

RECEIVED

FORM 202 11/13

MAY 21 2014

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

Ident. No. 91-7790

1. Name of applicant(s) United States of America - Idaho Panhandle National Forest Phone 208-365-7055
Name connector (check one) ☐ and ☐ or ☐ and/or

Mailing address 3815 Schreiber Way City Coeur d'Alene
State ID Zip 83815 Email sspencer@fs.fed.us

2. Source of water supply Midget 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 #
44N	9E	31	3	SW	SW	NE	Shoshone	Midget Creek	

4. Water will be used for the following purposes:

Amount 0.02 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) 0.02 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. Screened pipe surrounded by rocks in creek running approximately 2500 feet to cabin.
- 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 One remote cabin
- e. Other; describe fully.

SCANNED
JUN 26 2014

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	
44N	9E	31										D							
												Lot 3							

Total number of acres to be irrigated: less than 1/2

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?

None.

10. a. Who owns the property at the point of diversion? United States of America
- b. Who owns the land to be irrigated or place of use? Unites States of America
- 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.

Domestic water use at Midget Creek F&G Cabin authorized on National Forest System land. Approximate GPS coordinates: POD Lat 47.11492 Long -115.37481, POU Lat 47.11216 Long -115.38143.

12. Time required for completion of works and application of water to proposed beneficial use is 5 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.


Signature of Applicant

Signature of Applicant

Mary Farnsworth - Forest Supervisor
Print Name (and title, if applicable)

Print Name (and title, if applicable)

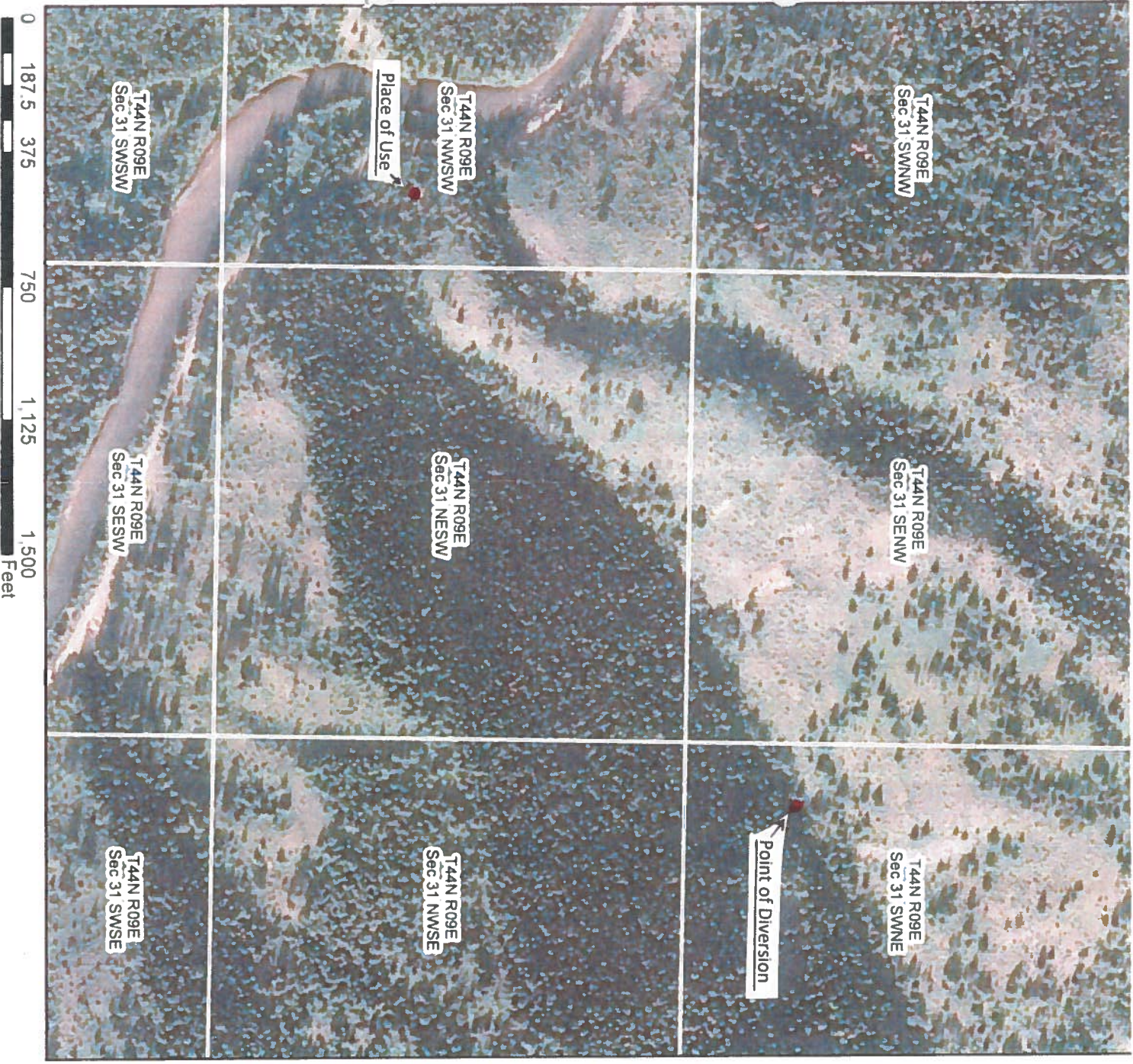
Received by  Date 5/21/14 Time Preliminary check by
Fee \$ 100.00 Received by  Receipt No. N030462 Date 5/21/14

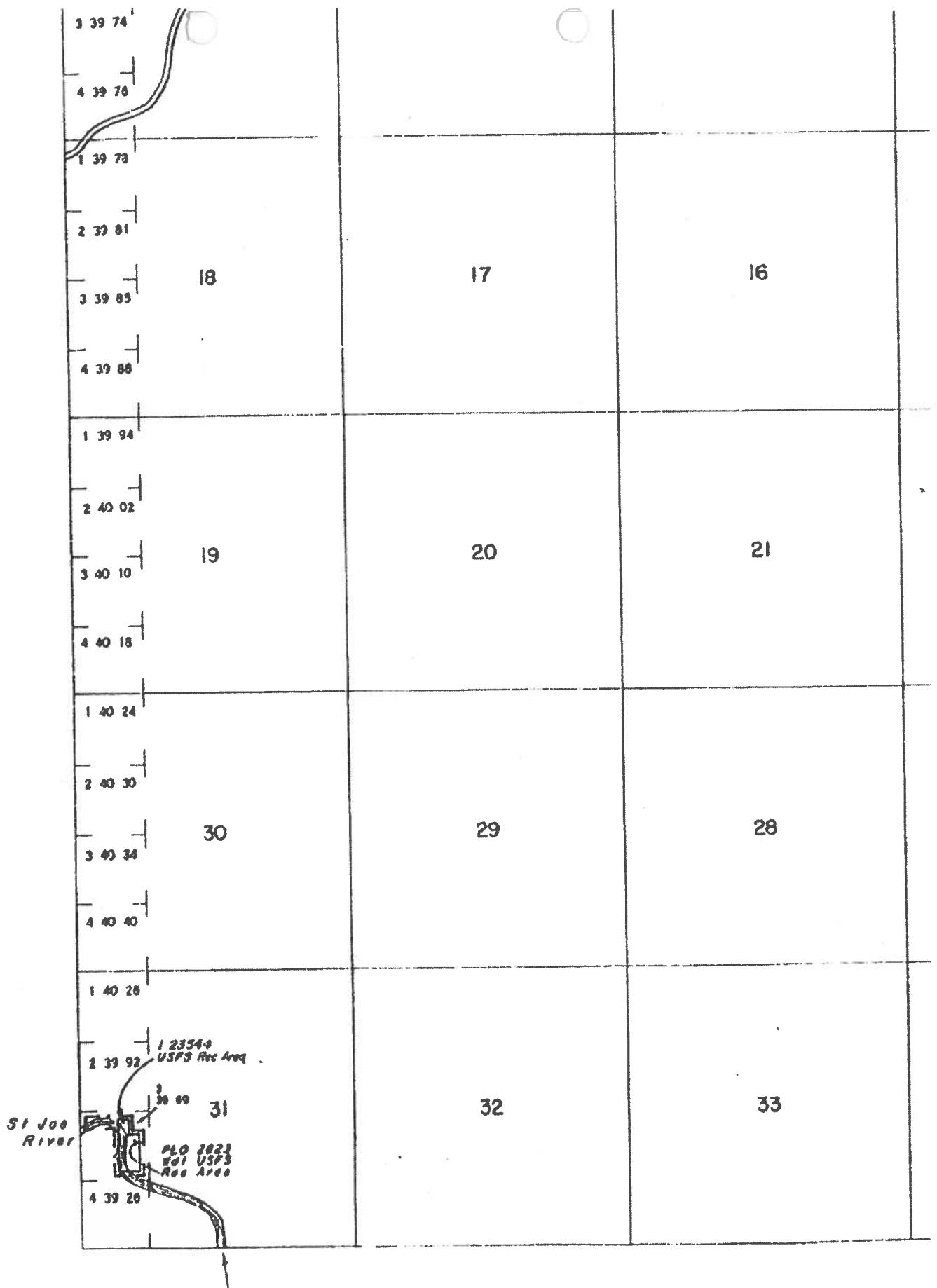
2
SCANNED
JUN 26 2014

SCANNED
JUN 26 2014

Legend

-  ESPA
-  GCDB Township/Range
-  GCDB Section
-  GCDB Quarter-Quarter
-  Counties





SCALE in C
10 20 30

SCANNED
JUN 26 2014



SWNW 2

SE 4

Cabin

NW 3

SE 3

31

SW 4

SE 4



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 13, 2014

United States of America
Idaho Panhandle National Forest
3815 SCHREIBER WAY
COEUR D ALENE, ID 83815

Application For Permit No. 91-7790

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.

You received notification previously stating that this was to publish on July 3 and 10, 2014, but it did not actually publish at that time.

A new legal notice of the application has been prepared and is now scheduled for publication in the SHOSHONE NEWS PRESS on 8/21/2014 and 8/28/2014. 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,

Eric Davis
Water Resource Agent, Senior

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, August 13, 2014 2:52 PM
To: Legal Notices-Shoshone NP-CdA Jen jjeffers@cdapress.com
Subject: Application for Permit No. 91-7790
Attachments: LegalNotice 08-13-14 NP e-mail 91-7790.doc

Hi, Jen,

Please publish the enclosed legal notice on the dates indicated, August 21 and 28, 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 actually goes to press.

This should be very close to press ready – 2-column, 8 pt, CenturyOldStyle font.

Please have the person doing layout pay attention to the **Use:** section with dates and cfs offset. Legal to publish should appear as submitted. If layout or set-up people have a question, they can contact me at 208-762-2800, 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 9/8/2014. Your cooperation is appreciated.

Thanks for all your help. It's great working 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:

91-7790

United States of America-Idaho Panhandle National Forest
3815 SCHREIBER WAY

COEUR D'ALENE, ID 83815

Point of Diversion L3(NWSW) S31 T44N R09E SHOSHONE CO

Source MIDGET CREEK Tributary ST JOE RIVER

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

Total Diversion: 0.02 CFS

Date Filed: 5/21/2014

Place of Use: DOMESTIC T44N R09E S31 L3(NWSW)

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 9/8/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/21/2014 and 8/28/2014

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, August 05, 2014 11:47 AM
To: Davis, Eric
Subject: FW: 91-7790 from Midget Creek

Eric, this application for Idaho Panhandle National Forest with source from Midget Creek tributary to St Joe River, will now have to be scheduled for publication starting on the 21st and again on the 28th of August with final protest date being September 8, 2014.

I've checked with Jean starting last week and she initially told me she had processed it and it was on the P/ drive under her name. That's true, it was, but she had never sent it to the Shoshone News Press. It was supposed to publish 7/3 and 7/10/2014 with final protest being 7/21/2014.

I've checked with the paper to see *if* I could get it to them by 1:00p today if it would be able to publish 8/7 and 8/14, but was informed I needed to have it to them by **11:00a** today to get it to publish on 8/7 and 8/14. I didn't get Jean's e-mail in time to make that happen.

Eric, I'm just keeping you apprised as to what is happening with this one. I started checking on this last week because I'd not receive an Affidavit or bill from the paper, and the Shoshone News Press is very prompt with sending that information within a few days following final publication.

I'll get it to the paper for sure to publish 8/21 and 28.

From: Hersley, Jean
Sent: Tuesday, August 05, 2014 10:04 AM
To: Ball, Dianne
Subject: 91-7790

It looks like I created the legal notice but then forgot to send it to the paper. Please advertise this application for permit and send new correspondence to the applicant indicating it wasn't advertised in July as stated in the letter sent. Sorry for the confusion.

Jean Hersley

Idaho Dept Water Resources

Technical Records Specialist II

208-287-4942

Ball, Dianne

From: Hersley, Jean
Sent: Monday, August 04, 2014 12:53 PM
To: Ball, Dianne
Subject: RE: Legal that was supposed to publish

Sorry I didn't get back to you on this. I emailed Angela Abbott (at CDA Press), who according to the information I had, was the person to send the information to, this morning inquiring about this. I was waiting on an answer from her before I got back to her.

From: Ball, Dianne
Sent: Monday, August 04, 2014 1:32 PM
To: Legal Notices-Shoshone NP-CdA Jen jjeffers@cdapress.com
Cc: Hersley, Jean; Davis, Eric; Franklin, Keith
Subject: Legal that was supposed to publish

Hi, Jen,

I'm in a quandary. I'm looking for an affidavit and copy of legal for Water Right 91-7790. This was a legal notice that was supposed to publish July 3 and 10, 2014 in Shoshone News Press. I don't find that I've received an affidavit of publication together with copy of the ad as scheduled to publish.

It was prepared and sent to the Shoshone News Press by Jean Hersley of our State Office back on June 23, 2014. I'm attaching a copy of the legal notice that was supposed to publish those dates, and also a copy of a letter that Jean might have sent via e-mail as an attachment, along with the Legal Notice

I think Jean usually sends these via e-mail, but could possibly have been sent by FAX either on 6/23 or maybe 6/24.

I was out for surgery and Jean was covering for me from her office in Boise, or it might have been sent or forwarded from our office from Suzy Cooley-Denney.

I'm trying to move this file from my desk to the next person in line to work on this file. To date I don't have an affidavit or a copy of the ad showing that it actually published. You're always so prompt in sending those when the legal has completed the second publication, and that's why I'm following up on this, with possibility that it never actually published.

Please check your records for those publication dates to determine if this actually published on those dates, or if it published on some other dates, or didn't publish at all.

I will need to start the process over again if this did not publish, so I need to know where we stand on this. Thanks for your help in researching this. If it did publish, I need a copy of the affidavit and legal as it published.

Thanks so much for your help in this matter.

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100

Ball, Dianne

From: Ball, Dianne
Sent: Friday, August 01, 2014 3:00 PM
To: Hersley, Jean
Cc: Cooley-Denney, Suzy; Davis, Eric
Subject: 91-7790
Attachments: legal_SNP_91-7790_-_PUB_7-3_-_7-10_.pdf

This was apparently to publish in Shoshone News Press on 7/3 and 7/10, but although I have a copy of the legal and "letter" to the paper, I do not see that an e-mail copy is in file.

Shoshone News Press sends Affidavits and Bills within a day or two of publication and I have not received anything from them on this, and final protest date was 7/21/2014

Will you check your records before I contact the paper to make sure it actually was sent to the paper? It appears all the others you did were sent via e-mail.

If you have a copy of an e-mail regarding this one, please send me a copy for the file. On most everything else I have an e-mail copy showing you sent the letter in that manner.

Thanks for checking on this before I contact the paper to make sure they actually published it on dates requested.

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

Cooley-Denney, Suzy

From: Cooley-Denney, Suzy
Sent: Friday, June 27, 2014 7:22 AM
To: 'jbrady@idl.idaho.gov'
Subject: 91-7790 (United States of America - Idaho Panhandle National Forest)
Attachments: 91-7790.pdf

Jim ~

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.

Scheduling for publication in the Shoshone News Press on July 3 and July 10, 2014 with July 21, 2014 being the 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 this office if you have any questions regarding this application.

~ Suzy

Cooley-Denney, Suzy

From: Cooley-Denney, Suzy
Sent: Wednesday, June 25, 2014 1:19 PM
To: 'Terra Berns, Mary'
Subject: 91-7790 (United States of America - Idaho Panhandle National Forest)
Attachments: 91-7790.pdf

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.

Scheduling for publication in the Shoshone News Press on July 3 and July 10, 2014 with July 21, 2014 being the 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 this office if you have any questions regarding this application.

~ Suzy



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 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN

Director

June 23, 2014

C.L. "BUTCH" OTTER

Governor

United States of America-Idaho Panhandle National Forest
3815 SCHREIBER WAY
COEUR D ALENE, ID 83815

Application For Permit No. 91-7790

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 7/3/2014 and 7/10/2014. 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 the Northern Region office at (208) 762-2800 if you have any questions regarding the application.

Sincerely,

A handwritten signature in black ink that reads "Jean Hersley". The signature is fluid and cursive, with a large loop at the end.

Jean Hersley

Technical Records Specialist II

June 23, 2014

LEGAL NOTICE DEPARTMENT

SHOSHONE NEWS PRESS
PO BOX 149
KELLOGG, ID 83837-0149

RE: Application For Permit No.(s): 91-7790

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 the Northern Region office, 7600 N Mineral Dr, Ste 100, Coeur d'Alene, ID 83815, before 7/21/2014. Your cooperation is appreciated.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)

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

91-7790

United States of America-Idaho Panhandle National Forest

3815 SCHREIBER WAY

COEUR D ALENE, ID 83815

Point of Diversion L3(NWSW) S31 T44N R09E SHOSHONE County Source MIDGET CREEK Tributary ST JOE RIVER

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

Total Diversion: 0.02 CFS

Date Filed: 5/21/2014

Place Of Use: DOMESTIC

T44N R09E S31 L3(NWSW)

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 N Mineral Dr., Ste 100, Coeur d'Alene, ID 83815 together with a protest fee of \$25.00 for each application on or before 7/21/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/3/2014 and 7/10/2014