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RECEIVED
FORM 202 Rev. 09/16
JUN 16 2019

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

Ident. No. 98-8003

IDWR / NORTH

1. Name of applicant(s) Jacob W Hubbard Jodi P Hubbard Phone 208-290-2767 or 290-3298
Name connector (check one): ☐ and ☐ or ☒ and/or
Mailing address 7008 Kaniksu St City Boiners Ferry
State Idaho ZIP 83805 Email thudsonhubb@gmail.com or hudsonhubb@gmail.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 Kootenai River which is a tributary of Columbia
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
62N	1E	28	1	N1/4E			Boundary	Kootenai River	RP62N01E280701A

5. Water will be used for the following purposes:
- Amount .26 for Irrigation purposes from May 1st to Sept 30th (both dates inclusive)
(cfs or acre-feet per year)
- Amount 2.02 for Live Stock Beef Cattle purposes from Jan 1st to Dec 31st (both dates inclusive)
(cfs or acre-feet per year)
- Amount AP 7/8/19 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) .46 .28 AP 7/8/19 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. Shp pump with a 2-inch pvc water line set on a 4'x4' plat form.
- 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? 10-13-16; drilling firm Universal Well Drilling; well was drilled for (well owner) Jacob & Jodi Hubbard; Drilling Permit No. D0073204
- *This well is not used for irrigation. It feeds the house.

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ 250.00 Received by Ja Receipt No. N034740 Date 6-10-19

Per email from applicant 7/8/19

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. Beef Cattle (6)
 - Municipal; must complete and attach the Municipal Water Right Application Checklist.
 - Domestic; show number of households 1 house
 - Other; describe fully. _____
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	
62N	1E	28		12.9															
				D															
				S															
		21															.12		
																			13.02

Total number of acres to be irrigated: 13.02

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? We would like to use this water to water our garden and lawn.
11. a. Who owns the property at the point of diversion? Jacob + Jodi Hubbard
b. Who owns the land to be irrigated or place of use? Jacob + Jodi Hubbard
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. Please see attached narrative.
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.

Jacob W. Hubbard
Signature of Applicant
Jacob W. Hubbard
Print Name (and title, if applicable)

Jodi P. Hubbard
Signature of Applicant
Jodi P. Hubbard
Print Name (and title, if applicable)

Jacob and Jodi Hubbard

Proposal Narrative

We would like to divert water from the Kootenai River with a 5hp pump for irrigation purposes as well as a single stock tank and watering of our lawn and garden.

We have a total of 13.02 acres in Government lot 1 in Boundary County Idaho. We will not be irrigating all 13.02 acres at once. We will be irrigating no more than 4 acres at a time. The water will be distributed through a 2-inch pvc pipeline to desired areas.

We have no more than 6 beef cattle at a time. We will be using less than 500 gallons a day for stock watering purposes.

If you have any questions or concerns, please contact us.

Phone: 208-290-3298 or 208-290-2767

Email: hudsonhubb@gmail.com or 1hudsonhubb@gmail.com

RP62N01E287410A
DODD FAMILY TRUST

LEGEND

- Found corner evidence as noted
- Found 3/8" rebar/plastic cap PLS 3628
- Found 3/8" rebar
- Set 3/8" rebar/plastic cap - PLS 7877
- Computed point

OHWM Ordinary High Water Mark

NOTE

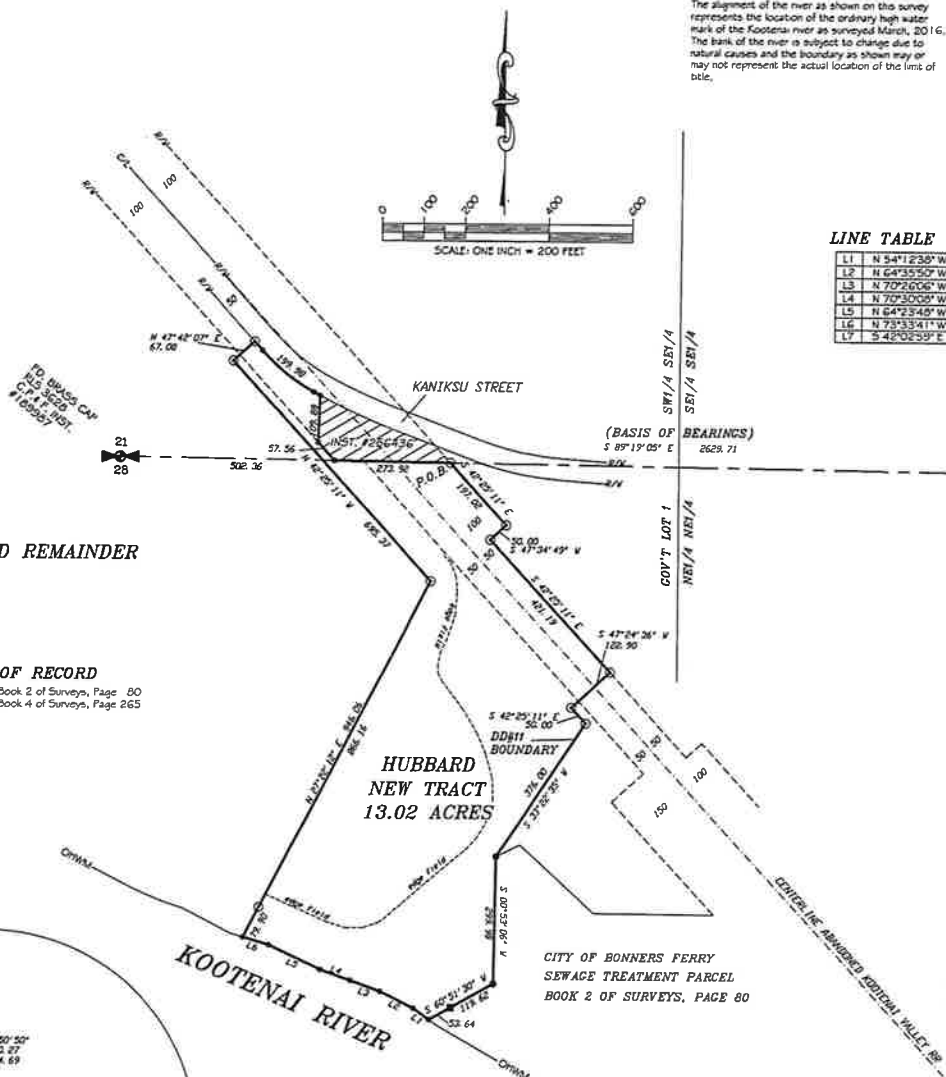
The alignment of the river as shown on this survey represents the location of the ordinary high water mark of the Kootenai river as surveyed March, 2016. The bank of the river is subject to change due to natural causes and the boundary as shown may or may not represent the actual location of the limit of title.

RECORD OF SURVEY FAMILY TRANSFER

IN THE
SW1/4 SE1/4 OF SECTION 21 &
GOV'T LOT 1 OF SECTION 28
TOWNSHIP 62 NORTH, RANGE 1 EAST, B.M.
BOUNDARY COUNTY, IDAHO
FOR
HUBBARD

LINE TABLE

L1	N 54°12'38" W	46.00
L2	N 64°35'50" W	80.17
L3	N 70°26'06" W	73.69
L4	N 70°30'08" W	76.29
L5	N 64°23'49" W	133.15
L6	N 73°33'41" W	63.50
L7	S 42°02'59" E	28.19



HUBBARD REMAINDER

ADJACENT SURVEYS OF RECORD

Book 1 of Surveys, Page 137
Book 2 of Surveys, Page 80
Book 3 of Surveys, Page 111
Book 3 of Plats, Page 16

PROPERTY DESCRIPTION - NEW HUBBARD PARCEL

A tract of land situated in Government Lot One (1) of Section Twenty-eight (28), and the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section Twenty-one (21), of Township Sixty-two (62) North, Range One (1) East of the Boise Meridian, Boundary County, Idaho) more particularly described as follows:

BEGINNING at a 5/8" rebar and plastic cap stamped PLS 7877 which marks on the ground the intersection of the north line of said Government Lot 1 and the northeasterly right of way of the abandoned Kootenai Valley Railroad, which is S 89°19'05" E, 776.28 feet from the 1/4 corner between said Sections 21 and 28; thence, leaving said north line and along said right of way the following Three (3) courses: S 42°25'11" E, 197.02 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence S 47°34'49" W, 50.00 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence S 42°25'11" E, 421.19 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence, leaving said right of way S 47°24'36" W, 122.90 feet to the boundary of Drainage District 11 as shown on Book 2 of Surveys, Page 80, as Instrument No. 154991, being marked on the ground by a 5/8" rebar and plastic cap stamped PLS 7877; thence S 42°25'11" E, 50.00 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence S 33°22'35" W, 376.00 feet to a corner of the City of Bonners Ferry Sewage Treatment Parcel which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 3628; thence, along said parcel the following Three (3) courses: S 00°53'05" W, 299.98 feet to a 5/8" rebar and plastic cap stamped PLS 3628; thence S 60°51'30" W, 119.62 feet to a 5/8" rebar; thence, continuing S 60°51'30" W, 53.64 feet to the Ordinary High Water Mark of the Kootenai River as it was found to exist March 24, 2016; thence, along said Ordinary High Water Mark the following Six (6) courses: N 54°12'38" W, 46.08 feet; thence N 64°35'50" W, 80.17 feet; thence N 70°26'06" W, 73.69 feet; thence N 70°30'08" W, 76.29 feet; thence N 64°23'49" W, 133.15 feet; thence N 73°33'41" W, 63.50 feet; thence, leaving said Ordinary High Water Mark N 27°22'12" E, 79.90 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence, continuing N 27°22'12" E, 866.16 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence, N 42°25'11" E, 695.37 feet to a 5/8" rebar and plastic cap stamped PLS 7877; thence N 47°48'07" E, 67.08 feet to the intersection with the southerly right of way of Kaniksu Street which is marked on the ground by a 5/8" rebar and plastic cap stamped PLS 7877; thence, along said right of way the following Three (3) courses: S 42°02'59" E, 28.19 feet; thence, along a curve to the left having a central angle of 18°50'50", a radius of 470.27 feet, for an arc length of 154.69 feet (chord = S 51°28'24" E, 154.00 feet); thence, along a curve to the left having a central angle of 00°41'57", a radius of 1400.93 feet, for an arc length of 17.10 feet (chord = S 61°14'48" E, 17.10 feet) to the west line of that parcel described in Instrument No. 256436; thence, along the boundary of said parcel the following Three (3) courses; thence, leaving said right of way S 01°48'52" W, 109.88 feet to the southeasterly right of way of the abandoned Kootenai Valley Railroad; thence, along said right of way S 42°25'11" E, 52.56 feet to the intersection with the south line of said Section 21; thence, leaving said right of way and along said south line S 89°19'05" E, 273.92 feet to the POINT OF BEGINNING, encompassing an area of 13.02 acres.

BASIS OF BEARINGS

Bearings are based on the bearing of the north line of the Northeast Quarter of Section 28 per Record of Survey, Book 2 of Surveys, Page 80, as Instrument No. 154991.

SURVEYOR'S CERTIFICATION

I, John Daniel Marquette, Idaho Land Surveyor No. 7877, do hereby certify that the plat herein is a true and correct representation of a survey made by me or under my direct supervision in conformance with the laws of the State of Idaho (Idaho Code 31-2709, 1973 and Idaho Code 55-1905 through 1906) and accepted methods and procedures of surveying.



COUNTY RECORDER

This Record of Survey was filed for record in the office of the Recorder of Boundary County, Idaho, at the request of J.R.S. Surveying, Inc. this 10th day of May, 2016, at 1:40 p.m. and duly recorded in Book 2 of Surveys, Page 113 as Instrument No. 256436.

GLENDAPOSTON

County Recorder

267087

C. Garlinger
Deputy Recorder

J.R.S. SURVEYING, INC.

PO BOX 3099-6476 MAIN
BONNERS FERRY, ID. 83805

(208) 267-7555

RECORD OF SURVEY

FOR HUBBARD

DNW BY: JDM

SECT. 21 & 28, T62N, R1E, B1M

BOUNDARY COUNTY, IDAHO

REVISION NO. 1

4-64-2016

SHEET 1 OF 1

JOB NO. 16-12



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

July 11, 2019

JACOB W HUBBARD
JODI P HUBBARD
7008 KANIKSU ST
BONNERS FERRY, ID 83805-7535

Application For Permit No. 98-8003

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 BONNERS FERRY HERALD on 7/18/2019 and 7/25/2019. 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: Thursday, July 11, 2019 2:33 PM
To: 'Anna.Moody@deq.idaho.gov'; 'Thomas.Herron@deq.idaho.gov';
'merritt.horsmon@idfg.idaho.gov'
Subject: Request for Comments for Application 98-8003
Attachments: 98-8003 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 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
208-762-2800 Phone
208-762-2819 Fax*

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, July 11, 2019 2:24 PM
To: 'BFHLegals@bonnersferryherald.com'
Subject: Legal Notice
Attachments: Legal Notice for 98-8002 & 98-8003.doc

Please publish the enclosed legal notice in the **Bonners Ferry Herald** on the dates indicated **July 18th and July 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 **August 5, 2019**. Your cooperation is appreciated.

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
208-762-2800 Phone
208-762-2819 Fax*

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

98-8002

MC CAIN REVOCABLE TRUST
7004 RAINBOW DR SE
SALEM, OR 97306-9533
Point of Diversion SENW
S13 T62N R02E
BOUNDARY County
Source UNNAMED STREAM
Tributary KOOTENAI RIVER
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.03 CFS
Date Filed: 7/2/2019
Place Of Use: IRRIGATION
T62N R02E S13
SWNW SENW

98-8003

JACOB W HUBBARD
JODI P HUBBARD
7008 KANIKSU ST
BONNERS FERRY, ID 83805-7535
Point of Diversion L1(NWNE)
S28 T62N R01E
BOUNDARY County
Source KOOTENAI RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31 0.26 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.28 CFS
Date Filed: 6/10/2019
Place Of Use: STOCKWATER
T62N R01E S28
L1(NWNE)
Place Of Use: IRRIGATION
T62N R01E S21
SWSE
T62N R01E S28
L1(NWNE)

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

Frederick, Adam

From: Jodi Hubbard <hudsonhubb@gmail.com>
Sent: Monday, July 08, 2019 1:47 PM
To: Frederick, Adam
Subject: Re: Application for Permit

Yes we approve of the changes to our application. We understand that it was our mistake.

We appreciate your help and understanding.

Thank you,
Jacob and Jodi Hubbard

On Mon, Jul 8, 2019, 1:42 PM Frederick, Adam <Adam.Frederick@idwr.idaho.gov> wrote:

Jodi,

As we talked about on the phone, there are a few minor issues with your application for permit. The standard diversion rate for stockwater for 6 cattle is 0.02 cfs instead of the 0.20 cfs which is on your application. By reducing that diversion rate to 0.02 cfs, your overall diversion rate for the application would be 0.28 cfs instead of the 0.46 cfs. There is also no need to have a D in the place of use grid because there is no domestic use listed on the application for permit. If you agree with the diversion rate reductions and the removal of the Domestic use on the place of grid, please respond by email acknowledging you agree with this email.

Thank you,

Adam

Adam Frederick

Senior Water Resource Agent

Idaho Dept. of Water Resources

Northern Regional Office

Phone 208-762-2800