

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 96-11995

Priority: March 01, 2022

Maximum Diversion Rate: 0.04 CFS

Maximum Diversion Volume: 1.2 AF

It is hereby certified that:

GALE TAYLOR 19701 W BOWIE RD MEDICAL LAKE WA 99022-5162

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 01, 2022, and has submitted Proof of Beneficial Use on August 07, 2023. An examination confirms water is diverted from:

Source : JERU CREEK

Tributary: PACK RIVER

Beneficial Use
DOMESTIC

Period of Use
01/01 to 12/31

Rate of Diversion
0.04 CFS

Annual Volume
1.2 AF

Location of Point(s) of Diversion

JERU CREEK SW¼ SE¼, Sec. 21, Twp 60N, Rge 02W, B.M. BOUNDARY County

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
60N	02W	21															X		

Conditions of Approval

1. Domestic use is for 1 home.
2. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
3. Water shall not be diverted under this right when flows in the Pack River are below minimum flow amounts as defined by Right 96-8717. The right holder shall be responsible for monitoring the daily flow of the Pack River using real-time data and shall cease diverting water when flows in the Pack River are below established minimum flow amounts. Unless otherwise specified by the Director of the Department of Water Resources, data from the U.S. Geological Survey gauging station at Colburn, No. 12392300, may be used for purposes of determining the daily flow amounts.
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 15th day of August, 2023.



PHILL HUMMER
Water Rights Supervisor

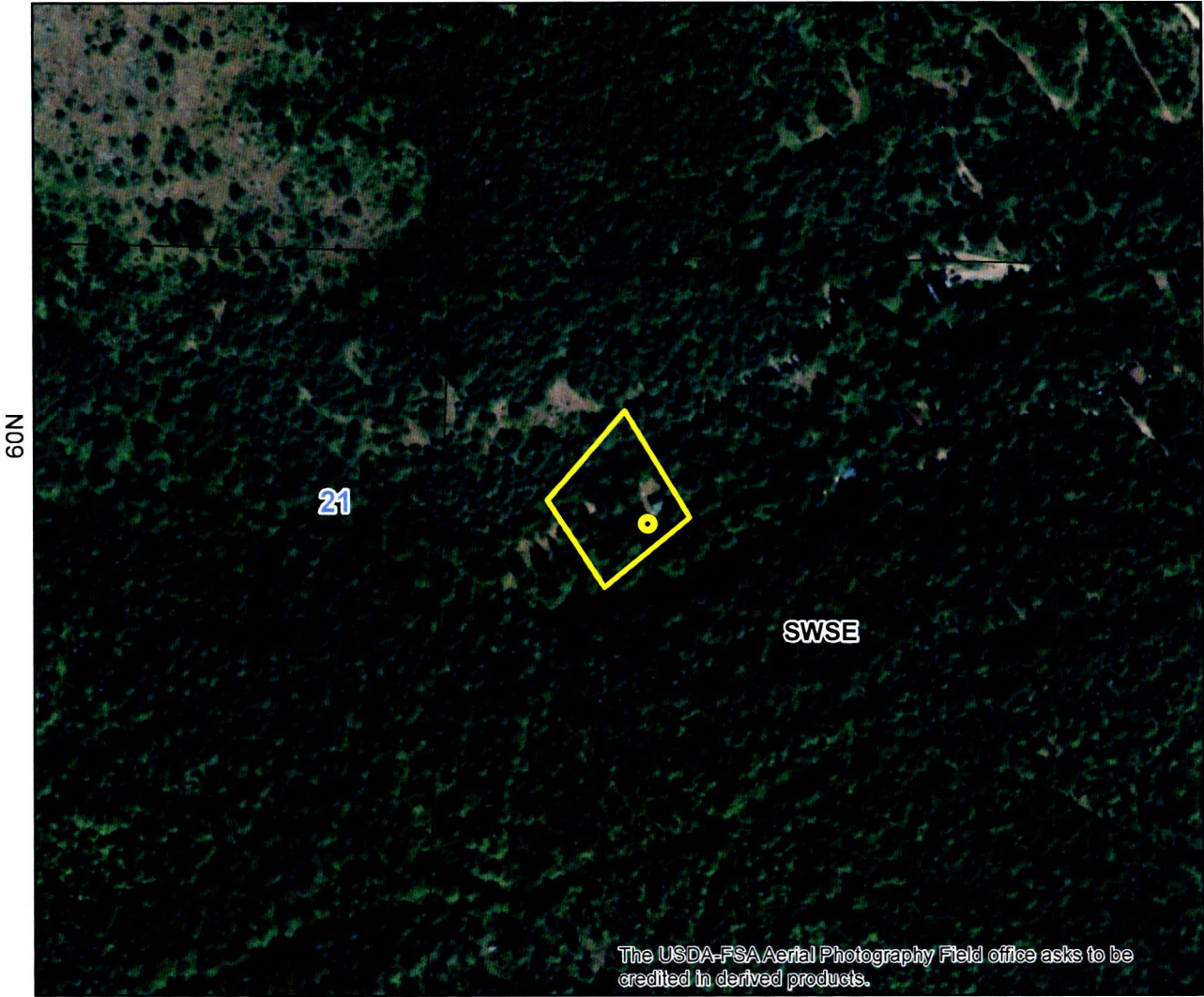
SCANNED

AUG 22 2023

State of Idaho
Department of Water Resources
Attachment to Water Right
96-11995

This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

02W



0 0.035 0.07 0.14 Miles

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

SCANNED
AUG 22 2023

RECEIVED

AUG 07 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. C116849
Received By KM
Date Received 8/7/23

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.

- Permit No. 96-11995 Name of Permit Holder(s) Gale Taylor
Telephone No. 509-244-3257 Email _____
Mailing Address 19701 W. Bowie Rd. City Medical Lake State WA Zip 99022
- Source of Water Jeru Creek If Ground Water (well), Date Drilled mo. ____ / yr. ____
Drilling Permit/Tag No. _____ Drilling Company's Name _____
- Extent of use(s) completed **as authorized by the water right permit:**
Domestic (No. households) one Irrigation (No. acres) _____ Stockwater (No. and stock type) _____
Other _____
- Total diversion rate or volume (storage only) for which proof is submitted .04 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.
- Describe the diversion and delivery system from the water source to the use (pump, lift, irrigation method, etc.)
Jeru Creek feeds domestic use. Point of diversion in creek
pumps to 80 gallon yellow cistern which fills on/off throughout the year
- 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
- Fee Enclosed \$ 50.00 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.
- Person to contact to accompany a Department representative during the field examination of the water system: As Above
Name: _____ Telephone No. _____ Email _____
Mailing Address _____ City _____ State _____ Zip _____

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.

Gale Taylor Gale Taylor owner 8/1/23
SIGNATURE OF PERMIT HOLDER* PRINTED NAME AND TITLE DATE

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

SCANNED

AUG 22 2023

cabin

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 96-11995

Priority: March 01, 2022

Maximum Diversion Rate: 0.04 CFS

This is to certify that

GALE TAYLOR 19701 W BOWIE RD MEDICAL LAKE WA 99022-5162

has applied for a permit to appropriate water from:

Source : JERU CREEK

Tributary: PACK RIVER

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

Beneficial Use

DOMESTIC

Period of Use

01/01 to 12/31

Rate of Diversion

0.04 CFS

Location of Point(s) of Diversion

JERU CREEK SW¼ SE¼, Sec. 21, Twp 60N, Rge 02W, B.M. BOUNDARY County

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
60N	02W	21															X		

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **September 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. Domestic use is for 1 home.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
6. Water shall not be diverted under this right when flows in the Pack River are below minimum flow amounts as defined by Right 96-8717. The right holder shall be responsible for monitoring the daily flow of the Pack River using real-time data and shall cease diverting water when flows in the Pack River are below established minimum flow amounts. Unless otherwise specified by the Director of the Department of Water Resources, data from the U.S. Geological Survey gauging station at Colburn, No. 12392300, may be used for purposes of determining the daily flow amounts.
7. 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 31st day of August, 2022.



ADAM FREDERICK
Water Rights Supervisor

SCANNED

SEP 02 2022

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-11995

This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

02W



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

0 0.035 0.07 0.14 Miles



SCANNED

SEP 02 2022



Governor Brad Little

Director Gary Spackman

August 22, 2023

GALE TAYLOR
19701 W BOWIE RD
MEDICAL LAKE WA 99022-5162

RE: License No. 96-10496 & 96-11995

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)

SCANNED

AUG 22 2023

CERTIFICATE OF SERVICE

I hereby certify that on August 23, 2023, I served a true and correct copy of Water Right License No. 96-10496 & 96-11995 by U.S. Mail, postage prepaid, to the following:

GALE TAYLOR (Current Owner)
19701 W BOWIE RD
MEDICAL LAKE WA 99022-5162



Jean Hersley
Technical Records Specialist 2

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
IN-OFFICE REVIEW/BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATIONExam Date: 8/11/2023

1. Does this qualify for an in-office field exam (IDAPA 37.03.02.035.01.r)? X Y N
- a. Irrigation of 5 acres or less
- b. Storage of up to 14.6 AF for stockwater purposes only
- c. X Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
- d. Other < >
2. Current Owner: Gale Taylor
- Owner of Record Correct? N
- Address of Record Correct? N
- If No Explain: N/A
3. Beneficial Use Fees have been paid: X Y N Receipt No: C116849
4. Source: Tributary:
- Jeru Creek Pack River

Method of Determination:

Change in Source: Y X N

B. OVERLAP REVIEW

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

Water Right No.	Source	Purpose of Use	Basis
96-8196	Jeru Creek	Domestic	License
96-8138	Jeru Creek	Domestic	License
96-8134	Jeru Creek	Domestic	License

Comments: Water rights 96-8196, 96-8134, and 96-8138 place of use overlaps the proposed POU. However, claim filings for each license indicate the actual place of use does not overlap.

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

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

Comments: N/A

C. DIVERSION AND DELIVERY SYSTEM

1. Location of Point(s) of Diversion:

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Jeru Creek			SW	SE	21	60N	02W	B.M.	Boundary
								B.M.	
								B.M.	

Method of Determination: GIS and Tax Parcel Data.

Change in POD? Y X N Amendment Required? Y X N

SCANNED

AUG 22 2023

Place of Use: Domestic

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
60N	02W	21															X		N/A
		Lot #																	N/A

Method of Determination: GIS, Tax Parcel Data and 2023 Bonner County Aerial Imagery.

Change in POU? ___Y ___X___N Amendment Required? ___Y ___X___N

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

Indicate weir size/pipe as applicable:

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

___ Photo of Diversion and System Attached

3. Diversion Id No.*	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A					

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

D. FLOW MEASUREMENTS

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

2. Measurement Comments: The permit holder did not provide pump horsepower. Therefore, a diversion rate calculation is not possible.**E. FLOW CALCULATIONS**

___ Additional Computation Sheets Attached

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

F. VOLUME CALCULATIONS

2. Volume Calculations for Other Uses: According to Administrative Processing Memo #22 the standard diversion volume for a single domestic use includes 0.6 af for in house use and 0.6 af for up to 1/2 an acre of yard irrigation or 1.2 af. I am recommending a 1.2 af diversion volume.

G. PURPOSE OF USE

Irrigation ___X___Y ___N # Stock ___N/A___ Domestic # of Homes ___1___

Other: < >

Change in Purpose of Use? ___Y ___X___N

Method of Determination: GIS, Tax Parcel Data, and 2023 Bonner County Aerial Imagery.

If Yes: From Use _____ To Use _____ Amount _____ CFS _____ AFA _____

SCANNED

AUG 22 2023

H. NARRATIVE/REMARKS/COMMENTS

This permit qualifies for an in-office examination. According to Tax Parcel Data the property was developed in 1995. The permit authorizes domestic use including in-house use and up to ½ an acre of yard irrigation. 2023 Bonner County Aerial Imagery confirms up to ½ an acre of yard irrigation occurred. A condition on the permit requires the permit holder to install a fish screen meeting the fish screening and passage requirements of the Idaho Department of Fish and Game. However, the permit holder did not mark a fish screen was installed or required on their Statement of Completion for Proof of Beneficial Use. After a phone conversation with the permit holder on August 11th, 2023, they confirmed a fish screen was installed.

Since the permit holder did not provide pump horsepower, a diversion rate calculation was not possible. The standards set in Administrative Processing Memo #22 were used to make a diversion rate and volume recommendation. All of the conditions have been met and it was confirmed a beneficial use was developed within authorization on the permit. Therefore, I am recommending a 0.04 cfs diversion rate and 1.2 af diversion volume.

Conditions X01, 187, 227, and 004 should remain on the license. Condition 029 should be removed because the permit holder confirmed, they installed a fish screen that meets the fish screening and passage requirements of the Idaho Department of Fish and Game. All other conditions should be removed as standard with licensing.

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

I. RECOMMENDATIONS

1. Recommended Amounts:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Domestic	01/01-12/31	0.04 CFS	1.2 AF
	<u>Totals:</u>	0.04 CFS	1.2 AF

2. Recommended Amendments:

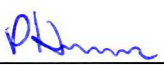
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

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

Other: < >

J. AUTHENTICATION Skyler Cheever – Water Resource Agent

Field Examiner's  Date 8/11/2023

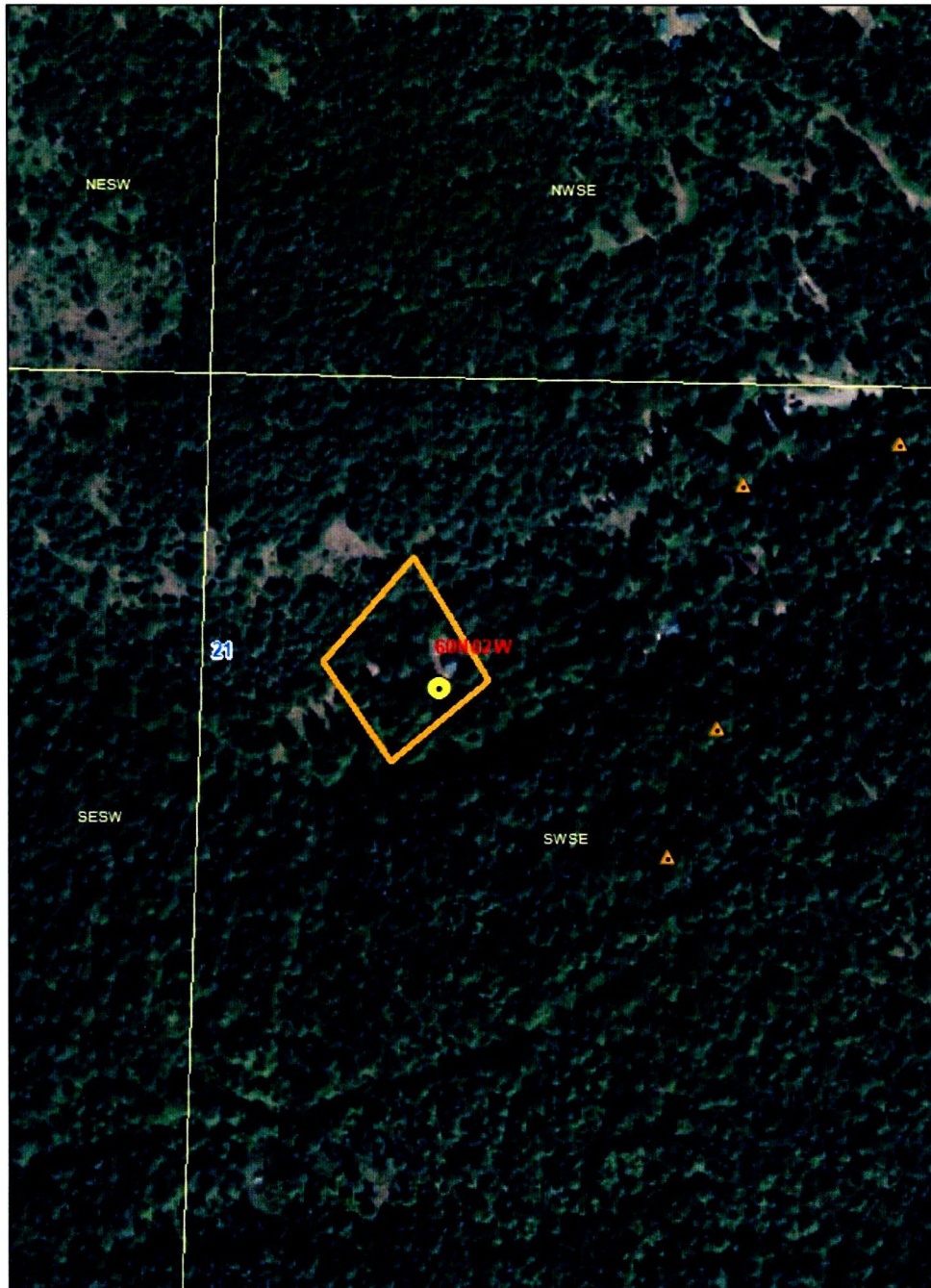
Reviewer  Date 8/15/23

SCANNED

AUG 22 2023

Field Exam Map

Map showing the authorized point of diversion (yellow point) and place of use (orange outline).



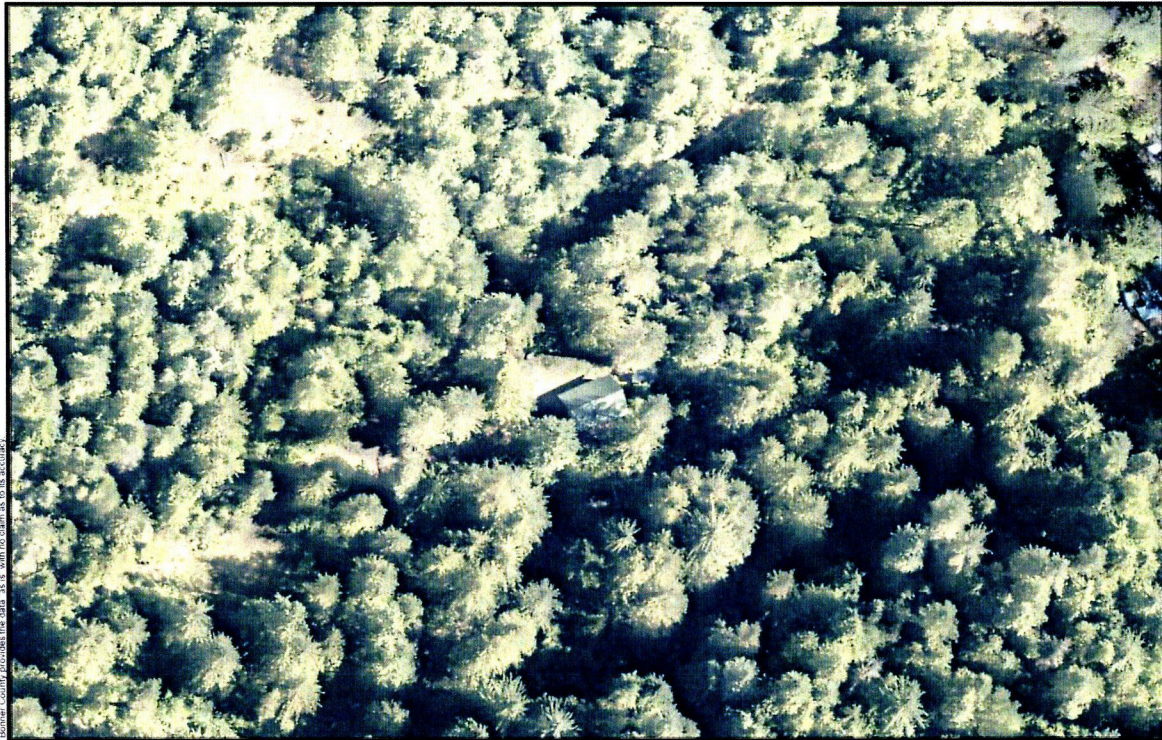
SCANNED

AUG 22 2023

Irrigation Map

2023 Bonner County Aerial Imagery confirming up to ½ an acre of irrigation occurred.

96-11995 Irrigation Map



8/11/2023

Road Centerlines

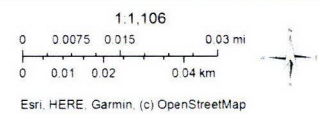
- Primary
- Secondary
- Local; Ramp



Parcels

- World Boundaries and Places
- World Imagery
- Low Resolution 15m Imagery

- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations
- 30cm Resolution Metadata



SCANNED

AUG 22 2023

Beneficial Use Proof Evaluation

Permit Number: 96-11995 Reviewer: AVEibell Review Date: 8/9/2023

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: 8/7/2023
- 4) Proof Due Date: 9/1/2023
- 5) Days added for weekend due date? 0
- 6) Days added for holiday due date? 0
- 7) Number of days late: -25
- 8) Proof received timely? Yes

Analysis

- 1) Are the water uses correct? Yes
- 2) Are one of the following items required?
 - a. Measuring Device -- No
 - b. Lockable Device --No
 - c. Fish Screen -- No
- 3) Are the required items installed? Yes
 - a. Measuring Device -- No
 - b. Lockable Device --No
 - c. Fish Screen -- No
- 4) Is there a request to waive the required items? No
- 5) Drilling Permit Number:
- 6) Is a drilling permit upgrade needed? No
- 7) Was a well drillers report filed? No
- 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

N038525

Comments

Proof deemed acceptable. Gave file to water right agent for in-house license review. Water right agent will enter the proof made date in AdHoc at the time of licensing.



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

June 30, 2023

GALE TAYLOR
19701 W BOWIE RD
MEDICAL LAKE WA 99022-5162

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 96-11995

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 **September 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)

CERTIFIED MAIL

7021 1970 0000 0024 4830

NO

SCANNED

JUL 03 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

September 01, 2022

GALE TAYLOR
19701 W BOWIE RD
MEDICAL LAKE WA 99022-5162

RE: Permit No. 96-11995

Permit Approval Notice

Dear Permit Holder(s):

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

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

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

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

SCANNED
SEP 02 2022

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

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

Sincerely,



Adam Frederick
Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on September 01, 2022, I served a true and correct copy of Permit to Appropriate Water No. 96-11995 by U.S. Mail, postage prepaid, to the following:

GALE TAYLOR (Current Owner)
19701 W BOWIE RD
MEDICAL LAKE WA 99022-5162



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.

AFFIDAVIT OF PUBLICATION

RECEIVED

AUG 15 2022

State of Idaho

IDWR / NORTH

ss

County of Boundary, Jane Smith being first duly sworn on oath deposes and says that he/she is book keeper of the Bonners Ferry Herald, a newspaper printed and published at Bonners Ferry, Boundary County, Idaho; that the said newspaper has been continuously and uninterruptedly published in said Boundary County during a period of 12 months prior to the first publication of the hereto attached notice of publication in the case of:

Notice
as it was published in the regular and entire issue of the said paper for a period of 2 consecutive weeks, commencing on 4 day of August, 2022 and ending on the 11 day of August, 2022 and that said notice was published in said newspaper.

[Signature]
SUBSCRIBED AND SWORN TO before me, this 11 day of August, 2022.

Notary Public-State of Idaho
Residing at: Bonner County
My Commission Expires 4/17/23

Tributary PACK RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 03-01-2022
Place Of Use: DOMESTIC
T60N R02W S21 SWSE

98-8093
JOSEPH J ROCO
THERESA A ROCO
PO BOX 187
BONNERS FERRY, ID
83805-0187
Point of Diversion NESW
S1 T61N R01W
BOUNDARY County
Source SNOW CREEK
Tributary DEEP CREEK
Use: POWER
01/01 to 12/31
Total Diversion: 0.2 CFS
Date Filed: 07-12-2022
Place Of Use: POWER
T61N R01W S1 NESW

NOTICE

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

96-10496
GALE TAYLOR
19701 W BOWIE RD
MEDICAL LAKE, WA
99022-5162
Point of Diversion SWSWNE
S21 T60N R02W
BOUNDARY County
Source SPRING
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 03-01-2022
Place Of Use: DOMESTIC
T60N R02W S21 SWNE

96-11995
GALE TAYLOR
19701 W BOWIE RD
MEDICAL LAKE, WA
99022-5162
Point of Diversion SWSE
S21 T60N R02W
BOUNDARY County
Source JERU CREEK

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 8/22/2022. The protestant must also send a copy of the protest to the applicant. GARY SPACKMAN, Director
Legal#10896
AD#552408
August 4, 11, 2022

SCANNED

SEP 02 2022