

Alleman, Tammy

From: Alleman, Tammy
Sent: Wednesday, May 08, 2019 4:26 PM
To: IdwrPayable
Subject: Refund for late protest

Good afternoon,

Please refund Latah County for a late protest for WR#86-12058 received on Tuesday May 7th with a Protest Deadline of Monday May 6th. Please send refund of Receipt #N034289 to:

Latah County
PO Box 8068
Moscow, ID 83843

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*



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

May 7, 2019

LATAH COUNTY BOARD OF COMMISSIONERS
PO BOX 8068
MOSCOW ID 83843

RE: Protest of Application for Permit 86-12058, Russel Zenner

Dear Commissioners:

Our office received a scanned notification of your protest by email on May 6, 2019 without fee. IDWR then received the original protest with fee on May 7, 2019. **The protest was received and the fees were paid after the statutorily prescribed deadline, therefore we must reject your protests.** Enclosed is your protest and a process has begun to refund the \$25 fee you paid for this protest.

Pursuant to: **TITLE 42-203A** (emphasis added)

(4) Any person, firm, association or corporation concerned in any such application may, within the time allowed in the notice of application, file with said director of the department of water resources a written protest, together with the statutory filing fee as provided in section 42-221, Idaho Code, against the approval of such application, which protest shall state the name and address of protestant and shall be signed by him or by his agent or attorney and shall clearly set forth his objections to the approval of such application.

If you need a copy of this statute, please contact this office. The Idaho Statutes are also available on the Internet by using the IDWR Homepage at the following electronic address:

<https://legislature.idaho.gov/statutesrules/idstat/Title42/>

If you have questions about this process, please feel free to contact us at the Northern Region Office at (208) 762-2800.

Sincerely,

Douglas Jones
Northern Regional Manager

Alleman, Tammy

From: Jones, Doug
Sent: Tuesday, May 07, 2019 9:04 AM
To: kegan@latah.id.us
Cc: Alleman, Tammy
Subject: RE: Latah County protest of water right application 86-12058

Good morning, Kara.

Acknowledging receipt of the email below regarding the Zenner application 87-12058. If the mailing has not been dropped into the post, then you may wish to prevent it from being sent. Protest and fee must be received by IDWR before close of business on the final day to file. Email notice without fee is not in compliance with the applicable statute. We will regard your scanned letter as a comment and it will be included in the file for consideration.

If the protest and fee is already in the mail we will process them and respond in an official correspondence and process a request for refund.

Thank you.

Douglas Jones
Northern Regional Manager

208.762.2800

From: Alleman, Tammy
Sent: Tuesday, May 07, 2019 8:29 AM
To: Jones, Doug <Doug.Jones@idwr.idaho.gov>
Subject: FW: Latah County protest of water right application 86-12058

FYI, Emailed protest without fee.

*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*

From: Kara Egan [<mailto:kegan@latah.id.us>]
Sent: Monday, May 06, 2019 3:44 PM
To: Alleman, Tammy <Tammy.Alleman@idwr.idaho.gov>
Subject: Latah County protest of water right application 86-12058

Attached is a scanned copy of the letter from the Board of County Commissioners regarding their protest of the Application for Permit by Russell Zenner. Hardcopy, and the \$25 filing fee, to follow via postal mail.

Kara N. Egan

Administrative Assistant and
Deputy Clerk to the Board of
Latah County Commissioners
208-883-7208
208-883-2280 fax.

This message is confidential and may be legally privileged. Unless you are the intended recipient, you may not use, copy or disclose this message or any information herein. If you have received this message in error, please immediately delete it and any attachments, and notify the sender.



Latah County
BOARD OF COUNTY COMMISSIONERS

P.O. Box 8068 ♦ 522 South Adams ♦ Moscow, Idaho 83843
(208) 883-7208 ♦ fax (208) 883-2280 ♦ e-mail bocc@latah.id.us
Thomas C. Lamar ♦ David McGraw ♦ Kathie LaFortune

May 6, 2019

RECEIVED

MAY 07 2019

YWR / NORTH

Director Gary Spackman
Department of Water Resources, Northern Region
7600 Mineral Drive, Suite 100
Coeur D' Alene, ID 83815-7763

Director Spackman,

As per Idaho Code Section 42-203A, the Latah County Board of Commissioners, 522 S. Adams, Moscow, Idaho, 83843 is officially protesting the application for a water right - permit #86-12058 by Russell Zenner, 2496 Genesee Juliaetta Rd., Genesee, Idaho 83832. We have enclosed our \$25.00 fee.

Latah County is concerned by the amount of water requested for this proposal and the effects that it may have on nearby existing uses. Further, the Board has concerns that this use may reduce the quantity of water under existing water rights, that it may conflict with the local public interest as defined in section 42-202B, Idaho Code, and that this use may be contrary to conservation of water resources within the state of Idaho.

The potential exists, with the limited groundwater supplies in the County that this amount of water use could pull water from existing supplies for other established wells in the area and might limit or eliminate the source of water for these wells.

The Board believes it has an obligation to protest all such large water right requests within its borders. We appreciate the ability to comment and look forward to better understanding this application. Thank you.

Sincerely,

Thomas C. Lamar
Chair

David McGraw
Commissioner

Kathie LaFortune
Commissioner

Cc: Russell Zenner

N034 289 Date 5-7-19 La