

FORM 202 Rev. 09/16
RECEIVED**MAY 12 2022**

Print Single Sided Only

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No.

11704
46-4703**IDWR / NORTH**

1. Name of applicant(s) TALLY Ho TRUST Phone (509) 710-0904
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address PO Box 21078 City Spokane
State WA ZIP 99201 Email Jm3PD13@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 Pend Oreille which is a tributary of Columbia 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 #
56N	04W	36			SE	SW	Bonner	Pend Oreille River	

5. Water will be used for the following purposes:
Amount 0.04 for domestic purposes from 01-01 to 12-31 (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) 0.04 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. Pump installed in
river with waterline to place of use
- 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 _____ Date _____ Time _____ Preliminary check by _____
Fee \$ 100.00 Received by JL Receipt No. N039578 Date 5-12-2022

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 one (up to 0.5 acres lawn + garden)
- 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	
50N	04W	36												D					
														gls					

Total number of acres to be irrigated: _____

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? _____

- Who owns the property at the point of diversion? applicant IDOL
- Who owns the land to be irrigated or place of use? applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form and provide additional explanation for any of the items above. Attach additional pages if necessary. Panner County Parcel RP 50N 04W 36 7080A

13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

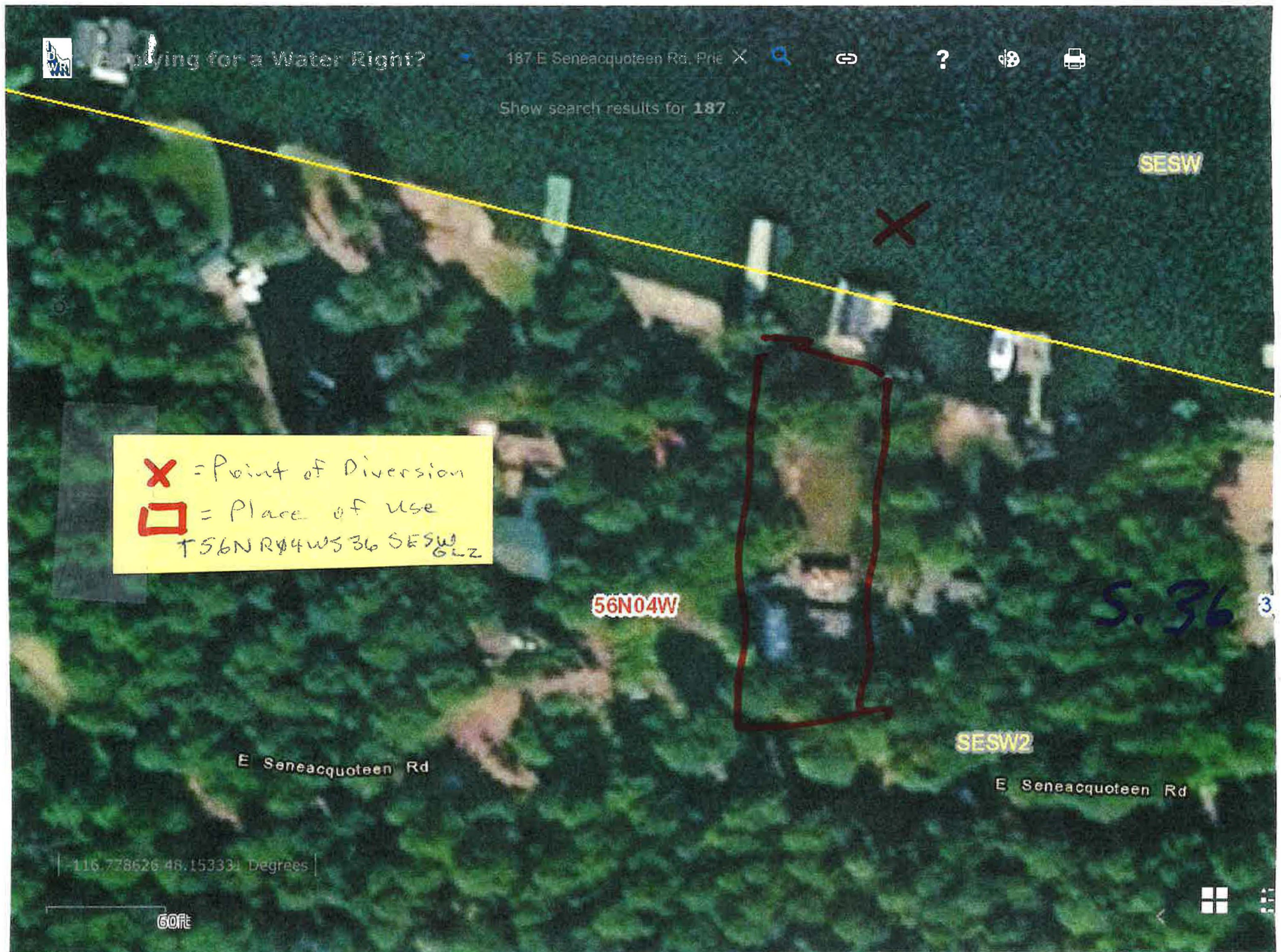
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

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.

JANET REDEY
Signature of Applicant
JANET REDEY TRUSTEE
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)



THE TALLY HO TRUST
(A Revocable Vacation Home Living Trust)

Article 1

Establishment of the Trust

Section 1.1 Establishment of the Trust

This Revocable Vacation Home Trust Agreement, dated effective the 24th day of MAY, 2004, is by and between BRUCE & JANET PEDEY, HUSBAND AND WIFE and WILLIAM K. NICHOLS (referred to in this Trust Agreement individually as "Grantor" and collectively as "Grantors") and BRUCE & JANET PEDEY, HUSBAND AND WIFE and WILLIAM K. NICHOLS (referred to in this Trust Agreement individually as "Trustee" and collectively as "Trustees").

All references to the term "trust" in this Trust Agreement, unless otherwise stated, shall refer to the revocable vacation home trust established by the terms of this Trust Agreement and any other trusts created as part of the provisions of this Trust Agreement. All references to the Trustee shall refer to the initial Trustees named in this Article 1 or to the initial Trustees' successors in trust as provided in this Trust Agreement.

Section 1.2 Trust Designation

For purposes of holding title to assets, this trust shall be referred to as:

BRUCE & JANET PEDEY, HUSBAND AND WIFE and WILLIAM K. NICHOLS,
Trustees, or their successors in trust, under THE TALLY HO TRUST, dated
24 MAY 2004.

The Trustee or any third party dealing with this trust or any trust established under the provisions of this Trust Agreement may use any other reference that is effective to transfer or hold title to trust assets or to designate a trust as a beneficiary of a third-party beneficiary contract as long as the reference includes the date of the trust, the name of at least one Trustee, and an indication that the assets are being held in a fiduciary capacity.

Section 1.3 Revocability of Trust

This trust is revocable. The Grantors shall, acting in concert, have the right to discontinue or amend this trust in any fashion they should so agree.

Section 1.4 Intent of Trust

This trust is intended as a revocable trust to hold title to, and otherwise manage certain real estate in Bonner County, Idaho and/or such other property as may later be contributed to the Trust.

(a) Intention to Contribute Vacation Home

It is the Grantors' intent to each contribute all right title and interest they have in the Vacation Home, as defined in Article 2, to be held and managed under the terms of this Trust Agreement.

(b) Grantor's Retained Rights

Grantors' retain the right to use the Vacation Home during the Vacation Home Term, as defined in Article 2, subject only to the use restrictions which may from time to time be established by the Trustees.

r. Borrow money for any trust purpose to be repaid from trust property.

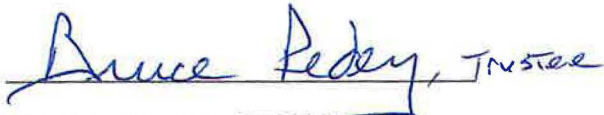
s. Do any of the following: (1) pay or contest any claim; (2) settle a claim by or against the trust by compromise, arbitration, or otherwise; (3) release, in whole or in part, any claim belonging to the trust.

t. Pay taxes, assessments, reasonable compensation of the Trustee and of employees and agents of the trust, and other expenses incurred in the collection, care, administration, and protection of the trust.

u. Do any of the following: (1) hire persons, including accountants, attorneys, auditors, investment advisers, or other agents, even if they are associated or affiliated with the Trustee, to advise or assist the Trustee in the performance of administrative duties; (2) appoint an investment manager or manager to manage all or any part of the assets of the trust, and to delegate to said manager investment discretion, including the power to acquire and dispose of such assets; and (3) charge the compensation of such attorneys, accountants, investment advisers, investment managers, specialists, and other agents and any other expenses against the trust.

v. Execute and deliver all instruments which are needed to accomplish or facilitate the exercise of these powers.

DATED this 24th day of MAY, 2004.


BRUCE PEDEY, TRUSTEE


WILLIAM K. NICHOLS, TRUSTEE


JANET PEDEY, TRUSTEE

STATE OF WASHINGTON

}

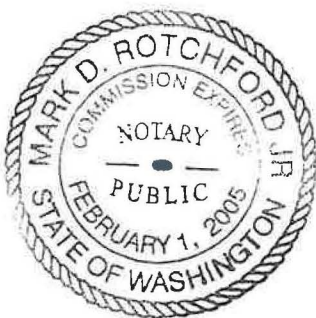
SS.

County of SPOKANE

}

I certify that I know or have satisfactory evidence that BRUCE & JANET PEDEY, HUSBAND AND WIFE is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in this instrument.

DATED: 5-21-04



Mark D. Rotchford Jr.
Name (typed or printed): MARK D. ROTCHFORD JR.
NOTARY PUBLIC in and for the State of WASHINGTON
Residing at SPOKANE WASHINGTON
My appointment expires: 2-1-05

STATE OF GEORGIA

}

SS.

County of Forsyth

}

}

I certify that I know or have satisfactory evidence that WILLIAM K. NICHOLS is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in this instrument.

DATED: May 22 2004

Elizabeth Morgan
Name (typed or printed): ELIZABETH MORGAN
NOTARY PUBLIC in and for the State of Georgia
Residing at Forsyth Georgia
My appointment expires: 3/1/2006

These jurats are page 4 of 4 and attached to the Memorandum of Declaration of Revocable Trust, TALLY HO TRUST dated 24 MAY 2004.



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

June 23, 2022

TALLY HO TRUST
PO BOX 21078
SPOKANE, WA 99201-7197

RE: Application for Permit No. 96-11704

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, PRIEST RIVER VERSION on 7/6/2022 and 7/13/2022. 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

CC:
IDAHO DEPT OF LANDS
PO BOX 83720
BOISE, ID 83720-0050

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, June 23, 2022 3:13 PM
To: Chantilly Higbee; Anna Moody; Horsmon, Merritt; 'Mike Ahmer'; IWRB Water Use Reviews
Subject: Request for Comments for WR#96-11704
Attachments: 96-11704 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 July 25, 2022.**

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

Thank you,

Tammy



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: Thursday, June 23, 2022 2:28 PM
To: bcdblegals@cdapress.com
Subject: Legal Notice for the Priest River Version of BCDB
Attachments: Legal Notice.docx

Please publish the enclosed legal notice in the **Bonner County Daily Bee, Priest River Version** on the dates indicated **July 6th & July 13th, 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 **July 25, 2022**. Your cooperation is appreciated.

Thank you,

Tammy



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:

96-11583

ELIZABETH WHALIN
165 LARCH LN
OLDTOWN, ID 83822
Point of Diversion NESE
S13 T55N R06W
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.15 CFS
Date Filed: 06-13-2022
Place Of Use: IRRIGATION
T55N R06W S13 NESE
Total Acres: 5

96-11586

JASON WHALIN
65 MALAKOWSKY RD
OLDTOWN, ID 83822
Point of Diversion NESE
S13 T55N R06W
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.15 CFS
Date Filed: 06-16-2022
Place Of Use: IRRIGATION
T55N R06W S13 NESE
Total Acres: 5

96-11624

NEAL LEEN
TRUDY LEEN
PO BOX 926
PRIEST RIVER, ID 83856-0926
Point of Diversion L4(SWSW)
S30 T56N R04W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
4 /1 to 10/31
Total Diversion: 0.02 CFS
Date Filed: 06-14-2022
Place Of Use: IRRIGATION
T56N R04W S30 L4(SWSW)
Total Acres: 0.6

96-11704

TALLY HO TRUST
PO BOX 21078
SPOKANE, WA 99201-7197
Point of Diversion SESW
S36 T56N R04W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 05-12-2022
Place Of Use: DOMESTIC
T56N R04W S36 L2(ESW)

97-8616

JARED HUFFMON
KATHLEEN HUFFMON
455 BEAVER POND TRL
PRIEST RIVER, ID 83856-7008
Point of Diversion SWSWNW
S26 T57N R05W
BONNER County
Source SPRING
Tributary PINE CREEK
Point of Diversion SWSWNW

S26 T57N R05W
BONNER County
Source SPRING
Tributary PINE CREEK
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.06 CFS
Date Filed: 05-04-2022
Place Of Use: DOMESTIC,STOCKWATER
T57N R05W S26
SWNW,NWSW

97-8786
KENNETH KURTZ
YVONNE KURTZ
325 W BRIERWOOD AVE
SPOKANE, WA 99218-2507
Point of Diversion NESE
S24 T56N R05W
BONNER County
Source PRIEST RIVER
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 06-09-2022
Place Of Use: IRRIGATION
T56N R05W S24 NESE
Total Acres: 1

97-8790
TERRYL C BLACK
JOHN C BLACK
920 W MELINDA LN
SPOKANE, WA 99203-1363
Point of Diversion SWNE
S3 T61N R04W
BONNER County
Source PRIEST LAKE
Tributary PRIEST RIVER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Use: FIRE PROTECTION
01/01 to 12/31 0.2 CFS
Total Diversion: 0.27 CFS
Date Filed: 06-10-2022
Place Of Use: DOMESTIC,FIRE PROTECTION,IRRIGATION
T61N R04W S3 L2(SWNE)
Total Acres: 1

97-8791
TERRYL C BLACK
JOHN C BLACK
920 W MELINDA LN
SPOKANE, WA 99203-1363
Point of Diversion SWNE
S3 T61N R04W
BONNER County
Source PRIEST LAKE
Tributary PRIEST RIVER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Use: FIRE PROTECTION
01/01 to 12/31 0.2 CFS
Total Diversion: 0.27 CFS
Date Filed: 06-10-2022
Place Of Use: DOMESTIC,FIRE PROTECTION,IRRIGATION
T61N R04W S3 L2(SWNE)
Total Acres: 1

97-8797

JEFFREY JOSEPH EMMERT
DEBRA LYNN EMMERT
287 ROPP RD
PRIEST RIVER, ID 83856-9662
Point of Diversion NESW
S6 T57N R05W
BONNER County
Source UNNAMED STREAM
Tributary LOWER WEST BRANCH PRIEST RIVER
Use: FIRE PROTECTION STORAGE
01/01 to 12/31 2.8 AF
Use: STOCKWATER STORAGE
01/01 to 12/31 0.4 AF
Total Diversion: 3.2 AF
Date Filed: 06-13-2022
Place Of Use: FIRE PROTECTION STORAGE, STOCKWATER STORAGE
T57N R05W S6 NESW

97-8804

DEREK BARNHART
BECKY BARNHART
3636 W WEST DR
SPOKANE, WA 99224-2014
Point of Diversion SWSW
S28 T61N R04W
BONNER County
Source PRIEST LAKE
Tributary PRIEST RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 06-13-2022
Place Of Use: DOMESTIC
T61N R04W S28 L7(SWSW)

97-8808

THOMAS GALLAGHER
4041 232ND AVE SE
SAMMAMISH, WA 98075-9294
Point of Diversion NENW
S33 T61N R04W
BONNER County
Source PRIEST LAKE
Tributary PRIEST RIVER
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: FIRE PROTECTION
01/01 to 12/31 0.07 CFS
Total Diversion: 0.07 CFS
Date Filed: 06-07-2022
Place Of Use: DOMESTIC, FIRE PROTECTION
T61N R04W S28 L7(SWSW)
Place Of Use: DOMESTIC, FIRE PROTECTION
T61N R04W S33 L1(NENW)

97-8813

SILVER CREEK ISLAND LLC
PO BOX 2532
PASCO, WA 99302-2532
Point of Diversion SWSW
S3 T61N R04W
BONNER County
Source PRIEST LAKE
Tributary PRIEST RIVER
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: FIRE PROTECTION
01/01 to 12/31 0.07 CFS
Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Total Diversion: 0.07 CFS
Date Filed: 06-07-2022
Place Of Use: DOMESTIC, FIRE PROTECTION, IRRIGATION
T61N R04W S3 L5(SWSW)
Total Acres: 2

97-8836

CLYDE FAMILY TRUST
2 HERMOSA
IRVINE, CA 92620
Point of Diversion NWNW
S21 T61N R04W
BONNER County
Source PRIEST LAKE
Tributary PRIEST RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.02 CFS
Date Filed: 04-06-2022
Place Of Use: IRRIGATION
T61N R04W S16 L6(SWSW)
Place Of Use: IRRIGATION
T61N R04W S21 NWNW
Total Acres: 0.5

97-8839

KENNETH ADKINS
SHANNON ADKINS
5610 W RIFLE CLUB RD
SPOKANE, WA 99208-3857
Point of Diversion SWNW
S25 T58N R05W
BONNER County
Source QUARTZ CREEK
Tributary PRIEST RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.09 CFS
Date Filed: 05-16-2022
Place Of Use: IRRIGATION
T58N R05W S25 SWNW
Total Acres: 3

97-8876

COOLIN BAY CONDOMINIUM ASSN
PO BOX 392
NEWMAN LAKE, WA 99025-0392
Point of Diversion SENE
S9 T59N R04W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.14 CFS
Date Filed: 06-21-2022
Place Of Use: DOMESTIC
T59N R04W S10
L2(SWNW),SWNW
Place Of Use: DOMESTIC
T59N R04W S9 SENE

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 7/25/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/6/2022 and 7/13/2022