

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 82-12260

Priority: May 31, 2016

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 19.9 AF

This is to certify, that **STEPHEN W HACKNEY**
309 FARRENS CREEK LN
GRANGEVILLE ID 83530

has applied for a permit to appropriate water from:

Source: SPRING

Tributary: SINKS

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER FROM STORAGE	01/01 to 12/31	0.02 CFS	
STOCKWATER STORAGE	01/01 to 12/31		19.9 AF
RECREATION STORAGE	01/01 to 12/31		19.3 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		19.3 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING SW1/4, SE1/4, SE1/4, Sec. 11, Twp 29N, Rge 03E, B.M., IDAHO County

SPRING NE1/4, SE1/4, SE1/4, Sec. 11, Twp 29N, Rge 03E, B.M., IDAHO County

PLACE OF USE: STOCKWATER STORAGE, STOCKWATER FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
29N	03E	11																	X

PLACE OF USE: FIRE PROTECTION STORAGE, RECREATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
29N	03E	11																	X

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2021**.
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
5. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
6. The two ponds established by the storage of water under this right shall not exceed a total capacity of 7.7 acre-feet or a total surface area of .8 acres.

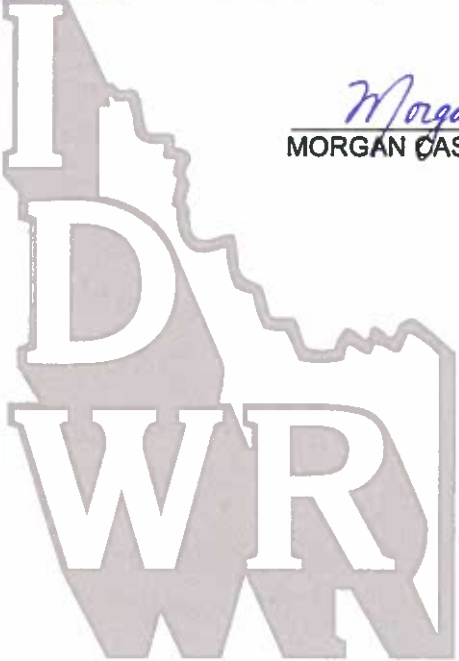
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State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 82-12260

7. Right 82-12260 authorizes the storage of an annual total of 19.9 acre-feet, 7.7 acre-feet to be used for the initial filling or carryover storage of the ponds, 11.6 acre-feet for the replacement of losses due to seepage and evaporation, and up to 0.6 acre-feet for additional refills for stockwater from storage use.
8. Stockwater use is for 22 head Mixed Stock.
9. Water shall not be diverted from fire protection storage except to fight or repel an existing fire.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.

Signed, this 4th day of October, 20 16.


Morgan Case
MORGAN CASE, Northern Regional Manager

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OCT 06 2016

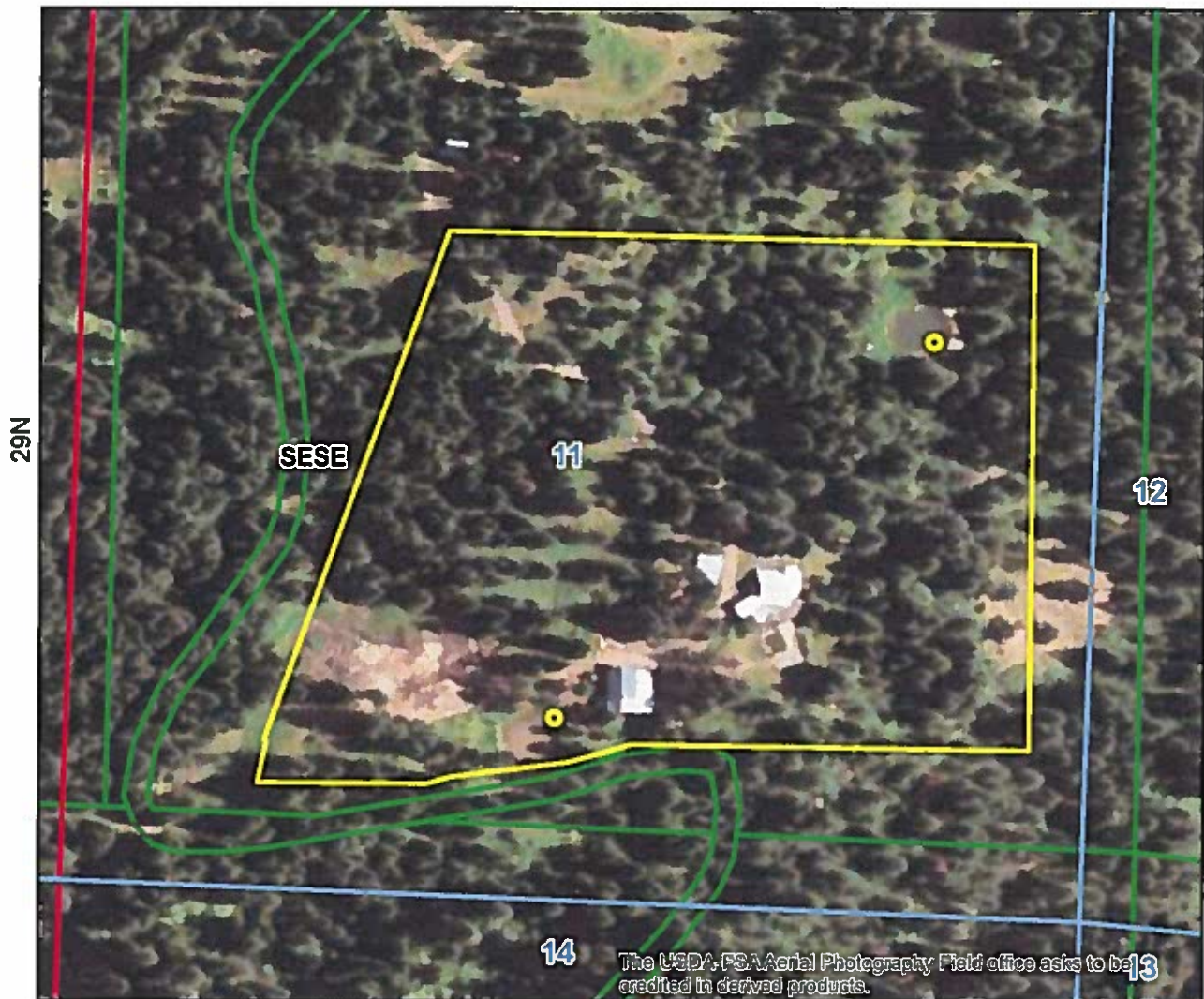
State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

82-12260

This map depicts the STOCKWATER FROM STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

03E



- Point of Diversion
- Place Of Use Boundary
- PLS Sections
- Taxlots

0 0.0275 0.055 0.11 Miles



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State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

82-12260

This map depicts the STOCKWATER, RECREATION, AND FIRE PROTECTION STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Taxlots

0 0.035 0.07 0.14 Miles

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OCT 06 2016



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

October 6, 2016

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

STEPHEN W HACKNEY
309 FARRENS CREEK LN
GRANGEVILLE ID 83530

RE: Permit No.82-12260

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

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Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

A handwritten signature in black ink that reads "Morgan Case". The signature is written in a cursive, flowing style.

Morgan Case
Northern Regional Manager

Enclosure(s)

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OCT 06 2016

CERTIFICATE OF SERVICE

I hereby certify that on October 6, 2016 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

82-12260

**STEPHEN W HACKNEY
309 FARRENS CREEK LN
GRANGEVILLE ID 83530**



**Dianne L. Ball
Administrative Assistant**

**SCANNED
OCT 06 2016**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

RECEIVED

OCT 19 2016

Shaun Maxey,

IDWR/NORTHERN

Thursday, September 29, 2016

Statement by Stephen W. Hackney

There were errors in the calculations to my ponds. I'm sending a copy of the Hackney Ponds Work Sheet (2016) and I want it incorporated into this statement.

To summarize:

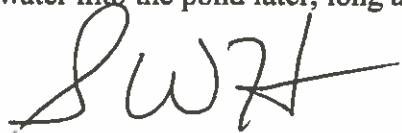
Fire Protect Storage equals or is less than 19.3 AF (I'm guessing that we're talking about AF).

Recreation Storage equals or is less than 19.3 AF.

Stockwater Storage equals or is less than 19.9 AF

Total equals 19.9 AF.

All of my ponds drop to a certain level by this time and then stabilize. There must be some combination of seepage, inflow, evaporation, deer and cattle use that maintains the water level. When the Blackerby fire was threatening my property, the Forest Service pumped about 25,000 gallons of water out of the smaller circular pond. The pond did not drop after that, but it didn't refill either. The Forest Service did haul 20,000 gals. of water into the pond later, long after the fire was out.. The new level didn't drop either.



Stephen W. Hackney
309 Farrens Creek Ln
Grangeville, Idaho 83530
Hackney13@hughes.net
208-983-3109

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OCT 06 2016



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

September 27, 2016

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

Stephen W. Hackney
309 Farrens Creek LN
Grangeville, ID 83830

RE: Statement regarding corrections to Pond Worksheet

Mr. Hackney:

Enclosed are photocopies of the Pond Worksheet and Total Storage Calculations (Green and Yellow document) for your Water Right Permit Application. The photocopy of the Pond Worksheet shows your initials on changes to the initial calculations.

I have not received the statement from you that we have discussed concerning the corrections made to the Pond Worksheet. This Statement is needed before IDWR can finalize your Water Right Permit. Please use the self addressed, postage paid, return envelope to return the Statement to me as soon as possible.

I can be reached at (208) 762.2816.

Respectfully,

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

Enclosures

Photocopies of Worksheet and Total Storage Calculations

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OCT 06 2016

Maxey, Shaun

From: Maxey, Shaun
Sent: Tuesday, September 13, 2016 5:12 PM
To: 'Stephen Hackney'
Subject: RE: Permit

Mr. Hackney:

We still need the statement from you that we discussed via telephone several days ago. This is the statement indicating that you believe the corrections you made to the Ponds Worksheet on your Application are more accurate than the calculations indicated on the original Ponds Worksheet.

Thanks,

Shaun Maxey

Shaun M. Maxey
Sr. Water Resource Agent
Idaho Department of Water Resources, Northern Region
7600 N Mineral DR Suite 100
Coeur d'Alene, ID 83815-7763
Phone (208) 762.2816 /2800
Fax (208) 762.2819
www.idwr.idaho.gov

From: Stephen Hackney [<mailto:hackney13@hughes.net>]
Sent: Tuesday, August 16, 2016 8:19 PM
To: Maxey, Shaun
Subject: Permit

Shaun,
I got your phone message. Looking forward to getting the permit. Thank you,

Stephen W Hackney
Hackney Construction
309 Farrens Creek Ln
Grangeville, Idaho 83530-5086
hackney13@hughes.net
208-983-3109

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OCT 06 2016



Report — Engineering Properties

Absence of an entry indicates that the data were not estimated. The asterisk '*' denotes the representative texture; other possible textures follow the dash. The criteria components is found in the National Engineering Handbook, Chapter 7 Issued May 2007(<http://directives.sc.egov.usda.gov/OpenNonWebContent.aspx?content=17757>)

Idaho County Area, Idaho, Western Part

Map unit symbol and soil name	Pct. of map unit	Hydrologic group	Depth	USDA texture	Classification		Fragments		
					Unified	AASHTO	>10 inches	3-10 inches	
In									
Pct									
Pct									
12—Brody-Wapshilla association									
Brody, cool	50	B	0-3	Slightly decomposed plant material	PT	A-8	0- 0- 0	0- 0- 0	10
			3-4	Moderately decomposed plant material	PT	A-8	0- 0- 0	0- 0- 0	10
			4-26	Cobbly ashy loam	GM, ML, SM, SC-SM	A-4, A-2	0- 0- 0	24-26- 27	68
			26-43	Very cobbly silt loam, very gravelly loam, extremely cobbly loam	GC, CL, GC-GM	A-4, A-2, A-1, A-6	0- 0- 0	17-22- 26	56
			43-53	Bedrock	—	—	—	—	—
Wapshilla	30	B	0-1	Slightly decomposed plant material	PT	A-8	0- 0- 0	0- 0- 0	10
			1-15	Loam	ML, SC-SM	A-4	0- 0- 0	0- 3- 4	85
			15-23	Gravelly loam	CL, GC, GC-GM	A-4, A-6, A-2	0- 0- 0	0- 7- 12	63
			23-60	Very gravelly loam, very gravelly clay loam	GC, CL	A-2, A-6, A-7	0- 2- 3	0- 4- 7	51
128—Wapshilla loam, 7 to 25 percent slopes									
Wapshilla	85	B	0-1	Slightly decomposed plant material	PT	A-8	0- 0- 0	0- 0- 0	10
			1-15	Loam	ML, SC-SM	A-4	0- 0- 0	0- 3- 4	85
			15-23	Gravelly loam	CL, GC, GC-GM	A-4, A-6, A-2	0- 0- 0	0- 7- 12	63

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OCT 06 2016

23-60	Very gravelly loam, very gravelly clay loam	CL, GC	A-2, A-6, A-7	0- 2- 3	0- 4- 7	51
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Description — Engineering Properties**Engineering Properties**

This table gives the engineering classifications and the range of engineering properties for the layers of each soil in the survey area.

Hydrologic soil group is a group of soils having similar runoff potential under similar storm and cover conditions. The criteria for determining Hydrologic soil group is for 2007 (<http://directives.sc.egov.usda.gov/OpenNonWebContent.aspx?content=17757.wba>). Listing HSGs by soil map unit component and not by soil series is a new con HSGs by soil series. Soil series are continually being defined and redefined, and the list of soil series names changes so frequently as to make the task of maintaining a used to calculate the HSG using the component soil properties and no such national series lists will be maintained. All such references are obsolete and their use should those that influence the minimum rate of infiltration for a bare soil after prolonged wetting and when not frozen. These properties are depth to a seasonal high water table depth to a layer with a very slow water transmission rate. Changes in soil properties caused by land management or climate changes also cause the hydrologic soil group. There are four hydrologic soil groups, A, B, C, and D, and three dual groups, A/D, B/D, and C/D. In the dual groups, the first letter is for drained areas and the second

The four hydrologic soil groups are described in the following paragraphs:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravels.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils having a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

Depth to the upper and lower boundaries of each layer is indicated.

Texture is given in the standard terms used by the U.S. Department of Agriculture. These terms are defined according to percentages of sand, silt, and clay in the fraction. For example, a soil that is 7 to 27 percent clay, 28 to 50 percent silt, and less than 52 percent sand. If the content of particles coarser than sand is 15 percent or more, a soil is classified as clay.

Classification of the soils is determined according to the Unified soil classification system (ASTM, 2005) and the system adopted by the American Association of State Highway and Transportation Officials (AASHTO). The Unified system classifies soils according to properties that affect their use as construction material. Soils are classified according to particle-size distribution of the soil, liquid limit, and organic matter content. Sandy and gravelly soils are identified as GW, GP, GM, GC, SW, SP, SM, and SC; silty and clayey soils as ML, CL, OL, and MH. Engineering properties of two groups can have a dual classification, for example, CL-MH.

The AASHTO system classifies soils according to those properties that affect roadway construction and maintenance. In this system, the fraction of a mineral soil that is finer than No. 20 sieve is used to classify soils from A-1 through A-7 on the basis of particle-size distribution, liquid limit, and plasticity index. Soils in group A-1 are coarse grained and low in content of fines (silt and clay). Highly organic soils are classified in group A-8 on the basis of visual inspection.

If laboratory data are available, the A-1, A-2, and A-7 groups are further classified as A-1-a, A-1-b, A-2-4, A-2-5, A-2-6, A-2-7, A-7-5, or A-7-6. As an additional refinement, a group index number is assigned to each soil. Group index numbers range from 0 for the best subgrade material to 20 or higher for the poorest.

Rock fragments larger than 10 inches in diameter and 3 to 10 inches in diameter are indicated as a percentage of the total soil on a dry-weight basis. The percentages are based on the field to weight percentage.

Percentage (of soil particles) passing designated sieves is the percentage of the soil fraction less than 3 inches in diameter based on an oven-dry weight. The sieves, numbered 4.75, 2.00, 0.425, and 0.075 millimeters, respectively. Estimates are based on laboratory tests of soils sampled in the survey area and in nearby areas and on estimates from nearby areas.

Liquid limit and plasticity index (Atterberg limits) indicate the plasticity characteristics of a soil. The estimates are based on test data from the survey area or from nearby areas.

References:

American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing.

American Society for Testing and Materials (ASTM). 2005. Standard classification of soils for engineering purposes. ASTM Standard D2487-00.

SCANNED
OCT 06 2016

MEMORANDUM

Date: September 01, 2016
To: Water Right File 82-12260
From: smaxey
Re: RENUMBER

82-12260 WAS RENUMBERED FROM 85-15775 AT THE TIME THE PERMIT WAS ISSUED. APPLICATION (80967) 85-1775 WAS IMPROPERLY NUMBERED DURING APPLICATION DATA ENTRY DUE TO AN ARCMAP BASIN BOUNDARY ERROR.

IDWR NORTHERN REGION STAFF DETERMINED THAT REPUBLICATION OF LEGAL NOTICES IS NOT REQUIRED. NO PROTESTS WERE RECEIVED AND THERE IS NO INJURY TO OTHER WATER RIGHTS FROM THE RENUMBERING.

SCANNED
OCT 06 2016

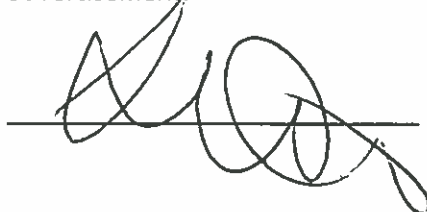
RECEIVED
JUL 22 2016
IDWR/NORTH

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Idaho - ss.

Sarah S. Klement, being first duly sworn, says she is the Publisher of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho County, State of Idaho, and is of general circulation in said county and state, that the said legal notice, of which the one hereto attached is a true copy, was published in said paper for three weeks, being published three times, the first publication being on the 6th day of July, 2016; and the last publication on the 13th day of July, 2016; and that the said legal notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the publication of said legal notice of advertisement.



STATE OF IDAHO)

COUNTY OF IDAHO)

On this 13th day of July in the year of 2016, before me a Notary Public personally appeared Sarah S. Klement, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Notary Public for Idaho

Residing at Grangeville, ID

My commission expires:

1-29-19

SCANNED
OCT 06 2016

RECEIVED
JUL 22 2016
IDWR/NORTH

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

82-12259

CITY OF STITES

PO BOX 300

STITES, ID 83552

Point of Diversion SWNWNW S28 T32N R04E IDAHO County

Point of Diversion SENENE S29 T32N R04E IDAHO County

Point of Diversion SESESE S20 T32N R04E IDAHO County

Source GROUND WATER

Use: MUNICIPAL 01/01 to 12/31 0.25 CFS

Total Diversion: 0.25 CFS

Date Filed: 4/15/2016

Place of Use: MUNICIPAL

Municipal use is within the service area of the applicant.

85-15773

TED G WEEKS

TIFFANY L WEEKS

140 PINE RD

KAMIAH, ID 83536

Point of Diversion L23(NWNWSW) S12 T33N R03E IDAHO CO

Source SPRING tributary SINKS

Use DOMESTIC 01/01 to 12/31 0.04 CFS

Use: IRRIGATION 03/15 to 11/15 0.09 CFS

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Total Diversion: 0.15 CFS

Date Filed: 5/9/2016

Place of Use: DOMESTIC T33N R03E S12 L10(SWNW) L23(NWSW)

Place of Use: STOCKWATER and IRRIGATION

T33N R03E S12 L10(SWNW) L23(NWSW)

Total Acres: 3

Domestic use is for 1 home.

Stockwater use is for 5 head of mixed stock.

85-15775

STEPHEN W HACKNEY

309 FARRENS CREEK LN

GRANGEVILLE, ID 83530

Point of Diversion SWSESE S11 T29N R03E IDAHO County

Source SPRING Tributary SINKS

Point of Diversion NESESE S11 T29N R03E IDAHO County

Source SPRING Tributary SINKS

Use: FIRE PROTECTION Storage 01/01 to 12/31 19.3 AF

Use: RECREATION Storage 01/01 to 12/31 19.3 AF

Use: STOCKWATER Storage 01/01 to 12/31 19.9 AF

Use: STOCKWATER from Storage 01/01 to 12/31 0.02 CFS

Total Diversion: 0.02 CFS 19.9 AF

Date Filed: 5/31/2016

Place of Use: STOCKWATER from Storage T29N R03E S11 SESE

Place of Use: STOCKWATER Storage T29N R03E S11 SESE

Place of Use: RECREATION Storage T29N R03E S11 SESE

Place of Use: FIRE PROTECTION Storage T29N R03E S11 SESE

Stockwater use is for 22 head of cattle and horses

Recreation use is for swimming.

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(s), please see:

<http://www.idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/>.

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 7/25/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/6/2016 and 7/13/2016

17103 Jy06 - JY 13

SCANNED
OCT 06 2016



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1118 F Street • Lewiston, Idaho 83501 • (208) 799-4370
www.deq.idaho.gov

RECEIVED
JUL - 5 2016
IDWR/NORTHERN
Ct. "Butch" Otter, Governor
John H. Tippetts, Director

July 1, 2016

Mr. Shaun Maxey
Idaho Department of Water Resources
7600 North Mineral Drive, Suite 100
Coeur d'Alene, Idaho 83815

Subject: Water Appropriation, Permit # 85-15775

Dear Shaun:

We received a request for comment for an application for a water appropriation permit to appropriate a total quantity of 0.02 cubic feet per second and/or 19.9 acre feet per year from a spring located on property in Idaho County. A new pond will be constructed in the spring area and an existing pond will be excavated. The appropriated water will be used for stockwater, fire protection and recreation from January 1 to December 31. Assuming all federal, state and local permits have been obtained, regulations met, and reviews completed, we offer the following comments.

The spring is described in the application as a sink. Because we assume any water of the State which occurs beneath the surface of the earth in a saturated geological formation of rock or soil to be ground water (Idaho Code 58.01.02.010.45), we assume there to be hydrologic gradient connectivity to surface waters of the State. It is the policy of the State of Idaho Ground Water Management Plan that existing and projected beneficial uses of ground water and interconnected surface water be maintained and protected and degradation that would impair beneficial uses of ground water and interconnected surface water not be allowed.

Thank you for the opportunity to comment on your application. If you have any questions regarding the Idaho Water Quality Standards, please call us at (208) 799-4370.

Sincerely,

A handwritten signature in black ink that reads "Cindy Barrett".

Cindy Barrett
Surface Water Quality Manager

c: Stephen Hackney, Grangeville
John Cardwell, DEQ
TRIM

SCANNED
OCT 06 2016