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JAN 23 2023

FEB 06 2023

DEPARTMENT OF
WATER RESOURCESDEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**STATEMENT OF COMPLETION**
FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY	
Amt. of Fee \$	50
Receipt No.	C15241
Received By	[Signature]
Date Received	2-16-23

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.

- Permit No. 96-09659 Telephone No. (509) 437-2641
- Name of Permit Holder(s) Thunder Ranch Land & Cattle Co. LLC
- Mailing Address 7095 Bottle Bay Rd. City Sagle
State ID Zip 83860 Email chris@newhartorthodontics.com
- Source of Water Pend Oreille Lake If **GROUND WATER** (well), Date Drilled mo. N/A / yr. N/A
Well Driller N/A Drilling Permit Number N/A
- Extent of use(s) completed as authorized by the water right permit:
Domestic (No. of households) N/A Stockwater (No. and type of stock) N/A
Irrigation (No. of acres) 15.1 Other _____
- Total rate of diversion or storage volume for which proof is submitted 0.20 cfs OR 45.3 acre-feet.
- 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.

_____ Completed? Yes ☐ No ☐

- 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.
- Person to contact to accompany the Department representative during field examination of the water system.
Name Chris Newhart Telephone Number (509) 437-2641
Mailing Address 7095 Bottle Bay Rd. City Sagle
State ID Zip 83860 Email chris@newhartorthodontics

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 [Signature] Date 1/16/23
(Include your title, if on behalf of company or organization)

SCANNED
FEB 10 2023

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JAN 23 2023

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
STATEMENT OF COMPLETION
FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY	
Amt. of Fee \$	50-
Receipt No.	075241
Received By	CH
Date Received	2/6/23

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.

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State ID Zip 83860 Email chris@newhartorthodontics.com
- Source of Water Pend Oreille Lake If **GROUND WATER** (well), Date Drilled mo. N/A / yr. N/A
Well Driller N/A Drilling Permit Number N/A
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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 ☐

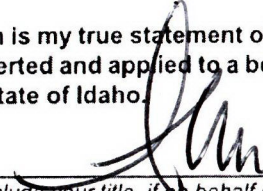
Other Conditions of Permit

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.

_____ Completed? Yes ☐ No ☐

- 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.
- Person to contact to accompany the Department representative during field examination of the water system.
Name Chris Newhart Telephone Number (509) 437-2641
Mailing Address 7095 Bottle Bay Rd. City Sagle
State ID Zip 83860 Email chris@newhartorthodontics

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  Date 1/16/23
(Include your title, if on behalf of company or organization)

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

SCANNED
FEB 10 2023

RECEIVED

AUG 08 2022

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

\$50 fee

Received by

Recpt No.

Date

Ku

C113632

8.8.22

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code, in which to complete development of a water right and file proof of beneficial use of water. There is a **FILING FEE of \$50.00** to be included with this form when filed with IDWR.

Permit no. 96-09659 Date proof is due September 1st, 2022
 Name(s) of permit holder(s) THUNDER RANCH LAND AND CATTLE CO. LLC
 Mailing address 7095 BOTTLE BAY RD City SAGLE State ID Zip 83860
 Telephone no. (509) 437-2641 Email Chris@newhartorthodontics.com

Describe what work has been completed toward the development of this water right:

If no work has been completed, show "none".

The majority of the system is installed with the exception of a circuit board to alternate between our 2 pumps and the replacement of the faulty pump under warranty.

Costing \$ 144,851

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

We are currently in the process of replacing a faulty back up pump to allow the backup system to be operational. The pump is covered under warranty and could take longer than the current due date to provide proof of completion.

Permit holder(s) request an extension for 5 year(s).

Signature (If other than permit holder, Power of Attorney must be supplied)

Date

8/2/22

ACTION OF THE DEPARTMENT OF WATER RESOURCES

The Department has reviewed the explanation for delay and concludes the reason(s) for delay meets the requirements for approval of the Request for Extension of Time as provided by Section(s) 42-204 and/or 42-218, Idaho Code.

☐ **IT IS HEREBY ORDERED** that the permit is **REINSTATED** with the priority date advanced to _____, 20____.

☒ **IT IS HEREBY ORDERED** that the above request for extension of time is **APPROVED**, and the time within which to submit proof of beneficial use is extended to September 1, 2022.

Signed this 29th day of August, 2022

Shelley W. Keen
 Shelley W. Keen, Chief
 Water Allocation Bureau

SCANNED

SEP 16 2022



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
February 9, 2023

Director Gary Spackman

THUNDER RANCH LAND & CATTLE CO LLC
7095 BOTTLE BAY RD
SAGLE ID 83860-9041

PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 96-9659

Dear Permit Holder:

The Department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the Department to conduct a field examination to determine and confirm the use being made of the water.

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

If you have any questions concerning the field examination, please contact the Northern Region Office of the Department located in Coeur d'Alene at (208) 762-2800.

Sincerely,

A handwritten signature in black ink, appearing to read "Debbi Judd".

Debbi Judd
Technical Records Specialist

Enclosures

c: JAMES A SEWELL & ASSOC LLC – *via email*

SCANNED
FEB 10 2023

Beneficial Use Proof Evaluation

Permit Number: 96-9659 Reviewer: djudd Review Date: 2/6/2023

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: 2/6/2023
- 4) Proof Due Date: 9/1/2027
- 5) Days added for weekend due date? 0
- 6) Days added for holiday due date? 0
- 7) Number of days late: -1668
- 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 -- Yes
- 3) Are the required items installed? Yes
 - a. Measuring Device -- No
 - b. Lockable Device --No
 - c. Fish Screen -- Yes
- 4) Is there a request to waive the required items?
- 5) Drilling Permit Number:
- 6) Is a drilling permit upgrade needed?
- 7) Was a well drillers report filed?
- 8) Is proof accepted? Yes

Fees

- 1) Is a licensing exam fee required? Yes
- 2) Was proof submitted with an exam report from a CWE? No
- 3) Filing fee due: \$50.00
- 4) Filing fee submitted: \$50.00
- 5) Remaining fee or (refund): \$0.00

Receipt IDs

N032662

Comments

Proof acknowledged.



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
January 24, 2023

Director Gary Spackman

THUNDER RANCH LAND & CATTLE CO LLC
7095 BOTTLE BAY RD
SAGLE ID 83860-9041

PROOF DEFICIENCY LETTER

RE: Permit No. 96-9659

Dear Permit Holder:

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

This permit authorizes a diversion rate of 0.20 cfs (cubic feet per second) and was stated the same on the form requiring a license examination fee of \$50.00.

Please submit the required fees at your earliest convenience before the proof due date of **September 01, 2027** to avoid the possibility of your permit lapsing. If you have any questions concerning this matter, please contact me at (208) 287-4920 or debby.judd@idwr.idaho.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "Debby Judd", written in a cursive style.

Debby Judd
Technical Records Specialist

Enclosure

c: JAMES A SEWELL & ASSOC LLC – *via email*

SCANNED
JAN 24 2023



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
September 6, 2022

Director Gary Spackman

THUNDER RANCH LAND & CATTLE CO LLC
7095 BOTTLE BAY RD
SAGLE ID 83860-9041

REQUEST FOR EXTENSION OF TIME LETTER

RE: Permit No. 96-9659

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the proof due date to **September 01, 2027**.

The Department granted this extension based on evidence of good cause. It is important that you work diligently toward the completion of the project during the development period allowed because the Department **will not** grant an additional extension based on good cause, pursuant to Idaho Code § 42-204(3)(f).

The extension is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01). It can and will become a final order without further action by the Department unless a party 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.

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

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

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

c: JAMES A SEWELL & ASSOC LLC – *via email*

SCANNED

SEP 06 2022

CERTIFICATE OF SERVICE

I hereby certify that on **September 6, 2022** I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (**PRELIMINARY ORDER APPROVING REQUEST FOR EXTENSION OF TIME**) to the persons listed below:

RE: Preliminary Order in the Matter of Permit No. **96-9659**

**THUNDER RANCH LAND & CATTLE CO LLC
7095 BOTTLE BAY RD
SAGLE ID 83860-9041**

**JAMES A SEWELL & ASSOC LLC
C/O ERIC ELDENBURG - *via email*
600 4TH ST W
NEWPORT WA 99156
eeeldenburg@jasewell.com**



**Debbi Judd
Technical Records Specialist**

SCANNED

SEP 06 2022