State of Idaho
Department of Water Resources

Water Right License

Water Right No. 96-16039

Priority: May 14, 2023

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

It is hereby certified that:

THOMAS E HUBER 472 PEACOCK LN SPIRIT LAKE ID 83869-5123 AND/OR
KELLY R HUBER 472 PEACOCK LN SPIRIT LAKE ID 83869-5123

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 15, 2023, and has submitted Proof of Beneficial Use on June 21, 2024. An examination confirms water is diverted from:

Source : GROUND WATER

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

Location of Point(s) of Diversion
GROUND WATER L3(NE¼ SE¼), Sec. 33, Twp 57N, Rge 01W, B.M. BONNER County

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	01W	33													X L3			X L3	

Conditions of Approval

1. Domestic use is for 1 home.
2. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
3. 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 31st day of July, 2024.

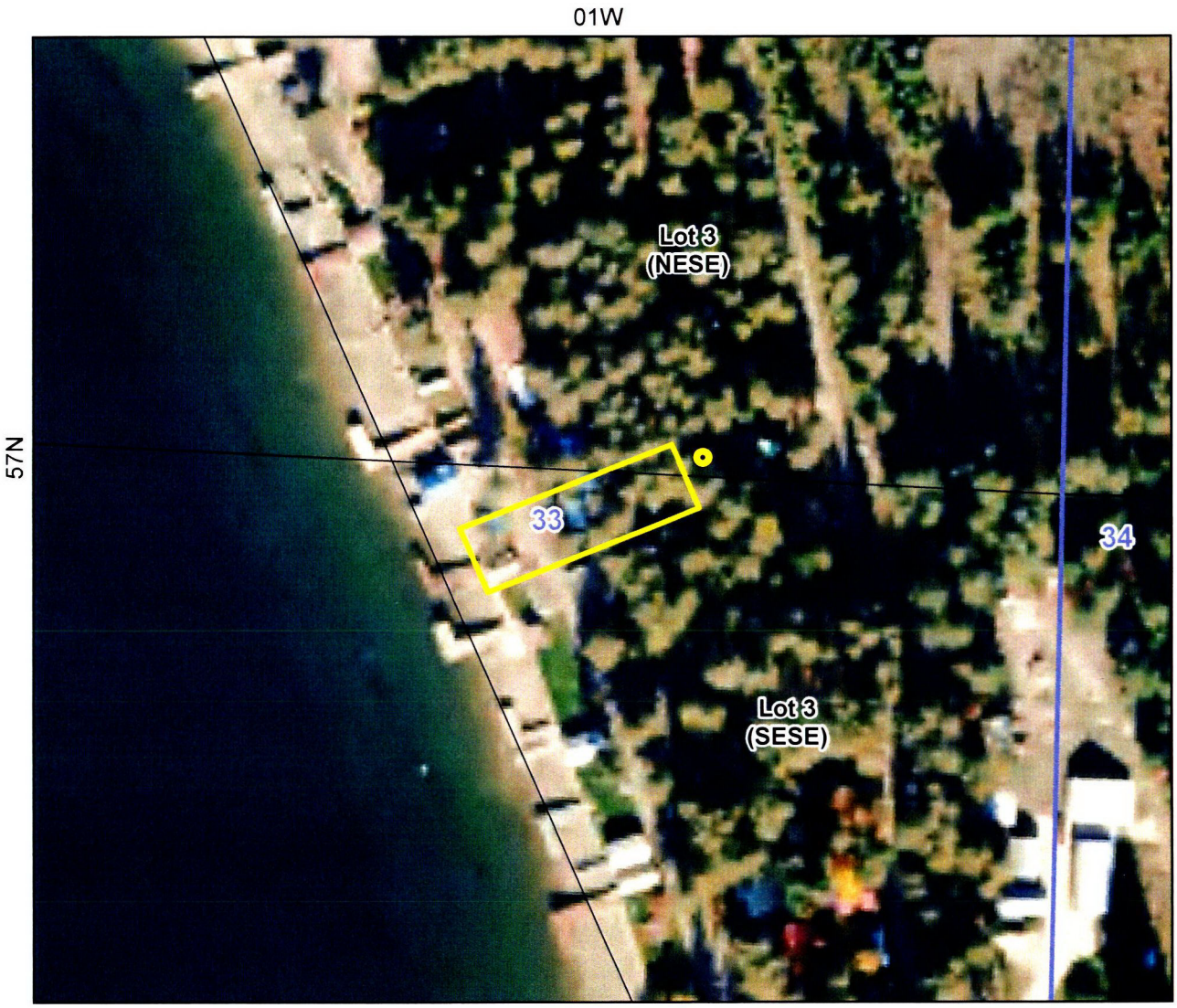
PHILL HUMMER
Water Rights Section Manager

State of Idaho
Department of Water Resources

Attachment to Water Right

96-16039

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.



Form 42-217 Rev. 6/22

RECEIVED
JUN 21 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.	C118515
Receipted By	KM
Date Receipted	6.21.24

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. 96-16039 Name of Permit Holder(s) THOMAS E HUBER, KELLY R HUBER

Telephone No. 206-799-1747 Email TOMHUBER4@GMAIL.COM

Mailing Address 472 PEACOCK LANE City ~~SPIRIT~~ SPIRIT LAKE State ID Zip 83869

2. Source of Water GROUND WATER If Ground Water (well), Date Drilled mo. 9 / yr. 93

Drilling Permit/Tag No. 96-93-N-166-000 Drilling Company's Name INTERMOUNTAIN DRILLING

3. Extent of use(s) completed **as authorized by the water right permit**:

Domestic (No. households) 1 Irrigation (No. acres) .13 Stockwater (No. and stock type) _____

Other _____

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

PUMP

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 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: THOMAS HUBER Telephone No. 206-799-1747 Email TOMHUBER4@GMAIL.COM

Mailing Address 472 PEACOCK LANE City SPIRIT LAKE State ID Zip 83869

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.

Thomas E Huber — THOMAS E HUBER — 6/17/24

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. 96-16039

Priority: May 14, 2023 **Maximum Diversion Rate:** 0.04 CFS

This is to certify that

THOMAS E HUBER 9505 NE 198TH ST BOTHELL WA 98011-2327 AND/OR
KELLY R HUBER 9505 NE 198TH ST BOTHELL WA 98011

has applied for a permit to appropriate water from:

Source : GROUND WATER

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

Beneficial Use	Period of Use	Rate of Diversion
DOMESTIC	01/01 to 12/31	0.04 CFS

Location of Point(s) of Diversion
GROUND WATER L3 (NE¼ SE¼), Sec. 33, Twp 57N, Rge 01W, B.M. BONNER County

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	01W	33													X L3			X L3	

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **July 01, 2024.**
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
4. Domestic use is for 1 home.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
6. This right does not grant any right-of-way or easement across the land of another.

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

Signed this 28 day of June, 2023.

LUKE BATES
Interim Water Rights Supervisor

SCANNED
JUL 26 2023

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-16039

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
JUL 26 2023

RECEIVED
May 14, 2023
DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho
No. 96-16039

1. Applicant(s)

THOMAS E HUBER
9505 NE 198TH ST
BOTHELL WA 98011-2327
206-799-1747, TOMHUBER4@GMAIL.COM

AND/OR KELLY R HUBER
9505 NE 198TH ST
BOTHELL WA 98011
206-799-1747

2. Representative(s) N/A

3. Source of Water Supply:
Source : GROUND WATER

4. Location of Point(s) of Diversion:

Heading	Point of Diversion # 1
Source	GROUND WATER
Tributary of	
Township	57N
Range	01W
Section	33
Govt. Lot	3
QQQ/QQ/Quarter	NE¼SE¼
County	BONNER
Diversion Type	
Local name or Tag#	
Type and size of devices	1" PLASTIC PIPE
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	01/01 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:

SCANNED
MAY 16 2023

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee $ 100.00 Receipted by NS Receipt No. N0425008 Date 2-15-23

No. 96-16039

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	
57N	01W	33													X L3			X L3		

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.
Domestic use for 1 home, well located on neighbors property with easement to use.

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
Thomas E Huber
THOMAS E HUBER

Signature of Applicant
Kelly R Huber
KELLY R HUBER

SCANNED
MAY 26 2023

State of Idaho
Department of Water Resources

Application For Permit

96-16039



Prepared By: Web User

SCANNED
MAY 26 2023

Form 238-7
8/90

ENTD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

USE TYPEWRITER OR BALLPOINT PEN

RECEIVED

WELL DRILLER'S REPORT

JAN 12 1994
Department of Water Resources

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER
Name Don & Laurie Brown Hayden Lk, Id 83835
Address 2642 Upper Hayden Lake Rd
Drilling Permit No. 96-93-15-166-000
Water Right Permit No. _____

2. NATURE OF WORK
☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE
☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED
☒ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION
Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
.250 inches	6 inches	+ 1 feet	18 feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☒ Yes ☒ No Saw
How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun
Size of perforation 5/8 inches by 10 inches

Number		From		To	
100	perforations	50	feet	72	feet
_____	perforations	_____	feet	_____	feet
_____	perforations	_____	feet	_____	feet

Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter ___ Slot size ___ Set from _____ feet to _____ feet
Diameter ___ Slot size ___ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet
Surface seal depth 19 Material used in seal: ☐ Cement grout
☒ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing
☒ Overbore to seal depth
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld
☐ Cemented between strata
Describe access port _____

6. LOCATION OF WELL
Sketch map location must agree with written location.

N / W / E / S

Subdivision Name Shaffer's Lakeshore Lots
7600E Bottle Bay Rd
Parcel #2 Lot No. _____ Block No. _____
County Bonner
¼ ¼ Sec. 33, T. 57 N ☒ S ☐ R. 1 E ☐ W ☒

7. WATER LEVEL
Static water level 29 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature 50 °F. Quality Clear
Describe artesian or temperature zones below.

8. WELL TEST DATA
☐ Pump ☐ Bailer ☒ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
30+	70'	1 hr.

9. LITHOLOGIC LOG 090743

Bore Diam.	Depth From	Depth To	Material	Water Yes	Water No
8	0	8	sand gravel boulders		
8/6	8	70	broken shale - gray	✓	

RECEIVED
SEP 08 1993
NORTHERN REGION
IDWR

RECEIVED
FEB 09 1995

10. Work started 9-2-93 finished 9-3-93

11. DRILLERS CERTIFICATION
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.
Firm Name Intermountain Dlg Firm No. 513
Address HCR 5 Box 1A Priest River, Id 83856 Date 9-6-93
Signed by (Firm Official) _____
and
(Operator) same

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

SCANNED
MAY 26 2023

RECEIVED
Mar 06, 2023
DEPARTMENT OF
WATER RESOURCES

16

Print Single Sided Only

STATE OF IDAHO 87891
DEPARTMENT OF WATER RESOURCES

Ident. No. 96-16039

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Thomas E Huber and Kelly R Huber Phone 206-799-1747

Name connector (check one): ■ and ■ or ■ and/or

Mailing address 9505 NE 198th St City Bothell

State WA ZIP 98011 Email tomhuber4@gmail.com

2. Name of representative, if any _____ Phone _____

Mailing address _____ City _____

State _____ ZIP _____ Email _____

a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
■ Send original correspondence to the applicant and copies to the representative.

b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.

3. Source of water supply Well with pipeline to home which is a tributary of _____

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
57N	01W	33	3		SE	SE	Bonner	Ground water	

5. Water will be used for the following purposes:

Amount 0.04 CFS (cfs or acre-feet per year) for domestic purposes from 01/01 to 12/31 (both dates inclusive)

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

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

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

6. Total quantity to be appropriated is (a) 0.04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

7. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. 1" plastic pipe

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No

SUPERSEDED

c. Proposed well diameter is 6 inches; proposed depth of well is 78 feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No

e. If well is already drilled, when? 9/3/93; drilling firm Intermountain Drilling; well was drilled for (well owner) yes; Drilling Permit No. 96-93-N-166-000.

For Department Use

SCANNED

Received by _____ Date _____ Time _____ Preliminary check by _____ MAY 26 2023

Fee $ 100.00 Receipted by NS Receipt No. N0425Ø8 Date 2-15-23

RECEIVED
Mar 06, 2023
DEPARTMENT OF
WATER RESOURCES

8. Description of proposed uses (if irrigation only, go to item 9):
   a. Hydropower; show total feet of head and proposed capacity in kW. _____
   b. Stockwatering; list number and kind of livestock. _____
   c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
   d. Domestic; show number of households ~~2~~ 1 (lawn and garden included) JH 3/4/23
   e. Other; describe fully. _____

9. Description of place of use:
   a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
   b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	01W	33													D			D	
															gl3			gl3	

Total number of acres to be irrigated: ~~12~~ JH 3/4/23

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 property at the point of diversion? Chris Wyckoff
    b. Who owns the land to be irrigated or place of use? Thomas Huber
    c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Easment number 584378 (and/or 585899)

12. Describe your proposal in narrative form and provide additional explanation for any of the items above. Attach additional pages if necessary. _____

SUPERSEDED

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

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

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

Thomas E Huber
Signature of Applicant

THOMAS E HUBER
Print Name (and title, if applicable)

Chris Wyckoff
Signature of Applicant

Kelly R. Huber
Print Name (and title, if applicable)

SCANNED
MAY 26 2023

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water



PLS Sections
Quarter Quarters
Taxlots

0 0.01 0.02 0.04 Miles

N

SUPERSEDED

Tax parcel information provided by Bonner County.

Map prepared by: Shaun Maxey, IDWR

SCANNED
MAY 26 2023

Print Single Sided Only

FORM 202 Rev. 09/16

RECEIVED
FEB 15 2023
IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. _____

1. Name of applicant(s) Thomas E Huber Phone 206-799-1747

Name connector (check one): ■ and ■ or ■ and/or

Mailing address 9505 NE 198th St City Bothell

State WA ZIP 98011 Email tomhuber4@gmail.com

2. Name of representative, if any _____ Phone _____

Mailing address _____ City _____

State _____ ZIP _____ Email _____

a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
■ Send original correspondence to the applicant and copies to the representative.

b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.

3. Source of water supply Well with pipeline to home which is a tributary of _____

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
57N	01W	33	3		SE	SE	Bonner	Ground water	

5. Water will be used for the following purposes:

Amount 0.04 CFS (cfs or acre-feet per year) for domestic purposes from 01/01 to 12/31 (both dates inclusive)

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

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

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

6. Total quantity to be appropriated is (a) 0.04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

7. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. 1" plastic pipe

SUPERSEDED

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No

c. Proposed well diameter is 6 inches; proposed depth of well is 78 feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ■ No

e. If well is already drilled, when? 9/3/93; drilling firm Intermountain Drilling; well was drilled for (well owner) yes; Drilling Permit No. 96-93-N-166-000.

SCANNED

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by MAY 26 2023

Fee $ 100.00 Receipted by NS Receipt No. N0425O8 Date 2-15-23

8. Description of proposed uses (if irrigation only, go to item 9):
   a. Hydropower; show total feet of head and proposed capacity in kW. _____
   b. Stockwatering; list number and kind of livestock. _____
   c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
   d. Domestic; show number of households 2
   e. Other; describe fully. _____

9. Description of place of use:
   a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
   b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	01W	33																D	

Total number of acres to be irrigated: .12

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 property at the point of diversion? Chris Wyckoff
    b. Who owns the land to be irrigated or place of use? Thomas Huber
    c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Easment number 584378 (and/or 585899)

12. Describe your proposal in narrative form and provide additional explanation for any of the items above. Attach additional pages if necessary. _____

SUPERSEDED

13. Time required for completion of works and application of water to proposed beneficial use is _____ 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.

Tom Huber
Signature of Applicant

TOM HUBER
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

SCANNED
MAY 26 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

August 08, 2024

THOMAS E HUBER
KELLY R HUBER
472 PEACOCK LN
SPIRIT LAKE ID 83869-5123

RE: License No. 96-16039

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 August 08, 2024, I served a true and correct copy of Water Right License No. 96-16039 by U.S. Mail, postage prepaid, to the following:

THOMAS E HUBER (Current Owner)
472 PEACOCK LN
SPIRIT LAKE ID 83869-5123

KELLY R HUBER (Current Owner)
472 PEACOCK LN
SPIRIT LAKE ID 83869-5123

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: 96-16039
Exam Date: 07/30/2024

1. 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. ____ Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
   d. _X_ Domestic

2. Current Owner: THOMAS & KELLY HUBER 472 PEACOCK LN SPIRIT LAKE ID 83869-5123
   Owner of Record Correct? _____N
   Address of Record Correct? _____N
   If No Explain:

3. Beneficial Use Fees have been paid: _X_Y ____N Receipt No: C118515

4. **SOURCE:** GROUND WATER

TRIBUTARY OF NA

Method of Determination: Well Drillers Log, Bonner Couty Maps, and GIS

B. OVERLAP REVIEW

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

Water Right No.	Source	Purpose of Use	Basis
96-14026	PEND OREILLE RIVER	DOMESTIC	CLAIM

Comments: Domestic Claim 96-14026 held by the permit holder overlaps the permit place of use (POU). Although both the permit and claim are for domestic use within the same POU, the claim diverts from a surface water source and the permit diverts from a ground water source.

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

Water Right No.	Source	Purpose of Use	Basis
NONE	NA	NA	NA

Comments: There are no rights sharing the permitted point of diversion (POD).

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**
GROUND WATER L3 (NE¼ SE¼), Sec. 33, Twp 57N, Rge 01W, B.M. BONNER County
Method of Determination: Well Drillers Log, Bonner Couty Maps, and GIS

PLACE OF USE: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	01W	33													X L3			X L3	

Method of Determination:
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.

_X_ 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
Well (6" Dia)	Unknown	Unknown	Unknown	Unknown	Unknown

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE	NA	NA	NA	NA	NA	NA

2. Measurements: No measurement is required for an in-house exam, but Administrative Memo #22 was used to determine a reasonable diversion rate.

E. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method: NA

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation: NA

2. Volume Calculations for Other Uses: Domestic Use in 1 home.
According to Administrative memo #22 a maximum annual volume of 1.2 AF is acceptable for domestic use for 1 home and up to ½ acre of irrigation. I recommend the license be issued with an annual volume of 1.2 AF for domestic use, as per current guidance.

G. NARRATIVE/REMARKS/COMMENTS

This permit for domestic use and up to ½ acre of irrigation diverted from groundwater qualifies for an in-house examination. The Proof of Beneficial Use was received by the Department on June 21, 2024. The permit holder did not include system details on the proof of beneficial use. I emailed and called requesting additional system information on July 29, 2024. No response was received to the information request. However, I was able to confirm the home and grassy areas developed within the permitted POU via aerial imagery (Figures 1-3).

The permit holder did not provide any details regarding the pump or system, but Administrative Memo #22 allows up to 0.04cfs and an annual volume of up to 1.2 AF for domestic use in 1 home with up to ½ acre of irrigation. Even a small ½ Hp pump can provide 12 GPM (approximately 0.04cfs) and the development is evident in GIS imagery. Therefore, I recommend the license be issued with a diversion rate of 0.04 cfs and an annual volume of 1.2AF, as per current guidance.

I am recommending the license be issued with conditions 004, X01, and 187. Condition 046 should be removed at licensing, as per current guidance.

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	01/01 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 Bob Howe - Water Resource Agent

Field Examiner's Name Bob Howe Date 7/30/24

Reviewer [signature] Date 7/31/24

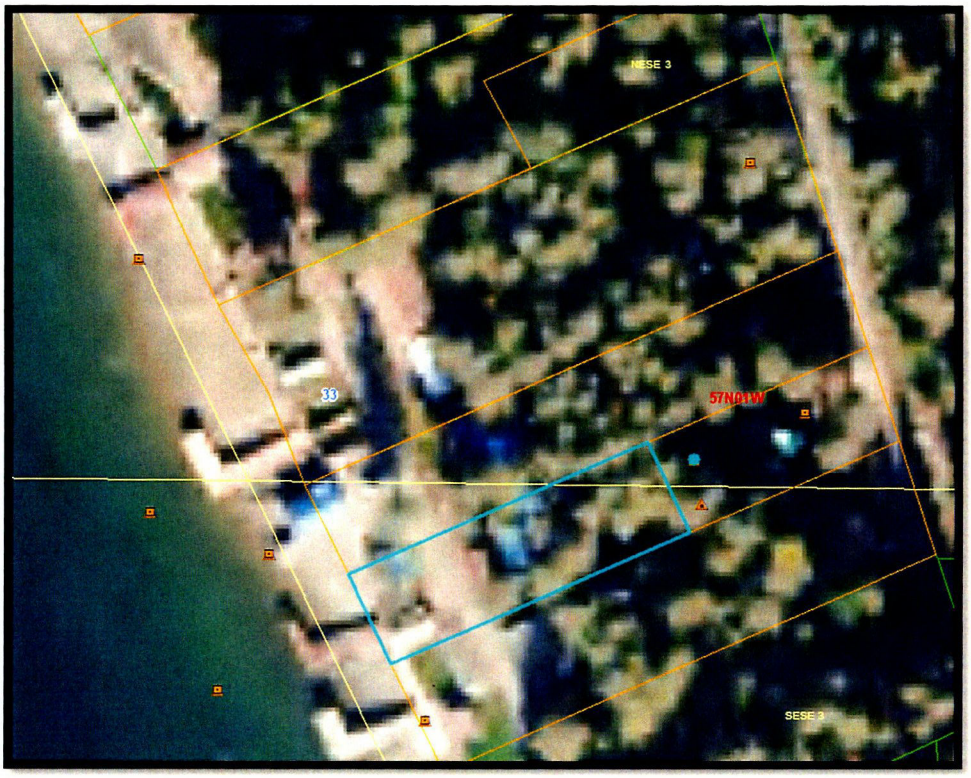


Figure 1- GIS NAIP 2023 Imagery- Permit POU outlined in blue. The well is represented by the blue point.



Figure 2- Bonner County Maps 2024- Parcel appurtenant to the permit centered in image. Yellow boundaries are the county parcel boundaries.

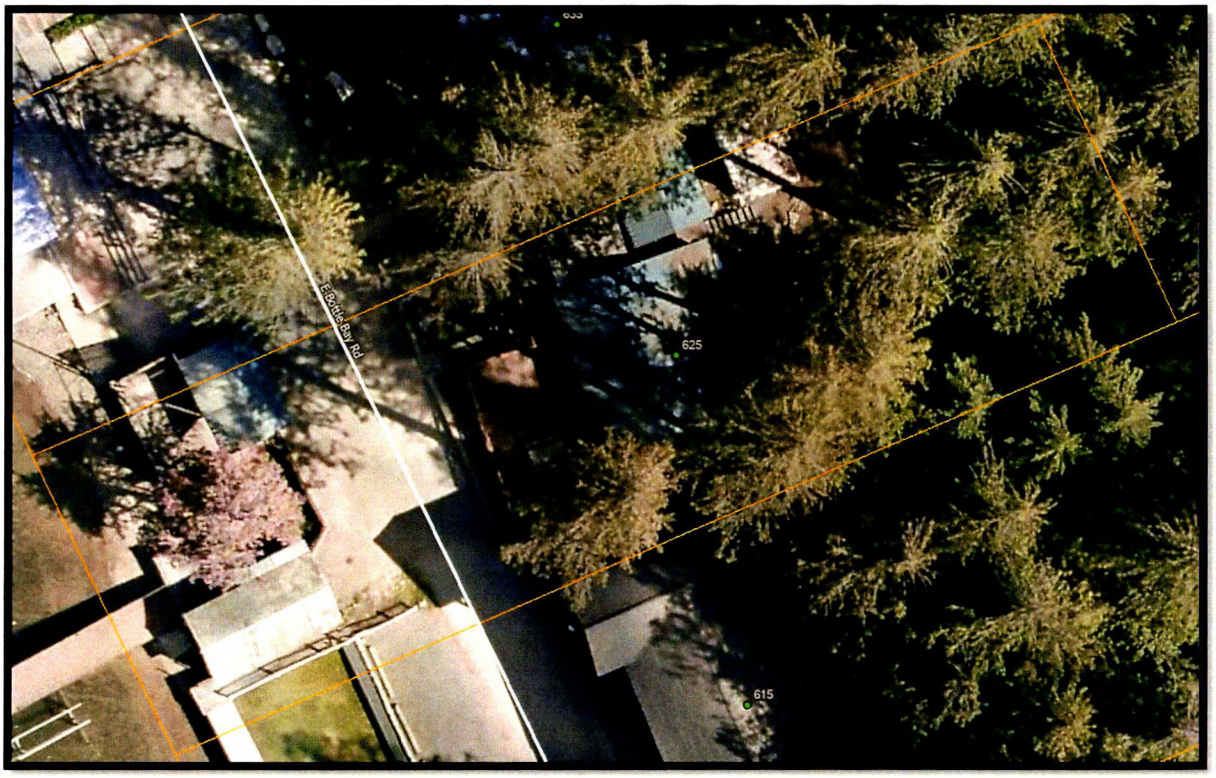


Figure 3 – Bonner County Maps 2023 Imagery- Parcel appurtenant to the permit POU is centered in the image. Some grassy areas are evident along the east side of the street to the west of the home.

Beneficial Use Proof Evaluation

Permit Number: 96-16039 Reviewer: AVeibell Review Date: 6/24/2024

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: 6/21/2024
4) Proof Due Date: 7/1/2024
5) Days added for weekend due date? 0
6) Days added for holiday due date? 0
7) Number of days late: -10
8) Proof received timely? 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: 758786
6) Is a drilling permit upgrade needed? No
7) Was a well drillers report filed? Yes
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

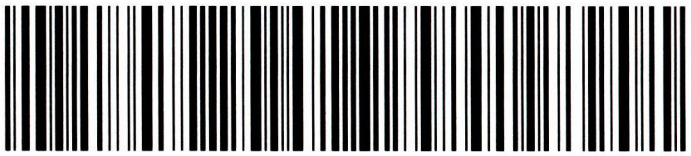
N042508, N042508

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 8359 5472 27

THOMAS E HUBER
KELLY R HUBER
9505 NE 198TH ST
BOTHELL WA 98011-2327

96-16039

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

April 30, 2024

THOMAS E HUBER
KELLY R HUBER
9505 NE 198TH ST
BOTHELL WA 98011

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 96-16039

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 **July 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

June 30, 2023

KELLY R HUBER
THOMAS E HUBER
9505 NE 198TH ST
BOTHELL WA 98011-2327

RE: Permit No. 96-16039

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
JUL 26 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
JUL 26 2023

CERTIFICATE OF SERVICE

I hereby certify that on June 30, 2023, I served a true and correct copy of Permit to Appropriate Water No. 96-16039 by U.S. Mail, postage prepaid, to the following:

KELLY R HUBER (Current Owner)
9505 NE 198TH ST
BOTHELL WA 98011

THOMAS E HUBER (Current Owner)
9505 NE 198TH ST
BOTHELL WA 98011-2327

Tammy Alleman
Administrative Assistant 1

SCANNED
JUL 26 2023

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

SCANNED
JUL 26 2023

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

SCANNED
JUL 2 6 2023

AFFIDAVIT OF PUBLICATION

RECEIVED
JUN 14 2023
IDWR / NORTH

STATE OF IDAHO)
) ss.
County of Bonner)

RikkiJade Lindstrom, 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 the State of 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 Legal Clerk 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 1 day of June, 2023, and ending on the 8 day of June, 2023.

RJ Lindstrom

State of Idaho, county of Bonner ss.
On this 8 day of June, in the year of 2023, before me, Angela Minehart, Notary Public, personally appeared RikkiJade Lindstrom 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.

Angela Minehart
Notary Public
Residing at: Kootenai County

My Commission Expires 03/20/2029

ANGELA MINEHART
NOTARY PUBLIC
Comm No. 20231353
STATE OF IDAHO

SCANNED
JUL 26 2023

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

96-13214
NICHOLAS BEVERIDGE
3931 N SCHREIBER WAY
COEUR D'ALENE, ID 83815
Point of Diversion SENE
S16 T56N R03W
BONNER County
Source MORTON SLOUGH
Tributary PEND OREILLE RIVER
Use: FIRE PROTECTION
1 /1 to 12/31 0.09 CFS
Use: IRRIGATION
04/01 to 10/31 0.08 CFS
Total Diversion: 0.09 CFS
Date Filed: 10-14-2022
Place Of Use: FIRE PROTECTION,IRRIGATION
T56N R03W S15 SWNW
Place Of Use: FIRE PROTECTION,IRRIGATION
T56N R03W S16
SENE,NESE
Total Acres: 2.6

96-13373
ROBERT ANKERSMIT
COLEEN ANKERSMIT
PO BOX 339
SANDPOINT, ID 83864-0339
Point of Diversion NWSE
S15 T58N R01W
BONNER County
Source PACK RIVER
Tributary LAKE PEND OREILLE
Use: IRRIGATION
4 /1 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 10-24-2022
Place Of Use: IRRIGATION
T58N R01W S15
NESE,NWSE
Total Acres: 0.8

96-16030
MARION LEARY
894 STENDAL RD
LEWISTOWN, MT 59457-8651
Point of Diversion L9(NESW)
S4 T55N R02E
BONNER County
Source CLARK FORK
Tributary LAKE PEND OREILLE
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Use: FIRE PROTECTION
01/01 to 12/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 04-28-2023
Place Of Use: FIRE PROTECTION,IRRIGATION
T55N R02E S4 L9(NESW)
Total Acres: 1

96-16039
THOMAS E HUBER
KELLY R HUBER
9505 NE 198TH ST
BOTHELL, WA 98011
Point of Diversion L3(NESE)
S33 T57N R01W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 02-15-2023
Place Of Use: DOMESTIC
T57N R01W S33
L3(NESE),L3(SESE)

96-16068
THORPE FAMILY TRUST
PO BOX 1298
PRIEST RIVER, ID 83856
Point of Diversion L7(NWSE)
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: 05-04-2023
Place Of Use: IRRIGATION
T56N R03W S31 L7(NWSE)
Total Acres: 1

96-16120
RICHARD HAGELIN
TERESA HAGELIN
12205 E 38TH AVE
SPOKANE VLY,
WA 99206-6339
Point of Diversion NWSE
S26 T55N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.02 CFS
Date Filed: 09-16-2022
Place Of Use: DOMESTIC
T55N R01W S26
NWSE,L3(NWSE)

96-16142
LEGGACY PROPERTIES LLC
6727 N DAVENPORT ST
DALTON GDNS, ID 83815-9566
Point of Diversion L2(NWSE)
S29 T57N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 05-15-2023
Place Of Use: IRRIGATION
T57N R01W S29
L2(NESW),
L2(NWSE),L3(SWSE),SESW
Total Acres: 0.5

96-16145
LEGGACY ENTERPRISES LLC
6727 N DAVENPORT ST
DALTON GDNS, ID 83815-9566
Point of Diversion L3(SWSE)
S29 T57N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 05-15-2023
Place Of Use: IRRIGATION
T57N R01W S29
L2(NWSE),L3(SWSE)
Total Acres: 0.4

96-16155
377657 ALBERTA LTD
PO BOX 1851
COCHRANE, AB T4C 1B7
Point of Diversion L6(SWNE)
S7 T55N R02W
BONNER County
Source COCOLALLA LAKE
Tributary COCOLALLA CREEK
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 05-16-2023
Place Of Use: DOMESTIC
T55N R02W S7
L6(SWNE),SENW

98-8113
AUBRIE R MEYER
KALEB C BEERMAN
510 ELLIS DR
SANDPOINT, ID 83864-3301
Point of Diversion SENW
S10 T59N R01W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.14 CFS
Total Diversion: 0.2 CFS
Date Filed: 05-15-2023
Place Of Use: DOMESTIC, IRRIGATION,STOCKWATER
T59N R01W S10 SENW
Total Acres: 7

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; or for a full description of the right(s), please see https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of $25.00 for each application on or before 6/20/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
Legal#5154
AD#9641
June 1, 8, 2023

SCANNED
JUL 2 6 2023

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

W.R. # 96 - 16039 APPLICATION ID # 87841 ENT. YB BCA JR OK to Publish MK

INITIAL REVIEW

APPLICANT: Thomas E Huber and/or Kelly R Huber BY: YB DATE: 5/16/23

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

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

PROCESSING

(Yes)(No)

PRIORITY DATE: 5/14/23

✓ ✓ (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 6-1-23 & 6-8-23
Affidavit of Publication received: 6-14-23
Dates actually published: 6-1-23 & 6-8-23
Application published correctly. Yes X No ____
If not, action taken: ____

Final Date for Protest: June 20, 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 5/15/23 By: YB
___ ___ Field check: by ____
___ ___ Field report attached
___ ___ Analysis Supp. attached(>5cfs/500af)
___ ___ Water delivered by water master? Water District # ____

GROUNDWATER SECTION

N/A

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
96-43	U-166-000	Dom. X 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: unclear if this well is shared NO upgrade recommended.

Memo → 3rd Amendment changes POD QQ advancement of priority date req'd. to reflect 5/14/23

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

___ ___ Notice of pending void order issued. Final order response date: ____/____/____
___ ___ Further information required from applicant ____

~~Fold with 96-14593?~~

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

Approval Recommended by: [signature] Date: 6/28/23 Sr. Agent initial JR 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

May 25, 2023

THOMAS E HUBER
KELLY R HUBER
9505 NE 198TH ST
BOTHELL, WA 98011

RE: Application for Permit No. 96-16039

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 6/1/2023 and 6/8/2023. 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
MAY 26 2023

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, May 25, 2023 12:27 PM
To: bcdblegals@cdapress.com
Subject: Legal Notice for the Bonner County Daily Bee
Attachments: Legal Notice for BCDB.docx

Please publish the enclosed legal notice in the **Bonner County Daily Bee** on the dates indicated **June 1st & June 8th, 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 **June 20, 2023.** Your cooperation is appreciated.

Sincerely,

IDAHO DEPARTMENT OF WATER RESOURCES

Tammy Alleman | Administrative Assistant
Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone: (208) 762-2800

SCANNED
MAY 26 2023

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

96-13214
NICHOLAS BEVERIDGE
3931 N SCHREIBER WAY
COEUR D'ALENE, ID 83815
Point of Diversion SENE
S16 T56N R03W
BONNER County
Source MORTON SLOUGH
Tributary PEND OREILLE RIVER
Use: FIRE PROTECTION
1 /1 to 12/31 0.09 CFS
Use: IRRIGATION
04/01 to 10/31 0.08 CFS
Total Diversion: 0.09 CFS
Date Filed: 10-14-2022
Place Of Use: FIRE PROTECTION,IRRIGATION
T56N R03W S15 SWNW
Place Of Use: FIRE PROTECTION,IRRIGATION
T56N R03W S16
SENE,NESE
Total Acres: 2.6

96-13373
ROBERT ANKERSMIT
COLEEN ANKERSMIT
PO BOX 339
SANDPOINT, ID 83864-0339
Point of Diversion NWSE
S15 T58N R01W
BONNER County
Source PACK RIVER
Tributary LAKE PEND OREILLE
Use: IRRIGATION
4 /1 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 10-24-2022
Place Of Use: IRRIGATION
T58N R01W S15
NESE,NWSE
Total Acres: 0.8

96-16030
MARION LEARY
894 STENDAL RD
LEWISTOWN, MT 59457-8651
Point of Diversion L9(NESW)
S4 T55N R02E
BONNER County
Source CLARK FORK
Tributary LAKE PEND OREILLE
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Use: FIRE PROTECTION
01/01 to 12/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 04-28-2023
Place Of Use: FIRE PROTECTION,IRRIGATION
T55N R02E S4 L9(NESW)
Total Acres: 1

96-16039
THOMAS E HUBER
KELLY R HUBER
9505 NE 198TH ST
BOTHELL, WA 98011
Point of Diversion L3(NESE)
S33 T57N R01W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 02-15-2023
Place Of Use: DOMESTIC
T57N R01W S33
L3(NESE),L3(SESE)

SCANNED
MAY 26 2023

96-16068
THORPE FAMILY TRUST
PO BOX 1298
PRIEST RIVER, ID 83856
Point of Diversion L7(NWSE)
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: 05-04-2023
Place Of Use: IRRIGATION
T56N R03W S31 L7(NWSE)
Total Acres: 1

96-16120
RICHARD HAGELIN
TERESA HAGELIN
12205 E 38TH AVE
SPOKANE VLY, WA 99206-6339
Point of Diversion NWSE
S26 T55N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.02 CFS
Date Filed: 09-16-2022
Place Of Use: DOMESTIC
T55N R01W S26
NWSE,L3(NWSE)

96-16142
LEGGACY PROPERTIES LLC
6727 N DAVENPORT ST
DALTON GDNS, ID 83815-9566
Point of Diversion L2(NWSE)
S29 T57N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 05-15-2023
Place Of Use: IRRIGATION
T57N R01W S29
L2(NESW),L2(NWSE),L3(SWSE),SESW
Total Acres: 0.5

96-16145
LEGGACY ENTERPRISES LLC
6727 N DAVENPORT ST
DALTON GDNS, ID 83815-9566
Point of Diversion L3(SWSE)
S29 T57N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 05-15-2023
Place Of Use: IRRIGATION
T57N R01W S29
L2(NWSE),L3(SWSE)
Total Acres: 0.4

96-16155
377657 ALBERTA LTD
PO BOX 1851
COCHRANE, AB T4C 1B7
Point of Diversion L6(SWNE)
S7 T55N R02W
BONNER County

SCANNED
MAY 26 2023

Source COCOLALLA LAKE
Tributary COCOLALLA CREEK
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 05-16-2023
Place Of Use: DOMESTIC
T55N R02W S7
L6(SWNE),SENW

98-8113
AUBRIE R MEYER
KALEB C BEERMAN
510 ELLIS DR
SANDPOINT, ID 83864-3301
Point of Diversion SENW
S10 T59N R01W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.14 CFS
Total Diversion: 0.2 CFS
Date Filed: 05-15-2023
Place Of Use: DOMESTIC,IRRIGATION,STOCKWATER
T59N R01W S10 SENW
Total Acres: 7

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; or for a full description of the right(s), please see https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of $25.00 for each application on or before 6/20/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director Published on 6/1/2023 and 6/8/2023

SCANNED
MAY 26 2023

MEMORANDUM

May 16, 2023

Application for Permit: 96-16039

Author: LBates JSB 5/16/23

Subject: Priority date advancement

Applicant's initial filing received by the Department on 2/15/2023 has been through multiple amendment processes. The most current amendment received via the E-file account on 5/14/2023 changes the POD legal description from SESE (QQ/Q) to NESE (QQ/Q). ADHOC was updated to reflect the amendment prior to the advertisement period & priority date advanced to reflect 5/14/2023.

SCANNED

MAY 26 2023

Bates, Luke

From: Bates, Luke
Sent: Friday, May 5, 2023 9:13 AM
To: tomhuber4@gmail.com
Subject: IDWR amendment to application recommended.
Attachments: AMENDED Application For Permit 96-16039.pdf; 96-16039 AMENDED map.pdf

Mr. Thomas Huber,
Good morning.

Following our phone conversation this morning I've drafted a 2nd amendment to original filing. The recommended changes are highlighted for Step No.4, moving the well point of diversion from the SESE3 to the NESE3. Additionally, I've updated the map product to reflect only the lakefront parcel being applied for, which removes the 2nd interior lot from the Map page.

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

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

1. Print 2pg application & map page.
2. Sign PG2 of application with ink pen.
3. If able, **please scan and email the corrected forms, as a PDF document,** to the email address listed below (**not my personal email**)

file@idwr.idaho.gov

Alternately, you may elect to mail the amended version back to the department using the mailing address below C/O Luke Bates OR hand deliver if in the local area.

As of the date of this email, **please respond within 14 Days, No Later Than 19 May 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

Thank you Sir,
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

SCANNED
MAY 26 2023

Maxey, Shaun

From: Maxey, Shaun
Sent: Thursday, February 16, 2023 5:04 PM
To: 'tomhuber4@gmail.com'
Subject: Incomplete Idaho Application For Permit for 625 E Bottle Bay RD & 219 Eureka RD
Attachments: 96-XXXX HUBER APP.pdf; 96-XXXX HUBER WELL.pdf; 96-XXXX HUBER IDWR MAP FOR LABELING.pdf

Mr. Huber:

Please contact me at (208) 762.2816 Pacific Time) **within the next 14 days (no later than 3/01/2023** about the Application For Permit that you filed for your property at or near Lake Pend Oreille. Your current Application is incomplete and contains insufficient information for Idaho Department Of Water Resources (IDWR) to proceed with publication of required newspaper legal notices.

I have attached copies of your current Application, a well record, and a IDWR Map for your use in labeling the Point of Diversion (well location) and Place of Use. Copies of the attachments, and an Application Withdrawal form that you may need to complete, are being sent to you via U.S. mail along with a copy of this e-mail message.

I'm unsure, based on the current information, if your incomplete Application needs to be finished or if you should be filing a separate Adjudication Claim. You have already filed an Adjudication Claim (96-14027) for use of a well serving the 625 E Bottle Bay parcel. I'm unsure if the claimed use for this parcel overlaps either of the two homes that are shown on 8(d) o your Application.

Thanks,

Shaun Maxey

IDAHO DEPARTMENT OF WATER RESOURCES

Shaun M. Maxey |Sr. Water Resource Agent
Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone: (208) 762-2800

SCANNED
MAY 26 2023