State of Idaho
Department of Water Resources

Water Right License

Water Right No. 95-18463

Priority: May 15, 2023

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.2 AF

It is hereby certified that:

ANTHONY C COLTER 7276 E REVILO POINT RD HAYDEN ID 83835

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 15, 2023, and has submitted Proof of Beneficial Use on August 17, 2023. An examination confirms water is diverted from:

Source : HAYDEN LAKE **Tributary:** SINKS

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

Location of Point(s) of Diversion
HAYDEN LAKE SW¼ NE¼, Sec. 3, Twp 51N, Rge 03W, B.M. KOOTENAI 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	
51N	03W	3			X L5														

Conditions of Approval

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 95A.
2. Place of use is located within Lot 2, Blk 1; McCauley Tracts First Addition Subdivision.
3. Domestic use is for 1 home.
4. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
5. 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 8th day of September, 2023.

PHILL HUMMER
Water Rights Supervisor

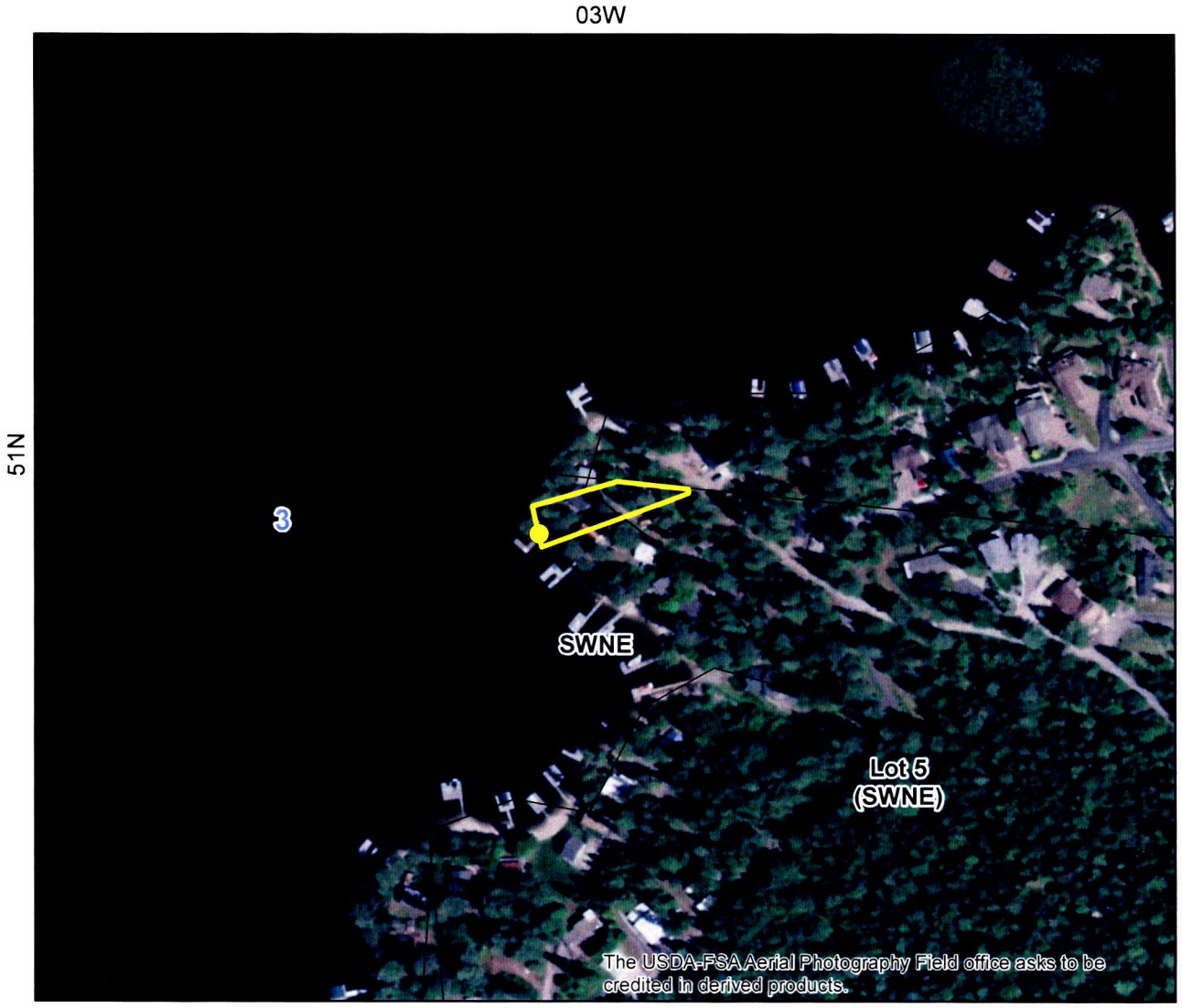
SCANNED
SEP 08 2023

State of Idaho
Department of Water Resources

Attachment to Water Right

95-18463

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.



0 0.035 0.07 0.14 Miles

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

N

SCANNED
SEP 08 2023

Form 42-217 Rev. 6/22

RECEIVED
AUG 17 2023
IDWR NORTH

RECEIVED
AUG 22 2023
DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEMENT OF COMPLETION

FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY	
Amt. of Fee $	100-
Receipt No.	N043954
Receipted By	JS
Date Receipted	8/17/23

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.

1. Permit No. 95-18463 Name of Permit Holder(s) Anthony C Colter

Telephone No. 406-691-0337 Email accolter@outlook.com

Mailing Address 7276 E Revilo Pt. Rd. City Hayden State ID Zip 83835

2. Source of Water Hayden Lake If Ground Water (well), Date Drilled mo. _____ / yr. _____

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

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

Domestic (No. households) 1 Irrigation (No. acres) < ½ Stockwater (No. and stock type) _____

Other Plants and trees, no lawn

4. 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.

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

¾ hp submersible pump (R.C. Worst) in Hayden Lake, 2" poly pipe to house, sediment filtration & UV light purification in house.

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

Required?	Yes	No	(If "Yes", attach required data, evidence of compliance, or evidence of installation)
☐	☐	☒	Ground water level data, pumping information, or other diversion data
☐	☐	☒	Mitigation plan
☐	☐	☒	Lockable controlling works
☐	☐	☒	Measuring device
☒	☒	☐	Fish screen
☒	☒	☐	Other requirements of the water right permit Domestic 1 home, irrigation <.965 AC lot size
	☐	☐	Reasonably Anticipated Future Needs ("RAFN") Municipal use

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

7. Fee Enclosed $ 100.00 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.

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

Name: Anthony C Colter Telephone No. 406-691-0337 Email accolter@outlook.com

Mailing Address 7276 E Revilo Pt. Rd City Hayden State ID Zip 83835

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.

SIGNATURE OF PERMIT HOLDER*	PRINTED NAME AND TITLE	DATE
	Anthony C. Colter	8-17-23

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

SCANNED
SEP 08 2023

Kootenai County, Idaho

Maptile Location within Township

6	5	4	3	2	1	
7	8	9	10	11	12	
18	17	16	15	14	13	
19	20	21	22	23	24	
30	29	28	27	26	25	
31	32	33	34	35	36	

N W E S

THIS DRAWING IS TO BE USED FOR REFERENCE PURPOSES ONLY. THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES CONTAINED HEREIN.

Map Revisions

07/14/10 - VMW
0-5040-000-007-0 combined w/ 0-5080-002-008-0 (now -A) (11)

02/28/11 - VMW
0-5620-000-011-B & 014-A redrawn to match Tax# records - acreage & front footage corrected (11)

01/27/12 - JB
0-J338-000-00B-0 combined w/ 000-00A-0(now -A) (12)

02/25/13 - ET
Ptn of 0-5620-000-014-A redescribed as Tax #23435 (13)
WATERS EDGE CT combined w/parcels in NORTH SHORE TRACTS as common area (13)

02/13/15 - bc
51N03W-03-2390 out of 2300 as Tax#23944 (16)

12/16/15 - TH
0-5620-000-014-A platted into ROBINSON TRACT (16)

05/06/18 - JP
Ptn 0-5620-000-008-A combined w/ 007-0 (now -A) & redescribed as Tax#25199; ptn 008-A redescribed as Tax#25198 (19)

12/7/20 - JP
Ptn 0-K238-001-002-A & ptn 0-5620-000-010-A combined w/ 0-K238-001-001-A & redescribed as Tax#26128 (21)

10/21/21 - GP
0-5620-000-010-A redescribed as Tax#26568 (22)

Notes:

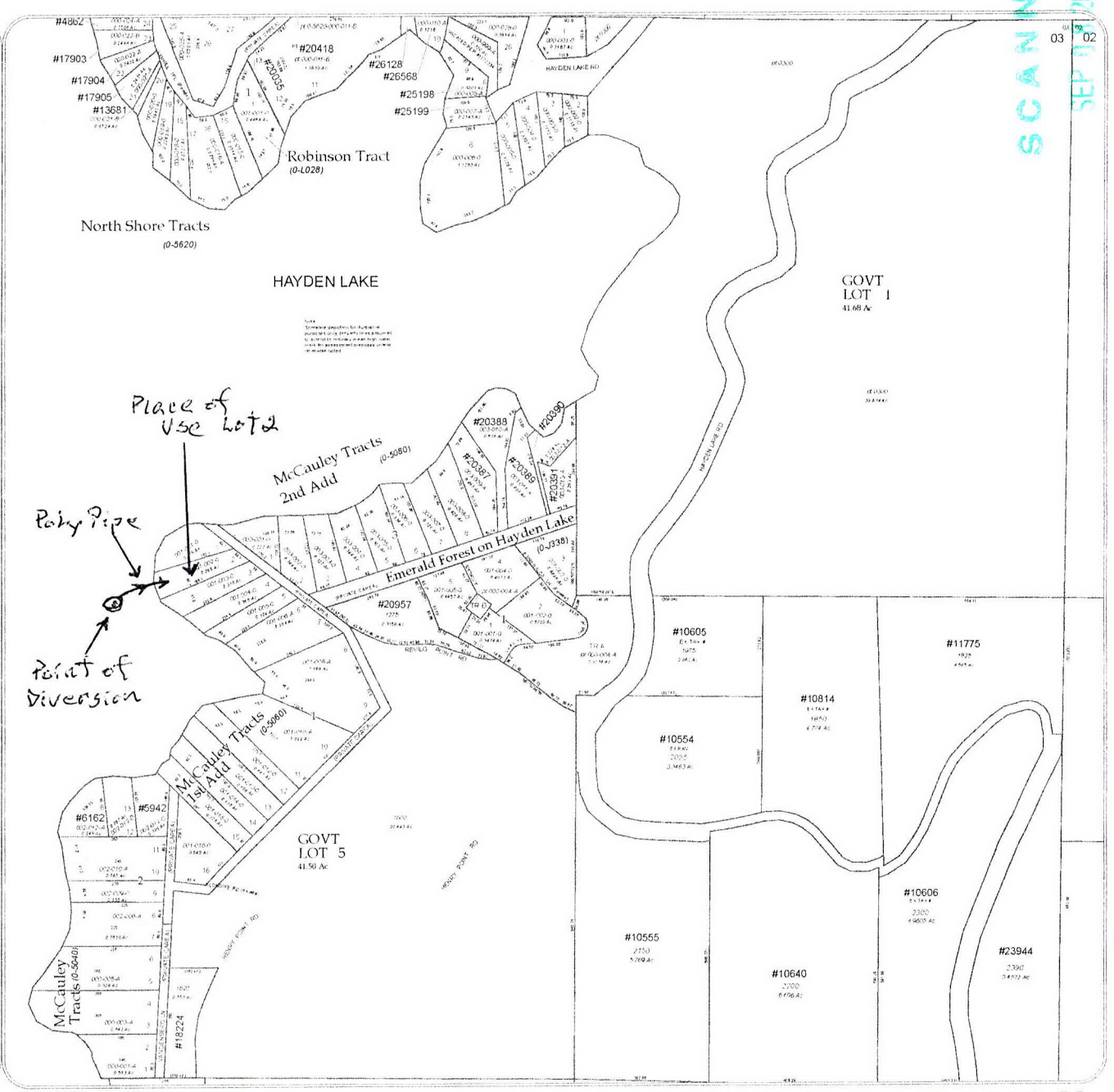
Parcel areas have been calculated by traverse closure when sufficient information has been available. Area shown is Net Assessable Area. Right-of-Way, where applicable, has been subtracted. Distances and curve lengths less than 50' may not be shown due to scale limitations. Dimensions in parenthesis denote record and/or platted lot dimensions.

LOCATION OF ROADS SHOWN ARE BASED ON ADDRESSABLE ROAD INFORMATION AND MAY OR MAY NOT BE PUBLIC

Parcel Identification Number (PIN) are comprised as follows:
Platted: Sub-code and Parcel ID# ex. C-3516 and 021-999-C Resulting PIN = C-3516 021-999-C or C3516021999C
Unplatted: Twp/Rng/Sec and Parcel ID# ex. 50N03W-16 and 7950 Resulting PIN = 50N03W-16-7950 or 50N03W167950

Legend

(C-5357) Sub-code	TaxParcels	Private Roads	City Limits
001-001-A Parcel ID# (PIN)	LegalAreas	Plat Boundaries	GCDB_Corners
	Road RW	Railroad	GCDB_Lines



Maptile: 51N03W03NE

NE Sec. 03 Twp 51 N. R. 3 W. B. M.

SCANNED SEP 19 2023

03 02




QD Control Box

State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 95-18463

Priority: May 15, 2023 **Maximum Diversion Rate:** 0.04 CFS

This is to certify that

ANTHONY C COLTER 7276 E REVILO POINT RD HAYDEN ID 83835

has applied for a permit to appropriate water from:

Source : HAYDEN LAKE **Tributary:** SINKS

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

Beneficial Use	Period of Use	Rate of Diversion
DOMESTIC	01/01 to 12/31	0.04 CFS

Location of Point(s) of Diversion

HAYDEN LAKE SW¼ NE¼, Sec. 3, Twp 51N, Rge 03W, B.M. KOOTENAI 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	
51N	03W	3			X L5														
51N	03W	3			X														

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **July 01, 2024.**
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. Place of use is located within Lot 2, Blk 1; McCauley Tracts First Addition Subdivision.
5. Domestic use is for 1 home.
6. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
7. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 95A.
8. 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 28 day of June, 2023.

LUKE BATES
Interim Water Rights Supervisor

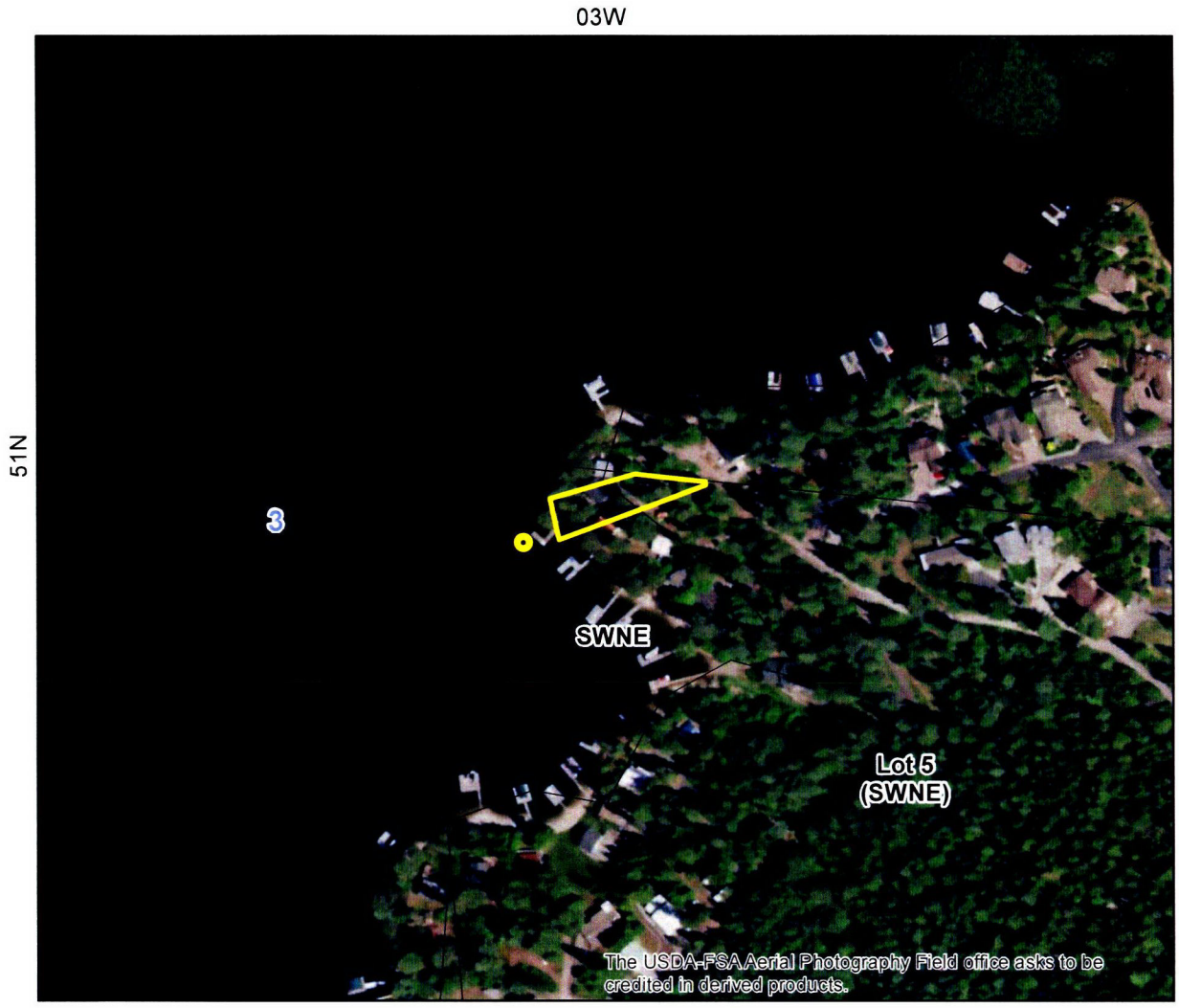
SCANNED
JUL 26 2023

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

95-18463

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.



0 0.035 0.07 0.14 Miles

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

N

SCANNED
JUL 26 2023

FORM 202 Rev. 09/16

RECEIVED

MAY 15 2023

IDWR / NORTH

STATE OF IDAHO 87930

DEPARTMENT OF WATER RESOURCES

Ident. No. 95-18463

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Anthony C. Colter Phone 406-691-0337

Name connector (check one): ☐ and ☐ or ☐ and/or

Mailing address 7276 E Revilo Pt. Rd. City Hayden

State ID ZIP 83835 Email accolter@outlook.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 Hayden Lake which is a tributary of ~~Spokane River Basin~~ Sinks

4. Location of point(s) of diversion: Corr 5/15/23

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
51N	03W	3	5		SW	NE	Kootenai	Hayden Lake	

5. Water will be used for the following purposes:

Amount ~~.02~~ .04 cfs (cfs or acre-feet per year) for domestic purposes from 1/1 to 12/31 (both dates inclusive) Corr 5/15/23

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)

Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)

6. Total quantity to be appropriated is (a) ~~.02~~ .04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af). Corr 5/15/23

7. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. 3/4 hp submersible pump in Hayden Lake, poly pipe to house

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 _____ inches; proposed depth of well is _____ 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. _____.

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee $ 100.00 Receipted by _____ Receipt No. N043353 Date 5-15-2023

SCANNED

MAY 25 2023

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 1 home
   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	
51N	03W	3			D														
					LS														
					D														

Total number of acres to be irrigated: _____

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? Domestic use for one home and landscaping

11. a. Who owns the property at the point of diversion? State of Idaho (Hayden Lake)
    b. Who owns the land to be irrigated or place of use? Anthony C. Colter
    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. Submersible pump in Hayden Lake to in house 50 gallon holding tank. Work contracted to RC Worst of CDA Idaho.

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.

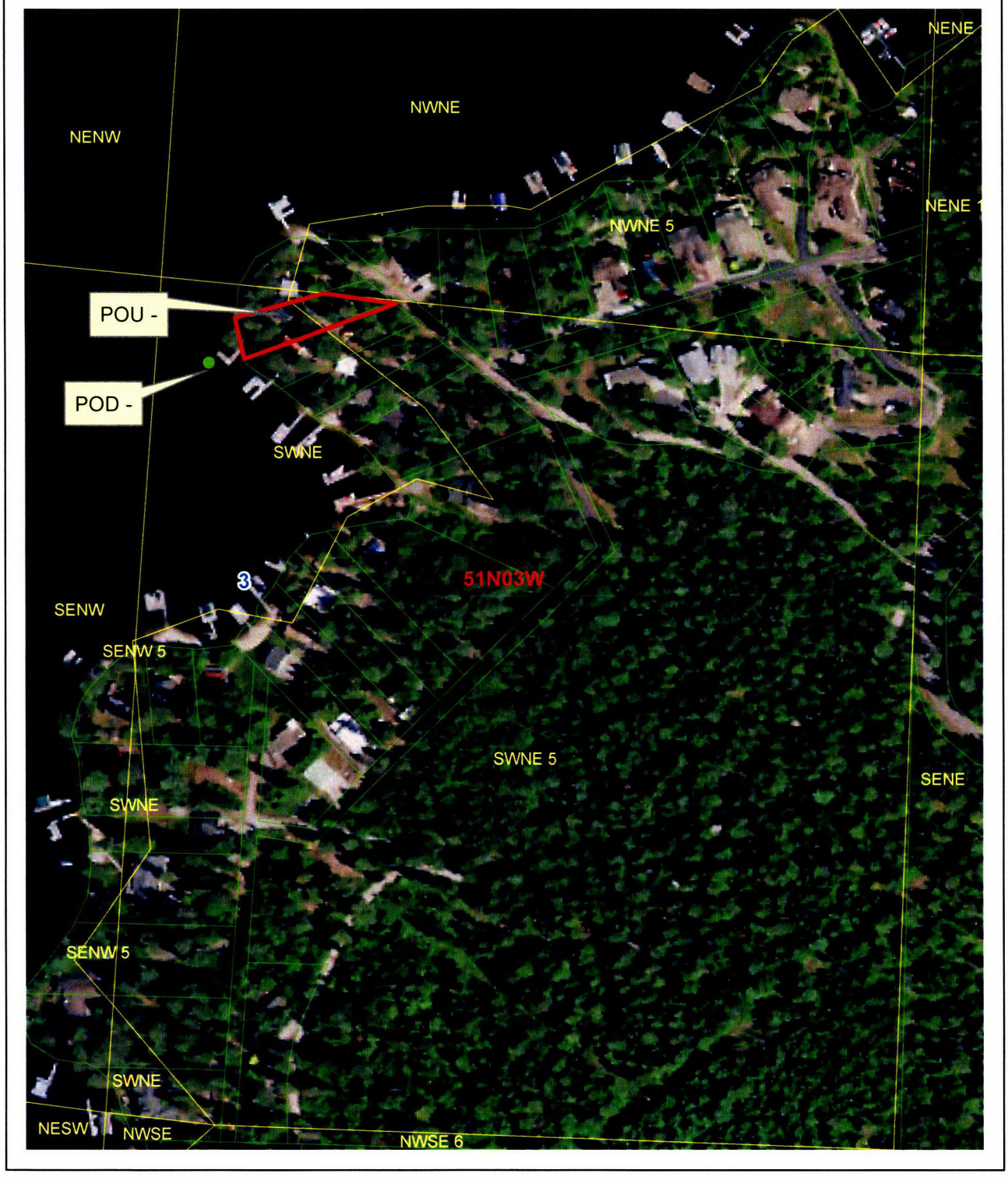
Signature of Applicant

Anthony C. Colter
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

SCANNED
MAY 25 2023



Legend

- Township/Range
- Sections
- QQ

0 0.025 0.05 0.1 Miles

N

NOTE: Aerial imagery for illustrative purpose only.
Imagery may be shifted compared to survey plat map.

SCANNED
MAY 25 2023

Kootenai County, Idaho

MapTile Location within Township

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

N W E S

THIS DRAWING IS TO BE USED FOR REFERENCE PURPOSES ONLY. THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES CONTAINED HEREIN.

Map Revisions

07/14/10 - VMW
0-5040-000-007-0 combined w/ 0-5060-002-008-0 (now -A) (11)

02/28/11 - VMW
0-5620-000-011-B & 014-A redrawn to match Tax# records - acreage & front footage corrected (11)

01/27/12 - JB
0-J338-000-00B-0 combined w/ 000-00A-0(now -A) (12)

02/25/13 - ET
Ptn of 0-5620-000-014-A redescribed as Tax #23435 (13)
WATERS EDGE CT combined w/parcels in NORTH SHORE TRACTS as common area (13)

02/13/15 - bc
51N03W-03-2390 out of 2300 as Tax#23944 (15)

12/16/15 - TH
0-5620-000-014-A platted into ROBINSON TRACT (16)

05/08/18 - JP
Ptn 0-5620-000-008-A combined w/ 007-0 (now -A) & redescribed as Tax#26199; ptn 008-A redescribed as Tax#26198 (19)

12/7/20 - JP
Ptn 0-K238-001-002-A & ptn 0-5620-000-010-A combined w/ 0-K238-001-001-A & redescribed as Tax#26128 (21)

10/21/21 - GP
0-5620-000-010-A redescribed as Tax#26568 (22)

Notes:

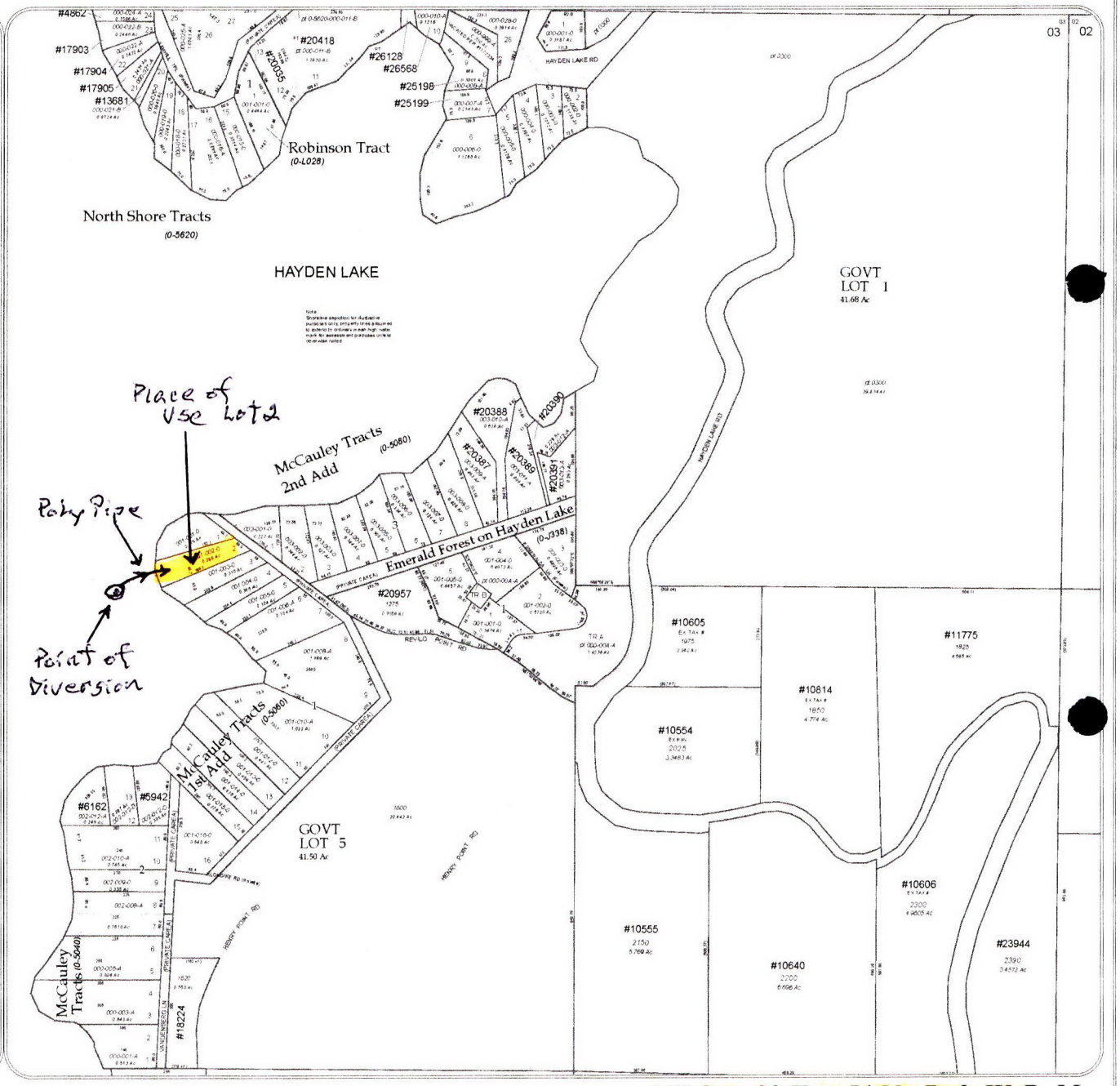
Parcel areas have been calculated by traverse closure when sufficient information has been available. Area shown is Net Assessable Area. Right-of-Way, where applicable, has been subtracted. Distances and curve lengths less than 50' may not be shown due to scale limitations. Dimensions in parenthesis denote record and/or platted lot dimensions.

LOCATION OF ROADS SHOWN ARE BASED ON ADDRESSABLE ROAD INFORMATION AND MAY OR MAY NOT BE PUBLIC

Parcel Identification Number (PIN) are comprised as follows:
Platted - Sub-code and Parcel ID# ex. C-3510 and 021-999-C — Resulting PIN = C-3510-021-999-C or C3510021999C
Unplatted - Twp/Rng/Sec and Parcel ID# ex. 50N03W-16 and 7950 — Resulting PIN = 50N03W-16-7950 or 50N03W167950

Legend

(C-5357) Sub-code
001-001-A Parcel ID# (PIN)
TaxParcels
LegalAreas
Road RW
Private Roads
Plat Boundaries
Railroad
City Limits
GCDB_Corners
GCDB_Lines



0 50 100 200 300 400 500 600 Feet

Maptile: 51N03W03NE

NE Sec. 03 Twp 51 N. R. 3 W. B. M.

MAY 2 5 2023
SCANNED

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

September 08, 2023

ANTHONY C COLTER
7276 E REVILO POINT RD
HAYDEN ID 83835

RE: License No. 95-18463

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
SEP 08 2023

CERTIFICATE OF SERVICE

I hereby certify that on September 11, 2023, I served a true and correct copy of Water Right License No. 95-18463 by U.S. Mail, postage prepaid, to the following:

ANTHONY C COLTER (Current Owner)
7276 E REVILO POINT RD
HAYDEN ID 83835

Jean Hersley
Technical Records Specialist 2

SCANNED
SEP 08 2023

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.

SCANNED
SEP 08 2023

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
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 95-18463
Exam Date: 9/5/2023

1. Current Owner:
ANTHONY C COLTER 7276 E REVILO POINT RD HAYDEN ID 83835

2. 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 < >

3. **SOURCE:** HAYDEN LAKE

Tributary SINKS

Method of Determination: GIS ArcMap Tools, Aerial Imagery, and Taxlot Data

B. OVERLAP REVIEW

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

Water Right No.	Source	Purpose of Use	Basis

Comments: None

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

Water Right No.	Source	Purpose of Use	Basis

Comments: None

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**
HAYDEN LAKE SW¼ NE¼, Sec. 3, Twp 51N, Rge 03W, B.M. KOOTENAI County

Method of Determination: GIS ArcMao Tools, Taxlot Data, and Information Provided by Permit Holder

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	
51N	03W	3			X L5														
51N	03W	3			X														

Method of Determination: GIS ArcMap Tools, and Taxlot Data

SCANNED
SEP 0 8 2023

3.

_____ Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.

__X__ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.

__N/A__ Aerial Photo Attached (required for irrigation of 10+ acres).

__X__ Photo of Diversion and System Attached

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A	N/A	3/4	N/A	RC Worst	2"

D. FLOW MEASUREMENTS

1.

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

2. Measurements: No measurement is required for an in-house examination. However, a quick theoretical calculation determined that a diversion rate of 0.04 cfs is reasonable using a ¾ hp submersible pump from the lake up to the house.

E. FLOW CALCULATIONS

__X__ Additional Computation Sheets Attached

Measured Method: No measurement was taken, nor was it required as per IDAPA 37.03.02.

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation: N/A

2. Volume Calculations for Other Uses: None

G. NARRATIVE/REMARKS/COMMENTS

This permit qualifies for an in-house exam because the domestic diversion rate is less than 0.24 cfs. The exam was conducted on September 5, 2023 by Justin Shearer. Ownership of the permit is in the name of Anthony C Colter. Current Kootenai County taxlot data represents Anthony C Colter owns the land appurtenant to the place of use (POU) and Point of Diversion (POD). Proof of Beneficial Use was submitted August 17, 2023. No ownership change is required.

The owner indicated that they have a ¾ hp submersible pump installed. A quick theoretical analysis shows that a diversion rate of 0.04 cfs is possible with a ¾ hp pump. Taxlot data represents that the POD and POU are accurate as described on the permit. Aerial imagery available to the Department indicates that a Domestic POU of 1 home and irrigation less than ½ acre has been developed. As a result, I am recommending the full permitted amount of 0.04 cfs for domestic purposes. I am

SCANNED
SEP 18 2023

not recommending any volume since Domestic uses are exempt from reporting volume as per IDAPA 37.03.02 Beneficial Use Exam Rules.

volume added because source is surface water and permit is not condition to meet definition of Domestic use.

Condition 029 requiring the permit holder to comply with all fish screening and/or fish passage requirements of the IDFG was placed on the permit. Comments from IDFG were sought at time of advertising the application for permit and no comments were received requiring a fish screen. Mr. Colter indicated on his statement of completion for submitting proof of beneficial use that a fish screen had been installed. For this reason, it is appropriate to remove this condition at licensing as per department standards. All other conditions should be carried over to the license.

Have conditions of permit approval been met? X Yes ____ No

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Diversion	
DOMESTIC	01/01 to 12/31	0.04 CFS	

Totals: 0.04 CFS

2. Recommended Amendments

____ Change P.D. as reflected above ____ Add P.D. as reflected above X None

____ Change P.U. as reflected above ____ Add P.U. as reflected above X None

I. AUTHENTICATION

Justin Shearer -

Field Examiner's Name _____ Date 9/6/2023

Reviewer _____ Date 9/8/23

SCANNED
SEP 08 2023

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 65-22333
Reviewer: Justin Shearer
Date of Review: 9/5/2023

P/D No.:	Senerio 1	Senerio 2	Senerio 3	
PUMP HORSEPOWER	0.75	0.75	0.75	
BOOSTER HORSEPOWER	0	0	0	
PUMPING LEVEL	20	20	20	
DISCHARGE PRESSURE	30	40	50	
RATE OF FLOW (cfs)	0.05	0.04	0.03	0.04

The above calculates the formula = $$Q = \frac{8.8 * (\text{Efficiency}) * hp}{\text{depth to water} + 2.31*(psi)+\text{friction}}$$

Assumptions: %70 efficiency.
No Friction

Examiners Notes:

A 3/4 hp pump is used for this domestic use. Lift was measured using google earth elevation information. Because pumping elevation at the lake is 2,240 ft (asl) and the house sits at 2,260 ft (asl), lift opography from the lake waters to the house measure close to 20 feet. A range of discharge pressures were used based on the ratings for the model of pump being used (30-40 psi). Theoretical average flow rate is 0.04 cfs.

SCANNED
SEP 08 2023

Beneficial Use Proof Evaluation

Permit Number: 95-18463 Reviewer: AVeibell Review Date: 8/23/2023

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: 8/17/2023
4) Proof Due Date: 7/1/2024
5) Days added for weekend due date? 0
6) Days added for holiday due date? 0
7) Number of days late: -319
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 -- Yes
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: $100.00
5) Remaining fee or (refund): ($50.00)

Receipt IDs

N043353

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

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

June 30, 2023

ANTHONY C COLTER
7276 E REVILO POINT RD
HAYDEN ID 83835

RE: Permit No. 95-18463

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
JUL 2 6 2023

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,

Luke Bates
Interim Water Rights Supervisor

Enclosure(s)

SCANNED
JUL 26 2023

CERTIFICATE OF SERVICE

I hereby certify that on June 30, 2023, I served a true and correct copy of Permit to Appropriate Water No. 95-18463 by U.S. Mail, postage prepaid, to the following:

ANTHONY C COLTER (Current Owner)
7276 E REVILO POINT RD
HAYDEN ID 83835

Tammy Alleman
Administrative Assistant 1

SCANNED
JUL 26 2023

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.

SCANNED
JUL 2 6 2023

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.

SCANNED
JUL 2 6 2023

AFFIDAVIT OF PUBLICATION

RECEIVED
JUN 16 2023
IDWR / NORTH

STATE OF IDAHO)
) ss.
County of Kootenai)

RikkiJade Lindstrom, being first duly sworn upon oath, deposes and states:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press", a newspaper printed and published daily in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The Legal Notice of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive Weeks commencing on the 1 day of June, 2023, and ending on the 8 day of June, 2023, and such publication was made as often during said period as said daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

RS Lindstrom

On this 8 day of June in the year of 2023 before me, a Notary Public, personally appeared RikkiJade Lindstrom, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

ANGELA MINEHART NOTARY PUBLIC Comm No. 20231353 STATE OF IDAHO

Angela Minehart
Notary Public for the State of Idaho
Residing in Coeur d'Alene, Idaho

My Commission Expires 03/20/2029

SCANNED
JUL 26 2023

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

95-18444
JARITT RUCINSKY
ROBIN RUCINSKY
11846 N RIMROCK RD
HAYDEN, ID 83835-9850
Point of Diversion L6(NWSW)
S6 T53N R02W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.1 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: FIRE PROTECTION
01/01 to 12/31 0.2 CFS
Use: IRRIGATION
04/01 to 10/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 04-20-2023
Place Of Use: DOMESTIC,-FIRE PROTECTION,IRRIGATION,STOCKWATER
T53N R02W S6
L6(NWSW),L7(SWSW)
Place Of Use: DOMESTIC,-FIRE PROTECTION,IRRIGATION,STOCKWATER
T53N R03W S1 NESE
Total Acres: 20

95-18458
MICHAEL F ALLEN
CONNIE E ALLEN
328 E AUGUSTA AVE
SPOKANE, WA 99207-2411
Point of Diversion L5(SWSW)
S19 T48N R04W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 05-05-2023
Place Of Use: DOMESTIC
T48N R04W S19 L5(SWSW)

95-18462
SCHESCHUK LAKE LLC
242 N LIBERTY RIDGE DR
LIBERTY LAKE, WA 99019
Point of Diversion NESW
S20 T48N R04W
KOOTENAI County
Source LAKE COEUR D ALENE
Tributary SPOKANE RIVER
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: IRRIGATION
03/15 to 11/15 0.06 CFS
Total Diversion: 0.12 CFS
Date Filed: 05-08-2023
Place Of Use: DOMESTIC, IRRIGATION
T48N R04W S20
L3(NESW),L3(SENW),NESW
Total Acres: 2

95-18463
ANTHONY C COLTER
7276 E REVILO POINT RD
HAYDEN, ID 83835
Point of Diversion SWNE
S3 T51N R03W
KOOTENAI County
Source HAYDEN LAKE
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 05-15-2023
Place Of Use: DOMESTIC
T51N R03W S3
L5(SWNE),SWNE

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

6/20/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
Legal#10705
AD#9644
June 1, 8, 2023

SCANNED
JUL 2 6 2023

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

W.R. # 95 - 18463 APPLICATION ID # 87930 ENT. YB BCA SR OK to Publish MR

INITIAL REVIEW BY: YB DATE: 5/15/23

APPLICANT: Anthony C Colter

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 5/15/23 By: YB

___ ___ Field check: by _____

___ ___ Field report attached

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

___ ___ Water delivered by water master? Water District # 95A HAYDEN

PROCESSING

(Yes)(No)

✓ ___ (Include Moratorium Remark)

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

PRIORITY DATE: 5/15/23

ADVERTISE IN: Kootenai County

Newspaper: Coeur d'Alene Press

Dates scheduled for publication 6-1-23 & 6-8-23

Affidavit of Publication received: 6-16-23

Dates actually published: 6-1-23 & 6-8-23

Application published correctly. Yes Y No ___

If not, action taken: _____

Final Date for Protest: June 20, 2023

Protests Received: Yes ___ No Y

LETTERS SENT REQUESTING: DEQ, IDFG, IDL

( ) 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: Ref Clarification Memo

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

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

___ ___ Further information required from applicant _____

___ ___ Measuring device required Conv & x60 - LT2, Blk1; McCauley Tracts 1st Addition Sub.

___ ___ Measuring port required

___ ___ Special conditions: Conv & ROS water district (95A)

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

Approval Recommended by: _____ Date: 6/28/23 Sr. Agent initial Interim Supervisor

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

May 25, 2023

ANTHONY C COLTER
7276 E REVILO POINT RD
HAYDEN, ID 83835

RE: Application for Permit No. 95-18463

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 COEUR D ALENE PRESS on 6/1/2023 and 6/8/2023. 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,

Tammy Alleman
Administrative Assistant

SCANNED
MAY 25 2023

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, May 25, 2023 11:29 AM
To: Chantilly Higbee; Horsmon,Merritt; 'Mike Ahmer'
Subject: Request for Comments WR#95-18463
Attachments: 95-18463 Application for Permit.pdf

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced Water Right Permit application. You can find copies of the application at: https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx
This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of the application(s), you may do so after the notice is published by filing a written protest along with a $25.00 filing fee within 10 days after final publication. The deadline for comments on the applications is June 20, 2023.

Please contact the Northern Region Office at (208) 762-2800 if you have any questions regarding the Permit application.

Thank you,

Tammy

IDAHO DEPARTMENT OF WATER RESOURCES

Tammy Alleman | 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

SCANNED
MAY 25 2023

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, May 25, 2023 9:50 AM
To: LEGALS@CDAPRESS.COM
Subject: Legal Notice for Coeur d'Alene Press
Attachments: Legal Notice for 95-18444, 95-18458, 95-18462, & 95-18463.docx

Please publish the enclosed legal notice in the **Coeur d'Alene Press** on the dates indicated **June 1st & June 8th, 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 **June 20, 2023.** Your cooperation is appreciated.

Sincerely,

IDAHO DEPARTMENT OF WATER RESOURCES

Tammy Alleman | 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

SCANNED
MAY 25 2023

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
95-18444
JARITT RUCINSKY
ROBIN RUCINSKY
11846 N RIMROCK RD
HAYDEN, ID 83835-9850
Point of Diversion L6(NWSW)
S6 T53N R02W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.1 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: FIRE PROTECTION
01/01 to 12/31 0.2 CFS
Use: IRRIGATION
04/01 to 10/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 04-20-2023
Place Of Use: DOMESTIC,FIRE PROTECTION,IRRIGATION,STOCKWATER
T53N R02W S6
L6(NWSW),L7(SWSW)
Place Of Use: DOMESTIC,FIRE PROTECTION,IRRIGATION,STOCKWATER
T53N R03W S1 NESE
Total Acres: 20

95-18458
MICHAEL F ALLEN
CONNIE E ALLEN
328 E AUGUSTA AVE
SPOKANE, WA 99207-2411
Point of Diversion L5(SWSW)
S19 T48N R04W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 05-05-2023
Place Of Use: DOMESTIC
T48N R04W S19 L5(SWSW)

95-18462
SCHESCHUK LAKE LLC
242 N LIBERTY RIDGE DR
LIBERTY LAKE, WA 99019
Point of Diversion NESW
S20 T48N R04W
KOOTENAI County
Source LAKE COEUR D ALENE
Tributary SPOKANE RIVER
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: IRRIGATION
03/15 to 11/15 0.06 CFS
Total Diversion: 0.12 CFS
Date Filed: 05-08-2023
Place Of Use: DOMESTIC,IRRIGATION
T48N R04W S20
L3(NESW),L3(SENW),NESW
Total Acres: 2

95-18463
ANTHONY C COLTER
7276 E REVILO POINT RD
HAYDEN, ID 83835
Point of Diversion SWNE
S3 T51N R03W
KOOTENAI County

SCANNED
MAY 25 2023

Source HAYDEN LAKE
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 05-15-2023
Place Of Use: DOMESTIC
T51N R03W S3
L5(SWNE),SWNE

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 6/20/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director Published on 6/1/2023 and 6/8/2023

SCANNED
MAY 25 2023

MEMORANDUM

May 15, 2023

Application for Permit: 95-18463

Author: LBates JSB 5.15.23

Subject: POD legal desciption clarification

Applicant developed filing with assistance from Department adjudication staff personnel; the Point of Diversion (POD) legal description includes Government Lot 5 designation of the SW¼NE¼ , Sec 3, Twp 51N, Rge 03W.

During application processing IDWR staff determined the POD is not on the governmental lot portion of the SW¼NE¼, rather identified to be in the SW¼NE¼ PLSS description. During application processing in ADHOC the POD was clarified to remove the government lot designation. This doesn't affect change in the priority date for processing purposes.

SCANNED
MAY 25 2023