

Maximum Diversion Volume: 11.5 AF

WILLIAM E BIRD 2508 HIGHWAY 9 PRINCETON ID 83857-9723 AND/OR
VICKI J WADE 2508 HIGHWAY 9 PRINCETON ID 83857-9723

Tributary: SINKS

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Annual Volume</u>
IRRIGATION STORAGE	01/01 to 12/31	3.0 AF
IRRIGATION FROM STORAGE	04/01 to 10/31	3.0 AF
STOCKWATER STORAGE	01/01 to 12/31	0.7 AF
STOCKWATER FROM STORAGE	01/01 to 12/31	0.7 AF
RECREATION STORAGE	01/01 to 12/31	7.8 AF

SPRING NW¼ NW¼ NW¼, Sec. 28, Twp 41N, Rge 03W, B.M. LATAH County

[illegible][illegible][illegible]

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 87-10938

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **October 01, 2024**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
4. Recreation storage is for fishing.
5. Stockwater use is for 50 head of mixed stock.
6. Right 87-10938 authorizes the storage of an annual total of 11.5 acre-feet, comprised of 5.3 acre-feet to be used for the initial filling of the pond, 2.5 acre-feet for the replacement of losses due to seepage and evaporation, and up to 3.7 acre-feet for additional refills for irrigation and stockwater from storage use.
7. The pond established by the storage of water under this right shall not exceed a total capacity of 5.3 acre-feet or a total surface area of 1.1 acres.
8. This right when combined with all other rights shall provide no more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
9. This right does not grant any right-of-way or easement across the land of another.

This permit is issued pursuant to the provisions of Idaho Code § 42-204.

Signed this 30th day of September, 2019.



DOUGLAS JONES
Northern Regional Manager

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

87-10938

This map depicts the IRRIGATION STORAGE, STOCKWATER STORAGE, and RECREATION STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

03W



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

0 0.035 0.07 0.14 Miles



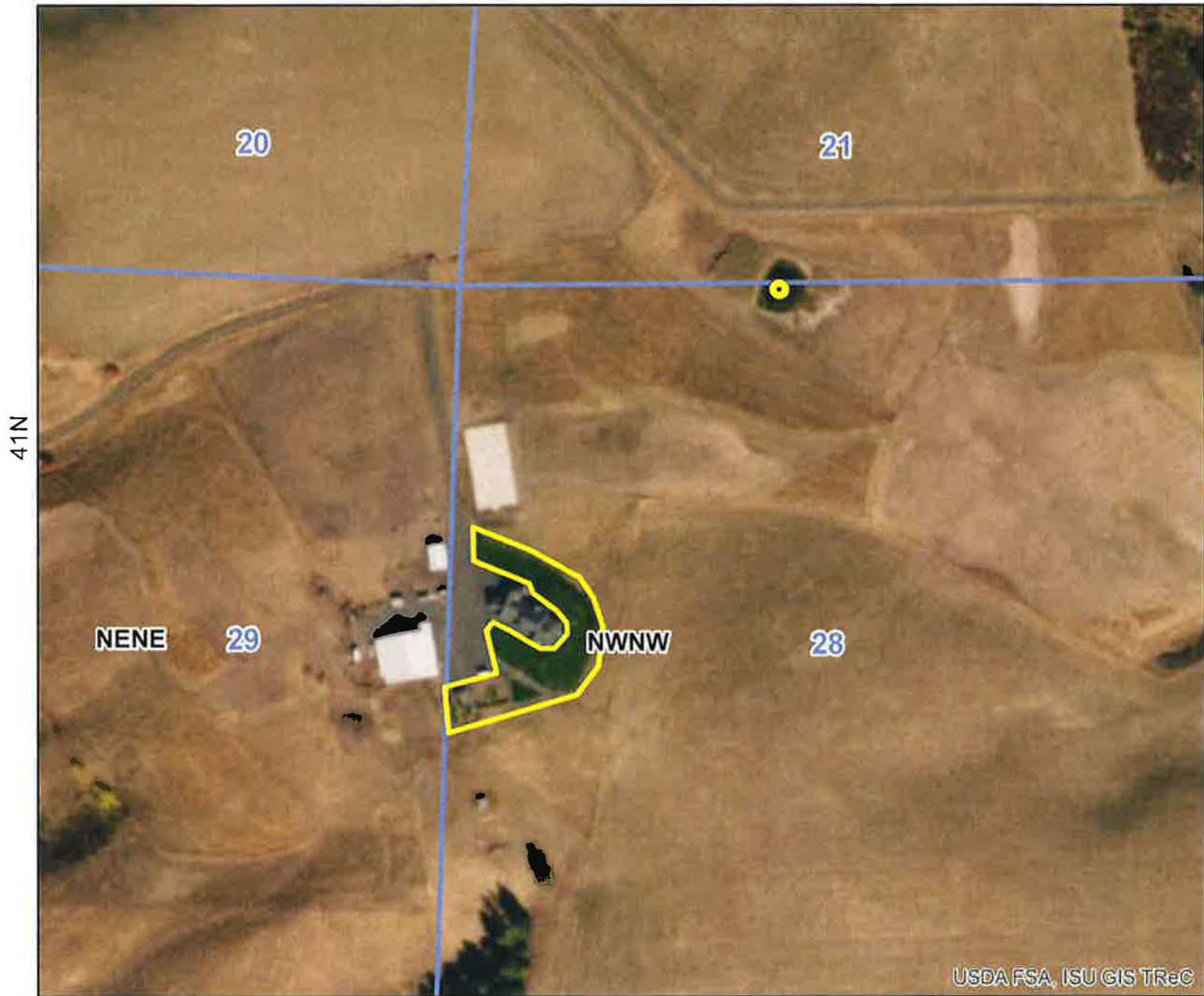
State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

87-10938

This map depicts the IRRIGATION FROM STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

03W



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

0 0.035 0.07 0.14 Miles



State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

87-10938

This map depicts the STOCKWATER FROM STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

03W



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

0 0.035 0.07 0.14 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N MINERAL DR STE 100 • COEUR D ALENE, ID 83815-7763

Phone: (208)762-2800 • Fax: (208)769-2819 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

October 01, 2019

WILLIAM E BIRD
VICKI J WADE
2508 HIGHWAY 9
PRINCETON ID 83857-9723

RE: Permit No. 87-10938

Permit Approval Notice

Dear Permit Holder(s):

The Department of Water Resources ("Department") has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review all the conditions of approval listed on your permit. The conditions include requirements that you must accomplish, such as timely submittal of proof of beneficial use or installation of a measuring device, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district. Failure to comply with the conditions of approval may result in your permit lapsing or being canceled.

The permit is a PRELIMINARY ORDER issued pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

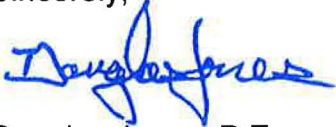
The final step in the water right process is issuance of a water right license. To receive a water right license, you must first commence the excavation or construction of your diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is complete. In addition, you must divert and use water to the full extent intended and submit a *Statement of Completion for Submitting Proof of Beneficial Use* by the date shown in condition no. 1 of your permit. The Department will send you a *Proof Due Notice* approximately 60 days prior to the date listed in condition no. 1 of your permit.

You may also require approvals from other Department programs, such as Ground Water Protection, Safety of Dams, or Stream Channel Protection, to accomplish your proposed development. Please call or visit any Department office or see the Department's website at idwr.idaho.gov for more information about these programs.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions concerning the enclosed information, please contact the Northern Region Office at (208) 762-2800.

Sincerely,

A handwritten signature in blue ink, appearing to read "Douglas Jones", is written over the printed name.

Douglas Jones, P.E.
Northern Regional Manager

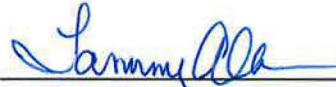
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on October 01, 2019, I served a true and correct copy of Permit to Appropriate Water No. 87-10938 by U.S. Mail, postage prepaid, to the following:

WILLIAM E BIRD (Current Owner)
2508 HIGHWAY 9
PRINCETON ID 83857-9723

VICKI J WADE (Current Owner)
2508 HIGHWAY 9
PRINCETON ID 83857-9723



Tammy Alleman
Administrative Assistant 1

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

NEWS REVIEW PUBLISHING COMPANY

The Moscow-Pullman Daily News

P.O.Box 957

Lewiston, Idaho 83501

(208) 743-9411

Date:	<u>07/25/2019</u>	INVOICE NO.	<u>153194</u>
Account No.	<u>964750</u>		
Description	<u>153194 The foll</u>		
Times	<u>2</u>	Lines	<u>146</u>
		Tab. lines	
		\$	<u>1187.55</u>

**LEGAL ADVERTISING
INVOICE**

Sold To: ID DEPT. OF WATER RESOURCES
7600 MINERAL DR #100
COEUR D ALENE ID 83814

PO#

NOTICE: This is a invoice of Purchase made by you. Statement will be rendered the first of the month
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

153194

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

86-12066

ROBERT M CARSON

PAULA J CARSON

1110 PLEASANT HILL RD

TROY, ID 83871-9695

Point of Diversion SWNE

S24 T40N R03W

LATAH County

Source SURFACE RUNOFF

Tributary DRY CREEK

Point of Diversion SWNE

S24 T40N R03W

LATAH County

Source SURFACE RUNOFF

Tributary DRY CREEK

Point of Diversion NESW

S24 T40N R03W

LATAH County

Source Surface Runoff

Tributary Dry Creek

Use: IRRIGATION FROM STORAGE

04/01 to 10/31 5.8 AF

Use: IRRIGATION STORAGE

01/01 to 12/31 5.8 AF

Use: RECREATION STORAGE

01/01 to 12/31 4.9 AF

Total Diversion: 10.7 AF

Date Filed: 6/13/2019

Place Of Use: RECREATION STORAGE

T40N R03W S24

SWNE SENW NESW NWSE

Place Of Use: IRRIGATION STORAGE

T40N R03W S24

SWNE SENW NESW NWSE

Place Of Use: IRRIGATION FROM STORAGE

T40N R03W S24

SWNE SENW NESW NWSE

AFFIDAVIT OF PUBLICATION

Julie L. Winters _____, Legal Clerk
being first duly sworn, on oath deposes
and says: I am the printer of
Moscow-Pullman Daily News, a newspaper
of general circulation, published daily
except Sunday at Moscow, Latah County,
Idaho, in compliance with Sections 60-106,
60-107, and 60-108 of the Idaho Code and the
amendments thereto; and an official newspaper
for Whitman County, Washington as required
by R.C.W. 36.72.071 and other provisions of
the Revised Code of Washington and the
amendments thereto: that the notice of which the
annexed is a full, true and correct printed
copy was published in the regular and entire
issues of said newspaper and not in a
supplement thereto, upon the following dates:

July 18th - 25th

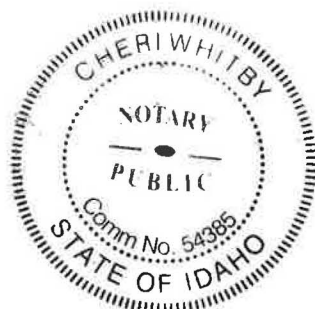
2019

the same being the date designated for
the publication of said notice.

Julie L. Winters

On this 25th day of July
in the year of 2019, before me, a Notary Public,
personally appeared Julie L. Winters,
known or identified to me to be the person
whose name subscribed to the within instrument,
and being by me first duly sworn, declared that
the statements therein are true, and acknowledged
to me that he executed the same.

Cheri Whitby
Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 4/17/24



RECEIVED

JUL 30 2019

IDWR / NORTH

87-10864

TRIXY GLASGOW
KIPPY SILFLOW
2208 W 50TH AVE
KENNEWICK, WA 99337-4621
Point of Diversion NESE
S16 T39N R05W
LATAH County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 6/12/2019
Place Of Use: DOMESTIC
T39N R05W S16 NESE

87-10865

TRIXY GLASGOW
KIPPY SILFLOW
2208 W 50TH AVE
KENNEWICK, WA 99337-4621
Point of Diversion NESE
S16 T39N R05W
LATAH County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 6/12/2019
Place Of Use: DOMESTIC
T39N R05W S16 NESE

87-10869

CLYDE FARMS LLC
C/O KENNETH CLYDE
1175 ZEITLER RD
MOSCOW, ID 83843-7820
Point of Diversion SENE
S19 T39N R05W
LATAH County
Source GROUND WATER
Use: COMMERCIAL
01/01 to 12/31 0.2 CFS
Use: INDUSTRIAL
01/01 to 12/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 6/13/2019
Place Of Use: INDUSTRIAL
T39N R05W S19 SENE
Place Of Use: COMMERCIAL
T39N R05W S19 SENE

87-10871

CLYDE FARMS LLC
C/O KENNETH CLYDE
1175 ZEITLER RD
MOSCOW, ID 83843-7820
Point of Diversion SESE
S31 T39N R05W
LATAH County
Source GROUND WATER
Use: INDUSTRIAL
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
03/15 to 10/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.04 CFS
Date Filed: 6/13/2019
Place Of Use: IRRIGATION
T39N R05W S31 SESE
Place Of Use: STOCKWATER
T39N R05W S31 SESE
Place Of Use: INDUSTRIAL
T39N R05W S31 SESE

87-10876

CLYDE FARMS LLC
C/O KENNETH CLYDE
1175 ZEITLER RD
MOSCOW, ID 83843-7820
Point of Diversion L1(NENE)
S6 T38N R05W
LATAH County
Source GROUND WATER
Use: INDUSTRIAL
01/01 to 12/31 0.05 CFS
Use: IRRIGATION
03/15 to 10/31 0.05 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.05 CFS
Date Filed: 5/16/2019
Place Of Use: IRRIGATION
T38N R05W S6
L1(NENE)
Place Of Use: STOCKWATER
T38N R05W S6
L1(NENE)
Place Of Use: INDUSTRIAL
T38N R05W S6
L1(NENE)

87-10888

BRENNAN PROPERTIES NORTH COURT LLC
PO BOX 9221
MOSCOW, ID 83843-1721
Point of Diversion L4(NWNW)
S6 T39N R05W
LATAH County
Source GROUND WATER

Use: DOMESTIC
01/01 to 12/31 0.17 CFS
Use: IRRIGATION
03/15 to 11/15 0.12 CFS
Total Diversion: 0.17 CFS
Date Filed: 6/11/2019
Place Of Use: DOMESTIC
T39N R05W S6
L4(NWNW)
Place Of Use: IRRIGATION
T39N R05W S6
L4(NWNW)

87-10890

DOUG WASANKARI
MELANIE WASANKARI
PO BOX 8867
MOSCOW, ID 83843-1367
Point of Diversion NESE
S19 T39N R05W
LATAH County
Source GROUND WATER
Use: INDUSTRIAL
01/01 to 12/31 0.13 CFS
Use: IRRIGATION
03/15 to 10/31 0.05 CFS
Total Diversion: 0.13 CFS
Date Filed: 6/11/2019
Place Of Use: INDUSTRIAL
T39N R05W S19 NESE
Place Of Use: IRRIGATION
T39N R05W S19
SENE NESE

87-10913

JOHN WILKINSON
JEAN WILKINSON
1210 SPRENGER RD
GENESEE, ID 83832-9557
Point of Diversion SESW
S6 T37N R05W
LATAH County
Source GROUND WATER
Point of Diversion L7(SWSW)
S6 T37N R05W
LATAH County
Source GROUND WATER
Use: IRRIGATION
03/15 to 10/31 0.12 CFS
Total Diversion: 0.12 CFS
Date Filed: 6/11/2019
Place Of Use: IRRIGATION
T37N R05W S6
L7(SWSW) SESW

87-10914

KRISTA KINARD
6801 W FLIGHTLINE BLVD UNIT 19453
SPOKANE, WA 99219-0027
Point of Diversion SWNE
S12 T43N R06W
LATAH County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Total Diversion: 0.06 CFS
Date Filed: 5/28/2019
Place Of Use: IRRIGATION
T43N R06W S12 SWNE

87-10918

TOM WHITACRE
JOANNE WHITACRE
1105 HEADRICK RD
POTLATCH, ID 83855-9646
Point of Diversion SESE
S30 T41N R04W
LATAH County
Source UNNAMED STREAM
Tributary WEST FORK ROCK CREEK
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.03 CFS
Date Filed: 6/12/2019
Place Of Use: IRRIGATION
T41N R04W S30 SESE

87-10938

WILLIAM E BIRD
VICKI J WADE
2508 HIGHWAY 9
PRINCETON, ID 83857-9723
Point of Diversion NWNWNW
S28 T41N R03W
LATAH County
Source SPRING
Tributary SINKS
Use: IRRIGATION FROM STORAGE
04/01 to 10/31 3 AF
Use: IRRIGATION STORAGE
01/01 to 12/31 3 AF
Use: RECREATION STORAGE
01/01 to 12/31 7.8 AF
Use: STOCKWATER FROM STORAGE
01/01 to 12/31 0.7 AF
Use: STOCKWATER STORAGE
01/01 to 12/31 0.7 AF
Total Diversion: 11.5 AF
Date Filed: 6/12/2019
Place Of Use: RECREATION STORAGE
T41N R03W S21 SWSW
T41N R03W S28 NWNW
Place Of Use: IRRIGATION STORAGE
T41N R03W S21 SWSW
T41N R03W S28 NWNW
Place Of Use: IRRIGATION FROM STORAGE
T41N R03W S28 NWNW
Place Of Use: STOCKWATER STORAGE
T41N R03W S21 SWSW
T41N R03W S28 NWNW
Place Of Use: STOCKWATER FROM STORAGE
T41N R03W S28 NWNW

87-10939

GOLDSTEIN TRUST
1010 RANCH RD
MOSCOW, ID 83843-7484
Point of Diversion NENE
S27 T39N R05W
LATAH County
Source UNNAMED STREAM
Tributary SOUTH FORK PALOUSE RIVER
Use: RECREATION STORAGE
01/01 to 12/31 2.8 AF
Use: STOCKWATER FROM STORAGE
01/01 to 12/31 0.4 AF
Use: STOCKWATER STORAGE
01/01 to 12/31 2.8 AF
Total Diversion: 2.8 AF
Date Filed: 6/25/2019
Place Of Use: RECREATION STORAGE
T39N R05W S27 NENE
Place Of Use: STOCKWATER STORAGE
T39N R05W S27 NENE
Place Of Use: STOCKWATER FROM STORAGE
T39N R05W S27 NENE

87-10944

LARRY E PALMER
JILL R PALMER
PO BOX 411
GARFIELD, WA 99130-0411
Point of Diversion NWNESW
S20 T43N R05W
LATAH County
Source SPRING
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31 0.01 CFS
Total Diversion: 0.01 CFS
Date Filed: 6/12/2019
Place Of Use: DOMESTIC
T43N R05W S20 SENW

87-10954

TIM WHITACRE
JOLANDA WHITACRE
PO BOX 169
POTLATCH, ID 83855-0169
Point of Diversion NWNWNW
S31 T41N R04W
LATAH County
Source SPRING
Tributary SINKS
Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Total Diversion: 0.06 CFS
Date Filed: 6/11/2019
Place Of Use: IRRIGATION
T41N R04W S31 NWNE

87-10956

LARRY WOODBURY
PAT WOODBURY
PO BOX 9046
MOSCOW, ID 83843-1546
Point of Diversion SWSW
S27 T40N R05W
LATAH County
Source SURFACE RUNOFF
Tributary PARADISE CREEK
Use: AESTHETIC STORAGE
01/01 to 12/31 4.3 AF
Use: IRRIGATION FROM STORAGE
04/01 to 10/31 1.8 AF
Use: IRRIGATION STORAGE
01/01 to 12/31 1.8 AF
Total Diversion: 6.1 AF
Date Filed: 6/12/2019
Place Of Use: AESTHETIC STORAGE
T40N R05W S27 SWSW
Place Of Use: IRRIGATION STORAGE
T40N R05W S27 SWSW
Place Of Use: IRRIGATION FROM STORAGE
T40N R05W S27 SWSW

87-11019

DAVID K SMITH
DEBORAH ROBINSON-SMITH
4689 HIGHWAY 95 N
MOSCOW, ID 83843-8700
Point of Diversion NWNE
S18 T40N R05W
LATAH County
Source SURFACE RUNOFF
Tributary FOURMILE CREEK
Use: FIRE PROTECTION STORAGE
01/01 to 12/31 1.9 AF
Use: IRRIGATION FROM STORAGE
04/01 to 10/31 1.5 AF
Use: IRRIGATION STORAGE
01/01 to 12/31 1.5 AF
Use: WILDLIFE STORAGE
01/01 to 12/31 1.9 AF
Total Diversion: 3.4 AF
Date Filed: 7/2/2019
Place Of Use: FIRE PROTECTION STORAGE
T40N R05W S18 NWNE
Place Of Use: WILDLIFE STORAGE
T40N R05W S18 NWNE
Place Of Use: IRRIGATION STORAGE
T40N R05W S18 NWNE
Place Of Use: IRRIGATION FROM STORAGE
T40N R05W S18 NWNE

87-11020

EDWIN SALISBURY

CONNIE SALISBURY

400 MILL RD

MOSCOW, ID 83843-8407

Point of Diversion SWSE

S10 T39N R05W

LATAH County

Source UNNAMED STREAM

Tributary SOUTH FORK PALOUSE RIVER

Use: FIRE PROTECTION STORAGE

01/01 to 12/31 5.7 AF

Use: IRRIGATION FROM STORAGE

03/15 to 10/31 9 AF

Use: IRRIGATION STORAGE

01/01 to 12/31 9 AF

Total Diversion: 14.7 AF

Date Filed: 7/8/2019

Place Of Use: FIRE PROTECTION STORAGE

T39N R05W S10 SWSE

Place Of Use: IRRIGATION STORAGE

T39N R05W S10 SWSE

Place Of Use: IRRIGATION FROM STORAGE

T39N R05W S10 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 8/5/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/18/2019
and 7/25/2019



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

RECEIVED
JUL 29 2019
IDWR / NORTH

1118 F Street • Lewiston, Idaho 83501 • (208) 799-4370
www.deq.idaho.gov

Governor Brad Little
Director John H. Tippetts

July 29, 2019

Mr. Adam Frederick
Idaho Department of Water Resources
7600 North Mineral Drive, Suite 100
Coeur d'Alene, Idaho 83815

Subject: Water Appropriation, #87-10938

Dear Mr. Frederick:

We received a request for comment along with a copy of an application for a permit to appropriate 11.5 acre feet of water from a spring into an existing pond. The spring is the source of the pond water. The spring and pond are located on private property located in Latah County, Idaho.

The spring is located in Township 41N, Range 03W, and Section 28 on the applicant's property in Latah County, Idaho. The appropriated water will be used for irrigation, recreation, and stockwater storage. The appropriated water will be used from January 1 to December 31. Assuming all federal, state and local permits have been obtained, regulations met, and reviews completed, we offer the following comments.

Because we assume any water of the State which occurs beneath the surface of the earth in a saturated geological formation of rock or soil to be ground water (Idaho Code 58.01.02.010.45), we assume there to be hydrologic gradient connectivity to surface waters of the State. It is the policy of the State of Idaho Ground Water Management Plan that existing and projected beneficial uses of ground water and interconnected surface water be maintained and protected and degradation that would impair beneficial uses of ground water and interconnected surface water not be allowed.

Thank you for the opportunity to comment on your application. If you have any questions regarding the Idaho Water Quality Standards, please call us at (208) 983-0808, or by email at Daniel.Stewart@deq.idaho.gov

Sincerely,

A handwritten signature in black ink that reads "Daniel D. Stewart".

Daniel D. Stewart
Water Quality Analyst

c: William Bird and Vicki Wade
Sujata Connell, DEQ
EDMS

Alleman, Tammy

From: Swearingen,Zachary <zachary.swearingen@idfg.idaho.gov>
Sent: Monday, July 15, 2019 11:45 AM
To: Alleman, Tammy
Subject: RE: Request For Comments on Application 87-10938

Hi Tammy,

The application (87-10938) notes that recreation use of the pond will include fish. If this application is permitted please inform the applicant, or include as a condition in any water right issued, that a permit is required prior to stocking private ponds with fish per Idaho Code 36-706. Ponds which will be stocked with fish are require to have a screen on their inlet and outlet to prevent fish escapement. The stocking permit is available from Idaho Department of Fish and Game.

Thank you,

Zach Swearingen
Staff Biologist
Idaho Department of Fish and Game - Clearwater Region
3316 16th St
Lewiston, ID 83501
208-799-5010



From: Alleman, Tammy <Tammy.Alleman@idwr.idaho.gov>
Sent: Wednesday, July 10, 2019 3:55 PM
To: commisioners <bocc@latah.id.us>; Kara Egan <kegan@latah.id.us>; Michelle Fuson <MFuson@latah.id.us>; Swearingen,Zachary <zachary.swearingen@idfg.idaho.gov>; Sujata.Connell@deq.idaho.gov
Subject: Request For Comments on Application 87-10938

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 August 5, 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
7600 North Mineral Drive, Suite 100
Coeur d'Alene, ID 83815
Tammy.Alleman@idwr.idaho.gov
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