

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09274

Priority: February 01, 2006

Maximum Diversion Rate: 1.20 CFS

This is to certify, that TERRY E OLIVER And/Or
KATHLEEN S OLIVER
1405 SAMUELS RD
SANDPOINT ID 83864

has applied for a permit to appropriate water from:

Source: SAND CREEK

Tributary: PACK 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>
IRRIGATION	04/01 to 10/31	1.20 CFS

LOCATION OF POINT OF DIVERSION:

SAND CREEK NE¼ SE¼ Sec. 28, Twp 59N, Rge 01W, B.M. BONNER 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	
59N 01W 28													40.0			20.0	60.0

Total Acres: 60

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **May 01, 2007**.
2. Subject to all prior water rights.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
4. 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.
5. Water shall not be diverted under this right when flows in the Pack River are below established minimum flow amounts.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 25th day of May, 20 06


for KARL DREHER, Director

RECEIVED

MAY 19 2006

DEPARTMENT OF
WATER RESOURCES

72619
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 96-9274

RECEIVED

FEB 01 2006

IDWR/North

1. Name of Applicant Terry E. / Kathleen S. Oliver Phone 208 263-7682
Mailing address 1405 Samuels Rd, Sandpoint, ID. 83864
2. Source of water supply Sand Creek which is a tributary of Rock River
3. Location of point of diversion is Township 59N Range 1W Sec. 28 in the NE $\frac{1}{4}$,
SE $\frac{1}{4}$, Govt. Lot Bonnee County;
additional points of diversion if any: SESE T59N R1W sec. 28

4. Water will be used for the following purposes:
Amount 1.2 CFS for irrigation purposes from March 15 to Nov 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 1.2 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 Intake is 6" screened
hub in creek. Pump is electric or gas powered.
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
d. Is ground water with a temperature of greater than 85°F being sought? _____
e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____

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

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

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

3. 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	
59N	14W	28													40			E 1/2 20	60

Total number of acres to be irrigated 60

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

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 enabling the applicant to make this filing:

12. Remarks: 6" intake to pump to 6" underground pipeline to 4" pop-ups to 3" irrigation line with round sprinklers.

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.

Terry E. Curran
Signature of Applicant (and title, if applicable)

Received by AS Date 2-1-06 Time 2:34 P Preliminary check by AS
Fee \$ 290.00 Receipted by AS # N017353 Date 2-1-06
Publication prepared by AS Date 2/23/06 Published in Boone Co Daily Date 3/24/06
Publication approved AS Date 4/4/06

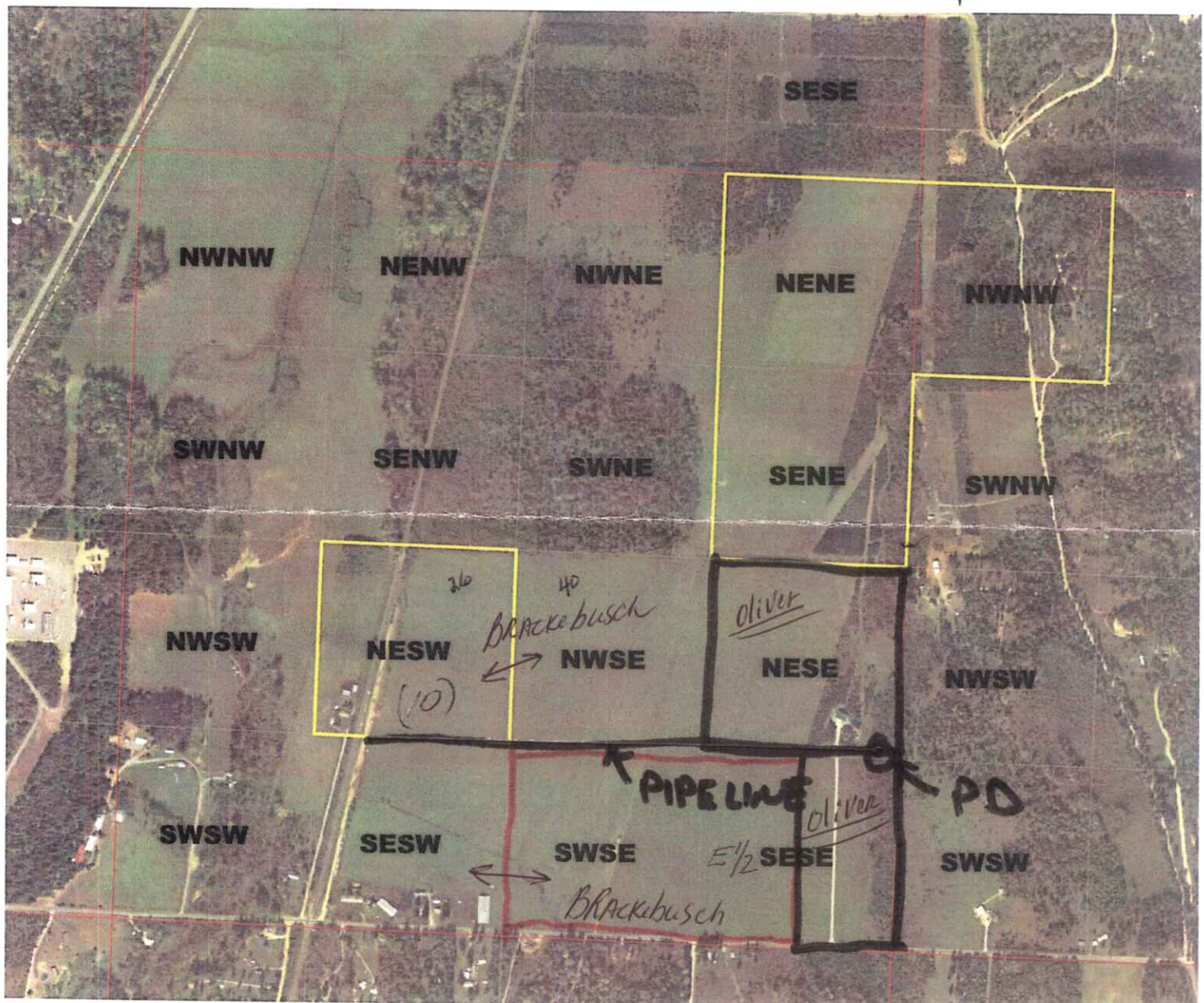
T59N R1W Sections 27 & 28

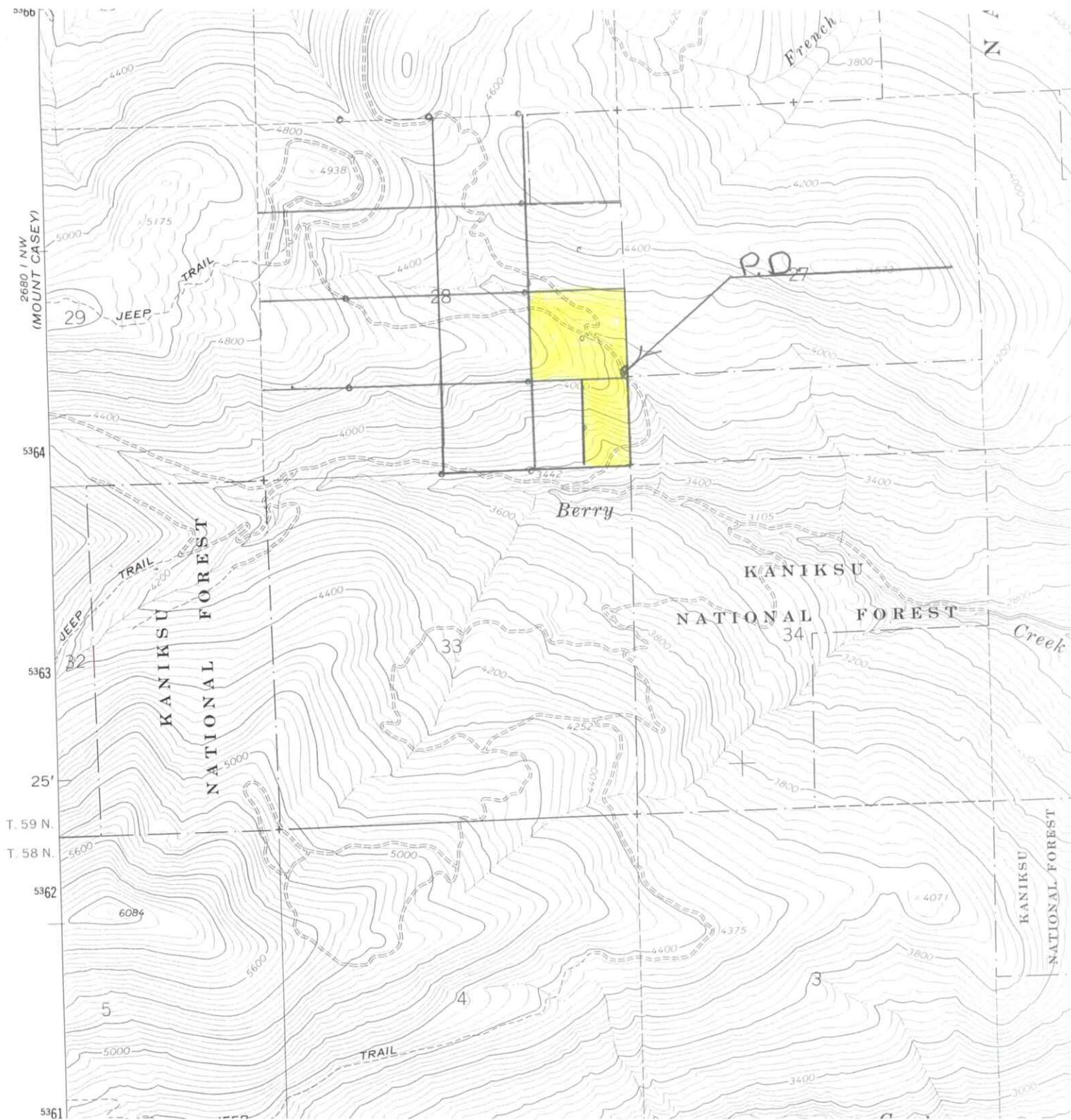


Place of Use



Point of Diversion





OLIVER



-  Bonner taxlots
-  GCDB59N01W GCDB
-  Application POD
-  Application POU
-  Pou.shp
-  Administrative BasinsAdminbas.shp



**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.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 26, 2006

TERRY E OLIVER
KATHLEEN S OLIVER
1405 SAMUELS RD
SANDPOINT ID 83864

RE: Permit No. 96-9274

Permit Approval Notice

Dear Permit Holder:

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

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

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

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

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

If you have any questions, please contact me at 208-287-4947.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with a large, sweeping "S" at the beginning.

for Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

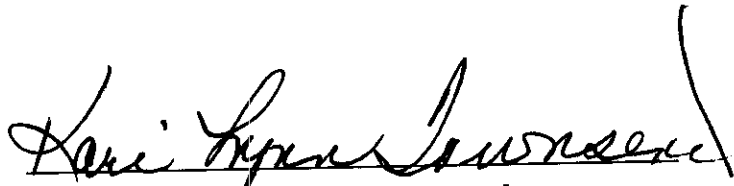
CERTIFICATE OF SERVICE

I hereby certify that on May 26, 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.

96-9274

**KATHLEEN S OLIVER
TERRY E OLIVER
1405 SAMUELS RD
SANDPOINT ID 83864**



**Kari Lynn Townsend
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: May 24, 2006
To: Water Right File 96-9274
From: eretelle
Re: permit review

No WD or restricted area.

No protest.

Possible PoD overlap with 96-9269 (which was a previous application by the Olivers that they assigned to another person). No PoU overlap.

Irrigation season adjusted to standard.

Min Stream Flow Pack River 96-08717

Recommend approval as suggested by IDWR Northern.

USGS only has data
up to 1982 on the
Pack River and the
Station is upstream of
where Sand Creek
comes in. There is no
good data to plot
against the Min. Stream Flow.

5/25/06

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Bonner)

Sherilyn Jones, being first duly sworn on oath, deposes and states:

1. I am a citizen of the United States of America, over the age of 18 years, a resident of Bonner County, Idaho, and am not a party to the proceedings referred to in the attached Legal Notice.
My business address is P.O. Box 159, Sandpoint, Idaho.

2. I am the Bookkeeper of the Bonner County Daily Bee, a newspaper of general publication in Bonner County, Idaho;

3. Said newspaper has been continuously and uninterruptedly published in Bonner County, Idaho during a period of 12 months prior to the first publication of said Notice, and thereafter.

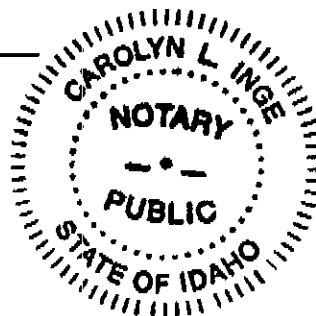
4. The attached Notice was published in the regular and entire issue of the Bonner County Daily Bee for a period of 2 consecutive weeks, commencing on the 2 day of Mar, 2006, and ending on the 9 day of Mar, 2006.

Sherilyn Jones

SUBSCRIBED AND SWORN to before me, the undersigned Notary Public, this 10 day of March, 2006

Carolyn L Inge

Notary Public
Residing at: Sandpoint
Comm. Exp.: 8/06



RECEIVED
APR 07 2006
ACCTS PAYABLE

LEGAL NOTICE

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

96-9258

STEVE BARNHART

485 KRIPPLE CREEK RD

ATHOL ID 83801

Point(s) of Diversion SENW S1 T54N R03W BONNER County

Source UNNAMED STREAM - Tributary To COCOLALLA CREEK

Use: IRRIGATION 04/01 To 10/31 0.08 CFS

Use: IRRIGATION STORAGE 01/01 To 12/31 0.3 AFA

Use: IRRIGATION FROM STORAGE 04/01 To 10/31 0.3 AFA

Use: STOCKWATER STORAGE 01/01 To 12/31 0.3 AFA

Use: WILDLIFE STORAGE 01/01 To 12/31 0.3 AFA

Use: RECREATION STORAGE 01/01 To 12/31 0.3 AFA

Use: DIVERSION TO STORAGE 01/01 To 12/31 0.02 CFS

Total Diversion: 0.08 CFS

Date Filed: 09/09/2005

Place Of Use: STOCKWATER STORAGE, RECREATION STORAGE,

IRRIGATION STORAGE and WILDLIFE STORAGE

T54N R03W S1 SENW

Place Of Use: IRRIGATION and IRRIGATION FROM STORAGE

T54N R03W S1 NWN Lot 2 NENW Lot 3 SENW

Number of Acres 8

Remark: Stockwater usage is for 30 head of mixed stock

Recreation storage is for swimming.

96-9274

TERRY E OLIVER

KATHLEEN S OLIVER

1405 SAMUELS RD

SANDPOINT ID 83864

Point(s) of Diversion NESE S28 T59N R01W BONNER County

Source SAND CREEK - Tributary To PACK RIVER

Use: IRRIGATION 03/15 To 11/15 1.2 CFS

Total Diversion: 1.2 CFS

Date Filed: 02/01/2006

Place Of Use: IRRIGATION

T59N R01W S28 - NESE SESE

Number of Acres 60

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 03/20/2006. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Legal SNP# 7670

March 2, 9, 2006

May. 17. 2006 8:01AM

Idaho Dept. of Water Resources

No. 1654 P. 1

D-0

ATTN: Dianne Ball

Bonner County Daily Bee
P.O. Box 159
Sandpoint, Id 83864
Phone: (208) 263-9534

**ADVERTISING
INVOICE/STATEMENT**

Statement		Agency/Client Name		
03/31/06		DEPARTMENT OF WATER RESOURCES		
Total Amount Due		Terms of Payment		
250.24		net 15th		
Current Amount Due	1-30 Days	31-60 Days	61-90 Days	Over 90 Days
250.24	0.00	0.00	0.00	0.00

RECEIVED

Page #	Billing Date	Billed Account #	Agency/Client Number	Remittance Address
1	03/31/06	30101775-000		
Billed Account Name & Address			RECEIVED	
DEPARTMENT OF WATER RESOURCES 1910 NW BLVD. SUITE #210 COEUR D'ALENE, ID 83814			APR - 4 2006	
			IDWR/North	
			RECEIVED	
			APR 06 2006	
			DEPARTMENT OF WATER RESOURCES	
			Bonner County Daily Bee	
			P.O. Box 159	
			Sandpoint, Id 83864	

PLEASE DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE

Date	Reference #	Description-Other Comments/Charges	Type	Units	Runs	Rate	Amount	Total
		Beginning Balance					161.00	161.00
03/02/06	32540251-001	#7670 APP#96-9258	DIS	11.00 in	1	UL	82.32	243.32
03/09/06	32540252-001	#7670 APP#96-9258	DIS	11.00 in	1	UL	70.56	313.88
		Affidavit Charge					5.00	318.88
03/10/06	32540090-001	119903130	PAY				-161.00	157.88
03/16/06	32540556-001	#7685 APP#96-9275	DIS	6.00 in	1	UL	47.04	204.92
03/23/06	32540557-001	#7685 APP#96-9275	DIS	6.00 in	1	UL	40.32	245.24
		Affidavit Charge					5.00	250.24
							RECEIVED	
							APR 07 2006	
							ACCTS PAYABLE	

Statement of Account Aging of Past Due Amounts

Current Amount Due	1-30 Days	31-60 Days	61-90 Days	Over 90 Days	Total Amount Due
250.24	0.00	0.00	0.00	0.00	157.88 250.24

Bonner County Daily Bee
P.O. Box 159
Sandpoint, Id 83864

Past due accounts are subject to finance charges of 1 1/2% per month, which is an annual percentage of 18%, applied to the previous balance.

Advertiser Information

Statement Date	Billed Account #	Agency/Client Number	Agency/Client Name
03/31/06	30101775-000		

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

96-9258

STEVE BARNHART
485 KRIPPLE CREEK RD
ATHOL ID 83801

Point(s) of Diversion SENW S1 T54N R03W BONNER County
Source UNNAMED STREAM - Tributary To COCOLALLA CREEK

Use: IRRIGATION	04/01 To 10/31	0.08 CFS
Use: IRRIGATION STORAGE	01/01 To 12/31	0.3 AFA
Use: IRRIGATION FROM STORAGE	04/01 To 10/31	0.3 AFA
Use: STOCKWATER STORAGE	01/01 To 12/31	0.3 AFA
Use: WILDLIFE STORAGE	01/01 To 12/31	0.3 AFA
Use: RECREATION STORAGE	01/01 To 12/31	0.3 AFA
Use: DIVERSION TO STORAGE	01/01 To 12/31	0.02 CFS
Total Diversion:		0.08 CFS

Date Filed: 09/09/2005

Place Of Use: STOCKWATER STORAGE, RECREATION STORAGE,
IRRIGATION STORAGE and WILDLIFE STORAGE

T54N R03W S1 SENW

Place Of Use: IRRIGATION and IRRIGATION FROM STORAGE

T54N R03W S1 NWNE Lot 2 NENW Lot 3 SENW

Number of Acres 8

Remark: Stockwater usage is for 30 head of mixed stock
Recreation storage is for swimming.

96-9274

TERRY E OLIVER
KATHLEEN S OLIVER
1405 SAMUELS RD
SANDPOINT ID 83864

Point(s) of Diversion NESE S28 T59N R01W BONNER County
Source SAND CREEK - Tributary To PACK RIVER

Use: IRRIGATION	03/15 To 11/15	1.2 CFS
Total Diversion:		1.2 CFS

Date Filed: 02/01/2006

Place Of Use: IRRIGATION

T59N R01W S28 - NESE SESE

Number of Acres 60

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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 03/20/2006. The protestant must also send a
copy of the protest to the applicant.

KARL J DREHER, Director Published on March 2 & 9, 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 23, 2006

SHERI JONES
LEGAL NOTICE DEPARTMENT
BONNER COUNTY DAILY BEE
PO BOX 159
SANDPOINT ID 83864

RE: Application for Permit No. 96-9258 and 96-9274

Please FAX proof copy before this goes to press, to 208-769-1454
Thanks, Dianne

Dear Sheri:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, March 2 and 9, 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 03/20/2006. Your cooperation is always GREATLY appreciated.

Thank you,
Sincerely

Dianne

Dianne Ball
Administrative Assistant

DEPARTMENT OF WATER RESOURCES
1910 NORTHWEST BLVD., SUITE 210 ~ COEUR D'ALENE ID 83814
Phone 208-769-1450 - FAX - 208-769-1454

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, February 23, 2006 11:51 AM
To: Legal Notices-Bonner Co Daily Bee (E-mail)
Subject: Legal notice for publication on March 2 and 9, 2006

Good day to you Sheri,

Attached is our cover letter requesting publication of a legal notice on March 2 and 9, 2006. The legal notice is also attached.

If you have ANY questions, please call me at 208-769-1450, and **PLEASE FAX A PROOF COPY** to me, before this goes to press, at
208-769-1454

Thanks, and have a wonderful day. It's always a pleasure to work with you.

If everything seems to be coming your way, you're probably in the wrong lane.
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
2-23-06 BCDB e-ma.



LegalNotice
2-23-06 BCDB e-ma.



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

February 23, 2006

TERRY E OLIVER
KATHLEEN S OLIVER
1405 SAMUELS RD
SANDPOINT ID 83864

RE: Application for Permit No 96-9274

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Bonner County Daily Bee on March 2 and 9, 2006. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

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

Sincerely,

Keith E. Franklin
Water Resource Agent



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

February 16, 2006

MARY TERRA-BERNS
IDAHO DEPARTMENT OF FISH & GAME
2750 KATHLEEN AVE.
COEUR D'ALENE, ID 83815

FAXED TO MARY *2/16/06*
5 pages total

Re: Water Permit Application No. 96-9274

Dear Mary:

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 follows for your reference.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **March 17, 2006**. If we do not hear from you by that date, we will assume that no comment from you means you have no objection to, concerns about, or conditions pertaining to the issuance of this permit.

You may send comments by regular mail to the address above, by FAX to 769-1454, or by e-mail to Dianne.Ball@idwr.idaho.gov.

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

Sincerely,

Dianne Ball
Administrative Assistant