

FORM 520-0716

AUG 05 2016

IDWR / NORTH

81145

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

96-9640
Ident. No. **RECEIVED**

AUG 24 2016

IDWR/NORTHERN

1. Name of applicant(s) KRISTA HESS-MILLS Phone (541) 223.1016
Name connector (check one) ☐ and ☐ or ☐ and/or
 Mailing address 37 PINE RD OLDTOWN ID 83822 Email _____
2. Name of representative, if any _____ Phone _____
 Mailing address _____ 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 providing authority to sign for the applicant.
3. Source of water supply UNNAMED STREAM which is a tributary of GOLD GULCH
4. Location of point(s) of diversion: NW NW 9/4m

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
56N	01W	5	4		NW	NE	BONNER	UNNAMED STREAM	X 12-21
56N	01W	5	4		NW	NW			

5. Water will be used for the following purposes:
 Amount 0.04 for DOMESTIC purposes from 01-01 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. gravity fed water system with pipe to divert water from unnamed stream
- 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 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
- 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. _____

Received by db Date 8/5/16 Time _____ Preliminary check by _____
 Fee \$ 100.00 Receipted by db Receipt No. N032097 Date 8/5/16

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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. _____

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	5				<u>GL3</u>	<u>D</u>	<u>D</u>											
						<u>GL4</u>	<u>GL4</u>												

Total number of acres to be irrigated: 1/2

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 would use this water for the sole source for domestic use including one half acre of yard space.

- Who owns the property at the point of diversion? Krista Hess-Mills, or Mod Mrs. Koon easement for gravity fed water system 12-3-97, instrument #51526
- Who owns the land to be irrigated or place of use? APPLICANT
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: depending on where I want to get access to creek, I could use easement, or on my land. See ↑

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. There was an easement given 12-3-'97, instrument #515263 if I can find the 4" pipe already installed in '97 on the property owned by Mr & Mrs Koon, if not I will have a new one installed. This emptied into a small pond acting as a "holding tank" which is on my property. There is no other source of domestic water. A second point of diversion may be added on my property for a separate water line or to connect to the existing easement line.
13. Time required for completion of works and application of water to proposed beneficial use is 3 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.

Krista Hess-Mills
Signature of Applicant
Krista Hess-Mills
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

2nd
Posi
Point
of
diver

APPLICATION FOR PERMIT

96-XXXXXX

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AUG 05 2016

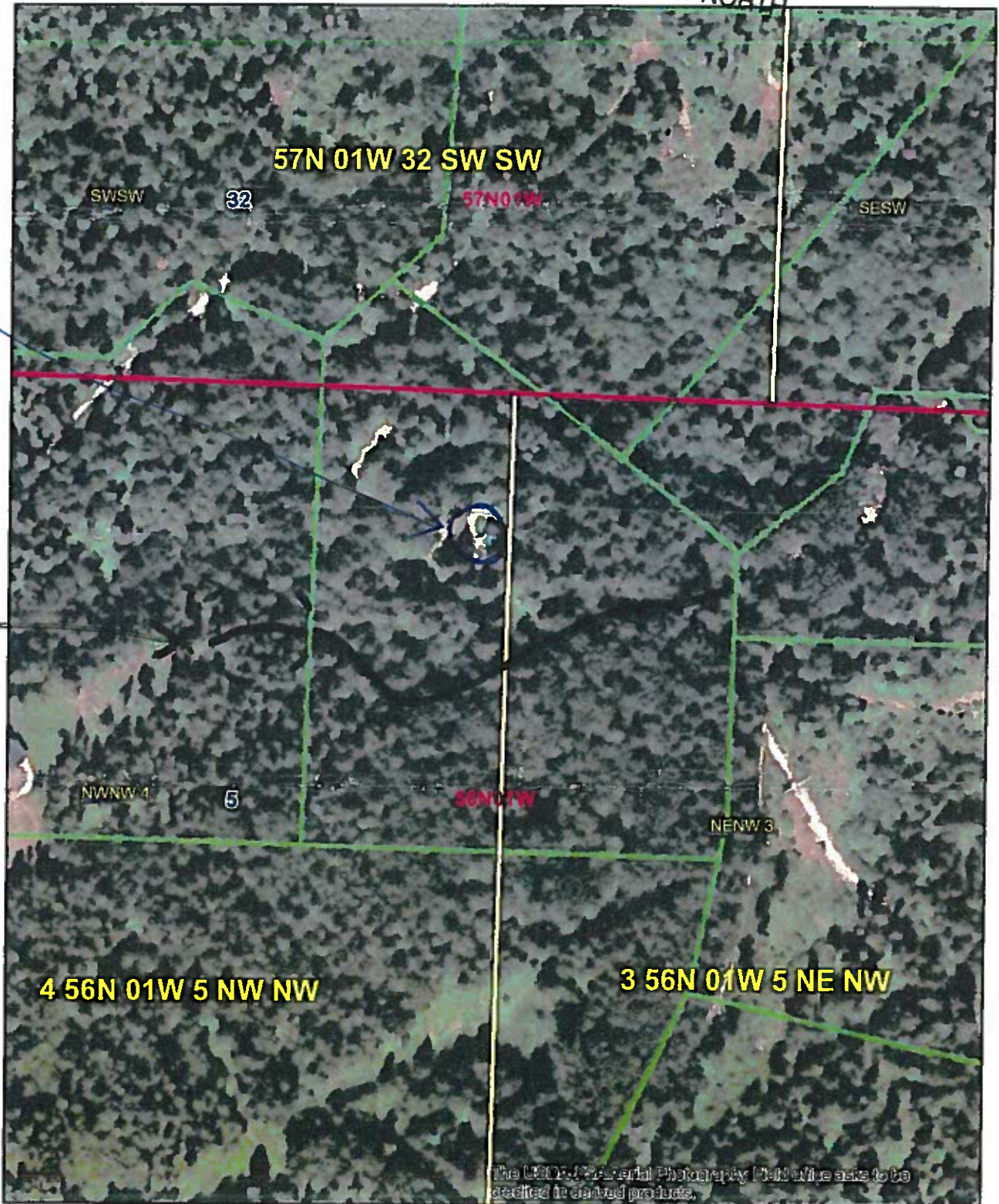
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SEP 01 2016

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Possible Point
of diversion
Place of use



1520
as - n. Coule sh!!
1947 737
Pres't Rwig. Id
33854

FILED BY

1997 DEC -3 P 2:05

MAHIE SCOTT
BOJNER COUNTY RECORDER

DEPUTY

515263

RECEIVED
SEP 01 2015
IDWR/NORTH

KNOW ALL MEN BY THESE PRESENTS:

That Grantors, JACK O. WALDEN and JOLENE WALDEN, husband and wife, FOR A VALUABLE CONSIDERATION do hereby grant, bargain, sell and convey unto JD LUMBER, INC., an Idaho Corporation, of Post Office Box 55, Priest River, Idaho 83856, the Grantee, the following-described property in Bonner County, State of Idaho, to wit:

A tract of land located in a portion of Section 5, Township 56 North, Range 1 West, and Section 32, Township 57 North, Range 1 West, Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Beginning at the Northwest corner of said
Section 5;

thence North 89°56'51" East along the North line of Section 5 a distance of 306.89 feet to the Southwest corner of said Section 32;

thence continuing along said North line North 89°30'51" East a distance of 531.05 feet;

thence North 46°01'57" East a distance of
144.20 feet;

thence South 70°04'55" East a distance of
181.32 feet;

WARRANTY DEED
P-1

thence South $0^{\circ}54'13''$ East a distance of 619.34 feet;

thence South $89^{\circ}20'29''$ West a distance of 1111.97 feet to the West line of said Section 5;

thence North $0^{\circ}53'18''$ West along said West line a distance of 590.38 feet to the point of beginning.

SUBJECT TO AND TOGETHER WITH a 60.00 foot road easement for ingress and egress 30.00 feet on each side of the above described existing access roads and the existing access roads as recorded on sheets 1 through 3 of Lots 1 through 31 of said Section 32, Township 57 North, Range 1 West and Section 5, Township 56 North, Range 1 West as recorded in records of Bonner County, Idaho, by Instrument Nos. 247152, 247153 and 247154;

RESERVING AND GRANTING, HOWEVER, for the benefit of a tract of land located in a portion of Section 5, Township 56 North, Range 1 West, and Section 32, Township 57 North, Range 1 West, Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of said Section 32; thence North $89^{\circ}39'51''$ East along the South line of said Section 32 (also the North line of said Section 5) a distance of 531.05 feet; thence North $46^{\circ}01'57''$ East a distance of 144.20 feet; thence South $70^{\circ}04'55''$ East a distance of 181.32 feet to a point, said point being the TRUE POINT OF BEGINNING; thence North $47^{\circ}08'16''$ East a distance of 109.95 feet; thence South $54^{\circ}29'10''$ East a distance of 537.42 feet; thence South $0^{\circ}51'43''$ East a distance of 329.17 feet; thence South $10^{\circ}58'21''$ West a distance of 47.84 feet; thence South $89^{\circ}20'29''$ West a distance of 504.38 feet; thence North $0^{\circ}54'43''$ West a distance of 619.34 feet to the TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 6.53 ACRES.

hereinafter the "Dominant Estate", an appurtenant easement to an existing gravity fed water system consisting of a catch basin and four (4") pipe, which catch basin is located on the Creek West of the existing road on the property herein-being conveyed; thence North under the existing road to the North line of the property herein-being conveyed; thence East along the North line of said property, a distance of 150 feet, more or less, to the Northeast corner of said property, together with the right to use, maintain and replace the water system. This Easement is appurtenant and shall run with the land, and is granted for the sole and separate use of the Dominant Estate. Grantee shall indemnify and hold the Dominant Estate harmless from any damage to the water system caused by Grantee's logging operations or road building.

TOGETHER WITH all and singular, the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining.

And, the above-named Grantors hereby covenant that the above-described premises are free from encumbrances and that they and their heirs, executors and administrators shall warrant and defend the above premises against all lawful claims and demands except current taxes, easements, restrictions, covenants, reservations, exceptions and rights of way of record and of view.

DATED this 28 day of Nov., 1997.

Jack O. Walden
Jack O. Walden

Jolene Walden
Jolene Walden

Customer Reference No.

File No. 317387

Underwriter: Chicago Title Insurance Company

13. Rights, interests, or claims which may exist or arise by reason of the following fact(s)
shown on a survey plat entitled A Survey of the Moon Property

Dated: September 15, 1971

Prepared by: Alan V. Kiebert, W.K.S. Associates

Recorded: September 19, 1971

Instrument No.: 247154

Fact(s): 60.0' Private Road

14. Terms, provisions, limitations and obligations, whether express or implied, contained in
an Easement.

Purpose: Ingress and egress

Recorded: September 29, 1981

Instrument No.: 247528

15. Terms, provisions, limitations and obligations, whether express or implied, contained in
an Easement.

Purpose: Gravity fed water system

Recorded: December 3, 1997

Instrument No.: 515263

16. Easements, reservations, notes and/or dedications as shown on the official plat of
Bonaire Plat

END OF SCHEDULE B

Ball, Dianne

From: Ball, Dianne
Sent: Friday, September 09, 2016 1:50 PM
To: 'Fredericks, Holly'
Cc: Frederick, Adam; Maxey, Shaun; Case, Morgan
Subject: Application for Permit No. 95-17192, 97-7539, 96-9639, 96-9640
Attachments: LegalNotice 09-09-16 BCDB e-mail 95-17192, 96-9639, 9640, 97-7539.doc

Hi, Holly,

Please publish this attached legal notice in the Bonner County Daily Bee on the dates indicated, September 15 and 22, 2016, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

I believe this should be very close to press ready – for 2-column, 8pt, Century Old Style font, and again, it might even be close enough to just copy and paste, with very little adjustment or modification required.

Please note the area(s) under **USE** containing dates and water amounts that are offset and lined up. Our legal should appear in this format.

Please also send a proof/preview copy for my review before this actually goes to press.

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 10/3/2016. Your cooperation is always greatly appreciated.

If you have any questions, please contact me as early as possible, and a big thanks for all your help with our legal notices.

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
2600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819

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

95-17192

KENNETH NORRIS
ADRIENNE NORRIS
JOHN FIORENTINO
CHRISTINE CONWAY
PO BOX 236
SPIRIT LAKE, ID 83869
Point of Diversion SWSNW S7 T54N R04W BONNER County
Source SPRING tributary SINKS
Point of Diversion SENW S7 T54N R04W BONNER County
Source UNNAMED STREAM tributary SINKS
Use: DOMESTIC 01/01 to 12/31 0.06 CFS
Use: IRRIGATION 04/01 to 10/31 0.12 CFS
Use: STOCKWATER 01/01 to 12/31 0.02 CFS
Total Diversion: 0.2 CFS
Date Filed: 8/16/2016
Place of Use: DOMESTIC T54N R04W S7 SENW
Place of Use: STOCKWATER T54N R04W S7 SENW
Place of Use: IRRIGATION T54N R04W S7 SENW
Total Acres: 4
Domestic use is for 2 homes.
Stockwater use is for 30 head of mixed stock.

96-9639

JOHN MC CURDY
36 STAR RIDGE RD
HOPE, ID 83836
Point of Diversion SENE S12 T57N R01E BONNER County
Source UNNAMED STREAM tributary TRESTLE CREEK
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Use: IRRIGATION 04/01 to 10/31 0.12 CFS
Total Diversion: 0.16 CFS
Date Filed: 8/22/2016
Place of Use: DOMESTIC T57N R01E S12 SENE
Place of Use: IRRIGATION T57N R01E S12 SWNE SENE
Total Acres: 4
Domestic use is for one home.

96-9640

KRISTA HESS MILLS
37 PINE RD
OLDTOWN, ID 83822
Point of Diversion L4(NWNW) S5 T56N R01W BONNER County
Source UNNAMED STREAM tributary GOLD GULCH
Point of Diversion L4(NWNW) S5 T56N R01W BONNER County
Source UNNAMED STREAM Tributary GOLD GULCH
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 8/5/2016
Place of Use: DOMESTIC T56N R01W S5 L4(NWNW)
Domestic use is for 1 home.

97-7539

GARRY MOHR
BONNIE MOHR
163 EL NIDO AVE
MONROVIA, CA 91016
Point of Diversion NENWNW S28 T61N R04W BONNER County
Source PRIEST LAKE tributary PRIEST RIVER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 8/15/2016
Place of Use: DOMESTIC T61N R04W S28 L2(NWNW)
Domestic use is for 1 home.
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 10/3/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/15/2016 and 9/22/2016



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 9, 2016

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

KRISTA HESS MILLS
37 PINE RD
OLDTOWN, ID 83822

Application For Permit No. 96-9640

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 9/15/2016 and 9/22/2016. 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,

A handwritten signature in black ink that reads "Shaun M. Maxey". The signature is written in a cursive style with a large, looping "S" and "M".

Shaun M Maxey
Senior Water Resource Agent