

RECEIVED

JUL 18 2024

DEPT. 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 \$ 50.00Receipt No. C118646Received By KMDate Received 7.18.24

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. 96-15422 Name of Permit Holder(s) JOHN T KELLEY
Telephone No. 208 724 6549 Email captjtkelley@gmail.com
Mailing Address PO BOX 54 City CACODE State ID Zip 83841

2. Source of Water PEND OREILLE RIVER 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) 1 Irrigation (No. acres) .2 Stockwater (No. and stock type)
Other

4. Total diversion rate or volume (storage only) for which proof is submitted .02 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.)
I HAVE A 1 HP SUBMERSIBLE PUMP CONNECTED TO A 15" PIPE WHICH SUPPLIES WATER TO A 10-SPRINKLER UNDERGROUND IRRIGATION SYSTEM CONNECTED TO VARIOUS POP-UP SPRINKLERS FOR MY LAWN AND GARDEN. THE PUMP IS ENCLOSED IN A 4" PVC PIPE WITH AN INTAKE PIPE CAPPED BY A FISH SCREEN (THOUGH NOT REQUIRED) THE SYSTEM IS IN USE BETWEEN 4/1 AND 10/31

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 <u> </u> |
| ☐ | ☐ | ☐ | 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 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: PERMIT HOLDER

Name: Telephone No. Email
Mailing Address City State Zip

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

SIGNATURE OF PERMIT HOLDER*

PRINTED NAME AND TITLE

DATE

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

CHECK #1024 ENCLOSED

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 96-15422

Priority: April 13, 2023

Maximum Diversion Rate: 0.02 CFS

This is to certify that

JOHN T KELLEY PO BOX 54 LACLEDE ID 83841

has applied for a permit to appropriate water from:

Source : PEND OREILLE RIVER**Tributary:** COLUMBIA RIVER

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

Beneficial Use
IRRIGATION**Period of Use**
4/1 to 10/31**Rate of Diversion**
0.02 CFS**Location of Point(s) of Diversion**

PEND OREILLE RIVER SE¼ SE¼, Sec. 30, Twp 56N, Rge 03W, 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	03W	30																0.2 L7	0.2

Total Acres: 0.2

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2024**.
2. Subject to all prior water rights.
3. Place of use is located within Lot 8; Campbell Point Lots Subdivision.
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 0.02 cfs nor more than 0.6 afa at the field headgate for irrigation of the place of use.
6. Water shall not be diverted under this right when flows in the Pend Oreille River are below minimum flow amounts as defined by Right 96-8730. The right holder shall be responsible for monitoring the daily flow of the Pend Oreille River using real-time data and shall cease diverting water when flows in the Pend Oreille River are below established minimum flow amounts. Unless otherwise specified by the Director of the Department of Water Resources, data from the U.S. Geological Survey Pend Oreille River gauging station, No. 12395500, may be used for purposes of determining the daily flow amounts.

SCANNED

AUG 23 2023

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 96-15422

7. 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 22nd day of August, 2023.



PHILL HUMMER
Water Rights Supervisor

SCANNED

AUG 23 2023

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-15422

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.

03W



0 400 800 Feet

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



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AUG 23 2023

RECEIVED

APR 13 2023

IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho
No. 96-15422

APR 17 2023
DEPARTMENT OF
WATER RESOURCES

1. Applicants

John Kelley
PO BOX 54
Laclede, ID 83841
208 724 6549
captjtkelley@gmail.com

2. Representatives

N/A

Submitter is one of the applicants**3. Source of Water Supply**

Source : GROUND WATER

4. Location of Point(s) of Diversion**Heading**

Source

Tributary Of

Township

Range

Section

Govt Lot

QQQ/QQ/Quarter

County

Diversion Type

local name or Tag#

Height of storage dam

Active/Total Reservoir Capacity

Dam Application Required?

Prop Well diameter/depth

Water Temp> 85F

Drilled Date

Drilling Firm

Point of Diversion #1~~GROUND WATER~~

PEND OREILLE RIVER

56N

03W

30

/SE/SE

BONNER

Beginning Point

0

0

ONLINE APPLICATION
AMENDED AS INSTRUCTED
TO REFLECT "SURFACE WATER"
AND NOT GROUND WATER
JTK

JTK

SCANNED

MAY 31 2023

Property Owner

Access Arrangement Desc

5. Water will be used for the following purposes:

Purposes	Season	Rate	Volume	Description
IRRIGATION	4/1 to 10/31	0.02 cfs	0 afa	MAINTENANCE OF LAWN, SHRUBS, AND GARDEN

6. Total quantity to be appropriated is (a) 0.02 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 :**9. Description of Place Of Use:****IRRIGATION**

Township	Range	Section	QQ	Q	County	Govt Lot	Acres
56N	03W	30	SE	SE	BONNER	7	0.20

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.

NONE

11. Land Ownership

- 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.

I PLAN TO MAINTAIN AN UNDERGROUND WATERING SYSTEM FOR LAWN AND GARDEN MAINTENANCE.

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

Signature of Applicant(s):

Date:

John T. Kelley
 JOHN T. KELLEY
 (print name)

Date:

(print name)

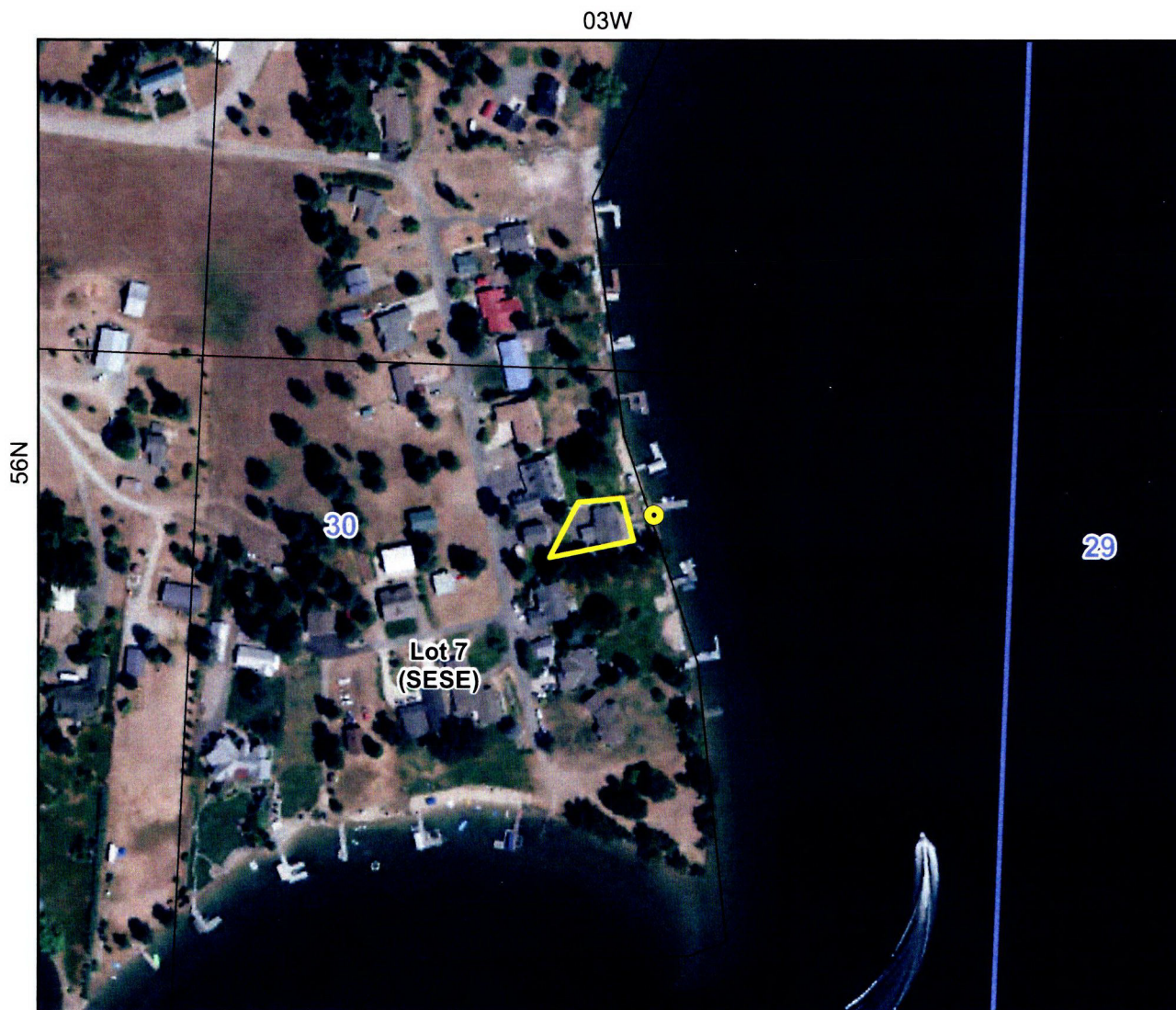
Date: 04/13/2023

Fee: \$100.00

 Receipted by: online Receipt #: NO428179 + NO4281523
 AMENDED 4/11/23

SCANNED

State of Idaho
Department of Water Resources
Application For Permit
96-15422



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



0 400 800 Feet

SCANNED
MAY 31 2023

Beneficial Use Proof Evaluation

Permit Number: 96-15422 Reviewer: AVEibell Review Date: 7/22/2024

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: 7/18/2024
- 4) Proof Due Date: 9/1/2024
- 5) Days added for weekend due date? 2
- 6) Days added for holiday due date? 0
- 7) Number of days late: -47
- 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 -- 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

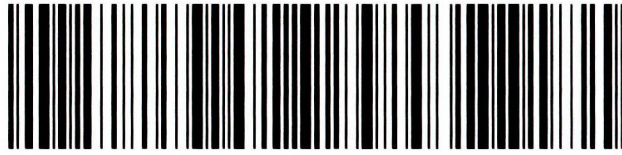
N042815, N042815, N042979

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 8367 6060 22

JOHN T KELLEY
PO BOX 54
LACLEDE ID 83841-0054



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

June 28, 2024

JOHN T KELLEY
PO BOX 54
LACLEDE ID 83841

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 96-15422

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 **September 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,

A handwritten signature in blue ink that reads "Amanda Veibell".

Amanda Veibell
Technical Records Specialist

Enclosure(s)



Governor Brad Little

Director Gary Spackman

August 22, 2023

JOHN T KELLEY
PO BOX 54
LACLEDE ID 83841

RE: Permit No. 96-15422

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.

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AUG 23 2023

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

If you have any questions concerning the enclosed information, please contact me at (208) 287-4925.

Sincerely,

Jean Hersley

For
Phill Hummer
Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on August 23, 2023, I served a true and correct copy of Permit to Appropriate Water No. 96-15422 by U.S. Mail, postage prepaid, to the following:

JOHN T KELLEY (Current Owner)
PO BOX 54
LACLEDE ID 83841



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

STATE OF IDAHO)
) ss.
County of Bonner)

RECEIVED

JUN 30 2023

DEPARTMENT OF
WATER RESOURCES

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 June, 2023, and ending on the 14 day of June, 2023.

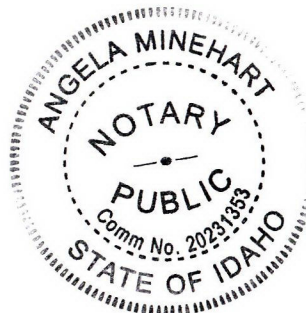
RikkiJade Lindstrom

State of Idaho, county of Bonner ss.

On this 14 day of June, in the year of 2023, before me, Angela Minehart, Notary Public, personally appeared RikkiJade Lindstrom known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she (or they) executed the same.

Angela Minehart
Notary Public
Residing at: Kootenai County

My Commission Expires 03/20/2029



SCANNED

AUG 23 2023

Q
Jmd
7-3-23

LEGAL NOTICE

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

96-15286

✓ JUSTIN ROBERTS
PO BOX 311
LACLEDE, ID 83841
Point of Diversion L6(NESE)
S30 T56N R03W BONNER
County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
0.04 CFS
Total Diversion:
0.04 CFS
Date Filed: 03-22-2023
Place Of Use: IRRIGATION
T56N R03W S30 L6(NESE)

96-15321

✓ WAYNE LAMOREAUX
JENNIFER LAMOREAUX
2123 AVALON RIDGE LN
LIBERTY LAKE, WA 99019
Point of Diversion L7(SESE)
S30 T56N R03W BONNER
County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
0.02 CFS
Total Diversion:
0.02 CFS
Date Filed: 03-27-2023
Place Of Use: IRRIGATION
T56N R03W S30 L7(SESE)
Total Acres: 0.8

96-15416

LEON RUSSELL
78 RIVER BEND DR
PRIEST RIVER, ID 83856
Point of Diversion L2(NESW)
S29 T56N R05W BONNER
County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
0.02 CFS
Total Diversion:
0.02 CFS
Date Filed: 05-15-2023
Place Of Use: IRRIGATION
T56N R05W S29 L2(NESW)
Total Acres: 0.2

96-15422

✓ JOHN T KELLEY
PO BOX 54
LACLEDE, ID 83841
Point of Diversion SESE S30
T56N R03W BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
4 /1 to 10/31
0.02 CFS
Total Diversion:
0.02 CFS
Date Filed: 04-13-2023
Place Of Use: IRRIGATION
T56N R03W S30 L7(SESE)
Total Acres: 0.2

96-15619

✓ DEBORAH OLSEN
443 WOMACK RD
OLDTOWN, ID 83822-9216
Point of Diversion SWNE S1
T55N R06W BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31
0.06 CFS
Use: DOMESTIC
01/01 to 12/31
0.02 CFS
Total Diversion:
0.08 CFS
Date Filed: 04-04-2023
Place Of Use: DOMESTIC,
IRRIGATION
T55N R06W S1 SWNE
Total Acres: 2

96-15747

✓ LYNN HATCHER
ANNE WATANABE
5791 RED BRIDGE RD
CLE ELUM, WA 98922-9249
Point of Diversion L2(NWSE)
S25 T56N R05W BONNER
County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
0.03 CFS
Total Diversion:
0.03 CFS
Date Filed: 04-18-2023
Place Of Use: IRRIGATION
T56N R05W S25 L2(NWSE)
Total Acres: 1.1

96-15847

✓ SUSAN DIMICK
PO BOX 118
LACLEDE, ID 83841
Point of Diversion L7(SESE)
S30 T56N R03W BONNER
County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: DOMESTIC
1 /1 to 12/31
0.04 CFS
Total Diversion:
0.04 CFS
Date Filed: 04-21-2023
Place Of Use: DOMESTIC
T56N R03W S30 L7(SESE)

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/WRAApplicationResults/>. 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 6/26/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
Legal#5158
AD#9787
June 7, 14, 2023

Hersley, Jean

From: Horsmon, Merritt
Sent: Friday, June 16, 2023 2:20 PM
To: Hersley, Jean
Subject: RE: Applications for Permit of 96-15286, 96-15321, 96-15416, 96-15422, 96-15747 & 96-15847

Hi Jean,
The Idaho Department of Fish and Game does not have any comments to submit for these applications.

Thank you for the opportunity to review and comment,

Merritt Horsmon

Regional Technical Assistance Manager
Panhandle Region
2885 W. Kathleen Ave.
Coeur d'Alene, ID 83815
208.769.1414 office
208.251.4509 mobile
merritt.horsmon@idfg.idaho.gov



From: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Sent: Wednesday, May 31, 2023 9:21 AM
To: Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; IWRB Water Use Reviews <WaterUseApprovalReviews@idahogov.onmicrosoft.com>
Subject: Applications for Permit of 96-15286, 96-15321, 96-15416, 96-15422, 96-15747 & 96-15847

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 available within 24 hours.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. 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. The deadline for comments is June 26, 2023.

Please contact me if you have any questions regarding the application.

SCANNED

AUG 23 2023



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

SCANNED

AUG 23 2023



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

May 31, 2023

JOHN T KELLEY
PO BOX 54
LACLEDE, ID 83841

RE: Application for Permit No. 96-15422

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 PRIEST RIVER VERSION of the BONNER COUNTY DAILY BEE on 6/7/2023 and 6/14/2023. 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

MAY 31 2023

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

96-15286

JUSTIN ROBERTS
PO BOX 311
LACLEDE, ID 83841
Point of Diversion L6(NESE) S30 T56N R03W BONNER County
Source PEND OREILLE RIVER Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
0.04 CFS
Total Diversion:
0.04 CFS
Date Filed: 03-22-2023
Place Of Use: IRRIGATION
T56N R03W S30 L6(NESE)
Total Acres: 0.5

96-15321

WAYNE LAMOREAUX
JENNIFER LAMOREAUX
2123 AVALON RIDGE LN
LIBERTY LAKE, WA 99019
Point of Diversion L7(SESE) S30 T56N R03W BONNER County
Source PEND OREILLE RIVER Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
0.02 CFS
Total Diversion:
0.02 CFS
Date Filed: 03-27-2023
Place Of Use: IRRIGATION
T56N R03W S30 L7(SESE)
Total Acres: 0.8

96-15416

LEON RUSSELL
78 RIVER BEND DR
PRIEST RIVER, ID 83856
Point of Diversion L2(NESW) S29 T56N R05W BONNER County
Source PEND OREILLE RIVER Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
0.02 CFS
Total Diversion:
0.02 CFS
Date Filed: 05-15-2023
Place Of Use: IRRIGATION
T56N R05W S29 L2(NESW)
Total Acres: 0.2

96-15422

JOHN T KELLEY
PO BOX 54
LACLEDE, ID 83841
Point of Diversion SESE S30 T56N R03W BONNER County
Source PEND OREILLE RIVER Tributary COLUMBIA RIVER
Use: IRRIGATION
4 /1 to 10/31
0.02 CFS
Total Diversion:
0.02 CFS
Date Filed: 04-13-2023
Place Of Use: IRRIGATION
T56N R03W S30 L7(SESE)
Total Acres: 0.2

SCANNED

MAY 31 2023

96-15619

DEBORAH OLSEN
443 WOMACK RD
OLDTOWN, ID 83822-9216
Point of Diversion SWNE S1 T55N R06W BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31
0.06 CFS
Use: DOMESTIC
01/01 to 12/31
0.02 CFS
Total Diversion:
0.08 CFS
Date Filed: 04-04-2023
Place Of Use: DOMESTIC, IRRIGATION
T55N R06W S1 SWNE
Total Acres: 2

96-15747

LYNN HATCHER
ANNE WATANABE
5791 RED BRIDGE RD
CLE ELUM, WA 98922-9249
Point of Diversion L2(NWSE) S25 T56N R05W BONNER County
Source PEND OREILLE RIVER Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
0.03 CFS
Total Diversion:
0.03 CFS
Date Filed: 04-18-2023
Place Of Use: IRRIGATION
T56N R05W S25 L2(NWSE)
Total Acres: 1.1

96-15847

SUSAN DIMICK
PO BOX 118
LACLEDE, ID 83841
Point of Diversion L7(SESE) S30 T56N R03W BONNER County
Source PEND OREILLE RIVER Tributary COLUMBIA RIVER
Use: DOMESTIC
1 /1 to 12/31
0.04 CFS
Total Diversion:
0.04 CFS
Date Filed: 04-21-2023
Place Of Use: DOMESTIC
T56N R03W S30 L7(SESE)

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 6/26/2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 6/7/2023 and 6/14/2023

SCANNED

MAY 31 2023

MEMORANDUM

Date: 04/14/2023
To: WR No. 96-15422
From: Bob Howe
Re: Pre-Advertisement Application Review

Summary

The completed application and application fee was received February 13th, 2023, submitted, and signed by the applicant, John Kelley. The applicant is seeking to irrigate approximately 0.2 acres of landscaping and garden surrounding his residence at 449 Campbell Point Rd, Laclede, ID, on the west bank of the Pend Oreille River. The application was submitted online early April 2023; however, it was received without payment and incomplete, and therefore unable to be processed. I called the applicant on April 7th, 2023, and explained that the point of diversion description was incomplete, and no fee payment was received with the application online, so we were unable to process the application. The applicant confirmed on April 7th, 2023, that the source was surface water diverted from the Pend Oreille River-Tributary to the Columbia River as shown on the application map. John Kelley also confirmed that the place of use was the parcel outlined on the map, in Lot 8 of the Campbell Point Lots Subdivision.

The applicant explained he had submitted a claim with a \$25 payment, but it was denied, so he was working with the Northern Regional Office to pay the additional \$75 for the application for permit. He stated that he would correct the POD information and have the Northern Office send the completed application and payment to the state office for processing. On April 13th, 2023, the Northern Office emailed me an electronic copy of the amended application and receipts N042979N and N042815 for payment of the \$100 fee. On April 17th, 2023, the state office received the original copy of the amended application in the mail, stamped received at the Northern office April 13th, 2023. Through review of the amended document and phone conversations with the applicant I was able to confirm the permit being requested is an accurate representation of the applicants' intentions.

Source & Diversion System

In sections 7 & 12 of the application for permit the applicant purposes to use a submersible pump to divert surface water through buried lines to a watering system for the irrigation of 0.2 acres, consisting of areas of lawn and a garden, at a rate of 0.02cfs. According to the map, amended application, and the applicants verbal confirmation, the point of diversion is on the Pend Oreille River, tributary to the Columbia River

Additional Comments

The purposed POD is located near the upstream reach of the minimum streamflow(MSF) right 96-8730. Evaluation of the proposed project with respect to minimum streamflow right will occur according to IDWR policy.

SCANNED

MAY 31 2023

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, May 31, 2023 10:22 AM
To: bcdblegals@cdapress.com
Subject: Legal Notice for Priest River Version BCDB - Application for Permit No. 96-15286, 96-15321, 96-15416, 96-15422, 96-15619, 96-15747, 96-15847
Attachments: Legal Notice.docx

Please publish the enclosed legal notice in the Priest River version of 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 6/26/2023. Your cooperation is appreciated.



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

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, May 31, 2023 10:21 AM
To: Horsmon, Merritt; IWRB Water Use Reviews
Subject: Applications for Permit of 96-15286, 96-15321, 96-15416, 96-15422, 96-15747 & 96-15847

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 available within 24 hours.

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Please contact me if you have any questions regarding the application.



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

SCANNED

MAY 31 2023

Howe, Bob

From: Howe, Bob
Sent: Friday, April 14, 2023 12:31 PM
To: John Kelley
Subject: RE: Application for permit 96-15422-source identification for diversion
Attachments: 96-15664 Application Map.pdf; 96-15664 POU image- Google Earth.PNG

Hi John,

Just a heads up, since the online application did not initially save without the payment a new application number 96-15664 was issued when I completed the data entry. The priority date is set to April 13th, 2023 (the date the complete application and payment were received and stamped at the Norther Regional Office). It didn't look like the map was sent to me electronically, so I drafted one using the parcel data, based on our conversation and correspondence. Please review it and make sure it is acceptable to you. If it represents the appurtenant location for the project development I will finish processing so we can get this out for advertisement (advertisement takes several weeks). I have also issued a Google Earth map providing a closer aerial image of the property, if you save the image, once a permit is issued you can print out the image and use it to draw any details of the system (including the pump location) and areas of irrigation on the map and submit it with your proof of beneficial use form for licensing review. Please include any pump details such as horsepower on the proof of beneficial use when you submit it. Please feel free to reach out to me with any questions or concerns.

Regards,

Bob Howe

Water Resource Agent

Phone: 208-287-4800

Bob.howe@idwr.idaho.gov



Mailing Address:

IDAHO DEPARTMENT OF WATER RESOURCES
PO BOX 83720
BOISE, ID 83720-0098

From: John Kelley <captjtkelley@gmail.com>
Sent: Friday, April 14, 2023 10:40 AM
To: Howe, Bob <Bob.Howe@idwr.idaho.gov>
Subject: Re: Application for permit 96-15422-source identification for diversion

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.

You as well, Bob!

Sent from my iPhone
208-724-6549

SCANNED

MAY 31 2023

On Apr 14, 2023, at 8:37 AM, Bob Howe, Bob <Bob.Howe@idwr.idaho.gov> wrote:

Hi John,

Thank you for taking the time to speak with me about your application this morning. I was mistaken on the waterway information. When I checked the GIS location again, you are on the Pend Oreille River, as per your application amendment, which is tributary to the Columbia River. I apologize for the misinformation. I have been looking over quite a few of these and that is why I have been double checking my work. Thank you again for your time and patience in this matter. Have a great weekend!

Regards,

Bob Howe

Water Resource Agent

Phone: 208-287-4800

Bob.howe@idwr.idaho.gov

<image001.png>

Mailing Address:

IDAHO DEPARTMENT OF WATER RESOURCES
PO BOX 83720
BOISE, ID 83720-0098

From: Howe, Bob

Sent: Friday, April 7, 2023 11:25 AM

To: captjtkelley@gmail.com

Subject: Application for permit 96-15422-incomplete-no payment received

Hi John,

I am sorry I was not able to reach you when I called this morning. I am writing to you because we received your application for permit (see attached application), but no fee payment was submitted. Please submit the completed application form and fee payment online or mail in the completed application form and payment for \$100.00 (see attached fee schedule). Also, before submitting the application form, please review it for accuracy. On the form you stated the source was ground water, but the description of the point of diversion for the system is a submersible pump in Lake Pend Oreille (surface water). The application should describe the point of diversion as Lake Pend Oreille. Thank you again for taking the time to ensure your completed application is submitted for processing. If you are unable to complete this process online, please use the mailing address below my signature to mail in the completed application, map and payment.

Please feel free to reach out to us with any questions or concerns.

Thank you for your time in this matter.

Regards,

Bob Howe

Water Resource Agent

Phone: 208-287-4800

Bob.howe@idwr.idaho.gov

<image001.png>

Mailing Address:

SCANNED

MAY 31 2023

Howe, Bob

From: Alleman, Tammy
Sent: Thursday, April 13, 2023 3:07 PM
To: Howe, Bob
Subject: FW: Application for Permit 96-15422-received without payment-update
Attachments: John Kelley.pdf

I just received Mr. Kelley's changes today. They are attached and the original is in the mail to your attention.

Thank you,
Tammy

From: Alleman, Tammy
Sent: Thursday, April 13, 2023 9:56 AM
To: Howe, Bob <Bob.Howe@idwr.idaho.gov>
Subject: RE: Application for Permit 96-15422-received without payment-update

Mr. Kelley has paid the \$75 on Receipt #N042979 for WR# 96-15422 and we have requested the fees be transferred from Adjudication to Allocations on Receipt #N042815 for \$25.00. You can proceed with processing this one.

Thank you,
Tammy

From: Howe, Bob <Bob.Howe@idwr.idaho.gov>
Sent: Friday, April 7, 2023 11:00 AM
To: Alleman, Tammy <Tammy.Alleman@idwr.idaho.gov>
Subject: Application for Permit 96-15422-received without payment-update

Hi Tammy,

I spoke with John Kelley, regarding his application for permit received without payment and the POD was entered as ground and surface water. John said he was unable to change the point of diversion from groundwater in the online application and thought the payment had gone through. He explained that he previously tried to file a claim and was denied, but Dawn from the Northern Office told him that the \$25 already paid would be applied to the application fee payment. The applicant said he is working with Dawn on this currently and would like to continue to do so. I let him know that if he needs to he can mail in payment with the completed application, map and fee payment to the state office (I asked that he note the receipt number for the \$25 payment he already submitted on the application). He said he would email me back to let me know what he decides to do.

Please let me know if you need me to do anything further on this. I will let you know once I hear anything from the applicant.

Thank you and have a great day.

Regards,

Bob Howe

Water Resource Agent

Phone: 208-287-4800

Bob.howe@idwr.idaho.gov



Mailing Address:

SCANNED

MAY 31 2023

APPLICATION FOR PERMIT ANALYSIS PERMIT

APPLICATION NO. 96-15422 ASSIGNED AGENT Bob Howe DATE ASSIGNED 4/14/2023

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 From phone/email
☒ 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) 8 Lot/Block and Subdivision name From phone/email
☒ Time required to make beneficial use - A MUST, HOW MANY YEARS 1
☒ Map included – MUST MATCH POD & POU LOCATIONS
☒ Signature (If applicant is corp., company, or municipality, title of signatory is required)
☒ Correct fee received
☒ Complete (data enter, active status and draft set to no), or
 _____ Incomplete (don't data enter) - Additional information required, date requested _____
 _____ Response received, date received _____, (data enter and set status)
 _____ No response - Return application, date returned _____, Refund requested _____

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

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

SEND COPIES TO:

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

ADVERTISING

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

Legal Notice: 5-31-23 Newspaper PRV BCDB Protest deadline 6-26

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

Idaho Department of Water Resources Receipt

Receipt ID: C118646

Payment Amount	\$50.00	Date Received	7/18/2024	Region	STATE
Payment Type	Check	Check Number	1024		
Payer	KELLEY, JOHN T. CAPT				
Comments	STATEMENT OF COMPLETION FOR SUBMITTING PROOF OF BENEFICIAL USE PERMIT # 96-15422 FOR: JOHN T KELLEY				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$50.00	BENEFICIAL USE	56104	0229	21		1155

K.M.

Signature Line (Department Representative)