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OCT 01 2018 82734

FORM 202

SEP 27 2018

STATE OF IDAHO
IDWR / NORTH DEPARTMENT OF WATER RESOURCES

Ident. No. 96-9724

IDWR / NORTH

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Corrected

1. Name of applicant(s) Mark and Michelle Hixson Phone 208-304-3160
 Name connector (check one): ☒ and ☐ or ☐ and/or
 Mailing address 3724 Colburn College Blvd City Sandpoint
 State Idaho ZIP 83864 Email MRKHixson@aol.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 Grouse Creek which is a tributary of Pack 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 #
58N	01W	3			SW	SW	Bonner	Grouse Creek	

5. Water will be used for the following purposes:

- Amount .06 for IRRIGATION purposes from 04-01 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. Honda Trash Pump WT30
317 gal./min
- 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. _____

SCANNED

OCT 12 2018

Received by Ja Date 9-27-18 Time _____ Preliminary check by _____
 Fee \$ 1000 Receipted by Ja Receipt No. N033190 Date 9-27-18

For Department Use

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IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Mark and Michelle Hixson Phone 208-304-3160
 Name connector (check one): ☒ and ☐ or ☐ and/or
 Mailing address 3784 Colburn Colburn Road City Sandpoint
 State Idaho ZIP 83864 Email MRKHixson@aol.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 Grouse Creek which is a tributary of Pack 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 #
58N	01W	3			SW	SW	Bonner	Grouse Creek	

5. Water will be used for the following purposes: **Superseded**
 Amount .06 for IRRIGATION purposes from 03-15 to 11-15 (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. Honda Trash Pump WT30
317 gal./min
- 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. _____

Received by Ja Date 9-27-18 Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by Ja Receipt No. N033790 Date 9-27-18

For Department Use

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. To water small orchard

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	
58N	01W	3											2.0						2.0

Total number of acres to be irrigated: 2.0

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? _____
11. a. Who owns the property at the point of diversion? Mark and Michelle Hixson
- b. Who owns the land to be irrigated or place of use? Mark and Michelle Hixson
- 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. I would like to pump water from Grouse Creek to water a small orchard. I plan to fill 1500 gallon tank. With drip lines I will irrigate the orchard.
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.

Mark A Hixson
Signature of Applicant
Mark A Hixson
Print Name (and title, if applicable)

Michelle Hixson
Signature of Applicant
Michelle Hixson
Print Name (and title, if applicable)

State of Idaho
Department of Water Resources
Application For Permit
96-2151



01W 58N

X = point of diversion
□ = point of use

Taxlots Hose = ———
O = 1500 Gallon Plastic Tanks

0 0.035 0.07 0.14 Miles



Tax parcel information provided by Bonner County.

Alleman, Tammy

From: Alleman, Tammy
Sent: Friday, October 12, 2018 11:47 AM
To: Siitari,Kiira; Clark, Cynthia Bridge; Skoro, Emily; June.Bergquist@deq.idaho.gov
Cc: 'Anna.Moody@deq.idaho.gov'
Subject: Request for Comments on Application for Permit #96-9724
Attachments: 96-9724 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 November 5, 2018.

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*



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

October 11, 2018

MARK HIXSON
MICHELLE HIXSON
3784 COLBURN CULVER RD
SANDPOINT, ID 83864

Application For Permit No. 96-9724

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 10/18/2018 and 10/25/2018. 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: Thursday, October 11, 2018 2:33 PM
To: 'bcdblegals@cdapress.com'
Subject: Legal Notice
Attachments: 96-9724 & 96-9726 Legal Notice.doc

Please publish the enclosed legal notice in the Bonner County Daily Bee on the dates indicated October 18th and October 25th (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 11/05/2018. 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:

96-9724

MARK HIXSON
MICHELLE HIXSON
3784 COLBURN CULVER RD
SANDPOINT, ID 83864
Point of Diversion SWSW
S3 T58N R01W
BONNER County
Source GROUSE CREEK
Tributary PACK RIVER
Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Total Diversion: 0.06 CFS
Date Filed: 9/27/2018
Place Of Use: IRRIGATION
T58N R01W S3 SWSW
Total Acres: 2

96-9726

TODD HARKINS
24 SHIRAS DR
SANDPOINT, ID 83864
Point of Diversion NWSW
S16 T57N R02W
BONNER County
Source UNNAMED STREAM
Tributary SYRINGA CREEK
Use: IRRIGATION FROM STORAGE
04/01 to 10/31 6 AF
Use: IRRIGATION STORAGE
01/01 to 12/31 6 AF
Use: RECREATION STORAGE
01/01 to 12/31 4.2 AF
Use: STOCKWATER FROM STORAGE
01/01 to 12/31 0.1 AF
Use: STOCKWATER STORAGE
01/01 to 12/31 0.1 AF
Use: WILDLIFE STORAGE
01/01 to 12/31 4.2 AF
Total Diversion: 10.4 AF
Date Filed: 10/3/2018
Place Of Use: WILDLIFE STORAGE
T57N R02W S16 NWSW
Place Of Use: RECREATION STORAGE
T57N R02W S16 NWSW
Place Of Use: IRRIGATION STORAGE
T57N R02W S16 NWSW
Place Of Use: STOCKWATER STORAGE
T57N R02W S16 NWSW
Place Of Use: STOCKWATER FROM STORAGE
T57N R02W S16 NWSW
Place Of Use: IRRIGATION FROM STORAGE
T57N R02W S16 NWSW
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 11/5/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/18/2018 and 10/25/2018

MEMORANDUM

Date: September 28, 2018
To: Water Right File 98-7987
From: smaxey
Re: Irrigation Season of Use

Correct Irrigation Season of Use for Grouse Creek at the Applicants proposed Point of Diversion and Place of Use is '...04-01 to 10-31...' instead of the '...03-15 to 11-15...' shown on the original Application for Permit .

Co- Applicant Mark Hixson was contacted by IDWR on 9/27/2018. Mr. Hixson indicated that he agreed with the change and would initial and date a new Page 1 to the Application showing the correct Irrigation Season of use dates. He indicated he would mail the corrected information to IDWR or drop off at IDWR Northern on 9/28/2018.

Corrected season of use dates '...04-01 to 10-31...' will be used for advertising of legal notices in accordance with IDWR Application Processing Memorandum 9.

Maxey, Shaun

From: Mrkhixson <mrkhixson@aol.com>
Sent: Thursday, September 27, 2018 9:35 PM
To: Maxey, Shaun
Subject: Re: Minor correction to Idaho Application for Water Right

Shaun,

I will make the changes to the irrigation dates on line 5 and return the application tomorrow.

Thanks,

Mark Hixson

-----Original Message-----

From: Maxey, Shaun <Shaun.Maxey@idwr.idaho.gov>
To: MRKHIXSON@AOL.COM <MRKHIXSON@AOL.COM>
Cc: 2083043160@vtext.com <2083043160@vtext.com>
Sent: Thu, Sep 27, 2018 08:52 PM
Subject: Minor correction to Idaho Application for Water Right

Hi:

A minor correction to the dates of the Irrigation season is required on Page 1 of your Application for Permit. I received the Application today.

- 1) Please print out and change the dates on Line 5 of the attached Application to read '....04-01 to 10/31....'
- 2) Please initial and date the change and send the Page 1 form via U.S. mail to me at the address shown below. We have to have the date and your initials on Page 1 of the Application for the changed Irrigation season.

A photocopy of the attachment will be sent tomorrow, for your use to make the correction, via U.S. mail. You can use this copy to make the correction and return it to me if you don't have access to a printer. I will try to reach you via phone tomorrow to answer any questions.

Shaun Maxey

Shaun M. Maxey

CONVERSATION MEMO

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

TO Right No. 96-9724

FROM Shaun Maxey, FDR

☐ OV ☒ T ☐ M ☐ Other _____ DATE 9/27/18 WITH Mark Hixson
Mr. Hixson telephoned me in response to e-mail/text
message about Irrigation Season of Use. He indicated
he would make the correction to 04-01 to 10-31 season
of use dates for his Application.

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

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

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

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-07980

Priority: June 19, 1981

Minimum Stream Flow:

85.00 CFS

This is to certify, that STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

STATEHOUSE

BOISE ID 83720

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 19, 1981; and has submitted Proof of Beneficial Use on May 15, 1997. A minimum stream flow for:

GROUSE CREEK

tributary to PACK RIVER

has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>MINIMUM STREAM FLOW</u>
MINIMUM INSTREAM FLOW	08/01 to 03/31	14.00 CFS
MINIMUM INSTREAM FLOW	04/01 to 05/31	85.00 CFS
MINIMUM INSTREAM FLOW	06/01 to 06/30	67.00 CFS
MINIMUM INSTREAM FLOW	07/01 to 07/31	23.50 CFS

MINIMUM STREAM FLOW REACH:

Beginning of Stream Flow Reach

End of Stream Flow Reach

SENE, Sec. 25, Township 59N, Range 01W

SESW, Sec. 4, Township 58N, Range 01W

BONNER County

CONDITIONS OF APPROVAL AND REMARKS

1. This right is subject to all prior water rights.
2. Use of water under this right shall be non-consumptive.
3. Use of water under this right shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file or issued by the director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority of water right date earlier than the date of priority of this right.
4. Upon further finding and order of the director that gauging stations are required to maintain the approved minimum flows under this right, such measuring devices shall be permanently installed and maintained as specified by the director.

MICROFILMED

JUN 10 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-07980

CONDITIONS OF APPROVAL AND REMARKS

5. The Director retains jurisdiction to review and amend any and all parameters of this right. Prior to undertaking a review of the water right, the Director shall identify the reasons for exercising retained jurisdiction under this condition, and give notice thereof to the public generally and to specific persons or parties known by the Director to be interested. The Director shall thereafter conduct a hearing for the purpose of determining whether the minimum stream flow should be modified or amended in the public interest. The burden of proof at the hearing shall be upon the person or party seeking to establish that a particular parameter of the water right should be modified or amended to satisfy the public interest. Review of the water right under this condition may not occur prior to 15 years after issuance of the license.
6. This minimum streamflow begins at the county bridge in the SENE, S25, T59N, R1W, and ends approximately 5 miles downstream at the confluence with Pack River in the SESW, S4, T58N, R1W.
7. This minimum streamflow is for maintenance of trout spawning and rearing.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 23rd
day of MAY, 1997.

Acting for


KARL J. DREHER, Director

MICROFILMED
JUN 10 1997

