH AND GAME

2750 Kathleen Avenue
Coeur d'Alene, Idaho 83815

Dirk Kempthorne/Governor
Steven Huffaker/Director

May 14, 2003

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

*For
Computer
5/15/03*

Via email to Diane Ball:

REFERENCE: Water Right Application # 95-9182 -- BIRGE

We have reviewed the above named application to withdraw 0.05 cfs from Right Fork Hauser Creek and an unnamed spring for fire protection and domestic use.

We have no specific objections to this request. However, the application does not specify the percentage of the total appropriation that the applicant wishes to withdraw from each of the two sources identified (i.e., RF Hauser Creek or the spring). To minimize impacts on RF Hauser and receiving waters, we recommend that your permit stipulate that the spring should be the primary source for the allocation. Water should be diverted from RF Hauser Creek only in the event that the total 0.05 cfs requested cannot be obtained solely from the spring, and then only in the amount needed to fulfill the 0.05 cfs total allocation. Withdrawals from both sources, if both are used, should be metered to facilitate apportioning the withdrawals between the two sources.

The applicant should obtain necessary encroachment permits from Idaho Department of Lands before installing water lines and pumps in state waters.

If a line and pump are placed in the creek and excavation is necessary, we recommend that applicants be required to install the lines during low water when underwater excavation will be minimized. Dug materials should be sidecast to only one side and the bottom contour and substrate restored.

We noted specifications for the pump that the applicant included in the application. The "strainer" size indicated would not prevent losses of juvenile fish. If a pump is placed in RF Hauser Creek, the maximum screen mesh size should be 0.25 inches. In addition, pump approach velocities should not exceed 0.5 ft/second to prevent losses of juvenile fish. It would be preferable to place pumps on land rather than in the water.

Thank you for the opportunity to comment.

Ray Hennekey
Environmental Staff Biologist

C: IDFG NRPB, Boise; Greg Tourtlotte, IDFG, Cd'A; File

File: IDWR WR #95-9182 BIRGE

*MICROFILMED
APR 03 2004*

RECEIVED

MAY 23 2003

AFFIDAVIT OF PUBLICATION

IDWR/North

STATE OF IDAHO,
County of Kootenai, } ss.

Musti Flood

being first duly sworn

upon oath deposes and says:

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

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

3. The Legal Notice

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 15 day of May, 20 03, and ending on the 22 day of May, 20 03, and such publication was made as often during said period as said newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

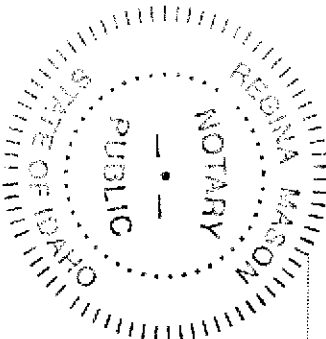
Musti Flood

Personally appeared before me this 22 day of May, 20 03.

Regina Mason

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

MY COMMISSION EXPIRES 6/18/03



NOTICE OF APPLICATION FOR WATER RIGHT
The following application(s) have been filed to appropriate the public waters of the State of Idaho: 95-9182

KENNETH J. BIRGE,

PO BOX 1104

POST FALLS ID 83877

Point(s) of Diversion: NENESE S30 T32N R05W

Source SPRING Tributary To RT FK HAUSER CREEK

Point(s) of Diversion: NENE S30 T32N R05W

Source RIGHT FORK HAUSER CREEK Tributary To HAUSER LAKE

Use: IRRIGATION 03/15 To 11/15 0.05 CFS

Use: DOMESTIC 01/01 To 12/31 0.05 CFS

Use: FIRE PROTECTION 01/01 To 12/31 0.05 CFS

Total Diversion: 0.05 CFS

Date Filed: 05/07/2003

Place Of Use: IRRIGATION

T32N R05W S30 NENE

Number of Acres: 2

Place Of Use: DOMESTIC and FIRE PROTECTION same as IRRIGATION

Remark: Domestic use is for one home.

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

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region 1910 Northwest Blvd., Suite 210, Coeur D'Alene, ID 83814 together with a protest fee of \$25.00 for each application on or before 06/02/2003. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Legal 3079

May 15, 22, 2003

APR 16 2003



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

May 08, 2003

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LEGAL NOTICE DEPARTMENT

COEUR D ALENE PRESS

201 N 2ND

COEUR D ALENE ID 83814

FAXED TO MISTI FLOOD 5/8/03



PLEASE FAX PROOF PRIOR TO PUBLICATION



2 pages total.

RE: Application for Permit No. 95-9182 - BIRGE

Dear Misti:

Enclosed you will find another legal notice which we wish to have published in your newspaper on the dates indicated, May 15 and 22, 2003, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 06/02/2003. Your cooperation is GREATLY appreciated, as always.

Thanks D & C

Thank you.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

ALL FOR MISTI...
APR 13 2003

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

95-9182

KENNETH J BIRGE
PO BOX 1104
POST FALLS ID 83877

Point(s) of Diversion NENESE S30 T52N R05W KOOTENAI County

Source SPRING Tributary To RT FK HAUSER CREEK

Point(s) of Diversion NESE S30 T52N R05W KOOTENAI County

Source RIGHT FORK HAUSER CREEK Tributary To HAUSER LAKE

Use: IRRIGATION 03/15 To 11/15 0.05 CFS

Use: DOMESTIC 01/01 To 12/31 0.05 CFS

Use: FIRE PROTECTION 01/01 To 12/31 0.05 CFS

Total Diversion: 0.05 CFS

Date Filed: 05/07/2003

Place Of Use: IRRIGATION

T52N R05W S30 NESE

Number of Acres 2

Place Of Use: DOMESTIC and FIRE PROTECTION same as IRRIGATION

Remark: Domestic use is for one 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 06/02/2003. The protestant must also send a copy of the protest to
the applicant.

KARL J DREHER, Director

Published on May 15 and 22, 2003.

RECEIVED

MAY 15 2003



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

Fax (208) 769-1454

May 08, 2003

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

KENNETH J BIRGE
PO BOX 1104
POST FALLS ID 83877

RE: Application for Permit No 95-9182

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 May 15 and 22, 2003. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

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

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

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

Sincerely,

Allen Beardslee
Senior Water Resource Agent

MAILED 11/11/03

APR 16 2003



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

May 08, 2003

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

FAXED TO RAY HENNEKEY 5/8/03

6 pages total

Application to Permit No. 95-9182

Dear Ray:

Enclosed is a copy of the above referenced application. Please review the application, complete the enclosed recommendation form, and submit it to this office within two weeks from date of receipt of this request, by May 23, 2003. If you prefer to reply by email, my email address is dball@idwr.state.id.us.

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

Thank you.

Sincerely, .

Dianne Ball
Administrative Assistant

Enclosure(s)

Handwritten notes:
MAY 14 2003
307 11 000