

RECEIVED

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Ident. No. 91-7898

MAR 30 2015

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

IDWR / NORTH

1. Name of applicant(s) BENJAMIN AND/OR MELISSA SCHEFFELMAIER Phone 208-245-4410
Name connector (check one) ☐ and ☐ or ☒ and/or
Mailing address PO BOX 66 City AVERY
State ID Zip 83802 Email SCHEFFYS@YAHOO.COM
2. Source of water supply AVERY CREEK which is a tributary of ST. JOE 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 #
45N	05E	15	2		NW	NE	SHOSHONE	AVERY CREEK	

4. Water will be used for the following purposes:
- Amount 0.04 CFS for DOMESTIC purposes from 1/1 to 12/31 (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. 40 GALLON PLASTIC CATCH BASIN WITH A 2 INCH FLEX SUCTION HOSE. ELECTRIC PUMP AND PRESSURE TANK ON APPLICANTS PROPERTY
- 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 4
- e. Other; describe fully. DOMESTIC USE IS FOR EXTERNAL USE ONLY, IRRIGATION OF UP TO 1/2 ACRE PER HOUSEHOLD. 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	D/F	D/F															
			GL 1	GL 2															

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?

10. a. Who owns the property at the point of diversion? SHOSHONE COUNTY (PERMIT ATTACHED)
- 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 WANTS TO PULL WATER FROM AVERY CREEK AND SUPPLY 4 HOMES WITH EXTERNAL USE ONLY, IRRIGATION UP TO 1/2 ACRE PER LOT. THEY WOULD ALSO LIKE TO USE WATER FROM AVERY CREEK FOR FIRE PROTECTION.

12. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8 1/2" 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.

Benjamin Scheffelmaier
Signature of Applicant

BENJAMIN SCHEFFELMAIER
Print Name (and title, if applicable)

Melissa Scheffelmaier
Signature of Applicant

MELISSA SCHEFFELMAIER
Print Name (and title, if applicable)

For Department Use:

Received by db Date 3-25-2015 Time _____ Preliminary check by _____
Fee \$ 100.00 Received by db Receipt No. N031120 Date 3-25-2015

APPLICATION MAP FOR SCHEFFELMAIER



Legend

- Taxlots
- Sections
- QQ

0 0.0125 0.025 0.05 Miles



APPLICATION AND PERMIT TO USE PUBLIC RIGHT-OF-WAY UTILITIES AND ENCROACHMENTS

COPY OF PERMIT MUST BE PRESENT AT WORK SITE DURING CONSTRUCTION

PUBLIC ROAD SURFACE TYPE: ☒ (DIRT) ☐ (GRAVEL) ☐ (PAVEMENT)

START DATE: 3/17/15

EST. COMPLETION DATE: 3/17/15

ROAD NAME: Milwaukee Road

LOCATION: Avery, Shoshone Co., Idaho

NOTICE

This permit shall not be valid for excavation until, or unless, the provisions of Idaho Code Title 55, Chapter 22 have been complied with. PRIOR TO EXCAVATION, CALL ONE NUMBER

LOCATION SERVICE

Telephone No. _____

UTILITY OR OTHER USE

DISTANCE FROM: _____

CENTER LINE

RIGHT-OF-WAY LINE

OVERHEAD ☐

ANGLE OF CROSSING Parallel

UTILITY TYPE Water

UNDERGROUND ☒

SIZE OF PIPE 2" flex inside 4" plastic

PRESSURE n/a

VERTICAL CLEARANCE n/a

DEPTH _____

A PLAN OF PROPOSED WORK AND APPLICABLE TRAFFIC CONTROL PLANS MUST BE ATTACHED:

SPECIAL PROVISIONS: 4 inch plastic pipe approximately 80 feet long running under County right of way north of Milwaukee Road from Avery Creek to Lot 6, Central Avery Subdivision, Shoshone Co., Idaho.

See reverse side for General Provisions.

I CERTIFY THAT I AM THE AUTHORIZED UTILITY COMPANY REPRESENTATIVE AND REQUEST PERMISSION TO CONSTRUCT THE ABOVE FACILITIES WITHIN THE ROADWAY RIGHT-OF-WAY IN ACCORDANCE WITH THE GENERAL PROVISIONS PRINTED ON THE REVERSE SIDE OF THIS FORM. THE SPECIAL PROVISIONS AND THE PLANS MADE A PART OF THIS PERMIT.

COMPANY NAME		APPLICANT-PLEASE TYPE OR PRINT <u>Benjamin and/or Melissa Scheffelmayer</u>	
ADDRESS <u>PO Box 66</u>		SIGNATURE AUTHORIZED REPRESENTATIVE <u>Benjamin Scheffelmayer</u>	
CITY <u>Avery</u>	STATE <u>Idaho</u>	ZIP <u>83802</u>	DATE <u>3/17/15</u>

SUBJECT TO ALL TERMS, CONDITIONS, AND PROVISIONS SHOWN ON THIS FORM OR ATTACHMENTS, PERMISSION IS HEREBY GRANTED TO THE ABOVE-NAMED APPLICANT TO PERFORM THE WORK DESCRIBED ABOVE.

FOR LOCAL HIGHWAY JURISDICTION USE

TEMPORARY PERMIT

Tentative approval subject to inspection of installation.

Date: _____

By: _____

LHJ Authorized Representative

FINAL PERMIT

Approved ☒ Date: 03/17/15 Rejected ☐ Date: _____

Corrections Required: _____

Approved by: [Signature]

LHJ Authorized Representative

This form may be reproduced for use in making multiple applications.

Ball, Dianne

From: Ball, Dianne
Sent: Friday, April 10, 2015 1:49 PM
To: mary.terra-berns@idfg.idaho.gov
Cc: Frederick, Adam
Subject: RE: Application for Permit No. 91-7898
Attachments: 91-7898_App_and_map.pdf

Dear Mary:

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 attached for your reference.

This will be prepared to publish April 16 and 23, 2015 in the Shoshone News Press with May 4, 2015 as final date for protests to be received in our office.

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 Adam Frederick 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

April 10, 2015

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

BENJAMIN SCHEFFELMAIER
MELISSA SCHEFFELMAIER
PO BOX 66
AVERY, ID 83802

Application For Permit No. 91-7898

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 4/16/2015 and 4/23/2015. 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,

Adam Frederick

Adam Frederick
Water Resource Agent

Ball, Dianne

From: Ball, Dianne
Sent: Friday, April 10, 2015 3:25 PM
To: Legal Notices-Shoshone NP, Jamee Rowley,
Subject: Application for Permit No. 91-7898
Attachments: LegalNotice 04-10-15 NP e-mail 91-7898.doc

Good afternoon, Jamee,

Please publish the enclosed legal notice on the dates indicated, April 16 and 23, 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 in 8pt. Please send a proof/preview copy for my review before this actually goes to press.

Please also ask the layout/setup people to note the **USE** section with dates and water amounts offset and lined up. Our legal should appear in this format.

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 5/4/2015. Your cooperation is greatly appreciated.

Thanks for all your help in seeing that our legals print as submitted. It's a pleasure to work with you.

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:

91-7898

BENJAMIN SCHEFFELMAIER

MELISSA SCHEFFELMAIER

PO BOX 66

AVERY, ID 83802

Point of Diversion L2(NWNE) S15 T45N R05E SHOSHONE County

Source AVERY CREEK tributary ST JOE RIVER

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

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

Total Diversion: 0.2 CFS

Date Filed: 3/25/2015

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

Place Of Use: FIRE PROTECTION same as DOMESTIC

Domestic use is for 4 homes, external use only for irrigation of up to 1/2 acre per household.

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 5/4/2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/16/2015 and 4/23/2015