

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-17517

Priority: April 25, 2018

Maximum Diversion Rate: 0.04 CFS

This is to certify, that JASON G JUSTIS
8312 N COURCELLES PKWY
HAYDEN ID 83835

Or

BROOKE R JUSTIS
8312 N COURCELLES PKWY
HAYDEN ID 83835

have applied for a permit to appropriate water from:

Source: GROUND WATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE1/4, NW1/4 Sec. 17, Twp 50N, Rge 03W, B.M., KOOTENAI County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
50N 03W 17					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. This right does not grant any right-of-way or easement across the land of another.
4. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
5. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
6. Domestic use is for 1 home.
7. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
8. The following rights are diverted through point(s) of diversion described above: 95-17515, 95-17517.
9. Rights 95-17515 and City of Coeur d'Alene Water Rights (95-2111, 95-2133, 95-2164, 95-2198, 95-7142, 95-7181, 95-8565, 95-8647, 95-8672, 95-8938, & 95-9007) when combined, shall not exceed a total diversion rate of 0.04 Cubic Feet per Second (CFS), a total annual maximum diversion volume of 1.2 Acre Feet (AF) at the field headgate, and the irrigation of 0.5 acres.
10. Place of use is located within Lot 1, Blk. 1, Cheryl Morgan Estates subdivision.

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

Signed, this 2nd day of January, 2019.


DOUGLAS JONES, P.E., Northern Regional Manager

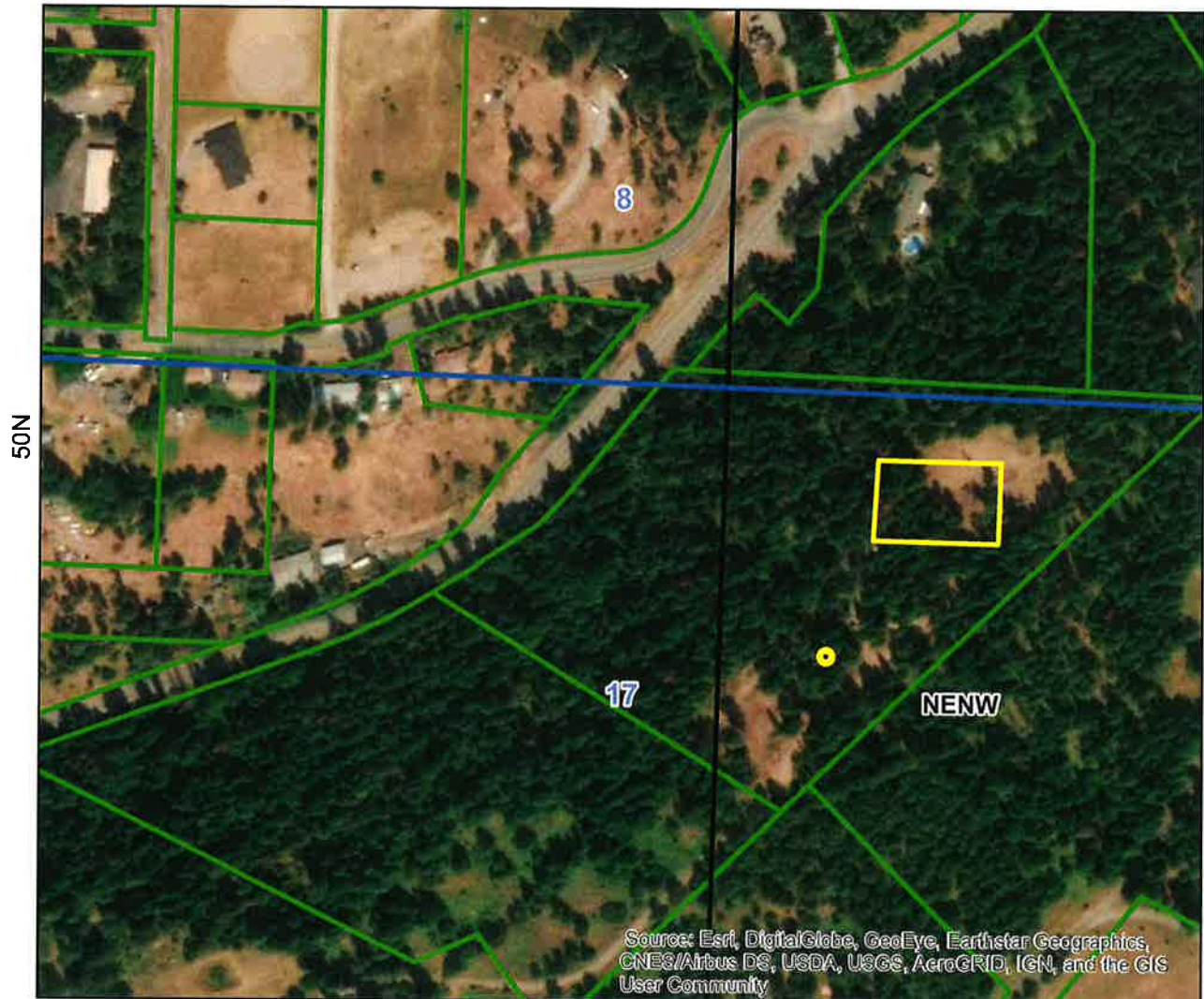
State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

95-17517

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.

03W



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

0 0.0375 0.075 0.15 Miles



Tax parcel information provided by Kootenai County.



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

January 08, 2019

JASON G JUSTIS
8312 N COURCELLES PKWY
HAYDEN ID 83835

BROOKE R JUSTIS
8312 N COURCELLES PKWY
HAYDEN ID 83835

RE: Permit No. 95-17517

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.

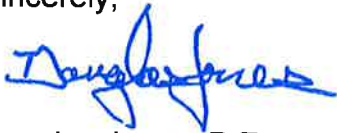
The final step in the water right process is issuance of a water right license. To receive a water right license, you must first commence the excavation or construction of your diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is complete. In addition, 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 for more information about these programs.

Also, please note that permit holders are required to report any change of 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. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

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

Sincerely,



Douglas Jones, P.E.
Northern Regional Manager

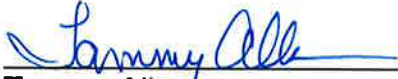
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on January 08, 2019, I served a true and correct copy of Permit to Appropriate Water No. 95-17517 by U.S. Mail, postage prepaid, to the following:

JASON G JUSTIS (Current Owner)
8312 N COURCELLES PKWY
HAYDEN ID 83835

BROOKE R JUSTIS (Current Owner)
8312 N COURCELLES PKWY
HAYDEN ID 83835



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,
County of Kootenai, } ss.

Geri Hagler

being first duly sworn
upon oath deposes and says:

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 except Sunday 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 *17* day of *May*, 20*18*, and ending on the *24* day of *May*, 20*18*, 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. *Geri Hagler*
On this *24* day of *May* in the year of *2018*, before me, a Notary Public, personally appeared *Geri Hagler*, 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 for the State of Idaho,
residing at Coeur d'Alene, Idaho.



RECEIVED

JUN 04 2018

IDWR / NORTH

MY COMMISSION EXPIRES 8/20/23

**WATER PERMIT
APPLICATIONS**

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

95-17515

CHERYL E MORGAN
DWIGHT H MORGAN
PO BOX 1195
WALLACE, ID 83873
Point of Diversion NENW
S17 T50N R03W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 4/25/2018
Place Of Use: DOMESTIC
T50N R03W S17
NENW NWNW
95-17517

JASON G JUSTIS
BROOKE R JUSTIS
8312 N COURCELLES PKWY

HAYDEN, ID 83835

Point of Diversion NENW
S17 T50N R03W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 4/25/2018
Place Of Use: DOMESTIC
T50N R03W S17 NENW

Permits will be subject to all
prior water rights. For addition-
al 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
6/4/2018. The protestant must
also send a copy of the protest
to the applicant.

GARY SPACKMAN, Director
CDA LEGAL 9525
AD#189489
MAY 17, 24, 2018

MEMORANDUM

Date: December13, 2018
To: Water Right Files 95-17515 and 95-17517
From: smaxey
Re: PRIORITY DATE 04/25/2018

TWO APPLICATIONS FOR PERMIT WERE RECEIVED BY IDWR ON 4/23/2018 TO SHARE WELL D0076071. BOTH APPLICATIONS WERE CORRECTED ON 4/25/2018 BY CHANGING THE LEGAL DESCRIPTION FOR THE POINT OF DIVERSION WELL AND THE RESPECTIVE PLACE OF USE LEGAL DESCRIPTIONS FOR EACH APPLICATION

THE CORRECTIONS TO BOTH APPLICATIONS WERE RECEIVED BEFORE PUBLICATION OF LEGAL NOTICES.

<u>DOCUMENT</u>	<u>PRIORITY DATE</u>	<u>ISSUE / ACTION</u>
APPLICATION	4/23/2018	4/23/2018 APPLICATION RECEIVED AT IDWR NORTHERN. APPLICATION UNACCEPTABLE FOR FILING BECAUSE MAP LEGAL DESCRIPTION NOT IN AGREEMENT WITH PAGE 1 & PAGE 2 OF APPLICATION.
CORRECTED APPLICATION RECVD	04/25/2018	04/25/2018 IDWR RECEIVED CORRECTED APPLICATION WITH CORRECT PAGE 1 & PAGE 2 OF APPLICATION (LEGAL DESCRIPTIONS).

MEMORANDUM

Date: December 13, 2018
To: Water Right File 95-17517
From: smaxey
Re: POINT OF DIVERSION & PLACE OF USE PARCEL NUMBER CHANGE

ORIGINAL POINT OF DIVERSION (WELL) AND PLACE OF USE PARCEL (KOOTENAI COUNTY 50N03W173100) WAS DIVIDED INTO TWO SEPARATE PARCELS AFTER THE APPLICATION WAS TURNED INTO IDWR NORTHERN REGION. THE ORIGINAL PARCEL NUMBER IS SHOWN ON THE APPLICATION MAP.

THE NEW POINT OF DIVERSION (WELL) AND PLACE OF USE PARCEL FOR APPLICATION 95-17517 IS KOOTENAI 0L2360010010 (SEE ATTACHED KCWebMap).

A SHARED WATER WELL AGREEMENT FOR 95-17515 (MORGAN) IS ENCLOSED WITH THE APPLICATION.

IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

1. WELL TAG NO. D 0076071

Drilling Permit No. 883000
Water right or injection well # _____

2. OWNER:

Name Jason Justis
Address 8312 N. Courcelles PKWY
City Hayden State ID Zip 83835

3. WELL LOCATION:

Twp. 50 North ☒ or South ☐ Rge. 3 East ☐ or West ☒
Sec. 17 NE 1/4 NW 1/4

Gov't Lot 47 County Kootenai
Lat. 44.105 (Deg. and Decimal minutes)
Long. 116.44.232 (Deg. and Decimal minutes)
Address of Well Site The end of E. Hanna Lane
City Coeur d'Alene

(Give at least name of road + Distance to Road or Landmark)

Lot. _____ Blk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☐ Other _____

5. TYPE OF WORK:

☒ New well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other _____

6. DRILL METHOD:

☒ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method/procedure
Bentonite Chips	0	38	1100 lbs.	Overbore

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/Schedule	Material	Casing	Liner	Threaded	Welded
6"	+2	58	.250	Steel	☒	☐	☐	☒
4"	10	490	40	PVC	☐	☒	☐	☐

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 58'

9. PERFORATIONS/SCREENS:

Perforations ☒ Y ☐ N Method Saw Cut

Manufactured screen ☐ Y ☒ N Type _____

Method of installation _____

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
410	490	1/8x6	.5	4"	PVC	40

Length of Headpipe NA Length of Tailpipe NA

Packer ☐ Y ☒ N Type _____

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method
NA				

11. FLOWING ARTESIAN:

Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) _____

Describe control device _____

12. STATIC WATER LEVEL and WELL TESTS:

Depth first water encountered (ft) 205 Static water level (ft) 205
Water temp. (°F) Cold Bottom hole temp. (°F) Cold
Describe access port Steel Welded Cap

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)
NA	27 gpm	120

Test method:

Pump	Bailer	Air	Flowing artesian
☐	☐	☒	☐

Water quality test or comments: _____

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water	
				Y	N
10	0	20	Light Brown Clay		X
10	20	38	Dark Brown Clay		X
8	38	45	Clay and Broken Basalt		X
8	45	58	Basalt		X
6	58	205	Basalt		X
6	205	210	Fractured Basalt	X	
6	210	230	Basalt		X
6	230	255	Basalt and Clay		X
6	255	260	Brown Clay		X
6	260	275	Brown Clay and Basalt		X
6	275	295	Basalt		X
6	295	335	Brown Clay		X
6	335	390	Green Clay and Shale		X
6	390	455	Shale		X
6	455	456	Fractured Shale	X	
6	456	475	Shale		X
6	475	476	Fractured Shale	X	
6	476	500	Shale		X

*We lost 10 feet of hole, bottom of 4" PVC liner is at 490'

RECEIVED

JUL 28 2017

IDWR / NORTH

Completed Depth (Measurable): 490'

Date Started: 7/17/2017

Date Completed: 7/21/2017

14. DRILLER'S CERTIFICATION:

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

Company Name Horsley Drilling, Inc.

Co. No. 632

*Principal Driller J. Mark Horsley Date 7/28/2017

*Driller Grant Kice Date 7/28/2017

*Operator II [Signature] Date 7/28/2017

Operator I _____ Date _____

* Signature of Principal Driller and rig operator are required.

Kootenai County
Terms of Use

Name: justis Search By: Owner Name Find

Map Layers

(Structure Point)

OBJECTID	81288
STRUCT_ID	95189
STRUC_TYPE	TWP
SERIAL	338494
LAST_NAME	
FIRST_NAME	
OLD_ADD	1307
OLD_SUB	
OLD_DIR	E
OLD_ROAD	HANNA
OLD_RDTYPE	LN
OLD_CITY	COEUR D'ALENE
OLD_ZIP	83814
HOUSE_NUM	1307

Parcel ID Owner Name
0-L236-001-001-0 JUSTIS, JASON

Owner Additional

AIN: 338494 LRSN: 557138
Parcel Number: 0-L236-001-001-0
Appr Dist: 6 TRS: 503W17NW
Incorporation: NONE

Owner Information:
JUSTIS, JASON
PO BOX 785
COEUR D'ALENE, ID 83816

Site Address:
1307 E HANNA LN
COEUR D'ALENE

Legal Description: BKPG: L236
CHERYL MORGAN ESTATES, LT 1 BLK
1. 1750N03W

Acres: 7.2606