

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 89868**

This is to certify that: SPIRIT BEND WATER ASSN
3935 W SPIRIT BEND AVE
SPIRIT LAKE, ID 83869

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
95-9461	WR/DECREED	3/2/1998	0.440 cfs	45.0 af	N/A	N/A	GROUND WATER
95-9901	WR/DECREED	6/1/1983	0.050 cfs	27.6 af	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
95-9461	NO	NO	NO	YES	NO	NO
95-9901	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
95-9461	95-9461	0.440 cfs	45.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
95-9901	95-9901	0.050 cfs	27.6 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.440 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 20th day of February, 2026.

Michelle Richman

Michelle Richman, Northern Region Manager

WATER RIGHT NO. 95-9461
As Modified by Transfer No. 89868

In accordance with the approval of Transfer No. 89868, Water Right No. 95-9461 is now described as follows:

Right Holder: SPIRIT BEND WATER ASSN
3935 W SPIRIT BEND AVE
SPIRIT LAKE, ID 83869

Priority Date: 3/2/1998

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
MUNICIPAL	01/01	to 12/31	0.440 cfs	45.0 af
			0.440 cfs	45.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNE	Sec 21 Twp 53N Rge 04W KOOTENAI County
GROUND WATER	NWNE	Sec 21 Twp 53N Rge 04W KOOTENAI County
GROUND WATER	NWNE	Sec 21 Twp 53N Rge 04W KOOTENAI County

CONDITIONS OF APPROVAL

1. This right does not grant any right-of-way or easement across the land of another.
2. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
4. Place of use is within the area served by the public water supply system of Spirit Bend Water Association. The place of use is generally located within Township 53 North, Range 4 West, Sections 16, 17, 20 and 21.
5. Right includes accomplished change in point of diversion pursuant to Idaho Code § 42-1425.
6. Right includes accomplished change in place of use pursuant to Idaho Code § 42-1425.
7. Right includes accomplished change in purpose of use pursuant to Idaho Code § 42-1425.
8. Right No. 95-9901 is also diverted through the point of diversion described above.
9. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality.

Transfer No. 89868

WATER RIGHT NO. 95-9461
As Modified by Transfer No. 89868

CONDITIONS OF APPROVAL

10. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
11. Diversion of water from the additional well(s) authorized under Transfer 89868 located in NWNWNE, Sec. 21, T53N, R04W shall not exceed a total combined maximum diversion rate of 0.49 cfs.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of the RPGWMA management plan approved by the director, including its conservation goals.
15. When notified by the Department, the right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Idaho Code § 42-701, and/or the management plan for the Rathdrum Prairie Ground Water Management Area.
16. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.

WATER RIGHT NO. 95-9901
As Modified by Transfer No. 89868

In accordance with the approval of Transfer No. 89868, Water Right No. 95-9901 is now described as follows:

Right Holder: SPIRIT BEND WATER ASSN
3935 W SPIRIT BEND AVE
SPIRIT LAKE, ID 83869

Priority Date: 6/1/1983

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
MUNICIPAL	01/01	to 12/31	0.050 cfs	27.6 af
			0.050 cfs	27.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNE	Sec 21 Twp 53N Rge 04W KOOTENAI County
GROUND WATER	NWNE	Sec 21 Twp 53N Rge 04W KOOTENAI County
GROUND WATER	NWNE	Sec 21 Twp 53N Rge 04W KOOTENAI County

CONDITIONS OF APPROVAL

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.
3. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. Place of use is within the area served by the public water supply system of Spirit Bend Water Association. The place of use is generally located within Township 53 North, Range 4 West, Sections 16, 17, 20 and 21.
5. Right No. 95-9461 is also diverted through the point of diversion described above.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality.
7. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
8. Diversion of water from the additional well(s) authorized under Transfer 89868 located in NWNWNE, Sec. 21, T53N, R04W shall not exceed a total combined maximum diversion rate of 0.49 cfs.

Transfer No. 89868

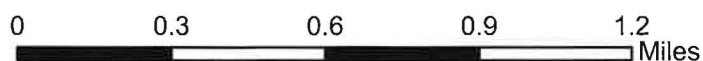
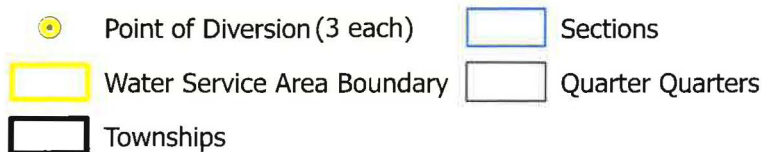
WATER RIGHT NO. 95-9901
As Modified by Transfer No. 89868

CONDITIONS OF APPROVAL

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of the RPGWMA management plan approved by the director, including its conservation goals.
12. When notified by the Department, the right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Idaho Code § 42-701, and/or the management plan for the Rathdrum Prairie Ground Water Management Area.
13. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.

State of Idaho
Department of Water Resources

04W

IDAHO DEPARTMENT OF
WATER RESOURCES



IDAHO DEPARTMENT OF
WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene, ID 83815-7763
Phone: 208-762-2800 • Fax: 208-762-2819 • Email: northerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

February 20, 2026

SPIRIT BEND WATER ASSN
3935 W SPIRIT BEND AVE
SPIRIT LAKE ID 83869

Re: Transfer No: 89868
Water Right No(s): 95-9461, 95-9901
Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) 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 by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action 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 Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

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. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 762-2800.

Sincerely,

A handwritten signature in blue ink that reads "Michelle Richman". The signature is fluid and cursive, with a long horizontal flourish at the end.

Michelle Richman
Regional Manager

Enclosure
CC:

CERTIFICATE OF SERVICE

I hereby certify that on February 20, 2026 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 89868

Water Right No(s): 95-9461, 95-9901

**SPIRIT BEND WATER ASSN
3935 W SPIRIT BEND AVE
SPIRIT LAKE ID 83869**



**Michelle Richman
Regional Manager**

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.

MEMORANDUM

Date: September 10, 2025
To: Transfer 89868
From: Luke Bates *JSB 9/10/25*
Re: Review & Evaluation of Sufficiency of Information

Review & Evaluation of Sufficiency of Information
3/11/2025

This transfer proposes adding a new groundwater well POD to the Right Holder's current water system. The **proposed well No.3 shall provide redundancy and does not increase the authorized maximum diversion rate** for either Right(s) 95-9461 & 95-9901.

Authority to File:

The applicant is listed as the current owner of the Right(s) being transferred according to IDWR records. The application was signed by Bruce Alexander – Director, Spirit Bend Water Assn Inc.

Water Right Validity:

The water rights are valid and have been recommended & decreed in the CSRBA.

Injury to Other Water Rights:

Injury is not anticipated.

Enlargement of Use:

None; the added groundwater well shall serve as redundancy as required by IDEQ in the event one of the other two groundwater well PODs are out of service. During transfer approval processing conditions 046, T07, T08, 174, 175, 01R, a text version of 106, and 186 were added to Rights 95-9461 and 95-9901.

Conditions 174, 175, & 01R were added due to the PODs being located within the Rathdrum Prairie Groundwater Management Area (RPGWMA). Condition 186 describes the combined diversion rate from three (3) ground water wells shall not exceed 0.49 cfs; this mitigates concerns over enlargement of WR based on added diversion.

Local Public interest:

No negative issues anticipated.

Beneficial Use/Conservation of Water Resources:

Proposed use is recognized as a beneficial use of water.

Effect on the Economy of the Local Area:

The new well will ensure a safe drinking water source for future use by the municipal water provider, Spirit Bend Water Assn.

Effect on Agricultural Base of the Local Area:

None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

RECEIVED

JUL 28 2025

IDWR/NORTH

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

) ss.

County of Kootenai)

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

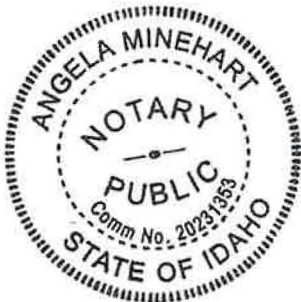
1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

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 17 day of July, 2025, and ending on the 24 day of July, 2025, 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.

R. S. Lindstrom
On this 24 day of July in the year of 2025 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

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
TRANSFER NO. 89868**

SPIRIT BEND WATER ASSN,
3935 W SPIRIT BEND AVE,
SPIRIT LAKE, ID 83869 has
filed Application No. 89868 for
changes to the following water
rights within KOOTENAI Coun-
ty(s): Right No(s). 95-9461, 95-
9901; to see a full description of
these rights and the proposed
transfer, please see [https://
research.idwr.idaho.gov/apps/
waterights/querynewtransfers](https://research.idwr.idaho.gov/apps/waterights/querynewtransfers).
The purpose of the transfer is to
change a portion of the above
rights as follows:

**This transfer proposes to
add a new point of diversion
to Spirit Bend Water Associ-
ation's municipal system's
existing GW rights 95-9461
& 95-9901 in the NW1/4NE1/4
of Section 21, Twp 53N, Rge
04W.**

For additional information con-
cerning the property location,
contact Northern Region office
at (208)762-2800. Protests
may be submitted based on
the criteria of Idaho Code Sec.
42-222. Any protest against the
proposed change must be filed
with the Department 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 8/4/2025. The prot-
estant must also send a copy of
the protest to the applicant.

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

95-18691

TRAVIS O BRIANT
10923 W CRYSTAL BAY RD
POST FALLS, ID 83854-4743
Point of Diversion NWNW
S11 T50N R05W
KOOTENAI County
Source SPOKANE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
03/15 to 11/15 0.03 CFS
Total Diversion: 0.03 CFS
Date Filed: 06-25-2025
Place Of Use: IRRIGATION
T50N R05W S11 NWNW,
L4(NWNW)
Total Acres: 0.6

95-18693

MICHAEL 2 LLC
C/O DAVID MICHAEL
3500 FACTORIA BLVD SE
BELLEVUE, WA 98006-5276
Point of Diversion NESE
S16 T50N R04W
KOOTENAI County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.12 CFS
Use: IRRIGATION
03/15 to 11/15 0.11 CFS
Total Diversion: 0.2 CFS
Date Filed: 07-08-2025
Place Of Use: DOMESTIC,
IRRIGATION
T50N R04W S16
SENE, NESE, NWSE
Total Acres: 4

95-18694

KARRER IDAHO TRUST
11 MANZANITA PL
MILL VALLEY, CA 94941-1018
Point of Diversion SENW
S23 T49N R04W
KOOTENAI County
Source COEUR D'ALENE
LAKE
Tributary SPOKANE RIVER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 07-10-2025
Place Of Use: DOMESTIC
T49N R04W S23 SENW

Permits will be subject to all
prior water rights. For addition-
al 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/](https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/). Pro-
tests 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 MIN-
ERAL DR STE 100, COEUR D
ALENE ID 83815-7763 together
with a protest fee of \$25.00 for
each application on or before
8/4/2025. The protestant must
also send a copy of the protest
to the applicant.
MATHEW WEAVER, Director
Legal#14656 AD#38608
July 17, 24, 2025