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80571

Ident. No.

95-17125

DEC - 8 2015

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

1. Name of applicant(s) MARTIN, MICHAEL A Phone (208) 699.3359
 Name connector (check one) ☒ and ☐ or ☐ and/or
 Mailing address 3956 N PALMER DR City COEUR D ALENE
 State id Zip 83815 Email ~~mmme@aol.com~~ MMEI@AOL.COM
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
50N	03W	29	3		NE	SW	KOOTENAI	GROUNDWATER	D0061150

4. Water will be used for the following purposes:
 Amount .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)
5. Total quantity to be appropriated is (a) .04 cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).
6. Proposed diverting works:
- Describe type and size of devices used to divert water from the source. COMPLETED DRILLED WELL TO BE HOOKED UP TO EW HOME VIA EXISTING WATER STAND PIPE ALREADY AT CORNER OF PLACE OF USE LOT.
 - 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
 - Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
 - If well is already drilled, when? _____; drilling firm SEE ATTACHED WELL DRILLERS REPORT; well was drilled for (well owner) _____; Drilling Permit No. 864329
7. 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; complete and attach the Municipal Water Right Application Checklist.
 - Domestic; show number of households 1
 - Other; describe fully. _____

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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	
50N	03W	29									D								
											6L3								

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? FORD & CAROL SUE DUNTON FAMILY TRUST JOHN KILDOW

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:
See Attached.

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

HOME WITH EXISTING STUBBED IN WATER LINE IS UNDER CONSTRUCTION ON CURRENT UNDEVELOPED LOT (04320001009A). HOME WILL CONNECT TO EXISTING WATER SYSTEM FOR ADJUDICATION CLAIM 95-15124 (COEUR D'ALENE LAKE) & PERMIT 95-15125 (GROUNDWATER).

12. Time required for completion of works and application of water to proposed beneficial use is 3 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.

Signature of Applicant

Michael A. Martin

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by dm Date 12-08-2015 Time 2:40 Preliminary check by _____
Fee \$ 100.00 Received by dm Receipt No. N031655 Date _____

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APPLICATION FOR PERMIT

IDWR/NORTHERN

95--XXXXX MARTIN PLACE OF USE KOOTENAI PIN 04320001009A



The USDA-FSA Aerial Photography Field Office asks to be credited in derived products.

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Book 88 Page 772

RESTRICTIVE COVENANTS

Applies to all lots in KILDOW SUBDIVISION, Kootenai County, State of Idaho, according to the plat recorded in Book D of Plats at Page 125, records of Kootenai County, Idaho.

The Seller and Buyer agree with the right of the Buyer to connect with the existing water stand-pipe at the corner of each lot at the buyer's expenses, provided that the continued connection of said water line and the consequent use of water from said line is permitted only so long as buyers, their heirs, successors or assigns pay their proportionate share of the cost of operation, maintenance and repair of the then existing water system, and the care and maintenance of the dedicated street, Evergreen Lane. By "proportionate share" is meant the proportion which the one lot owner bears to the number of lots occupied in Kildow Subdivision by dwellings and connected for water. Such proportionate costs shall be payable during the current calendar month in which they are assessed.

Subject to the following restrictions which shall run with the land:

1. No more than one residence or dwelling house (residence garage excepted) shall be erected or maintained on said lot.
2. No residence shall be erected or placed upon said lot unless it shall contain at least 900 square feet of floor space.
3. No house shall be erected upon said lot which shall not have a sewage system, including a minimum of a cess pool or septic tank and a minimum that meets the standards of any governing governmental agency.
4. No temporary construction, mobile homes, or trailer houses may be used on said lot, but rather, it shall be restricted to houses of permanent type construction.

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IDWR/NORTHERN

November 19, 2015

Background:

A new home is currently under construction on parcel number 0-4320-001-009-A in the Kildow Subdivision, currently owned by Michael A. Martin. Pursuant to the subdivision's CCR's, Mr. Martin wishes to connect this new home to the existing community water system stand pipe located on the corner of this parcel, and is applying for the applicable permit from the Idaho Dept. of Water Resources. The well of this community water system, tag number D0061150, is located on parcel number 0-4320-001-001-A, currently owned by John Kildow. The Dept. Of Water Resources has requested that Mr. Martin obtain a letter from Mr. Kildow granting access rights to the well.

Agreement:

In consideration of One and No/100's Dollars (\$1.00), receipt of which is hereby acknowledged, I hereby grant Michael A. Martin, his heirs and assigns, the perpetual right to access the well described above, for the purposes stated above.

Signed:

John O. Kildow

John Kildow

Date:

11.23.15

SON 03W 29



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

December 10, 2015

MICHAEL A. MARTIN
3956 N PALMER DR
COEUR D'ALENE, ID 83815

Re: Application for Permit.95-12783 (Application ID 80571)

Dear Mr. Martin:

Your Application for Permit for your well water right is being processed. Our records indicate that a required \$125 well upgrade fee has not been paid for well D0061150.

Please contact me at (208) 762.2816 concerning the well upgrade fee.

Respectfully,

A handwritten signature in cursive script that reads "Shaun M. Maxey".

Shaun M. Maxey
Senior Water Resource Agent
Idaho Department of Water Resources, Northern Region
7600 Mineral DR, Ste. 100
Coeur d'Alene, ID 83815

Enc
Receipt Details for N029455
Driller Report D0061150

File ▶ Navigation ▶ Tools ▶

Receipt Details for N029455

Status	Adjustment Type	Version
		1

General Information

Date Received	Date Deposited	Region	Total Amount	Payment Type
8/21/2012 11:02:07 AM	8/21/2012 4:07:41 PM	NORTHERN	\$375.00	Check
Payer	HORSLEY DRILLING			

Account Information:

Check Number:	2984
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Comment

WELL TAG(s): D0061146, D0061147, D0061148,
D0061149, D0061150

Fee Details:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$375.00	DRILLING TAGS	65134	0229	21		1205

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Identify □ x

Identify from: 📍 Taxlots

☐ Taxlots
 MARTIN, MICHAEL A

AI

Location: 2,294,650.750 1,830,981.597 Meters

Field	Value
ID	5230715
UPDATED	9/28/2015
PIN	04320001009A
OWNER	MARTIN, MICHAEL A
ADDRESS1	3956 N PALMER DR
ADDRESS2	
CITY	COEUR D ALENE
STATE	ID
ZIPCODE	83815
P_ADDRESS	
P_ZIPCODE	
SUB_NAME	KILDOW
LEGAL1	KILDOW SUB, TAX#24156 IN LTS 8 & 9 BLK 1 & UNDIV INT IN PV
LEGAL2	
LEGAL3	
LEGAL4	
LEGAL5	
LEGAL6	<null>
ACRES	0
COUNTY	Kootenai
SOURCE	
YEAR_BUILT	0



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

December 11, 2015

MICHAEL A MARTIN
3956 N PALMER DR
COEUR D ALENE, ID 83815

Application For Permit No. 95-17125

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 COEUR D ALENE PRESS on 12/17/2015 and 12/24/2015. 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,

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Friday, December 11, 2015 4:34 PM
To: Legal Notices-CdA Press; Legal Notices CdA Press - Holly Fredericks
Cc: Frederick, Adam; Maxey, Shaun
Subject: Application for Permit No. 95-17025, 95-17123, 95-17124, 95-17125
Attachments: LegalNotice 12-11-15 CDA e-mail 95-17025, 17123, 124, 125.doc

Hi, Holly,

Please publish the enclosed legal notice on the dates indicated, December 17 and 24, 2015,(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.

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 1/4/2016. Your cooperation is appreciated.

It's a pleasure working with you. Thanks for all your super 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:

95-17025

QUAKING ASPEN ESTATES OWNERS ASSOC INC

5489 W QUAKING ASPEN DR

COEUR D ALENE, ID 83814

Point of Diversion(2) L2(NWNE) S4 T49N R04W KOOTENAI CO

Source GROUND WATER

Use: DIVERSION TO STORAGE	01/01 to 12/31	0.2 CFS
Use: DOMESTIC	01/01 to 12/31	0.15 CFS
Use: DOMESTIC from Storage	01/01 to 12/31	12 AF
Use: DOMESTIC STORAGE	01/01 to 12/31	12.4 AF
Use: FIRE PROTECTION	01/01 to 12/31	0.2 CFS
Use: FIRE Protection from Storage	01/01 to 12/31	0.4 AF
Use: FIRE Protection Storage	01/01 to 12/31	0.4 AF
Use: STOCKWATER	01/01 to 12/31	0.02 CFS
Use: STOCKWATER from Storage	01/01 to 12/31	0.5 AF
Use: STOCKWATER STORAGE	01/01 to 12/31	0.9 AF

Total Diversion: 0.2 CFS 12.9 AF

Date Filed: 11/23/2015

Place of Use: ALL USES: T49N R04W S4 L2(NWNE)

Domestic use is for 10 homes.

Stockwater use is for 40 head mixed stock.

95-17123

C & K LEASING

102 E ANTON

COEUR D ALENE, ID

Point of Diversion SESW S36 T51N R06W KOOTENAI Co

Source GROUND WATER

Use: DOMESTIC	01/01 to 12/31	0.04 CFS
Use: INDUSTRIAL	01/01 to 12/31	2 CFS

Total Diversion: 2 CFS

Date Filed: 12/2/2015

Place Of Use: DOMESTIC T51N R06W S36 SESW

Place Of Use: INDUSTRIAL same as DOMESTIC

Domestic use is for 1 office.

Industrial use is for gravel washing, concrete batch plant & dust abatement.

95-17124

MICHAEL A MARTIN

3956 N PALMER DR

COEUR D ALENE, ID 83815

Point of Diversion L3(NESW) S29 T50N R03W KOOTENAI CO

Source COEUR D ALENE LAKE tributary SPOKANE RIVER

Use: DOMESTIC	01/01 to 12/31	0.04 CFS
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Total Diversion: 0.04 CFS

Date Filed: 12/8/2015

Place of Use: DOMESTIC T50N R03W S29 L3(NESW)

Domestic use is for 1 home.

95-17125

MICHAEL A MARTIN

3956 N PALMER DR

COEUR D ALENE, ID 83815

Point of Diversion L3(NESW) S29 T50N R03W KOOTENAI CO

Source GROUND WATER

Use: DOMESTIC	01/01 to 12/31	0.04 CFS
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Total Diversion: 0.04 CFS

Date Filed: 12/8/2015

Place of Use: DOMESTIC T50N R03W S29 L3(NESW)

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:

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 1/4/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 12/17/2015 and 12/24/2015