

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 85-15453

Priority: March 08, 2004

Maximum Diversion Rate: 0.02 CFS

This is to certify, that RAE LOYCE SONNEN
RT 1 BOX 191
COTTONWOOD ID 83522

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	0.02 CFS
STOCKWATER	01/01 to 12/31	0.01 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER L9 (SW $\frac{1}{4}$ NW $\frac{1}{4}$) Sec. 21, Twp 32N, Rge 01E, B.M., IDAHO County

PLACE OF USE: DOMESTIC & STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
32N 01E 21							X										
							L9										

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 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. Domestic use is for 1 home.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day.
6. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
7. Stockwater use is for 50 sheep.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 2nd day of November, 2004.


KARL J DREHER, Director

Ident. No. 85-15453

71473
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

RECEIVED
MAR 08 2004
IDWR/North

1. Name of Applicant Rae Loyce Sonnen Phone 208-962-3179
Mailing address Route 1 Box 191 Cottonwood ID 83522
2. Source of water supply Ground water which is a tributary of Stock Creek
3. Location of point of diversion is Township 32N Range 1E Sec. 21, in the -- 1/4,
SW 1/4, NW 1/4, Govt. Lot #9, B.M., Idaho County;
additional points of diversion if any:
4. Water will be used for the following purposes:
- | | |
|---|--|
| Amount <u>.015 cfs</u> for <u>Domestic</u> purposes from <u>Jan 1</u> to <u>Dec 31</u> (both dates inclusive)
(cfs or acre-feet per annum) | |
| Amount <u>.005 cfs</u> for <u>Stock</u> purposes from <u>Jan 1</u> to <u>Dec 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 cfs and/or (b) ---
cubic feet per second acre feet per annum
6. Proposed diverting works: N/A
- a. Describe type and size of devices used to divert water from the source Pump & lines to outbuildings
- 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 --- 102 feet
- d. Is ground water with a temperature of greater than 85°F being sought? No
- e. If well is already drilled, when? 3-3-71; Drilling firm Uhlenkott Well Drilling
Well was drilled for (well owner) Yes; Drilling Permit No. 744266
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. <u>N/A</u> | RECEIVED
OCT 19 2004
Department of Water Resources |
| b. Stockwatering; list number and kind of livestock. <u>50 Sheep</u> | |
| c. Municipal; show name of municipality. <u>N/A</u> | |
| d. Domestic; show number of households. <u>1</u> | |
| e. Other; describe fully. <u>N/A</u> | |

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	
32N	1E	21							9										
32N	1E	21							D										
									S										

Total number of acres to be irrigated N/A

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

11. a. Who owns the property at the point of diversion? Rae Loyce Sonnen

b. Who owns the land to be irrigated or place of use? N/A

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A

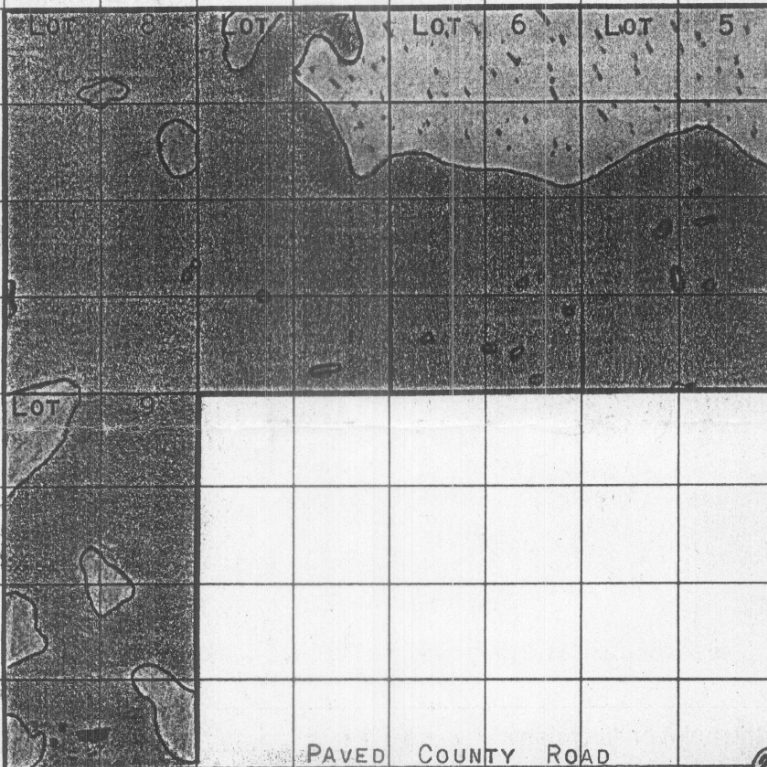
12. Remarks: _____

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.

Rae Loyce Sonnen
Signature of Applicant (and title, if applicable)

Received by b Date 3/8/04 Time 1:30 p Preliminary check by # Date 3/8/04
Fee \$ 100.00 Received by b Date 8/26/04 Published in Callaway's Chronicle Date 9/2 + 9/04
Publication prepared by b Date 10/4/04
Publication approved _____



PAVED COUNTY ROAD

21

U.S. # 95
1/4 MILE

COTTONWOOD 5 MILES

TOWNSHIP 32-NORTH

RANGE 1-EBM

IDAHO COUNTY

IDAHO

SCALE: 1 INCH = 660 FEET



PLATON
APR 1978
THIS
MONO
10-17-78

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

November 3, 2004

RAE LOYCE SONNEN
RT 1 BOX 191
COTTONWOOD ID 83522

RE: Permit No. 85-15453

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.

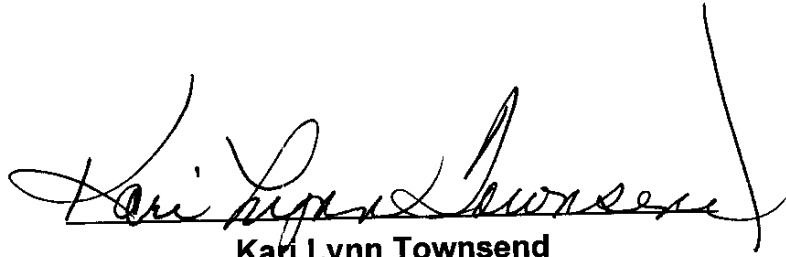
CERTIFICATE OF SERVICE

I hereby certify that on November 3, 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.

85-15453

RAE LOYCE SONNEN
RT 1 BOX 191
COTTONWOOD ID 83522



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

85-15453

1. dball 8/18/2004 Legal Notice Remarks

Comment: Domestic use is for one home.

Stockwater use is for 50 head of sheep.

2. kwalker 10/26/2004 Permit Review

Comment: Application falls within Salmon Clearwater moratorium area but is for ground water so is exempt. Recommend approval.

Affidavit of Publication

RECEIVED
OCT 04 2004
IDWR/North

STATE OF IDAHO, }
County of Idaho, } ss.

I, GREGORY A. WHERRY, being first duly sworn, depose and say that I am Editor of the COTTONWOOD CHRONICLE, a weekly newspaper, published and issued weekly at Cottonwood, Idaho County, State of Idaho, which is of general circulation in said county and state, that the said notice, of which the hereto attached is a true copy, was published in said newspaper for

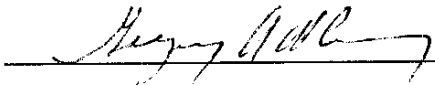
2 weeks, being published 2 times, the

first publication being on the 2nd day of

Sept., 2004, and the last publication on the

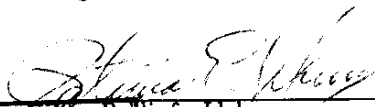
9th day of Sept., 2004, and that

the said notice was published in the newspaper proper and not in a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight (78) consecutive weeks prior to the first publication of said notice or advertisement.



STATE OF IDAHO, }
County of Idaho, }

On this 30th day of September in the year of 2004, before me, a Notary Public, personally appeared Gregory A Wherry, know or identified to me to be the person whose name is 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

PATRICIA E. WHERRY
Residing at Cottonwood
NOTARY PUBLIC
My commission expires: 12-2006
STATE OF IDAHO

Notice

PUBLIC NOTICE

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

85-15453

RAE LOYCE SONNEN

RT 1 BOX 191

COTTONWOOD ID 83522

Point(s) of Diversion L9 (SWNW)

S21 T32N R01E IDAHO County

Source GROUND WATER

Use: STOCKWATER 01/01 To

12/31 0.01 CFS

Use: DOMESTIC 01/01 To 12/31

0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 03/08/2004

Place Of Use: DOMESTIC T32N

R01E S21 SWNW Lot 9

Place Of Use: STOCKWATER

same as DOMESTIC

Remark: Domestic use is for one home.

Stockwater use is for 50 head of sheep.

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 09/20/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Cottonwood Chronicle September 2 and 9, 2004

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

85-15453

RAE LOYCE SONNEN

RT 1 BOX 191

COTTONWOOD ID 83522

Point(s) of Diversion L9 (SWNW) S21 T32N R01E IDAHO County

Source GROUND WATER

Use: STOCKWATER 01/01 To 12/31 0.01 CFS

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

Total Diversion: 0.02 CFS

Date Filed: 03/08/2004

Place Of Use: DOMESTIC T32N R01E S21 SWNW Lot 9

Place Of Use: STOCKWATER same as DOMESTIC

Remark: Domestic use is for one home.

Stockwater use is for 50 head of sheep.

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 09/20/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published September 2 and 9, 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

August 26, 2004

~ PLEASE FAX PROOF PRIOR TO PUBLICATION ~

LEGAL NOTICE DEPARTMENT

COTTONWOOD CHRONICLE

PO BOX 157

COTTONWOOD ID 83522

RE: Application for Permit No. 85-15453

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, September 2 and 9, 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 09/20/2004. Your cooperation is, as always, GREATLY appreciated.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, August 26, 2004 9:25 AM
To: Legal Notices-CotChron-LewisCoH (E-mail)
Subject: Legal notice for publication September 2 and 9, 2004

Good morning, and I wish for you a marvelous day.

Attached is a Cover Letter requesting publication of a Legal Notice on September 2 and 9. Also attached is the Legal Notice.

PLEASE FAX A PROOF PRIOR TO PUBLICATION SO I CAN CHECK LAYOUT. Tabs often do crazy things when you cut and paste, but hopefully cut and paste beats you having to re-type the whole legal.

If you have ANY questions, please call me at 208-769-1450 or e-mail me at dball@idwr.state.id.us

Thank you **very much** for all your help.

 *Dianne*

8/26/2004



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

Fax (208) 769-1454

August 26, 2004

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RAE LOYCE SONNEN
RT 1 BOX 191
COTTONWOOD ID 83522

RE: Application for Permit No 85-15453

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 Cottonwood Chronicle on September 2 and 9, 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 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". The signature is written in dark ink and is positioned below the word "Sincerely,".

Allen Beardslee
Senior Water Resource Agent

Enclosure(s) - Receipt No. N016109