

RECEIVED

FORM 202 Rev. 09/16

RECEIVED OCT 13 2020

STATE OF IDAHO

Ident. No. 95-18017

OCT 07 2020

IDWR / NORTH

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

IDWR / NORTH

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Leroy E. Macklin and Annette M. Desjardins Phone (208) 819-6201
 Name connector (check one): ☒ and ☐ or ☐ and/or
 Mailing address 606 W. 15th Ave City Post Falls
 State Idaho ZIP 83854 Email woodnrox@gmail.com
2. Name of representative, if any _____ 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 Hauser 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 #
52N	05W	30		NE	NW	SE	Kootenai	spring	
52N	05W	30		NE	NW	SE	KOOTENAI	SPRING	

5. Water will be used for the following purposes:
- Amount 0.04 for domestic purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 0.02 for STOCK WATER 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)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)

6. Total quantity to be appropriated is (a) 0.04 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. 1/2 hp. pump (Lowes Brand) 1-1/4" piping
Piping from EASTERN Spring. GRAVITY FLOW FROM HOLDING TANK @ WESTERN Spring.
- b. 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
- 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 _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by Ja Receipt No. 10036478 Date 10-7-2020

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

- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. 2 HEAD MIXED STOCK
- c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households 1 home (UP TO .5 ACRES) - GARDEN
- 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	
52N	05W	30														D			
<u>52N</u>	<u>05W</u>	<u>30</u>														<u>S</u>			

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? Leroy E Macklin and Annette M. Desjardins
- b. Who owns the land to be irrigated or place of use? LEROY E. MACKLIN & ANNETTE M. DESJARDINS
- 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. Spring used for domestic home use. Piping is approximately 227 feet up the hill to the house. Booster pump required to assist with pulling water. HOLDING TANK ON WESTERN SPRING. COLLECTS WATER FROM SPRING UP HILL TO WEST.

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

LEROY E. MACKLIN

Print Name (and title, if applicable)

Signature of Applicant

ANNETTE M. DESJARDINS

Print Name (and title, if applicable)

State of Idaho
Department of Water Resources
Application For Permit



- PLS Sections
- Quarter Quarters
- Taxlots

0 0.05 0.1 0.2 Miles

- STOCK WATER
- DOMESTIC USE
- SPRING



Tax parcel information provided by Kootenai County.

TAX LOT VERIFICATION FOR PARCEL 52N05W308170

Parcel Number	AIN	Situs Address	Data as of
52N05W308170	133649	16817 N RIGHT FORK RD, HAUSER	10/3/2020
Owner Information			
Owner Name	MACKLIN LEROY E DESJARDINS ANNETTE M		
Owner Address	606 W 15TH AVE POST FALLS ID 83854		
Transfer Date	03/03/2020		
Document #			
Deed Book/Page			
Location / Description			
Tax Authority Group	101000	Current Legal Desc.	S2-N2-NW-SE, N2-S2-NW-SE, LYING W OF RT FORK RD 30 52N 05W
Situs Address	16817 N RIGHT FORK RD, HAUSER		
Acreage	20.0000		



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

October 28, 2020

LEROY E MACKLIN
ANNETTE M DESJARDINS
606 W 15TH AVE
POST FALLS, ID 83854-7217

RE: Application for Permit No. 95-18017

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 COEUR D ALENE PRESS on 11/5/2020 and 11/12/2020. 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

Alleman, Tammy

From: Alleman, Tammy
Sent: Wednesday, October 28, 2020 4:24 PM
To: 'LEGALS@CDAPRESS.COM'
Subject: Legal Notice
Attachments: Legal Notice for 7682.docx

Please publish the enclosed legal notice in the **Coeur d'Alene Press** on the dates indicated **November 5th & November 12th, 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 **November 23, 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:

93-7682

JOHN CADY
32264 S SENKLER RD
WORLEY, ID 83876-6715
Point of Diversion NWNWNE
S34 T47N R05W
KOOTENAI County
Source SPRING
Tributary ROCK CREEK
Use: STOCKWATER
01/01 to 12/31
Total Diversion: 0.03 CFS
Date Filed: 10-07-2020
Place Of Use: STOCKWATER
T47N R05W S34 NWNE

93-7683

JOHN CADY
32264 S SENKLER RD
WORLEY, ID 83876-6715
Point of Diversion NENWNE
S34 T47N R05W
KOOTENAI County
Source SPRING
Tributary ROCK CREEK
Point of Diversion NWNE
S34 T47N R05W
KOOTENAI County
Source UNNAMED STREAM
Tributary ROCK CREEK
Use: WILDLIFE STORAGE
01/01 to 12/31 0.5 AF
Use: STOCKWATER STORAGE
01/01 to 12/31 0.1 AF
Use: DIVERSION TO STORAGE
01/01 to 12/31 0.01 CFS
Total Diversion: 0.01 CFS, 0.6 AF
Date Filed: 10-07-2020
Place Of Use: DIVERSION TO STORAGE, STOCKWATER STORAGE, WILDLIFE STORAGE
T47N R05W S34 NWNE

93-7684

JOHN CADY
32264 S SENKLER RD
WORLEY, ID 83876-6715
Point of Diversion NWNE
S34 T47N R05W
KOOTENAI County
Source UNNAMED STREAM
Tributary ROCK CREEK
Use: STOCKWATER STORAGE
01/01 to 12/31 1.3 AF
Use: WILDLIFE STORAGE
01/01 to 12/31 0.5 AF
Total Diversion: 1.8 AF
Date Filed: 10-07-2020
Place Of Use: STOCKWATER STORAGE, WILDLIFE STORAGE
T47N R05W S34
NENW, NWNE

95-18017

LEROY E MACKLIN
ANNETTE M DESJARDINS
606 W 15TH AVE
POST FALLS, ID 83854-7217
Point of Diversion NENWSE
S30 T52N R05W
KOOTENAI County
Source SPRING
Tributary HAUSER CREEK
Point of Diversion NENWSE
S30 T52N R05W
KOOTENAI County
Source SPRING
Tributary HAUSER CREEK
Use: DOMESTIC
01/01 to 12/31 0.04 CFS

Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.04 CFS
Date Filed: 10-13-2020
Place Of Use: DOMESTIC,STOCKWATER
T52N R05W S30 NWSE

95-18018

MARK DAVIS & JACKIE LYNN LIVING TRUST
16565 N RAMSEY RD
RATHDRUM, ID 83858-8245
Point of Diversion NESE
S27 T52N R04W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 10-08-2020
Place Of Use: DOMESTIC
T52N R04W S27 NESE

95-18019

MARK DAVIS & JACKIE LYNN LIVING TRUST
16565 N RAMSEY RD
RATHDRUM, ID 83858-8245
Point of Diversion NESE
S27 T52N R04W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
03/15 to 11/15 0.14 CFS
Total Diversion: 0.18 CFS
Date Filed: 10-08-2020
Place Of Use: DOMESTIC,IRRIGATION
T52N R04W S27 NESE
Total Acres: 7

95-18022

LINDA M HAGENBARTH
WILLIAM L HAGENBARTH
24670 S COTTONWOOD BAY LN
WORLEY, ID 83876-6005
Point of Diversion NWNE
S4 T47N R04W
KOOTENAI County
Source COEUR D ALENE LAKE
Tributary SPOKANE RIVER
Use: IRRIGATION
03/15 to 10/31
Total Diversion: 0.02 CFS
Date Filed: 10-15-2020
Place Of Use: IRRIGATION
T47N R04W S4
L1(NWNE),NWNE
Total Acres: 0.3

95-18023

VAUGHN WARD
KIRSTEN WARD
7647 E TAILFEATHER DR
SCOTTSDALE, AZ 85255-4784
Point of Diversion SENE
S16 T50N R04W
KOOTENAI County
Source GROUND WATER
Point of Diversion SENE
S16 T50N R04W
KOOTENAI County
Source GROUND WATER
Point of Diversion SENE
S16 T50N R04W
KOOTENAI County
Source GROUND WATER
Use: IRRIGATION
03/15 to 11/15

Total Diversion: 0.18 CFS
Date Filed: 10-16-2020
Place Of Use: IRRIGATION
T50N R04W S16 SENE
Total Acres: 9

95-18025

FAMILY HERITAGE LEGACY LLC
1725 E UPDAHL CT
HARRISON, ID 83833-7784
Point of Diversion SWNW
S8 T49N R03W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 10-19-2020
Place Of Use: DOMESTIC
T49N R03W S8 SWNW

95-18026

FAMILY HERITAGE LEGACY LLC
1725 E UPDAHL CT
HARRISON, ID 83833-7784
Point of Diversion SWNW
S8 T49N R03W
KOOTENAI County
Source UNNAMED STREAM
Tributary COEUR D ALENE LAKE
Use: IRRIGATION
03/15 to 11/15
Total Diversion: 0.09 CFS
Date Filed: 10-20-2020
Place Of Use: IRRIGATION
T49N R03W S8 SWNW
Total Acres: 3

95-18028

GARY SCHENKENBERGER
GAYLE SCHENKENBERGER
726 W MILL AVE
COEUR D ALENE, ID 83814-2438
Point of Diversion NWNE
S33 T50N R03W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.1 CFS
Date Filed: 10-21-2020
Place Of Use: DOMESTIC
T50N R03W S33 NWNE

95-18030

WALKING HORSE PARTNERS LLC
10063 N NAVION DR
HAYDEN, ID 83835-5040
Point of Diversion L3(NWSW)
S7 T53N R02W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.15 CFS
Date Filed: 10-26-2020
Place Of Use: DOMESTIC
T53N R02W S7
NESW,L3(NWSW)
Place Of Use: DOMESTIC
T53N R03W 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 11/23/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 11/5/2020 and 11/12/2020

MEMORANDUM

To: Water Right Permit 95-18017

From: Luke Bates 

Date: 10/26/2020

Re: Application for a Permit to Appropriate Water within the State of Idaho.

An application for permit for domestic and stockwater use in the name of Leroy E Macklin and Annette M Desjardins was received on 10/7/2020. During final review prior to advertising, question three identifies the source(s) of water supply as SPRING, which is a tributary of Hauser Creek. Referencing Arcmap DRG layer, the correct tributary should read Right Fork Hauser Creek. Water permit 95-18017 has been updated to reflect the correct tributary, Right Fork Hauser Creek, prior to advertising.

MEMORANDUM

To: Water Right Permit 95-17025

From: Luke Bates

JSB

Date: 10/13/2020

Re: Permit for licensing to Appropriate Water within the State of Idaho.

An application for permit was received for domestic and stockwater uses in the name of Leroy E Macklin and Annette M Desjardins on 10/7/2020. The application has the source of water supply identified as a spring. In question four, the 10 acre $\frac{1}{4}$ QQ identifier was not entered as required for spring sources.

Mr. Macklin came into the office on 10/13/2020 to correct the application, and added NE as the 10 acre $\frac{1}{4}$ QQ identifier for each line domestic and stockwater. Applicant did not initial and date next to the addition of NE on each line of question four. Due to the change of legal description on the application, the priority date has been advance to reflect 10/13/2020 prior to advertising.