

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

C. Greenwalt and/or (Initial & Date) KJG 5/19/2020 BCG 5/19/2020

Name of applicant(s) Barry Payne and Katie Jo Greenwalt Phone (208) 301-2914

Mailing address 1250 Bond Rd. City Desmet

State ID ZIP 83824 Email Katie.greenwalt@yahoo.com

2. Name of representative, if any N/A 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 Middle Fork St. Maries River which is a tributary of St. Maries River

4. Location of point(s) of diversion: Initial & Date KJG 5/19/2020 BCG 5/19/2020

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
42N	02E	5		SW	SE	SW	Shoshone	Middle Fork St. Maries River	Jomar Stout LLC
									minor subdivision
									#4 Lot #8

5. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from 01/01 to 12/31 each year (cfs or acre-feet per year) (both dates inclusive)

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 (af).

7. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. 1.6 HP pump with garden hose

b. Height of storage dam N/A 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 N/A 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? N/A; drilling firm; well was drilled for (well owner); Drilling Permit No.

For Department Use

Received by Date Time Preliminary check by

Fee \$ 105.00 Receipted by JG Receipt No. N0360716 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. _____
- Municipal; must complete and attach the Municipal Water Right Application Checklist.
- Domestic; show number of households Up to 4-5 campers private campground
- Other; describe fully. with lawn/garden irrigation under .5 acres

9. Description of place of use: N/A

- 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	
42N	02E	5												D			X		
														(Nitria & Date)					

Total number of acres to be irrigated: N/A

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? no other water rights

- Who owns the property at the point of diversion? Barry and Katie Greenwalt (applicants)
- Who owns the land to be irrigated or place of use? same
- 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. Private family campground. Only intend to use for domestic purposes to supply water to campers.

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.

Barry C. Greenwalt 5/19/2020
Signature of Applicant
Barry C. Greenwalt
Print Name (and title, if applicable)

Katie Jo Greenwalt 5/19/2020
Signature of Applicant
Katie Jo Greenwalt
Print Name (and title, if applicable)

State of Idaho
Department of Water Resources
Application For Permit

Barry + Katie
Greenwalt



- PLS Sections
- Quarter Quarters
- Taxlots

0 0.0225 0.045 0.09 Miles

 = Domestic Place of use
 = Point of Diversion

N

Tax parcel information provided by Shoshone County.

RECEIVED

MAY 18 2020

IDWR / NORTH

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Barry Coyne and Katie Jo Greenwalt Phone (208) 301-2914
 Name connector (check one): ☐ and ☐ or ☒ and/or
 Mailing address 1250 Bond Rd. City Oesmet
 State ID ZIP 83824 Email Katie.greenwalt@yahoo.com

2. Name of representative, if any N/A 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
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3. Source of water supply Middle Fork St. Maries River which is a tributary of St. Maries River

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
42N	02E	5		SW			Shoshone	St. Maries River	Jomar Stout LLC minor subdivision #4 Lot #2

5. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from 01/01 to 12/31 each year (both dates inclusive)
 (cfs or acre-feet per year)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
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6. Total quantity to be appropriated is (a) 0.04 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. 1.6 HP pump with garden hose
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 c. Proposed well diameter is N/A 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? N/A; 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 JA Receipt No. N0360716 Date 3-18-2020

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. _____
- c. Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
- d. Domestic; show number of households Up to 4-5 campers private campground
- e. Other; describe fully. with lawn/garden irrigation under .5 acres

9. Description of place of use: N/A

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
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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>42N</u>	<u>02E</u>	<u>5</u>															<u>D</u>		

Total number of acres to be irrigated: N/A

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? no other water rights

11. a. Who owns the property at the point of diversion? Barry and Katie Greenwalt (applicants)
- b. Who owns the land to be irrigated or place of use? same
- 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. Private family campground. Only intend to

use for domestic purposes to supply water to campers.

13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year). no project - indefinite use

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.

Barry C. Greenwalt
Signature of Applicant

Barry C. Greenwalt
Print Name (and title, if applicable)

Katie Jo Greenwalt
Signature of Applicant

Katie Jo Greenwalt
Print Name (and title, if applicable)

State of Idaho
Department of Water Resources
Application For Permit

Barry + Katie
Greenwalt



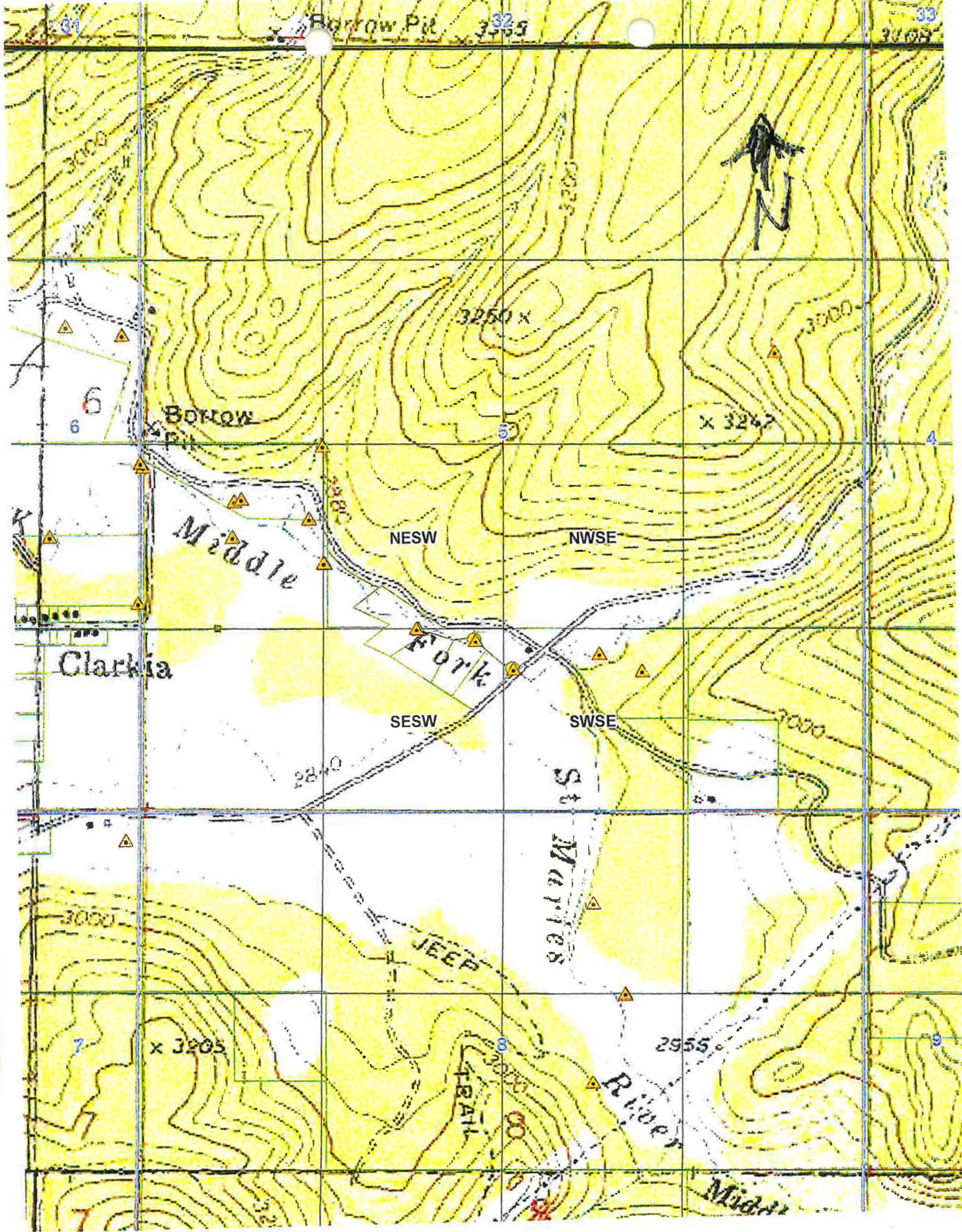
- PLS Sections
- Quarter Quarters
- Taxlots

0 0.0225 0.045 0.09 Miles

○ = Domestic Place of use
X = Point of Diversion



Tax parcel information provided by Shoshone County.



RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
2 E. Mullan
Kellogg, ID 83837

496150

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **700215-WA (JS)**

Date: **October 09, 2018**

For Value Received, **JoMar Stout, LLC, an Idaho limited liability company**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Barry C. Greenwalt and Katie Jo Greenwalt, husband and wife**, hereinafter called the Grantee, whose current address is **1250 Bond Rd, Desmet, ID 83824**, the following described premises, situated in **Shoshone County, Idaho**, to-wit:

Lot 2, JoMar Stout, LLC Minor Subdivision No. 4, located in part of the East 1/2 of the Southwest 1/4 and part of the Southwest 1/4 of the Southeast 1/4 of Section 5, Township 42 North, Range 2 East, B.M., Shoshone County, State of Idaho. Plat recorded September 25, 2018, as instrument no. 495782.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 10/09/2018

Warranty Deed
- continued

File No.: 700215-WA (JS)

JoMar Stout, LLC, an Idaho limited liability
company

By: Martin I. Stout
Name: Martin I. Stout
Title: Manager

STATE OF Idaho)
SS.
COUNTY OF Latah)

On this 19 day of **October, 2018**, before me, a Notary Public in and for said State, personally appeared **Martin Stout**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **JoMar Stout**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.



William M. Reynolds
Notary Public of Idaho
Residing at: Moscow ID
Commission Expires: 2/7/2023

496150 '18 OCT 24 PM 12:07

Instrument # 496150
WALLACE, SHOSHONE COUNTY, IDAHO
10-24-2018 12:07:00 PM No. of Pages: 2
Recorded for : FIRST AMERICAN TITLE CO.
PEGGY DELANGE-WHITE Fee: 15.00
Ex-Officio Recorder Deputy Peggy Delange-White
Index to: WARRANTY DEED



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

May 27, 2020

BARRY C GREENWALT
KATIE JO GREENWALT
1250 BOND RD
DESMET, ID 83824-9746

RE: Application for Permit No. 92-11102

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 SHOSHONE NEWS PRESS on 6/5/2020 and 6/12/2020. 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, May 27, 2020 2:18 PM
To: 'Chantilly.Higbee@deq.idaho.gov'; 'Anna.Moody@deq.idaho.gov'; 'Horsmon,Merritt'; Skoro, Emily; Golden, Kala
Subject: Request for Comments on WR#92-11102

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 June 22, 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, May 27, 2020 2:15 PM
To: 'LEGALS@CDAPRESS.COM'
Subject: Legal Notice
Attachments: Legal Notice for 92-11102 & 94-9641.docx

Please publish the enclosed legal notice in the **Shoshone News Press** on the dates indicated **June 5th & June 12th, 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 **June 22, 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:

92-11102

BARRY C GREENWALT
KATIE JO GREENWALT
1250 BOND RD
DESMET, ID 83824-9746
Point of Diversion SESW
S5 T42N R02E
SHOSHONE County
Source ST MARIES RIVER
Tributary ST MARIES RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 05-21-2020
Place Of Use: DOMESTIC
T42N R02E S5 SESW

94-9641

BROOKSIDE DEVELOPMENT LLC
876 BURKE RD
WALLACE, ID 83873-2486
Point of Diversion NWSE
S26 T48N R04E
SHOSHONE County
Source CANYON CREEK
Tributary COEUR D ALENE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 05-22-2020
Place Of Use: IRRIGATION
T48N R04E S26 NWSE
Total Acres: 0.8

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 6/22/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 6/5/2020 and 6/12/2020

Maxey, Shaun

From: Katie Greenwalt <katiegreenwalt@yahoo.com>
Sent: Thursday, May 21, 2020 2:25 PM
To: Maxey, Shaun
Subject: Re: Map for Idaho Application For Permit corrections

Hi Shaun,

Yes, this is the map that we would like you to use for our corrected application.

Thank You,
Katie Jo Greenwalt

Sent from my iPhone

On May 21, 2020, at 2:21 PM, Maxey, Shaun <Shaun.Maxey@idwr.idaho.gov> wrote:

Hi:

Your corrected application arrived in our U.S. mail today. Please send me an reply to this message indicating that this is the map you want to use for the corrected Application.

Thanks,

Shaun Maxey

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

<Greenwalt APP Map.pdf>

CONVERSATION MEMO

OV- Office Visit T-Telephone M-Meeting O- Other

TO Right No. 92-11102

FROM Shaun MAXEY, FOWR

☐ OV ☒ T ☐ M ☐ Other _____ DATE 5/18/20 WITH Katie Jo Greenwalt
Received incoming phone call from Ms. Greenwalt
in response to my e-mail concerning required
corrections to Application for Permit. Discussed
corrections and also told Ms. Greenwalt that FOWR
letter to her had been put in outgoing mail today.

☐ OV ☒ T ☐ M ☐ Other _____ DATE 5/21/20 WITH Katie Jo Greenwalt
Telephoned Ms. Greenwalt and asked her to respond to
e-mail about map I had just sent her.

☐ OV ☐ T ☐ M ☐ Other _____ DATE _____ WITH _____

☐ OV ☐ T ☐ M ☐ Other _____ DATE _____ WITH _____

Maxey, Shaun

From: Maxey, Shaun
Sent: Monday, May 18, 2020 10:38 AM
To: 'katiegreenwalt@yahoo.com'
Subject: Idaho Application For Permit corrections
Attachments: GREENWALT APP Corrections.pdf; GREENWALT APP Black & White Photo 1.pdf;
GREENWALT APP Black & White Photo 2.pdf

Hi:

Please review the attachments and give me a brief phone call at (208) 762.2816 concerning corrections to Lines 1, 4, and 9 of your Application for Permit for Domestic use of the Middle Fork St. Maries River. I will explain why the corrections are necessary and a letter that is being sent to you via U.S. mail.

These corrections are required before we can proceed to publication of the required legal notices on your Application.

Thanks,

Shaun Maxey

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene ID 83815-7763

Phone: (208) 762-2800 • Fax: (208) 762-2819

Website: idwr.idaho.gov • Email: northerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

May 18, 2020

****Time Sensitive Response Required****

Barry C. Greenwalt and Katie Jo Greenwalt
1250 Bond RD
Desmet, ID 83824

Re: Unacceptable for Filing status on Application for Permit (Rule 35 Application Requirements)

Dear Applicants:

Idaho Department of Water Resources (IDWR) received your Application for Permit today to divert water from the Middle Fork St. Maries River for domestic use in Shoshone County (parcel RP42N02E056620). **Please note that the Application is currently unacceptable for filing because required legal descriptions are incomplete or incorrect (not in agreement with the Application Map) and a signature that does not match the Co-Applicant name (line 1 of Application).**

The required corrections have been sent to you in an e-mail message earlier today. Please review the required corrections in the enclosures if you have not already replied to the e-mail. The original Corrections must be initialed and dated and returned to IDWR via U.S. mail.

An Application that is acceptable for filing must be received no later than June 16, 2020. IDWR will take steps to terminate the Application, if no response is received, in accordance with Idaho Code § 42-204.

Respectfully,

Shaun M. Maxey
Sr. Water Resource Agent
Idaho Department of Water Resources, Northern Region

Enclosures

Copy of Pg. 1 and 2 of Application for correction & return to IDWR
IDWR Examples of corrections to Pg. 1 & Pg. 2 of Application & Application Map