State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 96-09641

Priority: September 02, 2016 Maximum Diversion Rate: 0.04 CFS

This is to certify, that GARY PRUITT
18417 ABAGAIL LN
SPOKANE WA 99208

And

SHARON PRUITT
18417 ABAGAIL LN
SPOKANE ID 99208

has applied for a permit to appropriate water from:

Source: PEND OREILLE RIVER **Tributary:** COLUMBIA RIVER

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

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

LOCATION OF POINT(S) OF DIVERSION:
PEND OREILLE RIVER L6 (NE1/4, SE1/4), Sec. 30, Twp 56N, Rge 03W, B.M., BONNER 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
56N 03W 30													X L 6				

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **January 01, 2018.**
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. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
5. Domestic use is for external use for 1 home.
6. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
7. Place of use is located within Lot 13, Campbell Point Lots subdivision.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Signed, this 27th day of December, 2016.

Morgan Case

MORGAN CASE, Northern Regional Manager

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-9641

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.

0 0.0175 0.035 0.07 Miles

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

N

State of Idaho
DEPARTMENT OF WATER RESOURCES
Northern Region, 7600 Mineral Drive. Suite 100, Coeur d'Alene, Idaho 83815
Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 28, 2016

GARY PRUITT
SHARON PRUITT
18417 ABAGAIL LN
SPOKANE ID 99208

RE: Permit No. 96-9641

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.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

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,

Morgan Case

Morgan Case
Northern Regional Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on December 28, 2016 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. 96-9641

GARY PRUITT
18417 ABAGAIL LN
SPOKANE WA 99208

SHARON PRUITT
18417 ABAGAIL LN
SPOKANE ID 99208

Dianne L Ball

Dianne L. Ball
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 issuance 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
DEC 09 2016
IDWR / NORTH

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner, Robin Haley being first duly sworn on oath deposes and says that he/she is Advertising Manager of the Priest River Times, a newspaper printed and published at Priest River, Bonner County, Idaho; that the said newspaper has been continuously and uninterruptedly published in said Bonner County during a period of 12 months prior to the first publication of the hereto attached notice of publication in the case of:

Applications
95-17217-Coseo
96-9641-Pruitt
97-7540-Harold

as it was published in the regular and entire issue of the said newspaper for a period of 2 consecutive weeks, commencing on the 2nd day of November, 20 16 and ending on the 9th day of November, 20 16 and that said notice was published in said newspaper.

On this 9th day of November in the year of 2016, before me, a Notary Public, personally appeared Robin Haley, 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.

Shannon M. Foote
Notary Public for Idaho
Residing at Priest River
My commission expires: 10-15-19

SHANNON M. FOOTE NOTARY PUBLIC STATE OF IDAHO

NOTICE OF APPLICATIONS OF WATER RIGHTS

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

95-17217

MICHAEL J COSEO
LAVERNE E COSEO
630 GOLDFINCH LN
SPIRIT LAKE, ID 83869
Point of Diversion SWNE S21 T54N R04W BONNER County
Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 10/3/2016
Place of Use: DOMESTIC T54N R04W S21 SWNE
Domestic use is for 1 home.

96-9641

GARY PRUITT
SHARON PRUITT
18417 ABAGAIL LN
SPOKANE, ID 99208
Point of Diversion L6(NESE) S30 T56N R03W BONNER County
Source PEND OREILLE RIVER tributary COLUMBIA RIVER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 9/2/2016
Place of Use: DOMESTIC T56N R03W S30 L6(NESE)
Domestic use is for external use only.

97-7540

PAUL D HAROLD
816 SW 142ND ST
BURIEN, WA 98166
Point of Diversion NESWSW S9 T57N R04W BONNER County
Source SPRING tributary SINKS
Point of Diversion SESWSW S9 T57N R04W BONNER County
Source SPRING tributary SINKS
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Use STOCKWTER 01/01 to 12/31 0.02 CFS
Total Diversion: 0.04 CFS
Date Filed: 9/23/2016
Place of Use: DOMESTIC T57N R04W S9 SWSW
Place of Use: STOCKWATER same as DOMESTIC
Domestic use is for 1 home.
Livestock use is for 22 head of mixed stock.
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/WRApplicationResults/.
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 11/21/2016. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
PRT legal 3039
November 2, 9, 2016