

RECEIVED

MAR 28 2022

85974

FORM 202 Rev 06/16

RECEIVED IDWR / NORTH

STATE OF IDAHO

Ident. No. 97-8487

DEPARTMENT OF WATER RESOURCES

MAR 21 2022

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

IDWR / NORTH

1. Name of applicant(s) Douglas Smith Douglas H. Smith Phone (330) 933-7044
 Name connector (check one): ☐ and ☐ or ☐ and/or DHS 3/22/2022
 Mailing address 408 Regalstone Lane City Copley
 State OH ZIP 44321 Email douglas.h.smith@timken.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 Priest Lake which is a tributary of Priest 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 #
60N	04W	22	3		SW	NW	Bonner	Priest Lake	

5. Water will be used for the following purposes:
 Amount 0.04 cfs for domestic purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
 Amount DHS 3/22/2022 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: DHS 3/22/2022
- a. Describe type and size of devices used to divert water from the source. Submersible lake pump sends water through lake lines into filtration system inside the cabin.
- 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 3-21-22 Time _____ Preliminary check by _____
 Fee \$ 7500 Received by Ja Receipt No. N038683 Date 3-21-22
2500 T111232 Withdrawn Claim Fees to Permit

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 1
- Other; describe fully. for internal and external domestic use

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	
60N	04W	22							D										
									L3										

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? _____

water use includes occasional gardening

- 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: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Submersible lake pump provides water to filtration system

inside cabin to support domestic use.

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

DHS 3/22/2022

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.

DHSmit 3/15/2022

Signature of Applicant

DHSmit 3/22/2022

Signature of Applicant

Print Name (and title, if applicable)

Print Name (and title, if applicable)

State of Idaho
Department of Water Resources
Application For Permit



-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.015 0.03 0.06 Miles

 - point of diversion
 - place of use



Tax parcel information provided by Bonner County.

*note - tax parcel lines do not align properly with visual imagery

DHSmit 3/22/2022

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DEPARTMENT OF WATER RESOURCES
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 State OH ZIP 44321 Email douglas.h.smith@timken.com
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☐ Send original correspondence to the applicant and copies to the representative.
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☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
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- c. Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
- d. Domestic; show number of households 1
- e. Other; describe fully. for internal and external domestic use

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Total number of acres to be irrigated: _____

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DH Smith 3/15/2022
Signature of Applicant

Signature of Applicant

Print Name (and title, if applicable)

Print Name (and title, if applicable)

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MAR 21 2022

IDWR / NORTH

REQUEST FOR WITHDRAWAL OF CLAIM
WITH FILING FEES APPLIED TO APPLICATION FOR PERMIT

Name of Claimant: Douglas Smith
Mailing Address: 408 Regalstone Lane, Copley OH 44321
Amount: \$25.00 Receipt No.: T111232
Claim No(s): 97-8024

I/We wish to withdraw the Notice(s) of Claim to a Water Right which number(s) appear above and for which I/We previously paid a filing fee to the Idaho Department of Water Resources. I request the filing fee I/We paid on the receipt referenced above be applied to filing an Application for Permit.

For Individuals:

DH Smith 3/15/2022
(Signature of Claimant) (Date)

(Signature of Claimant) (Date)

For Organizations:

(Signature of Authorized Agent) (Date)

(Title)

(Name of Organization)

Return to: Idaho Dept. of Water Resources or Idaho Dept. of Water Resources
7600 N. Mineral Dr. Suite 100 Adjudication Section
Coeur d'Alene, ID 83815 P.O. Box 83720
Boise, ID 83720-0098

For IDWR Use

	<u>Initials</u>	<u>Date</u>
Region Approval	_____	_____
State Office Data Entry	_____	_____
Data Entry	_____	_____

ELECTRONICALLY RECORDED - DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT.

2795537-TD/614764-S

STATE OF IDAHO DEED

STATE LAND

DEED NO. SD14180

(68 South Rocky Point Road, Coolin, ID 83821)

THIS STATE DEED ("Deed") is made this 12 day of September, 2017, by the **STATE BOARD OF LAND COMMISSIONERS**, whose mailing address is P.O. Box 83720, Boise, Idaho 83720-0050 ("Grantor"), and **Douglas H. Smith 05/26/2010 Revocable Trust, Douglas H. Smith, Trustee**, whose mailing address is 408 Regalstone Lane, Copley, OH 44321-3213 ("Grantee").

WITNESSETH: That Grantor, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby convey, release and quitclaim unto Grantee all of Grantor's right, title and interest in and to the following described real property, with a street address of 68 South Rocky Point Road, Coolin, ID 83821 ("Property"), situated in Bonner County, State of Idaho, to-wit:

Lot 16, Block 1 of State Subdivision - Tanglewood Point, according to the plat thereof, recorded in Book 10 of Plats, Page 162, records of Bonner County, Idaho.

TOGETHER WITH:

1. All mineral rights pursuant to Idaho Code § 47-711(1).
2. The tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.
3. "State of Idaho Declaration of Access Easement, State Subdivision — Tanglewood Point, No. ES100012", upon the terms, conditions and provisions contained therein, recorded in the records of Bonner County, Idaho, as Instrument No. 865277.
4. "State of Idaho Declaration of Driveway and Utility Easement, State Subdivision - Tanglewood Point, No. ES100087", upon the terms, conditions and provisions contained therein, recorded in the records of Bonner County, Idaho, as Instrument No. 865297; and clarified and corrected by Instrument No. 877424.

SUBJECT TO all matters, whether or not of record, specifically including, but not limited to, if any:

1. "State of Idaho Declaration of Access Easement, State Subdivision — Tanglewood Point, No. ES100012", upon the terms, conditions and provisions contained therein, recorded in the records of Bonner County, Idaho, as Instrument No. 865277.
2. "State of Idaho Declaration of Driveway and Utility Easement, State Subdivision - Tanglewood Point, No. ES100087", upon the terms, conditions and provisions contained therein, recorded in the records of Bonner County, Idaho, as Instrument No. 865297; and clarified and corrected by Instrument No. 877424.

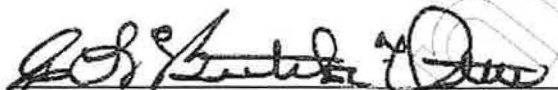
RESERVING THEREFROM, a right of way for ditches constructed by authority of the United States as identified in Idaho Code § 58-604.

The Property is conveyed "**AS-IS**", with no representation or warranty of any kind as to the fitness of the Property for any particular purpose, including any portion of the Property which may be identified as drainfield property in this Deed or on any plat recorded in the records of Bonner County, Idaho.

TO HAVE AND TO HOLD, all and singular, the Property unto the said Grantee and its successors and assigns forever.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, I, **C.L. "BUTCH" OTTER**, the Governor of the State of Idaho and President of the State Board of Land Commissioners, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the State Board of Land Commissioners to be hereunto affixed, this day of 12 Sept, 2017.



Governor of Idaho and President of the
State Board of Land Commissioners

COUNTERSIGNED:



Secretary of State



Director, Department of Lands



STATE OF IDAHO)
) ss.
County of Ada)

On this 12th day of September, in the year 2017, before me a Notary Public in and for said State, personally appeared **C.L. "BUTCH" OTTER**, known to me to be the Governor of the State of Idaho and President of the State Board of Land Commissioners, and **LAWRENCE E. DENNEY**, known to me to be the Secretary of State of the State of Idaho, and **THOMAS M. SCHULTZ, JR.**, known to me to be the Director of the Department of Lands of the State of Idaho, who executed the said instrument and acknowledged to me that such State of Idaho executed the same.



Notary Public for the State of Idaho
Residing at: Bonneville
My Bond expires: 8-1-2020



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

March 30, 2022

DOUGLAS H SMITH
408 REGALSTONE LN
COPLEY, OH 44321-3213

RE: Application for Permit No. 97-8487

Dear Applicant:

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 4/6/2022 and 4/13/2022. 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

Alleman, Tammy

From: Alleman, Tammy
Sent: Wednesday, March 30, 2022 11:35 AM
To: Chantilly Higbee; Anna Moody; Horsmon, Merritt; 'Mike Ahmer'; IWRB Water Use Reviews
Subject: Request for Comments for WR#97-8487
Attachments: 97-8487 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 April 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: Wednesday, March 30, 2022 11:03 AM
To: bcdblegals@cdapress.com
Subject: Legal Notice for Priest River Version of BCDB
Attachments: Legal Notice for 96-10615, 97-8472, 97-8484, 97-8485, 97-8487, 97-8488.docx

Please publish the enclosed legal notice in the **Bonner County Daily Bee, Priest River Version** on the dates indicated **April 6th & April 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 **April 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:

96-10615

GERALD D COOK
MARIETTE J COOK
PO BOX 385
LACLEDE, ID 83841
Point of Diversion L3(NENW)
S1 T56N R04W
BONNER County
Source RILEY CREEK
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.04 CFS
Date Filed: 03-17-2022
Place Of Use: IRRIGATION
T56N R04W S1 L3(NENW)
Total Acres: 1

97-8472

ANNE MAXHAM
1131 DEERHAVEN DR
WALLA WALLA, WA 99362-4541
Point of Diversion SENW
S29 T57N R04W
BONNER County
Source PRIEST RIVER
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.06 CFS
Date Filed: 03-23-2022
Place Of Use: IRRIGATION
T57N R04W S29
SWNW,SENW
Total Acres: 2

97-8484

COLLIN MC COY
20213 61ST AVE SE
SNOHOMISH, WA 98296-8378
Point of Diversion NWSE
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: 03-25-2022
Place Of Use: IRRIGATION
T56N R05W S24 NWSE
Total Acres: 0.3

97-8485

MICHAEL SMITH
1703 N TRELLIS CT
POST FALLS, ID 83854
Point of Diversion NESE
S26 T57N R05W
BONNER County
Source PRIEST RIVER
Tributary PEND OREILLE RIVER
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS, 0 AF
Date Filed: 03-25-2022
Place Of Use: DOMESTIC
T57N R05W S26
SWNE,SENE,NWSE,NESE

97-8487

DOUGLAS H SMITH
408 REGALSTONE LN
COPLEY, OH 44321-3213
Point of Diversion L3(SWNW) S22
T60N R04W
BONNER County

Source PRIEST LAKE
Tributary PRIEST RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 03-28-2022
Place Of Use: DOMESTIC
T60N R04W S22 L3(SWNW)

97-8488

ADGER MOORMAN
KATHY MOORMAN
6409 E LINCOLN LN
SPOKANE, WA 99217-7097
Point of Diversion L1(NENE)
S12 T60N R05W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 03-28-2022
Place Of Use: DOMESTIC
T60N R05W S12
L1(NENE),NWNE,L3(SWNE),L3(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 4/25/2022. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director

Published on 4/6/2022 and 4/13/2022

Maxey, Shaun

From: Smith, Douglas H. (Doug) <douglas.h.smith@timken.com>
Sent: Tuesday, March 22, 2022 5:40 PM
To: Maxey, Shaun
Subject: RE: Copies of Application and Deed for Application For Permit
Attachments: Idaho Dept Water Resources 20220322.pdf

Mr. Maxey,

Attached above please find a scanned version of the documents I'll put in the mail to your attention first thing tomorrow morning. I've made all the changes we discussed, including adding the middle initial "H" to my name. To your additional request in your third paragraph below, I approve including a copy of the deed to the Application. One small correction to your note below however, the full official name of the Trust is the 'Douglas H. Smith 05/26/2010 Revocable Trust'.

I trust you'll find the documents in good order when they arrive in Idaho. Should you require anything else, don't hesitate to reach out.

Many thanks for your help and guidance with the application process.

Doug Smith
(330) 933-7044

From: Maxey, Shaun <Shaun.Maxey@idwr.idaho.gov>
Sent: Tuesday, March 22, 2022 5:03 PM
To: Smith, Douglas H. (Doug) <douglas.h.smith@timken.com>
Subject: [EXT] Copies of Application and Deed for Application For Permit

Mr. Smith:

Attached is the copy of your Application that we discussed via phone few minutes ago. Please make the changes that we discussed, initial and date, attach your labeled map, and re-sign the Application before returning it U.S. mail.

I neglected to mention that Bonner County property tax records currently show your Place of Use property as owned by a Trust. You can have the name on line 1 of your Application for Permit read as you currently have it or show the name of the Trust. If you decide to have Line 1 in your name please add your middle initial and then initial and date. If you want to use the name of the Trust cross out your name, initial and date, and write in the full official name of your Trust (Donald H. Smith 05/26/2010 Revocable Trust).

Please reply to the is e-mail to indicate that you approve including the attached copy of a deed to your Application. The attached deed, from the County web site, shows you as a trustee for the Donald H. Smith 05/26/2010 Revocable Trust. This is required to show your authority to sign the Application.

Thanks,

Shaun Maxey

Maxey, Shaun

From: Maxey, Shaun
Sent: Tuesday, March 22, 2022 9:05 AM
To: douglas.h.smith@timken.com
Subject: Completion / minor changes required for Idaho Water Right Permit Application
Attachments: 97-XXXX SMITH TRUST Don't Return Map.pdf; 97-XXXX SMITH TRUST APP_MAP for labeling.pdf

Mr. Smith:

Please contact me at (208) 762.2816 any time after 11 A.M. Pacific Time today regarding your incomplete Application For Permit. I need to speak to you about the missing map required for your Application, the quantity of water shown on line 5, and the time period that is missing from line 13.

Thanks,

Shaun Maxey



Shaun M. Maxey |Sr. Water Resource Agent
Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone: (208) 762-2800