

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 96-09664

Priority: July 28, 2017

Maximum Diversion Rate: 0.04 CFS

This is to certify, that HARVEST VALLEY WORSHIP CENTER
PO BOX 2059
SANDPOINT ID 83864

has 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 NW1/4, SW1/4, Sec. 25, Twp 58N, Rge 02W, B.M., BONNER County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
58N	02W	25										X							

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. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
5. 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.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. Domestic use is for 1 church.
8. The daily diversion volume for the domestic use authorized under this right shall not exceed 2,500 gallons per day.

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

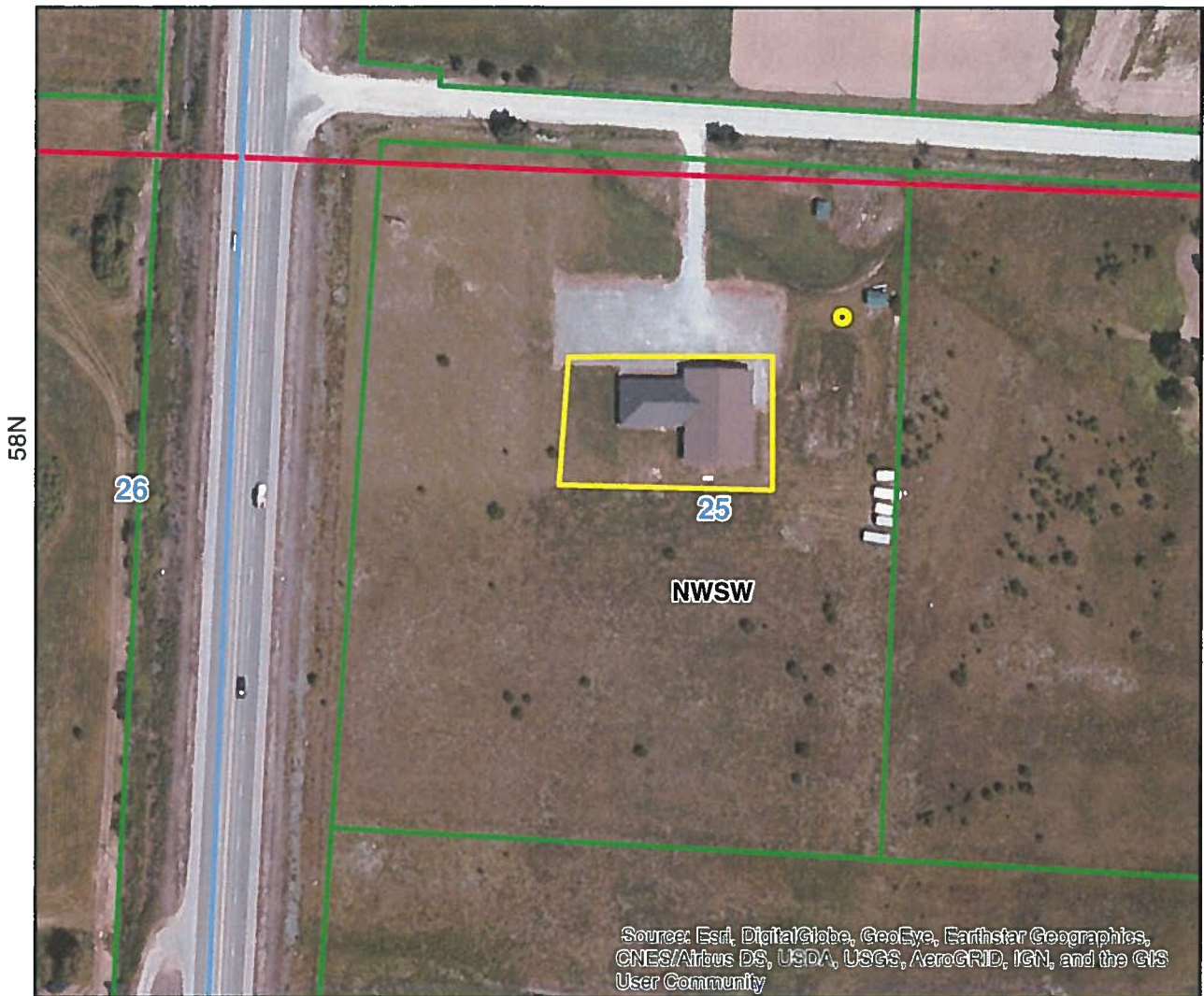
Signed, this 25th day of October, 2017.


DOUGLAS JONES, P.E., Northern Regional Manager

State of Idaho
Department of Water Resources
Attachment to Permit to Appropriate Water
96-9664

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.

02W



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

0 0.02 0.04 0.08 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 26, 2017

HARVEST VALLEY WORSHIP CENTER
PO BOX 2059
SANDPOINT ID 83864

RE: Permit No. 96-9664

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 water right application for permit indicates the well has already been constructed and therefore approval conditions #5 and #6 appear to have been complied with. However, I call attention to condition #4 wherein Harvest Valley Worship Center must comply with Department of Environmental Quality permitting requirements. The attached comment letter from DEQ, dated 9/27/17 and copied to HVWC, provides notice that DEQ permitting requirements have **NOT** been complied with. **Use of water for the permitted uses is NOT AUTHORIZED unless all conditions of approval have been met.** Failure to adhere to conditions of approval may be cause for the Department to cancel this permit.

Condition #8 limits the daily diversion to 2500 gallons per day. Storage for domestic use is not part of the application or a permitted use. However, the application for permit included pictures that appear to indicate that there are storage tanks plumbed into the system. Please clarify the number, size and purpose of these tanks. You have an opportunity to petition IDWR to reconsider the daily volume limitation at this stage of the process (see the following paragraph).

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.

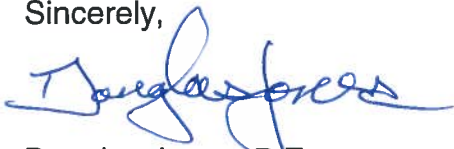
The Department will send you a 'Proof Due Notice' approximately 60 days prior to the date shown under condition no. 1 requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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", is written over a horizontal line.

Douglas Jones, P.E.
Northern Regional Manager

Enclosure(s)

cc: JANINE SHEPARD, Anna Moody (DEQ Drinking Water Program Supervisor)

CERTIFICATE OF SERVICE

I hereby certify that on October 26, 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. 96-9664

**JANINE SHEPARD
80 SWEETGRASS LN
SANDPOINT ID 83864**

**HARVEST VALLEY WORSHIP CENTER
PO BOX 2059
SANDPOINT ID 83864**



**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.

RECEIVED

OCT 05 2017

AFFIDAVIT OF PUBLICATION

IDWR / NORTH

STATE OF IDAHO)

) ss.

County of Bonner)

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

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 notice.
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 2 day of September, 2017, and ending on the 28 day of September, 2017.

Geri Hagler

State of Idaho, county of Bonner ss.

On this 28 day of September, 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



IDWR NOTICE

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

96-9664

HARVEST VALLEY WORSHIP CENTER

PO BOX 2059

SANDPOINT, ID 83864

Point of Diversion NWSW

S25 T58N R02W

BONNER County

Source GROUND WATER

Use: DOMESTIC

01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 7/28/2017

Place Of Use: DOMESTIC

T58N R02W S25 NWSW

96-9668

JOHNSON TRUST

5202 N HUTTON VIEW LN

SPOKANE, WA 99212

Point of Diversion L5(NWSW)

S2 T56N R01E

BONNER County

Source LAKE

PEND OREILLE

Use: DOMESTIC

01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 9/1/2017

Place Of Use: DOMESTIC

T56N R01E S2 L5(NWSW)

96-9669

DAMON T JOHNSON &

GAIL A JOHNSON

203 EASY LIVIN ACRES DR

SAGLE, ID 83860-9197

Point of Diversion L4(SWNE)

S9 T56N R03W

BONNER County

Source PEND OREILLE

RIVER

Use: IRRIGATION

04/01 to 10/31 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 8/17/2017

Place Of Use: IRRIGATION

T56N R03W S9

L4(SWNE) L5(NWSE)

Total Acres: 1

96-9671

JOAN C SUTTON

4939 BOTTLE BAY RD

SAGLE, ID 83860

Point of Diversion L3(NENW)

S30 T57N R01W

BONNER County

Source GROUND WATER

Use: DOMESTIC

01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 8/17/2017

Place Of Use: DOMESTIC

T57N R01W S30 L3(NENW)

97-7547

WILLIAM & KAREN BELDING

7106 EASTSIDE RD

PRIEST RIVER, ID 83856

Point of Diversion NENW

S29 T57N R04W

BONNER County

Source PRIEST RIVER

Use: IRRIGATION

04/01 to 10/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 8/14/2017

Place Of Use: IRRIGATION

T57N R04W S29 NENW

Total Acres: 0.5

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 Mineral Drive, Suite 100, Coeur D'Alene ID 83815

together with a protest fee of \$25.00 for each application on or before 10/10/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN,

Director

LEGAL 4926

SEPTEMBER 21, 28, 2017



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

2110 Ironwood Parkway, Coeur d'Alene, ID 83814 (208) 769-1422

C. L. "Butch" Otter, Governor
John H. Tippetts, Director

September 27, 2017

Idaho Department of Water Resources
7600 North Mineral Drive, Suite 100
Coeur d'Alene, Idaho 83815
Tammy.Alleman@idwr.idaho.gov

Subject: Comments on Application for Permit #96-9664

The Idaho Department of Environmental Quality (DEQ) Coeur d'Alene Regional Office received a request for comment regarding the subject Application for Permit from the Harvest Valley Worship Center (previously named Hidden Valley Worship Center). The permit request is for the purpose of domestic use to the associated church. DEQ has the following comments.

- According to DEQ and Panhandle Health District (PHD) records, this facility is a public drinking water system (PWS) named Hidden Valley Worship Center, PWS ID1090264. To date, PHD has not been requested to change the name of the water system facility.
- The subject point of diversion (IDWR tag#D0069686 / DEQ Tag#EO0010051) is not approved by DEQ for public use. DEQ was not provided plans and specifications by an Idaho Licensed Professional Engineer for review and approval, as required by the Idaho Rules for Public Drinking Water Systems.
- However, this well site was approved by DEQ August 18, 2015, as provided in the enclosed letter.

Thank you for the opportunity to comment on the Application for Permit #96-9664. If you have questions or comments regarding Idaho Rules for Public Drinking Water Systems please contact DEQ at (208) 769-1422.

Sincerely,

A handwritten signature in blue ink, appearing to read "Anna Moody".

Anna Moody
Drinking Water Program Supervisor
Anna.Moody@deq.idaho.gov

Enclosure

Ec: Janine Shepard, Harvest Valley Worship Center Representative, chris@hvwc.com
Matt Plaisted, DEQ Regional Engineering Manager, Matthew.Plaisted@deq.idaho.gov
Craig Borrenpohl, Regional Staff Engineer, Craig.Borrenpohl@deq.idaho.gov
Jamie Barton, Panhandle Health District Sr.REHS, jbarton@phd1.idaho.gov
Filed in TRIM PWSID1090264



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

2110 Ironwood Parkway, Coeur d'Alene, ID 83814 (208) 769-1422

C. L. "Butch" Otter, Governor
John Tippetts, Director

August 18, 2015

Chris Bassett
Hidden Valley Worship Center
86 Hidden Valley Road
Sandpoint, ID 83864

Subject: Well Site Evaluation, Hidden Valley Worship Center

Dear Mr. Bassett:

On August 14, 2015, we met at Hidden Valley Worship Center to conduct a well site evaluation. The proposed location appears to meet all setback requirements as identified in IDAPA 58.01.08.900.01 Table 1 – Minimum Distances from a Public Water System Well.

This letter is to confirm that the Department of Environmental Quality has reviewed and has approved the proposed replacement well site at approximately 48°20'57.57"N 116°32'43.30"W in accordance with Section 510.01 of the Idaho Rules for Public Drinking Water Systems (Rules).

The following requirements must be met for the well site to be approved for a public drinking water source:

Design & Construction

Construction plans and specifications for the well(s) designed in accordance with the Rules must be approved by our office prior to drilling. Sections 510.03, 511, and 513 of the Rules are specific to well construction. Plans must be prepared by an Idaho licensed Professional Engineer. Well drilling must be completed in accordance with the approved plans and specifications. In addition, there may be other applicable rules and laws administered by the Idaho Department of Water Resources.

Setbacks

Please observe the following setbacks and restrictions, as per Section 510.02 of the Rules, the well must be located in excess of:

- * 1,000 feet from biosolids land application sites
- * Required distance for reclamation and reuse of municipal and industrial wastewater sites as per IDAPA 58.01.17
- * 500 feet from municipal or industrial wastewater plant
- * 100 feet from all septic tanks
- * 100 feet from all individual home disposal fields
- * 100 feet from all individual home seepage pits
- * 100 feet from all privies
- * 100 feet from all pressure sewer lines
- * 100 feet from all standard subsurface disposal drainfields
- * 150-300 feet from all large soil absorption systems
- * 50 feet from all gravity wastewater/sewer lines
- * 50 feet from all livestock
- * 50 feet from canals, streams, rivers, ditches, lakes, and ponds
- * 50 feet from storm water facilities disposing storm water originating off well lot

Chris Bassett
August 18, 2015
Page 2 of 2

- * 50 feet from all tanks used to store non-potable substances
- * 50 feet from all potential sources of contamination

Control of Site

Public drinking water wells must be sited on a well lot owned or controlled by the water system. If the well lot is not owned in fee simple, the property must be controlled by a lease or easement. The well lot must extend a minimum of 50 feet in all directions from the well. Those and other requirements for well lots are noted in Section 512 of the Rules.

Completion of the Well

Upon completion of the well drilling, additional information must be submitted to DEQ for review prior to utilizing the source. That information includes record drawings, initial source monitoring, and test pumping data. Information submitted must meet the requirements of Sections 510.05 & 510.06 of the Rules and Idaho Code 39-118. Record drawings must be prepared by an Idaho licensed Professional Engineer and submitted to our office within thirty (30) days of completion of construction. For additional information and guidance on test pumping, please refer to the *Guidance for New Source Water Testing Procedures for Public Drinking Water Systems*. That guidance is available online at:

http://www.deq.idaho.gov/media/515237-source_water_testing_procedures_guidance.pdf

As the project is proposed for a transient non-community system, the following monitoring results will need to be provided upon completion of the wells:

Total coliform	Iron
Nitrate	Manganese
Nitrite	Corrosivity (as alkalinity)

If you have any questions or comments on this matter, please contact me at (208) 666-4634.

Sincerely,



Colin Naake, EIT
Colin.naake@deq.idaho.gov

c: Jamie Barton, PHD jbarton@phd1.idaho.gov