State of Idaho
Department of Water Resources

Water Right License

Water Right No. 96-12297

Priority: August 15, 2022

Maximum Diversion Rate: 0.01 CFS
Maximum Diversion Volume: 0.3 AF

It is hereby certified that:

TRAVIS DODD PO BOX 2193 SANDPOINT ID 83864-0909

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 15, 2022, and has submitted Proof of Beneficial Use on January 17, 2024. An examination confirms water is diverted from:

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

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
IRRIGATION	04/01 to 10/31	0.01 CFS	0.3 AF

Location of Point(s) of Diversion
LAKE PEND OREILLE SW¼ SW¼, Sec. 13, Twp 56N, Rge 01E, 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	
56N	01E	13											0.1 L1						0.1

Total Acres: 0.1

Conditions of Approval

1. This right when combined with all other rights shall provide no more than 0.01 cfs nor more than 0.3 afa at the field headgate for irrigation of the place of use.
2. This right does not grant any right-of-way or easement across the land of another.
3. Place of use is located within Lot 1, Blk. 1; Kullyspell Estates Subdivision.

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

Signed this 29th day of March, 2024.

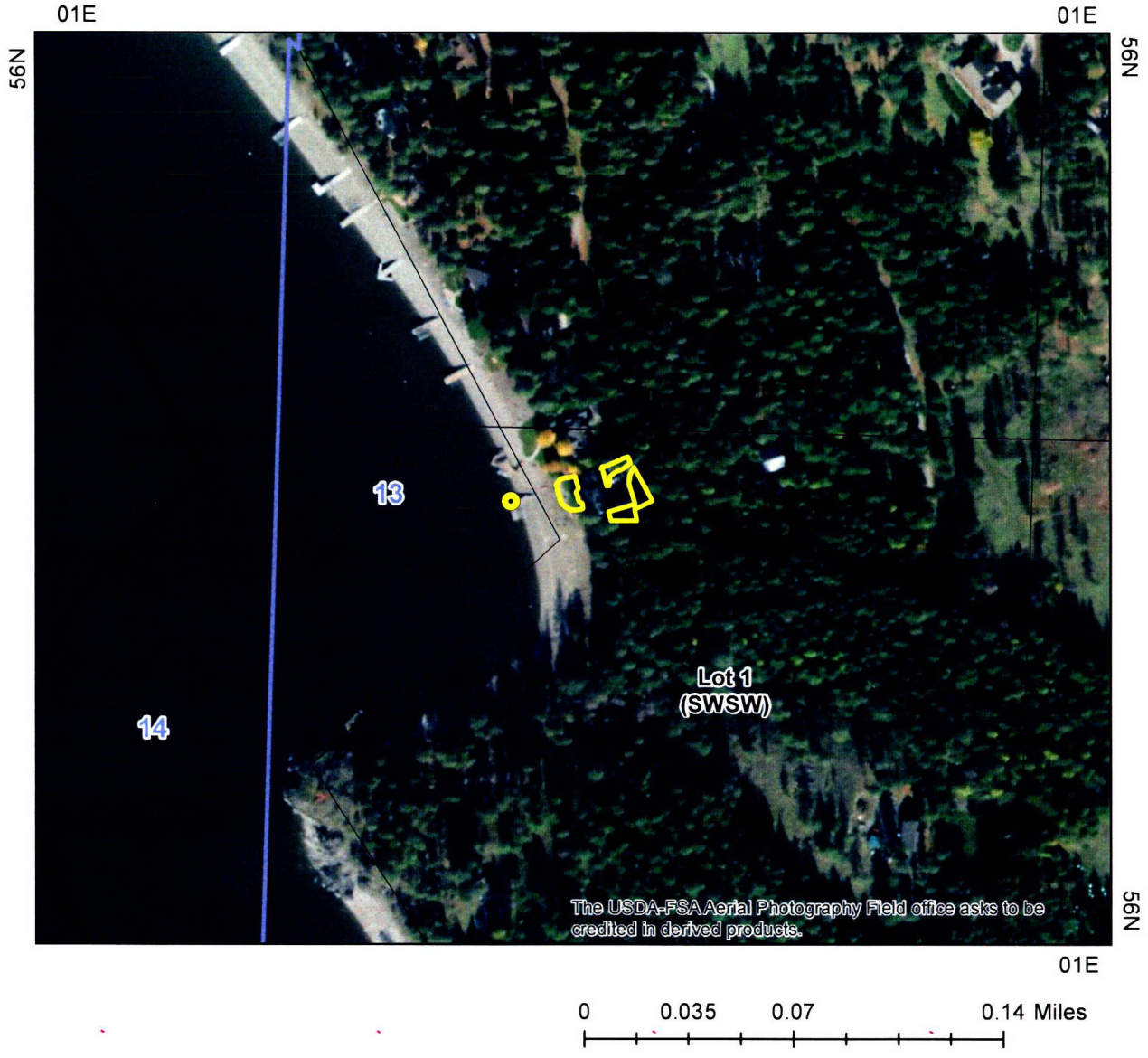
PHILL HUMMER
Water Rights Section Manager

State of Idaho
Department of Water Resources

Attachment to Water Right

96-12297

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.



Form 42-217 Rev. 6/22

RECEIVED
JAN 17 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-
Receipt No.	C117654
Receipted By	KM
Date Receipted	1.17.24

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 12297 Name of Permit Holder(s) Travis Dodd

Telephone No. 7604154170 Email lisdodd@aol.com

Mailing Address P.O. Box 2193 City Sandpoint State ID Zip 83864

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

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

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

Domestic (No. households) _____ Irrigation (No. acres) 5 Stockwater (No. and stock type) _____

Other _____

4. Total diversion rate or volume (storage only) for which proof is submitted .03 cfs OR 1.5 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.)

Submersable pump in lake with waterline to place of use.

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

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

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

7. Fee Enclosed $ ~~$50.00~~ 50.00 or ☐ CWRE field report attached or ☒ No fee required

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

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

Name: Lisa Dodd Telephone No. 7604154170 Email lisdodd@aol.com

Mailing Address P.O. Box 2193 City Sandpoint State ID Zip 83864

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.

	Travis Dodd	1-13-24
SIGNATURE OF PERMIT HOLDER*	PRINTED NAME AND TITLE	DATE

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


proof of application of ~~water to~~
front yard beneficial use


Proof of water to beneficial use
Backyard
pump
to irrigation
rock

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 96-12297

Priority: August 15, 2022 **Maximum Diversion Rate:** 0.03 CFS

This is to certify that

TRAVIS DODD
PO BOX 2193
SANDPOINT, ID 83864-0909

has applied for a permit to appropriate water from:

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

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

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

Location of Point(s) of Diversion
LAKE PEND OREILLE SW¼, SW¼, Sec. 13, Twp 56N, Rge 01E, 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	
56N	01E	13											0.5 L1						0.5

Total Acres: 0.5

Conditions of Approval:

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2024.**
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. 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.
5. This right when combined with all other rights shall provide no more than 0.03 Cubic Feet per Second (CFS) nor more than 1.5 Acre Feet (AF) annually at the field headgate for irrigation of the place of use.
6. Place of use is located within Lot 1; Blk. 1; Kullyspell Estates subdivision.

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

Signed this 31 day of JANUARY, 2023.

LUKE BATES
Interim Water Rights Supervisor

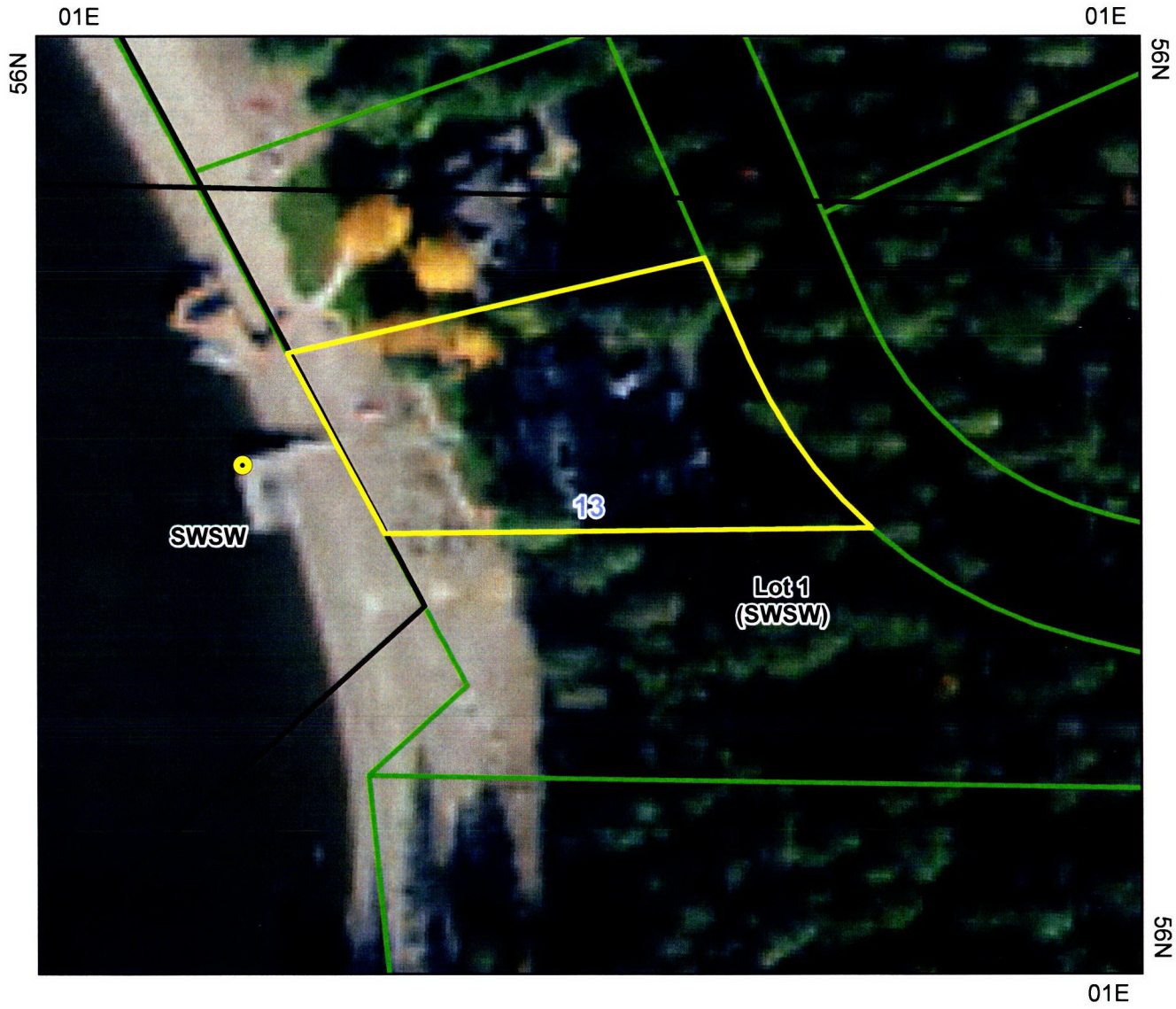
SCANNED
FEB 1 2 2023

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-12297

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.



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

0 0.01 0.02 0.04 Miles

N

Tax parcel information provided by Bonner County.

SCANNED
FEB 0 2 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.

IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little

Director Mathew Weaver

April 05, 2024

TRAVIS DODD
PO BOX 2193
SANDPOINT ID 83864-0909

RE: License No. 96-12297

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,

Phil Hummer

Phill Hummer
Water Rights Section Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on April 05, 2024, I served a true and correct copy of Water Right License No. 96-12297 by U.S. Mail, postage prepaid, to the following:

TRAVIS DODD (Current Owner)
PO BOX 2193
SANDPOINT ID 83864-0909

Catalina Beck
Technical Records Specialist 1

Permit No: 96-12297

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

A. GENERAL INFORMATION

Exam Date: 1/30/2024

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: Travis Dodd
   Owner of Record Correct? _____N
   Address of Record Correct? _____N
   If No Explain: N/A

3. Beneficial Use Fees have been paid: ____Y ____N Receipt No: C117654

4. Source: Lake Pend Oreille
   Tributary: Pend Oreille River

   Method of Determination: GIS and Tax Parcel Data
   Change in Source: ____Y _____N

B. OVERLAP REVIEW

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

Water Right No.	Source	Purpose of Use	Basis
96-8508	Lake Pend Oreille	Irrigation	License
96-8632	Groundwater	Domestic	License
96-8982	Lake Pend Oreille	Municipal	License

Comments: Water rights 96-8508, 96-8632, and 96-8982 overlap the permitted place of use. However, after looking into the water right backfile water rights 96-8508, does not actually overlap. Water rights 96-8632 and 96-8982 authorize different beneficial uses and 96-8632 diverts from a different source. Therefore, a combined limit condition is not necessary.

2. Other water rights with the same point of diversion: __X__ No Overlap

Water Right No.	Source	Purpose of Use	Basis
N/A			

Comments: N/A

C. DIVERSION AND DELIVERY SYSTEM

1. Location of Point(s) of Diversion:

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Lake Pend Orielle			SW	SW	13	56N	01E	B.M.	Bonner
								B.M.	
								B.M.	

Method of Determination: GIS and Tax Parcel 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	
56N	01E	13											0.1						0.1
		Lot #											1						
																Total Acres =			0.1

Method of Determination: GIS, Tax Parcel Data, 2023 Bonner County Aerial Imagery, and a phone conversation with the permit holder on January 29th, 2024.

Change in POU? ____Y __X__N Amendment Required? ____Y __X__N

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

Indicate weir size/pipe as applicable:

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

___ 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					

**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						

2. Measurement Comments: The permit holder did not provide a pump horsepower. Therefore, a diversion rate calculation was not possible.

E. FLOW CALCULATIONS ___Additional Computation Sheets Attached

Measured Method: Since the permit holder did not provide a pump horsepower a diversion rate calculation was not possible. According to Administrative Processing Memo #17 the standard diversion rate/acre for the irrigation of 5 acres or less is 0.03 cfs, 0.1 acres * 0.03 cfs/acre = 0.003 cfs or 0.01 cfs rounded. The permit authorized a 0.03 cfs diversion rate. I am recommending a 0.01 cfs diversion rate.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

V I.R. = (Acres Irrigated) x (Irrigation Requirement) = (0.1 acres) * (3.0 af/acre) = 0.3 af

V D.R. = [Diversion Rate (cfs)] x (Days in Irrigation season) x 1.9835 = (0.01 cfs) *(214 days *(1.9835 af/day) = 4.2 af

V = Smaller of V I.R. and V D.R. = 0.3 af

G. PURPOSE OF USE

Irrigation __X__Y ____N # Stock____N/A_____ Domestic # of Homes ___N/A___

Change in Purpose of Use? ____Y __X__N

Method of Determination: GIS, Tax Parcel Data, 2023 Bonner County Aerial Imagery, and a phone conversation with the permit holder on January 29th, 2024.

H. NARRATIVE/REMARKS/COMMENTS

This permit qualifies for an in-office examination. According to Tax Parcel Data the property was developed in 2001. The permit authorized the irrigation of 0.5 acres. 2023 Bonner County Aerial Imagery indicated 0.1 acres of irrigation was occurring. However, due to dense tree cover some areas were obscured. The permit holder was contacted via phone call on January 29th, 2023, and confirmed where irrigation was occurring within the place of use. Paring the permit holder's statements with 2023 Bonner County Aerial Imagery the initial determination of 0.1 acres of irrigation was confirmed. The Tax Parcel Boundary and visual property boundary were inconsistent. The irrigated place of use was updated based on the visual property boundary.

A condition on the permit required the permit holder, prior to the diversion of water, to install a fish screen meeting the fish screening and passage requirements of the Idaho Department of Fish and Game. The permit holders did not indicate on their Statement of Completion for Proof of Beneficial Use a fish screen was installed. During the phone conversation with the permit holder, they confirmed a fish screen was installed. Since the permit holder did not provide a pump horsepower a diversion rate calculation was not possible. The standards set in Administrative Processing Memo #17 were used to make a diversion rate and volume recommendation. All of the conditions have been met and developed of beneficial use was confirmed within authorization on the permit. Therefore, I am recommending a 0.01 cfs diversion rate and 0.3 af diversion volume.

Conditions 004, X31, and X60 should remain on the license. Condition X31 should be updated to match the recommended diversion rate and volume on the license. Condition 029 should be removed because the permit holder installed a fish screen meeting the fish screening and passage requirements of the Idaho Department of Fish and Game. All other conditions should be removed as standard with licensing.

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		0.01 CFS	0.3 AF
		Totals:	0.01 CFS	0.3 AF

2. Recommended Amendments:

___Change P.D. as reflected above ___Add P.D. as reflected above __X_None

___Change P.U. as reflected above ___Add P.U. as reflected above __X_None

Other: < >

J. AUTHENTICATION

Field Examiner: Skyler Cheever – Water Resource Agent

Field Examiner's _____ Date 1/30/2024

Reviewer _____ Date 3/29/24

Field Exam Map

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



2023 Bonner County Aerial Imagery

Imagery confirmed the development of 0.1 acres of irrigation within the development period.

96-12297 Irrigation Map



Beneficial Use Proof Evaluation

Permit Number: 96-12297 Reviewer: AVeibell Review Date: 1/19/2024

Acceptability

1) Is the contact on the request the current permit holder? Yes
2) Does the address of record need to be updated? No
3) Proof Submitted Date: 1/17/2024
4) Proof Due Date: 2/1/2024
5) Days added for weekend due date? 0
6) Days added for holiday due date? 0
7) Number of days late: -15
8) Proof received timely? Yes

Analysis

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

Fees

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

Receipt IDs

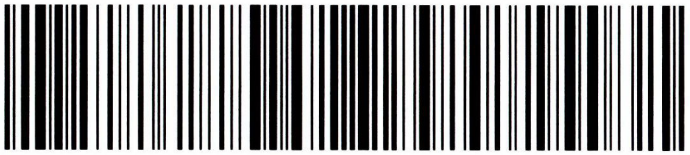
N040787

Comments

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

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

USPS CERTIFIED MAIL



9214 8901 9403 8340 2284 87

TRAVIS DODD
PO BOX 2193
SANDPOINT ID 83864-0909

96-12297

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 30, 2023

TRAVIS DODD
PO BOX 2193
SANDPOINT ID 83864-0909

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 96-12297

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, 2024**. Please complete and return the enclosed Statement of Completion for Submitting Proof of Beneficial Use (proof) if you have completed the water project authorized by your permit. The proof statement must be accompanied by either the appropriate license examination fee or a field examination report prepared by a certified water right examiner.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been delayed by a government agency or by litigation that brings title to the water in question, an extension of time may be granted if appropriate documentation is provided at the time of filing. An extension request must be accompanied by a $50.00 filing fee and signed by the appropriate authorized permit holder(s) or authorized representative with a power of attorney.

Either an acceptable proof or an acceptable extension request must be received by this department on or before the above proof due date. If neither is received, the department will send you a lapse notice and the permit will no longer be of any force or effect.

Sincerely,

Amanda Veibell
Technical Records Specialist

Enclosure(s)

IDAHO DEPARTMENT OF
WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene, ID 83815-7763
Phone: 208-762-2800 • Fax: 208-762-2819 • Email: northerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

February 01, 2023

TRAVIS DODD
PO BOX 2193
SANDPOINT ID 83864-0909

RE: Permit No. 96-12297

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
FEB 02 2023

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

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

Sincerely,

Luke Bates
Interim Water Rights Supervisor

Enclosure(s)

SCANNED
FEB 0 2 2023

CERTIFICATE OF SERVICE

I hereby certify that on February 01, 2023, I served a true and correct copy of Permit to Appropriate Water No. 96-12297 by U.S. Mail, postage prepaid, to the following:

TRAVIS DODD (Current Owner)
PO BOX 2193
SANDPOINT ID 83864-0909

Tammy Alleman
Administrative Assistant 1

SCANNED
FEB 02 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
FEB 0 2 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.

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FEB 0 2 2023

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Bonner)

RECEIVED
SEP 12 2022
IDWR / NORTH

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

1. I am a citizen of the United States of America, over the age of 18 years, a resident of Bonner County, Idaho, and am not a party to the proceedings referred to in the attached Legal Notice.
My business address is P.O. Box 159, Sandpoint, Idaho.

2. I am the bookkeeper of the Bonner County Daily Bee, a newspaper of general publication in Bonner County, Idaho;

3. Said newspaper has been continuously and uninterruptedly published in Bonner County, Idaho during a period of 12 months prior to the first publication of said Notice, and thereafter.

4. The attached Notice was published in the regular and entire issue of the Bonner County Daily Bee for a period of 2 consecutive weeks, commencing on the 1st day of September, 2022, and ending on the 8th day of September, 2022.

Italia Jimenez

State of Idaho, county of Bonner ss.
On this 8th day of September, in the year of 2022, before me, Katrina George, Notary Public, personally appeared Italia Jimenez known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (or they) executed the same.

Katrina George
Notary Public
Residing at: Kootenai County

My Commission Expires 8/29/23

KATRINA GEORGE NOTARY PUBLIC COMM. NO. 58374 STATE OF IDAHO

SCANNED
FEB 02 2023

Legal Notice

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

96-10445
DUSTIN SELLERS
LISA SELLERS
118 WAILUPE CIR
HONOLULU, HI 96821-1521
Point of Diversion L2(SWNE)
S17 T56N R01E
BONNER County
Source LAKE PEND OREILLE Tributary
PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 02-22-2022
Place Of Use: DOMESTIC
T56N R01E S17 L2(SWNE)

96-10446
DUSTIN SELLERS
LISA SELLERS
118 WAILUPE CIR
HONOLULU, HI 96821-1521
Point of Diversion L1(NWNE)
S17 T56N R01E
BONNER County
Source LAKE PEND OREILLE Tributary
PEND OREILLE RIVER
Point of Diversion L1(NWNE)
S17 T56N R01E
BONNER County
Source LAKE PEND OREILLE Tributary
PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31 0.08 CFS
Use: IRRIGATION
04/01 to 10/31 0.12 CFS
Total Diversion: 0.2 CFS
Date Filed: 02-22-2022
Place Of Use: DOMESTIC,IRRIGATION
T56N R01E S17 L1(NWNE)
Total Acres: 6

96-11349
PITNEY LIVING TRUST
172 NEWHAVEN PL
RICHLAND, WA 99352-7636
Point of Diversion SENESW S26 T58N R02W BONNER County
Source SPRING Tributary SINKS
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 08-05-2022
Place Of Use: DOMESTIC
T58N R02W S26 NESW

96-11407
317 LAKESHORE LLC
317 LAKESHORE DR
SAGLE, ID 83860-9274
Point of Diversion SESE
S34 T57N R02W
BONNER County
Source
PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
4 /1 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 08-10-2022
Place Of Use: IRRIGATION
T57N R02W S34 L1(SESE)
Place Of Use: IRRIGATION
T57N R02W S35 L4(SWSW)
Total Acres: 0.4

96-11492
DE ANNA SQUIRES
1663 WOODED ACRES DR
SAGLE, ID 83860-8734
Point of Diversion L3(SWNW)
S36 T57N R03W
BONNER County
Source
PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/1 to 10/31
Total Diversion: 0.01 CFS
Date Filed: 06-02-2022
Place Of Use: IRRIGATION
T57N R03W S36 L3(SWNW)
Total Acres: 0.5

96-11815
GARY L HINES
MARY K HINES
601 MACKIES WAY
SANDPOINT, ID 83864-6419
Point of Diversion NESE
S24 T59N R02W
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.12 CFS
Date Filed: 07-05-2022
Place Of Use: DOMESTIC,IRRIGATION,STOCKWATER
T59N R02W S24 NESE
Total Acres: 2

96-12198
STEVE STEBING
MARIE STEBING
568 SNUG HBR
SANDPOINT, ID 83864-6344
Point of Diversion SESE
S26 T57N R03W
BONNER County
Source
PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 06-03-2022
Place Of Use: IRRIGATION
T57N R03W S26 L2(SWSE),L1(SESE)
Total Acres: 1

96-12223
DAVID MILLER
LINDA MILLER
132 SUNRAY DR
HOPE, ID 83836-9624
Point of Diversion L3(SWSW)
S12 T56N R01E
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 07-19-2022
Place Of Use: DOMESTIC
T56N R01E S12 L3(SWSW)

96-12254
ALLAN R VAN VOOREN
SUSAN J VAN VOOREN
216 PERCH BAY LN
SANDPOINT, ID 83864-8838
Point of Diversion NESE
S10 T57N R01W
BONNER County
Source LAKE PEND OREILLE Tributary
PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 08-12-2022
Place Of Use: IRRIGATION
T57N R01W S10 NESE
Total Acres: 0.5

96-12264
CHARLES KRAMER
TESSIE KRAMER
46820 HIGHWAY 200
HOPE, ID 83836-9680
Point of Diversion SWSW
S34 T57N R01E
BONNER County
Source LAKE PEND OREILLE Tributary
PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 05-11-2022
Place Of Use: DOMESTIC
T57N R01E S34 SWSW

96-12266
CHARLES KRAMER
TESSIE KRAMER
46820 HIGHWAY 200
HOPE, ID 83836-9680
Point of Diversion L4(NWNW)
S1 T56N R01E
BONNER County
Source LAKE PEND OREILLE Tributary
PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Use: FIRE PROTECTION
01/01 to 12/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 08-12-2022
Place Of Use: FIRE PROTECTION,IRRIGATION
T56N R01E S1 L3(NENW),L4(NWNW)
Total Acres: 0.8

96-12269
THOMAS L JENSEN
BECKY L JENSEN
96 GOLD CREEK RD
SANDPOINT, ID 83864-4955
Point of Diversion NWNW
S14 T58N R01W
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.16 CFS
Date Filed: 08-12-2022
Place Of Use: IRRIGATION
T58N R01W S14 NWNW
Total Acres: 8

96-12287
PEDEFERRI TRUST
C/O JOSEPH H PEDEFERRI
347 CROOKED EAR DR
SANDPOINT, ID 83864-9477
Point of Diversion L1(NWNW)
S7 T57N R01W
BONNER County
Source LAKE PEND OREILLE Tributary
PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: FIRE PROTECTION
01/01 to 12/31 0.2 CFS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.2 CFS
Date Filed: 08-15-2022
Place Of Use: DOMESTIC,FIRE PROTECTION,IRRIGATION
T57N R01W S7 L1(NWNW)
Total Acres: 0.5

96-12297
TRAVIS DODD
PO BOX 2193
SANDPOINT, ID 83864-0909
Point of Diversion SWSW
S13 T56N R01E
BONNER County
Source LAKE PEND OREILLE Tributary
PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 08-15-2022
Place Of Use: IRRIGATION
T56N R01E S13 L1(SWSW)
Total Acres: 0.5

96-12308
SCOTT R DUNN
WENDY DUNN
1507 NORTHSHORE DR
SANDPOINT, ID 83864-2714
Point of Diversion L1(SENE)
S28 T57N R02W
BONNER County
Source
PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 08-12-2022
Place Of Use: IRRIGATION
T57N R02W S28 L1(SENE)
Total Acres: 0.5

96-12332
SILCHER TRUSTS
C/O PETER AND LORI SILCHER
845 EVERGREEN RD
SAGLE, ID 83860-9352
Point of Diversion L1(NWNW)
S16 T56N R03W
BONNER County
Source
PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.15 CFS
Date Filed: 08-18-2022
Place Of Use: IRRIGATION
T56N R03W S16 L1(NENW),L1(NWNW)
Total Acres: 5

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96-12333
SILCHER TRUSTS
C/O PETER AND LORI SILCHER
845 EVERGREEN RD
SAGLE, ID 83860-9352
Point of Diversion L1(NWNW) S16 T56N R03W
BONNER County
Source
PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: AESTHETIC
05/01 to 10/31
Total Diversion: 0.2 CFS
Date Filed: 08-18-2022
Place Of Use: AESTHETIC
T56N R03W S16
L1(NENW),L1(NWNW)

96-12338
RICHARD LEE KORST
NANCY J KLOOTWYK
3327 UPPER GOLD CREEK RD
SANDPOINT, ID 83864
Point of Diversion NESENW
S33 T59N R01E
BONNER County

Source SPRING
Tributary GOLD CREEK
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.06 CFS
Date Filed: 08-10-2022
Place Of Use: DOMESTIC,STOCKWATER
T59N R01E S33 SENW
Place Of Use: STOCKWATER
T59N R01E S33
NWNE,SWNE,NENW

96-12346
WILLIAM S EVANS & TRACI D EVANS TRUST
105 VERMEER DR # 2-168
PONDERAY, ID 83852-9802
Point of Diversion NESE
S31 T56N R02W
BONNER County
Source COCOLALLA CREEK
Tributary ROUND LAKE
Use: IRRIGATION
04/01 to 10/31 0.14 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.16 CFS
Date Filed: 08-18-2022
Place Of Use: IRRIGATION,STOCKWATER
T56N R02W S31
SENE,NESE
Total Acres: 7

96-12349
WILLIAM S EVANS & TRACI D EVANS TRUST
105 VERMEER DR # 2-168
PONDERAY, ID 83852-9802
Point of Diversion SWNE
S31 T56N R02W
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.06 CFS
Date Filed: 08-18-2022
Place Of Use: IRRIGATION
T56N R02W S31 SWNE
Total Acres: 2

96-12356
WESLEY ALBIN
SHEILA ALBIN
6973 UPPER GOLD CREEK RD
SANDPOINT, ID 83864
Point of Diversion SESW
S2 T58N R01E
BONNER County
Source RAPID LIGHTNING CREEK
Tributary PACK RIVER
Point of Diversion NENW
S11 T58N R01E
BONNER County
Source RAPID LIGHTNING CREEK
Tributary PACK RIVER
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.09 CFS
Total Diversion: 0.09 CFS
Date Filed: 08-19-2022
Place Of Use: IRRIGATION,STOCKWATER
T58N R01E S11
NENW,NWNW
Place Of Use: IRRIGATION
T58N R01E S2
SWSW,SESW
Place Of Use: STOCKWATER
T58N R01E S2
SESW,SWSW
Total Acres: 3

96-12371
THOMAS G FLETCHER
BRENDA G FLETCHER
1578 RAPID LIGHTNING RD
SANDPOINT, ID 83864-4754
Point of Diversion NWSE
S24 T58N R01W
BONNER County
Source PACK RIVER
Tributary LAKE PEND OREILLE
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 08-19-2022
Place Of Use: IRRIGATION
T58N R01W S24 NWSE
Total Acres: 1

98-8096
SHERRY A HOBDAY
JOHN W HOBDAY
153 W ELMIRA RD
SANDPOINT, ID 83864-5969
Point of Diversion SWSW
S3 T59N R01W
BONNER County
Source GROUND WATER

Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.12 CFS
Total Diversion: 0.16 CFS
Date Filed: 08-10-2022
Place Of Use: DOMESTIC,IRRIGATION
T59N R01W S3 SWSW
Total Acres: 4

98-8097
SHERRY A HOBDAY
JOHN W HOBDAY
153 W ELMIRA RD
SANDPOINT, ID 83864-5969
Point of Diversion SESE
S4 T59N R01W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
01/01 to 12/31 0.14 CFS
Total Diversion: 0.18 CFS
Date Filed: 08-11-2022
Place Of Use: DOMESTIC,IRRIGATION
T59N R01W S4 SESE
Total Acres: 7

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; or for a full description of the right(s), please see https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of $25.00 for each application on or before 9/19/2022. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
Legal#4508
AD#556859
September 1, 8, 2022

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FEB 0 2 2023