

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

RECEIVED**APR - 7 2009****IDWR/North**

1. Name: STEPHEN T BUSCH
2279 ARBORCREST RD
MOSCOW ID 83843
(208)301-1415

2. Source: UNNAMED STREAM Tributary to: DRY CREEK

3. Location of Point of Diversion:

#1 UNNAMED STREAM	SE1/4SW1/4	Sec. 6, Twp 39N, Rge 02W, B.M.
LATAH County		
#2 UNNAMED STREAM	SE1/4SW1/4	Sec. 6, Twp 39N, Rge 02W, B.M.
LATAH County		

4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u> <u>To</u>	<u>ANNUAL VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31	4.9 AF

5. Total quantity to be appropriated is: 4.9 AF

6. Proposed diverting works:

POINT OF DIVERSION #1

- a. Type and size of devices used to divert water from the source:
- b. Height of storage dam 3 feet;
Active reservoir capacity 0.75 acre-feet;
Total reservoir capacity 0.75 acre-feet;

POINT OF DIVERSION #2

- a. Type and size of devices used to divert water from the source:
- b. Height of storage dam 3 feet;
Active reservoir capacity 0.75 acre-feet;
Total reservoir capacity 0.75 acre-feet;

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 year(s).

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

8.

PLACE OF USE: WILDLIFE STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
39N 02W 6	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
												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.

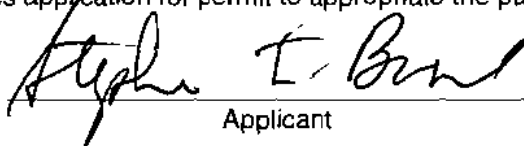
APPLICANT

10. Remarks:

I PLAN TO INSTALL TWO ONE QUARTER ACRE PONDS IN AN EXISTING DRAW ON MY PROPERTY. THE PONDS WILL BE SHALLOW 3 FEET DEEP AND ARE INTENDED TO ENHANCE WILDLIFE HABITAT. THE PONDS WILL BE CONSTRUCTED USING A COMBINATION OF EARTHEN BERMS AND EXCAVATION.

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.


Applicant

Received by cm Date 4-7-09 Time 10:05 am Preliminary check by _____
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

Receipt No. N019737

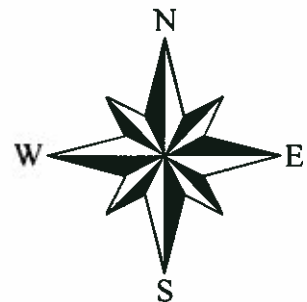
Date: 12/11/08Received by: Dianne

86-11987



Legend

-  workingpod
-  workingpou
-  Taxlots
-  QQ



RECEIVED

FEB 10 2009

IDWR/NORTH

Given:

Size of each pond - $\frac{1}{4}$ Acre or 10,890 ft²

Number of ponds - 2

Total surface area - 21,780 ft²

Mean Evaporation rate - 736 mm/growing season
or
2.41 ft/growing season

Calculated loss during growing season
in Acre Feet:

$$= 21,780 (2.41) / 43560 = 1.21$$

ET_{Idaho} --- Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho

Please send suggestions for improving this site to robison at kimberly dot uidaho dot edu Copyright 2007, University of Idaho.

Moscow - Univ of Idaho (NWS NOAA--106152)

Statistics based on 30 years between 1974 to 2004

For a different land cover or crop click on the above link.

You can highlight this table and copy via the clipboard to a Microsoft Excel or OpenOffice spreadsheet to plot or otherwise work with this data.

RECEIVED
FEB 10 2009
IDWR / NORTH

Open water - shallow systems (ponds, streams)														
Actual Evapotranspiration (Click here for a graph)														
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Annual
Mean	mm/day												mm	
Monthly ^b	0.23	0.56	1.28	2.24	2.95	3.66	4.35	3.98	2.72	1.45	0.46	0.18	736	736
15-Day Moving Average ^c	0.22	0.55	1.29	2.23	2.97	3.67	4.38	3.98	2.68	1.45	0.45	0.18		
7-Day Moving Average ^d	0.23	0.55	1.28	2.23	2.97	3.66	4.38	3.99	2.70	1.46	0.45	0.18		
3-Day Moving Average ^e	0.23	0.55	1.28	2.23	2.96	3.66	4.36	3.99	2.71	1.45	0.46	0.18		
Standard Deviation	mm/day												mm	
Monthly	0.05	0.11	0.33	0.26	0.43	0.37	0.57	0.44	0.36	0.30	0.09	0.06	39	39
15-Day Moving Average	0.06	0.14	0.29	0.35	0.44	0.47	0.50	0.48	0.47	0.31	0.13	0.06		
7-Day Moving Average	0.09	0.20	0.36	0.50	0.58	0.64	0.60	0.62	0.58	0.43	0.17	0.09		
3-Day Moving Average	0.13	0.24	0.46	0.65	0.74	0.81	0.76	0.76	0.70	0.51	0.21	0.13		
20% Exceedance	mm/day												mm	
Monthly	0.25	0.68	1.39	2.45	3.16	4.02	4.60	4.26	3.05	1.63	0.55	0.22	768	768
15-Day Moving Average	0.33	0.79	1.75	2.81	3.74	4.43	5.03	4.70	3.38	2.03	0.69	0.27		
7-Day Moving Average	0.42	1.00	2.16	3.27	4.15	4.73	5.35	5.01	3.75	2.32	0.88	0.35		
3-Day Moving Average	0.59	1.14	2.55	3.83	4.72	5.24	5.61	5.35	4.06	2.68	1.04	0.50		
80% Exceedance	mm/day												mm	
Monthly	0.20	0.45	1.05	2.05	2.67	3.30	3.99	3.65	2.31	1.26	0.35	0.15	692	692
15-Day Moving Average	0.12	0.35	0.87	1.70	2.28	2.93	3.60	3.12	1.94	0.88	0.26	0.07		
7-Day Moving Average	0.07	0.21	0.73	1.33	1.98	2.45	3.11	2.77	1.57	0.77	0.20	0.00		
3-Day Moving Average	-0.01	0.14	0.56	1.17	1.59	1.81	2.60	2.07	1.33	0.62	0.13	-0.08		
Ave Highest ET	mm/day												--	
15-Day Moving Average ^f	0.29	0.67	1.53	2.56	3.35	4.02	4.72	4.38	3.04	1.78	0.59	0.24		
7-Day Moving Average ^g	0.38	0.81	1.78	2.92	3.75	4.43	5.02	4.73	3.40	2.07	0.70	0.31		
3-Day Moving Average ^h	0.51	0.96	2.15	3.42	4.20	4.86	5.38	5.09	3.76	2.31	0.85	0.44		
Ave Lowest ET	mm/day												--	
15-Day Moving Average ⁱ	0.16	0.45	1.07	1.89	2.59	3.29	4.01	3.55	2.35	1.15	0.34	0.13		
7-Day Moving Average ^j	0.10	0.32	0.87	1.59	2.21	2.82	3.63	3.18	2.04	0.94	0.27	0.06		
3-Day Moving Average ^k	0.02	0.23	0.70	1.34	1.79	2.28	3.04	2.67	1.70	0.75	0.18	-0.03		
Special normal distribution parameters for monthly, seasonal, and annual intervals													--	
Skew	-0.04	0.82	0.26	0.73	0.12	0.05	0.03	-0.15	-0.50	0.09	-0.13	-0.27	-0.12	-0.12

December 10, 2008

RECEIVED
DEC 11 2008
IDWR/North

Idaho Dept. of Water Resources
7600 Mineral Dr., Suite 100
Coeur d' Alene, ID 83815

Subject: Application for Permit

To Whom It May Concern:

I made a good faith effort to complete the application. I did not use professional help. I do not have any experience with this process. If the application is not clear to you, or if you have any questions, please contact me immediately.

Sincerely,



Stephen T. Busch
2279 Arborcrest Road
Moscow, ID 83843
208-301-1415
steveb@moscow.com



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

December 23, 2008



Stephen T. Busch
2279 Arborcrest Rd.
Moscow, ID 83843

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

Dear Mr. Busch:

The Idaho Department of Water Resources is returning your recently submitted application for corrections and/or clarifications;

First, the department can only accept an application that has either been filled out in ink or typed. The mailing address is also incomplete, city, state and zip code were omitted.

Item #2 Source of Water Supply

Since Dry Creek does not appear on a USGS map as a proper name, your source would be an "unnamed stream" which is tributary to the Clearwater River.

Item #3 Location of the Point of Diversion

On the application you indicated the point of diversion being located in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 12, Township 38 North, Range 3 West. However, the map submitted with the application shows it as being located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 6, Township 39 North, Range 2 West. Please refer to the attached aerial photograph. For an instream pond, the point of diversion is the location of the dike. If you are proposing two ponds, there will be two points of diversion for your application. Please make the necessary changes on the application including the county where the project is located.

Item #4 Use

To complete this section you will need to supply the dimensions of the ponds. Surface area and average depth. From the surface area a yearly evaporation quantity will need to be calculated and added to the yearly estimated seepage, plus the physical size of the pond, to determine the annual storage quantity for "wildlife" in acre-feet.

Item #9 Place of Use

Again, the application indicates the ponds will be located in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12, Township 38 North, Range 3 West. The map submitted shows the location as being in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 6, Township 39 North, Range 2 West. Please

examine the attached aerial photograph and make the necessary changes on the application. Also, the aerial photograph shows three existing ponds on the property, please mark on the photograph the location of the proposed ponds, if different from the existing and return it along with the corrected application.

Additionally, your property happens to be located within the Salmon-Clearwater River drainage, which is now considered a sensitive basin. Idaho Code 42-203A(5) requires IDWR to evaluate the attached criteria for new applications to appropriate water. Please review the attachment, seek comments from the Department of Fish & Game, the Department of Environmental Quality and respond to Rules 40.05 c. through 40.05 g. on page two. Please submit this additional information along with the corrected application within the next 30 days.

If you have any questions, feel free to contact me at this office.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent
Enclosure(s)

February 6, 2009

RECEIVED
FEB 10 2009
IDWR / NORTH

Mr. Keith Franklin
Department of Water Resources
7600 N. Mineral Drive, Suite 100
Coeur d' Alene, ID 83815

Subject: Application for Permit to Appropriate the Public Waters of the State of Idaho

Dear Mr. Franklin:

I have enclosed a revised application attempting to make the corrections and/or clarification requested in your December 23, 2008 letter.

Sincerely,



Stephen T. Busch
2279 Arborcrest Road
Moscow, ID 83843

February 6, 2009

RECEIVED
FEB 10 2009
IDWR / NORTH

Ray Henneke
Idaho Department of Fish and Game
3316 16th Street
Lewiston, ID 83501

Cindy Barrett
Idaho Department of Environmental Quality
1118 F Street
Lewiston, ID 83501

Subject: Application for Permit to Appropriate the Public Waters of the State of Idaho

Dear Ray and Cindy:

I have enclosed a copy of my water right application for a couple of small ponds to be located near Deary, ID. Regulations require that you make comment on any applications in the Clearwater River drainage.

Sincerely,



Stephen T. Busch
2279 Arborcrest Road
Moscow, ID 83843

Information requested in "Water Appropriation Rules 40.05.c through 40.05.g

RECEIVED
FEB 10 2009
IDWR / NORTH

Section 42-203A (5)(c)

- i. A record search of the IDWR for active water rights in the Dry Creek drainage of Latah County returned one water right (number 86-11975). This water right was established to provide storage for "stock water".
- ii. Not applicable.
- iii. The proposed project will have minimal impact on the water available in the Dry Creek drainage. The proposed ponds will impound spring run-off and once full, will have no impact on the amount of water that moves through the drainage.
- iv. Section 42-203A (5)(a)

Section 42-203A (5)(d)

- i. The initial volume of water required to fill the proposed ponds will be approximately 1.5 acre feet of water. The water source is a seasonal stream and runs only during the spring season. No water will be removed from the ponds once it is impounded. Evaporation from the ponds is estimated to be 1.21 acre feet per year. The soils in this area are heavy clay and little if any loss is expected because of soil permeability.
- ii. The location of the ponds is near the upper edge of the drainage. Depending upon snow accumulation, the seasonal stream contains water for a number of weeks during the runoff season. These small ponds would be filled many times over during an average runoff year.
- iii. Section 42-203A (5)(d)

Section 42-203A (5)(e)

- i. The location of the ponds will be on property title to LEADS LLC. The applicant is the sole owner of LEADS LLC. There are no lien holders on this property.
- ii. Other than the water right, no other permits, licenses or approvals are needed for this project.

Section 42-203A (5)(f)

- i. The cost of the proposed project is estimated to be less than \$10,000. No financing is needed by the applicant.
- ii. No plans for the project are available. It is a small excavation job that will be built as the topography allows. Size will be limited to the stated size on the water right application.

Section 42-203A (5)(g)

- i. A copy of this application has been mailed to the IDEQ and the Idaho Department of Fish and Game.



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1118 F Street • Lewiston, Idaho 83501 • (208) 799-4370

C.L. "Butch" Otter, Governor
Toni Hardesty, Director

February 18, 2009

Stephen T. Busch
2279 Arborcrest Road
Moscow, ID 83843

RE: Comments, Water Right Application

Dear Mr. Busch,

We received your letter requesting our comments on the approval of your application for a permit to appropriate water from an un-named tributary to Dry Creek, located in Latah County. Assuming all federal, state and local permits have been obtained, regulations met, and reviews completed, we offer the following comments.

In the Idaho Water Quality Standards, the Dry Creek water body identification number is 17060306CL059. Dry Creek and associated tributaries are currently listed in Section 3 of the Idaho 2008 Integrated Report and are not assessed.

Idaho Water Quality Standards require existing aquatic life be protected and maintained when flows are equal to or greater than one cubic feet per second in intermittent streams. At no time should the proposed action be allowed to impair existing beneficial uses when stream flow is adequate to sustain existing aquatic life.

Thank you for the opportunity to comment on your application. If you have any questions regarding the Idaho Water Quality Standards or the conditions listed above, please call us at (208) 799-4370.

Sincerely,

A handwritten signature in black ink, appearing to read "Kerby M. Cole".

Kerby M. Cole, P.E.
Regional Administrator

CC: Keith Franklin, IDWR
Ray Hennekey, IDFG
Marti Bridges, IDEQ



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

March 5, 2009

Stephen T. Busch
2279 Arborcrest Rd.
Moscow, ID 83843

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

Dear Mr. Busch:

The Idaho Department of Water Resources is in receipt of you corrected application. The department still hasn't received comments from Fish & Game. You may want to touch base with them again.

If you have any questions, feel free to contact me at this office.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent

COPY



RECEIVED

MAR 26 2009

IDWR / NORTH

IDAHO DEPARTMENT OF FISH AND GAME

CLEARWATER REGION

3316 16th Street

Lewiston, Idaho 83501

C.L. "Butch" Otter/Governor

Cal Groen/Director

March 22, 2009

Mr. Stephen T. Busch
2279 Arborcrest Road
Moscow, ID 83843

RE: Draft Application for Approval of Water Appropriation

Idaho Department of Fish and Game has reviewed your draft application for a permit to impound up to 1.21 acre feet from an unnamed tributary to Dry Creek in Latah County for wildlife. Two $\frac{1}{4}$ acre ponds would be constructed for this purpose.

IDFG will not object to your proposed withdrawal. Based on the location of the proposed ponds in what appears to be a headwaters swale, IDFG can not ascertain that the project will have significant adverse impacts on wildlife, habitat or the health of downstream waters. However, we would ask you to reconsider your plans to build the ponds.

IDFG generally recommends against permitting construction of ponds that directly intercept stream channels. Small streams, including intermittent and even ephemeral streams like that in which you propose to build your ponds, serve many important biological and hydrologic functions that deserve protection. In-stream impoundments are likely to contribute to elevated stream temperatures; may impede migrations of fish, amphibians and other wildlife; affect rates of recharge of waters downstream; and have other adverse impacts on biota, flow, water quality and stream hydrologic function. Also, streams generally have greater biological complexity than ponds and are, therefore, usually more beneficial to wildlife. Finally, water is not a limiting factor for wildlife in the area you propose to build your ponds.

We suggest maintaining or improving the riparian area around the existing stream rather than constructing ponds. A healthy riparian area is likely to have more value for wildlife than would ponds and would have none of the potentially negative impacts. IDFG can provide advice and assistance for plantings and other improvements for wildlife, if you would be interested in taking this approach.

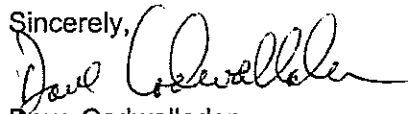
COPY

Keeping Idaho's Wildlife Heritage

Equal Opportunity Employer • 208-799-5010 • Fax: 208-799-5012 • Idaho Relay (TDD) Service: 1-800-377-3529 • <http://fishandgame.idaho.gov>

Thank you for the opportunity to comment. Please contact Ray Hennekey, Environmental Staff Biologist, at this office if you have any questions regarding our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Cadwallader". The signature is fluid and cursive, with the first name "Dave" being more prominent.

Dave Cadwallader
Clearwater Regional Supervisor

DC/rh/gl

c: Keith Franklin, IDWR CDA
Kerby Cole, DEQ Lewiston
Sharon Kiefer, IDFG HQ



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

March 27, 2009

Stephen T. Busch
2279 Arborcrest Rd.
Moscow, ID 83843

Re: Application For Permit to Appropriate the Public Waters of the State of Idaho
86-11987

Dear Mr. Busch:

The Idaho Department of Water Resources is in receipt of your sensitive basin information and is now in a position to advertise your application.

There were a few items that still need to be cleaned up and clarified on the application, such as the place of use didn't match the location of the points of diversion and the overall storage component needed to be corrected to accommodate the annual evaporation.

Each pond will have a storage capacity of 0.75 acre-feet, for a total of 1.5 acre-feet. From the proposed surface area, the annual evaporation for both ponds was estimated to be 3.4 acre-feet. The total annual storage volume for both ponds is then calculated to be 4.9 acre-feet, instead of the 1.2 acre-feet as shown on the application.

Enclosed please find an electronic version of the application that contains all of the corrections and clarifications for your review. If it meets with your approval, please sign the form and return it to me within the next 30 days so as not to delay processing. If you have any questions, feel free to contact me at this office.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent
Enclosure(s)

COPY

MEMORANDUM

To: Water Right Application # 86-11987

From: Keith E. Franklin

Date: April 8, 2009

Re: Application for a Permit to Appropriate Water within the Salmon and Clearwater River Basins.

Re: Regional Analysis and Recommendation in accordance with Water Appropriation Rules (IDAPA 37.03.08.040.05).

Water Supply Information.

The Idaho Department of Fish & Game as well as the Department of Environmental Quality has no adverse comments towards the applicant storing up to 4.9 acre-feet of surface water annually, in two in-stream ponds for wildlife purposes. Each pond will be approximately 3 feet in height and have an active storage capacity of 0.75 acre-feet. The ponds will be filled each spring by runoff from the seasonal unnamed stream.

Good Faith, Delay, or Speculative Information.

The applicant plans to divert water for his own use on property that he owns and there are no known issues with any other party.

Financial Resources Information.

The applicant estimates the project to cost less than \$10,000 and will be financed out of pocket.

Local Public Interest.

The Idaho Department of Fish & Game and the Department of Environmental Quality have been ask to comment, by the applicant. The agencies are not apposed to the applicant's proposal.

Injury to Other Water Rights.

There isn't any foreseen potential impact to area water right holders.

Recommendation.

Northern Region recommends proceeding with the processing of this water right application.

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, April 08, 2009 10:03 AM
To: Case, Morgan; Harrington, Helen
Subject: Agency Comment Request on Application 86-11987 - Busch
Attachments: 86-11987 Busch.pdf; Agency Comment Request Ltr.doc

Attached is our letter requesting comments on Water Right application 86-11987. A copy of the application is attached, together with a map.

The source is surface water in a sensitive basin. Fish & Game have already commented, and they will not object to Mr. Busch's proposed withdrawal. They cannot ascertain that the project will have significant adverse impacts on wildlife, habitat or the health of downstream waters.

Please send your comments to Keith Franklin at our office - Keith.Franklin@idwr.idaho.gov.

Thanks, and have a great day.

Dianne

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

4/8/2009



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

April 8, 2009

IDAHO DEPT OF WATER RESOURCES
WATER PLANNING
PO BOX 83720
BOISE ID 83720-0098

Re: Water Permit Application No. 87-11987

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 follows for your reference.

This office can publish notice of the application as soon as the initial review is completed; therefore, 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, and by sending a copy of your protest to the applicant. This will be scheduled for publication on April 16 and 23, 2009, in the Moscow Pullman Daily News.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **May 4, 2009**. [That is also the final date for protest to be received in our office.]

If we do not hear from you by that date, we will assume that no comment from you means you have no objection to, concerns about, or conditions pertaining to the issuance of this permit.

You may send comments by regular mail to the address above, by FAX to 762-2819, or by e-mail to Keith.Franklin@idwr.idaho.gov.

We request that you send a copy of your comments regarding, and/or notice that you intend to protest this application to the applicant as well as to our office.

Please contact this office if you have any questions regarding the application.

Sincerely,

Dianne

Dianne Ball
Administrative Assistant

April 8, 2009

MEMO TO: DIANNE
FROM: KEITH
SUBJECT: APPLICATION 86-11987

THE SOURCE OF WATER FOR THIS APPLICATION IS SURFACE WATER.
SINCE IT IS IN A SENSITIVE BASIN, FISH & GAME HAVE ALREADY
COMMENTED ON IT SO YOU DON'T HAVE TO SEND THEM A NOTICE.
WHEN YOU SEND THIS OUT FOR ADVERTISING, ALSO SEND OUR PLANNING
DEPATMENT A COPY FOR COMMENT AND GIVE THEM THE SAME TIME
PERIOD TO COMMENT AS THE ADVERTISING PERIOD.
THANKS.
KEITH.



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

April 09, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

STEPHEN T BUSCH
2279 ARBORCREST RD
MOSCOW ID 83843

RE: Application for Permit No 86-11987

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 Moscow Pullman Daily News on April 16 and 23, 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,

Keith E. Franklin
Senior 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

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

April 09, 2009

TOM NIEMANN
LEGAL NOTICE DEPARTMENT
MOSCOW-PULLMAN DAILY NEWS
PO BOX 8187
MOSCOW ID 83843-8187

RE: Application for Permit No. 86-11987

Dear Tom:

Below you will find a legal notice which we wish to have published in your newspaper on the dates indicated, April 16 and 23, 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 05/04/2009. Your cooperation is truly appreciated.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

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

86-11987

STEPHEN T BUSCH
2279 ARBORCREST RD
MOSCOW ID 83843

Points of Diversion (2) SESW S6 T39N R02W LATAH County
Source UNNAMED STREAM tributary to DRY CREEK

Use: WILDLIFE STORAGE 01/01 To 12/31 4.9 AFA
Total Diversion: 4.9 AFA

Date Filed: 12/11/2008

Place Of Use: WILDLIFE STORAGE

T39N R02W S6 SESW

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 05/04/2009. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Published on 4/16 & 23/2009

*Email copy
w/ legal
embodied
w/ letter*



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

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