State of Idaho
Department of Water Resources

Water Right License

Water Right No. 96-16481

Priority: June 21, 2023

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

It is hereby certified that:

CHRISTOPHER BERNER 1105 N KING JAMES LN LIBERTY LAKE WA 99019-9453

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 21, 2023, and has submitted Proof of Beneficial Use on August 23, 2024. An examination confirms water is diverted from:

Source : GROUND WATER

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
GROUND WATER SE¼ NE¼, Sec. 22, Twp 56N, 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	
56N	01W	22				X													

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.
4. Place of use is located within Lot 3 Green Bay Heights.
5. Point of diversion is located within Lot 3, Green Bay Heights.

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 30th day of September, 2024.

PHILL HUMMER
Water Rights Section Manager

State of Idaho
Department of Water Resources

Attachment to Water Right

96-16481

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
Point of Diversion
State Outline
Townships
PLS Sections
Quarter Quarters

N

RECEIVED
AUG 23 2024
DEPT. OF WATER RESOURCES

Form 42-217 Rev. 6/22

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEMENT OF COMPLETION

FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY
Amt. of Fee $
Receipt No.
Receipted By
Date Receipted

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. 96-16481 Name of Permit Holder(s) Christopher Berner

Telephone No. 509-999-0412 Email chrisberner@live.com

Mailing Address 1105 N King James Ln City Liberty Lake State WA Zip 99019

2. Source of Water Well If Ground Water (well), Date Drilled mo. Aug / yr. 2023

Drilling Permit/Tag No. D0095169 Drilling Company's Name H2O

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

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

Other _____

4. Total diversion rate or volume (storage only) for which proof is submitted _____ 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 to structure. Copies of invoices detailing parts & specs attached
10 gpm 1 HP pump installed Well drillers report also attached

6. Permit condition compliance. Refer to the permit approval conditions and check all the items required, then check "Yes" or "No" to indicate whether the required items were established, submitted, and/or installed:

Required?	Yes	No	(If "Yes", attach required data, evidence of compliance, or evidence of installation)
☐	☐	☑	Ground water level data, pumping information, or other diversion data
☐	☐	☑	Mitigation plan
☐	☐	☑	Lockable controlling works
☐	☐	☑	Measuring device
☐	☐	☑	Fish screen
☐	☐	☑	Other requirements of the water right permit _____
	☐	☑	Reasonably Anticipated Future Needs ("RAFN") Municipal use

If RAFN Municipal use, additional increment of beneficial use developed? ☐ Yes (attach CWRE report) ☐ No

7. Fee Enclosed $_____ or ☐ CWRE field report attached or ☑ No fee required

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

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

Name: Chris Berner Telephone No. 509-999-0412 Email chrisberner@live.com

Mailing Address 1105 N King James Ln City Liberty Lake State WA Zip 99019

The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted and applied to beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

SIGNATURE OF PERMIT HOLDER*	Christopher Berner PRINTED NAME AND TITLE	8/16/24 DATE

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

Form 238-7
6/07

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

1. WELL TAG NO. D D0095169
Drilling Permit No. _____
Water right or injection well # _____

2. OWNER: Christopher & Mandy Berner
Name _____
Address 1105 N. King James Lane
City Liberty Lake State WA Zip 99019

3. WELL LOCATION:
Twp. 56N North ☒ or South ☐ Rge. 01W East ☐ or West ☒
Sec. 22 ____ 1/4 (10 acres) SE 1/4 (40 acres) NE 1/4 (160 acres)
Gov't Lot _____ County Bonner
Lat. 48 ° 11 . 211 (Deg. and Decimal minutes)
Long. 116 ° 25 . 048 (Deg. and Decimal minutes)
Address of Well Site Green Bay Rd.
(Give at least name of road + Distance to Road or Landmark) City Sagle
Lot. 3 Blk. _____ Sub. Name Green Bay Heights

4. USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☐ Other _____

5. TYPE OF WORK:
☒ New well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other _____

6. DRILL METHOD:
☒ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method/procedure
Bentonite	0	38	1500 lbs.	Temp. Casing

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/ Schedule	Material	Casing	Liner	Threaded	Welded
6"	+2	47	.250	Steel	☒	☐	☐	☒
4"	-20	160	40	PVC	☐	☒	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 47'

9. PERFORATIONS/SCREENS:
Perforations ☒ Y ☐ N Method Skilsaw
Manufactured screen ☐ Y ☒ N Type _____
Method of installation _____

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
140	160	1/8x4	53	4"	PVC	Sch. 40

Length of Headpipe _____ Length of Tailpipe _____
Packer ☐ Y ☒ N Type _____

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method

11. FLOWING ARTESIAN:
Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) _____
Describe control device _____

12. STATIC WATER LEVEL and WELL TESTS:
Depth first water encountered (ft) 125' Static water level (ft) 60'
Water temp. (°F) Cold Bottom hole temp. (°F) Cold
Describe access port Welded cap

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)	Test method: Pump	Bailer	Air	Flowing artesian
100%	40	60	☐	☐	☒	☐
			☐	☐	☐	☐

Water quality test or comments: _____

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water Y	Water N
10	0	6	Topsoil & Cobble		X
10	6	12	Sand		X
10	12	27	Brown Shale		X
10	27	38	Gray Shale		X
8	38	47	Gray & Brown Shale		X
6	47	160	Gray & Brown Shale	X	
			40 gpm @ 125'		

Completed Depth (Measurable): 160'
Date Started: Jun 7, 2023 Date Completed: Jun 8, 2023

14. DRILLER'S CERTIFICATION:
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name H2O Well Service Inc. Co. No. 448
*Principal Driller _____ Date _____
*Driller _____ Date _____
*Operator II _____ Date _____
Operator I _____ Date _____

*** Signature of Principal Driller and rig operator are required.**

468945 Hwy 95
Sagle, ID 83860
(208) 265-1622

Invoice 21344958
Invoice Date 6/9/2023
Payment Term Due Upon Receipt
Due Date 6/9/2023

Billing Address
Berner, Chris & Mandy
1105 North King James Lane
Liberty Lake, WA 99019 USA

Description of work

Well Drilling 792 Green Bay Rd. Sagle, ID
Drill Rig #80 Kuprienko & Albin
Completed: 6/8/2023

Task #	Description	Quantity	Your Price	Total
10" Drilling	10" Drilling	38.00	$0.00	$0.00
10" Temp. Casing	10" Temp. Casing	40.00	$0.00	$0.00
8" Drilling	8" Drilling	9.00	$40.00	$360.00
6" Drilling	6" Drilling	113.00	$36.00	$4,068.00
10" - 38' Surface Seal	10" - 38' Surface Seal	1.00	$2,500.00	$2,500.00
Mob & DeMob	Mob & DeMob	1.00	$450.00	$450.00
80C06250	6" .250 wall steel casing	49.00	$32.00	$1,568.00
80P200CL4	4"SCH 40 Solid Certa-loc Liner	140.00	$10.00	$1,400.00
85BHP	Hole Plug Bentonite 50# bag	30.00	$0.00	$0.00
83DS06	6" Drive Shoe	1.00	$200.00	$200.00
94IDPERMITS	Domestic Id Drill Tags	1.00	$75.00	$75.00

Paid On	Type	Memo	Amount
5/15/2023	Check	Ck# 1212	$5,200.00

Sub-Total	$10,621.00
Tax	$0.00
Total	$10,621.00
Payment	$5,200.00
Balance Due	$5,421.00

Thank you for your business
We gladly accept check, cash or credit card. If paying by credit card a 3% fee will be applied

Signature:

WELL h2o SERVICE INC

468945 US Hwy 95
Sagle, ID 83860 (208) 265-1622

Invoice 22355119
Invoice Date 9/14/2023
Completed Date 9/13/2023
Payment Term Due Upon Receipt
Due Date 9/14/2023

Billing Address
Berner, Chris & Mandy
1105 North King James Lane
Liberty Lake, WA 99019 USA

Job Address
Berner, Chris & Mandy
792 Green Bay Road
Sagle, ID 83860 USA

Description of work

(JT) SAGLE - PHASE II INSTALL (RR/DW)
9/13/23
Arrived onsite and started by getting pit-less installed and setting the pump and motor down on it. Next we set up the drive and ran conduit. Then we pulled wire and made up connections and ran tracer wire. We were unable to test due to no power on site so connections have not been pressure tested yet.

Task #	Description	Quantity	Your Price	Total
Pump Truck Labor	Pump Truck Labor & Travel / Plumbing & Wiring Labor Phase II Robert R	1.00	$2,040.00	$2,040.00
Assist Tech Labor	Assist Tech Labor Damon W	1.00	$0.00	$0.00
56WCP6	6" Well Cap, personalized	1.00	$92.66	$92.66
55PALDS10	1" Pitless Adapter #LDS10	1.00	$108.20	$108.20
65PC401	1"Sch 40 PVC Conduit	40.00	$3.42	$136.80
65PC801	1" Sch 80 PVC Conduit	10.00	$5.84	$58.40
66PC40E90S1	1" PVC Sweep 90 EL	1.00	$7.36	$7.36
40THHN10	#10 THHN Single Strand Wire	280.00	$0.68	$190.40
65PC4034	3/4" Sch 40 PVC Conduit	40.00	$2.50	$100.00
65PC8034	3/4" Sch 80 PVC Conduit	10.00	$4.28	$42.80
66PC40E90S34	3/4" PVC Sweep 90 EL	1.00	$4.78	$4.78
42TC164PR	#16/4 Shielded VTNC Cable*** Transducer Wire	65.00	$1.20	$78.00
23PLY2001	Poly pipe cl 250 1"	15.00	$1.55	$23.25
34FC8644	1" Ford Poly Compression x MIP Adaptor	2.00	$84.20	$168.40
34FOSI1	1" Ford Poly Stiffener	2.00	$5.42	$10.84
66LN1	1" Lock Nut	3.00	$0.80	$2.40

66LN34	3/4" Lock Nut	2.00	$0.50	$1.00
66IB1	1" Insulating Bushing	3.00	$0.52	$1.56
66IB34	3/4" Insulating Bushing	4.00	$0.80	$3.20
66TA1	1" Sch 40 PVC Terminal Adpt	4.00	$1.25	$5.00
66TA34	3/4" Sch 40 PVC Terminal Adpt	2.00	$1.00	$2.00
64JB664P	6X6X4 PVC JCT. Box	1.00	$52.10	$52.10
63DISURGE120	Line-In Surge Arrestor	1.00	$135.00	$135.00
Job Supplies	Job Supplies/Misc Electrical/ plumbing parts	1.00	$100.00	$100.00
57YH4HD	Woodford Iowa HD 4' Bury Hydrant (SAGLE)	1.00	$380.89	$380.89
ID Electrical Permit	ID Electrical Permit	1.00	$67.50	$67.50
ID Plumbing Permit	ID Plumbing Permit	1.00	$67.50	$67.50
61ITE220	ITE Breaker 2PL 240v 20amp	1.00	$26.26	$26.26
66RB1141	1 1/4"x1" TxT Reducing Bushing	1.00	$6.04	$6.04
30BN14	Brass Nipple 1"x4"	2.00	$15.52	$31.04
30BN342	Brass Nipple 3/4"x2"	1.00	$4.43	$4.43
30BSE9034	Brass 3/4" 90 Street Elbow	2.00	$12.16	$24.32
30BE901	Brass 1" 90 Elbow	2.00	$9.34	$18.68
30BRT1134	1 X 1 X 3/4 Brass Reducing Tee	1.00	$25.73	$25.73
30BP1	Brass Plug 1"	1.00	$8.00	$8.00
60SPK4	#14-12-10 4 Wire Splice Kit	1.00	$4.90	$4.90
40THHN16	#16 THHN (Blue Tracer Wire)	30.00	$0.30	$9.00
60SPX	#16-14 Transducer Butt Splice	2.00	$5.00	$10.00
66PC40CO1	1" PVC Conduit Coupler	1.00	$0.71	$0.71
66PC40CO34	3/4" PVC Conduit Coupler	1.00	$0.58	$0.58

Sub-Total	$4,049.73
Tax	$0.00
Total	$4,049.73
Payment	$0.00
Balance Due	$4,049.73

Thank you for your business
We gladly accept check, cash or credit card. If paying by credit card a 3% fee will be applied

Approval Signature: _____ Date: 9/13/23

Thank you for your business
We gladly accept check, cash or credit card. If paying by credit card a 3% fee will be applied

H2O WELL SERVICE INC

468945 US Hwy 95
Sagle, ID 83860 (208) 265-1622

Invoice 22355034
Invoice Date 9/1/2023
Completed Date 9/1/2023
Payment Term Due Upon Receipt
Due Date 9/1/2023

Billing Address
Berner, Chris & Mandy
1105 North King James Lane
Liberty Lake, WA 99019 USA

Job Address
Berner, Chris & Mandy
792 Green Bay Road
Sagle, ID 83860 USA

Description of work

(JT) - SAGLE - PHASE I INSTALL (KA/PV)
8/30/23
10 GPM 1 HP Constant Pressure Pump InWell Pressure Tank *Materials will be billed at the price in effect at the time of installation.

Task #	Description	Quantity	Your Price	Total
Pump Truck Labor	Pump Truck Labor Phase 1 Kevin A	4.00	$160.00	$640.00
Assist Tech Labor	Assist Tech Labor Phil V	4.00	$95.00	$380.00
Water Analysis-ID-Standard	Water Analysis-ID-Standard	1.00	$90.00	$90.00
Misc. Pump Insurance	3 yr. Warranty on Controller. 5 Yr. Warranty on Pump & Motor.	1.00	$0.00	$0.00
12GO10GS10	Goulds pump 10 gpm 1 hp w/e	1.00	$1,169.00	$1,169.00
11GOS06970	Franklin 4" 1 HP 230V 3Ø 3-Wire Submersible Motor 2345139203GS	1.00	$985.00	$985.00
63FRSD100N3R	Franklin Sub Drive Connect 20 100N3R	1.00	$2,753.00	$2,753.00
22P801TC	PVC 120 1" T&C pipe Drop Pipe	120.00	$3.74	$448.80
41SW104FJ	10-4 Flat Jacket Submersible Wire	155.00	$2.92	$452.60
51CV1CVFD	1" Cast Iron Check Valve VFD	1.00	$40.70	$40.70
75IN40SS	InWell 3.5 Gal Pressure Tank NT40SS	1.00	$1,650.00	$1,650.00
131BB1141	Brass Bushing 11/4"x 1"	3.00	$11.17	$33.51
30BN13	1 X 3 BRASS NIPPLE	1.00	$11.92	$11.92
30BN112	Brass Nipple 1" x 12"	2.00	$41.96	$83.92
30BB3414	Brass Bushing 3/4"x1/4"	1.00	$6.03	$6.03
30BSE9014	Brass 1/4" 90 Street Elbow	1.00	$7.24	$7.24

60SPK4	#14-12-10 4 Wire Splice Kit	1.00	$4.90	$4.90
56WS61	6"x1" Well Seal Cast	1.00	$64.24	$64.24
30BP1	Brass Plug 1"	2.00	$8.00	$16.00
50RV34100S	3/4" 100PSI Pres. Relief SHORT PRV	1.00	$54.52	$54.52

Sub-Total	$8,891.38
Tax	$0.00
Total	$8,891.38
Payment	$0.00
Balance Due	$8,891.38

Thank you for your business
We gladly accept check, cash or credit card. If paying by credit card a 3% fee will be applied

Approval Signature: _____ Date: 9/1/23

Thank you for your business
We gladly accept check, cash or credit card. If paying by credit card a 3% fee will be applied

468945 US Hwy 95
Sagle, ID 83860 (208) 265-1622

Invoice 22650305
Invoice Date 10/3/2023
Completed Date 10/2/2023
Payment Term Due Upon Receipt
Due Date 10/3/2023

Billing Address
Berner, Chris & Mandy
1105 North King James Lane
Liberty Lake, WA 99019 USA

Job Address
Berner, Chris & Mandy
792 Green Bay Road
Sagle, ID 83860 USA

Description of work

(JT) SAGLE - PHASE II PART 2 INSTALL (RR/DW/JC)
10/2/23
Arrived onsite and ran water line to the building and followed stub up instructions on 2"x4".

Task #	Description	Quantity	Your Price	Total
Pump Truck Labor	Pump Truck Labor Robert R	2.00	$160.00	$320.00
Assist Tech Labor	Assist Tech Labor Damon W & John C	2.00	$95.00	$190.00
34FC8644	1" Ford Poly Compression x MIP Adaptor	2.00	$84.20	$168.40
52BV1	1" Ball Valve Brass	1.00	$49.92	$49.92
30BP1	Brass Plug 1"	1.00	$8.00	$8.00
40THHN16	#16 THHN (Blue Tracer Wire)	70.00	$0.30	$21.00
23PLY2001	Poly pipe cl 250 1"	70.00	$1.54	$107.80
34FOSI1	1" Ford Poly Stiffener	2.00	$5.42	$10.84

Sub-Total	$875.96
Tax	$0.00
Total	$875.96
Payment	$0.00
Balance Due	$875.96

Thank you for your business
We gladly accept check, cash or credit card. If paying by credit card a 3% fee will be applied

Approval Signature: _____ Date: 10/3/23

Thank you for your business
We gladly accept check, cash or credit card. If paying by credit card a 3% fee will be applied

State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 96-16481

Priority: June 21, 2023 **Maximum Diversion Rate:** 0.04 CFS

This is to certify that

CHRISTOPHER BERNER 1105 N KING JAMES LN LIBERTY LAKE WA 99019-9453

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 SE¼ NE¼, Sec. 22, Twp 56N, 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	
56N	01W	22				X									X				

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **October 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 3rd day of October, 2023.

PHILL HUMMER
Water Rights Supervisor

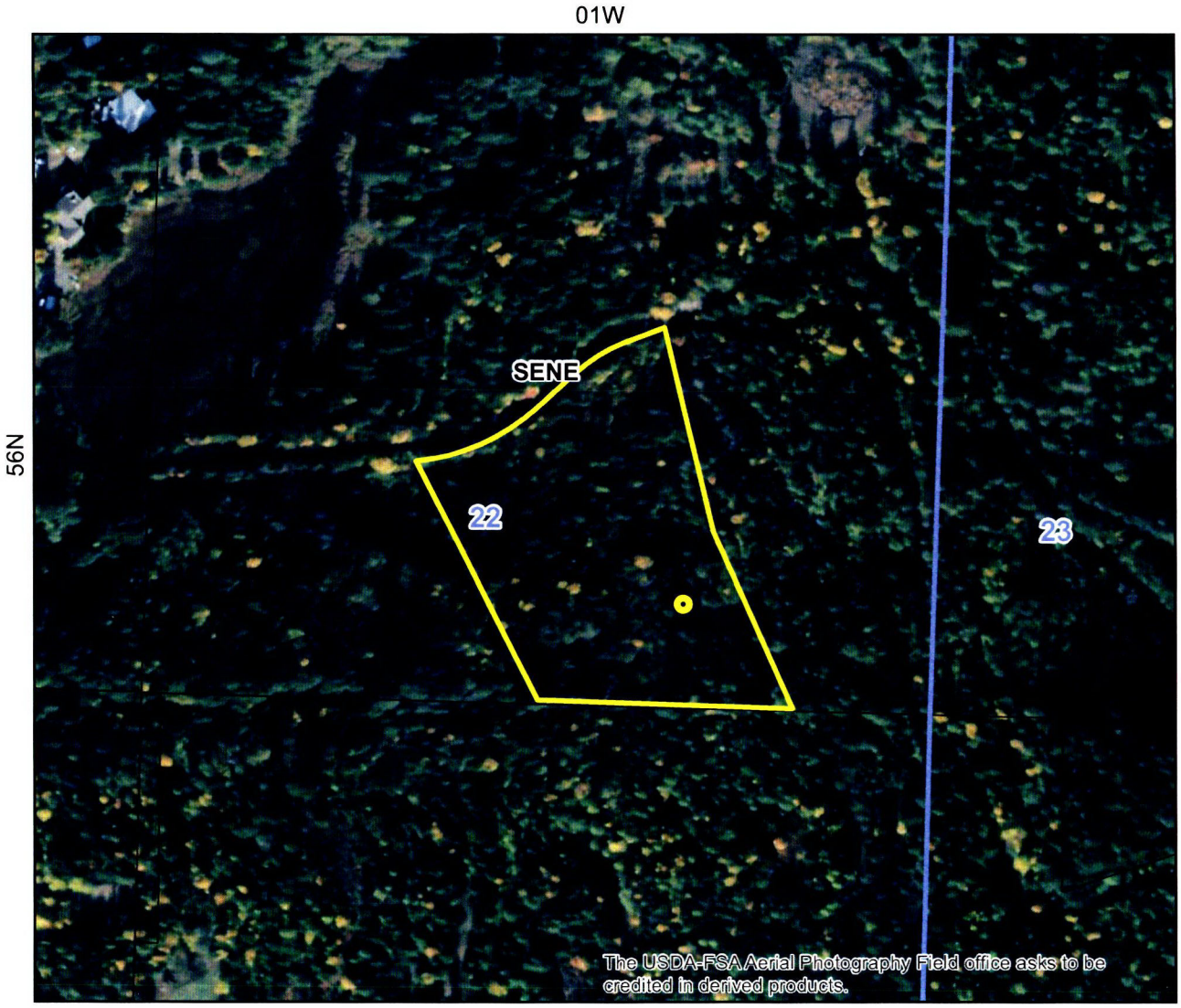
SCANNED
OCT 04 2023

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-16481

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.



0 400 800 Feet

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

N

SCANNED
OCT 04 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

No. 96-16481

Date Filed: Jun 21, 2023

RECEIVED
Jun 21, 2023
DEPARTMENT OF
WATER RESOURCES
Receipt #T116567

Submitted by applicant

1. Applicants:

CHRISTOPHER BERNER
1105 N. King James Lane
Liberty Lake, WA 99019

2. Representatives

3. Source of Water Supply

Source	Tributary
GROUND WATER	

4. Location of Points of Diversion:

	Source	Tributary Of	Type	Twp	Rge	Sec	GovLot	QQQ/QQ/Q	County
1	GROUND WATER			56N	01W	22		/SE/NE	BONNER

5. Water will be used for the following purposes:

WaterUse	Season	Rate (cfs)	Vol (afa)	Description
DOMESTIC	From:01/01 To:12/31	0.04		Bathroom at a camp site, primary water source for camp site

6. Total quantity to be appropriated is 0.04 cfs and/or afa

7. Proposed Diverting Works:

POD: 1

Description: Drilled well, 160 feet deep.

>85Degrees: false

Date Drilled: 6/7/2023

SCANNED
AUG 09 2023

Metal Tag No.: D0095169

Well Driller: H2O

Original Well Owner: Christopher Berner

Drilling Permit No.: D0095169

8. Description of Place of Use:

Twp	Rge	Sec	QQ	Q	GovLot	Acres	County	
56N	01W	22	SE	NE			BONNER	DOMESTIC
56N	01W	22	NE	SE			BONNER	DOMESTIC

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.

There are no other water rights

10. Land Ownership

Who owns the place of use? Other

Who owns the land at the point of diversion Applicant

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

Planning on dropping pump as soon as power is established on property. Should be within the next 90 days or so. Weill is already drilled, cased and lined.

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

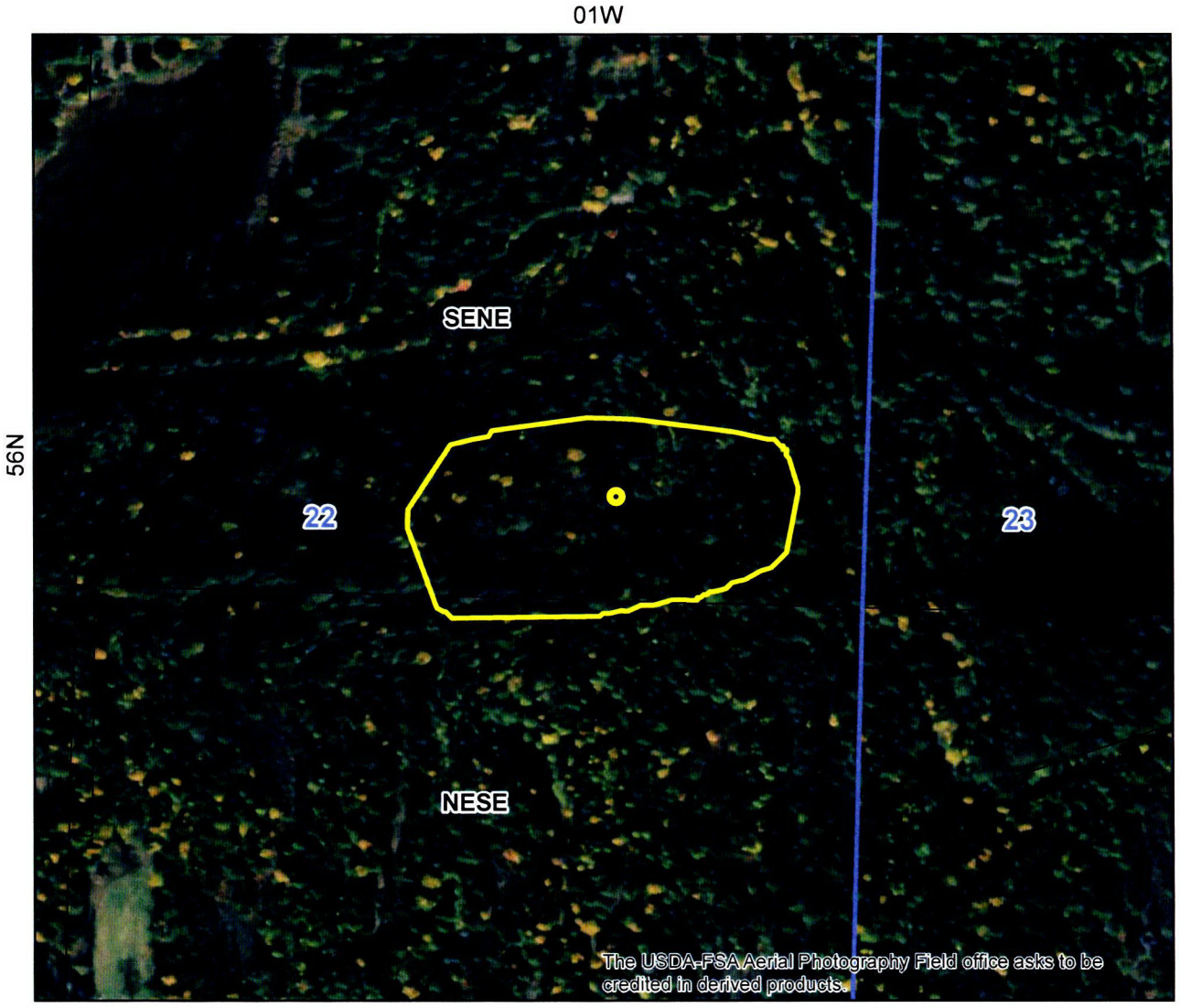
1 years

SCANNED
AUG 0 9 2023

State of Idaho
Department of Water Resources

Application For Permit

96-16481



0 0.035 0.07 0.14 Miles

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

N

SCANNED
AUG 0 9 2023

Prepared By: Parker, Cody

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

September 30, 2024

CHRISTOPHER BERNER
1105 N KING JAMES LN
LIBERTY LAKE WA 99019-9453

RE: License No. 96-16481

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 September 30, 2024, I served a true and correct copy of Water Right License No. 96-16481 by U.S. Mail, postage prepaid, to the following:

CHRISTOPHER BERNER (Current Owner)
1105 N KING JAMES LN
LIBERTY LAKE WA 99019-9453

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: 96-16481
Exam Date: 09/23/2024

1. Current Owner:
   CHRISTOPHER BERNER 1105 N KING JAMES LN LIBERTY LAKE WA 99019-9453

2. Accompanied by: In office exam
   Phone No:
   Address:
   Relationship to permit Holder:

3. **SOURCE:**
GROUND WATER

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
96-4041	Groundwater	Domestic	Statutory claim

Comments: ___See comments_____

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:**
GROUND WATER SE¼ NE¼, Sec. 22, Twp 56N, Rge 01W, B.M. BONNER County

Method of Determination: Application, permit, well log

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	01W	22				X													

Method of Determination: ArcMap and Bonner County

3.

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

_____ 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 indoor and up to ½ acre of irrigation. 1.2 af per Administrative Application processing memo #22.

G. NARRATIVE/REMARKS/COMMENTS: ArcMap and Bonner County show permit holder as current owner of property. Mr. Berner sent pictures showing a structure with 2 restrooms and a seasonal tent structure. He has an old helicopter that has been converted into an RV that will be parked on the property also.

The POU of this right overlaps with 96-4041, which is a statutory claim domestic right. I don't believe it is for the same property. No POU description for 96-4041 so the shape is speculative.

Permit is for 1 home so the volume will be 1.2 af for indoor and up to ½ acre of irrigation.
Removed T56N R01W Sec 22 NESE in the POU. ArcMap and Bonner County show the property only in the T56N R01W Sec 22 SENE. The permit was applied for online and the applicant drew the shape to include the T56N R01W Sec 22 NESE but the property is not located in this QQ.

Removed condition 046 for standard licensing procedure. Added X59 and X60. POU and POD are located in Lot 3, Green Bay Heights.

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

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

I. AUTHENTICATION Jean Hersley - Technical Records Specialist 2

Field Examiner's Name Jean Hersley Date 9-27-24

Reviewer PBrown Date 9/30/24


EVERBUILT



Drilling Permit No.: 910551 Well ID: 474569 Metal Tag No.: D0095169

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Well Driller Report

Printed: 09/24/2024

Well Location: T: 56N, R: 01W, S: 22, QQQ: , QQ: SE, Q: NE
Latitude 48° 11.211' Longitude -116° 25.048'
County: BONNER

Street Address of Well Site: GREEN BAY RD
SAGLE, ID

Lot: 3 Block:
Subdivision: GREEN BAY HEIGHTS

Use of Well: Domestic-Single Residence
Activity: New Well

Well Drilling Company: H2O WELL SERVICE INC (448)
Driller Name: ()
Certifying Operator: ()
Construction Method: Air Rotary

Const Start Date: 6/7/2023 Const End Date: 6/8/2023
Date Received: 6/14/2023

Surface Diameter: 6 Inches
Drilled Depth: 160 Feet Completed Depth: 160 Feet

Static Water Level: 60 Feet Production Rate: 40 gpm
Closed in Pressure: psi

Discharge Temperature: ° F Bottom Hole Temp.: ° F
Low Temp Geothermal: No

Drive Shoe Used: Yes

Sealing Procedure

Material	From (ft)	To (ft)	Amount	Method
Bentonite Granuals	0	38	1500#	Other

Drilling Permit No.: 910551 Well ID: 474569 Metal Tag No.: D0095169

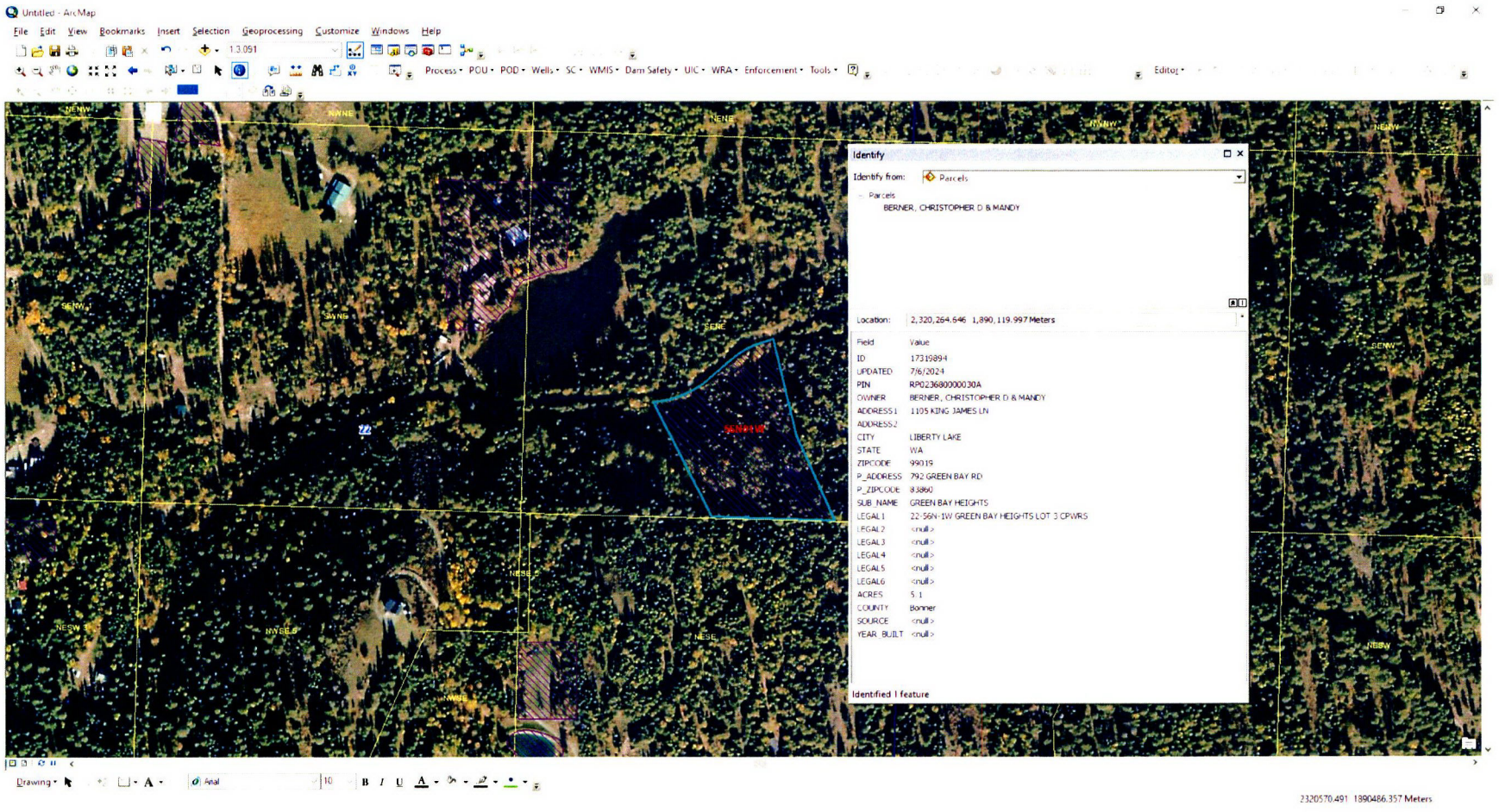
Casing/Liner

Dia.(in)	From (ft)	To (ft)	Material	Gauge	Casing/Liner	Weld/Thread

Screen/Perforation

Dia.(in)	From (ft)	To (ft)	Slot Size	# Slots	Material	Screen/Perforation	Screen Type	Perforation Method

96-16481



ArcMap shows permit holder as current owner.



Bonner County shows permit holder as current owner.

IDAHO DEPARTMENT OF WATER RESOURCES **9/24/2024**

Water Right 96-4041

Owner Type	**Name and Address**
Current Owner	MAURICE E SCHUDEL 1208 W 17TH SPOKANE, WA 99203

Priority Date: 5/4/1970
Basis: Statutory Claim
Status: Active

Source	**Tributary**
GROUND WATER	

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
DOMESTIC	1/01	12/31	0.040 CFS	
		Total Diversion	0.040 CFS	

Source and Point(s) of Diversion:

GROUND WATER	L3(NESW)	Sec. 22, Twp 56N, Rge 01W, BONNER County

Place Of Use:
DOMESTIC within BONNER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
56N	01W	22																	

Conditions of Approval:

1. SEND CORRES. TO LEE W. & JO ANN PETERS, E12421 OLIVE, SPOKANE, WA 99216. P/U INCOMPLETE.

Comments:

Dates and Other Information:
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits:
N/A

SubCase:

N/A

Water Supply Bank:

N/A

Hersley, Jean

From: Christopher Berner <chrisberner@live.com>
Sent: Monday, September 23, 2024 11:30 PM
To: Hersley, Jean
Subject: RE: water permit 96-16481
Attachments: 20231014_180521.jpg; 20240922_124812.jpg

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.

Hi Jean,

We have a permanent structure built that has two restrooms, a seasonal tent structure and an old helicopter that has been converted into an RV (RV is not up there right now but will be back there in a couple of weeks. Google Earth does not yet reflect any of these items, but, I am attaching some pictures of the structures. We do use the water from the well. Bonner County permit #BPL2021-1312/1313.

Let me know if there is anything else you need.

Chris Berner
509-999-0412

From: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Sent: Monday, September 23, 2024 9:21 AM
To: chrisberner@live.com
Subject: water permit 96-16481

The Department of Water Resources (Department) is in the process of reviewing your permit for licensing. Looking at arial imagery, Bonner County and Google Earth and Google Maps, it doesn't appear a structure has been built on the property. How are you putting this water to beneficial use? Do you park an RV or trailer on the property and use the water from the well? Please let me know as soon as possible so I may continue licensing your permit. Thank you.

Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942

Beneficial Use Proof Evaluation

Permit Number: 96-16481 Reviewer: AVeibell Review Date: 8/26/2024

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: 8/23/2024
4) Proof Due Date: 10/1/2024
5) Days added for weekend due date? 0
6) Days added for holiday due date? 0
7) Number of days late: -39
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: 910551
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? No
2) Was proof submitted with an exam report from a CWE? No
3) Filing fee due: $0.00
4) Filing fee submitted: $0.00
5) Remaining fee or (refund): $0.00

Receipt IDs

T116567

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



CHRISTOPHER BERNER
1105 N KING JAMES LN
LIBERTY LAKE WA 99019-9453

96-16481
Username: Amanda Veibell

IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little Director Mathew Weaver

July 31, 2024

CHRISTOPHER BERNER
1105 N KING JAMES LN
LIBERTY LAKE WA 99019-9453

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 96-16481

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 **October 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

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

Governor Brad Little

Director Mathew Weaver

October 04, 2023

CHRISTOPHER BERNER
1105 N KING JAMES LN
LIBERTY LAKE WA 99019-9453

RE: Permit No. 96-16481

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
OCT 04 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 me at (208) 287-4925.

Sincerely,

Jean Hersley

for
Phill Hummer
Water Rights Supervisor

Enclosure(s)

SCANNED
OCT 04 2023

CERTIFICATE OF SERVICE

I hereby certify that on October 04, 2023, I served a true and correct copy of Permit to Appropriate Water No. 96-16481 by U.S. Mail, postage prepaid, to the following:

CHRISTOPHER BERNER (Current Owner)
1105 N KING JAMES LN
LIBERTY LAKE WA 99019-9453

Jean Hersley
Technical Records Specialist 2

SCANNED
OCT 04 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 14 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.

AFFIDAVIT OF PUBLICATION

RECEIVED
SEP 0 7 2023
IDWR / NORTH

STATE OF IDAHO)
) ss.
County of Bonner)

RikkiJade Lindstrom, being first duly sworn on oath, deposes and states:

RECEIVED
SEP 1 1 2023
DEPARTMENT OF
WATER RESOURCES

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 17 day of August, 2023, and ending on the 24 day of August, 2023.

RJ Lindstrom

State of Idaho, county of Bonner ss.
On this 24 day of August, 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
OCT 0 4 2023

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

96-16460
SCOTT FRASER
2744 DAYLILY DRIVE
COEUR D'ALENE, ID 83815
Point of Diversion L6(SWNE) S7 T55N R02W BONNER County
Source COCOLALLA LAKE
Tributary COCOLALLA CREEK
Use: DOMESTIC
1 /1 to 12/31
0.1 CFS
Total Diversion:
0.1 CFS
Date Filed: 06-20-2023
Place Of Use: DOMESTIC
T55N R02W S7 L6(SWNE)

96-16481
CHRISTOPHER BERNER
1105 N KING JAMES LN
LIBERTY LAKE, WA 99019-9453
Point of Diversion SENE S22 T56N R01W BONNER County
Source GROUND WATER
Use: DOMESTIC
1 /1 to 12/31
0.04 CFS
Total Diversion:
0.04 CFS
Date Filed: 06-21-2023
Place Of Use: DOMESTIC
T56N R01W S22 SENE,NESE

96-16531
EMERALD BEACH PROPERTY OWNERS COOP
707 W CLEVELAND AVE
SPOKANE,.WA 99205
Point of Diversion NESE S6 T56N R01E BONNER County
Source LAKE PEND ORIELLE
Tributary PEND OREILLE RIVER
Use: IRRIGATION
4 /1 to 10/31
0.05 CFS
Total Diversion:
0.05 CFS
Date Filed: 06-22-2023
Place Of Use: IRRIGATION
T56N R01E S5 L3(NWSW)
T56N R01E S6 SESE,NESE
Total Acres: 1.1

96-16607
LADYHAWK WATER ASSOCIATION INC.
6126 W PIAFFE CT
EAGLE, ID 83616
Point of Diversion NESE S26 T57N R03W BONNER County
Source GROUND WATER
Use: DOMESTIC
1 /1 to 12/31
0.12 CFS
Total Diversion:
0.12 CFS
Date Filed: 07-03-2023
Place Of Use: DOMESTIC
T57N R03W S26 NESE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the State office at (208) 287-4800; 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, State Office, 322 E Front St, PO Box 83720, Boise, ID 83720 together with a protest fee of $25.00 for each application on or before 9/05/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
Legal#5471
AD#12904
August 17, 24, 2023

9-18-23

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 Gary Spackman

August 9, 2023

CHRISTOPHER BERNER
1105 N KING JAMES LN
LIBERTY LAKE, WA 99019-9453

RE: Application for Permit No. 96-16481

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 8/17/2023 and 8/24/2023. 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,

Jean Hersley

Jean Hersley
Technical Records Specialist

SCANNED
AUG 10 2023

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, August 9, 2023 9:44 AM
To: 'bcdblegals@cdapress.com'
Subject: Legal Notice for the Bonner County Daily Bee-Application for Permit No. 96-16460, 96-16481, 96-16531, 96-16607
Attachments: Legal Notice.docx

Please publish the enclosed legal notice in the Bonner County Daily Bee on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

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 9/5/2023. Your cooperation is appreciated.

Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942

SCANNED
AUG 0 9 2023

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

96-16460
SCOTT FRASER
2744 DAYLILY DRIVE
COEUR D'ALENE, ID 83815
Point of Diversion L6(SWNE) S7 T55N R02W BONNER County
Source COCOLALLA LAKE Tributary COCOLALLA CREEK
Use: DOMESTIC
1 /1 to 12/31
0.1 CFS
Total Diversion:
0.1 CFS
Date Filed: 06-20-2023
Place Of Use: DOMESTIC
T55N R02W S7 L6(SWNE)

96-16481
CHRISTOPHER BERNER
1105 N KING JAMES LN
LIBERTY LAKE, WA 99019-9453
Point of Diversion SENE S22 T56N R01W BONNER County
Source GROUND WATER
Use: DOMESTIC
1 /1 to 12/31
0.04 CFS
Total Diversion:
0.04 CFS
Date Filed: 06-21-2023
Place Of Use: DOMESTIC
T56N R01W S22 SENE,NESE

96-16531
EMERALD BEACH PROPERTY OWNERS COOP
707 W CLEVELAND AVE
SPOKANE, WA 99205
Point of Diversion NESE S6 T56N R01E BONNER County
Source LAKE PEND ORIELLE Tributary PEND OREILLE RIVER
Use: IRRIGATION
4 /1 to 10/31
0.05 CFS
Total Diversion:
0.05 CFS
Date Filed: 06-22-2023
Place Of Use: IRRIGATION
T56N R01E S5 L3(NWSW)
T56N R01E S6 SESE,NESE
Total Acres: 1.1

96-16607
LADYHAWK WATER ASSOCIATION INC.
6126 W PIAFFE CT
EAGLE, ID 83616
Point of Diversion NESE S26 T57N R03W BONNER County
Source GROUND WATER
Use: DOMESTIC
1 /1 to 12/31
0.12 CFS
Total Diversion:
0.12 CFS
Date Filed: 07-03-2023
Place Of Use: DOMESTIC
T57N R03W S26 NESE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the State office at (208) 287-4800; 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, State Office, 322 E Front St, PO Box 83720, Boise, ID 83720 together with a protest fee of $25.00 for each application on or before 9/05/2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/17/2023 and 8/24/2023

SCANNED
AUG 0 9 2023

Updated 03/01/2022

APPLICATION FOR PERMIT ANALYSIS PERMIT

APPLICATION NO. 96-16481 ASSIGNED AGENT RBH DATE ASSIGNED 7/11/2023

REQUIRED INFORMATION:

- ✓ Name (if applicant is a corp. or partnership an officers list must be provided. Attach annual report from IDSOS if not provided and applicant is registered. If not provided or registered, application is incomplete
- ✓ Address (confirm or update contact info)
- ✓ Source (See USGS Quad for names of water sources)
- ✓ Point of Diversion (10 acre tract for springs) _____ Lot/Block and Subdivision name listed on App
- ✓ Proposed Use and Quantity (flow in cfs and/or volume in af)
- ✓ Period of Use
- ✓ Description of Diversion Works – Diversion name, if known
- ✓ Place of Use (acres to be irrigated) _____ Lot/Block and Subdivision name listed on App
- ✓ Time required to make beneficial use - A MUST, HOW MANY YEARS 1
- ✓ Map included – MUST MATCH POD & POU LOCATIONS
- ✓ Signature (If applicant is corp., company, or municipality, title of signatory is required)
- ✓ Correct fee received
- ✓ Complete (data enter, active status and draft set to no), or
  - _____ Incomplete (don't data enter) - Additional information required, date requested _____
  - _____ Response received, date received _____, (data enter and set status)
  - _____ No response - Return application, date returned _____, Refund requested_____

PRE ADVERTISEMENT PROCESSING (Yes = Required and Completed, No = Not Required):

_____ Yes	✓ No	W&S processing - If Letter Req - Date sent _____, Update Tracking _____
_____ Yes	✓ No	MSF processing – Follow guidance doc for subordinated rate or injury analysis
_____ Yes	✓ No	Wastewater - Send letter (water availability and legal access)
_____ Yes	✓ No	BS 67 SW – Send Form letter to confirm BU can be accomplished before 6/15 cutoff
_____ Yes	✓ No	BS 61 MHGW/CGW or I-84 corridor – Send letter (withdraw or hold app)
_____ Yes	✓ No	Storage – Complete checklist, send comment to Dam Safety if required
_____ Yes	✓ No	Trustwater - Send form letter, attach analysis sheet, TW conditions
_____ Yes	✓ No	Non-standard use or Storage - Rate justification in file and/or AP Memo 76 evaluation
_____ Yes	✓ No	Summary memo complete, initial the preliminary check line on application form
✓ Yes		App data entry complete and accurate, ACTUALLY DOUBLE CHECK DATA ENTRY

SEND COPIES TO:

_____ IDEQ	_____ US FS	_____ BLM	_____ Planning (MSF, protected reach)
_____ IDFG	_____ ADJ		_____ Water District _____ WD (No)
_____ IDL	_____ Dam Safety (embankment)		_____ Other (write in Name and Address below)

_____ _____ _____ _____

_____ _____ _____ _____

_____ _____ _____ _____

_____ _____ _____ _____

ADVERTISING

_____ Yes	✓ No	Statewide advertising (>10 cfs or >1,000 af storage)
_____ Yes	✓ No	Other Legal Notice Remarks (TW, BS63 WBZ, Mitigation)

Legal Notice: 8-9-23 Newspaper BCDB Protest deadline 9-5-23

AFTER ADV EVALUATION:

_____ Yes	_____ No	POD overlap - Consider legal access, diversion system issues
_____ Yes	_____ No	POU overlap - Consider if ok to process, possible OC, and/or overlap conditions
_____ Yes	_____ No	Power - Affidavit required, affidavit attached, evaluation complete & included
_____ Yes	_____ No	Large diversion (>5 cfs, >500 af storage, or >200 acres) - Rule 40 analysis
_____ Yes	_____ No	Mitigation required – evaluation complete & included
_____ Yes	_____ No	Municipal – Consider Memo #18 and #74, RAFN _____
_____ Yes	_____ No	Legal access concerns - Rule 40.05.e if Public land, access agreement if private
_____ Yes	_____ No	Drilling upgrade fee required- _____ Paid & documented or _____ Not paid & letter sent
_____ Yes	_____ No	Additional info required - Date sent _____ Response received _____
		_____ No response received – Send Intent to Void Letter