

82564

Ident. No. 91-8030

RECEIVED

JUL 27 2018

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

IDWR / NORTH

1. Name of applicant(s) DEBORAH KISHBAUGH Phone 208-777-9373  
 Name connector (check one): ☐ and ☐ or ☐ and/or  
 Mailing address 5161 EAST RIVER PL City POST FALLS  
 State ID ZIP 83854 Email \_\_\_\_\_
2. Name of representative, if any MIKE SEVERTSON Phone 509-280-7568  
 Mailing address 3718 E. FENWAY AVE City POST FALLS  
 State ID ZIP 83814 Email MIKE@ECOLITE.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 ST. JOE RIVER which is a tributary of CDA LAKE
4. Location of point(s) of diversion:

| Twp | Rge | Sec | Govt Lot | 1/4 | 1/4 | 1/4 | County  | Source        | Local name or tag # |
|-----|-----|-----|----------|-----|-----|-----|---------|---------------|---------------------|
| 46N | 02W | 17  | 18       |     |     |     | BENEWAH | ST. JOE RIVER |                     |
|     |     |     | 12       |     | SW  | SE  |         |               |                     |
|     |     |     |          | ONE | 73  | 18  |         |               |                     |

5. Water will be used for the following purposes:
- Amount .0345 for IRRIGATION purposes from 3/15 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) .03 cubic feet per second (cfs) and/or (b) 3 acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. \_\_\_\_\_
- 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 7-27-18 Time \_\_\_\_\_ Preliminary check by \_\_\_\_\_  
 Fee \$ 100.00 Received by ja Receipt No. N033624 Date 7-27-18

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 |        |
| 46N | 02W | 17  |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 0.9   |    | 0.9    |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 62.12 |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |    |        |

Total number of acres to be irrigated: 0.9

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? (COTTONWOOD POINT WATER ASSN. 91-7080) NARRATIVE
11. a. Who owns the property at the point of diversion? ~~DEBORAH C. KISHBAUGH~~ CADA TRIBE  
b. Who owns the land to be irrigated or place of use? D. KISHBAUGH  
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. COTTONWOOD POINT CANNOT BE USED FOR WATERING YARD. MINIMUM STREAM FLOW WATER RIGHT 91-7122 LOT 18 OF COTTONWOOD PT SUBDIVISION. HAVE DOCK ENCROACHMENT WILL PERSUE WATER ENCROACHMENT
13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year). OK 7/31/18
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.

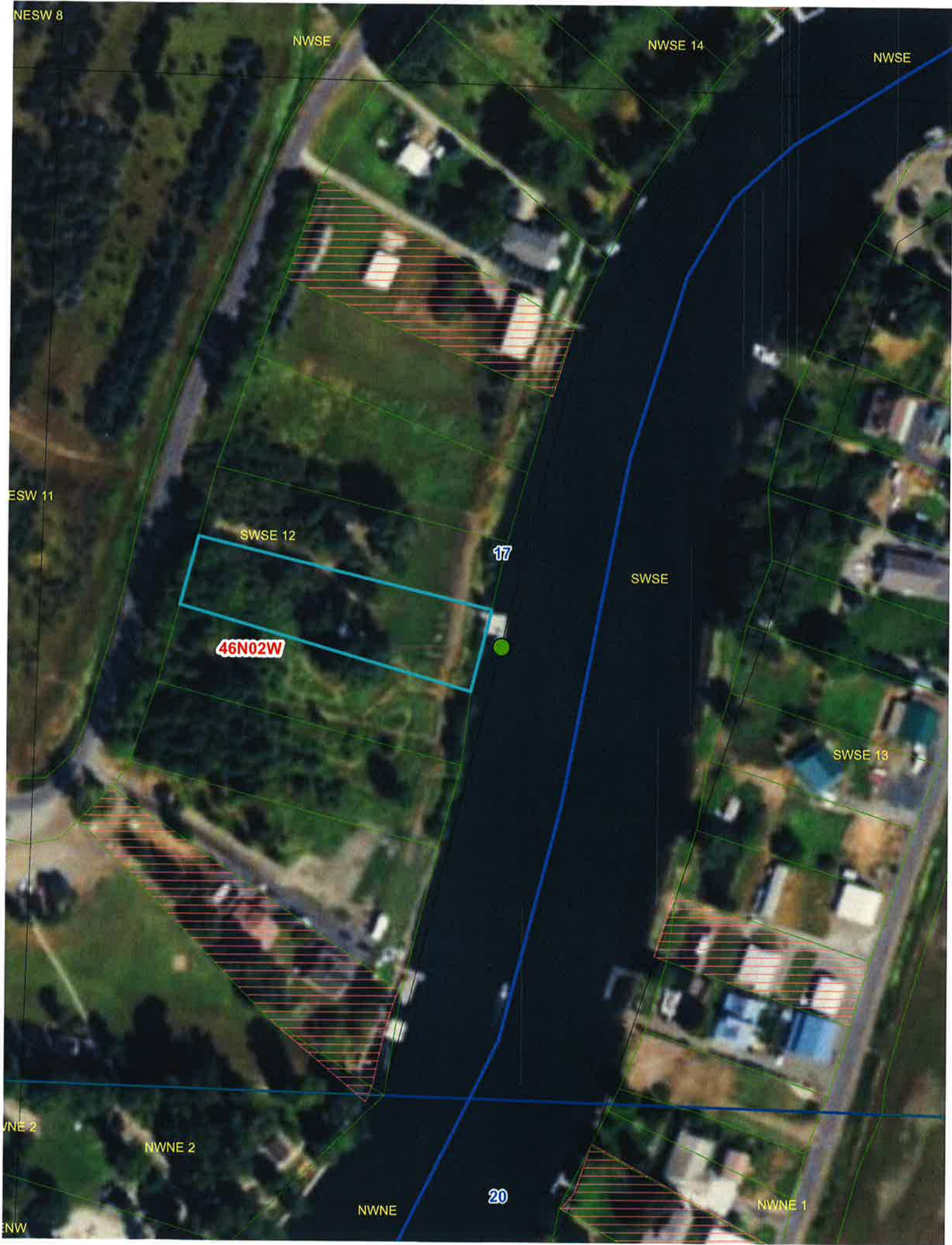
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

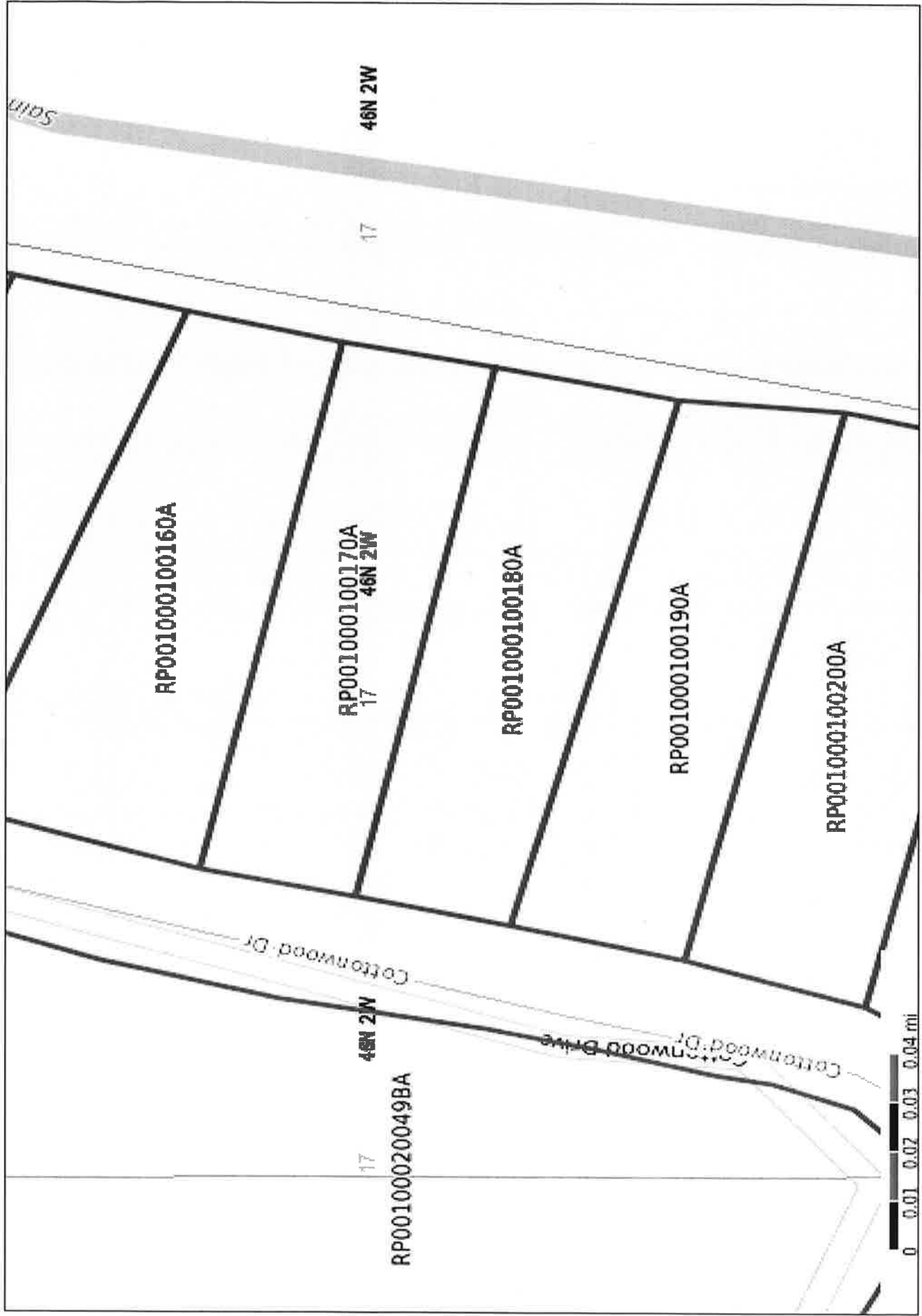
Signature of Applicant

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)







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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

August 9, 2018

DEBORAH KISHBAUGH  
5161 E RIVER PL  
POST FALLS, ID 83854

Application For Permit No. 91-8030

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 ST MARIES GAZETTE RECORD on 8/15/2018 and 8/22/2018. 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,

A handwritten signature in blue ink that reads 'Tammy Alleman'.

Tammy Alleman  
Administrative Assistant

CC:

MIKE SEVERTSON  
3718 E FENWAY AVE  
POST FALLS, ID 83814

## Alleman, Tammy

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**From:** Alleman, Tammy  
**Sent:** Thursday, August 09, 2018 2:40 PM  
**To:** 'bri@smgazette.com'  
**Subject:** Legal Notice for 91-8029, 91-8030, & 91-8301  
**Attachments:** 91-8029, 91-8030, 91-8031 Legal Notice.doc

Please publish the enclosed legal notice in the **St. Maries Gazette Record** on the dates indicated August 15<sup>th</sup> & August 22<sup>nd</sup> (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 9/4/2018. 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](mailto:Tammy.Alleman@idwr.idaho.gov)  
208-762-2800 Phone  
208-762-2819 Fax*

The following applications have been filed to appropriate the public waters of the State of Idaho:

**91-8029**

JIM LYON  
LISA LYON  
2207 E LOCH HAVEN DR  
HAYDEN, ID 83835  
Point of Diversion L12 (NESE)  
S16 T46N R01W  
BENEWAH County  
Source ST JOE RIVER  
Tributary COEUR D ALENE LAKE  
Use: DOMESTIC  
03/15 to 10/31 0.04 CFS  
Total Diversion: 0.04 CFS  
Date Filed: 7/30/2018  
Place Of Use: DOMESTIC  
T46N R01W S16 L12 (NESE)

**91-8030**

DEBORAH KISHBAUGH  
5161 E RIVER PL  
POST FALLS, ID 83854  
Point of Diversion L12 (SWSE)  
S17 T46N R02W  
BENEWAH County  
Source ST JOE RIVER  
Tributary COEUR D ALENE LAKE  
Use: IRRIGATION  
03/15 to 10/31 0.03 CFS  
Total Diversion: 0.03 CFS  
Date Filed: 7/31/2018  
Place Of Use: IRRIGATION  
T46N R02W S17 L12 (SWSE)  
Total Acres: 0.9

**91-8031**

P LANCE WAREHIME  
16 GRANDVIEW DR  
SAINT MARIES, ID 83861  
Point of Diversion NWNW  
S16 T46N R02W  
BENEWAH County  
Source GROUND WATER  
Use: DOMESTIC  
01/01 to 12/31 0.04 CFS  
Total Diversion: 0.04 CFS  
Date Filed: 7/31/2018  
Place Of Use: DOMESTIC  
T46N R02W S16 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 9/4/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/15/2018 and 8/22/2018

## Alleman, Tammy

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**From:** Alleman, Tammy  
**Sent:** Thursday, August 09, 2018 2:50 PM  
**To:** 'Mike Ahmer'; June.Bergquist@deq.idaho.gov; 'Anna.Moody@deq.idaho.gov'; 'Siitari,Kiira'; Clark, Cynthia Bridge; Skoro, Emily  
**Subject:** Application for Permit 91-8030  
**Attachments:** 91-8030 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 a copy 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 September 4, 2018.**

Please contact the Northern Region Office at (208) 772-2800 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](mailto:Tammy.Alleman@idwr.idaho.gov)  
208-762-2800 Phone  
208-762-2819 Fax*