

AMENDED

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

**RECEIVED
FEB 26 2015
IDWR/NORTH**

1. Name: CAROLYNN FUGATE
2360 MICHIGAN AVE NO 1
OROFINO ID 83544
DFUGATE@NIGHTFORCEOPTICS.COM
AND/OR

DAN FUGATE
2360 MICHIGAN AVE NO 1
OROFINO ID 83544
DFUGATE@NIGHTFORCEOPTICS.COM

2. Source: SPRING Tributary to: SINKS

3. Location of Point of Diversion:

#1 SPRING NW1/4SE1/4NW1/4 Sec. 32, Twp 37N, Rge 02E, B.M.
CLEARWATER County

4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u> <u>To</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	
STOCKWATER	01/01 to 12/31	0.02 CFS	

5. Total quantity to be appropriated is: 0.06 CFS

6. Proposed diverting works:

POINT OF DIVERSION #1

a. Type and size of devices used to divert water from the source: PLACE 50 GALLON BARREL AT SOURCE COLLECTING WATER. CARRY AWAY WITH 1 INCH WATER PIPE.

- b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet.

- c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.

- d. Is ground water with a temperature of greater than 85F being sought?

- e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 year(s).

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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8.

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
37N	02E	32	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
										X									

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
37N	02E	32	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
										X									

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

10. Remarks:

WE ARE WANTING WATER RIGHTS FILED ON THIS SPRING SO THAT WE CAN MAKE USE OF AN EXISTING SPRING THAT IS ON OUR PROPERTY. WE WOULD LIKE TO USE THE WATER TO WATER LIVESTOCK AS WELL AS FOR FIRE PROTECTION WHEN NEEDED. THE REMAINING WATER WOULD BE USED FOR IRRIGATION AND DOMESTIC USE AT A HOME OR CABIN..

11. Map of proposed point of diversion and place of use attached? YES DF

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Don Fugate Applicant _____ Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

Receipt No. N031728

Date: 2/10/16

Received by: df

State of Idaho
Department of Water Resources

APPLICATION

84-XXXXX

02E

37N

CLEARWATER TAX PARCEL RP37N02E324200

T37N R02E S.32 SE NW

0 0.0375 0.075 0.15 Miles

 Taxlots



RECEIVED

FEB 10 2016

80677

Ident. No. 84-12285

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) Dan Carolyn Fugate Phone _____
 Name connector (check one): ☐ and ☐ or ☒ and/or
 Mailing address 2360 Michigan Ave # 2 City Orofino
 State ID Zip 83544 Email dfugate@nightforceoptics.com
 2. Source of water supply Spring which is a tributary of USA
 3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
37N	2E	32		SE	NE		Clearwater	Spring	
				SE	NW				
							DA 2/10/16		

4. Water will be used for the following purposes: Domestic DA 2/10/16
 Amount 1.04 for stock watering purposes from Jan 1st to Dec 31st (both dates inclusive)
 (cfs or acre-feet per year)
 Amount 1.02 for fire protection storage purposes from Jan 1st to Dec 31st (both dates inclusive)
 (cfs or acre-feet per year)
 Amount 1.01 for irrigation purposes from Jan 1st to Dec 31st (both dates inclusive)
 (cfs or acre-feet per year)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
 5. Total quantity to be appropriated is (a) 2.03 cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).
 6. Proposed diverting works:
 a. Describe type and size of devices used to divert water from the source. place 50 gal barrel at source collecting water, ran away with 1" water pipe.
 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 OR reservoirs with a total 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. _____
 7. Description of proposed uses (if irrigation only, go to item 8):
 a. Hydropower; show total feet of head and proposed capacity in kW. _____
 b. Stockwatering; list number and kind of livestock. 6 Horses & Mules
 c. Municipal; complete and attach the Municipal Water Right Application Checklist.
 d. Domestic; show number of households 1 DA 2/10/16
 e. Other; describe fully. _____

SUPERSEDED

8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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	
37N	2E	32								D									
37N	2E	32								S									

Total number of acres to be irrigated: _____

9. 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?

To be used to water a garden and also used to water outdoor landscaping

10. a. Who owns the property at the point of diversion? Don & Carolyn Fugate (Current owner)
- b. Who owns the land to be irrigated or place of use? Don & Carolyn Fugate (Current owner)
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

We are using water right filed on this spring so that we can make use of an existing spring that is on our property. We would like to use the water to water livestock as well as for fire protection when needed. The remaining water would be used for irrigation.

12. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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.

Don Fugate
Signature of Applicant

Carolyn Fugate
Signature of Applicant

Don Fugate
Print Name (and title, if applicable)

Carolyn Fugate
Print Name (and title, if applicable)

Received by dp For Department Use:
Date 2/10/16 Time _____ Preliminary check by _____
Fee \$ 100.00 Received by dp Receipt No. N031728 Date 2/10/16

SUPERSEDED

RECEIVED

FEB 10 2016

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

IDWR / NORTH

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Name connector (check one): ☐ and ☐ or ☒ and/or
Mailing address 2360 Michigan Ave # 1 City Orofino
State ID Zip 83544 Email dfugate@nightforceoptics.com
2. Source of water supply Spring which is a tributary of NA
3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
37N	2E	32		SE	NW		Clearwater	Spring	

4. Water will be used for the following purposes:
Amount .01 for stock watering purposes from Jan 1st to Dec 31st (both dates inclusive)
(cfs or acre-feet per year)
Amount .01 for fire protection storage purposes from Jan 1st to Dec 31st (both dates inclusive)
(cfs or acre-feet per year)
Amount .01 for Irrigation purposes from Jan 1st to Dec 31st (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
5. Total quantity to be appropriated is (a) .03 cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).
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a. Describe type and size of devices used to divert water from the source. place 50 gal barrel at source collecting water, ran away with 1" water pipe.
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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	

Total number of acres to be irrigated: _____

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Dan Fugate
Signature of Applicant

Carolyn Fugate
Signature of Applicant

Dan Fugate
Print Name (and title, if applicable)

Carolyn Fugate
Print Name (and title, if applicable)

Received by dp

Date 2/10/16

For Department Use:

Time

Preliminary check by

Fee \$ 100.00

Received by dp

Receipt No. 11031725

Date 2/10/16

SUPERSEDED

State of Idaho
Department of Water Resources

APPLICATION

84-XXXXX

02E

CLEARWATER TAX PARCEL RP37N02E324200

37N



0 0.0375 0.075 0.15 Miles

 Taxlots

SUPERSEDED



Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, March 08, 2016 4:35 PM
To: Legal Notices-Clearwater Tribune
Cc: Maxey, Shaun
Subject: Application for Permit No. 84-12285
Attachments: LegalNotice 03-08-16 CT-e-mail 84-12285.doc

Hi, Marcie and Andrea,

Please publish the enclosed legal notice on the dates indicated, March 17 and 24, 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, 9pt. I don't have the "Times" font, so am sending this in Arial and trust you can substitute "Times" or whatever font you currently use.

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.

If you have any questions, please contact me as early as possible.

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 4/4/2016. Your cooperation is appreciated.

It's always a pleasure working with you. Thanks for all your great help.

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

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

84-12285

CAROLYNN FUGATE

DAN FUGATE

2360 MICHIGAN AVE NO 1

OROFINO, ID 83544

Point of Diversion NWSNW S32 T37N R02E

CLEARWATER County

Source SPRING tributary SINKS

Use: DOMESTIC	01/01 to 12/31	0.04 CFS
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Use: STOCKWATER	01/01 to 12/31	0.02 CFS
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Total Diversion:	0.06 CFS
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Date Filed: 2/16/2015

Place of Use: DOMESTIC T37N R02E S32 SENW

Place of Use: STOCKWATER same as DOMESTIC

Domestic use is for 1 home.

Stockwater use is for 6 horses.

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:

www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp.

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 4/4/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/17/2016 and 3/24/2016



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

March 8, 2016

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

CAROLYNN FUGATE &/or
DAN FUGATE
2360 MICHIGAN AVE NO 1
OROFINO, ID 83544

Application For Permit No. 84-12285

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 CLEARWATER TRIBUNE on 3/17/2016 and 3/24/2016. 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,

Shaun M Maxey
Water Resource Agent, Senior

Enc. Receipt No. N031728

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, March 08, 2016 3:11 PM
To: Cynthia.Barrett@deq.idaho.gov; rhennekey@idfg.idaho.gov
Subject: RE: Application for Permit No. 84-12285
Attachments: 84-12285-app-and-map.pdf

Dear Cindy and Ray:

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

This is being prepared for publication in the Clearwater Tribune on March 17 and 24, 2016, with April 4, 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 Shaun Maxey in this office if you have any questions regarding the application.

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