

JUL 23 2018

IDWR / NORTH

82548

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 96-9709

1. Name of applicant(s) Darrell McKenna Phone 832-212-1930
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address P.O. Box 21 City Laclede
 State ID ZIP 83841 Email d1mckenn@yahoo.com
2. Name of representative, if any Martin E. Taylor, AICP, Project Planner c/o Phone 208-263-4160
 Mailing address Sewell & Associates, LLC 1319 N. Division Ave. City Sandpoint
 State ID ZIP 83864 Email mtaylor@jasewell.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 Pend Oreille River which is a tributary of Lake Pend Oreille
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
56N	3W	20	3	NE	NE	SE	Bonner	Pend Oreille River	N/A

5. Water will be used for the following purposes:
- Amount 0.32 cfs 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) 0.32 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. A 6" dia. slotted well case, 6" dia. well case with pump and 1.25" dia. galvanized pipe will be connected to a dock supplying an upland pressure tank.
- b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A 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 N/A 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 N/A;
 well was drilled for (well owner) N/A; Drilling Permit No. N/A

For Department Use

Received by Ja Date 7-23-18 Time _____ Preliminary check by _____
 Fee \$ 250⁰⁰ Receipted by Ja Receipt No. N033608 Date 7-23-18

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. N/A
 - Stockwatering; list number and kind of livestock. N/A
 - Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
 - Domestic; show number of households N/A
 - Other; describe fully. N/A

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	3W	20													11	1			±12

Total number of acres to be irrigated: ±12

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? N/A
11. a. Who owns the property at the point of diversion? Applicant (Darrell McKenna)
b. Who owns the land to be irrigated or place of use? Applicant (Darrell McKenna)
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. The applicant is requesting to appropriate Lake Pend Oreille River water for irrigating ±12 acres of adjacent pasture. The property is known as Bonner County Assessor's Parcel RP56N03W207352A. The site is located at 349 Cobblestone Drive. The parcel is described in Warranty Deed 808228, Bonner County records.
13. Time required for completion of works and application of water to proposed beneficial use is 5 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.

SEE ATTACHED

Signature of Applicant

Darrell McKenna

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. N/A
 - Stockwatering; list number and kind of livestock. N/A
 - Municipal; must complete and attach the Municipal Water Right Application Checklist.
 - Domestic; show number of households N/A
 - Other; describe fully. N/A
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.

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Signature of Applicant

Darrell McKenna

Print Name (and title, if applicable)

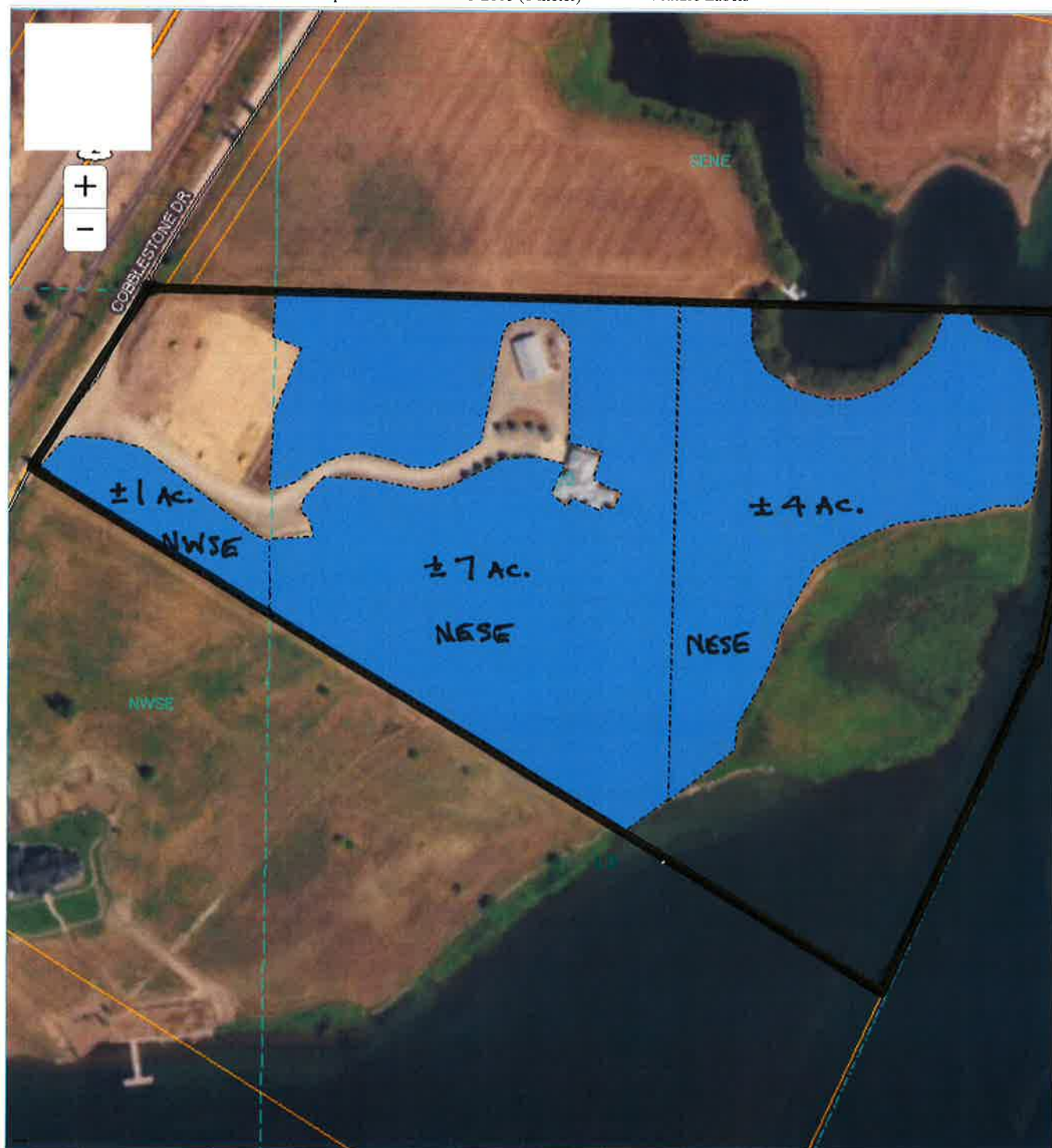
Signature of Applicant

Print Name (and title, if applicable)

Clear Graphics

NAIP 2015 (1 meter)

Feature Labels



ASSESSOR'S PARCEL 56N03W207352A

WARRANTY DEED 808228

BONNER COUNTY

Bonner County Map
Public Map Viewer

Clear Graphics

NAIP 2015 (1 meter)

Feature Labels



SECTION 20
TOWNSHIP 56 NORTH
RANGE 3 WEST

Clear Graphics NAIP 2017 (1 meter) Feature Labels



Tax Roll Parcels (1 of 2)

Pin: RP56N03W207352A
Neighborhood: 3206
LRSN: 28349
Owner1: MC KENNA, DARRELL
Property Address: 349 COBBLESTONE DR
Community: Priest River
House Type: 11 One Story
Description: 131-Land-ag/timb w/resid Imp
Acreage: 20.63
Legal Desc: 20-56N-3W TAX 16
Tax Code Area: 0070000
Value: \$825557
Available Deeds:
[808228 WD](#)
[684194 OC](#)
[605951 WD](#)
[605950 WD](#)
[602784 TD](#)

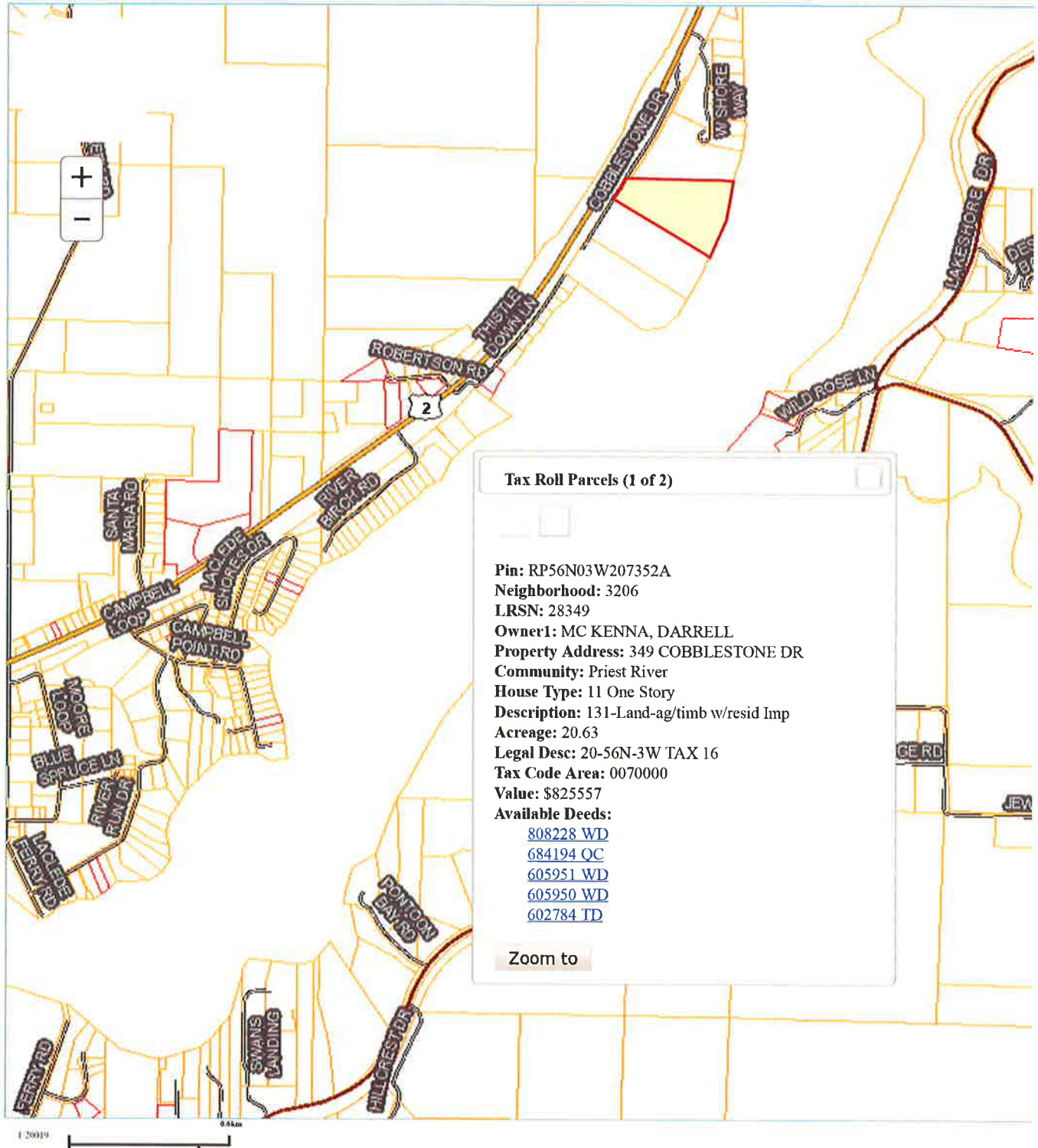
Zoom to

Bonner County Map
Public Map Viewer

Clear Graphics

None

Feature Labels



JAMES A. SEWELL & ASSOC., LLC
1319 N. Division Ave.
Sandpoint, ID 83864
(208) 263-4160

LETTER OF TRANSMITTAL

TO: Idaho Dept of Water Resources
Address: 7600 N. Mineral Dr., Suite 100
Coeur d'Alene, ID 83815-7763

Date: 7/20/18

Job No:
13258-16-001

Attention:

WE ARE SENDING YOU:

- X Attached ☐ Under separate cover via ☐ the following items:
☐ Shop Drawings ☐ Prints ☐ Drawings ☐ Samples
☐ Copy of App. ☐ Change Order ☐ Specifications ☐

Copies	Date	No.	Description
1	6/22/18		Water rights application

THESE ARE TRANSMITTED AS CHECKED BELOW:

- X For approval ☐ Approved as submitted ☐ Resubmit copies for approval
☐ For your signature ☐ Approved as noted ☐ Submit copies for distribution
☐ For your response ☐ Returned for correction ☐ Return corrected prints
☐ For review ☐ For bids due ☐ Prints returned after loan to us

REMARKS:

Please see attached application.
Thank you for your assistance.

COPY TO: File

SIGNED: Martin E. Taylor, AICP
Certified Land Use Planner

MEMORANDUM

To: Water Right Application for Darrell McKenna

From: Adam Frederick AF

Date: 7/24/2018

Re: Application for a Permit to Appropriate Water within the State of Idaho.

A complete application for permit was received on 7/23/2018 in the name of Darrell McKenna. The applicant had requested a diversion rate of 0.32 cfs for the irrigation of 12 acres. A phone call was placed to the applicant's representative, Martin Taylor on 7/24/2018 to discuss the diversion rate. Mr. Taylor was unaware of our standard rate of 0.02 cfs per acre and stated there was no reason for the larger diversion rate. He said it was ok to proceed with advertising the application with our standard rate of 0.02 cfs per acre or a total of 0.24 cfs. The application will be advertised with a diversion rate of 0.24 cfs.



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

August 9, 2018

DARRELL MC KENNA
PO BOX 21
LACLEDE, ID 83841

Application For Permit No. 96-9709

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 PRIEST RIVER TIMES 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,

Tammy Alleman
Administrative Assistant

CC:

JAMES A SEWELL & ASSOC
ATTN MARTIN TAYLOR
1319 N DIVISION AVE
SANDPOINT, ID 83864

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

96-9709

DARRELL MC KENNA

PO BOX 21

LACLEDE, ID 83841

Point of Diversion L3(NESE)

S20 T56N R03W

BONNER County

Source PEND OREILLE RIVER

Tributary COLUMBIA RIVER

Use: IRRIGATION

04/01 to 10/31 0.24 CFS

Total Diversion: 0.24 CFS

Date Filed: 7/23/2018

Place Of Use: IRRIGATION

T56N R03W S20 L3 (NESE) NWSE

Total Acres: 12

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

From: Alleman, Tammy
Sent: Thursday, August 09, 2018 10:07 AM
To: 'PRTIMES@PRIESTRIVERTIMES.COM'
Cc: bcdblegals@cdapress.com; 'LEGALS@CDAPRESS.COM'
Subject: Legal Notice for 96-9709
Attachments: 96-9709 Legal Notice.doc

Please publish the enclosed legal notice in the Priest River Times on the dates indicated August 15th & August 22nd (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
208-762-2800 Phone
208-762-2819 Fax*

Frederick, Adam

From: Frederick, Adam
Sent: Wednesday, July 25, 2018 12:18 PM
To: 'Darrell McKenna'
Subject: RE: McKenna App

Thank you, nothing else is needed at this time.

From: Darrell McKenna [mailto:dlmckenn@yahoo.com]
Sent: Wednesday, July 25, 2018 12:13 PM
To: Marty Taylor <mtaylor@jasewell.com>
Cc: Frederick, Adam <Adam.Frederick@idwr.idaho.gov>
Subject: Re: McKenna App

Adam I confirm that .24 CFS is sufficient and that is the basis of my application.

Please let me know what else we might need to progress application.

Darrell McKenna
832 212 1930
dlmckenn@yahoo.com

On Jul 25, 2018, at 12:07 PM, Marty Taylor <mtaylor@jasewell.com> wrote:

Darrell:

The plan is to appropriate 0.24 cfs for your irrigation needs.

I need you to e-mail Adam and the IDWR and confirm that this is the plan.

This is the same amount of water that I had approved for Tom McGarragh, for example, which is what you wanted, too.

Thanks.

Marty

Martin E. Taylor, AICP
Member – *American Institute of Certified Planners*
Land Use Planning, Design and Permit Services
Wetland Delineations
Project Management

<image001.jpg>
1319 North Division Avenue
Sandpoint, Idaho 83864
Office and Fax: (208) 263-4160
Cell: (208) 610-0465
www.jasewell.com

From: Frederick, Adam <Adam.Frederick@idwr.idaho.gov>
Sent: Wednesday, July 25, 2018 12:02 PM

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, August 09, 2018 1:14 PM
To: 'mschanilec@idl.idaho.gov'; June.Bergquist@deq.idaho.gov; 'Siitari,Kiira'; Clark, Cynthia Bridge; Skoro, Emily; 'Mike Ahmer'
Cc: 'Anna.Moody@deq.idaho.gov'
Subject: Application for Permit for 96-9709
Attachments: 96-9709 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
208-762-2800 Phone
208-762-2819 Fax*