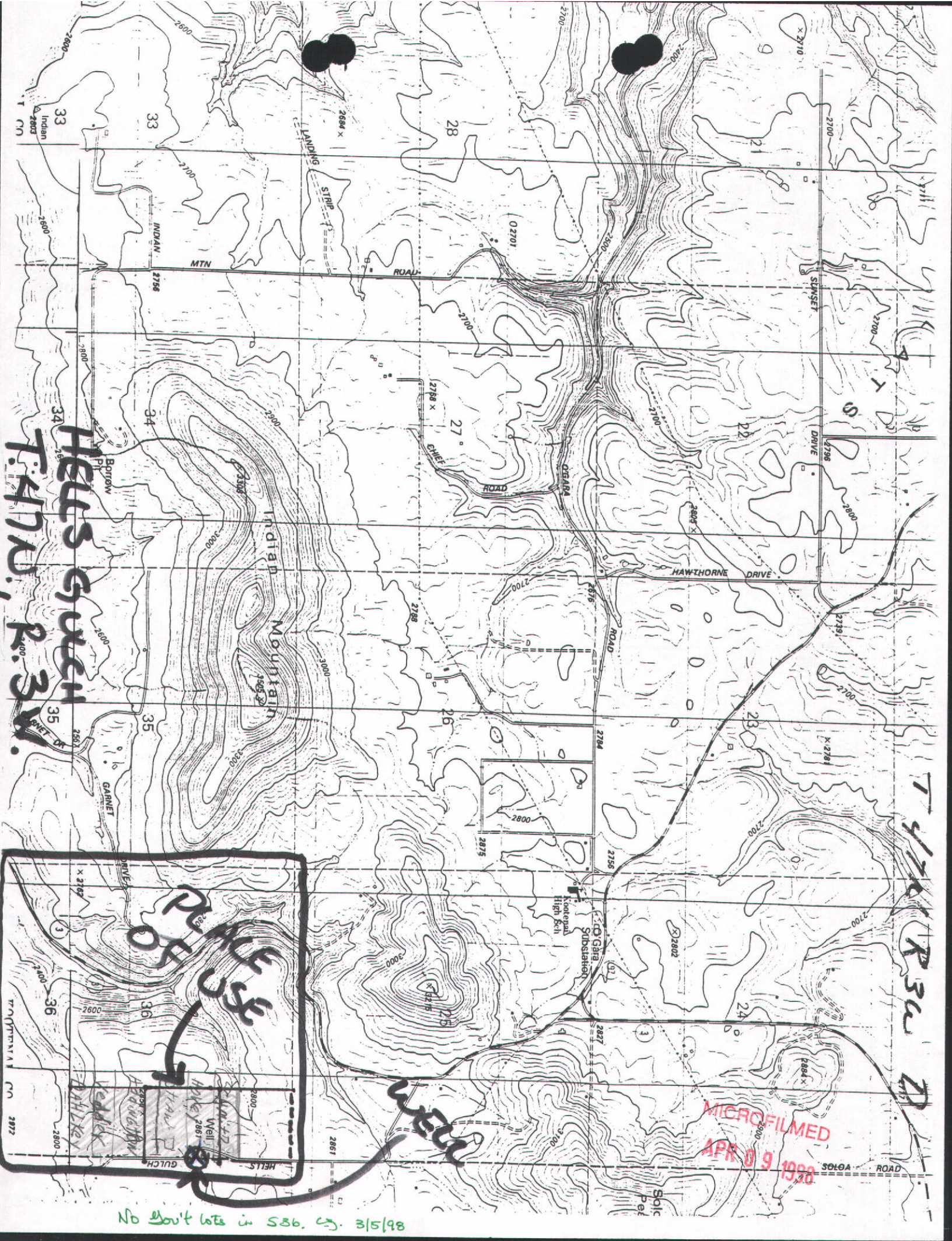




33
Indian

33

28

X 2710

SUNSET
DRIVE

INDIAN
MTN

ROAD

02701

LANDING
STRIP

2684 X

HELLS GULCH
T470, R.3

34

34

Indian Mountain

27

ROAD

HAWTHORNE DRIVE

DRIVE

BORROW
Pit

35

2653

26



ROAD

2739

X 2781



GULCH

Kootenai
High Sch

Substation

ROAD

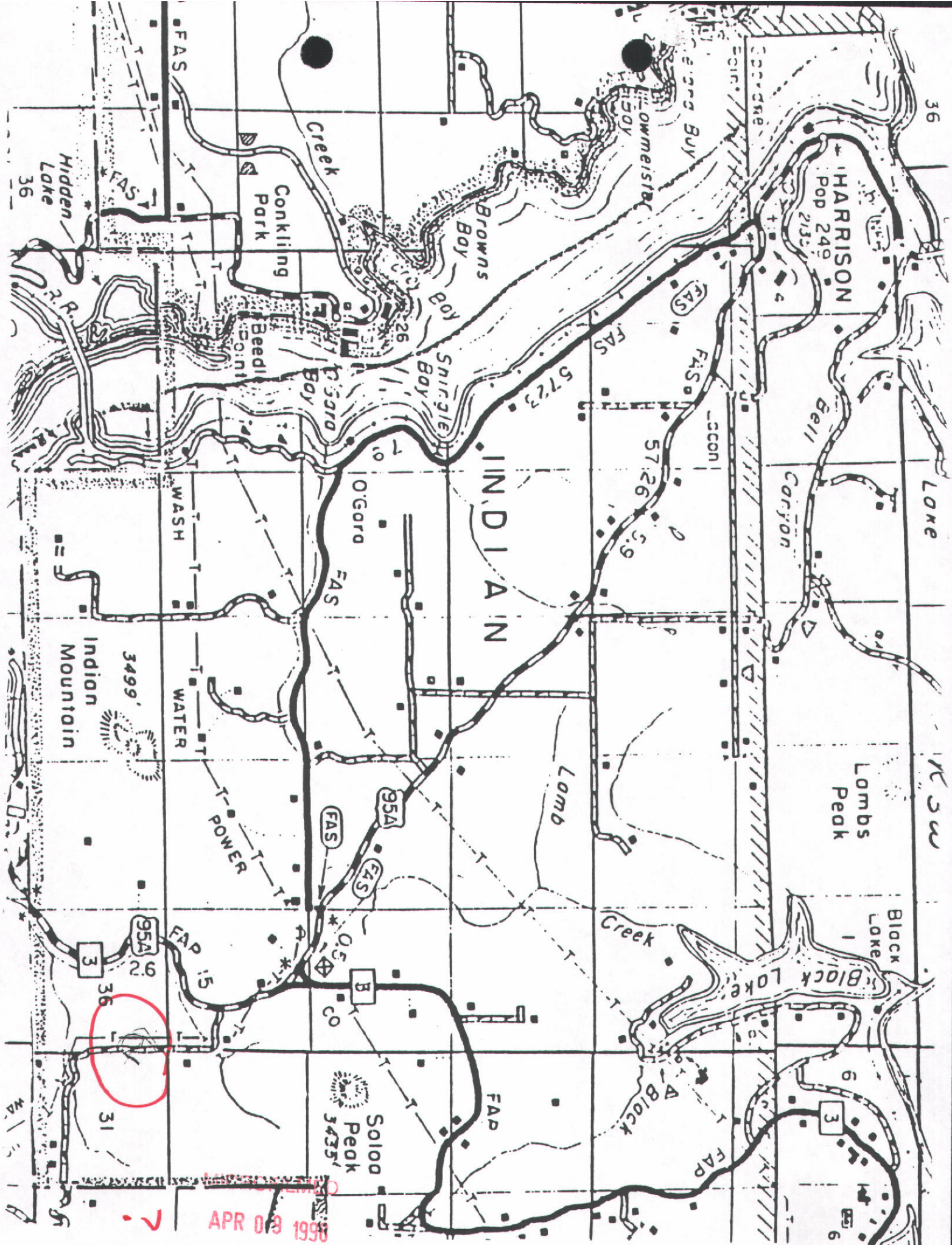
2700

2700

MICROFILMED
APR 09 1998

No don't lots in S36. C3. 3/5/98

T470 R30 D



APR 09 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

FEB 28 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. 91-07139 Telephone No. 1-208-245-4209
2. Name of Permit Holder(s): Hells Gulch water Association
3. Mailing Address: 33321 S. Hells Gulch Rd.
City St. Maries State ID Zip 83861
4. Source of Water: well If **GROUNDWATER** (well), Date Drilled: mo. 9/23 yr. 1997
Well Driller: Blue Water Drilling Permit Number: 91-97-N-0012-000
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 6 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 3.0 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .20 cfs OR _____ acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No ☒
Has the measuring device been installed? Yes _____ or No ☒
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: LARRY DAHLKEY Telephone Number: 245-4209
Address: 33321 S. Hells Gulch Rd. St. Maries ID 83861
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: Joanna Dahlkey Date: 2-13-03
(include your title, if on behalf of company or organization)

MICROFILMED

MAR 20 2003

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 91-07139

Proposed Priority: September 22, 1997 Maximum Diversion Rate: 0.17 CFS

This is to certify, that **HELLS GULCH WATER ASSOCIATION**
32805 HELLS GULCH RD
ST MARIES ID 83861

has applied for a permit to appropriate water from: **GROUNDWATER**

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>
IRRIGATION	03/15 to 11/15	0.06 CFS
DOMESTIC	01/01 to 12/31	0.11 CFS
	Totals	0.17 CFS

LOCATION OF POINT(S) OF DIVERSION: SENE , Sec. 36, Township 47N, Range 03W
KOOTENAI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
47N	03W	36	NENE 0.5	SENE 1.0	NESE 1.5	3.0

Total number of acres irrigated: 3.0

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
6. The issuance of this right does not grant any right-of-way or easement across the land of another.
7. Domestic use is for 6 homes and does not include lawn, garden, landscape, or other types of irrigation.

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APR 09 1998

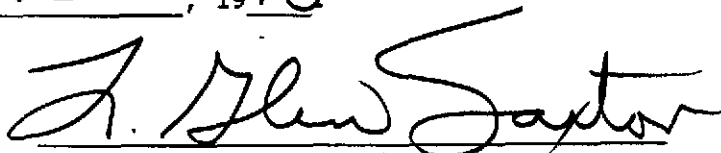
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 91-07139

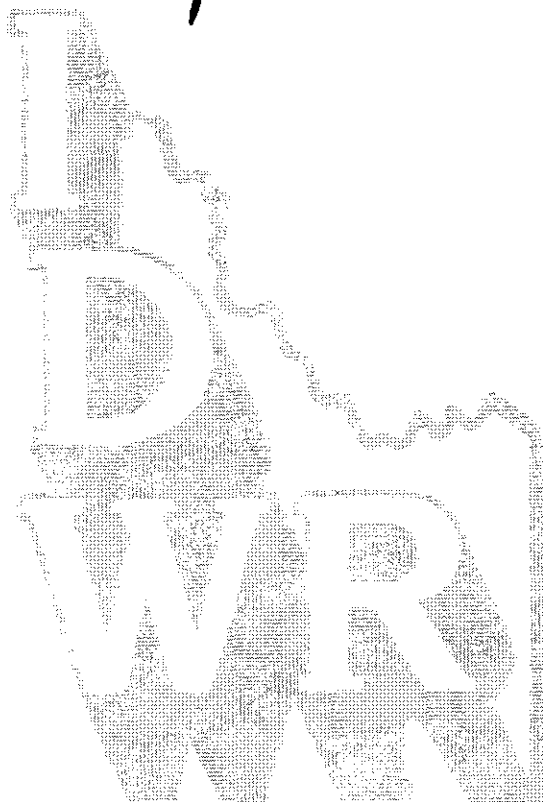
This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

6th day of March, 1998



Karl J. Dreher, Director

for



MICROFILMED
APR 09 1998

Ident. No. 91-7139

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

MAR 04 1998

Department of Water Resources

1. Name of Applicant Hells Gulch Water Association Phone 245-4378
Mailing address 32805 Hells Gulch Road St Maries ID 83861
2. Source of water supply Ground Water which is a tributary of _____
3. Location of point of diversion is Township 41 N Range 3 W Sec. 36 in the _____ 1/4.
SE 1/4, NE 1/4, Govt. Lot _____, B.M., Kootenai County;
additional points of diversion if any: None

4. Water will be used for the following purposes:

* Amount ^{0.11} 20 CFS for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.06 CFS for Irrigation purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) ^{0.17} 20 CFS and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source 8" well + Pipeline
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity None acre-feet
- c. Proposed well diameter is 8 inches; proposed depth of well is 300 feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? _____; Drilling firm Blue Water 91-91-N-12
Well was drilled for (well owner) _____; Drilling Permit No. D3356

7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 6
- e. Other; describe fully. _____

MICROFILMED

APR 09 1998

* per dept. standards. 3/5/98 cz.





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

March 11, 2003

HELLS GULCH WATER ASSOCIATION
33321 S HELLS GULCH RD
ST MARIES ID 83861

Re: Permit No. 91-07139

Dear Permit Holder:

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

During my review of your proof and your permit I found that the permit was issued with a maximum diversion rate of 0.17 cfs. According to the proof you submitted you stated 0.20 cfs which is an increase of the original amount permitted. I recommend that you limit the amount you are diverting to the 0.17 cfs, unless you apply for a second permit to cover the difference. Otherwise, the additional 0.03 cfs is an expansion of use, and may be subject to further investigation by the department.

I have updated the department's database records to show the above-address as your current address. Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right 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 or me at (208) 327-7953.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

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

MICROFILMED

MAR 20 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 91-7139

Reviewed By: dgibson

Date: March 10, 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.:		C067610	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	02/28/2003
Date proof due	- 03/01/2003
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 09/22/1997
New priority date	= 09/22/1997

Deficiencies of Actions Items

Address change made. Proof filed for more diversion rate than permit allowed. Acknowledge proof, but warn them that they are diverting more than allowed, and field examiner will evaluate and measure system to accuracy.

December 31, 2002

HELLS GULCH WATER ASSOCIATION
32805 HELLS GULCH RD
ST MARIES, ID 83861

PROOF DUE NOTICE

RE: PERMIT NO. 91-7139

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 March 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.

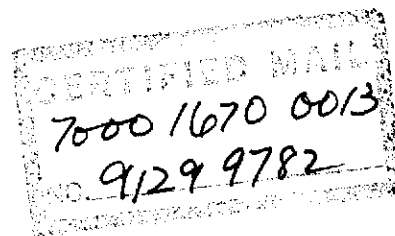
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILMED
MAR 2 8 2003





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

March 6, 1998

PHILIP E. BATT
GOVERNOR

HELLS GULCH WATER ASSOCIATION
32805 HELLS GULCH RD
ST MARIES ID 83861

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 91-07139

Dear Permit Holder:

The Department of Water Resources (IDWR) 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 IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

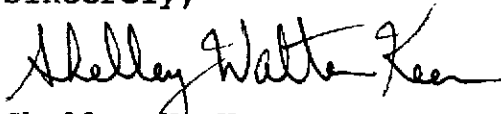
As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

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.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

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

Sincerely,


Shelley W. Keen
Water Rights Supervisor

SK:klt

MICROFILMED

APR 09 1998

CERTIFICATE OF MAILING

I hereby certify that on the 6th day of March, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 91-07139

HELLS GULCH WATER ASSOCIATION
32805 HELLS GULCH RD
ST MARIES ID 83861


Kari Lynn Townsend
Secretary

MICROFILMED
APR 09 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

APR 08 1998

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
APR 8 1998

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by Cindy Lee
 No.: 91-7139 Name: Hull's Gulch ^{Water} Assn. Date: 3/5/90 Ad OK? ✓ Gvmt Lts: ✓
AREA OF CONCERN:

- No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED:

- 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year

- 26A P17~~2-4 years~~ no proof~~P18~~**GROUNDWATER: (✓ FLO-CH)**

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

WMD Supplemental use

> 0.24 cfs/5 acres

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

≤ 0.24 cfs/5 acres

- 01M (report when notified)

- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

- 046 P23

Included w/permit

- Permit No. _____ P99

irr. in WD

- P05 (new well location)

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9

WD (✓ MAP & LISTING)

- R04 (WD # _____)

> 0.10 cfs

- 01J-P08 (MD & LD)

≤ 0.10 cfs

- 01H-P01 (LD) or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

- *W22-P04, NA

(02/03-irr)

- 007 (w/ remark *WB9 if above Weiser), NA

Payette R(65)

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's)

- 029 (fish screens), NA

USE:

Domestic surface

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

>1 in rest. area

- 071-070

Fish Propagation

- 029-007-042(req)-081 (WQ)-P10

Heating/Cooling

- R07 (injection well)

Irr ≤ 5 acres

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

Mining

- 054(req)-081-P10

Municipal

- 022, 075, 004 (+memo?), NA (not in restricted area)

Power

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

Stockwater

- R37 (BLM/USFS); NA

Storage (✓3 compo.)

- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:~~42-248 area~~

- P84 (in 20/30/40/50/60/70/80 (87) basin)

Boise Front LoGeo

- 058 (<85° GW temp only)

In-stream dev.

- P52 (stream channel alteration)

Irr Dist/Canal Co.

- 023 (Twin Falls area)

SWAN FALLS FLAG (See Code Chart)

Trust

- 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:- 004 (PD/PU) Contracts**OTHER CONDITIONS:****STANDARD REMARKS:**- ① WB5/6 ② WB9/60**BENEFICIAL USE DUE:**- 3/1/2003**COMMENTS:**- reduce dam to standard flow for scheme

No. a
4/87-06/92n

DEPARTMENT OF WATER RESOURCE
APPLICATION ANALYSIS SHEET

RECEIVED

MAR 04 1998

WR1
WR2
8C

APPLICATION # 91-7139

DEPARTMENT OF WATER RESOURCES

***** INITIAL REVIEW *****

APPLICANT: HELLS GUCCA BY: AB DATE: 9/22/97

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
13. (X) Map
(X) Signature
(X) Fee (Amt, recpt, acknowledgment)

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

ADDITIONAL INFORMATION

Yes No

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

PROCESSING

Yes No

PRIORITY DATE: 9/22/97

X (Include Moratorium Remark)

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

CA/Phur/ok

ADVERTISE IN: KOOTENAI County.

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
() Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
() Power Information () Other: N/A

***** GROUNDWATER SECTION *****

(Yes) (No)

- X Groundwater management area
X Critical ground water area
X Well Drilling Permit required
X Well Drilling Application and Fees received
X Well Drilling Application approved?
Well Drilling Application Number 91-97-N-12

Checked by: _____ Date: 1/1

Remarks: \$200 fee paid - NOV 20

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes) (No)

- 2/13/98 Notice of pending void order issued. Final order response date: 1/1
2/13 Further information required from applicant
2/13 Affidavit of publication received
1/28/98 Application published correctly, If not, record action taken: _____
1/28/98 Publication dates and paper recorded on application | Sr. Agent initial AB
X Protests received. Final protest date: 2/23/98
X Measuring device required
X Measuring port required
X Special conditions: _____
X Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AB RSH Date: 2/25/98

RECEIVED AFFIDAVIT OF PUBLICATION

FEB 13 1998

STATE OF IDAHO, }
County of Kootenai, } ss.

NORTHERN REGION
IDWRH

SHELLEY KAZMIERZAK 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 5 day of Feb., 1998, and ending on the 12 day of Feb., 1998, 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.

Shelley Kazmierzak

Subscribed and sworn to before me this 12 day of Feb., 1998.

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

NOTARIAL PUBLIC
MY COMMISSION EXPIRES 6/18/03

NOTICE OF APPLICATION FOR WATER RIGHT

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

91-07139
HELLS GULCH WATER ASSN
32805 HELLS GULCH RD
ST MARIES, ID 83861
Source: GROUNDWATER *ok*
Diversion Pt: SENE
Sec 36 T 47N R 03W in KOOTENAI County.
Use: IRRIGATION (0.060 CFS)
DOMESTIC (0.200 CFS)
Total Diversion: (0.200 CFS)
Date Filed: 9/22/1997
In: KOOTENAI County
T47N R03W S36 NENE SENE NESE
3.0 ACRES TOTAL

94-07372
BURMEISTER, JOHN R
PO BOX 21
MEDIMONT, ID 83842
Source: SPRING
Tributary: SINKS
Diversion Pt: SESENE
Sec 4 T 47N R 02W in KOOTENAI County.
Use: WILDLIFE STORAGE (1.50 AF)
RECREATION STORAGE (1.50 AF)
Total Diversion: (1.50 AF)
Date Filed: 1/15/1998
In: KOOTENAI County
T47N R02W S04 SENE

95-08980
BUECHNER, JAMES D
BUECHNER, LINDA M
E 2105 HUDLOW ROAD
HAYDEN LAKE, ID 83835
Source: SPRING
Diversion Pt: SWNWSE
Sec 30 T 52N R 03W in KOOTENAI County.
Use: IRRIGATION (0.400 CFS)
STOCKWATER (0.020 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.400 CFS)
Date Filed: 1/23/1998
In: KOOTENAI County
T52N R03W S30 SENW
20.0 ACRES TOTAL

96-08978
UEBERROTH FAMILY TRUST
PO BOX 100
LAGUNA BEACH, CA 92652
Source: GROUNDWATER
Diversion Pt: NESE
Sec 15 T 53N R 03W in KOOTENAI County.
Use: IRRIGATION (6.680 CFS)
Total Diversion: (6.680 CFS)
Date Filed: 1/20/1998
In: KOOTENAI County
T53N R03W S36

	NENW	NWNW
	SWNW	SENW
S15	NENE	NWNE
	SWNE	SENE
	NESE	NWSE
	SWSE	SESE
S22	NENW	NWNW
	SWNW	SENW
	NESE	NWSE
	SESE	

620.0 ACRES TOTAL

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before FEBRUARY 23, 1998.

KARL J. DREHER, Director

91-07139

HELLS GULCH WATER ASSN
32805 HELLS GULCH RD
ST MARIES, ID 83861

Source: GROUNDWATER

Diversion Pt: SENE Sec 36 T 47N R 03W in KOOTENAI County.

Use: IRRIGATION	(	0.060 CFS)
DOMESTIC	(	0.200 CFS)
Total Diversion:	(	0.200 CFS)

Date Filed: 9/22/1997

In: KOOTENAI County			
T47N R03W S36	NENE	SENE	NESE

3.0 ACRES TOTAL

MICROFILMED

APR 09 1998

January 28, 1998

Mr. Ken Wood
Hells Gulch Water Association
32805 Halls Gulch Road
St Maries ID 83861

Re: Water Appropriation Application No. 91-07139

Dear Mr. Wood:

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. 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 3 to 4 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 your source is groundwater, a Well Drilling Permit is required for all wells constructed after July 1, 1987.

A "Domestic" well drilling permit should be obtained for a rate of diversion of up to 18 gallons per minute (0.04 CFS) and a daily volume of up to 2,500 gallons per day. The cost for this permit is \$75.00. For any other use, including multiple homes, or municipal, etc., the Drilling Permit fee is \$200. These Permits can be obtained by your driller, also. It is sometimes possible to upgrade an existing Domestic Drilling Permit by submitting a fee for the difference. This, however, depends on the individual well.

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

MICROFILMED
APR 9 1998

AB:db

November 14, 1997

Mr. Allen Beardslee
Sr. Water Resources Agent

RECEIVED
DEC 22 1997
NORTHERN REGION
IDWR

Dear Mr. Beardslee :

Please find enclosed the map you sent for us to outline with the information that you requested on the well belonging to The Hells Gulch Water Assoc. Also the names of the officers are as follows

President-- Ken Straw

Treasure-- Steve Addington

Secretary-- Larry Dahlkey

The correct mailing address is-- Hells Gulch Water Association

52805 Hells Gulch

St. Maries, Idaho 83861

Sincerely,



Steve Addington

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APR 09 1998

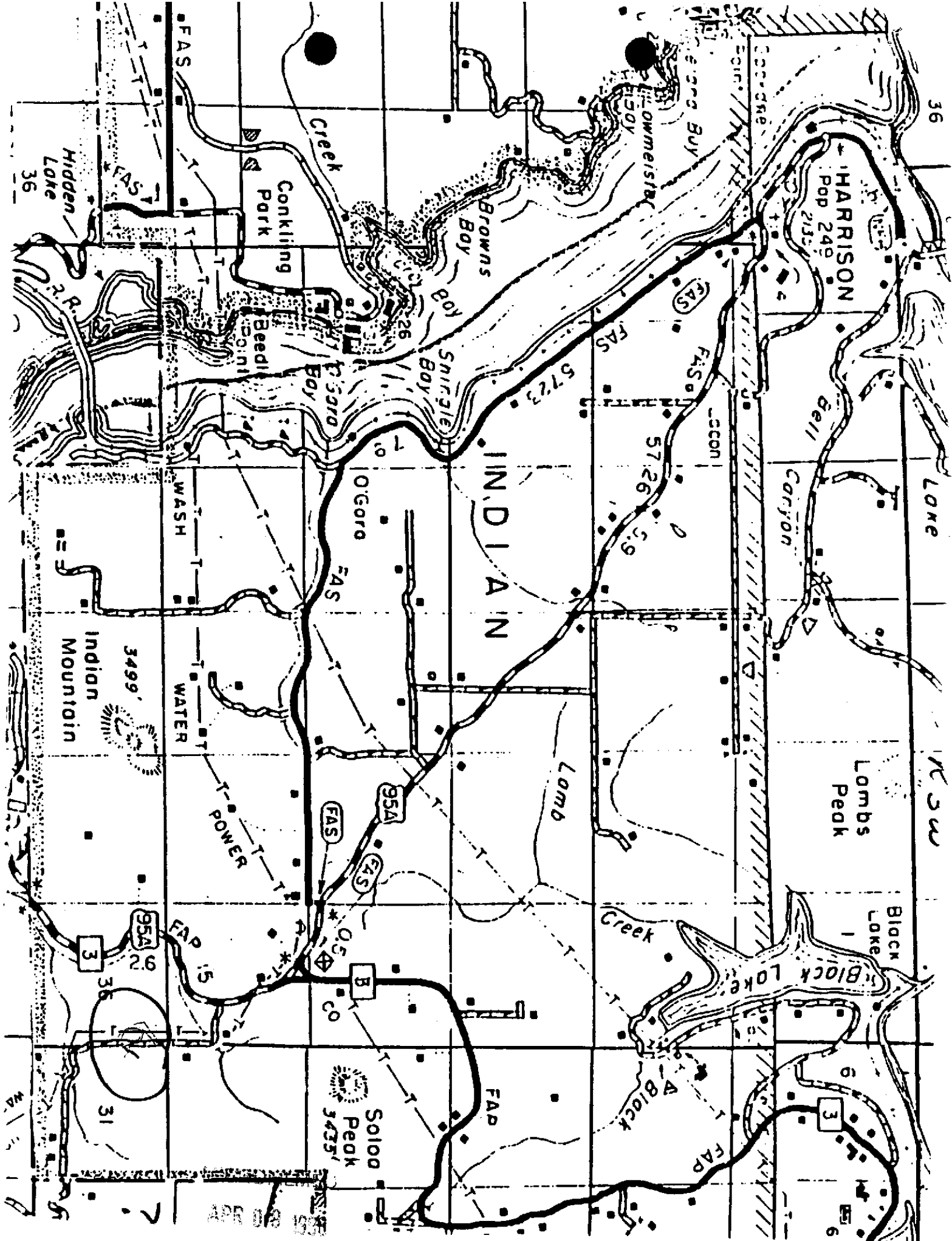
Ph. 765-4690

POSTED

ϕ 650 005

APR 09 1998

11/5/57



November 12, 1997

Mr. Ken Wood
Hells Gulch Water Association
32805 Hells Gulch Rd
St. Maries ID 83861

RE: Application for Permit Number 91-07139

Dear Mr. Wood:

We have received your Application for Permit and assigned it the above number. However, we need further information to make it acceptable for further processing.

Enclosed, you will find a USGS Topographic map. Please verify where we have located the well, near the lower right side of the map. Please mark (outline) the location of the six homes. We also need a list of the officers for the Hells Gulch Water Association.

Upon receiving this information back at this office we can proceed with advertising.

If you have any questions, please feel free to contact me at this office.

Sincerely,

Allen Beardslee
Sr. Water Resource Agent

MICROFILMED

APR 9 9 1998

WD0731NP
(00-0731)

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLING PERMIT NUMBER INDEX

DATE: 10/22/97
PAGE: 1

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY	ACC FLAG
91-97-N-0012-000 D0003356	0	HELL'S GULCH WATER ASSOCIATION 32805 HELL'S GULCH ROAD ST MARIES, ID 83861 (208) 245-4378	47N	03W	36	NE SE NE		KOOTENAI	1

Subdivision Well Site Location and Description:

Subdivision Name:
Well Site Address: HELL'S GULCH ROAD
City, State: HARRISON, ID

Lot(s):
Block(s):

Geographic Location:
GPS Site ID:
Lat: : :
Long: : :
Accuracy Code:

Proposed Use of Well: Other
Anticipated Bottom Hole Temperature: 85f or Less

Proposed Casing Diameter: 8 In.
Proposed Depth: 400 Ft.

Well Use Comments: USE IS FOR 6 HOMES AND IRRIGATION

Driller License No: 0452

Firm Name: BLUE WATER DRILLING
Official: JOHN W CARMAN

Permit Status: Permit

Verbal Issue Date:	Receipt No.	Receipt Date	Fee
Date Received: 09/19/1997	M011620	09/19/1997	\$ 200.00
Date Approved: 09/22/1997		NOT ON FILE	
Proposed Start Date: 09/22/1997		NOT ON FILE	
Extension Date:		NOT ON FILE	
Extension Expiration:		NOT ON FILE	

Specific Conditions:

Permit Remarks:

Conditions of Approval: This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.

This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank. Public Water Supply wells must not be drilled closer than 100' from any drainfield or septic tank.

The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.

Approval of this drilling permit does not authorize trespass on the land of another party.

MICROFILMED
APR 0 9 1998

MD0731NP
(00-0731)

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLING PERMIT NUMBER INDEX

DATE: 10/22/97
PAGE: 2

WELL DRILLING PERMIT NUMBER INDEX: Permit No. 91-97-N-0012-000 (cont'd)

Conditions of Approval: This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

This drilling permit does not represent a right to divert and use the water of the State of Idaho.

If a bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (Digline is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "Dig Line" Number for your area is 1- - - - -

Applicant requests issuance of this Drilling Permit prior to approval of a Water Right or Transfer of a Water Right. Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the diversion of water from this well may not ultimately be approved for use.

WELL DRILLER'S LOG REPORT

Drilling Permit No: 91-97-N-0012-000 Water Right No:
Log Status: Inspected Injection Permit No:

Nature of Work: NEW WELL Construction Method:

Number of Monitor Wells:

Casing Diameter: In. Static Water Level: Ft.
Depth of Casing: Ft. Temperature: F.
Total Depth: Ft. Production Rate: gpm
Screen Installed?

Violation Flag: Actual Start Date: Well Finish Date: Log Received Date: Certification Date: Field Inspection Date: 09/23/1997 Inspector: TDK/LF

Well Log Remarks:

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APR 09 1998

ILLINOIS DEPARTMENT OF WATER RESOURCES

WATER RIGHT NO. 91-07139

HELLS GULCH WATER ASSN
32805 HELLS GULCH RD
ST MARIES ID 83861

Priority Date: 09/22/1997
Stage: APPLICATION

Source: GROUNDWATER

Beneficial Use	From:	To:	Diversion Rate	Volume
IRRIGATION	03-15	11-15	0.06 CFS	
DOMESTIC	01-01	12-31	0.20 CFS	
	Total:		0.20 CFS	

Point(s) of Diversion: SENE, Sec. 36, Township 47N, Range 03W

Place(s) of Use: IRRIGATION

Twp:	Rng:	Sec:	Tract:	Acres:	Tract:	Acres:	Tract:	Acres:
47N	03W	36	NENE	0.5	SENE	1.0	NESE	1.5
Total Acres:					3.0			

Place of Use: DOMESTIC, same as IRRIGATION

Conditions of Approval and Remarks:

1. Domestic use is for 6 homes.

Dates: App. Received: 09/22/1997

MICROFILMED
APR 09 1998