

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 92-10024

Priority: May 02, 2006

Maximum Diversion Rate: 0.20 CFS

This is to certify, that WESLEY CASE
102 HOYT FLAT
AVERY ID 83802

has applied for a permit to appropriate water from:

Source: GROUND WATER

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>
STOCKWATER	01/01 to 12/31	0.02 CFS
IRRIGATION	04/01 to 10/31	0.20 CFS
DOMESTIC	01/01 to 12/31	0.02 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER SE¼ NE¼ Sec. 7, Twp 43N, Rge 01E, B.M. BENEWAH County

PLACE OF USE: STOCKWATER, DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
43N 01E 7	X			X													

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
43N 01E 7	2.0			15.0													17.0

Total Acres: 17

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **July 01, 2009**.
2. Subject to all prior water rights.
3. Domestic use is for 1 home and a shop. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
4. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

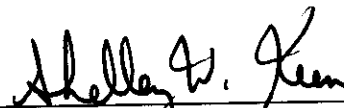
State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 92-10024

5. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
7. Stockwater use is for 25 head of mixed stock.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. 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 the permit holder had no control.
10. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

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 July, 2006.



FOR KARL J DREHER, Director

RECEIVED

JUL 04 2006

72784

Ident. No. 92-10024

RECEIVED

MAY 02 2006

IDWR/North

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of Applicant Wesley A Case Phone 245 1651
- Mailing address 102 Hoyt ~~St~~ Flat, Avery, ID 83808
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is Township 43N Range 1E Sec. 7, in the NE $\frac{1}{4}$,
SE $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot _____, B.M., Benevath County;
- additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | | |
|-------------------------|--|
| Per T.C.
with Wesley | Amount <u>0.02</u> <u>2 cfs</u> for <u>stock water</u> purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive) |
| | (cfs or acre-feet per annum) |
| Per T.C.
with Wesley | Amount <u>0.2 cfs</u> for <u>IRRIGATION</u> purposes from <u>4/1</u> to <u>10/31</u> (both dates inclusive) |
| | (cfs or acre-feet per annum) |
| Per T.C.
with Wesley | Amount <u>0.02</u> for <u>Domestic</u> purposes from <u>Jan 1</u> to <u>Dec 31</u> (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) .2 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 _____
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
- c. Proposed well diameter is 4-8 inches; proposed depth of well is 100-600' 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 _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 3 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. 25 Angus and Galloway
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. House & shop
- e. Other; describe fully. IRRIGATE 17 ACRES,

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.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
43N	1E	7	2			15													17
		7	S			S													
		7	D			d													
		7				irrigation													

Total number of acres to be irrigated 17

10. Describe any other water rights used for the same purposes as described above. Diversion 92-10020

11. a. Who owns the property at the point of diversion? Wes Case
- b. Who owns the land to be irrigated or place of use? Wes Case
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

12. Remarks: Well will be secured by irrigation water right due to low volume in creek during high use time frame. (92-10020)

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Wesley A. Linn

Signature of Applicant (and title, if applicable)

Received by CP Date 5/2/06 Time 12:26 Preliminary check by CP

Fee \$ 100.00 Receipted by CP # ND17538 Date 5/2/06

Publication prepared by db Date 5/31/06 Published in 31 May 2006 Date 6/17 & 14/06

Publication approved db Date 6/21/06

92-10024



-  GCDB43N01E GCDB
-  Application POD
-  Application POU
-  Pou.shp
-  Administrative BasinsAdminbas.shp



Wesley Case

T43N R1E Sections 7



**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

July 10, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

WESLEY CASE
102 HOYT FLAT
AVERY ID 83802

RE: Permit No. 92-10024

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.

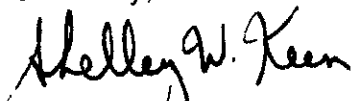
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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 water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

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 208-287-4947.

Sincerely,

A handwritten signature in black ink that reads "Shelley W. Keen". The signature is written in a cursive style with a large, stylized 'S' and 'K'.

Shelley W. Keen

Water Rights Supervisor

SWK:ka

Enclosure(s)

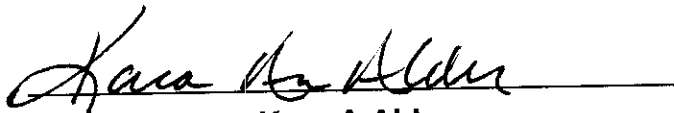
CERTIFICATE OF SERVICE

I hereby certify that on July 10, 2006 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.

92-10024

**WESLEY CASE
102 HOYT FLAT
AVERY ID 83802**

A handwritten signature in black ink, appearing to read "Kara A Alder", is written over a horizontal line.

**Kara A Alder
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

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 Water Resource 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.

MEMORANDUM

Date: July 06, 2006
To: Water Right File 92-10024
From: eretelle
Re: permit review

No WD or moratorium

No protest

No PoD overlap (well not drilled yet)

PoU overlap - supplemental irrigation use for 92-10020 (Carpenter Creek)

Recommend approval as suggested by IDWR Northern

RECEIVED
JUN 9 2006
IDWR/North

Affidavit of Publication

STATE OF IDAHO

County of Benewah, ss.

Cynthia Ann Hammes, being first duly sworn on oath, deposes and says that she is vice president of The Corporation, owner of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah County, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of notice of advertisement herein.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of 120 issues, the first publication being on the 7 day of June, 2006, and the last on the 14 day of June, 2006.

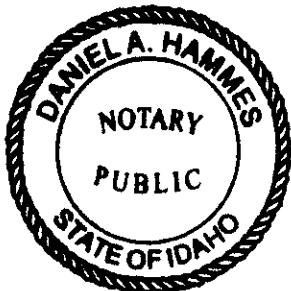
That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

Dated this 14 day of June, 2006

Cynthia Ann Hammes

STATE OF IDAHO)
COUNTY OF BENEWAH)

On this 14 day of June, in the year of 2006 before me, a Notary Public, personally appeared Cynthia Ann Hammes, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Daniel A. Hammes
Notary Public for Idaho
Residing at St. Maries, Idaho
My commission expires:

07-13-2007

Water application

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

92-10024

WESLEY CASE

102 HOYT FLAT

VERY ID 83802

Point(s) of Diversion SENE S7 T43N R01E BENEWAH County

Source GROUND WATER

Use: IRRIGATION 04/01 To 10/31 0.2 CFS

Use: STOCKWATER 01/01 To 12/31 0.02 CFS

Use: DOMESTIC 01/01 To 12/31 0.02 CFS

Total Diversion: 0.2 CFS

Date Filed: 05/02/2006

Place Of Use: DOMESTIC - T43N R01E S7 NENE SENE

Place Of Use: IRRIGATION and STOCKWATER same as DOMESTIC

Number of Acres 17

Remark: Domestic use is for 1 home and shop.

Stockwater use is for 25 head of mixed stock.

92-10025

WILLIAM C SQUIRES

PO BOX 216

FERNWOOD ID 83830

Point(s) of Diversion SENWNW S14 T43N R01W BENEWAH County

Source LITTLE CARPENTER CREEK-Tributary To CARPENTER CREEK

Use: STOCKWATER 01/01 To 12/31 0.02 CFS

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

Total Diversion: 0.06 CFS

Date Filed: 05/19/2006

Place Of Use: STOCKWATER - T43N R01W S14 NENW NWNW

Place Of Use: DOMESTIC - T43N R01W S14 NENW

Remark: Domestic use is for 1 home

Stockwater use is for 5 head of mixed stock

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D'Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 06/26/2006. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published on June 7 and 14, 2006
6457 June 7-June 14

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

92-10024

WESLEY CASE

102 HOYT FLAT

AVERY ID 83802

Point(s) of Diversion SENE S7 T43N R01E BENEWAH County

Source GROUND WATER

Use: IRRIGATION 04/01 To 10/31 0.2 CFS

Use: STOCKWATER 01/01 To 12/31 0.02 CFS

Use: DOMESTIC 01/01 To 12/31 0.02 CFS

Total Diversion: 0.2 CFS

Date Filed: 05/02/2006

Place Of Use: DOMESTIC - T43N R01E S7 NENE SENE

Place Of Use: IRRIGATION and STOCKWATER same as DOMESTIC

Number of Acres 17

Remark: Domestic use is for 1 home and shop.

Stockwater use is for 25 head of mixed stock.

92-10025

WILLIAM C SQUIRES

PO BOX 216

FERNWOOD ID 83830

Point(s) of Diversion SENWNW S14 T43N R01W BENEWAH County

Source LITTLE CARPENTER CREEK-Tributary To CARPENTER CREEK

Use: STOCKWATER 01/01 To 12/31 0.02 CFS

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

Total Diversion: 0.06 CFS

Date Filed: 05/19/2006

Place Of Use: STOCKWATER - T43N R01W S14 NENW NWNW

Place Of Use: DOMESTIC - T43N R01W S14 NENW

Remark: Domestic use is for 1 home

Stockwater use is for 5 head of mixed stock

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D'Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 06/26/2006. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published on June 7 and 14, 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450 FAX: (208) 769-1454 www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

May 31, 2006

*Please Fax A Proof Copy To Me Prior To Publication At ~ 769-1454
Thanks, Dianne*

**KAISIE BREDE
LEGAL NOTICE DEPARTMENT
ST MARIES GAZETTE RECORD
610 MAIN AVE
ST MARIES ID 83861-1838**

e-mailed to Kaisie

RE: Application for Permit No. 92-10024 and 92-10025

Dear Kaisie:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, June 7 and 14, 2006, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 06/26/2006. Your cooperation is always appreciated.

Thank you,

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, May 31, 2006 4:49 PM
To: Legal Notices-SMGazette (E-mail)
Subject: Legal notice for publication on June 7 and 14, 2006

Good afternoon, Kaisie,

Attached is our cover letter requesting publication on June 7 and 14, 2006 of a legal notice, also attached.

If you have ANY questions, please call me at 208-769-1450.

Please FAX a proof copy to me prior to going to press - at 208-769-1454. Thank you VERY much!!

Have a great day,

Too blessed to be stressed.

Dianne

Dianne Ball
Administrative Assistant
Idaho Dept of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814
Phone (208)769-1450 FAX (208)769-1454



CoverLetter
5-31-06 SM e-mail..



LegalNotice
5-31-06 SM e-mail..

IDAHO DEPARTMENT OF WATER RESOURCES
Water Permit Report 92-10020

WATER RIGHT NUMBER: 92-10020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WESLEY CASE HC01 BOX 14 AVERY, ID 83802 (208)245-1808

Priority Date: 07/14/2005

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
CARPENTER CREEK	ST MARIES RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.200 CFS	
STOCKWATER	01/01 to 12/31	0.020 CFS	
FIRE PROTECTION	01/01 to 12/31	0.200 CFS	
	<u>Total Diversion:</u>	0.200 CFS	

Location of Point(s) of Diversion

CARPENTER CREEK	SE1/4NE1/4	Sec. 7, Twp 43N, Rge 01E, B.M.
BENEWAH County		
CARPENTER CREEK	SE1/4NE1/4	Sec. 7, Twp 43N, Rge 01E, B.M.
BENEWAH County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
43N	01E	7	2.0			15.0													17.0

Total Acres: 17

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
43N	01E	7	X			X													

FIRE PROTECTION

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 92-10020

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
43N	01E	7	X			X													

Conditions of Approval:

1. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish passage and fish screening requirements of the Idaho Department of Fish and Game.
2. R62 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
3. 069 Failure of the right holder to comply with any condition of approval is cause for the Director to void this permit.
4. 077 Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
5. X15 A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
6. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. X02 Stockwater use is for 25 mixed stock.
8. 26A 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 the permit holder had no control.
9. X16 The approach velocity at the point of diversion shall not exceed 0.5 feet per second.
10. WB9 Water shall not be diverted under this right when flows in the St. Maries River are below established minimum flow amounts. The right holder shall be responsible for monitoring the daily flow of the St. Maries River near Santa using real-time data published on the Internet by the U. S. Geological Survey and shall cease diverting water when flows in the St. Maries River are below established minimum instream flow amounts.

Remarks:Comments:

1. skeen 11/28/2005 POD
Comment: Updated shape
2. skeen 11/28/2005 POD
Comment: Updated shape
3. skeen 11/28/2005 POU
Comment: Updated Shape
4. skeen 11/28/2005 POU
Comment: Updated Shape
5. skeen 11/28/2005 POU
Comment: Updated Shape

IDAHO DEPARTMENT OF WATER RESOURCES
Water Permit Report 92-10020

Dates and Other Information:

Permit Proof Due Date: 12/1/2010
Permit Proof Made Date:
Permit Approved Date: 12/9/2005
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Field Exam Date:
Date Sent to State Office:
Date Received at State Office:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre: 0.02
Generic Max Volume Per Acre: 3
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 5, 2006

Wesley Case
HC01 Box 14
Avery, Idaho 83802

Re: Application For Permit to appropriate the Public Waters of the State of Idaho.

Dear Mr. Case:

The Department of Water Resources is in receipt of your application for a water appropriation from a well. In processing your application, I have a few questions that I need answered before I can go any further. Would you please contact me at your earliest convenience? The phone number on the application doesn't seem to be the right one for your residence.

Thank you.

Sincerely,

Keith E. Franklin
Water Resources Agent

C O P Y