

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09259

Priority: January 12, 2005

Maximum Diversion Rate: 0.02 CFS

This is to certify, that NEAL SMILEY
239 WILLOW CT
PASCO WA 99301

has applied for a permit to appropriate water from:

Source: COEUR D ALENE LAKE **Tributary:** SPOKANE 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

LOCATION OF POINT OF DIVERSION:

COEUR D ALENE LAKE L2 (NW¼NE¼) Sec. 7, Twp 49N, Rge 03W, B.M., KOOTENAI 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	
49N 03W 7		X															
		L 2															

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2006**.
2. Subject to all prior water rights.
3. Domestic use is for 1 home.
4. This right does not grant any right-of-way or easement across the land of another.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 21ST day of April, 2005.


for KARL J DREHER, Director

RECEIVED

JAN 12 2005

IDWR/North

Ident. No. 95-9259

RECEIVED

APR 19 2005

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

JUN 08 2004

IDWR/North

1. Name of Applicant NEAL SMILEY Phone 509-547-7869
Mailing address 239 WILLOW CT. PASCO, WA 99301
2. Source of water supply COEUR D'ALENE LAKE which is a tributary of SPOKANE RIVER
3. Location of point of diversion is Township 49N Range 3 W34 Sec. 7, in the NE 1/4, NE 1/4, Govt. Lot 2, B.M., KOOTENAI County;
additional points of diversion if any:
4. Water will be used for the following purposes:
- | | |
|---|------------------------------|
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) | (cfs or acre-feet per annum) |
| Amount <u>.02 CFS</u> for <u>DOMESTIC</u> purposes from <u>4-1</u> to <u>12-31</u> (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) .02 cubic feet per second and/or (b) ~~1~~ acre feet per annum
6. Proposed diverting works: PUMP IN LAKE
- a. Describe type and size of devices used to divert water from the source 1 HP SUBMERSIBLE PUMP
- b. Height of storage dam N/A feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. Proposed well diameter is N/A inches; proposed depth of well is _____ 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 _____
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. ONE
- 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	
49N	3W	7		D									3/6						3/6
													3/6						

Total number of acres to be irrigated 1,000 square feet approx LAWN
4,500 sq ft hillside temporary to start trees & bush on Hill

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? ST of IDAHO ? CDA Lake NEAL SMILEY

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

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: See attached map of ECHO BAY. PROPERTY LISTED IS
Tax # 8191. HAS HOUSE, GARAGE, DRIVEWAY. SMALL LAWN AREA
LAKE SIDE OF DWELLING. INTEND TO IRRIGATE SOME HILLSIDE
WHERE TREES AND BUSHES WILL BE PLANTED. THIS WILL BE TEMPORARY
UNTIL NATURAL VEGETATION IS ESTABLISHED.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Neal Smiley
 Signature of Applicant (and title, if applicable)

Received by db Date 6/8/04 Time 1:00 p Preliminary check by db
 Fee \$ 100.00 Receipted by db # N216330 Date 6/18/04
 Publication prepared by db Date 3/9/05 Published in CDA News 3/17 & 24/05
 Publication approved db Date 3/25/05

RECEIVED
JAN 12 2005
IDWR/North

Echo Bay Terrace

GOVT
LOT 3
44.90 Ac

read

Govt Lots 2 & 3 Sec.7 Twp. 49 N. R.3 W.B.M.

49N03W-07

THIS DRAWING IS TO BE USED FOR REFERENCE PURPOSES ONLY AND THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED.



6	5	4	3	2	1
8	9	10	11	12	
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

KOOTENAI COUNTY
IDAHO

REVISIONS

INITIALS	ACTIVITY	DATE
bc	COMPLETE CONVERSION	03-26-99

IMAGE FILE: \NOT USED
DRAWING FILE: \493W07G2.DWG

NOTES:

All lots or parcels with given bearings and distances were calculated by traverse closure. All other parcels were calculated by the double meridian method. The distance between the center line of the road and the center line of the section (i.e. length multiplied by width, triangulation, planimeter, scaling from existing map, and coordinate geometry). Acreages shown are net assessable; right-of-way, where applicable, has been removed. Distances and arc lengths less than 50' may not be shown due to space limitations. Dimensions in parenthesis denote record and/or plotted lot line dimensions.

RECEIVED

JAN 12 2005

IDWR/North

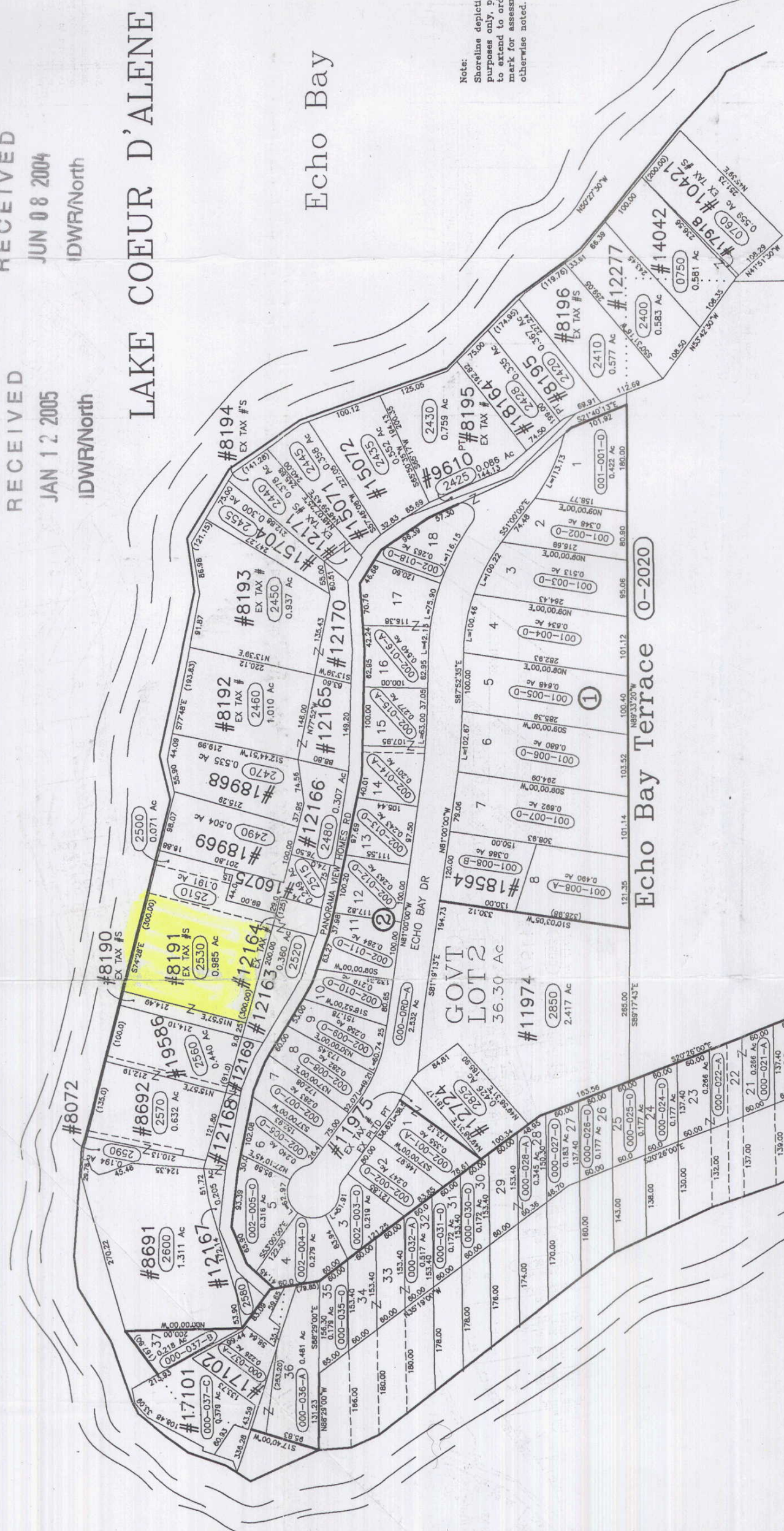
RECEIVED

JUN 08 2004

IDWR/North

LAKE COEUR D'ALENE

Echo Bay



Now
Starting
Right Side
of file.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 22, 2005

NEAL SMILEY
239 WILLOW CT
PASCO WA 99301

RE: Permit No. 95-9259

Permit Approval Notice

Dear Permit Holder:

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

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

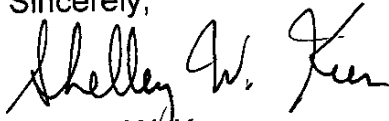
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should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

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a 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 the most prominent.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

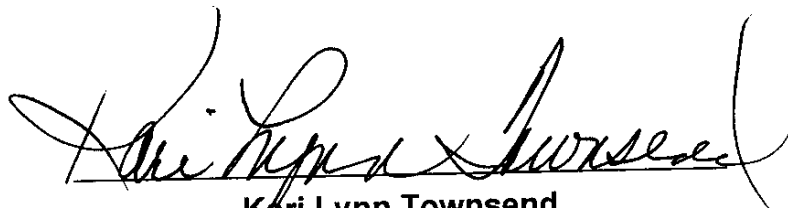
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on April 22, 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. 95-9259

**NEAL SMILEY
239 WILLOW CT
PASCO WA 99301**



**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of, or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Comment Report

95-9259

1. dball 3/2/2005 Legal Notice Remarks

Comment: Domestic use is for 1 home.

2. kwalker 4/21/2005 Permit Review

Comment: Application does not fall within any problem areas. IDL will correspond with applicant to obtain encroachment permit. IDFG did not respond to request for comments in regard to this application. Filed for external domestic use per remarks on application. Recommend approval.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai.

} ss.

Kattie Hay being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Legal Notice

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 17 day of March, 2005, and ending on the 24 day of March, 2005, and such publication was made as often during said period as said Daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice. Kattie Hay

On this 24 day of March, in the year of 2005, before me,

a Notary Public, personally appeared Kattie Hay,

known or identified to me to be the person whose name subscribed to the within instrument, and

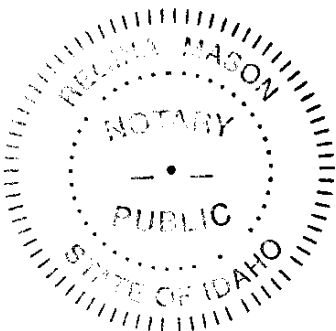
being by me first duly sworn, declared that the statements therein are true, and acknowledged

to me that he executed the same.

Regina Mason

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MY COMMISSION EXPIRES 6/18/09



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

95-9259

NEAL SMILEY
239 WILLOW CT
PASCO WA 99301
Point(s) of Diversion L2 (NWNE) S7 T49N R03W
KOOTENAI County
Source COEUR D ALENE LAKE Tributary To
SPOKANE RIVER
Use: DOMESTIC 01/01 To 12/31 0.02 CFS
Total Diversion:0.02 CFS
Date Filed:01/12/2005
Place Of Use:DOMESTIC T49N R03W S7 NWNE Lot 2
Remark:Domestic use is for 1 home.

95-9260

MILESTONE INVESTMENTS LLC
26769 W HWY 53
HAUSER ID 83854
Point(s) of Diversion SESW S19 T51N R05W
KOOTENAI County
Source GROUND WATER
Use: COMMERCIAL 01/01 To 12/31 0.17 CFS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion:0.20 CFS
Date Filed:01/14/2005
Place Of Use:DOMESTIC T51N R05W S19 SESW
Place Of Use:COMMERCIAL same as DOMESTIC
Remark:Domestic use is for office and shop.
Commercial use is for filling water Tanks on concrete pumps.

95-9261

THE HEADLANDS DEVELOPEMENT
C/O FRANK BOSS
117 E GARDEN AVE
COEUR D ALENE ID 83814
Point(s) of Diversion NWNE S22 T48N R04W
KOOTENAI County
Point(s) of Diversion (3)L1 (NENW) S22 T48N R04W
KOOTENAI County
Source for all points of diversion is GROUND WATER
Use: MUNICIPAL 01/01 To 12/31 0.5 CFS
Total Diversion:0.5 CFS
Date Filed:01/24/2005
Place Of Use:MUNICIPAL
Remark:Municipal use is within service area of applicant.

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 6853
March 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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 09, 2005

NEAL SMILEY
239 WILLOW CT
PASCO WA 99301

RE: Application for Permit No 95-9259

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 Coeur d'Alene 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, appearing to read 'Allen Beardslee', is written over a horizontal line.

Allen Beardslee
Senior Water Resource Agent

Enclosure(s) - Receipt No. N016330



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

March 09, 2005

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

KATTIE HOY &/OR KRISTY PEAK
LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

e-mailed to Kattie & Kristy 3/9/05

RE: Application for Permit No. 95-9259, 95-9260 and 95-9261

Dear LEGAL NOTICE DEPARTMENT:

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 4:36 PM
To: Legal Notices-CdA Press (E-mail); Kristy Peak (E-mail)
Subject: Legal Notice for publication of notice of Water Right Application No. 95-9259,60 and 61 on March 17 and 24, 2005

Good afternoon Kattie and Kristy,

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:

95-9259

NEAL SMILEY
239 WILLOW CT
PASCO WA 99301

Point(s) of Diversion L2 (NWNE) S7 T49N R03W KOOTENAI County

Source COEUR D ALENE LAKE Tributary To SPOKANE RIVER

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

Date Filed: 01/12/2005

Place Of Use: DOMESTIC T49N R03W S7 NWNE Lot 2

Remark: Domestic use is for 1 home.

95-9260

MILESTONE INVESTMENTS LLC
26769 W HWY 53
HAUSER ID 83854

Point(s) of Diversion SESW S19 T51N R05W KOOTENAI County

Source GROUND WATER

Use: COMMERCIAL 01/01 To 12/31 0.17 CFS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.20 CFS

Date Filed: 01/14/2005

Place Of Use: DOMESTIC T51N R05W S19 SESW

Place Of Use: COMMERCIAL same as DOMESTIC

Remark: Domestic use is for office and shop.

Commercial use is for filling water tanks on concrete pumps.

95-9261

THE HEADLANDS DEVELOPMENT
C/O FRANK BOSS
117 E GARDEN AVE
COEUR D ALENE ID 83814

Point(s) of Diversion NWNE S22 T48N R04W KOOTENAI County

Point(s) of Diversion (3) L1 (NENW) S22 T48N R04W KOOTENAI County

Source for all points of diversion is GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 0.5 CFS
Total Diversion: 0.5 CFS

Date Filed: 01/24/2005

Place Of Use: MUNICIPAL

Remark: Municipal use is within service area of applicant.

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

Ball, Dianne

From: Jim Brady [jbrady@idl.state.id.us]
Sent: Thursday, March 03, 2005 8:40 AM
To: 'Ball, Dianne'
Subject: 95-9259

Dianne, a search through our files did not reveal a permit has been issued for this. We will notify him.

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

3/3/2005



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

March 02, 2005

JIM BRADY
STATE OF IDAHO
DEPT OF LANDS
3706 INDUSTRIAL AVE S
COEUR D ALENE, ID 83815

FAXED TO JIM 3/2/05
4 pages total

Application to Permit No. 95-9259

Dear Jim :

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.

I assume they need an encroachment permit. If they don't have one will you contact them and send them the forms, please?

You may comment by e-mail to Dianne.Ball@idwr.idaho.gov

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

Sincerely,

Dianne Ball
Administrative Assistant

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 02, 2005

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

FAXED TO MARY 3/2/05
4 pages total

Application to Permit No. 95-9259

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 e-mail to Dianne.Ball@idwr.idaho.gov

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

Sincerely,

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

Dianne Ball
Administrative Assistant

Enclosure(s)

January 11, 2005

RECEIVED
JAN 12 2005
IDWR/North

Mr. Al Beardslee
Sr. Water Resource Agent
State of Idaho
Department of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d' Alene, ID. 83814-2615

Re: Application for Permit

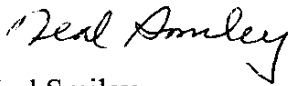
Dear Mr. Beardslee:

Thank you for talking to me yesterday about the delay in my completing the application you returned to me on August 6, 2004. My problem was determining the $\frac{1}{4}$ $\frac{1}{4}$ tract description. I do not have any maps showing this detail.

You indicated you could assist if I knew the parcel number of the property. I obtained that from the Assessor, and it is No. 49N 03W-07-2530. I have completed the changes requested in your letter, other than the details of question 3. If you can locate that, my application should be ready for processing.

Thank you very much for your assistance on this. Since this property is not our permanent home, and we use it mostly on weekends, it is difficult to visit some offices that are not open on weekends. I have returned the other papers sent to me.

Sincerely,



Neal Smiley
239 Willow Ct.
Pasco, WA. 99301