State of Idaho
Department of Water Resources

Water Right License

Water Right No. 96-15629

Priority: April 12, 2023

Maximum Diversion Rate: 0.01 CFS
Maximum Diversion Volume: 0.9 AF

It is hereby certified that:

RICHARD L BERRYMAN 2252 GYPSY BAY RD SAGLE ID 83860-9180

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 12, 2023, and has submitted Proof of Beneficial Use on April 08, 2024. An examination confirms water is diverted from:

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

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
IRRIGATION	04/01 to 10/31	0.01 CFS	0.9 AF

Location of Point(s) of Diversion
LITTLE MUSKRAT LAKE L5(SW¼ SW¼), Sec. 26, 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	26											0.3 L5						0.3

Total Acres: 0.3

Conditions of Approval

1. Place of use is located within Lot 4, Blk 4; Gypsy Bay Subdivision.
2. This right when combined with all other rights shall provide no more than 0.01 cfs nor more than 0.9 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 2nd day of July, 2024.

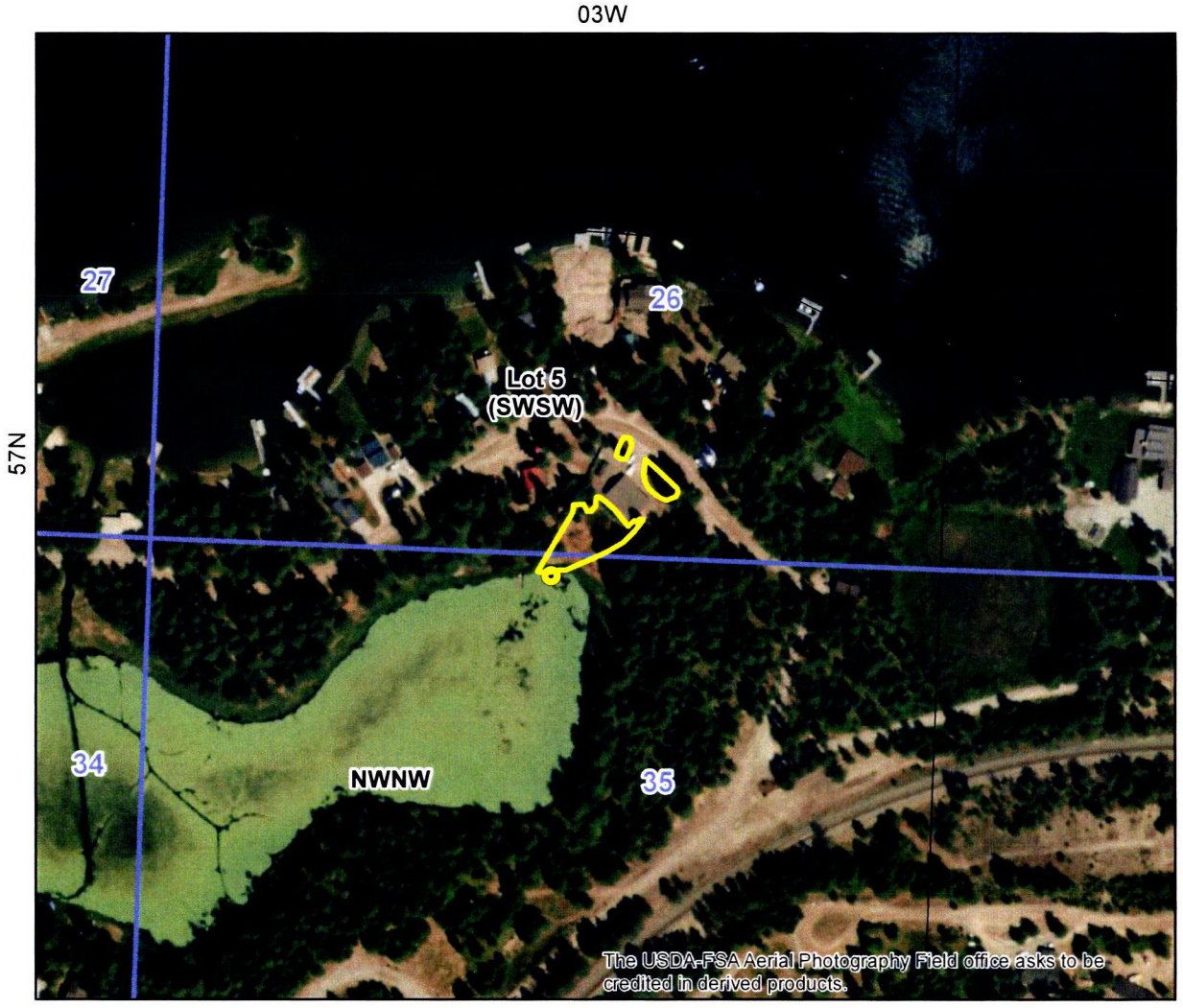
PHILL HUMMER
Water Rights Section Manager

State of Idaho
Department of Water Resources

Attachment to Water Right

96-15629

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
State Outline

N

Form 42-217 Rev. 6/22

RECEIVED
APR 0 8 2024
IDWR / NORTH

RECEIVED
APR 11 2024
DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEMENT OF COMPLETION

FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY	
Amt. of Fee $	50.00
Receipt No.	N0644490
Receipted By	NS
Date Receipted	4/18/24

The Idaho Department of Water Resources (Department) considers this form a statement that the permit holder(s) applied water to beneficial use and completed development of a water right to the extent described below. **This form must be accompanied by an examination fee, when necessary, or by a completed Beneficial Use Field Report prepared by a certified water right examiner (CWRE).** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, complete a Notice of Change in Water Right Ownership form. If you wish to relinquish your permit because you have not established the authorized water use and are not applying for an extension, please notify the Department in writing.

1. Permit No. 96-15629 Name of Permit Holder(s) RICHARD BERRYMAN

Telephone No. (208) 610-1011 Email RLREMCO@MSN.COM

Mailing Address 2252 GYPSY BAY RD City SAGLE State ID Zip 83860-9180

2. Source of Water LITTLE MUSKRAT LAKE If Ground Water (well), Date Drilled mo. _____ / yr. _____

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

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

Domestic (No. households) _____ Irrigation (No. acres) 0.6 Stockwater (No. and stock type) _____

Other _____

4. Total diversion rate or volume (storage only) for which proof is submitted 0.03 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.)

3/4 HP A.Y. MC DONALD SUBMERSIBLE PUMP 20 GPM IRRIGATION PUMP IN AN ENCAPSILATED PVC UNIT WITH FISH SCREEN

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: RICHARD L BERRYMAN Telephone No. (208) 610-1011 Email RLREMCO@MSN.COM

Mailing Address 2252 GYPSY BAY RD City SAGLE State ID Zip 83860-9180

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.

RICHARD L BERRYMAN	4/8/24
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. 96-15629

Priority: April 12, 2023 **Maximum Diversion Rate:** 0.03 CFS

This is to certify that

RICHARD L BERRYMAN 2252 GYPSY BAY RD SAGLE ID 83860-9180

has applied for a permit to appropriate water from:

Source : LITTLE MUSKRAT LAKE **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

LITTLE MUSKRAT LAKE L5 (SW¼ SW¼), Sec. 26, 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	26											0.5 L5						0.5
57N	03W	35						0.1											0.1

Total Acres: 0.6

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **June 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 4; Gypsy Bay Subdivision.
5. This right when combined with all other rights shall provide no more than 0.03 cfs nor more than 1.8 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 6 day of June, 2023.

LUKE BATES
Interim Water Rights Supervisor

SCANNED
JUN 09 2023

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-15629

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
JUN 09 2023

RECEIVED
APR 12 2023
DWR / NORTH

87751

FORM 202 Rev. 09/21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 96-15629

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) RICHARD L BERRYMAN Phone 208-610-1011
   Name connector (check one): ☐ and ☐ or ☐ and/or
   Mailing address 2252 GYPSY BAY RD City SAGLE
   State ID ZIP 83860 Email RLREMCO@MSN.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 Little Muskrat Lake 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	03W	26	5		SW	SW	BONNER	LITTLE MUSKRAT LAKE	

5. Water will be used for the following purposes:
   Amount 0.03 CFS (cfs or acre-feet per year) for IRRIGATION purposes from 4/1 to 10/31 (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)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
6. Total quantity to be appropriated is (a) 0.03 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. EXISTING INTAKE WITH PUMP AND PIPELINE TO WATER 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. _____.

For Department Use

Received by LB Date 4-12-23 Time _____ Preliminary check by _____
Fee $ 100.00 Receipted by _____ Receipt No. N043056 Date 4-12-23

SCANNED
APR 25 2023

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	26											0.5						0.5
													GL5						
57N	03W	35						0.1											0.1

Total number of acres to be irrigated: 0.6

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

11. a. Who owns the property at the point of diversion? APPLICANT
    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: N/A

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. APPLICANT WANTS TO SECURE WATER RIGHTS FOR AN EXISTING IRRIGATION SYSTEM FROM LAKE FOR UP TO .5 ACRES ON THE PROPERTY.

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.

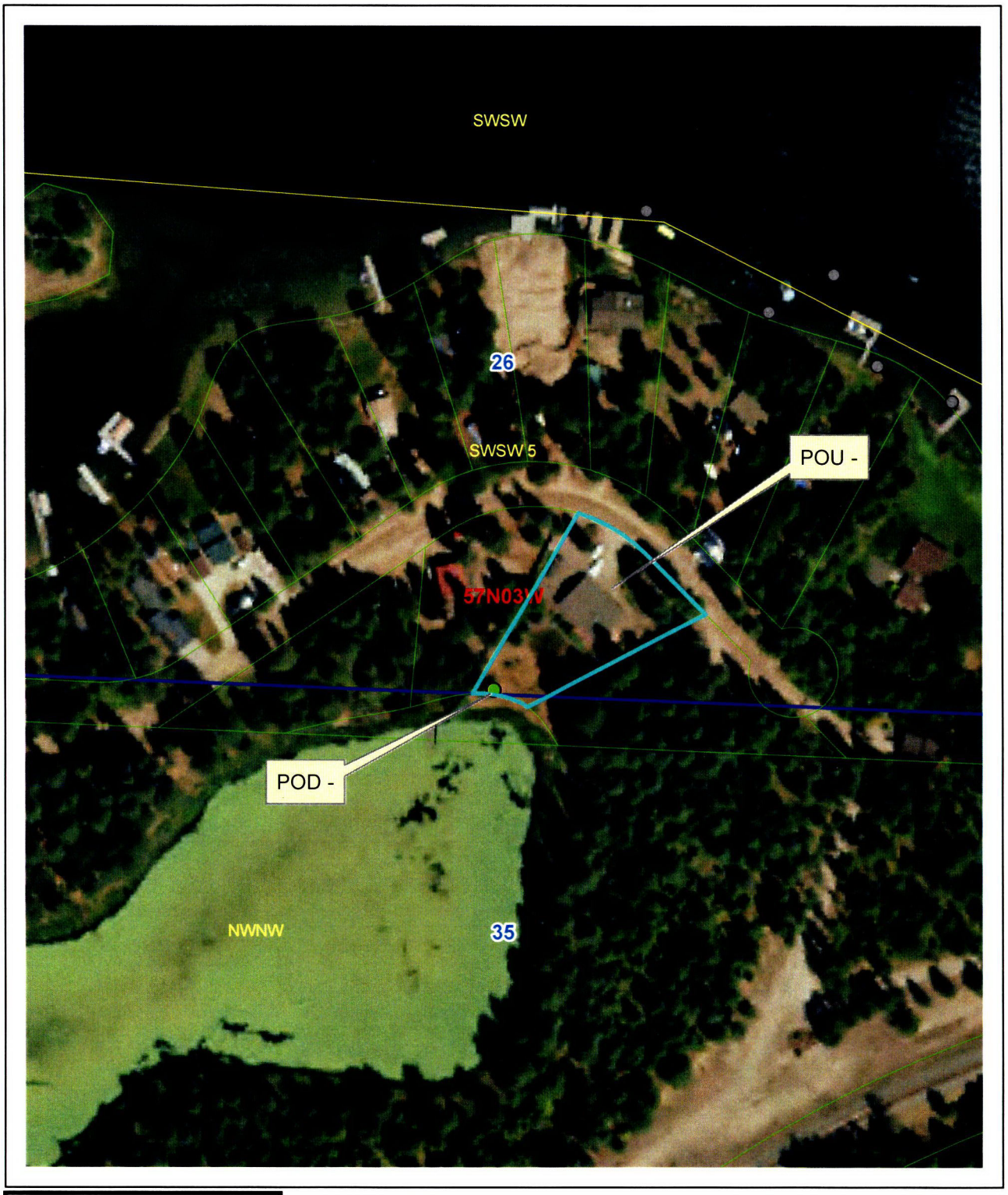
Signature of Applicant

Print Name (and title, if applicable) RICHARD L. BERRYMAN

Signature of Applicant

Print Name (and title, if applicable)

SCANNED APR 25 2023



Legend

- Application POD
- Township/Range
- Sections
- QQ

0 0.015 0.03 0.06 Miles

N

NOTE: Aerial imagery for illustrative purpose only.
Imagery may be shifted compared to survey plat map.

SCANNED
APR 2 5 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little Director Mathew Weaver

July 02, 2024

RICHARD L BERRYMAN
2252 GYPSY BAY RD
SAGLE ID 83860-9180

RE: License No. 96-15629

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 July 02, 2024, I served a true and correct copy of Water Right License No. 96-15629 by U.S. Mail, postage prepaid, to the following:

RICHARD L BERRYMAN (Current Owner)
2252 GYPSY BAY RD
SAGLE ID 83860-9180

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.

Permit No: 96-15629

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

A. GENERAL INFORMATION

Exam Date: 4/16/2024

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: Richard Berryman
   Owner of Record Correct? __X__ Y _____N
   Address of Record Correct? __X__ Y _____N
   If No Explain:

3. Beneficial Use Fees have been paid: __X__Y ____N Receipt No: N044496

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

Method of Determination: GIS, Tax Parcel Data, and the permit holders Statement of Completion for Proof of Beneficial Use.

Change in Source: ____Y __X__N

B. OVERLAP REVIEW

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

Water Right No.	Source	Purpose of Use	Basis
96-8275	Groundwater	Irrigation	License, Claim

Comments: Water right 96-8275 overlaps the place of use according to the GIS place of use shape. However, a map of the place of use in the water right backfile indicated the block and lots included in POU for 96-8275 are different than the lot this permits place of use includes.

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

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

Comments: N/A

C. DIVERSION AND DELIVERY SYSTEM

1. Location of Point(s) of Diversion:

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Little Muskrat Lake	5		SW	SW	26	57N	03W	B.M.	Bonner
								B.M.	
								B.M.	

Method of Determination: GIS, Tax Parcel Data, and 2023 Aerial Imagery. The point of diversion is permitted in the SWSW Gov lot 5 Section 26. A plat map from the Bonner County Title Company in records for water right 96-8275 indicates the boundary of Section 26 SWSW Gov lot 5 should be further south than the current location according to Department maps (see field exam map) the portion of Muskrat Lake where the point of diversion is located within Gov Lot 5 Section 26.

Change in POD? ___Y __X__N Amendment Required? ____Y __X__N

2. Place of Use:

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	26											0.3						0.3
		Lot #											5						
																Total Acres =			0.3

Method of Determination: GIS, Tax Parcel Data, and 2023 Bonner County Aerial Imagery. A plat map from the Bonner County Title Company indicated the boundary of Section 26 SWSW Gov lot 5 is further south, and the entire place of use would be within SWSW Gov lot 5 Section 26.

Change in POU? ____Y __X__N Amendment Required? ____Y __X__N

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

_X__ Aerial Imagery indicating the location of the POD and POU.

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

___ Photo of Diversion and System Attached

3. Diversion Id No.*	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		0.75			

**Code to correspond with No. on map and aerial photo*

D. FLOW MEASUREMENTS

1. Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
N/A						

2. Measurement Comments: The permit holder provided a pump horsepower of 0.75 and a lift of 15.5ft was determined using Google Earth Imagery. Therefore, a diversion rate calculation is possible.

E. FLOW CALCULATIONS __X__Additional Computation Sheets Attached

Measured Method: Since the permit holder provided a pump horsepower of 0.75 and a lift of 15.5ft was determined a diversion rate calculation was possible. The calculation determined the system can handle 0.04 cfs with a 40psi discharge pressure. According to Administrative Processing Memo #17 the standard diversion rate/acre for the irrigation of 5 acres or less is 0.03 cfs/acre. I am recommending a 0.01 cfs diversion rate.

Q = (0.75 hp) * (8.8) * (70% efficiency) / (15.5ft of lift) + (2.31) * (40 psi discharge pressure) = 0.04 cfs
(0.3 acres) * (0.03 cfs/acre) = 0.009 cfs or 0.01 cfs rounded

Diversion Rate Calculation = 0.04 cfs
Administrative Processing Memo #17 Calculation = 0.01 cfs
Permit allowed = 0.03 cfs

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

V I.R. = (Acres Irrigated) x (Irrigation Requirement) = (0.3 acres) * (3.0 af/acre) = 0.9 af

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

V = Smaller of V I.R. and V D.R. = 0.9 af

G. PURPOSE OF USE

Irrigation X Y ____N # Stock ____N/A_____ Domestic # of Homes ___N/A___

Change in Purpose of Use? ____Y __X__N

Method of Determination: GIS, Tax Parcel Data, 2023 Bonner County Aerial Imagery, and the permit holders Statement of Completion for Proof of Beneficial Use.

H. NARRATIVE/REMARKS/COMMENTS

This permit qualifies for an in-office examination. According to Tax Parcel Data the property was developed in 2008. The permit authorized the irrigation of 0.6 acres diverting from Little Muskrat Lake. According to 2023 Bonner County Aerial Imagery 0.3 acres of irrigation occurred within the development period. The Tax Parcel Boundary and visual property boundary were inconsistent. The visual property boundary was used to determine the total irrigated area. The point of diversion is permitted in the SWSW Gov lot 5. However, according to the current Public Land Survey layer in GIS the lake level likely doesn't reach the SWSW Gov lot 5. A plat map from the Bonner County Title Company indicated the boundary of Section 26 SWSW Gov lot 5 should be further south and would encompass the portion of Muskrat Lake where the point of diversion would be in Gov Lot 5 Section 26. The plat map also indicated the entire place of use is located within the entirety of SWSW Gov lot 5. A condition on the permit requires the permit holder to install a fish screen meeting the fish screening and passage requirements of the Idaho Department of Fish and Game. The permit holder confirmed a fish screen was installed on their Proof Statement.

Since the permit holder provided a pump horsepower of 0.75 a lift of 15.5 ft was determined using Google Earth a diversion rate calculation was possible. According to the calculation the system can handle a 0.04 cfs diversion rate with a 40-psi discharge pressure. The standards set in Administrative Processing Memo # 17 were used to make a diversion rate recommendation. All of the conditions have been met and development of the permitted beneficial use was confirmed within authorization on the permit. Therefore, I am recommending a 0.01 cfs diversion rate and 0.9 af volume.

Conditions X60, X31, and 004 should remain on the license. The diversion rate and volume limit within condition X31 should be updated to match the recommended diversion rate and volume. Condition 029 should be removed because the permit holder confirmed a fish screen was installed meeting the fish screening and passage requirements of the Idaho Department of Fish and Game.

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	04/01-12/31	0.01 CFS	0.9 AF
	Totals:	0.01 CFS	0.9 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

J. AUTHENTICATION

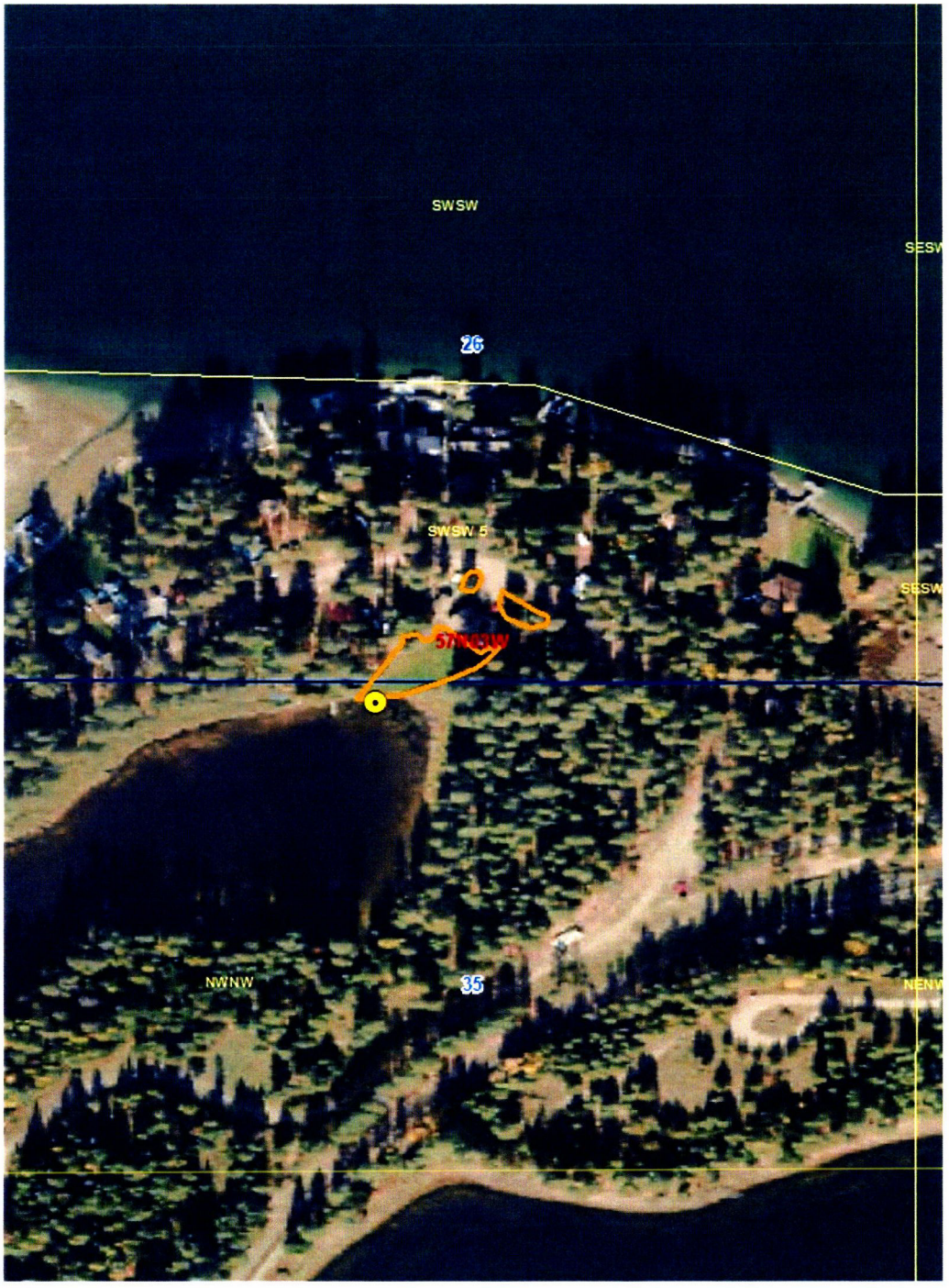
Field Examiner: Skyler Cheever – Water Resource Agent

Field Examiner's _____ Date 4/16/2024

Reviewer _____ Date 7/2/24

Field Exam Map

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



2023 Bonner County Aerial Imagery

Imagery indicated 0.3 acres of irrigation occurred within the development period.

96-15629 Aerial Imagery



4/16/2024

Road Centerlines

- Primary
- Secondary
- Local, Ramp

Parcels
World Boundaries and Places
World Imagery
Low Resolution 15m Imagery
High Resolution 60cm Imagery
High Resolution 30cm Imagery
Citations
30cm Resolution Metadata

1:1,079

0 0.0075 0.015 0.03 mi

0 0.01 0.02 0.04 km

Esri, HERE, Garmin, (c) OpenStreetMap

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 96-15629
Examiner: Skyler C.
Date of Field Exam: 4/16/2024

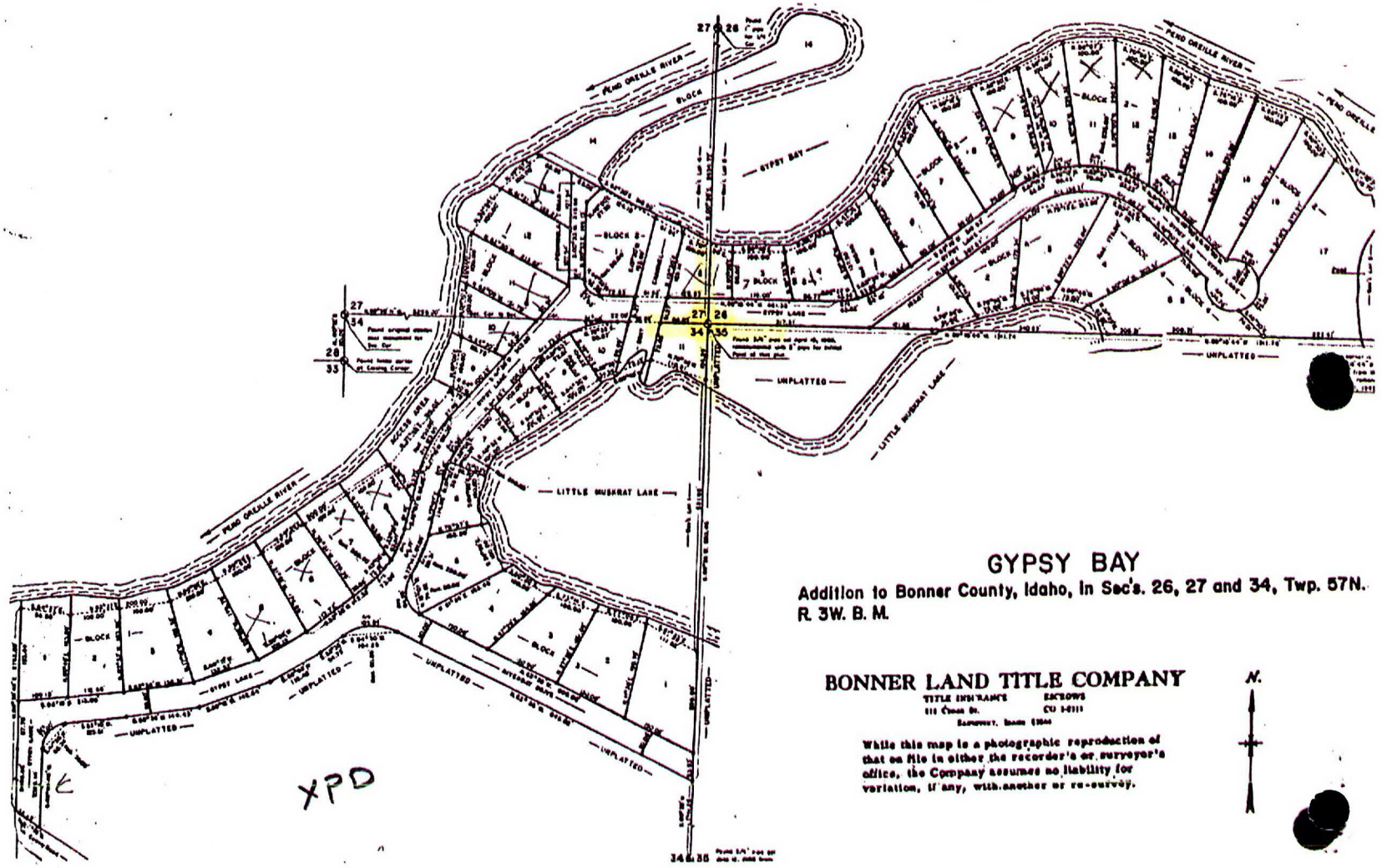
	Option 1
P/D No.:	
PUMP HORSEPOWER	0.75
BOOSTER HORSEPOWER	0
PUMPING LEVEL	15.5
DISCHARGE PRESSURE	40
FRICTION	0
RATE OF FLOW (cfs)	0.04
(gpm)	19.2

The above calculates the formula = $Q = \frac{8.8 * (Efficiency) * hp}{\text{depth to water} + 2.31*(psi)+friction}$

Assumptions: %70 efficiency.

Examiners Notes:

Lift was determined using Google Earth. Hp was provided by the permit holder with their Statement of Completion for Poof of Beneficial Use. A standard psi of 40 to 60 psi was used to estimate the pressure against



GYPSY BAY

Addition to Bonner County, Idaho, in Sec's. 26, 27 and 34, Twp. 57N. R. 3W. B. M.

BONNER LAND TITLE COMPANY

TITLE INSURANCE ESCROWS
111 Church St. CU 2-2111
Sandpoint, Idaho 83864

While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the Company assumes no liability for variation, if any, with another or re-survey.

N.

Notice line is "broken" →

X indicates P.U.

MAY 26 1993
FILED

Beneficial Use Proof Evaluation

Permit Number: 96-15629 Reviewer: AVeibell Review Date: 4/12/2024

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: 4/8/2024
4) Proof Due Date: 6/1/2024
5) Days added for weekend due date? 0
6) Days added for holiday due date? 0
7) Number of days late: -54
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

N043056

Comments

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

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



RICHARD L BERRYMAN
2252 GYPSY BAY RD
SAGLE ID 83860-9180

96-15629
Username: Amanda Veibell

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

March 29, 2024

RICHARD L BERRYMAN
2252 GYPSY BAY RD
SAGLE ID 83860-9180

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 96-15629

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 **June 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

June 06, 2023

RICHARD L BERRYMAN
2252 GYPSY BAY RD
SAGLE ID 83860-9180

RE: Permit No. 96-15629

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
JUN 09 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
JUN 09 2023

CERTIFICATE OF SERVICE

I hereby certify that on June 06, 2023, I served a true and correct copy of Permit to Appropriate Water No. 96-15629 by U.S. Mail, postage prepaid, to the following:

RICHARD L BERRYMAN (Current Owner)
2252 GYPSY BAY RD
SAGLE ID 83860-9180

Tammy Alleman
Administrative Assistant 1

SCANNED
JUN 09 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
JUN 0 9 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
JUN 09 2023

AFFIDAVIT OF PUBLICATION

RECEIVED
MAY 22 2023
IDWR / NORTH

STATE OF IDAHO)
) ss.
County of Bonner)

Rikki Jade Lindstrom, being first duly sworn on oath, deposes and states:

1. I am a citizen of the United States of America, over the age of 18 years, a resident of 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 4 day of May, 2023, and ending on the 11 day of May, 2023.

KJ Mulen

State of Idaho, county of Bonner ss.
On this 11 day of May, in the year of 2023, before me, Katrina George, Notary Public, personally appeared Rikki Jade Lindstrom known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (or they) executed the same.

Katrina George
Notary Public
Residing at: Kootenai County

My Commission Expires 8/29/23

KATRINA GEORGE NOTARY PUBLIC STATE OF IDAHO

SCANNED
JUN 09 2023

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

96-12726
CARRIE MUSETTI
2232 WATERSTONE PKWY
BOERNE, TX 78006
Point of Diversion SWSE
S11 T58N R01E
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 09-16-2022
Place Of Use: IRRIGATION
T58N R01E S11
SWSE,SESE
Total Acres: 1

96-13512
KILEY BATTAGLIN
KENNETH L FREEMAN
8555 PEPPERRIDGE DR

COLORADO SPGS,
CO 80920-5737
Point of Diversion SWSW
S11 T58N R01E
BONNER County
Source GROUND WATER
Use: DOMESTIC
1 /1 to 12/31 0.06 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: COMMERCIAL
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.12 CFS
Total Diversion: 0.2 CFS
Date Filed: 10-28-2022
Place Of Use:
COMMERCIAL,DOMESTIC,
IRRIGATION,STOCKWATER
T58N R01E S11 SWSW
Total Acres: 4

96-15340
JILL BUHRLEN
2255 GYPSY BAY RD
SAGLE, ID 83860-9180
Point of Diversion L5(SWSW)
S26 T57N R03W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 03-24-2023
Place Of Use: IRRIGATION
T57N R03W S26 L5(SWSW)
Total Acres: 0.5

96-15509
GERHART SUPPIGER
SALLY SUPPIGER
PO BOX 250
COCOLALLA, ID 83813
Point of Diversion L8(SWSE)
S6 T55N R02W
BONNER County
Source COCOLALLA LAKE
Tributary COCOLALLA CREEK
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 04-06-2023
Place Of Use: IRRIGATION
T55N R02W S6 L8(SWSE)
Total Acres: 0.3

96-15590
DELANO TRUST
261 SWAN SHORES DR
SAGLE, ID 83860-9150
Point of Diversion L5(SWNE)
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: 04-10-2023
Place Of Use: IRRIGATION
T57N R03W S34 L5(SWNE)
Total Acres: 0.6

96-15624
ILA D SCHMITT
KENNETH A SCHMITT
PO BOX 1625
CARSTAIRS , AB T0M 0N0
Point of Diversion L6(SWNE)
S7 T55N R02W
BONNER County
Source COCOLALLA LAKE
Tributary COCOLALLA CREEK
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 04-11-2023
Place Of Use: DOMESTIC
T55N R02W S7
L6(SWNE),SENW

96-15629
RICHARD L BERRYMAN
2252 GYPSY BAY RD
SAGLE, ID 83860-9180
Point of Diversion L5(SWSW)
S26 T57N R03W
BONNER County
Source MUSKRAT LAKE
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 04-12-2023
Place Of Use: IRRIGATION
T57N R03W S26 L5(SWSW)
Place Of Use: IRRIGATION
T57N R03W S35 NWNW
Total Acres: 0.6

96-15692
MARK D REDD
SHARON L REDD
MATHEW D REDD
JESSICA E REDD
560 BEERS HUMBIRD RD
SAGLE, ID 83860
Point of Diversion L4(NWNW)
S4 T55N R02W
BONNER County
Source WESTMOND CREEK
Tributary COCOLALLA LAKE
Use: RECREATION STORAGE
01/01 to 12/31 38.8 AF
Use: FIRE PROTECTION STORAGE
01/01 to 12/31 38.8 AF
Use: STOCKWATER STORAGE
01/01 to 12/31 0.3 AF
Use: STOCKWATER FROM STORAGE
01/01 to 12/31 0.3 AF
Use: IRRIGATION STORAGE
01/01 to 12/31 60 AF
Use: IRRIGATION FROM STORAGE
04/01 to 10/31 60 AF
Total Diversion: 99.1 AF
Date Filed: 04-13-2023
Place Of Use:
FIRE PROTECTION
STORAGE,IRRIGATION FROM
STORAGE,IRRIGATION
STORAGE,RECREATION
STORAGE,STOCKWATER
FROM STORAGE,
STOCKWATER STORAGE
T55N R02W S4 L4(NWNW)
Total Acres: 20

96-15698
ARNONE 2221 LLC
221 GYPSY BAY RD
SAGLE, ID 83860
Point of Diversion L5(SWSW)
S26 T57N R03W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.02 CFS
Date Filed: 04-14-2023
Place Of Use: IRRIGATION
T57N R03W S26 L5(SWSW)
Total Acres: 0.4

96-15729
MI PROPERTIES LLC
229 GYPSY BAY RD
SAGLE, ID 83860
Point of Diversion L6(NESW)
S3 T56N R03W
BONNER County
Source GROUND WATER
Tributary PEND OREILLE RIVER
Point of Diversion L6(NESW)
S3 T56N R03W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Point of Diversion L6(NESW)
S3 T56N R03W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: RECREATION
01/01 to 12/31 0.2 CFS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Use: DIVERSION TO STORAGE
01/01 to 12/31 0.2 CFS
Use: RECREATION STORAGE
01/01 to 12/31 1.6 AF
Total Diversion: 0.2 CFS
Date Filed: 04-17-2023
Place Of Use: IRRIGATION,RECREATION,
RECREATION STORAGE
T56N R03W S3 L6(NESW)
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 5/22/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
Legal#5074
AD#8284
May 4, 11, 2023

SCANNED
JUN 0 9 2023

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

W.R. # 96 - 15629 APPLICATION ID # 87751 ENT. YB BCA SA OK to Publish MR

INITIAL REVIEW BY: YB DATE: 4 / 12 / 23

APPLICANT: Richard L Berry mbr

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( )

PROCESSING

(Yes)(No)

___ ✓ (Include Moratorium Remark)

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

PRIORITY DATE: 4 / 12 / 23

ADVERTISE IN: Bonner County

Newspaper: Bonner County Daily Bee

Dates scheduled for publication 5-4-23 & 5-11-23

Affidavit of Publication received: 5-22-23

Dates actually published: 5-4-23 & 5-11-23

Application published correctly. Yes X No ___

If not, action taken: ___

Final Date for Protest: May 22, 2023

Protests Received: Yes ___ No X

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 4/12/23 By: YB

___ ___ Field check: by ___

___ ___ Field report attached

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

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

F+G, DEQ, WB

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 ___

___ ___ Measuring device required DX60 Lot 4, Blk 4; Gypsy Bay Sub

___ ___ Measuring port required

___ ___ Special conditions: DX31 - 0.6ac X 3.0afa = 1.8af

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

Approval Recommended by: ___ Date: 6 / 5 / 2023 Sr. Agent initial YB Interim Supervisor

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, April 25, 2023 7:19 AM
To: Horsmon,Merritt; Chantilly Higbee; Anna Moody; 'Mike Ahmer'
Subject: Request for Comments WR#96-15629
Attachments: 96-15629 Application for Permit.pdf

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: Idaho Department of Water Resources

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 May 22, 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
APR 25 2023

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

April 24, 2023

RICHARD L BERRYMAN
2252 GYPSY BAY RD
SAGLE, ID 83860-9180

RE: Application for Permit No. 96-15629

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 5/4/2023 and 5/11/2023. 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
APR 25 2023

Alleman, Tammy

From: Alleman, Tammy
Sent: Monday, April 24, 2023 4:50 PM
To: bcdblegals@cdapress.com
Subject: Legal Notice for Bonner County Daily Bee
Attachments: Legal Notice for BCDB.docx

Please publish the enclosed legal notice in the **Bonner County Daily Bee** on the dates indicated **May 4th & May 11th, 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 **May 22, 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
APR 25 2023

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

96-12726
CARRIE MUSETTI
2232 WATERSTONE PKWY
BOERNE, TX 78006
Point of Diversion SWSE
S11 T58N R01E
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 09-16-2022
Place Of Use: IRRIGATION
T58N R01E S11
SWSE,SESE
Total Acres: 1

96-13512
KILEY BATTAGLIN
KENNETH L FREEMAN
8555 PEPPERRIDGE DR
COLORADO SPGS, CO 80920-5737
Point of Diversion SWSW
S11 T58N R01E
BONNER County
Source GROUND WATER
Use: DOMESTIC
1 /1 to 12/31 0.06 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: COMMERCIAL
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.12 CFS
Total Diversion: 0.2 CFS
Date Filed: 10-28-2022
Place Of Use: COMMERCIAL,DOMESTIC,IRRIGATION,STOCKWATER
T58N R01E S11 SWSW
Total Acres: 4

96-15340
JILL BUHRLEN
2255 GYPSY BAY RD
SAGLE, ID 83860-9180
Point of Diversion L5(SWSW)
S26 T57N R03W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 03-24-2023
Place Of Use: IRRIGATION
T57N R03W S26 L5(SWSW)
Total Acres: 0.5

96-15509
GERHART SUPPIGER
SALLY SUPPIGER
PO BOX 250
COCOLALLA, ID 83813
Point of Diversion L8(SWSE)
S6 T55N R02W
BONNER County
Source COCOLALLA LAKE
Tributary COCOLALLA CREEK
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 04-06-2023
Place Of Use: IRRIGATION
T55N R02W S6 L8(SWSE)
Total Acres: 0.3

SCANNED
APR 2 5 2023

96-15590
DELANO TRUST
261 SWAN SHORES DR
SAGLE, ID 83860-9150
Point of Diversion L5(SWNE)
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: 04-10-2023
Place Of Use: IRRIGATION
T57N R03W S34 L5(SWNE)
Total Acres: 0.6

96-15624
ILA D SCHMITT
KENNETH A SCHMITT
PO BOX 1625
CARSTAIRS , AB T0M 0N0
Point of Diversion L6(SWNE)
S7 T55N R02W
BONNER County
Source COCOLALLA LAKE
Tributary COCOLALLA CREEK
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 04-11-2023
Place Of Use: DOMESTIC
T55N R02W S7
L6(SWNE),SENW

96-15629
RICHARD L BERRYMAN
2252 GYPSY BAY RD
SAGLE, ID 83860-9180
Point of Diversion L5(SWSW)
S26 T57N R03W
BONNER County
Source MUSKRAT LAKE
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 04-12-2023
Place Of Use: IRRIGATION
T57N R03W S26 L5(SWSW)
Place Of Use: IRRIGATION
T57N R03W S35 NWNW
Total Acres: 0.6

96-15692
MARK D REDD
SHARON L REDD
MATHEW D REDD
JESSICA E REDD
560 BEERS HUMBIRD RD
SAGLE, ID 83860
Point of Diversion L4(NWNW)
S4 T55N R02W
BONNER County
Source WESTMOND CREEK
Tributary COCOLALLA LAKE
Use: RECREATION STORAGE
01/01 to 12/31 38.8 AF
Use: FIRE PROTECTION STORAGE
01/01 to 12/31 38.8 AF
Use: STOCKWATER STORAGE
01/01 to 12/31 0.3 AF
Use: STOCKWATER FROM STORAGE
01/01 to 12/31 0.3 AF
Use: IRRIGATION STORAGE
01/01 to 12/31 60 AF
Use: IRRIGATION FROM STORAGE
04/01 to 10/31 60 AF

SCANNED
APR 25 2023

Total Diversion: 99.1 AF
Date Filed: 04-13-2023
Place Of Use: FIRE PROTECTION STORAGE,IRRIGATION FROM STORAGE,IRRIGATION STORAGE,RECREATION STORAGE,STOCKWATER FROM STORAGE,STOCKWATER STORAGE
T55N R02W S4 L4(NWNW)
Total Acres: 20

96-15698
ARNONE 2221 LLC
221 GYPSY BAY RD
SAGLE, ID 83860
Point of Diversion L5(SWSW)
S26 T57N R03W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.02 CFS
Date Filed: 04-14-2023
Place Of Use: IRRIGATION
T57N R03W S26 L5(SWSW)
Total Acres: 0.4

96-15729
MI PROPERTIES LLC
229 GYPSY BAY RD
SAGLE, ID 83860
Point of Diversion L6(NESW)
S3 T56N R03W
BONNER County
Source GROUND WATER
Tributary PEND OREILLE RIVER
Point of Diversion L6(NESW)
S3 T56N R03W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Point of Diversion L6(NESW)
S3 T56N R03W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: RECREATION
01/01 to 12/31 0.2 CFS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Use: DIVERSION TO STORAGE
01/01 to 12/31 0.2 CFS
Use: RECREATION STORAGE
01/01 to 12/31 1.6 AF
Total Diversion: 0.2 CFS
Date Filed: 04-17-2023
Place Of Use: IRRIGATION,RECREATION,RECREATION STORAGE
T56N R03W S3 L6(NESW)
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 5/22/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director Published on 5/4/2023 and 5/11/2023

SCANNED
APR 25 2023