

RECEIVED

FORM 202 Rev. 09/16  
JUL 17 2020

IDWR / NORTH

84241

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Ident. No. 95-17977

### APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Randy Uchustil Phone 208 660 7260  
 Mailing address 3072 Super twin Lake Shore City Rathdrum  
 State Idaho ZIP 83958 Email Ruchytj176@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 Twin Lake Reservoir which is a tributary of upper twin lake

4. Location of point(s) of diversion: Rathdrum creek

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
<u>S3N</u>	<u>04W</u>	<u>31</u>			<u>SW</u>	<u>SW</u>	<u>Kootenai</u>	<u>Twin Lakes</u>	
					<u>SW</u>				

5. Water will be used for the following purposes:  
 Amount .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) .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 to cistern
  - 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. 1036270 Date 7-17-2020

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 1 home + 1 ALU
  - e. Other; describe fully. up to 1/2 acre of irrigation

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	
53N	05W	36																	DG42
53N	04W	31											D						
52N	05W	1	DG41																
52N	04W	6					DG43												

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? 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 plan to put pump in to lot for Domestic use & up to 1/2 acre of irrigation

13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).

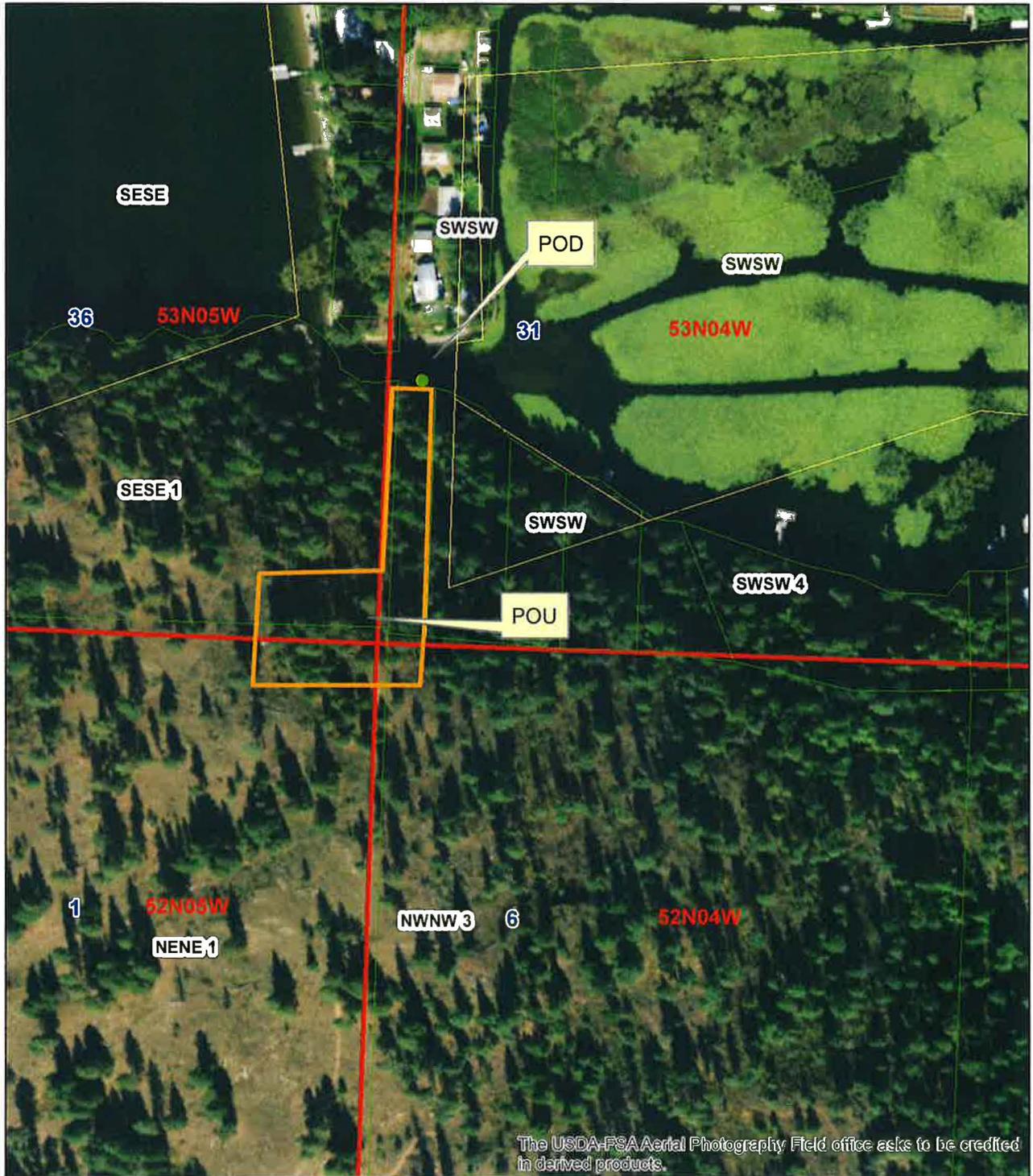
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

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

Signature of Applicant \_\_\_\_\_  
 Print Name (and title, if applicable)

# APPLICATION MAP



## Legend

- Parcels
- Township/Range
- Sections
- QQ

0 0.02 0.04 0.08 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

July 30, 2020

RANDY UCHYTIL  
8072 S UPPER TWIN LAKE SHR  
RATHDRUM, ID 83858-3200

RE: Application for Permit No. 95-17977

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 8/6/2020 and 8/13/2020. 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".

Tammy Alleman  
Administrative Assistant

## Alleman, Tammy

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**From:** Alleman, Tammy  
**Sent:** Thursday, July 30, 2020 12:47 PM  
**To:** 'Chantilly.Higbee@deq.idaho.gov'; 'Anna.Moody@deq.idaho.gov'; 'Horsmon,Merritt'; 'Mike Ahmer'; 'steveneff2015@gmail.com'  
**Subject:** Request for Comments for 95-17977

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 August 24, 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:** Thursday, July 30, 2020 11:15 AM  
**To:** 'LEGALS@CDAPRESS.COM'  
**Subject:** Legal Notice  
**Attachments:** Legal Notice for 95-17968, 95-17972 to 95-17978.docx

Please publish the enclosed legal notice in the **Coeur d'Alene Press** on the dates indicated **August 6<sup>th</sup> & August 13<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 **August 24, 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:

**95-17968**

TERRY L PETERSON  
8288 E SNOWY LN  
ATHOL, ID 83801-8674  
Point of Diversion NESW  
S14 T53N R03W  
KOOTENAI County  
Source GROUND WATER  
Use: DOMESTIC  
01/01 to 12/31  
Total Diversion: 0.04 CFS  
Date Filed: 07-06-2020  
Place Of Use: DOMESTIC  
T53N R03W S14 NWSW

**95-17972**

ANTHONY BREITKREUTZ  
CASSANDRA BREITKRUETZ  
13662 N RAGGED RIDGE RD  
HAUSER, ID 83854-5606  
Point of Diversion L2(SWNWNE)  
S1 T51N R06W  
KOOTENAI County  
Source SPRING  
Tributary SINKS  
Use: DOMESTIC  
01/01 to 12/31 0.04 CFS  
Use: STOCKWATER  
01/01 to 12/31 0.02 CFS  
Total Diversion: 0.06 CFS  
Date Filed: 07-14-2020  
Place Of Use: DOMESTIC,STOCKWATER  
T51N R06W S1 NESW

**95-17973**

PHILIP L DAMIANO  
LESLIE E DAMIANO  
8850 E FERNAN LAKE RD  
COEUR D ALENE, ID 83814-7782  
Point of Diversion SESW  
S10 T50N R03W  
KOOTENAI County  
Source GROUND WATER  
Point of Diversion SESW  
S10 T50N R03W  
KOOTENAI County  
Source GROUND WATER  
Use: AESTHETIC STORAGE  
01/01 to 12/31 11 AF  
Use: STOCKWATER STORAGE  
01/01 to 12/31 11 AF  
Use: WILDLIFE STORAGE  
01/01 to 12/31 11 AF  
Use: RECREATION STORAGE  
01/01 to 12/31 11 AF  
Total Diversion: 11 AF  
Date Filed: 07-16-2020  
Place Of Use: AESTHETIC STORAGE,RECREATION STORAGE,STOCKWATER STORAGE,WILDLIFE STORAGE  
T50N R03W S10 SESW

**95-17974**

BDH PROPERTIES LLLP  
PO BOX 6200  
COEUR D ALENE, ID 83816-1937  
Point of Diversion NESE  
S20 T48N R04W  
KOOTENAI County  
Source COEUR D ALENE LAKE  
Tributary SPOKANE RIVER

Use: DOMESTIC  
01/01 to 12/31 0.04 CFS  
Use: IRRIGATION  
03/15 to 11/15 0.1 CFS  
Use: AESTHETIC  
01/01 to 12/31 0.1 CFS  
Total Diversion: 0.1 CFS  
Date Filed: 07-15-2020  
Place Of Use: AESTHETIC  
T48N R04W S20  
NESE,L5(NESE)  
Place Of Use: DOMESTIC,IRRIGATION  
T48N R04W S20 NESE  
Place Of Use: IRRIGATION  
T48N R04W S20  
L5(NESE)  
Total Acres: 0.6

**95-17975**

PHILIP L DAMIANO  
LESLIE E DAMIANO  
8850 E FERNAN LAKE RD  
COEUR D ALENE, ID 83814-7782  
Point of Diversion SESWSW  
S10 T50N R03W  
KOOTENAI County  
Source SPRING  
Tributary FERNAN CREEK  
Use: IRRIGATION  
04/01 to 10/31 0.85 CFS  
Total Diversion: 0.85 CFS  
Date Filed: 07-16-2020  
Place Of Use: IRRIGATION  
T50N R03W S10  
NESW,NWSE,SWSW,SWSE,SESW  
Total Acres: 42.8

**95-17976**

PHILIP L DAMIANO  
LESLIE E DAMIANO  
8850 E FERNAN LAKE RD  
COEUR D ALENE, ID 83814-7782  
Point of Diversion SESW  
S10 T50N R03W  
KOOTENAI County  
Source GROUND WATER  
Use: IRRIGATION  
04/01 to 10/31 0.11 CFS  
Total Diversion: 0.11 CFS  
Date Filed: 07-16-2020  
Place Of Use: IRRIGATION  
T50N R03W S10  
NESW,NWSE,SWSE,SESW  
Total Acres: 3.7

**95-17977**

RANDY UCHYTIL  
8072 S UPPER TWIN LAKE SHR  
RATHDRUM, ID 83858-3200  
Point of Diversion L4(SWSW)  
S31 T53N R04W  
KOOTENAI County  
Source TWIN LAKES  
Tributary RATHDRUM CREEK  
Use: DOMESTIC  
01/01 to 12/31  
Total Diversion: 0.4 CFS  
Date Filed: 07-17-2020  
Place Of Use: DOMESTIC  
T52N R04W S6

L3(NWNW)  
Place Of Use: DOMESTIC  
T52N R05W S1  
L1(NENE)  
Place Of Use: DOMESTIC  
T53N R04W S31  
L4(SWSW)  
Place Of Use: DOMESTIC  
T53N R05W S36  
L1(SESE)

**95-17978**

STEVE PETERS  
PO BOX 762  
SPIRIT LAKE, ID 83869-0762  
Point of Diversion NENW  
S13 T53N R05W  
KOOTENAI County  
Source SPIRIT LAKE  
Tributary SPIRIT CREEK  
Use: DOMESTIC  
01/01 to 12/31  
Total Diversion: 0.04 CFS  
Date Filed: 07-17-2020  
Place Of Use: DOMESTIC  
T53N R05W S13  
L3(NENW)

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 8/24/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director Published on 8/6/2020 and 8/13/2020

## MEMORANDUM

**To:** Water Right Permit 95-17977

**From:** Luke Bates *JSB*

**Date:** 7/17/2020

**Re:** Application for Water Permit and associated Government Lot Designation

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An application for permit was received for domestic use in the name of Randy Uchytel. During application processing, IDWR staff identified that while the applicant had designated a  $\frac{1}{4}$   $\frac{1}{4}$  location of SWSW for the place of use (POU), the government lot designator GL4 was not added in the description. POU data entry was adapted to include the government lot designator and will read SWSW4.

Additionally, applicant had assigned the point of diversion (POD) location as SWSW, but applicant map shows the POD in the SWSW4. POD data entry was adapted to add the government lot designator (4) to POD during application processing and shall read SWSW4.