

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09244

Priority: July 22, 2005

Maximum Diversion Rate: 0.12 CFS

This is to certify, that PR LAND COMPANY
PO BOX 706
BONNERS FERRY ID 83805

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	0.12 CFS

LOCATION OF POINT(S) OF DIVERSION:

SPRING SW¼SE¼SE¼ Sec. 21, Twp 60N, Rge 02W, B.M. BOUNDARY 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 02W 21																X	

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 1, 2005**.
2. Subject to all prior water rights.
3. Domestic use is for 3 homes.
4. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted lot upon which a home has been constructed.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 24th day of October, 20 05.


for KARL J DREHER, Director

Ident. No. 96-9244

72149
RECEIVED
JUL 22 2005
IDWR/North

RECEIVED

OCT 19 2005

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant PR Land Company Phone (208) 267-3555

Mailing address Box 706 Bonners Ferry, ID 83805

2. Source of water supply Spring which is a tributary of SINK

3. Location of point of diversion is Township 60 N Range 2 W Sec. 21, in the SE 1/4, SE 1/4, Govt. Lot Boundary, B.M., Boundary County;

additional points of diversion if any:

4. Water will be used for the following purposes:

Amount .12 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .12 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works: 24 inch concrete culvert 6' deep gravity feed

a. Describe type and size of devices used to divert water from the source to houses.

b. Height of storage dam NA feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet

c. Proposed well diameter is NA 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. 8

d. Domestic; show number of households. 3

e. Other; describe fully. _____

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
GON	2W	21															X	D	

Total number of acres to be irrigated _____

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

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

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

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

12. Remarks: Property is being purchased by PR Land Company

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"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.)

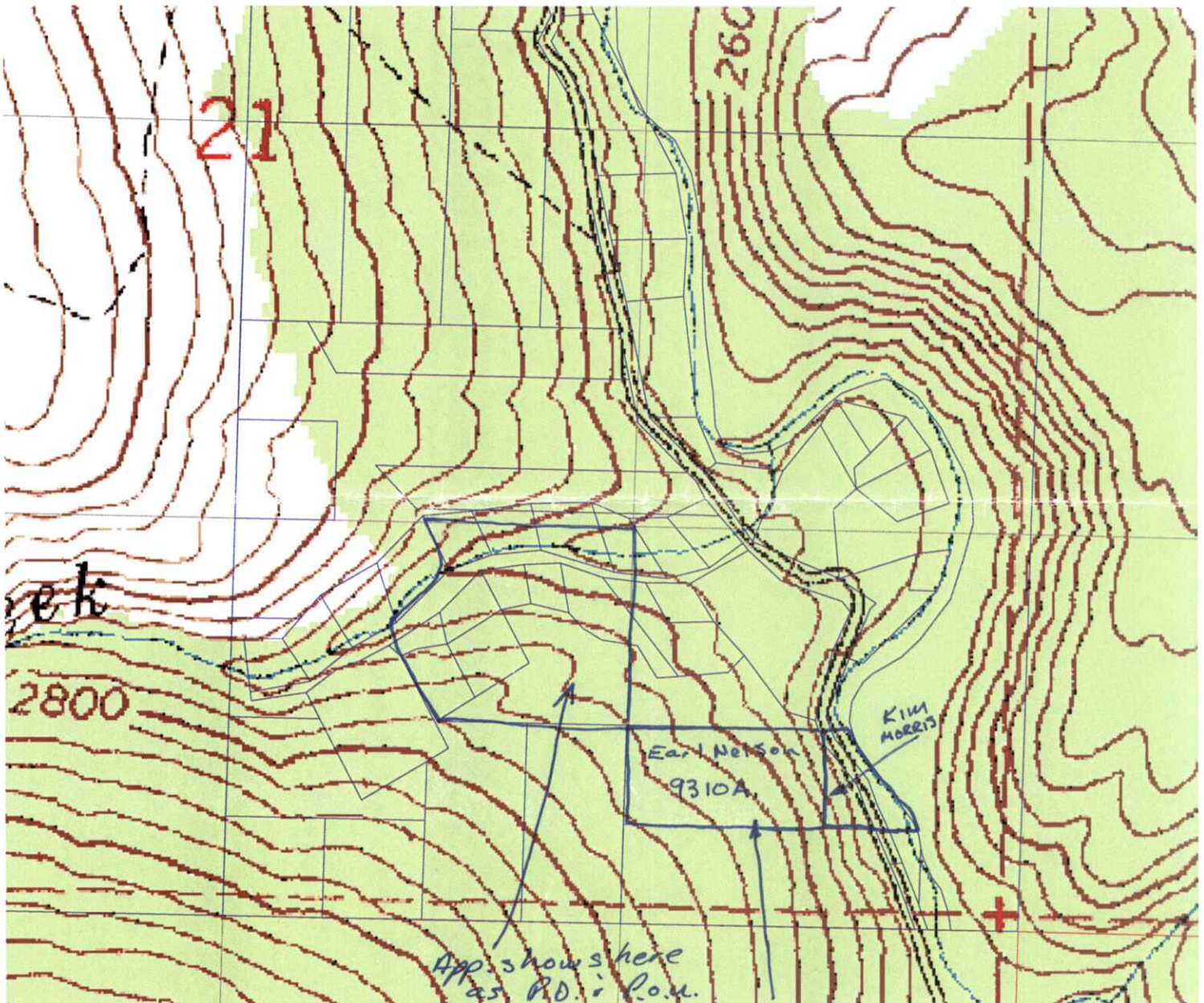
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Kim Morris Kim Morris Partner
Jim Brown Jim Brown Partner
 Signature of Applicant (and title, if applicable)

Received by DR Date 7/22/05 Time 12:00 noon Preliminary check by _____
 Fee \$ 100 Received by DR # NO 17058 Date 7/22/05
 Publication prepared by DR Date 8/24/05 Published in Bonners Ferry Record 9/14/05
 Publication approved DR Date 10/14/05

96-9244

T60N R2W Section 21



App. shows here
as P.D. i P.O.M.

TAX LOT
FOR NELSON

Homestead

Creek Creek

N A T I O N A L

Youngs

P.R. Land Company

Box 706

Bonniers Ferry
Idaho 83805

208-267-3555

21

pk
P1

Jeru Falls

29

28

27

26

Lindsey

32

33

34

35

Jeru

Ridge

NW 1/4 SW 1/4
SE 1/4 SE 1/4

T 60N
R 2W
(E 1/2 Sec 2)

**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

October 24, 2005

PR LAND COMPANY
PO BOX 706
BONNERS FERRY ID 83805

RE: Permit No. 96-9244

Permit Approval Notice

Dear Permit Holder:

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

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

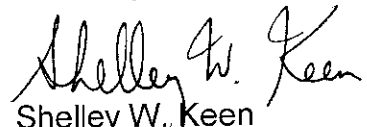
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should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

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

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

If you have any questions, please contact me at 208-287-4947.

Sincerely,

A handwritten signature in black ink that reads "Shelley W. Keen". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

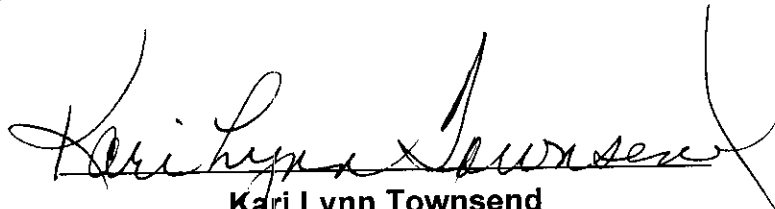
CERTIFICATE OF SERVICE

I hereby certify that on October 24, 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.

96-9244

**PR LAND COMPANY
PO BOX 706
BONNERS FERRY ID 83805**



**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.

AFFIDAVIT OF PUBLICATION

State of Idaho

ss

County of Boundary, Gail Brown

being first duly sworn on oath deposes and says that he/she is Office Manager of the Bonners Ferry Herald, a newspaper printed and published at Bonners Ferry, Boundary County, Idaho; that the said newspaper has been continuously and uninterruptedly published in said Boundary County during a period of 12 months prior to the first publication of the hereto attached notice of publication in the case of:

#5677 Appropriate Public Waters
#98-7846 and #96-9244

as it was published in the regular and entire issue of the said paper for a period of 2 consecutive weeks, commencing on 1 day of September 2005 and ending on the 8 day of September 2005 and that said notice was published in said newspaper.

Gail Brown

SUBSCRIBED AND SWORN TO before me, this

12 day of September, 2005.

Carol A. Arthur
Notary Public-State of Idaho

Residing at: Bonners Ferry

My Commission Expires: 2-25-11

RECEIVED
OCT - 6 2005
IDWR/North

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

98-7846

SHEM JOHNSON

PO BOX 1952

BONNERS FERRY ID 83805

Point(s) of Diversion SWNW S6 T64N R01E BOUNDARY County

Source UNNAMED STREAM Tributary To KOOTENAI RIVER

Use: RECREATION STORAGE 01/01 To 12/31 12 AFA

Total Diversion: 12 AFA

Date Filed: 07/07/2005

Place Of Use: RECREATION STORAGE T64N R01E S6 SWNW

Remark: Recreation storage is for boating, swimming and fishing.

96-9244

PR LAND COMPANY

PO BOX 706

BONNERS FERRY ID 83805

Point(s) of Diversion SWSE S21 T60N R02W BOUNDARY County

Source SPRING Tributary To SINKS

Use: DOMESTIC 01/01 To 12/31 0.12 CFS

Total Diversion: 0.12 CFS

Date Filed: 07/22/2005

Place Of Use: DOMESTIC T60N R02W S21 SESE

Remark: Domestic use is for 3 homes.

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 09/19/2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Legal BFH5677

Published on September 1 and 8, 2005

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

98-7846

SHEM JOHNSON
PO BOX 1952
BONNERS FERRY ID 83805
Point(s) of Diversion SWNW S6 T64N R01E BOUNDARY County
Source UNNAMED STREAM Tributary To KOOTENAI RIVER
Use: RECREATION STORAGE 01/01 To 12/31 12 AFA
Total Diversion: 12 AFA

Date Filed: 07/07/2005

Place Of Use: RECREATION STORAGE T64N R01E S6SWNW

Remark: Recreation storage is for boating, swimming and fishing.

96-9244

PR LAND COMPANY
PO BOX 706
BONNERS FERRY ID 83805
Point(s) of Diversion SWSESE S21 T60N R02W BOUNDARY County
Source SPRING Tributary To SINKS
Use: DOMESTIC 01/01 To 12/31 0.12 CFS
Total Diversion: 0.12 CFS

Date Filed: 07/22/2005

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KARL J DREHER, Director Published on September 1 and 8, 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

August 24, 2005

GAIL BROWN
LEGAL NOTICE DEPARTMENT
BONNERS FERRY HERALD
PO BOX 539
BONNERS FERRY ID 83805

RE: Application for Permit No. 98-7846 Johnson, and 96-9244 PR Land Company

Dear Gail:

Enclosed you will find a legal notice that we wish to have published in your newspaper on the dates indicated, **September 1 and 8, 2005**, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

One of these in this legal notice is the Shem Johnson Water Right from our last legal notice that did not publish on both dates requested.

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 09/19/2005. Your cooperation is GREATLY appreciated.

Thank you very much.

Sincerely,

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, August 25, 2005 8:47 AM
To: Legal Notices-BFHerald (E-mail); Legal Notices-BFHerald-Gail Brown (E-mail)
Subject: Legal notice for publication on September 1 and 8, 2005 - Johnson 98-7846 and PR Land 96-9244

Good morning to you Gail,

Attached is our cover letter requesting publication of our legal notice on September 1 and 8, 2005; legal notice also attached.

This includes the Water Right for Shem Johnson that didn't complete the publication cycle last time - as well as another Water Right for PR Land Company.

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

ALSO - as usual, I am requesting a proof prior to publication - helps me check the layout and also make sure I didn't miss something when compiling the legal notice. Please fax the proof to 208-769-1454.

Have a happy, sunny day

I've learned that if everything seems to be coming your way, you're probably in the wrong lane.
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
8-24-05 BFH 98-78.



LegalNotice
8-24-05 BFH e-mai.



State of Idaho
DEPARTMENT OF WATER RESOURCES
Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615
Phone: (208) 769-1450 Fax: (208) 769-1454 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 24, 2005

PR LAND COMPANY
PO BOX 706
BONNERS FERRY ID 83805

RE: Application for Permit No 96-9244

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 Bonners Ferry Herald on September 1 and 8, 2005. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

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

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

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

Sincerely,

Gregory J. Taylor
Senior Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 16, 2005

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

FAXED - 5 pages total

Application to Permit No. 96-9244

STATE OF IDAHO :

Enclosed is a copy of the above referenced application. Please review the application, complete the enclosed recommendation form, and submit it to this office within two weeks of date of this letter.

This application is for a spring, tributary to sinks. No rivers or streams are involved.

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

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.

Sincerely,

Dianne Ball
Administrative Assistant

Enclosure(s)

State of Idaho
Department of Water Resources
Application for Permit
RECOMMENDATION FORM

Application for Permit No 95-9291
Applicant's Name: JOHN T GIESEN
7124 ENGLISH POINT RD
HAYDEN ID 83835

Recommendation:

- a) _____ I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned as follows:
- c) _____ I oppose approval of this application for the following reasons:
- d) _____ Additional Comment:

Dated this _____ day of _____,

Signature

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region Office
1910 Northwest Blvd - Suite 210
Coeur d'Alene, ID 83814-2676

M

July 8, '05

I, Mary Nelson, give Jim Brown
and Kim Morris permission to
develop the spring on parcel #

RP60N02W219310 A

who are purchasing the land
from me,

Mary Sue Nelson

7-12-05
date

P. R. Land Company

Box 706

Bonniers Ferry

Idaho 83805

208-267-3555



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

RECEIVED KARL J. DREHER
DIRECTOR

8 5

DWR - North

August 1, 2005

PR LAND COMPANY
PO BOX 706
BONNERS FERRY ID 83805

RE: Application for Permit

Dear Ms. Morris:

Based on the tax lot information, the agreement signed by Mary Lue Nelson and our telephone conversation on July 29, I have completed Items 3 & 9 on the application form. Please check this with the map I have enclosed. If you agree with the application as completed, please initial each change and return it to this office with the attachments.

Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,

Gregory J. Taylor
Sr. Water Resource Agent

8/5/05

Hello Greg:

Items 3 & 9 reviewed and
signed. Thank You
Kim