

State of Idaho  
Department of Water Resources  
**Water Right License**  
Water Right No. 97-9851

**Priority:** September 19, 2024

**Maximum Diversion Rate:** 0.04 CFS

**Maximum Diversion Volume:** 1.2 AF

It is hereby certified that:

MATTHEW H HOWARTH 43 DIAMOND POINT RD COOLIN ID 83821-9760 AND/OR  
JOAN H HOWARTH 43 DIAMOND POINT RD COOLIN ID 83821-9760

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 19, 2024, and has submitted Proof of Beneficial Use on January 02, 2026. An examination confirms water is diverted from:

**Source :** PRIEST LAKE

**Tributary:** PRIEST RIVER

**Beneficial Use**

DOMESTIC

**Period of Use**

01/01 to 12/31

**Rate of Diversion**

0.04 CFS

**Annual Volume**

1.2 AF

**Location of Point(s) of Diversion**

PRIEST LAKE L1 ( NE $\frac{1}{4}$  NE $\frac{1}{4}$ ), Sec. 9, Twp 61N, Rge 04W, B.M. BONNER 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 |        |
| 61N | 04W | 9   | X<br>L1 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

**Conditions of Approval**

1. Water shall not be diverted under this right when flows in the Priest River are below minimum flow amounts as defined by Right 97-7380. The right holder shall be responsible for monitoring the daily flow of the Priest River using real-time data and shall cease diverting water when flows in the Priest River are below established minimum flow amounts. Unless otherwise specified by the Director of the Department of Water Resources, data from the U.S. Geological Survey Priest River Gauging Station, No. 12395000, may be used for purposes of determining the daily flow amounts.
2. Domestic use is for 1 home.
3. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
4. Point of diversion is located within Lot 12, Diamond Park Subdivision.
5. Place of use is located within Lots 12; Diamond Park Subdivision.
6. This right does not grant any right-of-way or easement across the land of another.

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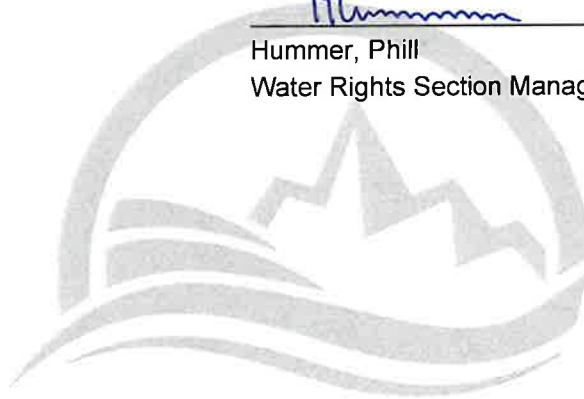
7. Some or all of the water use authorized by this right is claimed with an earlier priority date on Clark Fork-Pend Oreille Adjudication Claim No.97-9218. If Claim 97-9218 is decreed as it is claimed, this right shall be diminished by the amount necessary to avoid any redundancy of water rights.

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 26<sup>th</sup> day of January, 2026.



Hummer, Phill  
Water Rights Section Manager



State of Idaho  
Department of Water Resources  
**Attachment to Water Right**  
97-9851

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.



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



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

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Phone: 208-287-4800 • Fax: 208-287-6700 • Email: [idwrinfo@idwr.idaho.gov](mailto:idwrinfo@idwr.idaho.gov) • Website: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Mathew Weaver

January 26, 2026

MATTHEW H HOWARTH  
JOAN H HOWARTH  
43 DIAMOND POINT RD  
COOLIN ID 83821-9760

RE: License No. 97-9851

**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](http://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 January 27, 2026, I served a true and correct copy of Water Right License No. 97-9851 by U.S. Mail, postage prepaid, to the following:

MATTHEW H HOWARTH (Current Owner)  
43 DIAMOND POINT RD  
COOLIN ID 83821-9760

JOAN H HOWARTH (Current Owner)  
43 DIAMOND POINT RD  
COOLIN ID 83821-9760

  
\_\_\_\_\_  
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.)

The accompanying document is a "**Preliminary Order**" issued by the Idaho Department of Water Resources ("Department") pursuant to Idaho Code § 67-5243. **This preliminary order can and will become a final order without further action of the Department, unless a party petitions for reconsideration, petitions for review, or requests a hearing as further described below:**

### **PETITION FOR RECONSIDERATION**

(See Idaho Code § 67-5243(3))

Any party may file a petition for reconsideration of this preliminary order with the Department within fourteen (14) days of the service date of this order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The presiding 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.

### **PETITION FOR REVIEW (EXCEPTIONS)**

(See Idaho Code § 67-5245)

Within fourteen (14) days after: (a) the service date of this preliminary order, (b) the service date of a denial of a petition for reconsideration of this preliminary order, or (c) the failure within twenty-one (21) days of the presiding officer to act on a petition for reconsideration of this preliminary order, any party may petition the Director in writing to review any part of this preliminary order by filing exceptions, and any supporting brief, with the Department.<sup>1</sup> Any parties opposing the exceptions shall have fourteen (14) days from the service date of the exceptions to file a brief. If the Director determines that oral argument is to be heard, the Director will provide reasonable notice to the parties of the place, date, and hour for the argument.

The Director will issue a final order on exceptions within fifty-six (56) days of receipt of the written briefs or oral argument, whichever is later, unless extended for good cause. The Director may remand the matter for or hold an evidentiary hearing if further factual development of the record is necessary before issuing a final order.

### **REQUEST FOR HEARING**

(See Idaho Code § 42-1701A(3))

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 Idaho Code § 42-1701A(3). A written petition to the Director contesting the preliminary order and requesting a hearing must be filed with the Department

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<sup>1</sup> The Director may decide to review this preliminary order upon his own motion. Should the Director decide to do so, the Director will provide written notice to the parties within the period the parties are allowed to petition the director for review of the preliminary order.

by any aggrieved person **within fifteen (15) days after service of this preliminary order.**

**CERTIFICATE OF SERVICE**

*(See IDAPA 37.01.01.053, 37.01.01.202)*

All documents filed with the Department in connection with a petition for reconsideration, petition for review, or a request for hearing of this preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 53 and 202.