

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**  
No. 97-8068

**Priority:** November 24, 2021

**Maximum Diversion Rate:** 0.04 CFS

This is to certify that

BRADLEY HOYT 1324 N LIBERTY LAKE RD # 102 LIBERTY LAKE WA 99019-8523

has applied for a permit to appropriate water from:

**Source :** GROUND WATER

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

**Beneficial Use**

DOMESTIC

**Period of Use**

1 /1 to 12/31

**Rate of Diversion**

0.04 CFS

**Location of Point(s) of Diversion**

GROUND WATER SW¼ NW¼, Sec. 15, Twp 59N, Rge 04W, B.M. BONNER 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 |        |
| 59N | 04W | 15  |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |        |

**Conditions of Approval**

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

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

Signed this 13<sup>th</sup> day of January, 2022.



ADAM FREDERICK  
Water Rights Supervisor

State of Idaho  
Department of Water Resources

# Attachment to Permit to Appropriate Water

97-8068

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.

04W



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

0 0.035 0.07 0.14 Miles





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](mailto:northerninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Gary Spackman**

January 14, 2022

BRADLEY HOYT  
1324 N LIBERTY LAKE RD # 102  
LIBERTY LAKE WA 99019-8523

RE: Permit No. 97-8068

**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](http://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](http://www.idwr.idaho.gov).**

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

Sincerely,



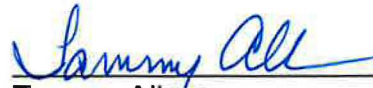
Adam Frederick  
Water Rights Supervisor

Enclosure(s)

## CERTIFICATE OF SERVICE

I hereby certify that on January 14, 2022, I served a true and correct copy of Permit to Appropriate Water No. 97-8068 by U.S. Mail, postage prepaid, to the following:

BRADLEY HOYT (Current Owner)  
1324 N LIBERTY LAKE RD # 102  
LIBERTY LAKE WA 99019-8523



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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 )  
 ) ss.  
County of Bonner )

Danielle Ruhmshottel, being first duly sworn on oath,  
deposes and states:

1. I am a citizen of the United States of America, over  
the age of 18 years, a resident of Bonner County, Idaho, and  
am not a party to the proceedings referred to in the attached

Public Notice  
My business address is P.O. Box 159, Sandpoint, Idaho.

2. I am the bookkeeper of the Bonner County Daily Bee,  
a newspaper of general publication in Bonner County, Idaho;

3. Said newspaper has been continuously and  
uninterruptedly published in Bonner County, Idaho during a  
period of 12 months prior to the first publication of said  
Notice, and thereafter.

4. The attached Notice was published in the regular and  
entire issue of the Bonner County Daily Bee for a period of  
2 consecutive weeks, commencing on the 15 day of  
December, 2021, and ending on the 22 day of  
December, 2021.

Danielle Ruhmshottel

State of Idaho, county of Bonner ss.

On this 22 day of December, in the year of 2021,  
before me, Katrina George, Notary Public, personally  
appeared Danielle Ruhmshottel known or identified to me to  
be the person whose name is subscribed to the within  
instrument, and acknowledged to me that he (or they)  
executed the same.

Katrina George  
Notary Public  
Residing at: Kootenai County

My Commission Expires 8/29/23

RECEIVED

JAN 10 2022

IDWR / NORTH



## PUBLIC NOTICE

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

**95-18207**  
JEFFREY E JONES  
TAMMY J JONES  
326 SONGBIRD WAY  
SPIRIT LAKE, ID 83869  
Point of Diversion NWSE  
S21 T54N R04W  
BONNER County  
Source GROUND WATER  
Use: DOMESTIC  
01/01 to 12/31 0.04 CFS  
Use: STOCKWATER  
01/01 to 12/31 0.02 CFS  
Total Diversion: 0.06 CFS  
Date Filed: 11-24-2021  
Place Of Use:  
DOMESTIC, STOCKWATER  
T54N R04W S21 NWSE

**95-18215**  
RODNEY K ROSACKER  
DEBRA A ROSACKER  
23 BARN OWL DR  
SPIRIT LAKE, ID 83869-1900  
Point of Diversion NESW  
S21 T54N R04W  
BONNER County  
Source GROUND WATER  
Use: DOMESTIC  
01/01 to 12/31  
Total Diversion: 0.04 CFS  
Date Filed: 12-01-2021  
Place Of Use: DOMESTIC  
T54N R04W S21 NESW

**96-10075**  
JANICE DAUGHERTY  
84 CEDAR VIEW ESTATES  
RD  
BLANCHARD, ID 83804-9582  
Point of Diversion L2(SWNW)  
S31 T55N R05W  
BONNER County  
Source GROUND WATER  
Use: STOCKWATER  
01/01 to 12/31 0.02 CFS  
Use: IRRIGATION  
04/01 to 10/31 0.12 CFS  
Total Diversion: 0.14 CFS  
Date Filed: 12-07-2021  
Place Of Use:  
IRRIGATION, STOCKWATER  
T55N R05W S31  
L1(NWNW), L2(SWNW)

Total Acres: 4

**97-7691**  
CHAD WHITNEY  
PO BOX 666  
DEER PARK, WA 99006-0666  
Point of Diversion NESE  
S18 T61N R04W  
BONNER County  
Source GROUND WATER  
Use: DOMESTIC  
1/1 to 12/31  
Total Diversion: 0.02 CFS  
Date Filed: 09-15-2021  
Place Of Use: DOMESTIC  
T61N R04W S18  
NESE, NWSE

**97-8030**  
FRANK KIRITZ  
3025 W ROSEWOOD AVE  
SPOKANE, WA 99208  
Point of Diversion L3(NESE)  
S17 T60N R04W  
BONNER County  
Source PRIEST LAKE  
Tributary PRIEST RIVER  
Use: DOMESTIC  
01/01 to 12/31  
Total Diversion: 0.04 CFS  
Date Filed: 11-24-2021  
Place Of Use: DOMESTIC  
T60N R04W S17 L3(NESE)

**97-8068**

BRADLEY HOYT  
1324 N LIBERTY LAKE RD  
# 102  
LIBERTY LAKE, WA  
99019-8523  
Point of Diversion SWNW  
S15 T59N R04W  
BONNER County  
Source GROUND WATER  
Use: DOMESTIC  
1/1 to 12/31  
Total Diversion: 0.04 CFS  
Date Filed: 11-24-2021  
Place Of Use: DOMESTIC  
T59N R04W S15 SWNW

**97-8082**

DAVID L KLUTZZ & BONNIE  
G KLUTZZ REVOCABLE  
TRUST  
78 EAST RIVER SPUR  
PRIEST RIVER, ID  
83856-9701  
Point of Diversion NWNW  
S23 T58N R04W  
BONNER County  
Source EAST RIVER  
Tributary PRIEST RIVER  
Use: IRRIGATION  
04/01 to 10/31  
Total Diversion: 0.13 CFS  
Date Filed: 12-03-2021  
Place Of Use: IRRIGATION  
T58N R04W S23 NWNW  
Total Acres: 6.5

**97-8115**

DAVID L KLUTZZ & BONNIE  
G KLUTZZ REVOCABLE  
TRUST  
78 EAST RIVER SPUR  
PRIEST RIVER, ID  
83856-9701  
Point of Diversion SESWSW  
S14 T58N R04W  
BONNER County  
Source SPRING  
Tributary SINKS  
Point of Diversion SWSWSW  
S14 T58N R04W  
BONNER County  
Source SPRING  
Tributary SINKS  
Use: DIVERSION TO  
STORAGE  
01/01 to 12/31 0.15 CFS  
Use: AESTHETIC STORAGE  
01/01 to 12/31 2.2 AF  
Use: FIRE PROTECTION  
STORAGE  
01/01 to 12/31 2.2 AF  
Use: RECREATION  
STORAGE  
01/01 to 12/31 2.2 AF  
Total Diversion: 0.15 CFS  
Date Filed: 11-26-2021  
Place Of Use: AESTHETIC  
STORAGE, DIVERSION TO  
STORAGE, DIVERSION TO  
STORAGE, FIRE  
PROTECTION STORAGE,  
RECREATION STORAGE  
T58N R04W S14 SWSW  
Total Acres: 6.5

**97-8118**

GLENDIA PAIGE WISER  
PO BOX 2398  
PRIEST RIVER, ID  
83856-2398  
Point of Diversion SWNESE  
S26 T57N R05W  
BONNER County  
Source SPRING  
Tributary LOWER WEST  
BRANCH PRIEST RIVER  
Use: DOMESTIC  
01/01 to 12/31  
Total Diversion: 0.04 CFS  
Date Filed: 11-29-2021  
Place Of Use: DOMESTIC  
T57N R05W S26 NESE

**97-8119**

DAWN NOLAN  
CALVIN NOLAN  
PO BOX 54  
BAYVIEW, ID 83803-0054  
Point of Diversion SESE  
S9 T58N R04W  
BONNER County  
Source GROUND WATER  
Tributary PRIEST RIVER  
Point of Diversion SESE  
S9 T58N R04W  
BONNER County  
Source UNNAMED STREAM

Tributary PRIEST RIVER  
Use: WILDLIFE STORAGE  
01/01 to 12/31 22 AF  
Use: IRRIGATION STORAGE  
01/01 to 12/31 30 AF  
Use: DIVERSION TO  
STORAGE  
01/01 to 12/31 0.2 CFS  
Use: WILDLIFE  
01/01 to 12/31 0.2 CFS  
Use: IRRIGATION FROM  
STORAGE  
01/01 to 12/31 30 AF  
Use: FIRE PROTECTION  
STORAGE  
01/01 to 12/31 22 AF  
Total Diversion: 0.2 CFS,  
52 AF  
Date Filed: 11-30-2021  
Place Of Use: DIVERSION TO  
STORAGE, FIRE  
PROTECTION STORAGE,  
IRRIGATION FROM  
STORAGE, IRRIGATION  
STORAGE, WILDLIFE,  
WILDLIFE STORAGE  
T58N R04W S9  
SWSE, SESE  
Total Acres: 10

**97-8120**

DAWN NOLAN  
CALVIN NOLAN  
PO BOX 54  
BAYVIEW, ID 83803-0054  
Point of Diversion SESE  
S9 T58N R04W  
BONNER County  
Source GROUND WATER T  
Use: DOMESTIC  
01/01 to 12/31 0.04 CFS  
Use: STOCKWATER  
01/01 to 12/31 0.02 CFS  
Use: IRRIGATION  
04/01 to 10/31 0.2 CFS  
Total Diversion: 0.2 CFS  
Date Filed: 11-30-2021  
Place Of Use:  
DOMESTIC, IRRIGATION,  
STOCKWATER  
T58N R04W S9  
NESE, NWSE, SWSSE, SESE  
Total Acres: 15

**97-8131**

CURTIS EVANENKO  
CHERYL EVANENKO  
147 HORIZON VIEW LN  
WALLA WALLA, WA  
99362-7197  
Point of Diversion SESENW  
S13 T56N R05W  
BONNER County  
Source SPRING  
Tributary PRIEST RIVER  
Point of Diversion SESENW  
S13 T56N R05W  
BONNER County  
Source SPRING  
Tributary PRIEST RIVER  
Point of Diversion SESENW  
S13 T56N R05W  
BONNER County  
Source SPRING  
Tributary PRIEST RIVER

Point of Diversion SESENW  
S13 T56N R05W  
BONNER County  
Source SPRING Tributary  
PRIEST RIVER  
Use: DIVERSION TO  
STORAGE  
01/01 to 12/31 0.2 CFS  
Use: STOCKWATER  
01/01 to 12/31 0.02 CFS  
Use: STOCKWATER  
STORAGE  
01/01 to 12/31 0.1 AF  
Use: STOCKWATER FROM  
STORAGE  
01/01 to 12/31 0.1 AF  
Use: IRRIGATION  
04/01 to 10/31 0.03 CFS  
Use: IRRIGATION STORAGE  
04/01 to 10/31 3 AF  
Use: IRRIGATION FROM  
STORAGE  
04/01 to 10/31 3 AF  
Use: FIRE PROTECTION  
STORAGE  
01/01 to 12/31 2 AF  
Use: RECREATION  
STORAGE  
01/01 to 12/31 2 AF  
Total Diversion: 0.2 CFS  
Date Filed: 12-03-2021  
Place Of Use: FIRE  
PROTECTION STORAGE,  
IRRIGATION,  
IRRIGATION FROM  
STORAGE, IRRIGATION  
STORAGE, RECREATION  
STORAGE, STOCKWATER,  
STOCKWATER FROM  
STORAGE, STOCKWATER  
STORAGE  
T56N R05W S13 SENW  
Total Acres: 1

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/WRApplicationResults/>. 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 1/3/2022. The protestant must also send a copy of the protest

to the applicant.

GARY SPACKMAN, Director  
SNP LEGAL 1081  
AD#502461  
DECEMBER 15, 22, 2021