

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

Oct 02, 2024

DEPARTMENT OF
WATER RESOURCES

JUL 29 2024

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSIO

IDWR/NORTH

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split
☐ Transfer is for changes pursuant to [Idaho Code § 42-221.0.8](#). Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Fernwood Water and Sewer District Phone (208) 245-3554
2. **MAILING ADDRESS** PO Box 215 City Fernwood
State Idaho Zip 83830 Email santawood@cpcinternet.com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 92-7231(Groundwater), 92-2027 (Surface Water), 92-7171 (Surface Water)

- ☒ Attach a copy of the water right(s) as recorded, available at [idwr.idaho.gov](#), *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 1.0 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at [idwr.idaho.gov](#), *Water Rights, Water Right Transfers, Modeling Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
N			NW	SE	6	43N	01E	Benewah	Ground Water	Well No. 3
Y			NW	SE	6	43N	01E	Benewah	Ground Water	Well No. 4

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

See response in attached memorandum.

- b. Who owns the property at the point(s) of diversion? Fernwood Water and Sewer District via easement
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

See attached easement documentation

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. You may create a map at idwr.idaho.gov, *Water Rights, Water Right Transfers, File a Transfer Application, Step 2C*.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Shelly M. Hammons
Signature of applicant or authorized agent

Shelly M. Hammons
Print name and title if applicable
Chairman

7/19/2024
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☐ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The [Fee Schedule](#) is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the [Application for Transfer Instructions](#).

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by _____ Date _____

Fee paid 500.00 Date 7/29/24 Received by NS Receipt # N0448260

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

JUL 29 2024
APPLIC

IDWR/NORTH

Check all that apply:

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2. **MAILING ADDRESS** PO Box 215 City Fernwood

State Idaho Zip 83830 Email santawood@cpcinternet.com

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3. **LIST WATER RIGHT NUMBER(S)** 97-7231(Groundwater), 92-2027 (Surface Water), 92-7171 (Surface Water)

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[illegible]



WATER RIGHTS MEMORANDUM

DATE: 05/24/2024
TO: Idaho Department of Water Resources
FROM: Merrick & Company – Consultant for Fernwood Water and Sewer District
SUBJECT: Supplemental Water Rights Transfer Application Information

DESCRIPTION & BACKGROUND INFORMATION

The Fernwood Water and Sewer District currently supplies its public drinking water system under a ground water rights (No. 92-7231) using a single well (Well No. 3) that has a pumping capacity of 140 gallons per minute (gpm), or 0.312 cubic feet per second (cfs). The single ground water well is the District's main source of drinking water, and they supplement their supply with a slow sand filter, when favorable water quality conditions exist, that draws water from Adams Creek (No. 92-7171, 92-2027). If Well No. 3 were to go down, the slow sand filter would not be able to meet water system demands for the District's customers. Therefore, a new redundant well is required per IDAPA 58.01.08, Section 501.17. The existing well will stay in service.

This Water Rights Transfer Application includes the following request:

- 1) Add an additional point of diversion located at NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6 Township 43N Range 01E from existing Well No. 3 to a new well (Well No. 4) located on the same site on the existing water rights 92-7231.
- 2) The capacity of Well No. 4 will match the existing Well No. 3 (140 gpm, 0.312 cfs) and will not exceed the water right of 1 cfs.

Upon approval, the District will have the ability to pump from either well under their existing water rights. No changes to the place of use, type of use, or diversion rate are proposed for Water Rights 92-7231. Activation of the well will begin once all permits and approvals are obtained.

ITEM 6A RESPONSE

The new Well No. 4, will be connected to the existing well treatment building. Piping within the treatment building may be modified to accommodate the new well. The treatment building is already equipped with working control valves and flowmeter. The structure is locked to prevent unauthorized entry.

ITEM 6B RESPONSE

The existing well and treatment building reside on parcel No. RP43N01E067300, owned by the Legacy Investments of Idaho, LLC. An existing easement allows access to the well site and facilities. The District is currently negotiating expanding the easement to accommodate the new well. The well site is accessible from Carpenter Creek Road.



409 E. Coeur d'Alene Ave
Coeur d'Alene, ID 83816



761 • 203-753-3899



idaho@merrick.com
www.merrick.com



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SUPERSEDED



409 E. Coeur d'Alene Ave
Coeur d'Alene, ID 83816



Tel. +1 208-780-3990



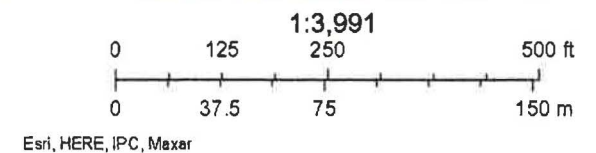
idaho@merrick.com
www.merrick.com

Fernwood, ID



5/10/2024, 1:11:53 PM

- Counties
- PLS Sections
- Quarter Quarters
- Townships



**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 92-7231

Current Owner: FERNWOOD WATER & SEWER DISTRICT

Priority Date: 1/29/1998

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	01/01 to 12/31	1 CFS	
	<u>Total Diversion</u>	1 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4	Sec. 6,	Twp 43N,	Rge 01E B.M.
BENEWAH County				

Place of Use

MUNICIPAL Within BENEWAH County

T43N R01E S6	Lot 1	NENE	T43N R01E S6	Lot 2	NWNE
T43N R01E S6		SWNE	T43N R01E S6	Lot 3	NENW
T43N R01E S6	Lot 4	NWNW	T43N R01E S6	Lot 5	SWNW
T43N R01E S6		SENE	T43N R01E S6		NESW
T43N R01E S6	Lot 6	NWSW	T43N R01E S6		SESW
T43N R01E S6		NESE	T43N R01E S6		NWSE
T43N R01W S1	Lot 1	NENE	T43N R01W S1		SENE
T44N R01E S30	Lot 4	SWSW	T44N R01E S30	Lot 5	SESW
T44N R01E S31		SWNE	T44N R01E S31		NENW
T44N R01E S31	Lot 1	NWNW	T44N R01E S31	Lot 2	SWNW
T44N R01E S31		SENE	T44N R01E S31		NESW
T44N R01E S31	Lot 3	NWSW	T44N R01E S31	Lot 4	SWSW
T44N R01E S31		SESW	T44N R01E S31		NESE
T44N R01E S31		NWSE	T44N R01E S31		SWSE
T44N R01E S31		SESE	T44N R01E S32	Lot 3	NWSW
T44N R01E S32	Lot 4	SWSW	T44N R01W S25		NENW
T44N R01W S25		NWNW	T44N R01W S25		SWNW
T44N R01W S25		SESW	T44N R01W S25		NESE
T44N R01W S25		SWSE	T44N R01W S25		SESE
T44N R01W S36		NENE	T44N R01W S36		NWNE
T44N R01W S36		SWNE	T44N R01W S36		SENE
T44N R01W S36		NESE	T44N R01W S36		SESE

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. 126 Place of use is within the service area of Fernwood Water and Sewer District as provided for under Idaho law.

Decreed Date: 9/25/2015

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 92-2027

Current Owner: FERNWOOD WATER & SEWER DISTRICT
Priority Date: 2/25/1966
Origin: Water Right
Status: Active
Basis: Decreed

Source

ADAMS CREEK

Tributary

ST MARIES RIVER

Beneficial Use

MUNICIPAL

From To

01/01 to 12/31

Total Diversion

Diversion Rate

1 CFS

1 CFS

Annual Volume

132 AF

132 AF

Location of Point(s) of Diversion

ADAMS CREEK

BENEWAH County

SW1/4SE1/4

Sec. 28, Twp 44N, Rge 01E B.M.

Place of Use

MUNICIPAL Within BENEWAH County

T43N R01E S6	Lot 1	NENE	T43N R01E S6	Lot 2	NWNE
T43N R01E S6		SWNE	T43N R01E S6	Lot 3	NENW
T43N R01E S6	Lot 4	NWNW	T43N R01E S6	Lot 5	SWNW
T43N R01E S6		SENE	T43N R01E S6		NESW
T43N R01E S6	Lot 6	NWSW	T43N R01E S6		SESW
T43N R01E S6		NESE	T43N R01E S6		NWSE
T43N R01W S1	Lot 1	NENE	T43N R01W S1		SENE
T44N R01E S30	Lot 4	SWSW	T44N R01E S30	Lot 5	SESW
T44N R01E S31		SWNE	T44N R01E S31		NENW
T44N R01E S31	Lot 1	NWNW	T44N R01E S31	Lot 2	SWNW
T44N R01E S31		SENE	T44N R01E S31		NESW
T44N R01E S31	Lot 3	NWSW	T44N R01E S31	Lot 4	SWSW
T44N R01E S31		SESW	T44N R01E S31		NESE
T44N R01E S31		NWSE	T44N R01E S31		SWSE
T44N R01E S31		SESE	T44N R01E S32	Lot 3	NWSW
T44N R01E S32	Lot 4	SWSW	T44N R01W S25		NENW
T44N R01W S25		NWNW	T44N R01W S25		SWNW
T44N R01W S25		SESW	T44N R01W S25		NESE
T44N R01W S25		SWSE	T44N R01W S25		SESE
T44N R01W S36		NENE	T44N R01W S36		NWNE
T44N R01W S36		SWNE	T44N R01W S36		SENE
T44N R01W S36		NESE	T44N R01W S36		SESE

Conditions of Approval:

1. C04 Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. 126 Place of use is within the service area of Fernwood Water and Sewer District as provided for under Idaho law.
4. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Decreed Date: 9/25/2015

Page _____ of _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 92-7171

Current Owner: FERNWOOD WATER & SEWER DISTRICT
Priority Date: 9/28/1983
Origin: Water Right
Status: Active
Basis: Decreed

Source

ADAMS CREEK

Tributary

ST MARIES RIVER

Beneficial Use

MUNICIPAL

From To

01/01 to 12/31

Total Diversion

Diversion Rate

0.7 CFS

0.7 CFS

Annual Volume

507 AF

507 AF

Location of Point(s) of Diversion

ADAMS CREEK

BENEWAH County

SW1/4SE1/4

Sec. 28, Twp 44N, Rge 01E B.M.

Place of Use

MUNICIPAL Within BENEWAH County

T43N R01E S6	Lot 1	NENE	T43N R01E S6	Lot 2	NWNE
T43N R01E S6		SWNE	T43N R01E S6	Lot 3	NENW
T43N R01E S6	Lot 4	NWNW	T43N R01E S6	Lot 5	SWNW
T43N R01E S6		SENE	T43N R01E S6		NESW
T43N R01E S6	Lot 6	NWSW	T43N R01E S6		SESW
T43N R01E S6		NESE	T43N R01E S6		NWSE
T43N R01W S1	Lot 1	NENE	T43N R01W S1		SENE
T44N R01E S30	Lot 4	SWSW	T44N R01E S30	Lot 5	SESW
T44N R01E S31		SWNE	T44N R01E S31		NENW
T44N R01E S31	Lot 1	NWNW	T44N R01E S31	Lot 2	SWNW
T44N R01E S31		SENE	T44N R01E S31		NESW
T44N R01E S31	Lot 3	NWSW	T44N R01E S31	Lot 4	SWSW
T44N R01E S31		SESW	T44N R01E S31		NESE
T44N R01E S31		NWSE	T44N R01E S31		SESE
T44N R01E S31		SESE	T44N R01E S32	Lot 3	NWSW
T44N R01E S32	Lot 4	SWSW	T44N R01W S25		NENW
T44N R01W S25		NWNW	T44N R01W S25		SWNW
T44N R01W S25		SESW	T44N R01W S25		NESE
T44N R01W S25		SWSE	T44N R01W S25		SESE
T44N R01W S36		NENE	T44N R01W S36		NWNE
T44N R01W S36		SWNE	T44N R01W S36		SENE
T44N R01W S36		NESE	T44N R01W S36		SESE

Conditions of Approval:

1. 126 Place of use is within the service area of Fernwood Water and Sewer District as provided for under Idaho law.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 9/25/2015

'98 SEP 1 PM 4 10

BENNEH COUNTY 12⁰⁰

KAY BATHER, CLERK

Barbara Ragan - Deputy
To: Park & RogersGRANT OF EASEMENT

THIS INDENTURE is made and entered into this 1st day of September, 1998, by and between Klaveano Ranches, Inc., hereinafter called "Grantor", and Potlatch Corporation and Fernwood Water and Sewer District, hereinafter called "Grantees",

WITNESSETH:

Grantor, for a good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant unto Grantees, and to their successors and assigns, subject to the terms and conditions hereof, a permanent non-exclusive easement for ingress and egress and for constructing installing, replacing, repairing and maintaining water and sewer lines over and across the following described real property in Benewah County, State of Idaho, to wit:

A parcel measuring 100 feet by 230.29 feet in the NW corner of the SW1/4SE1/4, Section 6, Township 43 North, Range 1 East, Boise Meridian, as shown on the map attached hereto as Exhibit A.

TO HAVE AND TO HOLD said easement unto the Grantees, their successors and assigns, forever, subject to the following terms and conditions:

1. Grantees hereby covenant and agree each for itself and its successors and assigns to each be liable for road maintenance within the abovedescribed easement in proportion to its own respective use.
2. All water and sewer lines shall be placed so as not to interfere with the primary purpose of the easement for ingress and egress.

IN WITNESS WHEREOF the parties have caused this instrument to be executed by their duly authorized officers the day and year hereinabove first written.

POTLATCH CORPORATION

Richard K. Kelly

Richard K. Kelly, Vice-President

Wood Products Group - Western Division

Attest:

By

T.L. Carter

T.L. Carter, Assistant Secretary

EXHIBIT C

FERNWOOD WATER & SEWER DISTRICT

By *Sheryl Sullivan*
Chairman, Board of Directors

ATTEST:

By *Henry T. Balf*
Secretary

KLAVEANO RANCHES, INC.

By *Keith Klaveano*
Keith Klaveano, President

STATE OF IDAHO)
) ss.
County of Nez Perce)

On this 31st day of August, 1998, before me, the undersigned, a Notary Public in and for said state, personally appeared RICHARD K. KELLY and T.L. CARTER, known to me to be the Vice President and Assistant Secretary of Potlatch Corporation, the corporation that executed the within instrument, and acknowledged to me that they executed the same for and on behalf of said corporation.

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

Diane K. Bridges
Notary Public for the State of Idaho
Residing at Lewiston therein.
My Commission Expires: 11/9/2000

STATE OF IDAHO)
) ss.
 County of Benewah)

On this 1st day of September, 1998, before me, the undersigned Notary Public, personally appeared SHERYL SULLIVAN and HENRY TEAL, JR., to me known to be the Chairman and Secretary, respectively, of the FERNWOOD WATER AND SEWER DISTRICT, an Idaho corporation, the corporation that executed the foregoing instrument, and the persons who executed the instrument on behalf of the corporation, and acknowledged to me that such corporation executed the 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.

Shelly M. Hammons
 Notary Public for the State of Idaho
 Residing at Lewiston therein.
 My Commission Expires: 7-11-2003

STATE OF IDAHO)
) ss.
 County of NEZ PERCE)

On this 31st day of August, 1998, before me, the undersigned, a Notary Public in and for said state, personally appeared KEITH KLAVEANO, known to me to be the President of Klaveano Ranches, Inc., the corporation that executed the within instrument, and acknowledged to me that he executed the same for and on behalf of said corporation.

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

John C. Quinn
 Notary Public for the State of Idaho
 Residing at Lewiston therein.
 My Commission Expires: 3/15/1999

RECORD OF SURVEY

LOCATED IN SEC. 6, T.43N., R.1E., B.M.,
BENEWAH COUNTY, IDAHO



VICINITY MAP

RECORDER'S CERTIFICATE

FILED THIS _____ DAY OF _____, 1998, AT _____

IN BOOK _____ PAGE _____ AT THE REQUEST OF FERNWOOD WATER AND SEWER DISTRICT.

COUNTY RECORDER _____ DEPUTY _____
INSTRUMENT NO. _____

LEGEND

- SET 5/8" x 24" REBAR WITH A PLASTIC CAP, MOK. PLS 6603.
- FOUND MONUMENT AS NOTED.
- (R1) RECORD INFORMATION PER RECORD OF SURVEY, INSTRUMENT NO. 200921, RECORDS OF BENEWAH COUNTY.
- (R2) RECORD INFORMATION PER RECORD OF SURVEY, INSTRUMENT NO. 174332, RECORDS OF BENEWAH COUNTY.



FOUND SECTION CORNER OR AS NOTED

- SECTION LINE
- FLORIN 30' EASEMENT
- KLAVERNO RANCH, INC. 100' EASEMENT
- POTLATCH CORPORATION DISTRIBUTION LINE AND WELL SITE EASEMENT

NOTE

THIS SURVEY DOES NOT INTEND TO SHOW ALL EASEMENTS OR PHYSICAL FEATURES OF THIS PROPERTY.

SURVEY FOR

FERNWOOD WATER AND SEWER DISTRICT

PURPOSE OF SURVEY

SURVEY FOR WATER DISTRIBUTION SYSTEM AND WELL SITE EASEMENTS.

BASIS OF BEARING

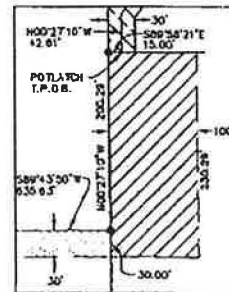
N89°02'37"E ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SEC. 6, T.43N., R.1E., B.M., PER INSTRUMENT NO. 200921.

SURVEYOR'S CERTIFICATE

I, SCOTT L. TOLNESS, PLS NO. 6603, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE BY ME OR UNDER MY DIRECTION.



Exhibit A



DETAIL A
1" = 100'

1/4	8	T	R	PROJ. NO.	PLS. NO.
6	43	1	E	6603	6603
N					

Alleman, Tammy

From: santawood@cpcinternet.com
Sent: Wednesday, October 2, 2024 3:48 PM
To: IDWR File
Cc: 'Shelly Hammons'
Subject: Fernwood Water and Sewer District water rights transfer.
Attachments: Fernwood Water Rights -new well.pdf

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.

Please see attached water transfer request.
Please let me know if you need anything else.
Thank you,
Marzetta Reimann,
Director
208-245-3554



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

October 9, 2024

FERNWOOD WATER & SEWER DISTRICT
PO BOX 215
FERNWOOD, ID 83830

RE: Transfer No. 89370
Water Right Nos. 92-2027, 92-7171, 92-7231

Dear Applicant:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the ST MARIES GAZETTE RECORD on 10/16/2024 and 10/23/2024. 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 approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Micki Bowman
Administrative Assistant

Bowman, Micki

From: Bowman, Micki
Sent: Wednesday, October 9, 2024 4:26 PM
To: Chantilly Higbee; Anna Moody
Subject: Request for Comments for Transfer No. 89370
Attachments: 89370 Transfer Application.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/wrajsearch/wradjsearch.aspx>

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of the application(s), you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication. The deadline for comments on the applications is November 4, 2024.

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

Micki Bowman | Administrative Assistant 1
Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone (208) 762-2807



Bowman, Micki

From: Bowman, Micki
Sent: Wednesday, October 9, 2024 4:02 PM
To: jamie@smgazette.com
Subject: Legal Notice for St Maries Gazette Record
Attachments: 89370 Legal Notice.docx

Please publish the attached legal notice in the **St Maries Gazette Record** on the dates indicated **October 16 & 23, 2024** (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 **November 4, 2024**. Your cooperation is appreciated.

Micki Bowman | Administrative Assistant 1
Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone (208) 762-2807



IDAHO DEPARTMENT OF
WATER RESOURCES

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 89370

FERNWOOD WATER & SEWER DISTRICT, PO BOX 215, FERNWOOD, ID 83830 has filed Application No. 89370 for the following water rights within BENEWAH County: Right Nos. 92-2027, 92-7171, 92-7231; to see a full description of the and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

This transfer proposes to add an additional point of diversion located at NW1/4SE1/4 Section 6, Twp 43N, Rge 01E existing Well No. 3 to a new well (Well No. 4) located on the same site on the existing water right 97-7231.

For additional information concerning the property location, contact Northern Region office at (208)762-2800. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D'ALENE ID 83815-7763 together with a protest fee of \$25.00 for each application on or before 11/4/2024. The protestant must also send a copy of the protest to the applicant. MATHEW WEAVER, Director
Published on 10/16/2024 and 10/23/2024