

RECEIVED

JUN 05 2020

RECEIVED IDWR / NORTH

FORM 202 Rev. 09/16

JUN 04 2020

84125

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 96-9810

IDWR / NORTH

- Name of applicant(s) THE DOVE FAMILY TRUST DATED July 25, 1997 Phone 530 906-3683
Mailing address 375 W. GARFIELD BAY RD City SAGLE
State IDAHO ZIP 83860 Email thedandove@gmail.com
- Name of representative, if any DANIEL AND/OR CAROL DOVE Phone 530 906-3683
Mailing address 375 W. GARFIELD BAY RD City SAGLE
State IDAHO ZIP 83860 Email thedandove@gmail.com
 - ☒ 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 LAKE PENO O'REILLE which is a tributary of PENO O'REILLE RIVER
- Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
<u>S6N</u>	<u>1W</u>	<u>21</u>	<u>2</u>		<u>NE</u>	<u>SE</u>	<u>BONNER</u>	<u>LAKE PENO O'REILLE</u>	<u>#1 LOT 12A</u>

- 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 _____ 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) .04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

7. Proposed diverting works:

- Describe type and size of devices used to divert water from the source. submersible 3/4 hp GOULDS 106507412
120' 4 1/2" BVC MANIFOLD. 100' 1 1/4" POLY PIPE, GFCI BREAKER, FISH SCREENED.
- 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
- Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- 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 Receipted by Jen Receipt No. N035136 Date 6-4-2020

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 - Includes watering garden (4,200 sq. ft)
- 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	
56N	1W	21													D				
															GL2				
															DAVE				
															6/5/20				

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? IDAHO DEPT of LANDS - L-96-8-05866

b. Who owns the land to be irrigated or place of use? THE DOVE FAMILY TRUST

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: TRUSTEE

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Original waterline installed pre-1977 was replaced in 2019 w/ 3/4 hp GARDLX #106507 412CL - 120' MANIFOLD, FISH SCREENED. 2DA GFCI BREAKER AND ELECTRICAL BUILT TO MEET 2016 IDAHO HOUSE BILL 643 AND NEC ARTICLE 682.

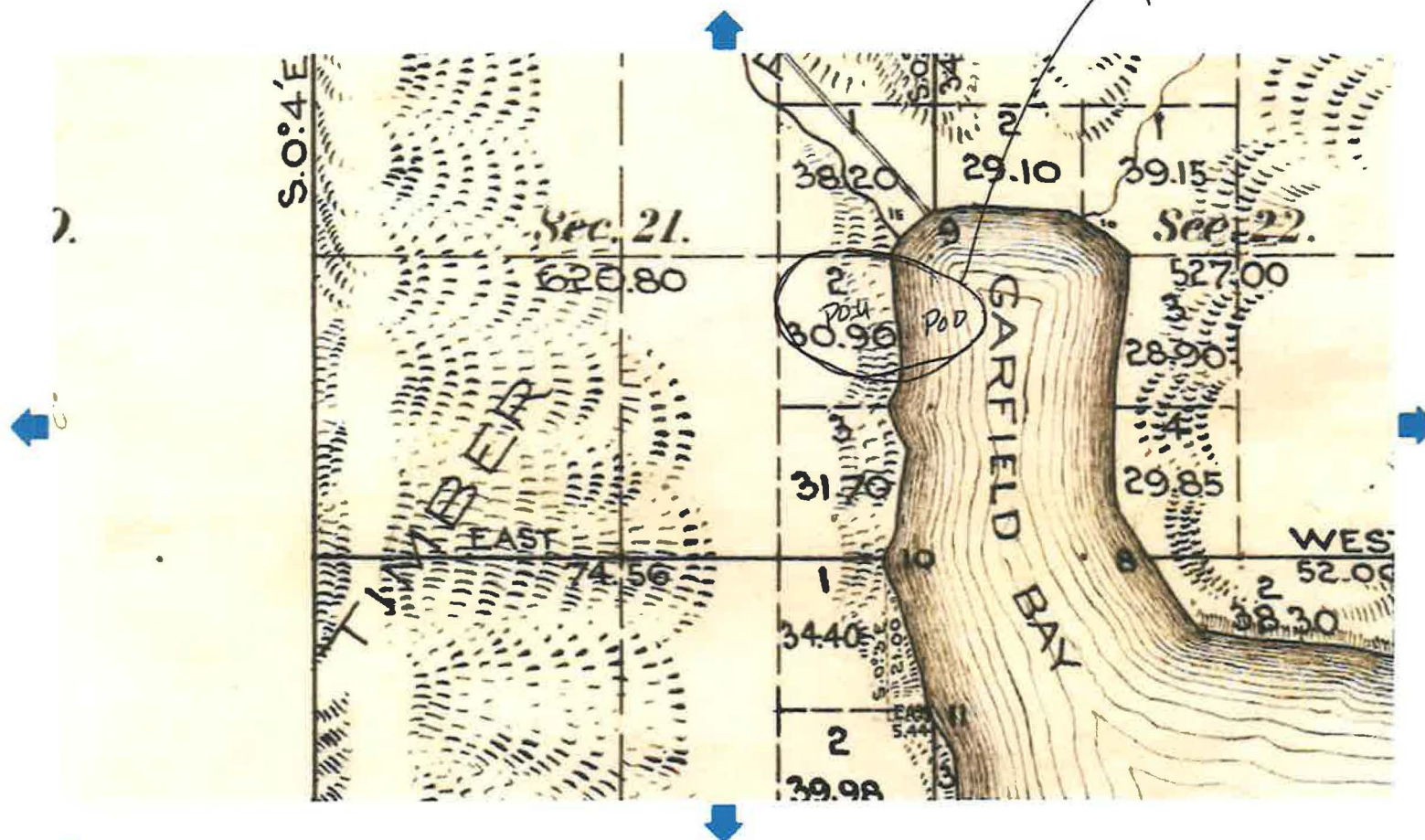
13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).


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.

Daniel J. Dove, trustee
Signature of Applicant
DANIEL J. DOVE, trustee
Print Name (and title, if applicable)

Carol L. Dove, Trustee
Signature of Applicant
CAROL L. DOVE, Trustee
Print Name (and title, if applicable)



 Hold down the Ctrl key to select a region with the mouse.

T56N
R01W
S. 21
GL2

Original Survey 'Meanders of Livermore
and Pond O'Reille Lakes' 1897

375 W. GARFIELD BAY RD. SAGLE, ID 83860

S21, T 56N, R 1W, ~~GLot 1~~ ArcGIS Web Map

Book 6 of Plots, Pg 32 Lot 12A

GLot 2
ID
6/5/2020



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

Ident. No. 96-9810

1. Name of applicant(s) THE DOVE FAMILY TRUST DATED July 25, 1997 Phone 530 906-3683
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address 375 W. GARFIELD BAY RD City SAGLE
State IDAHO ZIP 83860 Email thedandove@gmail.com
2. Name of representative, if any DANIEL AND/OR CAROL DOVE Phone 530 906-3683
Mailing address 375 W. GARFIELD BAY RD City SAGLE
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56N	1W	21	2		NE	SE	BONNER	LAKE PENO O'REILLY	#1 LOT 12A

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(cfs or acre-feet per year)

SUPERSEDED

6. Total quantity to be appropriated is (a) .04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
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- a. Describe type and size of devices used to divert water from the source. submersible 3/4 hp GOULDS 106507412
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- 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 Jer Receipt No. N035136 Date 6-4-2020

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Daniel J. Dove, trustee
 Signature of Applicant
DANIEL J. DOVE, trustee
 Print Name (and title, if applicable)

Carol L. Dove, Trustee
 Signature of Applicant
CAROL L. DOVE, Trustee
 Print Name (and title, if applicable)

375 W. GARFIELD JAY RD. SAGLE, ID 8360
 S21, T56N, R1W, G10 ArcGIS Web Map Book 6 of Plats, Pg 32 Lot 12A



6/2/2020, 11:08:18 AM

POU = red dashed line (Residence)
 POU - Water Rights

POD = orange line (L-96-S-0586C)



All Other POU (non-provider)



Irrigation Providers and Municipal Service Areas



POD - Water Rights

Esri, HERE, Garmin, (c) OpenStreetMap contributors, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Certified Abstract Of Living Trust Declaration
Trustee Certification and Attorney Certification
Dove Family Trust Dated July 25, 1997

I. Establishment of Trust.

Daniel J. Dove and Carol L. Dove, Trustors (Settlers) and Trustees, have executed a Living Trust Declaration on July 25, 1997, establishing the Dove Family Trust, which trust is not of record in any court.

II. Beneficiaries.

The present beneficiaries under the terms of said Living Trust Declaration are the Trustors.

III. Trustees.

The initial Trustees of this trust shall be Daniel J. Dove and Carol L. Dove.

Successor Trustees of this Trust are, as of the date of signing this Trust:

1. Denice Gigoux

IV. Powers of Trustee.

The Trustee is vested with and has all the rights, duties, powers and privileges which an absolute owner of property would have. The powers and authority of the Trustee with respect to the trust property are listed in full in the Dove Family Trust dated July 25, 1997, and include, but are not limited to:

1. Power to Appoint Agents.

The Trustee specifically has the power to appoint agents, including but not limited to a power of attorney.

V. Federal Identification Number.

Treasury Regulations that apply to the Dove Family Trust specify that, while the Trustors are acting as Trustees, the Trustors' Social Security numbers shall be used for Federal Identification Number purposes. At such time as the Trustors are no longer acting as Trustees or at such time as a portion of the trust becomes irrevocable, a Federal Identification Number will be required. In Witness Whereof, I have signed this Certified Abstract of Living Trust Declaration on July 25, 1997.



Daniel J. Dove, as Trustor and as Trustee



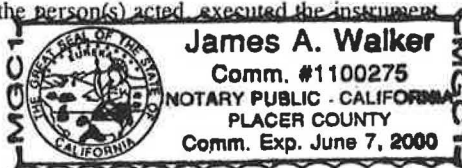
Carol L. Dove, as Trustor and as Trustee

State Of California)

County of Placer) ss

On July 25, 1997, before me, the undersigned, personally appeared Daniel J. Dove and Carol L. Dove, personally know to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



VI. Attorney's Certification.

The undersigned, attorney for Daniel J. Dove and Carol L. Dove, as Trustors and Trustees of the Dove Family Trust dated July 25, 1997, hereby certifies that said Trust is a Revocable Trust and that said Trust has been executed. In said attorney's opinion, Treasury Regulations that apply to the Trust do not require a separate employer identification number at that time. Additionally, in said attorney's opinion, the Trust is designed in such a way that a transfer of real property to the trustees does not change equitable ownership, therefore, it comes within the exempt provisions for assessor's re-evaluation purposes.

THE TITLE ON COMMUNITY ASSETS SHOULD NOW READ

Daniel J. Dove and Carol L. Dove, Trustees of the
Dove Family Trust dated July 25, 1997

THE TITLE ON SEPARATE PROPERTY ASSETS SHOULD NOW READ

(The owner's name), Trustee of the Dove Family Trust dated July 25, 1997

The other spouse should be the primary beneficiary on pre-tax accounts such as IRA, 401(k), deferred compensation accounts, annuities, and other tax-free accounts. The other spouse should also be primary beneficiary on life insurance policies. The Trust should then be designated as the secondary beneficiary as follows:

The Trustees of the Dove Family Trust dated July 25, 1997 or Successor(s) in Trust as Trustee(s)

Dated: July 25, 1997





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

THE DOVE FAMILY TRUST
375 W GARFIELD BAY RD
SAGLE, ID 83860-4910

RE: Application for Permit No. 96-9810

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 BONNER COUNTY DAILY BEE 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

CC:
DANIEL J DOVE
CAROL L DOVE
375 W GARFIELD BAY RD
SAGLE, ID 83860-4910

Alleman, Tammy

From: Alleman, Tammy
Sent: Wednesday, June 10, 2020 3:28 PM
To: 'Horsmon, Merritt'; 'Chantilly.Higbee@deq.idaho.gov'; 'Anna.Moody@deq.idaho.gov'; 'Mike Ahmer'; 'Amidy Fuson'
Subject: Request for Comments for Application for Permit 96-9810

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: Wednesday, June 10, 2020 2:53 PM
To: 'bcdblegals@cdapress.com'
Subject: Legal Notice
Attachments: Legal Notice for 96-9809 through 96-9812.docx

Please publish the enclosed legal notice in the **Bonner County Daily Bee** 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:

96-9809

JIM D ALLEN
PATRICIA A ALLEN
16512 E SECRETARIAT LN
VERADALE, WA 99037-8867
Point of Diversion L3(SENW)
S3 T56N R02W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.08 CFS
Date Filed: 06-03-2020
Place Of Use: IRRIGATION
T56N R02W S3
L3(SENW)
Total Acres: 2.5

96-9810

THE DOVE FAMILY TRUST
375 W GARFIELD BAY RD
SAGLE, ID 83860-4910
Point of Diversion L2(NESE)
S21 T56N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 06-05-2020
Place Of Use: DOMESTIC
T56N R01W S21
L2(NESE)

96-9811

GARY PRUITT
SHARON PRUITT
18417 N ABIGAIL LN
SPOKANE, WA 99208-8266
Point of Diversion NESE
S30 T56N R03W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 06-04-2020
Place Of Use: DOMESTIC
T56N R03W S30
L6(NESE)

96-9812

JOSEPH SWAN
1621 CAMP BAY RD
SAGLE, ID 83860-9420
Point of Diversion L1(NWNW)
S18 T56N R01E
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 06-05-2020
Place Of Use: DOMESTIC
T56N R01E S18
L1(NWNW)

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

MEMORANDUM

Date: June 5, 2020
To: Water Right File 96-9810
From: smaxey
Re: PRIORITY DATE 06/05/2020

<u>APPLICATION VERSION</u>	<u>IDWR DATE RECVD</u>	<u>IDAPA 37.03.08 STATUS</u>	<u>PRIORITY</u>
ORIGINAL APPLICATION	06/04/2020	UNACCEPTABLE FOR FILING. RECEIVED AT IDWR N. REGION OFFICE. 06/04/2020. POD LEGAL DESCRIPTION NOT IN AGREEMENT WITH APPLICATION MAP.	
REVISED APPLICATION	06/05/2020	ACCEPTABLE FOR FILING. RECEIVED AT IDWR N. REGION OFFICE. 6/05/2020. REPRESENTATIVE DANIEL DOVE CORRECTED APPLICATION AND APPLICATION MAP.	6/05/2020

Maxey, Shaun

From: Maxey, Shaun
Sent: Thursday, June 4, 2020 6:10 PM
To: 'thedandove@gmail.com'
Subject: Corrections to Application 96-9810
Attachments: 96-9810 Garfield Bay Survey.pdf; 96-9810 APP Map for Correction.pdf; 96-9810 APP Pg. 1 & Pg. _2.pdf

Mr. Dove:

Thanks for the information you provided in our phone call a few minutes ago. Attached for your information is a copy of the image showing the original 1897 survey of the Garfield Bay area (Meanders of Livermore & Pend Oreille Lakes). This shows that your property is in Government Lot 2.

The second attachment is a copy of your Application Map that shows the legal description at the top. This must read '...GLot 2...' for Government Lot 2 in order to be in agreement with Page 1 of your Application.

The last attachment is a copy of Pages 1 and Page 2 of your Application for Permit. The Application requires 'Pend Oreille River' to be written in as the tributary on Line 3 and a GL 2 to be written into the cell below the '...D...' on the second page (line 9).

Please initial and date all corrections to the Application Map and pages 1 and 2 of the Application. The corrections must be mailed to the address shown below in my signature block , if you choose to mail it in.

Please print out the attachments and bring them with you if you choose to make the corrections at our office. Directions to our office are as follows:

- 1) Use U.S. 95 South to reach Coeur d-Alene. Get into Right Hand lane headed South before reaching signals at Prairie Avenue intersection.
- 2) Remain in Right Hand lane to cross Prairie AVE-Continue South.
- 3) Turn Right & Exit from U.S. 95, onto Aqua Avenue, immediately after passing Starbucks & Kohl's Department Store (first opportunity to turn Right after passing Prairie AVE).
- 4) Go one block West on Aqua until your reach stop sign.
- 5) Turn Left on to North Mineral Drive.
- 6) Go to second building on left after turning onto North Mineral Drive. We are in the first suite (Suite 100) on the left, as you face the building (large white, one story office building has '...7600...' on the side facing North Mineral Drive.

Shaun Maxey

Shaun M. Maxey
Sr. Water Resource Agent
Idaho Department of Water Resources, Northern Region
7600 N. Mineral DR, Ste. 100
Coeur d'Alene, ID 83815
(208) 762.2816