

75388

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

- Name of Applicant JAMES BOYES Phone 661-3281
Mailing address 30939 E HAYDEN LAKE RD HAYDEN, ID 83835
- Source of water supply SPRING which is a tributary of SINKS
- Location of point of diversion is Township 52N Range 3W Sec. 34 in the SW $\frac{1}{4}$,
SE $\frac{1}{4}$, SE $\frac{1}{4}$, Govt. Lot _____, B.M., KOOTENAI County;
additional points of diversion if any: PIN 52N03W349400
- Water will be used for the following purposes:
Amount 0.04 for DOMESTIC purposes from JAN to DEC 31 (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)
- Total quantity to be appropriated is (a) 0.04 and/or (b) _____
cubic feet per second acre feet per year
- 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 _____ inches; proposed depth of well is _____ feet
d. Is ground water with a temperature of greater than 85°F being sought? _____
e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
- Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
- 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
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	
S2N	3W	34																X	

Total number of acres to be irrigated: _____

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? LAWN 95-9043

11. a. Who owns the property at the point of diversion? APPLICANT
 b. Who owns the land to be irrigated or place of use? 11
 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. _____

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.

James J. Boyes
 Signature of Applicant

James J. Boyes
 Print Name (and title, if applicable)

For Department Use:

Received by [Signature] Date 1/30/99 Time 2:45 Preliminary check by _____
 Fee \$ 100 Receipted by [Signature] Receipt No. N-19877 Date 1/30/99

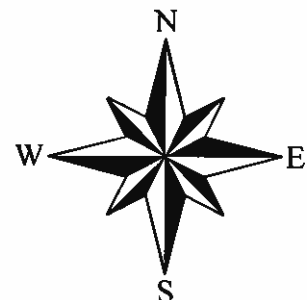
95-10093



0 165 330 660 990 1,320 Feet

Legend

-  workingpod
-  workingpou
-  Taxlots
-  QQ





Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, February 04, 2009 2:38 PM
To: mterrabe@idfg.idaho.gov
Subject: Agency Comment Request Ltr re: WR Permit App 95-10093 for Boyes.doc
Attachments: 95-10093 Boyes.pdf; Agency Comment Request Ltr.doc

Hi again, Mary,

This is the final submission to you for today. Attached is our letter requesting your comments. Application is also attached FYI.

Please contact Keith Franklin if you have any questions on this one.

Thanks.

Love is the holding of memories only the heart can see.

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

2/4/2009



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

February 4, 2009

MARY TERRA-BERNS
IDAHO DEPARTMENT OF FISH AND GAME
2885 W KATHLEEN AVE.
COEUR D'ALENE, ID 83815

Re: Water Permit Application No. 95-10093 - BOYES

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 February 19 and 26 in the Coeur d'Alene Press.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **March 9, 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



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

February 10, 2009

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

JAMES JOHN BOYES
30939 E HAYDEN LAKE RD
HAYDEN ID 83835-7058

RE: Application for Permit No 95-10093

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 February 19 & 26, 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

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, February 10, 2009 3:06 PM
To: Legal Notices-CdA Press
Subject: Legal notice for publication on February 19 and 26, 2009
Attachments: CoverLetter 02-10-09 CdA e-mail 94-7467, 95-10075,93,96.doc; LegalNotice 02-10-09 CdA e-mail 94-7467, 95-10075,93,96.doc

Good afternoon, Kattie,

Attached is our cover letter requesting publication of a legal notice on February 19 and 26, 2009. Copy of legal notice also attached.

Please send a proof/preview copy to me for my review before this goes to press. I need to double check layout.

Thanks for all your help, and if you have any questions, please call me or reply to this e-mail

Have a great rest of the day!

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

2/10/2009



State of Idaho

DEPARTMENT OF WATER RESOURCES

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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

February 10, 2009

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

RE: Application for Permit No. 94-7467, 95-10075, 95-10093 & 95-10096

Dear Kattie:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, February 19 and 26, 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 03/09/2009. Your cooperation is greatly appreciated.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

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

94-7467

RACHEL PAXTON

18500 S BLACK ROCK ROAD

CATALDO ID 83810

Point of Diversion SESE S7 T48N R01W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 03/15 To 10/31 0.12 CFS

Total Diversion: 0.12 CFS

Date Filed: 01/29/2009

Place Of Use: IRRIGATION

T48N R01W S7 SESE

T48N R01W S8 SWSW

Number of Acres 4

95-10075

DALE BUSKE II

MARLYS BUSKE

PO BOX 21

POST FALLS ID 83854

JIMMY SHULER JR

PO BOX 1150

SPIRIT LAKE ID 83869

PAUL BEL

PO BOX 772

RATHDRUM ID 83858

LA DONNA ROBERTS

PO BOX 2706

POST FALLS ID 83877

Point of Diversion SWSW S21 T53N R04W KOOTENAI County

Source GROUND WATER

Use: DOMESTIC 01/01 To 12/31 0.16 CFS

Total Diversion: 0.16 CFS

Date Filed: 01/27/2009

Place Of Use: DOMESTIC

T53N R04W S21 NWSW SWSW

Remark: Domestic use is for 4 homes.

95-10093

JAMES JOHN BOYES

30939 E HAYDEN LAKE RD

HAYDEN ID 83835-7058

Point of Diversion SWSESE S34 T52N R03W KOOTENAI County

Source SPRING tributary to SINKS

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

Total Diversion: 0.04 CFS

Date Filed: 01/30/2009

Place Of Use: DOMESTIC

T52N R03W S34 SESE

Remark: Domestic use is for 1 home.

95-10096

EDWARD M ROLLINS

MARILYN J ROLLINS

32010 E HAYDEN LAKE RD

HAYDEN ID 83835

Point of Diversion L8 (SWSE) S34 T52N R03W KOOTENAI Co.

Source GROUND WATER

Use IRRIGATION 03/15 To 11/15 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 02/02/2009

Place Of Use: IRRIGATION

T52N R03W S34 SWSE Lot 8

Number of Acres: 1

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 03/09/2009.

The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Published on Feb. 19 & 26, 2009