

McCarver

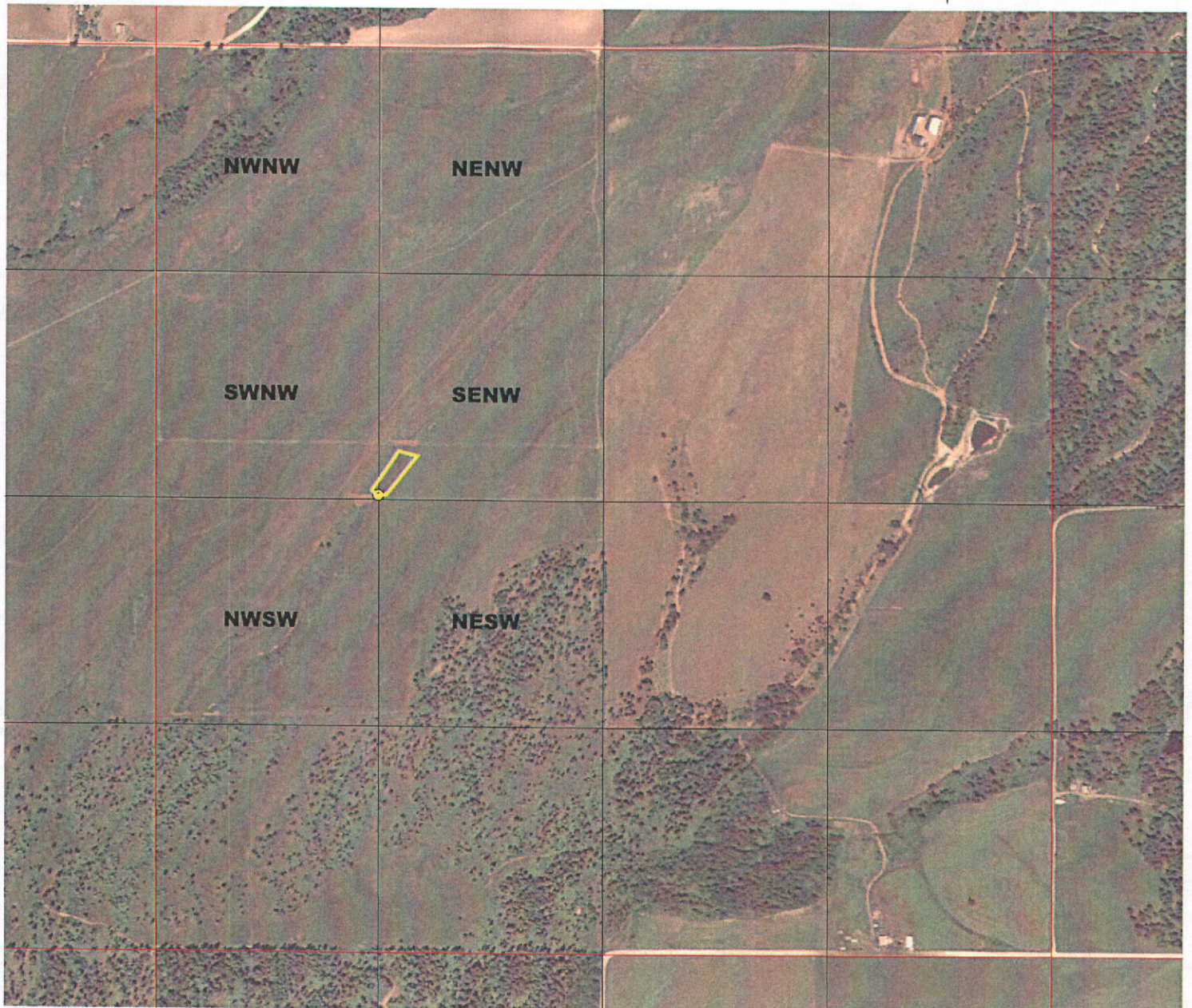
T44N R4W Section 22



Place of Use



Point of Diversion



State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 93-07058

Priority: August 31, 2005

Maximum Diversion Volume: 4.1 AF

This is to certify, that MICHAEL W MC CARVER
PO BOX 115
TENSED ID 83870

has applied for a permit to appropriate water from:

Source: UNNAMED STREAM **Tributary:** HANGMAN 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>
STOCKWATER STORAGE	01/01 to 12/31	4.1 AF
WILDLIFE STORAGE	01/01 to 12/31	4.1 AF

LOCATION OF POINT OF DIVERSION:

UNNAMED STREAM SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22, Twp 44N, Rge 04W, B.M. BENEWAH County

PLACE OF USE: STOCKWATER STORAGE and WILDLIFE STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
44N 04W 22							X	X									

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2006**.
2. Subject to all prior water rights.
3. The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish passage requirements of the Idaho Department of Fish and Game.
5. Stockwater use is for 200 range cattle.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 22nd day of November, 2005.


FOR KARL J DREHER, Director

72253

Ident. No. 93-7058

RECEIVED

AUG 18 2005

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

AUG 31 2005

IDWR/North

1. Name of Applicant Michael W. McClarver Phone 208-661-1506
Mailing address P.O. Box 115 Tensed Id. 83870

2. Source of water supply Ran off Unnamed Stream which is a tributary of Hartman creek

3. Location of point of diversion is Township 44 N Range 4 W Sec. 22, in the SW $\frac{1}{4}$, NW $\frac{1}{4}$, Govt. Lot Beneviah, B.M., Beneviah County;

additional points of diversion if any:

4. Water will be used for the following purposes:

Amount 4.1 for Stockwatering purposes from Jan 1 to Sept 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 4.1 for wildlife Storage purposes from Jan 1 to Dec 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)

5. Total quantity to be appropriated is (a) _____ and/or (b) 4.1
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 Dam - instream

b. Height of storage dam 14' 6" feet; active reservoir capacity _____ acre-feet; total reservoir capacity 4.1 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. 200 CATTLE

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. _____

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	
44N	4W	22							S/W	S/W									

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

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: _____

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.

Michael McCann owner

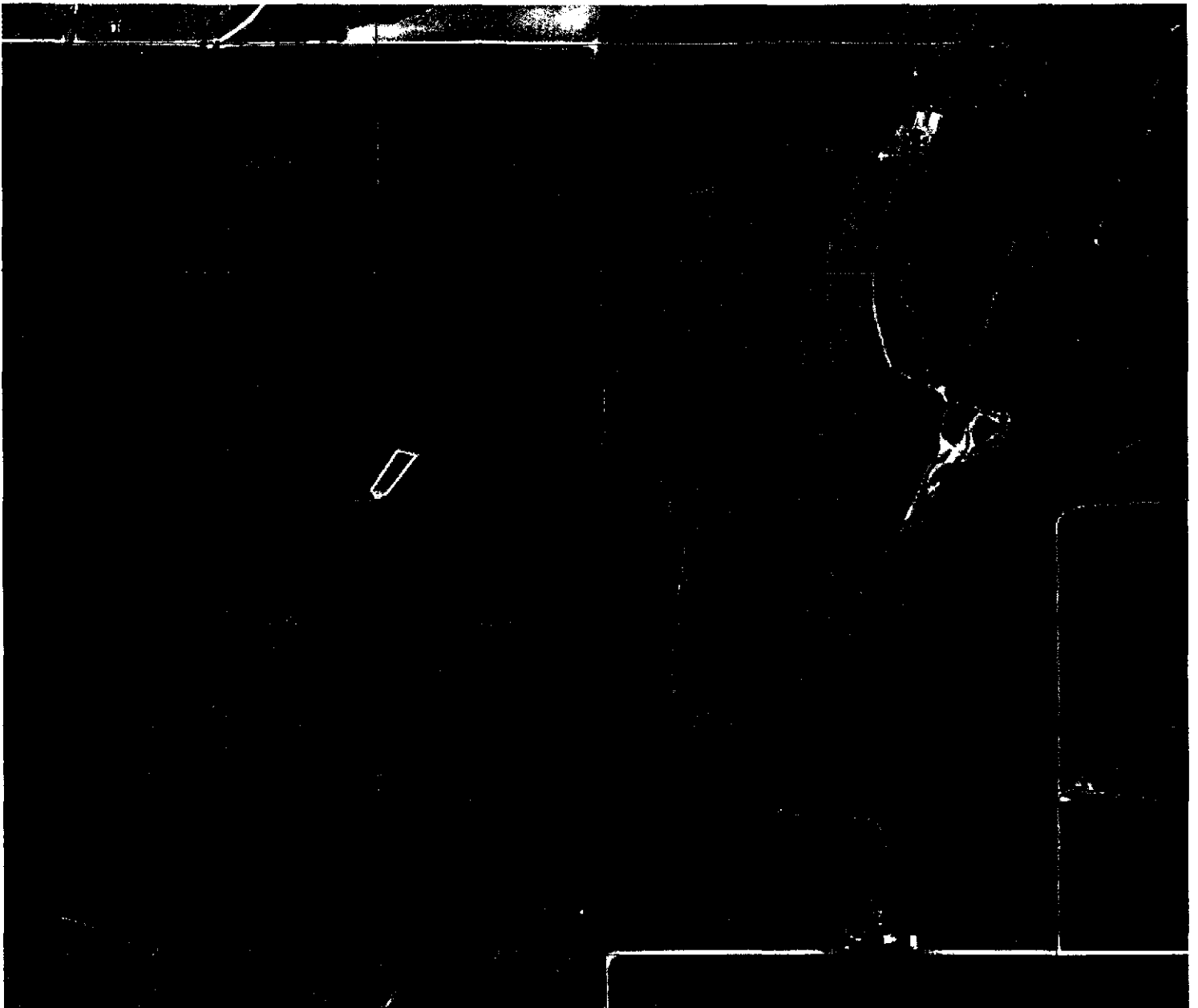
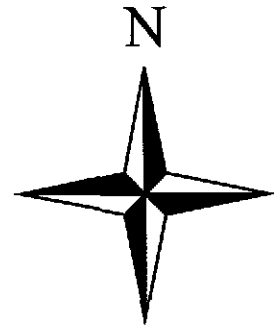
Signature of Applicant (and title, if applicable)

Received by AT Date 8-31-05 Time 8:55 A Preliminary check by AT
 Fee \$ 100.00 Receipted by AT # N017149 Date 8-31-05
 Publication prepared by AT Date 9/14/05 Published in St. Marias Daily 9/21 & 28/05
 Publication approved AT Date 9/30/05

McCarver

T44N R4W Section 22

- Place of Use**
- Point of Diversion**





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

November 23, 2005

MICHAEL W MC CARVER
PO BOX 115
TENSED ID 83870

RE: Permit No. 93-7058

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.

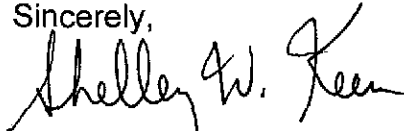
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should 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 that reads "Shelley W. Keen". The signature is written in a cursive, flowing style.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

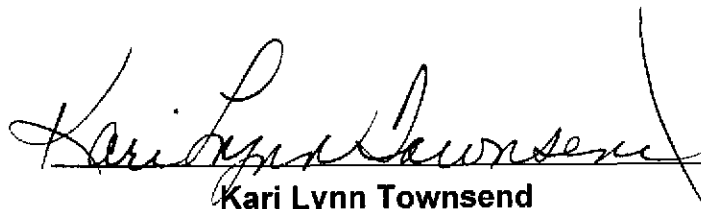
CERTIFICATE OF SERVICE

I hereby certify that on November 23, 2005 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.

93-7058

**MICHAEL W MC CARVER
PO BOX 115
TENSED ID 83870**



**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: November 21, 2005
To: Water Right File 93-7058
From: eretelle
Re: permit review

No WD or moratorium,

No Wild & Scenic or Min . Stream flow

No protest or overlap.

Fish & Game comment - fish passage condition included.

Recommend approval as suggested by IDWR Northern.

RECEIVED

NOV 11 2005

Department of Natural Resources

Date: 11/11/2005
To: File #93-7058
From: Greg Taylor
RE: IDFG Letter

This application is for a reservoir on a small intermittent stream. It also appears that the dam will have to be part of the inventory of the departments Dam Safety Program. This Application for Permit, when approved, does not sanction violations of rules or laws required by other State or Federal agencies, including Fish & Game.

Recommend that this permit be **Approved**.

ILLINOIS DEPARTMENT OF WATER RESOURCES APPROPRIATION APPLICATION ANALYSIS SHEET

W.R. # 93 - 7058

APPLICATION ID # 12253
INITIAL REVIEW

ENT. 9/2/05 BCA 9/2 OK to Publish 9/26

APPLICANT: Mc Carver

BY: RENA

DATE: 8 / 1 / 05

ITEM REQUIRED INFORMATION

1. ☒ Name and Address
2. ☒ Source
3. ☒ Point of Diversion & County
4. ☒ Quantity
5. ☒ Nature of Proposed Use
6. ☒ Period of Use
7. ☒ Total Quantity
8. ☒ Description of diverting works
9. ☒ Time required for b/u
10. ☒ Proposed use
11. ☒ Place of use or acres irrigated
12. ☒ Other water Rights
13. ☒ Ownership
14. ☒ Map
15. ☒ Signature
16. ☒ Fee (Amt, receipt, acknowledgement)

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

ADDITIONAL INFORMATION

(Yes)(No)

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

PROCESSING

(Yes)(No)

PRIORITY DATE: 8 / 31 / 05

(Include Moratorium Remark)

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

ADVERTISE IN:

BENEWAH

County

LETTERS SENT REQUESTING:

- ☐ Dam Information ☐ Fish Information
- ☐ Power Information ☐ Other: _____

INFORMATION RECEIVED:

- D. Lepard has dam info.
- ☒ Dam Information ☐ Fish Information
- ☐ Power Information ☐ Other: _____

GROUNDWATER SECTION

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
_____	_____	Dom.____ Non-Dom.____	Paid \$ _____	_____	Y() N()
_____	_____	Dom.____ Non-Dom.____	Paid \$ _____	_____	Y() N()
_____	_____	Dom.____ Non-Dom.____	Paid \$ _____	_____	Y() N()

- _____ Groundwater management area
- _____ Critical ground water area
- _____ Well Drilling Permit required
- _____ Well Drilling Application and Fees received
- _____ Well Drilling Application approved?

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

- _____ Notice of pending void order issued. Final order response date: _____/_____/_____
- _____ Further information required from applicant
- 9/20 _____ Affidavit of publication received
- ✓ _____ Application published correctly. If not, record action taken: _____

9/14 _____ Publication dates and paper recorded on application

Sr. Agent initial _____

_____ Protests received, Final protest date: 10 / 10 / 05

_____ Measuring device required

_____ Measuring port required

_____ Special conditions: _____

_____ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: _____

Date: _____/_____/_____



IDAHO FISH AND GAME

2750 Kathleen Avenue
Coeur d'Alene, Idaho 83815

*See on
consequence
10/11/05*

Dirk Kempthorne/Governor
Steven Huffaker/Director

October 11, 2005

Idaho Department of Water Resources
Northern Region
1910 Northwest Blvd, S 210
Coeur d'Alene, ID 83814

Via email to Dianne Ball:

REFERENCE: 93-7058 – MICHAEL W. McCARVER

We have reviewed the above listed application to install a 14' 6" dam on an unnamed stream, a tributary to Hangman Creek, for stock water storage.

We recommend against permitting construction of a pond on the stream. Small perennial and intermittent streams serve many important biological functions that deserve protection. An in-stream impoundment on the unnamed stream may contribute to elevated stream temperatures, impede migrations of amphibians and have other potentially adverse impacts on water quality and stream function. We recommend that the applicant should be required either to withdraw water from the creek on an as-needed basis or install storage off-stream. Water intakes should be screened to prevent entrainment or impingement of fish. The maximum screen mesh size should be 0.25 inches; approach velocities should not exceed 0.5 ft/second to prevent losses of juvenile fish.

If IDWR does permit an in-stream impoundment, the applicants should be made aware that any structure intended to impound water must be designed, installed and maintained to allow fish passage per Idaho Code 36-906. No dam design or details were provided in the application information; therefore we anticipate that we will have an opportunity to review and comment on a stream alteration permit application detailing the design and construction plans for a dam.

Thank you for the opportunity to comment.

Mary Terra-Berns
Environmental Staff Biologist

C: IDFG NRPB, Boise
File
CdA Tribe

RECEIVED
SEP 30 2005
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 two issues, the first publication being on the 21 day of September 2005 and the last on the 28 day of September 2005.

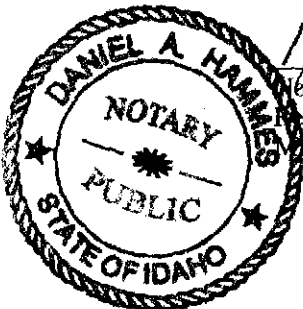
That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

Dated this 28 day of September, 2005

Cynthia Ann Hammes

STATE OF IDAHO)
COUNTY OF BENEWAH)

On this 28 day of September, in the year of 2005 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
commission expires: 07-13-2007

Water use application

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

93-7058

MICHAEL W MC CARVER
PO BOX 115

TENSED ID 83870

Point(s) of Diversion

SWNW S22 T44N R04W

BENEWAH County

Source UNNAMED STREAM - Tributary To HANGMAN CREEK

Use: STOCKWATER STORAGE 01/01 To 12/31 4.1 AFA

Use: WILDLIFE STORAGE 01/01 To 12/31 4.1 AFA

Total Diversion: 4.1 AFA

Date Filed: 08/31/2005

Place Of Use: STOCKWATER STORAGE & WILDLIFE STORAGE
T44N R04W S22 SWNW SENW

Remark: Stockwater storage is for 200 head of range cattle.

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 10/10/2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published 9/21 & 9/28/2005
6250 Sept. 21-Sept. 28

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

93-7058

MICHAEL W MC CARVER

PO BOX 115

TENSED ID 83870

Point(s) of Diversion SWNW S22 T44N R04W

BENEWAH County

Source UNNAMED STREAM - Tributary To HANGMAN CREEK

Use: STOCKWATER STORAGE 01/01 To 12/31 4.1 AFA

Use: WILDLIFE STORAGE 01/01 To 12/31 4.1 AFA

Total Diversion: 4.1 AFA

Date Filed: 08/31/2005

Place Of Use: STOCKWATER STORAGE & WILDLIFE STORAGE

T44N R04W S22 SWNW SENW

Remark: Stockwater storage is for 200 head of range cattle.

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The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published 9/21 & 9/28/2005



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

September 14, 2005

~ Please FAX proof copy before publication ~
Thanks for your help, Dianne

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

→ e-mailed to Kaisie 9/14/05
FAXED FOLLOW-UP COPY FYI ←

RE: Application for Permit No. 93-7058

Dear Kaisie:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates Indicated, September 21 and 28, 2005, (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 10/10/2005. Your cooperation is, as always, GREATLY appreciated.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, September 14, 2005 10:50 AM
To: Legal Notices-SMGazette (E-mail)
Subject: Legal notice for publication on September 21 and 28, 2005 - WR #93-7058 McCarver

A very good day to you, Kaisie,

Attached is our cover letter requesting publication of a legal notice on 9/21 and 9/28/2005. The legal notice is also attached.

I am also going to FAX a copy to you, FYI.

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

PLEASE FAX A PROOF COPY PRIOR TO PUBLICATION to 208-769-1454.

I know that tabs jump around when you copy and paste, but that is usually a minor problem. At least copy and paste means you don't have to type it all out.

Thank you VERY much. It's always good to work with you.

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
9-14-05 SMGazette.



LegalNotice
9-14-05 SMGazette.



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

September 14, 2005

MICHAEL W MC CARVER
PO BOX 115
TENSED ID 83870

RE: Application for Permit No 93-7058

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 St Maries Gazette on September 21 and 28, 2005. 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,

Gregory J. Taylor
Senior 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

September 2, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

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

FAXED TO MARY 9/2/05
4 pages total

Re: Water Permit Application No. 93-7058

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.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **October 7, 2005**. 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