

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 96-16764

Priority: September 28, 2023

Maximum Diversion Rate: 0.06 CFS

This is to certify that

WILLIAM J REIDY PO BOX 825 BAYVIEW ID 83803-0825

has applied for a permit to appropriate water from:

Source : LAKE PEND OREILLE

Tributary: PEND OREILLE 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

0.06 CFS

Location of Point(s) of Diversion

LAKE PEND OREILLE NW¼ SE¼, Sec. 36, Twp 54N, Rge 02W, B.M. KOOTENAI 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	
54N	02W	36														1.5 L2			1.5

Total Acres: 1.5

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. 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. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
5. Place of use is located within Lots 1, Blk. 3; Pend Oreille Pines.
6. 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 22nd day of January, 2024.


MICHELLE RICHMAN

Northern Regional Manager

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-16764

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





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

WILLIAM J REIDY
PO BOX 825
BAYVIEW ID 83803-0825

RE: Permit No. 96-16764

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) 762-2803.

Sincerely,

A handwritten signature in cursive script that reads "Michelle Richman".

Michelle Richman
Northern Regional Manager

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. 96-16764 by U.S. Mail, postage prepaid, to the following:

WILLIAM J REIDY (Current Owner)
PO BOX 825
BAYVIEW ID 83803-0825



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.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

RECEIVED

) ss.

NOV 02 2023

County of Kootenai)

IDWR / NORTH

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

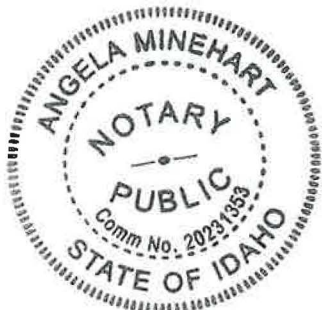
1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press", a newspaper printed and published daily in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The Legal Notice of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive Weeks commencing on the 19 day of October, 2023, and ending on the 26 day of October, 2023, and such publication was made as often during said period as said daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

RS Lindstrom
On this 26 day of October in the year of 2023 before me, a Notary Public, personally appeared RikkiJade Lindstrom, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.



Angela Minehart
Notary Public for the State of Idaho
Residing in Coeur d'Alene, Idaho

My Commission Expires 03/20/2029

LEGAL NOTICE

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

95-18504

ALICIA SAUTER
JAMES SAUTER
6534 E GREYRIDGE RD
ATHOL, ID 83801-9822
Point of Diversion SWSW
S22 T53N R03W
KOOTENAI County
Source GROUND WATER
Point of Diversion SWSW
S22 T53N R03W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.12 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.18 CFS
Date Filed: 09-05-2023
Place Of Use: DOMESTIC,
IRRIGATION, STOCKWATER
T53N R03W S22 SWSW
Total Acres: 4

95-18512

MELISSA N RIX
CHRISTIAN W RIX
3390 S PUNG RD
COEUR D ALENE, ID 83814-6289
Point of Diversion SWSW
S28 T50N R02W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 10-02-2023
Place Of Use: DOMESTIC
T50N R02W S33 NWNW

95-18513

DOUGLASS KOSTER
ELIZABETH KOSTER
5003 G AVENUE PL
KEARNEY, NE 68847-8471
Point of Diversion SESW
S15 T48N R04W
KOOTENAI County
Source LAKE COEUR D
ALENE
Tributary SPOKANE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 10-02-2023
Place Of Use: DOMESTIC
T48N R04W S15
L3(SESW), SESW

95-18515

ITALIVETICA LLC
PO BOX 3486
COEUR D ALENE, ID 83816-2528
Point of Diversion SENENE
S30 T50N R04W
KOOTENAI County
Source SPRING
Tributary COUGAR CREEK
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
03/15 to 11/15 0.15 CFS
Total Diversion: 0.17 CFS
Date Filed: 10-04-2023
Place Of Use: IRRIGATION,
STOCKWATER
T50N R04W S30 NENE
Total Acres: 5

95-18516

ITALIVETICA LLC
PO BOX 3486
COEUR D ALENE, ID 83816-2528
Point of Diversion SESESE
S19 T50N R04W
KOOTENAI County
Source SPRING
Tributary COUGAR CREEK
Use: STOCKWATER
01/01 to 12/31
Total Diversion: 0.02 CFS
Date Filed: 10-04-2023
Place Of Use: STOCKWATER
T50N R04W S19 SESE
Place Of Use: STOCKWATER
T50N R04W S30 NENE

95-18517

ITALIVETICA LLC
PO BOX 3486
COEUR D ALENE, ID 83816-2528
Point of Diversion SESWSE
S19 T50N R04W
KOOTENAI County
Source SPRING
Tributary COUGAR CREEK
Use: STOCKWATER
01/01 to 12/31
Total Diversion: 0.02 CFS
Date Filed: 10-04-2023
Place Of Use: STOCKWATER
T50N R04W S19 SWSE, SESE
Place Of Use: STOCKWATER
T50N R04W S30 NENE, NWNE

96-16764

WILLIAM J REIDY
PO BOX 825
BAYVIEW, ID 83803-0825
Point of Diversion NWSE
S36 T54N R02W
KOOTENAI County
Source LAKE PEND OREILLE
Tributary PEND OREILLE
RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.06 CFS
Date Filed: 09-28-2023
Place Of Use: IRRIGATION
T54N R02W S36 L2(NWSE)
Total Acres: 1.5

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 11/6/2023. The protestant must also send a copy of the protest to the applicant.
MATHEW WEAVER, Director
Legal#11463
AD#15627
October 19, 26, 2023

Sharp, Taya

From: Gwen Victorson <GVictorson@idl.idaho.gov>
Sent: Thursday, November 2, 2023 9:17 AM
To: Sharp, Taya
Subject: IDL Comments Re: Request for Comments for Water Right 96-16764
Attachments: L96S2547-EncroachPermit-20190924.pdf

Hi Taya –

I have attached the IDL encroachment permit 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.

William Reidy 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)

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.

Thank you,

Gwen Victorson
Lands Resource Specialist
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: Sharp, Taya <Taya.Sharp@idwr.idaho.gov>
Sent: Friday, October 13, 2023 3:40 PM
To: Mike Ahmer <mahmer@idl.idaho.gov>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>
Subject: Request for Comments for Water Right 96-16764

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 6th, 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

PEND OREILLE
SUPERVISORY AREA
2550 Highway 2 West
Sandpoint ID 83864
Phone (208) 263-5104
Fax: Area (208) 263-0724
Fax: District (208) 265-7263



DUSTIN T. MILLER, DIRECTOR
EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF LAND COMMISSIONERS
Brad Little, Governor
Lawrence E. Denney, Secretary of State
Lawrence G. Wasden, Attorney General
Brandon D Woolf, State Controller
Sherri Ybarra, Sup't of Public Instruction

September 24, 2019

Bill Reidy
PO Box 825
Bayview ID 83803

Re: Encroachment Permit L96S2547

Dear Mr. Reidy:

Enclosed is subject permit in accordance with the application you filed with this office. Please comply with all special terms and conditions. This permit does not preclude you from getting other permits such as one from the Corps of Engineers. You should contact them prior to construction.

This permit is not valid until you provide us with proof of recordation from your county recorder's office. The encroachment permit number (2547) must be displayed upon the most waterward area of your encroachment with metal, plastic (vinyl) or wooden numerals at least three inches in size.

All approved work must be completed before the sunset date indicated in the terms and conditions of the permit.

WHAT NEXT

1. **Record** the Encroachment Permit with Bonner County to **validate** it. Please note that the original notarized permit must be presented to the Records Office, a copy will not be accepted. Please submit a copy of the recorded Encroachment Permit to the Idaho Department of Lands Sandpoint office.
2. When construction on your encroachment is complete, please fill in the 'Work Completion Report' form and return to the address indicated.
3. The 'Request For Assignment of Encroachment Permit' is for when you sell your property. You sign in the appropriate location and give it to the new owner; they complete the form and return it to the Idaho Department of Lands.

Thank you for your cooperation.

Sincerely,

Justin Eshelman, Lands Resource Specialist, Sr.
Public Trust

Enclosures

cc: Kootenai County Assessor's Office
U. S. Army Corps of Engineers / Coeur d'Alene
Andrew Smyth / Public Trust Program Manager- Boise
Maureen O'Shea / Idaho Department of Water Resources



Request for Assignment of Encroachment Permit

I/We, _____, am/are the current permittee(s) of the Idaho Department of Lands encroachment permit(s) listed below.
I/We, as Assignor(s), request that the identified permit(s) be assigned to

_____, identified below as "Assignee(s)."

Encroachment Number (s): _____

Body of Water: _____

County: _____

ASSIGNOR(S) -- CURRENT PERMITTEE(S)

We hereby swear and affirm that the information contained herein is true and correct to the best of our knowledge.

Assignor _____ Assignor _____

STATE OF _____)

: ss.

County of _____)

On this ____ day of _____, in the year 20____, before me, a notary public in and for said State, personally appeared _____, known to me to be the
Assignor(s)/Permittee(s) that executed the within instrument, and acknowledged to me that _____ executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

Notary Public
Residing at: _____
My Commission Expires: _____

ASSIGNEE(S) -- NEW PERMITTEE(S)

I/We accept and agree to comply with the terms and conditions of the permit(s) as issued.

Name: _____ Phone: _____

Address: _____

Assignee _____ Date _____ Assignee _____ Date _____

✓ You must submit an assignment fee of \$150.00.

SUBMIT DOCUMENTATION TO THE APPROPRIATE IDL AREA OFFICE:

Pend Oreille Area - 2550 Highway 2 West - Sandpoint ID 83864 - (208) 263-5104

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

This space is reserved for recording purposes only



ENCROACHMENT PERMIT NO. L96S2547

Permission is hereby granted to Bill Reidy of PO Box 825, Bayview, ID, 83803, United States (USA) to install and maintain the following encroachment(s) subject to the terms and conditions of this Permit and the approved application, plans and drawings incorporated herein:

Encroachment	Description	Effective Date	Construction to be completed by
Encroachment: Single Family Dock	112'x50' pier and 54'x8' approach "L" shaped fixed dock and 37'x31' floating two slip	1536 Sq. Feet	09/24/2019

Located on **Pend Oreille Lake** in KOOTENAI COUNTY, adjacent to:

Parcel Number	54N02W-36-8080
Section, Township, Range	T54N R02W, sec 36, Boise Meridian
Physical Addresses	34095 N Pend Oreille Pines Drive, Bayview, ID, 83803, United States (USA)

1. General

- A. In order for this permit to be valid, Permittee must record this permit in the records of the county in which the encroachment is located and furnish proof of recordation to the Department pursuant to Idaho Code §§ 58-1305(h) and -1306(f).
- B. All applicable provisions of the Lake Protection Act (Idaho Code Title 58, Chapter 13) and Rules for Regulation of Beds, Waters, and Airspace over Navigable Lakes and Streams in the State of Idaho (IDAPA 20.03.04.000 *et seq.*) are incorporated herein by reference and made a part hereof.
- C. This permit does not convey the State's title to nor jurisdiction or management of lands lying below the natural or ordinary high water mark.
- D. Construction must follow details and specifications shown on the approved application, plans, and drawings provided by Permittee. Should such information 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 and IDAPA 20.03.04.080.07. At any time, and prior to any modification to the application, plans, drawings or encroachments Permittee must consult with the Idaho Department of Lands to determine if a new permit is required.
- E. Permittee shall maintain the structure or work authorized herein in a good and safe condition and in accordance with the approved application, plans and drawings. Permittee shall contact the Idaho Department of Lands 10 days prior to the planned start date of any maintenance or replacement activities.
- F. Acceptance of this permit constitutes permission by Permittee for representatives of the Idaho Department of Lands to come upon Permittee's Property at all reasonable times to inspect the encroachment authorized by this permit.
- G. Permittee shall indemnify, defend and save harmless the State, its officers, agents and employees from and against any and all liability, claims, damages, losses, expenses, actions, settlements, attorneys' fees, and suits whatsoever caused by, arising out of, or in connection with Permittee's acts or omissions under this permit or Permittee's failure to comply with any state or federal statute, law, regulation or rule.
- H. Authorization for any activity authorized herein that is not completed on or before the completion date identified above, shall automatically terminate unless an extension was granted in writing by IDL.
- I. This permit supersedes and voids any permit previously issued for this property. Unless specifically authorized in this permit, any pre-existing or abandoned portions of encroachments, whether previously permitted or not, shall be removed from below the ordinary or artificial high water mark.
- J. This permit does not relieve Permittee from obtaining additional approvals or otherwise complying with other local, state, or federal laws.
- K. Idaho State Water Quality Standards (IDAPA 58.01.02.000 *et seq.*) shall be maintained at all times during and after project start up.
- L. This permit is issued contingent upon Permittee's continuing status as an owner or lessee of the littoral right associated with the property described on page 1 of this permit.
- M. Permittee shall not assign this permit without first obtaining the written consent of IDL. Any request for approval of an assignment must be in writing, on forms provided by IDL, and accompanied by the applicable processing fee.
- N. Permittee assumes all liability for damages, which may result from the exercise of this permit.

2. Construction

- A. The Permittee or contractor shall have a copy of this permit available on site for inspection at all times during construction.

- B. Permittee is responsible for all work done by any contractor. Permittee shall provide contractor with a copy of this permit. Permittee shall ensure any contractor who performs the work is informed of and follows all the terms and conditions of this permit.
- C. Construction barges or other watercraft shall not be grounded on the lakebed for any reason.
- D. Permittee, contractor and anyone acting on their behalf are prohibited from allowing equipment, boats, barges or associated machinery to create petroleum product sheen on the water or otherwise create a release of petroleum or petroleum products due to petroleum products handling, use or storage. The contractor shall maintain an adequate supply of petroleum absorbent pads. The Emergency Response Team phone number, 1-800-632-8000, must be readily available at all times.
- E. Operation of excavation equipment will not be allowed below the ordinary or artificial high water mark without prior written authorization from IDL. Equipment may be operated only on dry land above the level of the lake at the time of operation.
- F. Demolition debris and construction waste shall be removed from the lake and disposed of at an approved upland location.
- G. Foam flotation shall be completely encased in a manner that will maintain the structural integrity of the foam. The encasement shall be resistant to the entry of rodents and shall be replaced if cracked, damaged, or similarly compromised.
- H. It is illegal to possess or transport Quagga or Zebra mussels into or through Idaho, and to launch infested watercraft. Used boat lifts shall be inspected for invasive species and determined to be free from such species prior to installation. Permittee shall provide IDL with proof of inspection by an authorized inspector prior to installing the boat lift and/or placing it in the water. Prior to installation call 877-336-8676 for decontamination.
- I. Piles and pylons shall be driven with noise reduction devices.
- J. Construction materials shall be natural or pressure treated utilizing only those preservative chemicals registered for the specific uses 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 and other Sensitive Environments" issued by the Western Wood Preservers Institute (WWPI) 2012. Treated materials not in contact with the water shall be completely dry before use near navigable waters. Use of Chromated Copper Arsenate (CCA) treated wood shall adhere to the EPA recommendations regarding use of arsenate treated wood. Contact Idaho Department of Environmental Quality for information on acceptable treatment methods and materials.
- K. All construction material including maintenance material must be stockpiled landward of the ordinary or artificial high water mark
- L. No trees or vegetation shall be removed below the ordinary high water mark without written approval of the Idaho Department of Lands.
- M. The disturbed portion of the lakebed shall be shaped to its original contour upon completion of the project.
- N. Any vegetation located below the ordinary high water mark disturbed by construction activity shall be replanted with native plants, unless otherwise agreed to in writing by IDL.
- O. All construction shall meet the standards of the Uniform Building and International Fire Codes. Permittee shall contact the appropriate body of jurisdiction concerning these codes prior to installation.
- P. A silt curtain, fence, or other appropriate Best Management Practice (BMP) shall be installed waterward of the project site. It must remain in place and functional until the turbidity level inside the curtain, fence or BMP equals the turbidity outside the curtain, or until all disturbed sediment has been removed from the BMP and stabilized in an upland location.

- Q. If any excavation or pile driving occurs the operator must comply with the provisions of the Underground Facilities Damage Prevention Law (Idaho Code Title 55, Chapter 22). The one-call locator service number is 811.

3. Submerged Land Leases and Easements

- A. This permit is issued contingent upon Permittee's agreement to enter into a submerged land lease or easement when notified by the IDL director that a lease or easement is necessary to occupy state-owned lake or riverbeds pursuant to IDAPA 20.03.04.055. In the event the submerged lands lease or easement is terminated, Permittee shall be solely responsible for removal of the encroachment.
- B. This permit is issued contingent upon the Permittee's agreement to enter into a submerged land lease pursuant to IDAPA 20.03.04.055. In the event the submerged lands lease is terminated, the Permittee may be solely responsible for removal of the encroachment.
- C. This permit is issued contingent upon the Permittee's agreement to obtain a submerged land easement pursuant to IDAPA 20.03.04.055. In the event the easement is terminated, the Permittee may be solely responsible for removal of the encroachment.

4. Single-family Docks

- A. Covered slips and lifts must meet the standards established in IDAPA 20.03.04.015.04 and .13.b.

5. Lake Specific Terms

A. Lake Pend Oreille

Existing piling to be removed that are in a known spawning area or near the confluence of a bull trout stream shall be cut off. Other existing piling to be removed may be snapped off with a tug or barge, however, this method shall not cause turbidity from prop wash, and the remaining piling shall not become a hazard to navigation nor protrude more than two feet above the bed of the waterway.

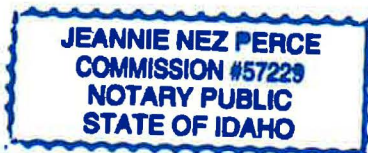
ON BEHALF OF THE DIRECTOR

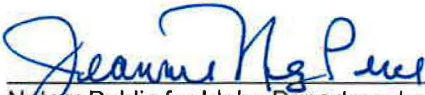
By: 
Justin Eshelman, Lands Resource Specialist
Public Trust – Pend Oreille Office

09/24/2019
Date

STATE OF IDAHO)
) ss
KOOTENAI COUNTY)

On September 24, 2019 personally appeared before me Justin Eshelman, whose identity is personally known to me and who by me duly affirmed that he/she is the Lands Resource Specialist, Public Trust Pend Oreille Office of the Idaho Department of Lands, and acknowledged that the foregoing document was signed by him/her on behalf of said state agency by authority of a Resolution of the State Land Board.




Notary Public for Idaho Department of Lands
My commission expires on 01/06/2023

JOINT APPLICATION FOR PERMITS

U.S. ARMY CORPS OF ENGINEERS - IDAHO DEPARTMENT OF WATER RESOURCES - IDAHO DEPARTMENT OF LANDS

Authorities: The Department of Army Corps of Engineers (Corps), Idaho Department of Water Resources (IDWR), and Idaho Department of Lands (IDL) established a joint process for activities impacting jurisdictional waterways that require review and/or approval of both the Corps and State of Idaho. Department of Army permits are required by Section 10 of the Rivers & Harbors Act of 1899 for any structure(s) or work in or affecting navigable waters of the United States and by Section 404 of the Clean Water Act for the discharge of dredged or fill materials into waters of the United States, including adjacent wetlands. State permits are required under the State of Idaho, Stream Protection Act (Title 42, Chapter 38, Idaho Code and Lake Protection Act (Section 58, Chapter 13 et seq., Idaho Code). In addition the information will be used to determine compliance with Section 401 of the Clean Water Act by the appropriate State, Tribal or Federal entity.

Joint Application: Information provided on this application will be used in evaluating the proposed activities. Disclosure of requested information is voluntary. Failure to supply the requested information may delay processing and issuance of the appropriate permit or authorization. Applicant will need to send a completed application, along with one (1) set of legible, black and white (8 1/2"x11"), reproducible drawings that illustrate the location and character of the proposed project / activities to both the Corps and the State of Idaho.

See Instruction Guide for assistance with Application. Accurate submission of requested information can prevent delays in reviewing and permitting your application. Drawings including vicinity maps, plan-view and section-view drawings must be submitted on 8-1/2 x 11 papers.

Do not start work until you have received all required permits from both the Corps and the State of Idaho

FOR AGENCY USE ONLY									
USACE NWW-		Date Received:		☐ Incomplete Application Returned		Date Returned:			
Idaho Department of Water Resources No.		Date Received:		☐ Fee Received DATE:		Receipt No.:			
Idaho Department of Lands No. L9652547		Date Received:		☒ Fee Received \$300.00 DATE: 9/9/19		Receipt No.:			
INCOMPLETE APPLICATIONS MAY NOT BE PROCESSED									
1. CONTACT INFORMATION - APPLICANT Required:					2. CONTACT INFORMATION - AGENT:				
Name: Bill Reidy					Name:				
Company: Trevitt O'Malley Real Estate, Inc.					Company: DEPT OF LANDS				
Mailing Address: PO Box 825					Mailing Address: SEP 09 2019				
City: Bayview		State: ID		Zip Code: 83803		City:		State: Zip Code:	
Phone Number (include area code): 208-755-3954		E-mail: billreidy@gmail.com			Phone Number (include area code):		E-mail:		
3. PROJECT NAME or TITLE: Rickel Dock					4. PROJECT STREET ADDRESS: 34095 N. Pend Oreille Pines DR.				
5. PROJECT COUNTY: Kootenai		6. PROJECT CITY: Bayview		7. PROJECT ZIP CODE: 83803		8. NEAREST WATERWAY/WATERBODY: Lake Pend Oreille			
9. TAX PARCEL ID#: 54N02W-36-8080		10. LATITUDE: 47°59'02" N LONGITUDE: 116°30'51" W		11a. 1/4: 11b. 1/4: 11c. SECTION: 36		11d. TOWNSHIP: 54		11e. RANGE: 2W	
12a. ESTIMATED START DATE:		12b. ESTIMATED END DATE:		13a. IS PROJECT LOCATED WITHIN ESTABLISHED TRIBAL RESERVATION BOUNDARIES? ☐ NO ☐ YES Tribe:					
13b. IS PROJECT LOCATED IN LISTED ESA AREA? ☐ NO ☐ YES				13c. IS PROJECT LOCATED ON/NEAR HISTORICAL SITE? ☐ NO ☐ YES					
14. DIRECTIONS TO PROJECT SITE: Include vicinity map with legible crossroads, street numbers, names, landmarks. 2.2 miles out of Bayview on Cape Horn Road to Pend Oreille Pines DR. Go Right onto Pend Oreille Pines DR to # 34095 N. Pend Oreille Pines DR., Bayview, ID 83803									
15. PURPOSE and NEED: ☐ Commercial ☐ Industrial ☐ Public ☒ Private ☐ Other Describe the reason or purpose of your project; include a brief description of the overall project. Continue to Block 16 to detail each work activity and overall project. Dock Rebuilt in 1973 by Robert Rickel. Property sold by Mr. Rickel in March 2018 to present owner who wants to transfer dock permit from Mr. Rickel to new owner. There is no permit on record.									

16. DETAILED DESCRIPTION OF EACH ACTIVITY WITHIN OVERALL PROJECT. Specifically indicate portions that take place within waters of the United States, including wetlands: Include dimensions; equipment, construction, methods; erosion, sediment and turbidity controls; hydrological changes: general stream/surface water flows, estimated winter/summer flows; borrow sources, disposal locations etc.:

17. DESCRIBE ALTERNATIVES CONSIDERED to AVOID or MEASURES TAKEN to MINIMIZE and/or COMPENSATE for IMPACTS to WATERS of the UNITED STATES, INCLUDING WETLANDS: See Instruction Guide for specific details.

DEPT OF LANDS

SEP 09 2019

18. PROPOSED MITIGATION STATEMENT or PLAN: If you believe a mitigation plan is not needed, provide a statement and your reasoning why a mitigation plan is NOT required. Or, attach a copy of your proposed mitigation plan.

19. TYPE and QUANTITY of MATERIAL(S) to be discharged below the ordinary high water mark and/or wetlands:

Dirt or Topsoil: _____ cubic yards
Dredged Material: _____ cubic yards
Clean Sand: _____ cubic yards
Clay: _____ cubic yards
Gravel, Rock, or Stone: _____ cubic yards
Concrete: _____ cubic yards
Other (describe): _____ : _____ cubic yards
Other (describe): _____ : _____ cubic yards

TOTAL: _____ cubic yards

20. TYPE and QUANTITY of Impacts to waters of the United States, including wetlands:

Filling: _____ acres _____ sq ft. _____ cubic yards
Backfill & Bedding: _____ acres _____ sq ft. _____ cubic yards
Land Clearing: _____ acres _____ sq ft. _____ cubic yards
Dredging: _____ acres _____ sq ft. _____ cubic yards
Flooding: _____ acres _____ sq ft. _____ cubic yards
Excavation: _____ acres _____ sq ft. _____ cubic yards
Draining: _____ acres _____ sq ft. _____ cubic yards
Other: _____ : _____ acres _____ sq ft. _____ cubic yards

TOTALS: _____ acres _____ sq ft. _____ cubic yards

L9652547

21. HAVE ANY WORK ACTIVITIES STARTED ON THIS PROJECT? ☐ NO ☐ YES If yes, describe ALL work that has occurred including dates.

N/A. Dock built in 1973.

22. LIST ALL PREVIOUSLY ISSUED PERMIT AUTHORIZATIONS:

Dock built prior to Lake Protection Act. No Permit on Record.

23. ☐ YES, Alteration(s) are located on Public Trust Lands, Administered by Idaho Department of Lands

24. SIZE AND FLOW CAPACITY OF BRIDGE/CULVERT and DRAINAGE AREA SERVED: _____ Square Miles

25. IS PROJECT LOCATED IN A MAPPED FLOODWAY? ☐ NO ☐ YES If yes, contact the floodplain administrator in the local government jurisdiction in which the project is located. A Floodplain Development permit and a No-rise Certification may be required.

26a. WATER QUALITY CERTIFICATION: Pursuant to the Clean Water Act, anyone who wishes to discharge dredge or fill material into the waters of the United States, either on private or public property, must obtain a Section 401 Water Quality Certification (WQC) from the appropriate water quality certifying government entity.
See Instruction Guide for further clarification and all contact information.

The following information is requested by IDEQ and/or EPA concerning the proposed impacts to water quality and anti-degradation:

☐ NO ☐ YES Is applicant willing to assume that the affected waterbody is high quality?
☐ NO ☐ YES Does applicant have water quality data relevant to determining whether the affected waterbody is high quality or not?
☐ NO ☐ YES Is the applicant willing to collect the data needed to determine whether the affected waterbody is high quality or not?

26b. BEST MANAGEMENT PRACTICES (BMP's): List the Best Management Practices and describe these practices that you will use to minimize impacts on water quality and anti-degradation of water quality. All feasible alternatives should be considered - treatment or otherwise. Select an alternative which will minimize degrading water quality

DEPT OF LANDS

SEP 09 2019

Through the 401 Certification process, water quality certification will stipulate minimum management practices needed to prevent degradation.

27. LIST EACH IMPACT to stream, river, lake, reservoir, including shoreline: Attach site map with each impact location.

Activity	Name of Water Body	Intermittent Perennial	Description of Impact and Dimensions	Impact Length Linear Feet
TOTAL STREAM IMPACTS (Linear Feet):				

28. LIST EACH WETLAND IMPACT include mechanized clearing, fill excavation, flood, drainage, etc. Attach site map with each impact location.

Activity	Wetland Type: Emergent, Forested, Scrub/Shrub	Distance to Water Body (linear ft)	Description of Impact Purpose: road crossing, compound, culvert, etc.	Impact Length (acres, square ft linear ft)
TOTAL WETLAND IMPACTS (Square Feet):				

29. ADJACENT PROPERTY OWNERS NOTIFICATION REQUIREMENT: Provide contact information of ALL adjacent property owners below.

(Lot to East)

(Lot to West)

Name: William J. & Kathryn M. Reidy

Mailing Address: PO Box 825

City: Bayview

State: ID Zip Code: 83803

Phone Number (include area code): 208-755-3954

E-mail: WJReidy@gmail.com

Name: Bend Oreille Pines Home Owners Association Inc.
c/o Joe Haney

Mailing Address: 20104 E. Cape Horn Rd.

City: Bayview

State: ID Zip Code: 83803

Phone Number (include area code): 208-652-0292

E-mail: JoeHaney@RoadRunner.com

Name:

Mailing Address:

City:

State:

Zip Code:

Phone Number (include area code):

E-mail:

Name:

Mailing Address:

City:

State:

Zip Code:

Phone Number (include area code):

E-mail:

Name:

Mailing Address:

City:

State:

Zip Code:

Phone Number (include area code):

E-mail:

Name:

Mailing Address:

City:

State:

Zip Code:

Phone Number (include area code):

E-mail:

DEPT OF LANDS

Name:

Mailing Address:

City:

State:

Zip Code:

Phone Number (include area code):

E-mail:

Name:

Mailing Address:

City:

State:

Zip Code:

Phone Number (include area code):

E-mail:

SEP 09 2019

30. SIGNATURES: STATEMENT OF AUTHORIZATION / CERTIFICATION OF AGENT / ACCESS

Application is hereby made for permit, or permits, to authorize the work described in this application and all supporting documentation. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein; or am acting as the duly authorized agent of the applicant (Block 2). I hereby grant the agencies to which this application is made, the right to access/come upon the above-described location(s) to inspect the proposed and completed work/activities.

Signature of Applicant:

William J. Reidy
President of Trevitt O'Malley Real Estate, Inc.

Date:

09-08-2019

Signature of Agent:

Date:

This application must be signed by the person who desires to undertake the proposed activity AND signed by a duly authorized agent (see Block 1, 2, 30). Further, 18 USC Section 1001 provides that: "Whoever, in any manner within the jurisdiction of any department of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises 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 statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both".



Application Number L9652547

SINGLE AND TWO-FAMILY LOT ENCROACHMENT PERMIT APPLICATION

This information sheet and checklist must be completed when submitting an encroachment permit application. Incomplete applications will be returned without processing.

Encroachment Type:
(Check all that apply)

- | | |
|--|--|
| ☒ - Single family dock (58-1305) | ☐ - Riprap (58-1306) |
| ☐ - Two-family dock (58-1305) | ☐ - Waterline (58-1306) |
| ☐ - Mooring buoy (58-1305) | ☐ - Other – describe: _____ |

Applicant's Littoral Rights Are:

☐ - Signature of littoral rights owner is obtained if applicant is not the owner of the riparian/littoral rights

- ☒ - Owned, fee simple title holder
☐ - Leased
☐ - Other – describe: _____

Provide a Black/White Copy of Each Required Document on 8½"x14" or Smaller Paper:

- ☒ - County plat map showing both neighboring littoral lots.
- ☐ - Tax record identifying the owner of the upland parcel(s)
- ☐ - Lakebed profile with encroachment and water levels of winter and summer
- ☐ - General vicinity map that allows Department to find the encroachment
- ☐ - Scaled air photo or map showing lengths of nearby encroachments, distances to adjacent encroachments, and location and orientation of the proposed encroachment

Are Existing Docks or Other Encroachment(s) Permitted On This Parcel(s)?

- ☐ - No
☒ - Yes

Please attach a current photograph and a "to scale" drawing (see Document Requirements Above)

Permit # _____ Date of Construction: _____

What will happen to the existing dock or encroachment if this permit application is approved?

- ☐ - Remain unchanged
☐ - Complete removal
☐ - Modification
☐ - Other: _____

(Please note that old dock materials must be removed from the lake. Discarding these materials creates serious boating safety issues and offenders will be subject to prosecution and penalties.)

Does the Property Have 25 Feet of Lake Frontage for a Single-Family Dock or 50 Feet for a Two-Family Dock?

- ☒ - Yes
☐ - No

Total front footage: 100 feet

How Many Feet Does the Proposed Encroachment Extend Beyond the Ordinary (or Artificial) High Water Mark? 58' 2" feet

The Proposed Dock Length Is:

- ☒ The same or shorter than the two adjacent docks
☐ Longer than the two adjacent docks
☐ Longer than the two adjacent docks, but within the line of navigability established by the majority of existing docks in the area.
☐ _____ feet and not located near any other docks or other encroachments.

L9652547

What is the water depth at the end of the proposed dock?

Summer level 10' 8" feet
Winter level -0- feet

Does the Proposed Dock Exceed the Maximum Square Footage of 700 ft² for Single-Family Docks or 1,100 ft² for Two-Family Docks? ☐ - No ☒ - Yes Total square footage:

1536 ft²

Will the Proposed Encroachment Exceed the Maximum Width of 10 Feet?

☐ - No
☒ - Yes

If yes, explain why: 12' Existing since 1973

Will the Proposed Encroachment Be Located Closer Than 10 Feet to the Riparian/Littoral Right Lines Established With Your Neighbors?

☐ - No
☒ - Yes

If yes, what are the proposed distances? 3 feet

☒ - Consent of affected neighbor was obtained

Determining Riparian/Littoral Right Lines

Littoral right lines are not simple extensions of the upland property lines. Littoral right lines are generally perpendicular, or at right angles, to the shoreline. Curved shorelines or unusual circumstances may require Department Staff, or other professionals, to closely examine littoral right lines and assess the potential for infringement on adjacent littoral property owners.

William J. Reilly 09-09-2019
Printed Name Date

William J. Reilly
Signature of Applicant or Agent

President
Trevitt O'Malley Real Estate, Inc.

DEPT OF LANDS

SEP 09 2019



ENCROACHMENT PERMIT APPLICATION

Thank you for your inquiry concerning placement of an encroachment in, on, or over navigable waters of the State of Idaho. **Please note:** You must first obtain an encroachment permit from the Idaho Department of Lands prior to placement of any new structures or changes to existing structures in navigable waters. A processing fee (made payable to Treasurer, State of Idaho) is required and must accompany each application. Please note that a new permit, if issued, will replace any existing permit you may now have. Please include all existing structures so they can be included on your permit.

Please complete all elements on the attached application. The legal description, names and addresses of adjacent property owners, and encroachment dimensions must be accurate and complete. These permits are site specific. **Please note:** The signature of the adjacent littoral owner (neighbor) is required if any part of your proposed encroachment will be located closer than 10 feet from the common littoral/property line of the adjacent property.

An accurate drawing similar to the sample provided is required. Include all dimensions as shown on the sample (i.e., distance to littoral/property line, dock length and width, water depth and high and low water marks) and names of both adjacent property owners/lessees.

Idaho State Single Family Dock Specifications:

1. Encroachments shall be installed to protrude as near as possible perpendicular to the general shoreline.
2. Encroachments shall not extend beyond a water depth necessary for customary navigation or beyond the established line of navigation.
3. Dock encroachments, excluding slip cutout, shall not exceed 700 square feet in size or 10 feet in width; two-family docks shall not exceed 1,100 square feet in size.
4. Ramp encroachments shall not exceed 6 feet in width.
5. Single- and two-family encroachments shall not exceed four (4) piling, excluding stationary piers.
6. Encroachments should not be located closer than 10 feet to adjacent property riparian right lines. Riparian right lines extend waterward of ordinary/artificial high water mark perpendicular from the general shoreline.
7. All mooring covers used on encroachments must be removable.
8. For protection of the public trust rights of navigation, structure dimensions will be limited to size actually needed in aid to navigation. Encroachments proposed in rivers shall be held as close as possible to shore to avoid interfering with navigation.

Please submit your completed application to the Idaho Department of Lands:

Priest Lake Area - 4053 Cavanaugh Bay Road - Coolin, ID 83821 - (208) 443-2516

Pend Oreille Area - 2550 Highway 2 West - Sandpoint ID 83864 - (208) 263-5104

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

St. Maries Area - 1806 Main Avenue - St Maries, ID 83861 - (208) 245-4551

Payette Lakes Area - 555 Deinhard Lane - McCall, ID 83638 - (208) 634-7125

South Central Area - 324 South 417 East; Suite 2, Jerome ID 83338-6206 - (208) 324-2561

Eastern Idaho - 3563 Ririe Hwy - Idaho Falls ID 83401 - (208) 525-7167

DEPT OF LANDS

SEP 09 2019

Thank you for your cooperation.

IDAHO LAKE PROTECTION ACT ADMINISTRATION

54N02W366080

Property Class: 534
34095 N FEND OPELLE PINES DR

PHYSICAL CHARACTERISTICS

Style: 31 Low/Fair 2 Story <1989
Occupancy: Single family - OwnerStory Height: 2.0
Finished Area: 3632
Attic: None
Basement: Full

ROOFING

Material: Comp sh heavy
Type: Gable
Framing: Std for class
Pitch: Medium 5/12-8/12

FLOORING

Slab: B
Sub and joists 1.0, 2.0
Base Allowance: B, 1.0, 2.0

EXTERIOR COVER

Alum siding: B, 1.0, 2.0
Stone artificial: 1.0

INTERIOR FINISH

Drywall: B, 1.0, 2.0

ACCOMMODATIONS

Finished Rooms: 9
Bedrooms: 3
Family Rooms: 1
Formal Dining Rooms: 1
Fireplaces: 3

HEATING AND AIR CONDITIONING

Primary Heat: Heat pump
Lower Full Part
/Bsmt 1 Upper Upper
Forced hot 1204 1224 1204 0

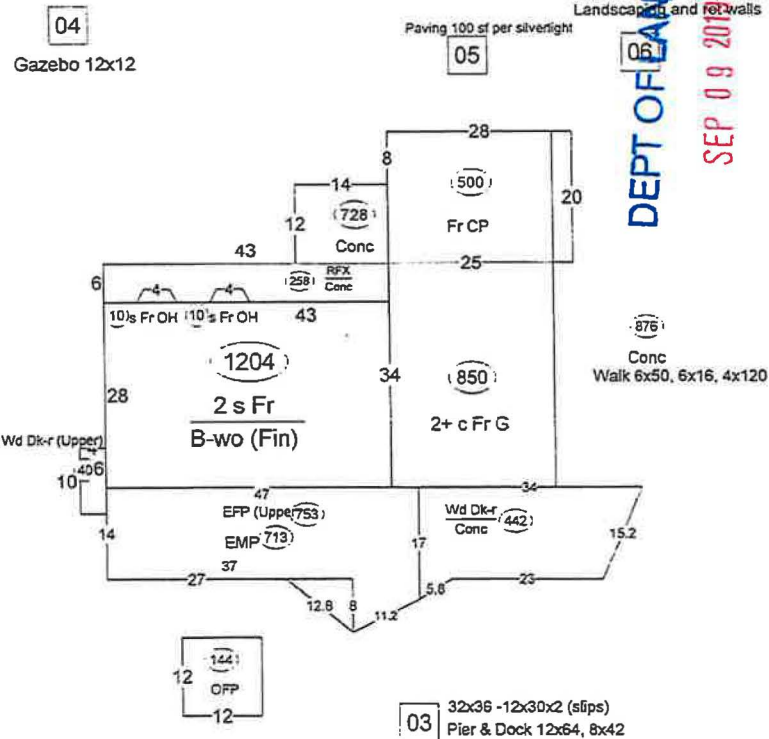
PLUMBING

3 Fixt. Baths: 2 6
2 Fixt. Baths: 1 2
Kit Sink: 1 1
Water Heat: 1 1
TOTAL: 10

REMODELING AND MODERNIZATION

Amount Date

IMPROVEMENT DATA



Construction	Base Area	Floor Area	Finished Area	Sq Ft	Value
1 Wood frame w/sh	1224	1.0	1224		97960
1 Wood frame w/sh	1204	2.0	1204		50180

6 Concrete	1204	Bsmt	1204		22670
	0	Crawl	----		-50

TOTAL BASE 170760

Row Type Adjustment 1.00%
SUB-TOTAL 170760

0 Interior Finish	0
0 Ext Lvg Units	0
0 Basement Finish	23960
Fireplace(s)	5650
Heating	9140
Air Condition	0
Frame/Siding/Roof	3490
Plumbing Fixt: 10	7520

Other Features 2350

SUB-TOTAL ONE UNIT 222870

SUB-TOTAL 0 UNITS 222870

Exterior Features

Description	Value	Garages
OFF	3790	0 Integral
CONCP	970	0 Att Garage
RFX/	3020	0 Att Carports
CONCP	2730	0 Bsmt Garage
WDDK-R/	1340	Ext Features
CONCP	3290	
EMP/	17270	SUB-TOTAL
EMP	24160	Quality Class/Grade
CONCP	1660	Avg
WDDK-R/	6750	GRADE ADJUSTED VALUE

(LCM: 100.00)

SPECIAL FEATURES

SUMMARY OF IMPROVEMENTS

Description	Value	ID	Use	Stry Hgt	Const Type	Grade	Year Const	Eff Year	Cond	Base Rate	Feat- ures	Adj Rate	Size or Area	Computed Value	Phys Obsol	Market Adj	% Comp	Value	
D :2CHMMASO	1650	D DWELL		0.00	1	Avg	1979	1990	AV	0.00	Y	0.00	3632	348300	33	0	100	0	233360
BASIC	2350	G01 ATTGAR		0.00	1	Avg	1979	1985	AV	20.23	Y	31.86	25x 34	27080	42	0	100	100	15710
MAS	2650	G02 ICP		0.00	1	Avg	1997	1997	AV	15.49	N	18.74	20x 25	9370	22	0	100	100	7310
STL	1350	03 BOATD		0.00		Avg	1973	1990	AV	32.00	Y	32.00	1536	59230	75	0	100	100	14810
G01:IF2	4	04 GAZEBO		7.00		Avg	2000	2000	AV	13.72	N	13.72	12x 12	1980	19	0	100	100	1600
03 :COVERS	5040	05 PAV		0.00		Avg	2008	2008	AV	1.97	N	1.97	1000	1970	9	0	100	100	1790
COVERS	5040	06 SITEIMP		0.00		Avg	2005	2005	AV	5000	Y	5000	10 0	15000	12	0	100	100	13200
06 :SWL-LND1	10000																		

Data Collector/Date

KME 09/22/2017

Appraiser/Date

SJP 02/13/2018

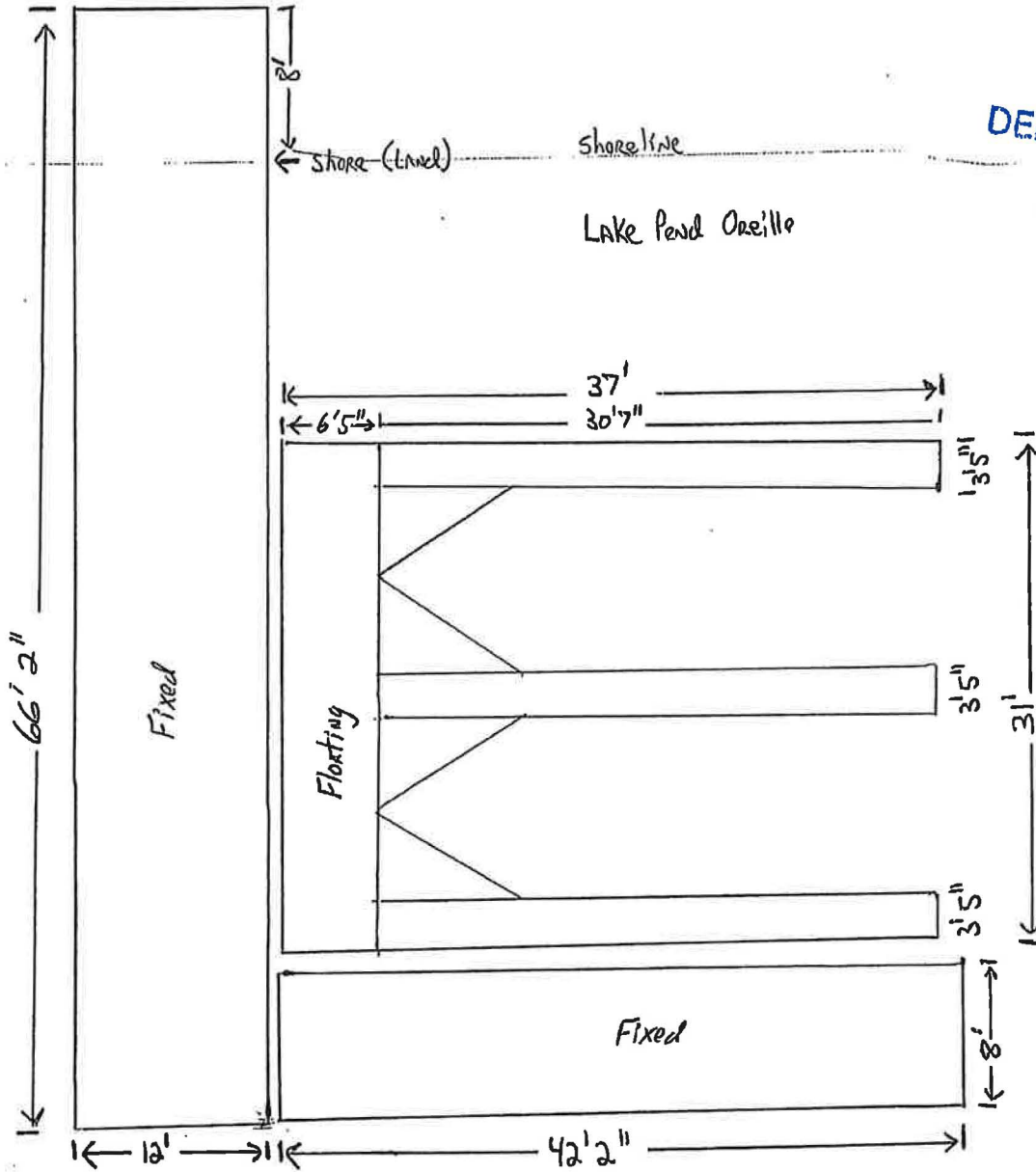
Neighborhood

Neigh 1010 AV

Supplemental Cards

TOTAL IMPROVEMENT VALUE

287780



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SEP 09 2019

AFFIDAVIT

DEPT OF LANDS
SEP 09 2019

To whom It may concern:

My name is Robert Rickel. I am 90 years old and other than when I was in the Service, have lived on the Rickel Ranch in Athol or at my property Bayview my entire life. In 1970 I purchased 34095 N. Pend Oreille Pines Drive (formerly known as La Sata Lane), Bayview, ID 83803 (Parcel # 54N02W-36-8080). In 2018, 22 months after the death of my wife, Suzanne I sold my home in Bayview to Trevitt O'Malley Real Estate, Inc., which is owned by my neighbor of over 20 years, Bill Reidy.

Prior to my ownership and before Cape Horn Road was built, the primary access to the property was by boat. There existed prior to my ownership a dock system used to transport people and materials onto the property. There are wood pilings still existing and visible today in the lake which were part of this dock system which were in place when I purchased the property. During the winter of 1973 to 1974 I personally rebuilt the existing dock to the present configuration using timber framing, and rocks from the Rickel Ranch in Athol. We had plenty of rocks my family and I had cleared from the fields. During 1979 I built the home which exists today on the property. Prior to building the home I had a single wide mobile home on the property. Since rebuilding the dock in 1973-74 I have replaced deck boards and timbers as needed to maintain the present dock.

Dated: September 5, 2019



Robert Rickel

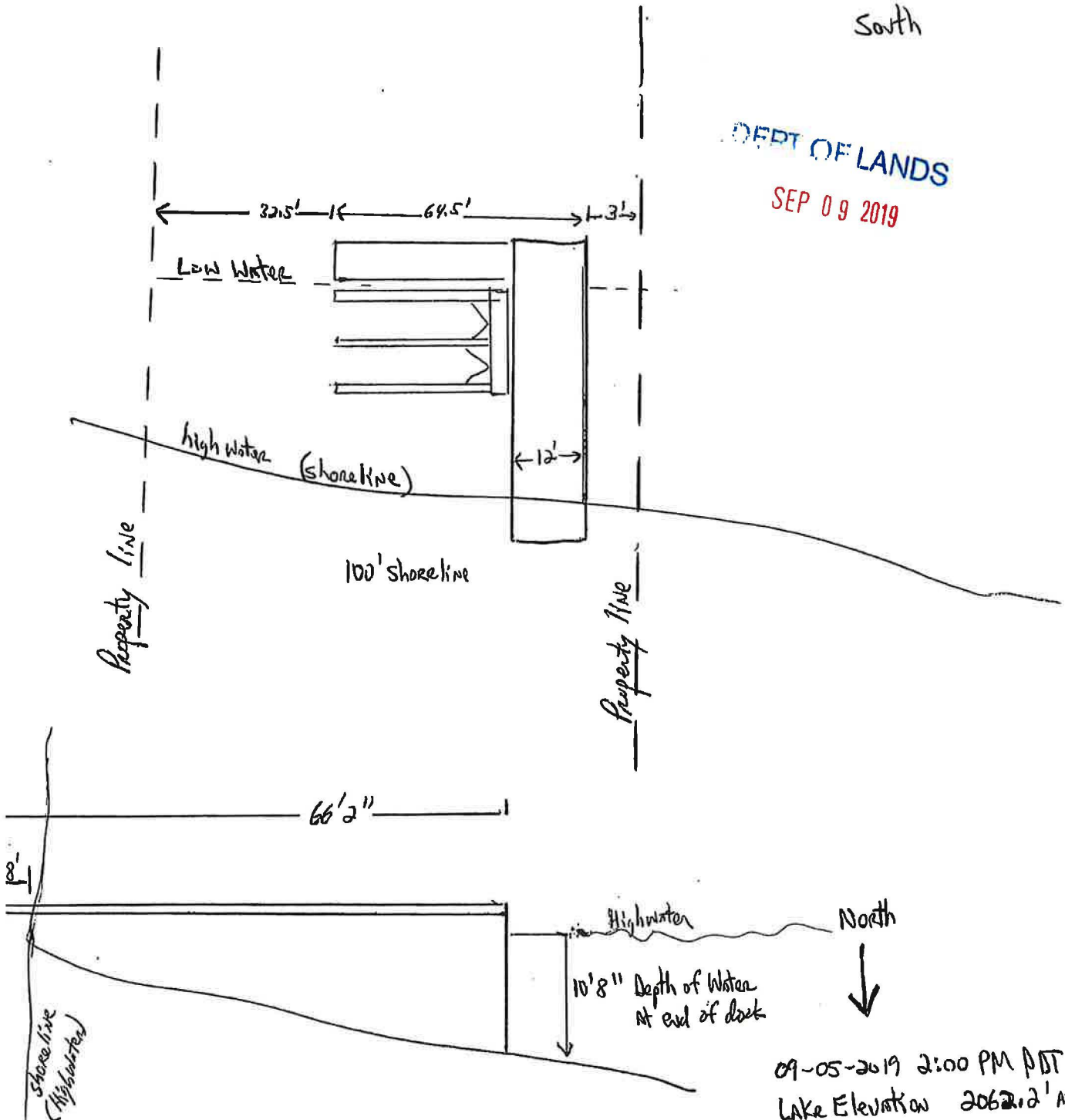
NOTARY *See attached.*

38075 N. Pond Orella Pines Dr.
Bayview, ID 83803

Lake Pond Orella

↑
South

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SEP 09 2019



09-05-2019 2:00 PM PDT
Lake Elevation 2062.2' at Hg

https://gisapp.kcgov.us/KC/KEarth_Silverlight/ AUMENTUM - Home - Home - KCWebMap Welcome - A2-PROD v4.0

Suggested Sites Web Slice Gallery

Kootenai County

Map Layers

34095 N PONDER Optional Find Clear Search By Road Address

34095 N PEND OREILLE DR, BAYVIEW
34095 N PEND OREILLE PINES DR, BAYVIEW

Owner Detail Additional

AIN: 101308 LRSN: 6482 GEO: 1010
Parcel Number: 54N02W-36-8080
Appr Dist: 1 TCA: 077000
Incorporation: NONE

Owner Information:
TREVITT O'MALLEY REAL ESTATE INC
PO BOX 825
BAYVIEW, ID 83803

Site Address:
34095 N PEND OREILLE PINES DR
BAYVIEW

Legal Description: BKG:
TAX #9046-LT 2

Acres: 0.37 TRS: 54N02W-36-8080-PDF
Gross Value: \$ 571280
Net Taxable Value: \$ 571280
Exemption Value: \$ 0

9:14 AM
9/5/2019

Thursday, Sep 05, 2019 09:14 AM

SEP 09 2019

OF LANDS

Township 54
Range 2W
Section 36



Application for Use Submerged Land Lease

For Area Office Use Only
Instrument No.: _____

Instructions: This form is used by persons seeking to lease state owned submerged and formerly submerged lands pursuant to IDAPA 20.03.17. Please complete this form and submit it, along with the non-refundable filing fee of \$150 and required attachments to your local Idaho Department of Lands Supervisory Area Office.

Section 1: Applicant Information

Full legal name of applicant:

Legal status:

- | | |
|--|--|
| ☐ Individual | ☐ Trust or non-profit (attach Affidavit of Existence) |
| ☐ State government | ☐ Business (attach Secretary of State Certificate of Existence) |
| ☐ City, County, or Federal government | ☐ Other: |

Name of primary contact:

Mailing address:

City:

State:

Zip:

Contact phone number:

Phone number type: ☐ Work ☐ Home ☐ Cell

Email address:

Do you currently hold a lease with the Idaho Department of Lands?

☐ No ☐ Yes

If yes, provide lease number(s):

Are you require you to obtain worker compensation insurance?

☐ No ☐ Yes

Are there multiple applicants?

☐ No ☒ Yes

If yes, please complete and attach Attachment A – Multiple Applicants.

Section 2: Description of Associated Upland Property

Facility name:

Physical Address:

City:

State:

Zip:

County:

AIN/Parcel ID:

Government Lot:

Section:

Township:

Range:

Body of water:

Section 3: Encroachment Description

Encroachment or Stream Channel Alteration Permit Number:

Please, attach a copy of the recorded permit.

Identify all encroachments/uses to be under lease:

- | | | |
|---|--|---|
| ☐ Single-family dock | ☐ Two-family dock | ☐ Community dock |
| ☐ Commercial marina | ☐ Store | ☐ Boat ramp |
| ☐ Restaurant | ☐ Swim area | ☐ Fill |
| ☐ Other(s): | | |

Section 4: Discounts

If a commercial marina, you may qualify for a discount on your annual lease payment. Select one of the following that best describes the marina facilities:

- ☐ 25% discount: All marina facilities are made available to the public on a first come, first served basis.
- ☐ 50% discount: All marina facilities are made available to the public on a first come, first served basis AND fifty percent (50%) or more of the boat slips are set aside for day use only.
- ☐ None of the above.



Please attach all of the following required attachments, as applicable:

- Section 6: Affidavit

Applicant Name

Applicant Title (if applicable)

Notary Public

IDLRPP0004 (11/16)

Sharp, Taya

From: Horsmon, Merritt
Sent: Tuesday, October 31, 2023 4:15 PM
To: Sharp, Taya
Subject: RE: Request for Comments for Water Right 96-16764

Hi Taya,

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: Sharp, Taya <Taya.Sharp@idwr.idaho.gov>
Sent: Friday, October 13, 2023 3:40 PM
To: mahmer <mahmer@idl.idaho.gov>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>
Subject: Request for Comments for Water Right 96-16764

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 6th, 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