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

Ident. No. 95-16972**RECEIVED****FEB 09 2015****IDWR / NORTH**

1. Name of applicant(s) MARK & MARY HEIMSOTH Phone 208-263-8880  
 Name connector (check one): ☒ and ☐ or ☐ and/or  
 Mailing address 579 PINEHAVEN City SPIRIT LAKE  
 State ID Zip 83869 Email N/A
2. Source of water supply UNNAMED STREAM 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 # |
|-----|-----|-----|----------|-----|-----|-----|--------|----------------|---------------------|
| 54N | 4W  | 18  |          |     | SE  | NW  | BONNER | UNNAMED STREAM |                     |
|     |     |     |          |     |     |     |        |                |                     |
|     |     |     |          |     |     |     |        |                |                     |
|     |     |     |          |     |     |     |        |                |                     |

4. Water will be used for the following purposes:
- Amount 0.06 for IRRIGATION purposes from 04-01 to 08-01 (both dates inclusive)  
 (cfs or acre-feet per year)
- Amount 0.02 for STOCKWATER purposes from 01-01 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) 0.08 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 INSTALL PERFORATED PIPE IN CREEK AND HAVE GRAVITY SYSTEM TO GARDEN
- 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. IRRIGATION OF 2 ACRES AND STOCKWATER FOR 10 MIXED HEAD OF STOCK

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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 |        |
| 54N | 04W | 18  |    |    |    |    |    |    |    | I/S |    |    |    |    |    |    |    |    | 2      |
|     |     |     |    |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |        |

Total number of acres to be irrigated: 2

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 WANTS TO USE STREAM TO IRRIGATE GARDEN AND YARD DURING MONTHS THAT STREAM FLOWS. STOCK DRINK OUT OF CREEK AND THERE IS A STOCKWATER TANK AS WELL.

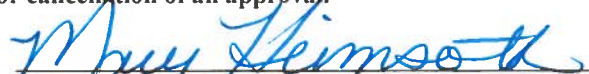
12. Time required for completion of works and application of water to proposed beneficial use is 3 years (minimum 1 year).
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of 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 HEIMSOTH

Print Name (and title, if applicable)

  
Signature of Applicant

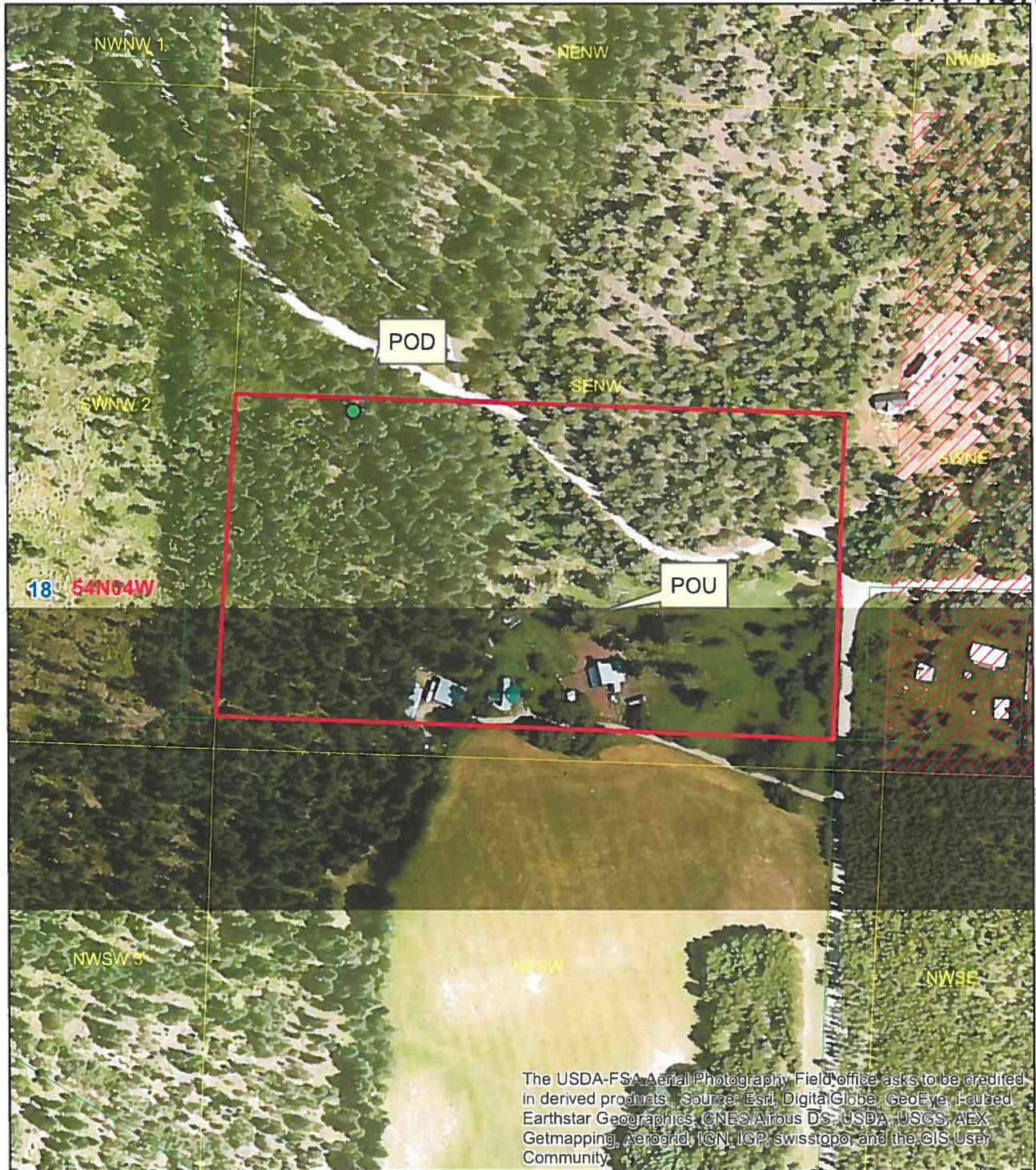
MARY HEIMSOTH

Print Name (and title, if applicable)

For Department Use:

Received by AF Date 2-9-15 Time \_\_\_\_\_ Preliminary check by \_\_\_\_\_  
Fee \$ 100.00 Received by N. Steading Receipt No. N031055 Date 2-9-15

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APPLICATION MAP FOR HEIMSOTH FEB 09 2015  
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**Legend**

- Taxlots
- Sections
- QQ

0 0.0325 0.065 0.13 Miles



**Ball, Dianne**

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**From:** Ball, Dianne  
**Sent:** Tuesday, February 10, 2015 11:33 AM  
**To:** 'Terra Berns, Mary'  
**Subject:** RE: Application for Permit No. 95-16972  
**Attachments:** App\_and\_map\_95-16972.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 enclosed for your reference.

This is being prepared for publication in the Priest River Times on February 18 and 25, 2015, with March 9, 2015 as 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 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](http://www.idwr.idaho.gov)

February 10, 2015

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

MARK HEIMSOTH  
MARY HEIMSOTH  
579 PINEHAVEN RD  
SPIRIT LAKE, ID 83869

Application For Permit No. 95-16972

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 PRIEST RIVER TIMES on 2/18/2015 and 2/25/2015. 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

SCANNED  
FEB 11 2015

Ball, Dianne

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**From:** Ball, Dianne  
**Sent:** Tuesday, February 10, 2015 1:19 PM  
**To:** Legal Notices-Priest River Times (prtimes@priestrivertimes.com); Legal Notices-PRT Shannon Foote (sfoote@priestrivertimes.com)  
**Cc:** Frederick, Adam  
**Subject:** Application for Permit No. 95-16972  
**Attachments:** LegalNotice 02-10-15 PRT e-mail 95-16972.doc

Good afternoon, Shannon,

Please publish the enclosed legal notice on the dates indicated, February 18 and 25, 2015, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

Please send a proof/preview copy for my review before this actually goes to press. It should be very close to press-ready – for 2-column, 8pt, Century Old Style font.

Please have the layout people notice the area of **USE** where the dates and amounts of water are offset somewhat and lined up. The legal should appear in the paper as submitted.

If you have any questions, please don't hesitate to call me or reply to this e-mail.

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 3/9/2015. Your cooperation is appreciated.

Thanks for all of **YOUR** help in see that our legals look so professional. You are truly greatly appreciated.

*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:

95-16972

MARK HEIMSOTH

MARY HEIMSOTH

579 PINEHAVEN RD

SPIRIT LAKE, ID 83869

Point of Diversion SENW S18 T54N R04W BONNER County

Source UNNAMED STREAM tributary SINKS

Use: IRRIGATION 04/01 to 08/01 0.06 CFS

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

Total Diversion: 0.08 CFS

Date Filed: 2/9/2015

Place of Use: IRRIGATION T54N R04W S18 SENW

Place of Use: STOCKWATER same as IRRIGATION

Total Acres: 2

Stockwater use is for 10 head of mixed stock.

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](http://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 3/9/2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 2/18/2015 and 2/25/2015

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