

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 95-18022

Priority: October 15, 2020

Maximum Diversion Rate: 0.02 CFS

Maximum Diversion Volume: 0.9 AF

It is hereby certified that:

LINDA M HAGENBARTH 24670 S COTTONWOOD BAY LN WORLEY ID 83876-6005 AND
WILLIAM L HAGENBARTH 24670 S COTTONWOOD BAY LN WORLEY ID 83876-6005

have complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 15, 2020, and have submitted Proof of Beneficial Use on October 21, 2021. An examination confirms water is diverted from:

Source : COEUR D ALENE LAKE

Tributary: SPOKANE RIVER

Beneficial Use

IRRIGATION

Period of Use

03/15 to 10/31

Rate of Diversion

0.02 CFS

Annual Volume

0.9 AF

Location of Point(s) of Diversion

COEUR D ALENE LAKE NW¼ NE¼, Sec. 4, Twp 47N, Rge 04W, B.M. KOOTENAI County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
47N	04W	4		0.2 L1															0.2
47N	04W	4		0.1															0.1

Total Acres: 0.3

Conditions of Approval

1. Place of use is located within Lot 1, Blk. 1, Richards First Addition subdivision.
2. This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 0.9 afa at the field headgate for irrigation of the place of use.
3. Rights 95-15170 and 95-18022 when combined shall not exceed the irrigation of 0.5 acres.
4. This right does not grant any right-of-way or easement across the land of another.

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 10th day of May, 20 23.


SHELLEY KEEN
Water Allocation Bureau Chief

SCANNED

MAY 17 2023

State of Idaho
Department of Water Resources

Attachment to Water Right License

95-18022

This map depicts the IRRIGATION 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.



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion

0 0.035 0.07 0.14 Miles



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MAY 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

May 11, 2023

WILLIAM L HAGENBARTH
LINDA M HAGENBARTH
24670 S COTTONWOOD BAY LN
WORLEY ID 83876-6005

RE: License No. 95-18022

ISSUANCE OF LICENSE

Dear Water Right Holder(s):

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

Sincerely,

Shelley Keen
Water Allocation Bureau Chief

Enclosure(s)

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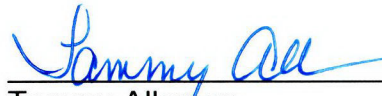
MAY 17 2023

CERTIFICATE OF SERVICE

I hereby certify that on May 11, 2023, I served a true and correct copy of Water Right License No. 95-18022 by U.S. Mail, postage prepaid, to the following:

WILLIAM L HAGENBARTH (Current Owner)
24670 S COTTONWOOD BAY LN
WORLEY ID 83876-6005

LINDA M HAGENBARTH (Current Owner)
24670 S COTTONWOOD BAY LN
WORLEY ID 83876-6005



Tammy Alleman
Administrative Assistant 1

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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 95-18022
Exam Date: 05/10/2022

1. Current Owner:
LINDA M HAGENBARTH 24670 S COTTONWOOD BAY LN WORLEY ID 83876-6005 AND
WILLIAM L HAGENBARTH 24670 S COTTONWOOD BAY LN WORLEY ID 83876-6005
2. Accompanied by: Linda & William Hagenbarth
Phone No: 509-590-9541
Address: Same as above
Relationship to permit Holder: Permit holders

3. **SOURCE:**
COEUR D ALENE LAKE

Tributary
SPOKANE RIVER

Method of Determination: Arcmap and DRG.

B. OVERLAP REVIEW

1. Other water rights with the same place of use: YES Overlap

Water Right No.	Source	Purpose of Use	Basis
95-15170	GROUNDWATER	DOMESTIC	DECREED

Comments: Decreed WR 95-15170 uses groundwater for domestic use (including up to ½ acre irrigation) with a POU which overlaps this permit's irrigation POU. Condition X35 was added to describe combined use limitations of up to 0.3 acres, which is the lot's acreage value.

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

C. DIVERSION AND DELIVERY SYSTEM1. **LOCATION OF POINT(S) OF DIVERSION:**

COEUR D ALENE LAKE NW¼ NE¼, Sec. 4, Twp 47N, Rge 04W, B.M. KOOTENAI County

Method of Determination: GPS. POD is located at -116°50.270, 47°27.023.

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
47N	04W	4		0.2 L1															0.2
47N	04W	4		0.1															0.1

Total Acres: 0.3

Method of Determination: Beneficial use field examination & Arcmap aerial imagery.

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3.

Delivery System Diagram Attached (required). Indicate all major components and distances between components.
☒ Indicate weir size/pipe as applicable.

☒ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Model No.	Pump Make	Pump Serial No. or Discharge Size
CENTRIFUGAL PUMP	BERKELEY	¾	C48J2EC11C3	PENTEK	

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
5 GAL BUCKET						

2. Measurements: Three 5-gallon bucket tests were completed from the first hose bib on the irrigation system, with average of three resulting in a diversion rate of 5 gal / 34.27 sec x 60 sec/min = 8.75 gpm = **0.02 cfs**, considering department rounding standards.

E. FLOW CALCULATIONS

Measured Method: 5-GAL Bucket Test = (5 gal / 34.16 sec) x 60 sec/min = 8.78 gpm
 = (5 gal / 34.52 sec) x 60 sec/min = 8.69 gpm
 = (5 gal / 34.23 sec) x 60 sec/min = 8.76 gpm

Average of 3ea 5-GAL Bucket Tests = (8.78 gpm + 8.69 gpm + 8.76 gpm) / 3 = 8.74 gpm = 0.02 cfs considering department rounding standards.

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 0.3 \text{ ac} \times 3.0 \text{ afa} = 0.9 \text{ af}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = .02 \times 231\text{-days} \times 1.9835 = 9.2 \text{ af}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = \mathbf{0.9 \text{ af}}$$

2. Volume Calculations for Other Uses: N/A

G. NARRATIVE/REMARKS/COMMENTS

Field exam performed on 5/10/2022 with the applicants, Linda & William Hagenbarth, showed water being diverted from Lake Coeur D'Alene for irrigation purposes. At the POD, the applicant's diverting works include a 1 ½ inch screened intake pipe routing water upgrade to a ¾ HP Pentek centrifugal pump. From the pump a main irrigation poly line routes uphill approximately 20 yards before inclusion of multiple ¾ inch riser pipes with hose bib attachments & sprinklers locations on the small parcel. Three 5-gallon bucket tests were completed from the first hose bib in line from the pump, with average of three resulting in a diversion rate of 5 gal / 34.27 sec x 60 sec/min = 8.75 gpm = **0.02 cfs**, considering department rounding standards which is recommended as the maximum diversion rate for licensing purposes.

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The irrigation POU was sketched out on field maps during the exam. During licensing review Arcmap aerial imagery was used to trace out the irrigation acreage equaling 0.3 acres consisting of garden box, small lawn space, and landscape watering to keep vegetation green on the property for fire protection purposes. The small cabin was excluded from the irrigation POU, and the annual volume recommended for licensing equals $0.3 \text{ ac} \times 3.0 \text{ afa} = 0.9 \text{ af}$, which is also the maximum diversion volume for licensing this permit.

Condition 029 was removed during licensing review. Condition R66 was replaced with X31 to describe requirements more accurately for irrigation less than 1 acre in value. All other conditions on the permit shall be carried forward to licensing. Decreed WR 95-15170 uses groundwater for domestic use (including up to $\frac{1}{2}$ acre irrigation) with a POU which overlaps this permit's irrigation POU. Condition X35 was added to describe combined use limitations of up to 0.3 acres, which is the lot's acreage value. There are no additional overlap concerns for this water right.

Have conditions of permit approval been met? ☒ Yes ☐ No

H. RECOMMENDATIONS

1. Recommended Amounts

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.02 CFS	0.9 AF
<u>Totals:</u>		0.02 CFS	0.9 AF

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ None

I. AUTHENTICATION

Luke Bates -

Field Examiner's Name  Date 7/27/2022

Reviewer _____ Date _____

State of Idaho
Department of Water Resources
Attachment to Field Exam
95-18022

IRRIGATION system diagram

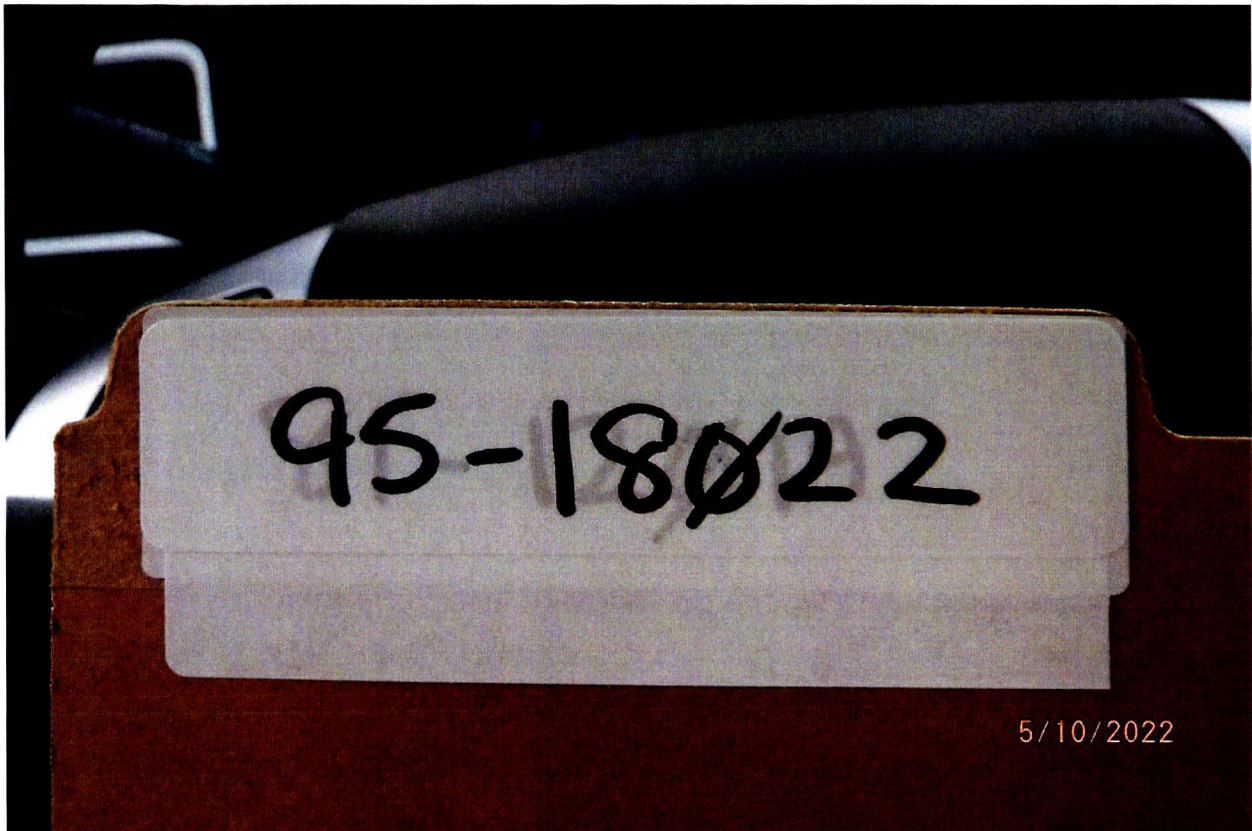


- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Point of Diversion

0 0.035 0.07 0.14 Miles



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FIELD EXAMINATION DATE 5/10/2022



POD – POLY INTAKE PIPE IN LAKE

SCANNED
MAY 17 2023



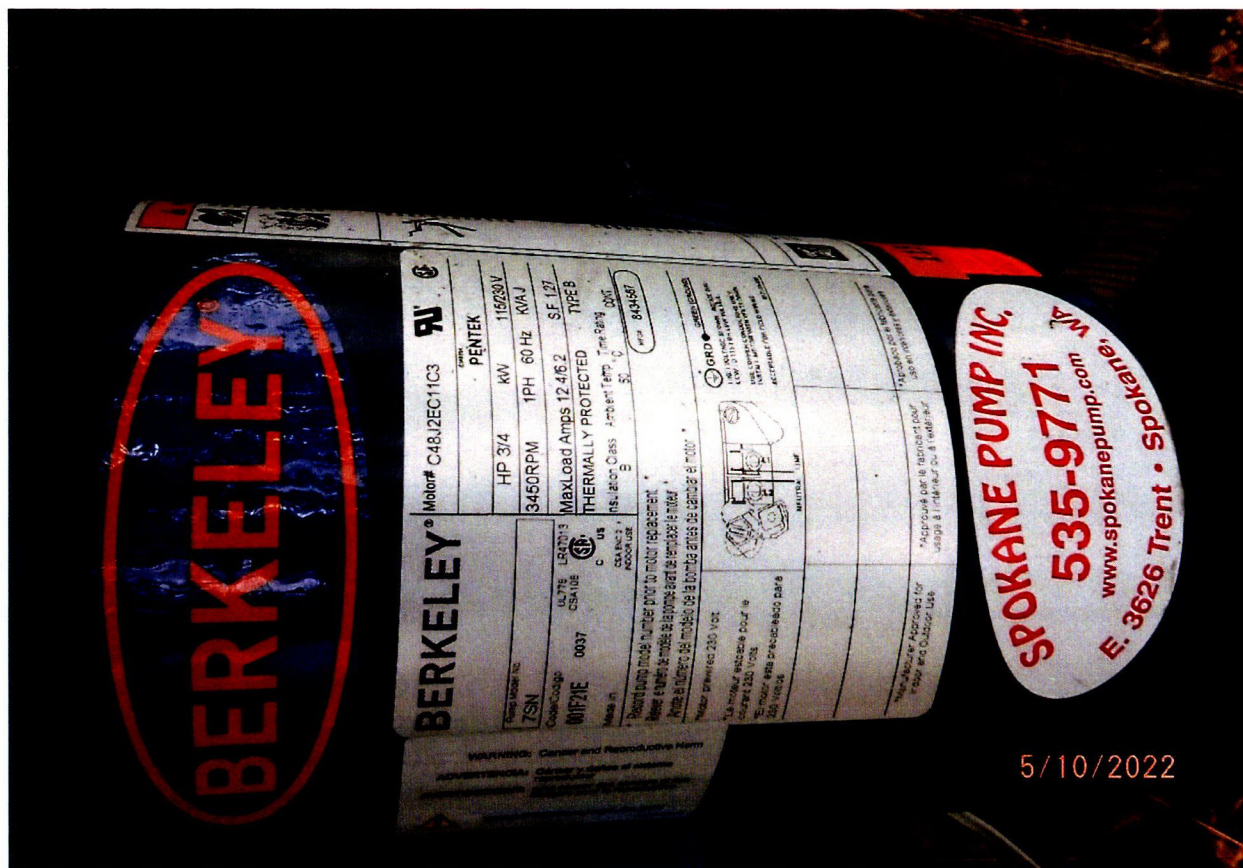
MANUAL SHUTOFF BALL VALVE IN-LINE AT POD



INTAKE PIPE ROUTING FROM LAKE UP-HILL TO PUMP



PENTEK ¾ HP PUMP INSTALLED IN DIVERTING WORKS



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MAIN IRRIGATION POLY PIPE ROUTES UP-HILL TO IRRIGATION RISER PIPES



IRRIGATION SYSTEM RISER PIPE WITH SPRINKLER



IRRIGATION POU – RISER PIPE WITH SPRINKLER





IRRIGATION POU



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IRRIGATION POU



IRRIGATION POU – SMALL TREES PLANTED THROUGHOUT THE PROPERTY

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