

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09292

Priority: August 18, 2005

Maximum Diversion Rate: 0.06 CFS

This is to certify, that ROBERT A FINKENHAGEN And
HAZEL J MARTIN
PO BOX 2122
POST FALLS ID 83877-2122

has applied for a permit to appropriate water from:

Source: RIGHT FORK HAUSER CREEK **Tributary:** HAUSER CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.06 CFS
FIRE PROTECTION	01/01 to 12/31	0.06 CFS

LOCATION OF POINT OF DIVERSION:

RIGHT FORK HAUSER CREEK NE¼ NE¼ Sec. 30, Twp 52N, Rge 05W, B.M. KOOTENAI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
52N 05W 30	2.0																2.0

Total Acres: 2

PLACE OF USE: FIRE PROTECTION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
52N 05W 30	X																

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 01, 2010**.
2. Subject to all prior water rights.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
4. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 95-09292

5. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 6th day of October, 2005.



KARL J DREHER, Director

Ident. No. 95-9292

RECEIVED

OCT 04 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

72209

RECEIVED

AUG 18 2005

IDWR/North

1. Name of Applicant ROBERT A. FINKENHAGEN & HAZEL J. MARTINI Phone 208-457-9368
Mailing address P.O. Box 2122 POST FALLS, ID. 83877-2122
2. Source of water supply right Fork Hauser Creek which is a tributary of Hauser Creek
3. Location of point of diversion is Township 52 N Range 5 W Sec. 30, in the NE $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot , B.M., Kootenai County;
additional points of diversion if any:
4. Water will be used for the following purposes:
Amount 0.06 for Irrigation purposes from 3/15 to 10/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.06 for Fire Protection 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)
5. Total quantity to be appropriated is (a) 0.06 cubic feet per second and/or (b) acre feet per annum
6. Proposed diverting works: Pump & pipeline with Storage tank
 - a. Describe type and size of devices used to divert water from the source
 - 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 5 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.
 - e. Other; describe fully.

Ident. No. 95-9292
72209

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of Applicant ROBERT A. FINKENHAGEN + HAZEL J. MARTINI Phone 208-457-9368
Mailing address P.O. Box 2122 POST FALLS, ID. 83877-2122
2. Source of water supply right fork Hauser Creek which is a tributary of Hauser Creek
3. Location of point of diversion is Township 52 N Range 5 W Sec. 30, in the NE $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot _____, B.M., Kootenai County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.06 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.06 for Fire Protection 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)
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(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) 0.06 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works: Pump & pipeline with Storage tank
 - a. Describe type and size of devices used to divert water from the source _____
 - 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 5 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. _____
 - 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	
52N	5W	30	2																2

Total number of acres to be irrigated 2

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

11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: _____

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

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

Robert A. Smith

Angel J. Martinez

Signature of Applicant (and title, if applicable)

Received by DL Date 8/18/05 Time 12:00 ^{noon} Preliminary check by _____

Fee \$ 100- Receipted by cm # NO 17121 Date 8/18/05

Publication prepared by db Date 8/23/05 Published in Clear Press 9/14/05

Publication approved db Date 9/14/05



**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 7, 2005

ROBERT A FINKENHAGEN
HAZEL J MARTIN
PO BOX 2122
POST FALLS ID 83877-2122

RE: Permit No. 95-9292

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

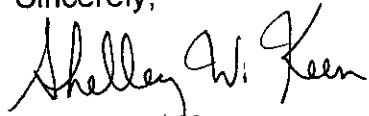
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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

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

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

Sincerely,

A handwritten signature in black ink that reads "Shelley W. Keen". The signature is written in a cursive, flowing style.

Shelley W. Keen

Water Rights Supervisor

SWK:klf

Enclosure(s)

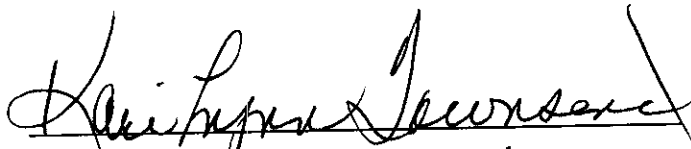
CERTIFICATE OF SERVICE

I hereby certify that on October 7, 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.

95-9292

**HAZEL J MARTIN
ROBERT A FINKENHAGEN
PO BOX 2122
POST FALLS ID 83877-2122**

A handwritten signature in black ink, appearing to read "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.

MEMORANDUM

Date: October 06, 2005
To: Water Right File 95-9292
From: eretelle
Re: permit review

No WD or moratorium. No min. stream flow.

No protest or overlap.

Recommend approval as suggested by IDWR Northern.

AFFIDAVIT OF PUBLICATION

SEP 14 2005

IDWR/North

STATE OF IDAHO,
County of Kootenai,

} ss.

Kattie Hoy

being first duly sworn

upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Legal Notice

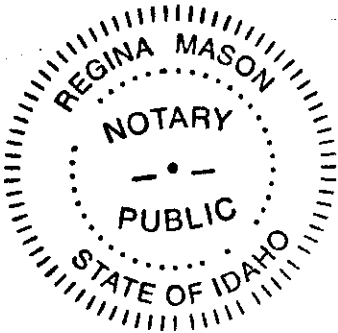
of which the annexed is a printed copy, was published in the regular *Thursday* issue of said newspaper for *2* consecutive *weeks* commencing on the *1* day of *September* 20*05*, and ending on the *8* day of *September* 20*05*, and such publication was made as often during said period as said *Daily* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice *Kattie Hoy*. On this *8* day of *September* in the year of *2005*, before me, a Notary Public, personally appeared *Kattie Hoy*, 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.

Regina Mason

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MY COMMISSION EXPIRES 6/18/09



RECEIVED
SEP 14 2005
IDWR/North

See reverse for copy of legal notice

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

95-9289

WILHO E WILLI
2331 E 34TH AVE
SPOKANE WA 99223
Point(s) of Diversion L2 (NWNE) S3 T51N R03W KOOTENAI County
Source HAYDEN LAKE Tributary To SINKS
Use: DOMESTIC 03/15 To 11/15 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 08/04/2005
Place Of Use: DOMESTIC T51N R03W S3 NWNE Lot 2
Remark: Domestic use is for one home.

95-9291

JOHN T GIESEN
7124 ENGLISH POINT RD
HAYDEN ID 83835
Point(s) of Diversion L1 (NENENE) S3 T52N R03W KOOTENAI County
Source SPRING Tributary To SINKS
Use: IRRIGATION 03/15 To 11/15 0.2 CFS
Use: STOCKWATER 01/01 To 12/31 0.04 CFS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.2 CFS
Date Filed: 08/12/2005
Place Of Use: STOCKWATER T53N R03W S34 SESE
Place Of Use: IRRIGATION and DOMESTIC same as STOCKWATER
Number of Acres 40
Remark: Domestic use is for 1 home.
Stockwater use is for 6 horses and 4 mules.

95-9292

ROBERT A FINKENHAGEN
HAZEL J MARTIN
PO BOX 2122
POST FALLS ID 83877-2122
Point(s) of Diversion NENE S30 T52N R05W KOOTENAI County
Source RIGHT FORK HAUSER CREEK Tributary To HAUSER CREEK
Use: IRRIGATION 03/15 To 11/15 0.06 CFS
Use: FIRE PROTECTION 01/01 To 12/31 0.06 CFS
Total Diversion: 0.06 CFS
Date Filed: 08/18/2005
Place Of Use: FIRE PROTECTION T52N R05W S30 NENE
Place Of Use: IRRIGATION same as FIRE PROTECTION
Number of Acres 2

95-9293

ROBERT A FINKENHAGEN
HAZEL J MARTIN
PO BOX 2122
POST FALLS ID 83877-2122
Point(s) of Diversion SENE S30 T52N R05W KOOTENAI County
Source RIGHT FORK HAUSER CREEK Tributary To HAUSER CREEK
Use: IRRIGATION 03/15 To 11/15 0.06 CFS
Use: FIRE PROTECTION 01/01 To 12/31 0.06 CFS
Total Diversion: 0.06 CFS
Date Filed: 08/18/2005
Place Of Use: FIRE PROTECTION T52N R05W S30 SENE
Place Of Use: IRRIGATION same as FIRE PROTECTION
Number of Acres 2

95-9294

BEN ROLPHE
ANNA ROLPHE
12908 N STRAHORN RD
HAYDEN ID 83835
Point(s) of Diversion NWNW S7 T51N R03W KOOTENAI County
Source GROUND WATER
Use: IRRIGATION 03/15 To 11/15 0.08 CFS
Use: IRRIGATION STORAGE 01/01 To 12/31 1.5 AFA
Use: IRRIGATION FROM STORAGE 03/15 To 11/15 1.5 AFA
Use: AESTHETIC STORAGE 01/01 To 12/31 1.5 AFA
Use: DIVERSION TO STORAGE 01/01 To 12/31 0.08 CFS
Total Diversion: 0.08 CFS
Date Filed: 08/19/2005
Place Of Use:
AESTHETIC STORAGE and IRRIGATION STORAGE T51N R03W S7 NWNW
Place Of Use: IRRIGATION FROM STORAGE T51N R03W S7 NWNW
Place Of Use: IRRIGATION T51N R03W S7 NENW NWNW
Number of Acres 4.5
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 7808
September 1, 8, 2005

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

95-9289

WILHO E WILLIAMS
2331 E 34TH AVE
SPOKANE WA 99223

Point(s) of Diversion L2 (NWNE) S3 T51N R03W KOOTENAI County
Source HAYDEN LAKE Tributary To SINKS
Use: DOMESTIC 03/15 To 11/15 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 08/04/2005
Place Of Use: DOMESTIC
T51N R03W S3 NWNE Lot 2
Remark: Domestic use is for one home.

95-9291

JOHN T GIESEN
7124 ENGLISH POINT RD
HAYDEN ID 83835

Point(s) of Diversion L1 (NENENE) S3 T52N R03W KOOTENAI County
Source SPRING Tributary To SINKS
Use: IRRIGATION 03/15 To 11/15 0.2 CFS
Use: STOCKWATER 01/01 To 12/31 0.04 CFS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.2 CFS

Date Filed: 08/12/2005
Place Of Use: STOCKWATER
T53N R03W S34 SESE
Place Of Use: IRRIGATION and DOMESTIC same as STOCKWATER
Number of Acres 40
Remark: Domestic use is for 1 home.
Stockwater use is for 6 horses and 4 mules.

95-9292

ROBERT A FINKENHAGEN
HAZEL J MARTIN
PO BOX 2122
POST FALLS ID 83877-2122

Point(s) of Diversion NENE S30 T52N R05W KOOTENAI County
Source RIGHT FORK HAUSER CREEK Tributary To HAUSER CREEK
Use: IRRIGATION 03/15 To 11/15 0.06 CFS
Use: FIRE PROTECTION 01/01 To 12/31 0.06 CFS
Total Diversion: 0.06 CFS

Date Filed: 08/18/2005
Place Of Use: FIRE PROTECTION
T52N R05W S30 NENE
Place Of Use: IRRIGATION same as FIRE PROTECTION
Number of Acres 2

95-9293

ROBERT A FINKENHAGEN
HAZEL J MARTIN
PO BOX 2122
POST FALLS ID 83877-2122

Point(s) of Diversion SENE S30 T52N R05W KOOTENAI County
Source RIGHT FORK HAUSER CREEK Tributary To HAUSER CREEK
Use: IRRIGATION 03/15 To 11/15 0.06 CFS
Use: FIRE PROTECTION 01/01 To 12/31 0.06 CFS
Total Diversion: 0.06 CFS

Date Filed: 08/18/2005
Place Of Use: FIRE PROTECTION
T52N R05W S30 SENE
Place Of Use: IRRIGATION same as FIRE PROTECTION
Number of Acres 2

CONTINUED ON NEXT PAGE

95-9294

BEN ROLPHE
ANNA ROLPHE
12908 N STRAHORN RD
HAYDEN ID 83835

Point(s) of Diversion NWNW S7 T51N R03W KOOTENAI County
Source GROUND WATER
Use: IRRIGATION 03/15 To 11/15 0.08 CFS
Use: IRRIGATION STORAGE 01/01 To 12/31 1.5 AFA
Use: IRRIGATION FROM STORAGE 03/15 To 11/15 1.5 AFA
Use: AESTHETIC STORAGE 01/01 To 12/31 1.5 AFA
Use: DIVERSION TO STORAGE 01/01 To 12/31 0.08 CFS
Total Diversion: 0.08 CFS

Date Filed: 08/19/2005

Place Of Use: AESTHETIC STORAGE and IRRIGATION STORAGE

T51N R03W S7 NWNW

Place Of Use: IRRIGATION FROM STORAGE

T51N R03W S7 NWNW

Place Of Use: IRRIGATION

T51N R03W S7 NENW NWNW

Number of Acres 4.5

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

Published 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 23, 2005

~~~~~PLEASE SEND PROOF COPY PRIOR TO PUBLICATION DATE~~~~~

KATTIE HOY
LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

RE: Application for Permit No. 95-9289, 95-9291, 95-9292, 95-9293, 95-9294

Dear Kattie:

KATTIE, I REALLY HOPE YOU CAN DO A COPY AND PASTE WITH THIS ONE BECAUSE IT IS SO LONG AND THERE ARE SO MANY THINGS THAT COULD GET MIXED UP OR MISSED.

Enclosed you will find a legal notice which 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.

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 appreciated.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, August 23, 2005 3:44 PM
To: Legal Notices-CdA Press (E-mail)
Subject: Legal notice for publication September 1 and 8, 2005 WRs 95-9289,91,92,93,94

Good afternoon, Kattie,

By the way - who took Sandy Kibler's place?? I got an e-mail back from someone last time but I don't remember who - and she responded by using Sandy's e-mail address. I was using Sandy as a backup in case you were out on vacation or something.

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

I truly hope you can do a copy and paste, with a few minor adjustments, this time because this legal is a long one and there are a lot of things that can get mixed up or missed.

If you have **ANY** questions or problems, please call me at 769-1450. **ALSO - I will need a proof before this goes to publication to make sure it comes out ok. [Love these long ones - not]**

Thanks very much - your great to work with.

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*



LegalNotice
8-23-05 CDA e-mai.



CoverLetter
8-23-05 CDA 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 23, 2005

ROBERT A FINKENHAGEN
HAZEL J MARTIN
PO BOX 2122
POST FALLS ID 83877-2122

RE: Application for Permit No 95-9292 and 95-9293

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right applications. Please refer to the above referenced numbers in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Coeur d'Alene Press 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

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 19, 2005

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

FAXED TO MARY 8/19/05
4 pages total

Re: Water Permit Application No. 95-9292

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 **September 16, 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', written in black ink.

Dianne Ball
Administrative Assistant