

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

P-4/21/11

W.R. # 94-7858

APPLICATION ID # 77124

ENT. 3/20

BCA 4/15

OK to Publish

4/13/11

APPLICANT: Rod Stutzke

INITIAL REVIEW

BY: KJ

DATE: 3/22/2011

ITEM REQUIRED INFORMATION

1. ☒ Name and Address
2. ☒ Source
3. ☒ Point of Diversion & County
4. ☒ Quantity
☒ Nature of Proposed Use
☒ Period of Use
5. ☒ Total Quantity
6. ☒ Description of diverting works
7. ☒ Time required for b/u
8. ☒ Proposed use
9. ☒ Place of use or acres irrigated
10. ☒ Other water Rights
11. ☒ Ownership
12. ☒ Map
☒ Signature
☒ Fee (Amt, receipt, acknowledgement)

*** Send info sheet Y() N()

ADDITIONAL INFORMATION

(Yes)(No)

- ☒ **Shape File Created** Date 3/22 By: KJ
- ☐ Field check: by _____
- ☐ Field report attached
- ☐ Analysis Supp. attached(>5cfs/500af)
- ☐ Water delivered by water master? Water District # _____

PROCESSING

(Yes)(No)

PRIORITY DATE: 3/18/2011

☐ ☒

(Include Moratorium Remark)

Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN:

Shoshone County

Newspaper: NP

Dates scheduled for publication 4/21 & 28/11

Affidavit of Publication received: 4/29/11

Dates actually published: 4/21 & 28/11

Application published correctly. Yes ☒ No ☐

If not, action taken: _____

Final Date for Protest: 5/9/11

Protests Received: Yes _____ No ☐

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
- () Power Information () Other: _____

INFORMATION RECEIVED:

- () Dam Information () Fish Information
- () Power Information () Other: _____

GROUNDWATER SECTION

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
_____	_____	Dom.____ Non-Dom.____	Paid \$ _____	_____	Y() N()
_____	_____	Dom.____ Non-Dom.____	Paid \$ _____	_____	Y() N()
_____	_____	Dom.____ Non-Dom.____	Paid \$ _____	_____	Y() N()

- ☐ Groundwater management area
- ☐ Critical ground water area
- ☐ Well Drilling Permit required
- ☐ Well Drilling Application and Fees received
- ☐ Well Drilling Application approved?

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

- ☐ Notice of pending void order issued. Final order response date: ____/____/____
- ☐ Further information required from applicant _____
- _____
- _____

- ☐ Measuring device required
- ☐ Measuring port required
- ☒ Special conditions: Min. Stream Flow Cda River
- ☐ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: _____ Date: ____/____/____ Sr. Agent initial _____

RECEIVED
APR 29 2011
IDWR / NORTH

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

91-7296

DOUGLAS L BREDE

REBECCA L BREDE

PO BOX 152

ST MARIES, ID 83861

Point of Diversion L12(SESW) S5 T45N R03E SHOSHONE CO

Source ST JOE RIVER tributary COEUR D ALENE LAKE

Use: IRRIGATION 04/01 to 10/31 0.03 CFS

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

Total Diversion: 0.07 CFS

Date Filed: 4/1/2011

Place Of Use: DOMESTIC and IRRIGATION

T45N R03E S5 L12(SESW)

Total Acres: 1

Domestic use is for 1 home.

94-7858

ROD STUTZKE

PO BOX 433

MURRAY, ID 83874

Point of Diversion SWSW S12 T50N R05E SHOSHONE CO

Source EAST FORK EAGLE CREEK tributary PRICHARD CREEK

Use: MINING 01/01 to 12/31 1.34 CFS

Total Diversion: 1.34 CFS

Date Filed: 3/18/2011

Place Of Use: MINING T50N R05E S12SWSW

94-7881

ARLETTA ROBSON

PO BOX 237

OSBURN, ID 83849

Point of Diversion L1(NENW) S11 T49N R04E SHOSHONE CO

Source TRAIL CREEK tributary BEAVER CREEK

Use: MINING 01/01 to 12/31 0.2 CFS

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

Total Diversion: 0.2 CFS

Date Filed: 4/7/2011

Place Of Use: DOMESTIC and MINING

T49N R04E S11 NW

Domestic use is for 1 camp site.

Permits will be subject to all prior water rights. 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 5/9/2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

SHO Legal 349

April 21, 28, 2011

RECEIVED

APR 29 2011

AFFIDAVIT OF PUBLICATION

IDWR / NORTH

STATE OF IDAHO, }
County of Shoshone } ss.

Angela Abbott being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Shoshone News Press", a newspaper printed and published daily except Sunday and Monday in Kellogg, Shoshone County, Idaho, and having a general circulation in said county.

3. The Legal Notice

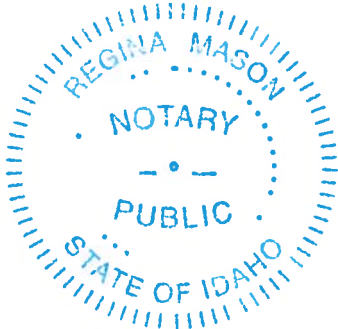
of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive Weeks commencing on the 21st day of April, 2011, and such publication was made as often during said period as said Daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Shoshone County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice Angela Abbott.

On this 28th day of April in the year of 2011, before me, a Notary Public, personally appeared Angela Abbott, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Regina Mason

Notary Public for the State of Idaho
residing in Coeur d'Alene, Idaho



MY COMMISSION EXPIRES 6/18/15

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PO BOX 237

OSBURN, ID 83849

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

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GARY SPACKMAN, Interim Director

Legal #

Published on 4/21/2011 and 4/28/2011



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

April 14, 2011

ROD STUTZKE
PO BOX 433
MURRAY, ID 83874

Application For Permit No. 94-7858

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 4/21/2011 and 4/28/2011. 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 black ink that reads "Keith C. Franklin". The signature is written in a cursive, flowing style.

Keith Franklin
Sr. Water Resource Agent