

FORM 202 Rev. 09/16

RECEIVED

MAR 03 2021

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Ident. No. 94-9650

FEB 22 2021

IDWR / APPLICATION FOR PERMIT

IDWR / NORTH

To appropriate the public waters of the State of Idaho

- Name of applicant(s) Kellogg School District #391 Phone 208-784-1348
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 800 Bunker Ave City Kellogg
 State Idaho ZIP 83837 Email _____
- Name of representative, if any Tim Etherton Phone _____
 Mailing address 800 Bunker Ave City Kellogg
 State Idaho ZIP 83837 Email tim.etherton@kelloggschools.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.
- Source of water supply Groundwater which is a tributary of N/A
- Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
<u>4N</u>	<u>01 W</u>	<u>024</u>		<u>SW</u>	<u>SW</u>		<u>Kootenai</u>	<u>Groundwater</u>	

- Water will be used for the following purposes:
 Amount 0.05 cfs for Domestic purposes from Jan 1 to Dec 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)
- Total quantity to be appropriated is (a) 0.05 cubic feet per second (cfs) and/or (b) 20 acre-feet per year (af).
- Proposed diverting works:
 - Describe type and size of devices used to divert water from the source. 6" well, 20 gpm submersible well pump pumping to existing 2000 gallon storage reservoir
 - Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A 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
 - Proposed well diameter is 6 inches; proposed depth of well is 200 feet.
 - Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
 - If well is already drilled, when? N/A; drilling firm N/A; well was drilled for (well owner) N/A; Drilling Permit No. N/A

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ 100 Received by [Signature] Receipt No. N036740 Date 2-22-21

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

- a. Hydropower; show total feet of head and proposed capacity in kW. N/A
- b. Stockwatering; list number and kind of livestock. N/A
- c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households N/A
- e. Other; describe fully. Water right will be used to provide potable water supply for a small elementary school. School currently has 66 total staff and students.

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	
74 3-1-21	49 N	01 W	024										D						

Total number of acres to be irrigated: 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? The School District does not have any other existing water rights. This water right will be used for potable water for the Canyon Elementary School. Uses include drinking water, cooking, and sanitary facilities.

11. a. Who owns the property at the point of diversion? Kellogg School District # 391
- b. Who owns the land to be irrigated or place of use? N/A
- 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. The purpose of this well is to provide a potable water source for the Canyon Elementary School within the Kellogg School District. Water from the new well will only be used within the school building and will not be used for irrigation purposes.

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.

Tim Ebertson 1510391
Signature of Applicant

Signature of Applicant

Tim Ebertson Facility manager
Print Name (and title, if applicable)

Print Name (and title, if applicable)



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Kellogg School District #391

Map for Canyon Elementary School Water Right Permit Application

PROJECT NO. 42019
DRAWN BY. DH
FILENAME. PermitMap
DATE 12/24/2020

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State of Idaho
Department of Water Resources
Application For Permit



0 0.04 0.08 0.16 Miles

- PLS Sections
- Quarter Quarters
- Taxlots

X = Point of Diversion
O = Place of Use



Tax parcel information provided by Kootenai County.



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

March 11, 2021

KELLOGG JOINT SCHOOL DISTRICT #391
800 BUNKER AVE
KELLOGG, ID 83837

RE: Application for Permit No. 94-9650

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 COEUR D ALENE PRESS on 3/18/2021 and 3/25/2021. 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:
TIM ETHERTON
KELLOGG SCHOOL DIST 391
800 BUNKER AVE
KELLOGG, ID 83850-9729

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, March 11, 2021 10:24 AM
To: 'Chantilly.Higbee@deq.idaho.gov'; 'Anna.Moody@deq.idaho.gov'
Subject: Request for Comments on WR# 94-9650

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 April 5, 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: Thursday, March 11, 2021 9:32 AM
To: 'LEGALS@CDAPRESS.COM'
Subject: Legal Notice
Attachments: Legal Notice for 94-9650, 95-17985, 95-18072-18074, 95-18078.docx

Please publish the enclosed legal notice in the **Coeur d'Alene Press** on the dates indicated **March 18th & March 25th, 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 **April 5, 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:

94-9650

KELLOGG JOINT SCHOOL DISTRICT #391
800 BUNKER AVE
KELLOGG, ID 83837
Point of Diversion SWSW
S24 T49N R01W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.05 CFS, 20 AF
Total Diversion: 0.05 CFS, 20 AF
Date Filed: 03-03-2021
Place Of Use: DOMESTIC
T49N R01W S24 SWSW

95-17985

JON THOMA
4061 S TIMOTHY LN
COEUR D ALENE, ID 83814-5102
Point of Diversion L2(SWNE)
S33 T50N R03W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.11 CFS
Date Filed: 08-11-2020
Place Of Use: DOMESTIC
T50N R03W S33 L2(SWNE)

95-18072

BRIAN SKELTON
5234 W AVENUE M2
QUARTZ HILL, CA 93536-3023
Point of Diversion SENE
S36 T49N R05W
KOOTENAI County
Source GROUND WATER
Use: IRRIGATION
03/15 to 11/15 0.03 CFS
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Total Diversion: 0.09 CFS
Date Filed: 02-26-2021
Place Of Use: DOMESTIC,IRRIGATION
T49N R05W S36 SENE
Total Acres: 1

95-18073

CHRISTOPHER CARGILL
LISA CARGILL
1899 N WOLFE PENN ST
LIBERTY LAKE, WA 99019-5058
Point of Diversion NESW
S22 T51N R03W
KOOTENAI County
Source HAYDEN LAKE
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 03-01-2021
Place Of Use: DOMESTIC
T51N R03W S22 L6(NESW)

95-18074

H JOHANNE HAYMOND LIVING TRUST
7303 N 4TH ST
DALTON GDNS, ID 83815-8737

95-18078

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 4/5/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director Published on 3/18/2021 and 3/25/2021



State of 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

Website: idwr.idaho.gov • Email: northerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

February 25, 2021

RECEIVED

MAR 03 2021

****Time Sensitive Response Required****

Tim Etherton
Kellogg School District # 391
Kellogg, ID 83837

IDWR / NORTH

Re: Application for Permit Canyon Elementary School (Kootenai County parcel 49N01W246225) (Rule 35 Application Requirements)

Dear Applicant:

Idaho Department of Water Resources (IDWR) has received your Application for Permit to divert water from a well for domestic use to serve Canyon Elementary School (Kootenai County parcel 49N01W246225). **Please be advised that your Application is currently unacceptable for filing due to required legal descriptions for the Point of Diversion and Place of Use that do not agree with the Application map.** Your original Application is enclosed.

The required correction has been sent to you in an e-mail message earlier today. Please change the Township Number on Line 4 and Line 9 of the Application to read '49N' instead of '40N'. Please initial and date all changes, label and enclose the substitute IDWR application map, and return the corrected Application with evidence of authority to sign the Application to the address shown above.

An Application, map, and evidence of authority to sign that is acceptable for filing must be received no later than March 30, 2021. IDWR will take steps to terminate the Application, if no response is received, in accordance with Idaho Code § 42-204.

Respectfully,

Shaun M. Maxey
Sr. Water Resource Agent
Idaho Department of Water Resources, Northern Region

Enclosure

Original Application with substitute map for labeling and return to IDWR

policies for a first and final reading, passed 4-0.

Discussion and Possible Action to Approve the 2021-2022 District Calendar.

A motion was made by Carolyn Turner, seconded by Sam Gibbons, to approve the 2020-2021 District Calendar as presented, passed 4-0.

Discussion and Possible Action to Go Out to Bid for Canyon Water Project.

Tim Etherton, Maintenance Supervisor, requested approval to go out to bid on the Canyon Well.

A motion was made by Alexa Griffin, seconded by Sam Gibbons, to approve going out to bid for a well at Canyon Elementary, passed 4-0.

• Discussion and Possible Action to Accept Personnel Recommendations / Resignations / Retirements

The following personal recommendations are being presented:

Action:	Employee Information:	Classification:	Location:	Position:	Effective Date:
Resignation	Craig Turbak	Activities	Girls Softball	Coach	Immediately
New Hire	Jerrydonne "JD" Hudson	Classified	Transportation	Mechanic	2/08/2021
Resignation	Cindy Burkgart	Classified	District Office	Admin, Secretary	5/31/2021
New Hire	Sandra Houston	Classified	Transportation	Part-time Bus Driver	2/8/2021
Resignation	Mairiam Olson	Classified	Transportation	Part-time Bus Driver	2/19/2021
New Hire	Cory North	Classified	Transportation	Director	Immediately

A motion was made by Carolyn Turner, seconded by Sam Gibbons, to Approve the



DRAFT

REGULAR BOARD MEETING February 10, 2021

The regular board meeting of the Board of Trustees of Joint School District #391 was held at the District Office Conference Room, 800 Bunker Avenue, Kellogg, Idaho, at 7:00 P.M. February 10, 2021. Board members present were Bonnie Farmin, Carolyn Turner, Alexa Griffin and Sam Gibbons. Also present was Angela Durick.

Chairman Farmin called the meeting to order at 7:00 p.m., determined that a quorum was present, and led the meeting in the Pledge of Allegiance.

A motion was made by Alexa Griffin, seconded by Carolyn Turner, to approve the Agenda, Amended Agenda, Financials, and the Consent Agenda (Minutes of the Previous Meeting, Substitute List, Auditing Committee Report in the amount of \$941,957.81, passed 4-0.

Discussion and Possible Action to use ISBA to Conduct Superintendent Search

A motion was made by Alexa Griffin, seconded by Sam Gibbons to approve the use of the ISBA's assistance using option 2, and selecting Bonnie Famin and Angela Durick as the Board member and staff member who will be the main contacts for the search, passed 4-0.

OUR SCHOOLS IN ACTION

- Jenny Ferreira - Canyon Elementary
- Idaho High School Activities Association Recognition
- Kellogg Principal, Curt-Randall Bayer, presented on the high school accreditation report.

There were no unscheduled delegations.

The following reports were electronically presented to the board.

- Technology Coordinator Status Report
- Business Manager/Clerk Treasurer's Report
- Special Education Status Report
- Curriculum, Instruction & Assessment Report
- Building and Grounds Report
- Superintendent Report
- Transportation Report

DRAFT

Discussion and Possible Action to Continue in Special Education Cooperative.

The CoOp Agreement that the Wallace, Mullan and Kellogg School Districts which comprise the CoOp will at their respective March School Board meetings indicate their intent to continue as a member they must notify the Co-Op Office in writing by April 15, 2021 of their intent. Each district share of the costs is determined by the December 1st Special Education Enrollment count, as certified by the State department of Education.

A motion was made by Carolyn Turner, seconded by Alexa Griffing, to continue as a member of the Silver Valley Educational Cooperative for the 2021-2022 school year, passed 4-0.

Discussion and Possible Action to Accept Clarification to Classified Salary Schedule.

The classified salary schedule has had additional information added in order to add clarification for staff.

A motion was made by Sam Gibbons, seconded by Alexa Griffin to accept the clarification of the classified salary schedule as presented, passed 4-0.

Discussion and Possible Action to Approve Policies for a Second Reading

228	Board Member Conflict of Interest	Update
418	Personnel Conflict of Interest	Update
430	Qualifications and Training Requirements of Instructional Paraprofessionals	Update
564	Health Records and Emergency Treatment	Update

A motion was made by Carolyn Turner, seconded by Sam Gibbons, to approve the listed policies for a second reading as recommended, passed 4-0.

Discussion and Possible Action to Approve Policies for a First and Final Reading

296	Title IX	Update
496P1	Title IX Grievance Procedure	Update

A motion was made by Alexa Griffin, seconded by Sam Gibbons to approve the listed