

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 23 2020

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the Application for Transfer Instructions for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split
☐ Transfer is for changes pursuant to Idaho Code § 42-221.O.8. Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** JOE HOWARD Phone 208-773-3939

2. **MAILING ADDRESS** 2342 S SIGNAL POINT RD City POST FALLS

State ID Zip 83854 Email _____

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 95-11303

- ☐ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 0.04 cubic feet per second and/or _____ acre-feet per annum.

(diversion rate)
(storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
N			SE	NE	17	50N	05W	KOOTENAI	GROUNDWATER	95-96-N-152
Y			SE	NE	17	50N	05W	KOOTENAI	GROUNDWATER	D0041204

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

APPLICANT HAS EXISTING WELL(95-96-N-152) AND HAS HOOKED UP 2ND WELL(D0041204) TO HOME

- b. Who owns the property at the point(s) of diversion? APPLICANT

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

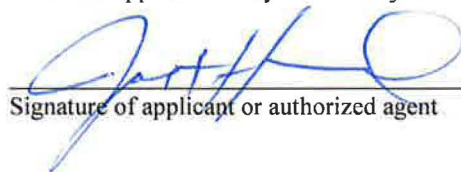
If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☐ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. You may create a map at idwr.idaho.gov, *Water Rights, Water Right Transfers, File a Transfer Application, Step 2C*.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.


Signature of applicant or authorized agent

JOE T HOWARD
Print name and title if applicable

12-23-2020
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes 6 pages of attachments. Received by AF Date 12-23-2020

Fee paid 100⁰⁰ Date 12-23-2020 Received by JA Receipt # N036628

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only).

100⁰⁰ from N036599 12/10/2020 App for Permit Withdrawn

200⁰⁰ Total for Transfer

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. D0041204

DRILLING PERMIT N _____

Other IDWR No _____

2. OWNER:Name **Joe Howard**

Address 2150 Signal Point Road

City Post Falls

State ID _____

Zip 83854

3. LOCATION OF WELL by legal description:

N		Twp	50N	North	☒ or	South	☐
Rge		05W	East	☐ or	West	☒	
Sec		17	1/4	SE	1/4	NW	1/4
			10 Ac	40 Ac	160 Ac		
Gov't Lot			County Kootenai				
Lat			Long				

Address of Well Site: (see next line)

same

City pf

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			Amount	Method
Material	From	To	Sacks/Lbs	
Bentonite	0	-19	4 Sacks	Dry Pour

Drive Shoe Used? ☒ Y ☐ N Shoe Depth(s) -19Drive Shoe Seal Tested? ☐ Y ☒ N How?**8. CASING/LINER**

Diam	From	To	Gauge	Material	Casng	Liner	Weld	Thrded
6"	+1	-19	0.250	Steel	☒	☐	☒	☐
4"	-10	-600	0.185	PVC	☐	☒	☐	☒
					☐	☐	☐	☐

Length Headpipe 20' Length Tailpipe 590'

9. PERFORATIONS/SCREENS☒ Perforations? Method Drilled Liner☐ Screens? Screen Type

From	To	Slot	Nmbr	Diam	Material	Casng	Liner
-540	-600	3/8"	200	4"	PVC	☐	☒
						☐	☐
						☐	☐

10. STATIC WATER LEVEL or ARTESIAN PRESSURE

40 ft. below ground. Artesian pressure _____ lb.

Depth flow encountered 527 ft. Describe access port or

control devices: Steel Cap Welded

11. WELL TESTS:☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pump Level	Time
4	100%	595	1 Hr

Water Temp. _____ Cold _____ Bottom hole temp. _____ Cold _____

Water Quality test or comments: (below) Depth first Water Encountered 110

Clear, Cold, No Smell

12. LITHOLOGIC LOG (Describe repairs or abandonment)

Bore Diam	From	To	Remarks: Lithology, Water Quality and Temperature	Water	
				Y	N
8	0	8	Granite Brown Decomposed Broken	☐	☒
8	8	19	Granite Gray Soft	☐	☒
6	19	29	Granite Gray Soft	☐	☒
6	29	45	Granite Brown Soft	☐	☒
6	45	108	Granite Gray Soft	☐	☒
6	108	110	Granite Broken with 1 GPM	☒	☐
6	110	265	Granite Gray Soft	☐	☒
6	265	420	Granite Gray Medium	☐	☒
6	420	524	Granite Salt & Pepper	☐	☒
6	524	527	Granite Green White Broken with 3 GPM	☒	☐
6	527	575	Granite Salt & Pepper	☐	☒
6	575	585	Granite Green/White Soft	☐	☒
6	585	600	Granite Salt & Pepper	☐	☒

Completed Depth 600 (Measurable)

Date: Started 12/5/05 Completed 12/12/05

13. DRILLERS CERTIFICATION

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

Firm United Drilling Inc.

Firm No 414

Name

Firm Official
and

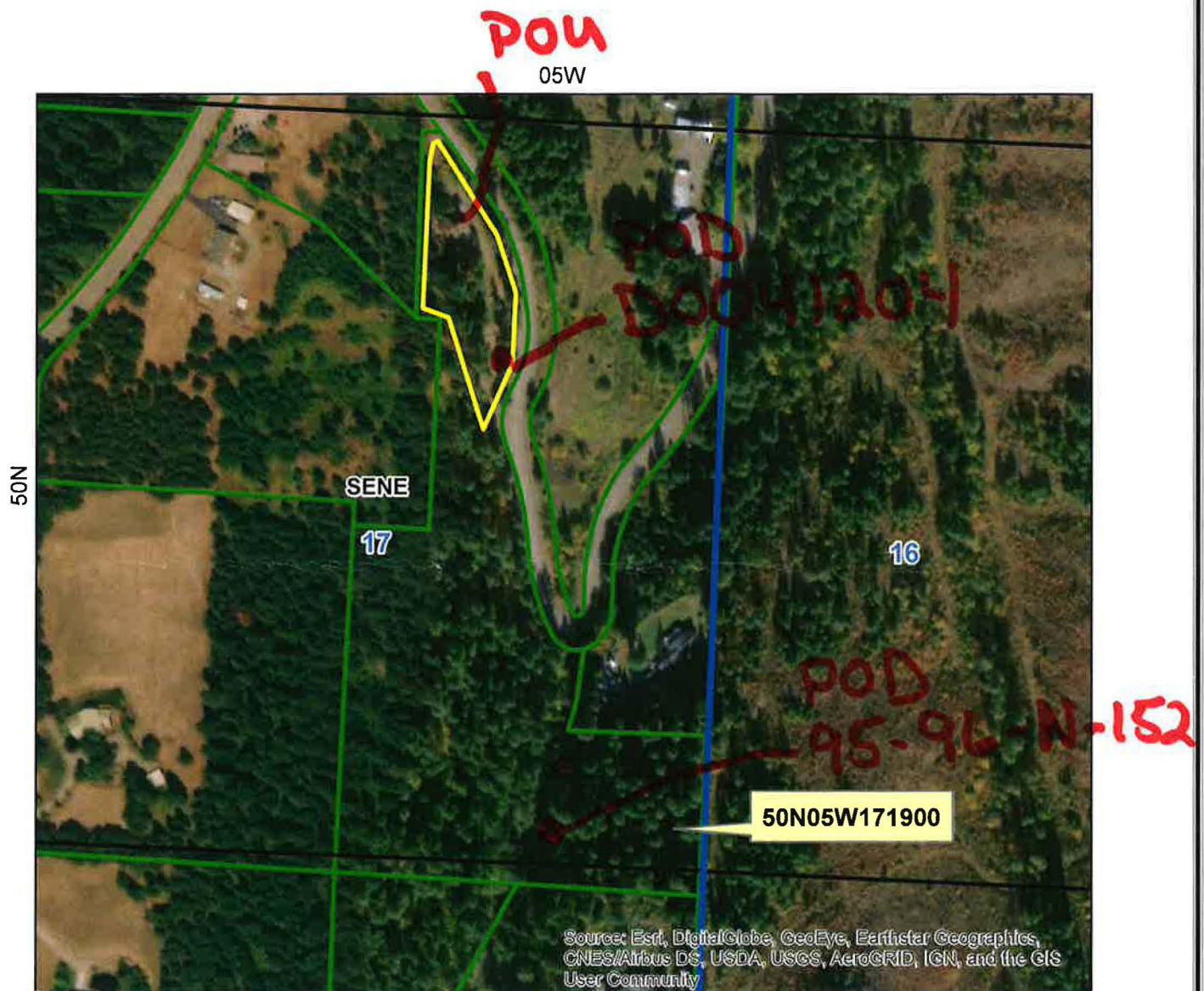
Date 12/14/05

Supervisor or Operator Curtis S. Hammond

Date 12/14/05

State of Idaho
Department of Water Resources
Application For Transfer

95-11303



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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

0 0.035 0.07 0.14 Miles



Tax parcel information provided by Kootenai County.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re CSRBA)
Case No. 49576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 95-11303



NAME AND ADDRESS: JOE HOWARD
2342 S SIGNAL POINT RD
POST FALLS, ID 83854-5777

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 12/31/1987

POINT OF DIVERSION: T50N R05W S17 SENE Within Kootenai County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.04 CFS

Domestic use is for 1 home.

PLACE OF USE: Domestic Within Kootenai County
T50N R05W S17 SENE

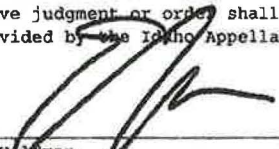
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a
determination of historical beneficial use.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Eric J. Woodman
Presiding Judge of the
Coeur d'Alene-Spokane River Adjudication



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN Region • 7600 N MINERAL DR STE 100 • COEUR D ALENE, ID 83815-7763
Phone: (208)762-2800 • Fax: (208)769-2819 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

December 29, 2020

JOE HOWARD
2342 S SIGNAL POINT RD
POST FALLS, ID 83854-5777

RE: Transfer No. 84596
Water Right No. 95-11303

Dear Applicant:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the COEUR D ALENE PRESS on 1/7/2021 and 1/14/2021. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. 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, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in blue ink that reads "Tammy Alleman". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Tammy Alleman
Administrative Assistant

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, December 29, 2020 11:55 AM
To: 'LEGALS@CDAPRESS.COM'
Subject: Legal Notice
Attachments: Legal Notice Transfer 84587 & 84596, 95-17969, 95-18053, 95-18054.docx

Please publish the enclosed legal notice in the **Coeur d'Alene Press** on the dates indicated **January 7th & January 14th, 2021** (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately. Please send a proof once you have the article ready for print for our review.

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 **January 25, 2021**. Your cooperation is appreciated.

Thank you,

Tammy

*Tammy Alleman
Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone: (208) 762-2800
Fax (208) 762-2819*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 84587

CITY OF RATHDRUM, 8047 W MAIN ST, RATHDRUM, ID 83858-6436 has filed Application No. 84587 for changes to the following water rights within KOOTENAI County: Right No. 95-2200; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

The purpose of the transfer is to change the nature of use from irrigation to municipal while moving the place of use from Twp 51N, Rge 04W, Sec 28 to the City of Rathdrum's municipal service area. The point of diversion will be moved from water right 95-2200's original point to the city's existing municipal wells.

TRANSFER NO. 84596

JOE HOWARD, 2342 S SIGNAL POINT RD, POST FALLS, ID 83854-5777 has filed Application No. 84596 for changes to the following water rights within KOOTENAI County: Right No. 95-11303; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

This transfer proposes to add a new point of diversion to the applicant's existing domestic water right 95-11303 in the SE1/4NE1/4 of Section 17, Twp 50N, Rge 05W.

For additional information concerning the property location, contact Northern Region office at (208)762-2800. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department 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 1/25/2021. The protestant must also send a copy of the protest to the applicant. GARY SPACKMAN, Director

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

95-17969

OHIO MATCH ROAD WATER DISTRICT

PO BOX 523

HAYDEN LAKE, ID 83835-0523

Point of Diversion SENW

S24 T52N R04W

KOOTENAI County

Source GROUND WATER

Use: MUNICIPAL

01/01 to 12/31

Total Diversion: 0.3 CFS

Date Filed: 07-02-2019

Place Of Use: MUNICIPAL

T52N R03W S18

L2(SWNW), NESW, L3(NWSW), L4(SWSW)

Place Of Use: MUNICIPAL

T52N R04W S11

SWSE, SESE

Place Of Use: MUNICIPAL

T52N R04W S13

SWNE, SENE, SWNW, SENW, NESW, NWSW, SWSW, SESW, NESE, NWSE, SWSE, SESE

Place Of Use: MUNICIPAL

T52N R04W S14

NENE, NWNE, SWNE, SENE, SENW, NESW, SESW, NESE, NWSE, SWSE, SESE

Place Of Use: MUNICIPAL

T52N R04W S23

NENE, NWNE, SWNE, SENE, NENW, SENW

Place Of Use: MUNICIPAL

T52N R04W S24

NWNE, SWNE, NENW, NWNW, SWNW, SENW

95-18053

JOHN KEVIN BALDWIN IRREVOCABLE TRUST

PO BOX 10001 PMB 29

SAIPAN, MP 96950-8901

Point of Diversion L6(SESW)

S15 T51N R03W

KOOTENAI County

Source HAYDEN LAKE

Tributary SINKS

Point of Diversion L6(SWSW)

S15 T51N R03W

KOOTENAI County

Source HAYDEN LAKE
Tributary SINKS
Use: IRRIGATION
03/15 to 11/15
Total Diversion: 0.2 CFS
Date Filed: 12-11-2020
Place Of Use: IRRIGATION
T51N R03W S15
L6(SWSW),L6(SESW)
Place Of Use: IRRIGATION
T51N R03W S22
L2(NENW),NWNW
Total Acres: 2.4

95-18054
FRED MILLER
1900 E HAWTHORNE AVE
COLVILLE, WA 99114-9354
Point of Diversion NESW
S35 T50N R04W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 12-14-2020
Place Of Use: DOMESTIC
T50N R04W S35 NESW

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 1/25/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director Published on 1/7/2021 and 1/14/2021

MEMORANDUM

Date: December 23, 2020
To: Transfer 84596
From: Luke Bates *LSB*
Re: Legal Notice Remarks

This transfer proposes to add a new point of diversion to the applicant's existing domestic water right 95-11303 in the SE1/4NE1/4 of Section 17, Twp 50N, Rge 05W.