

DEC 0 2018

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

IDWR / NORTH

1. Name of applicant(s) Michael D. Bush & Jennifer A. Frushon Phone 208-610-6372
 Name connector (check one): ☒ and ☐ or ☐ and/or
 Mailing address po box 131 City Carroll
 State Idaho ZIP 83813 Email jenzen66@yahoo.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 Spring which is a tributary of sinks
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
55N	3W	36	2	NW	NW	NW	Bonner	Spring	

5. Water will be used for the following purposes:
- Amount .04 for domestic purposes from 01-01 to 12-31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount .02 for stock water 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) .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. developed spring w/ 50 Ft water line & electric pump to pressure tank (should line #12)
- 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 ja Date 12-5-18 Time _____ Preliminary check by _____
 Fee \$ 100.00 Receipted by ja Receipt No. 0033939 Date 12-5-18

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. 1 to 25 head mixed stock.
- Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
- Domestic; show number of households 1 (one)
- 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	
55N	3W	36						D											
55N	3W	36						S											
								gt 2											

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? None.

- Who owns the property at the point of diversion? applicants
- Who owns the land to be irrigated or place of use? applicants
- 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. and storage tank then into one home & 2 Frost Free Faucets. Dry well casings (equal 11ft) driven into ground.

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.

Michael D. Bush
 Signature of Applicant
Michael D. Bush
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)

State of Idaho
Department of Water Resources
Application For Permit

03W



0 0.03 0.06 0.12 Miles

- PLS Sections
- Taxlots

○ = stock water place of use

X = Spring point of diversion

○ = place of use (domestic)



Tax parcel information provided by Bonner County.

AFTER RECORDING MAIL TO GRANTEE

Instrument # 854249
BONNER COUNTY, SANDPOINT, IDAHO
12-17-2013 02:48:14 No. of Pages: 2
Recorded for : NIT
R. ANN DUTSON-SATER Fee: 13.00
Ex-Officio Recorder Deputy *CE*
Index to: QUIT CLAIM DEED

(THIS SPACE RESERVED FOR RECORDER'S USE)

QUITCLAIM DEED

(For the completion of a boundary line adjustment)

For Value Received,

Michael Bush and Mary A. Bush, husband and wife,

do hereby convey, release, remise and forever quit claim unto

Michael Bush and Mary A. Bush, husband and wife,

whose address is: **PO Box 131, Cocolalla, ID 83813**

the following described premises, to-wit:

See attached Exhibit "A"

together with their appurtenances and including after acquired title.

Dated: Dec 16th, 2013

Grantor:

x *Michael W. Bush*
Michael Bush

x *Mary A. Bush*
Mary A. Bush

State of IDAHO)

County of Bonner) ss.

On this 16th day of Dec, 2013 before me, the undersigned, a Notary Public in and for said State, personally appeared Michael Bush and Mary A. Bush known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Nancy Albanese
Notary Public in and for said County and State
Residing at: Sandpoint
Commission Expires: 1-31-17



Exhibit "A"

Government Lot 2 (NWNW) of Section 36, Township 55 North, Range 3 West, Boise Meridian, Bonner County, Idaho;

Excepting therefrom the South 643 feet of Government Lot 2 (NWNW) measured parallel to the North line of said Government Lot 2 of Section 36, Township 55 North, Range 3 West, Boise Meridian, Bonner County, Idaho. Said tract being Lot 4 and a portion of Lot 3 and Lot 5 of Huckleberry Hills an unrecorded Plat by Pack River Properties and also being formerly described as the North Half of the Northwest Quarter of the Northwest Quarter of Section 36, Township 55 North, Range 3 West, Boise Meridian, Bonner County, Idaho.

Subject to and together with an easement for ingress, egress and utilities over, under and across the following described roads. A parcel of land 30 feet wide on each side of the following described property. Commencing at the West Quarter Corner of said section 36; thence South 89° 58' 21" East 1,357.27 feet; thence North 00° 80' 00" East 738.61 feet to the true point of beginning of said roads, herein referred to as point a; thence North 87° 27' 07" West 619.32 feet to a point herein referred to as point b; thence South 60° 33' 30" West 139.55 feet; thence North 63° 04' West 120.81 feet to a point herein referred to as point c; thence South 45° 31' 30" West 148.67 feet; thence North 88° 44' West 111.02 feet; thence South 74° 48' West 152.57 feet; thence South 57° 52' 30" West 110.77 feet; thence North 53° 39' 30" West 64.00 feet, to the end of road no. 1. Commencing at point b of the foregoing description, thence South 120 feet to the end of road no. 2. Commencing at point c of the foregoing description, thence North 24° 49' 30" West 66.19 feet; thence North 17° 22' East 119.92 feet; thence North 00° 24' 07" West 529.46 feet; thence North 20° 48' 30" East 132.43 feet; thence North 41° 29' 30" East 121.04 feet; thence North 12° 05' 15" East 153.89 feet; thence North 30° 00' West 280.00 feet to point d, and including a circular parcel of ground having as its center said point d, and a radius of 30 feet.

Together with a non-exclusive easement on, over and across the easements described in documents recorded May 22, 1973, under Instrument No's. 149294 and 149295, records of Bonner County, Idaho.



STATE OF IDAHO

County of Bonner

I, Michael W. Rosedale, County Recorder in and for the county and state aforesaid, do hereby certify that the foregoing instrument is a true and correct copy of the original thereof recorded in my office by instrument number 854249

Witness my hand and seal,

The 13TH day of Nov, 2018.

BONNER COUNTY RECORDER

By Cynthia Brannon Deputy



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 11, 2018

MICHAEL D BUSH
PO BOX 131
COCOLALLA, ID 83813

JENNIFER A FRUSHON
PO BOX 131
COCOLALLA, ID 83813

Application For Permit No. 96-9728

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 BONNER COUNTY DAILY BEE on 12/20/2018 and 12/27/2018. 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: Tuesday, December 11, 2018 12:50 PM
To: 'bcdblegals@cdapress.com'
Subject: Legal Notice for Water Right 96-9728
Attachments: Legal Notice for 96-9728.doc

Please publish the enclosed legal notice in the **Bonner County Daily News** on the dates indicated December 20th and December 27th (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 1/7/2019. 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:

96-9728

MICHAEL D BUSH

JENNIFER A FRUSHON

PO BOX 131

COCOLALLA, ID 83813

Point of Diversion L2(NWNWNW)

S36 T55N R03W

BONNER County

Source SPRING

Tributary SINKS

Use: DOMESTIC

01/01 to 12/31 0.04 CFS

Use: STOCKWATER

01/01 to 12/31 0.02 CFS

Total Diversion: 0.04 CFS

Date Filed: 12/5/2018

Place Of Use: DOMESTIC

T55N R03W S36 L2(NWNW)

Place Of Use: STOCKWATER

T55N R03W S36 L2(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 1/7/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 12/20/2018 and 12/27/2018

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, December 11, 2018 12:51 PM
To: Siitari,Kiira; 'Spencer, Steven M -FS'
Subject: Request for Comments on Water Right 96-9728
Attachments: 96-9728 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 applications. You can find copies of the applications attached to the email and also at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the applications 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(s), 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 applications is January 7, 2019.

Please contact the Northern Region Office at (208) 762-2800 if you have any questions regarding the applications.

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*