

JAN 27 2020

JAN 30 2020

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

IDWR / NORTH

DEPARTMENT OF
WATER RESOURCES

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Scott E McCarty Lanette F McCarty Phone (208) 507-2735
 Mailing address PO Box 127 City Stites
 State ID ZIP 83552 Email efgmcc@gmail.com

Name connector (check one): ☐ and ☐ or ☒ and/or

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 Spring which is a tributary of S. Fork of Clearwater River4. Location of point(s) of diversion: sinks

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
31N	04E	10	6	SW	SE	NW	Idaho	Spring undeveloped	

5. Water will be used for the following purposes:

Amount .04 cfs for domestic purposes from 01-01 to 12-31 (both dates inclusive)

(cfs or acre-feet per year)

Amount .02 cfs for stock water purposes from 01-01 to 12-31 (both dates inclusive)

(cfs or acre-feet per year)

Amount .03 cfs for irrigation purposes from 03-15 to 11-15 (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) .09 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. using a transfer pump to carry water to 1000 gal enclosed tank (storage)

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 DH
 Fee \$ 100.00 Received by ja Receipt No. N 035884 Date 1-27-2020

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. 50 mixed stock
- c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households one
- e. Other; describe fully. irrigation of 5 acres of pasture, garden, lawn + landscaping

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	
31N	04E	10								D									
31N	04E	10								S									
31N	04E	10								5									
										0.626									

Total number of acres to be irrigated: 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? _____

11. a. Who owns the property at the point of diversion? applicants
- b. Who owns the land to be irrigated or place of use? applicants
- 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. Uphill from the stream about 10' I would dig a trench parallel to the hillside to connect several little spring outlets within 20' of each other. I would put in a collection box, put a submersible pump in the box + pump the water up the hillside to a cistern.

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.

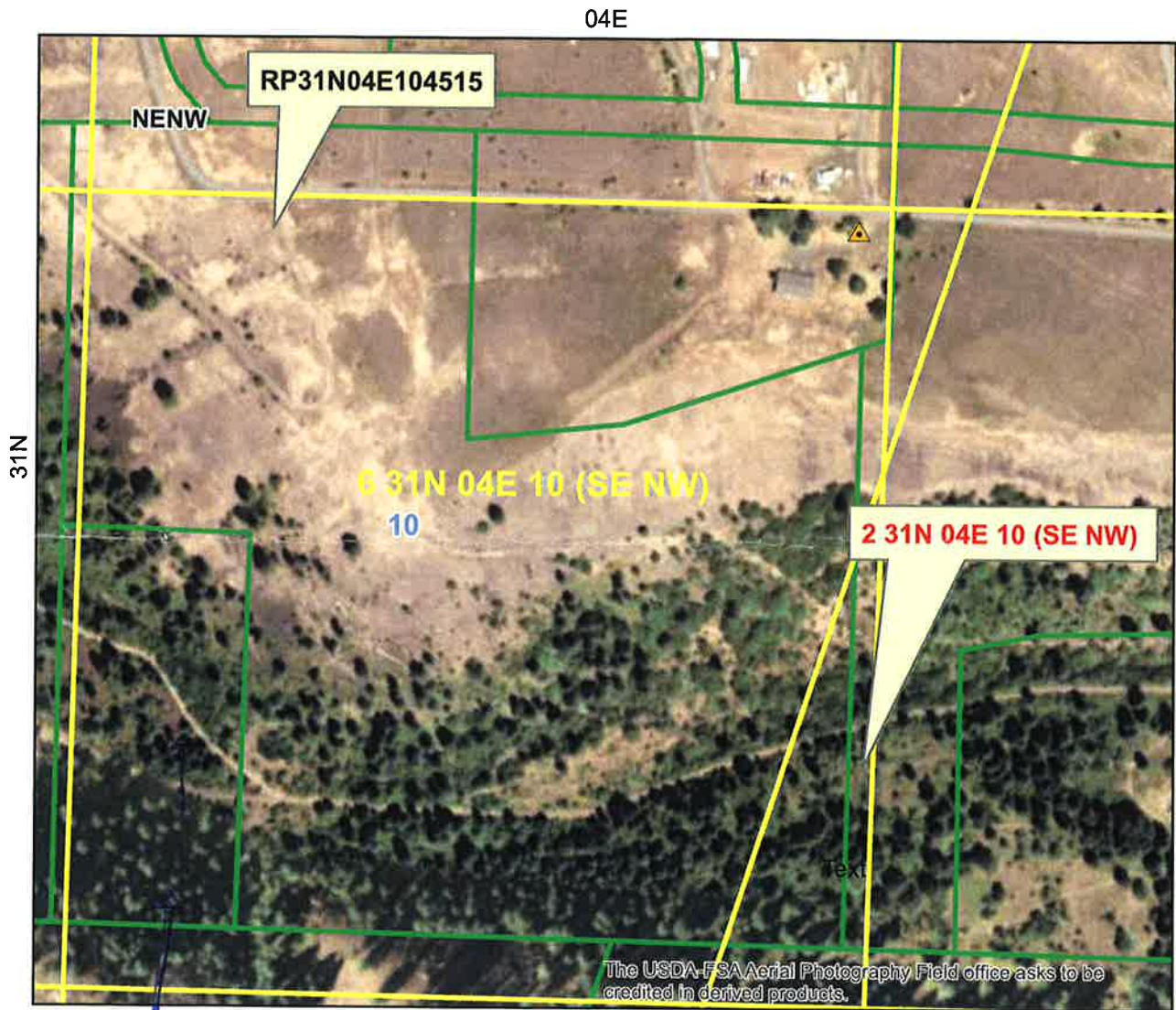
Signature of Applicant

Scott E. McCarty
Print Name (and title, if applicable)

Signature of Applicant

Lanelle F. McCarty
Print Name (and title, if applicable)

State of Idaho
Department of Water Resources
Application For Permit
82-XXXXXX



31N 04E 10 4510

0 0.035 0.07 0.14 Miles

- Point of Diversion
- PLS Sections
- Taxlots



Tax parcel information provide by Idaho County.

State of Idaho
Department of Water Resources
Application For Permit
82-XXXXXX

04E

*Sm 3-21-2020
this is to the best of our
ability we don't have
exact location general
area*



o ← Potential Spring locations

irrigation

PLS Sections

Quarter Quarters

Taxlots

Tax parcel information provided by Idaho County.

*Sent Copy by email on 3-21-2020
to David Hecamah*

Hersley, Jean

From: Hersley, Jean
Sent: Friday, June 12, 2020 7:50 AM
To: Clark, Cynthia Bridge; Cassel, Amy; Golden, Kala
Cc: Yenter, Cindy
Subject: Applications being advertised

Application for Permit 82-12286 and Amended Application for Permit 75-14970 along with Transfer 83914 for water rights 73-33 & 73-12252 will be advertised in the next two weeks. Please let me know if you have any comments or concerns with the applications. Protest end date is July 6, 2020. Documents should be available by the end of the day.

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



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

Brad Little
Governor

Gary Spackman
Director

June 11, 2020

SCOTT E MC CARTY
LANELLE F MC CARTY
PO BOX 127
STITES, ID 83552-0127

RE: Application for Permit No. 82-12286

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, IDAHO COUNTY FREE PRESS on 6/17/2020 and 6/24/2020. 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

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, June 11, 2020 3:40 PM
To: 'ifplegals@idahocountyfreepress.com'
Subject: Legal notice for your paper
Attachments: LegalNoticeTransferMerged16.docx

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notices which we wish to have published in your newspaper 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, PO Box 83720, Boise, Idaho, 83720-0098 before July 6, 2020. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

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

82-12286

SCOTT E MC CARTY

LANELLE F MC CARTY

PO BOX 127

STITES, ID 83552-0127

Point of Diversion L6(SWSENW) S10 T31N R04E IDAHO County

Source SPRINGS Tributary SOUTH FORK CLEARWATER RIVER

Use: DOMESTIC

01/01 to 12/31

0.04 CFS

Use: STOCKWATER

01/01 to 12/31

0.02 CFS

Use: IRRIGATION

03/15 to 11/15

0.03 CFS

Total Diversion:

0.09 CFS

Date Filed: 01-27-2020

Place Of Use: DOMESTIC, IRRIGATION, STOCKWATER

T31N R04E S10 L6(SENW)

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the State office at (208) 287-4800; or for a full description of the right(s), please see

<https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/>. 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, PO Box 83720, Boise, ID 83720 together with a protest fee of \$25.00 for each application on or before 7/6/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 6/17/2020 and 6/24/2020

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, June 11, 2020 3:40 PM
To: 'zachary.swearingen@idfg.idaho.gov'
Subject: Application for Permit of 82-12286

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

Date: 3/24/2020
To: WR No. 82-12289
From: David Hoekema
Re: Pre-Advertisement Application Review 86-12079

Applicant

On January 27, 2020 Scott and Lanelle McCarty submitted an Application for Permit to appropriate the public water of the State of Idaho was received by the Idaho Department of Water Resources to the Idaho Department of Water Resources (IDWR).

Source & Diversion System & Water Use

The McCarty's intend to divert water for domestic, stockwater, and irrigation purposes from a series of small springs to the north of an intermittent stream that runs across the south end of a parcel located just after Road Number 2 passes Theresa Way Acres, in Idaho County. The water will be used for one single family home, 50 head of mixed stock, and irrigation of up to 5 acres. The springs will be diverted into a collector ditch and run into a box with a submersible pump. The pump will carry the water out of the canyon to a cistern from which water will be pumped to irrigate 5 acres located on the parcel adjacent Road Number 2.

Hoekema, David

From: efgmcc <efgmcc@gmail.com>
Sent: Monday, March 23, 2020 8:14 PM
To: Hoekema, David
Subject: RE: Notice of Incomplete Application

Great, thanks.
Lanelle

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: "Hoekema, David" <David.Hoekema@idwr.idaho.gov>
Date: 3/23/20 10:46 AM (GMT-08:00)
To: Lanelle McCarty <efgmcc@gmail.com>
Subject: RE: Notice of Incomplete Application

Scott and Lanelle,

The map you sent looks good. I'll enter the data into our system tomorrow. I'll contact you via email if I have any more questions.

Thank you,

David Hoekema

From: Lanelle McCarty [efgmcc@gmail.com]
Sent: Saturday, March 21, 2020 2:10 PM
To: Hoekema, David
Subject: Re: Notice of Incomplete Application

We did our best for the locations of everything.

Thanks, Scott

On Mon, Mar 16, 2020, 1:56 PM Hoekema, David <David.Hoekema@idwr.idaho.gov> wrote:

Scott,

Please see the attached letter and application form. I've mailed you a copy of both. But for sake of expediting the process I am also emailing you.

Your Application for Permit is incomplete. The only incomplete portion of the application is the map. We need a map so that we can make sure the point of diversion and place of use are located in the right place.

As I mentioned on the phone, when we talked last week. If you can just sketch out the location of the point of diversion and place of use on the map, you could take a picture of the map with the sketch and send it to me via email.

If IDWR does not receive a copy of the map with the point of diversion and place of use clearly indicated in 30 days we will reject the application and refund you the cost of the application.

Sincerely,

David Hoekema

Hydrologist, Hydrology Section

Idaho Department of Water Resources

322 E. Front Street

Boise, ID 83702

office: (208) 287-4830

mobile: (714) 697-3203



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 • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

March 17, 2020

Scott and Lanelle McCarty,
P.O. Box 127
Stites, ID 83552

Re: Water Right Application Incomplete – Returned

Dear Scott and Lanelle,

The Idaho Department of Water Resource (IDWR) Northern Region office in Coeur D'Alene received your Application for Permit on January 27th, 2020. They forwarded the application to the IDWR State Office in Boise for processing. The application was received at the State Office on January 30th, 2020. The application received was incomplete, because the map attached did not indicate the proposed point of diversion or clearly delineate the place of use. You need to identify on the map where the 5 acres are that will be irrigated. The instruction on item 14 is as follows:

- 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.

You indicated that you had limited computer access when I talked with you on the phone last week. If you can draw a map of you property, based on the original map you attached to your permit for application, you can take a picture of the map and then send it to me via email or through the postal system. The map should contain the following items:

1. Location of springs that you intend to divert
2. Proposed diversion location [trench parallel to the hillside intercepting the springs]
3. Location of proposed submersible pump
4. Location of cistern that will store the water
5. Clear delineation of the 5 acres you intend to irrigate
6. Place your initials on the map with the current date

Also could you please indicate if, under normal circumstances, the springs that you intend to divert flow above ground to the Clearwater River. The USGS indicates on their topographical maps that the creek along the southern boundary of your property is intermittent. If the stream does not flow under normal circumstances all the way to the Clearwater River, you could identify the tributary as "sinks".

The original incomplete application is enclosed. Please make the necessary amendments to the original form and re-submit within the next thirty (30) days. If IDWR does not receive your written response within thirty (30) days, a refund will be issued for this filing. This letter is an attempt to ensure that your application is complete in order to establish a priority date. You may receive future correspondence regarding more specific details of your application.

Please call me if you have any questions. I would like to help you get this application completed as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "David Hoekema", written in a cursive style.

David Hoekema

*Hydrologist, Hydrology Section
Idaho Department of Water Resources
322 E. Front Street
Boise, ID 83702*

*office: (208) 287-4830
mobile: (714) 697-3203*

State of Idaho
Department of Water Resources
Application For Permit
82-XXXXXX

04E

*Jan 3-21-2020
this is to the best of our
ability. we don't know
exact location general
area*



o ← Potential Spring locations

irrigation

0 0.04 0.08 0.16 Miles

PLS Sections

Quarter Quarters

Taxlots



Tax parcel information provided by Idaho County.

*Sent copy by email on 3-21-2020
to David Hecamich*