

RECEIVED

FEB 12 2020

IDWR/NORTH

83936  
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 94-9639

1. Name of applicant(s) MICHAEL D SUITTER Phone 208-620-0106  
 Name connector (check one): ☐ and ☐ or ☐ and/or  
 Mailing address 812 E HASTINGS AVE City COEUR D ALENE  
 State ID ZIP 83814 Email \_\_\_\_\_
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 UNNAMED STREAM which is a tributary of little north fork south fork coeur d aleno  
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 #
48N	06E	17			NW	SE	SHOSHONE	UNNAMED STREAM	

5. Water will be used for the following purposes:
- Amount 0.06 CFS for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)  
 (cfs or acre-feet per year)
- Amount 0.06 CFS for POWER 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)
6. Total quantity to be appropriated is (a) 0.06 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. APPLICANT PLANS TO DIVERT WATER FROM UNNAMED STREAM USING 1 INCH POLY PIPE
- 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. N035916 Date 2-12-2020

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in kW. 162 head 0.2 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 2 YURT & 1 cabin
- e. Other; describe fully. \_\_\_\_\_

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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	
48N	06E	17															D,P		

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? 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. APPLICANT PLANS TO DIVERT WATER FROM UNNAMED STREAM FOR DOMESTIC USE AND FOR HYDROPOWER.

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.**

Michael D. Snitter  
Signature of Applicant

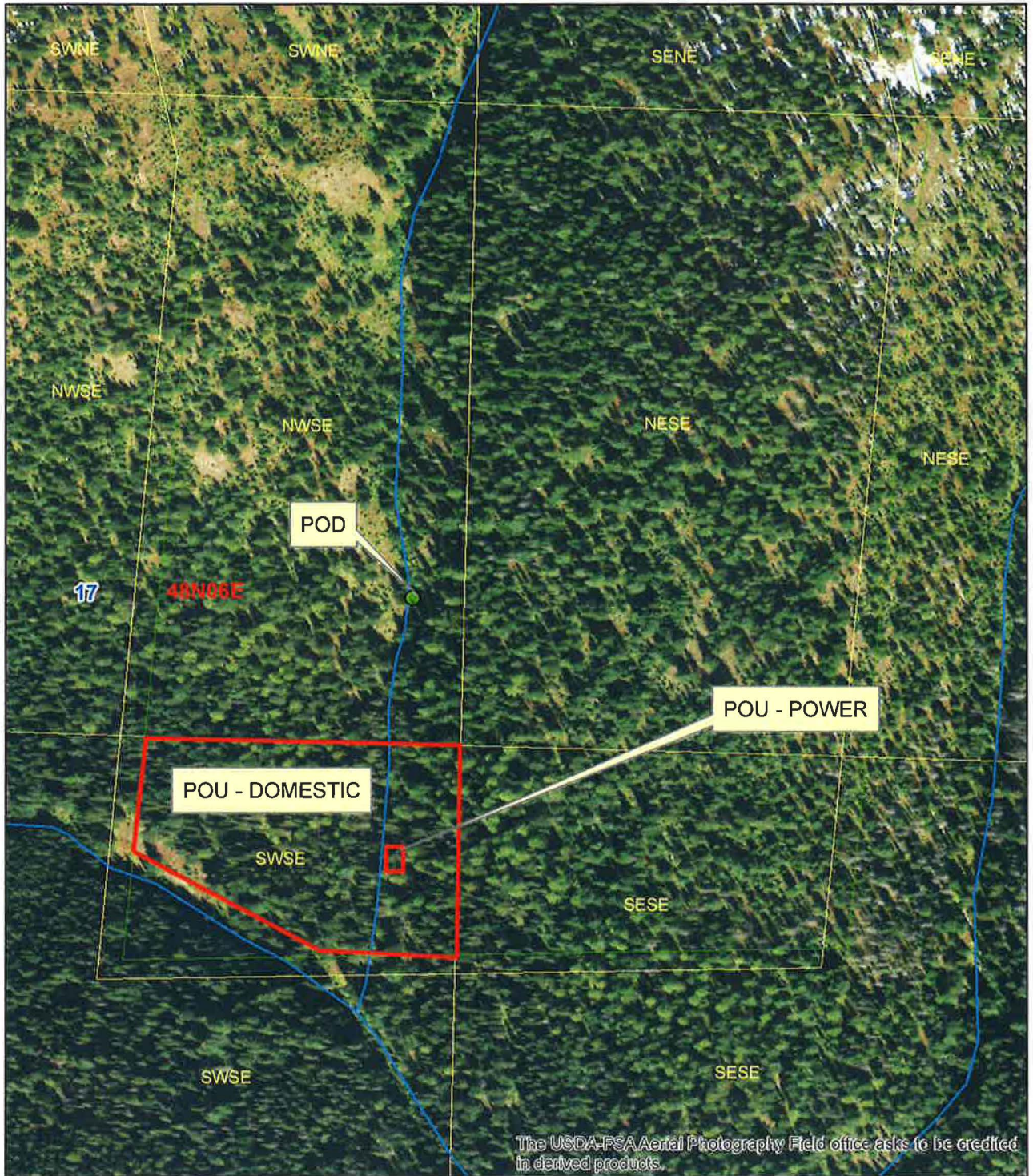
Michael D. Snitter  
Print Name (and title, if applicable)

\_\_\_\_\_  
Signature of Applicant




\_\_\_\_\_  
Print Name (and title, if applicable)



# APPLICATION MAP



## Legend

-  Parcels
-  Township/Range
-  Sections
- QQ

0 0.0325 0.065 0.13 Miles





STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**AFFIDAVIT FOR WATER RIGHTS TO BE USED FOR POWER PURPOSES**

**A. Establishment of Residency or Qualification to do Business in Idaho** (complete either 1 or 2)

1. Individual Applicant:

I, Michael D. Suitter of Coeur d'Alene  
(name) (city)  
County of Kootenai, State of Idaho, being duly sworn, do hereby certify that I am a  
bona fide resident of the State of Idaho.

2. Corporation or Partnership (complete part 2a or 2b):

a) ☐ Attached is a *Certificate of Existence* or a *Certificate of Authorization* or other documentation issued by the  
Idaho Secretary of State confirming \_\_\_\_\_'s authority to transact  
(name of corporation or partnership)  
business in Idaho.

or

b) I, \_\_\_\_\_ of \_\_\_\_\_, County  
(name) (city)  
of \_\_\_\_\_, State of \_\_\_\_\_, being duly sworn, depose  
and say, that I am the \_\_\_\_\_ for \_\_\_\_\_;  
(title) (name of corporation or partnership)  
that as such I have legal authority to sign this affidavit on behalf of \_\_\_\_\_  
(name of corporation or partnership)  
and that \_\_\_\_\_ is a corporation or partnership qualified to do business in  
(name of corporation or partnership)  
the State of Idaho under the laws of the State of Idaho.

**B. Ownership of Facilities**

The hydropower facility to be developed pursuant to the attached Application for Permit (check one):

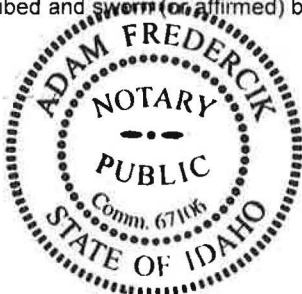
- ☒ Will **not** utilize existing man-made irrigation facilities such as a dam or a canal.  
☐ Will utilize existing man-made irrigation facilities such as a dam or a canal, and permission of the owner is documented in an affidavit attached hereto.  
☐ Will utilize existing man-made irrigation facilities such as a dam or a canal, and the owner is the signee of this affidavit.

Michael D. Suitter Michael D. Suitter 2/12/2020  
Signature Print title if applicable Date

STATE OF IDAHO )  
County of Kootenai ) ss

Subscribed and sworn (or affirmed) before me this 12th day of February, 2020.

SEAL



Notary Public Adam Frederick  
Residing at Post Falls Idaho  
My Commission Expires Feb 4, 2022

### Watter Buddy® Nozzle Size Chart with Flow

Head (feet)	Head (meter)	PSI	WATTER BUDDY® Nozzle Size (inch and mm) and Flow ( usgpm and l/s) Energy Systems and Design Ltd.									
			0.118"	3mm	0.157"	4mm	0.197"	5mm	0.236"	6mm	0.276"	7mm
			usgpm	l/s	usgpm	l/s	usgpm	l/s	usgpm	l/s	usgpm	l/s
23.1	7.04	10	1.30	0.08	2.31	0.15	3.61	0.23	5.20	0.33	7.07	0.45
46.2	14.1	20	1.83	0.12	3.25	0.21	5.08	0.32	7.32	0.46	9.96	0.63
69.3	21.1	30	2.25	0.14	4.00	0.25	6.26	0.40	9.00	0.57	12.3	0.78
92.4	28.2	40	2.60	0.16	4.63	0.29	7.23	0.46	10.4	0.66	14.2	0.90
115	35.1	50	2.90	0.18	5.15	0.33	8.05	0.51	11.6	0.73	15.8	1.00
139	42.4	60	3.18	0.20	5.65	0.36	8.84	0.56	12.7	0.80	17.3	1.10
162	49.4	70	3.43	0.22	6.10	0.39	9.54	0.60	13.7	0.86	18.7	1.20
185	56.4	80	3.67	0.23	6.53	0.41	10.2	0.64	14.7	0.93	20.0	1.30
208	63.4	90	3.90	0.25	6.92	0.44	10.8	0.68	15.6	1.00	21.2	1.34

Note: This chart is for one nozzle. More than one nozzle can be used to accommodate greater water flow.

### Watter Buddy® Nozzle Size Chart with Power Output in Watts

Nozzle number and nozzle size in mm 12 and 24 volt														
	(1) 3mm	(1) 3mm	(1) 4mm	(1) 4mm	(1) 5mm	(1) 5mm	(2) 5mm	(2) 5mm	(1) 6mm	(1) 6mm	(1) 7mm	(1) 7mm	(2) 7mm	(2) 7mm
	12v	24v	12v	24v	12v	24v	12v	24v	12v	24v	12v	24v	12v	24v
PSI	watts													
10							6.0				3.0		21	
20					6.7		29	18	3		21	8.5	60	43
30			14	8	20	12	56	62	30	31	42	43	109	118
40			24	26	30	33	96	102	55	60	81	85	189	195
50	6.7		43	46	50	52	123		83	89	115	135	261	274
60	11	6.3	57	64	71	76	180	200	105	112	142	162		
70	15	14	74	81	90	93			130	138	188	200		
80	19	23	92	98	114	121			162	176	230	250		
90			110	118	135	146			190	210	272	295		
100			130	137	157	175			225	245	300	320		

1 psi is equal to 2.3 feet of head (0.7 meter)

## QUITCLAIM DEED

FOR VALUE RECEIVED,

**J. Chris Pfahl a single man, David H. Rust and Christine A. Rust husband and wife, James D. Striker and Jean A. Striker husband and wife Grantors**

Do hereby convey release, remise and forever quitclaim unto,

**Michael D. Suitter and Mary S. Suitter, husband and wife, Grantee**

Whose current address is 812 E. Hastings Ave., Coeur d'Alene, ID 83814

The following described premises:

**Bull Frog, Bull Frog #2, Bull Frog #3, Bull Frog #4 and Buddy #1 lode mining claims designated as Survey No. 3258, situated in Section 17, Township 48 North, Range 6 East B.M., Shoshone County, State of Idaho.**

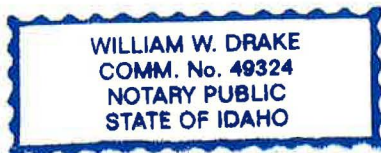
**TO HAVE AND TO HOLD** the said premises, unto the said grantees, heirs and assigns forever.

*J. Chris Pfahl*  
\_\_\_\_\_  
J. Chris Pfahl

State of Idaho                     )  
  )ss.  
County of Shoshone             )

On this 24 day of June, in the year 2019, before me, a Notary Public in and for said state, personally appeared J. Chris Pfahl known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



*William W. Drake*  
\_\_\_\_\_  
Notary Public for the State of Idaho

Residing at: Wallace, ID  
Commission Expires: Feb 26, 2025

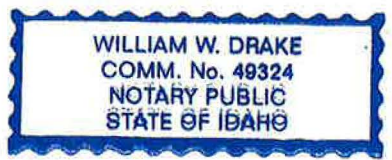


David H. Rust  
David H. Rust

Christine A. Rust  
Christine A. Rust

State of Idaho )  
 )ss.  
County of Shoshone )

On this 25 day of June, in the year 2019, before me, a Notary Public in and for said state, personally appeared David H. Rust and Christine A. Rust known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.  
IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



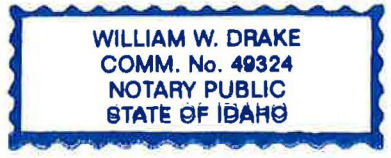
William W. Drake  
Notary Public for the State of Idaho  
Residing at:  
Commission Expires:

James D. Striker  
James D. Striker

Jean A. Striker  
Jean A. Striker

State of Idaho )  
 )ss.  
County of Shoshone )

On this 24 day of June, in the year 2019, before me, a Notary Public in and for said state, personally appeared James D. Striker and Jean A. Striker known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.  
IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



William W. Drake  
Notary Public for the State of Idaho  
Residing at: Wallace, ID  
Commission Expires: Feb 26, 2025



**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

March 13, 2020

MICHAEL SUITTER  
812 E HASTINGS AVE  
COEUR D ALENE, ID 83814-4447

RE: Application for Permit No. 94-9639

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 SHOSHONE NEWS PRESS on 3/20/2020 and 3/27/2020. 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:** Friday, March 13, 2020 9:29 AM  
**To:** 'Horsmon, Merritt'; 'Anna.Moody@deq.idaho.gov'; 'Chantilly.Higbee@deq.idaho.gov'  
**Subject:** Request for Comments on WR# 94-9639

Dear Interested Agencies:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced Water Right application. You can find copies of the application attached to the email and also 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, 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 application is April 6, 2020.**

Please contact the Northern Region Office at (208) 762-2800 if you have any questions regarding the application.

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:** Friday, March 13, 2020 9:26 AM  
**To:** 'LEGALS@CDAPRESS.COM'  
**Subject:** Legal Notice for Shoshone News Press  
**Attachments:** 94-9639 Legal Notice.docx

Please publish the enclosed legal notice in the **Shoshone News Press** on the dates indicated **March 20<sup>th</sup> & March 27<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 **April 6, 2020**. Your cooperation is appreciated.

Thank you,

Tammy

*Tammy Alleman  
Administrative Assistant  
Idaho Department of Water Resources  
7600 N Mineral Dr., Ste 100  
Coeur d'Alene, ID 83815  
Email: [Tammy.Alleman@idwr.idaho.gov](mailto:Tammy.Alleman@idwr.idaho.gov)  
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:

94-9639

MICHAEL SUITTER

812 E HASTINGS AVE

COEUR D ALENE, ID 83814-4447

Point of Diversion NWSE

S17 T48N R06E

SHOSHONE County

Source UNNAMED STREAM

Tributary COEUR D ALENE RIVER

Use: DOMESTIC

01/01 to 12/31 0.06 CFS

Use: POWER

01/01 to 12/31 0.06 CFS

Total Diversion: 0.06 CFS

Date Filed: 02-12-2020

Place Of Use: DOMESTIC, POWER

T48N R06E S17 SWSE

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 4/6/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/18/2020 and 3/25/2020