

JUN 04 2020

STATE OF IDAHO 84127
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. _____

95-17954

IDWR / NORTH

1. Name of applicant(s) Van Milek Sharon Milek Phone 509-327-8636
Name connector (check one): ☒ and ☐ or ☐ and/or
Mailing address 7112 N Five Mile Road City Spokane
State WA ZIP 99208 Email Km8t8@aol.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 ground water which is a tributary of _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
48N	04W	15			SW	SE	Kootenai	groundwater	

5. Water will be used for the following purposes:

Amount 0.04 cfs for domestic purposes 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) 0.04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (a

7. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source. shared well with Ron and John Martin residences and already hooked up to Milek residence
- 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. _____

1003

TA

Receipt# NØ 36077

OTD: 3-18-2020

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 1
 - 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				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
48N	04W	15														D	D		

Total number of acres to be irrigated: 1/4

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipal 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? Ron Martin
- b. Who owns the land to be irrigated or place of use? Van and Sharon Milek
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: existing shared well provides water use to applicants home

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Recent adjudication denied claim for Water Rights on our property thereby necessitating this application for permit. Intended use is for well water to be used for domestic purposes and up to 1/2 acre irrigation.

13. Time required for completion of works and application of water to proposed beneficial use is 3 years (minimum 1 year)

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point 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.

Van A Milek
Signature of Applicant

Sharon A. Milek
Signature of Applicant



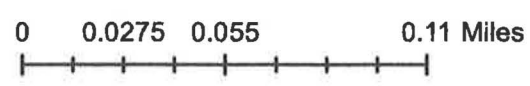
Legend

- Parcels
- Township/Range
- Sections
- QQ

2013

RGB

Red: Red



COUNTER OFFER

In reference to Agreement of Sale between VAN A MILEK & SHARON A. MILEK

the PURCHASER and ADELA A. MARTIN

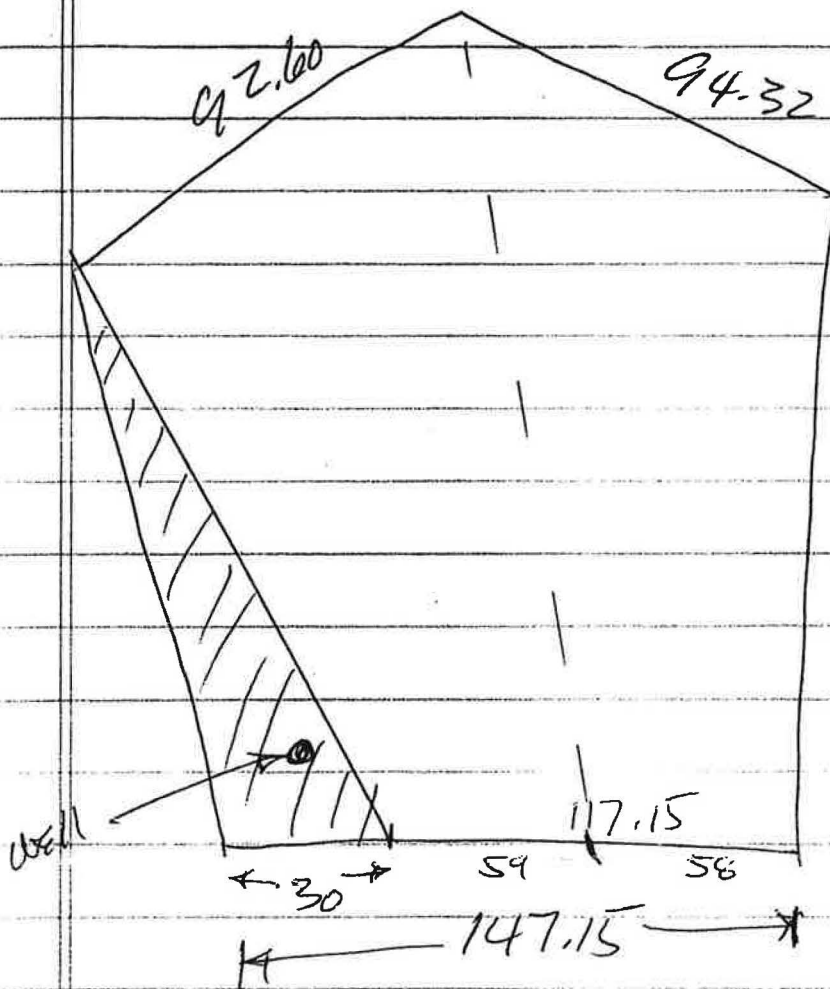
the SELLER, dated July 25, 1991 covering the real property commonly known as NEWTON'S SUB-DIV 1ST ADD LOT 7 BLOCK 2

the undersigned PURCHASER and SELLER agree to the following:

- ① PURCHASE PRICE TO BE 80,000.
- ② SELLER TO CARRY PROMISSORY NOTE FOR APPROX 55,000
SECURED BY A DEED OF TRUST ON SUBJECT PROPERTY
PAYABLE AT \$575⁰⁰, OR MORE PER MONTH INCLUDING
9 1/2% INTEREST UNTIL PAID IN FULL WITH ALL DUE 15 YRS FROM
CLOSE.
- ③ (1) WATER HOOKUP INCLUDED FROM SELLERS USED TO SUBJECT PROP.
FOR HOUSEHOLD USE ONLY WITH JOINT MAINTENANCE & REPAIR AFTER BUYER HOOKS UP TO WELL.
- ④ (1) SEPTIC EASEMENT TO BE PLACED AS CLOSE TO
EAST LINE OF TAX # 10,527 AS POSSIBLE FOR SUBJ. PROP. ONLY.
- ⑤ SOUTH LINE OF LOT 7 TO BE CHANGED SO THAT
EXISTING WELL WILL BE LOCATED ON LOT 8. WEST
LINE OF LOT 7 TO BE AT A DIAGONAL BUT NW
CORNER OF LOT 7 TO BE THE SAME. SELLER
WILL SURVEY THE CHANGE IN THE WEST LINE
OF LOT 7 AT SELLERS COST.
- ⑥ EASEMENT WILL BE ON LOT 7 FOR EXISTING INGRESS/EGRESS
ROAD AT SOUTH END OF LOT 7 TO BE USED BY LOT 8

* * * * * CONTINUED NEXT PAGE * * * * *

186.92 EF



(2) Septic Easement. 10 AC.

Reserv

Easement for Driveway for Apple Martin

From lot 7 1st Add to Newtons Sub Div.

Water From Lake - Existing

CAN Hook up to 250 gpm well

For Domestic use only. As long as producing well -

Not guaranteed in future. Share cost of maintenance.

RECEIVED

MAY 18 2020

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
 To appropriate the public waters of the State of Idaho

IDWR / NORTH

1. Name of applicant(s) Van Milek / Sharon Milek Phone 509-327-8636
 Name connector (check one): ☒ and ☐ or ☐ and/or
 Mailing address 7112 N Five Mile Road City Spokane
 State WA ZIP 99208 Email Km8t8@aol.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.
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☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
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Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
48N	04W	15	2		SW	SE	Kootenai	Groundwater	-

5. Water will be used for the following purposes:

Amount 0.04 cfs for domestic purposes purposes from 01-01 to 0.0 (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)
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Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)

6. Total quantity to be appropriated is (a) 0.04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (a)

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- 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. _____

Received by _____ Date _____ time _____ Preliminary Check _____

Fee \$100⁰⁰ Receipted by Ja Receipt No N036077 Date 3-18-2020

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. _____
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			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
48N	04W	1515																D	
																		GL2	

Total number of acres to be irrigated: 1/4

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- 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: have existing shared well on adjacent tax parcel providing water line to our home.

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Recent adjudication denied claim for Water Rights on our parcel property thereby giving claim to adjacent tax parcel (Ron Martin) and necessitating this permit application

13. Time required for completion of works and application of water to proposed beneficial use is 3 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

Signature of Applicant



Kootenai County



Owner

Additional

AIN: 137053

LRSN: 62012

GEO: 6102

Parcel Number: 0-5580-002-007-A

Appr Dist: 6

TCA: 236000

Incorporation: NONE

Owner Information:

MILEK, VAN A

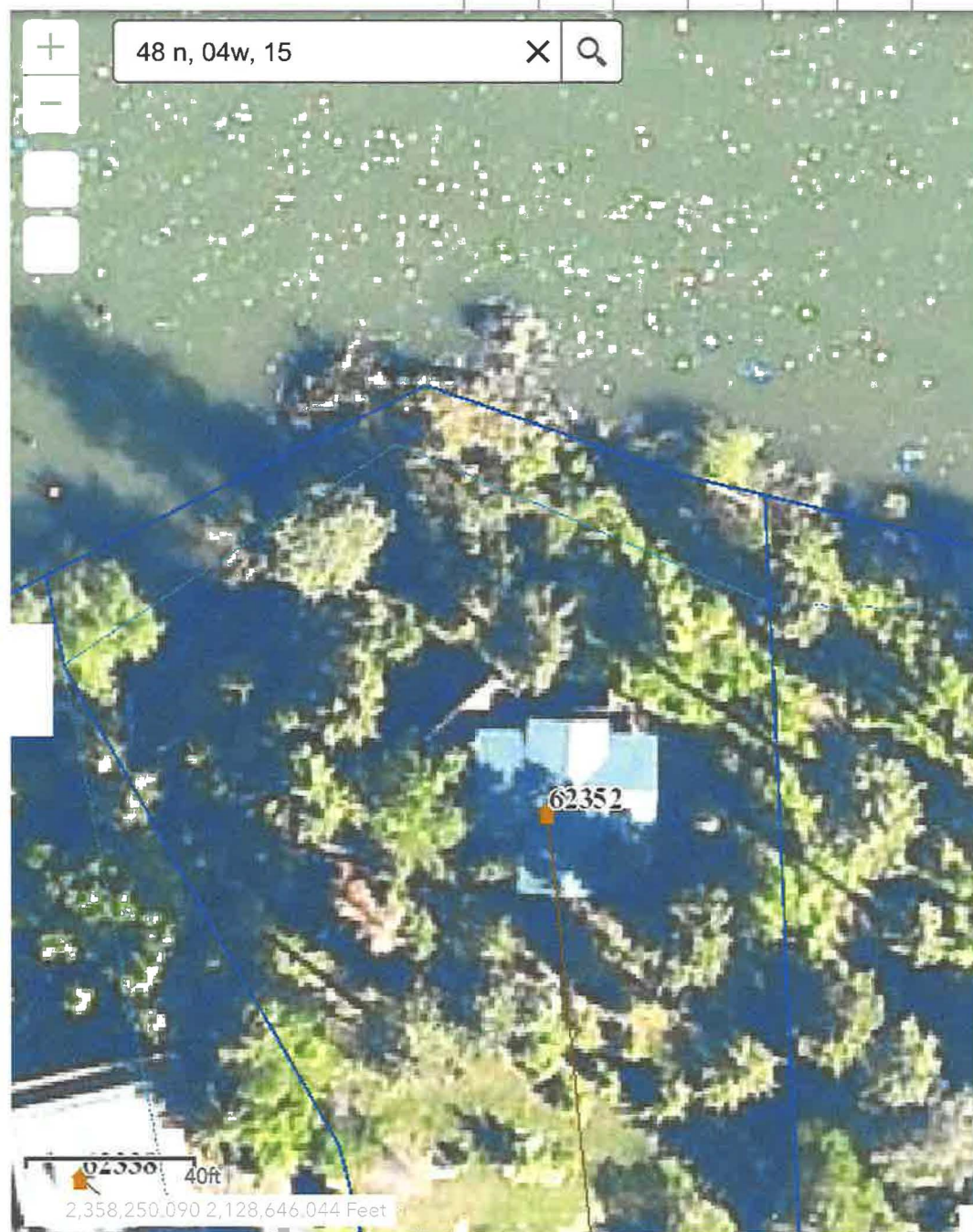
7112 N FIVE MILE RD

SPOKANE, WA 99208

Site Address:

62352 S POWDERHORN BAY RD

HARRISON

Legal Description: NEWTONS SUB 1ST ADD BLOCK 2,
TAX#14911 IN LT 7 BLK 2 1548N04W**BKPG:** D191**Acres:** 0.5400**TRS:** 484W15SE.PDF



5/12/2020, 4:08:29 PM

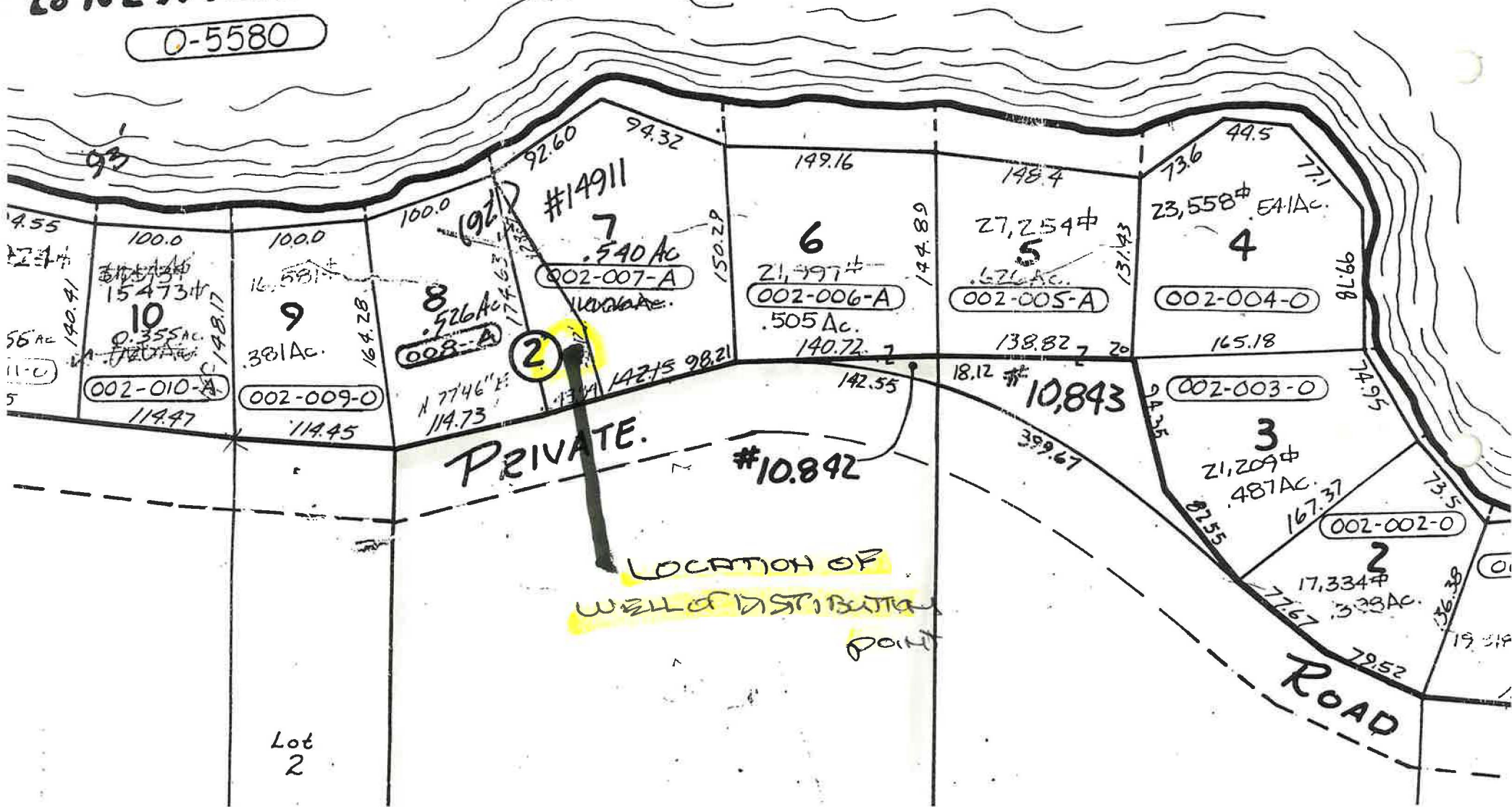
★ well distribution point

0 0 1:500 0.01 0.02 mi

EXHIBIT A

to NEWTON'S SUB. DIV.

0-5580



Lot
2



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

June 10, 2020

VAN MILEK
SHARON MILEK
7112 N FIVE MILE RD
SPOKANE, WA 99208-8982

RE: Application for Permit No. 95-17954

Dear Applicants:

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 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,

Tammy Alleman
Administrative Assistant

Alleman, Tammy

From: Alleman, Tammy
Sent: Wednesday, June 10, 2020 4:47 PM
To: 'LEGALS@CDAPRESS.COM'
Subject: Legal Notice
Attachments: Legal Notice for 94-9642, 94-9643, 95-17947, 95-17951, 95-17952, 95-17954, & 95-17955.docx

Please publish the enclosed legal notice in the **Coeur d'Alene Press** on the dates indicated **June 18th & June 25th, 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:

94-9642

TMI BUILDING LLC
610 W HUBBARD ST STE 200
COEUR D ALENE, ID 83814-2287
Point of Diversion L5(SENE)
S33 T49N R01W
KOOTENAI County
Source ROSE LAKE
Tributary COEUR D ALENE RIVER
Use: IRRIGATION
03/15 to 10/31
Total Diversion: 0.11 CFS
Date Filed: 05-28-2020
Place Of Use: IRRIGATION
T49N R01W S33
SENE,L5(SENE)
Place Of Use: IRRIGATION
T49N R01W S34 SWNW
Total Acres: 5.4

94-9643

RHONDA SAND
610 W HUBBARD ST STE 125
COEUR D ALENE, ID 83814-2286
Point of Diversion SENE
S33 T49N R01W
KOOTENAI County
Source ROSE LAKE
Tributary COEUR D ALENE RIVER
Use: IRRIGATION
03/15 to 10/31
Total Diversion: 0.12 CFS
Date Filed: 05-28-2020
Place Of Use: IRRIGATION
T49N R01W S33
L6(NESE),SENE,L5(SENE)
Place Of Use: IRRIGATION
T49N R01W S34 NWSW
Total Acres: 5.8

95-17947

PATRICK MAGAJNA
STEPHANIE MAGAJNA
9254 N CASTLE WAY
HAYDEN, ID 83835-9684
Point of Diversion NWNE
S17 T51N R03W
KOOTENAI County
Source HAYDEN LAKE
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 06-01-2020
Place Of Use: DOMESTIC
T51N R03W S17
NWNE,L2(NWNE),SWNE

95-17951

RANDY UCHYTIL
TOERY UCHYTIL
17433 E PEND OREILLE DIVIDE RD
ATHOL, ID 83801-5056
Point of Diversion SENW
S27 T53N R02W
KOOTENAI County
Source TRAPPER CREEK
Tributary LEWELLEN CREEK
Use: POWER

01/01 to 12/31
Total Diversion: 0.6 CFS
Date Filed: 05-27-2020
Place Of Use: POWER
T53N R02W S27 SENW
Total Acres: 13

95-17952

KEVIN HOEKENDORF
SUZANNE HOEKENDORF
15972 N SILVER SPRINGS RD
HAYDEN, ID 83835-9043
Point of Diversion NENE
S33 T52N R03W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: IRRIGATION
03/15 to 11/15 0.03 CFS
Total Diversion: 0.09 CFS
Date Filed: 06-02-2020
Place Of Use: DOMESTIC, IRRIGATION
T52N R03W S33 NENE
Total Acres: 1

95-17954

VAN MILEK
SHARON MILEK
7112 N FIVE MILE RD
SPOKANE, WA 99208-8982
Point of Diversion SWSE
S15 T48N R04W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 06-04-2020
Place Of Use: DOMESTIC
T48N R04W S15
NWSE, SWSE

95-17955

MATTHEW CHERRSTROM
35053 E HAYDEN LAKE RD
HAYDEN, ID 83835-7054
Point of Diversion SENE
S33 T52N R03W
KOOTENAI County
Source HAYDEN LAKE
Use: DOMESTIC
03/15 to 11/15
Total Diversion: 0.04 CFS
Date Filed: 06-05-2020
Place Of Use: DOMESTIC
T52N R03W S33
L1(ENE)

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