

RECEIVED

NOV 05 2020

DEPARTMENT OF WATER RESOURCES

OCT 26 2020

IDWR/NORTH

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Aaron J. Newman Tommi L. Newman Phone 208-827-2518
 Name connector (check one): ☐ and ☐ or ☒ and/or
 Mailing address 153 Jackknife Rd. City Orofino
 State ID ZIP 83544 Email newmanaaron01@gmail.com
2. Name of representative, if any NONE 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 Spring which is a tributary of Lolo Creek
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
35N	2E	12	-	NE	SE		Clearwater	Spring	RP35N02E/27200
				NE	NE	SE			

5. Water will be used for the following purposes:
- Amount .04 cfs for Domestic purposes from 01-01 to 12-31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount .12 cfs for Irrigation purposes from 03-15 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)
6. Total quantity to be appropriated is (a) .16 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. 5 foot x 4 foot galvanized pipe - perforated & plumbed to underground 3/4" P.E. water line
- b. Height of storage dam 8' feet; active reservoir capacity .03 acre-feet; total reservoir capacity .03 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 N/A inches; proposed depth of well is N/A feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. 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
Already paid \$100 check - Receipt N036490

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ _____ Receipted by _____ Receipt No. _____ Date _____

NOTE: ↓

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 one
 - Other; describe fully. Irrigation of 6 Acres from semi-buried 8,000 gallon holding tank
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	
35N	2E	12													D				
35N	2E	12													6.0				6.0

Total number of acres to be irrigated: 6.0

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? N/A
11. a. Who owns the property at the point of diversion? Aaron J. Newman
b. Who owns the land to be irrigated or place of use? Aaron J. Newman
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. Said water collecting device will be buried at current spring surfacing location and plumbed into underground water line. Water will gravity feed downhill 700 feet to a lift station to elevate water uphill 1200 feet (90' Elev.) to an 8,000 gallon holding tank, from which water can be used for as needed for proposed purposes.
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.

Signature of Applicant

Aaron J. Newman

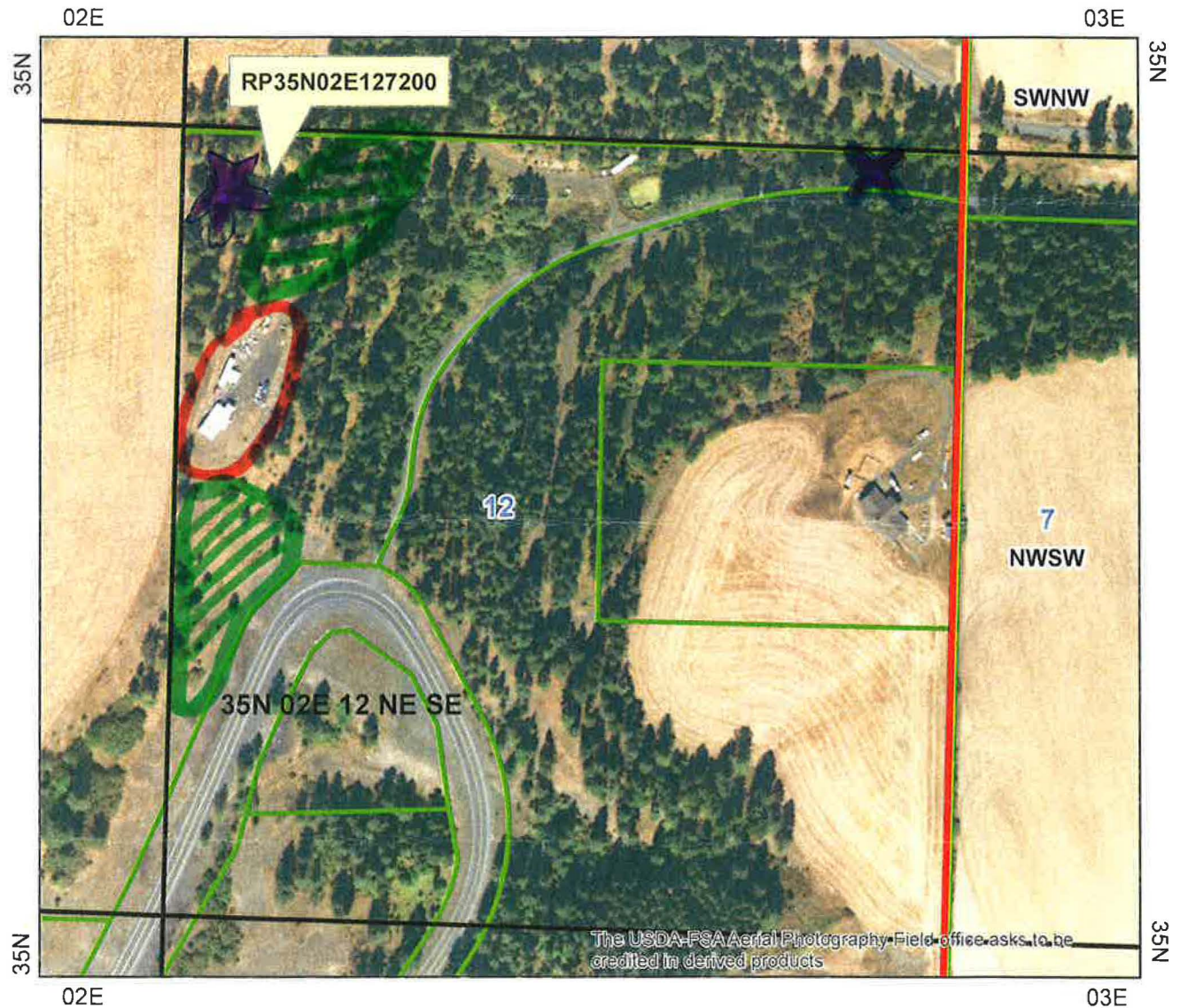
Print Name (and title, if applicable)

Signature of Applicant

Tommi L. Newman

Print Name (and title, if applicable)

State of Idaho
Department of Water Resources
Application For Permit



- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

Tax parcel information provided by Clearwater County.

0 0.035 0.07 0.14 Miles

X = Point of Diversion

○ = Place of use (Domestic)

■ = Place of use (Irrigation)

★ = Holding Tank



OCT 09 2020

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

IDWR/NORTH

1. Name of applicant(s) Aaron Newman Tommi Newman Phone 208-827-2518
Name connector (check one): ☐ and ☐ or ☒ and/or
Mailing address 153 Jackknife Rd. City Orofino
State ID ZIP 83544 Email newmanaaron01@gmail.com
2. Name of representative, if any None 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 #
35N	2E	12	-	NE	SE		Clearwater	groundwater	clearwater CO-RP# RP35N02E12220

5. Water will be used for the following purposes:

Amount .02 cfs for single household purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per year)

Amount 1 AFY for Irrigation / Fire purposes from May 1 to Oct 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)

SUPERSEDED

6. Total quantity to be appropriated is (a) .02 cubic feet per second (cfs) and/or (b) 15.49 acre-feet per year (af).

7. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source. 5 foot x 4 foot galvanized pipe - perforated; plumbed to underground 3/4" P.E. line
- b. Height of storage dam 8 feet; active reservoir capacity .03 acre-feet; total reservoir capacity .03 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 N/A inches; proposed depth of well is N/A feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. 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 NS Receipt No. 11036490 Date 10-9-2020

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 1
 - Other; describe fully. Irrigation & Fire protection reservoir
8,000 gal

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	
<u>35N</u>	<u>2E</u>	<u>12</u>	<u>6</u>																

SUPERSEDED

Total number of acres to be irrigated: 6

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? N/A

11. a. Who owns the property at the point of diversion? Aaron Newman
 b. Who owns the land to be irrigated or place of use? Aaron Newman
 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. A spring collector will be buried and plumbed with underground water line. A lift station will be installed to elevate water to an 8,000 gal holding tank to then be gravity fed into proposed uses. As needed

13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

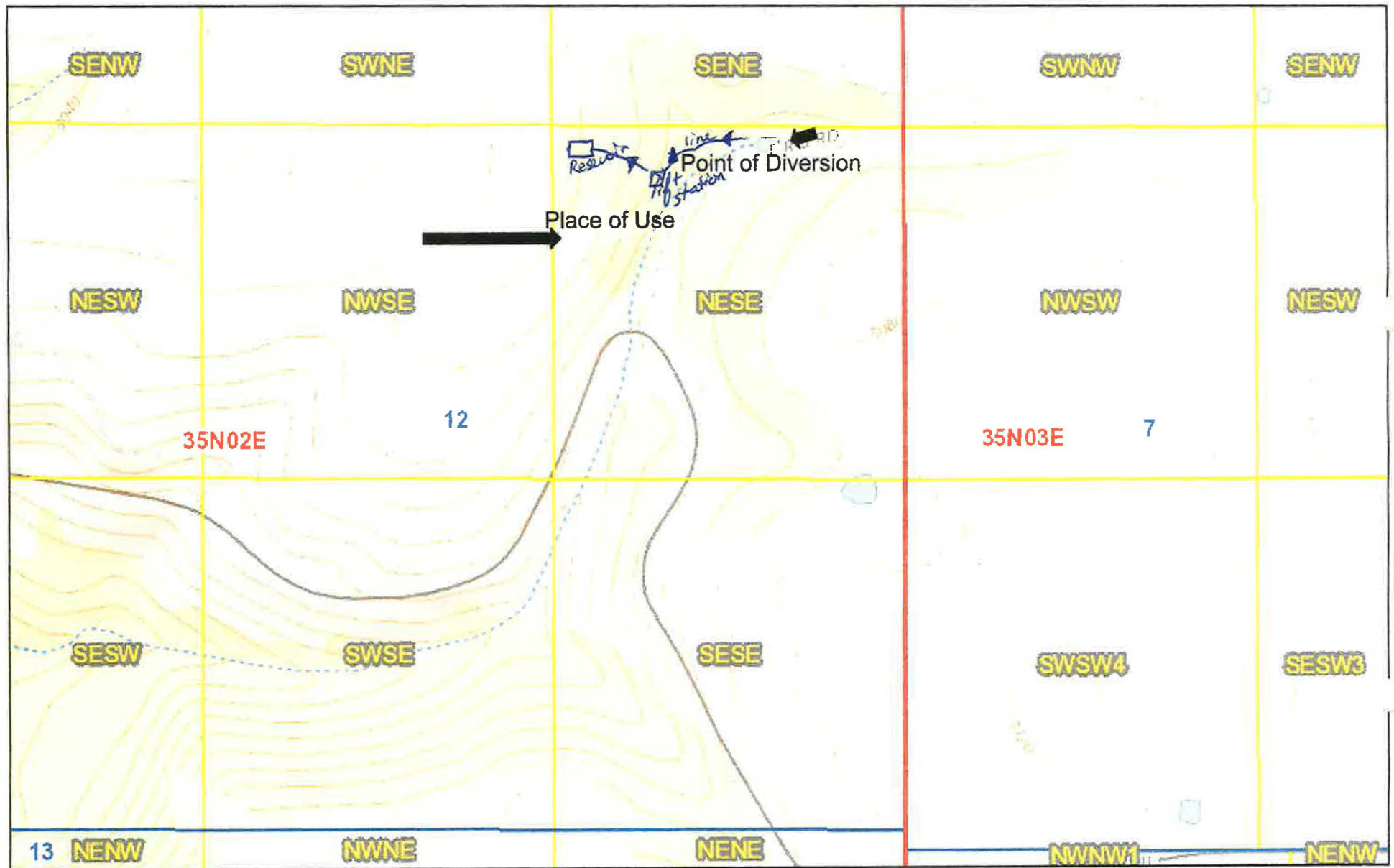
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

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.

Aaron Newman
 Signature of Applicant
Aaron Newman
 Print Name (and title, if applicable)

Tommi Newman
 Signature of Applicant
Tommi Newman
 Print Name (and title, if applicable)

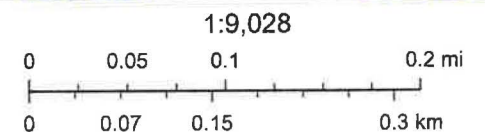
ArcGIS Web Map



10/5/2020, 6:46:57 PM

 Quarter Quarter  Township/Range

 Section



Idaho Department of Water Resources, USGS The National Map: National

Web AppBuilder for ArcGIS

USGS TNM - National Hydrography Dataset. Data Refreshed October, 2020. | Idaho Department of Water Resources | Esri Community Maps Contributors, BuildingFootprintUSA, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, Bureau of Land



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 10, 2020

AARON J NEWMAN
TOMMI L NEWMAN
153 JACKKNIFE RD
OROFINO, ID 83544-6439

RE: Application for Permit No. 84-12306

Dear Applicants:

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 CLEARWATER TRIBUNE 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,

Tammy Alleman
Administrative Assistant

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, November 10, 2020 12:48 PM
To: 'Sujata.Connell@deq.idaho.gov'; 'Swearingen,Zachary'; Skoro, Emily; Golden, Kala
Subject: Request for Comments on WR#84-12306

Dear Interested Agencies:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced Water Right applications. You can find copies of the applications 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 7th, 2020.

Please contact the Northern Region Office at (208) 762-2800 if you have any questions regarding the applications.

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 10, 2020 12:46 PM
To: 'Clearwater Tribune'
Subject: Legal Notice
Attachments: Legal Notice.docx

Please publish the enclosed legal notice in the **Clearwater Tribune** on the dates indicated **November 18th & November 25th, 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 7, 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(s) have been filed to appropriate the public waters of the State of Idaho:

84-12306

AARON J NEWMAN

TOMMI L NEWMAN

153 JACKKNIFE RD

OROFINO, ID 83544-6439

Point of Diversion NENESE

S12 T35N R02E

CLEARWATER County

Source SPRING

Tributary LOLO CREEK

Use: DOMESTIC

01/01 to 12/31 0.04 CFS

Use: IRRIGATION

03/15 to 11/15 0.12 CFS

Total Diversion: 0.16 CFS

Date Filed: 11-05-2020

Place Of Use: DOMESTIC, IRRIGATION

T35N R02E S12 NESE

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 12/7/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 11/18/2020 and 11/25/2020

Maxey, Shaun

From: Maxey, Shaun
Sent: Tuesday, October 27, 2020 11:53 AM
To: 'Aaron Newman'
Subject: RE: Minor correction to Application For Permit 84-12306

Mr. Newman:

Thanks,

Shaun Maxey

IDWR

From: Aaron Newman [mailto:newmanaaron01@gmail.com]
Sent: Tuesday, October 27, 2020 11:51 AM
To: Maxey, Shaun <Shaun.Maxey@idwr.idaho.gov>
Subject: Re: Minor correction to Application For Permit 84-12306

Hello Shaun,

You have my permission to make the proper "NE" addition for the proper identification of the spring.

Thanks for your help.

Regards,

Aaron Newman
208-827-2518

On Mon, Oct 26, 2020 at 3:55 PM Maxey, Shaun <Shaun.Maxey@idwr.idaho.gov> wrote:

Hi:

Thanks for your quick reply to my October 13, 2020 letter. Your Application was received today and assigned ID number 84-12306. This ID number will be shown on the upcoming legal notices. You will get a letter notifying you of the scheduled publication dates.

Please reply to this e-mail to indicate your approval to add a 'NE' to the first ¼ block on Line 4 of the Application. Your complete legal description for the spring will read as 'T35N, R02E, S. 12 , NE, NE, SE' with this addition. We are required to list the more specific legal description using all of the ¼ blocks on the form for Springs.

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

MEMORANDUM

Date: OCTOBER 26, 2020
To: Water Right File 97-7575
From: smaxey
Re: PRIORITY DATE 11/05/2020

<u>DOCUMENT</u>	<u>DATE</u>	<u>ISSUES</u>
ORIGINAL APPLICATION	10-09-2020	APPLICATION UNACCEPTABLE FOR FILNG. INCORRECT DESCRIPTION FOR SAME SOURCE (SPRING & GROUNDWATER AND MISSING PLACE OF USE (POU) LEGAL DESCRIPTION FOR DOMESTIC USE.
PARTIALLY CORRECTED APPLICATION	10/26/2020	10-26-2020 PARTIALLY CORRECTED APPLICATION WITH SUBSTITUTE MAP, CORRECTED SOURCE, AND POU LEGAL DESCRIPTION FOR DOMESTIC USE.
CORRECTED APPLICATION	11-05-2020	CORRECTED APPLICATION WITH CORRECTED SOURCE (SPRING), FULL LEGAL DESCRIPTION RECEIEVED.

MEMORANDUM

Date: October 26, 2020
To: Water Right File (Application For Permit) 84-12306
From: smaxey
Re: SPRING LEGAL DESCRIPTION CORRECTED

THE POINT OF DIVERSION WAS ORIGINALLY SHOWN AS 'GROUND WATER' ON LINE 3 OF THE UNACCEPTABLE FOR FILING APPLICATION FOR PERMIT 84-12306. THIS WAS CORRECTED BY THE APPLICANT TO SHOW AS 'SPRING' ON THE ACCEPTABLE FOR FILING APPLICATION RECEIVED ON 10/26/2020, HOWEVER, THE NEW APPLICATION DID NOT PROVIDE THE FULL (10 ACRE) (T35N, R02E, S.12, NE, NE, SE) LEGAL DESCRIPTION FOR THE SPRING.

THE APPLICANT WAS CONTACTED VIA E-MAIL AND TELEPHONE REGARDING THE FULL LEGAL DESCRIPTION (T35N, R02E, S.12, NE, NE, SE) FOR THE SPRING ON 10/26/2020. APPLICATION DATA ENTRY OF THE COMPLETE LEGAL DESCRIPTION HAS BEEN DONE IN ACCORDANCE WITH IDWR APPLICATION PROCESSING MEMO NO. 9.

MEMORANDUM

Date: OCTOBER 26, 2020
To: Water Right File 97-7575
From: smaxey
Re: PRIORITY DATE 10/26/2020

<u>DOCUMENT</u>	<u>DATE</u>	<u>ISSUES</u>
ORIGINAL APPLICATION	10-09-2020	APPLICATION UNACCEPTABLE FOR FILNG. INCORRECT DESCRIPTION FOR SAME SOURCE (SPRING & GROUNDWATER AND MISSING PLACE OF USE (POU) LEGAL DESCRIPTION FOR DOMESTIC USE.
CORRECTED APPLICATION	10-26-2020	CORRECTED APPLICATION WITH SUBSTITUTE MAP, CORRECTED SOURCE, AND POU LEGAL DESCRIPTION FOR DOMESTIC USE.

Maxey, Shaun

From: Maxey, Shaun
Sent: Monday, October 26, 2020 3:55 PM
To: 'newmanaaron01@gmail.com'
Subject: Minor correction to Application For Permit 84-12306

Hi:

Thanks for your quick reply to my October 13, 2020 letter. Your Application was received today and assigned ID number 84-12306. This ID number will be shown on the upcoming legal notices. You will get a letter notifying you of the scheduled publication dates.

Please reply to this e-mail to indicate your approval to add a 'NE' to the first ¼ block on Line 4 of the Application. Your complete legal description for the spring will read as 'T35N, R02E, S. 12 , NE, NE, SE' with this addition. We are required to list the more specific legal description using all of the ¼ blocks on the form for Springs.

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



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

October 13, 2020

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

Aaron Newman or Tommi Newman
153 Jackknife RD
Orofino, ID 83544

Re: Unacceptable for Filing status on Application for Permit (Rule 35 Application Requirements)

Dear Applicants:

Idaho Department of Water Resources (IDWR) received your Application for Permit on October 13, 2020 to divert water for domestic, irrigation, and fire protection use on a Clearwater County parcel (RP35N02E127200). **Please be advised that your Application is currently unacceptable for filing due to incorrect source descriptions and required place of use legal descriptions that are incorrect.** Your original Application is enclosed.

Please review the enclosed 'Do Not Return' Example of a corrected Application and telephone me at (208)762.2816 for help to correct your Application. The source(s) of water to be diverted (unnamed stream, spring, and / or existing pond), completion of an IDWR Pond Loss Calculation Spreadsheet (see enclosure), and corrections shown on the 'Do Not Return' Application are among topics we will review during the phone call.

Please be advised that IDWR has a previous address for you (388 Mosquito Creek RD Clark Fork, ID 83811) in our database. Please let me know if this is a former address for you and add your middle initials to the new Application to avoid confusion with the Clark Fork address.

An Application that is acceptable for filing must be received no later than November 16, 2020. 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

Enclosures

Original Application for Permit

IDWR Application for Permit form, instructions, & substitute Application Map

IDWR 'Do Not Return' Example of corrected Application for Permit & Application Map

IDWR Page 1 Pond loss Calculation spreadsheet