

75012

Ident. No. 95-9515

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

AUG 08 2008

IDWR/North

1. Name of Applicant Anthony Merz and/or Jeann Merz Phone 208 765-1412
Mailing address 25233 S. Miller Rd. Warley ID 83876 Email _____

2. Source of water supply unnamed stream & ground water which is a tributary of Lake Creek

3. Location of point of diversion is Township 48N Range 6W Sec. 13 in the NE 1/4,
SE 1/4, Govt. Lot _____, B.M., Kootenai County;
additional points of diversion if any: 3

4. Water will be used for the following purposes:

Amount 0.04 cfs for Diversion to storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
Amount 105.6 AFA for Irrigation storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
Amount 90 AFA for Irrigation from storage purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per year)
Amount 0.15 cfs for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per year)
Amount 15.6 AFA for Wildlife storage 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)

5. Total quantity to be appropriated is (a) .15 cfs and/or (b) 105.6 AF/per annum
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 Submersible pump from well and 1/2 hp pump from pond with 6" gravity flow pipe, drip irrigation

b. Height of storage dam 8 feet; active reservoir capacity 6 acre-feet;
total reservoir capacity 7 acre-feet

c. Proposed well diameter is 4 inches; proposed depth of well is 120 feet

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? 7/11/05; Drilling firm United Drilling Inc.
Well was drilled for (well owner) Applicant; Drilling Permit No. 00040423

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):

- Hydropower; show total feet of head and proposed capacity in kW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. Farm pond for wildlife storage and wetland creation

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	
48N	6W	13													35	15			30
															W	W			

Total number of acres to be irrigated 30

10. Describe any other water rights used for the same purposes as described above. Domestic Use

Parcel 48N06W137500 (+8000 +7800 +7200)

11. a. Who owns the property at the point of diversion? Anthony and Jeanne Morse

b. Who owns the land to be irrigated or place of use? Anthony and Jeanne Morse

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: see attached narrative

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.)

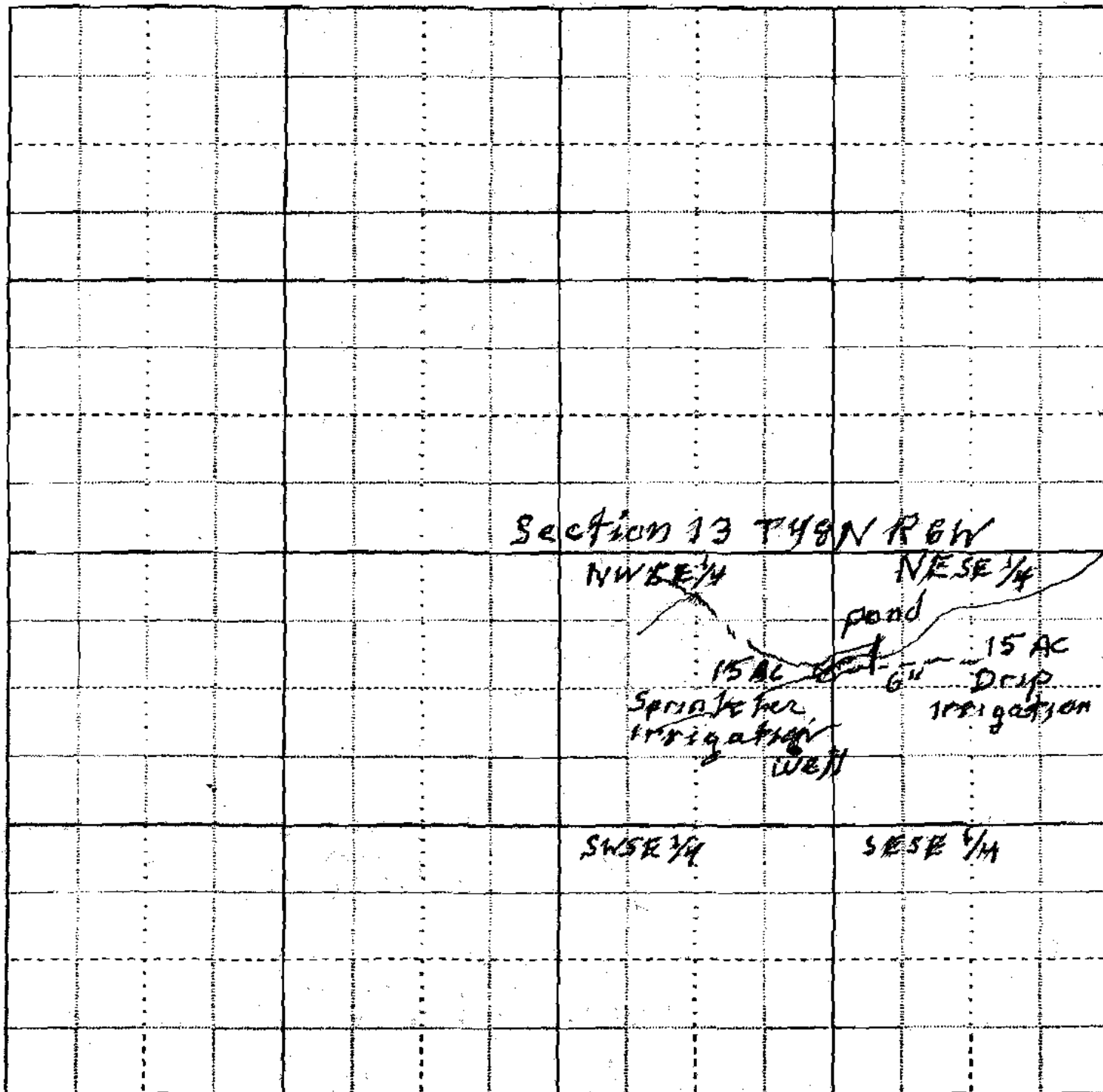
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.


Signature of Applicant (and title, if applicable)

Received by db Date 8/8/08 Time 4:00 a Preliminary check by _____
 Fee \$ 290.00 Received by db # N219416 Date 8/8/08
 Publication prepared by db Date 9/11/08 Published in IDAHO NEWS 9/18 + 25/08
 Publication approved _____ Date 10/1/08

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.



Scale: 2 inches equal 1 mile. Draw plan in ink.

48N06W137E00

5200

Parcel needs value change notice printed

Active Browse

512 512 Rural residential tract

PIN Owner All PIN Address

48N06W137E00

Parcel 1 of 1

Parcel

Land

Sketch

Improv

Images

Comp

Parcel Information

Parcel ID: 48N06W137E00 Alt PIN: 242904
 Parent Parcel: City:
 Jurisdiction: 28 Section/Plat:
 Area: 001 Routing Number:
 District: 066000 Asses. Parcel:

Owner Information

MORSS ANTHONY D ETUX
 25233 S WELLER RD
 WORLEY, ID 83876

Parcel Address

Certified Values

Valuation Method: Cost Land: \$243,600
 Posted Date: 7/6/2007 Building: \$0
 Change Reason: 15- Corrected Notice Total: \$243,600
 Effective Date: 01/01/2007
 Notice Printed: NEEDED

Current Transfer Info

Grantor: Date: Book: Page: Value:

Current Land Info

Acreage: 20 Legal Sq Feet: 0
 Legal Description:
 N2-NW-SE
 T3S 48N 06W

IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

Office Use Only		
Inspected by _____		
Twp _____	Rge _____	Sec _____
1/4	1/4	1/4
Lat : : :	Long: : :	

1. WELL TAG NO. D0040423

DRILLING PERMIT N _____
Other IDWR No _____

2. OWNER:

Name Morss Construction
Address 16226 Potter Road
City Coeur d'Alene State ID Zip 83814

3. LOCATION OF WELL by legal description:

N		Twp <u>48N</u>	North ☒ or South ☐
W		Rge <u>06W</u>	East ☐ or West ☒
E		Sec <u>13</u>	1/4 NW 1/4 SE 1/4
S		10 Ac 40 Ac 160 Ac	
		Gov't Lot _____	County <u>Kootenai</u>
		Lat _____	Long _____
Address of Well Site: (see next line)			

Water Rd off of Elder Rd _____ City Worley
Lot _____ Blk _____ Sub. Name (see next line) _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK				Method
Material	From	To	Sacks/Lbs	
Bentonite	0	-40	22 Sacks	Dry Pour

Drive Shoe Used? ☒ Y ☐ N Shoe Depth(s) _____ 96'

Drive Shoe Seal Tested? ☐ Y ☒ N How? _____

8. CASING/LINER

Diam	From	To	Gauge	Material	Casing	Liner	Weld	Thrded
6"	+2	-96	0.250	Steel	☒	☐	☒	☐
4"	-70	-170	0.200	PVC	☐	☒	☒	☐
					☐	☐	☐	☐

Length Headpipe _____ Length Tailpipe _____

9. PERFORATIONS/SCREENS

☒ Perforations? Method Drilled Liner _____
☐ Screens? Screen Type _____

From	To	Slot	Nmbr	Diam	Material	Casing	Liner
-110	-170	3/8"	200	4"	PVC	☐	☒
						☐	☐
						☐	☐

10. STATIC WATER LEVEL or ARTESIAN PRESSURE

60 ft. below ground. Artesian pressure _____ lb.
Depth flow encountered _____ 145 ft. Describe access port or control devices: Steel Cap Welded

11. WELL TESTS:

☐ Pump	☐ Bailor	☒ Air	☐ Flowing Artesian
Yield gal./min.	Drawdown	Pump Level	Time
20	100%	165	1 Hr

Water Temp. _____ Cold Bottom hole temp. _____ Cold
Water Quality test or comments: (below) Depth first Water Encountered _____ 86
Clear, Cold, No Smell

12. LITHOLOGIC LOG (Describe repairs or abandonment)

Bore Diam	From	To	Lithology, Water Quality and Temperature	Water	
8	0	30	Clay Tan Soft	☐ Y	☒ N
8	30	55	Clay Beige Soft	☐ Y	☒ N
8	55	86	Clay Tan with Sand & Silt 5 GPM	☒ Y	☐ N
8	86	94	Basalt Black Broken	☐ Y	☒ N
8	94	145	Basalt Black Hard	☐ Y	☒ N
8	145	160	Basalt Broken 20 GPM	☒ Y	☐ N
8	160	170	Basalt Black Hard	☐ Y	☒ N
			Casing Locked by Broken Basalt @ 96'	☐ Y	☐ N

*Upgrade
pd.
Receipt # 019475*

RECEIVED
AUG 08 2008
IDWR/North

Completed Depth _____ 170 (Measurable)
Date: Started _____ 7/11/05 Completed _____ 7/11/05

13. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name United Drilling Inc. Firm No 414
Firm Official Tam M. Valles Date 7/12/05
and _____
Supervisor or Operator Curtis S. Hammond Date 7/12/05

Water Resource Services

25 years of water research & implementation experience

Water Resource Studies & Projects
1926 N. 5th St.
Coeur d'Alene, ID 83814
Phone/Fax (208) 667-8772
Cell (208) 659-1438

Morss Water Use Permit Application Narrative

Anthony and Jeanne Morss currently have a Domestic Well located in N1/2 of NE1/4 of SE1/4 TWN 48N RNG 6W Sec. 13. The proposal is to build a storage pond for wildlife, wetland creation and use the excess for irrigation of crops and ornamental tree farm. The diversion to storage of excess well water would be up to a rate of 20 GPM or .04 CFS.

The pond is to be built in an ephemeral draw with a storage dam of 8 foot height. The approximate size is .35 acres, 12 feet deep with storage of water at a maximum storage capacity of 7 acre feet and active capacity of 6 acre feet.

Size of Pond: 6 Acre Feet

Evaporation: 3.4 Acre Feet/Annum

Seepage: 6.2 AFA

30 Acres Irrigation x 3 AF/acre = 90 Acre Feet

Irrigation Storage = $6 + 3.4 + 6.2 + 90 = 105.6$ Acre Feet per annum

Proposed Permit

- A) Diversion to Storage = .04 CFS
- B) Irrigation Storage = 105.6 AFA
- C) Irrigation From Storage = 90 AFA
- D) Irrigation = 0.15 CFS
- E) Wildlife Storage = 15.6 AFA

Wildlife Storage: Pond Size = 6 AF

Evaporation = 3.4 AF

Seepage = 6.2 AF

15.6 AF

Irrigation from storage is divided into a gravity flow system of drip irrigation on 15 acres below the pond for ornamental trees. This rate is calculated on 22.5 gpm per acre drip irrigation rates with 2704 emitters and 26 rows each using a 1/2 gallon per hour. The upper hay fields would use 50 gpm from a 1/2 horsepower pump.

Points of Diversion

The water use permit is based on 3 points of diversion:

1. The unnamed stream supplying surface runoff from snowmelt and rainfall from the 80 acre watershed.
2. Groundwater from the domestic well
3. Groundwater from seepage of the excavated draw

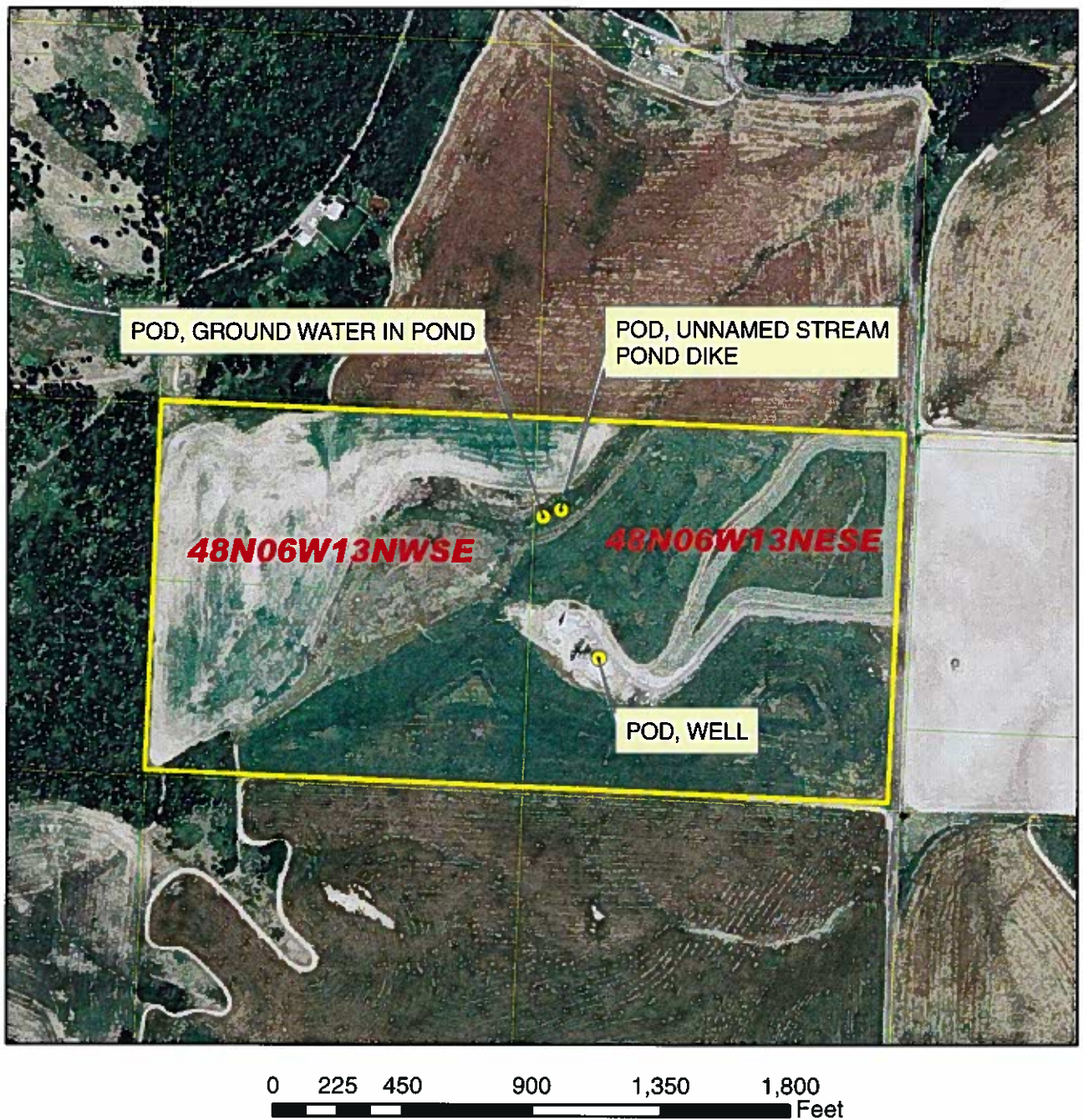
Respectfully Submitted,



Christopher B. Hardy

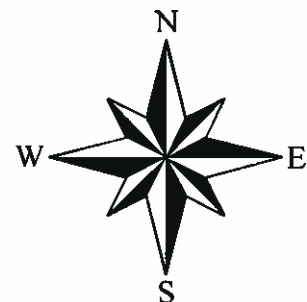
Hydrologist, Manager, Water Resource Services LLC

95-9515



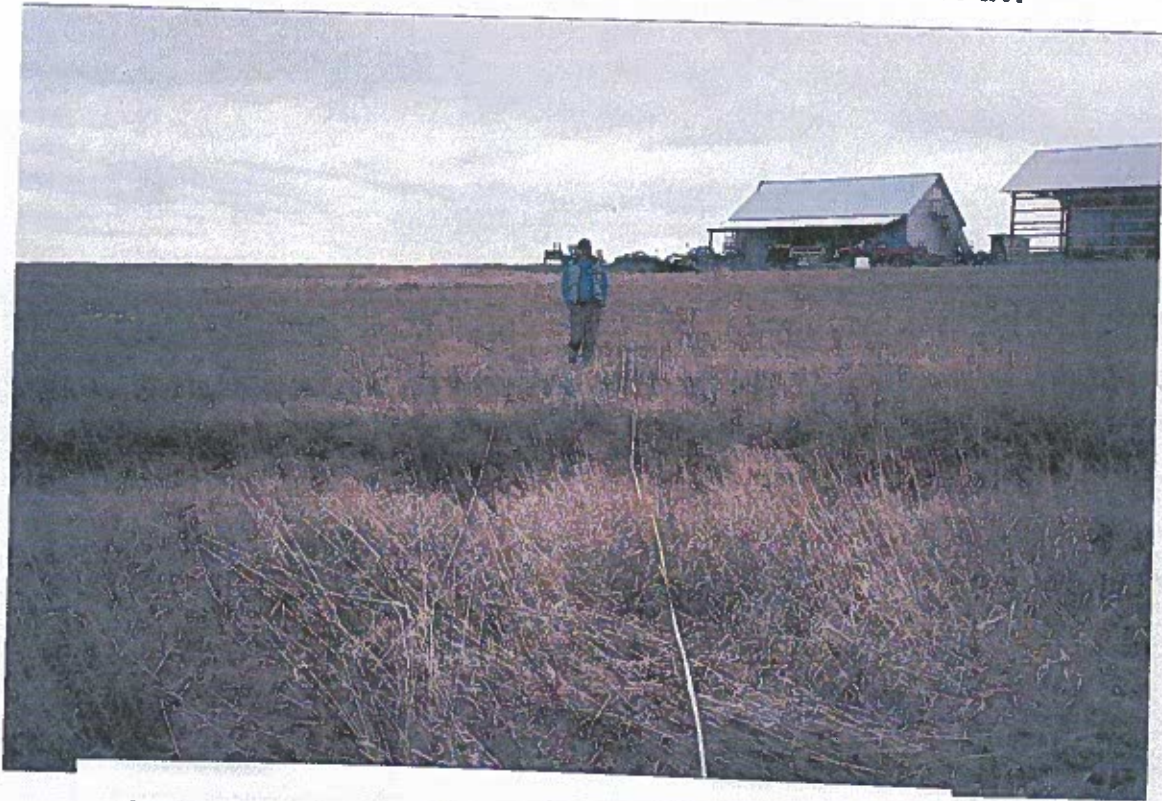
Legend

- QQ
- Taxlots
- workingpod
- workingpou



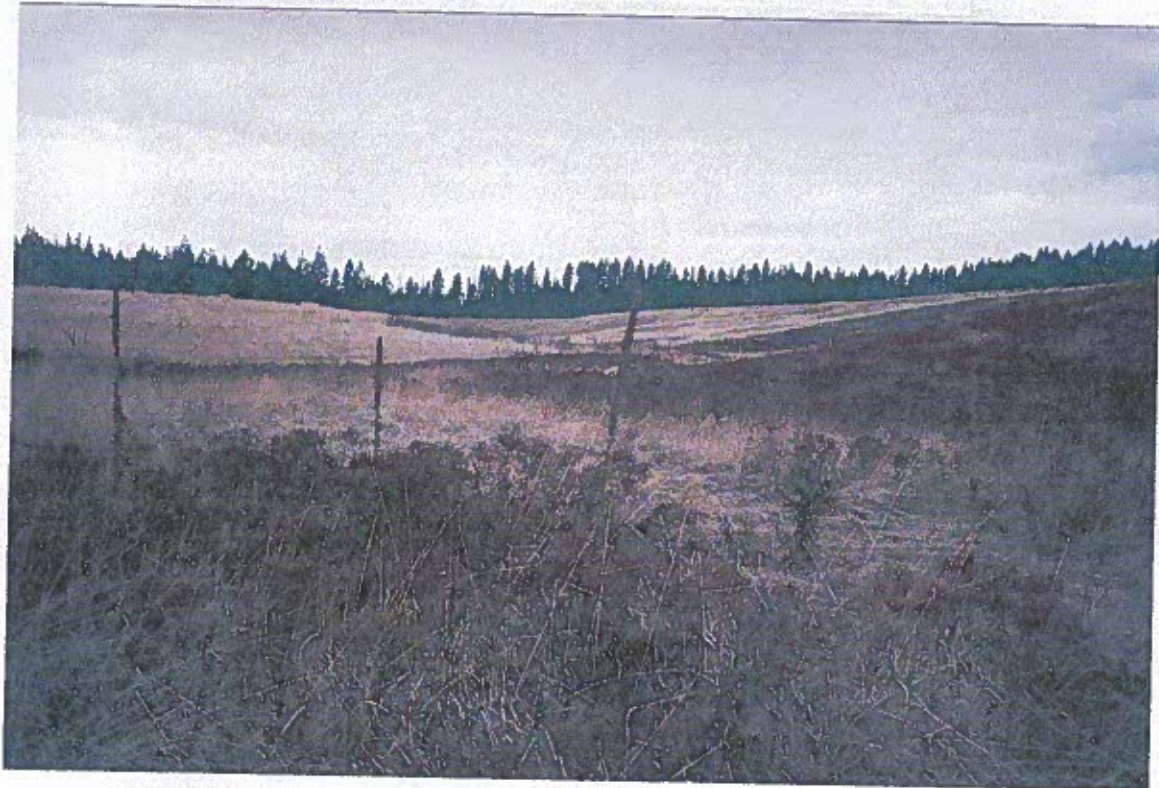
8

HOUSE & DOMESTIC WELL ABOVE DAM

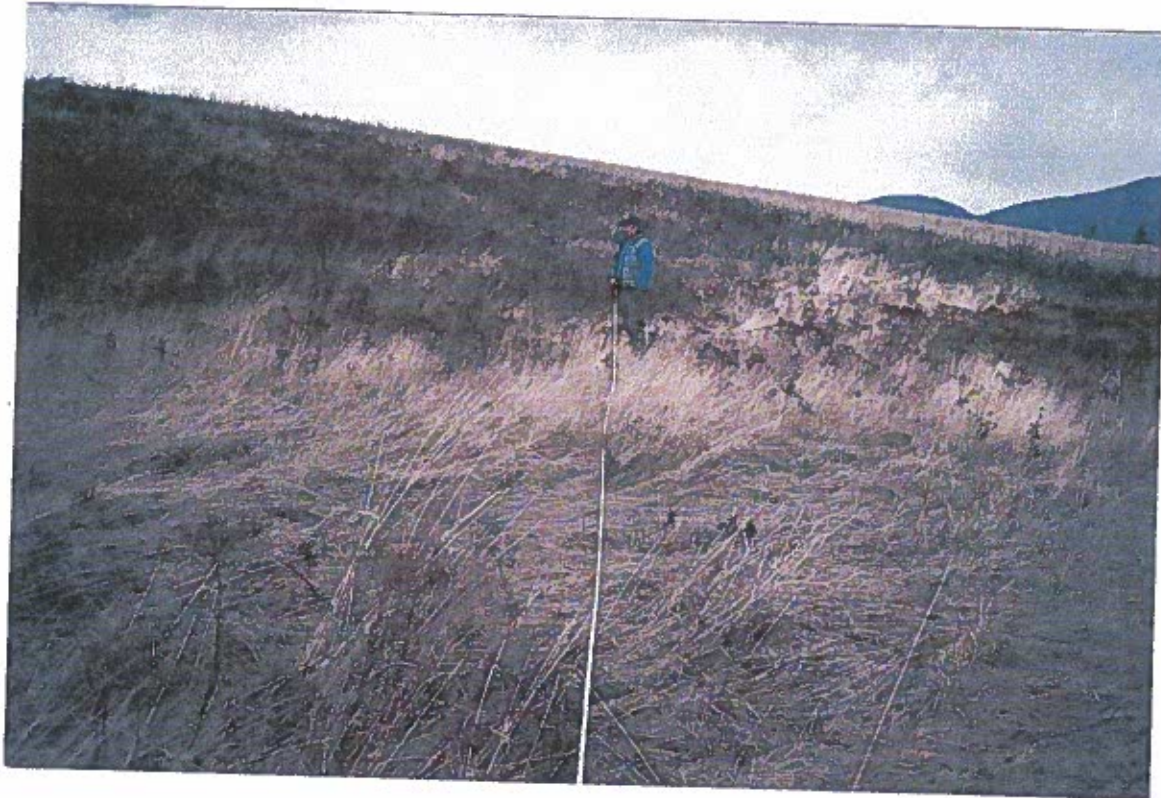


9

.35 ACRE DAM & 80 ACRE WATRSHED



LOCATION 8 FT. HIGH STORAGE DAM



Idaho Department of Water Resources Receipt

Receipt ID: N019475

Payment Amount	\$125.00	Date Received	8/8/08 11:59	Region	NORTHERN
Payment Type	Check	Check Number	8483		
Payer	MORSS, ANTHONY D				

Comments WELL UPGRADE FEE FOR D0040423

Fee Details

Amount	Description	Fund	Fund Detail	PCA	Subobject
\$125.00	DRILLING PERMITS	0229	21	65134	1205



Signature Line (Department Representative)

Ball, Dianne

From: Ball, Dianne
Sent: Tuesday, September 02, 2008 3:03 PM
To: mterrabe@idfg.idaho.gov
Subject: Agency request for comments by October 6, 208 - 95-9515 MORSS
Attachments: 95-9515 MORSS.pdf; Agency Comment Request Ltr.doc

Hi again, Mary,

Another request for comments this oen for 95-9515 MORSS. Letter and copy of application both attached.

Any questions, please contact Keith Franklin on this one.

Thanks,

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

9/2/2008



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

September 2, 2008

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

Re: Water Permit Application No. 95-9515 - MORSS

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 September 18 and 25, 2008.

We are sending this to you for your comments, and would appreciate receiving your comments by no later than **OCTOBER 6, 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



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

September 11, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

ANTHONY MORSS
JEANNE MORSS
25233 S WELLER
WORLEY ID 83876

RE: Application for Permit No 95-9515

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 September 18 and 25, 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

Enclosure(s) – Receipt No. N019476

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, September 11, 2008 10:33 AM
To: Legal Notices-CdA Press; Legal Notices-CdA Press Glenda Jefferson
Subject: LONG Legal notice for publication 9/18 and 25, 2008
Attachments: CoverLetter 09-10-08 CDA e-mail 95-9513,15,17,18,19,25.doc; LegalNotice 09-11-08 CDA e-mail 95-9513,15,17,18,19,25.doc

Good morning Kerry & Glenda,

Attached is our cover letter requesting publication of a legal notice on September 18 and 25, 2008. The Legal Notice is also attached.

If you have ANY questions, please call me at 762-2800 or reply to this e-mail.

As usual, we request **a proof/preview copy** for review before this goes to press.

Thanks and have a marvelous 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

9/11/2008



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*

September 10, 2008

KERRY TUCKER & GLENDA JEFFERSON
Legal Notice Department
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

RE: Application for Permit No. 95-9513, 15, 17,18, 19, 25

Dear Kerry and Glenda:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated , September 18 and 25, 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 10/06/2008. Your cooperation is appreciated.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

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

95-9513

CLINT CARPENTER
DEBRA CARPENTER
4644 S STATELINE RD
POST FALLS ID 83854

Points of Diversion NESW S25 T50N R06W KOOTENAI County
Source CABLE CREEK tributary To SPOKANE RIVER

Use: WILDLIFE STORAGE	01/01 To 12/31	0.2 AFA
Use: RECREATION STORAGE	01/01 To 12/31	0.2 AFA
Use: FIRE PROTECTION STORAGE	01/01 To 12/31	0.2 AFA
Use: AESTHETIC STORAGE	01/01 To 12/31	0.2 AFA

Total Diversion: 0.2 AFA

Date Filed: 08/08/2008

Place Of Use: AESTHETIC STORAGE

T50N R06W S25 NESW

Place Of Use: All other uses same as Aesthetic Storage

Remark: Recreation use is for swimming.

95-9515

ANTHONY MORSS
JEANNE MORSS
25233 S WELLER
WORLEY ID 83876

Point of Diversion NESE S13 T48N R06W KOOTENAI County

Source UNNAMED STREAM tributary To LAKE CREEK

Points of Diversion(2) NESE S13 T48N R06W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION	03/15 To 11/15	0.15 CFS
Use: IRRIGATION STORAGE	01/01 To 12/31 ...	105.6 AFA
Use: IRRIGATION FROM STORAGE	03/15 To 11/15 ...	90 AFA
Use: WILDLIFE STORAGE	01/01 To 12/31 ...	15.6 AFA
Use: DIVERSION TO STORAGE	01/01 To 12/31	0.04 CFS

Total Diversion: 0.15 CFS

Date Filed: 08/08/2008

Place Of Use: IRRIGATION

T48N R06W S13 NESE NWSE

Number of Acres 30

Place Of Use: All other uses same as IRRIGATION

95-9517

RANDY HARDAWAY
15930 N THREE FORKS RD
HAUSER LAKE ID 83854

Point(s) of Diversion NWSENE S31 T52N R05W KOOTENAI CO

Source SPRING tributary To SINKS

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

Date Filed: 08/22/2008

Place Of Use: DOMESTIC

T52N R05W S31 SWNE

Remark: Domestic use is for 1 home.

95-9518

RANDY HARDAWAY
15930 N THREE FORKS RD
HAUSER LAKE ID 83854

Point of Diversion SWNE S31 T52N R05W KOOTENAI County

Source THREE FORKS CREEK tributary To HAUSER LAKE

Use: IRRIGATION	03/15 To 11/15	0.04 CFS
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Total Diversion: 0.04 CFS

Date Filed: 08/22/2008

Place Of Use: IRRIGATION

T52N R05W S31 SWNE SENE

Number of Acres 0.5

95-9519

SUSAN-MARIE SMITH
PO BOX 4
RATHDRUM ID 83858-0004

Points of Diversion NWSESE S25 T52N R05W KOOTENAI County

Source SPRING BRANCH CRK tributary To RATHDRUM CRK

Use: IRRIGATION	03/15 To 11/15	0.05 CFS
Use: DOMESTIC	01/01 To 12/31	0.04 CFS
Use: FIRE PROTECTION	01/01 To 12/31	0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 08/27/2008

Place Of Use: DOMESTIC

T52N R05W S25 SESE

Place Of Use: All other uses are same as DOMESTIC

Remark: Domestic use is for 1 home.

Number of acres 1.5

95-9525

CONNIE (PONSNESS) MONTANYE

16894 S LOFFS BAY RD

COEUR D ALENE ID 83814

Point of Diversion L3(NESW) S26 T49N R04W KOOTENAI CO

Source COEUR D ALENE LAKE tributary To SPOKANE RIVER

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

Total Diversion: 0.03 CFS

Date Filed: 09/03/2008

Place Of Use: IRRIGATION

T49N R04W S26 NESW Lot 3

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 10/06/2008.

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

DAVID R. TUTHILL, JR., Director Published 9/18 & 25/2008