

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09180

Priority: December 11, 2003

Maximum Diversion Rate: 0.03 CFS

This is to certify, that DON A WIGGINS and BONNIE L WIGGINS
23030 MARKET ST
NEWHALL CA 91321

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	0.03 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 29, Twp 55N, Rge 03E, B.M., BONNER 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	
55N 03E 29			X														

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **July 01, 2005**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Point of diversion is located within Lot 2, Block 2, Woodland Trails Subdivision.
5. Place of use is located within Lots 2 and 3, Block 2, Woodland Trails Subdivision.
6. Domestic use is for 2 homes.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 16th day of July, 2004.


FOR KARL J DREHER, Director

71271

Permit No. 96-9180

RECEIVED

JUL 13 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

DEC 11 2003

IDWR/North

1. Name of Applicant DAVID A. AND BONNIE L. WIGGINS Phone 661 714-9366
661 255 6136

Mailing address 23030 MARKET ST., NEWHALL, CA. 91321

2. Source of water supply GROUND WATER which is a tributary of N/A

3. Location of point of diversion is LOCATED IN THE EAST 1/2 OF SECTION 29 & THE NORTH 1/2, NORTHEAST 1/4 OF SECTION 32, T.55N., R.3E., B.M., BONNER COUNTY, IDAHO. ALSO DESCRIBED AS LOT 3 BLOCK 2 OF WOODLAND TRAILS, ACCORDING TO THE PLAT THEREOF, RECORDED IN BOOK 5 OF PLATS, PAGE 176, RECORDS OF BONNER COUNTY, IDAHO
SU/E Sec 29 T55N R3E

4. Water will be used for the following purposes:

Amount 0.033 cfs for DOMESTIC purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.033 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source WELL - 242 FT. DEEP, 6" STEEL CASING

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

c. Proposed well diameter is 6" inches; proposed depth of well is 242 feet

d. Is ground water with a temperature of greater than 85°F being sought? NO

e. If well is already drilled, when? 8-16-02 Drilling firm H2O WELL SERVICE, INC

Well was drilled for (well owner) PATERSON, KEVIN; Drilling Permit No. D0022666

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. SHARED WELL - 2 HOUSEHOLDS

e. Other; describe fully. _____

3. 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	3E	29			D														

Total number of acres to be irrigated NA

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? PETERSON, KEVIN

b. Who owns the land to be irrigated or place of use? WIGGINS, BONNIE AND DON

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: JOINT WELL AGREEMENT WITH GRANT OF EASEMENT.

12. Remarks: AGREEMENT RECORDED WITH THE BONNER COUNTY RECORDER.
COPY OF JOINT WELL AGREEMENT ATTACHED.

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.)

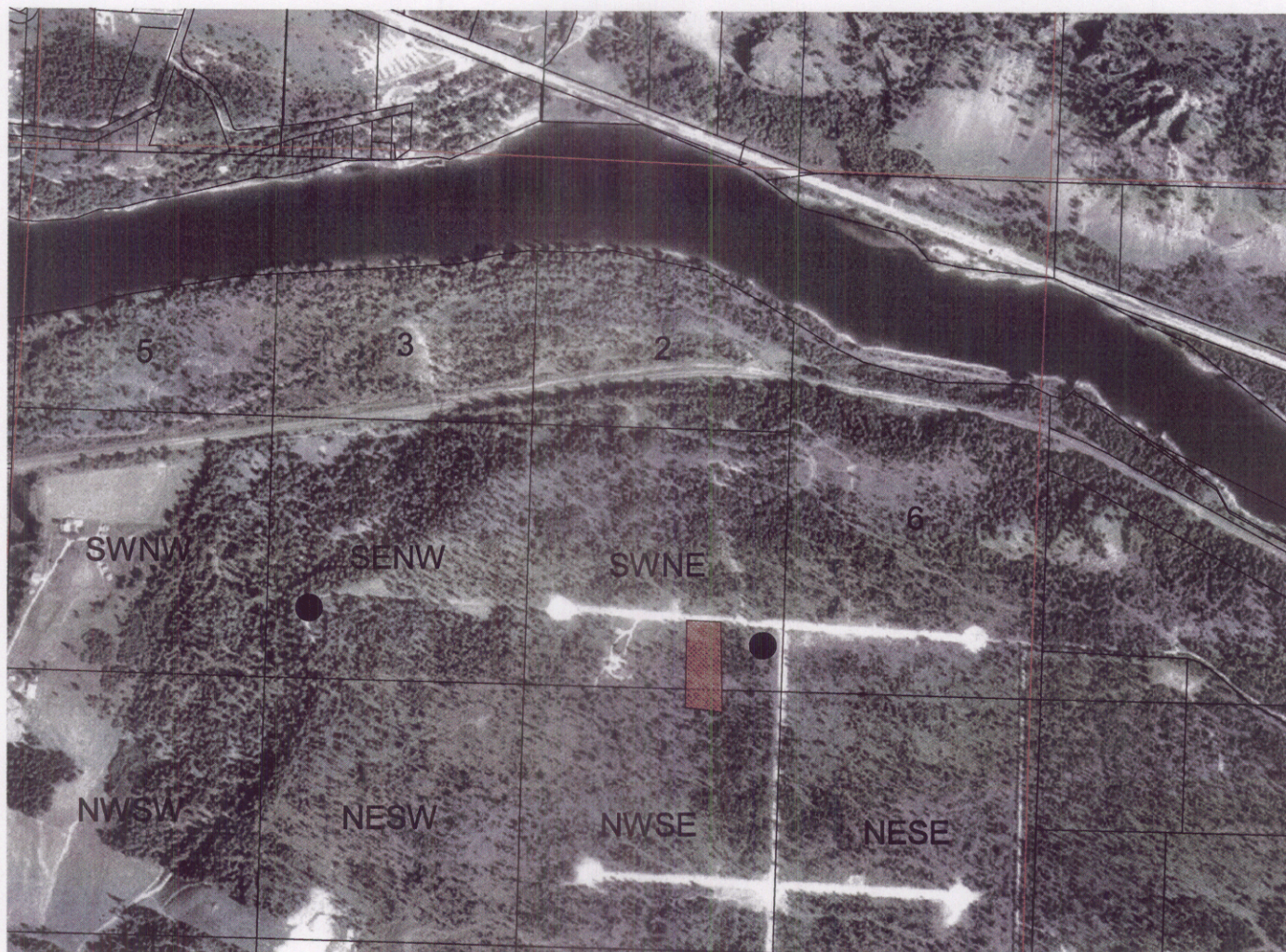
COPY OF PLAT ATTACHED SHOWING LOCATION OF WELL AND PLACE OF USE.
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Ron Wiggins
Bonnie Wiggins
Signature of Applicant (and title, if applicable)

Received by do Date 12/11/03 Time 1:20 P Preliminary check by do
Fee \$ 100.00 Receipted by do # N016029 Date 12/11/03
Publication prepared by do Date 5/26/04 Published in Bonner Co Daily Bee 6/3+10/04
Publication approved do Date 7/6/04

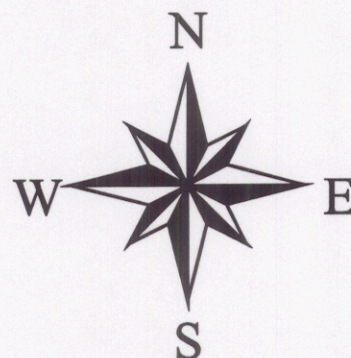
Don & Bonnie Wiggins

T55N R3E Sec 29



0.3 0 0.3 0.6 Miles

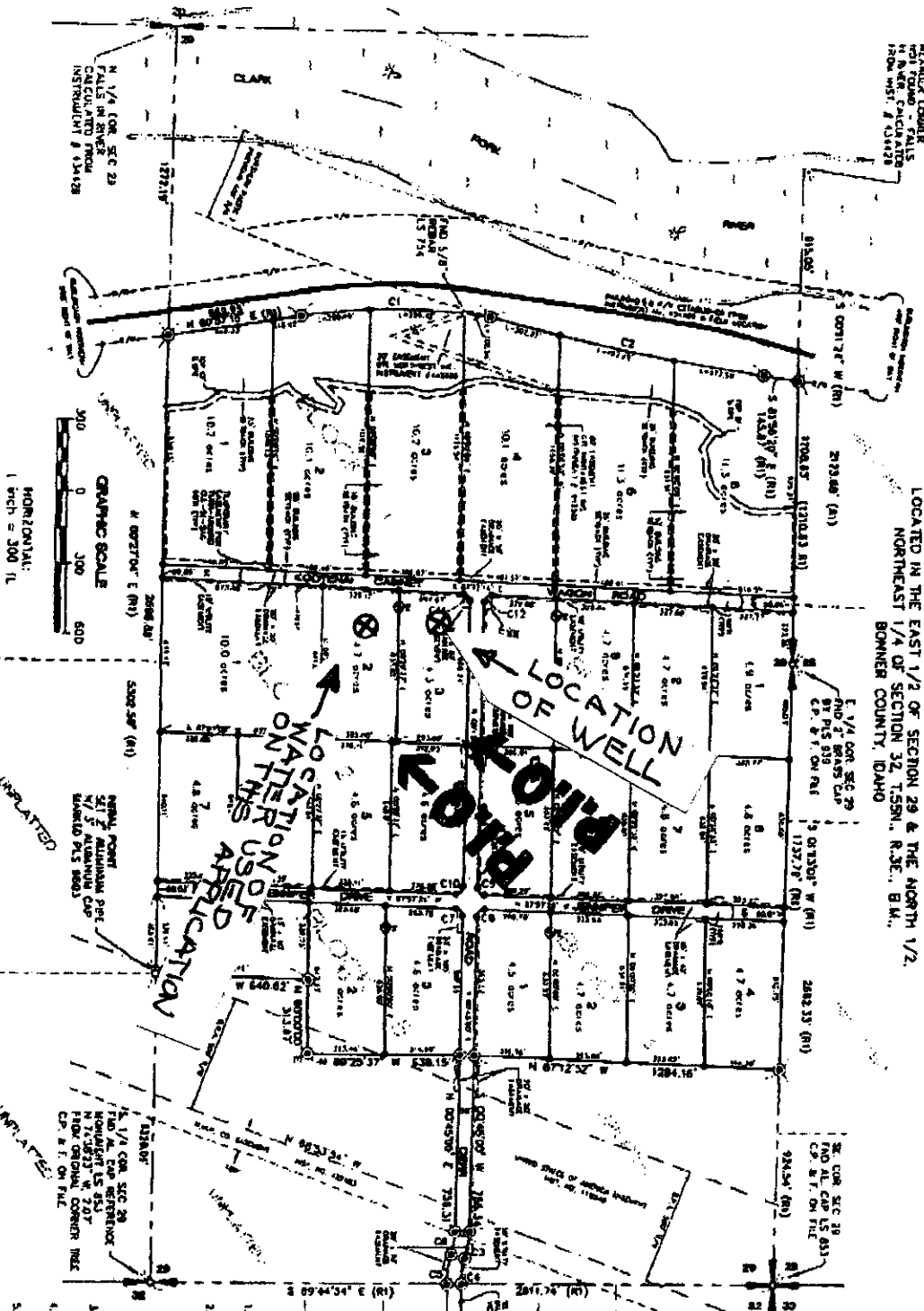
☐ T55n03e.shp
☐ Bonner.shp
☐ Sections.shp



PLAT OF WOODLAND TRAILS

\$10,000

LOCATED IN THE EAST 1/2 OF SECTION 29 & THE NORTH 1/2,
NORTHEAST 1/4 OF SECTION 32, T.55N., R.3E., B.M.,
BONNER COUNTY, IDAHO



CURVE TABLE

CURVE	BEARING	LENGTH	CHORD	ANGLE	TANGENT
1	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
2	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
3	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
4	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
5	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
6	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
7	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
8	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
9	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
10	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
11	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
12	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
13	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
14	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
15	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
16	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
17	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
18	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
19	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
20	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
21	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
22	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
23	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
24	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
25	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
26	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
27	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
28	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
29	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
30	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
31	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00
32	N 1/4 COR SEC 29	117.15	117.15	90.00	50.00

HORIZONTAL:
1 inch = 300 ft

GRAPHIC SCALE
1 inch = 300 ft

BASIS OF BEARING

S. 01130' W ALONG THE EAST LINE OF THE SE 1/4 OF SECTION 29,
TOWNSHIP 55 NORTH, RANGE 3 EAST, B.L. BONNER COUNTY, IDAHO,
PER RECORD OF SURVEY BY L.S. 724, INSTRUMENT # 534128.

TOTAL ACRES

144.6 ACRES

LEGEND

- 1. FOUND MONUMENT AS NOTED
- 2. SET 5/8" x 24" IRON PIN WITH PLASTIC CAP AND PLS 6603
- 3. SET 3/4" x 30" IRON PIN WITH PLASTIC CAP AND PLS 6603
- 4. SET 2" ALUMINUM PIPE WITH 1/2" ALUMINUM CAP AND PLS 6603
- 5. CALCULATED POINT NOT SET THIS SURVEY
- 6. RECORD INFORMATION FOR RECORD OF SURVEY INSTRUMENT NO. 534128
- 7. SET IRON CILICUMS

NOTES

1. THIS SURVEY DOES NOT INTEND TO SHOW ALL EASEMENTS OR PHYSICAL FEATURES OF THIS PROPERTY.
2. IN ORDER TO CONTROL EROSION AND POSSIBLE SCOURING OF NEARBY DRAINAGE WAYS, AN EROSION AND SEDIMENT CONTROL PLAN SHALL BE SUBMITTED TO AND APPROVED BY THE LOCAL MAINTENANCE AND CONSTRUCTION DIVISION. ANY STRAY BRANCHES CAN BE USED UNTIL VEGETATION OR OTHER MEASURES ARE PERMANENTLY ESTABLISHED.
3. STORMWATER MANAGEMENT PLANS MAY BE REQUIRED FOR ALL BUILDINGS IN BLOCK 1.
4. LOTS WITHIN PLAT SHALL BE SERVED BY MONUMENTAL WELLS.
5. LOTS WITHIN PLAT SHALL BE SERVED BY NATURAL SEPTIC SYSTEMS.
6. ALL LOTS WITHIN THIS PLAT ARE IN ZONE C AREAS OF WILDLIFE RESERVE.



1/4	S	T	R	SECTION	TOWNSHIP	RANGE	B.M.
29	55	3	E	29	55	3	E
32	N	E		32	N	E	

**NOW
STARTING
RIGHT
SIDE OF
FILE**

MEMORANDUM

Date: August 09, 2004
To: Water Right File 96-9180
From: Shelley Keen *swk*
Re: Point of Diversion

This morning the permit holder, Don Wiggins, called to let me know that the point of diversion is actually on Lot 3, Block 2, Woodland Trails Subdivision. The permit indicated Lot 2. I told him that the error could be confirmed by the field examiner and corrected at licensing.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 19, 2004

DON A WIGGINS
BONNIE L WIGGINS
23030 MARKET ST
NEWHALL CA 91321

RE: Permit No. 96-9180

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.

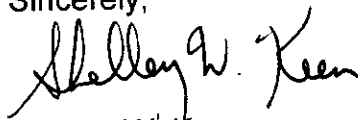
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should 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 208-327-7946.

Sincerely,

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

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

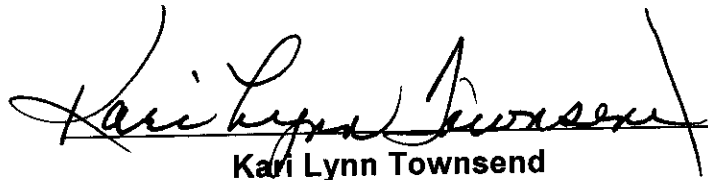
CERTIFICATE OF SERVICE

I hereby certify that on July 19, 2004 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.

96-9180

**BONNIE L WIGGINS
DON A WIGGINS
23030 MARKET ST
NEWHALL CA 91321**



**Karl 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

96-9180

1. dball 5/25/2004 Legal Notice Remarks

Comment: Dometic use is for 2 homes.

2. E Retelle 7/16/2004 Permit Application Review

Comment: Recommend approval as suggested by IDWR Northern.

RECEIVED

State of Idaho

JUL 06 2004

ss.

IDWR/North

County of Bonner, Sherilyn Jones

being first duly sworn on oath

deposes and says that he/she is Bookkeeper

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 3 day of June, 2004and ending on the 10 day of June, 2004

and that said notice was published in said newspaper.

On this 10 day of June in the yearof 2004, before me, a Notary Public, personallyappeared Sherilyn 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 SandpointMy Commission expires: 8/06

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

96-9179

WILLARD SPENCER JOHNSTON JR

7 RUE DU RIVOLI PLACE

HENDERSON NV 89011

Point(s) of Diversion L1 (NENE) S12 T57N R02W BONNER County

Source LAKE PEND OREILLE Tributary To PEND OREILLE RIVER

Use: IRRIGATION 03/15 To 11/15 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 03/08/2004

Place Of Use: IRRIGATION

Number of Acres 0.5 T57N R02W S12 NENE Lot 1

96-9180

DON A WIGGINS

BONNIE L WIGGINS

23030 MARKET ST

NEWHALL CA 91321

Point(s) of Diversion SWNE S29

Source GROUND WATER

Use: DOMESTIC 01/01 To 12/31 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 12/11/2003

Place Of Use: DOMESTIC

Remark: Domestic use is for 2 homes. T55N R03E S29 SWNE

96-9181

BOYD W BAKER

LOIS I NETTLEINGHAM-JENSEN

PO BOX 186

COLBURN ID 83865

Points (2) Diversion L7 (SENESEW) S6 T58N R01W BONNER County

Source SPRINGS Tributary To COLBURN CREEK

Use: IRRIGATION 03/15 To 11/15 0.2 CFS

Use: IRRIGATION STORAGE 03/15 To 11/15 1.2 AFA

Use: IRRIGATION FROM STORAGE 03/15 To 11/15 1.2 AFA

Use: WILDLIFE STORAGE 01/01 To 12/31 1.2 AFA

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Use: RECREATION STORAGE 01/01 To 12/31 1.2 AFA

Use: FIRE PROTECTION 01/01 To 12/31 0.2 CFS

Use: DIVERSION TO STORAGE 01/01 To 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 05/25/2004

Place Of Use: DOMESTIC T58N R01W S6 NWSW SESW

Place Of Use: FIRE PROTECTION T58N R01W S6 NESW NWSW SESW

Place Of Use: RECREATION STORAGE T58N R01W S6 NESW

Place Of Use: WILDLIFE STORAGE T58N R01W S6 NESW

Place Of Use: IRRIGATION STORAGE T58N R01W S6 NESW

Place Of Use: IRRIGATION T58N R01W S6 NESW NWSW SESW

Place Of Use: IRRIGATION FROM STORAGE - same as IRRIGATION

Number of Acres 15

Remark: Domestic use is for 3 homes.

Recreation storage use is for swimming and fishing.

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 06/21/2004. The protestant must also send a

copy of the protest to the applicant.

KARL J DREHER, Director

Legal SNP#5221

June 3, 10, 2004

CAROLYN L. DREHER
NOTARY PUBLIC
STATE OF IDAHO

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

96-9179

WILLARD SPENCER JOHNSTON JR
7 RUE DU RIVOLI PLACE
HENDERSON NV 89011

Point(s) of Diversion L1 (NENE) S12 T57N R02W BONNER County
Source LAKE PEND OREILLE Tributary To PEND OREILLE RIVER

Use: IRRIGATION 03/15 To 11/15 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 03/08/2004

Place Of Use: IRRIGATION T57N R02W S12 NENE Lot 1
Number of Acres 0.5

96-9180

DON A WIGGINS
BONNIE L WIGGINS
23030 MARKET ST
NEWHALL CA 91321

Point(s) of Diversion SWNE S29 T55N R03E BONNER County
Source GROUND WATER

Use: DOMESTIC 01/01 To 12/31 0.03 CFS
Total Diversion: 0.03 CFS

Date Filed: 12/11/2003

Place Of Use: DOMESTIC T55N R03E S29 SWNE
Remark: Domestic use is for 2 homes.

96-9181

BOYD W BAKER
LOIS I NETTLEINGHAM-JENSEN
PO BOX 186
COLBURN ID 83865

Points (2) Diversion L7 (SENESE) S6 T58N R01W BONNER County
Source SPRINGS Tributary To COLBURN CREEK

Use: IRRIGATION	03/15 To 11/15	0.2 CFS
Use: IRRIGATION STORAGE	03/15 To 11/15	1.2 AFA
Use: IRRIGATION FROM STORAGE	03/15 To 11/15	1.2 AFA
Use: WILDLIFE STORAGE	01/01 To 12/31	1.2 AFA
Use: DOMESTIC	01/01 To 12/31	0.04 CFS
Use: RECREATION STORAGE	01/01 To 12/31	1.2 AFA
Use: FIRE PROTECTION	01/01 To 12/31	0.2 CFS
Use: DIVERSION TO STORAGE	01/01 To 12/31	0.2 CFS
Total Diversion:		0.2 CFS

Date Filed: 05/25/2004

Place Of Use: DOMESTIC	T58N R01W S6	NWSW SESW
Place Of Use: FIRE PROTECTION	T58N R01W S6	NESW NWSW SESW
Place Of Use: RECREATION STORAGE	T58N R01W S6	NESW
Place Of Use: WILDLIFE STORAGE	T58N R01W S6	NESW
Place Of Use: IRRIGATION STORAGE	T58N R01W S6	NESW
Place Of Use: IRRIGATION	T58N R01W S6	NESW NWSW SESW
Place Of Use: IRRIGATION FROM STORAGE - same as IRRIGATION		
Number of Acres	15	

Remark: Domestic use is for 3 homes.
Recreation storage use is for swimming and fishing.

--CONTINUED ON PAGE TWO--

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 06/21/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on June 3 and 10, 2004



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 26, 2004

-PLEASE FAX PROOF PRIOR TO PUBLICATION-

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

e-mailed to sjones@bonnercountydailybee.com

RE: Application for Permit No. 96-9179, 96-9180 and 96-9181

Dear Sheri:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates Indicated, June 3 and 10, 2004, (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 06/21/2004. Your cooperation is VERY GREATLY appreciated, as always.

Have a super-marvelous day!!

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, May 26, 2004 4:47 PM
To: Legal Notices-Bonner Co Daily Bee (E-mail)
Subject: Legal Notice for publication on June 3 and 10, 2004

Good day to you, Sheri,

Attached you will find a cover letter, and a legal notice which we request you publish on June 3 and 10, 2004.

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

Please **FAX ME A COPY OF A PROOF PRIOR TO PUBLICATION.**

Thanks, and have a VERY happy 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

5/26/2004



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 26, 2004

DON A WIGGINS
BONNIE L WIGGINS
23030 MARKET ST
NEWHALL CA 91321

RE: Application for Permit No 96-9180

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 3 and 10, 2004. 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 ten weeks.

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

Sincerely,

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

Allen Beardslee
Senior Water Resource Agent

Enclosure(s) - Receipt No. N016029

Don A Wiggins
23030 Market Street
Newhall, California 91321

phone: 661 255 6136

DECEMBER 8, 2003

NORTHERN REGION
IDAHO DEPT. OF WATER RESOURCES
1910 NORTHWEST BLVD. SUITE 210
COEUR D'ALENE, ID 83814

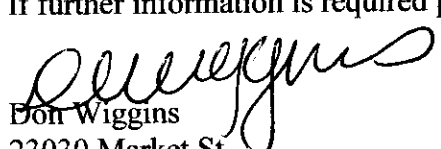
RECEIVED
DEC 11 2003
IDWR/North

SUBJECT: Water Rights Application

Please find enclosed my water rights Application For Permit. Also enclosed are:

1. Check for application fee for \$100.00.
2. Plat showing location of well and location of water use covered on this application.
3. Copy of Joint Well Agreement. This was recorded with the Bonner County Recorder on or about 11-21-2003.

If further information is required please do not hesitate to call at 661-255-6136.



Don Wiggins

23030 Market St.

Newhall, Ca. 91321

JOINT WELL AGREEMENT WITH GRANT OF EASEMENT

Parties/Property:

Kevin Peterson, a single man, herein referred to as Grantor, whose address is 595 Dry Creek Road, Clark Fork, Idaho 83811 and whose property is described as follows, is herein referred to as the servient estate:

Lot 3 in Block 2 of WOODLAND TRAILS, according to the plat thereof, recorded in Book 5 of Plats, page 176, records of Bonner County, Idaho.

Wiggins Family Trust, by and through its trustees, Don Wiggins and Bonnie Wiggins, herein referred to as Grantee, whose address is _____ and whose property is described as follows, is herein referred to as the dominant estate:

Lot 2 in Block 2 of WOODLAND TRAILS, according to the plat thereof, recorded in Book 5 of Plats, page 176, records of Bonner County, Idaho.

For ONE DOLLAR (\$1.00) and other consideration Grantor hereby grants, bargains, sells and conveys unto Grantee an undivided one-half (1/2) interest in the well situated thereon more particularly described in the State of Idaho Department of Natural Resource Well Permit Number D0022666 together with an easement to the well for water and electric service to the well for the benefit of the property belonging to Grantor herein described. Said easement and grant is to be appurtenant to Grantee's property above-described.

Purpose: This Joint Well Agreement with Grant of Easement is to provide ingress and egress to and from the dominant estate over and across the servient estate. Usage of water from the well is un-metered but is limited to single family household usage with allowance for limited stock watering. Agricultural and commercial usage is beyond the intent of this agreement and shall be prohibited. Easement across the servient estate is for the limited purpose of maintaining and upgrading water and electrical lines from the well as needed to continue supply of water to the holder of the dominant estate. This right of easement and access is for maintenance purposes only and anticipates that machinery and equipment will use the easement to manage and maintain the well and water line running from the well to the dominant estate.

Featherston Law Firm Chd.

Daniel P. Featherston
Brent C. Featherston*
Jeremy P. Featherston
Sandra J. Wruck
Larry M. Davidson*
Attorneys at Law

113 S. Second Ave.
Sandpoint, Idaho 83864
(208) 263-6866
Fax (208) 263-0400

Route: The route has been established by the joint agreement of the parties commencing on the common boundary and proceeding across the servient estate to the wellhead. The centerline is the present location and route of the water line and the easement will be 10 feet wide on either side of the centerline as needed. Easement also is granted in a 10 foot radius around the wellhead for servicing the wellhead and pump therein. Either party is entitled to survey the centerline to establish the record of the route.

The route and construction of any access path installed thereon, shall be done in such manner as to minimize the negative visual and ecological impact upon the servient estate as well as minimize conflict with the use and enjoyment of the servient estate by the holder thereof.

Maintenance: The owners of the dominant and servient estate are to share the costs of maintenance of the well equally. Each party is individually responsible to care for and maintain their respective waterline. At present there is no metered usage of water or electricity for the well. the holder of the dominant estate shall be responsible to pay \$5.00 per month or \$60.00 annually to the holder of the servient estate as reimbursement for the proportional electricity usage by the holder of the dominant estate. If in the future the electricity to the well becomes metered, the holder of the dominant estate is to pay one-half (1/2) the costs of the actual electricity usage. Repairs and upgrades are to be made promptly and expeditiously and the ground surface is to be restored to its original state or as close thereto as possible.

In the event there is a shortfall in water supply that fails to meet the household demand, the holder of the dominant and holder of the servient estate are to restrict and reduce usage equally.

This Joint Well Agreement with Grant of Easement is appurtenant to Grantee's estate described above and may not be assigned, apportioned or further conveyed except as an appurtenance to said property. Usage by the dominant estate shall be restricted to a single-family residence.

In the event of nonpayment by either party for electricity or maintenance, the paying party is to provide notice of the amount due and statement of account to the non-paying party. Either party can pay what is necessary and will be allowed a right to collect from the other party along with attorney fees and costs incurred in pursuing payment from the non-paying party. Any unpaid amount will be subject to interest at the statutory amount of 12% per annum.

Featherston Law Firm Ltd.

Daniel P. Featherston
Brent C. Featherston*
Jeremy P. Featherston
Sandra J. Wruck
Larry M. Davidson*
Attorneys at Law

113 S. Second Ave.
Sundpoint, Idaho 83864
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Featherston Law Firm, PLLC

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Brent C. Featherston
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Larry M. Davidson
Attorneys at Law

115 S. Second Ave.
Sandpoint, Idaho 83861
(208) 263-2806
Fax (208) 263-4400

* Licensed in
Idaho & Washington

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Featherston Law Firm c/o

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