

RECEIVED
NOV 08 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. C119361
Received By LM
Date Received 11.8.24

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.

- Permit No. 96-16320 Name of Permit Holder(s) James Burgess
Telephone No. 206-854-1047 Email burgessjwb@gmail.com
Mailing Address 20209 SE 30th St. City Sammamish State WA Zip 98075
- Source of Water Lake Pend Oreille Well If Ground Water (well), Date Drilled mo. unknown (1990)
Drilling Permit/Tag No. N/A Drilling Company's Name N/A
- Extent of use(s) completed as authorized by the water right permit:
Domestic (No. households) 1 Irrigation (No. acres) 0.25 Stockwater (No. and stock type) N/A
Other _____
- Total diversion rate or volume (storage only) for which proof is submitted 0.02 cfs OR 0.25 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.
- Describe the diversion and delivery system from the water source to the use (pump, lift, irrigation method, etc.)
- Pump in Lake Pend Oreille for irrigation of 0.25 acre yard
- Well pump to service single family home
- 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
- Fee Enclosed \$ 50.00 or ☐ CWRE field report attached or ☐ No fee required
See fee schedule on page 3 of the instructions. Proof statements filed without an appropriate fee are incomplete.
- Person to accompany a Department representative during the field examination of the water system:
Name: JAMES Burgess Telephone No. 206-854-1047 Email burgessjwb@gmail.com
Mailing Address 20209 SE 30th St City Sammamish State WA Zip 98075

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

[Signature]
SIGNATURE OF PERMIT HOLDER*

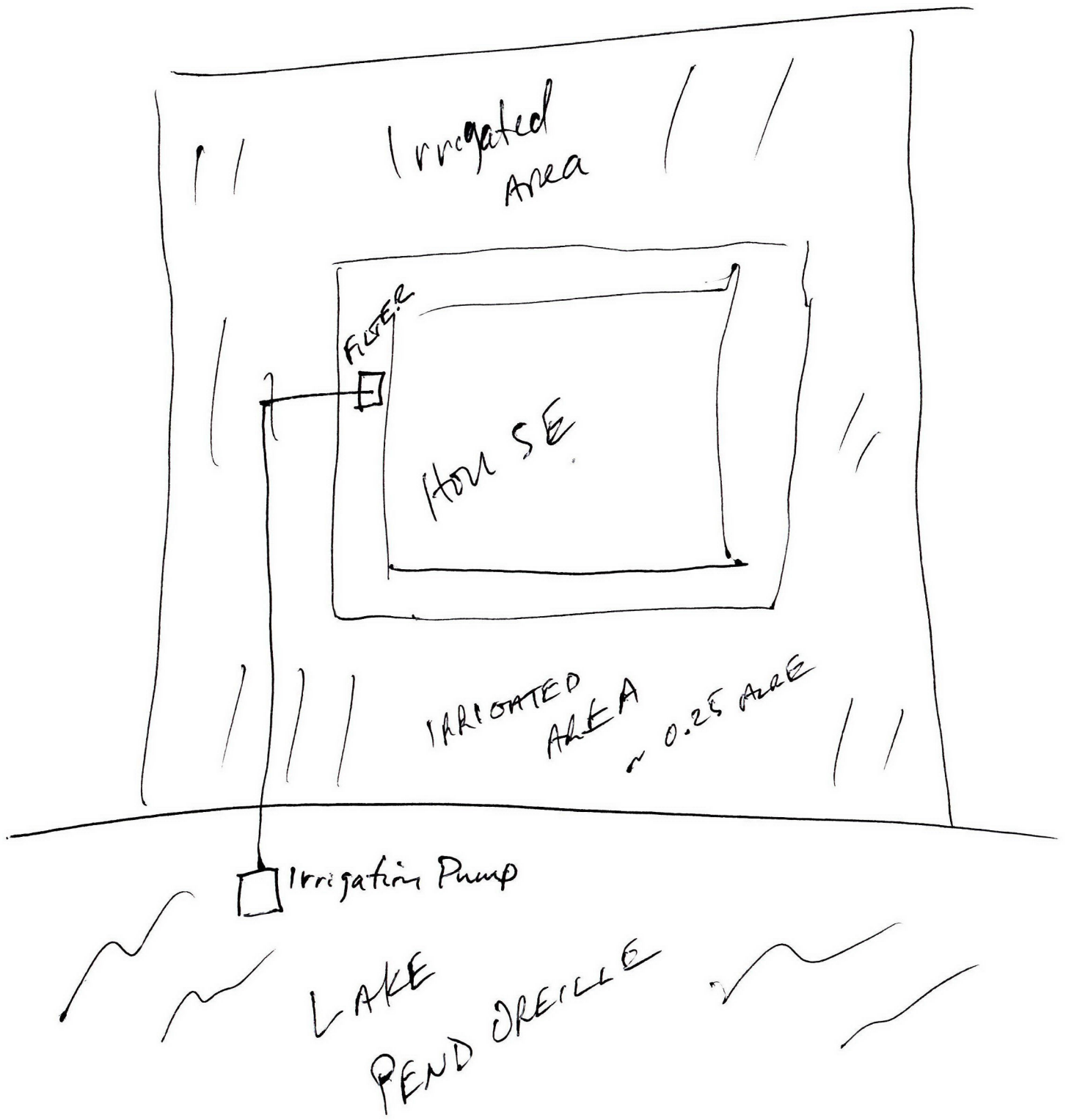
James Burgess
PRINTED NAME AND TITLE

11/5/2024
DATE

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

83 BAY DR
SAGE, ID 83860

Well Pump
□



State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 96-16320

Priority: June 15, 2023

Maximum Diversion Rate: 0.02 CFS

This is to certify that

JAMES BURGESS 20209 SE 30TH ST SAMMAMISH WA 98075

has applied for a permit to appropriate water from:

Source : LAKE PEND ORIELLE

Tributary: PEND OREILLE RIVER

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

Beneficial Use

IRRIGATION

Period of Use

04/1 to 10/31

Rate of Diversion

0.02 CFS

Location of Point(s) of Diversion

LAKE PEND ORIELLE SW¼ SE¼, Sec. 33, Twp 57N, Rge 01W, 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	
57N	01W	33												0.2 L5			0.4 L6		0.6

Total Acres: 0.6

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **December 01, 2024**.
2. Subject to all prior water rights.
3. This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 1.8 afa at the field headgate for irrigation of the place of use.
4. Place of use is located within Lot 1, Blk 1; Bottle Bay Tracts Subdivision.
5. This right does not grant any right-of-way or easement across the land of another.
6. 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.

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

Signed this 22nd day of November, 2023.



PHILL HUMMER
Water Rights Supervisor

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-16320

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.

01W



0 0.035 0.07 0.14 Miles

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



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho
No. 96-16320

RECEIVED

JUN 10 2023

DEPARTMENT OF
WATER RESOURCES**1. Applicant(s)**

JAMES BURGESS
20209 SE 30TH ST
SAMMAMISH WA 98075
206-854-1047, BURGESSJWB@GMAIL.COM

2. Representative(s) N/A**3. Source of Water Supply:**

Source : LAKE PEND ORIELLE

Tributary: PEND OREILLE RIVER

4. Location of Point(s) of Diversion:

Heading	Point of Diversion # 1
Source	LAKE PEND ORIELLE
Tributary of	PEND OREILLE RIVER
Township	57N
Range	01W
Section	33
Govt. Lot	
QQQ/QQ/Quarter	SW ¹ / ₄ SE ¹ / ₄
County	BONNER
Diversion Type	
Local name or Tag#	
Type and size of devices	Water pump
Height of storage dam	
Active/ Total Reservoir capacity	
Dam Application required?	No
Proposed well diameter/ depth	
Water Temp > 85°F?	
Drilled Date	
Drilling firm	
Property Owner	Applicant
Access Arrangement Description	N/A

5. Water will be used for the following purposes:

Purposes	Season	Rate	Volume	Description
IRRIGATION	04/01 to 10/31	0.02 CFS		

6. Total quantity to be appropriated is (a) 0.02 cubic feet per second (cfs) and/or (b) Not Stated acre-feet / year (af).**7. Proposed diverting works:**

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

8. Describe other proposed water uses : N/A**9. Description of place of use:**

SCANNED

AUG 31 2023

For Department Use

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

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				No QQ	Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
57N	01W	33												0.2 L5			0.4 L6			0.6

Total Acres: 0.6

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.
- Who owns the land to be irrigated or place of use? Applicant.
 - 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.
 Diversion system already exists

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

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

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

Signature of Applicant

Signature of Applicant

 JAMES BURGESS

SCANNED

AUG 31 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho
No. 96-16320

RECEIVED

Jun 10, 2023

DEPARTMENT OF
WATER RESOURCES

Receipt No. N043617
Received Jun 15, 2023

Date Filed: Jun 10, 2023

Submitted by applicant

1. Applicants:

James Burgess
20209 SE 30th St
Sammamish, WA 98075

2. Representatives

3. Source of Water Supply

Source	Tributary
LAKE PEND ORIELLE	PEND OREILLE RIVER

4. Location of Points of Diversion:

	Source	Tributary Of	Type	Twp	Rge	Sec	GovLot	QQQ/QQ/Q	County
1	LAKE PEND ORIELLE	PEND OREILLE RIVER	Rediversio	57N	01W	33		/SW/SE	BONNER

5. Water will be used for the following purposes:

WaterUse	Season	Rate (cfs)	Vol (afa)	Description
IRRIGATION	From:7/1 To:9/30	5		Irrigation around my house

6. Total quantity to be appropriated is 5 cfs and/or afa

7. Proposed Diverting Works:

POD: 1

Description: Water pump

8. Description of Place of Use:

SCANNED

AUG 31 2023

Twp	Rge	Sec	QQ	Q	GovLot	Acres	County	
57N	01W	33	SE	SW	5	0.2	BONNER	IRRIGATION
57N	01W	33	SW	SE	6	0.4	BONNER	IRRIGATION

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping.

None

10. Land Ownership

Who owns the place of use? Other

Who owns the land at the point of diversion Applicant

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

Diversion system already exists

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

1 years

SCANNED
AUG 31 2023

State of Idaho
Department of Water Resources
Application For Permit
96-16320



0 0.035 0.07 0.14 Miles

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



Prepared By: Parker, Cody

SCANNED

AUG 31 2023

Beneficial Use Proof Evaluation

Permit Number: 96-16320 Reviewer: AVEibell Review Date: 11/8/2024

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: 11/8/2024
- 4) Proof Due Date: 12/1/2024
- 5) Days added for weekend due date? 1
- 6) Days added for holiday due date? 0
- 7) Number of days late: -24
- 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

N043617

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.



IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little

Director Mathew Weaver

September 30, 2024

JAMES BURGESS
20209 SE 30TH ST
SAMMAMISH WA 98075

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 96-16320

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 **December 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)

CERTIFIED MAIL

7020 2450 0000 1566 6244

NO _____



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 24, 2023

JAMES BURGESS
20209 SE 30TH ST
SAMMAMISH WA 98075

RE: Permit No. 96-16320

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) 287-4925.

Sincerely,

Phill Hammer

Phill Hammer
Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on November 24, 2023, I served a true and correct copy of Permit to Appropriate Water No. 96-16320 by U.S. Mail, postage prepaid, to the following:

JAMES BURGESS (Current Owner)
20209 SE 30TH ST
SAMMAMISH WA 98075



Debra Mansfield
Technical Records Specialist 1

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

SEP 18 2023

DEPARTMENT OF
WATER RESOURCES

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 7 day of September, 2023, and ending on the 14 day of September, 2023.

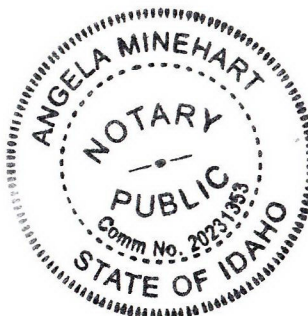
RikkiJade Lindstrom

State of Idaho, county of Bonner ss.

On this 14 day of September, 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



RL
9-18-23

LEGAL NOTICE

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

96-15673

OWENS REVOCABLE TRUST
C/O CECIL JIM OWENS & IDA LOUISE
217 CEDAR ST
SANDPOINT, ID 83864-1410

Point of Diversion NWNE S34
T56N R03W BONNER County
Source GROUND WATER

Use: DOMESTIC
1/1 to 12/31

0.04 CFS

0 AF

Use: IRRIGATION

4/1 to 10/31

0.39 CFS

Total Diversion:

0.43 CFS

Date Filed: 04-14-2023

Place Of Use: DOMESTIC,
IRRIGATION

T56N R03W S34

NWNE,SWNE,NENW

Total Acres: 19.5

96-16275

KEITH BYERS

PO BOX 2299

KALISPELL, MT 59903

Point of Diversion SWSW S2

T56N R02W BONNER County

Source GROUND WATER

Use: IRRIGATION

04/01 to 10/31

0.07 CFS

Use: DOMESTIC

1/1 to 12/31

0.04 CFS

Total Diversion:

0.11 CFS

Date Filed: 06-06-2023

Place Of Use: DOMESTIC,

IRRIGATION

T56N R02W S2 SWSW

Total Acres: 2.4

96-16320

JAMES BURGESS

20209 SE 30TH ST

SAMMAMISH, WA 98075

Point of Diversion SWSE S33

T57N R01W BONNER County

Source LAKE PEND OREILLE

Tributary PEND OREILLE

RIVER

Use: IRRIGATION

04/1 to 10/31

0.02 CFS

Total Diversion:

0.02 CFS

Date Filed: 06-10-2023

Place Of Use: IRRIGATION

T57N R01W S33

L5(SESW),L6(SWSE)

Total Acres: 0.6

96-16324

CASEY GETTY

11518 E. 38TH AVE.

SPOKANE VALLEY,

WA 99206-2919

Point of Diversion L2(NWNE)

S6 T56N R02W BONNER

County

Source PEND OREILLE RIVER

Tributary COLUMBIA RIVER

Use: IRRIGATION

04/01 to 10/31

0.01 CFS

Total Diversion:

0.01 CFS

Date Filed: 06-11-2023

Place Of Use: IRRIGATION

T56N R02W S6 L2(NWNE)

Place Of Use: IRRIGATION

T57N R02W S31 L8(SWSE)

96-16343

JOHN PIPKIN

126 N PICARD PT

SAGLE, ID 83860

Point of Diversion SESE S8

T56N R01E BONNER County

Source PEND OREILLE LAKE

Tributary PEND OREILLE

RIVER

Use: IRRIGATION

04/01 to 10/31

0.01 CFS

Total Diversion:

0.01 CFS

Date Filed: 06-13-2023

Place Of Use: IRRIGATION

T56N R01E S8 L5(SESE)

Total Acres: 0.4

96-16382

PETER HALLOCK

2583 LAKESHORE DR

GAYLE HALLOCK

2583 LAKESHORE DR

SAGLE, ID 83860

Point of Diversion L4(SWSE)

S33 T57N R02W BONNER

County

Source GROUND WATER

Use: DOMESTIC

1/1 to 12/31

0.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 06-15-2023

Place Of Use: DOMESTIC

T57N R02W S33 L4(SWSE)

96-16494

KEVIN MERWIN

MICHELLE MERWIN

67 CABO WAY

SANDPOINT, ID 83864-4404

Point of Diversion SENE S2

T58N R01W BONNER County

Source GROUND WATER

Use: DOMESTIC

1/1 to 12/31

0.06 CFS

Use: IRRIGATION

04/01 to 10/31

0.12 CFS

Total Diversion:

0.18 CFS

Date Filed: 06-21-2023

Place Of Use: DOMESTIC,

IRRIGATION

T58N R01W S2 SENE

Total Acres: 6.0

97-9697

JACQUELINE ENGLERT

15 DIAMOND POINT RD

COOLIN, ID 83821

Point of Diversion NENE S9

T61N R04W BONNER County

Source PRIEST LAKE Tributary

PRIEST RIVER

Use: IRRIGATION

04/01 to 10/31

0.01 CFS

Total Diversion:

0.01 CFS

Date Filed: 06-02-2023

Place Of Use: IRRIGATION

T61N R04W S9 L1(NENE)

Total Acres: 0.4

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the State office at (208) 287-4800; or for a full description of the right(s), please see <https://ldwr.idaho.gov/apps/ExtSearch/WRApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, State Office, 322 E Front St, PO Box 83720, Boise, ID 83720 together with a protest fee of \$25.00 for each application on or before 9/25/2023. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Legal#5556

AD#13881

September 7, 14, 2023



IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little

Director Gary Spackman

August 30, 2023

JAMES BURGESS
20209 SE 30TH ST
SAMMAMISH, WA 98075

RE: Application for Permit No. 96-16320

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the BONNER COUNTY DAILY BEE on 9/7/2023 and 9/14/2023. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Jean Hersley
Technical Records Specialist

SCANNED

AUG 31 2023

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, August 30, 2023 1:21 PM
To: bcdblegals@cdapress.com
Subject: Legal Notice for Bonner County Daily Bee- Application for Permit No. 96-15673, 96-16275, 96-16320, 96-16324, 96-16343, 96-16382, 96-16494, 97-9697
Attachments: Legal Notice.docx

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 9/25/2023. Your cooperation is appreciated.



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

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

96-15673

OWENS REVOCABLE TRUST
C/O CECIL JIM OWENS & IDA LOUISE
217 CEDAR ST
SANDPOINT, ID 83864-1410
Point of Diversion NWNE S34 T56N R03W BONNER County
Source GROUND WATER
Use: DOMESTIC
1 /1 to 12/31
0.04 CFS
0 AF
Use: IRRIGATION
4 /1 to 10/31
0.39 CFS
Total Diversion:
0.43 CFS
Date Filed: 04-14-2023
Place Of Use: DOMESTIC, IRRIGATION
T56N R03W S34 NWNE, SWNE, NENW
Total Acres: 19.5

96-16275

KEITH BYERS
PO BOX 2299
KALISPELL, MT 59903
Point of Diversion SWSW S2 T56N R02W BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31
0.07 CFS
Use: DOMESTIC
1 /1 to 12/31
0.04 CFS
Total Diversion:
0.11 CFS
Date Filed: 06-06-2023
Place Of Use: DOMESTIC, IRRIGATION
T56N R02W S2 SWSW
Total Acres: 2.4

96-16320

JAMES BURGESS
20209 SE 30TH ST
SAMMAMISH, WA 98075
Point of Diversion SWSE S33 T57N R01W BONNER County
Source LAKE PEND OREILLE Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/1 to 10/31
0.02 CFS
Total Diversion:
0.02 CFS
Date Filed: 06-10-2023
Place Of Use: IRRIGATION
T57N R01W S33 L5(SESW), L6(SWSE)
Total Acres: 0.6

96-16324

CASEY GETTY
11518 E. 38TH AVE.
SPOKANE VALLEY, WA 99206-2919
Point of Diversion L2(NWNE) S6 T56N R02W BONNER County
Source PEND OREILLE RIVER Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
0.01 CFS
Total Diversion:
0.01 CFS
Date Filed: 06-11-2023
Place Of Use: IRRIGATION
T56N R02W S6 L2(NWNE)
Place Of Use: IRRIGATION
T57N R02W S31 L8(SWSE)

SCANNED

AUG 31 2023

96-16343

JOHN PIPKIN
126 N PICARD PT
SAGLE, ID 83860
Point of Diversion SESE S8 T56N R01E BONNER County
Source PEND OREILLE LAKE Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
0.01 CFS
Total Diversion:
0.01 CFS
Date Filed: 06-13-2023
Place Of Use: IRRIGATION
T56N R01E S8 L5(SESE)
Total Acres: 0.4

96-16382

PETER HALLOCK
2583 LAKESHORE DR
GAYLE HALLOCK
2583 LAKESHORE DR
SAGLE, ID 83860
Point of Diversion L4(SWSE) S33 T57N R02W BONNER County
Source GROUND WATER
Use: DOMESTIC
1 /1 to 12/31
0.04 CFS
Total Diversion:
0.04 CFS
Date Filed: 06-15-2023
Place Of Use: DOMESTIC
T57N R02W S33 L4(SWSE)

96-16494

KEVIN MERWIN
MICHELLE MERWIN
67 CABO WAY
SANDPOINT, ID 83864-4404
Point of Diversion SENE S2 T58N R01W BONNER County
Source GROUND WATER
Use: DOMESTIC
1 /1 to 12/31
0.06 CFS
Use: IRRIGATION
04/01 to 10/31
0.12 CFS
Total Diversion:
0.18 CFS
Date Filed: 06-21-2023
Place Of Use: DOMESTIC, IRRIGATION
T58N R01W S2 SENE
Total Acres: 6.0

97-9697

JACQUELINE ENGLERT
15 DIAMOND POINT RD
COOLIN, ID 83821
Point of Diversion NENE S9 T61N R04W BONNER County
Source PRIEST LAKE Tributary PRIEST RIVER
Use: IRRIGATION
04/01 to 10/31
0.01 CFS
Total Diversion:
0.01 CFS
Date Filed: 06-02-2023
Place Of Use: IRRIGATION
T61N R04W S9 L1(NENE)
Total Acres: 0.4

SCANNED

AUG 31 2023

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the State office at (208) 287-4800; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, State Office, 322 E Front St, PO Box 83720, Boise, ID 83720 together with a protest fee of \$25.00 for each application on or before 9/25/2023. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 9/7/2023 and 9/14/2023

SCANNED

AUG 31 2023

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, August 30, 2023 1:51 PM
To: Horsmon, Merritt
Subject: Applications for Permit of 96-16320, 96-16324, 96-16343, 96-16330, 97-9697, 97-9666, 95-18490

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at: <https://research.idwr.idaho.gov/apps/waterrights/wrapapplicationresults/>. Documents will be scanned within 24 hours.

IDWR can finish reviewing an unprotested application as soon as the protest period has past, which is September 25, 2023. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

Please contact this office if you have any questions regarding the application.

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

Howe, Bob

From: Howe, Bob
Sent: Thursday, August 10, 2023 8:23 AM
To: burgessjwb@gmail.com
Subject: FW: Application for Permit #96-16320-partial refund needed N043617
Attachments: Receipt N043617.PDF

Good Morning James,

I have submitted the refund request to accounting. A check should be mailed out to you within the next 10 Days. Please let me know if you do not receive the refund within 21 days' time. Thank you for your time and patience in this matter.

Regards,

Bob Howe

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

From: Howe, Bob
Sent: Thursday, August 10, 2023 8:21 AM
To: IdwrPayable <IdwrPayable@idwr.idaho.gov>
Subject: Application for Permit #96-16320-partial refund needed N043617

A partial refund is needed of receipt N043617.
The rate of 5cfs was entered in error, the actual rate is 0.02cfs, which requires a \$100 fee, the applicant paid \$410.00.
The applicant's name and address are:
James Burgess
20209 SE 30TH ST
Sammamish, WA 98075

Thank you for your assistance in this matter.

Regards,

Bob Howe

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

SCANNED

AUG 31 2023

MEMORANDUM

August 09, 2023

Application for Permit: 96-16320

Author: bhowe

Subject: Comment/Analysis

Phone call to applicant. Rate requested/ fee paid for 5cfs. Explained could water 250 acres. Advised that the standard would be 0.02cfs for 0.6acres. No answer, left VM for call back.

Call back from applicant- stating the rate was in error. asked that I change it to the standard 0.02cfs (0.03cfs per acre) for 0.6 acres of irrigation. Asked that I let him know when he will receive refund for overpayment.

SCANNED

AUG 31 2023

APPLICATION FOR PERMIT ANALYSIS PERMIT

APPLICATION NO. 96-16320 ASSIGNED AGENT Bob Hare DATE ASSIGNED 8/9/2023

REQUIRED INFORMATION:

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

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

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

SEND COPIES TO:

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

ADVERTISING

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

Legal Notice: _____ Newspaper _____ Protest deadline _____

AFTER ADV EVALUATION:

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