

RECEIVED

FORM 2021 Rev. 09/16

JUN 27 2018

IDWR / NORTH

82480

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Ident. No.

95-17584

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) JOHN R BRIGGS Phone 208-659-3226
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 5523 E BURMA RD City HARRISON
 State ID _____ ZIP 83833 Email J4BRIGGS@MSN.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 UNNAMED STREAM / SPRING which is a tributary of COEUR D ALENE 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 #
49N	03W	17			SE	NE	KOOTENAI	UNNAMED STREAM	
49N	03W	17		SE	SE	NE	KOOTENAI	SPRING	

5. Water will be used for the following purposes:
- Amount 0.07 CFS for DIVERSION TO STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 4.1 AF for FIRE PROTECTION STRG purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 4.1 AF for RECREATION STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 4.1 AF for WILDLIFE STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.07 cubic feet per second (cfs) and/or (b) 4.1 acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. APPLICANT PLANS TO EXCAVATE POND ON UNNAMED STREAM AND SUPPLEMENT WATER FROM SPRING WHEN STREAM GOES DRY
- b. Height of storage dam 5 feet; active reservoir capacity 2.8 acre-feet; total reservoir capacity 2.8 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 \$ 125.00 Received by Ja Receipt No. N033543 Date 6-27-18

100.00 Permit
 25.00 Adjudication

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. RECREATION STORAGE IS FOR SWIMMING AND FISHING

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	
49N	03W	17				F/R													
						W													

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. APPLICANT PLANS TO EXCAVATE POND WITH MINOR DAM FOR STORAGE OF WATER FOR FIRE PROTECTION, WILDLIFE, AND RECREATION PURPOSES. APPLICANT WILL SUPPLEMENT WATER TO POND FROM SPRING WHEN STREAM GOES DRY.
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.

John R Briggs
 Signature of Applicant
JOHN R BRIGGS
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)

Total Storage Calculations

FILE NUMBER	New App
REVIEWER	Adam Frederick
DATE	6/27/2018

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total seepage, evaporation and fill capacity required for a pond.

User Input
Calculated value
Formula Explanations

Surface Area (AC.)	0.5	"Surface Area" is automatically carried over from the "Seepage Loss" sheet.
Average Pond Depth (FT.)	5.6	"Average Pond Depth" depicts the actual depth of the pond either measured or estimated. Note: If you know the maximum depth and not the average depth, the Field Examiner's Handbook suggests multiplying the maximum depth by 0.4 to get the average depth, or you can use any method that seems reasonable to attain average depth.
Pond Capacity (AF)	2.8	Pond Capacity is calculated by multiplying the Pond Surface Area by the Average Pond Depth. If you know the capacity, divide the capacity by surface area and enter the average pond depth in the space above. Note: If pond capacity is determined using a method shown on the "Pond Capacity" sheet, the user may need to modify the value of "Pond Capacity" (cell B9) manually. Note that if the value is modified manually, the formula will be altered for future use.
Multiple Fill Volume Above Initial Fill to Fulfill From Storage Needs- "Multiple Fills" (AF)	0	The "Multiple Fill Volume Above Initial Fill" is the acre-feet of water required to meet a <i>from storage</i> component if the <i>from storage</i> component exceeds a one time fill. This section should not include the amount of water needed to fill the pond initially or the amount of water needed to maintain the pond level due to evaporation or seepage. For example: if a pond has a capacity of 5 acre feet and 2.5 acre feet of seepage and evaporation, but the pond is used for irrigation that requires 10 acre feet of from storage for the irrigation use, then you would insert 5 acre feet into this location (10 acre feet needed - 5 acre feet from the initial fill = 5 acre feet of additional storage needed). Note: You must have a "From Storage" component exceeding the initial fill on the permit to include a volume in this space.
Estimated Seepage Loss (AF)	0.5	The "Estimated Seepage Loss" is automatically carried over from the "Seepage Loss" sheet.
Estimated Evaporation Loss (AF)	0.7	The "Estimated Evaporation Loss" is automatically carried over from the "Evaporation Loss" sheet.
Total Volume Required (AF)	4.1	The "Total Volume Required" is calculated by adding the Pond Capacity, Multiple Fills, Seepage Loss, and Evaporation Loss amounts to determine the total amount of storage required.

Flow Rate into Pond (CFS)	0.07	The "Flow Rate into Pond" depicts the actual flow, either measured or estimated, into the pond. For offstream facilities, this will be equivalent to "diversion to storage" rate.
Highest Daily Evaporation Rate From Evaporation Tab. (mm/Day)	3.84	This number is carried over from the "Evaporation Loss" sheet. It is the highest recorded number in the "Precipitation Deficit Table".
Required Daily Maintenance Volume (AF/Day)	0.01	"Required Daily Maintenance Volume" is the maximum volume of water needed on any given day during the year to maintain pond volume. It is calculated by adding the highest daily evaporation loss to the average daily seepage loss in acre feet. The average daily seepage loss is calculated by dividing the "Estimated Seepage Loss" by 365 days. This is acceptable, since the seepage rate shouldn't vary throughout the season unless the pond completely freezes over during the winter months. The highest daily evaporation loss is calculated by dividing the Highest Daily Evaporation Rate by the 304.8 conversion factor and multiplying this number by the pond surface area to attain a combined daily acre feet requirement.
Minimum Maintenance Flow (CFS)	0.00	The "Minimum Maintenance Flow" is the minimum amount of flow required to maintain the level of the pond. This number is determined by dividing the "Maximum Required Daily Maintenance Volume" by 1.9835. This flow can be used to determine if the flow rate into the pond is adequate to maintain the pond level.
Days Required to Fill the Pond	21	The "Days Required to Fill the Pond" is calculated by dividing the "Pond Capacity" by the "Flow Rate" minus "Minimum Maintenance Flow" multiplied by 1.9835. This section will assist you in determining if the flow rate being diverted to the pond is adequate to fill the pond while maintaining the pond level. The length of time to fill the pond will help determine if the flow rate is adequate for the size of pond being proposed. If this number is approximately 6 months (180 days) or more, the reviewer should have a discussion with the applicant to make sure he/she understands that it will take a significant length of time to fill the pond.
Days Required to Fill the Pond at 13,000 Gallons per Day	87	Some water users may want to fill a pond under the 13,000 gallons per day domestic exemption. The "Days Required to Fill the Pond at 13,000 Gallons per Day" is calculated by converting the "Pond Capacity" and the "Required Daily Maintenance Volume" to gallons. The "Pond Capacity" is then divided by 13,000 gallons minus the "Required Daily Maintenance Volume" in gallons to determine the number of days to fill pond. If this number is approximately 6 months (180 days) or more, the reviewer should have a discussion with the applicant to make sure he/she understands that it will take a significant length of time to fill the pond. Negative values indicate that the supply of 13,000 gallons per day is not enough volume to overcome the required daily maintenance volume; the pond will never fill.

APPLICATION MAP



Legend

-  Taxlots
-  Township/Range
-  Sections
-  QQ

0 0.015 0.03 0.06 Miles





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 11, 2018

JOHN R BRIGGS
5523 E BURMA RD
HARRISON, ID 83833

Application For Permit No. 95-17584

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 COEUR D ALENE PRESS on 7/19/2018 and 7/26/2018. 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: Wednesday, July 11, 2018 2:37 PM
To: 'LEGALS@CDAPRESS.COM'
Subject: Legal Notice
Attachments: 94-9619, 95-17524, 95-17584, 95-17586 Legal Notice.doc

Please publish the enclosed legal notice in the **Coeur d'Alene Press** on the dates indicated July 19th & June 26th (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 8/6/2018. 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 applications have been filed to appropriate the public waters of the State of Idaho:

94-9619

MARSHALL MOULTON
MARY MOULTON
14315 N DENVER CT
SPOKANE, WA 99208
Point of Diversion L8(SENE)
S14 T48N R02W
KOOTENAI County
Source COEUR D ALENE RIVER
Tributary COEUR D ALENE LAKE
Use: DOMESTIC
03/15 to 10/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 7/2/2018
Place Of Use: DOMESTIC

T48N R02W S14
L8(SENE) L9(NESE)

95-17524

LAJUANNA DIXON
DEANN DIXON
JENNIFER CARR
17312 N RIGHT FORK RD
HAUSER, ID 83854-5583
Point of Diversion SENE
S30 T52N R05W
KOOTENAI County
Source RIGHT FORK HAUSER CREEK
Tributary HAUSER CREEK
Use: IRRIGATION
03/15 to 11/15 0.02 CFS
Total Diversion: 0.02 CFS
Date Filed: 5/7/2018
Place Of Use: IRRIGATION

T52N R05W S30 SENE
Total Acres: 0.5

95-17584

JOHN R BRIGGS
5523 E BURMA RD
HARRISON, ID 83833
Point of Diversion SESENE
S17 T49N R03W
KOOTENAI County
Source SPRING
Tributary COEUR D ALENE LAKE
Point of Diversion SENE
S17 T49N R03W
KOOTENAI County
Source UNNAMED STREAM
Tributary COEUR D ALENE LAKE
Use: DIVERSION TO STORAGE
01/01 to 12/31 0.07 CFS
Use: FIRE PROTECTION STORAGE
01/01 to 12/31 4.1 AF
Use: RECREATION STORAGE
01/01 to 12/31 4.1 AF
Use: WILDLIFE STORAGE
01/01 to 12/31 4.1 AF
Total Diversion: 0.07 CFS 4.1 AF
Date Filed: 6/27/2018

Place Of Use: FIRE PROTECTION STORAGE

T49N R03W S17 SENE

Place Of Use: RECREATION STORAGE

T49N R03W S17 SENE

Place Of Use: WILDLIFE STORAGE

T49N R03W S17 SENE

95-17586

PAIGE PLAT WATER ASSOCIATION

C/O BOB BINGHAM

PO BOX 540

ATHOL, ID 83801

Point of Diversion NWNW

S13 T53N R03W

KOOTENAI County

Source GROUND WATER

Use: DOMESTIC

01/01 to 12/31 0.05 CFS

Total Diversion: 0.05 CFS

Date Filed: 7/10/2018

Place Of Use: DOMESTIC

T53N R03W S13 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 8/6/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director Published on 7/19/2018 and 7/26/2018

Alleman, Tammy

From: Alleman, Tammy
Sent: Wednesday, July 11, 2018 2:54 PM
To: 'Siitari,Kiira'; June.Bergquist@deq.idaho.gov
Cc: 'Anna.Moody@deq.idaho.gov'
Subject: Application For Permit 95-17584
Attachments: 95-17584 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 August 6, 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*