

RECEIVED

MAR 06 2019

FORM 202 Rev. 09/16

RECEIVED

MAR 01 2019

IDWR / NORTH

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 86-12056

AMENDED APPLICATION

1. Name of applicant(s) Olesen, Wayne O. Phone 208-835-6491
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 1011 Wally Rd. City Troy
 State ID _____ ZIP 83871 Email _____
2. Name of representative, if any USDA-NRCS Phone 208-882-4960 X 3
 Mailing address 1848 S. Mountainview Rd. City Moscow
 State ID _____ ZIP 83843 Email chris.johnson@id.usda.gov
- 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 Unnamed Stream (Ditch) which is a tributary of Dry Creek
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
40N	03W	35			NW	NW	Latah	Unnamed Stream	
40N	03W	35			NW	NW	Latah	Unnamed Stream	

5. Water will be used for the following purposes:

Amount 4.1 for Wildlife Storage purposes from 01-01 to 12-31 (both dates inclusive)
 (cfs or acre-feet per year)

Amount 4.1-4 cfs 3/4/19 for Stockwater Storage purposes from 01-01 to 12-31 (both dates inclusive)
 (cfs or acre-feet per year)

Amount 4.1-4 cfs 3/4/19 for Stockwater from Storage 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)

6. Total quantity to be appropriated is (a) _____ cubic feet per second (cfs) and/or (b) 4.5 acre-feet per year (af).

7. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source. New pond on Unnamed Streams - On-Stream storage with a ramp for livestock access - cfs 3/4/19
- b. Height of storage dam 9.5 feet; active reservoir capacity 1.3 AF acre-feet; total reservoir capacity 1.3 AF 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 Ja Date 3-1-19 Time _____ Preliminary check by _____
 Fee \$ 1000 Received by Ja Receipt No. N034009 Date 3-1-19

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. 30 Beef Cattle
 - Municipal; must complete and attach the Municipal Water Right Application Checklist.
 - Domestic; show number of households _____
 - Other; describe fully. Storage uses in unlined in-stream reservoir
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	
40N	03W	35					WS	WS											
40N	03W	35					SS	SS											
40N	03W	35					SFS	SFS - CFS											
								3/4/19											

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? _____
11. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- 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. The primary purpose of the pond/ reservoir is for stock water. Wildlife use for water fowl and will use the pond as incidental use.
13. Time required for completion of works and application of water to proposed beneficial use is 2 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

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

Location Map

Date: 2/20/2018

Customer(s): WAYNE O OLESEN

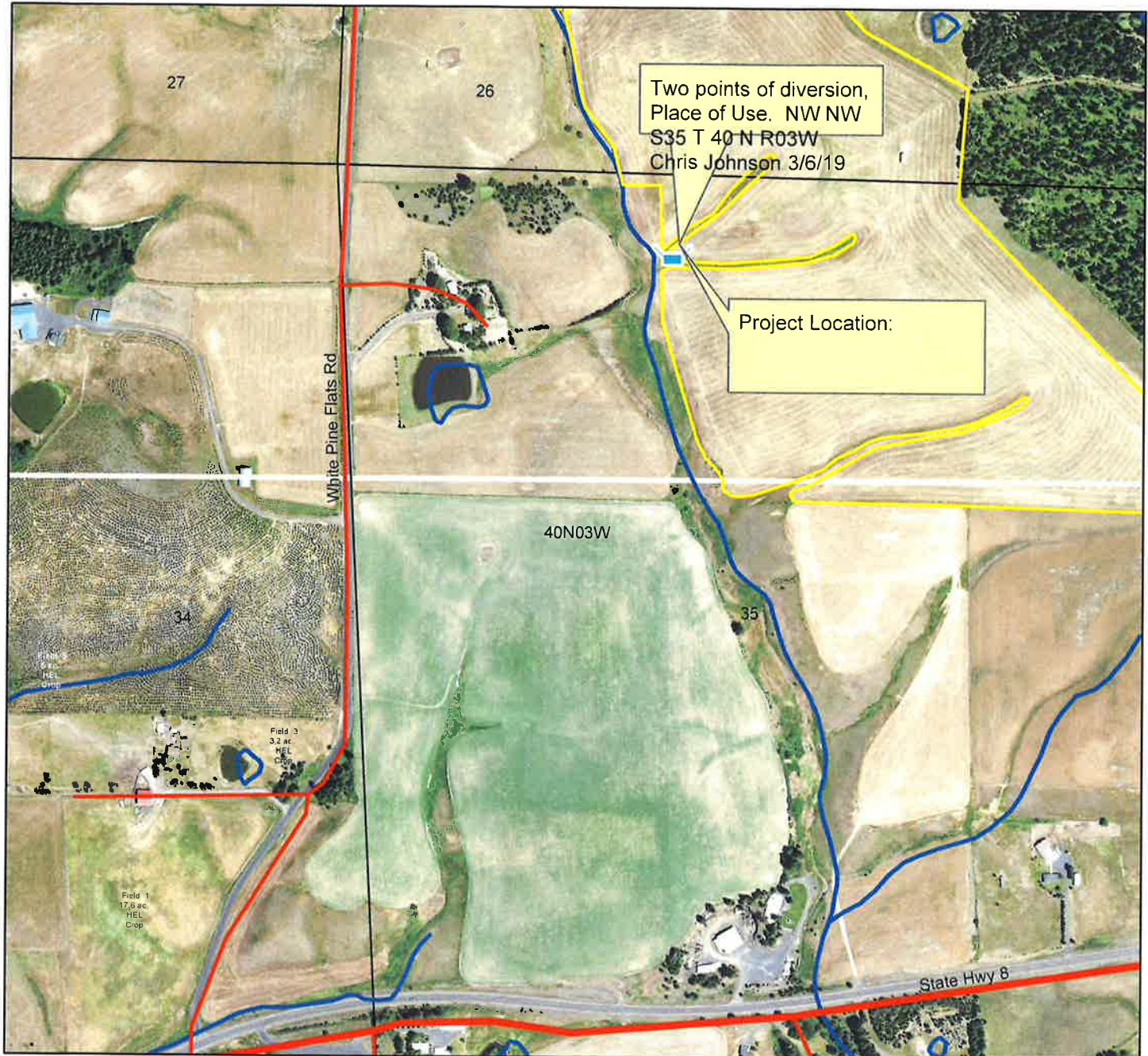
District: LATAH SOIL & WATER CONSERVATION DISTRICT

Field Office: MOSCOW SERVICE CENTER

Agency: USDA-NRCS

Assisted By: CINDY VAUGHAN

Land Units:



Prepared with assistance from USDA-Natural Resources Conservation Service

Legend

streetsroads_l_id057

sthws_l_id057

Pond

EQIP 2018

hydro24k_l_id057

Township

Section



Location Map

Date: 2/20/2018

Customer(s): WAYNE O OLESEN

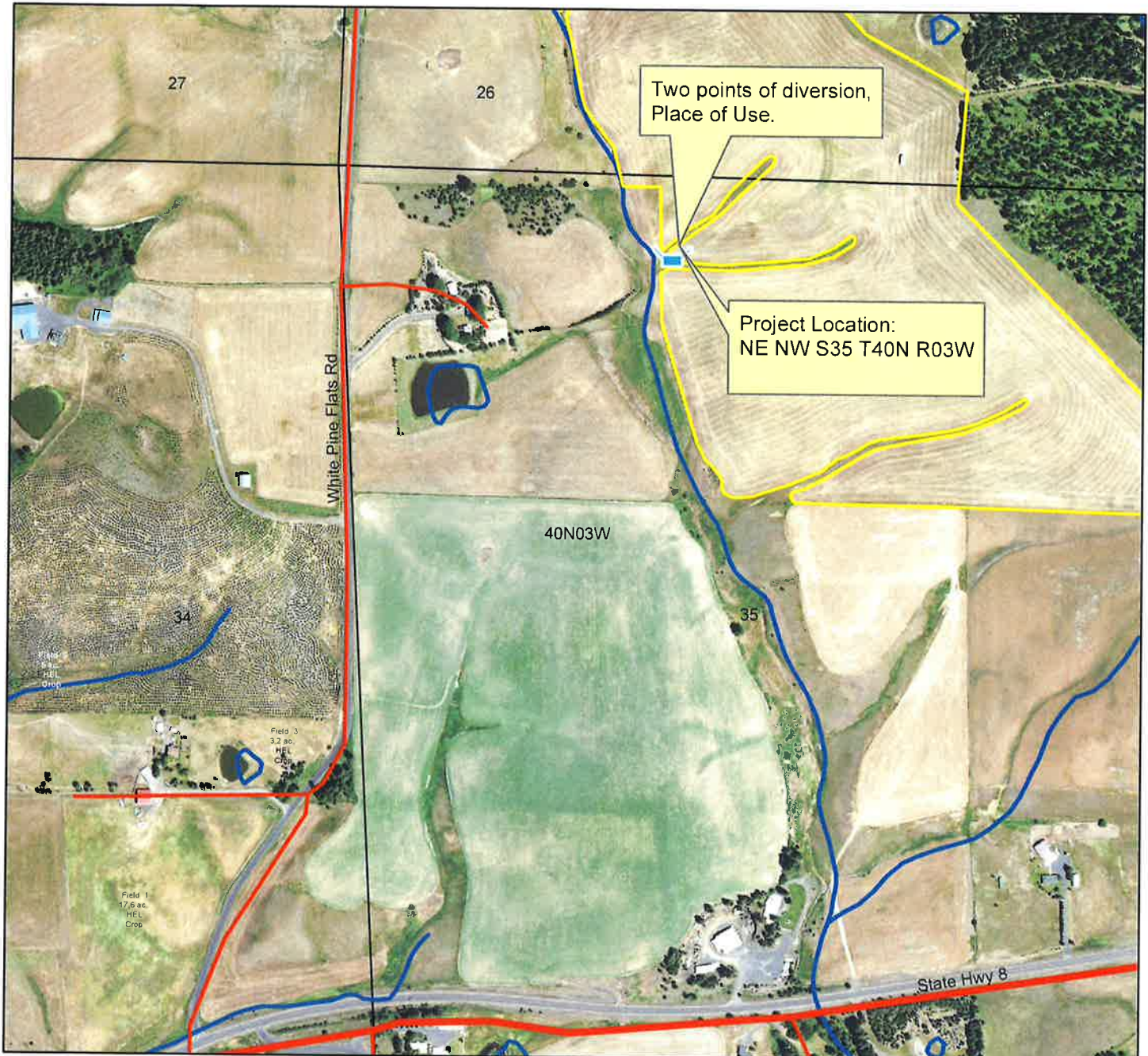
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Prepared with assistance from USDA-Natural Resources Conservation Service

Legend

streetsroads_l_id057

sthws_l_id057

Pond

EQIP 2018

hydro24k_l_id057

Township

Section



Pond Map

Date: 2/20/2018

Customer(s): WAYNE O OLESEN

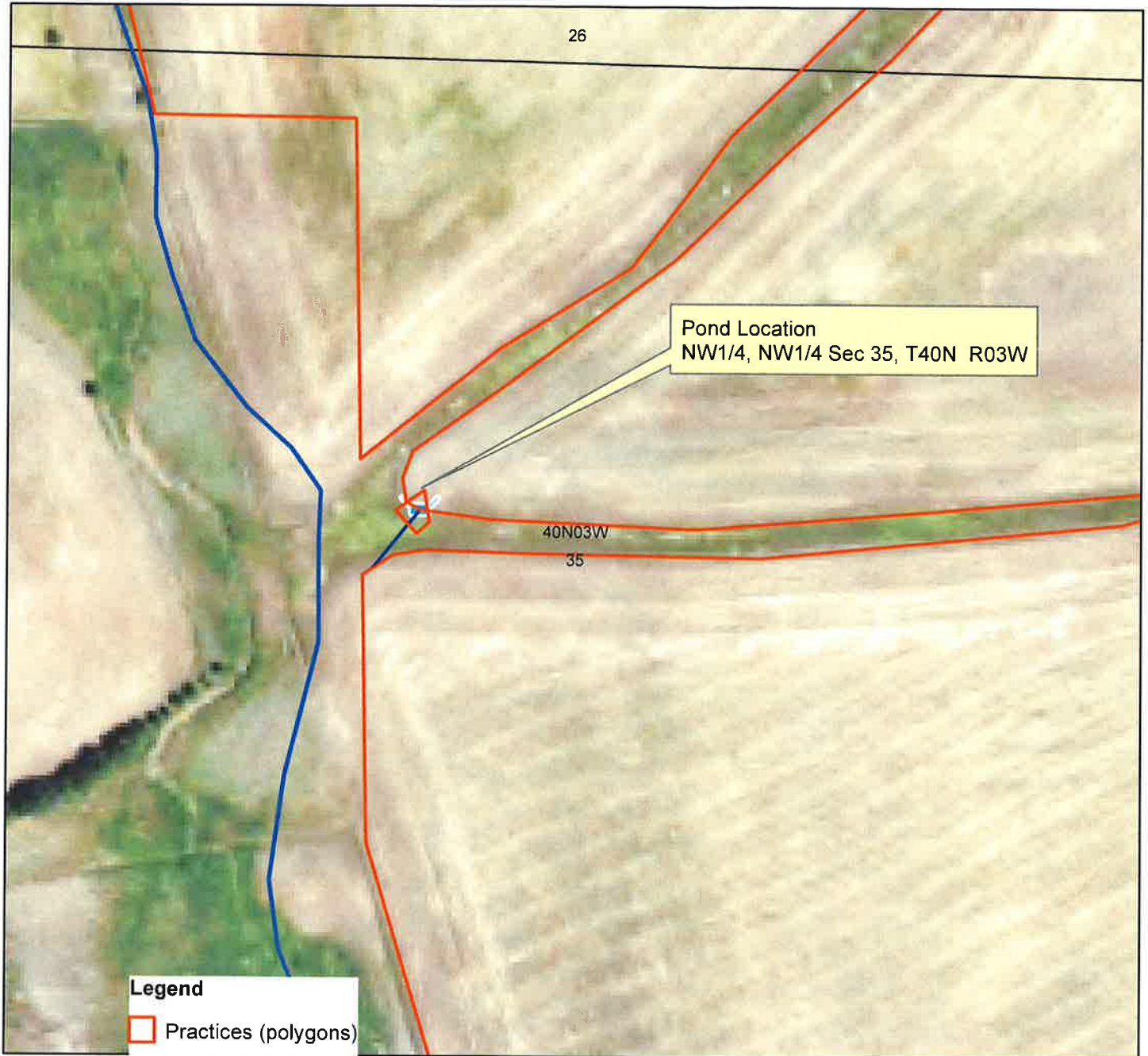
District: LATAH SOIL & WATER CONSERVATION DISTRICT

Field Office: MOSCOW SERVICE CENTER

Agency: USDA-NRCS

Assisted By: CHRISTOPHER JOHNSON

Land Units:



Legend

- Practices (polygons)
- Practices (polylines)
- Pond
- EQIP 2018
- AOI
- hydro24k_id057
- Township
- Section

Prepared with assistance from USDA-Natural Resources Conservation Service



Total Storage Calculations

FILE NUMBER	XX-XXXXX
REVIEWER	Maxey
DATE	3/4/2019

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total seepage, evaporation and fill capacity required for a pond.

User Input
Calculated value
Formula Explanations

Surface Area (AC.)	0.321	"Surface Area" is automatically carried over from the "Seepage Loss" sheet.
Average Pond Depth (FT.)	4.1	"Average Pond Depth" depicts the actual depth of the pond either measured or estimated. Note: If you know the maximum depth and not the average depth, the Field Examiner's Handbook suggests multiplying the maximum depth by 0.4 to get the average depth, or you can use any method that seems reasonable to attain average depth.
Pond Capacity (AF)	1.3161	Pond Capacity is calculated by multiplying the Pond Surface Area by the Average Pond Depth. If you know the capacity, divide the capacity by surface area and enter the average pond depth in the space above. <i>Note: If pond capacity is determined using a method shown on the "Pond Capacity" sheet, the user may need to modify the value of "Pond Capacity" (cell B9) manually. Note that if the value is modified manually, the formula will be altered for future use.</i>
Multiple Fill Volume Above Initial Fill to Fulfill From Storage Needs- "Multiple Fills" (AF)	0.4	The "Multiple Fill Volume Above Initial Fill" is the acre-feet of water required to meet a <i>from storage</i> component if the <i>from storage</i> component exceeds a one time fill. This section should not include the amount of water needed to fill the pond initially or the amount of water needed to maintain the pond level due to evaporation or seepage. For example: if a pond has a capacity of 5 acre feet and 2.5 acre feet of seepage and evaporation, but the pond is used for irrigation that requires 10 acre feet of from storage for the irrigation use, then you would insert 5 acre feet into this location (10 acre feet needed - 5 acre feet from the initial fill = 5 acre feet of additional storage needed). <i>Note: You must have a "From Storage" component exceeding the initial fill on the permit to include a volume in this space.</i>
Estimated Seepage Loss (AF)	2.3	The "Estimated Seepage Loss" is automatically carried over from the "Seepage Loss" sheet.
Estimated Evaporation Loss (AF)	0.4	The "Estimated Evaporation Loss" is automatically carried over from the "Evaporation Loss" sheet.
Total Volume Required (AF)	4.5	The "Total Volume Required" is calculated by adding the Pond Capacity, Multiple Fills, Seepage Loss, and Evaporation Loss amounts to determine the total amount of storage required.

83055

RECEIVED

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

ORIGINAL APPLICATION

To appropriate the public waters of the State of Idaho

MAR 01 2019

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 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 1011 Wally Rd. City Troy
 State ID ZIP 83871 Email _____
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Signature of Applicant

Signature of Applicant

Print Name (and title, if applicable)

Print Name (and title, if applicable)

Total Storage Calculations

FILE NUMBER	86-XXXX
REVIEWER	SHAUN MAXEY
DATE	1/28/2019

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Calculated value
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Pond Map

Date: 2/20/2018

Customer(s): WAYNE O OLESEN

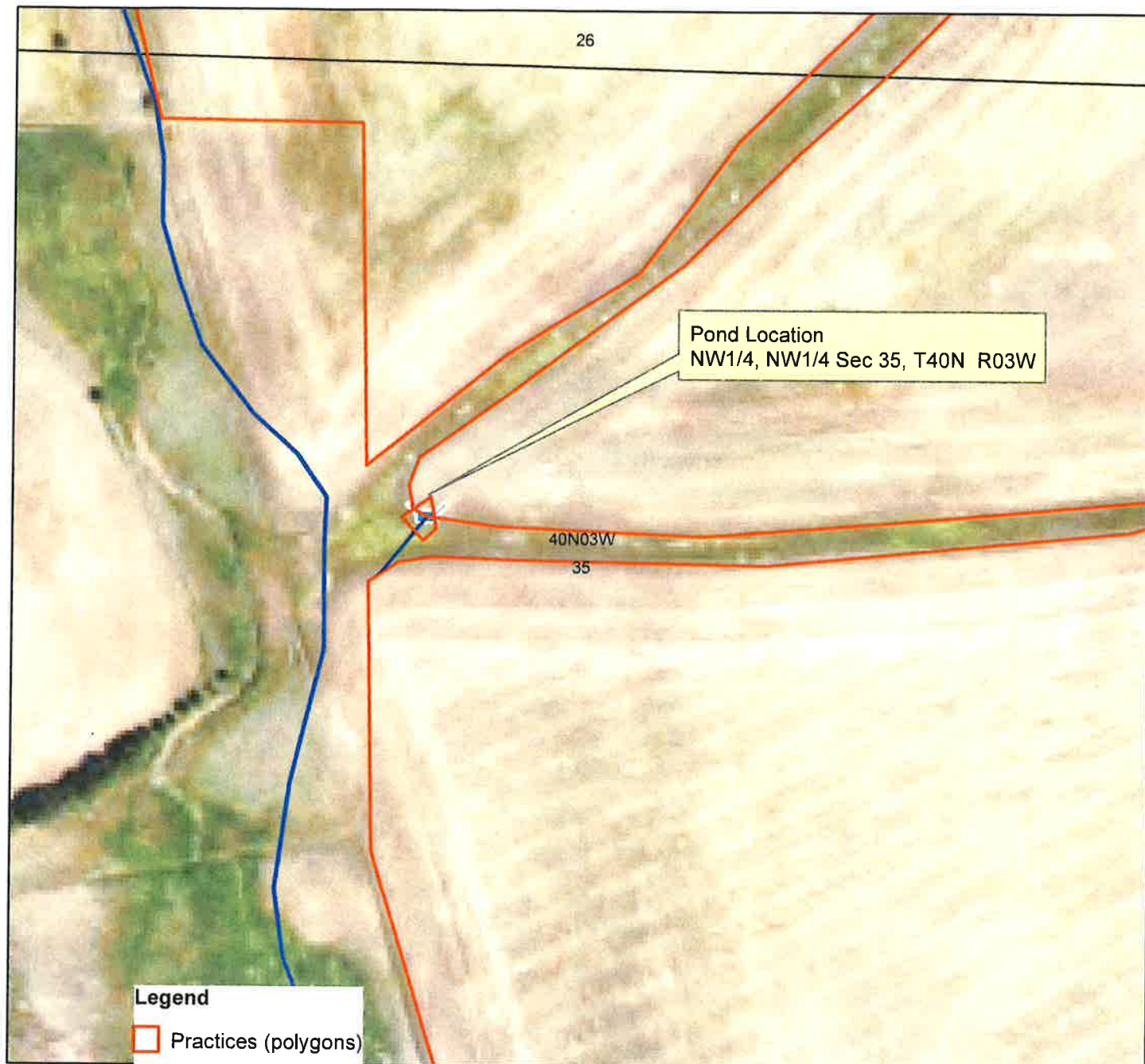
District: LATAH SOIL & WATER CONSERVATION DISTRICT

Field Office: MOSCOW SERVICE CENTER

Agency: USDA-NRCS

Assisted By: CHRISTOPHER JOHNSON

Land Units:



Legend

Practices (polygons)

Practices (polylines)

Pond

EQIP 2018

AOI

hydro24k_id057

Township

Section

Prepared with assistance from USDA-Natural Resources Conservation Service



Location Map

Date: 2/20/2018

Customer(s): WAYNE O OLESEN

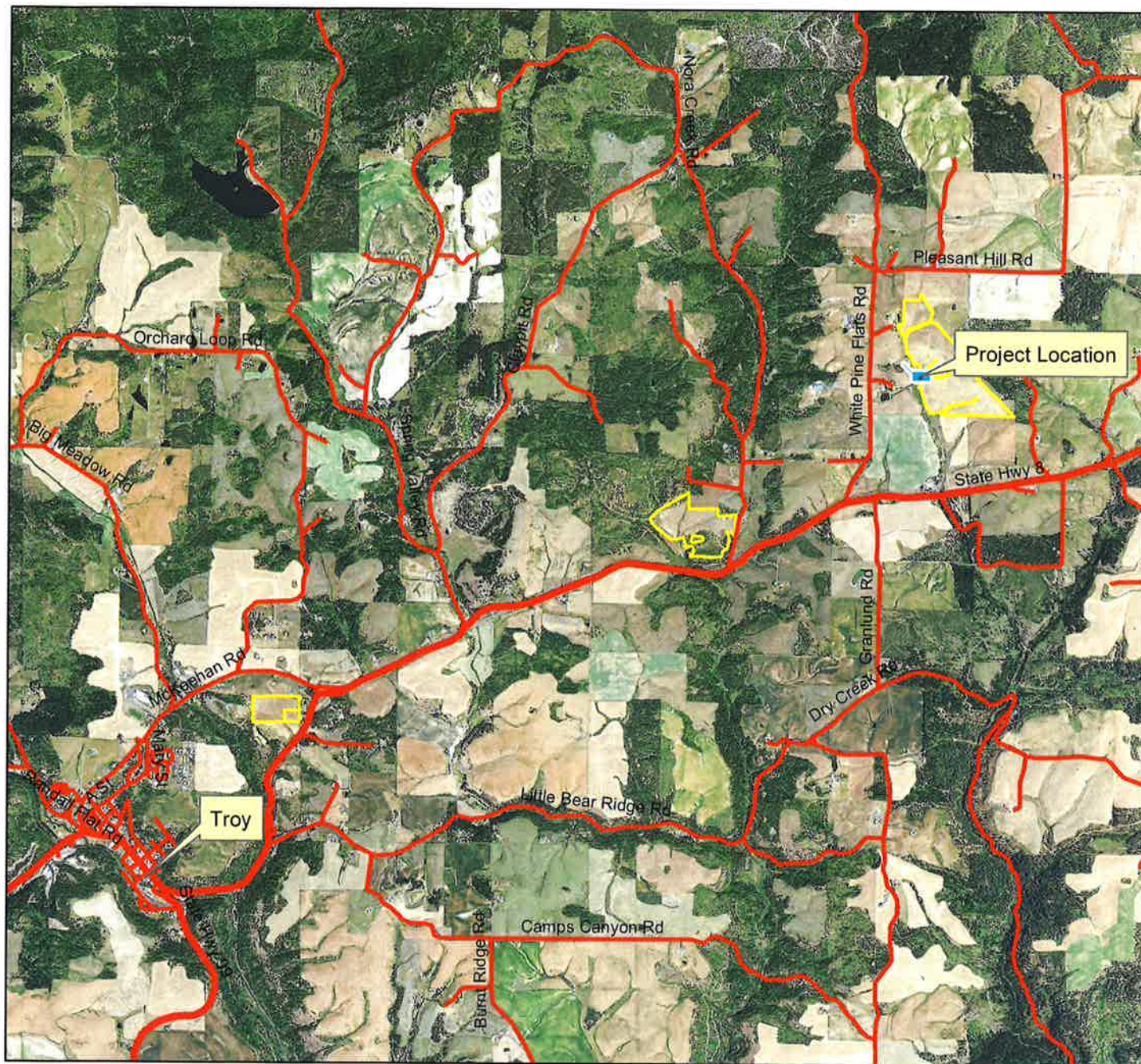
District: LATAH SOIL & WATER CONSERVATION DISTRICT

Field Office: MOSCOW SERVICE CENTER

Agency: USDA-NRCS

Assisted By: CHRISTOPHER JOHNSON

Land Units:



Prepared with assistance from USDA-Natural Resources Conservation Service

Legend

- sthwys_l_id057
- streetsroads_l_id057
- Practices (polylines)
- Pond
- EQIP 2018



Pond Map

Date: 2/20/2018

Customer(s): WAYNE O OLESEN

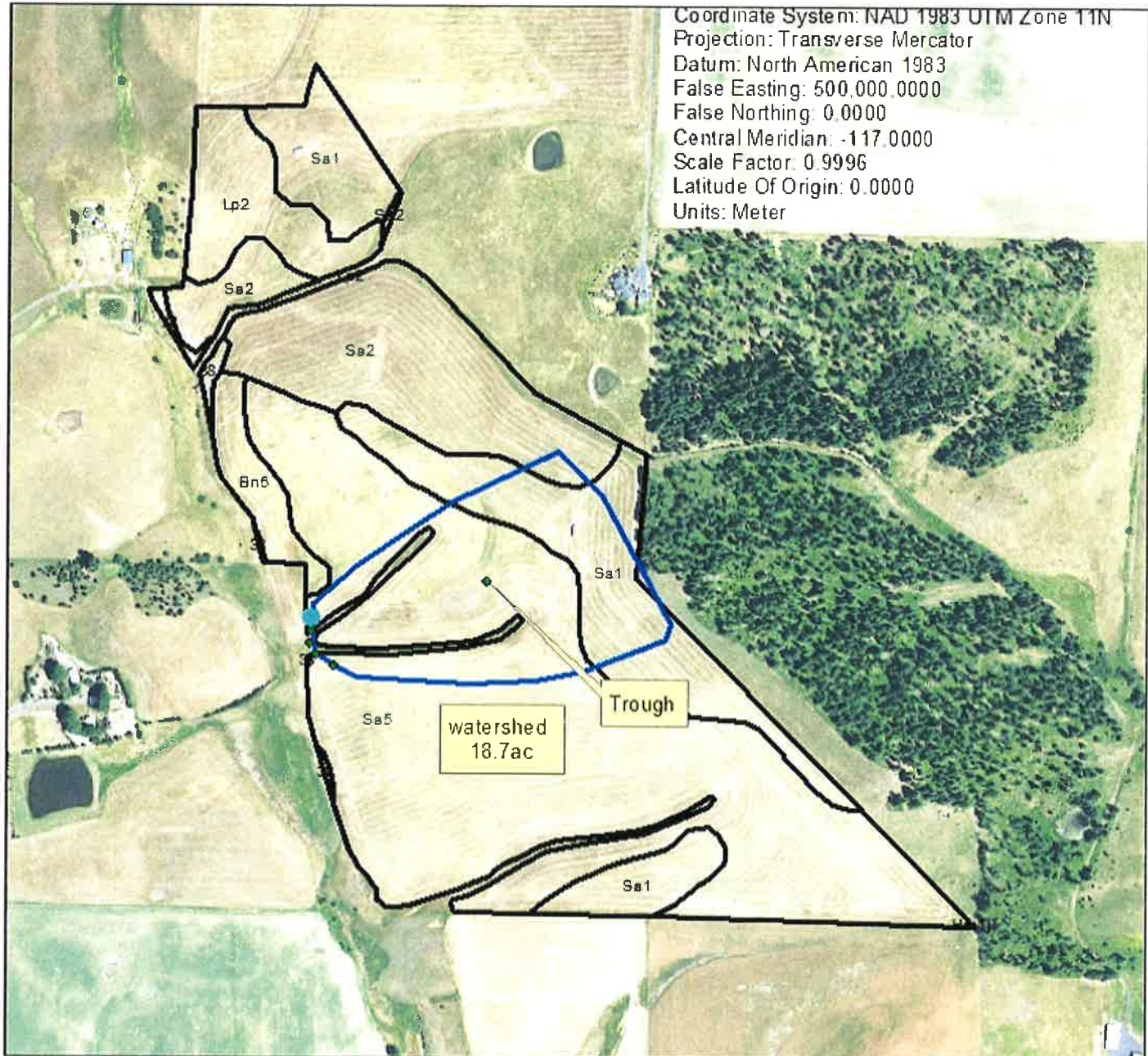
District: LATAH SOIL & WATER CONSERVATION DISTRICT

Field Office: MOSCOW SERVICE CENTER

Agency: USDA-NRCS

Assisted By: CINDY VAUGHAN

Location: 46.771628 -116.682405



Prepared with assistance from USDA-Natural Resources Conservation Service

Legend

- ♦ pond
- pond watershed
- Soils Map EQIP18





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

March 11, 2019

WAYNE O OLESEN
1011 WALLY RD
TROY, ID 83871-9624

Application For Permit No. 86-12056

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 MOSCOW PULLMAN DAILY NEWS on 3/21/2019 and 3/28/2019. 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:

USDA NRCS
1843 S MOUNTAIN VIEW RD
MOSCOW, ID 83843

Alleman, Tammy

From: Alleman, Tammy
Sent: Monday, March 11, 2019 11:12 AM
To: 'LEGALS@DNEWS.COM'
Subject: Legal Notice
Attachments: 86-12056 Legal Notice.doc

Please publish the enclosed legal notice in the **Moscow Pullman Daily News** on the dates indicated **March 21st and March 28th, 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 4/8/2019. 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 has been filed to appropriate the public waters of the State of Idaho:

86-12056

WAYNE O OLESEN

1011 WALLY RD

TROY, ID 83871-9624

Point of Diversion NWNW

S35 T40N R03W

LATAH County

Source UNNAMED STREAM

Tributary DRY CREEK

Point of Diversion NWNW

S35 T40N R03W

LATAH County

Source UNNAMED STREAM

Tributary DRY CREEK

Use: STOCKWATER FROM STORAGE

01/01 to 12/31 0.4 AF

Use: STOCKWATER STORAGE

01/01 to 12/31 0.4 AF

Use: WILDLIFE STORAGE

01/01 to 12/31 4.1 AF

Total Diversion: 4.5 AF

Date Filed: 3/1/2019

Place Of Use: WILDLIFE STORAGE

T40N R03W S35 NENW NWNW

Place Of Use: STOCKWATER STORAGE

T40N R03W S35 NENW NWNW

Place Of Use: STOCKWATER FROM STORAGE

T40N R03W S35 NENW NWNW

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 4/8/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/21/2019 and 3/28/2019

Alleman, Tammy

From: Alleman, Tammy
Sent: Monday, March 11, 2019 11:10 AM
To: 'Sujata.Connell@deq.idaho.gov'; 'Swearingen,Zachary'
Subject: Request for Comments on WR#86-12056
Attachments: 86-12056 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 April 8, 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*

MEMORANDUM

March 06, 2019

Application for Permit: 86-12056

Author: smaxey

Subject: Comment/Analysis

PRIORITY REMAINS SAME AS INDICATED ON ORIGINAL APPLICATION RECEIVED 3/1/2019. AMENDED APPLICATION RECEIVED FROM REPRESENTATIVE 3/5/2019 AND 3/6/2019 ADDS INFORMATION, CORRECTS PLACE OF USE, AND REDUCES ACRE FEET AMOUNTS FOR STOCKWATER STORAGE & STOCKWATER FROM STORAGE. NO CHANGE IN PRIORITY PER IDAPA RULES 37.03.08.04(a) AND 37.03.08.04(d).

Maxey, Shaun

From: Johnson, Chris - NRCS, Moscow, ID <chris.johnson@id.usda.gov>
Sent: Wednesday, March 06, 2019 9:35 AM
To: Maxey, Shaun
Subject: RE: Required information to complete Olesen Application
Attachments: LocationMap2.pdf

Hi Shaun,

I edited the PDF file to make the correction. Please look at it. If your happy with it, I will initial it and scan and email back.

Chris

From: Maxey, Shaun <Shaun.Maxey@idwr.idaho.gov>
Sent: Wednesday, March 6, 2019 9:25 AM
To: Johnson, Chris - NRCS, Moscow, ID <chris.johnson@id.usda.gov>
Subject: RE: Required information to complete Olesen Application

Chris:

It a requirement to have the legal description for the Points Of Diversion (POD) on the map and that the map legal description match what is shown on Page 1 of the Application. Please add the following legal description (NW NW S.35 T40N R03W) to your label for the 'Two points of diversion' and send the map back to me with initials a date.

Thanks,

Shaun

Shaun M. Maxey
Sr. Water Resource Agent
Idaho Department of Water Resources, Northern Region
7600 N Mineral DR Suite 100
Coeur d'Alene, ID 83815-7763
Phone (208) 762.2816 /2800
Fax (208) 762.2819
www.idwr.idaho.gov

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Maxey, Shaun

From: Johnson, Chris - NRCS, Moscow, ID <chris.johnson@id.usda.gov>
Sent: Tuesday, March 05, 2019 10:59 AM
To: Maxey, Shaun
Subject: RE: Required information to complete Olesen Application
Attachments: OlesonAPP-1.pdf

Hey Shaun,

See attached, I have made the corrections. If this is acceptable, I will mail the hard copy, as you are requesting. Let me know.

Chris

From: Maxey, Shaun <Shaun.Maxey@idwr.idaho.gov>
Sent: Monday, March 4, 2019 5:03 PM
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Subject: RE: Required information to complete Olesen Application

Chris:

Please make the same changes with initials and dates, on my attachment to this message, that you initialed and dated on the WRAPP attachment. The word '...stream...' should be made plural to read '...streams...' since there are two streams that converge on the pond. '...Online...' on # 7 (a) of the Application should be changed to read '...On-stream...'

Please e-mail the corrected attachment back to me, and also send me a copy via U.S. mail, with your initials and dates on the changes.

Thanks,

Shaun M. Maxey
Sr. Water Resource Agent
Idaho Department of Water Resources, Northern Region
7600 N Mineral DR Suite 100
Coeur d'Alene, ID 83815-7763
Phone (208) 762.2816 /2800
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Maxey, Shaun

From: Maxey, Shaun
Sent: Monday, March 04, 2019 10:30 AM
To: 'chris.johnson@id.usda.gov'
Subject: Required information to complete Olesen Application

Chris:

I have reviewed the Olesen Application that arrived here on Friday.

I will try to reach you by phone immediately after sending this e-mail to review the following:

Line 5. Stockwater and Stockwater from Storage amounts.

Line 7. Missing information.

E-mail addressed to me indicating 'Total Storage Calculations' dated 1/28/2019 & 'Pond Map' and 'Location Map' that you prepared dated 1/20/2019 are to be included with the Application.

Thanks,

Shaun Maxey

Shaun M. Maxey
Sr. Water Resource Agent
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CONVERSATION MEMO

OV- Office Visit T-Telephone M-Meeting O- Other

TO Right No. 86-12056

FROM Shaun MAXEY, IDWR

☐ OV ☒ T ☐ M ☐ Other _____ DATE 3/4/19 WITH Chris Johnson, ^{Moscow} NRCS-USDA
Left voicemail message for Mr. Johnson; representative
for Wayne Olesen; indicating I had sent him an
e-mail concerning several items on Olesen's APPLICATION
that are missing or require attention.

☐ OV ☒ T ☐ M ☐ Other _____ DATE 3/5/19 WITH Chris Johnson, ^{Moscow} NRCS-USDA
Telephoned Chris Johnson & discussed Amended Application. Mr.
Johnson understood that Amended Application must include
map(s) showing both quarter-quarters in place of use
shown on Page 2 #9 of Application Form. (T4P N 3W 5.35 NE NW
~~NE NW~~ & T4P N 3W 5.35 NW NW). We also discussed labeling
map to show Points of Diversion that match Page 1 of Application.

☐ OV ☒ T ☐ M ☐ Other _____ DATE 3/6/19 WITH Chris Johnson, ^{USDA} NRCS Moscow
Telephoned Chris Johnson in response to 3/6/19 e-mail
pertaining to correction of Point of Diversion map.

☐ OV ☐ T ☐ M ☐ Other _____ DATE _____ WITH _____