

JAN 04 2016

IDWR / NORTH

92-11045
80603

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

Ident. No.

92-11045

1. Name of applicant(s) Jason Leslie Frank Phone 208-245-0840
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 3974 Sanders Rd. City Saint Maries
 State ID Zip 83861 Email Jsafrankmaintenance@gmail.com
 2. Source of water supply ground water which is a tributary of N/A
 3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
44N	3W	35		NW	SW	NE	Benewah	ground water	D 0069833

4. Water will be used for the following purposes:
 Amount .04 for Domestic use 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)
 5. Total quantity to be appropriated is (a) .04 cubic feet per second (cfs) and/or (b) .4 acre feet per year (af).
 6. Proposed diverting works:
 a. Describe type and size of devices used to divert water from the source. 1.5 hp pump + 1" poly 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 6" inches; proposed depth of well is 250' feet.
 d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
 e. If well is already drilled, when? 12-1-2015; drilling firm All Ways Drilling inc.; well was drilled for (well owner) Jason Leslie Frank; Drilling Permit No. unknown
 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 _____
 d. Domestic; show number of households one
 e. Other; describe fully. _____

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	
44N	3W	35			~~25~~						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?

lawn + garden irrigation

10. a. Who owns the property at the point of diversion? Jason Leslie Frank
- b. Who owns the land to be irrigated or place of use? Same as above.
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

N/A

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

To pump water from private well to use for Domestic use and Lawn + garden 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 8 1/2" 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.

Signature of Applicant

Signature of Applicant

Jason Leslie Frank

Print Name (and title, if applicable)

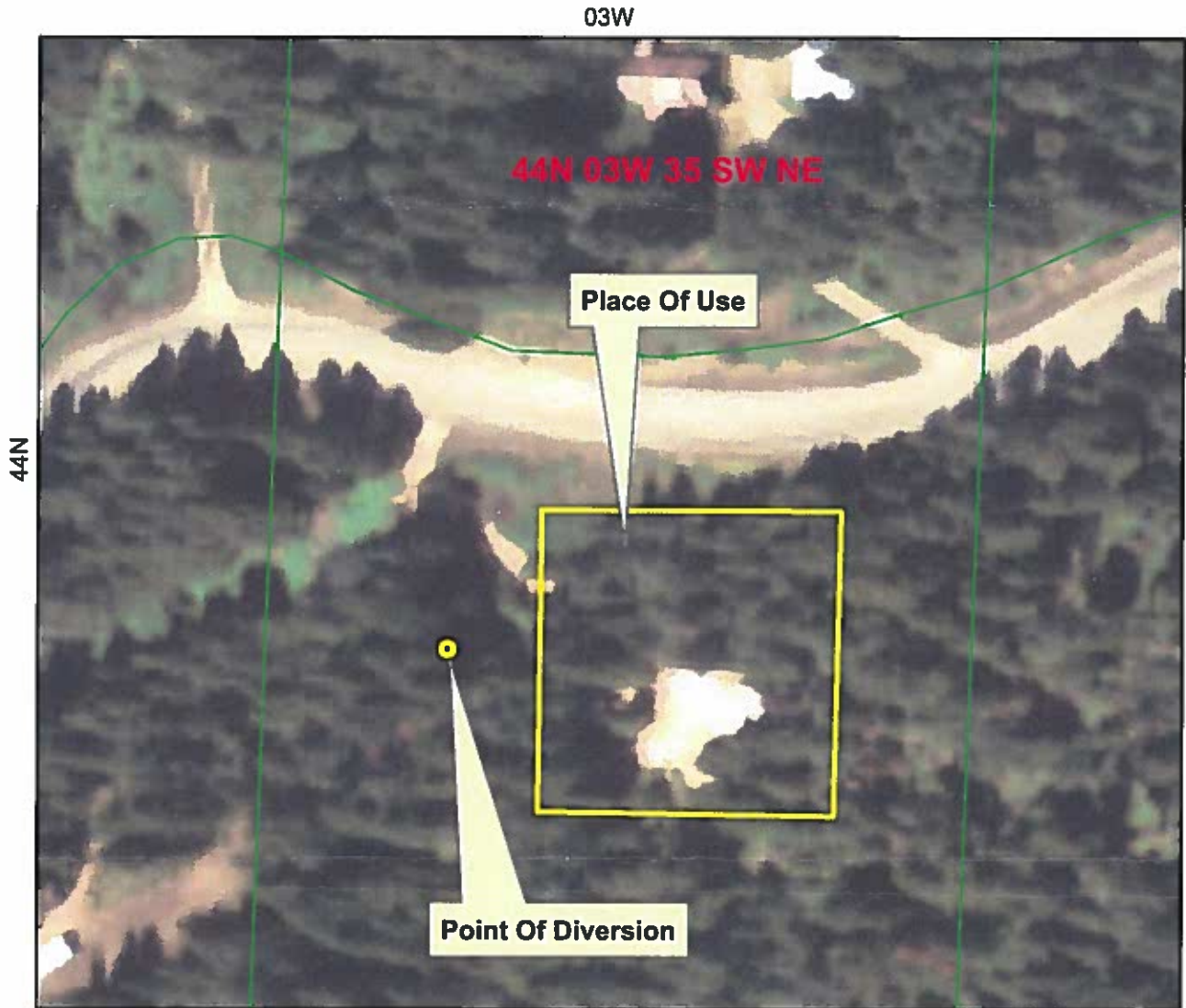
Print Name (and title, if applicable)

For Department Use:

Received by [Signature] Date 1/4/16 Time _____ Preliminary check by _____
Fee \$ 100.00 Received by [Signature] Receipt No. N031679 Date 1/4/16

State of Idaho
Department of Water Resources
Application For Permit
92-11044

RECEIVED
JAN 04 2016
IDWR / NORTH



0 0.01 0.02 0.04 Miles

- Point of Diversion
- Place Of Use Boundary
- Taxlots



Prepared By: Maxey, Shaun

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
831 Main Avenue
St. Maries, ID 83861

RECEIVED
JAN 04 2016
IDWR / NORTH

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 543886-SM (ps)

Date: May 15, 2015

For Value Received, **Joseph Finney and Anna Lisa Finney, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Jason L. Frank, an unmarried man**, hereinafter called the Grantee, whose current address is **PO Box 1560, Post Falls, ID 83877**, the following described premises, situated in **Benewah County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

[Handwritten signature]

Jason Frank
3974 Sanders Rd.
St. Maries ID

Date: 05/25/2015

83861

Warranty Deed
- continued

File No.: 543886-SM (ps)

EXHIBIT A

GYC-8

The West half of the Northwest Quarter of the Southwest Quarter of the Northeast Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$), lying South of the County Road and the Northwest Quarter of the Southwest Quarter of the Southwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$); all in Section 35, Township 44 North, Range 3 West, Boise Meridian, Benewah County, Idaho.

Maxey, Shaun

From: Jason Frank [jsnfrankmaintenance@gmail.com]
Sent: Monday, January 04, 2016 2:43 PM
To: Maxey, Shaun
Subject: RE: Corrections & Exhibit A from Warranty Deed for Water Right Permit Application
Attachments: Exhibit A physical property description.pdf

Shaun,

After discussing my water rights permit here are the corrections I authorize you to make to my water rights application. First, please remove the (.04 from line item 5b). Secondly on page two, line item 8 (place of use), my original entry that was "X'd out was the correct one so please change it back. Lastly I am attaching the legal description of the property, exhibit "A" for your use in the application process. Please let me know if there is anything else.

Thank you,

Jason Frank

From: Maxey, Shaun [<mailto:Shaun.Maxey@idwr.idaho.gov>]
Sent: Monday, January 4, 2016 2:16 PM
To: JSNFRANKMAINTENANCE@GMAIL.COM
Subject: Corrections & Exhibit A from Warranty Deed for Water Right Permit Application

Mr. Frank:

Your Water Right Permit Application has been received and is being processed by IDWR.

Please contact me about two corrections that should be made by e-mail to correct your Application (80603). The 0.4 that you have written in for 5(b) should be deleted and the location of the original place of use shown on page two was correct. This is consistent with the red text on the map you attached to the Application.

I also need to have you mail me a copy of Exhibit A from the Warranty Deed.

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

Maxey, Shaun

From: Maxey, Shaun
Sent: Monday, January 04, 2016 2:18 PM
To: 'JSNFRANKMAINTENANCE@GMAIL.COM'
Subject: Corrections & Exhibit A from Warranty Deed for Water Right Permit Application

Mr. Frank:

Your Water Right Permit Application has been received and is being processed by IDWR.

Please contact me about two corrections that should be made by e-mail to correct your Application (80603). The 0.4 that you have written in for 5(b) should be deleted and the location of the original place of use shown on page two was correct. This is consistent with the red text on the map you attached to the Application.

I also need to have you mail me a copy of Exhibit A from the Warranty Deed.

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

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, January 14, 2016 12:08 PM
To: kiira.siitari@idfg.idaho.gov
Cc: Frederick, Adam
Subject: RE: Application for Permit No. 96-9601
Attachments: app-maps-warranty-deed-96-9601.pdf

Dear Kiira:

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 office can publish notice of the application as soon as the initial review is completed; therefore, 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 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



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

January 14, 2016

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

JASON LESLIE FRANK
3974 SANDERS RD
ST MARIES, ID 83861

Application For Permit No. 92-11044

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.

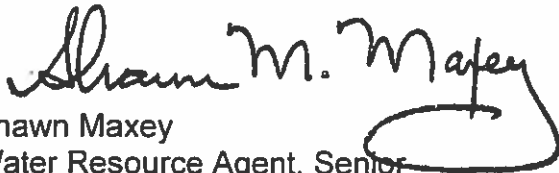
A legal notice of the application has been prepared and is scheduled for publication in the ST MARIES GAZETTE RECORD on 1/20/2016 and 1/27/2016. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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,



Shawn Maxey
Water Resource Agent, Senior

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, January 14, 2016 2:07 PM
To: Legal Notices-SMGazette Benewah Co (bri@smgazette.com)
Cc: Maxey, Shaun
Subject: Application for Permit No. 92-11044
Attachments: LegalNotice 01-14-16 SM e-mail 92-11044.doc

Hi, Bri,

Please publish the enclosed legal notice on the dates indicated, January 20 and 27, 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, Utopia font.

Please note the areas 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 2/8/2016. Your cooperation is greatly appreciated.

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:

92-11044

JASON LESLIE FRANK

3974 SANDERS RD

ST MARIES, ID 83861

Point of Diversion SWNE S35 T44N R03W BENEWAH County

Source GROUND WATER

Use: DOMESTIC 1/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 1/4/2016

Place Of Use: DOMESTIC T44N R03W S35 SWNE

Domestic use is for 1 home and 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/VRFFiling.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 2/8/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 1/20/2016 and 1/27/2016