State of Idaho
Department of Water Resources

Water Right License

Water Right No. 96-14802

Priority: February 08, 2023 **Maximum Diversion Rate:** 0.01 CFS

It is hereby certified that:

ROBERT OAKLEY 67 TEAL LN SAGLE ID 83860-9181 AND/OR
MICHELLE OAKLEY 67 TEAL LN SAGLE ID 83860-9181

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 08, 2023, and has submitted Proof of Beneficial Use on March 14, 2024. An examination confirms water is diverted from:

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

Beneficial Use	Period of Use	Rate of Diversion
IRRIGATION	04/01 to 10/31	0.01 CFS

Location of Point(s) of Diversion
PEND OREILLE RIVER L2(NW¼ NE¼), Sec. 34, Twp 57N, 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	
57N	03W	34		0.2 L2															0.2

Total Acres: 0.2

Conditions of Approval

1. Place of use is located within Lot 4, Blk 1; Swan Shores II Subdivision.
2. This right when combined with all other rights shall provide no more than 0.01 cfs nor more than 0.6 afa at the field headgate for irrigation of the place of use.
3. 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 16th day of April, 2024.

PHILL HUMMER
Water Rights Section Manager

State of Idaho
Department of Water Resources

Attachment to Water Right

96-14802

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.



0 250 500 Feet

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

N

Form 42-217 Rev. 6/22

RECEIVED
MAR 14 2024
DEPARTMENT OF WATER RESOURCES

FOR OFFICE USE ONLY	
Amt. of Fee $	100-
Receipt No.	C117943
Receipted By	KM
Date Receipted	3.14.24

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEMENT OF COMPLETION

FOR SUBMITTING PROOF OF BENEFICIAL USE

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. 96-14802 Name of Permit Holder(s) Michelle Oakley, Robert Oakley

Telephone No. (208) 263-7783 Email mo33446oakley@aol.com

Mailing Address 67 Teal Lane City Eagle State ID. Zip 83860-9181

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

Drilling Permit/Tag No. n/a Drilling Company's Name n/a

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

Domestic (No. households) _____ Irrigation (No. acres) ~~.05~~ .03 cfs Stockwater (No. and stock type) _____

Other _____

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

If the total developed water use is 5 acres of irrigation or less, is stockwater storage of 14.6 acre-feet or less, or has a diversion rate of less than 0.24 cfs, attach a map of the place of use and point of diversion and photographs showing beneficial use.

5. Describe the diversion and delivery system from the water source to the use (pump, lift, irrigation method, etc.)

Intake line from above shoreline to electric pump with water hose to place of use for irrigation.

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 $ 100.00 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: Robert Oakley Telephone No. (208) 263-7783 Email mo33446oakley@aol.com

Mailing Address 67 Teal Lane City Eagle State ID. Zip 83860

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.

Robert L Oakley — Robert Oakley — 3/9/2024

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. 96-14802

Priority: February 08, 2023 **Maximum Diversion Rate:** 0.03 CFS

This is to certify that

ROBERT OAKLEY 67 TEAL LN SAGLE ID 83860-9181 AND/OR
MICHELLE OAKLEY 67 TEAL LN SAGLE ID 83860-9181

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

Location of Point(s) of Diversion
PEND OREILLE RIVER L2 (NW¼ NE¼), Sec. 34, Twp 57N, 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	
57N	03W	34		0.2 L2															0.2

Total Acres: 0.2

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. Place of use is located within Lot 4, Blk 1; Swan Shores II Subdivision.
5. This right when combined with all other rights shall provide no more than 0.03 cfs nor more than 0.6 afa at the field headgate for irrigation of the place of use.
6. This right does not grant any right-of-way or easement across the land of another.

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

Signed this 29 day of March, 2023.

LUKE BATES
Interim Water Rights Supervisor

SCANNED
MAR 31 2023

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-14802

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

57N



0 0.035 0.07 0.14 Miles

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

N

SCANNED
MAR 3 1 2013

87518

Print Single Sided Only

FORM 202 Rev. 09/16

RECEIVED
FEB 08 2023
IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 96 - 14802

1. Name of applicant(s) Robert and/or Michelle Oakley Phone (208) 263-7783
   Name connector (check one): ☐ and ☐ or ☒ and/or
   Mailing address 67 Teal Lane City Sagle
   State I.D. ZIP 83860 Email mo33446oakley@aol.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 Pend Oreille River which is a tributary of Columbia River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
57N	03W	34	2		NW	NE	Bonner	Pend Oreille River	

5. Water will be used for the following purposes: R.O. 4/1 10/31
   Amount ~~0.02~~ .03 for Irrigation purposes from ~~04/15~~ to ~~10/15~~ (both dates inclusive)
   (cfs or acre-feet per year)
   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre-feet per year)
   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre-feet per year)
   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) ~~0.02~~ .03 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
   a. Describe type and size of devices used to divert water from the source. Intake line from about shoreline to electric pump with water hose to place of use.
   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

For Department Use

FEB 24 2023

2-8-23 NS N042462 100.00

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

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	03W	34	~~X~~	GL2															0.2
				0.2															
					~~.20~~	.													

Total number of acres to be irrigated: 0.2

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

12. Describe your proposal in narrative form and provide additional explanation for any of the items above. Attach additional pages if necessary. Homeowners Association would like all waterfront owners to draw water for irrigation from the river to preserve well water.

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

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

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

Signature of Applicant — Robert L. Oatley

Signature of Applicant — Michelle D. Oatley

SCANNED

FEB 24 2023



Legend

- Township/Range
- Sections
- QQ

0 0.0275 0.055 0.11 Miles

N

SCANNED
FEB 2 4 2023

A Parcel of Land lying in a portion of Government Lots 2 and 5, and the NW1/4SE1/4 of Section 34, T57N, R3W, B.M. Bonner County, Idaho

Covenants 393748 9-14-91

SCANNED FEB 2 4 2023

BASIS of BEARING

Bearings are rotated to the East line of the NE1/4 of Section 34 from a Survey by RLS 882 in 1979 and filed as Instrument № 215512.

LEGEND

- Section Corner, As Noted.
- Sectional Quarter Corner, As Noted.
- Found Property Corner, As Noted.
- Set, 5/8" Dia. x 30" Long Rebar with Plastic Cap.
- Computation Point, Nothing Set.
- [ ] Recorded Gypsy Bay Subdivision Plat.

point of diversion X

place of use

SCALE in FEET
Scale: 1" = 60'

NOTES

1. All waterfront Lot Lines extend to the Ordinary High Water Line as existed prior to Dam.
2. All Lots will be used for single family use only.
3. Building Setback Line of 15' is measured from a Boundary Line physically located by the Army Corp of Engineers.
4. Building Setback Line of 40' is measured from the High Water Line at Summer Pool Level, El. 2062.5.
5. No Structures for human habitation shall be constructed with a first floor elevation (including basement) below 2069.0 feet above Mean Sea Level.
6. Army Corp of Engineers Flood Easement Line, Tract № 1-913-E as described in JUDGMENT № 1895-N, Pages 186-189.
7. A 15' Foot wide, 7.5' on each side, along all common Lot lines may be used for underground Utilities.

SHORELINE Bearings and Distances

(1)	S86°49'31"W,	26.32'
(2)	S87°21'52"W,	44.76'
(3)	S59°22'31"W,	28.92'
(4)	S39°22'31"W,	24.47'
(5)	S61°50'00"W,	75.53'
(6)	S64°49'54"W,	82.27'
(7)	S62°06'00"W,	17.73'
(8)	S62°06'00"W,	66.15'
(9)	S71°11'13"W,	33.85'
(10)	S71°11'13"W,	24.27'
(11)	S66°18'31"W,	79.73'
(12)	S66°18'31"W,	20.83'
(13)	S62°51'24"W,	79.17'
(14)	S62°51'24"W,	41.04'
(15)	S64°08'06"W,	58.96'
(16)	S64°08'06"W,	16.83'
(17)	S46°13'09"W,	83.17'
(18)	S46°13'09"W,	100.00'
(19)	S46°13'09"W,	109.65'
(20)	S12°30'41"E,	80.74'
(21)	S03°22'00"W,	46.63'
(22)	S16°42'55"W,	34.08'
(23)	N12°46'28"W,	192.78'
(24)	S77°54'29"W,	56.94'
(25)	N49°10'18"W,	94.20'

OREILLE RIVER

Approximate Shoreline at Summer Pool Level

POND

COMMON AREA ± 0.37 ACRES

LOT 1 ± 0.38 ACRES

LOT 2 ± 0.38 ACRES

LOT 3 ± 0.34 ACRES

LOT 4 ± 0.39 ACRES (HOME)

LOT 5 ± 0.41 ACRES

LOT 6 ±0.44 ACRES

LOT 7 ± 0.46 ACRES

LOT 8 ± 0.47 ACRES

LOT 9 ± 0.48 ACRES

LOT 10 ± 0.72 ACRES

LOT 11 ± 1.77 ACRES

LOT 20 ± 1.50 ACRES

LOT 21 ± 1.49 ACRES

LOT 22 ± 0.60 ACRES
NOTE: This Lot to be Accessed from Teal Lane

LOT 23 ± 0.49 ACRES

LOT 24 ± 0.60 ACRES

LOT 25 ± 0.60 ACRES

LOT 26 ± 0.50 ACRES

TEAL LANE

GYPSY LANE

WETLAND AREA

GOVT LOT 5

GOVT LOT

P. ARTHUR

E. BROWN

GYPSY BAY SUB

MATCH LINE To Sheet 2

SE1/4NE1/4

WELCH ENGINEERING, INC.,

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 18, 2024

ROBERT OAKLEY
MICHELLE OAKLEY
67 TEAL LN
SAGLE ID 83860-9181

RE: License No. 96-14802

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 18, 2024, I served a true and correct copy of Water Right License No. 96-14802 by U.S. Mail, postage prepaid, to the following:

MICHELLE OAKLEY (Current Owner)
67 TEAL LN
SAGLE ID 83860-9181

ROBERT OAKLEY (Current Owner)
67 TEAL LN
SAGLE ID 83860-9181

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: 03/29/2024

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: **ROBERT & MICHELLE OAKLEY**
   Owner of Record Correct? _____N
   Address of Record Correct? _____N
   If No Explain:

3. Beneficial Use Fees have been paid: _X_Y ____N Receipt No: C117943

4. Source: **PEND OREILLE RIVER** Tributary: **COLUMBIA 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
96-13078	PEND OREILLE RIVER	IRRIGATION	LICENSE

Comments: The adjacent parcel to the west of the permit place of use (POU) is irrigated by right 96-13078. The irrigation POU shapefile for right 96-13078 overlaps the permit POU. However, the imagery projection appears to be offset from the parcel lines on GIS. The irrigation POU for the recommended license is shifted slightly to the southeast. There are no rights overlapping the recommended license irrigation 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 River	2		NW	NE	34	57N	03W	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	03W	34		0.2															0.2
		Lot #		2															
																Total Acres =			0.2

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 River	Unknown	Unknown	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 in a phone call that the system uses a ¾ Hp pump, so a theoretical calculation was used to find a reasonable rate of diversion within the POU. A maximum head of about 20 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 = (3/4 Hp)(8.8)(0.80 efficiency)/(20 ft lift) + (2.31)*(45 psi) = 0.04cfs

Theoretical Calculation= 0.04cfs
Permit allowed = 0.03cfs
Recommendation= 0.01cfs

Comments:

Approximately 0.2-acre of irrigation was measured via GIS aerial imagery. A phone call was made to permit holder Robert Oakley, March 29, 2024, to confirm the property line locations and request system information including the technical data on the pump. The permit holder stated that the pump is ¾ Hp. The irrigation POU was based on imagery and a theoretical rate calculation was made for a 3/4 Hp pump, and the GIS measured lift of 20 ft.

The theoretical calculation determined approximately 0.04cfs is possible with a 3/4 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 0.2 acres. I am recommending a diversion rate of 0.01cfs for the license, as per current guidance.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 0.2-acre x 3.0 AF= 0.6 AF

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation season) x 1.9835 = 0.01cfs x 214 days x 1.9835= 4.3 AF

$V = $ Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 0.6 AF

Comments:

This permit was issued for irrigation use from a natural steam/river source. According to the IDAPA Beneficial Use Examination Rules 37.03.02.35. 01j.viii a diversion volume is not required for irrigation if water is diverted from a natural flowing stream/river or spring. However, as the POU is less than 1 acre condition X31 will be carried on the license stating an annual volume 0.6 AF for the irrigation of 0.2-acre.

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 0.2-acre qualifies for an in-office examination for license. The permit holder submitted the Proof of Beneficial Use, received by IDWR on March 14, 2024, stating in section #3 that the beneficial use was developed for 0.03cfs of irrigation (no area was stated). I was able to confirm approximately 0.2-acre of irrigation was developed using aerial imagery (see figures 1 & 2). The permit holder stated in section #6 of the proof of beneficial that a fish screen was installed at the intake.

The permit holder stated in a voicemail that the pump used in the system is ¾ Hp. A theoretical calculation confirmed that the pump could deliver the rate on the permit. The irrigation area recommended for the license is approximately 0.2-acre. I am recommending the license be issued for a rate of 0.01cfs, as per Administrative Memos #17 and #6. The volume will not be reported on the license as the diversion is from streamflow (per IDAPA Rules 37.03.02.35. 01j.viii).

I am recommending the license be issued with conditions X31, X60, and 004. Condition 029 was removed at licensing as the permit holder confirmed there is a screen installed at the intake on the statement of completion (section 6) and no comments were received from IDFG regarding the permit.

Have conditions of permit approval been met? _X_Yes ____No

I. RECOMMENDATIONS

1. Recommended Amounts:

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	04/01 TO 10/31	0.01 CFS
	Totals:	0.01 CFS

2. Recommended Amendments:

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

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

Other: < >

J. AUTHENTICATION- Bob Howe- Water Resource Agent

Field Examiner's _____ Date 4/16/24

Reviewer _____ Date 4/16/24



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



Figure 2-GIS- imagery- The irrigation POU is outlined in yellow. The POD is indicated by a blue point. The adjacent right (96-13078) irrigation POU is outlined in blue. The imagery projection appears offset to the green parcel boundaries.

Beneficial Use Proof Evaluation

Permit Number: 96-14802 Reviewer: AVeibell Review Date: 3/15/2024

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: 3/14/2024
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: -18
8) Proof received timely? Yes

Analysis

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

Fees

1) Is a licensing exam fee required? Yes
2) Was proof submitted with an exam report from a CWE?
3) Filing fee due: $50.00
4) Filing fee submitted: $100.00
5) Remaining fee or (refund): ($50.00)

Receipt IDs

N042462

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. Refund has been requested from IDWRPayable

Veibell, Amanda

From: Veibell, Amanda
Sent: Friday, March 15, 2024 2:15 PM
To: IdwrPayable
Subject: Partial Refund C117943

Good Afternoon.

Please process a partial refund of receipt C117943 for $50.00. The permit holder overpaid for the proof submitted.

Please send the refund to:
ROBERT OAKLEY
67 TEAL LN
SAGLE, ID 83860

Please let me know if you have any questions.

Amanda Veibell
Technical Records Specialist I

IDAHO DEPARTMENT OF WATER RESOURCES
PO Box 83720 Boise ID 83720-0098
208-287-4945

If you would like to submit documents electronically, they must be emailed to file@idwr.idaho.gov per IDAPA 37.01.01.053 in PDF form. Please note, the documents will not be considered complete until the required payment is received. The Department is not able to process payments over the phone or via the internet at this time.

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

ROBERT OAKLEY
MICHELLE OAKLEY
67 TEAL LN
SAGLE ID 83860-9181

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 96-14802

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 30, 2023

ROBERT OAKLEY
MICHELLE OAKLEY
67 TEAL LN
SAGLE ID 83860-9181

RE: Permit No. 96-14802

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 31 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 3 1 2023

CERTIFICATE OF SERVICE

I hereby certify that on March 30, 2023, I served a true and correct copy of Permit to Appropriate Water No. 96-14802 by U.S. Mail, postage prepaid, to the following:

ROBERT OAKLEY (Current Owner)
67 TEAL LN
SAGLE ID 83860-9181

MICHELLE OAKLEY (Current Owner)
67 TEAL LN
SAGLE ID 83860-9181

Tammy Alleman
Administrative Assistant 1

SCANNED
MAR 31 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.

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

AFFIDAVIT OF PUBLICATION

RECEIVED
MAR 17 2023
IDWR / NORTH

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 Notice of Proposed.
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 2nd day of March, 2023, and ending on the 9th day of March, 2023.

Italia Jimenez

State of Idaho, county of Bonner ss.
On this 13th day of March, in the year of 2023, before me, Sherilyn Jones, Notary Public, personally appeared Italia Jimenez known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (or they) executed the same.

Sherilyn Jones
Notary Public
Residing at: Bonner County

SHERILYN JONES NOTARY PUBLIC COMM. NO. 69771 STATE OF IDAHO

My Commission Expires 4/17/23

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 87317

BARBARA A HULT and BRYAN J HULT, 92 CORNERSTONE RD, SANDPOINT, ID 83864 has filed Application No. 87317 for changes to the following water rights within BONNER County(s): Right No(s). 96-14639; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows:

This transfer proposes to change the point of diversion for 96-14639 from the SW1/4SE1/4 to the SE1/4SW1/4 of same Section 35, Twp 59N, Rge 01W.

For additional information concerning the property location, contact Northern Region office at (208)762-2800. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department 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 3/20/2023. The protestant must also send a copy of the protest to the applicant.

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
96-12561
HOWARD L CONVERSE
662 LIGNITE RD
SAGLE, ID 83860-9234
TODD CONVERSE
757 LIGNITE RD
SAGLE, ID 83860
Point of Diversion NWSW
S11 T56N R02W
BONNER County
Source SAGLE SLOUGH
Tributary LAKE PEND OREILLE
Use: IRRIGATION
4 /1 to 10/31
Total Diversion: 0.06 CFS
Date Filed: 09-01-2022
Place Of Use: IRRIGATION
T56N R02W S11 NWSW
Total Acres: 1.7

MAR 31 2023

96-12714
JOHN MC PHERSON
MARY MC PHERSON
261 CROOKED EAR DR
SANDPOINT, ID 83864-9486
Point of Diversion L1(NWNW)
S7 T57N R01W
BONNER County
Source LAKE PEND ORIELLE
Tributary PEND ORIELLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 09-16-2022
Place Of Use: IRRIGATION
T57N R01W S7 L1(NWNW)
Total Acres: 0.5

96-14333
THOMAS E DUEBENDORFER
GABRIELLE DUEBENDORFER
6741 ELMIRA RD
SANDPOINT, ID 83864
Point of Diversion SWSW
S5 T59N R01E
BONNER County
Source SAND CREEK
Tributary PACK RIVER
Use: POWER
01/01 to 07/31 0.09 CFS
Use: DOMESTIC
01/01 to 12/31 0.01 CFS
Total Diversion: 0.1 CFS
Date Filed: 09-06-2022
Place Of Use: DOMESTIC,POWER
T59N R01E S5 SWSW
Place Of Use: DOMESTIC,POWER
T59N R01E S8 NWNW

96-14802
ROBERT OAKLEY
MICHELLE OAKLEY
67 TEAL LN
SAGLE, ID 83860-9181
Point of Diversion L2(NWNE)
S34 T57N R03W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 02-08-2023
Place Of Use: IRRIGATION
T57N R03W S34 L2(NWNE)
Total Acres: 0.2

96-14804
GARFIELD BAY WATER AND SEWER DISTRICT
PO BOX 27
PONDERAY, ID 83852-0027
Point of Diversion SWSE
S15 T56N R01W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 09-21-2022
Place Of Use: DOMESTIC
T56N R01W S15 SWSE

96-14813
LAKE PEND OREILLE SCHOOL DISTRICT #84
1520 BALDY MOUNTAIN RD
SANDPOINT, ID 83864-6083
Point of Diversion SWNE
S15 T56N R02W
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.06 CFS
Date Filed: 02-09-2023
Place Of Use: IRRIGATION
T56N R02W S15 SWNE
Total Acres: 2

96-14816
STEHPHEN AND REBECCA L PEREZ TRUST
PO BOX 1367
SAGLE, ID 83860-1367
Point of Diversion SESW
S25 T56N R03W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.15 CFS
Total Diversion: 0.19 CFS
Date Filed: 02-10-2023
Place Of Use: DOMESTIC,IRRIGATION
T56N R03W S25 SESW
Total Acres: 5

96-14830
DAVID C BROWN
KAREN A BROWN
12816 NE 86TH ST
KIRKLAND, WA 98033-5969
Point of Diversion L4(NWSW)
S25 T57N R02W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.06 CFS
Date Filed: 02-10-2023
Place Of Use: DOMESTIC
T57N R02W S25 L4(NWSW)

96-14846
VIRGINIA B GAGE
5421 E 27TH AVE
SPOKANE, WA 99223-2328
Point of Diversion L1(NWNE)
S33 T57N R01W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 02-13-2023
Place Of Use: DOMESTIC
T57N R01W S33 L1(NWNE)

96-14877
ROXANN GAUDERN
HUSTON EDWARD BROGDON
44 WHITE STONE RANCH WAY
HERON, MT 59844-9553
Point of Diversion NESE
S22 T55N R03E
BONNER County
Source GROUND WATER
Point of Diversion NESE
S22 T55N R03E
BONNER County
Source GROUND WATER
Point of Diversion L3(NWSW)
S23 T55N R03E
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31 0.12 CFS
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Total Diversion: 0.15 CFS
Date Filed: 01-30-2023
Place Of Use: DOMESTIC,IRRIGATION
T55N R03E S22 NESE
Place Of Use: DOMESTIC,IRRIGATION
T55N R03E S23 L3(NWSW)
Total Acres: 6

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 3/20/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
Legal#4911
AD#6049
March 2, 9, 2023

MAR 3 1 2023

IDA[redacted] DEPARTMENT OF WATER RESOUR[redacted]ES
APPROPRIATION APPLICATION ANALYSIS [redacted]EET

W.R. # 96 - 14802 APPLICATION ID # 87518 ENT. JB BCA Ja OK to Publish MK

INITIAL REVIEW BY JB DATE 2/9/2023

APPLICANT: Robert and/or Michelle Oakley

PROCESSING PRIORITY DATE 2/8/2023

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

(Yes)(No)
__✓__ (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: 3-2-23 & 3-9-23
Affidavit of Publication received: 3-17-23
Dates actually published: 3-2-23 & 3-9-23
Application published correctly: Yes Y No ____
If not, action taken: ____
Final Date for Protest: March 20, 2023
Protests Received: Yes ____ No X

*** Send info sheet Y ( ) N ( )

LETTERS SENT REQUESTING
( ) Dam Information ( ) Fish Information
( ) Power Information ( ) Other: ____

INFORMATION RECEIVED
( ) Dam Information ( ) Fish Information
( ) Power Information ( ) Other: ____

ADDITIONAL INFORMATION
(Yes)(No)
✓ Shape File Created Date 2/9/2023 By: JB
__ __ Field check by ____
__ __ Field report attached
__ __ Analysis Supp Attached (>5cfs/500af)
__ __ Water delivered by water master? Water District # ____

IDL, F+G, DEQ, WOB

GROUNDWATER SECTION

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

__ __ Groundwater management area
__ __ Critical ground water area
__ __ Well Drilling Permit required
__ __ Well Drilling Application and Fees received
__ __ Well Drilling Application approved?

Remarks: ____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)
__ __ Notice of pending void order issued. Final order response date: __/__/__
__ __ Further information required from applicant ____

~~X64~~/X60 Lot 4, BLK 1; Swan Shores II Sub.

__ __ Measuring device required X31 0.2ac x 30afa = 0.6af
__ __ Measuring port required
__ __ Special conditions: ____
__ __ Special conditions of approval supplement and/or cover letter attached: ____

Approval Recommended by: ____ Date 3/29/23 Sr. Agent initial: ____ 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

February 24, 2023

ROBERT OAKLEY
MICHELLE OAKLEY
67 TEAL LN
SAGLE, ID 83860-9181

RE: Application for Permit No. 96-14802

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 3/2/2023 and 3/9/2023. 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,

Tammy Alleman
Administrative Assistant

SCANNED
FEB 24 2023

Alleman, Tammy

From: Alleman, Tammy
Sent: Friday, February 24, 2023 9:33 AM
To: 'Mike Ahmer'; Chantilly Higbee; Anna Moody; Horsmon,Merritt; IWRB Water Use Reviews
Subject: Request for Comments 96-14802
Attachments: 96-14802 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 March 20, 2023.

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

Thank you,

IDAHO DEPARTMENT OF WATER RESOURCES

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
FEB 24 2023

Alleman, Tammy

From: Alleman, Tammy
Sent: Friday, February 24, 2023 7:52 AM
To: bcdblegals@cdapress.com
Subject: Legal Notice for Bonner County Daily Bee
Attachments: Legal Notice for 87317, 96-12651, 96-12714, 96-14333, 96-14802, 96-14804, 96-14813, 96-14816, 96-14830, 96-14846, 96-14877.docx

Please publish the enclosed legal notice in the **Bonner County Daily Bee** on the dates indicated **March 2nd & March 9th, 2023** (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before **March 20, 2023.** 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
FEB 2 4 2023

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 87317

BARBARA A HULT and BRYAN J HULT, 92 CORNERSTONE RD, SANDPOINT, ID 83864 has filed Application No. 87317 for changes to the following water rights within BONNER County(s): Right No(s). 96-14639; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows:

This transfer proposes to change the point of diversion for 96-14639 from the SW1/4SE1/4 to the SE1/4SW1/4 of same Section 35, Twp 59N, Rge 01W.

For additional information concerning the property location, contact Northern Region office at (208)762-2800. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department 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 3/20/2023. The protestant must also send a copy of the protest to the applicant.

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

96-12561
HOWARD L CONVERSE
662 LIGNITE RD
SAGLE, ID 83860-9234
TODD CONVERSE
757 LIGNITE RD
SAGLE, ID 83860
Point of Diversion NWSW
S11 T56N R02W
BONNER County
Source SAGLE SLOUGH
Tributary LAKE PEND OREILLE
Use: IRRIGATION
4 /1 to 10/31
Total Diversion: 0.06 CFS
Date Filed: 09-01-2022
Place Of Use: IRRIGATION
T56N R02W S11 NWSW
Total Acres: 1.7

96-12714
JOHN MC PHERSON
MARY MC PHERSON
261 CROOKED EAR DR
SANDPOINT, ID 83864-9486
Point of Diversion L1(NWNW)
S7 T57N R01W
BONNER County
Source LAKE PEND ORIELLE
Tributary PEND ORIELLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 09-16-2022
Place Of Use: IRRIGATION
T57N R01W S7 L1(NWNW)
Total Acres: 0.5

96-14333
THOMAS E DUEBENDORFER
GABRIELLE DUEBENDORFER
6741 ELMIRA RD
SANDPOINT, ID 83864
Point of Diversion SWSW
S5 T59N R01E
BONNER County
Source SAND CREEK
Tributary PACK RIVER
Use: POWER
01/01 to 07/31 0.09 CFS
Use: DOMESTIC
01/01 to 12/31 0.01 CFS
Total Diversion: 0.1 CFS
Date Filed: 09-06-2022
Place Of Use: DOMESTIC,POWER
T59N R01E S5 SWSW
Place Of Use: DOMESTIC,POWER
T59N R01E S8 NWNW

96-14802
ROBERT OAKLEY
MICHELLE OAKLEY
67 TEAL LN

SCANNED
FEB 7 4 2023

SAGLE, ID 83860-9181
Point of Diversion L2(NWNE)
S34 T57N R03W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 02-08-2023
Place Of Use: IRRIGATION
T57N R03W S34 L2(NWNE)
Total Acres: 0.2

96-14804
GARFIELD BAY WATER AND SEWER DISTRICT
PO BOX 27
PONDERAY, ID 83852-0027
Point of Diversion SWSE
S15 T56N R01W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 09-21-2022
Place Of Use: DOMESTIC
T56N R01W S15 SWSE

96-14813
LAKE PEND OREILLE SCHOOL DISTRICT #84
1520 BALDY MOUNTAIN RD
SANDPOINT, ID 83864-6083
Point of Diversion SWNE
S15 T56N R02W
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.06 CFS
Date Filed: 02-09-2023
Place Of Use: IRRIGATION
T56N R02W S15 SWNE
Total Acres: 2

96-14816
STEHPHEN AND REBECCA L PEREZ TRUST
PO BOX 1367
SAGLE, ID 83860-1367
Point of Diversion SESW
S25 T56N R03W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.15 CFS
Total Diversion: 0.19 CFS
Date Filed: 02-10-2023
Place Of Use: DOMESTIC,IRRIGATION
T56N R03W S25 SESW
Total Acres: 5

96-14830
DAVID C BROWN
KAREN A BROWN
12816 NE 86TH ST
KIRKLAND, WA 98033-5969
Point of Diversion L4(NWSW)
S25 T57N R02W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.06 CFS
Date Filed: 02-10-2023
Place Of Use: DOMESTIC

SCANNED
FEB 2 4 2023

T57N R02W S25 L4(NWSW)

96-14846
VIRGINIA B GAGE
5421 E 27TH AVE
SPOKANE, WA 99223-2328
Point of Diversion L1(NWNE)
S33 T57N R01W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 02-13-2023
Place Of Use: DOMESTIC
T57N R01W S33 L1(NWNE)

96-14877
ROXANN GAUDERN
HUSTON EDWARD BROGDON
44 WHITE STONE RANCH WAY
HERON, MT 59844-9553
Point of Diversion NESE
S22 T55N R03E
BONNER County
Source GROUND WATER
Point of Diversion NESE
S22 T55N R03E
BONNER County
Source GROUND WATER
Point of Diversion L3(NWSW)
S23 T55N R03E
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31 0.12 CFS
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Total Diversion: 0.15 CFS
Date Filed: 01-30-2023
Place Of Use: DOMESTIC,IRRIGATION
T55N R03E S22 NESE
Place Of Use: DOMESTIC,IRRIGATION
T55N R03E S23 L3(NWSW)
Total Acres: 6

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 3/20/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director Published on 3/2/2023 and 3/9/2023

SCANNED
FEB 2 4 2023