

RECEIVED

AUG 25 2022

STATE OF IDAHO 86691

Ident. No. 95-18355

DEPARTMENT OF WATER RESOURCES

IDWR / NORTH

**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) SCOTT and/or CHERRIE WILLERFORD Phone 208-827-6387  
 Name connector (check one): ☐ and ☐ or ☒ and/or  
 Mailing address 15731 N SPORTSMAN PARK RD City HAYDEN  
 State ID ZIP 83835 Email SCOTTJJWWW@GMAIL.COM
2. Name of representative, if any \_\_\_\_\_ Phone \_\_\_\_\_  
 Mailing address \_\_\_\_\_ City \_\_\_\_\_  
 State \_\_\_\_\_ ZIP \_\_\_\_\_ Email \_\_\_\_\_
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR  
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR  
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply HAYDEN LAKE which is a tributary of SINKS
4. Location of point(s) of diversion:

| Twp | Rge | Sec | Govt Lot | 1/4 | 1/4 | 1/4 | County   | Source      | Local name or tag # |
|-----|-----|-----|----------|-----|-----|-----|----------|-------------|---------------------|
| 52N | 03W | 34  |          |     | SW  | NW  | KOOTENAI | HAYDEN LAKE |                     |
|     |     |     |          |     |     |     |          |             |                     |
|     |     |     |          |     |     |     |          |             |                     |
|     |     |     |          |     |     |     |          |             |                     |

5. Water will be used for the following purposes:  
 Amount 0.03 CFS for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)  
 (cfs or acre-feet per year)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per year)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per year)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.03 cubic feet per second (cfs) and/or (b) \_\_\_\_\_ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. EXISTING SCREENED INTAKE PIPE & PUMP WITH SERVICE LINE TO WATER SYSTEM.
- b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
- 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? ☐ Yes ☐ No
- e. If well is already drilled, when? \_\_\_\_\_; drilling firm \_\_\_\_\_; well was drilled for (well owner) \_\_\_\_\_; Drilling Permit No. \_\_\_\_\_

## For Department Use

Received by JA Date 8-25-22 Time \_\_\_\_\_ Preliminary check by \_\_\_\_\_  
 Fee \$ 100.00 Received by JA Receipt No. N040904 Date 8-25-22

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. \_\_\_\_\_
  - Stockwatering; list number and kind of livestock. \_\_\_\_\_
  - Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
  - Domestic; show number of households \_\_\_\_\_
  - Other; describe fully. \_\_\_\_\_
9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
  - 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 |        |
| 52N | 03W | 34  |    |    |    |    |    |    | 1.0 |    |    |    |    |    |    |    |    |    | 1.0    |
|     |     |     |    |    |    |    |    |    | GL3 |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |        |

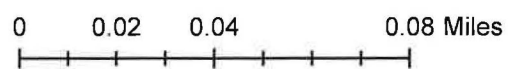
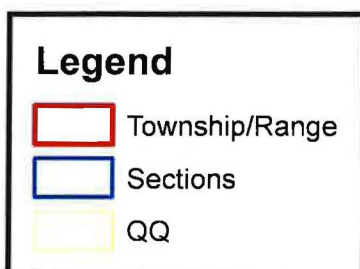
Total number of acres to be irrigated: 1.0

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? \_\_\_\_\_
11. a. Who owns the property at the point of diversion? APPLICANT
- 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: N/A
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. APPLICANTS WANT TO SECURE WATER RIGHTS FOR AN EXISTING LAKE WATER IRRIGATION SYSTEM FOR 1.0 ACRES OF PROPERTY. APPLICANT PLAN TO REFURBISH THE EXISTING SYSTEM.
13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Scott Willerford  
 Signature of Applicant  
SCOTT WILLERFORD  
 Print Name (and title, if applicable)

Cherrise Willerford  
 Signature of Applicant  
Cherrise Willerford  
 Print Name (and title, if applicable)



Escrow No.: N-61895

## WARRANTY DEED

FOR VALUE RECEIVED, **Larry P. O'Leary and Margaret A. O'Leary, Trustees of the Larry and Margaret O'Leary Living Trust**, Hereinafter called Grantor, does hereby grant, bargain, sell and convey unto **Scott Willerford and Cherrie Willerford, husband and wife, as community property with right of survivorship**, Grantee, whose address is: 15731 N. Sportsman Park Rd., Hayden, ID 83835 the following described premises, County of Kootenai, State of Idaho to-wit:

**Lots 60 and 61, Hayden Lake Park, according to the plat thereof, recorded in Book "C" of Plats, page 95, records of Kootenai County, Idaho.**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject to those made, suffered or done by the Grantee(s); current taxes, levies, assessments, easements, reservations and rights of way of view and covenants, conditions, restrictions, easements, reservations, dedications, rights of way and agreements of record and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

DATED. June 16, 2022

The Larry and Margaret O'Leary Living Trust

By: Larry P. O'Leary as Trustee  
Larry P. O'Leary, Trustee

By: Margaret A. O'Leary as trustee  
Margaret A. O'Leary, Trustee

STATE OF IDAHO

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)ss.  
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COUNTY OF KOOTENAI

On this 16 day of June, 2022 before me, the undersigned, a notary public in and for said state, personally appeared Larry P. O'Leary and Margaret A. O'Leary, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, as Trustee(s) of the Trust for the benefit of The Larry and Margaret O'Leary Living Trust, and acknowledged to me that he/she/they executed the same as Trustee(s).

NOTARY PUBLIC

Residing at:

My Commission Expires:

Hwyer ID  
2-24-28

JACQUELINE SERGEANT  
COMMISSION #29426  
NOTARY PUBLIC  
STATE OF IDAHO



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene, ID 83815-7763  
Phone: 208-762-2800 • Fax: 208-762-2819 • Email: [northerninfo@idwr.idaho.gov](mailto:northerninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Gary Spackman**

September 8, 2022

SCOTT WILLERFORD  
CHERRIE WILLERFORD  
15731 N SPORTSMAN PARK RD  
HAYDEN, ID 83835-7071

RE: Application for Permit No. 95-18355

Dear Applicants:

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the COEUR D ALENE PRESS on 9/15/2022 and 9/22/2022. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. 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, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

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

Sincerely,

Tammy Alleman  
Administrative Assistant

## Alleman, Tammy

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**From:** Alleman, Tammy  
**Sent:** Thursday, September 8, 2022 3:00 PM  
**To:** 'Mike Ahmer'; Horsmon, Merritt; Chantilly Higbee; Anna Moody  
**Subject:** Request for Comments for 95-18355  
**Attachments:** 95-18355 Application for Permit.pdf

Dear Interested Agencies:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced Water Right Permit application. You can find copies of the application at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

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 the application(s), 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. The deadline for comments on the applications is October 3, 2022.

Please contact the Northern Region Office at (208) 762-2800 if you have any questions regarding the Permit application.

Thank you,



**Tammy Alleman | Administrative Assistant**  
**Idaho Department of Water Resources**  
Northern Regional Office  
7600 N Mineral Drive, Suite 100  
Coeur d'Alene, ID 83815-7763  
Phone: (208) 762-2800

## Alleman, Tammy

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**From:** Alleman, Tammy  
**Sent:** Thursday, September 8, 2022 9:21 AM  
**To:** LEGALS@CDAPRESS.COM  
**Subject:** Legal Notice for CdA Press  
**Attachments:** Legal Notice for 95-18353 to 95-18359.docx

Please publish the enclosed legal notice in the **Coeur d'Alene Press** on the dates indicated **September 15<sup>th</sup> & September 22<sup>nd</sup>, 2022** (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

**Please send a proof once you have the article ready for print for our review.**

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 **October 3, 2022**. Your cooperation is appreciated.

Thank you,



Tammy Alleman | Administrative Assistant  
**Idaho Department of Water Resources**  
Northern Regional Office  
7600 N Mineral Drive, Suite 100  
Coeur d'Alene, ID 83815-7763  
Phone: (208) 762-2800

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

**95-18353**

JANET L DOLAN  
32901 S SHORE DR  
MOUNT VERNON, WA 98274-8230  
Point of Diversion L1(SWNW)  
S8 T53N R04W  
KOOTENAI County  
Source GROUND WATER  
Use: DOMESTIC  
01/01 to 12/31  
Total Diversion: 0.04 CFS  
Date Filed: 08-24-2022  
Place Of Use: DOMESTIC  
T53N R04W S8  
L2(NWSW),L1(SWNW)

**95-18354**

JANET L DOLAN  
32901 S SHORE DR  
MOUNT VERNON, WA 98274-8230  
Point of Diversion L2(NWSW)  
S8 T53N R04W  
KOOTENAI County  
Source SPIRIT LAKE Tributary SPIRIT CREEK  
Use: STOCKWATER  
01/01 to 12/31 0.02 CFS  
Use: IRRIGATION  
04/01 to 10/31 0.19 CFS  
Total Diversion: 0.2 CFS  
Date Filed: 08-24-2022  
Place Of Use: IRRIGATION,STOCKWATER  
T53N R04W S8  
L2(NWSW),L1(SWNW)  
Total Acres: 9.7

**95-18355**

SCOTT WILLERFORD  
CHERRIE WILLERFORD  
15731 N SPORTSMAN PARK RD  
HAYDEN, ID 83835-7071  
Point of Diversion SWNW  
S34 T52N R03W  
KOOTENAI County  
Source HAYDEN LAKE  
Tributary SINKS  
Use: IRRIGATION  
03/15 to 11/15  
Total Diversion: 0.03 CFS  
Date Filed: 08-25-2022  
Place Of Use: IRRIGATION  
T52N R03W S34  
L3(SWNW)  
Total Acres: 1

**95-18356**

CHRIS LAVOIE  
PAUL LAVOIE  
10963 W VOGEL RD  
WORLEY, ID 83876-9602  
Point of Diversion NWNE  
S13 T48N R05W  
KOOTENAI County  
Source UNNAMED STREAM  
Tributary FIGHTING CREEK  
Use: FIRE PROTECTION STORAGE  
01/01 to 12/31 3.5 AF  
Use: IRRIGATION STORAGE  
01/01 to 12/31 12 AF  
Use: IRRIGATION FROM STORAGE

03/15 to 11/15 12 AF  
Total Diversion: 15.5 AF  
Date Filed: 08-25-2022  
Place Of Use: IRRIGATION FROM STORAGE  
T48N R05W S12 SWSE  
Place Of Use: FIRE PROTECTION STORAGE, IRRIGATION FROM STORAGE, IRRIGATION STORAGE  
T48N R05W S13 NWNE  
Total Acres: 4

**95-18357**

RON ROCK  
ELLEN ROCK  
479 S WINDSWEPT TRL  
POST FALLS, ID 83854-5768  
Point of Diversion L11(SESW)  
S5 T50N R05W  
KOOTENAI County  
Source SPOKANE RIVER  
Tributary COLUMBIA RIVER  
Use: DOMESTIC  
01/01 to 12/31  
0.04 CFS  
Use: IRRIGATION  
03/15 to 11/15  
0.09 CFS  
Total Diversion:  
0.13 CFS  
Date Filed: 08-29-2022  
Place Of Use: DOMESTIC, IRRIGATION  
T50N R05W S5  
L10(SWSE), L11(SESW)  
Place Of Use: DOMESTIC, IRRIGATION  
T50N R05W S8  
L2(NENW), NWNE  
Total Acres: 3

**95-18358**

STEPHEN V ZAAT  
18204 N HWY 97  
HARRISON, ID 83833  
Point of Diversion L4(SENSE)  
S5 T49N R03W  
KOOTENAI County  
Source LAKE COEUR D'ALANE  
Tributary SPOKANE RIVER  
Point of Diversion L4(SWSENE)  
S5 T49N R03W  
KOOTENAI County  
Source SPRING  
Tributary SINKS  
Use: DOMESTIC  
01/01 to 12/31 0.1 CFS  
Use: STOCKWATER  
01/01 to 12/31 0.02 CFS  
Use: IRRIGATION  
03/15 to 11/15 0.12 CFS  
Total Diversion: 0.2 CFS  
Date Filed: 09-01-2022  
Place Of Use: DOMESTIC, IRRIGATION, STOCKWATER  
T49N R03W S5  
L4(SENSE)  
Total Acres: 4

**95-18359**

VICKY LOBUE  
PO BOX 814  
ATHOL, ID 83801-0814  
Point of Diversion NESE  
S12 T53N R04W  
KOOTENAI County

Source GROUND WATER  
Use: DOMESTIC  
01/01 to 12/31 0.08 CFS  
Use: STOCKWATER  
01/01 to 12/31 0.02 CFS  
Use: IRRIGATION  
04/01 to 10/31 0.2 CFS  
Total Diversion: 0.2 CFS  
Date Filed: 09-06-2022  
Place Of Use: DOMESTIC,IRRIGATION,STOCKWATER  
T53N R04W S12 NESE  
Total Acres: 10

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of \$25.00 for each application on or before 10/3/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/15/2022 and 9/22/2022