Rev. 11/24

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
Jan 30, 2025
DEPARTMENT OF
WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

GENERAL INFORMATION AND INSTRUCTIONS

Pursuant to Section 42-222(1), *Idaho Code*, a transfer application may be filed to change the point of diversion, place of use, period of use, or nature of use of all or part of an established water right. Any person proposing to make such a change is required to file a transfer application with the Department. "Such application shall be upon forms furnished by the department and shall describe the [water right] to be changed and the changes which are proposed and shall be accompanied by the statutory filing fee." *Idaho Code* § 42-222(1).

The Department has developed this application form to assist applicants in satisfying the requirements of Section 42-222(1). This application form requests information about the applicant's authority to file (Part 1), information about the current elements of the water right(s) to be changed (Part 2), information about the proposed changes (Part 3), information about the validity of the water right(s) and the effects of the proposed changes (Part 4), and confirmation that the information provided is truthful (Part 5).

The applicant or their representative must provide a response for all applicable questions, any additional information required, and the proper filing fee before this application will be considered complete. If an application is incomplete or more information is required, the Department will notify the applicant or representative and allow time for the application to be completed. An application that remains incomplete will be returned to the applicant and the filing fee will be refunded.

An application for transfer is limited to the changes proposed for a single water distribution system. A proposal to change two or more separate water distribution systems, that will remain separate after the transfer, must be filed as separate applications. Applicants may provide additional pages to supplement their responses to the questions posed on this application form. Supplemental forms for listing additional water rights, points of diversion, or places of use can be found on the Department's website (idwr.idaho.gov). If you need assistance understanding the questions on this form, generating current water right reports, determining legal descriptions, or accessing water measurement records feel free to contact the nearest regional office of the Department.

PART 1 – CONTACT INFORMATION, OWNERSHIP RECORDS, AUTHORITY TO FILE

Name(s) of Applicant(s) Panhandle Village Water System

Mailing Address PO Box 281 Rathdrum ID 83858

Email* panhandlevillagewater@gmail.com **Phone** 208-964-9716

Name of Representative (if any) _____

Mailing Address _____

Email* _____ **Phone** _____

*If an email address is provided, Department staff will use email as the primary method for corresponding with the applicant and representative about the application.

A. Representative. If the representative is authorized to sign or amend the application on behalf of the applicant, attach documents confirming that authority. Label documents as Attachment 1A.

B. Current Owner. If the applicant is not the current owner of record for all water rights included in this application, attach documents showing that the applicant has the authority to make the proposed changes. Label documents as Attachment 1B.

C. Updating Ownership Records. Applicants needing to update the ownership records for any of the water rights included in this application must attach documents supporting the ownership change. Such documents must trace ownership of the subject water rights or the current place of use for the subject water rights from the current owner of record for the water rights to the applicant. Label documents as Attachment 1C.

D. Business Entities. If the applicant is a business entity (corporation, LLC, partnership, trust, etc.), is the entity currently registered with the Idaho Secretary of State?

☑ Yes. If this application is signed by someone other than a person listed on the most recent annual report filed with the Idaho Secretary of State, attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

☐ No. Attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

E. Approval of Irrigation Delivery Entity. Section 42-108, *Idaho Code*, states that a transfer application proposing to change water rights held by an irrigation company or district requires the consent of the irrigation entity. If this application proposes to change water rights held by an irrigation entity, attach a letter of consent from the entity (labeled as Attachment 1E) or have an authorized representative of the entity co-sign the application.

F. Encumbered Properties. If the current place of use for the water rights included in this application is subject to a lien, deed of trust, mortgage, or contract and the application proposes to change the nature of use of the water rights or to move water rights off the current place of use, attach a statement of consent for the change signed by the lien holder, trustee, mortgagor or contract holder. Label documents as Attachment 1F.

G. Legal Access. If the applicant is not the current owner of the proposed point(s) of diversion, conveyance system, or place(s) of use, provide evidence of legal access to the land or infrastructure not owned by the applicant. Label documents as Attachment 1G. For example, an applicant may provide a letter of consent from the owner of the land or conveyance system or may have the owner co-sign the application. For applications proposing to divert water on or convey water across federal land, an applicant is not required to demonstrate legal access to the federal land prior to approval. Instead, if the transfer application is approved, the applicant must obtain access authorization from the relevant federal agency prior to diverting water under the subject water rights.

PART 2 – WATER RIGHTS BEFORE PROPOSED CHANGES

A. Current Water Rights. For each water right proposed to be changed, attach a current water right report obtained from any Department office or from the Department's website (idwr.idaho.gov). Label water right reports as Attachment 2A.

B. Map of Current System. Attach a map of the current point(s) of diversion and place(s) of use for the water rights to be changed. The map should clearly depict the elements of the water rights to be changed. For example, if the application proposes to change the point of diversion for a water right, the map should display the current location of the point of diversion. For irrigation water rights, the map should also identify the location of the irrigated acres to be changed. Label map as Attachment 2B.

C. Current Location of Irrigated Acres. If this application proposes to change the place of use or nature of use for only a portion of an irrigation water right, use the following table to identify the current location of the irrigated acres to be changed. If additional pages are required, label additional pages as Attachment 2C. If this application proposes to change or rearrange the entire place of use for irrigation water right(s), skip to Part 3.

☑ **N/A. This application does not propose to change the place of use or nature or use of an irrigation water right or this application proposes to change the place of use or nature of use for an entire irrigation right.**

Current Location of Irrigated Acres to be Changed

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
N/A																			

Total Irrigated Acres to be Changed: N/A

PART 3 – DESCRIPTION OF PROPOSED CHANGES

A. Purpose of Transfer. Section 42-222(1), *Idaho Code*, states that transfer applications may only be filed to change the point of diversion, place of use, period of use, or nature of use of an established water right. Section 42-248(3), *Idaho Code*, authorizes water right ownership changes to be described on a transfer application. Identify the changes proposed in this application:

- ☐ Change point(s) of diversion
- ☑ Add point(s) of diversion
- ☐ Change nature of use
- ☐ Change place of use
- ☐ Change period of use
- ☐ Update water right ownership records

B. Proposed Changes. Describe the proposed changes in narrative form:

Decreed Right(s) 95-7006 & 95-7013 historically has a single POD authorized per Licenced right. Following the adjudication process for the CSRBA, each Right was Decreed with two PODs per Right. This Application proposes to add a 3rd ground water well to the municipal water system in the SW1/4SW1/4, Section 27, Twp 52N, Rge 04W in Kootenai County. The new well is required to meet IDEQ regulation and serves as a back-up well, not seeking additional diversion rate beyond what our two Rights authorize.

C. Summary of Proposed Changes.

1. Water Rights. Use the following table to list all water rights, or portions thereof, that are proposed to be changed as they would appear after the proposed changes. In the Amount column, list the volume in acre-feet (af) for storage uses or the rate in cubic feet per second (cfs) for all other uses.

All	Part	Right Number	Amount (cfs/af)	Nature of Use	Period of Use	Source
☑	☐	95-7006	0.23 / 39.6	MUNICIPAL	1/1 to 12/31	GROUNDWATER
☑	☐	95-7013	0.06 / 30.0	MUNICIPAL	1/1 to 12/31	GROUNDWATER
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	

2. Total Amounts. Calculate the total quantity, in cfs or af, of water rights that are proposed to be changed through this application. For an application proposing to only change the place of use for irrigation rights, the total quantity of water is calculated by comparing the current place of use to the proposed place of use, summing the number of acres increased in each legal subdivision, and quantifying the proportional amount of diversion rate for the increased acres. For an application proposing to change or add points of diversion for irrigation or any other beneficial use, the total amount is the total diversion rate for the changed portion of the right.

Total Amount of Water Rights Proposed to be Changed: 0.29 **cfs and/or** - **af.**

3. Point(s) of Diversion. Use the following table to list all the proposed points of diversion for the water rights to be changed, including any current points of diversion that will continue to be used as part of the proposed water distribution system.

The legal description for the proposed point(s) of diversion must be to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System (PLSS). PLSS information is typically available from USGS topo maps, property deeds, tax bills or various mapping tools on the Department's website.

For points of diversion within platted subdivisions, list the lot and block number in the "Diversion Name/Number" column. An application proposing an injection into a stream and a re-diversion from that stream must list the source for the original diversion as the source for the injection and re-diversion points. If this application proposes construction of a new diversion structure (for example, a new ground water well or a new pump station on a creek), please indicate the status in the appropriate column.

☐ **N/A. This application does not propose to add or change any points of diversion.**

Proposed Points of Diversion

New?	Twp	Rge	Sec	Lot	1/4	1/4	1/4	County	Source	Diversion Name/Number
N	52N	04W	27			NE	NE	KOOTENAI	GROUNDWATER	WELL 1
N	52N	04W	27			SW	SW	KOOTENAI	GROUNDWATER	WELL 2
Y	52N	04W	27			SW	SW	KOOTENAI	GROUNDWATER	PROPOSED WELL 3

4. Place of Use. The proposed place of use must be described to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System. Government lot numbers can be noted in parenthesis below the approximate quarter-quarter location of the government lot. For water rights held by irrigation districts, municipal providers or irrigation companies, the proposed place of use may be generally described as authorized by Sections 42-202B, 42-219 and 42-222B, *Idaho Code*.

☑ **N/A. This application does not propose to change the place of use.**

Proposed Place of Use

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
N/A																			

Total Irrigated Acres: N/A

5. Map of Proposed System. Attach a map showing the location of the points of diversion, reservoirs, dams, canals, ditches, pipelines and other works proposed to divert and convey water. Also show the location of the place of use, including any lands to be irrigated. The map should delineate the legal subdivisions including townships, ranges, sections, quarter-quarters and government lots. Label map as Attachment 3C.

PART 4 – ADDITIONAL INFORMATION

Section 42-222(1), *Idaho Code*, establishes the criteria used to evaluate transfer applications. An applicant bears the burden of demonstrating that the water right to be changed is a valid right, that the proposed use is a beneficial use, and that the proposed changes will not injure other water rights, will not enlarge the use of the original rights, are in the local public interest, and are consistent with the conservation of water resources within the state of Idaho. To satisfy this burden, an applicant must provide sufficient data and information for the

Department to evaluate the effects of the proposed change. The Department may deny an application if the applicant fails to provide sufficient data and information to determine whether the criteria from Section 42-222(1) are satisfied. In addition to the information requested in Parts 1-3 of this application, the following information must be provided for an application to be considered complete. Department staff may request additional information or clarification as the application is processed.

A. Validity of Water Rights

1. If one or more of the water rights proposed to be changed is a statutory claim, established pursuant to Section 42-248, *Idaho Code*, attach evidence supporting the priority date claimed. Label documents as Attachment 4A-1. For statutory claims, the Department may conduct a field inspection as part of the application review process to evaluate the water right elements listed on the statutory claim.

2. Has any portion of the water right(s) proposed to be changed undergone a period of five or more consecutive years of non-use?

☐ Yes. Attach a statement describing the portion of the right(s) that were not used and the length of time of the non-use. In addition, identify any exception or defense to forfeiture and provide a detailed description as to why the water rights have not been lost and forfeited for non-use. Label documents as Attachment 4A-2. Statutory exceptions or defenses to forfeiture are set forth in Section 42-223, *Idaho Code*.

☑ No.

B. Injury to Other Water Rights

1. Identify any other water right(s) diverted at the current point(s) of diversion.

None

2. Identify any other water right(s) diverted at the proposed point(s) of diversion.

None

3. Is the proposed point of diversion within a state water district? ☐ Yes. Water District #_____. ☑ No.

4. If already constructed and in use, are the proposed points of diversion equipped with Department-approved measuring devices? ☐ Yes. ☑ No.

5. If this application proposes to divert a surface water right from a ground water well, attach a technical analysis evaluating the hydraulic connection between the proposed ground water point of diversion and the source of water listed on the right to be changed. Label technical analysis as Attachment 4B-5.

6. If this application proposes changing the point of diversion for a ground water right in the Eastern Snake Plain Aquifer (ESPA), attach a technical analysis of the anticipated depletions to reaches of the Snake River that are hydraulically connected to the ESPA using the Department's current ground water model for the ESPA. The technical analysis must evaluate depletion impacts in a time-series format at transient and steady state time steps. To assist applicants in preparing the required technical analysis, the Department has developed a transfer tool interface for the ESPA model. The transfer tool and user instructions can be downloaded from the Department's website (idwr.idaho.gov). If the proposed and current points of diversion are in the same or adjacent model cells, no technical analysis is required, unless specifically requested by the Department. Label technical analysis as Attachment 4B-6.

C. Enlargement in Use

1. Identify any other water rights used at the current place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

None

2. Identify any other water rights used at the proposed place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

None

3. If this application proposes changing the place of use or nature of use for irrigation water rights, will the current place of use, for the portion of the right to be changed, continue to be irrigated?

☐ Yes. Identify the water right(s) to be used for the continued irrigation.

☐ No. The place of use for the portion to be changed will no longer be irrigated.

☑ N/A. The application does not propose to change the place of use for irrigation rights.

4. Unstacking Water Rights for Irrigation. If this application proposes to change the place of use for an irrigation water right that is combined with other irrigation rights at the current place of use but does not propose to change the place of use for all the stacked irrigation rights, attach evidence of the historical consumptive use occurring under all water rights at the current place of use. For irrigation rights, this should include at least five years of diversion data and/or crop data and estimates of evapotranspiration. Label the information as Attachment 4C-4. Evapotranspiration data may be available on the Department's website (http://et-idwr.idaho.gov)

5. If the application proposes to change the nature of use for a water right, attach evidence of the historical consumptive use occurring under the portion of the water right to be changed. For irrigation rights, this should include diversion data, crop data and estimates of evapotranspiration. Label the information as Attachment 4C-5. Evapotranspiration data may be available on the Department's website (http://et-idwr.idaho.gov)

6. If the application proposes to change the nature of use of a water right to municipal use for reasonably anticipated future needs, complete the form titled "Municipal Water Right Application Checklist" found on the Department's website (idwr.idaho.gov). Label the form as Attachment 4C-6.

7. To your knowledge, are any portions of the water rights proposed to be changed:

Yes	No	
☐	☑	currently leased to the Water Supply Bank? If yes, complete the form titled "Application for Transfer of Water Right Attachment WSB" found on the Department's website (idwr.idaho.gov). Label the Form as Attachment 4C-7.
☐	☑	currently used in a mitigation plan limiting the use of water under the right?
☐	☑	subject to an agreement not to divert (CREP)?
☐	☑	currently enrolled in a federal set-aside program (CRP)?

D. Local Public Interest

The department must consider whether the proposed changes are in the local public interest as defined in Section 42-202B(3), *Idaho Code*. Some of the local public interest factors that may be considered in conjunction with a transfer application are (1) Recreation, fish, and wildlife impacts, (2) Water quality or contamination concerns, (3) Local and state ordinances, regulations, or policies related to water use, (4) Goals, requirements and limits set forth in the State Water Plan. If you choose to provide information about local public interest factors, label the information as Attachment 4D.

E. Conservation of Water Resources

Describe the diversion works and water delivery system. This may include sizes and dimensions of pumps, pipelines, headgates, ditches, dams, impoundments and irrigation equipment.

POD(s) Well 1 and Well 2 each have 10 hp pumps which supply groundwater to a distribution system. Each has a flow meter and well controls are in a locked building. Proposed Well 3 shall have the same characteristics as other wells and be service connected to distribution system.

PART 5 – FILING FEE AND SIGNATURE

A. Filing Fee. Filing fees for transfer applications are set forth in Section 42-221.O, *Idaho Code*. A table summarizing the filing fees for transfer applications is also found on the Department's website (idwr.idaho.gov). Any application proposing to change the nature of use for one or more rights requires an additional filing fee of $250. Applications proposing to update the ownership records for water rights must also include the appropriate filing fee to update the ownership records. For any application relying on the filing fee set forth in Section 42-221.O.8, *Idaho Code*, attach a statement describing how the application qualifies under Section 42-221.O.8. Label documents as Attachment 5A.

B. Affidavit of Applicant or Representative:

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 or Representative*	Print Name and Title, if applicable	Date
James Williams	James Williams, Chairman	1-29-25

*If water rights included in this application are owned by multiple people or entities, each owner must sign the application form.

FOR DEPARTMENT USE ONLY

Fee Paid: $ 550.00 Receipt #: N045166 Date: 1/22/25 Receipted by: MB

Add'l Paid: $ _____ Receipt #: _____ Date: _____ Receipted by: _____

Attachment 1D

FILED EFFECTIVE

UNINCORPORATED NONPROFIT ASSOCIATION
APPOINTMENT OF AGENT FOR SERVICE OF PROCESS

2017 OCT 19 AM 9:01

SECRETARY OF STATE
STATE OF IDAHO

Assoc. # U 4567
(Assigned by the Secretary of State Office)

To the Secretary of State of the State of Idaho:

1. The name of the nonprofit association is:
   Panhandle Village Water System

2. The principal (street) address of the nonprofit association is:
   16985 N Ramsey Road, Rathdrum, Idaho 83858

   The mailing address (if different than street address) is:
   PO BOX 281, Rathdrum, Idaho 83858

3. The name and street address of the agent authorized to receive service of process for the association are: *(Registered agent must be located at a street address in Idaho – PO, PMB, and addresses outside Idaho are not acceptable.)*

   James Williams
   Name

   16985 N Ramsey Road, Rathdrum, Idaho 83858
   Address

Signature of agent: James Williams

Dated: 10/7/17

Signature of a member
of the nonprofit association: Dee Lee Masterman

Dated: 10/7/17

Secretary of State use only

FILE ONE COPY

Attachment 2A

IDAHO DEPARTMENT OF WATER RESOURCES 1/23/2025

Proof Report

Water Right 95-7006

Owner Type	Name and Address
Current Owner	PANHANDLE VILLAGE WATER SYSTEM PO BOX 281 RATHDRUM, ID 83858-0281 (208) 412-9115

Priority Date: 10/19/1967
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
MUNICIPAL	01/01	12/31	0.230 CFS	39.6 AF
	Total Diversion		0.230 CFS	39.6 AF

Source and Point(s) of Diversion:

GROUND WATER	NENE	Sec. 27, Twp 52N, Rge 04W, KOOTENAI County
GROUND WATER	SWSW	Sec. 27, Twp 52N, Rge 04W, KOOTENAI County

Place Of Use:
MUNICIPAL within KOOTENAI County
Large POU not displayed

Conditions of Approval:

1.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2.	C03	Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3.	C04	Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.
4.	PIN	Parcel Nos. 0-5760-000-0A-B and 0-5760-000-32-C for points of diversion.
5.	208	To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from Panhandle Village Water System Well No. 2 located in T52N, R04W, S27, SWSW.

6.	128	Place of use is within the area served by the public water supply system of the Panhandle Village Water System.

Comments:

1 cfritsch 11/9/2017 Updated Record
Created large POU for service area and added appropriate conditions.

2 lwerner 10/17/2018 Updated Place of Use
Three homeowners have submitted Notices of Error stating that they are no longer on the water system and would like us to remove their parcels from the place of use map. (They have drilled their own wells.) The parcel numbers are 057600000110, 057600000120 and 057600000130. I contacted James Williams, registered agent for the Panhandle Village Water System and they do not object to the removal of these parcels. Consequently, three parcels removed from the place of use and since water right number 95-7013 also serves the same place of use, they have been removed from this map also.

Dates and Other Information:

Decreed Date: 12/1/2020
Civil Case Number: 49576
Judicial District: FIFTH
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits:

N/A

Element Reviewed/Verified Dates:

Element	Last Reviewed	Reviewer	Last Verified Date	Verifier	Status
Summary	3/17/2009	cgoodwin	3/17/2009	cgoodwin	Closed

SubCase:

N/A

Water Supply Bank:

N/A

Water Right 95-7013

Owner Type	Name and Address
Current Owner	PANHANDLE VILLAGE WATER SYSTEM PO BOX 281 RATHDRUM, ID 83858-0281 (208) 412-9115

Priority Date: 5/2/1968
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
MUNICIPAL	01/01	12/31	0.060 CFS	30.0 AF
	Total Diversion		0.060 CFS	30.0 AF

Source and Point(s) of Diversion:

GROUND WATER	NENE	Sec. 27, Twp 52N, Rge 04W, KOOTENAI County
GROUND WATER	SWSW	Sec. 27, Twp 52N, Rge 04W, KOOTENAI County

Place Of Use:
MUNICIPAL within KOOTENAI County
Large POU not displayed

Conditions of Approval:

1.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2.	C03	Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3.	C04	Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.
4.	PIN	Parcel Nos. 0-5760-000-0A-B and 0-5760-000-32-C for points of diversion.
5.	208	To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from Panhandle Village Water System Well No. 1 located in T52N, R04W, S27, NENE.

6.	128	Place of use is within the area served by the public water supply system of the Panhandle Village Water System.

Comments:

1 cfritsch 11/9/2017 Updated Record
Created large POU for service area and added appropriate conditions.

2 lwerner 10/17/2018 Updated Place of Use Map
Three landowners have submitted Notices of Error stating that they would like to us to remove their parcels from the place of use covered by this system as they are no longer receiving water from them and have dilled their own wells. They are on parcel numbers 057600000110, 057600000120 and 057600000130. I contacted James Williams, Registered Agent for the association and he has no objections to their removal from the place of use map. Consequently, place of use updated this date. Since water right 95-7006 covers the same place of use, all three have been removed from that place of use also.

Dates and Other Information:

Decreed Date: 12/1/2020
Civil Case Number: 49576
Judicial District: FIFTH
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits:

N/A

Element Reviewed/Verified Dates:

Element	Last Reviewed	Reviewer	Last Verified Date	Verifier	Status
Summary	3/17/2009	cgoodwin	3/17/2009	cgoodwin	Closed

SubCase:

N/A

Water Supply Bank:

N/A

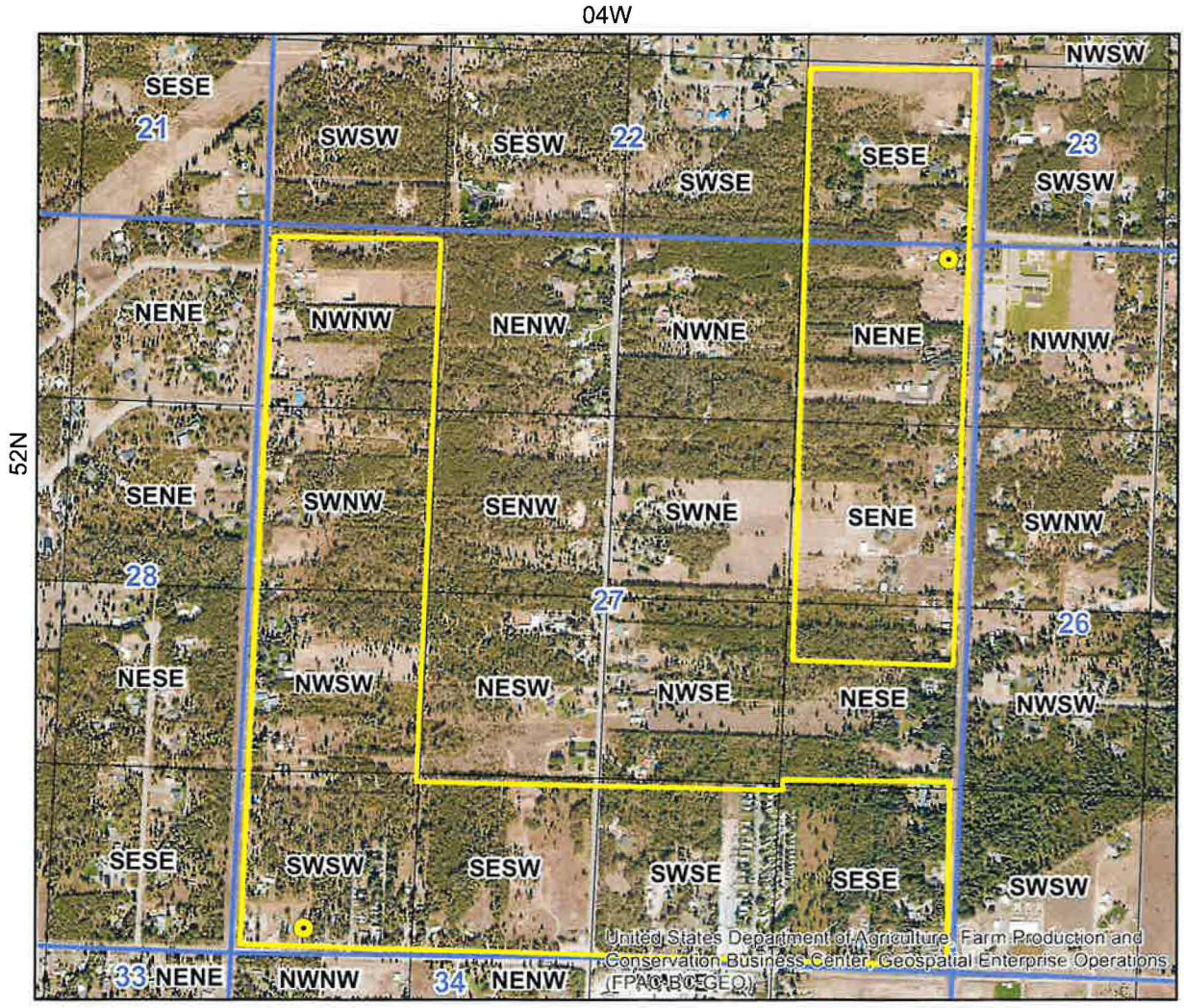
Attachment 2B

State of Idaho
Department of Water Resources

Water Right

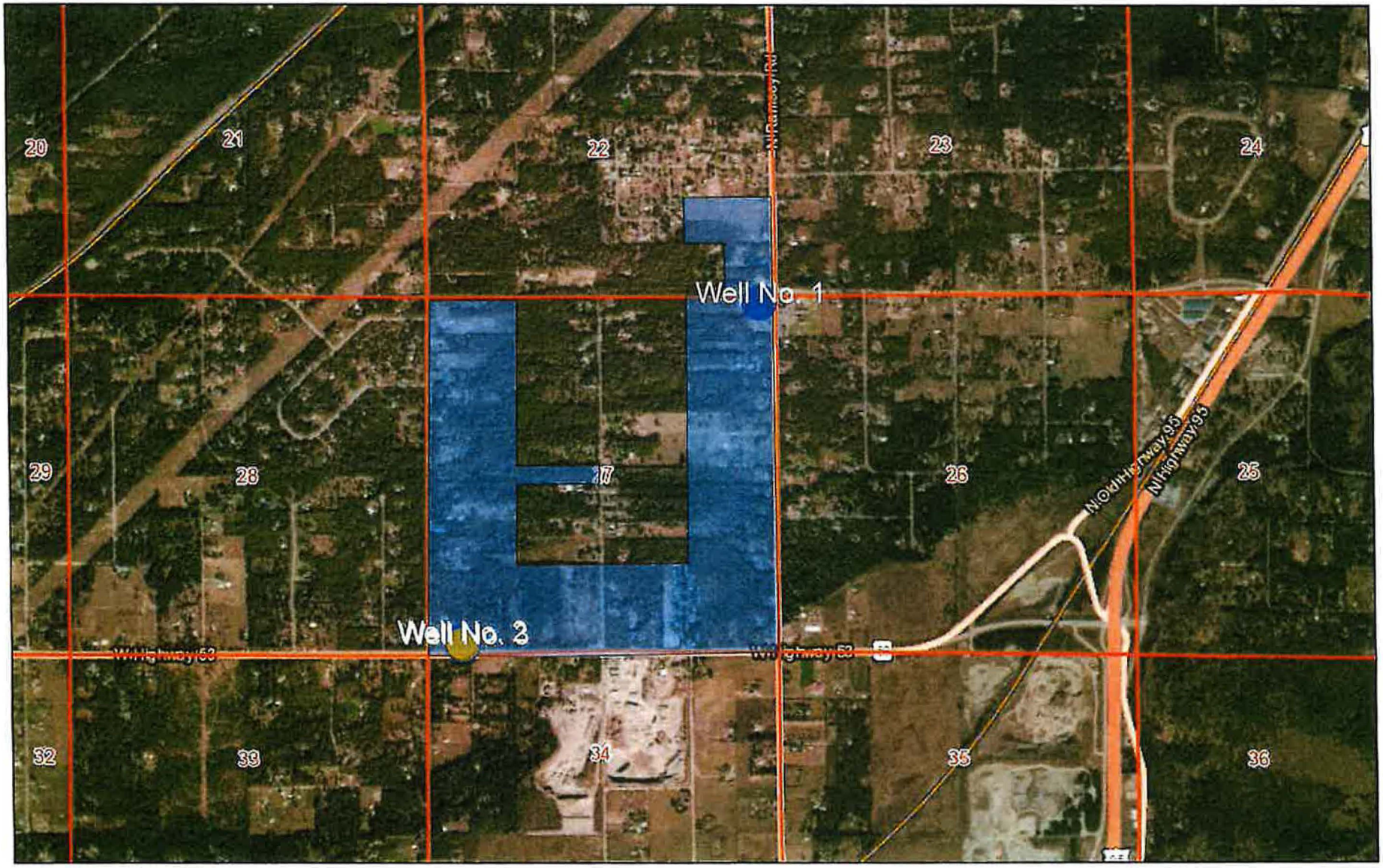
95-7006 & 95-7013

Water Service Area Boundary for Panhandle Village Water System



ArcGIS Web Map

Attachment 3C



6/4/2024, 3:22:02 PM

Counties

Panhandle Boundary (APE-PPPA)

PLS Sections

Townships

1:36,112

0 0.2 0.4 0.8 mi

0 0.33 0.65 1.3 km

Esri, HERE, Maxar

ArcGIS Web AppBuilder

Maxar | IDWR | Idaho Department of Water Resources (IDWR)

Bates, Luke

From: Lina Turner <lturner@welchcomer.com>
Sent: Thursday, January 30, 2025 11:15 AM
To: IDWR File
Cc: Bates, Luke; Ashley Williams; Sandra Faulkner; Beatrice Alonzo
Subject: 41320.05 PVWS Well 3
Attachments: 20250127 41320.05 Water Rights Compiled Application.pdf; Withdraw app water rights.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Good morning,

Attached, please find the Panhandle Village Water System Water Rights Application and the Withdrawal of Application for Transfer of Water Rights form. Should you have any questions, please let us know. Enjoy your day!

Thanks!

Lina Turner | Senior Project Administrator

Office: 509.505.5551 Ext 252 | E: lturner@welchcomer.com | Web: www.welchcomer.com

WELCH-COMER ENGINEERS | SURVEYORS

This e-mail and any attachments are intended solely for the use of the individual to whom they are addressed. Please visit our website for our confidentiality policy.

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

February 14, 2025

PANHANDLE VILLAGE WATER SYSTEM
PO BOX 281
RATHDRUM, ID 83858-0281

RE: Transfer No. 89559
Water Right Nos. 95-7006, 95-7013

Dear Applicant:

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

A legal notice of the application has been prepared and is scheduled for publication in the COEUR D ALENE PRESS on 2/20/2025 and 2/27/2025. 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 approval document.

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

Sincerely,

Micki Bowman
Administrative Assistant

Bowman, Micki

From:	Bowman, Micki
Sent:	Tuesday, February 18, 2025 9:37 AM
To:	Anna Moody; Jenna Fortier
Subject:	Request for Comments for Transfer No. 89559
Attachments:	89559 Application for Transfer.pdf

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced Transfer 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 application is March 10, 2025.

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

Micki Bowman | Administrative Assistant 1
Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone (208) 762-2807

IDAHO DEPARTMENT OF
WATER RESOURCES

Bowman, Micki

From:	Bowman, Micki
Sent:	Friday, February 14, 2025 9:21 AM
To:	legals@cdapress.com
Subject:	Legal Notice for Coeur d'Alene Press
Attachments:	89559, 94-9716, 95-18630, 95-18640, 95-18642 Legal Notice.docx

Please publish the attached legal notice in the **Coeur d'Alene Press** on the dates indicated **February 20 & 27, 2025** (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 **March 10, 2025.** Your cooperation is appreciated.

Thank you,

Micki Bowman | Administrative Assistant 1
Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone (208) 762-2807

IDAHO DEPARTMENT OF
WATER RESOURCES

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 89559

PANHANDLE VILLAGE WATER SYSTEM, PO BOX 281, RATHDRUM, ID 83858-0281 has filed Application No. 89559 for changes to the following water rights within KOOTENAI County(s): Right No(s). 95-7006, 95-7013; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows:

This transfer proposes to add a new point of diversion to Panhandle Village Water System's existing GW rights 95-7006 & 95-7013 in the SW1/4SW1/4 of Section 27, Twp 52N, Rge 04W.

For additional information concerning the property location, contact Northern Region office at (208)762-2800. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department 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 3/10/2025. The protestant must also send a copy of the protest to the applicant.

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

94-9716
JOE ANDERSEN
12825 E ROSEWOOD RD
ST MARIES, ID 83861-8207
Point of Diversion NENE
S33 T48N R02W
KOOTENAI County
Source MEDICINE LAKE
Tributary COEUR D ALENE RIVER
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: IRRIGATION
03/15 to 10/31 0.03 CFS
Total Diversion: 0.09 CFS
Date Filed: 01-30-2025
Place Of Use: DOMESTIC,IRRIGATION
T48N R02W S33 NENE,L1(NENE)
Total Acres: 1

95-18639
OAKRIDGE HOLDINGS EAST LLC
4286 W RIVERBEND AVE
POST FALLS, ID 83854-5100
Point of Diversion NENE
S35 T53N R04W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.11 CFS
Use: IRRIGATION
04/01 to 10/31 0.09 CFS
Total Diversion: 0.2 CFS
Date Filed: 02-06-2025
Place Of Use: DOMESTIC,IRRIGATION
T53N R04W S35 NENE,NWNE,SENE,SWNE
Total Acres: 3

95-18640
OAKRIDGE HOLDINGS WEST LLC
4286 W RIVERBEND AVE
POST FALLS, ID 83854-5100
Point of Diversion NENE
S35 T53N R04W
KOOTENAI County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31 0.09 CFS
Use: DOMESTIC
01/01 to 12/31 0.11 CFS
Total Diversion: 0.2 CFS
Date Filed: 02-06-2025
Place Of Use: DOMESTIC,IRRIGATION
T53N R04W S35 NWNE,SWNE
Total Acres: 3

95-18642
JOSHUA KIMBALL
PO BOX 1266
POST FALLS, ID 83877-1266
Point of Diversion SWNE
S21 T49N R03W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
03/15 to 11/15 0.14 CFS
Total Diversion: 0.2 CFS
Date Filed: 02-10-2025
Place Of Use: DOMESTIC,IRRIGATION,STOCKWATER
T49N R03W S21 NWNE,SWNE
Total Acres: 7

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; or for a full description of the right(s), please see https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of $25.00 for each application on or before 3/10/2025. The protestant must also send a copy of the protest to the applicant.
MATHEW WEAVER, Director Published on 2/20/2025 and 2/27/2025

MEMORANDUM

Date: January 30, 2025

To: Transfer 89559

From: Luke Bates 1/30/25

Re: Legal Notice Remarks

This transfer proposes to add a new point of diversion to Panhandle Village Water System's existing GW rights 95-7006 & 95-7013 in the SW1/4SW1/4 of Section 27, Twp 52N, Rge 04W.

MEMORANDUM

Date: January 30, 2025

To: Transfer 89559

From: Luke Bates 1/30/25

Re: Application Accepted

Application Accepted
1/30/2025

Two (2) separate Application for Transfer filings were received at Northern Regional Office on 1/22/2025. Both were filed on outdated forms Rev. 07/18.

The applicant submitted an Amended Application for Transfer on 1/30/2025 via Department E-File account, which includes a single transfer application for 2ea existing Decreed Rights 95-7006 & 95-7013. Additionally, a Withdrawal of Transfer Application was submitted to withdraw 1 of 2 original filings from above.

Of note, each original filing included separate payment of $550.00. For the current transfer application I have evaluated the fee requirement of $500.00 based on 0.29 cfs Diversion Rate; I've recommended a partial refund in the amount of $50.00 toward invoice receipt No. N045166.

Bates, Luke

From: Bates, Luke
Sent: Thursday, January 23, 2025 8:26 AM
To: panhandlevillagewater@gmail.com
Subject: IDWR 2ea application for transfer form submissions
Attachments: Bates_ Luke.vcf; Transfer Application Fee Scale - highlighted for emphasis.pdf

Panhandle Village Water System C/O James Williams – Chairman,

Good morning. IDWR is in receipt of 2ea transfer applications which propose to add POD(s) to water rights 95-7006 & 95-7013.

Upon initial review I have identified several changes that are required to bring the intent of your filing(s) to become accurate.

Talking points:

- Both form(s) submission was on outdated forms Revision 07/18. Current form Revision 11/24 is required in order for IDWR staff to process the application.

- I note your intent pursues adding 2 PODs to each Licensed water right; following the adjudication process – Coeur d'Alene Spokane River Basin Adjudication, court decreed Rights 95-7006 & 95-7013 are authorized two (2) PODS (well 1 & 2) per water right. I believe this indicates your intent may be to add a single POD to both water rights as a "new" POD.
    - Question – is the intent to pump all three wells simultaneously? A transfer application doesn't authorize enlargement of the existing water rights which has a combined diversion rate of (0.06 cfs + 0.23 cfs = 0.29 cfs). If you do plan to pump all three simultaneously it may indicate the need for the water system to secure additional water rights by applying for an application for permit. We can discuss this via a short phone conversation.

I've done some background research and am prepared to assist you with converting the 2 separate submissions into a single transfer application (including both Rights) as long as this well is being proposed to meet redundancy purposes and not enlarge diversion rate or volume as authorized by decreed Rights 95-7006 & 95-7013.

Please do give me a call at your convenience, but with in the next 7 business days. If we are unable to connect by phone in the next 10 business days, I will pursue rejecting two (2) application for transfer as they are submitted on outdated forms.

I look forward to working with you to bring your filing to meet current IDWR standards. I'm pretty sure we will be able to refund approximately $600.00 of your total filing fees based on my initial assessment.

Best regards,

RECEIVED
JAN 22 2025
IDWR / NORTH

42-222 FED - 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the *Application for Transfer Instructions* for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

☐ Change diversion point(s) ☑ Add diversion point(s) ☐ Ownership change ☐ Ownership split

☐ Transfer is for changes pursuant to Idaho Code § 42-221.O.8. Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Panhandle Village Water System Phone 208-964-9716
2. **MAILING ADDRESS** PO Box 281 City Rathdrum
   State ID Zip 83858 Email panhandlevillagewater@gmail.com

☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.

☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.

☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 95-7006

☑ Attach a copy of the water right(s) as recorded, available at *idwr.idaho.gov, Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 0.225 (diversion rate) cubic feet per second and/or 39.6 (storage volume) acre-feet per annum.

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources.*

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			SW	SW	27	52 N	4 W	Kootenai	groundwater	Well 2
X			SW	SW	27	52 N	4 W	Kootenai	groundwater	Well 3
X			NE	NE	27	52 N	4 W	Kootenai	groundwater	Well 1

SUPERSEDED

Transfer No. _____

6. **GENERAL INFORMATION**

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

An existing 10 hp pump (Well 2) supplies groundwater to the distribution system. It has a flow meter and well controls are in a locked building. Existing Well 1 has the same characteristics and is to be added to this water right, as well as the new Well 2, which will also have a 10 hp pump connected to the existing distribution system.

b. Who owns the property at the point(s) of diversion? Panhandle Village Water System

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes	No	
☐	☑	undergone a period of five or more consecutive years of non-use,
☐	☑	currently used in a mitigation plan limiting the use of water under the right(s), or
☐	☑	currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

SUPERSEDED

d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☑ No

☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☑ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, *Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.*

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Signature of applicant or authorized agent	Print name and title if applicable	Date
for James Williams	James Williams, Chairman	12-17-2024

9. **FEE** – ☑ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of $50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The *Fee Schedule* is available at *www.idwr.idaho.gov, Water Right Transfers, Step 4* and in the *Application for Transfer Instructions*.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by _____ Date _____

Fee paid $550.00 Date 11/22/25 Receipted by MB Receipt # N045166

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)