

AUG 28 2018

82656

FORM 202 Rev. 09/16

STATE OF IDAHO

Ident. No. 96-9714

IDWR / NORTH DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Cheyenna Lynn Whittier Trust Phone 208 263-9898
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address P. O. Box 908 City Sagle
 State ID ZIP 83860 Email musicinthegarden2@gmail.com
2. Name of representative, if any Bob Haynes Phone 208 660-4861
 Mailing address 2571 S Reynolds Rd City Coeur d'Alene
 State ID ZIP 83814 Email bob@idahowaterengineering.com
- 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 _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
56N	1W	28	4		SE	SE	Bonner	Lake Pend OReille	

5. Water will be used for the following purposes:
- Amount 0.14 for Irrigation purposes from 4/1 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) 0.14 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. 10 HP and pipeline to place of use
- 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 \$ _____ Received by _____ Receipt No. _____ Date _____

RECEIVED

AUG 23 2018

IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
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56N	1W	28			NW	NE	Bonner	Lake Pend Oreille	

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 well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by ja Date 8-23-18 Time 1:40 pm Preliminary check by _____
 Fee \$ 10000 Receipted by ja Receipt No N033707 Date 8-23-18

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 _____
 - 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	
56N	1W	28													2	5		5	7
															Lot 3	Lot 4		Lot 4	

Total number of acres to be irrigated: 7

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? 96-4271
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. Foot valve for the pump is above the natural ordinary high water mark of Lake Pend Oreille.
Point of diversion & Place of Use are located within Bonner County Parcel 56N01W287352A
ADH 8/28/18
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.

Cheyenna Whittier, Trust
 Signature of Applicant

Cheyenna Whittier, Trustee
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)

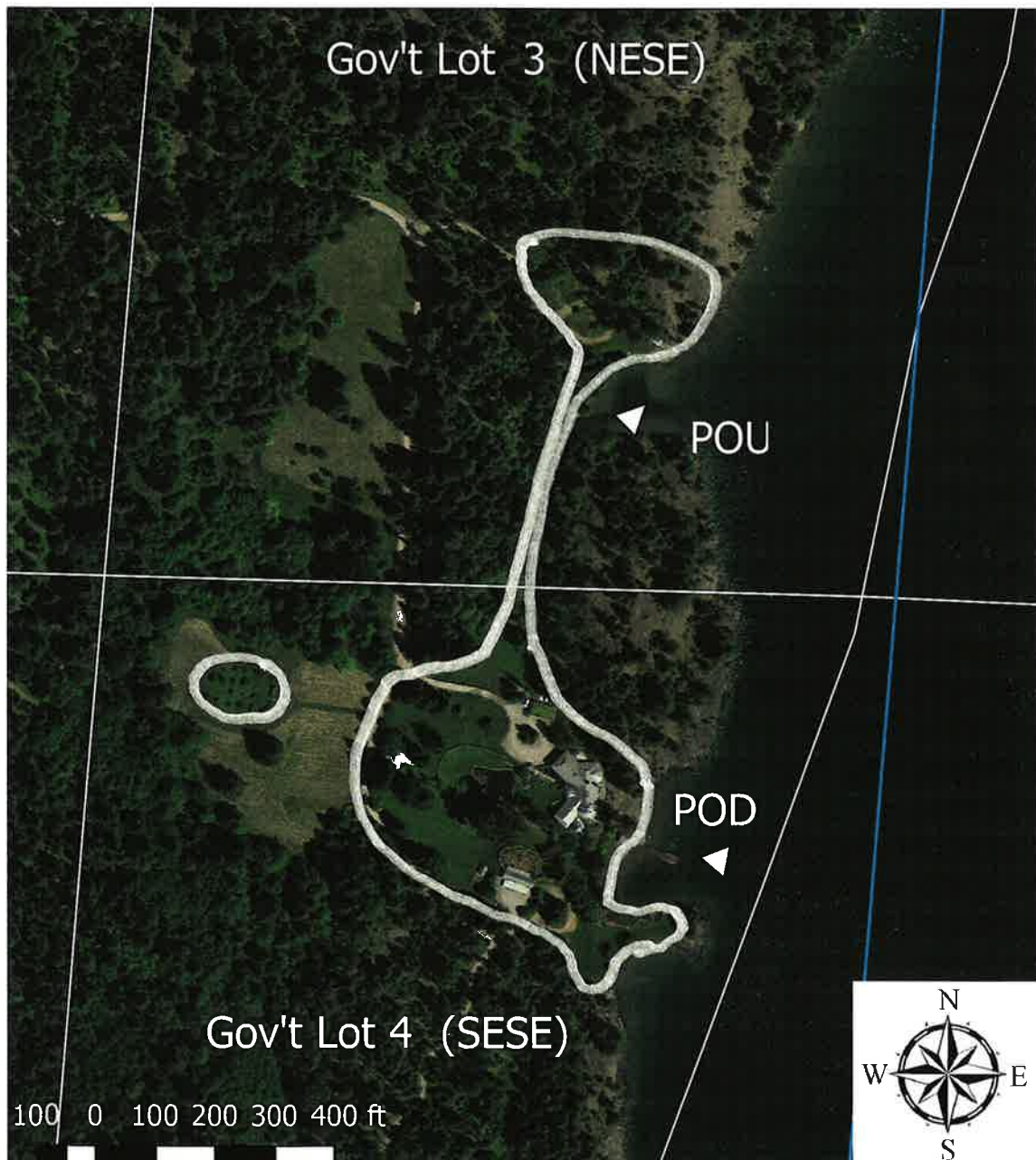
Whittier Trust Application for Permit

T56N R1W Sec 28

RECEIVED

AUG 28 2018

IDWR / NORTH

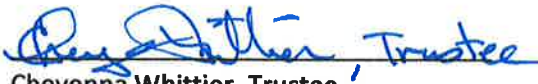


(Date)

To Whom It May Concern:

The Cheyenna Whittier Trust has secured the services of Bob Haynes to assist in the process of acquiring water rights. By this letter we authorize Bob Haynes to sign our application and provide additional information to the Department of Resources which may be required to complete the application for permit.

Sincerely,


Cheyenna Whittier, Trustee

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, September 13, 2018 8:56 AM
To: June.Bergquist@deq.idaho.gov; 'Jim Brady'; Clark, Cynthia Bridge; Skoro, Emily
Cc: 'Anna.Moody@deq.idaho.gov'
Subject: Request for Comments for WR # 96-9714
Attachments: 96-9714 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 October 9, 2018.**

Please contact the Northern Region Office at (208) 772-2800 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

September 12, 2018

CHEYENNA LYNN WHITTIER TRUST
PO BOX 908
SAGLE, ID 83860

Application For Permit No. 96-9714

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 9/20/2018 and 9/27/2018. 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

CC:

BOB HAYNES
2571 S REYNOLDS RD
COEUR D'ALENE, ID 83814

Alleman, Tammy

From: Alleman, Tammy
Sent: Wednesday, September 12, 2018 10:32 AM
To: 'bcdblegals@cdapress.com'
Subject: Legal Notice for 96-9714, 96-9716, 96-9717, 96-9718
Attachments: Legal Notice for 96-9714, 96-9716-18.doc

Please publish the enclosed legal notice in the **Bonner County Daily Bee** on the dates indicated September 20th and September 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 10/9/2018. 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:

96-9714

CHEYENNA LYNN WHITTIER TRUST
PO BOX 908

SAGLE, ID 83860

Point of Diversion L4(SESE)

S28 T56N R01W

BONNER County

Source LAKE PEND OREILLE

Tributary PEND OREILLE RIVER

Use: IRRIGATION

04/01 to 10/31 0.14 CFS

Total Diversion: 0.14 CF

Date Filed: 8/28/2018

Place Of Use: IRRIGATION

T56N R01W S28

L3(NESE) L4(SESE)

Total Acres: 7

96-9716

ANTHONY M ZIMMERMAN

296 4TH ST 274

PONDERAY, ID 83852

Point of Diversion SESESW

S24 T59N R01W

BONNER County

Source SPRING

Tributary SINKS

Use: STOCKWATER

01/01 to 12/31 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 9/6/2018

Place Of Use: STOCKWATER

T59N R01W S24 SESW

96-9717

JOS SOUTH SHORE AT GARFIELD BAY OWNERS

14740 LITTLE SPRINGS RD

LAS VEGAS, NV 89161

Point of Diversion L1(SENE)

S21 T56N R01W

BONNER County

Source GROUND WATER

Point of Diversion L1(SENE)

S21 T56N R01W

BONNER County

Source GROUND WATER

Use: DOMESTIC

01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 8/31/2018

Place Of Use: DOMESTIC

T56N R01W S21 L1(SENE)

96-9718

CRAIG M ELLISON

NONA L ELLISON

85 CORBETT GLEN

SANDPOINT, ID 83864

Point of Diversion SESE

S26 T58N R02W

BONNER County

Source SAND CREEK

Tributary LAKE PEND OREILLE

Use: IRRIGATION

04/01 to 10/31 0.05 CFS

Total Diversion: 0.05 CFS

Date Filed: 9/10/2018

Place Of Use: IRRIGATION

T58N R02W S26

SWSE SESE

Total Acres: 1.5

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 10/9/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/20/2018 and 9/27/2018

MEMORANDUM

Date: August 29, 2018
To: Water Right File 96-9714
From: smaxey
Re: PRIORITY (8/28/2018) & APPLICATION DATE STAMPS

APPLICATION 96-9714 HAS TWO DIFFERENT DATE STAMPS.

THE FIRST (8/23/2018) DATE STAMP IS FOR THE APPLICATION RECEIVED AT IDWR NORTHERN AND IS UNACCEPTABLE FOR FILING BECAUSE NO MAP WAS INCLUDED.

A NEW PAGE 1 FOR THE APPLICATION, DATE STAMPED 8/28/2018, WAS RECEIVED FROM THE APPLICANT'S REPRESENTATIVE. THIS PAGE 1 CORRECTS THE POINT OF DIVERSION LEGAL DESCRIPTION. THE MAP MISSING FROM THE ORIGINAL APPLICATION WAS ALSO TURNED IN BY THE REPRESENTATIVE ON 8/28/2018. THE REPRESENTATIVE ALSO MADE PEN AND INK CHANGES TO PAGE 2 OF THE ORIGINAL APPLICATION CORRECTING THE PLACE OF USE LEGAL DESCRIPTION ON 8/28/2018.

Maxey, Shaun

From: Maxey, Shaun
Sent: Monday, August 27, 2018 3:47 PM
To: 'Bob Haynes'
Subject: RE: Cheyenna Lynn Whittier Trust Application
Attachments: Whittier APP_20180827140855.pdf; Whittier Map_20180827140422.pdf; Whittier GLO Survey_20180827153006.pdf

Bob:

I got your information on the Hern Application and will review it.

The Cheyenna Lynn Whittier Trust Application for Permit was turned in last week while I was out of the office. This Application came in without any map. Corrections to the Application are also required before we can move on to publication. The Applicant's letter indicates you are authorized to provide information for the Application.

I have attached a map for your customer's use, a copy of the Application we received, and Govt Land Office image of the survey showing the Government Lots in Section 28.

The POD on Line 4 appears to be incorrect. Based on where the waterfront on the map lies the POD appears to be in either Govt Lot 3 (NESE) or Govt Lot 4 (SESE). The POU shown on Line 9 also appears to be incorrect. Govt Lot 4 lies in the SESE of Section 28 not the NWSE.

The Range in the parcel number shown on line 12 should also be changed to a '1' instead of a '4'.

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