

79288

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

1. Name: EVELYN HARPER
1123 AMERICAN RIDGE RD
KENDRICK ID 83537
(208)669-1891
AND/OR
TYE HARPER
1123 AMERICAN RIDGE RD
KENDRICK ID 83537
(208)669-1891

2. Source: SPRING Tributary to: MIDDLE POTTLATCH CREEK

3. Location of Point of Diversion:
#1 SPRING SW1/4NW1/4SE1/4 Sec. 33, Twp 38N, Rge 03W, B.M.
LATAH County

4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01	to 12/31	0.04 CFS	
IRRIGATION	03/15	to 11/15	0.03 CFS	
STOCKWATER	01/01	to 12/31	0.02 CFS	

5. Total quantity to be appropriated is: 0.06 CFS

6. Proposed diverting works:

POINT OF DIVERSION #1

a. Type and size of devices used to divert water from the source: SPINE PIPED TO 2X10000
GALLON TANKS AND PUMP FED TO RESIDENCE

- b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;

- c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.

- d. Is ground water with a temperature of greater than 85F being sought?

- e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 year(s).

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PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
38N 03W 33	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
													X			X	

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
38N 03W 33	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
													1.0				1.0

Total Acres: 1

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
38N 03W 33	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
													X	X	X	X	

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

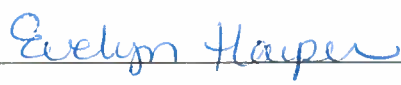
9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

10. Remarks:

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

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.

Applicant

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

Received by _____ Date _____ Time _____ Preliminary check by _____
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

Receipt No. N030396

Date: 4/23/14

Received by: 

State of Idaho
Department of Water Resources
Application For Permit
86-12023



Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, April 30, 2014 2:23 PM
To: Cynthia.Barrett@deq.idaho.gov; rhennekey@idfg.idaho.gov
Cc: Davis, Eric
Subject: RE: Application for Permit No. 86-12023
Attachments: 86-12023_App_and_map_-_Harper.pdf

Dear Cynthia and Ray:

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.

We are attempting to process this for publication in the Moscow-Pullman Daily News on May 15 and 22, 2014. Your comments are part of the initial review process, and therefore, your prompt response to this request is greatly appreciated.

If your agency desires to *formally* protest the approval of this application, and we receive your response in time to meet those anticipated publication dates, you may formally protest after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

If we meet the anticipated publication dates, final date for *protests* to be received in our office would be June 2, 2014.

Please contact **Eric Davis** in this office if you have any questions regarding the application. 208-762-2800.

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
ENVIRONMENTAL QUALITY

1118 F Street • Lewiston, Idaho 83501 • (208) 799-4370
www.deq.idaho.gov

RECEIVED

MAY 02 2014

IDWR / NORTH

C.L. "Butch" Otter, Governor
Curt Fransen, Director

April 30, 2014

Mr. Eric Davis
Idaho Department of Water Resources
7600 N. Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815

Subject: Application for Permit to Appropriate Waters of the State

Dear Mr. Davis:

We received your request for comment along with a copy of the application for a water appropriation permit for a total quantity of 0.06 cubic feet per second from a spring located on property in Latah County. The appropriated water will be stored in two 10,000 gallon tanks and pump fed to a residence. The water will be used for domestic, irrigation and stock water from 01/01 to 12/31. Assuming all federal, state and local permits have been obtained, regulations met, and reviews completed, we offer the following comments.

Waters of the State which occurs beneath the surface of the earth in a saturated geological formation of rock or soil is considered ground water (Idaho Code 58.01.02.010.38). The spring is described in the application as a tributary to Middle Potlatch Creek, and in this situation there may be hydrologic connectivity to surface waters of the State.

It is the policy of the State of Idaho Ground Water Management Plan that existing and projected beneficial uses of ground water and interconnected surface water be maintained and protected. Appropriation of the requested water cannot result in the degradation of surface and ground water beneficial uses.

Thank you for the opportunity to comment on your application. If you have any questions regarding the Idaho Water Quality Standards, please call us at (208) 799-4370.

Sincerely,

A handwritten signature in black ink that reads "Cindy Barrett". The signature is fluid and cursive, with a long horizontal stroke at the end.

Cindy Barrett
Regional Water Quality Program Manager

cc: Tye and Evelyn Harper, Kendrick,
Ray Hennekey, IDFG
John Cardwell, DEQ

Ball, Dianne

From: Ball, Dianne
Sent: Friday, May 09, 2014 8:11 AM
To: rhennekey@idfg.idaho.gov
Cc: Davis, Eric
Subject: FW: RE: Application for Permit No. 86-12023
Attachments: 86-12023_App_and_map_-_Harper.pdf

Good morning, Ray,
Back on April 30th I sent a request for comment to you and Cynthia. .
We have received comments back from Cynthia, but to date we have not had a response back from you
Will you please respond to our request as soon as possible – this is ready for publication. We've submitted it to the Moscow-Pullman Daily News and it is actually scheduled to start publication on May15.
We really do need comments from you. Please respond direct to Eric Davis on this – eric.davis@idwr.idaho.gov .
Thanks very much.

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

From: Ball, Dianne
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Cc: Davis, Eric
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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

May 8, 2014

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

EVELYN HARPER
TYE HARPER
1123 AMERICAN RIDGE RD
KENDRICK, ID 83537

Application For Permit No. 86-12023

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 MOSCOW PULLMAN DAILY NEWS on 5/15/2014 and 5/22/2014. 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: Thursday, May 08, 2014 4:43 PM
To: Legal Notices-MoscowPullmanDailyNews
Subject: Application for Permit No. 86-12023
Attachments: LegalNotice 05-08-14 MP 86-12023.doc

Hi, Karen,

Please publish the attached legal notice in the Moscow-Pullman Daily News on the dates indicated, May 15 and 22, 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 me a proof/preview copy before this goes to press. It should be very close to press ready for 2-column, 8pt, Dutch 811 font. The USE section with dates and CFS quantities needs to be offset 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 6/2/2014. Your cooperation is truly appreciated.

Thanks for always seeing that our legals look so good. You're super to work with!!

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:

86-12023

EVELYN HARPER

TYE HARPER

1123 AMERICAN RIDGE RD

KENDRICK, ID 83537

Point of Diversion SWNWSE S33 T38N R03W LATAH CO

Source SPRING tributary MIDDLE POTTLATCH CREEK

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

Use: IRRIGATION 03/15 to 11/15 0.03 CFS

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

Total Diversion: 0.06 CFS

Date Filed: 4/23/2014

Place of Use :DOMESTIC T38N R03W S33 NESE SESE

Place of Use: IRRIGATION T38N R03W S33 NESE

Place of Use: STOCKWATER T38N R03W S33

NESE NWSE SWSE SESE

Total Acres: 1

Domestic use is for 1 home.

Stockwater use is for 5 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. 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 6/2/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/15/2014 and 5/22/2014