



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

October 18, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

RICHARD MICHAEL
LORIS MICHAEL
111 KNOLLWOOD DR
SANDPOINT ID 83864

RE: Application for Permit 96-9329

Dear Mr. and Mrs. Michael:

The Department of Water Resources (IDWR) is in receipt of your application for permit to appropriate water out of Lake Pend Oreille for irrigation purposes in Bonner County. During the review of your application, it has come to my attention that there is another water right appurtenant to your property. Please see the enclosed map for further details.

The water right appurtenant to your land, 96-2279, is for a total of 18 acres with a rate of 0.36 cfs and a 1963 priority date. Since this water right is appurtenant to your land, there are a couple of options IDWR would suggest. You can pursue water right 96-2279 by filing a transfer to reflect the new point of diversion you wish to add to your property. The water right would be split in the transfer process and proportioned according to your ½ acre lot. The other option is to proceed with your application for permit 96-9329, establishing a new water right, which would have a much later priority date than right 96-2279.

If you are interested in pursuing 96-2279, please fill out the enclosed transfer application and submit it to our Coeur D'Alene office along with the appropriate fee. If you do not respond to this letter within 30 days, IDWR will assume you wish to proceed with your new application for permit, 96-9329, and resume the processing of that application.

You can contact me at 208-287-4944 if you have any questions regarding this matter.

Sincerely,

Cherie Padilla, Water Resource Agent
Water Allocation Bureau

Enclosures



CONSERVATION PLAN MAP

Prepared by UNITED STATES DEPARTMENT of AGRICULTURE * SOIL CONSERVATION SERVICE
cooperating with

Bonner

S. C. DISTRICT

OWNER Horace Wenger

FARM NO. _____ DATE _____

OPERATOR Same

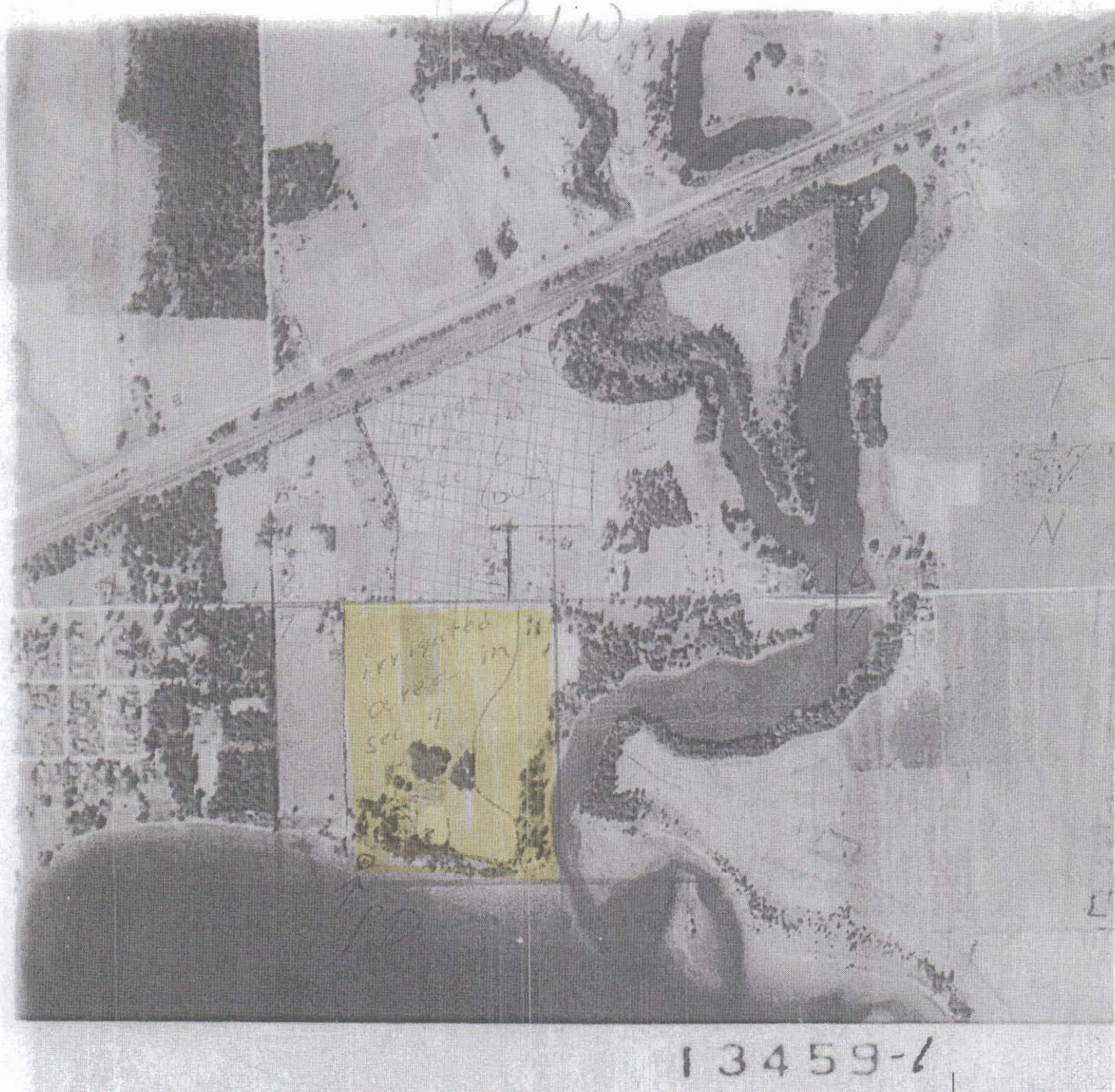
SCALE _____ ACRES _____

Bonner Idaho

COUNTY

STATE

PHOTO NO. _____



Highlighted area is POV for 96-2279

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 96-2279

WATER RIGHT NUMBER: 96-2279

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HORACE W WENGER PO BOX 96 KOOTENAI, ID 83840

Priority Date: 12/13/1963

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
LAKE PEND OREILLE	PEND OREILLE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.360 CFS	63.00 AF
	<u>Total Diversion:</u>	0.360 CFS	63.00 AF

Location of Point(s) of Diversion

LAKE PEND OREILLE	NW1/4NW1/4	Sec. 7, Twp 57N, Rge 01W, B.M.
BONNER County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	01W	7								18.0									18.0

Total Acres: 18

Licensed Date: 3/23/1978
 Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number:
 Judicial District:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False