

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 98-07949

Priority: May 11, 2015

Maximum Diversion Volume: 20.4 AF

This is to certify, that DOUGLAS HOLCOMB And/Or
KATHERINE HOLCOMB
PO BOX 731
BONNERS FERRY ID 83805

Source: UNNAMED STREAM

Tributary: MEADOW CREEK

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01 to 12/31	5.3 AF
FIRE PROTECTION STORAGE	01/01 to 12/31	5.3 AF
STOCKWATER STORAGE	01/01 to 12/31	5.4 AF
STOCKWATER FROM STORAGE	01/01 to 12/31	0.1 AF
IRRIGATION STORAGE	01/01 to 12/31	20.3 AF
IRRIGATION FROM STORAGE	04/01 to 10/31	15.0 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM NE1/4SE1/4 Sec. 15, Twp 63N, Rge 02E, B.M. BOUNDARY County

PLACE OF USE: RECREATION STORAGE, FIRE PROTECTION STORAGE, STOCKWATER STORAGE, STOCKWATER FROM STORAGE, IRRIGATION STORAGE, IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
63N 02E 15													X				5.0
																	5.0

Total Acres: 5

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 01, 2020**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 98-07949

4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
6. Right 98-7949 authorize total annual storage volume of 20.4 acre-feet, 4.2 acre-feet to be used for the initial filling of the pond and 1.1 acre-feet for the replacement of losses caused by evaporation.
7. The pond established by the storage of water under this right shall not exceed a total capacity of 4.2 acre-feet or a total surface area of 0.35 acres.
8. This right when combined with all other rights shall provide no more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
9. Stockwater use is for 6 head of mixed stock.
10. Water shall not be diverted from fire protection storage except to fight or repel an existing fire.
11. Recreational use is for swimming and fishing.
12. This right does not grant any right-of-way or easement across the land of another.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Coeur d' Alene, this 15 day of October, 2015.


For, GARY SPACKMAN, Director



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

October 20, 2015

DOUGLAS HOLCOMB
KATHERINE HOLCOMB
PO BOX 731
BONNERS FERRY ID 83805

RE: Permit No.98-7949

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

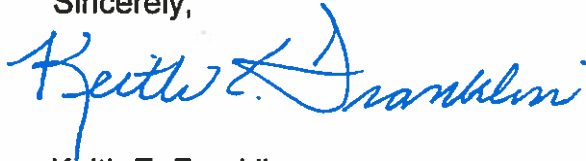
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-762-2800.

Sincerely,

A handwritten signature in blue ink that reads "Keith E. Franklin". The signature is written in a cursive style with a large, stylized "K" and "F".

Keith E. Franklin
Program Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on October 20, 2015 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 98-7949

**DOUGLAS HOLCOMB
PO BOX 731
BONNERS FERRY ID 83805**

**KATHERINE HOLCOMB
PO BOX 731
BONNERS FERRY ID 83805**



**Dianne L Ball
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held.
- ii. The final agency action was taken.
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

To: Water Right Application 98-7949

From: Adam Frederick

Date: 10/14/15

Re: Application for a Permit to Appropriate the Public Water of the State of Idaho

Permit is being issued for annual storage volume of 20.4 acre feet instead of 20.3 acre feet which was advertised. The new acre footage is being corrected because of mathematical error and was advertised with proper annual volumes.



IDAHO DEPARTMENT OF FISH AND GAME

PANHANDLE REGION

2885 West Kathleen Avenue
Coeur d'Alene, Idaho 83815

C.L. "Butch" Otter/Governor
Virgil Moore/Director

September 29, 2015

RECEIVED
OCT - 1 2015
IDWR/NORTHERN

Mr. Adam Frederick
Idaho Department of Water Resources
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815

Dear Mr. Frederick:

REFERENCE: 98-7949 HOLCOMB

We have reviewed the above-named application by Mr. & Mrs. Holcomb to build an in-channel pond and store 20.3 acre feet of water per year from an unnamed tributary to Meadow Creek. The purpose of these comments is to assist the decision-making authority by providing technical information addressing potential effects on wildlife and wildlife habitat and how any adverse effects might be mitigated. It is not the purpose of Idaho Department of Fish and Game to support or oppose this proposal.

According to Section 36 (706), Idaho Code, no person shall establish and maintain a pond on premises owned or leased by him and obtain, possess, propagate and process for his own personal pleasure and use any fish approved by the Commission, unless he has first obtained a permit from the Director of the Idaho Department of Fish and Game. One of the stipulations that must be met before a permit may be issued by the Director is that the pond is not constructed in or across a natural stream bed containing wild fish, except when it has been determined by the Commission that the water flow and volume of wildlife concerned in such proposed private pond are not a significant part of the wildlife resource of the State.

Meadow Creek provides key habitat for rainbow and cutthroat trout. Our primary concern is that the proposed pond may create a barrier to wild fish movements by damming/screening the unnamed tributary. We therefore recommend the applicants construct the pond outside of the natural streambed and provide appropriate screening ($\leq 1/4"$ mesh) of the intake and output lines. If the applicant intends to stock fish in the pond, they must complete an Application for Private Pond Permit (IDFG SP-116). Through this process, IDFG will inspect the pond for proper screening and allow only approved fish species from approved hatcheries. We also have concerns over the potential for failure of dams constructed across stream channels. We strongly recommend IDWR require appropriate engineering and construction methods if the pond is to be constructed on the channel as proposed.

Keeping Idaho's Wildlife Heritage

Mr. Adam Frederick – Page 2
September 29, 2015

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Chip Corsi', with a stylized flourish at the end.

Chip Corsi
Regional Supervisor

CEC:KJS:njk

C: Sharon Kiefer, IDFG Boise

File: 98-7949_Holcomb.docx

Ball, Dianne

From: Siitari, Kiira [kiira.sitari@idfg.idaho.gov]
Sent: Monday, September 21, 2015 4:06 PM
To: Ball, Dianne
Cc: Frederick, Adam
Subject: RE:

Dianne & Adam,

I will get comments for these prepped this week. Chip will need to sign off on them- he will be back from annual leave next Monday so you can expect any comments from us next week. I would assume if there had been major concerns, Chip would have replied back in June if he did receive the applications at that time.

Thank you again for your efforts to include IDFG in this process.

Kiira

Kiira Siitari
Environmental Staff Biologist
Idaho Department of Fish and Game
Panhandle Region
2885 Kathleen Avenue
Coeur d'Alene, ID 83815
(208) 769-1414
kiira.sitari@idfg.idaho.gov

From: Ball, Dianne [<mailto:Dianne.Ball@idwr.idaho.gov>]
Sent: Friday, September 11, 2015 1:57 PM
To: Siitari, Kiira
Cc: Frederick, Adam
Subject:

Hi, Kiira,

I was out for surgery and recovery when these 3 applications were processed and I don't find anything in the files for these applications that indicates that they were sent to IDFG or anyone else for comments. At that time they would have been sent to Chip Corsi for comments as I don't believe you came on board back in June.

I believe these were all processed by Adam Frederick, and he is due back in the office on Monday, 9/14/15, if you need to contact him regarding any questions.

They've gone through the publication process without any protests.

I know that this is "after the fact" but I'd like to "process these 3 files off my desk", as soon as possible.

Would you please see about a quick turn-around on these – like maybe to me sometime early next week? If any questions, contact Adam Frederick 208-762-2800.

(I'm sitting with about 20-25 files on my desk all needing something ☺)

Thank you so much for your early turn-around on these. 98-7949 and 7951 are multiple use and 98-7950 is strictly for hydropower and a special affidavit is included with that application.

Ball, Dianne

From: Hersley, Jean
Sent: Monday, September 14, 2015 7:04 AM
To: Ball, Dianne
Subject: RE: Comment request letter/e-mail to IDFG on 98-7949, 7950 and 7951

I can't find any record that I sent letters to the Fish and Game.

From: Ball, Dianne
Sent: Thursday, September 10, 2015 5:50 PM
To: Hersley, Jean
Subject: FW: Comment request letter/e-mail to IDFG on 98-7949, 7950 and 7951

Jean, I don't recall getting a response on this. Do you have a record of sending a request for comments on these files to Fish and Game? (It would have probably gone to Chip Corsi at the time because they didn't have a new person on board yet.)

Just FYI ~ They now have a new person in CDA office of F&G covering the 90s basin – her name is Kiira Siitari – e-mail is: kiira.siitari@idfg.idaho.gov

Please check this for me, because otherwise I will need to send at least a notification after the fact, just for the record.

I would like to move these files off my desk and on for permitting.

Thanks,
Dianne

From: Ball, Dianne
Sent: Wednesday, September 02, 2015 10:13 AM
To: Hersley, Jean
Subject: Comment request letter/e-mail to IDFG on 98-7949, 7950 and 7951

Jean, did you send a request for comments from IDFG on these three files with either of the requests for publication – the earlier publication or the re-publication?

All three are surface water – 98-7949 is spring/unnamed stream, and the other two from Fall Creek?

If not, I'll have to send a request after the fact, as I find nothing in file or scanned.

May your day be filled with wonder and beauty

Dianne

Ball, Dianne

From: Ball, Dianne
Sent: Friday, September 11, 2015 1:57 PM
To: kiira.siitari@idfg.idaho.gov
Cc: Frederick, Adam
Attachments: app-and--map-98-7951.pdf; app-and--map-98-7950.pdf; app-and--map-98-7949.pdf

Hi, Kiira,

I was out for surgery and recovery when these 3 applications were processed and I don't find anything in the files for these applications that indicates that they were sent to IDFG or anyone else for comments. At that time they would have been sent to Chip Corsi for comments as I don't believe you came on board back in June.

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Thank you so much for your early turn-around on these. 98-7949 and 7951 are multiple use and 98-7950 is strictly for hydropower and a special affidavit is included with that application.

AFFIDAVIT OF PUBLICATION

State of Idaho

ss

County of Boundary, Jinda Johnson
being first duly sworn on oath deposes and says that
he/she is Book Heeper of the
Bonners Ferry Herald, a newspaper printed and
published at Bonners Ferry, Boundary County, Idaho;
that the said newspaper has been continuously and
uninterruptedly published in said Boundary County
during a period of 12 months prior to the first publication
of the hereto attached notice of publication in the case
of:

Application for Permit 98-7949,
98-7950, 98-7951 as it

was published in the regular and entire issue of the said
paper for a period of 2 consecutive weeks,
commencing on 6th day of Aug, 2015 and
ending on the 13th day of Aug, 2015 and
that said notice was published in said newspaper.

Jinda Johnson

SUBSCRIBED AND SWORN TO before me, this

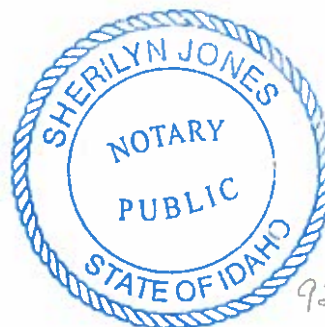
13th day of August, 2015.

Sherilyn Jones

Notary Public-State of Idaho

Residing at: Sandpoint

My Commission Expires: 2/24/17



9282

RECEIVED
SEP 03 2015
IDWR / NORTH

RECEIVED

SEP 03 2015

IDWR/NORTH

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

98-7949

DOUGLAS HOLCOMB
KATHERINE HOLCOMB
PO BOX 731

BONNERS FERRY ID 83805

Point of Diversion NESE S15 T63N R02E BOUNDARY County

Source UNNAMED STREAM Tributary MEADOW CREEK

Use: FIRE PROTECTION STORAGE

01/01 to 12/31

5.3 AF

Use: IRRIGATION FROM STORAGE

04/01 to 10/31

15 AF

Use: IRRIGATION STORAGE

01/01 to 12/31

20.3 AF

Use: RECREATION STORAGE

01/01 to 12/31

5.3 AF

Use: STOCKWATER FROM STORAGE

01/01 to 12/31

0.1 AF

Use: STOCKWATER STORAGE

01/01 to 12/31

5.4 AF

Total Diversion:

20.3 AF

Date Filed: 5/11/2015

Place Of Use: RECREATION STORAGE, FIRE PROTECTION
STORAGE, STOCKWATER STORAGE,
STOCKWATER FROM STORAGE, IRRIGATION STORAGE,
IRRIGATION FROM STORAGE

T63N R02E S15 NESE

Total Acres: 5

98-7950

RONALD KOSTERS
4439 MC ARTHUR LAKE RD
NAPLES ID 83847

Point of Diversion NESE S10 T60N R01W BOUNDARY County

Source FALL CREEK Tributary DEEP CREEK

Use: POWER

01/01 to 12/31

2.09 CFS

Total Diversion:

2.09 CFS

Date Filed: 5/15/2015

Place Of Use: POWER

T60N R01W S10 NESE

98-7951

RONALD KOSTERS
4439 MC ARTHUR LAKE RD
NAPLES ID 83847

Point of Diversion NESE S10 T60N R01W BOUNDARY County

Source FALL CREEK Tributary DEEP CREEK

Use: DIVERSION TO STORAGE

01/01 to 12/31

0.71 CFS

Use: FIRE PROTECTION STORAGE

01/01 to 12/31

8.6 AF

Use: IRRIGATION FROM STORAGE

01/01 to 12/31

18 AF

Use: IRRIGATION STORAGE

01/01 to 12/31

26.6 AF

Use: RECREATION STORAGE

01/01 to 12/31

8.6 AF

Use: STOCKWATER FROM STORAGE

01/01 to 12/31

0.1 AF

Use: STOCKWATER STORAGE

01/01 to 12/31

8.7 AF

Total Diversion:

0.71 CFS 26.6 AF

Date Filed: 5/15/2015

Place Of Use: DIVERSION TO STORAGE

T60N R01W S10 NESE

Place Of Use: IRRIGATION STORAGE, STOCKWATER STORAGE,
RECREATION STORAGE, FIRE
PROTECTION STORAGE

T60N R01W S10 SENE

Place Of Use: STOCKWATER FROM STORAGE, IRRIGATION
FROM STORAGE

T60N R01W S10 SENE NESE

T60N R01W S11 NWSW

Total Acres: 6

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 8/24/2015. The protestant must also send a copy of the protest to the applicant. GARY SPACKMAN, Director
BFH Legal 9282
August 6, 13, 2015

Ball, Dianne

From: Hersley, Jean
Sent: Tuesday, August 04, 2015 6:38 AM
To: Ball, Dianne
Subject: RE: publication for Bonners Ferry Herald re 98-7949, 7950, 7951

I resent them to the newspaper. I emailed them this morning but I'm pretty sure they will be re-advertised this week.

From: Ball, Dianne
Sent: Monday, August 03, 2015 4:19 PM
To: Hersley, Jean
Subject: publication for Bonners Ferry Herald re 98-7949, 7950, 7951

Hi, Jean,

Just wondering if you were able to get these three for Bonners Ferry Herald processed for re-advertisement starting this week. I now have the complete billing for June 25 and July 2, 2015 for these, and will send on down for payment, probably tomorrow.

I'm way past my 4 hour (plus lunch) so have to get on to PTherapy.

Thanks,

May your day be filled with wonder and beauty

Dianne

Ball, Dianne

From: Skaggs, Pam
Sent: Thursday, July 16, 2015 7:53 AM
To: Ball, Dianne
Cc: Franklin, Keith; Frederick, Adam; Hersley, Jean; Keen, Shelley
Subject: Re-Advertise Applications 98-7949, 98-7950 and 98-7951

Welcome back Dianne.

You are correct that these applications were not advertised according to Water Appropriation Administrative Rule 40.02 and will be re-advertised. We are sorry our error will delay final actions on these applications. Jean will prepare the re-advertisement ads & submit them to the Bonners Ferry Herald for publication beginning the next available advertising date on the first Thursday of August. The applications will be advertised on August 6 & 13th. Jean will scan the advertising and correspondence documents when that step is completed.

Please hold the files from further processing until the re-advertisement is completed.

Let me know if you have any other questions or concerns.

Pam

Pam Skaggs
Water Rights Supervisor
(208) 287-4951

From: Ball, Dianne
Sent: Wednesday, July 15, 2015 2:08 PM
To: Skaggs, Pam
Cc: Franklin, Keith; Frederick, Adam
Subject: Publication dates on 98-7949, 98-7950 and 98-7951

Hi, Pam,

I'm back to work part time starting today, and I've been going through a bunch of files that are on my desk that Jean processed on our behalf for publication. The 3 files referenced above are for Boundary County, and were set to publish in the Bonners Ferry Herald.

These were processed for publication to start on June 25, and to publish June 25 and July 2, 2015 with final date for protests being July 13, 2015.

Those dates are outside the parameters for dates we usually use because these started publication in the 4th week of the month (June) with second publication being the first week of July. They probably should have published July 2 and 9, 2015 with final protest date being July 20, 2015.

My question for you is this: *Do these need to be re-advertised since they didn't start on either the first week of the month, or the 3rd week of the month, per our usual advertising cycles of beginning on either the first week of the month or the third week of the month.*

The final date for protests in the case of these files was this past Monday, July 13th.

If we have to re-advertise, it will be at our expense. Can we avoid having to do so?

Several other files in some of the other newspapers started out with those publication dates, but those files show that Jean notified the other newspapers to change the publication process to run July 2 and 9, 2015 with final protest date of July 20. There is nothing in these three files indicating she notified the paper to make a change in the publication dates.

Obviously, I don't yet have the affidavit of publication or the bill on these from the Bonners Ferry Herald.

Your opinion needed here.

AFFIDAVIT OF PUBLICATION

State of Idaho

ss

County of Boundary, Ginda Johnson
being first duly sworn on oath deposes and says that
he/she is book keeper of the
Bonners Ferry Herald, a newspaper printed and
published at Bonners Ferry, Boundary County, Idaho;
that the said newspaper has been continuously and
uninterruptedly published in said Boundary County
during a period of 12 months prior to the first publication
of the hereto attached notice of publication in the case
of:

Permit No's.: 98-7949,
98-7950 and 98-7951 as it
was published in the regular and entire issue of the said
paper for a period of 2 consecutive weeks,
commencing on 25th day of June, 2015 and
ending on the 2nd day of July, 2015 and
that said notice was published in said newspaper.

Ginda Johnson

SUBSCRIBED AND SWORN TO before me, this

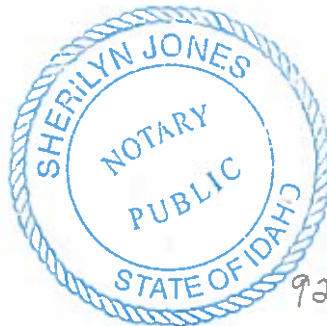
2nd day of July, 2015.

Sherilyn Jones

Notary Public-State of Idaho

Residing at: Sandpoint

My Commission Expires: 2/24/17



RECEIVED
AUG 03 2015
IDWR / NORTH

9251

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

98-7949

DOUGLAS HOLCOMB
KATHERINE HOLCOMB
PO BOX 731

BONNERS FERRY, ID 83805

Point of Diversion NESE, S15 T63N R02E BOUNDARY County

Source UNNAMED STREAM Tributary MEADOW CREEK

Use: FIRE PROTECTION STORAGE

01/01 to 12/31

5.3 AF

Use: IRRIGATION FROM STORAGE

04/01 to 10/31

15 AF

Use: IRRIGATION STORAGE

01/01 to 12/31

20.3 AF

Use: RECREATION STORAGE

01/01 to 12/31

5.3 AF

Use: STOCKWATER FROM STORAGE

01/01 to 12/31

0.1 AF

Use: STOCKWATER STORAGE

01/01 to 12/31

5.4 AF

Total Diversion: 20.3 AF

Date Filed: 5/11/2015

Place Of Use: RECREATION STORAGE, FIRE PROTECTION
STORAGE, STOCKWATER STORAGE, STOCKWATER FROM
STORAGE, IRRIGATION STORAGE

T63N R02E S15 NESE

Place Of Use: IRRIGATION FROM STORAGE

T63N R02E S15 NESE

Total Acres: 5

98-7950

RONALD KOSTERS

4439 MC ARTHUR LAKE RD

NAPLES, ID 83847

Point of Diversion NESE S10 T60N R01W BOUNDARY County

Source FALL CREEK Tributary DEEP CREEK

Use: POWER

01/01 to 12/31

2.09 CFS

Total Diversion:

2.09 CFS

Date Filed: 5/15/2015

Place Of Use: POWER

T60N R01W S10

NESE

98-7951

RONALD KOSTERS

4439 MC ARTHUR LAKE RD

NAPLES, ID 83847

Point of Diversion NESE S10 T60N R01W BOUNDARY County

Source FALL CREEK Tributary DEEP CREEK

Use: DIVERSION TO STORAGE

01/01 to 12/31

0.71 CFS

Use: FIRE PROTECTION STORAGE

01/01 to 12/31

8.6 AF

Use: IRRIGATION FROM STORAGE

01/01 to 12/31

18 AF

Use: IRRIGATION STORAGE

01/01 to 12/31

26.6 AF

Use: RECREATION STORAGE

01/01 to 12/31

8.6 AF

Use: STOCKWATER FROM STORAGE

01/01 to 12/31

0.1 AF

Use: STOCKWATER STORAGE

01/01 to 12/31

8.7 AF

Total Diversion:

0.71 CFS

26.6 AF

Date Filed: 5/15/2015

Place Of Use: DIVERSION TO STORAGE

T60N R01W S10 NESE

Place Of Use: IRRIGATION STORAGE, STOCKWATER STORAGE,
RECREATION STORAGE, FIRE PROTECTION STORAGE

T60N R01W S10 SENE

Place Of Use: STOCKWATER FROM STORAGE, IRRIGATION
FROM STORAGE

T60N R01W S10 SENE NESE

T60N R01W S11 NWSW

Total Acres: 6

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 7/13/2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

BFH Legal 9251

June 25, 2015

July 2, 2015

RECEIVED
AUG 03 2015
IDWR / NORTH

Ball, Dianne

From: Thiel, Sandra
Sent: Friday, July 10, 2015 9:42 AM
To: Ball, Dianne
Cc: Palmer, Cherie; Miller, Neeley; Clark, Cynthia (Bridge)
Subject: Idaho Water Resource Board comments
Attachments: Memo92-11027 .docx; Memo98-7525.docx; Memo98-7949.docx; Memo91-7900.docx

Good morning, The attached files have the Idaho Water Resource Board comments about applications for permit 91-7900, 92-11027, 98-7525, and 98-7949.

Sandra Beer Thiel

Idaho Department of Water Resources

322 East Front Street

Boise, Idaho 83720-0098

(208)287-4881

sandra.thiel@idwr.idaho.gov

EMORANDUM

To: Dianne Ball

From: Sandra Thiel

Subject: Water right application 98-7949

Date: July 10, 2015

The purpose of this memo is to provide the Planning Section's comments on the application for permit 98-7949. On June 4, 2015 the Department received an application to divert water from an unnamed stream, tributary to Meadow Creek. Meadow Creek is tributary to the Moyie River. The applicants seek to divert 20.3 acre feet to irrigate 5 acres, and for storage for irrigation, stockwater, recreation and fire protection. The applicant should be aware that the Idaho Water Resource Board holds minimum stream flow water right 98-7704 on the Moyie River. This right has a priority date of June 15, 1992, for the protection of fish and wildlife habitat, aquatic life and recreational values.

From April 1 through July 31 the minimum stream flow is 354 cfs; from August 1 through March 31 the minimum stream flow is 149 cfs. As a junior water right holder the applicant's water could be curtailed when the minimum stream flow is not being met. The Idaho Water Resource Board would like assurance that this water right will be actively administered to protect the Board's minimum stream flow right.