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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. 96-9784

IDWR / NORTH

1. Name of applicant(s) Kenneth E. and Vivian A. Hooper Phone 208-863-6938
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 95 Bay Drive City Sagle
 State ID. ZIP 83860 Email khooper477@gmail.com
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 Lake Pend Oreille which is a tributary of Pend Oreille River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
57N	O1W	33	6		SW	SE	Bonner	Lake Pend Oreille	

5. Water will be used for the following purposes:
- Amount 0.04 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)
6. 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:
- a. Describe type and size of devices used to divert water from the source. Foot valve and water line to shore pump
 and place of use _____
- 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 JA Receipt No. N035841 Date 12-23-19

DEC 30 2019

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

- a. Hydropower; show total feet of head and proposed capacity in kW. IDWR / NORTH
- 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 One includes lawn and garden irrigation up to .5 acres
- 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	
57N	O1W	33												D				D	
														GL5				GL6	

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? None

11. a. Who owns the property at the point of diversion? Applicant - Idaho DEPT OF LANDS.
- 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. Encroachment permit # L96S1933A from Idaho Department of Lands to amend dock and mooring buoy for water line.

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.

Signature of Applicant

KENNETH E. HANPICK
Print Name (and title, if applicable)

Signature of Applicant

VIVIAN A. HANPICK
Print Name (and title, if applicable)

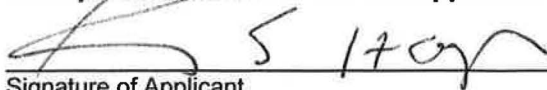
8. Description of proposed uses (if irrigation only, go to item 9):
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 - Stockwatering; list number and kind of livestock. _____
 - Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
 - Domestic; show number of households One includes lawn and garden irrigation up to .5 acres
 - 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.

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			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	O1W	33												D				D	
														GL5				GL6	

Total number of acres to be irrigated: _____

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 Signature of Applicant
KENNETH E. HOPPER
 Print Name (and title, if applicable)


 Signature of Applicant
VIVIAN A. HOPPER
 Print Name (and title, if applicable)

State of Idaho
Department of Water Resources
Application For Permit



- PLS Sections
- Quarter Quarters
- Taxlots

0 0.0075 0.015 0.03 Miles

X = Point of
Diversion
(Foot Valve)

Place of Use
(Domestic)

N

Tax parcel information provided by Bonner County.

EXISTING WATER LINE

PROPERTY LINE

4 FEET

WATER LINE 60 FEET

POINT OF DIVERSION

1" = 10'

56'

98.16 FEET

23' 2"

5' 2"

42'

PERMIT #
L-96-S-1933

12' 2" →

37'

PROPERTY LINE

(X) WARNING
100' - NOT SCALE



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

January 7, 2020

KENNETH E HOOPER
VIVIAN A HOOPER
95 BAY DR
SAGLE, ID 83860-8274

Application For Permit No. 96-9784

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 BONNER COUNTY DAILY BEE on 1/16/2020 and 1/23/2020. 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,

Tammy Alleman
Administrative Assistant

CC:

IDAHO DEPT OF LANDS
PO BOX 83720
BOISE, ID 83720-0050

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, January 7, 2020 2:08 PM
To: 'Chantilly.Higbee@deq.idaho.gov'; 'Anna.Moody@deq.idaho.gov'; 'Horsmon,Merritt'; 'Mike Ahmer'; 'Amidy Fuson'
Subject: Request for Comments on Application for Permit 96-9784
Attachments: 96-9784 Application for Permit.pdf

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 February 3, 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
Email: Tammy.Alleman@idwr.idaho.gov
Phone: (208) 762-2800
Fax (208) 762-2819*

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, January 7, 2020 2:01 PM
To: 'bcdblegals@cdapress.com'
Subject: Legal Notice for 96-9784
Attachments: 96-9784 Legal Notice.doc

Please publish the enclosed legal notice in the **Bonner County Daily Bee** on the dates indicated **January 16th and January 23rd, 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 **February 3, 2020**. Your cooperation is appreciated.

Thank you,

Tammy

*Tammy Alleman
Administrative Assistant
Idaho Department of Water Resources
Email: 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:

96-9784

KENNETH E HOOPER

VIVIAN A HOOPER

95 BAY DR

SAGLE, ID 83860-8274

Point of Diversion L6(SWSE)

S33 T57N R01W

BONNER County

Source LAKE PEND OREILLE

Tributary PEND OREILLE RIVER

Use: DOMESTIC

01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 12/23/2019

Place Of Use: DOMESTIC

T57N R01W S33

L5(SESW) L6(SWSE)

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800. 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 2/3/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 1/16/2020 and 1/23/2020

Maxey, Shaun

From: Maxey, Shaun
Sent: Monday, January 6, 2020 10:05 AM
To: 'Kenneth Hooper'
Subject: RE: Place Of Use Corrections on Application For Permit (96-9784)

Mr. Hooper:

Thanks for the information you provided in our phone call earlier today. I will be happy to assist your family member with her Application For Permit.

Shaun Maxey

From: Kenneth Hooper [mailto:khooper477@gmail.com]
Sent: Saturday, December 28, 2019 9:28 AM
To: Maxey, Shaun <Shaun.Maxey@idwr.idaho.gov>
Subject: Re: Place Of Use Corrections on Application For Permit (96-9784)

Shaun,

Quick follow up question. One page 2 of the application, question 13 indicates that the "application of water to proposed beneficial use is 5 years". Do we need to re-apply or take any other action in the future to preserve the permit?

Thanks,
Ken

On Sat, Dec 28, 2019 at 10:16 AM Kenneth Hooper <khooper477@gmail.com> wrote:

Thank you Shaun for the review and corrections. We agree with your corrections and we have initialed, dated and mailed back the corrected page 2 as requested.

Hope you and your family have a Happy new Year,
Ken

On Tue, Dec 24, 2019 at 3:01 PM Maxey, Shaun <Shaun.Maxey@idwr.idaho.gov> wrote:

Mr. and Mrs. Hooper:

Attached is a copy of Page 2 of your Application For Permit. The part of the Place of Use (POU) legal description that Indicates Township (57N), Range (01W), Section Number (33), and Government Lot (GL6), is correct, but the '...GL6...' is in the wrong column. Please review the attachment that shows the correct complete legal description that is consistent with your Application Map. Please e-mail me to indicate that you agree with the changes shown in the Attachment. This will allow IDWR to go forward with advertising of legal notices on your Application.

Please print out the attachment and initial and date next to the corrections. Your corrected page 2 should be mailed back to my attention at IDWR.

Thanks,

Shaun Maxey

Sr. Water Resource Agent
Idaho Department of Water Resources, Northern Region
7600 N Mineral DR Suite 100

Coeur d'Alene, ID 83815-7763
Phone (208) 762.2816 /2800
Fax (208) 762.2819

www.idwr.idaho.gov

MEMORANDUM

Date: December 24, 2019
To: Water Right File 96-9784
From: smaxey
Re: Correction to Place of Use (POU) legal description on Application Page 2 Line 9

<u>APPLICATION VERSION</u>	<u>IDWR DATE RECVD</u>	<u>IDAPA 37.03.08 STATUS</u>	<u>PRIORITY</u>
ORIGINAL APPLICATION	12/23/2019	ACCEPTABLE FOR FILING. PART OF PLACE OF USE (POU) LEGAL DESCRIPTION SHOWN ON PAGE 2 FOR GOVT LOT 6, T57N 01W SECTION 33 IS INCORRECT AND DOES NOT MATCH APPLICATION MAP.	12/23/2019
ORIGINAL APPLICATION	12/23/2019	CORRECT POU LEGAL DATA ENTERED BECAUSE APPLICANT CORRECTLY INDICATED GOVT 6 IN T57N 01W SECTION 33. APPLICANT NOTIFIED VIA E-MAIL IN ACCORDANCE WITH APPLICATION PROCESSING MEMO # 9.	12/23/2019

MEMORANDUM

Date: December 24, 2019
To: Water Right File 96-9784
From: smaxey
Re: Point of Diversion Owner

<u>APPLICATION VERSION</u>	<u>IDWR DATE RECVD</u>	<u>IDAPA 37.03.08 STATUS</u>	<u>PRIORITY</u>
ORIGINAL APPLICATION	12/23/2019	ACCEPTABLE FOR FILING. INCORRECT POINT OF DIVERSION (POD) OWNER FOR LINE 11(a) SHOWN ON APPLICATION.	12/23/2019
ORIGINAL APPLICATION	12/23/2019	CORRECT POD OWNER (IDAHO DEPT OF LANDS) DATA ENTERED BECAUSE APPLICANT PROVIDED ENCROACHEMNT PERMIT NUMBER ON APPLICATION. APPLICANT NOTIFIED VIA E-MAIL IN ACCORDANCE WITH APPLICATION PROCESSING MEMO # 9.	12/23/2019

Maxey, Shaun

From: Maxey, Shaun
Sent: Tuesday, December 24, 2019 12:19 PM
To: 'khooper477@gmail.com'
Subject: Point of Diversion ownership on Application For Permit (96-9784) sent to Idaho Department of Water Resources

Mr. and Mrs. Hooper:

Line 11(a) on the Application For Permit, for your Lake Pend Oreille water system, that you mailed in to Idaho Department of Water Resources (IDWR) indicates that you are the owner of the Point of Diversion (POD). This is the submerged place in the Lake, owned by Idaho DEPT of Lands (IDOL), where your pump is located and the water line begins. You also indicated that you have an Encroachment Permit from IDOL. IDWR has data entered the POD as owned by IDOL.

No action is required on your part. Please contact IDWR if you have questions.

Shaun Maxey
IDWR (208) 762.2800