

95-10514

Ident. No. 75591

95-10514

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

MAY - 8 2009

To appropriate the public waters of the State of Idaho

IDWR/North

1. Name of Applicant ANDY HORTHER Phone 208 660 6615
Mailing address POB 232 HAYDEN ID 83835 Email MRPLUMBINGUY@Yahoo.com
2. Source of water supply GROUND WATER which is a tributary of _____
3. Location of point of diversion is Township 51N Range 4W Sec. 2, in the _____ 1/4, SW 1/4, NE 1/4, Govt. Lot _____, B.M., _____ County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
- Amount .06 cfs for Commercial purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount .04 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount .03 for IRRIGATION purposes from 3/15 to 11/15 (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) .06 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 _____
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet;
total reservoir capacity _____ acre-feet
- c. Proposed well diameter is 6" inches; proposed depth of well is 359' feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? 9/25/78; Drilling firm E-A. Holman Drilling Co.;
Well was drilled for (well owner) _____; Drilling Permit No. 95-78-N-117
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. 1 home
- e. Other; describe fully. IRR IAC. Commercial nursery Irrigation

9. 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	
51N	4W	2			D														
					1														1
				C	C														

Total number of acres to be irrigated: 1

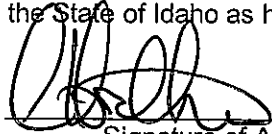
10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? NONE

11. a. Who owns the property at the point of diversion? Andy Horther
b. Who owns the land to be irrigated or place of use? Andy Horther
c. 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. Domestic in house water, GREEN house & TREE FARM IRRIGATED

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.



Signature of Applicant

Andy Horther

Print Name (and title, if applicable).

For Department Use:

Received by cm Date 5-8-09 Time 12:30 pm Preliminary check by _____
Fee \$ 100.00 Receipted by cm Receipt No. W020527 Date 5-8-09

95-10514



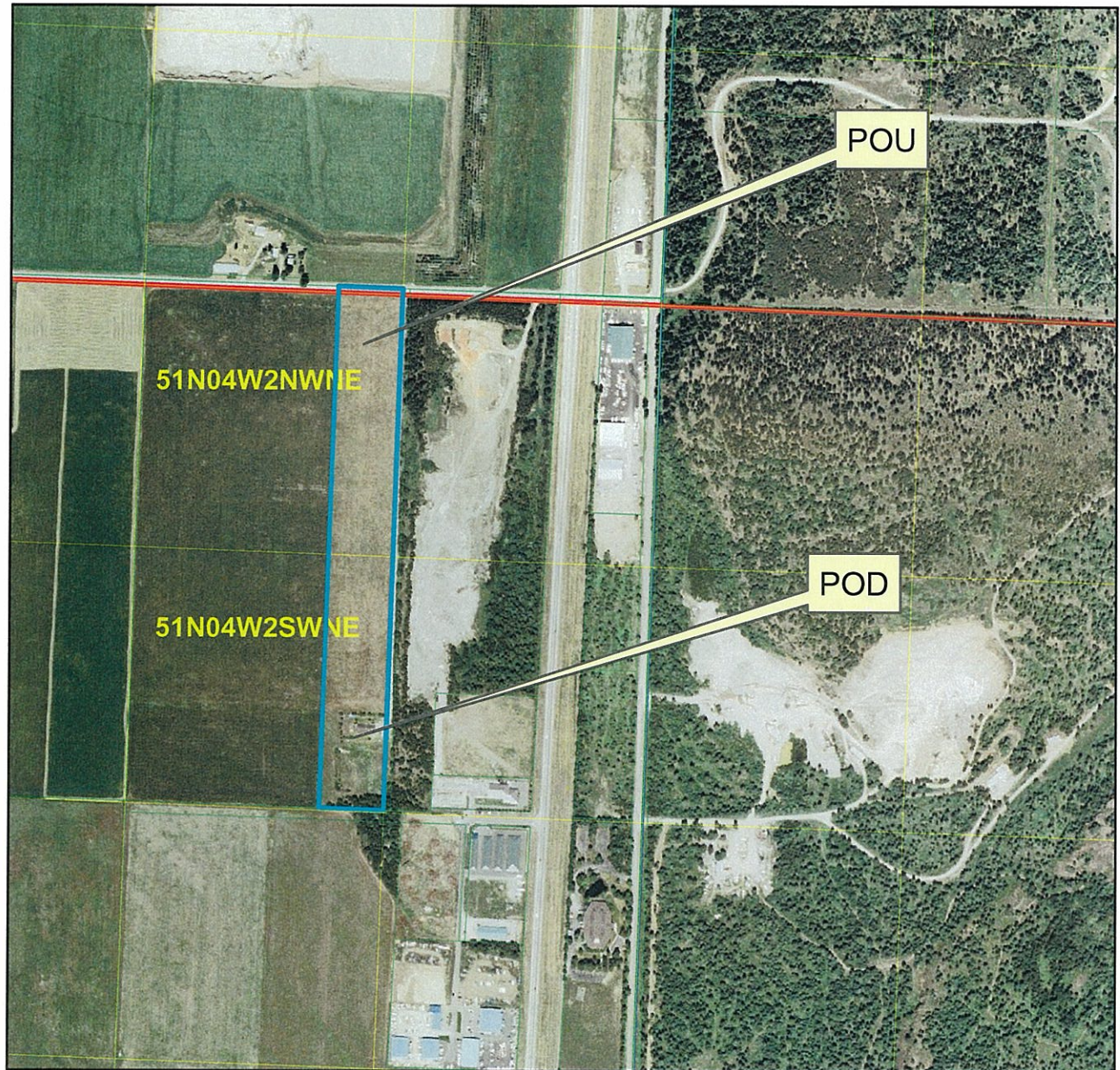
Legend

- Application POD
- Application POU

0 250 500 1,000 1,500 2,000 Feet



HORTHER



0 90 180 360 540 720 Meters

Legend

-  QQ
-  Township/Range
-  Sections

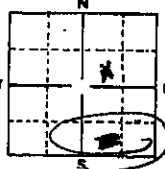


USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Resources

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>Henry Nagel</u> Address <u>1703 Haycraft Corner Dalene Idaho 83814</u> Owner's Permit No. <u>95-78-N-117</u>	7. WATER LEVEL Static water level <u>312</u> feet below land surface Flowing? ☐ Yes ☐ No G.P.M. flow <u>15</u> Temperature _____ ° F. Quality _____ Artesian closed-in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug																																																																																																																																		
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning)	8. WELL TEST DATA ☐ Pump ☐ Bailer ☐ Other <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th>Discharge G.P.M.</th><th>Draw Down</th><th>Hours Pumped</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table>	Discharge G.P.M.	Draw Down	Hours Pumped																																																																																																																															
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3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Other (specify type) ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection	9. LITHOLOGIC LOG <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td>6"</td><td>0</td><td>28</td><td>SAND, GRAVEL, ROCKS</td><td> </td><td> </td></tr><tr><td> </td><td>28</td><td>52</td><td>SANDY CLAY, GRAVEL</td><td> </td><td> </td></tr><tr><td> </td><td>52</td><td>76</td><td>SAND, GRAVEL</td><td> </td><td> </td></tr><tr><td> </td><td>76</td><td>97</td><td>SAND, COARSE GRAVEL</td><td> </td><td> </td></tr><tr><td> </td><td>97</td><td>98</td><td>BOULDER</td><td> </td><td> </td></tr><tr><td> </td><td>98</td><td>101</td><td>COARSE GRAVEL</td><td> </td><td> </td></tr><tr><td> </td><td>101</td><td>102</td><td>BOULDER</td><td> </td><td> </td></tr><tr><td> </td><td>102</td><td>104</td><td>COARSE GRAVEL</td><td> </td><td> </td></tr><tr><td> </td><td>104</td><td>105</td><td>BOULDER</td><td> </td><td> </td></tr><tr><td> </td><td>105</td><td>130</td><td>SAND, COARSE GRAVEL</td><td> </td><td> </td></tr><tr><td> </td><td>130</td><td>154</td><td>SAND, CLAY</td><td> </td><td> </td></tr><tr><td> </td><td>154</td><td>200</td><td>SAND, GRAVEL</td><td> </td><td> </td></tr><tr><td> </td><td>200</td><td>224</td><td>COARSE SAND</td><td> </td><td> </td></tr><tr><td> </td><td>224</td><td>269</td><td>SAND, GRAVEL</td><td> </td><td> </td></tr><tr><td> </td><td>269</td><td>291</td><td>COARSE SAND</td><td> </td><td> </td></tr><tr><td> </td><td>291</td><td>315</td><td>med. sand</td><td> </td><td> </td></tr><tr><td> </td><td>315</td><td>334</td><td>COARSE SAND, GRAVEL</td><td> </td><td> </td></tr><tr><td> </td><td>334</td><td>339</td><td>SAND, GRAVEL</td><td> </td><td> </td></tr><tr><td> </td><td>339</td><td>340</td><td>GRAVEL, CLAY & GRANITE</td><td> </td><td> </td></tr><tr><td> </td><td>340</td><td>359</td><td>FINE SAND</td><td> </td><td> </td></tr></tbody></table>	Hole Diam.	Depth		Material	Water		From	To	Yes	No	6"	0	28	SAND, GRAVEL, ROCKS				28	52	SANDY CLAY, GRAVEL				52	76	SAND, GRAVEL				76	97	SAND, COARSE GRAVEL				97	98	BOULDER				98	101	COARSE GRAVEL				101	102	BOULDER				102	104	COARSE GRAVEL				104	105	BOULDER				105	130	SAND, COARSE GRAVEL				130	154	SAND, CLAY				154	200	SAND, GRAVEL				200	224	COARSE SAND				224	269	SAND, GRAVEL				269	291	COARSE SAND				291	315	med. sand				315	334	COARSE SAND, GRAVEL				334	339	SAND, GRAVEL				339	340	GRAVEL, CLAY & GRANITE				340	359	FINE SAND		
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4. METHOD DRILLED ☒ Cable ☐ Rotary ☐ Dug ☐ Other	10. Work started <u>8-15-78</u> finished <u>9-25-78</u>																																																																																																																																		
5. WELL CONSTRUCTION Diameter of hole <u>6</u> inches Total depth <u>359</u> feet Casing schedule: ☒ Steel ☐ Concrete Thickness <u>1.250</u> inches Diameter <u>6</u> inches From <u>12</u> feet To <u>346</u> feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☒ Yes ☐ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches Number _____ From _____ To _____ _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet Well screen installed? ☒ Yes ☐ No Manufacturer's name <u>Johnson</u> Type <u>Stainless</u> Model No. _____ Diameter <u>6</u> Slot size <u>1/8</u> Set from <u>338</u> feet to <u>359</u> feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>20'</u> Material used in seal ☐ Cement grout ☒ Pudding clay ☐ Well cuttings Sealing procedure used ☐ Sherry pit ☐ Temporary surface casing ☒ Overbore to seal depth	11. DRILLERS CERTIFICATION Firm Name <u>E.A. Holman Drilling Co</u> Firm No. <u>105</u> Address <u>51401 Pine St Spokane Wa</u> Date <u>10/2/78</u> Signed by (Firm Official) <u>William Thayer</u> and <u>Donald L. Paul</u> (Operator)																																																																																																																																		
6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Rootenai</u> <u>SW 1/4 NE 1/4 Sec. 2 T. 51 S. R. 4 W. E/W</u>	12. USE ADDITIONAL SHEETS IF NECESSARY FORWARD THE WHITE COPY TO THE DEPARTMENT																																																																																																																																		



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

DAVID R. TUTHILL, JR.
Director

June 10, 2009

ANDY HORTHER
P O BOX 232
HAYDEN ID 83835

RE: Application for Permit No 95-10514

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number 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 June 18 & 25, 2009. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). 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, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

Eric J. Davis
Senior Water Resource Agent

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, June 10, 2009 3:31 PM
To: Legal Notices-CdA Press; Legal Notices-CdAPress - Kattie Hoy
Subject: Legal notice for publication on June 18 and 25, 2009

Attachments: CoverLetter 06-10-09 CDA e-mail 95-10484,87,514,22,27,45,46.doc; LegalNotice 06-10-09 CDA e-mail 95-10484,487,514,522,527,545,546.doc

Good afternoon, Kattie,

My attached letter says good morning - I just got delayed before getting the letter requesting publication of our legal notice off to you - publication requested for June 18 and 25, 2009. Legal notice also attached.

If you have ANY questions, please call me or reply to this e-mail.

This is another fairly long one - but I think it's fairly straight forward for copy and paste. Hopefully we don't have to split columns with it.

Please send me a proof/preview copy for my review of layout before this goes to press.

You're wonderful. Thanks for your SUPER help.



CoverLetter
6-10-09 CDA e-mai.



LegalNotice
6-10-09 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



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

DAVID R. TUTHILL, JR
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

June 10, 2009

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

RE: Application for Permit No. 95-10484, 10487, 10514, 10522, 10527, 10545 and 10546

Good morning, Kattie:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, June 18 and 25, 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 07/06/2009. Your cooperation is very greatly appreciated.

Thank you for your super help!

Sincerely

Dianne

Dianne Ball
Administrative Assistant

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

95-10484

THEODORE ARMSTRONG

CATHY ARMSTRONG

1704 JENNY LYNN LN

COEUR D ALENE ID 83815

Point of Diversion L3 (NESW) S34 T54N R02W KOOTENAI County

Source BAYVIEW CREEK tributary to LAKE PEND OREILLE

Use: IRRIGATION 04/01 To 10/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 05/06/2009

Place Of Use: IRRIGATION

T54N R02W S34 NESW Lot 3

Number of Acres 0.5

95-10487

CICELY J WINGATE

905 E YOUNG

COEUR D ALENE ID 83814

Point of Diversion L4 (SWNW) S14 T53N R05W KOOTENAI County

Source SPIRIT LAKE tributary to SPIRIT CREEK

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

Total Diversion: 0.04 CFS

Date Filed: 05/06/2009

Place Of Use: DOMESTIC

T53N R05W S14 SWNW Lot 4

Remark: Domestic use is for 1 home.

95-10514

ANDY HORTHER

P O BOX 232

HAYDEN ID 83835

Point of Diversion SWNE S2 T51N R04W KOOTENAI County

Source GROUNDWATER

Use: IRRIGATION 03/15 To 11/15 0.03 CFS

Use: COMMERCIAL 01/01 To 12/31 0.06 CFS

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

Total Diversion: 0.06 CFS

Date Filed: 05/08/2009

Place Of Use: DOMESTIC

T51N R04W S2 SWNE

Place Of Use: COMMERCIAL

T51N R04W S2 NWNE SWNE

Place Of Use: IRRIGATION same as domestic

Number of Acres 1

Remark: Domestic use is for 1 home.

Commercial use is for nursery tree farm.

95-10522

PONDEROSA WATER ASSOCIATION INC

P O BOX 232

HAYDEN ID 83835

Point of Diversion SESW S7 T53N R03W KOOTENAI County

Source GROUNDWATER

Use: IRRIGATION 04/01 To 10/31 0.2 CFS

Use: DOMESTIC 01/01 To 12/31 0.14 CFS

Total Diversion: 0.2 CFS

Date Filed: 05/08/2009

Place Of Use: DOMESTIC

T53N R03W S7 NESW SESW

Place Of Use: IRRIGATION same as DOMESTIC

Number of Acres 18

Remark: Domestic use is for 9 homes.

95-10527

WEST SEASONS ACRES HOME OWNERS ASSN

27494 N CARRIE RD

SPIRIT LAKE ID 83869

Point of Diversion NWNW S28 T53N R04W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 04/01 To 10/31 0.2 CFS

Use: DOMESTIC 01/01 To 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 5/07/2009

Place Of Use: DOMESTIC

T53N R04W S28 NWNW SWNW

Place Of Use: IRRIGATION same as DOMESTIC

Number of Acres 10

Remark: Domestic use is for 10 homes

95-10545

PANHANDLE WATER ASSOCIATION

P O BOX 690

ATHOL ID 83801

Point of Diversion NENW S24 T53N R03W KOOTENAI County

Source GROUNDWATER

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

Total Diversion: 0.06 CFS

Date Filed: 05/11/2009

Place Of Use: DOMESTIC

T53N R03W S13 SESW

T53N R03W S24 NENW NWNW SWNW

Remark: Domestic use is for 9 homes.

95-10546

BILL F BIXBY

LORELEI BIXBY

PO BOX 2606

HAYDEN ID 83835

Point of Diversion SESWNE S9 T52N R03W KOOTENAI County

Source SPRING tributary to UNAMED STREAM

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

Total Diversion: 0.04 CFS

Date Filed: 05/14/2009

Place Of Use: DOMESTIC

T52N R03W S9 SWNE

Remark: Domestic use is for 1 home.

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 Resource, 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 07/06/2009. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Legal #

Published June 18 & 25, 2009