

796415

Ident. No. 91-7827

RECEIVED

OCT 27 2014

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) Irwin & Charlotte Applegate Phone 208 245-3781
 Name connector (check one): ☐ and ☐ or ☒ and/or
 Mailing address 2016 Cottonwood Drive City St. Maries
 State ID Zip 83861 Email wacapp@live.com
2. Source of water supply St. Joe River which is a tributary of Coeur d'Alene Lake
3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
46N	02W	17			SE	NW	Benewah	St. Joe River	

4. Water will be used for the following purposes:
 Amount 0.04 for domestic 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)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
5. Total quantity to be appropriated is (a) 0.04 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. The pump is a 1/2 hp submersible pump. All water removed from the river is screened and filtered. The pump has a 33 gpm capacity.
- 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. Domestic water right for irrigation up to 1/2 acre only; no home use

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	
46N	02W	17			D					D									

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?

None

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.

We will be pumping water from the St. Joe river to water our lawn, shrubs, garden, flowers, and trees. It is not used for the household.

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 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.

Irwin Applegate
Signature of Applicant

IRWIN APPLGATE
Print Name (and title, if applicable)

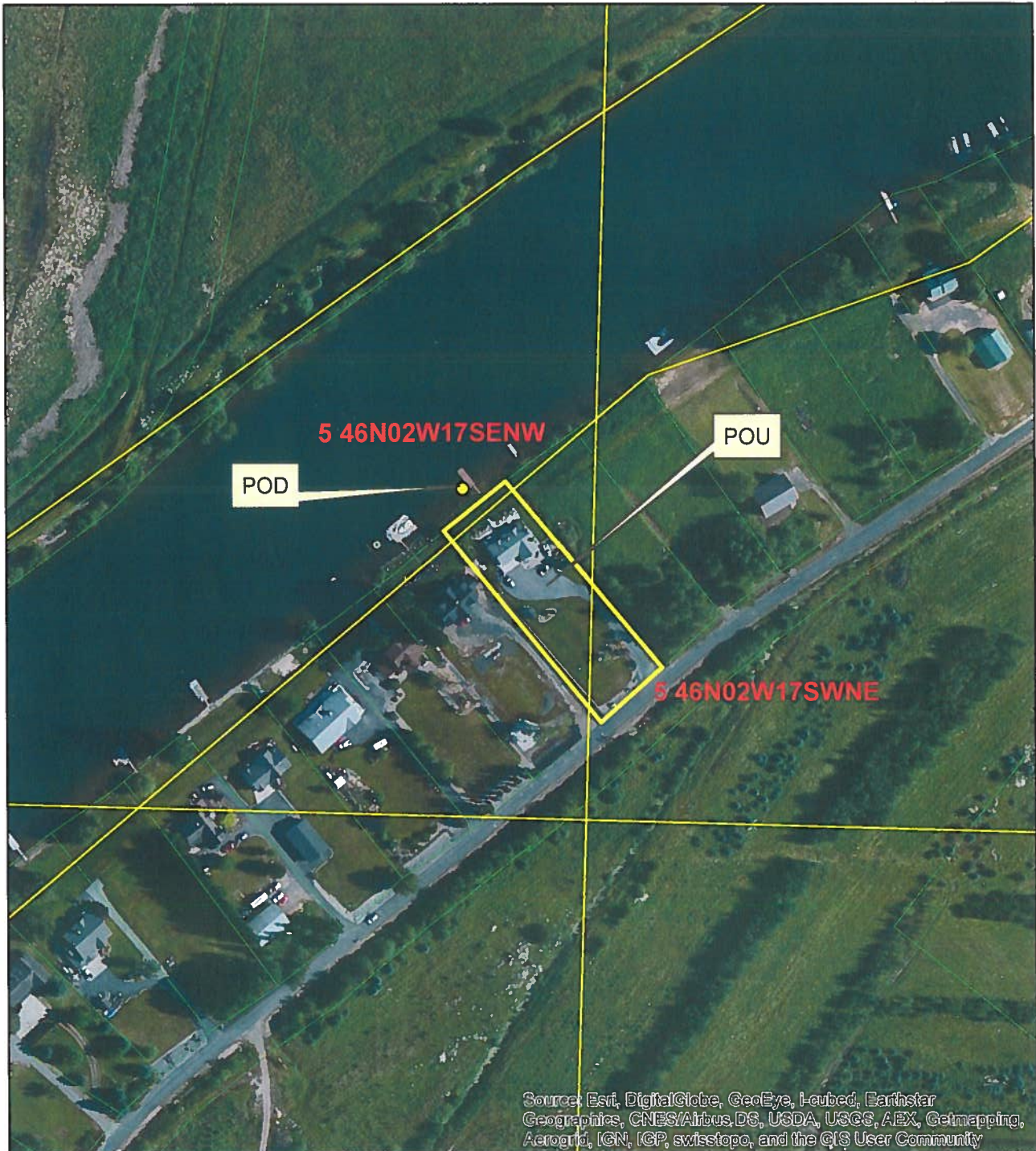
Charlotte Applegate
Signature of Applicant

Charlotte Applegate
Print Name (and title, if applicable)

For Department Use:

Received by [Signature] Date 10/27/14 Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by [Signature] Receipt No. N030911 Date 10/27/14

91-7827



Legend

-  Working_POU
-  Working_POD
-  QQ
-  Taxlots

0 0.0175 0.035 0.07 Miles



Ball, Dianne

From: Ball, Dianne
Sent: Friday, November 07, 2014 2:53 PM
To: 'Terra Berns,Mary'; afuson@idl.idaho.gov
Subject: RE: Application for Permit No. 91-7827 - POD St Joe River
Attachments: App_and_map_91-7827.pdf

Dear Mary and Amidy:

The Department of Water Resources is seeking written comment and/or recommendations from your agencies regarding the above referenced water right application. A copy of the application is attached for your reference.

This is being prepared for publication in the St Maries Gazette on November 19 and 26, 2014 with December 8, 2014 being last day 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 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

November 7, 2014

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

IRWIN APPEGATE
CHARLOTTE APPEGATE
2016 COTTONWOOD DR.
ST. MARIES, ID 83861

Application For Permit No. 91-7827

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 ST MARIES GAZETTE RECORD on 11/19/2014 and 11/26/2014. 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. N030911

Ball, Dianne

From: Ball, Dianne
Sent: Friday, November 07, 2014 4:07 PM
To: Legal Notices-SMGazette Benewah Co (bri@smgazette.com)
Subject: Application for Permit No. 91-7827, 91-7841, 92-10973, 95-16947
Attachments: LegalNotice 11-07-14 SM e-mail 91-7827 ,7841, 92-10973, 95-16947.doc

Good afternoon, Bri,

Please publish the enclosed legal notice on the dates indicated, November 19 and 26, 2014, (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 goes to press.

This comes to you hopefully close to press ready for 2-column, using Utopia font, 8.5pt. You might possibly be able to just copy and paste with very minor adjustments.

Please also note the sections under "Use:" for each of the four applications where the dates and amounts of CFS are offset and lined up. We request that the legal notice appear as submitted.

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 12/8/2014. Your cooperation is greatly appreciated.

Thanks for all your super help is making our legals look so good. 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:

91-7827

IRWIN APPLGATE
CHARLOTTE APPLGATE
2016 COTTONWOOD DR.
ST. MARIES, ID 83861

Point of Diversion L5(SENW) S17 T46N R02W

BENEWAH 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: 10/27/2014

Place of Use: DOMESTIC T46N R02W S17 L5(SWNE)
L5(SENW)

Domestic use is for irrigation up to 1/2 acre only;

No in-home use.

91-7841

MARY NEMETH
PETER NEMETH

2800 ST JOE RIVER RD

SAINT MARIES, ID 83861-9136

Point of Diversion NENE S14 T46N R02W BENEWAH CO

Source GROUND WATER

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

Use: IRRIGATION 03/15 to 10/15 0.03 CFS

Total Diversion: 0.07 CFS

Date Filed: 11/3/2014

Place of Use: DOMESTIC T46N R02W S14 NENE

Place of Use: IRRIGATION same as DOMESTIC

Total Acres: 1

Domestic use is for 7 RV Sites.

92-10973

RONALD M KINYON

DONNA M KINYON

606 AIRWAY DR

LEWISTON, ID 83501

Point of Diversion NENW S14 T44N R01W BENEWAH CO

Source GROUND WATER

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

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

Total Diversion: 0.07 CFS

Date Filed: 9/10/2014

Place of Use: DOMESTIC T44N R01W S14 NENW

Place of Use: IRRIGATION same as DOMESTIC

Total Acres: 1

Domestic use is for 1 home.

95-16947

DONNA ODEKIRK

2840 E 775 N

LAYTON, UT 84040

Point of Diversion NWSE S17 T46N R03W BENEWAH CO

Source UNNAMED STREAM tributary CHATCOLET LAKE

Use: IRRIGATION 04/01 to 10/31 0.64 CFS

Total Diversion: 0.64 CFS

Date Filed: 10/31/2014

Place of Use: IRRIGATION T46N R03W S17 NWNE

Total Acres: 32

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 12/8/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 11/19/2014 and 11/26/2014