

RECEIVED
OCT 17 2019
IDWR / NORTH

83702

FORM 202 Rev. 09/16

STATE OF IDAHO

Ident. No.

96-9779

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Murphy Bay, LLC c/o Lorna Murphy, Registered Agent Phone (208)265-5210
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address 1841 Lakeshore Drive City Sagle
State ID ZIP 83860 Email N/A

2. Name of representative, if any Martin E. Taylor, AICP, Project Planner c/o Phone (208)263-4160
Mailing address Sewell & Associates, LLC 1319 N. Division Ave. City Sandpoint
State ID ZIP 83864 Email mtaylor@jasewell.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 Lake Pend Oreille

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
56N	2W	4		SE	SE	NE	Bonner	Pend Oreille River	N/A

5. Water will be used for the following purposes:

Amount 0.06 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) 0.06 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. A 2" dia. PVC pipe with upland pump will be placed on the river bed for a distance of ±40 feet.
- b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A 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 N/A inches; proposed depth of well is N/A feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? N/A; drilling firm N/A;
well was drilled for (well owner) N/A; Drilling Permit No. N/A

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ 100.00 Received by NS Receipt No. N03510810 Date 10-17-19

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. N/A
 - Stockwatering; list number and kind of livestock. N/A
 - Municipal; must complete and attach the Municipal Water Right Application Checklist.
 - Domestic; show number of households One.
 - Other; describe fully. For domestic irrigation.

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	
56N	2W	4				1.9													1.9

Total number of acres to be irrigated: 1.9

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? N/A

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: N/A

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. The applicant is requesting to appropriate Lake Pend Oreille River water for irrigating ±1.9 acres of domestic yard. The property is known as Bonner County Assessor's Parcel RP56N02W042380A. The site is located at 1841 Lakeshore Drive, Sagle, Idaho. The parcel is described in Warranty Deed 912554, Bonner County records.

13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).

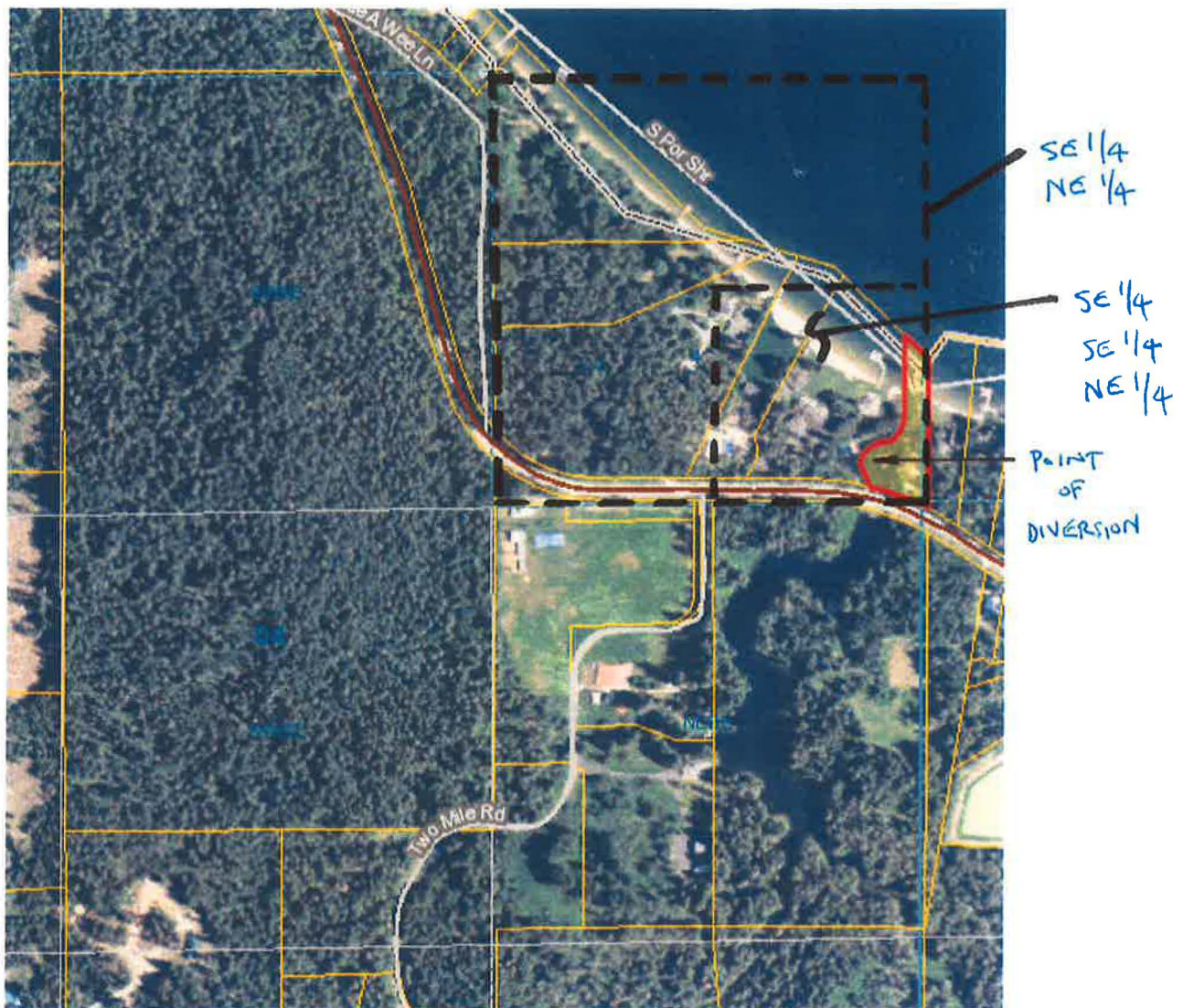
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

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.

Lorna Murphy 10/11/19
 Signature of Applicant
 Lorna Murphy, Registered Agent, Murphy Bay, LLC
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)



Parcel #: RP56N02W042380A
Owner1: Murphy, Thomas H
Property Address: 1841 Lakeshore Dr
Community: Sagle
Acres: 1.84
Deed1: [912554 QC](#)
Legal Description : 4-56N-2W

No. W 189002 Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	Due no later than Sep 30, 2018 Annual Report Form 1. Mailing Address: Correct in this box if needed. MURPHY BAY, LLC NICHOLAS R JOHNSON 9002 302ND AVE ST #48 ISSAQUAH WA 98027	2. Registered Agent and Address (NO PO BOX) LORNA MURPHY 1841 LAKESHORE DR SAGLE ID 83860 3. <u>New</u> Registered Agent Signature:*														
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager. <table border="1"> <thead> <tr> <th>Office Held</th> <th>Name</th> <th>Street or PO Address</th> <th>City</th> <th>State</th> <th>Country</th> <th>Postal Code</th> </tr> </thead> <tbody> <tr> <td>MEMBER</td> <td>NICHOLAS R JOHNSON</td> <td>9002 302ND AVE. STE #48</td> <td>ISSAQUAH</td> <td>WA</td> <td>USA</td> <td>98027</td> </tr> </tbody> </table>			Office Held	Name	Street or PO Address	City	State	Country	Postal Code	MEMBER	NICHOLAS R JOHNSON	9002 302ND AVE. STE #48	ISSAQUAH	WA	USA	98027
Office Held	Name	Street or PO Address	City	State	Country	Postal Code										
MEMBER	NICHOLAS R JOHNSON	9002 302ND AVE. STE #48	ISSAQUAH	WA	USA	98027										
5. Organized Under the Laws of: ID W 189002	6. Annual Report must be signed.* Signature: Stephen Snedden Name (type or print): Stephen Snedden Date: 08/01/2018 Title: Attorney															
Processed 08/01/2018 * Electronically provided signatures are accepted as original signatures.																

From: Alleman, Tammy
To: ["Anna.Moody@deq.idaho.gov"](mailto:Anna.Moody@deq.idaho.gov); ["Horsmon.Merritt"](#); ["Mike Ahmer"](#); [Skoro, Emily](#); [Golden, Kala](#)
Subject: Request for Comments WR#96-9779
Date: Friday, November 1, 2019 3:25:00 PM
Attachments: [96-9779 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 November 25, 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

October 31, 2019

MURPHY BAY LLC
C/O LORNA MURPHY
1841 LAKESHORE DR
SAGLE, ID 83860-9799

Application For Permit No. 96-9779

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 11/7/2019 and 11/14/2019. 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,

Tammy Alleman
Administrative Assistant

CC:

JAMES A SEWELL & ASSOC
ATTN MARTIN TAYLOR
1319 N DIVISION AVE
SANDPOINT, ID 83864

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, October 31, 2019 2:31 PM
To: 'bcdblegals@cdapress.com'
Subject: Legal Notice for 96-9775, 96-9777, 96-9778, & 96-9779
Attachments: Legal Notice for 96-9775, 96-9777 thru 96-9779.doc

Please publish the enclosed legal notice in the **Bonner County Daily Bee** on the dates indicated **November 7th and November 14th, 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 **November 25, 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:

96-9775

NATHAN PETTIT
31590 W MORRISON CT
CARNATION, WA 98014-7611
Point of Diversion L9(SWSESE)
S31 T57N R02W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: DOMESTIC
04/01 to 10/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 9/26/2019
Place Of Use: DOMESTIC
T57N R02W S31
L8(SWSE) L9(SESE)

96-9777

RICHARD FUHR
ELISE FUHR
2289 GYPSY BAY RD
SAGLE, ID 83860-9180
Point of Diversion L5(SWSW)
S26 T57N R03W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31 0.02 CFS
Total Diversion: 0.02 CFS
Date Filed: 10/11/2019
Place Of Use: IRRIGATION
T57N R03W S26
L5(SWSW)
Total Acres: 0.5

96-9778

BOCK TRUST
C/O JEFFREY BOCK
PO BOX 158
CLARK FORK, ID 83811-0158
Point of Diversion SESE
S13 T55N R02E
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Total Diversion: 0.1 CFS
Date Filed: 10/21/2019
Place Of Use: IRRIGATION
T55N R02E S13
L8(SWSE) SESE
Place Of Use: DOMESTIC
T55N R02E S13
L8(SWSE) SESE
Total Acres: 2

96-9779

MURPHY BAY LLC
C/O LORNA MURPHY
1841 LAKESHORE DR
SAGLE, ID 83860-9799
Point of Diversion L4(SESENE)
S4 T56N R02W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Total Diversion: 0.06 CFS

Date Filed: 10/17/2019
Place Of Use: IRRIGATION
T56N R02W S4
L4(SEN)

Total Acres: 1.9

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 11/25/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 11/7/2019 and 11/14/2019

JAMES A. SEWELL & ASSOC., LLC
1319 N. Division Ave.
Sandpoint, ID 83864
(208) 263-4160

LETTER OF TRANSMITTAL

TO: Army Corps
Address: 1910 Northwest Blvd, Suite 210
Coeur d'Alene, ID 83814-5699

Idaho Dept. of Lands
2550 Highway 2 West
Sandpoint, ID 83864

Idaho Dept. of Water Resources
7600 N. Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815-7763

Date: 10/11/19

Job No:
16218-18-003

Attention: Shane Slate, Army Corps
Justin Eshelman, IDL
Adam Frederick, IDWR

RECEIVED
OCT 17 2019
IDWR / NORTH

WE ARE SENDING YOU:

- ☒ Attached ☐ Under separate cover via ☐ the following items:
☐ Shop Drawings ☐ Prints ☐ Drawings ☐ Samples
☐ Copy of App. ☐ Change Order ☐ Specifications ☐

Copies	Date	No.	Description
1	10/11/19		IDL/Corps waterline encroachment permit application
1	10/11/19		IDWR water right application

THESE ARE TRANSMITTED AS CHECKED BELOW:

- ☒ For approval ☐ Approved as submitted ☐ Resubmit copies for approval
☐ For your signature ☐ Approved as noted ☐ Submit copies for distribution
☐ For your response ☐ Returned for correction ☐ Return corrected prints
☐ For review ☐ For bids due ☐ Prints returned after loan to us

REMARKS:

Please see attached application. Please send all correspondence to my attention as the project rep.
Thank you for your assistance.

COPY TO: File

SIGNED: Martin E. Taylor, AICP
Certified Land Use Planner