State of Idaho
Department of Water Resources

Water Right License

Water Right No. 97-9608

Priority: November 16, 2022 **Maximum Diversion Rate:** 0.04 CFS

It is hereby certified that:

KERRY BRIGHAM 3407 W LYONS AVE SPOKANE WA 99208-4741

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 16, 2022, and has submitted Proof of Beneficial Use on March 13, 2023. An examination confirms water is diverted from:

Source : GROUND WATER

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

Location of Point(s) of Diversion
GROUND WATER L2 (SW¼ NW¼), Sec. 10, Twp 59N, Rge 04W, B.M. BONNER County

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
59N	04W	10						X L1	X L2										

Conditions of Approval

1. Domestic use is for 1 home.
2. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
3. Place of use is located within; Lot 1; Young Estates subdivision.

This license is issued pursuant to the provisions of Idaho Code § 42-219. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 14th day of March, 2023.

PHILL HUMMER
Water Rights Supervisor

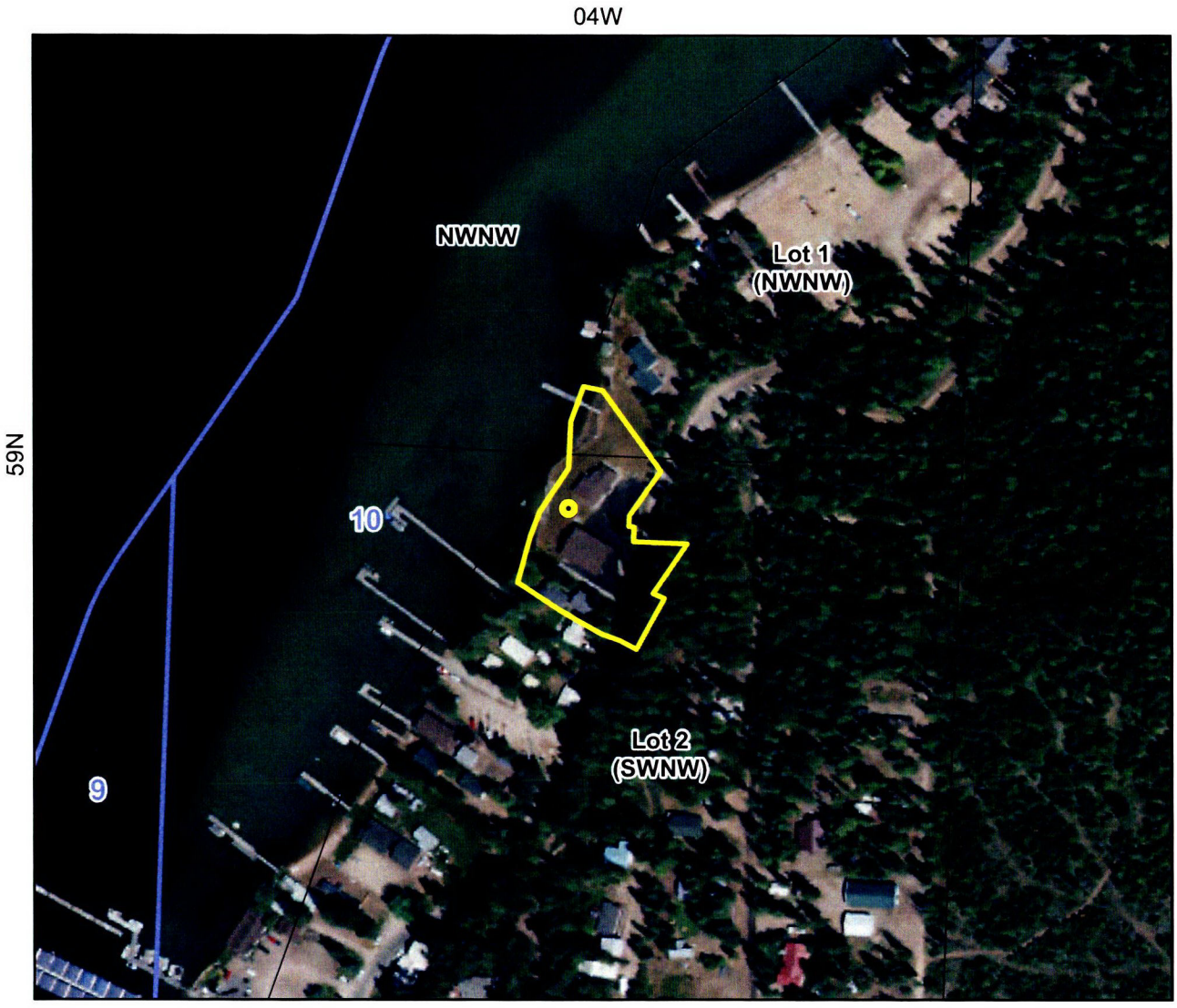
SCANNED
MAR 17 2023

State of Idaho
Department of Water Resources

Attachment to Water Right

97-9608

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.



SCANNED
MAR 17 2023

RECEIVED

MAR 13 2023

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.	C115545
Receipted By	KW
Date Receipted	3.23.23

The Idaho Department of Water Resources considers this form a statement by the permit holder(s) that development of a water right has been **completed** and that water has been applied to beneficial use 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.** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, contact any Department office or visit the Department's website at idwr.idaho.gov for an *Assignment of Permit* form. If you wish to relinquish your permit because you have not established the authorized use of the water and are not applying for an extension, please notify the Department in writing.

1. Permit No. 97-9608 Telephone No. 509-991-6436
2. Name of Permit Holder(s) Kerry Brigham
3. Mailing Address 3407 West Lyons Avenue City Spokane
   State WA Zip 99208-4741 Email kbrigham1@comcast.com
4. Source of Water Ground Water If **GROUND WATER** (well), Date Drilled mo. unk / yr. unk
   Well Driller unknown Drilling Permit Number unknown
5. Extent of use(s) completed **as authorized by the water right permit**:
   Domestic (No. of households) 1 Stockwater (No. and type of stock) _____
   Irrigation (No. of acres) 5. acres Other _____
6. Total rate of diversion or storage volume for which proof is submitted .04 cfs **OR** _____ acre-feet.
7. Compliance with a measuring device requirement, lockable controlling device requirement, and/or other conditions of permit: Refer to the approval conditions on your permit and respond accordingly.
   The Department will not issue a license if permit conditions are not met.

Measuring Device	**Is a measuring device required?**	Yes ☐	No ☑
	If yes, has the measuring device been installed?	Yes ☐	No ☐
Lockable Controlling Device	**Is a lockable device required to control the diversion?**	Yes ☐	No ☑
	If yes, has the lockable device been installed?	Yes ☐	No ☐
Fish Screen	**Is a fish screen required?**	Yes ☐	No ☑
	If yes, has the fish screen been installed?	Yes ☐	No ☐

   Other Conditions of Permit
   Do the approval conditions on your permit require you to submit additional information in connection with your proof of beneficial use? If yes, list the conditions below and attach documents with the required information.
   Not applicable Completed? Yes ☐ No ☐
8. Fee Enclosed $ 50.00 or not applicable ☐. See fee schedule on page 2 of the instructions.
   Proof statements filed without an appropriate fee, will be considered incomplete.
9. Person to contact to accompany the Department representative during field examination of the water system.
   Name Kerry Brigham Telephone Number 509-991-6436
   Mailing Address 3407 West Lyons Avenue City Spokane
   State WA Zip 99208-4741 Email kbrigham1@comcast.com

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 a beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

Signature of Permit Holder KERRY BRIGHAM Date 3-9-23
(Include your title, if on behalf of company or organization)

Mail to: Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098

Form No. 217 12/15

SCANNED
MAR 17 2023

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 97-9608

Priority: November 16, 2022 **Maximum Diversion Rate:** 0.04 CFS

This is to certify that

KERRY BRIGHAM
3407 W LYONS AVE
SPOKANE, WA 99208-4741

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

Location of Point(s) of Diversion
GROUND WATER L2 (SW¼, NW¼), Sec. 10, Twp 59N, Rge 04W, B.M., BONNER County

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
59N	04W	10						X L1	X L2										

Conditions of Approval:
1. Proof of application of water to beneficial use shall be submitted on or before **March 01, 2024.**
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. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
5. Domestic use is 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 1; Young Estates subdivision.

This permit is issued pursuant to the provisions of Idaho Code § 42-204.

Signed this 22 day of February, 2023.

LUKE BATES
Interim Water Rights Supervisor

SCANNED
FEB 7 8 2023

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

97-9608

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.

04W

59N



Place Of Use Boundary
PLS Sections
Quarter Quarters
Point of Diversion
Taxlots

0 0.0175 0.035 0.07 Miles

N

Tax parcel information provided by Bonner County.

SCANNED
FEB 2 8 2023

Print Single Sided Only

87227

FORM 202 Rev. 09/16

RECEIVED
NOV 16 2022
IDWR-NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 97-9608

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Kerry Brigham Phone (509) 991-6436
   Name connector (check one): ☐ and ☐ or ☐ and/or
   Mailing address 3407 West Lyons Avenue City Spokane
   State WA ZIP 99208 Email kbrigham2@comcast.net
2. Name of representative, if any M. Gregory Embrey; Witherspoon Kelley Phone (208) 667-4000
   Mailing address 608 Northwest Blvd. Ste. 300 City Coeur d'Alene
   State ID ZIP 83814 Email mge@witherspoonkelley.com
   a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
      ■ Send original correspondence to the applicant and copies to the representative.
   b. ■ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
      ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply ground water which is a tributary of NA
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
59N	4W	10	2		SW	NW	Bonner	ground water	

5. Water will be used for the following purposes:
   Amount .04 cfs (cfs or acre-feet per year) for domestic purposes from January 1 to December 31 (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
6. Total quantity to be appropriated is (a) .04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
   a. Describe type and size of devices used to divert water from the source. existing well
   b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
   c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
   d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ■ No
   e. If well is already drilled, when? Unknown; drilling firm Unknown; well was drilled for (well owner) Unknown; Drilling Permit No. Unknown.

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee $_____ Receipted by _____ Receipt No. _____ Date _____

SCANNED
DEC 13 2022

8. Description of proposed uses (if irrigation only, go to item 9):
   a. Hydropower; show total feet of head and proposed capacity in kW. _____
   b. Stockwatering; list number and kind of livestock. _____
   c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
   d. Domestic; show number of households one household (includes 0.5 acre lawn/garden irrigation)
   e. Other; describe fully. _____

9. Description of place of use:
   a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
   b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
59N	4W	10						D	D										
								GL1	GL2										

Total number of acres to be irrigated: _____

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? No other water rights will be used for the above purposes. Yes, this water will be used to irrigate a lawn, and landscaping.

11. a. Who owns the property at the point of diversion? Kerry Brigham
    b. Who owns the land to be irrigated or place of use? Kerry Brigham
    c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: NA

12. Describe your proposal in narrative form and provide additional explanation for any of the items above. Attach additional pages if necessary. water right sought for domestic purposes

13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

KERRY BRIGHAM
Signature of Applicant

Kerry Brigham - Owner
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

SCANNED
DEC 13 2022

State of Idaho
Department of Water Resources

Application For Permit



0 0.0125 0.025 0.05 Miles

PLS Sections
Quarter Quarters
Taxlots

X = Point of Diversion (well)

□ = Place of Use (House)

N

Tax parcel information provided by Bonner County.

SCANNED
DEC 13 2022

Print Single Sided Only

FORM 202 Rev. 09/16

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. _____

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Kerry Brigham Phone (509) 991-6436
   Name connector (check one): ☐ and ☐ or ☐ and/or
   Mailing address 3407 West Lyons Avenue City Spokane
   State WA ZIP 99208 Email kbrigham2@comcast.net
2. Name of representative, if any M. Gregory Embrey; Witherspoon Kelley Phone (208) 667-4000
   Mailing address 608 Northwest Blvd. Ste. 300 City Coeur d'Alene
   State ID ZIP 83814 Email mge@witherspoonkelley.com
   a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
      ■ Send original correspondence to the applicant and copies to the representative.
   b. ■ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
      ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply ground water which is a tributary of NA
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
59N	4W	10	1				Bonner	ground water	

5. Water will be used for the following purposes:
   Amount .04 cfs (cfs or acre-feet per year) for domestic purposes from January 1 to December 31 (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)

SUPERSEDED

6. Total quantity to be appropriated is (a) .04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af)
7. Proposed diverting works:
   a. Describe type and size of devices used to divert water from the source. existing well
   b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. Fo dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Applicatio for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
   c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
   d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ■ No
   e. If well is already drilled, when? Unknown; drilling firm Unknown
      well was drilled for (well owner) Unknown; Drilling Permit No. Unknown

SCANNED

For Department Use

DEC 13 2022

Received by SA Date 7-7-22 Time _____ Preliminary check by _____
Fee $ 100.00 Receipted by SA Receipt No. N040478 Date 7-7-22

8. Description of proposed uses (if irrigation only, go to item 9):
   a. Hydropower; show total feet of head and proposed capacity in kW. _____
   b. Stockwatering; list number and kind of livestock. _____
   c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
   d. Domestic; show number of households one household
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TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
59N	4W	10																	
		D																	

SUPERSEDED

Total number of acres to be irrigated: _____

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? No other water rights will be used for the above purposes. Yes, this water will be used to irrigate a lawn, and landscaping.

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13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1 mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

KERRY BRIGHAM
Signature of Applicant

KERRY BRIGHAM - OWNER
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

SCANNED
DEC 13 2022

941950 BK 14 PG 27

YOUNG ESTATES

A REPLAT OF PORTIONS OF BLOCKS 1 & 7 OF THE PLAT "FIRST ADDITION TO TOWN OF COOLIN AND UNPLATTED PORTIONS OF GOVERMENT LOT 1 & 2, SECTION 10, TOWNSHIP 59 NORTH, RANGE 4 WEST, BOISE MERIDIAN, BONNER COUNTY, IDAHO

SCANNED DEC 2022

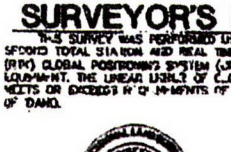
Parcel # RP05219700001 0A

BASIS OF BEARING

BASIS OF BEARING IS THE RECORD OF SURVEY RECORDED UNDER INSTRUMENT 330110, RECORDS OF BONNER COUNTY, IDAHO.

SURVEYOR'S NOTE

THIS SURVEY WAS PERFORMED USING A 3 SECOND TOTAL STATION AND REAL TIME KINEMATIC (RTK) GLOBAL POSITIONING SYSTEM (GPS) EQUIPMENT. THE LINEAR UNIT OF CLOSURE MEETS OR EXCEEDS R.O.S. REQUIREMENTS OF THE STATE OF IDAHO.



LINE TABLE

LINE	BEARING	LENGTH
L1		
L2		
L3		
L4		
L5		
L6		

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD
C1				
C2				
C3				

SURVEY REFERENCES

1. RECORD OF SURVEY RECORDED UNDER INSTRUMENT [illegible] RECORDS OF BONNER COUNTY, IDAHO.
2. RECORD OF SURVEY RECORDED UNDER INSTRUMENT 670220, RECORDS OF BONNER COUNTY, IDAHO.
3. RECORD OF SURVEY RECORDED UNDER INSTRUMENT 670773, RECORDS OF BONNER COUNTY, IDAHO.
4. RECORD OF SURVEY RECORDED UNDER INSTRUMENT 452971, RECORDS OF BONNER COUNTY, IDAHO.
5. RECORD OF SURVEY RECORDED UNDER INSTRUMENT 713235, RECORDS OF BONNER COUNTY, IDAHO.
6. THE PLAT OF "FIRST ADDITION TO DUNCAN'S SUBDIVISION," BOOK 2 OF PLATS, PAGE 64, RECORDS OF BONNER COUNTY, IDAHO.
7. THE PLAT OF "FIRST ADDITION TO TOWN OF COOLIN," BLOCK 1 OF PLATS, PAGE 115, RECORDS OF BONNER COUNTY, IDAHO.
8. UNRECORDED SURVEY BY ROBERT MOBS, DATED [illegible]-71-73.
9. UNRECORDED SURVEY BY ROBERT MOBS, DATED 6-28-61.
10. UNRECORDED SURVEY BY ROLAND MOBS, DATED 3-13-67.
11. QUITCLAIM DEED RECORDED UNDER INSTRUMENT 971667, RECORDS OF BONNER COUNTY, IDAHO.
12. QUITCLAIM DEED RECORDED UNDER INSTRUMENT 862394, RECORDS OF BONNER COUNTY, IDAHO.
13. WARRANTY DEED RECORDED UNDER INSTRUMENT 414381, RECORDS OF BONNER COUNTY, IDAHO.
14. QUITCLAIM DEED RECORDED UNDER INSTRUMENT 256[illegible]6, RECORDS OF BONNER COUNTY, IDAHO.
15. WARRANTY DEED RECORDED UNDER INSTRUMENT [illegible], RECORDS OF BONNER COUNTY, IDAHO.

NOTES

1. WATER IS PROVIDED BY INDIVIDUAL WELL.
2. SEWAGE DISPOSAL IS PROVIDED BY THE COOLIN SEWER DISTRICT.
3. A PORTION OF THE SUBJECT PROPERTY IS SITUATED WITHIN FEMA MAPPED FLOOD HAZARD ZONE "AE" AS SHOWN APPROXIMATELY ON THE FLOOD INSURANCE RATE MAP (FIRM) PANEL NUMBER [illegible].
4. AN EASEMENT EXTENDS FEET IN WIDTH FROM A PRIVATE ACCESS ROADWAY (UNLISTED NORTHEASTERLY NEIGHBORING PARCEL) AFFECTS THE SUBJECT PROPERTY AS SHOWN HEREON (ESTIMATED LOCATION 154904, RECORDS OF BONNER COUNTY, IDAHO).
5. NON-SPECIFIC DEED TERMS AND CONDITIONS AFFECT THE SUBJECT PROPERTY (INSTRUMENT NUMBER 87780, RECORDS OF BONNER COUNTY, IDAHO).
6. EASEMENTS FOR OVERHEAD POWER LINES AFFECT THE SUBJECT PROPERTY (INSTRUMENT NUMBERS [illegible] & 703013, RECORDS OF BONNER COUNTY, IDAHO).
7. THE PURPOSE OF THIS REPLAT IS TO CONFORM WITH THE DEFAULT JUDGMENT RECORDED AT INSTRUMENT 93[illegible], BONNER COUNTY RECORDS.

LEGEND

- ● ... SET 5/8" x 30" REBAR WITH PLASTIC CAP, PLS 9905
- ○ ... FOUND 1 1/4" IRON PIPE, UNLESS OTHERWISE NOTED
- □ FOUND 3/4" REBAR WITH ALUMINUM CAP, PLS 6017
- ▲ FOUND 5/8" REBAR

S.10, T.59N., R.4W., B.M.

SHEET TITLE: YOUNG ESTATES

James A. Sewell and Associates, LLC
1319 NORTH DIVISION AVENUE
SANDPOINT, IDAHO 83864, (208) 263-4160

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

March 16, 2023

KERRY BRIGHAM
3407 W LYONS AVE
SPOKANE WA 99208-4741

RE: License No. 97-9608

ISSUANCE OF LICENSE

Dear Water Right Holder:

The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district.

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

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. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact me at (208) 287-4925.

Sincerely,

for Debbie Judd
Phill Hummer
Water Rights Supervisor

Enclosures

SCANNED
MAR 17 2023

CERTIFICATE OF SERVICE

I hereby certify that on March 16, 2023, I served a true and correct copy of Water Right License No. 97-9608 by U.S. Mail, postage prepaid, to the following:

KERRY BRIGHAM (Current Owner)
3407 W LYONS AVE
SPOKANE WA 99208-4741

M GREGORY EMBREY (Attorney) – *via email*
608 NORTHWEST BLVD STE 300
COEUR D ALENE ID 83814-2174
gembrey@hawleytroxell.com

Debbi Judd
Technical Records Specialist

SCANNED
MAR 17 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
IN-OFFICE REVIEW/BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION Permit No: 97-9608
Exam Date: 3/14/2023

1. Does this qualify for an in-office field exam (IDAPA 035.02.r)? __X__Y ____N
   a. Irrigation of 5 acres or less
   b. Storage of up to 14.6 AF for stockwater purposes only
   c. Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
   d. Other < >

2. Current Owner: Name: Kerry Brigham
   Owner of Record Correct? __X__Y ____N
   Address of Record Correct? __X__Y ____N
   If No: Address

According to Tax Parcel Data the property is owned by the Young Marital QTIP Trust and Young Reverse Marital QTIP Trust with Kerry Brigham as a trustee.

3. Beneficial Use Fees have been paid: __X__Y ____N Receipt No: N/A
4. **SOURCE** **TRIBUTARY**
   Groundwater N/A

   Method of Determination: GIS and Tax Parcel Data
   Change in Source: ____Y __X__N

B. OVERLAP REVIEW

1. Other water rights with the same place of use: No Overlap

Water Right No.	Source	Purpose of Use	Basis
97-7297	Groundwater	Commercial	License

Comments: There are many domestic water right shapefiles overlapping this permits proposed place of use. However, they are all Statutory Claims and would not overlap. The water right 97-7297 overlap this permits place of use shape. However, the beneficial use is commercial, not domestic, and would not overlap.

2. Other water rights with the same point of diversion: No Overlap

Water Right No.	Source	Purpose of Use	Basis
N/A			

Comments: N/A

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Groundwater	2		SW	NW	10	59N	04W	B.M.	Bonner
								B.M.	
								B.M.	

Method of Determination: GIS and Tax Parcel Data.

Change in POD? ____Y __X__N Amendment Required? ____Y __X__N

SCANNED
MAR 17 2023

2. **PLACE OF USE:** 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	
59N	04W	10						D	D										N/A
		Lot #						1	2										N/A
																Total Acres =			N/A

Method of Determination: GIS and Tax Parcel Data

Change in POU? ____Y __X__N Amendment Required? ____Y __X__N

__ Delivery System Diagram Attached (required). Indicate all major components and distances between components.

Indicate weir size/pipe as applicable.

__ Aerial Photo Attached (required for irrigation of 10+ acres).

__ Photo of Diversion and System Attached

4. Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A					

**Code to correspond with No. on map and aerial photo*

D. FLOW MEASUREMENTS

1.Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
N/A						

2. Measurements: Since the permit holder did not provide a pump horsepower a diversion rate calculation was not possible.

E. FLOW CALCULATIONS _____Additional Computation Sheets Attached

Measured Method: **The permit holder did not provide a pump horsepower. Therefore, a diversion rate calculation was not possible. According to Administrative Processing Memo #22 the standard diversion rate for a single-family home is 0.04 cfs. The permit authorizes 0.04 cfs. I am recommending a 0.04 cfs diversion rate.**

F. VOLUME CALCULATIONS

2. Volume Calculations for Other Uses: **According to Administrative Processing Memo #22 the standard diversion volume for a single domestic use is 0.6 af for in home use and 0.6 af for up to ½ an acre of yard irrigation or 1.2 af. I am recommending a 1.2 af diversion volume.**

G. PURPOSE OF USE

Irrigation __X__Y ____N # Stock____N/A_____ Domestic # of Homes ___1___

Other: < >

Change in Purpose of Use? ____Y __X__N

Method of Determination: GIS, Tax Parcel Data, Google Earth Imagery, and phone correspondence with the permit holder on March 14th, 2023.

SCANNED MAR 17 2023

If Yes: From Use _____To Use _____Amount _____CFS _____AFA_____

H. NARRATIVE/REMARKS/COMMENTS

This permit qualifies for an in-house examination. According to Tax Parcel Data the property was developed in 2019. The permit authorizes domestic use for 1 home and up to ½ acres of yard irrigation. The permit was issued on February 22nd, 2023, with proof of beneficial use due on March 1st, 2024. However, the applicant submitted proof on March 13th, 2023. I contacted the applicant on March 14th, 2023, to confirm water was used prior to the permit approval. The permit holder confirmed water was diverted for the new home, constructed in 2019, before the permit was issued. According to Google Earth Imagery irrigation seemed to occur in 2021.

The permit holder did not provide a pump horsepower. Therefore, a diversion rate calculation was not possible. The standards set in Administrative Processing Memo #22 were used to make diversion rate and volume recommendations. All of the conditions have been met and it is believed the permit holder is using water for the beneficial use authorized on their permit. Therefore, I am recommending a 0.04 cfs diversion rate and 1.2 af diversion volume.

Conditions X01, 187 and X60 should remain on the license. Condition 046 should be removed from the license because the permit holder complied with well drilling permit requirements. Condition 004 should be removed because there are no legal access concerns to the point of diversion. All other conditions should be removed as standard with licensing.

Have conditions of permit approval been met? __X___Yes _____No

I. RECOMMENDATIONS

1. Recommended Amounts

BENEFICIAL USE	PERIOD OF USE		DIVERSION RATE	ANNUAL VOLUME
Domestic	1/1 to 12/31		0.04 CFS	1.2 AF
		Totals:	0.04 CFS	1.2 AF

2. Recommended Amendments

___Change P.D. as reflected above ___Add P.D. as reflected above __X_None

___Change P.U. as reflected above ___Add P.U. as reflected above __X_None

Other: < >

J. AUTHENTICATION Skyler Cheever, Water Resource Agent

Field Examiner's Name _____ Date 3/14/2023

Reviewer _____ Date 3/14/23

SCANNED MAR 17 2023

Field Exam Map:

The orange border shows the place of use, and the yellow point shows the point of diversion.



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MAR 17 2023

Beneficial Use Proof Evaluation

Permit Number: 97-9608 Reviewer: djudd Review Date: 3/13/2023

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: 3/13/2023
4) Proof Due Date: 3/1/2024
5) Days added for weekend due date? 0
6) Days added for holiday due date? 0
7) Number of days late: -354
8) Proof received timely? Yes

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 -- No
3) Are the required items installed?
    a. Measuring Device --
    b. Lockable Device --
    c. Fish Screen --
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? No
2) Was proof submitted with an exam report from a CWE?
3) Filing fee due: $0.00
4) Filing fee submitted: $50.00
5) Remaining fee or (refund): ($50.00)

Receipt IDs

N040478

Comments

Proof deemed acceptable. Gave file to water right agent for in-house license review. Water right agent will enter the proof made date in AdHoc at the time of licensing. Fee not required, request refund.

HAWLEY TROXELL

ATTORNEYS AND COUNSELORS

Hawley Troxell Ennis & Hawley LLP
608 Northwest Blvd., Ste. 300
Coeur d'Alene, ID 83814
208.444.4170
www.hawleytroxell.com

M. GREGORY EMBREY
Licensed to Practice in Idaho and Washington
EMAIL: gembrey@hawleytroxell.com
DIRECT LINE: 208-444-4172

RECEIVED
MAR 13 2023
DEPARTMENT OF
WATER RESOURCES

March 9, 2023

Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

RE: Kerry Brigham- Permit No. 97-9608

Dear Sir/Madam:

Please find enclosed a Statement of Completion for Submitting Proof of Beneficial Use with a check in the amount of $50.00 for the fee. Also enclosed is a self-addressed stamped envelope for a stamped copy of the Statement of Completion and a receipt. If you should have any questions please do not hesitate to contact us

Sincerely,

HAWLEY TROXELL ENNIS & HAWLEY LLP

M. Gregory Embrey

MGE/alm
Enclosures

SCANNED
MAR 17 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene, ID 83815-7763
Phone: 208-762-2800 • Fax: 208-762-2819 • Email: northerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

February 27, 2023

KERRY BRIGHAM
3407 W LYONS AVE
SPOKANE WA 99208-4741

RE: Permit No. 97-9608

Permit Approval Notice

Dear Permit Holder(s):

The Department of Water Resources ("Department") has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review all the conditions of approval listed on your permit. The conditions include requirements that you must accomplish, such as timely submittal of proof of beneficial use or installation of a measuring device, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district. Failure to comply with the conditions of approval may result in your permit lapsing or being canceled.

The permit is a PRELIMINARY ORDER issued pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

The final step in the water right process is issuance of a water right license. To receive a water right license, you must divert and use water to the full extent intended and submit a *Statement of Completion for Submitting Proof of Beneficial Use* by the date shown in condition no. 1 of your permit. The Department will send you a *Proof Due Notice* approximately 60 days prior to the date listed in condition no. 1 of your permit.

You may also require approvals from other Department programs, such as Ground Water Protection, Safety of Dams, or Stream Channel Protection, to accomplish your proposed development. Please call or visit any Department office or see the Department's website at idwr.idaho.gov for more information about these programs.

SCANNED
FEB 28 2023

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

If you have any questions concerning the enclosed information, please contact the Northern Region Office at (208) 762-2800.

Sincerely,

Luke Bates
Interim Water Rights Supervisor

Enclosure(s)

SCANNED
FEB 2 8 2023

CERTIFICATE OF SERVICE

I hereby certify that on February 27, 2023, I served a true and correct copy of Permit to Appropriate Water No. 97-9608 by U.S. Mail, postage prepaid, to the following:

KERRY BRIGHAM (Current Owner)
3407 W LYONS AVE
SPOKANE WA 99208-4741

WITHERSPOON KELLEY (Representative)
608 NORTHWEST BLVD STE 300
COEUR D ALENE ID 83814-2174

M GREGORY EMBREY (Attorney)
608 NORTHWEST BLVD STE 300
COEUR D ALENE ID 83814-2174

Tammy Alleman
Administrative Assistant 1

SCANNED
FEB 2 8 2023

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.

SCANNED
FEB 2 8 2023

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.

SCANNED
FEB 2 8 2023

RECEIVED
JAN 09 2023
IDWR / NORTH

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Bonner)

Talia Jimenez, 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 Legal Notice.
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 21st day of December, 2022, and ending on the 28th day of December, 2022.

State of Idaho, county of Bonner ss.
On this 29th day of December, in the year of 2022, before me, Katrina George, Notary Public, personally appeared Talia Jimenez known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she (or they) executed the same.

Katrina George
Notary Public
Residing at: Kootenai County

My Commission Expires 8/29/23

SCANNED
FEB 7 8 2023

LEGAL NOTICE

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

96-12194
MARK OSTERSMITH
285 EAST CEDAR LN
PRIEST RIVER, ID 83856
Point of Diversion L3(SWNE)
S28 T56N R05W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
4 /1 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 08-09-2022
Place Of Use: IRRIGATION
T56N R05W S28
L3(NWSE),L3(SWNE)
Total Acres: 0.4

96-13673
CRAIG A LUKES
KIM R LUKES
PO BOX 1976
SPOKANE VLY, WA 99037-1976
Point of Diversion SENW
S32 T56N R04W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.1 CFS
Date Filed: 11-07-2022
Place Of Use: DOMESTIC
T56N R04W S32
L2(SWNW),L2(SENW),SENW

96-13683
PHILIP J MUNTER
JEANETTE L MUNTER
PO BOX 3530
OLDTOWN, ID 83822-3530
Point of Diversion L2(NESW)
S29 T56N R05W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.07 CFS
Date Filed: 11-14-2022
Place Of Use: DOMESTIC,IRRIGATION
T56N R05W S29
L2(NESW),SESW
Total Acres: 1

96-13757
STEVEN M CARNIE
3757 GRAND POINT LN
ELK GROVE, CA 95758-4640
Point of Diversion SWNE
S26 T56N R05W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.06 CFS
Date Filed: 11-21-2022
Place Of Use: IRRIGATION
T56N R05W S26
NWSE,L3(SWNE)
Total Acres: 2

96-13995
DWAYNE BRANHAM
MARIE BRANHAM
124 WOLF TRL
PRIEST RIVER, ID 83856-9291
Point of Diversion SWSW
S15 T55N R04W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.06 CFS
Date Filed: 12-06-2022
Place Of Use: DOMESTIC
T55N R04W S15 SWSW

96-14042
JAMES E HULING
CHRISTY HULING
596 HOO DOO LOOP
OLDTOWN, ID 83822-8524
Point of Diversion NESE
S31 T56N R05W
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31 0.15 CFS
Use: INDUSTRIAL
01/01 to 12/31 0.15 CFS
Total Diversion: 0.15 CFS
Date Filed: 12-08-2022
Place Of Use: INDUSTRIAL,IRRIGATION
T56N R05W S31 NESE
Total Acres: 5

97-8719
KENNETH GIBSON
N.12117 GUINEVERE DR.
SPOKANE, WA 99218
Point of Diversion L7(NWSE)
S6 T59N R04W
BONNER County
Source PRIEST LAKE
Tributary PRIEST RIVER
Use: DOMESTIC
01/1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 06-03-2022
Place Of Use: DOMESTIC
T59N R04W S6 L7(NWSE)

97-8909
SARA SCHROEDL
1101 W UNIVERSITY HEIGHTS DR S
FLAGSTAFF, AZ 86005-8523
Point of Diversion SWSENE
S34 T58N R04W
BONNER County
Source SPRING
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.09 CFS
Total Diversion: 0.15 CFS
Date Filed: 06-26-2022
Place Of Use: DOMESTIC,IRRIGATION,STOCKWATER
T58N R04W S34 SENE
Total Acres: 3

97-8952
MITCH PIERCE
7530 N SHADOW MTN RD
PARADISE VALLEY, AZ 85253
Point of Diversion NWNE
S34 T62N R04W
BONNER County
Source PRIEST LAKE
Tributary PRIEST RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 06-28-2022
Place Of Use: DOMESTIC
T62N R04W S34
L1(NWNE),NWNE

97-9034
ADAMS IRREVOCABLE TRUST DTD...
286 E. CANOE POINT ROAD
COOLIN, ID 83821
Point of Diversion NESE
S15 T62N R04W
BONNER County
Source PRIEST LAKE
Tributary PRIEST RIVER
Use: FIRE PROTECTION
01/01 to 12/31 0.13 CFS
Use: IRRIGATION
04/01 to 10/31 0.15 CFS
Total Diversion: 0.15 CFS
Date Filed: 06-30-2022
Place Of Use: FIRE PROTECTION
T62N R04W S15
L1(NESE),L1(SESE),NESE
Place Of Use: IRRIGATION
T62N R04W S15
L1(NESE),L1(SESE)
Total Acres: 5

97-9608
KERRY BRIGHAM
3407 W LYONS AVE
SPOKANE, WA 99208-4741
Point of Diversion L2(SWNW)
S10 T59N R04W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 11-16-2022
Place Of Use: DOMESTIC
T59N R04W S10
L2(SWNW),L1(NWNW)

97-9610
KELLY SKILLESTAD
10615 N CLATSOP CT
SPOKANE, WA 99208-9074
Point of Diversion L4(NESW)
S3 T59N R04W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 11-16-2022
Place Of Use: DOMESTIC
T59N R04W S3 L4(NESW)

97-9611
THE FLEMING LIVING TRUST
6959 E MORNING DOVE LN
SAN TAN VLY, AZ 85143-1276
Point of Diversion SENE
S19 T57N R04W
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
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.09 CFS
Date Filed: 12-05-2022
Place Of Use: IRRIGATION,STOCKWATER
T57N R04W S19 SENE
Place Of Use: DOMESTIC,STOCKWATER
T57N R04W S20 SWNW
Total Acres: 1

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; or for a full description of the right(s), please see https://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 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of $25.00 for each application on or before 1/9/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director

Legal#4758
AD#3681
December 21, 28, 2022

SCANNED
FEB 7 8 2023

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

LB

W.R. # 97 - 9608 APPLICATION ID # 87227 ENT. _____ BCA 1a OK to Publish _____

INITIAL REVIEW

APPLICANT: BRIGHAM; Kerry BY: dm DATE: 11 / 18 / 2022

ITEM	REQUIRED INFORMATION
1.	(✓) Name and Address
2.	(✓) Source
3.	(✓) Point of Diversion & County
4.	(✓) Quantity
	(✓) Nature of Proposed Use
	(✓) Period of Use
5.	(✓) Total Quantity
6.	(✓) Description of diverting works
7.	(✓) Time required for b/u
8.	(✓) Proposed use
9.	(✓) Place of use or acres irrigated
10.	(✓) Other water Rights
11.	(✓) Ownership
12.	(✓) Map
	(✓) Signature
	(✓) Fee (Amt, receipt, acknowledgement) M64478

*** Send info sheet Y( ) N(✓)

PROCESSING

(Yes)(No)

___ ✓ (Include Moratorium Remark)

___ ✓ Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

PRIORITY DATE: 11 / 16 / 2022

ADVERTISE IN: BONNER County

Newspaper: BCDB Priest River Version

Dates scheduled for publication 12-21-22 & 12-28-22

Affidavit of Publication received: 1-9-23

Dates actually published: 12-21-22 & 12-28-22

Application published correctly. Yes ✓ No _____

If not, action taken: _____

Final Date for Protest: January 9, 2022

Protests Received: Yes _____ No ✓

LETTERS SENT REQUESTING:

( ) Dam Information ( ) Fish Information

( ) Power Information ( ) Other: _____

INFORMATION RECEIVED:

( ) Dam Information ( ) Fish Information

( ) Power Information ( ) Other: _____

ADDITIONAL INFORMATION

(Yes)(No)

✓ ___ **Shape File Created** Date 11/16/22 By: dm

___ ___ Field check: by _____

___ ___ Field report attached

___ ___ Analysis Supp. attached(>5cfs/500af)

___ ___ Water delivered by water master? Water District # _____

N/A

GROUNDWATER SECTION

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
_____	_____	Dom.___ Non-Dom.___	Paid $_____	_____	Y( ) N( )
_____	_____	Dom.___ Non-Dom.___	Paid $_____	_____	Y( ) N( )
_____	_____	Dom.___ Non-Dom.___	Paid $_____	_____	Y( ) N( )

___ ✓ Groundwater management area

___ ✓ Critical ground water area

___ ✓ Well Drilling Permit required

___ ___ Well Drilling Application and Fees received Unknown

___ NA Well Drilling Application approved?

Remarks: Correct well not identified.

✓ Bonner Co. Parcel Search verifies ownership

JB

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

___ ___ Notice of pending void order issued. Final order response date: ____/____/____

___ ___ Further information required from applicant _____

___ ___ Measuring device required

___ ___ Measuring port required

___ ___ Special conditions: _____

___ ___ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: dm Date: 02 / 15 / 2023 Sr. Agent initial JR Interim Supervisor

IDAHO DEPARTMENT OF
WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene, ID 83815-7763
Phone: 208-762-2800 • Fax: 208-762-2819 • Email: northerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

December 13, 2022

KERRY BRIGHAM
3407 W LYONS AVE
SPOKANE, WA 99208-4741

RE: Application for Permit No. 97-9608

Dear Applicant:

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the BONNER COUNTY DAILY BEE, PRIEST RIVER VERSION on 12/21/2022 and 12/28/2022. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Tammy Alleman
Administrative Assistant

CC:
M GREGORY EMBREY
WITHERSPOON KELLEY
608 NORTHWEST BLVD STE 300
COEUR D ALENE, ID 83814-2174

SCANNED
DEC 13 2022

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, December 13, 2022 3:03 PM
To: bcdblegals@cdapress.com
Subject: Legal notice
Attachments: Legal Notice for BCDB Priest River.docx

Please publish the enclosed legal notice in the **Bonner County Daily Bee, Priest River Version** on the dates indicated **December 21st & December 28th, 2022** (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

Please send a proof once you have the article ready for print for our review.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before **January 9, 2022.** Your cooperation is appreciated.

Sincerely,

IDAHO DEPARTMENT OF WATER RESOURCES

Tammy Alleman | Administrative Assistant
Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone: (208) 762-2800

SCANNED
DEC 13 2022

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

96-12194
MARK OSTERSMITH
285 EAST CEDAR LN
PRIEST RIVER, ID 83856
Point of Diversion L3(SWNE)
S28 T56N R05W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
4 /1 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 08-09-2022
Place Of Use: IRRIGATION
T56N R05W S28
L3(NWSE),L3(SWNE)
Total Acres: 0.4

96-13673
CRAIG A LUKES
KIM R LUKES
PO BOX 1976
SPOKANE VLY, WA 99037-1976
Point of Diversion SENW
S32 T56N R04W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.1 CFS
Date Filed: 11-07-2022
Place Of Use: DOMESTIC
T56N R04W S32
L2(SWNW),L2(SENW),SENW

96-13683
PHILIP J MUNTER
JEANETTE L MUNTER
PO BOX 3530
OLDTOWN, ID 83822-3530
Point of Diversion L2(NESW)
S29 T56N R05W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.07 CFS
Date Filed: 11-14-2022
Place Of Use: DOMESTIC,IRRIGATION
T56N R05W S29
L2(NESW),SESW
Total Acres: 1

96-13757
STEVEN M CARNIE
3757 GRAND POINT LN
ELK GROVE, CA 95758-4640
Point of Diversion SWNE
S26 T56N R05W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.06 CFS
Date Filed: 11-21-2022

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DEC 13 2022

Place Of Use: IRRIGATION
T56N R05W S26
NWSE,L3(SWNE)
Total Acres: 2

96-13995
DWAYNE BRANHAM
MARIE BRANHAM
124 WOLF TRL
PRIEST RIVER, ID 83856-9291
Point of Diversion SWSW
S15 T55N R04W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.06 CFS
Date Filed: 12-06-2022
Place Of Use: DOMESTIC
T55N R04W S15 SWSW

96-14042
JAMES E HULING
CHRISTY HULING
596 HOO DOO LOOP
OLDTOWN, ID 83822-8524
Point of Diversion NESE
S31 T56N R05W
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31 0.15 CFS
Use: INDUSTRIAL
01/01 to 12/31 0.15 CFS
Total Diversion: 0.15 CFS
Date Filed: 12-08-2022
Place Of Use: INDUSTRIAL,IRRIGATION
T56N R05W S31 NESE
Total Acres: 5

97-8719
KENNETH GIBSON
N.12117 GUINEVERE DR.
SPOKANE, WA 99218
Point of Diversion L7(NWSE)
S6 T59N R04W
BONNER County
Source PRIEST LAKE
Tributary PRIEST RIVER
Use: DOMESTIC
01/1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 06-03-2022
Place Of Use: DOMESTIC
T59N R04W S6 L7(NWSE)

97-8909
SARA SCHROEDL
1101 W UNIVERSITY HEIGHTS DR S
FLAGSTAFF, AZ 86005-8523
Point of Diversion SWSENE
S34 T58N R04W
BONNER County
Source SPRING
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION

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DEC 13 2022

04/01 to 10/31 0.09 CFS
Total Diversion: 0.15 CFS
Date Filed: 06-26-2022
Place Of Use: DOMESTIC,IRRIGATION,STOCKWATER
T58N R04W S34 SENE
Total Acres: 3

97-8952
MITCH PIERCE
7530 N SHADOW MTN RD
PARADISE VALLEY, AZ 85253
Point of Diversion NWNE
S34 T62N R04W
BONNER County
Source PRIEST LAKE
Tributary PRIEST RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 06-28-2022
Place Of Use: DOMESTIC
T62N R04W S34
L1(NWNE),NWNE

97-9034
ADAMS IRREVOCABLE TRUST DTD...
286 E. CANOE POINT ROAD
COOLIN, ID 83821
Point of Diversion NESE
S15 T62N R04W
BONNER County
Source PRIEST LAKE
Tributary PRIEST RIVER
Use: FIRE PROTECTION
01/01 to 12/31 0.13 CFS
Use: IRRIGATION
04/01 to 10/31 0.15 CFS
Total Diversion: 0.15 CFS
Date Filed: 06-30-2022
Place Of Use: FIRE PROTECTION
T62N R04W S15
L1(NESE),L1(SESE),NESE
Place Of Use: IRRIGATION
T62N R04W S15
L1(NESE),L1(SESE)
Total Acres: 5

97-9608
KERRY BRIGHAM
3407 W LYONS AVE
SPOKANE, WA 99208-4741
Point of Diversion L2(SWNW)
S10 T59N R04W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 11-16-2022
Place Of Use: DOMESTIC
T59N R04W S10
L2(SWNW),L1(NWNW)

97-9610
KELLY SKILLESTAD
10615 N CLATSOP CT
SPOKANE, WA 99208-9074
Point of Diversion L4(NESW)
S3 T59N R04W
BONNER County

SCANNED
DEC 13 2022

Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 11-16-2022
Place Of Use: DOMESTIC
T59N R04W S3 L4(NESW)

97-9611
THE FLEMING LIVING TRUST
6959 E MORNING DOVE LN
SAN TAN VLY, AZ 85143-1276
Point of Diversion SENE
S19 T57N R04W
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
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.09 CFS
Date Filed: 12-05-2022
Place Of Use: IRRIGATION,STOCKWATER
T57N R04W S19 SENE
Place Of Use: DOMESTIC,STOCKWATER
T57N R04W S20 SWNW
Total Acres: 1

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; or for a full description of the right(s), please see https://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 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of $25.00 for each application on or before 1/9/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director Published on 12/21/2022 and 12/28/2022

SCANNED
DEC 13 2022

WITHERSPOON·KELLEY
Attorneys & Counselors

SPOKANE | COEUR D'ALENE | YAKIMA

M. GREGORY EMBREY
Licensed to Practice in Idaho and Washington
mge@witherspoonkelley.com

RECEIVED
NOV 16 2022
IDWR / NORTH

November 14, 2022

Department of Water Resources
Northern Region
Attn: Shaun Maxey
7600 N. Mineral Dr., Suite 100
Coeur d'Alene, ID 83815-7763

RE: Application for Water Permit – Kelly Skillestad and Kerry Brigham

Dear Shaun:

Please find enclosed with this letter the applications for permits for Kelly Skillestad and Kerry Brigham. I have made all of the corrections that you suggested and we now have original signatures. If you should have any questions please feel free to contact me.

Sincerely,

WITHERSPOON KELLEY

M. Gregory Embrey

MGE/alm
Enclosures

608 Northwest Boulevard, Suite 300 Tel: 208.667.4000
Coeur d'Alene, Idaho 83814-2174 Fax: 208.667.8470
www.witherspoonkelley.com

SCANNED
DEC 13 2022
{C0366946; 1 }

Maxey, Shaun

From: Maxey, Shaun
Sent: Wednesday, October 12, 2022 10:38 AM
To: AimeeM@witherspoonkelley.com
Subject: Idaho Application for Permit (Brigham)
Attachments: final water right application papers (Kerry Brigham signed) (C0353875xBD0DB).PDF; 97-XXXX BRIGHAM DRAFT APP.pdf; 97-XXXX BRIGHAM MAP.pdf

Ms. Mitchell:

Attached is a photocopy of the current, original, Application For Permit that we received for use of a well on the Kerry Brigham property at Priest Lake. The current Application contains several errors that must be corrected before we move forward to publication of legal notices on the Application.
Suggested corrections are on the attachment titled '97-XXXX BRIGHAM DRAFT APP...'. The attachment titled '97-XXXX BRIGHAM MAP...' is a IDWR map, showing what I believe is the correct tax parcel, to label with the Point of Diversion (POD) (well location) and Place of Use (POU) for a corrected Application. The POD and POU legal descriptions shown on the map must match the POD and POU legal descriptions shown on Pages 1 and 2 of the Application.

The black and white parcel map , labeled '...Warren Property...' in the original Application shows tax parcel boundaries and four tax parcel numbers that are not on the current Bonner County public web site. Is this map meant to show that the Skillestad well is shared by other tax parcels?

Please note that the final Application received by IDWR must have an original signature.

I will phone your office later this morning to address any questions you may have.

Thanks,

Shaun Maxey

IDAHO DEPARTMENT OF WATER RESOURCES

Shaun M. Maxey |Sr. Water Resource Agent
Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone: (208) 762-2800

SCANNED
DEC 13 2022