

84121

Ident. No. 85-15812

FORM 202 Rev. 09/16

RECEIVED

JUN 10 2020

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

IDWR / NORTH

1. Name of applicant(s) LOREN AND MARCIA BUTLER Phone 208-836-5549  
 Name connector (check one): ☒ and ☐ or ☐ and/or  
 Mailing address 33752 BERRIMAN ROAD City LENORE  
 State ID ZIP 83541 Email B\_BFARMS@YAHOO.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 SPRING which is a tributary of SINKS
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
36N	02W	17		SW	SE	SE	NEZ PERCE	SPRING	

5. Water will be used for the following purposes:
- Amount 0.02 CFS for STOCKWATER 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) 0.02 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. Trough installed to receive spring water from direct flow.
- 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 \$ 1000 Receipted by NS Receipt No. NA36072 Date 5-14-2020

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. 25 HEAD CATTLE
  - 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	
36N	02W	17																S	

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

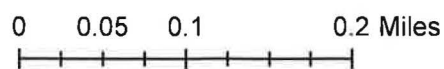
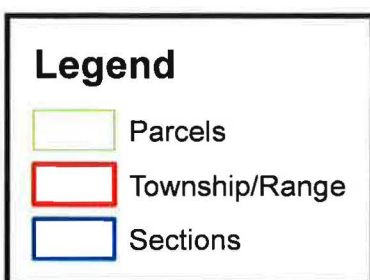
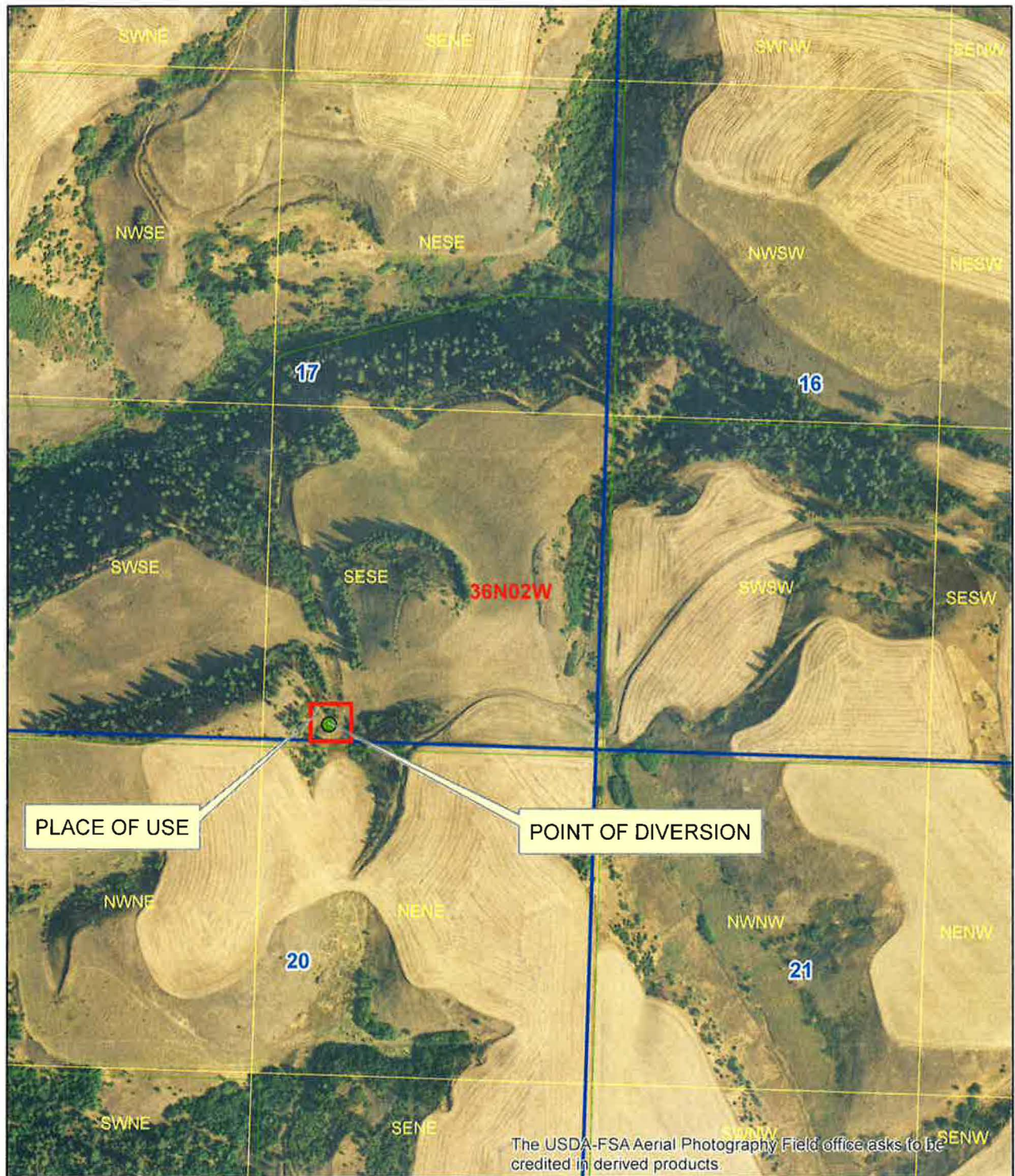
10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? NONE
11. a. Who owns the property at the point of diversion? LOREN AND MARCIA BUTLER  
b. Who owns the land to be irrigated or place of use? LOREN AND MARCIA BUTLER  
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. APPLICANT PLANS TO USE WATER FROM SPRING TO FILL CATTLE TROUGH TO WATER 25 HEAD OF CATTLE
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.

Loren Butler  
Signature of Applicant  
LOREN BUTLER  
Print Name (and title, if applicable)

Marcia Butler  
Signature of Applicant  
Marcia Butler  
Print Name (and title, if applicable)







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JUN 03 2020

IDWR / NORTH

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 85-15812

1. Name of applicant(s) Loren and Marcia Butler Phone 208-836-5549  
 Mailing address 33752 Berriman Road City Lenore  
 State ID ZIP 83541 Email b-b Farms @ yahoo.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 Spring which is a tributary of unnamed creek - Coyote 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 #
36N	2W	17		SW	SE	SE	Nez Perce	Spring	

5. Water will be used for the following purposes:

Amount .02 CFS for stock water purposes from 01/01 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) .02 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. \_\_\_\_\_  
 \_\_\_\_\_  
 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 NS Receipt No. NØ 36072 Date 5-14-2020

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. 25 head cattle
- 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	
<u>36N</u>	<u>2W</u>	<u>17</u>																<u>S</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? None

- Who owns the property at the point of diversion? LOREN AND MARCIA BUTLER
- Who owns the land to be irrigated or place of use? LOREN AND MARCIA BUTLER
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: NA

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Applicant plans to use water from spring to fill cattle trough to water 25 head of cattle

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

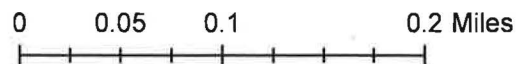
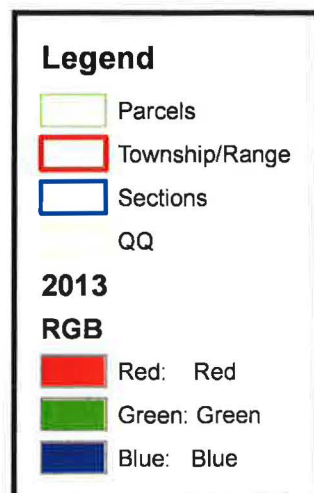
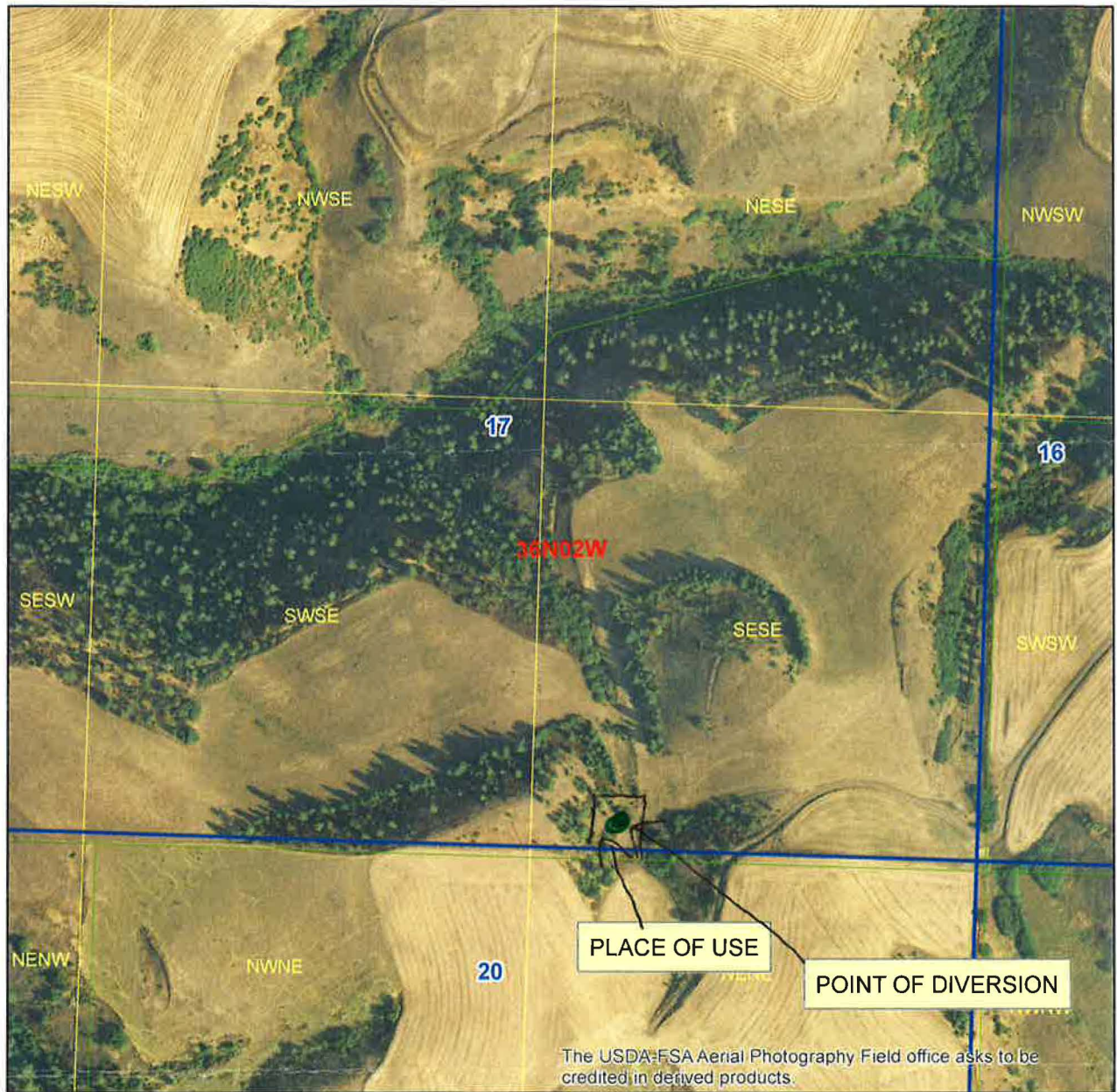
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

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.

Loren Butler  
Signature of Applicant  
LOREN BUTLER  
Print Name (and title, if applicable)

Marcia Butler  
Signature of Applicant  
Marcia Butler  
Print Name (and title, if applicable)







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FORM 202 Rev. 09/16

STATE OF IDAHO

Ident. No. \_\_\_\_\_

DEPARTMENT OF WATER RESOURCES

MAY 14 2020

# APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

IDWR/NORTH

- Name of applicant(s) Loren D Butler Marcial Butler Phone 208-836-5549  
Name connector (check one): ☐ and ☐ or ☒ and/or  
 Mailing address 33752 Berriman Rd City Lenore  
 State Idaho ZIP 83541 Email b-b Farms@yahoo.com
- Name of representative, if any \_\_\_\_\_ Phone \_\_\_\_\_  
 Mailing address \_\_\_\_\_ City \_\_\_\_\_  
 State \_\_\_\_\_ ZIP \_\_\_\_\_ Email \_\_\_\_\_
  - ☐ 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.
  - ☐ 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.
- Source of water supply ground water which is a tributary of N/A

- Location of point(s) of diversion:

*See attached insert*

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
36N	2W	17					Nez Perce	ground water	Paradise Place

- Water will be used for the following purposes:

Amount 0.010 cfs for stock water purposes from Apr. 1 to Nov 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)

- Total quantity to be appropriated is (a) 0.010 cubic feet per second (cfs) and/or (b) \_\_\_\_\_ acre-feet per year (af).

- Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. \_\_\_\_\_

b. Height of storage dam \_\_\_\_\_ feet; ± \_\_\_\_\_ acre-feet. If the reservoir will

dams 10 feet or more in height AND having ± \_\_\_\_\_  
for Construction or Enlargement of a New or

c. Proposed well diameter is \_\_\_\_\_ in

d. Is ground water with a temperature of greater than \_\_\_\_\_ °F

e. If well is already drilled, when? \_\_\_\_\_

well was drilled for (well owner) \_\_\_\_\_

total reservoir capacity \_\_\_\_\_

plan in item 12. For separate Application

No  
 et.

*Thank you for your help, Luke - Any questions call 208-836-5549-*

Received by \_\_\_\_\_ Date \_\_\_\_\_

Fee \$ 1000 Received by NS

by \_\_\_\_\_

5-14-2020

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. 25 head cattle
  - 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	

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? Loren D Butler
- b. Who owns the land to be irrigated or place of use? \_\_\_\_\_
- 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. \_\_\_\_\_

13. Time required for completion of works and application of water to proposed beneficial use is N/A 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.

Loren D. Butler  
Signature of Applicant

LOREN DALE BUTLER  
Print Name (and title, if applicable)

Marcia L. Butler  
Signature of Applicant

Marcia L. Butler  
Print Name (and title, if applicable)



The Paradise Spring Complex located  
as described:

Commencing at the SE Corner of  
Sect 17 T36N R2W of the Boise  
Meridian Thence North  $88^{\circ} 40' 0''$  W  
1044.00 feet to a point and  
radiating from that point a  
distance of 112.5 feet to include  
the water veins that  
contribute to the springs.



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

June 11, 2020

LOREN D BUTLER  
MARCIA BUTLER  
33752 BERRIMAN RD  
LENORE, ID 83541-6200

RE: Application for Permit No. 85-15812

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 LEWISTON TRIBUNE on 6/18/2020 and 6/25/2020. 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

---

**From:** Alleman, Tammy  
**Sent:** Thursday, June 11, 2020 1:45 PM  
**To:** 'Sujata.Connell@deq.idaho.gov'; 'Swearingen,Zachary'  
**Subject:** Request for Comments for Application for Permit 85-15812

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 July 6, 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, June 11, 2020 1:44 PM  
**To:** 'legals@lmtribune.com'  
**Subject:** Legal Notice  
**Attachments:** Legal Notice.docx

Please publish the enclosed legal notice in the **Lewiston Tribune** on the dates indicated **June 18<sup>th</sup> & June 25<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 **July 6, 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:

**85-15812**

LOREN D BUTLER

MARCIA BUTLER

33752 BERRIMAN RD

LENORE, ID 83541-6200

Point of Diversion SWSESE

S17 T36N R02W

NEZ PERCE County

Source SPRING

Tributary SINKS

Use: STOCKWATER

01/01 to 12/31

Total Diversion: 0.02 CFS

Date Filed: 06-03-2020

Place Of Use: STOCKWATER

T36N R02W S17 SESE

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 7/6/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 6/18/2020 and 6/25/2020