

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

IDWR/NORTH

1. Name of applicant(s) WINTER STATION LLC Phone 307-399-2726
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 12200 E HUMMINGBIRD LN City ATHOL
 State ID ZIP 83801 Email LONETREE40@REAGAN.COM
2. Name of representative, if any _____ Phone _____
 Mailing address _____ City _____
 State _____ ZIP _____ Email _____
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply GROUND WATER which is a tributary of _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
53N	03W	27			SW	NW	KOOTENAI	GROUNDWATER	

5. Water will be used for the following purposes:
- Amount 0.02 CFS for STOCKWATER purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 0.03 CFS for COMMERCIAL purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 0.07 CFS for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 0.15 CFS for IRRIGATION purposes from 4/1 to 10/31 (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.20 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. APPLICANT PLANS TO DRILL WELL WITH PRESSURE TANKS FOR USES.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
- c. Proposed well diameter is 6 inches; proposed depth of well is 600 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? _____; drilling firm _____;
 well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by LB Receipt No. NØ 35 989 Date 3/30/2020

SCANNED
 APR 09 2020

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. 40 HEAD OF MIXED STOCK
 - Municipal; must complete and attach the Municipal Water Right Application Checklist.
 - Domestic; show number of households 1 HOME
 - Other; describe fully. DOMESTIC USE IS FOR 1 HOME AND FOR DOMESTIC WATER FOR CUSTOMERS ON FARM. COMMERCIAL USE WILL BE FOR GREENHOUSE WATERING
9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - 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	
53N	03W	27							D,S	D,S									
									C	C									
									4	1									5

Total number of acres to be irrigated: 5

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? _____
11. a. Who owns the property at the point of diversion? TARA WALKER REVOCABLE TRUST
- b. Who owns the land to be irrigated or place of use? TARA WALKER REVOCABLE TRUST
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: SEE ATTACHED
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. APPLICANT PLANS TO DRILL WELL FOR THE IRRIGATION OF 5 ACRES AND FOR STOCKWATERING OF 40 HEAD OF MIXED STOCK. APPLICANT PLANS TO USE COMMERCIAL WATER FOR GREENHOUSE IRRIGATION. DOMESTIC USE WILL BE FOR 1 HOME AND FOR DOMESTIC USES OF CUSTOMERS AT FARM INCLUDING RESTROOMS AND WASHING AREAS.
13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant

Signature of Applicant

Print Name (and title, if applicable)

Print Name (and title, if applicable)

APPLICATION MAP



Legend

- Parcels
- Township/Range
- Sections
- QQ

0 0.0275 0.055 0.11 Miles



SCANNED

APR 09 2020

Land Agreement

Between

Tara L. Walker Revocable Trust

And Monty & Laura Winter, Winter Station, LLC

In an effort to progress in the development of "The Farm", Monty and Laura Winter agree to pay Tara Walker, Trustee of the Tara L. Walker Revocable Trust, Dated January 15, 2003 (herein the "Trust") a sum of \$5000 for a down payment for a proposed land purchase from Tara Walker's Parcel AIN 109073. Said property is ten acres located on the north right-of-way line of E. Son Shine Way, approximately 750 feet east of the intersection of Lawrence and E. Son Shine Way in Athol, Idaho. Paying this down payment in advance of the Land Purchase Agreement will enable Monty & Laura Winter to begin the tree clearing, stump removal, land preparation for grass planting, and placement of fencing on the said ten acres. It is agreed the \$5000 is a down payment towards the purchase of the land, however if the CUP or minor subdivision is unsuccessful, the \$5000 down payment is nonrefundable, and any improvements made on the property will revert to the Trust. In the event such improvements revert to the Trust, the Trust shall have no liability, duty or obligation to reimburse Monty and Laura Winter for the cost thereof.

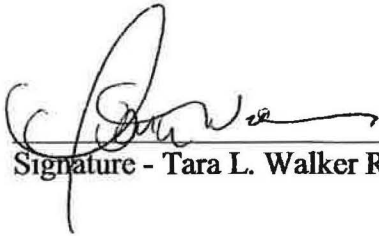
Monty and Laura Winter shall be responsible, at their sole cost and expense, to pursue and obtain the CUP amendment, minor subdivision, and/or site disturbance permit. The Trust shall not be responsible to handle or pursue any matter relating to said CUP amendment, minor subdivision, and/or site disturbance permit.

In addition to the down payment, Monty and Laura Winter agree to pay \$1000 rent, paid on the 15th of the month until the Minor Subdivision application is approved. Payments will start on the 15th day of September 2019. After the minor subdivision approval, the monthly payments will increase to \$1,500, comprised of \$1000 rent and \$500 towards the land down payment. The lease shall include a 24 month option to purchase said newly created 10 acre parcel for \$200,000.00.

Provided, in the event Monty and Laura Winter are unable to properly procure a minor subdivision on or before May 15, 2020, then the both this Land Agreement and said lease with option to purchase shall automatically expire and the Trust shall be entitled to retain any all payments received thereunder, whether classified as monthly rentals and/or a down payment.

Prior to commencing any form of construction activity or site improvement work, Monty and Laura Winter shall be required: (i) to obtain a performance bond for the full cost of the expected construction activity or site improvement work to be performed between September 15, 2019 and May 15, 2020; and (ii) obtain a policy of liability insurance of a type and amount acceptable to the Trust, naming the Trust as an additional insured as loss payee.

In addition, Tara Walker agrees to sign an affidavit in support of the requirements of the Conditional Use Permit to affirm her acknowledgment of the proposed "The Farm" project on her property in order to accelerate the submission of the Conditional Use Permit prior to the execution of the Land Purchase Agreement.



Signature - Tara L. Walker Revocable Trust

Notary:

9.13.2019

Date



Signature- Monty D. Winter



Signature - Laura K. Winter

9-13-19

Date

9-13-2019

Date



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

April 9, 2020

WINTER STATION LLC
12200 E HUMMINGBIRD LN
ATHOL, ID 83801-8672

RE: Application for Permit No. 95-17942

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above 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 4/16/2020 and 4/23/2020. 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 permit.

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

Sincerely,

Tammy Alleman
Administrative Assistant

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, April 9, 2020 12:10 PM
To: 'Chantilly.Higbee@deq.idaho.gov'; 'Anna.Moody@deq.idaho.gov'
Subject: Request for Comments WR#95-17942

Dear Interested Agencies:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced Water Right application. You can find copies of the application attached to the email and also at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

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 the 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. **The deadline for comments on the application is May 4, 2020.**

Please contact the Northern Region Office at (208) 762-2800 if you have any questions regarding the application.

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*

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, April 9, 2020 12:08 PM
To: 'LEGALS@CDAPRESS.COM'
Subject: Legal Notice
Attachments: Legal Notice 95-17941 & 95-17942.docx

Please publish the enclosed legal notice in the **Coeur d'Alene Press** on the dates indicated **April 16th & April 23rd, 2020** (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 **May 4th, 2020**. 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*

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

95-17941

TWYLA M. ANGELOS REVOCABLE LIVING TRUST
15 GOODRICH LN
ESSEX JCT, VT 05452-2528
Point of Diversion L4(SWNW)
S1 T52N R05W
KOOTENAI County
Source TWIN LAKES
Tributary RATHDRUM CREEK
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.02 CFS
Date Filed: 03-30-2020
Place Of Use: DOMESTIC
T52N R05W S1
L4(SWNW)

95-17942

WINTER STATION LLC
12200 E HUMMINGBIRD LN
ATHOL, ID 83801-8672
Point of Diversion SWNW
S27 T53N R03W
KOOTENAI County
Source GROUND WATER
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: COMMERCIAL
01/01 to 12/31 0.03 CFS
Use: DOMESTIC
01/01 to 12/31 0.07 CFS
Use: IRRIGATION
04/01 to 10/31 0.15 CFS
Total Diversion: 0.2 CFS
Date Filed: 03-30-2020
Place Of Use: COMMERCIAL,DOMESTIC,IRRIGATION,STOCKWATER
T53N R03W S27
SWNW,SENW
Total Acres: 5

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 5/4/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on 4/16/2020 and 4/23/2020