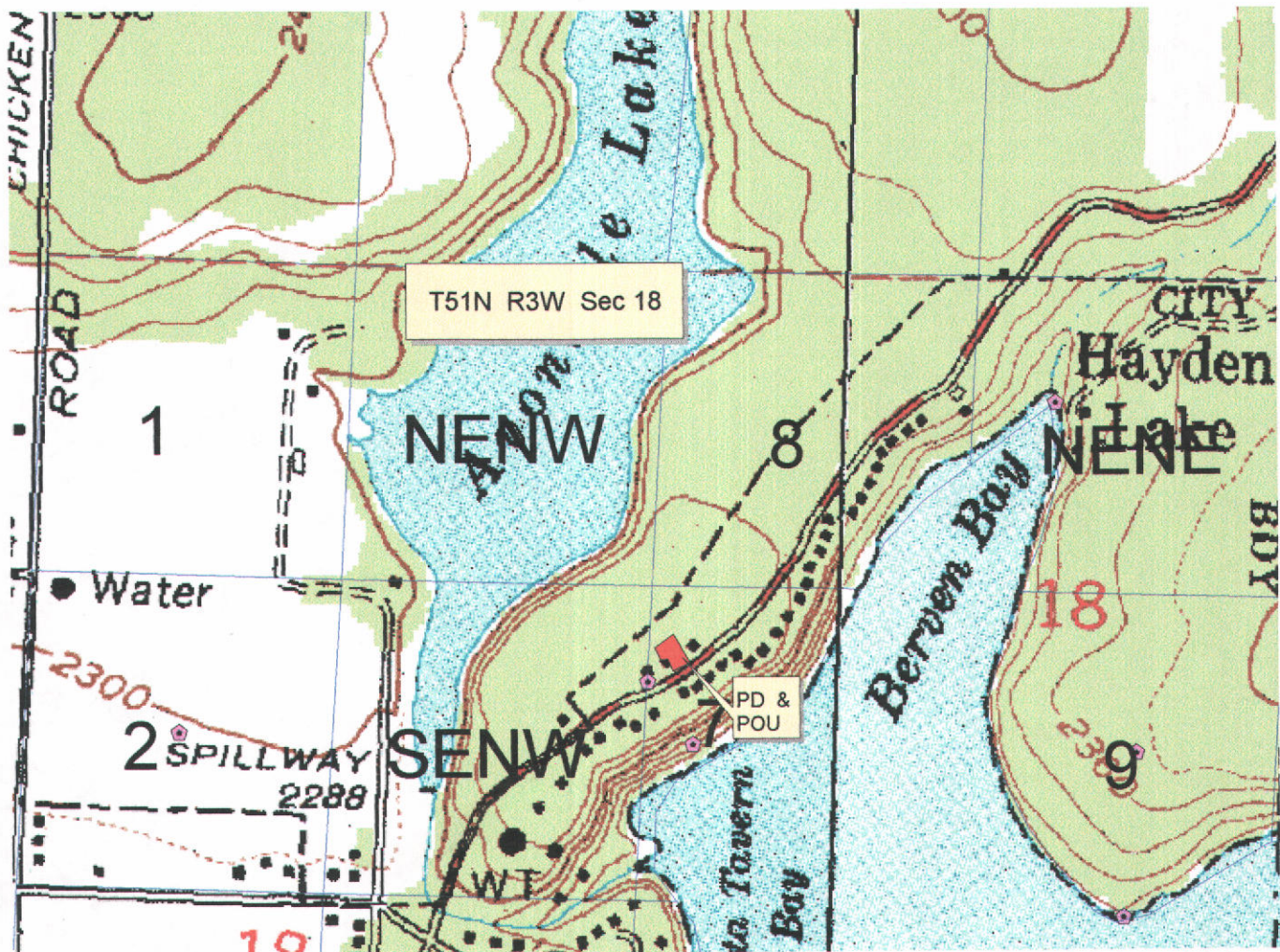


95-9162



0.2 0 0.2 0.4 Miles



GCDB51N03W GCDB
POD PermitPermit POD

MICROFILMED
MAR 26 2003

Point of Diversion
KNUDSEN, JAMES & CHERIE

Place of use
KNUDSEN, JAMES &
CHERIE



WRIGHT'S PARK, HAYDEN LAKE, ID

THIS MAP DOES NOT PURPORT TO SHOW ALL HIGHWAYS, ROADS OR EASEMENTS AFFECTING SAID PROPERTY; NO LIABILITY IS ASSUMED FOR VARIATIONS IN DIMENSIONS AND LOCATION.

SEC 18, T 51 N, R 3 W

MICROFILMED

MAR 26 2003

Cherie Knudsen 9/6/02

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
95-9162 IN THE NAME OF)
JAMES KNUDSEN AND CHERIE)
KNUDSEN)
_____)

REINSTATEMENT ORDER

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before January 1, 2004; and

WHEREAS, the Department notified the permit holder on October 31, 2003, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request; and

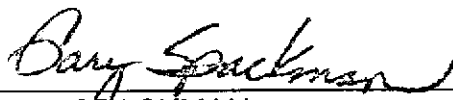
WHEREAS, the Department sent the permit holder a lapse notice on January 9, 2004, since the department had not received an acceptable proof of beneficial use statement or extension of time request; and

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting acceptable proof of beneficial use on March 2, 2004.

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 95-9162 is **REINSTATED** with an advance in priority to **November 4, 2002**.

DATED this 10th day of March, 2004.



GARY SPACKMAN

MICROFILMED
MAR 29 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 02 2004

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 95-9162 Telephone No. 208-772-9076

2. Name of Permit Holder(s): JAMES & Cherie Knudsen

3. Mailing Address: PO Box 386

City Hayden Lake, ID State ID Zip 83835

4. Source of Water: Well If GROUNDWATER (well), Date Drilled: mo. 9 / yr. 1998

Well Driller: Blue Water Drilling #452 Drilling Permit Number: Well Tag D 0005430
95-984-0174-000

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): .33 Other: ~~Other~~

6. Total rate of diversion and/or volume for which proof is submitted: 0.04 cfs OR _____ acre-feet

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

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

Measuring Device: Is a measuring device required?

Yes _____ or No X

Has the measuring device been installed?

Yes _____ or No X

ALREADY SENT

8. Fee Enclosed: \$ 7 (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: Cherie Knudsen Telephone Number: 208-772-9076

Address: PO Box 386 Hayden Lake, ID 83835

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: Cherie Knudsen
(include your title, if on behalf of company or organization)

Date: 2/22/04

MICROFILMED

This Replaces PRIOR proof of Beneficial Use
STATEMENT on 95-9162 that didn't have the
DATE The well was drilled on it.

MAR 29 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 02 2004

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 95-9162 Telephone No. 208-772-9076
2. Name of Permit Holder(s): JAMES KNUDSEN + Cherie Knudsen
3. Mailing Address: PO Box 386
City HAYDEN LAKE State ID Zip 83835
4. Source of Water: Well If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
Well Driller: BLUE WATER DRILLING Drilling Permit Number: 95-98-A-0124-000
Well TAG# 0005430
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): NA
Irrigation (No. of acres): NA Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.04 cfs OR _____ acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? 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: Cherie Knudsen Telephone Number: 208-772-9076
Address: PO Box 386 Hayden Lake, ID 83835
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: Cherie Knudsen Date: 2/25/04
(include your title, if on behalf of company or organization)

check enclosed

MICROFILMED
MAR 29 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09162

Priority: September 04, 2002

Maximum Diversion Rate: 0.04 CFS

This is to certify, that JAMES KNUDSEN And
CHERIE KNUDSEN
PO BOX 386
HAYDEN LAKE ID 83835

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L7 (SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) Sec. 18, Twp 51N, Rge 03W, B.M. KOOTENAI County

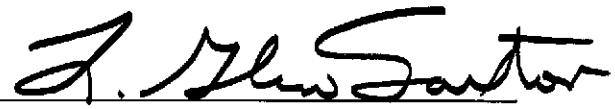
PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
51N 03W 18			X														
			L7														

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before January 1, 2004.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
5. Domestic use is for 1 home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 17th day of December, 2002.


for KARL J DREHER, Director

MICROFILMED

MAR 25 2003

70195

Ident. No. 95-9162

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

DEC 17 2002

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant JAMES & CHERIE KNUDSEN Phone 208-772-9076
Mailing address PO Box 386 Hayden ID 83835

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

3. Location of point of diversion is Township 51 N Range 3 W Sec. 18 in the SE $\frac{1}{4}$,
SW $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot 7, B.M., KOOTENAI County;
additional points of diversion if any:

4. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.04 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works: EXISTING Well

a. Describe type and size of devices used to divert water from the source _____

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

c. Proposed well diameter is 8 1/2 inches; proposed depth of well is 485 feet

d. Is ground water with a temperature of greater than 85°F being sought? _____

e. If well is already drilled, when? 9-30-99; Drilling firm BLUE WATER DRILLING
Well was drilled for (well owner) JAMES & CHERIE KNUDSEN; Drilling Permit No. 95-98-D-0174-000

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. _____

MICROFILMED

MAR 7 6 2003

9. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
51N	3W	18			0.25														

Total number of acres to be irrigated 0.25

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? JAMES + CHERIE KOUDESEN
- b. Who owns the land to be irrigated or place of use? JAMES + CHERIE KOUDESEN
- 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 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.)

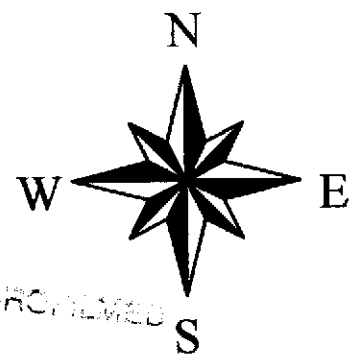
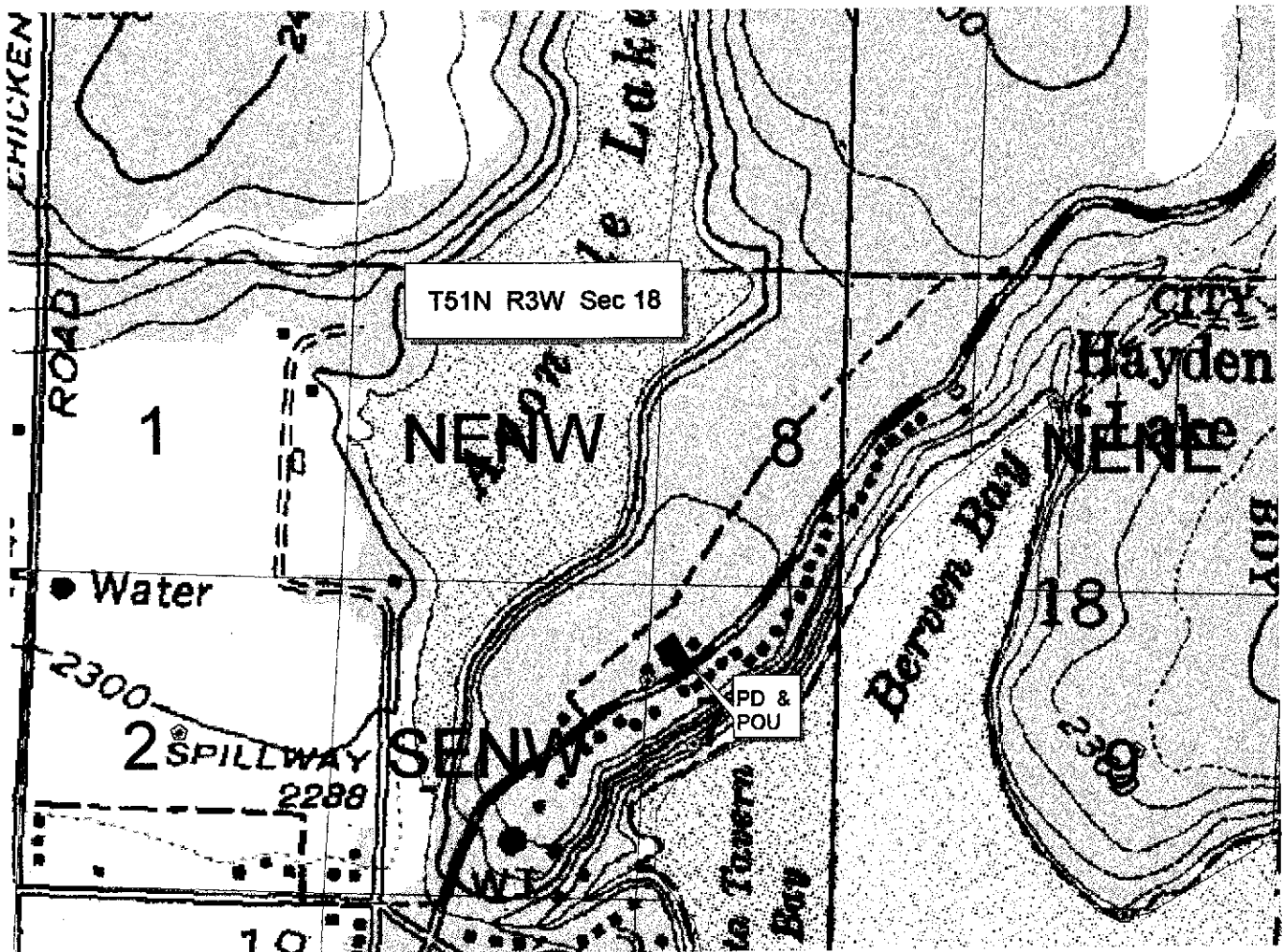
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED
MAR 26 2003

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

Received by [Signature] Date 9/4/02 Time 205P Preliminary check by [Signature]
 Fee \$ 100.00 Received by [Signature] # 1015258 Date 9/4/02
 Publication prepared by [Signature] Date 10/9/02 Published in Ada Press 10/17+24/02
 Publication approved [Signature] Date 10/25/02

95-9162



GCDB51N03W GCDB
POD PermitPermit POD

MICROFILMED
MAR 26 2003

Point of Diversion
KNUDSEN, JAMES & CHERIE

Place of use
KNUDSEN, JAMES &
CHERIE

Wright's

WRIGHT'S PARK, HAYDEN LAKE, ID

THIS MAP DOES NOT PURPORT TO SHOW ALL HIGHWAYS, ROADS OR EASEMENTS AFFECTING SAID
PROPERTY; NO LIABILITY IS ASSUMED FOR VARIATIONS IN DIMENSIONS AND LOCATION.

SEC 18, T 51 N, R 3 W

MICROFILMED

Cherie Knudsen 9/6/02



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 9, 2004

JAMES KNUDSEN
CHERIE KNUDSEN
PO BOX 386
HAYDEN LAKE ID 83835

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-9162

Dear Permit Holder:

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

Upon review of your proof, I find that you paid \$50.00 for the license examination fee with this proof. The department has permitted this right for a maximum diversion rate of 0.04 cfs, which the license exam fee is waived for groundwater rights. I have requested that the State of Idaho issue you a check for \$50.00. This check will be mailed to you within 7-10 business days.

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.

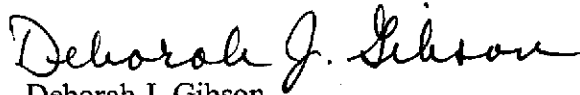
MICROFILMED

MAR 29 2004

Mr. and Mrs. Knudsen
March 9, 2004
Page 2

If you have any questions, please contact the **Northern** Regional Office of the department in Coeur d'Alene (208) 769-1450, or myself at (208)327-7953.

Sincerely,



Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

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

MICROFILMED
MAR 23 2004

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-9162

Reviewed By: dgibson

Date: March 8, 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.:	95-98-AK-0174-000	
Appropriate fee submitted?		X	Drilling permit upgrade needed?		
Receipt No.:	N015258, C072879		Well driller's report filed?		X
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	03/02/2004
Date proof due	- 01/01/2004
Lapse notice sent	- 01/09/2004
No. of days late	= 61
Holiday allowance	+
Priority date	+ 09/04/2002
New priority date	= 11/4/2002

Deficiencies of Actions Items

Permit is lapsed. License exam fee is not appropriate. Refund \$50.00. Reinstate permit without additional evidence, because proof received on the 53rd day after the lapse notice was mailed. New priority date is 11/4/2002.

*Check database to make
out this manual charge
was added.
(oh)*

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 95-9162 Reviewed by dy Date 3/8/04

GENERAL CONSIDERATIONS

Yes Name same as permit?
Yes Address same as permit?
No Proof timely received?
If not, complete calculation below.

TYPES OF USE

Domestic / 1 household

Correct Uses? Yes

SOURCE OF WATER

 Surface water source

Y Ground water source

Yes Drilling permit required?

No Copy in the file? Drilling Permit No.

 Amount paid for permit Correct?

No Well log in the file?

LICENSE EXAMINATION FEE

No Required?
\$50 Amount Submitted
No Correct? (refund)

MEASURING DEVICE

No Required?
No Installed?
No Waiver requested?

PRIORITY CALCULATION

Date proof received	<u>3/2/04</u>	<u>61</u>
Date proof due	<u>1/1/04</u>	<u>0</u>
No. of days late	=	<u>61</u>
Priority Date	<u>9/4/02</u>	+ <u>247</u>
New Priority Date	<u>11/4/02</u>	<u>308</u>

*Lapse notice 1/9/04 = 9
- 62
53

*Ok to
reinstates
w/o evidence.
Advance priority
61 days.

DEFICIENCIES OR ACTION ITEMS

Refund fee of \$50.⁰⁰ Permit lapsed. Reinstates
w/o add'l. evidence & advance priority to
11/4/02.

DATA ENTRY

New Address 160/A Proof Made 3/2/04

January 9, 2004

JAMES KNUDSEN
CHERIE KNUDSEN
PO BOX 386
HAYDEN LAKE, ID 83835

LAPSE NOTICE

RE: PERMIT NO. 95-9162

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in the proof due notice dated October 31, 2003. No further construction or additional development is authorized under this permit unless it is reinstated.

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

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

Sincerely,

Gary Spackman,

Enclosures

MICROFILMED

MAR 29 2004

CERTIFICATION OF MAILING
The following document was
mailed on 1/12/04
in accordance with the provisions of
Idaho Code, Section 42-218A, and
the provisions of the permit
numbered 95-9162, to the
individual(s) named above.

dy

October 31, 2003

JAMES KNUDSEN
CHERIE KNUDSEN
PO BOX 386
HAYDEN LAKE, ID 83835

PROOF DUE NOTICE

RE: PERMIT NO. 95-9162

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 01, 2004. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

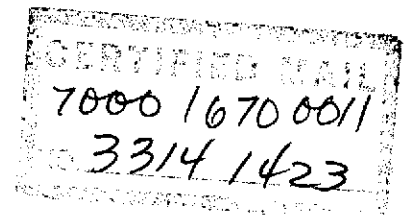
Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

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

December 18, 2002

JAMES KNUDSEN
CHERIE KNUDSEN
PO BOX 386
HAYDEN LAKE ID 83835

RE: Permit No. 95-9162

Permit Approval Notice

Dear Permit Holder:

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

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

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

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

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

MICROFILMED

MAR 28 2003

If you have any questions, please contact me at 208-327-5452.

Sincerely,

A handwritten signature in cursive script that reads "Sharla R. Curtis".

Sharla R. Curtis

Sr. Water Resource Agent

SRC:klt

Enclosure(s)

MICROFILMED

MAR 26 2001

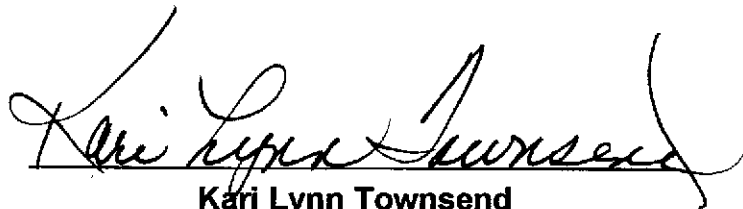
CERTIFICATE OF SERVICE

I hereby certify that on December 18, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

95-9162

**JAMES KNUDSEN
CHERIE KNUDSEN
PO BOX 386
HAYDEN LAKE ID 83835**

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

**Kari Lynn Townsend
Secretary**

MICROFILMED

MAR 26 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

APPROPRIATION APPLICATION ANALYSIS SHEET

W.R. # 95-9162

APPLICATION ID # 70195
INITIAL REVIEW

ENT. 10/9/02 BCA 10/9 OK to Publish 10/9

APPLICANT: Knudsen

BY: RNT DATE: 10/9/2002

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

PROCESSING

(Yes)(No)

PRIORITY DATE: 9/14/2002

(Include Moratorium Remark)

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

RECEIVED

DEC 17 2002

Department of Water Resources

ADVERTISE IN:

Kootenai Count

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
- () Power Information () Other: _____

INFORMATION RECEIVED:

- () Dam Information () Fish Information
- () Power Information () Other: _____

GROUNDWATER SECTION

WD Permit No.'s:

Tag # Type:

Fees

Receipt No.

Upgrade Needed?

95-1998-N-114

D5430

Dom.

Non-Dom.

Paid \$

Receipt No.

Y() N()

well # 272683

Dom.

Non-Dom.

Paid \$

Receipt No.

Y() N()

Permit # 754716

Dom.

Non-Dom.

Paid \$

Receipt No.

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

10/25 ☒ Affidavit of publication received

10/25 ☒ Application published correctly. If not, record action taken: _____

10/9 ☒ Publication dates and paper recorded on application

☒ Protests received,

Final protest date:

Sr. Agent initial

☒ Measuring device required

☒ Measuring port required

☒ Special conditions:

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

Approval Recommended by:

RNT

Date: 12/10/2002

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

SS.

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 *2* consecutive *weeks* commencing on the *17* day of *October* 20 *or* and ending on the *24* day of *October* 20 *or* and such publication was made as often during said period as said *Daily* newspaper was regularly issued.

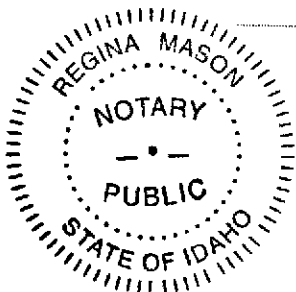
4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Misti Flood

Personally appeared before me this *24* day of *October* 20 *02* *Regina Mason*

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

MY COMMISSION EXPIRES 6/18/03



The following applications have been filed to appropriate the public waters of the State of Idaho
95-9159

RONALD BARENE
VALERIE BARENE
8349 TWO SPRINGS
COEUR D'ALENE ID 83814
Point(s) of Diversion NENW S19 T50N R04W KOOTENAI County
Source GROUNDWATER
Use: DOMESTIC 01/01 To 12/31 0.06 CFS
Total Diversion 0.06 CFS

Date Filed: 09/30/2002
Place of Use: DOMESTIC
T50N R04W S19 SENW
Remark: Domestic use is for 2 homes.
95-9160

DONALD P HERMAN
TERRY TRITTEN
W 2763 VALHALLA RD
COEUR D'ALENE ID 83814
Point(s) of Diversion NENW S11 T49N R04W KOOTENAI County
Source GROUNDWATER
Use: IRRIGATION 03/15 To 11/15 0.03 CFS
Use: DOMESTIC 01/01 To 12/31 0.06 CFS
Total Diversion 0.06 CFS

Date Filed: 09/05/2002
Place of Use: IRRIGATION
T49N R04W S11 NENW
Number of Acres 1
Place of Use: DOMESTIC same as IRRIGATION
Remark: Domestic use is for 2 homes
95-9161

MIKE NEWELL
1100 E LAKESHORE DR SUITE 102B
COEUR D'ALENE ID 83814
Point(s) of Diversion SESE S32 T50N R04W KOOTENAI County
Source UNNAMED STREAM Tributary to KIDD CREEK
Use: WILDLIFE STORAGE 01/01 To 12/31 9AFA
Use: FIRE PROTECTION STORAGE 01/01 To 12/31 9AFA
Use: AESTHETIC STORAGE 01/01 To 12/31 9AFA
Total Diversion 9AFA

Date Filed: 09/17/2002
Place of Use: WILDLIFE STORAGE, AESTHETIC STORAGE, and FIRE PROTECTION STORAGE
T50N R04W S32 SESE
95-9162

CHERIE KNUDSEN
JAMES KNUDSEN
PO BOX 386
HAYDEN LAKE ID 83835
Point(s) of Diversion L7 SESWNE S18 T51N R03W KOOTENAI County
Source GROUNDWATER
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion 0.04 CFS

Date Filed: 09/04/2002
Place of Use: DOMESTIC
T51N R03W S18 SWNE Lot 7
Remark: Domestic use is for 1 home.
95-9163

MISCHELLE R FULGHAM
1400 VALLEY VIEW RD
POST FALLS ID 83854
Point(s) of Diversion L3 NWSE S23 T49N R04W KOOTENAI County
Source: COEUR D'ALENE LAKE Tributary To SPOKANE RIVER
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion 0.04 CFS

Date Filed: 09/16/2002
Place of Use: DOMESTIC
T49N R04W S23 SWNE Lot 3 NESW Lot 3
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, Idaho 83814 together with a protest fee of \$25.00 for each application on or before 11/04/2002. The protestant must also send a copy of the protest to the applicant.

Legal 1945
October 17, 24, 2002

KARL J DREHER, Director

MICHO, LMEC

OCT 25 2002

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

95-9159

RONALD BARENE
VALERIE BARENE
8349 TWO SPRINGS RD
COEUR D ALENE ID 83814

Point(s) of Diversion NENW S19 T50N R04W KOOTENAI County
Source GROUND WATER

Use: DOMESTIC 01/01 To 12/31 0.06 CFS
Total Diversion: 0.06 CFS

Date Filed: 09/30/2002

Place Of Use: DOMESTIC

T50N R04W S19 SENW

Remark: Domestic use is for 2 homes.

95-9160

DONALD P HERMAN
TERRY TRITTEN
W 2763 VALHALLA RD
COEUR D ALENE ID 83814

Point(s) of Diversion NENW S11 T49N R04W KOOTENAI County
Source GROUND WATER

Use: IRRIGATION 03/15 To 11/15 0.03 CFS
Use: DOMESTIC 01/01 To 12/31 0.06 CFS
Total Diversion: 0.06 CFS

Date Filed: 09/05/2002

Place Of Use: IRRIGATION

T49N R04W S11 NENW

Number of Acres 1

Place Of Use: DOMESTIC same as IRRIGATION

Remark: Domestic use is for 2 homes.

95-9161

MIKE NEWELL
1100 E LAKESHORE DR SUITE 102B
COEUR D ALENE ID 83814

Point(s) of Diversion SESE S32 T50N R04W KOOTENAI County

Source UNNAMED STREAM Tributary To KIDD CREEK

Use: WILDLIFE STORAGE 01/01 To 12/31 9 AFA

Use: FIRE PROTECTION STORAGE 01/01 To 12/31 9 AFA

Use: AESTHETIC STORAGE 01/01 To 12/31 9 AFA

Total Diversion: 9 AFA

Date Filed: 09/17/2002

Place Of Use: WILDLIFE STORAGE, AESTHETIC STORAGE and FIRE PROTECTION STORAGE

T50N R04W S32 SESE

95-9162

✓
CHERIE KNUDSEN
JAMES KNUDSEN
PO BOX 386
HAYDEN LAKE ID 83835

Point(s) of Diversion L7 SESWNE S18 T51N R03W KOOTENAI County

Source GROUND WATER

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

Total Diversion: 0.04 CFS

Date Filed: 09/04/2002

Place Of Use: DOMESTIC

T51N R03W S18 SWNE Lot 7

Remark: Domestic use is for 1 home.

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MAR 28 2003

Continued on next page

95-9163

MISCHELLE R FULGHAM
1400 VALLEY VIEW RD
POST FALLS ID 83854

Point(s) of Diversion L3 NWSE S23 T49N R04W KOOTENAI County
Source COEUR D ALENE LAKE Tributary To SPOKANE RIVER
Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 09/16/2002

Place Of Use: DOMESTIC

T49N R04W S23 SWNE Lot 3 NESW Lot 3

Remark: Domestic use is for 1 home. Sincerely,

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 11/04/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published in Coeur d'Alene Press on October 17 and 24, 2002.

MICROFILMED

MAR 25 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

October 09, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

FAXED TO MISTY FLOOD at 664-0212

10/9/02 - 3 pages total

Please call to confirm receipt, and

Please FAX copy of proof prior to publication - THANKS!!



RE: Application for Permit No. 95-9159, 95-9160, 95-9161, 95-9162 and 95-9163

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 11/04/2002. Your cooperation is greatly appreciated.

Thanks & C

It's always a pleasure working with you.

Sincerely

Dianne Ball
Administrative Assistant

MICROFILMED

MAY 25 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

October 09, 2002

CHERIE KNUDSEN
JAMES KNUDSEN
PO BOX 386
HAYDEN LAKE ID 83835

RE: Application for Permit No 95-9162

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 October 17 and 24, 2002. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

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

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

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

Sincerely,

Allen Beardslee
Senior Water Resource Agent

MICROFILMED

10/23/03