

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 96-12308

Priority: August 12, 2022

Maximum Diversion Rate: 0.03 CFS

This is to certify that

SCOTT R DUNN 1507 NORTHSORE DR SANDPOINT ID 83864-2714 AND/OR
WENDY DUNN 1507 NORTHSORE DR SANDPOINT ID 83864-2714

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
IRRIGATION

Period of Use
04/01 to 10/31

Rate of Diversion
0.03 CFS

Location of Point(s) of Diversion

PEND OREILLE RIVER L1 (SE $\frac{1}{4}$ NE $\frac{1}{4}$), Sec. 28, Twp 57N, Rge 02W, 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	
57N	02W	28				0.5 L1													0.5

Total Acres: 0.5

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **October 01, 2027**.
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. Point of diversion is located within Lot 11, Blk. 1, Northshore Subdivision.
5. Place of use is located within Lot 11, Blk. 1, Northshore Subdivision.
6. This right when combined with all other rights shall provide no more than 0.03 cfs nor more than 1.5 afa at the field headgate for irrigation of the place of use.
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 14th day of October, 2022.



ADAM FREDERICK
Water Rights Supervisor

SCANNED
NOV 03 2022

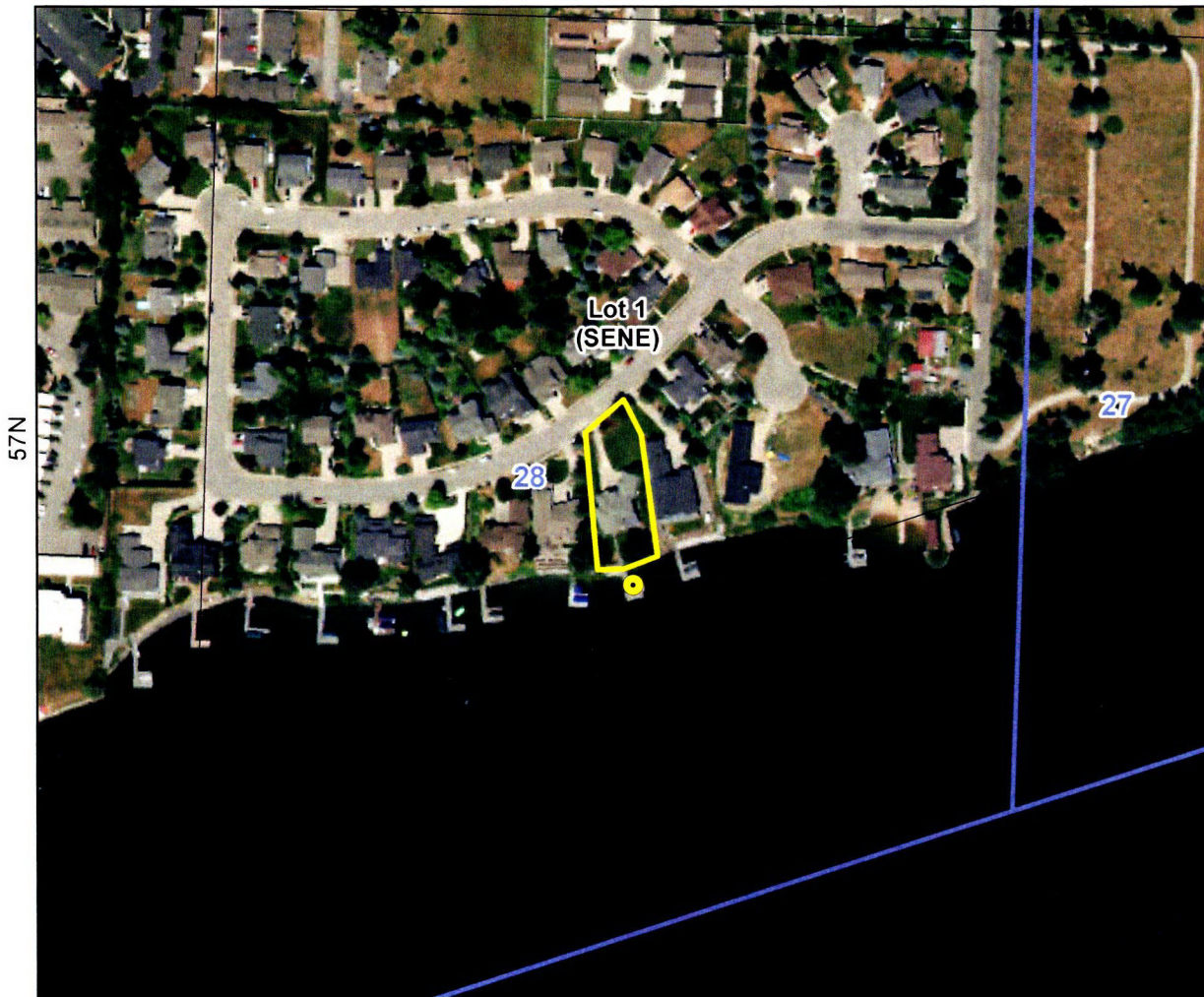
State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-12308

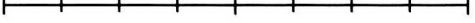
This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

02W



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

0 0.035 0.07 0.14 Miles



SCANNED
NOV 93





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

October 21, 2022

SCOTT R DUNN
WENDY DUNN
1507 NORTHSORE DR
SANDPOINT ID 83864-2714

RE: Permit No. 96-12308

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.

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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

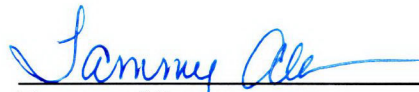
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on October 21, 2022, I served a true and correct copy of Permit to Appropriate Water No. 96-12308 by U.S. Mail, postage prepaid, to the following:

SCOTT R DUNN (Current Owner)
1507 NORTSHORE DR
SANDPOINT ID 83864-2714

WENDY DUNN (Current Owner)
1507 NORTSHORE DR
SANDPOINT ID 83864-2714



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

STATE OF IDAHO)
) ss.
County of Bonner)

RECEIVED

SEP 12 2022

IDWR/NORTH

Itala Jimenez, being first duly sworn on oath, deposes and states:

1. I am a citizen of the United States of America, over the age of 18 years, a resident of Bonner County, Idaho, and am not a party to the proceedings referred to in the attached

Lease Notice.
My business address is P.O. Box 159, Sandpoint, Idaho.

2. I am the bookkeeper of the Bonner County Daily Bee, a newspaper of general publication in Bonner County, Idaho;

3. Said newspaper has been continuously and uninterruptedly published in Bonner County, Idaho during a period of 12 months prior to the first publication of said Notice, and thereafter.

4. The attached Notice was published in the regular and entire issue of the Bonner County Daily Bee for a period of 2 consecutive weeks, commencing on the 1st day of September, 2022, and ending on the 8th day of September, 2022.

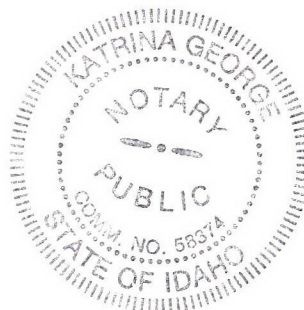
Itala Jimenez

State of Idaho, county of Bonner ss.

On this 8th day of September, in the year of 2022, before me, Katrina George, Notary Public, personally appeared Itala Jimenez known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (or they) executed the same.

Katrina George
Notary Public
Residing at: Kootenai County

My Commission Expires 8/29/23



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NOV 03 2022

Legal Notice

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

96-10445

DUSTIN SELLERS
LISA SELLERS
118 WAILUPE CIR
HONOLULU, HI 96821-1521
Point of Diversion L2(SWNE)
S17 T56N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary
PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 02-22-2022
Place Of Use: DOMESTIC
T56N R01E S17 L2(SWNE)

96-10446

DUSTIN SELLERS
LISA SELLERS
118 WAILUPE CIR
HONOLULU, HI 96821-1521
Point of Diversion L1(NWNE)
S17 T56N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary
PEND OREILLE RIVER
Point of Diversion L1(NWNE)
S17 T56N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary
PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31 0.08 CFS
Use: IRRIGATION
04/01 to 10/31 0.12 CFS
Total Diversion: 0.2 CFS
Date Filed: 02-22-2022
Place Of Use: DOMESTIC, IRRIGATION
T56N R01E S17 L1(NWNE)
Total Acres: 6

96-11349

PITNEY LIVING TRUST
172 NEWHAVEN PL
RICHLAND, WA 99352-7636
Point of Diversion SENESW
S26 T58N R02W BONNER
County
Source SPRING Tributary
SINKS
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 08-05-2022
Place Of Use: DOMESTIC
T58N R02W S26 NESW

96-11407

317 LAKESHORE LLC
317 LAKESHORE DR
SAGLE, ID 83860-9274
Point of Diversion SESE
S34 T57N R02W
BONNER County
Source
PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
4/1 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 08-10-2022
Place Of Use: IRRIGATION
T57N R02W S34 L1(SESE)
Place Of Use: IRRIGATION
T57N R02W S35 L4(SWSW)
Total Acres: 0.4

96-11492

DE ANNA SQUIRES
1663 WOODED ACRES DR
SAGLE, ID 83860-8734
Point of Diversion L3(SWNW)
S36 T57N R03W
BONNER County
Source
PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/1 to 10/31
Total Diversion: 0.01 CFS
Date Filed: 06-02-2022
Place Of Use: IRRIGATION
T57N R03W S36 L3(SWNW)
Total Acres: 0.5

96-11815

GARY L HINES
MARY K HINES
601 MACKIES WAY
SANDPOINT, ID 83864-6419
Point of Diversion NESE
S24 T59N R02W
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Use: DOMESTIC
01/01 to 12/31 0.04 CFS

Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.12 CFS
Date Filed: 07-05-2022
Place Of Use: DOMESTIC, IRRIGATION, STOCKWATER
T59N R02W S24 NESE
Total Acres: 2

96-12198

STEVE STEBING
MARIE STEBING
568 SNUG HBR
SANDPOINT, ID 83864-6344
Point of Diversion SESE
S26 T57N R03W
BONNER County
Source
PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 06-03-2022
Place Of Use: IRRIGATION
T57N R03W S26
L2(SWSE), L1(SESE)
Total Acres: 1

96-12223

DAVID MILLER
LINDA MILLER
132 SUNRAY DR
HOPE, ID 83836-9624
Point of Diversion L3(SWSW)
S12 T56N R01E
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 07-19-2022
Place Of Use: DOMESTIC
T56N R01E S12 L3(SWSW)

96-12254

ALLAN R VAN VOOREN
SUSAN J VAN VOOREN
216 PERCH BAY LN
SANDPOINT, ID 83864-8838
Point of Diversion NESE
S10 T57N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary
PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 08-12-2022
Place Of Use: IRRIGATION
T57N R01W S10 NESE
Total Acres: 0.5

96-12264

CHARLES KRAMER
TESSIE KRAMER
46820 HIGHWAY 200
HOPE, ID 83836-9680
Point of Diversion SWSW
S34 T57N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary
PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 05-11-2022
Place Of Use: DOMESTIC
T57N R01E S34 SWSW

96-12266

CHARLES KRAMER
TESSIE KRAMER
46820 HIGHWAY 200
HOPE, ID 83836-9680
Point of Diversion L4(NWNW)
S1 T56N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary
PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Use: FIRE PROTECTION
01/01 to 12/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 08-12-2022
Place Of Use: FIRE PROTECTION, IRRIGATION
T56N R01E S1
L3(NENW), L4(NWNW)
Total Acres: 0.8

96-12269

THOMAS L JENSEN
BECKY L JENSEN
96 GOLD CREEK RD
SANDPOINT, ID 83864-4955
Point of Diversion NWNW
S14 T58N R01W
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.16 CFS
Date Filed: 08-12-2022
Place Of Use: IRRIGATION
T58N R01W S14 NWNW
Total Acres: 8

96-12287

PEDEFERRI TRUST
C/O JOSEPH H PEDEFERRI
347 CROOKED EAR DR
SANDPOINT, ID 83864-9477
Point of Diversion L1(NWNW)
S7 T57N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary
PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: FIRE PROTECTION
01/01 to 12/31 0.2 CFS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.2 CFS
Date Filed: 08-15-2022
Place Of Use: DOMESTIC, FIRE PROTECTION, IRRIGATION
T57N R01W S7 L1(NWNW)
Total Acres: 0.5

96-12297

TRAVIS DODD
PO BOX 2193
SANDPOINT, ID 83864-0909
Point of Diversion SWSW
S13 T56N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary
PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 08-15-2022
Place Of Use: IRRIGATION
T56N R01E S13 L1(SWSW)
Total Acres: 0.5

96-12308

SCOTT R DUNN
WENDY DUNN
1507 NORTHSORE DR
SANDPOINT, ID 83864-2714
Point of Diversion L1(SENE)
S28 T57N R02W
BONNER County
Source
PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 08-12-2022
Place Of Use: IRRIGATION
T57N R02W S28 L1(SENE)
Total Acres: 0.5

96-12332

SILCHER TRUSTS
C/O PETER AND LORI
SILCHER
845 EVERGREEN RD
SAGLE, ID 83860-9352
Point of Diversion L1(NWNW)
S16 T56N R03W
BONNER County
Source
PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.15 CFS
Date Filed: 08-18-2022
Place Of Use: IRRIGATION
T56N R03W S16
L1(NENW), L1(NWNW)
Total Acres: 5

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NOV 03 2022

96-12333

SILCHER TRUSTS
C/O PETER AND LORI
SILCHER
845 EVERGREEN RD
SAGLE, ID 83860-9352
Point of Diversion L1(NWNW)
S16 T56N R03W
BONNER County
Source
PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: AESTHETIC
05/01 to 10/31
Total Diversion: 0.2 CFS
Date Filed: 08-18-2022
Place Of Use: AESTHETIC
T56N R03W S16
L1(NENW),L1(NWNW)

96-12338

RICHARD LEE KORST
NANCY J KLOOTWYK
3327 UPPER GOLD CREEK
RD
SANDPOINT, ID 83864
Point of Diversion NESENW
S33 T59N R01E
BONNER County

Source SPRING

Tributary GOLD CREEK
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.06 CFS
Date Filed: 08-10-2022
Place Of Use: DOMESTIC, STOCKWATER
T59N R01E S33 SENW
Place Of Use: STOCKWATER
T59N R01E S33
NWNE, SWNE, NENW

96-12346

WILLIAM S EVANS & TRACI
D EVANS TRUST
105 VERMEER DR # 2-168
PONDERAY, ID 83852-9802
Point of Diversion NESE
S31 T56N R02W
BONNER County
Source COCOLALLA CREEK
Tributary ROUND LAKE
Use: IRRIGATION
04/01 to 10/31 0.14 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.16 CFS
Date Filed: 08-18-2022
Place Of Use: IRRIGATION, STOCKWATER
T56N R02W S31
SENE, NESE
Total Acres: 7

96-12349

WILLIAM S EVANS & TRACI
D EVANS TRUST
105 VERMEER DR # 2-168
PONDERAY, ID 83852-9802
Point of Diversion SWNE
S31 T56N R02W
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.06 CFS
Date Filed: 08-18-2022
Place Of Use: IRRIGATION
T56N R02W S31 SWNE
Total Acres: 2

96-12356

WESLEY ALBIN
SHEILA ALBIN
6873 UPPER GOLD CREEK
RD
SANDPOINT, ID 83864
Point of Diversion SESW
S2 T58N R01E
BONNER County
Source RAPID LIGHTNING
CREEK
Tributary PACK RIVER
Point of Diversion NENW
S11 T58N R01E
BONNER County
Source RAPID LIGHTNING
CREEK
Tributary PACK RIVER
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.09 CFS
Total Diversion: 0.09 CFS
Date Filed: 08-19-2022
Place Of Use: IRRIGATION, STOCKWATER
T58N R01E S11
NENW, NWNW
Place Of Use: IRRIGATION
T58N R01E S2
SWSW, SESW
Place Of Use: STOCKWATER
T58N R01E S2
SESW, SWSW
Total Acres: 3

96-12371

THOMAS G FLETCHER
BRENDA G FLETCHER
1578 RAPID LIGHTNING RD
SANDPOINT, ID 83864-4754
Point of Diversion NWSE
S24 T58N R01W
BONNER County
Source PACK RIVER
Tributary LAKE PEND
OREILLE
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 08-19-2022
Place Of Use: IRRIGATION
T58N R01W S24 NWSE
Total Acres: 1

98-8096

SHERRY A HOBDAV
JOHN W HOBDAV
153 W ELMIRA RD
SANDPOINT, ID 83864-5969
Point of Diversion SWSW
S3 T59N R01W
BONNER County
Source GROUND WATER

Use: DOMESTIC

01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.12 CFS
Total Diversion: 0.16 CFS
Date Filed: 08-10-2022
Place Of Use: DOMESTIC, IRRIGATION
T59N R01W S3 SWSW
Total Acres: 4

98-8097

SHERRY A HOBDAV
JOHN W HOBDAV
153 W ELMIRA RD
SANDPOINT, ID 83864-5969
Point of Diversion SESE
S4 T59N R01W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
01/01 to 12/31 0.14 CFS
Total Diversion: 0.18 CFS
Date Filed: 08-11-2022
Place Of Use: DOMESTIC, IRRIGATION
T59N R01W S4 SESE
Total Acres: 7

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/WRApplicationResults/>. 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 9/19/2022. The protestant must also send a copy of the protest to the applicant. GARY SPACKMAN, Director
Legal#4508
AD#556859
September 1, 8, 2022

SCANNED

NOV 03 2022