

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09234

Priority: May 23, 2005

Maximum Diversion Rate: 0.20 CFS

This is to certify, that TAMARA FROSTAD
930 SCHNEIDER
SAGLE ID 83860

has applied for a permit to appropriate water from:

Source: SPRING

UNNAMED STREAM

Tributary: UNNAMED STREAM

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>
DOMESTIC	01/01 to 12/31	0.02 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
IRRIGATION	04/01 to 10/31	0.09 CFS
POWER	01/01 to 12/31	0.10 CFS

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4, Twp 55N, Rge 03W, B.M.	BONNER County
UNNAMED STREAM	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4, Twp 55N, Rge 03W, B.M.	BONNER County
SPRING	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4, Twp 55N, Rge 03W, B.M.	BONNER County
SPRING	SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4, Twp 55N, Rge 03W, B.M.	BONNER County

PLACE OF USE: DOMESTIC, STOCKWATER, AND POWER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N 03W 4																	X

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	
55N 03W 4																3.0	3.0

Total Acres: 3

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 96-09234

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 1, 2010**.
2. Subject to all prior water rights.
3. 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.
4. Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
5. Stockwater use is for 10 head mixed stock.
6. 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.
7. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
8. This right is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this right. Failure to comply with these provisions is cause for immediate cancellation of this right.
9. The water right acquired under this permit for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
10. The Director retains jurisdiction over this right in order to limit the use of water for hydropower generation purposes to a specific term of years as required by Section 42-203B(7), Idaho Code.
11. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
12. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 10th day of September, 2005.


For KARL J DREHER, Director

RECEIVED

SEP 06 2005

DEPARTMENT OF
WATER RESOURCES
STATE OF IDAHO

Ident. No. 96-9234

RECEIVED

JUL 11 2005

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

MAY 23 2005

IDWR/North

1. Name of Applicant Tamara Frostad Phone 208-610-5279

Mailing address 930 Schneider Sage, ID 83860

2. Source of water supply unnamed Creek & springs which is a tributary of Pend Oreille River unnamed stream

3. Location of point of diversion is Township 55N Range 36W Sec. 4, in the SE $\frac{1}{4}$, SE $\frac{1}{4}$, Goyt, Lot BONNER County;

additional points of diversion if any: See Remarks

4. Water will be used for the following purposes:

- Amount .02 cfs for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount .02 cfs for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount .09 cfs for Irrigation purposes from 4/1 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 1.0 cfs for Power 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)

5. Total quantity to be appropriated is (a) .20 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works: Spring box in spring to pipe to home

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

Ran pump in stream to pipe to sprinklers; micro hydroelectric power

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

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet

d. Is ground water with a temperature of greater than 85°F being sought? _____

e. If well is already drilled, when? _____; Drilling firm _____

Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 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. 50' and 2.5kw

b. Stockwatering; list number and kind of livestock. 10 head

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. 1 home

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	
55N	3W	4																3	3
																		D/S	
																		P	

Total number of acres to be irrigated 3

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: POD's SE SE S. 4 T55N R3W unnamed Stream - Red Oreille
SE SE S. 4 T55N R3W unnamed Stream " "
SE SE SE S. 4 T55N R3W Spring trib to Unnamed
SW SE SE S. 4 T55N R3W Spring " "

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.

Samara M. Snell
Signature of Applicant (and title, if applicable)

Received by GT/ db Date 5/23/05 Time 3:56p Preliminary check by _____
Fee \$ 100.00 Receipted by db # N016934 Date 5/23/05
Publication prepared by db Date 5/25/05 Published in Bonne Co. Pub. Bu 6/24/05
Publication approved db Date 6/10/05

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AFFIDAVIT

Permit No. _____

for
Water Rights to be used for Power Purposes

RECEIVED
JUN 14 2005
IDWR/North

A. Establishment of Residency: (Complete either 1, or 2).

1. Individual Applicant or individual Members of a Partnership:

I, Samara M. Frostad of Sagle
(name) (city)
County of Bonner State of Idaho, being duly sworn, do
hereby certify that I am a bona fide resident of the State of Idaho.

2. Corporation:

I, _____ of _____
(name) (city)
County of _____, State of Idaho, being duly sworn, depose and say: That
I am the designated registered agent of the _____: That as such
(name of corporation)
I am in charge of the registered office of the said corporation as required by Section
30-1-12, Idaho Code, at _____, Idaho, wherein are kept the corporate
(city)
records required by Section 30-1-52, Idaho Code: and that _____
(name of corporation)
is a corporation qualified to do business in the State of Idaho under the laws of the
State of Idaho.

B. Ownership of Facilities:

The hydropower facility to be developed pursuant to the attached Appropriation Application:
____ Will utilize existing man-made irrigation facilities such as a dam or a canal, and
permission of the owner is documented in an affidavit attached hereto.
____ Will utilize existing man-made irrigation facilities such as a dam or a canal, and
the owner of the facilities is the signee of this affidavit.
☒ Will not utilize existing man-made irrigation facilities such as a dam or a canal.

C. Purpose:

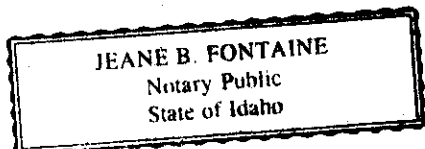
☒ The power to be produced pursuant to the attached Appropriation Application is for my own
personal use and will not to be offered for sale.
____ The power to be produced pursuant to the attached Appropriation Application is to be
offered for sale.

State of Idaho)
County of BONNER) ss.

Samara M. Frostad
Applicant

On this 7 day of June, 2005, personally appeared before me the signer(s)
of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

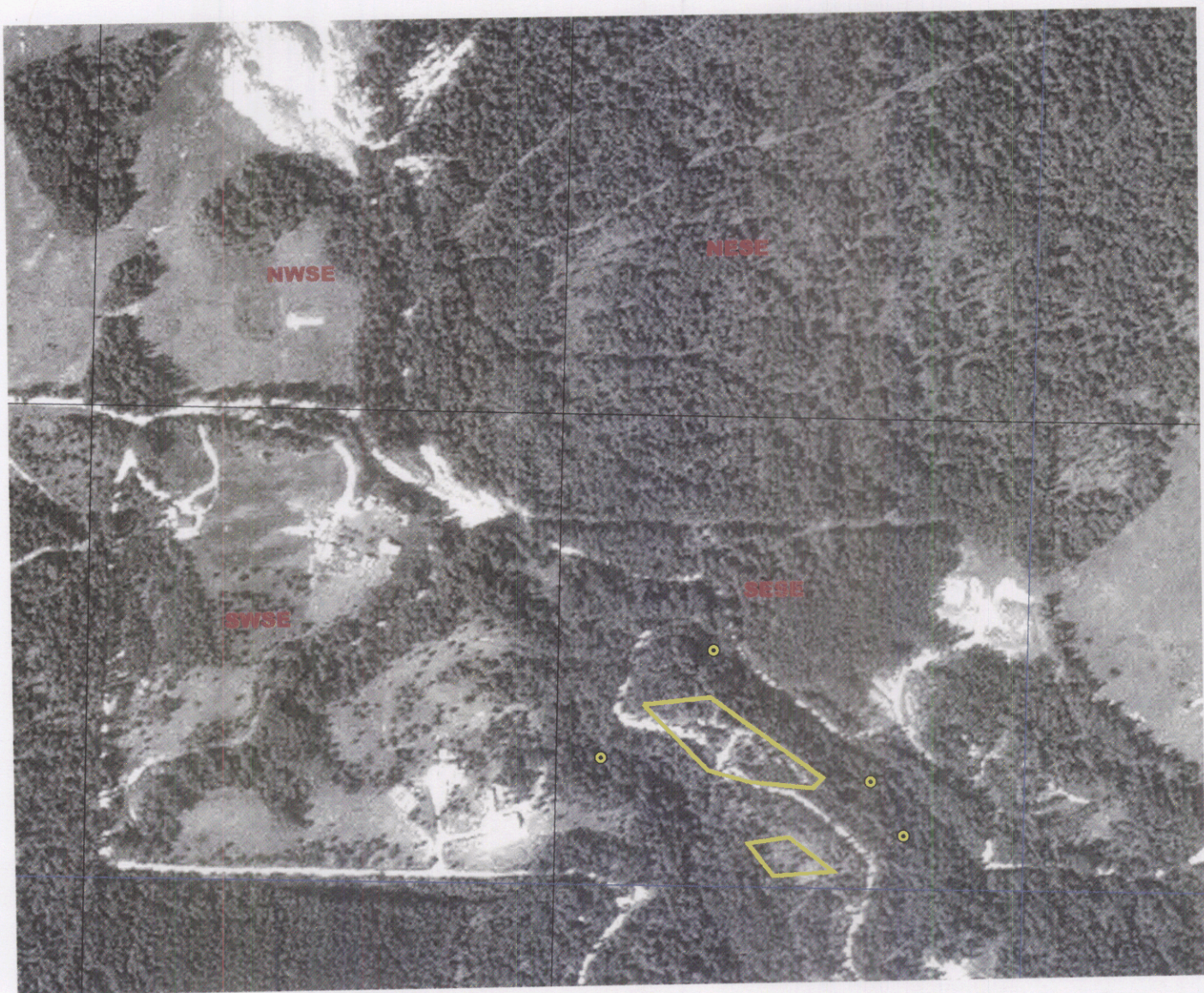
seal



[Signature]
Notary Public residing at

Sandpoint IDAHO

My commission expires: 11/24/06



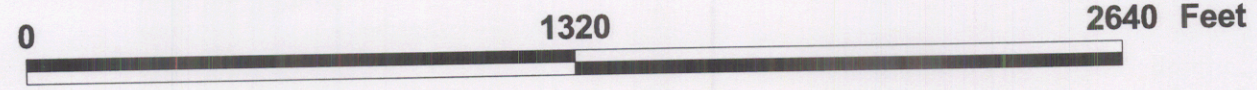
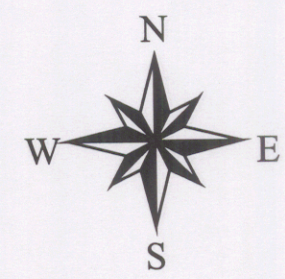
**T55N R03W
Section(s) 4**



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 12, 2005

TAMARA FROSTAD
930 SCHNEIDER
SAGLE ID 83860

RE: Permit No. 96-9234

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.

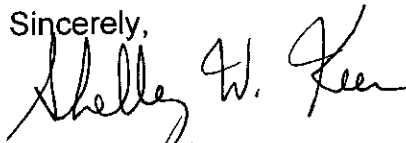
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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, 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:klf

Enclosure(s)

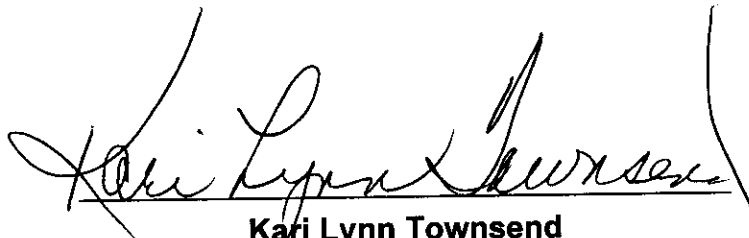
CERTIFICATE OF SERVICE

I hereby certify that on September 12, 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.

96-9234

**TAMARA FROSTAD
930 SCHNEIDER
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.

MEMORANDUM

To: Files 96-9243
From: Bob Haynes
Date: September 2, 2005
Subj: Fish and Game Comments

RECEIVED
SEP 06 2005
DEPARTMENT OF
WATER RESOURCES

The comments from the Fish and Game representative are difficult to understand. There is no pond proposed. Additionally they are asking for controls on the manner in which the diversion system is constructed that go far beyond what we have historically done. These recommendations take the approach that Fish and Game uses on stream channel alteration; and, while they may be desirable construction practices, I do not believe it is appropriate for us to condition water right permits in such a manner.

Comment Report

96-9234

1. kwalker 7/12/2005 POD

Comment: Updated shape

2. kwalker 7/12/2005 POD

Comment: Updated shape

3. kwalker 7/12/2005 POD

Comment: Updated shape

4. kwalker 7/12/2005 POD

Comment: Updated shape

5. kwalker 7/12/2005 POU

Comment: Updated Shape

6. kwalker 7/12/2005 POU

Comment: Updated Shape

7. kwalker 7/12/2005 POU

Comment: Updated Shape

8. kwalker 7/12/2005 POU

Comment: Updated Shape

9. dball 5/24/2005 Legal Notice Remarks

Comment: Domestic use is for 1 home.

Stockwater use is for 10 head of mixed stock.

10. dball 6/13/2005 3:54:36 PM Comment Letter Notes

Comment: WHO: IDF&G Mary Terra-Berns, Environmental Staff Biologist

RESPONSE: Conditional Recommendation

DATE RECEIVED: 6/13/2005

Recommend against permitting construction of on-stream pond. Small perennial and intermittent streams serve many important biological functions that deserve protection. In-stream impoundment may contribute to elevated stream temperatures, impede migrations of amphibians and have other potentially adverse impacts on water quality and stream function.

We recommend applicant be required either to withdraw water from creek on as-needed basis or install storage off-stream.

Water intakes should be screened with maximum mesh size of 0.25 inches to prevent entrainment of fish; approach velocities not to exceed 0.5 ft per second to prevent losses of juvenile fish.

If dam is permitted, applicant should be made aware that dam must be designed,

If dam is permitted, applicant should be made aware that dam must be designed, installed and maintained to allow fish passage per Idaho Code 36-906. No dam design or details were provided in application information, therefore we anticipate we will have opportunity to review and comment on a stream alteration permit application detaining the design and construction plan for a dam, if that option is considered for obtaining water for this right.

Recommend installation beneath lake, river or stream during low water periods. Dug materials should be sidecast to only one side and the bottom contour and substrate restored. Water intakes should be screened with maximum mesh size of 0.25 inches to prevent entrainment of fish; approach velocities not to exceed 0.5 ft per second to prevent losses of juvenile fish. Preferable to place pumps on land rather than in water.

See letter in file for more details.

11. kwalker 7/12/2005 Permit Review

Comment: Application does not fall within any problem areas. No place of use overlap found. Fish and Game responded to our request for comments but for some reason determined that this right would be impounding water - that is not how I read the application. It does not list any storage or mention ponds any where that I could see.



IDAHO FISH AND GAME

2750 Kathleen Avenue
Coeur d'Alene, Idaho 83815

Dirk Kempthorne/Governor
Steven Huffaker/Director

June 13, 2005

Idaho Department of Water Resources
Northern Region
1910 Northwest Blvd, S 210
Coeur d'Alene, ID 83814

*Comments
entered on
computer
6/13/05
b*

Via email to Diane Ball:

REFERENCE:

96-9234 – TAMARA FROSTAD *0.2 cfs 6/13/05*

We have reviewed the above listed application to withdraw ~~2.0~~ cfs for domestic use, irrigation, and hydropower from an unnamed stream (from springs) that is a tributary to the Pend Oreille River.

N/A
We have no objection to issuing the water right; however we recommend against permitting construction of a pond on the stream if that is the applicant's intension for storing stock water.⁷ Small perennial and intermittent streams serve many important biological functions that deserve protection. An in-stream impoundment may contribute to elevated stream temperatures, impede migrations of amphibians and have other potentially adverse impacts on water quality and stream function. We recommend that the applicant should be required either to withdraw water from the creek on an as-needed basis or install storage off-stream. Water intakes should be screened to prevent entrainment or impingement of fish. The maximum screen mesh size should be 0.25 inches; approach velocities should not exceed 0.5 ft/second to prevent losses of juvenile fish.

If IDWR does permit an in-stream impoundment, the applicants should be made aware that a dam must be designed, installed and maintained to allow fish passage per Idaho Code 36-906. No dam design or details were provided in the application information; therefore we anticipate that we will have an opportunity to review and comment on a stream alteration permit application detailing the design and construction plans for a dam, if that option is considered for obtaining water for this water right.

Additionally, we recommend that the applicant be required to install lines beneath the pond or streambed. In-stream installation should occur during low water periods when underwater excavation will be minimized. Dug materials should be sidecast to only one side and the bottom contour and substrate restored. Any unburied sections of the line should be anchored on the bottom. It would be preferable to place pumps on land rather than in the water. Water intakes should be screened to prevent entrainment or impingement of fish. The maximum screen mesh size should be 0.25 inches; approach velocities should not exceed 0.5 ft/second to prevent losses of juvenile fish.

Thank you for the opportunity to comment.

Mary Terra-Berns
Environmental Staff Biologist

C: IDFG NRPB, Boise; File

File: IDWR WR Frostad 96-9234 EMAIL

RECEIVED

JUN 0 2005

IDWR/North

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Sheryl Jones

_____ being first duly sworn on oath

deposes and says that he/she is BOOK Keeper

of the Bonner County Daily Bee, a newspaper printed and

published at Sandpoint, Bonner County, Idaho; that the

said newspaper has been continuously and uninterruptedly

published in said Bonner County during a period of 12

months prior to the first publication of the hereto attached

notice of publication in the case of:

Notice of App

as it was published in the regular and entire issue of the

said paper for a period of 2 consecutive weeks,commencing on 2 day of June, 2005and ending on the 9 day of June, 2005

and that said notice was published in said newspaper.

On this 9 day of June in the yearof 2005, before me, a Notary Public, personallyappeared Sheryl Jones,

known or identified to me to be the person whose name

subscribed to the within instrument, and being by me

first duly sworn, declared that the statements therein are

true and acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at

Sandpoint

Commission expires:

8/06

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

96-9233

ELIZABETH A DE FREMERY

7837 LAKESHORE DR

SAGLE ID 83860

Point(s) of Diversion NESE S3 T56N R03W BONNER County

Source GROUND WATER

Use: IRRIGATION 03/15 To 11/15 0.4 CFS

Total Diversion: 0.4 CFS

Date Filed: 05/18/2005

Place Of Use:

IRRIGATION - T56N R03W S3 NESE

Number of Acres 20

96-9234

TAMARA FROSTAD

930 SCHNEIDER

SAGLE ID 83860

Point(s) of Diversion(2) SESE S4 T55N R03W BONNER County

Source UNNAMED STREAM Tributary To PEND OREILLE RIVER

Point(s) of Diversion(2) SESE S4 T55N R03W BONNER County

Source SPRING Tributary To UNNAMED STREAM

Use: IRRIGATION 04/01 To 10/31 0.09 CFS

Use: STOCKWATER 01/01 To 12/31 0.02 CFS

Use: POWER 01/01 To 12/31 0.1 CFS

Use: DOMESTIC 01/01 To 12/31 0.02 CFS

Total Diversion: 0.2 CFS

Date Filed: 05/23/2005

Place Of Use: DOMESTIC - T55N R03W S4 SESE

Place Of Use: STOCKWATER, IRRIGATION & POWER same as DOMESTIC

Remark: Domestic use is for 1 home.

Stockwater use is for 10 head of mixed stock.

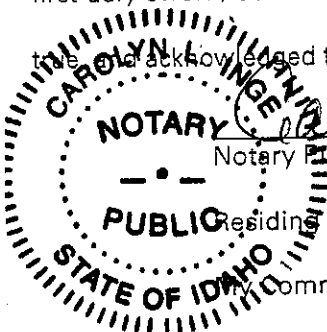
Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

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 06/20/2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Legal 7022

June 2, 9, 2005



7022



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

May 25, 2005

TAMARA FROSTAD
930 SCHNEIDER
SAGLE ID 83860

RE: Application for Permit No 96-9234

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 June 2 and 9, 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

Enclosure(s)



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

May 25, 2005

PLEASE FAX A PROOF COPY PRIOR TO PUBLICATION

Thanks, *Dianne*

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

RE: Application for Permit No. 96-9233 and 96-9234

Dear Sheri:

Enclosed you will find another legal notice which we wish to have published in your newspaper on the dates indicated, June 2 and 9, 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 06/20/2005. Your cooperation is appreciated. ALWAYS a pleasure to work with you.

Thank you,
Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, May 25, 2005 3:56 PM
To: Legal Notices-Bonner Co Daily Bee (E-mail)
Subject: Legal notice for publication on June 2 and 9, 2005

Good afternoon, Sheri,

Attached is our cover letter requesting publication on June 2 and 9, 2005 of a second legal notice, also attached.

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

PLEASE FAX A PROOF COPY TO ME PRIOR TO PUBLICATION, AT 208-769-1454.

And as ALWAYS, it is a pleasure to work with you.

Thanks very much and have a marvelous day.

 *Dianne*

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

5/25/2005

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

96-9233

ELIZABETH A DE FREMERY
7837 LAKESHORE DR
SAGLE ID 83860

Point(s) of Diversion NESE S3 T56N R03W BONNER County
Source GROUND WATER

Use: IRRIGATION 03/15 To 11/15 0.4 CFS
Total Diversion: 0.4 CFS

Date Filed: 05/18/2005

Place Of Use: IRRIGATION - T56N R03W S3 NESE

Number of Acres 20

96-9234

TAMARA FROSTAD
930 SCHNEIDER
SAGLE ID 83860

Point(s) of Diversion(2) SESE S4 T55N R03W BONNER County
Source UNNAMED STREAM Tributary To PEND OREILLE RIVER

Point(s) of Diversion(2) SESE S4 T55N R03W BONNER County
Source SPRING Tributary To UNNAMED STREAM

Use: IRRIGATION 04/01 To 10/31 0.09 CFS

Use: STOCKWATER 01/01 To 12/31 0.02 CFS

Use: POWER 01/01 To 12/31 0.1 CFS

Use: DOMESTIC 01/01 To 12/31 0.02 CFS

Total Diversion: 0.2 CFS

Date Filed: 05/23/2005

Place Of Use: DOMESTIC - T55N R03W S4 SESE

Place Of Use: STOCKWATER, IRRIGATION & POWER same as
DOMESTIC

Remark: Domestic use is for 1 home.

Stockwater use is for 10 head of mixed stock.

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 06/20/2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published on June 2 and 9, 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

May 24, 2005

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

FAXED TO MARY 5/24/05
4 pages total

Application to Permit No. 96-9234

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.

You may comment by regular mail, by FAX to 769-1454 or by e-mail to Dianne.Ball@idwr.idaho.gov. Please respond by or before **June 10, 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.

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Dianne'.

Dianne Ball
Administrative Assistant

Enclosure(s)