

RECEIVED

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Amended
NOV 11 2020

SEP 28 2020

INCOMPLETE

WATER RESOURCES

WATER RESOURCES
WESTERN REGION1. Name of applicant(s) Kathleen R. Herbert Rachelle Bettis Phone (805) 854-8646Mailing address 412 Lower Ranch Drive City New MeadowsState ID ZIP 83654 Email KR_Herbert@yahoo.com2. Name of representative, if any N/A 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.3. Source of water supply * Ground water (KH) which is a tributary of N/A Sinks4. Location of point(s) of diversion: * Spring 11/11/2020 11/11/2020

Twp	Rge	Sec	Govt Lot	%	%	%	County	Source	Local name or tag #
22 N	01 E	26		NE	SW	NW	Idaho	* Ground water	
								* Spring (KH) 11/11/2020	

5. Water will be used for the following purposes:

Amount .04 for Domestic Use only 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)

6. Total quantity to be appropriated is (a) .04 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. N/ASping-fed pond using portable submerged pump and ~~submerged~~ pipeb. Height of storage dam N/A 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. Fordams 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) N/A; Drilling Permit No. _____

For Department Use

Received by LE Date 09/28/2020 Time 10:00 AM Preliminary check by SNFee \$ 100.00 Receipted by LE Receipt No. 41046742 Date 09/28/2020* This page supersedes
October 30, 2020 page

78-12529

RECEIVED
COMPLETE
OCT 30 2020

STATE OF IDAHO

Ident. No. 78-12529

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DEPARTMENT OF WATER RESOURCES

WATER RESOURCES
WESTERN REGION

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Kathleen R. Herbert Rochelle Bettis Phone (805) 857-8646

Name connector (check one): ☐ and ☒ or ☐ and/orMailing address 412 Lower Ranch Drive City New MeadowsState ID ZIP 83654 Email KR_Herbert@yahoo.com

2. Name of representative, if any N/A 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.

3. Source of water supply Ground water which is a tributary of N/A

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
22N	01E	26		SW	NW		Idaho	Ground water	

5. Water will be used for the following purposes:

Amount .04 for Domestic Use only 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)

6. Total quantity to be appropriated is (a) .04 ^(KH) 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. N/A
Spring-fed pond using portable submerged pump and ~~portable~~ pipe ^(KH)

b. Height of storage dam N/A 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) N/A; Drilling Permit No. _____

For Department Use

Received by LE Date 09/28/2020 Time 10:00AM Preliminary check by SN
Fee \$ 100.00 Received by LE Receipt No. W1048742 Date 09/28/2020

*This page superseded by
November 11, 2020 page

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

- a. Hydropower; show total feet of head and proposed capacity in kW. Domestic Use Only
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households 1
- 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	
22N	01E	26							D	D									

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? Water for domestic use along with additional water right

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. Ground water to be used only for domestic use

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.

Kathleen R. Herbert
Signature of Applicant
Kathleen R. Herbert
Print Name (and title, if applicable)

Rochelle Bettis
Signature of Applicant
Rochelle Bettis
Print Name (and title, if applicable)

Map for Application for Permit K. Herbert or R. Bettis





State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

November 13, 2020

ROCHELLE P BETTIS
KATHLEEN R HERBERT
412 LOWER RANCH DR
NEW MEADOWS, ID 83654-5097

RE: Application for Permit No. 78-12529

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 IDAHO COUNTY FREE PRESS on 11/18/2020 and 11/25/2020. 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,

Anna Kaiser
Water Resource Agent

Kaiser, Anna

From: Kaiser, Anna
Sent: Friday, November 13, 2020 12:43 PM
To: 'IFP Legals'
Subject: IDAHO Legal Notice
Attachments: IDAHO Cover Letter.docx; IDAHO Legal Notice.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon Legal Clerk,

Please see the attached ad for publication on 11/18/2020 and 11/25/2020.

Please **confirm this is okay to publish as shown and send confirmation and all other correspondence to this email.**

Thank you,

Anna Kaiser | Water Resource Agent
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

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Brad Little
Governor

Gary Spackman
Director

November 13, 2020

LEGAL NOTICE DEPARTMENT
IDAHO COUNTY FREE PRESS

RE: Application for Permit No. 78-12529

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

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 12/7/2020. Your cooperation is appreciated.

Sincerely,

Anna Kaiser
Water Resource Agent

Enclosure(s)

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

78-12529

ROCHELLE P BETTIS

KATHLEEN R HERBERT

412 LOWER RANCH DR

NEW MEADOWS, ID 83654-5097

Point of Diversion NESWNW S26 T22N R01E IDAHO County Source SPRING Tributary SINKS

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 10-30-2020

Place Of Use: DOMESTIC

T22N R01E S26 SWNW SENW

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western office at (208)334-2190; 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, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 12/7/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 11/19/2020 and 11/26/2020

MEMORANDUM

TO: 78-12529
FROM: Shilynn Novak
DATE: November 12, 2020
RE: Communication with Applicant

On November 11, 2020, the applicant was contacted for additional information about the pond listed on their application and water right 78-7265 which was already licensed for the same use. The applicant explained that the POD for 78-7265 was on a neighboring property and they wanted to use a spring that was on their property. They also explained that they cannot use the same system as 78-7265 because the tank was uphill and it would not make sense to pump the water up to have it flow back down. The natural pond sits on top of a spring and there was no excavation. The size of the pond (15'x20'x4' max depth) and the estimated flow/use was low enough that it appeared to meet the 24 hour rule.

With this information, it was determined that the applicant could not file a transfer since it was using a different system so the application will continue to be processed.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

October 8, 2020

KATHLEEN HERBERT OR ROCHELLE BETTIS
412 LOWER RANCH DR
NEW MEADOWS ID 83654

Re: Water Right Application Incomplete - Returned

Dear Applicant:

This office received your application on September 28, 2020. The application cannot be accepted into the records of the Idaho Department of Water Resources (IDWR) until the following items are addressed:

- **Point of Diversion #4**

- Using the information you provided and completing additional research, your point of diversion (POD) appears to be in the following:

Twp	Rge	Sec	¼	¼
22N	01E	26	SW	NW

- You may use the accompanying map to verify the location. If this is correct, please add the above information to your application and initial/date the change.

- **Total Quantity #6**

- Please write in 0.04 cfs and initial/date the amendment to show only 0.04 cfs is being used.

- **Description of the Diverting Works #7**

- Any information about how you will get the groundwater to the place of use. This includes any information about a well, well pump, well depth, or if it is a spring that is being used.

- **Place of Use #9**

- Using the information you provided and completing additional research, your place of use (POU) appears to be in the following:

Twps	Rge	Sec
22N	01E	26

NW	
SW	SE
D	D

- You may use the accompanying map to verify the location. If this is correct, please add the above information to your application and initial/date the change.
- **Other Water Rights #10**
 - Please describe if you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping or if the water is only being used in the home.
- **The Map #14**
 - You must include an 8½" x 11" map that clearly identifies the proposed point of diversion, place of use, section #, township, and range.
 - Using information you provided with your application, I generated one map with your parcel outlined and included the section #, township, and range. If this is the correct place of use, please draw your point of diversion.
 - I have also included a second map with just the section #, township, and range with all parcels in the area visible for reference. On this map you would have to outline your place of use and add your point of diversion.
 - You may use the mapping tool found on our website:
 - <https://idwr.idaho.gov/forms/water-rights.html> under "Tools" click *Create and Print a Map for Water Right Applications*.
 - Direct link to map:
<https://idwr.maps.arcgis.com/apps/webappviewer/index.html?id=bc4648fa5d3a4ff697414f6290b5f02c>

The original incomplete application is enclosed. Please make the necessary amendments to the original form and re-submit within the next thirty (30) days. If IDWR does not receive your written response within thirty (30) days, a refund will be issued for this filing. This letter is an attempt to ensure that your application is complete in order to establish a priority date. You may receive future correspondence regarding more specific details of your application. IDWR forms and other information are available online at www.idwr.idaho.gov. Please consult the IDWR website or contact this me at Shilynn.Novak@idwr.idaho.gov or at this office at 208-334-2190 if you have any questions about the necessary information.

Sincerely,

Shilynn Novak
Water Resource Agent

Enclosure: Original Application
 Additional Maps