State of Idaho
Department of Water Resources

Water Right License

Water Right No. 98-8105

Priority: December 02, 2022

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 4.2 AF

It is hereby certified that:

RANDEE LLEWELLIN FOSTER 63 RELOAD LN NAPLES ID 83847-0300 AND/OR
MICHAEL J FOSTER 63 RELOAD LN NAPLES ID 83847-0300

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 02, 2022, and has submitted Proof of Beneficial Use on June 15, 2023. An examination confirms water is diverted from:

Source : GROUND WATER

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
IRRIGATION	04/01 to 10/31	0.04 CFS	4.2 AF

Location of Point(s) of Diversion
GROUND WATER NW¼ NE¼, Sec. 28, Twp 61N, Rge 01E, B.M. BOUNDARY 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	
61N	01E	28		1.4															1.4

Total Acres: 1.4

Conditions of Approval

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.

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.

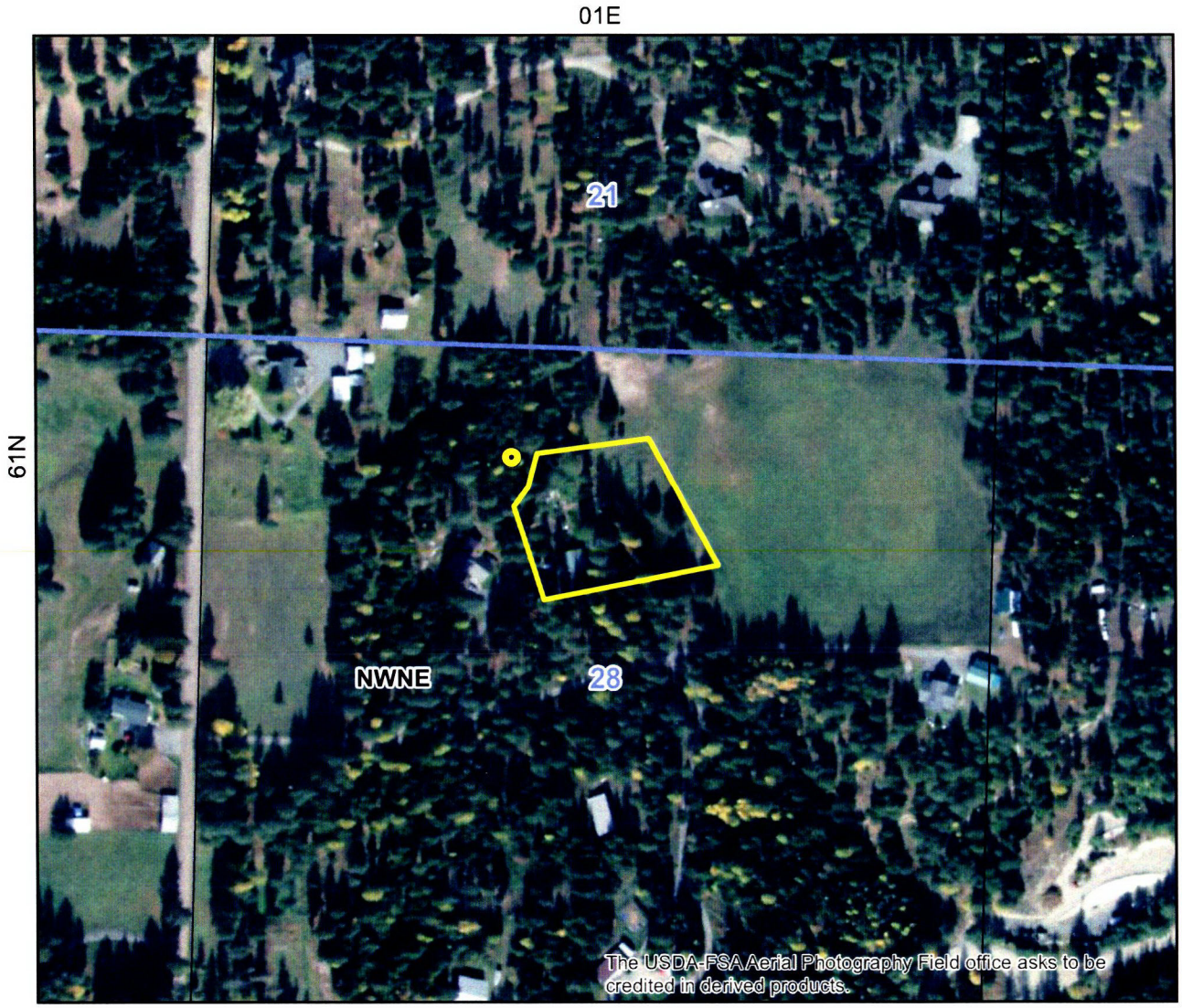
Signed this 23rd day of JANUARY, 2024.

CODY PARKER
Water Rights Supervisor

State of Idaho
Department of Water Resources

Water Right

98-8105



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
JUN 15 2023
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.	C116509
Receipted By	KH
Date Receipted	6.15.23

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. 98-8105 Name of Permit Holder(s) Randee Llewellin Foster and/or Michael J. Foster

Telephone No. 208.672.7394 or 208.627.7447 Email wallyshideout@protonmail.com

Mailing Address 63 Reload Lane City Naples State ID Zip 83847

2. Source of Water Groundwater If Ground Water (well), Date Drilled mo. April / yr. 2022

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) 4 Stockwater (No. and stock type) _____

Other _____

4. Total diversion rate or volume (storage only) for which proof is submitted .12 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.)

Hand dug well. Fabric lined 36" inch diameter X 18' ft. deep galvanized culvert pipe w/ 3/4" holes drilled in vertical lines @ 6" o.c. around the pipe perimiter. Well water is pumped by a submersible pump into the irrigation system.

6. Permit condition compliance. Refer to the permit approval conditions and check all the items required, then check "Yes" or "No" to indicate whether the required items were established, submitted, and/or installed:

Required?	Yes	No	(If "Yes", attach required data, evidence of compliance, or evidence of installation)
☐	☐	☑	Ground water level data, pumping information, or other diversion data
☐	☐	☑	Mitigation plan
☐	☐	☑	Lockable controlling works
☐	☐	☑	Measuring device
☐	☐	☑	Fish screen
☐	☐	☑	Other requirements of the water right permit _____
	☐	☑	Reasonably Anticipated Future Needs ("RAFN") Municipal use

If RAFN Municipal use, additional increment of beneficial use developed? ☐ Yes (attach CWRE report) ☐ No

7. Fee Enclosed $ 50.00 Dollars 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: Michael J. Foster Telephone No. 208.627.7394 Email wallyshideout@protonmail.com

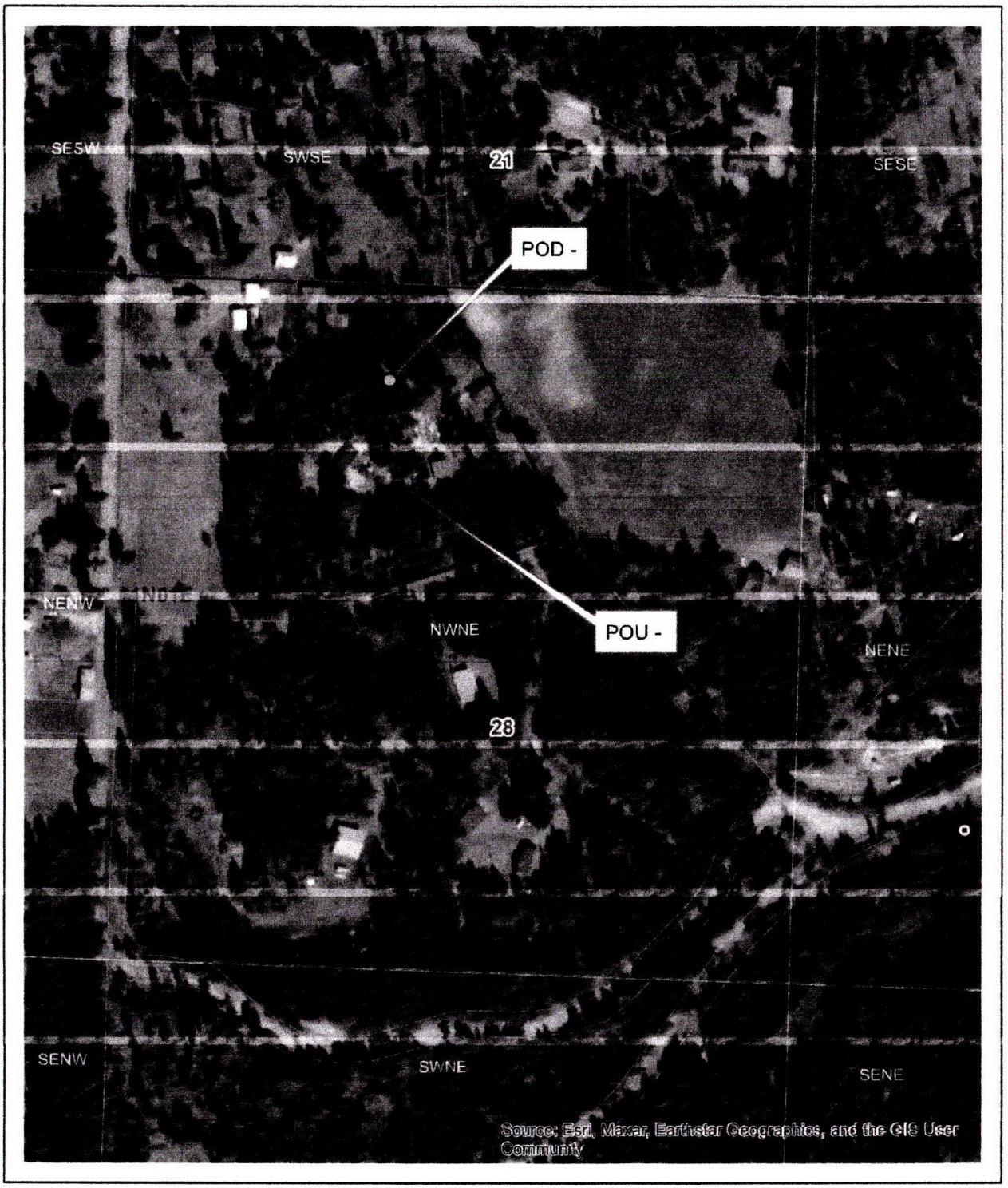
Mailing Address 63 Reload Lane City Naples State ID Zip 83847

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.

Randee Llewellin Foster — Randee Llewellin Foster owner — June, 12, 2023

SIGNATURE OF PERMIT HOLDER* PRINTED NAME AND TITLE DATE

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



Legend

- Township/Range
- Sections
- QQ

0 0.0275 0.055 0.11 Miles

N

State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 98-8105

Priority: December 02, 2022 **Maximum Diversion Rate:** 0.12 CFS

This is to certify that

RANDEE LLEWELLIN FOSTER 63 RELOAD LN NAPLES ID 83847-0300 AND/OR
MICHAEL J FOSTER 63 RELOAD LN NAPLES ID 83847-0300

has applied for a permit to appropriate water from:

Source : GROUND WATER

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	0.12 CFS

Location of Point(s) of Diversion
GROUND WATER NW¼ NE¼, Sec. 28, Twp 61N, Rge 01E, B.M. BOUNDARY 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	
61N	01E	28		4.0															4.0

Total Acres: 4.0

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2028.**
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
5. This right does not grant any right-of-way or easement across the land of another.

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

Signed this 26 day of JANUARY, 2023.

LUKE BATES
Interim Water Rights Supervisor

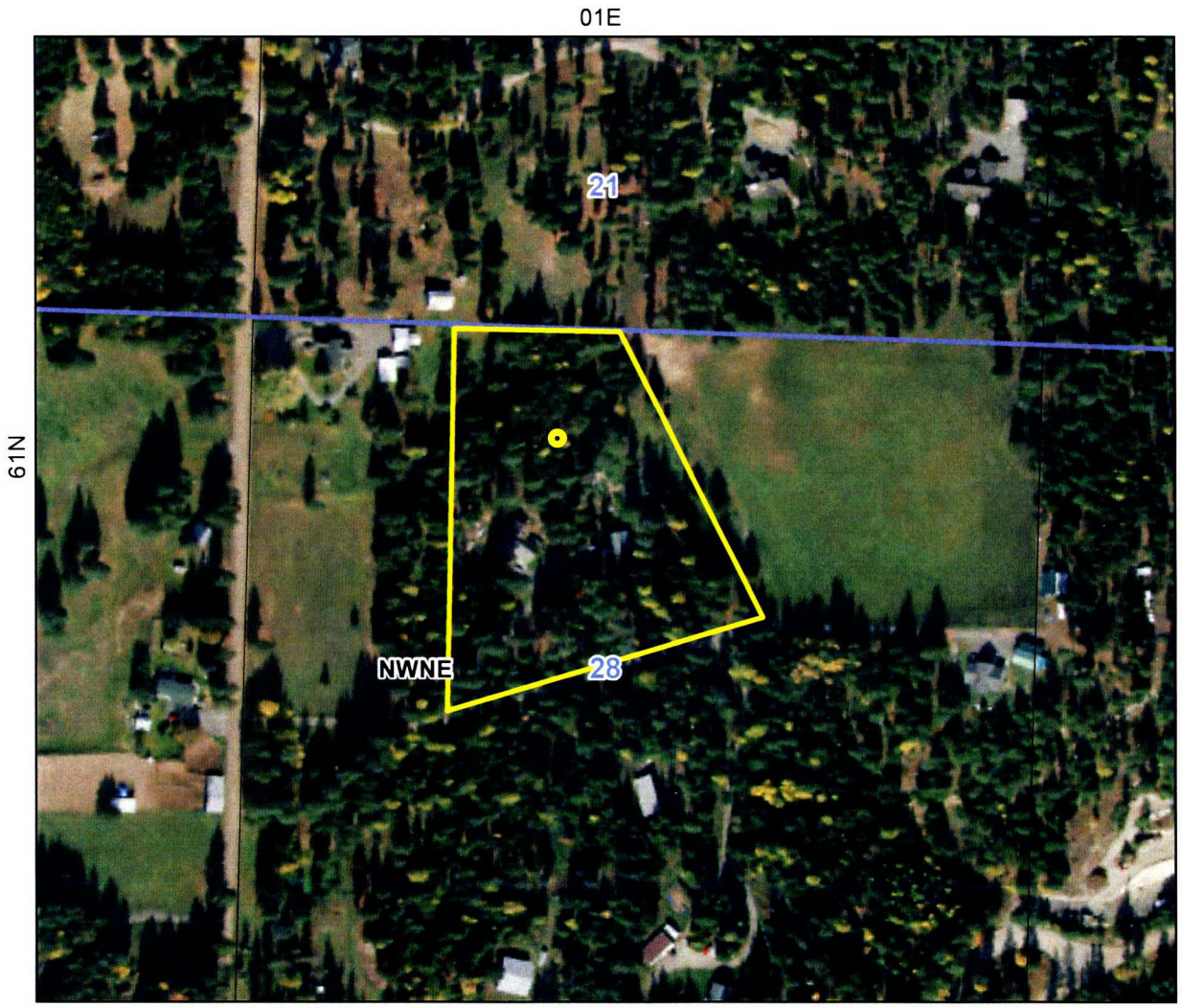
SCANNED
JAN 30 2023

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

98-8105

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.



SCANNED
JAN 30 2023

FORM 202 Rev. 09/16

87295

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. 98-8105

RECEIVED
Dec 02, 2022
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Randee Llewellin Foster and/or Michael J. Foster Phone 208-627-7447
   Name connector (check one): ☐ and ☐ or ☑ and/or
   Mailing address 63 RELOAD LANE City NAPLES
   State ID ZIP 83847 Email lucyshideout@gmail.com
2. Name of representative, if any _____ Phone _____
   Mailing address _____ City _____
   State _____ ZIP _____ Email Michael's email = wallyshideout@protonmail.com
   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 GROUNDWATER which is a tributary of N/A
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
61N	01E	28		NW	NW	NE	BOUNDARY	GROUNDWATER	HAND DUG WELL

5. Water will be used for the following purposes:
   Amount 0.12 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) 0.12 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. Proposed 18 ft deep x 36 inch diameter hand dug well; perforated to capture groundwater; pump and pipeline from well to water uses
   b. Height of storage dam N/A feet; active reservoir capacity _____ acre-feet; total reservoir capacity N/A 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 36" inches; proposed depth of well is 18' feet.
   d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☑ No
   e. If well is already drilled, when? _____; drilling firm _____;
      well was drilled for (well owner) _____; Drilling Permit No. _____.

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee $ 100.00 Receipted by DL Receipt No. N041895 Date 11-21-2022

SCANNED
DEC 29 2022

RECEIVED
Dec 02, 2022
DEPARTMENT OF
WATER RESOURCES

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	
61N	01E	28		4															4

Total number of acres to be irrigated: 4

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? NONE

11. 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 PLANS TO USE A PROPOSED HAND DUG WELL AND GROUNDWATER FOR IRRIGATION UP TO 4.0 ACRES ON THE PROPERTY.

13. Time required for completion of works and application of water to proposed beneficial use is 5 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.

Randee Llewellin Foster
Signature of Applicant

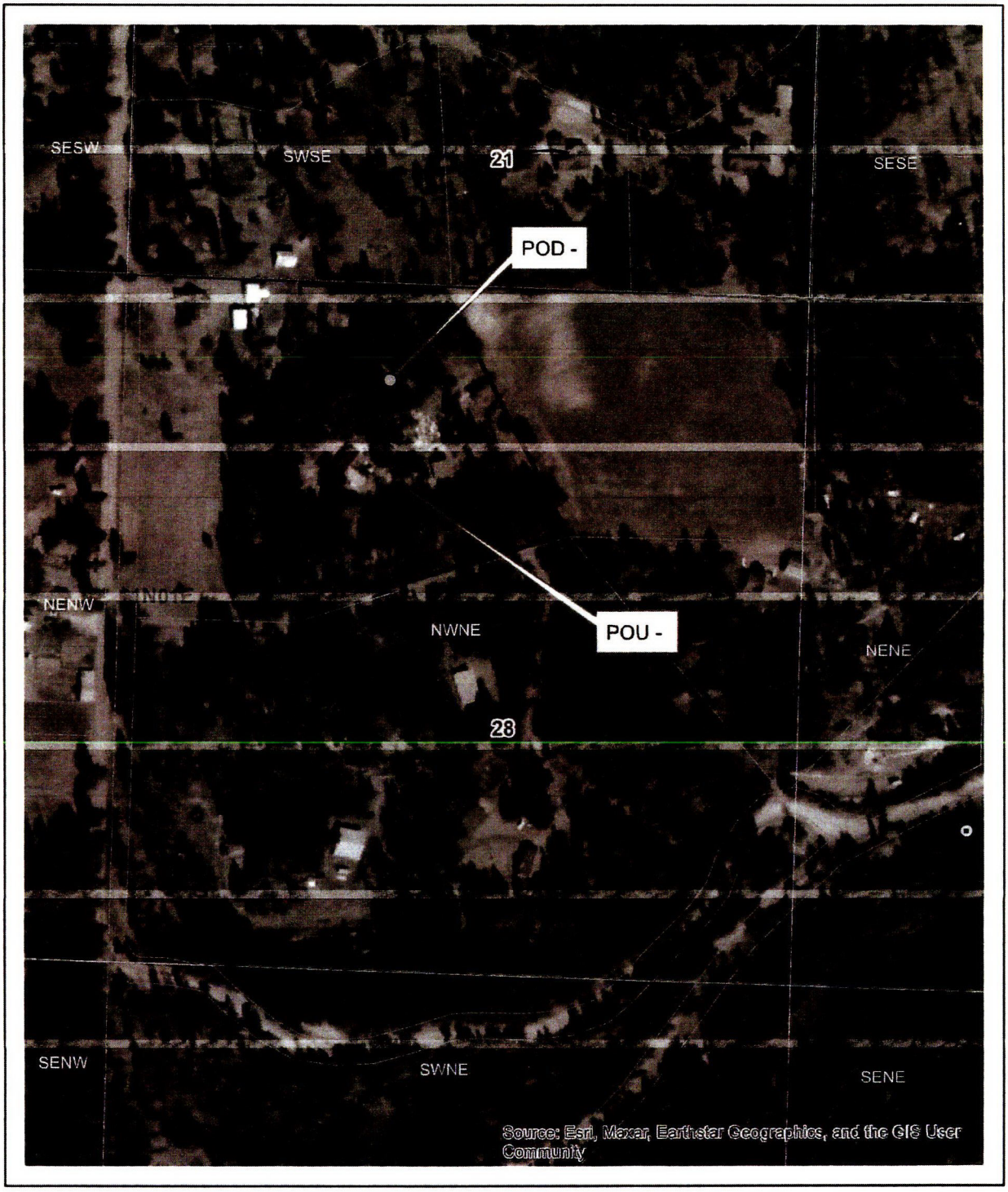
Randee Llewellin Foster
Print Name (and title, if applicable)

Michael J. Foster
Signature of Applicant

Michael J. Foster
Print Name (and title, if applicable)

SCANNED
DEC 29 2022

RECEIVED
Dec 02, 2022
DEPARTMENT OF
WATER RESOURCES



Legend

- Township/Range
- Sections
- QQ

0 0.0275 0.055 0.11 Miles

N

SCANNED
DEC 29 2022



Legend

- Township/Range
- Sections
- QQ

0 0.0275 0.055 0.11 Miles

N

SCANNED
DEC 29 2022

Print Single Sided Only

FORM 202 Rev. 09/16

RECEIVED
NOV 21 2022
IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. _____

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Randee Llewellin Foster and/or Michael J. Foster Phone 208-627-7447

Name connector (check one): ■ and ■ or ■ and/or

Mailing address 63 Reload Lane City Naples

State Idaho ZIP 83847 Email lucyshideout@gmail.com

2. Name of representative, if any Michael J. Foster Phone 208-627-7394

Mailing address 63 Reload Lane City Naples

State Idaho ZIP 83847 Email wallyshideout@protonmai.com

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 spring which is a tributary of sinks

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
61n	01e	28			nw	ne		spring	

5. Water will be used for the following purposes:

Amount irrgation (cfs or acre-feet per year) for 04.03 cfs purposes from 04-01 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. _____

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 36 inches; proposed depth of well is 18 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. _____.

SUPERSEDED

SCANNED DEC 29 2022

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee $ 100.00 Receipted by _____ Receipt No. N041895 Date 11-21-2022

8. Description of proposed uses (if irrigation only, go to item 9):
   a. Hydropower; show total feet of head and proposed capacity in kW. _____
   b. Stockwatering; list number and kind of livestock. _____
   c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
   d. Domestic; show number of households _____
   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	
61n	01e	28	1/4					1/4											

Total number of acres to be irrigated: _____

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

SUPERSEDED

12. Describe your proposal in narrative form and provide additional explanation for any of the items above. Attach additional pages if necessary. * future legal lease of the water from the spring on our 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.

Randee Llewellin Foster
Signature of Applicant
Randee Llewellin Foster / Owner
Print Name (and title, if applicable)

Michael J. Foster 11/17/22
Signature of Applicant
Michael J. Foster / Representative (ck #757)
Print Name (and title, if applicable)

SCANNED
DEC 29 2022

IDAHO DEPARTMENT
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 24, 2024

MICHAEL J FOSTER
RANDEE LLEWELLIN FOSTER
63 RELOAD LN
NAPLES ID 83847-0300

RE: License No. 98-8105

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) 287-4910.

Sincerely,

Cody Parker

Cody Parker
Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on January 24, 2024, I served a true and correct copy of Water Right License No. 98-8105 by U.S. Mail, postage prepaid, to the following:

MICHAEL J FOSTER (Current Owner)
63 RELOAD LN
NAPLES ID 83847-0300

RANDEE LLEWELLIN FOSTER (Current Owner)
63 RELOAD LN
NAPLES ID 83847-0300

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.

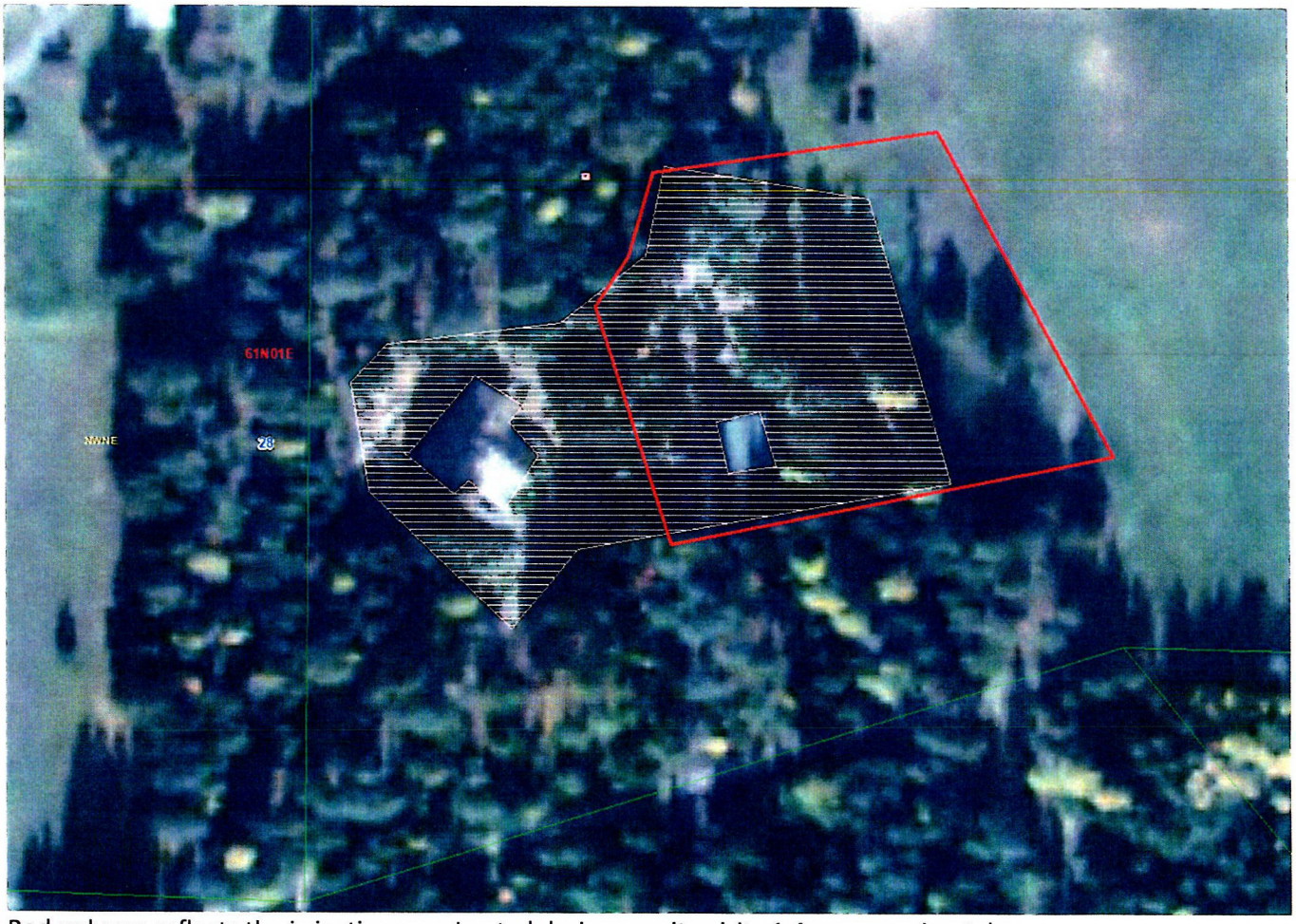
The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Parker, Cody

From: Bates, Luke
Sent: Wednesday, September 20, 2023 8:29 AM
To: Parker, Cody
Subject: RE: 98-8105 irr acreage
Attachments: DSCF3655.JPG

Cody,
I visited with Mr. Foster yesterday afternoon and collected GPS data & irrigation POU data. The irrigation system doesn't extend around the home, rather incorporates a large garden area and minor pasture plat that is seasonally irrigated depending on whether the neighbors' horses are moved onto the property. This year they were moved off early so there wasn't a lot of irrigating taking place in the pasture portion, but it is reasonable to assume irrigation of the minor pasture area does take place.

Unfortunately, Mr. Foster jumped the gun on his S.of.Completion instead of letting a few seasons of active irrigation take place. I believe this was due to the system being pre-existing and the applicant assuming he was complete based on historic use of water.



Red polygon reflects the irrigation area I noted during my site visit. 1.4 ac approximately.

Let me know if there is any additional information needed.

-116 20.4254, 48 36.9426 +/- 12 ft

Regards,
Luke Bates
Sr. Water Resource Agent
Northern Region
P: 208-762-2817

IDAHO DEPARTMENT OF
WATER RESOURCES
7600 N. Mineral Dr., Suite 100
Coeur D'Alene, ID 83815-7763

From: Parker, Cody <Cody.Parker@idwr.idaho.gov>
Sent: Friday, September 8, 2023 7:16 AM
To: Bates, Luke <Luke.Bates@idwr.idaho.gov>
Subject: Re: 98-8105 irr acreage

A GPS point of the POD would be great too. Blake calculated the quantities based on the acres irrigated. I think that is ok for an in-office license, so I don't think we need any measurements. We can just update the quantities based on the irrigated area you measure.

Thanks Luke

Cody

From: Bates, Luke <Luke.Bates@idwr.idaho.gov>
Sent: Thursday, September 7, 2023 1:56 PM
To: Parker, Cody <Cody.Parker@idwr.idaho.gov>
Subject: 98-8105 irr acreage

Cody,
I'm going to meet with Mike Foster for a site visit on 9/19.

Are you only interested in the field map trace out of active irrigation and nothing else?

Just wanting to validate how much of an exam to perform.

Thanks,

Luke Bates
Sr. Water Resource Agent
Northern Region
P: 208-762-2817

IDAHO DEPARTMENT OF
WATER RESOURCES
7600 N. Mineral Dr., Suite 100
Coeur D'Alene, ID 83815-7763

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

A. GENERAL INFORMATION

Permit No: 98-8105
Exam Date: 07/12/2023

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:**
   RANDEE LLEWELLIN FOSTER 63 RELOAD LN NAPLES ID 83847-0300 AND/OR
   MICHAEL J FOSTER 63 RELOAD LN NAPLES ID 83847-0300

3. **SOURCE:**
   GROUND WATER

Method of Determination: Photographs of well construction

B. OVERLAP REVIEW

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

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

Comments: No Overlap

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

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

Comments: No Overlap

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**
GROUND WATER NW¼ NE¼, Sec. 28, Twp 61N, Rge 01E, B.M. BOUNDARY County

Method of Determination: GIS

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	
61N	01E	28		1.5															1.5

Total Acres: 1.5

Method of Determination: GIS and aerial imagery (Google Earth)

3.

_____ Delivery System Diagram Attached. 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).

__x__ Photo of Diversion and System Attached

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A		1.5			

D. FLOW MEASUREMENTS

1.

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

2. Measurements: N/A (In-office exam)

E. FLOW CALCULATIONS

__x__ Additional Computation Sheets Attached

Measured Method: Brake Horsepower equation (see attachment)

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 1.5 acres * 3 acre-ft/acre = 4.5 acre-ft

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation season) x 1.9835 = 0.05 * 214 * 1.9835 = 21.2 acre-ft

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 4.5 acre-ft

2. Volume Calculations for Other Uses: N/A

G. NARRATIVE/REMARKS/COMMENTS

Permit 98-8105 qualifies for an in-house beneficial use exam due to acreage of irrigation being less than 5 acres. Initially, I thought that the open field on the right side of the parcel was the irrigated area, which is larger than 5 acres, so I called the permit holder for clarification. He informed me that the field had been covered with an herbicide that prevents him from using the land for farming/ranching. He said that it will remain toxic for many more years.

Over the phone, the permit holder informed me that he irrigates 1.5 acres near his domestic structure and in the surrounding clearing. Without conducting a field exam, IDWR has no basis to dispute this, given the satellite imagery is not great in this area. I am recommending a volume of 4.5 acre-ft and a corresponding flow rate of 0.05 cfs, which are the standard quantities of 1.5 acres of irrigation.

There are no POU/POD overlaps to discuss. The permit holder may file an adjudication claim or apply for new water right for domestic use. If so, that future water right should be limited to in-house use unless the applicant demonstrates that an additional 0.5 acres are irrigated.

Condition 046 should be removed from the license since the development has concluded and the well is 18 ft deep, which did not require a drilling permit. Condition 004 should also be removed because the POD is on the property owned by the permit holders. Condtion R66 should remain on the permit since the permit holder or future owners may apply for future irrigation or domestic water rights.

Have conditions of permit approval been met? _X_ Yes ____ No

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
IRRIGATION	04/01 to 10/31	0.05 CFS	4.5 AF
	Totals:	0.05 CFS	4.5 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

I. AUTHENTICATION Blake Burkard -

Field Examiner's Name_____ Date_____

Reviewer_____ Date_____

FLOW CALCULATIONS

PERMITTED FLOW (CFS):	0.05
(GPM):	22.443

TOTAL DYNAMIC HEAD	
Elevation of water surface (ft):	0
Elevation of highest sprinkler location (ft):	10
STATIC HEAD (ft):	10
Sprinkler Pressure (psi):	60
PRESSURE HEAD (ft):	138.6
Linear distance between pump and furthest sprinkler head (ft):	0
Assume friction loss: (psi/100 ft)	0.6
FRICTION HEAD (ft):	0
SUM (ft):	148.6

EFFICIENCY(%):	70

BRAKE HORSEPOWER (PUMP):	**1.20**

REARRANGE FOR FLOW:	
Pump HP:	1.5

Q (cfs):	**0.062**

Calculations demonstrate that the installed pump is capable of pumping groundwater at the permitted rate of 0.05 cfs. 1.2 horsepower is the smallest pump size needed for 0.5 cfs, and a 1.5 hp pump is capable of pumping at a rate of 0.06 cfs.



Figure 1: 20' x 36" casing for hand-dug well. Well has 2' of stick up to remain 18' deep

Hello Blake, Please find the attachment below of the 3' round x 20' long Galvanized Culvert Pipe. The 20ga. standoff wire (6" apart) is for a double wrap of landscape fabric. It is installed to hold the dirt back away to prevent sifting through the holes. The pipe is placed vertical into a 18' hole dug out with an excavator. The submersible pump is 1.5 hp.

The cistern holds aprox. 470 gals. (+/-). You can check my calculations (3ft dia. x 3.14 pi x 12ft. static hgt. x 4.17 = 471.38 gals.) The top rim of the pipe is 2' abv. grade. The static hgt. inside the cistern is at 12' ft. This is all verifiable at the time of inspection.

Sorry, there is no Well Construction Log. I think that just about covers all your questions, and maybe more than you wanted.

Looking forward to hearing from you,
Mike Foster

Figure 2: Email from permit holder

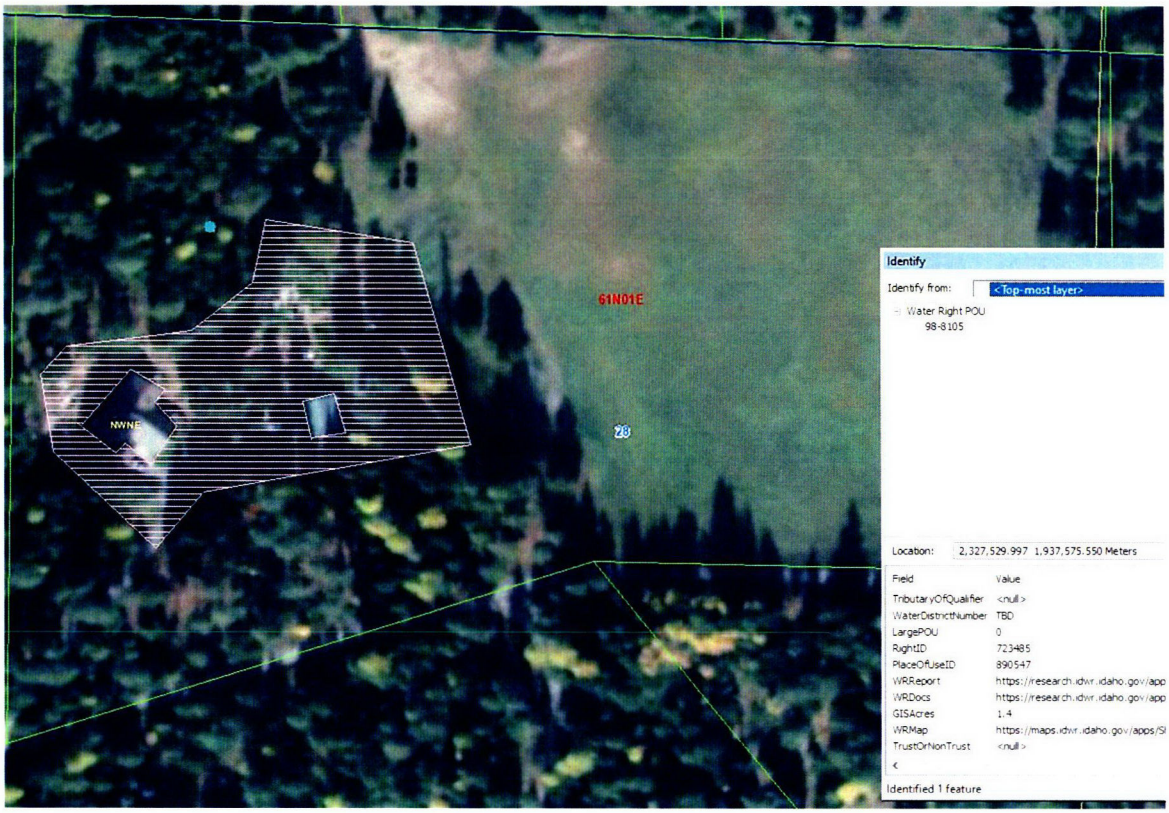


Figure 3: POU Shape based on phone call with permit holder

Beneficial Use Proof Evaluation

Permit Number: 98-8105 Reviewer: AVeibell Review Date: 6/15/2023

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: 6/15/2023
4) Proof Due Date: 2/1/2028
5) Days added for weekend due date?
6) Days added for holiday due date?
7) Number of days late: -1692
8) Proof received timely? Yes

Analysis

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

Fees

1) Is a licensing exam fee required? Yes
2) Was proof submitted with an exam report from a CWE? No
3) Filing fee due: $50.00
4) Filing fee submitted: $50.00
5) Remaining fee or (refund): $0.00

Receipt IDs

N041895

Comments

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

IDAHO DEPARTMENT OF
WATER RESOURCES

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

January 27, 2023

MICHAEL J FOSTER
RANDEE LLEWELLIN FOSTER
63 RELOAD LN
NAPLES ID 83847-0300

RE: Permit No. 98-8105

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
JAN 30 2023

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

If you have any questions concerning the enclosed information, please contact the Northern Region Office at (208) 762-2800.

Sincerely,

Luke Bates
Interim Water Rights Supervisor

Enclosure(s)

SCANNED
JAN 30 2023

CERTIFICATE OF SERVICE

I hereby certify that on January 27, 2023, I served a true and correct copy of Permit to Appropriate Water No. 98-8105 by U.S. Mail, postage prepaid, to the following:

MICHAEL J FOSTER (Current Owner)
63 RELOAD LN
NAPLES ID 83847-0300

RANDEE LLEWELLIN FOSTER (Current Owner)
63 RELOAD LN
NAPLES ID 83847-0300

Tammy Alleman
Administrative Assistant 1

SCANNED
JAN 3 0 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
JAN 3 0 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
JAN 3 0 2023

AFFIDAVIT OF PUBLICATION

RECEIVED
JAN 19 2023
IDWR / NORTH

State of Idaho

ss

County of Boundary, Melissa Cloutier being first duly sworn on oath deposes and says that he/she is Bookkeeper of the Bonners Ferry Herald, a newspaper printed and published at Bonners Ferry, Boundary County, Idaho; that the said newspaper has been continuously and uninterruptedly published in said Boundary County during a period of 12 months prior to the first publication of the hereto attached notice of publication in the case of: Legal Notice. State of Idaho Public Waters: 98-8098 + 98-8105 as it was published in the regular and entire issue of the said paper for a period of 2 consecutive weeks, commencing on 5 day of January, 2023 and ending on the 12 day of January, 2023 and that said notice was published in said newspaper.

Melissa Cloutier

SUBSCRIBED AND SWORN TO before me, this 12 day of January, 2023.

Katrina George

Notary Public-State of Idaho

Residing at: Kootenai County

My Commission Expires 8/29/23

KATRINA GEORGE NOTARY PUBLIC COMM. NO. 58874 STATE OF IDAHO

SCANNED
JAN 30 2023

LEGAL NOTICE

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

98-8098
MARIE GARRETT
JEREMY GARRETT
169 TEXAS LN
BONNERS FERRY, ID 83805
Point of Diversion SENE
S25 T63N R01E
BOUNDARY County
Source GROUND WATER
Use: DOMESTIC
1 /1 to 12/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/15 to 10/31 0.12 CFS
Total Diversion: 0.18 CFS
Date Filed: 08-28-2022
Place Of Use: DOMESTIC,IRRIGATION,STOCKWATER
T63N R01E S25 SENE
Total Acres: 4

98-8105
RANDEE LLEWELLIN FOSTER
MICHAEL J FOSTER
63 RELOAD LN
NAPLES, ID 83847-0300
Point of Diversion NWNE
S28 T61N R01E
BOUNDARY County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.12 CFS
Date Filed: 12-02-2022
Place Of Use: IRRIGATION
T61N R01E S28 NWNE
Total Acres: 4

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 1/23/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
Legal#10999
AD#4183
January 5, 12, 2023

SCANNED
JAN 3 0 2023

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

W.R. # 98 - 8105 APPLICATION ID # 87295 ENT. YB BCA JR OK to Publish MR

INITIAL REVIEW BY: YB DATE: 12/5/2022

APPLICANT: Randee Luewellin Foster and/or Michael J. Foster

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)

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

PROCESSING

(Yes)(No) PRIORITY DATE: 12/2/2022

✓ ✓ (Include Moratorium Remark)
Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af)

ADVERTISE IN

Boundary County

Newspaper: Bonners Ferry Herald
Dates scheduled for publication: 1-5-23 & 1-12-23
Affidavit of Publication received: 1-19-23
Dates actually published: 1-5-23 & 1-12-23
Application published correctly: Yes X No ____
If not, action taken: ____

Final Date for Protest: January 23, 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 12/5/2022 By: YB
___ ___ Field check: by ____
___ ___ Field report attached
___ ___ Analysis Supp. Attached (>5cfs/500af)
___ ___ Water delivered by water master? Water District # ____ N/A

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
___ ___ Measuring port required
___ ___ Special conditions: ____
___ ___ Special conditions of approval supplement and/or cover letter attached: ____

Approval Recommended by: ____ Date: 1/25/2023 Sr. Agent initial: YB Interim Supervisor

IDAHO DEPARTMENT OF
WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene, ID 83815-7763
Phone: 208-762-2800 • Fax: 208-762-2819 • Email: northerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

December 28, 2022

RANDEE LLEWELLIN FOSTER
MICHAEL J FOSTER
63 RELOAD LN
NAPLES, ID 83847-0300

RE: Application for Permit No. 98-8105

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 BONNERS FERRY HERALD on 1/5/2023 and 1/12/2023. 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
DEC 29 2022

Alleman, Tammy

From: Alleman, Tammy
Sent: Wednesday, December 28, 2022 10:07 AM
To: BFHLegals@bonnersferryherald.com
Subject: Legal Notice for Bonners Ferry Herald
Attachments: Legal Notice for 98-8098 & 98-8105.docx

Please publish the enclosed legal notice in the **Bonners Ferry Herald** on the dates indicated **January 5th & January 12th, 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 **January 23, 2022.** Your cooperation is appreciated.

Sincerely,

IDAHO DEPARTMENT OF WATER RESOURCES

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

SCANNED
DEC 29 2022

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

98-8098
MARIE GARRETT
JEREMY GARRETT
169 TEXAS LN
BONNERS FERRY, ID 83805
Point of Diversion SENE
S25 T63N R01E
BOUNDARY County
Source GROUND WATER
Use: DOMESTIC
1 /1 to 12/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/15 to 10/31 0.12 CFS
Total Diversion: 0.18 CFS
Date Filed: 08-28-2022
Place Of Use: DOMESTIC,IRRIGATION,STOCKWATER
T63N R01E S25 SENE
Total Acres: 4

98-8105
RANDEE LLEWELLIN FOSTER
MICHAEL J FOSTER
63 RELOAD LN
NAPLES, ID 83847-0300
Point of Diversion NWNE
S28 T61N R01E
BOUNDARY County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.12 CFS
Date Filed: 12-02-2022
Place Of Use: IRRIGATION
T61N R01E S28 NWNE
Total Acres: 4

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 1/23/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director Published on 1/5/2023 and 1/12/2023

SCANNED
DEC 29 2022

Bates, Luke

From: Bates, Luke
Sent: Monday, November 21, 2022 3:48 PM
To: lucyshideout@gmail.com; wallyshideout@protonmail.com
Cc: Maxey, Shaun
Subject: IDWR recommended revision for application for permit
Attachments: Copy - initial filing for Randee Llewellin Foster & OR Michael J Foster.pdf; 0. Application-Permit-License process notes.pdf; REVISED application-for-permit.pdf; APPLICATION map.pdf

Randee Llewellin Foster and/or Michael J. Foster,

Good evening.
I am requesting a courtesy response to this correspondence; it will let me know I didn't error in entering your email address. Thank you!

Following my conversation with Michael today regarding your initial application for permit, I've attached proposed revisions toward submitting a complete application for permit. You may have corresponded with another agent in our office, Shaun Maxey, at the start of your application filing pursuit; your form has been placed on my desk for review which is why I'm reaching out to you and not Shaun. I've CC'd him in this email so that he is aware you have been taken care of.

Attachments:

- original filing
- Recommended Revision – 2pg application form
- Application map
- 2pg PDF that explains each step in the application-permit-license process.

Once you get the chance to review the original filing & map revision, please do consider my recommendations toward amending your app for permit.

From our conversation I glean your intent to install a culvert with perforation holes vertical to collect groundwater for irrigation uses. We discussed bumping up the acreage to ensure a buffer value exists which you may/may not actually develop. Please review the 2 PG PDF that explains each step in the process which will help explain why the buffer at the start of the process is important (can't make values larger later).

In order to submit corrections please do the following:

1. Download the recommended revision document; you may make changes to this fillable PDF form, adjust to meet your full intent.
    a. Proof the 2pg form for accuracy, ensure I didn't typo contact information and other areas.
2. Once satisfied with the form please PRINT the 2pg application and map page.
    a. Sign PG 2 with ink pen, then SCAN the 3-page document (includes map page) back to your computer.
3. You may then scan and email the corrected forms C/O Luke Bates to the email address listed below (**not my personal email**)

file@idwr.idaho.gov

Please do give me a call if you've any questions and we can discuss the "why" of the changes recommended. I recommend carbon copying me on the email you send to the state office file@idwr.idaho.gov

SCANNED
DEC 29 2022

Thank you,

Luke Bates
Sr. Water Resource Agent
Northern Region
P: 208-762-2817

IDAHO DEPARTMENT OF
WATER RESOURCES
7600 N. Mineral Dr., Suite 100
Coeur D'Alene, ID 83815-7763

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