

RECEIVED

AUG 22 2019

83560

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 95-17877

1. Name of applicant(s) IDWR / NORTH RICHARD MCANE Phone 915-8209009
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 4321 ROCKY FORD DR. City PROSPER
 State TX ZIP 75078 Email KALAN654@DYAHO.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 CDA 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 #
49N	04W	25			NE	NE	KOOTENAI	CDA LAKE	

5. Water will be used for the following purposes:
- Amount 0104 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) 0104 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. WATERLINE ATTACHED TO DOCK EXTERIOR PUMP 1HP + WATERLINE TO 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 NS Receipt No. N0835453 Date 8-22-19

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 1 INCLUDES LAWN & GARDEN
- Other; describe fully. IRRIGATION UNDER .5 ACRES

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	
49N	04W	25	D																
			GLI																
49N	04W	25	D																

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? _____

- Who owns the property at the point of diversion? TO DEPT. OF LANDS
- Who owns the land to be irrigated or place of use? APPLICANT
- 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 # L-95-S-5633

13. Time required for completion of works and application of water to proposed beneficial use is 8-22-19 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

RICHARD M CANE
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

contamination

PUMP CAPACITY

LIFT		LPH	US GPH
25'	7,5m	1600	425
20'	6,0m	1815	480
15'	4,5m	2535	670
10'	3,0m	2875	760
5'	1,5m	3220	850

Friction loss in pipe not included



7 72910 55227 5



State of Idaho
Department of Water Resources
Application For Permit



-  PLS Sections
-  Quarter Quarters
-  Taxlots

Tax parcel information provided by Kootenai County.

0 0.005 0.01 0.02 Miles

X POINT OF DEVERSION

O PLACE OF USE



04W
03W
RC
8-22-19

03W
04W
RC
8-22-19



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

September 25, 2019

RICHARD M CANE
4321 ROCKY FORD DR
PROSPER, TX 75078-9061

Application For Permit No. 95-17877

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 COEUR D ALENE PRESS on 10/3/2019 and 10/10/2019. 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:

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

Alleman, Tammy

From: Alleman, Tammy
Sent: Wednesday, September 25, 2019 4:07 PM
To: 'Mike Ahmer'
Subject: Request for Comments for WR#95-17877
Attachments: 95-17877 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 October 21, 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*

Alleman, Tammy

From: Alleman, Tammy
Sent: Wednesday, September 25, 2019 3:19 PM
To: 'LEGALS@CDAPRESS.COM'
Subject: Legal Notice
Attachments: Legal Notice FOR 95-17877, 95-17880, 95-17883, & 95-17884.doc

Please publish the enclosed legal notice in the **Coeur d'Alene Press** on the dates indicated **October 3rd and October 10th, 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 **October 21, 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:

95-17877

RICHARD M CANE
4321 ROCKY FORD DR
PROSPER, TX 75078-9061
Point of Diversion NENE
S25 T49N 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: 8/22/2019
Place Of Use: DOMESTIC
T49N R04W S25 L1(NENE)

95-17880

PATRICK M STROUD
PO BOX 982
COEUR D ALENE, ID 83816-0982
Point of Diversion NESE
S36 T50N 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: 9/3/2019
Place Of Use: DOMESTIC
T50N R04W S36 L4(NESE)

95-17883

NEIL A YOUTSLER
RENEE Y YOUTSLER
3907 PLUME LN
GIG HARBOR, WA 98332-1200
Point of Diversion NENW
S12 T49N 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: 9/17/2019
Place Of Use: DOMESTIC
T49N R04W S12 L1(NENW)

95-17884

STATE OF IDAHO
DEPT OF FISH & GAME
2885 W KATHLEEN AVE
COEUR D ALENE, ID 83815-8523
Point of Diversion SENE
S4 T53N R02W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 9/18/2019
Place Of Use: DOMESTIC
T53N R02W S4 SENE

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 10/21/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/3/2019 and 10/10/2019

MEMORANDUM

Date: September 23, 2019
To: Water Right File 95-17877
From: smaxey
Re: PRIORITY DATE 8-22-2018

<u>DOCUMENT</u>	<u>PRIORITY DATE</u>	<u>ISSUE</u>
APPLICATION ACCEPTABLE FOR FILING	8/22/2019	8/22/2018 APPLICATION RECEIVED AT IDWR NORTHERN. APPLICATION ACCEPTABLE FOR FILING BUT HAS EXCESSIVE CFS QUANTITY SHOWN FOR 1 HOME DOMESTIC USE.
CORRECTED APPLICATION RECVD	8/22/2019	10/20/2018 IDWR NORTH RECEIVED APPLICANT E-MAIL AGREEING TO STANDARD CFS AMOUNT (0.04) FOR 1 HOME DOMESTIC USE. INITIAL REVIEW COMPLETED 10.23/2019 & APPLICATION PROCESSING RESUMED. DATA ENTRY OF CORRECT DOMESTIC CFS AMOUNT COMPLETED IN ACCORDANCE WITH APPLICATION PROCESSING MEMO. # 9.

Maxey, Shaun

From: rich cane <kalan654@yahoo.com>
Sent: Friday, September 20, 2019 4:45 PM
To: Maxey, Shaun
Subject: Re: Corrected Water Amount for Idaho Water Right Permit Application.

Shaun Yes that seems correct thank you Rich Cane

On Friday, September 20, 2019, 5:13:13 PM CDT, Maxey, Shaun <Shaun.Maxey@idwr.idaho.gov> wrote:

Mr. Cane:

The amount shown on your Application For Permit (see attachment) is 0104 Cubic Feet per Second (CFS). I believe you meant to indicate 0.04 CFS which is 18 Gallons Per Minute.

Please reply to my e-mail indicating that you approve the change to 0.04 CFS on your Application. This is a usual amount for single household domestic use.

The attachment provides additional information and an IDWR letter requesting that you contact me to approve the change to 0.04 CFS. I can be reached at (208) 762.2816 Pacific Time if you have questions.

Shaun Maxey

Idaho DEPT of Water Resources

(208)762.2816



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

September 20, 2019

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

Richard M. Cane
4321 Rocky Ford DR
Prosper, TX 75078

Re: Filing status on Application for Permit 95-17877 (Rule 35 Application Requirements)

Dear Applicant:

Thank you for the corrections made on August 22, 2019 to Idaho Department of Water Resources (IDWR) Application For Permit 95-17877. **We are contacting you because the water amount shown on the Application (0104 Cubic Feet per Second (CFS) exceeds the maximum allowed, unless additional information is provided, for single household Domestic use (0.04 CFS).** 0.04 CFS is approximately 18 Gallons per Minute. IDWR will proceed toward publishing required legal notices for your Application showing 0.04 CFS unless you notify us that you do not agree with this action. A copy of your August 22, 2019 Application is enclosed.

Please phone me at (208) 762.2816 and send an e-mail to (Shaun,Maxey@idwr.idaho.gov) indicating that you approve the change to 0.04 CFS for Application 95-17877. The enclosed water conversion factors sheet provides additional information.

Your reply approving the change to 0.04 CFS is needed to avoid delays in publishing required legal notices for your Application. IDWR may terminate the 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:

95-17877 Application for Permit copy

IDWR Application for Permit instructions

IDWR Water Conversion Factors

Water Use Information from IDWR web site (shows Domestic Diversion Rates)