

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 91-07153

Priority: July 26, 2005

Maximum Diversion Rate: 0.04 CFS

This is to certify, that STEVE HAWKS And/Or
JOHN STACKOW And/Or
JILL PERKINS
89231 HWY 3N
ST MARIES ID 83861

has applied for a permit to appropriate water from:

Source: GROUND WATER

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:

GROUND WATER SE¼ SE¼ NE¼ Sec. 7, Twp 46N, Rge 02W, B.M. BENEWAH County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
46N 02W 7				X									X				L 7

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2006**.
2. Subject to all prior water rights.
3. Domestic use is for 3 homes and does not include lawn, garden, landscape, or other types of irrigation.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 30th day of September, 20 05.


for KARL J DREHER, Director

RECEIVED

SEP 29 2005

FORM 202
12/99

Department of Water Resources

Ident. No. 91-7153

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

RECEIVED
JUL 26 2005
IDWR/North

1. Name of Applicant Steve Hawks, John Stackow, Jill Perkins Phone 208-245-2403
Mailing address 89231 Hwy. 3 N. St. maries, ID 83861
2. Source of water supply groundwater which is a tributary of —
3. Location of point of diversion is Township 46 N Range 2 W Sec. 7, in the SE $\frac{1}{4}$,
SE $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot —, B.M., Benewah County;
additional points of diversion if any:
4. Water will be used for the following purposes:

Amount <u>.04</u> for <u>Domestic</u> purposes from <u>1-1</u> to <u>12-31</u> (both dates inclusive)	(cfs or acre-feet per annum)
Amount <u>—</u> for <u>—</u> purposes from <u>—</u> to <u>—</u> (both dates inclusive)	(cfs or acre-feet per annum)
Amount <u>—</u> for <u>—</u> purposes from <u>—</u> to <u>—</u> (both dates inclusive)	(cfs or acre-feet per annum)
Amount <u>—</u> for <u>—</u> purposes from <u>—</u> to <u>—</u> (both dates inclusive)	(cfs or acre-feet per annum)
Amount <u>—</u> for <u>—</u> purposes from <u>—</u> to <u>—</u> (both dates inclusive)	(cfs or acre-feet per annum)
Amount <u>—</u> for <u>—</u> purposes from <u>—</u> to <u>—</u> (both dates inclusive)	(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .04 cubic feet per second and/or (b) — acre feet per annum
6. Proposed diverting works: Well, pipelines
 - a. Describe type and size of devices used to divert water from the source well, well pump, pipe lines to three homes
 - b. Height of storage dam — feet; active reservoir capacity — acre-feet; total reservoir capacity — acre-feet
 - c. ~~Proposed~~ well diameter is 6 inches inches; proposed depth of well is 160 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? 1960's; 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. 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.

Per T.C. w/ Hawks 7-27-05

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
46N	2W	7				D									D				

Total number of acres to be irrigated None

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? John Stackow

b. Who owns the land to be irrigated or place of use? Steve Hawks, John Stackow, Jill Perkins

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

12. Remarks: The three homes using this well and water are owned by applicants of this permit. The use is domestic only. There is no outside use for sprinkling lawns, etc.

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.)

Two maps from Benewah County Assessor's office are included.

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.

Jill Perkins
Steve Hawks
Signature of Applicant (and title, if applicable)

Received by db 7/26/05 Date 7/26/05 Time 1:00P Preliminary check by #NO17068 & NO17069 Date 7/26/05
Fee \$ 50.00 350.00 Receipted by db db
Publication prepared by db Date 8/5/05 Published in St. Maries Gazette 8/17 & 24/05
Publication approved db Date 8/29/05

WELL AND WATER LINE EASEMENT

*John Stackow
bought this property
from Marcea in 1994.*

JOSFPH MARCEA and KAREN J. MARCEA, husband and wife, Grantors, for and in consideration of Ten Dollars (\$10.00) and other valuable consideration in hand paid, hereby bargain, grant, sell and convey unto STEVE HAWKS and DEANNE HAWKS, husband and wife, as Grantees, a one-quarter interest in all waters derived from that certain spring situated as follows:

That certain spring situated in the Southeast corner of Lot Five (5), Block One (1), Sylvia's Haven Subdivision, a recorded subdivision of Benewah County, Idaho;

together with a water line easement ten feet in width over and upon Lots 5, 8 and 9, Block 1, Sylvia's Haven Subdivision, which easement shall lie five feet on either side of the water line as presently lying upon the servient properties, to the extent that the existing water line is used to service the dominant property, which dominant property is described as follows:

A parcel of land situate in Lot Nine (9) of Block One (1), Sylvia's Haven, a subdivision of Benewah County, Idaho, which parcel is more particularly described as follows:

Commencing at an iron pin situated on the Northern right-of-way of Idaho State Highway No. 3, which pin is also the Southeast corner of said Lot 9, Block 1; thence in a Westerly direction along the said State Highway No. 3 right-of-way a distance of 201 feet to a point which is the true point of beginning for this description; thence North 1° 12' East a distance of 96 feet; thence West along a line parallel to the Northern right-of-way line of said State Highway No. 3 a distance of 124 feet;

thence South 1° 12' West a distance of 96 feet, more or less, to a point on the Northern right-of-way line of said State Highway No. 3; thence in an Easterly direction along the said Northern right-of-way line of State Highway No. 3 a distance of 124 feet, more or less, back to the point of beginning.

Provided, however, that the foregoing well interest and water line easement shall be in effect only so long as the well as presently existing is able to supply water in usable amounts to the parties having an interest therein. In connection therewith, although the mechanical portions of the water system, including pump and water lines, may be repaired, maintained and replaced, the well, itself, shall not be redrilled, enlarged or otherwise modified, repaired or replaced so as to increase its flow. Nor shall the pump, water lines or any other part of the system be enlarged so as to increase water flow. In the event grantees shall not use water from the said well for a continuous period of two years or more, the same shall be deemed an abandonment of the rights granted herein, and the rights granted herein shall revert to the owners of record of the respective servient properties.

To the extent that any portion of the water system described herein is used for conveying water to other owners of interests therein, such common portions of the system shall be owned jointly, and the interest therein shall be based upon the relationship of the various interests of the owners in the well water. Thus, co-owners whose interests in the well waters are equal shall have equal interests.

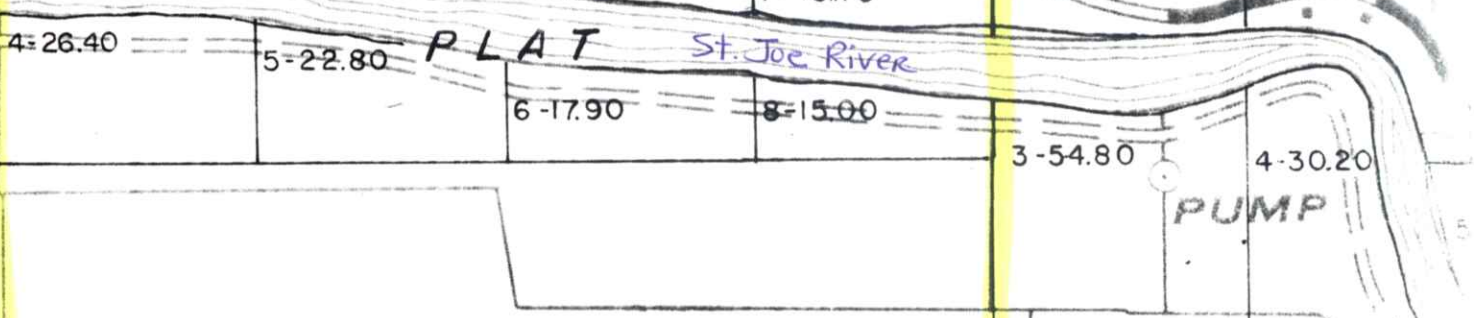
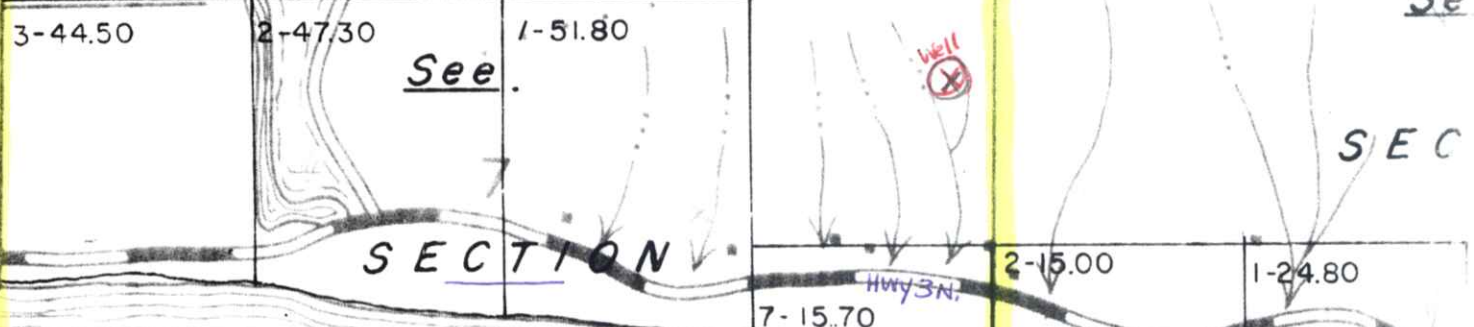
STIMSON
LUMBER
CO.

11-40.11

46N 2W

Se

SEC



CDA
TRIBE

3-40.00

4-28.30

SECT

BM 2141 -18-1800

9-35.80

8-32.40

PL

MILWAUKEE

ARTHUR

Tract 5

Castillo's

Tract 10

Block 1

Lot 1

Lot 2

JOHN

JOHN

Lot 4

-001A

Lot 3

STACKOW

-010A

STACKOW

Lot 5

-003B

Lot 6

Tax # 602

COLIN

-006B

Lot 7

Lot 8

-008A

Tax # 754

OWEN LOUNSBURY

-010I

SCOTT LOUNSBURY

HERMAN LOUNSBURY

-010G

TOM VESSEY

-010F

-010E

#699

Part Tracts 68 7

Castillo's Tracts

STEVE #1084
HAWKS

JILL PERKINS

-0095

Tax # 155

-0080

Tax # 552-B

DONALD HARVEY JR.

-01E1

#552-A

F.B.S.

-01E

Lot 12
COLIN CAMPBELL

-0058

Lot 13
STEVEN HAWKS

-0130

Lot 11

Lot 10

-0190

Lot 9

-0090

Lot 8

-0080

Lot 7

-007A

Lot 6

-006I

Lot 5

-005I

Lot 4

-0040

Lot 3

JOHN

Lot 2

STACKOW

Lot 1

-0010

Blk. 2

Blk. 3

Lot 8

-0080

Lot 7

-0070

Lot 6

ELLA RAE CHASE

-0060

Lot 5

WATER-FORD PARK

-0050

Lot 4

-0049

Lot 3

-0030

Lot 2

-0020

Lot 1

-0010

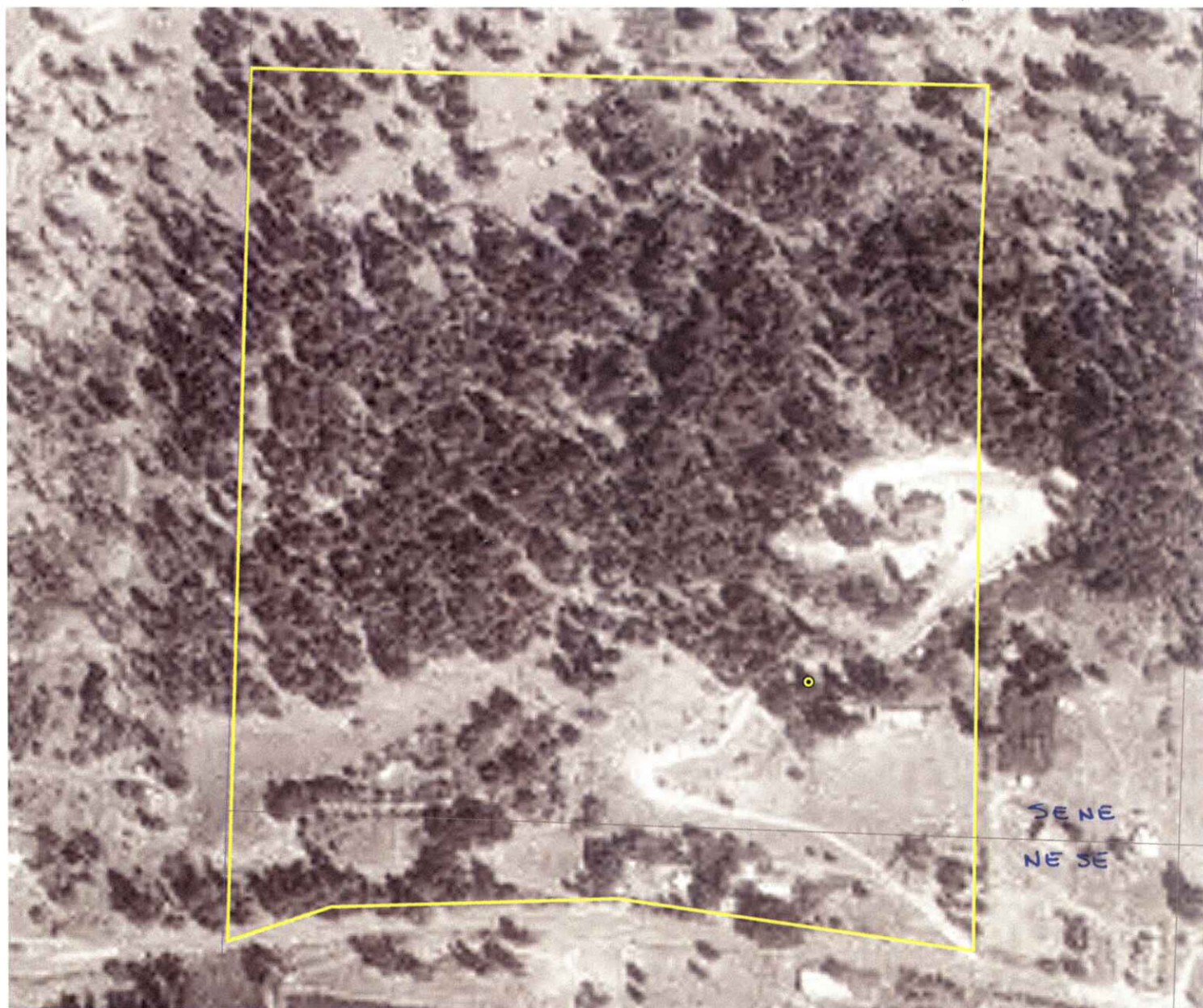
St. Joe River



Place of Use



Point of Diversion



**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

September 30, 2005

STEVE HAWKS
JOHN STACKOW
JILL PERKINS
89231 HWY 3N
ST MARIES ID 83861

RE: Permit No. 91-7153

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.

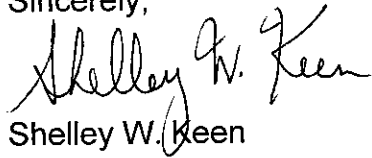
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should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

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

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 style with a large, stylized 'S' and 'K'.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

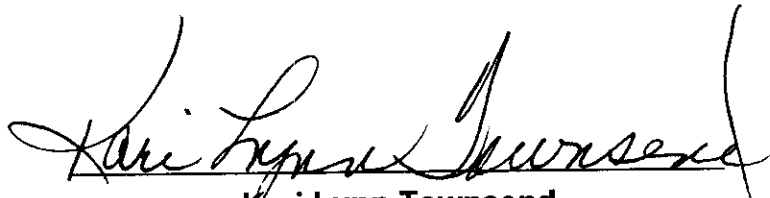
CERTIFICATE OF SERVICE

I hereby certify that on September 30, 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.

91-7153

**JILL PERKINS
JOHN STACKOW
STEVE HAWKS
89231 HWY 3N
ST MARIES ID 83861**

A handwritten signature in black ink, 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.

M E M O R A N D U M

Date: September 29, 2005
To: Water Right File 91-7153
From: eretelle
Re: permit review

No WD or moratorium.

No overlap or protest.

Recommend approval as suggested by IDWR Northern.

RECEIVED
AUG 29 2005
IDWR/North

Affidavit of Publication

STATE OF IDAHO

County of Benewah, ss.

Cynthia Ann Hammes, being first duly sworn on oath, deposes and says that she is vice president of The Corporation, owner of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah County, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of notice of advertisement herein.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of two issues, the first publication being on the 17 day of August 2005 and the last on the 27 day of August 2005.

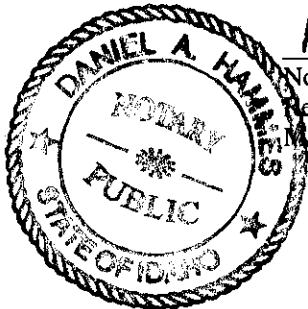
That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

Dated this 24 day of August, 2005

Cynthia Ann Hammes

STATE OF IDAHO)
COUNTY OF BENEWAH)

On this 24 day of August, in the year of 2005 before me, a Notary Public, personally appeared Cynthia Ann Hammes, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Daniel A. Hammes
Notary Public for Idaho
Residing at St. Maries, Idaho
My commission expires:

07-13-2009

Water use application

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

91-7153
STEVE HAWKS
JOHN STACKOW
JILL PERKINS
89231 HWY 3N
ST MARIES ID 83861
Point(s) of Diversion SESENE S7 T46N R02W BENEWAH County
Source GROUND WATER
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 07/26/2005
Place Of Use: DOMESTIC T46N R02W S7 SENE NESE Lot 7
Remark: Domestic use is for 3 homes.

92-10020
WESLEY CASE
HC01 BOX 14
AVERY ID 83802
Point(s) of Diversion (2) SENE S7 T43N R01E BENEWAH County
Source CARPENTER CREEK Tributary To ST MARIES RIVER
Use: IRRIGATION 04/01 To 10/31 0.2 CFS
Use: STOCKWATER 01/01 To 12/31 0.02 CFS
Use: FIRE PROTECTION 01/01 To 12/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 07/14/2005
Place Of Use: IRRIGATION T43N R01E S7 NENE SENE
Number of Acres 17
Place Of Use: STOCKWATER & FIRE PROTECTION same as IRRIGATION
Remark: Stockwater use is for 25 head of mixed stock.

92-10021
RUSTIN L YOUNG
TINA K YOUNG
541 ROUND LAKE RD
ST MARIES ID 83861
Point(s) of Diversion SWNE S22 T45N R01W BENEWAH County
Source UNNAMED STREAM Tributary To THORN CREEK
Use: WILDLIFE 01/01 To 12/31 0.1 CFS
Use: WILDLIFE STORAGE 01/01 To 12/31 0.1 AFA
Use: FIRE PROTECTION STORAGE 01/01 To 12/31 0.1 AFA
Total Diversion: 0.1 CFS
Date Filed: 07/15/2005
Place Of Use: WILDLIFE T45N R01W S22 SWNE
Place Of Use: WILDLIFE STORAGE & FIRE PROTECTION STORAGE same as WILDLIFE

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 09/05/2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published August 17 & 24, 2005
6219 Aug. 17-Aug. 24

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

91-7153

STEVE HAWKS
JOHN STACKOW
JILL PERKINS
89231 HWY 3N
ST MARIES ID 83861

Point(s) of Diversion SESENE S7 T46N R02W BENEWAH County
Source GROUND WATER
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 07/26/2005

Place Of Use: DOMESTIC T46N R02W S7 SENE NESE Lot 7

Remark: Domestic use is for 3 homes.

92-10020

WESLEY CASE
HC01 BOX 14
AVERY ID 83802

Point(s) of Diversion (2) SENE S7 T43N R01E BENEWAH County
Source CARPENTER CREEK Tributary To ST MARIES RIVER
Use: IRRIGATION 04/01 To 10/31 0.2 CFS
Use: STOCKWATER 01/01 To 12/31 0.02 CFS
Use: FIRE PROTECTION 01/01 To 12/31 0.2 CFS
Total Diversion: 0.2 CFS

Date Filed: 07/14/2005

Place Of Use: IRRIGATION T43N R01E S7 NENE SENE

Number of Acres 17

Place Of Use: STOCKWATER & FIRE PROTECTION same as IRRIGATION

Remark: Stockwater use is for 25 head of mixed stock.

92-10021

RUSTIN L YOUNG
TINA K YOUNG
541 ROUND LAKE RD
ST MARIES ID 83861

Point(s) of Diversion SWNE S22 T45N R01W BENEWAH County
Source UNNAMED STREAM Tributary To THORN CREEK
Use: WILDLIFE 01/01 To 12/31 0.1 CFS
Use: WILDLIFE STORAGE 01/01 To 12/31 0.1 AFA
Use: FIRE PROTECTION STORAGE 01/01 To 12/31 0.1 AFA
Total Diversion: 0.1 CFS

Date Filed: 07/15/2005

Place Of Use: WILDLIFE T45N R01W S22 SWNE

Place Of Use: WILDLIFE STORAGE & FIRE PROTECTION STORAGE same as WILDLIFE

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 09/05/2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published August 17 & 24, 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 05, 2005

PLEASE FAX A PROOF COPY BEFORE PUBLICATION

Thanks, Dianne

KAISIE BREDE
LEGAL NOTICE DEPARTMENT
ST MARIES GAZETTE RECORD
610 MAIN AVE
ST MARIES ID 83861-1838

RE: Application for Permit No. 91-7153, 92-10020 and 92-10021

Dear LEGAL NOTICE DEPARTMENT:

I am sending this to you earlier than usual **for publication on August 17 and 24**, because I will be out of the office next week for some surgery to repair an incision from my surgery the end of last year. Thanks for taking care to see this gets published on those dates.

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, August 17 and 24, 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 09/05/2005. Your cooperation is appreciated VERY MUCH!! It's always a pleasure to work with you.

Thank you,
Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Friday, August 05, 2005 2:35 PM
To: Legal Notices-SMGazette (E-mail)
Cc: Haynes, Bob; Taylor, Greg
Subject: Legal notice for publication on August 17 and 24, 2005, WRs 91-7153, 92-10020, 92-10021

Good afternoon to you, Kaisie,

As my cover letter (attached) will indicate, I am sending this to you earlier than usual **for publication on August 17 and 24**, because I will be out of the office next week for some repair on an incision from my last surgery the end of last year.

I thank you in advance for taking care to see that this gets published on those dates.

The legal notice is also attached, and I would appreciate your sending a FAX before the publication dates so it can be proof read by Mr. Bob Haynes, our Regional Manager, or Mr. Greg Taylor, our Senior Water Resource Agent.

Bob and Greg will both be alerted by copy of this e-mail, to look for your FAX for proof, with instructions to FAX back any changes or an "OK" to you.

I hope you will be able to simply copy and paste because it will save you lots of work. This one is a little longer than usual.



CoverLetter
8-05-05 SMGazette.



LegalNotice
8-05-05 SMGazette.

Again, MANY THANKS - it's always super 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



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 05, 2005

STEVE HAWKS
JOHN STACKOW
JILL PERKINS
89231 HWY 3N
ST MARIES ID 83861

RE: Application for Permit No 91-7153

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the St Maries Gazette on August 17 & 24, 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 and twelve weeks.

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

Sincerely,

A handwritten signature in cursive script that reads 'Gregory J. Taylor'.

Gregory J. Taylor
Senior Water Resource Agent

Enclosure(s) – Receipts No. N017068 and N017069

App. ID 72155
Water Right No. 91-7153

**State of Idaho
Department of Water Resources
Initial Checklist**

Name of Applicant: STEVE HAWKS-

Type of Application: Permit

Initial Review by: gtaylor

Date of Review: 07/26/2005

Have the following items been completed as required on the document?

Yes No

- | | |
|---|---|
| X | Name and Address |
| X | Source and Tributary (USGS) |
| X | Point of Diversion (10-acre tract for springs) |
| X | County |
| X | Quantity (cfs and/or afa) |
| X | Period of Use |
| X | Nature of Use |
| X | Description of diverting works |
| X | Place of use or acres irrigated |
| X | Map (include subdivision plat for multiple domestic use) |
| X | Signature (notarization, title of signatory, and/or corp. officers, if necessary) |
| X | Has the correct fee been received? |
| X | Landowner agreement |
| X | Ownership of point of diversion |
| X | Ownership of place of use |
| X | Time required for beneficial use of water |

Check/Build Comments:

Additional Comments:

7-25-05

Thanks for the help filling out this form via telephone last Friday. Please mail all correspondence to address/name highlighted in yellow. We will see other two on application get photocopies.

P.S.
Included
are two checks
for \$50 each to
cover application
fee.

Thanks,
Deanne Hawks

Comment Report

91-7153

1. gtaylor 7/26/2005 2:26:29 PM Additional Information Supporting Application
Comment: Residency affidavit for hydropower development: N/A
Additional hydropower project information: N/A
Additional fish propagation project information: N/A
Appropriation Rule 40.05.c information: N/A
Mitigation Plan or acceptance form: N/A
Evidence of Pre-1987 development: N/A