

OCT 18 2019
42-222 POD - 07/18STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

IDWR / NORTH

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) HARMONS PROPERTY OWNERS ASSN Phone 509-540-55122. MAILING ADDRESS PO BOX 100 City WORLEYState ID Zip 83876 Email H.G.THOMPSON.JR@GMAIL.COM

- ☐ 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) 95-8996 & 95-15834

- ☐ 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 0.4 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 #
	<u>4</u>		SW	SE	19	47N	03W	KOOTENAI	GROUNDWATER	95-82-N-32
Y	4		SW	SE	19	47N	03W	KOOTENAI	GROUNDWATER	

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 IS BUILDING COMPLETE NEW PUMP HOUSE WHEN NEW WELL IS CONSTRUCTED ALONG WITH METERS AND NEW EQUIPMENT.

- 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]
Signature of applicant or authorized agent

Harold (Hal) G Thompson Jr., Pres. 10/18/19
Print name and title if applicable 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

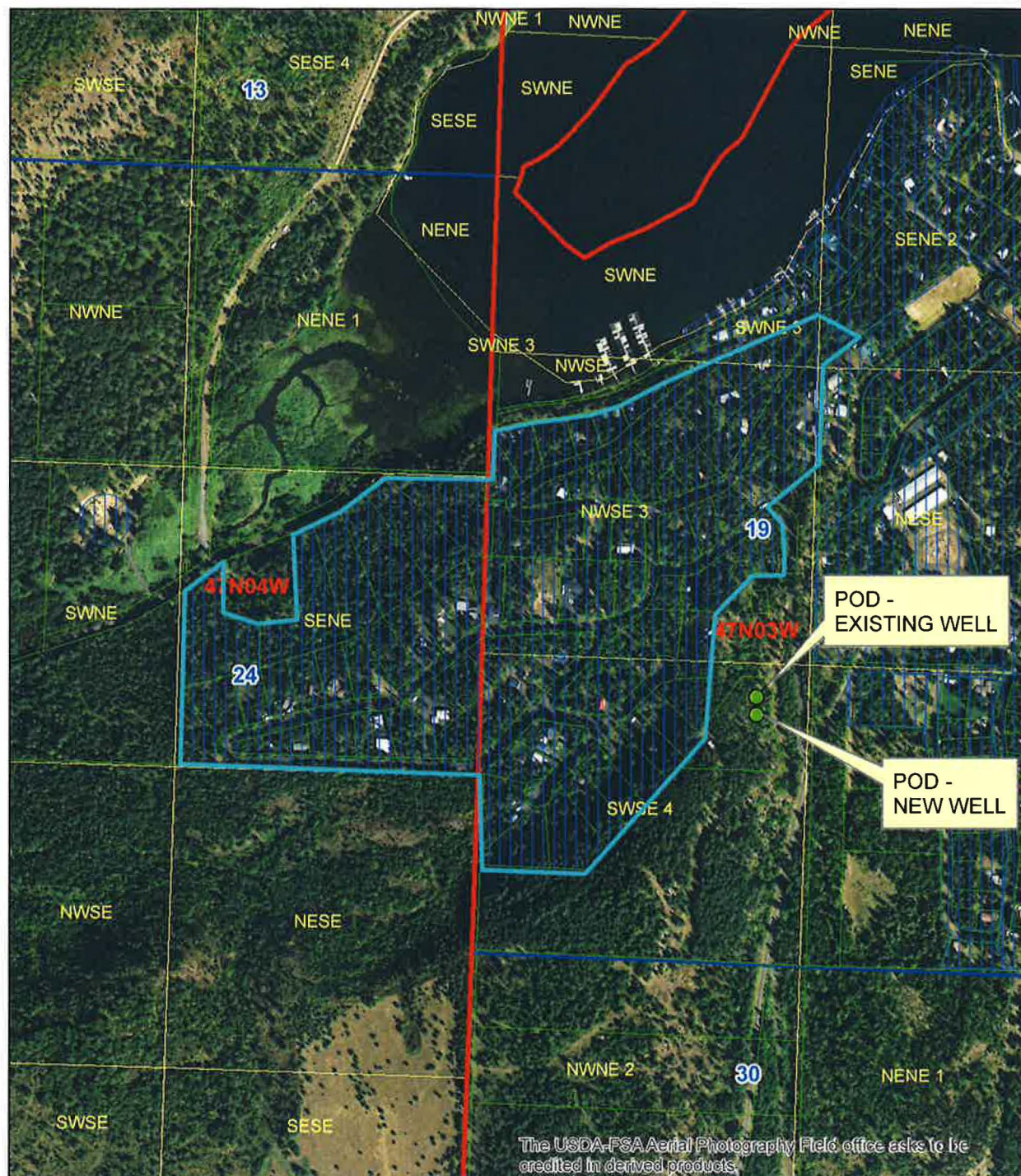
Transfer includes _____ pages of attachments. Received by _____ Date _____

Fee paid \$50.00 Date 10-18-19 Receipted by NS Receipt # N0351089

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)



Legend

-  Parcels
-  Township/Range
-  Sections
-  QQ
-  Recommendation POU



DAHO DEPARTMENT OF WATER RESOURCES
Water Right Report
5/9/2014
WATER RIGHT NO. 95-8996

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HARMONS PROPERTY OWNERS ASSN PO BOX 104 WORLEY, ID 83876 (208)568-0154

Priority Date: 10/07/1998
Basis: License
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	12/31	0.18 CFS	
Total Diversion			0.18 CFS	

Location of Point(s) of Diversion:

GROUND WATER SENW Lt 3 Sec. 19 Township 47N Range 03W KOOTENAI County
GROUND WATER SWSE Lt 4 Sec. 19 Township 47N Range 03W KOOTENAI County

Place(s) of use: Large POU Info

Conditions of Approval:

- After specific notification by the department, the right holder shall install a suitable measuring device or
1. 01M shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
 2. 180 A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
Place of use is located within the service delivery area of Harmons Property Owners Association in Harmons First and Second Additions. This right authorizes the reservation of water for reasonably anticipated future needs within a planning horizon of 20 years. The right holder must construct works capable of diverting and carrying the authorized diversion rate by the date set forth in condition no. 1.
 3. However, application of water to beneficial use need not occur until 20 years from the date of this approval.

4. 004 The issuance of this right does not grant any right-of-way or easement across the land of another.
5. X35 Rights 95-08996, 95-7523, 95-8078 and 95-8623 when combined shall not exceed a total diversion rate of 0.58 cfs.

Dates:

Licensed Date: 11/05/2009

Decreed Date:

Permit Proof Due Date: 12/1/2008

Permit Proof Made Date: 11/20/2008

Permit Approved Date: 12/18/1998

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 10/07/1998

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 95-15834

Current Owner: HARMON PROPERTY OWNERS ASSN
Priority Date: 3/10/1981
Origin: Adjudication Recommendation
Status: Active
Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	01/01 to 12/31	0.22 CFS	63 AF
	<u>Total Diversion</u>	0.22 CFS	63 AF

Location of Point(s) of Diversion

GROUND WATER	L3(NW1/4SE1/4)	Sec. 19,	Twp 47N,	Rge 03W B.M.
KOOTENAI County				
GROUND WATER	L4(SW1/4SE1/4)	Sec. 19,	Twp 47N,	Rge 03W B.M.
KOOTENAI County				

Place of Use

MUNICIPAL Within KOOTENAI County

T47N R03W S19	Lot 2	SENE	T47N R03W S19	Lot 3	SENW
T47N R03W S19		NESE	T47N R03W S19	Lot 4	SWSE
T47N R04W S24		SENE			

Conditions of Approval:

1. 128 Place of use is within the area served by the public water supply system of Harmon Property Owners Association.
2. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. C18 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. Section 42-1412(6), Idaho Code.
4. C04 Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.
5. P29 This right is a combination of old Right Nos 95-7523 and 95-8078.
6. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



0003395456



STATE OF IDAHO
Office of the secretary of state, Lawrence Denney
ANNUAL REPORT
Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

For Office Use Only

-FILED-

File #: 0003395456

Date Filed: 1/11/2019 3:36:58 PM

B0143-9202 01/11/2019 3:37 PM Received by ID Secretary of State Lawrence Denney

Entity Name and Mailing Address:

HARMON'S PROPERTY OWNERS ASSOCIATION, INC.

The file number of this entity on the records of the Idaho Secretary of State is: 0000535722

Address

PO BOX 104
WORLEY, ID 83876-0104

Entity Details:

Entity Status

Active-Good Standing

This entity is organized under the laws of:

IDAHO

If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: C177014

The registered agent on record is:

Registered Agent

LONNIE ALLEMAND
Registered Agent

Physical Address

770 SARGENT LOOP RD
WORLEY, ID 83876

Mailing Address

Corporate Officers and Directors:

Names of officers and directors	Title	Address
LARRY FRANCIS	Director	8528 SALMONBERRY HAYDEN, ID 83835
TED TYLMAN	Treasurer	437 W HARMON AVE WORLEY, ID 83876
CHRISTY ANDERSON	Vice President	10409 E DEAN SPOKANE, WA 99206
AL GILSON	Secretary	3521 S WOODWARD ROAD SPOKANE VALLEY, WA 99206
HAL THOMPSON	President	1375 W SARGENT LOOP PO BOX 100 WORLEY, ID 83876
ANDY KOUS	Director	891 SHOSHONE STREET MOSCOW, ID 83843
MARK REINHARDT	Director	29629 S. HIGHSIDE DR WORLEY, ID 83876

The annual report must be signed by an authorized signer of the entity.

Harold G Thompson Jr

Sign Here

Signer's Capacity: PRESIDENT

01/11/2019

Date

From: Alleman, Tammy
To: ["Anna.Moody@deq.idaho.gov"](mailto:Anna.Moody@deq.idaho.gov)
Subject: Request for Comments for Transfer 83693
Date: Friday, November 1, 2019 10:51:00 AM
Attachments: [Transfer Application 83693.pdf](#)

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 November 25, 2019.

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
Email: Tammy.Alleman@idwr.idaho.gov
Phone: (208) 762-2800
Fax (208) 762-2819*



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 31, 2019

HARMONS PROPERTY OWNERS ASSN
PO BOX 100
WORLEY, ID 83876-0100

RE: Transfer No. 83693
Water Right No(s). 95-15834, 95-8996

Dear Applicant(s):

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 11/7/2019 and 11/14/2019. 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,

Tammy Alleman
Administrative Assistant

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, October 31, 2019 11:30 AM
To: 'LEGALS@CDAPRESS.COM'
Subject: Legal Notice
Attachments: Legal Notice.doc

Please publish the enclosed legal notice in the **Coeur d'Alene Press** on the dates indicated **November 7th and November 14th, 2019** (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 **November 25, 2019**. Your cooperation is appreciated.

Thank you,

Tammy

*Tammy Alleman
Administrative Assistant
Idaho Department of Water Resources
Email: Tammy.Alleman@idwr.idaho.gov
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:

95-17890

BLACK ROCK UTILITIES INC
1110 W PARK PL STE 101
COEUR D ALENE, ID 83814-2781
Point of Diversion L1(NWNE)
S16 T48N R04W
KOOTENAI County
Source COEUR D ALENE LAKE
Tributary SPOKANE RIVER
Use: DIVERSION TO STORAGE
01/01 to 12/31 2.5 CFS
Use: MUNICIPAL FROM STORAGE
03/15 to 11/15 33.1 AF
Use: MUNICIPAL STORAGE
01/01 to 12/31 40.6 AF
Total Diversion: 2.5 CFS 40.6 AF
Date Filed: 8/23/2019
Place of use within the service area of Black Rock Utilities Inc

95-17891

RON JEWETT
MICHELLE JEWETT
3210 WAVE DR
EVERETT, WA 98203-1356
Point of Diversion NWSW
S22 T51N R03W
KOOTENAI County
Source HAYDEN LAKE
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Total Diversion: 0.06 CFS
Date Filed: 10/10/2019
Place Of Use: DOMESTIC
T51N R03W S22
L7(NWSW)

95-17894

TOM AMMERMAN
ROBIN ERICKSON
PO BOX 793
BAYVIEW, ID 83803-0793
Point of Diversion SWNE
S6 T53N R02W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 10/18/2019
Place Of Use: DOMESTIC
T53N R02W S6 SWNE

95-17896

GORDON D SYLTE
8626 W SYLTE RANCH RD
RATHDRUM, ID 83858-6820
Point of Diversion L4(SWSW)
S30 T52N R04W
KOOTENAI County
Source GROUND WATER
Use: AESTHETIC STORAGE
01/01 to 12/31 1.3 AF
Use: DIVERSION TO STORAGE
01/01 to 12/31 0.22 CFS
Use: DOMESTIC
01/01 to 12/31 0.1 CFS
Use: IRRIGATION
03/15 to 11/15 0.22 CFS
Use: IRRIGATION FROM STORAGE
03/15 to 11/15 33.6 AF
Use: IRRIGATION STORAGE

01/01 to 12/31 33.6 AF
Use: STOCKWATER
01/01 to 12/31 0.03 CFS
Use: STOCKWATER FROM STORAGE
01/01 to 12/31 1.4 AF
Use: STOCKWATER STORAGE
01/01 to 12/31 1.4 AF
Use: WILDLIFE STORAGE
01/01 to 12/31 1.3 AF
Total Diversion: 0.33 CFS
Date Filed: 10/24/2019
Place Of Use: DOMESTIC
T52N R04W S30
L4(SWSW)
Place Of Use: STOCKWATER
T52N R04W S30
L4(SWSW)
Place Of Use: IRRIGATION
T52N R04W S30
L4(SWSW) SESW
Place Of Use: IRRIGATION FROM STORAGE
T52N R04W S30
L4(SWSW) SESW
Place Of Use: IRRIGATION STORAGE
T52N R04W S30
L4(SWSW)
Place Of Use: AESTHETIC STORAGE
T52N R04W S30
L4(SWSW)
Place Of Use: WILDLIFE STORAGE
T52N R04W S30
L4(SWSW)
Place Of Use: STOCKWATER STORAGE
T52N R04W S30
L4(SWSW)
Place Of Use: STOCKWATER FROM STORAGE
T52N R04W S30
L4(SWSW)
Total Acres: 11.2

95-17897

MICA PINES ESTATES WATER CO LLC
2900 N GOVERNMENT WAY UNIT 163
COEUR D ALENE, ID 83815-3751
Point of Diversion SESE
S4 T49N R04W

KOOTENAI County
Source GROUND WATER
Use: DOMESTIC

01/01 to 12/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 10/28/2019
Place Of Use: DOMESTIC
T49N R04W S4
SWSE SESE
T49N R04W S9 NENE

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 83693**

HARMONS PROPERTY OWNERS ASSN, PO BOX 100, WORLEY, ID 83876-0100; has filed Application No. 83693 for changes to the following water rights within KOOTENAI County(s): Right No(s). 95-15834, 95-8996; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:

This transfer proposes to move a point of diversion in Harmon's Property Owners Assn existing groundwater rights from L3(NW1/4SE1/4) Sec 19, Twp 47N, Rge 03W B.M. to L4(SW1/4SE1/4) Sec 19, Twp 47N, Rge 03W B.M.

Permits will be subject to all prior water rights. 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 § 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 11/25/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 11/7/2019 and 11/14/2019

MEMORANDUM

Date: October 24, 2019
To: Transfer 83693
From: Adam Frederick AF
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to move a point of diversion in Harmon's Property Owners Assn existing groundwater rights from L3(NW1/4SE1/4) Sec 19, Twp 47N, Rge 03W B.M. to L4(SW1/4SE1/4) Sec 19, Twp 47N, Rge 03W B.M.

Review & Evaluation of Sufficiency of Information
10/24/2019

Authority to File:

The applicant is listed as the current owner of the rights being transferred according to IDWR records. The application was signed by Hal Thompson who is listed as the president of Harmon's Property Owners Assn.

Water Right Validity:

The water rights are valid, one has been licensed and other has been recommended in the CSRBA.

Injury to Other Water Rights:

Injury is not anticipated due to the low number of wells in the area.

Enlargement of Use:

None.

Local Public interest:

No negative issues anticipated.

Beneficial Use/Conservation of Water Resources:

Proposed use is recognized as a beneficial use of water.

Effect on Economy the Local Area:

New well will insure a safe drinking water source for the future of the municipal provider.

Effect on Agricultural Base of the Local Area:

None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

MEMORANDUM

Date: October 24, 2019
To: Transfer 83693
From: Adam Frederick AF
Re: Legal Notice Remarks

This transfer proposes to move a point of diversion in Harmon's Property Owners Assn existing groundwater rights from L3(NW1/4SE1/4) Sec 19, Twp 47N, Rge 03W B.M. to L4(SW1/4SE1/4) Sec 19, Twp 47N, Rge 03W B.M.