State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 95-18529

Priority: November 20, 2023 **Maximum Diversion Rate:** 0.08 CFS

This is to certify that

SHAHANE DAVIDSON 630 TAG ALONG WAY ATHOL ID 83801-4911 AND/OR
BRYAN L DAVIDSON 630 TAG ALONG WAY ATHOL ID 83801-4911

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
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.06 CFS

Location of Point(s) of Diversion
GROUND WATER NW¼ SW¼, Sec. 20, Twp 54N, Rge 02W, B.M. BONNER County

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
54N	02W	20										X							

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
54N	02W	20										X							

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2029.**
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. Domestic use is for 2 homes.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
6. Stockwater use is for 20 head mixed stock.

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7. Rights 95-17206 and 95-18529 when combined shall not exceed the domestic use for 1 home, the primary residence designated by decreed Right 95-17206.
8. 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 22 day of January, 2024.

Chace Bell

CHACE BELL
Water Rights Supervisor

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

95-18529

This map depicts the DOMESTIC & STOCKWATER 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.

02W

54N

0 0.035 0.07 0.14 Miles

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

N

IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little Director Mathew Weaver

January 22, 2024

SHAHANE DAVIDSON
BRYAN L DAVIDSON
630 TAG ALONG WAY
ATHOL ID 83801-4911

RE: Permit No. 95-18529

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.

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 me at (208)762-2802.

Sincerely,

Jean Hersley

for

Chace Bell
Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on January 23, 2024, I served a true and correct copy of Permit to Appropriate Water No. 95-18529 by U.S. Mail, postage prepaid, to the following:

SHAHANE DAVIDSON (Current Owner)
630 TAG ALONG WAY
ATHOL ID 83801-4911

BRYAN L DAVIDSON (Current Owner)
630 TAG ALONG WAY
ATHOL ID 83801-4911

Jean Hersley
Technical Records Specialist 2

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.

RECEIVED
DEC 18 2023
IDWR / NORTH

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Bonner)

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

1. I am a citizen of the United States of America, over the age of 18 years, a resident of the State of Idaho, and am not a party to the proceedings referred to in the attached Legal Notice.
My business address is P.O. Box 159, Sandpoint, Idaho.

2. I am the Legal Clerk of the Bonner County Daily Bee, a newspaper of general publication in Bonner County, Idaho;

3. Said newspaper has been continuously and uninterruptedly published in Bonner County, Idaho during a period of 12 months prior to the first publication of said Notice, and thereafter.

4. The attached Notice was published in the regular and entire issue of the Bonner County Daily Bee for a period of 2 consecutive weeks, commencing on the 7 day of December, 2023, and ending on the 14 day of December, 2023.

RJLindstrom

State of Idaho, county of Bonner ss.
On this 14 day of December, in the year of 2023 before me, Angela Minehart, Notary Public, personally appeared RikkiJade Lindstrom known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she (or they) executed the same.

Angela Minehart
Notary Public
Residing at: Kootenai County

My Commission Expires 03/20/2029

ANGELA MINEHART
NOTARY
PUBLIC
Comm No. 20231353
STATE OF IDAHO

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

95-18529
SHAHANE DAVIDSON
BRYAN L DAVIDSON
630 TAG ALONG WAY
ATHOL, ID 83801-4911
Point of Diversion NWSW
S20 T54N R02W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.08 CFS
Date Filed: 11-20-2023
Place Of Use: DOMESTIC, STOCKWATER
T54N R02W S20 NWSW

96-12814
JENNIFER TRAVIS-RUDIN
CLAYTON TRAVIS-RUDIN
96 B ST
SANDPOINT, ID 83864-4932
Point of Diversion NESW
S30 T59N R01W
BONNER County
Source GROUND WATER
Use: DOMESTIC
1 /1 to 12/31
Total Diversion: 0.08 CFS
Date Filed: 09-28-2022
Place Of Use: DOMESTIC
T59N R01W S30 NESW

96-16659
PACIFIC NORTHWEST FUEL INC
468800 HIGHWAY 95
SAGLE, ID 83860-8037
Point of Diversion SENE
S16 T56N R02W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.2 CFS
Use: COMMERCIAL
01/01 to 12/31 0.2 CFS
Use: IRRIGATION
04/01 to 12/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 06-28-2023
Place Of Use: COMMERCIAL, DOMESTIC, IRRIGATION
T56N R02W S16 SWNW
Place Of Use: DOMESTIC, IRRIGATION
T56N R02W S16 SENE
Place Of Use: IRRIGATION
T56N R02W S16 NENE,NWNW
Total Acres: 37.7

96-16780
CLARENCE I & LOIS I DAVIS TRUST
MELISSA TUCKER
LARRY DAVIS
JAMES E DAVIS
PO BOX 305
SAGLE, ID 83860-0305
Point of Diversion SWNW
S21 T56N R02W
BONNER County
Source GROUND WATER
Point of Diversion SWNW
S21 T56N R02W
BONNER County
Source GROUND WATER
Point of Diversion SENW
S21 T56N R02W
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.14 CFS
Date Filed: 09-25-2023
Place Of Use: IRRIGATION
T56N R02W S21 SWNW,SENW
Total Acres: 4.5

96-16793
VALERIE J MAXEY
217 ECHO LODE
SANDPOINT, ID 83864-6555
Point of Diversion SWNW
S9 T57N R02W
BONNER County
Source UNNAMED STREAM
Tributary SYRINGA CREEK
Use: IRRIGATION STORAGE
04/01 to 10/31 6 AF
Use: IRRIGATION FROM STORAGE
04/01 to 10/31 6 AF
Use: FIRE PROTECTION STORAGE
01/01 to 12/31 8 AF
Use: RECREATION STORAGE
01/01 to 12/31 8 AF
Total Diversion: 14 AF
Date Filed: 11-09-2023
Place Of Use: FIRE PROTECTION STORAGE, IRRIGATION FROM STORAGE, IRRIGATION STORAGE, RECREATION STORAGE
T57N R02W S9 SWNW
Total Acres: 2

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 12/26/2023. The protestant must also send a copy of the protest to the applicant.
MATHEW WEAVER, Director
Legal#5764
AD#17325
December 7, 14, 2023