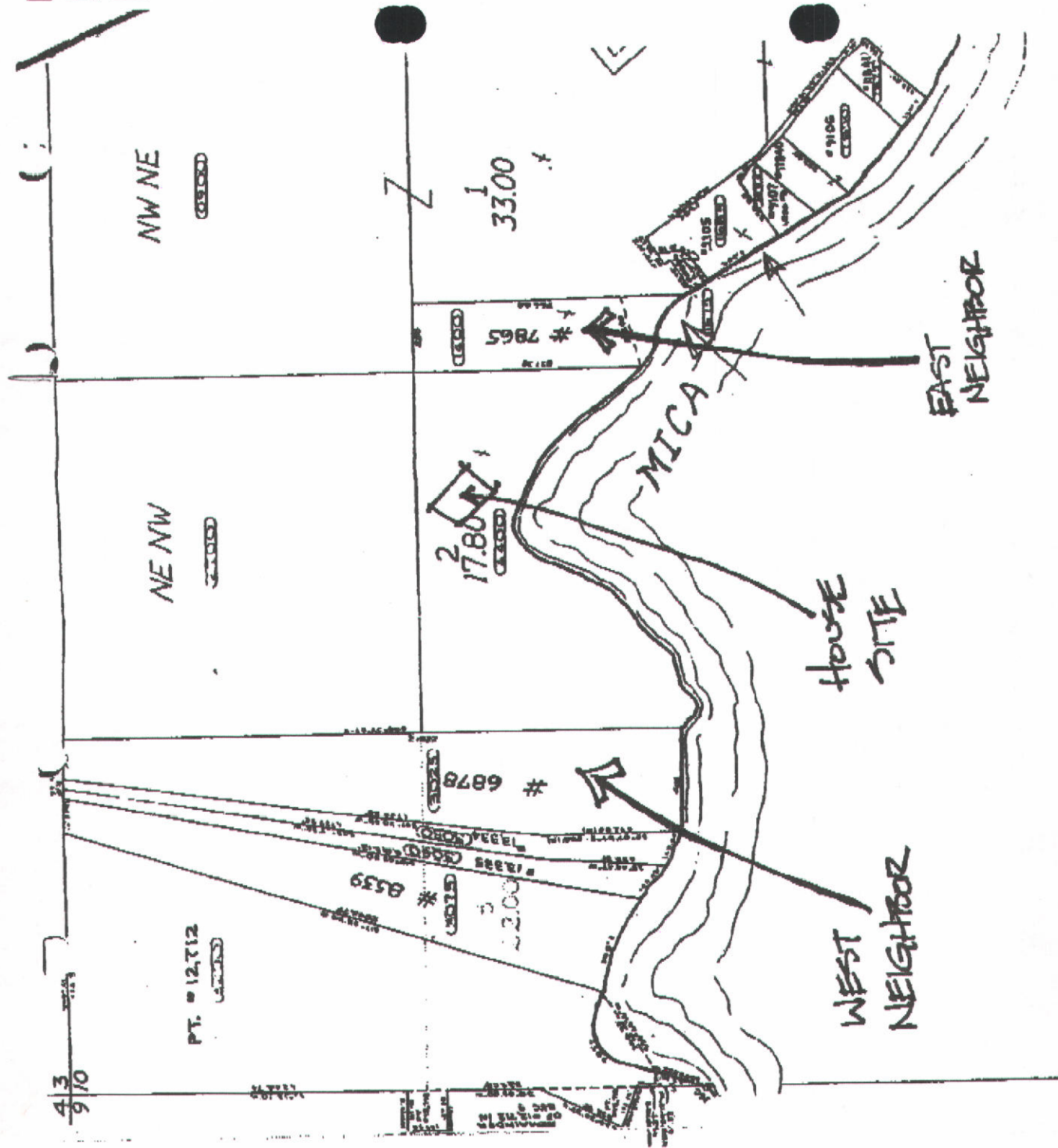




C O E U R



1	2	3	4	5	6	7	8	9	10	11	12
13	14	15	16	17	18	19	20	21	22	23	24
25	26	27	28	29	30	31	32	33	34	35	36

TETON COUNTY
IDAHO

SECTION NUMBER SYSTEM
IN STANDARD TOWNSHIP

1	2	3	4	5	6	7	8	9	10	11	12
13	14	15	16	17	18	19	20	21	22	23	24
25	26	27	28	29	30	31	32	33	34	35	36

RYER NAME AND NUMBER SYSTEM
IN STANDARD SECTION

1	2	3	4	5	6	7	8	9	10	11	12
13	14	15	16	17	18	19	20	21	22	23	24
25	26	27	28	29	30	31	32	33	34	35	36

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DEC 03 2003

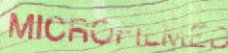


Diagram showing the angle between the true north line (TN) and the magnetic north line (MN) is 17.2° .

Prong broke.

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. 0045430
Receipt By: me
Date Received: 4/26/04

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 26 2004

Department of Water Resources

AMENDED PROOF OF BENEFICIAL USE

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

1. Permit No. 95-09174 Telephone No. 208-666-1596
2. Name of Permit Holder(s): H. James Magnuson
3. Mailing Address: P.O. Box 2288
City Coeur d'Alene State ID Zip 83816
4. Source of Water: Coeur d'Alene Lake If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____
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 1/2 Other: 11/3/05
6. Total rate of diversion and/or volume for which proof is submitted: 0.20 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 ✓
Has the measuring device been installed? Yes _____ or No ✓
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: Jim Magnuson Telephone Number: 208-666-1596
Address: P.O. Box 2288, Coeur d'Alene ID 83816
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: [Signature] Date: 4-25-04
(include your title, if on behalf of company or organization)

SCANNED

JAN 07 2005

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. CO-13736
Receipt By: W
Date Received: 4/26/04

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 26 2004

PROOF OF BENEFICIAL USE

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. 95-09174 Telephone No. 208-666-1596

2. Name of Permit Holder(s): H. James Magnuson

3. Mailing Address: P.O. Box 2288

City Coeur d'Alene State ID Zip 83816

4. Source of Water: Coeur d'Alene Lake if GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____

Well Driller: _____ Drilling Permit Number: _____

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: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.20 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 ☒

Has the measuring device been installed?

Yes _____ or No ☒

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: Jim Magnuson Telephone Number: 208-666-1596

Address: P.O. Box 2288, Coeur d'Alene ID 83816

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: Al Jim May Date: 4-23-04
(include your title, if on behalf of company or organization)

SCANNED

JAN 07 2005

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09174

Priority: February 25, 2003

Maximum Diversion Rate: 0.20 CFS

This is to certify, that H JAMES MAGNUSON
1250 NORTHWOOD CENTER CT
COEUR D ALENE ID 83816

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>
DOMESTIC	01/01 to 12/31	0.04 CFS
AESTHETIC	01/01 to 12/31	0.20 CFS
FIRE PROTECTION	01/01 to 12/31	0.20 CFS
IRRIGATION	03/15 to 11/15	0.02 CFS

LOCATION OF POINT OF DIVERSION:

COEUR D ALENE LAKE L2 (SE $\frac{1}{4}$ NW $\frac{1}{4}$) Sec. 10, Twp 49N, Rge 04W, B.M., KOOTENAI County

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 04W 10								X									
								L 2									

PLACE OF USE: AESTHETIC – Same as Domestic

PLACE OF USE: FIRE PROTECTION – Same as Domestic

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 04W 10								.5									.5
								L 2									

CONDITIONS OF APPROVAL

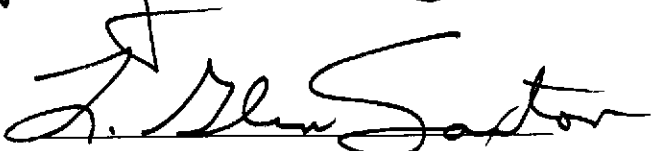
1. Proof of application of water to beneficial use shall be submitted on or before **July 01, 2004**.
2. Subject to all prior water rights.
3. Domestic use is for 1 home.

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SEP 3 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 95-09174

4. Aesthetic use is for maintaining natural pond.
5. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
6. 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.
7. This right does not grant any right-of-way or easement across the land of another.

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


for
KARL J DREHER, Director

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DEC 03 2003

70441
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

APPLICATION FOR PERMIT

JUN 30 2003

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant H. JAMES MAGNUSON Phone 509-838-7474
 Mailing address 1250 NORTHWOOD CENTER COURT, COEUR D'ALENE, ID., 83816
2. Source of water supply COEUR D'ALENE LAKE which is a tributary of SPOKANE RIVER
3. Location of point of diversion is Township 49N Range 04W Sec. 10, in the SE $\frac{1}{4}$,
NW $\frac{1}{4}$, — $\frac{1}{4}$, Govt. Lot 2, B.M., KOOTENAI County;

additional points of diversion if any:

4. Water will be used for the following purposes:

Amount 0.04 CFS for DOMESTIC purposes from JAN 1 to DEC 31 (both dates inclusive)
 (cfs or acre-feet per annum)

Amount 0.2 CFS for ASTHETIC purposes from JAN 1 to DEC 31 (both dates inclusive)
 (cfs or acre-feet per annum)

Amount 0.02 CFS for IRRIGATION purposes from MAR 15 to NOV 15 (both dates inclusive)
 (cfs or acre-feet per annum)

Amount 0.2 CFS for FIRE PROT purposes from MAR 15 to NOV 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)

5. Total quantity to be appropriated is (a) 0.2 CFS 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 7.5 HP SUBMERSIBLE PUMP @ 40 FEET, WITH 2"-200 PSI POLY SUPPLY
- b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet
- c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet
- d. Is ground water with a temperature of greater than 85°F being sought? N/A
- e. If well is already drilled, when? —; Drilling firm —
 Well was drilled for (well owner) —; Drilling Permit No. —

7. Time required for completion of works and application of water to proposed beneficial use is
- 1
- years (minimum 1 year)

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

- a. Hydropower; show total feet of head and proposed capacity in kW. —
- b. Stockwatering; list number and kind of livestock. —
- c. Municipal; show name of municipality. —
- d. Domestic; show number of households. (1)
- e. Other; describe fully. ASTHETIC, LESS THAN 1/2 ACRE IRRIGATION, FIRE PROTECTION

MICROFILMED

DEC 03 2003

<u>Received by</u>	<u>Date</u>	<u>Time</u>	<u>Preliminary check by</u>	<u>#</u>	<u>Date</u>	<u>Fee \$</u>	<u>Received by</u>	<u>Date</u>	<u>Publication prepared by</u>	<u>Date</u>	<u>Published in</u>	<u>Date</u>	<u>Publication approved by</u>
--------------------	-------------	-------------	-----------------------------	----------	-------------	---------------	--------------------	-------------	--------------------------------	-------------	---------------------	-------------	--------------------------------

Signature of Applicant (and title, if applicable)

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.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"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.)

12. Remarks:

Filing:

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

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

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

10. Describe any other water rights used for the same purposes as described above.

Total number of acres to be irrigated

TWP	RGE	SEC	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
			TOTALS															

below. See instructions for standard symbols.

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

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

9. Description of place of use:

YEAR ROUND

9. Description of place of use: ~~RESIDENTIAL~~ RESIDENCE

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.

D, S, F, J

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
44N	D4W	10																	
																			.5

Total number of acres to be irrigated ~~2.5~~ .5

10. Describe any other water rights used for the same purposes as described above. N/A

11. a. Who owns the property at the point of diversion? STATE OF IDAHO

b. Who owns the land to be irrigated or place of use? H. JAMES MAGNUSON

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

12. Remarks:

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"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.

H. J. MAGNUSON 2/24/03

OFF. 208-667-6949
AGENT/CONTRACTOR
Signature of Applicant (and title, if applicable)

Received by JB Date 2-25-03 Time 11:39 Preliminary check by JB
Fee \$ 100 Receipted by JB # NO 15473 Date 2-25-03
Publication prepared by JB Date 2/26/03 Published in CDR Press 3/6/03
Publication approved JB Date 4/11/03

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DEC 03 2003

PAGE 2.

YEAR ROUND
RESIDENCE

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.

D, F, J

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			1/4	1/2	3/4	1/2	1/4	1/2	3/4	1/2	1/4	1/2	3/4	1/2	1/4	1/2	3/4	1/2	
44N	14W	10																	
																			.5

Total number of acres to be irrigated 0.5

10. Describe any other water rights used for the same purposes as described above.

N/A

11. a. Who owns the property at the point of diversion? STATE OF IDAHOb. Who owns the land to be irrigated or place of use? H. JAMES MAGNUSONc. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: AGENT/CONTRACTOR

12. Remarks:

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section R, 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.

H. J. MAGNUSON

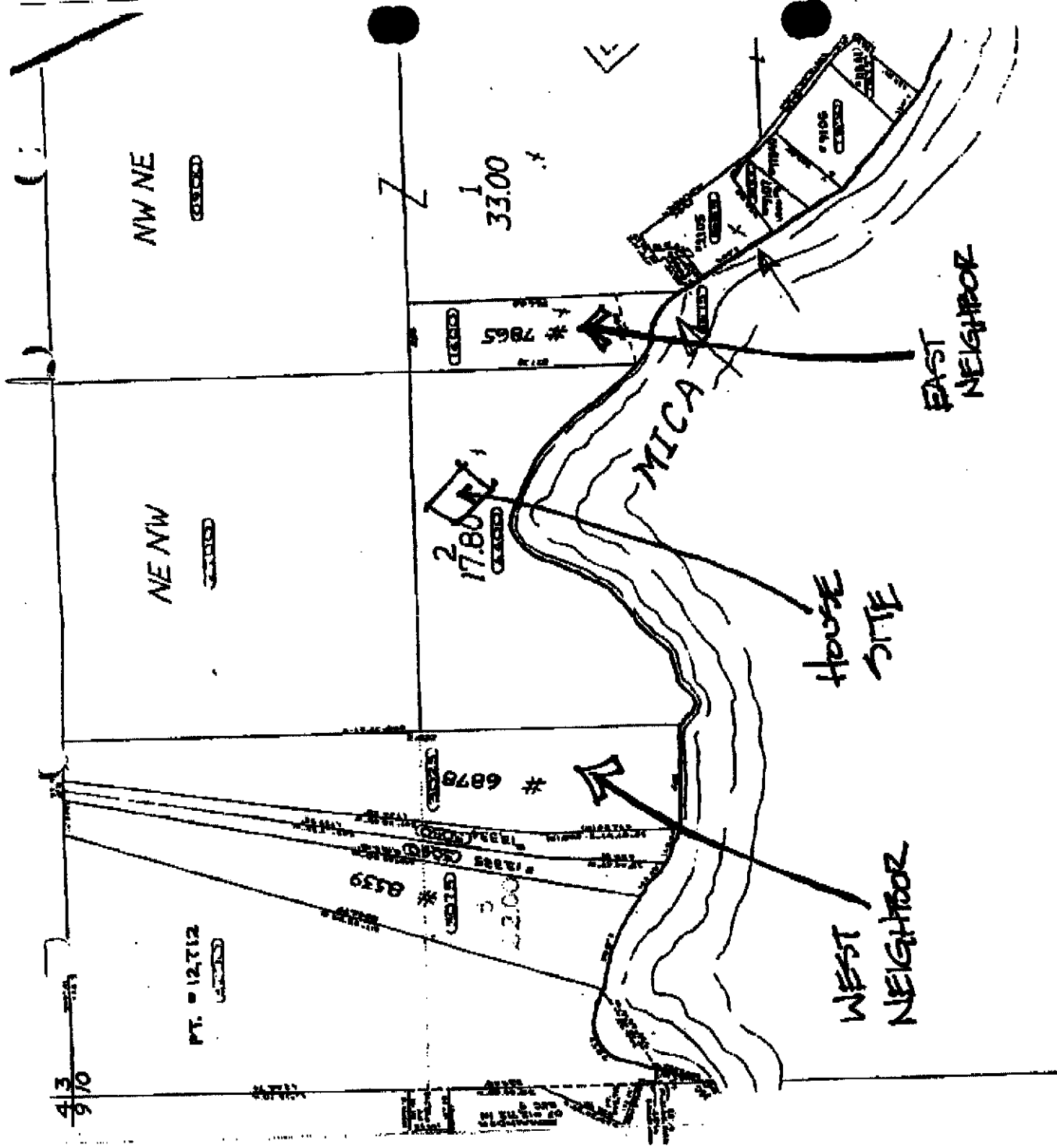
2/24/03

OFF. 208-667-6949
Signature of Applicant (and title, if applicable)

Received by AB Date 2-25-03 Time 11:39 Preliminary check by AB
 Fee \$ 120 Received by AB # 1015473 Date 2-25-03
 Publication prepared by AB Date 2/26/03 Published in CAA Press 3/6+13/03
 Publication approved _____ Date _____

MICHAEL

DEC 9 3 2003



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OTENAL COUNTY
IDAHO

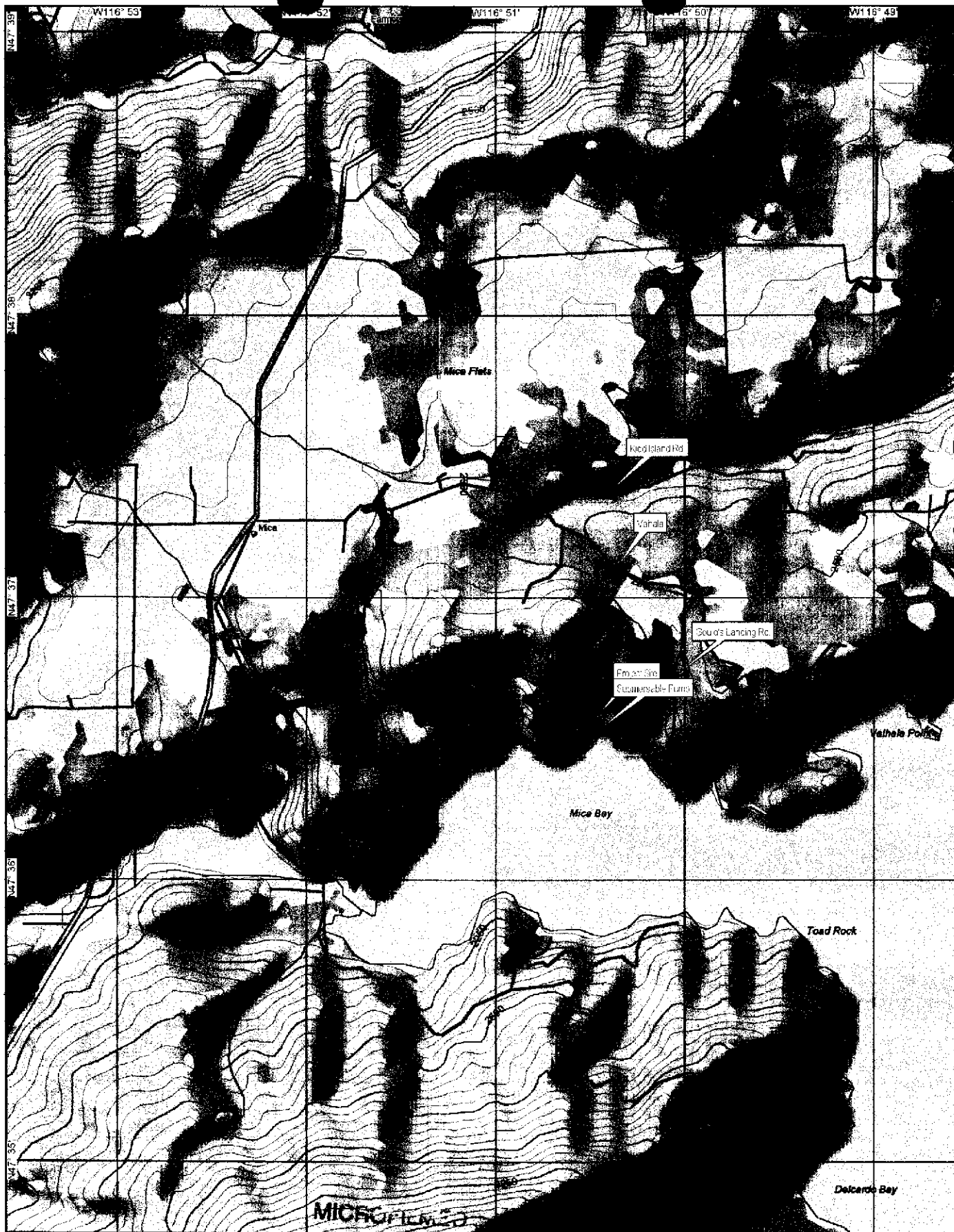
SECTION NUMBER SYSTEM
IN STANDARD TOWNSHIP

1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12
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1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12
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1	2	3	4	5	6	7	8	9	10	11	12

SECTION NUMBER SYSTEM
IN STANDARD TOWNSHIP

1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12
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1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12

MICRO
DEC 03 2003



DELORME

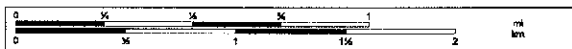
© 2001 DeLorme. Topo USA® 3.0

Zoom Level: 12-5 Datum: WGS84

DEC 03 2003

Scale 1 : 34,375

1" = 2,864.58 ft



ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-9174

Reviewed By: dgibson

Date: December 28, 2004

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:	N015473, C073636		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		04/26/2004
Date proof due	-	07/01/2004
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	02/25/2003
New priority date	=	02/25/2003

Deficiencies of Actions Items

Acknowledge proof. Mention to permit holder in transmittal letter that this permit is only for 1/2 acre, not 2 he stated in his proof. Also, he did not state the aesthetic and fire protection purposes of use, he may want to amend the proof to include those. He requested a field exam be done in his cover letter to the department. Send request to regional office.



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

March 29, 2004

H JAMES MAGNUSON
PO BOX 2288
COEUR D ALENE ID 83816-2288

RE: Permit NO. 95-9174

Dear Mr. Magnuson:

In response to your inquiry about submitting proof of beneficial use for you water appropriation permit, I have enclosed a Proof of Beneficial Use form and a list of certified water right examiners. There are two options for obtaining the field report that is required to verify the beneficial use established in connection with your permit. The first option is for you to send IDWR your proof of beneficial use form together with a beneficial use field report completed by a certified water right examiner. The second option is for you to send IDWR your proof of beneficial use form and the appropriate examination fee, which will serve as your request for IDWR to conduct a field inspection and complete the field report. In either case, the proof of beneficial use must be received by IDWR on or before July 1, 2004.

If you have any questions, please call me at 208-327-7946, or email me at skeen@idwr.state.id.us.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 29 2004

H. JAMES MAGNUSON
ATTORNEY AT LAW
1250 NORTHWOOD CENTER COURT
POST OFFICE BOX 2288
COEUR D'ALENE, IDAHO 83816-2288
(208) 666-1596

RECEIVED
MAR 29 2004
Department of Water Resources

March 25, 2004

State of Idaho
Department of Water Resources
P. O. Box 83720
Boise, ID 83720-0098

Re: Permit No. 95-9174

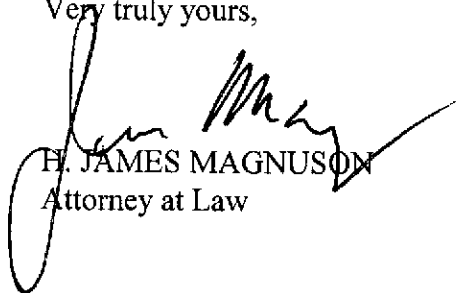
Dear Sir or Madam:

According to the instructions for filing the Proof of Beneficial Use, I need to submit the proof with a completed field examination report prepared by a certified water rights examiner. I am in a position to submit the Proof of Beneficial Use.

Where can I find someone to do the field examination? Does your department do this?

Thank you for your assistance.

Very truly yours,


H. JAMES MAGNUSON
Attorney at Law

HJM:slb

MICROFILMED

MAR 29 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

July 2, 2003

H JAMES MAGNUSON
1250 NORTHWOOD CENTER CT
COEUR D ALENE ID 83816

RE: Permit No. 95-9174

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.

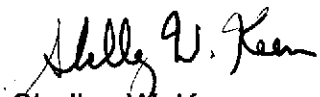
Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least 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
DEC 9 3 2003

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

Sincerely,



Shelley W. Keen

Water Rights Supervisor

SWK:klr

Enclosure(s)

MICROFILMED
DEC 9 3 2003

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.

95-9174

**H JAMES MAGNUSON
1250 NORTHWOOD CENTER CT
COEUR D ALENE ID 83816**



**Kari Lynn Townsend
Secretary**

MICROFILMED
DEC 03 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

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DEC 03 2003

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
DEC 8 3 2003

MEMORANDUM

TO: File 95-9174

FROM: KAY WALKER *KW*

RE: Aesthetic Use

Date: July 1, 2003

.....

I contacted Gregory Mandi (Agent/contractor) on the application and asked what the aesthetic use would consist of. Mr. Mandi stated that the aesthetic use would be to maintain a natural water feature that is seasonal. The lake water will be used to supplement the water already in the aesthetic pond.

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DEC 03 2003

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

W.R. # 95-9174

APPLICATION ID # 704/41
INITIAL REVIEW

ENT. 2/25 BCA 6/27 OK to Publish 2/25

APPLICANT: MAGNUSON BY: TS DATE: 2/25/03

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

(Yes)(No)

☐ Shape File Created Date 2/25 By: _____
☐ Field check: by _____
☐ Field report attached
☐ Analysis Supp. attached(>5cfs/500af)
☐ Water delivered by water master? Water District # _____

PROCESSING

(Yes)(No)

PRIORITY DATE: 2/25/03

(Include Moratorium Remark)

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

ADVERTISE IN: KOOTENAI Count

LETTERS SENT REQUESTING:

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

INFORMATION RECEIVED:

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

GROUNDWATER SECTION

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

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

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

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

☒ Publication dates and paper recorded on application

Final protest date:

Sr. Agent initial

- ☐ Protests received
☐ Measuring device required
☐ Measuring port required
☐ Special conditions: _____
☐ Special conditions of approval supplement and/or cover letter attached: _____

3/24/03
4/21/03

Approval Recommended by: _____

Date: ____/____/____



IDAHO FISH & GAME

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

Dirk Kempthorne/Governor
Steven M. Huffaker/Director

March 17, 2003

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

*E on
Computer*

RECEIVED
MAR 21 2003
IDWR/North

Dear Mr. Haynes:

REFERENCE: APPLICATIONS FOR THE FOLLOWING WATER RIGHTS
PERMITS: # 95-9174 MAGNUSON

We have reviewed the above named application for a water right. H. James Magnuson requests 0.2 cfs from Lake Coeur d'Alene. The stated use of the water is for aesthetics year round, and fire protection (0.2 cfs) from March 15 to November 15. The applicant would apply 0.02 cfs of the right to irrigation of 1/2 acre from March 15 to November 15, and 0.04 cfs to domestic use year round.

The application does not describe how the water might be used for aesthetics. We cannot envision how water for fire protection, irrigation and domestic use that would be pumped from the lake to the site via a waterline might have year round aesthetic value. Although the amount of water requested is relatively small, the impact of cumulative small withdrawals from Lake Coeur d'Alene can be substantial. We recommend that either the aesthetic use of the allocation be described more completely to validate the request for that beneficial use, or that you reduce the annual allocation by the appropriate amount to better reflect the actual seasonal demand for fire protection and irrigation.

We have commented on an encroachment permits from Idaho Department of Lands for this project. The encroachment permit should be obtained before installing diversion structures, water lines and pumps in state waters.

Thank you for the opportunity to comment.

Sincerely,

G. Tourtlotte

Greg Tourtlotte
Regional Supervisor

GIT:RH:kh

C: IDFG NRPB, Boise

File: IDWR WR #95-9174 magnuson

Keeping Idaho's Wildlife Heritage

MICROFILMED
DEC 03 2003

APR 11 2003

IDWR/North

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Kootenai, }

Misti Flood being first duly sworn
upon oath deposes and says:

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

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

3. The legal notice

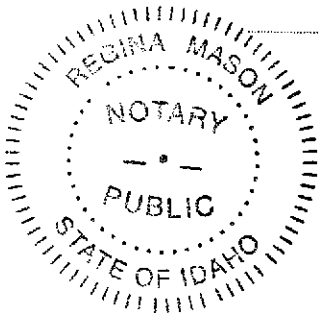
of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 3 consecutive weeks commencing on the 3 day of April 20 03, and ending on the 10 day of April 20 03, and such publication was made as often during said period as said Daily newspaper was regularly issued.

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

Personally appeared before me this 10 day of April 20 03.

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

MY COMMISSION EXPIRES 6/18/03



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

95-9168

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

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

95-9169

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

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

95-9170

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

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

95-9171

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

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

95-9172

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

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

95-9173

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

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

95-9174

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

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

96-9123

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

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

96-9124

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

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

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

Legal 2838
April 3, 10 2003

KARL J. DREHER, Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Fax (208) 769-1454

March 28, 2003

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LEGAL NOTICE DEPARTMENT

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

FAXED TO DEBBIE at 664-0212

5 Pages Total

PLEASE FAX PROOF PRIOR TO PUBLICATION.

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

Dear Debbie:

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



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

~~~~~

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

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

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

Sincerely

*Dianne*

Dianne Ball  
Administrative Assistant

*Originally  
advertised on  
the wrong day  
of the week*

MICROFILMED

DEC 03 2003

**96-9123**

RICK BURDETTE  
YOUNG BURDETTE  
13611 NUNN RD  
ATHOL ID 83801

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

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

Date Filed: 02/21/2003

Place Of Use: IRRIGATION

T53N R02W S32 SWNE

Number of Acres 3

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

**96-9124**

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

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

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

Date Filed: 02/20/2003

Place Of Use: IRRIGATION

T53N R02W S17 SESE

Number of Acres 6

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

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

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

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

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

KARL J DREHER, Director

Published on March 6 and 13, 2003

04/21/03

MICROFILMED  
DEC 03 2003

Change to April 3 & 10/2003

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,  
County of Kootenai,

ss. **MAR 17 2003**  
IDWR/NORTH

Jennifer Porter 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 Monday issue of said newspaper for 2 consecutive weeks commencing on the 1 day of March 20 03, and ending on the 8 day of March 20 03, and such publication was made as often during said period as said newspaper was regularly issued.

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

Personally appeared before me this

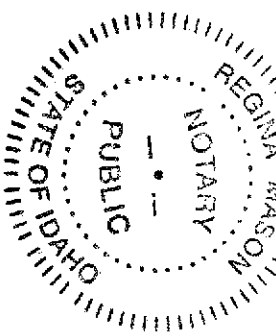
20

03

day of

March

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



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

95-9168

LEONARD O WALLACE  
1504 E PLAZA  
POST FALLS ID 83854

Point(s) of Diversion: SWNE 823 TSON R05W  
Source: SPRING Tributary To SINKS  
Use: DOMESTIC 01/01 To 12/31 0.01 CFS  
Total Diversion: 0.01 CFS  
Date Filed: 12/23/2002  
Place Of Use: DOMESTIC  
TSON R05W S23 SWNE  
Remark: Domestic use is for one home and shop.

95-9169

CITY OF COEUR D'ALENE  
PARK DEPARTMENT  
710 MULLAN AVE  
COEUR D'ALENE ID 83814  
Point(s) of Diversion: SENW S34 T51N R04W  
Source: GROUND WATER  
Use: IRRIGATION 03/15 To 11/15 0.4 CFS  
Total Diversion: 0.4 CFS  
Date Filed: 12/27/2002  
Place Of Use: IRRIGATION  
T51N R04W S34 NWNE SWNE  
Number of Acres: 10.5

95-9170

CITY OF COEUR D'ALENE  
PARK DEPARTMENT  
710 MULLAN AVE  
COEUR D'ALENE ID 83814  
Point(s) of Diversion: SENE 83 TSON R04W  
Source: GROUND WATER  
Use: IRRIGATION 03/15 To 11/15 0.4 CFS  
Total Diversion: 0.4 CFS  
Date Filed: 12/27/2002  
Place Of Use: IRRIGATION  
T50N R04W S3 SWNE NESE  
Number of Acres: 28.5

95-9171

CITY OF COEUR D'ALENE  
PARK DEPARTMENT  
710 MULLAN AVE  
COEUR D'ALENE ID 83814  
Point(s) of Diversion: NWNW S24 T50N R04W  
Source: COEUR D'ALENE LAKE Tributary To SPOKANE RIVER  
Use: IRRIGATION 03/15 To 11/15 0.78 CFS  
Total Diversion: 0.78 CFS  
Date Filed: 12/27/2002  
Place Of Use: IRRIGATION  
T50N R04W S13 SESE  
T50N R04W S24 NENW NWNW  
Number of Acres: 15.5

95-9172

NORTH IDAHO FAIR & RODEO  
4056 N GOVERNMENT WAY  
COEUR D'ALENE ID 83815  
Point(s) of Diversion: SWSW S36 T51N R04W  
Source: GROUND WATER  
Use: IRRIGATION 05/01 To 10/31 0.33 CFS  
Total Diversion: 0.33 CFS  
Date Filed: 02/04/2003  
Place Of Use: IRRIGATION  
T51N R04W S36 SWSW  
Number of Acres: 40

95-9173

RON CAVALLIN  
2868 E MURPHY RD  
COEUR D'ALENE ID 83815  
Point(s) of Diversion: SENE S18 T50N R03W  
Source: GROUND WATER  
Use: IRRIGATION 03/15 To 11/15 0.06 CFS  
Use: DOMESTIC 01/01 To 12/31 0.08 CFS  
Total Diversion: 0.14 CFS

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

95-9174

H JAMES MAGNUSON  
1250 NORTHWOOD CENTER COURT  
COEUR D'ALENE ID 83816  
Point(s) of Diversion: L2 (SENN) S10 T39N R04W KOOTENAI County  
Source: COEUR D'ALENE LAKE Tributary To SPOKANE RIVER  
Use: IRRIGATION 03/15 To 11/15 0.02 CFS  
Use: DOMESTIC 01/01 To 12/31 0.04 CFS  
Use: FIRE PROTECTION 01/01 To 12/31 0.2 CFS  
Use: AESTHETIC 01/01 To 12/31 0.2 CFS  
Total Diversion: 0.2 CFS  
Date Filed: 02/25/2003  
Place Of Use: IRRIGATION  
T39N R04W S10 SENW L02  
Number of Acres: 0.5  
Place Of Use: DOMESTIC, AESTHETIC and FIRE PROTECTION same as IRRIGATION  
Remark: Domestic use is for one home

95-9123

RICK BURDETTE  
YOUNG BURDETTE  
13611 NUNN RD  
ATHOL ID 83801  
Point(s) of Diversion: SWNE S32 T33N R02W KOOTENAI County  
Source: GREEN CREEK Tributary To SAGE CREEK  
Use: IRRIGATION 03/15 To 11/15 0.2 CFS  
Use: IRRIGATION FROM STORAGE 03/15 To 11/15 1.4 AFA  
Use: AESTHETIC 01/01 To 12/31 0.2 CFS  
Use: DIVERSION TO STORAGE 01/01 To 12/31 1.4 AFA  
Total Diversion: 0.2 CFS  
Date Filed: 02/21/2003  
Place Of Use: IRRIGATION  
T33N R02W S32 SWNE  
Number of Acres: 3  
Place Of Use: IRRIGATION FROM STORAGE, AESTHETIC and AESTHETIC STORAGE same as IRRIGATION

95-9124

MARILYN G TWETE  
KODNEY A TWETE  
1436 TWETE RD  
ATHOL ID 83801  
Point(s) of Diversion: SESE S17 T33N R02W KOOTENAI County  
Source: BARKER CREEK Tributary To SINKS  
Use: IRRIGATION 04/05 To 11/01 0.12 CFS  
Use: IRRIGATION FROM STORAGE 01/01 To 12/31 0.5 AFA  
Use: IRRIGATION FROM STORAGE 04/01 To 11/01 0.5 AFA  
Use: IRRIGATION FROM STORAGE 01/01 To 12/31 0.04 CFS  
Use: RECREATION STORAGE 01/01 To 12/31 0.16 CFS  
Total Diversion: 0.5 AFA  
Date Filed: 02/20/2003  
Place Of Use: IRRIGATION  
T33N R02W S17 SESE  
Number of Acres: 6  
Place Of Use: IRRIGATION FROM STORAGE, RECREATION STORAGE and DOMESTIC, same as IRRIGATION  
Remark: Recreation use is for fishing and swimming. Domestic use is for 1 home.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42.203A, Idaho Code.  
Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur d'Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 03/24/2003. The protest must also send a copy of the protest to the applicant.  
Legal 2651  
Mar. 1, 8, 2003

KARL J DREHER, Director



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

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

**Fax (208) 769-1454**

February 26, 2003

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

**LEGAL NOTICE DEPARTMENT**

COEUR D ALENE PRESS  
201 N 2<sup>ND</sup>  
COEUR D ALENE ID 83814

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

**PLEASE FAX PROOF PRIOR TO PUBLICATION.**

*4 pages total* 

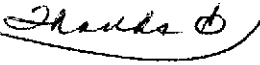
RE: Application for Permit No. 95-9168, 95-9169, 95-1970, 95-9171, 95-9172, 95-9173,  
95-9174, 96-9123 and 96-9124

Dear **LEGAL NOTICE DEPARTMENT:**

*Jen*

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 03/24/2003. Your cooperation is GREATLY appreciated.

*Thanks*   


Thanks, and have a simply wonderful day.

Sincerely

*Dianne*

Dianne Ball  
Administrative Assistant

MICROFILMED

DEC 9 3 2003

**95-9172**

NORTH IDAHO FAIR & RODEO  
4056 N GOVERNMENT WAY  
COEUR D ALENE ID 83815  
Point(s) of Diversion SWSW S36 T51N R04W KOOTENAI County  
Source GROUND WATER  
Use: IRRIGATION 05/01 To 10/31 0.33 CFS  
Total Diversion: 0.33 CFS  
Date Filed: 02/04/2003  
Place Of Use: IRRIGATION  
T51N R04W S36 SWSW  
Number of Acres 40

**95-9173**

RON CAVALIN  
2888 E MURPHY RD  
COEUR D ALENE ID 83815  
Point(s) of Diversion SENE S18 T50N R03W KOOTENAI County  
Source GROUND WATER  
Use: IRRIGATION 03/15 To 11/15 0.06 CFS  
Use: DOMESTIC 01/01 To 12/31 0.08 CFS  
Total Diversion: 0.14 CFS  
Date Filed: 02/12/2003  
Place Of Use: IRRIGATION  
T50N R03W S18 SENE  
Number of Acres 3  
Place Of Use: DOMESTIC same as IRRIGATION

**95-9174**

H JAMES MAGNUSON  
1250 NORTHWOOD CENTER COURT  
COEUR D ALENE ID 83816  
Point(s) of Diversion L2 (SENV) S10 T49N R04W KOOTENAI County  
Source COEUR D ALENE LAKE Tributary To SPOKANE RIVER  
Use: IRRIGATION 03/15 To 11/15 0.02 CFS  
Use: DOMESTIC 01/01 To 12/31 0.04 CFS  
Use: FIRE PROTECTION 01/01 To 12/31 0.2 CFS  
Use: AESTHETIC 01/01 To 12/31 0.2 CFS  
Total Diversion: 0.2 CFS  
Date Filed: 02/25/2003  
Place Of Use: IRRIGATION  
T49N R04W S10 SENW Lot 2  
Number of Acres 0.5  
Place Of Use: DOMESTIC, AESTHETIC and FIRE PROTECTION same as IRRIGATION  
Remark: Domestic use is for one home

**CONTINUED ON NEXT PAGE**

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DEC 03 2003



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

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

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

February 26, 2003

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

RE: Application for Permit No 95-9174

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Coeur d'Alene Press on March 6 and 13, 2003. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

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

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

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

Sincerely,

Allen Beardslee  
Senior Water Resource Agent

Dear Applicant(s):

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DEC 03 2003



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

**NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615**

**(208) 769-1450**

**Fax (208) 769-1454**

February 25, 2003

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

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

Application to Permit No. 95-9174

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, on or before March 13, 2003. If you prefer to reply by e-mail, my e-mail address is [dball@idwr.state.id.us](mailto:dball@idwr.state.id.us).

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

Sincerely,

Dianne Ball  
Administrative Assistant

Enclosure(s)

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DEC 02 2003