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AUG 20 2021

FORM 322 Rev. 03/19
IDWR/NORTH

85238

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Ident. No. 98-8054

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) KOOTENAI TRIBE OF IDAHO Phone 208-267-3620
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address PO BOX 1269 City BONNERS FERRY
 State ID ZIP 83805-1269 Email IRELAND@KOOTENAI.ORG
2. Name of representative, if any Susan Ireland (Fish Wildlife Director, Kootenai Tribe) Phone 208-267-3620
 Mailing address PO BOX 1269 City BONNERS FERRY
 State ID ZIP 83805-1269 Email IRELAND@KOOTENAI.ORG
- 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 1.Kootenai R, 2.Moyie R, 3.Ground which is a tributary of 1.Columbia R, 2.Kootenai R., 3.n/a

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
62N	02E	22			NW	NE	BOUNDARY	KOOTENAI RIVER	
62N	02E	15			NW	SE	BOUNDARY	MOYIE RIVER	
62N	02E	15			SW	SE	BOUNDARY	GROUNDWATER	D0058065 - HW-2
62N	02E	15			SW	SE	BOUNDARY	GROUNDWATER	D0058099 - HW-3

5. Water will be used for the following purposes:

Amount 1.17 CFS for FISH PROPAGATION purposes from 1/1 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) 1.17 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. 2ea existing surface source screened intake pipes, to hatchery water system, and 2ea existing wells pumping to hatchery 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 8, 8 inches; proposed depth of well is 98, 100 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? 4/2010, 5/2010; drilling firm MINDEN WATER WELLS, INC;
 well was drilled for (well owner) KOOTENAI TRIBE OF IDAHO; Drilling Permit No. 862028, 860559

For Department Use

Received by TA Date 8-20-21 Time 10:00 am Preliminary check by _____
 Fee \$ 290⁰⁰ Received by TA Receipt No. N037288 Date 8-20-21

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. FISH PROPAGATION FOR TWIN RIVER FISH HATCHERY OPERATION

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	
62N	02E	15														H	H		

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? 98-7913 - FISH PROPAGATION; USES SAME POD(S) AND WATER SYSTEM INFRASTRUCTURE.

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. Applicant is applying for added diversion rate to existing permit 98-7913 (4.0 cfs), in order to account for operating the largest surface source flow rate and 2ea groundwater source flow rate simultaneously, which will exceed the active permit 98-7913 by 1.17 cfs. The Twin River Fish Hatchery regular operating practices incorporate running 1 surface source and 2ea groundwater sources at one time.

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.

Susan C. Ireland
 Signature of Applicant
Susan Ireland, FW Dept. Director
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)



0 0.0425 0.085 0.17 Miles

Legend

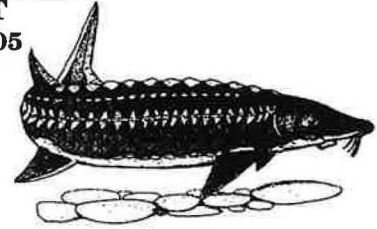
- Township/Range
- Sections
- QQ





KOOTENAI TRIBE OF IDAHO

FISH AND WILDLIFE DEPARTMENT
P.O. Box 1269 Bonners Ferry, Idaho 83805
(208) 267-3620 Fax No. (208) 267-1131



Mr. Luke Bates, Water Resources Agent
State of Idaho Department of Water Resources
Northern Regional Office
7600 Mineral Dr., Suite 100
Coeur d'Alene, Idaho 83815-7763

August 16, 2021

RECEIVED
AUG 20 2021
IDWR / NORTH

Re: Water Right Permit No. 98-8041

Dear Mr. Bates,

On behalf of the Kootenai Tribe of Idaho, I am submitting the signed New Application for Water Right and application fee of \$290.00.

The points of diversion and/or places of use are located on portions of the Kootenai Indian Reservation on lands owned by the United States government and held in trust for the benefit of the Kootenai Tribe of Idaho. The Tribe does not waive any federally-reserved or recognized water rights it may possess by applying for these water rights or licenses. The applications are made in the spirit of cooperation to better assess and track water uses in the portion of Ktunaxa Territory that includes Idaho.

Please don't hesitate to call me if you have any questions or need additional information at (208) 267-3620 or email ireland@kootenai.org. Thank you for your consideration.

Sincerely,

Susan Ireland
Fish and Wildlife Department Director
Kootenai Tribe of Idaho

Encl: Attachments

From: Alleman, Tammy
To: "Chantilly.Higbee@deg.idaho.gov"; "Horsmon.Merritt"; "Anna.Moody@deg.idaho.gov"; "[Mike Ahmer](#)"
Subject: Request for Comments for WR#98-8054 1.17 CFS Fish Propagation from Groundwater, Kootenai & Moyie Rivers
Date: Friday, August 27, 2021 2:53:00 PM
Attachments: [98-8054 Application for Permit.pdf](#)
[image001.png](#)

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 September 20, 2021.**

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



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

August 26, 2021

KOOTENAI TRIBE OF IDAHO
ATTN: SUSAN IRELAND
PO BOX 1269
BONNERS FERRY, ID 83805-1269

RE: Application for Permit No. 98-8054

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 9/2/2021 and 9/9/2021. 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: Thursday, August 26, 2021 12:29 PM
To: 'BFHLegals@bonnersferryherald.com'
Subject: Legal Notice
Attachments: Legal Notice 98-8053 thru 98-8055.docx

Please publish the enclosed legal notice in the **Bonners Ferry Herald** on the dates indicated **September 2nd & September 9th, 2021** (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 **September 20, 2021**. 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:

98-8053

CABINET MOUNTAINS WATER DISTRICT

PO BOX 1223

BONNERS FERRY, ID 83805-1223

Point of Diversion L1(NWNE)

S29 T62N R02E

BOUNDARY County

Source GROUND WATER

Point of Diversion L1(NWNE)

S29 T62N R02E

BOUNDARY County

Source GROUND WATER

Point of Diversion L1(NWNE)

S29 T62N R02E

BOUNDARY County

Source GROUND WATER

Point of Diversion SWSW

S8 T61N R02E

BOUNDARY County

Source GROUND WATER

Use: MUNICIPAL

01/01 to 12/31

Total Diversion: 1.7 CFS

Date Filed: 02-26-2021

Place Of Use: MUNICIPAL WITHIN THE CABINET MOUNTAINS WATER DISTRICT SERVICE AREA

98-8054

KOOTENAI TRIBE OF IDAHO

PO BOX 1269

BONNERS FERRY, ID 83805-1269

Point of Diversion NWNE

S22 T62N R02E

BOUNDARY County

Source KOOTENAI RIVER

Tributary COLUMBIA RIVER

Point of Diversion NWSE

S15 T62N R02E

BOUNDARY County

Source MOYIE RIVER

Tributary KOOTENAI RIVER

Point of Diversion SWSE

S15 T62N R02E

BOUNDARY County

Source GROUND WATER

Point of Diversion SWSE

S15 T62N R02E

BOUNDARY County

Source GROUND WATER

Use: FISH PROPAGATION

01/01 to 12/31

Total Diversion: 1.17 CFS

Date Filed: 08-20-2021

Place Of Use: FISH PROPAGATION

T62N R02E S15

NWSE,SWSE

98-8055

GREGORY BEALS

NATALIE LONG

533 DIAMOND RD

BONNERS FERRY, ID 83805-5701

Point of Diversion SENW

S23 T61N R01E

BOUNDARY County

Source UNNAMED STREAM

Tributary BROWN CREEK

Use: STOCKWATER STORAGE

01/01 to 12/31 1.3 AF

Use: STOCKWATER FROM STORAGE

01/01 to 12/31 0.7 AF
Total Diversion: 1.3 AF
Date Filed: 08-20-2021
Place Of Use: STOCKWATER FROM STORAGE, STOCKWATER STORAGE
T61N R01E S23 SENW

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 9/20/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director Published on 9/2/2021 and 9/9/2021