

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. _____

RECEIVED

Nov 15, 2023

DEPARTMENT OF
WATER RESOURCES

AMENDED

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) JOSEPH & KATHLENE HESTER FAMILY TRUST Phone (208) 755-9766
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 11611 W PRAIRIE AVE City POST FALLS
 State ID ZIP 83854 Email _____
2. Name of representative, if any ZACHARY W JONES Phone (208) 448-1300
 Mailing address 120 E LAKE ST, STE 202 City SANDPOINT
 State ID ZIP 83865 Email ZJONES@LCLATTORNEYS.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 PEND ORIELLE RIVER which is a tributary of COLUMBIA RIVER
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	%	%	%	County	Source	Local name or tag #
55N	04W	3	2		NE	SW	BONNER	PEND OREILLE RIVER	

5. Water will be used for the following purposes:
- Amount 0.03 for IRRIGATION purposes from 04/01 to 10/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.03 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. PUMP FROM RIVER WITH 1 INCH PIPE
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☐ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? _____; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ _____ Received by _____ Receipt No. _____ Date _____

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in kW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; must complete and attach the Municipal Water Right Application Checklist.
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
55N	04W	3									1.1								1.1
											GL2								

Total number of acres to be irrigated: 1.1

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

11. a. Who owns the property at the point of diversion? 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: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. USE 1 INCH PIPE TO PUMP WATER FROM PEND OREILLE RIVER FOR THE PURPOSE OF IRRIGATION FOR THE PARCEL #RP020400000040A FOR LAWN/LANDSCAPING

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

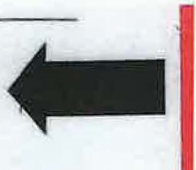
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

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.

Joseph Hester
Signature of Applicant
JOSEPH HESTER, TRUSTEE
Print Name (and title, if applicable)

Kathlene Hester
Signature of Applicant
KATHLENE HESTER, TRUSTEE
Print Name (and title, if applicable)

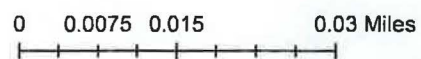
Kathlene Hester, Trustee





Legend

- Township/Range
- Sections
- QQ



DEPARTMENT OF WATER RESOURCES

OCT 25 2023

APPLICATION FOR PERMIT

IDWR / NORTH

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) JOSEPH & KATHLENE HESTER FAMILY TRUST Phone (208) 755-9766
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 11611 W PRAIRIE AVE City POST FALLS
 State ID ZIP 83854 Email _____
2. Name of representative, if any ZACHARY W JONES Phone (208) 448-1300
 Mailing address 120 E LAKE ST, STE 202 City SANDPOINT
 State ID ZIP 83865 Email ZJONES@LCLATTORNEYS.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 PEND ORELLE RIVER which is a tributary of COLUMBIA RIVER
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
55N	04W	3	2		NE	SW	BONNER	PEND OREILLE RIVER	

5. Water will be used for the following purposes:
- Amount 0.03 for IRRIGATION purposes from 04/01 to 10/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.03 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. PUMP FROM RIVER WITH 1 INCH PIPE
- 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 PS Date 10-25-23 Time — Preliminary check by _____
 Fee \$ 100 - Received by PS Receipt No. N044149 Date 10-25-23

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
 - Domestic; show number of households _____
 - Other; describe fully. _____
9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - 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	
55N	04W	3									1.1								1.1

Total number of acres to be irrigated: 1.1

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

11. a. Who owns the property at the point of diversion? 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: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. USE 1 INCH PIPE TO PUMP WATER FROM PEND OREILLE RIVER FOR THE PURPOSE OF IRRIGATION FOR THE PARCEL #RP020400000040A FOR LAWN/LANDSCAPING

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.

Joseph H. Hester

Signature of Applicant

JOSEPH HESTER, TRUSTEE

Print Name (and title, if applicable)

Kathlene M. Hester

Signature of Applicant

KATHLENE HESTER, TRUSTEE

Print Name (and title, if applicable)



Legend

- Township/Range
- Sections
- QQ

0 0.0075 0.015 0.03 Miles





RECEIVED

OCT 25 2023

IDWR / NORTH

Zachary W. Jones | Attorney at Law

Phone: (208) 448-1300

zjones@lclattorneys.com

October 23, 2023

Idaho Department of Water Resources
Northern Region
7600 Mineral Drive, Ste. 1100
Coeur d'Alene, ID 83815

Re: Application for Permit
Joseph and Kathlene Hester Family Trust
Parcel Nos. RP00278000012AA & RP000278000011BA

Dear Adjudication Specialist,

Enclosed, you will find Amended Applications for Permit for processing by your office, along with a check in the amount of \$200 for associated fees.

Thank you for your time in processing this application. Please feel free to contact this office directly with any questions or concerns.

Sincerely,
LAKE CITY LAW GROUP PLLC

/s/ Demarie L. Slinger

Demarie L. Slinger | Paralegal

Enclosure as stated

RECEIVED

Print Single Sided Only

FORM 202 Rev. 08/16
OCT 04 2023STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. _____

IDWR / NORTH

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Joseph and Kathlene Hester Faily Trust Phone 208-755-9766Name connector (check one): ☐ and ☐ or ☐ and/orMailing address 11611 W. Prairie Ave. City Post FallsState ID ZIP 83854 Email _____2. Name of representative, if any Zachary W. Jones Phone 208-448-1300Mailing address 120 E. Lake St. Ste. 202 City SandpointState ID ZIP 83865 Email zjones@lclattorneys.coma. ☐ Send all correspondence for this application to the representative and not to the applicant OR☒ Send original correspondence to the applicant and copies to the representative.b. ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant OR☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.3. Source of water supply Pend Oreille River which is a tributary of Columbia River

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
55N	4W	03	2	NW	SE		BONNER	OTHER	RP020400000030A &
									RP020400000040A

5. Water will be used for the following purposes:

Amount .04 cfs for irrigation purposes from 5/1 to 10/31 (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)6. Total quantity to be appropriated is (a) .04 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. Pump from river. 1" pipe.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. _____

SUPERSEDED

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ _____ Received by _____ Receipt No. _____ Date _____

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
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TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N	4W	03														1.73			1.73

Total number of acres to be irrigated: 1.73

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? n/a

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

12. Describe your proposal in narrative form and provide additional explanation for any of the items above. Attach additional pages if necessary. Use of 1" pipe to pump water from the Pend Oreille river for the purpose of irrigation of two small parcels of land described herein. Irrigation for lawn/landscaping only.

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.

Joseph Hester, Trustee
 Signature of Applicant
 Joseph Hester, Trustee
 Print Name (and title, if applicable)

Kathlene Hester, Trustee
 Signature of Applicant
 Kathlene Hester, Trustee
 Print Name (and title, if applicable)

~~SUPERSEDED~~

PUMP



PIPE

PIPE



PUMP

Mountain Estates Dr

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:279866

FOR VALUE RECEIVED

Kathlene M. Hester, a married woman, as her sole and separate property, Ruth Demoss, an unmarried woman, now and at the time of acquiring title, Linda L. Butler, a married woman, as her sole and separate property and Sharon Clark, a married woman, as her sole and separate property

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Joseph H. Hester and Kathlene M. Hester, Trustees of the Joseph and Kathlene Hester Family Trust, dated August 2, 2005

whose current address is 11611 W. Prairie Ave., Post Falls, ID 83854

the grantee(s), the following described premises, in Bonner County, Idaho, TO WIT:

Lots 9 and 24 of Mountain View Lots according to the official plat thereof, filed in Book 2 of Plats at Page 127, records of Bonner County, Idaho

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: July 28, 2015

Kathlene M. Hester

Kathlene M. Hester

Ruth DeMoss
Ruth Demoss

Ruth Demoss

Linda L. Butler
Linda L. Butler

Linda L. Butler

Sharon Clark
Sharon Clark

Sharon Clark

State of Idaho

}

SS

County of Bonner

3

On this 24th day of August, 2015, before me, the undersigned, a Notary Public in and for said state, personally appeared Kathlene M. Hester, Ruth Demoss, Linda L. Butler and Sharon Clark, known or identified to me to be the persons whose names are subscribed to the within Instrument and acknowledged to me that they executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public for the State of Idaho
Residing at: Athol
Commission Expires: May 2, 2017

Notary Public for the State of Idaho
Residing at: Athol
Commission Expires: May 2, 2017

LYNNETTE MILLER
NOTARY PUBLIC
STATE OF IDAHO

Instrument # 905866
Bonner County, Sandpoint, Idaho
05/30/2017 01:58:42 PM No. of Pages: 1
Recorded for: HOLMES LAW OFFICE
Michael W. Rosedale Fee: \$10.00
Ex-Officio Recorder Deputy
Index to: QUIT CLAIM DEED

Deed Prepared By:

EDWIN B. HOLMES, ISB #4668
HOLMES LAW OFFICE, P.A.
1250 W IRONWOOD DRIVE, STE 301
COEUR D'ALENE ID 83814-2682
TELEPHONE: (208) 664-2351
FACSIMILE: (208) 664-2323
EMAIL: edwin@hlmelawoffice.com

After Recording, Please Return
Recorded Deed to Grantee

QUITCLAIM DEED
(Inter Vivos Trust as Grantor)

For value received, Joseph H. Hester and Kathlene M. Hester, Trustees of the Joseph and Kathene Family Trust, dated August 2, 2005, the Grantor herein (hereinafter referred to as "Grantor"), does hereby bargain, sell, assign and convey unto Joseph H. Hester and Kathene M. Hester, Trustees of the Joseph and Kathlene Family Trust, dated August 2, 2005, the Grantee herein, currently of 11611 W Prairie Ave., Post Falls, ID 83854 (hereinafter referred to as "Grantee"), all present and future right, title and interest that Grantor has in the following described parcels of real property located in the County of Bonner, State of Idaho, to wit: Lots 10 and 23 and the East Half (E1/2) of Lots 11 and 22 of Mountain View Lots, according to the plat thereof, filed in Book 2 of Plats at Page 127, records of Bonner County, Idaho.

Including after acquired title. To have and to hold the said premises, with their appurtenances unto Grantee, and Grantee's heirs and assigns forever.

Dated this 3 day of April, 2017.

The Joseph and Kathlene Family Trust,
Dated August 2, 2005

By: Joseph H. Hester, Co-Trustee
Joseph H. Hester, Co-Trustee

The Joseph and Kathlene Family Trust,
Dated August 2, 2005

By: Kathlene M. Hester, Co-Trustee
Kathlene M. Hester, Co-Trustee

STATE OF IDAHO)
) ss
County of Kootenai)

On this 3rd day of May, 2017, before me Crosby Cross, a notary public, personally appeared Joseph H. Hester and Kathene M. Hester known or identified to me to be the Trustees of the Trust known as The Joseph and Kathene Family Trust, Dated August 2, 2005, and who acknowledged to me that they executed the same in the trust's name.

CROSBY CROSS
Notary Public
State of Idaho

Notary Public for:
Residing in:
My Commission Expires:



Zachary W. Jones | Attorney at Law
Phone: (208) 448-1300
zjones@lclawattorneys.com

RECEIVED

OCT 04 2023

COEUR D'ALENE / NORTH

September 28, 2023

Idaho Department of Water Resources
Northern Region
7600 Mineral Drive, Ste. 1100
Coeur d'Alene, ID 83815

Re: Application for Permit
Joseph and Kathlene Hester Family Trust
Parcel Nos. RP00278000012AA & RP000278000011BA

Dear Adjudication Specialist,

Enclosed, you will find an Application for Permit for processing by your office.

Thank you for your time in processing this application. Please feel free to contact this office directly with any questions or concerns.

Sincerely,
LAKE CITY LAW GROUP PLLC

/s/ Demarie L. Slinger

Demarie L. Slinger | Paralegal

Enclosure as stated

Sharp, Taya

From: Sharp, Taya
Sent: Wednesday, November 29, 2023 2:29 PM
To: Chantilly Higbee; Anna Moody; Horsmon, Merritt; 'mahmer'; IWRB Water Use Reviews
Subject: Request for Comments for Water Right 96-16801
Attachments: 96-16801 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:

<https://research.idwr.idaho.gov/apps/waterrights/wrajssearch/wradjssearch.aspx>

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of the application(s), you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication. **The deadline for comments on the applications is December 26th, 2023.**

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

Thank you,



Taya Sharp | 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



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 Mathew Weaver

November 29, 2023

ZACHARY W JONES
120 E LAKE ST STE 202
SANDPOINT, ID 83864-1366

JOSEPH & KATHLENE HESTER FAMILY TRUST
11611 W PRAIRIE AVE
POST FALLS, ID 83854-5923

RE: Application for Permit No. 96-16801

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, PRIEST RIVER VERSION on 12/6/2023 and 12/13/2023. 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

Taya Sharp
Administrative Assistant

Sharp, Taya

From: Sharp, Taya
Sent: Wednesday, November 29, 2023 12:32 PM
To: Bonner County Daily Bee (bcdblegals@cdapress.com)
Subject: Legal Notice for BCDB, Priest River Version
Attachments: BCDB, Priest River Version Legal Notice.docx

Please publish the enclosed legal notice in the **Bonner County Daily Bee, Priest River Version** on the dates indicated **December 6th & December 13th, 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 **December 26th, 2023**. Your cooperation is appreciated.

Thank you,



Taya Sharp | 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

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

96-16790

RUSSELL T BALLEW
383 CANNON GREEN DR APT F
GOLETA, CA 93117-2861
Point of Diversion L2(NENWNE)
S5 T54N R04W
BONNER County
Source SPRING
Tributary SINKS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Use: DOMESTIC
01/01 to 12/31 0.11 CFS
Total Diversion: 0.14 CFS
Date Filed: 11-06-2023
Place Of Use: DOMESTIC, IRRIGATION
T54N R04W S5 L2(NWNE)
Place Of Use: DOMESTIC, IRRIGATION
T55N R04W S32 SWSE
Total Acres: 1

96-16791

RUSSELL T BALLEW
383 CANNON GREEN DR APT F
GOLETA, CA 93117-2861
Point of Diversion L2(SENWNE)
S5 T54N R04W
BONNER County
Source SPRING
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31 0.11 CFS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.14 CFS
Date Filed: 11-06-2023
Place Of Use: DOMESTIC, IRRIGATION
T54N R04W S5 L2(NWNE)
Place Of Use: DOMESTIC, IRRIGATION
T55N R04W S32 SWSE
Total Acres: 1

96-16798

GEORGE T WHITTEN
JACKI J WHITTEN
DONNA M BRETTHAUER
4500 E WOODLAND DR
POST FALLS, ID 83854-6839
Point of Diversion NWNE
S33 T56N R05W
BONNER County
Source STRONG CREEK
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 11-17-2023
Place Of Use: DOMESTIC
T56N R05W S33 NWNE

96-16800

JOSEPH & KATHLENE HESTER FAMILY TRUST
11611 W PRAIRIE AVE
POST FALLS, ID 83854-5923
Point of Diversion L2(NESW)
S3 T55N R04W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 10-04-2023
Place Of Use: IRRIGATION
T55N R04W S3 L2(NESW)
Total Acres: 0.8

Alleman, Tammy

From: Alleman, Tammy
Sent: Wednesday, October 25, 2023 1:19 PM
To: Zachary Jones
Cc: Demarie Slinger; Stephanie Engelbrecht
Subject: RE: Hester family Trust Application for Permit

Hi Mr. Jones,

I received the fees and signed applications today but I do need them to add the Govt Lot on the Place of Use, as was on the last Amended Application for Permit.

Thank you for the follow up.

Have a great day!

Tammy

From: Zachary Jones <zjones@lclattorneys.com>
Sent: Wednesday, October 25, 2023 12:36 PM
To: Alleman, Tammy <Tammy.Alleman@idwr.idaho.gov>
Cc: Demarie Slinger <dslinger@lclattorneys.com>; Stephanie Engelbrecht <sengelbrecht@lclattorneys.com>
Subject: RE: Hester family Trust Application for Permit

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Good afternoon Tammy,

I am just reaching out to touch base regarding your email below. It is my understanding that you have mailed an amended application to the Hesters. We will have them sign that application and email it to File@idwr.idaho.gov. We also received the \$200 application fee which we will provide along with the application.

Please let me know if there is anything else you need from us.

Thank you very much.

Sincerely,

Zachary W. Jones | Attorney



435 W. Hanley Avenue Ste 101 | Coeur d'Alene, ID 83815
208.664-8115 | 208.664-6338 (fax)

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From: Alleman, Tammy <Tammy.Alleman@idwr.idaho.gov>

Sent: Tuesday, October 24, 2023 10:33 AM

To: Zachary Jones <zjones@lclattorneys.com>

Subject: RE: Hester family Trust Application for Permit

You don't often get email from tammy.alleman@idwr.idaho.gov. [Learn why this is important](#)

Dear Mr. Jones,

Attached is the letter I am sending regarding the Incomplete Application for Permit that was sent to us for Joseph & Kathlene Hester Family Trust. I have mailed this to the applicants as well as I have not heard from you, and I have made several attempts to contact you regarding this application.

Sincerely,

Tammy Alleman

From: Alleman, Tammy

Sent: Thursday, October 5, 2023 4:11 PM

To: zjones@lclattorneys.com

Subject: Hester family Trust Application for Permit

Good afternoon Mr. Jones,

We received an incomplete application for permit for Joseph & Kathlene Hester Family Trust. In reviewing the application received, the parcel numbers indicated on the cover letter were incorrect. The correct parcels numbers for the parcels are RP02040000030A & RP02040000040A. The ¼ ¼ s were also incorrect. The parcels are both in the NESW (not NWSE) They are two separate parcels and will be pulling from 2 separate locations, so they need to file for 2 Applications for Permit. The fee for each is \$100.00 and so we need a check (or payment) for \$200.00 to process them.

I have drafted 2 Applications for Permit for your review. I am also attaching the original one. Please have your clients sign the new applications and send them with wet signatures to our office, along with a check for \$200.00 made payable to IDWR. The mailing address is listed below.

If you have any questions or concerns, please contact me at (208) 762-2809.

Thank you,



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



Governor Brad Little

Director Mathew Weaver

October 24, 2023

JOSEPH & KATHLENE HESTER FAMILY TRUST
11611 W PRAIRIE AVE
POST FALLS, ID 83854

Re: Water Right Application – Incomplete for filing

Dear Applicant:

This office received an application for permit submitted on 10/4/2023. The application is incomplete and cannot be accepted into the records of the Idaho Department of Water Resources (IDWR) until the following items are addressed:

- **Need to file 2 separate Applications for Permit because there are two different points of diversion.**
 - There are two separate parcels with 2 different points of diversion which requires filing these applications separately.
- **1 – Joseph & Kathlene Hester Family Trust:**
 - Family is spelled wrong, needs corrected
- **4 – Incorrect ¼ ¼ and Source :**
 - The correct ¼ ¼ is NESW and the Source is Pend Orielle River
- **5 – Water Use:**
 - The parcels are irrigated separately and will be split up on two applications. Parcel # RP020400000030A is 0.8 acres total and you can apply for the amount of 0.03 cfs for irrigation purposes from 4/1 to 10/31 (correct season of use).
 - The second parcel # RP020400000040A is 1.1 acres total and you can apply for the amount of 0.03 cfs for irrigation purposes from 4/1 to 10/31 (correct season of use).
- **6 – Total Quantity:**
 - This would be 0.03 cfs for each application.
- **9 – Place of Use:**
 - This would be TWP 55N RGE 4W SEC 3 as you have it but the with the acreage for the applications would be put in the NESW box. Total Acres would be placed in the Total # of Acres line as well.
- **14 – Application Map:**
 - The map needs to show townships, ranges, sections, and government lots.

- **12 – Fees are required:**

- No fees were received with the application. This should be two separate applications so the fees required would be a total of \$200.00, \$100 for each application for permit.

Due to the incomplete portions of your filing, I have attached revised applications for permit developed based on Bonner County Tax Parcel data & IDWR mapping software. Please review this form and consider using it when submitting the revised applications. I recommend contacting me directly to discuss the form, and we can change any part of it to meet your intent prior to submitting.

A copy of the original incomplete application is enclosed for reference. Please contact IDWR to make the necessary amendments to the original form (submit REVISED APPLICATION FOR PERMIT) prior to re-submitting within the next fourteen (14) days, **NLT November 6, 2023**. **If IDWR does not receive your written response within thirty (30) days, NLT November 22 2023, the original incomplete filing returned to you by mail.**

This letter is an attempt to ensure that your application is complete in order to establish a priority date. Please contact Tammy Alleman at the Northern Regional office using the contact information below to discuss your online application for permit filing.

Sincerely,



Tammy Alleman
Water Resource Agent
7600 N. Mineral Dr., Suite 100
Coeur D'Alene, ID 83815-7763
P: 208-762-2809

Enclosure: Copy of original application for permit
Recommended amended applications for permit w/Maps

Ecc: zjones@lclattorneys.com