

RECEIVED

FORM 202 Rev. 09/16

APR 08 2022

86027

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Ident. No.

98-8085

IDWR / NORTH

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Kendall D. Bodkin and/or Donna K. Bodkin Living Trust Phone 208-659-4043
 Name connector (check one): ☐ and ☐ or ☒ and/or
 Mailing address 738 Copper Falls Rd City Bonnors Ferry
 State ID ZIP 83805 Email kendallbodkin@gmail.com
2. Name of representative, if any Kendall D. Bodkin (Trustee) Phone 208-659-4043
 Mailing address 738 Copper Falls Rd City Bonnors Ferry
 State ID ZIP 83805 Email Kendallbodkin@gmail.com
- 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 UNNAMED STREAM 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 #
65N	02E	23			SE	NE	BOUNDARY	UNNAMED STREAM	HYDRO-PEN STOCK
65N	02E	23			SW	NE	BOUNDARY	UNNAMED STREAM	

5. Water will be used for the following purposes:
- Amount 0.17CFS for POWER purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 0.06 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)
6. Total quantity to be appropriated is (a) 0.20 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 Hydro Power system uses screened intake to 4" PVC to power station; irrigation from stream and/or hydro infrastructure to frost-free and hose
- 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 4-8-22 Time _____ Preliminary check by _____
 Fee \$ 100.00 Receipted by Ja Receipt No. N038830 Date 4-8-22

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in kW. 185ft head, approx 22 kW per day
- 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	
65N	02E	23			P														
65N	02E	23			1.0				1.0										2.0

Total number of acres to be irrigated: 2.0

- 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? 98-7998 - active permit in process for licensing; diversion rate capped at 0.10 cfs for hydro power, necessitating this application for permit to cover the additional diversion rate the power system diverts as developed.
- Who owns the property at the point of diversion? Applicant
 - 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: N/A
- Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Applicant has existing micro hydro power system used for one home & a shop, and is applying for added diversion rate required to meet the systems built out diversion rates above that of right 98-7998. Secondary to power generation the applicant wants to plumb into same source for the irrigation of up to 2.0 acres on the property by frost-free hydrant to hose & sprinkler.
- Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year).
- 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.

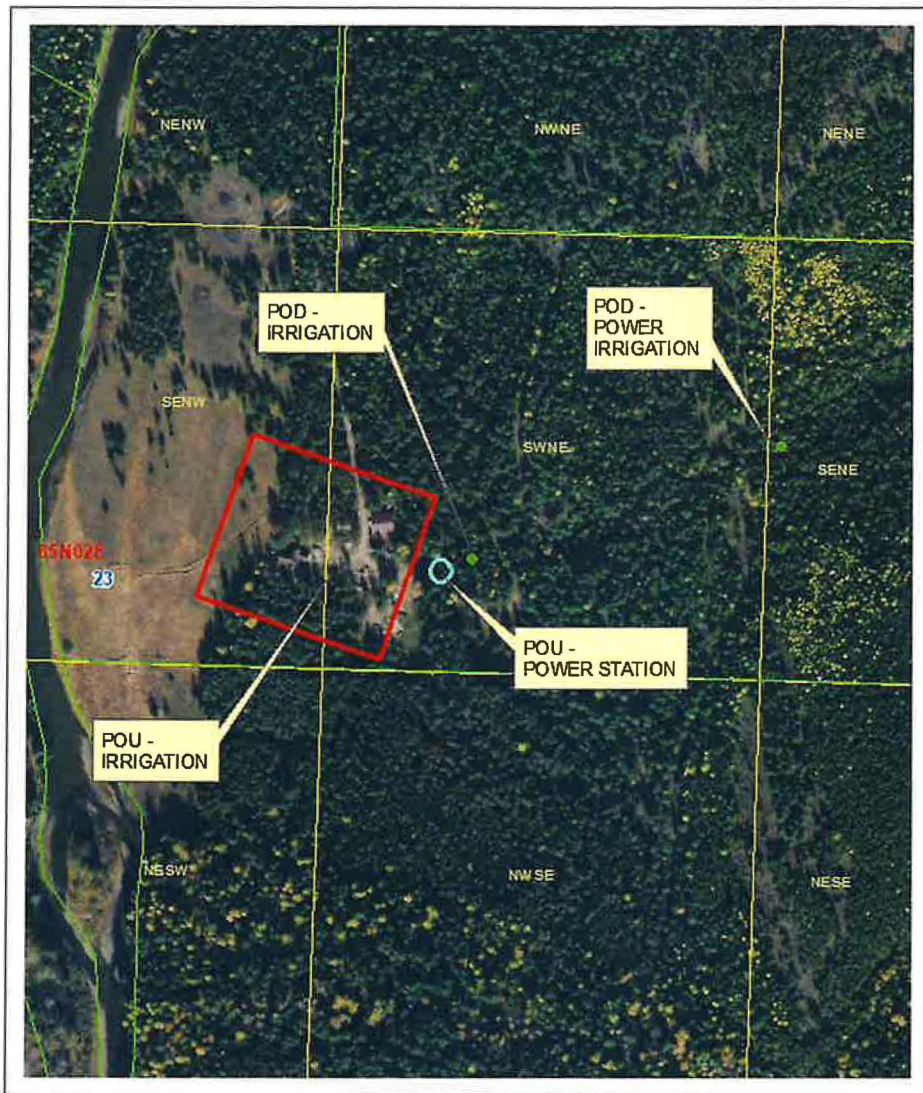
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant

Headall D. Bodkin
Print Name (and title, if applicable)

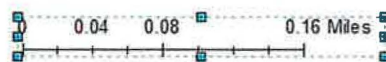
Signature of Applicant

Print Name (and title, if applicable)



Legend

- Township/Range
- Sections
- QQ



Permit # 98-0958
OUTPUT IN WATTS PER NOZZLE FOR LV800 / 1500

Psi	Feet	1/8		3/16		1/4		5/16		3/8		7/16		1/2		9/16		5/8	
30	69	GPM				9.9		15.5		22.3		30.4		39.6		50.2		62.0	
		Efficiency	Watts			40%	49	49%	94	57%	157	56%	211	55%	269	43%	266	36%	280
40	92			6.4		11.4		17.9		25.8		35.1		45.8		57.9		71.6	
				39%	42	55%	103	61%	181	64%	274	63%	365	60%	452	47%	447	39%	466
43	100			6.7		11.9		18.5		26.8		36.5		47.6		60.2		74.4	
				39%	47	56%	119	64%	213	63%	303	65%	429	60%	512	47%	514	40%	539
50	115	3.2		7.2		12.7		19.9		28.8		39.2		51.1		64.7		80.0	
		12%	8	47%	70	61%	160	64%	264	66%	393	66%	534	61%	650	48%	638	40%	668
52	120	3.26		7.3		13.0		20.3		29.3		39.9		52.1		65.9		81.5	
		14%	10	47%	74	60%	169	65%	285	65%	414	63%	540	61%	687	48%	677	41%	713
60	139	3.51		7.9		14.0		21.9		31.6		43.0		56.0		70.9		87.7	
		21%	18	51%	100	62%	216	65%	357	64%	506	62%	662	60%	835	46%	812	40%	869
65	150	3.64		8.2		14.5		22.7		32.8		44.7		58.2		73.7		91.1	
		28%	28	51%	113	63%	245	66%	404	64%	569	62%	750	58%	910	46%	914	39%	962
70	162	3.79		8.5		15.1		23.6		34.1		46.4		60.5		76.6		94.7	
		33%	36	52%	130	62%	271	66%	455	65%	646	61%	829	57%	1005	44%	987	39%	1072
80	185	4.05		9.1		16.1		25.2		36.4		49.6		64.7		81.9		101.2	
		36%	49	54%	165	60%	323	66%	558	63%	770	61%	1004	54%	1170	44%	1213	38%	1292
90	208	4.3		9.7		17.1		26.8		38.7		52.7		68.7		86.9		107.4	
		39%	62	55%	200	60%	382	65%	654	63%	914	60%	1179	53%	1357	44%	1420	36%	1454
100	231	4.52		10.2		18.0		28.2		40.7		55.5		72.3		91.6		113.2	
		41%	78	56%	237	60%	452	65%	761	63%	1067	58%	1346	51%	1539	42%	1596	35%	1627
110	254	4.75		10.7		18.9		29.6		42.7		58.2		75.9		96.1			
		45%	97	55%	270	59%	512	63%	849	62%	1207	56%	1502	49%	1690	30%	1722		

Hea 1/4 nozzle @ 185 ft Head / 80 PSI = 16.1 gpm x 4 =
 64.4 gpm

Historical Water use Hydro Power

Kendall Bodkin
738 copper falls rd
Bonners Ferry, ID 83805
208-569-4043
Kendallbodkin@gmail.com

Permit #: 98-07258

Hipower hydroelectric turbine LV1500 (48 volt)

10-2019	25amps,	1200 watts
11-2019	25amps,	1200 watts
12-2019	25amps,	1200 watts
01-2020	25amps,	1200 watts
02-2020	25amps,	1200 watts
03-2020	25amps,	1200 watts
03-2020	25amps,	1200 watts
04-2020	25amps,	1200 watts
05-2020	25amps,	1200 watts
06-2020	25amps,	1200 watts
07-2020	25amps,	1200 watts
08-2020	25amps,	1200 watts
09-2020	25amps,	1200 watts
10-2020	25amps,	1200 watts
11-2020	25amps,	1200 watts
12-2020	25amps,	1200 watts
01-2021	25amps,	1200 watts
02-2021	25amps,	1200 watts
03-2021	25amps,	1200 watts
04-2021	25amps,	1200 watts
05-2021	25amps,	1200 watts
06-2021	25amps,	1200 watts
07-2021	25amps,	1200 watts
08-2021	25amps,	1200 watts
09-2021	25amps,	1200 watts

Referr to Attached Output in Watts Per Nozzle for Lv800/Lv1500

Turbine has ~~4~~ - ~~1/4~~ in nozzles 3ea 1/4 nozzle + 1ea 3/16 nozzle.

Water pressure is approximately 80 pounds

Turbine is using approximately 16.1 GPM per nozzle

Turbine generates approximately 323 Watts per nozzle

Total GPM for turbine is 64.4.

Total Watts for turbine is 1292.

Total Amps for turbine is 26.9.

* Values will increase with change out of 3/16" nozzle to 1/4" nozzle.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AFFIDAVIT FOR WATER RIGHTS TO BE USED FOR POWER PURPOSES

A. Establishment of Residency or Qualification to do Business in Idaho (complete either 1 or 2)

1. Individual Applicant:

I, Kendall D. Bodkin and/or Donna K. Bodkin Living Trust of BONNERS FERRY,
(name) (city)
County of BOUNDARY, State of Idaho, being duly sworn, do hereby certify that I am a
bona fide resident of the State of Idaho.

2. Corporation or Partnership (complete part 2a or 2b):

a) ☐ Attached is a *Certificate of Existence* or a *Certificate of Authorization* or other documentation issued by the
Idaho Secretary of State confirming _____'s authority to transact
(name of corporation or partnership)
business in Idaho.

or

b) I, _____ of _____, County
(name) (city)
of _____, State of _____, being duly sworn, depose
and say, that I am the _____ for _____;
(title) (name of corporation or partnership)
that as such I have legal authority to sign this affidavit on behalf of _____
(name of corporation or partnership)
and that _____ is a corporation or partnership qualified to do business in
(name of corporation or partnership)
the State of Idaho under the laws of the State of Idaho.

B. Ownership of Facilities

The hydropower facility to be developed pursuant to the attached Application for Permit (check one):

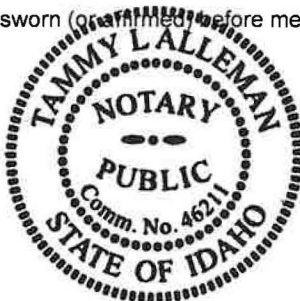
- ☒ Will **not** utilize existing man-made irrigation facilities such as a dam or a canal.
- ☐ Will utilize existing man-made irrigation facilities such as a dam or a canal, and permission of the owner is documented in an affidavit attached hereto.
- ☐ Will utilize existing man-made irrigation facilities such as a dam or a canal, and the owner is the signee of this affidavit.

Kendall D. Bodkin TRUSTEE 4-8-22
Signature Print title if applicable Date

STATE OF IDAHO)
County of Kootenai) ss

Subscribed and sworn (or affirmed) before me this 8th day of April, 2022

SEAL



Notary Public Tammy Lalleman
Residing at Coeur d'Alene Idaho
My Commission Expires 1-19-2028

**KENDALL D. BODKIN AND DONNA K. BODKIN LIVING TRUST
INFORMATION PAGE**

NAME OF THE TRUST: The Kendall D. Bodkin and Donna K. Bodkin
Living Trust

DATE ESTABLISHED: October 14, 2015

NAME OF TRUSTEES: Kendall D. Bodkin and Donna K. Bodkin

FOR TRUST BUSINESS, ALWAYS SIGN NAME:

Kendall D. Bodkin and Donna K. Bodkin, Trustees
of the Kendall D. Bodkin and Donna K. Bodkin
Living Trust

TITLE TO ALL ASSETS IN THIS TRUST IS VESTED IN THE NAME OF:

Kendall D. Bodkin and Donna K. Bodkin, Trustees
of the Kendall D. Bodkin and Donna K. Bodkin
Living Trust dated October 14, 2015, and any
amendments thereto

**ASSETS MAY BE TRANSFERRED TO OR REMOVED FROM THIS
TRUST AT ANY TIME**

**ALL INCOME OR LOSS FROM TRUST ASSETS SHOULD BE
REPORTED ON GRANTORS' INDIVIDUAL FEDERAL AND STATE
INCOME TAX RETURNS**

**DO NOT WRITE ON YOUR TRUST INSTRUMENT,
CHANGE IT, OR REVOKE IT WITHOUT
ADVICE FROM YOUR ATTORNEY**

LAW OFFICES
CRANDALL LAW GROUP, PLLC
ESTATE PLANNING AND ADMINISTRATION
8596 N. WAYNE DR., SUITE B
HAYDEN, IDAHO 83835



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

April 27, 2022

KENDALL D BODKIN AND DONNA K BODKIN LIVING TRUST
ATTN: KENDALL D BODKIN
738 COPPER FALLS RD
BONNERS FERRY, ID 83805-2407

RE: Application for Permit No. 98-8085

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 BONNERS FERRY HERALD on 5/5/2022 and 5/12/2022. 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, April 27, 2022 4:09 PM
To: Chantilly Higbee; Anna Moody; Horsmon, Merritt
Subject: Request for Comments for WR#98-8085
Attachments: 98-8085 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 May 23, 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: Wednesday, April 27, 2022 4:02 PM
To: BFHLegals@bonnersferryherald.com
Subject: Legal Notice for Bonners Ferry Herald
Attachments: Legal Notice for 98-8085 to 98-8087.docx

Please publish the enclosed legal notice in the **Bonners Ferry Herald** on the dates indicated **May 5th & May 12th, 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 **May 23, 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:

98-8085

KENDALL D BODKIN AND DONNA K BODKIN LIVING TRUST

738 COPPER FALLS RD

BONNERS FERRY, ID 83805-2407

Point of Diversion SENE

S23 T65N R02E

BOUNDARY County

Source UNNAMED STREAM

Tributary SINKS

Point of Diversion SWNE

S23 T65N R02E

BOUNDARY County

Source UNNAMED STREAM

Tributary SINKS

Use: POWER

01/01 to 12/31 0.17 CFS

Use: IRRIGATION

04/01 to 10/31 0.06 CFS

Total Diversion: 0.2 CFS

Date Filed: 04-08-2022

Place Of Use: IRRIGATION

T65N R02E S23

SWNE, SENW

Place Of Use: POWER

T65N R02E S23 SWNE

Total Acres: 2

98-8086

NOEL J NECHANICKY

6980 CODY ST

BONNERS FERRY, ID 83805-8599

Point of Diversion NENW

S31 T65N R02E

BOUNDARY County

Source HELLROARING CREEK

Tributary ROUND PRAIRIE CREEK

Use: DOMESTIC

01/01 to 12/31

Total Diversion: 0.06 CFS

Date Filed: 04-25-2022

Place Of Use: DOMESTIC

T65N R02E S31 NENW

98-8087

EFRAIN FLORES

6410 OLD HIGHWAY TWO LOOP

MOYIE SPRINGS, ID 83845-4910

Point of Diversion NESE

S17 T62N R03E

BOUNDARY County

Source GROUND WATER

Point of Diversion NESE

S17 T62N R03E

BOUNDARY County

Source GROUND WATER

Use: DOMESTIC

01/01 to 12/31

Total Diversion: 0.04 CFS

Date Filed: 04-12-2022

Place Of Use: DOMESTIC

T62N R03E S17 NESE

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 5/23/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director Published on 5/5/2022 and 5/12/2022