

AUG 17 2020

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

IDWR / NORTH Rrekled Properties, LLC

1. Name of applicant(s) Aspen Homes and Development, LLC Phone 208-664-9171
 Name connector (check one): ☒ and ☐ or ☐ and/or
 Mailing address 1831 North Lakewood Drive, Suite A City Coeur d'Alene
 State ID ZIP 83814 Email ken@aspenhomes.com
2. Name of representative, if any Northwest Groundwater Consultants, LLC Phone 208-755-1094
 Mailing address 2660 E Thomas Hill Drive City Coeur d'Alene
 State ID ZIP 83815 Email tfmullen@northwestgroundwater.com
- 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 Twin Lakes which is a tributary of Rathdrum Creek
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
52N	04W	8			SE	NW	Kootenai	Twin Lakes	

5. Water will be used for the following purposes:
- Amount 0.01 cfs for Irrigation purposes from 3/15 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)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.01 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. Water to be diverted from Twin Lakes by submersible pump, piping, and pressure tank and then distributed to irrigation system.
- 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 \$ 10000 Received by Yan Receipt No. N036342 Date 8-17-2020

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. _____
- c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households _____
- 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	04W	8								0.4	0.2								0.6

Total number of acres to be irrigated: 0.6

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? None

- 11. a. Who owns the property at the point of diversion? Aspen Homes and Development, LLC
- b. Who owns the land to be irrigated or place of use? Aspen Homes and Development, LLC; Rekled Properties, LLC
- 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. Aspen Homes proposes to irrigate 0.6 ac of land by diverting surface water from Twin Lake. POU overlaps three parcels (52N04W-08-4000 [Rekled Properties LLC]; 52N04W-08-5370 & 52N04W-08-5365 [Aspen Homes and Development LLC]). A submersible pump fitted with a fish screen at the intake will divert water from the lake up a pressure tank at the POU. Water will then be distributed through an irrigation system.

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.

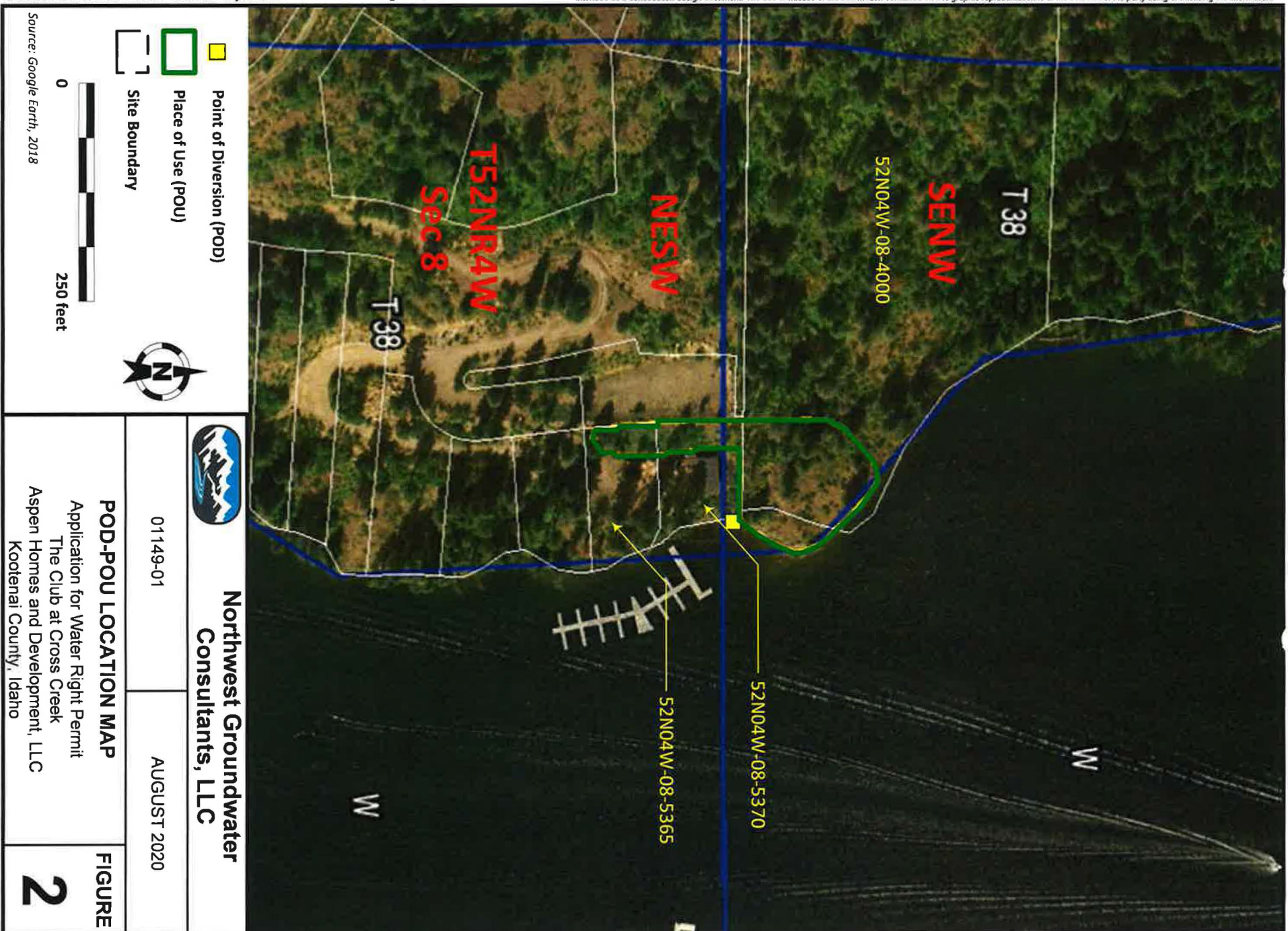
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant

Print Name (and title, if applicable)

Signature of Applicant

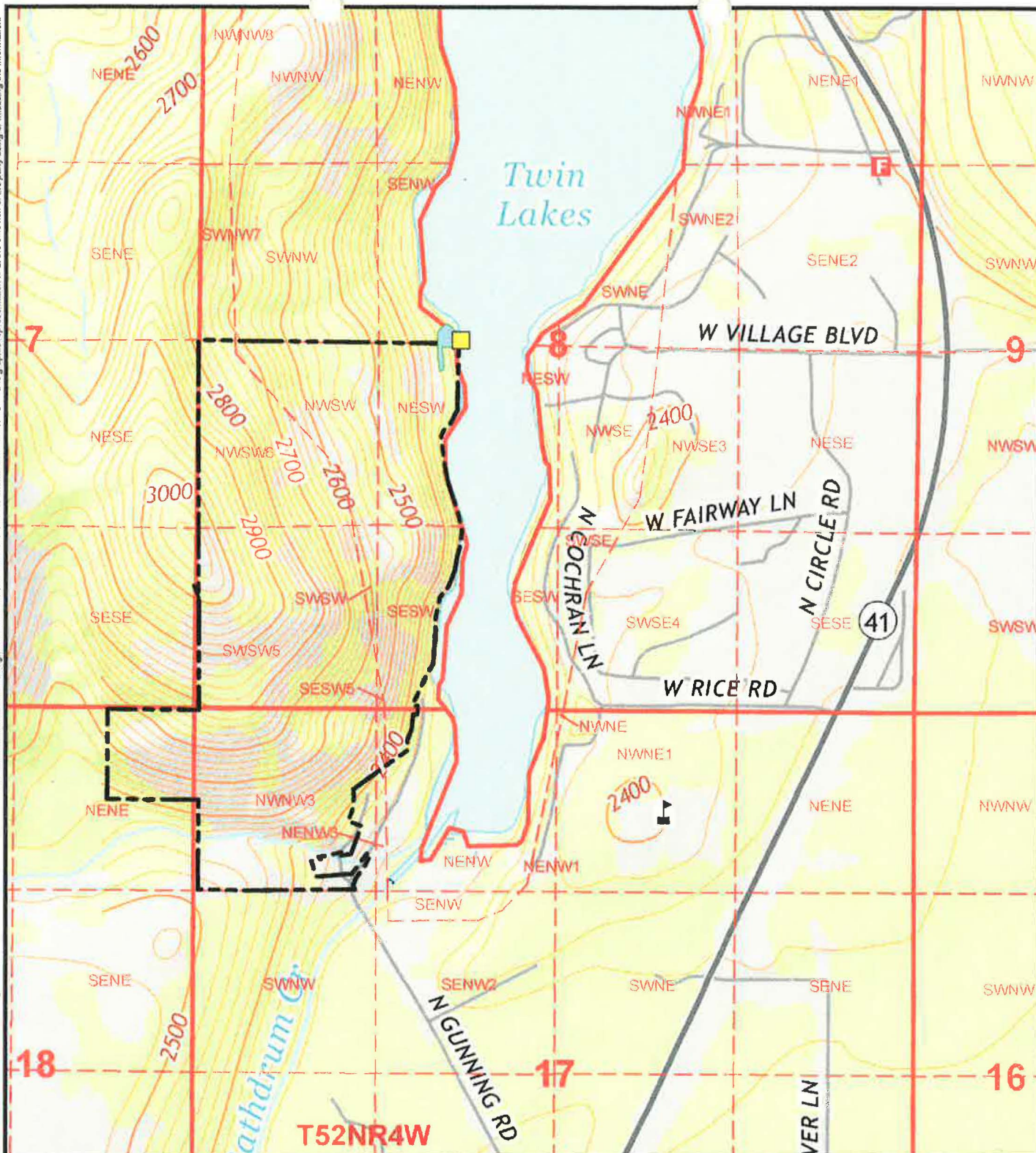
Print Name (and title, if applicable)



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August 4, 2020

C:\Users\lfrull\OneDrive\NWGC\Projects\01149-01



-  Point of Diversion (POD)
-  Place of Use (POU)
-  Site Boundary

0 1000 2000 feet



Source: USGS Hayden, ID 7.5-Minute Quadrangle, 2017



Northwest Groundwater Consultants, LLC

01149-01

AUGUST 2020

SITE LOCATION MAP

Application for Water Right Permit
The Club at Cross Creek
Aspen Homes and Development, LLC
Kootenai County, Idaho

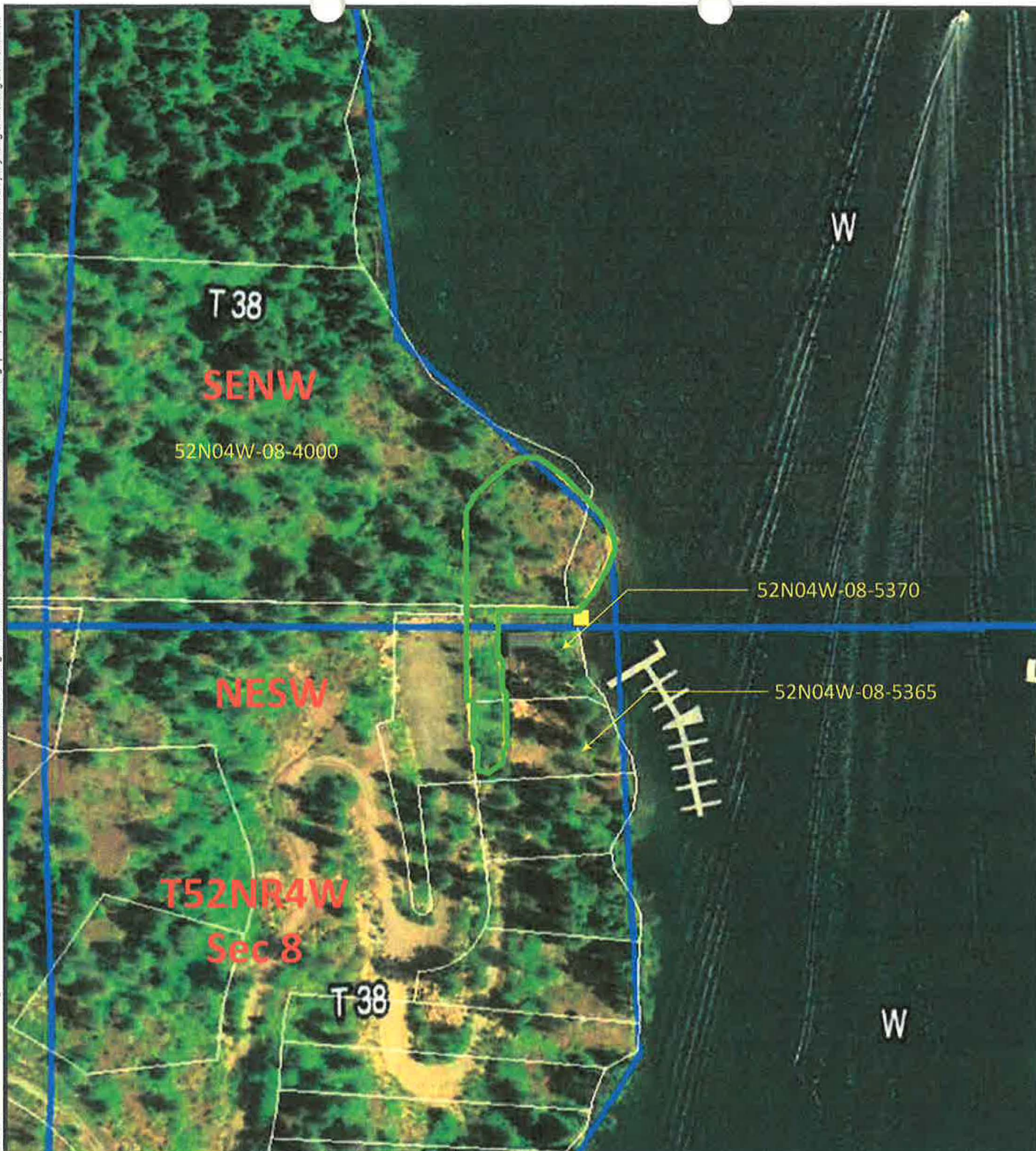
FIGURE

1

The information included on this graphic representation was compiled from a variety of sources and is subject to change without notice. NWGC makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information. This document is not intended for use as a land survey product nor is it designed or intended as a construction design document. The use or misuse of the information contained on this graphic representation is at the sole risk of the party using or misusing the information.

August 4, 2020

C:\Users\lfrull\OneDrive\NWGC\Projects\01149-01



Point of Diversion (POD)



Place of Use (POU)



Site Boundary



0

250 feet

Source: Google Earth, 2018



**Northwest Groundwater
Consultants, LLC**

01149-01

AUGUST 2020

POD-POU LOCATION MAP

Application for Water Right Permit
The Club at Cross Creek
Aspen Homes and Development, LLC
Kootenai County, Idaho

FIGURE

2



0003636316

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0003636316

Date Filed: 10/2/2019 10:18:42 AM

Entity Name and Mailing Address:

ASPEN HOMES AND DEVELOPMENT, L.L.C.

The file number of this entity on the records of the Idaho Secretary
of State is: 0000077275

Address

1831 N LAKEWOOD DR # A
COEUR D ALENE, ID 83814-2669

Entity Details:

Entity Status

Active-Existing

This entity is organized under the laws of:

IDAHO

If applicable, the old file number of this entity on the records of the
Idaho Secretary of State was: W21238

The registered agent on record is:

Registered Agent

TODD R STAM
Registered Agent
Physical Address
1831 N LAKEWOOD DR
COEUR D'ALENE, ID 83814
Mailing Address

Limited Liability Company Managers and Members

Name	Title	Address
TODD R STAM	Manager	1831 N LAKEWOOD DR COEUR D'ALENE, ID 83814
ZETTA M STAM	Manager	1831 N LAKEWOOD DR COEUR D ALENEN, ID 83814

The annual report must be signed by an authorized signer of the entity.

erik campbell

Sign Here

10/02/2019

Date

Signer's Title: COO

B0363-8435 10/02/2019 10:18 AM Received by ID Secretary of State Lawrence Denney



0003793932

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

For Office Use Only

-FILED-

File #: 0003793932

Date Filed: 3/3/2020 9:41:42 AM

Entity Name and Mailing Address:

Rrekled Properties, LLC

The file number of this entity on the records of the Idaho Secretary
of State is: 0003469222

Address

TODD STAM
1831 N LAKEWOOD DR # A
COEUR D ALENE, ID 83814-2669

Entity Details:

Entity Status

Active-Existing

This entity is organized under the laws of:

IDAHO

If applicable, the old file number of this entity on the records of the
Idaho Secretary of State was:

The registered agent on record is:

Registered Agent

Todd Stam
Registered Agent
Physical Address
1831 N LAKEWOOD DR
A
COEUR D ALENE, ID 83814
Mailing Address
1831 N LAKEWOOD DR # A
TODD STAM
COEUR D ALENE, ID 83814-2669

Limited Liability Company Managers and Members

Name	Title	Business Address
<input checked="" type="checkbox"/> Todd Stam	Manager	TODD STAM 1831 N LAKEWOOD DR A COEUR D ALENE, ID 83814
<input checked="" type="checkbox"/> Zetta Stam	Manager	TODD STAM 1831 N LAKEWOOD DR A COEUR D ALENE, ID 83814

The annual report must be signed by an authorized signer of the entity.

erik campbell

Sign Here

03/03/2020

Date

Job Title: COO

B0490-0943 03/03/2020 9:41 AM Received by ID Secretary of State Lawrence Denney



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

August 27, 2020

ASPEN HOMES AND DEVELOPMENT LLC
RREKLED PROPERTIES LLC
1831 N LAKEWOOD DR STE A
COEUR D ALENE, ID 83814-2669

RE: Application for Permit No. 95-17987

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 9/3/2020 and 9/10/2020. 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". The signature is fluid and cursive, with a long horizontal stroke at the end.

Tammy Alleman
Administrative Assistant

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, August 27, 2020 3:18 PM
To: 'Chantilly.Higbee@deq.idaho.gov'; 'Anna.Moody@deq.idaho.gov'; 'Horsmon,Merritt'; 'Mike Ahmer'; 'steveneff2015@gmail.com'
Subject: Request for Comments WR#95-17987

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 September 21, 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: Thursday, August 27, 2020 10:58 AM
To: 'LEGALS@CDAPRESS.COM'
Subject: Legal Notice
Attachments: Legal Notice for 95-17962, 95-17986 to 95-17989.docx

Please publish the enclosed legal notice in the **Coeur d'Alene Press** on the dates indicated **September 3rd & September 10th, 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 **September 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 application(s) have been filed to appropriate the public waters of the State of Idaho:

95-17962

DANN BLACK
SARAH BLACK
16595 SW 137TH AVE
TIGARD, OR 97224-1621
Point of Diversion SESW
S1 T49N R04W
KOOTENAI County
Source COEUR D ALENE LAKE
Tributary SPOKANE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 06-24-2020
Place Of Use: DOMESTIC
T49N R04W S1
SESW,L7(SESW)
Place Of Use: DOMESTIC
T49N R04W S12 NENW

95-17986

JAMES RILEY
PO BOX 3407
COEUR D ALENE, ID 83816-2510
Point of Diversion SWNW
S23 T48N R04W
KOOTENAI County
Source COEUR D ALENE LAKE
Tributary SPOKANE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 08-17-2020
Place Of Use: DOMESTIC
T48N R04W S23
SWNW,L3(SWNW)

95-17987

ASPEN HOMES AND DEVELOPMENT LLC
RREKLED PROPERTIES LLC
1831 N LAKEWOOD DR STE A
COEUR D ALENE, ID 83814-2669
Point of Diversion SENW
S8 T52N R04W
KOOTENAI County
Source TWIN LAKES
Tributary RATHDRUM CREEK
Use: IRRIGATION
03/15 to 11/15
Total Diversion: 0.01 CFS
Date Filed: 08-17-2020
Place Of Use: IRRIGATION
T52N R04W S8
SENW,NESW
Total Acres: 0.6

95-17988

CHERIE RUSDEN
908 E DAVIS AVE
COEUR D ALENE, ID 83815-5156
Point of Diversion SENE
S20 T50N R03W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: IRRIGATION
03/15 to 11/15 0.14 CFS
Total Diversion: 0.2 CFS

Date Filed: 08-20-2020
Place Of Use: DOMESTIC, IRRIGATION
T50N R03W S20 SENE
Total Acres: 4.5

95-17989

EDWARD LIDER
JOYCE LIDER
6484 E SLEEPY LN
COEUR D ALENE, ID 83814-7761
Point of Diversion SESE
S9 T50N R03W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 08-24-2020
Place Of Use: DOMESTIC
T50N R03W S9 SESE

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 9/21/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/3/2020 and 9/10/2020

Maxey, Shaun

From: tfmullen@northwestgroundwater.com
Sent: Thursday, August 20, 2020 11:47 AM
To: Maxey, Shaun
Subject: RE: Encroachment Permit letter for Aspen Homes / Rrekled LLC Application For Permit (95-17987)

Hi Shaun,

Already working on the encroachment permit. Once we have the permit number, will send that along to IDWR.

Thanks

Tom

From: Maxey, Shaun <Shaun.Maxey@idwr.idaho.gov>
Sent: Thursday, August 20, 2020 9:57 AM
To: tfmullen@northwestgroundwater.com
Subject: Encroachment Permit letter for Aspen Homes / Rrekled LLC Application For Permit (95-17987)

Mr. Mullen:

Attached is a copy of letter going out via U.S. mail today on the Application for Permit for Aspen Homes/ Rrekled LLC on Twin Lakes. You should receive a CC copy in U.S. mail.

This Application (95-17987) can go forward to advertising of legal notices but does require the IDOL Encroachment Permit number for line 11(a).

I will be out of the office tomorrow. Please give me a call, at your convenience, if you aren't already familiar with how Idaho DEPT of Lands handles Encroachment Permits on navigable waterways.

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

August 20, 2020

Aspen Homes and Development, LLC
Rrekled Properties, LLC
1831 N Lakewood DR, Ste A
Coeur d'Alene, ID 83814

Re: Ownership correction & additional information required for Application for Permit 95-17987

Dear Applicants:

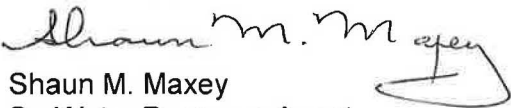
Idaho Department of Water Resources (IDWR) received your Application for Permit on August 17, 2020 to use water from Twin Lakes for irrigation on parts of Kootenai County parcels 52N04W084000, 52N04W085370, and 52N04W085365. Your Application has been assigned Identification number 95-17987 and is being processed by IDWR.

Please note that Line 11(a) of the Application indicates that the submersible pump to be used for drawing water from Twin Lakes lies on land owned by Aspen Homes and Development, LLC while the Site Location Map shows the Point of Diversion (POD) pump in the Lake on property owned by Idaho Department of Lands (IDOL). IDWR is required to data enter IDOL as the property owner at the POD and record the encroachment permit number for the pump and waterline that will be used. **Please provide the encroachment permit number that will be used for the system to IDWR by no later than September 21, 2020.**

IDWR is contacting your consultant / representative; Northwest Ground Water Consultants; about the POD ownership and the Encroachment Permit at his Coeur d'Alene office.

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

Enclosure
Copy of Application & Site Location Map

CC
Northwest Ground Water Consultants

Maxey, Shaun

From: tfmullen@northwestgroundwater.com
Sent: Tuesday, August 18, 2020 8:26 AM
To: Maxey, Shaun
Subject: RE: Recreation use & corrections for Johnson Applications for Permit (95-8025 & 98-8026)
Attachments: Figure 2 - POD-POU Location.pdf

Hi Shaun,

I looked over the Aspen Homes Draft POU Map. The applicant is only looking at irrigating 0.6 acre of common area. This area overlaps portions of the following parcels:

52N04W-08-4000 – Rrekled Properties LLC
52N04W-08-5370 – Aspen Homes and Development LLC
52N04W-08-5365 – Aspen Homes and Development LLC

I've attached a map showing the intended POU.

Please let me know if you have any questions.

Thank you

Tom

From: Maxey, Shaun <Shaun.Maxey@idwr.idaho.gov>
Sent: Monday, August 17, 2020 4:45 PM
To: Tom Mullen <tfmullen@northwestgroundwater.com>
Subject: Recreation use & corrections for Johnson Applications for Permit (95-8025 & 98-8026)

Mr. Mullen:

Attached is a copy of letter going out via U.S. mail today on the second (98-8026) of the two Applications for Shem Johnson. You should receive a CC copy in U.S. mail.

Please reply to this e-mail to indicate what the recreation use is for the two ponds. A brief reply like '... Hunting...', '....Fishing...', '....Boating....', will be enough.

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