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

| | | |
|---|---|---|
| IN THE MATTER OF PERMIT NO. 96-12324<br>IN THE NAME OF DENNIS C. AND<br>CAROLYN D. THIBAULT | )<br>)<br>)<br>) | **PRELIMINARY ORDER**<br>**REINSTATING 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 December 22, 2022, the Department issued Permit No. 96-12324 ("Permit") in the name of Dennis C. Thibault and Carolyn D. Thibault ("Permit Holders") authorizing the diversion of 0.04 cubic feet per second from a spring for domestic use in the NE¼SW¼ and SE¼SW¼, of Section 6, Township 56 North, Range 2 East, B.M., Bonner County. A condition of permit approval required submittal of the proof of beneficial use of water to the Department on or before January 1, 2024.

2. On October 31, 2023, the Department notified the Permit Holder by certified mail that proof of beneficial use was due and instructed the Permit Holders of the steps to be taken to submit a *Statement of Completion for Submitting Proof of Beneficial Use* ("Proof") or a *Request for Extension of Time* ("Extension Request").

3. On January 1, 2024, the Permit lapsed because the Department had not received an acceptable Proof or Extension Request.

4. On January 3, 2024, the Permit Holder filed an acceptable Proof.

## CONCLUSIONS OF LAW

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

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

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

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

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JAN 16 2025

The Permit Holder filed an acceptable Proof providing a reasonable showing the Permit should be reinstated. The Permit should be reinstated based upon the January 3, 2024 filing date.

**ORDER**

IT IS HEREBY ORDERED that Permit No. 96-12324 is **REINSTATED** and the Permit's priority date is advanced to November 5, 2022.

DATED this 10th day of January, 2025.

Phill Hummer, Manager
Water Rights Section



SCANNED
JAN 13 2025

## CERTIFICATE OF SERVICE

I hereby certify that on **January 10, 2025** I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER **(PRELIMINARY ORDER REINSTATING A PERMIT)** to the person(s) listed below:

RE: Preliminary Order in the Matter of Permit No. **96-12324**

**DENNIS C THIBAULT**
**PO BOX 376**
**HOPE ID 83836**

**CAROLYN D THIBAULT**
**PO BOX 376**
**HOPE ID 83836**

**Jean Hersley**
**Technical Records Specialist II**

SCANNED
JAN 10 2025

# 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.

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JAN 10 2025

## 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.

Form 42-217 Rev. 6/22

RECEIVED
JAN 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. | C117605 |
| Receipted By | KM |
| Date Receipted | 1.3.24 |

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. 96-12324 Name of Permit Holder(s) Dennis C Thibault & Carolyn D Thibault

Telephone No. (208) 264-5497 Email cabindex@frontier.com

Mailing Address PO Box 376 City Hope State ID Zip 83836

**2.** Source of Water spring 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.)

A 4" perforated pipe collects spring water underground to connect with ≈75-100ft of pipe (solid) connected to 500 gal water collection tank w/overflow pipe. Small pump pulls water up to pumphouse via 1" pipe into 20 gal pressure tank inside pumphouse on side of home.

**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 $ 50.00 or ☐ CWRE field report attached or ☐ No fee required

*See fee schedule on page 3 of the instructions. Proof statements filed without an appropriate fee are incomplete.*

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

Name: Dennis C Thibault Telephone No. (208) 264-5497 Email cabindex@frontier.com

Mailing Address PO Box 376 City Hope State ID Zip 83836

**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.**

Carolyn D Thibault — Carolyn D Thibault - Permit Holder — 12-2-2023

SIGNATURE OF PERMIT HOLDER* PRINTED NAME AND TITLE DATE

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

SCANNED
JAN 10 2025

Map: 419 Carter Creek Rd, Hope, ID 83836
Permit No. 96-12324




N
W E
S

markings not to scale on map

S = Source (spring - bubbles up seasonally; remainder of the year it is underground)

= * perforated pipe (diversion point)

= * solid pipe (delivers water to holding/collection tank & up to pumphouse on side of house)

= * water holding tank (w/ short overflow pipe that allows water to resume flow toward unnamed stream which flows into & down into Carter Creek south of our property)

H = house (site of beneficial use)

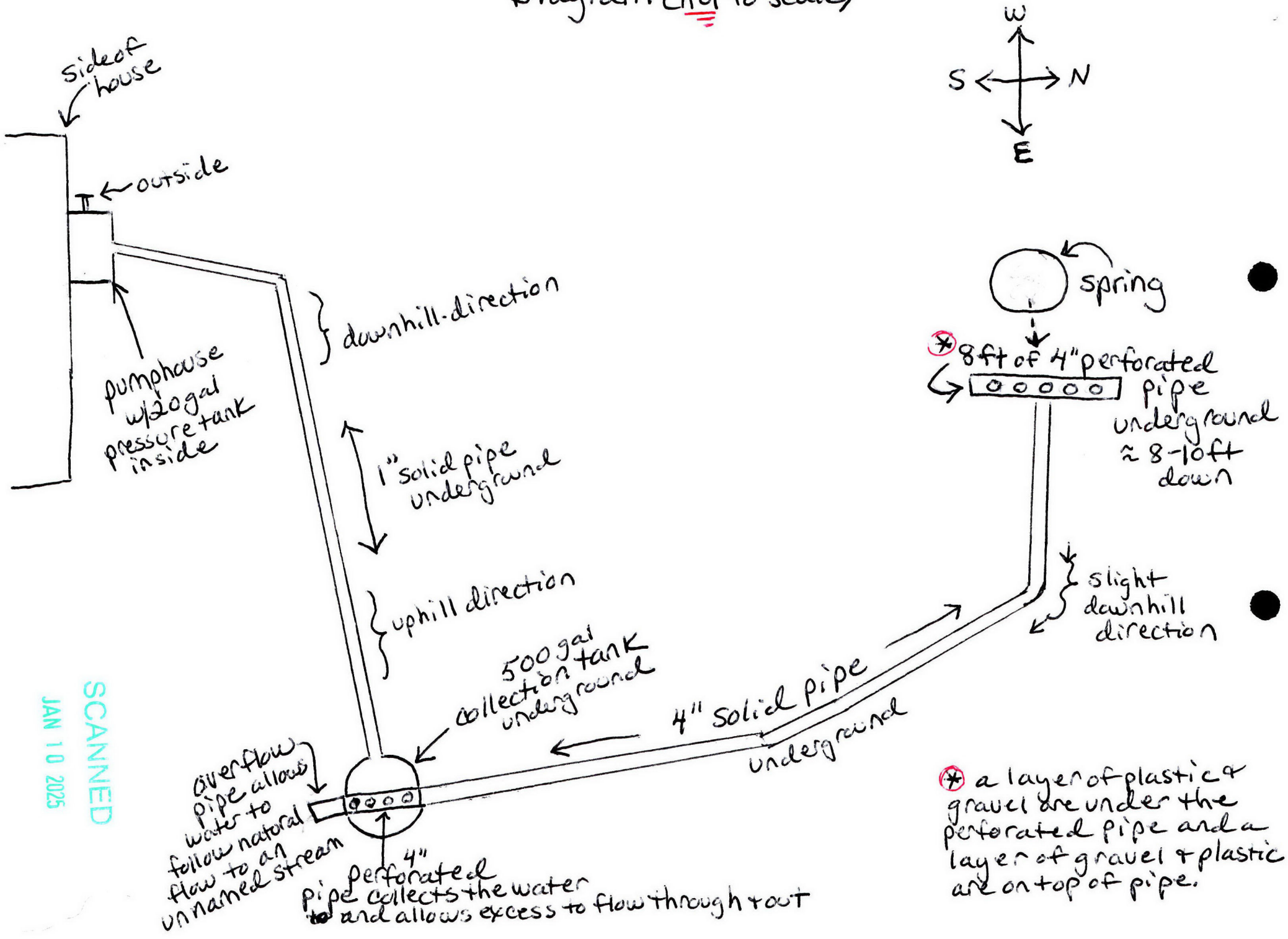
C = carport/storage/shop

* please see attached diagram of water intake/collection system

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JAN 10 2025

Permit No. 96-12324

# Diagram (not to scale)




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JAN 10 2025

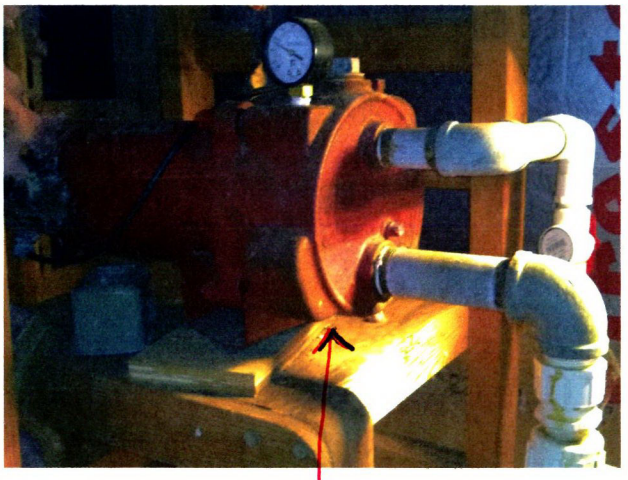
Permit No. 96-12324

Beneficial Use

**Outside**

↓ Pumphouse Photos ↓





(*) water spigot for hose

pump

↓ Underground Collection Tank ↓





Collection tank lid (covered w/moss)

overflow pipe

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JAN 10 2025

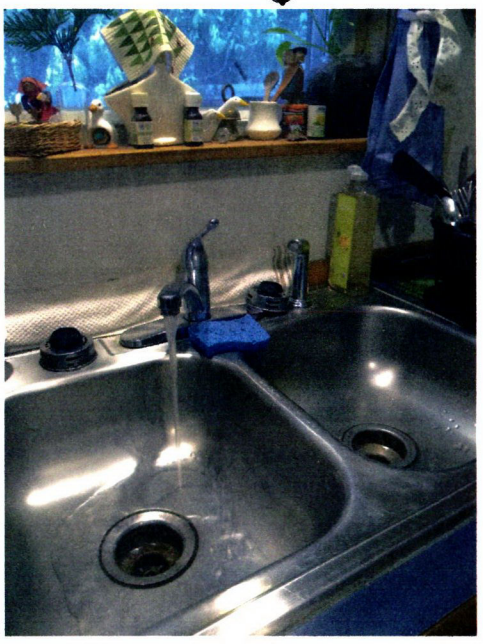
(*) used to seasonally water a few front yard plants + small lawn as well as small fruit/veg garden - mostly perennials requiring little watering.

Permit No. 96-12324

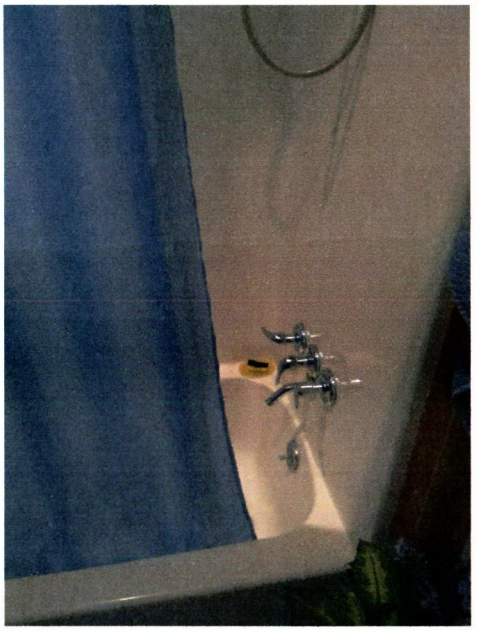
# Beneficial Use

**Inside**

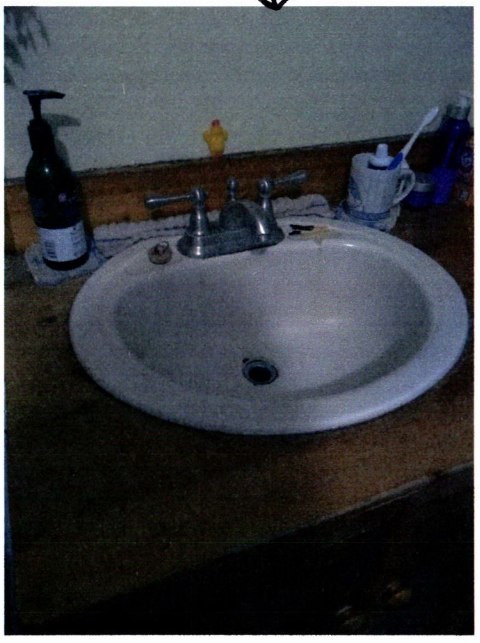
Kitchen sink



Bathtub/Shower



Bathroom sink



Toilet (washing machine not pictured)



SCANNED
JAN 10 2025

State of Idaho
Department of Water Resources

# Permit to Appropriate Water

**No. 96-12324**

**Priority**: November 03, 2022 **Maximum Diversion Rate:** 0.04 CFS

This is to certify that

DENNIS C THIBAULT PO BOX 376 HOPE ID 83836 AND/OR
CAROLYN D THIBAULT PO BOX 376 HOPE ID 83836

has applied for a permit to appropriate water from:

**Source :** SPRING **Tributary:** CARTER CREEK

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

| Beneficial Use | Period of Use | Rate of Diversion |
|---|---|---|
| DOMESTIC | 1 /1 to 12/31 | 0.04 CFS |

**Location of Point(s) of Diversion**
SPRING SW¼ NE¼ SW¼, Sec. 6, Twp 56N, Rge 02E, 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 | |
| 56N | 02E | 6 | | | | | | | | | X | | | X | | | | | |

**Conditions of Approval**

1. Proof of application of water to beneficial use shall be submitted on or before **January 01, 2024.**
2. Subject to all prior water rights.
3. Domestic use is for 1 home.
4. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
5. This right does not grant any right-of-way or easement across the land of another.

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

Signed this 22 day of December, 2022.

LUKE BATES
Interim Water Rights Supervisor

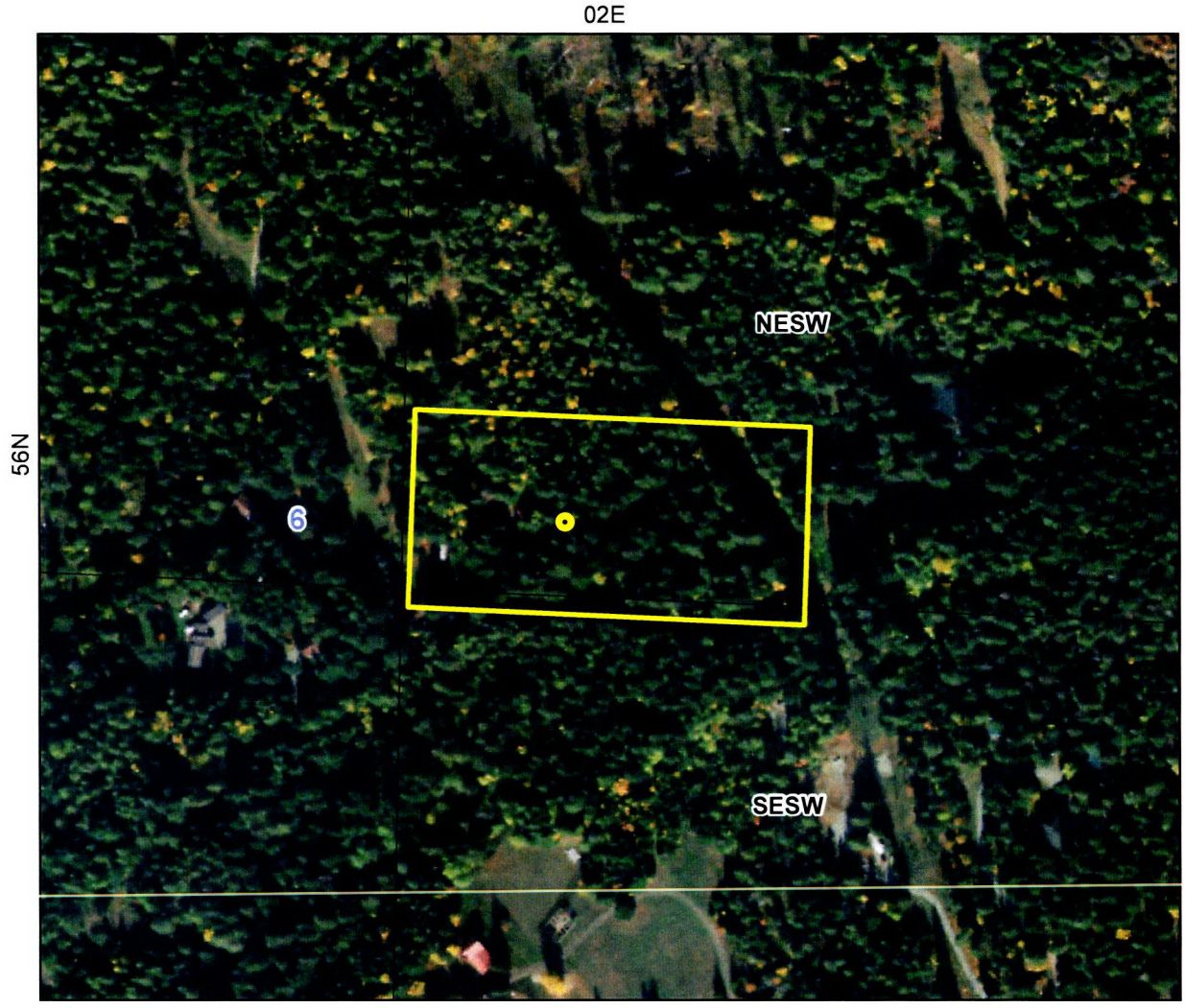
SCANNED
DEC 23 2022

State of Idaho
Department of Water Resources

# Attachment to Permit to Appropriate Water

96-12324

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.




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

0 0.035 0.07 0.14 Miles

N

SCANNED
DEC 2 3 2022

RECEIVED
Nov 03, 2022
DEPARTMENT OF
WATER RESOURCES

87078

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

# APPLICATION FOR PERMIT

**To appropriate the public waters of the State of Idaho**
**No. 96-12324**

1. **Applicants**
Dennis C Thibault
PO Box 376
Hope, ID 83836
(208) 264-5497
cabindex@frontier.com

Carolyn D Thibault
PO Box 376
Hope, ID 83836
(208) 264-5497
cabindex@frontier.com

2. **Representatives**
**Submitter is one of the applicants**

3. **Source of Water Supply**
**Source : SPRING tributary to CARTER CREEK**

4. **Location of Point(s) of Diversion**

| POD # | Source | Tributary Of | Diversion Type | Township | Range | Section | Govt Lot | QQQ/QQ/Q | County |
|---|---|---|---|---|---|---|---|---|---|
| 1 | SPRING | CARTER CREEK | | 56N | 02E | 6 | SW | /NE/SW | BONNER |

DT/DT - 10/30/22

5. **Water will be used for the following purposes:**

| Purposes | Season | Rate | Volume | Description |
|---|---|---|---|---|
| DOMESTIC | 01/01 to 12/31 | ~~0.03~~ 0.04 cfs DT/DT - 10/30/22 | 0.00 afa | Household use, front yard, and small vegetable garden. |

6. **Total quantity to be appropriated is (a)** ~~0.03~~ 0.04 cfs **and/or** 0 afa DT/DT - 10/30/22

7. **Proposed Diverting Works:**
**POD No :**1
**Description:** Perforated pipe (4") for collection into 500 gal water tank with overflow pipe. Small pump pulls water up from collection tank via solid pipe (1") to house holding tank.
**Drill Date :**
**Metal Tag :**
**Drilled By :**
**Drilled For :**
**Drilling Permit :**
**GeothermalWater :**False

8. **Description of Place Of Use:**

| DOMESTIC | | | | | | | |
|---|---|---|---|---|---|---|---|
| Township | Range | Section | QQ | Q | County | Govt Lot | Acres |
| 56N | 02E | 6 | SE | SW | BONNER | | |
| 56N | 02E | 6 | NE | SW | BONNER | | |

9. **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.**
None

10. **Land Ownership**
- **Who owns the land to be irrigated or place of use?** Applicant
- **Who owns the land at the point of diversion?** Applicant

11. **Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.**
N/A – already completed in 1991-1992

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

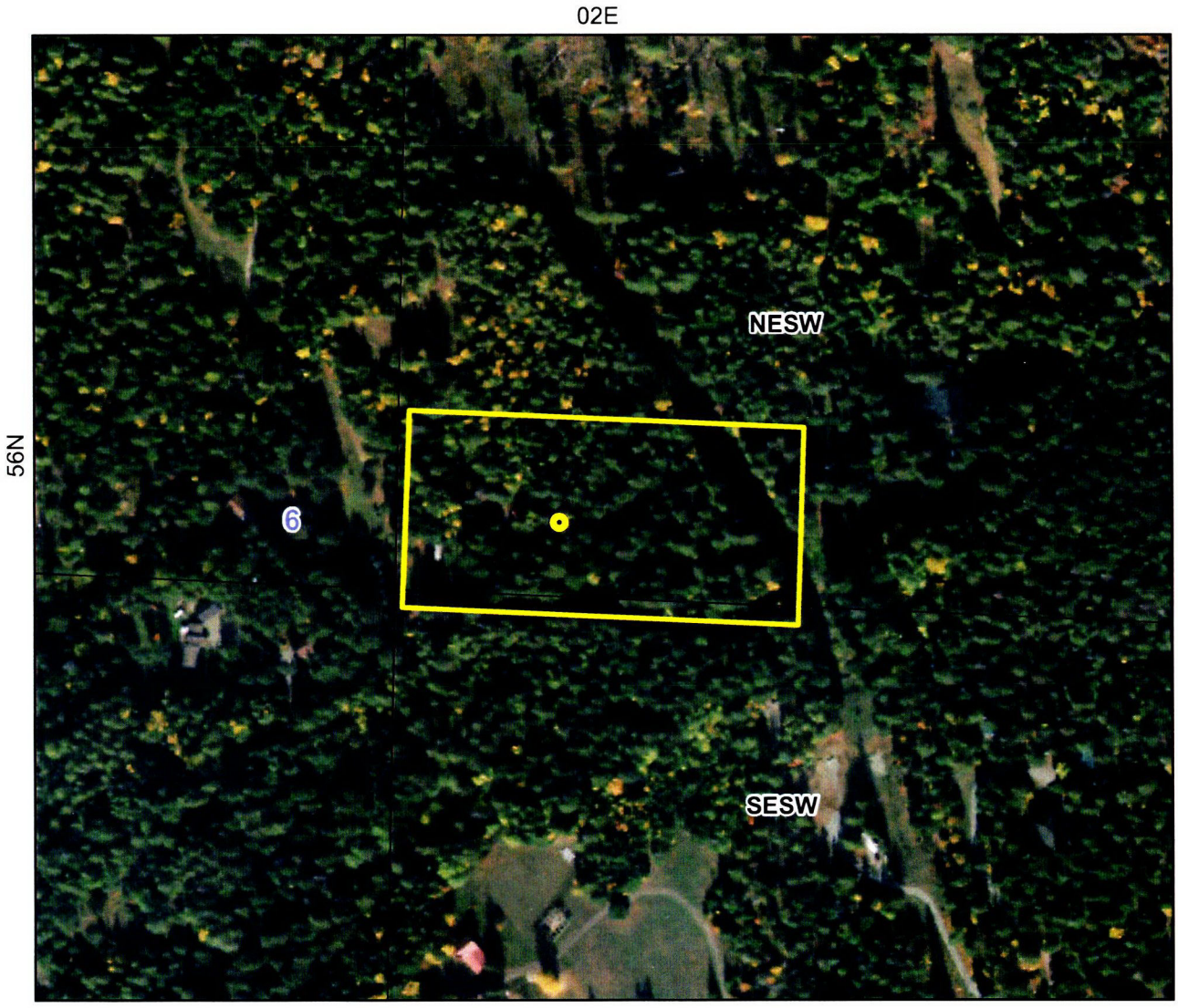
T113822 $100.00 8/27/22

SCANNED
NOV 21 2022

State of Idaho
Department of Water Resources

# Application For Permit

96-12324




0 0.035 0.07 0.14 Miles

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

N

SCANNED
NOV 2 1 2022

Prepared By: Web User

87078

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

# APPLICATION FOR PERMIT

**To appropriate the public waters of the State of Idaho**
**No. 96-12324**

1. **Applicants**

Dennis C Thibault
PO Box 376
Hope, ID 83836
(208) 264-5497
cabindex@frontier.com

Carolyn D Thibault
PO Box 376
Hope, ID 83836
(208) 264-5497
cabindex@frontier.com

SUPERSEDED

2. **Representatives**
Submitter is one of the applicants

3. **Source of Water Supply**
**Source : SPRING tributary to CARTER CREEK**

4. **Location of Point(s) of Diversion**

| POD # | Source | Tributary Of | Diversion Type | Township | Range | Section | Govt Lot | QQQ/QQ/Q | County |
|---|---|---|---|---|---|---|---|---|---|
| 1 | SPRING | CARTER CREEK | | 56N | 02E | 6 | | /NE/SW | BONNER |

5. **Water will be used for the following purposes:**

| Purposes | Season | Rate | Volume | Description |
|---|---|---|---|---|
| DOMESTIC | 01/01 to 12/31 | 0.03 cfs | 0.00 afa | Household use, front yard, and small vegetable garden. |

6. **Total quantity to be appropriated is (a)** 0.03 cfs **and/or** 0 afa

7. **Proposed Diverting Works:**
**POD No :**1
**Description:** Perforated pipe (4") for collection into 500 gal water tank with overflow pipe. Small pump pulls water up from collection tank via solid pipe (1") to house holding tank.
**Drill Date :**
**Metal Tag :**
**Drilled By :**
**Drilled For :**
**Drilling Permit :**
**GeothermalWater :**False

8. **Description of Place Of Use:**

| DOMESTIC | | | | | | | |
|---|---|---|---|---|---|---|---|
| Township | Range | Section | QQ | Q | County | Govt Lot | Acres |
| 56N | 02E | 6 | SE | SW | BONNER | | |
| 56N | 02E | 6 | NE | SW | BONNER | | |

9. **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.**
None

10. **Land Ownership**
- **Who owns the land to be irrigated or place of use?** Applicant
- **Who owns the land at the point of diversion?** Applicant

11. **Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.**
N/A -- already completed in 1991-1992

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

T113822 $100.00 8/27/22

SCANNED
NOV 21 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little

Director Mathew Weaver

January 10, 2025

DENNIS C THIBAULT
CAROLYN D THIBAULT
PO BOX 376
HOPE ID 83836

**PROOF ACKNOWLEDGEMENT LETTER**

**RE: Permit No. 96-12324**

Dear Permit Holder(s):

The Department acknowledges receipt of the Proof of Beneficial Use form ("proof") and license examination fee for the above-referenced water right permit. Enclosed is an order that reinstates this permit since proof and the license examination fee were submitted after the proof deadline. Please note that the priority date for this permit has been advanced to **November 05, 2022**, pursuant to Idaho Code § 42-218a(2).

The next step in the process of developing a water right is for the Department to conduct a field examination to determine and confirm the use being made of the water according to the conditions of the permit.

**Please be advised that Idaho Code § 42-248, requires you or the owner of this water right to maintain current ownership and address records on file with the Department. Forms to file a change of ownership of a water right and/or a change in the address of the water right 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 order, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)

SCANNED
JAN 10 2025

IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little

Director Mathew Weaver

October 31, 2023

CAROLYN D THIBAULT
DENNIS C THIBAULT
PO BOX 376
HOPE ID 83836

**NOTICE: STATEMENT OF COMPLETION DUE**

RE: Permit No. 96-12324

**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 **January 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,

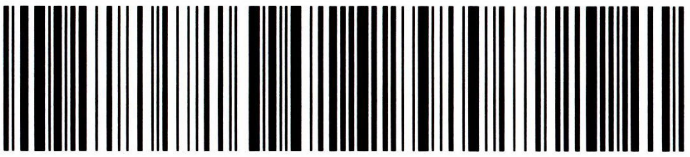
Amanda Veibell
Technical Records Specialist

Enclosure(s)

SCANNED
JAN 10 2025

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

USPS CERTIFIED MAIL



9214 8901 9403 8336 3700 91

CAROLYN D THIBAULT
DENNIS C THIBAULT
PO BOX 376
HOPE ID 83836-0376

96-12324

SCANNED
JAN 10 2025

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

December 22, 2022

CAROLYN D THIBAULT
DENNIS C THIBAULT
PO BOX 376
HOPE ID 83836

RE: Permit No. 96-12324

**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
DEC 23 2022

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

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

Sincerely,

Luke Bates
Interim Water Rights Supervisor

Enclosure(s)



SCANNED
DEC 7 3 2022

## CERTIFICATE OF SERVICE

I hereby certify that on December 22, 2022, I served a true and correct copy of Permit to Appropriate Water No. 96-12324 by U.S. Mail, postage prepaid, to the following:

CAROLYN D THIBAULT (Current Owner)
PO BOX 376
HOPE ID 83836

DENNIS C THIBAULT (Current Owner)
PO BOX 376
HOPE ID 83836

Tammy Alleman
Administrative Assistant 1



SCANNED
DEC 7 3 2022

# 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.



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DEC 23 2022

## 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
DEC 23 2022

AFFIDAVIT OF PUBLICATION

RECEIVED
DEC 16 2022
IDWR / NORTH

STATE OF IDAHO )
) ss.
County of Bonner )

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

1. I am a citizen of the United States of America, over the age of 18 years, a resident of Bonner County, Idaho, and am not a party to the proceedings referred to in the attached 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 1st day of December, 2022, and ending on the 8th day of December, 2022.

Italia Jimenez

State of Idaho, county of Bonner ss.
On this 12th day of December, in the year of 2022 before me, Katrina George, Notary Public, personally appeared Italia Jimenez known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she (or they) executed the same.

Katrina George
Notary Public
Residing at: Kootenai County

**My Commission Expires 8/29/23**

KATRINA GEORGE NOTARY PUBLIC NO. 8951 STATE OF IDAHO

SCANNED
DEC 23 2022

## LEGAL NOTICE

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

**96-12324**
DENNIS C THIBAULT
CAROLYN D THIBAULT
PO BOX 376
HOPE, ID 83836
Point of Diversion SWNESW
S6 T56N R02E
BONNER County
Source SPRING
Tributary CARTER CREEK
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 11-03-2022
Place Of Use: DOMESTIC
T56N R02E S6
SESW,NESW

**96-12804**
SWEETGRASS AT MEADOWWOOD HOA
PO BOX 1032
PONDERAY, ID 83852-1032
Point of Diversion L2(NWNE)
S3 T57N R02W
BONNER County
Source GROUND WATER
Point of Diversion L2(NWNE)
S3 T57N R02W
BONNER County
Source GROUND WATER
Point of Diversion L2(NWNE)
S3 T57N R02W
BONNER County
Source GROUND WATER
Point of Diversion L2(NWNE)
S3 T57N R02W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.2 CFS
Date Filed: 11-02-2022
Place Of Use: DOMESTIC
T57N R02W S3 L2(NWNE)

**96-13160**
TIVADAR SZABO
2884 TROUT CREEK RD
SANDPOINT, ID 83864
Point of Diversion SESW
S28 T58N R01E
BONNER County
Source GROUND WATER
Use: IRRIGATION
4 /1 to 10/31
Total Diversion: 0.11 CFS
Date Filed: 11-04-2022
Place Of Use: IRRIGATION
T58N R01E S28 SESW
Total Acres: 3.8

**96-13324**
PATRICIA CARLSON
PAUL H L CARLSON
774 COUGAR LOOP
CLARK FORK, ID 83811-0209
Point of Diversion SWSW
S17 T55N R03E
BONNER County
Source GROUND WATER
Tributary SINKS
Use: WILDLIFE STORAGE
01/01 to 12/31 1.5 AF
Use: IRRIGATION STORAGE
01/01 to 12/31 6 AF
Use: IRRIGATION FROM STORAGE
04/01 to 10/31 6 AF
Total Diversion: 7.5 AF
Date Filed: 10-20-2022
Place Of Use: IRRIGATION FROM STORAGE,IRRIGATION STORAGE,WILDLIFE STORAGE
T55N R03E S17 SWSW
Total Acres: 2

**96-13332**
FRED WILLIAMS
5202 COTTINGHAM PL
ALEXANDRIA, VA 22304-3531
Point of Diversion NENW
S22 T54N 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: 10-20-2022
Place Of Use: DOMESTIC
T54N R01W S22
NENW,L1(NENW)

**96-13534**
TIMOTHY RUSSO
1756 E DIVOT DR
TEMPE, AZ 85283
Point of Diversion SWNE
S3 T56N R03W
BONNER County
Source GROUND WATER
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 10-29-2022
Place Of Use: DOMESTIC
T56N R03W S3
SWNE,SENE

**96-13617**
DONALD W FERRIS
JILL A FERRIS
HC1 BOX 2
C/O MAIL BOAT
BAYVIEW, ID 83803
Point of Diversion SENW
S22 T54N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
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 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 11-03-2022
Place Of Use: DOMESTIC,IRRIGATION,STOCKWATER
T54N R01W S22
L1(NWNE),L2(SWNE)
Total Acres: 10

**96-13644**
JOHN & BRENDA BARTON REVOCABLE TRUST
87 WEST SPRING CREEK RD
HOPE, ID 83836-9839
Point of Diversion L1(NWNW)
S7 T56N R02E
BONNER County
Source UNNAMED STREAM
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: DIVERSION TO STORAGE
01/01 to 12/31 0.13 CFS
Use: COMMERCIAL
01/01 to 12/31 0.13 CFS
Use: FIRE PROTECTION STORAGE
01/01 to 12/31 0.1 AF
Use: IRRIGATION
04/01 to 10/31 0.09 CFS
Total Diversion: 0.13 CFS
Date Filed: 11-08-2022
Place Of Use: COMMERCIAL,DOMESTIC,FIRE PROTECTION STORAGE,IRRIGATION,STOCKWATER
T56N R02E S6 L7(SWSW)
Place Of Use: COMMERCIAL,DIVERSION TO STORAGE,DOMESTIC,FIRE PROTECTION STORAGE,IRRIGATION,STOCKWATER
T56N R02E S7 L1(NWNW)
Total Acres: 3

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 12/19/2022. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
Legal#4723
AD#3162
December 1, 8, 2022

SCANNED
DEC 2 3 2022

# IDAHO DEPARTMENT OF WATER RESOURCES
# APPROPRIATION APPLICATION ANALYSIS SHEET

W.R. # 96 - 12324 APPLICATION ID # 87078 ENT. YB BCA JA OK to Publish MP

INITIAL REVIEW BY: YB DATE: 11/3/2022

APPLICANT: Dennis C Thibault and/or Carolyn D Thibault

| ITEM | REQUIRED INFORMATION |
|---|---|
| 1. | (✓) Name and Address |
| 2. | (✓) Source |
| 3. | (✓) Point of Diversion & County |
| 4. | (✓) Quantity |
| 5. | (✓) Nature of Proposed Use |
| 6. | (✓) Period of Use |
| 7. | (✓) Total Quantity |
| 8. | (✓) Description of diverting works |
| 9. | (✓) Time required for b/u |
| 10. | (✓) Proposed use |
| 11 | (✓) Place of use or acres irrigated |
| 12. | (✓) Other water Rights |
| 13. | (✓) Ownership |
| 14. | (✓) Map |
| 15. | (✓) Signature |
| 16. | (✓) Fee (Amt, receipt, acknowledgement) |

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

## PROCESSING

(Yes)(No)

PRIORITY DATE: 11/3/2022

___ ✓ (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 12-1-22 & 12-8-22

Affidavit of Publication received: 12-16-22

Dates actually published: 12-1-22 & 12-8-22

Application published correctly. Yes X No ___

If not, action taken: ___

Final Date for Protest: December 19, 2022

Protests Received. Yes ___ No X

## ADDITIONAL INFORMATION

(Yes)(No)

✓ ___ Shape File Created Date Verified 11/3/2022 By: YB

___ ___ Field check. by ___

___ ___ Field report attached

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

___ ___ Water delivered by water master? Water District # ___ N/A

## LETTERS SENT REQUESTING

( ) Dam Information ( ) Fish Information

( ) Power Information ( ) Other: ___

## INFORMATION RECEIVED

( ) Dam Information ( ) Fish Information

( ) Power Information ( ) Other: ___

## GROUNDWATER SECTION

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

___ ___ Groundwater management area

___ ___ Critical ground water area

___ ___ Well Drilling Permit required

___ ___ Well Drilling Application and Fees received

___ ___ Well Drilling Application approved?

Remarks: ___

## FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

___ ___ Notice of pending void order issued.

___ ___ Further information required from applicant ___

Final order response date: ___/___/___

___ ___ Measuring device required

___ ___ Measuring port required

___ ___ Special conditions: ___

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

Approval Recommended by: ___ Date: 12/20/2022 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

November 21, 2022

DENNIS C THIBAULT
CAROLYN D THIBAULT
PO BOX 376
HOPE, ID 83836

RE: Application for Permit No. 96-12324

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 12/1/2022 and 12/8/2022. 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
NOV 2 1 2022

## Alleman, Tammy

**From:** Alleman, Tammy
**Sent:** Monday, November 21, 2022 3:48 PM
**To:** bcdblegals@cdapress.com
**Subject:** Legal Notice for BCDB
**Attachments:** Legal Notice fo 96-12324, 96-12804, 96-13160, 96-13324, 96-13332, 96-13534, 96-13617, 96-13644.docx

Please publish the enclosed legal notice in the **Bonner County Daily Bee** on the dates indicated **December 1st & December 8th, 2022** (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 **December 19, 2022.** 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
NOV 2 1 2022

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

**96-12324**
DENNIS C THIBAULT
CAROLYN D THIBAULT
PO BOX 376
HOPE, ID 83836
Point of Diversion SWNESW
S6 T56N R02E
BONNER County
Source SPRING
Tributary CARTER CREEK
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 11-03-2022
Place Of Use: DOMESTIC
T56N R02E S6
SESW,NESW

**96-12804**
SWEETGRASS AT MEADOWWOOD HOA
PO BOX 1032
PONDERAY, ID 83852-1032
Point of Diversion L2(NWNE)
S3 T57N R02W
BONNER County
Source GROUND WATER
Point of Diversion L2(NWNE)
S3 T57N R02W
BONNER County
Source GROUND WATER
Point of Diversion L2(NWNE)
S3 T57N R02W
BONNER County
Source GROUND WATER
Point of Diversion L2(NWNE)
S3 T57N R02W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.2 CFS
Date Filed: 11-02-2022
Place Of Use: DOMESTIC
T57N R02W S3 L2(NWNE)

**96-13160**
TIVADAR SZABO
2884 TROUT CREEK RD
SANDPOINT, ID 83864
Point of Diversion SESW
S28 T58N R01E
BONNER County
Source GROUND WATER
Use: IRRIGATION
4 /1 to 10/31
Total Diversion: 0.11 CFS
Date Filed: 11-04-2022
Place Of Use: IRRIGATION
T58N R01E S28 SESW
Total Acres: 3.8

**96-13324**
PATRICIA CARLSON
PAUL H L CARLSON
774 COUGAR LOOP
CLARK FORK, ID 83811-0209
Point of Diversion SWSW
S17 T55N R03E
BONNER County

SCANNED
NOV 2 1 2022

Source GROUND WATER
Tributary SINKS
Use: WILDLIFE STORAGE
01/01 to 12/31 1.5 AF
Use: IRRIGATION STORAGE
01/01 to 12/31 6 AF
Use: IRRIGATION FROM STORAGE
04/01 to 10/31 6 AF
Total Diversion: 7.5 AF
Date Filed: 10-20-2022
Place Of Use: IRRIGATION FROM STORAGE,IRRIGATION STORAGE,WILDLIFE STORAGE
T55N R03E S17 SWSW
Total Acres: 2

**96-13332**
FRED WILLIAMS
5202 COTTINGHAM PL
ALEXANDRIA, VA 22304-3531
Point of Diversion NENW
S22 T54N 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: 10-20-2022
Place Of Use: DOMESTIC
T54N R01W S22
NENW,L1(NENW)

**96-13534**
TIMOTHY RUSSO
1756 E DIVOT DR
TEMPE, AZ 85283
Point of Diversion SWNE
S3 T56N R03W
BONNER County
Source GROUND WATER
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 10-29-2022
Place Of Use: DOMESTIC
T56N R03W S3
SWNE,SENE

**96-13617**
DONALD W FERRIS
JILL A FERRIS
HC1 BOX 2
C/O MAIL BOAT
BAYVIEW, ID 83803
Point of Diversion SENW
S22 T54N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
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 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 11-03-2022
Place Of Use: DOMESTIC,IRRIGATION,STOCKWATER
T54N R01W S22
L1(NWNE),L2(SWNE)
Total Acres: 10

SCANNED
NOV 2 1 2022

**96-13644**
JOHN & BRENDA BARTON REVOCABLE TRUST
87 WEST SPRING CREEK RD
HOPE, ID 83836-9839
Point of Diversion L1(NWNW)
S7 T56N R02E
BONNER County
Source UNNAMED STREAM
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: DIVERSION TO STORAGE
01/01 to 12/31 0.13 CFS
Use: COMMERCIAL
01/01 to 12/31 0.13 CFS
Use: FIRE PROTECTION STORAGE
01/01 to 12/31 0.1 AF
Use: IRRIGATION
04/01 to 10/31 0.09 CFS
Total Diversion: 0.13 CFS
Date Filed: 11-08-2022
Place Of Use: COMMERCIAL,DOMESTIC,FIRE PROTECTION STORAGE,IRRIGATION,STOCKWATER
T56N R02E S6 L7(SWSW)
Place Of Use: COMMERCIAL,DIVERSION TO STORAGE,DOMESTIC,FIRE PROTECTION STORAGE,IRRIGATION,STOCKWATER
T56N R02E S7 L1(NWNW)
Total Acres: 3

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 12/19/2022. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director Published on 12/1/2022 and 12/8/2022

SCANNED
NOV 2 1 2022

## Bates, Luke

**From:** Bates, Luke
**Sent:** Monday, October 24, 2022 8:08 AM
**To:** cabindex@frontier.com
**Subject:** IDWR app for permit 96-12324
**Attachments:** 0. Application-Permit-License process notes.pdf; 96-12324 - original app for permit filing.pdf; 96-12324 - copy with recommended revisions PG1.pdf

Dennis & Carolyn Thibault – good morning.

I am requesting a courtesy response to this correspondence; it will let me know I didn't error in entering your email address. Thank you!

IDWR has received your filing for application for permit, and during initial review I note a single discrepancy with the form that is required to make it complete for processing. These changes will ensure there are not additional fees required later and will correct the legal descriptions for the Point of Diversion. I apologize the online filing program doesn't prompt folks to create legal descriptions for spring sources down to the 10-acre tract. It is the only source that requires this to be accomplished pursuant to Idaho Code.

I have attached the 2PG application for permit form you submitted – please print off this form and make handwritten changes to the form as follows:

Step 4 – Point(s) of Diversion – you entered NESW in the quarter-quarter blocks, this accounts for the 40-acre tract (QQ) & 160-acre tract (Q) respectively. Please enter the 10-acre tract designator (QQQ) which for your parcel is **SW** . Please reference the PG1 revision PDF attached for visual reference. Initial and date after the change.

Step 5 & Step 6 – Domestic use is authorized a department standard of 0.04 cfs at time of application submission. This may not be what your spring produces, but you can still apply for it. At a later date and time, the spring will be inspected and flow measurement taken; at that time IDWR may reduce the flow rate dependent on what the spring produces. Please review 2PG PDF app processing notes about each step in the application-permit-license process.

You will be making changes on the printed-out version from this email, once corrected, you may then scan and email the corrected forms C/O Luke Bates to the email address listed below (**not my personal email**)

file@idwr.idaho.gov

Please do give me a call if you've any questions related to these changes. I recommend carbon copying me on the email you send to the state office file@idwr.idaho.gov .

Thank you,

**Luke Bates**
Sr. Water Resource Agent
Northern Region
P: 208-762-2817

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