

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09250

Priority: July 11, 2005

Maximum Diversion Rate: 0.12 CFS

This is to certify, that IRV P JENKINS
PO BOX 453
SAGLE ID 83860

has applied for a permit to appropriate water from:

Source: PEND OREILLE LAKE **Tributary:** PEND OREILLE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 10/31	0.12 CFS

LOCATION OF POINT OF DIVERSION:

PEND OREILLE LAKE L2 (SW $\frac{1}{4}$ NE $\frac{1}{4}$) Sec. 17, Twp 56N, Rge 01E, B.M., BONNER 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	
56N 01E 17		7.6	2.7		.2												10.5
		L 1	L 2														

Total Acres: 10.5

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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
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 14th day of September, 2005.


for KARL J DREHER, Director

RECEIVED

SEP 12 2005

FORM 202

127

Department of Water Resources

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JUL 15 2005

IDWR/North

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No.

96-9250

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JUL 11 2005

IDWR/North

1. Name of Applicant Irv P. Jenkins Phone (208) 245-9204Mailing address P.O. BOX 453, SAGE, IDAHO 838602. Source of water supply LAKE Pend Oreille which is a tributary of Pend Oreille River3. Location of point of diversion is Township 56N Range 1E Sec. 17, in the 1/4SW 1/4, NE 1/4, Govt. Lo. 256ND1E171004, B.M., BONNER Countyadditional points of diversion if any: ONE POINT OF DIVERSION by submersible pump off dock.

4. Water will be used for the following purposes:

Amount 0.12 for irrigation purposes from MAY 15 to NOV. 15 (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) 0.12 cfs 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 (See description on enclosure 1page)b. Height of storage dam NOT APPLICABLE feet; active reservoir capacity acre-feet; total reservoir capacity acre-feetc. Proposed well diameter is NOT APPLICABLE inches; proposed depth of well is feetd. Is ground water with a temperature of greater than 85°F being sought? NOT APPLICABLEe. If well is already drilled, when? NOT APPLICABLE 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. 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	
6N	1E	17		Lot 1 1.4	Lot 2 2.1		.2												10.5 acres out of 11.5 total

Total number of acres to be irrigated 10.5 = over several tree planting seasons
5/2 (I am carrying water to newly planted UofI super
 stock tree seedlings in 1st 2 yrs. of reforestation).

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? IRV E CAROL JENKINS

b. Who owns the land to be irrigated or place of use? IRV E CAROL JENKINS

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: NOT APPLICABLE

12. Remarks: THE SUPER STOCK TREE SEEDLINGS ARE SCATTERED THROUGHOUT PROPERTY OVER
NEXT 8 YRS. DEPENDENT ON LOGGING (PROXIMITY), DISSEMINATED PAPER BIRCH, GRAND FIE,
DOUGLAS FIE, AND SUNEGARDED WILSON RODODAE. BASED ON RECOMMENDED SPACING
BY UofI (UNIVERSITY OF IDAHO EXTENSION) SEEDLING ESTABLISHMENT WILL COVER APPROXIMATELY 10.5 ACRES. TOTAL NUMBER
OF ACRES TO BE REFORESTED APPROXIMATELY 10.5. ONE ACRE WILL BE SHROUBBED AROUND HOUSE
& VEGETABLE/FRUIT GARDEN. SO, TOTAL APPROXIMATE ACRES OF PROPERTY IS 11.5.

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.

Irvin E. Jenkins 7/13/2005
 Signature of Applicant (and title, if applicable)

Received by [Signature] Date 7/11/05 Time 1:15 P Preliminary check by [Signature]
 Fee \$ 100.00 Receipted by [Signature] # N017029 Date 7/11/05
 Publication prepared by [Signature] Date 8/5/05 Published in Bonner Co. Daily Sun 8/18 & 25/05
 Publication approved _____ Date _____

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6. a. Describe type & size of devices used to divert water:

The selected landscaper will place 1/2 hp (35 to 58 gpm) submersible pump on the lake bottom about 100' out from the dock, (Note: We have already permitted dock for construction; set to commence approximate July 18th time period). Some landscapers talk in terms of hp pumps and others talk in gallons per hour. The pump will be protected by a tri-pod structure with 4-inch line dropping down to 1-2-inch pipe going toward shore. The pump can draw water into the intake pipe extending 16" above pump motor with 1/8-inch holes to deny fish fry and macro invertebrates entry. A protective basket structure with 0.025-inch holes is an alternative under consideration by another landscaper.

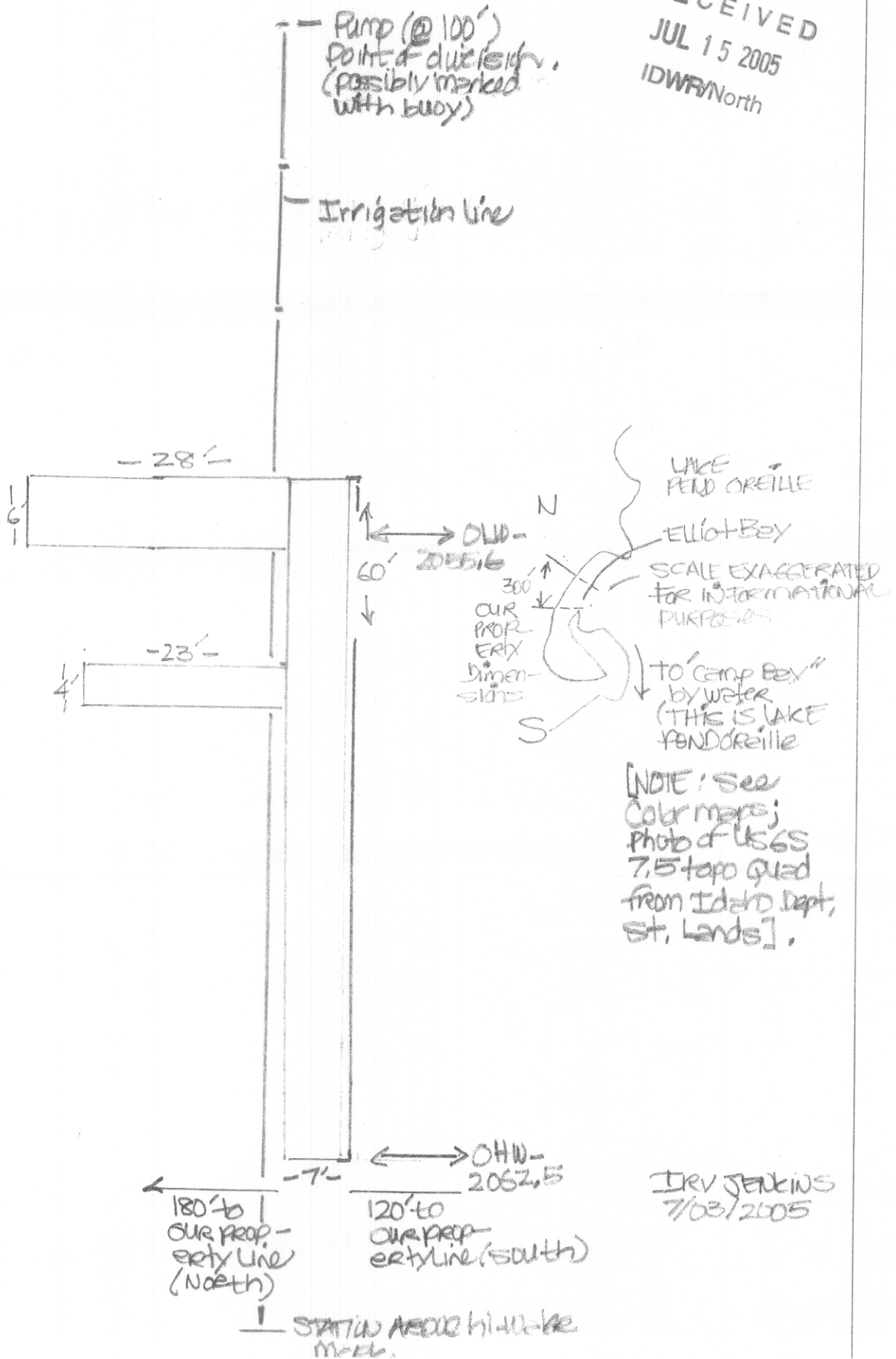
The irrigation water will be used for (1) U of I super stock tree seedlings to reforest approximately ^{10.5} ~~5~~ acres in cooperation with the USDA NRCS in Sandpoint; (2) shrub beds around the house; and (3) 50' x 100' vegetable-fruit garden plot (shown approximately on map). No lawn is part of this project. A domestic groundwater well serves the household needs of the house.

The project has been discussed with several landscapers who are all aware of the regulation requirements and compliance techniques.

I estimate approximately one acre for shrub beds in combination with vegetable/fruit garden.

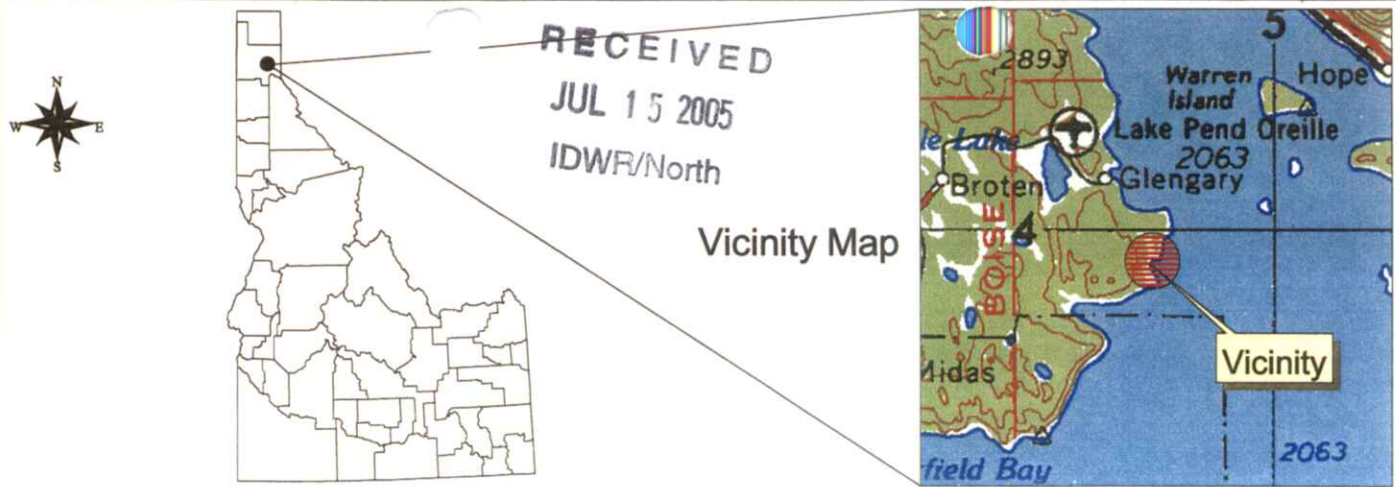


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JUL 15 2005
IDWR North



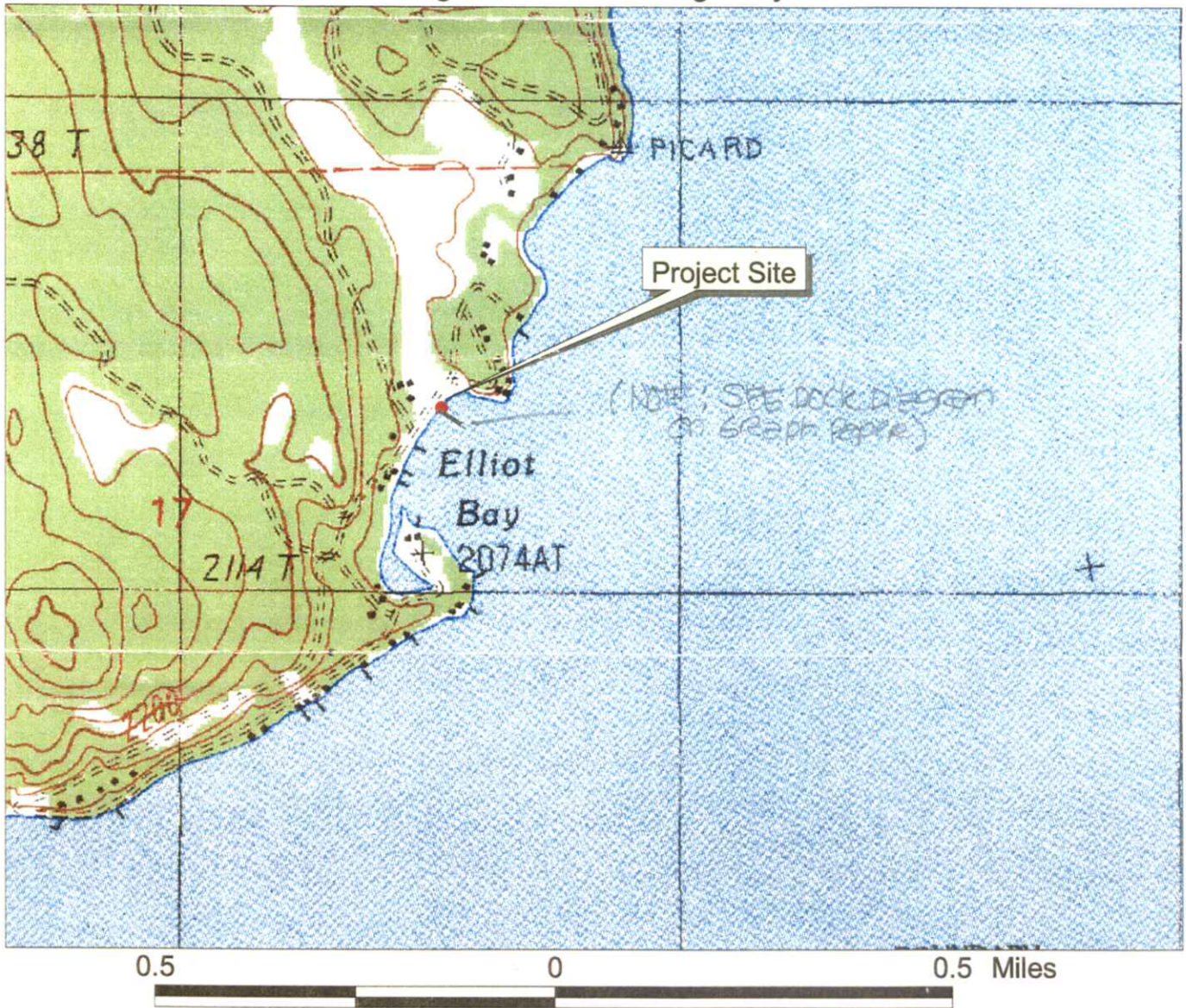
IRV JENKINS
7/03/2005

7/03/2005



Location Map

Proposed boat dock, launching rails and mooring buoy



US Army Corps
of Engineers.

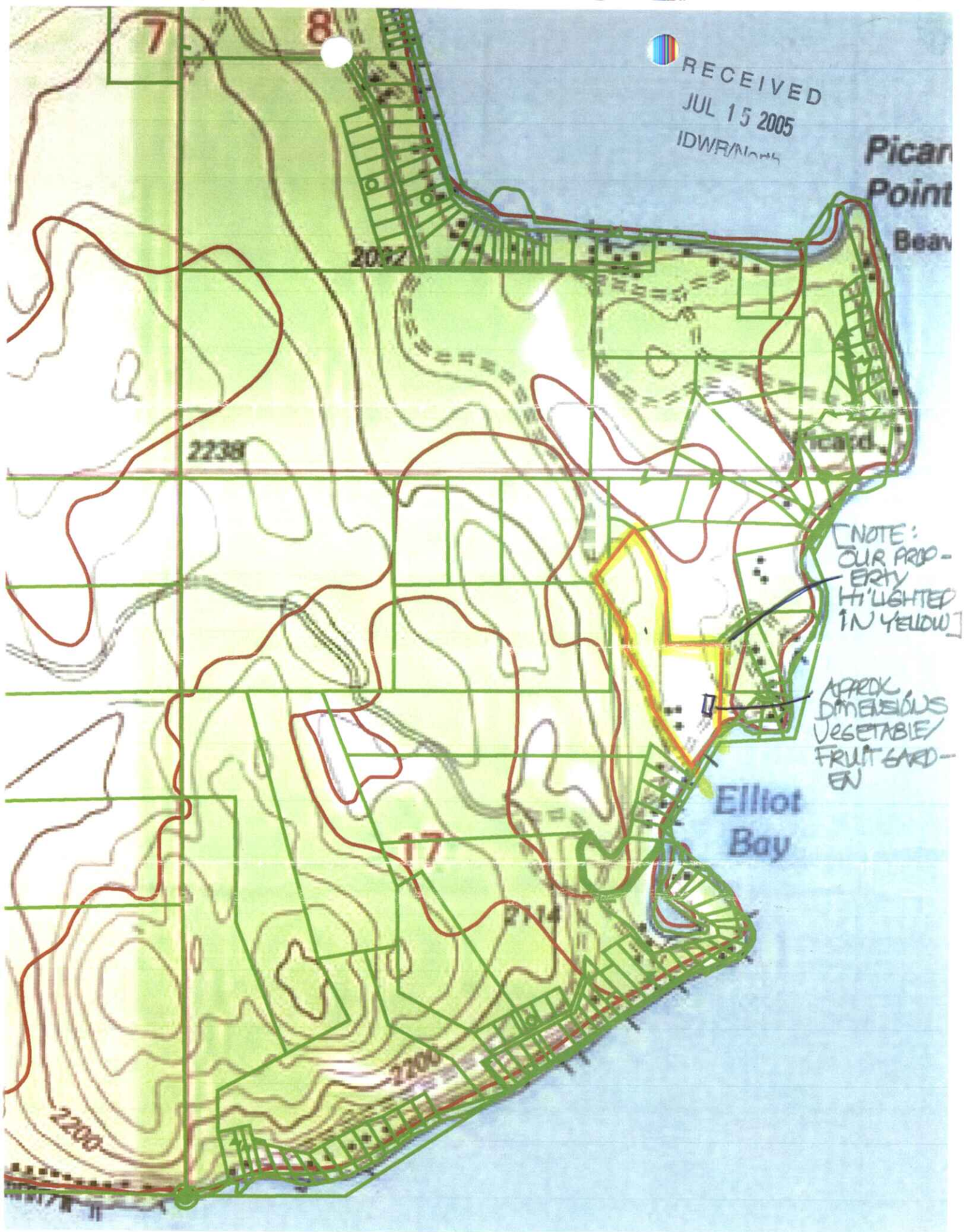
6/6/2005 EXCECUTIVE Permit # L-96-S-1705
IDAHO DEPT. OF LANDS
6/6/2005 Letter of Permission for pile-supported
dock - N.W.W. # 050600055
U.S. DEPT. OF THE ARMY

Proposed boat dock, launching rails and mooring buoy
Application No.: 050600055
Irv P. Jenkins
Elliot Bay
Section 17, T.56N., R.1E., B.M.
Hope USGS Quad
Bonner County, ID



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Pican
Point
Beav



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IDWR/North

ELIOT
BAY

**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 14, 2005

IRV P JENKINS
PO BOX 453
SAGLE ID 83860

RE: Permit No. 96-9250

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.

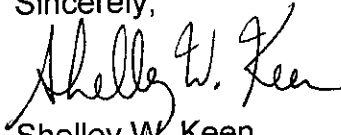
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should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

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

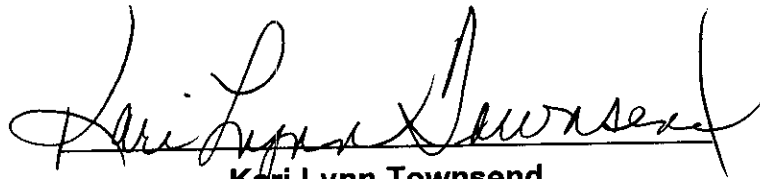
CERTIFICATE OF SERVICE

I hereby certify that on September 14, 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.

96-9250

**IRV P JENKINS
PO BOX 453
SAGLE ID 83860**



**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

96-9250

1. kwalker 9/13/2005 POD

Comment: Updated shape

2. kwalker 9/13/2005 POU

Comment: Updated Shape

3. dball 8/15/2005 10:50:25 AM Comment Letter Notes

Comment: WHO: IDL - Jim Brady

RESPONSE: Conditional Recommendation

DATE RECEIVED: 8/15/2005

Applicant has applied for encroachment permit for the water line.

4. kwalker 9/13/2005 Permit Review

Comment: Application does not fall within any problem areas. Changed season of use to standard for this area. No place of use overlap for this property. Recommend approval.

Ball, Dianne

From: Jim Brady [jbrady@idl.state.id.us]
Sent: Tuesday, August 09, 2005 1:26 PM
To: Ball, Dianne
Subject: Jenkins 96-9250

Mr. Jenkins has made app for the waterline.

Jim Brady, Resource Manager
Minerals and Navigable Waters
Idaho Department of Lands, Mica Supervisory Area
3706 Industrial Ave. South
Coeur d'Alene, ID 83815
(208) 666-8607
(208) 769-1597 fax

*Go on computer
8/15/05
DB*

8/15/2005

AFFIDAVIT OF PUBLICATION

RECEIVED
SEP 02 2005
IDWR/North

STATE OF IDAHO)
) ss.
County of Bonner)

Sheryl Jones being first duly sworn on oath, deposes and states:

1. I am a citizen of the United States of America, over the age of 18 years, a resident of Bonner County, Idaho, and am not a party to the proceedings referred to in the attached Notice of App
My business address is P.O. Box 159, Sandpoint, Idaho.

2. I am the Bookkeeper of the Bonner County Daily Bee, a newspaper of general publication in Bonner County, Idaho;

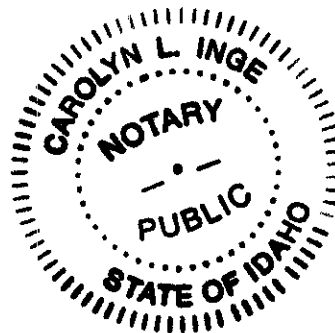
3. Said newspaper has been continuously and uninterruptedly published in Bonner County, Idaho during a period of 12 months prior to the first publication of said Notice, and thereafter.

4. The attached Notice was published in the regular and entire issue of the Bonner County Daily Bee for a period of 2 consecutive weeks, commencing on the 18 day of Aug, 2005, and ending on the 25 day of Aug, 2005

Sheryl Jones

SUBSCRIBED AND SWORN to before me, the undersigned Notary Public, this 29 day of August, 2005

Carolyn L. Inge
Notary Public
Residing at: Sandpoint
Comm. Exp.: 8/06



See reverse

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

96-9249

IRIS DEMAURO
229 SHADOW VALLEY LANE
PO BOX 433
CLARK FORK ID 83811
Point(s) of Diversion NWNENE S22 T56N R02E BONNER County
Source SPRING CREEK Tributary To RAPID LIGHTNING CREEK
Use: POWER 01/01 To 12/31 2.75 CFS
Total Diversion: 2.75 CFS
Date Filed: 07/15/2005
Place Of Use: POWER
T56N R02E S22 SENE

96-9250

IRV P JENKINS
PO BOX 453
SAGLE ID 83860
Point(s) of Diversion L2 (SWNE) S17 T56N R01E BONNER County
Source PEND OREILLE LAKE Tributary To PEND OREILLE RIVER
Use: IRRIGATION 03/15 To 11/15 0.12 CFS
Total Diversion: 0.12 CFS
Date Filed: 07/11/2005
Place Of Use: IRRIGATION
T56N R01E S17 NWNE Lot 1 SWNE Lot 2 NENW
Number of Acres 10.5
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 09/05/2005. The protestant must also send a copy of the protest to the applicant.
KARL J DREHER, Director
Legal 7169
August 18, 25 2005

7169



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

August 08, 2005

IRV P JENKINS
PO BOX 453
SAGLE ID 83860

RE: Application for Permit No 96-9250

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 August 18 and 25, 2005. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

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

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

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

Sincerely,

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

Gregory J. Taylor
Senior Water Resource Agent



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

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

RE: Application for Permit No. 97-7450

Good day to you Sheri:

I am sending this to you earlier than usual **for publication on August 18 and 25**, 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 18 and 25, 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: Monday, August 08, 2005 10:24 AM
To: Legal Notices-Bonner Co Daily Bee (E-mail)
Cc: Haynes, Bob; Taylor, Greg
Subject: Legal Notice for publication on August 18 and 25, 2005 - Water Rights 96-9249 & 96-9250

Good morning, Sheri:

As my cover letter (attached) will indicate, I am sending this to you earlier than usual for publication on **August 18 and 25**, because I will be out of the office the balance of this week for some repair on an incision from my surgery the end of last year.

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

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

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 saves you lots of work.

Thank you very much, - it's always a pleasure to work with you.

Dianne

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



CoverLetter
3-08-05 BCDB e-ma.



LegalNotice
3-08-05 BCDB e-ma.

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

96-9249

IRIS DEMAURO
229 SHADOW VALLEY LANE
PO BOX 433
CLARK FORK ID 83811

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Total Diversion: 2.75 CFS

Date Filed: 07/15/2005
Place Of Use: POWER
T56N R02E S22 SENE

96-9250

IRV P JENKINS
PO BOX 453
SAGLE ID 83860

Point(s) of Diversion L2 (SWNE) S17 T56N R01E BONNER County
Source PEND OREILLE LAKE Tributary To PEND OREILLE RIVER
Use: IRRIGATION 03/15 To 11/15 0.12 CFS
Total Diversion: 0.12 CFS

Date Filed: 07/11/2005
Place Of Use: IRRIGATION
T56N R01E S17 NWNE Lot 1 SWNE Lot 2 NENW
Number of Acres 10.5

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

KARL J DREHER, Director Published August 18 and 25, 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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 4, 2005

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

7 pages total

Re: Water Permit Application No. 96-9250

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.

If an encroachment permit is needed and not yet existing, we assume that you will contact the applicant. Applicant indicates he already has permitted dock for construction which was to begin mid July of this year.

Please notice page 4 of FAX spelling out proposed diversion works in detail.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **September 5, 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,

Dianne Ball
Administrative Assistant



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 **Fax (208) 769-1454**

August 4, 2005

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

FAXED TO MARY 8/4/05
7 pages total

Re: Water Permit Application No. 96-9250

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 5, 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.

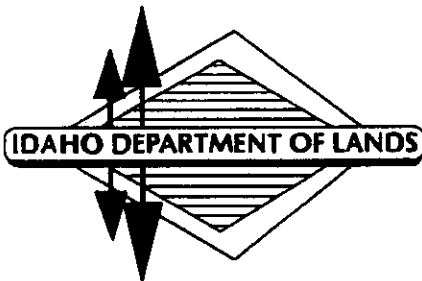
Please notice page ⁴ of FAX spelling out proposed diversion works in detail.

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

Sincerely,

A handwritten signature in cursive script that reads "Dianne".

Dianne Ball
Administrative Assistant



MICA SUPERVISORY AREA
3706 Industrial Avenue South
Coeur d'Alene, Idaho 83815
Phone (208) 769-1577 Fax (208) 769-1597

WINSTON WIGGINS - DIRECTOR

MEMORANDUM

TO: Idaho Department of Fish and Game
Idaho Department of Environmental Quality
Idaho Department of Water Resources
US Army Corps of Engineers-CDA
Bonner County Planning & Zoning
Bonner County Public Works
Bonner County Marine Division
Panhandle Health District 1
Tri-State Water Quality Council
Lakes Commission
Adjacent Neighbors

RECEIVED
JUL 22 2005
IDWR North

FROM: Jim Brady, Resource Manager, Navigable Waters & Minerals 

DATE: July 20, 2005

SUBJECT: NOTICE OF APPLICATION L-96-S-1705 - Jenkins

Enclosed is an application and plats requesting permission to **place a domestic irrigation line approximately 100 feet into Lake Pend Oreille near Elliott Bay, Idaho.**

Please submit your comments, recommendations or objections to IDL by **August 19, 2005**, regarding the likely effect of the proposed encroachments upon adjacent property, lake, and streambed value factors of navigation, fish and wildlife habitat, aquatic life, recreation, aesthetic beauty, or water quality. If you have concerns or are opposed to the project as proposed, please list your specific reasons for concern or opposition and any facts or documentation to support your position.

You should recommend alternate plans if they are economically feasible to accomplish the purpose of the proposed encroachment. You should also recommend any mitigation measures or special restrictions/provisions you would like included as part of the permit if one is issued.

If you do not submit a comment, IDL will assume you have no objections to the application. If you have questions concerning the application, we suggest you contact the applicant. If the applicant cannot answer your questions, please contact us.

jb
enclosures

'NT APPLICATION FOR PERMITS

U.S. ARMY CORPS OF ENGINEERS
IDAHO DEPARTMENT OF WATER RESOURCES
IDAHO DEPARTMENT OF LANDS

DO NOT START WORK UNTIL YOU
RECEIVE PERMITS FROM BOTH THE
CORPS AND THE STATE

This application may be used to apply for both a Department of the Army permit from the U.S. Army Corps of Engineers (Corps) and for State of Idaho permits. Department of the Army permits are required by Section 10 of the Rivers and Harbors Act of 1899 for any structures or work in or affecting navigable waters of the United States and by Section 404 of the Clean Water Act for discharges of dredged or fill material into waters of the United States, including their adjacent wetlands. State permits are required under the State of Idaho, Stream Channel Protection Act (Title 42, Chapter 38, Idaho Code) and the Idaho Lake Protection Act, Section 58-142 et. seq., Idaho Code. Route Uses: Information provided on this form will be used in evaluating the application. Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor can permits be issued. Applicants should send this completed application, along with one set of good reproducible drawings showing the location and character of the proposed project, to both the Corps of Engineers and the State of Idaho. NOTE: DRAWINGS NO LARGER THAN 8-1/2 X 11 INCHES IN SIZE. The Applicant Information pamphlet provides instructions and a checklist for completing the drawings.

1. Corps of Engineers # Date Received	2a. Department of Water Resources # Date Received <u>7/22/05</u> ☒ Fee Rec'd By: Receipt #	2b. Department of Lands # <u>L-96-S-1705A</u> Date Received Fee Rec'd By: Receipt #
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PLEASE TYPE OR PRINT

3. a. Applicant <u>REV. P. OR CAROL R. JENKINS</u>	4. a. Authorized Agent
b. Mailing Address <u>P.O. BOX 453</u> <u>SAGE, ID. 83860-0453</u>	b. Mailing Address
c. Work Phone <u>(208) 265-9204</u> Area Home ()	c. Work Phone () Area Home ()
d. Fax Number <u>(208) 265-9204</u> (please call 1st so we can activate)	d. Fax Number
e. Email Address <u>rvorcarol@inbriis.com</u>	e. Email Address

5. Location where proposed activity exists or will occur.

a. Waterway <u>Pond Deville Lake</u>	5. e. Tax Assessor's Description <u>56N01E1710004</u>
Tributary of <u>NOT APPLICABLE</u>	Distance/Direction from nearest city/town <u>12.7 miles east of Sage</u>
b. Distance/Direction from nearest city or town <u>83860 East of Sage, ID. Bonner/ID.</u>	f. 1/4 1/4 Section Township Range <u>N10 DESENE 17 56N @ U.S. 95 1E</u>
c. Zip Code Local jurisdiction (city or county)	g. UTM Coordinate Grid Zone Northing Easting
d. Directions to the site <u>Direction sheet attached from intersection of Sage Rd. & U.S. Hwy 95 (attachment)</u>	

6. a. Describe Project (Work below the ordinary high water mark or in wetlands). See page "6. a. Describe type & size of devices used to direct water"

b. Construction methods and equipment Pump will be on lake bottom. Irrigation line will traverse approximately 100' to high water marks (2062.15), to location on our property. Accessory lines will be placed into system to water shrub beds around house & vegetable/fruit garden.

c. Length of project along the stream or extension into lake or reservoir: NO project along stream

d. Size and flow capacity of proposed bridge or culvert and area of drainage served (sq. miles): (Idaho Department of Water Resources requirement.) NO bridge or culvert is involved in project

COMPLETE THE FOLLOWING FOR DISCHARGES OF DREDGED OR FILL MATERIAL

7. a. Volume dredged or fill material to be placed waterward of the ordinary high water mark (BOTH TEMPORARY AND PERMANENT)? NOT INVOLVED IN PROJECT (cubic yards)

b. Will fill be placed in wetlands? NO If yes, area: (acres) Type of fill material: (i.e. sand, rock, clay, concrete, etc.)

c. Will dredging be required waterward of the ordinary high water mark or in wetlands? NO If yes, volume (cubic yards)

d. Type of dredged material

e. Disposal site for dredged material: Method of dredging:

f. Method to control turbidity and sedimentation:

g. Is project located in a mapped floodway? NO If yes, complete the Engineering "No-Rise" certification form.

RECEIVED

JUL 11 2005

Idaho Dept. of Lands
Mica Supervisory Area
Form 3804-B
Apr 04 (REV)

IDWR Form 3804-B
Apr 04 (REV)

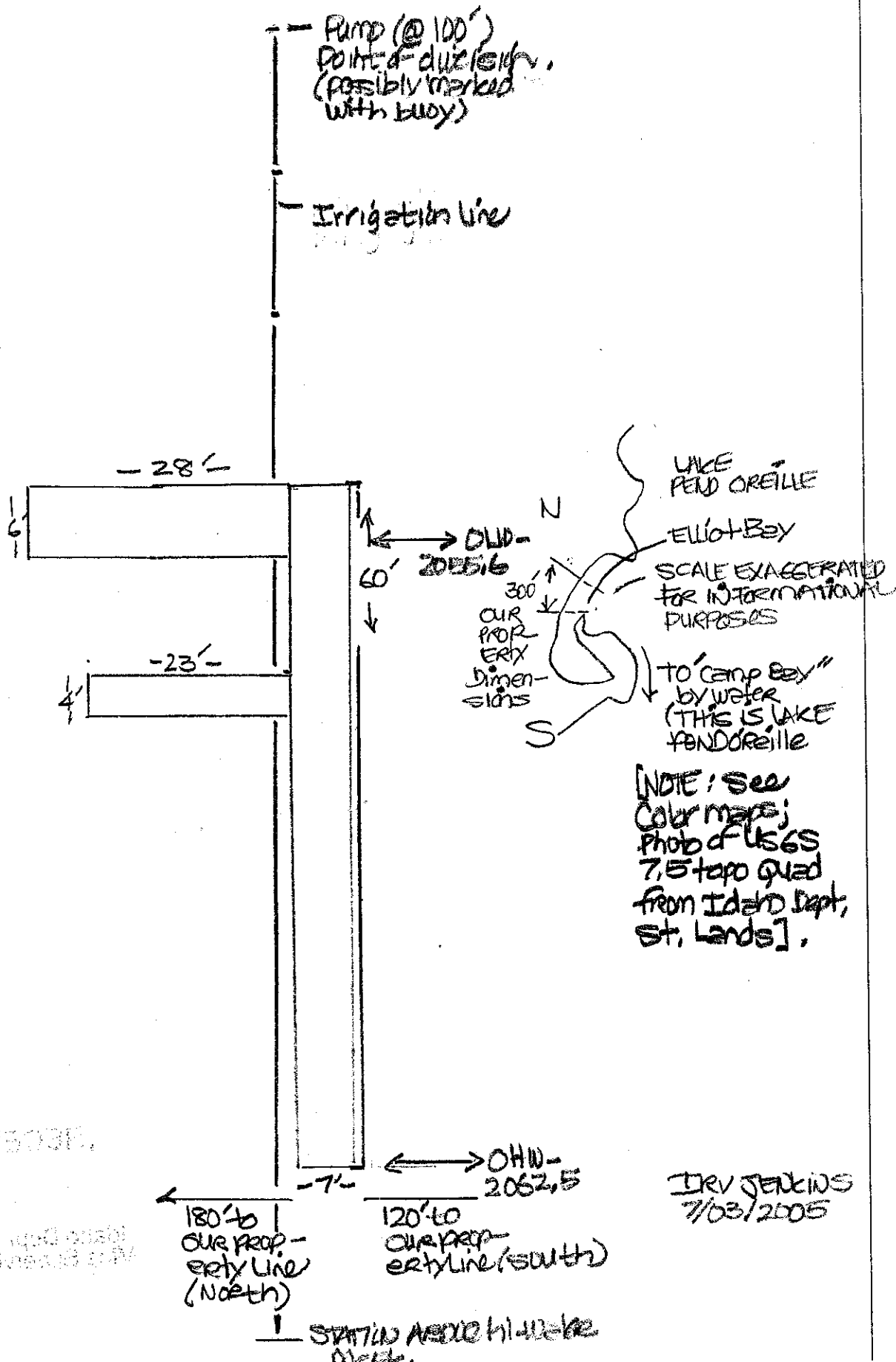
6.4 Describe type & size of devices used to divert water:

The selected landscaper will place 1/2 hp (35 to 58 gpm) submersible pump on the lake bottom about 100' out from the dock, (Note: We have already permitted dock for construction; set to commence approximately July 18th time period). Some landscapers talk in terms of hp pumps and others talk in gallons per hour. The pump will be protected by a tri-pod structure with 4-inch line dropping down to 1-2-inch pipe going toward shore. The pump can draw water into the intake pipe extending 16" above pump motor with 1/8-inch holes to deny fish fry and macro invertebrates entry. A protective basket structure with 0.125-inch holes is an alternative under consideration by another landscaper.

The irrigation water will be used for (1) U of I super stock tree seedlings to reforest approximately ¹⁰⁵ ~~5~~ acres in cooperation with the USDA NRCS in Sandpoint; (2) shrub beds around the house; and (3) 50' x 100' vegetable-fruit garden plot (shown approximately on map). No lawn is part of this project. A domestic groundwater well serves the household needs of the house.

RECEIVED
The project has been discussed with several landscapers who are all aware of the regulation requirements and compliance techniques.

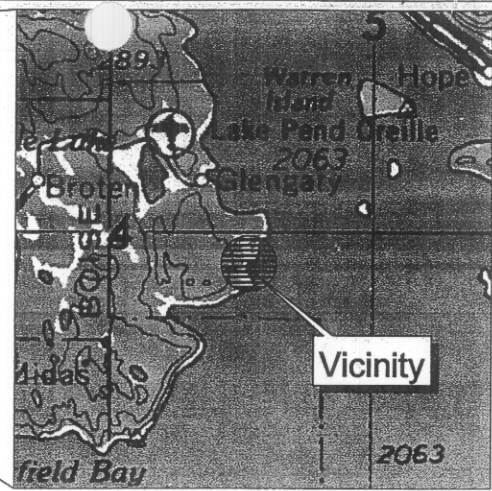
I estimate approximately one acre for shrub beds in combination with vegetable/fruit garden.



7/03/2005

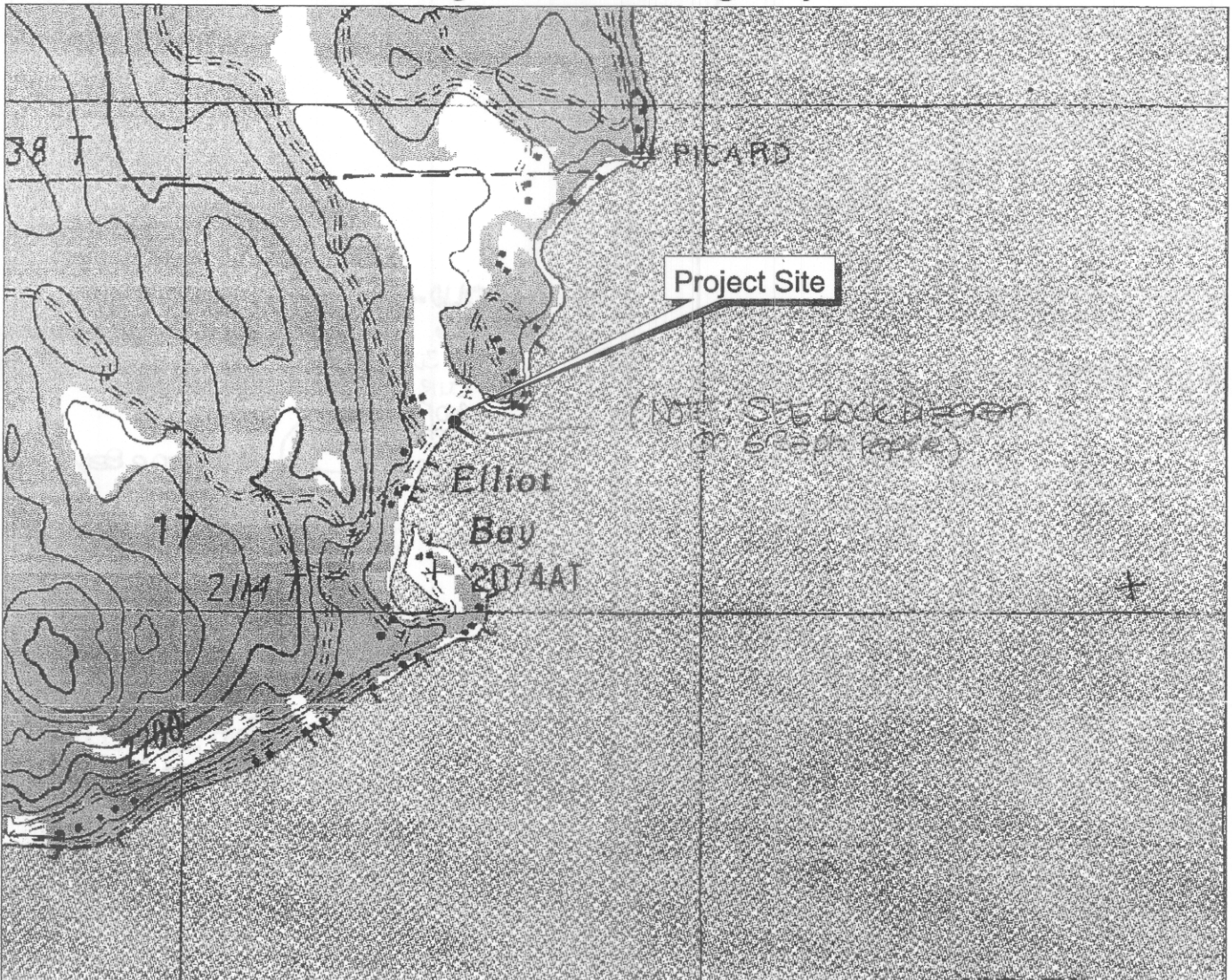


Vicinity Map



Location Map

Proposed boat dock, launching rails and mooring buoy



0.5 0 0.5 Miles

6/07/2005 EXERCISEMENT Permit # L-96-S-1705
 IDAHO DEPT. OF LANDS
 6/07/2005 Letter of Permission for pile-supported
 Dock - NW # 050600055
 U.S. DEPT. OF THE ARMY



US Army Corps
 of Engineers.

Proposed boat dock, launching rails and mooring buoy
 Application No.: 050600055
 Irv P. Jenkins
 Elliot Bay
 Section 17, T.56N., R.1E., B.M.
 Hope USGS Quad
 Bonner County, ID



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

RECEIVED
JUL 15 2005
IDWR/North

July 12, 2005

IRV P JENKINS
PO BOX 453
SAGLE ID 83860

RE: Application for Permit

Dear Mr. Jenkins:

Based on the tax lot information and the maps/aerial photos that you submitted with your application, I have completed Items 3 & 9 on the application form. If you agree with the application as completed, please initial each change and return it to this office with your attachments. You may keep the receipt for your records.

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

Sincerely,


Gregory J. Taylor
Sr. Water Resource Agent

(Total acreage of property
around 11.57 but I'm
presuming flower beds/shrub
beds around house &
fruit/vegetable garden
50x100 are approximately
1 acre).
JGT 7/14/2005