

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-17292

Priority: March 27, 2017

Maximum Diversion Rate: 0.10 CFS

This is to certify, that RON PRATTE
4400 W EAPHART WAY
CHANDLER AZ 85226

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>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.10 CFS	
DIVERSION TO STORAGE	04/01 to 10/31	0.10 CFS	
AESTHETIC	04/01 to 10/31	0.10 CFS	
AESTHETIC STORAGE	04/01 to 10/31		0.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L2 (NW1/4SW1/4) Sec. 20, Twp 48N, Rge 04W, B.M. KOOTENAI 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	NE	NW	SW	SE	
48N 04W 20											X						

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
48N 04W 20											X						
											L 2						

PLACE OF USE: AESTHETIC STORAGE AND AESTHETIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
48N 04W 20											X						
											L 2						

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 95-17292

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **June 01, 2018**.
2. Subject to all prior water rights.
3. Domestic use is for 1 home and 1 boat house and does not include lawn, garden, landscape, or other types of irrigation.
4. Right 95-17292 authorizes a total annual storage volume of 0.4 acre-feet, 0.3 acre-feet to be used for the initial filling of the water feature and 0.1 acre-feet for the replacement of losses caused by evaporation.
5. The water feature established by the storage of water under this right shall not exceed a total capacity of 0.3 acre-feet or a total surface area of 0.07 acres.
6. The right holder shall install and maintain an impermeable liner in the water feature to eliminate seepage losses.
7. This right does not grant any right-of-way or easement across the land of another.

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

Signed this 3rd day of May, 20 17.


MORGAN CASE, Northern Regional Manager

State of Idaho
Department of Water Resources

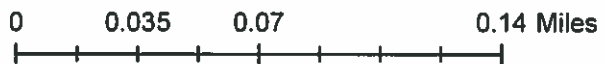
Attachment to Permit to Appropriate Water

95-17292

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.



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



State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

95-17292

This map depicts the AESTHETIC STORAGE 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.



04W

0 0.035 0.07 0.14 Miles

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





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

May 31, 2017

RON PRATTE
4400 W EARHART WAY
CHANDLER AZ 85226

RE: Permit No. 95-17292

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.

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 me at 208-762-2800.

Sincerely,

A handwritten signature in black ink that reads "Morgan Case". The signature is written in a cursive, flowing style.

Morgan Case
Northern Regional Manager

Enclosure(s)

cc: VERDIS

CERTIFICATE OF SERVICE

I hereby certify that on May 31, 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. 95-17292

**RON PRATTE
4400 W EARHART WAY
CHANDLER AZ 85226**

**VERDIS
C/O STEPHANIE BLALACK
PO BOX 580
COEUR D ALENE ID 83816**



**Natalie Steading
Technical Records Specialist**

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

STATE OF IDAHO, }
County of Kootenai, } ss

MAY 08 2017

IDWR/NORTHERN

Holly Fredericks being first duly sworn
upon oath deposes and says

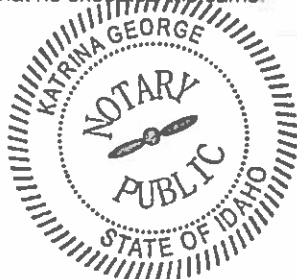
1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

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 Thurs issue of said newspaper for 2 consecutive weeks commencing on the 20 day of Apr 20 17, and ending on the 27 day of Apr 20 17, 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 Holly Fredericks. On this 27 day of Apr in the year of 2017, before me, a Notary Public, personally appeared Holly Fredericks, 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.

MY COMMISSION EXPIRES 8/29/17

RECEIVED
MAY 08 2017
IDWR/NORTHERN

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

95-17292

RON PRATTE

4400 W EARHART WAY

CHANDLER, AZ 85226

Point of Diversion L2(NWSW) S20 T48N R04W KOOTENAI CO

Source GROUND WATER

Use: AESTHETIC 04/01 to 10/31 0.1 CFS

Use: AESTHETIC Storage 04/01 to 10/31 0.4 AF

Use: DIVERSION to Storage 04/01 to 10/31 0.1 CFS

Use: DOMESTIC 01/01 to 12/31 0.1 CFS

Total Diversion: 0.1 CFS

Date Filed: 3/27/2017

Place of Use: DOMESTIC T48N R04W S20 L2(NWSW)

Place of Use: AESTHETIC and AESTHETIC STORAGE same as DOMESTIC

Domestic use is for household and boat house.

Aesthetic is for water feature on property.

95-17293

PER LARSEN

ELLEN LARSEN

6734 W STURGEON RD

RATHDRUM, ID 83858

Point of Diversion NWNWNE S19 T52N R04W KOOTENAI CO

Source SPRING tributary SINKS

Use: IRRIGATION 03/15 to 11/15 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 3/30/2017

Place of Use: IRRIGATION T52N R04W S19 NWNE

Total Acres: 1.2

95-17294

R & B PREMIER ENTERPRISE LLC

1869 E SELTICE WAY #376

POST FALLS, ID 83854

Point of Diversion L4(NWNW) S6 T50N R05W KOOTENAI CO

Source GROUND WATER

Use: FIRE PROTECTION 01/01 to 12/31 4 CFS

Total Diversion: 4 CFS

Date Filed: 3/9/2017

Place of Use: FIRE PROTECTION T50N R05W S6 L4(NWNW) L5(SWNW)

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800; or for a full description of the right(s), please see:

<http://www.idwr.idaho.gov/apps/ExtSearch/WRAApplicationResult.s/>

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 5/8/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

LEGAL 7456

APR 20, 27, 2017