

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 84-12191

Priority: August 16, 2004

Maximum Diversion Rate: 0.16 CFS

This is to certify, that JAMES B BOLIN And
CATHY L BOLIN
4015 N ALDERNEY CIRCLE
WASILLA AK 99654

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>
STOCKWATER	01/01 to 12/31	0.02 CFS
IRRIGATION	03/15 to 11/15	0.10 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE¼NW¼ Sec. 24, Twp 36N, Rge 02E, B.M. CLEARWATER County

PLACE OF USE: STOCKWATER AND 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	
36N 02E 24					X	X											
						L 1											

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
36N 02E 24					2.5	2.5											5.0
						L 1											

Total Acres: 5

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 84-12191

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **March 01, 2010**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
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 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
7. Stockwater use is for 3 horses and 2 cows.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 3RD day of March, 2005.


for KARL J DREHER, Director

RECEIVED

FEB 13 2005

4015 N. Alderney Ct
Wasilla, AK 99654

RECEIVED

AUG 16 2004

IDWR/North

Ident. No. 84-12191

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

JUL 01 2004

IDWR/North

1. Name of Applicant James B & Cathy L Boln Phone 907-357-1615
Mailing address 4015 N Alderney Circle Wasilla Alaska 99654
2. Source of water supply Ground Water which is a tributary of N/A
3. Location of point of diversion is Township 36 N Range 2 E Sec. 24, in the SE 1/4, NE 1/4, NW 1/4, Govt. Lot , B.M., Clearwater County;
- additional points of diversion if any:
4. Water will be used for the following purposes:
- | | |
|---|---|
| Amount <u>0.1 cfs</u> for <u>Irrigation</u> | purposes from <u>Mar 15</u> to <u>Nov 15</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u>0.04 cfs</u> for <u>Domestic</u> | purposes from <u>1 Jan</u> to <u>31 Dec</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u>0.00 cfs</u> for <u>Stock water</u> | purposes from <u>1 Jan</u> to <u>31 Dec</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u> </u> for <u> </u> | purposes from <u> </u> to <u> </u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u> </u> for <u> </u> | purposes from <u> </u> to <u> </u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount <u> </u> for <u> </u> | purposes from <u> </u> to <u> </u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
5. Total quantity to be appropriated is (a) 0.16 ^{cubic feet per second} per year and/or (b) ^{acre feet per annum}
6. Proposed diverting works: Steel pipe 8"-96" deep PVC 6" 193" deep
- a. Describe type and size of devices used to divert water from the source PVC pipe to move water from well to House, Barn, Shop and watering Buckets
- b. Height of storage dam N/A feet; active reservoir capacity acre-feet; total reservoir capacity acre-feet
- c. Proposed well diameter is 8" inches; proposed depth of well is 203 feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? 5/03/04; Drilling firm Stuivenga Vessey Drilling
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 5 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. Horses - 3 Cows - 2
- c. Municipal; show name of municipality.
- d. Domestic; show number of households. One House
- e. Other; describe fully. Shop - Barn use, garden use, water trees and flowers other household uses

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	
36N	26E	24	D			D	D	D											
							25	25											5

Total number of acres to be irrigated ~~25~~ 5

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? James B & Cathy L Bolin
b. Who owns the land to be irrigated or place of use? James B & Cathy L Bolin
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:

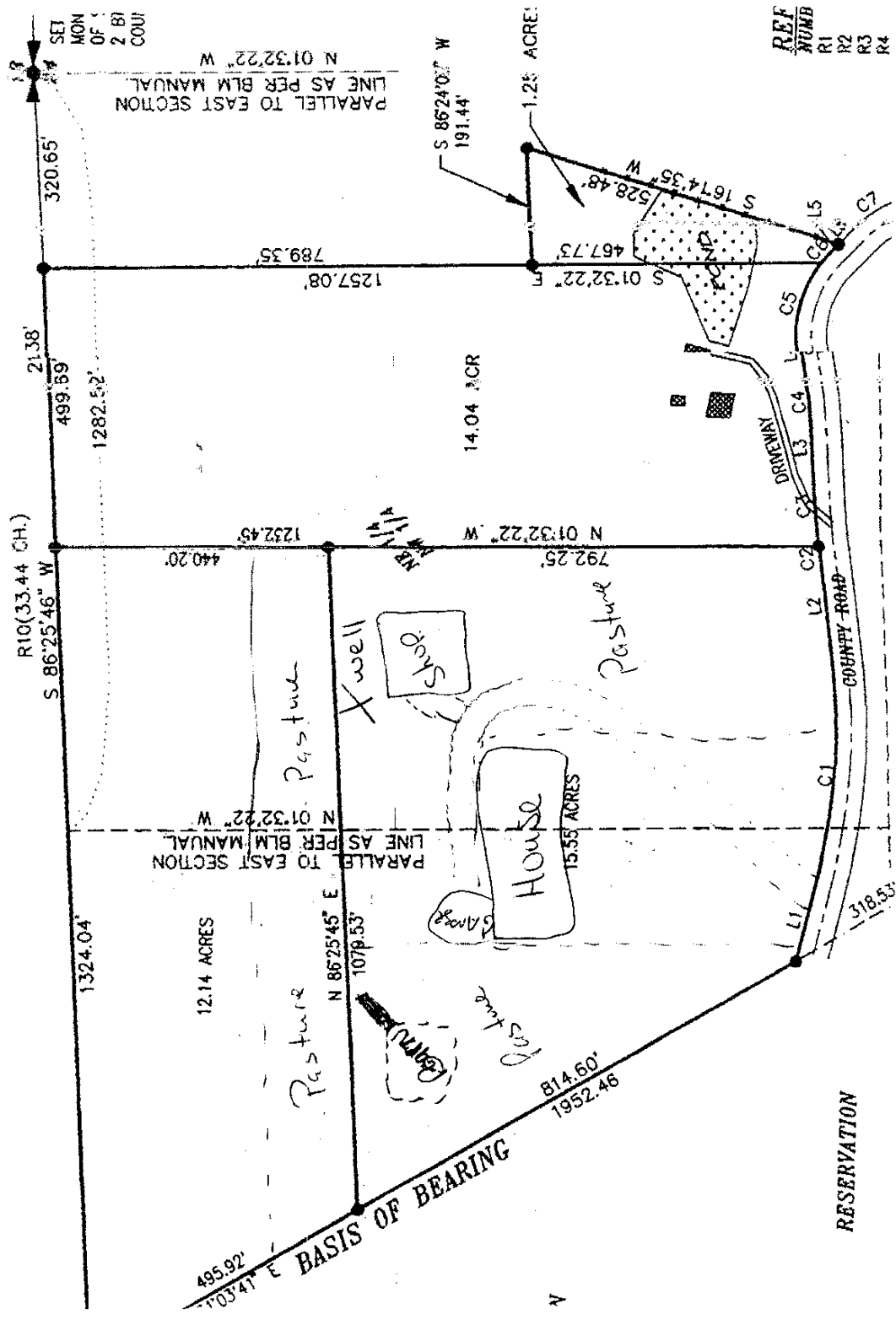
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.

James B Bolin
Cathy L Bolin
Signature of Applicant (and title, if applicable)

Received by db Date 7/1/04 Time 11:40a Preliminary check by _____
Fee \$ 100.00 Receipted by db # N016386 Date 7/1/04
Publication prepared by db Date 11/2/05 Published in Idaho Water Trust 1/20 + 27/05
Publication approved db Date 2/3/05

Boise Meridian
Clearwater County,
BAWMAN
PREVIOUS OWNER



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

March 4, 2005

JAMES B BOLIN
CATHY L BOLIN
4015 N ALDERNEY CIRCLE
WASILLA AK 99654

RE: Permit No. 84-12191

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

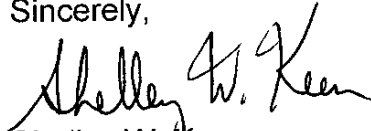
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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,



Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

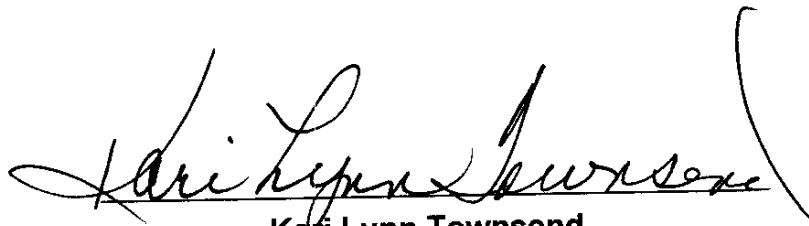
CERTIFICATE OF SERVICE

I hereby certify that on March 4, 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.

84-12191

**CATHY L BOLIN
JAMES B BOLIN
4015 N ALDERNEY CIRCLE
WASILLA AK 99654**



**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.

5/22/2014

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.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Clearwater)

MARCIE STANTON

RECEIVED
FEB 03 2005
IDWR/North

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of the THE CLEARWATER TRIBUNE: that said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the period of sevety-eight consecutive weeks prior to the

Dept. of Water Resource

BOLIN WATER APPLICATION NOTICE

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for a full period of two non-consecutive issues, commencing on the 20th day of January 2005 and ending on the 27th day of January 2005

STATE OF IDAHO)
)
COUNTY OF CLEARWATER)

On this 27th day of January in the year of 2005,
before me, a Notary Public, personally appeared

Marcie Stanton

known or identified to me to be the person whose name subscribed to the within insturment, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Pamela A. Jones

Notary Public for Idaho
Resident at Orofino, Idaho
My commission expires: 11-20-07

NOTICE

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
84-12191

JAMES B BOLIN
CATHY L BOLIN
4015 N ALDERNEY CIRCLE
WASILLA AK 99654

Point(s) of Diversion NENW S24 T36N R02E CLEARWATER County

Source GROUND WATER

Use: IRRIGATION	03/15 To 11/15	0.1 CFS
Use: STOCKWATER	01/01 To 12/31	0.02 CFS
Use: DOMESTIC	01/01 To 12/31	0.04 CFS
Total Diversion:		0.16 CFS

Date Filed: 08/16/2004

Place Of Use: IRRIGATION

T36N R02E S24 NENW NWNW

Number of Acres 5

Place Of Use: DOMESTIC and STOCKWATER same as IRRIGATION

Remark: Domestic use is for 1 home

Stockwater use is for 5 head of mixed stock

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 02/07/2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

1-20,27-05C

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

84-12191

JAMES B BOLIN
CATHY L BOLIN
4015 N ALDERNEY CIRCLE
WASILLA AK 99654

Point(s) of Diversion NENW S24 T36N R02E CLEARWATER County
Source GROUND WATER

Use: IRRIGATION	03/15 To 11/15	0.1 CFS
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T36N R02E S24 NENW NWNW

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KARL J DREHER, Director

Published on January 20 and 27, 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

January 12, 2005

MARCIE STANTON
LEGAL NOTICE DEPARTMENT
CLEARWATER TRIBUNE
PO BOX 71
OROFINO ID 83544

e-mailed to cleartrib@clearwater.net

RE: Application for Permit No. 84-12191

Dear Marcie:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, January 20 and 27, 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 02/07/2005. Your cooperation is GREATLY appreciated, as always.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, January 12, 2005 4:57 PM
To: Legal Notices-Clearwater Tribune (E-mail)
Subject: Legal notice for publication on January 20 and 27, 2005

Good day to you, Marcie (and Andrea, too!)

Attached is a cover letter requesting publication of a legal notice on January 20 and 27, 2005. Legal notice is also attached.

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

ALSO, PLEASE FAX ME A PROOF COPY PRIOR TO PUBLICATION at 208-769-1454.

I've been on medical leave 2+ months so I don't know if I might have missed something. This gives me a chance to double check my work.

Thanks very much,

 *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

1/12/2005



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

January 12, 2005

JAMES B BOLIN
CATHY L BOLIN
4015 N ALDERNEY CIRCLE
WASILLA AK 99654

RE: Application for Permit No 84-12191

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 Clearwater Tribune on January 20 and 27, 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



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 6, 2004

James and Cathy Bolin
4015 N. Alderney Circle
Wasilla, AK 99654

RECEIVED
AUG 16 2004
IDWR/North

RE: Application for Permit Filing

Dear Mr. and Mrs. Bolin:

We received your application for permit to appropriate ground water for irrigation, stockwater and domestic purposes. The application is being returned to you for the following reasons:

1. The standard rate for irrigation of more than 5 acres is 0.02 cfs per acre. Therefore, you can request 0.10 cfs for your ~~20 acres~~. **5**
2. The standard rate of diversion for domestic purposes for 1 home is 0.04 cfs (18 gpm). **Fixed**
3. With the changes listed above, the total in Item 5 should be 0.46 cfs.
4. Under Item 9 you show 1/4 acre in each of the NENE and SENE, but the total number of acres you list is 20. If you are requesting authorization to irrigate all 20 acres, please indicate the total number of acres irrigated in each 1/4.
5. The filing fee for 0.46 cfs is \$250.00. We received \$100.00 from you at the time of filing. The remaining \$150.00 needs to be submitted.

Changed to .16 - \$100

Please return the application and additional filing fee to us after you have made the above mentioned corrections so that we can continue processing. Please call if you have questions.

NO, not irrigating all 20 Acres. House Barn shop yard will all be in that area

Sincerely,

for **Al Beardslee**
Sr. Water Resource Agent

Enclosure

The confusion occurred when I noted we would irrigate 20 acres obviously a mis communication of terminology we will not have hay fields, crops or any commercial growing product requiring irrigation. Please make the above corrections & re examine our application.