

RECEIVED
FORM 202 Rev. 09/16

85166
STATE OF IDAHO

Ident. No. 96-9887

JUL 29 2021

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

IDWR / NORTH

1. Name of applicant(s) John & Marilyn McDevitt Phone 509-952-5093
Name connector (check one): ☒ and ☐ or ☐ and/or
Mailing address 1133 Red Fir Road, #80-1/29/21 City Hope
State Idaho ZIP 83836 Email jolena@sandpoint.com (agent)
2. Name of representative, if any Jolena Overland Phone 208-555-8870
Mailing address 305 N First Ave. City Sandpoint
State ID ZIP 83864 Email jolena@sandpoint.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 Lake Pend Oreille which is a tributary of Pend Oreille River
4. Location of point(s) of diversion: 7/29/21

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
<u>50N</u>	<u>1E</u>	<u>2</u>	<u>100</u>		<u>NE</u>	<u>SW</u>	<u>Donner</u>	<u>Lake Pend Oreille</u>	

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) 80-7/29/21
- Amount ~~0.03 cfs~~ for ~~irrigation~~ purposes from ~~4/1~~ to ~~10/31~~ (both dates inclusive) 80-7/29/21
- Amount 0.03 cfs for irrigation purposes from 04/01 to 10/31 (both dates inclusive)
- Amount 0.04 cfs for domestic purposes from 1/1 to 12/31 (both dates inclusive)
6. Total quantity to be appropriated is (a) ~~0.07~~ 0.07 gpm 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. irrigation main water line 14" to
- 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 7-29-21 Time _____ Preliminary check by _____
Fee \$ 100.00 Received by Ja Receipt No. N037209 Date 7-29-21

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 1 90-7/29/21 (lawn & garden irrigation part of line 9)
 - 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	
56N	D1E	2			90	1/29/21					90								90 1/29/21
56W	01E	2									D								
											90								

Total number of acres to be irrigated: 90 1/29/21

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? intend to irrigate property with same water as domestic 90 7/29/21

11. a. Who owns the property at the point of diversion? Owner - John D & Marilyn K McDevitt
 b. Who owns the land to be irrigated or place of use? owner - John D & Marilyn K McDevitt
 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. Two lines with two separate pumps that provide domestic water to home and irrigation for remainder of property. 90-8150 is for adjacent property. L-90-5-481 encroachment permit. Irrigation water line also serves shop apartment.

13. Time required for completion of works and application of water to proposed beneficial use is 5 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.

John D. McDevitt
 Signature of Applicant
John D. McDevitt (owner)
 Print Name (and title, if applicable)

Marilyn Kay McDevitt
 Signature of Applicant
Marilyn Kay McDevitt (owner)
 Print Name (and title, if applicable)

**Map for Application for Permit
1133 Red Fir Rd**

NESW

NWSE

*Domestic
Irrigation
Place of
Use*

POD

2

56N01E

POU

NESW 4

NWSE 3



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN Region • 7600 N MINERAL DR STE 100 • COEUR D ALENE, ID 83815-7763
Phone: (208)762-2800 • Fax: (208)769-2819 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

August 5, 2021

JOHN P MCDEVITT
MARILYN K MCDEVITT
1133 RED FIR RD
HOPE, ID 83836-9769

RE: Application for Permit No. 96-9887

Dear Applicants:

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 on 8/19/2021 and 8/26/2021. 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,

A handwritten signature in blue ink that reads 'Tammy Alleman'.

Tammy Alleman
Administrative Assistant

CC:
JOLENA OVERLAND
305 N 1ST AVE
SANDPOINT, ID 83864-1455

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, August 5, 2021 2:53 PM
To: Chantilly.Higbee@deq.idaho.gov; 'Anna.Moody@deq.idaho.gov'; 'Horsmon,Merritt'; 'Mike Ahmer'; Skoro, Emily; Golden, Kala
Subject: Request for Comments WR#96-9887 Domestic & Irrigation Use from Lake Pend Oreille
Attachments: 96-9887 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 7, 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

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, August 5, 2021 2:31 PM
To: 'bcdblegals@cdapress.com'
Subject: Legal Notice
Attachments: Legal Notice 95-18141, 96-9887, & 96-9889.docx

Please publish the enclosed legal notice in the **Bonner County Daily Bee** on the dates indicated **August 19th & August 26th, 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 7, 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:

95-18141

TRAVIS L LIVELY
ANTOINETTE V LIVELY
3036 E CAMBRIDGE DR
HAYDEN, ID 83835
Point of Diversion NENESE
S17 T54N R02W
ONNER County
Source SPRING
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.06 CFS
Date Filed: 07-30-2021
Place Of Use: DOMESTIC
T54N R02W S17 NESE

96-9887

JOHN P MCDEVITT
MARILYN K MCDEVITT
1133 RED FIR RD
HOPE, ID 83836-9769
Point of Diversion L4(NESW)
S2 T56N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.07 CFS
Date Filed: 07-29-2021
Place Of Use: DOMESTIC, IRRIGATION
T56N R01E S2 L4(NESW)
Total Acres: 0.8

96-9889

JOHN P MCDEVITT
MARILYN K MCDEVITT
1133 RED FIR RD
HOPE, ID 83836-9769
Point of Diversion L4(NESW)
S2 T56N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 08-04-2021
Place Of Use: DOMESTIC
T56N R01E S2 L4(NESW)

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 9/7/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/19/2021 and 8/26/2021