

RECEIVED

MAR 16 2020

FORM 202 Rev. 09/16

RECEIVED

FEB 26 2020

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No.

96-9808

MAR 02 2020

DEPARTMENT OF  
WATER RESOURCES

IDWR / NORTH

1. Name of applicant(s) Robert Wallace Phone 1-206-228-1259  
 Name connector (check one): ☐ and ☐ or ☐ and/or  
 Mailing address 24524 se 43rd place City Issaquah  
 State WA ZIP 98029 Email Robzilla62@Hotmail.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 Granit Creek which is a tributary of Lake Pend Oreille
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
55	1W	26	3	SE	NW	SE	Bonner	Creek	Granit Creek

5. Water will be used for the following purposes:
- Amount .06 cfs for Two Domestic house holds purposes from 12/2 to 12/1 (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) .06 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. 2 HP pump 2" pick up line and 150' of pressure line.
- 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 Ja Date 2-26-2020 Time \_\_\_\_\_ Preliminary check by AM  
 Fee \$ 10000 Receipted by Ja Receipt No. N035941 Date 2-26-2020

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 2
- 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	
Lot 1 55	1W	26	<u>D</u>												<u>D</u>	<u>D</u>			
Lot 3 55	1W	26													<u>D</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? There is a well on lot 15 for household use the water diverted from Garnet creek is used to irrigate lawn and landscape.

- Who owns the property at the point of diversion? Robert Wallace, Dennis Wallace
- Who owns the land to be irrigated or place of use? Robert Wallace, Dennis, Wallace, Jason Tate
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Jason Tate owns the lot #3 next to ours and I have agreed to let him use the water for his trailer during the summer

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Divert water from Granite creek for two household's domestic use.

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

Robert Wallace  
Print Name (and title, if applicable)

Signature of Applicant

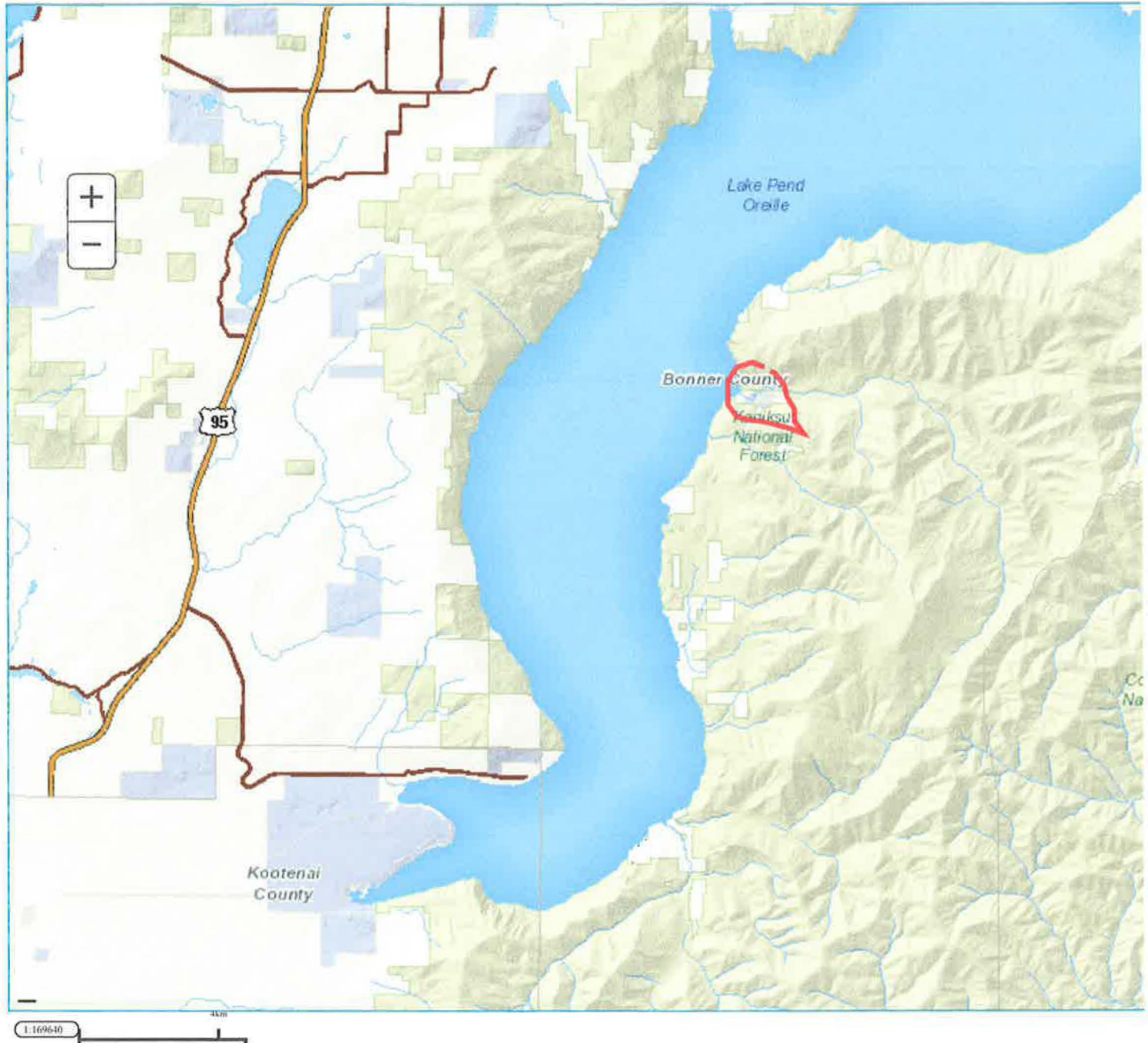
Print Name (and title, if applicable)



Clear Graphics

Basemaps

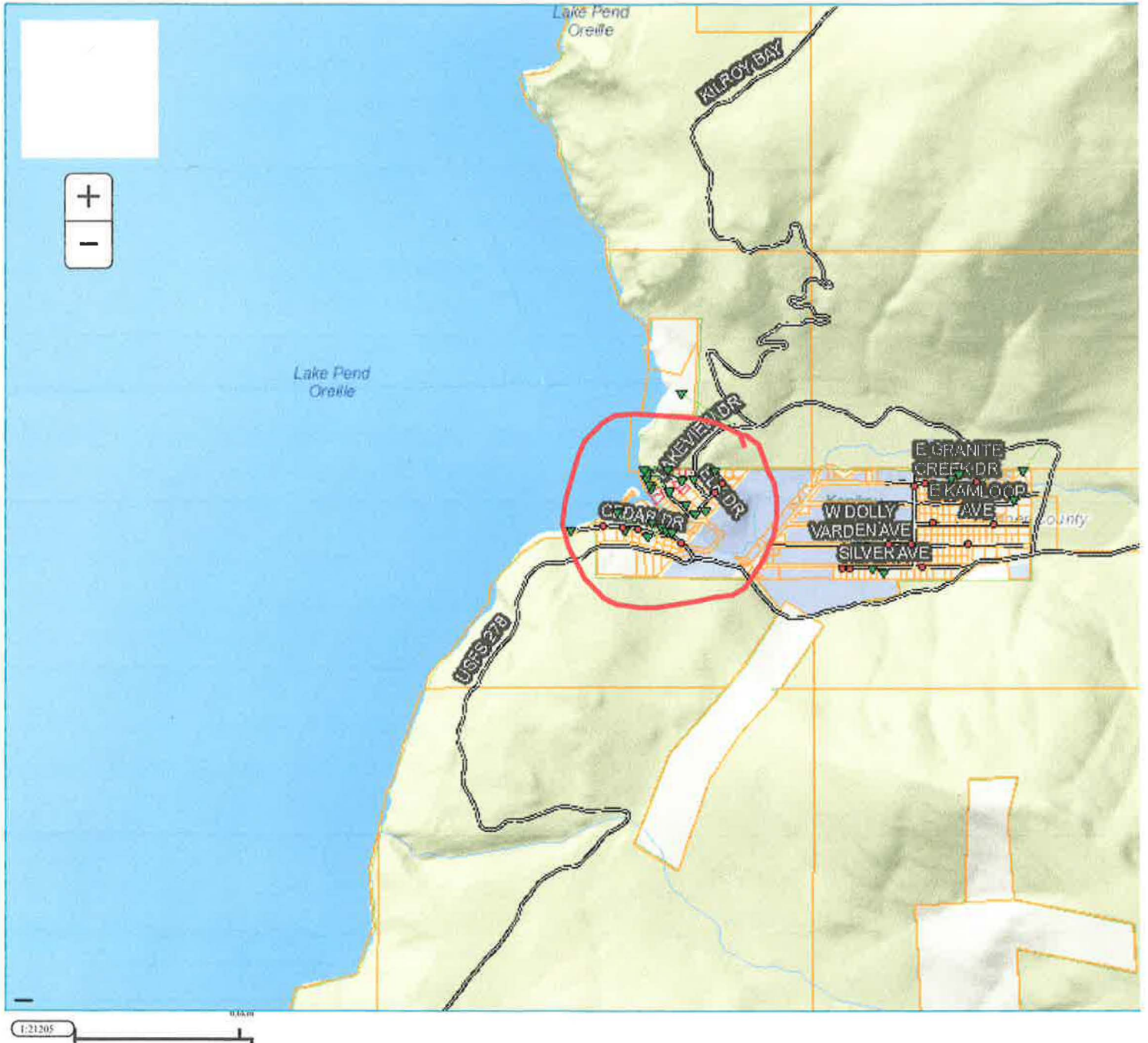
Feature Labels



Clear Graphics

Basemaps

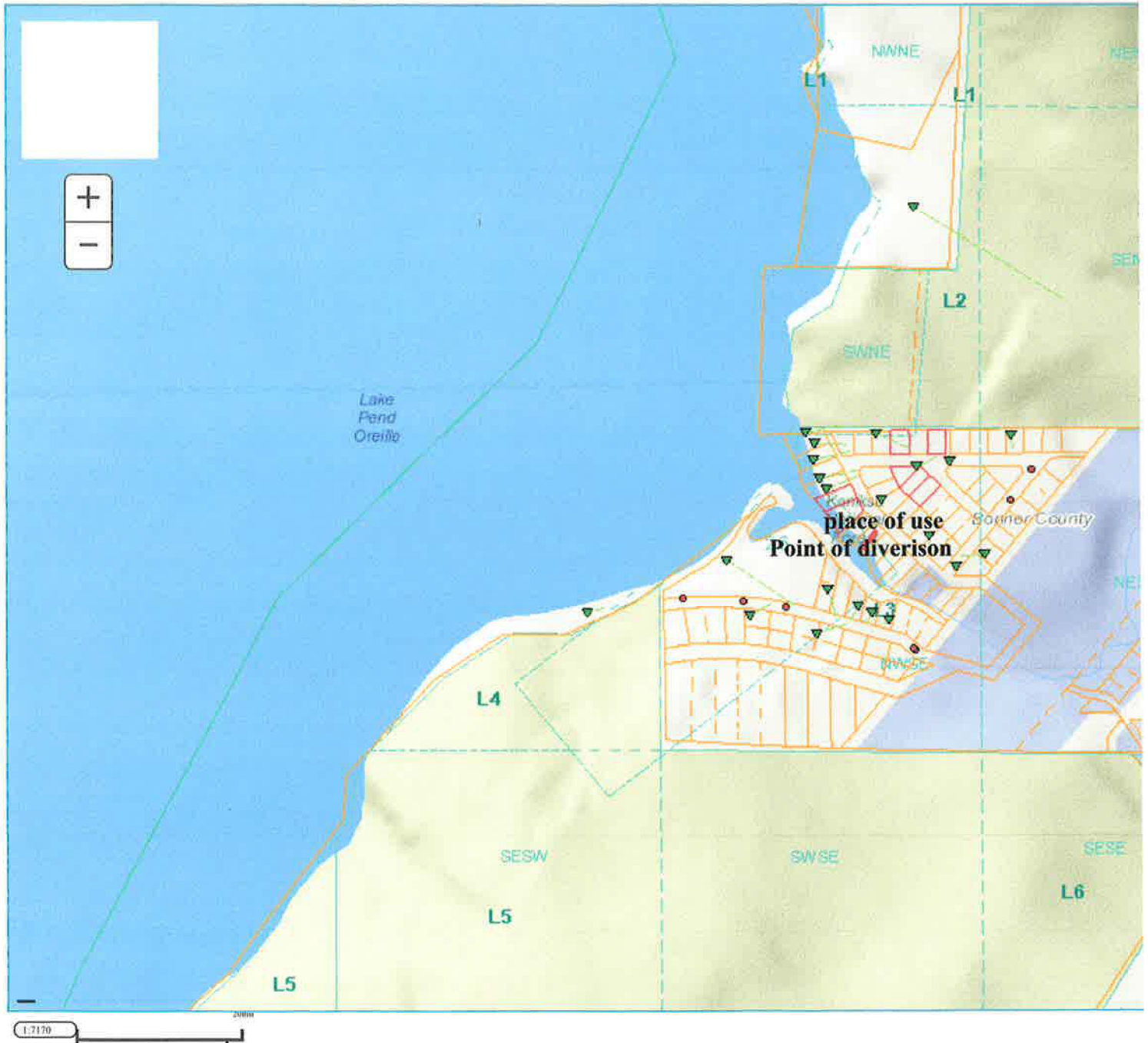
Feature Labels



Clear Graphics

Basemaps

Feature Labels

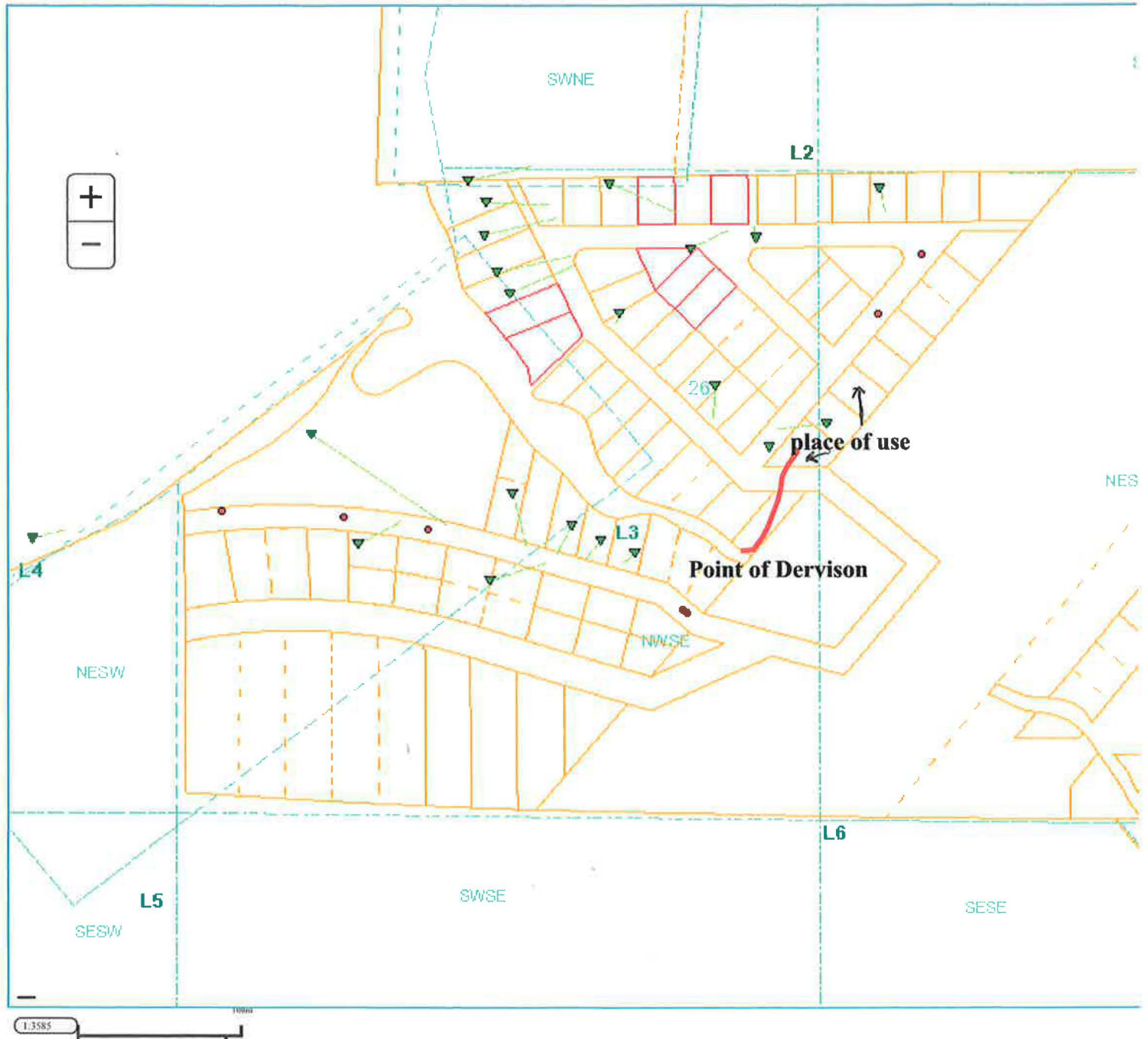




Clear Graphics

Basemaps

Feature Labels



Point of dervison: Block 5 Lot 15 Unit 1  
25/26 -SSN-1W Granite creek Property

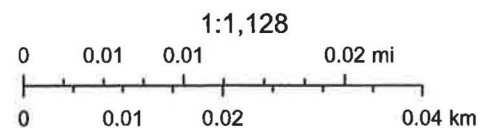
Point of use; Block 8 Lot 1 Unit 1 and Lot 3  
25/26 -SSN-1W Granite Creek Property

# Application for Water Right



2/23/2020, 10:34:18 AM

- Override 1
- Township/Range
- Counties
- Idaho Outline
- Quarter Quarter
- Idaho Mask
- Section



Esri, HERE, Garmin, (c) OpenStreetMap contributors, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Created by NRCS from 1:24,000 scale USGS topographic maps., Idaho Department of Water



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

August 13, 2020

ROBERT WALLACE  
24524 SE 43RD PL  
ISSAQUAH, WA 98029-7542

RE: Application for Permit No. 96-9808

Dear Applicant(s):

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 BONNER COUNTY DAILY BEE on 8/20/2020 and 8/27/2020. 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,

Jean Hersley  
Technical Records Specialist



The following application(s) have been filed to appropriate the public waters of the State of Idaho:

**96-9808**

ROBERT WALLACE

24524 SE 43RD PL

ISSAQUAH, WA 98029-7542

Point of Diversion L3(NWSE) S26 T55N R01W BONNER County

Source GRANITE CREEK Tributary LAKE PEND OREILLE

Use: DOMESTIC

01/01 to 12/31

0.06 CFS

Total Diversion:

0.06 CFS

Date Filed: 03-02-2020

Place Of Use: DOMESTIC

T55N R01W S26 NESE,L3(NWSE)

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, State Office, 322 E Front St, Boise, ID, 83702, PO Box 83720, Boise, ID, 83720-0098 together with a protest fee of \$25.00 for each application on or before 9/8/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/20/2020 and 8/27/2020

## Hersley, Jean

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**From:** Hersley, Jean  
**Sent:** Thursday, August 13, 2020 8:37 AM  
**To:** 'bcdblegals@cdapress.com'  
**Subject:** Application for Permit No. 96-9808  
**Attachments:** LegalNoticeTransferMerged23.docx

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

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 9/8/2020. Your cooperation is appreciated.

*Jean Hersley  
Technical Records Specialist II  
Idaho Dept Water Resources  
(208) 287-4942*



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

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

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

August 13, 2020

JASON TAIT  
SUSAN M TAIT  
806 308 ST  
MARYSVILLE BC VIA 314

RE: Application for Permit 75-14900

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from you regarding the above referenced application for permit. A full description concerning property location may be found at: [www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp](http://www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp).

The Department is sending you this letter because a portion of the place of use is located on your property.

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 you desire to formally protest the approval of this application, 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.

Please contact this office if you have any questions regarding the application.

Sincerely,

Jean Hersley  
Technical Records Specialist II



**Hersley, Jean**

---

**From:** Hersley, Jean  
**Sent:** Thursday, August 13, 2020 8:37 AM  
**To:** 'merritt.horsmon@idfg.idaho.gov'  
**Subject:** Comments for Application for Permit 96-9808

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

Please contact this office if you have any questions regarding the application.

*Jean Hersley  
Technical Records Specialist II  
Idaho Dept Water Resources  
(208) 287-4942*

## Hersley, Jean

---

**From:** Hersley, Jean  
**Sent:** Thursday, August 13, 2020 8:57 AM  
**To:** Golden, Kala; Clark, Cynthia Bridge  
**Subject:** Application for permit 96-9808

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

Please contact this office if you have any questions regarding the application.

*Jean Hersley  
Technical Records Specialist II  
Idaho Dept Water Resources  
(208) 287-4942*

# MEMORANDUM

July 13, 2020

Application for Permit: 96-9808

Author: AMoody

Subject: Summary

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## **Applicant**

The original application was received at the Northern Region office on 2/26/2020 and at the State Office on 3/2/2020. The application was determined to be incomplete and a letter asking for corrections was sent on 3/3/2020. Corrections were received on March 16<sup>th</sup> at the Northern Region office and at the State Office on March 18<sup>th</sup>, 2020, though the legal description for the place of use in section 9 was incorrect. The maps provided by the applicant correctly described the subdivision lots for the place of use and listed the government lot for the point of diversion. After some emails and phone calls with the applicant, the revised form was received on April 6<sup>th</sup>, 2020. Despite the POU description correction and the POD QQ being changed between the March 18<sup>th</sup> and April 26<sup>th</sup> application, I suggest that the corrections are clarifications to the March 18<sup>th</sup> application and are not amendments listed in 37.03.08.035.04.c because of the following:

1. The POD was correct on the original February 26<sup>th</sup> application considering current IDWR application guidelines that require only detail down to the government lot or PLSS quarter-quarter.
2. The POU was described down to the subdivision lot on the original application on the applicant's map.
3. There was misunderstanding of the PLSS.
4. COVID-19 related delays and difficulties.

As such, I the priority date be advanced to March 18<sup>th</sup>, 2020.

## **Proposed Project**

The application proposes to pump water from Granite Creek, tributary to Lake Pend Oreille, to lots 1 and 3 of Block 8 in Granite Creek Properties. Proposed use is domestic and entails irrigation of lawn and landscape less than ½ an acre on lot 1 and in-home use on lot 3 during the summer. The applicant does not own lot 3, but has agreed to let the owners, Susan and Jason Tait, to use the water in their trailer.

## **Additional Comments**

The proposed project site is within IDWR Administrative Basin 96. It is not within a water district, or restricted area. There is a minimum stream flow (MSF) requirement on Granite Creek related to the MSF for the Pend Oreille River (96-08730). Comments will be sought from IWRB regarding the effect of the application on the MSF right.





State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

03/23/2020

ROBERT WALLACE  
24524 SE 43<sup>RD</sup> PLACE  
ISSAQUAH WA 98029

### Re: Application for Permit – Incomplete Application

Dear Applicant:

Your recent application for permit proposing the use of water for Domestic use has been received. The application can not be accepted into the records of the Idaho Department of Water Resources (IDWR) until the following items are addressed:

- 4 - Point of Diversion(s)  
The location of the point of diversion must include the 40 acre-tract description of where water will be diverted from the river. The township must include the directional component, either north or south.
- 5 - Proposed Use  
If the use is going to be external only irrigation than the beneficial use can be listed as irrigation, with a season of use of 4/0 - 10/31 and a rate of 0.03 cfs per acre (for irrigation of more than 5 acres use 0.02 cfs per acre). For domestic uses IDWR recommends applications use the entire year as the season of use. Please amend this section appropriately.
- 6 - Total Quantity  
The total quantity to be diverted was left blank.
- 9 – Place of Use  
The maps shows you want to use water on lots 1 and 3, block 8 of Granite Creek Properties Subdivision. It looks like lot 1 is in both government lot 3 NWSE and the NESE of section 26, while lot 3 is in the NWSE of section 26. If the map is correct section 9 must be amend to coincide with the map. If the location listed in section 9 is correct the map should show that location. Also the township must include the direction component, either north or south.

Please submit the requested information within thirty (30) days so application processing can continue. You may seek additional time to provide the information by making a written request as described in Water Appropriation Rule 40.01.d. The Department will take action to void the application if a timely written reply has not been received within thirty (30) days. Refunds are not issued for voided applications. IDWR forms and other information are available on the Internet at [www.idwr.idaho.gov](http://www.idwr.idaho.gov). Please contact me at 208-287-4925 if you have any questions. Thank you for your attention to these matters.

Sincerely,

Phill Hummer  
Water Rights Supervisor  
Email: [phill.hummer@idwr.idaho.gov](mailto:phill.hummer@idwr.idaho.gov)

Enclosure: Original Application

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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
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WATER RESOURCES

IDWR / NORTH

1. Name of applicant(s) Robert Wallace Phone 1-206-228-1259  
Name connector (check one): ☐ and ☐ or ☐ and/or  
Mailing address 24524 se 43rd place City Issaquah  
State WA ZIP 98029 Email Robzilla62@Hotmail.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  
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Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
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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:

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- 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
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- 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. \_\_\_\_\_.

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Total number of acres to be irrigated: \_\_\_\_\_

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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

Robert Wallace

Print Name (and title, if applicable)

Signature of Applicant

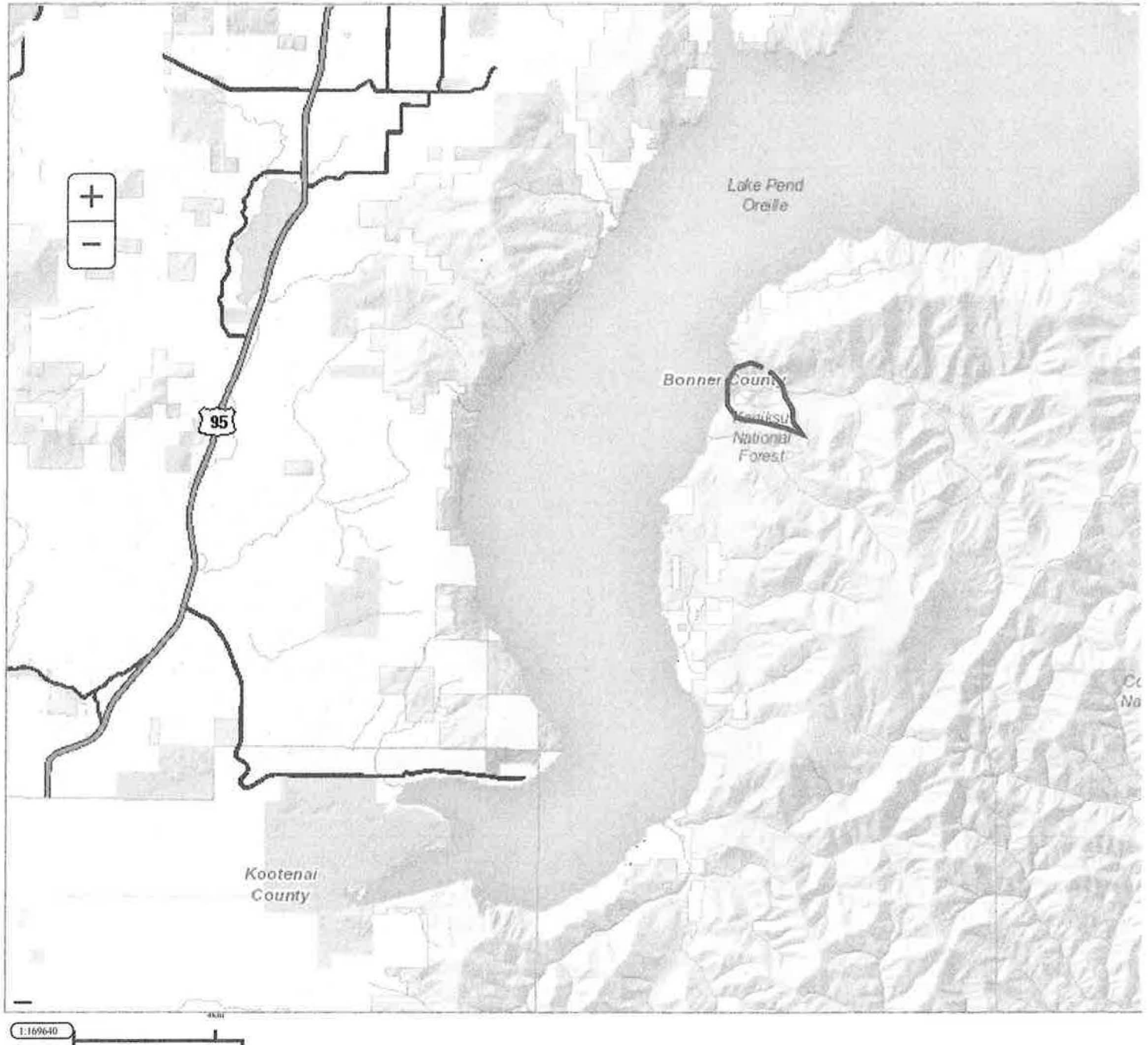
Print Name (and title, if applicable)



Clear Graphics

Basemaps

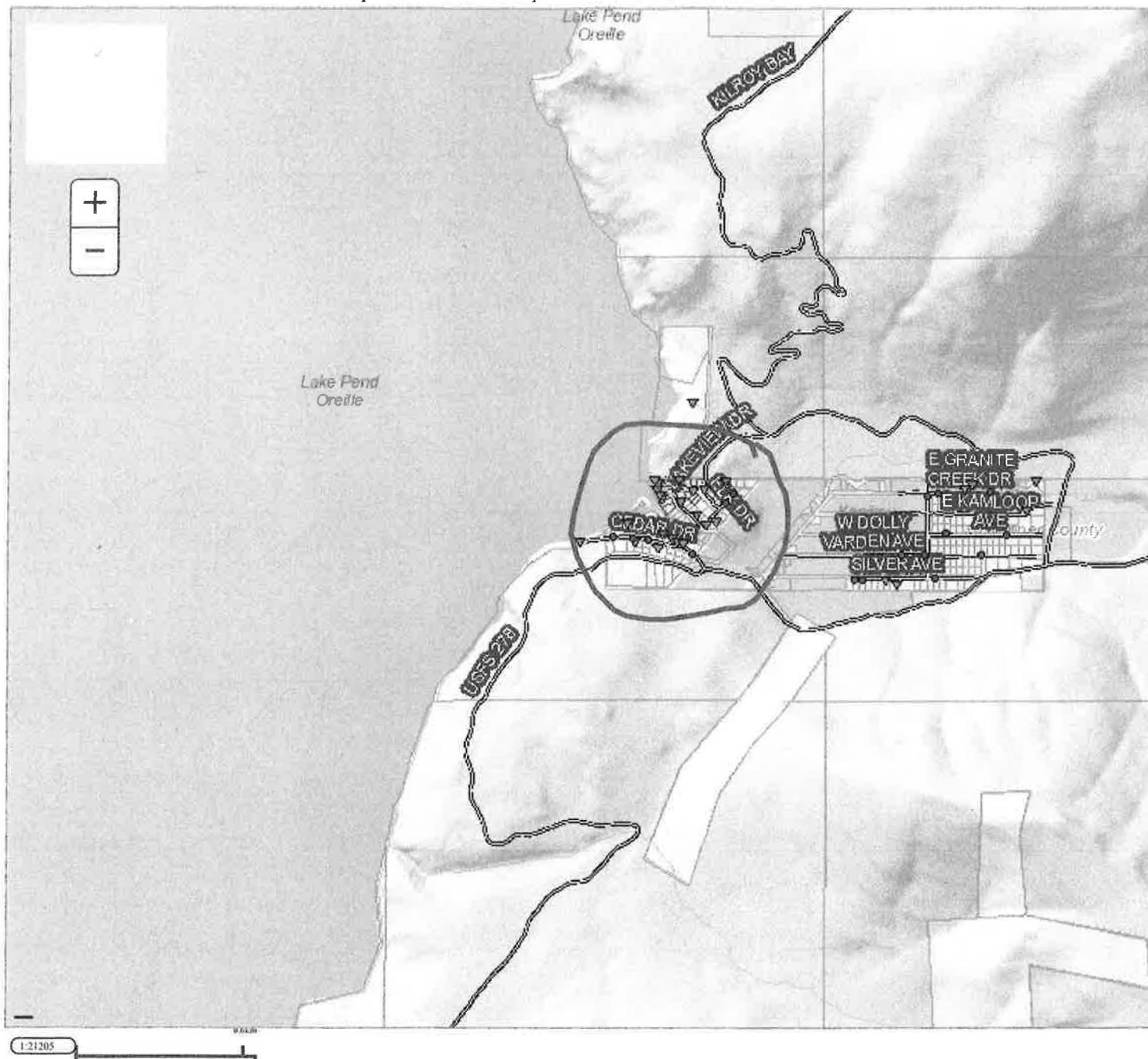
Feature Labels



Clear Graphics

Basemaps

Feature Labels



Clear Graphics

Basemaps

Feature Labels





Clear Graphics

Basemaps

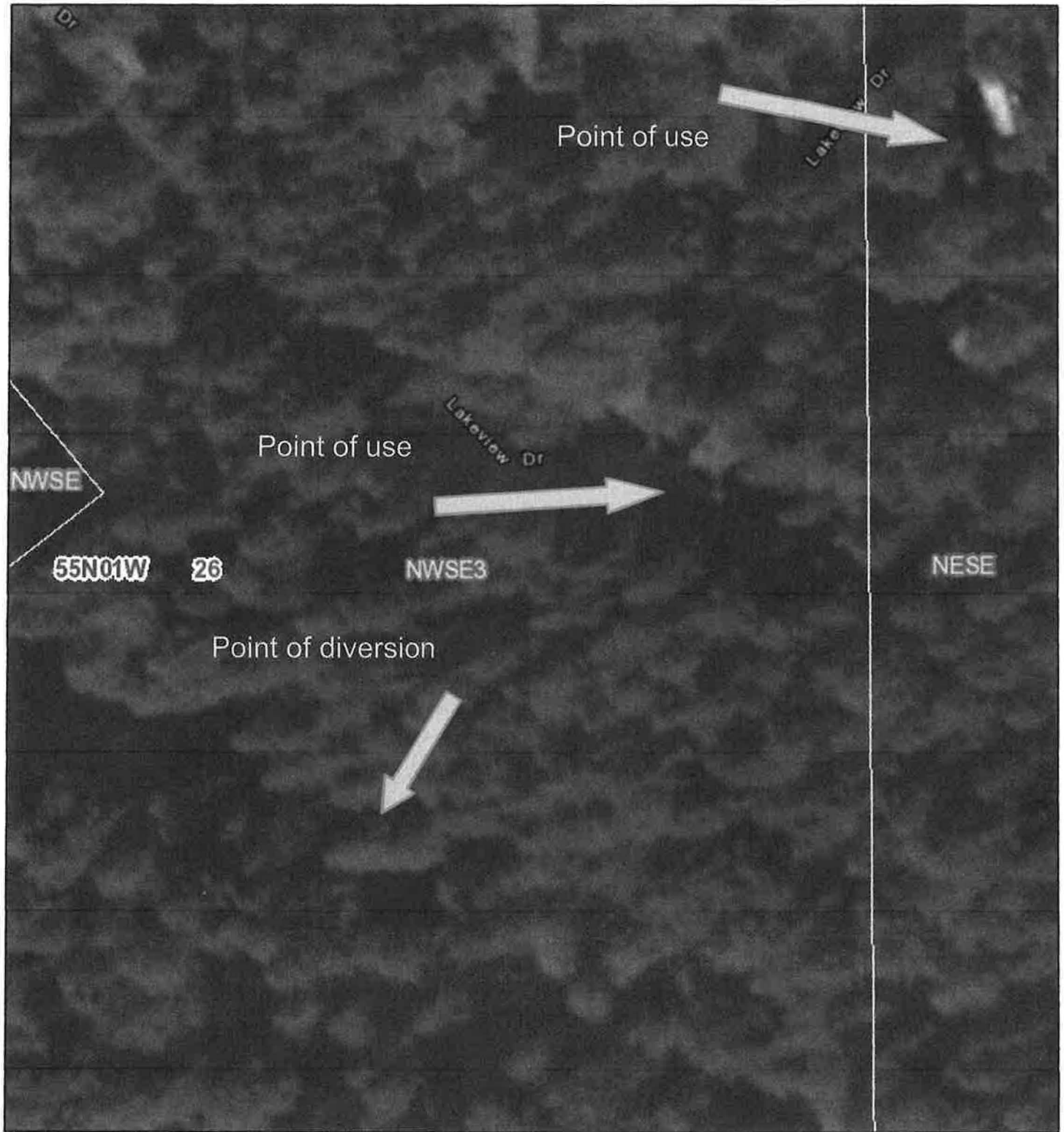
Feature Labels



Point of dervison: Block 5 Lot 15 Unit 1  
25/26 -SSN -1W Granite creek Property

Point of use: Block 8 Lot 1 Unit 1 and Lot 3  
25/26 -SSN -1W Granite Creek Property

# Application for Water Right



2/23/2020, 10:34:18 AM

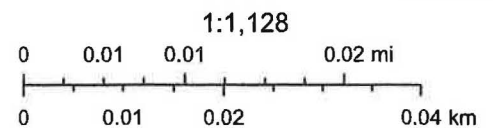
Override 1
  Township/Range

Counties
  Idaho Outline

Quarter Quarter

Idaho Mask

Section



Esri, HERE, Garmin, (c) OpenStreetMap contributors, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Created by NRCS from 1:24,000 scale USGS topographic maps., Idaho Department of Water

Idaho Department of Water Resources

DigitalGlobe | Created by NRCS from 1:24,000 scale USGS topographic maps. | Idaho Department of Water Resources | USDA, Natural Resources Conservation Services | Esri, HERE, iPC |