

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF PERMIT NO. 94-9508	)	PRELIMINARY ORDER
IN THE NAME OF MIKE P GOLDADE	)	REINSTATING A PERMIT
AND/OR CRYSTAL GOLDADE	)	
_____	)	

This matter having come before the Idaho Department of Water Resources (“Department”), the Department finds, concludes and orders as follows:

FINDINGS OF FACT

1. On July 26, 2017, the Department issued Permit No. 94-9508 (“Permit”) in the name of Mike P. Goldade and/or Crystal Goldade (“Permit Holders”) authorizing the diversion of 0.04 cubic feet per second of surface water for domestic use in the Government Lot 8 (SW¼NE¼) of Section 6 of Township 48 North, Range 01 East, B.M., Kootenai County. A condition of permit approval required the Permit Holders to submit proof of beneficial use of water to the Department on or before August 1, 2022.
2. On May 31, 2022, the Department notified the Permit Holders by certified mail that proof of beneficial use was due and instructed the Permit Holders of the steps to be taken to submit a *Statement of Completion for Submitting Proof of Beneficial Use* (“Proof”), or a *Request for Extension of Time* (“Extension Request”).
3. On August 1, 2022, the Permit lapsed because the Department had not received an acceptable Proof or Extension Request.
4. On August 5, 2022, the Department notified the Permit Holders the Permit lapsed because no Proof or Extension Request had been received.
5. On October 3, 2022, the Permit Holders filed an acceptable Proof.

CONCLUSIONS OF LAW

Idaho Code § 42-218a(1) states, in pertinent part:

A permit upon which the proof of beneficial use..., has not been submitted, or a request for extension of time has not been received on or before the date set for such proof or incremental statement, shall lapse and be of no further force nor effect... . Notice of said lapsing shall be sent by the department to the permit holder at the address of record by regular mail.

Idaho Code § 42-218a(2) states, in pertinent part:

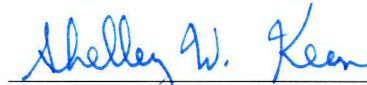
Within sixty (60) days after such notice of lapsing the department may, upon a showing of reasonable cause, reinstate the permit with the priority date advanced a time equal to the number of days that said showing is subsequent to the date set for proof.

By submitting an acceptable Proof, the Permit Holders have shown reasonable cause why this Permit should be reinstated. The Permit should be reinstated based upon the October 3, 2022 filing date.

ORDER

IT IS HEREBY ORDERED that Permit No. 94-9508 is **REINSTATED** and the Permit's priority date is advanced to August 1, 2017.

DATED this 29th day of October, 2022.



Shelley W. Keen, Chief
Water Allocation Bureau

RECEIVED

AUG 11 2022

RECEIVED

OCT 03 2022

AUG 08 2022

IDWR/NORTH

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO

DEPARTMENT OF
WATER RESOURCES

STATEMENT OF COMPLETION

FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY

Amt. of Fee \$ 50.00
 Receipt No. C114168
 Received By Ku
 Date Received 10.3.22

The Idaho Department of Water Resources (Department) considers this form a statement that the permit holder(s) applied water to beneficial use and completed development of a water right to the extent described below. **This form must be accompanied by an examination fee, when necessary, or by a completed Beneficial Use Field Report prepared by a certified water right examiner (CWRE).** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, complete an Assignment of Permit form. If you wish to relinquish your permit because you have not established the authorized water use and are not applying for an extension, please notify the Department in writing.

1. Permit No. 94-09508 Name of Permit Holder(s) Mike P Goldade, Crystal Goldade

Telephone No. 208-682-6212 Email Crystal.mgoldade@yahoo.com

Mailing Address 13075 S. Shore Dr. City Cataldo State ID Zip 83810

2. Source of Water Coverd'Alene River If Ground Water (well), Date Drilled mo. N/A yr. N/A

Drilling Permit/Tag No. N/A Drilling Company's Name N/A

3. Extent of use(s) completed as authorized by the water right permit:

Domestic (No. households) _____ Irrigation (No. acres) 1.5 Stockwater (No. and stock type) N/A

Other Irrigation

4. Total diversion rate or volume (storage only) for which proof is submitted N/A cfs OR _____ af
 If the total developed water use is 5 acres of irrigation or less, is stockwater storage of 14.6 acre-feet or less, or has a diversion rate of less than 0.24 cfs, attach a map of the place of use and point of diversion and photographs showing beneficial use.

5. Describe the diversion and delivery system from the water source to the use (pump, lift, irrigation method, etc.)

Pump - lift from water to do sprinklers
Keep fire danger down

6. Permit condition compliance. Refer to the permit approval conditions and check all the items required, then check "Yes" or "No" to indicate whether the required items were established, submitted, and/or installed:

Required? Yes No (If "Yes", attach required data, evidence of compliance, or evidence of installation)

- | | | | |
|--------------------------|-------------------------------------|-------------------------------------|---|
| ☐ | ☒ | ☐ | Ground water level data, pumping information, or other diversion data |
| ☐ | ☐ | ☒ | Mitigation plan |
| ☐ | ☐ | ☒ | Lockable controlling works |
| ☐ | ☐ | ☒ | Measuring device |
| ☐ | ☒ | ☐ | Fish screen |
| ☐ | ☐ | ☒ | Other requirements of the water right permit _____ |
| ☐ | ☒ | ☐ | Reasonably Anticipated Future Needs ("RAFN") Municipal use |

If RAFN Municipal use, additional increment of beneficial use developed? ☐ Yes (attach CWRE report) ☐ No

7. Fee Enclosed \$ _____ or ☐ CWRE field report attached or ☐ No fee required

See fee schedule on page 3 of the instructions. Proof statements filed without an appropriate fee are incomplete.

8. Person to contact to accompany a Department representative during the field examination of the water system:

Name: Mike Goldade Telephone No. 208-682-6212 Email Crystal.mgoldade@yahoo.com

Mailing Address 13075 S. Shore Dr. City Cataldo State ID Zip 83810

The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted and applied to beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

Crystal Goldade Crystal Goldade
 SIGNATURE OF PERMIT HOLDER* PRINTED NAME AND TITLE

7/25/22
 DATE

*Attach power of attorney if completing on behalf of permit holder.

SCANNED

NOV 08 2022

RECEIVED

AUG 11 2022

AUG 08 2022

IDWR/NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEMENT OF COMPLETION

FOR SUBMITTING PROOF OF BENEFICIAL USE

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Amt. of Fee \$ _____

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Received By _____

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1. Permit No. 94-09508 Name of Permit Holder(s) Mike P Goldade, Crystal Goldade

Telephone No. 208 682-6212 Email Crystal mgoldade@yahoo.com

Mailing Address 13075 S. Shore Dr. City Cataldo State ID Zip 83810

2. Source of Water South Coverd'Alene River If Ground Water (well), Date Drilled mo. N/A yr. _____

Drilling Permit/Tag No. N/A Drilling Company's Name N/A

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Pump - lift from water to do sprinklers
Keep fire danger clear.

6. Permit condition compliance. Refer to the permit approval conditions and check all the items required, then check "Yes" or "No" to indicate whether the required items were established, submitted, and/or installed:

Required? Yes No (If "Yes", attach required data, evidence of compliance, or evidence of installation)

- | | | | |
|--------------------------|-------------------------------------|-------------------------------------|---|
| ☐ | ☒ | ☐ | Ground water level data, pumping information, or other diversion data |
| ☐ | ☐ | ☐ | Mitigation plan |
| ☐ | ☐ | ☒ | Lockable controlling works |
| ☐ | ☐ | ☒ | Measuring device |
| ☐ | ☒ | ☐ | Fish screen |
| ☐ | ☐ | ☒ | Other requirements of the water right permit _____ |
| ☐ | ☒ | ☐ | Reasonably Anticipated Future Needs ("RAFN") Municipal use |

If RAFN Municipal use, additional increment of beneficial use developed? ☐ Yes (attach CWRE report) ☐ No

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SIGNATURE OF PERMIT HOLDER* PRINTED NAME AND TITLE

7/25/22
DATE

*Attach power of attorney if completing on behalf of permit holder.

SCANNED

NOV 08 2022



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

November 8, 2022

MIKE P GOLDADE
CRYSTAL GOLDADE
13075 S SHORE DR
CATALDO ID 83810-9770

PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 94-9508

Dear Permit Holders:

The Department acknowledges receipt of the Proof of Beneficial Use form ("proof") and license examination fee for the above-referenced water right permit. Enclosed is an order that reinstates this permit since proof and the license examination fee were submitted after the proof deadline. Please note that the priority date for this permit has been advanced to **August 01, 2017**, pursuant to Idaho Code § 42-218a(2).

The next step in the process of developing a water right is for the Department to conduct a field examination to determine and confirm the use being made of the water according to the conditions of the permit.

Please be advised that Idaho Code § 42-248, requires you or the owner of this water right to maintain current ownership and address records on file with the Department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any Department office or at the Department's website at www.idwr.idaho.gov.

If you have any questions concerning this permit, please contact the State Office of the Department located in Boise at (208) 287-4800.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

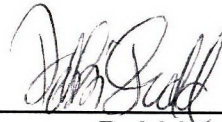
SCANNED
NOV 08 2022

CERTIFICATE OF SERVICE

I hereby certify that on **November 8, 2022** I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (**PRELIMINARY ORDER REINSTATING A PERMIT**) to the persons listed below:

RE: Preliminary Order in the Matter of Permit No. **94-9508**

**MIKE P GOLDADE
CRYSTAL GOLDADE
13075 S SHORE DR
CATALDO ID 83810-9770**



**Debbi Judd
Technical Records Specialist**

SCANNED
NOV 08 2022

Beneficial Use Proof Evaluation

Permit Number: 94-9508 Reviewer: djudd Review Date: 10/5/2022

Acceptability

- 1) Is the contact on the request the current permit holder? Yes
- 2) Does the address of record need to be updated? No
- 3) Proof Submitted Date: 10/3/2022
- 4) Proof Due Date: 8/1/2022
- 5) Days added for weekend due date? 0
- 6) Days added for holiday due date? 0
- 7) Number of days late: 63
- 8) Proof received timely? No

Analysis

- 1) Are the water uses correct? Yes
- 2) Are one of the following items required?
 - a. Measuring Device -- No
 - b. Lockable Device --No
 - c. Fish Screen -- Yes
- 3) Are the required items installed? Yes
 - a. Measuring Device -- No
 - b. Lockable Device --No
 - c. Fish Screen -- Yes
- 4) Is there a request to waive the required items?
- 5) Drilling Permit Number:
- 6) Is a drilling permit upgrade needed?
- 7) Was a well drillers report filed?
- 8) Is proof accepted? Yes

Fees

- 1) Is a licensing exam fee required? Yes
- 2) Was proof submitted with an exam report from a CWE?
- 3) Filing fee due: \$50.00
- 4) Filing fee submitted: \$50.00
- 5) Remaining fee or (refund): \$0.00

Receipt IDs

N032673

Comments

Proof received 63 days late. Reinstate permit and advance priority date to August 1, 2017.

Reinstate Evaluation

Permit Number: 94-9508 Reviewer: djudd Review Date: 10/5/2022

Analysis

- 1) Proof/extension request received date: 10/3/2022
- 2) Number of days proof/extension request received late: 63
- 3) Was a lapsed notice sent? Yes
- 4) Date lapsed notice sent: 8/5/2022
- 5) Number of days between proof/extension request received date and date lapsed notice was sent: 59
- 6) Was the proof or extension request received more than 60 days after the lapsed notice was sent? No
- 7) Priority date: 5/30/2017
- 8) New priority date: 8/1/2017
- 9) New status: Lapsed

Comments

Proof received 63 days late. Reinstate permit and advance priority date to August 1, 2017.



IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

Director Gary Spackman

September 2, 2022

MIKE P GOLDADE
CRYSTAL GOLDADE
13075 S SHORE DR
CATALDO ID 83810-9770

PROOF DEFICIENCY LETTER

RE: Permit No. 94-9508

Dear Permit Holders:

The Department received the proof of beneficial use (proof) form submitted for the above referenced permit. The proof is not acceptable without the correct fee

This permit authorizes a diversion rate of 0.04 cfs (cubic feet per second) of surface water requiring a license examination fee of \$50.00.

During review of your proof statement and the permit listed above, I noticed that you stated a beneficial use other than the beneficial use allowed under this permit. You stated on your proof that you are irrigating 1.5 acres, however, this permit authorizes a beneficial use of domestic use only. Diversion of water under this permit is limited to the authorized beneficial use. I have enclosed a copy of your proof statement and this permit for your reference. You may apply for another permit to cover additional water use if needed. Application for Permit forms are available from any Department office or at the Department's website at www.idwr.idaho.gov.

Please submit the required fees as soon as possible as this permit has lapsed. If you have any questions concerning this matter, please contact me at (208) 287-4920 or debby.judd@idwr.idaho.gov.

Sincerely,

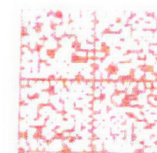
Debbi Judd
Technical Records Specialist

Enclosures

SCANNED
SEP 06 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
322 East Front Street, P.O. Box 83720
Boise, Idaho 83720-0098

PRESORTED
FIRST CLASS



US POSTAGE

\$ 000.45⁵

NOT FOR
this BOX

RECEIVED
AUG 25 2022
DEPARTMENT OF
WATER RESOURCES

MIKE P GOLDADE
CRYSTAL GOLDADE
PO BOX 1171
PINEHURST ID 83850

NIXIE 992 DE 1250 0008/23/22

RETURN TO SENDER
NO SUCH NUMBER
UNABLE TO FORWARD

NSN

BC: 837200098 *2889-09538-23-Z1

837200098

SCANNED
SEP 06 2022