STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 84394

This is to certify that: ROSS POINT WATER DISTRICT
PO BOX 70
POST FALLS, ID 83877-0070

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
95-15533	WR/DECREED	2/8/1955	2.850 cfs	549.0 af	N/A	N/A	GROUND WATER
95-4088	WR/DECREED	12/31/1952	0.620 cfs	N/A	N/A	N/A	GROUND WATER
95-7258	WR/DECREED	2/20/1973	1.030 cfs	692.6 af	N/A	N/A	GROUND WATER
95-7698	WR/DECREED	2/18/1977	1.250 cfs	213.0 af	N/A	N/A	GROUND WATER
95-8477	WR/DECREED	5/1/1985	2.510 cfs	925.0 af	N/A	N/A	GROUND WATER
95-9009	WR/DECREED	2/12/1999	5.250 cfs	N/A	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
95-15533	NO	NO	NO	YES	NO	NO
95-4088	NO	NO	NO	YES	NO	NO
95-7258	NO	NO	NO	YES	NO	NO
95-7698	NO	NO	NO	YES	NO	NO
95-8477	NO	NO	NO	YES	NO	NO
95-9009	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
95-15533	95-15533	2.850 cfs	549.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
95-4088	95-4088	0.620 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
95-7258	95-7258	1.030 cfs	692.6 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
95-7698	95-7698	1.250 cfs	213.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
95-8477	95-8477	2.510 cfs	925.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
95-9009	95-9009	5.250 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**13.510 cfs**	**N/A**	**N/A**	**N/A**		**N/A**	**N/A**	**N/A**	**N/A**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 84394

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 27th day of October, 2020.

Adam Frederick, Water Right Supervisor

WATER RIGHT NO. 95-7698

As Modified by Transfer No. 84394

In accordance with the approval of Transfer No. 84394, Water Right No. 95-7698 is now described as follows:

Right Holder: ROSS POINT WATER DISTRICT
PO BOX 70
POST FALLS, ID 83877-0070

Priority Date: 2/18/1977

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
MUNICIPAL	01/01	to	12/31	1.250 cfs	213.0 af
				1.250 cfs	213.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSE	Sec 30 Twp 51N Rge 04W KOOTENAI County
GROUND WATER	NWSE	Sec 30 Twp 51N Rge 04W KOOTENAI County
GROUND WATER	L1 (NWNW)	Sec 31 Twp 51N Rge 04W KOOTENAI County
GROUND WATER	NESE	Sec 25 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	SENE	Sec 26 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NESW	Sec 35 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NENW	Sec 36 Twp 51N Rge 05W KOOTENAI County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
5. Place of use is within the service area of Ross Point Water District as provided for under Idaho law. The place of use is generally located within Township 50 North, Range 4 West, Section 5, Township 51 North, Range 4 West, Sections 19, 29, 30, 31, 32, and Township 51 North, Range 5 West, Sections 24, 25, 26, 35, and 36.
6. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of the RPGWMA management plan approved by the director, including its conservation goals.

WATER RIGHT NO. 95-7698

As Modified by Transfer No. 84394

CONDITIONS OF APPROVAL

7. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.

8. When notified by the Department, the right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code, and/or the management plan for the Rathdrum Prairie Ground Water Management Area.

9. Diversion of water from the additional well(s) authorized under Transfer 84394 located in NWSE, Sec. 30, T51N, R04W shall not exceed a total combined maximum diversion rate of 5.50 cfs.

10. The following rights are diverted through the points of diversion described above: 95-4088, 95-7258, 95-7698, 95-8477, 95-9009, and 95-15533.

11. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 95-7258

As Modified by Transfer No. 84394

In accordance with the approval of Transfer No. 84394, Water Right No. 95-7258 is now described as follows:

Right Holder: ROSS POINT WATER DISTRICT
PO BOX 70
POST FALLS, ID 83877-0070

Priority Date: 2/20/1973

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
MUNICIPAL	01/01	to	12/31	1.030 cfs	692.6 af
				1.030 cfs	692.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSE	Sec 30 Twp 51N Rge 04W KOOTENAI County
GROUND WATER	NWSE	Sec 30 Twp 51N Rge 04W KOOTENAI County
GROUND WATER	L1 (NWNW)	Sec 31 Twp 51N Rge 04W KOOTENAI County
GROUND WATER	NESE	Sec 25 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	SENE	Sec 26 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NESW	Sec 35 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NENW	Sec 36 Twp 51N Rge 05W KOOTENAI County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Place of use is within the service area of Ross Point Water District as provided for under Idaho law. The place of use is generally located within Township 50 North, Range 4 West, Section 5, Township 51 North, Range 4 West, Sections 19, 29, 30, 31, 32, and Township 51 North, Range 5 West, Sections 24, 25, 26, 35, and 36.
5. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of the RPGWMA management plan approved by the director, including its conservation goals.
6. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.

WATER RIGHT NO. 95-7258

As Modified by Transfer No. 84394

CONDITIONS OF APPROVAL

7. When notified by the Department, the right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code, and/or the management plan for the Rathdrum Prairie Ground Water Management Area.

8. Diversion of water from the additional well(s) authorized under Transfer 84394 located in NWSE, Sec. 30, T51N, R04W shall not exceed a total combined maximum diversion rate of 5.50 cfs.

9. The following rights are diverted through the points of diversion described above: 95-4088, 95-7258, 95-7698, 95-8477, 95-9009, and 95-15533.

10. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 95-8477

As Modified by Transfer No. 84394

In accordance with the approval of Transfer No. 84394, Water Right No. 95-8477 is now described as follows:

Right Holder: ROSS POINT WATER DISTRICT
PO BOX 70
POST FALLS, ID 83877-0070

Priority Date: 5/1/1985

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
MUNICIPAL	01/01	to	12/31	2.510 cfs	925.0 af
				2.510 cfs	925.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSE	Sec 30 Twp 51N Rge 04W KOOTENAI County
GROUND WATER	NWSE	Sec 30 Twp 51N Rge 04W KOOTENAI County
GROUND WATER	L1 (NWNW)	Sec 31 Twp 51N Rge 04W KOOTENAI County
GROUND WATER	NESE	Sec 25 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	SENE	Sec 26 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NESW	Sec 35 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NENW	Sec 36 Twp 51N Rge 05W KOOTENAI County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

4. Place of use is within the service area of Ross Point Water District as provided for under Idaho law. The place of use is generally located within Township 50 North, Range 4 West, Section 5, Township 51 North, Range 4 West, Sections 19, 29, 30, 31, 32, and Township 51 North, Range 5 West, Sections 24, 25, 26, 35, and 36.

5. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of the RPGWMA management plan approved by the director, including its conservation goals.

6. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.

WATER RIGHT NO. 95-8477

As Modified by Transfer No. 84394

CONDITIONS OF APPROVAL

7. When notified by the Department, the right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code, and/or the management plan for the Rathdrum Prairie Ground Water Management Area.

8. Diversion of water from the additional well(s) authorized under Transfer 84394 located in NWSE, Sec. 30, T51N, R04W shall not exceed a total combined maximum diversion rate of 5.50 cfs.

9. The following rights are diverted through the points of diversion described above: 95-4088, 95-7258, 95-7698, 95-8477, 95-9009, and 95-15533.

10. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 95-9009

As Modified by Transfer No. 84394

In accordance with the approval of Transfer No. 84394, Water Right No. 95-9009 is now described as follows:

Right Holder: ROSS POINT WATER DISTRICT
PO BOX 70
POST FALLS, ID 83877-0070

Priority Date: 2/12/1999

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate
MUNICIPAL	01/01	to	12/31	5.250 cfs
				5.250 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSE	Sec 30 Twp 51N Rge 04W KOOTENAI County
GROUND WATER	NWSE	Sec 30 Twp 51N Rge 04W KOOTENAI County
GROUND WATER	L1 (NWNW)	Sec 31 Twp 51N Rge 04W KOOTENAI County
GROUND WATER	NESE	Sec 25 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	SENE	Sec 26 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NESW	Sec 35 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NENW	Sec 36 Twp 51N Rge 05W KOOTENAI County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

4. Place of use is within the service area of Ross Point Water District as provided for under Idaho law. The place of use is generally located within Township 50 North, Range 4 West, Section 5, Township 51 North, Range 4 West, Sections 19, 29, 30, 31, 32, and Township 51 North, Range 5 West, Sections 24, 25, 26, 35, and 36.

5. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of the RPGWMA management plan approved by the director, including its conservation goals.

6. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.

WATER RIGHT NO. 95-9009

As Modified by Transfer No. 84394

CONDITIONS OF APPROVAL

7. When notified by the Department, the right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code, and/or the management plan for the Rathdrum Prairie Ground Water Management Area.

8. Diversion of water from the additional well(s) authorized under Transfer 84394 located in NWSE, Sec. 30, T51N, R04W shall not exceed a total combined maximum diversion rate of 5.50 cfs.

9. The following rights are diverted through the points of diversion described above: 95-4088, 95-7258, 95-7698, 95-8477, 95-9009, and 95-15533.

10. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 95-15533

As Modified by Transfer No. 84394

In accordance with the approval of Transfer No. 84394, Water Right No. 95-15533 is now described as follows:

Right Holder: ROSS POINT WATER DISTRICT
PO BOX 70
POST FALLS, ID 83877-0070

Priority Date: 2/8/1955

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
MUNICIPAL	01/01	to	12/31	2.850 cfs	549.0 af
				2.850 cfs	549.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSE	Sec 30 Twp 51N Rge 04W KOOTENAI County
GROUND WATER	NWSE	Sec 30 Twp 51N Rge 04W KOOTENAI County
GROUND WATER	L1 (NWNW)	Sec 31 Twp 51N Rge 04W KOOTENAI County
GROUND WATER	NESE	Sec 25 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	SENE	Sec 26 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NESW	Sec 35 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NENW	Sec 36 Twp 51N Rge 05W KOOTENAI County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

4. Place of use is within the service area of Ross Point Water District as provided for under Idaho law. The place of use is generally located within Township 50 North, Range 4 West, Section 5, Township 51 North, Range 4 West, Sections 19, 29, 30, 31, 32, and Township 51 North, Range 5 West, Sections 24, 25, 26, 35, and 36.

5. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of the RPGWMA management plan approved by the director, including its conservation goals.

6. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.

WATER RIGHT NO. 95-15533

As Modified by Transfer No. 84394

CONDITIONS OF APPROVAL

7. When notified by the Department, the right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code, and/or the management plan for the Rathdrum Prairie Ground Water Management Area.

8. Diversion of water from the additional well(s) authorized under Transfer 84394 located in NWSE, Sec. 30, T51N, R04W shall not exceed a total combined maximum diversion rate of 5.50 cfs.

9. The following rights are diverted through the points of diversion described above: 95-4088, 95-7258, 95-7698, 95-8477, 95-9009, and 95-15533.

10. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 95-4088

As Modified by Transfer No. 84394

In accordance with the approval of Transfer No. 84394, Water Right No. 95-4088 is now described as follows:

Right Holder: ROSS POINT WATER DISTRICT
PO BOX 70
POST FALLS, ID 83877-0070

Priority Date: 12/31/1952

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate
MUNICIPAL	01/01	to	12/31	0.620 cfs
				0.620 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSE	Sec 30 Twp 51N Rge 04W KOOTENAI County
GROUND WATER	NWSE	Sec 30 Twp 51N Rge 04W KOOTENAI County
GROUND WATER	L1 (NWNW)	Sec 31 Twp 51N Rge 04W KOOTENAI County
GROUND WATER	NESE	Sec 25 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	SENE	Sec 26 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NESW	Sec 35 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NENW	Sec 36 Twp 51N Rge 05W KOOTENAI County

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

4. Place of use is within the service area of Ross Point Water District as provided for under Idaho law. The place of use is generally located within Township 50 North, Range 4 West, Section 5, Township 51 North, Range 4 West, Sections 19, 29, 30, 31, 32, and Township 51 North, Range 5 West, Sections 24, 25, 26, 35, and 36.

5. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of the RPGWMA management plan approved by the director, including its conservation goals.

6. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.

WATER RIGHT NO. 95-4088

As Modified by Transfer No. 84394

CONDITIONS OF APPROVAL

7. When notified by the Department, the right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code, and/or the management plan for the Rathdrum Prairie Ground Water Management Area.

8. Diversion of water from the additional well(s) authorized under Transfer 84394 located in NWSE, Sec. 30, T51N, R04W shall not exceed a total combined maximum diversion rate of 5.50 cfs.

9. The following rights are diverted through the points of diversion described above: 95-4088, 95-7258, 95-7698, 95-8477, 95-9009, and 95-15533.

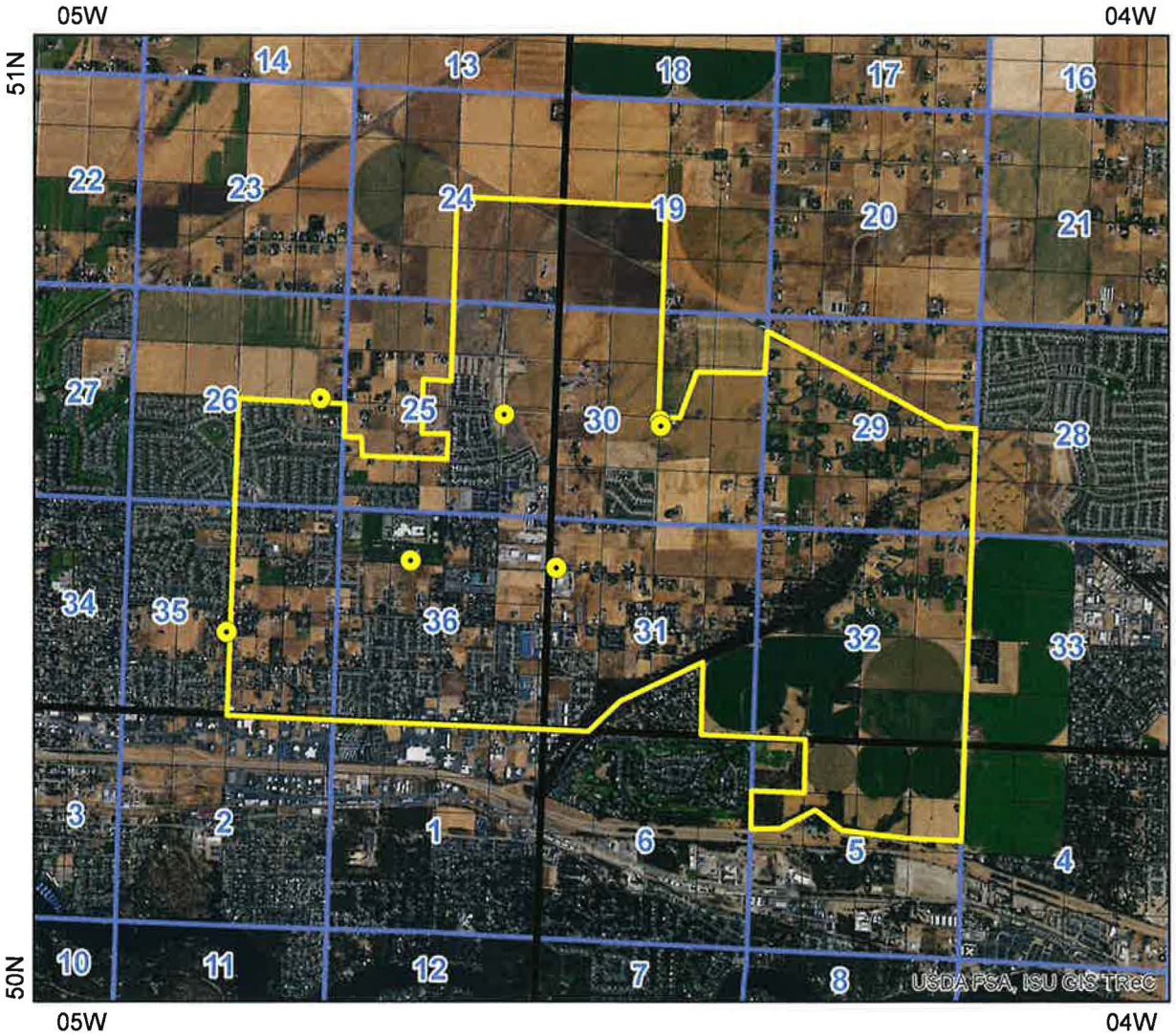
10. This right does not grant any right-of-way or easement across the land of another.

Ross Point Water District

Attachment to Transfer # 84394

Rights 95-4088, 95-7258, 95-7698, 95-8477, 95-9009, and 95-15333.

This map depicts the MUNICIPAL 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

Water Service Area Boundary

Townships

PLS Sections

Quarter Quarters

0 0.5 1 2 Miles

N

State of 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
Website: idwr.idaho.gov • Email: northerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

October 29, 2020

ROSS POINT WATER DISTRICT
PO BOX 70
POST FALLS ID 83877-0070

Re: Transfer No: 84394
Water Right No(s).: 95-4088, 95-7258, 95-7698, 95-8477, 95-9009, 95-15533
Transfer Approval Notice

Dear Water Right Holders:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Rights 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 by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action 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 Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the
Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Adam Frederick

Adam Frederick
Water Rights Supervisor

Enclosure

CERTIFICATE OF SERVICE

I hereby certify that on October 29, 2020 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 84394
Water Right No(s).: 95-4088, 95-7258, 95-7698, 95-8477, 95-9009, 95-15533

ROSS POINT WATER DISTRICT
PO BOX 70
POST FALLS ID 83877-0070

Tammy Alleman
Administrative Assistant

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 Kootenai)

Mary Moore, being first duly sworn upon oath, deposes and states:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press", a newspaper printed and published daily in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The Legal notice of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 1 day of October, 2020, and ending on the 8 day of October, 2020, and such publication was made as often during said period as said daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice Mary Moore.

On this 8 day of October in the year of 2020 before me, a Notary Public, personally appeared Mary Moore, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

KATRINA GEORGE NOTARY PUBLIC COMM. NO. 58374 STATE OF IDAHO

Katrina George
Notary Public for the State of Idaho
Residing in Coeur d'Alene, Idaho

My Commission Expires 8/29/23

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 84394

ROSS POINT WATER DISTRICT, PO BOX 70, POST FALLS, ID 83877-0070 has filed Application No. 84394 for changes to the following water rights within KOOTENAI County(s): Right No(s). 95-15533, 95-4088, 95-7258, 95-7698, 95-8477, 95-9009; 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 well to the Ross Point Water District's existing groundwater rights in the NWSE of Section 30, Twp 51N, Rge 04W.

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 10/19/2020. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Directo

The following application has been filed to amend Permit to Appropriate Water:
95-17905
WOODLAND AT FROSTY PINE LLC
3835 BECKON RIDGE RD
COEUR D ALENE, ID 83814-0092
Point of Diversion SWNW
S17 T50N R03W
KOOTENAI County
Source GROUND WATER
Point of Diversion SENW
S17 T50N R03W
KOOTENAI County
Source GROUND WATER
Point of Diversion NENW
S17 T50N R03W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.15 CFS
Total Diversion: 0.15 CFS
Date Filed: 11/13/2019
Place Of Use: DOMESTIC
T50N R03W S17 SENW
This amendment of permit proposes to add a third point of diversion to the applicants existing permit. The permitted diversion rate, nature of use, and place of use will remain the same.

The following applications have been filed to appropriate the public waters of the State of Idaho:

95-18002
JUSTIN L BYBEE
TRACEY M BYBEE
11483 S KATEY CT
SANDY, UT 84092-5467
Point of Diversion NWSW
S8 T53N R04W
KOOTENAI County
Source SPIRIT LAKE
Tributary SPIRIT CREEK
Use: DOMESTIC

01/01 to 12/31 0.06 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.08 CFS
Date Filed: 09-10-2020
Place Of Use:
DOMESTIC,STOCKWATER
T53N R04W S8
L2(NWSW)

95-18004
WHITNEY TRUST
814 PACIFIC AVE
MANHATTAN BCH, CA
90266-5850
Point of Diversion NESW
S13 T49N R04W
KOOTENAI County
Source COEUR D ALENE LAKE
Tributary SPOKANE RIVER
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: IRRIGATION
03/15 to 11/15 0.03 CFS
Total Diversion: 0.06 CFS
Date Filed: 09-17-2020
Place Of Use: DOMESTIC
T49N R04W S13
NESW,L2(NESW)
Place Of Use: IRRIGATION
T49N R04W S13
L2(NESW),NESW
Total Acres: 1.7

95-18005
PAUL AND SUSAN FINNEY REVOCABLE INTER VIVOS TRUST
PAUL & SUSAN FINNEY TRUSTEES
7041 S EDDYVILLE RD
HARRISON, ID 83833
Point of Diversion L5(NWSW)
S4 T49N R03W
KOOTENAI County
Source COEUR D ALENE LAKE
Tributary SPOKANE RIVER
Use: IRRIGATION
03/15 to 11/15
Total Diversion: 0.05 CFS
Date Filed: 09-17-2020
Place Of Use: IRRIGATION
T49N R03W S4
L5(NWSW)
Total Acres: 1.5

95-18007
THE SOLOMON FOUNDATION
16965 PINE LN STE 200
PARKER, CO 80134
Point of Diversion L4(SENE)
S36 T51N R05W
KOOTENAI County
Source GROUND WATER
Use: IRRIGATION
03/15 to 11/15
Total Diversion: 0.12 CFS
12 AF
Date Filed: 09-17-2020
Place Of Use: IRRIGATION
T51N R05W S36
L4(SENE)
Total Acres: 4

95-18009
ALFRED SCARTH
SUZAN D SCARTH
302 S MADISON RD
POST FALLS, ID 83854-9458
Point of Diversion L4(NWSW)
S8 T50N R05W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.06 CFS
Date Filed: 09-24-2020
Place Of Use: DOMESTIC
T50N R05W S8
L4(NWSW),L3(SWNW)

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 10/19/2020. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
CDA LEGAL 4277
AD#409562
OCTOBER 1, 8, 2020