

WR# 96-9433
Ident. No. 75644

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

JUN 01 2009

To appropriate the public waters of the State of Idaho

IDWR / NORTH

1. Name of Applicant Thomas & Michele Clark Phone 208-290-2643
Mailing address PO Box 1721 Sandpoint 83864 Email
2. Source of water supply unnamed stream which is a tributary of Boyer Slough
3. Location of point of diversion is Township 58N Range 1W Sec. 28, in the NW ¼, SW ¼, Govt. Lot , B.M., Bonner County;
additional points of diversion if any: instream
4. Water will be used for the following purposes:
Amount 17.21 for wildlife storage 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)
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(cfs or acre-feet per year)
5. Total quantity to be appropriated is (a) cubic feet per second and/or (b) 17.21 acre feet per year
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source repaired original beaver dam
b. Height of storage dam 4.6 feet; active reservoir capacity 13.51 acre-feet;
total reservoir capacity 13.51 acre-feet
c. Proposed well diameter is inches; proposed depth of well is feet
d. Is ground water with a temperature of greater than 85°F being sought?
e. If well is already drilled, when? ; Drilling firm ;
Well was drilled for (well owner) ; Drilling Permit No.
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in kW.
b. Stockwatering; list number and kind of livestock.
c. Municipal; show name of municipality.
d. Domestic; show number of households.
e. Other; describe fully.

9. 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	
58W	1W	28										W							

Total number of acres to be irrigated: _____

10. 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? none

11. a. Who owns the property at the point of diversion? applicant
- 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: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Pond size 640' x 230' x 4' depth ÷ 4.3560 = 13.51 A

surface area = 3.4 ac

seepage rate per year = .6 AF

Evaporation per year = 3.1 AF

total storage for year = 17.21 AF

These figures are at maximum capacity

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" 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.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Michele Clark
Signature of Applicant

Michele Clark
Print Name (and title, if applicable)

For Department Use:

Received by cm Date 6-1-09 Time _____ Preliminary check by _____

Fee \$ 100.00 Receipted by cm Receipt No. 0020756 Date 6-1-09

CLARK



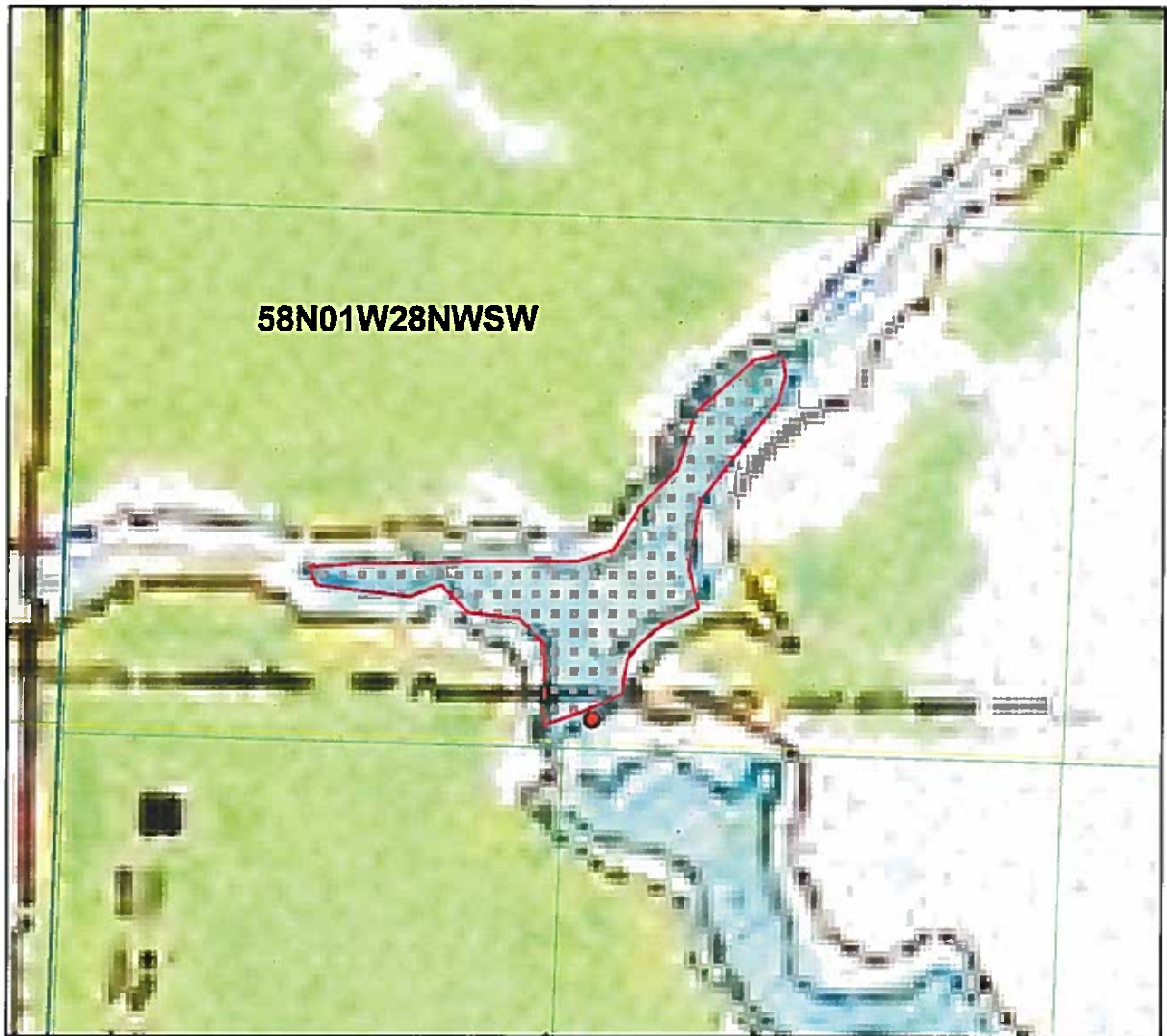
0 140 280 560 840 1,120 Feet

Legend

-  Taxlots
-  QQ



96-9433



Legend

- Application POD
- Application POU
- Taxlots

0 85 170 340 510 680 Feet





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

DAVID R. TUTHILL, JR.
Director

June 9, 2009

MARY TERRA-BERNS
IDAHO DEPARTMENT OF FISH AND GAME
2885 W KATHLEEN AVE.
COEUR D'ALENE, ID 83815

Re: Water Permit Application No. 96-9433 - CLARK

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 follows for your reference.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **July 6, 2009**. If we do not hear from you by that date, we will assume that no comment from you means you have no objection to, concerns about, or conditions pertaining to the issuance of this permit.

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, and by sending a copy of your protest to the applicant. This is scheduled for publication on June 18 and 25, 2009.

You may send comments by regular mail to the address above, by **FAX to 762-2819**, or by e-mail to Eric.Davis@idwr.idaho.gov.

We request that you send a copy of your comments regarding, and/or notice that you intend to protest this application to the applicant as well as to our office.

Please contact this office if you have any questions regarding the application.

Sincerely,

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, June 09, 2009 4:37 PM
To: mary.terra-berns@idfg.idaho.gov
Subject: Agency Comment request re WR App 96-9433 - CLARK

Attachments: Agency Comment Letter on Letterhead for e-mails- WR.doc; 96-9433 Clark.pdf

Last one for today - attached is our letter requesting your comments re WR App 96-9433 - CLARK. Copy of application also attached.

Please respond to Eric on this one, also.

Thanks for your comments.



Agency Comment
Letter on Lette...



96-9433 Clark.pdf
(391 KB)

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 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

June 10, 2009

THOMAS CLARK
MICHELE CLARK
P O BOX 1721
SANDPOINT ID 83864

RE: Application for Permit No 96-9433

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number 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 June 18 and 25, 2009. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). 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, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

Eric J. Davis
Senior Water Resource Agent

Enclosure(s) – Receipt No. N020756



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

DAVID R. TUTHILL, JR
Director

Please Fax or e-mail proof/preview copy to me before this goes to press.

Fax (208) 762-2819 ~ e-mail dianne.ball@idwr.idaho.gov

Thanks, Dianne

June 10, 2009

SHERI JONES
LEGAL NOTICE DEPARTMENT
BONNER COUNTY DAILY BEE
PO BOX 159
SANDPOINT ID 83864

RE: Application for Permit No. 98-7895, 96-9432, 96-9433

Dear Sheri:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, June 18 and 25, 2009, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

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 07/06/2009. Your cooperation is, as always, very much appreciated.

Thanks for all your help.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, June 10, 2009 2:51 PM
To: Legal Notices-Bonner Co Daily Bee-Sheri Jones
Subject: Legal notice for publication June 18 and 25, 2009

Attachments: CoverLetter 06-10-09 BCDB e-mail 98-7895, 96-9432,33.doc; LegalNotice 06-10-09 BCDB e-mail 98-7895,96-9432,33.doc

Good afternoon, Sheri,

Attached is our cover letter requesting publication of a legal notice on June 18 and 25, 2009. Legal notice is also attached.

If you have any questions, please call or reply to this e-mail. Also, please send a proof/preview copy for my review before this goes to press.

You're super to work with and greatly appreciated.

Thanks,



CoverLetter
5-10-09 BCDB e-ma.



LegalNotice
5-10-09 BCDB e-ma.

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:

98-7895

ED COOK

491890 HWY 95

SANDPOINT ID 83864

Point of Diversion SWSW S3 T59N R01W Bonner County

Source GROUNDWATER

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

Total Diversion: 0.04 CFS

Date Filed: 05/15/2009

Place Of Use: DOMESTIC

T59N R01W S3 SWSW

Remark: Domestic use for general store and restaurant.

96-9432

GEORGE W ALLEN

146 OSPREY LN

SANDPOINT ID 83864

Point(s) of Diversion SENW S7 T57N R01W BONNER County

Source LAKE PEND OREILLE tributary to PEND OREILLE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 05/27/2009

Place Of Use: DOMESTIC

T57N R01W S7 SENW

Remark: Domestic use is for 1 home.

96-9433

THOMAS CLARK

MICHELE CLARK

P O BOX 1721

SANDPOINT ID 83864

Point of Diversion NWSW S28 T58N R01W BONNER County

Source UNNAMED STREAM tributary to BOYER SLOUGH

Use: WILDLIFE STORAGE 01/01 To 12/31 17.2 AFA

Total Diversion: 17.2 AFA

Date Filed: 06/01/2009

Place Of Use: WILDLIFE STORAGE

T58N R01W S28 NWSW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, 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 07/06/2009.

The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Legal #

Published June 17 and 24, 2009