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FORM 202 Rev 09/16

FEB 07 2020

IDWR / NORTH

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FEB 10 2020

Ident. No.

96-9788

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

DEPARTMENT OF  
WATER RESOURCES

## APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Timothy J. Brady and/or Yuan Brady Phone 208 255-4565  
 Name connector (check one): ☐ and ☐ or ☐ and/or  
 Mailing address 217 Cedar St PMB 333 City Sandpoint  
 State ID \_\_\_\_\_ ZIP 83864 Email tbradytax@aol.com
2. Name of representative, if any Robert G Haynes Phone 208 660-4861  
 Mailing address 2571 S Reynolds RD City Coeur d'Alene  
 State ID \_\_\_\_\_ ZIP 83814 Email bob@idahowaterengineering.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 Pend Oreille River which is a tributary of Columbia 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	2W	29	2		SW	SE	Bonner	Pend Oreille River	

5. Water will be used for the following purposes:

Amount 0.15 cfs for Irrigation purposes from 4-1 to 10-31 (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) 0.15 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. Pump, pipeline & sprinkler system
- 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 2-7-20 Time \_\_\_\_\_ Preliminary check by AS  
 Fee \$ 10000 Received by JA Receipt No. N035910 Date 2-7-2020

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	2W	29															8.8		8.88
																	GL 2		

Total number of acres to be irrigated: 8.8

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? Place of use is also described as Bonner County Parcels RPD38670000020A, RPD38670000030A, RPD38670000040A, & RPD38670000050A,

11. a. Who owns the property at the point of diversion? State of Idaho

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: IDL Permit L96S2347A

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. \_\_\_\_\_

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.

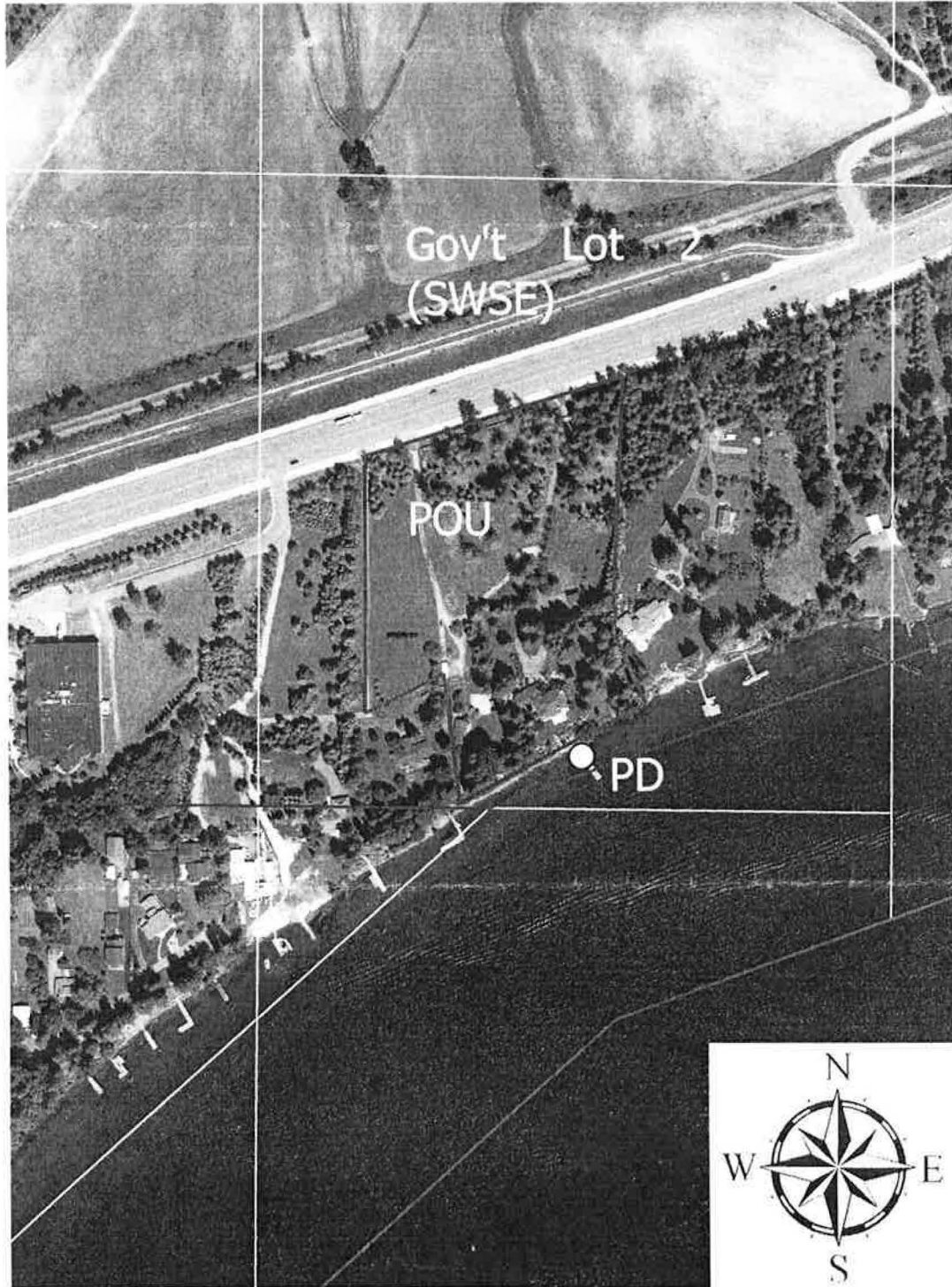
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

2/1/20  
Signature of Applicant \_\_\_\_\_  
Print Name (and title, if applicable) Timothy J. Brady

Signature of Applicant \_\_\_\_\_  
Print Name (and title, if applicable) Yuan Brady

# Brady Application for Permit

T57N R2W Sec 29



(Date)

2/1/20

To Whom It May Concern:

We, Timothy J and/or Yuan Brady, have secured the services of Robert G Haynes to assist in the process of acquiring water rights. By this letter we authorize him to sign our application and provide additional information to the Department of Resources which may be required to complete the application for permit.

Sincerely,

 2/1/20  
Juan Brady

The following application(s) have been filed to appropriate the public waters of the State of Idaho:  
**96-9788**

**TIMOTHY J BRADY**

**YUAN BRADY**

**217 CEDAR ST**

**PMB 333**

**SANDPOINT, ID 83864**

**Point of Diversion L2(SWSE) S29 T57N R02W BONNER County**

**Source PEND OREILLE RIVER Tributary COLUMBIA RIVER**

**Use: IRRIGATION**

**04/01 to 10/31**

**0.15 CFS**

**Total Diversion:**

**0.15 CFS**

**Date Filed: 02-07-2020**

**Place Of Use: IRRIGATION**

**T57N R02W S29**

**L2(SWSE)**

**Total Acres: 8.8**

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 4/6/2020. The protestant must also send a copy of the protest to the applicant.  
**GARY SPACKMAN, Director**

Published on 3/19/2020 and 3/26/2020

**Hersley, Jean**

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**From:** Hersley, Jean  
**Sent:** Thursday, March 12, 2020 9:27 AM  
**To:** 'bcdblegals@cdapress.com'  
**Subject:** Legal Notice for your paper  
**Attachments:** LegalNoticeTransferMerged2.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 April 6, 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





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](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

March 12, 2020

TIMOTHY J BRADY  
YUAN BRADY  
217 CEDAR ST  
PMB 333  
SANDPOINT, ID 83864

RE: Application for Permit No. 96-9788

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 3/19/2020 and 3/26/2020. 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: STATE OF IDAHO-DEPT OF LANDS  
ROBERT G HAYNES

## MEMORANDUM

**Date:** 3/10/2020  
**To:** WR No. 96-9788  
**From:** Amy Steimke  
**Re:** Pre-Advertisement Application Review

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### **Applicant**

Timothy J. Brady and/or Yuan Brady submitted the application for permit on February 7, 2020. Robert G. Haynes (Idaho Water Engineering) is acting as representative to the applicants. The applicants submitted a letter authorizing Robert J. Haynes to provide any additional information required by IDWR on behalf of them.

### **Source & Diversion System**

The source is the Pend Oreille River, just adjacent to the proposed POU. The applicants propose to use a pump, pipeline, and sprinkler system to divert and distribute water from the source. The land where the POD is located is not owned by the applicant but the arrangement that enables the applicant to use it is covered by an IDL permit (L96S2347A).

### **Water Use (can be combined with previous section)**

The water is to be used for irrigation on four Bonner County parcels for up to 8.8 acres. The rate that the applicants have applied for is 0.15 cfs.






### **Additional Comments**

I called the representative on 3/10/2020 to see if they were interested in amending the application for the full 0.02 cfs/acre allowed (which would amount to 0.18 cfs) but the representative said to continue with 0.15 cfs.



State of Idaho  
Department of Water Resources  
**Application For Permit**  
96-9788



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.03 0.06 0.12 Miles



## Hersley, Jean

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**From:** Hersley, Jean  
**Sent:** Friday, March 13, 2020 9:03 AM  
**To:** 'mahmer@idl.idaho.gov'  
**Subject:** Application for Permit of 96-9788  
**Attachments:** RecommendationForm New Appropriation3.docx

Dear Interested Party:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days of the date of this letter.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this 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.

Please contact this office if you have any questions regarding the application.

*Jean Hersley  
Technical Records Specialist II  
Idaho Dept Water Resources  
(208) 287-4942*

## Hersley, Jean

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**From:** Hersley, Jean  
**Sent:** Friday, March 13, 2020 9:02 AM  
**To:** 'kiira.siitari@idfg.idaho.gov'  
**Subject:** Application for Permit of 96-9788  
**Attachments:** RecommendationForm New Appropriation2.docx

Dear Interested Party:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days of the date of this letter.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this 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.

Please contact this office if you have any questions regarding the application.

*Jean Hersley  
Technical Records Specialist II  
Idaho Dept Water Resources  
(208) 287-4942*