

MAY 06 2019

IDWR / NORTH

83228

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

Ident. No. 96-9749

1. Name of applicant(s) Warren Living Trust dated November 5, 2001 Phone _____
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address 224 Sunnyside Rd City Sandpoint
State ID ZIP 83864 Email clifw75@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 Lake Pend Oreille which is a tributary of Pend Oreille 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 #
<u>57N</u>	<u>01W</u>	<u>4</u>			<u>SW</u>	<u>NW</u>	<u>Bonner</u>	<u>Lake Pend Oreille</u>	

5. Water will be used for the following purposes:
Amount .06 cfs for irrigation purposes from 4-01 to 10-31 (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) .06 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. Suction pipe, Pump is StarRite Model XVB182TC DR7318EPL. Pump DHH-122
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 JA Receipt No. N034279 Date 5-6-19

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 _____
- 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	
57N	01W	4							2										2

Total number of acres to be irrigated: 2

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? Water right 96-4040 Ownership change may be filed. Water right 96-8338 Lapsed

- Who owns the property at the point of diversion? Warren Living Trust.
- Who owns the land to be irrigated or place of use? Warren Living Trust.
- 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. Request is to irrigate 2 acres of a total of 4.718 acres. I will suck the water from the lake using a pump I already own. I am requesting rate of .03 cfs/acre because the total property is less than 5 acres Encroachment Permit L-96-S-1567

13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

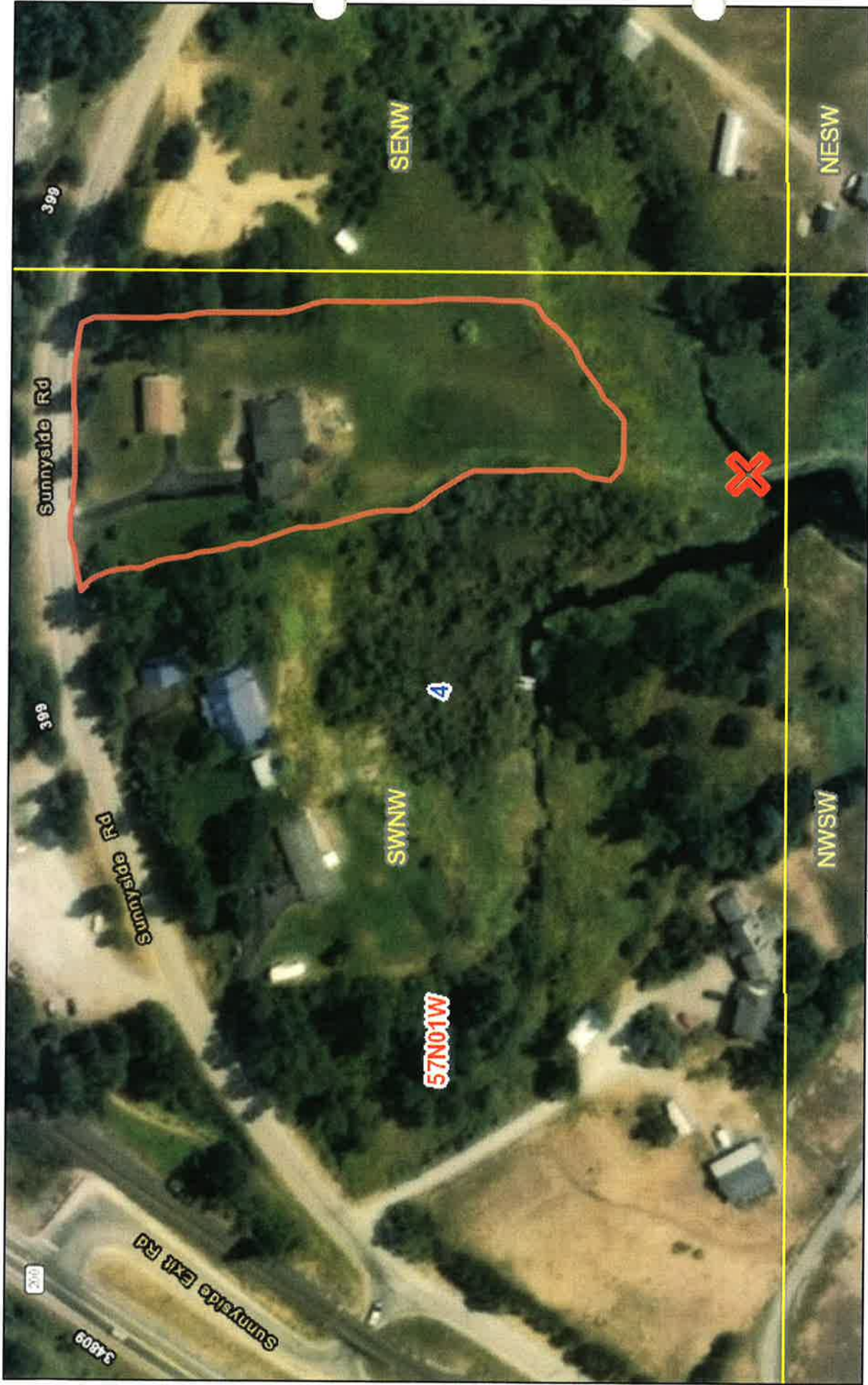
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

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.

Clifton A. Warren
Signature of Applicant
Clifton A. Warren, Trustee
Print Name (and title, if applicable)

Carol A. Warren
Signature of Applicant
Carol A. Warren, Trustee
Print Name (and title, if applicable)

Application for Water Right



5/1/2019, 5:11:19 PM → Area to be Irrigated

☒ Override 1 ☐ Counties ☐ Section ☐ Idaho Outline ☐ Idaho Mask
☒ Override 1 ☐ Quarter Quarter ☐ Township Range

Point of Diversion

1:2,257
 0 0.01 0.03 0.05 mi
 0 0.02 0.04 0.08 km

Esri, HERE, Garmin, (c) OpenStreetMap contributors, Source: Esri,
 Idaho Department of Water Resources
 DigitalGlobe | Created by NRCs from 1:24,000 scale USGS topographic maps | USDA, Natural Resources Conservation Services | Esri, HERE, IPC |

PARCEL: RP 57N01W044101 A

F9=MS F10=E

F14=HO

F17=DD

*TREND

LEGAL DESCRIPTION

4-57N-1W-Range
TAX 14,85,86,87

WARREN TRUST

% WARREN, CLIFTON A & CAROL A
TRUSTEES

ProVal Area Number 1

CODE AREA 21-0000 OWNER CD

PARC TYPE 7B

LOC CODE 4306

EFFDATE 2222002

EXPDATE

224 SUNNYSIDE RD

SANDPOINT ID 83864-8071

224 SUNNYSIDE RD 83864

PREV PARCEL

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2015	1000	AC	183000	183000	33565		
12	2015	2529	AC	70000				
18	2015	1189	AC	6				
32	2015			17580				
TOTALS		4718		632796	545210	100000		

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=SrcH

[Handwritten signature]

[Handwritten signature]

The Warren Living Trust

Article One

Creation of Our Trust

Section 1. Our Trust

We, CLIFTON A. WARREN, also known as CLIFTON ARTHUR WARREN (the husband "Trustmaker"), and CAROL A. WARREN, also known as CAROL ANN WARREN (the wife "Trustmaker"), were married on August 9, 1975, and are husband and wife. This is our Living Trust, dated November 5, 2001. We shall serve as our initial Trustees.

Our trust is a joint revocable living trust that contains our instructions for our own well-being and that of our loved ones. All references to "our trust" or "trust," unless otherwise stated, shall refer to this Living Trust and the trusts created in it. All references to "Trustee" shall refer to our initial Trustee or Trustees, or their successor or successors in trust.

When the term "Trustmaker" is used in our trust, it shall have the same legal meaning as "Grantor," "Settlor," "Trustor," or any other term referring to the maker of a trust.

Notwithstanding anything in our trust to the contrary, when we are serving as Trustees under our trust, either of us may act for and conduct business on behalf of our trust as a Trustee without the consent of any other Trustee.

Section 2. The Name of Our Trust

For convenience, our trust shall be known as the:

WARREN LIVING TRUST, dated November 5, 2001.

For purposes of beneficiary designations and transfers directly to our trust, our trust shall be referred to as:

CLIFTON A. WARREN and/or CAROL A. WARREN, Trustees, or their successors in trust, under the WARREN LIVING TRUST, dated November 5, 2001, and any amendments thereto.

When naming our Trustees, or our successor Trustees, they may be referred to with the terms "and", "or", or "and/or".

Notwithstanding any provisions to the contrary, the signature of only one acting Trustee is or shall be necessary to transfer assets or conduct any of the business of our trust regardless of whether the term "and", "or", or "and/or" has been used to identify them as a Trustee of our trust.

Section 3. Banking & Checking Accounts; Safety Deposit Boxes

Our Trustee shall have the absolute power and authority to convert all of our deposit accounts and safety deposit box ownership from our individual names or from joint name to this living trust. Checking accounts may be opened in the name of the trust and the signature cards may be signed as Trustees; if the signature cards are signed as Trustee, there shall be no need to identify the signor on the checks as Trustee. Placing the "Trust Name" on the checks shall be optional and shall not be required.

We have executed this agreement on November 5, 2001.

We certify that we have read our foregoing revocable living trust agreement, and that it correctly states the terms and conditions under which our trust property is to be held, managed, and disposed of by our Trustee. We approve this revocable living trust in all particulars, and request our Trustee to execute it.


CLIFTON A. WARREN, Trustmaker


CAROL A. WARREN, Trustmaker


CLIFTON A. WARREN, Trustee


CAROL A. WARREN, Trustee

STATE OF ILLINOIS

)

) ss.

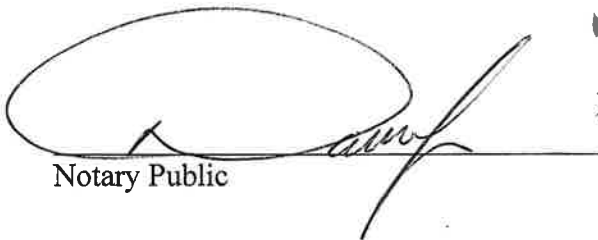
COUNTY OF KANE

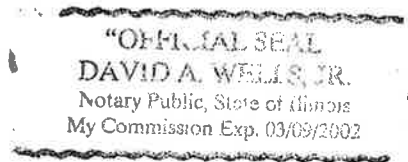
)

The foregoing living trust agreement was acknowledged before me on November 5, 2001, by CLIFTON A. WARREN, as Trustmaker and Trustee.

Witness my hand and official seal.

My commission expires:


Notary Public



STATE OF ILLINOIS

)

) ss.

COUNTY OF KANE

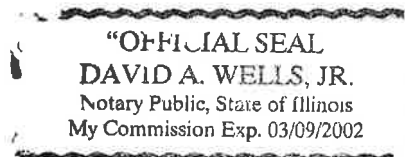
)

The foregoing living trust agreement was acknowledged before me on November 5, 2001, by CAROL A. WARREN, as Trustmaker and Trustee.

Witness my hand and official seal.

My commission expires:


Notary Public





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 8, 2019

WARREN LIVING TRUST
C / O CLIFTON A WARREN OR CAROL A WARREN
224 SUNNYSIDE RD
SANDPOINT, ID 83864-8071

Application For Permit No. 96-9749

Dear Applicant(s):

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 BONNER COUNTY DAILY BEE on 5/16/2019 and 5/23/2019. 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: Wednesday, May 08, 2019 2:35 PM
To: 'merritt.horsmon@idfg.idaho.gov'; 'Anna.Moody@deq.idaho.gov'; 'Mike Ahmer'; Skoro, Emily; Golden, Kala
Subject: Request for Comment for 96-9749
Attachments: 96-9749 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 June 3, 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: Wednesday, May 08, 2019 2:28 PM
To: 'bcdblegals@cdapress.com'
Subject: Legal Notice
Attachments: Legal Notice for 96-9747 & 96-9749.doc

Please publish the enclosed legal notice in the **Bonner County Daily Bee** on the dates indicated **May 16th and May 23rd, 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 6/3/2019. 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:

96-9747

KYLE W KINYON
SUSAN A KINYON
24815 E LINCOLN DR
NEWMAN LAKE, WA 99025-5012
Point of Diversion L5(SESE)
S8 T56N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 4/29/2019
Place Of Use: DOMESTIC
T56N R01E S8
L5(SESE)

96-9749

WARREN LIVING TRUST
C / O CLIFTON A WARREN OR CAROL A WARREN
224 SUNNYSIDE RD
SANDPOINT, ID 83864-8071
Point of Diversion SWNW
S4 T57N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Total Diversion: 0.06 CFS
Date Filed: 5/6/2019
Place Of Use: IRRIGATION
T57N R01W S4
SWNW
Total Acres: 2

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 6/3/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/16/2019 and 5/23/2019