

Approximate Scale
1" = 350

Legend

.... Wetland Boundary

— Max. Water Surface
of Pond

Dam

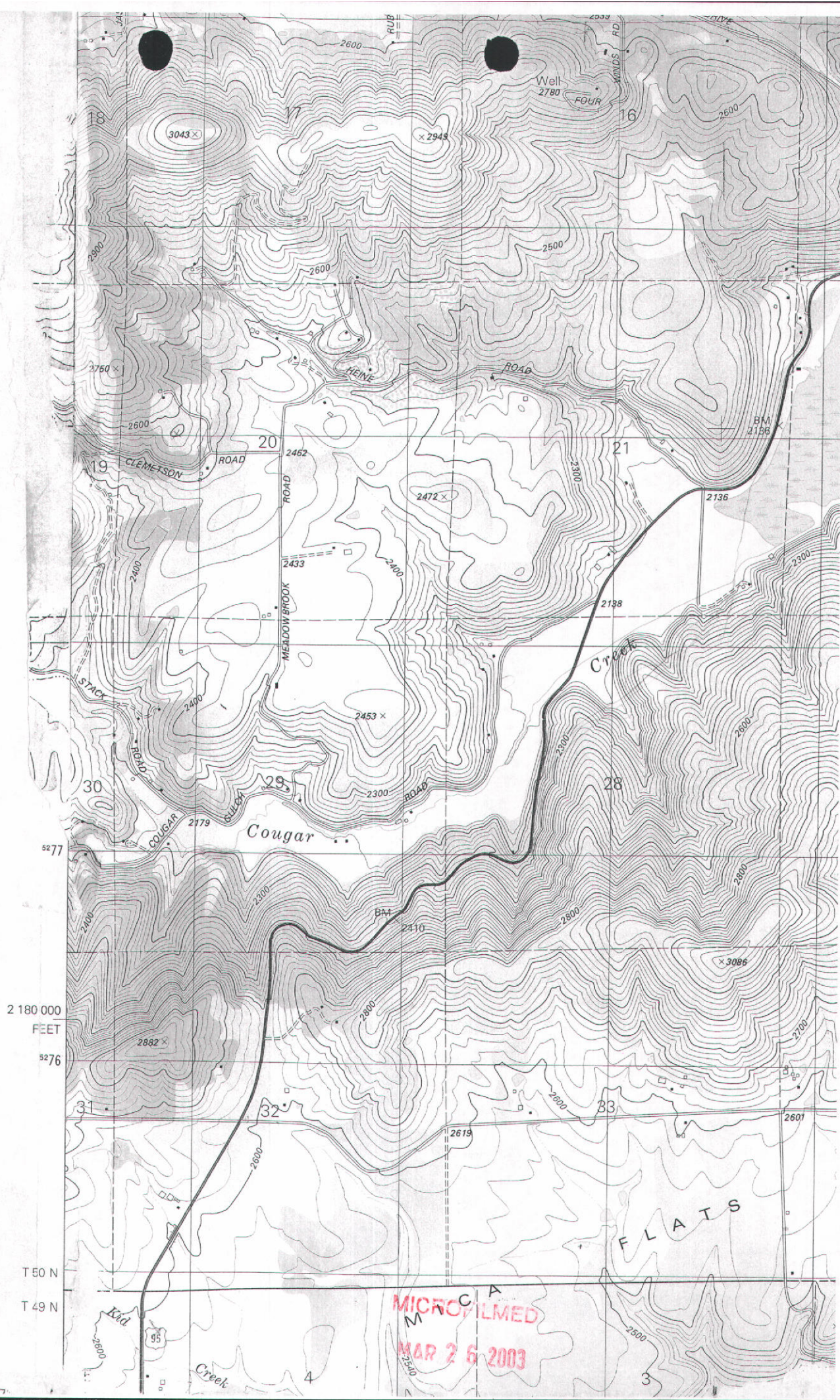


Long Fill

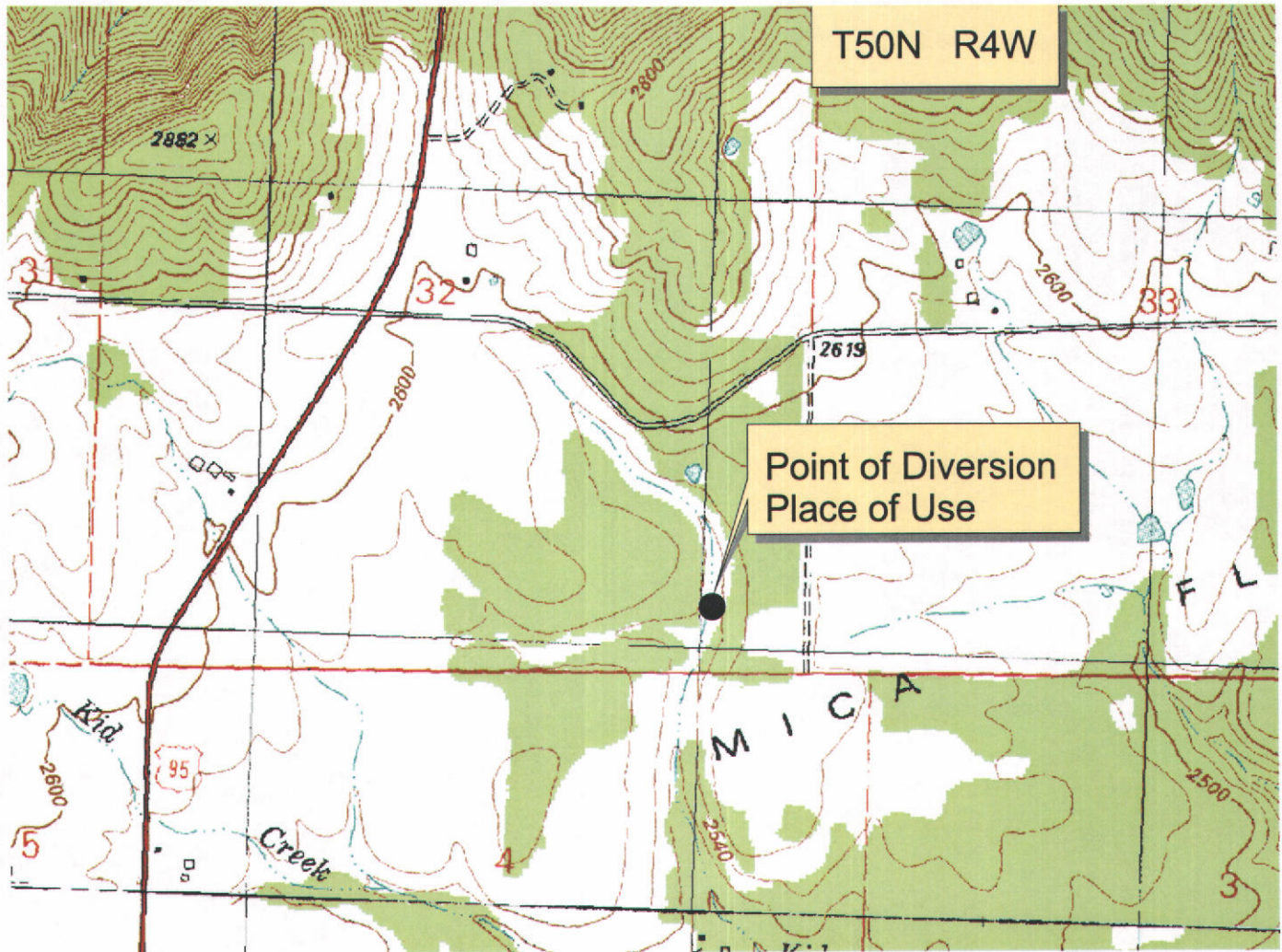
MICROFILMED
MAR 26 2003

★ Acres of wetland
Impacted = 2.5 ac



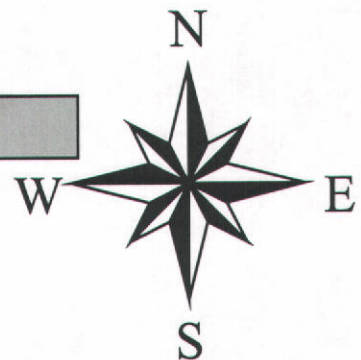


Newell



Unknown Units: View1

Legend for View1



MICROFILMED
MAR 26 2003

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
95-9161 IN THE NAME OF)
MICHAEL J NEWELL)
_____)

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 December 1, 2003; and

WHEREAS, the Department notified the permit holder on September 30, 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

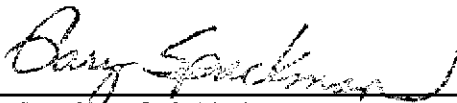
WHEREAS, the Department sent the permit holder a lapse notice on December 9, 2003, since the department had not received an acceptable proof of beneficial use statement or extension of time request; and

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 January 20, 2004.

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 95-9161 is **REINSTATED** with an advance in priority to **November 6, 2002**.

DATED this 9th day of February, 2004.



GARY SPACKMAN

MICROFILMED

MAR 29 2004

STATE OF IDAHO
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. 95-9161 Telephone No. 208-664-0128

2. Name of Permit Holder(s): Michael J Newell

3. Mailing Address: 1100 E. Lakeshore Dr. Ste 102B

City Coeur d'Alene State ID Zip 83814

4. Source of Water: Groundwater 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): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: Pond

6. Total rate of diversion and/or volume for which proof is submitted: _____ cfs OR 9 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: \$ _____ (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: Michael J Newell Telephone Number: 208-664-0128

Address: 1100 E Lakeshore Dr Ste 102B COA

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: 1-9-04
(include your title, if on behalf of company or organization)

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MAR 29 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09161

Priority: September 17, 2002

Maximum Diversion Volume: 9.0 AF

This is to certify, that **MIKE NEWELL**
1100 E LAKESHORE DR STE 102B
COEUR D ALENE ID 83814

has applied for a permit to appropriate water from:

Source: UNNAMED STREAM **Tributary:** KIDD CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31	9.0 AF
AESTHETIC STORAGE	01/01 to 12/31	9.0 AF
FIRE PROTECTION STORAGE	01/01 to 12/31	9.0 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32, Twp 50N, Rge 04W, B.M.KOOTENAI County

PLACE OF USE: WILDLIFE STORAGE

Twp Rge Sec	NE			NW			SW			SE			Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N 04W 32												X	

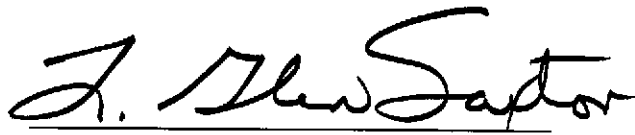
PLACE OF USE: AESTHETIC STORAGE, same as Wildlife Storage

PLACE OF USE: FIRE PROTECTION STORAGE, same as Wildlife Storage

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **December 1, 2003**.
2. Subject to all prior water rights.
3. Water shall not be diverted from storage for fire protection use under this right except to fight or repel an existing fire.
4. Wildlife and aesthetic storage uses are for a pond.
5. The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 22nd day of November, 2002.


for **KARL J DREHER, Director**

MICROFILMED
MAY 2 6 2002

Ident. No. 95-9161

70194

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

NOV 21 2002

Department of Water Resources

1. Name of Applicant Mike Newell Phone 208-664-0128
Mailing address 1109 E. Lakeshore Dr. Suite 102B Camas WA 98601
2. Source of water supply River of Fundamentals Stream which is a tributary of Kidd Creek
3. Location of point of diversion is Township T50N Range R4W Sec. 32, in the SE $\frac{1}{4}$, SE $\frac{1}{4}$, Govt. Lot Rooten, B.M., Rooten County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | | |
|--|--|
| Amount <u>100% 9.0</u> for <u>Wildlife</u> (STORAGE) purposes from <u>1 Jan</u> to <u>31 Dec</u> (both dates inclusive)
(cfs or acre-feet per annum) | |
| Amount <u>100% 9.0</u> for <u>Aesthetics</u> (STORAGE) purposes from <u>1 Jan</u> to <u>31 Dec</u> (both dates inclusive)
(cfs or acre-feet per annum) | |
| Amount <u>100% 9.0</u> for <u>Fire Protection</u> (STORAGE) purposes from <u>1 Jan</u> to <u>31 Dec</u> (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) _____ and/or (b) 9 ac-ft
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 Principal Spillway 24"
Emergency Spillway @ 18'W 1'6" Depth
- b. Height of storage dam 10' feet; active reservoir capacity 9 acre-feet; total reservoir capacity 9 acre-feet
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- d. Is ground water with a temperature of greater than 85°F being sought? No
- 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. _____
- e. Other; describe fully. Wildlife and Aesthetics

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03/27/2013

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	
50N	4W	32																I.W. R	

STORAGE

Total number of acres to be irrigated _____

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

Fire Protection

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

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

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

12. Remarks: _____

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

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

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

Received by [Signature] Date 9/17/02 Time 10:30 Preliminary check by [Signature]
 Fee \$ 100 Receipted by [Signature] # 201527 Date 9/17/02
 Publication prepared by [Signature] Date 10/9/02 Published in CDR Press 10/17/24/02
 Publication approved [Signature] Date 10/25/02

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MAY 26 2003

Approximate Scale
1" = 350

Legend

.... Wetland Boundary

— Max. Water Surface of Pond

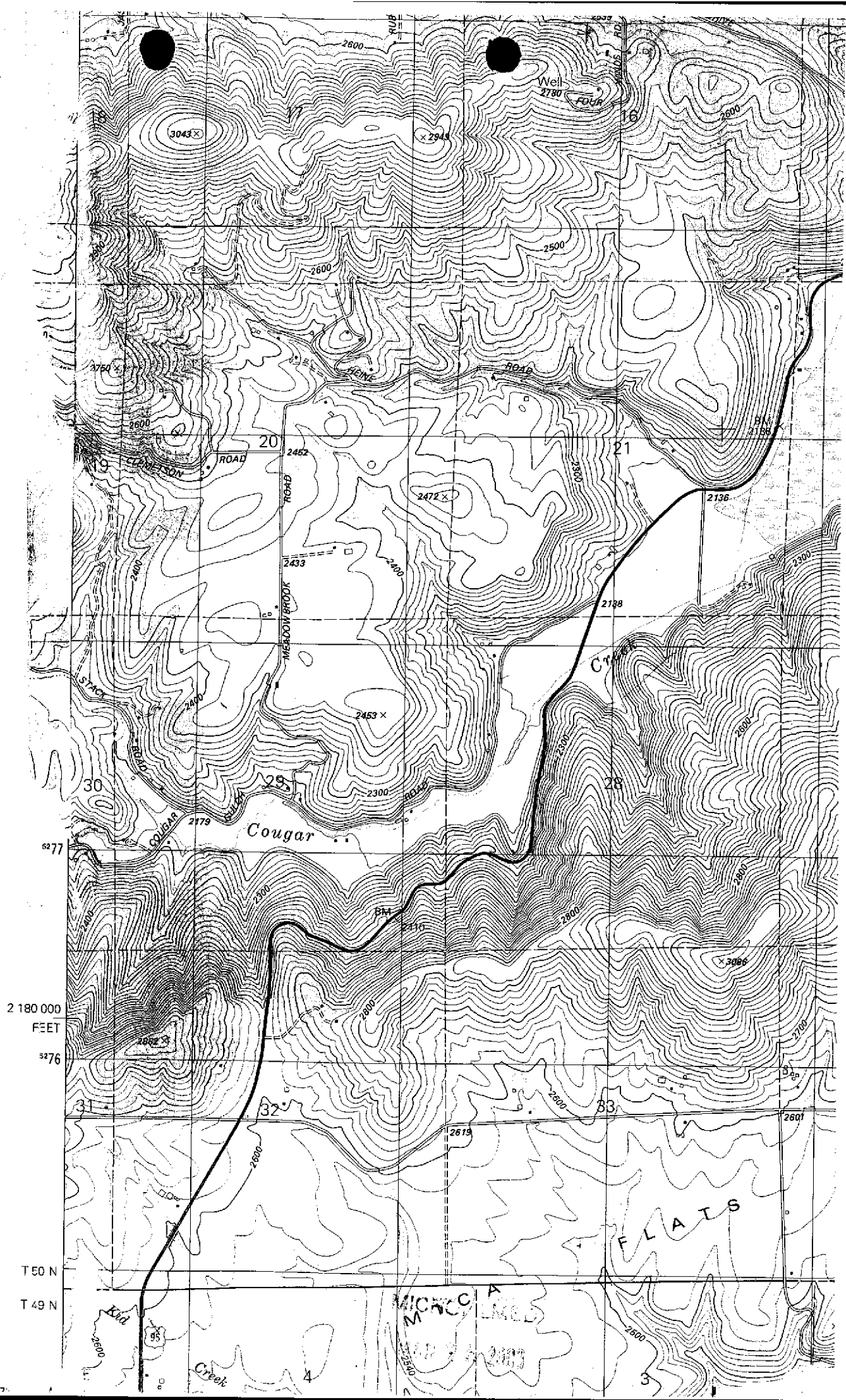
— Dam



Long Fill

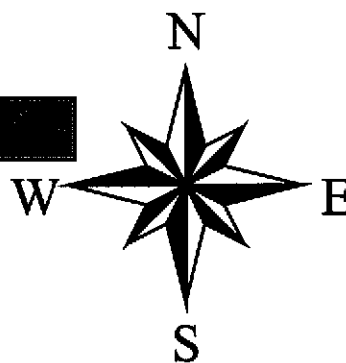
* Acres of wetland
Impacted: 2.5 ac







Point of Diversion
Place of Use



Logfile for V-@341

MICRO. JASO

MAR 16 2001



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

February 10, 2004

MICHAEL J NEWELL
1100 E LAKESHORE DR STE 102B
COEUR D ALENE ID 83814

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-9161

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.

I am returning your original Request for Extension of Time that was attached to the Proof of Beneficial Use. I can only accept either a proof or a request. You stated in the Request for Extension of Time that you have completed the construction of the pond and it is filling, therefore, proof is appropriate.

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.

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

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

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FEB 23 2004

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-9161

Reviewed By: dgibson

Date: February 9, 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.:		N015279, C072357	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		01/20/2004
Date proof due	-	12/01/2003
Lapse notice sent	-	12/09/2003
No. of days late	=	50
Holiday allowance	+	
Priority date	+	09/17/2002
New priority date	=	11/06/2002

Deficiencies of Actions Items

Acknowledge proof. Return Request for Extension. Reinstate permit and advance priority to 11/6/2002.

December 9, 2003

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

LAPSE NOTICE

RE: PERMIT NO. 95-9161

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 September 20, 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
Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING
I hereby certify that on 12/9/03
a true and original of this document was
deposited in the United States mail,
MICROFILMED and addressed to the
individual(s) named above.
MAR 23 2004 *dy*

September 30, 2003

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

PROOF DUE NOTICE

RE: PERMIT NO. 95-9161

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 December 01, 2003. (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.

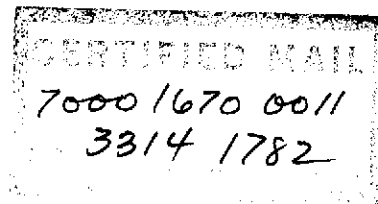
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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



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MAR 25 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 22, 2002

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

RE: Permit No. 95-9161

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.

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MAR 26 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 2003

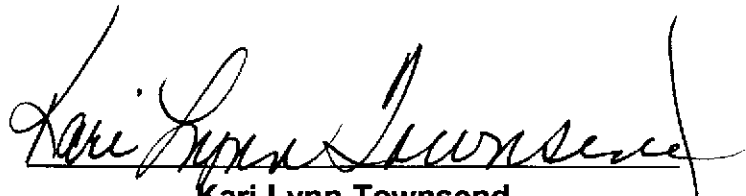
CERTIFICATE OF SERVICE

I hereby certify that on November 22, 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.

95-9161

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


**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.

MICROFILMED

MAY 26 2002

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

W.R. # 015-9161

APPLICATION ID # 70194
INITIAL REVIEW

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

APPLICANT: NORWA BY: [Signature] DATE: 9/17/02

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)

RECEIVED

NOV 21 2002

Department of Water Resources

PROCESSING

(Yes)(No)

PRIORITY DATE: 9/17/02

(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

*** 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 # _____

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
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

Final protest date: 11/4/02 Sr. Agent initial _____

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

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

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, 2002, and ending on the 24 day of October, 2002, 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.

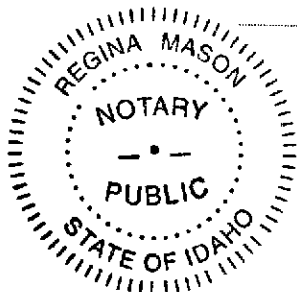
Misti Flood

Personally appeared before me this 24 day of October, 2002.

Regina Mason

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

MY COMMISSION EXPIRES 6/18/03



RECEIVED
OCT 25 2002
DWR/North

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 PRO-
TECTION 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

MICROFILMED

MAR 26 2003

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.

MICROFILMED

MAY 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 28 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

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.

Thank you

It's always a pleasure working with you.

Sincerely

Dianne Ball
Administrative Assistant

MICROFILMED

MAR 15 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

(208) 769-1450

Fax (208) 769-1454

October 09, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

RE: Application for Permit No 95-9161

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

RECEIVED

OCT 23 2002



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

Fax (208) 769-1454

October 09, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

Faxed to Ray on 10/9/02 - 7 pages total

Application to Permit No. 95-9161

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 of receipt of this request.

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Dianne', is written in dark ink.

Dianne Ball
Administrative Assistant

Enclosure(s)

RECEIVED
OCT 14 2002

State of Idaho
Department of Water Resources
Application for Permit
RECOMMENDATION FORM

Application for Permit No 95-9161
Applicant's Name: MIKE NEWELL
1100 E LAKESHORE DR SUITE 102B
COEUR D ALENE ID 83814

Recommendation:

- a) ☐ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:
- c) ☐ I oppose approval of this application for the following reasons:
- d) ☐ Additional Comment:

Dated this _____ day of _____,

Signature

MICHAEL J. JONES

SEP 15 2000