

RECEIVED

FORM 202 Rev. 09/16

AUG 18 2021

85232

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Ident. No. 81-12033

IDWR / NORTH

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) EAGLES PERCH TRUST Phone 208-691-1732
 Name connector (check one): ☐ and ☐ or ☒ and/or
 Mailing address PO BOX 470 City KOOSKIA
 State ID ZIP 83539 Email _____
2. Name of representative, if any ROBERT FINCH AND/OR KAREN FINCH Phone 208-298-2633
 Mailing address 343 CRANE HILL RD City KOOSKIA
 State ID ZIP 83539 Email KOOSKIAKAREN@YAHOO.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 SPRING / GROUNDWATER which is a tributary of SINKS / NA
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
32N	05E	35		SE	NE	SW	IDAHO	SPRING	
32N	05E	35			NW	SE	IDAHO	GROUNDWATER	D0069986

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 0.02 CFS for STOCKWATER 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)
6. Total quantity to be appropriated is (a) 0.06 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. SPRING BOX WITH PVC PIPE TO STORAGE TANK BEFORE USE. EXISTING WELL D0069986 - PIPE TO SAME STORAGE TANK BEFORE 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 6 inches; proposed depth of well is 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? 6/28/2016; drilling firm STUIVENGA WELL DRILLING; well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by Ku Date 8/5/21 Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by Ku Receipt No. C 11 0699 Date _____

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. 15 HEAD MIXED STOCK
- Municipal; must complete and attach the Municipal Water Right Application Checklist.
- Domestic; show number of households 1 HOME WITH 1/2 ACRE IRRIGATION INCLUDED
- 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	
32N	05E	35									D/S					D/S			

Total number of acres to be irrigated: _____

- 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? GROUNDWATER WELL AND SPRING CO-MINGLE IN STORAGE TANK BEFORE USES. IN THE LATE SUMMER AND FALL WHEN THE SPRING PRODUCES LESS FLOW, THE WELL IS USES MORE FOR WATER USES.
- Who owns the property at the point of diversion? EAGLES PERCH TRUST - ROCKY MOUNTAIN MANAGEMENT
 - Who owns the land to be irrigated or place of use? EAGLES PERCH TRUST - ROCKY MOUNTAIN MANAGEMEN
 - If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: HAROLD REID SMITH ACTING FIRST TRUST OFFICER
- Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. APPLICANT PLANS TO USE SPRING WATER THAT RUNS INTO A 1,000 GALLON HOLDING TANK UNDERGROUND THROUGH A PIPE AND IS THEN PUMPED UP HILL TO A HOLDING TANK ABOVE THE HOUSE, WHICH IS THEN GRAVITY FED DOWN HILL TO THE HOUSE FOR DOMESTIC USE (INCLUDING 1/2 ACRE IRRIGATION), AND STOCKWATER USE FOR UP TO 15 HEAD OF MIXED STOCK
- Time required for completion of works and application of water to proposed beneficial use is 1 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.



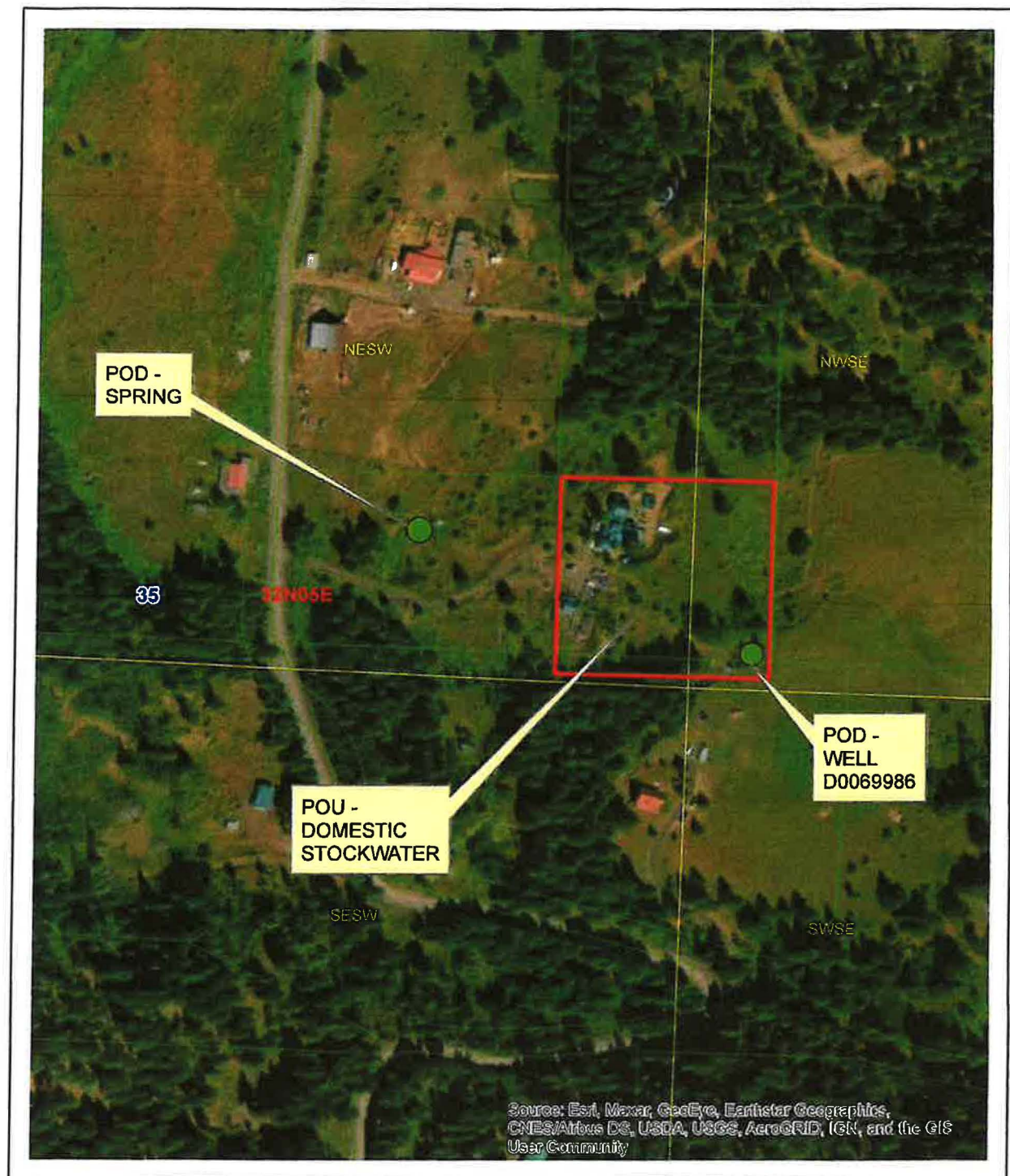
Signature of Applicant

HAROLD REID SMITH - FIRST TRUST OFFICER

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

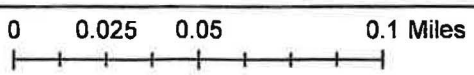


Legend

 Township/Range

 Sections

QQ



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AUG 10 2021

FORM 202 Rev. 09/16

AUG 05 2021

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. _____

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Harold Reid Smith Phone 208 691-1732
 Mailing address P.O. Box 470 City Kooskia
 State Idaho ZIP 83539 Email _____
 Name connector (check one): ☐ and ☐ or ☒ and/or
2. Name of representative, if any Robert & Karen Finck Phone 208-298-2633
 Mailing address 343 Crane Hill Rd City Kooskia
 State Idaho ZIP 83539 Email KooskiaKaren@yahoo.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 spring which is a tributary of _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
32N	5E	35					Idaho	Spring	

5. Water will be used for the following purposes:
 Amount .04 for domestic 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) .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. pvc pipe
- b. Height of storage dam 0 feet; active reservoir capacity 1,000 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 0 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? No well; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by KU Date 8/5/21 Time _____ Preliminary check by _____
 Fee \$ 100 Received by KU Receipt No. C110699 Date _____

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

- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. chickens
- c. Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
- d. Domestic; show number of households 1 household
- e. Other; describe fully. small garden less than 1/2 acre

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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	
32N	5E	35																	

Total number of acres to be irrigated: Less than 1/2 acre - garden

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? yes

11. a. Who owns the property at the point of diversion? Eagles Perch Trust - Rocky Mountain Management
- b. Who owns the land to be irrigated or place of use? Eagles Perch Trust - " " "
- c. 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. The spring runs into a 1,000 gallon holding tank underground through pipe and is pumped up hill to house and a holding tanks above the house which then gravity feeds down hill to house

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.

X Harold Reid Smith Trustee 3 Aug 2021
Signature of Applicant
Harold Reid Smith First Trust Officer
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

QQ

Parcels

SUPERSEDED

NESW

32N05E35

NWSE

SESW

SWSE

existing well
200 ft. holding tanks
and well

Signature of Principal Owner and his operator are required.

DECLARATION AND INDENTURE OF TRUST ROCKY MOUNTAIN MANAGEMENT

Rt. 1, Box 127
Kooskia, ID. 83539

THIS CONTRACT AND DECLARATION OF TRUST authorizes its Trustee(S) to operate under the name of: Rocky Mountain Management

CREATOR: EQUITABLE TECHNIQUES

SETTLOR: ERIC BLAIR

TRUSTORS: Robert Finch & Karen Finch

This Contract, Declaration and Indenture of Trust is created this date, Jan. 1, 1995, between Eric Blair, hereafter called the Settlor of Salt Lake City, Utah, and Real Protections, Inc., hereafter called the Trustee, of Ely, Nevada. Whereas the Trustee has certain expertise and knowledge in the creation, management and operation of trusts, businesses, real and personal property and; Whereas the Settlor desires to use said expertise and knowledge in setting up and managing a contractual trust agreement, therefore, the Parties to this Declaration and Indenture do herein create an irrevocable contractual trust known as Rocky Mountain Management, hereafter called the Trust, and; Therefore, the parties to this Declaration and Indenture resolve the following:

BUSINESS TYPE AND PURPOSE

This organization shall be a contractual trust organization. It shall be authorized to operate a trade or business, of any type, or to operate an investment company, with a business purpose as described below, in this section. The Trust shall be irrevocable, but amendable in the manner herein provided for. This Trust shall be declared a Complex Trust. This Trust Organization is authorized to exist and function by and through its Board of Trustees, pursuant to all of the terms and conditions contained herein with certain assets to be maintained, enhanced and protected, by the Trustee(s) for the beneficiaries. The Grantor does hereby offer to convey by grant/exchange to the Board of Trustees of this Trust certain property, the identity and description of which shall be further identified in schedules of Trust. It shall not be a partnership, a corporation, an association, or any statute company or statute entity.

If the trustee determines it to be beneficial for the trust to engage in business activity as an appropriate way to maintain, enhance, or preserve the assets of the trust, the business purpose shall be at least one of the following:

- A) For the production or collection of income.
- B) For operating a trade or business.
- C) For the operation and management of real and personal property.
- D) For the purchasing, holding, improving and selling of real and personal property.
- E) For the management of investments of any type.
- F) For the provision of management services to others.

DOMICILE

This agreement and Trust, shall be domiciled in the State of Nevada. The principal address, and place of domicile, may be changed at any time by the Trustee, if it is deemed to be in the best interests of the Trust. The Trust shall be managed, governed, administered, and regulated in all respects according to common law, except as otherwise provided in this agreement or its amendments. The Trust shall not be governed under, nor seek, nor accept protection from, any governmental authority, political jurisdiction or legislative statute, except as may be required by lawful statutes.

All remedies in disputes between parties of the Trust and outside parties contracting with the Trust, shall lie first in commerce or the common law, or be as agreed in this Declaration or its amendments. Any disputes that cannot be settled in commerce or common law, may be submitted to any court of lawful jurisdiction.

TRUSTORS AND CONVEYED ASSETS

This Trust is authorized to accept one or more individuals or entities as Trustors of assets to be owned and managed by this Trust, in behalf of anyone or any entity who is or may become designated as a Beneficiary to this Trust. Said Trustor(s) will be accepted in addition to the herein named Settlor. Any property conveyed to this Trust by said Trustor(s) will be accepted in addition to the property conveyed by the Settlor.

The Trust will hold full equitable and legal title to all assets conveyed by the Settlor and any said Trustors, weather an entity or an individual, in fee simple. Such conveyances of property or assets will be into the ownership and control of the Trust, and may not be reinstated into the ownership or the control of the Settlor or Trustor, unless the Settlor or Trustor re-purchases the property from the Trust in a way that benefits the Trust, its beneficiaries and is approved by its Trustee(s).

The Trustee(s) are authorized to issue Trust Certificate Units representing ownership in the beneficial interests of the Trust, in exchange for the assets conveyed, except in those cases where the Trustee consents to accept the assets by gift or bequeath. The number of Trust Certificate Units issued to each Trustor shall be in proportion to the value of the assets conveyed by each Trustor compared to the total value of all assets received from all Trustors. The value, powers and restrictions of said Trust Certificate Units shall be as stated elsewhere in this document.



ROCKY MOUNTAIN MANAGEMENT TRUST

TRUSTEE APPOINTMENT
From the office of the Protector

In recognition of the resignation of Barry Crosby as trustee of the Rocky Mountain Management Trust, I, Chad R. Erickson, as protector of said trust, do hereby appoint Harold Reid Smith as trustee of said trust.

A handwritten signature in cursive script, reading "Chad R. Erickson". The signature is written in dark ink and is positioned above the printed name and date.

Chad R. Erickson-Protector
Dated September 25, 2006.

MANAGER/CARETAKER AGREEMENT ROCKY MOUNTAIN MANAGEMENT

Rt. 1, Box 127
Kooskia, ID. 83539

This agreement, dated Jan. 1st, 1995 by and between Rocky Mountain Management, hereafter referred to as the Company, and the parties, Robert Finch and Karen Finch, hereafter referred to as Managers.

Whereas the Company has determined that managers will be the caretaker of property and will manage other assets in that they are required to perform certain activities for the Company, and Managers desire to perform said activities of the Company.

Therefore, it is agreed that:

1. Managers agree to provide care, protection, management and maintenance of all property owned by the Company and/or property which the Company has an interest in, as directed by the Trustee(s) or the First Trust Officer of the Trustee.
2. All powers and authority necessary to carry out the duties and requirements of this agreement are hereby conferred on Managers. Said power and authority of Managers shall not include any Company activity which is unusual in nature or unusual in size. Said power and authority includes the following: Authority to sign checks in order to pay any routine obligations of the Company, as necessary to provide for its maintenance and management, authority to hire subcontractors within the limitations of this agreement, authority to lease or rent property of the Company, as directed by the Trustee(s) or the First Trust Officer of Trustee, and to collect and deposit any rents, or other income, authority to procure insurance needed for proper management and maintenance of Company property, at the Trustee(s) direction, and any other authority and power expressly granted by the Trustee(s) needed. All powers and authority granted under this paragraph shall be construed to be within the limitations imposed elsewhere by this agreement.
3. Managers agree to live on/in certain property of the Company, as a condition of employment, for the convenience of the Company. Said property is located at Rt. 1 Box 127, Kooskia, ID. 83539. Managers agree to provide care, protection, management and maintenance for said property, and any other property of the Company located on or near said promises. The Trustee(s) expressly retain the right to inspect said Company property at any time, with 24 hours notice, and the right to evict Managers from said property at any time, with 30 days notice. Managers agree to notify the Trustee(s), two weeks in advance, of any periods exceeding three consecutive nights during which Managers will not occupy the premises, so that Trustee(s) may make alternate arrangements for care, protection, management and maintenance of the property.
4. Managers will be paid a flat monthly rate for conducting the daily and routine operations of the company. Said rate is hereby set at \$500 per month, but may be increased or decreased, with 30 days notice from the Trustee(s), as the amount of work required increases or decreases.
5. Managers agree to obtain Trustee permission, in advance, for any care, maintenance or management needs which require outside contractors, where the cost of all such contractors combined exceeds \$400.00 in any single month on any single property.
6. Managers will provide all tools, skills and labor necessary for routine property maintenance and management. Managers may proceed at their own pace and schedule in providing such maintenance and management, though any and all work shall be complete within a reasonable time period, considering the nature and urgency of said work. Nothing in this agreement shall preclude Managers from engaging in the same or similar work and/or contracting for any other party(ies).
7. The Managers shall insert the following language into all contracts, sales contracts, purchase contracts, leases, offers, bids, quotes, estimates, purchase orders and invoices, made in behalf of the Company: "Notice: This is a limited liability organization. This is a commercial agreement created under common law."
8. Managers agree to strictly comply with all directives and instructions, written and oral, that the Trustee(s) may issue on any matter regarding the management of the Company.
9. Managers are employed as subcontractors and are responsible for all employment taxes due on their income or earnings. The Company will not withhold, match or pay any employment taxes at any time for or in behalf of Managers.

ROCKY MOUNTAIN MANAGEMENT

Rt. 1, Box 127
Kooskia, ID. 83539

RESOLUTION AND BANKING AUTHORIZATION

Rocky Mountain Management, held a meeting of its Board of Directors in accordance with the bylaws of this indenture, on this date, Jan. 1, 1995. This resolution was unanimously adopted, as appears from the record. Be it resolved, by the Directors of Rocky Mountain Management:

1. THAT, _____, is hereby designated as one of the depositories of the funds of this Company, for either savings or checking accounts, in the name of the Company, for the purpose of deposit and collection, either of checks, drafts, notes, wire transfers, investments and other like obligations, issued or drawn on and/or owned by this Company; and it is further resolved that endorsement and signature for deposit and collection may be by either hand written or stamped means of authorization of this Company, without designation of the party making the endorsement;

2. That the individual(s) named in section 4, below, is/are hereby authorized to payout funds of this Company on deposit with said depository, from time to time, by checks or withdrawals, by signing or stamping the name(s) which appear below, whether said checks are payable in cash, to bearer, to the order of this Company or to any third party.

3. Funds of any financial account opened from this authorization shall belong exclusively to Rocky Mountain Management. At no time shall the funds of such accounts be construed as belonging to any individual. The funds of such accounts shall not be levied, seized, frozen, or subjected to any legal action on account of litigation or legal process against any individual. No Tax ID or Social Security numbers shall be assigned to such accounts, except the number(s) listed in paragraph 5, below.

4. That these are the individual(s) so authorized, as stated in sections 2 and 3 above:

Harold Reid Smith ←
~~Barry Crosby~~, First Trust Officer
Wrenn Bodeker, Co-Trustee
Robert Finch, Manager
Karen Finch, Assistant Manager

5. That the Federal Taxpayer Identification No. of the dba Company is: EIN NO. 87-6230427

IN WITNESS WHEREOF, we have hereunto subscribed our hand and seal, and do hereby certify that the above and foregoing is a correct copy of the said resolution passed.

Real Protections, Trustee

Barry Crosby KTO
Barry Crosby, First Trust Officer

Wrenn Bodeker
Wrenn Bodeker, Co-Trustee

Robert Finch
Robert Finch, Manager

Karen Finch
Karen Finch, Asst. Manager

380165

WARRANTY DEED

COMPUTER
INDEXED
TRACTED
FILMED
ABSTRACTED

For \$ 10⁰⁰ and other valuable consideration, I/We,
Robert and Karen Finch, The Grantor(s), do hereby grant, and
 warrant unto Eagles Perch Trust Grantee, Strategy Holdings
 Trustee, Larry White First Trust Officer whose current address is:
 When recorded Mail to: P.O. Box 701031
Salt Lake City, Utah 84170-1031

the following described premises in Idaho County,
 state of Idaho to wit:

That parcel in section 35, township north 32, range 5 east, Base Meridian:
comprising 10 acres more or less more particularly described in schedule A

To have and to hold the said premises, with its appurtenances, granted unto said Trust/Trustee and its heirs and assigns according to trustees fiduciary responsibilities as outlined in the Trust Agreement. The said Grantor(s) does hereby covenant to and with said Trustee, that Grantor(s), as owner in fee simple of said premises, warrants the premises to be free from all encumbrances other than those duly recorded and recognized on public records as of the date of the execution of this warranty deed and will warrant and defend the same from all claims whatsoever. Executed this date,

Robert Finch
 Grantor

5/10 1995
Karen Finch
 Grantor

STATE OF Idaho)

COUNTY OF Idaho ²⁸ Nez Perce)

On this date May 10th 1995, personally appeared before me the above
 signers of the foregoing instrument, who, being duly sworn, acknowledged to me that they
 executed the same

My commission expires 09/02/98

Residing in

Eraine R. Lewis
 Notary Public
Chesapeake, WA

Filed and recorded at the request of Barry Crosby
 at 3:45 o'clock P M this 12 day of May 1995
 By Erich L. Anderson
 Deputy

ROSE E. GEHRING

Ex-Officio Auditor and Recorder
 Idaho County, Idaho

Fee \$ 3.00
 m/ grantee.

From: Alleman, Tammy
To: Sujata.Connell@deg.idaho.gov; "[Bassista.Tom](#)"; [Hickey.Clay](#); [Skoro.Emily](#); [Golden.Kala](#)
Subject: Request for Comments for WR#81-12033 Domestic & Stockwater uses from Well & Spring
Date: Friday, August 27, 2021 8:55:00 AM
Attachments: [image001.png](#)
[81-12033 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 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 24, 2021

EAGLES PERCH TRUST
PO BOX 470
KOOSKIA, ID 83539-0470

RE: Application for Permit No. 81-12033

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 IDAHO COUNTY FREE PRESS on 9/1/2021 and 9/8/2021. 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

CC:
ROBERT & KAREN FINCH
343 CRANE HILL RD
KOOSKIA, ID 83539-5154

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, August 24, 2021 11:05 AM
To: 'IFP Legals'
Subject: Legal Notice
Attachments: Legal Notice for 81-12032, 81-12033, & 81-12034.docx

Please publish the enclosed legal notice in the **Idaho County Fee Press** on the dates indicated **September 1st & September 8th, 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 applications have been filed to appropriate the public waters of the State of Idaho:

81-12032

U.S. FISH AND WILDLIFE SERVICE
911 NE 11TH AVE
PORTLAND, OR 97232-4128
Point of Diversion SWSE
S3 T32N R04E
IDAHO County
Source CLEARWATER RIVER
Tributary CLEARWATER RIVER
Use: FISH PROPAGATION
01/01 to 12/31
Total Diversion: 16 CFS
Date Filed: 08-13-2021
Place Of Use: FISH PROPAGATION
T32N R04E S10 SENW

This application proposes the diversion and use of water from the Middle Fork of the Clearwater Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water uses proposed in these applications will benefit from the subordination provision because the diversion rate and acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

81-12033

EAGLES PERCH TRUST
PO BOX 470
KOOSKIA, ID 83539-0470
Point of Diversion SENESW
S35 T32N R05E
IDAHO County
Source SPRING
Tributary SINKS
Point of Diversion NWSE
S35 T32N R05E
IDAHO County
Source GROUND WATER
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: 08-18-2021
Place Of Use: DOMESTIC, STOCKWATER
T32N R05E S35
NESW, NWSE

This application proposes the diversion and use of water from groundwater and a spring source tributary to a Wild & Scenic River, the Middle Fork of the Clearwater. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water uses proposed in these applications will benefit from the subordination provision because the diversion rate and acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

81-12034

LEE DAUGHERTY
JUDY FREILINGER
656 RED FIR RD
KOOSKIA, ID 83539-5149
Point of Diversion SWNWSW
S23 T32N R05E
IDAHO County
Source SPRING
Tributary UNNAMED STREAM
Point of Diversion SESE
S22 T32N R05E
IDAHO County
Source UNNAMED STREAM
Tributary BIG CEDAR CREEK
Point of Diversion SESE
S22 T32N R05E
IDAHO County

Source UNNAMED STREAM
Tributary BIG CEDAR CREEK
Point of Diversion SESE
S22 T32N R05E
IDAHO County
Source UNNAMED STREAM
Tributary BIG CEDAR CREEK
Point of Diversion SESE
S22 T32N R05E
IDAHO County
Source UNNAMED STREAM
Tributary BIG CEDAR CREEK
Use: FIRE PROTECTION STORAGE
01/01 to 12/31 5.4 AF
Use: WILDLIFE STORAGE
01/01 to 12/31 5.4 AF
Use: IRRIGATION STORAGE
01/01 to 12/31 4.5 AF
Use: IRRIGATION FROM STORAGE
03/15 to 11/15 4.5 AF
Total Diversion: 9.9 AF
Date Filed: 08-18-2021
Place Of Use: FIRE PROTECTION STORAGE,IRRIGATION FROM STORAGE,IRRIGATION STORAGE,WILDLIFE STORAGE
T32N R05E S22 SESE
Place Of Use: FIRE PROTECTION STORAGE,IRRIGATION STORAGE,WILDLIFE STORAGE
T32N R05E S23 NWSW
Total Acres: 1.5

This application proposes the diversion and use of water from an unnamed stream tributary to a Wild & Scenic River, the Middle Fork of the Clearwater. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water uses proposed in these applications will benefit from the subordination provision because the diversion rate and acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

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 9/1/2021 and 9/8/2021