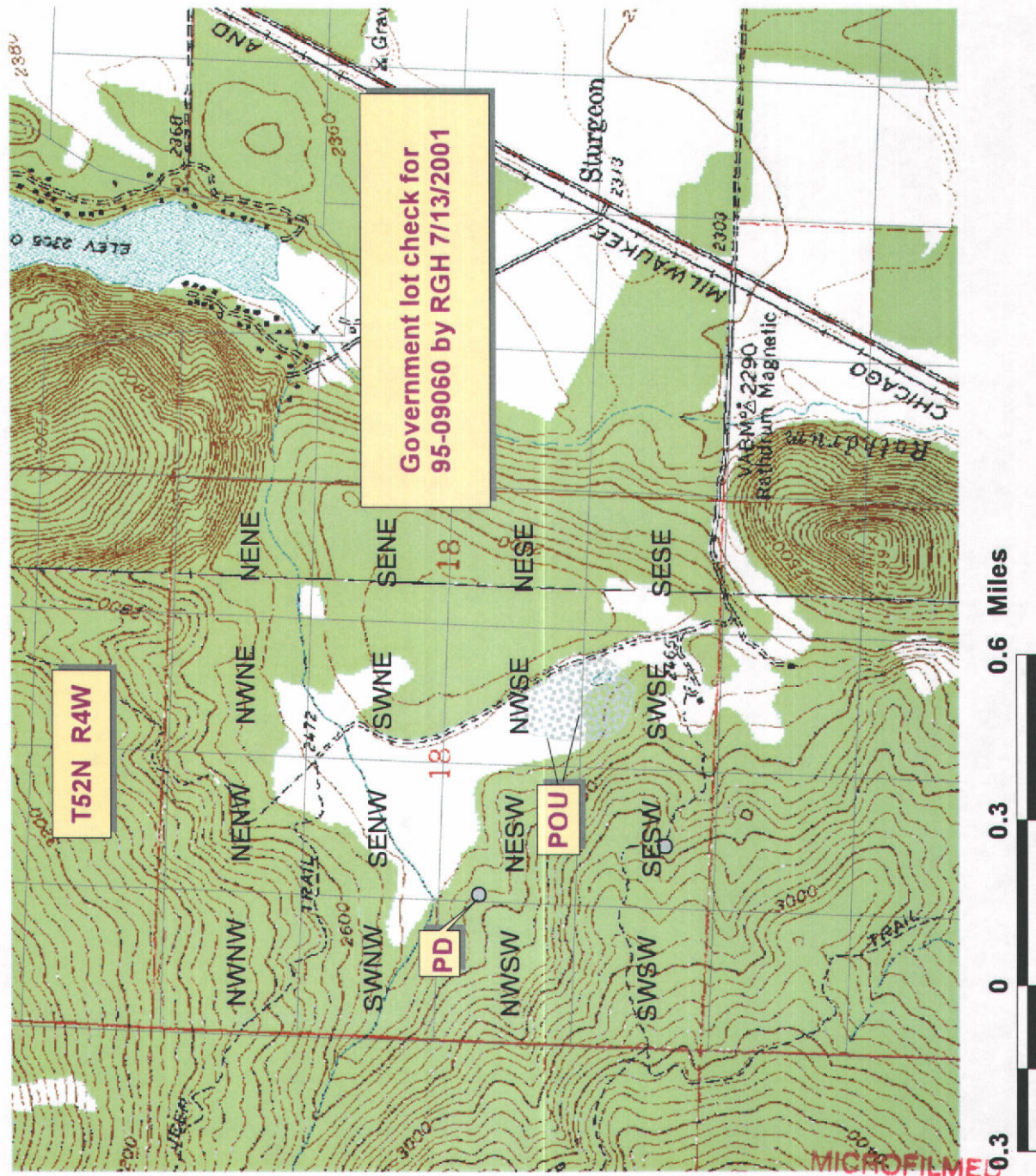


View1



276.110 ACRES +/-)



OCT 12 2001

Sec.18 Twp. 52 N. R. 4 W.B.M.

52N04W-18

GOVT
LOT 1
41.20 Ac

0100
10,000 Ac

GOVT
LOT 2
41.05 Ac

0200
100,000 Ac

0300
100,000 Ac

GOVT
LOT 3
40.90 Ac

NE SW

#13277
EX 104 #3

0500
84,323 Ac

#12346
EX 104 #

#12685

Harner Add
0-3428

GOVT
LOT 4
40.75 Ac

#15397
0900
22,840 Ac

#13545
0700
20,388 Ac

#15935
0200
20,004 Ac

SCALE: 1 INCH = 400 FEET

Sec.18 Twp.52N. R.4W.B.M.

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OCT 12 2001

8
FOR OFFICE USE ONLY
Amt. of Fee \$: 50
Receipt No. A2014090
Receipt By: DGH
Date Received: 1-8-01

RECEIVED
JUL 16 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 95-9060 Telephone No. 687-1485
2. Name of Permit Holder(s): Betty Lou Zirkle
3. Mailing Address: W 6925 Sturgeon Rd
City Rothlindrum State ID Zip 83858
4. Source of Water: unnamed stream if **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 15 Other: wild life
6. Total rate of diversion and/or volume for which proof is submitted: 2 cfs OR 2 AF 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 - (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: _____ Telephone Number: _____
Address: _____
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: Betty L. Zirkle Date: 1-8-01
(include your title, if on behalf of company or organization)

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OCT 12 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09060

Priority: 01/08/2001

Maximum Diversion Rate: 0.20 CFS

This is to certify, that BETTY LOU ZIRKLE
W 6925 STURGEON RD
RATHDRUM ID 83858

has applied for a permit to appropriate water from:

Source: UNNAMED STREAM

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>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.20 CFS	
WILDLIFE STORAGE	01/01 to 12/31		2.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 18, Twp 52N, Rge 04W, B.M. KOOTENAI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
52N 04W 18															8.0	7.0	15.0

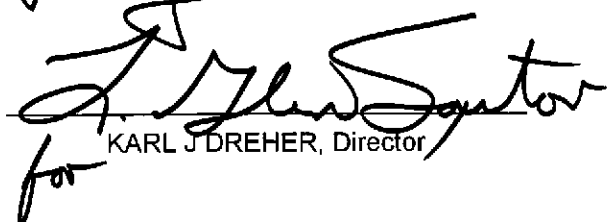
Total Acres: 15

PLACE OF USE: WILDLIFE STORAGE, same as Irrigation

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. This right when combined with all other rights shall provide no more than 0.02 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 19th day of July, 2001.


for KARL J DREHER, Director

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OCT 12 2001

RECEIVED

JUL 16 2001

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 Betty Lou Zirkle Phone 687-1485
Mailing address W 6925 Sturgeon Rd Rathdrum ID 83858
2. Source of water supply unnamed stream which is a tributary of Sinks
3. Location of point of diversion is Township 52N Range 4W Sec. 18, in the 1/4,
NE 1/4, SW 1/4, Govt. Lot N/A, B.M., Kootenai County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount 2AF for wildlife storage purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 2cfs for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 2cfs for Diversion to storage purposes from 1-1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .20 and/or (b) 2AF
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 Pipe and ditch
- 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 years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

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OCT 12 2001

- 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.

[illegible]

Total number of acres to be irrigated

51

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

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

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

၂၄၅ နံပါတ်

12. Remarks: Proof of B&U, A&S Submission with AP.

BE IT KNOWN that the undersigned here
of the State of Idaho as herein set forth.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8"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.)

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Signature of Applicant (and title, if applicable)

Received by WVA Fee \$ 100.00

Publication prepared by:

Date _____

Published in

Preliminary check by

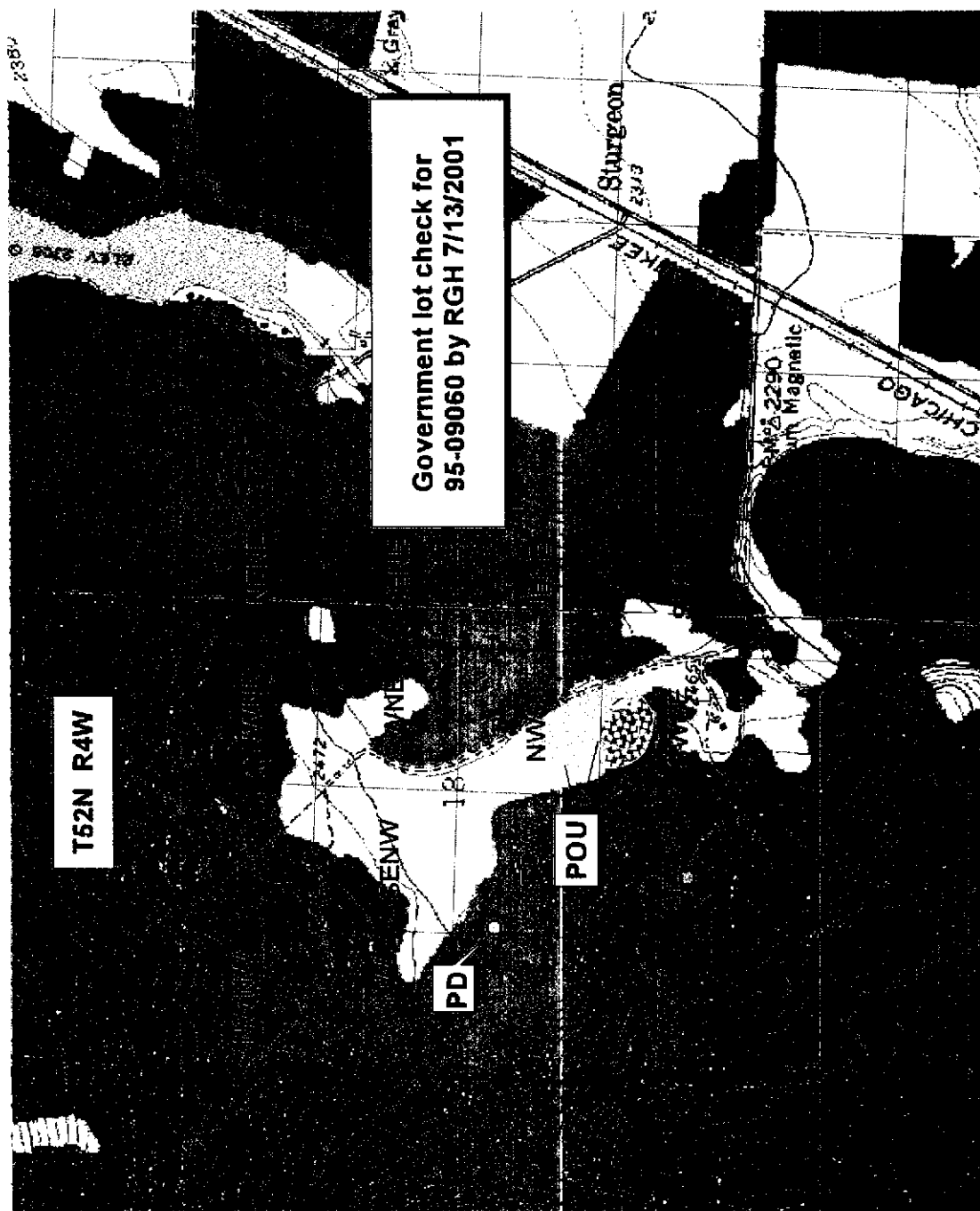
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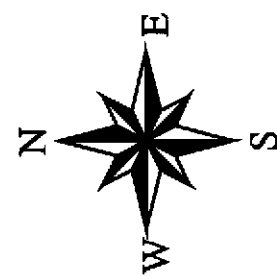
56

02/07/05 5/10

View1



- GCD8 T52N04W.shp
- POD- Application Application POD
- Application POU
- Townships



OCT 12 2001

276.110 ACRES +/-)



Sec. 18 Twp. 52 N. R. 4 W.B.M.

52N04W-18

GOVT
LOT 1
41.20 Ac

0100
16.00 Ac

GOVT
LOT 2
41.05 Ac

0300
16.75 Ac

0300
16.75 Ac

GOVT
LOT 3
40.90 Ac

#13277
16.75 Ac

0300
16.75 Ac

#12346
16.75 Ac

#12685
16.75 Ac

Harner Add
0-3428

GOVT
LOT 4
40.75 Ac

#15397
0300
16.75 Ac

#13545
0700
20.00 Ac

#15935
0300
16.75 Ac

SCALE: 1 INCH = 400 FEET

Sec. 18 Twp. 52 N. R. 4 W.B.M.

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OCT 12 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 14 2002
IDWR/North

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
Address of the owners of record for the listed water rights.
(Please print or type)

RECEIVED
MAY 16 2002

[] Water Right Number(s):

95-9060

95-9061

Department of Water Resources

[] Names(s):

Betty Zirkle

[] Old Mailing Address:

W 6925 Sturgeon Rd
Rathdrum ID 83858

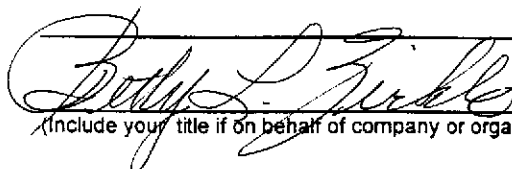
[] New Mailing Address:

W 7014 Sturgeon Rd
Rathdrum ID 83858

Telephone Number:

() _____

[] Signature(s) of Owner(s)


(Include your title if on behalf of company or organization)

Date: _____



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

July 27, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

BETTY LOU ZIRKLE
W 6925 STURGEON RD
RATHDRUM ID 83858

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NOS. 95-09060 and 95-09061

Dear Permit Holder:

The department acknowledges receipt of the proofs of beneficial use forms submitted for the above referenced permits. The next step in the process of developing a water right is for the department to review the Field Reports that the Eastern Region prepared, and determine and confirm the use being made of the water for issuance of a license.

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

c: IDWR - Regional Office

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OCT 12 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-9060

Reviewed By: dgibson

Date: July 26, 2001

	<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.:		N014090	Well driller's report filed?		X
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		01/08/2001
Date proof due	-	08/01/2002
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	01/08/2001
New priority date	=	01/08/2001

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 20, 2001

BETTY LOU ZIRKLE
W 6925 STURGEON RD
RATHDRUM ID 83858

RE: Permit No. 95-9060

Permit Approval Notice

Dear Permit Holder:

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

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

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

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

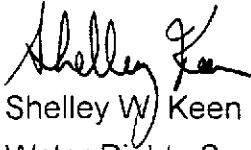
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's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

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OCT 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 "Shelley" being more prominent.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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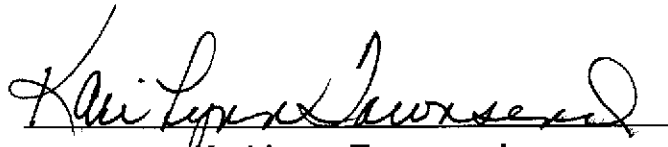
OCT 12 2001

CERTIFICATE OF MAILING

I hereby certify that on July 20, 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. 95-9060

**BETTY LOU ZIRKLE
W 6925 STURGEON RD
RATHDRUM ID 83858**


**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.

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 7/16/01

No. 959060 Name: Zirkle 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 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
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 pd intended - 076

IRRIGATION SEASON 4/1 - 10/31 (Per updated map)

IRR VOLUME/ACRE 3.0

OTHER CONDITIONS/REMARKS

COMMENTS

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

8 WRA
OCA

APPLICATION # 95-9060 68939

..... INITIAL REVIEW

APPLICANT: ZIRKLE BY: [Signature] DATE: 1/15/01

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: 1/18/01

 ☒ (Include Moratorium Remark)

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

CA/Cham/ak

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> </u>	<u> </u>	Dom. Non-Dom. <u> </u>	Paid \$ <u> </u>	<u> </u>	Y () N ()
<u> </u>	<u> </u>	Dom. Non-Dom. <u> </u>	Paid \$ <u> </u>	<u> </u>	Y () N ()
<u> </u>	<u> </u>	Dom. Non-Dom. <u> </u>	Paid \$ <u> </u>	<u> </u>	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
- ☒ Protests received, Final protest date: 4/12/01
- ☒ Measuring device required
- ☒ Measuring port required
- ☒ Special conditions:
- ☒ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: [Signature] Date: 4/24/01

Ball, Dianne

From: Ball, Dianne
Sent: Monday, April 02, 2001 12:11 PM
To: 'Mark Litter, IDFG Cd'A'
Subject: perweek3.txt



perweek3.txt.url

Mark, I understand that you have taken over the matter of surface water right review and comment, from Chip Corsi. Hence this e-mail to you.

Embodied in the link below are four (4) water rights on which we need comments from you as soon as possible - actually by today if at all possible.

On our new system, these do not hit the internet as soon as they used to, and that coupled with the fact that I was stranded out of town because of a car break down, I am delayed in getting these to you. The four (4) in question are surface water rights, as follows:

95-9059	McCormack tall Pines
95-9060	Zirkle
95-9061	Zirkle
96-9063	Nelson

MANY, MANY thanks for your prompt response. It is greatly appreciated,

Dianne Ball, IDWR, Cd'A

<http://www.idwr.state.id.us/info/water/rights/perweek3.txt>

*No response as of
4/24/01
D*

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OCT 12 2001

RECEIVED

MAR 23 2001

AFFIDAVIT OF PUBLICATION

JDWF North
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 15 day of March 2001, and ending on the 22 day of March 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.

Jennifer Standridge
Subscribed and sworn to before me this 22 day of March 2001
Regina Mason
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MY COMMISSION EXPIRES 6/18/03

System included a 0.2 cfs for Wildlife Storage in addition to the 2 AF amount.

Per AL BEARDSLEE, no need to re-advertise for this problem.

Dianne Ball

4/3/01

NOTICE OF APPLICATION FOR WATER RIGHTS

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

95-9059

MC CORMACK TALL PINES ACRES
C/O MICHAEL T MC CORMACK, OWNER
200 E CARRILLO ST
SANTA BARBARA CA 93101
Point(s) of Diversion L1 SENE S9 T49N R04W KOOTENAI County
Source COEUR D'ALENE LAKE
Use: IRRIGATION 03/15 To 11/15 0.2 CFS
Use: IRRIGATION STORAGE 03/15 To 11/15 1.4 AFA
Use: IRRIGATION FROM STORAGE 03/15 To 11/15 1.4 AFA
Use: RECREATION 01/01 To 12/31 0.2 CFS
Use: RECREATION STORAGE 01/01 To 12/31 1.4 AFA
Use: DIVERSION TO STORAGE 01/01 To 12/31 0.2 CFS
Total Diversion: 0.2 CFS

Date Filed: 02/13/2001
Place Of Use: IRRIGATION
T49N R04W S9 NENE NWNE SWNE L1 (SENE) NENW
Number of Acres 32
Place Of Use: IRRIGATION STORAGE
T49N R04W S9 SWNE
Place Of Use: IRRIGATION FROM STORAGE
T49N R04W S9 NENE NWNE SWNE L1 (SENE) NENW
Number of Acres 32
Place Of Use: RECREATION; RECREATION STORAGE and DIVERSION TO STORAGE
T49N R04W S9 SWNE
Remark: McCormack Tall Pines Acres owned by Michael T. McCormack

95-9060

BETTY LOU ZIRKLE
W 6925 STURGEON RD
RATHDRUM ID 83858
Point(s) of Diversion NESW S18 T52N R04W KOOTENAI County
Source UNNAMED STREAM
Use: IRRIGATION 03/15 To 11/15 0.2 CFS
Use: WILDLIFE STORAGE 01/01 To 12/31 0.2 CFS 2 AFA
Use: DIVERSION TO STORAGE 01/01 To 12/31 0.2 CFS
Total Diversion: 0.2 CFS

Date Filed: 01/08/2001
Place Of Use: IRRIGATION
T52N R04W S18 NWSE SWSE
Number of Acres 15
Place Of Use: WILDLIFE STORAGE
T52N R04W S18 NWSE SWSE

95-9061

BETTY LOU ZIRKLE
W 6925 STURGEON RD
RATHDRUM ID 83858
Point(s) of Diversion SESW S18 T52N R04W KOOTENAI County
Source UNNAMED STREAM
Use: IRRIGATION 03/15 To 11/15
Use: DOMESTIC 01/01 To 12/31 0.15 CFS
Total Diversion: 0.15 CFS
Date Filed: 01/08/2001
Place Of Use: IRRIGATION
T52N R04W S18 NWSE SWSE
Number of Acres 5
Place Of Use: DOMESTIC is same as for IRRIGATION

95-9062

ROCKY WATER CO-OP
24222 N HWY 41
RATHDRUM ID 83858
Point(s) of Diversion NENE S5 T52N R04W KOOTENAI County
Source GROUND WATER
Use: IRRIGATION 03/15 To 11/15 0.12 CFS
Use: DOMESTIC 01/01 To 12/31 0.08 CFS
Total Diversion: 0.13 CFS
Date Filed: 02/15/2001
Place Of Use: IRRIGATION
T52N R04W S5 NENE
Number of Acres 1.5
Place Of Use: DOMESTIC is same as IRRIGATION
Remark: Domestic use is for 3 homes.

95-9063

KIDD ISLAND BAY DEVELOPMENT CORP
PO BOX 312
COEUR DALENE ID 83814
Point(s) of Diversion NESW S35 T50N R04W BONNER County
Source GROUND WATER
Use: IRRIGATION 03/15 To 11/15 0.12 CFS
Use: DOMESTIC 01/01 To 12/31 0.13 CFS
Total Diversion: 0.2 CFS
Date Filed: 02/26/2001
Place Of Use: IRRIGATION
T50N R04W S35 SWSW
Number of Acres 4
Place Of Use: DOMESTIC is same as IRRIGATION
Remark: Domestic use is for 9 homes.

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 04/02/2001. The protestant must also send a copy of the protest to the applicant.

Legal 676
March 15, 22, 2001

KARL J. DREHER, Director

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OCT 12 2001

95-9060

BETTY LOU ZIRKLE
W 6925 STURGEON RD
RATHDRUM ID 83858

Point(s) of Diversion	NESW	S18 T52N R04W KOOTENAI County	Source UNNAMED STREAM
Use:	IRRIGATION	03/15 To 11/15 0.2 CFS	
Use:	WILDLIFE STORAGE	01/01 To 12/31 0.2 CFS	2 AFA
Use:	DIVERSION TO STORAGE	01/01 To 12/31 0.2 CFS	
Total Diversion:		0.2 CFS	

Date Filed: 01/08/2001

Place Of Use: IRRIGATION

T52N R04W S18 NWSE SWSE

Number of Acres 15

Place Of Use: WILDLIFE STORAGE

T52N R04W S18 NWSE SWSE

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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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 07, 2001

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

RE: Application for Permit No. 95-9059, 95-9060, 95-9061, 95-9062, 95-9063

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 04/02/2001. Your cooperation is appreciated.

Sincerely

Dianne Ball
Administrative Assistant

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OCT 12 2001

March 7, 2001

Betty Lou Zirkle
W 6925 Sturgeon Rd
Rathdrum ID 83858

Re: Water Appropriation Application No. 95-9060 and 95-9061

Dear Ms. Zirkle:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the Coeur d'Alene Press on March 15 and 22, 2001. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 2 to 3 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State office in Boise.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB:db

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