

RECEIVED
FORM 202 Rev. 09/16
AUG 17 2020

IDWR / NORTH

84305
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 95-17986

208-661-1478

1. Name of applicant(s) James Riley Phone 208-762-0203
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address PO Box 3407 City Coeur d'Alene
State Idaho ZIP 83816 Email jim.riley@rileyandassociates.com
2. Name of representative, if any Chris M. Bromley Phone 208-287-0991
Mailing address 380 S. 4th St., Ste. 103 City Boise
State Idaho ZIP 83702 Email cbromley@mchughbromley.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 Coeur d'Alene Lake which is a tributary of Spokane River
4. Location of point(s) of diversion:

TwP	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
48N	04W	23	3	SW	NW		Kootenai	Coeur d'Alene Lake	

5. Water will be used for the following purposes:
- Amount .04 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) .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. Pump from Lake to home.
- 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 \$ 1000 Received by for Receipt No. N036341 Date 8-17-2020

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. _____
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	
48N	04W	23							D										

Total number of acres to be irrigated: 0.5

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? 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. The home was built in 1972 with water used since roughly that time for domestic purposes. Address of the home is 63532 S. Powderhorn Bay Rd., Harrison, Idaho 83833; Parcel No. 041200000130.
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.

Signature of Applicant

James S. Riley

Print Name (and title, if applicable)

Signature of Applicant

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

August 27, 2020

JAMES RILEY
PO BOX 3407
COEUR D ALENE, ID 83816-2510

RE: Application for Permit No. 95-17986

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 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,

Tammy Alleman
Administrative Assistant

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, August 27, 2020 2:59 PM
To: 'Chantilly.Higbee@deq.idaho.gov'; 'Anna.Moody@deq.idaho.gov'; 'Horsmon,Merritt'; 'Mike Ahmer'
Subject: Request for Comments WR#95-17986

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
SESW,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

MEMORANDUM

To: Water Right Permit 95-17974

From: Luke Bates 

Date: 8/18/2020

Re: Application for Water Permit and associated Government Lot Designation

An application for permit was received by applicant, James Riley, for domestic use. The applicant had designated $\frac{1}{4}$ $\frac{1}{4}$ location of SW $\frac{1}{4}$ NW $\frac{1}{4}$ Government Lot 3 (GL3) for the point of diversion (POD), but Arcmap aerial imagery identified the POD being in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ not included in GL3. The POD was data entered in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ during application processing, and GL3 was removed from the location description for the POD at that time.

Additionally, the applicant entered the place of use (POU) as the parcel owned by Mr. Riley, but the GL3 dividing line within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ intersects the applicant's parcel. As a result, the POU description for question No.9 excluded the portion of Mr. Riley's parcel located in SW $\frac{1}{4}$ NW $\frac{1}{4}$ GL3. The POU was updated to reflect parcel location in both the SW $\frac{1}{4}$ NW $\frac{1}{4}$ & SW $\frac{1}{4}$ NW $\frac{1}{4}$ GL3 at time of application processing.