

RECEIVED

84916

MAY 03 2021

RECEIVED

FORM 202 Rev. 09/16

APR 28 2021

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 91-8054

IDWR/NORTH

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) THE JOHN DAVID HAAS AND CARA YVONNE HAAS JOINT LIVING TRUST Phone (208) 610.7097
Name connector (check one): ☐ and ☐ or ☐ and/orMailing address 118 ELSA CT City BLANCHARDState ID ZIP 83804 Email JOHNHAAS@FRONTIER.COM2. Name of representative, if any JOHN + CARA HAAS TRUSTEES Phone 208-610-7097Mailing address 118 ELSA CT City BLANCHARDState ID ZIP 83804 Email JOHNHAAS@FRONTIER.COMa. ☒ 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 ST JOE RIVER which is a tributary of COEUR D ALENE LAKE

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
46N	01	17	10		SW	NE	BENEWAH	ST JOE RIVER	

5. Water will be used for the following purposes:

Amount 0.06 CFS for DOMESTIC purposes from 01-01 to 12-31 (both dates inclusive)
(cfs or acre-feet per year)Amount 0.02 CFS for STOCKWATER purposes from 01-01 to 12-31 (both dates inclusive)
(cfs or acre-feet per year)Amount 0.03 CFS for IRRIGATION purposes from 03-15 to 10-31 (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) 0.11 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. ELECTRIC 1/2 HP SET PUMP, 1 1/2 SUCTION, DISCHARGE INTO 2 5/8 GARDEN HOSESb. 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 _____ Date _____ Time _____ Preliminary check by _____

Fee \$ 100.00 Received by NIS Receipt No. NIX36931 Date 4-28-21

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. 50 HEAD MIXED STOCK
- c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households 2 Recreational Vehicle (IRRIGATION INCLUDED IN IRRIGATION TOTAL)
- e. Other; describe fully. _____

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	
46N	01W	17			D											D			
46N	01W	17			S											S			
46N	01W	17			0.7											0.3			1.0

Total number of acres to be irrigated: 1.0

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? _____

11. a. Who owns the property at the point of diversion? IDAHO DEPT OF LANDS

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: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. PARCEL BOUNDARIES FOR PLACE OF USE SHOWN ON APPLICATION MAP ARE

OUTDATED. PLACE OF USE PARCEL RP46N01W175390 (71 SALMON LN). IDAHO DEPT OF LANDS

ENCROACHMENT PERMIT #

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.

Signature of Applicant

JOHN DAVID HAAS, TRUSTEE
Print Name (and title, if applicable)

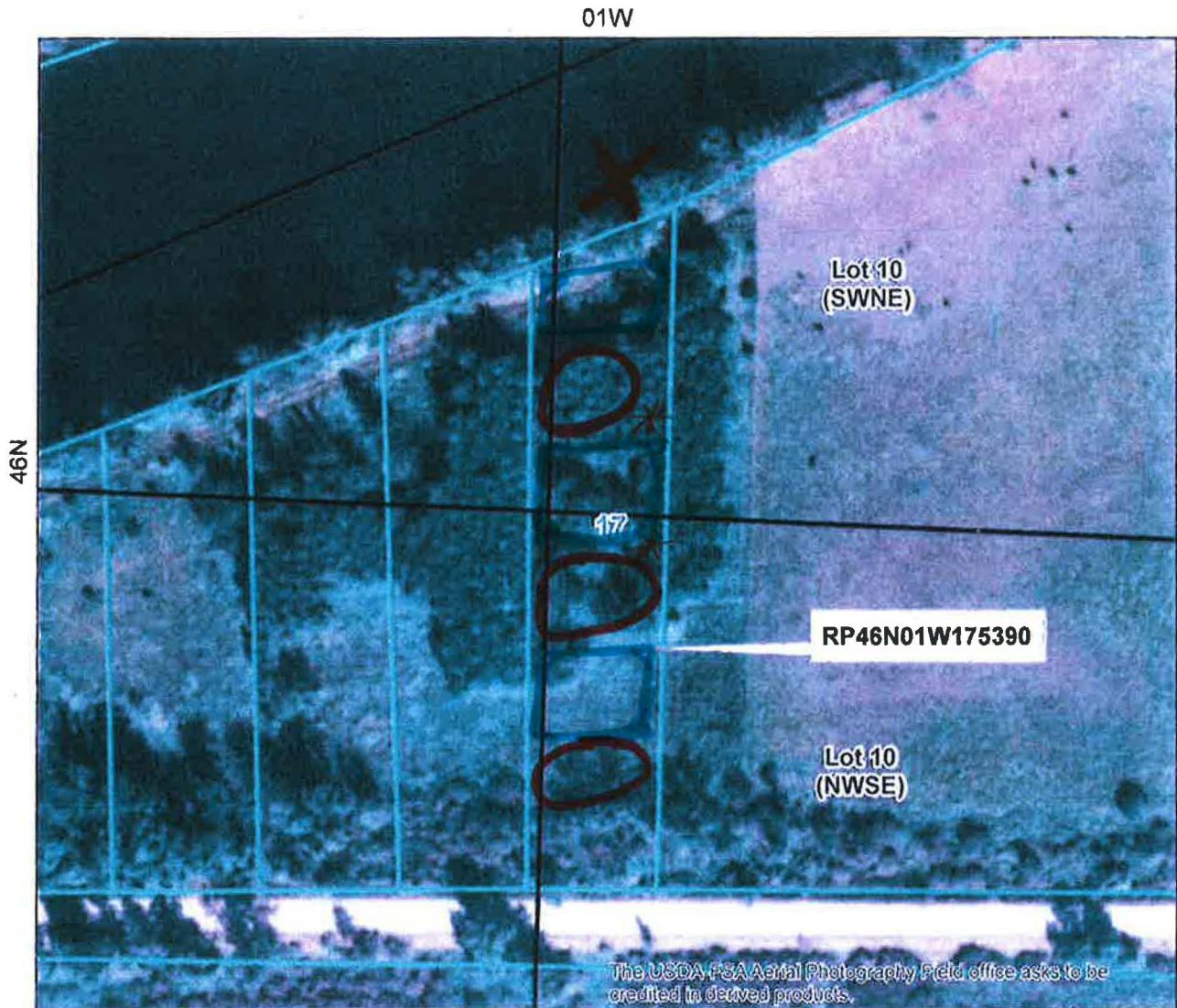
Signature of Applicant

CARA YVONNE HAAS, TRUSTEE
Print Name (and title, if applicable)

State of Idaho
Department of Water Resources

Application For Permit

4-30-2021
JDN



- PLS Sections
- Quarter Quarters
- Taxlots

0 0.015 0.03 0.06 Miles

- X = POINT OF DIVERSION
- O = PLACE OF USE (POU) DOMESTIC
- O = PLACE OF USE IRRIGATION
- * = STOCKWATERING



Tax parcel information provided by Benewah County

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 91-8054

1. Name of applicant(s) J AND C HAAS JOINT LIVING TRUST Phone (208) 610.7097
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 118 ELSA CT City BLANCHARD
 State ID ZIP 83804 Email JOHNHAAS@FRONTIER.COM
2. Name of representative, if any JOHN + CARA HAAS TRUSTEES Phone 208-610-7097
 Mailing address 118 ELSA CT City BLANCHARD
 State ID ZIP 83804 Email JOHNHAAS@FRONTIER.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 ST JOE RIVER which is a tributary of COEUR D ALENE LAKE
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- 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 _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by NIS Receipt No. N030931 Date 4-28-21

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TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
46N	01W	17			D											D			
46N	01W	17			S											S			
46N	01W	17			0.7											0.3			1.0

Total number of acres to be irrigated: 1.0

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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

JOHN DAVID HAAS, TRUSTEE
Print Name (and title, if applicable)

Signature of Applicant

CARA YVONNE HAAS, TRUSTEE
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



Tax parcel information provided by Benewah County.

Application For Permit



0 0.015 0.03 0.06 Miles

- PLS Sections
- Quarter Quarters
- Taxlots

X = Point of Diversion

○ = Place of Use (Domestic)

○ = Place of Use Irrigation



Tax parcel information provided by Benewah County.

**The John David Haas and Cara Yvonne Haas
Joint Living Trust
Certificate of Trust**

The undersigned, all of the Trustees of The John David Haas and Cara Yvonne Haas Joint Living Trust, each hereby certify the following:

A. **Name and Existence.** The name of the trust is The John David Haas and Cara Yvonne Haas Joint Living Trust (the "Trust"). The Declaration of Trust creating said Trust was executed on January 10, 2012.

B. **Grantors.** The Grantors of the Trust are the following persons (each, a "Grantor" and collectively, the "Grantors"):

<u>Name of Grantor</u>	<u>Social Security Number:</u>
------------------------	--------------------------------

John David Haas

Cara Yvonne Haas

C. **Trustees.** The current Trustees of the Trust are the following persons:

John David Haas

Cara Yvonne Haas

D. **Powers of Trustee.** The Trustees have the powers deemed necessary and appropriate to administer the Trust, including all powers granted under California law, subject to the fiduciary duties to the Grantors and beneficiaries. The powers of the Trustees include, but are not limited to, the powers to:

1. Hold, maintain, manage and administer assets of the Trust;
2. Sell, trade, deal, encumber, mortgage, pledge, option, lease, lend or improve the assets of the Trust;
3. Collect, hold, purchase, invest and reinvest the profits and principal of the Trust;
4. Borrow money and purchase insurance;

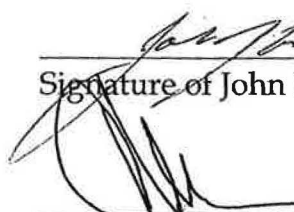
5. Employ and pay reasonable fees to counsel, accountants, financial advisors and any other professional deemed necessary for the proper administration of the Trust;
6. Enter into contracts and otherwise sign and execute any instrument on behalf of the Trust;
7. Establish bank, brokerage and other financial and non-financial accounts for and on behalf of the Trust, and to sign any and all documents on the Trust's behalf in relation thereto, including any resolutions, certification or certificate required for such account;
8. Distribute or divide the assets of the Trust in accordance with the Declaration of Trust;
9. To pay or disburse such sums from the assets of the Trust as may be required, necessary or desirable to maintain the comfort and welfare of the grantor in the event the grantor is unable to actively and competently exercise judgment over financial matters by reason of a medical illness or mental impairment.
10. Upon the death of the Grantors, to pay any debts and expenses of the Grantors.

E. **Revocation.** The Trust is revocable, and each Grantor has the power to revoke the Trust at any time.

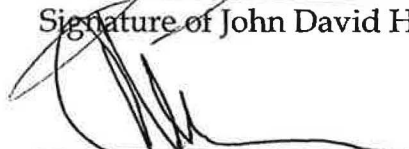
F. The Trust has not been revoked, modified or amended in any manner which would cause the representations contained in this certificate of trust to be incorrect.

IN WITNESS WHEREOF, the Trustees have executed this Certificate of Trust on the date below:

Date: 1-10, 2012



Signature of John David Haas, as Trustee



Signature of Cara Yvonne Haas, as Trustee

ACKNOWLEDGMENT

State of California)

County of Shasta)

On 1/10/2012, 2012, before me Carlyn Almazan, a Notary Public personally appeared John David Haas and Cara Yvonne Haas, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he~~/~~she~~/they executed the same in ~~his~~/~~her~~/their authorized capacity(ies), and that by ~~his~~/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Carlyn Almazan (Seal)





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

May 11, 2021

THE JOHN DAVID HAAS AND CARA YVONNE HAAS JOINT LIVING TRUST
118 ELSA CT
BLANCHARD, ID 83804-0077

RE: Application for Permit No. 91-8054

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 ST MARIES GAZETTE RECORD on 5/19/2021 and 5/26/2021. 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

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, May 11, 2021 2:25 PM
To: 'Chantilly.Higbee@deq.idaho.gov'; 'Anna.Moody@deq.idaho.gov'; 'Horsmon,Merritt'; 'Mike Ahmer'; Skoro, Emily; Golden, Kala
Subject: Request for Comments for 91-8054

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

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, May 11, 2021 2:24 PM
To: 'jamie@smgazette.com'
Subject: Legal Notice
Attachments: 91-8054 Legal Notice.docx

Please publish the enclosed legal notice in the **St. Maries Gazette Record** on the dates indicated **May 19th & May 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 **June 7, 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:

91-8054

THE JOHN DAVID HAAS & CARA YVONNE HAAS JOINT LIVING TRUST

118 ELSA CT

BLANCHARD, ID 83804-0077

Point of Diversion L10(SWNE)

S17 T46N R01W

BENEWAH County

Source ST JOE RIVER

Tributary COEUR D ALENE LAKE

Use: STOCKWATER

01/01 to 12/31 0.02 CFS

Use: IRRIGATION

03/15 to 10/31 0.03 CFS

Use: DOMESTIC

01/01 to 12/31 0.06 CFS

Total Diversion: 0.11 CFS

Date Filed: 04-28-2021

Place Of Use: DOMESTIC,IRRIGATION,STOCKWATER

T46N R01W S17

L10(NWSE),L10(SWNE)

Total Acres: 1

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 6/7/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/19/2021 and 5/26/2021

MEMORANDUM

Date: May 4, 2021
To: Water Right File 91-8054
From: smaxey
Re: CORRECT APPLICANT (TRUST NAME), GOVT LOT, AND PRIORITY

<u>DOCUMENT</u>	<u>PRIORITY DATE</u>	<u>ISSUE</u>
APPLICATION RECEIVED	4/28/2021	APPLICATION RECEIVED WITH TRUST NAME (LINE 1) THAT DOES NOT MATCH NAME OF TRUST ON ENCLOSED CERTIFICATE OF TRUST.
CORRECTION TO APPLICATION	4/28/2021	IDWR NOTIFIED APPLICANT 4/29/2021 OF DIFFERENECE BETWEEN TRUST NAME AND APPLICATION LINE 1 VIA E-MAIL ARCMAP™ SHAPES UPDATED (SAME LEGAL DESCRIPTIONS) & APPLICATION DATA ENTRY CHANGED IN ACCORDANCE WITH IDWR ADMIN MEMO # 9.
5/30/201 CORRECTED APPLICATION	4/28/2021	IDWR NOTIFIED APPLICANT 5/4/2021 OFGOVT LOT CORRECTION VIA E-MAIL. DATA ENTRY UPDATED IN ACCORDANCE WITH IDWR ADMIN MEMO # 9.

Maxey, Shaun

From: Maxey, Shaun
Sent: Tuesday, May 4, 2021 9:26 AM
To: 'JohnHaas@Frontier.com'
Subject: Corrections to Application For Permit 91-8054 received and Government Lot

Hi:

Thanks for the corrected Application for Permit (91-8054) that you mailed in.

You will be receiving a letter from IDWR that notifies you of the scheduled legal notice publication dates. The legal notices will include a Govt Lot designation (GL 10) that applies to the Places of Use shown on your Application map.

Please phone me at (208) 762.2816 if you have questions.

Thanks,

Shaun Maxey

Shaun M. Maxey
Sr. Water Resource Agent
Idaho Department of Water Resources, Northern Region
Coeur d'Alene, ID 83815
(208) 762.2816

CONVERSATION MEMO

OV- Office Visit T-Telephone M-Meeting O- Other

TO Right No. 91-8054

FROM Shaun Maxey, IDWR

☐ OV ☒ T ☐ M ☐ Other _____ DATE 4/30/21 WITH Jean Hersley, IDWR
Spoke to Jean Hersley regarding procedure to
update Trust name shown on Application for Permit.
Priority ~~name~~ date remains same and Full name shown
on Certificate of Trust should be used for Application
data entry.

☐ OV ☒ T ☐ M ☐ Other _____ DATE 4/30/21 WITH John Haas, Trustee
Spoke to John Haas, co-trustee for The John David
Haas and Cara Yvonne Haas Joint Living Trust regarding
e-mail I sent to him yesterday. He said he would make
the corrections needed and send them in via U.S. mail.

☐ OV ☐ T ☐ M ☐ Other _____ DATE _____ WITH _____

☐ OV ☐ T ☐ M ☐ Other _____ DATE _____ WITH _____

Maxey, Shaun

From: Maxey, Shaun
Sent: Thursday, April 29, 2021 5:23 PM
To: 'JohnHaas@Frontier.com'
Subject: Corrections to Application For Permit 91-8054
Attachments: 91-8054 HAAS Application For Permit.pdf; 91-8054 HAAS Application_For Permit To be Corrected.pdf

Hi:

Thanks for the Application for Permit (91-8054) that you sent in. There are a couple of problems that must be fixed on the Application. IDWR personnel are prohibited from altering your Application so the fixes will require some initialed and dated corrections by you to correct the Application. The initialed and date Corrections to the Application must be sent to my attention at IDWR Northern Region via U.S. mail or dropped off/corrected at our office.

I used the abbreviated form of your Trust (J & C Haas Joint Living Trust) that comes from the Benewah County parcel listing, for Line 1 of the Draft Application for Permit, that I sent to you. This unfortunately does not match the name of the Trust shown on the Certificate of Trust that you provided. Please cross out the Trust name shown on the attached '91-8054 HAAS Application For Permit To be Corrected' and write in the full name shown on the Certificate of Trust 'The John David Haas and Cara Yvonne Haas Joint Living Trust'.

Your Application uses the "Draft Example-Do Not Return" version of the Application Map that I provided to you. This Example shows an incorrect location for your property.

Please initial, date, and label the substitute map ('91-8054 HAAS Application For Permit To be Corrected'), that I have provided with the Point Of Diversion in the St. Joe River and the Places of Use (Irrigation, Domestic, Stockwater) to replace the Example Map for your Application. This has a pointer showing the correct Parcel identification Number and location for your tax parcel. Please initial and date the change and send it to me as I have described above. I will send a copy of the '91-8054 HAAS Application For Permit To be Corrected' to you tomorrow, via U.S. mail, for your use in case you do not have access to a printer. Please phone me at (208) 762.2816 if you have questions.

Thanks,

Shaun Maxey

Shaun M. Maxey
Sr. Water Resource Agent
Idaho Department of Water Resources, Northern Region
Coeur d'Alene, ID 83815
(208) 762.2816