

93-767-82512

93-767-80705

Ident. No.

RECEIVED

JUN 27 2018

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) Boroff Marc & Erin Phone 937-212-5814
 Mailing address 200 ROSEMONT LN City TEASED
 State ID ZIP 83870 Email boroffio@gmail.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 N/A
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
44N	04W	27		NW	NW	NE	Benewah	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) 0.06 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. Developed SPRING with water line to 1000 GAL STORAGE TANK, 1 NEW HOME and livestock watering facilities
- 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 6-27-18 Time _____ Preliminary check by _____
 Fee \$ 100.00 Receipt by Ja Receipt No. N033545 Date 6-27-18

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. 10 head mixed stock
 - Municipal; must complete and attach the Municipal Water Right Application Checklist.
 - Domestic; show number of households 1
 - 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	
44N	04W	27		D		D													
44N	04W	27		S		S													

Total number of acres to be irrigated: _____

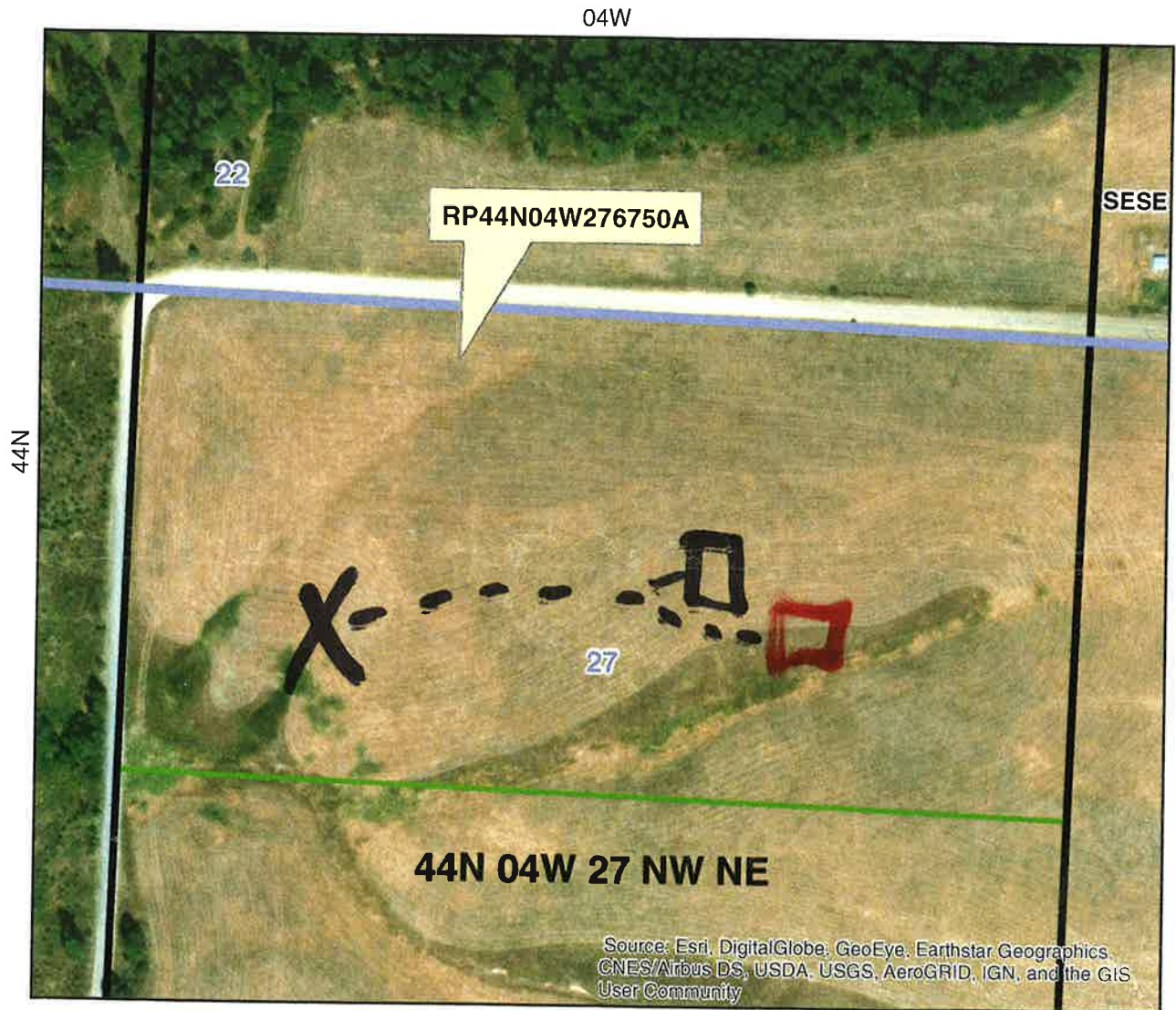
10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? _____
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. Develop spring with water line to 1100 gal tank, then to new home/shop and livestock watering facilities.
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.

Marc Boroff
 Signature of Applicant
Marc Boroff
 Print Name (and title, if applicable)

Erin Boroff
 Signature of Applicant
Erin Boroff
 Print Name (and title, if applicable)

State of Idaho
Department of Water Resources
Application For Permit
93-XXXXX



PLS Sections
Taxlots

Stockwater
Dam site
X - Spring
--- Water line

0 0.03 0.06 0.12 Miles



Tax parcel information provided by Benewah County.

RECEIVED

FORM 202, Rev. 09/16

JUN 07 2018

IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESIdent. No. 180705AFY

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Boroff Marc & Erin Phone 937-212-5814
 Name connector (check one): ☒ and ☐ or ☐ and/or
 Mailing address _____ City _____
 State _____ ZIP _____ Email boroffio@gmail.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 ground water/spring which is a tributary of N/A
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
<u>44N</u>	<u>04W</u>	<u>27</u>		<u>SW</u>			<u>Beneviah</u>	<u>Spring</u>	

5. Water will be used for the following purposes:
- Amount .5 for Domestic purposes from 01-01 to 12-31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount .3 for Stockwater 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) .00111400463 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 with water line to 800 gal. storage tank, 1 new home and livestock watering facilities
- 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 _____

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. 10 head mixed stock
 - Municipal; must complete and attach the Municipal Water Right Application Checklist.
 - Domestic; show number of households 1
 - 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	
<u>44N</u>	<u>04W</u>	<u>27</u>				<u>D</u>													
<u>44N</u>	<u>04W</u>	<u>27</u>				<u>S</u>													

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? _____
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. _____
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.

Marc Boroff
 Signature of Applicant
Marc Boroff
 Print Name (and title, if applicable)

Erin A. Boroff
 Signature of Applicant
Erin Boroff
 Print Name (and title, if applicable)

State of Idaho
Department of Water Resources
Application For Permit
93-XXXXX

04W



- PLS Sections
- Taxlots

- stock water
 - domestic
 - SPRING
--- Water line

0 0.03 0.06 0.12 Miles



Tax parcel information provided by Benewah County.



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

July 24, 2018

MARC BOROFF
ERIN BOROFF
200 ROSEMONT LN
TENSED, ID 83870

Application For Permit No. 93-7679

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 ST MARIES GAZETTE RECORD on 8/1/2018 and 8/8/2018. 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, July 24, 2018 12:57 PM
To: 'bri@smgazette.com'
Subject: Legal Notice for 91-8026, 91-8028, 93-7679, & 95-17594 Applications for Water Permit
Attachments: 91-8026, 91-8028, 93-7679, 95-17594 Legal Notice.doc

Please publish the enclosed legal notice in the **St. Maries Gazette Record** on the dates indicated August 1st & August 8th (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 8/20/2018. 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:

91-8026

JEFFREY C SHIPPY
95 FERGUSON ST
ST MARIES, ID 83861
Point of Diversion L1(NENE)
S18 T46N R01W
BENEWAH County
Source ST JOE RIVER
Tributary COEUR D ALENE LAKE
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.06 CFS
Date Filed: 6/27/2018
Place Of Use: DOMESTIC
T46N R01W S18 L1(NENE)
Place Of Use: STOCKWATER
T46N R01W S18 L1(NENE)

91-8028

DAVID L VALLIANT
CAROL VALLIANT
303 SILCOTT ST
LEWISTON, ID 83501
Point of Diversion L4(NWSW)
S14 T46N R01W
BENEWAH County
Source ST JOE RIVER
Tributary COEUR D ALENE LAKE
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
03/15 to 10/31 0.02 CFS
Total Diversion: 0.04 CFS
Date Filed: 7/20/2018
Place Of Use: DOMESTIC
T46N R01W S14 L4(NWSW)
Place Of Use: IRRIGATION
T46N R01W S14
L4(NWSW) L4(SWSW)
Total Acres: 0.8

93-7679

MARC BOROFF
ERIN BOROFF
200 ROSEMONT LN
TENSED, ID 83870
Point of Diversion NWNWNE
S27 T44N R04W
BENEWAH 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: 0.06 CFS
Date Filed: 6/27/2018
Place Of Use: DOMESTIC
T44N R04W S27 NWNE
Place Of Use: STOCKWATER
T44N R04W S27 NWNE

95-17594

LORRIE K ARMSTRONG

KEN E COOPER

1312 WADDELL RD

ST MARIES, ID 83861

Point of Diversion SESW

S3 T45N R03W

BENEWAH County

Source UNNAMED STREAM

Tributary BENEWAH CREEK

Use: IRRIGATION FROM STORAGE

03/15 to 11/15 1.5 AF

Use: IRRIGATION STORAGE

01/01 to 12/31 10.2 AF

Use: RECREATION STORAGE

01/01 to 12/31 8.7 AF

Use: STOCKWATER FROM STORAGE

01/01 to 12/31 0.6 AF

Use: STOCKWATER STORAGE

01/01 to 12/31 10.8 AF

Use: WILDLIFE STORAGE

01/01 to 12/31 8.7 AF

Total Diversion: 10.8 AF

Date Filed: 7/20/2018

Place Of Use: RECREATION STORAGE

T45N R03W S3 SESW

Place Of Use: WILDLIFE STORAGE

T45N R03W S3 SESW

Place Of Use: STOCKWATER STORAGE

T45N R03W S3 SESW

Place Of Use: IRRIGATION STORAGE

T45N R03W S3 SESW

Place Of Use: IRRIGATION FROM STORAGE

T45N R03W S3 SESW

Place Of Use: STOCKWATER FROM STORAGE

T45N R03W S3 SESW

Total Acres: 0.5

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 8/20/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/1/2018 and 8/8/2018

Maxey, Shaun

From: boroff10 <boroff10@gmail.com>
Sent: Tuesday, July 17, 2018 12:19 PM
To: Maxey, Shaun
Subject: Re: Corrections (Spring & Place of Use) Boroff Water Right Application For Permit

Hello Mr. Maxey,

We approve of changing the tributary to 'Sinks' and using the legal description in the column that matches the map

Thank you for your help,
Marc & Erin Boroff

Sent from my Galaxy Tab® A

----- Original message -----

From: "Maxey, Shaun" <Shaun.Maxey@idwr.idaho.gov>
Date: 7/12/18 12:27 PM (GMT-08:00)
To: boroff10@gmail.com
Cc: 9372125814@vtext.com
Subject: Corrections (Spring & Place of Use) Boroff Water Right Application For Permit

Mr. Boroff or Ms. Boroff:

Please e-mail me or telephone as soon as possible at (208) 762.2816 about two minor corrections to your revised Application For Permit . You mailed in the revised Application to Idaho Department of Water Resources (IDWR).

The revised Application reads 'N/A' on Line # 3 for 'Tributary'. I believe based on our previous phone conversation that it should read 'Sinks'.

Line 9, on the second page of the Application, shows Domestic (D) & Stockwater (S) use in two columns. Only one of the columns matches the color Place O Use map that you labeled.

I need to know if you approve of changing the tributary to 'Sinks' and using the legal description in the column that matches the map.

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

M E M O R A N D U M

Date: July 12, 2018
To: Water Right File 93-7679
From: smaxey
Re: APPLICATION CORRECTION TRIBUTARY & PLACE OF USE LEGAL DESCRIPTION

ORIGINAL APPLICATION FOR PERMIT RECEIVED AT IDWR NORTHERN (6/07/2018) AND WAS DETERMINED TO BE UNACCEPTABLE FOR FILING.

A NEW APPLICATION WAS SUBMITTED BY THE APPLICANTS (RECEIVED 6/27/2018) WITH CORRECT CFS AMOUNTS AND INDICATING A SINGLE SOURCE (SPRING) BUT THE TRIBUTARY REMAINED AS 'N/A' THE NEW APPLICATION ALSO HAS TWO COLUMNS FILLED OUT ON PAGE 2 OF THE APPLICATION FOR THE DOMESTIC AND STOCKWATER PLACES OF USE (POU). ONLY ONE OF THE COLUMNS MATCHES THE APPLICATION MAP.

IDWR HAS CONFIRMED APPLICANT'S OWNERSHIP OF THE POU PROPERTY, SHOWN IN THE APPLICATION MAP, BY USING THE BENEWAH COUNTY PARCEL VIEWER AVAILABLE ON THE INTERNET.

TRIBUTARY CHANGED TO 'SINKS' AND PLACE OF USE LEGAL DESCRIPTION CHANGED TO MATCH APPLICATION MAP IN ACCORDANCE WITH AMENDED APPLICATION PROCESSING MEMO #9. APPLICANTS NOTIFIED VIA VOICEMAIL MESSAGE AND E-MAIL 7/12/2018.

Maxey, Shaun

From: Marc Boroff <mosesmountainservices@gmail.com>
Sent: Thursday, July 12, 2018 2:28 PM
To: Maxey, Shaun
Subject: water rights application correction

We grant permission to correct the incorrect information on my water rights application.

Thank you,
Marc and Erin Boroff

MEMORANDUM

Date: JULY 12, 2018
To: Water Right File 93-7679
From: smaxey
Re: PRIORITY DATE 6/27/2018

<u>DOCUMENT</u>	<u>DATE</u>	<u>ISSUE</u>
ORIGINAL APPLICATION	6-7-2018	INCORRECT AMOUNTS LINES 5 & 6 MULTIPLE SOUCES LINE 3. UNACCEPTABLE FOR FILING.
NEW APPLICATION	6-27-2018	APPLICANT'S NEW APPLICATION RECV'D. NEW APPLICATION HAS CORRECTED CFS AMOUNTS & SINGLE SOURCE. REMAINING ISSUES CAN BE CORRECTED BY IDWR IN ACCORDANCE WITH ADMIN. PROCESSING MEMO # 9.

Maxey, Shaun

From: Maxey, Shaun
Sent: Thursday, July 12, 2018 12:28 PM
To: 'boroff10@gmail.com'
Cc: '9372125814@vtext.com'
Subject: Corrections (Spring & Place of Use) Boroff Water Right Application For Permit

Mr. Boroff or Ms. Boroff:

Please e-mail me or telephone as soon as possible at (208) 762.2816 about two minor corrections to your revised Application For Permit . You mailed in the revised Application to Idaho Department of Water Resources (IDWR).

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Line 9, on the second page of the Application, shows Domestic (D) & Stockwater (S) use in two columns. Only one of the columns matches the color Place O Use map that you labeled.

I need to know if you approve of changing the tributary to 'Sinks' and using the legal description in the column that matches the map.

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
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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 8, 2018

****Time Sensitive July 16, 2018 Response Required****

Marc Boroff or Erin Boroff
200 Rosemont LN
Tensed, ID 83870

Re: Application for Permit (Parcel RP44N04W276750A) Rule 35 Application Requirements

Dear Applicants:

Idaho Department of Water Resources (IDWR) received your Application for Permit, at our Northern Region office, on June 7, 2018 to divert water from a spring on a Benewah County tax parcel. **No Priority Date has been set by IDWR receipt of the incomplete application.** The Application is incomplete and unacceptable for filing because the Application has no fee, the mailing address is missing, and the map does not have Township, Range and Section information that agrees with line 4 and Line 9 of the Application. A copy of the Application is enclosed.

Please telephone me at (208) 762.2816 for assistance to correct and complete your Application and complete the following steps:

- Complete mailing address Line 1.
- Correct Line 3 to read 'Spring' only.
- Correct Line 4 'Point Of Diversion' legal description.
- Correct Line 5 & 6 'Amount' for 'Domestic', 'Stockwater,' & 'Total' use.
- Correct Line 9 legal descriptions to match attached map,
- Describe why Application for Water Right is being made on Line 12.

Please telephone me about your Application. Your **completed Application must be received at the IDWR Northern Region office no later than July 16, 2018.** IDWR will take steps to terminate your Application, if no response is received, in accordance with Idaho Code § 42-204.

Respectfully,

Shaun M. Maxey
Sr. Water Resource Agent
Idaho Department of Water Resources, Northern Region

Enclosure: Copy of Unacceptable for filing Application