

NOV 18 2020

SNR / NORTH

84525

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

Ident. No. 96-9838

1. Name of applicant(s) Marc Brinkmeyer Phone 208-255-3211
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address P O BOX 220 City Laclede
State Idaho ZIP 83841 Email msapp@rileycreek.com
2. Name of representative, if any Foresite Engineering, Ryan Fobes Phone 208-714-6866
Mailing address 418 E. Lakeside Ave. #01 City Coeur d'Alene
State Idaho ZIP 83814 Email ryan@foresite.solutions
- 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 Groundwater, Hornby Creek which is a tributary of Hornby Creek, Pend Oreille River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
57N	03W	24			SE	NW	BONNER	GROUNDWATER	
57N	03W	24			SW	NE	BONNER	HORNBY CREEK	

5. Water will be used for the following purposes:
- Amount 7.1 AF for WILDLIFE STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount 7.1 AF for AESTHETIC STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount 7.1 AF for FIRE PROT. 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)
6. Total quantity to be appropriated is (a) _____ cubic feet per second (cfs) and/or (b) 7.1 AF acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. Groundwater influenced from within pond boundary. Hornby creek flows into and thru pond with a dam. Outflow to Hornby Creek.
- b. Height of storage dam _____ feet; active reservoir capacity 5.6 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 Ku Date 11-9-2020 Time 10:40 Preliminary check by _____
Fee \$ 20000 10000 Received by Ku Receipt No. 969454 Date _____
10000 for 2 Stmts of Completion 96-9685 & 96-9686

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. EXISTING POND USED FOR WILDLIFE STORAGE, AESTHETIC STORAGE, AND FIRE PROTECTION 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	
57N	03W	24			J/W					J/W									
57N	03W	24			F					F									

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? _____
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 HAS AN EXISTING POND THAT IS USED FOR WILDLIFE STORAGE, AESTHETIC STORAGE, AND FIRE PROTECTION STORAGE. POND IS INFLUENCED BY GROUNDWATER AND HORNBY CREEK OVERFLOW DIVERTS BACK TO HORNBY CREEKS HISTORIC STREAM CHANNEL.
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

Marc Binkmeyer
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

RECEIVED

RECEIVED

FORM 202 Rev. 09/16

NOV 09 2020

NOV 12 2020

STATE OF IDAHO

Ident. No. _____

DEPARTMENT OF WATER RESOURCES

DEPARTMENT OF
WATER RESOURCES

IDWR / NORTH

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

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3. Source of water supply Groundwater, Springs which is a tributary of Sinks / Pend Oreille River
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 (cfs or acre-feet per year)
- Amount 7.1 AF for AESTHETIC STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 7.1 AF for Fire Protection 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)
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7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. Groundwater from springs adjacent to pond are collected in a french drain and drain rock system that discharges to the pond.
- b. Height of storage dam _____ feet; active reservoir capacity 5.6 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
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For Department Use

Received by Ku Date 11.9.2020 Time 10:40 Preliminary check by _____
 Fee \$ 200 Received by Ku Receipt No. C109454 Date _____

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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

Print Name (and title, if applicable)

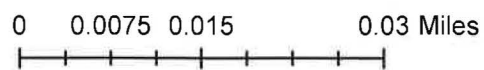
Signature of Applicant

Print Name (and title, if applicable)



Legend

- Township/Range
- Sections
- QQ





Legend

- Township/Range
- Sections
- QQ

0 0.0125 0.025 0.05 Miles

SUPERSEDED

N

Total Storage Calculations

FILE NUMBER	BRINKMEYER APPLIC
REVIEWER	Luke Bates
DATE	10/7/2020

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total seepage, evaporation and fill capacity required for a pond.

User Input
Calculated value
Formula Explanations

Surface Area (AC.)	0.7	"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)	5.6	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	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)	0.8	The "Estimated Seepage Loss" is automatically carried over from the "Seepage Loss" sheet.
Estimated Evaporation Loss (AF)	0.7	The "Estimated Evaporation Loss" is automatically carried over from the "Evaporation Loss" sheet.
Total Volume Required (AF)	7.1	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.



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

November 24, 2020

MARC BRINKMEYER
PO BOX 220
LACLEDE, ID 83841-0220

RE: Application for Permit No. 96-9830

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 BONNER COUNTY DAILY BEE, PRIEST RIVER VERSION on 12/2/2020 and 12/9/2020. 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,

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

Tammy Alleman
Administrative Assistant

CC:
FORESITE ENGINEERING
C/O RYAN FOBES
418 E LAKESIDE AVE STE 1
COEUR D ALENE, ID 83814-2805

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, November 24, 2020 1:41 PM
To: 'Chantilly.Higbee@deq.idaho.gov'; 'Anna.Moody@deq.idaho.gov'; 'Horsmon,Merritt'
Subject: Request for Comments on WR#96-9830

Dear Interested Agencies:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced Water Right Transfer 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 December 21st, 2020.

Please contact the Northern Region Office at (208) 762-2800 if you have any questions regarding the Transfer 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, November 24, 2020 1:37 PM
To: 'bcdblegals@cdapress.com'
Subject: Legal Notice for 96-9829 & 96-9830
Attachments: Legal Notice for 96-9829 & 96-9830.docx

Please publish the enclosed legal notice in the **Bonner County Daily Bee, Priest River Version** on the dates indicated **December 2nd & December 9th, 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 applications have been filed to appropriate the public waters of the State of Idaho:

96-9829

SCOTT SALESKY
PO BOX 352
LACLEDE, ID 83841-0352
Point of Diversion SWSE
S30 T56N R03W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.08 CFS
Date Filed: 11-12-2020
Place Of Use: IRRIGATION
T56N R03W S30 SWSE
Place Of Use: IRRIGATION
T56N R03W S31
L1(NWNE)
Total Acres: 2.7

96-9830

MARC BRINKMEYER
PO BOX 220
LACLEDE, ID 83841-0220
Point of Diversion SWNE
S24 T57N R03W
BONNER County
Source HORNBY CREEK
Tributary PEND OREILLE RIVER
Point of Diversion SENW
S24 T57N R03W
BONNER County
Source GROUND WATER
Tributary HORNBY CREEK
Use: WILDLIFE STORAGE
01/01 to 12/31 7.1 AF
Use: AESTHETIC STORAGE
01/01 to 12/31 7.1 AF
Use: FIRE PROTECTION STORAGE
01/01 to 12/31 7.1 AF
Total Diversion: 7.1 AF
Date Filed: 11-18-2020
Place Of Use: AESTHETIC STORAGE, FIRE PROTECTION STORAGE, WILDLIFE STORAGE
T57N R03W S24
SWNE, SENW

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 12/2/2020 and 12/9/2020