

NOV 13 2020

IDWR / NORTH

84512

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

# APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 95-18039

- Name of applicant(s) THOMAS E KIRBY Phone 208-691-1451  
Name connector (check one): ☐ and ☐ or ☐ and/or  
Mailing address PO BOX 1494 City POST FALLS  
State ID ZIP 83877 Email N/A
- Name of representative, if any \_\_\_\_\_ Phone \_\_\_\_\_  
Mailing address \_\_\_\_\_ City \_\_\_\_\_  
State \_\_\_\_\_ ZIP \_\_\_\_\_ Email \_\_\_\_\_  
  - ☐ 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.
  - ☐ 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 \_\_\_\_\_
- Location of point(s) of diversion:

| Twp | Rge | Sec | Govt Lot | 1/4 | 1/4 | 1/4 | County   | Source      | Local name or tag # |
|-----|-----|-----|----------|-----|-----|-----|----------|-------------|---------------------|
| 51N | 04W | 30  |          |     | NE  | NE  | KOOTENAI | GROUNDWATER | D0017042            |
|     |     |     |          |     |     |     |          |             |                     |
|     |     |     |          |     |     |     |          |             |                     |
|     |     |     |          |     |     |     |          |             |                     |

- Water will be used for the following purposes:  
 Amount 0.03 cfs for IRRIGATION purposes from 3/15 to 11/15 (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) 0.03 cubic feet per second (cfs) and/or (b) \_\_\_\_\_ acre-feet per year (af).
- Proposed diverting works:
  - Describe type and size of devices used to divert water from the source. EXISTING WELL D0017042 WITH PUMP; PIPES TO PRESSURE TANK FOR USE
  - 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
  - Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.
  - Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
  - 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 \$ 22500 Receipted by Jay Receipt No. N036549 Date 11-10-2020

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 \_\_\_\_\_
  - 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 |        |
| 51N | 04W | 30  | 1.0 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 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? RIGHT 95-13116 USES WATER FOR DOMESTIC PURPOSES WITH UP TO 1/2 ACRE IRRIGATION.
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: \_\_\_\_\_
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. APPLICANT PLANS TO INCREASE THE IRRIGATION OCCURRING ON HIS PROPERTY ABOVE THE 1/2 ACRE COVERED UNDER EXISTING RIGHT 95-13116. APPLICANT PLANS TO IRRIGATE AN ADDITIONAL 1 ACRE OF LAWN AND TREES ON HIS PROPERTY.
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.**

Thomas E Kirby  
 Signature of Applicant

Thomas E Kirby  
 Print Name (and title, if applicable)

\_\_\_\_\_  
 Signature of Applicant

\_\_\_\_\_  
 Print Name (and title, if applicable)

IDAHO DEPARTMENT OF WATER RESOURCES  
**WELL DRILLER'S REPORT**  
**RECEIVED**

|                 |     |       |
|-----------------|-----|-------|
| Office Use Only |     |       |
| Inspected by    |     |       |
| Twp             | Rge | Sec   |
| 1/4             | 1/4 | 1/4   |
| Lat:            | :   | Long: |

1. WELL TAG NO. **D0017042**

DRILLING PERMIT N

Other IDWR No **767954**

2. OWNER:

Name **Night Rain Sprinkler**

Address **P.O. Box 1805**

City **Post Falls**

State **ID**

Zip **83854**

3. LOCATION OF WELL by legal description:

|   |  |                                       |     |        |                                        |          |                                     |
|---|--|---------------------------------------|-----|--------|----------------------------------------|----------|-------------------------------------|
| N |  | Twp                                   | 51N | North  | <input checked="" type="checkbox"/> or | South    | <input type="checkbox"/>            |
| W |  | Rge                                   | 04W | East   | <input type="checkbox"/> or            | West     | <input checked="" type="checkbox"/> |
|   |  | Sec                                   | 30  | 1/4    | NE                                     | 1/4      | NE 1/4                              |
|   |  |                                       |     | 10 Ac  | 40 Ac                                  | 160 Ac   |                                     |
|   |  | Gov't Lot                             |     | County |                                        | Kootenai |                                     |
|   |  | Lat                                   |     | Long   |                                        |          |                                     |
| S |  | Address of Well Site: (see next line) |     |        |                                        |          |                                     |

Corner of **Prairie and Meyer**

City

Lot **1** Blk **1**

Sub. Name (see next line)

4. USE:

- ☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation  
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK check all that apply (Replacement etc.)

- ☒ New Well ☐ Modify ☐ Abandonment ☐ Other

6. DRILL METHOD

- ☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

| SEAL/FILTER PACK |      |    | Amount    | Method  |
|------------------|------|----|-----------|---------|
| Material         | From | To | Sacks/Lbs |         |
| Bentonite        | 0    | 18 | 12 sacks  | pour in |
|                  |      |    |           |         |
|                  |      |    |           |         |

Drive Shoe Used? ☐ Y ☒ N Shoe Depth(s)

Drive Shoe Seal Tested? ☐ Y ☒ N How?

8. CASING/LINER

| Diam | From | To  | Gauge | Material | Casng                               | Liner                    | Weld                                | Thrded                   |
|------|------|-----|-------|----------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| 6    | 2    | 278 | 0.250 | Steel    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|      |      |     |       |          | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
|      |      |     |       |          | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |

Length Headpipe Length Tailpipe

9. PERFORATIONS/SCREENS

- ☒ Perforations? Method **air perforator**  
☐ Screens? Screen Type

| From | To  | Slot | Nmbr | Diam | Material | Casng                               | Liner                    |
|------|-----|------|------|------|----------|-------------------------------------|--------------------------|
| 257  | 277 | 1"   | 422  |      | Steel    | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|      |     |      |      |      |          | <input type="checkbox"/>            | <input type="checkbox"/> |
|      |     |      |      |      |          | <input type="checkbox"/>            | <input type="checkbox"/> |

10. STATIC WATER LEVEL or ARTESIAN PRESSURE

210 ft. below ground. Artesian pressure lb.

Depth flow encountered 210 ft. Describe access port or

control devices: **Steel cap welded**

MAR 19 2011. WELL TESTS:

- ☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

| Yield gal./min. | Drawdown | Pump Level | Time  |
|-----------------|----------|------------|-------|
| 20              | 100%     | 275        | 1 hr. |
|                 |          |            |       |
|                 |          |            |       |

Water Temp. cold Bottom hole temp. cold

Water Quality test or comments: (below) Depth first Water Encountered 210  
clear, cold, no smell

12. LITHOLOGIC LOG (Describe repairs or abandonment)

| Bore<br>Diam | From | To  | Remarks:<br>Lithology, Water Quality and Temperature | Water                               |                                     |
|--------------|------|-----|------------------------------------------------------|-------------------------------------|-------------------------------------|
|              |      |     |                                                      | Y                                   | N                                   |
| 8            | 0    | 2   | Topsoil                                              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 8            | 2    | 18  | Sand & gravel - 3/4" minus                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 6            | 18   | 210 | Sand & gravel - 3/4" minus                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 6            | 210  | 225 | Sand & gravel - 1/2" minus                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 6            | 225  | 245 | Sand & gravel - fine                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 6            | 245  | 278 | Sand & gravel - 3/4" minus                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

Completed Depth 277 (Measurable)  
Date: Started 2/7/01 Completed 2/9/01

13. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

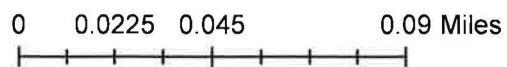
Firm **United Drilling Inc.** Firm No **414**  
Name  
Firm Official **Timothy R. Volking** Date **2/9/01**  
and  
Supervisor or Operator **Timothy R. Volking** Date **2/9/01**

51N 4W 30



**Legend**

- Township/Range
- Sections
- QQ





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](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

November 25, 2020

THOMAS E KIRBY  
PO BOX 1494  
POST FALLS, ID 83877-1494

RE: Application for Permit No. 95-18039

Dear Applicant:

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 12/3/2020 and 12/10/2020. 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

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**From:** Alleman, Tammy  
**Sent:** Wednesday, November 25, 2020 3:31 PM  
**To:** 'LEGALS@CDAPRESS.COM'  
**Subject:** Legal Notice  
**Attachments:** Legal Notice for 95-9427, 94-9647, 95-18036, 95-18039, 95-18040, 95-1804....docx

Please publish the enclosed legal notice in the **Coeur d'Alene Press** on the dates indicated **December 3<sup>rd</sup> & December 10<sup>th</sup>, 2020** (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 **December 21, 2020**. 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 has been filed to amend Permit to Appropriate Water:

**95-9427**

REMINGTON WATER DISTRICT

PO BOX 468

ATHOL, ID 83801-0468

Point of Diversion L3(NWSW)

S18 T53N R03W

KOOTENAI County

Source GROUND WATER

Point of Diversion L3(NWSW)

S18 T53N R03W

KOOTENAI County

Source GROUND WATER

Point of Diversion L2(SWNW)

S18 T53N R03W

KOOTENAI County

Source GROUND WATER

Point of Diversion SENE

S13 T53N R04W

KOOTENAI County

Source GROUND WATER

Use: MUNICIPAL

01/01 to 12/31 5.9 CFS

Total Diversion: 5.9 CFS

Date Filed: 11/13/2020

Place Of Use: MUNICIPAL

Place of use within the service area of the Remington Water District

***This amendment of permit proposes to add a fourth point of diversion S18 T53N R03W L3(NWSW) to the applicant's existing permit. The permitted diversion rate, nature of use, and place of use will remain the same.***

The following applications have been filed to appropriate the public waters of the State of Idaho:

**94-9647**

KEITH SWAIN

14516 STATE ROUTE 530 NE

ARLINGTON, WA 98223-5357

Point of Diversion SWNW

S20 T47N R02W

KOOTENAI County

Source SURFACE RUNOFF

Tributary BLACK CREEK

Use: WILDLIFE STORAGE

01/01 to 12/31 2 AF

Use: FIRE PROTECTION STORAGE

01/01 to 12/31 2 AF

Use: IRRIGATION FROM STORAGE

04/01 to 10/31 3 AF

Use: STOCKWATER STORAGE

01/01 to 12/31 0.1 AF

Use: STOCKWATER FROM STORAGE

01/01 to 12/31 0.1 AF

Use: IRRIGATION STORAGE

01/01 to 12/31 3 AF

Total Diversion: 5.1 AF

Date Filed: 11-16-2020

Place Of Use: FIRE PROTECTION STORAGE, IRRIGATION FROM STORAGE, IRRIGATION STORAGE, STOCKWATER FROM STORAGE, STOCKWATER STORAGE, WILDLIFE STORAGE

T47N R02W S20 SWNW

Total Acres: 1

**95-18036**

TC HAYDEN PROPERTIES LLC

15250 N WILDCAT CREEK RD

HAYDEN LAKE, ID 83835-5021

Point of Diversion L1(SENE)

S33 T52N R03W

KOOTENAI County

Source GROUND WATER

Point of Diversion L1(SENE)

S33 T52N R03W

KOOTENAI County

Source GROUND WATER

Use: DOMESTIC

01/01 to 12/31 0.12 CFS

Use: IRRIGATION

03/15 to 11/15 0.15 CFS

Total Diversion: 0.2 CFS

Date Filed: 11-04-2020

Place Of Use: DOMESTIC, IRRIGATION

T52N R03W S33  
SWNE,L1(SENE)  
Total Acres: 5

**95-18039**

THOMAS E KIRBY  
PO BOX 1494  
POST FALLS, ID 83877-1494  
Point of Diversion NENE  
S30 T51N R04W  
KOOTENAI County  
Source GROUND WATER  
Use: IRRIGATION  
03/15 to 11/15  
Total Diversion: 0.03 CFS  
Date Filed: 11-10-2020  
Place Of Use: IRRIGATION  
T51N R04W S30 NENE  
Total Acres: 1

**95-18040**

SERENE WOODS WATER ASSN LLC  
13939 E PERIMETER RD  
ATHOL, ID 83801-8403  
Point of Diversion NENE  
S7 T53N R02W  
KOOTENAI County  
Source GROUND WATER  
Use: DOMESTIC  
01/01 to 12/31  
Total Diversion: 0.13 CFS  
Date Filed: 11-16-2020  
Place Of Use: DOMESTIC  
T53N R02W S7  
NENE,NWNE,SWNE,SENE

**95-18043**

DAN ALSAKER  
ANNE ALSAKER  
7186 W BEN POINTE RD  
WORLEY, ID 83876-8668  
Point of Diversion NWSE  
S20 T48N R04W  
KOOTENAI County  
Source COEUR D ALENE LAKE  
Tributary SPOKANE RIVER  
Use: IRRIGATION  
03/15 to 11/15 0.16 CFS  
Use: FIRE PROTECTION  
01/01 to 12/31 0.16 CFS  
Total Diversion: 0.16 CFS  
Date Filed: 11-19-2020  
Place Of Use: FIRE PROTECTION, IRRIGATION  
T48N R04W S20  
L5(NESE),L5(NWSE),L4(SWNE)  
Total Acres: 8

**95-18044**

ROBERT L QUINN  
21123 N CORBIN HILL RD  
HAYDEN, ID 83835-9461  
Point of Diversion SESE  
S4 T52N R03W  
KOOTENAI 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: 11-23-2020  
Place Of Use: DOMESTIC, STOCKWATER  
T52N R03W S4 SESE

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 12/21/2020. The protestant must also send a copy of the protest to the applicant.  
GARY SPACKMAN, Director

Published on 12/3/2020 and 12/10/2020