

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**

NO. 94-07402

Priority: February 08, 2005

Maximum Diversion Rate: 0.16 CFS

This is to certify, that CLAUDIA CHILDRESS  
60 BEAVER CREEK RD  
WALLACE ID 83873

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       | 0.10 CFS                 |
| IRRIGATION            | 04/01 to 10/31       | 0.06 CFS                 |

**LOCATION OF POINT OF DIVERSION:**

GROUND WATER SE¼ NW¼ Sec. 32, Twp 50N, Rge 04E, B.M. SHOSHONE County

**PLACE OF USE:** IRRIGATION

| Twp Rge Sec    | NE |    |    |    | NW |    |    |     | SW  |    |    |    | SE |    |    |    |        |
|----------------|----|----|----|----|----|----|----|-----|-----|----|----|----|----|----|----|----|--------|
|                | NE | NW | SW | SE | NE | NW | SW | SE  | NE  | NW | SW | SE | NE | NW | SW | SE | Totals |
| 50N 04E 32     |    |    |    |    |    |    |    | 1.0 | 1.0 |    |    |    |    |    |    |    | 2.0    |
| Total Acres: 2 |    |    |    |    |    |    |    |     |     |    |    |    |    |    |    |    |        |

**PLACE OF USE:** DOMESTIC, same as IRRIGATION use

**CONDITIONS OF APPROVAL**

1. Proof of application of water to beneficial use shall be submitted on or before **June 01, 2006**.
2. Subject to all prior water rights.
3. Domestic use is for 9 RV spaces. Irrigation of lawn, garden and landscaping associated with the RV spaces is authorized under the irrigation component of this right.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 30<sup>th</sup> day of June, 2005.

  
KARL DREHER, Director

For Office Use Only

\$25.00 Filing Fee

Receipt # N 17007Date 6/28/05

State of Idaho  
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 30 2005

APPLICATION FOR  
ASSIGNMENT OF PERMIT  
To change the ownership of a permit

DEPARTMENT OF  
WATER RESOURCES

I, Babins Junction Water Assn, hereby assign to Chaudia Childress  
of 60 Beaver Creek Rd Wallace ID 83873  
(Full Address and Phone Number)

All my right, title, and interest in and to Permit No. 94-7402  
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to  
Permit No. \_\_\_\_\_ to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,  
point of diversion location, and the amount of water in cubic feet per second.

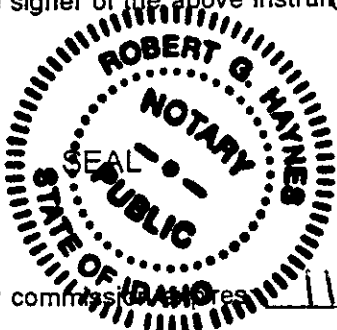
Made this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

State of Idaho )

County of Kootenai )  
ss

Chaudia Childress  
President of Babins Junction  
Water Assoc.

On this 28 day of June, 2005, personally appeared before me  
the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.



Robert G. Haynes

Notary Public

Signature

My commission expires 11/10/2010

ident. No. ~~71777~~-94-7402

RECEIVED

19 2005

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

FEB 08 2005

IDWR/North

- Department of Water Resources
1. Name of Applicant Babin's Junction Water Association Phone 660-1999
  - Mailing address 60 BEAVER CREEK ROAD, WALLACE ID 83873
  2. Source of water supply GROUNDWATER which is a tributary of \_\_\_\_\_
  3. Location of point of diversion is Township 50N Range 4E Sec. 32, in the \_\_\_\_\_ 1/4,  
SE 1/4, NW 1/4, Govt. Lot \_\_\_\_\_, B.M., SHASHONE County;  
additional points of diversion if any:
  4. Water will be used for the following purposes:  
Amount 0.10 for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 0.06 for IRRIGATION purposes from 3/15 to 11/30 (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) 0.16 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 WELL, PUMP & PIPELINE & DELIVERY SYSTEM
    - b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet
    - c. Proposed well diameter is 6" inches; proposed depth of well is 75 feet
    - d. Is ground water with a temperature of greater than 85°F being sought? NO
    - e. If well is already drilled, when? \_\_\_\_\_; Drilling firm UNITED  
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 RV SPACES

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 |        |
| 46  | 46  | 32  |    |    |    |    |    |    |    | I  | I  |    |    |    |    |    |    |    | 2      |
|     |     |     |    |    |    |    |    |    |    | D  | D  |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Total number of acres to be irrigated 2

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

11. a. Who owns the property at the point of diversion? APPLICANT

b. Who owns the land to be irrigated or place of use? " "

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: PRES - CLAUDIA CHILDRESS

V.P. / RANDY CHILDRESS

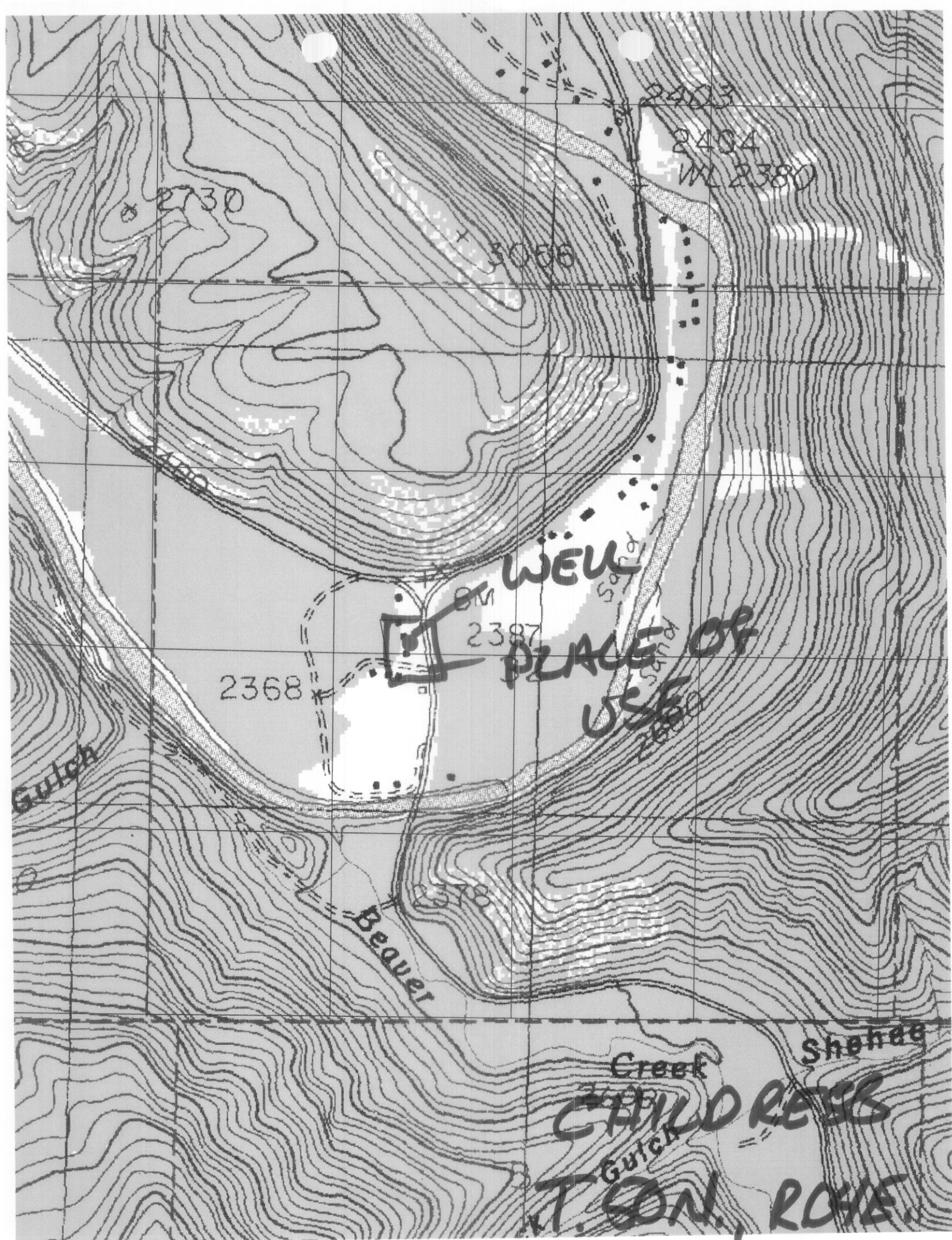
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.

*Claudia Childress* <sup>owner</sup>  
Signature of Applicant (and title, if applicable)

Received by *AS* Date 02-08-05 Time 3:40 Preliminary check by *AS*  
Fee \$ 100 Received by *AS* # 2016727 Date 02-08-05  
Publication prepared by *cb* Date 3/9/05 Published in Shoshone Co News Press 3/17+24/05  
Publication approved *cb* Date 3/28/05

WELL DRILLING PERMIT PAID AT TIME OF FILING



**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](http://www.idwr.idaho.gov)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

July 1, 2005

CLAUDIA CHILDRESS  
60 BEAVER CREEK RD  
WALLACE ID 83873

RE: Permit No. 94-7402

### Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

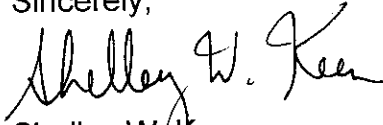
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should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

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

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

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

Sincerely,

A handwritten signature in black ink that reads "Shelley W. Keen". The signature is written in a cursive style with a large, stylized 'S' and 'K'.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

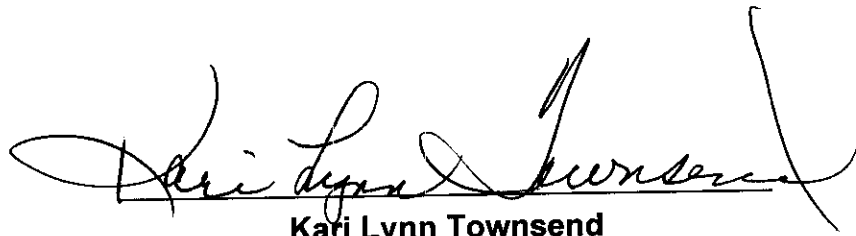
## **CERTIFICATE OF SERVICE**

I hereby certify that on July 1, 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.**

**94-7402**

**CLAUDIA CHILDRESS  
60 BEAVER CREEK RD  
WALLACE ID 83873**



**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.

**Townsend, KariLynn**

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**To:** Allen, Debbie  
**Subject:** RE: Refund request

Hi Debbie . . .

Please arrange for a **\$25.00** refund from **receipt # N017004**. Please send refund to:

**CLAUDIA CHILDRESS  
60 BEAVER CREEK RD  
WALLACE ID 83873**

Filing fee not required for Assignment of Application for Permit.

Thank you,

Kari Lynn T.  
June 30, 2005

## MEMORANDUM

**Date:** June 09, 2005  
**To:** Water Right File 94-7402  
**From:** eretelle  
**Re:** Permit review

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No WD or moratorium.  
No protests or overlap.

PWS#1400005

Irrigation season adjusted to standard.  
0.03cfs per acre

not registered to do business in Idaho. Called Claudia today and she indicated that rather than register the water association to do business, she would have the permit issued in her own name. She plans to change the application at the Coeur D'Alene office. I put the file on call-up in case we do not receive the documents, we can reject the application.



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](http://www.idwr.idaho.gov)

April 22, 2005

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

BABINS JUNCTION WATER ASSOCIATION  
60 BEAVER CREEK RD  
WALLACE ID 83873

Re: Application for Permit No. 94-7402

Dear Applicants:

We are reviewing the above referenced application for final action and find we need to request additional information from you. In order for the Department to issue a permit for a water association we like to know that the association is qualified to do business in the State of Idaho for the water user's protection. We have looked at the Secretary of State's listing of businesses qualified and find that your association is not listed.

Please submit a current document showing that you are qualified to do business in Idaho **within 30 days of the date of this letter** and we will process the application for permit.

The Department will hold further processing of this application for the 30-day period mentioned above. The Department may grant additional time if it is requested and you have sufficient justification for an extension of the 30-day period. After that time, if adequate information is not received, the Department will issue a preliminary order to reject or deny the application.

If you have any questions in regard to this matter, please feel free to contact me at (208)287-4953 or our office in Coeur d'Alene.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is fluid and cursive, with the first name "Kay" and last name "Walker" clearly distinguishable.

KAY WALKER  
Sr. Water Resource Agent

KW:k

Cc: IDWR, Northern Region

# PROOF OF PUBLICATION

RECEIVED

MAR 28 2005

IDWR/North

)  
)  
) DEPARTMENT OF WATER RESOURCES  
) 1910 NORTHWEST BLVD STE #210  
) COEUR D ALENE ID 83814

s/ Daniel C. Drewry, being first duly sworn deposes and says:  
SHOSHONE NEWS-PRESS, a daily newspaper of general circulation in said county, published in the city of Kellogg, in the County of Shoshone and the State of Idaho, and which has been published continuously in said county for a period of 78 weeks immediately prior to the publication of this notice hereinafter described, and that the

## LEGAL NOTICE

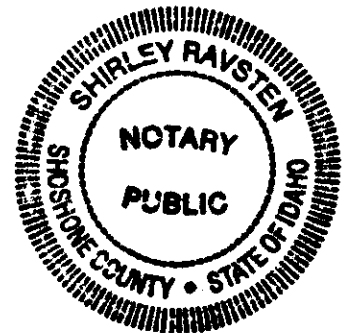
#562

of which the annexed is a true copy, was published in each regular weekly/daily issue of said newspaper, and not in supplement thereto, for a period of (2) Two consecutive weeks/days, the first publication thereof being in the issue dated 3/17, 24/05

STATE OF IDAHO )

) SHOSHONE

COUNTY OF )



On this 25th day of March in the year of 2005, before me a Notary Public, personally appeared Daniel C. Drewry 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.

Shirley Ravsten  
Notary Public for Idaho  
Residing in Kellogg, Idaho  
My Commission expires:  
09/14/07

The following application(s) have been filed to appropriate the public waters of the State of Idaho:  
94-7402

BABINS JUNCTION WATER ASSN  
C/O CLAUDIA CHILDRESS, PRESIDENT  
60 BEAVER CREEK RD  
WALLACE, ID 83873

Point(s) of Diversion SENW S32 T50N R04E SHOSHONE County

Source GROUND WATER

|      |                  |                |          |
|------|------------------|----------------|----------|
| Use: | IRRIGATION       | 03/15 To 11/15 | 0.06 CFS |
| Use: | DOMESTIC         | 01/01 To 12/31 | 0.1 CFS  |
|      | Total Diversion: |                | 0.16 CFS |

Date Filed: 02/08/2005

Place of Use: DOMESTIC T50N R04E S32 SENW NESW

Place of Use: IRRIGATION same as DOMESTIC

Number of Acres 2

Remark: Domestic use is for 9 RV spaces

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 04/04/2005. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Legal #SHO562  
2x3-17/24/2005



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

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

**Fax (208) 769-1454**

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

March 09, 2005

BABINS JUNCTION WATER ASSN  
C/O CLAUDIA CHILDRESS, PRESIDENT  
60 BEAVER CREEK RD  
WALLACE ID 83873

RE: Application for Permit No 94-7402

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 Shoshone County News Press on March 17 and 24, 2005. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

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

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

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

Sincerely,

A handwritten signature in black ink, reading 'Allen Beardslee'. The signature is written in a cursive, flowing style.

Allen Beardslee  
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

**KARI J. DREHER**  
DIRECTOR

March 09, 2005

**PLEASE FAX A PROOF TO ME PRIOR TO PUBLICATION AT ~ 769-1454**

**NIKKI ROSS &/OR DON REDING**  
**LEGAL NOTICE DEPARTMENT**  
SHOSHONE COUNTY NEWS PRESS  
PO BOX 149  
KELLOGG ID 83837-0149

e-mailed 3/9/05 to Nikki & Don

RE: Application for Permit No. 94-7402 - Babins Junction Water Assn.

**Dear Nikki and/or Don:**

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates Indicated, March 17 and 24, 2005 (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 04/04/2005. Your cooperation is, as always, GREATLY appreciated.

Sincerely

*Dianne*

Dianne Ball  
Administrative Assistant

**Ball, Dianne**

---

**From:** Ball, Dianne  
**Sent:** Wednesday, March 09, 2005 3:25 PM  
**To:** Legal Notices-Shoshone Co NP (E-mail); Legal Notices-Shoshone Co NP-2 (E-mail)  
**Subject:** Legal Notice for publication of notice of Water Right Application No. 94-7402 on March 17 and 24, 2005

Good afternoon Nikki and Don,

I'm covering all bases this time to make sure I catch at least one of you.

Attached you will find our cover letter requesting publication of a Legal Notice on March 17, and 24, 2005. Also attached is the Legal Notice for publication.

Please reply acknowledging of receipt of this e-mail, **AND ~ PLEASE FAX ME A PROOF COPY PRIOR TO PUBLICATION** so I can double check my work and make sure the tabs don't develop a mind of their own when copied and pasted. That way any corrections can be made prior to publication.

Thanks very much. It's always a pleasure to work with you.

 *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

3/9/2005

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

**94-7402**

BABINS JUNCTION WATER ASSN  
C/O CLAUDIA CHILDRESS, PRESIDENT  
60 BEAVER CREEK RD  
WALLACE ID 83873

Point(s) of Diversion    SENW    S32    T50N    R04E    SHOSHONE County

Source GROUND WATER

Use: IRRIGATION                      03/15 To 11/15            0.06 CFS

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

Total Diversion:                      0.16 CFS

Date Filed:            02/08/2005

Place Of Use:    DOMESTIC    T50N R04E S32    SENW    NESW

Place Of Use:    IRRIGATION same as DOMESTIC

Number of Acres2

Remark: Domestic use is for 9 RV spaces.

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 04/04/2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on March 17 and 24, 2005



Public Health

# PANHANDLE HEALTH DISTRICT

*Healthy People in Healthy Communities*

## ENVIRONMENTAL HEALTH

322 MARION AVENUE  
SANDPOINT, IDAHO 83864  
(208) 265-6384  
<http://www2.state.id.us/phd1>

December 23, 2004

Ms. Claudia Childress  
Babin's Trailer Court  
60 Beaver Creek Road  
Wallace, ID 83873

Re: Well site evaluation, PWS# 1400005

Dear Claudia:

Thank you for the opportunity to inspect the proposed well site to serve a portion of your trailer court. The proposed well site is located in the grassed area, approximately 200 feet north of the shop building. The site appears to be in accordance with Idaho Rules for Public Drinking Water Systems, IDAPA 58.01.08 (rules), and is approved for construction contingent on the following:

1. The well must be located a minimum of 50 feet from any property line or potential source of contamination, and no closer to specific sources than;

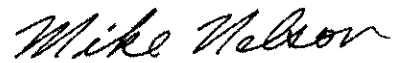
|                |          |                           |         |
|----------------|----------|---------------------------|---------|
| Sewer line     | 50 feet  | Livestock                 | 50 feet |
| Septic tank    | 100 feet | Lakes, ponds, streams,    | 50 feet |
| Disposal Field | 100 feet | canals, ditches, & tanks  |         |
| Seepage Pit    | 100 feet | used to store non-potable |         |
| Privies        | 100 feet | substances                |         |

2. Observe all other applicable setbacks.
3. Obtain a drilling permit from the Idaho Department of Water Resources, 1910 Northwest Boulevard, Coeur d'Alene, Idaho 83814.
4. In accordance with Idaho Code 39-118; plans and specifications for the construction of the well and connection to the water system, stamped by a professional engineer registered in Idaho, must be submitted to the Idaho Department of Environmental Quality (DEQ), 2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814. These plans must be reviewed and approved prior to drilling.

5. After the well is completed, as constructed drawings of the well, must be submitted to DEQ in accordance with section 550.03 of the rules.

Please call me at (208) 265-6384, if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Mike Nelson". The signature is written in a cursive, flowing style.

Mike Nelson, R.E.H.S.  
Sr. Environmental Health Specialist

cc: Steve Tanner, IDEQ – Coeur d'Alene  
Bob Haynes, IDWR – Coeur d'Alene  
Alan Miller, IDEQ – Coeur d'Alene