

81760

Ident. No. 96-9662

JUN 23 2017

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

IDWR / NORTH

1. Name of applicant(s) PETER OTNESS Phone 208-627-9199
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address 500 ROCK HARBOR RD City SAGLE
State ID ZIP 83860 Email OTNESS27@YAHOO.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 PEND OREILLE LAKE which is a tributary of PEND OREILLE RIVER

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
56N	01W	27	2		NW	NE	BONNER	PEND OREILLE LAKE	

5. Water will be used for the following purposes:

Amount 0.04 CFS for DOMESTIC purposes from 1/1 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. 3/4 HP PUMP TO CABIN AND IRRIGATION
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 cm Date 5-17-17 Time _____ Preliminary check by _____
Fee \$ 100.00 Received by cm Receipt No. N032640 Date 5-17-17

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. _____
- Municipal; must complete and attach the Municipal Water Right Application Checklist.
- Domestic; show number of households ¹ _____
- Other; describe fully. DOMESTIC WITH UP TO 1/2 ACRE OF IRRIGATION

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	
56N	01W	27		D			D												23 ACRES
				GL 2			GL 2												

Total number of acres to be irrigated: 23

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: APPLICANT IS GETTING ENCROACHMENT PERMIT FROM IDL

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. APPLICANT IS APPLYING TO USE WATER FROM THE LAKE FOR CABIN USE AND IRRIGATION AROUND CABIN.

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 of Applicant

EBER OTNESS
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

State of Idaho
Department of Water Resources

ATTACHMENT Application For Permit
96-XXXXX

RECEIVED

JUN 23 2017

IDWR/NORTHERN



0 0.0275 0.055 0.11 Miles

-  PLS Sections
-  Taxlots

Tax parcel information provided by Bonner County.



See map submitted w/incomplete app



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 3, 2016

Amidy Fuson
Idaho Department of Lands
Pend Oreille Supervisory Area Office
2550 HWY 2 West
Sandpoint, ID 83864

Re: Encroachment Permit Application (L-96-S-2421) Bonner County parcel RP00386001001AA

Dear Ms. Fuson:

Idaho Department of Water Resources (IDWR) has reviewed your June 28, 2016 E-mail concerning an Encroachment Permit Application for Bonner County parcel. RP00386001001AA. The Applicant (Peter Otness) has contacted IDWR to file an Application for a new Water Right Permit to use water from Lake Pend Oreille. The Application for Permit has been assigned IDWR Identification number 96-9662.

IDWR has reviewed the Application for Encroachment Permit Application and finds no conflict with other water rights. The Place Of Use for Water Right License 96-08627 is on adjacent property at 478 Rock Harbor. The Applicant should take care to avoid disturbing the 96-08627 Point of Diversion during installation of the water line for this Encroachment Permit Application. There are no other active Water Rights currently on record with IDWR that appear to be adversely affected by an Encroachment Permit at the proposed location.

Please contact me at (208) 762.2816 or at the address shown above if you have additional concerns.

Sincerely,

Shaun M. Maxey
Sr. Water Resource Agent
Idaho Department of Water Resources, Northern Region
7600 Mineral DR, Ste. 100
Coeur d'Alene, ID 83815



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 28, 2017

PETER OTNESS
500 ROCK HARBOR RD
SAGLE, ID 83860

Application For Permit No. 96-9662

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 BONNER COUNTY DAILY BEE on 7/6/2017 and 7/13/2017. 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,

Adam Frederick
Water Resource Agent, Senior

Steading, Natalie

From: Steading, Natalie
Sent: Wednesday, June 28, 2017 2:31 PM
To: 'bcdblegals@cdapress.com'
Subject: Applications for Permit for 96-9659, 96-9661, and 96-9662
Attachments: Bonner County Bee 7-6-17.doc

Hi Holly,
Hi Geri,

Please publish the enclosed legal notice on July 6th and July 13th (one a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately. Prior to publication, please send a proof for my 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 7/24/2017.

If you have any questions, please contact me at (208) 762-2800.

Sincerely,

Natalie Steading

Idaho Dept. of Water Resources, Northern
7600 N Mineral Drive, Ste 100
Coeur d'Alene, ID 83815
Ph. (208) 762-2800
Fax (208) 762-2819

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

96-9659

THUNDER RANCH LAND & CATTLE CO LLC

7095 BOTTLE BAY RD

SAGLE, ID 83860

Point of Diversion L2 (NESENE) S32 T57N R01W BONNER County

Source PEND OREILLE LAKE Tributary PEND OREILLE RIVER

Use: IRRIGATION 04/01 to 10/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 6/7/2017

Place Of Use: IRRIGATION T57N R01W S32 L1(NENE) L2(ENE)

Total Acres: 15.1

96-9661

BARBARA STOUT

ROBERT STOUT

500 RAVENWOOD LN

SANDPOINT, ID 83864

Point of Diversion NWSW S20 T57N R02W BONNER County

Source GROUND WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Use: IRRIGATION 04/01 to 10/31 0.04 CFS

Total Diversion: 0.08 CFS

Date Filed: 6/20/2017

Place Of Use: DOMESTIC T57N R02W S20 NWSW

Place Of Use: IRRIGATION T57N R02W S20 NWSW

Total Acres: 1.2

96-9662

PETER OTNESS

500 ROCK HARBOR RD

SAGLE, ID 83860

Point of Diversion L2 (NWNE) S27 T56N R01W BONNER County

Source PEND OREILLE LAKE Tributary PEND OREILLE RIVER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 6/23/2017

Place Of Use: DOMESTIC T56N R01W S27 L2 (NWNE) L2 (NENW)

Permits will be subject to all prior water rights. For additional

information concerning the property location, contact Northern Region

office at (208) 762-2800 or for a full description of the rights, please

see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>.

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 7/24/2017. The

protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/6/2017 and 7/13/2017

Steading, Natalie

From: Steading, Natalie
Sent: Thursday, June 29, 2017 11:30 AM
To: 'kiira.siitari@idfg.idaho.gov'; 'June.Bergquist@deq.idaho.gov'; 'Mike Ahmer'
Subject: Applications for Permit Nos. 96-9659 and 96-9662
Attachments: Application for Permit No. 96-9659.pdf; Application for Permit No. 96-9662.pdf

Dear Kiira, June, and Mike:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications. A copy of the applications are enclosed for your reference.

This is scheduled for publication on July 6th and 13th, 2017 in the Bonner County Daily Bee with a final date for protest to be received in our office by July 24, 2017.

Your prompt response to this request is appreciated. If your agency desires to formally protest the approval of these applications, 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.

Please contact Adam Frederick at this office if you have any questions regarding the applications.

Sincerely,

Natalie Steading

Idaho Dept. of Water Resources, Northern
7600 N Mineral Drive, Ste 100
Coeur d'Alene, ID 83815
Ph. (208) 762-2800
Fax (208) 762-2819



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 25, 2017

****Time Sensitive Response Required****

Peter Otness
4215 W 50TH ST
Minneapolis, MN 55424

Re: Incomplete Application for Permit

Dear Applicant:

Idaho Department of Water Resources (IDWR) received an incomplete Application for Permit from you on May 10, 2017 to divert water from Lake Pend Oreille. Your incomplete Application is missing required information. Your original incomplete Application is enclosed.

Please phone me at (208) 762.2816 about the Application and complete the following steps:

- 1) Copy information on the original form to the enclosed new Application for Permit form
- 2) Provide missing information on the new Application for Permit form. The following missing information must be included:
 - City and Zip code for complete mailing address (line 1)
 - Correct Cubic Feet per Second (CFS) amounts (line 5)
 - Complete legal descriptions for line 4 and line 9 of the Application
 - Correct irrigation season of use (**Please contact IDWR**)
 - Correct time for line 13 (must be at least one year)

It is unclear from your Application if your property has direct access to Lake Pend Oreille and if you have an Encroachment Permit from Idaho Department of Lands, (208) 263-5104, for a water line into the Lake. You must have this Permit before IDWR can issue you a Water Right.

Please telephone me about your Application. Your **corrections must be received no later than June 26, 2017**. IDWR will take steps to terminate your Application, if no response is received, and the Application fee will be refunded pursuant to Idaho Code § 42-204.

Respectfully,

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

Enclosures: Incomplete Application, Application for Permit form & instructions, IDWR map

RECEIVED
MAY 17 2017

IDWR/NORTHERN

COPY

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

Ident. No. _____

- Name of applicant(s) PETER OTNESS Phone 208-627-9199
Mailing address 500 ROCK HARBOR ROAD Email OTNESS27@YAHOO.COM
Name connector (check one): ☐ and ☐ or ☐ and/or
- Name of representative, if any _____ Phone _____
Mailing address _____ Email _____
 - ☐ 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.
 - ☐ 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 providing authority to sign for the applicant.
- Source of water supply PENNY OREILLE LAKE which is a tributary of PENNY OREILLE RIVER
- Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
56N	1W	27					BONNER	LAKE	PENNY OREILLE

- Water will be used for the following purposes:
 Amount 0.02 for IRRIGATION purposes from 5-1-17 to 10-1-17 (both dates inclusive)
 (cfs or acre-feet per year)
 Amount 0.02 for DOMESTIC purposes from 5-1-17 to 10-1-17 (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 quantity to be appropriated is (a) 0.04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
- Proposed diverting works:
 - Describe type and size of devices used to divert water from the source. 3/4 HP PUMP W/ 1.25" DIA
 - Height of storage dam NO - N/A feet; active reservoir capacity NO - N/A acre-feet; total reservoir capacity NO - N/A acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11. 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
 - Proposed well diameter is NO - N/A inches; proposed depth of well is NO - N/A feet.
 - Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
 - If well is already drilled, when? _____; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____

Received by mw Date 5-17-17 Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by mw Receipt No. N032640 Date 5-17-17

copy of incomplete app for reference

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

- 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 ONE
- 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	
56N	14W	27																	0.23 ACRE

Total number of acres to be irrigated: 0.23

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? I, PETER OTNESS, INTEND TO USE THIS WATER FOR DOMESTIC PURPOSES & IRRIGATION.

11. a. Who owns the property at the point of diversion? PETER OTNESS
- b. Who owns the land to be irrigated or place of use? PETER OTNESS
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A

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

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

PETER OTNESS
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

RECEIVED

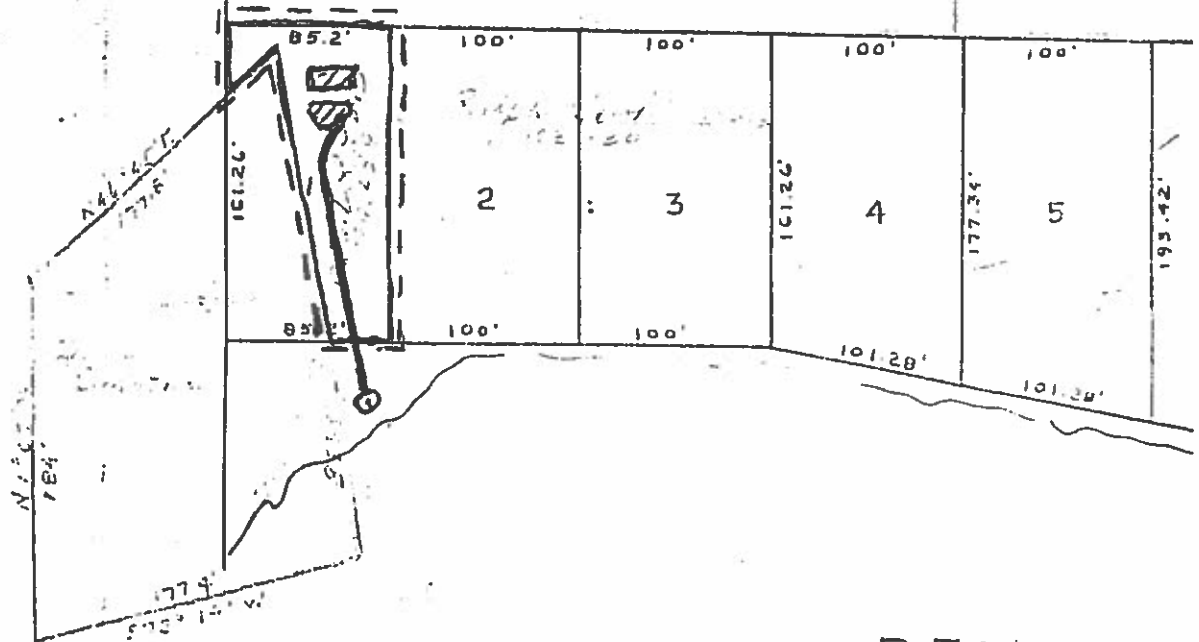
IDWR/NORTHERN

This sketch is furnished without charge solely for the purpose of assisting in locating said premises and the company assumes no liability for inaccuracies therein.

PETER OTNESS
500 ROCK HARBOR
SABLE, FD 87860

56 N 1W 27

PRE



PEND