State of Idaho
Department of Water Resources

Water Right License

Water Right No. 96-16800

Priority: November 15, 2023 **Maximum Diversion Rate:** 0.02 CFS

It is hereby certified that:

JOSEPH & KATHLENE HESTER FAMILY TRUST 11611 W PRAIRIE AVE POST FALLS ID 83854-5923

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 04, 2023, and has submitted Proof of Beneficial Use on December 20, 2024. An examination confirms water is diverted from:

Source : PEND ORIELLE RIVER **Tributary:** COLUMBIA RIVER

Beneficial Use	Period of Use	Rate of Diversion
IRRIGATION	04/01 to 10/31	0.02 CFS

Location of Point(s) of Diversion
PEND ORIELLE RIVER L2 (NE¼ SW¼), Sec. 3, Twp 55N, Rge 04W, B.M. BONNER County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N	04W	3									0.4 L2								0.4

Total Acres: 0.4

Conditions of Approval

1. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
2. This right when combined with all other rights shall provide no more than 0.03 cfs nor more than 2.4 afa at the field headgate for irrigation of the place of use.
3. Place of use is located within Lot 4, Mountain View Lots Two.
4. This right does not grant any right-of-way or easement across the land of another.

State of Idaho
Department of Water Resources

Water Right License

Water Right No. 96-16800

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 _____ day of _____, 20____.

_____

PHILL HUMMER
Water Rights Section Manager

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
IN-OFFICE REVIEW/BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Exam Date: _____

1. Does this qualify for an in-office field exam (IDAPA 37.03.02.035.01.r)? __x__Y ____N
   a. __x__ 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. ____ Other < >

2. Current Owner:
   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: C119674

4. Source: PEND OREILLE RIVER
   Tributary: COLUMBIA RIVER

Method of Determination: GIS ArcMap Tools, Aerial Imagery, and Taxlot Data.
Change in Source: ____Y ___x__N

B. OVERLAP REVIEW

1. Other water rights with the same place of use: ____ No Overlap

Water Right No.	Source	Purpose of Use	Basis
96-9715	Ground Water	Domestic & Irrigation	Permit

Comments: MOUNTAIN ESTATES WATER ASSN INC holds an active Permit (96-9715) for domestic use and irrigation that overlaps the place of use of this permit. However, the source of their permit is ground water and is likely unrelated.

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

Water Right No.	Source	Purpose of Use	Basis

Comments:

C. DIVERSION AND DELIVERY SYSTEM

1. Location of Point(s) of Diversion:

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Pend Oreille River	2		N E	S W	3	55N	04W	B.M.	Bonner
								B.M.	
								B.M.	

Method of Determination: GIS and Taxlot data.

Change in POD? ___Y __x__N Amendment Required? ____Y __x__N

2. Place of Use: Irrigation

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N	04W	3					0.8												
		Lot #					L2												
																Total Acres =			0.8

Place of Use:

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
		Lot #																	

Method of Determination: GIS, Tax Parcel Data, and 2023 Bonner County Aerial Imagery.

Change in POU? ____Y __x__N Amendment Required? ____Y __x__N

3. Diversion System Information:

Description:

___ Delivery System Diagram Attached. (mark all major components and distances between components)

_x__ Aerial Photo Attached (required)

___ Photo of Diversion and System Attached

3. Diversion Id No.*	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A		1.5	N/A	N/A	N/A

**Code to correspond with No. on map and aerial photo*

D. FLOW MEASUREMENTS

1. Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
N/A	N/A	N/A	N/A	N/A	N/A	N/A

2. Measurement Comments:

No measurement is required for an in-office examination per IDAPA 37.03.02.035.01.r.

E. FLOW CALCULATIONS ___Additional Computation Sheets Attached

Measured Method:

Q = (Hp)(8.8)(efficiency)/(lift in ft) + (2.31)*(pressure psi) + (friction) = cfs

Measurement = cfs
Permit allowed = cfs

Comments:
No measurement is required for an in-office examination per IDAPA 37.03.02.035.01.r.

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:

Comments:
No measurement is required for an in-office examination per IDAPA 37.03.02.035.01.r.

G. PURPOSE OF USE

Irrigation __x__Y ____N # Stock_____ Domestic # of Homes _____

Other: < >

Change in Purpose of Use? ____Y __x__N

Method of Determination: GIS, Tax Parcel Data, 2023 Bonner County Aerial Imagery, and the permit holders Statement of Completion for Proof of Beneficial Use.

If Yes: From Use _____To Use _____Amount _____CFS _____AFA_____

H. NARRATIVE/REMARKS/COMMENTS

This permit qualifies for an in-office exam because of irrigation of 5 acres or less. The exam was conducted January 6, 2025, by Jared Klay. At the time of exam, ownership of the permit is in the name of the Joseph & Kathlene Hester Family Trust. Current Bonner County taxlot data represents the trust owns the land appurtenant to the place of use (POU) and point of Diversion (POD). Proof of Beneficial use was submitted on December 20, 2024.

In section 5 of the proof of beneficial use the permit holder described the system as a "1.5 HP pump that sucks water out of the river and runs above ground sprinklers". The place of use was described as 0.8 acres on both the application and the permit. However, further review using both a map provided by the applicant and GIS data, the place of use was actually measured to be roughly 0.4 acres. Thus, I am recommending 0.4 acres for the place of use and 0.02 cfs for the diversion rate. I am not recommending volume, as this use is exempt from volume reporting requirements as per the Beneficial Use Rules.

All the conditions of this permit have been met. Applicant confirmed that they have installed a fish screen on their intake so condition 029 can be considered satisfied and can be dropped as per the condition usage description. All other conditions on the permit will be carried over to the license.

Have conditions of permit approval been met? __x__Yes ____No

I. RECOMMENDATIONS

1. Recommended Amounts:

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
Irrigation	04/01-10/31	0.02 CFS	
	Totals:	0.02 CFS	

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

Other: < >

J. AUTHENTICATION – Jared Klay

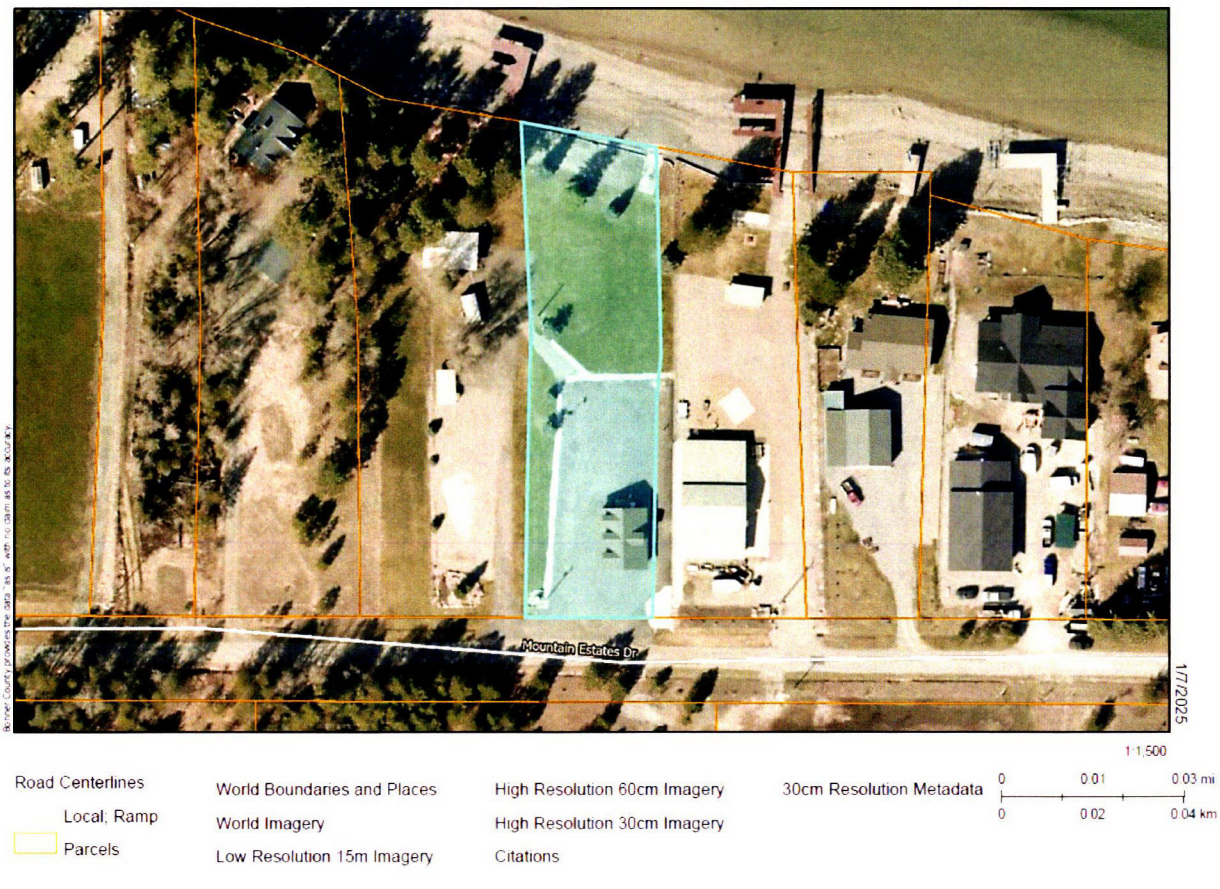
Field Examiner's _____ Date_____

Reviewer _____ Date_____

Map showing the authorized point of diversion (yellow point) and irrigated place of use (yellow outline).



Bonner County Aerial Imagery
Imagery indicated 0.4 acres of irrigation occurred within the development period.



Beneficial Use Proof Evaluation

Permit Number: 96-16800 Reviewer: JShearer Review Date: 1/6/2025

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: 12/20/2024
4) Proof Due Date: 2/1/2025
5) Days added for weekend due date? 1
6) Days added for holiday due date?
7) Number of days late: -44
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 -- Yes
3) Are the required items installed? Yes
    a. Measuring Device -- No
    b. Lockable Device --No
    c. Fish Screen -- Yes
4) Is there a request to waive the required items? No
5) Drilling Permit Number:
6) Is a drilling permit upgrade needed? No
7) Was a well drillers report filed? No
8) Is proof accepted? Yes

Fees

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

Receipt IDs

N044149

Comments

Proof deemed acceptable. Given to WR Agent for in-office licensing.

Form 42-217 Rev. 6/22

RECEIVED
DEC 20 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. C119674
Receipted By BM
Date Receipted 12-20-24

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. 96-16800 Name of Permit Holder(s) _____

Telephone No. 208-755-9766 Email joehesterlogging@gmail.com

Mailing Address W 1611 Prairie Ave City Post Falls State Id Zip 83854

2. Source of Water Pendorielle If Ground Water (well), Date Drilled mo. _____ / yr. _____

Drilling Permit/Tag No. _____ Drilling Company's Name _____

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

Domestic (No. households) _____ Irrigation (No. acres) 0.8 Stockwater (No. and stock type) _____

Other _____

4. Total diversion rate or volume (storage only) for which proof is submitted 0.03 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.)

1.5 horsepower pump sucks water out of river and runs above ground sprinklers

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: Kathy Hester Telephone No. 208-755-9766 Email joehesterlogging@gmail.com

Mailing Address W 1611 Prairie Ave City Post Falls State Id Zip 83854

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.

Kathy Hester — Kathy Hester Permit holder — 12-16-2024

SIGNATURE OF PERMIT HOLDER* PRINTED NAME AND TITLE DATE

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

State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 96-16800

Priority: November 15, 2023 **Maximum Diversion Rate:** 0.03 CFS

This is to certify that

JOSEPH & KATHLENE HESTER FAMILY TRUST 11611 W PRAIRIE AVE POST FALLS ID 83854-5923

has applied for a permit to appropriate water from:

Source : PEND ORIELLE RIVER **Tributary:** COLUMBIA RIVER

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

Beneficial Use	Period of Use	Rate of Diversion
IRRIGATION	04/01 to 10/31	0.03 CFS

Location of Point(s) of Diversion
PEND ORIELLE RIVER L2 (NE¼ SW¼), Sec. 3, Twp 55N, Rge 04W, B.M. BONNER County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N	04W	3									0.8 L2								0.8

Total Acres: 0.8

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2025.**
2. Subject to all prior water rights.
3. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
4. This right when combined with all other rights shall provide no more than 0.03 cfs nor more than 2.4 afa at the field headgate for irrigation of the place of use.
5. Place of use is located within Lot 4, Mountain View Lots Two.
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 22 day of January, 2024.

CHACE BELL
Water Rights Supervisor

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-16800

This map depicts the IRRIGATION 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.

04W

55N



0 0.02 0.04 0.08 Miles

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

N

FORM 202 Rev. 09/16

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. _____

RECEIVED
Nov 15, 2023
DEPARTMENT OF WATER RESOURCES

1. Name of applicant(s) JOSEPH & KATHLENE HESTER FAMILY TRUST Phone (208) 755-9766
   Name connector (check one): ☐ and ☐ or ☐ and/or
   Mailing address 11611 W PRAIRIE AVE City POST FALLS
   State ID ZIP 83854 Email _____
2. Name of representative, if any ZACHARY W JONES Phone (208) 448-1300
   Mailing address 120 E LAKE ST, STE 202 City SANDPOINT
   State ID ZIP 83865 Email ZJONES@LCLATTORNEYS.COM
   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 PEND ORIELLE RIVER which is a tributary of COLUMBIA RIVER
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
55N	04W	3	2		NE	SW	BONNER	PEND OREILLE RIVER	

5. Water will be used for the following purposes:
   Amount 0.03 (cfs or acre-feet per year) for IRRIGATION purposes from 04/01 to 10/31 (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) 0.03 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. PUMP FROM RIVER WITH 1 INCH 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
   c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
   d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
   e. If well is already drilled, when? _____; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____.

For Department Use

Received by RS Date 10-25-23 Time — Preliminary check by _____
Fee $ 100.00 Receipted by RS Receipt No. N044149 Date 10-25-23

RECEIVED
Nov 15, 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 _____
   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	
55N	04W	3									0.8								0.8
											GL2								

Total number of acres to be irrigated: 0.8

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? APPLICANT
    b. Who owns the land to be irrigated or place of use? APPLICANT
    c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. USE 1 INCH PIPE TO PUMP WATER FROM PEND OREILLE RIVER FOR THE PURPOSE OF IRRIGATION FOR THE PARCEL #RP020400000030A FOR LAWN/LANDSCAPING

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.

Joseph Hester TTEE
Signature of Applicant

JOSEPH HESTER, TRUSTEE
Print Name (and title, if applicable)

Kathlene Hester, Trustee
Signature of Applicant

KATHLENE HESTER, TRUSTEE
Print Name (and title, if applicable)

Kathlene Hester, Trustee



Legend

- Township/Range
- Sections
- QQ

0 0.0075 0.015 0.03 Miles

N

RECEIVED
OCT 04 2023
IDWR / NORTH

FORM 202 Rev. 08/16

Print Single Sided Only

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. _____

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Joseph and Kathlene Hester Faily Trust Phone 208-755-9766
   Name connector (check one): ☐ and ☐ or ☐ and/or
   Mailing address 11611 W. Prairie Ave. City Post Falls
   State ID ZIP 83854 Email _____
2. Name of representative, if any Zachary W. Jones Phone 208-448-1300
   Mailing address 120 E. Lake St. Ste. 202 City Sandpoint
   State ID ZIP 83865 Email zjones@lclattorneys.com
   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 Pend Oreille River which is a tributary of Columbia River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
55N	4W	03	2	NW	SE		BONNER	OTHER	RP020400000030A &
									RP020400000040A

5. Water will be used for the following purposes:
   Amount .04 cfs (cfs or acre-feet per year) for irrigation purposes from 5/1 to 10/31 (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) .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. Pump from river. 1" 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
   c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
   d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
   e. If well is already drilled, when? _____; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____.

SUPERSEDED

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee $ _____ Receipted by _____ Receipt No. _____ Date _____

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 _____
   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	
55N	4W	03														1.73			1.73

Total number of acres to be irrigated: 1.73

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? n/a

SUPERSEDED

11. a. Who owns the property at the point of diversion? Joseph and Kathlene Hester Family Trust
    b. Who owns the land to be irrigated or place of use? Joseph and Kathlene Hester Family Trust
    c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form and provide additional explanation for any of the items above. Attach additional pages if necessary. Use of 1" pipe to pump water from the Pend Oreille river for the purpose of irrigation of two small parcels of land described herein. Irrigation for lawn/landscaping only.

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.

Joseph Hester, Trustee
Signature of Applicant
Joseph Hester, Trustee
Print Name (and title, if applicable)

Kathlene Hester, Trustee
Signature of Applicant
Kathlene Hester, Trustee
Print Name (and title, if applicable)

SUPERSEDED

rument # 877279
ER COUNTY, SANDPOINT, IDAHO
8-5-2015 9:40:06 AM No. of Pages: 1
Recorded for: ALLIANCE TITLE - SANDPOIN
Michael W Rosedale Fee: $10.00
Ex-Officio Recorder Deputy
ndex to: WARRANTY DEED

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:279866

FOR VALUE RECEIVED

Kathlene M. Hester, a married woman, as her sole and separate property, Ruth Demoss, an unmarried woman, now and at the time of acquiring title, Linda L. Butler, a married woman, as her sole and separate property and Sharon Clark, a married woman, as her sole and separate property

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Joseph H. Hester and Kathlene M. Hester, Trustees of the Joseph and Kathlene Hester Family Trust , dated August 2, 2005

whose current address is 11611 W. Prairie Ave., Post Falls, ID 83854

the grantee(s), the following described premises, in Bonner County, Idaho, TO WIT:

Lots 9 and 24 of Mountain View Lots according to the official plat thereof, filed in Book 2 of Plats at Page 127, records of Bonner County, Idaho

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: July 28, 2015

Kathlene M. Hester
Kathlene M. Hester

Ruth DeMoss
Ruth Demoss

Linda L. Butler
Linda L. Butler

Sharon Clark
Sharon Clark

State of Idaho }
ss
County of Bonner }

On this 4th day of August, 2015, before me, the undersigned, a Notary Public in and for said state, personally appeared Kathlene M. Hester, Ruth Demoss, Linda L. Butler and Sharon Clark, known or identified to me to be the persons whose names are subscribed to the within Instrument and acknowledged to me that they executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Lynnette Miller
Notary Public for the State of Idaho
Residing at: Athol
Commission Expires: May 2, 2017

LYNNETTE MILLER
NOTARY PUBLIC
STATE OF IDAHO

Instrument # 905866
Bonner County, Sandpoint, Idaho
05/30/2017 01:58:42 PM No. of Pages: 1
Recorded for: HOLMES LAW OFFICE
Michael W. Rosedale Fee: $10.00
Ex-Officio Recorder Deputy GB
Index to: QUIT CLAIM DEED

Deed Prepared By:

EDWIN B. HOLMES, ISB #4668
HOLMES LAW OFFICE, P.A.
1250 W IRONWOOD DRIVE, STE 101
COEUR D'ALENE ID 83814-2682
TELEPHONE: (208) 664-2351
FACSIMILE: (208) 664-2323
EMAIL: holmeslawoffice@frontier.com

After Recording, Please Return Recorded Deed to Grantee

QUITCLAIM DEED
(Inter Vivos Trust as Grantor)

For value received, **Joseph H. Hester and Kathlene M. Hester, Trustees of the Joseph and Kathene Family Trust, dated August 2, 2005**, the Grantor herein (hereinafter referred to as "Grantor"), does hereby bargain, sell, assign and convey unto **Joseph H. Hester and Kathene M. Hester, Trustees of the Joseph and Kathlene Family Trust, dated August 2, 2005**, the Grantee herein, currently of 11611 W Prairie Ave., Post Falls, ID 83854 (hereinafter referred to as "Grantee"), all present and future right, title and interest that Grantor has in the following described parcels of real property located in the County of Bonner, State of Idaho, to wit: **Lots 10 and 23 and the East Half (E1/2) of Lots 11 and 22 of Mountain View Lots, according to the plat thereof, filed in Book 2 of Plats at Page 127, records of Bonner County, Idaho.**

Including after acquired title. To have and to hold the said premises, with their appurtenances unto Grantee, and Grantee's heirs and assigns forever.

Dated this 3 day of ~~April~~ May, 2017. JH, KH

The Joseph and Kathlene Family Trust, Dated August 2, 2005

By: Joseph H. Hester, Co-Trustee
Joseph H. Hester, Co-Trustee

The Joseph and Kathene Family Trust, Dated August 2, 2005

By: Kathlene M. Hester, Co-Trustee
Kathene M. Hester, Co-Trustee

STATE OF IDAHO)
) ss
County of Kootenai)

On this 3rd day of May, 2017, before me Crosby Cross, a notary public, personally appeared **Joseph H. Hester** and **Kathene M. Hester** known or identified to me to be the Trustees of the Trust known as **The Joseph and Kathene Family Trust, Dated August 2, 2005**, and who acknowledged to me that they executed the same in the trust's name.

CROSBY CROSS
Notary Public
State of Idaho

Notary Public for:
Residing in:
My Commission Expires:

LAKE CITY LAW

Zachary W. Jones | Attorney at Law
Phone: (208) 448-1300
zjones@lclattorneys.com

RECEIVED
OCT 04 2023
DWR / NORTH

September 28, 2023

Idaho Department of Water Resources
Northern Region
7600 Mineral Drive, Ste. 1100
Coeur d'Alene, ID 83815

Re: Application for Permit
Joseph and Kathlene Hester Family Trust
Parcel Nos. RP00278000012AA & RP000278000011BA

Dear Adjudication Specialist,

Enclosed, you will find an Application for Permit for processing by your office.

Thank you for your time in processing this application. Please feel free to contact this office directly with any questions or concerns.

Sincerely,
LAKE CITY LAW GROUP PLLC

/s/ *Demarie L. Slinger*

Demarie L. Slinger | Paralegal

Enclosure as stated

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

November 29, 2024

JOSEPH & KATHLENE HESTER FAMILY TRUST
11611 W PRAIRIE AVE
POST FALLS ID 83854-5923

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 96-16800 & 96-16801

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 **February 01, 2025**. 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,

Jean Hersley

Jean Hersley
Technical Records Specialist II

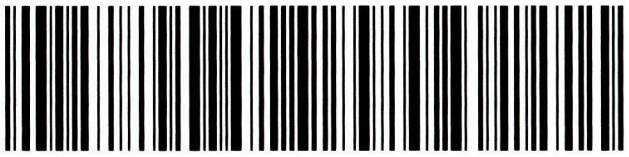
Enclosure(s)

c: ZACHARY W JONES

SCANNED
DEC 03 2024

USPS CERTIFIED MAIL

IDAHO DEPT WATER RESOURCES
322 E FRONT ST
STE 648
BOISE IDAHO 83720-0098



9214 8901 9403 8389 7315 42

JOSEPH & KATHLENE HESTER FAMILY TRUST
11611 W PRAIRIE AVE
POST FALLS ID 83854-5923

Banner Page Note:

SCANNED
DEC 03 2024

IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little

Director Mathew Weaver

January 22, 2024

JOSEPH & KATHLENE HESTER FAMILY TRUST
11611 W PRAIRIE AVE
POST FALLS ID 83854-5923

RE: Permit No. 96-16800 & 96-16801

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.

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)762-2802.

Sincerely,

Jean Hersley

for
Chace Bell
Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on January 23, 2024, I served a true and correct copy of Permit to Appropriate Water No. 96-16801 by U.S. Mail, postage prepaid, to the following:

JOSEPH & KATHLENE HESTER FAMILY TRUST (Current Owner)
11611 W PRAIRIE AVE
POST FALLS ID 83854-5923

ZACHARY W JONES (Representative)
120 E LAKE ST STE 202
SANDPOINT ID 83864-1366

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.

AFFIDAVIT OF PUBLICATION

RECEIVED
DEC 20 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 6 day of December, 2023, and ending on the 13 day of December, 2023.

RS Lindstrom

State of Idaho, county of Bonner ss.
On this 13 day of December, 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

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

96-16790
RUSSELL T BALLEW
383 CANNON GREEN DR
APT F
GOLETA, CA 93117-2861
Point of Diversion L2(NEN-WNE)
S5 T54N R04W
BONNER County
Source SPRING
Tributary SINKS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Use: DOMESTIC
01/01 to 12/31 0.11 CFS
Total Diversion: 0.14 CFS
Date Filed: 11-06-2023
Place Of Use: DOMESTIC, IRRIGATION
T54N R04W S5 L2(NWNE)
Place Of Use: DOMESTIC,IR-RIGATION
T55N R04W S32 SWSE
Total Acres: 1

96-16791
RUSSELL T BALLEW
383 CANNON GREEN DR
APT F
GOLETA, CA 93117-2861
Point of Diversion L2(SENWNE)
S5 T54N R04W
BONNER County
Source SPRING
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31 0.11 CFS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.14 CFS
Date Filed: 11-06-2023
Place Of Use: DOMESTIC, IRRIGATION
T54N R04W S5 L2(NWNE)
Place Of Use: DOMESTIC,IR-RIGATION
T55N R04W S32 SWSE
Total Acres: 1

96-16798
GEORGE T WHITTEN
JACKI J WHITTEN
DONNA M BRETTHAUER
4500 E WOODLAND DR
POST FALLS, ID 83854-6839
Point of Diversion NWNE
S33 T56N R05W
BONNER County
Source STRONG CREEK
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 11-17-2023
Place Of Use: DOMESTIC
T56N R05W S33 NWNE

96-16800
JOSEPH & KATHLENE HES-TER FAMILY TRUST
11611 W PRAIRIE AVE
POST FALLS, ID 83854-5923
Point of Diversion L2(NESW)
S3 T55N R04W
BONNER County
Source PEND ORIELLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 10-04-2023
Place Of Use: IRRIGATION
T55N R04W S3 L2(NESW)
Total Acres: 0.8

96-16801
ZACHARY W JONES
120 E LAKE ST STE 202
SANDPOINT, ID 83864-1366
JOSEPH & KATHLENE HES-TER FAMILY TRUST
11611 W PRAIRIE AVE
POST FALLS, ID 83854-5923
Point of Diversion L2(NESW)
S3 T55N R04W
BONNER County
Source PEND ORIELLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 10-04-2023
Place Of Use: IRRIGATION
T55N R04W S3 L2(NESW)
Total Acres: 1.1

97-9767
ALAN TALBOT
DAWN TALBOT
617 E 13TH AVE
SPOKANE, WA 99202-2519
Point of Diversion SWSE
S28 T61N R04W
BONNER County
Source PRIEST LAKE
Tributary PRIEST RIVER
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 11-07-2023
Place Of Use: DOMESTIC
T61N R04W S28
L8(SWSE),SWSE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; or for a full description of the right(s), please see https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of $25.00 for each application on or before 12/26/2023. The protestant must also send a copy of the protest to the applicant.
MATHEW WEAVER, Director
Legal#5762
AD#17267
December 6, 13, 2023

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

W.R. # 96 - 16800 APPLICATION ID # 88625 ENT: JL BCA _____ OK to Publish MC

INITIAL REVIEW

APPLICANT: Joseph & Kathlene Hester Family Trust BY: JL DATE: 10/4/23

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( )

ADDITIONAL INFORMATION

(Yes)(No)

✓ ___ **Shape File Created** **Date** 11-22-23 **By:** JL

___ ___ Field check: by _____

___ ___ Field report attached

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

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

PROCESSING

(Yes)(No) **PRIORITY DATE:** 11/15/23

✓ ___ (Include Moratorium Remark)

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

ADVERTISE IN: Bonner County

Newspaper: BCDB Priest River Version

Dates scheduled for publication 12.6.23 & 12.13.23

Affidavit of Publication received: 12-20-23

Dates actually published: 12-6-23 & 12-13-23

Application published correctly. Yes Y No ____

If not, action taken: _____

Final Date for Protest: 12.26.23

Protests Received: Yes ____ No X

LETTERS SENT REQUESTING: IDL, IDFG, DEQ WRB

( ) Dam Information ( ) Fish Information

( ) Power Information ( ) Other: _____

INFORMATION RECEIVED:

( ) Dam Information ( ) Fish Information

( ) Power Information ( ) Other: _____

GROUNDWATER SECTION

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

___ ___ Groundwater management area

___ ___ Critical ground water area

___ ___ Well Drilling Permit required

___ ___ Well Drilling Application and Fees received

___ ___ Well Drilling Application approved?

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

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

___ ___ Further information required from applicant _____

___ ___ Measuring device required

___ ___ Measuring port required

___ ___ Special conditions: _____

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

Approval Recommended by: Tammy Alb Date: 1/16/24 Sr. Agent initial _____

Sharp, Taya

From: Sharp, Taya
Sent: Wednesday, November 29, 2023 2:28 PM
To: Chantilly Higbee; Anna Moody; Horsmon,Merritt; mahmer; IWRB Water Use Reviews
Subject: Request for Comments for Water Right 96-16800
Attachments: 96-16800 Application for Permit.pdf

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced Water Right Permit application. You can find copies of the application at: https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of the application(s), you may do so after the notice is published by filing a written protest along with a $25.00 filing fee within 10 days after final publication. The deadline for comments on the applications is December 26th, 2023.

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

Thank you,

IDAHO DEPARTMENT OF WATER RESOURCES

Taya Sharp | 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

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 Mathew Weaver

November 29, 2023

JOSEPH & KATHLENE HESTER FAMILY TRUST
11611 W PRAIRIE AVE
POST FALLS, ID 83854-5923

CC:
ZACHARY W JONES
120 E LAKE ST STE 202
SANDPOINT, ID 83864-1366

RE: Application for Permit No. 96-16800

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, PRIEST RIVER VERSION on 12/6/2023 and 12/13/2023. 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,

Taya Sharp
Administrative Assistant

Sharp, Taya

From: Sharp, Taya
Sent: Wednesday, November 29, 2023 12:32 PM
To: Bonner County Daily Bee (bcdblegals@cdapress.com)
Subject: Legal Notice for BCDB, Priest River Version
Attachments: BCDB, Priest River Version Legal Notice.docx

Please publish the enclosed legal notice in the **Bonner County Daily Bee, Priest River Version** on the dates indicated **December 6th & December 13th, 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 **December 26th, 2023.** Your cooperation is appreciated.

Thank you,

IDAHO DEPARTMENT OF WATER RESOURCES

Taya Sharp | 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

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

96-16790
RUSSELL T BALLEW
383 CANNON GREEN DR APT F
GOLETA, CA 93117-2861
Point of Diversion L2(NENWNE)
S5 T54N R04W
BONNER County
Source SPRING
Tributary SINKS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Use: DOMESTIC
01/01 to 12/31 0.11 CFS
Total Diversion: 0.14 CFS
Date Filed: 11-06-2023
Place Of Use: DOMESTIC, IRRIGATION
T54N R04W S5 L2(NWNE)
Place Of Use: DOMESTIC,IRRIGATION
T55N R04W S32 SWSE
Total Acres: 1

96-16791
RUSSELL T BALLEW
383 CANNON GREEN DR APT F
GOLETA, CA 93117-2861
Point of Diversion L2(SENWNE)
S5 T54N R04W
BONNER County
Source SPRING
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31 0.11 CFS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.14 CFS
Date Filed: 11-06-2023
Place Of Use: DOMESTIC, IRRIGATION
T54N R04W S5 L2(NWNE)
Place Of Use: DOMESTIC,IRRIGATION
T55N R04W S32 SWSE
Total Acres: 1

96-16798
GEORGE T WHITTEN
JACKI J WHITTEN
DONNA M BRETTHAUER
4500 E WOODLAND DR
POST FALLS, ID 83854-6839
Point of Diversion NWNE
S33 T56N R05W
BONNER County
Source STRONG CREEK
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 11-17-2023
Place Of Use: DOMESTIC
T56N R05W S33 NWNE

96-16800
JOSEPH & KATHLENE HESTER FAMILY TRUST
11611 W PRAIRIE AVE
POST FALLS, ID 83854-5923
Point of Diversion L2(NESW)
S3 T55N R04W
BONNER County
Source PEND ORIELLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 10-04-2023
Place Of Use: IRRIGATION
T55N R04W S3 L2(NESW)
Total Acres: 0.8

96-16801
ZACHARY W JONES
120 E LAKE ST STE 202
SANDPOINT, ID 83864-1366
JOSEPH & KATHLENE HESTER FAMILY TRUST
11611 W PRAIRIE AVE
POST FALLS, ID 83854-5923
Point of Diversion L2(NESW)
S3 T55N R04W
BONNER County
Source PEND ORIELLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 10-04-2023
Place Of Use: IRRIGATION
T55N R04W S3 L2(NESW)
Total Acres: 1.1

97-9767
ALAN TALBOT
DAWN TALBOT
617 E 13TH AVE
SPOKANE, WA 99202-2519
Point of Diversion SWSE
S28 T61N R04W
BONNER County
Source PRIEST LAKE
Tributary PRIEST RIVER
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 11-07-2023
Place Of Use: DOMESTIC
T61N R04W S28 L8(SWSE),SWSE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; or for a full description of the right(s), please see https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of $25.00 for each application on or before 12/26/2023. The protestant must also send a copy of the protest to the applicant.
MATHEW WEAVER, Director Published on 12/6/2023 and 12/13/2023

Alleman, Tammy

From: Alleman, Tammy
Sent: Wednesday, October 25, 2023 1:19 PM
To: Zachary Jones
Cc: Demarie Slinger; Stephanie Engelbrecht
Subject: RE: Hester family Trust Application for Permit

Hi Mr. Jones,

I received the fees and signed applications today but I do need them to add the Govt Lot on the Place of Use, as was on the last Amended Application for Permit.

Thank you for the follow up.

Have a great day!

Tammy

From: Zachary Jones <zjones@lclattorneys.com>
Sent: Wednesday, October 25, 2023 12:36 PM
To: Alleman, Tammy <Tammy.Alleman@idwr.idaho.gov>
Cc: Demarie Slinger <dslinger@lclattorneys.com>; Stephanie Engelbrecht <sengelbrecht@lclattorneys.com>
Subject: RE: Hester family Trust Application for Permit

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.**

Good afternoon Tammy,

I am just reaching out to touch base regarding your email below. It is my understanding that you have mailed an amended application to the Hesters. We will have them sign that application and email it to File@idwr.idaho.gov. We also received the $200 application fee which we will provide along with the application.

Please let me know if there is anything else you need from us.

Thank you very much.

Sincerely,

Zachary W. Jones | Attorney

LAKE CITY LAW

435 W. Hanley Avenue Ste 101 | Coeur d'Alene, ID 83815
208.664-8115 | 208.664-6338 (fax)

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From: Alleman, Tammy <Tammy.Alleman@idwr.idaho.gov>
Sent: Tuesday, October 24, 2023 10:33 AM
To: Zachary Jones <zjones@lclattorneys.com>
Subject: RE: Hester family Trust Application for Permit

You don't often get email from tammy.alleman@idwr.idaho.gov. Learn why this is important

Dear Mr. Jones,

Attached is the letter I am sending regarding the Incomplete Application for Permit that was sent to us for Joseph & Kathlene Hester Family Trust. I have mailed this to the applicants as well as I have not heard from you, and I have made several attempts to contact you regarding this application.

Sincerely,

Tammy Alleman

From: Alleman, Tammy
Sent: Thursday, October 5, 2023 4:11 PM
To: zjones@lclattorneys.com
Subject: Hester family Trust Application for Permit

Good afternoon Mr. Jones,

We received an incomplete application for permit for Joseph & Kathlene Hester Family Trust. In reviewing the application received, the parcel numbers indicated on the cover letter were incorrect. The correct parcels numbers for the parcels are RP020400000030A & RP020400000040A. The ¼ ¼ s were also incorrect. The parcels are both in the NESW (not NWSE) They are two separate parcels and will be pulling from 2 separate locations, so they need to file for 2 Applications for Permit. The fee for each is $100.00 and so we need a check (or payment) for $200.00 to process them.

I have drafted 2 Applications for Permit for your review. I am also attaching the original one. Please have your clients sign the new applications and send them with wet signatures to our office, along with a check for $200.00 made payable to IDWR. The mailing address is listed below.

If you have any questions or concerns, please contact me at (208) 762-2809.

Thank you,

IDAHO DEPARTMENT OF WATER RESOURCES

Tammy Alleman | Water Right 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

IDAHO DEPARTMENT
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 Mathew Weaver

October 24, 2023

JOSEPH & KATHLENE HESTER FAMILY TRUST
11611 W PRAIRIE AVE
POST FALLS, ID 83854

Re: Water Right Application – Incomplete for filing

Dear Applicant:

This office received an application for permit submitted on 10/4/2023. The application is incomplete and cannot be accepted into the records of the Idaho Department of Water Resources (IDWR) until the following items are addressed:

- **Need to file 2 separate Applications for Permit because there are two different points of diversion.**
  - There are two separate parcels with 2 different points of diversion which requires filing these applications separately.
- **1 – Joseph & Kathlene Hester Family Trust:**
  - Family is spelled wrong, needs corrected
- **4 – Incorrect ¼ ¼ and Source :**
  - The correct ¼ ¼ is NESW and the Source is Pend Orielle River
- **5 – Water Use:**
  - The parcels are irrigated separately and will be split up on two applications. Parcel # RP020400000030A is 0.8 acres total and you can apply for the amount of 0.03 cfs for irrigation purposes from 4/1 to 10/31 (correct season of use).
  - The second parcel # RP020400000040A is 1.1 acres total and you can apply for the amount of 0.03 cfs for irrigation purposes from 4/1 to 10/31 (correct season of use).
- **6 – Total Quantity:**
  - This would be 0.03 cfs for each application.
- **9 – Place of Use:**
  - This would be TWP 55N RGE 4W SEC 3 as you have it but the with the acreage for the applications would be put in the NESW box. Total Acres would be placed in the Total # of Acres line as well.
- **14 – Application Map:**
  - The map needs to show townships, ranges, sections, and government lots.

- **12 – Fees are required:**
  - No fees were received with the application. This should be two separate applications so the fees required would be a total of $200.00, $100 for each application for permit.

Due to the incomplete portions of your filing, I have attached revised applications for permit developed based on Bonner County Tax Parcel data & IDWR mapping software. Please review this form and consider using it when submitting the revised applications. I recommend contacting me directly to discuss the form, and we can change any part of it to meet your intent prior to submitting.

A copy of the original incomplete application is enclosed for reference. Please contact IDWR to make the necessary amendments to the original form (submit REVISED APPLICATION FOR PERMIT) prior to re-submitting within the next fourteen (14) days, **NLT November 6, 2023**. **If IDWR does not receive your written response within thirty (30) days, NLT November 22 2023, the original incomplete filing returned to you by mail.**

This letter is an attempt to ensure that your application is complete in order to establish a priority date. Please contact Tammy Alleman at the Northern Regional office using the contact information below to discuss your online application for permit filing.

Sincerely,

Tammy Alleman
Water Resource Agent
7600 N. Mineral Dr., Suite 100
Coeur D'Alene, ID 83815-7763
P: 208-762-2809

Enclosure: Copy of original application for permit
Recommended amended applications for permit w/Maps

Ecc: zjones@lclattorneys.com