

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09166

Priority: August 01, 2003

Maximum Diversion Volume: 2.9 AF

This is to certify, that SONJA M SCOTT
C/O ROSE GERMAINE
3748 REDWOOD AVE
LOS ANGELES CA 90066

has applied for a permit to appropriate water from:

Source: UNNAMED STREAMS **Tributary:** HOODOO CREEK

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01 to 12/31	2.9 AF

LOCATION OF POINT OF DIVERSION:

UNNAMED STREAMS SE¼NW¼ Sec. 36, Twp 55N, Rge 04W, B.M., BONNER County

PLACE OF USE: RECREATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
55N 04W 36								X									

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **March 01, 2005**.
2. Subject to all prior water rights.
3. Recreation storage use is for fishing.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 2nd day of April, 2004.


Acting for **KARL J DREHER, Director**

71037
STATE OF IDAHO

96-9166

RECEIVED
MAR 11 2003

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

AUG 01 2003

To appropriate the public waters of the State of Idaho

IDWR/North

1. Name of Applicant SONJA M. SCOTT Phone 310 391-3405
Mailing address SONJA SCOTT C/O ROSE GERMAINE 3748 REDWOOD AVE LA, CA. 90066
2. Source of water supply UNNAMED STREAMS which is a tributary of _____
3. Location of point of diversion is Township 55N Range 4W Sec. 36, in the _____ 1/4,
SE 1/4, 11W 1/4, Govt. Lot _____, B.M., BONNER County;

additional points of diversion if any:

4. Water will be used for the following purposes:
2.9 Amount 2.85 for RECREATION STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
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) _____ and/or (b) 2.85 2.9
cubic feet per second acre feet per annum

6. Proposed diverting works: DN-STREAM POND

a. Describe type and size of devices used to divert water from the source NATURAL POND
300' x 50' x 8'

b. Height of storage dam 8 feet; active reservoir capacity 2.85 acre-feet; total
reservoir capacity 2.85 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. RECREATION - STORAGE - FISHING

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	
55N	4W	36								*	(REL. STORAGE)								

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? APPLICANT SONJA M. SCOTT

b. Who owns the land to be irrigated or place of use? " SONJA M. SCOTT

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

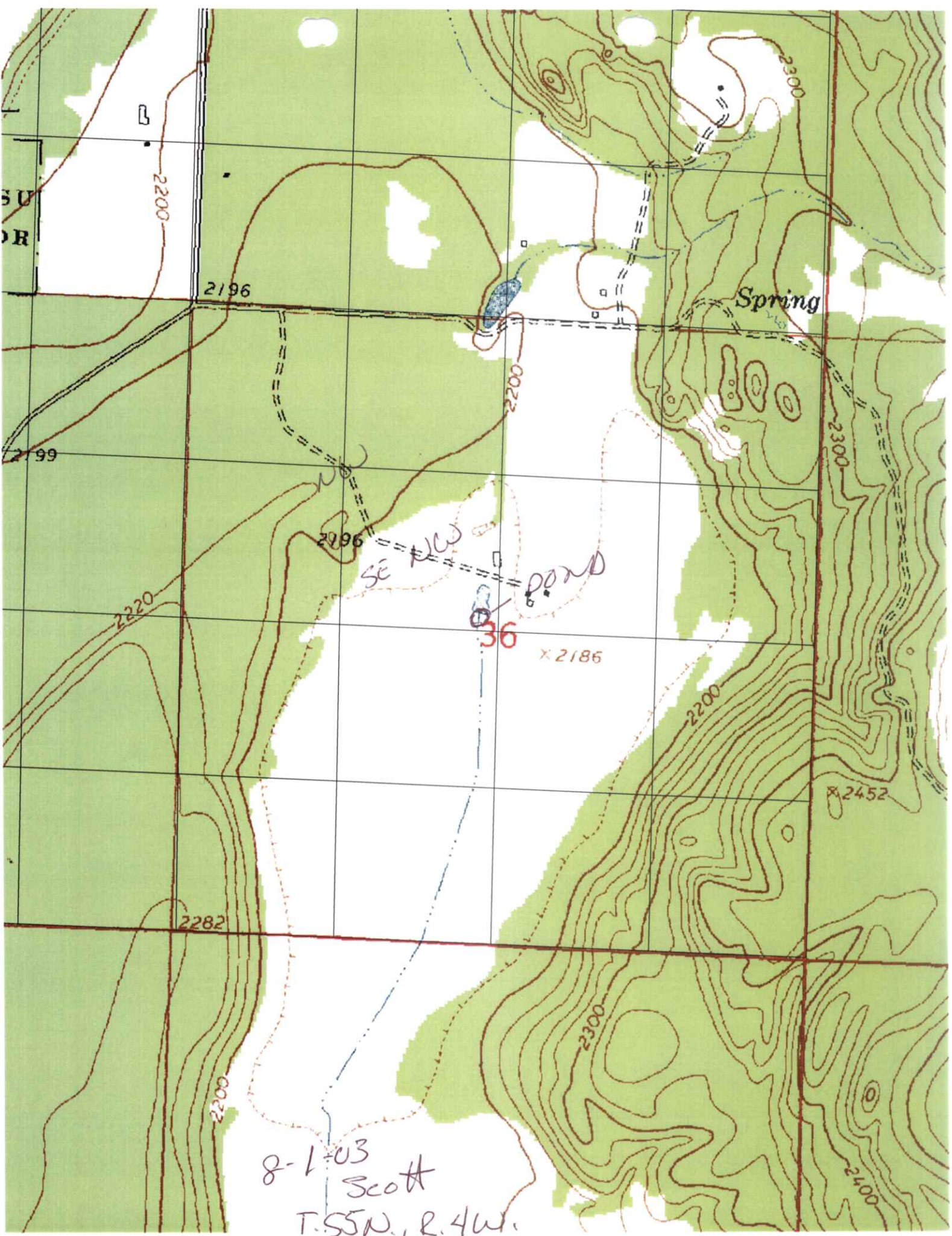
12. Remarks: _____

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.

X Sonja M. Scott
Signature of Applicant (and title, if applicable)

Received by db Date 8/1/03 Time 1100 Preliminary check by AB
Fee \$ 100.00 Receipted by db # N015818 Date 8/1/03
Publication prepared by db Date 2/1/04 Published in Printing Times 2/18+25/04
Publication approved db Date 3/11/04



8-1-03
Scott
T.55N., R.4W.



RECEIVED
AUG 11 2008
IDWR/NOH

**NOW
STARTING
RIGHT
SIDE OF
FILE**



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

April 2, 2004

SONJA M SCOTT
C/O ROSE GERMAINE
3748 REDWOOD AVE
LOS ANGELES CA 90066

RE: Permit No. 96-9166

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 a 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 208-327-7946.

Sincerely,


for Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

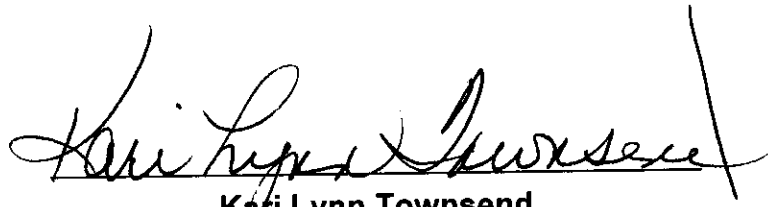
CERTIFICATE OF SERVICE

I hereby certify that on April 2, 2004 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.

96-9166

**SONJA M SCOTT
C/O ROSE GERMAINE
3748 REDWOOD AVE
LOS ANGELES CA 90066**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", written over a horizontal line.

**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.

Comment Report

96-9166

1. dball 2/4/2004 Legal Notice Remarks

Comment: Recreation storage is for fishing.

2. kwalker 3/25/2004 Source

Comment: In review of this application I found that there was no tributary attached to the source of water. Pulled quad D54 and found water would be tributary to Hoodoo Creek.

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner, Terri Irie

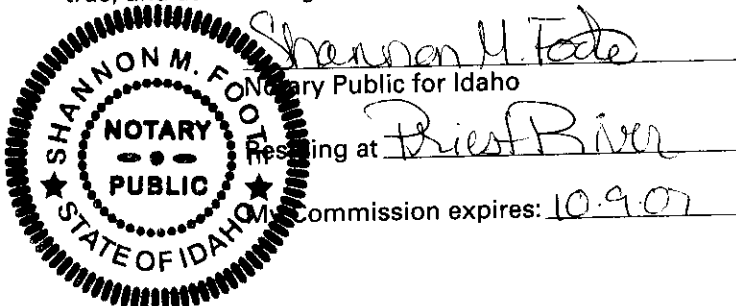
_____ being first duly sworn on oath
deposes and says that he/she is Managing Editor
of the Priest River Times, a newspaper printed and
published at Priest River, Bonner County, Idaho; that the
said newspaper has been continuously and uninterruptedly
published in said Bonner County during a period of 12
months prior to the first publication of the hereto attached
notice of publication in the case of:

Application #s 96-9166 & 96-9167

Sonja M. Scott

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 18th day of February, 20 04
and ending on the 25th day of February, 20 04
and that said notice was published in said newspaper.

On this 25th day of February in the year
of 2004 before me, a Notary Public, personally
appeared Terri Irie,
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.



RECEIVED

MAR 05 2004

IDWR/North

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

96-9166

SONJA M SCOTT
C/O ROSE GERMAINE
3748 REDWOOD AVE
LOS ANGELES CA 90066
Point(s) of Diversion SENW S36 T55N R04W BONNER County
Source UNNAMED STREAMS
Use: RECREATION STORAGE 01/01 To 12/31 2.9 AFA
Total Diversion: 2.9 AFA
Date Filed: 08/01/2003
Place Of Use: RECREATION STORAGE T55N R04W S36 SENW
Remark: Recreation storage is for fishing.
96-9167

SONJA M SCOTT
C/O ROSE GERMAINE
3748 REDWOOD AVE
LOS ANGELES CA 90066
Point(s) of Diversion SENE S36 T55N R04W BONNER County
Source UNNAMED STREAM Tributary To SINKS
Use: RECREATION STORAGE 01/01 To 12/31 0.4 AFA
Total Diversion: 0.4 AFA
Date Filed: 08/04/2003
Place Of Use: RECREATION STORAGE T55N R04W S36 SENE
Remark: Recreational storage is for fishing.
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 03/08/2004. The protestant must also send a copy of the protest to the applicant.
KARL J DREHER, Director
Legal PRT 612532
February 18, 25, 2004



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 11, 2004

SONJA M SCOTT
C/O ROSE GERMAINE
3748 REDWOOD AVE
LOS ANGELES CA 90066

RE: Application for Permit No 96-9166 and 96-9167

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 Priest River Times on February 18 and 25, 2004. 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,

A handwritten signature in black ink, appearing to read 'Allen Beardslee'.

Allen Beardslee
Senior Water Resource Agent



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 11, 2004

--PLEASE FAX A PROOF COPY PRIOR TO PUBLICATION--

SHANNON FOOTE
LEGAL NOTICE DEPARTMENT
PRIEST RIVER TIMES
PO BOX 10
PRIEST RIVER ID 83856

e-mailed to Shannon at prtimes@cdapress.com

RE: Application for Permit No. 96-9166 and 96-9167

Dear Shannon:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, February 18 and 25, 2004, (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 03/08/2004. Your cooperation is GREATLY appreciated, as always.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, February 11, 2004 3:52 PM
To: Legal Notices-Priest River Times (E-mail)
Subject: Legal Notice for publication on February 18 and 25, 2004

Good afternoon, Shannon,

It has finally turned sunny here in Coeur d'Alene - I hope you are getting some of the bright, beautiful stuff, too.

Attached you will find our cover letter requesting publication of a legal notice on February 18 and 25, 2004. The legal notice is also attached.

If you have ANY questions regarding the legal notice, please call me at 208-769-1450.

Also, **please fax a proof copy to me at 208-769-1454, prior to publication.**

Thank you very much - always a pleasure working with you.

 *Dianne*

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

2/11/2004

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

96-9166

SONJA M SCOTT
C/O ROSE GERMAINE
3748 REDWOOD AVE
LOS ANGELES CA 90066

Point(s) of Diversion SENW S36 T55N R04W BONNER County

Source UNNAMED STREAMS

Use: RECREATION STORAGE 01/01 To 12/31 2.9 AFA
Total Diversion: 2.9 AFA

Date Filed: 08/01/2003

Place Of Use: RECREATION STORAGE T55N R04W S36 SENW

Remark: Recreation storage is for fishing.

96-9167

SONJA M SCOTT
C/O ROSE GERMAINE
3748 REDWOOD AVE
LOS ANGELES CA 90066

Point(s) of Diversion SENE S36 T55N R04W BONNER County

Source UNNAMED STREAM Tributary To SINKS

Use: RECREATION STORAGE 01/01 To 12/31 0.4 AFA
Total Diversion: 0.4 AFA

Date Filed: 08/04/2003

Place Of Use: RECREATION STORAGE T55N R04W S36 SENE

Remark: Recreational storage is for fishing.

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 03/08/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on February 18 and 25, 2004



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 05, 2004

CHARLES CORSI
STATE OF IDAHO
DEPT OF FISH & GAME
2750 KATHLEEN AVE
COEUR D ALENE, ID 83814

FAXED TO CHIP CORSI 2/5/04

4 pages total

Application to Permit No. 96-9166

Dear Chip:

Enclosed is a copy of the above referenced application. Please review the application, and submit your comments to this office within two weeks of receipt of this request. You may submit your comments by e-mail to dball@idwr.state.id.us.

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Dianne', is written in black ink.

Dianne Ball
Administrative Assistant

Enclosure(s)

Rose Germaine
3748 Redwood Ave.
Los Angeles, CA 90066
310-391-3405

July 29, 2003

RECEIVED
AUG 01 2003
IDWR/North

Al Beardslee
Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste 210
Coeur d'Alene, Idaho 83814-2615

Re: Application for Permit/Sonja Scott

Dear Mr. Beardslee:

Thank you for meeting with me, and my sister, Nancyrose Green last week. I appreciate your help with regard to filing for permits for water rights. Also, I especially appreciate the maps to be used for the legal description and location of present and future ponds.

I have enclosed the following:

Application for Permit
Corresponding map with the locations marked
Check in the amount of \$100.00

Since we do not have the map that would give us the information needed to identify the locations by Township numbers, please insert the correct locations in the appropriate boxes.

I am available at any time to discuss any questions or instructions you may have. Thank you.

Sincerely,



Rose Germaine
(310) 709-4640 Cell