

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 96-16958

Priority: May 08, 2024

Maximum Diversion Rate: 0.02 CFS

This is to certify that

RAYMOND E ZIMMERMAN 7535 N SAN MANUEL RD SCOTTSDALE AZ 85258-3411
AND/OR

RITA H ZIMMERMAN 7535 N SAN MANUEL RD SCOTTSDALE AZ 85258-3411

has applied for a permit to appropriate water from:

Source: PEND OREILLE RIVER

Tributary: COLUMBIA RIVER

and a permit is APPROVED for development of water as follows:

Beneficial Use

IRRIGATION

Period of Use

04/01 to 10/31

Rate of Diversion

0.02 CFS

Location of Point(s) of Diversion

PEND OREILLE RIVER L9 (SE¼ SE¼), Sec. 31, Twp 57N, Rge 02W, B.M. BONNER County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	02W	31																0.4 L9	0.4

Total Acres: 0.4

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2025**.
2. Subject to all prior water rights.
3. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
4. Place of use is located within Lot 4, Sunset Bay Estates Subdivision.
5. This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 1.2 afa at the field headgate for irrigation of the place of use.
6. This right does not grant any right-of-way or easement across the land of another.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 96-16958

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

Signed this 17th day of October, 2024.



CHACE BELL
Water Rights Supervisor



State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-16958

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.035 0.07 0.14 Miles

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





October 21, 2024

RAYMOND E ZIMMERMAN
RITA H ZIMMERMAN
7535 N SAN MANUEL RD
SCOTTSDALE AZ 85258-3411

RE: Permit No. 96-16958

Permit Approval Notice

Dear Permit Holders:

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 the Northern Region office at (208)762-2800.

Sincerely,



Chace Bell
Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on October 21, 2024, I served a true and correct copy of Permit to Appropriate Water No. 96-16958 by U.S. Mail, postage prepaid, to the following:

RAYMOND E ZIMMERMAN (Current Owner)
7535 N SAN MANUEL RD
SCOTTSDALE AZ 85258-3411

RITA H ZIMMERMAN (Current Owner)
7535 N SAN MANUEL RD
SCOTTSDALE AZ 85258-3411


Micki Bowman
Administrative Assistant 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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 17 2024

DWR/NORTH

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

Water Right Number(s): 96-16958Name(s): Raymond E Zimmerman
Rita H ZimmermanOld Mailing Address: 329 Gundowner
Sagle ID
83860New Mailing Address: 7535 N. San Manuel
Gardale AZ
85258Telephone Number: 602 510 3037Email: RRZimmer52@gmail.comSignature(s) of Owner(s) Raymond E Zimmerman
Rita H Zimmerman
(Include your title if on behalf of company or organization.)Date: 6-8-24

Send a signed original to your closest regional office:

IDWR Northern Region
7600 N. Mineral Dr., Suite 100
Coeur d'Alene, ID 83815-7763
(208) 762-2800

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
650 Addison Ave W, Suite 500
Twin Falls, ID 83301-5858
(208) 736-3033

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Bonner)

RECEIVED

JUN 17 2024

IDWR / NORTH

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 6 day of June, 2024, and ending on the 13 day of June, 2024.

RikkiJade Lindstrom

State of Idaho, county of Bonner ss.

On this 13 day of June, in the year of 2024, 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



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

96-16945

DARWIN BROWN
108 S SECOND AVE
SANDPOINT, ID 83864-1309
Point of Diversion L8 (SWSE)
S31 T57N R02W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.03 CFS
Date Filed: 05-03-2024
Place Of Use: IRRIGATION
T57N R02W S31 L8(SWSE)
Total Acres: 0.4

96-16958

RAYMOND E ZIMMERMAN
RITA H ZIMMERMAN
329 SUNDOWNER LN
SAGLE, ID 83860-8724
Point of Diversion L9 (SESE)
S31 T57N R02W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31 0.02 CFS
Total Diversion: 0.02 CFS
Date Filed: 05-08-2024
Place Of Use: IRRIGATION
T57N R02W S31 L9(SESE)
Total Acres: 0.4

96-16960

KARIN A WILLROTH
365 PISTOL CREEK DR
SAGLE, ID 83860-8357
Point of Diversion NWSE
S34 T57N R03W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.03 CFS
Date Filed: 05-08-2024
Place Of Use: IRRIGATION
T57N R03W S34 NWSE
Total Acres: 0.5

96-16969

SUN SET TRUST
JONES TRUST
PO BOX 696
SAGLE, ID 83860-0696
Point of Diversion NESW
S33 T56N R02W
BONNER County
Source WESTMOND CREEK
Tributary COCOLALLA LAKE
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.03 CFS
Date Filed: 05-13-2024
Place Of Use: IRRIGATION
T56N R02W S33
NESW
Total Acres: 1

96-16970

WILD 25 LLC
PO BOX 696
SAGLE, ID 83860
Point of Diversion NESW
S33 T56N R02W
BONNER County
Source GROUND WATER
Use: DIVERSION TO
STORAGE
01/01 to 12/31 0.2 CFS

Use: RECREATION STORAGE
01/01 to 12/31 12.7 AF
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.03 CFS
Use: COMMERCIAL
01/01 to 12/31 0.2 CFS
Use: IRRIGATION

04/01 to 10/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 05-13-2024
Place Of Use: COMMERCIAL, DOMESTIC, IRRIGATION
T56N R02W S33 SENW, NESW
Place Of Use: RECREATION
STORAGE, STOCKWATER
T56N R02W S33 NESW
Place Of Use: STOCKWATER
T56N R02W S33 SENW
Total Acres: 22.8

96-17000

TRECY CARPENTER
DAWN BRINKER
PO BOX 303
HOPE, ID 83836-0303
Point of Diversion L4 (SESW)
S35 T57N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE
RIVER
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.03 CFS
Date Filed: 05-22-2024
Place Of Use: IRRIGATION
T57N R01E S35
L4(SWSE), L4(SESW)
Total Acres: 0.7

96-17001

SNOWGOOSE ASSN INC
140 SNOWGOOSE LN
SANDPOINT, ID 83864-6652
Point of Diversion SESW
S26 T58N R02W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.15 CFS
Total Diversion: 0.15 CFS
Date Filed: 05-17-2024
Place Of Use: DOMESTIC
T58N R02W S26 SESW

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/WRAApplicationResults/>. 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 6/24/2024. The protestant must also send a copy of the protest to the applicant.
MATHEW WEAVER, Director
Legal#6152
AD#23667
June 6, 13, 2024

Bowman, Micki

From: Bowman, Micki
Sent: Monday, June 17, 2024 4:40 PM
To: GVictorson@idl.idaho.gov
Subject: FW: Idaho Department of Lands L96S1354 FW: Request for Comments for Water Right 96-16958
Attachments: 96-16958 Application for Permit.pdf; L96S1354Permit.pdf; BrochureWaterIntakeLine.pdf

FYI

From: Bowman, Micki
Sent: Thursday, June 13, 2024 10:37 AM
To: rrzimm52@gmail.com
Subject: FW: Idaho Department of Lands L96S1354 FW: Request for Comments for Water Right 96-16958

Greetings:

Following is an email received from Idaho Department of Lands. Please contact Gwen Victorson with any questions regarding their permitting process.

Best regards,

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

From: Gwen Victorson <GVictorson@idl.idaho.gov>
Sent: Wednesday, June 12, 2024 8:19 AM
To: Bowman, Micki <Micki.Bowman@idwr.idaho.gov>
Subject: Idaho Department of Lands L96S1354 FW: Request for Comments for Water Right 96-16958

Hi Micki –

I have attached the IDL encroachment permit L96S1354 for the applicant's parcel which does not have an IDL permit for a water intake line.

Please make the applicant aware the Department of Lands also has jurisdiction over waterlines placed in navigable waters of the state. Per IDAPA 20.03.04.012.02, No encroachment on, in or above the beds or waters of any navigable lake in the state shall hereafter be made unless approval therefore has been given as provided in these rules. An encroachment permit does not guarantee the use of public trust lands without appropriate compensation to the state of Idaho.

Bowman, Micki

From: Gwen Victorson <GVictorson@idl.idaho.gov>
Sent: Wednesday, June 12, 2024 8:19 AM
To: Bowman, Micki
Subject: Idaho Department of Lands L96S1354 FW: Request for Comments for Water Right 96-16958
Attachments: 96-16958 Application for Permit.pdf; L96S1354Permit.pdf; BrochureWaterIntakeLine.pdf

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The applicant must submit an application along with plans and a \$425 application fee to the Idaho Department of Lands.

Application forms and submittal guidelines can be found at: [Encroachment Permits - Department of Lands \(idl.idaho.gov\)](https://www.idl.idaho.gov/encroachment-permits). I have attached our water intake line brochure.

If the applicant has any questions or needs assistance with the permitting process, please contact me at GVictorson@idl.idaho.gov or 208-263-5104 ext. 5117.

Best,

Gwen Victorson
Lands Resource Specialist, Sr.
Navigable Waters
Idaho Department of Lands
2550 Highway 2
Sandpoint, ID 83864
Office: (208) 263-5104
Email: GVictorson@idl.idaho.gov
<https://www.idl.idaho.gov>



From: Mike Ahmer <mahmer@idl.idaho.gov>
Sent: Friday, May 31, 2024 7:44 AM
To: Gwen Victorson <GVictorson@idl.idaho.gov>
Subject: FW: Request for Comments for Water Right 96-16958

FYI

From: Bowman, Micki <Micki.Bowman@idwr.idaho.gov>

Sent: Thursday, May 30, 2024 8:31 AM

To: Mike Ahmer <mahmer@idl.idaho.gov>; Anna Moody <Anna.Moody@deq.idaho.gov>; Chantilly Higbee <Chantilly.Higbee@deq.idaho.gov>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; IWRB Water Use Reviews <WaterUseApprovalReviews@idahogov.onmicrosoft.com>

Subject: Request for Comments for Water Right 96-16958

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, 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 application is June 24, 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





NAVIGABLE WATERS
3780 Industrial Ave S #1
Coeur d'Alene ID 83815-8918
Phone (208) 769-1535 Fax (208) 769-1557

STANLEY F. HAMILTON - DIRECTOR

BOARD OF LAND
COMMISSIONERS

DIRK KEMPTHORNE
Governor

PETE T. CENARRUSA
Secretary of State

ALAN G. LANCE
Attorney General

J.D. WILLIAMS
State Controller

MARILYN HOWARD
Sup't of Public
Instruction

Permission is hereby granted to RAY ZIMMERMAN
of 7535 North San Manuel, Scottsdale, AZ 85258 to install and maintain

8' x 32' & 28' x 8' pier

located: Pend Oreille River, Sunset Bay, Lot 4, Section 36, Township 56 North,
Range 2 West, Boise Meridian, Bonner County.

1. All applicable provisions of the Rules for Regulation of Beds, Waters, and Airspace over Navigable Lakes and Streams in the State of Idaho are incorporated herein by reference and made a part hereof.
2. Construction will follow details and specifications shown on the approved drawings and data provided by the applicant. Should such information and data prove to be materially false, incomplete and/or inaccurate, this authorization may be modified, suspended, or revoked in accordance with the Administrative Procedures Act, Idaho Code title 67, chapter 52.
3. This permit does not convey the State's title to or jurisdiction or management of lands lying below the natural or ordinary high water mark.
4. Acceptance of this permit constitutes permission by the Permittee for representatives of the Department of Lands to come upon Permittee's lands at all reasonable times to inspect the encroachment authorized by this permit.
5. The Permittee shall indemnify and hold harmless and free from liability the Permitter for any injuries to persons or damage to property occurring as a result of the use authorized under this permit.
6. *Idaho Code §58-1306(e)* requires recordation of this permit in the records of respective county recorder's office as a condition of this permit.
7. Upon transfer of this real property, you are required to notify this office of the subsequent name change (see enclosure).
8. If the activity authorized herein is not completed on or before the 17th day of October, 2003 (three years from the date of issuance), this permit shall automatically expire unless it was previously revoked or otherwise extended.

KEEP IDAHO GREEN
PREVENT WILDFIRE

EQUAL OPPORTUNITY EMPLOYER

ENCROACHMENT PERMIT NO. L-96-S-1354

October 17, 2000

Page two

9. This permit does not relieve the Permittee from obtaining additional local or federal permits as required.
10. Removal and proper disposal of any preexisting or abandoned facilities is a condition of this permit.
11. This permit supersedes and voids any permit previously issued for this property.
12. Construction materials shall be natural or pressure treated utilizing only those preservative chemicals registered for the specific uses, such as CCA (Chromated Copper Arsenate), by the U.S. Environmental Protection Agency (EPA). All treated wood materials shall be produced in compliance with "Best Management Practices (BMPs) For the Use of Treated Wood in Aquatic Environments" issued by the Western Wood Preservers Institute (WWPI), July 1996. Treated materials not in contact with the water shall be completely dry before use near navigable waters. **Contact Idaho Department of Health and Welfare, Division of Environmental Quality, at (208)769-1422** for information on acceptable treatment methods and materials.
13. All construction material including maintenance material must be stockpiled landward of the artificial high water mark.
14. All construction material must be stockpiled landward of the artificial high water mark.
15. Operation of excavation equipment will be held to a minimum below the artificial high water mark. Equipment may be operated only on dry land above the present level of the lake. Construction machinery may not be operated in the water.
16. The Permittee shall maintain the structure or work authorized herein in a good and safe condition and in accordance with the plans and drawings attached hereto.
17. All construction will be done according to the specifications detailed in the attached design plan.
18. Excavated material not replaced shall be removed to an area above the artificial high water mark and in a position such that it will not reenter the lake.
19. All construction shall be completed in accordance with descriptions and methods provided unless otherwise specified. Any changes shall be approved in writing by the department prior to construction.

ENCROACHMENT PERMIT NO. L-96-S-1354

October 17, 2000

Page three

20. All wood chips and other construction waste shall be removed from the lake upon completion of project.
21. The Permittee or operator shall have a copy of this permit available for inspection at all times during construction.
22. This permit is not valid until the identification number is displayed on the outermost area of the encroachment.

FOR THE DIRECTOR

By: Carl Washburn
CARL WASHBURN, Specialist
Navigable Waters/Submerged Land Leasing

STATE OF IDAHO)
)ss
COUNTY OF KOOTENAI)

On October 17, 2000, personally appeared before me Carl Washburn, whose identity is personally known to me and who by me duly affirmed that he is the Navigable Waters/Submerged Land Leasing Specialist of the Idaho Department of Lands, and acknowledged that the foregoing document was signed by him in behalf of said state agency by authority of a Resolution of the State Land Board.

Merma Cherry
Notary Public for Idaho Department of Lands
Residing at Post Falls, Idaho
My commission expires on 1/24/2004

JOINT APPLICATION FOR PERMIT
U.S. ARMY CORPS OF ENGINEERS
IDAHO DEPARTMENT OF WATER RESOURCES
IDAHO DEPARTMENT OF LANDS

SEPARATE PERMIT DECISIONS MUST BE
RECEIVED FROM BOTH THE STATE OF
IDAHO AND THE CORPS OF ENGINEERS
PRIOR TO START OF WORK

The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. These laws require permits authorizing structures and work in or affecting navigable waters of the United States and the discharge of dredged or fill material into waters of the United States, including their adjacent wetlands. State permits are required under the State of Idaho, Stream Channel Protection Act (Title 42, Chapter 38, Idaho Code) and the Idaho Lake Protection Act, Section 58-142 et. seq. Idaho Code. This application will meet the requirements of the above agencies.

1. Corps of Engineers # _____ Date Received _____	2. State of Idaho # <u>6-96-5-1359</u> Date Received _____ \$20 Rec'd By: _____ Receipt # _____
--	---

PLEASE TYPE OR PRINT

3. Applicant <u>RAY ZIMMERMAN</u> Mailing Address <u>7535 N. SAN MANUEL</u> <u>SCOTTSDALE AZ.</u> Work Phone (Area <u>480</u>) <u>951-9460</u> Home (Area) <u>SAME</u> Fax Number _____	4. Authorized Agent <u>ADAM DENEY</u> Mailing Address <u>P.O. Box 336</u> <u>Sagle, ID. 83860</u> Work Phone (Area <u>208</u>) <u>265-8088</u> Home (Area <u>208</u>) <u>265-8088</u> Tributary of: <u>PEND OREGON</u> Assessor's Desc. (Tax No. or Subdivision, Lot & Block No.) <u>*SUNSET BAY #4</u> *(See instructions) <u>216</u> <u>56N</u> <u>2W</u> or 1/4 1/4 Section Township Range UTM Coordinate Grid Zone _____ Northing _____ Easting _____
--	--

5. Location where proposed activity exists or will occur.
Waterway PEND OREGON
LAKE SHORE DR. BONNER ID
In/near city or town County State
83860 BONNER
Zip Code Local jurisdiction (city or county)

6. Describe the proposed activity. Provide a general description of the proposed work including all discharges of fill material and any structures such as piers, floats, boat lifts, bulkheads, and cofferdams.

STATIONARY BOAT DOCK ON CEDAR PILES 8x40 w/ 8x20 L - 480 SQ'

Describe construction methods and equipment:

BACKHOE TO DIG HOLES & REFILL

List all soil series located at project site, and indicate if any are on the county's hydric soils list:

Length of project along the stream or extension into lake or reservoir: 40' w/ 8x20 L - 480 SQ'

Will material be placed waterward of ordinary high water mark? YES If yes, volume: 6-8 YDS (cubic yards)
(BOTH TEMPORARY AND PERMANENT)

Will material be placed in wetlands? NO If yes, total area: _____ (acres)

Type and composition of fill material: CLAY (i.e. sand, etc.) Material Source: _____

Will excavation or dredging be required? YES If yes, volume: 6-8 YDS (cubic yards) Composition CLAY

Disposal site for excavated material: _____ Method of excavation: TRACK/BACKHOE

Stream gradient: 0 - INLET

Method of controlling turbidity and/or sedimentation: _____

7. Size and flow capacity of proposed bridge or culvert and area of drainage served (sq. miles): (Idaho Department of Water Resources requirement.)

8. Preparation of drawings. One set of original or good quality reproducible drawings must be attached to this application. NOTE: DRAWINGS NO LARGER THAN 8-1/2 X 11 INCHES IN SIZE. See the instruction pamphlet for instructions and a checklist for completing the drawings. Include photographs of the project site mounted on 8-1/2 x 11 sheets.

9. Purpose and intended use: Commercial _____ Public _____ Private X Other _____ Describe _____

Necessity and justification for project WATERCRAFT PARKING

10. Proposed Starting Date OCT 15 Estimated Duration 2 WKS

11. If any portion of the activity is complete, indicate month and year of completion _____
Indicate the existing work on the drawings.

12. Names, addresses, and telephone numbers of adjoining property owners, lessees, etc., whose property also adjoins the waterway.

SATINI PHAHOA LOU VERMEER
317 SUNDOWNER LN 102 S 2ND SANDPOINT ID
SCGIR ID 83860 263-1138 83861 263-2359

☐ Check here if the alteration is located on endowment lands administered by the Idaho Department of Lands

13. LEGAL OWNER IF OTHER THAN APPLICANT _____

Mailing Address _____ City, State, Zip Code _____

Area _____ Area _____
Phone _____ Work() _____ Home() _____

14. List other applications, approvals, or certifications from other Federal, interstate, state, or local agencies for any structures, constructions, discharges, deposits, or other activities described in the application.

Issuing Agency	Type of Approval	Identification No.	Date of Application	Date of Approval
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15. Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein? Yes _____ No X
(If "Yes" explain)

16. Remarks or additional information: _____

RECEIVED
OCT 13 2000
ID. DEPT. OF LANDS
NAV. WATERS

17. Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to come upon the above-described location to inspect the proposed or completed work.

10-13-00
Date

(X)

Signature of Applicant (ORIGINAL SIGNATURE REQUIRED)

19. If an authorized agent is to be designated, Item 4 and the following information should be completed.

I hereby designate ADAM DEWEY to act as my agent in matters related to this permit application. I understand that if a Federal permit is issued, I must sign the permit.

10-13-00
Date

Original Signature of Authorized Agent

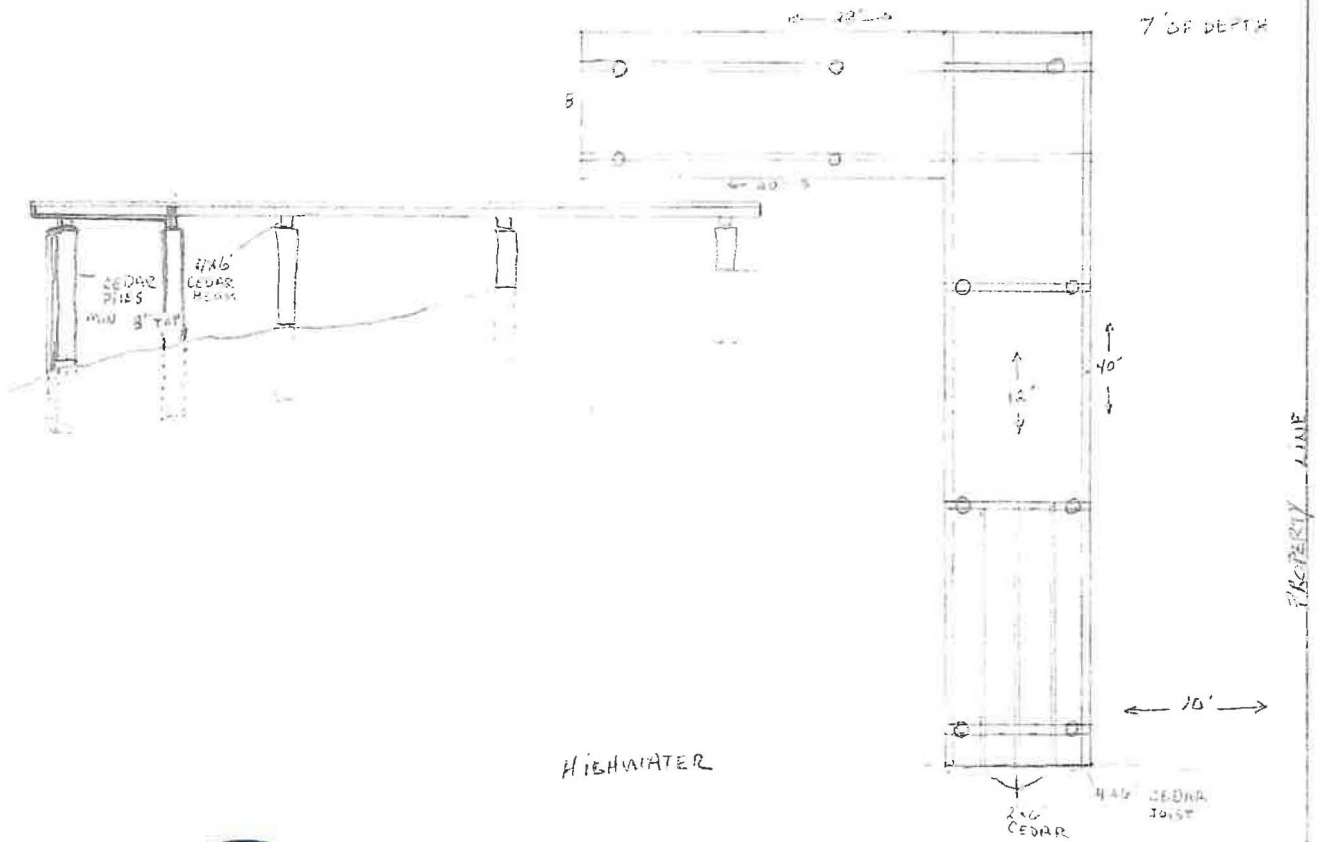
Original Signature of Applicant

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both. Do not send a Federal permit processing fee with this application. The appropriate fee will be assessed when a permit is issued.

NO DO NOT SEND FEDERAL PROCESSING FEE WITH APPLICATION

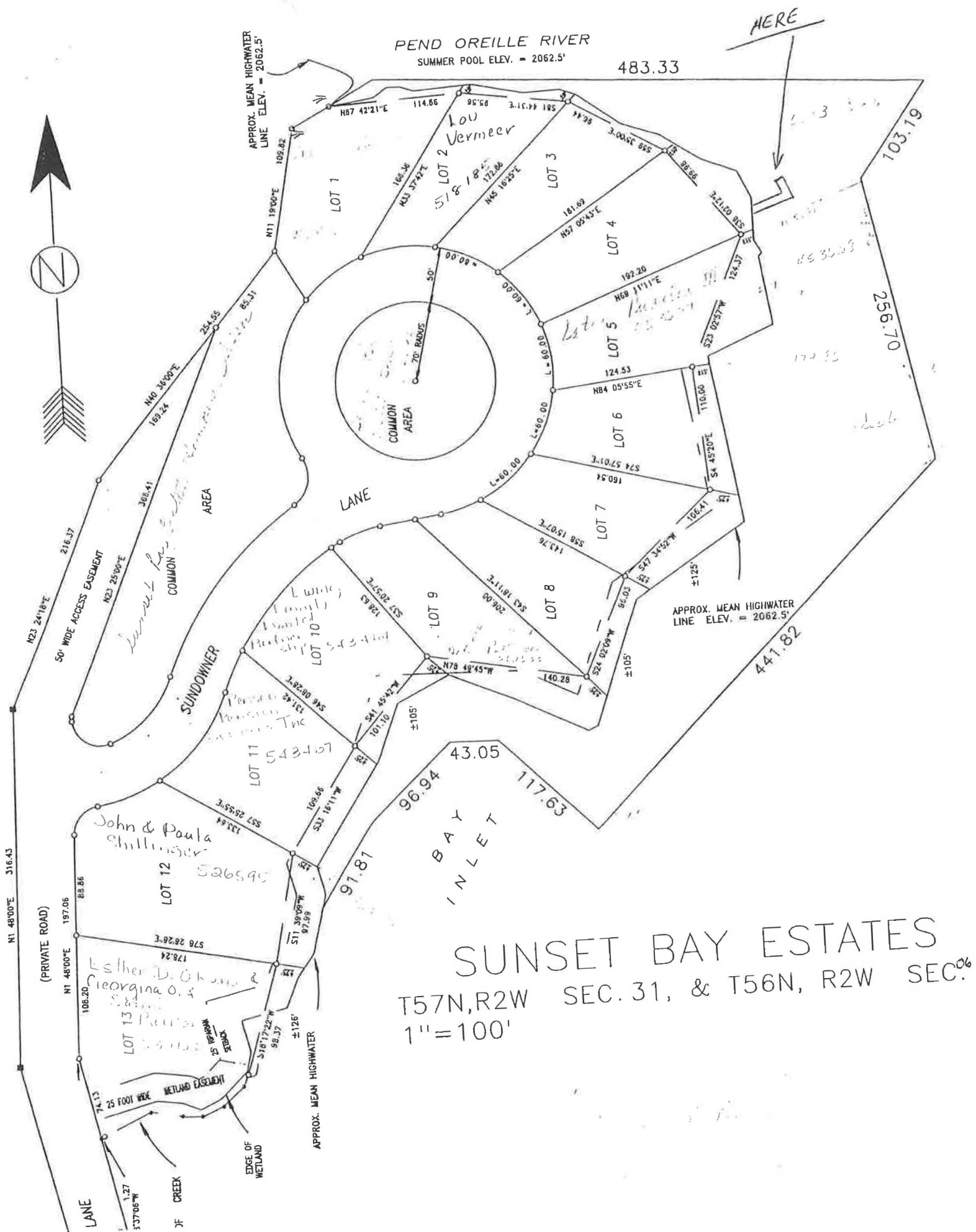


LOW WATER



DWB
OK

JP





Idaho Lake Protection Act Water Intake Lines

An Idaho Department of Lands (IDL) **encroachment permit** is required for water intake lines located on navigable lakes and certain reservoirs (Idaho Code Title 58, Chapter 13).

Water Intake Line Requirements (IDAPA 20.03.04)

- ❑ Water intake lines may not be located closer than 25 feet from adjacent littoral right lines, unless written consent from the adjacent littoral owner is obtained.
- ❑ Water intake lines should protrude at a right angle to the general shoreline.
- ❑ Water intakes shall be screened with a maximum screen mesh diameter of one quarter (1/4) inch to keep aquatic life from being impacted, and approach velocities should be less than 0.5 feet per second.
- ❑ Any exposed water intake line shall be anchored to the bed of the lake with a nontoxic type of weight.

Contact us

For more information visit our webpage at www.idl.idaho.gov or contact your local area office:

Priest Lake Area

4053 Cavanaugh Bay Rd.
Coolin, ID 83821
(208) 443-2516 Phone

Pend Oreille Area

2550 Highway 2 West
Sandpoint, ID 83864-7305
(208) 263-5104 Phone

Mica Area

3258 W. Industrial Loop
Coeur d'Alene, ID 83815
(208) 769-1577 Phone

Payette Lakes Area

555 Deinhard Ln.
McCall, ID 83638
(208) 634-7125 Phone

Southwest Area

8355 W. State St.
Boise, ID 83714
(208) 334-3488 Phone

Jerome Field Office

324 S. 417 E., Suite 2
Jerome, ID 83338
(208) 324-2561 Phone

Eastern Area

3563 Ririe Highway
Idaho Falls, ID 83401
(208) 525-7167 Phone



Application Process

Permits are typically issued 2-4 months after an application is received.

1. APPLY.

 Applicant submits:

- ❑ Joint Application Form¹
- ❑ IDL Application Form
- ❑ Supporting documents (drawings, maps, etc.)
- ❑ Fee of \$425 for lines serving 4 houses or less or \$1,000 for lines serving more than 4 houses.

2. REVIEW. IDL reviews application and notifies applicant if additional information is needed.

3. COMMENTS. IDL notifies adjacent land owners and for lines serving more than 4 houses will notify other agencies. If an objection is received, and an agreement cannot be reached, IDL will hold a formal administrative hearing.

4. ISSUE PERMIT. If the proposed encroachment meets all relevant standards, IDL issues a permit.

5. RECORD PERMIT. Applicant, now Permittee, records the permit with the county recorder's office.

6. CONSTRUCTION. Permittee constructs the encroachment.

7. FILE REPORT. Once the encroachment is built, the permittee submits a work completion report with IDL.

8. INSPECTION. IDL inspects the encroachment to verify compliance with the permit terms and standards.

¹ The Joint Application Form is used by both IDL and the United States Army Corp of Engineers (USACE).

Other Authorizations

- ❑ A **Submerged Land Easement from IDL** may be **required** as a condition an encroachment permit.
- ❑ A **Water Right Permit from the Idaho Department of Water Resources** is required to draw water from surface water sources. For more information visit www.idwr.idaho.gov.
- ❑ A **permit from USACE** is also required for water lines on Lake Pend Oreille and Bear Lake. For more information, please visit www.nww.usace.army.mil.

Bowman, Micki

From: Horsmon, Merritt
Sent: Monday, June 10, 2024 4:48 PM
To: Bowman, Micki
Subject: RE: Request for Comments for Water Right 96-16958

Hi Micki,
The Idaho Department of Fish and Game does not have any comments to submit for this application.

Thank you for the opportunity to review and comment,

Merritt Horsmon

Regional Technical Assistance Manager
Panhandle Region
2885 W. Kathleen Ave.
Coeur d'Alene, ID 83815
208.769.1414 office
208.251.4509 mobile
merritt.horsmon@idfg.idaho.gov



From: Bowman, Micki <Micki.Bowman@idwr.idaho.gov>
Sent: Thursday, May 30, 2024 8:31 AM
To: Mike Ahmer <mahmer@idl.idaho.gov>; Anna Moody <Anna.Moody@deq.idaho.gov>; Chantilly Higbee <Chantilly.Higbee@deq.idaho.gov>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; IWRB Water Use Reviews <WaterUseApprovalReviews@idahogov.onmicrosoft.com>
Subject: Request for Comments for Water Right 96-16958

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, 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 application is June 24, 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

