

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 98-07840

Priority: August 16, 2004

Maximum Diversion Rate: 0.12 CFS

This is to certify, that PATRICK GARDINER
HCR 60 BOX 228
PORTHILL ID 83853

has applied for a permit to appropriate water from:

Source: GROUND WATER

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	0.12 CFS
STOCKWATER	01/01 to 12/31	0.12 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 21, Twp 65N, Rge 01W, B.M. BOUNDARY County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	Totals
65N 01W 21	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	30.0

Total Acres: 30

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE	NW	SW	SE	Totals
65N 01W 21	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	X

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 1, 2008**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. 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.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
6. Stockwater use is for 65 range cattle.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 15th day of March, 2005.


for KARL J DREHER, Director

RECEIVED

MAR 01 2004

Department of Water Resources

RECEIVED

AUG 16 2004

IDWR/North

Ident. No. 98-7840

71693

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

MAY 20 2004

IDWR/North

1. Name of Applicant PATRICK GARDINER Phone 208-267-3194

Mailing address HCR 60 Box 228 ; Portneuro Id. 83853

2. Source of water supply GROUND WATER which is a tributary of -

3. Location of point of diversion is Township 65 N Range 1 W Sec. 21, in the NE 1/4,

NW 1/4, Govt. Lot -, B.M., BOUNDARY County;

additional points of diversion if any:

4. Water will be used for the following purposes:

Amount 0.1225 for IRRIGATION purposes from MAR 15 to NOV 15 (both dates inclusive)

Amount 0.1225 for Stockwater purposes from MAR 15 to NOV 15 (both dates inclusive)

Amount - for - purposes from - to - (both dates inclusive)

Amount - for - purposes from - to - (both dates inclusive)

Amount - for - purposes from - to - (both dates inclusive)

Amount - for - purposes from - to - (both dates inclusive)

5. Total quantity to be appropriated is (a) 0.1225405 and/or (b) - acre feet per annum

6. Proposed diverting works: well - water lines 3" and 1"

a. Describe type and size of devices used to divert water from the source well pump, water lines
to pasture and sprinkler system

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

c. Proposed well diameter is 6" inches; proposed depth of well is 440 feet

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

e. If well is already drilled, when? 9-24-03; Drilling firm Window Water Wells Inc

Well was drilled for (well owner) yes; Drilling Permit No. 0028805

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. 65 Head Angus

c. Municipal; show name of municipality. -

d. Domestic; show number of households. -

e. Other; describe fully. -

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
65	1W	21					30	30											30
							5	5											

Total number of acres to be irrigated 30

10. Describe any other water rights used for the same purposes as described above. Stock water in PASTURE intermittent

11. a. Who owns the property at the point of diversion? PATRICK + ADA GARDNER
- b. Who owns the land to be irrigated or place of use? PATRICK + ADA GARDNER
- 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: BENCH PROPERTY in new pasture ORCHARD grass, created when, BURN - will be intermittently watered for growth and rotational grazing.

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.

Patrick Gardner
Signature of Applicant (and title, if applicable)

Received by db Date 5/25/04 Time 11:30a Preliminary check by AS
 Fee \$ 100.00 Receipted by db # N016297 Date 5/25/04
 Publication prepared by db Date 1/14/05 Published in Banner-Terry Herald 1/20+27/05
 Publication approved db Date 2/3/05



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 17, 2005

PATRICK GARDINER
HCR 60 BOX 228
PORTHILL ID 83853

RE: Permit No. 98-7840

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.

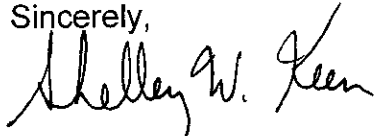
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

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 fluid and cursive, with the first letters of each name being capitalized and prominent.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

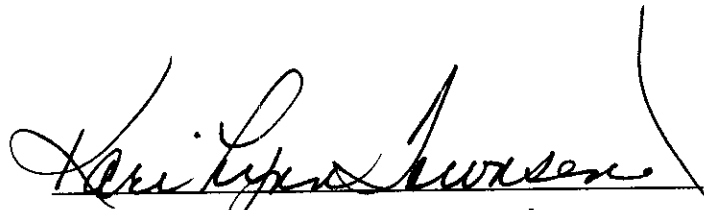
CERTIFICATE OF SERVICE

I hereby certify that on March 17, 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.

98-7840

**PATRICK GARDINER
HCR 60 BOX 228
PORTHILL ID 83853**



**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.

AFFIDAVIT OF PUBLICATION

State of Idaho

SS

County of Boundary, Kellie Neff

being first duly sworn on oath deposes and says that

he/she is Office Manager

of the Bonners Ferry Herald, a newspaper printed and

published at Bonners Ferry, Boundary County, Idaho;

that the said newspaper has been continuously and

uninterruptedly published in said Boundary County during

a period of 12 months prior to the first publication of the

hereto attached notice of publication in the case of:

5467 Application
for Permit

as it was published in the regular and entire issue of the

said paper for a period of 2 consecutive weeks,

commencing on 20th day of Jan., 2005

and ending on the 27th day of Jan., 2005

and that said notice was published in said newspaper.

On the 27th day of January in the year

of 2005, before me, a Notary Public, personally

appeared Kellie Neff

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.

Juan E. Diehl
Notary Public for Idaho

Residing at Bonners Ferry

My Commission expires: 1/20/2010



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

98-7837
US DEPT OF INTERIOR
FISH & WILDLIFE SERVICE
911 NE 11TH AVE
PORTLAND OR 97232-4181
Point(s) of Diversion: SENW S13 T62N R01W BOUNDARY County
Source MYRTLE CREEK Tributary To KOOTENAI RIVER
Use: WILDLIFE 01/01 To 12/31 7.8 CFS
Use: WILDLIFE STORAGE 01/01 To 12/31 212 AFA
Use: DIVERSION TO STORAGE 01/01 To 12/31 7.8 CFS
Total Diversion: 7.8 CFS
Date Filed: 07/27/2004
Place Of Use: WILDLIFE
T62N R01E S19 NWNW SWNW NWSW SWSW
T62N R01W S12 SESW SWSE SESE
T62N R01W S13 SWNE NENW SENW NESE NESE NWSE SESE
T62N R01W S24 NENE SENE NESE SESE
T62N R01W S25 NENE SWNE SENE NESE NWSE SWSE SESE
T62N R01W S36 NWNE
Place Of Use: WILDLIFE STORAGE
Same as Wildlife

98-7839
JOHN DRIEDGER
HCR 60 BOX 302
BONNERS FERRY ID 83805
Point(s) of Diversion: SESW S35 T63N R01E BOUNDARY County
Source FLEMING CREEK Tributary To KOOTENAI RIVER
Use: IRRIGATION 04/01 To 11/15 0.4 CFS
Total Diversion: 0.4 CFS
Date Filed: 11/30/2004
Place Of Use: IRRIGATION T63N R01E S35 SENW
Number of Acres: 40

98-7840
PATRICK GARDINER
HCR 60 BOX 228
PORTHILL ID 83853
Point(s) of Diversion: NENW S21 T65N R01W BOUNDARY County
Source GROUND WATER
Use: IRRIGATION 03/15 To 11/15 0.12 CFS
Use: STOCKWATER 01/01 To 12/31 0.12 CFS
Total Diversion: 0.12 CFS
Date Filed: 08/16/2004
Place Of Use: STOCKWATER and IRRIGATION T65N R01W S21 NENW
Number of Acres: 30
Remark: Stockwater use is for 65 head of range stock (angus)

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 02/07/2005. The protestant must also send a copy of the protest to the applicant.

Legal BFH5467
January 20 and 27, 2005

KARL J DREHER, Director

RECEIVED
FEB 03 2005
IDWR/North

M E M O R A N D U M

Date: March 15, 2005
To: Water Right File 98-7840
From: Shelley Keen
Re: Permit Review

The applicant indicated a irrigation season of use from 3/15 to 11/15. I recommended approval with the standard season of 4/1 to 10/31.

**IDAHO DEPARTMENT OF WATER RESOURCES
APF PRIORITIZATION APPLICATION ANALYSIS SHEET**

W.R. # 98-7840

APPLICATION ID # 71693
INITIAL REVIEW

ENT. 1/10/05 BCA 1/10/05 OK to Publish 1/10/05

APPLICANT: GARDNER BY: AJ DATE: 08/16/04

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()

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: 08/16/04
 _____ 7 (Include Moratorium Remark) RECEIVED

_____ X Statewide Advertising: (Diversion rate 0.1 2005 greater than 10 cfs or 1,000 af).
 Department of Water Resources

BF/phone

ADVERTISE IN: BANDARY 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?
<u>807039</u>	<u>D28805</u>	Dom. ☒ Non-Dom. _____	Paid \$ <u>75.00</u>	<u>ND 15839 (Minden)</u>	<u>Y</u> () N ()
_____	_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y () N ()
_____	_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	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
2/3 _____ Affidavit of publication received
2/3 _____ Application published correctly. If not, record action taken: _____
1/8 _____ Publication dates and paper recorded on application
 _____ Protests received, Final protest date: 2/7/05
 _____ Measuring device required
 _____ Measuring port required
 _____ Special conditions: _____
 _____ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: _____ Date: _____/_____/_____

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

98-7837

US DEPT OF INTERIOR
FISH & WILDLIFE SERVICE
911 NE 11TH AVE
PORTLAND OR 97232-4181

Point(s) of Diversion SENW S13 T62N R01W BOUNDARY County

Source MYRTLE CREEK Tributary To KOOTENAI RIVER

Use: WILDLIFE	01/01 To 12/31	7.8 CFS	
Use: WILDLIFE STORAGE	01/01 To 12/31		212 AFA
Use: DIVERSION TO STORAGE	01/01 To 12/31	7.8 CFS	
Total Diversion:		7.8 CFS	

Date Filed: 07/27/2004

Place Of Use: WILDLIFE

T62N R01E S19 NWNW SWNW NWSW SWSW

T62N R01W S12 SESW SWSE SESE

T62N R01W S13 SWNE NENW SENW NESW NESE NWSE SESE

T62N R01W S24 NENE SENE NESE SESE

T62N R01W S25 NENE SWNE SENE NESE NWSE SWSE SESE

T62N R01W S36 NWNE

Place Of Use: WILDLIFE STORAGE - same as WILDLIFE

98-7839

JOHN DRIEDGER
HCR 60 BOX 30Z
BONNERS FERRY ID 83805

Point(s) of Diversion SESW S35 T63N R01E BOUNDARY County

Source FLEMING CREEK Tributary To KOOTENAI RIVER

Use: IRRIGATION	04/01 To 11/15	0.4 CFS
Total Diversion:		0.4 CFS

Date Filed: 11/30/04

Place Of Use: IRRIGATION T63N R01E S35 SENW

Number of Acres 40

98-7840

PATRICK GARDINER
HCR 60 BOX 228
PORTHILL ID 83853

Point(s) of Diversion NENW S21 T65N R01W BOUNDARY County

Source GROUND WATER

Use: IRRIGATION	03/15 To 11/15	0.12 CFS
Use: STOCKWATER	01/01 To 12/31	0.12 CFS
Total Diversion:		0.12 CFS

Date Filed: 08/16/2004

Place Of Use: STOCKWATER and IRRIGATION T65N R01W S21 NENW

Number of Acres 30

Remark: Stockwater use is for 65 head of range stock (angus)

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 02/07/2005. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

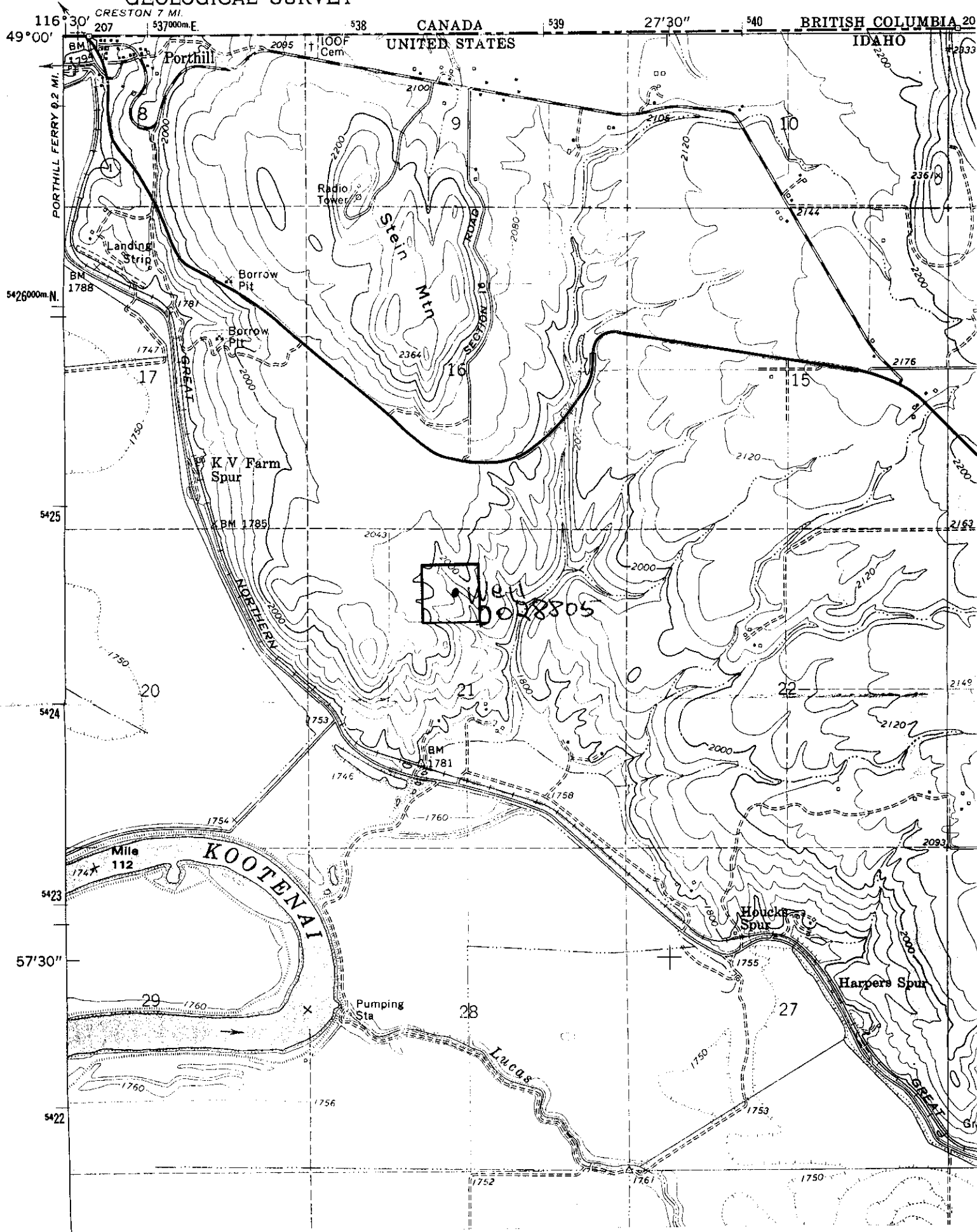
Published on January 20 and 27, 2005

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

RECEIVED

MAY 5 2004

IDWR/North





State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 14, 2005

JEAN DIEL &/or CAROL ARTHUR
LEGAL NOTICE DEPARTMENT
BONNERS FERRY HERALD
PO BOX 539
BONNERS FERRY ID 83805

e-mailed to bfherald @cdapress.com

RE: Application for Permit No. 98-7837, 98-7839 and 98-7840

Dear Jean &/or Carol:

I'm back off of 2+ months of medical leave and in need of publication of a legal notice.

Enclosed you will find a legal notice that we wish to have published in your newspaper on the dates indicated, January 20 and 27, 2005, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 02/07/2005. Your cooperation is GREATLY appreciated, as always.

Sincerely

A handwritten signature in black ink, appearing to be 'Dianne Ball', written over a circular line.

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Friday, January 14, 2005 3:00 PM
To: Legal Notices-BFHerald (E-mail)
Subject: Legal notice for publication on January 20 and 27, 2005

A very good afternoon to you, Jean and Carol,

I am attaching a cover letter requesting publication of a legal notice on January 20 and 27, 2005. The legal notice is also attached.

I trust you can copy and paste because this one is fairly long and hopefully you don't have to type it out.

I would appreciate a **PROOF PRIOR TO PUBLICATION** so I can do a last minute check on how things transfer to the paper setup. Sometimes tabs do crazy things.

Looking forward to working with you again after being off for a couple months.

Blessings and many thanks - it's always a pleasure working with you.

 *Dianne*

Dianne Ball, Administrative Assistant
Idaho Department of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814
Phone 208-769-1450 FAX 208-769-1454

1/14/2005



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 14, 2005

PATRICK GARDINER
HCR 60 BOX 228
PORTHILL ID 83853

RE: Application for Permit No 98-7840

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 Bonners Ferry Herald on January 20 and 27, 2005. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

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

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

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

Sincerely,

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

Allen Beardslee
Senior Water Resource Agent



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 6, 2004

Patrick Gardiner
HCR 60, Box 228
Porthill, ID 83853

RECEIVED

AUG 16 2004

IDWR/North

RE: Application for Permit Filing

Dear Mr. Gardiner:

We received your application for permit to appropriate water for irrigation and stockwater purposes. The application is being returned to you for the following reasons:

1. The range described in Item 3 and Item 9 as "I" should be either "1W" or "1E", whichever is correct.
2. The season of use for stockwater can be year-round, if that's appropriate.
3. The cfs listed in Items 4 and 5 should be rounded to only two places after the decimal, i.e. 0.12 cfs.
4. The well you have identified on the map is within the NENW; you have NWNW listed in Item 3.
5. Please identify on your map the place of use (drawing a small square around the general area is fine).

Please return the application to us after you have made the above mentioned corrections so that we can continue processing. Please call if you have questions.

Sincerely,

Al Beardslee
Sr. Water Resource Agent

Enclosure



GPARG

Gardiner Prime Angus Ranch

Pat and Ada Gardiner

HCR 60 Box 228 Porthill, ID 83853

Phone: 208 267-3194 Fax: 208 267-4825 Email: PGardiner@aol.com www.gardinerprimeangus.com

5/23/2004

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MAY 25 2004

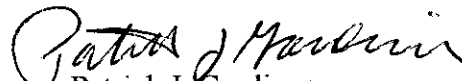
IDWR/North

To Department of Water Resources:

Please find attached my application for water right. The map attached is from Copland Quadrangle, 7.5 Minute series.

Should you have any questions please call, fax or e-mail me at the above letterhead address.

Sincerely,


Patrick J. Gardiner