State of Idaho
Department of Water Resources

Water Right License

Water Right No. 96-13414

Priority: October 24, 2022

Maximum Diversion Rate: 0.01 CFS
Maximum Diversion Volume: 1.2 AF

It is hereby certified that:

JOHN KEAN PO BOX 12134 LAHAINA HI 96761-7134 AND/OR
SUSAN KEAN PO BOX 12134 LAHAINA HI 96761-7134

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 24, 2022, and has submitted Proof of Beneficial Use on March 29, 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	1.2 AF

Location of Point(s) of Diversion
LAKE PEND OREILLE L1(NW¼ NE¼), Sec. 8, 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	8		0.4 L1															0.4

Total Acres: 0.4

Conditions of Approval

1. This right when combined with all other rights shall provide no more than 0.01 cfs nor more than 1.2 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.

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 24th day of April, 2024.

PHILL HUMMER
Water Rights Section Manager

State of Idaho
Department of Water Resources

Attachment to Water Right

96-13414

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
MAR 29 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 ··
Receipt No.	C118051
Receipted By	KM
Date Receipted	3.29.24

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. 96-13414 Name of Permit Holder(s) SUSAN KEAN

Telephone No. 808-283-8974 Email _____

Mailing Address PO BOX 12134 City LAHAINA State HI Zip 96761

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

Other _____

4. Total diversion rate or volume (storage only) for which proof is submitted 0.026 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.)

one horsepower pump to sprinkler system

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 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: SCOTT TIEMEYER Telephone No. 208-290-1667 Email ~~fundrado@frontier.com~~ fundrado64@gmail.com

Mailing Address P.O. BOX 753 City Clark Fork State ID Zip 83811

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.

Susan Kean — SUSAN KEAN OWNER — MAR 12, 2024

SIGNATURE OF PERMIT HOLDER* PRINTED NAME AND TITLE DATE

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

State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 96-13414

Priority: October 24, 2022 **Maximum Diversion Rate:** 0.03 CFS

This is to certify that

JOHN KEAN PO BOX 1449 KIHEI HI 96753 AND/OR
SUSAN KEAN PO BOX 1449 KIHEI HI 96753

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 L1 (NW¼ NE¼), Sec. 8, 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	8		1.0 L1															1.0

Total Acres: 1.0

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2024.**
2. Subject to all prior water rights.
3. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
5. 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 28 day of March, 2023.

LUKE BATES
Interim Water Rights Supervisor

SCANNED
MAR 30 2023

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-13414

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.



0 0.035 0.07 0.14 Miles

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

N

SCANNED
MAR 30 2023

RECEIVED
OCT 24 2022
IDWR / NORTH

RECEIVED
OCT 03 2022
IDWR / NORTH

FORM 202 Rev. 09/16

87131

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 96-13414

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) John and/or Susan Kean Phone 808-283-8974
   Name connector (check one): ☐ and ☐ or ☑ and/or
   Mailing address PO BOX 1449 City Kihei
   State HI ZIP 96753 Email svsanonmaui@gmail.com
2. Name of representative, if any _____ Phone _____
   Mailing address _____ City _____
   State _____ ZIP _____ Email _____
   a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
      ☐ Send original correspondence to the applicant and copies to the representative.
   b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
      ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Lake Pend Oreille which is a tributary of Pend Oreille River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
57N	1W	8	1		NW	NE	Bonner	Lake Pend Oreille	

5. Water will be used for the following purposes:
   Amount ~~0.05 cfs~~ (cfs or acre-feet per year) for Irrigation purposes from ~~5/15~~ 04-01 to ~~10/15~~ 10-31 (both dates inclusive) estimate SCK 10/16/22
   Amount 0.03 (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive) 10/16/22 SCK
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
   0.03 SCK 10/16/22
6. Total quantity to be appropriated is (a) ~~0.05~~ cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
   a. Describe type and size of devices used to divert water from the source. 2" plastic line 100' into lake a pump all original, unchanged
   b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
   c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
   d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
   e. If well is already drilled, when? _____; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____

SCANNED NOV 8 2022

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee $ 1000 Receipted by NS Receipt No. N041330 Date 10/03/22

8. Description of proposed uses (if irrigation only, go to item 9):
   a. Hydropower; show total feet of head and proposed capacity in kW. _____
   b. Stockwatering; list number and kind of livestock. _____
   c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
   d. Domestic; show number of households ~~1~~
   e. Other; describe fully. irrigation use only

9. Description of place of use:
   a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
   b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	1W	8		1.0															1.0

Total number of acres to be irrigated: 1.0

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

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

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Requesting permit for existing use of irrigation water from Lake.

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.

Susan Kean
Signature of Applicant

Susan Kean
Print Name (and title, if applicable)

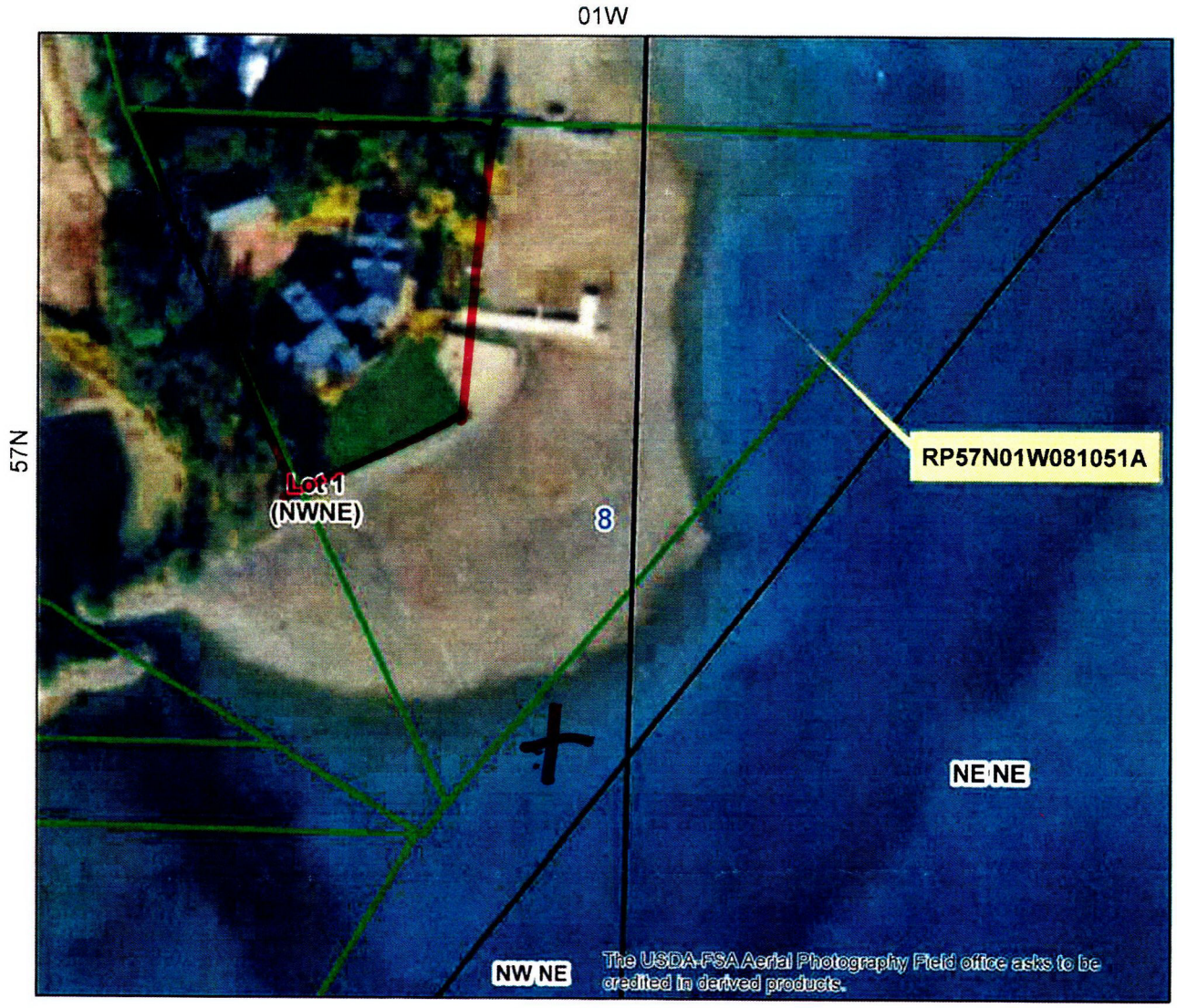
Signature of Applicant

John M. Kean
Print Name (and title, if applicable)

SCANNED
NOV 08 2022

State of Idaho
Department of Water Resources

Application For Permit



0 0.015 0.03 0.06 Miles

PLS Sections
Quarter Quarters
Taxlots

X - Point of Diversion
D - Place of use

N

Tax parcel information provided by Bonner County.

Prepared by: Shaun Maxey, IDWR

SCANNED
NOV 08 2022

Instrument # 887810
BONNER COUNTY, SANDPOINT, IDAHO
4-19-2016 01:05:32 PM No. of Pages: 1
Recorded for : NIT/KEAN
MICHAEL W ROSEDALE Fee: 10.00
Ex-Officio Recorder Deputy CB
Index to: QUIT CLAIM DEED

QUITCLAIM DEED

FOR VALUE RECEIVED John M Kean and Susan Conway Kean, husband and wife as community property with right of survivorship , hereinafter referred to as "Grantor", do hereby convey, release, remise and forever quitclaim unto, The John M. Kean Revocable Trust dated November 30, 2005 and The Susan C. Kean Revocable Trust Dated November 30, 2005, hereinafter referred to as "Grantees", whose address is: PO Box 1449, Kihei, HI 96753 the following lands and property, together with all improvements located thereon, lying in the County of Bonner, State of Idaho, to-wit:

PARCEL 1:

A TRACT OF LAND IN GOVERNMENT LOT 1, SECTION 8, TOWNSHIP 57 NORTH, RANGE 1 WEST, BOISE MERIDIAN, BONNER COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 8;

THENCE ALONG THE NORTH LINE OF SECTION 8, EAST 725.82 FEET;

THENCE SOUTH 40 DEGREES 36' 00" EAST, 131.77 FEET;

THENCE SOUTH 35 DEGREES 27' 00" EAST, 122.74 FEET;

THENCE SOUTH 20 DEGREES 05' 00" EAST, 106.48 FEET;

THENCE SOUTH 15 DEGREES 34' 00" EAST, 311.46 FEET TO THE BEGINNING OF THIS DESCRIPTION;

THENCE EAST, 638.79 FEET;

THENCE SOUTH 46 DEGREES 30' 00" WEST 26.50 FEET;

THENCE SOUTH 36 DEGREES 45' 00" WEST 577.89 FEET;

THENCE NORTH 29 DEGREES 49' 15" WEST, 554.27 FEET;

THENCE NORTH 74 DEGREES 26' 00" EAST, 1.76 FEET TO THE TRUE POINT OF BEGINNING, WITH THE SIDELINES OF SAID TRACT BEING EXTENDED OR SHORTENED TO INTERSECT THE ORIGINAL MEAN HIGH WATER LINE OF LAKE PEND OREILLE.

TO HAVE AND TO HOLD same unto Grantees, and unto Grantees' assigns forever, with all appurtenances thereunto belonging and including after acquired title.

Date: April 8, 2016

John M Kean

Susan Conway Kean

STATE OF HAWAII)
)ss.
COUNTY OF MAUI)

On this APRIL 8, 2016 before me, the undersigned, a notary public in and for said state, personally appeared, John M. Kean and Susan Conway Kean known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

NOTARY PUBLIC BLANCA L. LAFOLETTE
Residing at:
My Commission Expires: 10/15/16

Doc. Date: APRIL 8, 2016 # Pages: 1
BLANCA L. LAFOLETTE, Notary Public, Second Circuit
Doc. Description: Quitclaim Deed
Notary Signature Date: 4/8/16

NOTARY PUBLIC COMMISSION No. 2008-197 STATE OF HAWAII

NOTARY PUBLIC

SCANNED
NOV 08 2022

SCANNED
NOV 18 2022



FORM 202 Rev. 09/16

RECEIVED
OCT 03 2022
IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. _____

1. Name of applicant(s) Johnand Susan Kean Phone 808-283-8974
   Name connector (check one): ☐ and ☐ or ☑ and/or
   Mailing address PO BOX 1449 City Kihei
   State HI ZIP 96753 Email svsanonmaui@gmail.com
2. Name of representative, if any _____ Phone _____
   Mailing address _____ City _____
   State _____ ZIP _____ Email _____
   a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
   ☐ Send original correspondence to the applicant and copies to the representative.
   b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
   ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Lake Pend Oreille which is a tributary of _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
57N	1W	8	1				Bonner	Lake Pend Oreille	

5. Water will be used for the following purposes:
   Amount 0.05 cfs (cfs or acre-feet per year) for Irrigation purposes from 5/15 to 10/15 (both dates inclusive) estimate
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)

SUPERSEDED

6. Total quantity to be appropriated is (a) 0.05 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
   a. Describe type and size of devices used to divert water from the source. 2" plastic line 100' into lake a pump all original, unchanged
   b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
   c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
   d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
   e. If well is already drilled, when? _____; drilling firm _____;
   well was drilled for (well owner) _____; Drilling Permit No. _____.

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee $ 100.00 Receipted by NS Receipt No. N1041330 Date 10/03/22

RECEIVED
OCT 03 2022

8. Description of proposed uses (if irrigation only, go to item 9):
   a. Hydropower; show total feet of head and proposed capacity in kW. _____
   b. Stockwatering; list number and kind of livestock. _____
   c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
   d. Domestic; show number of households 1
   e. Other; describe fully. irrigation use only

9. Description of place of use:
   a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
   b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	1W	8																	

SUPERSEDED

Total number of acres to be irrigated: 1

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

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

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. _____
Requesting permit for existing use of irrigation water from Lake.

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

Susan Kean
Signature of Applicant

Susan Kean
Print Name (and title, if applicable)

Signature of Applicant

John M. Kean
Print Name (and title, if applicable)

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 25, 2024

JOHN KEAN
SUSAN KEAN
PO BOX 12134
LAHAINA HI 96761-7134

RE: License No. 96-13414

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,

Phill Hummer

Phill Hummer
Water Rights Section Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on April 25, 2024, I served a true and correct copy of Water Right License No. 96-13414 by U.S. Mail, postage prepaid, to the following:

SUSAN KEAN (Current Owner)
PO BOX 12134
LAHAINA HI 96761-7134

JOHN KEAN (Current Owner)
PO BOX 12134
LAHAINA HI 96761-7134

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.

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

A. GENERAL INFORMATION

Exam Date: 04/08/2024

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: **JOHN & SUSAN KEAN**
   Owner of Record Correct? _____N
   Address of Record Correct? ___X__N
   If No Explain: NEW MAILING ADDRESS ON PROOF OF BENEFICIAL USE-UPDATED IN ADHOC
   POBOX 12134
   LAHAINA, HI 96761-7134

3. Beneficial Use Fees have been paid: _X_Y ____N Receipt No: C118051

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

Method of Determination: Bonner County Maps, GIS, and Tax Lot Data.
Change in Source: ____Y __X_N

B. OVERLAP REVIEW

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

Water Right No.	Source	Purpose of Use	Basis
96-7011	LAKE PEND OREILLE	DOMESTIC	LICENSE
96-8953	LAKE PEND OREILLE	MUNICIPAL	LICENSE

Comments: Rights 96-7011 & 96-8953 are surface water rights for domestic use and municipal use respectively, which IDWR records list as currently owned by Oden Water Assn. There are no concerns regarding additional irrigation use within the permit POU as the rights listed above are for different beneficial uses. There are no irrigation rights overlapping the permit POU.

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

Water Right No.	Source	Purpose of Use	Basis
NONE	NA	NA	NA

Comments: There are no rights sharing the permit point of diversion (POD).

C. DIVERSION AND DELIVERY SYSTEM

1. Location of Point(s) of Diversion:

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Screened Inlet in lake	1		NW	NE	8	57N	01W	B.M.	BONNER

Method of Determination: GIS and Tax lot 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	
57N	01W	8		0.4															0.4
		Lot #		1															
																Total Acres =			0.4

Method of Determination: Bonner County Maps, GIS, and Tax Lot Data.

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_ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.

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

___ Photo of Diversion and System Attached

3. Diversion Id No.*	Motor Make	HP	Pump Model	Pump Make	Pump Serial No. or Discharge Size
Screened inlet in lake	Unknown	1	Unknown	Unknown	Unknown

**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
NONE	NA	NA	NA	NA	NA	NA

2. Measurement Comments: The permit holder stated on the statement of completion that the system operates on a 1 Hp pump. A maximum head of about 30 ft was estimated to the licensed POU using the DRG map.

E. FLOW CALCULATIONS ___Additional Computation Sheets Attached

Measured Method:

A theoretical calculation and Administrative Memo #17 were used to determine a reasonable rate of diversion.

Q = (1 Hp)(8.8)(0.80 efficiency)/(30 ft lift) + (2.31)*(45 psi) = 0.05cfs

Theoretical Calculation= 0.05cfs
Permit allowed = 0.03cfs
Recommendation= 0.01cfs

Comments:

Approximately 0.4-acre of irrigation was measured via GIS aerial imagery. Correspondence from the permit holder Susan Kean on April 8, 2024, confirmed the irrigated areas verbally and via email. The system was described by the permit holder as a 1 Hp pump, which delivers water through an inground sprinkler system to sprinklers throughout the POU.

The theoretical calculation determined approximately 0.05cfs is possible with a 1 Hp pump. According to Administrative memo #17 up to 0.03cfs per acre is standard for the irrigation of up to 5 acres. The confirmed irrigated POU is approximately 0.4 acres. I am recommending a diversion rate of 0.01cfs for the license, as per Administrative Memos 17 & 6.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 0.4-acre x 3.0 AF= 1.2 AF

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation season) x 1.9835 = 0.02cfs x 214 days x 1.9835= 8.5 AF

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 1.2 AF

Comments:

As the POU is less than 1 acre condition X31 should remain on the license stating an annual volume 1.2 AF for the irrigation of 0.4-acre, as per the headgate calculation above.

G. PURPOSE OF USE

Irrigation _X_Y ____N # Stock__NA_____ Domestic # of Homes _NA_

Change in Purpose of Use? ____Y _X_N

Method of Determination: Bonner County Maps, GIS, and Tax lot Data

H. NARRATIVE/REMARKS/COMMENTS

This permit for the irrigation of 1.0 acre qualifies for an in-office examination for license. The permit holder submitted the Proof of Beneficial Use, received by IDWR on March 29, 2024, stating in section #3 that the beneficial use was developed for 1.0 acre of irrigation. I confirmed approximately 0.4-acre of irrigation was developed using aerial imagery (see figures 1, 2, & 3). The permit holder did not provide a map of the POU and POD or a system diagram, so I called the permit holder on April 8, 2024, to discuss the documentation submitted. The permit holder Susan Kean reviewed the areas irrigated and confirmed that 0.4-acre of irrigation was a reasonable assessment for the POU. The permit holder stated that the treed area adjacent to the road in the north is not irrigated. A system diagram was requested from the caretaker Scott Tiemyer, but none was ever received.

A theoretical calculation confirmed that the pump could deliver the rate on the permit. The irrigation area confirmed for the license is approximately 0.4-acre. I recommend the license be issued for a rate of 0.01cfs, as per Administrative Memos #17 and #6. I recommend the license be issued for an annual volume of 1.2 AF for the irrigation of 0.4-acre, based on the field headgate calculation in section F of this report. The permit holder did state that the flower beds can be watered with well water. I explained that the license and permit are conditioned that the combined use cannot exceed a rate 0.03 cfs per acre or 3.0 AF per acre annual volume.

I recommend the license be issued with conditions X31& 004. Condition 029 should be removed from the license, the permit holder confirmed that there is a screen installed. Condition R66 should be replaced with X31 since the area irrigated was confirmed to be less than 1.0 acre.

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 TO 10/31	0.01 CFS	1.2 AF
	Totals:	0.01 CFS	1.2 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- Bob Howe- Water Resource Agent

Field Examiner's _____ Date 4/24/24

Reviewer _____ Date 4/24/24



Figure 1- Bonner County GIS- imagery of the parcel appurtenant to the permit POU.



Figure 2-Bonner County GIS-imagery of the confirmed irrigation area.



Figure 3- GIS 2023- imagery- The irrigation POU is outlined in blue. The POD is indicated by a blue point. The permit holder confirmed that the treed tree covered areas and the area along the shoreline north of the dock are not irrigated.

Mansfield, Debra

From: Howe, Bob
Sent: Thursday, April 25, 2024 9:19 AM
To: Mansfield, Debra
Subject: FW: Mailing Address Change-RE: Additional Information Requested- Permit 96-13414

Here Ya go Deb!

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: Tuesday, April 9, 2024 9:07 AM
To: Susan Conway Kean <susanonmaui@gmail.com>
Subject: RE: Mailing Address Change-RE: Additional Information Requested- Permit 96-13414

Hi Susan,
You can disregard the address change form I sent you. I was informed that we can use your statement of completion form to update the address. Sorry for any confusion. Have a great day!

Best 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: Tuesday, April 9, 2024 8:59 AM
To: Susan Conway Kean <susanonmaui@gmail.com>
Subject: Mailing Address Change-RE: Additional Information Requested- Permit 96-13414

Hi Susan,
I noticed you have a different mailing address on you statement of completion. If you need to update your mailing address, please fill out and sign the attached form and submit it to file@idwr.idaho.gov. Thank you for your time and attention in this matter.

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: Susan Conway Kean <susanonmaui@gmail.com>
Sent: Monday, April 8, 2024 10:36 AM
To: Howe, Bob <Bob.Howe@idwr.idaho.gov>; Scott tiemeyer <tundradog64@gmail.com>
Subject: Re: Additional Information Requested- Permit 96-13414

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.

Thank you for your call this morning. Your assessment is correct, the area being irrigated is more like 0.4 acre. I overestimated the area. Thank you for discussing this with me. I will reach out to my caretaker, Scott, and have him draw up a sketch for the irrigation system.

With Appreciation,
Susan Kean

On Mon, Apr 8, 2024 at 6:21 AM Howe, Bob <Bob.Howe@idwr.idaho.gov> wrote:

Dear John & Susan,

The Department received the Proof of Beneficial Use you submitted for permit #96-13414. I am currently reviewing the permit eligibility for an in-office examination for licensing. In-office examination expedites the licensing process by using information and documentation submitted by the permit holder(s) and GIS aerial images to process the examination without the need for a field examination to be scheduled and conducted at a later time. The permit issued provided a scope for the development of future uses. The purpose of the examination is to record the details of the use that has been developed.

After reviewing your Proof of Beneficial Use, there are a couple items in need of further information or clarification.

(1) The aerial imagery indicates approximately 0.5 acres of lawn and landscaping is irrigated (see attached measurement image); other areas appear to be riparian (see attached images). On section #3 of the Statement of Completion you stated that the extent of the irrigation use developed is 1.0 acres. Does this assessment seem correct, or are there areas under tree cover being irrigated? If so, please provide a map outlining the irrigated area(s) on one of the attached images, and describe the method of irrigation in these areas in an emailed response.

(2) Please provide a sketch of the system diagram from the point of diversion to delivery for the irrigation occurring. Making sure to identify the **boundary of the area(s) irrigated**, **sprinklers**, **water lines** (including dia. and type, for example ½" poly pipe), the **pump** (make and model if known). This can be drawn on one of the images I have attached to this email, or you may use your own. Then attach the diagram to an email with any additional information regarding the system and/or that would be helpful in describing the system diagram.

Feel free to reach out to me with any questions or concerns regarding the items requested. If I am unavailable any of my team members should be able to assist you, if you provide your permit # 96-13414. It is important that you **respond to this request within 14 days** by email and/or phone, in order to pursue this method to expedite your licensing process.

Thank you for your time and attention in this matter.

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

Beneficial Use Proof Evaluation

Permit Number: 96-13414 Reviewer: AVeibell Review Date: 4/1/2024

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: 3/29/2024
4) Proof Due Date: 4/1/2024
5) Days added for weekend due date? 0
6) Days added for holiday due date? 0
7) Number of days late: -3
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

N041330

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

January 31, 2024

JOHN KEAN
SUSAN KEAN
PO BOX 1449
KIHEI HI 96753

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 96-13414

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 **April 01, 2024**. Please complete and return the enclosed Statement of Completion for Submitting Proof of Beneficial Use (proof) if you have completed the water project authorized by your permit. The proof statement must be accompanied by either the appropriate license examination fee or a field examination report prepared by a certified water right examiner.

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

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

Sincerely,

Amanda Veibell

Amanda Veibell
Technical Records Specialist

Enclosure(s)

IDAHO DEPARTMENT OF
WATER RESOURCES

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

March 29, 2023

SUSAN KEAN
JOHN KEAN
PO BOX 1449
KIHEI HI 96753

RE: Permit No. 96-13414

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
MAR 30 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
MAR 30 2023

CERTIFICATE OF SERVICE

I hereby certify that on March 29, 2023, I served a true and correct copy of Permit to Appropriate Water No. 96-13414 by U.S. Mail, postage prepaid, to the following:

SUSAN KEAN (Current Owner)
PO BOX 1449
KIHEI HI 96753

JOHN KEAN (Current Owner)
PO BOX 1449
KIHEI HI 96753

Tammy Alleman
Administrative Assistant 1

SCANNED
MAR 30 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
MAR 30 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.

SCANNED
MAR 30 2023

RECEIVED
DEC 05 2022
IDWR / NORTH

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Bonner)

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 17th day of November, 2022, and ending on the 24th day of November, 2022.

Italia Jimenez

State of Idaho, county of Bonner ss.
On this 29th day of November, 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/she (or they) executed the same.

Katrina George
Notary Public
Residing at: Kootenai County

My Commission Expires 8/29/23

SCANNED
MAR 30 2023

LEGAL NOTICE

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

96-10785
DILLON BLOOMER
ROGER BLOOMER
240 SHALOM CT
CLARK FORK, ID 83811-7809
Point of Diversion SENWSW
S20 T55N R03E
BONNER County
Source SPRING
Tributary SINKS
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 11-01-2022
Place Of Use: DOMESTIC
T55N R03E S20 NWSW

96-12257
SUSAN FAIRCLOUGH
4858 BERNAL AVE
PLEASANTON, CA 94566-1155
Point of Diversion SWNESW
S6 T56N R02E
BONNER County
Source SPRING
Tributary CARTER CREEK
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 10-14-2022
Place Of Use: DOMESTIC
T56N R02E S6 NESW

96-12384
MARTIN HOYE
8459 SUNNYSIDE RD
SANDPOINT, ID 83864-6664
Point of Diversion NESESW
S2 T57N R01W
BONNER County
Source SPRING
Tributary LAKE PEND OREILLE
Use: FIRE PROTECTION STORAGE
1 /1 to 12/31 2 AF
Use: IRRIGATION FROM STORAGE
4 /1 to 10/31 18 AF
Use: IRRIGATION STORAGE
1 /1 to 12/31 18 AF
Use: FIRE PROTECTION FROM STORAGE
01/01 to 12/31 2 AF
Total Diversion: 20 AF
Date Filed: 11-02-2022
Place Of Use: FIRE PROTECTION FROM STORAGE,FIRE PROTEC-TION STORAGE,IRRIGATION FROM STORAGE,IRRIGATION STORAGE
T57N R01W S2 SESW
Total Acres: 6

96-12471
STEVE ROOS
134 SUNNYSIDE RD
SANDPOINT, ID 83864
Point of Diversion SWNW
S4 T57N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: IRRIGATION
4 /1 to 10/31
Total Diversion: 0.05 CFS
Date Filed: 08-26-2022
Place Of Use: IRRIGATION
T57N R01W S4 SWNW
Total Acres: 1.7

96-[redacted]51
GABE SELLERS
JENNIFER SELLERS
132 PINECONE ROAD
SANDPOINT, ID 83864
Point of Diversion L1(NWNW)
S7 T58N R01W
BONNER County
Source GROUND WATER
Use: DOMESTIC
1 /1 to 12/31 0.06 CFS
Use: IRRIGATION
04/1 to 10/31 0.2 CFS
Use: STOCKWATER
1 /1 to 12/31 0.02 CFS
Total Diversion: 0.2 CFS
Date Filed: 11-01-2022
Place Of Use: DOMESTIC, IRRIGATION,STOCKWATER
T58N R01W S7 L1(NWNW)
Total Acres: 15

96-12836
EMMETT JONES
60 JONES RD
SAGLE, ID 83860
Point of Diversion L1(SESW)
S19 T57N R01W
BONNER County
Source PEND OREILLE LAKE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
4 /1 to 10/31
Total Diversion: 0.04 CFS
Date Filed: 09-29-2022
Place Of Use: DOMESTIC
T57N R01W S19 L1(SWSW),L1(SESW)
Place Of Use: DOMESTIC
T57N R01W S30 L4(NWNW),L3(NENW)

96-12844
BASCOM & TERRI PALMER TRUST
270 GROUSE CREEK CUTOFF
SANDPOINT, ID 83864
Point of Diversion SWNE
S2 T58N R01W
BONNER County
Source GROUND WATER
Point of Diversion SENW
S2 T58N R01W
BONNER County
Source GROUND WATER
Use: IRRIGATION
4 /1 to 10/31 0.2 CFS
Use: FIRE PROTECTION
1 /1 to 12/31 0.2 CFS
Use: DOMESTIC
1 /1 to 12/31 0.11 CFS
Use: STOCKWATER
1 /1 to 12/31 0.02 CFS
Total Diversion: 0.2 CFS
Date Filed: 10-28-2022
Place Of Use: DOMESTIC,FIRE PRO-TECTION,STOCKWATER
T58N R01W S2 L3(NENW),L2(NWNE), SWNE,SWNW,SENW
Place Of Use: IRRIGATION
T58N R01W S2 L3(NENW),SWNE,SENW
Total Acres: 11

96-13203
RODERICK H STANFORD
ROBERTA STANFORD

1751 WINDERMERE LOOP RD
WINDERMERE, BC V0B 2L2
Point of Diversion L2(SWNW)
S29 T56N R03W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 10-27-2022
Place Of Use: IRRIGATION
T56N R03W S29 L2(SWNW)
Total Acres: 0.8

96-[redacted]
96-13348
ROLEY SCHOONOVER
1413 UPPER GOLD CREEK RD
SANDPOINT, ID 83864
Point of Diversion SENESE
S6 T58N R01E
BONNER County
Source SPRING
Tributary GOLD CREEK
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 10-31-2022
Place Of Use: DOMESTIC
T58N R01E S5 SWSW
Place Of Use: DOMESTIC
T58N R01E S6 SESE,NESE

96-13384
CARL PIETRON
PATRICIA PIETRON
2342 WRENCO LOOP
SANDPOINT, ID 83864
Point of Diversion NWSE
S29 T57N R03W
BONNER County
Source UNNAMED STREAM
Tributary JOHNSON CREEK
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.15 CFS
Date Filed: 10-24-2022
Place Of Use: IRRIGATION
T57N R03W S29 NESE,NWSE
Total Acres: 5

96-13387
COLEGROVE TRUST
1392 LOWER PACK RIVER RD
SANDPOINT, ID 83864-8183
Point of Diversion SWNENW
S19 T59N R01W
BONNER County
Source SPRING
Tributary SINKS
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 10-24-2022
Place Of Use: IRRIGATION
T59N R01W S19 NENW
Total Acres: 1

96-13414
JOHN KEAN
SUSAN KEAN
PO BOX 1449
KIHEI, HI 96753-1449
Point of Diversion L1(NWNE)
S8 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: 10-24-2022
Place Of Use: IRRIGATION
T57N R01W S8 L1(NWNE)
Total Acres: 1

96-13439
MARK SAUTER
205 CEDAR RIDGE RD
SANDPOINT, ID 83864-9029
Point of Diversion SESW
S31 T56N R03W
BONNER County
Source HOODOO CREEK
Tributary PEND OREILLE RIVER
Use: DIVERSION TO STORAGE
01/01 to 12/31 0.2 CFS
Use: FIRE PROTECTION STORAGE
01/01 to 12/31 9.8 AF
Use: RECREATION STORAGE

SCANNED
MAR 30 2023

01/01 to 12/31 9.8 AF
Use: IRRIGATION STORAGE
01/01 to 12/31 27 AF
Use: IRRIGATION FROM STORAGE
04/01 to 10/31 27 AF
Total Diversion: 0.2 CFS, 36.8 AF
Date Filed: 10-25-2022
Place Of Use: DIVERSION TO STORAGE,FIRE PROTECTION STORAGE,IRRIGATION FROM STORAGE,IRRIGATION STORAGE,RECREATION STORAGE
T56N R03W S31 L5(SWSW)
Place Of Use: IRRIGATION FROM STORAGE
T56N R03W S31 L4(NWSW)
Total Acres: 9

96-13441
MARK SAUTER
205 CEDAR RIDGE RD
SANDPOINT, ID 83864-9029
Point of Diversion L5(SWSW)
S31 T56N R03W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.1 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.12 CFS
Date Filed: 10-25-2022
Place Of Use: DOMESTIC,STOCKWATER
T56N R03W S31 L4(NWSW),L5(SWSW),SESW

96-13476
CHARLES R SWARTZ
4633 ELMIRA RD
SANDPOINT, ID 83864
Point of Diversion NWSE
S12 T59N R01W
BONNER County
Source SAND CREEK
Tributary PACK RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.15 CFS
Date Filed: 10-27-2022
Place Of Use: IRRIGATION
T59N R01W S12 NWSE
Total Acres: 5

96-13548
THOMAS COMETTO
LORI COMETTO
PO BOX 665
PONDERAY, ID 83852-0665
Point of Diversion SENW
S24 T59N R01E
BONNER County
Source GROUSE CREEK
Tributary GROUSE CREEK
Use: FIRE PROTECTION
01/01 to 12/31 0.2 CFS
Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Total Diversion: 0.2 CFS
Date Filed: 10-28-2022
Place Of Use: FIRE PROTECTION
T59N R01E S24
NENW,SENW
Place Of Use: IRRIGATION
T59N R01E S24 SENW
Total Acres: 2

96-13575
TERRY C BLOOM
PO BOX 74
KOOTENAI, ID 83840-0074
Point of Diversion SESW
S6 T57N R01W
BONNER County
Source BOYER SLOUGH
Tributary LAKE PEND OREILLE
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.2 CFS
Date Filed: 10-28-2022
Place Of Use: IRRIGATION
T57N R01W S6 SESW
Total Acres: 4

96-13582
HONEY POT TRUST
PO BOX 3762
COEUR D ALENE, ID 83816-2530
Point of Diversion L3(SWNW)
S25 T57N R02W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
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: 11-01-2022
Place Of Use: FIRE PROTECTION,IRRIGATION
T57N R02W S25 L3(SWNW)
Total Acres: 0.6

96-13590
HEIDI R EARL
ROBERT M EARL
PO BOX 51
LACLEDE, ID 83841-0051
Point of Diversion NESW
S19 T56N R03W
BONNER County
Source RILEY CREEK
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.08 CFS
Date Filed: 11-01-2022
Place Of Use: IRRIGATION,STOCKWATER
T56N R03W S19 NESW
Total Acres: 2

96-13599
CLIFFORD DAVIS
GINA DAVIS
145 HERITAGE LN
SANDPOINT, ID 83864-0706
Point of Diversion SENW
S9 T58N R01W
BONNER County
Source PACK RIVER
Tributary LAKE PEND OREILLE
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 10-20-2022
Place Of Use: IRRIGATION,STOCKWATER
T58N R01W S9
SWNW,SENW
Total Acres: 13.3

98-8103
BEN AND PAULA DUNN
LIVING TRUST
PO BOX 1
COLBURN, ID 83865-0001
Point of Diversion NWNW
S10 T59N R01W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.07 CFS
Date Filed: 10-24-2022
Place Of Use: DOMESTIC,IRRIGATION
T59N R01W S10
NENW,NWNW
Total Acres: 1

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; or for a full description of the right(s), please see https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of $25.00 for each application on or before 12/5/2022. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
Legal#4690
AD#2518
November 17, 24, 2022

SCANNED
MAR 30 2023

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

W.R. # 96 - 13414 APPLICATION ID # 87131 ENT. _____ BCA SA OK to Publish MR

INITIAL REVIEW

APPLICANT: KEAN, John & KEAN, Susan BY: sm DATE: 10/25/2022

ITEM	REQUIRED INFORMATION
1.	(✓) Name and Address
2.	(✓) Source
3.	(✓) Point of Diversion & County
4.	(✓) Quantity
	(✓) Nature of Proposed Use
	(✓) Period of Use
5.	(✓) Total Quantity
6.	(✓) Description of diverting works
7.	(✓) Time required for b/u
8.	(✓) Proposed use
9.	(✓) Place of use or acres irrigated
10.	(✓) Other water Rights
11.	(✓) Ownership
12.	(✓) Map
	(✓) Signature
	(✓) Fee (Amt, receipt, acknowledgement)

*** Send info sheet Y( ) N(✓)

ADDITIONAL INFORMATION

(Yes)(No)

✓ ___ **Shape File Created** Date 10/25/22 By: sm

___ ___ Field check: by _____

___ ___ Field report attached

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

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

PROCESSING

(Yes)(No)

PRIORITY DATE: 10/24/2022

___ ✓ (Include Moratorium Remark)

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

ADVERTISE IN: BONNER County

Newspaper: Bonner County Daily Bee

Dates scheduled for publication 11-17-22 & 11-24-22

Affidavit of Publication received: 12-5-22

Dates actually published: 11-17-22 & 11-24-22

Application published correctly. Yes ✓ No ___

If not, action taken: _____

Final Date for Protest: December 5, 2022

Protests Received: Yes ___ No ✓

IDOH, IDFG

LETTERS SENT REQUESTING:

( ) Dam Information ( ) Fish Information

( ) Power Information ( ) Other: _____

INFORMATION RECEIVED:

( ) Dam Information ( ) Fish Information

( ) Power Information ( ) Other: _____

GROUNDWATER SECTION

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

___ ___ Groundwater management area

___ ___ Critical ground water area

___ ___ Well Drilling Permit required

___ ___ Well Drilling Application and Fees received

___ ___ Well Drilling Application approved?

Lake Pend Oreille tributary to Pend Oreille River

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

___ ___ Notice of pending void order issued.

___ ___ Further information required from applicant _____

Final order response date: ___/___/___

___ ___ Measuring device required

___ ___ Measuring port required

___ ___ Special conditions: _____

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

Approval Recommended by: _____ Date: 3/28/23 Sr. Agent initial JB Interim Supervisor

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

November 8, 2022

JOHN KEAN
SUSAN KEAN
PO BOX 1449
KIHEI, HI 96753-1449

RE: Application for Permit No. 96-13414

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 11/17/2022 and 11/24/2022. 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,

Tammy Alleman
Administrative Assistant

CC:
IDAHO DEPT OF LANDS
PO BOX 83720
BOISE, ID 83720-0050

SCANNED

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, November 8, 2022 3:11 PM
To: 'Mike Ahmer'; Horsmon,Merritt
Subject: Request for Comments for 96-13414
Attachments: 96-13414 Application for Permit.pdf

Dear Interested Agencies:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced Water Right Permit application. You can find copies of the application at: http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of the application(s), you may do so after the notice is published by filing a written protest along with a $25.00 filing fee within 10 days after final publication. The deadline for comments on the applications is December 5, 2022.

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

Thank you,

IDAHO DEPARTMENT OF WATER RESOURCES

Tammy Alleman | Administrative Assistant
Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone: (208) 762-2800

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, November 8, 2022 12:09 PM
To: bcdblegals@cdapress.com
Subject: Legal Notice for BCDB
Attachments: Legal Notice for BCDB.docx

Please publish the enclosed legal notice in the **Bonner County Daily Bee** on the dates indicated **November 17th & November 24th, 2022** (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

Please send a proof once you have the article ready for print for our review.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before **December 5, 2022.** Your cooperation is appreciated.

Sincerely,

IDAHO DEPARTMENT OF WATER RESOURCES

Tammy Alleman | Administrative Assistant
Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone: (208) 762-2800

SCANNED

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

96-10785
DILLON BLOOMER
ROGER BLOOMER
240 SHALOM CT
CLARK FORK, ID 83811-7809
Point of Diversion SENWSW
S20 T55N R03E
BONNER County
Source SPRING
Tributary SINKS
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 11-01-2022
Place Of Use: DOMESTIC
T55N R03E S20 NWSW

96-12257
SUSAN FAIRCLOUGH
4858 BERNAL AVE
PLEASANTON, CA 94566-1155
Point of Diversion SWNESW
S6 T56N R02E
BONNER County
Source SPRING
Tributary CARTER CREEK
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 10-14-2022
Place Of Use: DOMESTIC
T56N R02E S6 NESW

96-12384
MARTIN HOYE
8459 SUNNYSIDE RD
SANDPOINT, ID 83864-6664
Point of Diversion NESESW
S2 T57N R01W
BONNER County
Source SPRING
Tributary LAKE PEND OREILLE
Use: FIRE PROTECTION STORAGE
1 /1 to 12/31 2 AF
Use: IRRIGATION FROM STORAGE
4 /1 to 10/31 18 AF
Use: IRRIGATION STORAGE
1 /1 to 12/31 18 AF
Use: FIRE PROTECTION FROM STORAGE
01/01 to 12/31 2 AF
Total Diversion: 20 AF
Date Filed: 11-02-2022
Place Of Use: FIRE PROTECTION FROM STORAGE,FIRE PROTECTION STORAGE,IRRIGATION FROM STORAGE,IRRIGATION STORAGE
T57N R01W S2 SESW
Total Acres: 6

96-12471
STEVE ROOS
134 SUNNYSIDE RD
SANDPOINT, ID 83864
Point of Diversion SWNW
S4 T57N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: IRRIGATION
4 /1 to 10/31
Total Diversion: 0.05 CFS
Date Filed: 08-26-2022
Place Of Use: IRRIGATION
T57N R01W S4 SWNW
Total Acres: 1.7

96-12551
GABE SELLERS
JENNIFER SELLERS
132 PINECONE ROAD

SANDPOINT, ID 83864
Point of Diversion L1(NWNW)
S7 T58N R01W
BONNER County
Source GROUND WATER
Use: DOMESTIC
1 /1 to 12/31 0.06 CFS
Use: IRRIGATION
04/1 to 10/31 0.2 CFS
Use: STOCKWATER
1 /1 to 12/31 0.02 CFS
Total Diversion: 0.2 CFS
Date Filed: 11-01-2022
Place Of Use: DOMESTIC,IRRIGATION,STOCKWATER
T58N R01W S7 L1(NWNW)
Total Acres: 15

96-12836
EMMETT JONES
60 JONES RD
SAGLE, ID 83860
Point of Diversion L1(SESW)
S19 T57N R01W
BONNER County
Source PEND OREILLE LAKE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
4 /1 to 10/31
Total Diversion: 0.04 CFS
Date Filed: 09-29-2022
Place Of Use: DOMESTIC
T57N R01W S19
L1(SWSW),L1(SESW)
Place Of Use: DOMESTIC
T57N R01W S30
L4(NWNW),L3(NENW)

96-12844
BASCOM & TERRI PALMER TRUST
270 GROUSE CREEK CUTOFF
SANDPOINT, ID 83864
Point of Diversion SWNE
S2 T58N R01W
BONNER County
Source GROUND WATER
Point of Diversion SENW
S2 T58N R01W
BONNER County
Source GROUND WATER
Use: IRRIGATION
4 /1 to 10/31 0.2 CFS
Use: FIRE PROTECTION
1 /1 to 12/31 0.2 CFS
Use: DOMESTIC
1 /1 to 12/31 0.11 CFS
Use: STOCKWATER
1 /1 to 12/31 0.02 CFS
Total Diversion: 0.2 CFS
Date Filed: 10-28-2022
Place Of Use: DOMESTIC,FIRE PROTECTION,STOCKWATER
T58N R01W S2
L3(NENW),L2(NWNE),
SWNE,SWNW,SENW
Place Of Use: IRRIGATION
T58N R01W S2
L3(NENW),SWNE,SENW
Total Acres: 11

96-13203
RODERICK H STANFORD
ROBERTA STANFORD
1751 WINDERMERE LOOP RD
WINDERMERE, BC V0B 2L2
Point of Diversion L2(SWNW)
S29 T56N R03W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER

SCANNED
NOV 08 2022

Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 10-27-2022
Place Of Use: IRRIGATION
T56N R03W S29 L2(SWNW)
Total Acres: 0.8

96-13348
ROLEY SCHOONOVER
1413 UPPER GOLD CREEK RD
SANDPOINT, ID 83864
Point of Diversion SENESE
S6 T58N R01E
BONNER County
Source SPRING
Tributary GOLD CREEK
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 10-31-2022
Place Of Use: DOMESTIC
T58N R01E S5 SWSW
Place Of Use: DOMESTIC
T58N R01E S6
SESE,NESE

96-13384
CARL PIETRON
PATRICIA PIETRON
2342 WRENCO LOOP
SANDPOINT, ID 83864
Point of Diversion NWSE
S29 T57N R03W
BONNER County
Source UNNAMED STREAM
Tributary JOHNSON CREEK
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.15 CFS
Date Filed: 10-24-2022
Place Of Use: IRRIGATION
T57N R03W S29
NESE,NWSE
Total Acres: 5

96-13387
COLEGROVE TRUST
1392 LOWER PACK RIVER RD
SANDPOINT, ID 83864-8183
Point of Diversion SWNENW
S19 T59N R01W
BONNER County
Source SPRING
Tributary SINKS
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 10-24-2022
Place Of Use: IRRIGATION
T59N R01W S19 NENW
Total Acres: 1

96-13414
JOHN KEAN
SUSAN KEAN
PO BOX 1449
KIHEI, HI 96753-1449
Point of Diversion L1(NWNE)
S8 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: 10-24-2022
Place Of Use: IRRIGATION

T57N R01W S8 L1(NWNE)
Total Acres: 1

96-13439
MARK SAUTER
205 CEDAR RIDGE RD
SANDPOINT, ID 83864-9029
Point of Diversion SESW
S31 T56N R03W
BONNER County
Source HOODOO CREEK
Tributary PEND OREILLE RIVER
Use: DIVERSION TO STORAGE
01/01 to 12/31 0.2 CFS
Use: FIRE PROTECTION STORAGE
01/01 to 12/31 9.8 AF
Use: RECREATION STORAGE
01/01 to 12/31 9.8 AF
Use: IRRIGATION STORAGE
01/01 to 12/31 27 AF
Use: IRRIGATION FROM STORAGE
04/01 to 10/31 27 AF
Total Diversion: 0.2 CFS, 36.8 AF
Date Filed: 10-25-2022
Place Of Use: DIVERSION TO STORAGE,FIRE PROTECTION STORAGE,IRRIGATION FROM STORAGE,IRRIGATION STORAGE,RECREATION STORAGE
T56N R03W S31 L5(SWSW)
Place Of Use: IRRIGATION FROM STORAGE
T56N R03W S31 L4(NWSW)
Total Acres: 9

96-13441
MARK SAUTER
205 CEDAR RIDGE RD
SANDPOINT, ID 83864-9029
Point of Diversion L5(SWSW)
S31 T56N R03W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.1 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.12 CFS
Date Filed: 10-25-2022
Place Of Use: DOMESTIC,STOCKWATER
T56N R03W S31
L4(NWSW),L5(SWSW),SESW

96-13476
CHARLES R SWARTZ
4633 ELMIRA RD
SANDPOINT, ID 83864
Point of Diversion NWSE
S12 T59N R01W
BONNER County
Source SAND CREEK
Tributary PACK RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.15 CFS
Date Filed: 10-27-2022
Place Of Use: IRRIGATION
T59N R01W S12 NWSE
Total Acres: 5

96-13548
THOMAS COMETTO
LORI COMETTO
PO BOX 665
PONDERAY, ID 83852-0665
Point of Diversion SENW
S24 T59N R01E
BONNER County
Source GROUSE CREEK
Tributary GROUSE CREEK
Use: FIRE PROTECTION
01/01 to 12/31 0.2 CFS

Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Total Diversion: 0.2 CFS
Date Filed: 10-28-2022
Place Of Use: FIRE PROTECTION
T59N R01E S24
NENW,SENW
Place Of Use: IRRIGATION
T59N R01E S24 SENW
Total Acres: 2

96-13575
TERRY C BLOOM
PO BOX 74
KOOTENAI, ID 83840-0074
Point of Diversion SESW
S6 T57N R01W
BONNER County
Source BOYER SLOUGH
Tributary LAKE PEND OREILLE
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.2 CFS
Date Filed: 10-28-2022
Place Of Use: IRRIGATION
T57N R01W S6 SESW
Total Acres: 4

96-13582
HONEY POT TRUST
PO BOX 3762
COEUR D ALENE, ID 83816-2530
Point of Diversion L3(SWNW)
S25 T57N R02W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
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: 11-01-2022
Place Of Use: FIRE PROTECTION,IRRIGATION
T57N R02W S25 L3(SWNW)
Total Acres: 0.6

96-13590
HEIDI R EARL
ROBERT M EARL
PO BOX 51
LACLEDE, ID 83841-0051
Point of Diversion NESW
S19 T56N R03W
BONNER County
Source RILEY CREEK
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.08 CFS
Date Filed: 11-01-2022
Place Of Use: IRRIGATION,STOCKWATER
T56N R03W S19 NESW
Total Acres: 2

96-13599
CLIFFORD DAVIS
GINA DAVIS
145 HERITAGE LN
SANDPOINT, ID 83864-0706
Point of Diversion SENW
S9 T58N R01W
BONNER County
Source PACK RIVER
Tributary LAKE PEND OREILLE
Use: STOCKWATER

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01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 10-20-2022
Place Of Use: IRRIGATION,STOCKWATER
T58N R01W S9
SWNW,SENW
Total Acres: 13.3

98-8103
BEN AND PAULA DUNN LIVING TRUST
PO BOX 1
COLBURN, ID 83865-0001
Point of Diversion NWNW
S10 T59N R01W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.07 CFS
Date Filed: 10-24-2022
Place Of Use: DOMESTIC,IRRIGATION
T59N R01W S10
NENW,NWNW
Total Acres: 1

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; or for a full description of the right(s), please see https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of $25.00 for each application on or before 12/5/2022. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director Published on 11/17/2022 and 11/24/2022

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NOV 16 2022

MEMORANDUM

October 25, 2022

Application for Permit: 96-13414

Author: smaxey

Subject: APPLICATION ENVELOPE

CORRECTED APPLICATION RECEIVED FROM S. KEAN PO 12134 LAHAINA HI 96761 ON ENVELOPE RETURN ADDRESS.

SCANNED

Maxey, Shaun

From: Maxey, Shaun
Sent: Tuesday, October 25, 2022 11:53 AM
To: Susan Conway Kean
Subject: RE: Application corrections & labeling map for Idaho Water Right Application For Permit 96-XXXX (Kean)

Ms. Kean:

Your Application For Permit has been assigned ID number 96-13414. You will be getting a letter from IDWR that notifies you of scheduled legal notice publication dates that summarize your Application.

Please contact me about an Encroachment Permit for your water line from Idaho Department of lands if you are not already familiar with this subject.

Shaun Maxey
IDWR (208) 762.2816

From: Susan Conway Kean <susanonmaui@gmail.com>
Sent: Friday, October 14, 2022 10:39 AM
To: Maxey, Shaun <Shaun.Maxey@idwr.idaho.gov>
Subject: Re: Application corrections & labeling map for Idaho Water Right Application For Permit 96-XXXX (Kean)

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.

Thank you so much for the help with this. I really appreciate it! I will get these taken care of today and send the corrected forms back asap. Thanks for making it so easy!
Susan Kean

On Fri, Oct 14, 2022 at 5:16 AM Maxey, Shaun <Shaun.Maxey@idwr.idaho.gov> wrote:

Mr. or Mrs. Kean:

Attached is a copy of the Application for Permit that you sent to Idaho Department of Water Resources to draw water from the Lake Pend Oreille . The Application requires corrections to Pages 1 and 2 and a map labeled with legal descriptions and the Point of Diversion and Place of Use in order to proceed with publication of required legal notices. I have attached a copy of your Application , another copy of the Application with suggested corrections highlighted in yellow , an example map showing how to indicate the Point of Diversion (POD) and Place of Use (POU), and a map for you to label, attach to page 1 and 2 of the corrected Application, and return to IDWR .

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Please phone me as soon as possible at (208) 762.2816 concerning corrections to your Application and labeling your Application Map if we have not already spoken via telephone. You can submit a corrected Application with initialed and dated changes, your original signature, and labeled map, via U.S. mail to the address shown below, or via e-mail to the following address: file@idwr.idaho.gov

Thanks,

Shaun Maxey

Shaun M. Maxey | Sr. Water Resource Agent

Idaho Department of Water Resources

Northern Regional Office

7600 N Mineral Drive, Suite 100

Coeur d'Alene, ID 83815-7763

Phone: (208) 762-2800

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NOV 18 2022