

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09674

Priority: September 18, 2017

Maximum Diversion Rate: 0.15 CFS

This is to certify, that ROGER D GRIFFIN And / Or AVICE MARIE GRIFFIN, 9030 N HESS ST NO 333,
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
STOCKWATER	01/01 to 12/31	0.02 CFS
IRRIGATION	04/01 to 10/31	0.15 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW1/4, SE1/4, Sec. 14, Twp 55N, Rge 03W, B.M., BONNER County

GROUND WATER SW1/4, SE1/4, Sec. 14, Twp 55N, Rge 03W, B.M., BONNER County

PLACE OF USE: DOMESTIC and STOCKWATER

Twp Rge Sec	NE	NW	SW	SE	Totals
55N 03W 14	NE	NW	SW	SE	
				X	

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	Totals
55N 03W 14	NE	NW	SW	SE	
				5.0	5.0

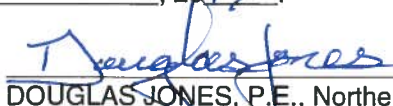
Total Acres: 5

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2022**.
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 Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Domestic use is for 5 homes. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
7. Stockwater use is for 50 head Mixed Stock.
8. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.

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

Signed, this 26th day of October, 2017.

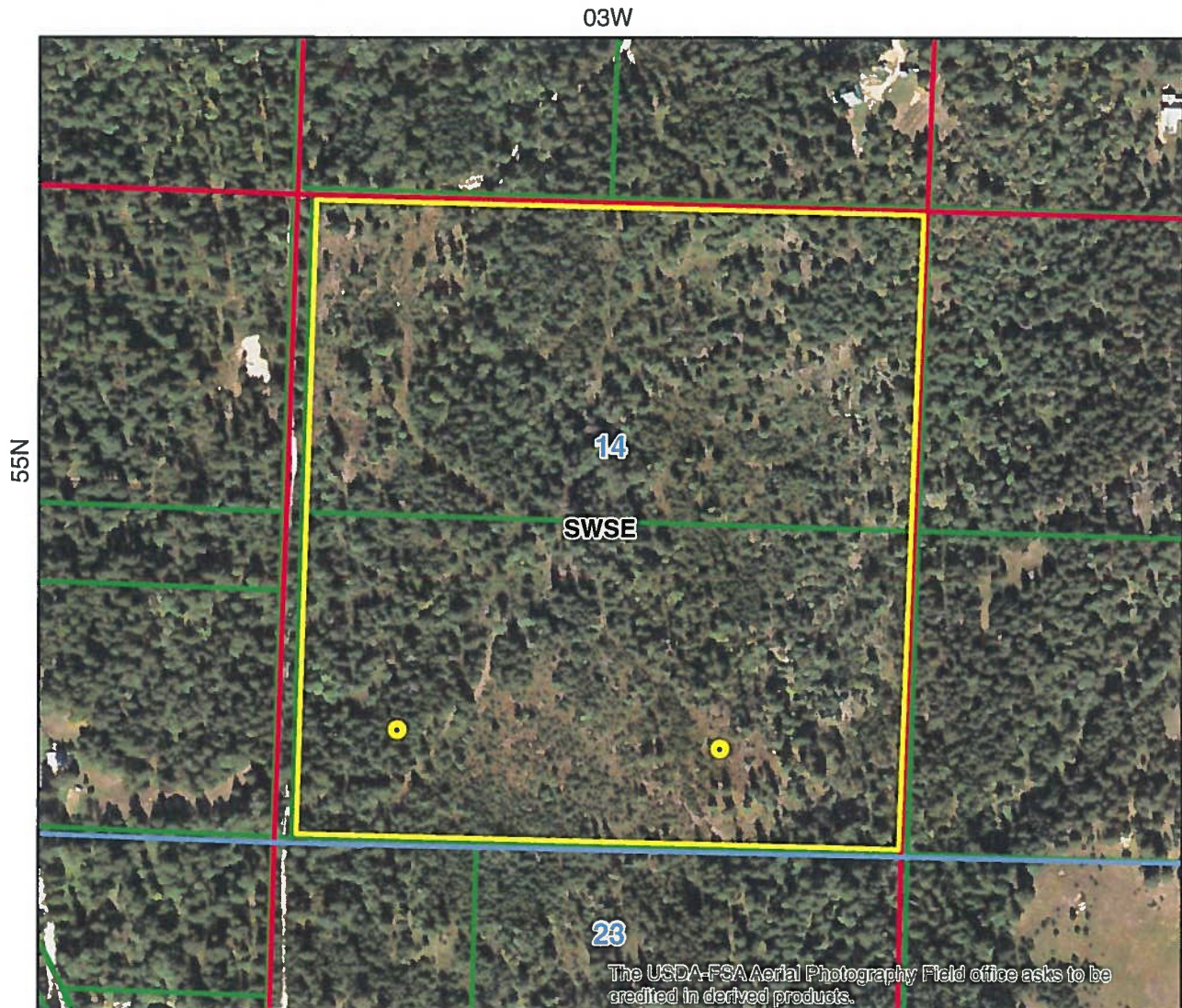

DOUGLAS JONES, P.E., Northern Regional Manager

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-9674

This map depicts the IRRIGATION and STOCKWATER 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
-  Place Of Use Boundary
-  PLS Sections
-  Taxlots

0 0.045 0.09 0.18 Miles

A horizontal scale bar with tick marks at 0, 0.045, 0.09, and 0.18 miles.

Tax parcel information provided by Bonner County.



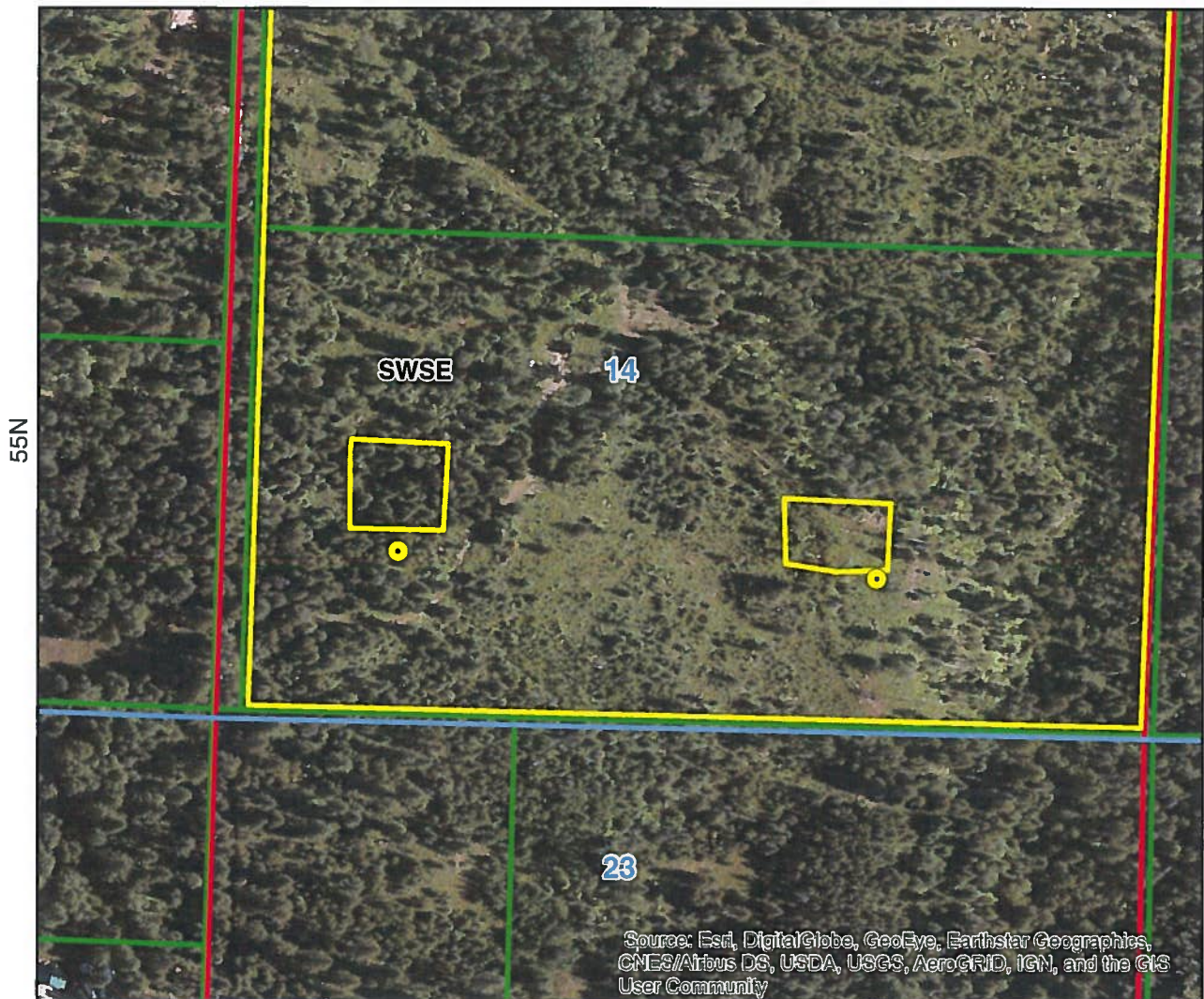
State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-9674

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



-  Permit POD
-  Permit POU
-  PLS Sections
-  Taxlots

0 0.03 0.06 0.12 Miles



Tax parcel information provided by Bonner County.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 27, 2017

ROGER D & AVICE MARIE GRIFFIN
9030 N HESS ST NO 333
HAYDEN ID 83835

RE: Permit No. 96-9674

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit 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 a party 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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

Also, 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 Regional Office at 208-762-2800.

Sincerely,

A handwritten signature in blue ink, appearing to read "Douglas Jones", with a stylized flourish extending to the right.

Douglas Jones, P.E.

Northern Regional Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on October 27, 2017 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 96-9674

**ROGER D & AVICE MARIE GRIFFIN
9030 N HESS ST NO 333
HAYDEN ID 83835**



**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

RECEIVED

OCT 17 2017

IDWR / NORTH

STATE OF IDAHO)

) ss.

County of Bonner)

_____ Geri Hagler being first duly sworn on oath, deposes and states:

1. I am a citizen of the United States of America, over the age of 18 years, a resident of Bonner County, Idaho, and am not a party to the proceedings referred to in the attached Legal notices

My business address is P.O. Box 159, Sandpoint, Idaho.

2. I am the Legal Clerk of the Bonner County Daily Bee, a newspaper of general publication in Bonner County, Idaho;

3. Said newspaper has been continuously and uninterruptedly published in Bonner County, Idaho during a period of 12 months prior to the first publication of said Notice, and thereafter.

4. The attached Notice was published in the regular and entire issue of the Bonner County Daily Bee for a period of 2 consecutive weeks, commencing on the 5 day of October, 20 17, and ending on the 12 day of October, 20 17.

_____ Geri Hagler

State of Idaho, county of Bonner ss.

On this 12 day of October, in the year of 2017, before me, Katrina George, Notary Public, personally appeared

Geri Hagler, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (or they) executed the same.

Katrina George
Notary Public

Residing at: Kootenai County

Comm. Exp.: MY COMMISSION EXPIRES 8/29/23



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

96-9673

JOHN & BARBARA CORNETT
PO BOX 795
SANDPOINT, ID 83864
Point of Diversion NWNE
S25 T57N R02W
BONNER County
Source LAKE PEND

OREILLE
Use: FIRE PROTECTION
01/01 to 12/31 0.09 CFS
Use: IRRIGATION
04/01 to 10/31 0.02 CFS
Total Diversion: 0.09 CFS
Date Filed: 9/12/2017
Place Of Use: IRRIGATION
T57N R02W S25 L1(NWNE)
Place Of Use: FIRE
PROTECTION
T57N R02W S25 L1(NWNE)
Total Acres: 0.5

96-9674

ROGER D & AVICE MARIE
GRIFFIN
9030 N HESS NO 333
HAYDEN, ID 83835
Point of Diversion SWSE
S14 T55N R03W
BONNER County
Source GROUND WATER

Point of Diversion SWSE
S14 T55N R03W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.15 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.15 CFS
Date Filed: 9/18/2017
Place Of Use: DOMESTIC
T55N R03W S14 SWSE
Place Of Use: STOCKWATER
T55N R03W S14 SWSE
Place Of Use: IRRIGATION
T55N R03W S14 SWSE
Total Acres: 5

96-9675

SHAWN & LORI FINNERTY
108 LA VITA BELLA LN
HOPE, ID 83836
Point of Diversion NWSE
S2 T56N R01E
BONNER County
Source LAKE PEND

OREILLE
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.07 CFS
Date Filed: 9/19/2017
Place Of Use: DOMESTIC
T56N R01E S2 L3(NWSE)
Place Of Use: IRRIGATION
T56N R01E S2 L3(NWSE)
Total Acres: 0.6

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 Wa-
ter Resources, Northern Re-
gion, 7600 Mineral Drive, Suite
100, Coeur D' Alene ID 83815
together with a protest fee of
\$25.00 for each application on
or before 10/23/2017. The
protestant must also send a
copy of the protest to the
applicant.

GARY SPACKMAN,

Director

LEGAL 4944

OCTOBER 5, 12, 2017