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FORM 202 Rev. 09/16

JUL 16 2020

IDWR / NORTH

84 239

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No.

95-17975

1. Name of applicant(s) Philip &/or Leslie Damiano Phone 208 660-3173
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 8850 E Fernan Lake RD City Coeur d'Alene
 State ID ZIP 83814 Email pldamiano84@aol.com
2. Name of representative, if any Robert G Haynes Phone 208 660-4861
 Mailing address 2571 S Reynolds RD City Coeur d'Alene
 State ID ZIP 83814 Email bob@idahowaterengineering.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 Unnamed Spring which is a tributary of Fernan Creek
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
50N	3W	10		SE	SW	SW	Koontenai	Unnamed Spring	

5. Water will be used for the following purposes:
 Amount 0.85 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) 0.85 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, pipe & sprinkler 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 \$ 2500 Receipted by JA Receipt No. N036267 Date 7-16-2020

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	
50N	3W	10									9.1		0.5	30		0.2	3		42.8

Total number of acres to be irrigated: 42.8

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? 95-7016
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. SEE ATTACHED
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.

Philip L. Damiano
 Signature of Applicant
Philip L. DAMIANO
 Print Name (and title, if applicable)

 Signature of Applicant

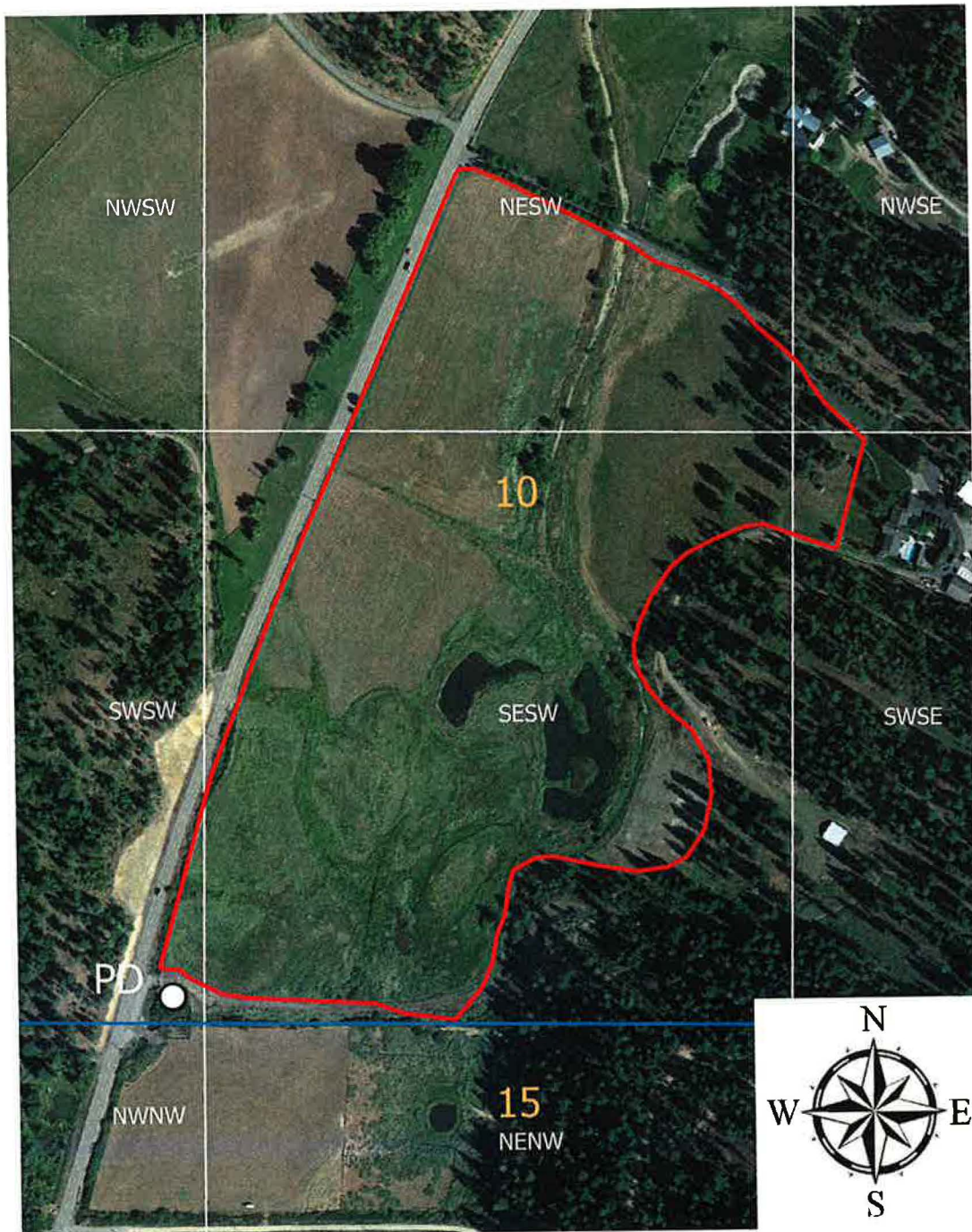
 Print Name (and title, if applicable)

Phil Damiano Application for Permit Narrative

This application is to acquire water rights for water from an unnamed spring. The land to be irrigated is the same as under 95-7016. Irrigation will be done with sprinklers.

Damiano Application for Permit

T50N 3W Sec 10



To Whom It May Concern:

Philip & Leslie Damiano have secured the services of Robert G Haynes to assist in the process of acquiring water rights. By this letter we authorize him to sign our application and provide additional information to the Department of Water Resources which may be required to complete the application for permit.

Sincerely,

A handwritten signature in cursive script that reads "Philip L. Damiano". The signature is written in dark ink and is positioned above a horizontal line.

Title



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

July 30, 2020

PHILIP L DAMIANO
LESLIE E DAMIANO
8850 E FERNAN LAKE RD
COEUR D ALENE, ID 83814-7782

RE: Application for Permit No. 95-17975 & 95-17976

Dear Applicants:

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

A legal notice of the applications has been prepared and is scheduled for publication in the COEUR D ALENE PRESS on 8/6/2020 and 8/13/2020. Protests to these applications may be submitted for a period ending ten (10) days after the second publication.

If the application(s) is/are protested, you will be sent a copy of each protest. All protests must be resolved before the application(s) 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 applications are not protested, the Department will process your applications and notify you of any action taken on the applications. If your applications are approved, the Department will send you a copy of the permits.

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

Sincerely,

Tammy Alleman
Administrative Assistant

CC:
ROBERT G HAYNES
2571 S REYNOLDS RD
COEUR D ALENE, ID 83814-7965

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, July 30, 2020 12:43 PM
To: 'Chantilly.Higbee@deq.idaho.gov'; 'Anna.Moody@deq.idaho.gov'; 'Horsmon,Merritt'
Subject: Request for Comments for 95-17975

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

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 6th & August 13th, 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 BREITKRUEZ
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