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JAN 30 2020

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

MAR 13 2020

DEPARTMENT OF
WATER RESOURCESDEPARTMENT OF
WATER RESOURCES

1. Name of applicant(s) Peter and Fiona Hicks Phone 404-565-3131
 Name connector (check one): ☒ and ☐ or ☐ and/or
 Mailing address 297 Carr Creek Road City Sandpoint
 State ID _____ ZIP 83864 Email hicks peter@gmail.com
2. Name of representative, if any Clearwater Engineering Phone 208-255-8803
 Mailing address PO Box 251 City Sandpoint
 State ID _____ ZIP 83864 Email clearwater@nctv.com
- 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 Carr Creek which is a tributary of Pend Oreille 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 #
57N	3W	26		SW	NE	NW	Bonner	Carr Creek	

5. Water will be used for the following purposes:
 Amount 0.02 cfs for Irrigation of 1/2 Acre purposes from May 1 to Oct 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. 2" diameter HDPE screened pipe installed in concrete sump to be located adjacent to creek. Water pumped to garden and orchard.
- 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 PD
 Fee \$ 100.00 Receipted by Ja Receipt No. N035882 Date 1-24-2020

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 _____
 - 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	
57N	03W	26					I												0.5 Ac

Total number of acres to be irrigated: 0.5

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? Intent is to use this water for irrigating household garden and orchard.
11. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or place of use? Applicant
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. Intend to lay a 2" diameter HDPE pipe from creek bottom uphill to garden and orchard area. Water will be pumped from circular concrete sump excavated and installed at edge of creek. Power for pump will be delivered to pump from cable installed in pipe trench from existing panel at applicant's residence.
13. Time required for completion of works and application of water to proposed beneficial use is 2 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

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

Additional Information/Narrative for Application for Permit for Peter and Fiona Hicks

The Hicks purchased their residence in April 2016. Water to the residence is provided by an existing, unregistered well. The well was pump tested in April 2016 and had a sustained yield of 3.2 gpm. In addition to domestic use, water from the existing well has been used to irrigate a garden and small orchard. At times in the late summer and early autumn insufficient water is available from the existing well to provide irrigation water.

For this reason, the Hicks plan to divert water from Carr Creek to irrigate their existing garden and orchard. This would reduce the need to utilize water from the well for irrigation. If Carr Creek cannot provide sufficient water, the existing well will provide irrigation water to the garden and orchard. An Application for Permit to divert water from Carr Creek has been submitted to the IDWR office in Coeur d'Alene.

In addition, the applicant plans to construct an Accessory Dwelling Unit (ADU) on their property for their parents. Water would be piped from the existing well to provide domestic water for the ADU.

Hicks Application for Water Right



1/4/2020, 3:13:11 PM

Override 1 Counties Section Idaho Outline
 Override 1 Quarter Quarter Township/Range Idaho Mask

1:2,257
 0 0.01 0.03 0.05 mi
 0 0.02 0.04 0.08 km

Esri, HERE, Garmin, (c) OpenStreetMap contributors, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Created by NRCS from 1:24,000 scale USGS topographic maps., Idaho Department of Water Resources

Idaho Department of Water Resources

DigitalGlobe | Created by NRCS from 1:24,000 scale USGS topographic maps. | Idaho Department of Water Resources | USDA, Natural Resources Conservation Service | Esri, HERE

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, April 8, 2020 9:06 AM
To: 'bcdblegals@cdapress.com'
Subject: Legal Notice for the Daily Bee
Attachments: LegalNoticeTransferMerged8.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 May 4, 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:

96-9794

PETER HICKS

FIONA HICKS

297 CARR CREEK RD

SANDPOINT, ID 83864-6313

Point of Diversion NENW S26 T57N R03W BONNER County

Source GROUND WATER

Use: IRRIGATION

04/01 to 10/31

0.04 CFS

Use: DOMESTIC

01/01 to 12/31

0.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 03-13-2020

Place Of Use: DOMESTIC, IRRIGATION

T57N R03W S26 NENW

Total Acres: 0.5

96-9795

PETER HICKS

FIONA HICKS

297 CARR CREEK RD

SANDPOINT, ID 83864-6313

Point of Diversion NENW S26 T57N R03W BONNER County

Source CARR CREEK Tributary PEND OREILLE RIVER

Use: IRRIGATION

04/01 to 10/31

0.03 CFS

Total Diversion:

0.03 CFS

Date Filed: 01-30-2020

Place Of Use: IRRIGATION

T57N R03W S26 NENW

Total Acres: 0.5

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 5/4/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/16/2020 and 4/23/2020



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

April 9, 2020

PETER HICKS
FIONA HICKS
297 CARR CREEK RD
SANDPOINT, ID 83864-6313

RE: Application for Permit No. 96-9794 & 96-9575

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 4/16/2020 and 4/23/2020. 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

CC: CLEARWATER ENGINEERING

M E M O R A N D U M

Date: March 20, 2020
To: WR No.96-9795
From: Paula Dillon
Re: Pre-Advertisement Application Review

An Application for Water Permit was received on January 24, 2020 and was returned so that applicants could revise the amount that will be used. The completed application was received on March 13, 2020. However, it did not include a map. The location of the POD was verified via email and included a pdf map (in file).

Peter and Fiona Hicks are seeking a water right for irrigation of 0.5 acres from Carr Creek and are represented by Clearwater Engineering.

The Hicks' will be diverting from Carr Creek where it crosses their property. Water will be pumped from a circular concrete sump excavated and installed at the edge of the creek and piped uphill to the garden and orchard area.

Dillon, Paula

From: clearwater@nctv.com
Sent: Thursday, March 19, 2020 10:58 AM
To: Dillon, Paula
Subject: RE: Application for Water Permit
Attachments: Hicks Map.pdf

Hello Paula,

Attached is the map that was initially submitted and, also, returned to us. What other information is required on the map?

Thank you and hope that you are staying well.

Debbie Van Dyk, P.E.
CLEARWATER ENGINEERING
P.O.Box 251
Sandpoint, ID 83864
208-255-8803

From: Dillon, Paula <Paula.Dillon@idwr.idaho.gov>
Sent: Wednesday, March 18, 2020 2:42 PM
To: clearwater@nctv.com
Subject: Application for Water Permit

Hello,

The two amended applications for your clients Peter and Fiona Hicks have been received. Would you please email a map of the property showing where the water is diverted from Carr Creek and where it is going?

Please let me know if you have any questions.

Thank you,

Paula

Paula Dillon | GIS Analyst | Idaho Department of Water Resources
208-287-4939 | 322 E Front St, Boise, ID 83720



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

February 25, 2020

EDITED APPLICATIONS 3/11/20

Peter and Fiona Hicks
297 Carr Road
Sandpoint, ID 83864

RECEIVED

MAR 13 2020

Re: Water Right Application Incomplete – Returned

IDWR / NORTH

Dear Applicants,

This office received your applications for Domestic use and for Irrigation use on January 30, 2010. The Domestic use application cannot be accepted into the records of the Idaho Department of Water Resources (IDWR) until the items below are addressed. The Irrigation use application is complete, but is being returned to give you the opportunity to to make a revision that may benefit you.

Domestic Use Application

5. Domestic use for one household is allowed 0.04 cfs. Do you want to change 0.02 to 0.04?
 7. a. Please describe the complete diversion system. For example, water will be diverted from an existing well and will be transported 150 feet away to a home via underground pipe.
 8. d. Please enter the number of households (homes) that will be served with this water source.
 10. Please indicate whether water from **this source** or water from **another source** or or water from **both sources** will be used to irrigate your lawn, garden and/or landscaping.
- Will you be using the well water on any landscaping around the home? Do you plan to use the well water on the same acreage as the 0.5 acre place of use as the Irrigation use application?
13. Enter the time required for completion of works and application of water. Minimum is 1 year; maximum is 5 years. This must be completed whether or not the source is an existing well.

14. Please provide a map that includes the location of the water source (well) and the location where the water will be used. The map must show township and range, sections and government lots. Please refer to the enclosed instructions and example.

Irrigation Use Application

5. Irrigation of 5 acres or less is allowed a rate of 0.03 cfs. Since your place of use is less than 5 acres you may change the diversion rate from 0.02 cfs to 0.03 cfs. Please be advised, however, that this will advance your priority date to the date your amendment is received. If you do not wish to make this change, simply return the application to this office within 30 days. Your priority date will remain the date your application was originally received.

The original applications are enclosed. Please make the necessary amendments to the original forms 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 these filings. This letter is an attempt to ensure that your Domestic use application is complete in order to establish a priority date. You may receive future correspondence regarding more specific details of your application. IDWR forms and other information are available on the IDWR website www.idwr.idaho.gov. Please consult the IDWR website or contact this office at (208) 287-4800 and ask for the "office day person" if you have any questions about the necessary information.

Sincerely,

A handwritten signature in black ink, appearing to read "Paula J. Dillon", is written over a horizontal line.

Paula J. Dillon

Enclosure: Original Applications (Domestic use and Irrigation use)
Instructions for Filing an Application for Permit

cc: Clearwater Engineering
PO Box 251
Sandpoint, ID 83864