

81047

Ident. No. 96-9633

RECEIVED

JUL 20 2016

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) KEN AND/OR ANGELA FINLAYSON Phone 951-805-4395
 Name connector (check one): ☐ and ☐ or ☒ and/or
 Mailing address 12300 N HOLMES LN. HAYDEN ID 83835 Email kfinlayson5@gmail.com
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 SPRING/UNNAMED STREAM which is a tributary of SINKS/FISH CREEK
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
55N	03W	27		SW	SE	NW	BONNER	SPRING	
55N	03W	27			SE	NW	BONNER	UNNAMED STREAM	

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 0.15 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)
6. Total quantity to be appropriated is (a) 0.19 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. APPLICANT PLANS TO DIVERT WATER FROM SPRING AND STREAM TO CISTERN FOR USE TO HOME 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 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. _____.

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by NLS Receipt No. N032046 Date 7-20-16

8. Description of proposed uses (if irrigation only, go to item 8):
- 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	
55N	03W	27								5									
										D									

Total number of acres to be irrigated: 5

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 BUILD HOME AND USE WATER FROM SPRING AND UNNAMED STREAM TO SERVE HOME AND IRRIGATE 5 ACRES OF LAND.
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.

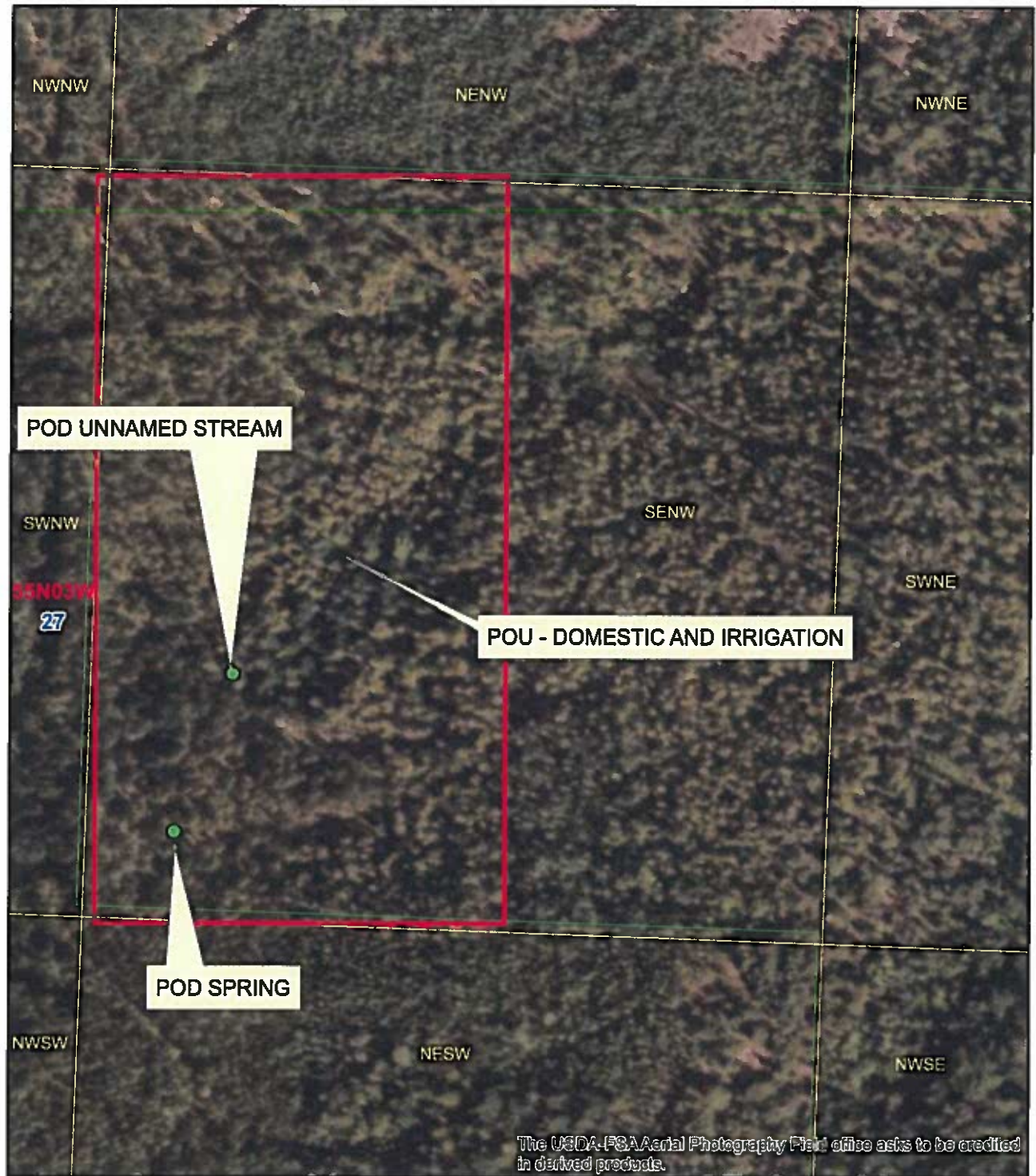
The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


 Signature of Applicant
 ANGELA FINLAYSON
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)

APPLICATION MAP



Legend

-  Taxlots
-  Township/Range
-  Sections
- QQ

0 0.0275 0.055 0.11 Miles



Instrument # 890323

BONNER COUNTY, SANDPOINT, IDAHO
6-16-2016 8:31:50 AM No. of Pages: 2
Recorded for: ALLIANCE TITLE - SANDPOINT
Michael W Rosedale Fee: \$13.00
Ex-Officio Recorder Deputy
WARRANTY DEED

23

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:316301

FOR VALUE RECEIVED

Eich Properties, LLC, a limited liability company

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Kenneth Finlayson and Angela Finlayson husband and wife

whose current address is

12300 N. Holmes Lane, Hayden, ID 83835

the grantee(s), the following described premises, in Bonner County, Idaho, TO WIT:

Parcel I

THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 55 NORTH, RANGE 3 WEST, BOISE MERIDIAN, BONNER COUNTY, IDAHO.

Parcel II

AN EASEMENT BEING 60 FEET WIDE FOR INGRESS, EGRESS AND UTILITIES IS HEREBY GRANTED AND RESERVED FOR THE BENEFIT OF THE ABOVE DESCRIBED PARCEL, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

**COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER (CENTER QUARTER CORNER);
THENCE NORTH 00 DEGREES 28' 37" EAST, 850.03 FEET TO THE CENTERLINE OF AN EXISTING ROAD, SAID POINT BEING THE TERMINUS OF AN EXISTING EASEMENT RECORDED AT INSTRUMENT NUMBER 779985, RECORDS OF BONNER COUNTY, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;
THENCE ALONG SAID CENTERLINE THE FOLLOWING 3 COURSES;
1) NORTH 80 DEGREES 43' 57" WEST, 154.92 FEET;
2) NORTH 61 DEGREES 03' 44" WEST, 114.91 FEET;
3) NORTH 69 DEGREES 48' 04" WEST, 48.92 FEET TO A POINT OF INTERSECTION WITH AN EXISTING ROAD WHICH BEARS SOUTHERLY AND WESTERLY;
THENCE ALONG THE CENTERLINE OF SAID ROAD THE FOLLOWING 10 COURSES:
1) SOUTH 20 DEGREES 11' 56" WEST, 11.31 FEET;
2) SOUTH 29 DEGREES 31' 27" EAST, 176.99 FEET;
3) SOUTH 54 DEGREES 58' 31" EAST, 91.17 FEET;
4) SOUTH 19 DEGREES 53' 37" WEST, 34.70 FEET;
5) SOUTH 51 DEGREES 39' 09" WEST, 158.84 FEET;
6) SOUTH 36 DEGREES 02' 26" WEST, 133.53 FEET;
7) SOUTH 59 DEGREES 04' 39" WEST, 118.37 FEET;
8) SOUTH 71 DEGREES 17' 46" WEST, 70.61 FEET;
9) SOUTH 56 DEGREES 54' 14" WEST, 84.11 FEET;
10) SOUTH 79 DEGREES 39' 37" WEST, 68.24 FEET TO AN INTERSECTION WITH THE WESTERLY LINE OF THE ABOVE DESCRIBED PARCEL.**

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

96-9632

CHARLES & MARLA MAILE FAMILY TRUST NOVEMBER 24
2008
23 SKY MEADOW LANE
SAGLE, ID 83860
Point of Diversion SESW S4 T56N R01W BONNER County
Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Use: IRRIGATION 04/01 to 10/31 0.16 CFS
Total Diversion: 0.2 CFS
Date Filed: 7/11/2016
Place of Use: IRRIGATION T56N R01W S4 SWSW SESW
Place of Use: DOMESTIC T56N R01W S4 SESW
Total Acres: 8.5
DOMESTIC USE IS FOR 1 HOME.

96-9633

KEN FINLAYSON
ANGELA FINLAYSON
12300 N HOLMES LN
HAYDEN, ID 83835
Point of Diversion SWSEW S27 T55N R03W BONNER County
Source SPRING tributary SINKS
Point of Diversion SENW S27 T55N R03W BONNER County
Source UNNAMED STREAM tributary FISH CREEK
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Use: IRRIGATION 04/01 to 10/31 0.15 CFS
Total Diversion: 0.19 CFS
Date Filed: 7/20/2016
Place of Use: DOMESTIC T55N R03W S27 SENW
Place of Use: IRRIGATION T55N R03W S27 SENW
Total Acres: 5
Domestic use is for 1 home.

96-9634

PETER FREEMAN
PO BOX 157
DOVER, ID 83825-0157
Point of Diversion NESW S23 T57N R03W BONNER County
Source GROUND WATER Tributary CARR CREEK
Point of Diversion NESW S23 T57N R03W BONNER County
Source GROUND WATER tributary CARR CREEK
Use: DIVERSION to Storage 01/01 to 12/31 0.2 CFS
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Use: FIRE Protection Storage 01/01 to 12/31 1.4 AF
Use: IRRIGATION 04/01 to 10/31 0.05 CFS
Use: IRRIGATION from Storage 04/01 to 10/31 4.5 AF
Use: IRRIGATION Storage 01/01 to 12/31 5.9 AF
Use: STOCKWATER 01/01 to 12/31 0.02 CFS
Use: STOCKWATER from Storage 01/01 to 12/31 0.1 AF
Use: STOCKWATER Storage 01/01 to 12/31 1.5 AF
Total Diversion: 0.2 CFS 6 AF
Date Filed: 7/11/2016
Place of Use: IRRIGATION T57N R03W S23 NESW SESW
Place of Use: DOMESTIC T57N R03W S23 NESW
Place of Use: STOCKWATER T57N R03W S23 NESW SESW
Place of Use: IRRIGATION from Storage T57N R03W S23 NESW
SESW
Place of Use: IRRIGATION Storage T57N R03W S23 NESW SESW
Place of Use: STOCKWATER Storage T57N R03W S23 NESW
SESW
Place of Use: STOCKWATER from Storage T57N R03W S23
NESW SESW
Place of Use: FIRE Protection Storage T57N R03W S23 NESW
SESW
Total Acres: 1.5
Domestic use is for 1 home
Stockwater use is for 10 head mixed stock.

97-7536

LEVI EDGECOMBE
DENISE EDGECOMBE
11123 148TH ST E
PUYALLUP, ID 98374
Point of Diversion L1(ENE) S28 T60N 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: 7/20/2016
Place of Use: DOMESTIC T60N R04W S28 L1(ENE)
Domestic use is for 1 home, with up to 1/2 acre irrigation.

97-7537

JANA OSTLER
4672 GLEASON MC ABEE FALLS RD
PRIEST RIVER, ID 83853
Point of Diversion NENESW S8 T58N R04W BONNER County
Source SPRING tributary SINKS
Point of Diversion NESW S8 T58N R04W BONNER County
Source SURFACE RUNOFF
Use: DIVERSION to Storage 01/01 to 12/31 0.07 CFS
Use: FIRE Protection Storage 01/01 to 12/31 0.2 AF
Use: IRRIGATION 04/01 to 10/31 0.03 CFS
Use: IRRIGATION from Storage 04/01 to 10/31 3 AF
Use: IRRIGATION Storage 01/01 to 12/31 3.2 AF
Use: STOCKWATER 01/01 to 12/31 0.02 CFS
Use: STOCKWATER from Storage 01/01 to 12/31 0.1 AF
Use: STOCKWATER Storage 01/01 to 12/31 0.3 AF
Total Diversion: 0.12 CFS 3.3 AF
Date Filed: 7/22/2016
Place of Use: STOCKWATER T58N R04W S8 SENW NESW
Place of Use: FIRE Protection Storage T58N R04W S8 NESW
Place of Use: STOCKWATER Storage T58N R04W S8 NESW
Place of Use: IRRIGATION from Storage T58N R04W S8 NESW
Place of Use: STOCKWATER from Storage T58N R04W S8 SENW
NESW
Place of Use: IRRIGATION Storage T58N R04W S8 NESW
Place of Use: IRRIGATION T58N R04W S8 NESW
Total Acres: 1
Stockwater use is for 12 head of mixed stock.

97-7538

JANA OSTLER
4672 GLEASON MC ABEE FALLS RD
PRIEST RIVER, ID 83853
Point of Diversion NENESW S8 T58N R04W BONNER County
Source SPRING tributary SINKS
Point of Diversion NESW S8 T58N R04W BONNER County
Source SURFACE RUNOFF
Use: DIVERSION to Storage 01/01 to 12/31 0.12 CFS
Use: FIRE Protection Storage 01/01 to 12/31 0.2 AF
Use: IRRIGATION 04/01 to 10/31 .03 CFS
Use: IRRIGATION from Storage 04/01 to 10/31 3 AF
Use: IRRIGATION Storage 01/01 to 12/31 3.2 AF
Use: STOCKWATER 01/01 to 12/31 0.02 CFS
Use: STOCKWATER from Storage 01/01 to 12/31 0.1 AF
Use: STOCKWATER Storage 01/01 to 12/31 0.3 AF
Total Diversion: 0.17 CFS 3.3 AF
Date Filed: 7/22/2016
Place of Use: IRRIGATION T58N R04W S8 NESW
Place of Use: FIRE Protection Storage T58N R04W S8 NESW
Place of Use: STOCKWATER Storage T58N R04W S8 NESW
Place of Use: STOCKWATER T58N R04W S8 SENW NESW
Place of Use: STOCKWATER from Storage T58N R04W S8 SENW
NESW
Place of Use: IRRIGATION Storage T58N R04W S8 NESW
Place of Use: IRRIGATION from Storage T58N R04W S8 NESW
Total Acres: 1
Stockwater use is for 12 head of mixed stock.

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 9/6/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/18/2016 and 8/25/2016

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, August 10, 2016 10:12 AM
To: 'Fredericks, Holly'
Cc: Case, Morgan; Frederick, Adam; Maxey, Shaun
Subject: Application for Permit No. 96-9632, 96-9633, 96-9634, 97-7536, 97-7537, 97-7538,
Attachments: LegalNotice 08-09-16 BCDB e-mail 96-9632, 33, 34, 97-7536, 37, 38.doc

Good Morning, Holly,

Please publish the enclosed legal notice in the *Bonner County Daily Bee*, on the dates indicated, August 18 and 25, 2016, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

This should be **very close to press ready** – for 2-column, 8pt, Century Old Style font.. As long as this one is, it should be close enough to just copy and paste, with very little modification being 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. **IF** they can copy and paste, it should eliminate much if any modification. It's a standard WORD document.

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

If you have any questions, please contact me asap.

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 9/6/2016. Your cooperation is appreciated.

Holly, it's really a pleasure working with you. Thanks for all your wonderful help, especially with these longer and more complicated legals.

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 10, 2016

KEN FINLAYSON
ANGELA FINLAYSON
12300 N HOLMES LN
HAYDEN, ID 83835

Application For Permit No. 96-9633

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 8/18/2016 and 8/25/2016. 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 cursive script that reads "Adam Frederick".

Adam Frederick
Senior Water Resource Agent

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, August 09, 2016 1:53 PM
To: 'Siitari, Kiira'
Subject: RE: Application for Permit No. 96-9633 Spring & Unnamed Stream,, 97-7537 Spring / Runoff; 97-7538 Spring / Runoff
Attachments: App-map-deed-96-9633.pdf; App-map-etc-97-7537.pdf; App-map-etc-97-7538.pdf

Hi, Kiira

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

These are being prepared for publication in the Bonner County Daily Bee on August 18 and 25, 2016 with September 6, 2016 as final date for protests to be received in our office.

Your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, 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 in this office if you have any questions regarding these applications.

Sincerely,

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819