

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09150

Priority: July 14, 2003

Maximum Diversion Rate: 0.20 CFS

This is to certify, that GREG WHITELEY
7507 STEPDOWN COVE
AUSTIN TX 78731

has applied for a permit to appropriate water from:

Source: FLUME CREEK

Tributary: RAPID LIGHTNING CREEK

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
FIRE PROTECTION	01/01 to 12/31	0.20 CFS

LOCATION OF POINT OF DIVERSION:

FLUME CREEK NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14, Twp 58N, Rge 01E, B.M., BONNER County

PLACE OF USE: DOMESTIC & FIRE PROTECTION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
58N 01E 14									X								

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 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 the permit holder had no control.
4. Domestic use is for 1 home.
5. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
6. A fish screen of $\frac{1}{4}$ inch or smaller mesh shall be installed and maintained at the point of diversion.
7. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 25th day of September, 2004.


For KARL J DREHER, Director

RECEIVED

OCT 30 2003

7076 3

Ident. No. 96-9150

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

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JUL 07 2003

IDWR/North

Department of Water Resources

1. Name of Applicant Greg Whiteley Phone 512-346-7758

Mailing address 7507 Stepdown Cove Austin TX 78731

2. Source of water supply Flume Creek which is a tributary of Rapid Lightning Creek

3. Location of point of diversion is Township 58N Range 1E Sec. 14, in the NE $\frac{1}{4}$, SW $\frac{1}{4}$, 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 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.2 for fire protection purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.1 for domestic storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.1 for domestic farm storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.1 for fire protection storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.1 for recreation storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.2 and/or (b) 0.1
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 pump + pipeline -
in-stream storage

b. Height of storage dam 2 feet; active reservoir capacity 0.1 acre-feet; total reservoir capacity 0.1 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?

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. 1

e. Other; describe fully. recreation storage for wading

RECEIVED

JUL 07 2003

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	
58N	1E	24									DA								

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

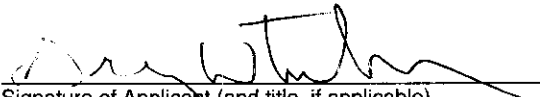
11. a. Who owns the property at the point of diversion? Applicantb. Who owns the land to be irrigated or place of use? "

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.



Signature of Applicant (and title, if applicable)

Received by DB Date 7/1/03 Time 120P Preliminary check by DB Date 7/14/03
 Fee \$ 100.00 Received by DB # NO 15779
 Publication prepared by DB Date 8/27/03 Published in Bonner Co Daily Bee 9/4/03
 Publication approved DB Date 9/16/03

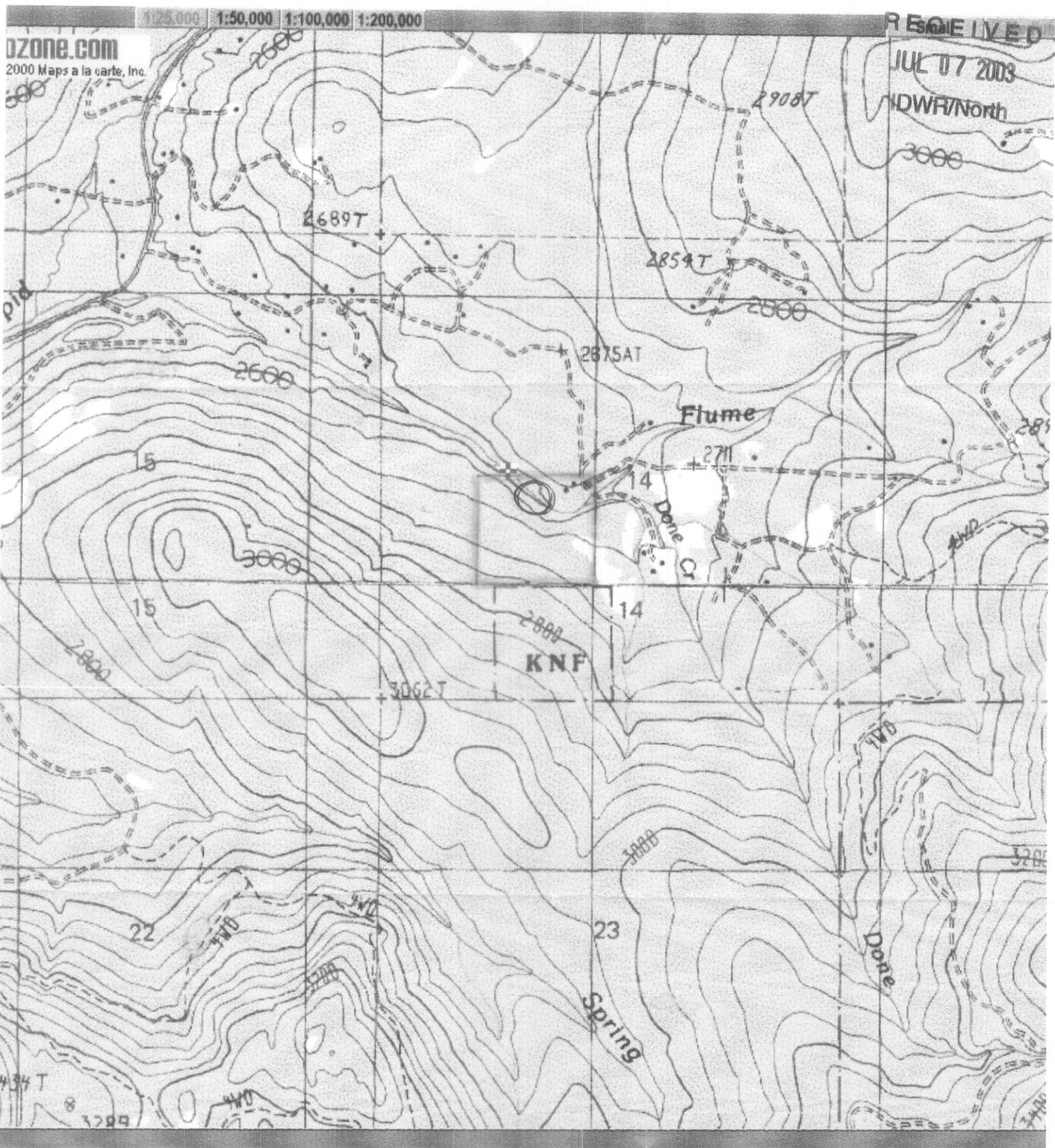
1:25,000 1:50,000 1:100,000 1:200,000

RECEIVED

ozone.com
2000 Maps a la carte, Inc.

JUL 07 2003

IDWR/North



0 500 1000 1500 2000
meters
0 0.5 1.0
miles

Coordinates (NAD27): UTM DD.DDDD D/M/S Show target symbol

Email this map Bookmark this map Print this map



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

September 27, 2004

GREG WHITELEY
7507 STEPDOWN COVE
AUSTIN TX 78731

RE: Permit No. 96-9150

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.

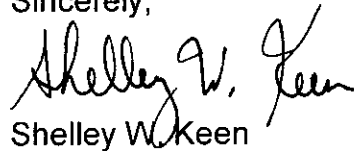
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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,

A handwritten signature in black ink that reads "Shelley W. Keen". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

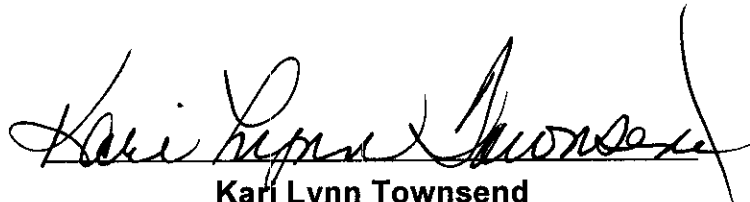
CERTIFICATE OF SERVICE

I hereby certify that on September 27, 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.

96-9150

**GREG WHITELEY
7507 STEPDOWN COVE
AUSTIN TX 78731**



**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.

Comment Report

96-9150

1. dball 8/20/2003 Legal Notice Remarks

Comment: Domestic use is for 1 home.

Recreation storage is for wading.

2. dball 9/4/2003 4:19:12 PM Comment Letter Notes

Comment: WHO: Charles E. Corsi, Regional Supervisor - IDF&G

RESPONSE: Conditional Recommendation

DATE RECEIVED: 9/4/2003

SEE LETTER IN FILE FOR FURTHER INFORMATION.

No objection if IDWR calculations indicate withdrawal will not reduce Flume Creek volume or flows below those needed to support fish and other aquatic species in creek. HOWEVER, recommend that we do not confer right to construct pond on Flume Creek. Instream impoundment may contribute to elevated stream temps in Flume Creek and Rapid Lightning Creek, which support westslope cutthroat trout and bull trout. May also impede migrations of fish, etc, reduce timing or amount of recharge to downstream waters, and have other potential adverse impacts on water quality and stream functions. Recommend that applicant should be required either to withdraw water from creek on an as-needed basis or install storage off-stream.

For pumped diversions from stream, water intakes should be screened with maximum mesh size of 0.25 inches; approach velocities not to exceed 0-.5 ft per second to prevent losses of juvenile fish.

If IDWR permits an in-stream impoundment, applicants should be made aware that any structure intended to impound water must be designed, installed and maintained to allow fish passage per Idaho Code 36-906.

3. E Retelle 7/27/2004 telephone conversation

Comment: Therese called and indicated they are ready for the next step of the approval process but was unsure how to proceed. The deadline for receipt of a new plan approved by IDF&G is July 31 (Shelley Keen - March 19 letter). They have been working with IDF&G and Therese indicates IDF&G have tried to contact us regarding this matter by e-mail to Al Beardslee but there has been no response. I pulled the file from the drawer, where it was set for call-up on 9-20 and plan to discuss it with Kay. The contact information for IDF&G is with Mary Terra-Berns 769-1414
mtterrabe@idfg.state.id.us

4. kwalker 9/24/2004 Permit Review

Comment: In November of 2003 the applicant was given the chance to meet with Fish and Game to resolve their objection of the proposed on-stream pond. In December of 2003 we received an e-mail from applicant stating they needed more time to resolve fish and game concerns. They were given until 7-31-04 to submit additional information showing fish and game concerns had been resolved. As of this date we

MEMORANDUM

Date: July 27, 2004
To: Water Right File 96-9150
From: E Retelle
Re: telephone conversation

Therese called and indicated they are ready for the next step of the approval process but was unsure how to proceed. The deadline for receipt of a new plan approved by IDF&G is July 31 (Shelley Keen - March 19 letter). They have been working with IDF&G and Therese indicates IDF&G have tried to contact us regarding this matter by e-mail to Al Beardslee but there has been no response. I pulled the file from the drawer, where it was set for call-up on 9-20 and plan to discuss it with Kay. The contact information for IDF&G is with Mary Terra-Berns 769-1414 mterrabe@idfg.state.id.us

8/3/04 - Mary Terra-Berns will be submitting a letter showing F&G is working with applicant & US Army Corps of Engineers to resolve issues in letter of 3/19/04. (per phone conversation) K.W.

9/20/04 - left msg. for Mary Terra Berns that we ^{still} need her comments - KW



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

March 19, 2004

GREG WHITELY
7507 STEPDOWN COVE
AUSTIN TX 78731

RE: Application 96-9150

Dear Mr. Whitely:

In response to your request, IDWR will place your application to store water from Flume Creek on hold until July 31, 2004, to give you time to resolve the public interest concerns expressed by the Idaho Department of Fish and Game. When you have a plan for addressing the concerns, please submit the plan and comments from IDF&G to IDWR. At that point, IDWR will continue reviewing your application. If IDWR does not receive your plan and comments from IDF&G by July 31, 2004, your application will be processed, but the portion of your application requesting on-stream storage of water is not likely to be approved.

If you have any questions, please call me at 208-327-7946, or email me at skeen@idwr.state.id.us.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

Townsend, KariLynn

From: ALR [alr@dspark.com]
Sent: Sunday, December 14, 2003 2:15 PM
To: ktownsend@idwr.state.id.us
Subject: Water Rights Permit

Hello,

I spoke to you last week regarding our Water Rights permit application #96-9150. You requested in writing our response:

We have spoken to Idaho Fish and Game, and they said that their recommendation was a general response, and that they would be happy to work with us on our "pond" planning. They need to visit the site and discuss options with Greg. We will be in Idaho again in the late spring/early summer, and plan to continue the process then.

We therefore request a hold on our permit application until we can resolve the issue with Fish & Game next spring/summer.

Thank you,

Therese McHugh for Greg Whiteley

*Set up for 9 month call-up per Jim Zhan
12.19.03*

*3.18.04 - Therese called - wants status - left a message
on her PAGER (512-404-2476) that we need to review
+ will get back to her in a week or less.
Kari Lynn*

12/15/2003



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

November 17, 2003

GREG WHITELEY
7507 STEPDOWN COVE
AUSTIN TX 78731

RE: Application for Permit 96-9150

Dear Mr. Whiteley,

Upon review of your application for permit it has been brought to my attention that there has been a recommendation made by Charles E. Corsi, Regional Supervisor of Idaho Fish and Game. I have enclosed a copy of his recommendation for your review.

The Idaho Water Resource Department (IDWR) wanted to bring this to your attention and let you know that if we do not here any comment on this issue from you within 30 days, that IDWR will not allow any storage associated with your permit. IDWR will only authorize the .04 cfs for domestic and the .20 cfs for fire protection portion of what was in your application. I have enclosed a copy of your application for you to reference.

Thank you for your past and continued cooperation throughout this process. If you have any questions please contact me at 327-5452.

Sincerely,

A handwritten signature in black ink, appearing to read 'J F Zokan', is written over a horizontal line.

James F. Zokan
Sr. Water Resource Agent

Enclosures



E C E I V E D

OCT 30 2003

Department of Water Resources

R E C E I V E D

SEP 04 2003

IDWR/North

IDAHO FISH & GAME

PANHANDLE REGION
2750 Kathleen Avenue
Coeur d'Alene, Idaho 83815

Dirk Kempthorne / Governor
Steven M. Huffaker / Director

September 2, 2003

*Entered on
computer
9/4/03
d*

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

Bob
Dear Mr. Haynes:

REFERENCE: #96-9150 WHITELEY WATER RIGHT APPLICATION

Greg Whiteley has requested 0.1 acre-feet from Flume Creek, a tributary to Rapid Lightning Creek, for domestic use, fire protection and recreation (wading). Section 6 of the application indicates that the water would be stored in an on-stream pond retained by a 2-foot high dam.

We have no objection to issuing the water right if your calculations indicate that the withdrawal will not reduce Flume Creek volume or flows below those needed to support fish and other aquatic species in the creek.

However, we recommend that you do not confer the right to construct a pond on Flume Creek should you approve the water right. An in-stream impoundment may contribute to elevated stream temperatures in Flume Creek and Rapid Lightning Creek, which support westslope cutthroat trout and bull trout. The impoundment may also impede migrations of fish, amphibians and other wildlife, reduce the timing or amount of recharge to downstream waters, and have other potentially adverse impacts on water quality and stream function. We do not believe that creation of a pond for wading offsets these potential adverse impacts to the resource. If the water right is granted, we recommend that the applicant should be required either to withdraw water from the creek on an as-needed basis or install storage off-stream.

For pumped diversions from the stream, water intakes should be screened to prevent entrainment or impingement of fish. The maximum screen mesh size should be 0.25 inches; approach velocities should not exceed 0.5 ft/second to prevent losses of juvenile fish.

If IDWR does permit an in-stream impoundment, the applicants should be made aware that any structure intended to impound water must be designed, installed and maintained to allow fish passage per Idaho Code 36-906.

SCANNED

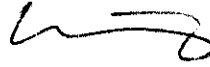
NOV 18 2003

Keeping Idaho's Wildlife Heritage

Mr. Robert Haynes – Page 2
September 2, 2003

Thank you for the opportunity to comment.

Sincerely,



Charles E. Corsi
Regional Supervisor

CEC:RH:kh

C: Tracey Trent, IDFG Boise
Greg Whiteley (7507 Stepdown Cove, Austin, TX 78731)

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner, Sherilyn Jones

_____ being first duly sworn on oath

deposes and says that he/she is Book Keeper

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:

App # 96-9150

as it was published in the regular and entire issue of the said paper for a period of 2 consecutive weeks, commencing on 4 day of Sept., 2003 and ending on the 11 day of Sept., 2003

and that said notice was published in said newspaper.

On this 11 day of Sept in the year of 2003, 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.

Sherilyn L. Jones
Notary Public for Idaho

Residing at Sandpoint

My Commission expires: 8/06

RECEIVED
SEP 12 2003
IDWR/North

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
96-9150

GREG WHITELEY
7507 STEPDOWN COVE
AUSTIN TX 78731
Point(s) of Diversion NESW S14 T58N R01E BONNER County
Source FLUME CREEK Tributary To RAPID LIGHTNING CREEK
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Use: DOMESTIC STORAGE 01/01 To 12/31 0.1 AFA
Use: DOMESTIC FROM STORAGE 01/01 To 12/31 0.1 AFA
Use: RECREATION STORAGE 01/01 To 12/31 0.1 AFA
Use: FIRE PROTECTION 01/01 To 12/31 0.2 CFS
Use: FIRE PROTECTION STORAGE 01/01 To 12/31 0.1 AFA
Total Diversion: 0.2 CFS
Date Filed: 07/14/2003
Place Of Use: DOMESTIC T58N R01E S14 NESW
Place Of Use: ALL OTHER USES same as DOMESTIC
Remark: Domestic use is for 1 home.
Recreation storage is for wading.

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 09/22/2003. The protestant must also send a copy of the protest to the applicant.
KARL J DREHER, Director
Legal SNP#4585
Sept. 4, 11, 2003

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

96-9150

GREG WHITELEY
7507 STEPDOWN COVE
AUSTIN TX 78731

Point(s) of Diversion NESW S14 T58N R01E BONNER County
Source FLUME CREEK Tributary To RAPID LIGHTNING CREEK

Use: DOMESTIC	01/01 To 12/31	0.04 CFS
Use: DOMESTIC STORAGE	01/01 To 12/31	0.1 AFA
Use: DOMESTIC FROM STORAGE	01/01 To 12/31	0.1 AFA
Use: RECREATION STORAGE	01/01 To 12/31	0.1 AFA
Use: FIRE PROTECTION	01/01 To 12/31	0.2 CFS
Use: FIRE PROTECTION STORAGE	01/01 To 12/31	0.1 AFA
Total Diversion:		0.2 CFS

Date Filed: 07/14/2003

Place Of Use: DOMESTIC T58N R01E S14 NESW

Place Of Use: ALL OTHER USES same as DOMESTIC

Remark: Domestic use is for 1 home.
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KARL J DREHER, Director

Published on September 4 and 11, 2003.



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

PLEASE FAX PROOF PRIOR TO PUBLICATION

August 27, 2003

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

e-mailed to Sheri 8/27/03

RE: Application for Permit No. 96-9150

Dear Sheri:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, September 4 and 11, 2003, (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 09/22/2003. Your cooperation is GREATLY appreciated, as always.

Thank you and have a simply marvelous day!!

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, August 27, 2003 12:12 PM
To: Legal Notices-Bonner Co Daily Bee (E-mail)
Subject: Legal Notice for publication on 9/4 and 9/11/03

A very happy day to you, Sheri,



I hope you are enjoying another sunny day. It is a bit on the windy side here in Coeur d'Alene today, but that it keeping it cool while still being sunny and bright.

Attached you will find our cover letter with request to publish the legal notice, also attached.

If you have ANY questions or cannot publish on the date requested, please let me know.

Thanks again for always being such a dear to work with.

Have a happy day!! - and please reply to this e-mail to let me know you received it OK. Thanks,



And remember that beauty is where you are.

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

8/27/2003



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 27, 2003

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

GREG WHITELEY
7507 STEPDOWN COVE
AUSTIN TX 78731

RE: Application for Permit No 96-9150

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 September 4 and 11, 2003. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

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

Sincerely,

A handwritten signature in cursive script that reads "Allen Beardslee".

Allen Beardslee
Senior Water Resource Agent

Enclosure(s) Receipt # N015779



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 21, 2003

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

FAXED TO RAY 8/21/03

4 pages

Application to Permit No. 96-9150

Dear Ray:

Enclosed 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 September 5, 2003. You may reply by e-mail to dball@idwr.state.id.us.

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Dianne', is written in dark ink.

Dianne Ball
Administrative Assistant

Enclosure(s)

Greg Whiteley
7507 Stepdown Cove
Austin, TX 78731
512-346-7758 (voice/fax)
512-404-2476 (pager)

July 9, 2003

Idaho Dept. of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814

Enclosed is a money order for \$100, to be attached to the Water Rights Permit Application I recently sent in. (I had neglected to include my fee payment.)

Thank you for all your assistance with this application!

Greg Whiteley

N015119