

81748

96-9660

Ident. No.

~~81748~~

JUN 20 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) ROBERT W TYLER AND/OR SHERYL A TYLER Phone 208-255-6340 / 255-6302
Name connector (check one): ☐ and ☐ or ☒ and/or
Mailing address 44 BIRCH BEAUTY RD City PRIEST RIVER
State ID ZIP 83856 Email RSTYLER@LIVE.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 RIVER which is a tributary of COLUMBIA 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 #
55N	04W	2			SW	NW	BONNER	PEND OREILLE RIVER	

5. Water will be used for the following purposes:

Amount 0.08 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) 0.08 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. 5 HP CENTRIFUGAL PUMP, 3 INCH SUCTION, 2 INCH DISCHARGE
- 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 NS Date _____ Time _____ Preliminary check by _____
Fee \$ 100.00 Received by NS Receipt No. N032688 Date 6-7-17

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 _____
 - 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	
55N	04W	2							0.4	0.8	1.3	0.3							2.8
									GL4	GL3		GL4							

Total number of acres to be irrigated: 2.8

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? _____
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 PLANS TO USE WATER FROM RIVER FOR IRRIGATION OF 2.8 ACRES.
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.

Robert W Tyler
Signature of Applicant

ROBERT W TYLER

Print Name (and title, if applicable)

Sheryl A. Tyler
Signature of Applicant

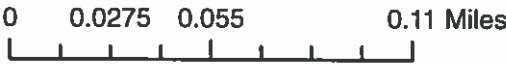
SHERYL A. TYLER
Print Name (and title, if applicable)

APPLICATION MAP



Legend

- Taxlots
- Township/Range
- Sections
- QQ



RECEIVED

JUN 20 2017

IDWR / NORTH



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

ROBERT W TYLER
SHERYL A TYLER
44 BIRCH BEAUTY RD
PRIEST RIVER, ID 83856

Application For Permit No. 96-9660 **Publication Date Correction**

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 PRIEST RIVER TIMES on 7/5/2017 and 7/12/2017. 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



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

ROBERT W TYLER
SHERYL A TYLER
44 BIRCH BEAUTY RD
PRIEST RIVER, ID 83856

Application For Permit No. 96-9660

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 PRIEST RIVER TIMES 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 10:52 AM
To: 'Shannon Foote'
Subject: Application for Permit 96-9660
Attachments: PriestRiver 7-5-17.doc

Hi Shannon,

I've corrected the publication dates (thank you for catching that!) and attached the new publication notice. The affidavit and publication bill still be due before July 24th for this one.

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:

96-9660

ROBERT W TYLER

SHERYL A TYLER

44 BIRCH BEAUTY RD

PRIEST RIVER, ID 83856

Point of Diversion SWNW S2 T55N R04W BONNER County

Source PEND OREILLE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION 04/01 to 10/31 0.08 CFS

Total Diversion: 0.08 CFS

Date Filed: 6/20/2017

Place Of Use: IRRIGATION T55N R04W S2 L4 (SWNW) L3 (SENW)

NESW 4(NWSW)

Total Acres: 2.8

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 right, 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 7/5/2017 and 7/12/2017

Steading, Natalie

From: Steading, Natalie
Sent: Wednesday, June 28, 2017 10:03 AM
To: 'Shannon Foote'
Subject: Application for Permit No. 96-9660, Affidavit date correction.

Hi Shannon,

I apologize; I had the wrong affidavit deadline in the previous email. The affidavit and publication bill for application 96-9660 must be submitted to this office before **7/24/2017**

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

Steading, Natalie

From: Steading, Natalie
Sent: Wednesday, June 28, 2017 9:38 AM
To: 'Shannon Foote'
Subject: Application for Permit No. 96-9660
Attachments: PriestRiver 7-6-17.doc

Hi Shannon,

Please publish the enclosed legal notice on July 6th and July 13th (once 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 7/10/2017.

If you have any questions or concerns, 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:

96-9660

ROBERT W TYLER

SHERYL A TYLER

44 BIRCH BEAUTY RD

PRIEST RIVER, ID 83856

Point of Diversion SWNW S2 T55N R04W BONNER County

Source PEND OREILLE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION 04/01 to 10/31 0.08 CFS

Total Diversion: 0.08 CFS

Date Filed: 6/20/2017

Place Of Use: IRRIGATION T55N R04W S2 L4 (SWNW) L3 (SENW)

NESW 4(NWSW)

Total Acres: 2.8

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 right, 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

RECEIVED

JUN 07 2017

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

Ident. No. _____

- IDWR / NORTH**
1. Name of applicant(s) Robert W. Tyler / Sheryl A. Tyler Phone 208-255-6340/255-6302
 Name connector (check one): ☐ and ☐ or ☒ and/or
 Mailing address 44 Birch Beauty City Priest River
 State ID _____ ZIP 83856 Email rstyler@live.com
2. Name of representative, if any n/a 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 River which is a tributary of Lake Pend Oreille
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
55N	4W	2	4	NW	SW		Bonner	river	

5. Water will be used for the following purposes:
- Amount .09 for irrigation purposes from Jun 15 to Oct 15 (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) _____ cubic feet per second (cfs) and/or (b) .09 acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. 5-hp centrifugal pump, 3-inch suction, 2-inch discharge
- 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 _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by NS Receipt No. N032688 Date 6-7-17

copy of 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	
55N	4W	2			1.3				.50							1.25			3.05

Total number of acres to be irrigated: 3.05

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? Robert W. Tyler and Sheryl A. Tyler
- b. Who owns the land to be irrigated or place of use? Robert W. Tyler and Sheryl A. Tyler
- 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. _____

The purpose for the request to divert water is for irrigation of 3.05 acres.

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

Robert W. Tyler
 Signature of Applicant
 Robert W. Tyler
 Print Name (and title, if applicable)

Sheryl A. Tyler
 Signature of Applicant
 Sheryl A. Tyler
 Print Name (and title, if applicable)

point of divergence

ATTACHMENT

RECEIVED

JUN 07 2017

IDWR/NORTHERN

HOLLINSHEAD PLAT

SECTION 2, TOWNSHIP 55 NORTH, RANGE 4 WEST, BOISE MERIDIAN, BONNER COUNTY, IDAHO

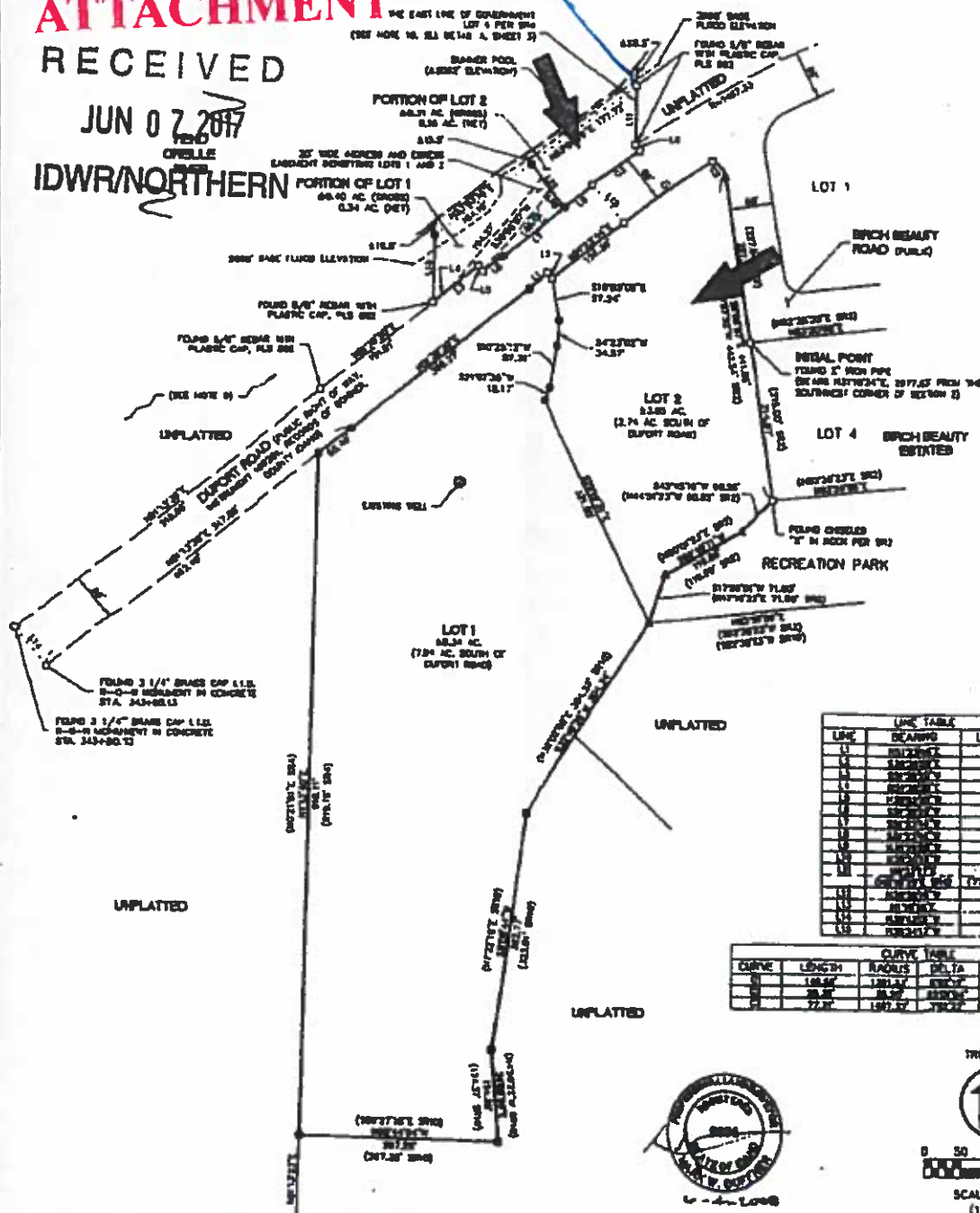
NOTES

1. WATER IS PROVIDED BY INDIVIDUAL WELLS.
2. SEWAGE DISPOSAL IS PROVIDED BY INDIVIDUAL SEPTIC SYSTEMS.
3. LOT 3 WITHIN THIS SUBDIVISION HAS BEEN RESERVED TO BE DEVELOPED WITH GRADED INFILTRATION AREAS TO MANAGE ON-SITE STORMWATER RUNOFF.
4. ANY WORK INVOLVING FILLING, EXCAVATING, OR DRAINING EXISTING WETLANDS REQUIRES AN ARMY CORPS OF ENGINEERS, SECTION 404 PERMIT, PRIOR TO BEGINNING WORK.
5. LOT 3 SHALL HAVE ACCESS ONLY FROM BIRCH BEAUTY ROAD. NO ACCESS SHALL BE PERMITTED FROM DUFFORT ROAD.
6. AT THE TIME OF APPLICATION FOR A BUILDING PERMIT OR BUILDING LOCATION PERMIT FOR FUTURE RESIDENTIAL BUILDING(S) (EXCLUDING ADDITIONS, REMODELS OR RECONSTRUCTION OF EXISTING STRUCTURES), THE LANDOWNER SHALL PROVIDE AN APPROVED TIME SUPPLEMENT METHOD, INSTALLED AND APPROVED TO THE SATISFACTION OF THE SABLE TREE DISTRICT.
7. A UTILITY EASEMENT WITH NO DEFINED WIDTH OR LOCATION, BENEFITING NORTHERN LIGHTS, INC. AFFECTS THE SUBJECT PROPERTY (INSTRUMENT 68868, RECORDS OF BONNER COUNTY, IDAHO).
8. THE PORTION OF THE SUBJECT PROPERTY LYING NORTH OF DUFFORT ROAD IS SUBJECT TO ARMY CORPS OF ENGINEERS RIGHT TO FLOOD EASEMENTS (INSTRUMENTS 43674 AND 68803, RECORDS OF BONNER COUNTY, IDAHO).
9. THE SUBJECT PROPERTY HAS A BENEFICIAL INTEREST IN AN EASEMENT FOR MAINTENANCE AND USE OF THE SPRINKLER EQUIPMENT PRESENTLY INSTALLED AND IN LINE ON THE WEST 1040 FEET OF THAT PORTION OF GOVERNMENT LOT 4 IN SECTION 2, TOWNSHIP 55 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN, BONNER COUNTY, IDAHO, LYING NORTH OF DUFFORT ROAD AND COMPRISING ALL LAND NORTH OF SAID ROAD EASTWARD FROM THE WEST LINE OF SECTION 2 TO THE CONVERGENCE OF THE SOUTH RIVER BANK OF THE FORD OREILLE RIVER AND SAID ROAD RIGHT OF WAY (INSTRUMENT 443881, RECORDS OF BONNER COUNTY, IDAHO).
10. THE EAST LINE OF GOVERNMENT LOT 4 AS SHOWN ON THE RECORD OF SURVEY WITH INSTRUMENT NUMBER 43334 (SR4) IS BASED ON A SECTION BREAKDOWN WHICH USED THE SOUTH QUARTER CORNER SHOWN ON THE PLAT OF BIRCH BEAUTY ESTATES, CREATES (SR2). THE SURVEYOR FOR SAID PLAT, PROBABLY HAVING DECIDED THAT THE ORIGINAL CORNER WAS LOST, REPLACED IT AS SHOWN ON SAID PLAT AT A SINGLE PROPORTION POSITION. HOWEVER, THE ORIGINAL CORNER IN FACT STILL EXISTED AND WAS EVIDENT AS SHOWN ON THE RECORD OF SURVEY WITH INSTRUMENT NUMBER 280003 (SR1). THE SOUTH QUARTER CORNER AS SHOWN ON SAID SURVEY (SR1) WAS HELD IN THE SURVEY OF THE SUBJECT PLAT.

LEGEND

- SET 3/4" REBAR WITH ALUMINUM CAP, PLS 9905
- FOUND 1/2" REBAR, PLS 974 AND REPLACED WITH 3/4" REBAR WITH ALUMINUM CAP, PLS 9905
- ▲ FOUND 1/2" REBAR AND REPLACED WITH 3/4" REBAR WITH ALUMINUM CAP, PLS 9905
- FOUND 3/4" REBAR, PLS 8919
- FOUND MONUMENT AS NOTED
- (SR2) AS SHOWN ON THE PLAT OF "BIRCH BEAUTY ESTATES", BOOK 3 OF PLATS, PAGE 103, RECORDS OF BONNER COUNTY, IDAHO.
- (SR4) AS SHOWN ON RECORD OF SURVEY, INSTRUMENT 423334, RECORDS OF BONNER COUNTY, IDAHO.
- (SR10) AS SHOWN ON UNRECORDED SURVEY FOR GENE WILSON, BY ALLAN V. ROBERT ON MAY 18, 1977.

S.I. L.S.M. R.A.N. E.S.		SHEET TITLE	
		HOLLINSHEAD PLAT	
		James A. Crowell and Associates, LLC	
		1205 HIGHWAY 2, SUITE 101 SANDPOINT, IDAHO 83864, (208) 263-4160	



LINE	BEARING	LENGTH
1	S 89° 00' 00" E	34.00
2	S 89° 00' 00" E	10.00
3	S 89° 00' 00" E	10.00
4	S 89° 00' 00" E	10.00
5	S 89° 00' 00" E	10.00
6	S 89° 00' 00" E	10.00
7	S 89° 00' 00" E	10.00
8	S 89° 00' 00" E	10.00
9	S 89° 00' 00" E	10.00
10	S 89° 00' 00" E	10.00
11	S 89° 00' 00" E	10.00
12	S 89° 00' 00" E	10.00
13	S 89° 00' 00" E	10.00
14	S 89° 00' 00" E	10.00
15	S 89° 00' 00" E	10.00
16	S 89° 00' 00" E	10.00
17	S 89° 00' 00" E	10.00
18	S 89° 00' 00" E	10.00
19	S 89° 00' 00" E	10.00
20	S 89° 00' 00" E	10.00

CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
1	10.00	100.00	10.00	10.00	S 89° 00' 00" E
2	10.00	100.00	10.00	10.00	S 89° 00' 00" E
3	10.00	100.00	10.00	10.00	S 89° 00' 00" E

TRUE NORTH



SCALE IN FEET
(1"=100')

