State of Idaho
Department of Water Resources

Water Right License

Water Right No. 96-11810

Priority: June 27, 2022 **Maximum Diversion Rate:** 0.03 CFS

It is hereby certified that:

DANIEL R SHEPARD JR 437 SAILORS LN PRIEST RIVER ID 83856-6704

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 27, 2022, and has submitted Proof of Beneficial Use on July 26, 2023. An examination confirms water is diverted from:

Source : PEND OREILLE RIVER **Tributary:** COLUMBIA RIVER

Beneficial Use	Period of Use	Rate of Diversion
IRRIGATION	04/01 to 10/31	0.03 CFS

Location of Point(s) of Diversion
PEND OREILLE RIVER L4(SE¼ NE¼), Sec. 29, Twp 56N, Rge 05W, B.M. BONNER 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	
56N	05W	29				0.5 L4									0.5 L4				1.0

Total Acres: 1.0

Conditions of Approval

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
2. 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 30th day of August, 2023.

PHILL HUMMER
Water Rights Supervisor

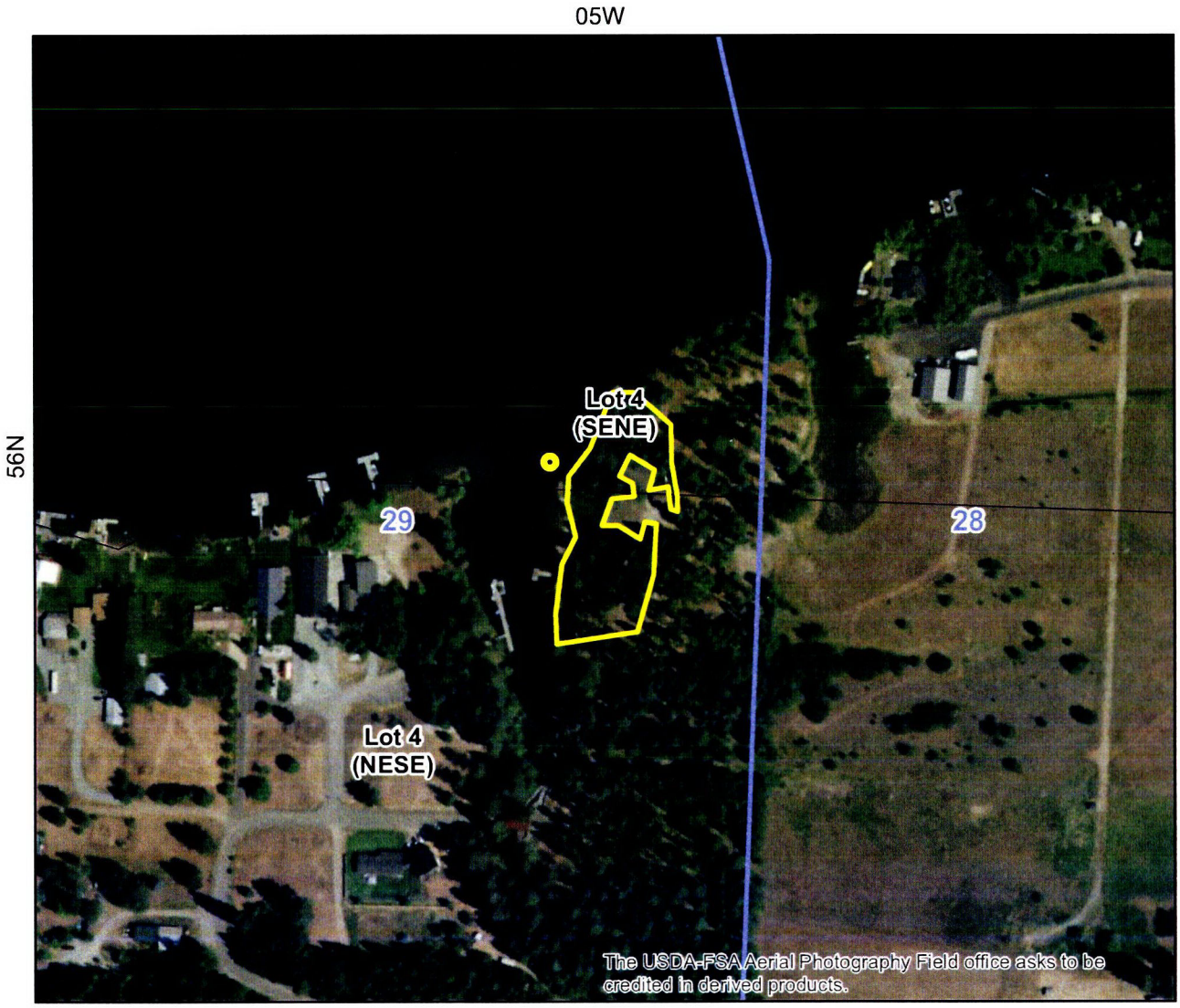
SCANNED SCANNED
AUG 31 2023 2023

State of Idaho
Department of Water Resources

Attachment to Water Right

96-11810

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.



0 0.035 0.07 0.14 Miles

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

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N

Form 42-217 Rev. 6/22

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JUL 26 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 $
Receipt No.
Receipted By
Date Receipted

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

1. Permit No. 96-11810 Name of Permit Holder(s) Daniel Shepard, Jr.

Telephone No. 208-448-0600 Email JR@07id.net

Mailing Address 437 Sailors Lane City Preist River State ID Zip 83856

2. Source of Water Pend Oreille River If Ground Water (well), Date Drilled mo. _____ / yr. _____

Drilling Permit/Tag No. _____ Drilling Company's Name _____

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

Domestic (No. households) _____ Irrigation (No. acres) 1.0 Stockwater (No. and stock type) _____

Other _____

4. Total diversion rate or volume (storage only) for which proof is submitted 0.03 cfs OR _____ af

If the total developed water use is 5 acres of irrigation or less, is stockwater storage of 14.6 acre-feet or less, or has a diversion rate of less than 0.24 cfs, attach a map of the place of use and point of diversion and photographs showing beneficial use.

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

Surface water irrigation is diverted from river and conveyed to irrigation system consisting of six (6) ir

Pump is 1-1/2 HP Ace 1PH pump. Water diverted from river via poly pipe with fish screen.

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

Required?	Yes	No	(If "Yes", attach required data, evidence of compliance, or evidence of installation)
☐	☐	☑	Ground water level data, pumping information, or other diversion data
☐	☐	☑	Mitigation plan
☐	☐	☑	Lockable controlling works
☐	☐	☑	Measuring device
☑	☑	☐	Fish screen
☐	☐	☑	Other requirements of the water right permit _____
	☐	☑	Reasonably Anticipated Future Needs ("RAFN") Municipal use

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

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

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

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

Name: Gene St.Godard, P.G., L.Hg., Telephone No. 509-953-9395 Email stgod@comcast.net

Mailing Address PO Box 28755 City Spokane State WA Zip 99228

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

Daniel Shepard Jr — Daniel Shepard, Jr. — 6/29/2023

SIGNATURE OF PERMIT HOLDER* PRINTED NAME AND TITLE DATE

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

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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

August 31, 2023

DANIEL R SHEPARD JR
437 SAILORS LN
PRIEST RIVER ID 83856-6704

RE: License No. 96-11810

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 me at (208) 287-4925.

Sincerely,

Jean Hersley

For
Phill Hummer
Water Rights Supervisor

Enclosure(s)

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AUG 31 2023

CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2023, I served a true and correct copy of Water Right License No. 96-11810 by U.S. Mail, postage prepaid, to the following:

DANIEL R SHEPARD JR (Current Owner)
437 SAILORS LN
PRIEST RIVER ID 83856-6704

GENE ST GODDARD (Representative)
PO BOX 28755
SPOKANE WA 99228-8755

Jean Hersley
Technical Records Specialist 2

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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.

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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 17, 2023

From: Blake Burkard

To: Water Right File 96-11810

Subject: Licensing Review of Certified Water Right Examiner Report

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The field exam for this right was performed by Certified Water Right Examiner #134, Eugene "Gene" St.Godard of Water & Natural Resource Group, Inc. St.Godard recommended the permit be licensed for 0.03 cubic feet per second (cfs) and 3.0 acre-ft for irrigation from the Pend Oreille River.

Ownership:

The permit 96-11810 was filed and owned by Dan Shepard, Jr. with Gene St.Godard listed as representative. No changes to ownership are needed, as Shepard is still the owner of the place of use.

Overlap:

On the form IDWR provides to field examiners, St.Godard wrote that there was an overlap in place of use for this permit and adjudication claim 96-12415. IDWR has no record of that water right ID. However the permit holder submitted a claim for their domestic well, which is claim number 96-12412. No shapefile had been created for that claim, but the active claim has the same legal description for the place of use as the water right permit. The claimant wrote: "GROUNDWATER IS CONVEYED TO DOMESTIC STRUCTURE VIA BURIED PIPE FOR INDOOR USE." There should be no overlap concern for this water right.

Point of Diversion and Place of Use:

The report that was submitted included coordinates for the POD as: 48.17369N, -116.98026W. These coordinates show the POD to be in the NESE of Section 29, which conflicts with the permit's legal description and the rest of the report. Correspondence with the examiner indicated that the coordinates were entered incorrectly, and that the correct coordinates are: 48.1738N, -116.98021W. These coordinates, plus photographs submitted, indicate that the POD will need no amendments and is indeed in the Lot 4 SE¼NE¼ Sec. 29, Twp 56N, Rge 05W, B.M. BONNER County.

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The POU has been described correctly as approximately 0.5 acres of SE¼NE¼ and 0.5 acres of NE¼SE¼. I used the Bonner County Public Map to confirm irrigated acres.

Diversion Rate and Volume:

I agree with the examiner that the license should receive the full duty of 3 acre-ft per acre due to the soil and climatic conditions, and that the rate of diversion should be the standard of 0.03 cfs, which is standard for irrigation of less than 5 acres. The conveyance system described in the report is theoretically capable of diverting at that rate.

Conditions:

The examiner recommended removing the condition requiring proof to be submitted before August 1, 2023 and recommended that the 4 other conditions remain on the license. I would also recommend removing the condition requiring compliance with Fish and Game regarding fish screening, as the report documents that the intake is screened.

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JUL 26 2023
DEPARTMENT OF
WATER RESOURCES

WNR GROUP

"Solutions to water quality, quantity, permitting & planning issues"

July 20th, 2023

Water Rights Section
Idaho Department of Water Resources
322 East Front Street
PO Box 83720
Boise, ID 83720-0098

Re: Certified Water Right Examination Proof Report
Water Right Permit No. 96-11810
Daniel Shepard, Priest River Idaho

INTRODUCTION

The Water & Natural Resource (WNR) Group, Inc. is pleased to present this Certified Water Right Examination (CWRE) for water right permit 96-11810. The WNR Group was retained by the Mr. Dan Shepard to provide professional services related to the above referenced water right permit issued for a parcel of land No. RP56N05W297251A, located west-southwest of Priest River, Idaho along the Pend Oreille River in Bonner County, Idaho. This letter report summarizes the data required to conduct the Proof of Beneficial Use of water authorized under permit 96-11810. The CWRE conducted for this analysis was completed by Mr. Eugene St.Godard, P.G., L.Hg. who is an approved Certified Water Right Examiner (#23-134) by the Idaho Department of Water Resources (IDWR) in accordance with Idaho Code 42-217A and a state licensed geologist (P.G. #862) that specializes in hydrogeology. Verification of the water use at the site was completed by reviewing site records and a site visit conducted on July 1, 2023. During this site visit, inspection of infrastructure, and the physical beneficial use of water was documented. Photographs taken during this site visit are attached to this letter report.

WATER RIGHT PERMIT DESRIPTION

The IDWR issued Permit No. 96-11810 to Mr. Dan Shepard Jr. for irrigation of one acre at a diversion of surface water rate of 0.03 cfs from April 1 through October 31 of each year. The site is located west-southwest of the Town of Priest River (Figure 1) within Section 29, Township 56 North, Range 05 W.B.M., Bonner County, Idaho (Figure 2). The site consists of a rural piece of property with a residential cabin structure, detached garage, outbuildings, gravel drive and park areas, and irrigated lawns and shrubbery within parcel No. RP56N05W297251A located at 437 Sailors Lane. The following describes the permit issued under this evaluation.

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Permit to Appropriate Water No. 96-11810

In June 2022, Mr. Daniel Shepard Jr. submitted an application for permit to appropriate the public waters of the State of Idaho. The application requested 0.03 cfs to be diverted from the Pend Oreille River and used for irrigation of one acre at the Shepard cabin property. Parcel No. RP56N05W297251A is listed as a 5.5 acre residential parcel on the Bonner County assessor web page. On August 11th, 2022, IDWR issued permit No. 96-11810. A copy of the permit is included in Attachment A. A summary of water right permit conditions is as follows:

- Permit to Appropriate Public Waters No. 96-11810.
- Right to divert surface water from Pend Oreille River within Basin 96 in Bonner County, State of Idaho.
- Permit issued to Daniel Shepard JR of Bonner County, contact address at 437 Sailors Lane, Priest River, ID.
- Point of diversion located within Lot 4-SE¼NE¼ Section 29 within T56N, R05W.B.M.
- Purpose (beneficial use) of diversion is for irrigation of one (1) acres.
- Permit has a confirmed priority date of June 27, 2022.
- Permit is granted to not exceed 0.03 cfs/3.0 acre feet per year is identified.
- The place of use (POU) of this permit is described as: Lot 4 - SE¼NE¼ (0.5 acres), and NE¼SE¼ (0.5 acre) Section 29, T 56 N, R 05 W, Bonner County.

PROPERTY DESRIPTION & SITE INSPECTION

The existing property consists of a rural lot with irrigated lawn and treed areas (Figure 3). Facilities at the site consist of a residential cabin structure with a detached garage and storage shed, planter box areas, gravel access roads, parking areas, dock area, and an irrigation system with additional above ground water spigots. At the time of the site visit, the diversion intake was submerged in the river and connected for use. The intake structure was observed by Mr. St.Godard during a March 2022 site visit at which time the required screen was documented on the intake.

The site is located along the Pend Oreille River with a general topographic slope to the west. Approximately 10- feet of elevation is present across the site, with the western and northern areas along the river generally flat (Figure 4). Most irrigation is occurring in this area of the property, on the coarser alluvial gravels and flood plain deposits of the Pend Oreille River valley (see Figure 3). Coarse river/alluvial deposits are visible along the river cut bank on the property. Due to the coarse nature of the sediments at the site, it would tend to require a higher water duty (up to 3 ft/acre) to keep the landscaped area fully irrigated.

A site inspection of the facility was scheduled on July 1, 2023. During the site visit, Mr. St.Godard (CWRE #134) interviewed Mr. Shepard about the facility, and toured the property to document the irrigation system. During the site inspection, Mr. St.Godard visually inspected the diversion structure, the diversion pumps, pipes and intake, and the

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irrigation infrastructure. Attachment B contains site photos of the facility. A GPS measurement of the diversion within the Priest River was recorded at:

N48.17369, W-116.98026

The pump house structure which houses the pumps, station controllers, and the meter had a GPS measurement of: N48.17376, W-116.98014.

The irrigation water is directly diverted from the Pend Oreille River (within the small inlet along the western margin of the property) via a 1-1/2-inch pipe, which has a screen at the intake. The water is diverted from the river using a 1-1/2-HP Ace Model ESP-150A self-priming pump and motor, with a 1-1/2 inch intake. Lift and dynamic head (TDH) from the river to the irrigation system is estimated at 20 to 30 feet. The pump is rated for a flow of 31 gpm at a discharge pressure of 30 psi. The flow of the pump was estimated at approximately 15-20 gpm, per the design specifications of the engineered sprinkler system, and rating of the sprinklers.

The irrigation system consisted of six stations that contained six to eight, 1.0-2.0 gpm Hunter PGP sprinkler heads and 1.0–4.6 gpm Rainbird 32SA sprinkler heads. Some stations also contained drip lines, specifically in areas around the cabin porch and front of the cabin. A total of approximately 30 Hunter PGP sprinklers/Rainbird 32SA sprinklers, and approximately 25 two-gallon/hour drippers were located within the infrastructure of the irrigated lawns. Above ground freeze protection spigots with portable sprinkler heads connected to a hose were also used in the more treed areas of the property in the northeastern area around the house and garage and along the access road in the southern area of the site. Approximately 1.0 acres are covered with the pop-up sprinkler system and within the treed area that is covered with portable sprinklers (see Figure 3).

PERMIT CONDITIONS

Permit 96-11810 contained five (5) conditions. The following table presents the provisions listed on the permit, if the provision was met, and which provisions should be listed on the license.

TABLE 2: Permit Provisions

PROVISION	Permit Condition Met	Remain/Remove from License
Proof of application of water to beneficial use shall be submitted on or before August 1, 2023	On-going	Remove
Subject to all prior rights	Yes	Remain
Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.	Yes	Remain
This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.	Yes	Remain
This right does not grant any right-of-way or easement across land of another.	Yes	Remain

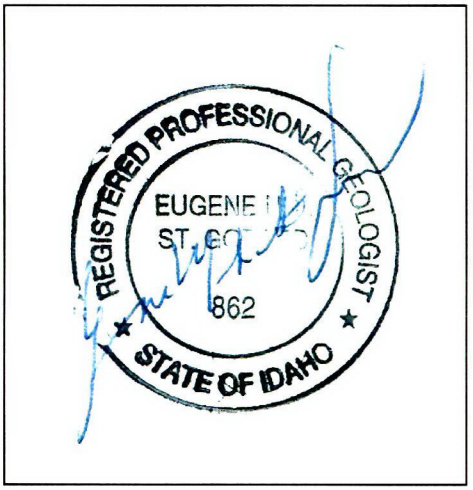
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Conclusion

The WNR Group, Inc. respectfully submits this CWRE report to IDWR on behalf of the Mr. Dan Shepard. It is the conclusion of Mr. St.Godard (CWRE No. 134), based on this investigation, that the Mr. Dan Shepard has met the conditions and provisions set forth in permit 96-11810 and it should be certificated for 0.03 cfs and 3.0 acre-feet per year with the provisions identified within the permit. A copy of the CWRE Beneficial Use Field Report is included in Attachment C. Should you have any questions regarding the data reviewed, or the findings of this review, please call me at your convenience.

Respectfully submitted,

Eugene N.J. St.Godard, R.G., L.Hg., CWRE #134
Principal Hydrogeologist/Owner
Water & Natural Resource Group, Inc.



Signed: July 20th, 2023

Attachments:

Figures
Photo Log

Attachment A:	96-11810 Permit
Attachment B:	Site Photos
Attachment C:	CWRE Beneficial Use Field Report

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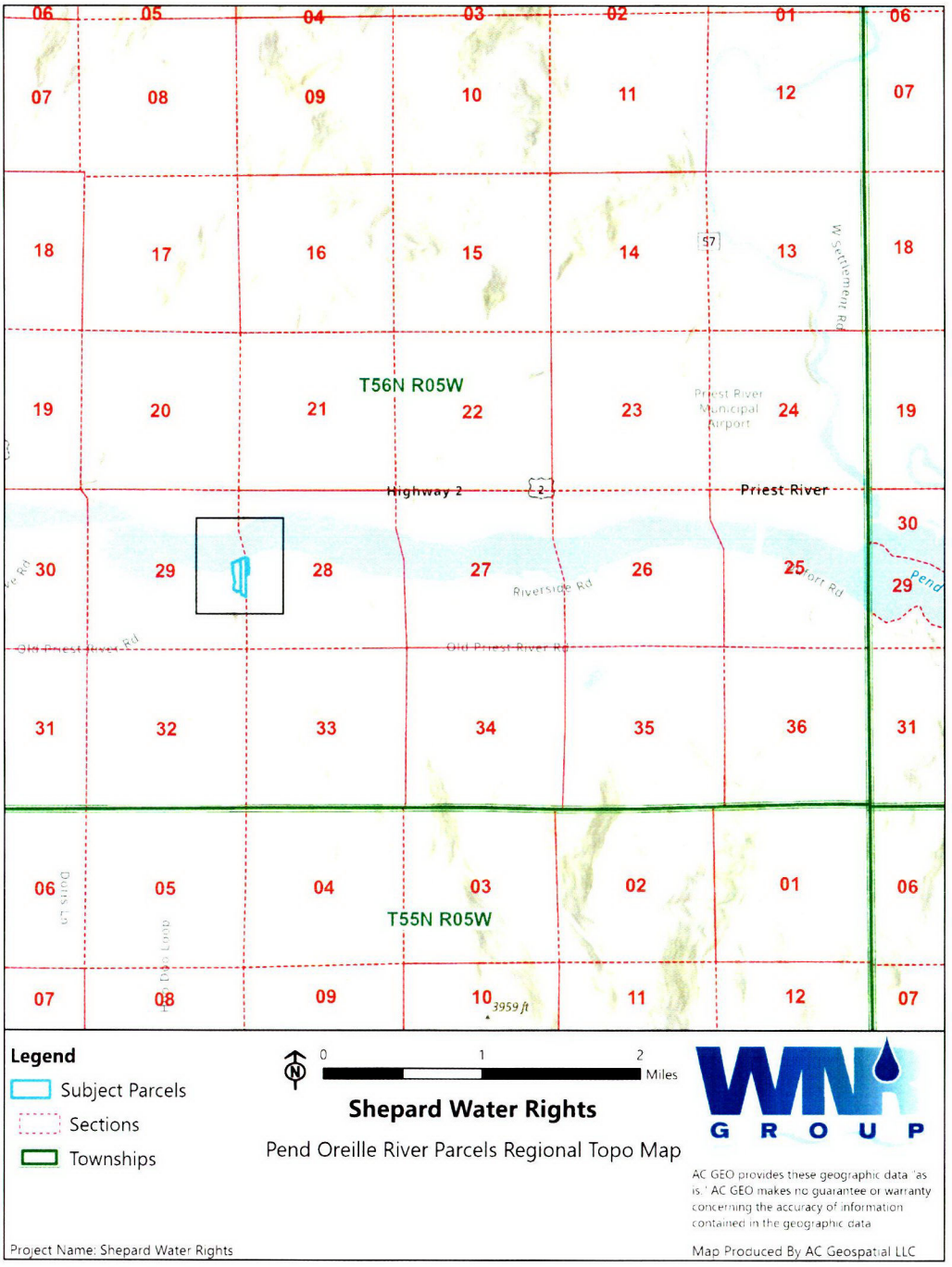


FIGURE 1: VICINITY MAP SHOWING LOCATION OF PERMIT #96-11810 PLACE OF USE ALONG PEND OREILLE RIVER, IDAHO.

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FIGURE 2: AERIAL PHOTO OF SECTION 29 SHOWING LOCATION OF SITE.

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AUG 31 2023

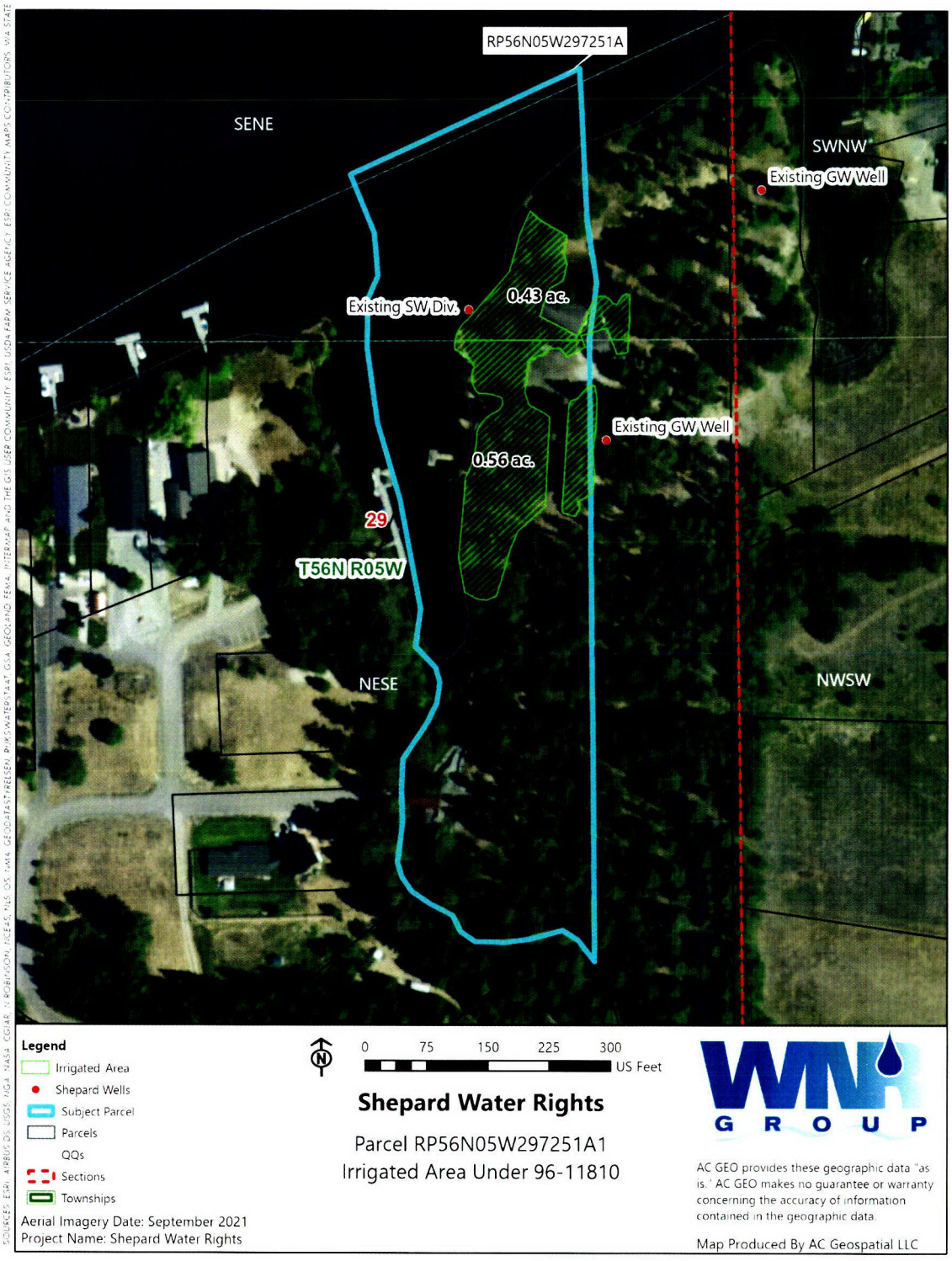


FIGURE 3: PARCEL MAP SHOWING LOCATION OF SHEPARD PROPERTY – PARCEL No. RP56N05W297251A. AREA OF IRRIGATION OUTLINED.

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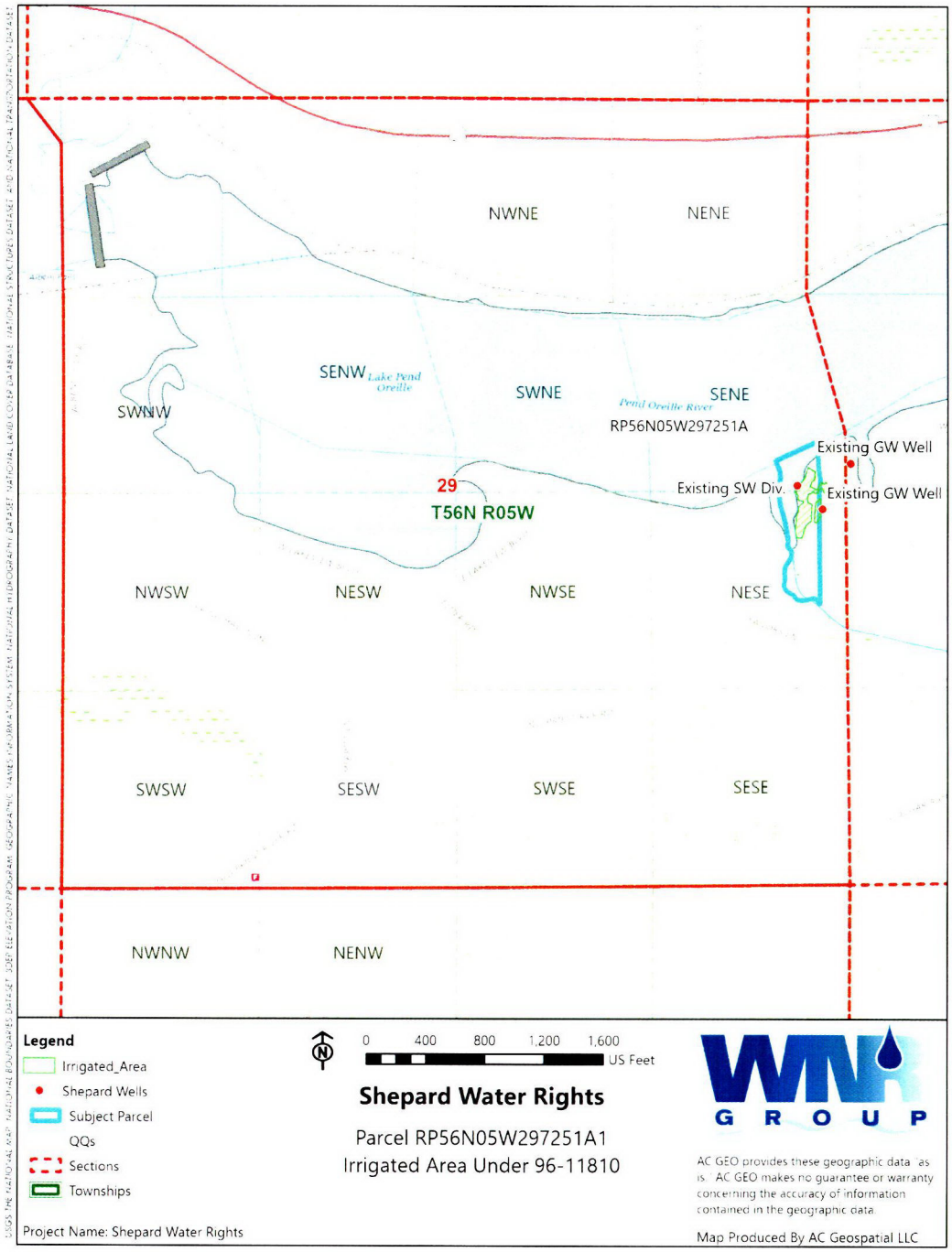


FIGURE 4: TOPOGRAPHIC MAP OF SECTION 29 SHOWING LOCATION OF PARCEL No. RP56N05W297251A AND POINT OF DIVERSION.

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ATTACHMENT A

PERMIT No. 96-11810

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AUG 31 2023

Close

Water Permit Report: 96-11810(Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	SHEPARD JR, DANIEL R	437 SAILORS LN	PRIEST RIVER	ID	83856-6704
Representative	ST GODDARD, GENE	PO BOX 28755	SPOKANE	WA	99228-8755

Water Permit Status

Priority Date : 6/27/2022
Status : Active

Water Source

Source	Tributary	Tributary Qualifier
PEND OREILLE RIVER	COLUMBIA RIVER	

Points Of Diversion (Location)

Source	Township	Range	Section	QQQ	QQ	Q	County	Diversion Type
PEND OREILLE RIVER	56N	05W	29		SE	NE	BONNER	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.03 CFS	
TOTAL			0.03 CFS	

Places of Use

Printable View | Paged View

Place of Use Legal Description : IRRIGATION (BONNER county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
56N	05W	29	4		SE	NE	0.5
56N	05W	29	4		NE	SE	0.5

Irrigation Totals

Total Acres Acre Limit

1.00

Conditions

Code	Condtions
029	Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
R66	This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
004	This right does not grant any right-of-way or easement across the land of another.

Dates

Other Information

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Licensed Date :
Decreed Date :
Permit Proof Due Date : 8/1/2023
Permit Proof Made Date :
Permit Approved Date : 8/11/2022
Permit Moratorium Expiration Date :
Enlargment Use Priority Date :
Enlargement Statute Priority Date :
Water Supply Bank Enrollment Date Accepted :
Water Supply Bank Enrollment Date Removed :
Application Recevied Date: 6/27/2022
Protest Deadline Date: 8/8/2022

State or Federal : S
Water District Number : TBD
Generic Max Rate Per Acre : 0.03
Generic Max Volume Per Acre : 3
Civil Case Number :
Decree Plantiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES 6/1/2023

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State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 96-11810

Priority: June 27, 2022 **Maximum Diversion Rate:** 0.03 CFS

This is to certify that

DANIEL R JR SHEPARD 437 SAILORS LN PRIEST RIVER ID 83856-6704

has applied for a permit to appropriate water from:

Source : PEND OREILLE RIVER **Tributary:** COLUMBIA RIVER

and a permit is APPROVED for development of water as follows:

Beneficial Use	Period of Use	Rate of Diversion
IRRIGATION	04/01 to 10/31	0.03 CFS

Location of Point(s) of Diversion

PEND OREILLE RIVER L4 (SE¼ NE¼), Sec. 29, Twp 56N, Rge 05W, B.M BONNER 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	
56N	05W	29				0.5 L4									0.5 L4				1.0

Total Acres: 1.0

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **August 01, 2023.**
2. Subject to all prior water rights.
3. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
5. This right does not grant any right-of-way or easement across the land of another.

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

Signed this 11th day of August, 2022

ADAM FREDERICK
Water Rights Supervisor

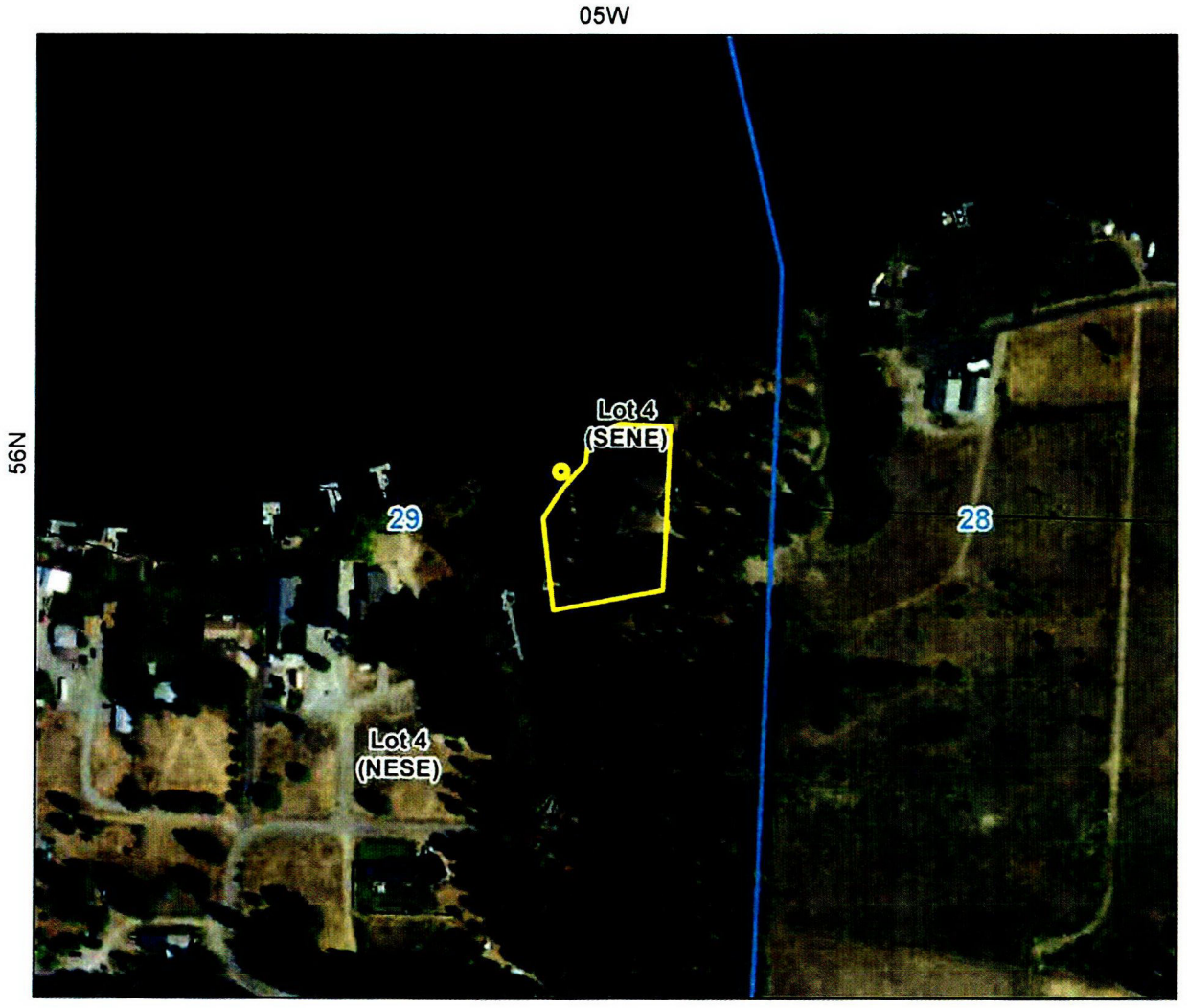
SCANNED
AUG 31 2023

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-11810

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

N

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State of Idaho
Department of Water Resources

Permit to Appropriate Water

96-11810

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.





0 0.01750.035 0.07 0.105 0.14
Miles

Date created: 6/1/2023

Legend

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

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ATTACHMENT B

SITE PHOTOS

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Photo of Pend Oreille River. Diversion location is in right bottom of photo.



Photo looking upstream of Pend Oreille River showing located where diversion occurs, in river to left of small pump house structure.

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Structure at property containing pump and meter.

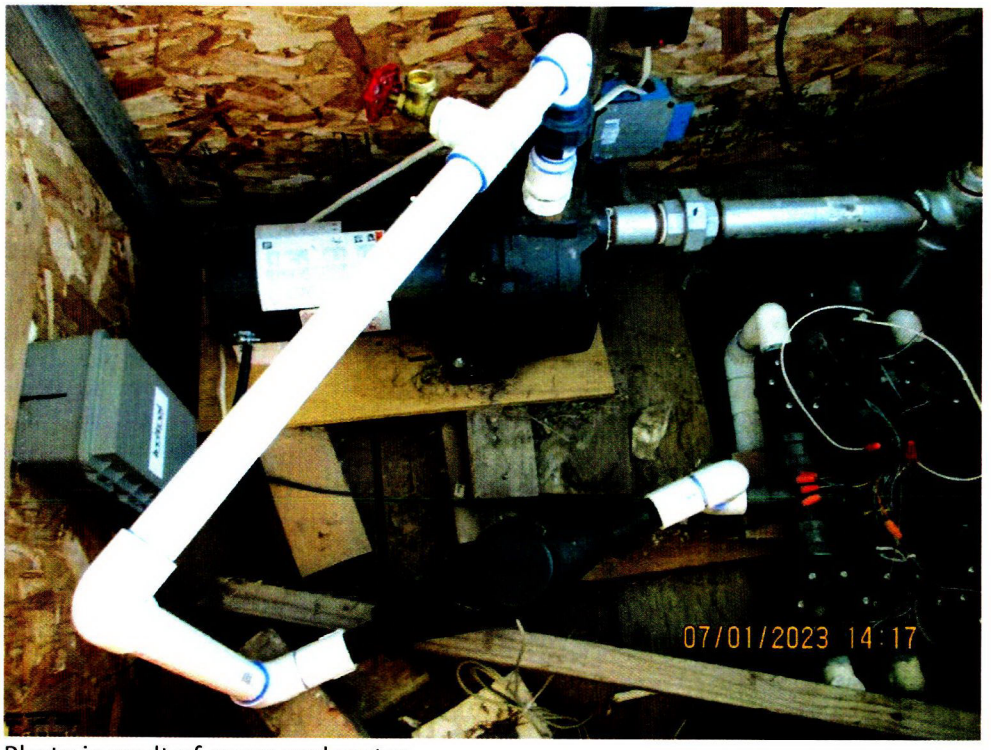


Photo in vault of pump and meter.

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Photo of tag on motor.



Photo of lawn irrigation occurring along river

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Photo of meter at the site. Installed at end of last year irrigation season.



Photo looking south showing irrigated lawn, and areas of irrigation occurring in tree line along the inlet.

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Photo of irrigated lawn in northern area of site around cabin structure



Photo of irrigated lawn in area north of cabin structure (back yard), and the area of irrigation occurring in the treed area.

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Photo of area on east side of house and around garage where irrigation occurs.



Photo of portable sprinkler used to irrigate inside tree line around cabin structure.

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Photo of irrigation system pop-up sprinkler.



Photo of pop up sprinkler head.

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ATTACHMENT C

BENEFICIAL USE FIELD REPORT

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AUG 3 1 2023

Form 219 07/11

Clear Form

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A Beneficial Use Field Report is prepared by a water right examiner as the result of an examination to clearly confirm and establish the extent of the beneficial use of water established in connection with a permit during the development period authorized by the permit and any extensions of time previously approved.

A. GENERAL INFORMATION

Permit No. 96-11810

1. Owner Daniel Shepard, Jr Phone No. 208-290-3476
   Current address 437 Sailors Lane, Priest River, ID 83856
2. Examiner's name Gene St.Godard, P.G., L.Hg., CWRE EXAM DATE July 1, 2023
3. Accompanied by Mr. Daniel Shepard (property owner) Email JR@07id.net
   Address
   Relationship to permit holder Phone No.
4. Source Pend Oreille River tributary to Columbia River

B. OVERLAP REVIEW

1. Other water rights with the same place of use 96-12415 (claim)
2. Other water rights with the same source and point of diversion none sharing SW diversion;

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:**

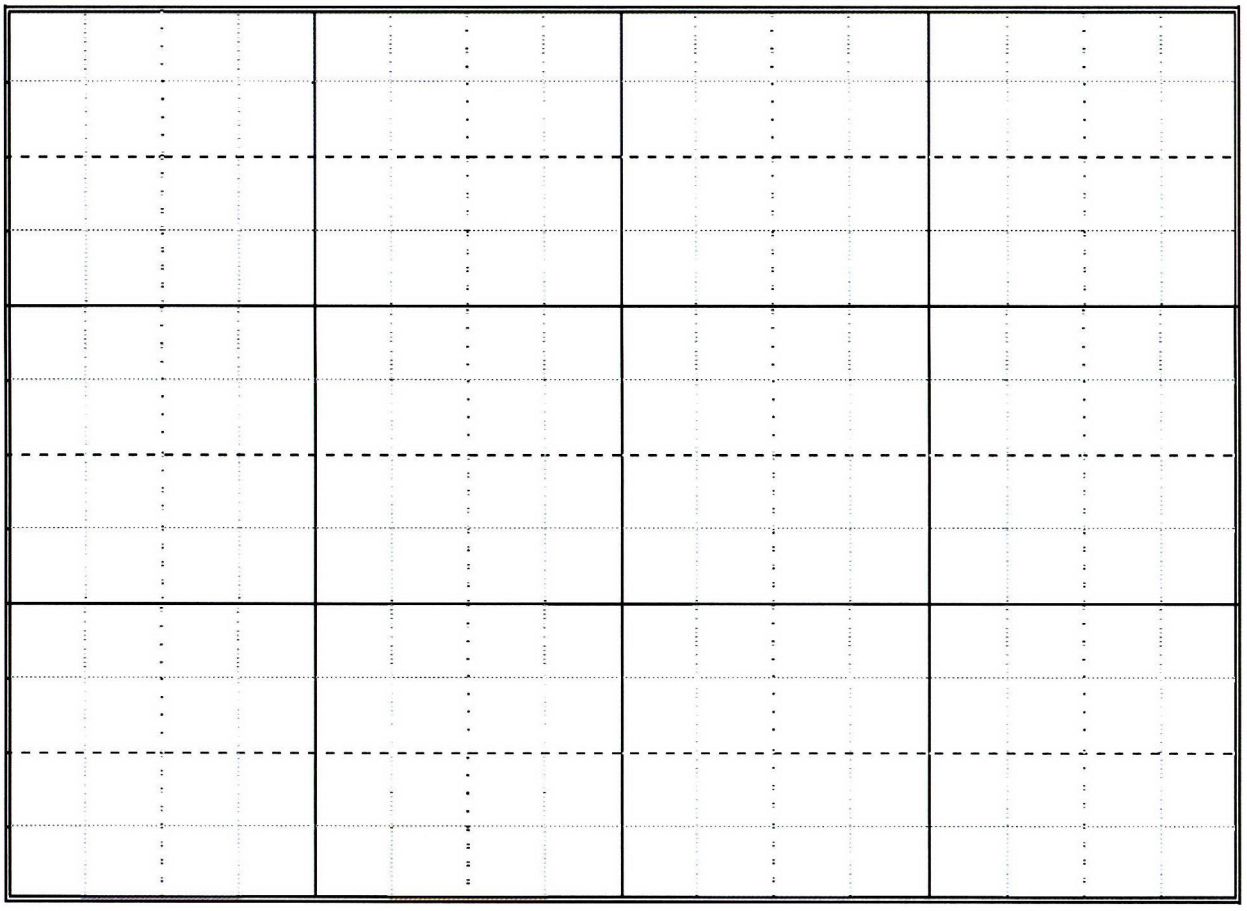
Ident. No.	Gov't Lot	¼	¼	¼	Sec	Twp	Rge	County	Method of Determination/Remarks
	4		SE	NE	29	56N	05W	Bonner County	GPS Measurements, Site verification

2. **Place(s) of Use:** Method of determination visual observation, GPS, topo maps, aerial maps, GIS

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N	05W	29				0.43 L4									0.56 L4				1.0

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3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe diameter (inside), as applicable. Use the space provided or ☒ see attached.



Scale: 1" = _____

☒ Copy of USGS Quadrangle attached showing location(s) of point(s) of diversion and place(s) of use (**required**)
☒ 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
SW Diversion	Century	1.5	C48L2EC11C3	ACE	MFG#7302699

**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
MCS	NWM	NSF	MJP-SDC	22000945	1"	2022 (new)

2. **Measurements:** _____

Flow is being recorded with a newly installed MCS flow meter.

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E. NARRATIVE/REMARKS/COMMENTS

During the site inspection, the irrigation system was operating, and had just finished a cycle of watering prior to the site visit. Review of the system revealed that the irrigation system contains six (6) irrigation stations, which contained an average of 6 to 8 heads, which are rated at 2 to 4.5 gpm. Discussions with the site owner informed us that the site irrigations are set to operate for 20 minutes per station, a minimum of twice a day, at approximately 15-20 gpm per station. Therefore, the diversion rate appears to be at the allocated rate of diversion of 0.03 cfs.

Has the permit holder met all conditions of permit approval, including any mitigation requirements and/or measuring device installation requirements? ☒ Yes ☐ No If no, what must be done to meet the permit requirements?

Conditions for license are enclosed in CWRE report. Current recommendation is to have all conditions, except for condition #1, to remain on the water right.

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F. FLOW CALCULATIONS

☐ Additional computation sheets attached

Measured Method:

Flow of the system was determined from the rating of the sprinkler system infrastructure. Each sprinkler station is designed to deliver approximately 15 gpm.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R}$ = (Acres Irrigated) x (Irrigation Requirement) = 1.0 acres x 0.01 cfs/acre = 0.03 cfs

$V_{D.R}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = 94,117.1

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = _____

2. Volume Calculations for Other Uses:

1.0 acres x 3 Acre-feet/acre = 3 acre feet.

The system operated at 15-20 gpm for a minimum of 4 hours/day. Assuming 214 days of irrigation season, would result in approximately 2.75 to 3.0 acre-feet of water.

H. RECOMMENDATIONS

1. **Recommended Amounts**

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Irrigation	04/01	10/31	0.03 cfs	3.0
		Totals:	0.03 cfs	3.0

2. **Recommended Amendments**

☐ Change P.D. as reflected on page 1 ☐ Add P.D. as reflected on page 1 ☒ None

X Change P.U. as reflected on page 1 ☐ Add P.U. as reflected on page 1 ☐ Other

I. AUTHENTICATION

Field Examiner's Signature _____ Date 7/20/23

Reviewer _____ Date 8/17/23

BLAKE BURNARD

SEAL

SCANNED
AUG 31 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

Director Gary Spackman

May 31, 2023

DANIEL R SHEPARD JR
437 SAILORS LN
PRIEST RIVER ID 83856-6704

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 96-11810

IMPORTANT: A response from you is required to maintain the active status of the referenced water right permit. If no response is received from you, the permit will lapse and your authorization to develop and/or use this water right will be cancelled.

Dear Permit Holder(s):

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before **August 01, 2023**. Please complete and return the enclosed Statement of Completion for Submitting Proof of Beneficial Use (proof) if you have completed the water project authorized by your permit. The proof statement must be accompanied by either the appropriate license examination fee or a field examination report prepared by a certified water right examiner.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been delayed by a government agency or by litigation that brings title to the water in question, an extension of time may be granted if appropriate documentation is provided at the time of filing. An extension request must be accompanied by a $50.00 filing fee and signed by the appropriate authorized permit holder(s) or authorized representative with a power of attorney.

Either an acceptable proof or an acceptable extension request must be received by this department on or before the above proof due date. If neither is received, the department will send you a lapse notice and the permit will no longer be of any force or effect.

Sincerely,

Water Rights Section

Enclosure(s)

c: GENE ST GODDARD

CERTIFIED MAIL
7020 2450 0000 1566 5728

SCANNED
JUN 05 2023