State of Idaho
Department of Water Resources

Water Right License

Water Right No. 96-14556

Priority: January 27, 2023

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

It is hereby certified that:

DENNIS SPIER 12020 N. ANNA J DR. SPOKANE WA 99218

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 24, 2023, and has submitted Proof of Beneficial Use on January 16, 2024. An examination confirms water is diverted from:

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

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
DOMESTIC	1 /1 to 12/31	0.04 CFS	1.2 AF

Location of Point(s) of Diversion
LAKE PEND OREILLE SW¼ SW¼, Sec. 17, Twp 56N, Rge 01E, 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	01E	17											X L4						

Conditions of Approval

1. Place of use is located within Lot 2; Walstons Lake Lots Second Addition Subdivision.
2. Domestic use is for 1 home.
3. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
4. This right does not grant any right-of-way or easement across the land of another.

This license is issued pursuant to the provisions of Idaho Code § 42-219. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 29th day of February, 2024.

PHILL HUMMER
Water Rights Section Manager

State of Idaho
Department of Water Resources

Attachment to Water Right

96-14556

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
State Outline

N

Form 42-217 Rev. 6/22

RECEIVED
JAN 16 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.	C117446
Receipted By	KM
Date Receipted	1.16.24

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. 96-14556 Name of Permit Holder(s) DENNIS SPIER

Telephone No. 509 939-5726 Email dennis.spier@comcast.net

Mailing Address 12020 N Anna J PR. City Spokane State WA Zip 99218

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) 1/2 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.)

Half Horse Well pump on small platform. Aprox 100' out high water, 60' Deep 1" pipe to domestic water system.

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: _____ Telephone No. _____ Email _____

Mailing Address _____ City _____ State _____ Zip _____

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.

Dennis Spier — DENNIS Spier Home Owner — 1/9/2024

SIGNATURE OF PERMIT HOLDER* PRINTED NAME AND TITLE DATE

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

State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 96-14556

Priority: January 27, 2023 **Maximum Diversion Rate:** 0.04 CFS

This is to certify that

DENNIS SPIER 12020 N. ANNA J DR. SPOKANE WA 99218

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	1 /1 to 12/31	0.04 CFS

Location of Point(s) of Diversion

LAKE PEND OREILLE SW¼ SW¼, Sec. 17, Twp 56N, Rge 01E, 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	01E	17											X L4						

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **March 01, 2024.**
2. Subject to all prior water rights.
3. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
4. Place of use is located within Lot 2; Walstons Lake Lots Second Addition 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 10 day of MARCH, 2023.

LUKE BATES
Interim Water Rights Supervisor

SCANNED
MAR 10 2023

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-14556

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
MAR 10 2023

87475

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho
No. 96-14556

RECEIVED
Jan 27, 2023
DEPARTMENT OF
WATER RESOURCES

1. Applicant(s)

DENNIS SPIER
12020 N. ANNA J DR.
SPOKANE WA 99218
509-939-5726, SPIERDJ@GMAIL.COM

2. Representative(s) N/A

3. Source of Water Supply:

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

4. Location of Point(s) of Diversion:

Heading	Point of Diversion # 1
Source	LAKE PEND OREILLE
Tributary of	PEND OREILLE RIVER
Township	56N
Range	01E
Section	17
Govt. Lot	
QQQ/QQ/Quarter	SW¼SW¼
County	BONNER
Diversion Type	
Local name or Tag#	
Type and size of devices	Residential well pump on lake bed.
Height of storage dam	
Active/ Total Reservoir capacity	
Dam Application required?	No
Proposed well diameter/ depth	
Water Temp > 85°F?	
Drilled Date	
Drilling firm	
Property Owner	Applicant
Access Arrangement Description	N/A

5. Water will be used for the following purposes:

Purposes	Season	Rate	Volume	Description
DOMESTIC	1 /1 to 12/31	0.04 CFS		1 Home(s)

6. Total quantity to be appropriated is (a) 0.04 **cubic feet per second (cfs) and/or (b)** Not Stated **acre-feet / year (af).**

7. Proposed diverting works:

a. If an existing well, who was the well drilled for? Drilling Permit No.

8. Describe other proposed water uses : N/A

9. Description of place of use:

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee $ 100.00 Receipted by _____ Receipt No. T115154 Date 1/24/2023

SCANNED
FEB 10 2023

No. 96-14556

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	No QQ	
56N	01E	17											X L4							

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?

11.

a. Who owns the land to be irrigated or place of use? Applicant.

b. 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.

Lake pump has been in place since 1970's. No development needed of water system.
Home for one family.

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

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

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

Signature of Applicant

DENNIS SPIER

Signature of Applicant

SCANNED

FEB 10 2023



Legend

- Township/Range
- Sections
- QQ

0 0.035 0.07 0.14 Miles

N

SCANNED
FEB 10 2023

87475

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED
JAN 24 2023
IDWR / NORTH

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho
No. 96-14556

SUPERSEDED

1. **Applicants**
Dennis Spier
12020 N. Anna J Dr.
Spokane, WA 99218
509 939 5726
Spierdj@gmail.com

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

3. **Source of Water Supply**
Source : LAKE PEND ORIELLE tributary to LAKE PEND ORIELLE

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

POD #	Source	Tributary Of	Diversion Type	Township	Range	Section	Govt Lot	QQQ/QQ/Q	County
1	LAKE PEND ORIELLE	LAKE PEND ORIELLE	Ending Point	56N	01E	17		/SW/SW	BONNER

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

Purposes	Season	Rate	Volume	Description
DOMESTIC	01/01 to 12/31	0.04 cfs	0.00 afa	Average domestic use for family

6. **Total quantity to be appropriated is (a)** 0.04 cfs **and/or** 0 afa

7. **Proposed Diverting Works:**
POD No :1
Description: Residential well pump on lake bed.
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	01E	17	NE	SW	BONNER	3	
56N	01E	17	NW	SW	BONNER	4	
56N	01E	17	SE	SW	BONNER	3	

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.**
Lake pump has been in place since 1970's. No development needed of water system. Home for one family.

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

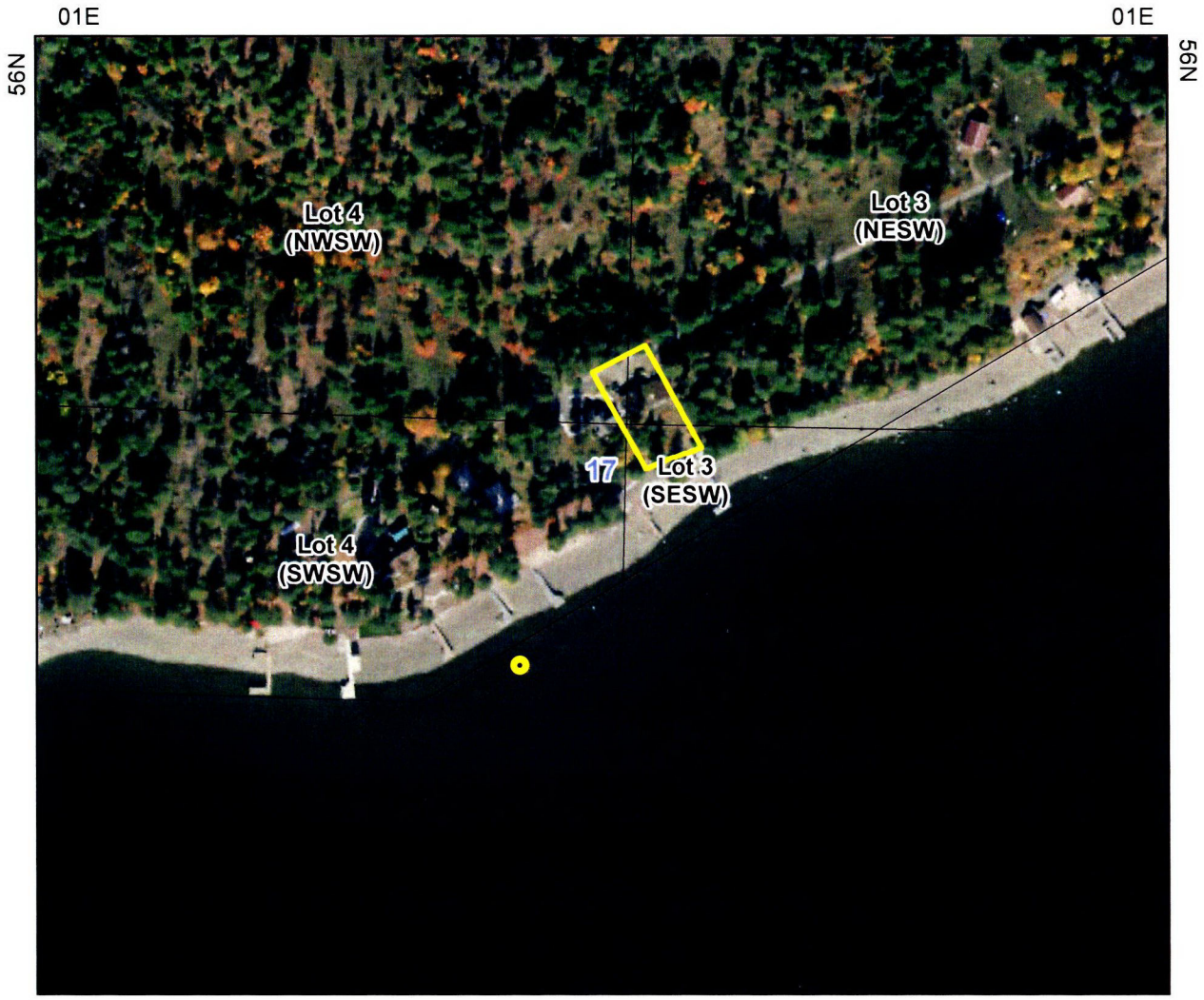
T11S 154E 10000 1/24/23

SCANNED
FEB 10 2023

State of Idaho
Department of Water Resources

Application For Permit

96-14556



0 0.035 0.07 0.14 Miles

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

SUPERSEDED

N

Prepared By: Web User

SCANNED
FEB 10 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little

Director Mathew Weaver

February 29, 2024

DENNIS SPIER
12020 N ANNA J DR
SPOKANE WA 99218-2711

RE: License No. 96-14556

ISSUANCE OF LICENSE

Dear Water Right Holder(s):

The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district.

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact me at (208) 287-4925.

Sincerely,

Jean Hersley

For
Phill Hummer
Water Rights Section Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on March 1, 2024, I served a true and correct copy of Water Right License No. 96-14556 by U.S. Mail, postage prepaid, to the following:

DENNIS SPIER (Current Owner)
12020 N ANNA J DR
SPOKANE WA 99218-2711

Jean Hersley
Technical Records Specialist 2

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 96-14556
Exam Date: 02/01/2024

1. Current Owner:
   DENNIS SPIER 12020 N. ANNA J DR. SPOKANE WA 99218

2. Does this qualify for an in-office field exam (IDAPA 37.03.02.035.01.r)? _X___Y ____N
   a. ____ Irrigation of 5 acres or less
   b. ____ Storage of up to 14.6 AF for stockwater purposes only
   c. __X__ Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
   d. ____ Other < >

3. **SOURCE:**
LAKE PEND OREILLE

Tributary
PEND OREILLE RIVER

Method of Determination: application and permit

B. OVERLAP REVIEW

1. Other water rights with the same place of use: YES Overlap

Water Right No.	Source	Purpose of Use	Basis
96-9341	Pend Oreille Lake	Irrigation	claim

Comments: overlaps POU

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

Water Right No.	Source	Purpose of Use	Basis

Comments: __NA_____

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**
LAKE PEND OREILLE SW¼ SW¼, Sec. 17, Twp 56N, Rge 01E, B.M. BONNER County

Method of Determination: Application, permit and ArcMap

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	01E	17											X L4						

Method of Determination: Application, permit and ArcMap

3.

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

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

_____ Aerial Photo Attached (required for irrigation of 10+ acres).

_____ Photo of Diversion and System Attached

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

E. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation:

$V_{I.R}$ = (Acres Irrigated) x (Irrigation Requirement) =

$V_{D.R}$ = [Diversion Rate (cfs)] x (Days in Irrigation season) x 1.9835 =

V = Smaller of $V_{I.R}$ and $V_{D.R}$ =

2. Volume Calculations for Other Uses: domestic use for 1 home and up to ½ acre of irrigation. 1.2 af per Administration Application Processing Memo # 22.

G. NARRATIVE/REMARKS/COMMENTS: Bonner County and ArcMap confirm dwelling on property and list permit holder as current owner. This is a domestic right with up to ½ acre of irrigation. The shape for 96-9341 overlaps with this permit. 96-9341 is an irrigation right for 0.5 acres of irrigation. It is a claim filed by Douglas & Beverly Rasor. (See attached claim). However, the POU for 96-9341 is claimed for T56NR01ES17NWSW Gov't Lot 4. The Rasor's own property in 56N01E Sec 17 NESW Gov't Lot 3. This permit is in T56NR01ES17 SWSW Gov't Lot 4. I have asked adjudication to double check the legal description of the claim.

Removed condition 029. See attached email from permit holder.

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

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
DOMESTIC	1 /1 to 12/31	0.04 CFS	1.2 AF
	Totals:	0.04 CFS	1.2 AF

2. Recommended Amendments

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

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

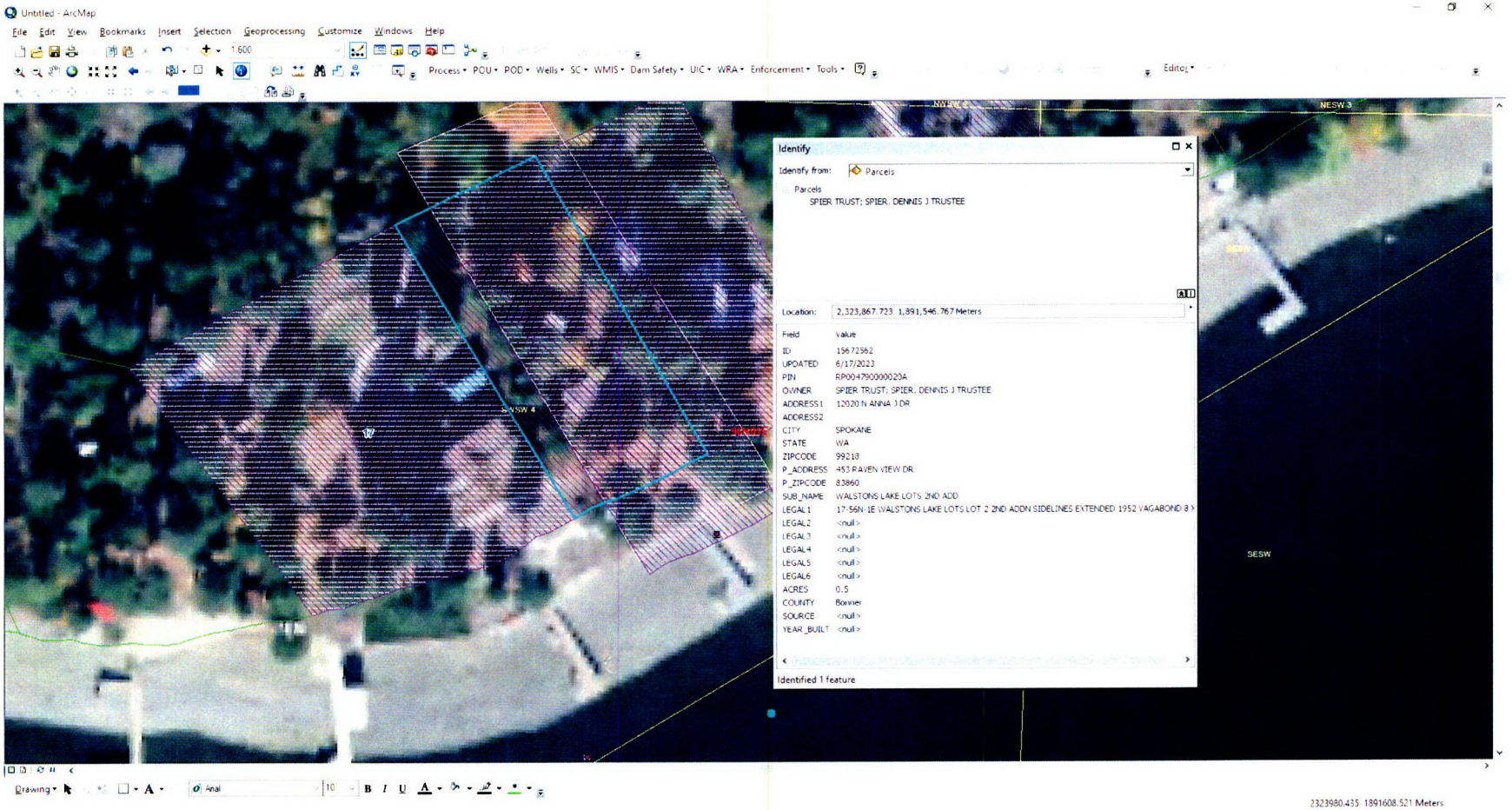
I. AUTHENTICATION Jean Hersley -

Field Examiner's Name Jean Hersley Date 2-6-24 updated 2-28-24

Reviewer pd Date 2/21/24


NWSW 4
NESW 3
NESW
17
56N01E
SESW 3
SWSW 4
SESW
SWSW
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

96-14556



ArcMap shows dwelling on property and lists permit holder as current owner.



Bonner County shows dwelling on property and lists permit holder as current owner.

96-9341

T56N R1E Section 17



**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS**

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE CLARK FORK-PEND OREILLE RIVER
BASIN WATER SYSTEM

CIVIL CASE NUMBER: 69576

Ident. Number: 96-9341
Date Received: ~~4/25/2023~~ 5/19/23
Receipt No: N043391
Claim Fee: $51.00
Received By: JA

RECEIVED
MAY 19 2023
IDWR / NORTH

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

BEVERLY RASOR
1050 E FOREST PARK LN
COEUR D ALENE ID 83815
Phone: (208) 765-3410

AND

DOUGLAS RASOR
1050 E FOREST PARK LN
COEUR D ALENE ID 83815
Phone: (208) 765-3410

2. Date of Priority: 9/14/2007

3. Source: PEND OREILLE LAKE
Trib. to: PEND OREILLE RIVER

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
56N	01E	17	NW SW	4	BONNER	

5. Description of diverting works:

4 INCH SUBMERSIBLE PUMP 3/4 HP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
IRRIGATION	04/01	10/31	0.03		1.5

7. Total Quantity Appropriated is:

0.03 C.F.S. and/or 1.5 A.F.A.

SCANNED
MAY 25 2023

8. Non-irrigation uses:

9. Place of use:

IRRIGATION within BONNER County

Township	Range	Section	¼	of	¼	Lot	Acres
56N	01E	17	NW		SW	4	0.5

Total Acres = 0.5

10. Do you own the property listed above as place of use? ~~No~~ Yes

If your answer is no, describe in remarks below the authority you have to claim this water right.

_____

_____

11. Other Water Rights Used:

12. Remarks:

Priority Date Explanation:

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

This right when combined with all other rights shall provide no more than 0.03 cfs nor more than 1.5 afa at the field headgate for irrigation of the land described above.

This right does not grant any right-of-way or easement across the land of another.

13. Basis of Claim: License

14. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the CLARK FORK-PEND OREILLE River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

SCANNED
MAY 25 2023

I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Douglas Rose Date: 5/5/23

Beverly Rose Date: 5/5/23

SCANNED
MAY 25 2023

Howe, Bob

From: Howe, Bob
Sent: Tuesday, February 6, 2024 11:37 AM
To: korbinmcardle@gmail.com
Cc: Mike Meyers
Subject: Rental Pool Information for Temporary App TP-63-441
Attachments: WD 63 rental pool-Korbin McArdle.pdf

Dear Korbin McArdle,

Thank you for your quick response. I have finished my review of your application. It has currently been submitted to my supervisor's signature que, and the comment requests were submitted to the appropriate agencies.
As your proposed operation is in Basin 63- Boise River, the Water Master- Mike Myers, has required that you rent water from the Boise River WD 63 Rental Pool. In previous years, the minimum rental from the pool has been 1.0 AF. I have filled in the information provided in your application in the upper section of the form for you. Please complete any other relevant information including the upper signature and date lines, then submit the form to Mike Myers (Watermaster, WD-63) at mike@wd63.org . You will need to make arrangements for any fee details and rental payment with the Watermaster directly. If you have questions regarding how to fill out the form or the rental process the Watermaster can be reached by phone at (208)908-5482, or via email.

I will be reaching out to you when the signed and approved Temporary Approval for Diversion of Water is being returned to you. As you requested a PDF of the documents will be emailed to you.

Thank you for your time and attention in this matter.
Feel free to reach out to me with any questions or concerns.

Best Regards,

Bob Howe

IDAHO DEPARTMENT OF
WATER RESOURCES
Bob Howe | Water Resource Agent
322 E Front St, PO Box 83720, Boise, ID 83720
(208) 287-4800 | www.idwr.idaho.gov

Hersley, Jean

From: Dennis Spier <dennis.spier@comcast.net>
Sent: Wednesday, January 31, 2024 12:38 PM
To: Hersley, Jean
Subject: Re: Water Permit 96-14556

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

Dear Jean,
I am sending this email via phone as I am currently without a computer, please forgive any text size or formatting issues.

We hired H2o well service 582 W Hayden Ave, Hayden Lake ID 83835 208.772.4004 to install our current water system on 8/4/1994.

As I remember the pump inlet is mounted on a small platform about 3' from the lakebed in about 75' of water. The inlet is a large pipe (about 3") with a cap on top. The pipe has about 6-8 slits the width of a skill saw blade. (roughly 1/4"). The slits are covered with a stainless steel mesh secured by 2 stainless steel hose clamps.

I called H2o yesterday and spoke to one of their senior technicians (Vince) who would have been working there during this timeline.
He confirmed the system would have been exactly as I described. In those days it would have been considered a sentiment filter but would function the same as a fish screen.

Thank you for your kind attention to this matter.

Dennis Spier
dennis.spier@comcast.net
509.939.5726

On Jan 30, 2024, at 9:50 AM, Hersley, Jean <Jean.Hersley@idwr.idaho.gov> wrote:

Dear Permit holder:
The Department of Water Resources (Department) is in the process of reviewing your permit for licensing. One of the conditions on the permit *is '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.* Has a fish screen been installed?

Please respond to this email within 14 days so the Department can continue reviewing your permit for licensing. Contact me with any questions. Thank you.
<image001.jpg>
Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942

Beneficial Use Proof Evaluation

Permit Number: 96-14556 Reviewer: AVeibell Review Date: 1/16/2024

Acceptability

1) Is the contact on the request the current permit holder? Yes
2) Does the address of record need to be updated? No
3) Proof Submitted Date: 1/16/2024
4) Proof Due Date: 3/1/2024
5) Days added for weekend due date? 0
6) Days added for holiday due date? 0
7) Number of days late: -45
8) Proof received timely? Yes

Analysis

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

Fees

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

Receipt IDs

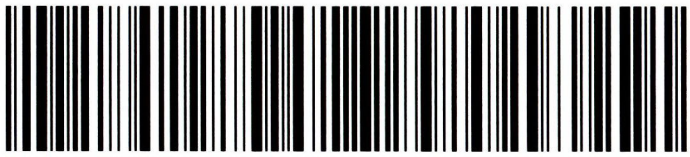
T115154

Comments

Proof deemed acceptable. Gave file to water right agent for in-house license review. Water right agent will enter the proof made date in AdHoc at the time of licensing.

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

USPS CERTIFIED MAIL



9214 8901 9403 8342 9773 45

DENNIS SPIER
12020 N ANNA J DR
SPOKANE WA 99218-2711

96-14556

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

December 29, 2023

DENNIS SPIER
12020 N. ANNA J DR.
SPOKANE WA 99218

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 96-14556

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 **March 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

March 10, 2023

DENNIS SPIER
12020 N. ANNA J DR.
SPOKANE WA 99218

RE: Permit No. 96-14556

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
MAR 10 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
MAR 10 2023

CERTIFICATE OF SERVICE

I hereby certify that on March 10, 2023, I served a true and correct copy of Permit to Appropriate Water No. 96-14556 by U.S. Mail, postage prepaid, to the following:

DENNIS SPIER (Current Owner)
12020 N. ANNA J DR.
SPOKANE WA 99218

Tammy Alleman
Administrative Assistant 1

MAR 10 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.

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.

AFFIDAVIT OF PUBLICATION

RECEIVED
MAR 0 2 2023
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 16th day of February, 2023, and ending on the 23rd day of February, 2023.

State of Idaho, county of Bonner ss.
On this 23rd day of February, in the year of 2023, 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 STATE OF IDAHO

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

95-18408
LYNDA BARROWCLIFF
TRACY TURRELL
17 VIGS DR
ATHOL, ID 83801-0359
Point of Diversion NWNE
S30 T54N R02W
BONNER County
Source GROUND WATER
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: 01-27-2023
Place Of Use: DOMESTIC,STOCKWATER
T54N R02W S30 NWNE

95-18412
MARK J SCHNORF
BARBARA J SCHNORF
PO BOX 930
ATHOL, ID 83801-0930
Point of Diversion SWNE
S30 T54N R02W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.15 CFS
Total Diversion: 0.2 CFS
Date Filed: 01-31-2023
Place Of Use: DOMESTIC,IRRIGATION,STOCKWATER
T54N R02W S30 SWNE
Total Acres: 5

96-13467
THE WINTER BOTTLE BAY TRUST
114 STEWARTS DRIVE
SAGLE, ID 83860
Point of Diversion L2(SWNE)
S33 T57N R01W
BONNER County
Source LAKE PEND ORIELLE
Tributary PEND ORIELLE RIVER
Use: IRRIGATION
4 /1 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 08-06-2022
Place Of Use: IRRIGATION
T57N R01W S33 L2(SWNE)
Total Acres: 0.7

96-14447
SUSAN FRENCH
RICHARD ARNOLD
1505 CHABLIS CIRCLE
SAINT HELENA, CA 94574
Point of Diversion L3(NWSW)
S5 T56N R01E
BONNER County
Source LAKE PEND ORIELLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 01-13-2023
Place Of Use: DOMESTIC
T56N R01E S5 L3(NWSW)

RECEIVED
MAR 13 2023

96-14522
JENNIFER HUSE
6910 N GASSENDI DR
COEUR D ALENE, ID 83815
Point of Diversion SWSE
S5 T55N R03W
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31 0.12 CFS
Use: DOMESTIC
1 /1 to 12/31 0.06 CFS
Total Diversion: 0.18 CFS
Date Filed: 01-18-2023
Place Of Use: DOMESTIC,IRRIGATION
T55N R03W S5 SWSE
Place Of Use: IRRIGATION
T55N R03W S5 L9(SESE)
Total Acres: 4

96-14531
MATTHEW RICHTER
11448 N CATTLE DR
HAYDEN, ID 83835
Point of Diversion L3(SESW)
S17 T56N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 01-19-2023
Place Of Use: DOMESTIC
T56N R01E S17 L4(SWSW),L4(NWSW),L3(SESW)

96-14534
BRUCE A MOLINE
6809 E RANDOM POINT LN
SPOKANE, WA 99223-1401
Point of Diversion L2(SENW)
S31 T56N R03W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 01-17-2023
Place Of Use: IRRIGATION
T56N R03W S31 L2(NENW),L2(SENW)
Total Acres: 0.8

96-14556
DENNIS SPIER
12020 N. ANNA J DR.
SPOKANE, WA 99218
Point of Diversion SWSW
S17 T56N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 01-24-2023
Place Of Use: DOMESTIC
T56N R01E S17 L4(SWSW)

96-14598
CHRIS WYCKOFF
4211 BRADY RIDGE DR
CEDAR PARK, TX 78613
Point of Diversion L4(NWNW)
S3 T56N 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: 01-24-2023
Place Of Use: DOMESTIC
T56N R01W S3 L4(NWNW),NWNW

96-14600
CHRIS WYCKOFF
4211 BRADY RIDGE DR
CEDAR PARK, TX 78613
Point of Diversion L2(NWNE)
S4 T56N R01W
BONNER County
Source GROUND WATER
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 01-24-2023
Place Of Use: DOMESTIC
T56N R01W S4 L2(NWNE)

96-14626
NICHOLAS BADOUX
CATHERINE BADOUX
1740 SPADES RD
SAGLE, ID 83860-9108
Point of Diversion NWNW
S35 T56N R02W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.15 CFS
Total Diversion: 0.2 CFS
Date Filed: 01-23-2023
Place Of Use: DOMESTIC,IRRIGATION,STOCKWATER
T56N R02W S35 NENW,NWNW
Total Acres: 5

96-14665
RONALD ABARO
12 MOONRIDGE CT
AZUSA, CA 91702
Point of Diversion L3(SWNW)
S25 T57N R02W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 01-23-2023
Place Of Use: IRRIGATION
T57N R02W S25 L3(SWNW)
Total Acres: 0.4

96-14682
DIANA M NELSON
5416 S HELENA LN
SPOKANE, WA 99223
Point of Diversion L2(NWNE)
S11 T56N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 01-30-2023
Place Of Use: IRRIGATION
T56N R01E S11 L2(NWNE)
Total Acres: 0.7

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; or for a full description of the right(s), please see https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of $25.00 for each application on or before 3/6/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
Legal#4872
AD#5526
February 16, 23, 2023

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

W.R. # 96 - 14556 APPLICATION ID # 87475 ENT. JB BCA SA OK to Publish MR

INITIAL REVIEW BY JB DATE 1/27/2023

APPLICANT: Denis SPIER

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

PRIORITY DATE 1/27/2023

(Yes)(No)

___ ✓ (Include Moratorium Remark)
___ ✓ Statewide Advertising (Diversion rate greater than 10 cfs or 1,000 af)

ADVERTISE IN Banner County
Newspaper: Bonner County Daily Bee
Dates scheduled for publication 2-16-23 & 2-23-23
Affidavit of Publication received: 3-2-23
Dates actually published 2-16-23 & 2-23-23
Application published correctly Yes X No ___
If not, action taken ___

Final Date for Protest: March 6 2023
Protests Received Yes ___ No X

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 1/27/2023 By: JB
___ ___ Field check by ___
___ ___ Field report attached
___ ___ Analysis Supp Attached (>5cfs/500af)
___ ___ Water delivered by water master? Water District # ___

IDL, Fish, DEQ, WB

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: amendment changes POU legal description. Advance Priority Date to 1/27/23

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

___ ___ Notice of pending void order issued. Final order response date ___/___/___
___ ___ Further information required from applicant Existing System 1 year Development window applied for

✓ x60 - Lot 2, Walstons Lake Lots Second Addition Sub

___ ___ Measuring device required
___ ___ Measuring port required
___ ___ Special conditions
___ ___ Special conditions of approval supplement and/or cover letter attached: ___

Approval Recommended by: ___ Date 3/9/23 Sr. Agent initial JB

In Forum. Supervisor

Alleman, Tammy

From: Alleman, Tammy
Sent: Friday, February 10, 2023 3:24 PM
To: Chantilly Higbee; Anna Moody; Horsmon,Merritt; 'Mike Ahmer'; IWRB Water Use Reviews
Subject: Request for Comments for 96-14556
Attachments: 96-14556 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 March 6, 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
FEB 10 2023

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

February 9, 2023

DENNIS SPIER
12020 N. ANNA J DR.
SPOKANE, WA 99218

RE: Application for Permit No. 96-14556

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 2/16/2023 and 2/23/2023. 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
FEB 10 2023

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, February 9, 2023 4:13 PM
To: bcdblegals@cdapress.com
Subject: Legal Notice for Bonner County Daily Bee
Attachments: Legal Notice for Bonner County Daily Bee.docx

Please publish the enclosed legal notice in the **Bonner County Daily Bee** on the dates indicated **February 16th & February 23rd, 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 **March 6, 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

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FEB 10 2023

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

95-18408
LYNDA BARROWCLIFF
TRACY TURRELL
17 VIGS DR
ATHOL, ID 83801-0359
Point of Diversion NWNE
S30 T54N R02W
BONNER County
Source GROUND WATER
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: 01-27-2023
Place Of Use: DOMESTIC,STOCKWATER
T54N R02W S30 NWNE

95-18412
MARK J SCHNORF
BARBARA J SCHNORF
PO BOX 930
ATHOL, ID 83801-0930
Point of Diversion SWNE
S30 T54N R02W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.15 CFS
Total Diversion: 0.2 CFS
Date Filed: 01-31-2023
Place Of Use: DOMESTIC,IRRIGATION,STOCKWATER
T54N R02W S30 SWNE
Total Acres: 5

96-13467
THE WINTER BOTTLE BAY TRUST
114 STEWARTS DRIVE
SAGLE, ID 83860
Point of Diversion L2(SWNE)
S33 T57N R01W
BONNER County
Source LAKE PEND ORIELLE
Tributary PEND ORIELLE RIVER
Use: IRRIGATION
4 /1 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 08-06-2022
Place Of Use: IRRIGATION
T57N R01W S33 L2(SWNE)
Total Acres: 0.7

96-14447
SUSAN FRENCH
RICHARD ARNOLD
1505 CHABLIS CIRCLE
SAINT HELENA, CA 94574
Point of Diversion L3(NWSW)
S5 T56N R01E
BONNER County
Source LAKE PEND ORIELLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/1 to 12/31
Total Diversion: 0.04 CFS

SCANNED
FEB 10 2023

Date Filed: 01-13-2023
Place Of Use: DOMESTIC
T56N R01E S5 L3(NWSW)

96-14522
JENNIFER HUSE
6910 N GASSENDI DR
COEUR D ALENE, ID 83815
Point of Diversion SWSE
S5 T55N R03W
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31 0.12 CFS
Use: DOMESTIC
1 /1 to 12/31 0.06 CFS
Total Diversion: 0.18 CFS
Date Filed: 01-18-2023
Place Of Use: DOMESTIC,IRRIGATION
T55N R03W S5 SWSE
Place Of Use: IRRIGATION
T55N R03W S5 L9(SESE)
Total Acres: 4

96-14531
MATTHEW RICHTER
11448 N CATTLE DR
HAYDEN, ID 83835
Point of Diversion L3(SESW)
S17 T56N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 01-19-2023
Place Of Use: DOMESTIC
T56N R01E S17
L4(SWSW),L4(NWSW),L3(SESW)

96-14534
BRUCE A MOLINE
6809 E RANDOM POINT LN
SPOKANE, WA 99223-1401
Point of Diversion L2(SENW)
S31 T56N R03W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 01-17-2023
Place Of Use: IRRIGATION
T56N R03W S31
L2(NENW),L2(SENW)
Total Acres: 0.8

96-14556
DENNIS SPIER
12020 N. ANNA J DR.
SPOKANE, WA 99218
Point of Diversion SWSW
S17 T56N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
1 /1 to 12/31

SCANNED
FEB 10 2023

Total Diversion: 0.04 CFS
Date Filed: 01-24-2023
Place Of Use: DOMESTIC
T56N R01E S17 L4(SWSW)

96-14598
CHRIS WYCKOFF
4211 BRADY RIDGE DR
CEDAR PARK, TX 78613
Point of Diversion L4(NWNW)
S3 T56N 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: 01-24-2023
Place Of Use: DOMESTIC
T56N R01W S3
L4(NWNW),NWNW

96-14600
CHRIS WYCKOFF
4211 BRADY RIDGE DR
CEDAR PARK, TX 78613
Point of Diversion L2(NWNE)
S4 T56N R01W
BONNER County
Source GROUND WATER
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 01-24-2023
Place Of Use: DOMESTIC
T56N R01W S4 L2(NWNE)

96-14626
NICHOLAS BADOUX
CATHERINE BADOUX
1740 SPADES RD
SAGLE, ID 83860-9108
Point of Diversion NWNW
S35 T56N R02W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.15 CFS
Total Diversion: 0.2 CFS
Date Filed: 01-23-2023
Place Of Use: DOMESTIC,IRRIGATION,STOCKWATER
T56N R02W S35
NENW,NWNW
Total Acres: 5

96-14665
RONALD ABARO
12 MOONRIDGE CT
AZUSA, CA 91702
Point of Diversion L3(SWNW)
S25 T57N R02W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31

SCANNED
FEB 10 2023

Total Diversion: 0.03 CFS
Date Filed: 01-23-2023
Place Of Use: IRRIGATION
T57N R02W S25
L3(SWNW)
Total Acres: 0.4

96-14682
DIANA M NELSON
5416 S HELENA LN
SPOKANE, WA 99223
Point of Diversion L2(NWNE)
S11 T56N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 01-30-2023
Place Of Use: IRRIGATION
T56N R01E S11 L2(NWNE)
Total Acres: 0.7

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; or for a full description of the right(s), please see https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of $25.00 for each application on or before 3/6/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director Published on 2/16/2023 and 2/23/2023

SCANNED
FEB 10 2023

Bates, Luke

From: Bates, Luke
Sent: Thursday, January 26, 2023 8:42 AM
To: Spierdj@gmail.com
Subject: IDWR online app for permit filing - revision required
Attachments: 96-14556 - COPY of original filing app for permit with mark-up.pdf; 96-14556 - AMENDED app for permti - print & sign.pdf

Dennis Spier,
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 is in receipt of our application for water permit & have assigned it WR No. 96-14556. During initial review of your application for permit filing I have identified a couple issues that may reduce your intended water usage to what the department can recommend for licensing if not corrected prior to running for the advertisement period.

Primarily, I believe your step No. 9 Place of use designation is incorrect & corresponding Map page is incorrect; if processed as is will cost you an addition 100.00 later in the process to correct.

I recommend amending your application as follows:

- Review the 3 page amended application for permit while referencing the copy of original with red mark up.
    - You will note the new form is completely filled out and ready to print & sign with ink pen.
    - Changes include step No. 9 in the Place of Use tables to reflect where your parcel is located in the SWSW4.

Following your review, let me know if you have any questions or concerns.

Once satisfied with corrections you do the following to re-submit:

1. Print 3pg AMENDED app for permit document.
2. Sign with in pen on PG2.
3. If able **please scan and email the corrected forms** to the email address listed below (**not my personal email**)

file@idwr.idaho.gov

Alternately, you may elect to mail the signed amended version back to the department using the mailing address below C/O Luke Bates.

As of the date of this email, **please respond within 14 Days, No Later Than 9 February 2023** and/or respond with explanation why more time is required to submit revisions. We can discuss by phone which changes to the application you would prefer to pursue. I appreciate your diligence in working on these corrections and am here to assist you with any questions.

Please do give me a call if you've any questions and we can discuss the "why" of the changes recommended. I recommend carbon copying me on the email you send to the state office file@idwr.idaho.gov

-------break-------

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FEB 10 2023

In addition to this filing need amended, I note there is an active water right license associated with your parcel. WR 96-9341 with ownership name Douglas and Beverly Rasor, authorizes 0.5 acres irrigation from the lake with a place of use assigned to your parcel. This WR has a priority date of 2007. I highly recommend you contact IDWR at 208-762-2800 and request to speak with an adjudication agent about filing a claim in the ongoing adjudication of Bonner County. If not filed on, this license will be dis-allowed at the end of the adjudication process.

Thank you,

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

IDAHO DEPARTMENT OF
WATER RESOURCES
7600 N. Mineral Dr., Suite 100
Coeur D'Alene, ID 83815-7763

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FEB 10 2023