

Government Lot check for
95--09056 by RGH 6/7/2001

T49N R4W

Driftwood
Point

Driftwood
Bay

PD

BM 2186

2400

13

MICROFILMED
JUL 12 2001

Gittel, Ron 95-09056

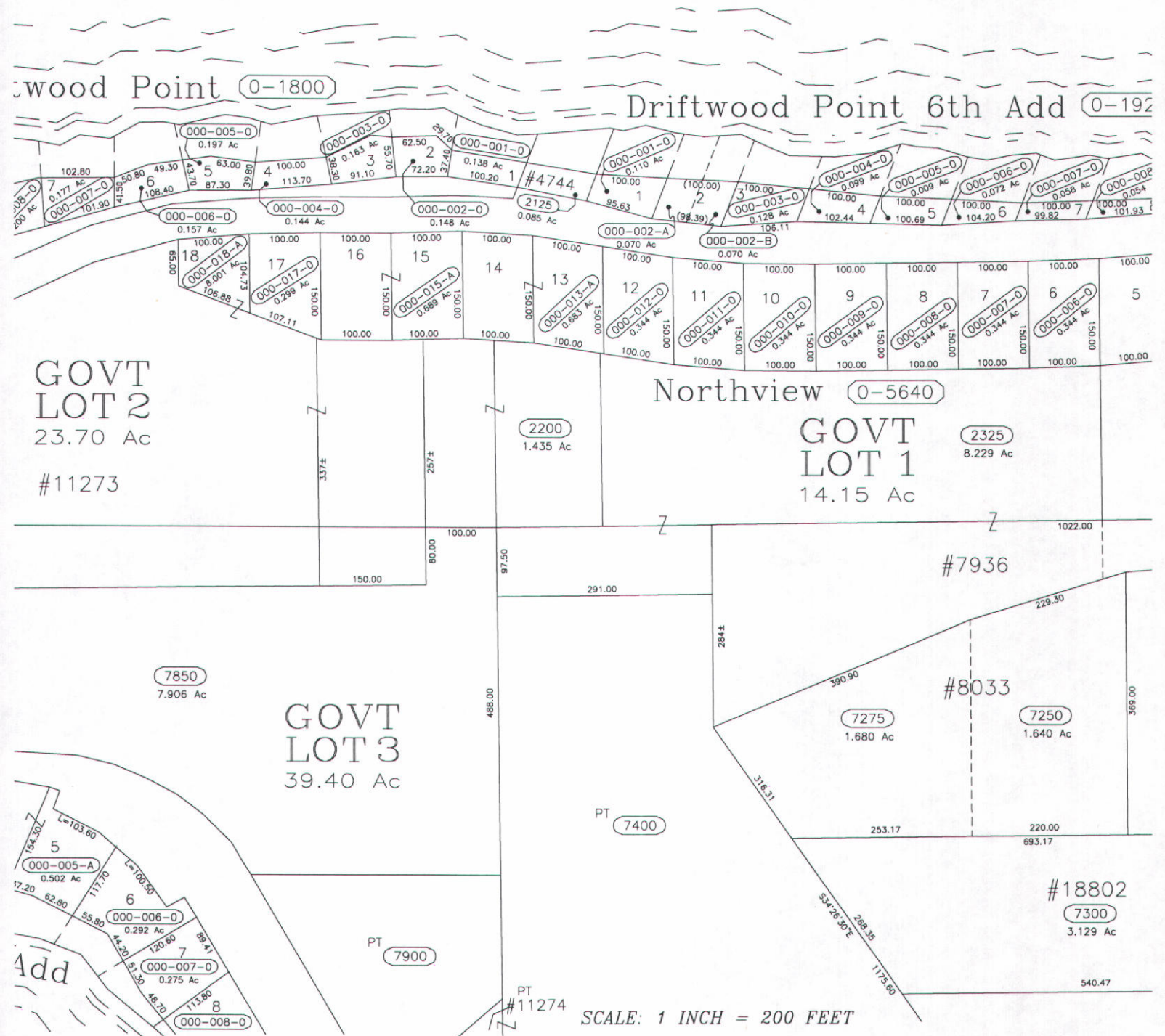


T.49N., R.4W., Sec.13

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OCT 12 2001

Note:

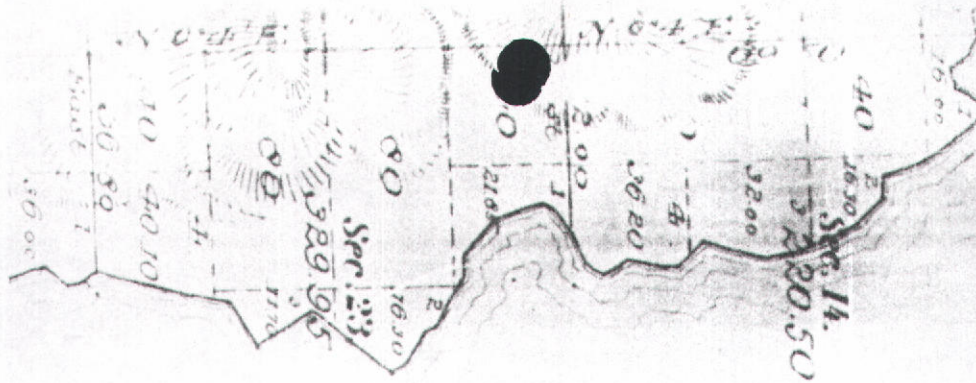
Shoreline depiction for illustrative purposes only, property lines extend to ordinary mean high water mark for assessment purposes otherwise noted.



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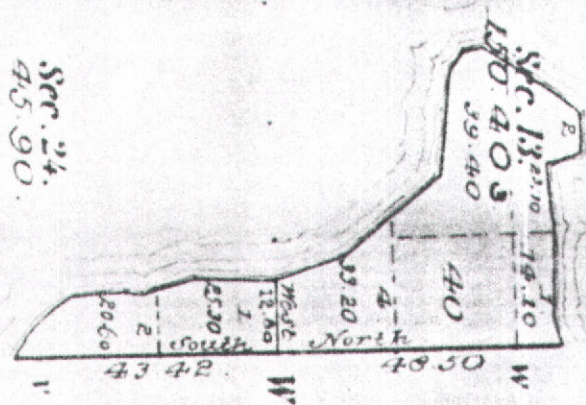
N 1/2 Sec.13



Sec. 11.
234.30

D'ALEENE LAKE

Sec. 12.
17.70

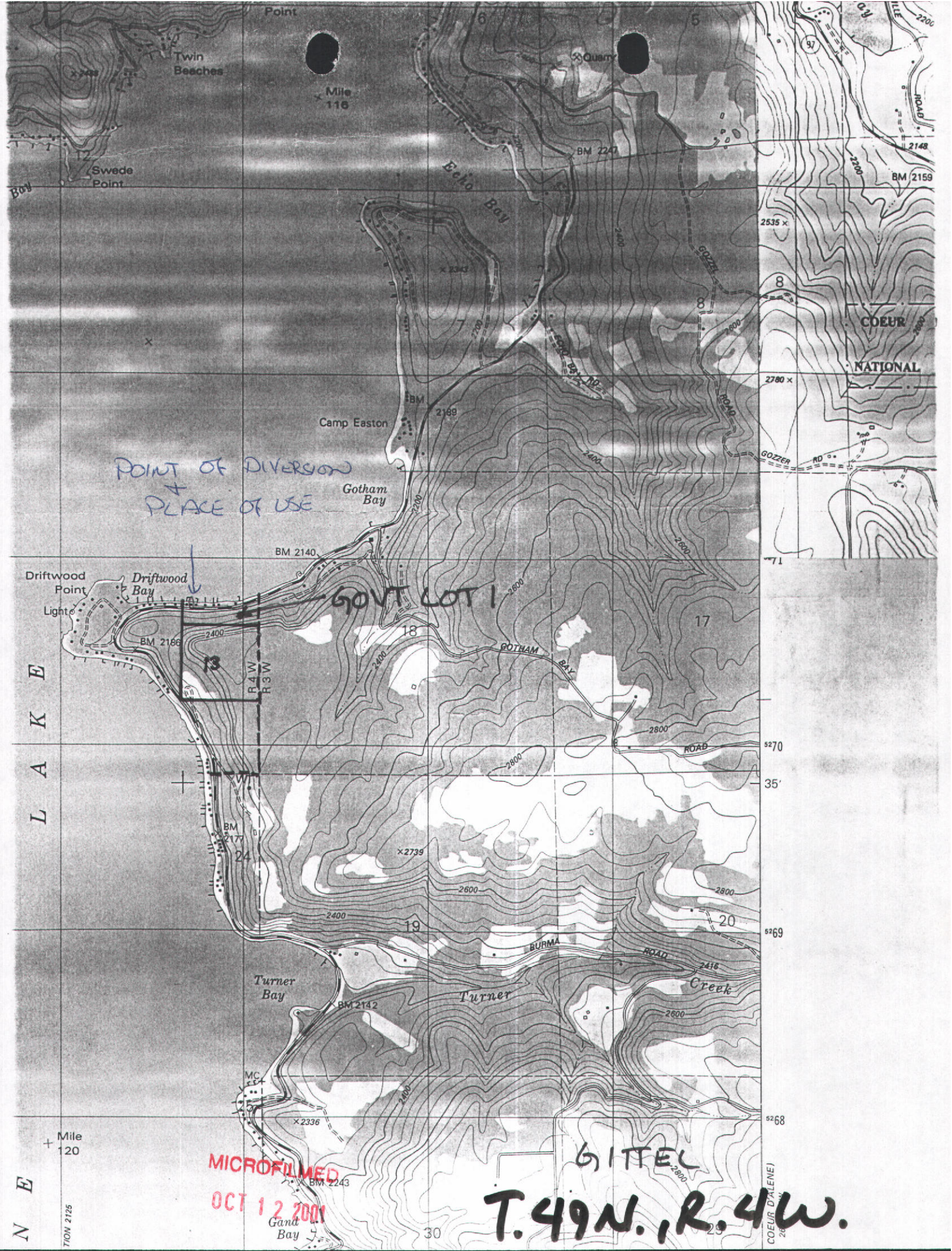


Sec. 24.
45.90



Accepted by letter "E", dated Jan. 1901

MICROFILMED
OCT 12 2001



POINT OF DIVERSION
+
PLACE OF USE

GOVT LOT 1

GITHTEL

T.49N., R.4W.

MICROFILMED
OCT 12 2001

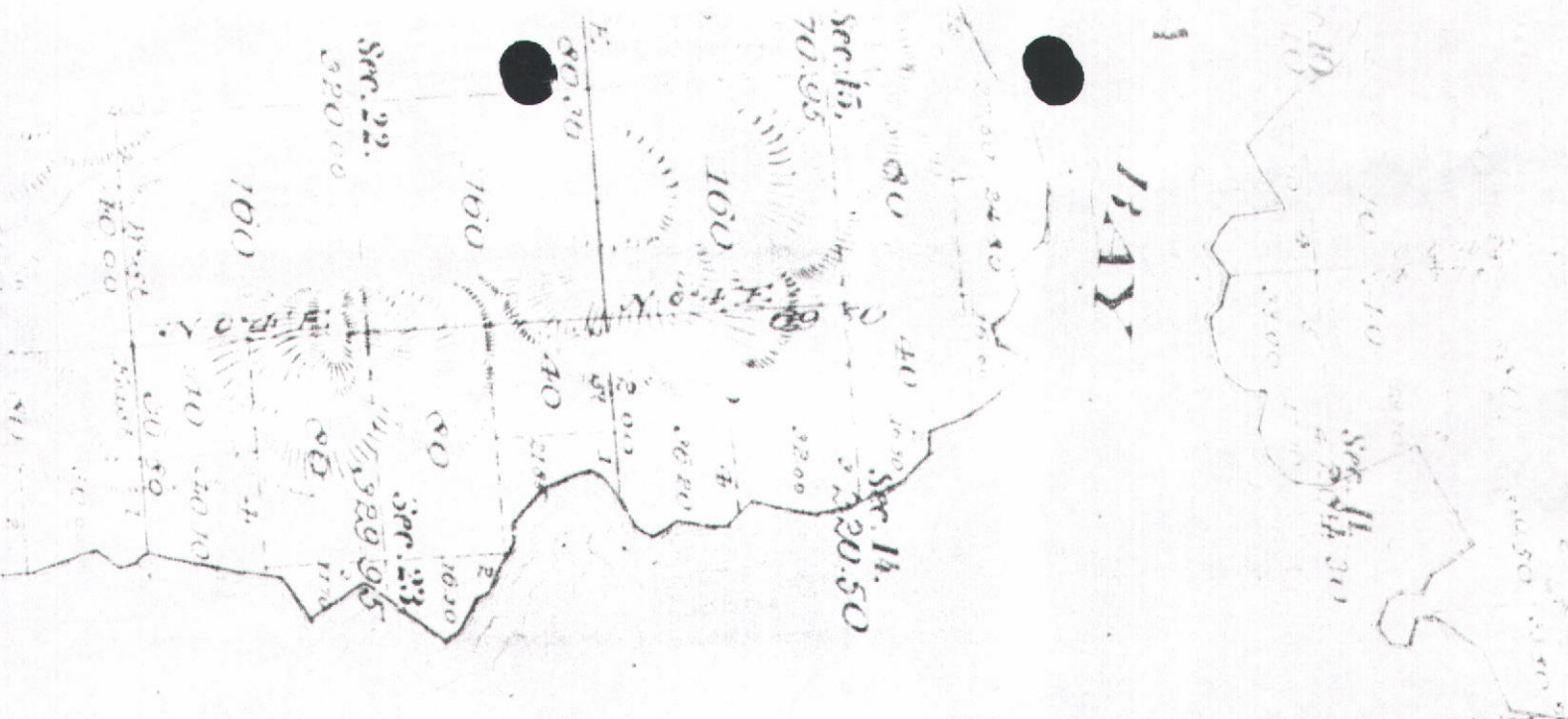
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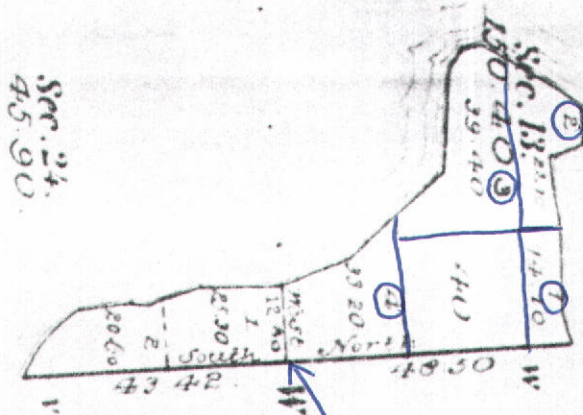
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TION 2125

COEUR D'ALENE



D'ALENE LAKE



Sec. 24.
45.90

Sec. 12.
17.70

SE 1/4 CORNER

Accepted

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OCT 12 2001

144,600	144,600	00	7-00	REM
72,500	72,500	3-94	BMC	1,000
61,010	61,010	52	1-94	BMC 1,000
-30,505	-30,505	3-95	BW	
103,005	103,005			
22,000	20,900	4-97	JAS0950+1	
74,166	74,166	91	4-97	JAS 1,000
-37,083	-37,083	1-99	BW	
59,083	57,983			
24,000	24,000	3-00	JAS 1,000	
88,650	88,650	72	3-00	JAS 1,000
-44,325	-44,325	5-86	CSM	
68,325	68,325			
16,008	16,008	2-97	KWJ 1,000	
44,841	44,841	00	2-97	KWJ 1,000
812	812	2-97	KWJ 1,000	
-22,421	-22,421	11-99	BW	
39,240	39,240			

423 HANLEY AVE COEUR D'ALENE, ID 83815	57 IMPROVEM X1	1,514 79,361	1,514 79,361	11-96 RAP 1,000 11-96 REM 1,000
256-000 13- NT:05-30-00				
109537 D-2800-002-001-B GITTEL, RICHARD J ETUX	20 RESIDENT RSITE 41 IMPROVEM H1 41 IMPROVEM GPB1 90 HOMEOWNE 41	0.978 55,000 94,530 12,940 -47,265	55,000 94,530 12,940 -47,265	2-00 BOB 1,000 2-00 BOB 1,000 2-00 BOB 1,000 4-87 CSM
423 HANLEY AVE COEUR D'ALENE, ID 83815 14-28-423***E		0.978	115,205	115,205
002-000 25-51N-4W NT:05-30-00				
119376 0-1920-000-005-0 GITTEL, RICHARD J ETUX	15 RURAL SU UM133 37 IMPROVEM DK1 57 IMPROVEM X1	0.009 42,500 2,809 938	42,500 2,809 938	11-96 RAP 1,000 11-96 REM 1,000 11-96 RAP 1,000
423 E HANLEY AVE DALTON GARDENS, ID 83815		0.009	46,247	46,247
038-000 13-49N-4W NT:05-30-00				
140811 C-9405-000-007-A GITTEL, RICHARD J ETUX	21 COMMERCIAL CS109 42 IMPROVEM C1	0.248 35,113 48,534	35,113 48,534	11-97 RDB 1,000 11-97 RDB 1,000
1036 N 15TH COEUR D'ALENE, ID 83814 14-30-1036***N		0.248	83,647	83,647
001-005 18-50N-3W NT:05-30-00				
113099 C-2295-008-007-A GITTEL, RON ETUX	21 COMMERCIAL CS107 42 IMPROVEM CRETL	0.252 55,000 57,282	55,000 57,282	4-96 RL 1,000 4-96 RL 1,000
1201 GOV'T WAY COEUR D'ALENE, ID 83814 14-184-1201		0.252	112,282	112,282
001-000 11-50N-4W NT:05-30-00				
136855 C-2295-008-010-0 GITTEL, RON ETUX	20 RESIDENT RSITE 41 IMPROVEM H1 41 IMPROVEM S1	0.126 16,008 39,696 -50,000	16,008 39,696 -50,000	3-97 GAE 1,000 3-97 GAE 1,000 3-97 GAE 1,000
N 3004 5TH COEUR D'ALENE, ID 83815 14-184-1215***N		0.126	56,910	56,910
001-000 11-50N-4W NT:05-30-00				

L 07

30 DEC 2000 UPPRaised	MARKET BLT APPD INT FACTR	PAGE 3182
25,170	25,170	4-96 DDK 1,000
500	500	75 4-96 DDK 1,000
4,680	4,680	4-96 DDK 1,000
50,350	50,350	
23,000	21,850	1-97 KDR0950+1
23,000	21,850	1-97 KDR0950+1
28,450	28,450	10-95 GAE 1,000
48,839	46,397	80 10-95 GAE0950+1
48,839	46,397	80 10-95 GAE0950+1
-24,420	-23,199	12-98 PW
101,708	98,045	
20,000	20,000	6-99 REM 1,000
53,420	53,420	68 6-99 REM 1,000
1,000	1,000	6-99 REM 1,000
74,420	74,420	
61,260	61,260	9-99 GKH
54,000	54,000	9-99 GKH
155,140	155,140	99 12-99 GKH
-50,000	-50,000	12-99 GKH
-55,134	-55,134	
165,266	165,266	

A10.4D KOOTENAI COUNTY S/N-ACCOUNT-NBA-SITUS-C/A-STR	2000 ALL REAL PROPERTY ASSESSMENT ROLL LEGALS-MOBILE HOMES-OLD ACCOUNT	13:52:05 30 DEC 2000 ACRES APPRAISED	PAGE 3195
104298 C-8730-005-006-0 GITTEL, RONALD J ETUX	SUNRISE ADD, LT 6 BLK 5	20 RESIDENT RSITE 41 IMPROVEM H1 90 HOMEOWNE 41	25,000 105,520 80,520
3004 N 5TH COEUR D'ALENE, ID 83815 14-227-3004***N		0.269 0.269	25,000 105,520 80,520
001-001 01-50N-4W NT:05-30-00			
105544 49N04W-13-2125 GITTEL, RONALD J ETUX	TAX #4744	12 RURAL LA UM143	0.085 84,000 84,000
3004 N 5TH COEUR D'ALENE, ID 83815			11-96 RAP 1,000
038-000 13-49N-4W NT:05-30-00			
114526 0-1920-000-001-0 GITTEL, RONALD J ETUX	DRIFTWOOD POINT 6TH ADD, LT 1	15 RURAL SU UM132 37 IMPROVEM H1 37 IMPROVEM DK1	98,000 16,104 4,056
3004 N 5TH COEUR D'ALENE, ID 83815		0.110 0.110	98,000 16,104 118,160
038-000 13-49N-4W NT:05-30-00			
129377 C-2295-008-009-0 GITTEL, RONALD J ETUX	CRAIK PARK ADD TO CDA, LT 9 BLK 8	20 RESIDENT RSITE 41 IMPROVEM H1	16,008 24,362
3004 5TH COEUR D'ALENE, ID 83815 14-184-1211***N		0.126 0.126	16,008 40,370
001-000 11-50N-4W NT:05-30-00			
118428 C-6795-005-005-A GITTEL, SCOTT B	D'BRIEN'S 1ST ADD, TO CDA E 6' OF LT 4, W 45' OF LT 5 BLK 5	20 RESIDENT RSITE 41 IMPROVEM H1 90 HOMEOWNE 41	18,096 30,612 -25,306
918 CDA AVE COEUR D'ALENE, ID 83814 14-19-918		0.129 0.129	18,096 30,612 43,402
001-005 13-50N-4W NT:05-30-00			
108457 0-7320-000-012-B GITTEL, TERRY W ETUX	SILVER BEACH PARK, LTS. 12, 13, 14, & 15 E. OF CO. RD PLUS VAC ST.	15 RURAL SUBD	10,000 9,500
3604 WEST FAIRWAY COEUR D'ALENE, ID 83814		0.528	10,000
020-000 29-50N-3W NT:05-30-00			

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OCT 12 2001

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30 DEC 2000 UPPRaised	MARKET BLT APPD INT FACTR	PAGE 3183
24,000	24,000	4-99 DDP 1,000
4,410	4,410	4-99 JAS 1,000
14,180	14,180	91 4-99 DDP 1,000
-41,570	-41,570	10-95 CSM
62,400	62,400	

A10.4D KOOTENAI COUNTY S/N-ACCOUNT-NBA-SITUS-C/A-STR	2000 ALL REAL PROPERTY ASSESSMENT ROLL LEGALS-MOBILE HOMES-OLD ACCOUNT	13:52:06 30 DEC 2000 ACRES APPRAISED	PAGE 3196
111046 0-7320-000-016-B GITTEL, TERRY W ETUX	SILVER BEACH PARK LTS. 14 & 17 E. OF CO. ROAD	15 RURAL SUBD	10,000 9,500
3604 WEST FAIRWAY COEUR D'ALENE, ID 83814		0.241	10,000
020-000 29-50N-3W NT:05-30-00			

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
95-9056 IN THE NAME OF)
RON GITTEL)
_____)

REINSTATEMENT ORDER

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before July 1, 2003; and

WHEREAS, the Department notified the permit holder on April 30, 2003, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request; and

WHEREAS, on May 8, 2003, the permit holder submitted proof of beneficial use to the Department's Coeur d'Alene office; and

WHEREAS, the Department inadvertently sent the permit holder a lapse notice on July 8, 2003, since the State Office of the department had not received an acceptable proof of beneficial use statement or extension of time request; and

WHEREAS, Section 42-218a(3), Idaho Code, provides that the Department may reinstate a permit upon a showing of error or mistake of the department;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 95-9056 is **REINSTATED** with no advance in priority.

DATED this 24th day of July, 2003.



L. GLEN SAXTON, Administrator
Water Management Division

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OCT 20 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

JUL 21 2003

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. 45-9056 Telephone No. 208 667-5955
2. Name of Permit Holder(s): RON GITTEL 664-0973 (CABIN)
3. Mailing Address: 3004 5th
City COEUR D'ALENE State ID Zip 83815
4. Source of Water: CL'A 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: 0.04 cfs OR _____ acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No _____
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: SAME AS ABOVE Telephone Number: _____
DIRECTIONS: ACROSS FROM MILE MARKER 84 - SHINGLE SIDING TALL-ON-LAKE
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: X Ron Gittel Date: 5-8-03
(include your title, if on behalf of company of organization)

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OCT 20 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09056

Priority: 01/08/2001

Maximum Diversion Rate: 0.04 CFS

This is to certify, that **RON GITTEL**
3004 5TH
COEUR D ALENE ID 83815

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	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

COEUR D ALENE LAKE L1 SE 1/4 NE 1/4 Sec. 13, Twp 49N, Rge 04W, 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
49N 04W 13				X													
				L1													

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **July 1, 2003**.
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. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
5. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.
6. Domestic use is for 1 home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 12th day of July, 2001.


for **KARL J DREHER, Director**

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OCT 12 2001

RECEIVED

JUN 11 2001

Ident. No. 95-9056

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

App ID 68833

To appropriate the public waters of the State of Idaho

1. Name of Applicant RON GITTEL Phone 667-5955
Post Office address 3004 5th CLA ID 83815
2. Source of water supply COLORADO LAKE which is a tributary of SPOKANE RIVER
3. Location of point of diversion is 1/4 of SE 1/4 of NE 1/4, Govt. Lot 1
Sec. 1813 Township 47N Range 4W B.M. KOOTENAI County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 for DOMESTIC purposes from 3/1 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) 0.04 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. PUMP IN LAKE - PIPELINE TO HOME & CROWN
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - 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) _____
7. Time required for completion of works and application of water to proposed beneficial use is 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 if KW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. 1 Home
 - 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.

GOVT. LOT 1

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
49.0	4W	13				D													

Total number of acres to be irrigated _____

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? APPLICANT / EDL

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

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

12. Remarks: _____

13. MAP OF PROPOSED PROJECT ATTACHED ☒ Show clearly the proposed point of diversion, place of use, section number, township and range number.

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.

X Rustin

(Applicant)

Received by AB Date 1-8-01 Time 4:23 Preliminary check by AB
 Fee \$ 100- Receipted by AB # NO 14094 Date 1-8-01
 Publication prepared by AB Date 1/12/01 Published in CDA Press 1/18+25/01
 Publication approved AB Date 1/26 3/9/01 3/1+8/01

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OCT 12 2001

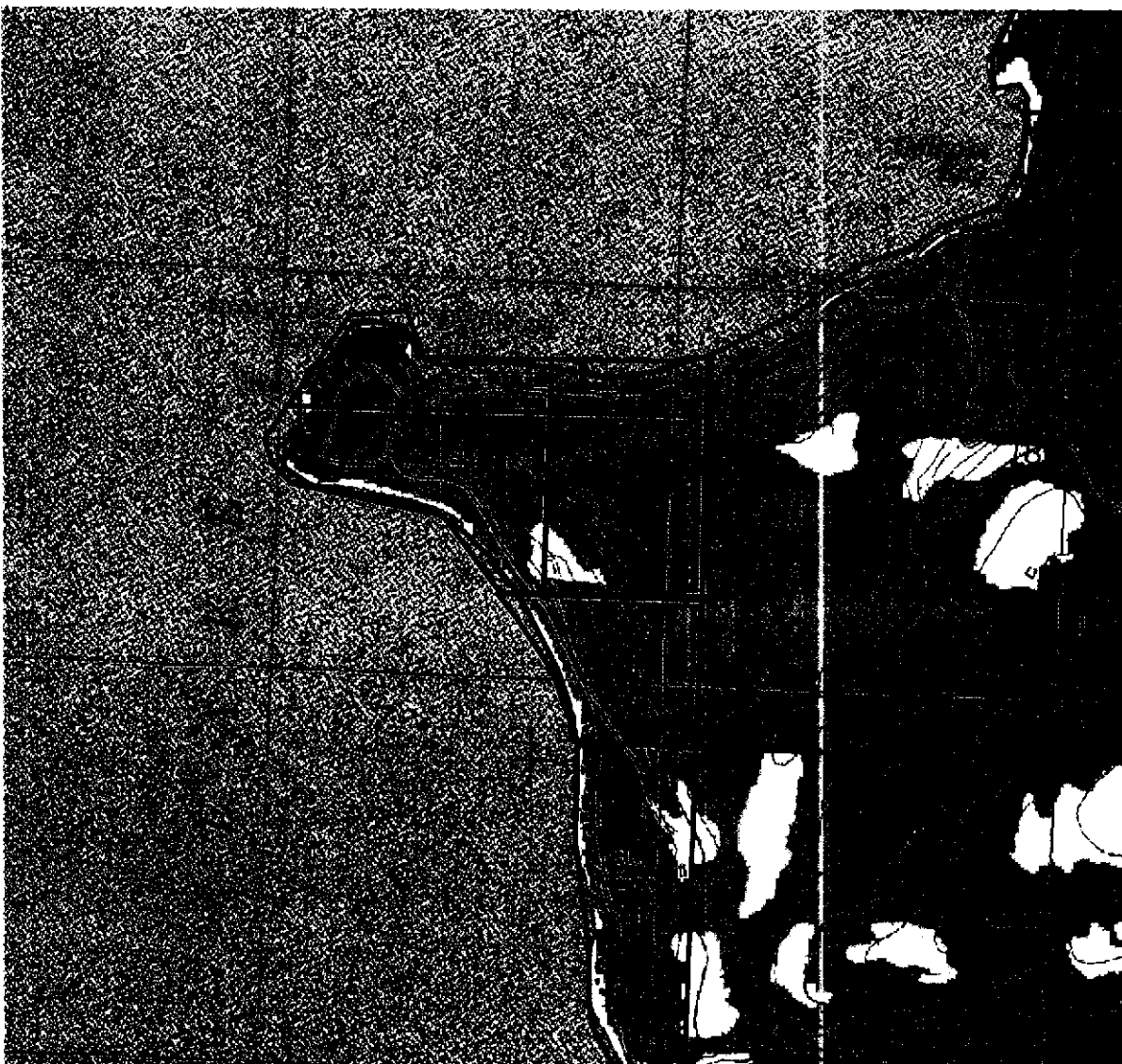
Government Lot check for
95--09056 by RGH 6/7/2001

T49N R4W

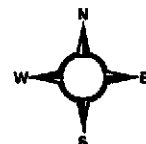
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PROFILM

Gittel, Ron 95-09056



 PLSS Section LinesSections.shp

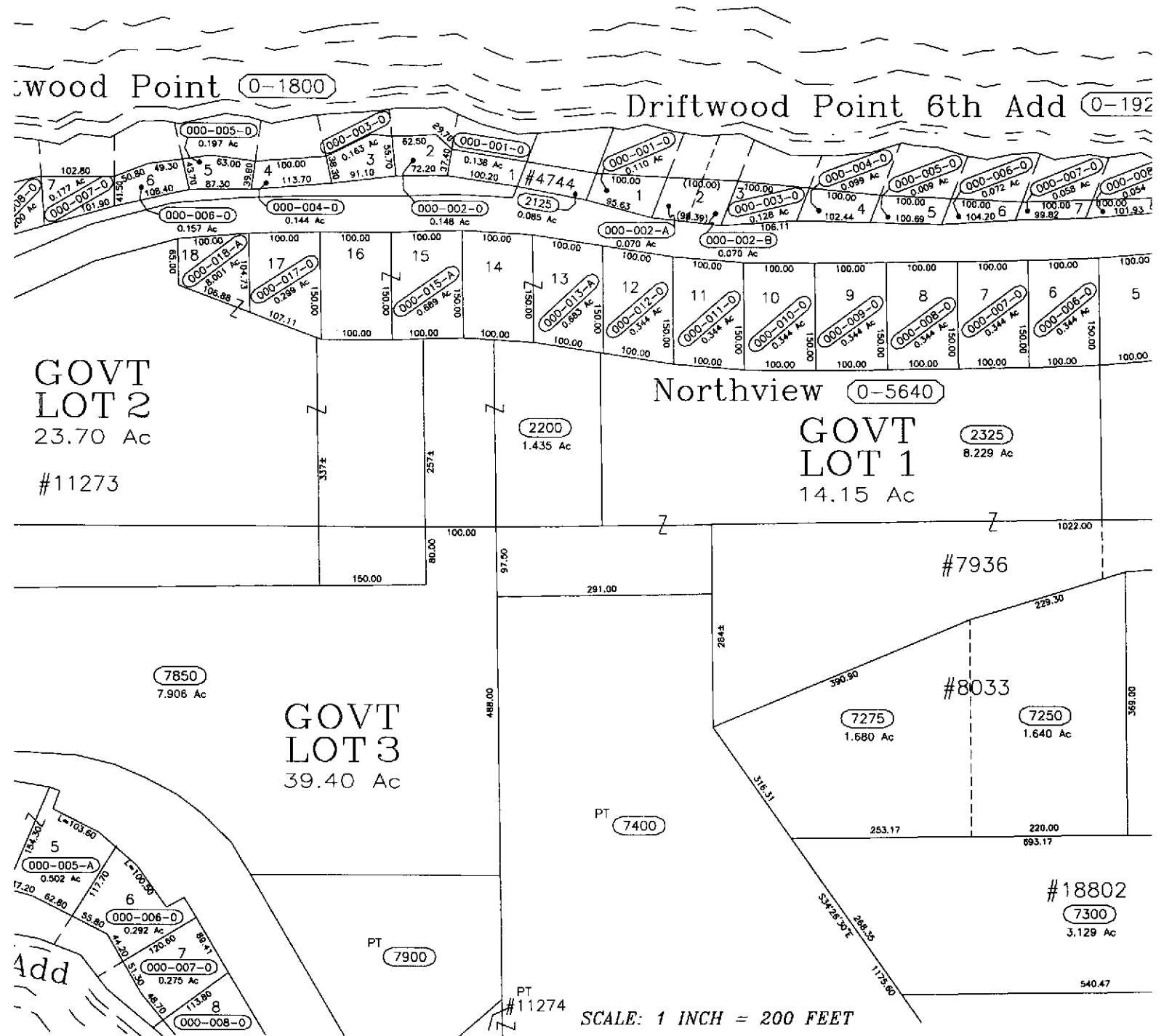


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OCT 12 2001

Note:

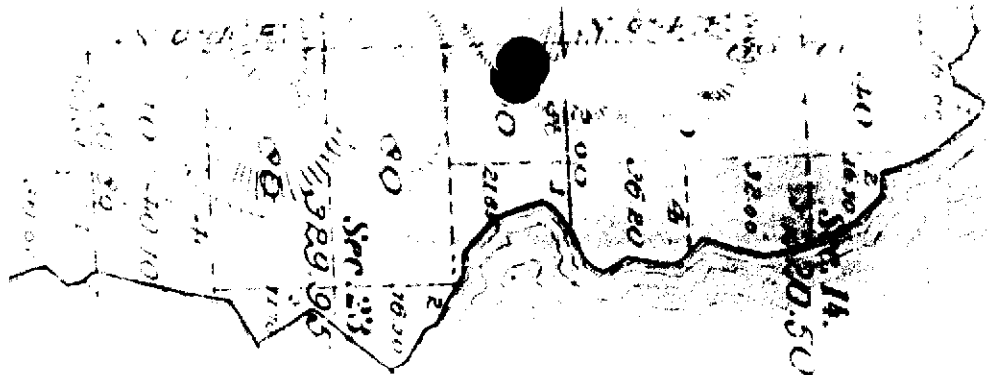
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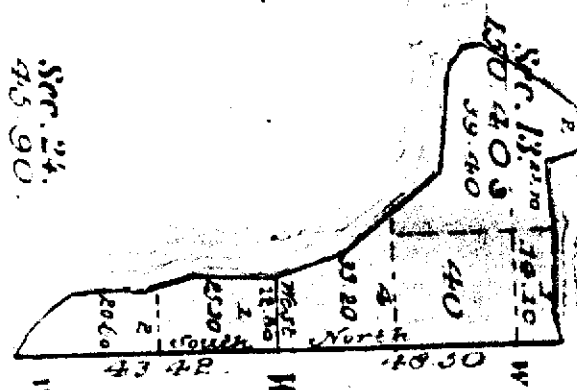
OCT 12 2001

N 1/2 Sec.13



Sec. 14

D'ALENE LAKE



Sec. 12

Sec. 24
45.90

Accepted by letter "E"

MICROFILMED

OCT 12 2001

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K
E



POINT OF
USE

BM 2140

Driftwood
Point
Light

Driftwood
Bay

Gotham
Bay

MICROFILMED

OCT 12 2001

Gand
Bay

GITTEL

T.49N., R.4W.

+ Mile
120

TION 2125

30

5268

5269

35

5270

71

2780 x

GOZZER

NATIONAL

BM (2158)

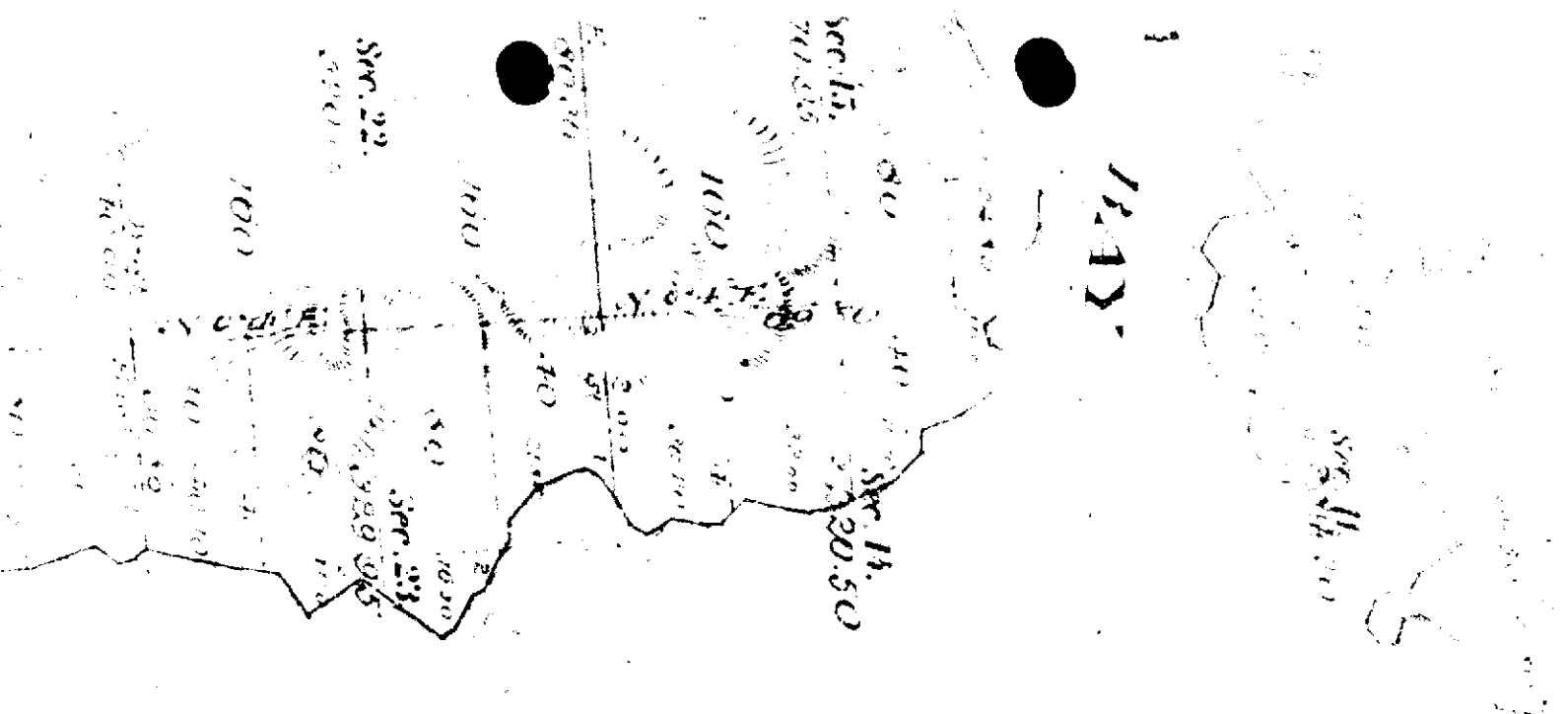
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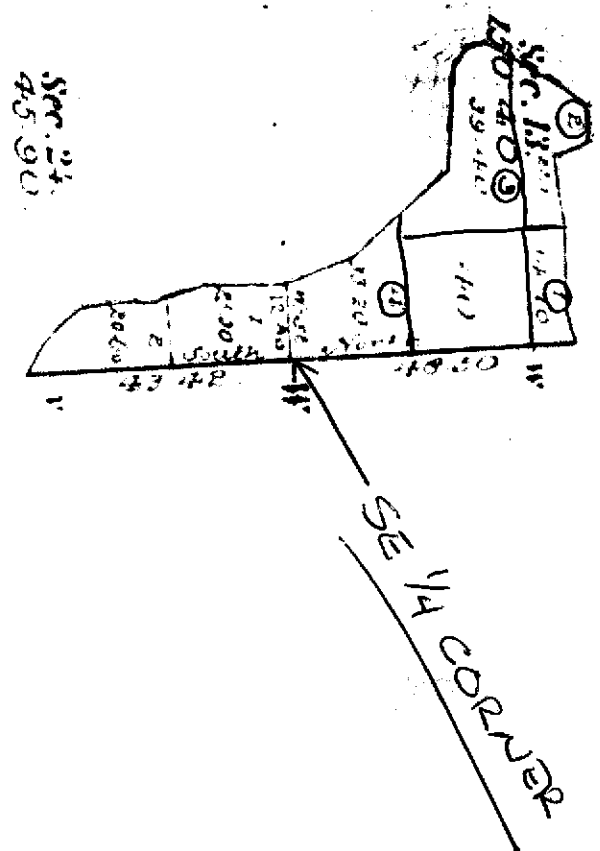
2111

2111

2111



DALENE LAKE



Accepted



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 25, 2003

RON GITTEL
3004 5TH
COEUR D'ALENE ID 83815

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 95-9056

Dear Permit Holder:

I acknowledge receipt of the Proof of Beneficial Use you filed in connection with the above referenced permit. Enclosed is an order reinstating the permit without advancement of the priority based on a department error. 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

Enclosure
c: IDWR - Region

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OCT 20 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-9056

Reviewed By: dgibson

Date: July 22, 2003

	<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.:		N014094, N015622	Well driller's report filed?		
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		05/08/2003
Date proof due	-	07/01/2003
Lapse notice sent	-	07/08/2003
No. of days late	=	0
Holiday allowance	+	
Priority date	+	01/08/2001
New priority date	=	01/08/2001

Deficiencies of Actions Items

Acknowledge proof, reinstate permit, based on department error with no change to the priority date.

July 8, 2003

RON GITTEL
3004 5TH
COEUR D ALENE, ID 83815

LAPSE NOTICE

RE: PERMIT NO. 95-9056

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in the proof due notice dated April 30, 2003. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

Sincerely,

L. Glen Saxton, Chief
Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 7/8/03
~~a copy~~/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

MICROFILMED

OCT 20 2003

April 30, 2003

RON GITTEL
3004 5TH
COEUR D ALENE, ID 83815

PROOF DUE NOTICE

RE: PERMIT NO. 95-9056

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 01, 2003. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

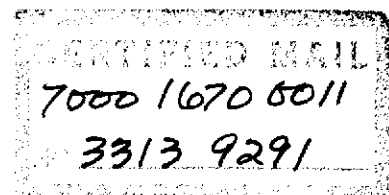
Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

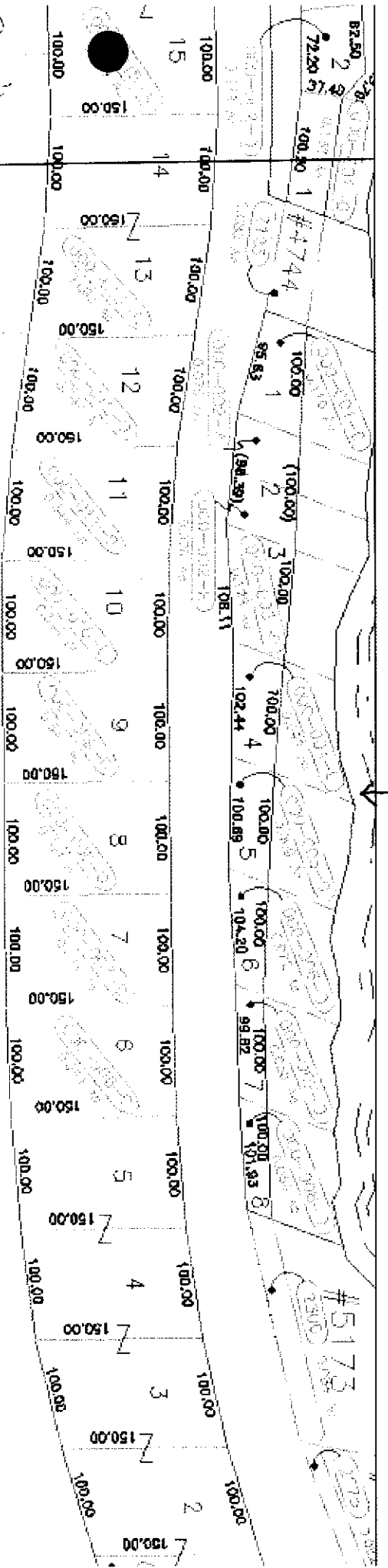
Enclosures

MICROFILMED

OCT 20 2003



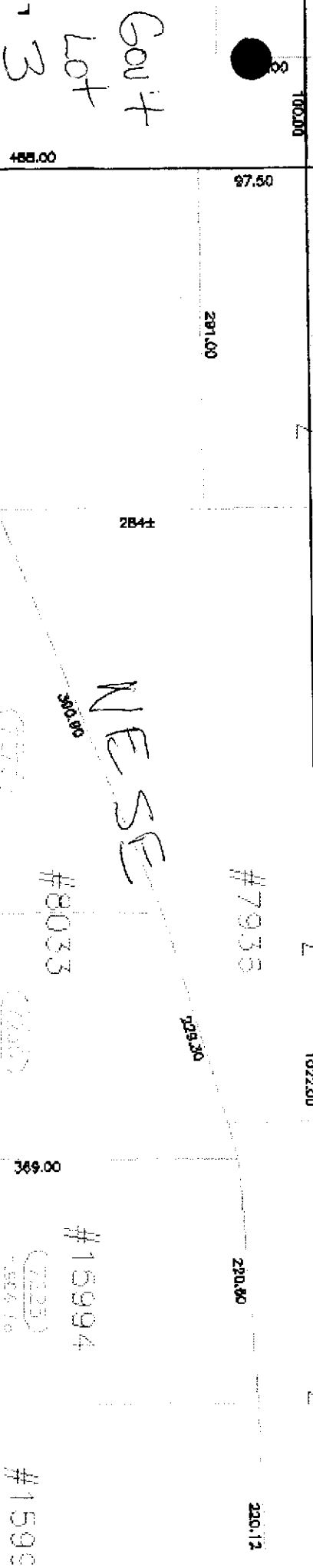
Dft wood 6th Addn



Northview (0-5240)

GOVT
LOT 1
14.15 Ac

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OCT 12 2001



GOVT
Lot 3
488.00
#7935
#8033
#15994
#1599

144,600	144,600	00	7-00	REM
24,000	24,000	5-94	BMC	1,000
61,010	61,010	52	1-94	BMC 1,000
30,505	30,505	3-95	Bw	
103,005	103,005			
22,000	20,900	4-97	JAS0950+T	
74,166	74,166	91	4-97	JAS 1,000
57,083	57,083	1-99	Bw	
59,083	57,983			
24,000	24,000	3-00	JAS 1,000	
68,650	88,650	72	3-00	JAS 1,000
44,325	44,325	5-86	CSM	
68,325	68,325			
16,008	16,008	2-97	KWJ 1,000	
44,841	44,841	00	2-97	KWJ 1,000
812	812	2-97	KWJ 1,000	
22,421	22,421	11-99	BW	
39,240	39,240			

423 HANLEY AVE COEUR D'ALENE, ID 83815	57 IMPROVEM DRI 57 IMPROVEM 41	1,514 867	1,514 867	11-96 RAP 1,000 11-96 REM 1,000
256-000 13- NT:05-30-00		0.072	79,361	79,361
109537 D-2800-002-001-B GITTEL, RICHARD J ETUX	RUDE ADD, W 139'-LT 1 BLK 2	20 RESIDENT RSITE 41 IMPROVEM 41 41 IMPROVEM GPD1 90 MORE DUNE 41	0.978 55,000 94,530 12,840 47,205	55,000 94,530 12,840 47,205
423 HANLEY AVE COEUR D'ALENE, ID 83815		0.978	115,205	115,205
14-28-423***E				
002-000 25-51N-4W NT:05-30-00				
119376 0-1920-000-005-0 GITTEL, RICHARD J ETUX	DRIFTWOOD POINT 6TH ADD, LT 5	15 RURAL SU UN153 37 IMPROVEM DRI 37 IMPROVEM 41	0.009 42,500 2,809	42,500 2,809
423 E HANLEY AVE DALTON GARDENS, ID 83815		0.009	44,247	44,247
058-000 13-49N-4W NT:05-30-00				
140811 C-9405-000-007-A GITTEL, RICHARD J ETUX	WILLIAMS' PARK ADD TO CDA, N 73'-LT 7	21 COMMERCIAL CS109 42 IMPROVEM C1	0.248 33,113 48,536	33,113 48,536
1036 N 15TH COEUR D'ALENE, ID 83814		0.248	83,647	83,647
14-30-1036***N				
001-005 18-50N-5W NT:05-30-00				
113099 C-2295-008-007-A GITTEL, RON ETUX	CRAIK PARK ADD TO CDA, LT 7-B	21 COMMERCIAL CS109 42 IMPROVEM C1	0.248 33,113 48,536	33,113 48,536
1201 GOW'Y WAY COEUR D'ALENE, ID 83814		0.248	83,647	83,647
14-184-1201				
001-000 11-50N-4W NT:05-30-00				
136855 C-2295-008-010-0 GITTEL, RON ETUX	CRAIK PARK ADD TO CDA, LT 8	20 RESIDENT RSITE 41 IMPROVEM 41 41 IMPROVEM 41	0.978 55,000 94,530 12,840 47,205	55,000 94,530 12,840 47,205
N 3004 5TH COEUR D'ALENE, ID 83815		0.978	115,205	115,205
14-184-1215***N				
001-000 11-50N-4W NT:05-30-00				

L 07

25,170	25,170	4-96	DDK 1,000
500	500	75	4-96
4,680	4,680	4-96	DDK 1,000
30,350	30,350		
23,000	21,850	1-97	DR0950+T
23,000	21,850	1-97	DR0950+T
28,450	28,450	10-95	GAE 1,000
48,839	46,397	80	10-95
48,839	46,397	80	10-95
24,420	23,199	12-98	PW
101,708	98,045		
20,000	20,000	6-99	REM 1,000
53,420	53,420	68	6-99
1,000	1,000	6-99	REM 1,000
74,420	74,420		
61,260	61,260	9-99	GAM
54,000	54,000	9-99	GAM
155,140	155,140	99	12-99
10,000	10,000	12-99	GAM
55,134	55,134		
165,266	165,266		

410.40 KOOTENAI COUNTY S/N-ACCOUNT-NEA-SITUS-C/A-STR	2000 ALL LEGAL PROPERTY ASSESSMENT ROLL LEGAL-MOBILE HOME	57 DESCRIPTION	57 DESCRIPTION	PAGE 3195
104298 C-8730-005-006-0 GITTEL, RONALD J ETUX	SUNRISE ADD, LT 6	20 RESIDENT RSITE 41 IMPROVEM 41 90 MORE DUNE 41	0.978 55,000 94,530 12,840 47,205	55,000 94,530 12,840 47,205
3004 N 5TH COEUR D'ALENE, ID 83815		0.978	115,205	115,205
14-227-3004***N				
001-001 01-50N-4W NT:05-30-00				
105544 49N-04W-13-2125 GITTEL, RONALD J ETUX	TAX #4764	12 RURAL LA UN145	0.009 42,500 2,809	42,500 2,809
3004 N 5TH COEUR D'ALENE, ID 83815		0.009	44,247	44,247
038-000 13-49N-4W NT:05-30-00				
114526 0-1920-000-001-0 GITTEL, RONALD J ETUX	DRIFTWOOD POINT	15 RURAL SU UN153 37 IMPROVEM DRI 37 IMPROVEM 41	0.009 42,500 2,809	42,500 2,809
3004 N 5TH COEUR D'ALENE, ID 83815		0.009	44,247	44,247
058-000 13-49N-4W NT:05-30-00				
129377 C-2295-008-009-0 GITTEL, RONALD J ETUX	CRAIK PARK ADD TO CDA, LT 9 BLK 8	20 RESIDENT RSITE 41 IMPROVEM 41 41 IMPROVEM 41	0.978 55,000 94,530 12,840 47,205	55,000 94,530 12,840 47,205
3004 5TH COEUR D'ALENE, ID 83815		0.978	115,205	115,205
14-184-1211***N				
001-000 11-50N-4W NT:05-30-00				
118428 C-6795-005-005-A GITTEL, SCOTT B	O'BRIEN'S 1ST ADD, CDA E 8'-LT 4, W 45' OF 2ND BLK 8	20 RESIDENT RSITE 41 IMPROVEM 41 90 MORE DUNE 41	0.978 55,000 94,530 12,840 47,205	55,000 94,530 12,840 47,205
918 CDA AVE COEUR D'ALENE, ID 83814		0.978	115,205	115,205
14-19-918				
001-005 13-50N-4W NT:05-30-00				
108457 0-7320-000-012-0 GITTEL, TERRY W ETUX	SILVER BEACH PARK, 14, E 15 E, OF 1ST BLK 5	15 RURAL SU UN153 37 IMPROVEM DRI 37 IMPROVEM 41	0.009 42,500 2,809	42,500 2,809
3604 WEST FAIRWAY COEUR D'ALENE, ID 83814		0.009	44,247	44,247
020-000 29-50N-3W NT:05-30-00				

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2001

25,170	25,170	4-96	DDK 1,000
500	500	75	4-96
4,680	4,680	4-96	DDK 1,000
30,350	30,350		
23,000	21,850	1-97	DR0950+T
23,000	21,850	1-97	DR0950+T
28,450	28,450	10-95	GAE 1,000
48,839	46,397	80	10-95
48,839	46,397	80	10-95
24,420	23,199	12-98	PW
101,708	98,045		
20,000	20,000	6-99	REM 1,000
53,420	53,420	68	6-99
1,000	1,000	6-99	REM 1,000
74,420	74,420		
61,260	61,260	9-99	GAM
54,000	54,000	9-99	GAM
155,140	155,140	99	12-99
10,000	10,000	12-99	GAM
55,134	55,134		
165,266	165,266		

410.40 KOOTENAI COUNTY S/N-ACCOUNT-NEA-SITUS-C/A-STR	2000 ALL LEGAL PROPERTY ASSESSMENT ROLL LEGAL-MOBILE HOME	57 DESCRIPTION	57 DESCRIPTION	PAGE 3196
111046 0-7320-000-016-0 GITTEL, TERRY W ETUX	SILVER BEACH PARK, 14, E 15 E, OF 1ST BLK 5	15 RURAL SU UN153 37 IMPROVEM DRI 37 IMPROVEM 41	0.009 42,500 2,809	42,500 2,809
3604 WEST FAIRWAY COEUR D'ALENE, ID 83814		0.009	44,247	44,247
020-000 29-50N-3W NT:05-30-00				



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 13, 2001

RON GITTEL
3004 5TH
COEUR D ALENE ID 83815

RE: Permit No. 95-9056

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.

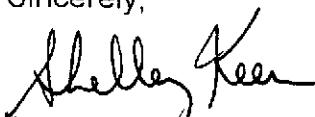
Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least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

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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,



Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

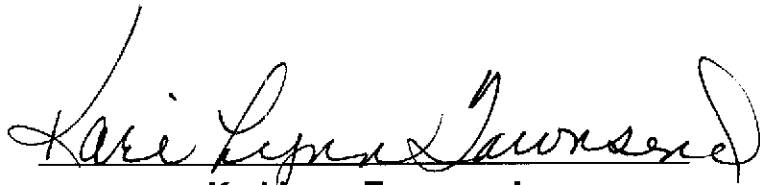
MICROFILMED
OCT 12 2001

CERTIFICATE OF MAILING

I hereby certify that on July 13, 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. 95-9056

RON GITTEL
3004 5TH
COEUR D ALENE ID 83815


Kari Lynn Townsend
Secretary

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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).

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 Cindy Zimmerman on 6/23/01

No. 95-9056 Name: GITTER Corp. Officers _____ Ad ok _____ Govt Lots _____

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

GROUNDWATER: (√Flow Chart)

DRILLING PERMIT

All wells - 046(P23)

Irr. w/in WD - P05

WMD - North/East/West

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 067

WMD

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

Supp irr (+ other uses) - 100-105

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M

SURFACE WATER: (√Flow Chart)

~~F&G contacted~~ ~~No Response~~

In/Above MSF - WB9

PLANNING REVIEW/RESPONSE

~~stream development~~

WD - R04 (WD# _____)

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

> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & ~~REST OF STATE~~

~~0.24 cfs/5 acres~~ - ~~01M~~

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

RIVER BASINS: (SW special considerations)

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

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

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

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

Weiser R (67) - 086-087

LOCATION:

Boise Front LoGeo - 058 (<85 GW)

Mitigation - 121

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

Swan Falls Flag

Trust

Non-Trust - 051(P74) (consumptive uses)

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

USES:

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

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

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

STOCKWATER - R37 (BLM/USFS)

MINING - 054-081(P10)

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

HEAT/COOL - R07(injection well)

FIRE PROT. - 077

USES:

POWER

MUNICIPAL

Restricted area - 022,075

Irr., GW supp to SW - 102

DOMESTIC

Surface water

> 1 in restricted area - WB5 (Big Wood or Boise above Star Bridge)

Irr use listed separate - 27A (Payette R)

Moratorium approvable - 070-071-075(no parks/common areas, etc)

- WB5

- W03 (2500 gpd - meets domestic definition

i.e. D/convenience store)

BENEFICIAL USE DUE: 07 / 01 / 2003

MISC CONDITIONS/REMARKS:

Protested - 020-W19

Development Period

≤ 1 yr - P16

> 1 yr - ~~054(P17)~~

Ownership - 004

Non-consumptive - 027

Water Quality - 081-R07

Multiple pd's per 1/4 - W32

Subd lot desc (pd) - W59

Subd lot desc (pu) - W60

~~Rise 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)

OTHER CONDITIONS/REMARKS W15, W16

COMMENTS

WE NEED TO RE-AD.
POD 4 POW TO SHOW
SEC. 13, NOT 18

RECEIVED

JUN 11 2001

Department of Water Resources

OK
Done

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OCT 12 2001

RECEIVED

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

8 WEA
BCA

JUN 11 2001

#68833

APPLICATION # 95-9056

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW

APPLICANT: GILBE

BY: BS

DATE: 1/8/01

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)

PROCESSING

(Yes) (No) PRIORITY DATE: 1/8/01
☒ (Include Moratorium Remark)
☒ Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

CA/shus/

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

ADDITIONAL INFORMATION

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

GROUNDWATER SECTION

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

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

Remarks: Faxed to F&G 1/12/01 db
Emailed Chip 1/29

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: _____

1/12 _____ Publication dates and paper recorded on application | Sr. Agent initial _____
☒ Protests received, Final protest date: 2/5/01
☒ Measuring device required 3/19/01
☒ Measuring port required
☒ Special conditions:

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

Approval Recommended by: BS

Date: 6/8/01

RECEIVED
MAR 09 2001
IDWR/North

AFFIDAVIT OF PUBLICATION

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 issue of said newspaper for *2* consecutive *Thursday* *Weeks* commencing on the *1* day of *March* 2001, and ending on the *8* day of *March* 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.

Subscribed and sworn to before me this

8 day of *March*

2001

Regina Mason

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

NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 95-9056 in the name of RON GITTEL, 3004 5th, Coeur d'Alene, ID 83815, was incorrectly advertised on January 18 and 25, 2001.
The PLACE OF USE and the POINT OF DIVERSION were incorrectly advertised as SENE, Sec. 18 T49N, R04W in KOOTENAI County whereas correctly they should be Lt. 1 (SENE), Sec. 13, T49N, R04W in KOOTENAI County.
The DATE FILED was incorrectly advertised as 01/12/2001 whereas correctly it should be 01/08/2001.
(For additional information concerning the property location, call the Northern Regional Office at 769-1450.) Any protest against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00 on or before March 19, 2001.
KARL J. DREHER, Dir.
Legal 607
March 1, 8, 2001

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OCT 12 2001

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Right	95 7614	MERLE TIL	COEUR D'	49N04W13																	0
Right	95 4384	ALFRED J	GROUND	'49N04W13					0												0
Right	95 4021	MRS MAR	COEUR D'	49N04W13															0		0
Right	95 7733	RICHARD	COEUR D'	49N04W13																	0
Right	95 4047	ORVAL JA	COEUR D'	49N04W13								0							0		0
Right	95 7272	KENNETH	COEUR D'	49N04W13																	0
Right	95 8300	RICHARD	COEUR D'	49N04W13										0							0
Right	95 4221	L C PATTE	COEUR D'	49N04W13									0								0
Right	95 7803	KYLE SHR	GROUND	'49N04W13										0							0
Right	95 4014	JOHN M J	GROUND	'49N04W13																	0
Right	95 8744	DAVE CAF	COEUR D'	49N04W13																	0
Right	95 7465	FRANK BA	COEUR D'	49N04W13																	0
Right	95 8846	NANCY S1	COEUR D'	49N04W13								0.5									0.5
Right	95 8677	TERREA S	COEUR D'	49N04W13																0	0
App	95 9056	RON GITT	COEUR D	49N04W13																	0

X

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OCT 12 2001

POU Comparison



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

February 22, 2001

*To Jennifer:
Legal Notices
Dianne Ball*

Legal Notices Department
Coeur d'Alene Press
201 N Second
Coeur d'Alene ID 83814

*Faxed 2/22/01
4:47 PM
☺*

Re: Water Right Application No. 95-9056 - Gittel

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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 of Publication, and the bill, to this office before March 19, 2001

Thank you.

Sincerely,

Dianne Ball

Dianne Ball
Administrative Assistant

Enclosure

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OCT 12 2001

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 95-9056 in the name of RON GITTEL, 3004 5th, Coeur d'Alene, ID 83815, was incorrectly advertised on January 18 and 25, 2001.

The **PLACE OF USE** and the **POINT OF DIVERSION** were incorrectly advertised as SENE, Sec. 18, T49N, R04W in KOOTENAI County whereas correctly they should be **Lt. 1 (SENE), Sec. 13, T49N, R04W in KOOTENAI County.**

The **DATE FILED** was incorrectly advertised as 01/12/2001 whereas correctly it should be **01/08/2001.**

(For additional information concerning the property location, call the Northern Regional Office at 769-1450.)

Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00 on or before March 19, 2001.

KARL J. DREHER, Dir.

Published in the Coeur d'Alene Press on 3/1 & 8/2001.

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OCT 12 2001

Ball, Dianne

From: CHARLES CORSI [ccorsi@IDFG.STATE.ID.US]
Sent: Monday, January 29, 2001 1:57 PM
To: dball@idwr.state.id.us
Subject: re: perweek1.txt - Water Right No. 95-9056 GITTEL

Hi Dianne -

Looks like there are two requests for diversion from CDA Lake - Gittel (.04 cfs) and Meckel (.06 cfs). Provided the intakes are properly screened (1/4 inch or smaller mesh, approach velocity of < .5 feet per second) there are no significant concerns with these individual applications.

Thanks, Chip Corsi
----- Original Text -----

From: "Ball, Dianne" <dball@idwr.state.id.us>, on 1/29/01 12:00 PM:

Good morning, Chip,
Attached is a listing of water rights, and the last one, GITTEL, 95-9056 is one on which we need your comments on or before February 5, 2001. The source is Lake Coeur d'Alene.

This water right was not on the list earlier, but I did e-mail a copy of it to you on January 12th. Because I have not heard back from you, I am sending it to you via e-mail.

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

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OCT 12 2001

Ball, Dianne

From: Ball, Dianne
Sent: Monday, January 29, 2001 11:52 AM
To: 'Chip Corsi'
Subject: perweek1.txt - Water Right No. 95-9056 GITTEL



perweek1.txt.url

Good morning, Chip,

Attached is a listing of water rights, and the last one, GITTEL, 95-9056 is one on which we need your comments on or before February 5, 2001. The source is Lake Coeur d'Alene.

This water right was not on the list earlier, but I did e-mail a copy of it to you on January 12th. Because I have not heard back from you, I am sending it to you via e-mail.

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

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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

01/12/2001

Mr. Chip Corsi
IDF&G
2750 Kathleen Ave
Coeur d Alene, ID 83815

*Forwarded to
Chip 1/12/01
db
11:40a*

Application to Permit No. 95-9056 - Gittel

Dear IDF&G:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference.

This office can complete the processing of an unprotested application as soon as the protest period is past; therefore, your prompt response to this request is appreciated.

If your agency desires to file a formal protest against the approval of this application, your written protest along with a \$25.00 filing fee must be received in this office by **February 5, 2001**.

Please contact this office if you have any questions regarding the application. Thank you.

Sincerely,

Dianne Ball

Dianne Ball
Administrative Assistant

Enclosure(s)

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OCT 12 2001

RECEIVED
JAN 26 2001

AFFIDAVIT OF PUBLICATION

IDAHO

STATE OF IDAHO, } ss.
County of Kootenai } Jennifer Standridge
on oath deposes and says: being first duly sworn

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) of the "Coeur d'Alene Press," a newspaper printed and published daily except Monday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The legal Notice

which the annexed is a printed copy, was published in the regular Thursday, 2 consecutive weeks, commencing on the 18 day of January, 2001, and ending on the 25 day of January, 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 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 25 day of January, 2001

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

The Following application(s) have been filed to appropriate the public waters of the State of Idaho: 95-9055

CAG INVESTMENTS LLC
210 SHERMAN AVE., SUITE 117
COEUR D'ALENE ID 83814
Source & Diversion Pt. NENW Sec 16 T 48N R 04W in KOOTENAI County
Source & Diversion Pt. SWNW Sec 16 T 48N R 04W in KOOTENAI County
Source & Diversion Pt. SENW Sec 16 T 48N R 04W in KOOTENAI County
Use: MUNICIPAL (01/01 To 12/31 1 CFS)
Total Diversion: (1 CFS)

Date Filed: 11/13/2000

PLACE OF USE: MUNICIPAL use is within the service area of the applicant.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 12-2 Idaho Code.
Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northwest Blvd., Suite 210, Coeur d'Alene ID 83814, together with a protest fee of \$25.00 for each application or before 02/05/2001. The protestant must also send a copy of the protest to the applicant.

The Following applicant(s) have been filed to appropriate the public waters of the State of Idaho: 95-9056

RON GITTEL

3004 5th.
Coeur d'Alene ID 83815
Source & Diversion Pt. SENE Sec 18 T 49N R 04W in KOOTENAI County
Use: DOMESTIC (01/01 To 12/31 0.04 CFS)
Total Diversion: 004 CFS
Date Filed: 01/12/2001

PLACE OF USE: DOMESTIC

Two 49N Rge 04W Sec 18 SENE

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 12-203A, Idaho Code.
Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814, together with a protest fee of \$25.00 for each application or before 02/05/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER

Director

Legal 364

Jan 18, 25, 2001

Per Bob Haynes
do not need to
re-advertise

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

95-9056

RON GITTEL

3004 5th

Coeur d Alene ID 83815

Source & Diversion Pt SENE Sec 18 T 49N R 04W in KOOTENAI County Source COEUR D ALENÉ LAKE

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

Total Diversion: (004 CFS)

Date Filed: 01/12/2001

PLACE OF USE: DOMESTIC

Twp 49N Rge 04W Sec 18 SENE

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 12-203A, 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 02/05/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER,
Director

Published on 01/18 and 25, 2001

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JUL 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

01/12/2001

Legal Notices Department

Coeur D Alene Press

201 N 2nd

Coeur D Alene ID 83814

RE: Application for Permit No 95-9056

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 February 5, 2001. Your cooperation is appreciated.

Sincerely,

Dianne Ball
Administrative Assistant

Enc.

January 12, 2001

LEGAL NOTICES DEPARTMENT:

This is in addition to the CAG INVESTMENT LLC file that was mailed to you on Wednesday, 1/10/00.

This can be combined with the other advertisement by inserting that portion from the assigned number (95-09056) through the PLACE OF USE paragraph, just before the last paragraph which begins "Any protest..." That paragraph is the same on all of our advertisements.

If you have ANY questions, prior to advertisement, PLEASE CALL ME AT 769-1450 for clarification.

Thank you very much, Dianne Ball

NOT RECORDED

JAN 12 2001

January 12, 2001

Ron Gittel
3004 5th
Coeur d'Alene ID 83815

Re: Water Appropriation Application No. 95-9056

Dear Mr. Gittel:

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 local county newspaper, and should appear on January 18 and 25. 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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OCT 12 2001

Readvertise to correct
POD + POV