

RECEIVED
FORM 202 Rev. 09/16
JAN 04 2018

82085

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 95-17436

IDWR / NORTH

1. Name of applicant(s) Scott & Lora Rische Phone (619) 890-7278
Mailing address 2560 Northside Dr Apt. 206 City San Diego
State Ca ZIP 92108 Email scottRische@yahoo.com
Name connector (check one): ☒ and ☐ or ☐ and/or
2. Name of representative, if any Paulette Fabian Phone (208) 755-5907
Mailing address 1000 Northwest Blvd. City Coeur d'Alene
State ID ZIP 83814 Email paulette@windermere.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 Ground Water which is a tributary of _____
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>51N</u>	<u>03W</u>	<u>3</u>	<u>2</u>		<u>NW</u>	<u>NE</u>	<u>Kootenai</u>	<u>Ground Water</u>	

5. Water will be used for the following purposes:
Amount 0.04 for Domestic 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.04 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. Shared Well
on parcel 000-025-A connected to Home
- 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. _____

Received by ja Date 1-4-18 Time _____ Preliminary check by _____
Fee \$ 100.00 Receipted by ja Receipt No. N033102 Date 1-4-18

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 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	
51N	03W	3		D			D												
				642			642												

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?

Application for permit (Hayden Lake) filed for irrigation 1-4-18

- Who owns the property at the point of diversion? Burmeister
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Grant of Waterright And Easement (see attached)

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

Application is being filed because well use is not eligible for an adjudication claim. Storage tank located near well

13. Time required for completion of works and application of water to proposed beneficial use is 1 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.

[Signature]
Signature of Applicant

Print Name (and title, if applicable)

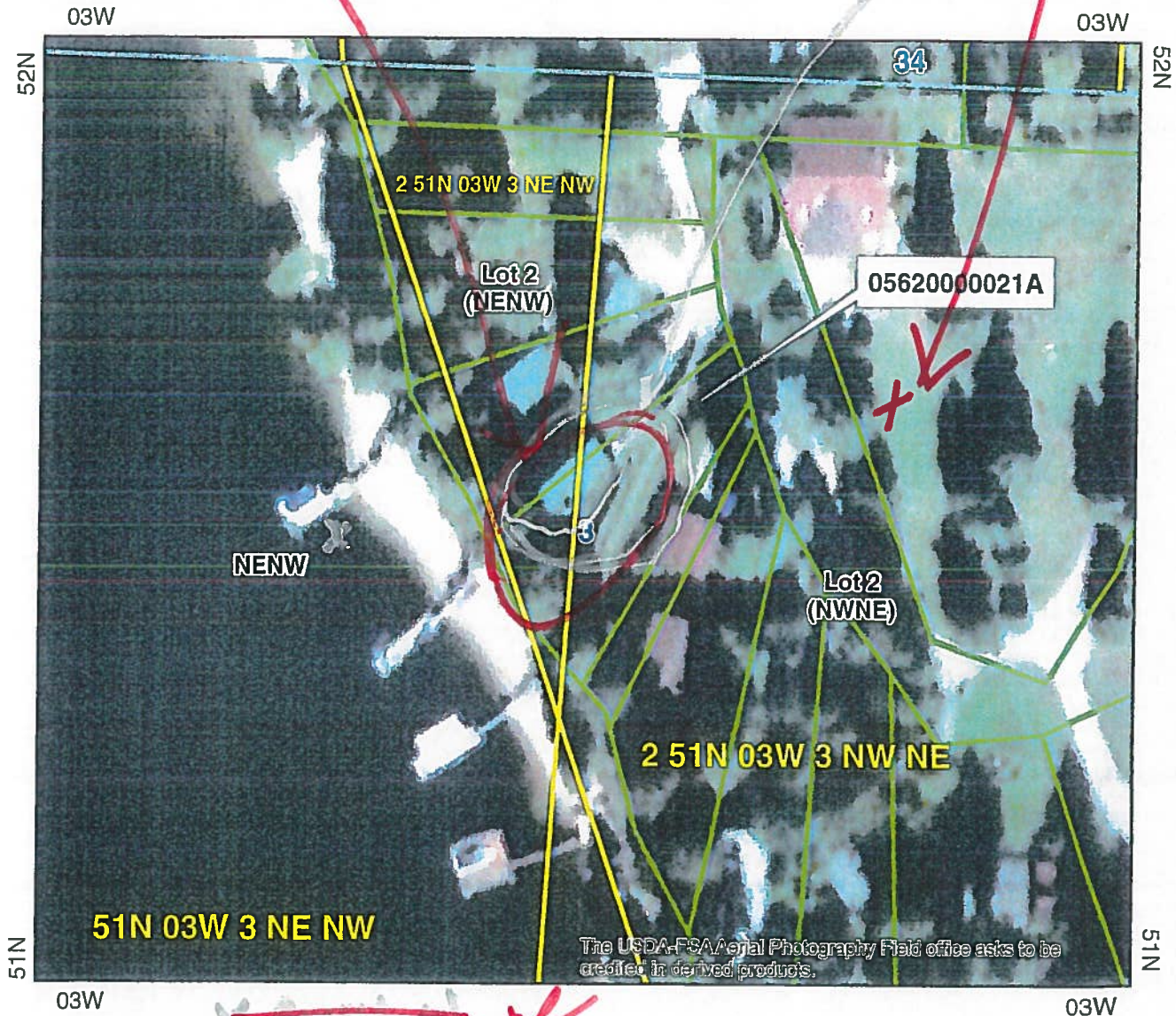
[Signature]
Signature of Applicant

Print Name (and title, if applicable)

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

place of use

place of well



-  PLS Sections
-  Taxlots

1-4-18

0 0.01 0.02 0.04 Miles



Tax parcel information provided by Kootenai County.

Kootenai County
Terms of Use

Parcel Number
05620000021a

Find

Search By
Parcel Number

Map Layers

Parcel ID
0-5620-000-021-A

Owner Name
RISCHE FAMILY TRUST

Owner

Additional

AIN: 141747 **LRN:** 28344
Parcel Number: 0-5620-000-021-A
Appr Dist: 3 **TRS:** 513W03NE
Incorporation: NONE

Owner Information:
RISCHE FAMILY TRUST
2560 NORTHSIDE DR #206
SAN DIEGO, CA 92108

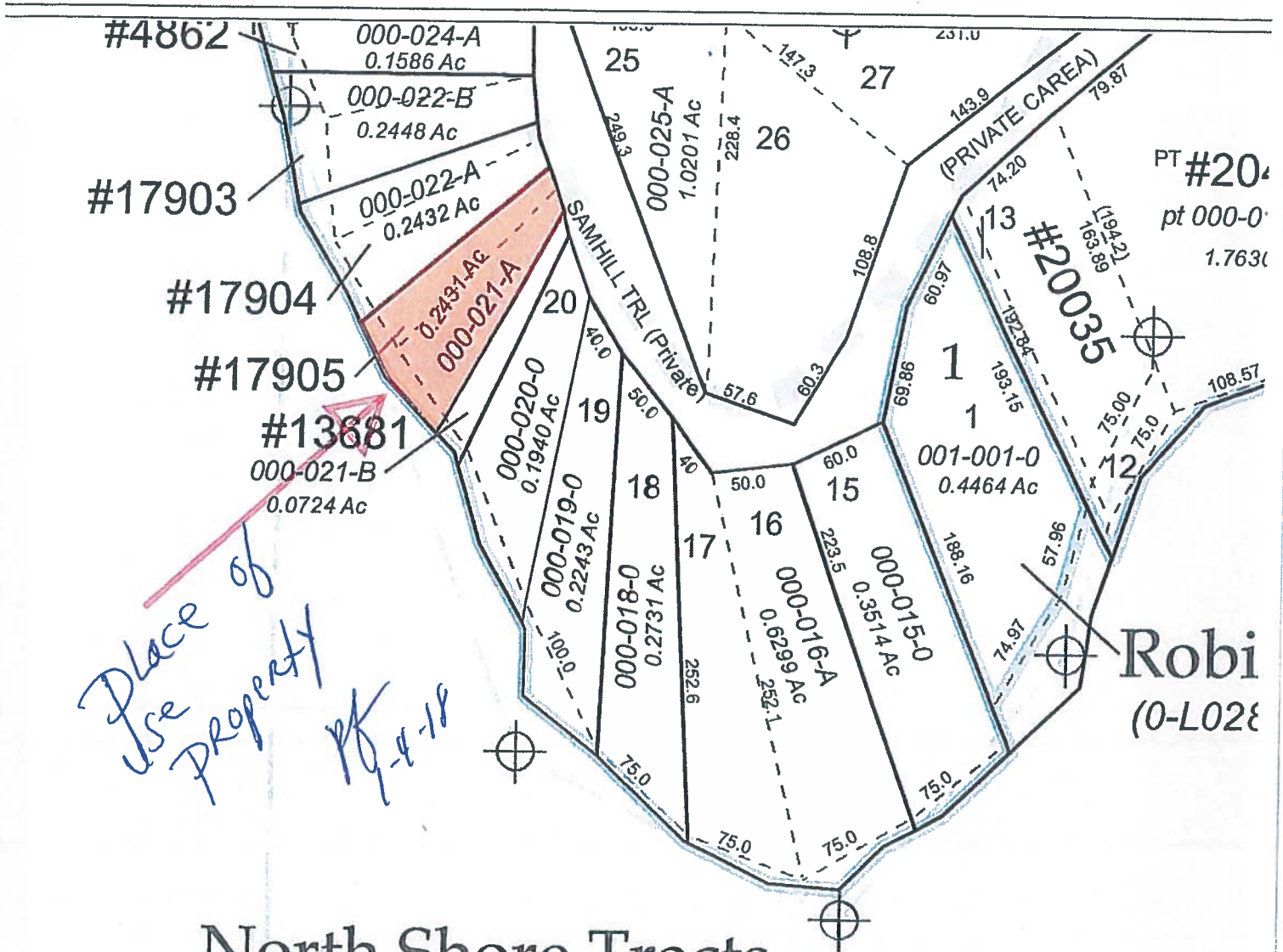
Site Address:
14370 N SAMHILL TRL
HAYDEN

Legal Description: BKPG: D113
NORTH SHORE TRACTS, TAX#17905
IN LTS 21 & 22, INT IN PVT RDS

Acres: 0.2431



THIS SKETCH IS PROVIDED SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING SAID LAND. PIONEER TITLE OF COEUR D'ALENE ASSUMES NO LIABILITY FOR ANY MATTER RELATED TO THIS SKETCH. REFERENCE SHOULD BE MADE TO AN ACTUAL SURVEY FOR FURTHER INFORMATION.



North Shore Tracts

(0-5620)

GRANT OF WATER RIGHT AND EASEMENT

DONALD PALOMPO, a single man, Grantor, for valuable consideration, hereby bargains, grants, sells and conveys all right, title and interest that he may have in water rights, and his entire interest in the well system pursuant to the Agreement made on the ____ day of December, 1999, unto the non-profit water users association, hereinafter referred to as the MACLEANS BAY WATER USERS ASSOCIATION, now consisting of DONALD PALOMPO, a single man, WILLIAM ROBINETT AND MARY H. ROBINETT, husband and wife, KENNETH VOSS AND LINDA L. VOSS, husband and wife, AND SUE SIMCHUK, a single woman, Grantees, my entire interest in all domestic waters derived from that certain well system situated upon the hereinafter described property of Grantor which well is presently providing water to Grantees, together with a perpetual easement over and upon the hereinafter described property of Grantor, for the purpose of maintaining said well system. The said well system is situated upon, and the easement granted herein shall be over and upon, the following described real property:

Lots 25 and 26, NORTH SHORE TRACTS, Kootenai County, State of Idaho, according to the plat recorded in Book D of Plats, Page 113.

The MACLEANS BAY WATER USERS ASSOCIATION properties to be serviced by the water rights and easement granted herein, is described as follows:

Lots 21, 22, 23 and part of 24, Lots 25 and 26, NORTH SHORE TRACTS, Kootenai County, State of Idaho, according to the plat recorded in Book D of Plats, Page 113.

The MACLEANS WATER USERS ASSOCIATION agreement provides:

1. Grantor hereby transfers complete ownership of the existing well system which is located on Lots 25 and 26 to a non-profit water users association in which Palompo, Robinett, Voss and Simchuck, "Associated Owners", along with their heirs and assigns, will each own twenty five percent (25%) of the system.
2. Grantor further grants access to the well house and common water lines through Grantor's driveway except that the association shall give three days notification and the parties shall reach agreement as to the proper location before disturbing the soil.
3. Grantor shall retain his existing ownership of part of Lot 21 in the North Shore Tracts as described above free of any encumbrances including any right

GRANT OF WATER RIGHT AND EASEMENT - 1

of reversion in connection with the well located on Lot 26 now owned by Grantor.

4. All other agreements, assurances or easements not contained in this agreement in so much as they relate to the well on Lot 26 as described above are nullified and superseded by this agreement.
5. The existing system which will be transferred to the association consists of a well, a 3,000 gallon storage tank, and appurtenant well operation equipment including booster pump and well controls and water line to a common point, hereafter, "system".
6. It is understood that the existing pressure tank will be reserved by Grantor for his own use and that the other parties shall each rely on and be responsible for separate pressure tanks, distribution lines, and booster tanks, hereafter "individual systems".
7. Grantor makes no guaranty as to well performance and the "system" hereby becomes the responsibility of the four (4) associated owners.
8. Each of the four (4) associated owners hereby assumes his/her prorata share of all costs regarding the "system" including but not limited to electric/utility fees, maintenance and replacement costs of any parts of the "system" including any necessary redrilling. The associated owners will install one separate electrical meter to monitor the individual power usage of the booster pump at pressure tank and well pump equipment.
9. The associated owners shall designate one person at a time to take responsibility for supervision of the system, billing the associates, and paying the bills.
10. This agreement applies to potable water only. Each of the four families shall be entitled to all of the household water they need as long as they do not impair the availability for other users. Any use of water from the "system" for irrigation will be considered to be an impairment of the "system".
11. In the event that any one of the associated owners fails to pay his prorata share of costs or impairs the system by misuse of water, the remaining associates have the right to turn off the water of the such owner.

1628941

12. Ownership of this non-profit water users association is intended to create a water right, which is appurtenant to the respective properties now owned by each of the four (4) associates. An offer to buy said rights is an offer to sell and an offer to sell is an offer to buy.

This Grant of Water Right and Easement shall be binding upon, and shall inure to the benefit of, the heirs, executors, administrators and assigns of the respective parties hereto.

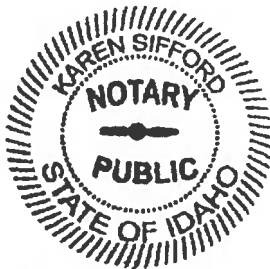
IN WITNESS WHEREOF, I Donald Palompo hereto have executed this instrument this 28th day of January 2000.

Donald Palompo
DONALD PALOMPO

STATE OF IDAHO)
) :ss
County of Kootenai)

On this 28 day of March, 2000, before me, a notary public in and for the said State, personally appeared DONALD PALOMPO, known to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that he executed the same.

(NOTARY SEAL)



Karen Sifford
NOTARY PUBLIC FOR THE
STATE OF IDAHO
Residing at: Coeur d'Alene
My Commission expires: 01-20-2006

STATE OF IDAHO } SS
COUNTY OF KOOTENAI }
AT THE REQUEST OF
Paula Harrison
MAR 30 1 21 PM '00

DANIEL J. ENGLISH en
DEPUTY 9.00
FEES _____

GRANT OF WATER RIGHT AND EASEMENT - 3



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

January 9, 2018

SCOTT T. & LORI A. RISCHE
2560 NORTHSIDE DR APT 206
SAN DIEGO, CA 92108

Application For Permit No. 95-17435 & 95-17436

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 COEUR D ALENE PRESS on 1/18/2018 and 1/25/2018. 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:
PAULETTE FABIAN
1000 NORTHWEST BLVD
COEUR D ALENE, ID 83814

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, January 09, 2018 12:57 PM
To: June.Bergquist@deq.idaho.gov; 'Anna.Moody@deq.idaho.gov'; 'Siitari,Kiira'
Subject: Applications for Permit Nos. 95-17435 & 95-17436
Attachments: 95-17435 APPLICATION.pdf; 95-17436 APPLICATION.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 this 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 this application is February 5, 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*

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, January 09, 2018 11:10 AM
To: 'LEGALS@CDAPRESS.COM'
Subject: Application for Permit No. 94-9612, 95-17435, 95-17436, 95-17437
Attachments: Legal Notice 94-9612, 95-17435, 95-17436, & 95-17437.doc

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated, January 18th & January 25th, 2018 (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 2/5/2018. Your cooperation is appreciated.

Sincerely,

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:

94-9612

FAT BASTARD CATTLE CO LLC
PO BOX 53
HARRISON, ID 83833-0053
Point of Diversion NENWSE
S25 T48N R03W
KOOTENAI County
Source SPRING
Tributary SINKS
Use: IRRIGATION
03/15 to 10/31 0.03 CFS
Total Diversion: 0.03 CFS
Date Filed: 12/26/2017
Place Of Use: IRRIGATION
T48N R03W S25
SWNE SENW NESW NWSE
Total Acres: 0.6

95-17435

SCOTT T & LORI A RISCHE
2560 NORTHSIDE DR APT 206
SAN DIEGO, CA 92108
Point of Diversion NENW
S3 T51N R03W
KOOTENAI County
Source HAYDEN LAKE
Tributary SINKS
Use: IRRIGATION
03/15 to 11/15 0.03 CFS
Total Diversion: 0.03 CFS
Date Filed: 1/4/2018
Place Of Use: IRRIGATION
T51N R03W S3
L2(NWNE) L2(NENW)
Total Acres: 0.2

95-17436

SCOTT T & LORI A RISCHE
2560 NORTHSIDE DR APT 206
SAN DIEGO, CA 92108
Point of Diversion L2(NWNE)
S3 T51N R03W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 1/4/2018
Place Of Use: DOMESTIC
T51N R03W S3
L2(NWNE) L2(NENW)

95-17437

MICHAEL SZELES
3782 TRANQUILITY CT
SANTA CRUZ, CA 95062
Point of Diversion L4(NESW)
S11 T49N R04W
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: 1/5/2018
Place Of Use: DOMESTIC
T49N R04W S11 L4(NESW)

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 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 2/5/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 1/18/2018 and 1/25/2018