

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF PERMIT NO. 97-8688	)	PRELIMINARY ORDER
IN THE NAME OF DENISE NICKERSON	)	REINSTATING PERMIT
<u>AND DALE NICKERSON</u>	)	

This matter having come before the Idaho Department of Water Resources (“Department”), the Department finds, concludes and orders as follows:

FINDINGS OF FACT

1. On October 14, 2022, the Department issued Permit No. 97-8688 (“Permit”) in the name of Denise Nickerson and Dale Nickerson (“Permit Holders”) authorizing the diversion of 0.01 cubic feet per second from ground water for domestic use in the SE¼SW¼ of Section 8 and the NE¼NW¼ of Section 17 of Township 58 North, Range 04 West, B.M., Bonner County. A condition of permit approval required submittal of the proof of beneficial use of water to the Department on or before October 1, 2023.
2. On July 31, 2023, the Department notified the Permit Holders by certified mail that proof of beneficial use was due and instructed the Permit Holders of the steps to be taken to submit a *Statement of Completion for Submitting Proof of Beneficial Use* (“Proof”) or a *Request for Extension of Time* (“Extension Request”).
3. On October 1, 2023, the Permit lapsed because the Department had not received an acceptable Proof or Extension Request.
4. On October 6, 2023, the Department notified the Permit Holders the Permit had lapsed.
5. On October 11, 2023, the Permit Holders filed an acceptable Proof.

CONCLUSIONS OF LAW

Idaho Code § 42-218a(1) states in relevant part:

A permit upon which the proof of beneficial use... has not been submitted, or a request for extension of time has not been received on or before the date set for such proof... shall lapse and be of no further force nor effect... Notice of said lapsing shall be sent by the department to the permit holder at the address of record by regular mail.

Idaho Code § 42-218a(2) states in relevant part:

Within sixty (60) days after such notice of lapsing, the department may, upon a showing of reasonable cause, reinstate the permit with the priority date advanced a time equal to the number of days that said showing is subsequent to the date set for proof.

The Permit Holders filed an acceptable Proof providing a reasonable showing the Permit should be reinstated. The Permit should be reinstated based upon the October 11, 2023 filing date.

ORDER

IT IS HEREBY ORDERED that Permit No. 97-8688 is **REINSTATED** and the Permit's priority date is advanced to May 29, 2022.

DATED this 17th day of December, 2024.



Phill Hummer, Manager
Water Rights Section

CERTIFICATE OF SERVICE

I hereby certify that on **December 18, 2024** I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (**PRELIMINARY ORDER REINSTATING A PERMIT**) to the person(s) listed below:

RE: Preliminary Order in the Matter of Permit No. **97-8688**

**DENISE NICKERSON
PO BOX 222
PRIEST RIVER ID 83856-0222**

**DALE NICKERSON
PO BOX 222
PRIEST RIVER ID 83856-0222**



Jean Hersley
Technical Records Specialist II

SCANNED

DEC 17 2024

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.

RECEIVED

OCT 11 2023

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
STATEMENT OF COMPLETION
FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY

Amt. of Fee \$ 50-
Receipt No. 211157
Received By KM
Date Received 10-11-23

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

- Permit No. 97-08688 Name of Permit Holder(s) DENISE NICKERSON
Telephone No. 208-437-1969 Email ily7x7@gmail.com
Mailing Address P.O. Box 222 City PRIEST RIVER State ID Zip 83856
- Source of Water WELL If Ground Water (well), Date Drilled mo. 10 / yr. 2022
Drilling Permit/Tag No. D0091460 Drilling Company's Name H2O
- Extent of use(s) completed as authorized by the water right permit:
Domestic (No. households) 1 Irrigation (No. acres) _____ Stockwater (No. and stock type) _____
Other _____
- Total diversion rate or volume (storage only) for which proof is submitted _____ cfs OR _____ af
If the total developed water use is 5 acres of irrigation or less, is stockwater storage of 14.6 acre-feet or less, or has a diversion rate of less than 0.24 cfs, attach a map of the place of use and point of diversion and photographs showing beneficial use.
- Describe the diversion and delivery system from the water source to the use (pump, lift, irrigation method, etc.)
From the well to Pressure Tanks & piped to house.
- Permit condition compliance. Refer to the permit approval conditions and check all the items required, then check "Yes" or "No" to indicate whether the required items were established, submitted, and/or installed:
Required? Yes No (If "Yes", attach required data, evidence of compliance, or evidence of installation)

☐	☐	☐	Ground water level data, pumping information, or other diversion data
☐	☐	☐	Mitigation plan
☐	☐	☐	Lockable controlling works
☐	☐	☐	Measuring device
☐	☐	☐	Fish screen
☐	☐	☐	Other requirements of the water right permit _____
☐	☐	☐	Reasonably Anticipated Future Needs ("RAFN") Municipal use

If RAFN Municipal use, additional increment of beneficial use developed? ☐ Yes (attach CWRE report) ☐ No
- Fee Enclosed \$ 50.00 or ☐ CWRE field report attached or ☐ No fee required
See fee schedule on page 3 of the instructions. Proof statements filed without an appropriate fee are incomplete.

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

Name: Denise Nickerson Telephone No. 208-437-1969 Email ily7x7@gmail.com
Mailing Address P.O. Box 222 City Priest River State Id Zip 83856

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.

Denise Nickerson DENISE NICKERSON 10-6-23
SIGNATURE OF PERMIT HOLDER* PRINTED NAME AND TITLE DATE

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

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 97-8688

Priority: May 19, 2022

Maximum Diversion Rate: 0.01 CFS

This is to certify that

DENISE NICKERSON PO BOX 222 PRIEST RIVER ID 83856-0222 AND/OR
DALE NICKERSON PO BOX 222 PRIEST RIVER ID 83856-0222

has applied for a permit to appropriate water from:

Source : GROUND WATER

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

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>
DOMESTIC	1 / 1 to 12/31	0.01 CFS

Location of Point(s) of Diversion

GROUND WATER NE¼ NW¼, Sec. 17, Twp 58N, Rge 04W, B.M. BONNER 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	
58N	04W	8												X					
58N	04W	17					X												

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **October 01, 2023**.
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. Domestic use is for 1 home.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
6. This right does not grant any right-of-way or easement across the land of another.

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

Signed this 14th day of October, 2022.



ADAM FREDERICK
Water Rights Supervisor

SCANNED

NOV 03 2022

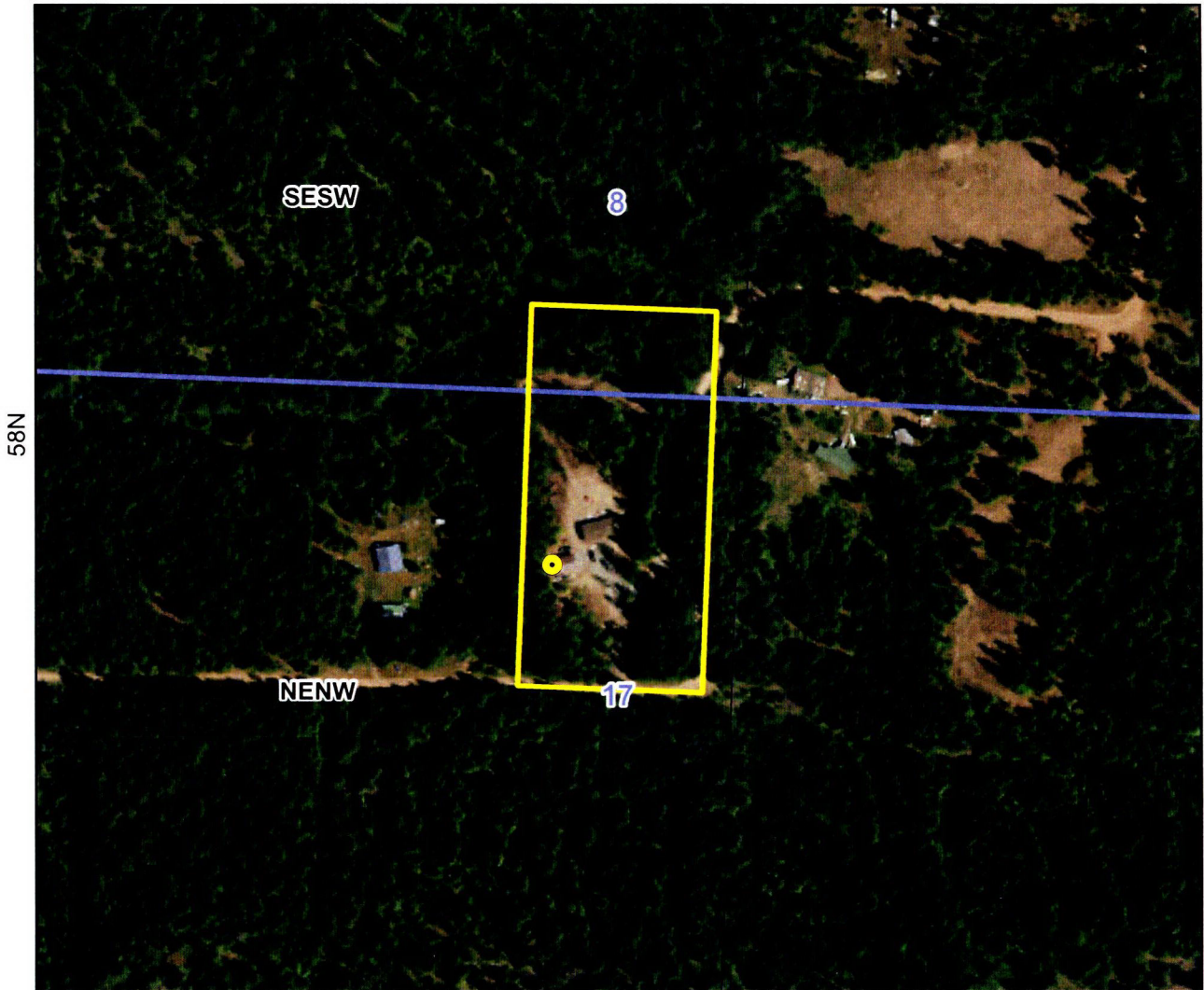
State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

97-8688

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.

04W



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

0 0.035 0.07 0.14 Miles

SCANNED
NOV 03 2022



Beneficial Use Proof Evaluation

Permit Number: 97-8688 Reviewer: AVEibell Review Date: 11/14/2023

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: 10/11/2023
- 4) Proof Due Date: 10/1/2023
- 5) Days added for weekend due date? 0
- 6) Days added for holiday due date? 0
- 7) Number of days late: 10
- 8) Proof received timely? No

Analysis

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

Fees

- 1) Is a licensing exam fee required? Yes
- 2) Was proof submitted with an exam report from a CWE? No
- 3) Filing fee due: \$50.00
- 4) Filing fee submitted: \$50.00
- 5) Remaining fee or (refund): \$0.00

Receipt IDs

T112826

Comments

Proof received 10 days late. Reinstate permit and advance priority date to May 29, 2022.

Reinstate Evaluation

Permit Number: 97-8688 Reviewer: AVeibell Review Date: 11/14/2023

Analysis

- 1) Proof/extension request received date: 10/11/2023
- 2) Number of days proof/extension request received late: 10 ✓
- 3) Was a lapsed notice sent? Yes
- 4) Date lapsed notice sent: 10/6/2023
- 5) Number of days between proof/extension request received date and date lapsed notice was sent: 5
- 6) Was the proof or extension request received more than 60 days after the lapsed notice was sent? No
- 7) Priority date: 5/19/2022 ✓
- 8) New priority date: 5/29/2022 ✓
- 9) New status: Active

Comments

Proof received 10 days late. Reinstate permit and advance priority date to May 29, 2022.



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

October 06, 2023

DENISE NICKERSON
DALE NICKERSON
PO BOX 222
PRIEST RIVER ID 83856-0222

LAPSE NOTICE

RE: PERMIT NO. 97-08688

IMPORTANT: This permit has lapsed because no written response was received from you by the IDWR. Development and/or use must cease.

Dear Permit Holder(s):

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in the proof due notice dated July 31, 2023. No further construction or additional development is authorized under this permit.

If water was put to beneficial use prior to the date proof of beneficial use was due, you may file the Statement of Completion (proof) now, or if you or a previous owner of this permit have not received a prior extension of time, you may file the Request for Extension of Time (extension request) if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. You may also request an extension of time if you have been delayed by a government agency, or by litigation that brings title to the water in question.

Either an acceptable proof or an acceptable extension request must be received by this Department within sixty (60) days of the mailing of this lapse notice in order to reinstate this permit.

Please contact Amanda Veibell at 208-287-4945, if you need additional assistance.

Sincerely,


Angela Hansen, Chief
Water Allocation Bureau

CERTIFICATION OF MAILING

I hereby certify that on 10-6-23
a copy/an original of this document was
deposited in the United States mail, postage
prepaid addressed to the individual(s)
named above.



SCANNED

OCT 16 2023



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

July 31, 2023

DENISE NICKERSON
DALE NICKERSON
PO BOX 222
PRIEST RIVER ID 83856-0222

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 97-08688

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 **October 01, 2023**. Please complete and return the enclosed Statement of Completion for Submitting Proof of Beneficial Use (proof) if you have completed the water project authorized by your permit. The proof statement must be accompanied by either the appropriate license examination fee or a field examination report prepared by a certified water right examiner.

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

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

Sincerely,

Water Right Section

Enclosure(s)



7020 2450 0000 1566 5896

SCANNED

AUG 02 2023



Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene, ID 83815-7763
Phone: 208-762-2800 • Fax: 208-762-2819 • Email: northerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

October 24, 2022

DENISE NICKERSON
DALE NICKERSON
PO BOX 222
PRIEST RIVER ID 83856-0222

RE: Permit No. 97-8688

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
NOV 03 2022

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

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

Sincerely,

Adam Frederick

Adam Frederick
Water Rights Supervisor

Enclosure(s)

SCANNED

NOV 03 2022

CERTIFICATE OF SERVICE

I hereby certify that on October 24, 2022, I served a true and correct copy of Permit to Appropriate Water No. 97-8688 by U.S. Mail, postage prepaid, to the following:

DENISE NICKERSON (Current Owner)
PO BOX 222
PRIEST RIVER ID 83856-0222

DALE NICKERSON (Current Owner)
PO BOX 222
PRIEST RIVER ID 83856-0222



Tammy Alleman
Administrative Assistant 1

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

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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.

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- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Bonner)

RECEIVED
AUG 29 2022
IDWR/NORTH

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

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

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

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

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

4. The attached Notice was published in the regular and
entire issue of the Bonner County Daily Bee for a period of
2 consecutive weeks, commencing on the 17th day of
August, 2022, and ending on the 24th day of
August, 2022.

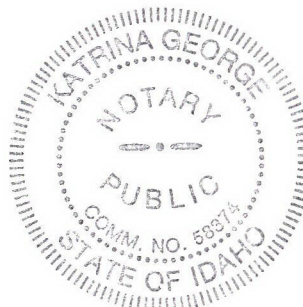
Italia Jimenez

State of Idaho, county of Bonner ss.

On this 24th day of August, in the year of 2022,
before me, Katrina George, Notary Public, personally
appeared Italia Jimenez known or
identified to me to be the person whose name is subscribed
to the within instrument, and acknowledged to me that he (or
they) executed the same.

Katrina George
Notary Public
Residing at: Kootenai County

My Commission Expires 8/29/23



SCANNED
NOV 03 2022

NOTICE

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

97-7684

KENNETH T HOWARD
MISTY L HOWARD
27 MORNING GLORY CT
OAKLEY, CA 94561-1756
Point of Diversion L9(SWNW)
S6 T57N R05W
BONNER County
Source SLOUGH CREEK
Tributary LOWER WEST
BRANCH PRIEST RIVER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.06 CFS
Date Filed: 08-08-2022
Place Of Use: DOMESTIC, STOCKWATER
T57N R05W S6
L9(SWNW), SENW

97-8646

PAPESH LAKE TRUST LLC
PO BOX 185
COOLIN, ID 83821-0185
Point of Diversion NWNE
S3 T59N R04W
BONNER County
Source PRIEST LAKE
Tributary PRIEST RIVER
Use: FIRE PROTECTION
01/01 to 12/31 0.09 CFS
Use: IRRIGATION
04/01 to 10/31 0.09 CFS
Total Diversion: 0.09 CFS
Date Filed: 05-25-2022
Place Of Use: FIRE PROTECTION, IRRIGATION
T59N R04W S3 L2(NWNE)
Place Of Use: FIRE PROTECTION, IRRIGATION
T60N R04W S34 L4(SWSE)
Total Acres: 3

97-8688

DENISE NICKERSON
DALE NICKERSON
PO BOX 222
PRIEST RIVER, ID
83856-0222
Point of Diversion NENW
S17 T58N R04W
BONNER County
Source GROUND WATER
Use: DOMESTIC
1/1 to 12/31
Total Diversion: 0.01 CFS
Date Filed: 05-19-2022
Place Of Use: DOMESTIC
T58N R04W S17 NENW
Place Of Use: DOMESTIC
T58N R04W S8 SESW

97-9058

BOND FAMILY TRUST
C/O ROBERT & GEORGENE BOND
2441 EVENING STAR DR
SALT LAKE CTY, UT
84124-1818
Point of Diversion L4(NWSW)
S9 T59N R04W
BONNER County
Source PRIEST LAKE
Tributary PRIEST RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 07-29-2022
Place Of Use: IRRIGATION
T59N R04W S8
L3(NESE), SESE
Place Of Use: IRRIGATION
T59N R04W S9 L4(SWSW)
Total Acres: 0.5

26

PAUL SCHLOTTERBECK
GAYLE SCHLOTTERBECK
374 RIVERS END DR
PRIEST RIVER, ID
83856-8722
Point of Diversion NESE
S24 T56N R05W
BONNER County
Source PRIEST RIVER
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 07-25-2022
Place Of Use: IRRIGATION
T56N R05W S24 NESE
Total Acres: 0.7

97-9237

DENNIS B HUNTSINGER
DEBORAH M HUNTSINGER
598 BEAR RD
PRIEST RIVER, ID
83856-8873
Point of Diversion SWNWSE
S23 T57N R05W
BONNER County
Source SPRING
Tributary SINKS
Point of Diversion SWNWSE
S23 T57N R05W
BONNER County
Source SPRING
Tributary SINKS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.06 CFS
Date Filed: 06-15-2022
Place Of Use: DOMESTIC, STOCKWATER
T57N R05W S23 NWSE

97-9241

SUZANNE D MC INTYRE
500 EL RIO DR
PRIEST RIVER, ID
83856-6002
Point of Diversion SENW
S29 T57N R04W
BONNER County
Source PRIEST RIVER
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.05 CFS
Total Diversion: 0.09 CFS
Date Filed: 07-14-2022
Place Of Use: DOMESTIC
T57N R04W S29
SENW, SWNW
Place Of Use: IRRIGATION
T57N R04W S29
SWNW, SENW
Total Acres: 1.6

97-9245

SUZANNE D MC INTYRE
500 EL RIO DR
PRIEST RIVER, ID
83856-6002
Point of Diversion SENW
S29 T57N R04W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
01/01 to 12/31 0.05 CFS
Total Diversion: 0.09 CFS
Date Filed: 07-14-2022
Place Of Use: DOMESTIC, IRRIGATION
T57N R04W S29
SWNW, SENW
Total Acres: 1.6

97-9272

GARRY ZIEGENHAGEL
2416 S WINDSOR DR
GREENACRES, WA
99016-7793
Point of Diversion SWNE
S32 T56N R04W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.06 CFS
Date Filed: 07-28-2022
Place Of Use: IRRIGATION
T56N R04W S32
L8(NWNE), L7(SWNE)
Total Acres: 2

97-9278

JERALD M WHITEHEAD
SHANNON A WHITEHEAD
12570 E HIGHWAY 21
BOISE, ID 83716-9320
Point of Diversion L5(NWSE)
S3 T60N R04W
BONNER County
Source PRIEST LAKE
Tributary PRIEST RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 07-26-2022
Place Of Use: DOMESTIC
T60N R04W S3 L5(NESE)

97-9306

CASSANDRA DIXON
DARCY J DIXON
2096 NW SHIRAZ CT
BEND, OR 97703-2184
Point of Diversion L2(SWSE)
S9 T59N R04W
BONNER County
Source PRIEST LAKE
Tributary PRIEST RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 08-04-2022
Place Of Use: IRRIGATION
T59N R04W S9 L2(SWSE)
Total Acres: 0.3

97-9315

BARBARA VAN LEUVEN
707 W 20TH AVE
SPOKANE, WA 99203-2032
Point of Diversion SWSE
S6 T60N R04W
BONNER County
Source PRIEST LAKE
Tributary PRIEST RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 08-05-2022
Place Of Use: DOMESTIC
T60N R04W S6
SESW, SWSE, L8(SWSE), L11(SESWS)

97-9350

KALISPELL BAY LAKE HOME LLC
PO BOX 101
MEDINA, WA 98039-0101
Point of Diversion SESW
S6 T60N R04W

BONNER County
Source PRIEST LAKE
Tributary PRIEST RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 08-05-2022
Place Of Use: DOMESTIC
T60N R04W S6
SESW, L11(SESWS)

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D'ALENE ID 83815-7763 together with a protest fee of \$25.00 for each application on or before 9/6/2022. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
Legal#4471
AD#554478
August 17, 24, 2022

SCANNED

NOV 3 2022