

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 97-07449

Priority: July 06, 2005

Maximum Diversion Rate: 0.01 CFS

This is to certify, that CHRIS C MARTINSON
PO BOX 4102
PASCO WA 99302

has applied for a permit to appropriate water from:

Source: PRIEST LAKE

Tributary: PRIEST RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	04/01 to 10/31	0.01 CFS

LOCATION OF POINT OF DIVERSION:

PRIEST LAKE L1 (NW¼ NW¼) Sec. 29, Twp 60N, Rge 04W, B.M. BONNER County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
60N 04W 30	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. Domestic use is for 1 home and 4 RV spaces .
4. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot.
5. Water shall not be diverted under this right when flows in the Priest River are below established minimum flow amounts.
6. This right does not grant any right-of-way or easement across the land of another.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 1st day of November, 2005.


FOR KARL J DREHER, Director

RECEIVED

OCT 27 2005

DEPARTMENT OF
WATER RESOURCES

12139

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 97-7449

RECEIVED

JUL 06 2005

IDWR/North

1. Name of Applicant Mr. Chris C. Martinson Phone (509) 528-8536

Mailing address P.O. Box 4102 Pasco, WA 99302

2. Source of water supply Priest Lake which is a tributary of Priest River

3. Location of point of diversion is Township 60N Range 4W Sec. 29, in the 1/4,

SW 1/4, NW 1/4, Govt. Lot #1, B.M., Bonner County;

additional points of diversion if any: see maps per T.C. dated 7-7-05

4. Water will be used for the following purposes:

Amount 0.011 cfs for Domestic purposes from April 1 to October 31 (both dates inclusive)

Amount for purposes from to (both dates inclusive)

Amount for purposes from to (both dates inclusive)

Amount for purposes from to (both dates inclusive)

Amount for purposes from to (both dates inclusive)

Amount for purposes from to (both dates inclusive)

5. Total quantity to be appropriated is (a) 0.011 cubic feet per second and/or (b) acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source 1 hp Berkley Jet Pump; 1 1/4" suction line from Priest Lake for domestic water purposes.

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? N/A; 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 0 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. 0

b. Stockwatering; list number and kind of livestock. 0

c. Municipal; show name of municipality. N/A

d. Domestic; show number of households. 1 household & 4 seasonal RV sites (April-October)

e. Other; describe fully. (primarily weekend use for vacation purposes)

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.

Per TIC w/ Chris 7-7-05 H.F.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
60N	4W	30	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? U.S. Forest Service, U.S. Department of Agriculture
- b. Who owns the land to be irrigated or place of use? Mr. Chris C. Martinson
- 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: As a part of the requirements to renew a Special Use Permit with the U.S. Forest Service to cross their land with a water transmission line to my private land, they are requiring that I make application for permit to appropriate the public waters of the State of Idaho. I have enclosed a map showing point of diversion from Priest Lake. This map was drawn by the Forest Service.

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.

Chris C. Martinson

Signature of Applicant (and title, if applicable)

Received by db Date 7/6/05 Time 1:30p Preliminary check by SE

Fee \$ 100.00 Received by db # N017018 Date 7/6/05

Publication prepared by db Date 7/27/05 Published in Priest River Times 8/3 & 10/05

Publication approved db Date 10/19/05

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.

Per TIC w/ Chris 7-7-05 S.F.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
60N	4W	30	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? U.S. Forest Service, US Department of Agriculture

b. Who owns the land to be irrigated or place of use? Mr. Chris C. Martinson

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: As a part of the requirements to renew a Special Use Permit with the U.S. Forest Service to cross their land with a water transmission line to my private land, they are requiring that I make application for permit to appropriate the public waters of the State of Idaho. I have enclosed a map showing point of diversion from Priest Lake. This map was drawn by the Forest Service.

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.

Chris C. Martinson

Signature of Applicant (and title, if applicable)

Received by db Date 7/6/05 Time 1:30p Preliminary check by S.F.
 Fee \$ 100.00 Received by db # N017018 Date 7/6/05
 Publication prepared by db Date 7/27/05 Published in Priest River Times 8/3 & 10/05
 Publication approved db Date 10/19/05

MINES:
INC.

Kalispell Isl

LAKE

KALISPELL BAY

Papoose
Isld.

Baritoe Isld.

LUBY BAY

Martinson
Land

KANIKSU

NATL.

FOREST

PRIEST

Four-Mile
Isld.

Hess Point

HARKER'S LAKE LOTS
HARKER'S LAKESHORE LOTS
NO. 2

NORTH SHERWOOD

SHERWOOD BEACH ADD

SHERWOOD BEACH

To Priest River

2710 SPECIAL USE Permits

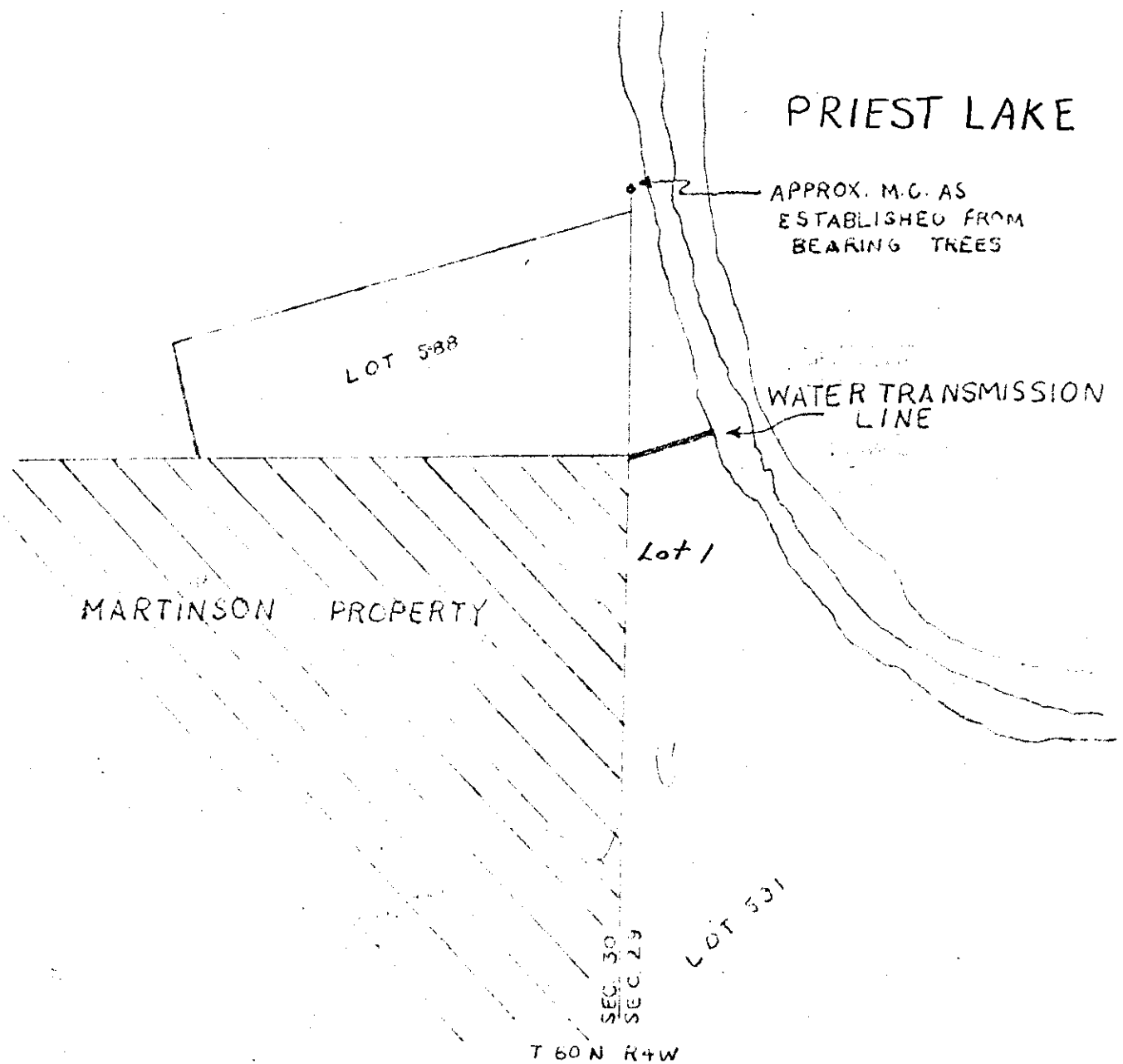
MARTINSON

SPECIAL USE PERMIT (PROPOSED)

PRIEST LAKE

WATER TRANSMISSION LINE

SCALE 1" = 100 FT





SESE

SESE

NENE

NENE

NENE

6

NENE

NENE

1

NWNW

**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 3, 2005

CHRIS C MARTINSON
PO BOX 4102
PASCO WA 99302

RE: Permit No. 97-7449

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.

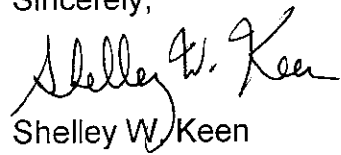
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should 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, reading "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being the most prominent part.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

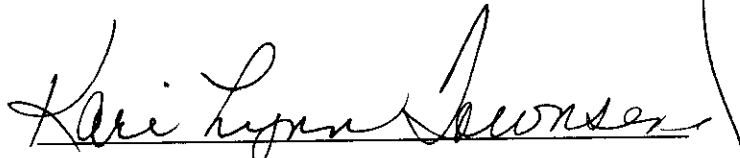
CERTIFICATE OF SERVICE

I hereby certify that on November 3, 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.

97-7449

**CHRIS C MARTINSON
PO BOX 4102
PASCO WA 99302**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", is written over a horizontal line. A long vertical line extends from the right side of the signature.

**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 01, 2005
To: Water Right File 97-7449
From: eretelle
Re: permit review

No WD or moratorium.

No overlap or protest.

Permit required from IDL.

Recommend approval as suggested by IDWR Northern.

PO Box 4102
Pasco, WA 99302
September 24, 2005

RECEIVED

OCT 27 2005

DEPARTMENT OF
WATER RESOURCES

RECEIVED
SEP 26 2005
IDWR/North

Idaho Department of Lands
Attention Ms. Alicia Ewing, Resource Manager
4053 Cavanaugh Bay Road
Coolin, ID 83821

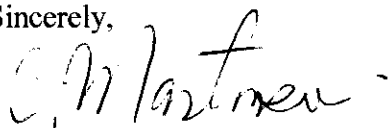
RE: State of Idaho Department of Water Resources, Application for Water Right # 97-7449

Dear Ms. Ewing:

I am in receipt of your letter dated August 9, 2005 requesting that I complete an Encroachment Permit Application for my water intake line at Priest Lake. Enclosed is a completed application, check made payable to the Treasurer State of Idaho, and related maps. I have also enclosed a copy of a letter sent to Mr. Greg Taylor, Senior Water Resource Agent, explaining why I made application for a Water Right earlier this July.

The water intake line has been in existence since 1972 or 1973. I believe that is the year my father, Howard D. Martinson, installed the line. I honestly don't know whether my father ever made application for the water intake line to the Department of Lands. He owned the property at the time, and it was a long time ago. A search of your records may be prudent. Since I have enclosed correspondence showing my father made application for a special use permit in 1970 to the U.S. Forest Service, I'm wondering if he also made application to the Idaho Department of Lands during this same time period? In absence that any application for the water intake line exists, I am enclosing an application for the Encroachment Permit. I hope the information in this cover letter and in the enclosures provide you with sufficient information to process the application. If the application is approved, will you be contacting Mr. Taylor in Coeur d'Alene to allow him to proceed with the approval process for the Water Right? If you have any questions, please call me day or evening at (509) 727-5936. Thank you for your attention to this matter.

Sincerely,



Chris Martinson

Cc: ✓ Idaho Department of Water Resources
Attention Mr. Greg Taylor, Senior Water Resource Agent
1910 Northwest Blvd, Suite 210
Coeur d'Alene, ID 83814
(208) 769-1450

Ms. Risa Devore
Lands/Special Uses
USDA Forest Service
1500 Highway 2, Suite 110
Sandpoint, ID 83864
(208) 265-6623

9/24/05

Mr. Taylor,
FYI, hopefully you
will be hearing from
Ms Ewing soon.
Sincerely,
Chris Martinson

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner, Terra Julie

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:

Applications 96-9245, 96-9246,
97-7449

as it was published in the regular and entire issue of the

said paper for a period of 2 consecutive weeks,

commencing on 3rd day of August, 2005

and ending on the 10th day of August, 2005

and that said notice was published in said newspaper.

On this 10th day of August in the year

of 2005, before me, a Notary Public, personally

appeared Jenni Dure,

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.

Shannon M. Fato

Notary Public for Idaho

Residing at Priest River

My Commission expires: 10-9-07

RECEIVED
OCT 19 2005
IDWR/North

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
96-9245

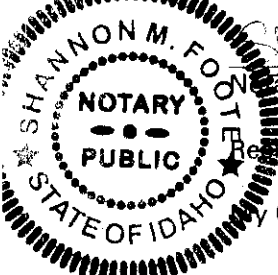
PHYLLIS SHANKMAN
ADAM SHANKMAN
281 WILLOW BAY RD
PRIEST RIVER ID 83856
Point(s) of Diversion L4(SESE) S36 T56N R04W BONNER County
Source PEND OREILLE RIVER Tributary to COLUMBIA RIVER
Use: IRRIGATION 04/01 To 10/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 07/18/2005
Place Of Use: IRRIGATION T56N R04W S36 SESE LOT 4
Number of Acres 11
96-9246

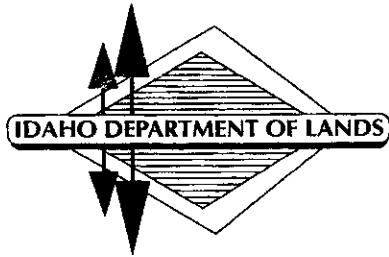
DAVID GLOE
DIANA GLOE
PO BOX 2713
HAYDEN ID 83835
Point(s) of Diversion SESW S8 T54N R04W BONNER County
Source GROUND WATER
Use: DOMESTIC 01/01 To 12/31 0.06 CFS
Total Diversion: 0.06 CFS
Date Filed: 07/18/2005
Place Of Use: DOMESTIC T54N R04W S8 SESW
Remark: Domestic use for 1 home.
97-7449

CHRIS C. MARTINSON
PO BOX 4102
PASCO WA 99302
Point(s) of Diversion L1(NWNW) S29 T60N R04W BONNER County
Source PRIEST LAKE Tributary to PRIEST RIVER
Use: DOMESTIC 04/01 To 10/31 0.01 CFS
Total Diversion: 0.01 CFS
Date Filed: 07/06/2005
Place Of Use: DOMESTIC T60N R04W S30 NENE
Remark: Domestic use is for 1 home and 4 seasonal RV sites.
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 08/22/2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director
Legal 615804
August 3, 10 2005





PRIEST LAKE AREA OFFICE
4053 CAVANAUGH BAY RD.
COOLIN, ID 83821

MEMORANDUM

RECEIVED

TO: Dianne Ball – Administrative Assistant

FROM: Alicia Ewing – Resource Manager

DATE: August 10, 2005

SUBJECT: Water Right Application

I cannot recommend the waterline for Mr. Martinson at this time because he has not filled an encroachment application with us at the department of lands, Priest Lake. I have enclosed the letter I have also sent Mr. Martinson.

If you have any further questions please contact me at (208) 443-2516.

AE

Enclosures

*I spoke to
Alicia 8/15 &
when they receive
Martinson's paperwork -
no problem - Entered on
computer as such.
D Ball
(1)*

PRIEST LAKE
SUPERVISORY AREA
4053 Cavanaugh Bay Rd
Coolin ID 83821
Phone (208) 443-2516
Fax (208) 443-2162



STATE BOARD OF LAND COMMISSIONERS
Dirk Kempthorne, Governor
Ben Ysursa, Secretary of State
Lawrence G. Wasden, Attorney General
Keith L. Johnson, State Controller
Marilyn Howard, Sup't of Public Instruction

August 9, 2005

Chris C. Martinson
P.O. Box 4102
Pasco, WA 99302

Re: Encroachment Permit Application

Dear Mr. Martinson:

I recently reviewed your application made to the Department of Water Resources for a water intake line. At this time I cannot recommend approval of this application because you have not applied through the Idaho Department of Lands at Priest Lake. The Department of Lands owns the lake bed area up to the high water line, and therefore we have an application packet that must be completed for an encroachment permit.

The application requires the signatures of the littoral landowners (the U.S. Forest Service), an application fee of \$250 made payable to Treasurer State of Idaho and a completed packet.

I have enclosed an application with instructions for completion. If you have any questions on this process feel free to contact me at (208) 443-2516

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Alicia Ewing".

Alicia Ewing
Resource Manager
Priest Lake

Enclosures

C: Dianne Ball

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

96-9245

PHYLLIS SHANKMAN
ADAM SHANKMAN
281 WILLOW BAY RD
PRIEST RIVER ID 83856
Point(s) of Diversion L4 (SESE) S36 T56N R04W BONNER County
Source PEND OREILLE RIVER Tributary To COLUMBIA RIVER
Use: IRRIGATION 04/01 To 10/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 07/18/2005
Place Of Use: IRRIGATION T56N R04W S36 SESE Lot 4
Number of Acres 11

96-9246

DAVID GLOE
DIANA GLOE
PO BOX 2713
HAYDEN ID 83835
Point(s) of Diversion SESW S8 T54N R04W BONNER County
Source GROUND WATER
Use: DOMESTIC 01/01 To 12/31 0.06 CFS
Total Diversion: 0.06 CFS
Date Filed: 07/18/2005
Place Of Use: DOMESTIC T54N R04W S8 SESW
Remark: Domestic use is for 1 home.

97-7449

CHRIS C MARTINSON
PO BOX 4102
PASCO WA 99302
Point(s) of Diversion L1 (NWNW) S29 T60N R04W BONNER County
Source PRIEST LAKE Tributary To PRIEST RIVER
Use: DOMESTIC 04/01 To 10/31 0.01 CFS
Total Diversion: 0.01 CFS
Date Filed: 07/06/2005
Place Of Use: DOMESTIC T60N R04W S30 NENE
Remark: Domestic use is for 1 home and 4 seasonal RV sites.

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 08/22/2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published August 3 and 10, 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

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 27, 2005

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

RE: Application for Permit No. 96-9245, 96-9246 and 97-7449

Dear Shannon:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, August 3 and 10, 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 08/22/2005. Your cooperation is GREATLY appreciated. It's always a pleasure to work with you.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, July 27, 2005 2:26 PM
To: Legal Notices-Priest River Times (E-mail)
Subject: Legal notice for publication on August 3 and 10, 2005 - 96-9245,46 and 97-7449

Good afternoon, Shannon,

I am attaching a cover letter requesting publication on August 3 and 10, 2005 of the legal notice, also attached.

(I am assuming that you are still only publishing on Wednesdays. If you go to a daily paper, please let me know.)

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

PLEASE FAX A PROOF TO ME BEFORE PUBLICATION, AT 208-769-1454

Thanks very much for all your help. It's always a pleasure 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



LegalNotice

7-27-05 PRT e-mai. 7-27-05 PRT e-mai.



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

July 27, 2005

CHRIS C MARTINSON
PO BOX 4102
PASCO WA 99302

RE: Application for Permit No 97-7449

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 August 3 and 10, 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,

A handwritten signature in black ink, appearing to read 'Gregory Taylor'.

Gregory J. Taylor
Senior Water Resource Agent

Enclosure(s) – Receipt No. N017018



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

July 22, 2005

IDAHO DEPARTMENT OF LANDS
3706 INDUSTRIAL AVE S
COEUR D'ALENE, ID 83815

FAXED 7/22/05
7 pages total

Re: Water Permit Application No. 97-7449

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 **August 12, 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.

* If an encroachment permit is needed, we presume that you will contact applicant. A Special Use Permit is in process through US Forest Service in Sandpoint to cross their property and draw water from Priest Lake.

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,

A handwritten signature in cursive script, appearing to read 'Dianne'.

Dianne Ball
Administrative Assistant



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

July 22, 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 7/22/05
7 pages total

Re: Water Permit Application No. 97-7449

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 **August 12, 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,

A handwritten signature in cursive script, appearing to read 'Dianne', is written over a horizontal line.

Dianne Ball
Administrative Assistant

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
KANIKSU NATIONAL FOREST
PO BOX 490 SANDPOINT, IDAHO 83864

REPLY TO: 2710 Special Use Permits

September 9, 1970

SUBJECT: Water Transmission

TO: Howard D. Martinson
4203 E. 17th Avenue
Spokane, Washington 99203

RECEIVED

JUL 06 2005

IDWR/North



Dear Mr. Martinson:

Enclosed are two copies of a special use permit for a water transmission line across Lot #1, Section 29, T.60N., R.4W., B.M. Please review it. If it is satisfactory, sign and date both copies and return the carbon copy to this office. The original is for your records.

If you have any questions regarding this permit, contact the District Ranger, Priest Lake Ranger District.

Sincerely,

PAUL F. BARKER
Recreation & Lands Staff Officer

Enclosure

United States Department of Agriculture Forest Service SPECIAL USE PERMIT Act of June 4, 1897 This permit is revocable and nontransferable (Ref. FSM 2710)	a. Record no. (1-2)	b. Region (3-4)	c. Forest (5-6)
	70	One 01	Kaniksu 13
	d. District (7-8) Priest Lake 03	e. Use number (9-12) Water 2729	f. Kind of use (13-15) Transmission 911
	g. State (16-17) Idaho 11	h. County (18-20) Bonner 017	k. Card no. (21) 1

Permission is hereby granted to HOWARD D. MARTINSON

of 4203 E. 17th Avenue Spokane, Washington 99203,
 hereinafter called the permittee, to use subject to the conditions set out below, the following described lands
 or improvements:

Lot #1, Section 29, T.60N., R.4W., B.M., as shown on the attached map designated
 Martinson, Special Use Permit (proposed) which becomes a part of this permit.

This permit covers acres and/or 75 feet ~~miles~~ and is issued for the purpose of:

constructing an underground water line from Priest Lake to private land for
 domestic purposes.

This line will cross Beach Trail No. 48. The permittee will repair any damage
 to Beach Trail NO. 48.

1. Construction or occupancy and use under this permit shall begin within 12 months, and
 construction, if any, shall be completed within 12 months, from the date of the permit. This
 use shall be actually exercised at least 365 days each year, unless otherwise authorized
 in writing.

Free Use - Regulation U-11

~~2. In consideration for this use, the permittee shall pay to the Forest Service, U.S. Department of
 Agriculture, the sum of Dollars (\$) for the period
 from 19, to , 19 , and thereafter
 annually on Dollars (\$);~~

~~Provided, however, Charges for this use may be made or readjusted whenever necessary to place the
 charges on a basis commensurate with the value of use authorized by this permit.~~

3. This permit is accepted subject to the conditions set forth herein, and to conditions 18 to
26 attached hereto and made a part of this permit.

PERMITTEE	NAME OF PERMITTEE	SIGNATURE OF AUTHORIZED OFFICER	DATE
		TITLE	
ISSUING OFFICER	NAME AND SIGNATURE	TITLE	DATE
	<i>Paul J. Barker</i>	<i>Act For Sup</i>	<i>9/9/70</i>

(CONTINUED ON REVERSE)

2700-4 (10/68)

PO Box 4102
Pasco, WA 99302
July 5, 2005

RECEIVED

JUL 06 2005

WATER/NOEL

Idaho Department of Water Resources
Attention Mr. Greg Taylor, Senior Water Resource Agent
1910 Northwest Blvd, Suite 210
Coeur d'Alene, ID 83814

RE: Application for Water Right for Real Parcel Section 29, Township 60N, Range 04 West, 300100A
(#3 Middle Shoshone, Priest Lake, Idaho)

Dear Mr. Taylor:

My father (Howard D. Martinson) purchased the above parcel of land in 1964 from the original homesteader, John DeCamp. The property is located 2.7 miles north on the West Lake Shore Road, between Outlet and Hills Resort, on the West Side of Priest Lake. My father passed away in 1985 and I inherited the property from him. The parcel comes within 75 feet from Priest Lake and the U.S. Forest Service owns this 75 feet. On my property is a cabin with four RV spaces. My family uses the cabin and RV spaces on a seasonal basis, from June through August. In 1970 my father applied for a Special Use Permit from the Forest Service to cross their land with a water transmission line, pumping water from Priest Lake. I have enclosed a copy of the original permit with maps, showing the detail.

In 2004 the current Special Use Permit expired. I have been working for the past year to renew the permit with Ms. Risa Devore, Lands/Special Uses Permits Specialist. Her office is located in Sandpoint, and her telephone number is (208) 765-7223.

At the request of Ms. Devore, the final step to securing renewal of the Special Use Permit is to obtain proof of water right for the property. While it would be advisable to search your records, I doubt that my father ever applied for a water right. In absence that any water right exists, I am enclosing an application for water right to the property. I hope the information in this cover letter and in the enclosures provide you with sufficient information to process the application. If you have any questions, please call me at (509) 528-8536. Thank you for your attention to this matter.

Sincerely,



Chris Martinson

Cc: Ms. Risa Devore
Lands/Special Uses
USDA Forest Service
1500 Highway 2, Suite 110
Sandpoint, ID 83864