

80369
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Ident. No.

96-9592
RECEIVED

SEP - 2 2015

IDWR/NORTHERN

~~"Revised"~~
AMENDED**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Micheal Henker Phone 403-585-4616
Name connector (check one): ☐ and ☐ or ☐ and/orMailing address PO Box 41 City LacledeState Idaho Zip 83841 Email mhenker@shaw.ca2. Source of water supply Pend Oreille River which is a tributary of Columbia River

3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
56N	03W	31	3				Bonner	Pend Oreille River	Lot 6, Conrad Vista

4. Water will be used for the following purposes:

Amount .04 CFS 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) NA acre feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. 2" or smaller Poly Hose with 1/4 inch or smaller mesh screen at inlet.b. Height of storage dam NA feet; active reservoir capacity NA acre-feet; total reservoir capacity NA 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 ☐ Noc. 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 ☐ Noe. If well is already drilled, when? NA; drilling firm NA
well was drilled for (well owner) NA; 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. NAb. Stockwatering; list number and kind of livestock. NAc. Municipal; complete and attach the [Municipal Water Right Application Checklist](#).d. Domestic; show number of households 1e. Other; describe fully NA**AMENDED**

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	
56N	03W	31						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?

Laclede Water Association services this lot with domestic water which is also used for irrigation.

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

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

Applicant requesting water right permit to access water directly from Pend Oreille River to access water directly from the river for purpose of irrigation of property. Irrigation mitigates risk of fire and is also more sustainable than using treated domestic water which is also drawn from the river by the Laclede Water Association.

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

Signature of Applicant

Micheal Henker

Print Name (and title, if applicable)

Print Name (and title, if applicable)

AUG 31, 2015

For Department Use:

Received by db Date 8/31/15 Time _____ Preliminary check by dm
Fee \$ 100.00 Received by db Receipt No. N031489 Date 09/02/2015

0 35 70 140 210 280 Feet

T56N R03W
Sec 31, NMNW

T56N R03W
Sec 31, NMNW

LOT #6
CONRAD VISTA
SHORES

POINT
OF
DIVERSION

RECEIVED
AUG 31 2015
IDWR / NORTH

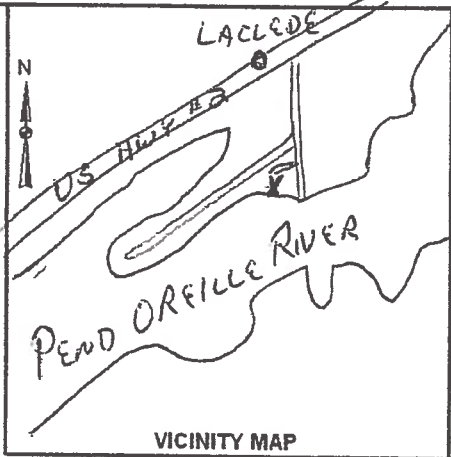
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AUG 30 2015
IDWR / NORTH

Legend

- ESPA
- GCDB Township/
- GCDB Section
- GCDB Quarter-Quarter
- Counties



N



VICINITY MAP

PROPERTY
LINE

96.37' SHORELINE
D.H.W.M.

INTAKE LINE

52'

A

SCREENED
PICK UP

19'

33'
EXISTING
PIER

D.L.W.M.

PROPERTY
LINE

HIGH WATER MARK

INTAKE LINE

A

7'

LOW WATER MARK

TWP 56N RGE 03W SEC 31
IN PEND OREILLE RIVER
IN NEAR LACLEDE
BOONER COUNTY.
DATE: Sept 24/15 SHEET 1 OF 1
APPLICATION BY: MICHAEL HENKER

RECEIVED
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IDWR / NORTH

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AUG 31 2015
IDWR / NORTH

LOT #6
CONRAD VISTA
SHORES

POINT of
DIVERSION

T56N R03W
Sec 31 N44NW

T56N R03W
Sec 31 N44NW

0 35 70 140 210 280
Feet

- Legend**
- ESPA
 - GCDB Township/R
 - GCDB Section
 - GCDB Quarter-Quarter
 - Counties



RECEIVED

AUG 31 2015

IDWR / NORTH

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

Ident. No. _____

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Name connector (check one): ☐ and ☐ or ☐ and/or

Mailing address PO Box 41 City Laclede
State Idaho Zip 83841 Email mhenker@shaw.ca

2. Source of water supply Pend Oreille River which is a tributary of Columbia River

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4. Water will be used for the following purposes:

Amount .04 CFS for _____ purposes from April 1 to Oct 31 (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
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(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) 5 acre feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. 2" or smaller Poly Hose with 1/4 inch or smaller mesh screen at inlet.

b. Height of storage dam NA feet; active reservoir capacity NA acre-feet; total reservoir capacity NA 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

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well was drilled for (well owner) NA; Drilling Permit No. NA

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b. Stockwatering; list number and kind of livestock. NA

c. Municipal; complete and attach the [Municipal Water Right Application Checklist](#).

d. Domestic; show number of households NA

e. Other; describe fully. NA

VOID

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	
56N	03W	31																	.74

Total number of acres to be irrigated: .74

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Signature of Applicant

Signature of Applicant

Micheal Henker

Print Name (and title, if applicable)

Print Name (and title, if applicable)

Aug 28, 2015

For Department Use:

Received by db Date 8/31/15 Time Preliminary check by

Fee \$ 100.00 Received by db Receipt No. N031489 Date 8/31/15

Maxey, Shaun

From: Mike Henker [mhenker@shaw.ca]
Sent: Sunday, September 20, 2015 11:28 PM
To: Maxey, Shaun
Subject: Permit Application 80369
Attachments: Joint 404 Permit signed.pdf

Hello Shaun,

In response to your correspondence dated Sept 3rd, I have just recently submitted the joint application 404 by regular mail so they will likely not receive it for processing for another week.

The existing encroachment number that will be added to with this application is IDL Permit # L-96-S-947A.

I have attached a copy of the joint application form 404 for your reference.

I have reviewed the Water Right License #96-08763 which was included with your correspondence and recognize this as a parcel of land originally developed by my father Patrick Henker however he no longer owns this property nor do I own the adjacent land noted in the permit application.

Should you have any additional questions, please let me know.

Thank you.

Micheal Henker

403-585-4616



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

September 3, 2015

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

MICHEAL HENKER,
PO BOX 41
LACLEDE, ID 83641

RE: Permit Application 80369

Dear Mr. Henker:

Please review the enclosed records for. License 96-08763. This Water Right has Place of Use and Point of Diversion similar to that in your Application.

Please e-mail me at Shaun.Maxey@idwr.idaho.gov with the ID number for your encroachment permit from Idaho Department of Lands.

I can be reached at (208) 762.2816 if you have any questions.

Respectfully,

Shaun M. Maxey
Water Resources Agent
Idaho Department of Water Resources, Northern Region

Enclosure
Copy of License. 96-08763



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

September 25, 2015

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

MICHEAL HENKER
PO BOX 41
LACLEDE, ID 83841

Application For Permit No. 96-9592

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.

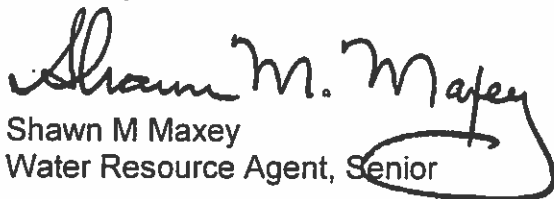
A legal notice of the application has been prepared and is scheduled for publication in the BONNER COUNTY DAILY BEE, on 10/1/2015 and 10/8/2015. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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,


Shawn M Maxey
Water Resource Agent, Senior

Ball, Dianne

From: Ball, Dianne
Sent: Friday, September 25, 2015 5:14 PM
To: Legal Notices-Bonner Co Daily Bee-Amber Bangeman
Subject: Application for Permit No. 95-17054, 96-9590, 96-9591, 96-9592, 96-9593, 96-9594, 96-9596
Attachments: LegalNotice 09-25-15 BCDB e-mail 95-17054, 96-9590, 91,92,93,94,,96.doc

Hi, Amber,

Please publish the enclosed legal notice on the dates indicated, October 1 and 8, 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, Century Old Style font, 8 pt font size.

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 10/19/2015. Your cooperation is always greatly appreciated.

Thanks for all your help in making our legals look so professional.

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:

95-17054

ABBY FOSNAUGH
SARAH BIRDSOING
ANNA FOSNAUGH
886 LAS PLAMAS DR
IRVINE, CA 92602

Point of Diversion L4(SWSW) S27 T54N R02W BONNER CO
Source BAYVIEW CREEK tributary LAKE PEND OREILLE

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

Total Diversion: 0.04 CFS

Date Filed: 7/30/2015

Place of Use: DOMESTIC T54N R02W S27 L4(SWSW)

Domestic use is for 1 home with up to 1/2 acre irrigation.

96-9590

GEORGINA M BURT REVOCABLE TRUST UDT JUNE 13 2001
145 HIDDEN HARBOR LN
SANDPOINT, ID 83864

Point of Diversion NESW S6 T57N R01W BONNER CO

Source BOYER SLOUGH tributary LAKE PEND OREILLE

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

Total Diversion: 0.04 CFS

Date Filed: 8/25/2015

Place of Use: DOMESTIC T57N R01W S6 NESW

Domestic use is for 1 home.

96-9591

ROY G MILLS
JUDITH H VAN VLEET
219 TRESTLE LN
SAGLE, ID 83860

Point of Diversion L6(SESW) S26 T57N R03W BONNER CO

Source PEND OREILLE RIVER tributary COLUMBIA RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 8/28/2015

Place of Use: DOMESTIC T57N R03W S26 L6(SESW)

Domestic use is for 1 home.

96-9592

MICHEAL HENKER
PO BOX 41
LACLEDE, ID 83841

Point of Diversion L3(NWNW) S31 T56N R03W BONNER CO

Source PEND OREILLE RIVER tributary COLUMBIA RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 9/2/2015

Place of Use: DOMESTIC T56N R03W S31 L3(NWNW)

Domestic use is for one home.

96-9593

BEN TATE
RHONDA TATE
766 PONDER POINT DR
SANDPOINT, ID 83864

Point of Diversion L3(SENW) S12 T57N R02W BONNER CO

Source PEND OREILLE LAKE tributary PEND OREILLE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 9/2/2015

Place of Use: DOMESTIC T57N R02W S12 L3(SENW)

Domestic use is for 1 household for irrigation up to 1/2 acre.

96-9594

DOUGLAS SHERWOOD
11846 N WHISPERING RIDGE DR
ORO VALLEY, AZ 85737

Point of Diversion L5(SENE) S4 T56N R03W BONNER CO

Source PEND OREILLE RIVER tributary COLUMBIA RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 9/1/2015

Place of Use: DOMESTIC T56N R03W S4 L5(SENE)

Domestic use is for 1 home and up to 1/2 acre irrigation.

96-9596

JACK W ARMSTRONG
KELLY ARMSTRONG
10612 S FORNEY RD
MICA, WA 99023

Point of Diversion SESE S23 T57N R02W BONNER CO
Source PEND OREILLE RIVER tributary COLUMBIA RIVER

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

Date Filed: 9/14/2015

Place of Use: DOMESTIC T57N R02W S22 SESE

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 10/19/2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/1/2015 and 10/8/2015