

RECEIVED

FORM 122-CR-10-11

NOV 20 2019

83754
STATE OF IDAHO

Ident. No. 95-17907

NOV 13 2019

IDWR / NORTH

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

IDWR / NORTH

1. Name of applicant(s) Russ VanderWilde or Carole VanderWilde Phone 509-220-0932
 Name connector (check one): ☐ and ☒ or ☐ and/or
 Mailing address 911 E. 20th Ave City Spokane
 State WA ZIP 99203 Email cvanderwilde@me.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 Coeur d'Alene Lake which is a tributary of Spokane 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	04W	20			NW	SE	Kootenai	Coeur d'Alene Lake	

5. Water will be used for the following purposes:
- Amount 0.04 for Domestic Use 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) _____ 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. _____
Submersible pump in lake with water line that connects to filtration system in home which in turn connects to irrigation 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 _____ Time _____ Preliminary check by _____
 Fee \$ 1000 Receipted by pa Receipt No. N035750 Date 11-13-19

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 One household - has a filtration system and irrigation system under .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.

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	4W	20														D			
																GL5			

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? 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: _____

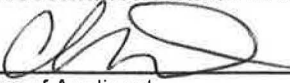
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. _____

Encroachment Permit #ERL-95-S0-559 (95-S-10). Want to secure permanent recorded right so that we can continue to utilize water from the lake.

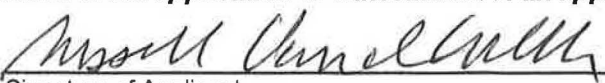
13. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year).

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

Carole E. VanderWilde
Print Name (and title, if applicable)


Signature of Applicant

Russell S. VanderWilde
Print Name (and title, if applicable)

Application for Water Right

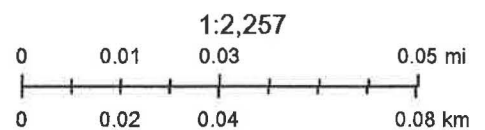


8/1/2019, 3:23:22 PM

- Counties
- Township/Range
- Quarter Quarter
- Section
- Idaho Outline
- Idaho Mask

X point of diversion

O place of use domestic



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

Alleman, Tammy

From: Alleman, Tammy
Sent: Friday, November 29, 2019 1:02 PM
To: 'Horsmon,Merritt'; 'Anna.Moody@deq.idaho.gov'; 'Mike Ahmer'
Subject: Request for Comments for Application for Permit #95-17907
Attachments: 95-17907 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 December 23, 2019.**

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*



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

November 27, 2019

RUSSELL S VANDERWILDE
CAROLE E VANDERWILDE
911 E 20TH AVE
SPOKANE, WA 99203-3429

Application For Permit No. 95-17907

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 COEUR D ALENE PRESS on 12/5/2019 and 12/12/2019. 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,

A handwritten signature in blue ink that reads "Tammy Alleman". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Tammy Alleman
Administrative Assistant

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

Alleman, Tammy

From: Alleman, Tammy
Sent: Wednesday, November 27, 2019 3:46 PM
To: 'LEGALS@CDAPRESS.COM'
Subject: Legal Notice
Attachments: Legal Notice 94-9637, 95-17899, 95-17907, 95-17911, 95-17912.doc

Please publish the enclosed legal notice in the **Coeur d'Alene Press** on the dates indicated **December 5th and December 12th, 2019** (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 **December 23, 2019**. 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:

94-9637

DEBRA JANE WARNER
RANDE ALVIN WARNER
5166 GRAVELINE RD
BELLINGHAM, WA 98226-9055
Point of Diversion L4(SWNW)
S33 T49N R01W
KOOTENAI County
Source ROSE LAKE
Tributary COEUR D ALENE RIVER
Use: IRRIGATION
03/15 to 10/31 0.2 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.2 CFS
Date Filed: 11/25/2019
Place Of Use: STOCKWATER
T49N R01W S33
L4(SWNW)
Place Of Use: IRRIGATION
T49N R01W S33
L4(SWNW)

95-17899

KAREN COWAN
11121 E 32ND AVE
SPOKANE VLY, WA 99206-5948
Point of Diversion NESW
S18 T53N R04W
KOOTENAI County
Source SPIRIT LAKE
Tributary SPIRIT CREEK
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 11/20/2019
Place Of Use: DOMESTIC
T53N R04W S18
L4(NESW)

95-17907

RUSSELL S VANDERWILDE
CAROLE E VANDERWILDE
911 E 20TH AVE
SPOKANE, WA 99203-3429
Point of Diversion NWSE
S20 T48N R04W
KOOTENAI County
Source COEUR D ALENE LAKE
Tributary SPOKANE RIVER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 11/20/2019
Place Of Use: DOMESTIC
T48N R04W S20
L5(NWSE)

95-17911

INGODWE TRUST
16322 W RIVERVIEW DR
POST FALLS, ID 83854-6798
Point of Diversion SWNW
S9 T50N R05W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 11/18/2019
Place Of Use: DOMESTIC
T50N R05W S9 NWSW

95-17912

LILAC LLC

16322 W RIVERVIEW DR

POST FALLS, ID 83854-6798

Point of Diversion SESE

S7 T50N R05W

KOOTENAI County

Source GROUND WATER

Use: DOMESTIC

01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 11/18/2019

Place Of Use: DOMESTIC

T50N R05W S7 SESE

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 12/23/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 12/5/2019 and 12/12/2019



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

November 14, 2019

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

Vanderwilde Revocable Trust
Russell S. Vanderwilde or Carole E. Vanderwilde
911 E 20th AVE
Spokane, WA 99122

Re: Unacceptable for Filing Status Application for Permit 95-17907 (Kootenai parcel 00620000001D) (Rule 35 Application Requirements)

Dear Applicants:

Idaho Department of Water Resources (IDWR) received an Application for Permit from you on November 13, 2019 to divert water from Coeur d'Alene Lake for domestic use. **The Application is currently unacceptable for filing** because evidence is missing to show that the signators have authority to sign the Application for the Vanderwilde Revocable Trust. IDWR records for other water right filings for Russell Vanderwilde or Carole Vanderwilde do not provide this evidence. Your original Application for Permit is enclosed.

Please resubmit the Application with an attached copy of the final document creating the Trust. This must show that Russell and / or Carol are trustees (have signature authority) for the Vanderwilde Revocable Trust. Please contact me at (208) 762.2816 if you have questions.

Your **corrected Application must be received no later than December 16, 2019**. IDWR will take steps to terminate your 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: Unacceptable for filing Application and map
IDWR Application For Permit Instructions
Kootenai parcel printout for Place of Use PIN 00620000001D

Parcel Number	AIN	Situs Address	Data as of
00620000001D	104413	6848 W HALF CIRCLE LOOP, WORLEY	11/9/2019

Owner Information

Owner Name	VANDERWILDE REVOCABLE TRUST
Owner Address	911 E 20TH AVE SPOKANE WA 99203
Transfer Date	12/19/2013
Document #	
Deed Book/Page	

Location / Description

Tax Authority Group	067000	Current Legal Desc.	BENPOINT 2ND ADD, TAX
Situs Address	6848 W HALF CIRCLE LOOP, WORLEY		
Acreage	.5000		

**MEMORANDUM OF DECLARATION
OF
REVOCABLE LIVING TRUST**

The undersigned, being duly sworn, depose and certify

1. That **Russell S. VanderWilde and Carole E. VanderWilde**, husband and wife, as Settlers, and **Russell S. VanderWilde and Carole E. VanderWilde**, as Trustees, executed the **VanderWilde Revocable Trust** on January 21, 1998, and said Trust is not of record in any court. Said Trust is revocable during the life of Settlers.

2. That we are the present and sole beneficiaries of this Trust.

3. That if either of us, **Russell S. VanderWilde or Carole E. VanderWilde**, is unable or unwilling for any reason to act as Trustee, the other shall serve as sole Trustee. If we are both unable or unwilling to serve as Trustee for any reason, **Robert W. Pehl**, followed by **Richard N. Eaton**, shall serve as successor Trustees in the order named.

4. That the powers and authority granted to the Trustee shall include those powers granted to trustees under Washington's Trustee Act which shall include by way of description by not limitation the following powers:

a. Invest in any kind of property, whether real, personal, tangible or intangible, or mixed;

b. Deposit trust funds at reasonable interest in any of the following accounts: (1) a bank; (2) an insured savings and loan association; (3) shares of an insured credit union.

c. Acquire or dispose of property, for cash or on credit, at public or private sale, or by exchange.

d. Manage, control, divide, develop, improve, exchange, partition, change the character of, or abandon trust property or any interest therein.

e. Encumber, mortgage, or pledge trust property for any term.

f. (1) make ordinary or extraordinary repairs, alterations, improvements in buildings or other trust property; (2) demolish any improvements; and (3) raze existing or erect new party walls or buildings.

g. (1) subdivide or develop land; (2) dedicate land to public use; (3) make or obtain the vacation of plats and adjust boundaries; (4) adjust differences in valuation on exchange or partition by giving or receiving consideration; and (5) dedicate easements to public use without consideration.

h. Enter into a lease for any purpose as lessor or lessee with the option to purchase or renew for any term.

i. Grant or take an option for any term.

j. Retain, continue to operate, and manage any controlling or significant interests in any close-held business.

k. With respect to any shares of stock, any membership in a nonprofit corporation, or any other property, do any of the following: (1) vote in person, and give proxies to exercise, any voting rights with respect to the shares, memberships, or property; (2) waive notice of a meeting or give consent to the holding of a meeting; (3) authorize, ratify, approve, or confirm any action that could be taken by shareholders, members, or property owners.

l. Pay calls, assessments, and any other sums chargeable or accruing against or on account of securities.

m. Sell or exercise stock subscription or conversion rights.

n. Consent, directly or through a committee or other agent, to the reorganization, consolidation, merger, dissolution, or liquidation of a corporation, or other business enterprise, and to participate in voting trusts, pooling arrangements, and foreclosures, and to deposit securities with and transfer title and delegate discretion to any protective or other committee.

o. Hold a security in the name of a nominee or in other form without disclosure of the trust so that title to the security may pass by delivery.

p. Deposit securities in a securities depository.

q. Insure the property of the trust and to insure the trustee against liability with respect to third persons.

r. Borrow money for any trust purpose to be repaid from trust property.

s. Do any of the following: (1) pay or contest any claim; (2) settle a claim by or against the trust by compromise, arbitration, or otherwise; (3) release, in whole or in part, any claim belonging to the trust.

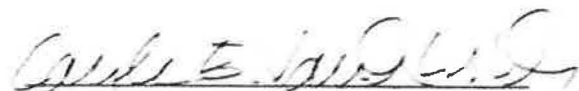
t. Pay taxes, assessments, reasonable compensation of the Trustee and of employees and agents of the trust, and other expenses incurred in the collection, care, administration, and protection of the trust.

u. Do any of the following: (1) hire persons, including accountants, attorneys, auditors, investment advisers, or other agents, even if they are associated or affiliated with the Trustee, to advise or assist the Trustee in the performance of administrative duties; (2) appoint an investment manager or manager to manage all or any part of the assets of the trust, and to delegate to said manager investment discretion, including the power to acquire and dispose of such assets; and (3) charge the compensation of such attorneys, accountants, investment advisers, investment managers, specialists, and other agents and any other expenses against the trust.

v. Execute and deliver all instruments which are needed to accomplish or facilitate the exercise of these powers.

DATED this 21st day of January, 1998.


Russell S. VanderWilde, Trustee


Carole E. VanderWilde, Trustee

STATE OF WASHINGTON

ss.

County of Spokane

I certify that I know or have satisfactory evidence that **Russell S. VanderWilde** and **Carole E. VanderWilde** signed this instrument as the Trustees of the **VanderWilde Revocable Trust**, and acknowledged it to be their free and voluntary act, for the uses and purposes mentioned in the instrument.

DATED 21st January, 1998.




NOTARY PUBLIC in and for the State
of Washington, residing at Spokane
My appointment expires 12/8/99