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JUL 13 2015

IDWR/NORTHERN

80227

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

Ident. No.

91-7903
RECEIVED

JUL 06 2015

DEPARTMENT OF
WATER RESOURCES

1. Name of applicant(s) KENNETH A AND/OR CONNIE E MUELLER Phone 208-245-2928
Name connector (check one): ☐ and ☐ or ☒ and/or

Mailing address PO BOX 613 City SAINT MARIES
State ID Zip 83861 Email _____

2. Source of water supply ST. JOE RIVER which is a tributary of LAKE COEUR D ALENE
3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
45N	05E	15	1		NE	NE	SHOSHONE	ST. JOE RIVER	

4. Water will be used for the following purposes:
 Amount 0.03 CFS for IRRIGATION purposes from 4/1 to 10/31 (both dates inclusive)
 (cfs or acre-feet per year)
 Amount 0.20 CFS for FIRE PROTECTION 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)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
5. Total quantity to be appropriated is (a) 0.20 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. APPLICANT WILL HAVE PORTABLE PUMP UP TO 5 HP PUMP TO SUPPLY WATER FOR IRRIGATION AND FIRE PROTECTION
- 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. _____
- c. Municipal; complete and attach the [Municipal Water Right Application Checklist](#).
- d. Domestic; show number of households _____
- e. Other; describe fully. FIRE PROTECTION

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	
45N	05E	15	F	F															
			.9	.1															1
			GL1	GL2															

Total number of acres to be irrigated: 1

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? 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:

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

APPLICANT PLANS TO USE PORTABLE PUMP TO SUPPLY WATER FOR IRRIGATION DURING SEASON AND FOR USE IN CASE OF FIRE.

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

KENNETH A MUELLER
Print Name (and title, if applicable)


Signature of Applicant

CONNIE E MUELLER
Print Name (and title, if applicable)

For Department Use:

Received by dj Date 7-6-15 Time 3:00 PM Preliminary check by _____
Fee \$ 100.00 Received by dj Receipt No. 0100729 Date 7-6-15

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
831 Main Avenue
St. Maries, ID 83861

481456

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **550570-SM (ps)**

Date: **June 17, 2015**

For Value Received, **Heirs and Devisees of Phillip M. Mullen, deceased, as to an undivided 1/2 interest. Charles Timothy Mullen has been appointed Personal Representative of said estate and Robert Patrick Mullen, an Incapacitated and protected person as to an undivided 1/2 interest. Charles Timothy Mullen appointed and qualified as guardian and conservator.,** hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Kenneth A. Mueller and Connie E. Mueller, husband and wife,** hereinafter called the Grantee, whose current address is **P.O. Box 613, St. Maries, ID 83861,** the following described premises, situated in **Shoshone County, Idaho,** to-wit:

Lot 11, St. Joe River Cabin Sites, Shoshone County, State of Idaho according to the official and recorded plat recorded as Instrument No. 358151, records of Shoshone County, State of Idaho._

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

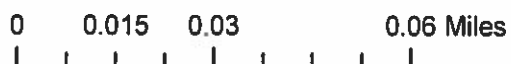
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

MUELLER APPLICATION



Legend

-  Taxlots
 Sections
 QQ





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

KENNETH A MUELLER
CONNIE E MUELLER
PO BOX 613
SAINT MARIES, ID 83861

Application For Permit No. 91-7903

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 SHOSHONE NEWS PRESS 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,

A handwritten signature in cursive script that reads "Dianne Ball".

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Friday, August 21, 2015 1:27 PM
To: charles.corsi@idfg.idaho.gov; Richard Furman rfurman@idl.idaho.gov
Subject: RE: Application for Permit No. 91-7903 St Joe River, 91-7904 St Joe River, 94-9412 CDA River
Attachments: App-and-map-etc-91-7904.pdf; App-and-map-etc-91-7903.pdf

Dear Chip and Richard:

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.

Richard, I'm not sure who would handle the CDA River area. If it isn't you, would you please forward this on to the proper person. "T'would be greatly appreciated. Thanks.

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

Ball, Dianne

From: Ball, Dianne
Sent: Monday, August 17, 2015 3:49 PM
To: Legal Notices-Shoshone NP, Jamee Rowley,
Cc: Maxey, Shaun
Subject: Application for Permit No. 91-7903, 91-7904, 94-9412
Attachments: LegalNotice 08-17-15 NP e-mail 91-7903,04, 94-9412.doc

Hi, Jamee,

Please publish the enclosed legal notice on the dates indicated, August 20 & 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 great help – for your help to 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:

91-7903

KENNETH A MUELLER

CONNIE E MUELLER

PO BOX 613

SAINT MARIES, ID 83861

Point of Diversion L1(NENE) S15 T45N R05E SHOSHONE CO

Source ST JOE RIVER tributary COEUR D ALENE LAKE

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

Use: IRRIGATION 04/01 to 10/31 0.03 CFS

Total Diversion: 0.2 CFS

Date Filed: 7/6/2015

Place of Use: IRRIGATION T45N R05E S15 L1(NENE) L2(NWNE)

Place of Use: FIRE PROTECTION same as IRRIGATION

Total Acres: 1

91-7904

DAVE TREJBAL

KAREN TREJBAL

PO BOX 67

ROCKFORD, WA 99030

Point of Diversion L9(SWSW) S31 T46N R02E SHOSHONE CO

Source ST JOE RIVER tributary COEUR D ALENE LAKE

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

Total Diversion: 0.04 CFS

Date Filed: 7/20/2015

Place of Use: DOMESTIC T46N R02E S31 L9(SWSW) L9(SESW)

Domestic use is for 1 home.

94-9412

GREGORY B HART

STARLENE HART

4180 E EVERGREEN DR

POST FALLS, ID 83854

Point of Diversion L4(SESW) S24 T50N R02E SHOSHONE CO

Source COEUR D ALENE River tributary COEUR D ALENE Lake

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

Total Diversion: 0.04 CFS

Date Filed: 8/13/2015

Place of Use: DOMESTIC T50N R02E S24 L4(SESW)

Domestic use is for 2 homes (includes RVs or Camp Trailers)

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