

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09332

Priority: March 02, 2006

Maximum Diversion Rate: 0.20 CFS

This is to certify, that DALE MORRIS Or
FLORA MORRIS
3800 E CHILCO RD
ATHOL ID 83801

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>
DOMESTIC	01/01 to 12/31	0.04 CFS
IRRIGATION	03/15 to 11/15	0.20 CFS
STOCKWATER	01/01 to 12/31	0.04 CFS

LOCATION OF POINTS OF DIVERSION:

GROUND WATER L1 (NW¼ NW¼) Sec. 18, Twp 52N, Rge 03W, B.M. KOOTENAI County

PLACE OF USE: DOMESTIC, 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	
52N 03W 18					X	X											
						L 1											

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
52N 03W 18					7.0	3.0											10.0
						L 1											

Total Acres: 10

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **May 01, 2011**.
2. Subject to all prior water rights.
3. Stockwater use is for about 30 head of mixed stock.
4. Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
5. 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.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

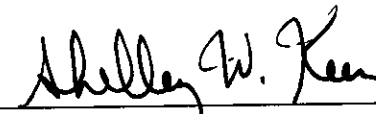
State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 95-09332

7. 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.
8. 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 11th day of May, 2006.



FOR KARL DREHER, Director

RECEIVED

MAY 08 2006

DEPARTMENT OF
WATER RESOURCES

72645
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 95-9332

RECEIVED

MAR 02 2006

IDWR/North

1. Name of Applicant DALE L. MORRIS Phone 772-5648
FLORA M. MORRIS

Mailing address 3800 E. CHILCO RD. ATHOL, IDAHO 83801

2. Source of water supply WELL which is a tributary of NA

3. Location of point of diversion is Township 52-N Range 3W Sec. 18, in the NA 1/4,
NE NW 1/4, NA 1/4, Govt. Lot NA, B.M., KOOTENAI County;

additional points of diversion if any:

4. Water will be used for the following purposes:

Amount .04 for DOMESTIC purposes from 1-1-06 to 12-31-07 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .04 for STOCKWATER purposes from 1-1-06 to 12-31-07 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .20 for IRRIGATION purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount NA for NA purposes from NA to NA (both dates inclusive)
(cfs or acre-feet per annum)
Amount NA for NA purposes from NA to NA (both dates inclusive)
(cfs or acre-feet per annum)
Amount NA for NA purposes from NA to NA (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .20 cubic feet per second and/or (b) .04 acre feet per annum

6. Proposed diverting works: PUMP & ELECTRIC MOTOR

a. Describe type and size of devices used to divert water from the source 3 H.P. S-T-A-R-T-E Electric Motor & Pump - 2" pipe in well 1/4 in pipe in lines.

b. Height of storage dam NA feet; active reservoir capacity NA acre-feet; total reservoir capacity NA acre-feet

c. Proposed well diameter is 6" inches; proposed depth of well is 158' feet

d. Is ground water with a temperature of greater than 85°F being sought? NO

e. If well is already drilled, when? 12-1-05; Drilling firm McCARTY DRILLING & PUMP INC.

Well was drilled for (well owner) DALE & FLORA MORRIS; Drilling Permit No. 00041123

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. NA

b. Stockwatering; list number and kind of livestock. 15 GOATS 12 CHICKENS

c. Municipal; show name of municipality. NA

d. Domestic; show number of households. ONE

e. Other; describe fully. NA

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	
52 ^N	03 ^W	18					7 3												10.0
							D-S	D-S											

Total number of acres to be irrigated 10.0

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? DALE L. ^{JR} FLORA M. MORRIS

b. Who owns the land to be irrigated or place of use? DALE L. ^{JR} FLORA M. MORRIS

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: _____

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.

Dale L. Morris

Signature of Applicant (and title, if applicable)

Received by [Signature] Date 3-2-06 Time 11:54 Preliminary check by _____
 Fee \$ 100.20 Received by [Signature] # N 017392 Date 3-2-06
 Publication prepared by [Signature] Date 3/6/06 Published in Idaho Press 3/16 & 23/06
 Publication approved [Signature] Date 5/2/06

12 | 7

13 | 18

Sec. 18 Twp. 52 N.R. 3 W.B.M.

3721.48' →

CHILCO ROAD

1
39.82

3250
4.788 Ac.

3200
4.788 Ac.

location
112m

412.50
NW NW
NENW
1322.36'
412.50

2600
49.085 Ac.

2400
4.553 Ac.

2900
5.009 Ac.

2925
5.008 Ac.

2950
4.486 Ac.

*12706
0850
SEE NOTE
5.916 Ac.

0900
1.195 Ac.

21

Gravel Pit
1000
3.036 Ac.

This sketch is furnished without charge solely for the purpose of assisting in locating said premises and the Company assumes no liability for inaccuracies therein.

TAX No. 8222

2
40.36

3800
9.070 Ac.

TAX No. 8323

3700
10.010 Ac.

TAX No. 8225
less tax No's

4375
4.883 Ac.

TAX No. 9582

4400
5.000 Ac.

TAX No. 8218

4000
9.955 Ac.

TAX No. 8441

4100
5.010 Ac.

TAX No. 8442

4600
11.054 Ac.

LESS PLATTED
PART & TAX #'S

3
40.90

5500
12.334 Ac.

OLD HIGHWAY
No. 95
HIGHWAY

This sketch is furnished without charge solely for the purpose of assisting in locating said premises and the Company assumes no liability for inaccuracies therein.

CENTER
OF SECTION

LESS TAX #9628

MORRIS

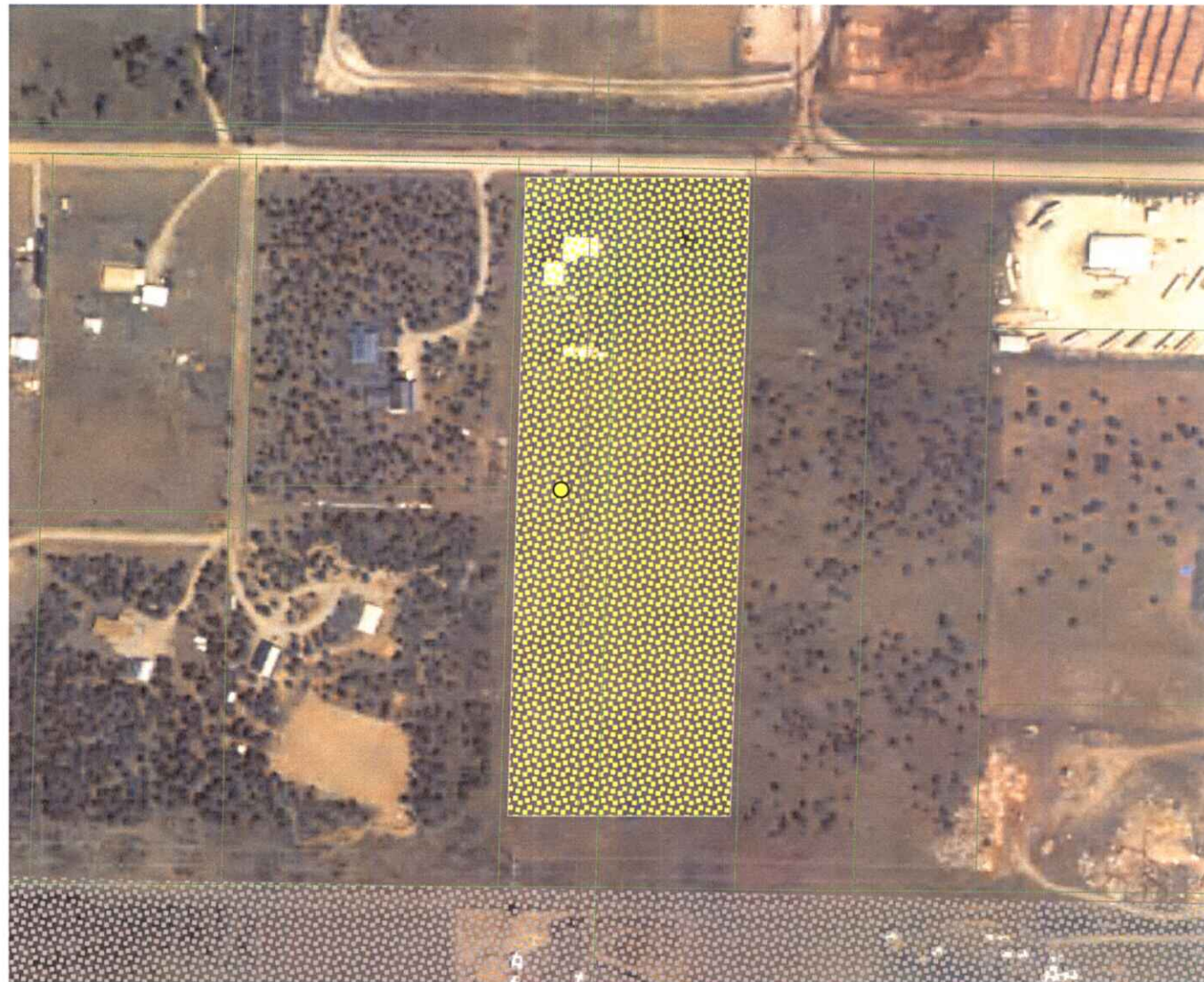


0.1 0 0.1 0.2 Miles

- Kootenai taxlots
- GCDB52N03W GCDB
- Pou.shp
- Pod.shp



MORRIS



- Kootenai taxlots
- GCDB52N03W GCDB
- Application POD
- Application POU



0.1 0 0.1 0.2 Miles

**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 12, 2006

DALE MORRIS
FLORA MORRIS
3800 E CHILCO RD
ATHOL ID 83801

RE: Permit No. 95-9332

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.

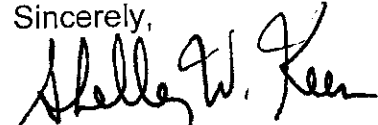
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being more prominent.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

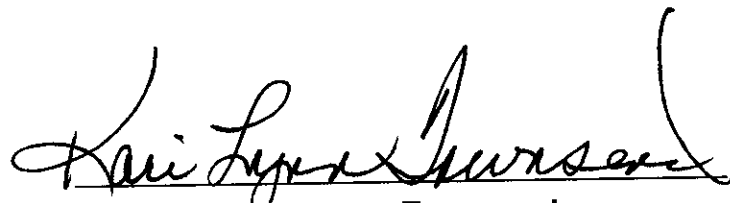
CERTIFICATE OF SERVICE

I hereby certify that on May 12, 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.

95-9332

**DALE MORRIS
FLORA MORRIS
3800 E CHILCO RD
ATHOL ID 83801**



**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 11, 2006
To: Water Right File 95-9332
From: eretelle
Re: permit review

No WD or moratorium.
No Min Stream Flow.

No protest or overlap.

Recommend approval as suggested by IDWR Northern.

AFFIDAVIT OF PUBLICATION

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

Katie Hay 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 People's Voice

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 16 consecutive weeks commencing on the 23 day of March 2006, and ending on the 23 day of March 2006, 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 Katie Hay On this 23 day of March in the year of 2006, before me, a Notary Public, personally appeared Katie Hay 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 he executed the same.

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

MY COMMISSION EXPIRES 6/18/09

RECEIVED

MAR 26 2006

IDWR/North

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

DALE MORRIS
FLORA MORRIS
3800 E CHILCO RD
ATHOL ID 83801
Point(s) of Diversion LI (NW/NW) S18 T52N R03W KOOTENAI
County Source GROUND WATER
Use: IRRIGATION 03/15 To 11/15 0.2 CFS
Use: STOCKWATER 01/01 To 12/31 0.04 CFS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.2 CFS

Date Filed: 03/02/2006
Place Of Use: DOMESTIC
T52N R03W S18
Place Of Use: IRRIGATION & STOCKWATER same as DOMESTIC
NENW NW/NW Lot 1

Number of Acres 10
Remark: Domestic use is for one home
Stockwater use is for about 30 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 04/03/2006.
The protestant must also send a copy of the protest to the applicant.

Legal 8797
March 16, 23, 2006
KARL J DREHER, Director

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

95-9332

DALE MORRIS
FLORA MORRIS
3800 E CHILCO RD
ATHOL ID 83801

Point(s) of Diversion L1 (NWNW) S18 T52N R03W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION	03/15 To 11/15	0.2 CFS
Use: STOCKWATER	01/01 To 12/31	0.04 CFS
Use: DOMESTIC	01/01 To 12/31	0.04 CFS

Total Diversion: 0.2 CFS

Date Filed: 03/02/2006

Place Of Use: DOMESTIC

T52N R03W S18 NENW NWNW Lot 1

Place Of Use: IRRIGATION & STOCKWATER same as DOMESTIC

Number of Acres 10

Remark: Domestic use is for one home

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KARL J DREHER, Director Published on March 16 & 23,2006



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

March 03, 2006

KATTIE HOY & GLENDA JEFFERSON
LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

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

RE: Application for Permit No. 95-9332

Dear Katie & Glenda :

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates Indicated, March 16 & 23 , 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 04/03/2006. Your cooperation is greatly appreciated.

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: Friday, March 03, 2006 3:27 PM
To: Legal Notices-CdA Press (E-mail); Legal Notices-CdA Press2 Glenda Jefferson (E-mail)
Subject: legal notice for publication on March 16 & 23, 2006

Hi Katie & Glenda

Attached is our coverletter requesting publication on **March 16 & 23, 2006**. Legal notices also attached.

Please fax a proof copy before this goes to press, to Christy.Phillips@idwr.idaho.gov

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
3-03-06 Cda e-mai..



LegalNotice
13-03-06 cda email..



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

March 03, 2006

DALE MORRIS
FLORA MORRIS
3800 E CHILCO RD
ATHOL ID 83801

RE: Application for Permit No 95-9332

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 Coeur D Alene Press on March 16 & 23, 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

Enclosure(s)-receipt N017392