

75150
STATE OF IDAHO

Ident. No. 95-9532

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

OCT 03 2008

IDWR/North

1. Name of Applicant GLENN A GARCIA GARCIA FAMILY TRUST Phone (208) 687-4336
Mailing address PMB 1005 13785 W HWY 53 #4, RATHDRUM ID 83858 Email ZINSGRAM@YAHOO.COM
2. Source of water supply TWIN LAKE (LOWER) #5 SPRING which is a tributary of Rathdrum Creek
3. Location of point of diversion is Township 52N Range 4W Sec. 16, in the SE $\frac{1}{4}$, SE $\frac{1}{4}$, Govt. Lot 10, B.M., KOOTENA County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purposes from 1/1 to 12/31 (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)
5. Total quantity to be appropriated is (a) 0.04 cubic feet per second and/or (b) _____ acre feet per year
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source Electric Pump in lake and pipes to house.
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? N/A; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 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 FOR 6 MONTHS A YEAR, including Irr.
e. Other; describe fully. _____

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	
53N	4W	6																D	

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? 95-2032B

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

Sandra L. Garcia
Signature of Applicant

SANDRA L. GARCIA - TRUSTEE
GLENN A. GARCIA - TRUSTEE
Print Name (and title, if applicable)

For Department Use:

Received by [Signature] Date 10/3/08 Time 10:45a Preliminary check by _____
 Fee \$ 100.00 Receipted by [Signature] Receipt No. N019597 Date 10/3/08
 Publication prepared by [Signature] Date 10/8/08 Published in Chapman 10/16 x 33/08
 Publication approved _____ Date _____ Dates Published _____

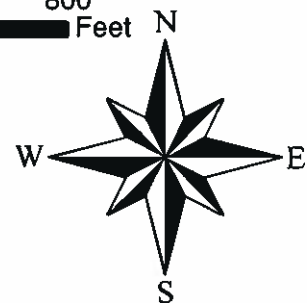
95-9532



0 100 200 400 600 800 Feet

Legend

- QQ
- Taxlots
- workingpod
- workingpou



6

MC

7

8

9

10

Excelsior Beach





Bureau of Land Management - General Land Office Records

[Search Land Patents](#)[Search Surveys](#)[Visitors Center](#) | [FAQ](#)

Survey Details

[Home](#) > [Survey Search](#) > [Results List](#) > Survey Details

Original Survey • Twp 52N-4W, ID, Boise (North, East boundaries)

[Survey Details](#) [Plat Details](#) [Plat Image](#) [Field Note Images](#)

Page 1 [Description: ---](#)

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Ball, Dianne

From: Ball, Dianne
Sent: Monday, October 06, 2008 3:40 PM
To: cwashburn@idl.idaho.gov
Subject: Agency Comment Request re Garcia Family Trust WR App 95-9532
Attachments: 95-9532 Garcia Family Trust.pdf; Agency Comment Request Ltr.doc

Hi, Carl,

The attached letter is a request for your comments re: WR App 95-9532 from Lower Twin Lake for Garcia Family Trust. Copy of the application is also attached.

Thanks and have a great day.

Don't count the days, let the days count.

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

10/6/2008



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

October 6, 2008

CARL WASHBURN
IDAHO DEPARTMENT OF LANDS
MICA SUPERVISORY AREA
NAVIGABLE WATER DIVISION
3706 INDUSTRIAL AVE S
COEUR D ALENE ID 83815

Re: Water Permit Application No. 95-9532 – Garcia Family Trust

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 October 16 and 23, 2008

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **November 3, 2008**. 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

Ball, Dianne

From: Ball, Dianne
Sent: Monday, October 06, 2008 3:37 PM
To: mterrabe@idfg.idaho.gov
Subject: Agency Comment Request re: Garcia Trust 95-9532
Attachments: 95-9532 Garcia Family Trust.pdf; Agency Comment Request Ltr.doc

Good afternoon, Mary,

Attached is our cover letter requesting your comments on Garcia Family Trust Water Right application 95-9532. Copy of the application is also attached.

Don't count the days, let the days count.

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

10/6/2008



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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

October 6, 2008

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

Re: Water Permit Application No. 95-9532 – Garcia Family Trust

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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

October 08, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

GARCIA FAMILY TRUST
PO BOX 1005 13785 W HWY 53 #4
RATHDRUM ID 83853

RE: Application for Permit No 95-9532

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 October 16 and 23, 2008. 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: Wednesday, October 08, 2008 12:19 PM
To: Legal Notices-CdA Press; Legal Notices-CdA Press Glenda Jefferson
Subject: Legal notice for publication on October 16 and 23, 2008 - Torrence
Attachments: CoverLetter 10-08-08 CDA e-mail 95-9531,32.doc; LegalNotice 10-08-08 CDA e-mail 95-9531,32.doc

Good afternoon, Kerry and Glenda

Attached is our cover letter requesting publication of a legal notice on October 16 and 23, 2008. The legal notice is also attached.

Again, please send a PROOF/PREVIEW copy for my review before this goes to press

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

Thanks for all your help. You are greatly appreciated!

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

10/8/2008



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*

October 08, 2008

KERRY TUCKER AND GLENDA JEFFERSON
LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

RE: Application for Permit No. 95-9531 AND 95-9532

Dear Kerry and Glenda:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, October 16 and 23, 2008, (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 11/03/2008. 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:

95-9531

GREENFERRY WATER AND SEWER DISTRICT
PO BOX 1105

POST FALLS ID 83854

Points of Diversion(2) L6 (SENW) S12 T50N R05W KOOTENAI CO
Source GROUNDWATER

Use: MUNICIPAL 01/01 To 12/31 0.8 CFS

Total Diversion: 0.8 CFS

Date Filed: 08/25/2008

Place Of Use: MUNICIPAL

Remark: Municipal use is within service area of applicant.

95-9532

GARCIA FAMILY TRUST

PO BOX 1005

13785 W HWY 53 #4

RATHDRUM ID 83858

Point of Diversion L10 (SESE) S6 T52N R04W KOOTENAI CO

Source TWIN LAKES tributary to RATHDRUM CREEK

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

Total Diversion: 0.04 CFS

Date Filed: 10/03/2008

Place Of Use: DOMESTIC

T52N R04W S6 SESE Lot 10

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 11/03/2008.

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

DAVID R. TUTHILL, JR., Director