

78684

Page 1

Ident. No. 98-7925

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

RECEIVED
JUL 25 2013
IDWR/NORTH

1. Name: YOUNG LIVING FARMS
PO BOX 362
NAPLES ID 83847
(208) 946-7137

2. Source: UNNAMED STREAM Tributary to: FALL CREEK

3. Location of Point of Diversion:

#1 UNNAMED STREAM SW1/4SE1/4 Sec. 3, Twp 60N, Rge 01W, B.M.
BOUNDARY County

4. Water will be used for the following purposes:

Purpose	From	To	RATE OF DIVERSION	ANNUAL VOLUME
COOLING STORAGE	01/01	to 12/31		58.7 AF
COOLING FROM STORAGE	12/01	to 03/31		30.0 AF
FIRE PROTECTION STORAGE	01/01	to 12/31		28.7 AF
COOLING	12/01	to 03/31	0.11 CFS	

5. Total quantity to be appropriated is: 0.11 CFS 58.7 AF

6. Proposed diverting works:

POINT OF DIVERSION #1

- a. Type and size of devices used to divert water from the source: INSTREAM POND
- b. Height of storage dam 23 feet;
Active reservoir capacity 22 acre-feet;
Total reservoir capacity 22 acre-feet;.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

8.

PLACE OF USE: COOLING STORAGE, FIRE PROTECTION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
60N 01W 3															X	X	

SCANNED
OCT 03 2013

78684

Page 2

Ident. No. 98-7925

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

RECEIVED
JUL 23 2013
IDWR / NORTH

PLACE OF USE: COOLING, COOLING FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
60N 01W 3															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.

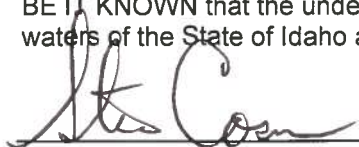
APPLICANT

10. Remarks:

DIVERT WATER FROM IMPOUNDMENT TO CYCLE THROUGH COOLING CONDENSOR AND RETURN TO IMPOUNDMENT. WINTER OPERATION GENERALLY BETWEEN DECEMBER TO MARCH.

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.



STEVE COSNER, FARM MANAGER

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

Receipt No. N029929 *N029995*

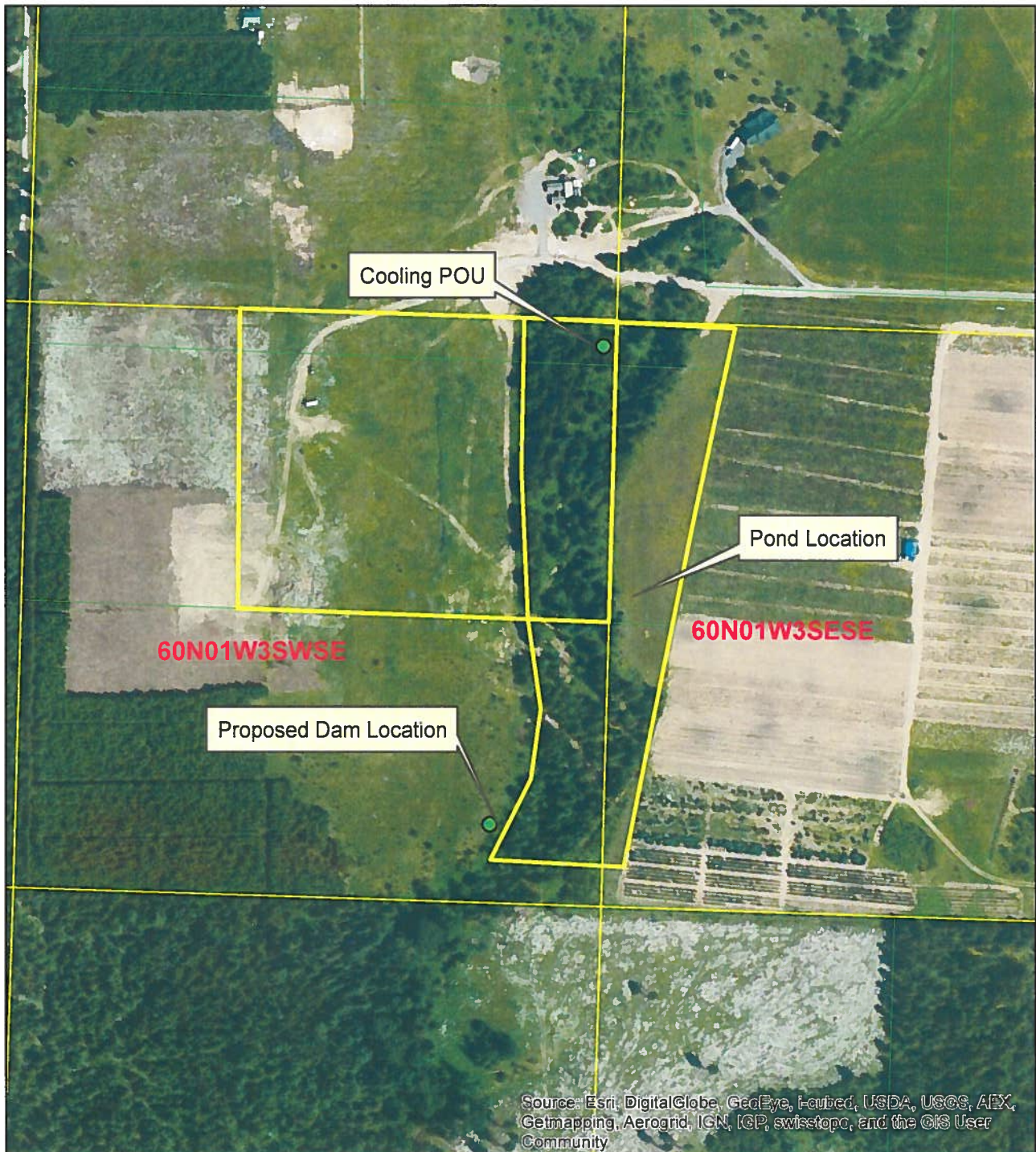
Date: *7/10/13*

Received by: _____

SCANNED

OCT 03 2013

98-7925



Legend

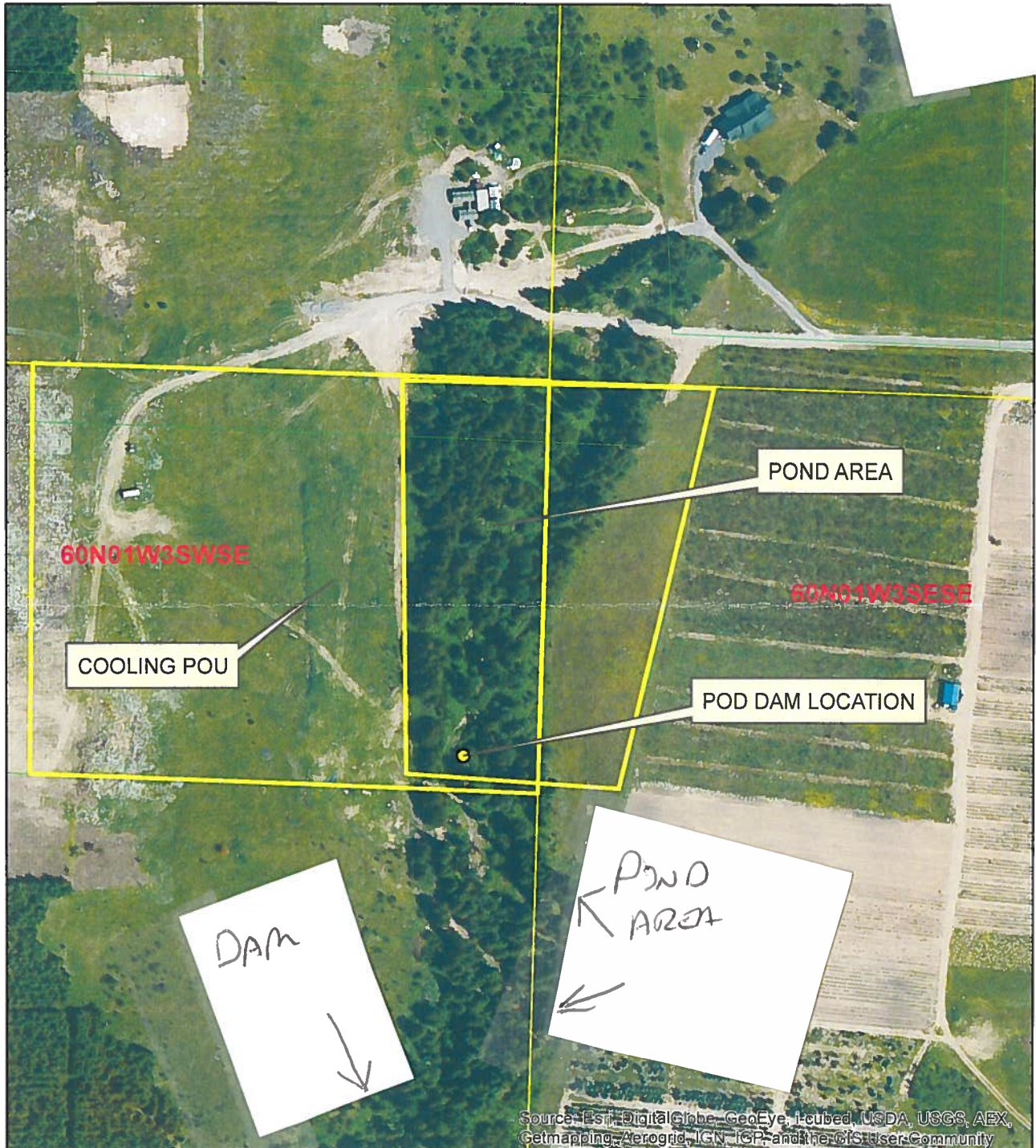
-  Working_POD
-  Working_POU
-  QQ
-  Taxlots

0 0.03 0.06 0.12 Miles



98-7925

Cooling
SITE
→



Legend

- Working_POD
- Working_POU
- QQ
- Taxlots

0 0.02 0.04 0.08 Miles



SCANNED
OCT 03 2015

YOUNG LIVING FARMS
POND ANALYSIS SHEET

RECEIVED
JUL 25 2013
IDWR / NORTH

POND SIZE: 2.2 AC (95,832 SQFT) X 10 FT = 22 AF

EVAPORATION: @ 95,832 SQFT SURFACE AREA

5974 GPD X 365 DAYS / 325850 GAL/AF = 6.7AF

SEEPAGE: 0.0 INSTREAM POND

COOLING: ESTIMATE PER YEAR 30 AF

0.11 CFS COOLING

58.7 AF	COOLING STORAGE	A.) POND SIZE	22 AF
		B.) EVAP.	6.7 AF
		C.) SEEP.	0.0 AF
		D.) COOLING	30 AF
	TOTAL		58.7AF

30 AF COOLING FROM STORAGE

28.7 AF	FIRE PROTECTION STOR.	A.) POND SIZE	22 AF
		B.) EVAP.	6.7 AF
		C.) SEEP.	0.0 AF
	TOTAL		28.7 AF

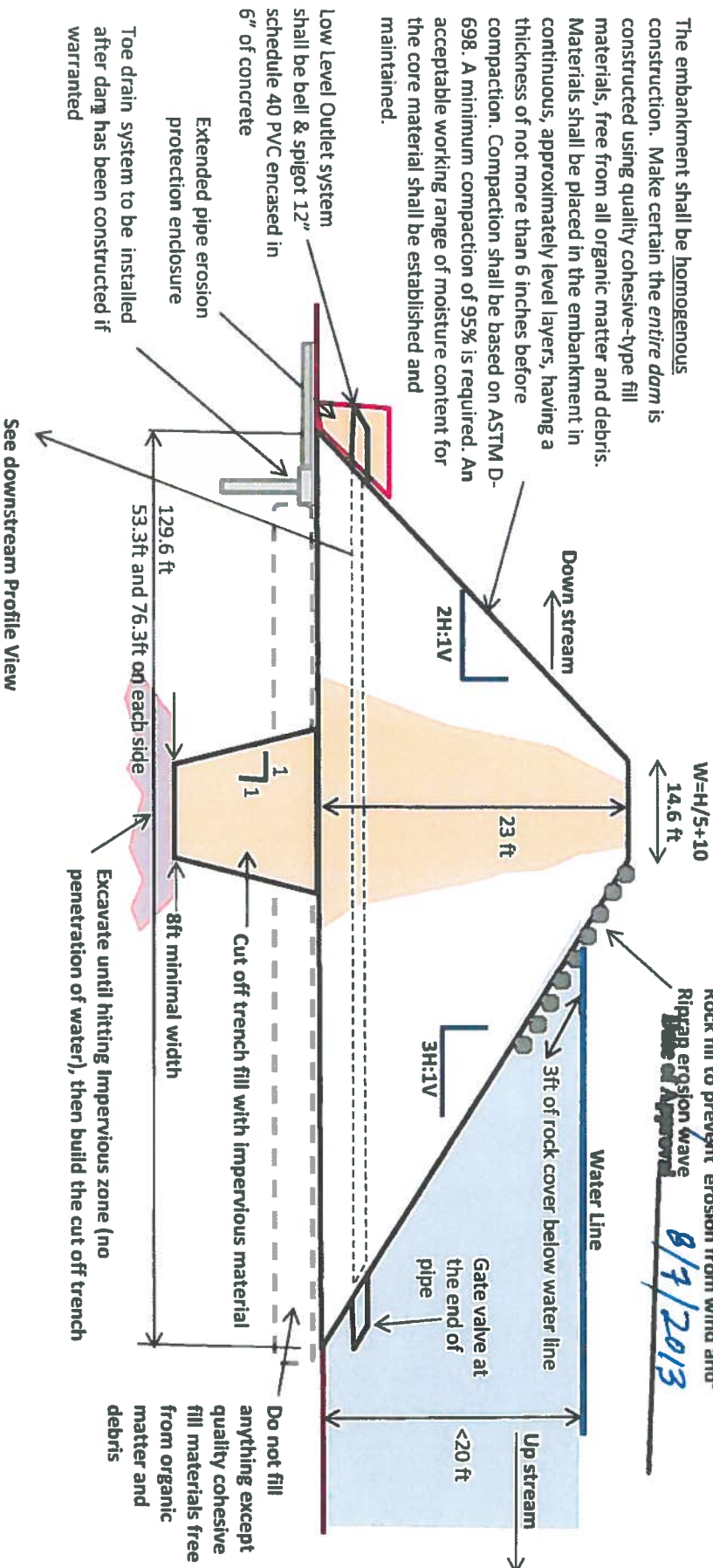
SCANNED

OCT 03 2013

Idaho Dam Design Rules 50, 55& 60 IDAPA 37.03.06

Small Dam Design

The embankment shall be homogenous construction. Make certain the *entire dam* is constructed using quality cohesive-type fill materials, free from all organic matter and debris. Materials shall be placed in the embankment in continuous, approximately level layers, having a thickness of not more than 6 inches before compaction. Compaction shall be based on ASTM D-698. A minimum compaction of 95% is required. An acceptable working range of moisture content for the core material shall be established and maintained.



Section NTS

IDAHO DEPARTMENT WATER RESOURCES
DAM SAFETY PROGRAM

Reviewed *Butterfield*

Dam Safety Manager

Approved *Butterfield* 8/7/13

Water Allocation Program Chief

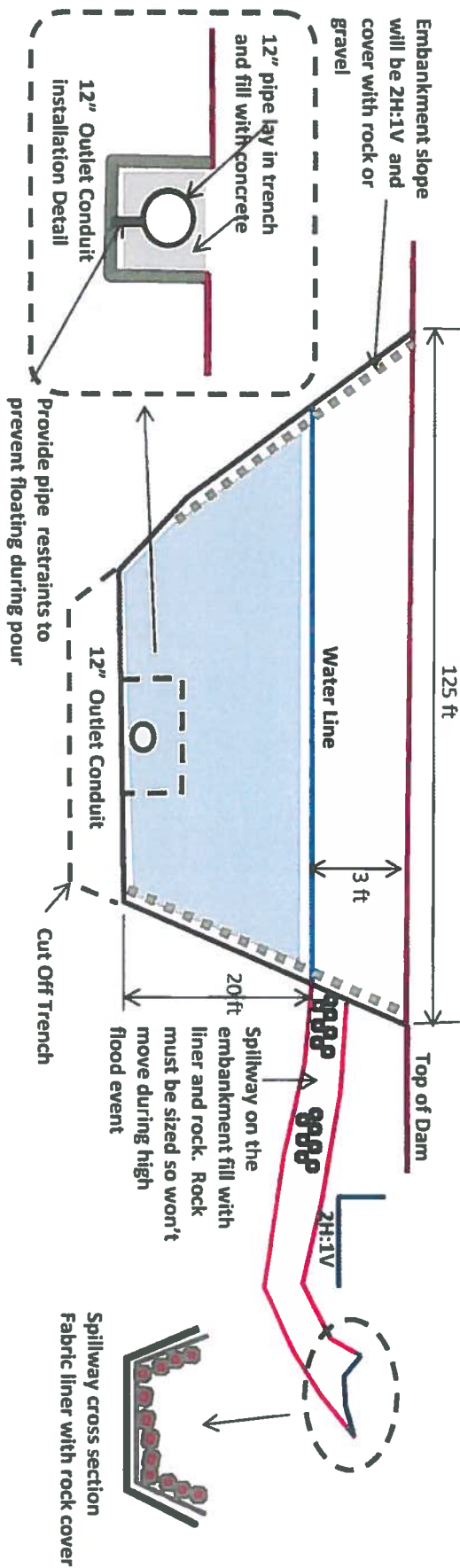
Rock fill to prevent erosion from wind and Riprap erosion wave
Date of Approval 8/7/2013

SCANNED

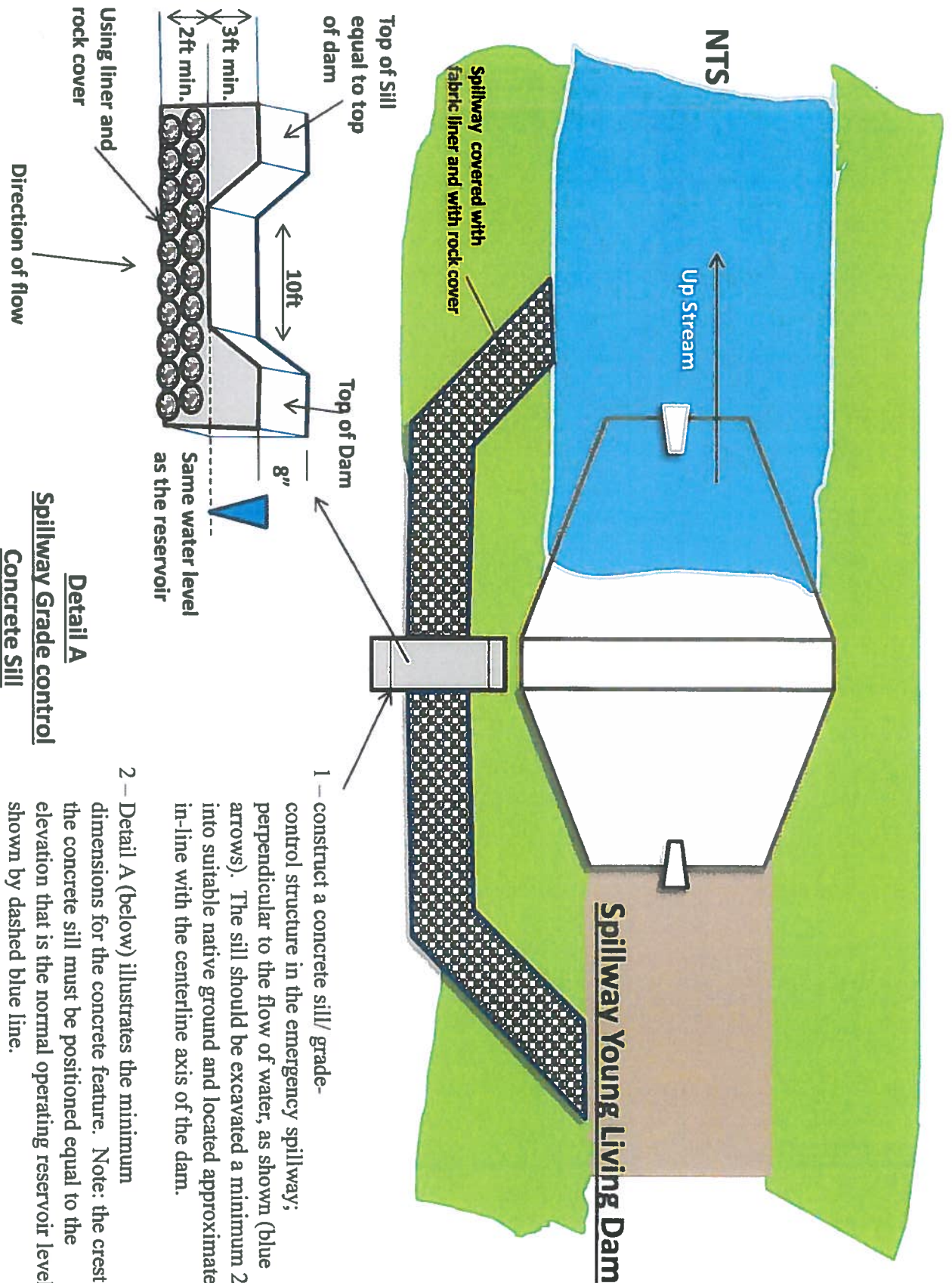
UCL 0 3 2013

Profile NTS

(Downstream View)

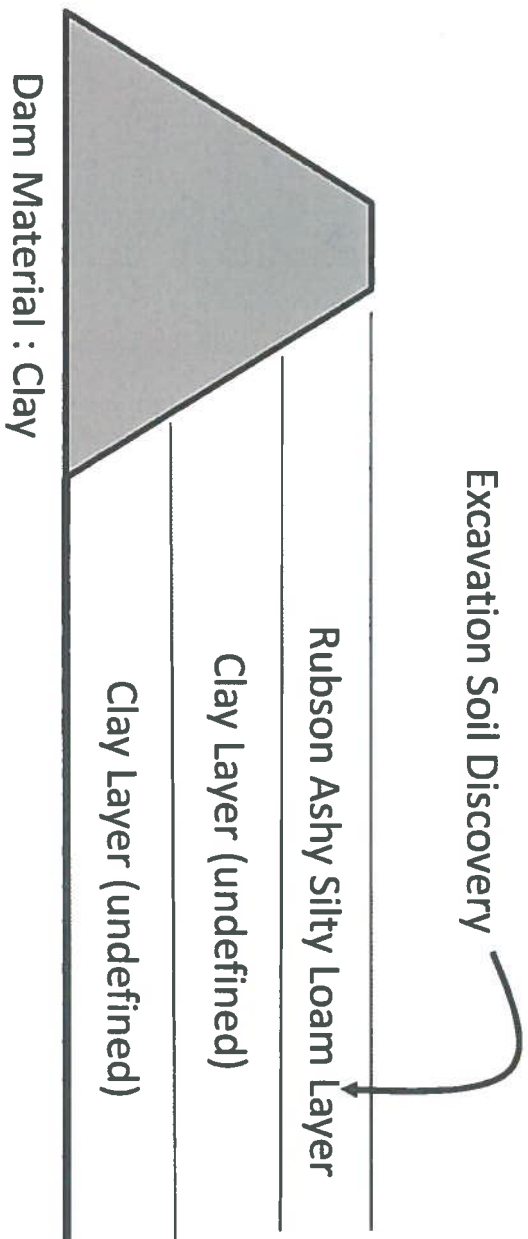


SCANNED
OCT 03 2013



SCANNED

OCT 03 2013





State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 9, 2013

YOUNG LIVING FARMS
PO BOX 362
NAPLES, ID 83847

Application For Permit No. 98-7925

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 BONNERS FERRY HERALD on 10/17/2013 and 10/24/2013. 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,

A handwritten signature in blue ink that reads "Keith C. Franklin".

KEITH FRANKLIN
Program Manager

Cooley-Denney, Suzy

From: Cooley-Denney, Suzy
Sent: Wednesday, October 09, 2013 8:19 AM
To: 'bfhlegals@bonnersferryherald.com'
Subject: Applications for Permit Nos. 96-9517, 98-7925, 98-7927, 98-7930, 98-7931
Attachments: Legal Notice (96-9517 98-7925 98-7927 98-7930 98-7931) (2).doc

Bonnors Ferry Herald ~

Please publish the attached legal notice on the dates indicated, October 17 and 24, 2013, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact me immediately. I would appreciate being sent a proof/preview copy for my review before this goes to press.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to Dianne Ball, Idaho Department of Water Resources, 7600 N. Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815, before November 8, 2013. Your cooperation is greatly appreciated.

Should you have any questions, please do not hesitate to contact me.

~ Suzy

Suzy Cooley-Denney, Paralegal
Office of the Attorney General
Idaho Department of Water Resources
7600 N. Mineral Drive, Suite 100
Coeur d'Alene, ID 83815
suzy.cooley-denney@idwr.idaho.gov
(208) 762-2811 (T)
(208) 762-2819 (F)

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

96-9517

VERN SEVERTSON
SHARON SEVERTSON
6960 MT CARROL ST
DALTON GARDENS, ID 83815
Point of Diversion NESE S21 T60N R02W
BOUNDARY County

Source PACK RIVER Tributary LAKE PEND OREILLE
Use: DIVERSION TO STORAGE 01/01 to 12/31 0.2 CFS
Use: IRRIGATION 04/01 to 10/31 0.09 CFS
Use: IRRIGATION FROM STORAGE 04/01 to 10/31 9 AF
Use: IRRIGATION STORAGE 01/01 to 12/31 1 1.6 AF
Use: WILDLIFE STORAGE 01/01 to 12/31 2.6 AF
Total Diversion: 0.2 CFS
11.6 AF

Date Filed: 6/10/2013

Place Of Use: IRRIGATION STORAGE, IRRIGATION FROM STORAGE, WILDLIFE AND IRRIGATION
T60N R02W S21 NESE

Total Acres: 3

98-7925

YOUNG LIVING FARMS
PO BOX 362
NAPLES, ID 83847
Point of Diversion SWSE S3 T60N R01W
BOUNDARY County

Source UNNAMED STREAM Tributary FALL CREEK
Use: COOLING 12/01 to 03/31 0.11 CFS
Use: COOLING FROM STORAGE 12/01 to 03/31 30 AF
Use: COOLING STORAGE 01/01 to 12/31 58.7 AF
Use: FIRE PROTECTION STORAGE 01/01 to 12/31 28.7 AF
Total Diversion: 0.11 CFS
58.7 AF

Date Filed: 6/14/2013

Place Of Use: COOLING STORAGE AND FIRE PROTECTION STORAGE

T60N R01W S3 SWSE SESE

Place Of Use: COOLING FROM STORAGE AND COOLING

T60N R01W S3 SWSE

98-7927

DEER PARK RANCH LLC
357 LAURAL LN
NAPLES, ID 83847
Point of Diversion SESE S25 T61N R01W
BOUNDARY County

Source DEEP CREEK Tributary KOOTENAI RIVER
Point of Diversion SWSE S25 T61N R01W
BOUNDARY County
Source DEEP CREEK Tributary KOOTENAI RIVER
Use: FIRE PROTECTION STORAGE 01/01 to 12/31 6.2 AF
Use: IRRIGATION 04/01 to 10/31 0.2 CFS
Use: IRRIGATION FROM STORAGE 04/01 to 10/31 0.2 CFS
Use: IRRIGATION STORAGE 04/01 to 10/31 36.2 AF
Total Diversion: 0.2 CFS

Date Filed: 8/28/2013

Place Of Use: IRRIGATION AND IRRIGATION FROM STORAGE

T61N R01E S30 NWSW SWSW

T61N R01W S25 NESE SESE

Total Acres: 10

Place Of Use: IRRIGATION STORAGE AND FIRE PROTECTION STORAGE

T61N R01E S25 NESE

98-7930

DELTON ISAAC

TRACIE ISSAC

427 BALDY MOUNTAIN RD

MOYIE SPRINGS, ID 83845

Point of Diversion NWNWSE S9 T62N R02E

BOUNDARY County

Source SPRING Tributary SINKS

Point of Diversion NWNESW S9 T62N R02E

BOUNDARY County

Source SPRING Tributary SINKS

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: 0.09 CFS

Date Filed: 9/9/2013

Place Of Use: DOMESTIC and STOCKWATER

T62N R02E S9 NESW

Place Of Use: IRRIGATION

T62N R02E S9 NESW

Total Acres: 1

98-7931

CLIFTY VIEW NURSERY INC

312 CLIFTY VIEW RD

BONNERS FERRY, ID 83805

Point of Diversion SESW S8 T61N R02E

BOUNDARY County

Source UNNAMED STREAM Tributary COW CREEK

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

Use: DOMESTIC 01/01 to 12/31 0.06 CFS

Total Diversion: 0.1 CFS

Date Filed: 9/18/2013

Place Of Use: DOMESTIC and COMMERCIAL

T61N R02E S7 NESE

T61N R02E S8 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. 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 11/4/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/17/2013 and 10/24/2013

Cooley-Denney, Suzy

From: Cooley-Denney, Suzy
Sent: Thursday, October 03, 2013 3:02 PM
To: 'mary.terra-berns@idfg.idaho.gov'
Subject: Application for Permit No. 98-7925
Attachments: 98-7925.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 Bonners Ferry Herald on October 17 and 24, 2013 with November 4, 2013 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

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

August 2, 2013

Steve Cosner
Young Living Farms
PO Box 362
Naples, ID 83847

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

Dear Steve:

I am in receipt of your signed application, however the place of use for the location of the dam and pond are now in question. The aerial photograph you returned shows the dam site south of the location we originally agreed on. According to the Boundary County tax records, the new dam site is located on property owned by Terry L Shaw. If this is the case, does Young Living Farms have an easement or agreement to utilize the property?

We need to clear up this matter before we can move forward with the application, so please give me a call at your earliest convenience.

Thank you.

Sincerely,

Keith E Franklin
Program Manager Northern Region

COPY

August 7, 2013

MEMO TO: THE FILE
FROM: KEITH FRANKLIN
SUBJECT: DAM SITE OWNERSHIP

BOUNDARY COUNTY TAX LOTS THAT'S SHOWN IN THE DEPARTMENTS
ARC MAP INDICATES THE OWNERSHIP AT THE PROPOSED DAM SITE,
LOCATED WITHIN THE SOUTH ½ OF THE SW1/4 OF THE SE1/4 IS OWNED
BY A TERRY SHAW. ACCORDING TO THE BOUNDARY COUNTY
ASSESSOR, TERRY SHAW'S PROPERTY IS ONLY LOCATED WITHIN THE
SE1/4 OF THE SE1/4 AND YOUNG LIVING FARMS OWNS ALL OF THE
SW1/4 OF THE SW1/4.

SCANNED

OCT 03 2013



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

July 2, 2013

Steve Cosner
Young Living Farms
PO Box 362
Naples, ID 83847

RECEIVED
JUL 25 2013
IDWR / NORTH

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

Dear Mr. Cosner:

Enclosed is an electronic version of your application as we discussed on June 28, 2013 during your office visit. Please review the application and if it meets with your satisfaction, sign and return the document to me within the next 30 days so as not to delay processing. The application should also be accompanied by a check made payable to "IDWR" in the amount of \$150.00 to cover the remainder of the filing fee, \$100.00 has already been paid as per receipt #N029929.

A separate letter will be coming to you in the near future addressing the application for the dam structure. At that time a request will be made for the filing fee for the dam application.

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

Thank you.

Sincerely,

Keith E Franklin
Program Manager Northern Region

KEITH,

Enclosure

I'VE POINTED TO AREAS ON THE
MAP THAT NEED TO BE CORRECTED. THE
PAD AREA & DAM SITE NEED TO BE
SHIFTED TO THE SOUTH.

RECEIVED
JUL 25 2013
IDWR / NORTH





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

July 2, 2013

Steve Cosner
Young Living Farms
PO Box 362
Naples, ID 83847

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

Dear Mr. Cosner:

Enclosed is an electronic version of your application as we discussed on June 28, 2013 during your office visit. Please review the application and if it meets with your satisfaction, sign and return the document to me within the next 30 days so as not to delay processing. The application should also be accompanied by a check made payable to "IDWR" in the amount of \$150.00 to cover the remainder of the filing fee, \$100.00 has already been paid as per receipt #N029929.

A separate letter will be coming to you in the near future addressing the application for the dam structure. At that time a request will be made for the filing fee for the dam application.

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

Thank you.

Sincerely,

Keith E Franklin
Program Manager Northern Region

Enclosure

COPY

June 17, 2013

Steve Cosner
Young Living Farms
PO Box 362
Naples, ID 83847

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

Dear Mr. Cosner:

The Idaho Department of Water Resources is in receipt of your application for a new water right. Unfortunately, the application did not include enough information for processing.

The application indicated the source of water would be from an impoundment that has not yet been constructed. Impounding water for a particular use requires storage components on the application. Storage components can be complicated, therefore, I suggest you give me a call so we can set up a time where I can help you amend the application. I can be reached at 208-762-2800.

Thank you.

Sincerely,

Keith E Franklin
Program Manager Northern Region

COPY