

RECEIVED

JUL 20 2022

IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 86523 96-12010

1. Name of applicant(s) HERLIHY TRUST Mary A. Herlihy Living Trust Phone 208-263-0876
Name connector (check one): ☐ and ☐ or ☒ and/or
Mailing address 2456 SUNNYSIDE RD City SANDPOINT
State ID ZIP 83864 Email _____
2. Name of representative, if any Mary A and/or Edward T Herlihy (TRUSTEES) Phone 208-263-0876
Mailing address 2456 SUNNYSIDE RD City SANDPOINT
State ID ZIP 83864 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 LAKE PEND OREILLE which is a tributary of PEND OREILLE RIVER
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
57N	01W	10			NE	SE	BONNER	LAKE PEND OREILLE	INTAKE PIPE

5. Water will be used for the following purposes:
- Amount 0.03 CFS for IRRIGATION purposes from 4/1 to 10/31 (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. SCREENED INTAKE PIPE WITH PUMP AND SERVICE LINE TO WATER SYSTEM
- b. Height of storage dam N/A 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 N/A 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? N/A; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ 100.00 Received by [Signature] Receipt No. N040596 Date 7-20-2022

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	
57N	01W	10													0.5				0.5

Total number of acres to be irrigated: 0.5

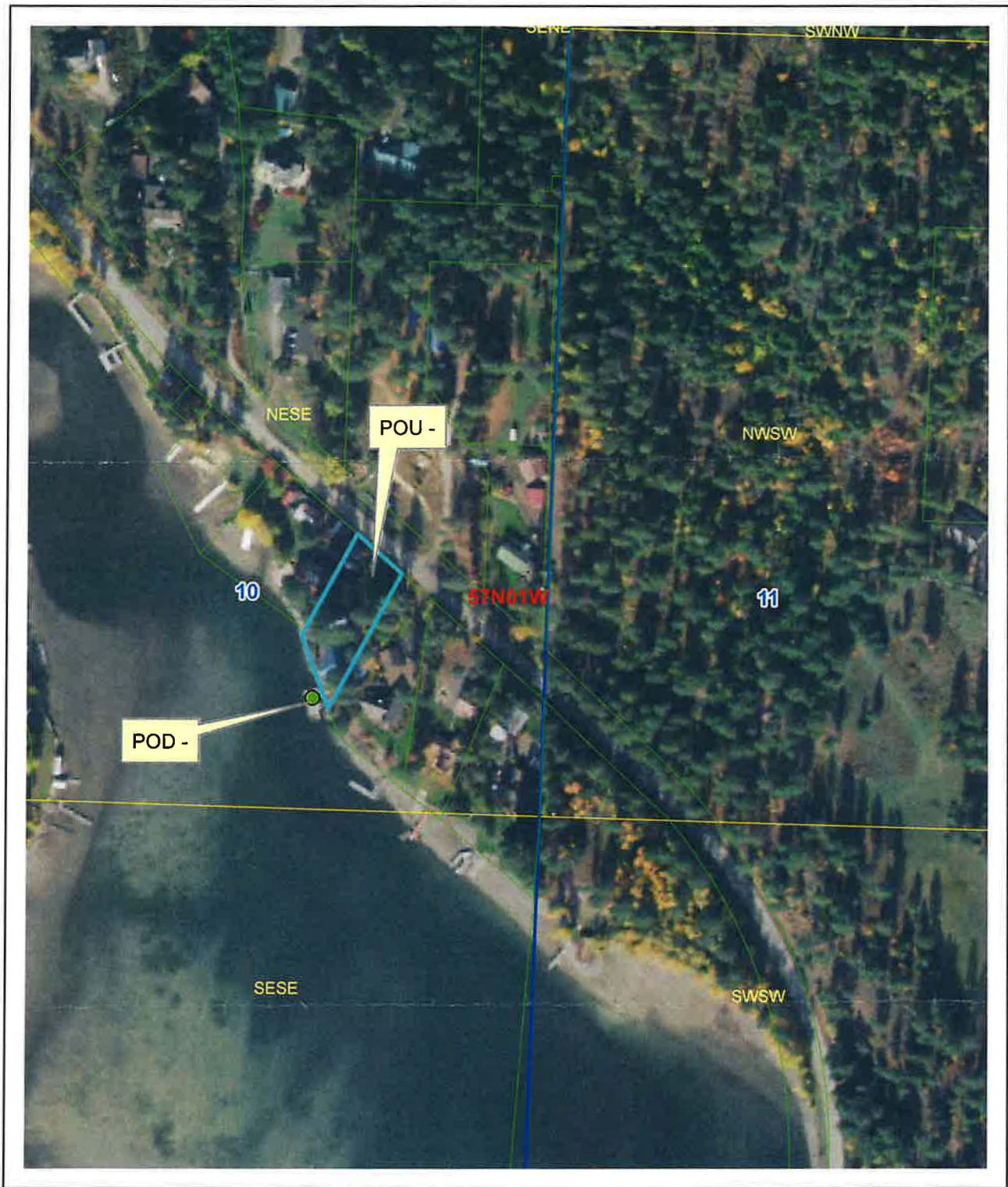
10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? ODEN WATER ASSN, WR 96-8953, SUPPLIES HOME WITH DOMESTIC WATER; IRRIGATION IS USED FROM THE LAKE SYSTEM BEING APPLIED FOR NOW.
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: TRUSTEES AUTHORIZED TO SIGN FOR TRUST
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. APPLICANT WANTS TO SECURE WATER RIGHTS FOR AN EXISTING LAKE WATER IRRIGATION SYSTEM USED TO WATER UP TO 0.5 AC ON THE PARCEL.
13. Time required for completion of works and application of water to proposed beneficial use is 1 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.

Mary A Herlihy
 Signature of Applicant
Mary A Herlihy Trustee of the Mary A. Herlihy
 Print Name (and title, if applicable) Living Trust

 Signature of Applicant

 Print Name (and title, if applicable)



Legend

-  Township/Range
-  Sections
-  QQ

0 0.025 0.05 0.1 Miles



Instrument # 999498
Bonner County, Sandpoint, Idaho
01/24/2022 12:42:01 PM No. of Pages: 3
Recorded for ELTC LAW FIRM
Michael W. Rosedale Fee: \$15 00
Ex-Officio Recorder Deputy
Index to: QUIT CLAIM DEED



WHEN RECORDED, RETURN TO:

ELTC LAW FIRM
PO BOX 301
Newport, WA 99156
(509) 447-3242

QUIT CLAIM DEED

Grantor: Mary A. Herlihy, Trustee of the Edward T. and Mary A.
Herlihy Living Trust, dated January 1, 2006
Grantee: Mary A. Herlihy, Trustee of the Mary A. Herlihy Living Trust
Dated November 11, 2021
Grantee's Address: 2456 Sunnyside Rd, Sandpoint, ID 83864
Parcel No: RP57N01W107691A

THE GRANTOR, MARY A. HERLIHY, Trustee of the Edward T. and Mary A. Herlihy Living Trust, dated January 1, 2006, conveys and quit claims to Mary A. Herlihy Trustee of the Mary A. Herlihy Living Trust, dated November 11, 2021, whose address is 2456 Sunnyside Rd, Sandpoint, ID 83864, all of Grantor's interest in the following described real estate, situated in the County of Bonner County, State of Idaho, including any interest therein which Grantors may hereafter acquire:

See Attached Exhibit "A"



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 • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

July 27, 2022

MARY A HERLIHY LIVING TRUST
2456 SUNNYSIDE RD
SANDPOINT, ID 83864-6482

RE: Application for Permit No. 96-12010

Dear Applicant(s):

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 BONNER COUNTY DAILY BEE on 8/4/2022 and 8/11/2022. 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

From: Alleman, Tammy
Sent: Wednesday, July 27, 2022 2:33 PM
To: Chantilly Higbee; Anna Moody; Horsmon, Merritt; 'Mike Ahmer'; IWRB Water Use Reviews
Subject: Request for Comments for WR#96-12010
Attachments: 96-12010 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 August 22, 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

From: Alleman, Tammy
Sent: Wednesday, July 27, 2022 2:20 PM
To: bcdblegals@cdapress.com
Subject: Legal Notice
Attachments: Legal Notice for 96-11838, 96-11919, 96-11967, 96-12010, 96-12029.docx

Please publish the enclosed legal notice in the **Bonner County Daily Bee** on the dates indicated **August 4th & August 11th, 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 **August 22, 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:

96-11838

ALLEN FAMILY TRUST
PO BOX 214
HOPE, ID 83836
Point of Diversion NESE
S11 T56N R01E
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.05 CFS
Date Filed: 06-30-2022
Place Of Use: DOMESTIC,IRRIGATION
T56N R01E S11
NESE,SESE
Place Of Use: DOMESTIC,IRRIGATION
T56N R01E S12
NWSW,SWSW
Total Acres: 1

96-11919

RONALD HAGER
PO BOX 254
CLARK FORK, ID 83811-0254
Point of Diversion NENWNE
S18 T55N R03E
BONNER County
Source SPRING
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31 0.12 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: COMMERCIAL
01/01 to 12/31 0.2 CFS
Use: IRRIGATION
04/01 to 10/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 07-11-2022
Place Of Use: COMMERCIAL,DOMESTIC,IRRIGATION,STOCKWATER
T55N R03E S18
NENE,NWNE,SWNE,SENE
Total Acres: 10

96-11967

RICHARD G GOWER
JAN S GOWER
2651 S GARFIELD RD
SPOKANE, WA 99203-3240
Point of Diversion NENE
S4 T56N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 07-07-2022
Place Of Use: DOMESTIC
T56N R01E S3
NWNW,SWNW

96-12010

MARY A HERLIHY LIVING TRUST
2456 SUNNYSIDE RD
SANDPOINT, ID 83864-6482
Point of Diversion NESE

S10 T57N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 07-20-2022
Place Of Use: IRRIGATION
T57N R01W S10 NESE
Total Acres: 0.5

96-12029

PAUL SHELEY
JOYCE SHELEY
952 JEWEL LAKE RD
SAGLE, ID 83860-8921
Point of Diversion SESW
S27 T56N R03W
BONNER County
Source UNNAMED STREAM
Tributary COCOLALLA CREEK
Point of Diversion SESW
S27 T56N R03W
BONNER County
Source COCOLALLA CREEK
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 07-22-2022
Place Of Use: IRRIGATION
T56N R03W S27 SESW
Total Acres: 1

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 8/22/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director Published on 8/4/2022 and 8/11/2022