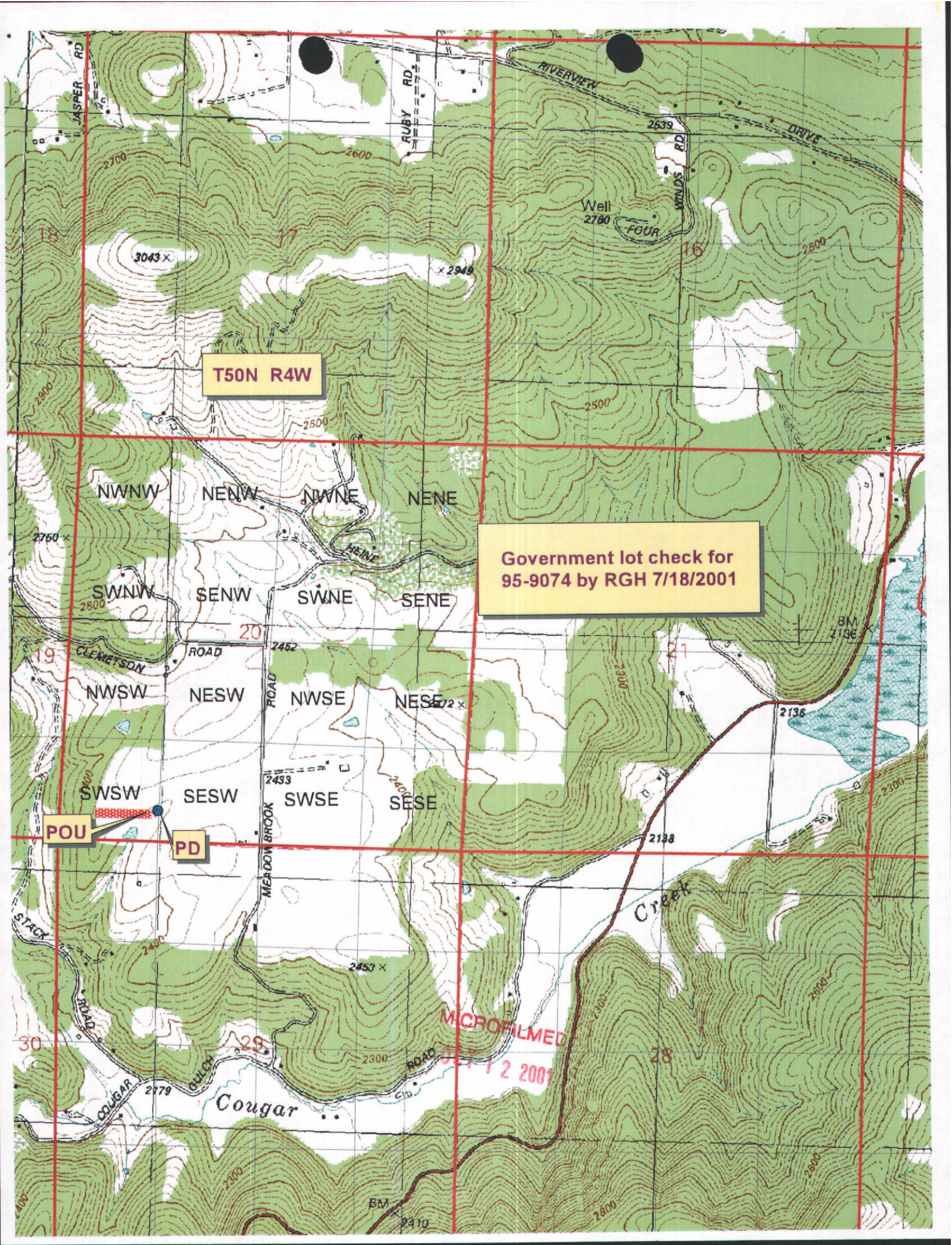




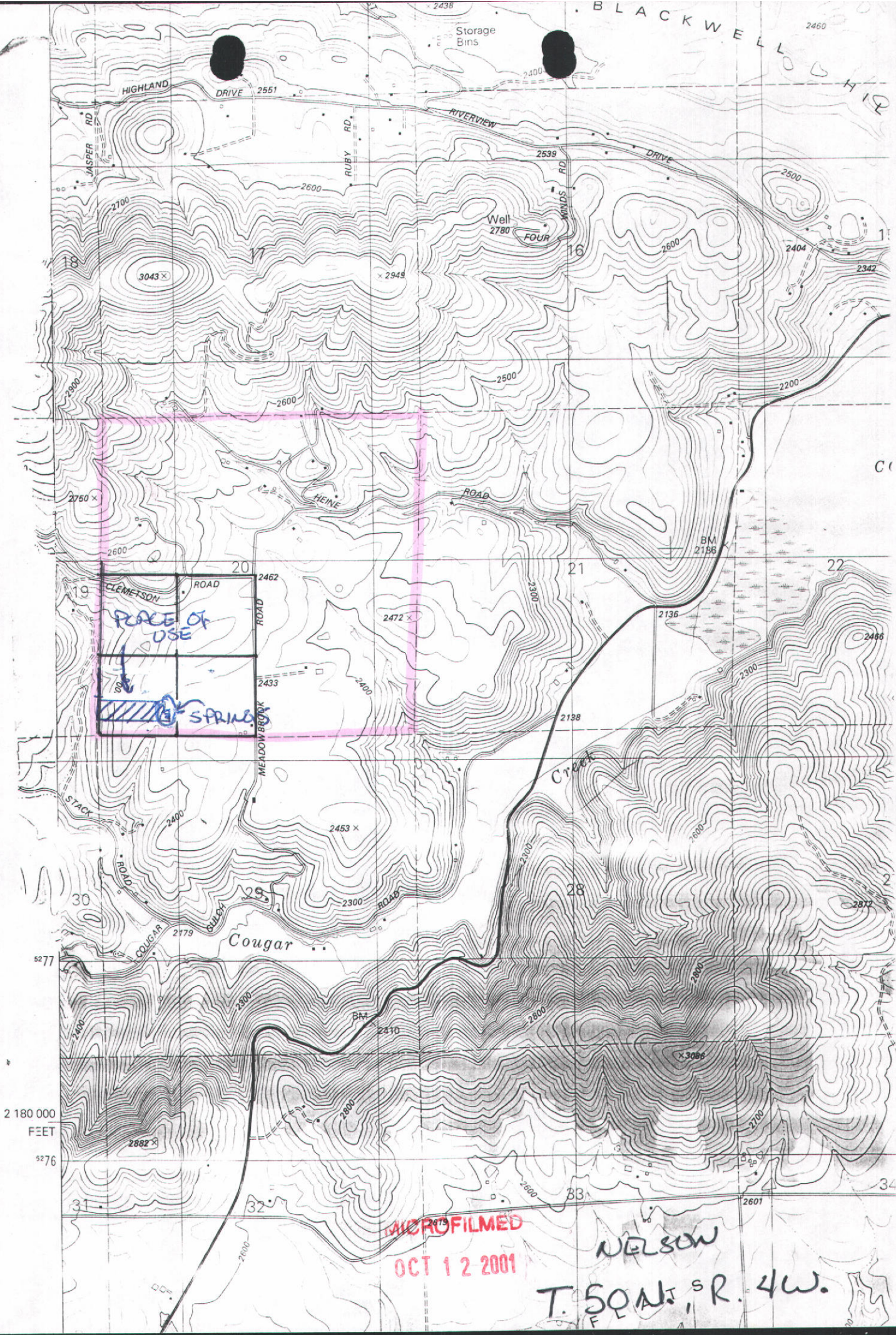
T50N R4W

Government lot check for
95-9074 by RGH 7/18/2001

POU

PD

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JUL 12 2001



218000
FEET
5276

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OCT 12 2001

NELSON
T. SONA, S. R. 4W.

SECTION NUMBER SYSTEM
IN STANDARD TOWNSHIP

1	non-reflective	reflective
2	transmissive	transmissive
3	50%	100%
4	no air	air

NAME AND NUMBER SYSTEM
STANDARD SECTION

23. IN THE EVENT REMOVAL WAS FORWARDED, THE FOLLOWING WERE CALCULATED TO DETERMINE THE COST OF REMOVAL AND THE COST OF THE REMOVAL OF THE REMOVED MATERIALS. THE COST OF REMOVAL WAS \$100.00 PER TON. THE COST OF THE REMOVAL OF THE REMOVED MATERIALS WAS \$100.00 PER TON. THE TOTAL COST OF REMOVAL WAS \$200.00 PER TON.

[illegible]

ON 3 PAGE 4 OF RECORDS SUBJECT FOR
IN TAY NO 8 188 11801
ION ON 300 1/2 TSM UNRECORDED
THE IN MAP ROOM
SENDING ME THE FOR TAY NO 1801
2000 001 00 181 00101

COMO MI PIACI AVERE

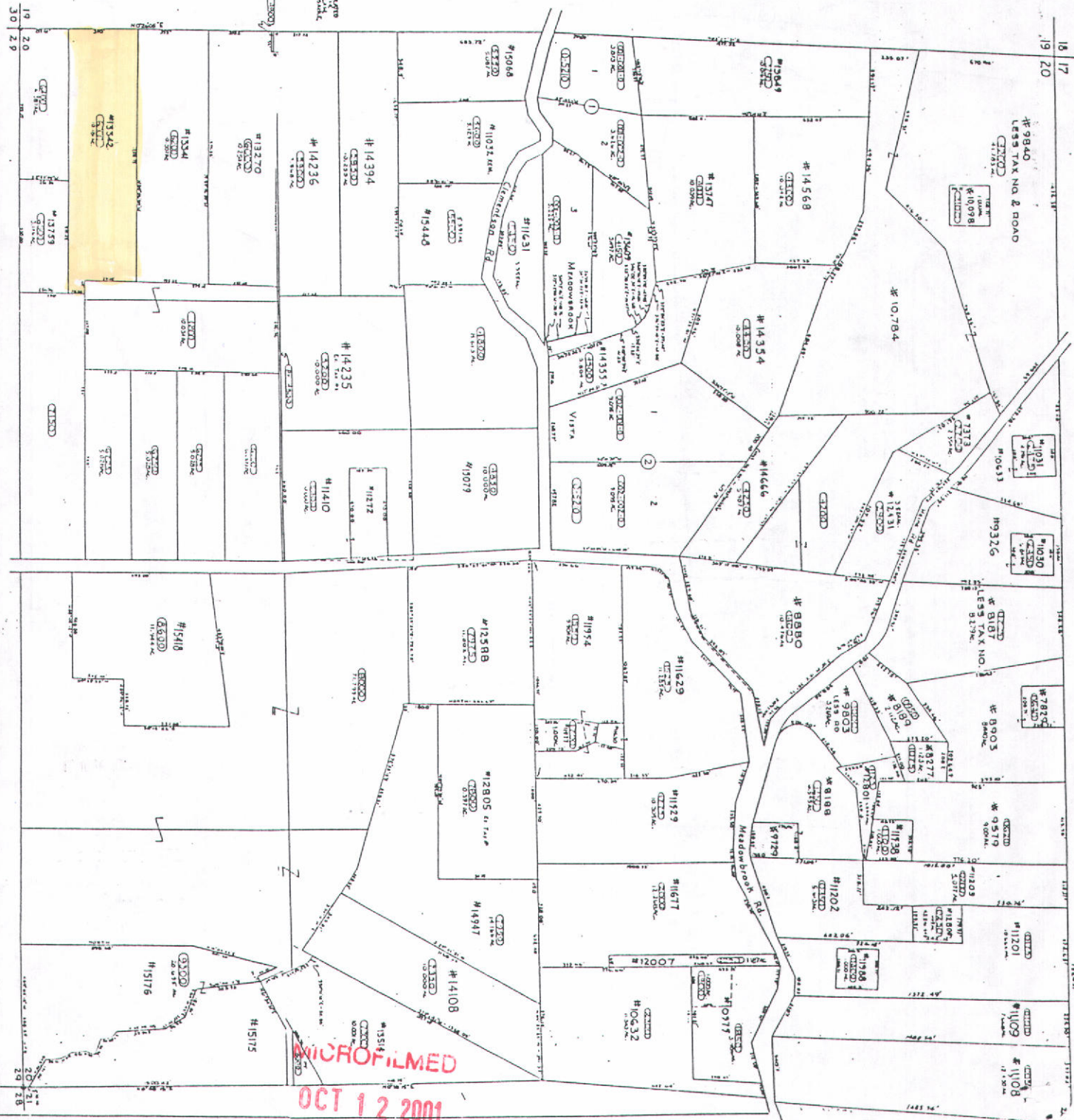
278 E. Harrington

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MICROFILMED
OCT 12 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09074

Priority: 04/02/2001

Maximum Diversion Rate: 0.20 CFS

This is to certify, that DAVID M NELSON
1547 STANDING ELK TRAIL
COEUR D ALENE ID 83814

And

SANDRA K NELSON
1547 STANDING ELK TRAIL
COEUR D ALENE ID 83814

has applied for a permit to appropriate water from:

Source: SPRINGS

Tributary: UNNAMED STREAM

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>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.10 CFS	
IRRIGATION STORAGE	03/15 to 11/15		4.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		4.0 AF
WILDLIFE STORAGE	01/01 to 12/31		4.0 AF
RECREATION STORAGE	01/01 to 12/31		4.0 AF
FIRE PROTECTION	01/01 to 12/31	0.20 CFS	
FIRE PROTECTION STORAGE	01/01 to 12/31		4.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SPRINGS SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 20, Twp 50N, Rge 04W, B.M. KOOTENAI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
50N 04W 20												5.0					5.0

Total Acres: 5

PLACE OF USE: IRRIGATION STORAGE, same as Irrigation
PLACE OF USE: IRRIGATION FROM STORAGE, same as Irrigation
PLACE OF USE: WILDLIFE STORAGE, same as Irrigation
PLACE OF USE: RECREATION STORAGE, same as Irrigation
PLACE OF USE: FIRE PROTECTION STORAGE, same as Irrigation

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OCT 12 2001

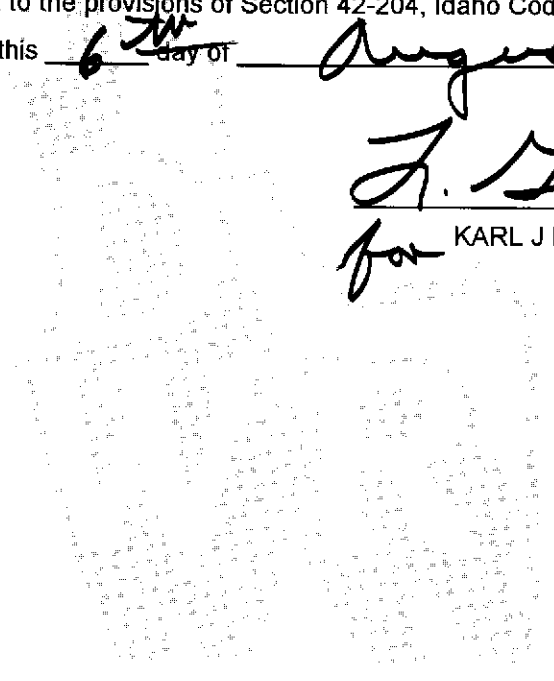
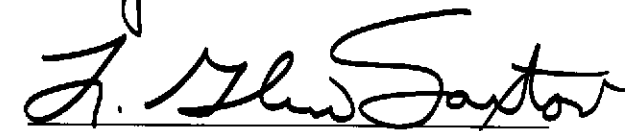
State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09074

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 1, 2006**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 6th day of August, 2001.



for KARL J DREHER, Director

MICROFILMED
OCT 12 2001

69040

Ident. No.

95-9074

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUL 24 2001

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

DEPARTMENT OF WATER RESOURCES

1. Name of Applicant David M. & Sandra K. Nelson Phone 755-7775
Mailing address 1547 Standing Elk Trail, CDA, ID 83814
2. Source of water supply Springs which is a tributary of UNNAMED STREAM
3. Location of point of diversion is Township 50N Range 4W Sec. 20 in the SUW 1/4, SW 1/4, SW 1/4, Govt. Lot 1, B.M., Kootenai County;
additional points of diversion if any: SE 1/4 SW 1/4 SW 1/4
4. Water will be used for the following purposes:
- | | |
|--|--|
| Amount <u>4 AFA</u> for <u>STORAGE FOR FIRE</u> | purposes from <u>7/1</u> to <u>12/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u>4 AFA</u> for <u>STORAGE FOR WILDLIFE</u> | purposes from <u>7/1</u> to <u>12/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u>0.20 CFS</u> for <u>STORAGE FOR RECREATION</u> | purposes from <u>7/1</u> to <u>12/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u>0.20 CFS</u> for <u>DIVERSION TO STORAGE</u> | purposes from <u>7/1</u> to <u>12/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u>4 AFA</u> for <u>IRRIGATION STORAGE</u> | purposes from <u>3/15</u> to <u>11/15</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u>4 AFA</u> for <u>IRRIGATION FROM STORAGE</u> | purposes from <u>3/15</u> to <u>11/15</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u>0.20</u> for <u>FIRE PROTECTION</u> | purposes from <u>7/1</u> to <u>12/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| <u>0.10</u> for <u>IRRIGATION</u> | purposes from <u>3/15</u> to <u>11/15</u> (both dates inclusive) |
| | |
5. Total quantity to be appropriated is (a) 0.20 and/or (b) 4.0
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 Construct collecting basin and or wildlife pond to collect springs/seepage water.
- b. Height of storage dam 5 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? 1
- 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 5 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. Emergency stockwatering of personal stock.
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. Emergency irrigation water for native trees & shrubs, plants; construction of wildlife pond, emergency watering of stock.
(I am in contact with USDA and Idaho Fish and Game)
Rec Storage for fishing & swimming

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OCT 12 2001

Received by	Date	4-2-01	Time	11:00	Preliminary check by	Date	4-2-01
Fee \$							
Publication prepared by	Recepted by						
Publication approved by	Date	4/25/01			Published in	5/3 + 10/01	
	Date	5/16/01					

Signature of Applicant (and title, if applicable)

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

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

12. Remarks:

၂.၆။ နယ်လုံး စုစည်း

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

11. a. Who owns the property at the point of diversion? David P. Sanchez Nelson
b. Who owns the land to be irrigated or place of use? David P. Sanchez Nelson

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

Total number of acres to be irrigated

[illegible]

use below. See instructions for standard symbols.

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

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

9. Description of place of use:

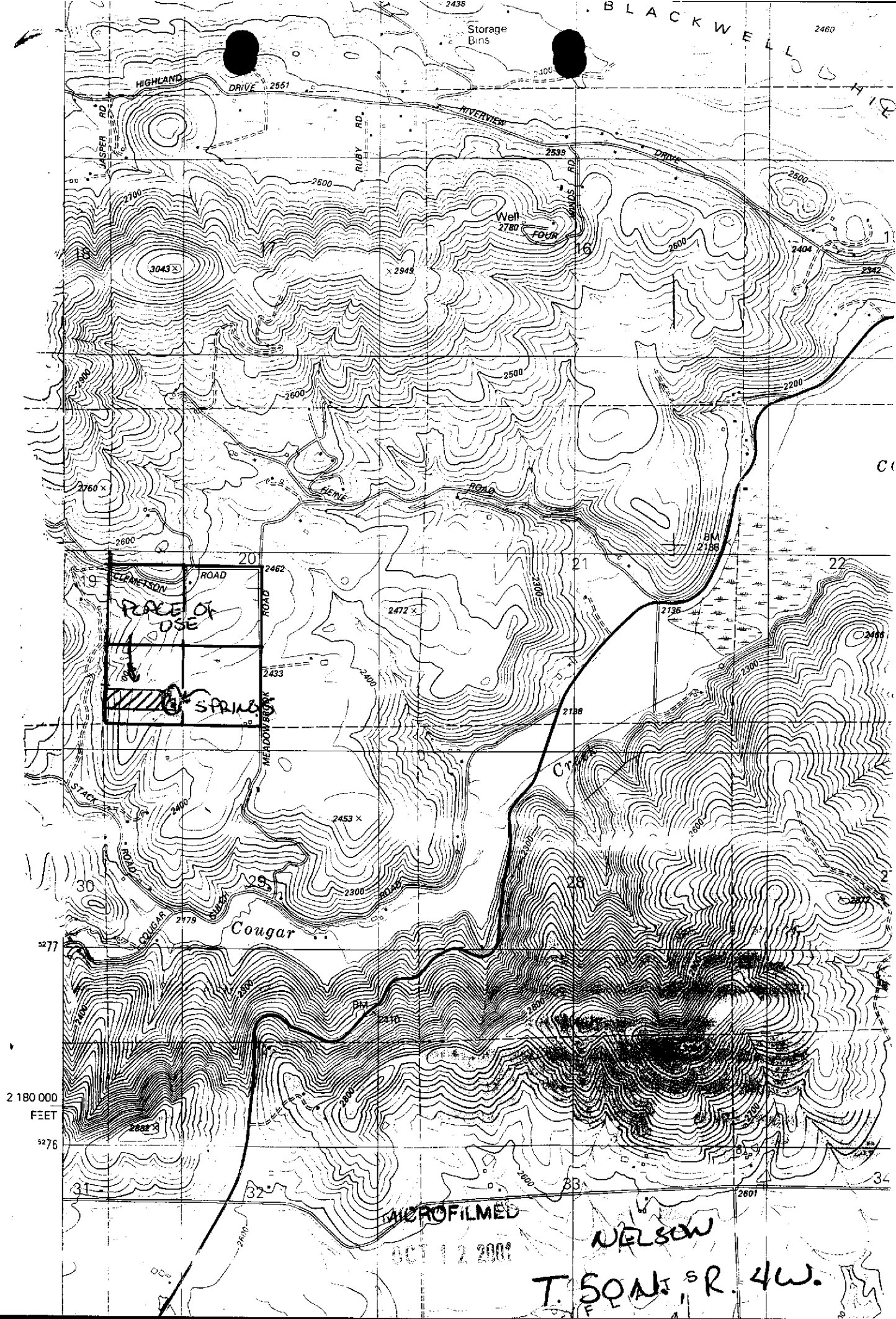
T50N R4W

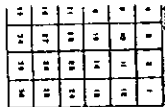
Government lot check for
95-9074 by RGH 7/18/2001

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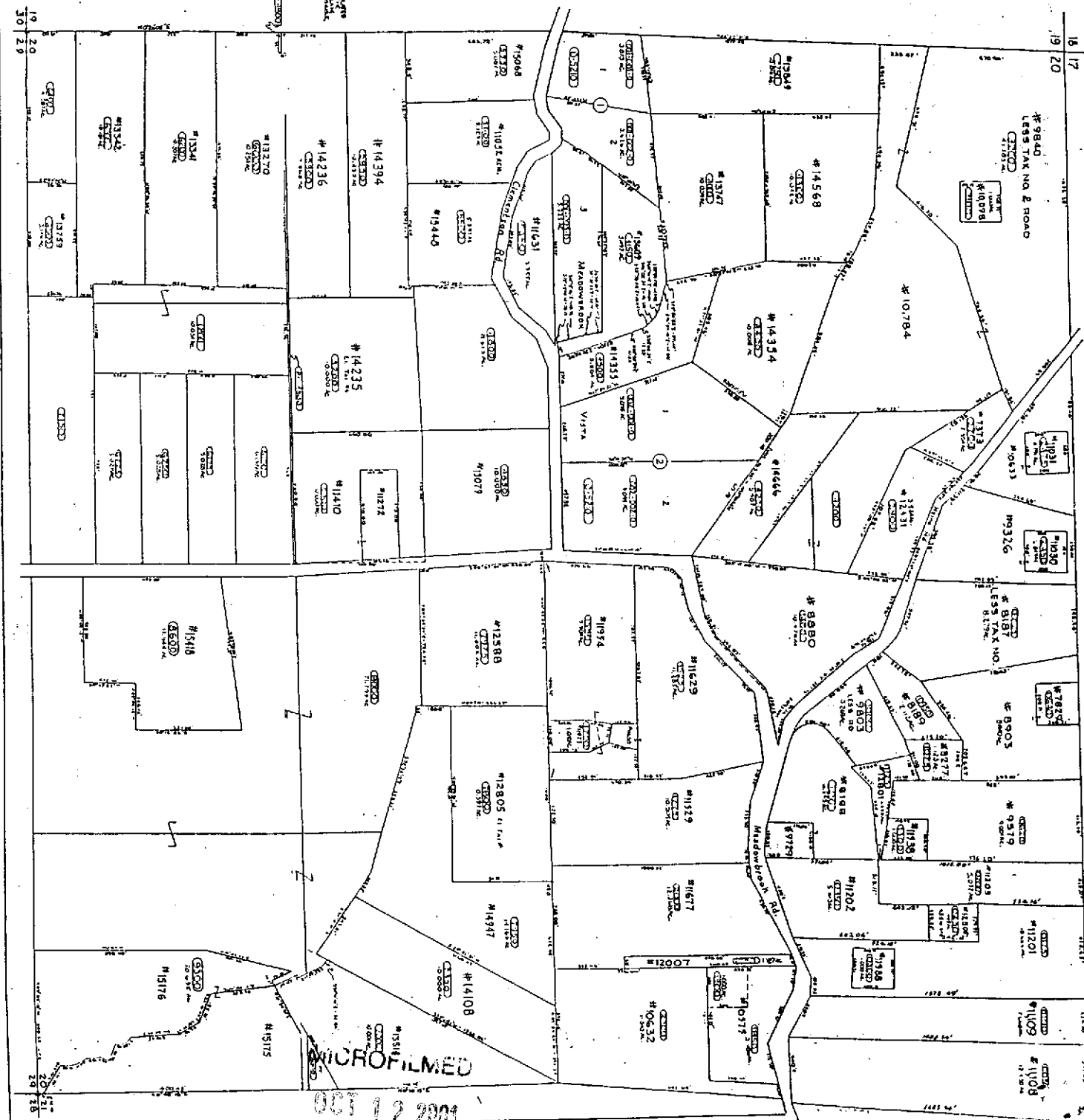
Cougar



SECTION NUMBER SYSTEM
IN STANDARD TOWNSHIP[illegible]NAME AND NUMBER SYSTEM
STANDARD SECTION[illegible]

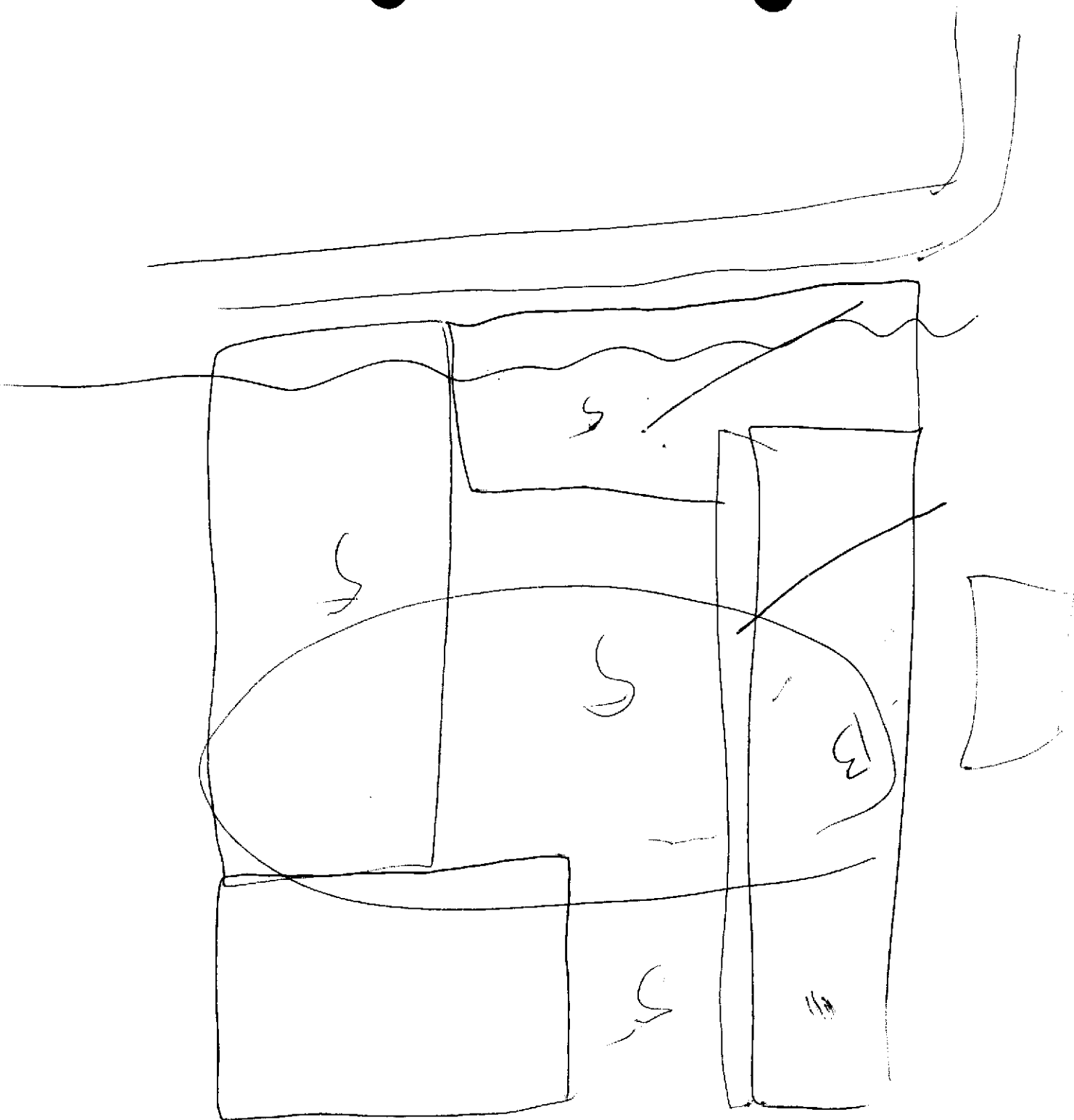
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1100 1100 1100 1100

218 K. HARRINGTON

[illegible]

15-00000
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

August 8, 2001

DAVID M NELSON
SANDRA K NELSON
1547 STANDING ELK TRAIL
COEUR D ALENE ID 83814

RE: Permit No. 95-9074

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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.

MICROFILMED

2 2 2001

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.

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

Sincerely,



for Shelley W. Keen
Water Rights Supervisor

SWK:klit

Enclosure(s)

MICROFILMED

OCT 12 2001

CERTIFICATE OF MAILING

I hereby certify that on August 8, 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. 95-9074

DAVID M NELSON
SANDRA K NELSON
1547 STANDING ELK TRAIL
COEUR D ALENE ID 83814



Kari Lynn Townsend
Secretary

MICROFILMED

OCT 12 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.

Reviewed by Sharla Curtis on 7/31/01

No. 95-9074 Name: Nelson Corp. Officers NA Ad ok ☒ Govt Lots

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

GROUNDWATER: ($\sqrt{\text{Flow Chart}}$)

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

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response *None*
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
ISH PROP	- 029 (70's only)-007-042-106
DOMESTIC	
Surface water	- WB5 (Big Wood/Boise above Star Bridge)
	- 27A (Payette R)
> 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)

BENEFICIAL USE DUE: 6/01/2006

MISC CONDITIONS/REMARKS:

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

Multiple pd's per ¼¼ - 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 3/15 - 11/15 (Per updated map)

IRR VOLUME/ACRE 3.0

OTHER CONDITIONS/REMARKS

COMMENTS

No overlaps

RECEIVED

JUL 24 2001

DEPARTMENT OF WATER RESOURCES

IN THE DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

69040
APPLICATION # 95-9074
INITIAL REVIEW

BCA
WRA

APPLICANT: NELSON BY: AS DATE: 4/2/01

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

- (Yes) (No)
- X Field check: by _____
- + Field report attached
- + Analysis Supp. attached (>5cfs/500af)
- + Water delivered by water master?
Water District # _____

PROCESSING

(Yes) (No) PRIORITY DATE: 4/2/01

X (Include Moratorium Remark)

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

CA/Thur/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

WD Permit No.'s: TAG # Type: Fees Receipt No. Upgrade Needed?

WD Permit No.'s	TAG #	Type	Fees	Receipt No.	Upgrade Needed?
<u>7</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: _____

(Yes) (No) FINAL REGIONAL PROCESSING/REVIEW

- 5/11 5/16 4/26 5/21/01
- ✓ 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
- ✓ Protests received, Final protest date: 5/21/01 Sr. Agent initial AB
- ✓ Measuring device required
- ✓ Measuring port required
- ✓ Special conditions:

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

Approval Recommended by: AS

Date: 5/22/01

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, April 24, 2001 2:34 PM
To: 'Mark Liter, IDFG Cd'A'
Subject: perweek1.txt NEW WATER RIGHT LISTINGS REQUIRING YOUR COMMENTS



perweek1.txt.url

reetings, Mark, and I hope you have a marvelous day.

Following is a list of water rights for which you will find information in the attachment:

95-9070 DeTar;
95-9071 Trefz;
95-9072 Trefz;
95-9073 Eaton;
95-9074 Nelson.

We require comments from you on each of these five pending applications found within the attachment. You can either click on the http address or double click on the attachment itself. Either one should get you to the website with the listings. The final date for protest or comments to be received in our office on these five water right applications will be MAY 21, 2001. Protests received must be original signed copies, together with a \$25.00 fee for each application protested. If you have no interest in any of these applications, please advise us of that fact.

We will appreciate your comments either way, and if there is no protest, an e-mail response will be great.

Thank you very much for your prompts response. Dianne Ball, IDWR, Cd'A office

<http://www.idwr.state.id.us/info/water/rights/perweek1.txt>

*No response
as of 6/22/01
db*

MICROFILMED
OCT 12 2001

AFFIDAVIT OF PUBLICATION

RECEIVED
MAY 11 2001

STATE OF IDAHO,
County of Kootenai,

ss,

Jennifer Standridge

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 *3* day of *May*, 2001, and ending on the *10* day of *May*, 2001, 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.

Subscribed and sworn to before me this *10* day of *May*, 2001

Jennifer Standridge

Regina Mason

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

MY COMMISSION EXPIRES 6/18/03

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OCT 12 2001

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-9070

THOMAS R DE TAR
1490 SCHILLING LOOP
POST FALLS, ID 83854
Point(s) of Diversion NESW S10 T50N R05W KOOTENAI County
Source SPRING, UNNAMED STREAM
Point(s) of Diversion NWSE S10 T50N R05W KOOTENAI County
Source SPRING, UNNAMED STREAM
Use: IRRIGATION 03/15 To 11/15 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 03/16/2001
Place Of Use: IRRIGATION
T50N R05W S10 NESW
Number of Acres 10

95-9071

GARY TREFZ
JENNIFER TREFZ
18491 S FRANCIS FAIRE RD
WORLEY ID 83876
Point(s) of Diversion NESE S17 T48N R05W KOOTENAI County
Source SPRINGS, UNNAMED STREAM
Point(s) of Diversion NESE S17 T48N R05W KOOTENAI County
Source SPRINGS, UNNAMED STREAM
Use: WILDLIFE STORAGE 01/01 To 12/31 2AFA
Use: RECREATION STORAGE 01/01 To 12/31 2AFA
Use: DIVERSION TO STORAGE 01/01 To 12/31 0.2CFS
Total Diversion: 0.2CFS
Date Filed: 03/22/2001
Place Of Use: WILDLIFE STORAGE and RECREATION STORAGE
T48N R05W S17 NESE

95-9072

GARY TREFZ
JENNIFER TREFZ
18491 S FRANCIS FAIRE RD
WORLEY ID 83876
Point(s) of Diversion NESE S17 T48N R05W KOOTENAI County
Source UNNAMED STREAM
Use: WILDLIFE STORAGE 01/01 To 12/31 2.5AFA
Use: RECREATION STORAGE 01/01 To 12/31 2.5AFA
Total Diversion: 2.5AFA
Date Filed: 03/22/2001
Place Of Use: WILDLIFE STORAGE and RECREATION STORAGE
T48N R05W S17 NESE

95-9073

GLENN EATON
7228 E COEUR D ALENE LAKE DRIVE
COEUR D ALENE ID 83814
Point(s) of Diversion NWSW S28 T50N R04W KOOTENAI County
Source COEUR D ALENE LAKE
Use: DOMESTIC 01/01 To 12/31 0.04CFS
Use: IRRIGATION 03/15 To 11/15 0.03CFS
Total Diversion: 0.07CFS
Date Filed: 03/28/2001
Place Of Use: DOMESTIC and IRRIGATION
T50N R04W S28 NWSW
Number of Acres 2
Remark: Two points of diversion, one for domestic and one for irrigation.

95-9074

DAVID M NELSON
SANDRA K NELSON
1547 STANDING ELK TRAIL
COEUR D ALENE ID 83814
Point(s) of Diversion SWSWSW S20 T50N R04W KOOTENAI County
Source SPRINGS
Use: FIRE PROTECTION 01/01 To 12/31 0.03CFS 4AFA
Use: WILDLIFE STORAGE 01/01 To 12/31 0.03CFS 4AFA
Use: RECREATION STORAGE 01/01 To 12/31 0.03CFS 4AFA
Use: DIVERSION TO STORAGE 01/01 To 12/31 0.2CFS 4AFA
Use: IRRIGATION STORAGE 03/15 To 11/15 0.2CFS 4AFA
Use: IRRIGATION FROM STORAGE 03/15 To 11/15 0.2CFS 4AFA
Use: FIRE PROTECTION 01/01 To 12/31 0.2CFS 4AFA
Use: IRRIGATION 03/15 To 11/15 0.1CFS 4AFA
Total Diversion: 0.2CFS
Date Filed: 04/02/2001
Place Of Use: FIRE PROTECTION STORAGE, WILDLIFE STORAGE, RECREATION STORAGE, IRRIGATION AND IRRIGATION STORAGE:
T50N R04W S20 SWSW
Number of Acres 5
Remark: Recreation storage is for fishing and swimming.

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 05/21/2001. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
Legal 958
May 3, 10, 2001

*5/16/01
ok per Bab & Lynne
b*

DAVID M NELSON
SANDRA K NELSON
1547 STANDING ELK TRAIL
COEUR D'ALENE ID 83814

Point(s) of Diversion	SWSWSW	S20 T50N R04W KOOTENAI County	Source SPRINGS
Use: FIRE PROTECTION STORAGE	01/01 To 12/31	0.03 CFS	4 AFA
Use: WILDLIFE STORAGE	01/01 To 12/31	0.03 CFS	4 AFA
Use: RECREATION STORAGE	01/01 To 12/31	0.03 CFS	4 AFA
Use: DIVERSION TO STORAGE	01/01 To 12/31	0.2 CFS	4 AFA
Use: IRRIGATION STORAGE	03/15 To 11/15	0.2 CFS	4 AFA
Use: IRRIGATION FROM STORAGE	03/15 To 11/15	0.2 CFS	4 AFA
Use: FIRE PROTECTION	01/01 To 12/31	0.2 CFS	4 AFA
Use: IRRIGATION	03/15 To 11/15	0.1 CFS	4 AFA
Total Diversion:		0.2 CFS	

Date Filed: 04/02/2001

Place Of Use: FIRE PROTECTION STORAGE, WILDLIFE STORAGE, RECREATION STORAGE, IRRIGATION AND IRRIGATION STORAGE:
T50N R04W S20 SWSW

Number of Acres 5

Remark: Recreation storage is for fishing and swimming.

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 05/21/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on 5/3 and 5/10/2000

*Computer
System entered
extra information
do not need to
readvertise
per Bob Higgins
5/16/01
b*

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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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 25, 2001

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

RE: Application for Permit No. 95-9070, 95-9071, 95-9072, 95-9073, and 95-9074

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 05/21/2001. Your cooperation is appreciated.

Sincerely

Dianne Ball
Administrative Assistant

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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

April 25, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DAVID M NELSON
1547 STANDING ELK TRAIL
COEUR D ALENE ID 83814

RE: Application for Permit No 95-9074

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 May 3 and 10, 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 twelve weeks.

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

Sincerely,

Allen Beardslee
Senior Water Resource Agent

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