

View1



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POD- ApplicationApplication POD
Application POU
Townships

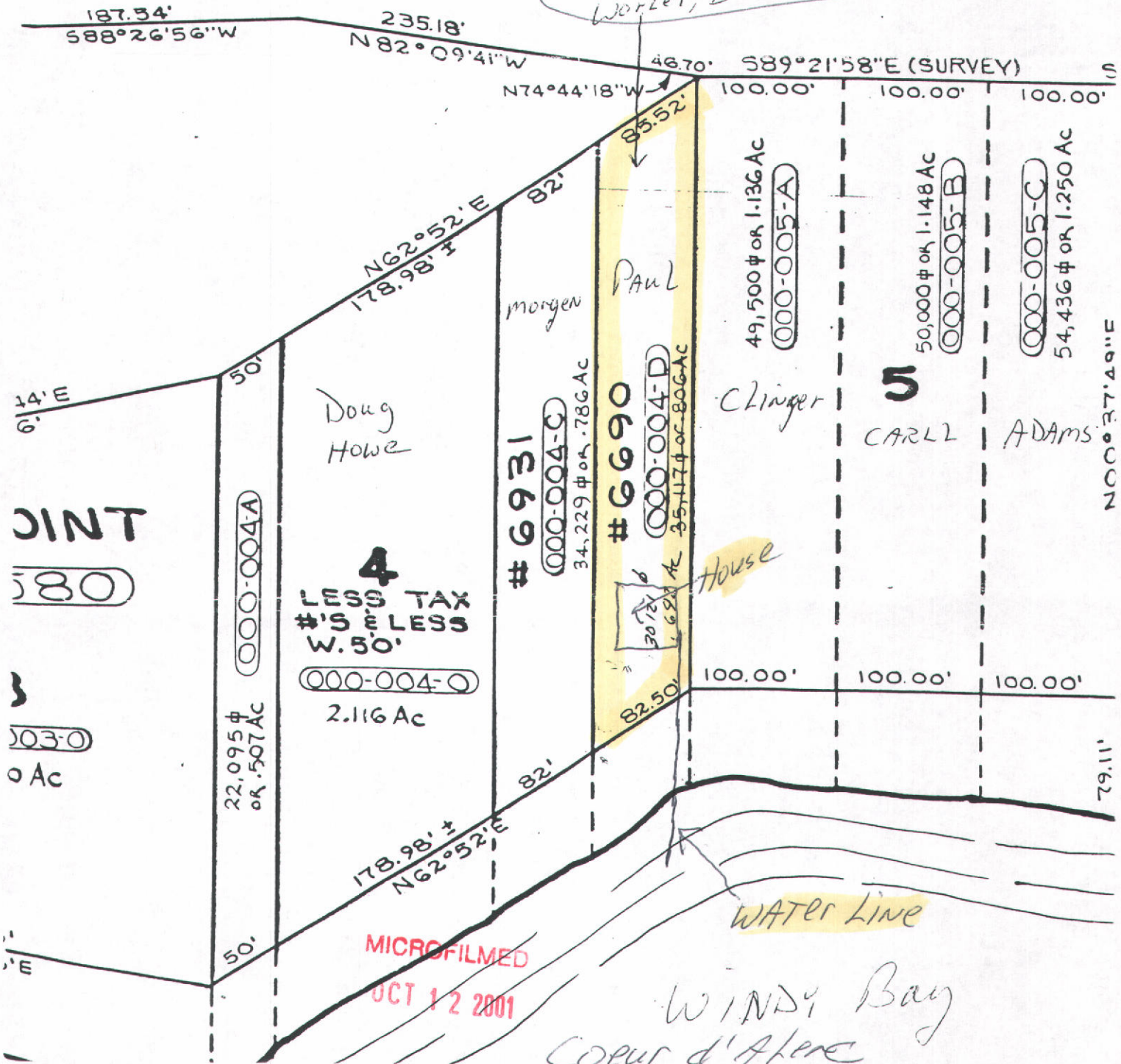


MICROFILMED
OCT 12 2001

2048N-4W

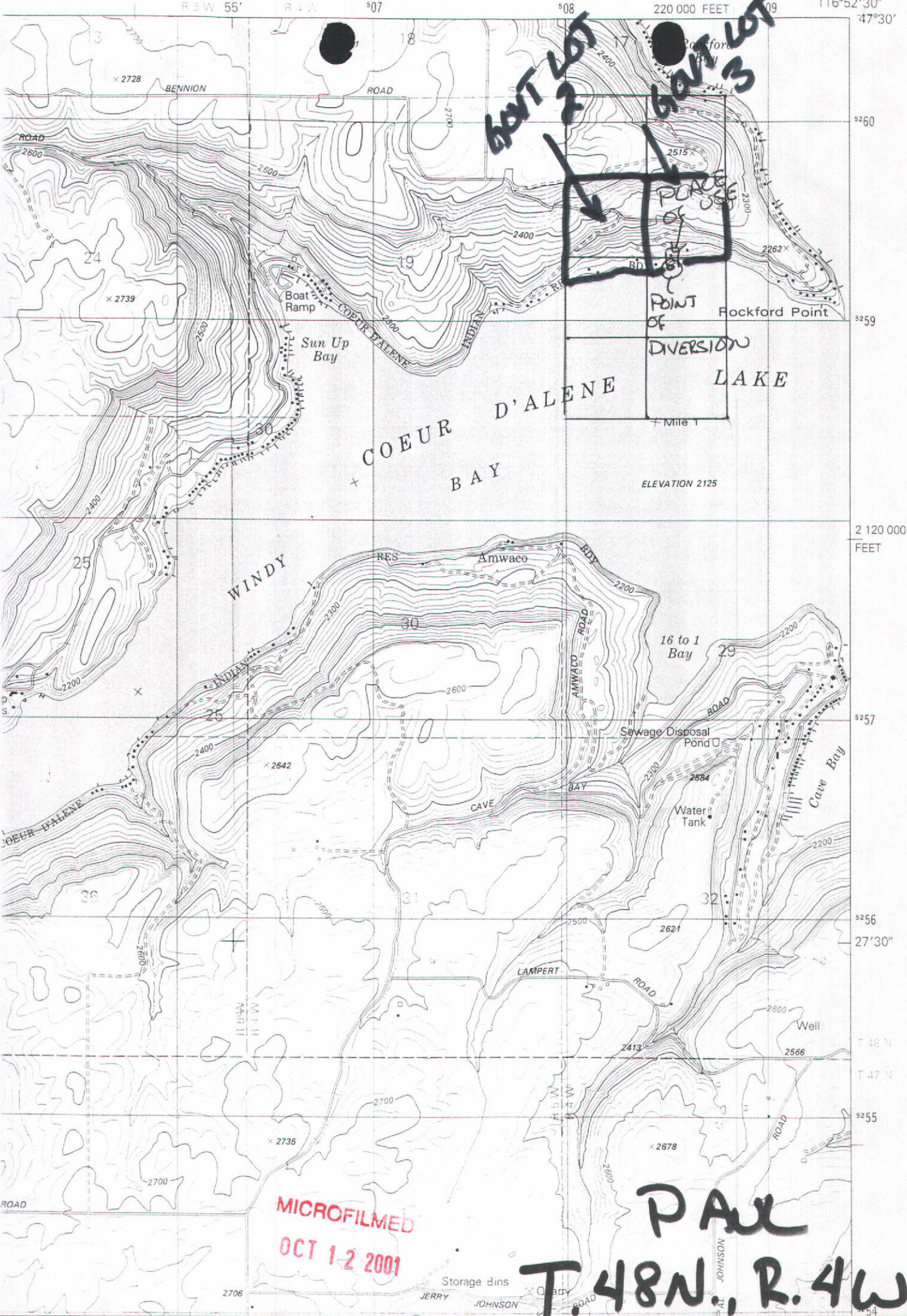
3X #

West 7390 Adams Lane
Worlet, ID 83876



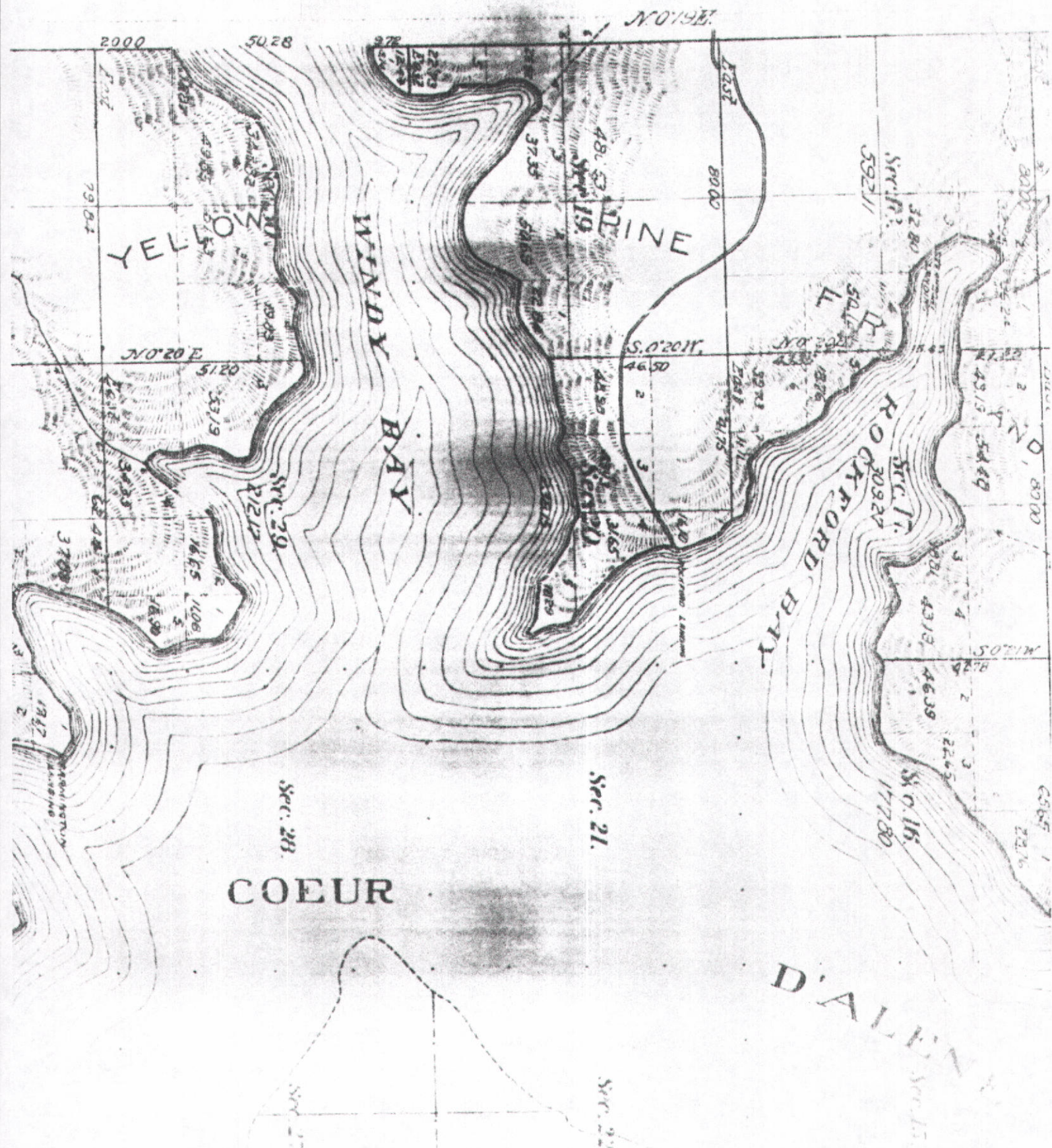
R 3 W 55' R 4 W 507 508 220 000 FEET 509

116°52'30" 47°30'



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OCT 1-2 2001

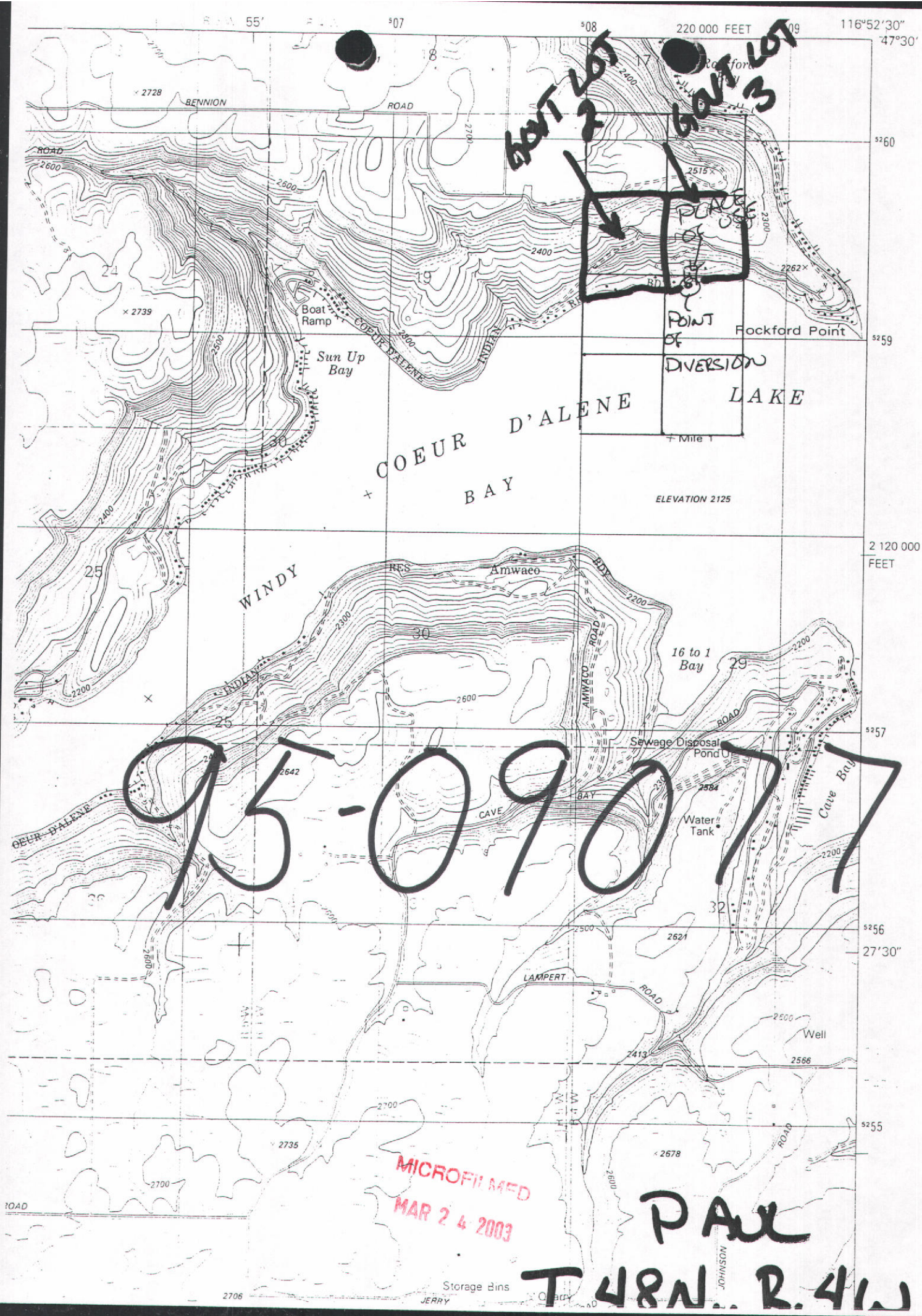
PAUL
T. 48N., R. 4W



COEUR

D'ALENE

MICROFILMED
OCT 12 2001





95



95

95-09077

MICROFILMED
MAR 24 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 95-09077

Priority: May 8, 2000

Maximum Diversion Rate: 0.06 CFS

Maximum Diversion Volume: 1.2 AF

It is hereby certified that KATHRYN PAUL And KURT PAUL
3002 14TH ST SE
AUBURN WA 98092 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated May 8, 2000; and have
submitted Proof of Beneficial Use on April 10, 2002. An examination indicates that the works have a
diversion capacity of 0.06 cfs of water from:

SOURCE

COEUR D ALENE LAKE

Tributary: SPOKANE RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.06 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

COEUR D ALENE LAKE L3 (SE $\frac{1}{4}$ NW $\frac{1}{4}$) Sec. 20, Twp 48N, Rge 4W, 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
48N 04W 20								X									
								L3									

CONDITIONS OF APPROVAL

1. The issuance of this right does not grant any right-of-way or easement across the land of another.
2. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 27th day of NOVEMBER, 2002.

MICROFILMED

MAR 24 2003

Acting for

KARL J. DREHER
Director

Amt. of Fee \$ 30.00
Receipt No. 0241384
Receipt By: [Signature]
Date Received: 4-10-02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

APR 10 2002

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. 95-9077 Telephone No. (253) 939-6038
2. Name of Permit Holder(s): KURT PAUL & KATHRYN PAUL
3. Mailing Address: 3002 14th ST. S.E.
City AUBURN State WA Zip 98092
4. Source of Water: COEUR D'ALENE LAKE If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.06 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: KURT PAUL Telephone Number: (206) 979-4421
Address: 3002 14th ST. S.E. AUBURN, WA 98092
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature] Date: 4/8/02
(include your title, if on behalf of company or organization)

MICROFILMED

OCT 17 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09077

Priority: 05/08/2000

Maximum Diversion Rate: 0.06 CFS

This is to certify, that KURT PAUL
3002 14TH ST SE
AUBURN WA 98092

And

KATHRYN PAUL
3002 14TH ST SE
AUBURN WA 98092

has applied for a permit to appropriate water from:

Source: COEUR D ALENE LAKE Tributary: SPOKANE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

COEUR D ALENE LAKE L3 SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, Twp 48N, Rge 04W, B.M. KOOTENAI County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
48N 04W 20								X									
							L3										

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 1, 2002**.
2. Subject to all prior water rights.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. 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 8th day of August, 2001.


for
KARL J DREHER, Director

MICROFILMED

OCT 12 2001

69090

Ident. No. 95-9077

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant Kurt & Kathryn Paul Phone 253-939-6038
Mailing address 3002 14th ST SE Auburn, WA 98092
2. Source of water supply Coeur d'Alene Lake which is a tributary of Spokane River
3. Location of point of diversion is Township 48N Range 4W Sec. 20 in the SE 1/4, of NW 1/4, Govt. Lot 3, B.M., Kootenai County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:

Amount <u>.06</u> for <u>domestic</u> purposes from <u>Aug 1</u> to <u>Dec 1</u> (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated is (a) .06 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source 4 in submersible pump with a 1 1/2 in 200 psi polyethylene pipe
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ 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? _____
 - 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 1/2 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in KW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. 1
 - e. Other; describe fully. _____

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OCT 12 2001

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.

60NT. LOT 3

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
48N	4W	20								D									

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 0

11. a. Who owns the property at the point of diversion? Kurt & Kathryn Paul

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

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: This will be our summer home and we will use it during the months of May through Dec.

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.)

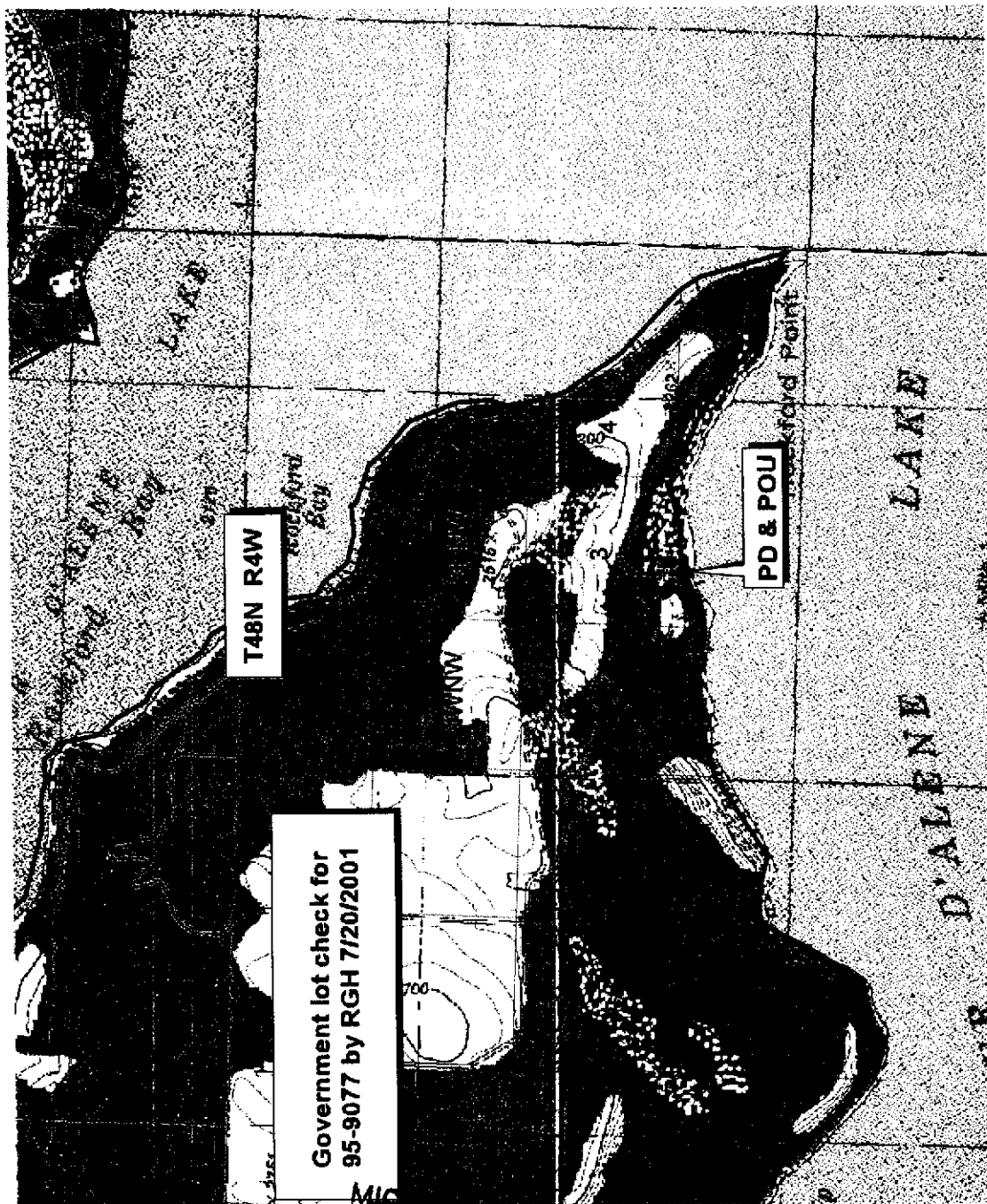
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Kathryn M. Paul 5/5/00
Kurt Paul 5/5/00
 Signature of Applicant (and title, if applicable)

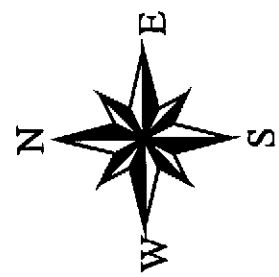
Received by db Date 5/8/00 Time 1:10 P Preliminary check by JB
 Fee \$ 50.00 Receipted by db # N 0131051 Date 5/8/00
 Publication prepared by db Date 5/9/01 Published in IDAHO PRESS 5/17+24/01
 Publication approved db Date 6/4/01

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 OCT 12 2001

View1



- Quad Index Quadcoy.shp
- GCDBT48N64W.shp
- POD- Application Application POD
- 3888 Application POU
- Townships



0.3 0 0.3 0.6 Miles

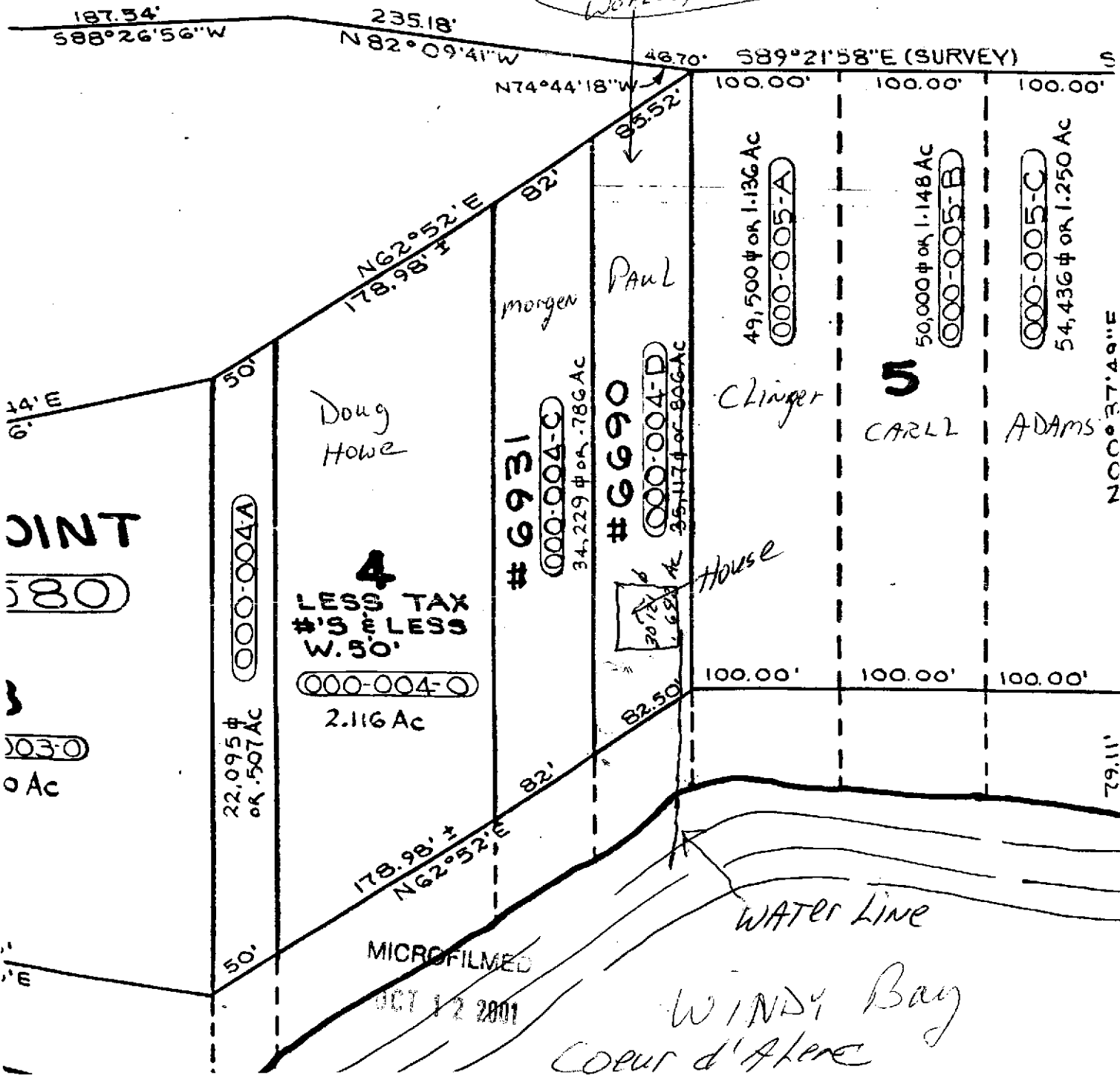


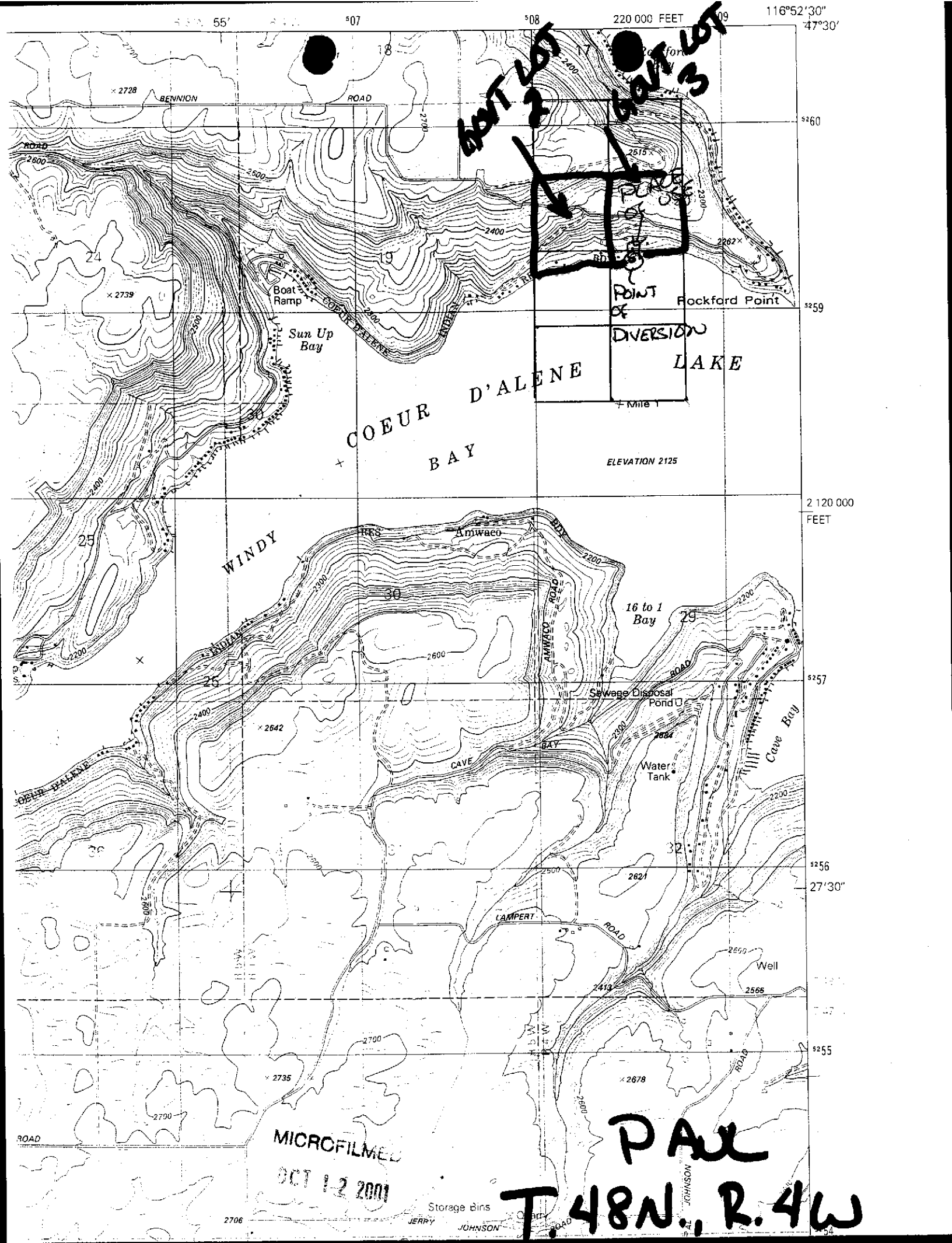
MICROFILMED
OCT 12 2001

2048N-4W

3X #

West 7390 Adams Lane
Worlet, ID 83876





BENT LOT 2
BENT LOT 3

POINT OF DIVERSION

COEUR D'ALENE BAY

ELEVATION 2125

WINDY

16 to 1 Bay

Sewage Disposal Pond

Water Tank

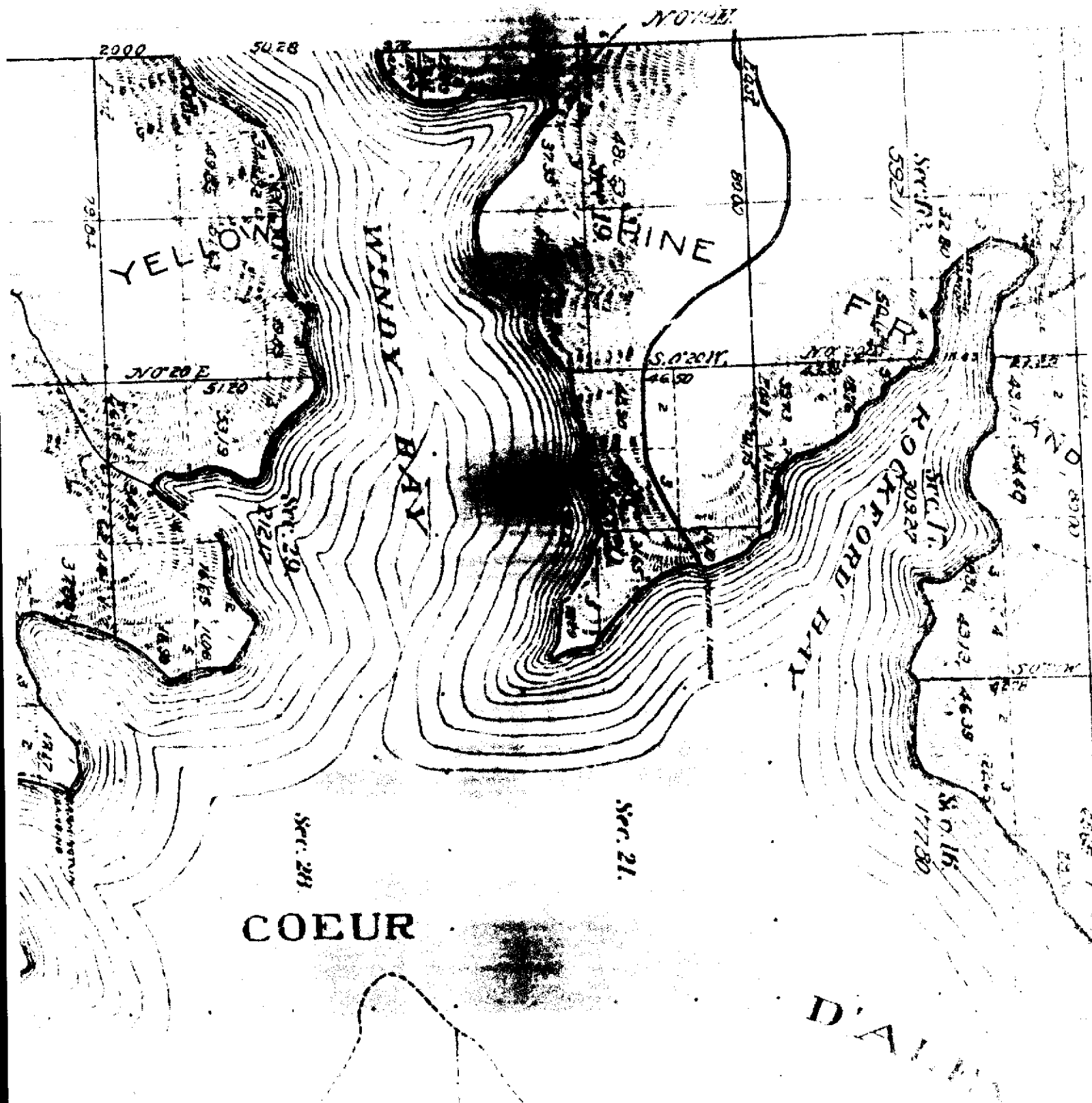
Well

MICROFILMED
OCT 1-2 2001

PAU

T. 48N., R. 4W

Storage Bins
JERRY JOHNSON



COEUR

D'ALENE

MICROFILMED

OCT 12 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

November 27, 2002

KURT PAUL
KATHRYN PAUL
3002 14TH ST SE
AUBURN WA 98092

RE: License No. 95-9077 - Issuance of License

Dear Water Right Holder(s):

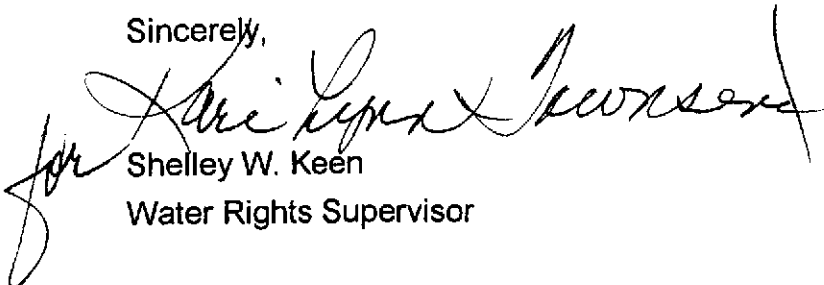
The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license 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.

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.

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

MAR 24 2003

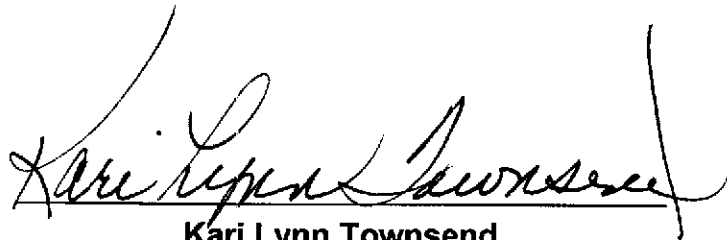
CERTIFICATE OF SERVICE

I hereby certify that on November 27, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

95-9077

**KURT PAUL
KATHRYN PAUL
3002 14TH ST SE
AUBURN WA 98092**

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

**Kari Lynn Townsend
Secretary**

MICROFILMED

MAR 24 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

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MAR 24 2003

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MEMORANDUM

Date: November 26, 2002
To: Water Right File 95-9077
From: S. Keen *SK*
Re: License Review

License review and data entry by S. Keen on 11/26/2002.

Permit was for 0.06 cfs. Field examiner calculated a capacity of 0.04 cfs, but he used 100 ft. of lift and 50 psi, both of which appear to be excessive. Capacity is probably closer to 0.06 cfs. License will be issued for 0.06 cfs.

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MAR 24 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 26 2002

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 95-09077

1. Owner: Lunt & Kathryn Paul Phone No. _____

Current Address: 3602 14th St. SE. Auburn Wa 98092

2. Accompanied by: Lunt Paul EXAM DATE: 5-23-02

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Coeur D'Alene Lake tributary to Spokane Wa

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	03		SE	NW	20	48N	04W	Kootenai	USGS 7.5 min Quad

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
48N	04W	20								D									
										43									
							</												

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SEP 24 2002

2. Measurements:

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

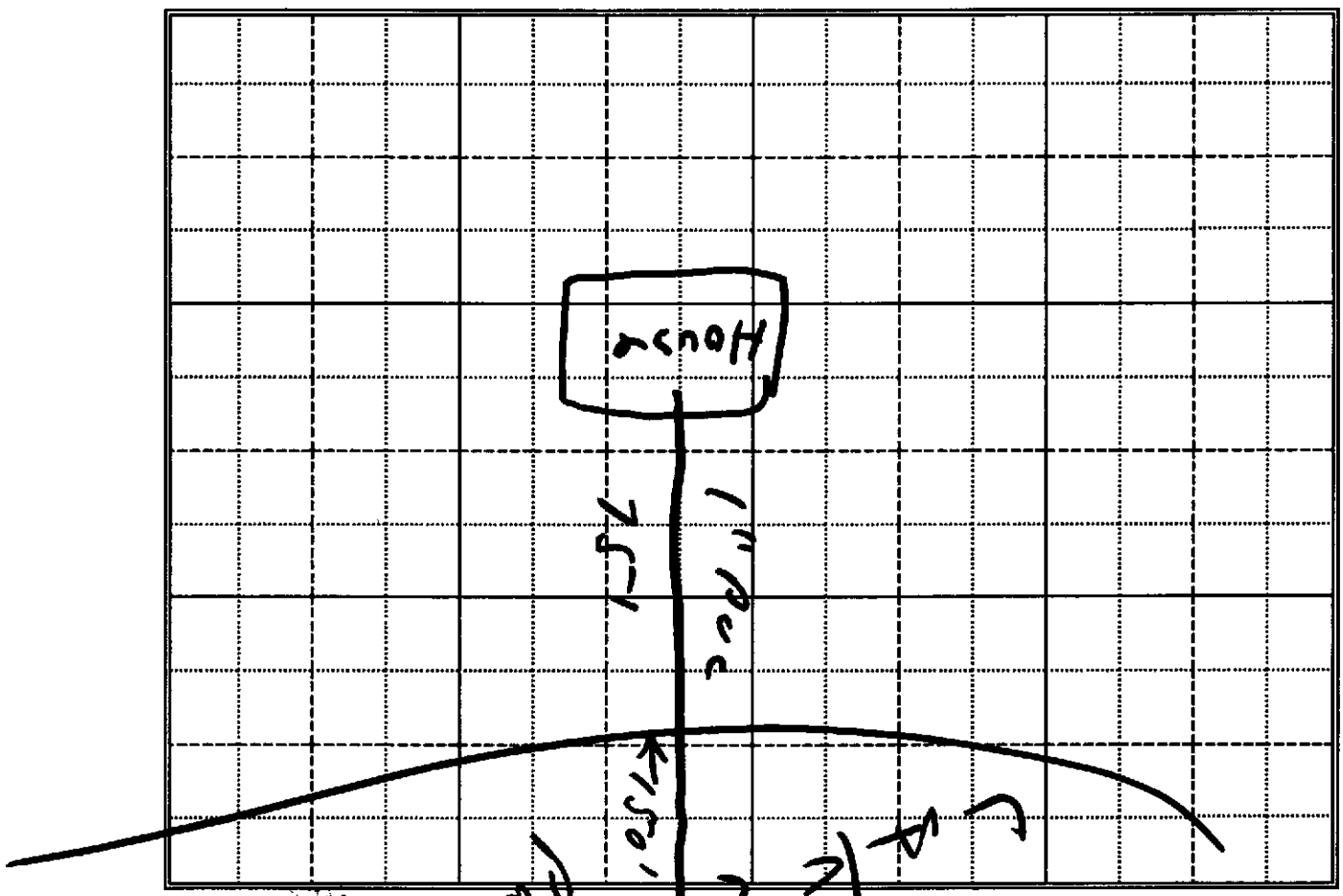
D. FLOW MEASUREMENTS

*Code to correspond with No. on map and aerial photo

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	1/5	9823008110	Sub	1/11

4.

Scale: 1" = _____
 Copy of USGS Quadrangle Attached Showing location(s) of _____
 point(s) of diversion and place(s) of use (required).
 Aerial Photo Attached (required for irrigation of 10+ acres) _____
 Photo of Diversion and System Attached _____



3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe l.d. as applicable.

[illegible]

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MAR 2 2003

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

$$V_{LR} = \frac{8.5(1.5)(1.5)}{9.24} = 1.04 cfs$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = V = \text{Smaller of } V_{LR} \text{ and } V_{DR} =$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Domestic

From

01-01

Period of Use

To

12-31

Rate of Diversion

Q (cfs)

1.04

Annual Volume

V (afa)

1.2

2. Recommended Amendments

☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

☐ Add P.D. as reflected above
☐ Add P.U. as reflected above
☐ None
☐ Other

I. AUTHENTICATION

Field Examiner's Name

Wagner Baker

Date

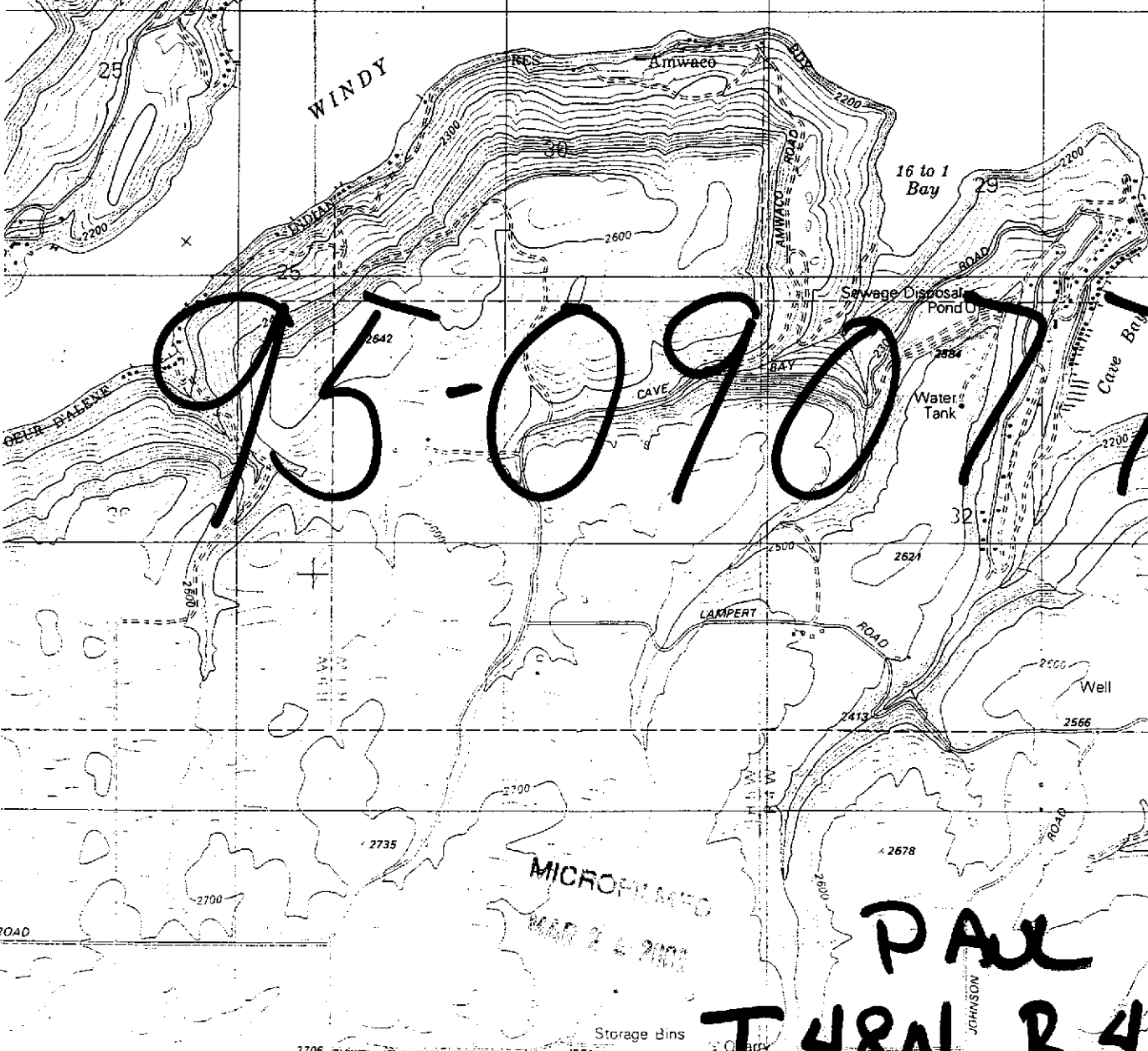
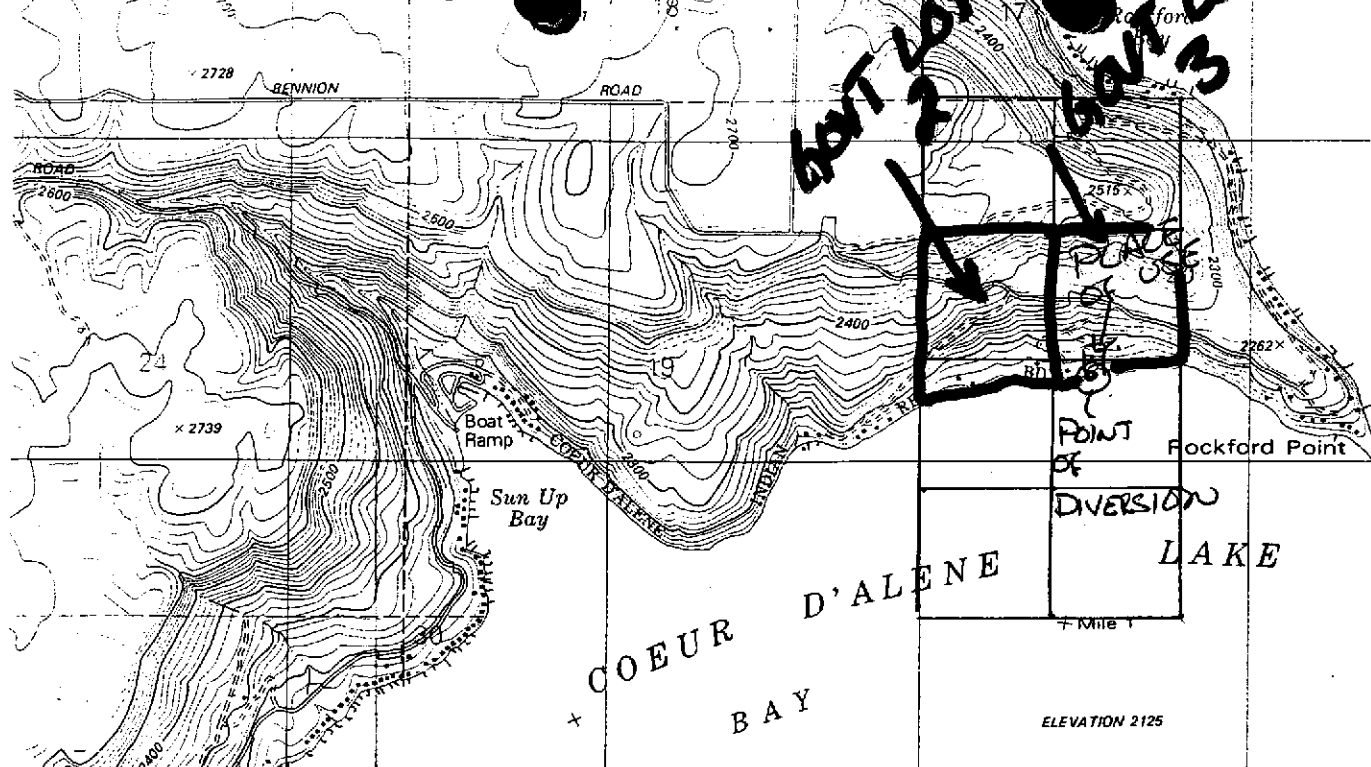
9-19-02

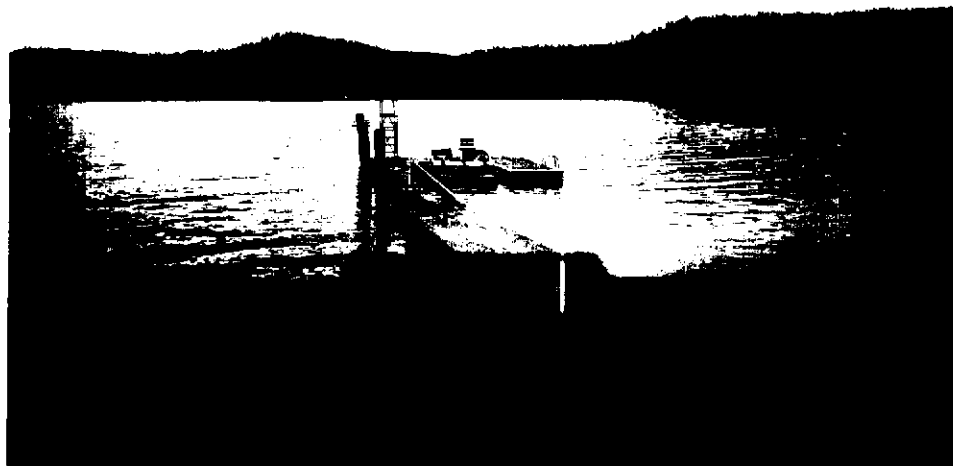
Reviewer

Date

SEAL

MICROFILMED
MAR 14 2003





PQ



PQ

95-09077

MICROFILMED

MAR 24 2000



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

April 12, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

KURT PAUL
KATHRYN PAUL
3002 14TH ST SE
AUBURN WA 98092

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-09077

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

OCT 17 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-9077

Reviewed By: dgibson

Date: April 11, 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.:		N013651, C061284	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		04/10/2002
Date proof due	-	08/01/2002
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	05/08/2000
New priority date	=	05/08/2000

Deficiencies of Actions Items

Correct Invoice and 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

August 9, 2001

KURT PAUL
KATHRYN PAUL
3002 14TH ST SE
AUBURN WA 98092

RE: Permit No. 95-9077

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.

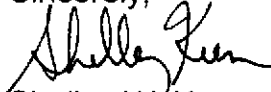
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's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

MICROFILMED

SEP 12 2001

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

Sincerely,

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

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

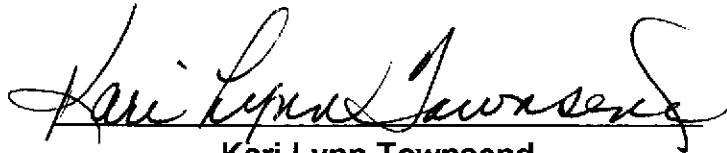
OCT 12 2001

CERTIFICATE OF MAILING

I hereby certify that on August 9, 2001 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. 95-9077

**KATHRYN PAUL
KURT PAUL
3002 14TH ST SE
AUBURN WA 98092**

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

**Kari Lynn Townsend
Secretary**

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OCT 9 2 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

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OCT 12 2001

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

SEP 12 2001

MEMORANDUM

To: File 95-9077

From: Sharla

Date: July 31, 2001

Re: Rate of Diversion

The rate of diversion under this application is slightly more than typically allowed for domestic use for 1 home. In speaking with Al Beardslee, the rate reflects the system design and actual use (see proposed diverting works description on application).

The permit can be approved for the higher rate of diversion based on the information above.

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OCT 12 2001

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 7/31/01

No. 95-9077 Name: Paul Corp. Officers N/A Ad ok _____ Govt Lots _____

AREA OF CONCERN: No/Yes _____ Moratorium _____ GWMA _____ TRUST/NON-TRUST _____

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

- All wells - 046
- Basin 34 - 084 (if necessary)
- 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
- Trust - 051 (consumptive uses)
- Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

- STORAGE - 18C-01H-01P-18B-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/FS)-111 (instream stock)
- MINING - 054-106
- HEAT/COOL - R07 (injection well)
- FIRE PROT - 077
- COMMERCIAL/
- INDUSTRIAL - 106-R07
- DAIRY - 082-WD8
- POWER - 17H or 17K (+uses)-17G (under FERC)
- or 17M (not FERC regulated)
- 025-027-R22-08A

BENEFICIAL USE DUE: 8/01/2002

MISC CONDITIONS/REMARKS:

- Protested - 020-W19
- Development Period
- > 1 yr - 26A
- Ownership - 004
- Non-consumptive - 027
- Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

- F&G contacted - Yes/No Response
- In/Above MSF - WB9
- PLANNING REVIEW/RESPONSE
- WD - R04 (WD# _____)
- ≤ 0.20 cfs/others - 01H, 01P or No MD
- > 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WD

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

RIVER BASINS: (SW special considerations)

- Snake R (01) - W23, N/A
- (02,03) - 007 (w/ remark WB9 if above Weiser)
- Payette R (65) - W23, 047 (Payette Lake)
- Salmon R (70's) - 029 (fish screens)
- Weiser R (67) - 086-087

USES:

MUNICIPAL

- Restricted area - 022,075
- Irr. GW supp to SW - 102
- Future needs - 007,109
- FISH PROP - 029 (70's only)-007-042-106
- DOMESTIC
- Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
- > 1 in restricted area - 070-071-075 (no parks/common areas)
- Irr separate or none allowed - WB5
- GW w/irrigation from SW evident - 065-104
- Moratorium approvable - W03 (2500 gpd - meets domestic def i.e. D/convenience store)

- Multiple pd's per ¼ - W32
- Subd lot desc (pd) - W59
- Subd lot desc (pu) - W60
- Use definitions - W02 example - S/50 range
- Pre-1987 development - 068-074 (allow 120 days for proof due)
- Single p/d intended - 076

IRRIGATION SEASON _____ (Per updated map)

IRR VOLUME/ACRE _____

OTHER CONDITIONS/REMARKS

COMMENTS Priority date is indeed May, 2000 although app
wasnt processed until May, 2001.

RECEIVED

JUL 30 2001

 IDHO DEPARTMENT OF WATER RESOURCES
 APPLICATION ANALYSIS SHEET

 APPLICATION # 95-9077

Department of Water Resources INITIAL REVIEW

APPLICANT:

PAUL

BY:

B

DATE:

4/30/01

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)

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

PROCESSING

(Yes) (No)

PRIORITY DATE:

5/8/00
☒ (Include Moratorium Remark)

☒ Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).
CA/Phu/ok

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?
<u>1</u>		Dom. Non-Dom.	Paid \$		Y () N ()
		Dom. Non-Dom.	Paid \$		Y () N ()
		Dom. Non-Dom.	Paid \$		Y () N ()

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

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

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

 Publication dates and paper recorded on application | Sr. Agent initial B
Protests received, Final protest date: 6/14/01☒ Measuring device required☒ Measuring port required☒ Special conditions:
☒ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by:

B

Date:

6/6/01

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, May 15, 2001 11:12 AM
To: 'Ray Hennekey IDFG Cd'A'

Following are six (6) water rights on which we need your comments. All six have a final date of June 4, 2001 for protests to be received in our office.

We will appreciate your comments either way on these applications on or before that date. If you need additional information on which to base your findings, please e-mail me and I will respond asap. Thank you very much.

May your life be littered with love and blessings.

Dianne Ball, IDWR Cd'A (208) 769-1450 FAX 769-1454

*No comments
as of 6/4/01*

Application for Permit No. 95-9077 Name: KURT PAUL KATHRYN PAUL Diversion Pt L3 SENW Sec 20 T 48N R 04W KOOTENAI County Source COEUR D ALENE LAKE Use: DOMESTIC 01/01 To 12/31 0.06 CFS Total Diversion: 0.06 CFS Date Filed: 05/08/2000 Place Of Use: DOMESTIC T48N R04W S20 SENW Remarks: Domestic use is for 1 home. IDAHO DEPARTMENT OF WATER RESOURCES NEW WATER RIGHT FILINGS

Application for Permit No. 95-9079 Name: HARBORVIEW WATER SYSTEM INC Diversion Pt SENE Sec 7 T 50N R 05W KOOTENAI County Source SPOKANE RIVER Use: IRRIGATION 03/15 To 11/15 0.06 CFS Total Diversion: 0.06 CFS Date Filed: 05/24/2001 Place Of Use: IRRIGATION T50N R05W S7 SENE T50N R05W S8 SWNW Number of Acres 1

Application for Permit No. 95-9080 Name: GARY TREFZ JENNIFER TREFZ Diversion Pt SWNW Sec 26 T 48N R 05W KOOTENAI County Source UNNAMED STREAM Use: WILDLIFE STORAGE 01/01 To 12/31 9 AFA Use: RECREATION STORAGE 01/01 To 12/31 9 AFA Use: IRRIGATION STORAGE 01/01 To 12/31 9 AFA Use: IRRIGATION FROM STORAGE 03/15 To 11/15 9 AFA Total Diversion: 9 AFA Date Filed: 04/26/2001 Place Of Use: IRRIGATION STORAGE T48N R05W S26 SWNW Place Of Use: IRRIGATION FROM STORAGE, same as Irrigation Storage Number of Acres 14 Place Of Use: WILDLIFE STORAGE, same as Irrigation Storage Place Of Use: RECREATION STORAGE, same as Irrigation Storage IDAHO DEPARTMENT OF WATER RESOURCES

Application for Permit No. 96-9071 Name: JULIE R MEYER Diversion Pt NWNE Sec 22 T 57N R 02W BONNER County Source PEND OREILLE RIVER Diversion Pt SWSW Sec 27 T 57N R 02W BONNER County Source PEND OREILLE RIVER Use: IRRIGATION 03/15 To 11/15 0.03 CFS Total Diversion: 0.03 CFS Date Filed: 04/24/2001 Place Of Use: IRRIGATION T57N R02W S27 SWSE Number of Acres 1

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OCT 12 2001

RECEIVED

MAY 25 2001

IDWR/North

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

Jennifer Sturdinger 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.

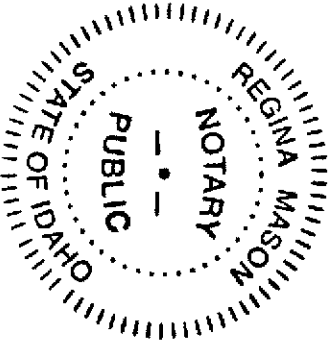
3. The *Legal Notice*

of which the annexed is a printed copy, was published in the regular issue of said newspaper for *Thursday* commencing on the *2* day of *May* *2001*, and ending on the *21* day of *May* *2001*, and such publication was made as often during said period as said newspaper was regularly issued.

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

Jennifer Sturdinger
Personally appeared before me this *20* day of *May* *2001*

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:

95-9077

KURT PAUL
KATHRYN PAUL

3002 14TH ST SE
AUBURN WA 98092

Point(s) of Diversion L3 SENW S20 T48N R04W KOOTENAI County
Source: COEUR D'ALENE LAKE
Use: DOMESTIC 01/01 To 12/31 0.06 CFS

Total Diversion:

Date Filed: 05/08/2000

Place Of Use: DOMESTIC T48N R04W S20 SENW Lot 3
Remark: Domestic use for 1 home.

95-9078

ROD V PLESE
PLESE GANG LP
W 201 FRANCIS
SPOKANE WA 99205

Point(s) of Diversion L10 SESE S9 T48N R04W KOOTENAI County
Source: GROUND WATER
Use: DOMESTIC 01/01 To 12/31 0.06 CFS

Use: IRRIGATION 03/15 To 11/15 0.14 CFS

Total Diversion:

Date Filed: 05/16/2000

Place Of Use: DOMESTIC and IRRIGATION T48N R04W S9 SESE Lot 10
Number of Acres 6.9
Domestic use is for 2 homes

95-9079

HARBORVIEW WATER SYSTEM INC
PO BOX 1752
COEUR D'ALENE ID 83816

Point(s) of Diversion SENE S7 T50N R05W KOOTENAI County
Source: SPOKANE RIVER
Use: IRRIGATION 03/15 To 11/15 0.06 CFS

Total Diversion:

Date Filed: 04/24/2001

Place Of Use: IRRIGATION
T50N R05W S7 SENE
T50N R05W S8 SWNW
Number of Acres 1

95-9080

GARY TREFFZ
JENNIFER TREFFZ
18491 S FRANCIS FAIRE RD
WORLDLEY ID 83876

Point(s) of Diversion SWNW S16 T48N R05W KOOTENAI County
Source: UNNAMED STREAM
Use: WILDLIFE STORAGE 01/01 To 12/31 9 AFA
Use: WILDLIFE STORAGE 01/01 To 12/31 9 AFA
Use: RECREATION STORAGE 01/01 To 12/31 9 AFA
Use: IRRIGATION STORAGE 01/01 To 12/31 9 AFA
Use: IRRIGATION FROM STORAGE 03/15 To 11/15 9 AFA

Total Diversion:

Date Filed: 04/26/2001

Place Of Use: WILDLIFE STORAGE
T48N R05W S16 SWNW
Place of Use: RECREATION STORAGE, IRRIGATION STORAGE, and IRRIGATION FROM STORAGE same as WILDLIFE STORAGE
Number of Acres 14

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 Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814 together with a protest fee of \$25.00 for each application on or before 06/04/2001. The protestant must also send a copy of the protest to the applicant.

Legal 60
May 17, 24, 2001

KARL J. DREHER, Director

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

95-9077

KURT PAUL
KATHRYN PAUL
3002 14TH ST SE
AUBURN WA 98092

Point(s) of Diversion L3 SENW S20 T48N R04W KOOTENAI County
Source COEUR D ALENE LAKE
Use: DOMESTIC 01/01 To 12/31 0.06 CFS
Total Diversion: 0.06 CFS
Date Filed: 05/08/2000
Place Of Use: DOMESTIC T48N R04W S20 SENW Lot 3
Remark: Domestic use is for 1 home.

95-9078

ROD V PLESE
PLESE GANG LP
W 201 FRANCIS
SPOKANE WA 99205

Point(s) of Diversion L10 SESE S9 T48N R04W KOOTENAI County
Source GROUND WATER
Use: DOMESTIC 01/01 To 12/31 0.06 CFS
Use: IRRIGATION 03/15 To 11/15 0.14 CFS
Total Diversion: 0.2 CFS
Date Filed: 05/16/2000
Place Of Use: DOMESTIC and IRRIGATION T48N R04W S9 SESE Lot 10
Number of Acres 6.9
Domestic use is for 2 homes

95-9079

HARBORVIEW WATER SYSTEM INC
PO BOX 1752
COEUR D ALENE ID 83816

Point(s) of Diversion SENE S7 T50N R05W KOOTENAI County
Source SPOKANE RIVER
Use: IRRIGATION 03/15 To 11/15 0.06 CFS
Total Diversion: 0.06 CFS
Date Filed: 04/24/2001
Place Of Use: IRRIGATION
T50N R05W S7 SENE
T50N R05W S8 SWNW
Number of Acres 1

95-9080

GARY TREFZ
JENNIFER TREFZ
18491 S FRANCIS FAIRE RD
WORLEY ID 83876

Point(s) of Diversion SWNW S16 T48N R05W KOOTENAI County Source UNNAMED STREAM
Use: WILDLIFE STORAGE 01/01 To 12/31 9 AFA
Use: RECREATION STORAGE 01/01 To 12/31 9 AFA
Use: IRRIGATION STORAGE 01/01 To 12/31 9 AFA
Use: IRRIGATION FROM STORAGE 03/15 To 11/15 9 AFA
Total Diversion: 9 AFA
Date Filed: 04/26/2001
Place Of Use: WILDLIFE STORAGE
T48N R05W S16 SWNW
Place Of Use: RECREATION STORAGE, IRRIGATION STORAGE, and IRRIGATION FROM STORAGE same as WILDLIFE STORAGE
Number of Acres 14

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

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D'Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 06/04/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on 5/17 and 24/2001
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OCT 12 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

Fax (208) 769-1454

May 09, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

RE: Applications for Permit Nos. 95-9077, 95-9078, 95-9079 and 95-9080

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 06/04/2001. Your cooperation is appreciated.

Sincerely

Thanks to
A handwritten smiley face consisting of two dots for eyes and a curved line for a mouth.

Dianne Ball

Dianne Ball
Administrative Assistant

MICROFILMED

OCT 12 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

Fax (208) 769-1454

May 09, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

KURT AND KATHRYN PAUL
3002 14TH ST SE
AUBURN WA 98092

RE: Application for Permit No 95-9077

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. Receipt No. N013651 is enclosed for your records.

A legal notice of the application has been prepared and is scheduled for publication in the Coeur d'Alene Press on May 17 and 24, 2001. 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 ten weeks.

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

Sincerely,

Al Beardslee
Senior Water Resource Agent

Enclosure

MICROFILMED

OCT 12 2001