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JUL 10 2013

IDWR / NORTH

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 96-9519

1. Name of applicant(s) DANIEL FOGARTY Phone 208-263-5546

Name connector (check one): ☐ and ☐ or ☐ and/or

Mailing address: P.O. BOX 1472 City SANDPONIT

State ID Zip 83864 Email: dan@danbuilt.com

2. Source of water supply spring which is a tributary of sinks

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
57N	02W	8		NW	SE	SW	BONNER	SPRING	

4. Water will be used for the following purposes:

Amount 1.4 AF for AESTHETIC purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per year)Amount 1.4 AF for RECREATION purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per year)Amount 1.4 AF for FIRE PROTECTION 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)

5. Total quantity to be appropriated is (a) cubic feet per second (cfs) and/or (b) 1.4 acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. EXCAVATE SPRING TO AVE. DEPTH OF 7FT
CREATE 5 FT TALL DAM ABOVE ADJACENT GRADE.b. Height of storage dam 7 feet; active reservoir capacity 0.8 AF acre-feet; total reservoir capacity
1.4 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 8 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; show name of municipality or the applicant's qualifications as a municipal provider. ;

d. Domestic; show number of households ;

e. Other; describe fully. ;

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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	
57N	2W	8												J					
														R					
														F					

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. POND= RECREATION IS FOR SWIMMING, WILD LIFE VIEWING, FIRE PROTECTION.

POUND SIZE = 50FT X 100FT WITH AVERAGE DEPTH OF 7 FEET = 0.8AFSEEPAGE= 0.4 AFEVAPORATION = 0.2 AFTOTAL USE IS = 1.4 AF

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.

DAN TOCARY
Signature of Applicant

7/5/2013
Print Name (and title, if applicable)

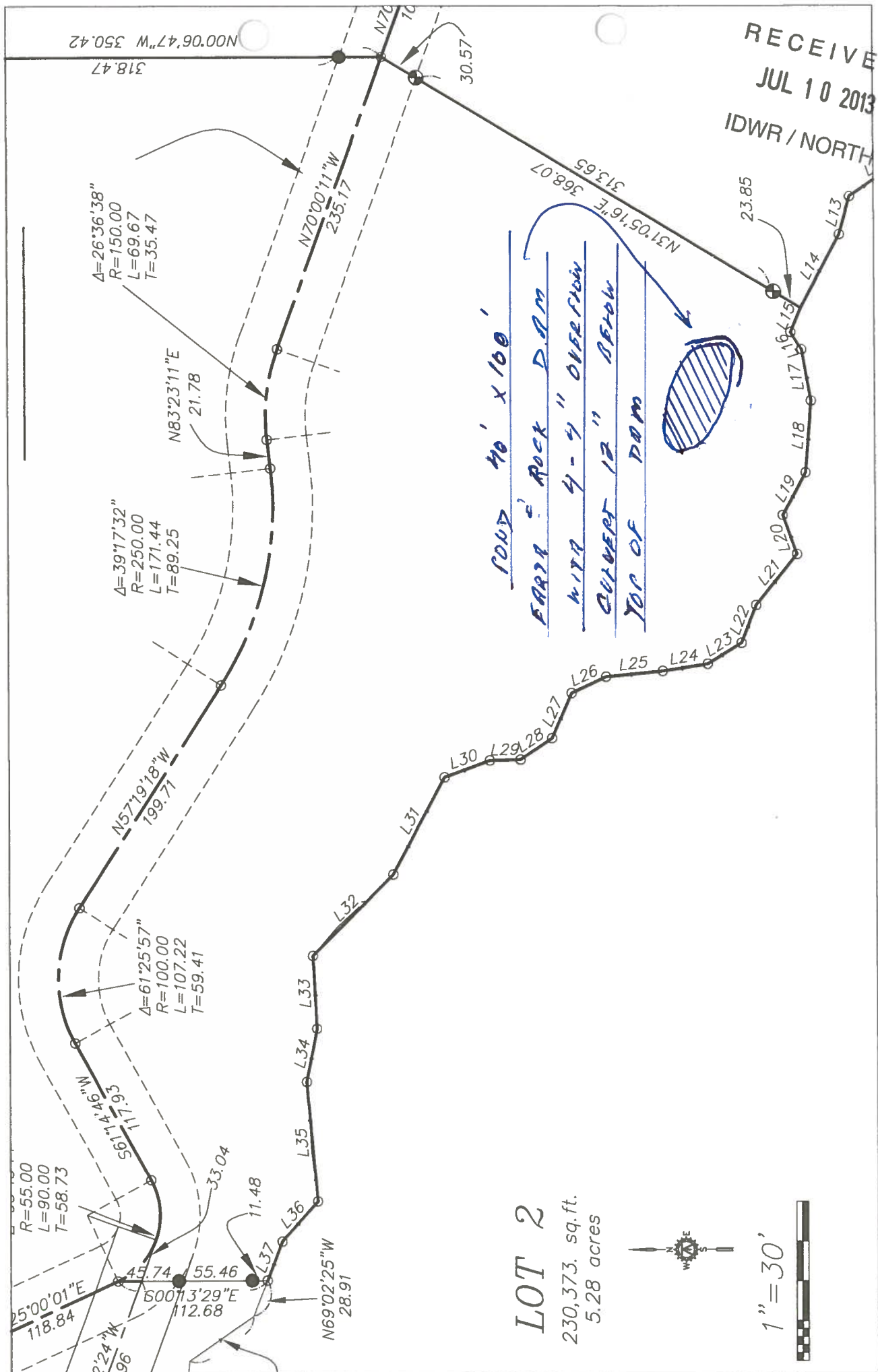
Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by D. BALL Date 6/28/13 Time _____ Preliminary check by _____
 Fee \$ 100⁰⁰ Received by D. BALL Receipt No. N029970 Date 6/28/13

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D-1 profile, split fence, bry
ST1 nts

trench 6' deep and fold bottom of silt fence back, bury with soils and compact.

— 2"x2" attached stakes on downhill side of fencing batter stakes uphill slightly



234.52

2440

B-2 ST1	stabilized construction entrance nts
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Provide rock lined overflows at each end of swales

batter at 1.5 : 1 if boulders are used, boulders must be well placed and slope cut to accept

depth varies

- excavate and remove duff, backfill with 6' of topsoil
- stone wall

existing slope

D-3
STI

profile, typical

nts

230,373. sq. ft.

5.28 acres

silt f

house: 2,300 sq. ft.
silt fence, DI
BOS 174.0
375 sq. ft.
6 inch depth

Basia "B"
27,000 sq. ft.

new 20', 18" OHP
switch inlet and output with street

exists
slope

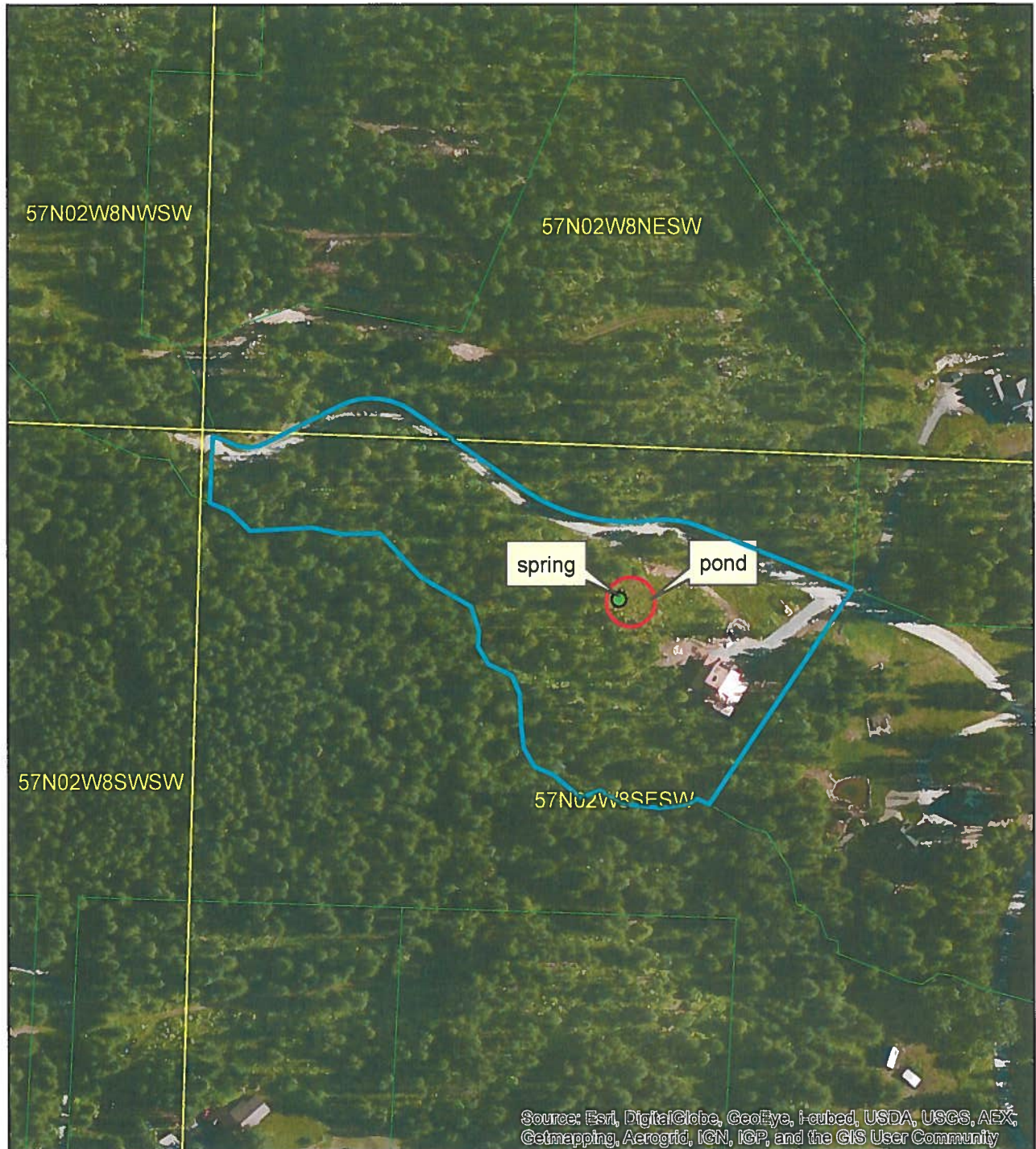
Legend:
existing grades: 173
finish grades: 179

Notes

Idaho Fescue	<i>Festuca idahoensis</i> , 33%
Sheep Fescue	<i>Festuca ovina</i> , 33%
Canada Bluegrass	<i>Poa compressa</i> , 33%

An assumed basis of elevation was used.

APPLICATION



Legend



Taxlots

1 inch = 223 feet



BONNER COUNTY ASSESSOR
1500 HWY 2 STE 205
SANDPOINT ID 83864
(208) 265-1440

2012

ASSESSMENT NOTICE

THIS IS NOT A BILL.
DO NOT PAY.

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IDWR / NORTH

FOGARTY'S SUPERIOR RENTALS LLC
PO BOX 1472
SANDPOINT ID 83864

For any questions, please notify the Assessor's Office immediately
Assessor's Telephone Number: (208) 265-1440

Appeals of your property value must be filed in writing on a form
provided by the County by:

JUNE 25, 2012 5:00PM

See back of this notice for more information.

Parcel Description: 8-57N-2W KONNIOTTO PARK
LOT 2

Parcel Number: RP 037640000020 A

Tax Code Area: 22-0000

Parcel Address: 268 KONNIOTTO LN 83864

ASSESSED VALUE OF YOUR PROPERTY

CURRENT CATEGORY AND DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
6 FORESTLAND PROD 15 RUR SUB RES 37 BLDG RES SUB	5.280 AC	2,735	109,950 158,470
SUBTOTAL:	5.280	2,735	268,420
LESS HOMEOWNER'S EXEMPTION:		2,735	268,420
NET TAXABLE PROPERTY VALUES:			

BUDGET HEARING INFORMATION

TAXING DISTRICTS	LAST YEAR'S TAXES	PHONE NUMBER	DATE BUDGET HEARING
COUNTY		208-265-1437	08/29/2012
LAKE PO M&O		208-263-2184	06/12/2012
LAKE PO BOND		208-263-2184	08/29/2012
LAKE PO OTHER		208-263-2184	06/12/2012
CO RD/BRIDGE		208-265-1437	08/29/2012
P.O. HOSPITAL			Not Required
AMBULANCE DIST		208-265-1437	08/29/2012
LIBRARY BOND		208-263-6930	08/27/2012
WESTSIDE FIRE		208-265-9745	08/16/2012
SUBTOTAL:			
+ FEES:			
= TOTAL:			

See the back of this Notice for details.



Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, July 16, 2013 2:26 PM
To: mary.terra-berns@idfg.idaho.gov
Subject: RE: Application for Permit No. 96-9519, and 97-7515
Attachments: 96-9519_Fogarty.pdf; 97-7515_Mueller.pdf

Dear Mary:

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

Scheduling these for publication in Bonner County Daily Bee on August 1 and 8, 2013 with August 19th 2013 as 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 Eric Davis in this office if you have any questions regarding these applications.

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 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
Director

July 16, 2013

DANIEL FOGARTY
PO BOX 1472
SANDPONIT, ID 83864

Application For Permit No. 96-9519

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 BONNER COUNTY DAILY BEE, on 8/1/2013 and 8/8/2013. 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,

Eric J. Davis
Sr. Water Resource Agent

Enc. Receipt No. N029978

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, July 16, 2013 2:06 PM
To: Legal Notices - Bonner Co Daily Bee-Amber Bangeman
Subject: Application for Permit No. 97-7515, 96-9519
Attachments: LegalNotice 07-16-13 BCDB 96-9519, 97-7515.doc

Good afternoon,

Please publish the enclosed legal notice on the dates indicated, August 1 and 8, 2013, (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 mostly press-ready ~ 2-column, CenturyOldStyle font, etc.

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 8/19/2013. Your cooperation is always greatly appreciated.

Thanks for your super help.

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:

96-9519

DANIEL FOGARTY

PO BOX 1472

SANDPONT, ID 83864

Point of Diversion NWSESW S8 T57N R02W BONNER CO

Source SPRING tributary SINKS

Use: AESTHETIC	01/01 to 12/31	1.4 AF
Use: FIRE PROTECTION	01/01 to 12/31	1.4 AF
Use: RECREATION	01/01 to 12/31	1.4 AF
Total Diversion:		1.4 AF

Date Filed: 6/28/2013

Place of Use: AESTHETIC T57N R02W S8 SESW

Place of Use: RECREATION T57N R02W S8 SESW

Place of Use: FIRE PROTECTION T57N R02W S8 SESW

Recreation use for swimming, wild life viewing and fire protection

97-7515

BUD MUELLER

620 SUPERIOR

SANDPOINT, ID 83864

Point of Diversion SWSW S34 T58N R05W BONNER CO

Source UNNAMED STREAM tributary MOORES CREEK

Use: IRRIGATION	04/01 to 10/31	0.15 CFS
Total Diversion:		0.15 CFS

Date Filed: 6/19/2013

Place of Use: IRRIGATION T58N R05W S34 SWSW

Total Acres: 5

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 8/19/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/1/2013 and 8/8/2013