

RECEIVED

FORM 202, Rev. 09/16

NOV 13 2017

82013

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Ident. No.

95-17384

IDWR / NORTH

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) DAVID BOBBITT AND/OR CHERIE BOBBITT Phone 208/660-8611
 Name connector (check one): ☐ and ☐ or ☒ and/or
 Mailing address 7199 W COUGAR GULCH RD City COEUR D ALENE
 State ID ZIP 83814 Email DAVID.BOBBITT@COM1STBANKID.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 which is a tributary of COUGAR CREEK
4. Location of point(s) of diversion:

Twsp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
50N	04W	29			NW	SW	KOOTENAI	UNNAMED STREAM	

5. Water will be used for the following purposes:
- Amount 0.20 CFS for DIVERSION TO STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 2.2 AF for AESTHETIC STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 0.20 CFS for AESTHETIC purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 2.2 AF for STOCWATER 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) 0.20 cubic feet per second (cfs) and/or (b) 2.2 acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. APPLICANT HAS PIPELINE FROM UNNAMED STREAM TO EXCAVATED POND WITH 10 MAXIMUM DEPTH
- b. Height of storage dam 2 feet; active reservoir capacity 0.7 acre-feet; total reservoir capacity 0.7 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 11-13-17 Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by JA Receipt No. N033038 Date 11-13-17

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. 3 HORSES
 - Municipal; must complete and attach the Municipal Water Right Application Checklist.
 - Domestic; show number of households _____
 - 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	
50N	04W	29										J/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. APPLICANT HAS OFF CHANNEL POND FOR AESTHETIC AND STOCKWATER PURPOSES.

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.


 Signature of Applicant

DAVID A. BOBBITT
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. _____

Season of Use/Purpose of Use Supplement

Attachment to: ☒ Application for Permit to Appropriate Water ☐ Adjudication Claim ☐ Beneficial Use Field Report
☐ Application for Amendment of Permit ☐ Statutory Claim

Water will be used for the following purposes:

Amount	<u>0.02 CFS</u>	for	<u>STOCKWATER</u>	purposes from	<u>1/1</u>	to	<u>12/31</u>	(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)							
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)							
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)							
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)							
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)							

Total Storage Calculations

FILE NUMBER	Bobbitt
REVIEWER	Adam Frederick
DATE	11/9/2017

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.)	0.17	"Surface Area" is automatically carried over from the "Seepage Loss" sheet.
Average Pond Depth (FT.)	4	"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)	0.7	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. <i>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.</i>
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). <i>Note: You must have a "From Storage" component exceeding the initial fill on the permit to include a volume in this space.</i>
Estimated Seepage Loss (AF)	1.2	The "Estimated Seepage Loss" is automatically carried over from the "Seepage Loss" sheet.
Estimated Evaporation Loss (AF)	0.2	The "Estimated Evaporation Loss" is automatically carried over from the "Evaporation Loss" sheet.
Total Volume Required (AF)	2.2	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)	0.20	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	2	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	20	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 0.025 0.05 0.1 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

November 27, 2017

DAVID P AND OR CHERIE J BOBBITT
7199 W COUGAR GULCH RD
COEUR D ALENE, ID 83814

Application For Permit No. 95-17384

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 12/7/2017 and 12/14/2017. 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: Monday, November 27, 2017 1:55 PM
To: 'LEGALS@CDAPRESS.COM'
Subject: Applications for Permit 95-17384, 95-17385, 95-17387, and 95-17388
Attachments: Legal Notice 95-17384, 95-17385, 95-17387, 95-17388.doc

Dear Legal Notice Department:

Please publish the enclosed legal notice for Applications for Permit 95-17384, 95-17385, 95-17387, and 95-17388 on December 7th and December 14th, 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 final 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 12/26/2017. 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:

95-17384

DAVID & CHERIE BOBBITT
7199 W COUGAR GULCH RD
COEUR D ALENE, ID 83814

Point of Diversion NWSW
S29 T50N R04W
KOOTENAI County
Source UNNAMED STREAM
Tributary COUGAR CREEK
Use: AESTHETIC
01/01 to 12/31 0.2 CFS
Use: AESTHETIC STORAGE
01/01 to 12/31 2.2 AF
Use: DIVERSION TO STORAGE
01/01 to 12/31 0.2 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: STOCKWATER STORAGE
01/01 to 12/31 2.2 AF
Total Diversion: 0.2 CFS

Date Filed: 11/13/2017

Place Of Use: AESTHETIC STORAGE

T50N R04W S29 NWSW

Place Of Use: AESTHETIC

T50N R04W S29 NWSW

Place Of Use: STOCKWATER STORAGE

T50N R04W S29 NWSW

Place Of Use: STOCKWATER

T50N R04W S29 NWSW

95-17385

JEFFERY & AMY BELL
7519 W BRAAP RD
COEUR D ALENE, ID 83814

Point of Diversion NENW
S19 T50N R04W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC

01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 11/7/2017

Place Of Use: DOMESTIC

T50N R04W S19 NENW

95-17387

MERCK HOLDINGS LLC
913 E OVERBLUFF RD
SPOKANE, WA 99203

Point of Diversion SWNE
S5 T51N R03W
KOOTENAI County
Source UNNAMED STREAM
Tributary AVONDALE LAKE
Use: AESTHETIC STORAGE

01/01 to 12/31 11.1 AF

Use: FIRE PROTECTION STORAGE

01/01 to 12/31 11.1 AF

Use: STOCKWATER STORAGE

01/01 to 12/31 11.1 AF

Total Diversion: 11.1 AF

Date Filed: 11/20/2017

Place Of Use: AESTHETIC STORAGE

T51N R03W S5 SWNE

Place Of Use: FIRE PROTECTION STORAGE

T51N R03W S5 SWNE

Place Of Use: STOCKWATER STORAGE

T51N R03W S5 SWNE

95-17388

BARBARA SCOTT
14150 W POND VIEW RD
RATHDRUM, ID 83858

Point of Diversion SENW

S4 T51N R05W

KOOTENAI County
Source UNNAMED STREAM
Tributary HOWELL GULCH CREEK
Use: AESTHETIC STORAGE
01/01 to 12/31 2.7 AF
Use: FIRE PROTECTION STORAGE
01/01 to 12/31 2.7 AF
Use: STOCKWATER STORAGE
01/01 to 12/31 2.7 AF
Total Diversion: 2.7 AF
Date Filed: 11/20/2017
Place Of Use: AESTHETIC STORAGE
T51N R05W S4 SWNW SENW
Place Of Use: FIRE PROTECTION STORAGE
T51N R05W S4 SWNW SENW
Place Of Use: STOCKWATER STORAGE
T51N R05W S4 SWNW SENW

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 12/26/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 12/7/2017 and 12/14/2017

Alleman, Tammy

From: Alleman, Tammy
Sent: Monday, November 27, 2017 1:58 PM
To: June.Bergquist@deq.idaho.gov
Cc: 'Anna.Moody@deq.idaho.gov'
Subject: Request for comments on Application For Permit 95-17384
Attachments: 95-17384 Bobbitt Application.pdf

Dear Department of Environmental Quality:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right Application For Permit 95-17384. 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 Notice will be in the **Coeur d'Alene Press** on December 7th & 14th, 2017. **The deadline for comments on this application is December 26, 2017.**

Please contact the Northern Region office 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: Monday, November 27, 2017 2:01 PM
To: 'Siitari, Kiira'
Subject: Request for comments on Application For Permit 95-17384
Attachments: 95-17384 Bobbitt Application.pdf

Dear Idaho Department of Fish & Game:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right Application For Permit 95-17384. 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 Notice will be in the **Coeur d'Alene Press** on December 7th & 14th, 2017. **The deadline for comments on this application is December 26, 2017.**

Please contact the Northern Region office 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