

80042

Ident. No. 96-9565

RECEIVED

APR 30 2015

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) IDWR / NORTH FOGARTY Phone 208-263-5546
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address PO BOX 1472 City SANDPOINT
State ID Zip 83864 Email DAN@DANBUILT.COM
2. Source of water supply SPRING / SYRINGA CREEK which is a tributary of CHUCK SLOUGH
3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
57N	02W	8		NW	SE	SW	BONNER	SPRING	
57N	02W	8			SE	SW	BONNER	SYRINGA CREEK	

4. Water will be used for the following purposes:
- Amount 0.20 CFS for DIVERSION TO STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount 0.04 CFS for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount 1.6 AF for DOMESTIC STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount 0.6 AF for DOMESTIC FROM STORAGE purposes from 1/1 to 12/31 (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) 1.6 acre feet per year (af).
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. PUMP WATER FROM POND TO USE FOR DOMESTIC EXTERNAL AND USE WATER TO FROM SYRINGA CREEK TO SUPPLY POND
- b. Height of storage dam 4.5 feet; active reservoir capacity SEE APPLICATION 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 1
- e. Other; describe fully. DOMESTIC USE IS FOR EXTERNAL USE OF IRRIGATION OF UP TO 1/2 ACRE

8. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
57N	02W	8												D					

Total number of acres to be irrigated: 11,800 SF/FT

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?

NOH

- Who owns the property at the point of diversion? APPLICANT
- Who owns the land to be irrigated or place of use? APPLICANT
- 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 WANTS TO USE EXISTING POND WR 96-9519 TO USE FOR DOMESTIC EXTERNAL USE UP TO 1/2 ACRE OF IRRIGATION. APPLICANT WANTS TO USE SYRINGA CREEK TO SUPPLY POND.

12. Time required for completion of works and application of water to proposed beneficial use is 2 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.

DAN FOGARTY
Signature of Applicant

DAN FOGARTY

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by db Date 4-17-15 Time _____ Preliminary check by _____
Fee \$ 100.00 Received by _____ Receipt No. N031178 Date 4-17-15

APPLICATION FOR PERMIT FOGARTY
POND ANALYSIS SHEET

POND SIZE: 72 FT X 42 FT = 3024 SQFT / 43,560 = 0.07 ACRES X 8FT = 0.56 AF
EVAPORATION: 189 GPD X 365 DAYS / 325,850 GAL/AF = 0.21 AF
SEEPAGE: 226 GPD X 365 DAYS / 325,850 GAL/AF = 0.25 AF

0.20 CFS DIVERSION TO STORAGE

0.04 CFS DOMESTIC

1.6 AF	DOMESTIC STORAGE	A) POND SIZE	0.56 AF
		B) EVAPORATION	0.21 AF
		C) SEEPAGE	0.25 AF
		D) DOMESTIC	0.6 AF
		TOTAL	1.6 AF

0.6 AF DOMESTIC FROM STORAGE

FOGARTY APPLICATION MAP



Legend

- Taxlots
- Sections
- QQ

0 0.0225 0.045 0.09 Miles



MEMORANDUM

To: Water Right Application 96-9565

From: Adam Frederick

Date: 6/12/2015

Re: Priority Date

Money was received on April 17, 2015 with application that was filled out incorrectly. Applicant was notified and made corrections and was given priority date when corrected application was received.

Hersley, Jean

From: Hersley, Jean
Sent: Tuesday, June 23, 2015 2:14 PM
To: 'cynthia.barrett@deq.idaho.gov'; 'ray.hennekey@idfg.idaho.gov'
Subject: Applications for permit and Transfer

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the applications for permit 95-17008, 95-17024, 95-17029, 97-7525, 96-9565, 96-9566, 96-9567, 96-9568, 96-9569 and transfer # 79942. These applications are available for view on our website: www.idwr.idaho.gov.

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 the Northern Region office at (208) 762-2800, if you have any questions regarding the application.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720 0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 16, 2015

DAN FOGARTY
PO BOX 1472
SANDPOINT, ID 83864

Application For Permit No. 96-9565

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 7/2/2015 and 7/9/2015. 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 the Northern Region office at (208)762-2800 if you have any questions regarding the application.

Sincerely,

Jean Hersley
Technical Records Specialist

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, June 17, 2015 9:28 AM
To: 'ABANGEMAN@BONNERCOUNTYDAILYBEE.COM'
Subject: CORRECTED LEGAL NOTICE FOR APPLICATIONS FOR PERMIT 96-9565, 96-9566, 96-9567, 96-9568 AND 96-9569

I have attached a corrected version of a legal notice sent yesterday. The publish dates should be 7/2/2015 and 7/9/2015 with the protest end date as 7/20/2015. Please confirm this correction. If you have any questions, please contact me at the number below.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send affidavit and bill before 7/20/2015.

Thank you.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

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

96-9565

DAN FOGARTY

PO BOX 1472

SANDPOINT, ID 83864

Point of Diversion NWSESW S8 T57N R02W BONNER County

Source SPRING Tributary SYRINGA CREEK

Point of Diversion SESW S8 T57N R02W BONNER County

Source SYRINGA CREEK Tributary CHUCK SLOUGH

Use: DIVERSION TO STORAGE

01/01 to 12/31

0.2 CFS

Use: DOMESTIC

01/01 to 12/31

0.04 CFS

Use: DOMESTIC FROM STORAGE

01/01 to 12/31

0.6 AF

Use: DOMESTIC STORAGE

01/01 to 12/31

1.6 AF

Total Diversion:

0.2 CFS

1.6 AF

Date Filed: 4/30/2015

Place Of Use: DIVERSION TO STORAGE, DOMESTIC, DOMESTIC STORAGE, DOMESTIC FROM STORAGE

T57N R02W S8 SESW

96-9566

MICHAEL D BENNETT

PO BOX 7

COCOLALLA, ID 83813

Point of Diversion L6(NENW) S18 T55N R02W BONNER County

Source GROUND WATER

Use: DOMESTIC

01/01 to 12/31

0.04 CFS

Use: IRRIGATION

04/01 to 10/31

0.07 CFS

Total Diversion:

0.11 CFS

Date Filed: 5/20/2015

Place Of Use: DOMESTIC, IRRIGATION

T55N R02W S18 L6(NENW)

Total Acres: 2.5

96-9567

WILLIAM WHEELER

9 LARIAT CT

SAGLE, ID 83860

Point of Diversion L3(ENE) S29 T56N R03W BONNER County

Source PEND OREILLE RIVER Tributary COLUMBIA RIVER

Use: DOMESTIC

01/01 to 12/31

0.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 5/27/2015

Place Of Use: DOMESTIC

T56N R03W S29 L3(ENE)

96-9568

LARRY L TREIBER

GAIL G TREIBER

PO BOX 311

HOPE, ID 83836

Point of Diversion NESE S35 T57N R01E BONNER County

Source UNNAMED STREAM Tributary SINKS

Use: IRRIGATION

04/01 to 10/31

0.03 CFS

Total Diversion:

0.03 CFS

Date Filed: 5/29/2015

Place Of Use: IRRIGATION

T57N R01E S35 L5(NESE)

T57N R01E S36 NWSW SWSW

Total Acres: 1

96-9569

DANIEL WILLIAMS

SHARON WILLIAMS

15 PUDDING HILL RD

MADBURY, NH 03823

Point of Diversion L4(SESE) S11 T56N R01W BONNER County

Source LIVERMORE LAKE Tributary SINKS

Use: DOMESTIC

01/01 to 12/31

0.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 6/5/2015

Place Of Use: DOMESTIC

T56N R01W S11 L4(SESE)

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 7/20/2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/2/2015 and 7/9/2015

Hersley, Jean

From: Hersley, Jean
Sent: Tuesday, June 16, 2015 3:18 PM
To: 'ABANGEMAN@BONNERCOUNTYDAILYBEE.COM'
Subject: Legal Notice for Applications For Permit No.(s): 96-9565, 96-9566, 96-9567, 96-9568 and 96-9569
Attachments: Legal Notice.docx

June 16, 2015

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

RE: Applications For Permit No.(s): 96-9565, 96-9566, 96-9567, 96-9568 and 96-9569

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (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 7/13/2015. Your cooperation is appreciated.

Sincerely,

Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942

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

96-9565

DAN FOGARTY

PO BOX 1472

SANDPOINT, ID 83864

Point of Diversion NWSESW S8 T57N R02W BONNER County

Source SPRING Tributary SYRINGA CREEK

Point of Diversion SESW S8 T57N R02W BONNER County

Source SYRINGA CREEK Tributary CHUCK SLOUGH

Use: DIVERSION TO STORAGE

01/01 to 12/31

0.2 CFS

Use: DOMESTIC

01/01 to 12/31

0.04 CFS

Use: DOMESTIC FROM STORAGE

01/01 to 12/31

0.6 AF

Use: DOMESTIC STORAGE

01/01 to 12/31

1.6 AF

Total Diversion:

0.2 CFS

1.6 AF

Date Filed: 4/30/2015

Place Of Use: DIVERSION TO STORAGE, DOMESTIC, DOMESTIC STORAGE, DOMESTIC FROM STORAGE

T57N R02W S8 SESW

96-9566

MICHAEL D BENNETT

PO BOX 7

COCOLALLA, ID 83813

Point of Diversion L6(NENW) S18 T55N R02W BONNER County

Source GROUND WATER

Use: DOMESTIC

01/01 to 12/31

0.04 CFS

Use: IRRIGATION

04/01 to 10/31

0.07 CFS

Total Diversion:

0.11 CFS

Date Filed: 5/20/2015

Place Of Use: DOMESTIC, IRRIGATION

T55N R02W S18 L6(NENW)

Total Acres: 2.5

96-9567

WILLIAM WHEELER

9 LARIAT CT

SAGLE, ID 83860

Point of Diversion L3(ENE) S29 T56N R03W BONNER County

Source PEND OREILLE RIVER Tributary COLUMBIA RIVER

Use: DOMESTIC

01/01 to 12/31

0.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 5/27/2015

Place Of Use: DOMESTIC

T56N R03W S29 L3(ENE)

96-9568

LARRY L TREIBER

GAIL G TREIBER

PO BOX 311

HOPE, ID 83836

Point of Diversion NESE S35 T57N R01E BONNER County

Source UNNAMED STREAM Tributary SINKS

Use: IRRIGATION

04/01 to 10/31

0.03 CFS

Total Diversion:

0.03 CFS

Date Filed: 5/29/2015

Place Of Use: IRRIGATION

T57N R01E S35 L5(NESE)

T57N R01E S36 NWSW SWSW

Total Acres: 1

96-9569

DANIEL WILLIAMS

SHARON WILLIAMS

15 PUDDING HILL RD

MADBURY, NH 03823

Point of Diversion L4(SESE) S11 T56N R01W BONNER County

Source LIVERMORE LAKE Tributary SINKS

Use: DOMESTIC

01/01 to 12/31

0.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 6/5/2015

Place Of Use: DOMESTIC

T56N R01W S11 L4(SESE)

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

Published on 6/25/2015 and 7/2/2015