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Nov. 09/16

NOV 20 2017

STATE OF IDAHO 82187

Ident. No. 95-17453

SEP 13 2016

DEPARTMENT OF WATER RESOURCES

IDWR / NORTH

APPLICATION FOR PERMIT

IDWR / NORTH

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Dominican Sisters of Idaho, Inc. Phone (208) 773-7598
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 20274 West Riverview Drive City Post Falls
 State Idaho ZIP 83854 Email stdominic.maintenance@stnjpf.com
2. Name of representative, if any St Constance Marie Muscha Phone same as above
 Mailing address same as above City
 State ZIP Email same as above
- 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 sinks SCUM 9/23/17
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
50N	5W	18	1	SW	NW	NW	Kootenai	Spring	Sherwood Spring

5. Water will be used for the following purposes: Domestic SCUM 11/27/17 Irrigation SCUM 2/23/18
 Amount .04 .03 for Domestic purposes from 01-01 to 12-31 (both dates inclusive)
 (cfs or acre-feet per year) Irrigation SCUM 1/23/17 01-01 12-31 SCUM 9/23/17 SCUM 2/23/18
 Amount .03 for Domestic purposes from 03-15 to 11-15 (both dates inclusive)
 (cfs or acre-feet per year) 03-15 11-15 SCUM 11/27/17
 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) .07 cubic feet per second (cfs) and/or (b) .03 acre-feet per year (af) SCUM 2/23/18
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. Existing, developed spring with 2 inch diameter water line to concrete collection box. Water line continues to reservoir (12 x 12 x 10') and yard hydrants.
- 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 IDWR Date 9/13/17 Time 2:00pm Preliminary check by
 Fee \$ 100.00 Received by JA Receipt No. N032930 Date 9/13/17

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households 2 (School Building, Dormitory)
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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	
50N	05W	18						D											
50N	05W	18						.8											.8
								GLL											

Total number of acres to be irrigated: .8

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? 95 - 8793

11. a. Who owns the property at the point of diversion? Dominican Sisters of Idaho, Inc.
- b. Who owns the land to be irrigated or place of use? Dominican Sisters of Idaho, Inc.
- 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. The purpose of this application is to obtain a water right for the existing developed spring on our property. Water right license 95-8793 (Ground water) is used for domestic culinary water on our property in addition to this domestic use.

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.

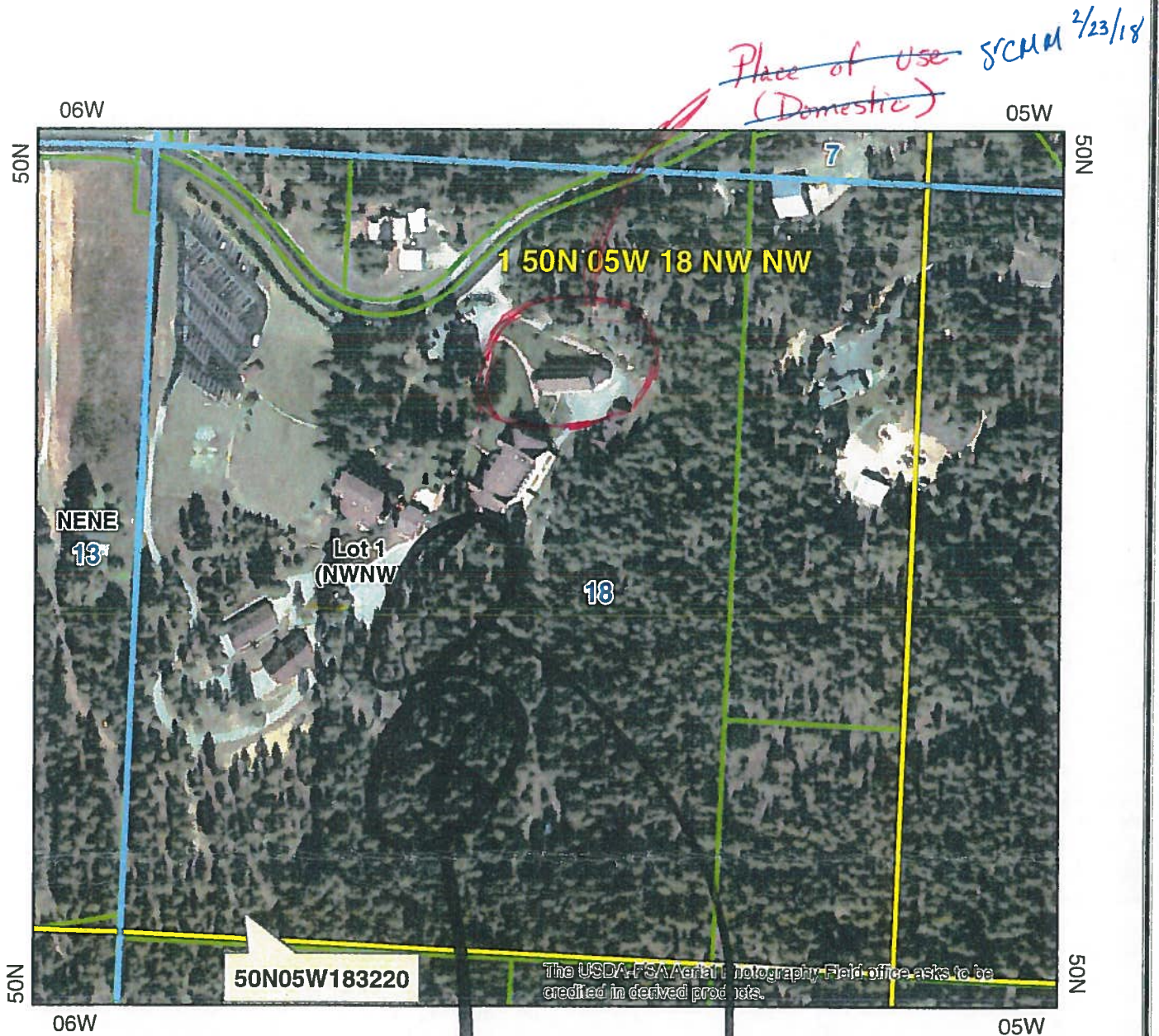
Sr. Mary Paul Caley
Signature of Applicant

Sr. Mary Paul Caley, President
Print Name (and title, if applicable)

Sr. Constance Marie Muscha
Signature of Applicant

Sr. Constance Marie Muscha
Print Name (and title, if applicable)

State of Idaho
Department of Water Resources
Application For Permit
95-XXXXXXX



- PLS Sections
- Taxlots

Tax parcel information provided by Kootenai County.

SPRING

Place of
USE (Irrigation) SCMM



9/23/17



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

March 7, 2018

DOMINICAN SISTERS OF IDAHO, INC.
20274 W RIVERVIEW DR
POST FALLS, ID 83854

Application For Permit No. 95-17453

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 COEUR D ALENE PRESS on 3/15/2018 and 3/22/2018. 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:
CONSTANCE MARIE MUSCHA
DOMINICAN SISTERS OF IDAHO, INC.
20274 W RIVERVIEW DR
POST FALLS, ID 83854

Alleman, Tammy

From: Alleman, Tammy
Sent: Wednesday, March 07, 2018 10:44 AM
To: 'LEGALS@CDAPRESS.COM'
Subject: Application for Permit No. 95-17449, 95-17452, 95-17453, 95-17454, 95-17455, 95-17456
Attachments: Legal Notice for 95-17449, 95-17452, 95-17453, 95-17454, 95-17455, & 95-17456.doc

Please publish the enclosed legal notice in the Coeur d'Alene Press on the dates indicated, March 15th & March 22nd, 2017 (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 4/2/2018. 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:

95-17449

ROY C WATSON
9116 SPRAGUE AVE #356
SPOKANE VALLEY, WA 99206
Point of Diversion SESW
S17 T52N R04W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.12 CFS
Use: IRRIGATION
03/15 to 11/15 0.12 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.2 CFS
Date Filed: 2/27/2018
Place Of Use: DOMESTIC
T52N R04W S17 SWSW SESW
Place Of Use: STOCKWATER
T52N R04W S17 SWSW SESW
Place Of Use: IRRIGATION
T52N R04W S17 SWSW SESW
Total Acres: 4

95-17452

MICHAEL R KOHOUTEK
GLENDA K KOHOUTEK
5122 S SIGNAL PT RD
POST FALLS, ID 83854
Point of Diversion NENWSW
S21 T50N R05W
KOOTENAI County
Source SPRING
Tributary SINKS
Point of Diversion NENWSW
S21 T50N R05W
KOOTENAI 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: 2/28/2018
Place Of Use: DOMESTIC
T50N R05W S21 NWSW
Place Of Use: STOCKWATER
T50N R05W S21 NWSW

95-17453

DOMINICAN SISTERS OF IDAHO, INC.
20274 WEST RIVERVIEW DR.
POST FALLS, ID 83854
Point of Diversion L1 (SWNWNW)
S18 T50N R05W
KOOTENAI County
Source SPRING
Tributary SINKS
Use: IRRIGATION
03/15 to 11/15 0.03 CFS
Total Diversion: 0.03 CFS
Date Filed: 9/13/2017
Place Of Use: IRRIGATION
T50N R05W S18 L1 (NWNW)
Total Acres: 0.8

95-17454

WATERING HOLE WATER ASSN
26035 N HWY 41
RATHDRUM, ID 83858
Point of Diversion NENW
S33 T53N R04W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.13 CFS
Total Diversion: 0.13 CFS
Date Filed: 3/8/2018
Place Of Use: DOMESTIC
T53N R04W S28 SESW
T53N R04W S33 NWNE NENW

95-17455

HAGEN LIVING TRUST
17859 S HWY 97
HARRISON, ID 83833
Point of Diversion L4 (SENE)
S5 T49N R03W
KOOTENAI County
Source COEUR D ALENE LAKE
Tributary SPOKANE RIVER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 3/6/2018
Place Of Use: DOMESTIC
T49N R03W S5 L4 (SENE)

95-17456

HAGEN LIVING TRUST
17859 S HWY 97
HARRISON, ID 83833
Point of Diversion L4 (SENE)
S5 T49N R03W
KOOTENAI County
Source COEUR D ALENE LAKE
Tributary SPOKANE RIVER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 3/6/2018
Place Of Use: DOMESTIC
T49N R03W S5 L4 (SENE)

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 4/2/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/15/2018 and 3/22/2018

Alleman, Tammy

From: Alleman, Tammy
Sent: Wednesday, March 07, 2018 12:58 PM
To: 'Siitari, Kiira'
Subject: Application for Permit #95-17453
Attachments: 95-17453 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 these applications is April 2, 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*

MEMORANDUM

Date: March 02, 2018
To: Water Right File 95-17453
From: smaxey *dm*
Re: PRIORITY DATE 9/13/2017

DOCUMENT	DATE	ISSUES
ADJUDICATION CLAIM NOTICE	05-12-2016	ADDITIONAL EVIDENCE REQUIRED.
ORIGINAL APPLICATION	9-13-2017	DOMESTIC CFS (03 .04 AND .07) MAP NO MATCH FOR USES LINE 5.
AMENDED APPLICATION	11 ~~10~~ -20-2017	MAP NO MATCH FOR USES ON LINE 5. IRRIGATION ONLY LINE 5.
CORRECTED AMENDED APP	03-01-2018	NON STANDARD IRRIG. SEASON. MEMO WILL BE ADDED TO FILE.

MEMORANDUM

Date: March 02, 2018
To: Water Right File 95-17453
From: smaxey *sm*
Re: IRRIGATION SEASON CHANGED TO STANDARD

ORIGINAL APPLICATION FOR PERMIT WAS SUBMITTED TO IDWR AFTER THE APPLICANT RECEIVED AN ADJUDICATION NOTICE. NOTICE STATED IDWR REQUIRES ADDITIONAL EVIDENCE & A FEE IN ORDER TO RECOMMEND CLAIM TO THE COURT.

ORIGINAL APPLICATION FOR PERMIT WAS FOR DOMESTIC USE ONLY.

APPLICANT REVISED APPLICATION FOR PERMIT TO INCLUDE CORRECT STANDARD IRRIGATION SEASON (03/15-11/15) ON 11/27/2017 BUT DID NOT CARRY THIS FORWARD TO FINAL VERSION OF APPLICATION.

IRRIGATION SEASON CHANGED TO STANDARD PERIOD OF USE FOR BASIN 95 IN ACCORDANCE WITH AMENDED APPLICATION PROCESSING MEMO #9.



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 14, 2017

Sister Constance Marie Muscha
Dominican Sisters of Idaho, Inc.
20274 W Riverview DR
Post Falls, ID 83854

Re: Corrections to Application for Permit

Dear Sister Constance Marie:

I have completed initial review of your Application. Two different quantities and two different periods of use are shown for Domestic purposes on the Application. This must be corrected before Idaho Department of Water Resources (IDWR) can prepare legal notices for publication.

Please complete corrections on the attached photocopy of your Application and return it to my attention at IDWR. Each of the changes /corrections must be initialed and dated. Please re-sign and date the Application at the bottom of Page 2. I have enclosed an 'Example-Do Not Return' copy of your Application that may be helpful.

Please telephone me at (208) 762.2816 if you have any questions.

Respectfully,

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

Enclosures

Copy of Application For Permit requiring corrections
'Example-Do Not Return' copy of Application

CONVERSATION MEMO

OV- Office Visit T-Telephone M-Meeting O- Other

TO Right No. 95-17453

FROM Sr. Constance Marie Muscha

☐ OV ☒ T ☐ M ☐ Other _____ DATE 9/5/17 WITH Shaun MAXEY, FDR
Sr. Constance Marie called in with questions concerning
Application Map. She said she will complete Application
and send it in.

☐ OV ☐ T ☐ M ☐ Other _____ DATE _____ WITH _____

☐ OV ☐ T ☐ M ☐ Other _____ DATE _____ WITH _____

☐ OV ☐ T ☐ M ☐ Other _____ DATE _____ WITH _____



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 25, 2017

Sister Constance Marie
Dominican Sisters of Idaho, Inc.
20274 W Riverview DR
Post Falls, ID 83854

Re: Application for Permit

Dear Sister Constance Marie:

Enclosed is an example Idaho Department of Water Resources (IDWR) Application For Permit and map. This is the information I said would be sent to you in response to your 8/24/2017 e-mail.

Please complete the Application for Permit using the enclosed IDWR form after you have reviewed the Example Application and the instructions. Please review the faded map that accompanies the Example Application and mark and label the new map that I have provided. The new labeled map must be attached to your new, completed, Application.

Your completed Application with \$100 filing fee should be sent to the address shown at the top of this letter. Please telephone me at (208) 762.2816 if you have any questions.

Respectfully,

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

Enclosures

Application For Permit Form with attached IDWR map
Instructions for Application For Permit

Maxey, Shaun

From: stdominic.maintenance@stnjpf.com
Sent: Thursday, August 24, 2017 3:56 PM
To: Maxey, Shaun
Subject: permit for St Dominic School
Attachments: water-08242017154713.pdf

Dear Mr. Maxey,

Quite awhile ago now, Mr. John Kinney helped me fill out an application for a permit for a spring we have on our property. He said to e-mail you the form to look over before we sent it in. Would you be able to do this for us and let me know if there is anything missing or needing to be changed? Also, if it is fine , where do I send it in and what is the fee I need to include with it?

Thank you very much for your help in this, Sr. Constance Marie

COPY



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

May 12, 2016

DOMINICAN SISTERS OF IDAHO, INC
20274 W RIVERVIEW DR
POST FALLS, ID 83854

RE: Evidence of priority date for Claim 95-12999

Dear Claimant,

The Department of Water Resources has received your Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) water right claim. We are unable to recommend your adjudication claim at this time for the following reason:

The Notice of Claim to a Water Right identified with the number shown above was submitted for the domestic use of spring water with a claimed priority date of August 25 1910. The evidence provided to support this priority date is insufficient to prove the beneficial use of that water for domestic purposes within the claimed place of use. Tax lot records for the claimed parcel (50N05W183220) indicate that a home was first built on the property in 1972. Furthermore, the description of use in this claim describes the irrigation of $\frac{3}{4}$ acre. This irrigation is in excess of the $\frac{1}{2}$ acre allowable under a deferrable domestic water right claim. If that use began after May 20, 1971, then it is in violation of the mandatory permit statute for surface water. We will move forward with the recommendation of your CSRBA Water Right claim once provided sufficient evidence to verify the beneficial use of this water source for domestic purposes within the claimed place of use beginning on or before the priority date claimed. Also, as the claimed irrigation use is greater than what is allowable under a de minimis domestic claim, an additional \$26.00 filing fee is required. Please submit the required evidence and filing fee within 30 days, referencing all documents with the corresponding claim number.

PLEASE NOTE: IDWR will recommend the Court decree this claim disallowed if no further evidence is submitted. It will be to your advantage to provide clear and convincing evidence.

If you have any questions or concerns, please contact our office and we will be happy to help. I can be reached by phone during business hours at 208-762-2800 or by email at evan.roda@idwr.idaho.gov.

Best Regards,

A handwritten signature in black ink, appearing to read 'Evan W. Roda', is written over a horizontal line.

Evan W. Roda
Senior Water Resource Agent
Northern Region

SCANNED

MAY 12 2016