State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 96-09560

Priority: February 26, 2015 Maximum Diversion Rate: 0.06 CFS

This is to certify, that JACK CHILDRESS And/Or
KANDI CHILDRESS
739 PENINSULA RD
HOPE ID 83836

has applied for a permit to appropriate water from:

Source: GROUND WATER

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
STOCKWATER	01/01 to 12/31	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:
GROUND WATER NE1/4NW1/4 Sec. 12, Twp 56N, Rge 01E, B.M. BONNER County

PLACE OF USE: DOMESTIC AND STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N	01E	12					X												

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2016.**
2. Subject to all prior water rights.
3. Stockwater use is for 2 horses.
4. Domestic use is for 1 home.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
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. 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. Witness the signature of the Director, affixed at Coeur d' Alene, this 1st day of April, 2015.

Keith L. Franklin
For, GARY SPACKMAN, Director

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

April 21, 2015

JACK CHILDRESS And/Or
KANDI CHILDRESS
739 PENINSULA RD
HOPE ID 83836

RE: Permit No. 96-9560

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.

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,

Keith E. Franklin
Program Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on April 21, 2015 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. 96-9560

JACK CHILDRESS
739 PENINSULA RD
HOPE ID 83836

KANDI CHILDRESS
739 PENINSULA RD
HOPE ID 83836

Dianne Ball

Dianne 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 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
APR 06 2015
IDWR / NORTH

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Bonner)

Danielle Rucker, 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 Notice OF Application
My business address is P.O. Box 159, Sandpoint, Idaho.

2. I am the bookkeeper 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 19 day of March, 2015, and ending on the 26 day of March, 2015.

Danielle Rucker

State of Idaho, county of Bonner ss.
On this 26 day of March, in the year of 2015, before me, Sherilyn Jones, Notary Public, personally appeared
Danielle Rucker, 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.

Sherilyn Jones
Notary Public
Residing at: Sandpoint
Comm. Exp.: 2/24/17

SHERILYN JONES NOTARY PUBLIC STATE OF IDAHO

RECEIVED
APR 06 2015
IDWR / NORTH

NOTICE OF APPLICATION

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

96-9560

JACK CHILDRESS
KANDI CHILDRESS
739 PENINSULA RD
HOPE, ID 83836
Point of Diversion NENW S12 T56N R01E BONNER County
Source GROUND WATER

Use: DOMESTIC	01/01 to 12/31	0.04 CFS
Use: STOCKWATER	01/01 to 12/31	0.02 CFS
	Total Diversion:	0.06 CFS

Date Filed: 2/26/2015
Place of Use: DOMESTIC T56N R01E S12 NENW
Place of Use: STOCKWATER T56N R01E S12 NENW
Donestic use is for 1 home.
Stockwater use is for 2 horses

96-9561

JACK CHILDRESS
KANDI CHILDRESS
739 PENINSULA RD
HOPE, ID 83836
Point of Diversion NENW S12 T56N R01E BONNER County
Source GROUND WATER

Use: DOMESTIC	01/01 to 12/31	0.04 CFS
	Total Diversion:	0.04 CFS

Date Filed: 2/26/2015
Place of Use: DOMESTIC T56N R01E S12 NENW
Domestic use is for seasonal guest cottage.

97-7521

OUTLET WATER ASSN
PO BOX 846
PRIEST RIVER, ID 83856
Point of Diversion SWNE S6 T59N R04W BONNER County
Point of Diversion SWNE S6 T59N R04W BONNER County
Source GROUND WATER

Use: MUNICIPAL	01/01 to 12/31	0.56 CFS
	Total Diversion:	0.56 CFS

Date Filed: 2/27/2015
Place of Use: MUNICIPAL
Municipal use is within service area of applicant.
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:
www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp.
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 4/6/2015. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
SNP Legal 3469
March 19, 26, 2015

Frederick, Adam

From: Keen, Shelley
Sent: Monday, March 30, 2015 7:35 AM
To: Frederick, Adam
Subject: FW: Application for Permit 96-09560: Well Location indicated on USFS lands

Adam,

See below for some correspondence to add to the file for Application 96-9560. It does not appear that any corrections to the application are needed. I am also forwarding a copy to Chad Hersley in the Ground Water Protection Section so he can consider updating the well location in the database.

Have a good week!

Shelley Keen
Idaho Department of Water Resources
Shelley.Keen@idwr.idaho.gov
208-287-4947

From: Fritschle, Carter
Sent: Monday, March 30, 2015 8:17 AM
To: Price, Fredric
Cc: Spencer, Steven; Keen, Shelley
Subject: RE: Application for Permit 96-09560: Well Location indicated on USFS lands

Fred,

Thanks for the info. I have copied Shelley Keen so the Permit Section will have the correct information for processing the application.

Carter

From: Price, Fredric [mailto:fwprice@blm.gov]
Sent: Friday, March 27, 2015 2:03 PM
To: Fritschle, Carter
Cc: Spencer, Steven
Subject: Fwd: Application for Permit 96-09560: Well Location indicated on USFS lands

Carter,

RE: Well Driller's Report corrected legal land description needs to be corrected again
96-09560, Jack & Kandi Childress

During a routine application for permit review, we found Permit 96-09560 (Jack and Kandi Childress) describes a well located on private land within T56N, R01E, S12, NENW (correct).

The existence of the well is based on a Well Driller's Report (well permit #852626), however whereas the address of the well (739 Peninsula Rd) is correctly stated, the legal land description is erroneously stated as being T56N, R01E, S01, SESE which would 1/2 mile away from the address of the well. This is not a surprising error in a well driller's report.

In this instance it appears the well driller had a GPS unit (yay), as evidenced by, the well driller's report having a lat/long location for the well.

IDWR corrected the legal land description for the well site in the well driller's report to coincide (sort of) with the lat/long and "corrected" the well location to be within T57N, R01E, S25, NESESW (FS), however this is 2.23 miles north of the address of the well (739 Peninsula Rd). The new description is deep into Forest Service land where there are no cabins. Occasionally, too few satellites will result in a bogus GPS reading, which I believe to be the case here. Another indication is that the longitude (degrees, minutes, seconds) has greater than 60 seconds (76.4 seconds).

It appears that a 2nd correction to the location of the well site should be made to the Well Driller's Report and redescribe it to reside within T56N, R01E, S12, NENENW.

Current (Corrected) Well Location in Well Driller's Report: -incorrect-
T57N, R01E, S25, NESESW (FS)

Actual Well Location: 739 Peninsula Rd (Tax Parcel #RP56N01E122543A)
T56N, R01E, S12, NENENW (PVT)

Fredric W. Price
Water Rights Specialist
BLM, Idaho State Office, ID-933b
1387 S. Vinnell Way, Boise, ID 83709
(208) 373-3831
fwprice@blm.gov

48° 13.306 / 116° 16.16

Form 238-7
11/97 JGE

Corrected

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Location Corrected by IDWR To:
T56N R01E Sec. 12 NENENW
By: NSTEADING 4-10-15

1/4 1/4 1/4
Lat: : : Long: : :

1. WELL TAG NO. D 0054787
DRILLING PERMIT NO. 85216216
Other IDWR No.

2. OWNER:
Name JACK AND KANDI CHILDRESS
Address 28730 STATE HWY T
City EXCELLO State MO Zip 65247

3. LOCATION OF WELL by legal description:
Sketch map location must agree with written location.

N / W / S

Twp. 56 North [X] or South [ ]
Rge. 1 East [X] or West [ ]
Sec. 1 1/4 (10 acres) SE 1/4 (40 acres) SE 1/4 (160 acres)
Gov't Lot County BONNER
Lat: 48 15 30.1 Long: 116 16 76.4
Address of Well Site 739 PENINSULA RD
(Give at least name of road + Distance to Road or Landmark) City HOPE
Lt. Blk. Sub. Name

4. USE:
[X] Domestic [ ] Municipal [ ] Monitor [ ] Irrigation
[ ] Thermal [ ] Injection [ ] Other

5. TYPE OF WORK: check all that apply (Replacement etc.)
[X] New Well [ ] Modify [ ] Abandonment [ ] Other

6. DRILL METHOD:
[X] Air Rotary [ ] Cable [ ] Mud Rotary [ ] Other

7. SEALING PROCEDURES:

Seal/Filter Pack Material	From	To	AMOUNT Sacks or Pounds	METHOD
BENTONITE	0	18	300#	OVERBORE

Was drive shoe used? [X] Y [ ] N Shoe Depth(s) 40
Was drive shoe seal tested? [X] Y [ ] N How? AIR

8. CASING/LINER:

Diameter	From	To	Guage	Material	Casing	Liner	Welded	Threaded
6	+1.5	40	.250	STEEL	[X]	[ ]	[X]	[ ]
4	20	360	200#	PVC	[ ]	[X]	[ ]	[ ]
					[ ]	[ ]	[ ]	[ ]

Length of Headpipe Length of Tailpipe

9. PERFORATIONS/SCREENS:
[X] Perforations Method DRILL
[ ] Screens Screen Type

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
340	360	1/2	25	4	PVC	[ ]	[X]
						[ ]	[ ]
						[ ]	[ ]

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:
50 ft. below ground Artesian pressure N/A lb.
Depth flow encountered 290 ft. Describe access port or control devices: WELL CAP

11. WELL TESTS:
[ ] Pump [ ] Bailer [X] Air [ ] Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
8	360	360	1 HR

Water Temp. COLD Bottom hole temp. COLD
Water Quality test or comments
Depth first Water Encounter 290

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia	From	To	Remarks: Lithology, Water Quality & Temperature	Water Y	Water N
8	0	18	BROWN CLAY/BROKEN ROCK		
6	18	35	BROWN CLAY/BROKEN ROCK		
6	35	85	GREY SHALE/MED/SEEP		
6	85	150	TAN+BROWN SHALE/SOFT		
6	150	290	GREY SHALE/MED		
6	290	295	GREY SHALE/SOFT/8GPM	X	
6	295	360	GREY SHALE/MED		

RECEIVED
SEP 18
IDWR/North

Completed Depth 360 (Measurable)
Date: Started 8/1/2008 Completed 8/2/2008

13. DRILLER'S CERTIFICATION:
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name MINDEN WATER WELLS, INC. Firm No. 320
Firm Official Edward A Mundi Date 8/5/2008
and
Driller or Operator Date 8/5/2008
(Sign once if Firm Official & Operator)

56N 01E 12

FORWARD WHITE COPY TO WATER RESOURCES