

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09165

Priority: July 09, 2003

Maximum Diversion Rate: 0.10 CFS

This is to certify, that AILEEN LOIS JONES
1009 S CALVIN RD
VERADALE WA 99037

has applied for a permit to appropriate water from:

Source: SOUTH FORK HELL ROARING CREEK **Tributary:** PACK 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
IRRIGATION	04/01 to 10/31	0.06 CFS

LOCATION OF POINT OF DIVERSION:

SOUTH FORK HELL ROARING CREEK NW¼SW¼ Sec. 2, Twp 59N, Rge 02W, B.M., BONNER 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
59N 02W 2											X						

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
59N 02W 2											2.0						2.0

Total Acres: 2

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **March 01, 2007**.
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 permit holder had no control.
4. Domestic use is for 3 homes. Irrigation of lawn, garden and landscaping associated with the homes is authorized under the irrigation component of this right.

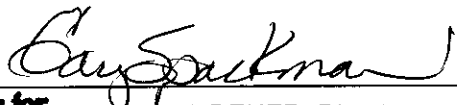
State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 96-09165

5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

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 April, 2004.


Acting for KARL J DREHER, Director

7/9/03

FORM 202
12/99RECEIVED
MAR 15 2003

Department of Water Resources

71036
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No.

916-9165

RECEIVED
JUL 09 2003
IDWR/North

July 2 2003

1. Name of Applicant Aileen L. Jones Phone 509-924-3977
Mailing address 1009 S. CALVIN ROAD, VERADALE, WA 99037
2. Source of water supply HEUROARING CREEK which is a tributary of Pack River
S. Fork
3. Location of point of diversion is Township 59N Range 2W Sec. 32, in the NE 1/4,
NE 1/4, SE 1/4, Govt. Lot _____, B.M., Bonner County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 for domestic purposes from Jan 1st to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.06 for IRRIGATION purposes from 3/15 to 11/15 (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) 0.10 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 Primary source, a gravity spring. At low water, auxiliary pump
b. Height of storage dam Na feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ 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 3 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. Currently one. 2 more may be added
e. Other; describe fully. Spring is now being used + has been for some 70 years

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	
59N	2W	2										D							20
												2							2

Total number of acres to be irrigated 2

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? Aileen Jones

b. Who owns the land to be irrigated or place of use? Aileen Jones

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

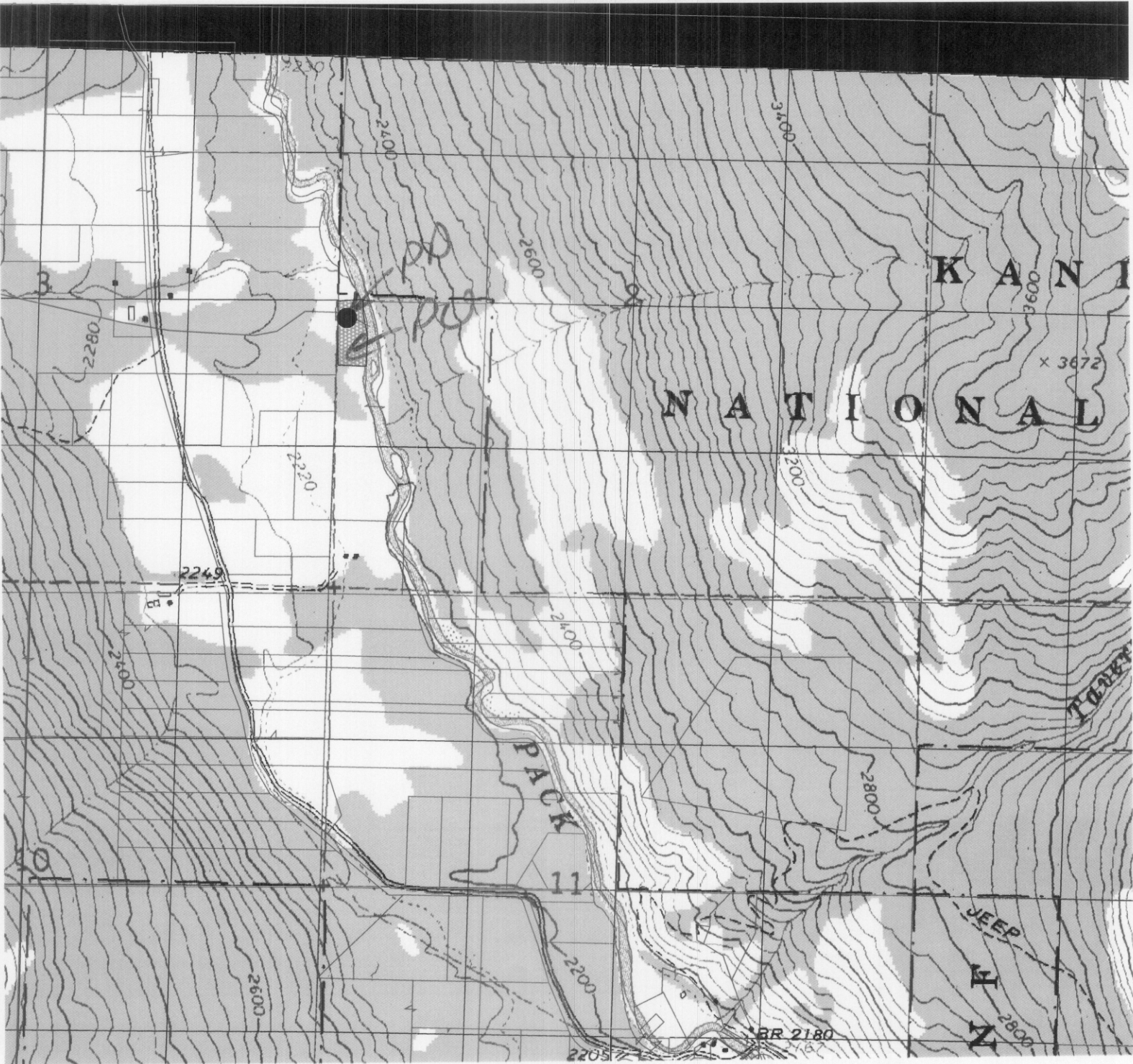
12. Remarks:

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 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.

Aileen L. Jones
Signature of Applicant (and title, if applicable)

Received by [Signature] Date 7/9/03 Time 12:30p Preliminary check by [Signature]
Fee \$ 100.00 Received by [Signature] # N015765 Date 7/09/03
Publication prepared by [Signature] Date 2/12/04 Published in Boomer Co Daily Bee 2/19 + 26/04
Publication approved [Signature] Date 2/27/04





NE 4, NE 4, SE 4,
Sec 3 309N R2W35'

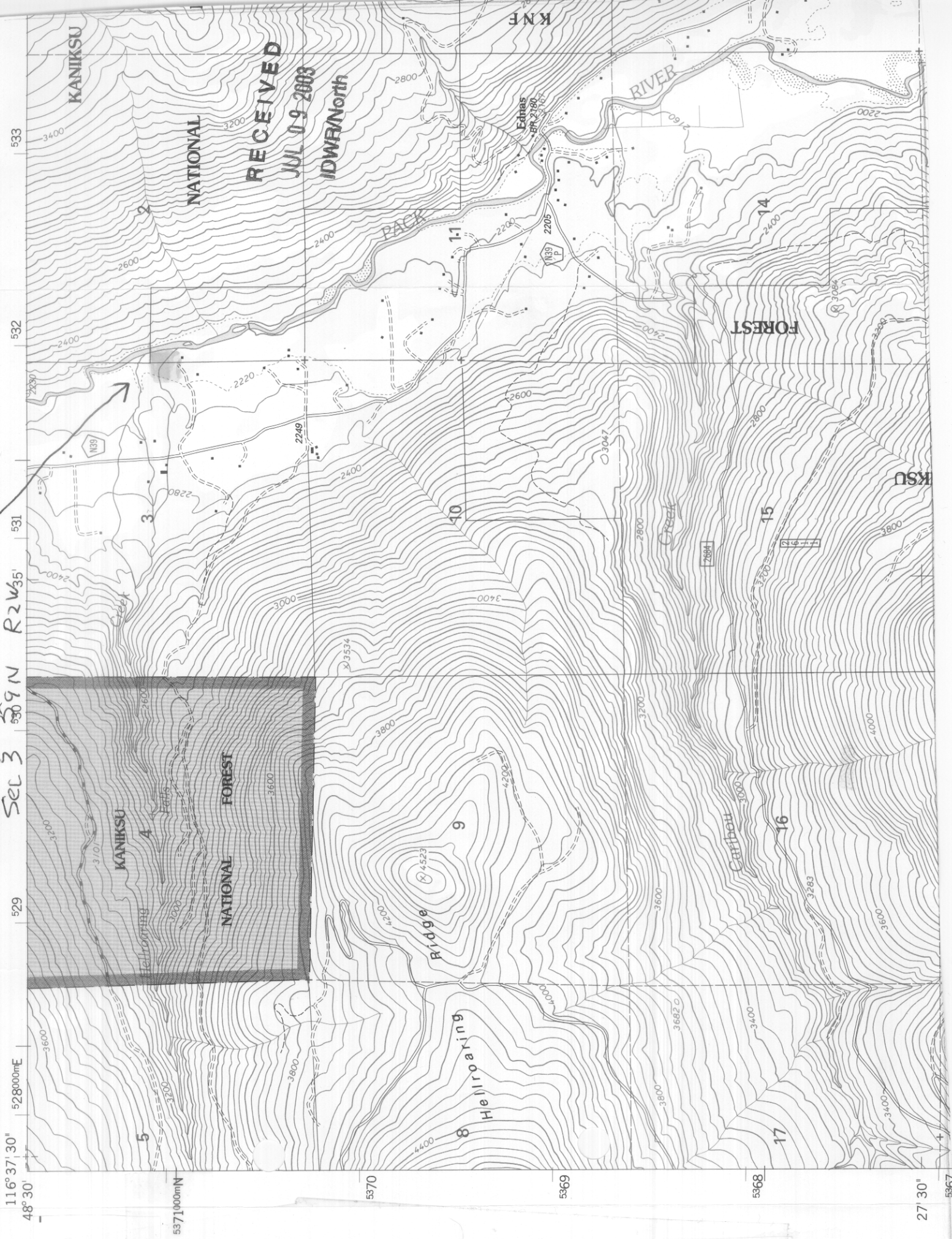
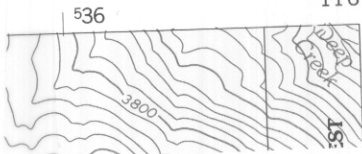
COLBURN, ID

1996

NIMA 2680 I NE - SERIES V893

COLBURN QUADRANGLE
IDAHO-BONNER CO.
7.5-MINUTE SERIES (TOPOGRAPHIC)

116° 30'
48° 30'





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 2, 2004

AILEEN LOIS JONES
1009 S CALVIN RD
VERADALE WA 99037

RE: Permit No. 96-9165

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.

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 208-327-7946.

Sincerely,


for Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

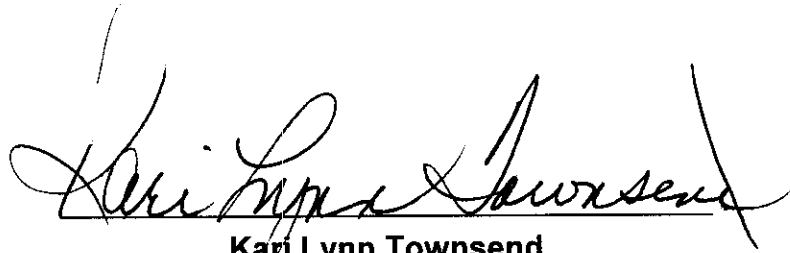
CERTIFICATE OF SERVICE

I hereby certify that on April 2, 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.

96-9165

**AILEEN LOIS JONES
1009 S CALVIN RD
VERADALE WA 99037**

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

**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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 Idaho Water Resource Board (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.

RECEIVED

FEB 27 2004

IDWR/North

State of Idaho

SS.

County of Bonner, Sherilyn Jones_____ being first duly sworn on oath
deposes and says that he/she is Bookkeeper

of the Bonner County Daily Bee, a newspaper printed and
published at Sandpoint, Bonner County, Idaho; that the
said newspaper has been continuously and uninterruptedly
published in said Bonner County during a period of 12
months prior to the first publication of the hereto attached
notice of publication in the case of:

Notice of App

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 19 day of Feb, 2004
and ending on the 26 day of Feb, 2004
and that said notice was published in said newspaper.

On this 26 day of Feb in the year
of 2004, before me, a Notary Public, personally
appeared Sherilyn Jones,
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.

Carolyn L. Inge
Notary Public for Idaho
Residing at Sandpoint
My Commission expires: 8/06

The following application(s) have been filed to appropriate the public
waters of the State of Idaho:
96-9165

AILEEN LOIS JONES
S 1009 CALVIN
VERADALE WA 99037
Point(s) of Diversion NWSW S2 T59N R02W BONNER County
Source SOUTH FORK HELL ROARING CREEK Tributary To PACK RIVER
Use: IRRIGATION 03/15 To 11/15 0.06 CFS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.1 CFS
Date Filed: 07/09/2003
Place Of Use: IRRIGATION T59N R02W S2 NWSW
Number of Acres 2
Place Of Use: DOMESTIC same as IRRIGATION
Remark: Domestic use is for 1 home.
96-9168

STEVEN L CRAIN
518 SUNNYSIDE RD
SANDPOINT ID 83864
Point(s) of Diversion NESW S4 T57N R01W BONNER County
Source PEND OREILLE LAKE Tributary To PEND OREILLE RIVER
Use: IRRIGATION 03/15 To 11/15 0.12 CFS
Total Diversion: 0.12 CFS
Date Filed: 08/06/2003
Place Of Use: IRRIGATION T57N R01W S4 NESW
Number of Acres 4
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 03/08/2004. The protestant must
also send a copy of the protest to the applicant.
KARL J DREHER, Director
Legal 4993
February 19, 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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 12, 2004

AILEEN LOIS JONES
S 1009 CALVIN
VERADALE WA 99037

RE: Application for Permit No 96-9165

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 Bonner County Daily Bee on February 19 and 26, 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".

Allen Beardslee
Senior Water Resource Agent

Enclosure - Receipt No. N015765



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 12, 2004

--PLEASE FAX A PROOF COPY PRIOR TO PUBLICATION--

e-mailed to Sheri Jones at sjones@bonnercountydailybee.com

SHERI JONES
LEGAL NOTICE DEPARTMENT
BONNER COUNTY DAILY BEE
PO BOX 159
SANDPOINT ID 83864

RE: Application for Permit No. 96-9165 and 96-9168

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, February 19 and 26, 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 03/08/2004. Your cooperation is GREATLY appreciated, as always.

Have a simply wonderful day,
Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, February 12, 2004 11:10 AM
To: Legal Notices-Bonner Co Daily Bee (E-mail)
Subject: Legal Notice for publication on February 19 and 26, 2004

Good morning to you, Shari,



Looks like our sunshine has gone into hiding, but this blooming flower
the corner - in spite of our current weather conditions.

is to let you know that Spring is just around

Attached is a cover letter requesting publication of a legal notice (also attached) - to be published February 19 and 26, 2004.

If you have ANY questions, please give me a call, and also **please fax a proof copy prior to publication.**

Have a wonderful day with sunshine in your heart.

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

2/12/2004

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

96-9165

AILEEN LOIS JONES
S 1009 CALVIN
VERADALE WA 99037

Point(s) of Diversion NWSW S2 T59N R02W BONNER County
Source SOUTH FORK HELL ROARING CREEK Tributary To PACK RIVER

Use: IRRIGATION 03/15 To 11/15 0.06 CFS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.1 CFS

Date Filed: 07/09/2003

Place Of Use: IRRIGATION T59N R02W S2 NWSW
Number of Acres 2

Place Of Use: DOMESTIC same as IRRIGATION

Remark: Domestic use is for 1 home.

96-9168

STEVEN L CRAIN
518 SUNNYSIDE RD
SANDPOINT ID 83864

Point(s) of Diversion NESW S4 T57N R01W BONNER County
Source PEND OREILLE LAKE Tributary To PEND OREILLE RIVER

Use: IRRIGATION 03/15 To 11/15 0.12 CFS
Total Diversion: 0.12 CFS

Date Filed: 08/06/2003

Place Of Use: IRRIGATION T57N R01W S4 NESW
Number of Acres 4

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 03/08/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on February 19 and 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

February 04, 2004

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CHARLES CORSI
STATE OF IDAHO
DEPT OF FISH & GAME
2750 KATHLEEN AVE
COEUR D ALENE, ID 83814

FAXED TO CHIP CORSI 2/4/04
4 PAGES TOTAL

Application to Permit No. 96-9165

Dear Chip:

Following this page is a copy of the above referenced application. Please review the application, and submit your comments to this office within two weeks of receipt of this request, by February 19, 2004. You may reply by e-mail if you would like to do so, to dball@idwr.state.id.us.

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

Sincerely,

Dianne Ball
Administrative Assistant

3 pages follow this cover letter.