

RECEIVED

SEP 29 2005

Department of Water Resources

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. 0024490
Receipt By: MC
Date Received: 4-15-05

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 14 2005

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. 96-9175 Telephone No. 858.454.8558
2. Name of Permit Holder(s): Angela and/or Charles Schuetz
3. Mailing Address: 7750 Sierra Mar Dr.
City La Jolla State CA Zip 92037
4. Source of Water: Spring If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): None Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .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 <u>✓</u>
	Has the measuring device been installed?	Yes _____ or No <u>✓</u>
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: Angela Schuetz Telephone Number: 858.454.8558
Address: 7750 Sierra Mar Dr. La Jolla, Ca. 92037
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: Angela Schuetz Date: 9/26/05
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09175

Priority: April 01, 2004

Maximum Diversion Rate: 0.04 CFS

This is to certify, that JANET MATTISON
PO BOX 824
SPIRIT LAKE ID 83869

And/Or

GAYLE BESHIR And/Or LINDA BESHIR
PO BOX 824
SPIRIT LAKE ID 83869

has applied for a permit to appropriate water from:

Source: SPRING

Tributary: SINKS

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 OF DIVERSION:

SPRING L2 (NE $\frac{1}{4}$ SW $\frac{1}{4}$) Sec. 27, Twp 57N, Rge 01E, B.M., BONNER 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	
57N	01E	27																	
											X								
											L 2								

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **May 01, 2005**.
2. Subject to all prior water rights.
3. Domestic use is for 1 home.
4. 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 12 day of May, 2004.


KARL J DREHER, Director

71160

Ident. No. 96-9175

RECEIVED
MAY 10 2004
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
APR 01 2004
IDWR/North

To appropriate the public waters of the State of Idaho

1. Name of Applicant Janet Mattison and/or Gayle Beshir Phone 208-623-5110
Mailing address P.O. Box 824 Spirit Lake ID 83869
2. Source of water supply SPRING which is a tributary of SINKS
3. Location of point of diversion is Township S 7 N Range 1 E Sec. 27, in the NE $\frac{1}{4}$, SW $\frac{1}{4}$, Govt. Lot 2, B.M., BONNER County;
additional points of diversion if any:

4. Water will be used for the following purposes:

Amount 0.04 for DOMESTIC purposes from Y. to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 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 SPRING - GRAVITY FLOW SYSTEM - 3,000 GAL CISTERN
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- d. Is ground water with a temperature of greater than 85°F being sought? _____
- e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1 HOME, LAWN + GARDEN
- 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.

GOVT. LOT 2

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	1E	27																	

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/ ANDERSON

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: EASEMENT TO SPRING

12. Remarks: _____

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

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

x Janet Matheson
Signature of Applicant (and title, if applicable)

Received by AB Date 04-01-04 Time 10:30 Preliminary check by AB
 Fee \$ 100.00 Receipted by AB # N016146 Date 04-01-04
 Publication prepared by CB Date 4/7/04 Published in Bonner Co Daily Bee 4/15+22/04
 Publication approved _____ Date _____

SWNW

SENW

SWNE

CENTER SECTION

3142T

**NE 1/4 SW 1/4
GAST. LOT 2**

BM 2160

NESW

GAST. LOT 2

SPRING

NWSE

200

2108T

SWSE

MATTISON & BESHIRE

T.57N., R.1E.

**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 4, 2005

ANGELA SCHUETZ
CHARLES SCHUETZ
7750 SIERRA MAR DR
LA JOLLA CA 92037

PROOF ACKNOWLEDGMENT LETTER

Re: Permit No. 96-9175

Dear Permit Holders:

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 conduct the field examination to determine and confirm the use 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 these water rights 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, or at the department's website at: www.idwr.idaho.gov

If you have questions about 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.

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 96-9175

Reviewed By: dgibson

Date: November 1, 2005

	<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?		X
Receipt No.:	N016146, C077498		Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?		X	Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	04/15/2005
Date proof due	- 05/01/2005
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 04/01/2004
New priority date	= 04/01/2004

Deficiencies of Actions Items

Forward Assignment of Permit to Karilynn for acknowledgement and to change the ownership info. Acknowledge proof.



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

September 16, 2005

ANGELA SCHUETZ
CHARLES SCHUETZ
7750 SIERRA MAR DR
LA JOLLA CA 92037

RE: Permit No. 96-9175

Dear Permit Holder:

Enclosed is the original Proof of Beneficial Use ("proof") and the Assignment of Permit ("assignment") forms you submitted to the department in connection with the above referenced water right permit. During my review of these forms I found that the proof form required a signature and date by the permit holder or an authorized representative, and the assignment was not accompanied by its \$25.00 filing fee.

Please sign the proof form, and enclose a check made payable to the Idaho Department of Water Resources (IDWR) for \$25 with the assignment and return them to the department, to my attention within **thirty-days (30)** from the date of this letter. Returning the proof form within the 30-day period will guarantee you the filing date for receipt of the proof. I will process these documents immediately and send you an acknowledgement.

If you have any questions regarding this matter, please contact me directly at (208) 287-4942.

Sincerely,

A handwritten signature in cursive script that reads "Deborah Gibson". The signature is fluid and elegant, with the first letters of the first and last names being capitalized and prominent.

Deborah Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure(s)

February 28, 2005

JANET MATTISON
GAYLE BESHIR
LINDA BESHIR
PO BOX 824
SPIRIT LAKE, ID 83869

PROOF DUE NOTICE

RE: PERMIT NO. 96-9175

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 01, 2005. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

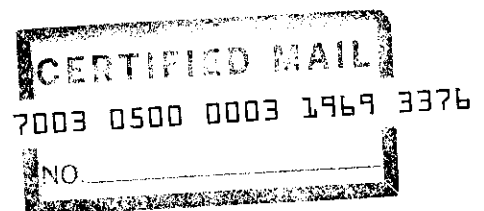
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures





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

May 12, 2004

JANET MATTISON
GAYLE BESHIR
LINDA BESHIR
PO BOX 824
SPIRIT LAKE ID 83869

RE: Permit No. 96-9175

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

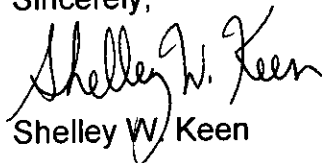
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

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

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

Sincerely,

A handwritten signature in black ink that reads "Shelley W. Keen". The signature is written in a cursive style with a large, stylized 'S' and 'K'.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

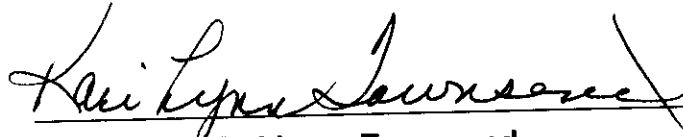
CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

96-9175

**GAYLE BESHIR
JANET MATTISON
LINDA BESHIR
PO BOX 824
SPIRIT LAKE ID 83869**

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

**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of, or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Comment Report

96-9175

1. dball 4/5/2004 Legal Notice Remarks

Comment: Domestic use is for 1 home.

2. dball 4/5/2004 Comment/Analysis

Comment: POD owned by applicant and Anderson. Existing easement to spring.

3. kwalker 5/12/2004 Permit Review

Comment: The spring on this permit has not be identified to a 10 acre tract. The spring is located within Gov. Lot 2 and it would be hard to determine which 10 acre tract it falls in. The gov. lot is the actual legal location of this spring and examiner can determine the 10 acre tract when exam is completed. Recommend approval.

IDAHO DEPARTMENT OF WATER RESOURCES
API PRIORITIZATION APPLICATION ANALYSIS EET

W.R. # 96-9175

APPLICATION ID # 71160

ENT. 4/5/04 BCA 4/5/04 OK to Publish 4/5/04

APPLICANT: MATTISON MAY 11 BY: AB DATE: 04/01/04

ITEM REQUIRED INFORMATION

Department of Water

PROCESSING

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)

(Yes)(No)

PRIORITY DATE: 04/01/04

X

(Include Moratorium Remark)

X

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

ADVERTISE IN: BONNER County

LETTERS SENT REQUESTING:

() Dam Information () Fish Information

() Power Information () Other: N/A

INFORMATION RECEIVED:

() Dam Information () Fish Information

() Power Information () Other: N/A

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 #

GROUNDWATER SECTION

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

4/26 Affidavit of publication received

4/26 Application published correctly. If not, record action taken:

4/7 Publication dates and paper recorded on application

 Protests received,

Final protest date: 5/3/04

Sr. Agent initial

 Measuring device required

 Measuring port required

 Special conditions:

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

Approval Recommended by: AB

Date: 05/07/04

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner, Sherilyn Jones

_____ being first duly sworn on oath
deposes and says that he/she is Bookkeeper
of the Bonner County Daily Bee, a newspaper printed and
published at Sandpoint, 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:

App. for Water
Rights

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 15 day of April, 2004
and ending on the 22 day of April, 2004
and that said notice was published in said newspaper.

On this 22 day of April in the year
of 2004, before me, a Notary Public, personally
appeared Sherilyn Jones

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.

Carolyn L. Inge
Notary Public for Idaho
Residing at Sandpoint
My commission expires: 8/06

RECEIVED

APR 26 2004

CORRECTION

NOTICE OF APPLICATION FOR WATER RIGHT
The following application(s) have been filed to appropriate the public
waters of the State of Idaho:
96-9174

LIGHTNING CREEK INC
PO BOX 358
CLARK FORK ID 83811

Point(s) of Diversion NENE S3 T55N R02E BONNER County
Source GROUND WATER
Use: IRRIGATION 03/15 To 11/15 0.2 CFS
Total Diversion: 0.2 CFS

Date Filed: 02/20/2004
Place Of Use: IRRIGATION T55N R02E S3 NENE
Number of Acres: 15
96-9175

JANET MATTISON
GAYLE BESHIR
LINDA BESHIR
PO BOX 824
SPIRIT LAKE ID 83869

Point(s) of Diversion L2 (NESW) S27 T57N R01E BONNER County
Source SPRING Tributary To SINKS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 04/01/2004
Place Of Use: DOMESTIC T57N R01E S27 NESW Lot 2
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 05/03/2004. The protestant must also send a
copy of the protest to the applicant.

KARL J DREHER, Director
Legal 5111
April 15, 22, 2004

5111



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

April 07, 2004

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JANET MATTISON
GAYLE BESHIR
LINDA BESHIR
PO BOX 824
SPIRIT LAKE ID 83869

RE: Application for Permit No 96-9175

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 Bonner County Daily Bee on April 15 and 22, 2004. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

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

Sincerely,

A handwritten signature in cursive script, reading 'Allen Beardslee'.

Allen Beardslee
Senior Water Resource Agent



State of Id.

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 07, 2004

--PLEASE FAX PROOF PRIOR TO PUBLICATION--

LEGAL NOTICE DEPARTMENT
BONNER COUNTY DAILY BEE
PO BOX 159
SANDPOINT ID 83864

e-mailed to Sheri sjones@cdapress.com

RE: Application for Permit No. 96-9174 and 96-9175

Dear Sheri:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, April 15 and 22, 2004, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 05/03/2004. Your cooperation is GREATLY appreciated, as always.

Have a wonderful day.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, April 07, 2004 1:58 PM
To: Legal Notices-BCDB-2 (E-mail); Legal Notices-Bonner Co Daily Bee (E-mail)
Subject: Legal Notice for publication on April 15 and 22, 2004

Good afternoon, Sheri,

I am covering all bases on this one - because I don't know which of your e-mails is working - so - I'm sending it to both of the e-mails I have for you.

Attached is a cover letter requesting publication of a legal notice (also attached) on April 15 and 22, 2004.

Again - please send fax of proof prior to publication - it helps me to double check my work.

If you have ANY questions, please call me (208-769-1450) or e-mail me.

Thanks ever so much, and have a marvelous day.

Dianne

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

4/7/2004

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

96-9174

LIGHTNING CREEK INC
PO BOX 358
CLARK FORK ID 83811

Point(s) of Diversion NENE S3 T55N R02E BONNER County
Source GROUND WATER
Use: IRRIGATION 03/15 To 11/15 0.2 CFS
Total Diversion: 0.2 CFS

Date Filed: 02/20/2004

Place Of Use: IRRIGATION T55N R02E S3 NENE
Number of Acres 15

96-9175

JANET MATTISON
GAYLE BESHIR
LINDA BESHIR
PO BOX 824
SPIRIT LAKE ID 83869

Point(s) of Diversion L2 (NESW) S27 T57N R01E BONNER County
Source SPRING Tributary To SINKS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 04/01/2004

Place Of Use: DOMESTIC T57N R01E S27 NESW Lot 2

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 05/03/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on April 15 and 22, 2004



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 05, 2004

MARY TERRA BERNIS
STATE OF IDAHO
DEPT OF FISH & GAME
2750 KATHLEEN AVE
COEUR D ALENE, ID 83814

FAXED TO MARY 4/5/04

Application to Permit No. 96-9175

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. You may respond by e-mail if you choose, to dball@idwr.state.id.us. Please send comments by April 23, 2004.

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.

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 in black ink.

Dianne Ball
Administrative Assistant

Enclosure(s)