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FORM 202 Rev. 09/16

OCT 30 2019

STATE OF IDAHO

Ident. No. 79-14275

DEPARTMENT OF WATER RESOURCES
WESTERN REGION

DEPARTMENT OF WATER RESOURCES

IDWR / NORTH

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) LODGE AT LOLO CREEK LLC Phone 509-780-2031
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 4307 SNAKE RIVER AVE City LEWISTON
 State ID ZIP 83501 Email BRIEN@DATLEYCRUSHING.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 UNNAMED STREAM which is a tributary of LEFT FORK DIVIDE CREEK
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
30N	02W	33			NW	NW	IDAHO	UNNAMED STREAM	

5. Water will be used for the following purposes:
- Amount 19.4 AF for FIRE PROTECTION STRG purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 19.4 AF for RECREATION STORAGE 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) _____ cubic feet per second (cfs) and/or (b) 19.4 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 PUT DAM ACROSS UNNAMED STREAM TO IMPOUND WATER FOR USES
- b. Height of storage dam 20 feet; active reservoir capacity 14.6 acre-feet; total reservoir capacity 14.6 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 KT Date 11/04/2019 Time 11:39am Preliminary check by TS
 Fee \$ 100.00 Received by ja Receipt No. N035711 Date 10-30-19

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 _____
 - Other; describe fully. RECREATION STORAGE IS FOR SWIMMING
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	
30N	02W	33						F/R											
30N	02W	28											F/R						

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 PUT POND ON UNNAMED STREAM FOR FIRE PROTECTION AND RECREATION PURPOSES. MAXIMUM DEPTH OF POND WILL BE 14 FEET WITH DAM HEIGHT AROUND 20 FEET.
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.

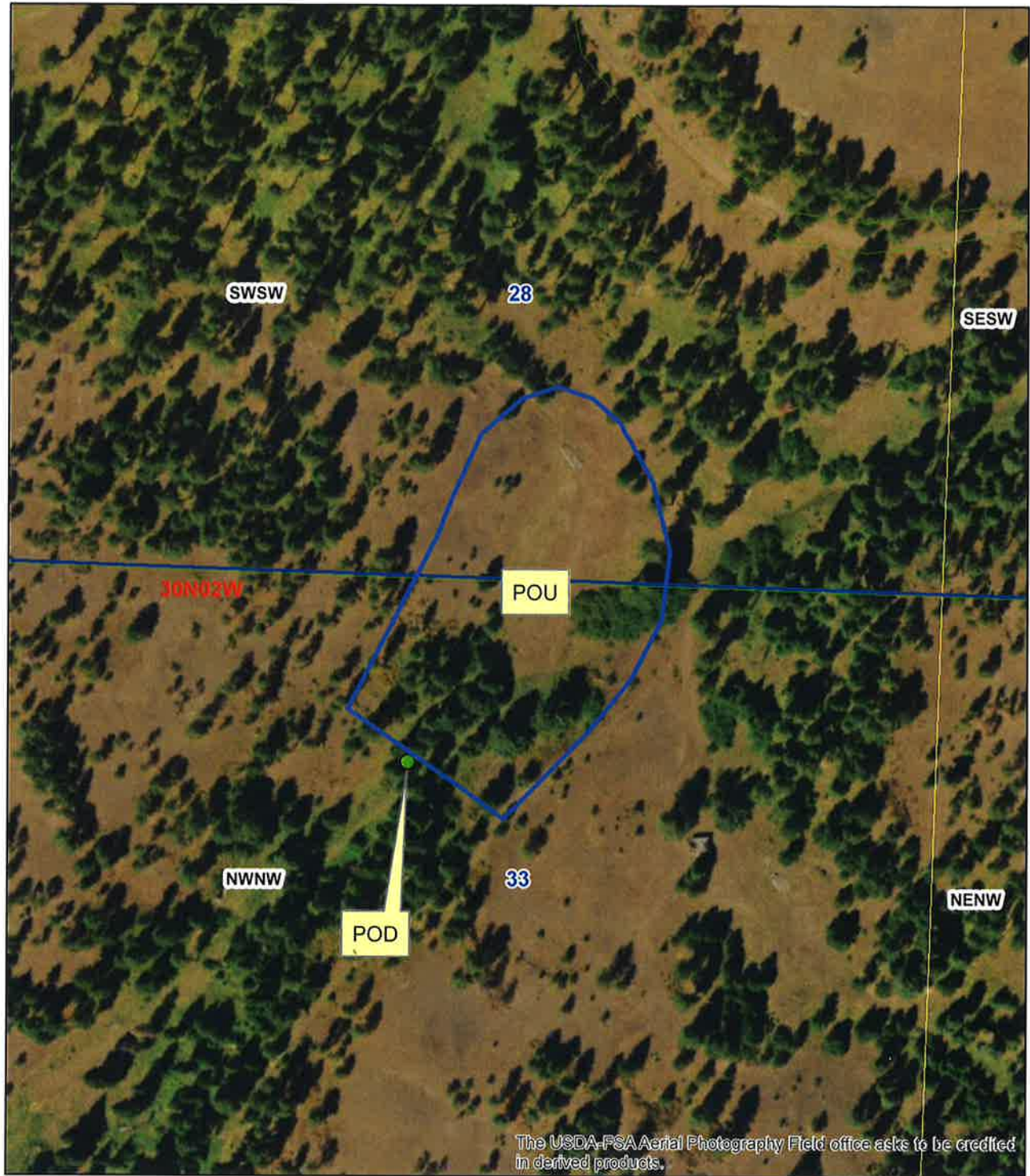
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Brian N DeAtthey
 Signature of Applicant
Brian N DeAtthey Registered Agent
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)

APPLICATION MAP



Legend

- Parcels
- Township/Range
- Sections
- QQ

0 0.0175 0.035 0.07 Miles



Total Storage Calculations

FILE NUMBER	Application
REVIEWER	Adam Frederick
DATE	10/30/2019

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total seepage, evaporation and fill capacity required for a pond.

User Input
Calculated value
Formula Explanations

Surface Area (AC.)	2.6	"Surface Area" is automatically carried over from the "Seepage Loss" sheet.
Average Pond Depth (FT.)	5.6	"Average Pond Depth" depicts the actual depth of the pond either measured or estimated. Note: If you know the maximum depth and not the average depth, the Field Examiner's Handbook suggests multiplying the maximum depth by 0.4 to get the average depth, or you can use any method that seems reasonable to attain average depth.
Pond Capacity (AF)	14.6	Pond Capacity is calculated by multiplying the Pond Surface Area by the Average Pond Depth. If you know the capacity, divide the capacity by surface area and enter the average pond depth in the space above. Note: If pond capacity is determined using a method shown on the "Pond Capacity" sheet, the user may need to modify the value of "Pond Capacity" (cell B9) manually. Note that if the value is modified manually, the formula will be altered for future use.

Multiple Fill Volume Above Initial Fill to Fulfill From Storage Needs- "Multiple Fills" (AF)	0	The "Multiple Fill Volume Above Initial Fill" is the acre-feet of water required to meet a <i>from storage</i> component if the <i>from storage</i> component exceeds a one time fill. This section should not include the amount of water needed to fill the pond initially or the amount of water needed to maintain the pond level due to evaporation or seepage. For example: If a pond has a capacity of 5 acre feet and 2.5 acre feet of seepage and evaporation, but the pond is used for irrigation that requires 10 acre feet of from storage for the irrigation use, then you would insert 5 acre feet into this location (10 acre feet needed - 5 acre feet from the initial fill = 5 acre feet of additional storage needed). Note: You must have a "From Storage" component exceeding the initial fill on the permit to include a volume in this space.
Estimated Seepage Loss (AF)	2.8	The "Estimated Seepage Loss" is automatically carried over from the "Seepage Loss" sheet.
Estimated Evaporation Loss (AF)	2.0	The "Estimated Evaporation Loss" is automatically carried over from the "Evaporation Loss" sheet.
Total Volume Required (AF)	19.4	The "Total Volume Required" is calculated by adding the Pond Capacity, Multiple Fills, Seepage Loss, and Evaporation Loss amounts to determine the total amount of storage required.



0003417292

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0003417292

Date Filed: 1/30/2019 2:26:27 PM

Entity Name and Mailing Address:

LODGE AT LOLO CREEK, L.L.C. (THE)

The file number of this entity on the records of the Idaho Secretary
of State is: 0000305084

Address PO BOX 759
LEWISTON, ID 83501-0759

Entity Details:

Entity Status Active-Existing

This entity is organized under the laws of: IDAHO

If applicable, the old file number of this entity on the records of the
Idaho Secretary of State was: W98573

The registered agent on record is:

Registered Agent BRIEN DEATLEY
Registered Agent
Physical Address
4307 SNAKE RIVER AVE
LEWISTON, ID 83501
Mailing Address

Limited Liability Company Managers and Members

Names of managers or members	Title	Address
DEATLEY CRUSHING COMPANY	Member	4307 SNAKE RIVER AVE LEWISTON, ID 83501
BRIEN DEATLEY	Member	4307 SNAKE RIVER AVE LEWISTON, ID 83501

The annual report must be signed by an authorized signer of the entity.

Susan Staab

Sign Here

Signer's Title: Accountant

01/30/2019

Date

B0160-3456 01/30/2019 2:26 PM Received by ID Secretary of State Lawrence Denney



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

November 14, 2019

WILKS RANCH IDAHO
PO BOX 111
CISCO TX 76437

Re: Application for Permit No. 79-14275

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the *Cottonwood Chronicle* for advertising. I enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you wish to formally protest the approval of the application, you must submit a protest with the \$25.00 protest fee to this office by **5:00 p.m., December 9, 2019**. You must also send a copy of your protest to the applicant.

If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Anna Kaiser', written over a horizontal line.

Anna Kaiser
Water Resource Agent
Western Regional Office

Enclosures

Kaiser, Anna

From: Kaiser, Anna
Sent: Thursday, November 14, 2019 2:48 PM
To: Skoro, Emily; Golden, Kala
Cc: Clark, Cynthia Bridge
Subject: FW: Application for Permit 79-14275
Attachments: Agency Recommendation Form.docx; 79-14275.pdf

November 14, 2019

RE: Application for Permit No(s). 79-14275

Dear Planning Bureau:

The Idaho Department of Water Resources (IDWR) requests written comment and/or recommendation from your agency regarding the above referenced water right applications. A copy of the application is enclosed with this email for your reference. Please review the application, complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of **December 9, 2019**.

If your agency desires to formally protest approval of these applications, you can file a written protest along with a \$25.00 filing fee for each protested application by the protest deadline.

if you do not respond before the protest deadline, IDWR will assume your agency does not object to the application(s). Please contact me if you have any questions regarding the applications. Thank you for your help.

Sincerely,

Anna Kaiser | Water Resource Agent
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov

Kaiser, Anna

From: Kaiser, Anna
Sent: Thursday, November 14, 2019 2:47 PM
To: 'TODD.CRUTCHER@DEQ.IDAHO.GOV'
Subject: Application for Permit No: 79-14275
Attachments: Agency Recommendation Form.docx; 79-14275.pdf

November 14, 2019

TODD CRUTCHER
DEPARTMENT OF ENVIRONMENTAL QUALITY

RE: Application for Permit No(s). 79-14275

Dear Mr. Crutcher:

The Idaho Department of Water Resources (IDWR) requests written comment and/or recommendation from your agency regarding the above referenced water right applications. A copy of the application is enclosed with this email for your reference. Please review the application, complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of **December 9, 2019**.

If your agency desires to formally protest approval of these applications, you can file a written protest along with a \$25.00 filing fee for each protested application by the protest deadline.

if you do not respond before the protest deadline, IDWR will assume your agency does not object to the application(s). Please contact me if you have any questions regarding the applications. Thank you for your help.

Sincerely,

Anna Kaiser | Water Resource Agent
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov

Kaiser, Anna

From: Kaiser, Anna
Sent: Thursday, November 14, 2019 2:45 PM
To: 'Bosworth,Bill'
Subject: Application for Permit No. 79-14275
Attachments: Agency Recommendation Form.docx; 79-14275.pdf

November 14, 2019

STATE OF IDAHO
DEPT OF FISH & GAME
ATTN: BILL BOSWORTH
3101 S POWERLINE RD
NAMPA, ID 83686

RE: Application for Permit No(s). 79-14275

Dear Mr. Bosworth:

The Idaho Department of Water Resources (IDWR) requests written comment and/or recommendation from your agency regarding the above referenced water right applications. A copy of the application is enclosed with this email for your reference. Please review the application, complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of **December 9, 2019**.

If your agency desires to formally protest approval of these applications, you can file a written protest along with a \$25.00 filing fee for each protested application by the protest deadline.

if you do not respond before the protest deadline, IDWR will assume your agency does not object to the application(s). Please contact me if you have any questions regarding the applications. Thank you for your help.

Sincerely,

Anna Kaiser | Water Resource Agent
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

November 13, 2019

LODGE AT LOLO CREEK LLC
4307 SNAKE RIVER AVE
LEWISTON, ID 83501-5195

Application for Permit No. 79-14275

Dear Applicant:

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 COTTONWOOD CHRONICLE on 11/21/2019 and 11/28/2019. 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,

Anna Kaiser

Water Resource Agent

Kaiser, Anna

From: Kaiser, Anna
Sent: Wednesday, November 13, 2019 2:05 PM
To: 'Chronicle Editor'
Subject: IDAHO Legal Ad
Attachments: Cover Letter.docx; Legal Notice.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon Legal Clerk,

Please see the attached ad for publication on 11/21/2019 & 11/28/2019.

Please confirm these are okay to publish as shown.

Thank You,
Anna Kaiser | Water Resource Agent
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov

November 13, 2019

LEGAL NOTICE DEPARTMENT

COTTONWOOD CHRONICLE
PO BOX 157
COTTONWOOD, ID 83522

RE: Application For Permit No: 79-14275

Dear Legal Notice Department:

Please publish the enclosed legal notice 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 before 12/9/2019. Your cooperation is appreciated.

Sincerely,

Anna Kaiser
Water Resource Agent

Enclosures

The following application has been filed to appropriate the public waters of the State of Idaho:

79-14275

LODGE AT LOLO CREEK LLC

4307 SNAKE RIVER AVE

LEWISTON, ID 83501-5195

Point of Diversion NWNW S33 T30N R02W IDAHO County Source UNNAMED STREAMS Tributary DIVIDE CREEK

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 19.4 AF

Use: RECREATION STORAGE 01/01 to 12/31 19.4 AF

Total Diversion: 19.4 AF

Date Filed: 10/30/2019

Place Of Use: RECREATION STORAGE, FIRE PROTECTION STORAGE

T30N R02W S28 SWSW

T30N R02W S33 NWNW

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s), please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 12/9/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 11/21/2019 and 11/28/2019