

**IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET**

W.R. # Transfer APPLICATION ID # 88135 ENT. Y3 BCA Ja OK to Publish mk
 APPLICANT: Gem State Water Co, LLC INITIAL REVIEW BY: Y3 DATE: 6/29/23

ITEM REQUIRED INFORMATION

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

*** Send info sheet Y() N()

ADDITIONAL INFORMATION

(Yes)(No) Transfer P&O shape 6/29/23 By: YB
☒ Shape File Created Date 6/29/23 By: YB
 ___ Field check: by _____
 ___ Field report attached
 ___ Analysis Supp. attached(>5cfs/500af)
 ___ Water delivered by water master? Water District # _____

PROCESSING

(Yes)(No) NA **PRIORITY DATE:** Received Date 5/17/23

(Include Moratorium Remark)
 Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af)

ADVERTISE IN:

Wootenai County
 Newspaper: Coeur d'Alene Press
 Dates scheduled for publication 7-20-23 & 7-27-23
 Affidavit of Publication received: 8-3-23
 Dates actually published: 7-20-23 & 7-27-23
 Application published correctly. Yes ☒ No _____
 If not, action taken: _____

Final Date for Protest: August 7, 2023
 Protests Received: Yes _____ No ☒

LETTERS SENT REQUESTING:

() Dam Information () Fish Information
 () Power Information () Other: _____

INFORMATION RECEIVED:

() Dam Information () Fish Information
 () Power Information () Other: _____

GROUNDWATER SECTION

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
<u>Proposed well</u>		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
 ___ Well Drilling Application approved?

Remarks: added 2ea Transfer P&O
Centroids: 1 for 95-9643 &
1 for 95-9644

• updated Conditions (in advance of advertisement)

FINAL REGIONAL PROCESSING/REVIEW

Out/Dea/TO7/TO8

(Yes)(No)

___ Notice of pending void order issued.
 ___ Further information required from applicant _____

Final order response date: _____/_____/_____

___ Measuring device required
 ___ Measuring port required
 ___ Special conditions: _____
 ___ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: [Signature] Date: 8/8/23 Sr. Agent initial _____



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

August 14, 2023

GEM STATE WATER CO LLC
250 NORTHWEST BLVD STE 203
COEUR D ALENE ID 83814

Re: Transfer No: 88135
Water Right No(s): 95-9643, 95-9644
Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Rights. Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Rights 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 the APPLICANT 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.

ANY PERSON aggrieved by any decision, determination, order or action 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 Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

SCANNED
AUG 14 2023

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 the Northern Region Office at (208) 762-2800.

Sincerely,



Michelle Richman
Regional Manager

CERTIFICATE OF SERVICE

I hereby certify that on August 14, 2023 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 88135

Water Right Nos.: 95-9643, 95-9644

**GEM STATE WATER CO LLC
250 NORTHWEST BLVD STE 203
COEUR D ALENE ID 83814**



**Taya Sharp
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.

MEMORANDUM

Date: August 8, 2023
To: Transfer 88135
From: Luke Bates *JSB 8/8/23*
Re: Review & Evaluation of Sufficiency of Information

Review & Evaluation of Sufficiency of Information
8/8/2023

This transfer proposes to add a new groundwater well POD to the applicant's current water system. The proposed well No.3 shall provide redundancy and does not increase maximum diversion rate for Right(s) 95-9643 & 95-9644.

Authority to File:

The applicant is listed as the current owner of the rights being transferred according to IDWR records. The application was signed by Gem State Water Co LLC's General Manager, Leslie Abrams-Rayner.

Water Right Validity:

The water rights are valid and have been recommended & decreed in the CSRBA.

Injury to Other Water Rights:

Injury is not anticipated.

Enlargement of Use:

None; the added groundwater well shall serve as redundancy as required by IDEQ in the event one of the other two groundwater well PODs is out of service. During transfer approval processing conditions 046, T07, T08, 174, 175, 01R, & a text version of 106 were added to Rights 95-9643 and 95-9644. Condition 01M was removed from both rights & replaced by 01R due to the PODs being located within the Rathdrum Prairie Groundwater Management Area (RPGWMA).

Local Public interest:

No negative issues anticipated.

Beneficial Use/Conservation of Water Resources:

Proposed use is recognized as a beneficial use of water.

Effect on Economy the Local Area:

New well will ensure a safe drinking water source for future use by the municipal water provider, Bitterroot Water System (BWS), which is owned by Gem State Water Company LLC.

Effect on Agricultural Base of the Local Area:

None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

SCANNED
AUG 14 2023

AFFIDAVIT OF PUBLICATION

RECEIVED

AUG 03 2023

IDWR / NORTH

STATE OF IDAHO)
) ss.
County of Kootenai)

RikkiJade Lindstrom, being first duly sworn upon oath, deposes and states:

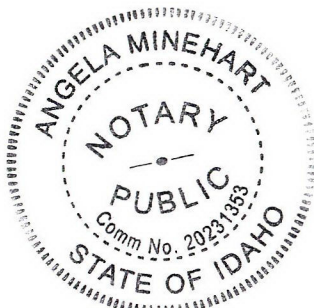
1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press", a newspaper printed and published daily in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The Legal Notice of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive Weeks commencing on the 20 day of July, 2023, and ending on the 27 day of July, 2023, and such publication was made as often during said period as said daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

R. Lindstrom
On this 27 day of July in the year of 2023 before me, a Notary Public, personally appeared RikkiJade Lindstrom, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.



Angela Minehart
Notary Public for the State of Idaho
Residing in Coeur d'Alene, Idaho

My Commission Expires 03/20/2029

SCANNED

AUG 14 2023

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
TRANSFER NO. 88135**

GEM STATE WATER CO LLC,
250 NORTHWEST BLVD STE
203, COEUR D ALENE, ID
83814 has filed Application No.
88135 for changes to the follow-
ing water rights within KOO-
TENAI County: Right No(s).
95-9643, 95-9644; to see a full
description of these rights and
the proposed transfer, please
see <https://research.idwr.idaho.gov/apps/waterrights/query-newtransfers>. The purpose
of the transfer is to change a
portion of the above rights as
follows:

**This transfer proposes to add
a new point of diversion to
Gem State Water Co LLC's
existing GW rights 95-9643 &
95-9644 in the SW1/4SW1/4
of Section 29, Twp 53N, Rge
03W.**

For additional information con-
cerning the property location,
contact Northern Region office
at (208)762-2800. Protests
may be submitted based on
the criteria of Idaho Code Sec.
42-222. Any protest against the
proposed change must be filed
with the Department 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 8/7/2023. The prot-
estant must also send a copy of
the protest to the applicant.

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

94-9685

SHAWN WEHR
SUSAN WEHR
111 BELAIR DR
PINEHURST, ID 83850-9781
Point of Diversion L6(SEN)
S12 T47N R03W
KOOTENAI County
Source BLACK LAKE
Tributary COEUR D'ALENE
RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 05-22-2023
Place Of Use: DOMESTIC
T47N R03W S12 L6(SEN)

95-18465

LOGAN LUNDAHL
BURKE MARY
118 N 7TH ST STE C1
COEUR D ALENE,
ID 83814-2763
Point of Diversion NWSW
S35 T50N R04W
KOOTENAI County
Source COEUR D ALENE
LAKE
Tributary SPOKANE RIVER
Use: IRRIGATION
03/15 to 11/15
Total Diversion: 0.03 CFS
Date Filed: 05-22-2023
Place Of Use: IRRIGATION
T50N R04W S35 NWSW
Total Acres: 0.5

95-18466

MICHELLE ANN DESMET
32919 N SCENERY CT
ATHOL, ID 83801-9566
Point of Diversion SWNE
S6 T53N R03W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 06-06-2023
Place Of Use: DOMESTIC,
IRRIGATION, STOCKWATER
T53N R03W S6
SWNE, SENW, NESW, NWSE
Total Acres: 10

95-18479

GLENCAIRN ASSN INC
3290 S LINCOLN DR
SPOKANE, WA 99203-1355
Point of Diversion NESW
S22 T51N R03W
KOOTENAI County
Source HAYDEN LAKE
Tributary SINKS
Point of Diversion NESW
S22 T51N R03W
KOOTENAI County
Source HAYDEN LAKE
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31 0.14 CFS
Use: IRRIGATION
03/15 to 11/15 0.14 CFS
Total Diversion: 0.2 CFS
Date Filed: 07-03-2023
Place Of Use: DOMESTIC,
IRRIGATION
T51N R03W S22
L6(NESW), L6(SESW),
NESW, SESW
Total Acres: 6.8

95-18480

ID PUR-POSE LLC
26144 N OLD HIGHWAY 95
ATHOL, ID 83801-8941
Point of Diversion NENE
S33 T53N R03W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC STORAGE
01/01 to 12/31 10.8 AF
Use: DOMESTIC FROM
STORAGE
01/01 to 12/31 10.8 AF
Use: FIRE PROTECTION
STORAGE
01/01 to 12/31 0.3 AF
Use: FIRE PROTECTION
FROM STORAGE
01/01 to 12/31 0.3 AF
Use: DIVERSION TO
STORAGE
01/01 to 12/31 0.2 CFS
Total Diversion: 0.2 CFS,
11.1 AF
Date Filed: 06-12-2023
Place Of Use: DOMESTIC
FROM STORAGE, DOMESTIC
STORAGE, FIRE PROTECTION
FROM STORAGE, FIRE
PROTECTION STORAGE
T53N R03W S28 SWSE
Place Of Use: DIVERSION
TO STORAGE, DOMESTIC
FROM STORAGE, DOMESTIC
STORAGE, FIRE PROTECTION
FROM STORAGE, FIRE
PROTECTION STORAGE
T53N R03W S33
NENE, NWNE

Permits will be subject to all
prior water rights. For addition-
al 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/
WRAApplicationResults/](https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/). Pro-
tests 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 MIN-
ERAL DR STE 100, COEUR D
ALENE ID 83815-7763 together
with a protest fee of \$25.00 for
each application on or before
8/7/2023. The protestant must
also send a copy of the protest
to the applicant.
GARY SPACKMAN, Director
Legal#10960
AD#11688
July 20, 27, 2023

Alleman, Tammy

From: Anna Moody
Sent: Monday, July 17, 2023 1:43 PM
To: Alleman, Tammy; Chantilly Higbee
Cc: Sharp, Taya
Subject: RE: Request for Comments for Transfer #88135

Please find these comments for the transfer of Water Rights 5-9643 and 95-9644. The applicant, Gen State Water Company, LLC. Is the owner on record of the public drinking Water system Gem State – Bitterroot Water Company, PWS# ID1280260. As of this comment the status of the water system is Approved.

Anna Moody | Drinking Water Program Supervisor
Idaho Department of Environmental Quality
Office: (208) 769-1422

From: Alleman, Tammy <Tammy.Alleman@idwr.idaho.gov>
Sent: Thursday, July 13, 2023 2:22 PM
To: Chantilly Higbee <Chantilly.Higbee@deq.idaho.gov>; Anna Moody <Anna.Moody@deq.idaho.gov>
Cc: Sharp, Taya <Taya.Sharp@idwr.idaho.gov>
Subject: Request for Comments for Transfer #88135

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced Water Right Permit application. You can find copies of the application at: <https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx>

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of the application(s), you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication. The deadline for comments on the applications is August 7, 2023.

Please contact the Northern Region Office at (208) 762-2800 if you have any questions regarding the Permit application.

Thank you,

Tammy



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

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, July 13, 2023 2:22 PM
To: Chantilly Higbee; Anna Moody
Cc: Sharp, Taya
Subject: Request for Comments for Transfer #88135
Attachments: 88135 Transfer Application.pdf

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced Water Right Permit application. You can find copies of the application at:

<https://research.idwr.idaho.gov/apps/waterrights/wrajssearch/wradjssearch.aspx>

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of the application(s), you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication. **The deadline for comments on the applications is August 7, 2023.**

Please contact the Northern Region Office at (208) 762-2800 if you have any questions regarding the Permit application.

Thank you,

Tammy



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

JUL 14 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

July 12, 2023

GEM STATE WATER CO LLC
250 NORTHWEST BLVD STE 203
COEUR D ALENE, ID 83814

RE: Transfer No. 88135
Water Right No(s). 95-9643, 95-9644

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the COEUR D ALENE PRESS on 7/20/2023 and 7/27/2023. 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 approval document.

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

Sincerely,

Tammy Alleman
Administrative Assistant

SCANNED

JUL 14 2023

Alleman, Tammy

From: Alleman, Tammy
Sent: Wednesday, July 12, 2023 4:37 PM
To: LEGALS@CDAPRESS.COM
Cc: Sharp, Taya
Subject: Legal Notice for CdA Press
Attachments: Legal Notice for CdA Press 072023.docx

Please publish the enclosed legal notice in the **Coeur d'Alene Press** on the dates indicated **July 20th & July 27th, 2023** (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 **August 7, 2023**. Your cooperation is appreciated.

Sincerely,



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
JUL 14 2023

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 88135**

GEM STATE WATER CO LLC, 250 NORTHWEST BLVD STE 203, COEUR D ALENE, ID 83814 has filed Application No. 88135 for changes to the following water rights within KOOTENAI County: Right No(s). 95-9643, 95-9644; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

This transfer proposes to add a new point of diversion to Gem State Water Co LLC's existing GW rights 95-9643 & 95-9644 in the SW1/4SW1/4 of Section 29, Twp 53N, Rge 03W.

For additional information concerning the property location, contact Northern Region office at (208)762-2800. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department 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 8/7/2023. The protestant must also send a copy of the protest to the applicant.

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

94-9685

SHAWN WEHR
SUSAN WEHR
111 BELAIR DR
PINEHURST, ID 83850-9781
Point of Diversion L6(SENE)
S12 T47N R03W
KOOTENAI County
Source BLACK LAKE
Tributary COEUR D'ALENE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 05-22-2023
Place Of Use: DOMESTIC
T47N R03W S12 L6(SENE)

95-18465

LOGAN LUNDAHL
BURKE MARY
118 N 7TH ST STE C1
COEUR D ALENE, ID 83814-2763
Point of Diversion NWSW
S35 T50N R04W
KOOTENAI County
Source COEUR D ALENE LAKE
Tributary SPOKANE RIVER
Use: IRRIGATION
03/15 to 11/15
Total Diversion: 0.03 CFS
Date Filed: 05-22-2023
Place Of Use: IRRIGATION
T50N R04W S35 NWSW
Total Acres: 0.5

95-18466

MICHELLE ANN DESMET
32919 N SCENERY CT
ATHOL, ID 83801-9566
Point of Diversion SWNE
S6 T53N R03W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 06-06-2023
Place Of Use: DOMESTIC, IRRIGATION, STOCKWATER
T53N R03W S6
SWNE, SENW, NESW, NWSE
Total Acres: 10

95-18479

GLENCAIRN ASSN INC
3290 S LINCOLN DR
SPOKANE, WA 99203-1355
Point of Diversion NESW
S22 T51N R03W

SCANNED

JUL 14 2023

KOOTENAI County
Source HAYDEN LAKE
Tributary SINKS
Point of Diversion NESW
S22 T51N R03W
KOOTENAI County
Source HAYDEN LAKE
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31 0.14 CFS
Use: IRRIGATION
03/15 to 11/15 0.14 CFS
Total Diversion: 0.2 CFS
Date Filed: 07-03-2023
Place Of Use: DOMESTIC, IRRIGATION
T51N R03W S22
L6(NESW), L6(SESW), NESW, SESW
Total Acres: 6.8

95-18480

ID PUR-POSE LLC
26144 N OLD HIGHWAY 95
ATHOL, ID 83801-8941
Point of Diversion NENE
S33 T53N R03W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC STORAGE
01/01 to 12/31 10.8 AF
Use: DOMESTIC FROM STORAGE
01/01 to 12/31 10.8 AF
Use: FIRE PROTECTION STORAGE
01/01 to 12/31 0.3 AF
Use: FIRE PROTECTION FROM STORAGE
01/01 to 12/31 0.3 AF
Use: DIVERSION TO STORAGE
01/01 to 12/31 0.2 CFS
Total Diversion: 0.2 CFS, 11.1 AF
Date Filed: 06-12-2023
Place Of Use: DOMESTIC FROM STORAGE, DOMESTIC STORAGE, FIRE PROTECTION FROM STORAGE, FIRE PROTECTION STORAGE
T53N R03W S28 SWSE
Place Of Use: DIVERSION TO STORAGE, DOMESTIC FROM STORAGE, DOMESTIC STORAGE, FIRE PROTECTION FROM STORAGE, FIRE
PROTECTION STORAGE
T53N R03W S33
NENE, NWNE

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/WRAApplicationResults/>. 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 8/7/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director Published on 7/20/2023 and 7/27/2023

SCANNED

JUL 14 2023

MEMORANDUM

Date: June 29, 2023

To: Transfer 88135

From: Luke Bates *JB 6/29/23*

Re: Legal Notice Remarks

This transfer proposes to add a new point of diversion to Gem State Water Co LLC's existing GW rights 95-9643 & 95-9644 in the SW1/4SW1/4 of Section 29, Twp 53N, Rge 03W.

SCANNED
JUL 14 2023

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 88135**

This is to certify that: GEM STATE WATER CO LLC
250 NORTHWEST BLVD STE 203
COEUR D ALENE, ID 83814

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
95-9643	WR/DECREED	4/11/1994	0.750 cfs	192.0 af	N/A	N/A	GROUND WATER
95-9644	WR/DECREED	8/11/1994	0.280 cfs	45.9 af	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
95-9643	NO	NO	NO	YES	NO	NO
95-9644	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
95-9643	95-9643	0.750 cfs	192.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
95-9644	95-9644	0.280 cfs	45.9 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.030 cfs	237.9 af	N/A	N/A		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 9th day of August, 2023.

Michelle Richman, Northern Regional Manager

Transfer No. 88135

SCANNED

AUG 14 2023

WATER RIGHT NO. 95-9643

As Modified by Transfer No. 88135

In accordance with the approval of Transfer No. 88135, Water Right No. 95-9643 is now described as follows:

Right Holder: GEM STATE WATER CO LLC
250 NORTHWEST BLVD STE 203
COEUR D ALENE, ID 83814

Priority Date: 4/11/1994

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
FIRE PROTECTION	01/01	to 12/31	0.750 cfs	
MUNICIPAL	01/01	to 12/31	0.750 cfs	192.0 af
			0.750 cfs	192.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSW	Sec 29 Twp 53N Rge 03W KOOTENAI County
GROUND WATER	SWSW	Sec 29 Twp 53N Rge 03W KOOTENAI County
GROUND WATER	SWSW	Sec 29 Twp 53N Rge 03W KOOTENAI County

CONDITIONS OF APPROVAL

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
3. Place of use is within the area served by the public water supply system of Bitterroot Water Co Inc. The place of use is generally located within Township 53N, Range 03W, Sections 20, 28, 29, 30, 32 and 33.
4. This right does not grant any right-of-way or easement across the land of another.
5. The water system described in this right has been assigned Public Water Supply ID1280260 by the Idaho Department of Environmental Quality.
6. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
7. Prior to the diversion and use of water under this approval for the proposed well No.3, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality.

Transfer No. 88135

SCANNED

AUG 14 2023

WATER RIGHT NO. 95-9643
As Modified by Transfer No. 88135

CONDITIONS OF APPROVAL

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of the RPGWMA management plan approved by the director, including its conservation goals.
11. When notified by the Department, the right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Idaho Code § 42-701, and/or the management plan for the Rathdrum Prairie Ground Water Management Area.
12. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.

WATER RIGHT NO. 95-9644

As Modified by Transfer No. 88135

In accordance with the approval of Transfer No. 88135, Water Right No. 95-9644 is now described as follows:

Right Holder: GEM STATE WATER CO LLC
250 NORTHWEST BLVD STE 203
COEUR D ALENE, ID 83814

Priority Date: 8/11/1994

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
MUNICIPAL	01/01	to 12/31	0.280 cfs	45.9 af
			0.280 cfs	45.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSW	Sec 29 Twp 53N Rge 03W KOOTENAI County
GROUND WATER	SWSW	Sec 29 Twp 53N Rge 03W KOOTENAI County
GROUND WATER	SWSW	Sec 29 Twp 53N Rge 03W KOOTENAI County

CONDITIONS OF APPROVAL

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Place of use is within the area served by the public water supply system of Rickel Water Company. The place of use is generally located within Township 53 North, Range 3 West, Sections 20, 28, 29, 30, 32 and 33.
3. This right does not grant any right-of-way or easement across the land of another.
4. The water system described in this right has been assigned Public Water Supply ID1280260 by the Idaho Department of Environmental Quality.
5. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
6. Prior to the diversion and use of water under this approval for the proposed well No.3, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 88135

SCANNED

AUG 14 2023

WATER RIGHT NO. 95-9644
As Modified by Transfer No. 88135

CONDITIONS OF APPROVAL

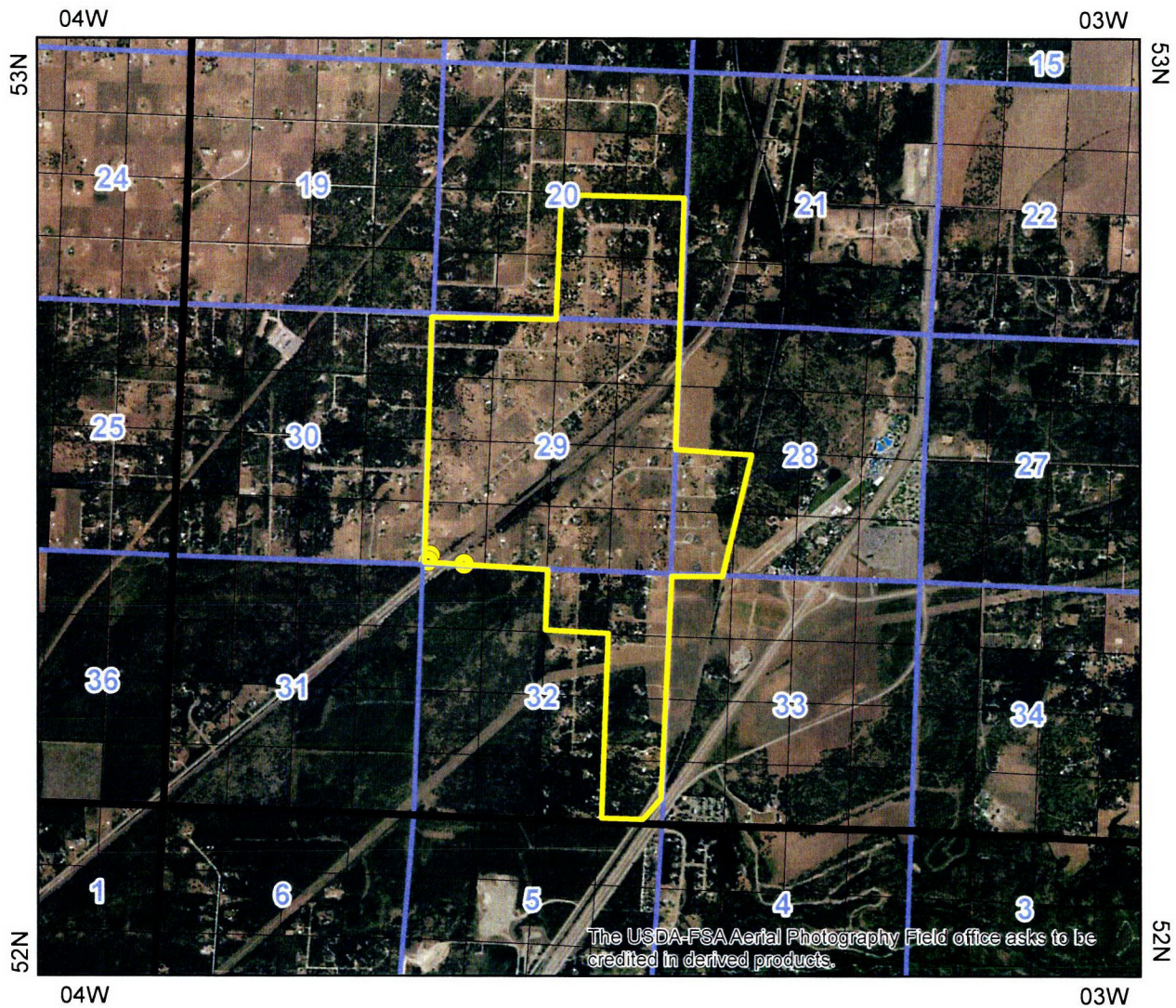
9. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of the RPGWMA management plan approved by the director, including its conservation goals.
10. When notified by the Department, the right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Idaho Code § 42-701, and/or the management plan for the Rathdrum Prairie Ground Water Management Area.
11. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.

Gem State Water Company, LLC

Attachment to Transfer # 88135

Rights 95-9643 and 95-9644

This map depicts the MUNICIPAL 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.



-  Water Service Area Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion

SCANNED
AUG 14 2023

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

IDWR / NORTH

- ☐ Change diversion point(s)
 ☒ Add diversion point(s)
 ☐ Ownership change
 ☐ Ownership split
- ☐ Transfer is for changes pursuant to [Idaho Code § 42-221.O.8](#). Attach an explanation and any supporting documentation.

State ID Zip 83814 Email leslie@gemstate-water.com

- If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

☒ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 1.03 cubic feet per second and/or 237.9 acre-feet per annum.
(diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*.

[illegible]

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Who owns the property at the point(s) of diversion? Gemstate Water Company - Bitterroot Water System

c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

☐ ☒ undergone a period of five or more consecutive years of non-use,

☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or

☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, *Water Rights, Water Right Transfers, File a Transfer Application, Step 2C*.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Leslie Abrams-Rayner General Manager

5/09/2023

Date _____

9. **FEE** – ☐ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The [*Fee Schedule*](#) is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the [*Application for Transfer Instructions*](#).

Received by _____ Date _____

Date _____

Received by NS

Receipt # NØ43371

Date _____

Active in the Water Supply Bank? Yes ☐ No ☐

Name on W-9

W-9 forwarded to fiscal? Yes ☐ No ☐

Page 2 of 2

SCANNED
JUL 14 2023

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION
GEM STATE WATER COMPANY, LLC
BITTERROOT WATER SYSTEM

Gem State Water Company, LLC (Gem State) owns, operates, and maintains the Bitterroot Water System (BWS). The BWS serves the Silver Meadows subdivision, Corbin Estates, Beverly Estates subdivision and adjacent properties along East Brunner Road and Old Highway 95 in Kootenai County. The Water Facility Plan prepared by T-O Engineers determined that the projected maximum daily demand (MDD) would need to be 313 gallons per minute (T-O Engineers, 2021).

The BWS is served by two wells. Both wells are 8 inches in diameter and completed to similar depths of over 400 feet (well driller reports are attached). Capacity of the existing wells, as determined from available well pump information and pumping each well with flows through the meters, is as follows:

- Well No. 1 (96-94-N-55) – 275 gallons per minute (gpm) (6-inch, Goulds Model 320L50, 50 HP)
- Well No. 2 (96-92-N-278) – 125 gpm (Pump information not available; Water Right Backfile indicates 25 HP pump).

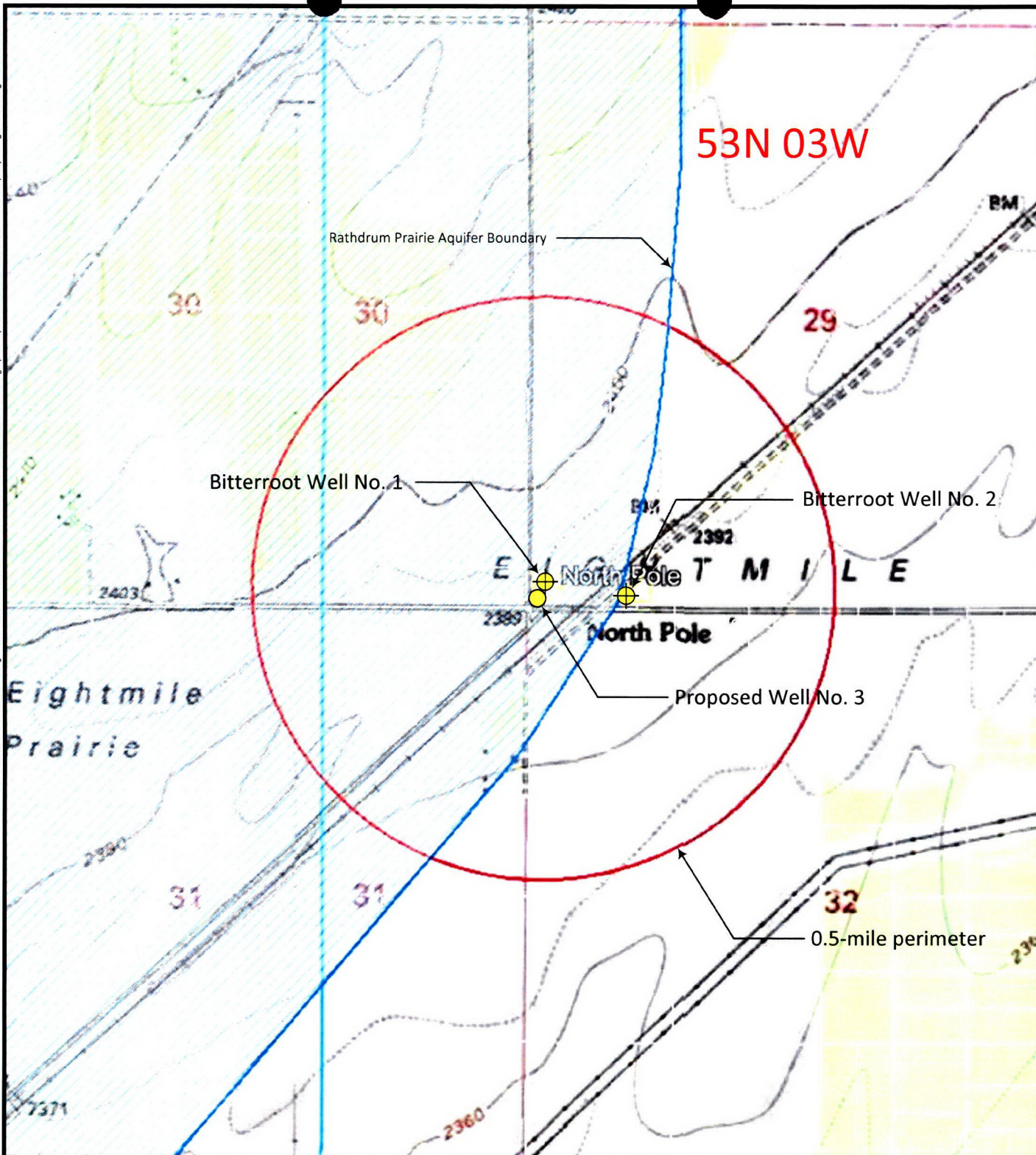
Current capacity with the largest producing well out of service is 125 gpm is not adequate to supply current or projected MDD of 313 gpm (T-O Engineers, 2021). Gem State is proposing to drill a new PWS well to meet projected demands and to provide for redundancy. The new well will be constructed to Idaho Department of Environmental Quality standards for PWS wells.

SCANNED
JUL 14 2023

The information included on this graphic representation was compiled from a variety of sources and is subject to change without notice. NWGC makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information. This document is not intended for use as a land survey product nor is it designed or intended as a construction design document. The use or misuse of the information contained on this graphic representation is at the sole risk of the party using or misusing the information.

April 10, 2023

C:\Users\lfrmul\OneDrive\NWGW\Projects\01150-03



**Northwest Groundwater
Consultants, LLC**

01150-03

APRIL 2023

WELL LOCATION MAP

FIGURE

BITTERROOT WATER SYSTEM
PWS #ID1280260
KOOTENAI COUNTY, IDAHO

SCANNED
JUL 14 2023
1

Source: USGS 7.5-minute Athol, ID and Spirit Lake East
Quadrangles, 1996

The information included on this graphic representation was compiled from a variety of sources and is subject to change without notice. NWGC makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information. This document is not intended for use as a land survey product nor is it designed or intended as a construction design document. The use or misuse of the information contained on this graphic representation is at the sole risk of the party using or misusing the information.

April 25, 2023

C:\Users\fmul\OneDrive\NWGC\Projects\01150-03



Well completed in Alluvium



Proposed Well No. 3



0

50

100 feet

Source: Google Earth Imagery Date 8/29/2022



**Northwest Groundwater
Consultants, LLC**

01150-03

APRIL 2023

WELL LOT MAP

BITTERROOT WATER SYSTEM
PWS #ID1280260
KOOTENAI COUNTY, IDAHO

FIGURE

2

SCANNED
JUL 14 2023

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 95-09643

Priority: April 11, 1994

Maximum Diversion Rate: 0.75 CFS
Maximum Diversion Volume: 192.0 AF

It is hereby certified that BITTERROOT WATER CO INC
PO BOX 2306
HAYDEN LAKE ID 83835 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated has submitted Proof of
Beneficial Use on December 18, 1998. An examination indicates that the works have a diversion
capacity of 0.75 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
MUNICIPAL	01/01 to 12/31	0.75 CFS	192.0 AF
FIRE PROTECTION	01/01 to 12/31	0.75 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29, Twp 53N, Rge 03W, B.M. KOOTENAI County
GROUND WATER SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29, Twp 53N, Rge 03W, B.M. KOOTENAI County

PLACE OF USE: FIRE PROTECTION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N 03W 20									X			X	X	X	X	X	
53N 03W 28									X	X	X						
53N 03W 29	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
53N 03W 30	X			X													
53N 03W 32	X	X		X									X			X	
53N 03W 33						X											

SCANNED

JUL 14 2023

State of Idaho
Department of Water Resources
Water Right License

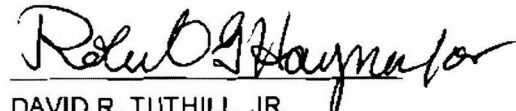
WATER RIGHT NO. 95-09643

CONDITIONS OF APPROVAL

1. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
2. Place of use is within the area served by the public water supply system of Bitterroot Water Co Inc. The place of use is generally located within Sections 20, 28, 29, 30, 32 and 33, Township 53N, Range 03W.
3. This right does not grant any right-of-way or easement across the land of another.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. 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 and sealed this 26th day of January, 2009.


DAVID R. TUTHILL, JR.
Director

SCANNED

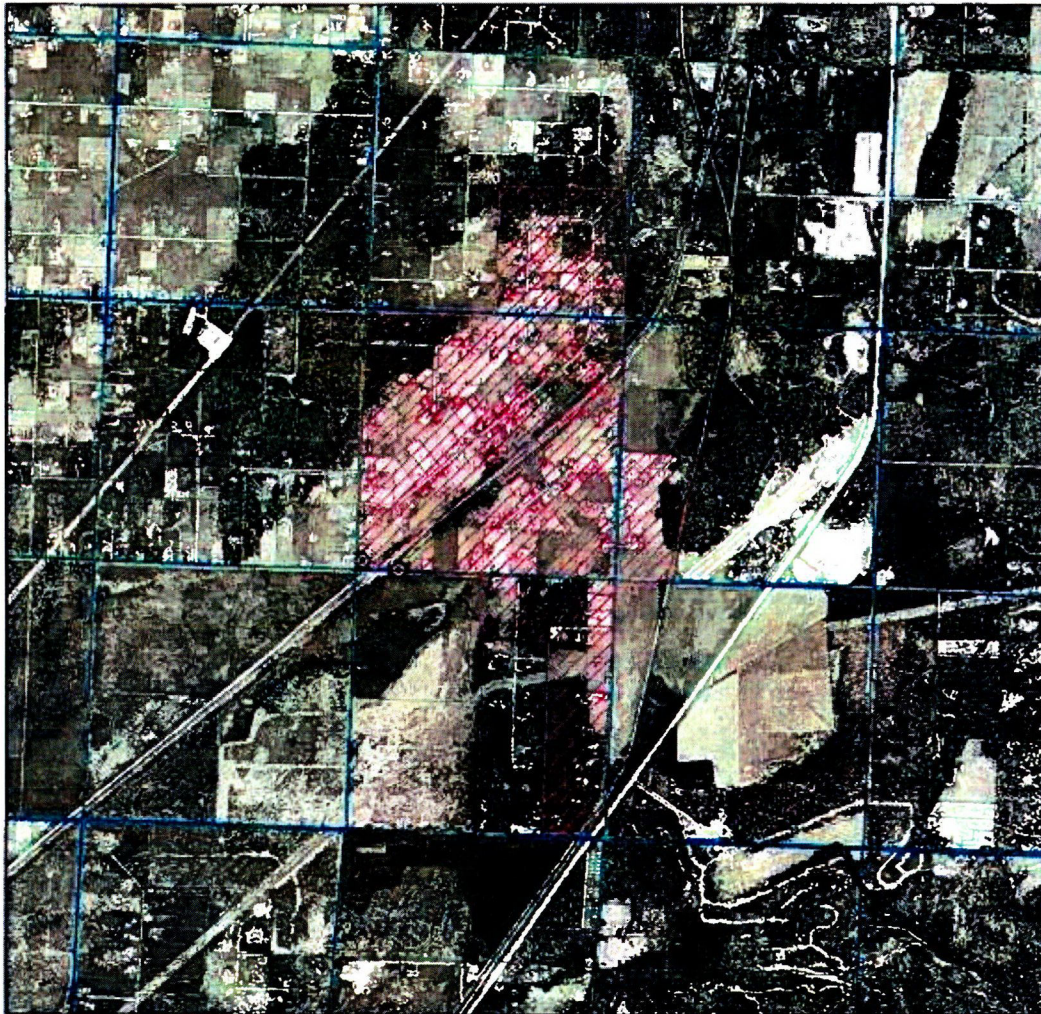
JUL 14 2023

State of Idaho
Department of Water Resources
Water Right License

NO. 95-9643

Digital Boundary for Bitterroot Water Co Inc

January 26, 2009



Legend

- ⊙ Right POD
-  Right POU

0 1,750 3,500 7,000 10,500 14,000 Feet



SCANNED

JUL 14 2023

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 95-09644

Priority: August 11, 1994

Maximum Diversion Rate: 0.28 CFS
Maximum Diversion Volume: 45.9 AF

It is hereby certified that RICKEL WATER CO
PO BOX 1261
HAYDEN LAKE ID 83835-1261 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated has submitted Proof of
Beneficial Use on November 23, 1999. An examination indicates that the works have a diversion
capacity of 0.75 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
MUNICIPAL	01/01 to 12/31	0.28 CFS	45.9 AF

LOCATION OF POINT(S) OF DIVERSION:

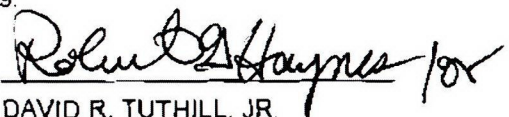
GROUND WATER SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29, Twp 53N, Rge 03W, B.M. KOOTENAI County
GROUND WATER SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29, Twp 53N, Rge 03W, B.M. KOOTENAI County

CONDITIONS OF APPROVAL

1. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustration purposes.
2. Place of use is within the area served by the public water supply system of Rickel Water Company. The place of use is generally located within Section 20, 28, 29, 30, 32 and 33, Township 53N, Range 03W.
3. This right does not grant any right-of-way or easement across the land of another.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. 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 and sealed this 26th day of January, 2009.


DAVID R. TUTHILL, JR.
Director

SCANNED

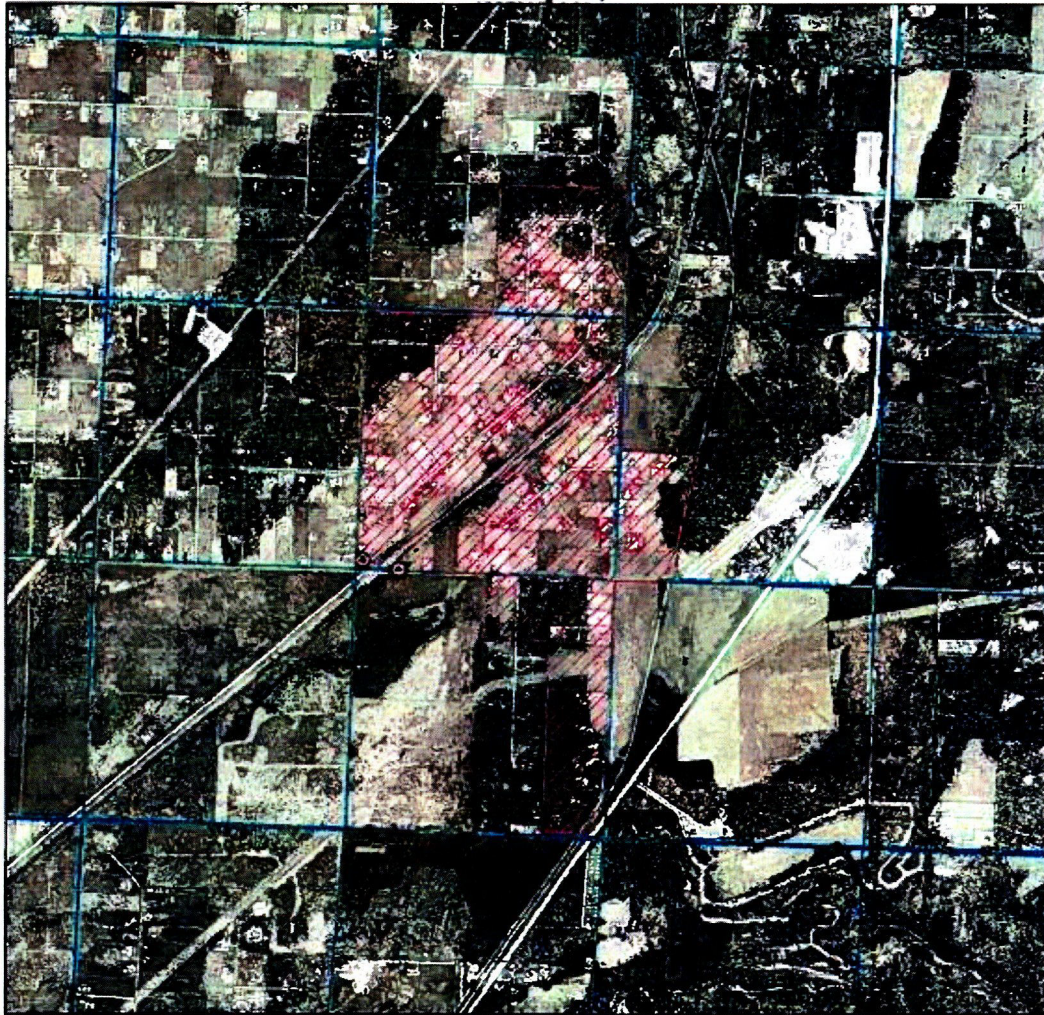
JUL 14 2023

State of Idaho
Department of Water Resources
Water Right License

NO. 95-9644

Digital Boundary for Rickel Water Co

January 26, 2009



Legend

⊙ Right POD

 Right POU

0 1,750 3,500 7,000 10,500 14,000 Feet



SCANNED

JUL 14 2023