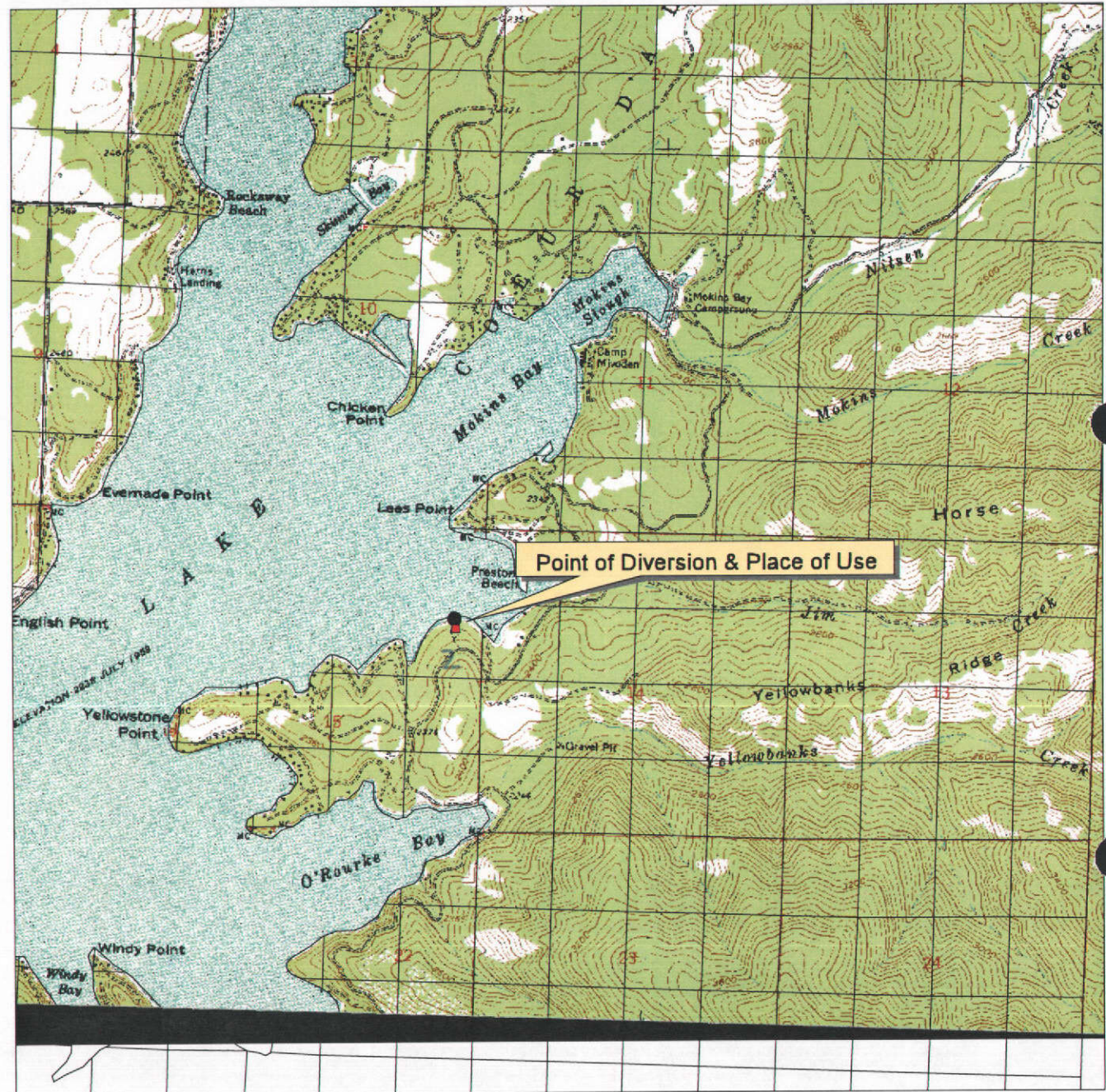


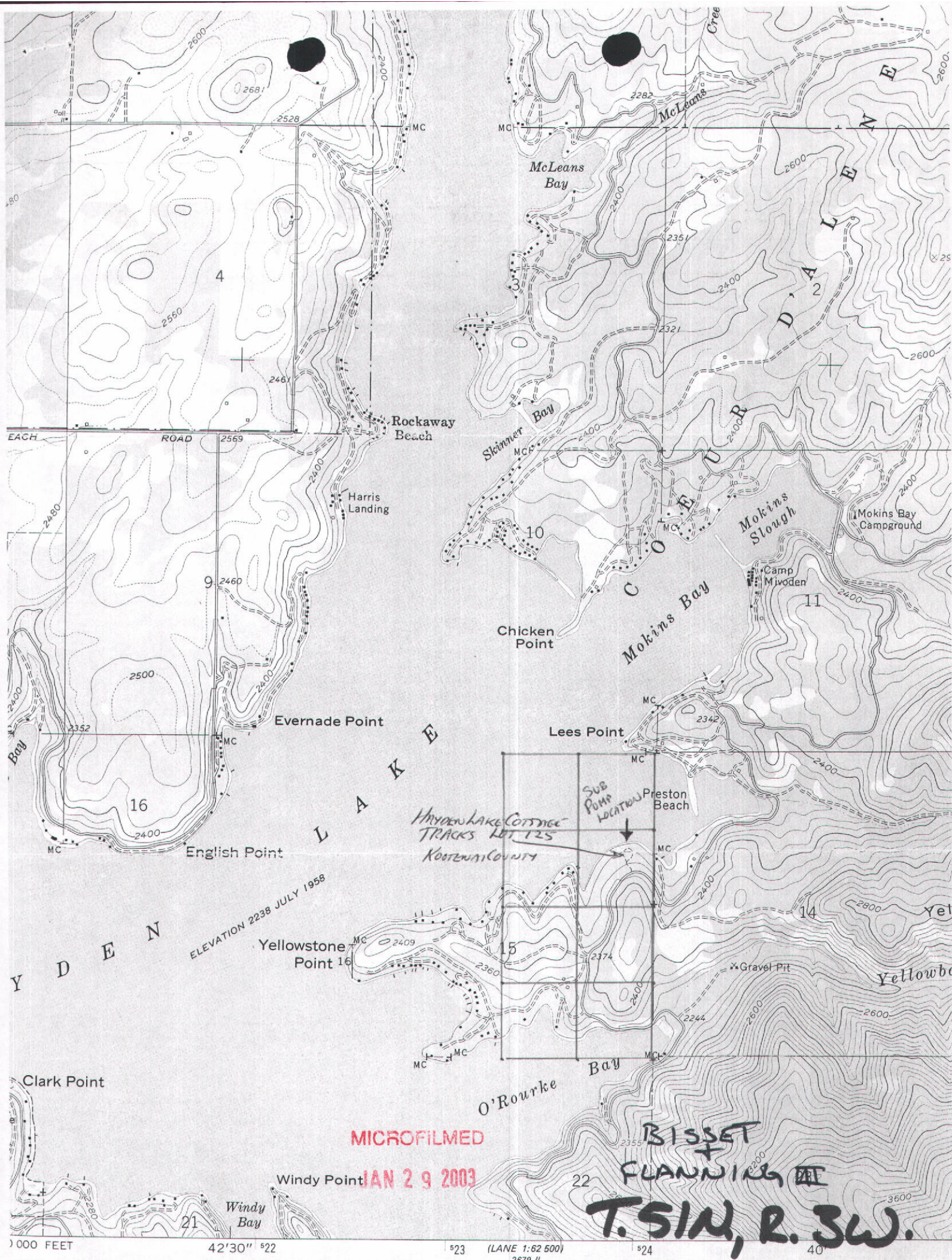


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JAN 29 2003

MICROFILMED





EACH ROAD 2569

Y D E N
ELEVATION 2238 JULY 1958

HYDRA-LAKE COTTAGE
TRACKS LOT 125
KOSTENNA COUNTY

SUB
PUMP
LOCATION

MICROFILMED

Windy Point JAN 29 2003

BISSET
FLANNERY
T. SIN, R. SW.

JAN 29 2003

MICROFILMED

Sec. 8.
631.54

Sec. 9.
531.88

Sec. 10.
150.06

Sec. 11.
256.2
293.45

Sec. 17.
153.01

Sec. 16.
123.37

Sec. 15.
234.49

Sec. 14.
192.53

HAYDEN'S

LAKE

Sec. 20.
403.47

Sec. 21.
275.60

Sec. 19.
359.97

Sec. 22.
634.93

JAN 29 2003

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Sec. 9

271.85

4190

3193

2773

4633

Sec. 16

128.37

LAKE

Sec. 10

150.06

Sec. 11

793.95

36.80

Sec. 12

TANAPACT

Sec. 13

234.93

Sec. 14

192.98

Sec. 15

6.41

Sec. 21

275.60

Sec. 22

359.87

Sec. 23

639.93

Sec. 24

6.40

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 19 2002

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. 95-09110 Telephone No. 208-772-7251

2. Name of Permit Holder(s): J. J. FANNING III / J. BISSET

3. Mailing Address: 7875 E. BURLEY CT.

City HAYDEN State ID. Zip 83835

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

a. 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): _____ 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 ☒

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: JACK FANNING Telephone Number: 208-772-7251

Address: 7875 E. BURLEY CT. HAYDEN 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:

[Signature] J. Bisset
(include your title, if on behalf of company or organization)

Date:

30 July 02

MICROFILMED

JUL 29 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09110

Priority: 09/27/2001

Maximum Diversion Rate: 0.04 CFS

This is to certify, that J J FANNING III
7875 E BURLEY CT
HAYDEN ID 83835

And

J BISSET
3500 S CAMANO DR
CAMANO ISLAND WA 98292

has applied for a permit to appropriate water from:

Source: HAYDEN LAKE Tributary: SINKS

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:
HAYDEN LAKE L2 SE 1/4 NE 1/4 Sec. 15, Twp 51N, Rge 03W, 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	
51N	03W	15				X									
						L 2									

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before August 1, 2003.
2. Subject to all prior water rights.
3. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.
4. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
5. Place of use is located within Lot 125, Hayden Lake Cottage Tracts.
6. 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 25th day of July, 2002


KARL J DREHER, Director
for MICROFILMED

JAN 29 2002

69675

Ident. No. 95-9110

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

MAY 16 2002

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant J.J. FANNING III & J. BISSET Phone 208 772-7251 360 387-1427
Mailing address 1875 E. BURLEY CT. HAYDEN ID 83835 3500 S. CAMANO DR. CAMANO ISLAND WA 98292
2. Source of water supply HAYDEN LAKE which is a tributary of N/A SINKS
3. Location of point of diversion is Township 15(51N) Range 3.W Sec. 15, in the SE $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot HAYDEN LAKE COTTAGE TR LOT 125 4-1-2, B.M., Kootenai County;
additional points of diversion if any: NONE

4. Water will be used for the following purposes:

- Amount 0.04 for DOMESTIC purposes from 4/1 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:

- a. Describe type and size of devices used to divert water from the source 1/2 hp Sub. Pump
1 1/4" CHECK VALVE HOUSE TO PUMP APPROX 200' HORIZONTAL (APPROX 40' INTO LAKE) @ 30' DEPTH
- 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? N/A; Drilling firm N/A
Well was drilled for (well owner) N/A; Drilling Permit No. N/A

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

JAN 29 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.

6.1.2

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	15				D													

Total number of acres to be irrigated _____

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? J. Fanning / J. Bisset

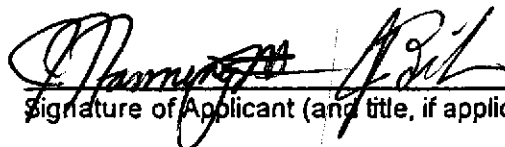
b. Who owns the land to be irrigated or place of use? N/A

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

12. Remarks: THIS REQUEST IS FOR ONE HOUSE DOMESTIC USE

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.)

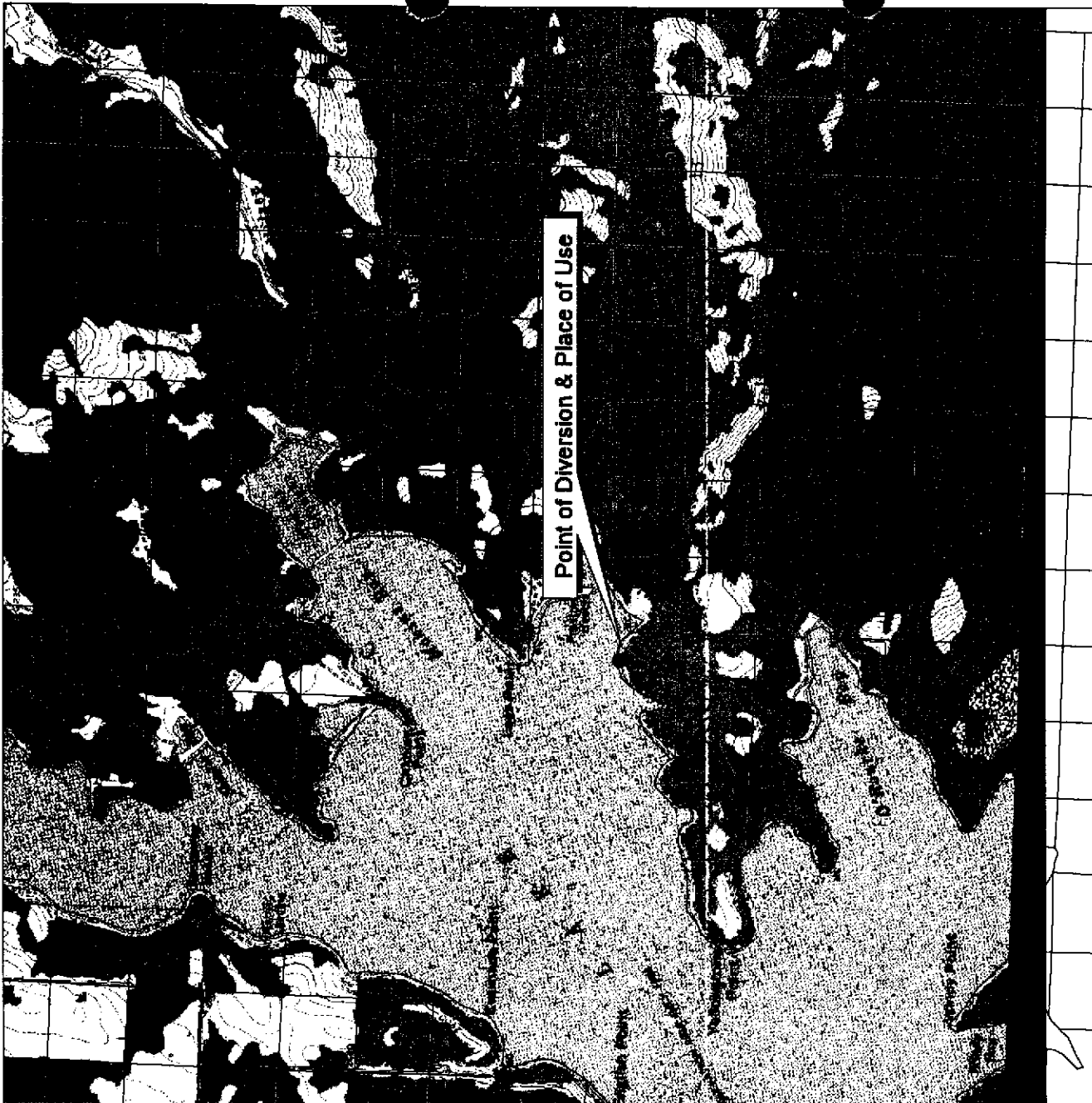
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.


Signature of Applicant (and title, if applicable)

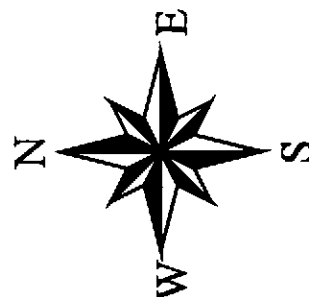
Received by cm Date 9-27-01 Time 1:25 p.m. Preliminary check by John Fanning
 Fee \$ 100.00 Receipted by cm # AD146X1 Date 9-27-01
 Publication prepared by cb Date 2/12/02 Published in CDA Press 2/21+28/02
 Publication approved cb Date 3/1/02

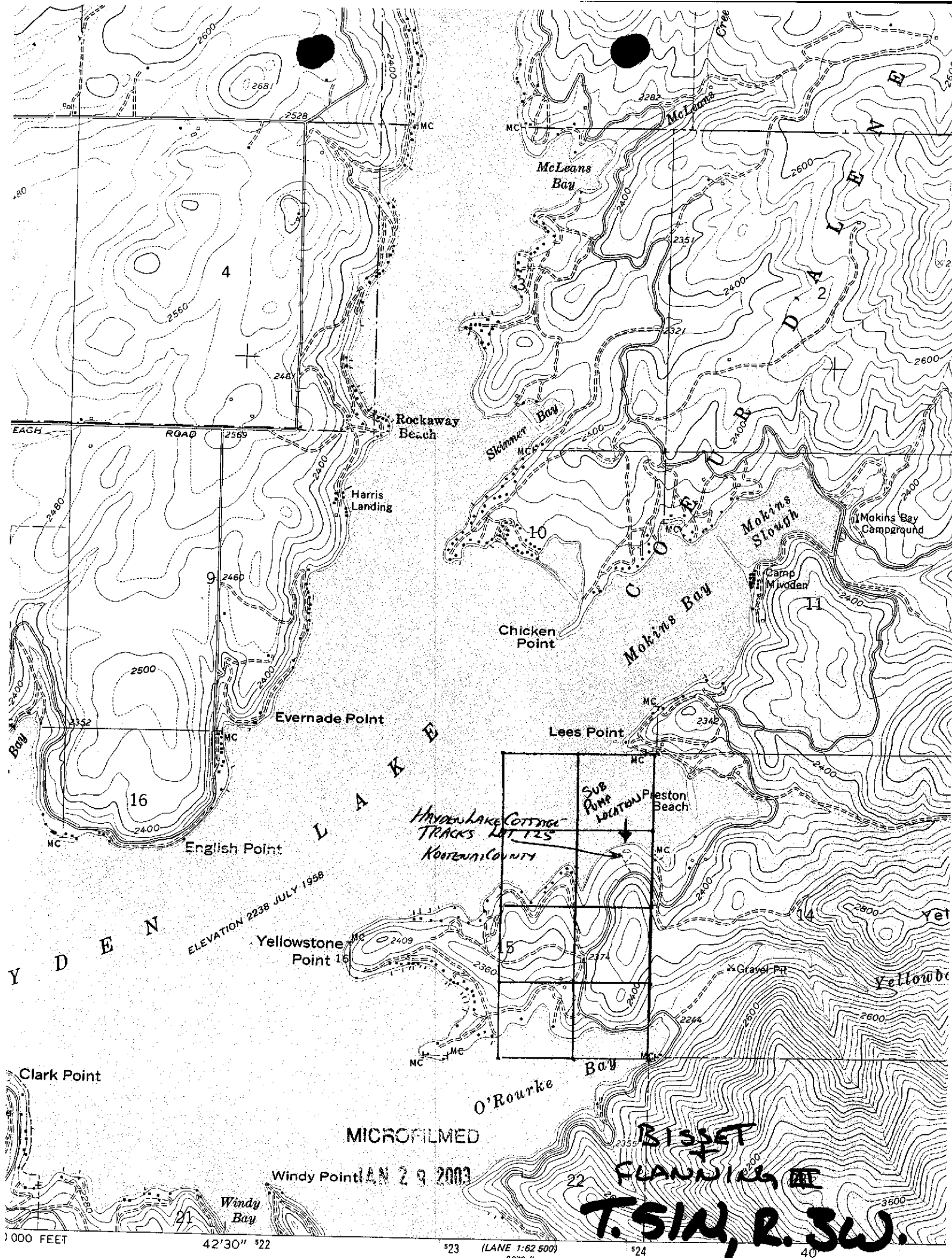
MICROFILMED

JAN 29 2003



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MICROFILMED
JAN 29 2003





Clark Point

1000 FEET

42°30' 522

MICROFILMED

Windy Point JAN 29 2003

Windy Bay

523 (LANE 1:62 500) 2679 II

BISSET
PLANNING INC
T. SIN, R. 3W.

524

40

JAN 29 2003

5. Z. H. H.

MICROFILMED

JAN 24 2003

Nov 9

Nov 10

Nov 11

Nov 12

Nov 16

S

Nov 21

Nov 22

Nov 23

Nov 24

Nov 25

Nov 26

Nov 27

Nov 28

Nov 29

Nov 30



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

August 22, 2002

J J FANNING III
J BISSET
7875 E BURLEY CT
HAYDEN ID 83835

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-09110

Dear Permit Holder:

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

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

If you have questions, 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

Encl.

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

MICROFILMED

JAN 29 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-9110

Reviewed By: dgibson

Date: August 21, 2002

	<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.:		N014681, C064042	Well driller's report filed?		
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		08/19/2002
Date proof due	-	08/01/2003
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	09/27/2001
New priority date	=	09/27/2001

Deficiencies of Actions Items

Acknowledge proof.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 26, 2002

J J FANNING III
7875 E BURLEY CT
HAYDEN ID 83835

J BISSET
3500 S CAMANO DR
CAMANO ISLAND WA 98292

RE: Permit No. 95-9110

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.

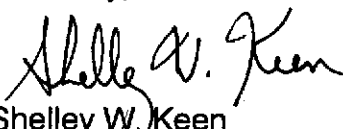
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's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

MICROFILMED

JAN 29 2003

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

Sincerely,


Shelley W. Keen
Water Rights Supervisor

SWK:klf

Enclosure(s)

MICROFILMED

JAN 23 2003

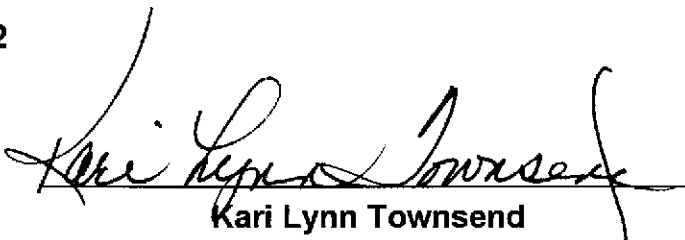
CERTIFICATE OF SERVICE

I hereby certify that on July 26, 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. 95-9110

J J FANNING III
7875 E BURLEY CT
HAYDEN ID 83835

J BISSET
3500 S CAMANO DR
CAMANO ISLAND WA 98292



Kari Lynn Townsend
Secretary

MICROFILMED

JAN 29 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.

MEMORANDUM

To: File 95-9110

From: Sharla

Date: July 25, 2002

Re: Fish & Game Comments

The IDFG representative who submitted comments has recommended adding conditions regarding the underwater excavation and pump/pipeline placements in the stream bed. These issues go beyond the scope of the water right application and fall instead under the jurisdiction of the Stream Channel Alteration section of this department and/or Dept. of Lands via an encroachment permit.

The standard conditions regarding the approach velocity and mesh screening will be placed on the permit, but the other issues above will not be addressed by the water right permit.

MICROFILMED

JAN 28 2003

RECEIVED

JUL 24 2002

Entered

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Department of Water Resources

Reviewed by Cindy Zimmerman on 7/20/02No. 95-9110 Name: Fanning Corp. Officers Ad ok ✓ Govt Lots ✓AREA OF CONCERN: (No) Yes Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)

Irr. w/in WD - P05

WMD - North/East/West

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 067

~~WMD~~

Supp irr (irr = only use) - 065-104

Supp irr (+ other uses) - 100-105

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)

Mitigation - 121

42-248 Area - P84 (20s-70s, 81-86)

Swan Falls Flag -

Trust - 051(P74) (consumptive uses)

Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA

IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)

> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)

STOCKWATER - R37 (BLM/USFS)

MINING - 054-081(P10)

FISH PROP - 029(70'S only)-007-042-081(P10)

Bridge)

HEAT/COOL - R07(injection well)

FIRE PROT. - 077

BENEFICIAL USE DUE: 8 / 01 / 2003

MISC CONDITIONS/REMARKS:

Protested - 020-W19

Development Period

≤ 1 yr - (P16)

> 1 yr - 26A(P17)

Ownership - 004

Non-consumptive - 027

Water Quality - 081-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response WTSJW16

In/Above MSF - WB9

PLANNING REVIEW/RESPONSE

In-stream development - (P52)

WD - R04 (WD#)

≤ 0.20 cfs/others - 01H(P01), 01P or No MD

> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

SNAKE R (01) - W22(P04), N/A

(02,03) - 007 (w/ remark WB9 if above Weiser)

Payette R (65) - 047(P04) (Payette Lake)

Salmon R (70's) - 029 (fish screens)

Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)

MUNICIPAL

Restricted area - 022,075

Irr., GW supp to SW - 102

DOMESTIC

Surface water - WB5 (Big Wood or Boise above Star

W01/1

27A (Payette R)

>1 in restricted area - 070-071-075(no parks/common areas, etc)

Irr use listed separate - WB5

Moratorium approvable - W03 (2500 gpd - meets domestic definition

i.e. D/convenience store)

IRRIGATION SEASON - (Per updated map)OTHER CONDITIONS/REMARKS
COMMENTS

Multiple pd's per ¼¼ - W32

Subd lot desc (pd) - W59

Subd lot desc (pu) - W60 L125 Hayden Lake Cottage Tracts

Use definitions - W02 example - S/50 range

Pre-1987 development - 068-074 (allow 120 days for proof due)

Single p/d intended - 076

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

W.R. # 95-9110

APPLICATION ID # 69675
INITIAL REVIEW

ENT. 2/7 BCA 2/7 OK to Publish 2/7

APPLICANT: FANNING + BISSET BY: B DATE: 2/5/02

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

(Yes)(No)

Shape File Created Date _____ By: _____

Field check: by _____

Field report attached _____

Analysis Supp. attached(>5cfs/500af) _____

Water delivered by water master? Water District # _____

PROCESSING

(Yes)(No) PRIORITY DATE: 9/27/01

(Include Moratorium Remark)

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

ADVERTISE IN: KOOTENAI County

LETTERS SENT REQUESTING:

() Dam Information () Fish Information

() Power Information () Other: N/A

INFORMATION RECEIVED:

() Dam Information () Fish Information

() Power Information () Other: N/A

GROUNDWATER SECTION

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

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

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

- _____ Notice of pending void order issued. Final order response date: _____
- _____ Further information required from applicant
- 3/1 _____ Affidavit of publication received
- 3/1 _____ Application published correctly. If not, record action taken: _____

2/12 _____ Publication dates and paper recorded on application | Sr. Agent initial _____

- _____ Protests received, Final protest date: 3/11/02
- _____ Measuring device required
- _____ Measuring port required
- _____ Special conditions: _____
- _____ Special conditions of approval supplement and/or cover letter attached:

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

March 14, 2002

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

Via email to Diane Ball:

REFERENCE: #95-9110, FANNING AND BISSET

We have no specific objections or comments about the above application to withdraw 0.04 cfs from Hayden Lake for domestic use. However, water lines and pumps are an encroachment in lakes and rivers that can be detrimental to fish and fish habitat.

We recommend that applicant be required to install lines beneath the lake, river or stream bed during low water to minimize underwater excavation. Dug materials should be sidecast to only one side and the bottom contour and substrate restored. Any unburied sections of the line should be anchored on the bottom to prevent it from floating and interfering with boat anchors or anglers' lines or capturing debris. The applicant should also provide a smooth cover for the pump to avoid interference with boat anchors or anglers' lines and to avoid capturing debris. It would be preferable to place pumps on land rather than in the water. Water intakes should be screened to prevent entrainment or impingement of fish. The maximum screen mesh size should be 0.25 inches; approach velocities should not exceed 0.5 ft/second to prevent losses of juvenile fish.

Applicants should obtain necessary encroachment permits from Idaho Department of Lands prior to installing water lines or pumps in waters of a lake, river or stream.

Thank you for the opportunity to comment.

Ray Hennekey
Environmental Staff Biologist
IDFG Region 1

C: NRPB Boise; Greg Tourtlotte, Region 1; file

MICROFILMED
JUN 20 2002

AFFIDAVIT OF PUBLICATION

RECEIVED

MAR 01 2002

IDWR/North

STATE OF IDAHO,
County of Kootenai,

ss.

Misti Saylor

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 *21* day of *February*, 20 *02*, and ending on the *28* day of *February*, 20 *02*, 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 Saylor

Personally appeared before me this

28

day of

February

, 20 *02*

Regina Mason

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

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-9110

J J FANNING III
7875 E BURLEY CT
HAYDEN ID 83835

J BISSET
3500 S CAMANO DR
CAMANO ISLAND WA 98292

Point(s) of Diversion: L2 SENE S15 T51N R03W KOOTENAI County

Source HAYDEN LAKE Tributary To SINKS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion 0.04 CFS

Date Filed: 09/27/2001

Place Of Use: DOMESTIC

T51N R03W S15 SENE Lot 2

95-9111

HAUSER LAKE WATER ASSN INC
E 7710 HAUSER LAKE RD
POST FALLS ID 83854

Point(s) of Diversion: NWSE S19 T51N R05W KOOTENAI County

Source GROUND WATER
Use: MUNICIPAL 01/01 To 12/31 2.25 CFS
Total Diversion 2.25 CFS

Date Filed: 02/07/2002

Remark: Municipal use is for applicants service area

Permits will be subject to all prior water rights. Protests must be submitted based on the criteria of Sec. 42.203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur D'Alene, ID 83814 together with a protest fee of \$25.00 for each application on or before 03/11/2002. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

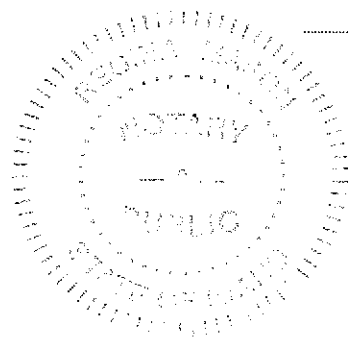
Legal 0502

Feb. 21, 28, 2002

MICROFILMED

JAN 24 2002

MY COMMISSION EXPIRES 6/18/03



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

95-9110

J J FANNING III
7875 E BURLEY CT
HAYDEN ID 83835

J BISSET
3500 S CAMANO DR
CAMANO ISLAND WA 98292

Point(s) of Diversion L2 SENE S15 T51N R03W KOOTENAI County

Source HAYDEN LAKE Tributary To SINKS

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

Total Diversion: 0.04 CFS

Date Filed: 09/27/2001

Place Of Use: DOMESTIC

T51N R03W S15 SENE Lot 2

95-9111

HAUSER LAKE WATER ASSN INC
E 7710 HAUSER LAKE RD
POST FALLS ID 83854

Point(s) of Diversion NWSE S19 T51N R05W KOOTENAI County
Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 2.25 CFS

Total Diversion: 2.25 CFS

Date Filed: 02/07/2002

Remark: Municipal use is for applicants service area

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 03/11/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on 2/21 and 28/2002.

MICROFILMED
JAN 29 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 13, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Legal Notice Department
Coeur D Alene Press
201 N 2nd
COEUR D ALENE ID 83814

Faxed 2/13/02
2 pages

RE: Application for Permit No. 95-9110 AND 95-9111

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 03/11/2002. Your cooperation is appreciated.

Sincerely,

Dianne Ball
Administrative Assistant

MICROFILMED

JAN 29 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 13, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

J J FANNING III
7875 E BURLEY CT
HAYDEN ID 83835

J BISSET
3500 S CAMANO DR
CAMANO ISLAND WA 98292

RE: Application for Permit No 95-9110

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 February 21 and 28, 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

Enclosure(s) - Receipt No. N014681

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JAN 29 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 07, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

Application to Permit No. 95-9110 Fanning and Bisset

IDAHO DEPT OF FISH & GAME :

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.

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

Sincerely,

Dianne Ball
Administrative Assistant

Enclosure(s)

MICROFILMED

JAN 29 2003