

81735

FORM 12-103, 09/16

STATE OF IDAHO

Ident. No. 96-9659

DEPARTMENT OF WATER RESOURCES

JUN 07 2017

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

IDWR / NORTH

1. Name of applicant(s) Thunder Ranch Land and Cattle Co., LLC Phone 208-255-5505
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 7095 Bottle Bay Road City Sagle
 State ID ZIP 83860 Email Chris@newhartorthodontics.com
2. Name of representative, if any Eric Eldenburg Phone 509-437-2641
 Mailing address 600 4th Street West City Newport
 State WA ZIP 99156 Email eeldenburg@jasewell.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 Lake Pend Oreille 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 #
57N	1W	32	2	NE	SE	NE	Bonner	Lake Pend Oreille	

5. Water will be used for the following purposes:
- Amount 0.20 cfs for Irrigation purposes from 4/1 to 10/31 (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) 0.20 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. Pump in lake with 2" PVC distribution system
- b. Height of storage dam N/A 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 N/A 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 5-26-17 Time _____ Preliminary check by _____
 Fee \$ 100- Receipted by cm Receipt No. N032662* Date 5-26-17

* received w/ incomplete application

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. _____

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	
57N	1W	32				1.5													1.5
57N	1W	32				1.3													1.3
57N	1W	32				1.2													1.2
57N	1W	32				1.1													1.1
57N	1W	32	2.6			7.4													10.0

Total number of acres to be irrigated: 15.1

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? N/A
11. a. Who owns the property at the point of diversion? Thunder Ranch Land and Cattle Co., LLC
- b. Who owns the land to be irrigated or place of use? Thunder Ranch Land and Cattle Co., LLC
- 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. Install pump in lake with 2" discharge line and irrigation system for the purpose of residential land irrigation to areas indicated above.
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

Scott Newhart

Print Name (and title, if applicable)

Signature of Applicant

Lynn Newhart

Print Name (and title, if applicable)

MAY 26 2017

IDWB/NORTHERN



0 500' 1000'



Scale

- 1) PROPERTY LINE LOCATIONS ARE APPROXIMATE.
- 2) LABELED PROPERTIES ARE LOCATED WITHIN THE SE QUARTER OF THE NE QUARTER OF SECTION 32, T57N, R1W



PROPERTY FOR PROPOSED
IRRIGATION

NEWHART OVERALL SITE TOPO

PROJECT: THUNDER RANCH PROPERTY
BONNER COUNTY, IDAHO

DRAWN: SJF	CHECKED: EJE	DATE: 5/1/17	SHT. <u>1</u> OF <u>3</u>
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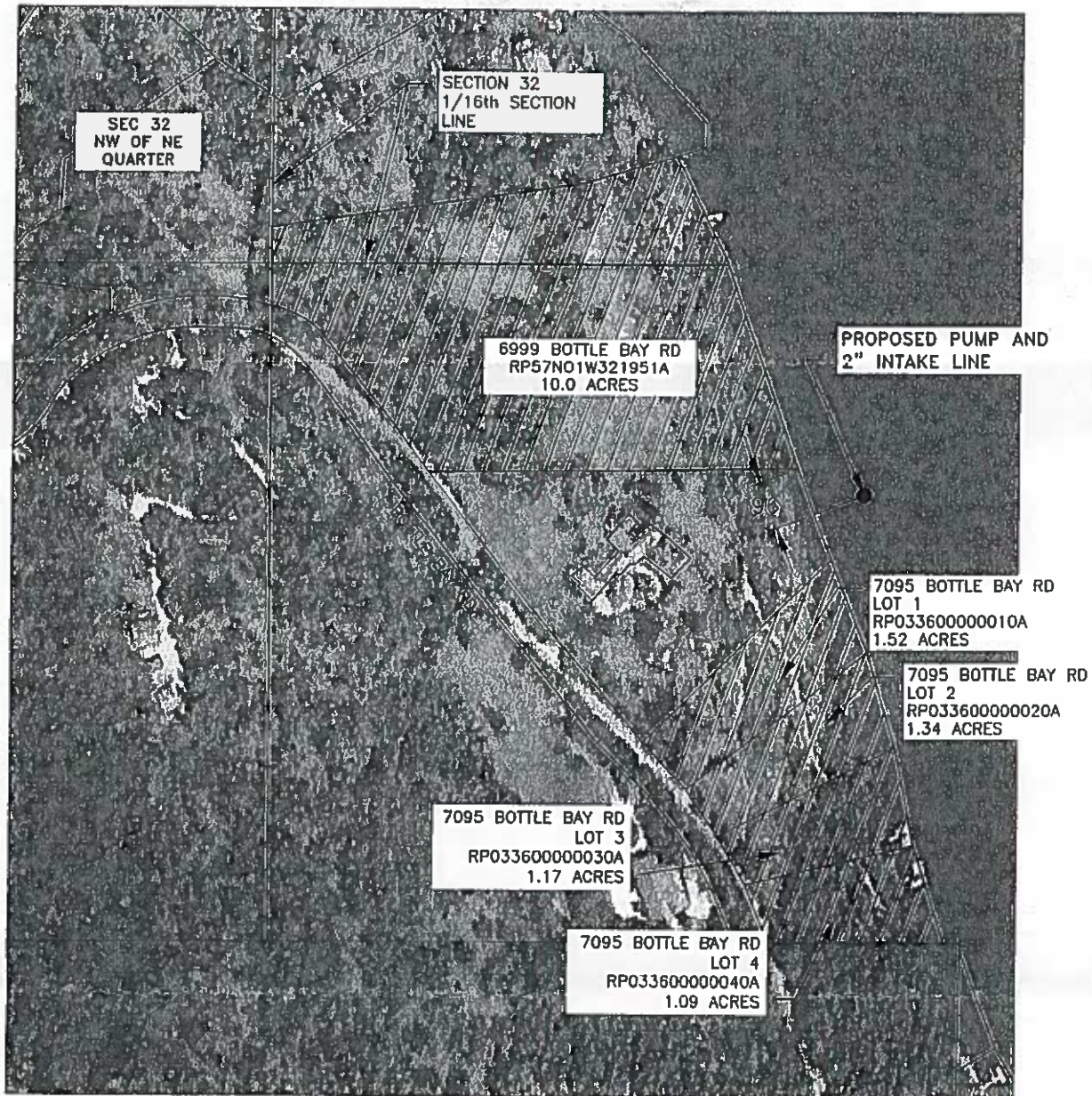
James A. Sewell and Associates, LLC
CONSULTING ENGINEERS
NEWPORT, WASHINGTON. (509)447-3626

RECEIVED

MAY 26 2017

ATTACHMENT

IDWB/NORTHERN



0 150' 300'
Scale

NOTES:

- 1) PROPERTY LINE LOCATIONS ARE APPROXIMATE.
- 2) LABELED PROPERTIES ARE LOCATED WITHIN THE SE SECTION OF THE NE QUARTER OF SECTION 32, T57N, R1W

SHEET TITLE:

NEWHART IRRIGATION PLAN

PROJECT: THUNDER RANCH PROPERTY
BONNER COUNTY, IDAHO

DRAWN: SJF	CHECKED: EJE	DATE: 5/1/17	SHT 2 OF 3
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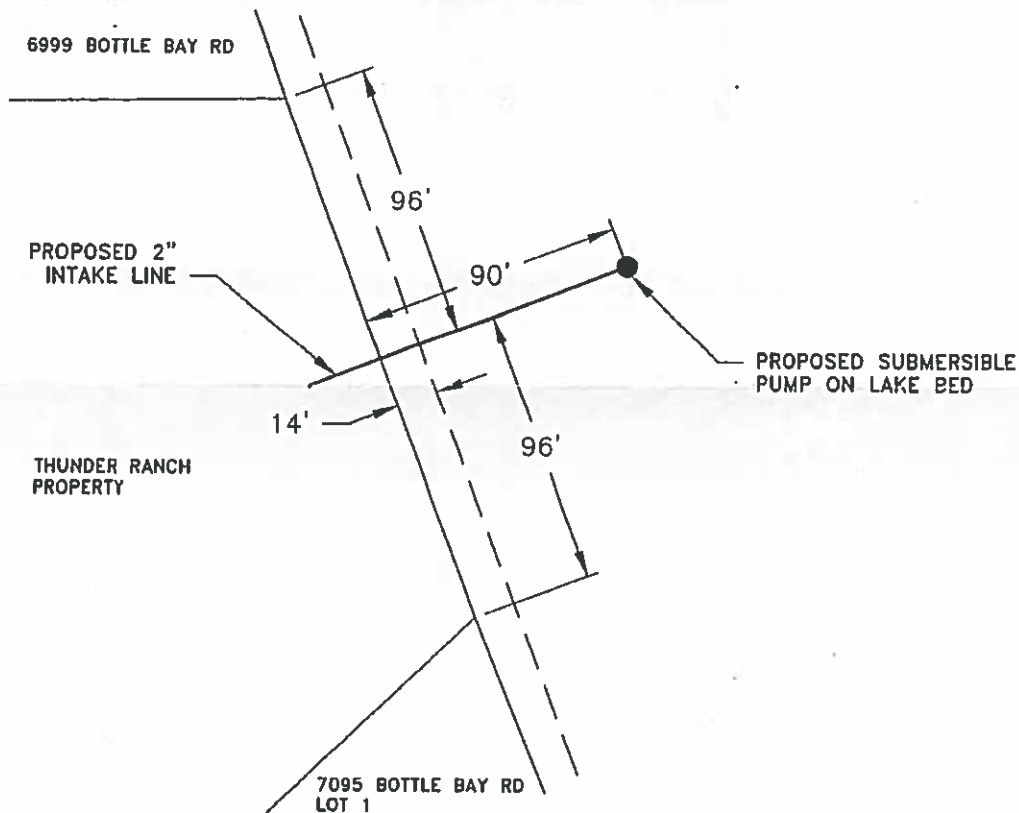
James A. Sewell and Associates, LLC
CONSULTING ENGINEERS
NEWPORT, WASHINGTON. (509)447-3626

RECEIVED

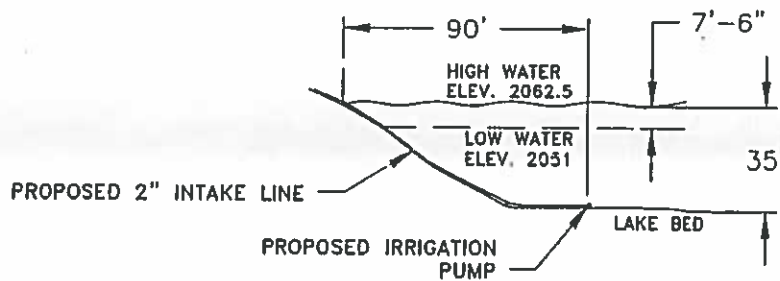
MAY 26 2017

ATTACHMENT

IDWR/NORTHERN



PLAN VIEW



PROFILE VIEW



0 30' 60'

Scale

SHEET TITLE:

WATERLINE ENCROACHMENT PLAN

PROJECT: THUNDER RANCH PROPERTY
BONNER COUNTY, IDAHO

DRAWN: SJF	CHECKED: EJE	DATE: 5/1/17	SHT. 3 OF 3
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James A. Sewell and Associates, LLC
CONSULTING ENGINEERS
NEWPORT, WASHINGTON. (509)447-3626

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

June 28, 2017

THUNDER RANCH LAND & CATTLE CO LLC
7095 BOTTLE BAY RD
SAGLE, ID 83860

Application For Permit No. 96-9659

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

cc:

JAMES A SEWELL & ASSOC LLC
C/O ERIC ELDENBURG
600 4TH ST W
NEWPORT, WA 99156

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(SENE)

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

Frederick, Adam

From: Spencer Ferguson <sferguson@jasewell.com>
Sent: Monday, June 12, 2017 9:57 AM
To: Frederick, Adam
Cc: Eric Eldenburg
Subject: IDWR Water Right Permit Application Sheet 1 Revision
Attachments: IDWR application-for-permit Rev 6-12-17 Page 1.pdf

Adam,

I have revised Item 2., page 1 of the Water Right Application to refer to James A. Sewell and Associates, c/o Eric Eldenburg. Is this acceptable?

Thanks,



Spencer J. Ferguson, P.E.

James A. Sewell & Associates, LLC

ENGINEERING • SURVEYING • LAND USE PLANNING

600-4th Street West

Newport, Washington 99156

Phone: (509) 447-3626 (208) 437-2641

Fax: (509) 447-2112

www.jasewell.com



ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

FILED/EFFECTIVE

(Instructions on back of application)

2007 OCT -4 AM 8:59

1. The name of the limited liability company is:

THUNDER RANCH LAND COMPANY, L.L.C.

2. The street address of the initial registered office is:

307 N. SECOND AVENUE, SUITE #2, SANDPOINT, ID 83864

and the name of the initial registered agent at the above address is:

LYNN NEWHART

3. The mailing address for future correspondence is:

307 N. SECOND AVENUE, SUITE #2, SANDPOINT, ID 83864

4. Management of the limited liability company will be vested in:

Manager(s) ☐ or Member(s) ☒ (please check the appropriate box)

5. If management is to be vested in one or more manager(s), list the name(s) and address(es) or at least one initial manager. If management is to be vested in the member(s), list the name(s) and address(es) of at least one initial member.

Name

Address

Lynn Newhart

1251 Bel Air Road, Los Angeles, CA 90077

Scott Newhart

1251 Bel Air Road, Los Angeles, CA 90077

6. Signature of at least one person responsible for forming the limited liability company:

Signature:

Lynn Newhart

Typed Name: Lynn Newhart

Capacity: Member

Signature

Scott Newhart

Typed Name: Scott Newhart

Capacity: Member

Secretary of State use only

g:\compliance\LLC forms\articles of organization.pdf
Revised 07/2002

IDAHO SECRETARY OF STATE
10/04/2002 05:00
CK: 8162 CT: 20218 BH: 525117
1 @ 100.00 = 100.00 ORGAN LLC # 2

for review purposes 6/12/2017

W20947

RECEIVED

MAY 26 2017

FORM 202 Rev. 09/16

IDWR/NORTHERN

incomplete

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. _____

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

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 Name connector (check one): ☐ and ☐ or ☐ and/or
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 State ID ZIP 83860 Email Chris@newhartorthodontics.com
2. Name of representative, if any Eric Eldenburg Phone 509-437-2641
 Mailing address 600 4th Street West City Newport
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☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Lake Pend Oreille 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 #
57N	1W	32		NE			Bonner	Lake Pend Oreille	

5. Water will be used for the following purposes:
- Amount 0.133 cfs for Irrigation purposes from 4/1 to 10/31 (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) 0.133 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. Pump in lake with 2" PVC distribution system
- b. Height of storage dam N/A 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 N/A 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 5-26-17 Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by cm Receipt No. N032662 Date _____

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. _____

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	
57N	1W	32				1.52													1.52
57N	1W	32				1.34													1.34
57N	1W	32				1.17													1.17
57N	1W	32				1.09													1.09
57N	1W	32				10.0													10.0

Total number of acres to be irrigated: 15.1

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? N/A
11. a. Who owns the property at the point of diversion? Thunder Ranch, LLC
- b. Who owns the land to be irrigated or place of use? Thunder Ranch, LLC
- 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. Install pump in lake with 2" discharge line and irrigation system for the purpose of residential land irrigation to areas indicated above.
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

Scott Newhart, member

Print Name (and title, if applicable)

Signature of Applicant

Lynn Newhart, member

Print Name (and title, if applicable)