State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 95-18519

Priority: October 05, 2023 **Maximum Diversion Rate:** 0.20 CFS

This is to certify that

BUTTERWORTH DRAW SUBDIVISION ASSN PO BOX 1081 SPIRIT LAKE ID 83869-1081

has applied for a permit to appropriate water from:

Source : GROUND WATER

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	0.09 CFS
DOMESTIC	01/01 to 12/31	0.12 CFS

Location of Point(s) of Diversion

GROUND WATER SE¼ SE¼, Sec. 31, Twp 54N, Rge 04W, 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	
54N	04W	31															1.5	1.5	3.0

Total Acres: 3.0

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	
54N	04W	31															X	X	

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2025.**
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
4. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of the RPGWMA management plan approved by the director, including its conservation goals.
5. When notified by the Department, the right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Idaho Code § 42-701, and/or the management plan for the Rathdrum Prairie Ground Water Management Area.
6. When notified by the Department, the right holder shall install and maintain a measuring device of a

State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 95-18519

type acceptable to the Department as part of the diverting works.

7. Domestic use is for 7 homes. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
8. Point of diversion is located within Lot 1, Butterworth Draw Subdivision.
9. Place of use is located within Lots 1-6, Butterworth Draw Subdivision.
10. 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.
11. 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 22nd day of January, 2024.

Michelle Richman

MICHELLE RICHMAN
Northern Regional Manager

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

95-18519

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



0 0.05 0.1 0.2 Miles

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

N

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho
No. 95-18519

1. Applicant(s)

BUTTERWORTH DRAW SUBDIVISION ASSN
PO BOX 1081
SPIRIT LAKE ID 83869-1081
208-691-6334, DOVESPRTLK@GMAIL.COM

RECEIVED
Oct 05, 2023
DEPARTMENT OF
WATER RESOURCES

2. Representative(s) N/A

3. Source of Water Supply:
Source : GROUND WATER

4. Location of Point(s) of Diversion:

Heading	**Point of Diversion # 1**
Source	GROUND WATER
Tributary of	
Township	54N
Range	04W
Section	31
Govt. Lot	
QQQ/QQ/Quarter	SE¼SE¼
County	BONNER
Diversion Type	
Local name or Tag#	
Type and size of devices	WELL WITH PUMP HOUSE AND PIPE TO HOMES
Height of storage dam	
Active/ Total Reservoir capacity	
Dam Application required?	No
Proposed well diameter/ depth	6 inches / 600 feet
Water Temp > 85°F?	No
Drilled Date	
Drilling firm	
Property Owner	NEW LIFE MISSIONS
Access Arrangement Description	PART OF THE BUTTERWORTH DRAW SUBDIVISION ASSN

5. Water will be used for the following purposes:

Purposes	Season	Rate	Volume	Description
DOMESTIC	01/01 to 12/31	0.12 CFS		7 Home(s)
IRRIGATION	04/01 to 10/31	0.09 CFS		

6. Total quantity to be appropriated is (a) 0.20 **cubic feet per second (cfs) and/or (b)** Not Stated **acre-feet / year (af).**

7. Proposed diverting works:

a. If an existing well, who was the well drilled for? Drilling Permit No.

8. Describe other proposed water uses : N/A

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee $ _____ Receipted by _____ Receipt No. _____ Date _____

9. Description of place of use:

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	No QQ	
54N	04W	31															X	X		

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	No QQ	
54N	04W	31															1.5	1.5		3.0

Total Acres: 3.0

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping?

,

11.

a. **Who owns the land to be irrigated or place of use?** Applicant.
b. **If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:**

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.
WELL TO PROVIDE 6 HOMES AND 1 CHURCH WITH DOMESTIC USE AND IRRIGATION ON EACH PARCEL OF UP TO 1/2 ACRE

13. Time required for completion of works and application of water to proposed beneficial use is 1 **years (minimum 1 year).**

14. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant _____

BUTTERWORTH DRAW SUBDIVISION ASSN

Title of Authorized Signature Treasurer



Legend

- Township/Range
- Sections
- QQ

0 0.05 0.1 0.2 Miles

N

88565

FORM 202 Rev. 09/16

RECEIVED
OCT 05 2023
IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 95-18519

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) BUTTERWORTH DRAW SUBDIVISION ASSOCIATION Phone (208) 691-6334
   Name connector (check one): ☐ and ☐ or ☐ and/or
   Mailing address PO BOX 1081 City SPIRIT LAKE
   State ID ZIP 83869 Email DOVESPRTLK@GMAIL.COM
2. Name of representative, if any _____ Phone _____
   Mailing address _____ City _____
   State _____ ZIP _____ Email _____
   a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
   ☐ Send original correspondence to the applicant and copies to the representative.
   b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
   ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply GROUND WATER which is a tributary of _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
54N	04W	31			SE	SE	BONNER	GROUND WATER	

5. Water will be used for the following purposes:
   Amount 0.11 cfs (cfs or acre-feet per year) for DOMESTIC purposes from 01/01 to 12/31 (both dates inclusive)
   Amount 0.09 cfs (cfs or acre-feet per year) for IRRIGATION purposes from 04/01 to 10/31 (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
6. Total quantity to be appropriated is (a) 0.20 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
   a. Describe type and size of devices used to divert water from the source. WELL WITH PUMP HOUSE AND PIPE TO HOMES
   b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
   c. Proposed well diameter is 6" inches; proposed depth of well is 600 feet.
   d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
   e. If well is already drilled, when? _____; drilling firm _____;
   well was drilled for (well owner) _____; Drilling Permit No. _____.

SUPERSEDED

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee $ 100.00 Receipted by NS Receipt No. N044103 Date 10/5/23

8. Description of proposed uses (if irrigation only, go to item 9):
   a. Hydropower; show total feet of head and proposed capacity in kW. _____
   b. Stockwatering; list number and kind of livestock. _____
   c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
   d. Domestic; show number of households 5 HOMES AND 1 CHURCH
   e. Other; describe fully. _____

9. Description of place of use:
   a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
   b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
54N	04W	31																D	
																		1.5	1.5
54N	04W	31															D		
																	1.5		1.5

Total number of acres to be irrigated: 3

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? N/A

11. a. Who owns the property at the point of diversion? NEW LIFE MISSIONS (CHURCH)
    b. Who owns the land to be irrigated or place of use? APPLICANTS BUTTERWORTH DRAW SUBDIVISION ASSOC
    c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. WELL TO PROVIDE 5 HOMES & 1 CHURCH WITH DOMESTIC USE AND IRRIGATION ON EACH PARCEL OF UP TO 1/2 ACRE

SUPERSEDED

13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Sonja Dove

Signature of Applicant

SONJA DOVE

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

BUTTERWORTH DRAW SUBDIVISION ASSOCIATION

The name of this Association shall be "The Butterworth Draw Subdivision Association." **(Association)**

The purpose for which the **Association** is formed is as follows: 1) To provide for, regulate and pay for the maintenance, repair and snow plowing of the common roadways; 2) To provide water from the common water system available to all lot owners in the Butterworth Draw Subdivision and regulate the hook-up, use, and payment for same, which hook-up shall be optional with each lot owner; 3) To provide a means of participation in and self-regulation of the foregoing.

1. The principal office of the **Association** shall be at the address of the **Developer** or the address of the **Owner** of Lot 1 of said Subdivision, or such other address as determined by the **Association**.

2. Each **Owner** of Lots 1-6 of the Subdivision shall be a member of the **Association** by virtue of the record ownership of any of said lots, each entitled to one (1) vote per lot in administering and conducting the business of the **Association.**

3. The powers of the **Association** shall include and be governed by the following provisions set out herein and as, from time to time, determined by the **Association** by a majority vote of the lot owners.

4. The **Association** shall elect a President and Secretary. The owner of Lot 1 shall be designated as Superintendent and Treasurer of the **Association.** The President shall chair meetings and the Secretary shall keep records of meetings and provide notice of any action of the **Association.** The Superintendent shall provide or cause to be provided the services of maintaining the Trust Account, road maintenance, water services and report to the Treasurer collection of payments from the members for the services herein provided.

5. A meeting of the members of the **Association** shall be held not less than annually at Lot 1, or such other place as provided by the **Association**, for the purpose of transacting business of the Association, including but not limited to transacting any business authorized to be transacted by the members.

6. Special members' meetings shall be held whenever called by the President or by a majority of the lot owners, and must be called upon receipt of a written request from two (2) [one- third] of the members. Notice of all members' meetings stating the time and place and the objects for which the meeting is called shall be given by the Secretary, unless waived in writing. Such notice shall be in writing to each member at his address as it appears on the books of the Association or upon the record of ownership as it appears in the records of Bonner County, Idaho, and shall be mailed not less than ten[10] days nor more than sixty[60] days prior to the date of the meeting. Proof of such mailing shall be given by the certification of the person mailing same. A quorum at members' meetings shall consist of members entitled to cast a majority of the votes of the entire membership. The joinder of a member in the action of a meeting by signing and concurring in the minutes thereof as a written consent thereto shall constitute the presence of such member for the purpose of determining a quorum.

7. Amendments to the rules, powers, duties or of any Bylaws adopted by the Association shall be proposed and adopted in the following manner:

a) Notice of the subject matter of the proposed amendment shall be included in the notice of any meeting at which a proposed amendment or change is considered.

b) A resolution adopting a proposed amendment must receive approval of four (4) [two-thirds] of the votes of the entire membership of the **Association**, and members not present at the meetings considering the amendment may express their consent in writing.

c) Initiation. An amendment may be proposed by any of the members of the Association.

d) Effective date. An amendment when adopted shall become effective immediately.

The **Developer** is **FARREN N. WALDEN and DEA JOLENE WALDEN,** 631 N. Warren Avenue, Newport, Washington 99156, ("Developers"), who are the owners of Lots 1-5 of the Subdivision. There is presently one other Lot Owner, namely, **DAVID B. KAY,** a single person, of 15555 N. Atlas Road, Rathdrum, Idaho 83858, ("**Lot Owner**").

Developer has developed, platted and constructed roadways and a water well in that platted subdivision known as Butterworth Draw Subdivision, according to the plat thereof, recorded in Book 6 of Plats, Page 123, Records of Bonner County, Idaho.

1. **Developer** has created an independent account known as the Butterworth Draw Subdivision Maintenance Trust Account (Trust Account) for the purposes set forth in this agreement.

WATER WELL SYSTEM
(OPTIONAL)

2. **Lot Owners** who elect to hook up its lot to the water well system shall be subject to the following terms and conditions:

A. A one-time hook up fee of Six Hundred Dollars ($600.00) shall be paid, in advance, to ~~**Developer**~~ Treasurer, the proceeds of which shall be deposited in the Trust Account, except for Lot 1.

B. Subsequent to a hook up, there shall be a $20.00 per month water fee payable to the Butterworth Draw Subdivision Trust Account, collected by the ~~owner of Lot 1 of~~ Treasurer of said subdivision for the **Association**, $5.00 of which shall be apportioned for power usage of the pump and water well electrical system. The remaining $15.00 of the monthly water fee shall remain in the Trust Account apportioned for maintenance and the uses provided for hereafter.

C. That portion of the monthly water fee apportioned to electrical usage may be adjusted by installing an electrical meter at the pump. Each Lot Owner's water shall be metered; Provided, However, the owner of Lot 1 shall have until July 1, 2002 to install a meter to said Lot

D. Each Lot Owner subscribing to a hook up and use of the common water system shall be liable for the costs of constructing, installing and maintenance of its meter, enclosures, fittings, pipe and other costs or materials of providing and conveying water to its lot.

E. The owners of lots hooked up to the common water system shall meet and confer to control and decide on maintenance, improvements and other matters affecting the common water system as provided for **Association** members, above, each Lot Owner shall having one (1) vote per lot owned. Any Lot Owner who deems it reasonable, prudent or necessary to meet and discuss or decide issues that have arisen shall give each other member hooked up to the system 10 days prior written notice of the need for such a meeting, together with the date, time and place, which shall be convenient for all such Lot Owners, or arrange to meet and confer by conference call if all agree. Lot Owners hooked up to the water system may develop rules and regulations to govern themselves, if the same is deemed necessary by a majority vote of owners of lots hooked up to the water system, or by the other rules and provisions of the **Association** herein made and provided for.

F. The Superintendent, or the Owner of Lot 1 shall have the authority to turn off water to any user that fails to pay the monthly water use fee provided herein. No monthly water use fee shall be charged to any Lot Owner whose water has been shut off.

G. In the event expenses of maintaining the common water well system exceed the amount of money in the Trust Account apportioned for the water system, the Lot Owners who are hooked up and paying the monthly water fee shall share the increased expense equally. This provision does not apply to that portion of the system installed by the individual Lot Owner that comprises his individual water delivery pipe and materials.

ROAD MAINTENANCE

3. Each owner of Lots 1 through 6 of the Butterworth Draw Subdivision shall pay a monthly fee of **Five** Dollars ($5.00) to the owner of Lot 1 for the purpose of maintaining the common main roadway of the Subdivision. Maintenance shall include but not be limited to grading, snow plowing, repair, and the like. Said monthly fee shall be deposited in the Trust Account and apportioned to road maintenance.

4. The **Association** shall meet, confer and decide issues raised by any Lot Owner in the same manner as provided above with regard to said **Association.**

GENERAL PROVISIONS

5. The costs, fees and expenses provided for herein shall not apply to lots owned by the **Developer** until July 1st, 2003, after which the terms of this agreement shall apply to each Lot Owner subscribed to the water system, and to each Lot Owner as to road maintenance.

6. Any Lot Owner aggrieved by any collective decision of the **Association** may submit the aggrieved issue to arbitration, as provided under the Uniform Arbitration Act as adopted and amended from time to time by the State of Idaho, Idaho Code § 7-901, *et. seq.*

7. In the event of arbitration or litigation arising from the provisions of this agreement, the prevailing party shall be entitled to reasonable attorney fees and costs.

8. This agreement shall be governed by the laws of the State of Idaho, venue being Bonner County, Idaho.

9. A Memorandum hereof may be recorded upon the election of any member of the **Association.**

10. This agreement shall be binding upon the parties hereto, their heirs, agents and assigns.

DATED this 6th day of December, 2001.

Warren N. Walden
Seller/Developer

Lot Owner

Dea Irene Walden
Seller/Developer

Lot Owner

BUTTERWORTH DRAW SUBDIVISION ASSN.
Spirit Lake, Idaho

COMMUNITY MEETING

September 8, 2002

PRESENT: Farren Walden, Developer
Jack Kirk, Ruth Kirk, and Ken Ewing - Lot 1
Ervin and Sonja Dove - Lot 3
David and Angie Lehman - Lot 4
Sean Hagerty - Lot 5

ABSENT: Mike Dowrey - Lot 2
Joanne Wheeler - Lot 5
David Kay - Lot 6

The meeting was called to order at 5:15 p.m. by Pastor Jack Kirk of New Life Missions Church. He then introduced Mr. Walden, developer of the Subdivision, explaining that he was present to answer questions and clarify provisions of the Association By-Laws. Mr. Walden, with agreement of those present, was asked to preside and open the meeting with prayer. After prayer, he distributed copies of the By-Laws and noted the following:

1. The purpose of the Assn. is to provide for (a) Road Maintenance and Snow Plowing; (b) Water System Maintenance, Hook-up, and use; (c) Collection of Member fees, Cut-off Requirements, and Member Concerns, and d) Maintenance of Trust Account.

2. The Principal Office of the Subdivision must be located at Lot 1, since the well and pump house are located there. Lot 1 is currently owned by New Life Missions, Inc., a non-profit corporation with a church on the property.

3. The owners of Lot 1 are designated Superintendent and Treasurer of the Association. At present, Rev. Kirk acts as Superintendent, overseeing the maintenance of the Water System and Roads. Ruth Kirk is Treasurer, maintaining Trust Account and financial records.

4. Owner(s) of Lots 1-6 are members of the Association and are entitled to ONE VOTE per Lot in conducting Association business.

WATER SYSTEM

The Community Well is 600 ft. deep, with maximum output of 15 gallons per minute. A 2,000 gallon tank would be required for this size subdivision, and would provide about 1,400 gallon usage. As part of purchase agreement with N.L.M., Mr. Walden agreed to expand the water system by installing a 3,000 gallon tank, with accessories, including a 2 horse-power pump with separate meter line. The agreement requires the Association be responsible for excavation and backfilling. The tank will be installed on the north side of the pump house. There is also need for a separate meter for the well, to determine actual electric usage. This will be installed son as part of agreement with Mr. Walden.

If Lot owners fail to pay Hook-up and/or Monthly Fees, the Association reserves the right to shut off water until fees are paid. There was discussion on how to use a neutral party to do this, but no conclusion reached.

Meters will be installed at each Lot by owner at time of Hook-up.

ROAD MAINTENANCE

After discussion of past road maintenance and snow removal needs, it was decided by unanimous vote to increase the present monthly fee of $5.00 to $10.00, beginning October 2002. Speed limit on the private road, Walden Lane, is to be 15 miles per hour for the safety of children and dust restriction.

ELECTRIC USAGE

At present, the $5.00 per month for electric usage on the water system is paid to New Life Missions Church to reimburse them for payment of uncertain amount that appears on their AVISTA bill. When a separate meter is installed, AVISTA will bill the Association and direct and accurate payment will be made.

MEMBER FEES

Water Hook-up fee is $600.00 per lot, payable at time of hook-up or $100.00 per month, with first payment at time of hook-up. Thereafter, $15.00 per month for water usage, $5.00 electric, and $10.00 for road maintenance, now a total of $30.00 per month.

Sonja Dove was elected Secretary of the Association by unanimous vote. Ruth Kirk has acted as Secretary pro tem for this meeting only.

Financial responsibility of each Lot owner will shown in Treasurer's Report.

The meeting was adjourned.

Respectfully submitted,

Ruth Kirk

RUTH KIRK
Secretary pro tem

Note: A President is to be elected to call for and chair meetings. Sonja Dove

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(OPTIONAL)

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B. Subsequent to a hook up, there shall be a $20.00 per month water fee payable to the Butterworth Draw Subdivision Trust Account, collected by the ~~owner of Lot 1~~ Treasurer of said subdivision for the **Association**, $5.00 of which shall be apportioned for power usage of the pump and water well electrical system. The remaining $15.00 of the monthly water fee shall remain in the Trust Account apportioned for maintenance and the uses provided for hereafter.

C. That portion of the monthly water fee apportioned to electrical usage may be adjusted by installing an electrical meter at the pump. Each Lot Owner's water shall be metered; Provided, However, the owner of Lot 1 shall have until July 1, 2002 to install a meter to said Lot

D. Each Lot Owner subscribing to a hook up and use of the common water system shall be liable for the costs of constructing, installing and maintenance of its meter, enclosures, fittings, pipe and other costs or materials of providing and conveying water to its lot.

E. The owners of lots hooked up to the common water system shall meet and confer to control and decide on maintenance, improvements and other matters affecting the common water system as provided for **Association** members, above, each Lot Owner shall having one (1) vote per lot owned. Any Lot Owner who deems it reasonable, prudent or necessary to meet and discuss or decide issues that have arisen shall give each other member hooked up to the system 10 days prior written notice of the need for such a meeting, together with the date, time and place, which shall be convenient for all such Lot Owners, or arrange to meet and confer by conference call if all agree. Lot Owners hooked up to the water system may develop rules and regulations to govern themselves, if the same is deemed necessary by a majority vote of owners of lots hooked up to the water system, or by the other rules and provisions of the **Association** herein made and provided for.

F. The Superintendent, or the Owner of Lot 1 shall have the authority to turn off water to any user that fails to pay the monthly water use fee provided herein. No monthly water use fee shall be charged to any Lot Owner whose water has been shut off.

G. In the event expenses of maintaining the common water well system exceed the amount of money in the Trust Account apportioned for the water system, the Lot Owners who are hooked up and paying the monthly water fee shall share the increased expense equally. This provision does not apply to that portion of the system installed by the individual Lot Owner that comprises his individual water delivery pipe and materials.

ROAD MAINTENANCE

3. Each owner of Lots 1 through 6 of the Butterworth Draw Subdivision shall pay a monthly fee of **Five** Dollars ($5.00) to the owner of Lot 1 for the purpose of maintaining the common main roadway of the Subdivision. Maintenance shall include but not be limited to grading, snow plowing, repair, and the like. Said monthly fee shall be deposited in the Trust Account and apportioned to road maintenance.

4. The **Association** shall meet, confer and decide issues raised by any Lot Owner in the same manner as provided above with regard to said **Association.**

GENERAL PROVISIONS

5. The costs, fees and expenses provided for herein shall not apply to lots owned by the **Developer** until July 1st, 2003, after which the terms of this agreement shall apply to each Lot Owner subscribed to the water system, and to each Lot Owner as to road maintenance.

6. Any Lot Owner aggrieved by any collective decision of the **Association** may submit the aggrieved issue to arbitration, as provided under the Uniform Arbitration Act as adopted and amended from time to time by the State of Idaho, Idaho Code § 7-901, *et. seq.*

7. In the event of arbitration or litigation arising from the provisions of this agreement, the prevailing party shall be entitled to reasonable attorney fees and costs.

8. This agreement shall be governed by the laws of the State of Idaho, venue being Bonner County, Idaho.

9. A Memorandum hereof may be recorded upon the election of any member of the **Association.**

10. This agreement shall be binding upon the parties hereto, their heirs, agents and assigns.

DATED this 6th day of December, 2001.

Warren N. Walden
Seller/Developer

Lot Owner

Dea Irene Walden
Seller/Developer

Lot Owner

BUTTERWORTH DRAW SUBDIVISION ASSN.
Spirit Lake, Idaho

COMMUNITY MEETING

September 8, 2002

PRESENT: Farren Walden, Developer
Jack Kirk, Ruth Kirk, and Ken Ewing - Lot 1
Ervin and Sonja Dove - Lot 3
David and Angie Lehman - Lot 4
Sean Hagerty - Lot 5

ABSENT: Mike Dowrey - Lot 2
Joanne Wheeler - Lot 5
David Kay - Lot 6

The meeting was called to order at 5:15 p.m. by Pastor Jack Kirk of New Life Missions Church. He then introduced Mr. Walden, developer of the Subdivision, explaining that he was present to answer questions and clarify provisions of the Association By-Laws. Mr. Walden, with agreement of those present, was asked to preside and open the meeting with prayer. After prayer, he distributed copies of the By-Laws and noted the following:

1. The purpose of the Assn. is to provide for (a) Road Maintenance and Snow Plowing; (b) Water System Maintenance, Hook-up, and use; (c) Collection of Member fees, Cut-off Requirements, and Member Concerns, and d) Maintenance of Trust Account.

2. The Principal Office of the Subdivision must be located at Lot 1, since the well and pump house are located there. Lot 1 is currently owned by New Life Missions, Inc., a non-profit corporation with a church on the property.

3. The owners of Lot 1 are designated Superintendent and Treasurer of the Association. At present, Rev. Kirk acts as Superintendent, overseeing the maintenance of the Water System and Roads. Ruth Kirk is Treasurer, maintaining Trust Account and financial records.

4. Owner(s) of Lots 1-6 are members of the Association and are entitled to ONE VOTE per Lot in conducting Association business.

WATER SYSTEM

The Community Well is 600 ft. deep, with maximum output of 15 gallons per minute. A 2,000 gallon tank would be required for this size subdivision, and would provide about 1,400 gallon usage. As part of purchase agreement with N.L.M., Mr. Walden agreed to expand the water system by installing a 3,000 gallon tank, with accessories, including a 2 horse-power pump with separate meter line. The agreement requires the Association be responsible for excavation and backfilling. The tank will be installed on the north side of the pump house. There is also need for a separate meter for the well, to determine actual electric usage. This will be installed son as part of agreement with Mr. Walden.

If Lot owners fail to pay Hook-up and/or Monthly Fees, the Association reserves the right to shut off water until fees are paid. There was discussion on how to use a neutral party to do this, but no conclusion reached.

Meters will be installed at each Lot by owner at time of Hook-up.

ROAD MAINTENANCE

After discussion of past road maintenance and snow removal needs, it was decided by unanimous vote to increase the present monthly fee of $5.00 to $10.00, beginning October 2002. Speed limit on the private road, Walden Lane, is to be 15 miles per hour for the safety of children and dust restriction.

ELECTRIC USAGE

At present, the $5.00 per month for electric usage on the water system is paid to New Life Missions Church to reimburse them for payment of uncertain amount that appears on their AVISTA bill. When a separate meter is installed, AVISTA will bill the Association and direct and accurate payment will be made.

MEMBER FEES

Water Hook-up fee is $600.00 per lot, payable at time of hook-up or $100.00 per month, with first payment at time of hook-up. Thereafter, $15.00 per month for water usage, $5.00 electric, and $10.00 for road maintenance, now a total of $30.00 per month.

Sonja Dove was elected Secretary of the Association by unanimous vote. Ruth Kirk has acted as Secretary pro tem for this meeting only.

Financial responsibility of each Lot owner will shown in Treasurer's Report.

The meeting was adjourned.

Respectfully submitted,

Ruth Kirk

RUTH KIRK
Secretary pro tem

Note: A President is to be elected to call for and chair meetings. Sonja Dove

Butterworth Draw Association

December 15, 2002

Present: Jack Kirk, Ruth Kirk, and Ken Ewing – Lot 1

Mike Dowery – Lot 2

Ervin and Sonja Dove – Lot 3

David Lehman – Lot 4

Joann Wheeler – Lot 5

Not Present:

Leslie 'Angie' Lehman – Lot 4

Sean Haggerty - Lot 5

David Kay – Lot 6

Meeting called to order at 5:25 PM.

I. Revision of previous meeting minutes, Sept. 8, 2002
   a. Discussion of water and road fee adjustment totaling $30.00 monthly
   b. Jack made motion to elect president of association, proposing Ervin Dove.
   c. Road signs to be placed on road for 15 MPH speed limit to address safety and dust control.

II. Vote of President of Association to call and chair meetings.
   a. Ervin Dove, elected president by unanimous vote.

III. Explanation of costs from bank account
   a. Jack provided explanation of water system costs related to water system upgrade as discussed in previous meeting; Sept. 8, 2002.
   b. Jack proposed $300 water hook up fee should property be resold. No conclusion reached.

IV. Superintendent support of pump house
   a. Jack proposed needing assistance with duties of superintendent due to physical limitations. Ervin Dove agreed to support role of superintendent. Mike Dowery offered additional assistance to Ervin Dove should needs arise.
   b. Jack motioned superintendent changes. Changes accepted with unanimous vote.
   c. Discussion of pump house remaining locked during winter to avoid freezing problems.

V. Road Signs
   a. 15 MPH to be posted.
   b. Children at Play sign to be posted along road sign.
   c. Members agree to allow business sign for Lot 4.

No further business to discuss. Meeting adjourned at 6:32 p.m.

Butterworth Draw Association

May 18, 2003

Present: Jack Kirk, and Ken Ewing – Lot 1

Ervin and Sonja Dove – Lot 3

David Lehman – Lot 4

Joann Wheeler – Lot 5

Not Present:

Mike Dowery – Lot 2

David and Leslie 'Angie' Lehman – Lot 4

Sean Haggerty - Lot 5

David Kay – Lot 6

5: 00 PM. No Meeting to call to order. No Quorum.

X

IRS DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
HOLTSVILLE NY 00501-0023

Date of this notice: 05-18-2004

Employer Identification Number:
04-3791318

Form: SS-4

Number of this notice: CP 575 F

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB OF THIS NOTICE.

BUTTERWORTH DRAW WATER AND ROAD
% SONJA DOVE
PO BOX 1081
SPIRIT LAKE ID 83869

000211

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 04-3791318. This EIN will identify your business account, tax returns, and documents even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, please use the label IRS provided. If that isn't possible, you should use your EIN and complete name and address shown above on all federal tax forms, payments and related correspondence. If this information isn't correct, please correct it using the tear off stub from this notice. Return it to us so we can correct your account. If you use any variation of your name or EIN, it may cause a delay in processing and may result in incorrect information in your account. It also could cause you to be assigned more than one EIN.

If you want to apply to receive a ruling or a determination letter recognizing your organization as tax exempt, and have not already done so, you should file Form 1023/1024, Application for Recognition of Exemption, with the IRS Ohio Key District Office. Publication 557, Tax Exempt Status for Your Organization, is available at most IRS offices and has details on how you can apply .

IMPORTANT REMINDERS:

* Keep a copy of this notice in your permanent records.
* Use this EIN and your name exactly as they appear above on all your federal tax forms.
* Refer to this EIN on your tax related correspondence and documents.

Thank you for your cooperation.

(IRS USE ONLY) 575F 05-18-2004 BUTT 0 0132926920 SS-4

00211

Keep this part for your records. CP 575 F (Rev. 1-2004)

Return this part with any correspondence so we may identify your account. Please correct any errors in your name or address.

CP 575 F

0132926920

Your Telephone Number
( ) -
_____

Best Time to Call
_____

DATE OF THIS NOTICE: 05-18-2004
EMPLOYER IDENTIFICATION NUMBER: 04-3791318
FORM: SS-4 NOBOD

INTERNAL REVENUE SERVICE
HOLTSVILLE NY 00501-0023

BUTTERWORTH DRAW WATER AND ROAD ASSOCIATION
% SONJA DOVE
PO BOX 1081
SPIRIT LAKE ID 83869

April 12, 2004

I, Ruth Kirk, released my position of Treasurer of Butterworth Draw Subdivision to Sonja Dove, as of April 12, 2004, with authority to open and close accounts for the Subdivision.

Ruth R. Kirk
P.O. Box 560
Spirit Lake, ID
83869

208-623-6159

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 Mathew Weaver

November 29, 2024

BUTTERWORTH DRAW SUBDIVISION ASSN
PO BOX 1081
SPIRIT LAKE ID 83869-1081

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 95-18519

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 **February 01, 2025**. 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,

Jean Hersley

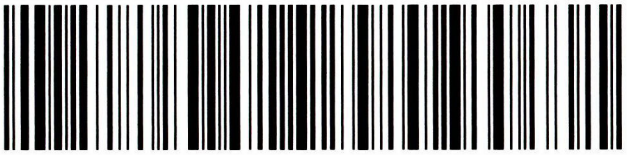
Jean Hersley
Technical Records Specialist II

Enclosure(s)

SCANNED
DEC 03 2024

USPS CERTIFIED MAIL

IDAHO DEPT WATER RESOURCES
322 E FRONT ST
STE 648
BOISE IDAHO 83720-0098



9214 8901 9403 8389 7288 70

BUTTERWORTH DRAW SUBDIVISION ASSN
PO BOX 1081
SPIRIT LAKE ID 83869-1081

Banner Page Note:

SCANNED
DEC 03 2024

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 Mathew Weaver

January 23, 2024

BUTTERWORTH DRAW SUBDIVISION ASSN
PO BOX 1081
SPIRIT LAKE ID 83869-1081

RE: Permit No. 95-18519

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.

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 me at (208) 762-2803.

Sincerely,

Michelle Richman

Michelle Richman
Northern Regional Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on January 23, 2024, I served a true and correct copy of Permit to Appropriate Water No. 95-18519 by U.S. Mail, postage prepaid, to the following:

BUTTERWORTH DRAW SUBDIVISION ASSN (Current Owner)
PO BOX 1081
SPIRIT LAKE ID 83869-1081

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.

AFFIDAVIT OF PUBLICATION

RECEIVED
NOV 0 2 2023
IDWR / NORTH

STATE OF IDAHO)
) ss.
County of Bonner)

RikkiJade Lindstrom, 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 the State of Idaho, and am not a party to the proceedings referred to in the attached Legal Notice.
My business address is P.O. Box 159, Sandpoint, Idaho.

2. I am the Legal Clerk 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 18 day of October, 2023, and ending on the 25 day of October, 2023.

RJ Lindstrom

State of Idaho, county of Bonner ss.
On this 25 day of October, in the year of 2023, before me, Angela Minehart, Notary Public, personally appeared RikkiJade Lindstrom known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she (or they) executed the same.

Angela Minehart
Notary Public
Residing at: Kootenai County

My Commission Expires 03/20/2029

ANGELA MINEHART
NOTARY
PUBLIC
Comm No. 20231353
STATE OF IDAHO

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

95-18519
BUTTERWORTH DRAW SUB-DIVISION ASSN
PO BOX 1081
SPIRIT LAKE, ID 83869-1081
Point of Diversion SESE
S31 T54N R04W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.12 CFS
Use: IRRIGATION
04/01 to 10/31 0.09 CFS
Total Diversion: 0.2 CFS
Date Filed: 10-05-2023
Place Of Use: DOMESTIC, IRRIGATION
T54N R04W S31 SWSE,SESE
Total Acres: 3

97-9746
GOSLING POINT HOA INC
60 CATTAIL LN
PRIEST RIVER, ID 83856-0076
Point of Diversion L7(SWNE)
S32 T56N R04W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.08 CFS
Date Filed: 09-11-2023
Place Of Use: DOMESTIC
T56N R04W S32 L7(SWNE)

97-9747
LARSON'S LANDING, MLD HOMEOWNERS ASSN INC
414 CHURCH ST STE 203
SANDPOINT, ID 83864
Point of Diversion L2(SWNW)
S19 T56N R04W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.13 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 09-28-2023

Place Of Use: DOMESTIC, IRRIGATION, STOCKWATER
T56N R04W S19 L1(NWNW), L2(SWNW)
Place Of Use: DOMESTIC, IRRIGATION, STOCKWATER
T56N R05W S24 NENE,SENE
Total Acres: 16

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 11/6/2023. The protestant must also send a copy of the protest to the applicant. **MATHEW WEAVER,** Director
Legal# 5668
AD# 15565
October 18, 25, 2023

AFFIDAVIT OF PUBLICATION

RECEIVED
NOV 0 2 2023
IDWR / NORTH

STATE OF IDAHO)
) ss.
County of Bonner)

RikkiJade Lindstrom, 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 the State of Idaho, and am not a party to the proceedings referred to in the attached Legal Notice.
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RJ Lindstrom

State of Idaho, county of Bonner ss.
On this 25 day of October, in the year of 2023, before me, Angela Minehart, Notary Public, personally appeared RikkiJade Lindstrom known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she (or they) executed the same.

Angela Minehart
Notary Public
Residing at: Kootenai County

My Commission Expires 03/20/2029

ANGELA MINEHART
NOTARY PUBLIC
Comm No. 20231353
STATE OF IDAHO

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Point of Diversion SESE
S31 T54N R04W
BONNER County
Source GROUND WATER
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01/01 to 12/31 0.12 CFS
Use: IRRIGATION
04/01 to 10/31 0.09 CFS
Total Diversion: 0.2 CFS
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Place Of Use: DOMESTIC, IRRIGATION
T54N R04W S31 SWSE,SESE
Total Acres: 3

97-9746
GOSLING POINT HOA INC
60 CATTAIL LN
PRIEST RIVER, ID 83856-0076
Point of Diversion L7(SWNE)
S32 T56N R04W
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Source GROUND WATER
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Total Diversion: 0.08 CFS
Date Filed: 09-11-2023
Place Of Use: DOMESTIC
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Point of Diversion L2(SWNW)
S19 T56N R04W
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Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.13 CFS
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Use: IRRIGATION
04/01 to 10/31 0.2 CFS
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Date Filed: 09-28-2023

Place Of Use: DOMESTIC, IRRIGATION, STOCKWATER
T56N R04W S19 L1(NWNW), L2(SWNW)
Place Of Use: DOMESTIC, IRRIGATION, STOCKWATER
T56N R05W S24 NENE,SENE
Total Acres: 16
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 11/6/2023. The protestant must also send a copy of the protest to the applicant. **MATHEW WEAVER,** Director
Legal# 5668
AD# 15565
October 18, 25, 2023

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

W.R. # 95 - 18519 APPLICATION ID # 88565 ENT: le BCA PS OK to Publish _____

INITIAL REVIEW

APPLICANT: Butterworth Draw Subdivision Assn BY: le DATE: 10/5/23

ITEM	REQUIRED INFORMATION
1.	(✓) Name and Address
2.	(✓) Source
3.	(✓) Point of Diversion & County
4.	(✓) Quantity
	(✓) Nature of Proposed Use
	(✓) Period of Use
5.	(✓) Total Quantity
6.	(✓) Description of diverting works
7.	(✓) Time required for b/u
8.	(✓) Proposed use
9.	(✓) Place of use or acres irrigated
10.	(✓) Other water Rights
11.	(✓) Ownership
12.	(✓) Map
	(✓) Signature
	(✓) Fee (Amt, receipt, acknowledgement)

*** Send info sheet Y( ) N( )

ADDITIONAL INFORMATION

(Yes)(No)

✓ ___ **Shape File Created** **Date** 10-5-23 **By:** le

___ ___ Field check: by _____

___ ___ Field report attached

___ ___ Analysis Supp. attached(>5cfs/500af)

___ ___ Water delivered by water master? Water District # _____

PROCESSING

(Yes)(No) **PRIORITY DATE:** 10/5/23

✓ ___ (Include Moratorium Remark)

✓ ___ Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN: Bonner County

Newspaper: BCDB Priest River Version

Dates scheduled for publication 10-18-23 & 10-25-23

Affidavit of Publication received: 11-2-23

Dates actually published: 10-18-23 & 10-25-23

Application published correctly. Yes K No ____

If not, action taken: _____

Final Date for Protest: 11-6-23

Protests Received: Yes ____ No ____

LETTERS SENT REQUESTING: N/A

( ) Dam Information ( ) Fish Information

( ) Power Information ( ) Other: _____

INFORMATION RECEIVED:

( ) Dam Information ( ) Fish Information

( ) Power Information ( ) Other: _____

GROUNDWATER SECTION

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
_____	_____	Dom.___ Non-Dom.___	Paid $_____	_____	Y( ) N( )
_____	_____	Dom.___ Non-Dom.___	Paid $_____	_____	Y( ) N( )
_____	_____	Dom.___ Non-Dom.___	Paid $_____	_____	Y( ) N( )

___ ___ Groundwater management area

___ ___ Critical ground water area

___ ___ Well Drilling Permit required

___ ___ Well Drilling Application and Fees received

___ ___ Well Drilling Application approved?

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

___ ___ Notice of pending void order issued. Final order response date: ____/____/____

___ ___ Further information required from applicant _____

___ ___ Measuring device required

___ ___ Measuring port required

___ ___ Special conditions: RPGWMA

___ ___ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: _____ Date: ____/____/____ Sr. Agent initial _____

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 Mathew Weaver

October 12, 2023

BUTTERWORTH DRAW SUBDIVISION ASSN
PO BOX 1081
SPIRIT LAKE, ID 83869-1081

CC:
NEW LIFE MISSIONS
PO BOX 560
SPIRIT LAKE, ID 83869-0560

RE: Application for Permit No. 95-18519

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the BONNER COUNTY DAILY BEE, PRIEST RIVER VERSION on 10/18/2023 and 10/25/2023. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Taya Sharp
Administrative Assistant

Legal Notice for Bonner County Daily Bee, Priest River Version

Sharp, Taya <Taya.Sharp@idwr.idaho.gov>
Thu 10/12/2023 11:21 AM
To:Bonner County Daily Bee (bcdblegals@cdapress.com) <bcdblegals@cdapress.com>

1 attachments (154 KB)
BCDB Priest River Version Legal Notice.pdf;

Please publish the enclosed legal notice in the **Bonner County Daily Bee, Priest River Version** on the dates indicated **October 18th & October 25th, 2023** (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

Please send a proof once you have the article ready for print for our review.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before **November 6th, 2023.** Your cooperation is appreciated.

Thank you,

IDAHO DEPARTMENT OF WATER RESOURCES

Taya Sharp | Administrative Assistant
Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone: (208)762-2800

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

95-18519
BUTTERWORTH DRAW SUBDIVISION ASSN
PO BOX 1081
SPIRIT LAKE, ID 83869-1081
Point of Diversion SESE
S31 T54N R04W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.12 CFS
Use: IRRIGATION
04/01 to 10/31 0.09 CFS
Total Diversion: 0.2 CFS
Date Filed: 10-05-2023
Place Of Use: DOMESTIC, IRRIGATION
T54N R04W S31 SWSE,SESE
Total Acres: 3

97-9746
GOSLING POINT HOA INC
60 CATTAIL LN
PRIEST RIVER, ID 83856-0076
Point of Diversion L7(SWNE)
S32 T56N R04W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.08 CFS
Date Filed: 09-11-2023
Place Of Use: DOMESTIC
T56N R04W S32 L7(SWNE)

97-9747
LARSON'S LANDING, MLD HOMEOWNERS ASSN INC
414 CHURCH ST STE 203
SANDPOINT, ID 83864
Point of Diversion L2(SWNW)
S19 T56N R04W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.13 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 09-28-2023
Place Of Use: DOMESTIC, IRRIGATION, STOCKWATER
T56N R04W S19 L1(NWNW), L2(SWNW)
Place Of Use: DOMESTIC, IRRIGATION, STOCKWATER
T56N R05W S24 NENE,SENE
Total Acres: 16

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 11/6/2023. The protestant must also send a copy of the protest to the applicant.
MATHEW WEAVER, Director Published on 10/1/8/2023 and 10/25/2023