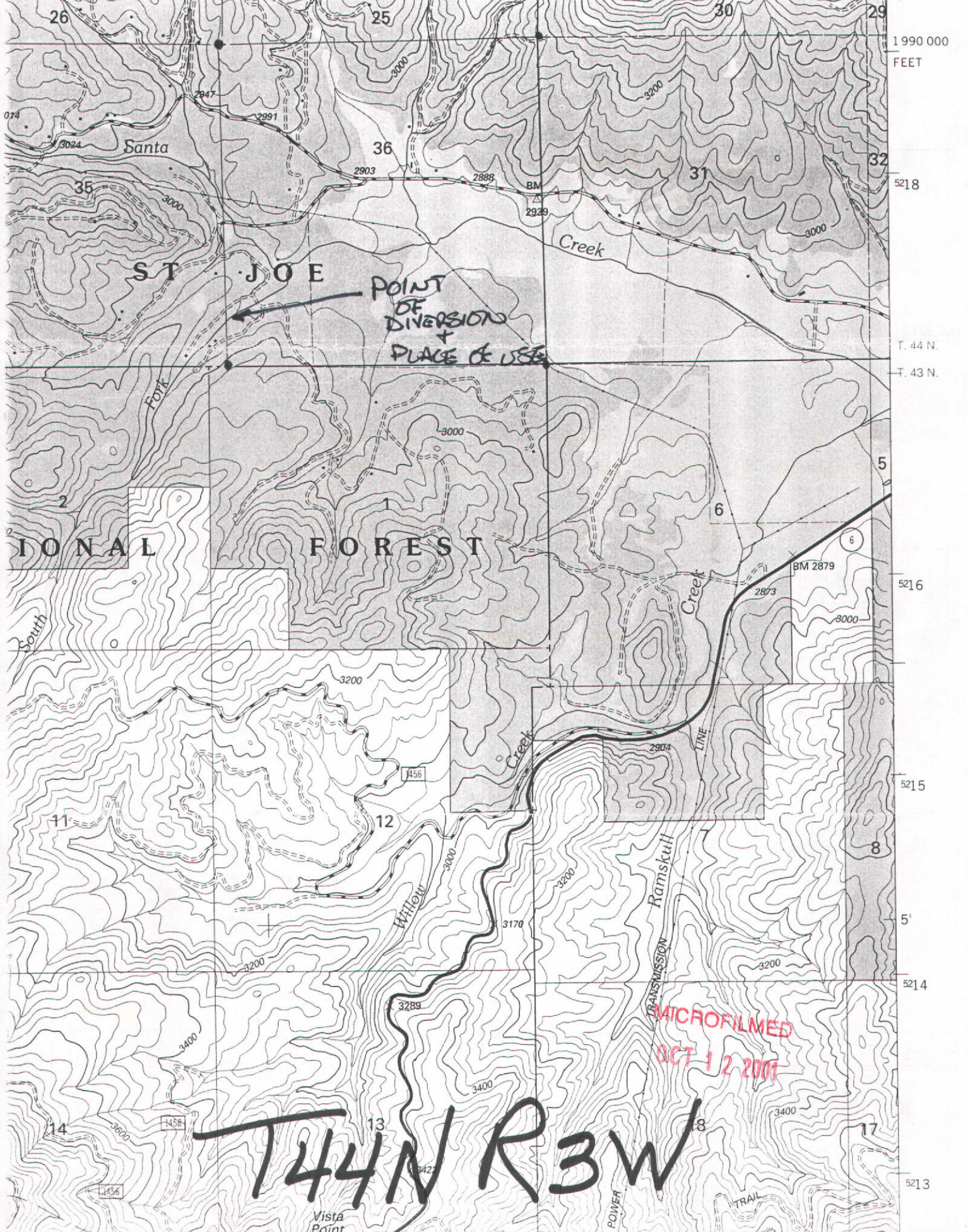


524 525 40' 526 R. 3 W. R. 2 W. 527 280 000 FEET 116° 37' 30" 47° 07' 30"



S T J O E

POINT OF DIVERSION + PLACE OF USE

IONAL FOREST

TRANSMISSION LINE

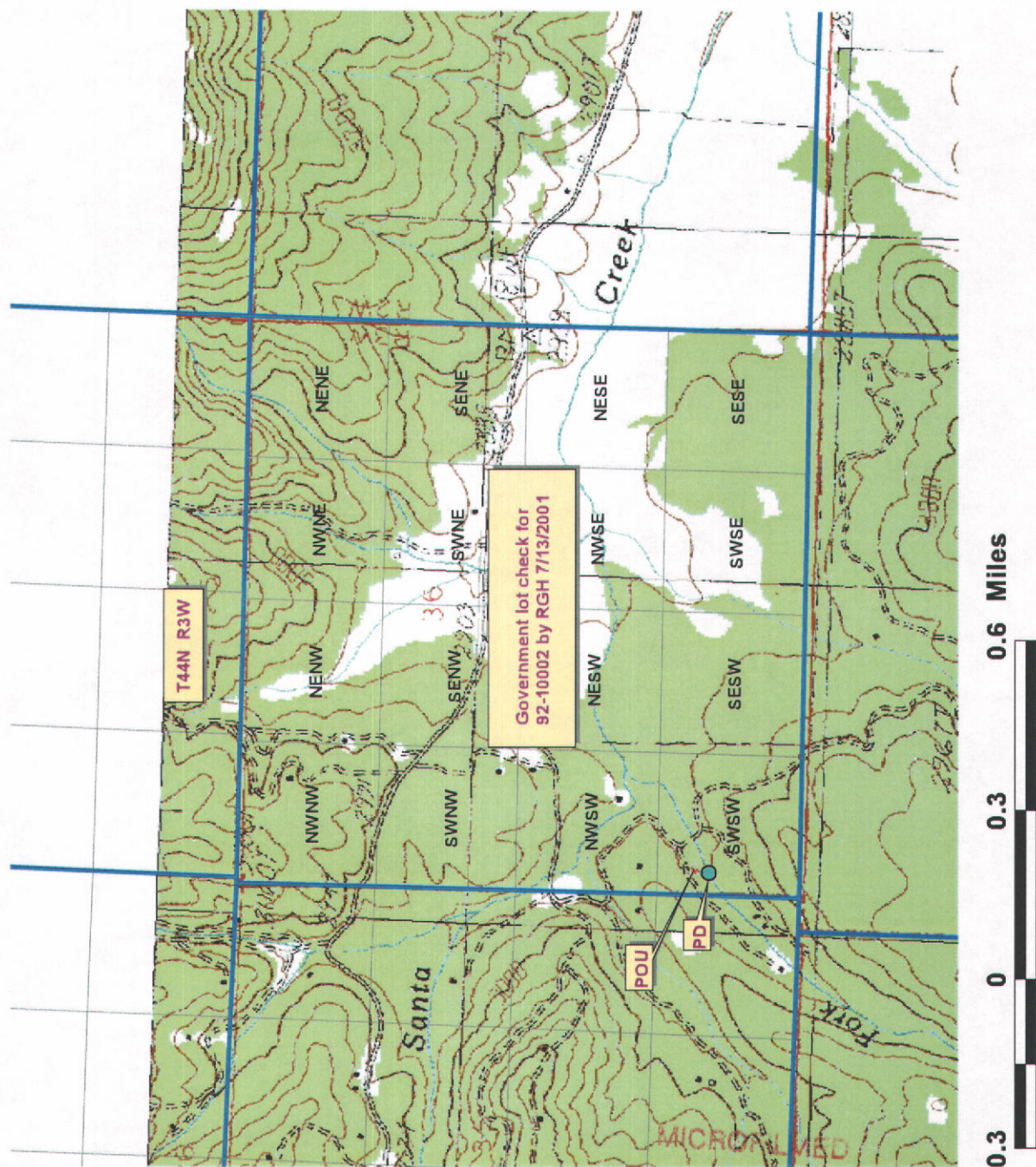
MICROFILMED
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T44N R3W

Vista Point

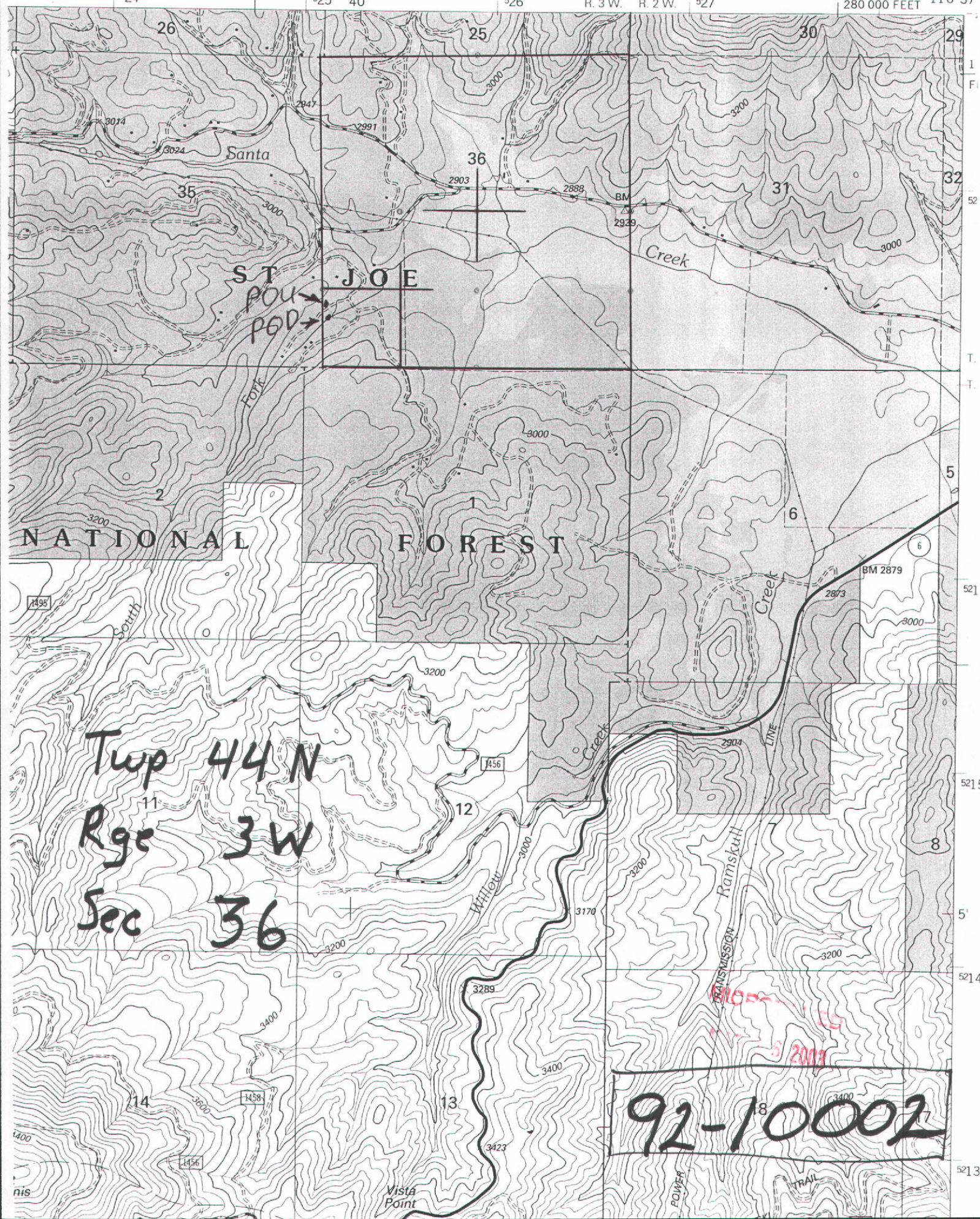
TRAIL

View 1



OCT 12 2001

280 000 FEET 116°37'



92-10002

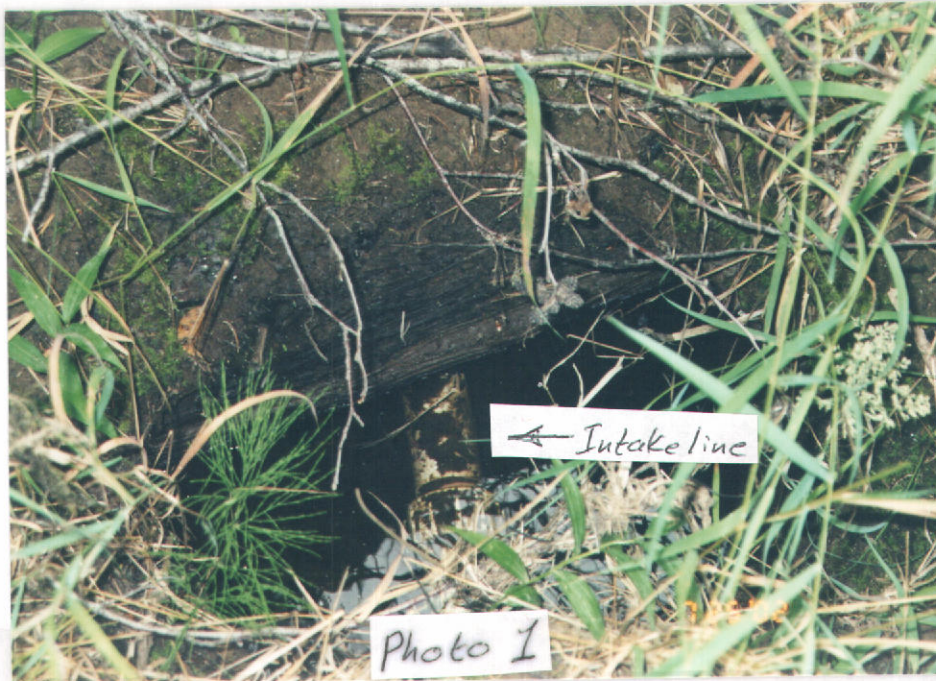


Photo 1. Showing Point of Diversion (POD).



Photo 2. Showing Inside Pump House.

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MAR 26 2003

92-10002



Photo 3. Showing Back Side of Pump House.



Photo 4. Showing Place of Use (POU).

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MAR 26 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 92-10002

Priority: February 08, 2001

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.2 AF

It is hereby certified that NANCY LANDT
PO BOX 187
SANTA ID 83866 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated February 08, 2001; and has
submitted Proof of Beneficial Use on July 30, 2001. An examination indicates that the works have a
diversion capacity of 0.04 cfs of water from:

SOURCE

SOUTH FORK SANTA CREEK

Tributary: SANTA CREEK

and a water right has been established as follows:

BENEFICIAL USE

DOMESTIC

PERIOD OF USE

01/01 to 12/31

DIVERSION RATE

0.04 CFS

**ANNUAL
DIVERSION VOLUME**

1.2 AF

LOCATION OF POINT OF DIVERSION:

SOUTH FORK SANTA CREEK SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, Twp 44N, Rge 03W, B.M., BENEWAH County

PLACE OF USE: DOMESTIC

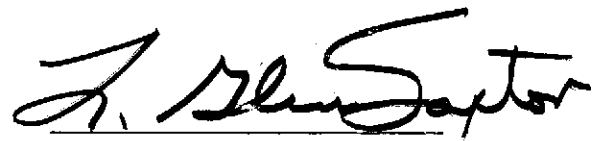
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
44N	03W	36												X					

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 26th day of March, 2003.


for KARL J. DREHER
Director

MICROFILMED

MAR 23 2003

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JUL 30 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 92-10002 Telephone No. 208-245-9338

2. Name of Permit Holder(s): NANCY LANDT

3. Mailing Address: PO BOX 187,

City SANTA State ID. Zip 83866

4. Source of Water: S. FORK SANTA CREEK If GROUNDWATER (well), Date Drilled: mo. N/A / yr.

Well Driller: N/A Drilling Permit Number: N/A

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 Stockwater (No. and type of stock): N/A

Irrigation (No. of acres): N/A Other: N/A

6. Total rate of diversion and/or volume for which proof is submitted: 0.04 cfs OR acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is **not** optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes or No ✓
Has the measuring device been installed? Yes - or No -

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: NANCY LANDT Telephone Number: 208-245-9338

Address: PO BOX 187, SANTA, Id. 83866

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature] Date: 7/24/01
(include your title, if on behalf of company or organization)

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OCT 12 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 92-10002

Priority: 02/08/2001

Maximum Diversion Rate: 0.04 CFS

This is to certify, that NANCY LANDT
PO BOX 187
SANTA ID 83866

has applied for a permit to appropriate water from:

Source: SOUTH FORK SANTA CREEK **Tributary:** SANTA CREEK

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

LOCATION OF POINT(S) OF DIVERSION:

SOUTH FORK SANTA CREEK SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, Twp 44N, Rge 03W, B.M. BENEWAH County

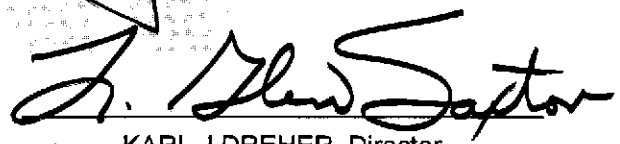
PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
44N 03W 36								X									

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before August 1, 2002.
2. Subject to all prior water rights.
3. Domestic use is for 1 home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 19th day of July, 2001.


KARL J DREHER, Director
for

MICROFILMED
OCT 12 2001

68934

6034

Ident. No. 92-10002

RECEIVED

JUL 18 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant NANCY LANDT Phone 208-245-9338
- 5/14/01 Mailing address HERY 215 F ST. MARIES IDAHO 83861 P.O. Box 187 Santa ID 83206
2. Source of water supply South Fork of Santa Creek which is a tributary of SANTA CREEK
3. Location of point of diversion is Township 44 N Range 3 W Sec. 36, in the WEST 44 1/4, OF Santa 36 1/4, OF 36 1/4, Govt. Lot , B.M., BOISE MER. BEVERLY County; additional points of diversion if any: NONE
4. Water will be used for the following purposes:
- | | |
|--|---|
| Amount <u>0.04</u> for <u>DOMESTIC</u> | purposes from <u>JAN 1</u> to <u>DEC 31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u> </u> for <u> </u> | purposes from <u> </u> to <u> </u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u> </u> for <u> </u> | purposes from <u> </u> to <u> </u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u> </u> for <u> </u> | purposes from <u> </u> to <u> </u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u> </u> for <u> </u> | purposes from <u> </u> to <u> </u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u> </u> for <u> </u> | purposes from <u> </u> to <u> </u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
5. Total quantity to be appropriated is (a) 0.04 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 1/2 HORSE PUMP & PIPELINES TO HOME.
- b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet
- c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? NO; Drilling firm N/A; Well was drilled for (well owner) N/A; Drilling Permit No. N/A
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. N/A
- b. Stockwatering; list number and kind of livestock. N/A
- c. Municipal; show name of municipality. N/A
- d. Domestic; show number of households. 1
- e. Other; describe fully. NONE

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OCT 12 2001

NANCYLANDT@STMARIES.COM

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	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
44N	3W	36											D						

Total number of acres to be irrigated 0

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? NANCY LANDT

b. Who owns the land to be irrigated or place of use? NANCY LANDT

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

12. Remarks: I will just be using this water for domestic uses for one household.

Enclosed is a large aerial map. My Land is bordered in yellow with an "X" where the diversion will be.
Thank you

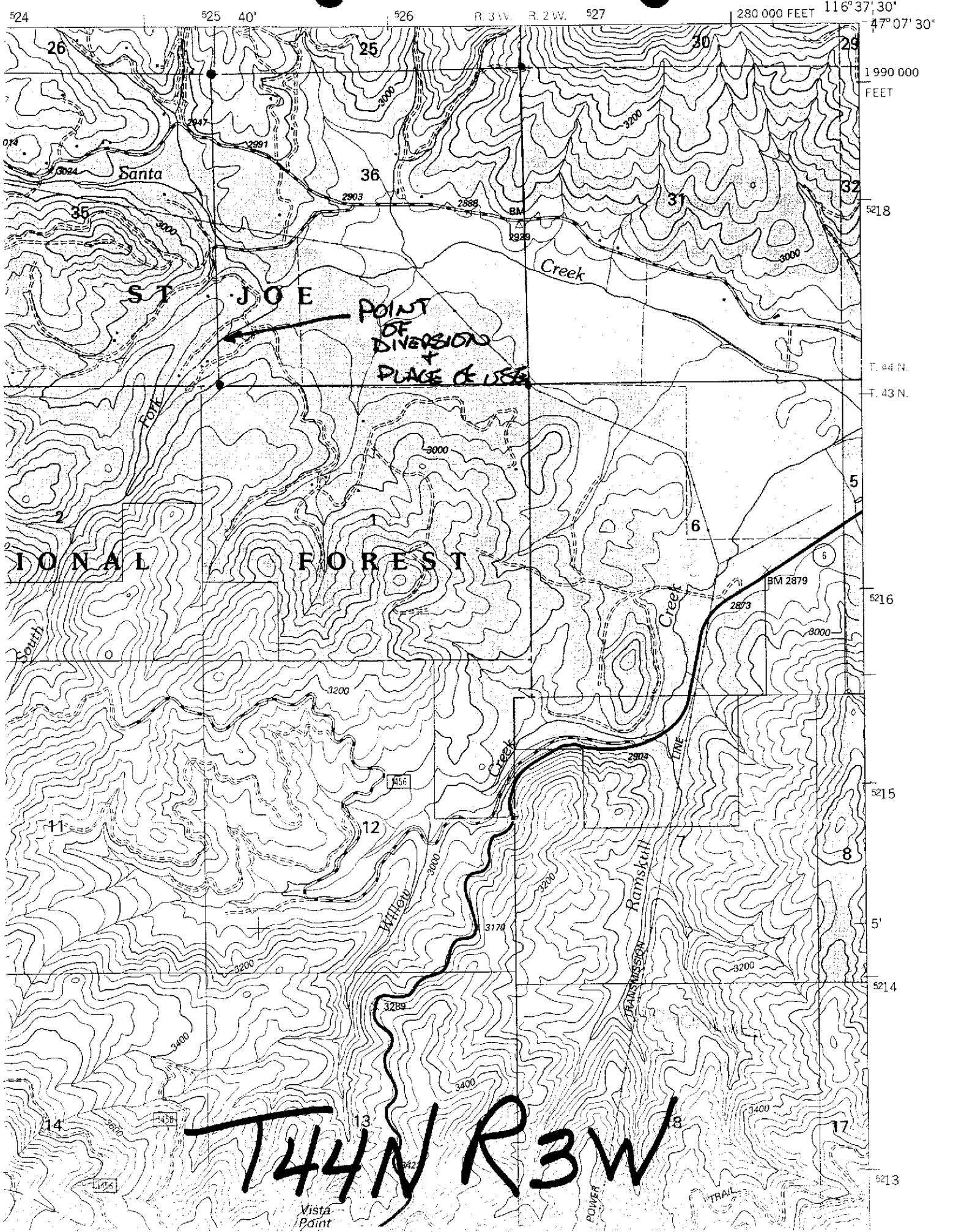
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.

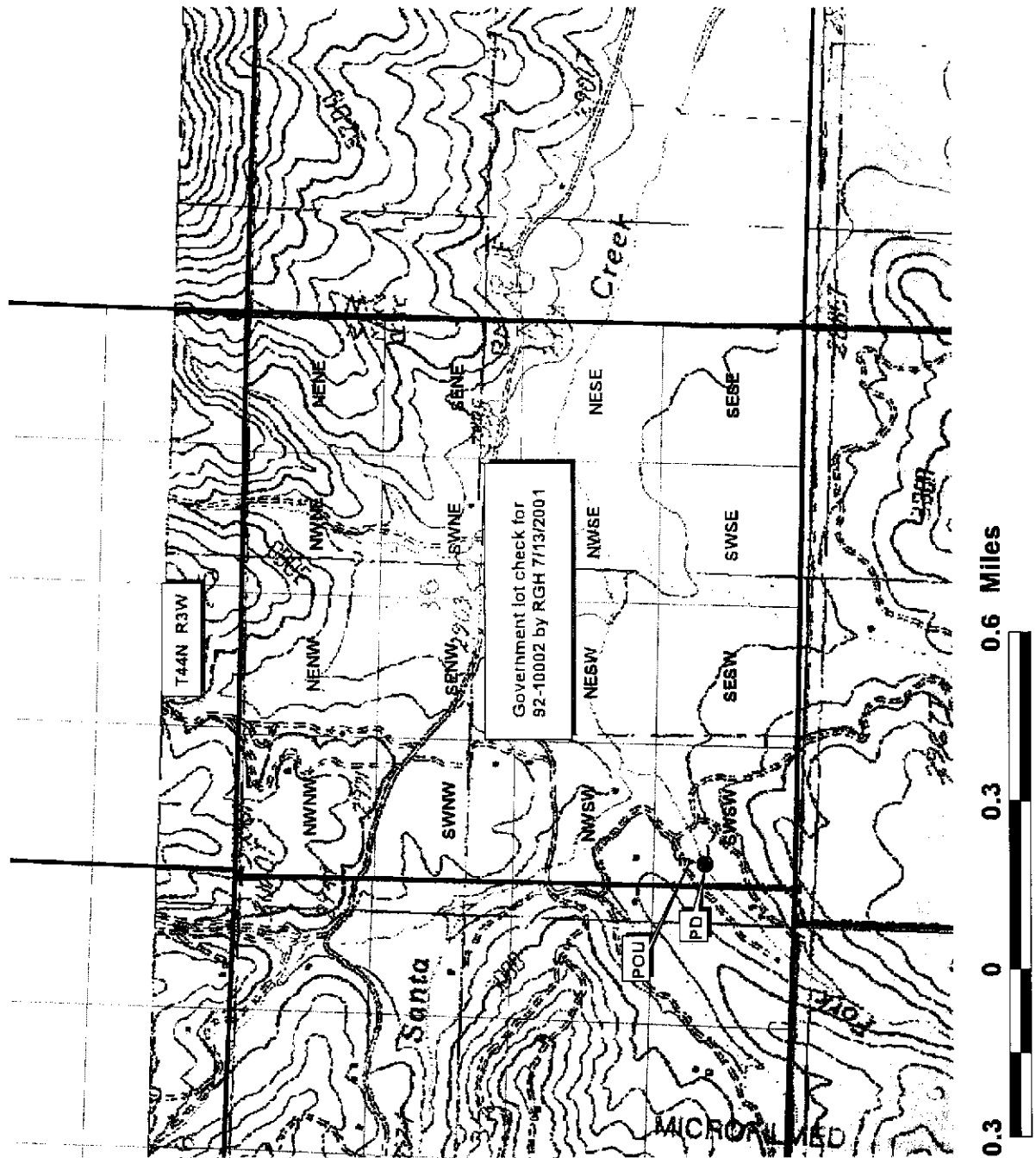
MICROFILMED
JUL 12 2001

Nancy Landt
Signature of Applicant (and title, if applicable)

Received by [Signature] Date 2/8/01 Time 1:20 P Preliminary check by [Signature]
Fee \$ 100.00 Received by [Signature] # N014137 Date 2/8/01
Publication prepared by [Signature] Date 3/28/01 4/4/01 Published in SM Gayette 3/7+14/01 4/18+25/01
Publication approved [Signature] Date 5/02/01



View1





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

March 26, 2003

NANCY LANDT
PO BOX 187
SANTA ID 83866

RE: License No. 92-10002 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license 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.

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,


Shelley W. Keen
Water Rights Supervisor

SWK:klf

Enclosure(s)

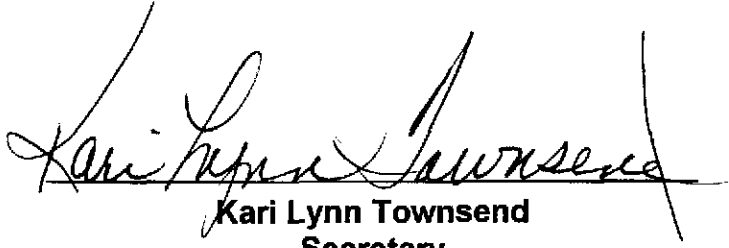
CERTIFICATE OF SERVICE

I hereby certify that on March 26, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

92-10002

**NANCY LANDT
PO BOX 187
SANTA ID 83866**


**Kari Lynn Townsend
Secretary**

MICROFILMED

MAR 26 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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 Idaho Water Resource Board (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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 3 - 2003
Department of Water Resources

A. GENERAL INFORMATION

Permit No. **92-10002**

1. Owner: Nancy Landt

Phone No. (208) 245-9338

Current Address: P.O. Box 187
Santa, ID 83866

2. Accompanied by: Kurt Richardson

EXAM DATE: July 25, 2002

Address: P.O. Box 187
Santa, ID 83866

Phone No. (208) 245-9338

Relationship to Permit Holder: Partner

3. Source: South Fork Santa Creek

tributary to: Santa Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE
2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
NA			SW	SW	36	44N	03W	Benewah	USGS 7½ minute topographical map

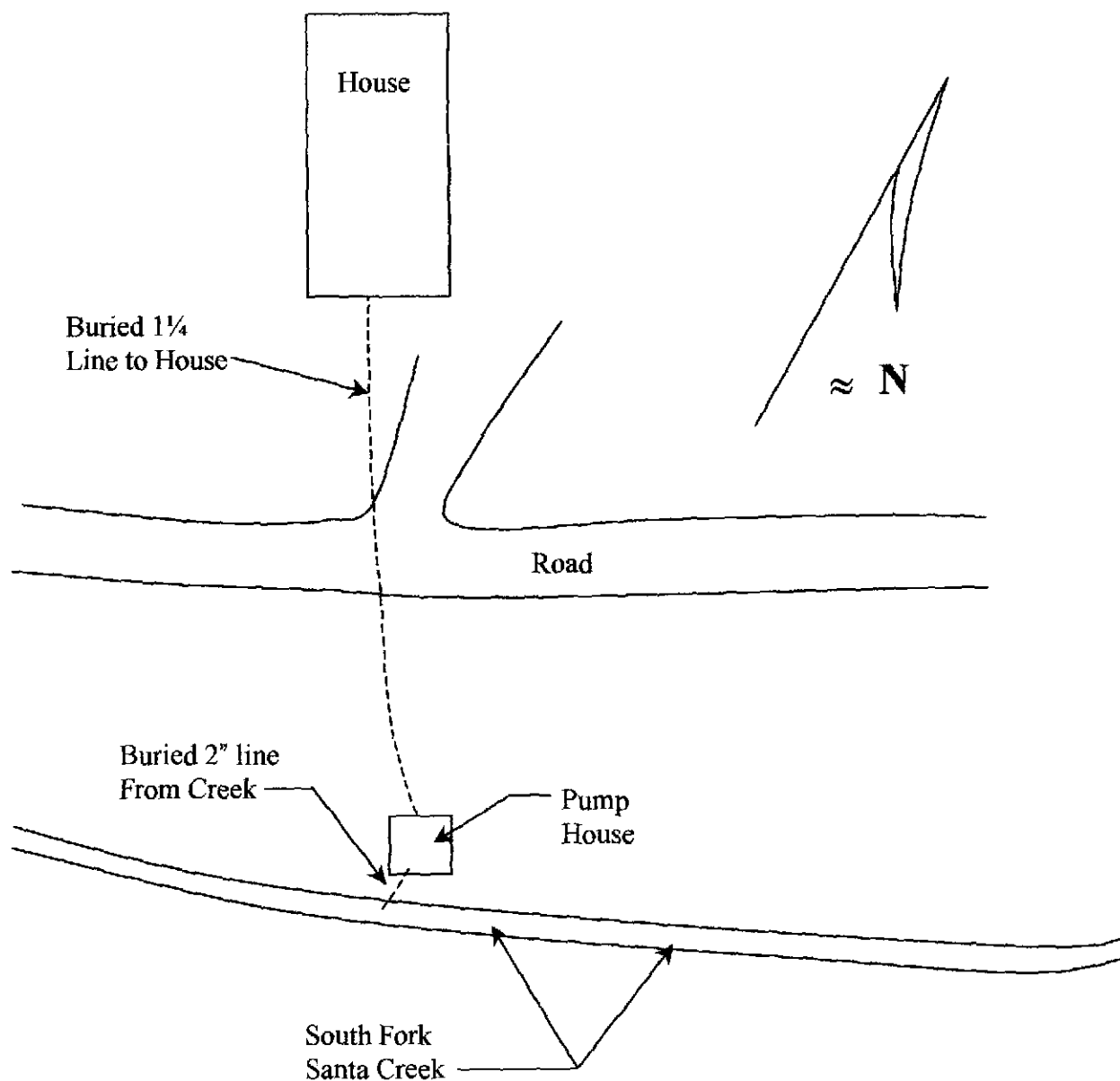
2. Place(s) of Use:

Indicate Method of Determination: USGS 7½ minute topographical map

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	03W	36											D						

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MAR 26 2003

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



House is $\approx$ 225 feet from pump house.

Scale: 1" = Not to Scale

Yes Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

No Aerial Photo Attached (required for irrigation of 10+ acres)

Yes Photo of Diversion and System Attached

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MAY 26 2003

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
NA	Craftsman	1	Model #: C48C38A03	Craftsman	1½

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NA						

2. Measurements:

NA

E. NARRATIVE/REMARKS/COMMENTS

The intake line from the creek is a buried two (2) inch PVC pipe that extends into the South Fork of Santa Creek (*Photo 1*) immediately behind the pump house (*Photos 2 & 3*). The intake is screened.

The pump is in the pump house and is connected to a forty (40) gallon pressure tank (also in the pump house) and a one and one-quarter (1¼) inch buried line that leads to the house (*Photo 4*).

The lawn and garden area are less than one-half (½) acre.

Have conditions of permit approval been met? **X** Yes no

F. FLOW CALCULATIONS

Measured Method:

Domestic (Single House) = 0.04 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$$

2. Volume Calculations for Other Uses:

Domestic (Single House) = 1.2 AFA

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MAR 25 2003

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MAR 24 2003

Department of Water Resources

H. RECOMMENDATIONS**1. Recommended Amounts**

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Domestic	1/1	12/31	0.04	1.2
Totals:			0.04	1.2

2. Recommended Amendments

Change P.D. as reflected above

Add P.D. as reflected above

☒ None

Change P.U. as reflected above

Add P.U. as reflected above

Other

I. AUTHENTICATION

Field Examiner's Name: Jim Zimmerman

Date: July 27, 2002

Signature



MICROFILMED

MAR 26 2003

524

525 40'

526

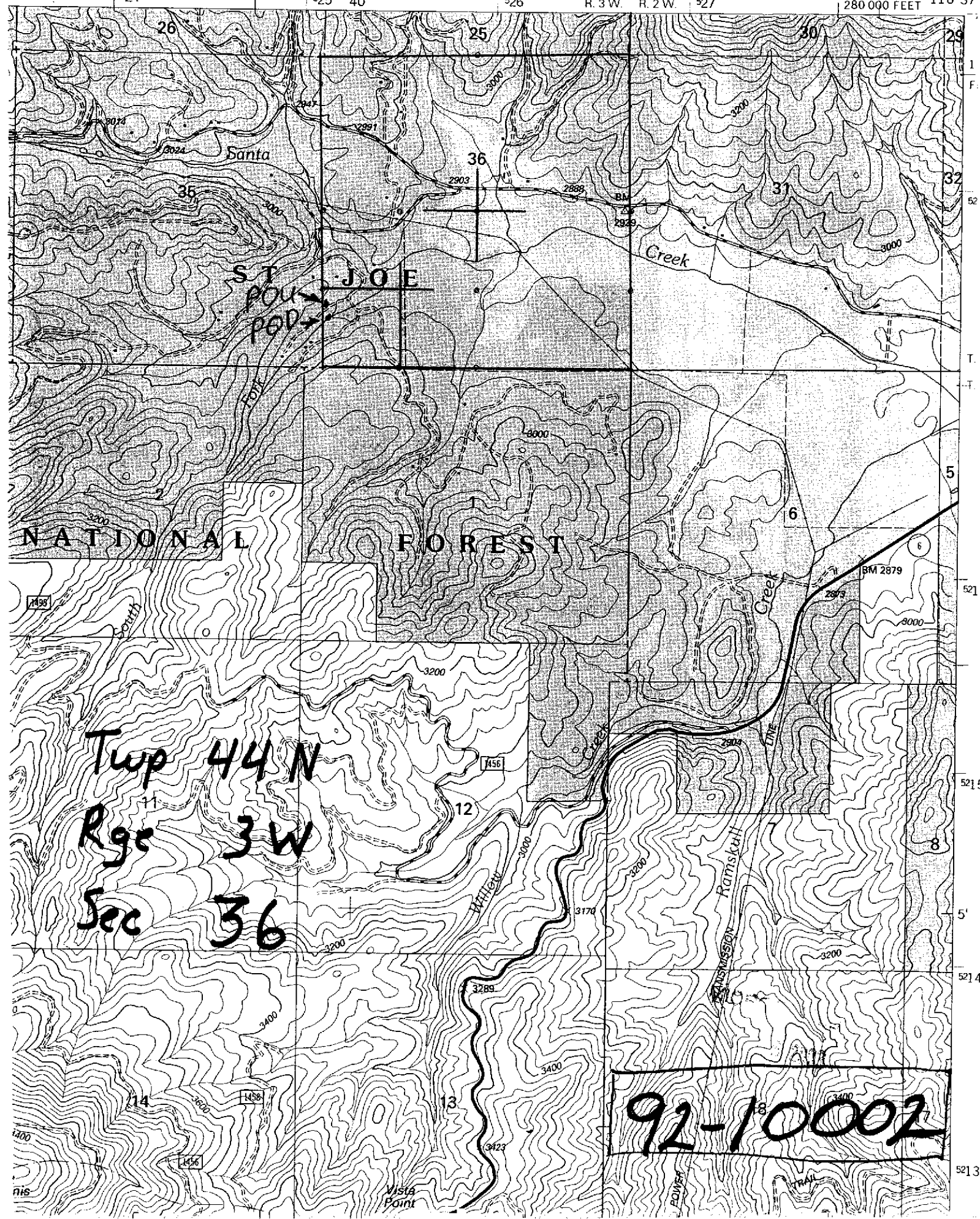
R. 3 W.

R. 2 W.

527

280 000 FEET

116° 37'



92-10002

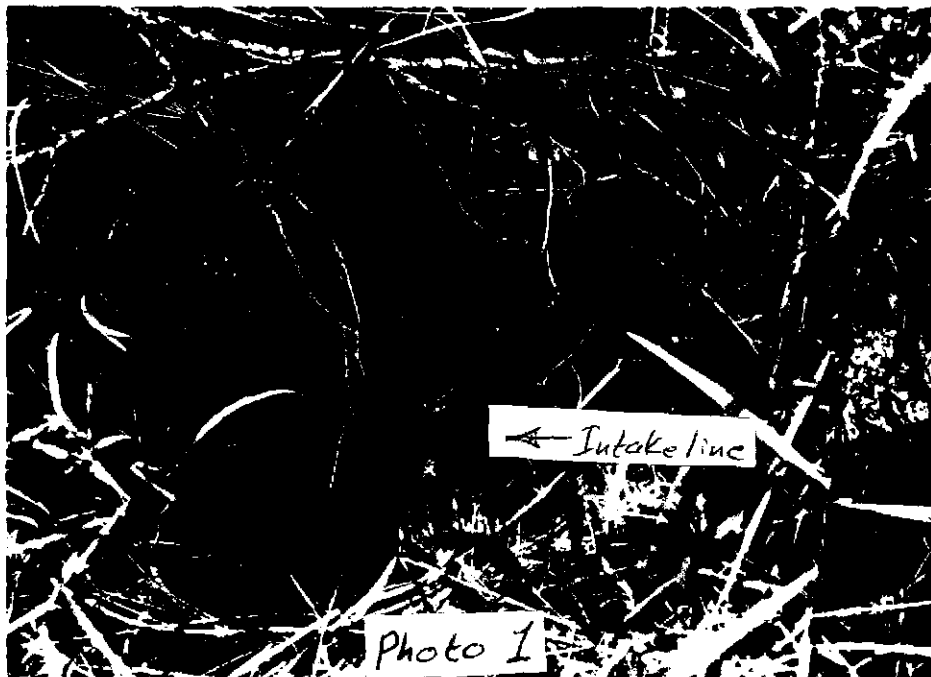


Photo 1. Showing Point of Diversion (POD).



Photo 2. Showing Inside Pump House.

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MAR 26 2003

92-10002

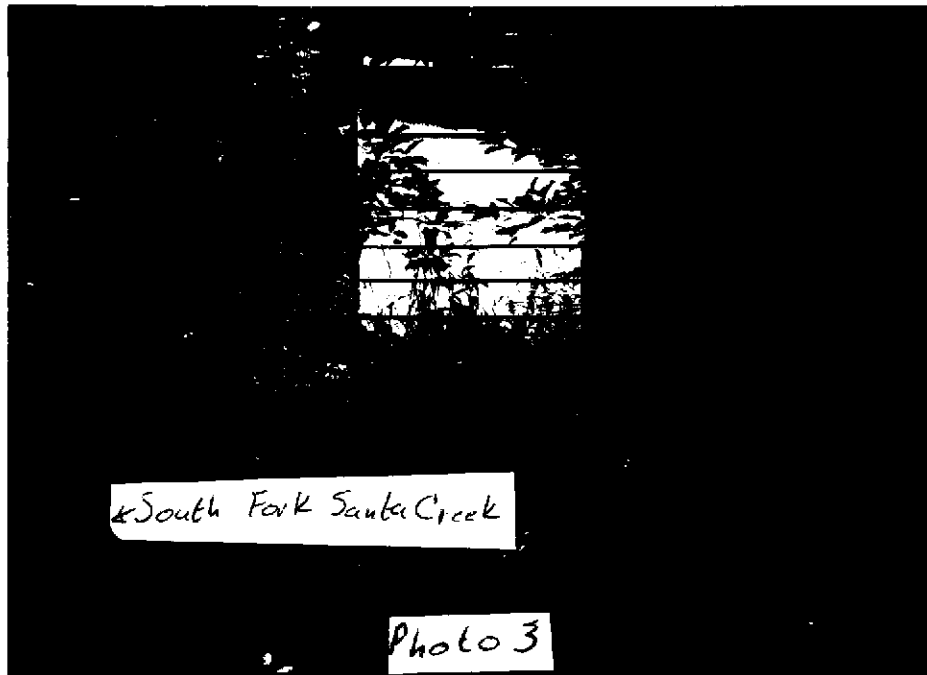


Photo 3. Showing Back Side of Pump House.



Photo 4. Showing Place of Use (POU).

MICHAEL J. HENRY

MAY 26 2003



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

July 31, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

NANCY LANDT
PO BOX 187
SANTA ID 83866

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 92-10002

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the Northern Regional Office of the department in Coeur d'Alene at (208) 769-1450.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED
OCT 12 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 92-10002

Reviewed By: dgibson

Date: July 30, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		N014137, C055165	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	07/30/2001
Date proof due	- 08/01/2002
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 02/08/2001
New priority date	= 02/08/2001

Deficiencies of Actions Items

Acknowledge proof.



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

July 20, 2001

NANCY LANDT
PO BOX 187
SANTA ID 83866

RE: Permit No. 92-10002

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.

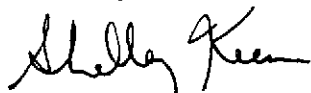
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's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

MICROFILMED

OCT 17 2001

If you have any questions, please contact me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley Keen".

Shelley W. Keen

Water Rights Supervisor

SWK:kit

Enclosure(s)

MICROFILMED

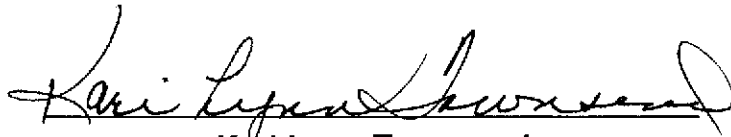
OCT 12 2001

CERTIFICATE OF MAILING

I hereby certify that on July 20, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 92-10002

**NANCY LANDT
PO BOX 187
SANTA ID 83866**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

MICROFILMED

OCT 12 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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 Idaho Water Resource Board (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).

MICROFILMED
OCT 12 2001

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.

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 7/19/01

No. 92-10002 Name: Landt Corp. Officers N/A Ad ok ✓ Govt Lots

AREA OF CONCERN: No/Yes Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

~~WMD~~

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
Trust - 051 (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-R22-08A

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H, 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or ~~WB~~

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

SNAKE R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

MUNICIPAL
Restricted area - 022,075
Irr. GW supp to SW - 102
Future needs - 007,109
FISH PROP - 029 (70's only)-007-042-106
DOMESTIC WOOD
Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
> 1 in restricted area - 070-071-075 (no parks/common areas)
Irr separate or none allowed - WB5
GW w/irrigation from SW evident - 065-104
Moratorium approvable - W03 (2500 gpd - meets domestic def
i.e. D/convenience store)

BENEFICIAL USE DUE: 8 / 01 / 2002

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
> 1 yr - 26A
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

Multiple pd's per 1/4 - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single pd intended - 076

IRRIGATION SEASON - (Per updated map)

IRR VOLUME/ACRE

OTHER CONDITIONS/REMARKS

COMMENTS

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION ANALYSIS SHEET**

APPLICATION # 92-10002

68934

INITIAL REVIEW

APPLICANT: LANDT

BY: AB

DATE: 2/8/01

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

(Yes) (No)

- Y Field check: by _____
- I Field report attached
- I Analysis Supp. attached (>5cfs/500af)
- I Water delivered by water master?
Water District # _____

PROCESSING

- (Yes) (No) PRIORITY DATE: 2/8/01
- X (Include Moratorium Remark)
- X Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

sm/wed

ADVERTISE IN: BEAVERHAWK County

RECEIVED

LETTERS SENT REQUESTING: JUL 18 2001

- () Dam Information () Department of Water Resources
- () Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

GROUNDWATER SECTION

WD Permit No.'s:	TAG #	Type:	Fees	Receipt No.	Upgrade Needed?
<u>I</u>		Dom. Non-Dom.	Paid \$		Y () N ()
		Dom. Non-Dom.	Paid \$		Y () N ()
		Dom. Non-Dom.	Paid \$		Y () N ()

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

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

- I Notice of pending void order issued. Final order response date: 1/1/01
- I Further information required from applicant
- I Affidavit of publication received
- 3/22 Application published correctly. If not, record action taken: Read to show POV - paper omitted
- 2/28 Publication dates and paper recorded on application | Sr. Agent initial _____
- I Protests received, Final protest date: 3/26/01 5/7/01
- I Measuring device required
- I Measuring port required
- I Special conditions:
- I Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AB RWA

Date: 5/8/01

Ball, Dianne

From: Nancy
Sent: Sunday, May 13, 2001 7:43 PM
To: Ball, Dianne
Subject: address change

Hi Dianne,

Thanks for your prompt reply to my questions. As per your request, I am sending you my new mailing address. (Had to get a PO box as the mailbox was a mile away on a main road and people kept robbing it.)

My new mailing address is Nancy Landt, P.O. Box 187, Santa, ID. 83866

Thanks again, Nancy

*Address
changed in
data base
& updated in wk
5/14/01*

MICROFILMED

OCT 12 2001

5/14/01

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 2 issues, the first publication being on the 18th day of April, 2001, and the last on the 25th day of April, 2001.

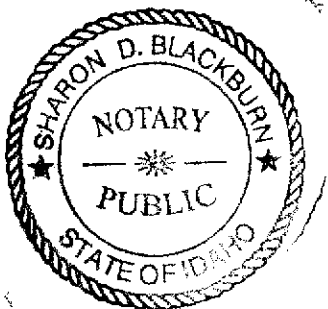
That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

Dated this 25th day of April, 2001.

Cynthia Ann Hammes

STATE OF IDAHO)
COUNTY OF BENEWAH)

On this 25th day of April, in the year of 2001 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.



Sharon D. Blackburn
Notary Public for Idaho
Residing at St. Maries, Idaho
My commission expires: Nov. 6, 2007

RECEIVED
MAY 02 2001
IDWR/North

Correction

NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 92-10002 in the name of Nancy Landt, HCR4 215F, St. Maries, ID 83861, was incorrectly advertised on March 7 and 14, 2001.

The Place of Use was omitted from the original publication, whereas correctly it should be
Place of Use: DOMESTIC - T44N R03W S36 SWSW
(For additional information concerning the property location, call the Northern Regional Office at 769-1450.)

Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00 on or before May 7, 2001.
KARL J. DREHER, Dir.
4936 - April 18-25

MICROFILMED

OCT 12 2001



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

April 11, 2001

Legal Notices Department
St Maries Gazette Record
610 Main Ave
St Maries ID 83861-1801

Re: Water Right Application No. 92-10002

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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 of Publication to this office before May 7, 2001.

* There should be no charge for this legal notice to be published because the information was correct as original submitted.

Thank you.

Sincerely,

Dianne Ball
Administrative Assistant

Enclosure

MICROFILMED

OCT 12 2001

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 92-10002 in the name of Nancy Landt, HCR4 215F, St Maries, ID 83861, was incorrectly advertised on March 7 and 14, 2001.

The **Place of Use** was omitted from the original publication, whereas correctly it should be
Place of Use: DOMESTIC - T44N R03W S36 SWSW

(For additional information concerning the property location, call the Northern Regional Office at 769-1450.)

Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00 on or before May 7, 2001.

KARL J. DREHER, Dir.

Published in the St Maries Gazette Record on 4/18 and 25/2001.

MICROFILMED

OCT 12 2001

Ball, Dianne

From: Nancy [nancylandt@stmaries.com]
Sent: Wednesday, April 04, 2001 7:55 PM
To: Ball, Dianne
Subject: Re: Re-advertisement of your water right

Hi Dianne,

I'm sorry that happened, but that's the way things go sometimes. I'm assuming there were no protests last time so hopefully it will go well again. Thanks, Nancy Landt

----- Original Message -----

From: Ball, Dianne <dball@idwr.state.id.us>
To: <nancylandt@stmaries.com>
Sent: Wednesday, April 04, 2001 3:24 PM
Subject: Re-advertisement of your water right

> Nancy, the paper neglected to include the Place of Use in the original
> advertisement so we have to re-advertise your water right. It should run
> in
> the St Maries Gazette on April 18 and 25, with a final date for protests
> to
> be filed now being May 7, 2001.
>
> This is just to keep you apprised of what is happening with your
> application
> for water rights.
>
> If you have any questions, you can give me a call or talk to Al Beardslee
> at
> 208-769-1450, or you can e-mail me.
>
> May your life be littered with love and blessings. Dianne Ball, Idaho
> Dept.
> of Water Resources, Cd'A
>
>

MICROFILMED

OCT 12 2001

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, April 04, 2001 3:24 PM
To: 'nancylandt@stmaries.com'
Subject: Re-advertisement of your water right

Nancy, the paper neglected to include the Place of Use in the original advertisement so we have to re-advertise your water right. It should run in the St Maries Gazette on April 18 and 25, with a final date for protests to be filed now being May 7, 2001.

This is just to keep you apprised of what is happening with your application for water rights.

If you have any questions, you can give me a call or talk to Al Beardslee at 208-769-1450, or you can e-mail me.

May your life be littered with love and blessings. Dianne Ball, Idaho Dept. of Water Resources, Cd'A

MICROFILMED
OCT 12 2001

Affidavit of Publication

RECEIVED

MAR 22 2001

IDWR North

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 2 issues, the first publication being on the 7th day of March, 2001, and the last on the 14th day of March, 2001.

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 14th day of March, 2001

Cynthia Ann Hammes

STATE OF IDAHO

COUNTY OF BENEWAH

On this 14th day of March, in the year of 2001 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.

Water use

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

92-10002

NANCY LANDT

HCR4 215F

St. Maries ID 83861

Point(s) of Diversion SWSW S36

T44N R03W BENEWAH County

Source S FORK SANTA CREEK.

Use: DOMESTIC 01/01 to 12/31

.04CFS

Date Filed: 02/08/2001

Remark: DOMESTIC USE IS For 1

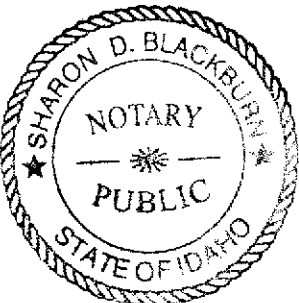
Home

Permits will be subject to all prior water rights. Protests may be submit-

ted 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 Resources, 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 03/26/2001. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
4896 March 7-14



Sharon D. Blackburn

Notary Public for Idaho

Residing at St. Maries, Idaho

My commission expires: Nov. 6, 2004

MICROFILMED

OCT 1 2 2001



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 28, 2001

Legal Notice Department
ST MARIES GAZETTE RECORD
127 S SEVENTH ST
ST MARIES ID 83861

RE: Application for Permit No. 92-10002

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (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 03/26/2001. Your cooperation is appreciated.

Sincerely

Dianne Ball
Administrative Assistant

File copy

MICROFILMED
03/12/2001

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

92-10002

NANCY LANDT

HCR4 215F

ST MARIES ID 83861

Point(s) of Diversion SWSW S36 T44N R03W BENEWAH County
Source S FORK SANTA CREEK

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

Total Diversion: 0.04 CFS

Date Filed: 02/08/2001

Place Of Use: DOMESTIC

T44N R03W S36 SWSW

Remark: DOMESTIC USE IS FOR 1 HOME

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 03/26/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on 03/07 and 03/14/2001

MICROFILMED

OCT 12 2001

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, February 28, 2001 2:51 PM
To: 'nancylandt@stmaries.com'
Subject: Acknowledgement Letter



AcknowledgementLetter.doc

Nancy, attached is a copy of the acknowledgement letter which went out in the mail today. Note that the legal notice is scheduled to appear in the St Maries Gazette on March 7 & 14, 2001.

If you have any questions, please call Al Beardslee (208) 769-1450, or email him at abeardsl@idwr.state.id.us.

Dianne Ball
Administrative Assistant

MICROFILMED

OCT 12 2003



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 28, 2001

NANCY LANDT
HCR4 215F
ST MARIES ID 83861

RE: Application for Permit No 92-10002

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 Record on March 7 and 14, 2001. 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 ten to twelve weeks.

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

Sincerely,

Allen Beardslee
Senior Water Resource Agent

Enclosure - Receipt No. N014137

MICHO
JUL 12 2001