

RECEIVED

AUG 26 2019 83532

FORM 2015 Rev. 09/15

AUG 15 2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 92-11095

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

IDWR / NORTH

1. Name of applicant(s) Thomas James and Donna Marie Hash Phone 509 330 1302
 Mailing address 715 S. Ponderosa Dr. City Hotchkiss
 State ID ZIP 83855 Email tom-donna.hash@frontier.com

2. Name of representative, if any N/A 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 St. Maries River which is a tributary of Coeur d'Alene Lake
 4. Location of point(s) of diversion Middle Fork St. Maries River St. Maries River

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
42N	2E	5	X	X	X	SE SW	Shoshone	St. Maries River	JoMar Stout LLC minor sub-division #4

5. Water will be used for the following purposes:
 Amount 0.04 Dth for Domestic purposes from 01-01 to 12-31 each year
 (cfs or acre-feet per year) March to October (both dates inclusive)
 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) 0.04 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. 1.5 hp pump & water hose
 b. Height of storage dam N/A 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 N/A 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? N/A; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ 100.00 Receipt by ya Receipt No. N035397 Date 8-15-19

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households up to 4 campers for private campground with
- e. Other; describe fully. lawn and garden irrigation under .5 acres

9. Description of place of use: N/A

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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	
42N	02E	5												D				D	

Total number of acres to be irrigated: N/A

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? no other water rights

11. a. Who owns the property at the point of diversion? Thomas & Donna Hash (applicants)
- b. Who owns the land to be irrigated or place of use? same
- 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. purchased the land for private campground for family to use. Only intend to use for domestic purposes to have water in campers.

13. Time required for completion of works and application of water to proposed beneficial use is no project - indefinite use 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.

Thomas J. Hash
Signature of Applicant
Thomas J. Hash
Print Name (and title, if applicable)

Donna M. Hash
Signature of Applicant
Donna M. Hash
Print Name (and title, if applicable)

JoMAR STOUT, LLC
MINOR SUBDIVISION NO. 4
Part of the E 1/2 SW 1/4 4
Part of the SW 1/4 SE 1/4
Section 5, T42N, R2E, Boise Meridian
Shoshone County, Idaho



ORIGINAL SCALE: 1" = 100 FEET
CADD FILE: JMW-Site-11C.dwg 4/20/99

LEGEND

- Set 5/8" x 30' long rebar of aluminum cap L5 10162
- Found Property Corner per John R Stout, LLC Minor Subdivision or as Prescribed
- Calculated Position - Nothing Found or Set
- ✚ Found Section or 1/4 Section Corner
- ✚ Found Sectional Subdivision Corner
- ✚ Set Sectional Subdivision Corner
- Subject Property Boundary Line
- Section Line
- Section Subdivision Line
- Public Road Centerline
- Public Road Right of Way Line
- Easement Line
- 50' Minimum Buffer Line

BASIS OF BEARINGS

The Basis of Bearings for this survey is the Idaho Coordinate System, West Zone, NAD 83, as shown between the found southwest corner and the found north quarter corner of Section 5, said bearing being $56^{\circ}51'40''$ E.

SURVEY REFERENCES

- SURVEY REFERENCES**
1. Warranty Deed Inst. No. 419211
 2. First American Title Insurance Company Guarantees No. 5010500-646582-WA, August 11, 2017
 3. Record of Survey, Instrument Number 463243, PL5 10162, 2011
 4. Record of Survey, Instrument Number 447926, PL5 10162, 2006
 5. Joblor Stout, LLC Minor Subdivision, Inst. No. 443463

SURVEYOR NOTES

SURVEYOR NOTES
The subdivision of Section 5 is per ROD Inst. No. 46S243

SURVEYORS CERTIFICATION

SURVEYORS CERTIFICATION
I, John Dunn, FLS 10162, State of Idaho, do hereby certify that I have surveyed, subdivided and platd J&K Stages LLC No. 4 Mineral Subdivision, more particularly described in the owners certificate. I further certify that the survey was performed under my direction in conformance with the Idaho Codes relating to plats and subdivisions.

more particularly, the survey was performed under my direction as follows: The Codes relating to plots and subdivisions.

PRELIMINARY
NOT FOR RECORD

10162

STATE OF IDAHO
JOHN L. DUNE

JOHN L. DUNE - Idaho Professional Land Surveyor

COUNTY RECORDER CERTIFICATE
STATE OF IDAHO, COUNTY OF SHOSHONE
RECORDED AT THE REQUEST OF
AT _____

PTM ROCK CONSULTING, INC.

Lord Simon's

SHEET

2

LINE	BEARING	DISTANCE
1	S 19°28'11" W	77.18
2	S 59°30'11" E	22.49
3	S 59°30'16" E	35.91
4	N 57°32'24" W	33.85
5	S 62°44'41" W	52.79
6	N 10°14'12" W	37.58
7	N 65°02'10" W	46.72
8	N 24°57'50" E	50.00
9	S 65°02'14" E	50.00
10	S 57°32'24" E	50.00
11	S 32°27'36" W	50.00
12	N 10°14'12" E	18.42

SURVEYOR'S NOTES

1. Each of shall have a maximum amt of 5 recreational vehicles to be located on site at any one time.
2. Items of personal property shall be removed from the property from November 1st to April 1st of each calendar year or when Roadworkers threaten to encroach the property.
3. FS Road 3321, 321, & 301 located in T 42 N, R 2 E, Section 5 in 66' wide. The road was recorded in the In-Lieu Selection #99 dated 7/14/1981 identified as 17318, 115036 & 115038. The agreement states: Excepting and reserving to the United States and its assigns a perpetual exclusive easement for road and trail purposes, including the right to locate, construct, use, control, maintain, improve, relocate, and repair said roads and trails.
4. FS Road 301 located in T 42 N, R 2 E, Section 5 in 66' wide per easements granted to Potlatch Corporation. Lts. No 370556) and by Potlatch Forests, Inc. to USFS as part of Cont. Share agreements recorded in Book 118, Page 10, Shoshone County Records.

SW Corner
Pd. Brass Cap Monument
per CPF Incl. No. 426477

Thom s and Donna Hash

State of Idaho
Department of Water Resources
Application For Permit



-  PLS Sections
-  Quarter Quarters
-  Taxlots

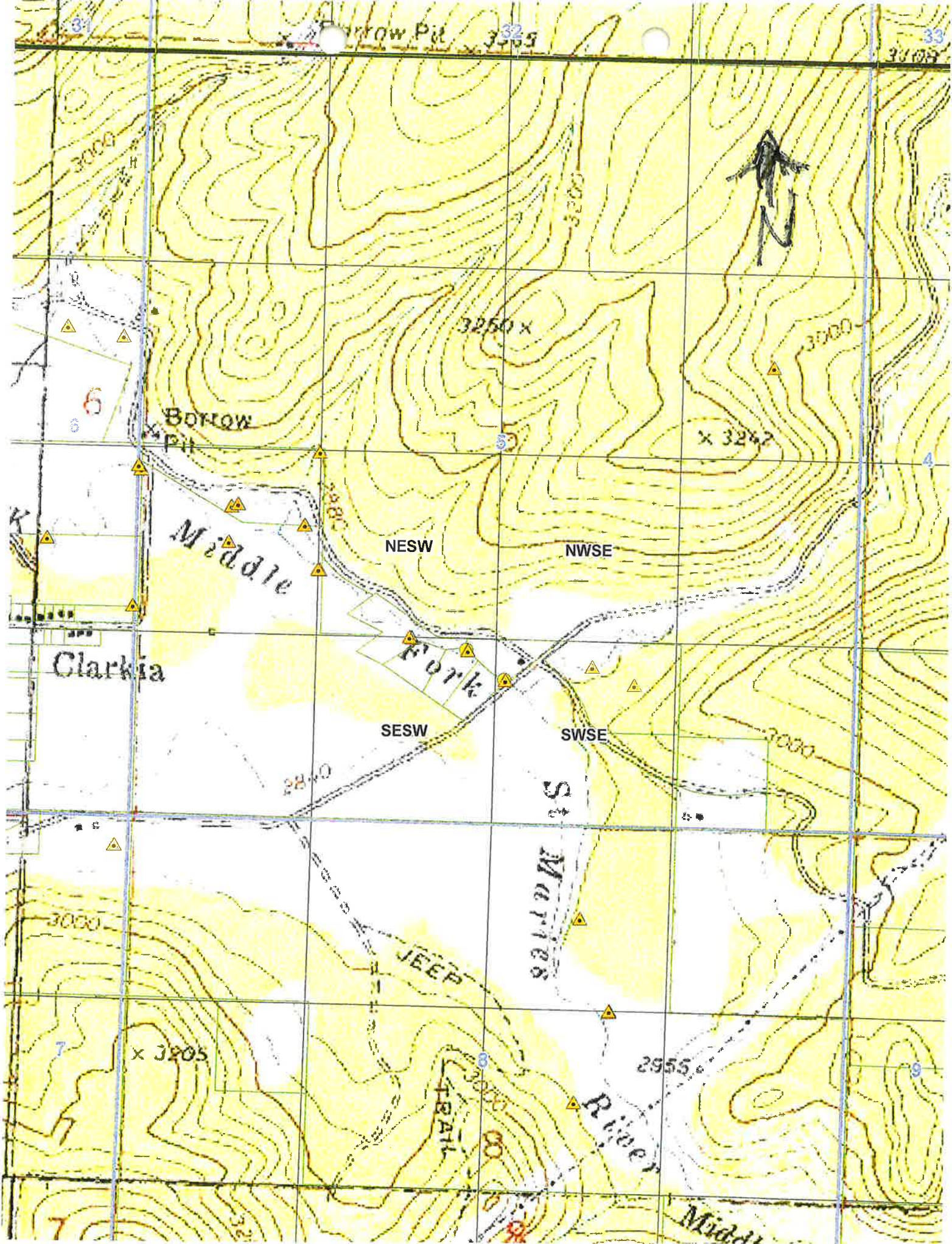
0 0.0225 0.045 0.09 Miles

X = Point of Diversion

○ = Domestic Place of Use



Tax parcel information provided by Shoshone County.



Instrument # 500264
SHOSHONE COUNTY, IDAHO
08-02-2019 12:26:43 PM No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE CO -KELLO
TAMIE EBERHARD Fee: \$15.00
Ex-Officio Recorder Deputy Janet Zamboni
Index to: WARRANTY DEED
Electronically Recorded by Simplifile

WARRANTY DEED

For Value Received, JoMar Stout LLC, an Idaho limited liability company

the Grantor, hereby grant, bargain, sell, convey and warrant unto

Tom Hash and Donna Hash, husband and wife

the Grantee(s), whose current address is: 715 S. Ponderosa Drive Potlatch, Idaho 83855

the following described premises, located in Shoshone County, State of Idaho, to-wit:

See attached Legal Description shown on Exhibit "A"

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including all water and water rights, ditch and ditch rights.

SUBJECT TO reservations in United States Patent, restrictive covenants, existing and recorded rights-of-way and easements, zoning and building ordinances, and taxes and assessments as prorated between the parties hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s) successors, heirs and assigns forever. Said Grantor(s) do hereby covenant to and with said Grantee(s), that Grantor(s) are the owner in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth of record and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

WARRANTY DEED

For Value Received, JoMar Stout LLC, an Idaho limited liability company
the Grantor, hereby grant, bargain, sell, convey and warrant unto
Tom Hash and Donna Hash, husband and wife
the Grantee(s) , whose current address is: 715 S. Ponderosa Drive Potlatch, Idaho 83855
the following described premises, located in Shoshone County, State of Idaho, to-wit:

See attached Legal Description shown on Exhibit "A"

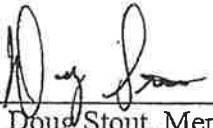
TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including all water and water rights, ditch and ditch rights.

SUBJECT TO reservations in United States Patent, restrictive covenants, existing and recorded rights-of-way and easements, zoning and building ordinances, and taxes and assessments as prorated between the parties hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s) successors, heirs and assigns forever. Said Grantor(s) do hereby covenant to and with said Grantee(s), that Grantor(s) are the owner in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth of record and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated this 31 day of July, 2019.

JoMar Stout LLC

 member
By: Doug Stout, Member

STATE OF IDAHO

)
) ss.
)

COUNTY OF LATAH

On this 31 day of July, 2019 before me, the undersigned, a Notary Public, in and for said State, personally appeared Doug Stout, member of JoMar Stout LLC, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

X 
Notary Public For the State of Idaho.
Residing at Moscow
My Commission Expires: 7/18/24

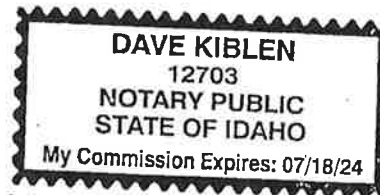


Exhibit "A"

Real property in the County of Shoshone, State of Idaho, described as follows:

Lot 4, JoMar Stout, LLC Minor Subdivision No. 4, located in part of the East 1/2 of the Southwest 1/4 and part of the Southwest 1/4 of the Southeast 1/4 of Section 5, Township 42 North, Range 2 East, B.M., Shoshone County, State of Idaho. Plat recorded September 25, 2018, as instrument no. 495782.



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 9, 2019

THOMAS JAMES HASH
DONNA MARIE HASH
715 S PONDEROSA DR
POTLATCH, ID 83855-7003

Application For Permit No. 92-11095

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 SHOSHONE NEWS PRESS on 9/18/2019 and 9/25/2019. 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

Alleman, Tammy

From: Alleman, Tammy
Sent: Monday, September 9, 2019 4:38 PM
To: 'Horsmon,Merritt'; 'Anna.Moody@deq.idaho.gov'
Subject: Request for Comments for WR#92-11095
Attachments: 92-11095 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 7, 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: Monday, September 9, 2019 4:33 PM
To: 'LEGALS@CDAPRESS.COM'
Subject: Shoshone News Press Legal Notice
Attachments: 92-11095 Legal Notice.doc

Please publish the enclosed legal notice in the **Shoshone News Press** on the dates indicated **September 18th and September 25th, 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 7, 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:

92-11095

THOMAS JAMES HASH

DONNA MARIE HASH

715 S PONDEROSA DR

POTLATCH, ID 83855-7003

Point of Diversion SESW

S5 T42N R02E

SHOSHONE County

Source MIDDLE FORK ST MARIES RIVER

Tributary ST MARIES RIVER

Use: DOMESTIC

01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 8/26/2019

Place Of Use: DOMESTIC

T42N R02E S5

SESW 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 10/7/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/18/2019 and 9/25/2019

MEMORANDUM

Date: August 26, 2019
To: Water Right File 92-11095
From: smaxey
Re: PRIORITY DATE 8/26//2019

<u>DOCUMENT</u>	<u>DATE</u>	<u>ISSUE</u>
APPLICATION RECEIVED	8-15-2019	INITIAL APPLICATION RECEIVED NOT ACCEPTABLE FOR FILING (LINES, 4, 5, 9, & 13 INCOMPLETE, INCORRECT, OR LEFT BLANK)
APPLICATION ACCEPTABLE FOR FILING	8-26-2019	COMPLETED APPLICATION RECEIVED. PRIORITY 8-26-2019



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

August 16, 2019

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

RECEIVED

AUG 26 2019

IDWR / NORTH

Thomas James Hash or *Donna* Diana Marie Hash
715 S. Ponderosa DR
Potlatch, ID 83855

Re: Unacceptable for Filing status on Application for Permit (Rule 35 Application Requirements)

Dear Applicants:

Thank you for the Application for Permit that was received by Idaho Department of Water Resources (IDWR) on August 15, 2019, to divert water from the Middle Fork St. Maries River for Domestic use in Shoshone County. **We are contacting you because the Application is currently unacceptable for filing.** Your original Application is enclosed for correction.

Lines 4, 5, 9, and 13 of the Application are incomplete, have incorrect information, or have been left blank. These errors must be corrected before IDWR can process your Application and publish required legal notices. **Please review the enclosed IDWR information and phone me at (208) 762.2816 for assistance to correct the Application,**

An Application that is acceptable for filing must be received no later than September 18, 2019. IDWR will take steps to terminate the Application, if no response is received, in accordance with Idaho Code § 42-204.

Respectfully,

Shaun M. Maxey

Shaun M. Maxey
Sr. Water Resource Agent
Idaho Department of Water Resources, Northern Region

Please see corrections

Enclosures:

Original signed Application For Permit & plat map
Substitute IDWR map for labeling
Draft Do-Not Return copy of application
Application for Permit form and instructions



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

August 16, 2019

Donna
THOMAS JAMES HASH OR DIANA MARIE HASH
715 S. PONDEROSA DR
POTLATCH, ID 83855

Re: Ownership documentation for Application for Permit

Dear Applicants:

You will receive a separate letter from me concerning corrections for your Application for Permit.

Please include a signed photocopy of the deed, that was used to convey property on the Middle Fork St. Mares River to you, when resubmitting your corrected Application For Permit. The parcel ownership records available to IDWR currently show your property as owned by Jomar Stout LLC.

Respectfully,

Shaun M. Maxey

Shaun M. Maxey
Sr. Water Resource Agent
Idaho Department of Water Resources, Northern Region

*See attached
copy*