

State of Idaho
Department of Water Resources
Water Right License

CORRECTED

WATER RIGHT NO. 98-07193

CORRECTED

Priority: April 01, 1978

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.2 AF

It is hereby certified that GERTRUDE DAY
530730 HWY 95
BONNERS FERRY ID 83805 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated April 11, 1977; and has
submitted Proof of Beneficial Use on April 14, 1982. An examination confirms water is diverted from:

SOURCE

SPRING

Tributary: MOYIE RIVER

and a water right has been established as follows:

BENEFICIAL USE

DOMESTIC

PERIOD OF USE

1/01 to 12/31

DIVERSION RATE

0.04 CFS

**ANNUAL
DIVERSION VOLUME**

1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING

L2 (NW1/4NE1/4)

Sec. 3, Twp 64N, Rge 02E, B.M., BOUNDARY County

PLACE OF USE:

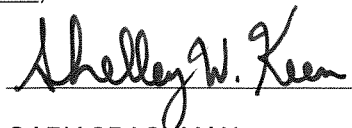
DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
64N 02E 3		X															
		L 2															

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.
2. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
3. This water right is appurtenant to the described place of use.
4. This right is subject to all prior water rights and may be forfeited by five year of non-use.
5. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the signature of the Director, affixed at Boise this 28th day of May, 2013.


for GARY SPACKMAN
Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C.L. "BUTCH" OTTER

Governor

GARY SPACKMAN

Director

May 28, 2013

GERTRUDE DAY
530730 HWY 95
BONNERS FERRY ID 83805

RE: Permit to Appropriate Water No. 98-7193

Dear Permit Holder:

I have enclosed the corrected Water Right License issued in connection with the March 27, 2013 final order correcting the water right License. If you have any questions regarding this matter, please call me at 208-287-4947.

Sincerely,

A handwritten signature in black ink that reads "Shelley Keen".

Shelley Keen
Water Rights Supervisor

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that on May 29, 2013, I mailed a true and correct copy, postage prepaid, of the foregoing APPROVED CORRECTED LICENSE to the person(s) listed below:

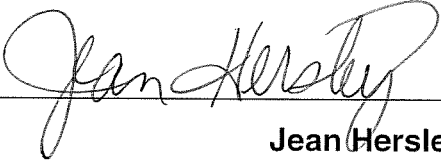
RE: WATER RIGHT NO. 95-9360

**GERTRUDE DAY
530730 HWY 95
BONNERS FERRY ID 83805**

**RICHARD VILLELLI
533739 HWY 95
BONNERS FERRY ID 83805**

**WILLIAMS TRUST
PO BOX 744
BURSON CA 95225**

**IDAHO DEPT WATER RESOURCES
NORTHERN REGIONAL OFFICE
7600 N MINERAL DR STE 100
COEUR D'ALENE ID 83815**



Jean Hersley
Technical Records Specialist II

EXPLANATORY INFORMATION TO ACCOMPANY A FINAL ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 740.02)

The accompanying order is a "Final Order" issued by the department pursuant to section 67-5246, Idaho Code.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a final order within fourteen (14) days of the service date of this order as shown on the certificate of service. **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 67-5246(4), Idaho Code.

REQUEST FOR HEARING

Unless the right to a hearing before the director or the water resource board is otherwise provided by statute, any person who is aggrieved by the action of the director, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the director to contest the action. The person shall file with the director, within fifteen (15) days after receipt of written notice of the action issued by the director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the director and requesting a hearing. See section 42-1701A(3), Idaho Code. **Note: The request must be received by the Department within this fifteen (15) day period.**

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by a final order or orders previously issued in a matter before the department may appeal the final order and all previously issued orders in the matter 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: a) the service date of the final order, b) the service date of an order denying petition for reconsideration, or c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See section 67-5273, Idaho Code. The filing of an appeal to district court does not in itself stay the effectiveness or enforcement of the order under appeal.