

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09194

Priority: August 04, 2004

Maximum Diversion Rate: 0.07 CFS

This is to certify, that KENNETH R SMITH And GINGER SMITH
32909 5TH AVE SW
FEDERAL WAY WA 98023

have applied for a permit to appropriate water from:

Source: PEND OREILLE RIVER **Tributary:** COLUMBIA 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>
IRRIGATION	04/01 to 10/31	0.07 CFS

LOCATION OF POINT OF DIVERSION:

PEND OREILLE RIVER L3 (NW¼NW¼) Sec. 31, Twp 56N, Rge 03W, B.M., BONNER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N 03W 31						1.0											1.0
						L 3											
Total Acres: 1																	

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 01, 2005**.
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. This right when combined with all other rights shall provide no more than 0.07 cfs nor more than 3.0 afa at the field headgate for irrigation of the land described above.
5. A fish screen of ¼ inch or smaller mesh shall be installed and maintained at the point of diversion.
6. 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 29th day of October, 2004.


for KARL J DREHER, Director

RECEIVED

OCT 19 2004

Department of Water Resources

71452

Ident. No. 96-9194

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

AUG 04 2004

IDWR/North

1. Name of Applicant KENNETH R + GINGER SMITH Phone (253) 927-8963

Mailing address 32909 5th AVE S.W Federal WAY WA 98023

2. Source of water supply PEND OREILLE RIVER which is a tributary of Columbia River

3. Location of point of diversion is Township 56 North Range 3 W Sec. 31, in the SE 1/4,

NE 1/4, NW 1/4, Govt. Lot 3, B.M., BONNER County;

additional points of diversion if any:

4. Water will be used for the following purposes:

Amount 0.07 for IRRIGATION purposes from MAR 15 to APR 15 (both dates inclusive)

Amount 0.07 for IRRIGATION purposes from MAR 15 to APR 15 (both dates inclusive)

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Amount 0.07 for IRRIGATION purposes from MAR 15 to APR 15 (both dates inclusive)

5. Total quantity to be appropriated is (a) 0.07 and/or (b) 0.07 cubic feet per second acre feet per annum

6. Proposed diverting works: PUMP IN RIVER & IRRIGATION SYSTEM

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

b. Height of storage dam 0 feet; active reservoir capacity 0 acre-feet; total reservoir capacity 0 acre-feet

c. Proposed well diameter is 0 inches; proposed depth of well is 0 feet

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? 0; Drilling firm 0

Well was drilled for (well owner) 0; Drilling Permit No. 0

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. 0

b. Stockwatering; list number and kind of livestock. 0

c. Municipal; show name of municipality. 0

d. Domestic; show number of households. 0

e. Other; describe fully. 0

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.

Gout. LOT 3

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56W	36W	31						1											1

Total number of acres to be irrigated 1

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? APPLICANT & IDOL

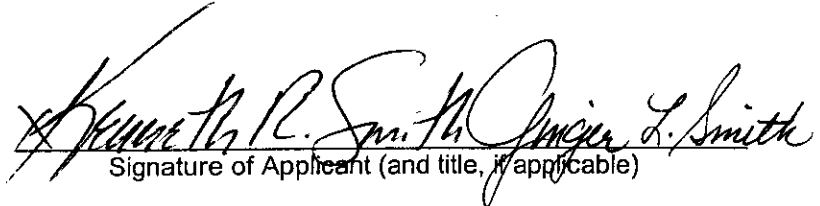
b. Who owns the land to be irrigated or place of use? APPLICANT

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 AS Date 08-04-04 Time 1:50 Preliminary check by AS
 Fee \$ 150 Received by AS # ND16475 Date 08-04-04
 Publication prepared by db Date 8/25/04 Published in Pratt River Times 9/1 & 8/04
 Publication approved db Date 10/4/04

30

Lacled

2098

NWSW



BM 210

SWSW

BM 2085

NWNW

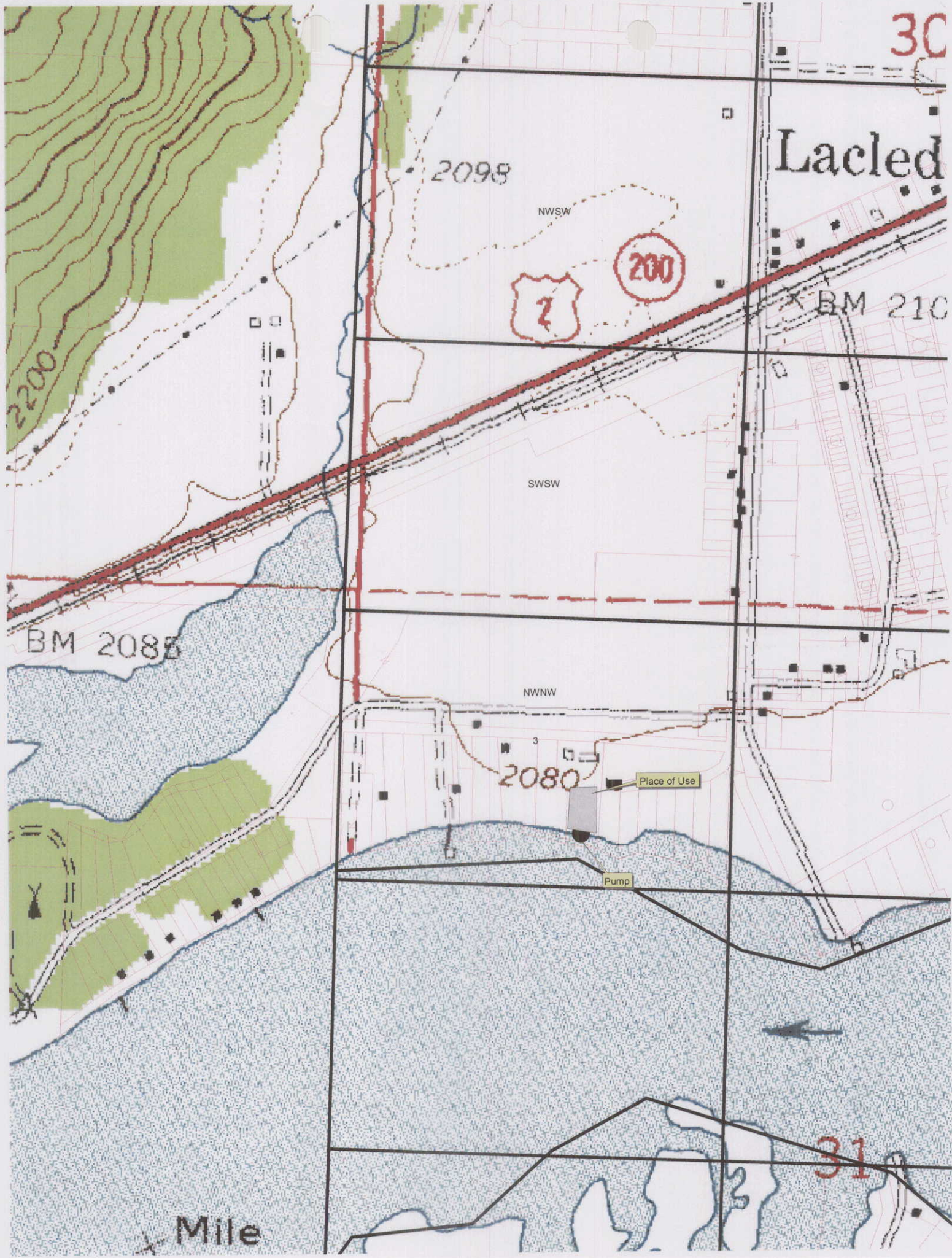
2080

Place of Use

Pump

31

Mile





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

October 29, 2004

KENNETH R SMITH
GINGER SMITH
32909 5TH AVE SW
FEDERAL WAY WA 98023

RE: Permit No. 96-9194

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.

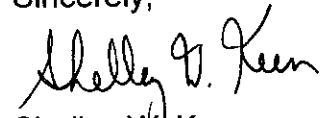
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should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

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

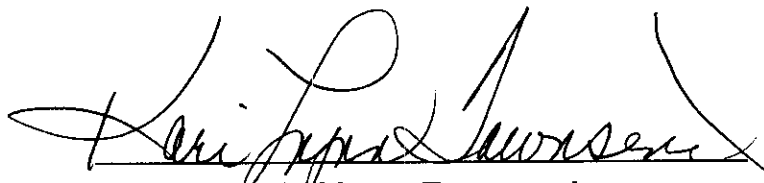
CERTIFICATE OF SERVICE

I hereby certify that on October 29, 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.

96-9194

**GINGER SMITH
KENNETH R SMITH
32909 5TH AVE SW
FEDERAL WAY WA 98023**

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**

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

96-9194

1. dball 10/1/2004 11:49:45 AM Comment Letter Notes
Comment: WHO: IDF&G - Charles E. Corsi, Regional supervisor
RESPONSE: Conditional Recommendation
DATE RECEIVED: 10/1/2004

NOTE: IDL Reference number is L-96-S-641A.

Line placement beneath lake bed-river bed should occur during low water periods when underwater excavation is minimized.

Dug materials should be sidecast to only one side and the bottom contour and substrate restored. Unburied sections of line should be anchored on bottom, and smooth cover provided for pump to prevent floating and/or interference with boat anchors or anglers lines or capturing debris, or should consider placing pump on land..

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.

2. kwalker 10/27/2004 Permit Review
Comment: Applicant filed for more than 1 inch per acre due to system design for sprinkler zones. They wish to divert more water for shorter time period. Changed season of use to standard for the area. Recommend approval.

Keen, Shelley

From: Beardslee, Allen
Sent: Friday, October 22, 2004 12:34 PM
To: Keen, Shelley
Subject: RE: 96-9194

Shelley,

The system design for the sprinkler zones was based on 0.07 cfs, so that is what was applied for. They wish to divert more water for a shorter period of time than our standard irrigation rate of 0.02, or 0.03 cfs.

We recommend approval of this filing.

Thanks for your help on this one.

Al

-----Original Message-----

From: Keen, Shelley
Sent: Friday, October 22, 2004 11:24 AM
To: Beardslee, Allen
Subject: 96-9194

Al,

I think we're going to need a little bit more information on this one. Why did they design the system for 0.07 cfs, as opposed to something less. Are they trying to apply the water in a short period of time so they can use the space for something else without getting wet?

Shelley

IN THE DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

W.R. # 96-9194

APPLICATION ID # 71452
INITIAL REVIEW

ENT. 8/13/04 BCA 8/13 OK to Publish 8/13/04

APPLICANT: SMITH BY: AB DATE: 08/04/04

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

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

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 # _____

PROCESSING
(Yes)(No)

PRIORITY DATE: 08/04/04

☒ (Include Moratorium Remark)

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

RECEIVED
OCT 19 2004
Department of Water Resources

PT/Week

ADVERTISE IN: BANNER County

LETTERS SENT REQUESTING:

() Dam Information () Fish Information

() Power Information () Other: N/A

INFORMATION RECEIVED:

() Dam Information () Fish Information

() Power Information () Other: N/A

GROUNDWATER SECTION					
WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
_____	_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y () N ()
_____	_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y () N ()
_____	_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y () N ()

Groundwater management area _____ Remarks: _____

Critical ground water area _____

Well Drilling Permit required _____

Well Drilling Application and Fees received _____

Well Drilling Application approved? _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

Notice of pending void order issued. Final order response date: / /

Further information required from applicant _____

10/4 Affidavit of publication received _____

8/25 Application published correctly. If not, record action taken: _____

Publication dates and paper recorded on application _____

Protests received, _____

Measuring device required _____

Measuring port required _____

Special conditions: _____

Special conditions of approval supplement and/or cover letter attached: _____

Sr. Agent initial AB

Final protest date: 9/20/04

Approval Recommended by: AB Date: 10/15/04

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner, Terri Iue

_____ being first duly sworn on oath
deposes and says that he/she is Managing Editor
of the Priest River Times, a newspaper printed and
published at Priest River, 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:

Application 96-9194 Kenneth R
and Ginger Smith

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 1st day of Sept, 2004
and ending on the 8th day of Sept, 2004
and that said notice was published in said newspaper.

On this 8th day of September in the year
of 2004, before me, a Notary Public, personally
appeared Terri Iue,
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.

RECEIVED
OCT 04 2004
IDWR/North

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

96-9194

KENNETH R SMITH
GINGER SMITH

32909 5TH AVE SW

FEDERAL WAY WA 98023

Point(s) of Diversion L3 (NWNW) S31 T56N R03W BONNER County

Source PEND OREILLE RIVER Tributary To COLUMBIA RIVER

Use: IRRIGATION 03/15 To 11/15 0.07 CFS

Total Diversion: 0.07 CFS

Date Filed: 08/04/2004

Place Of Use: IRRIGATION T56N R03W S31 NWNW Lot 3

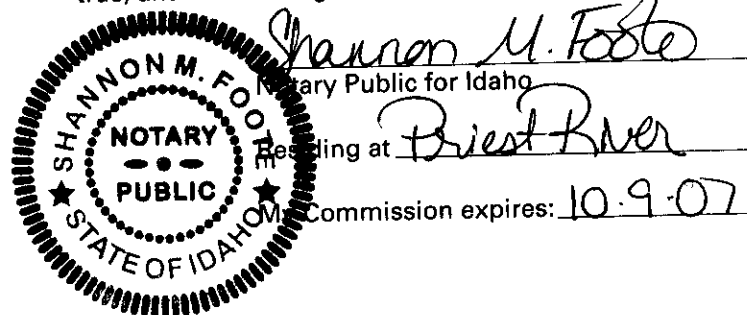
Number of Acres 1

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 appli-
cation on or before 09/20/2004. The protestant must also send a copy of the
protest to the applicant.

KARL J DREHER, Director

Legal PRT613565
Sept. 1, 8, 2004





IDAHO FISH & GAME

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

RECEIVED

OCT 01 2004

IDWR/North

Dirk Kempthorne / Governor
Steven M. Huffaker / Director

September 28, 2004

Mr. Jim Brady, Resource Manager
Idaho Department of Lands
Navigable Waters and Minerals
3607 Industrial Ave Ste #1
Coeur d'Alene, ID 83815

Concompton
10/1/04
db

Dear Mr. Brady:

96-9194

REFERENCE: L-96-S-641A; KEN AND GINGER SMITH

We have reviewed the application by Ken and Ginger Smith to place a water line and submersible pump into Pend Oreille River.

Water lines are an encroachment in lakes and rivers that can be detrimental to fish and fish habitat. Line placement beneath the lake bed/river bed should occur during low water periods when underwater excavation is minimized. Dug materials should be sidecast to only one side and the bottom contour and substrate restored. Any unburied sections of the line should be anchored on the bottom to prevent it from floating and interfering with boat anchors or anglers' lines. The applicant should also provide a smooth cover for the pump to avoid interference with boat anchors or anglers' lines, or should consider placing the pump on land.

The water intake 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.

The applicant should have an approved water right prior to diverting any water.

Thank you for the opportunity to comment.

Sincerely,

Charles E. Corsi
Regional Supervisor

CEC:MTB:kh

C: Tracey Trent, IDFG Boise
IDWR, Coeur d'Alene

File: IDL Smith L-96-S-641A



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 25, 2004

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

KENNETH R SMITH
GINGER SMITH
32909 5TH AVE SW
FEDERAL WAY WA 98023

RE: Application for Permit No 96-9194

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 Priest River Times on September 1 and 8, 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

~ PLEASE FAX PROOF PRIOR TO PUBLICATION ~

August 25, 2004

SHANNON FOOTE
LEGAL NOTICE DEPARTMENT
PRIEST RIVER TIMES
PO BOX 10
PRIEST RIVER ID 83856

e-mailed to Shannon 8/25/04

RE: Application for Permit No. 96-9194

Dear Shannon:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, September 1 and 8, 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 09/20/2004. Your cooperation is VERY GREATLY appreciated, as always.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, August 25, 2004 3:50 PM
To: Legal Notices-Priest River Times (E-mail)
Subject: Legal notice for publication Sept. 1 and 8, 2004

Good afternoon, Shannon,

Attached are cover letter requesting publication on September 1 and 8, 2004, and legal notice referred to in cover letter.

Hopefully you can just copy and paste the legal - that will save you having to re-type it first. Might have to modify margins a bit.

Let me know if you have any problems.

I can also just embody them in the e-mail if that works better for you. Let me know if that would work better.

PLEASE FAX A PROOF TO ME PRIOR TO PUBLICATION.

Thanks bunches, and have a marvelous 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

8/25/2004

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

96-9194

KENNETH R SMITH

GINGER SMITH

32909 5TH AVE SW

FEDERAL WAY WA 98023

Point(s) of Diversion L3 (NWNW) S31 T56N R03W BONNER County

Source PEND OREILLE RIVER Tributary To COLUMBIA RIVER

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Total Diversion: 0.07 CFS

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Place Of Use: IRRIGATION T56N R03W S31 NWNW Lot 3

Number of Acres 1

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KARL J DREHER, Director

Published on September 1 and 8, 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

August 13, 2004

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

FAXED TO MARY 8/13/04
4 paged total

Application to Permit No. 96-9194 - Kenneth & Ginger Smith

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.

If you will not be protesting this application, you may reply 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, appearing to read 'Dianne', is written in black ink.

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 13, 2004

STATE OF IDAHO
DEPT OF LANDS
3706 INDUSTRIAL AVE S
COEUR D ALENE, ID 83815

FAXED TO IDAHO DEPT OF LANDS 8/13/04
4 PAGES TOTAL

Application to Permit No. 96-9194 - Kenneth & Ginger Smith

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.

If you will not be protesting this application, you may reply 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, appearing to read 'Dianne Ball'.

Dianne Ball
Administrative Assistant

Enclosure(s)