**State of Idaho**
**Department of Water Resources**

# Water Right License

**Water Right No. 94-9717**

**Priority**: March 03, 2025

**Maximum Diversion Rate:** 0.04 CFS
**Maximum Diversion Volume:** 1.2 AF

It is hereby certified that:

KAREN ANNE MITCHELL 24648 S WHALEN RD MEDIMONT ID 83842-5102 AND/OR
GARY DOUGLAS MITCHELL 24648 S WHALEN RD MEDIMONT ID 83842-5102

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 03, 2025, and has submitted Proof of Beneficial Use on May 15, 2025. An examination confirms water is diverted from:

**Source :** SPRING **Tributary:** SINKS

| Beneficial Use | Period of Use | Rate of Diversion | Annual Volume |
|---|---|---|---|
| DOMESTIC | 01/01 to 12/31 | 0.04 CFS | 1.2 AF |

**Location of Point(s) of Diversion**
SPRING NW¼ SW¼, Sec. 3, Twp 47N, Rge 02W, B.M. KOOTENAI County

**Place of Use:** DOMESTIC

| Twp | Rng | Sec | NE | | | | NW | | | | SW | | | | SE | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| 47N | 02W | 4 | | | | | | | | | | | | | X | | | | |

**Conditions of Approval**

1. Domestic use is for 1 home.
2. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
3. This right does not grant any right-of-way or easement across the land of another.

This license is issued pursuant to the provisions of Idaho Code § 42-219. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 29th day of July, 2025.

Hummer, Phill
Water Rights Section Manager

**State of Idaho**
**Department of Water Resources**

# Attachment to Water Right

**94-9717**

This map depicts the DOMESTIC 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
- Point of Diversion
- State Outline
- Townships
- PLS Sections
- Quarter Quarters

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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

July 31, 2025

GARY DOUGLAS MITCHELL
KAREN ANNE MITCHELL
24648 S WHALEN RD
MEDIMONT ID 83842-5102

RE: License No. 94-9717

**ISSUANCE OF LICENSE**

Dear Water Right Holder(s):

The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district.

The license is a PRELIMINARY ORDER issued by the Department 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.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact me at (208) 287-4925.

Sincerely,

*Phill Hummer*

Phill Hummer
Water Rights Section Manager

Enclosure(s)

## CERTIFICATE OF SERVICE

I hereby certify that on July 31, 2025, I served a true and correct copy of Water Right License No. 94-9717 by U.S. Mail, postage prepaid, to the following:

GARY DOUGLAS MITCHELL (Current Owner)
24648 S WHALEN RD
MEDIMONT ID 83842-5102

KAREN ANNE MITCHELL (Current Owner)
24648 S WHALEN RD
MEDIMONT ID 83842-5102

Debra Mansfield
Technical Records Specialist 1

# EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

**(To be used in connection with actions when a hearing was held)**

The accompanying order is a **Preliminary Order** issued by the Idaho Department of Water Resources (Department) pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and brief as further described below:**

## PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of the order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The hearing officer 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 to the Director. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The Director retains the right to review the preliminary order on his own motion.

## 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.