

RECEIVED

FORM 2021e 09/15

WATER RESOURCES
WESTERN REGION

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

Ident. No. 77-14369

1. Name of applicant(s) Millicent Daines; Eugene Daines Phone (208) 451-4650
 Name connector (check one): ☒ and ☐ or ☐ and/or
 Mailing address 803 12th Street City Kamiah
 State ID _____ ZIP 83536 Email None
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 Spring which is a tributary of Crooked 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 #
26N	08E	27		SE	SW	NE	Idaho	Spring	

5. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from 01/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)

Amount 0.03 for Irrigation purposes from 05/01 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)

6. Total quantity to be appropriated is (a) 0.07 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 1/4" PVC pipe from developed spring to holding tank then to house.
- 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 AS Date 8/24/2018 Time 12:12 Preliminary check by AK* Fee \$ 100.00 Received by AK Receipt No. W046620 Date 8/24/2018

77 14369

8/6/2018

FEE RECEIVED WITH ORIGINAL INCOMPLETE APP. -AK 9/6/18

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 1
 - 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	
26N	08E	27									D								
											1.0								1.0

Total number of acres to be irrigated: 1.0

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? None
11. a. Who owns the property at the point of diversion? USFS
- b. Who owns the land to be irrigated or place of use? Eugene Daines
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Special Use Permit from USFS.
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Divert water into 1 1/4" pipe to house (1,400') from spring box (18"); Special Use Permit No. NN-915-10. Irrigation is to water lawn, garden and landscaping around house.
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 8 1/2" 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.

Eugene T. Daines
Signature of Applicant
EUGENE T. DAINES
Print Name (and title, if applicable)

Milliecent F. Daines
Signature of Applicant
MILLICENT F. DAINES
Print Name (and title, if applicable)

State of Idaho
Department of Water Resources
Application For Permit (Daines)
Place of Use and Point of Diversion



0 0.075 0.15 0.3 Miles

Legend

- Spring
- Place of Use



State of Idaho
Department of Water Resources
Application For Permit (Daines)
Place of Use and Point of Diversion



0 0.075 0.15 0.3 Miles

Legend

- Spring
- Place of Use



RECEIVED

incomplete

FORM 202 Rev. 09/10

WATER RESOURCES
WESTERN REGION

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

Ident. No. _____

COPY

1. Name of applicant(s) Millicent and Eugene Daines Phone 208-457-4650
Mailing address 803 12th Street City Kamiah
State Kamiah, Id. ZIP 83536 Email None AT This Time

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 unnamed stream which is a tributary of Crooked 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 #
26N	8E	27		NW	NE	SE	Idaho	Spring	

5. Water will be used for the following purposes:

Amount 0.04 for DOMESTIC purposes from Jan 1 to 12-31 (both dates inclusive)
(cfs or acre-feet per year)
Amount 0.02 for STOCKWATER 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)
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 1/4 PVC PIPE
from DEVELOPED Spring TO Holding TANK Then TO House
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. _____

Received by AK Date 8/6/2018 Time 12:05 Preliminary check by _____
Fee \$ 100.00 Receipted by AK Receipt No. W046620 Date 8/6/2018

77 14369

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

a. Hydropower; show total feet of head and proposed capacity in kW. N/A

b. Stockwatering; list number and kind of livestock. ~~4~~ 1 HORSE

c. Municipal; must complete and attach the Municipal Water Right Application Checklist.

d. Domestic; show number of households 3

e. Other; describe fully. N/A

9. Description of place of use:

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	
26N	8E	27	1								1								
			D								D								

Total number of acres to be irrigated: 1

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? NONE

11. a. Who owns the property at the point of diversion? USFS

b. Who owns the land to be irrigated or place of use? EUGENE DAINES

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: USE PERMIT (with ~~USFS~~ FOREST SERVICE)

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. DIVERT WATER INTO Pipe 1/4" TO HOUSE (1400') FROM Spring Box (18") (USE permit Number RR-915-10)

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

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8 1/2" 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.

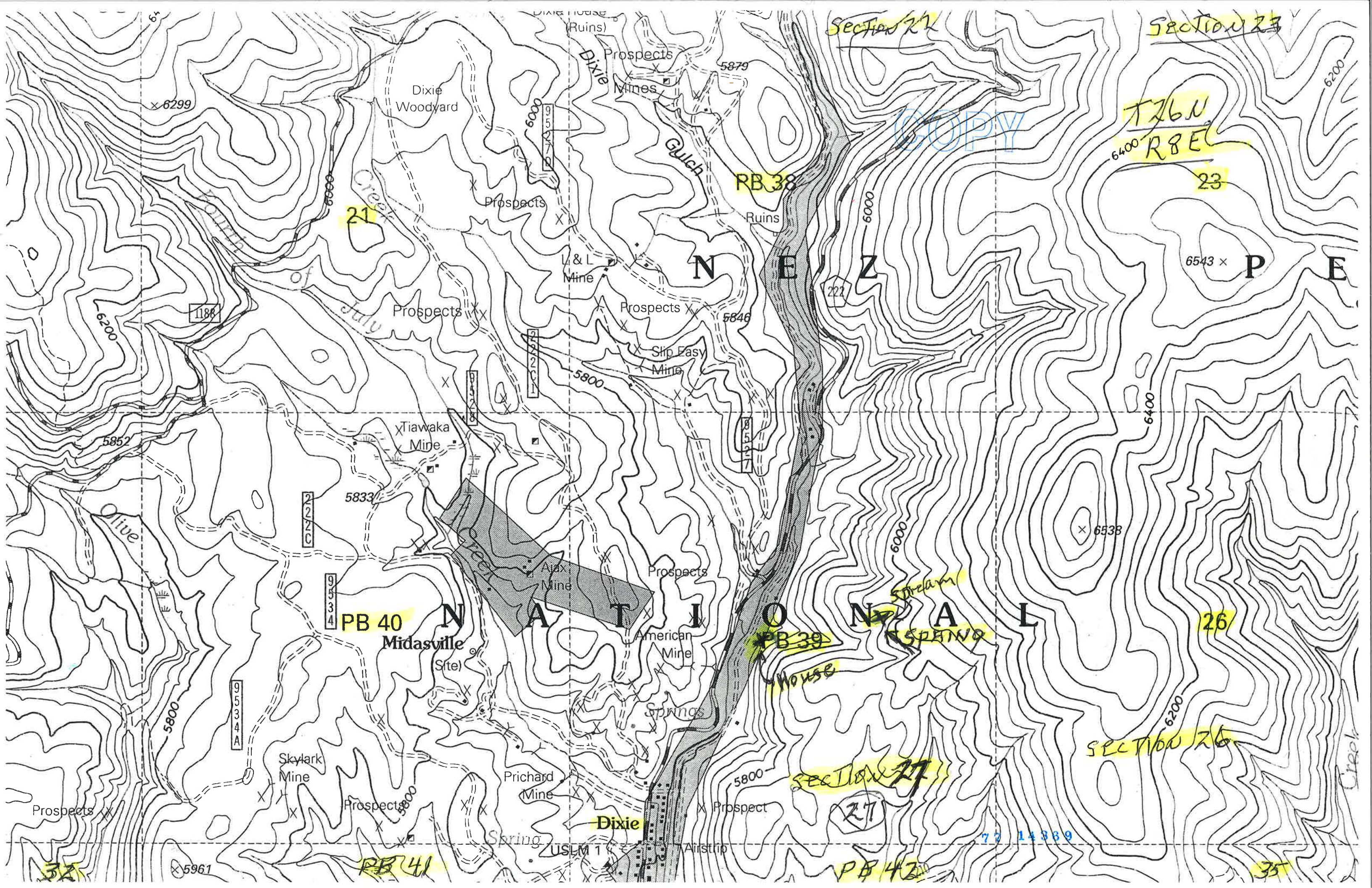
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

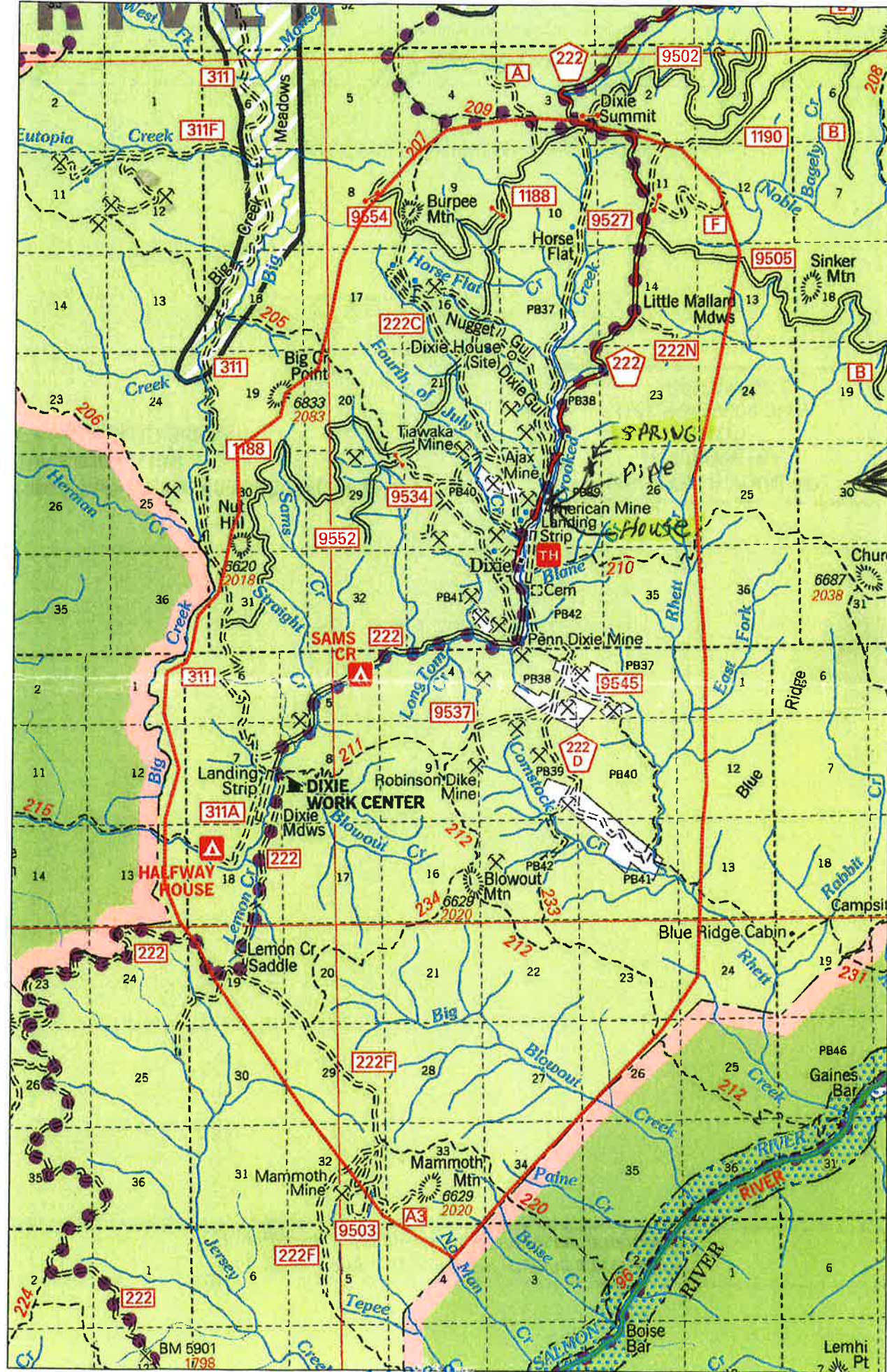
Eugene Daines
Signature of Applicant

EUGENE DAINES
Print Name (and title, if applicable)

Millicent Daines
Signature of Applicant

MILLCENT DAINES
Print Name (and title, if applicable)





77 14369

Kaiser, Anna

From: Kaiser, Anna
Sent: Thursday, January 10, 2019 2:08 PM
To: 'bill.bosworth@idfg.idaho.gov'
Subject: FW: Applications for Permit 77-14369

January 10, 2019

STATE OF IDAHO
DEPT OF FISH & GAME
3101 S POWERLINE RD
NAMPA, ID 83686

RE: Applications for Permit 77-14369

Dear Mr. Bosworth:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendation(s) from your agency regarding the above referenced water right application(s). Copy(s) of the application(s) are enclosed with this email for your reference. Please review the application(s), complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of **February 4, 2019**.

If your agency desires to formally protest approval of this application, you may do so by filing a written protest along with a \$25.00 filing fee for each protested application by the protest deadline.

IDWR will assume your agency does not object to this application if a timely response is not received. Please contact me if you have any questions regarding the application. Thank you for your help.

Sincerely,

Anna Kaiser | Administrative Assistant I
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov

Kaiser, Anna

From: Kaiser, Anna
Sent: Thursday, January 10, 2019 2:04 PM
To: 'Spencer, Steven M -FS'
Subject: Applications for Permit Nos. 77-7354 & 77-7355
Attachments: Agency Recommendation Form.docx; Application for Permit No. 77-14369.pdf

January 10, 2019

STEVE SPENCER
WATER USE SPECIALIST
C/O BOISE NATIONAL FOREST
1805 HWY 16, ROOM 5
EMMETT ID 83617

RE: Applications for Permit Nos. 77-14369

Dear Mr. Spencer:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendation(s) from your agency regarding the above referenced water right application(s). Copy(s) of the application(s) are enclosed with this email for your reference. Please review the application(s), complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of **February 4, 2019**.

If your agency desires to formally protest approval of this application, you may do so by filing a written protest along with a \$25.00 filing fee for each protested application by the protest deadline.

IDWR will assume your agency does not object to this application if a timely response is not received. Please contact me if you have any questions regarding the application. Thank you for your help.

Sincerely,

Anna Kaiser | Administrative Assistant I
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov

Kaiser, Anna

From: Kaiser, Anna
Sent: Thursday, January 10, 2019 2:02 PM
To: Thiel, Sandra
Subject: Application for Permit No. 77-14368
Attachments: Agency Recommendation Form.docx; Application for Permit No. 77-14369.pdf

January 10, 2019

SANDRA THIEL
IDWR PLANNING BUREAU

RE: Applications for Permit No. 77-14369

Dear Sandra Thiel:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications. Copies of the applications are enclosed with this email for your reference. Please review the applications, complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of **February 4, 2019**.

If your agency desires to formally protest approval of these applications, you may do so by filing a written protest along with a \$25.00 filing fee for each protested application by the protest deadline.

IDWR will assume your agency does not object to these applications if a timely response is not received. Please contact me if you have any questions regarding the applications. Thank you for your help.

Sincerely,

Anna Kaiser | Administrative Assistant I
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov

Kaiser, Anna

From: Kaiser, Anna
Sent: Thursday, January 10, 2019 10:27 AM
To: 'IFP Legals'
Subject: Idaho Legal Ad
Attachments: Cover Letter.docx; Legal Notice.docx

Good Morning Legal Clerk,

My name is Anna. I will be sending you legal notices, please send confirmation to my email.

Please see the attached ad for publication on 1/16/2019 & 1/23/2019.

Please confirm these are okay to publish as shown.

Anna Kaiser | Administrative Assistant I
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov

January 10, 2019

LEGAL NOTICE DEPARTMENT
IDAHO COUNTY FREE PRESS
PO BOX 690
GRANGEVILLE, ID 83530

RE: Application For Permit No: 77-14369

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

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 2/4/2019. Your cooperation is appreciated.

Sincerely,

Anna Kaiser
Administrative Assistant

Enclosures

The following application has been filed to appropriate the public waters of the State of Idaho:

77-14369

MILLICENT DAINES

EUGENE DAINES

803 12TH ST

KAMIAH, ID 83536

Point of Diversion SESWNE S27 T26N R08E IDAHO County Source SPRING Tributary CROOKED CREEK

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Use: IRRIGATION 05/01 to 10/31 0.03 CFS

Total Diversion: 0.07 CFS

Date Filed: 8/24/2018

Place Of Use: DOMESTIC, IRRIGATION

T26N R08E S27 NESW

Total Acres: 1

This application proposes the diversion and use of water tributary to a federally designated Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for domestic purposes and the irrigation diversion rate and acres will be applied to the subordination amounts specified in the decree for the applicable Wild & Scenic River.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190. 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, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 2/4/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 1/17/2019 and 1/24/2019



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 10, 2019

MILLICENT DAINES
EUGENE DAINES
803 12TH ST
KAMIAH, ID 83536

Application for Permit No. 77-14369

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 IDAHO COUNTY FREE PRESS on 1/17/2019 and 1/24/2019. 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,

A handwritten signature in cursive script that reads "Anna Kaiser".

Anna Kaiser
Administrative Assistant

Kaiser, Anna

From: Kaiser, Anna
Sent: Thursday, January 10, 2019 1:58 PM
To: 'todd.crutcher@deq.idaho.gov'
Subject: Application for Permit 77-14369
Attachments: Agency Recommendation Form.docx; Application for Permit No. 77-14369.pdf

January 10, 2019

TODD CRUTCHER
DEPARTMENT OF ENVIRONMENTAL QUALITY

RE: Application for Permit 77-14369

Dear Mr. Crutcher:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed with this email for your reference. Please review the application, complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of **February 4, 2018**.

If your agency desires to formally protest approval of this application, you may do so by filing a written protest along with a \$25.00 filing fee for each protested application by the protest deadline.

IDWR will assume your agency does not object to this application if a timely response is not received. Please contact me if you have any questions regarding the application. Thank you for your help.

Sincerely,

Anna Kaiser | Administrative Assistant I
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 7, 2018

COPY

EUGENE AND MILLICENT DAINES
803 12TH STREET
KAMIAH, ID 83536

Re: Water Right Application Incomplete - Returned

Dear Applicant:

This office received your application on August 6, 2018. The application form is incomplete. However, a draft application, based on information taken from the form and submitted maps, is enclosed for your review. Please carefully review this form, make any necessary edits, sign (both Eugene and Millicent signatures required), and return for further processing.

The following summarizes the revisions of the original application form incorporated into the enclosed draft form:

- **3 – Source of Water Supply**
 - Changed the source to spring as outlined in the point of diversion description.
- **4 – Point of Diversion(s)**
 - Adjusted the quarter-quarter information from NWNENW to SESWNE as shown on your submitted maps.
- **5 - Proposed Use**
 - Added irrigation of 0.03 cfs (Department standard is 0.03 cfs per acre) and the season of use of 05/01 to 10/31 based on IDWR standard irrigation season of use for your area.
- **6 - Total Quantity**
 - 0.07 cfs added to 6a based on 0.04 cfs domestic + 0.03 cfs irrigation use proposed.
- **8 – Description of Proposed Uses**
 - Adjusted 8d to 1 home (assuming the Wrights will file their own application)
- **9 - Place of Use**
 - Adjusted the quarter-quarter information from NENE and NESW to NESW. Added 1 acres for irrigation (rounded up although lot is only 0.8 acres).
- **11 – Property Owner**
 - Left as Eugene Daines. If the Wright's decide to not file their own application, their name will need to be added to this line.
- **13 - The Map**
 - Included a map with POD marked and POU labeled. Please return this map with a complete signed form.

This application was completed with the assumption that you and the Wrights will file separate applications. I've enclosed a partially filled out form for the Wright's as well. If you both choose to not file separately, the same adjustments need to be made. Department staff can assist with adjusting the rate relative to both lots instead of them individually.

The original incomplete application is enclosed. Please review the draft application, make any necessary corrections, sign, and submit within the next thirty (30) days. If IDWR does not receive your written response within thirty (30) days, a refund will be issued for this filing. This letter is an attempt to ensure that your application is complete in order to establish a priority date. You may receive future correspondence regarding more specific details of your application. IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please consult the IDWR website or contact this office at 208-334-2190 and ask for the "office day person" if you have any questions about the necessary information or fee.

Sincerely,

Western Region Water Rights Staff

Enclosure: Original 8/6/18 Application
Draft Application and Map