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IDWR / NORTH

84301

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No.

96-9820

1. Name of applicant(s) EUGENE C NELSON Phone 509-995-0442  
 Name connector (check one): ☐ and ☐ or ☐ and/or  
 Mailing address 448 ROCKVIEW DR City PRIEST RIVER  
 State ID ZIP 83856 Email GENE@WIRBINC.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 PEND OREILLE RIVER which is a tributary of COLUMBIA
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
56N	04W	35			SE	SE	BONNER	PEND OREILLE RIVER	

5. Water will be used for the following purposes:
- Amount 0.03 CFS for IRRIGATION purposes from 4/1 to 10/31 (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) 0.03 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. APPLICANT HAS PUMP IN RIVER FOR IRRIGATION PURPOSES
- 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. N036339 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 \_\_\_\_\_
  - 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	
55N	04W	2	1.0																1
			GL1																
56N	04W	35																0.1	0.1
																	GL1		

Total number of acres to be irrigated: 1.1

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? 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. APPLICANT HAS PUMP IN RIVER FOR IRRIGATION PURPOSES.
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]  
 Signature of Applicant

EUGENE C NELSON  
 Print Name (and title, if applicable)

\_\_\_\_\_  
 Signature of Applicant




\_\_\_\_\_  
 Print Name (and title, if applicable)



# APPLICATION MAP



## Legend

-  Parcels
-  Township/Range
-  Sections
- QQ

0 0.01 0.02 0.04 Miles





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](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

August 26, 2020

EUGENE C NELSON  
627 E FRANCIS AVE  
SPOKANE, WA 99208-3634

RE: Application for Permit No. 96-9820 & 96-9821

Dear Applicant:

The Department of Water Resources has received your water right applications. Please refer to the number referenced above in all future correspondence regarding these applications.

A legal notice of the application has been prepared and is scheduled for publication in the BONNER COUNTY DAILY BEE, PRIEST RIVER VERSION on 9/2/2020 and 9/9/2020. 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

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**From:** Alleman, Tammy  
**Sent:** Wednesday, August 26, 2020 2:15 PM  
**To:** 'Amidy Fuson'; 'Mike Ahmer'; 'Chantilly.Higbee@deq.idaho.gov';  
'Anna.Moody@deq.idaho.gov'; 'Horsmon,Merritt'; Skoro, Emily; Golden, Kala  
**Subject:** Request for Comments For WR# 96-9820

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

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**From:** Alleman, Tammy  
**Sent:** Wednesday, August 26, 2020 11:19 AM  
**To:** 'bcdblegals@cdapress.com'  
**Subject:** Legal Notice  
**Attachments:** Legal Notice for 96-9820 & 96-9821.docx

Please publish the enclosed legal notice in the **Bonner County Daily Bee, Priest River Version** on the dates indicated **September 2<sup>nd</sup> & September 9<sup>th</sup>, 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:

**96-9820**

EUGENE C NELSON  
448 ROCKVIEW DR  
PRIEST RIVER, ID 83856-9763  
Point of Diversion SESE  
S35 T56N R04W  
BONNER County  
Source PEND OREILLE RIVER  
Tributary COLUMBIA RIVER  
Use: IRRIGATION  
04/01 to 10/31  
Total Diversion: 0.03 CFS  
Date Filed: 08-17-2020  
Place Of Use: IRRIGATION  
T55N R04W S2  
L1(NENE)  
Place Of Use: IRRIGATION  
T56N R04W S35  
L1(SESE)  
Total Acres: 1.1

**96-9821**

EUGENE C NELSON  
627 E FRANCIS AVE  
SPOKANE, WA 99208-3634  
Point of Diversion SESE  
S35 T56N R04W  
BONNER County  
Source PEND OREILLE RIVER  
Tributary COLUMBIA RIVER  
Use: IRRIGATION  
04/01 to 10/31  
Total Diversion: 0.03 CFS  
Date Filed: 08-17-2020  
Place Of Use: IRRIGATION  
T55N R04W S2  
L1(NENE)  
Total Acres: 1

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 9/2/2020 and 9/9/2020



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](http://idwr.idaho.gov) • Email: [northerninfo@idwr.idaho.gov](mailto:northerninfo@idwr.idaho.gov)

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

August 18, 2020

Eugene C. Nelson  
448 Rockview DR  
Priest River, ID 83856

Re: Additional Information Requirements (Applications for Permit 96-9820 & 96-9821)

Dear Applicant:

Idaho Department of Water Resources (IDWR) received two Applications for Permit from you on August 17, 2020 to use water from the Pend Oreille River for irrigation purposes on adjacent Bonner County parcels RP020010000170A and RP020010000180A. The Applications are being processed and have been assigned Identification Numbers 96-9820 and 96-9821.

The Applications use two different mailing addresses (627 E Francis AVE, Spokane, WA 99208 and 448 Rockview DR, Priest River, ID 83856). Please contact IDWR about which address is correct for future correspondence on both 96-9820 and 96-9821.

IDWR is contacting you about corrections to the Point of Diversion (POD) ownership and pump locations shown on Line 11 for both of your Applications. **Please review the enclosed copies of your Application maps which show the PODs located at the ends of docks outside your property tax parcel boundaries. These locations appear to be on Idaho Department of Lands (IDOL) property instead of the 'Applicant' owned property indicated on Line 11.**

Please contact me at [shaun.maxey@idwr.idaho.gov](mailto:shaun.maxey@idwr.idaho.gov) about your correct mailing address and to provide the IDOL Encroachment Permit numbers for your water lines or pumps at the POD locations shown on your Application maps.

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

Photocopies of Application for Permits 96-9820 & 96-9821 & maps  
IDWR Change in Address form