

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 81-11927

Priority: January 27, 2005

Maximum Diversion Rate: 0.02 CFS

This is to certify, that G SCOTT SWEARINGEN And/Or PAMELA S SWEARINGEN
HC75 BOX 103
KOOSKIA ID 83539

have applied for a permit to appropriate water from:

Source: LITTLE SMITH CREEK **Tributary:** MIDDLE FORK CLEARWATER 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	04/01 to 09/30	0.02 CFS

LOCATION OF POINT OF DIVERSION:

LITTLE SMITH CREEK SW¼NW¼SE¼ Sec. 32, Twp 33N, Rge 06E, B.M., IDAHO County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
33N 06E 32														X			

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 and fire prevention.
4. The domestic use authorized under this right shall not exceed 13,000 gallons per day.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
6. This right does not grant any right-of-way or easement across the land of another.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 25th day of April, 2005.


FOR KARL J DREHER, Director

71832

Ident. No. 81-11927

RECEIVED

APR 19 2005

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

AUG 23 2004

IDWR/North

Department of Water Resources

1. Name of Applicant G. SCOTT and/or PAMELA S. SWEARINGEN Phone (208) 926-4718

Mailing address HC 75 Box 103 KOOSKIA ID 83539

2. Source of water supply LITTLE SMITH CREEK which is a tributary of M.F. CLEARWATER

3. Location of point of diversion is Township 33N Range 6E Sec. 32 in the S/W 1/4, N/W 1/4, S/E 1/4, Govt. Lot N/A, B.M., IDAHO County;

additional points of diversion if any: N/A

4. Water will be used for the following purposes:

Amount 0.02 CFS for DOMESTIC purposes from APR 1 to SEP 30 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 15 A.F. for DOMESTIC purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount N/A for N/A purposes from NA to NA (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) N/A cubic feet per second and/or (b) 15 A.F. acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source WOODEN COLLECTION
Box (12" x 12" x 2'), 6" PVC LINER, 2" POLY PIPELINE

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

c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet

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

e. If well is already drilled, when? N/A; Drilling firm N/A

Well was drilled for (well owner) N/A; Drilling Permit No. N/A

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. N/A

b. Stockwatering; list number and kind of livestock. N/A

c. Municipal; show name of municipality. N/A

d. Domestic; show number of households. (1) ONE

e. Other; describe fully. N/A

RECEIVED

JAN 18 2005

IDWR/North

RECEIVED
JAN 18 2005
IDWR/Noth

3. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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.

764.2

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
33N	6E	32															D	5	
		32															~~5~~	~~5~~	

Total number of acres to be irrigated . 50

10. Describe any other water rights used for the same purposes as described above. N/A

- Who owns the property at the point of diversion? APPLICANTS U.S. FOREST SERVICE
- Who owns the land to be irrigated or place of use? APPLICANTS
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A

12. Remarks: THIS APPLICATION IS BEING MADE UPON THE RECOMMENDATION OF THE IDAHO DEPARTMENT OF LANDS AND U.S. FOREST SERVICE. THE MAIN PURPOSE OF THE WATER WOULD BE FIRE PREVENTION. THIS IS IN CONJUNCTION WITH THE NATIONAL FIRE PLAN. THE IDEA IS TO KEEP WILDFIRE FROM HOMES.

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.

J. Scott Swearing
Signature of Applicant (and title, if applicable)

Received by db Date 8/23/04 Time 1:20P Preliminary check by AB
 Fee \$ 100.00 Received by db # ND16508 Date 8/23/04
 Publication prepared by db Date 3/9/05 Published in Idaho Free Press 3/16 + 23/05
 Publication approved _____ Date _____

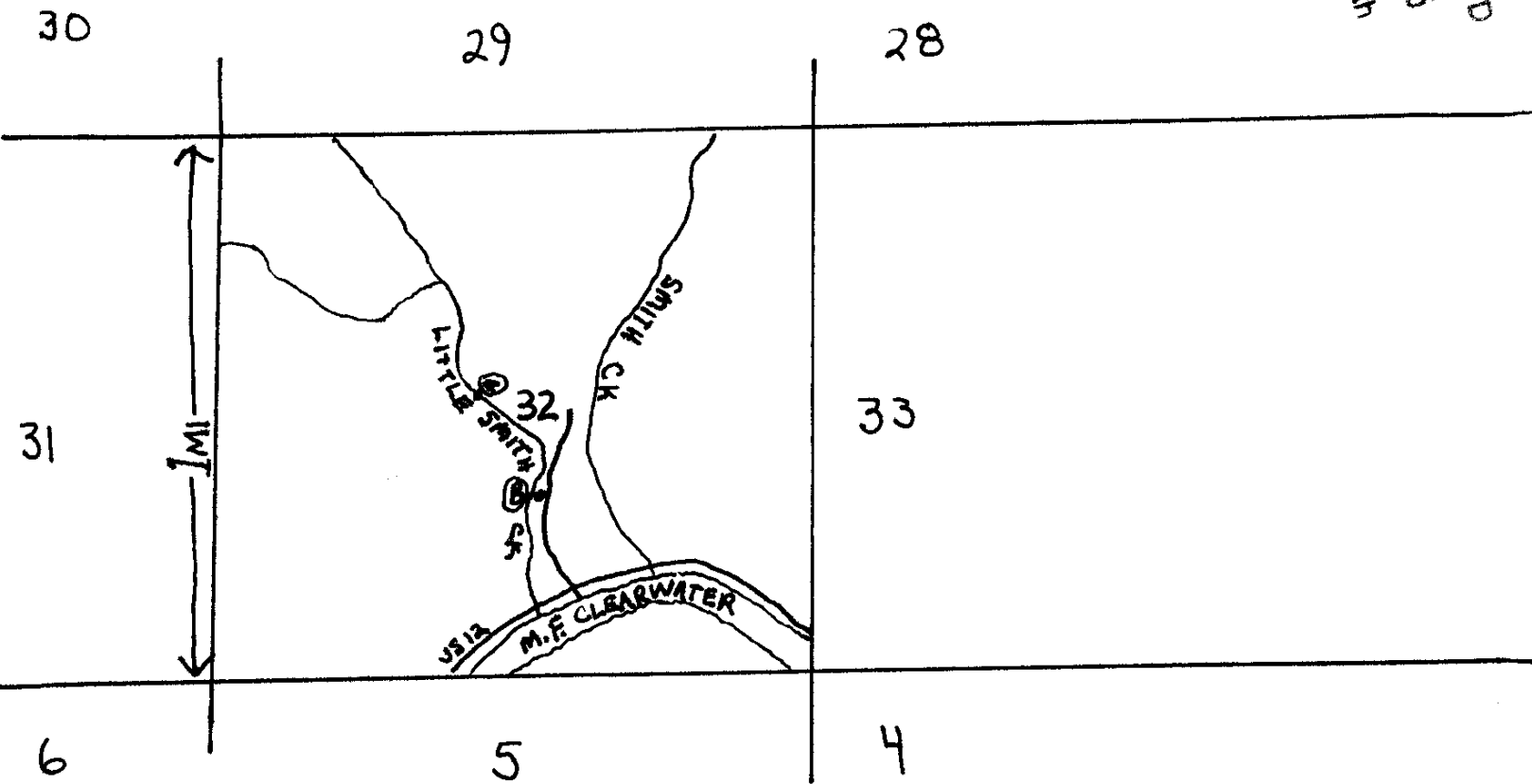
T 33 N, R 6 E, P. M.

SCALE 1:24000

DRAINAGE #81

RECEIVED
AUG 23 2004
IDWR/North

RECEIVED
JAN 18 2005
IDWR/North



(A) POINT OF DIVERSION

(B) POINT OF USE

TAX LOT #8

.81 ACRES (TOTAL)

G. SCOTT AND/OR PAMELA S. SWEARINGEN

N A T I O N A L

A-POINT OF DIVERSION

B-POINT OF USE

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JAN 27 2005
IDWR/North

Syringa

RECREATIONAL
SELWAY
MILE 99

MIDDLE
RIVER

RECREATIONAL
RANGER
RIVER

BOON
RIVER

T. 33 N., R. 6 E.

5115

5114

10'

5113

5112

T. 33 N.

T. 32 N.

5111

1 630 000
FEET

Now
Starting
Right Side
of file.



IDAHO FISH & GAME

CLEARWATER REGION
1540 Warner Avenue
Lewiston, Idaho 83501-5699

RECEIVED

APR 25 2005

Department of Water Resources

Dirk Kempthorne / Governor
Steven M. Huffaker / Director

RECEIVED
APR 21 2005
IDWR/North

April 18, 2005

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

*E on computer
4/21/05 b*

Dear Mr. Haynes:

REFERENCE:

81-11927

#81-11297 SWEARINGEN WATER RIGHT APPLICATION

G. Scott or Pamela Swearingen has requested a permit for .02 cubic feet per second water for domestic use from Little Smith Creek, a tributary to Middle Fork Clearwater River.

We have no objection to issuing the water right if your calculations indicate that the withdrawal will not reduce stream volume or flows below those needed to fully support fish, other aquatic species, wildlife and riparian habitat in both Little Smith Creek and Middle Fork Clearwater River.

However, we recommend issuing the permit identifying the beneficial use as fire prevention, not domestic use (Application section 4). The Application section 12 makes it very clear that the only intended use of the water is for fire protection. This is an important distinction, in that withdrawals for fire protection would be on an as-needed basis, permitting for domestic use would enable continuous withdrawal for those months identified in the application.

Thank you for the opportunity to comment.

Sincerely,

Cal Groen
Clearwater Regional Supervisor

CG/rh/ss

c: Tracey Trent



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 25, 2005

G SCOTT SWEARINGEN
PAMELA S SWEARINGEN
HC75 BOX 103
KOOSKIA ID 83539

RE: Permit No. 81-11927

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.

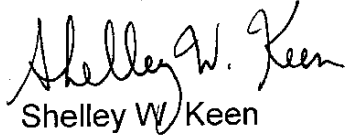
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should 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 cursive script that reads "Shelley W. Keen". The signature is written in black ink and is positioned above the printed name.

Shelley W Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

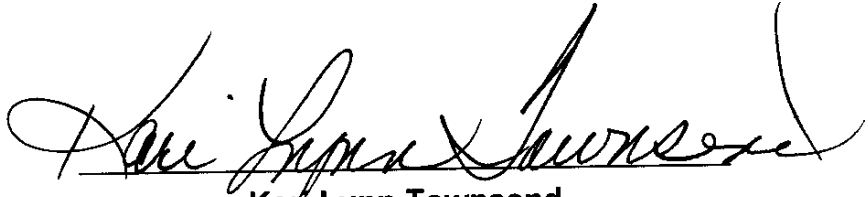
CERTIFICATE OF SERVICE

I hereby certify that on April 25, 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.

81-11927

**G SCOTT SWEARINGEN
PAMELA S SWEARINGEN
HC75 BOX 103
KOOSKIA ID 83539**



**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.

MEMORANDUM

Date: April 21, 2005
To: Water Right File 81-11927
From: Shelley Keen 
Re: Wild & Scenic Rivers Processing

The water diverted under this permit is tributary to the Middle Fork Clearwater River, which has a federal reserved minimum stream flow. Because this right is single-home domestic use, it will not be subject to curtailment to satisfy the minimum stream flow.



IDAHO FISH & GAME
CLEARWATER REGION
1540 Warner Avenue
Lewiston, Idaho 83501-5699

April 18, 2005

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

Dear Mr. Haynes:

REFERENCE:

81-11927

#81-11297 SWEARINGEN WATER RIGHT APPLICATION

G. Scott or Pamela Swearingen has requested a permit for .02 cubic feet per second water for domestic use from Little Smith Creek, a tributary to Middle Fork Clearwater River.

We have no objection to issuing the water right if your calculations indicate that the withdrawal will not reduce stream volume or flows below those needed to fully support fish, other aquatic species, wildlife and riparian habitat in both Little Smith Creek and Middle Fork Clearwater River.

However, we recommend issuing the permit identifying the beneficial use as fire prevention, not domestic use (Application section 4). The Application section 12 makes it very clear that the only intended use of the water is for fire protection. This is an important distinction, in that withdrawals for fire protection would be on an as-needed basis, permitting for domestic use would enable continuous withdrawal for those months identified in the application.

Thank you for the opportunity to comment.

Sincerely,

Cal Groen
Clearwater Regional Supervisor

CG/rh/ss

c: Tracey Trent

4/2 05
To: Shelly
Keen }

According to file
Inventory you have
this file. I entered
on computer -
Hard copy follows.
Dianne

Dirk Kempthorne / Governor
Steven M. Huffaker / Director

RECEIVED
APR 21 2005
IDWR/North

G on computer
4/21/05 b

Comment Report

81-11927

1. dball 3/8/2005 Legal Notice Remarks

Comment: Domestic use is for 1 home and fire prevention.

2. kwalker 4/21/2005 Permit Review

Comment: Application falls within Salmon Clearwater moratorium area but is for domestic use so is exempt. Found the place of use located in NWSE rather than SWSE of S32 based on Idaho County tax lot information in arc view. Region did not want to readvertise. Recommend approval.



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

April 04, 2005

RAY HENNEKEY
STATE OF IDAHO
DEPT OF FISH & GAME
1540 WARNER AVE
LEWISTON, ID 83501

FAXED TO RAY 4/4/05
Total 5 pages

Application to Permit No. 81-11927

STATE OF IDAHO :

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 can comment by e-mail to Dianne.Ball@idwr.idaho.gov or by Fax to 208-769-1454.

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

Sincerely,

Dianne Ball
Administrative Assistant

Enclosure(s)

RECEIVED

MAR 24 2005

IDWR/North

AFFIDAVIT OF PUBLICATION

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

81-11927

G SCOTT SWEARINGEN
PAMELA S SWEARINGEN
HC75 BOX 103
KOOSKIA ID 83499

Point(s) of Diversion SWNWSE S32

T33N R06E IDAHO County
Source LITTLE SMITH CREEK Tributary To MIDDLE FORK CLEARWATER RIVER

Use: DOMESTIC 04/01 To 09/30 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 01/27/2005

Place Of Use: DOMESTIC T33N R06E S32 SWSE

Remark: Domestic use is for 1 home and fire prevention.

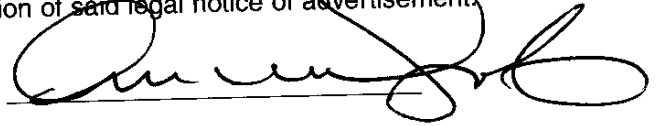
Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

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 16 and 23, 2005
M 16-23

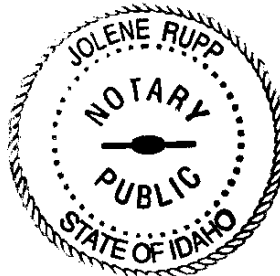
STATE OF IDAHO
County of Idaho - ss.

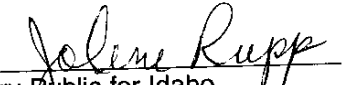
Andrew J. McNab, being first duly sworn, says he is the Publisher of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho County, State of Idaho, and is of general circulation in said county and state, that the said legal notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 16th day of March, 2005; and the last publication on the 23rd day of March, 2005; and that the said legal notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the publication of said legal notice of advertisement.

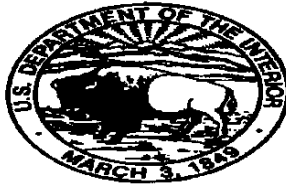


STATE OF IDAHO)
COUNTY OF IDAHO)

On this 23rd day of March in the year of 2005, before me a Notary Public personally appeared Andrew J. McNab, 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 Grangeville, ID
My commission expires: 7-29-07



Lin Pierron-Buck
ID933B - Water Rights Assistant
Department of the Interior - Bureau of Land Management - Idaho State Office
1387 South Vinnell Way - Boise, Idaho 83709
Phone: (208) 373-4097 Fax: (208) 373-3839 Email: Lin_Buck@blm.gov

FAX

March 21, 2005

To: Dianne Ball - IDWR - Northern Regional Office - Fax # (208) 769-1454
From: Lin Pierron-Buck - BLM - Idaho State Office - Fax # (208) 373-3805
Re: Application for Permit #81-11927 for G. Scott Swearingen and Pamela S. Swearingen.

Hi Dianne:

Our office reviewed the above water right application for permit from the IDWR New Water Rights filing report dated March 14, 2005 (copy attached).

Our MTP (copy attached) indicates the following may be missing a lot #:

POU: T33N R06E S32 SWSE

BLM does not have a problem with this application for permit; we are just providing this for your information.

Thank you. Have a nice day!!

cc: Craig Johnson - BLM - Cottonwood Field Office - Fax # (208) 962-3275
Steve Spencer - FS - BAT - Fax # (208) 387-0842

of pages: 4 (includes coversheet)

Gavin
lot 2
data
entered
for POU
3/24/04

IDAHO DEPARTMENT OF WATER RESOURCES
NEW WATER RIGHT FILINGS

DATE: 03/14/05

Application for Permit No. 81-11927

Name: G SCOTT SWEARINGEN

PAMELA S SWEARINGEN

Diversion Pt SWNWSE

Sec 32 T 33N R 06E IDAHO County

Source LITTLE SMITH CREEK

Use: DOMESTIC

04/01 To 09/30 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 01/27/2005

Place Of Use: DOMESTIC

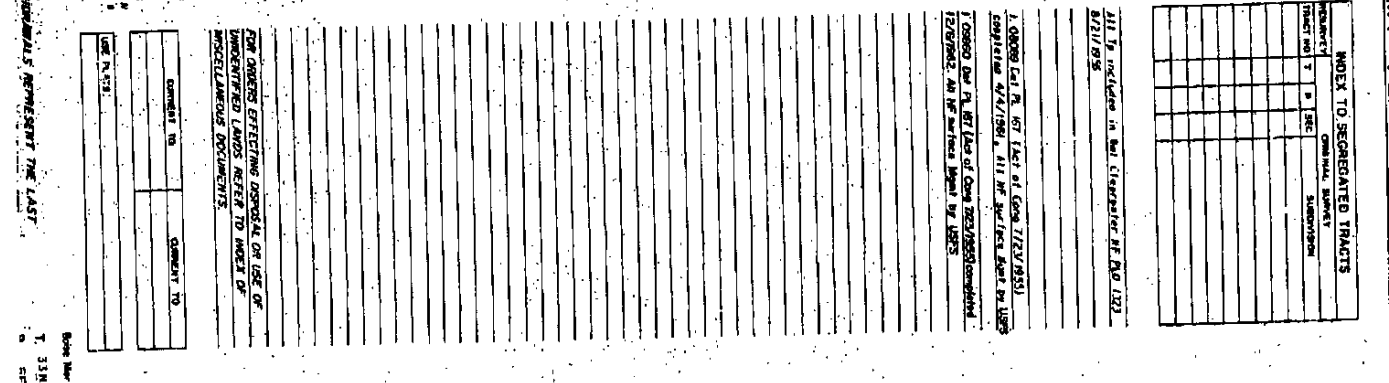
T33N R06E S32

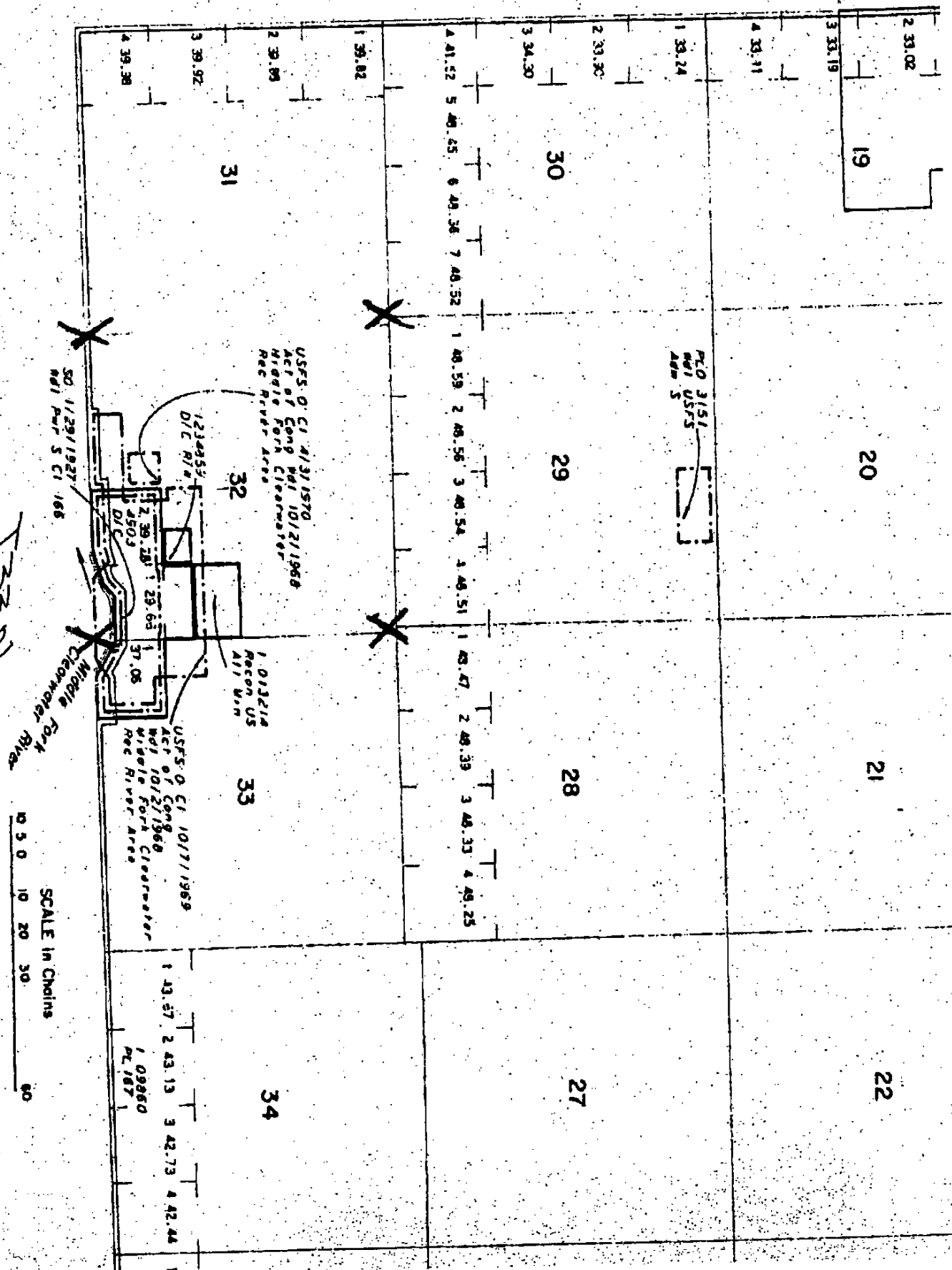
SWSE

Remarks: Domestic use is for 1 home and fire prevention.

IDAHO COUNTY 049
COEUR D'ALENE DISTRICT

MT PLAT

[illegible][illegible]



13320
 806E
 538



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

G SCOTT SWEARINGEN
PAMELA S SWEARINGEN
HC75 BOX 103
KOOSKIA ID 83539

RE: Application for Permit No 81-11927

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 Idaho County Free Press on March 16 and 23, 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 cursive script that reads "Allen Beardslee".

Allen Beardslee
Senior Water Resource Agent

Enclosure(s) - Receipt No. N016508 for your records.



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

NONA DONALDSON
LEGAL NOTICE DEPARTMENT
IDAHO COUNTY FREE PRESS
PO BOX 690
GRANGEVILLE ID 83530

e-mailed to ndonaldson@eaglenewspapers.com

RE: Application for Permit No. 81-11927

Dear Nona:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates Indicated, March 16 and 23, 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 12:04 PM
To: Legal Notices-ID CO Free Press (E-mail)
Subject: Legal Notice for publication of notice of Water Right Application No. 81-11927 on March 16 and 23, 2005

Good day to you, Nona,

Attached you will find our cover letter requesting publication of a Legal Notice on March 16, and 23, 2005. Also attached is the Legal Notice for publication.

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 copies are pasted.

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:

81-11927

G SCOTT SWEARINGEN
PAMELA S SWEARINGEN
HC75 BOX 103
KOOSKIA ID 83539

Point(s) of Diversion SWNWSE S32 T33N R06E IDAHO County
Source LITTLE SMITH CREEK Tributary To MIDDLE FORK CLEARWATER RIVER

Use: DOMESTIC 04/01 To 09/30 0.02 CFS
Total Diversion: 0.02 CFS

Date Filed: 01/27/2005

Place Of Use: DOMESTIC T33N R06E S32 SWSE

Remark: Domestic use is for 1 home and fire prevention.

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 16 and 23, 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 08, 2005

US DEPT OF AGRICULTURE
FOREST SERVICE
NEZ PERCE NATIONAL FOREST
RT 2 BOX 475
GRANGEVILLE, ID

Application to Permit No. 81-11927

US DEPT OF AGRICULTURE :

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 is enclosed 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.

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

You may respond or comment by e-mail if you choose, directed to
Dianne.Ball@idwr.idaho.gov

Sincerely,

A handwritten signature in cursive script that reads "Dianne Ball". The signature is written in dark ink and is positioned above the printed name and title.

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

December 27, 2004

RECEIVED
JAN 18 2005
IDWR/North

Scott & Pamela Swearingen
HC 75 Box 103
Kooskia, ID 83539

RE: Application for Permit

Dear Mr. & Mrs. Swearingen:

We are returning your Application for Permit, as it is not acceptable at this time.

Please contact our office and either Bob Haynes or I will be glad to assist you with the items on your filing that are incomplete, or need clarification.

Sincerely,

Allen Beardslee

Allen Beardslee
Sr. Water Resource Agent

*Mr. Beardslee,
I telephoned Bob Haynes on Jan 13, 2005.
I have made the changes we discussed.
Shm Scott Swearingen*