

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 98-8071

Priority: December 27, 2021

Maximum Diversion Rate: 0.04 CFS

This is to certify that

VERA KENNEDY
157 CLOVER LANE
NAPLES, ID 83847

has applied for a permit to appropriate water from:

Source : GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>
DOMESTIC	1 / 1 to 12/31	0.04 CFS

Location of Point(s) of Diversion

GROUND WATER L5 (SW¼, NW¼), Sec. 6, Twp 60N, Rge 01E, B.M., BOUNDARY County

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
60N	01E	6							X L5										

Conditions of Approval:

1. Proof of application of water to beneficial use shall be submitted on or before **March 01, 2023**.
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
5. Domestic use is for 1 home.
6. The irrigation occurring under this domestic use shall not exceed 1/2 acre.

This permit is issued pursuant to the provisions of Idaho Code § 42-204.

Signed this 14th day of March, 2022.



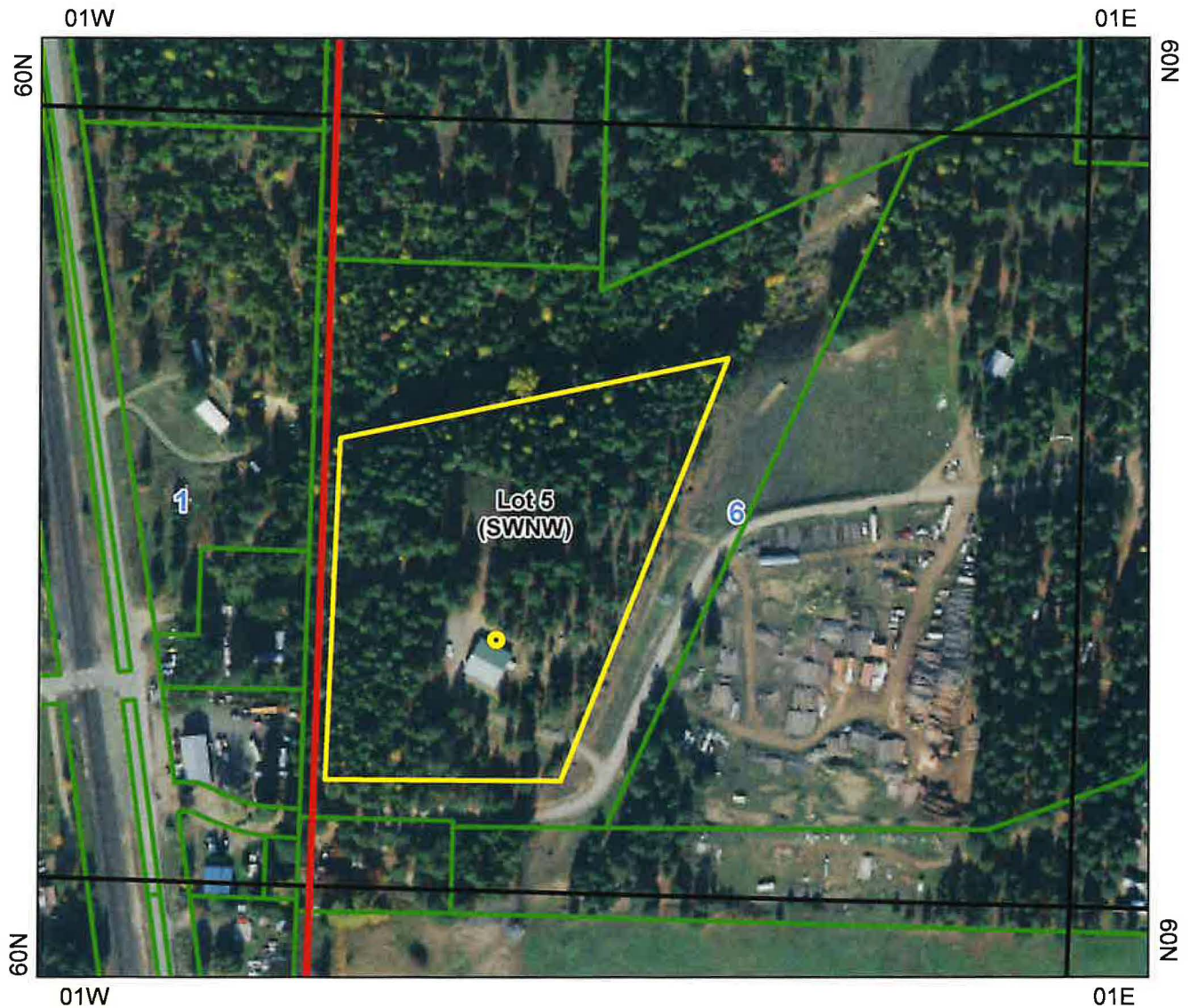
ADAM FREDERICK
Water Rights Supervisor

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

98-8071

This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.035 0.07 0.14 Miles



Tax parcel information provided by Bonner County.



IDAHO DEPARTMENT OF
WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene, ID 83815-7763

Phone: 208-762-2800 • Fax: 208-762-2819 • Email: northerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

March 14, 2022

VERA KENNEDY
157 CLOVER LANE
NAPLES ID 83847

RE: Permit No. 98-8071

Permit Approval Notice

Dear Permit Holder(s):

The Department of Water Resources ("Department") has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review all the conditions of approval listed on your permit. The conditions include requirements that you must accomplish, such as timely submittal of proof of beneficial use or installation of a measuring device, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district. Failure to comply with the conditions of approval may result in your permit lapsing or being canceled.

The permit is a PRELIMINARY ORDER issued pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

The final step in the water right process is issuance of a water right license. To receive a water right license, you must divert and use water to the full extent intended and submit a *Statement of Completion for Submitting Proof of Beneficial Use* by the date shown in condition no. 1 of your permit. The Department will send you a *Proof Due Notice* approximately 60 days prior to the date listed in condition no. 1 of your permit.

You may also require approvals from other Department programs, such as Ground Water Protection, Safety of Dams, or Stream Channel Protection, to accomplish your proposed development. Please call or visit any Department office or see the Department's website at idwr.idaho.gov for more information about these programs.

Please be advised that Idaho Code § 42-248, requires you or the owner of this water permit to maintain current ownership and address records on file with the Department. Forms to file an assignment of permit and/or a change in the address of the permit owner are available from any Department office or at the Department's website at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please contact the Northern Region Office at (208) 762-2800.

Sincerely,



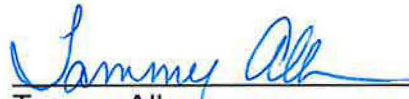
Adam Frederick
Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on March 14, 2022, I served a true and correct copy of Permit to Appropriate Water No. 98-8071 by U.S. Mail, postage prepaid, to the following:

VERA KENNEDY (Current Owner)
157 CLOVER LANE
NAPLES ID 83847



Tammy Alleman
Administrative Assistant 1

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

AFFIDAVIT OF PUBLICATION

State of Idaho

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County of Boundary, Celia Lopez being first duly sworn on oath deposes and says that he/she is the book keeper of the Bonners Ferry Herald, a newspaper printed and published at Bonners Ferry, Boundary County, Idaho; that the said newspaper has been continuously and uninterruptedly published in said Boundary County during a period of 12 months prior to the first publication of the hereto attached notice of publication in the case of: The following application(s) have been filed ... public waters of the State.. as it was published in the regular and entire issue of the said paper for a period of 2 consecutive weeks, commencing on 3 day of February, 2022 and ending on the 10 day of February, 2022 and that said notice was published in said newspaper.

[Signature]

SUBSCRIBED AND SWORN TO before me, this 10 day of February, 2022.

RECEIVED

FEB 14 2022

IDWR / NORTH

Katrina George
Notary Public-State of Idaho

Residing at: Kootenai County

My Commission Expires 8/29/23



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

98-8067

LARRY DUSCHER
293 FIRESIDE RD
BONNERS FERRY, ID
83805-2900
Point of Diversion NESE
S12 T62N R01E
BOUNDARY County
Source GROUND WATER
Use: DOMESTIC
1/1 to 12/31
Total Diversion: 0.08 CFS
Date Filed: 11-22-2021
Place Of Use: DOMESTIC
T62N R01E S12
NESE,NWSE

98-8070

JOSH EVONIUK
MALLORIE EVONIUK
93 HUMBOLDT DR
BONNERS FERRY, ID
83805-1089
Point of Diversion L2(SWNW)
S30 T63N R02E
BOUNDARY County
Source GROUND WATER
Use: DOMESTIC
1/1 to 12/31
Total Diversion: 0.02 CFS
Date Filed: 11-24-2021
Place Of Use: DOMESTIC
T63N R01E S25
NENE,SENE
Place Of Use: DOMESTIC
T63N R02E S30
L1(NWNW),L2(SWNW)

98-8071

VERA KENNEDY
157 CLOVER LANE
NAPLES, ID 83847
Point of Diversion L5(SWNW)
S6 T60N R01E
BOUNDARY County
Source GROUND WATER
Use: DOMESTIC
1/1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 12-16-2021
Place Of Use: DOMESTIC
T60N R01E S6 L5(SWNW)

98-8075

JED CLARK
10267 W HIDDEN VALLEY RD
RATHDRUM, ID 83858
Point of Diversion SESW
S12 T61N R01E
BOUNDARY County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 01-20-2022
Place Of Use: DOMESTIC
T61N R01E S12 SESW

98-8076

JOHN POCOCK
PO BOX 447
DAYTON, NV 89403-0447
Point of Diversion SWSE
S8 T65N R01W
BOUNDARY County
Source GROUND WATER
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.12 CFS
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Total Diversion: 0.2 CFS
Date Filed: 01-21-2022
Place Of Use:
DOMESTIC,IRRIGATION,
STOCKWATER
T65N R01W S8 SWSE
Total Acres: 4

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D'ALENE ID 83815-7763 together with a protest fee of \$25.00 for each application on or before 2/22/2022. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
BFH#10789/AD#511566
FEBRUARY 3, 10, 2022

MEMORANDUM

March 09, 2022

Water Permit: 98-8071

Author: smaxey

Subject: OWNERSHIP

APPLICATION SIGNED BY VERA KENNEDY AND DAVID RODRIQUEZ. MR RODRIQUEZ IS SHOWN AS OWNER ON ARCMAP PARCELS AND BOUNDARY COUNTY WEB SITE ON 03/09/2022.