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FORM 202 Rev. 09/16

JUL 12 2021

IDWR / NORTH

85110

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 81-12031

- Name of applicant(s) DOUG and/or MARLOUS HICKS Phone 208-926-4385
Name connector (check one): ☐ and ☐ or ☒ and/or
Mailing address 545 RED FIR RD City KOOSKIA
State ID ZIP 83539 Email IDAMOUSE@FASTMAIL.COM
- 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.
- Source of water supply UNNAMED STREAM which is a tributary of LITTLE CEDAR CREEK
- Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
32N	05E	22			SE	NW	IDAHO	UNNAMED STREAM	UPPER POND DAM
32N	05E	22			SE	NW	IDAHO	UNNAMED STREAM	LOWER POND DAM

- Water will be used for the following purposes:
Amount 6.2 AF for Fire Protection Storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
Amount 6.2 AF for RECREATION STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
Amount 1.3 AF for STOCKWATER STORAGE 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)
- Total quantity to be appropriated is (a) _____ cubic feet per second (cfs) and/or (b) 7.5 AF acre-feet per year (af).
- Proposed diverting works:
a. Describe type and size of devices used to divert water from the source. 2EA EXISTING IN-STREAM PONDS
CAPTURE STREAM WATER; OVERFLOW ALLOWS WATER TO DISCHARGE DOWNSTREAM FROM EACH.
b. Height of storage dam 8 feet; active reservoir capacity 2.4 (ea pond) acre-feet; total reservoir capacity 2.4 (ea pond) 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 7-12-21 Time 9:15 Preliminary check by _____
Fee \$ 100.00 Receipted by Ja Receipt No. N037157 Date 7-12-21

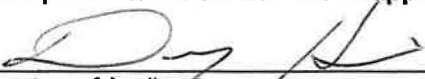
8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. 100 HEAD RANGE CATTLE
 - Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
 - Domestic; show number of households _____
 - Other; describe fully. FIRE PROTECTION STORAGE, RECREATION STORAGE FOR SWIMMING AND BOATING, AND STOCKWATER STORAGE
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.

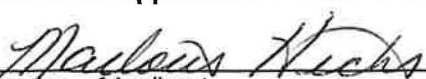
TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
32N	05E	22								F/R									storage
32N	05E	22								S									storage

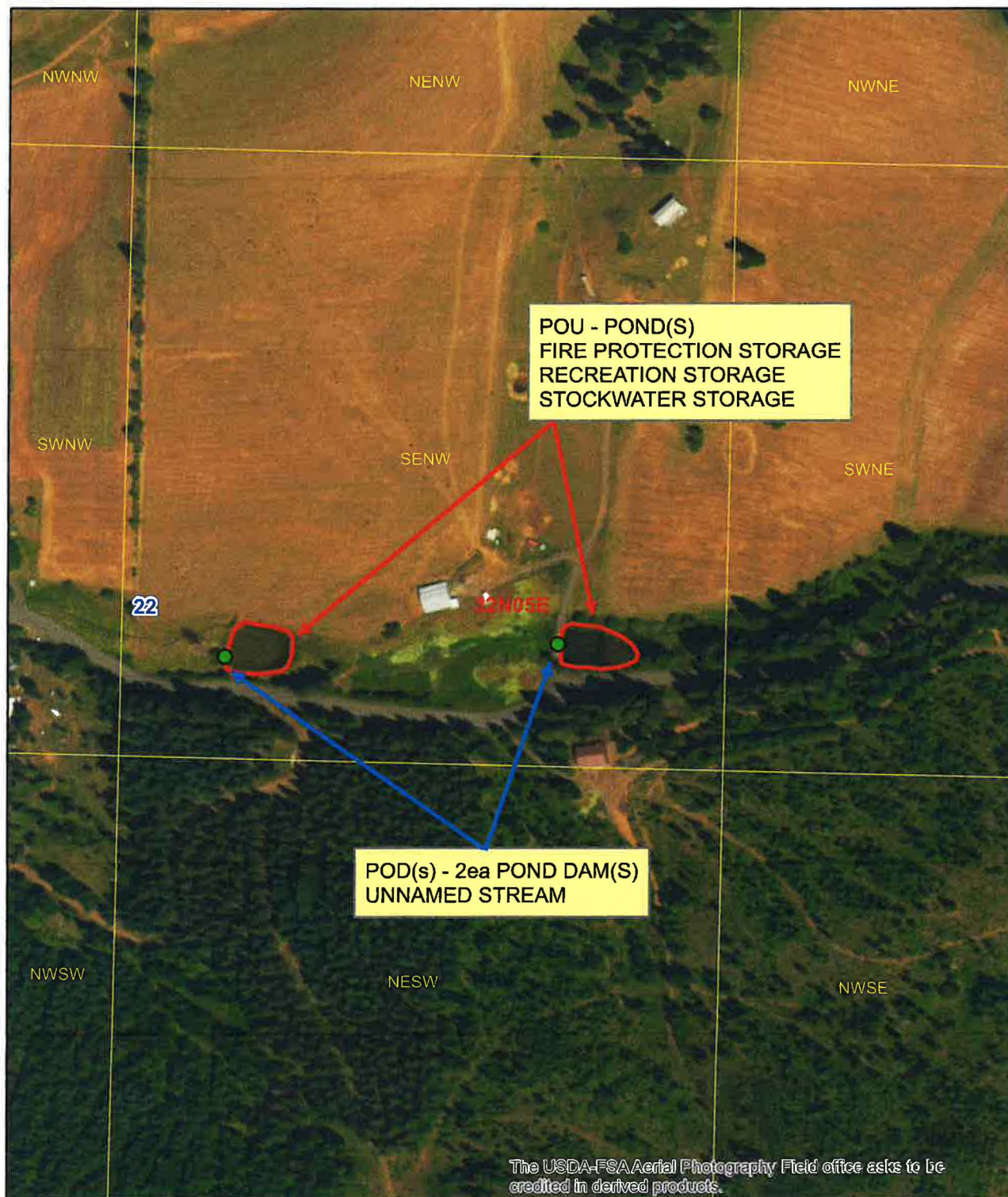
Total number of acres to be irrigated: _____

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? N/A
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 WANTS TO SECURE WATER RIGHTS FOR TWO EXISTING PONDS ON THEIR PROPERTY THAT ARE USED FOR STOCKWATER STORAGE, RECREATION STORAGE, AND FIRE PROTECTION STORAGE.
13. Time required for completion of works and application of water to proposed beneficial use is 2 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.

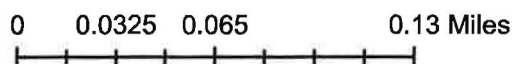

 Signature of Applicant
Doug Hicks
 Print Name (and title, if applicable)


 Signature of Applicant
Marlon Hicks
 Print Name (and title, if applicable)



Legend

- Township/Range
- Sections
- QQ



Total Storage Calculations		
FILE NUMBER	Marious Hicks	This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total seepage, evaporation and fill capacity required for a pond.
REVIEWER	LUKE BATES	
DATE	7/6/2021	
		Print Page to PDF User Input Calculated value Formula Explanations
UPPER POND		
Surface Area (AC.)	0.3	"Surface Area" is automatically carried over from the "Seepage Loss" sheet.
Average Pond Depth (FT.)	8	"Average Pond Depth" depicts the actual depth of the pond either measured or estimated. Note: If you know the maximum depth and not the average depth, the Field Examiner's Handbook suggests multiplying the maximum depth by 0.4 to get the average depth, or you can use any method that seems reasonable to attain average depth.
Pond Capacity (AF)	2.4	Pond Capacity is calculated by multiplying the Pond Surface Area by the Average Pond Depth. If you know the capacity, divide the capacity by surface area and enter the average pond depth in the space above. Note: If pond capacity is determined using a method shown on the "Pond Capacity" sheet, the user may need to modify the value of "Pond Capacity" (cell B9) manually. Note that if the value is modified manually, the formula will be altered for future use.
Multiple Fill Volume Above Initial Fill to Fulfill From Storage Needs- "Multiple Fills" (AF)	0.7	The "Multiple Fill Volume Above Initial Fill" is the acre-feet of water required to meet a <i>from storage</i> component if the <i>from storage</i> component exceeds a one time fill. This section should not include the amount of water needed to fill the pond initially or the amount of water needed to maintain the pond level due to evaporation or seepage. For example: If a pond has a capacity of 5 acre feet and 2.5 acre feet of seepage and evaporation, but the pond is used for irrigation that requires 10 acre feet of from storage for the irrigation use, then you would insert 5 acre feet into this location (10 acre feet needed - 5 acre feet from the initial fill = 5 acre feet of additional storage needed). Note: You must have a "From Storage" component exceeding the initial fill on the permit to include a volume in this space.
Estimated Seepage Loss (AF)	0.3	The "Estimated Seepage Loss" is automatically carried over from the "Seepage Loss" sheet.
Estimated Evaporation Loss (AF)	0.4	The "Estimated Evaporation Loss" is automatically carried over from the "Evaporation Loss" sheet.
Total Volume Required (AF)	3.8	The "Total Volume Required" is calculated by adding the Pond Capacity, Multiple Fills, Seepage Loss, and Evaporation Loss amounts to determine the total amount of storage required.

Total Storage Calculations		
FILE NUMBER	Marious Hicks	This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total seepage, evaporation and fill capacity required for a pond.
REVIEWER	LUKE BATES	
DATE	7/6/2021	
		Print Page to PDF User Input Calculated value Formula Explanations
LOWER POND		
Surface Area (AC.)	0.3	"Surface Area" is automatically carried over from the "Seepage Loss" sheet.
Average Pond Depth (FT.)	8	"Average Pond Depth" depicts the actual depth of the pond either measured or estimated. Note: If you know the maximum depth and not the average depth, the Field Examiner's Handbook suggests multiplying the maximum depth by 0.4 to get the average depth, or you can use any method that seems reasonable to attain average depth.
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Multiple Fill Volume Above Initial Fill to Fulfill From Storage Needs- "Multiple Fills" (AF)	0.6	The "Multiple Fill Volume Above Initial Fill" is the acre-feet of water required to meet a <i>from storage</i> component if the <i>from storage</i> component exceeds a one time fill. This section should not include the amount of water needed to fill the pond initially or the amount of water needed to maintain the pond level due to evaporation or seepage. For example: if a pond has a capacity of 5 acre feet and 2.5 acre feet of seepage and evaporation, but the pond is used for irrigation that requires 10 acre feet of from storage for the irrigation use, then you would insert 5 acre feet into this location (10 acre feet needed - 5 acre feet from the initial fill = 5 acre feet of additional storage needed). Note: You must have a "From Storage" component exceeding the initial fill on the permit to include a volume in this space.
Estimated Seepage Loss (AF)	0.3	The "Estimated Seepage Loss" is automatically carried over from the "Seepage Loss" sheet.
Estimated Evaporation Loss (AF)	0.4	The "Estimated Evaporation Loss" is automatically carried over from the "Evaporation Loss" sheet.
Total Volume Required (AF)	3.7	The "Total Volume Required" is calculated by adding the Pond Capacity, Multiple Fills, Seepage Loss, and Evaporation Loss amounts to determine the total amount of storage required.

Alleman, Tammy

From: Alleman, Tammy
Sent: Wednesday, July 14, 2021 10:41 AM
To: 'Bassista,Tom'; 'Sujata.Connell@deq.idaho.gov'; Skoro, Emily; Golden, Kala
Subject: Request for Comments WR#81-12031

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 August 9, 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
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone: (208) 762-2800
Fax (208) 762-2819*



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

July 13, 2021

DOUG HICKS
MARLOUS HICKS
545 RED FIR RD
KOOSKIA, ID 83539-5135

RE: Application for Permit No. 81-12031

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 IDAHO COUNTY FREE PRESS on 7/21/2021 and 7/28/2021. 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: Wednesday, July 14, 2021 10:39 AM
To: 'IFP Legals'
Subject: Legal Notice
Attachments: Legal Notice for 81-12031 & 82-12290.docx

Please publish the enclosed legal notice in the **Idaho County Free Press** on the dates indicated **July 21st & July 28th, 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 **August 9, 2021**. Your cooperation is appreciated.

Thank you,

Tammy

*Tammy Alleman
Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone: (208) 762-2800
Fax (208) 762-2819*

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

81-12031

DOUG HICKS

MARLOUS HICKS

545 RED FIR RD

KOOSKIA, ID 83539-5135

Point of Diversion SENW

S22 T32N R05E

IDAHO County

Source UNNAMED STREAM

Tributary LITTLE CEDAR CREEK

Point of Diversion SENW

S22 T32N R05E

IDAHO County

Source UNNAMED STREAM

Tributary LITTLE CEDAR CREEK

Use: FIRE PROTECTION STORAGE

01/01 to 12/31 6.2 AF

Use: RECREATION STORAGE

01/01 to 12/31 6.2 AF

Use: STOCKWATER STORAGE

01/01 to 12/31 1.3 AF

Total Diversion: 7.5 AF

Date Filed: 07-12-2021

Place Of Use: FIRE PROTECTION STORAGE, RECREATION STORAGE, STOCKWATER STORAGE

T32N R05E S22 SENW

The application proposes the diversion and use of water from an Unnamed Stream tributary to a Wild & Scenic River, the Middle Fork Clearwater 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.

82-12290

JOSHUA Z CROSBY

VERENA C CROSBY

176 HAWTHORN

KOOSKIA, ID 83539-5175

Point of Diversion SWNENE

S16 T28N R10E

IDAHO County

Source SPRING

Tributary SINKS

Point of Diversion SWNENE

S16 T28N R10E

IDAHO County

Source SPRING

Tributary SINKS

Point of Diversion NENE

S16 T28N R10E

IDAHO County

Source GROUND WATER

Use: DIVERSION TO STORAGE

01/01 to 12/31 0.2 CFS

Use: AESTHETIC STORAGE

01/01 to 12/31 5 AF

Use: FIRE PROTECTION STORAGE

01/01 to 12/31 5 AF

Total Diversion: 0.2 CFS

Date Filed: 07-01-2021

Place Of Use: AESTHETIC STORAGE, FIRE PROTECTION STORAGE

T28N R10E S16 NENE

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 8/9/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/21/2021 and 7/28/2021