

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09198

Priority: May 12, 2004

Maximum Diversion Rate: 0.02 CFS

This is to certify, that STEVE MIX And JILL MIX
15644 BALDY MOUNTAIN RD
SANDPOINT ID 83864

have applied for a permit to appropriate water from:

Source: SPRING

Tributary: UNNAMED CREEK

and a permit is APPROVED for development of water as follows:

BENEFICIAL USE

DOMESTIC

PERIOD OF USE

01/01 to 12/31

RATE OF DIVERSION

0.02 CFS

LOCATION OF POINT OF DIVERSION:

SPRING SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10, Twp 57N, Rge 03W, 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
57N 03W 10													X				

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **January 01, 2006**.
2. Subject to all prior water rights.
3. Domestic use is for 1 home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 12th day of January, 2005.


for KARL J DREHER, Director

Ident. No. 96-9198

RECEIVED
JAN - 4 2005

71545
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
MAY 12 2004

DEPARTMENT OF WATER RESOURCES

To appropriate the public waters of the State of Idaho

IDWR/North

1. Name of Applicant Steve & Jill Mix Phone 208-290-1561
Mailing address 15644 BALDY MTN RD, SANDPOINT ID 83864
2. Source of water supply Spring - unnamed which is a tributary of No Name Creek
3. Location of point of diversion is Township 57N Range 3W Sec. 10, in the 1/4, 1/4, Govt. Lot _____, B.M., Bonner County;
- additional points of diversion if any: 10.57N-3W E2 W2 SE NE SE
E2 E2 SW NE SE
4. Water will be used for the following purposes:
Amount .02 cfs for domestic purposes from Jan. 1 to Dec. 31 (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) .02 cubic feet per second and/or (b) _____ acre feet per annum.
6. Proposed diverting works: 4" Sch. 40 -
a. Describe type and size of devices used to divert water from the source 225 FT. 2" F. 300 PSI
PIPE TO 1400 gallon hold tank, gravity feed to house with 200.14 PSI
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet, total _____ acre-feet
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? NO; 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. one
e. Other; describe fully. _____

200' Run to house from tank
pipe.

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.

W a SENESE

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	3W	10																D	

Total number of acres to be irrigated 1/2

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? Steve & Jill Mox

b. Who owns the land to be irrigated or place of use? Steve & Jill Mox

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:

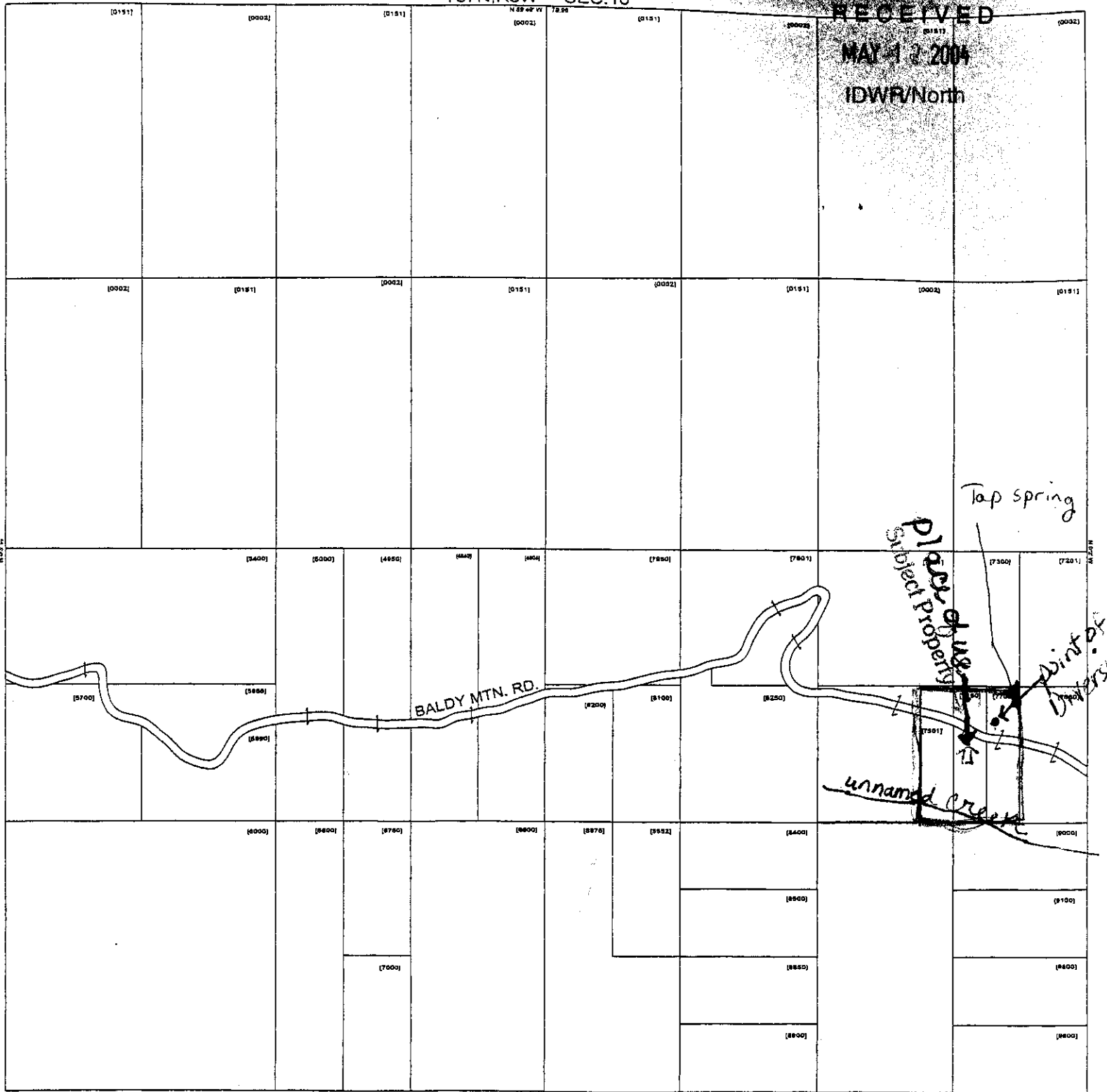
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.


 Signature of Applicant (and title, if applicable)

Received by [Signature] Date 5/12/04 Time 150P Preliminary check by _____
 Fee \$ 100.00 Received by [Signature] # N016263 Date 5/12/04
 Publication prepared by [Signature] Date 10/14/04 Published in Bonner Co Daily Bee 10/31+28/04
 Publication approved _____ Date _____

RECEIVED
MAY 12 2004
IDWPN/North



This sketch is furnished without charge solely for the purpose of assisting in locating said premises and the Company assumes no liability for inaccuracies therein.





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

January 13, 2005

STEVE MIX
JILL MIX
15644 BALDY MOUNTAIN RD
SANDPOINT ID 83864

RE: Permit No. 96-9198

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.

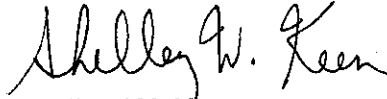
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should 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 that reads "Shelley W. Keen". The signature is written in a cursive style with a large, stylized 'S' and 'K'.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

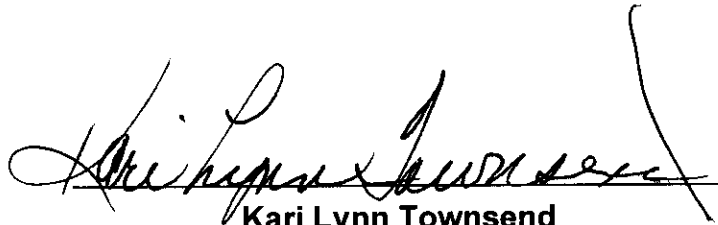
CERTIFICATE OF SERVICE

I hereby certify that on January 13, 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.

96-9198

**JILL MIX
STEVE MIX
15644 BALDY MOUNTAIN RD
SANDPOINT ID 83864**



**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

96-9198

1. dball 9/20/2004 Legal Notice Remarks

Comment: Domestic use is for 1 home.

2. dball 10/7/2004 11:23:30 AM Comment Letter Notes

Comment: WHO: IDF&G - Mary Terra-Berns, Environmental Staff Biologist

RESPONSE: Conditional Recommendation

DATE RECEIVED: 10/7/2004

If line and pump are placed in creek and excavation is necessary, we recommend applicants be required to install lines during low water when underwater excavation will be minimized.

Dug materials should be sidecast to only one side and the bottom contour and substrate restored. Water intakes should be screened with maximum mesh size of 0.25 inches to prevent entrainment of fish; approach velocities not to exceed 0.5 ft per second to prevent losses of juvenile fish.

Preferable to place pumps on land rather than in water.

Applicant should obtain necessary encroachment permits from IDL before installing water lines and pumps in state waters.

3. kwalker 1/12/2005 Permit Review

Comment: In review of this application I found the Fish and Game comments were not applicable in this situation. The applicant proposes 225 ft of 4 inch pipe from spring to a 1400 gallons storage tank then gravity feed to house. There is no pump proposed in this application and the recommended fish screen and velocity conditions do not appear to be applicable. Have recommended approval without these conditions applied.

pre-pub = Ø

post-pub = Ø

**IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET**

W.R. # 96-9198

APPLICATION ID # 71545
INITIAL REVIEW

ENT. 9/20 BCA 9/22 OK to Publish 9/20

APPLICANT: Mix BY: AC DATE: 8/5/04

- ITEM REQUIRED INFORMATION**
1. ☒ Name and Address
 2. ☒ Source
 3. ☒ Point of Diversion & County
 4. ☒ Quantity
☒ Nature of Proposed Use
☒ Period of Use
 5. ☒ Total Quantity
 6. ☒ Description of diverting works
 7. ☒ Time required for b/u
 8. ☒ Proposed use
 9. ☒ Place of use or acres irrigated
 10. ☒ Other water Rights
 11. ☒ Ownership
 12. ☒ Map
☒ Signature
☒ Fee (Amt, receipt, acknowledgement)

*** Send info sheet Y() N()

**RECEIVED
JAN - 4 2005**

DEPARTMENT OF WATER RESOURCES

PROCESSING
(Yes)(No)

PRIORITY DATE: 5/12/04

(Include Moratorium Remark)

Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN: Bonner County

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
() Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
() Power Information () Other: N/A

ADDITIONAL INFORMATION
(Yes)(No)

 Shape File Created Date By:
 Field check: by
 Field report attached
 Analysis Supp. attached(>5cfs/500af)
 Water delivered by water master? Water District #

GROUNDWATER SECTION

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
<u> </u>	<u> </u>	Dom. Non-Dom.	Paid \$ <u> </u>	<u> </u>	Y() N()
<u> </u>	<u> </u>	Dom. Non-Dom.	Paid \$ <u> </u>	<u> </u>	Y() N()
<u> </u>	<u> </u>	Dom. Non-Dom.	Paid \$ <u> </u>	<u> </u>	Y() N()

 Groundwater management area
 Critical ground water area
 Well Drilling Permit required
 Well Drilling Application and Fees received
 Well Drilling Application approved?

Remarks:

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)
 Notice of pending void order issued. Final order response date: / /
 Further information required from applicant
 Affidavit of publication received
 Application published correctly. If not, record action taken:

10/14 Publication dates and paper recorded on application
☒ Protests received, Final protest date: 11/8/04
☒ Measuring device required
☒ Measuring port required
☒ Special conditions:
☒ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: PSA Date: 12/29/04



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

December 29, 2004

Steve & Jill Mix
15644 Baldy Mtn. Rd.
Sandpoint, ID 83864

RE: Application for Permit No 96-9198

Dear Mr. & Mrs. Mix:

Please find enclosed a copy of a letter dated October 6, 2004, from Idaho Fish and Game, which we received regarding your water right filing.

We understand that you are working with Mary Terra-Berns on the development of withdrawing water from a spring and Fish & Game concerns.

Your water right filing has been forwarded to our State Office for approval.

Sincerely,

A handwritten signature in black ink that reads "Robert G. Haynes". The signature is written in a cursive, flowing style.

Robert G. Haynes, P.E.
Regional Manager

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner, Sheryl 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 21 day of Oct., 2004

and ending on the 28 day of Oct., 2004

and that said notice was published in said newspaper.

On this 28 day of Oct. in the year

of 2004, before me, a Notary Public, personally

appeared Sheryl 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

Commission expires: 8/06

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

96-9197

TRAVIS KAUL
KIM KAUL
10376 BALDY MOUNTAIN RD
SANDPOINT ID 83864
Point(s) of Diversion SESW S16 T57N R02W BONNER County
Source SYRINGA CREEK Tributary To CHUCK SLOUGH
Use: IRRIGATION 03/15 To 11/15 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 07/28/2004
Place Of Use: IRRIGATION T57N R02W S16 NESW SESW
Number of Acres 14

96-9198

STEVE MIX
JILL MIX
15644 BALDY MOUNTAIN RD
SANDPOINT ID 83864
Point(s) of Diversion SENESE S10 T57N R03W BONNER County
Source SPRING Tributary To UNNAMED CREEK
Use: DOMESTIC 01/01 To 12/31 0.02 CFS
Total Diversion: 0.02 CFS
Date Filed: 05/12/2004
Place Of Use: DOMESTIC T57N R03W S10 NESE
Remark: Domestic use is for 1 home.

96-9199

ROBERT D THURSTON
640 WHISKEY JACK RD
SANDPOINT ID 83864-8810
Point(s) of Diversion NENW S7 T57N R01W BONNER County
Source BOYER SLOUGH Tributary To LAKE PEND OREILLE
Use: IRRIGATION 05/15 To 09/15 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 06/23/2004
Place Of Use: IRRIGATION T57N R01W S7 NENW
Number of Acres 0.5

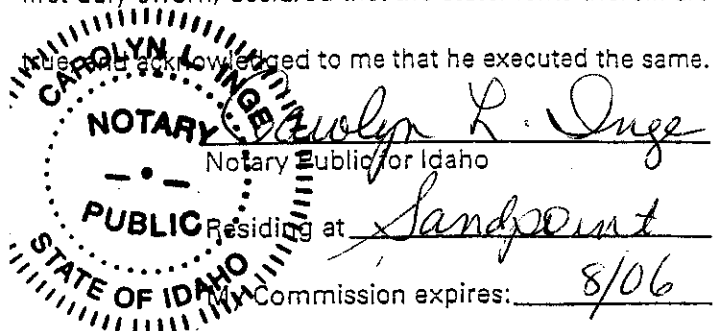
Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

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 11/08/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Legal 5559
October 21, 28, 2004

OK



5559



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

October 13, 2004

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

STEVE MIX
JILL MIX
15644 BALDY MOUNTAIN RD
SANDPOINT ID 83864

RE: Application for Permit No 96-9198

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.

The newspaper did not get the legal notice into the paper as scheduled for October 7 and 14, 2004. We have therefore prepared a new legal notice and it is now scheduled for publication in the Bonner County Daily Bee on October 21 and 28, 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



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

October 13, 2004

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

e-mailed to sjones@bonnercountydailybee.com
& sjones@cdapress.com

PLEASE FAX A PROOF COPY TO ME PRIOR TO PUBLICATION. THANKS!!

RE: Application for Permit No. 96-9197, 96-9198 and 96-9199

Dear Sheri:

Enclosed you will find a legal notice which **we wish to have published in your newspaper on the dates indicated, October 21 and 28, 2004**, (once a week for two consecutive weekly issues).

[This is the one that did not make it into the paper for the original requested publication dates of October 7 and 14, 2004.]

If you cannot publish the notice on the proposed dates of October 21 and 28, 2004, 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 11/08/2004. Your cooperation is, as always, GREATLY appreciated.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, October 14, 2004 11:37 AM
To: Legal Notices-Bonner Co Daily Bee (E-mail); Legal Notices-BCDB-2 (E-mail)
Subject: Legal notice for publication on October 21 and 28, 2004

Good day to you, Sheri,

This is the one that didn't make it into the paper the last time - so we are trying again.

Attached is our cover letter requesting publication on October 21 and 28, 2004 of the legal notice, 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 SURE THE TABS DIDN'T DO CRAZY THINGS WHEN CUT OR COPIED AND PASTED.

THANKS VERY MUCH, and remember that - - -

Faith is the ultimate cushion for life's bumps in the road.

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

10/14/2004

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

96-9197

TRAVIS KAUL

KIM KAUL

10376 BALDY MOUNTAIN RD

SANDPOINT ID 83864

Point(s) of Diversion SESW S16 T57N R02W BONNER County

Source SYRINGA CREEK Tributary To CHUCK SLOUGH

Use: IRRIGATION 03/15 To 11/15 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 07/28/2004

Place Of Use: IRRIGATION T57N R02W S16 NESW SESW

Number of Acres 14

96-9198

STEVE MIX

JILL MIX

15644 BALDY MOUNTAIN RD

SANDPOINT ID 83864

Point(s) of Diversion SENESE S10 T57N R03W BONNER County

Source SPRING Tributary To UNNAMED CREEK

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

Total Diversion: 0.02 CFS

Date Filed: 05/12/2004

Place Of Use: DOMESTIC T57N R03W S10 NESE

Remark: Domestic use is for 1 home.

96-9199

ROBERT D THURSTON

640 WHISKEY JACK RD

SANDPOINT ID 83864-8810

Point(s) of Diversion NENW S7 T57N R01W BONNER County

Source BOYER SLOUGH Tributary To LAKE PEND OREILLE

Use: IRRIGATION 05/15 To 09/15 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 06/23/2004

Place Of Use: IRRIGATION T57N R01W S7 NENW

Number of Acres 0.5

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 11/08/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published on October 21 and 28, 2004



IDAHO FISH AND GAME

2750 Kathleen Avenue
Coeur d'Alene, Idaho 83815

RECEIVED
OCT 07 2004
IDWR/North

Dirk Kempthorne/Governor
Steven Huffaker/Director

October 6, 2004

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

*Go on computer
10/7/04
db*

Via email to Dianne Ball:

REFERENCE: 96-9198; STEVE & JILL MIX

We have reviewed the above named application to withdraw .02 cfs from an unnamed spring, a tributary of No Name Creek, for domestic use from January 1 to December 31.

We have no specific objections or comments about the above applications. However, water lines and pumps are an encroachment in lakes and rivers, which can be detrimental to fish and fish habitat.

If a line and pump are placed in the creek and excavation is necessary, we recommend that applicants be required to install the lines during low water when underwater excavation will be minimized. Dug materials should be sidecast to only one side and the bottom contour and substrate restored. The pump should be screened to prevent entrainment of fish; the maximum screen mesh size should be 0.25 inches. In addition, pump approach velocities should not exceed 0.5 ft/second to prevent losses of juvenile fish. It would be preferable to place pumps on land rather than in the water.

The applicant should obtain necessary encroachment permits from Idaho Department of Lands before installing water lines and pumps in state waters.

Thank you for the opportunity to comment.

Mary Terra-Berns
Environmental Staff Biologist

C: IDFG NRPB, Boise; 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

September 29, 2004

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

STEVE MIX
JILL MIX
15644 BALDY MOUNTAIN RD
SANDPOINT ID 83864

RE: Application for Permit No 96-9198

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 October 7 and 14, 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(s) - Receipt No. N016262



State of Idaho

DEPARTMENT OF WATER RESOURCES

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(208) 769-1450

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 29, 2004

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

e-mailed to sjones@bonnercountydailybee.com
& sjones@cdapress.com

PLEASE FAX A PROOF COPY TO ME PRIOR TO PUBLICATION. THANKS!!

RE: Application for Permit No. 96-9197, 96-9198 and 96-9199

Dear Sheri:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, October 7 and 14, 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 10/25/2004. Your cooperation is, as always, GREATLY appreciated.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, September 29, 2004 3:49 PM
To: Legal Notices-Bonner Co Daily Bee (E-mail); Legal Notices-BCDB-2 (E-mail)
Subject: Legal notice for publication on October 7 and 14, 2004

Good afternoon, pretty lady,

Attached is a copy of our cover letter requesting publication on October 7 and 14, 2004, of a legal notice that is also attached.

PLEASE FAX A PROOF PRIOR TO PUBLICATION to 208-769-1454, so I can make sure the tabs didn't do some crazy things to scramble the legal.

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

Thank you VERY much, and have a wonderful day.



May your day be filled with wonder and beauty.

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

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

96-9197

TRAVIS KAUL
KIM KAUL

10376 BALDY MOUNTAIN RD
SANDPOINT ID 83864

Point(s) of Diversion SESW S16 T57N R02W BONNER County
Source SYRINGA CREEK Tributary To CHUCK SLOUGH

Use: IRRIGATION 03/15 To 11/15 0.2 CFS
Total Diversion: 0.2 CFS

Date Filed: 07/28/2004

Place Of Use: IRRIGATION T57N R02W S16 NESW SESW

Number of Acres 14

96-9198

STEVE MIX
JILL MIX

15644 BALDY MOUNTAIN RD
SANDPOINT ID 83864

Point(s) of Diversion SENESE S10 T57N R03W BONNER County
Source SPRING Tributary To UNNAMED CREEK

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

Date Filed: 05/12/2004

Place Of Use: DOMESTIC T57N R03W S10 NESE

Remark: Domestic use is for 1 home.

96-9199

ROBERT D THURSTON
640 WHISKEY JACK RD
SANDPOINT ID 83864-8840

Point(s) of Diversion NENW S7 T57N R01W BONNER County
Source BOYER SLOUGH Tributary To LAKE PEND OREILLE

Use: IRRIGATION 05/15 To 09/15 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 06/23/2004

Place Of Use: IRRIGATION T57N R01W S7 NENW

Number of Acres 0.5

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 10/25/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on October 7 and 14, 2004

*did not
publish legal
Rights for next
publication apply*



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

September 20, 2004

MARY TERRA-BERNS
STATE OF IDAHO
DEPT OF FISH & GAME
2750 KATHLEEN AVE
COEUR D ALENE, ID 83814

FAXED TO MARY 9/20/04
4 pages total

Application to Permit No. 96-9198

Dear Mary:

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.

You may comment by e-mail to dball@idwr.state.id.us

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

Sincerely,

A handwritten signature in cursive script that reads "Dianne".

Dianne Ball
Administrative Assistant

Enclosure(s)