

80691

Ident. No. 92-11047

RECEIVED

FEB 23 2016

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

IDWR/NORTHERN

AND/OR

1. Name of applicant(s) JAMES A. CYNTHIA J. TURNER Phone 208-568-1745
 Name connector (check one) ☒ and ☐ or ☒ and/or
 Mailing address 2943 PETTIS RD City ST. MARIES
 State ID Zip 83861 Email jc chevysr forever@gmail.com
2. Source of water supply GROUND WATER which is a tributary of TRIBUTARY UNNAMED STREAM
ST
3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
45N	1W	22		NE	SE	NE	RENEWAH	GROUNDWATER	

4. Water will be used for the following purposes:
 Amount 0.04 for Domestic purposes from 1-1 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)
5. Total quantity to be appropriated is (a) 0.04 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. HAND DUG WELL WITH 2" PVC TO 550 GALLON HOLDING TANK ON PARCEL AP35ND1W22187D (GRAVEL FEED SYSTEM)
ST
 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 NA inches; proposed depth of well is NA feet.
 d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
 e. If well is already drilled, when? NA; drilling firm NA; well was drilled for (well owner) KULLMER; Drilling Permit No. NA
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. _____
 c. Municipal; complete and attach the Municipal Water Right Application Checklist.
 d. Domestic; show number of households 1
 e. Other; describe fully. HAND DUG 12' DEEP WELL

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	
45N	01W	22				D													

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?

10. a. Who owns the property at the point of diversion? CLINT FULLMER
- b. Who owns the land to be irrigated or place of use? JAMES A. CYNTHIA J. TURNER
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

WATER LINE EASEMENT (SEE ATTACHED)

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

I INTEND TO USE THIS WATER FOR DOMESTIC USE FOR 1 (ONE) HOUSE, TWO PEOPLE AND TO WATER GARDEN AND SMALL FLOWER BED. WATER RIGHT LICENSE 92-10014 USES SAME POINT OF DIVERSION.

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.

James A. Turner
Signature of Applicant

JAMES A TURNER
Print Name (and title, if applicable)

Cynthia Turner
Signature of Applicant

CYNTHIA TURNER
Print Name (and title, if applicable)

Received by dm Date 02-23-2016 Time 3:37 PST Preliminary check by dm
Fee \$ \$100.00 Received by dm Receipt No. N031743 Date 02-23-2016

APPLICATION FOR PERMIT



WATER LINE EASEMENT

For the value received of ONE DOLLAR and other valuable goods and considerations, Clinton and Elaine Fulmer (Grantors) hereby grant unto James and Cynthia Turner (Grantees), a permanent easement on, over, under and across the below described property for the installation, repair, maintenance and or replacement of all items required for the capture, storage and conveyance of spring water to Lot 3A for the Grantees. The primary use of the captured water is for domestic and irrigation us by the Grantees, one house hold.

The real property is part of Section 22, Parcel TMP22393, Lot 3A. RP45No1W2210860A. This easement is shown on the attached plat map.

At no time shall the Grantor construct any improvements within the easements which may result in damage to said water system, or in any manner sever, obstruct, restrict or adversely impair the operation of said system. It is further understood the Grantees shall, at all times conduct any activities related to the construction, operation, maintenance, repair, replacement, and removal of said system in a manner which will result in the least disturbance to Grantor's property, and will return the property to the same condition that existed prior to the work being performed.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors, and assigns.

DATED this 29th day of July 2015.

GRANTORS

Clinton A. Fulmer
7-29-15

Carolyn Elaine Fulmer
7-29-15

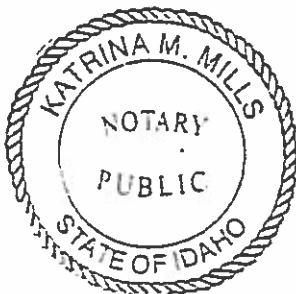
GRANTEES

STATE OF IDAHO

County of Benewah

)
) ss:
)

On this 29th day of July, 2015 before me, Katrina Mills
a Notary Public in and for said State,
personally appeared Clinton C. & Carolyn E. Fullmer, known or
identified to me to be the person whose name is subscribed to the
within instrument, and acknowledged to me that he/she executed the
same.



Katrina M. Mills
Notary Public in and for the State
of Idaho, residing at St. Mary's

My commission expires June 30, 2016

SIGNATURES ON BACK SIDE
WE COULDN'T ALL GET TOGETHER
SO WE EACH HAD IT NOTORIZED &
IT HAS BEEN RECORDED IN
BENEWAH COUNTY.

FEB 23, 2016 CT JT

WATER LINE EASEMENT

For the value received of ONE DOLLAR and other valuable goods and considerations, Clinton and Elaine Fulmer (Grantors) hereby grant unto James and Cynthia Turner (Grantees), a permanent easement on, over, under and across the below described property for the installation, repair, maintenance and or replacement of all items required for the capture, storage and conveyance of spring water to Lot 3A for the Grantees. The primary use of the captured water is for domestic and irrigation us by the Grantees, one house hold.

The real property is part of Section 22, Parcel TMP22393, Lot 3A. RP45No1W2210860A. This easement is shown on the attached plat map.

At no time shall the Grantor construct any improvements within the easements which may result in damage to said water system, or in any manner sever, obstruct, restrict or adversely impair the operation of said system. It is further understood the Grantees shall, at all times conduct any activities related to the construction, operation, maintenance, repair, replacement, and removal of said system in a manner which will result in the least disturbance to Grantor's property, and will return the property to the same condition that existed prior to the work being performed.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors, and assigns.

DATED this 27TH day of July 2015.

GRANTORS

GRANTEES

James C. Turner
Cynthia J. Turner

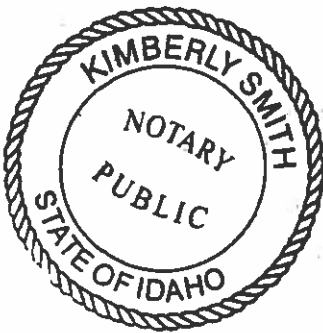
water permit

STATE OF IDAHO

)
) ss:
)

County of Benewah

On this 27th day of JULY, 2015 before me, Kimberly Smith, a Notary Public in and for said State, personally appeared Cynthia Turner/James Turner, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same.



Kimberly Smith

Notary Public in and for the State
of Idaho, residing at St. Maries

My commission expires: 9/30/19

NENE

NEGATIVE

CLINTON & ELDRINE FULLINWATER PERMIT # 92-10

Well Point of Divergence

X TREES

RP45NOIWZZIBU OA

WATERLINE FROM MEN 4' DEEP

EASE MENT

4. PROPERTY LINE

2943 REPTIS DEAR RD
JIM - CINDY TURNER

WATER SHED

SENE

RP45NOIW221870A

PFMATE RD

PC#15 PCAK2D.

PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 5/20/2013

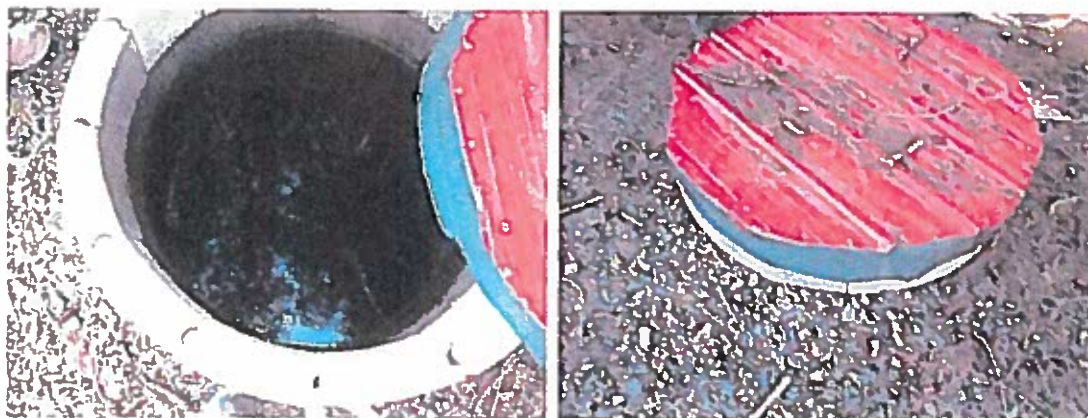
FILE NUMBER 92-10014



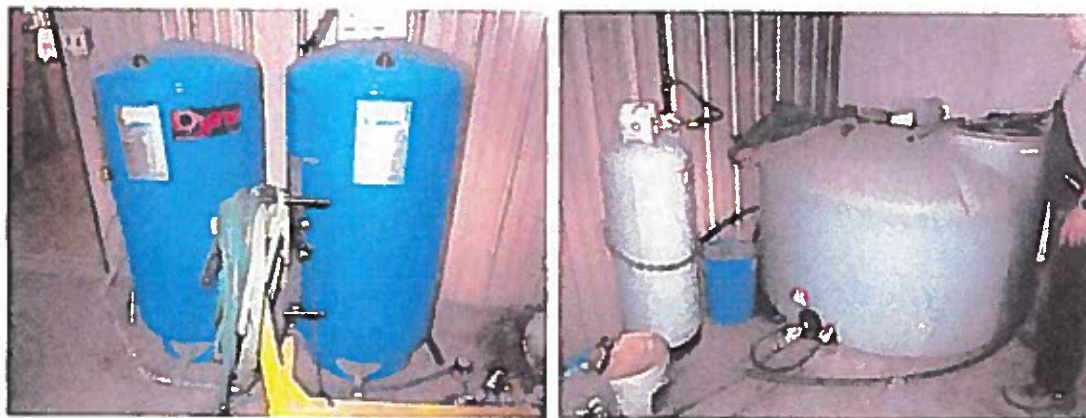
The photo above shows the culvert that collects the water for this permit. It is buried next to a small unnamed creek and collects shallow groundwater for the use in the home.

PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 5/20/2013

FILE NUMBER 92-10014



The photos above show the culvert used to capture the unnamed creek water through the shallow gravels. This is a 4 ft culvert that is approximately 14 ft deep. A 2 inch pipeline comes out of the culvert and travels to a 550 gallon tank shown below. From the tank, the water is pumped into the home and yard irrigation system by a 1/3 Hp pump. There are two pressure tanks also shown below.



MONEY RECEIPT			
DATE: 7/29/15		NO. 680499	
RECEIVED FROM: Cynthia Turner			
ADDRESS: 2943 Potts Peak Road			
St. Louis MO 63186		DOLLARS \$ 22 ⁰⁰	
FOR:		Total 22 ⁰⁰	
ACCOUNT		HOW PAID	
Amt. of Acct.		Cash	
Amt. Paid		Check	✓
Balance Due		Money Order	
		BY: [Signature]	

8L804 ©2001 REDI FORM 060701

RECEIPT FOR RECORDING OF
WATER LINE EASEMENT WITH
BENEWAH COUNTY RECORDER'S
OFFICE.

Cynthia Turner



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

February 25, 2016

JAMES A TURNER
CYNTHIA J TURNER
2943 PETTIS RD
ST MARIES, ID 83861

Application For Permit No. 92-11047

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 ST MARIES GAZETTE RECORD on 3/2/2016 and 3/9/2016. 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 fluid and cursive, with a large loop at the end of the last name.

Shaun M Maxey
Water Resource Agent, Senior

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, February 25, 2016 1:35 PM
To: Legal Notices-SMGazette Benewah Co (bri@smgazette.com)
Cc: Maxey, Shaun
Subject: Application for Permit No. 92-11047
Attachments: LegalNotice 02-25-16 SM e-mail 92-11047.doc

Hi, Bri,

Please publish the enclosed legal notice on the dates indicated, March 2 and 9, 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, 8.5pt, DUTCH 811 font.

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 3/21/2016. Your cooperation is appreciated.

Thanks for all your help. It's always a pleasure to work with you.

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:
92-11047

JAMES A TURNER
CYNTHIA J TURNER
2943 PETTIS RD
ST MARIES, ID 83861
Point of Diversion SENE S22 T45N R01W BENEWAH
County
Source GROUND WATER tributary UNNAMED
STREAM
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 2/23/2016
Place of Use: DOMESTIC T45N R01W S22 SENE
Domestic use is for 1 home with up to 1/2 acre
irrigation.

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 3/21/2016. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
Published on 3/2/2016 and 3/9/2016