

OCT 01 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) DAVID H PFENNING Phone 208-267-5720
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 699 TWO TAIL RD City BONNERS FERRY
 State ID ZIP 83805 Email KATKATREES@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 GROUNDWATER which is a tributary of _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
65N	01W	15			NE	NE	BOUNDARY	GROUNDWATER	HAND DUG WELL

5. Water will be used for the following purposes:
- Amount 0.04 CFS for DOMESTIC 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)
- 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. SHALLOW HAND DUG WELL WITH 1/2 HORSE POWER PUMP WITH 1 INCH PIPE TO PRESSURE TANK
- 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 \$ _____ Receipted by _____ Receipt No. _____ Date _____

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 HOME
 - Other; describe fully. 1 HOME WITH IRRIGATION UP 1/2 ACRE

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	
65N	01W	15	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? _____
11. a. Who owns the property at the point of diversion? APPLIANT
- 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 HAND DUG WELL THAT IS BEING USED FOR DOMESTIC USE WITH IRRIGATION UP TO 1/2 ACRES.
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.

David Pfenning
 Signature of Applicant

David Pfenning
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)

APPLICATION MAP



Legend

- Parcels
- Township/Range
- Sections
- QQ

0 0.0275 0.055 0.11 Miles



RECEIVED

SEP 21 2020

IDWR / NORTH

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

Ident. No. _____

1. Name of applicant(s) David H. Pfennig Phone 208 267-5720
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 699 Two Tail Rd. City Bonniers Ferry
 State Idaho ZIP 83805 Email Katkatrees@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 Olds Creek which is a tributary of Kootenai River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/2	1/4	1/4	County	Source	Local name or tag #
65N	1W	15		W 1/2	NE	NE	Boundary		

5. Water will be used for the following purposes:

Amount 0.02 for Domestic Use 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) _____ 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. Extra shallow well.
1/2 horse pump 1" pipe to pressure tank in house
- 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 36" inches; proposed depth of well is 8 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 Receipted by JK Receipt No. N036440 Date 9-21-2020

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 one
- 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	
65N	1W	15	D																

SUPERSEDED

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? I intend to use this water.

- Who owns the property at the point of diversion? David Pfennig
- Who owns the land to be irrigated or place of use? same
- 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. I am pumping from a shallow well to a pressure tank in the house 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.

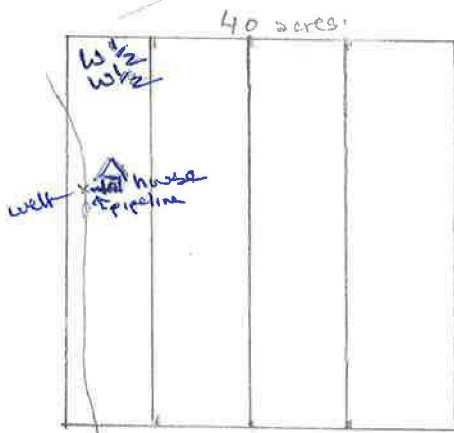
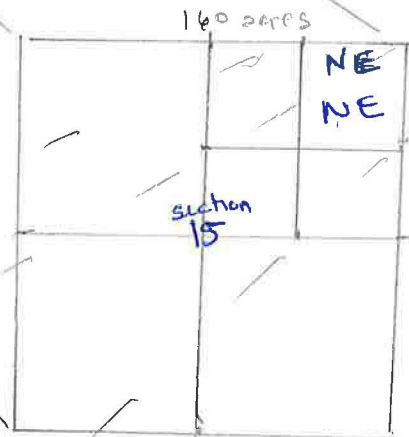
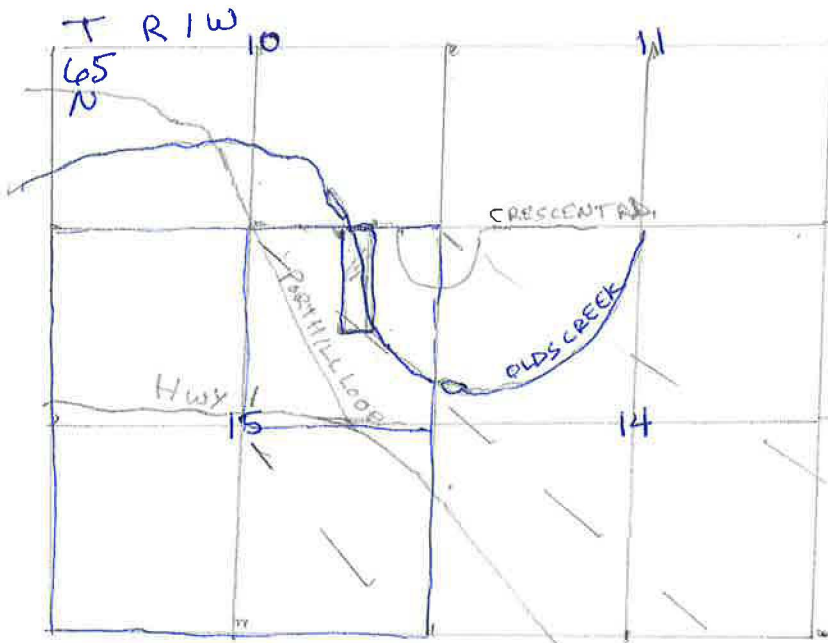
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

David Pfennig
Signature of Applicant

Signature of Applicant

David Pfennig
Print Name (and title, if applicable)
Application for Permit

Print Name (and title, if applicable)





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 7, 2020

DAVID H PFENNING
699 TWO TAIL RD
BONNERS FERRY, ID 83805-5957

RE: Application for Permit No. 98-8027

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 BONNERS FERRY HERALD on 10/15/2020 and 10/22/2020. 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: Wednesday, October 7, 2020 12:53 PM
To: 'BFHLegals@bonnersferryherald.com'
Subject: Legal Notice
Attachments: Legal Notice for 98-8027.docx

Please publish the enclosed legal notice in the **Bonners Ferry Herald** on the dates indicated **October 15th & October 22nd, 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 2, 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:

98-8027

DAVID H PFENNING

699 TWO TAIL RD

BONNERS FERRY, ID 83805-5957

Point of Diversion NENE

S15 T65N R01W

BOUNDARY County

Source GROUND WATER

Use: DOMESTIC

01/01 to 12/31

Total Diversion: 0.04 CFS

Date Filed: 10-01-2020

Place Of Use: DOMESTIC

T65N R01W S15 NENE

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 11/2/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/15/2020 and

10/22/2020



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

September 21, 2020

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

David H. Pfenning
699 Two Tail RD
Bonners Ferry, ID 83805

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

Dear Applicant:

Idaho Department of Water Resources (IDWR) received your Application for Permit on September 21, 2020 to divert water for Domestic use in Boundary County. **The Application is unacceptable for filing because legal descriptions shown for the Point of Diversion and Place of Use are not in agreement with the Application map and because the Application combines Surface Water and Ground Water use at separate locations.** A copy of your Application is enclosed.

Please be advised that existing water rights 98-07609 (699 Two Tail RD) and 98-4217 (252 Crescent RD) and Well Driller's Report D0079004 may apply to the locations described in your Application. Please review the enclosed information and contact me at (208) 762.2816 concerning your Application for the Pfenning Living Trust and the procedures required to update ownership information on Water Rights 98-07609 and 98-4217.

An Application that is acceptable for filing must be received no later than October 23, 2020. IDWR will take steps to terminate the Application, if no response is received, in accordance with Idaho Code § 42-204.

Please contact me at (208) 762.2816 if you have any questions.

Respectfully,

Shaun M. Maxey
Sr. Water Resource Agent
Idaho Department of Water Resources, Northern Region

Enclosures

Copy of unacceptable Application For Permit
Copy of License 98-98-07609 & Statutory Claim 98-4217
Copy of Well Driller's Report D0079004
IDWR Notice of Change In Water Right Ownership forms & maps
Application for Permit forms/ instructions & maps