

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

1. Name: MERRILL OAKS And/Or
MURIEL OAKS
362 LANGILLE CANYON RD
OLDTOWN ID 83822
(208) 437-4572
2. Source: SPRINGS Tributary to: PEND OREILLE RIVER
3. Location of Point of Diversion:
#1 SPRINGS, L1 (SW1/4NE1/4NW1/4), Sec. 13, Twp 56N, Rge 06W, B.M., BONNER County
#2 SPRINGS, L1 (SE1/4NE1/4NW1/4), Sec. 13, Twp 56N, Rge 06W, B.M., BONNER County
4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	01/01	to 12/31	68.5 AF
IRRIGATION FROM STORAGE	04/01	to 10/31	54.0 AF
STOCKWATER STORAGE	01/01	to 12/31	14.6 AF
STOCKWATER FROM STORAGE	01/01	to 12/31	0.1 AF
FIRE PROTECTION STORAGE	01/01	to 12/31	14.5 AF
FIRE PROTECTION FROM STORAGE	01/01	to 12/31	9.6 AF
5. Total quantity to be appropriated is:			68.6 AF
6. Proposed diverting works:

POINT OF DIVERSION #1

- a. Type and size of devices used to divert water from the source: SPRINGS SURFACE
THROUGH THE BOTTOM OF THE POND
- b. Height of storage dam 10 feet;
Active reservoir capacity 9.6 acre-feet;
Total reservoir capacity 9.6 acre-feet;.

POINT OF DIVERSION #2

- a. Type and size of devices used to divert water from the source: SPRING SURFACE THROUGH
BOTTOM OF THE POND
- b. Height of storage dam 10 feet;
Active reservoir capacity 9.6 acre-feet;
Total reservoir capacity 9.6 acre-feet;.

APPLICANT

79671

Page 3

Ident. No. 97-7520

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

10. Remarks:

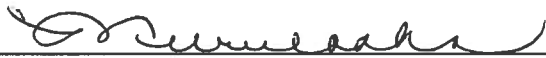
WE PROPOSE TO DIVERT WATER FROM AN EXISTING POND ON OUR PROPERTY TO IRRIGATE 18 ACRES OF ARID FARMLAND FOR AGRICULTURAL USE. WE WILL INSTALL A 10 TO 12 INCH DIAMETER PIPE USING GRAVITY FLOW 120 FT VERTICLE HEAD TO THE FIELD BELOW. NO PUMP OR MOTOR IS REQUIRED.

11. Map of proposed point of diversion and place of use attached? [X]

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.



MERRILL OAKS



MURIEL OAKS

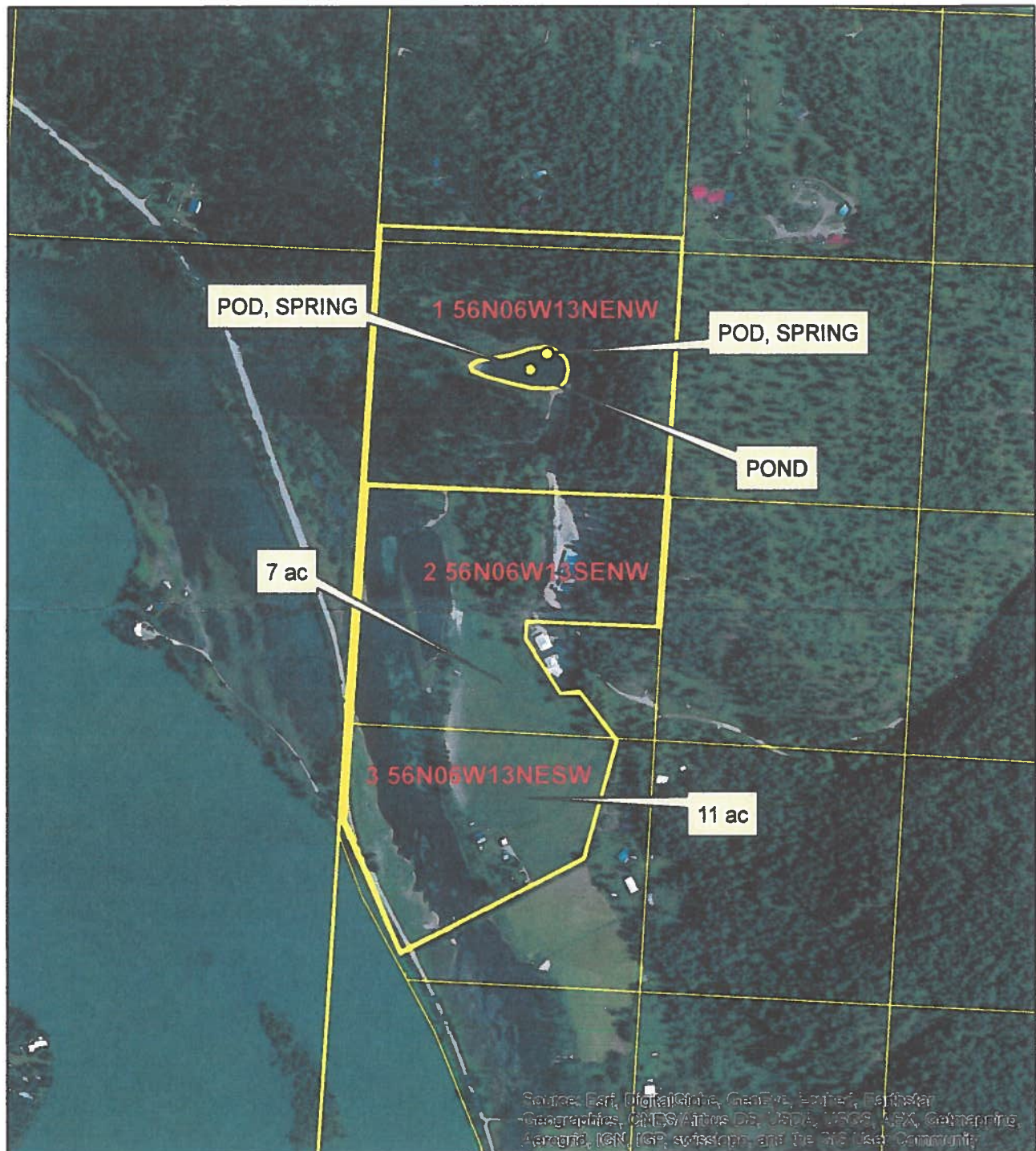
Received by _____ Date 11/25/14 Time _____ Preliminary check by _____
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

Receipt No. N030886

Date: 10/14/2014

Receipted by: Dianne

APPLICATION 97-7520



Legend

- Working_POU
- Working_POD
- QQ
- Taxlots

0 0.05 0.1 0.2 Miles



97-7520

48°12'18.05"N 107°02'11.99"W

Image U.S. Geological Survey
©2009 Europa Technologies

©2009 Google
elev 628m

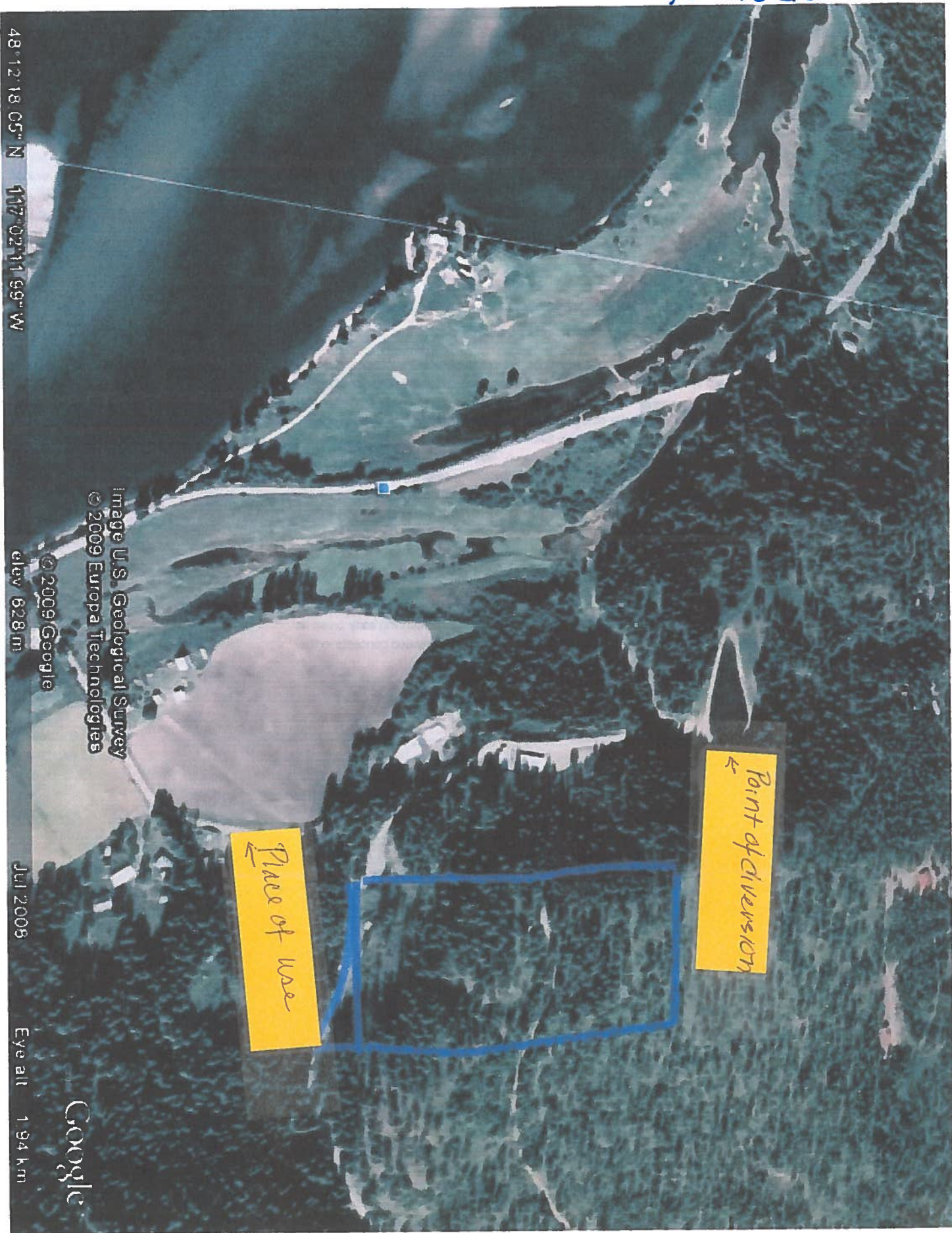
Jul 2008

Eye alt 194 km

Google

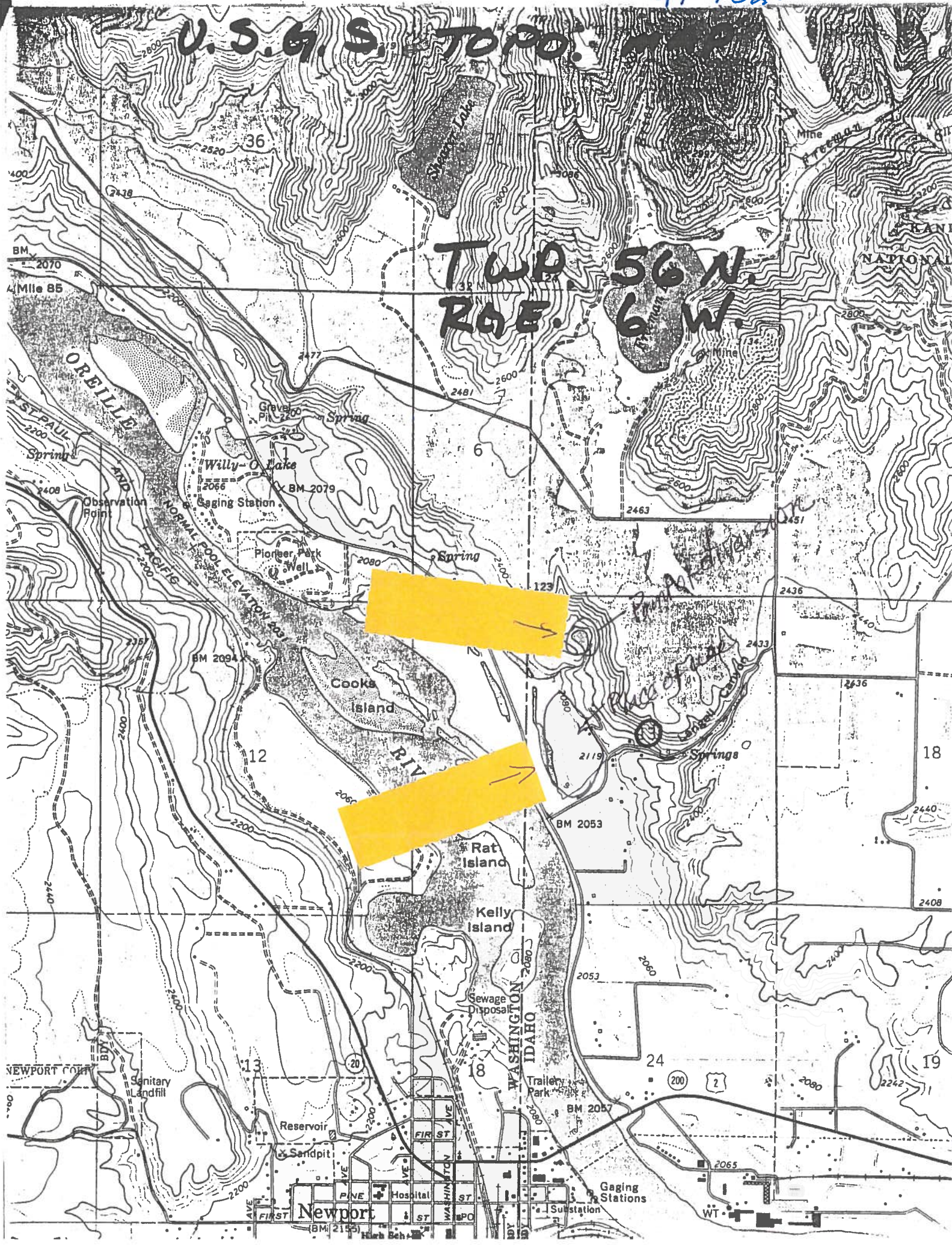
Point of diversion

Place of use



U.S.G.S. TOPO. MAP

TWP. 56 N.
R. 6 W.



OAKES POND ANALYSIS SHEET

POND SIZE: 1.6 AC X 6 FT = 9.6 AF

SURFACE AREA: 1.6 AC = 69,696 SQFT

EVAPORATION: @ 69,696 SQFT

4,345 GPD X 365 DAYS / 325,850 GAL/AF = 4.9 AF

SEEPAGE: 0.0 AF, SPRINGS SURFACE THROUGH BOTTOM OF POND

STOCKWATER: 10 HEAD OF MIXED X 12 GPD X 365 DAYS / 325,850 GAL/AF
= 0.1 AF

IRRIGATION: 18 ACRES X 3 AF/AC = 54 AF

68.5 AF	IRRIGATION STORAGE	A) POND SIZE	9.6 AF
		B) EVAPORATION	4.9 AF
		C) SEEPAGE	0.0 AF
		D) IRRIGATION	54.0 AF
	TOTAL		68.5 AF

54 AF IRRIGATION FROM STORAGE

14.6 AF	STOCK WATER STORAGE	A) POND SIZE	9.6 AF
		B) EVAPORATION	4.9 AF
		C) SEEPAGE	0.0 AF
		D) STOCKWATER	0.1 AF
	TOTAL		14.6 AF

0.1 AF STOCK WATER FROM STORAGE

14.5 AF	FIRE PROTECTION STORAGE	A) POND SIZE	9.6 AF
		B) EVAPORATION	4.9 AF
		C) SEEPAGE	0.0 AF
	TOTAL		14.5 AF

9.6 AF FIRE PROTECTION FROM STORAGE

TOTAL ANNUAL STORAGE: 68.5 AF + 0.1 AF = 68.6 AF



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

November 28, 2014

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

MERRILL OAKS
MURIEL OAKS
362 LANGILLE CANYON RD
OLDTOWN, ID 83822

Application For Permit No. 97-7520

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 12/3/2014 and 12/10/2014. 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,

Keith Franklin
Program Manager

Enc. Receipt No. N030886

Ball, Dianne

From: Ball, Dianne
Sent: Friday, November 28, 2014 11:50 AM
To: 'Shannon Foote'
Subject: Application for Permit No. 97-7520
Attachments: LegalNotice 11-28-14 PRT e-mail 97-7520.doc

Hi, Shannon,

Please publish the enclosed legal notice on the dates indicated, December 3 and 10, 2014, (once a week for two consecutive weekly issues). If you can't 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. This should be very close to press ready for 2-column, 8pt, Century Old Style font, margins justified.

Please note the "Use" section where the dates and amounts of AF are listed – and offset. Please request those doing layout in CDA to pay attention to that section, and to process in the 2-column format as submitted. It might be able to be straight copy and paste with minor adjustments.

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 12/22/2014. Your cooperation is, as always, greatly appreciated.

Thanks for working with me these many years helping our legals appear in a mostly reader friendly format. It's always 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:

97-7520

MERRILL OAKS

MURIEL OAKS

362 LANGILLE CANYON RD

OLDTOWN, ID 83822

Point of Diversion L1(SWNENW) S13 T56N R06W BONNER CO

Source SPRINGS tributary PEND OREILLE RIVER

Point of Diversion L1(SENENW) S13 T56N R06W BONNER CO

Source SPRINGS tributary PEND OREILLE RIVER

Use: FIRE PROTECTION from Storage 01/01 to 12/31 9.6 AF

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 14.5 AF

Use: IRRIGATION from STORAGE 04/01 to 10/31 54 AF

Use: IRRIGATION STORAGE 01/01 to 12/31 68.5 AF

Use: STOCKWATER from Storage 01/01 to 12/31 0.1 AF

Use: STOCKWATER STORAGE 01/01 to 12/31 14.6 AF

Total Diversion: 68.6 AF

Date Filed: 11/25/2014

Place of Use: IRRIGATION Storage, STOCKWATER Storage and

FIRE PROTECTION Storage T56N R06W S13 L1(NENW)

Place of Use: IRRIGATION from STORAGE T56N R06W S13

L2(SENW) L3(NESW)

Place of Use: STOCKWATER from STORAGE T56N R06W S13

L1(NENW) L2(SENW) L3(NESW)

Place of Use: FIRE PROTECTION from STORAGE same as

STOCKWATER from STORAGE

Total Acres: 18

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.

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 12/22/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 12/3/2014 and 12/10/2014

Ball, Dianne

From: Ball, Dianne
Sent: Friday, November 28, 2014 2:09 PM
To: 'Terra Berns, Mary'
Subject: RE: Application for Permit No. 97-7520 - OAKS
Attachments: 97-7520_App_maps_and_pond_info_sheet.pdf

Dear Mary:

*Please disregard earlier e-mail regarding our Application Number 97-7520. This corrects the newspaper in which it will publish, and the **publication dates**.*

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 is scheduled for publication in the Priest River Times on December 3 and 10, 2014, with December 22, 2014 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 Keith Franklin in this office if you have any questions regarding this 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

97-7520



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

November 19, 2014

Merrill Oaks
Muriel Oaks
362 Langille Canyon Rd
Oldtown, ID 83822

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho

Dear Mr. and Mrs. Oaks:

Enclosed is a revised application for a new water right, as per your office visit on November 19, 2014, for your review. If it meets with your approval, please sign and return the document to me within the next 30 days so as not to delay processing. The fee for the application was previously submitted on October 14, 2014.

If you have any questions, don't hesitate to contact me at this office.

Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Keith E. Franklin". The signature is written in a cursive style with a large, stylized 'K'.

Keith E Franklin
Program Manager Northern Region

Enclosure

COPY



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 17, 2014

Merrill Oaks
Muriel Oaks
362 Langille Canyon Rd.
Oldtown, ID 83822

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho

Dear Mr. and Mrs. Oaks:

The Idaho Department of Water Resources is in receipt of your application for a new water right, however, it's in a form that cannot be processed. I suggest you contact me at this office to set up an appointment, so I can help you craft an application for your intended use.

If you have any questions, feel free to contact me at 208-762-2800.

Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Keith E. Franklin". The signature is written in a cursive style.

Keith E Franklin
Program Manager Northern Region

COPY