Reinstate Evaluation

Permit Number: 96-13262 Reviewer: jadams Review Date: 1/23/2025

Analysis

1) Proof/extension request received date: 6/10/2024
2) Number of days proof/extension request received late: 9
3) Was a lapsed notice sent? No
4) Date lapsed notice sent:
5) Number of days between proof/extension request received date and date lapsed notice was sent: 0
6) Was the proof or extension request received more than 60 days after the lapsed notice was sent? No
7) Priority date: 9/27/2022
8) New priority date: 10/6/2022
9) New status: Active

Comments

96-13262
Return to Phill's office

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 96-13262	)	**PRELIMINARY ORDER**
IN THE NAME OF STEPHAN KUSTER & NANCY KUSTER	)	**REINSTATING A PERMIT**

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 May 26, 2023, the Department issued Permit No. 96-13262 ("Permit") in the name of Stephan & Nancy Kuster ("Permit Holder") authorizing the diversion of 0.04 cubic feet per second from Lake Pend Oreille for domestic use in Government Lot 4 (NW¼SW¼) of Section 25, Township 57 North, Range 02 West, B.M., Bonner County. A condition of permit approval required the Permit Holder to submit proof of beneficial use of water to the Department on or before June 1, 2024.

2. On March 29, 2024, the Department notified the Permit Holder by certified mail that proof of beneficial use was due and instructed the Permit Holder 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 June 1, 2024, the Permit lapsed because the Department had not received an acceptable Proof or Extension Request.

4. On June 3, 2024, the Department received from the Permit Holder a Proof without the required examination fee of $50.00, making the Proof unacceptable.

5. On June 10, 2024, the Department received from the Permit Holder the required examination fee of $50.00, making the Proof now acceptable.

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 or incremental statement, 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.

By submitting an acceptable Proof, the Permit Holder has shown reasonable cause why the Permit should be reinstated. The Permit should be reinstated based upon the June 10, 2024 filing date.

ORDER

IT IS HEREBY ORDERED that Permit No. 96-13262 is **REINSTATED** and the Permit's priority date is advanced to October 6, 2022.

DATED this _____ day of _____, 2025.

_____
Phill Hummer, Manager
Water Rights Section

lkl

Form 42-217 Rev. 6/22

RECEIVED
JUN 03 2024
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 $	50.00
Receipt No.	N044745
Receipted By	MB
Date Receipted	6/10/24

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. 96-13262 Name of Permit Holder(s) STEPHAN & NANCY KUSTER

Telephone No. 208 265 2800 Email kusters@earthlink.net

Mailing Address 2390 Bottle Bay Rd City Sagle State ID Zip 83860

2. Source of Water Lake Pend Oreille 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) _____ Stockwater (No. and stock type) _____

Other _____

4. Total diversion rate or volume (storage only) for which proof is submitted 0.04 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.)

Pickup placed under existing dock, 1¼" PVC perforated with ⅛" holes for fish screen, 1¼" poly-pipe with Franklin 1HP MOD 2145089003 water pump for dom. use

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 _____
	☐	☐	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 $_____ 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: Stephan Kuster Telephone No. 208 265 2800 Email kusters@earthlink.net

Mailing Address 2390 Bottle Bay Rd City Sagle State ID Zip 83860

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*	STEPHAN KUSTER PRINTED NAME AND TITLE	5-13-2024 DATE

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



96-13262 Ik1#1
LCom



96-13262 IKL#7
L



96-13262

lk1#3
LCom-b

Idaho Dept. of Water Resources
PO Box 83720, Boise
Boise ID 83720-0098

COPY

Idaho Department of Water Resources Receipt

Receipt ID: N044745

Payment Amount	$50.00	Date Received	6/10/2024 2:43 PM	Region	NORTHERN
Payment Type	Check	Check Number	6847		
Payer	KUSTER, STEPHAN & NANCY				
Comments	STATEMENT OF COMPLETION FOR STEPHAN & NANCY KUSTER 96-13262 DOCUMENT NUMBER: D7307				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
$50.00	BENEFICIAL USE	65104	0229	21		1155

Signature Line (Department Representative)

State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 96-13262

Priority: September 27, 2022 **Maximum Diversion Rate:** 0.04 CFS

This is to certify that

STEPHAN KUSTER 2390 BOTTLE BAY RD SAGLE ID 83860-8898 AND/OR
NANCY KUSTER 2390 BOTTLE BAY RD SAGLE ID 83860-8898

has applied for a permit to appropriate water from:

Source : LAKE PEND OREILLE **Tributary:** PEND OREILLE RIVER

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
LAKE PEND OREILLE L4 (NW¼ SW¼), Sec. 25, Twp 57N, Rge 02W, 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	
57N	02W	25										X L4							

Conditions of Approval

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

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

Signed this 26 day of MAY, 2023.

LUKE BATES
Interim Water Rights Supervisor

SCANNED
MAY 31 2023

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-13262

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
MAY 31 2023

RECEIVED
OCT 1[illegible] 2022
IDWR / NORTH

Print Single Sided Only

87057

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 96-13262

RECEIVED
SEP 30 2022
IDWR / NORTH

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1 Name of applicant(s) STEPHAN & NANCY KUSTER Phone 208 265 2800

Name connector (check one): ☑ and ☐ or ☒ and/or SK 10-12-22

Mailing address 2390 BOTTLE BAY RD. SK 10-12-22 City SAGLE

State ID ZIP 83860 Email kusters@earthlink.net

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 Lake Pend Oreille which is a tributary of Pendoreill River

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼ of ¼		¼	County	Source	Local name or tag #
57N	2W	25	~~4~~ SK	NW	SW		Bonner	Lake Pend Oreille	Lake Pend Oreille
				10-12-22					

5. Water will be used for the following purposes:

Amount ~~0.12~~ 0.04 SLE 10-12-22 cfs (cfs or acre-feet per year) for domestic/home purposes from Jan. 1 to Dec. 31 (both dates inclusive)

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

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

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

6 Total quantity to be appropriated is (a) ~~0.12~~ 0.04 SLE 10-12-22 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af)

7. Proposed diverting works: Existing Franklin 1HP pump S/N 2D97 23-1684

a. Describe type and size of devices used to divert water from the source. One or more Flojet R352144 or similar pumps pulling water from source and filling pressure tanks

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. _____

Same point of diversion SLE 10-12-22

For Department Use

Received by KU Date 9.27.22 Time 10:30 Preliminary check by _____

Fee $ 100 - Receipted by KU Receipt No. 2114083 Date _____

SCANNED
APR 12 2023

4f1

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. slc 10-12-22
   d. Domestic; show number of households One (1) household includes 0.5 acre lawn irrigation.
   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	
57N	2R	25										D							~~0.12~~ slc 10-12-22
												4							

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? Any domestic use, household use, lawn & flowers, domestic animals incl. horse(s) & cow(s) & sheep, garden & growing of food/feed.

11. a. Who owns the property at the point of diversion? applicant
    b. Who owns the land to be irrigated or place of use? applicant
    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. _____

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.

Stephan Kuster
Signature of Applicant

STEPHAN KUSTER
Print Name (and title, if applicable)

Stephan Kuster 10-12-22

Nancy Kuster
Signature of Applicant

NANCY KUSTER
Print Name (and title, if applicable)

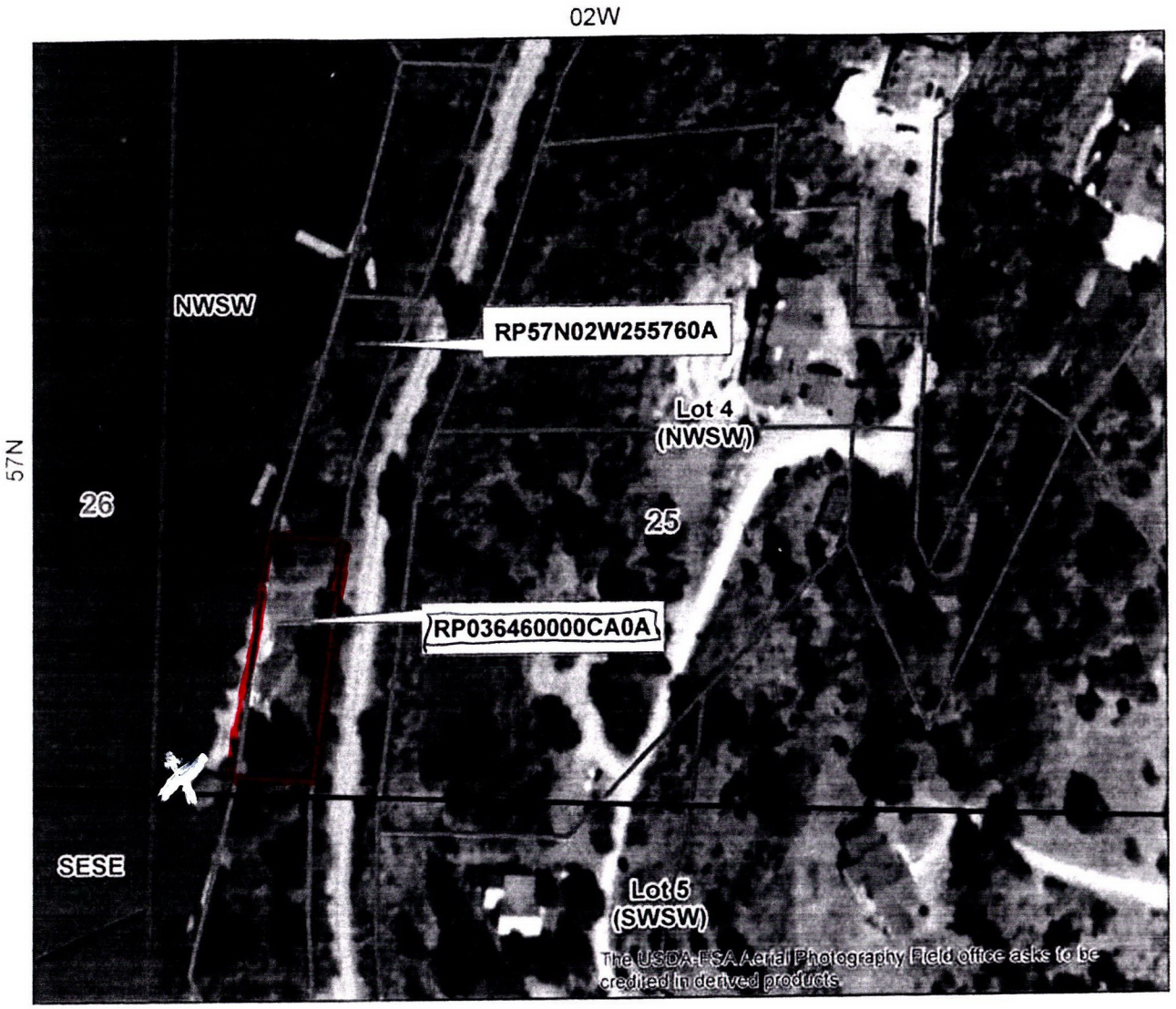
Nancy Kuster 10-12-22

SCANNED
APR 12 2023

4f1

State of Idaho
Department of Water Resources

Application For Permit



0 0.0175 0.035 0.07 Miles

PLS Sections
Quarter Quarters
Taxlots

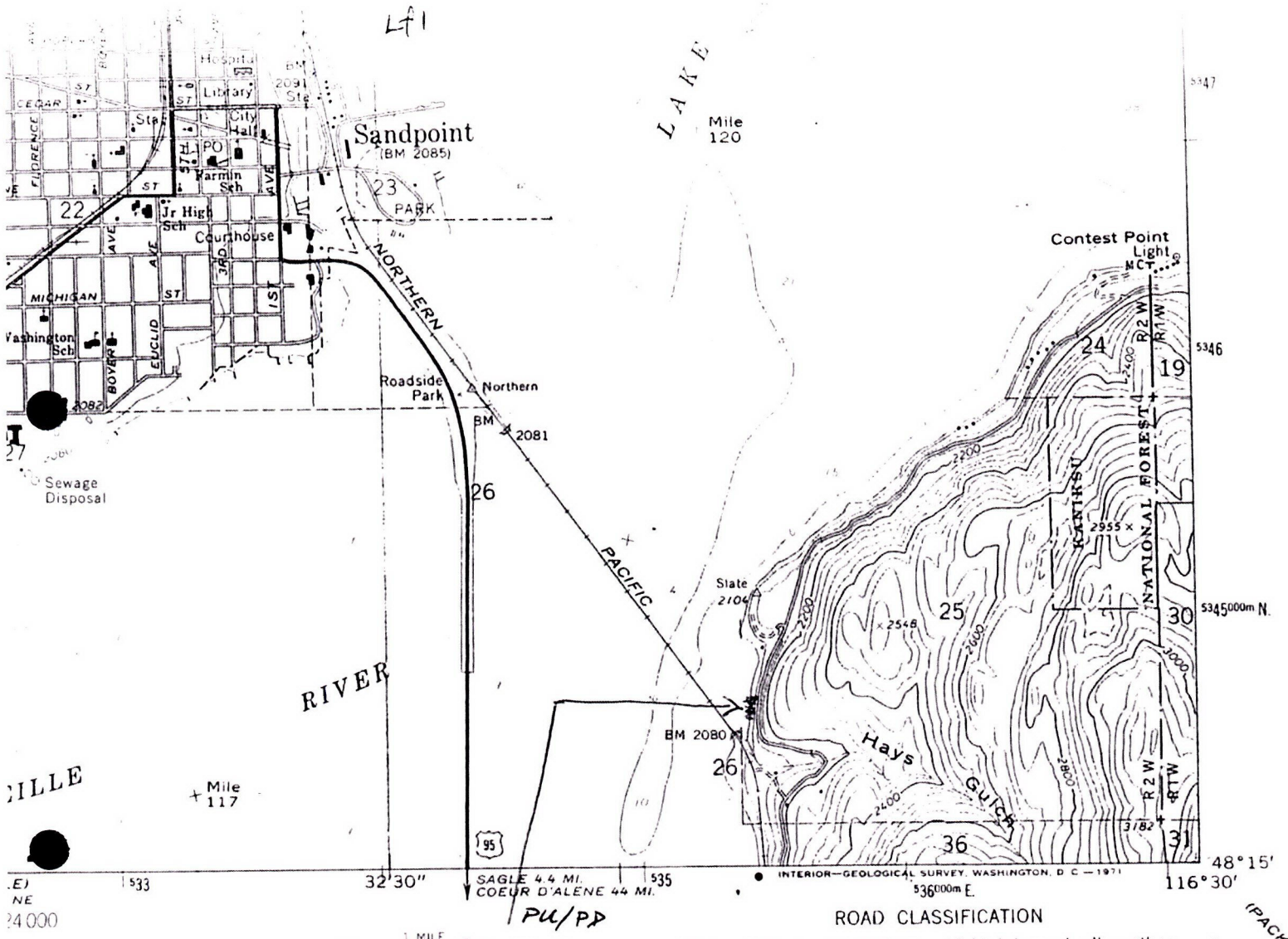
X = Point of Diversion
= Point of Use

N

Tax parcel information provided by Bonner County.

Prepared by: Shaun Maxey, IDWR

SCANNED
APR 12 2023



LF1

SCANNED
APR 12 2023

PU/PD

PARCEL #
RP03646000CAOA

BERRYMAN SUBD,
C. AREA
25-57N-2W
.26 Ac.

ROAD CLASSIFICATION

Primary highway, all weather, hard surface

Light-duty road, all weather, improved surface

Unimproved road, fair or dry weather

U. S. Route

State Route

1 MILE
4000 5000 6000 7000 FEET
1 KILOMETER

VAL 40 FEET
T 20-FOOT CONTOURS
SEA LEVEL
-DATUM IS LAKE ELEVATION 2048 FEET

IDAHO
QUADRANGLE LOCATION

AL MAP ACCURACY STANDARDS
COLORADO 80225, OR WASHINGTON, D.C. 20242
ND SYMBOLS IS AVAILABLE ON REQUEST

SANDPOINT, IDAHO

N4815—W11630/7.5

1968

AMS 2620 I SE—SERIES V803

Print Single Sided Only

FORM 202 Rev. 09/16

RECEIVED
SEP 27 2022
DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. _____

RECEIVED
SEP 30 2022
IDWR / NORTH

1. Name of applicant(s) STEPHAN & NANCY KUSTER Phone 208 265 2800
   Name connector (check one): ☑ and ☐ or ☐ and/or
   Mailing address 2390 BOTTLE BAY RD. City SAGLE
   State ID ZIP 83860 Email kusters@earthlink.net
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 Lake Pend Oreille which is a tributary of Pendoreill River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼ of ¼		¼	County	Source	Local name or tag #
57N	2W	25	4&5	NW	SW		Bonner	Lake Pend Oreille	Lake Pend Oreille

5. Water will be used for the following purposes:
   Amount 0.12 cfs (cfs or acre-feet per year) for domestic/home purposes from Jan. 1 to Dec. 31 (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
6. Total quantity to be appropriated is (a) 0.12 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works: Existing Franklin 1HP pump S/N 2D97 23-1684
   a. Describe type and size of devices used to divert water from the source. One or more Flojet R352144 or similar pump(s) pulling water from source and filling pressure tank
   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. _____

SUPERSEDED

For Department Use

Received by KU Date 9.27.22 Time 10:30 Preliminary check by _____
Fee $ 100 - Receipted by KU Receipt No. C114683 Date _____

SCANNED
APR 12 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 One (1) household
   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	
57N	2R	25										D							0.12
												4							

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? Any domestic use, household use, lawn & flowers, domestic animals incl. horse(s) & cow(s) & sheep, garden & growing of food/feed.

11. a. Who owns the property at the point of diversion? applicant
    b. Who owns the land to be irrigated or place of use? applicant
    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. _____

SUPERSEDED

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

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

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

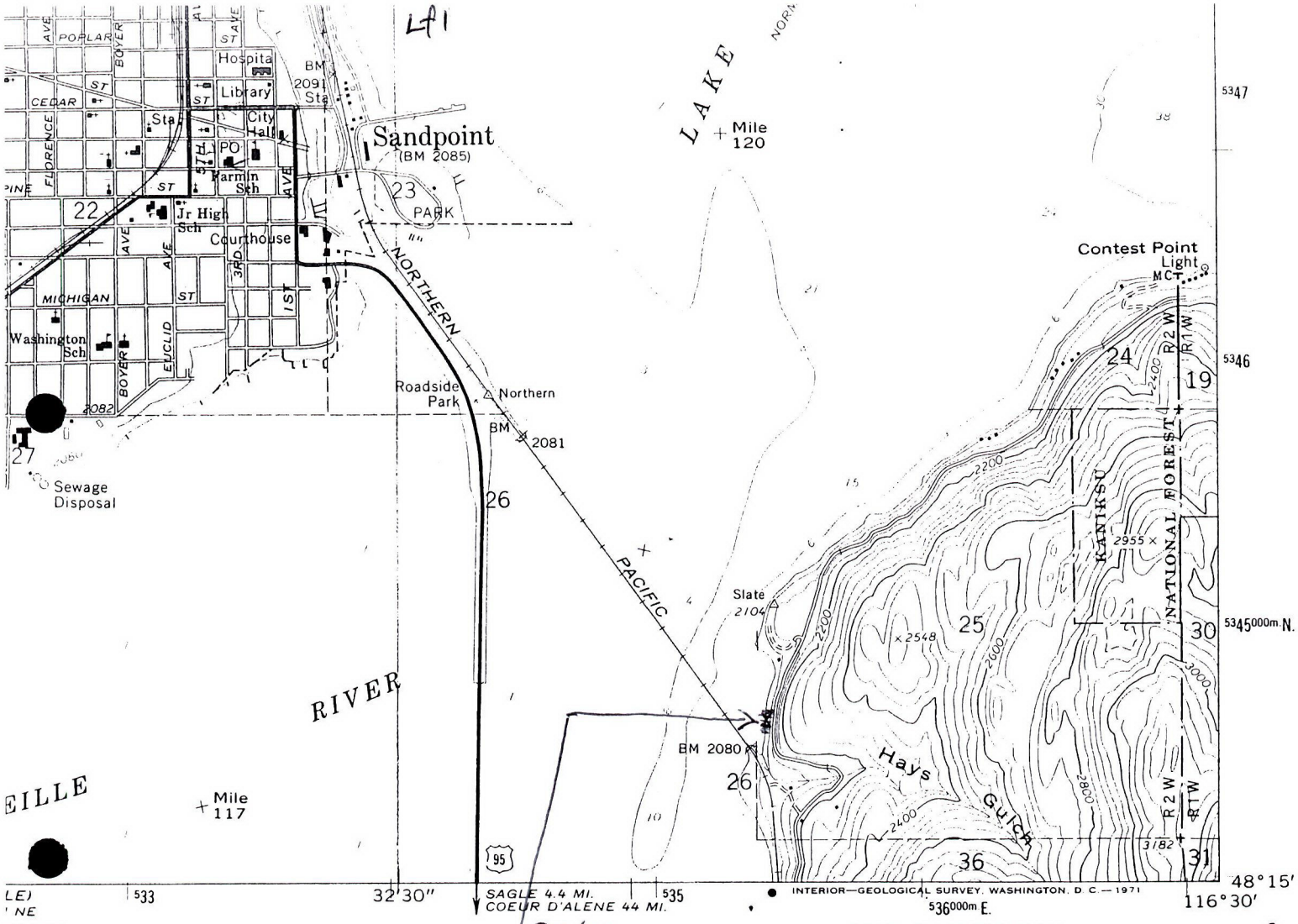
Stephan Kuster
Signature of Applicant

STEPHAN KUSTER
Print Name (and title, if applicable)

Nancy Kuster
Signature of Applicant

NANCY KUSTER
Print Name (and title, if applicable)

SCANNED
APR 12 2023



SUPERSEDED

SCANNED
APR 12 2023

L41

PU/PD

PARCEL # RP03G460000CADA

BERRYMAN SUBD.
C. AREA
25-57N-2W
.26 Ac.

24 000

1 MILE
4000 5000 6000 7000 FEET
1 KILOMETER

ROAD CLASSIFICATION

Primary highway, all weather, hard surface
Light-duty road, all weather, improved surface
Unimproved road, fair or dry weather
U. S. Route
State Route

2780 III
(PACKSADDLE MTN.)
1:62 500

VAL 40 FEET
IT 20-FOOT CONTOURS
I SEA LEVEL
-DATUM IS LAKE ELEVATION 2048 FEET

IDAHO
QUADRANGLE LOCATION

AL MAP ACCURACY STANDARDS
COLORADO 80225, OR WASHINGTON, D. C. 20242
ND SYMBOLS IS AVAILABLE ON REQUEST

SANDPOINT, IDAHO

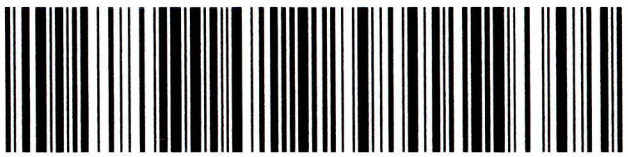
N4815—W11630/7.5

1968

AMS 2680 I SE—SERIES V893

322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

USPS CERTIFIED MAIL



9214 8901 9403 8354 9097 78

NANCY KUSTER
STEPHAN KUSTER
2390 BOTTLE BAY RD
SAGLE ID 83860-8898

96-13257, 96-13262, 96-13263
Username: Amanda Veibell

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

March 29, 2024

NANCY KUSTER
STEPHAN KUSTER
2390 BOTTLE BAY RD
SAGLE ID 83860-8898

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 96-13257, 96-13262, 96-13263

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 **June 01, 2024**. 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,

Amanda Veibell

Amanda Veibell
Technical Records Specialist

Enclosure(s)

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 30, 2023

STEPHAN KUSTER
NANCY KUSTER
2390 BOTTLE BAY RD
SAGLE ID 83860-8898

RE: Permit No. 96-13262

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
MAY 31 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
MAY 31 2023

CERTIFICATE OF SERVICE

I hereby certify that on May 30, 2023, I served a true and correct copy of Permit to Appropriate Water No. 96-13262 by U.S. Mail, postage prepaid, to the following:

STEPHAN KUSTER (Current Owner)
2390 BOTTLE BAY RD
SAGLE ID 83860-8898

NANCY KUSTER (Current Owner)
2390 BOTTLE BAY RD
SAGLE ID 83860-8898

Tammy Alleman
Administrative Assistant 1

SCANNED
MAY 31 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
MAY 31 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
MAY 3 1 2023

AFFIDAVIT OF PUBLICATION

RECEIVED
MAY 05 2023
IDWR / NORTH

STATE OF IDAHO)
) ss.
County of Bonner)

Italia J. Mena, 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 Legal 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 20th day of Apr., 2023 and ending on the 27th day of April, 2023.

State of Idaho, county of Bonner ss.
On this 1st day of May, in the year of 2023 before me, Sherilyn Jones, Notary Public, personally appeared Italia J. Mena 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.

Sherilyn Jones
Notary Public
Residing at: Bonner County

My Commission Expires 4/17/29

SHERILYN JONES NOTARY PUBLIC COMM. NO. 69771 STATE OF IDAHO

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

95-18428
CIDER MOUNTAIN INC
1568 CIDER RD
ATHOL, ID 83801-8906
Point of Diversion SENE
S28 T54N R03W
BONNER County
Source GROUND WATER
Point of Diversion SENE
S28 T54N R03W
BONNER County
Source GROUND WATER
Use: COMMERCIAL
01/01 to 12/31 0.2 CFS
Use: DOMESTIC
01/01 to 12/31 0.2 CFS
Use: IRRIGATION
04/01 to 10/31 0.15 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.2 CFS
Date Filed: 02-06-2023
Place Of Use:
COMMERCIAL,DOMESTIC,
IRRIGATION,STOCKWATER
T54N R03W S28 SENE
Total Acres: 4.9

96-10330
DYLAN OWENS
522 RAVEN LANE
CAREYWOOD, ID 83809
Point of Diversion NWNE
S8 T54N R02W
BONNER County
Source GROUND WATER
Use: DOMESTIC
1 /1 to 12/31 0.04 CFS
Use: STOCKWATER
1 /1 to 12/31 0.02 CFS
Total Diversion: 0.06 CFS
Date Filed: 02-04-2022
Place Of Use:
DOMESTIC,STOCKWATER
T54N R02W S8 NWNE

96-12528
SARAH CAREY
3560 EAST DUFORT ROAD
SAGLE, ID 83860
Point of Diversion NESE
S26 T56N R02W
BONNER County
Source GROUND WATER
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 02-21-2023
Place Of Use: DOMESTIC
T56N R02W S26 NESE

04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 02-27-2023
Place Of Use: IRRIGATION
T57N R02W S22 SESE
Total Acres: 0.5

SCANNED
MAY 31 2023

96-13257
STEPHAN KUSTER
NANCY KUSTER
2390 BOTTLE BAY RD
SAGLE, ID 83860-8898
Point of Diversion L4(NWSW)
S25 T57N R02W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 09-27-2022
Place Of Use: DOMESTIC
T57N R02W S25 L4(NWSW),NWSW

96-13262
STEPHAN KUSTER
NANCY KUSTER
2390 BOTTLE BAY RD
SAGLE, ID 83860-8898
Point of Diversion L4(NWSW)
S25 T57N R02W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 09-27-2022
Place Of Use: DOMESTIC
T57N R02W S25 L4(NWSW)

96-13299
PEND OREILLE SHORES RESORT ASSN INC
47390 HIGHWAY 200
HOPE, ID 83836-9647
Point of Diversion NESW
S1 T56N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.09 CFS
Date Filed: 10-14-2022
Place Of Use: IRRIGATION
T56N R01E S1 L6(NWSE)
Total Acres: 3

96-13927
JAMES LARSON
323 AERIE LANE
SAGLE, ID 93960
Point of Diversion NWSE
S26 T57N R01W
BONNER County
Source LAKE PEND ORIELLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 02-03-2023
Place Of Use: DOMESTIC
T57N R01W S26 L2(NWSE)

96-[illegible]42
CHERYL HICKS
BRIAN HICKS
180 BRIER PATCH RD
CAREYWOOD, ID 83809
Point of Diversion NESE
S5 T54N R02W
BONNER 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
04/01 to 10/31 0.09 CFS
Total Diversion: 0.17 CFS
Date Filed: 10-31-2022
Place Of Use: DOMESTIC, IRRIGATION,STOCKWATER
T54N R02W S5 NESE
Total Acres: 3

96-14343
CHERYL HICKS
BRIAN HICKS
180 BRIER PATCH RD
CAREYWOOD, ID 83809
Point of Diversion NESE
S5 T54N R02W
BONNER County
Source GROUND WATER
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: IRRIGATION
04/01 to 10/31 0.09 CFS
Total Diversion: 0.17 CFS
Date Filed: 10-31-2022
Place Of Use: DOMESTIC, IRRIGATION,STOCKWATER
T54N R02W S5 NESE
Total Acres: 3

96-14636
BDJ FAMILY LTD PARTNERSHIP
717 S PINES RD
SPOKANE VLY, WA 99206-5451
Point of Diversion NESW
S2 T56N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: COMMERCIAL
01/01 to 12/31 0.06 CFS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Total Diversion: 0.15 CFS
Date Filed: 01-23-2023
Place Of Use: COMMERCIAL,DOMESTIC, IRRIGATION
T56N R01E S2 L4(NESW)
Total Acres: 1

96-14790
LYNNE SLAUSON
16855 PONDEROSA CASCADE DRIVE
BEND, OR 97703
Point of Diversion L2(NWSE)
S26 T57N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 02-13-2023
Place Of Use: DOMESTIC
T57N R01W S26 SWSE,L2(NWSE),L1(SESE),L1(NESE)

96-14841
MARINA KEMP
137 WRENCOE HILLS EAST
SANDPOINT, ID 83864
Point of Diversion L5(NWSENE)
S4 T56N R03W
BONNER County
Source SPRING
Tributary SINKS
Use: IRRIGATION
04/1 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 02-13-2023
Place Of Use: IRRIGATION
T56N R03W S4 L5(SENE)
Total Acres: 1

96-14947
CYNTHIA SIELAFF LIVING TRUST
2566 WESTMOND RD
SAGLE, ID 83860
Point of Diversion SESW
S34 T56N R02W
BONNER County
Source GROUND WATER
Tributary WESTMOND CREEK
Point of Diversion SESW
S34 T56N R02W
BONNER County
Source UNNAMED STREAM
Tributary WESTMOND CREEK
Use: STOCKWATER STORAGE
01/01 to 12/31 1.9 AF
Use: IRRIGATION STORAGE
01/01 to 12/31 16.2 AF
Use: STOCKWATER FROM STORAGE
01/01 to 12/31 0.4 AF
Use: IRRIGATION FROM STORAGE
04/01 to 10/31 16.2 AF
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.11 CFS
Total Diversion: 0.13 CFS
Date Filed: 02-23-2023
Place Of Use: IRRIGATION, IRRIGATION FROM STORAGE
T56N R02W S34 NESW,SESW
Place Of Use: IRRIGATION STORAGE,STOCKWATER,STOCKWATER FROM STORAGE,STOCKWATER STORAGE
T56N R02W S34 SESW
Total Acres: 5.4

96-14948
CYNTHIA SIELAFF LIVING TRUST
2566 WESTMOND RD
SAGLE, ID 83860
Point of Diversion SWSW
S34 T56N R02W
BONNER County
Source UNNAMED STREAM
Tributary WESTMOND CREEK
Point of Diversion SWSW
S34 T56N R02W
BONNER County
Source UNNAMED STREAM
Tributary WESTMOND CREEK
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.58 CFS
Total Diversion: 0.6 CFS
Date Filed: 02-23-2023
Place Of Use: IRRIGATION,STOCKWATER
T56N R02W S34 NWSW,SWSW,SESW
Total Acres: 29

96-14951
DAVID L TAYLOR
MIMI TAYLOR
3970 DUFORT RD
SAGLE, ID 83860-9095
Point of Diversion SESENE
S27 T56N R03W
BONNER County
Source SPRING
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.08 CFS
Date Filed: 02-23-2023
Place Of Use: DOMESTIC,STOCKWATER
T56N R03W S27 SENE,NESE

96-14953
DAVID L TAYLOR
MIMI TAYLOR
3970 DUFORT RD
SAGLE, ID 83860-9095
Point of Diversion SENE
S27 T56N R03W
BONNER County
Source GROUND WATER
Point of Diversion NESE
S27 T56N R03W
BONNER County
Source GROUND WATER
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: DOMESTIC
01/01 to 12/31 0.08 CFS
Total Diversion: 0.1 CFS
Date Filed: 02-23-2023
Place Of Use: DOMESTIC,STOCKWATER
T56N R03W S27 SENE,NESE

96-14984
JIM SOUSHEK
24036 183RD AVE SE
COVINGTON, WA 98042
Point of Diversion SESW
S33 T56N R02W
BONNER County
Source WESTMOND CREEK
Tributary LAKE COCOLALLA
Use: IRRIGATION
4 /1 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 02-24-2023
Place Of Use: IRRIGATION
T56N R02W S33 SESW
Total Acres: 1

96-14993
NANCY M MC ADAM
WILLIAM H MC ADAM
101 PACIFIC ST
SANDPOINT, ID 83864-1234
Point of Diversion SESE
S22 T57N R02W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION

SCANNED
MAY 3 1 2023

96-15014
VIVIENNE M HESS
8441 E CESSNA LN
ATHOL, ID 83801-6002
Point of Diversion SENWSE
S34 T55N R02W
BONNER County
Source SPRING
Tributary SINKS
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: 03-01-2023
Place Of Use:
DOMESTIC,STOCKWATER
T55N R02W S34
NWSE,SWSE

96-15016
JAY AND LINDA JONES
LIVING TRUST
323 BUCK RUN
SAGLE, ID 83860-8558
Point of Diversion L3(NENW)
S2 T56N R02W
BONNER County
Source SAGLE SLOUGH
Tributary LAKE PEND OREILLE
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 02-27-2023
Place Of Use: IRRIGATION
T56N R02W S2 L3(NENW)
Total Acres: 1

96-15022
MATTHEW RENFROW
ANDREW RENFROW
1415 AMERICAN RIDGE RD
KENDRICK, ID 83537-9504
Point of Diversion L3(NESW)
S22 T56N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE
RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 02-23-2023
Place Of Use: DOMESTIC
T56N R01W S22 L3(NESW)

96-15041
KENNETH R GREEN
LINDA D GREEN
257 CEDAR LN
HOPE, ID 83836-9764
Point of Diversion NWNE
S12 T56N R01E
BONNER County
Source LAKE PEND ORIELLE
Tributary PEND OREILLE
RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 03-03-2023
Place Of Use: IRRIGATION
T56N R01E S12 NWNE
Total Acres: 0.5

96-15066
ROGER GORDON
DECLEMENTS
CYNTHIA MARIE TAYLOR-
DECLEMENTS
154 CASEYS LN
SANDPOINT, ID 83864-5991
Point of Diversion L3(NENW)
S2 T58N R01W
BONNER County
Source GROUSE CREEK
Tributary PACK RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.18 CFS
Date Filed: 03-06-2023
Place Of Use: IRRIGATION
T58N R01W S2
L3(NENW),L4(NWNW)
Total Acres: 8.8

96-15180
WILLIAM BRACKETT
CAROLYN BRACKETT
PO BOX 486
SAGLE, ID 83860-0486
Point of Diversion NWSE
S5 T55N R02W
BONNER County
Source WESTMOND CREEK
Tributary COCOLALLA LAKE
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Use: DIVERSION TO
STORAGE
01/01 to 12/31 0.05 CFS
Use: AESTHETIC STORAGE
01/01 to 12/31 0.5 AF
Use: FIRE PROTECTION
STORAGE
01/01 to 12/31 0.5 AF
Total Diversion: 0.08 CFS
Date Filed: 03-14-2023
Place Of Use: AESTHETIC
STORAGE,DIVERSION TO
STORAGE,FIRE PROTECTIO
STORAGE,IRRIGATION
T55N R02W S5 NWSE
Total Acres: 0.5

96-15238
DON M SHARP JR
REANNA H SHARP
252 MEADOW LN
SAGLE, ID 83860-9148
Point of Diversion SENE
S9 T56N R02W
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31 0.15 CFS
Use: COMMERCIAL
01/01 to 12/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 03-17-2023
Place Of Use:
COMMERCIAL,IRRIGATION
T56N R02W S9 SENE
Place Of Use: IRRIGATION
T56N R02W S9 NENE
Total Acres: 5

96-15337
KARA DUKE
4852 AMBER LN
BILLINGS, MT 59106-3776
Point of Diversion L1(NWNW)
S28 T56N R03W
BONNER County
Source UNNAMED SLOUGH
Tributary PEND OREILLE
RIVER
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Total Diversion: 0.12 CFS
Date Filed: 03-27-2023
Place Of Use: DOMESTIC,
IRRIGATION
T56N R03W S28
NENW,L1(NWNW)
Total Acres: 2

96-15338
THOMAS HARSH
GAIL HARSH
207 BIRCH BANKS RD
SAGLE, ID 83860-9262
Point of Diversion SENW
S2 T56N R02W
BONNER County
Source SAGLE SLOUGH
Tributary LAKE PEND OREILLE
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 03-23-2023
Place Of Use: IRRIGATION
T56N R02W S2 SENW
Total Acres: 0.5

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 5/8/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
Legal#5047
AD#7775
April 20, 27, 2023

SCANNED
MAY 31 2023

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

W.R. # 96 - 13262 APPLICATION ID # B7057 ENT. _____ BCA JA OK to Publish MR

INITIAL REVIEW

APPLICANT: KUSTER, Stephan and or KUSTER, Nancy BY: dmm DATE: 10/18/2022 (10/3/22) (10/28/22) (YB)

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(✓)

PROCESSING

(Yes)(No) **PRIORITY DATE:** 10/17/2022 (9/27/22) (YB)

___ ✓ (Include Moratorium Remark)

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

ADVERTISE IN: BONNER County

Newspaper: Bonner County Daily Bee

Dates scheduled for publication 4-20-23 & 4-27-23

Affidavit of Publication received: 5-5-23

Dates actually published: 4-20-23 & 4-27-23

Application published correctly. Yes Y No _____

If not, action taken: _____

Final Date for Protest: May 8, 2023

Protests Received: Yes _____ No Y

IDFG, IDEQ, IDOL, Board

LETTERS SENT REQUESTING:

( ) Dam Information ( ) Fish Information

( ) Power Information ( ) Other: _____

INFORMATION RECEIVED:

( ) Dam Information ( ) Fish Information

( ) Power Information ( ) Other: _____

ADDITIONAL INFORMATION

(Yes)(No)

✓ ___ **Shape File Created** **Date** 10/18/22 **By:** dmm

___ ___ Field check: by _____

___ ___ Field report attached

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

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

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 Lake Pend Oreille tributary to Pend Oreille River

___ ___ Critical ground water area

___ ___ Well Drilling Permit required

___ ___ Well Drilling Application and Fees received

___ ___ Well Drilling Application approved?

Remarks: Superceded original – changes reduce uses and NO advancement of Priority Date Recommended. Keep Priority date as 9/27/22

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

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

___ ___ Further information required from applicant _____

___ ___ Measuring device required

___ ___ Measuring port required

___ ___ Special conditions: ✓ X60 Common area, Berryman Sub.

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

Approval Recommended by: _____ Date: 5/24/23 Sr. Agent initial YB 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

April 12, 2023

STEPHAN KUSTER
NANCY KUSTER
2390 BOTTLE BAY RD
SAGLE, ID 83860-8898

RE: Application for Permit No. 96-13257 & 96-13262

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the BONNER COUNTY DAILY BEE on 4/20/2023 and 4/27/2023. 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
APR 12 2023

Alleman, Tammy

From: Alleman, Tammy
Sent: Wednesday, April 12, 2023 3:27 PM
To: Horsmon,Merritt; Chantilly Higbee; Anna Moody; 'Mike Ahmer'; IWRB Water Use Reviews
Subject: Request for Comments WR#96-13262
Attachments: 96-13262 Application for Permit.pdf

Dear Interested Agencies:

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: http://www.idwr.idaho.gov/apps/ExtSearch/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 May 8, 2023.

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

Thank you,

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
APR 12 2023

Alleman, Tammy

From: Alleman, Tammy
Sent: Wednesday, April 12, 2023 9:11 AM
To: bcdblegals@cdapress.com
Subject: Legal Notice for Bonner County Daily Bee
Attachments: Legal Notice BCDB.docx

Please publish the enclosed legal notice in the **Bonner County Daily Bee** on the dates indicated **April 20th & April 27th, 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 **May 8, 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
APR 12 2023

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

95-18428
CIDER MOUNTAIN INC
1568 CIDER RD
ATHOL, ID 83801-8906
Point of Diversion SENE
S28 T54N R03W
BONNER County
Source GROUND WATER
Point of Diversion SENE
S28 T54N R03W
BONNER County
Source GROUND WATER
Use: COMMERCIAL
01/01 to 12/31 0.2 CFS
Use: DOMESTIC
01/01 to 12/31 0.2 CFS
Use: IRRIGATION
04/01 to 10/31 0.15 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.2 CFS
Date Filed: 02-06-2023
Place Of Use: COMMERCIAL,DOMESTIC,IRRIGATION,STOCKWATER
T54N R03W S28 SENE
Total Acres: 4.9

96-10330
DYLAN OWENS
522 RAVEN LANE
CAREYWOOD, ID 83809
Point of Diversion NWNE
S8 T54N R02W
BONNER County
Source GROUND WATER
Use: DOMESTIC
1 /1 to 12/31 0.04 CFS
Use: STOCKWATER
1 /1 to 12/31 0.02 CFS
Total Diversion: 0.06 CFS
Date Filed: 02-04-2022
Place Of Use: DOMESTIC,STOCKWATER
T54N R02W S8 NWNE

96-12528
SARAH CAREY
3560 EAST DUFORT ROAD
SAGLE, ID 83860
Point of Diversion NESE
S26 T56N R02W
BONNER County
Source GROUND WATER
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 02-21-2023
Place Of Use: DOMESTIC
T56N R02W S26 NESE

96-13257
STEPHAN KUSTER
NANCY KUSTER
2390 BOTTLE BAY RD
SAGLE, ID 83860-8898
Point of Diversion L4(NWSW)
S25 T57N R02W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 09-27-2022
Place Of Use: DOMESTIC
T57N R02W S25
L4(NWSW),NWSW

SCANNED
APR 12 2023

96-13262
STEPHAN KUSTER
NANCY KUSTER
2390 BOTTLE BAY RD
SAGLE, ID 83860-8898
Point of Diversion L4(NWSW)
S25 T57N R02W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 09-27-2022
Place Of Use: DOMESTIC
T57N R02W S25 L4(NWSW)

96-13299
PEND OREILLE SHORES RESORT ASSN INC
47390 HIGHWAY 200
HOPE, ID 83836-9647
Point of Diversion NESW
S1 T56N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.09 CFS
Date Filed: 10-14-2022
Place Of Use: IRRIGATION
T56N R01E S1 L6(NWSE)
Total Acres: 3

96-13927
JAMES LARSON
323 AERIE LANE
SAGLE, ID 93960
Point of Diversion NWSE
S26 T57N R01W
BONNER County
Source LAKE PEND ORIELLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 02-03-2023
Place Of Use: DOMESTIC
T57N R01W S26 L2(NWSE)

96-14342
CHERYL HICKS
BRIAN HICKS
180 BRIER PATCH RD
CAREYWOOD, ID 83809
Point of Diversion NESE
S5 T54N R02W
BONNER 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
04/01 to 10/31 0.09 CFS
Total Diversion: 0.17 CFS
Date Filed: 10-31-2022
Place Of Use: DOMESTIC,IRRIGATION,STOCKWATER
T54N R02W S5 NESE
Total Acres: 3

96-14343
CHERYL HICKS
BRIAN HICKS
180 BRIER PATCH RD
CAREYWOOD, ID 83809
Point of Diversion NESE
S5 T54N R02W

SCANNED
APR 12 2023

BONNER County
Source GROUND WATER
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: IRRIGATION
04/01 to 10/31 0.09 CFS
Total Diversion: 0.17 CFS
Date Filed: 10-31-2022
Place Of Use: DOMESTIC,IRRIGATION,STOCKWATER
T54N R02W S5 NESE
Total Acres: 3

96-14636
BDJ FAMILY LTD PARTNERSHIP
717 S PINES RD
SPOKANE VLY, WA 99206-5451
Point of Diversion NESW
S2 T56N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: COMMERCIAL
01/01 to 12/31 0.06 CFS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Total Diversion: 0.15 CFS
Date Filed: 01-23-2023
Place Of Use: COMMERCIAL,DOMESTIC,IRRIGATION
T56N R01E S2 L4(NESW)
Total Acres: 1

96-14790
LYNNE SLAUSON
16855 PONDEROSA CASCADE DRIVE
BEND, OR 97703
Point of Diversion L2(NWSE)
S26 T57N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 02-13-2023
Place Of Use: DOMESTIC
T57N R01W S26
SWSE,L2(NWSE),L1(SESE),L1(NESE)

96-14841
MARINA KEMP
137 WRENCOE HILLS EAST
SANDPOINT, ID 83864
Point of Diversion L5(NWSENE)
S4 T56N R03W
BONNER County
Source SPRING
Tributary SINKS
Use: IRRIGATION
04/1 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 02-13-2023
Place Of Use: IRRIGATION
T56N R03W S4 L5(SENE)
Total Acres: 1

96-14947
CYNTHIA SIELAFF LIVING TRUST
2566 WESTMOND RD
SAGLE, ID 83860
Point of Diversion SESW
S34 T56N R02W
BONNER County
Source GROUND WATER
Tributary WESTMOND CREEK

SCANNED
APR 12 2023

Point of Diversion SESW
S34 T56N R02W
BONNER County
Source UNNAMED STREAM
Tributary WESTMOND CREEK
Use: STOCKWATER STORAGE
01/01 to 12/31 1.9 AF
Use: IRRIGATION STORAGE
01/01 to 12/31 16.2 AF
Use: STOCKWATER FROM STORAGE
01/01 to 12/31 0.4 AF
Use: IRRIGATION FROM STORAGE
04/01 to 10/31 16.2 AF
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.11 CFS
Total Diversion: 0.13 CFS
Date Filed: 02-23-2023
Place Of Use: IRRIGATION,IRRIGATION FROM STORAGE
T56N R02W S34
NESW,SESW
Place Of Use: IRRIGATION STORAGE,STOCKWATER,STOCKWATER FROM STORAGE,STOCKWATER STORAGE
T56N R02W S34 SESW
Total Acres: 5.4

96-14948
CYNTHIA SIELAFF LIVING TRUST
2566 WESTMOND RD
SAGLE, ID 83860
Point of Diversion SWSW
S34 T56N R02W
BONNER County
Source UNNAMED STREAM
Tributary WESTMOND CREEK
Point of Diversion SWSW
S34 T56N R02W
BONNER County
Source UNNAMED STREAM
Tributary WESTMOND CREEK
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.58 CFS
Total Diversion: 0.6 CFS
Date Filed: 02-23-2023
Place Of Use: IRRIGATION,STOCKWATER
T56N R02W S34
NWSW,SWSW,SESW
Total Acres: 29

96-14951
DAVID L TAYLOR
MIMI TAYLOR
3970 DUFORT RD
SAGLE, ID 83860-9095
Point of Diversion SESENE
S27 T56N R03W
BONNER County
Source SPRING
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.08 CFS
Date Filed: 02-23-2023
Place Of Use: DOMESTIC,STOCKWATER
T56N R03W S27
SENE,NESE

96-14953
DAVID L TAYLOR
MIMI TAYLOR
3970 DUFORT RD
SAGLE, ID 83860-9095
Point of Diversion SENE
S27 T56N R03W

SCANNED
APR 12 2023

BONNER County
Source GROUND WATER
Point of Diversion NESE
S27 T56N R03W
BONNER County
Source GROUND WATER
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: DOMESTIC
01/01 to 12/31 0.08 CFS
Total Diversion: 0.1 CFS
Date Filed: 02-23-2023
Place Of Use: DOMESTIC,STOCKWATER
T56N R03W S27
SENE,NESE

96-14984
JIM SOUSHEK
24036 183RD AVE SE
COVINGTON, WA 98042
Point of Diversion SESW
S33 T56N R02W
BONNER County
Source WESTMOND CREEK
Tributary LAKE COCOLALLA
Use: IRRIGATION
4 /1 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 02-24-2023
Place Of Use: IRRIGATION
T56N R02W S33 SESW
Total Acres: 1

96-14993
NANCY M MC ADAM
WILLIAM H MC ADAM
101 PACIFIC ST
SANDPOINT, ID 83864-1234
Point of Diversion SESE
S22 T57N R02W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 02-27-2023
Place Of Use: IRRIGATION
T57N R02W S22 SESE
Total Acres: 0.5

96-15014
VIVIENNE M HESS
8441 E CESSNA LN
ATHOL, ID 83801-6002
Point of Diversion SENWSE
S34 T55N R02W
BONNER County
Source SPRING
Tributary SINKS
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: 03-01-2023
Place Of Use: DOMESTIC,STOCKWATER
T55N R02W S34
NWSE,SWSE

96-15016
JAY AND LINDA JONES LIVING TRUST
323 BUCK RUN
SAGLE, ID 83860-8558
Point of Diversion L3(NENW)
S2 T56N R02W
BONNER County
Source SAGLE SLOUGH

SCANNED
APR 12 2023

Tributary LAKE PEND OREILLE
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 02-27-2023
Place Of Use: IRRIGATION
T56N R02W S2 L3(NENW)
Total Acres: 1

96-15022
MATTHEW RENFROW
ANDREW RENFROW
1415 AMERICAN RIDGE RD
KENDRICK, ID 83537-9504
Point of Diversion L3(NESW)
S22 T56N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 02-23-2023
Place Of Use: DOMESTIC
T56N R01W S22 L3(NESW)

96-15041
KENNETH R GREEN
LINDA D GREEN
257 CEDAR LN
HOPE, ID 83836-9764
Point of Diversion NWNE
S12 T56N R01E
BONNER County
Source LAKE PEND ORIELLE
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 03-03-2023
Place Of Use: IRRIGATION
T56N R01E S12 NWNE
Total Acres: 0.5

96-15066
ROGER GORDON DECLEMENTS
CYNTHIA MARIE TAYLOR-DECLEMENTS
154 CASEYS LN
SANDPOINT, ID 83864-5991
Point of Diversion L3(NENW)
S2 T58N R01W
BONNER County
Source GROUSE CREEK
Tributary PACK RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.18 CFS
Date Filed: 03-06-2023
Place Of Use: IRRIGATION
T58N R01W S2
L3(NENW),L4(NWNW)
Total Acres: 8.8

96-15180
WILLIAM BRACKETT
CAROLYN BRACKETT
PO BOX 486
SAGLE, ID 83860-0486
Point of Diversion NWSE
S5 T55N R02W
BONNER County
Source WESTMOND CREEK
Tributary COCOLALLA LAKE
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Use: DIVERSION TO STORAGE
01/01 to 12/31 0.05 CFS
Use: AESTHETIC STORAGE

SCANNED
APR 12 2023

01/01 to 12/31 0.5 AF
Use: FIRE PROTECTION STORAGE
01/01 to 12/31 0.5 AF
Total Diversion: 0.08 CFS
Date Filed: 03-14-2023
Place Of Use: AESTHETIC STORAGE,DIVERSION TO STORAGE,FIRE PROTECTION STORAGE,IRRIGATION
T55N R02W S5 NWSE
Total Acres: 0.5

96-15238
DON M SHARP JR
REANNA H SHARP
252 MEADOW LN
SAGLE, ID 83860-9148
Point of Diversion SENE
S9 T56N R02W
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31 0.15 CFS
Use: COMMERCIAL
01/01 to 12/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 03-17-2023
Place Of Use: COMMERCIAL,IRRIGATION
T56N R02W S9 SENE
Place Of Use: IRRIGATION
T56N R02W S9 NENE
Total Acres: 5

96-15337
KARA DUKE
4852 AMBER LN
BILLINGS, MT 59106-3776
Point of Diversion L1(NWNW)
S28 T56N R03W
BONNER County
Source UNNAMED SLOUGH
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Total Diversion: 0.12 CFS
Date Filed: 03-27-2023
Place Of Use: DOMESTIC,IRRIGATION
T56N R03W S28
NENW,L1(NWNW)
Total Acres: 2

96-15338
THOMAS HARSH
GAIL HARSH
207 BIRCH BANKS RD
SAGLE, ID 83860-9262
Point of Diversion SENW
S2 T56N R02W
BONNER County
Source SAGLE SLOUGH
Tributary LAKE PEND OREILLE
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 03-23-2023
Place Of Use: IRRIGATION
T56N R02W S2 SENW
Total Acres: 0.5

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 5/8/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director Published on 4/20/2023 and 4/27/2023

SCANNED
APR 12 2023

Maxey, Shaun

From: Maxey, Shaun
Sent: Wednesday, October 12, 2022 4:00 PM
To: kusters@earthlink.net
Subject: Idaho Application For Permit (Application for parcel RP036460000CA0A)
Attachments: 96-XXXX KUSTER CA0A APP.pdf; 96-XXXX KUSTER CA0A MAP.pdf; 96-XXXX KUSTER CA0A DRAFT MAP.pdf

Mr. or Mrs. Kuster:

The attachments to this e-mail pertain to your original Application involving use of Lake Pend Oreille for domestic use on lakefront parcel RP036460000CA0A.. Please give me a call at (208) 762.2816 if you have questions.

The current Application contains several errors that must be corrected before we move forward to publication of legal notices on the Application. Please print out the attached copy of your original Application and make the following initialed and dated corrections to the following lines on the Application.

1) Line 4 should have Govt Lot 5 deleted unless you intend to operate two Points of Diversion (POD) from the lake. A second row with a '...5...' added to the Govt Lot column must be added if you intend to operate a second POD to serve the Place of Use (POU) lot.
2) Please put two '**X**'s on the map (one for each POD) from the lake on the substitute map I have provided (see attachment) if you intend to operate a second POD to serve the Place of Use (POU) lot..
3) The correct quantity for Domestic (one home) on Line 5 and Line 6 should be 0.04 CFS instead of 0.12 CF.S Please add ' ...includes 0.5 acre lawn irrigation...' after the word '...household...' on line 8(d).
4) Line 9 should not have an acreage quantity for Domestic use.. Up to 0.5 acres of lawn, garden, misc. irrigation is included on Line 8 (d).

Please contact me about labeling a map to use for your completed Application, initialing & dating, and please note that the final Application received by IDWR must have an original signature.

Thanks,

Shaun Maxey

IDAHO DEPARTMENT OF WATER RESOURCES

Shaun M. Maxey | Sr. Water Resource Agent
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
APR 12 2023