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RECEIVED

STATE OF IDAHO

Ident. No.

95-16763

APR 09 2014

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

IDWR / NORTH

1. Name of applicant(s) William or Gail Gardner Phone (208) 683-217
Name connector (check one): ☐ and ☐ or ☒ and/orMailing address: 27585 N. Skid Rd. City Athol, IDState ID Zip 83801 Email: _____2. Source of water supply Lowellen Creek which is a tributary of _____

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
<u>S3N2W</u>	<u>20</u>				<u>SE</u>	<u>SW</u>	<u>Kootenai</u>		

4. Water will be used for the following purposes:

Amount _____ for irrigation purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)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)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. 1 1/2 hp sub Elec Pump
1 1/2 Pipe

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 ☐ Noe. 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; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households 1 Home

e. Other; describe fully. _____

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	
53N	02W	20									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? _____

10. a. Who owns the property at the point of diversion? Gardners
- b. Who owns the land to be irrigated or place of use? Gardners
- 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 Right for Irrigation up to 1/2 acre
Irrigation is for Fire Protection around House.

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.

Gail A. Gardner
 Signature of Applicant

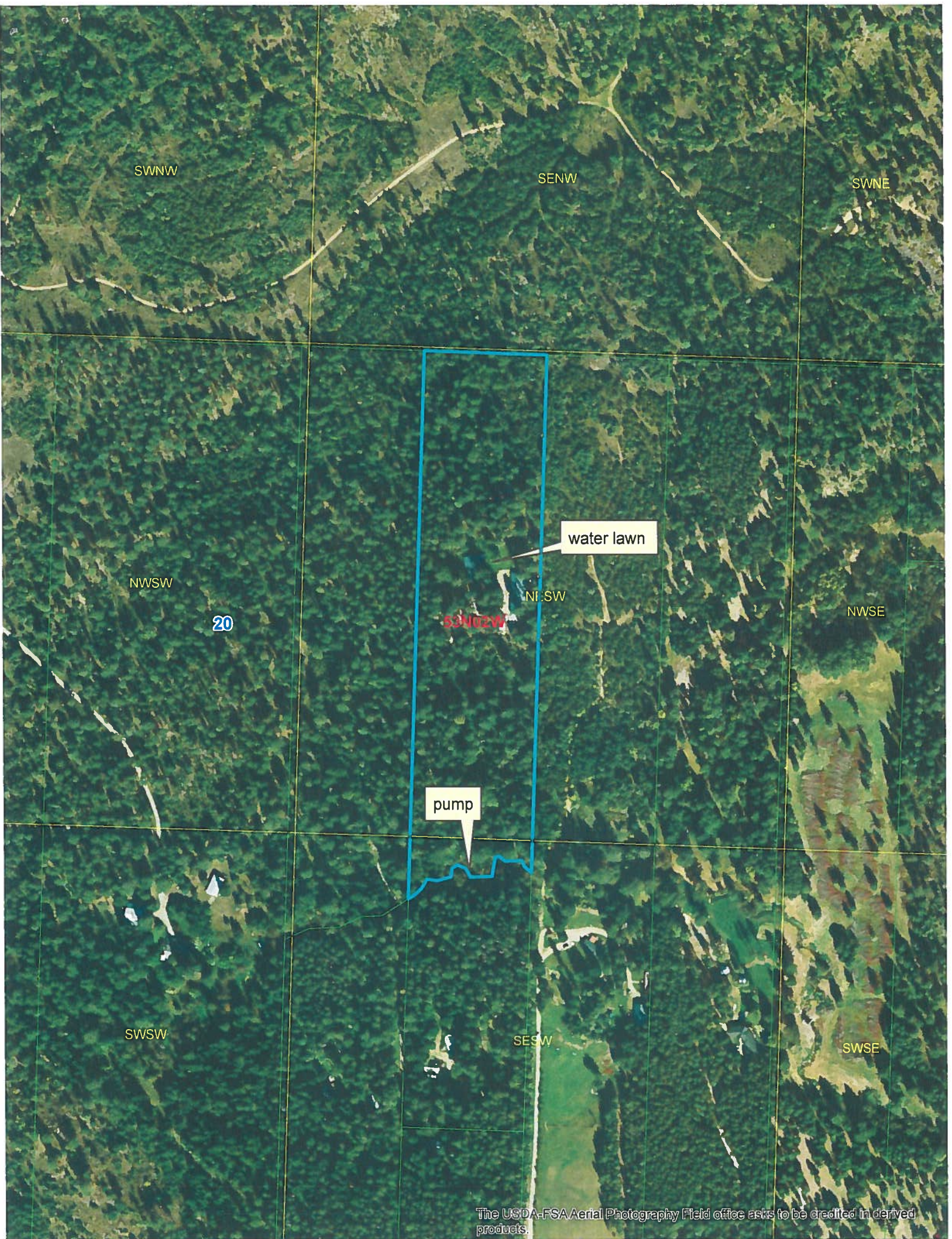
Gail A. Gardner
 Print Name (and title, if applicable)

 Signature of Applicant

 Print Name (and title, if applicable)

For Department Use:

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by NS Receipt No. N030368 Date 4-9-14



Ball, Dianne

From: Ball, Dianne
Sent: Thursday, May 01, 2014 11:56 AM
To: mary.terra-berns@idfg.idaho.gov; jbrady@idl.idaho.gov
Subject: RE: Application for Permit No. 95-16754 and 95-16763
Attachments: 95-16754_App_and_map.pdf; 95-16763_App_and_map.pdf

Dear Mary and Jim:

The Department of Water Resources is seeking written comments and/or recommendations from your agency regarding the above referenced water right applications. A copy of each of the applications is attached for your reference.

These are being prepared for publication in the Coeur d'Alene Press on May 15 and 22, 2014 with June 2, 2014 as final date for protests to be received in our office.

Your prompt response to this request is greatly 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 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 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

May 1, 2014

GAIL GARDNER
WILLIAM I GARDNER
27585 N SKID RD
ATHOL, ID 83801

Application For Permit No. 95-16763

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 COEUR D ALENE PRESS 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 01, 2014 2:43 PM
To: Legal Notices-CdA Press - Paige Plew; Legal Notices-CdA Press
Subject: Application for Permit No. 95-16754, 95-16761, 95-16763
Attachments: LegalNotice 05-01-14 CDA e-mail 95-16754, 761, 763.doc

Good afternoon, Paige,

Please publish the enclosed legal notice 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 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*. Probably straight copy and paste.

Please not the offset area under USE in each of the applications listed – in each case they should 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 greatly appreciated.

Thanks for all your help in making sure our legals appear as submitted. Always a pleasure 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:

95-16754

MARK LAZAR

2640 WILLOW HILLS DR

SANDY, UT 84093

Point of Diversion L5(NWSE) S3 T49N R03W KOOTENAI CO

Source COEUR D ALENE LAKE tributary SPOKANE RIVER

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

Total Diversion: 0.04 CFS

Date Filed: 3/26/2014

Place of Use: DOMESTIC T49N R03W S3 L5(NWSE) L6(NESE)

Domestic use is for 1 home.

95-16761

ERNIE C KROLL

17147 S PAINTED ROSE RD

WORLEY, ID 83876

Point of Diversion NWSW S10 T48N R05W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION 03/15 to 10/15 0.09 CFS

Total Diversion: 0.09 CFS

Date Filed: 4/3/2014

Place of Use: IRRIGATION T48N R05W S10 NWSW

Total Acres: 3

95-16763

GAIL GARDNER

WILLIAM I GARDNER

27585 N SKID RD

ATHOL, ID 83801

Point of Diversion SESW S20 T53N R02W KOOTENAI CO

Source LEWELLEN CREEK tributary SINKS

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

Total Diversion: 0.04 CFS

Date Filed: 4/9/2014

Place of Use: DOMESTIC T53N R02W S20 NESW

Domestic use is for up to 1/2 acre irrigation and fire protection around house.

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