

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 81-11924

Priority: August 16, 2004

Maximum Diversion Rate: 0.04 CFS

This is to certify, that WILLIAM C ATHENS
1924 S UTICA - STE 810
TULSA OK 74104

has applied for a permit to appropriate water from:

Source: SPRING

Tributary: SELWAY 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	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

SPRING SW¼SE¼NE¼ Sec. 15, Twp 30N, Rge 13E, 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
30N 13E 15											X						

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **March 01, 2006**.
2. Subject to all prior water rights.
3. The place of use is part of Homestead Entry Survey No. 789 and does not include any federal land.
4. This right does not grant any right-of-way or easement across the land of another.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
6. Domestic use is for 1 home and shall not include lawn, garden, landscape, or other types of irrigation until the Wilderness Areas Moratorium is lifted or modified to allow the consumptive use of water in connection with the diversion of water for domestic purposes. If irrigation in connection with this domestic use is authorized by the lifting or modification of the Wilderness Areas Moratorium, it shall not exceed 1/2 acre.

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.


FDR KARL J DREHER, Director

FORM 202
1499
RECEIVED

FEB 23 2005

Department of Water Resources

71695

Ident. No. 81-11924

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

FEB 23 2004

IDWR/North

1. Name of Applicant William C Athens Phone 918 7499401

Mailing address 1924 S Utica Suite 810 Tulsa, Okla 74104

2. Source of water supply spring which is a tributary of Selway River

3. Location of point of diversion is Township 30N Range 13E Sec. 15 in the sw $\frac{1}{4}$,
se $\frac{1}{4}$, ne $\frac{1}{4}$, Govt. Lot B. B.M., Idaho County;

additional points of diversion if any:

4. Water will be used for the following purposes:

Amount .04 for domestic purposes from 4-1 to 11-30 (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .04 and/or (b)
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source

10x10x4 ditch to collect water and 1" pipe for transport

b. Height of storage dam feet; active reservoir capacity acre-feet; total
reservoir capacity 1/20th acre-feet

c. Proposed well diameter is 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. 1

e. Other; describe fully.



North Star Lodge, Inc.

1924 S. Utica • Suite 810 • Tulsa, Oklahoma 74104

(918) 749-9401
(918) 743-6103 fax
(208) 942-3351 Idaho
(254) 378-7339 Satellite

William C. Athens
President

RECEIVED
AUG 16 2004
IDWR/North

3. 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	
30N	13E	15										D							

Total number of acres to be irrigated 0

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? US Forest Service

b. Who owns the land to be irrigated or place of use? William C Athens

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: _____

the spring is located 1/2 mile from wilderness cabin
spring has been used for domestic water supply
for this cabin since 1974 but was never permitted

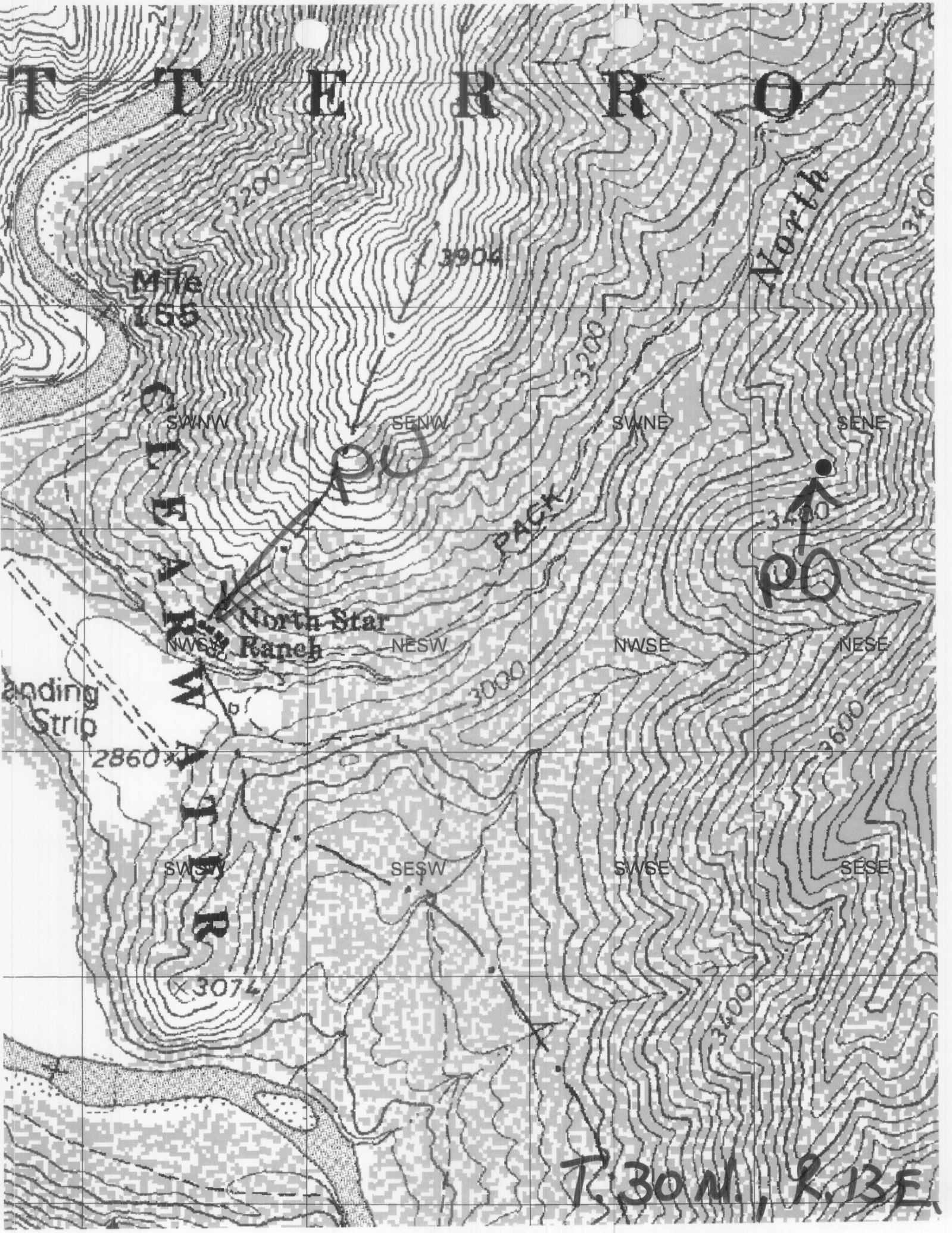
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.

William C. Athens
William C. Athens
 Signature of Applicant (and title, if applicable)

Received by db Date 2/23/04 Time 11:11 a Preliminary check by _____
 Fee \$ 100.00 Received by db # N016098 Date 2/23/04
 Publication prepared by db Date 1/12/05 Published in Id Co Free Press 1/19+26/05
 Publication approved db Date 2/1/05

T T E R R O



Mile 155

C
I
A

Landing Strip

North Star Ranch

PACK

2860

3074

3904

3000

North

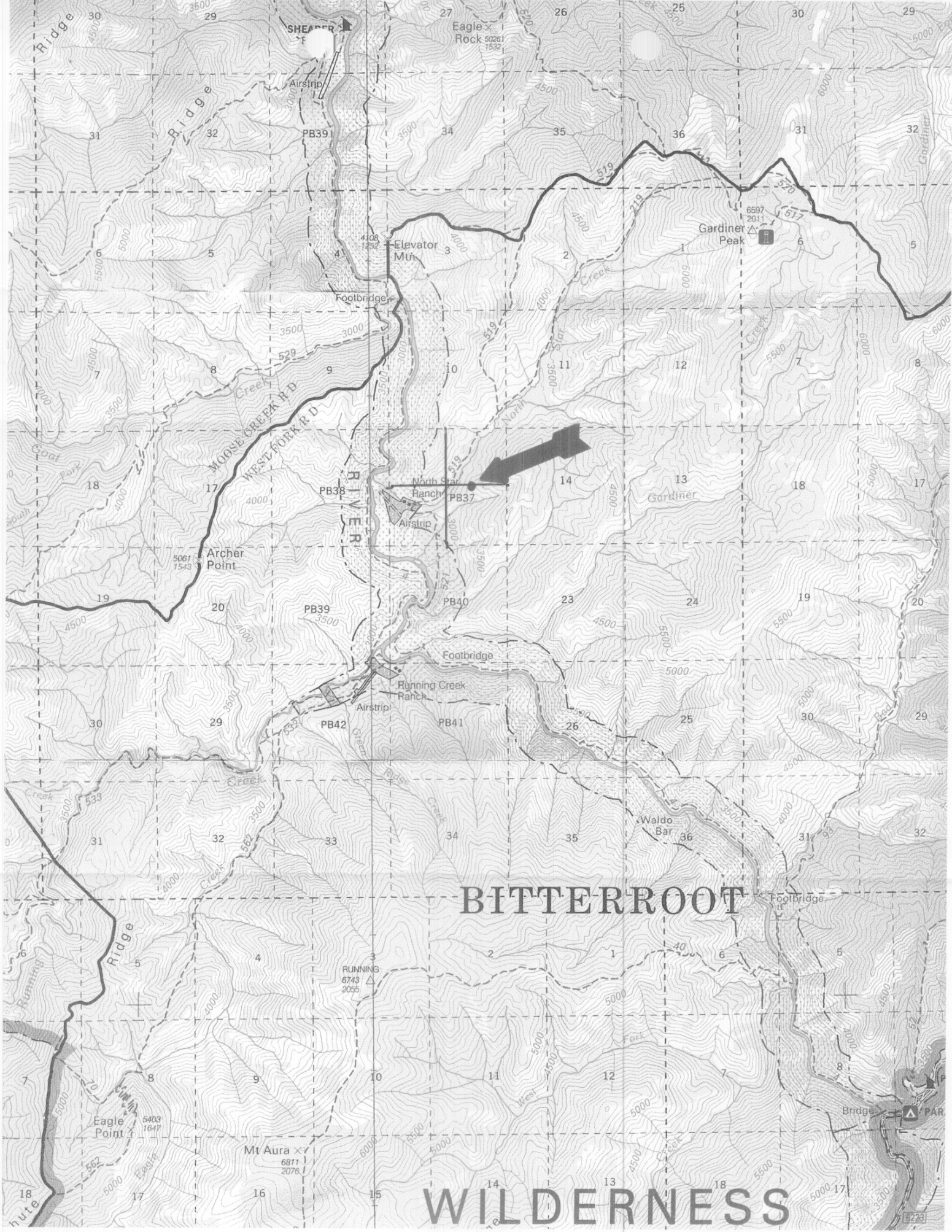
T. 30 N., R. 13 E.



SCALE: 1 INCH = 1000 FEET

CONTOUR INTERVAL 20 FEET

..... 1" buried water line



BITTERROOT

WILDERNESS

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 3, 2005

WILLIAM C ATHENS
1924 S UTICA - STE 810
TULSA OK 74104

RE: Permit No. 81-11924

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.

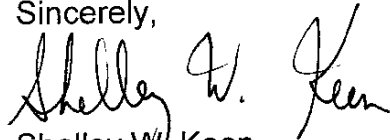
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should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

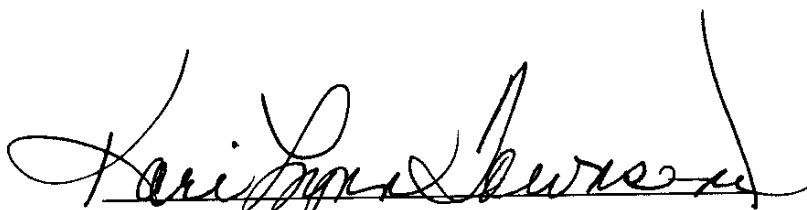
CERTIFICATE OF SERVICE

I hereby certify that on March 3, 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.

81-11924

**WILLIAM C ATHENS
1924 S UTICA - STE 810
TULSA OK 74104**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", written over a horizontal line.

**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

81-11924

1. dball 1/10/2005 Legal Notice Remarks

Comment: Domestic use is for 1 home.

2. skeen 3/2/2005 12:41:43 PM Special Administration Area Notes

Comment: Special Administration Areas : Salmon-Clearwater (Moratorium Area)

Exempt: Y

Reason: Single Family Domestic Uses Are Exempt

Doc Attached: N

Explanation:

Special Administration Areas : Wilderness Areas (Moratorium Area)

Exempt: Y

Reason: Non-Consumptive Use as long as it is limited to in-house use. Because the moratorium may be lifted soon, include a condition saying that the permit holder can water his lawn once the moratorium is lifted.

Doc Attached: N

Explanation:

3. skeen 3/2/2005 Priority Date

Comment: IDWR received application 81-11924 on 2/23/2004, but it was returned to the applicant for completion. The completed application was received on 8/16/2004, which will be the permitted priority date.

Knoblock, Ken

From: Steven M Spencer [sspencer@fs.fed.us]
Sent: Monday, December 06, 2004 9:51 AM
To: kknobloc@idwr.state.id.us
Cc: don.shaff@idwr.idaho.gov
Subject: 81-10248

*To File 81-11924
because this addresses
the same place of
use.*

S.W. Ken

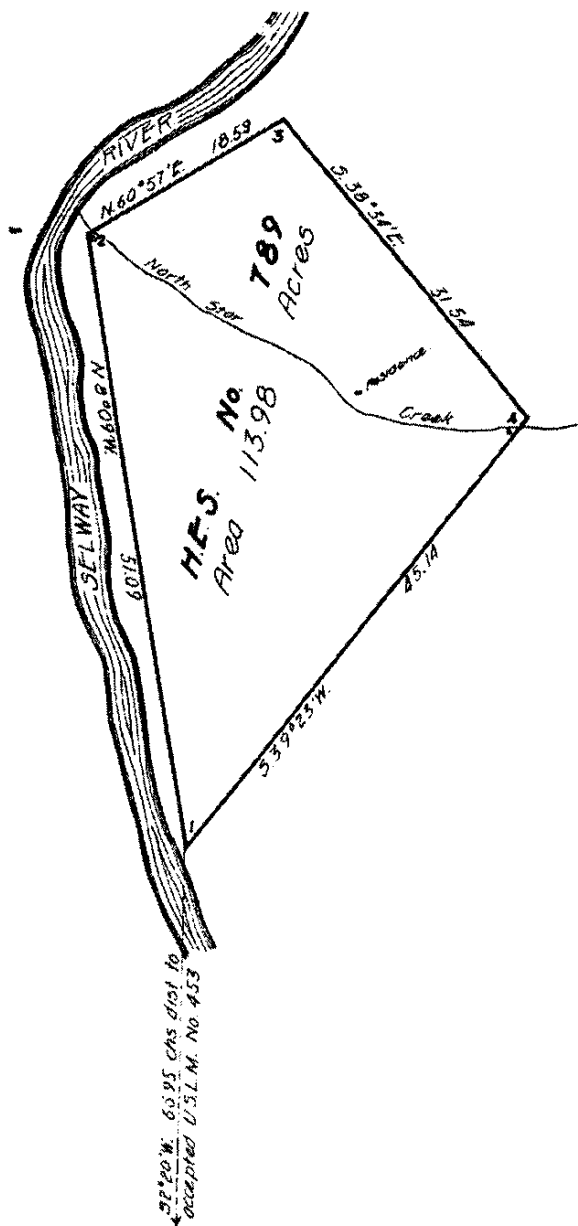
Mr. Athens apparently owns about 26 acres of private land, part of an original 114 acres that was HES 789. I believe it would be appropriate to include in the legal description of the place of use something to the effect that it is private land and/or the POU does not include any federal land, and that it is part of HES 789 because this is deep in the forest surrounded by federal and with specially designated wilderness and recreation river lands. I can send you a copy of the HES map if you would like, substantiating this information if it is not readily available to you. The situation is that the patent for 113.98 acres of HES 789 was approved in 1924. The FS subsequently acquired 87.70 acres in 1976, leaving 26.28 acres of HES 789 as private land. So there is some intricate history that could be clarified on the recommendation for the benefit of anyone having to deal with the water right in the future. In addition, the actual legal survey is 'part of HES 789'.

It appears that the POD is on NFS land and I'm working on the authorization aspect right now so as to avoid having to object to the recommendation when it is recommended.

Please contact me if you have any questions about this matter. Thank you.

Steve Spencer
Boise Adjudication Team
161 E. Mallard, Suite A
Boise, ID 83706

(208) 331-5944
(208) 387-0842 FAX
e-mail: sspencer@fs.fed.us

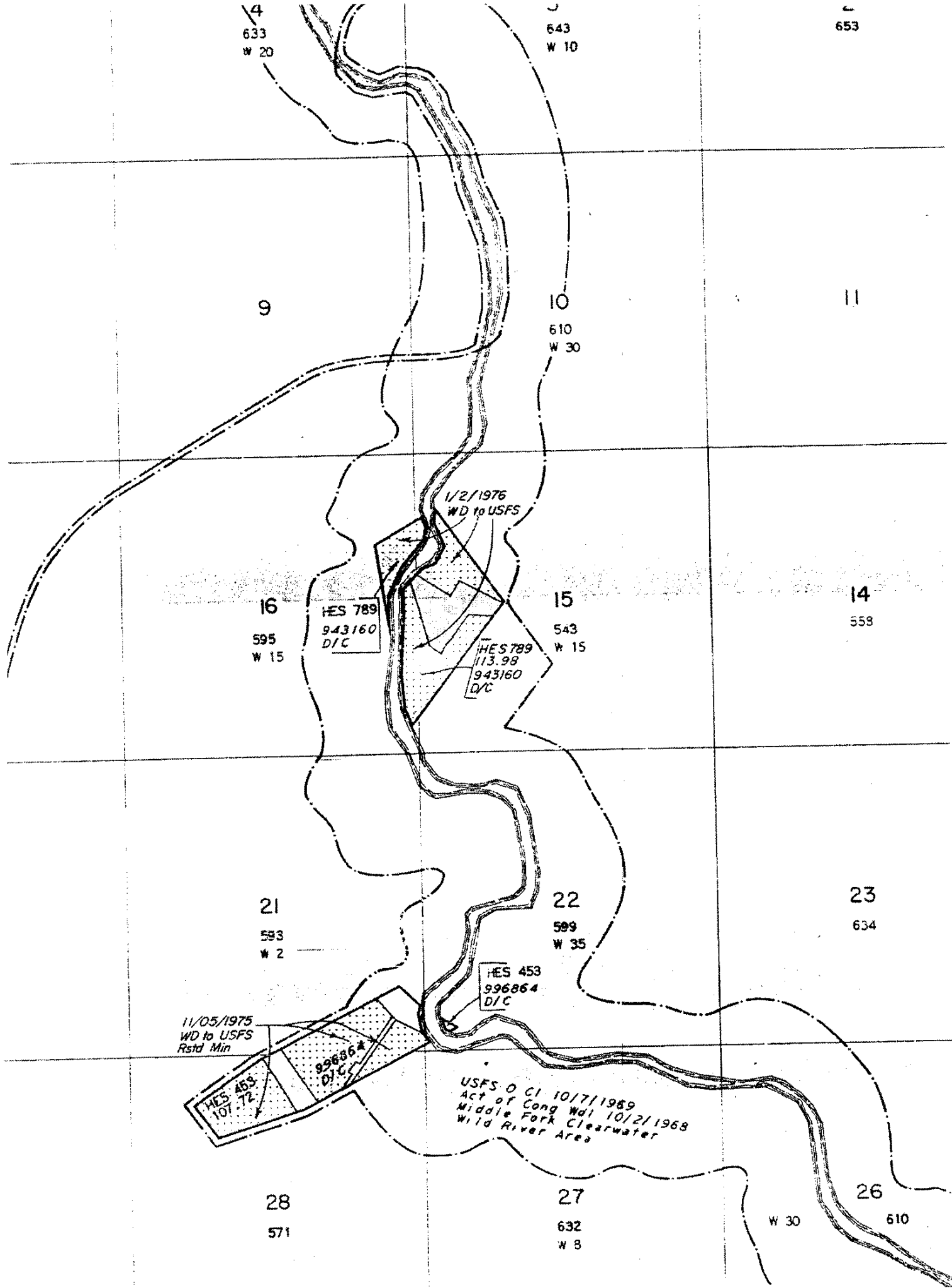


SCALE 10 chains to 1 inch

No. of Acres	By whom Surveyed	Inst. Cont. Group		When Surveyed		Date of Approval
		No.	Date	Began	Completed	
No. 453	E. R. Johnson	453	April 15, 1916	September 11, 1916	September 11, 1916	August 4, 1917
789	A. D. Madlin	789	March 14, 1922	September 29, 1922	September 28, 1922	

Surveyor-Draftsman Forest Service

Areas in Acres		
H.E. Survey No. 789		Conflicts
In Section	113.98	
In Section		
In Section		
Total	113.98	



RECEIVED

FEB 01 2005

10077/North

AFFIDAVIT OF PUBLICATION

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

81-11924
WILLIAM C ATHENS
1924 S UTICA - STE 810
TULSA OK 74104
Point(s) of Diversion SWSENE S15
T30N R13E IDAHO County
Source SPRING Tributary To SELWAY
RIVER
Use: DOMESTIC 01/01 To 12/31 0.04
CFS
Total Diversion: 0.04 CFS
Date Filed: 08/16/2004
Place Of Use: DOMESTIC T30N
R13E S15 NWSW
Remark: Domestic use is for 1 home.

85-15505
JOSEPH SCHNELL
RR 2 BOX 311A
GRANGEVILLE ID 83530
Point(s) of Diversion NWNE, NENW
S27 T30N R03E IDAHO County
Source UNNAMED STREAM Tributary
To MILL CREEK
Point(s) of Diversion SWNE S27T30N
R03E IDAHO County
Source MILL CREEK Tributary To
SOUTH FORK CLEARWATER RIVER
Use: WILDLIFE STORAGE 01/01 To
12/31 10 AFA
Total Diversion: 0.2 CFS 10 AFA
Date Filed: 08/19/2004
Place Of Use: WILDLIFE STORAGE
T30N R03E S27 NWNE NENW
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, 910 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
Published on 1/19 and 1/26/2005

J19-26

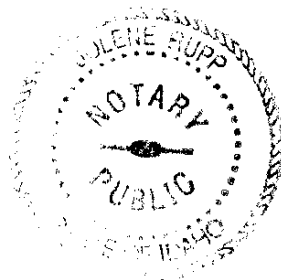
STATE OF IDAHO
County of Idaho - ss.

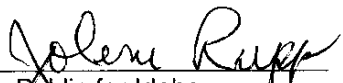
Andrew J. McNab, being first duly sworn, says he is the Publisher of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho County, State of Idaho, and is of general circulation in said county and state, that the said legal notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 19th day of January, 2005; and the last publication on the 26th day of January, 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 26th day of January 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: 1-29-07

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

81-11924

WILLIAM C ATHENS
1924 S UTICA - STE 810
TULSA OK 74104

Point(s) of Diversion SWSENE S15 T30N R13E IDAHO County

Source SPRING Tributary To SELWAY RIVER

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 08/16/2004

Place Of Use: DOMESTIC T30N R13E S15 NWSW

Remark: Domestic use is for 1 home.

85-15505

JOSEPH SCHNELL
RR 2 BOX 311A
GRANGEVILLE ID 83530

Point(s) of Diversion NWNE, NENW S27 T30N R03E IDAHO County

Source UNNAMED STREAM Tributary To MILL CREEK

Point(s) of Diversion SWNE S27 T30N R03E IDAHO County

Source MILL CREEK Tributary To SOUTH FORK CLEARWATER RIVER

Use: WILDLIFE STORAGE 01/01 To 12/31 10 AFA

Total Diversion: 0.2 CFS 10 AFA

Date Filed: 08/19/2004

Place Of Use: WILDLIFE STORAGE T30N R03E S27 NWNE NENW

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, 910 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

Published on 1/19 and 1/26/2005



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

February 8, 2005

William Athens
North Star Lodge
1924 Utica Suite 810
Tulsa, OK 74104

RE: 81-11924

Dear Mr. Athens:

We have finished advertising your application for water right for the spring tributary to the Selway River. It will be sent to our state office for final processing shortly.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ken Knoblock', written over a horizontal line.

Kenneth Knoblock
Water Resources Agent



North Star Lodge, Inc.

William C. Athens
President

January 23, 2005

Ken Neblock
Dept of Water Resources Board
Coeur d'Alene Idaho

RECEIVED
JAN 26 2005
IDWR/North

Re: Application # 81-11924

Ken,,

I am applying for rights to Spring not North Star Creek. I already have North Star Creek rights. # 81-10248.

I think you keep getting this confused.

I have previously sent you Notice of Error and advised you of this.

I don't understand the confusion.

My application was very specific and clear and my Notice of Error was also specific and clear.

Please process my application for water rights to un-named Spring which have never been issued to anyone.

I can re-send you all the paperwork if you like.

I have been working on this for well over 1 year at request of the Forest Service.

Respectfully,


William C Athens

RECEIVED
JAN 26 2005
IDWR/North

3. 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	
30N	13E	15										D							

Total number of acres to be irrigated 0

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? US Forest Service
- b. Who owns the land to be irrigated or place of use? William C Athens
- 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: the spring is located 1/2 mile from wilderness cabin
spring has been used for domestic water supply
for this cabin since 1974 but was never permitted

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.

William C. Athens
William C. Athens
 Signature of Applicant (and title, if applicable)

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ _____ Receipted by _____ # _____ Date _____
 Publication prepared by _____ Date _____ Published in _____
 Publication approved _____ Date _____

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

RECEIVED
JAN 26 2005
IDWR/North

1. Name of Applicant William C Athens Phone 918 7499401
Mailing address 1924 S Utica Suite 810 Tulsa, Okla 74104
2. Source of water supply spring which is a tributary of Selway River
3. Location of point of diversion is Township 30N Range 13E Sec. 15, in the sw $\frac{1}{4}$,
sw $\frac{1}{4}$, ne $\frac{1}{4}$, Govt. Lot _____ B., B.M., Idaho County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .20 for domestic purposes from 4-1 to 11-30 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .20 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source _____
10x10x4 ditch to collect water and 1" pipe for transport
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity 1/20th acre-feet
 - c. Proposed well diameter is _____ 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 _____ 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. 1
 - e. Other; describe fully. _____

RECEIVED
JAN 26 2005
IDWR/North

WILLIAM C. ATHENS
3717 S. XANTHUS PH. 743-5286
TULSA, OK 74105

86-1266/1039
8296602

5979

DATE Aug 9 2004

PAY TO THE
ORDER OF

State Department of Wildlife Resources

\$ no

DOLLARS ☒ NO CHECKS

The F&M Bank & Trust Company

P.O. BOX 4500 • 918-744-1330
TULSA, OKLAHOMA 74159-0500

MEMO

⑆103912668⑆ 8296502⑆ 5979

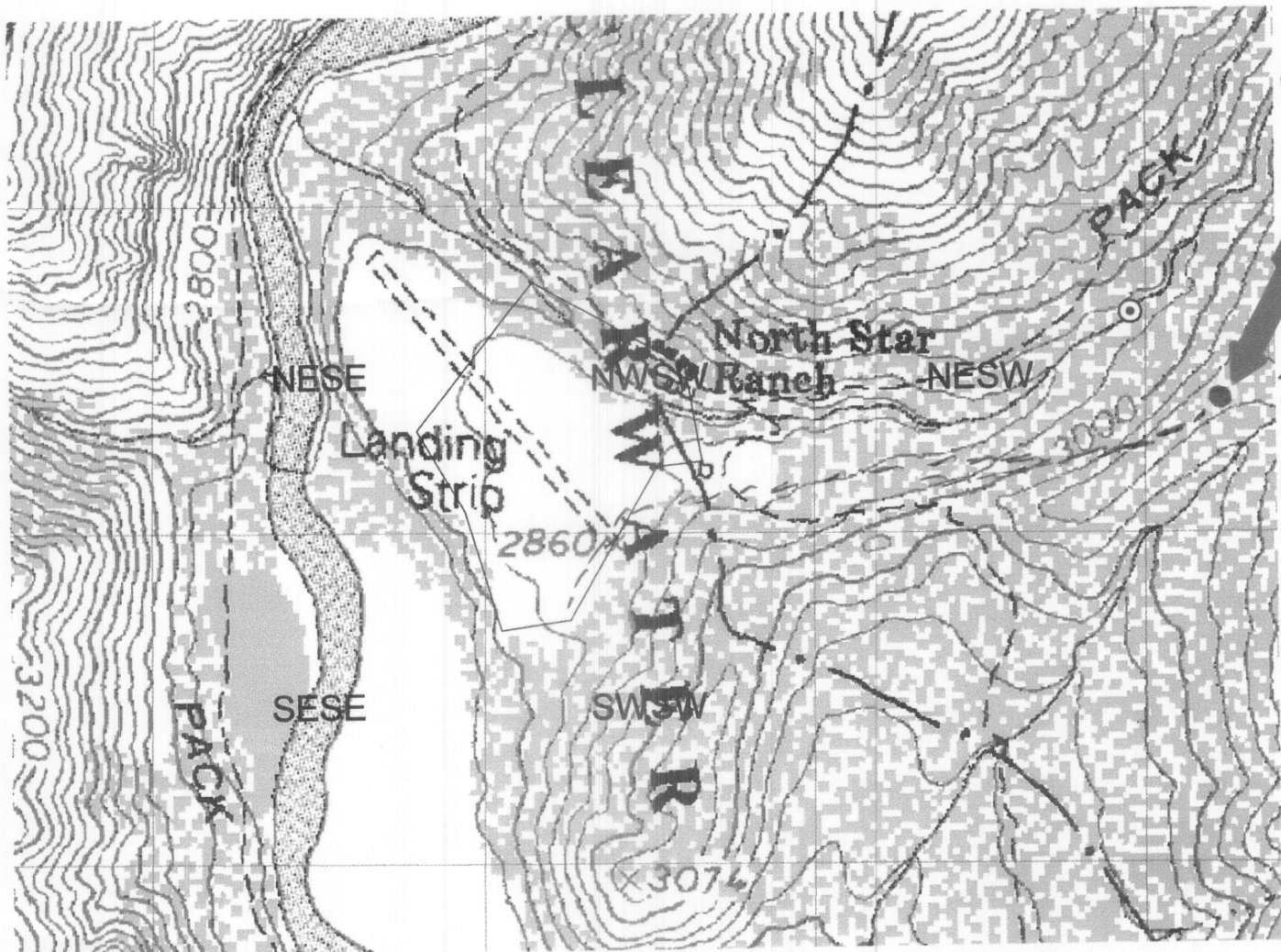
Will C. Athens

MP

81-10248

RECEIVED
JAN 26 2005
IDWR/North

North Star Creek



0 200 400 Feet

Section 15
T30N R13E



⊙ Point of Diversion

□ Place of Use

Map prepared on August 16, 2004
By Kenneth Knoblock
Idaho Department of Water Resources



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

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

*Emailed to
Nona
1/12/05 db*

RE: Application for Permit No. 81-11924 and 85-15505

Dear Nona:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, January 19 and 26, 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 Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, January 12, 2005 3:43 PM
To: Legal Notices-ID CO Free Press (E-mail)
Subject: Legal notice for publication on January 19 and 26, 2005

A Very Good Day to you, Nona,

Attached is our cover letter requesting publication of a legal notice on January 19 and 26, 2005. The legal notice is also attached.

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

Please FAX a proof prior to publication so I can make a last minute check to make sure I have everything correct. My FAX number is 208-769-1454.

I have been off on medical leave for 2+ months and it is amazing how much things have stacked up. The proof is just so I can do a double check while I am playing catch-up.

Thanks and have a happy day,

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 12, 2005

WILLIAM C ATHENS
1924 S UTICA - STE 810
TULSA OK 74104

RE: Application for Permit No 81-11924

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 January 19 and 26, 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) - N016098 - for your file



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 10, 2005

US DEPT OF AGRICULTURE
FOREST SERVICE
NEZ PERCE NATIONAL FOREST
RT 2 BOX 475
GRANGEVILLE, ID 83530

Application to Permit No. 81-11924

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.

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 Ball". The signature is written in dark ink and is positioned above the typed 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

January 10, 2005

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

Faxed to Ray 1/10/05 - 6 pages total

Application to Permit No. 81-11924

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.

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Dianne Ball'.

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

August 5, 2004

RECEIVED
AUG 16 2004
IDWR/North

William C. Athens
1924 S. Utica, Suite 810
Tulsa, OK 74104

RE: Application for Permit Filing

Dear Mr. Athens:

We received your application for permit to appropriate water from a spring in Idaho County. The application is being returned to you for the following reasons.

1. The rate of diversion you have indicated under item 4 for domestic use (1 cabin) is extremely high. The typical rate of diversion authorized by the department for 1 home is 0.04 cfs (18 gpm). If your diversion system requires 0.20 cfs, please indicate to us why the high rate is justified.
2. Although you may not occupy the cabin every year before April or after November, you are free to list a year-round season for domestic use.

After you have made the changes listed above, please return the application to us for processing. Please call if you have questions.

Sincerely,

Sharla Curtis

for Al Beardslee
Sr. Water Resource Agent

Done
wea

Enclosure



North Star Lodge, Inc.

William C. Athens

President February 16th, 2004

RECEIVED
FEB 23 2004
IDWR/North

Department of Water Resources
Northern Region, Idaho
Coeur d'Alene, Idaho 83814

Re: Permit for water

I am requesting a permit to supply water to my cabin for drinking purposes and residential use. The Spring has been in use to supply water to the cabin since 1975 but has never been permitted. I am new owner (5 years ago) and I would like to get the spring permitted.

I have sent to you:

- Topo map
- Permit application
- Check for \$100

The Spring has been marked on the topo map as well as the flow line which is buried.

Thank you,

William C Athens