

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant John H Wheeler Phone 208-683-5626
Mailing address RD. Box 454 Athol ID 83801 Email _____
2. Source of water supply Domestic well which is a tributary of _____
3. Location of point of diversion is Township 53N Range 3W Sec. 11, in the NW $\frac{1}{4}$,
SE $\frac{1}{4}$, Govt. Lot _____, B.M., Kootenay County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | |
|--|
| Amount <u>0.2 cfs</u> for <u>Irrigation</u> purposes from <u>5-15</u> to <u>11-15</u> (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) |
| 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) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per year) |
5. Total quantity to be appropriated is (a) 0.2 CFS and/or (b) _____
cubic feet per second acre feet per year
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source 6" well x 500' Deep
5hp Submersible
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet;
total reservoir capacity _____ acre-feet
- c. Proposed well diameter is 10 inches; proposed depth of well is 500 feet
- d. Is ground water with a temperature of greater than 85°F being sought? _____
- e. If well is already drilled, when? 2-27-04; Drilling firm H2O Well Service;
Well was drilled for (well owner) John Wheeler; Drilling Permit No. 810894
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
- 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. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	3W	11			X						X					X			10

Total number of acres to be irrigated: 10

10. 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

- Who owns the property at the point of diversion? John Wheeler
- Who owns the land to be irrigated or place of use? John Wheeler
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. _____

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" 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.)

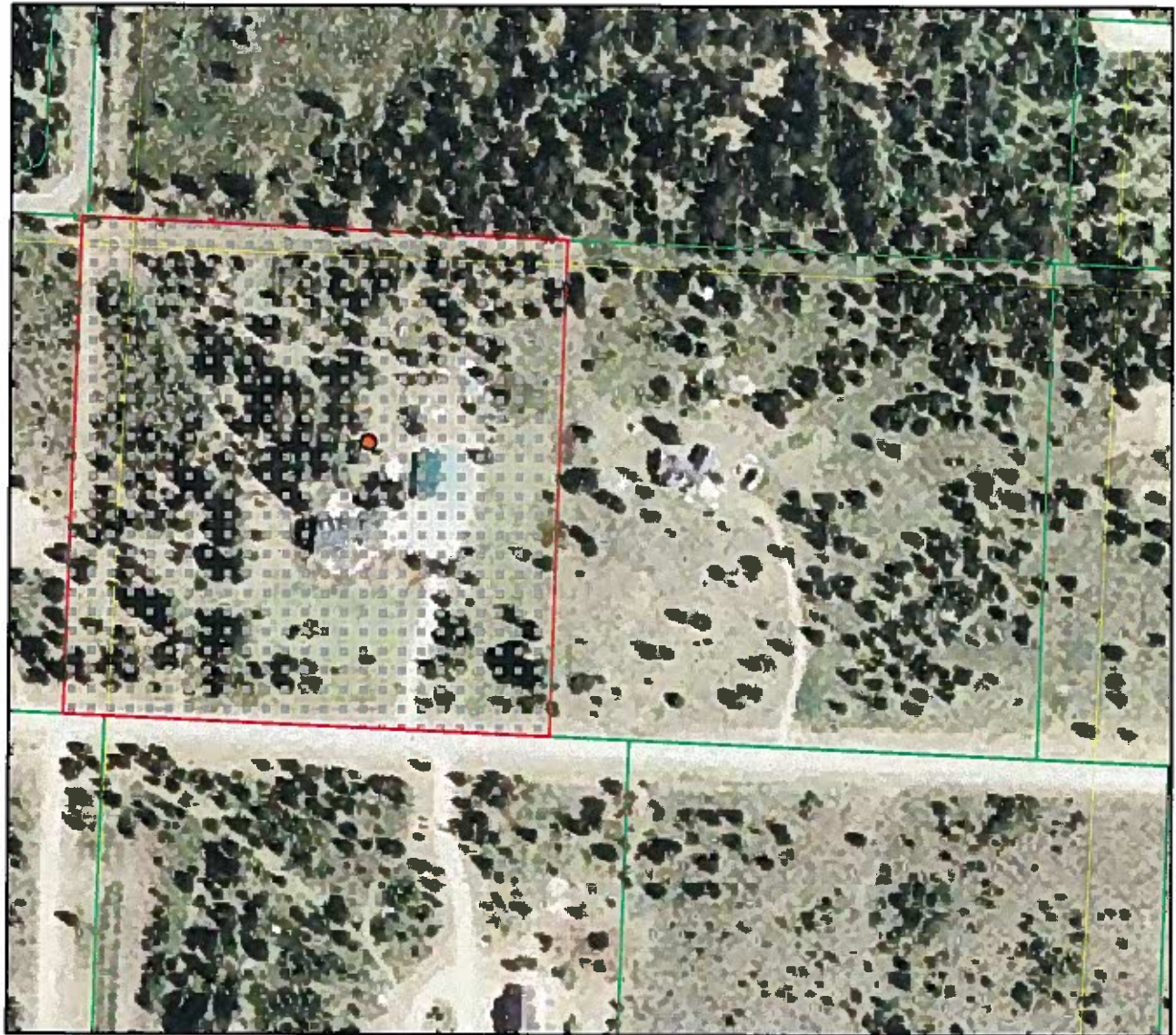
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

John Wheeler
Signature of Applicant

John Wheeler
Print Name (and title, if applicable)

Received by Kuc Date 7/1/19 Time 9:00A For Department Use Preliminary check by _____
Fee \$ 100.00 Receipted by Kuc Receipt No. 12021096 Date 7/1/19

95-10749



Legend



Taxlots



Application POD



Application POU

0 95 190 380 570 760 Feet







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
Interim Director

August 13, 2009

JOHN WHEELER
PO BOX 454
ATHOL, ID 83801

Application For Permit No. 95-10749

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 8/20/2009 and 8/27/2009. 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.

Sincerely,

A handwritten signature in black ink, reading "Eric J. Davis".

Eric J. Davis
Sr. Water Resource Agent



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
Interim Director

*Please Fax or e-mail proof/preview copy to me before this goes to press.
Fax (208) 762-2819 ~ e-mail dianne.ball@idwr.idaho.gov
Thanks, Dianne*

August 13, 2009

KATTIE HOY
LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE, ID 83814

RE: Application For Permit No.: 95-10696, 95-10742, 10743, 10745, 10749, 10751, 10768, 10818 & 10819

Dear Kattie:

Please publish the enclosed legal notice on the dates indicated, August 20 and 27, 2009, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

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 9/8/2009. Your cooperation is appreciated.

Sincerely,

Dianne

Dianne Ball
Administrative Assistant

Enclosure(s)

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, August 13, 2009 3:49 PM
To: Legal Notices-CdA Press; Legal Notices-CdAPress - Kattie Hoy
Subject: CoverLetter 08-13-09 CDA e-mail 95-10696,10742,43,45,49,51,68,10818,19.doc

Attachments: CoverLetter 08-13-09 CDA e-mail 95-10696,10742,43,45,49,51,68,10818,19.doc; LegalNotice 08-13-09 CDA e-mail 95-10696,10742,43,45,49,51,68,818,819.doc

Good afternoon, Kattie,

I'm back to work this week, and swamped with new water right applications for publication - so will start with this one, which is pretty big by all standards.

My cover letter is attached requesting publication of the attached legal notice on August 20 and 27, 2009.

As usual, please send proof/preview copy prior to publication.

Thanks for all your wonderful help. You're terrific!



CoverLetter
8-13-09 CDA e-mai.



LegalNotice
8-13-09 CDA e-mai.

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  filed to appropriate the public waters of the State of Idaho:

95-10696

EMILY M SMEDLEY

JESSE SMEDLEY

PO BOX 1015

ATHOL, ID 83801

Point of Diversion L3(NWNE) S3 T53N R03W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 03/15 to 11/15 0.15 CFS

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

Total Diversion: 0.19 CFS

Date Filed: 7/2/2009

Place Of Use: DOMESTIC T53N R03W S3 NWNE Lot 3

Place Of Use: IRRIGATION same as DOMESTIC

Total acres 5

Domestic use is for 1 home.

95-10742

CHARLES S HUSBAND

PO BOX 489

ATHOL, ID 83801

Points of Diversion(2) NENE S2 T51N R05W KOOTENAI County

Source GROUND WATER

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

Total Diversion: 0.04 CFS

Date Filed: 6/29/2009

Place Of Use: DOMESTIC T51N R05W S2 NENE

Domestic use is for 1 home.

95-10743

WEST SIDE WATER WORKS LLC

PO BOX 291

ATHOL, ID 83801

Point of Diversion SENE S10 T53N R03W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 03/15 to 11/15 0.09 CFS

Use: DOMESTIC 01/01 to 12/31 0.12 CFS

Total Diversion: 0.2 CFS

Date Filed: 6/29/2009

Place Of Use: DOMESTIC

T53N R03W S10 NENE SENE NESE

Place Of Use: IRRIGATION same as DOMESTIC

Total acres 4

Domestic use is for 6 homes.

95-10745

JOHN MCCONNELL

PEARL MCCONNELL

6097 W PRAIRIE AVE

POST FALLS, ID 83854-5909

Point of Diversion SWSW S20 T51N R04W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 03/15 to 11/15 0.09 CFS

Total Diversion: 0.09 CFS

Date Filed: 6/30/2009

Place Of Use: IRRIGATION T51N R04W S20 SWSW

Total acres: 3

95-10749

JOHN WHEELER

PO BOX 454

ATHOL, ID 83801

Point of Diversion NWSE S11 T53N R03W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 03/15 to 11/15 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 7/1/2009

Place Of Use: IRRIGATION

T53N R03W S11 NESW NWSE SWNE

Total acres: 10

95-10751

CALVIN C KARBOWSKI

PO BOX 1663

SUMNER, WA 98390

Point of Diversion L1 S36 T53N R05W KOOTENAI County

Source TWIN LAKES tributary to RATHDRUM CREEK

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

Total Diversion: 0.02 CFS

Date Filed: 7/1/2009

Place Of Use: DOMESTIC T53N R05W S36 NESE Lot 1

Domestic use is for lawn watering.

95-10768

CLYDE L EDWARDS
TRACIE EDWARDS
17484 N WILKINSON RD
RATHDRUM, ID 83858

Point of Diversion NWNE S27 T52N R04W KOOTENAI County
Source GROUND WATER

Use: IRRIGATION	03/15 to 11/01	0.15 CFS
Total Diversion:		0.15 CFS

Date Filed: 7/6/2009

Place Of Use: IRRIGATION T52N R04W S27 NWNE

Total Acres: 5

95-10818

BRADY HANSEN
JULIE HANSEN
6569 E OHIO MATCH RD
HAYDEN, ID 83835

Point of Diversion L1 (NWNW) S21 T52N R03W KOOTENAI County
Source UNNAMED STREAM tributary to SINKS

Use: IRRIGATION	03/15 to 11/15	0.12 CFS
Use: STOCKWATER	01/01 to 12/31	0.02 CFS
Use: DOMESTIC	01/01 to 12/31	0.04 CFS
Total Diversion:		0.18 CFS

Date Filed: 7/6/2009

Place Of Use: DOMESTIC T52N R03W S21 NENW NWNW Lot 1

Place Of Use: IRRIGATION & STOCKWATER same as DOMESTIC

Total Acres 4

Domestic use is for 1 home.

Stockwater use is for 5 head of mixed stock.

95-10819

BRADY HANSEN
JULIE HANSEN
6569 E OHIO MATCH RD
HAYDEN, ID 83835

Point of Diversion NENW S21 T52N R03W KOOTENAI County
Source GROUND WATER

Use: IRRIGATION	03/15 to 11/15	0.12 CFS
Use: STOCKWATER	01/01 to 12/31	0.02 CFS
Use: DOMESTIC	01/01 to 12/31	0.04 CFS
Total Diversion:		0.18 CFS

Date Filed: 7/6/2009

Place Of Use: DOMESTIC T52N R03W S21 NWNW Lot 1

Place Of Use: IRRIGATION

T52N R03W S21 NENW NWNW Lot 1 SWNW Lot 2 SENW

Place Of Use: STOCKWATER

T52N R03W S21 NWNW Lot 1 SWNW Lot 2

Total acres 4

Domestic use is for 1 home.

Stockwater use is for 5 head of mixed stock.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

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 9/8/2009. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 8/20/2009 and 8/27/2009