

80306

Ident. No. 96-9587

AUG 04 2015

IDWR / NORTH

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

1. Name of applicant(s) MARK WATSON AND/OR REBECCA REVAK Phone 208-265-9098
Name connector (check one): ☐ and ☐ or ☒ and/or
Mailing address 105 VERMEER DR UNIT 2 SUITE 170 City PONDERAY
State ID Zip 83852 Email _____

2. Source of water supply SPRINGS which is a tributary of SINKS

3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
58N	02W	26		NW	SE	SW	BONNER	SPRING	
58N	02W	26		SE	SE	SW	BONNER	SPRING	

4. Water will be used for the following purposes:

Amount 0.06 CFS for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)

Amount 0.12 CFS for IRRIGATION purposes from 4/1 to 10/31 (both dates inclusive)
(cfs or acre-feet per year)

Amount 0.02 CFS for STOCKWATER 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)

5. Total quantity to be appropriated is (a) 0.20 CFS cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. CONCRETE ROUNDS WITH GRAVITY FED SYSTEM TO HOME.

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 _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No

e. If well is already drilled, when? _____; drilling firm _____;
well was drilled for (well owner) _____; Drilling Permit No. _____.

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. 10 HEAD MIXED STOCK

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

d. Domestic; show number of households 2

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	
58N	02W	26															D/S		
																	4		4

Total number of acres to be irrigated: 4

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?

CLAIM 96-4095

10. a. Who owns the property at the point of diversion? PETER MIKO
- 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: APPLICANT HAS EASEMENT TO ACCESS SPRINGS. EASEMENT ATTACHED WITH APPLICATION.

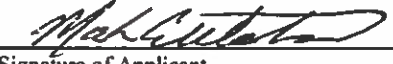
11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

APPLICANT HAS ACCESS TO SPRINGS THAT SUPPLY 2 HOMES AND WILL BE USED FOR IRRIGATION AND STOCKWATER USES

12. Time required for completion of works and application of water to proposed beneficial use is 5 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

MARK WATSON
Print Name (and title, if applicable)


Signature of Applicant

REBECCA REVAK
Print Name (and title, if applicable)

Received by  Date 8/4/15 Time Preliminary check by
Fee \$ 100.00 Received by  Receipt No. N031420 Date 8/4/15

Garlands
gave easement
to Henning
Oct 27, 1948

112

STATE OF IDAHO

County of Bonner

ss.

Filed for record at the request of Ralph W. Meredith on the 16th day of November, 1948 at 3:00 o'clock P. M. and recorded in Book 16 of Miscellaneous on page 111. Alex T. Russell County Recorder By Vivian E. Shoemaker Deputy Fee \$0.80

NO. 29445

EASEMENT

For and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, the receipt of which is hereby acknowledged, we hereby grant to J. T. Henning his heirs, successors and assigns, an easement for the use of the waters from a certain spring situated about the ~~East of the Northwest corner of the Southeast Quarter of the Southwest Quarter of Section Twenty-six (26), Township Fifty-eight (58), North, Range Two (2) W.B.M. Bonner County, Idaho.~~ together with the right and privilege of installing and maintaining a pipe line for the purpose of carrying the water from said spring to the following described real estate, to-wit:

The Southwest Quarter of the Southeast Quarter (SW/SE) of Section Twenty-six (26), Township Fifty-eight (58), North, Range Two (2) W.B.M. Bonner County, Idaho.

This easement shall include the right to go upon said property for all necessary purposes in maintaining said pipe line, but any surface damages incurred in the maintenance of said pipe line shall be paid by the grantee herein to the grantors. It is further understood that said pipe line shall be installed and maintained at a depth of not less than twelve inches (12") below the surface of the ground. The spring referred to herein is located in the Southeast Quarter of the Southwest Quarter (SE/SE) of Section Twenty-six (26), Township Fifty-eight (58), North, Range Two (2) W.B.M. in Bonner County, Idaho.

IN WITNESS WHEREOF, we have hereunto set our hands the 27th day of October, 1948.

William D. Garland

Ruby K. Garland

STATE OF IDAHO

County of Bonner

ss.

On this 27th day of October, in the year 1948, before me RAYMOND T. GREENE Jr., a Notary Public in and for the said County and State, personally appeared William D. Garland and Ruby K. Garland, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(NOTARIAL SEAL)

Raymond T. Greene Jr.
Notary Public in and for the State of
Idaho, residing at Sandpoint, therein.
My commission expires: 1-20-52.

STATE OF IDAHO

County of Bonner

ss.

Filed for record at the request of J. T. Henning on the 16th day of November, 1948 at 11:30 o'clock A. M. and recorded in Book 16 of Miscellaneous on page 112. Alex T. Russell County Recorder By Vivian E. Shoemaker Deputy Fee \$1.00

NO. 29446

AFFIDAVIT OF J. T. HENNING

STATE OF IDAHO

County of Bonner,

ss.

*Hernvalls
gave easement
to Piger
January 10, 1947
Recorded by
Henning*

NO. 23416
GRANT OF WATER RIGHT AND EASEMENT

KNOW ALL MEN BY THESE PRESENTS That we, G. A. HERNVALL and JENNIE HERNVALL, husband and wife, of Bonner County, Idaho, first parties, and H. PIGER, a married man, of Bonner County, Idaho, second party,

WITNESSETH: That first parties for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations have bargained, sold, and conveyed, and by these presents do bargain, sell, and convey unto second party the perpetual right to use all the water of a certain spring situated about two hundred (200) yards west of the northeast corner of the unalienated described land, together with a right-of-way eight (8) feet wide over and across the land of said first parties to the land of second party bounded on the east of said first parties for a pipe line to conduct said water to the land of said second party, it being understood that second party in accepting this grant shall place said pipe line not less than twelve (12) inches under ground and that second party shall at all times keep said pipe line covered and shall not leave any open ditches over the land of said first parties. The land mentioned above is described as follows:

The Southeast Quarter of the Southwest Quarter (SE1SW1) and the South Twenty-five (25) acres of the Northeast Quarter of the Southwest Quarter (NE1SW1), Section Twenty-six (26), Township Fifty-eight (58) North, Range Two (2), W.B.M.

IN WITNESS WHEREOF the first parties have hereunto set their hands and seals this 10th day of January, 1947.

G A Hernvall

Jennie Hernvall

STATE OF IDAHO, } ss.
County of Bonner

On this 10th day of January, 1947, before me, ROBT. E. KOPARLAND, a Notary Public in and for the State of Idaho, personally appeared G. A. HERNVALL and JENNIE HERNVALL known to me to be the persons whose names are subscribed to the above and foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and seal the day and date in this certificate first above written.

(NOTARIAL SEAL)

Robt. E. Koparland
Notary Public in and for the State
of Idaho, residing at Sandpoint.
Commission expires March 3, 1948.

STATE OF IDAHO } ss.
County of Bonner

Filed for record at the request of J. T. Henning on the 19th day of March, 1947 at 1:50 o'clock P. M. and recorded in Book 15 of Miscellaneous on page 169. Alex T. Russell County Recorder By Vivian E. Shoemaker Deputy Fee \$ 1.00

NO. 23448

IN THE PROBATE COURT OF BONNER COUNTY, STATE OF IDAHO

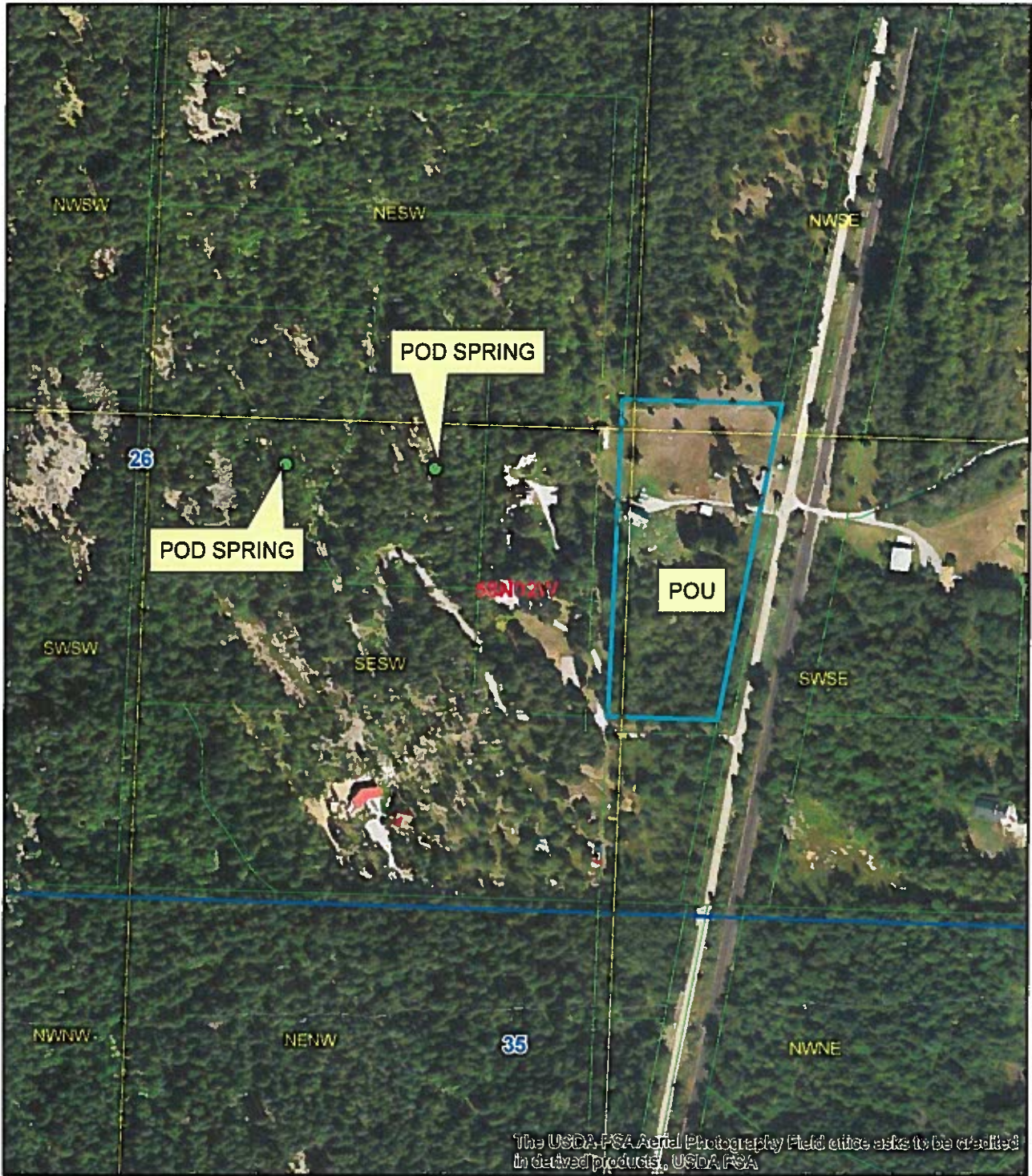
IN THE MATTER OF THE ESTATE OF

DECLARANT SETTLING FINAL ACCOUNT AND
FINAL DISTRIBUTION OF ESTATE

WILLIAM E. SCHAUER, also
known as W. E. SCHAUER, Deceased.

Adeline Elsie Schauer, Administratrix of the Estate of William E. Schauer, also known as W. E. Schauer, Deceased, having on the 10th day of March, A. D. 1947, rendered and filed herein a full account and report of her Administration of said estate, which account was for final settlement, and having with said account filed a petition for final distribution of said estate, and the Court having set the 20th day of March, A. D. 1947, at the hour of 10:00 A. M.

APPLICATION MAP



Legend

-  Taxlots
-  Sections
-  QQ

0 0.045 0.09 0.18 Miles



Ball, Dianne

From: Ball, Dianne
Sent: Friday, August 21, 2015 1:24 PM
To: charles.corsi@idfg.idaho.gov
Subject: RE: Application for Permit No. 96-9584 - Spring, , 96-9587, 96-9588 unnamed stream, and 96-9589 - Runoff
Attachments: App-and-map-etc-96-9584.pdf; App-and-map-etc-96-9587.pdf; App-and-map-etc-96-9588.pdf; App-and-map-etc-96-9589.pdf

Dear Chip:

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 enclosed for your reference.

Permit Nos. 96-9584, 96-9587, 96-9588 and 96-9589 are also being prepared for publication in the Bonner County Daily Bee on August 19 and 26, 2015 with September 8, 2015 as final date for protests to be received in our office.

Permit No 95-17054 is being prepared for publication in Coeur d'Alene Press, with same publication dates and final date for protests to be received in our office.

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 Shaun Maxey 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

August 17, 2015

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

MARK WATSON
REBECCA REVAK
105 VERMEER DR UNIT 2 STE 170
PONDERAY, ID 83852

Application For Permit No. 96-9587

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 8/20/2015 and 8/27/2015. 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: Monday, August 17, 2015 2:42 PM
To: Legal Notices-Bonner Co Daily Bee-Amber Bangeman
Cc: Maxey, Shaun
Subject: Application for Permit No. 96-9584, 96-9585, 96-9586, 96-9587, 96-9588, 96-9589
Attachments: LegalNotice 08-17-15 BCDB e-mail 96-9584,85,86,87,88,89.doc

Good afternoon, Amber,

Please publish the enclosed legal notice on the dates indicated, August 20 and 27, 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, Country Old Style font, 8pt. 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.

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 9/8/2015. Your cooperation is appreciated.

If you have any questions, please call me at number below, or reply to this e-mail.

Thanks for all your super help – always – for your help see that our legals appear as submitted, and look great.

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:

96-9584

THOMAS E YAKE

JOAN YAKE

1815 E 35TH AVE

SPOKANE, WA 99203

Point of Diversion SWNWNE S5 T55N R01W BONNER CO

Source SPRING tributary SINKS

Use: DOMESTIC 01/01 to 12/31 0.06 CFS

Use: FIRE PROTECTION 01/01 to 12/31 0.2 CFS

Use: IRRIGATION 04/01 to 10/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 7/30/2015

Place of Use: DOMESTIC T55N R01W S5 L2(SWNE)

Place of Use: IRRIGATION and FIRE PROTECTION same as DOMESTIC

Total Acres: 10

Domestic use is for 2 homes.

96-9585

ALTON J CLARK

LEONE K CLARK

527 RED FIR RD

HOPE, ID 83836-9765

Point of Diversion L2(NESE) S2 T56N R01E 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: 7/31/2015

Place of Use: DOMESTIC T56N R01E S2 L2(NESE)

Domestic use is for 1 home.

96-9586

P M HERNDON CORP

222 OTTS BASIN RD

SAGLE, ID 83860

Point of Diversion NENE S27 T56N R03W BONNER CO

Source GROUND WATER

Use: IRRIGATION 04/01 to 10/31 0.33 CFS

Total Diversion: 0.33 CFS

Date Filed: 7/31/2015

Place of Use: IRRIGATION T56N R03W S22 SESE

T56N R03W S27 SESE

Total Acres: 19.5

96-9587

MARK WATSON

REBECCA REVAK

105 VERMEER DR UNIT 2 STE 170

PONDERAY, ID 83852

Point of Diversion NWSESW S26 T58N R02W BONNER CO

Source SPRING tributary SINKS

Point of Diversion SESESW S26 T58N R02W BONNER CO

Source SPRING tributary SINKS

Use: DOMESTIC 01/01 to 12/31 0.06 CFS

Use: IRRIGATION 04/01 to 10/31 0.12 CFS

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Total Diversion: 0.2 CFS

Date Filed: 8/4/2015

Place of Use: DOMESTIC T58N R02W S26 SWSE

Place of Use: STOCKWATER and IRRIGATION same as DOMESTIC

Total Acres: 4

Domestic use is for 2 homes

Stockwater use is for 10 head of mixed stock.

96-9588

MARK WATSON

REBECCA REVAK

105 VERMEER DR UNIT 2 STE 170

PONDERAY, ID 83852

Point of Diversion SWSE S26 T58N R02W BONNER CO

Source UNNAMED STREAM tributary SAND CREEK
Use: WILDLIFE STORAGE 01/01 to 12/31 2.9 AF
Use: FIRE Protection Storage 01/01 to 12/31 2.9 AF
Use: RECREATION Storage 01/01 to 12/31 2.9 AF
Total Diversion: 2.9 AF

Date Filed: 8/4/2015

Place of Use: ALL STORAGE T58N R02W S26 SWSE

Recreation storage is for swimming, and fishing.

96-9589

RHONDA OUSLEY
RICHARD L OUSLEY SR
71 PRIVATE DR
SAGLE, ID 83860

Point of Diversion SWNW S15 T56N R01W BONNER CO

Source RUNOFF tributary GARFIELD CREEK

Use: WILDLIFE STORAGE 01/01 to 12/31 1.7 AF
Use: FIRE PROTECTION STORAGE 01/01 to 12/31 1.7 AF
Use: RECREATION STORAGE 01/01 to 12/31 1.7 AF
Total Diversion: 1.7 AF

Date Filed: 8/6/2015

Place Of Use: ALL STORAGE T56N R01W S15 SWNW

Recreation use is for swimming, and ice skating.

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 9/8/2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/20/2015 and 8/27/2015