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IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

GENERAL INFORMATION AND INSTRUCTIONS

Pursuant to Section 42-222(1), *Idaho Code*, a transfer application may be filed to change the point of diversion, place of use, period of use, or nature of use of all or part of an established water right. Any person proposing to make such a change is required to file a transfer application with the Department. "Such application shall be upon forms furnished by the department and shall describe the [water right] to be changed and the changes which are proposed and shall be accompanied by the statutory filing fee." *Idaho Code* § 42-222(1).

The Department has developed this application form to assist applicants in satisfying the requirements of Section 42-222(1). This application form requests information about the applicant's authority to file (Part 1), information about the current elements of the water right(s) to be changed (Part 2), information about the proposed changes (Part 3), information about the validity of the water right(s) and the effects of the proposed changes (Part 4), and confirmation that the information provided is truthful (Part 5).

The applicant or their representative must provide a response for all applicable questions, any additional information required, and the proper filing fee before this application will be considered complete. If an application is incomplete or more information is required, the Department will notify the applicant or representative and allow time for the application to be completed. An application that remains incomplete will be returned to the applicant and the filing fee will be refunded.

An application for transfer is limited to the changes proposed for a single water distribution system. A proposal to change two or more separate water distribution systems, that will remain separate after the transfer, must be filed as separate applications. Applicants may provide additional pages to supplement their responses to the questions posed on this application form. Supplemental forms for listing additional water rights, points of diversion, or places of use can be found on the Department's website (idwr.idaho.gov). If you need assistance understanding the questions on this form, generating current water right reports, determining legal descriptions, or accessing water measurement records feel free to contact the nearest regional office of the Department.

PART 1 – CONTACT INFORMATION, OWNERSHIP RECORDS, AUTHORITY TO FILE

Name(s) of Applicant(s) Cottonwood Point Water and Sewer Association
Mailing Address PO Box 708 St. Maries, Idaho 83861
Email* hlwhite50@comcast.net Phone 509 979 1447
Name of Representative (if any) Harold White
Mailing Address PO Box 708 St. Maries, Idaho 83861
Email* hlwhite50@comcast.net Phone 509 979 1447

*If an email address is provided, Department staff will use email as the primary method for corresponding with the applicant and representative about the application.

A. Representative. If the representative is authorized to sign or amend the application on behalf of the applicant, attach documents confirming that authority. Label documents as Attachment 1A. **Attached**

Transfer No. 90427 Page 1 for 91-7080

B. Current Owner. If the applicant is not the current owner of record for all water rights included in this application, attach documents showing that the applicant has the authority to make the proposed changes. Label documents as Attachment 1B. **N/A**

C. Updating Ownership Records. Applicants needing to update the ownership records for any of the water rights included in this application must attach documents supporting the ownership change. Such documents must trace ownership of the subject water rights or the current place of use for the subject water rights from the current owner of record for the water rights to the applicant. Label documents as Attachment 1C. **N/A**

D. Business Entities. If the applicant is a business entity (corporation, LLC, partnership, trust, etc.), is the entity currently registered with the Idaho Secretary of State?

- ☒ Yes. If this application is signed by someone other than a person listed on the most recent annual report filed with the Idaho Secretary of State, attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D. **Attached**
- ☐ No. Attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

E. Approval of Irrigation Delivery Entity. Section 42-108, *Idaho Code*, states that a transfer application proposing to change water rights held by an irrigation company or district requires the consent of the irrigation entity. If this application proposes to change water rights held by an irrigation entity, attach a letter of consent from the entity (labeled as Attachment 1E) or have an authorized representative of the entity co-sign the application. **N/A**

F. Encumbered Properties. If the current place of use for the water rights included in this application is subject to a lien, deed of trust, mortgage, or contract and the application proposes to change the nature of use of the water rights or to move water rights off the current place of use, attach a statement of consent for the change signed by the lien holder, trustee, mortgagor or contract holder. Label documents as Attachment 1F. **N/A**

G. Legal Access. If the applicant is not the current owner of the proposed point(s) of diversion, conveyance system, or place(s) of use, provide evidence of legal access to the land or infrastructure not owned by the applicant. Label documents as Attachment 1G. For example, an applicant may provide a letter of consent from the owner of the land or conveyance system or may have the owner co-sign the application. For applications proposing to divert water on or convey water across federal land, an applicant is not required to demonstrate legal access to the federal land prior to approval. Instead, if the transfer application is approved, the applicant must obtain access authorization from the relevant federal agency prior to diverting water under the subject water rights. **Temporary access agreement is being prepared at this time.**

PART 2 – WATER RIGHTS BEFORE PROPOSED CHANGES

A. Current Water Rights. For each water right proposed to be changed, attach a current water right report obtained from any Department office or from the Department's website (idwr.idaho.gov). Label water right reports as Attachment 2A. **Attached**

B. Map of Current System. Attach a map of the current point(s) of diversion and place(s) of use for the water rights to be changed. The map should clearly depict the elements of the water rights to be changed. For example, if the application proposes to change the point of diversion for a water right, the map should display the current location of the point of diversion. For irrigation water rights, the map should also identify the location of the irrigated acres to be changed. Label map as Attachment 2B. **Attached**

C. Current Location of Irrigated Acres. If this application proposes to change the place of use or nature of use for only a portion of an irrigation water right, use the following table to identify the current location of the irrigated acres to be changed. If additional pages are required, label additional pages as Attachment 2C. If this application proposes to change or rearrange the entire place of use for irrigation water right(s), skip to Part 3.

☒ **N/A.** This application does not propose to change the place of use or nature or use of an irrigation water right or this application proposes to change the place of use or nature of use for an entire irrigation right.

Current Location of Irrigated Acres to be Changed

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Irrigated Acres to be Changed: _____

PART 3 – DESCRIPTION OF PROPOSED CHANGES

A. Purpose of Transfer. Section 42-222(1), *Idaho Code*, states that transfer applications may only be filed to change the point of diversion, place of use, period of use, or nature of use of an established water right. Section 42-248(3), *Idaho Code*, authorizes water right ownership changes to be described on a transfer application. Identify the changes proposed in this application:

- | | |
|---|---|
| ☐ Change point(s) of diversion | ☐ Change place of use |
| ☒ Add point(s) of diversion | ☐ Change period of use |
| ☐ Change nature of use | ☐ Update water right ownership records |

B. Proposed Changes. Describe the proposed changes in narrative form:

Cottonwood Point Water and Sewer Association, Inc (CPWSA) currently has two points of diversion.

CPWSA#1 has been abandoned and CPWSA is currently the only source of water

CPWSA intends to add a new POD (CPWSA#3) as shown on the attachments.

There are two potential drilling sites, (Sites 1 and 2 on attached site map) one of which will be completed as part of this project. Upon completion, an updated POD map will be submitted.

Temporary access agreement is being prepared at this time and a well lease to be finalized upon successful completion of a well source.

C. Summary of Proposed Changes.

1. Water Rights. Use the following table to list all water rights, or portions thereof, that are proposed to be changed as they would appear after the proposed changes. In the Amount column, list the volume in acre-feet (af) for storage uses or the rate in cubic feet per second (cfs) for all other uses.

All or Part	Right Number	Amount (cfs/af)	Nature of Use	Period of Use	Source
☒ ☐	91-7080	0.13/61.20	Municipal	1/1 to 12/31	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

2. Total Amounts. Calculate the total quantity, in cfs or af, of water rights that are proposed to be changed through this application. For an application proposing to only change the place of use for irrigation rights, the total quantity of water is calculated by comparing the current place of use to the proposed place of use, summing the number of acres increased in each legal subdivision, and quantifying the proportional amount of diversion rate for the increased acres. For an application proposing to change or add points of diversion for irrigation or any other beneficial use, the total amount is the total diversion rate for the changed portion of the right.

Total Amount of Water Rights Proposed to be Changed: 0.13 cfs and/or _____ af.

3. Point(s) of Diversion. Use the following table to list all the proposed points of diversion for the water rights to be changed, including any current points of diversion that will continue to be used as part of the proposed water distribution system.

The legal description for the proposed point(s) of diversion must be to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System (PLSS). PLSS information is typically available from USGS topo maps, property deeds, tax bills or various mapping tools on the Department's website.

For points of diversion within platted subdivisions, list the lot and block number in the "Diversion Name/Number" column. An application proposing an injection into a stream and a re-diversion from that stream must list the source for the original diversion as the source for the injection and re-diversion points. If this application proposes construction of a new diversion structure (for example, a new ground water well or a new pump station on a creek), please indicate the status in the appropriate column.

☐ N/A. This application does not propose to add or change any points of diversion.

Proposed Points of Diversion

New?	Twp	Rge	Sec	Lot	1/4	1/4	1/4	County	Source	Diversion Name/Number
	46N	2W	17	0		SE	NE	Benewah	Groundwater	CPWSA#1(abandoned 2006)
	46N	2W	17	0		SE	NE	Benewah	Groundwater	CPWSA#2
New	46N	2W	17	1		NE	NE	Benewah	Groundwater	CPWSA#3

4. Place of Use. The proposed place of use must be described to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System. Government lot numbers can be noted in parenthesis below the approximate quarter-quarter location of the government lot. For water rights held by irrigation districts, municipal providers or irrigation companies, the proposed place of use may be generally described as authorized by Sections 42-202B, 42-219 and 42-222B, *Idaho Code*. **Place of use as show on Attachment 2B**

☒ N/A. This application does not propose to change the place of use.

Proposed Place of Use

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Irrigated Acres: _____

5. Map of Proposed System. Attach a map showing the location of the points of diversion, reservoirs, dams, canals, ditches, pipelines and other works proposed to divert and convey water. Also show the location of the place of use, including any lands to be irrigated. The map should delineate the legal subdivisions including townships, ranges, sections, quarter-quarters and government lots. Label map as Attachment 3C.

PART 4 – ADDITIONAL INFORMATION

Section 42-222(1), *Idaho Code*, establishes the criteria used to evaluate transfer applications. An applicant bears the burden of demonstrating that the water right to be changed is a valid right, that the proposed use is a beneficial use, and that the proposed changes will not injure other water rights, will not enlarge the use of the original rights, are in the local public interest, and are consistent with the conservation of water resources within the state of Idaho. To satisfy this burden, an applicant must provide sufficient data and information for the

Department to evaluate the effects of the proposed change. The Department may deny an application if the applicant fails to provide sufficient data and information to determine whether the criteria from Section 42-222(1) are satisfied. In addition to the information requested in Parts 1-3 of this application, the following information must be provided for an application to be considered complete. Department staff may request additional information or clarification as the application is processed.

A. Validity of Water Rights

1. If one or more of the water rights proposed to be changed is a statutory claim, established pursuant to Section 42-248, *Idaho Code*, attach evidence supporting the priority date claimed. Label documents as Attachment 4A-1. For statutory claims, the Department may conduct a field inspection as part of the application review process to evaluate the water right elements listed on the statutory claim.

2. Has any portion of the water right(s) proposed to be changed undergone a period of five or more consecutive years of non-use?

☐ Yes. Attach a statement describing the portion of the right(s) that were not used and the length of time of the non-use. In addition, identify any exception or defense to forfeiture and provide a detailed description as to why the water rights have not been lost and forfeited for non-use. Label documents as Attachment 4A-2. Statutory exceptions or defenses to forfeiture are set forth in Section 42-223, *Idaho Code*.

☒ No.

B. Injury to Other Water Rights

1. Identify any other water right(s) diverted at the current point(s) of diversion.

No other water rights

2. Identify any other water right(s) diverted at the proposed point(s) of diversion.

No other water rights

3. Is the proposed point of diversion within a state water district? ☐ Yes. Water District #_____. ☒ No.

4. If already constructed and in use, are the proposed points of diversion equipped with Department-approved measuring devices? ☐ Yes. ☒ No.

5. If this application proposes to divert a surface water right from a ground water well, attach a technical analysis evaluating the hydraulic connection between the proposed ground water point of diversion and the source of water listed on the right to be changed. Label technical analysis as Attachment 4B-5. **N/A**

6. If this application proposes changing the point of diversion for a ground water right in the Eastern Snake Plain Aquifer (ESPA), attach a technical analysis of the anticipated depletions to reaches of the Snake River that are hydraulically connected to the ESPA using the Department's current ground water model for the ESPA. The technical analysis must evaluate depletion impacts in a time-series format at transient and steady state time steps. To assist applicants in preparing the required technical analysis, the Department has developed a transfer tool interface for the ESPA model. The transfer tool and user instructions can be downloaded from the Department's website (idwr.idaho.gov). If the proposed and current points of diversion are in the same or adjacent model cells, no technical analysis is required, unless specifically requested by the Department. Label technical analysis as Attachment 4B-6. **N/A**

C. Enlargement in Use

1. Identify any other water rights used at the current place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

N/A

2. Identify any other water rights used at the proposed place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

N/A

3. If this application proposes changing the place of use or nature of use for irrigation water rights, will the current place of use, for the portion of the right to be changed, continue to be irrigated?

☐ Yes. Identify the water right(s) to be used for the continued irrigation.

☐ No. The place of use for the portion to be changed will no longer be irrigated.

☒ N/A. The application does not propose to change the place of use for irrigation rights.

4. Unstacking Water Rights for Irrigation. If this application proposes to change the place of use for an irrigation water right that is combined with other irrigation rights at the current place of use but does not propose to change the place of use for all the stacked irrigation rights, attach evidence of the historical consumptive use occurring under all water rights at the current place of use. For irrigation rights, this should include at least five years of diversion data and/or crop data and estimates of evapotranspiration. Label the information as Attachment 4C-4. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>) **N/A**

5. If the application proposes to change the nature of use for a water right, attach evidence of the historical consumptive use occurring under the portion of the water right to be changed. For irrigation rights, this should include diversion data, crop data and estimates of evapotranspiration. Label the information as Attachment 4C-5. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>) **N/A**

6. If the application proposes to change the nature of use of a water right to municipal use for reasonably anticipated future needs, complete the form titled "Municipal Water Right Application Checklist" found on the Department's website (idwr.idaho.gov). Label the form as Attachment 4C-6.

7. To your knowledge, are any portions of the water rights proposed to be changed:

Yes

No

☐

☒

currently leased to the Water Supply Bank?

If yes, complete the form titled "Application for Transfer of Water Right Attachment WSB" found on the Department's website (idwr.idaho.gov). Label the Form as Attachment 4C-7.

☐

☒

currently used in a mitigation plan limiting the use of water under the right?

☐

☒

subject to an agreement not to divert (CREP)?

☐

☒

currently enrolled in a federal set-aside program (CRP)?

D. Local Public Interest

The department must consider whether the proposed changes are in the local public interest as defined in Section 42-202B(3), *Idaho Code*. Some of the local public interest factors that may be considered in conjunction with a transfer application are (1) Recreation, fish, and wildlife impacts, (2) Water quality or contamination concerns, (3) Local and state ordinances, regulations, or policies related to water use, (4) Goals, requirements and limits set forth in the State Water Plan. If you choose to provide information about local public interest factors, label the information as Attachment 4D.

E. Conservation of Water Resources

Describe the diversion works and water delivery system. This may include sizes and dimensions of pumps, pipelines, headgates, ditches, dams, impoundments and irrigation equipment.

Water to be pumped from existing and proposed wells to an at-grade reservoir and then distributed through PVC piping to metered residential connections.

PART 5 – FILING FEE AND SIGNATURE

A. Filing Fee. Filing fees for transfer applications are set forth in Section 42-221.O, *Idaho Code*. A table summarizing the filing fees for transfer applications is also found on the Department's website (idwr.idaho.gov). Any application proposing to change the nature of use for one or more rights requires an additional filing fee of \$250. Applications proposing to update the ownership records for water rights must also include the appropriate filing fee to update the ownership records. For any application relying on the filing fee set forth in Section 42-221.O.8, *Idaho Code*, attach a statement describing how the application qualifies under Section 42-221.O.8. Label documents as Attachment 5A.

B. Affidavit of Applicant or Representative:

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Harold White Signature of
Applicant or Representative*

Harold White, President
Print Name and Title, if applicable

4/27/2026
Date

Signature of Applicant or
Representative*

Print Name and Title, if applicable

Date

*If water rights included in this application are owned by multiple people or entities, each owner must sign the application form.

FOR DEPARTMENT USE ONLY

Fee Paid: \$ 250.00 Receipt #: N046004 Date: 4/29/26 Received by: KH
Add'l Paid: \$ _____ Receipt #: _____ Date: _____ Received by: _____



0006356718



STATE OF IDAHO
Office of the secretary of state, Phil McGrane
ANNUAL REPORT
Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

Attachment 1A/1D

For Office Use Only

-FILED-

File #: 0006356718

Date Filed: 7/13/2025 6:13:19 PM

Entity Name and Mailing Address:																				
Entity Name:	COTTONWOOD POINT WATER & SEWER ASSOCIATION, INC.																			
The file number of this entity on the records of the Idaho Secretary of State is:	0000173705																			
Address	PO BOX 708 SAINT MARIES, ID 83861-0708																			
Entity Details:																				
Entity Status	Active-Good Standing																			
This entity is organized under the laws of:	IDAHO																			
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	C54046																			
The registered agent on record is:																				
Registered Agent	BARBARA BENTLEY Registered Agent Physical Address 312 GRANDVIEW DR ST. MARIES, ID 83861 Mailing Address																			
Corporate Officers and Directors:																				
<table border="1"><thead><tr><th>Name</th><th>Title</th><th>Business Address</th></tr></thead><tbody><tr><td>Steve Michael</td><td>Director</td><td>1394 COTTONWOOD DR ST. MARIES, ID 83861</td></tr><tr><td>Harold L White</td><td>President</td><td>5708 W OLD FORT DRIVE SPOKANE, WA 99208</td></tr><tr><td>Barbara Bentley</td><td>Secretary</td><td>312 GRANDVIEW DR SAINT MARIES, ID 83861</td></tr><tr><td>Adam J Renner</td><td>Director</td><td>900 COTTONWOOD DR ST. MARIES, ID 83861</td></tr><tr><td>Bobbi J Machado</td><td>Director</td><td>1372 COTTONWOOD DR SAINT MARIES, ID 83861</td></tr></tbody></table>			Name	Title	Business Address	Steve Michael	Director	1394 COTTONWOOD DR ST. MARIES, ID 83861	Harold L White	President	5708 W OLD FORT DRIVE SPOKANE, WA 99208	Barbara Bentley	Secretary	312 GRANDVIEW DR SAINT MARIES, ID 83861	Adam J Renner	Director	900 COTTONWOOD DR ST. MARIES, ID 83861	Bobbi J Machado	Director	1372 COTTONWOOD DR SAINT MARIES, ID 83861
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Bobbi J Machado	Director	1372 COTTONWOOD DR SAINT MARIES, ID 83861																		
The annual report must be signed by an authorized signer of the entity.																				
Job Title: Secretary																				
Barbara Bentley		07/13/2025																		
Sign Here		Date																		

B1031-7771 07/13/2025 6:13 PM Received by Office of the Idaho Secretary of State



Close

Water Right Report : 91-7080(Decreed/Active) Attachment 2A**Water Right Owners**

Owner Type	Name	Address	City	State	Postal Code
Current Owner	COTTONWOOD POINT WATER & SEWER ASSN	PO BOX 708	SAINT MARIES	ID	83861

Water Right Status

Priority Date : 6/21/1983
 Basis : Decreed
 Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	46N	02W	17	0				SE NE BENEWAH	
GROUND WATER	46N	02W	17	0				SE NE BENEWAH	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
MUNICIPAL	01/01	12/31	0.13 CFS	61.20 AFA
TOTAL			0.13 CFS	61.20 CFS

Places of Use

This water right has a [Large Place Of Use](#)

Conditions**Code Conditions**

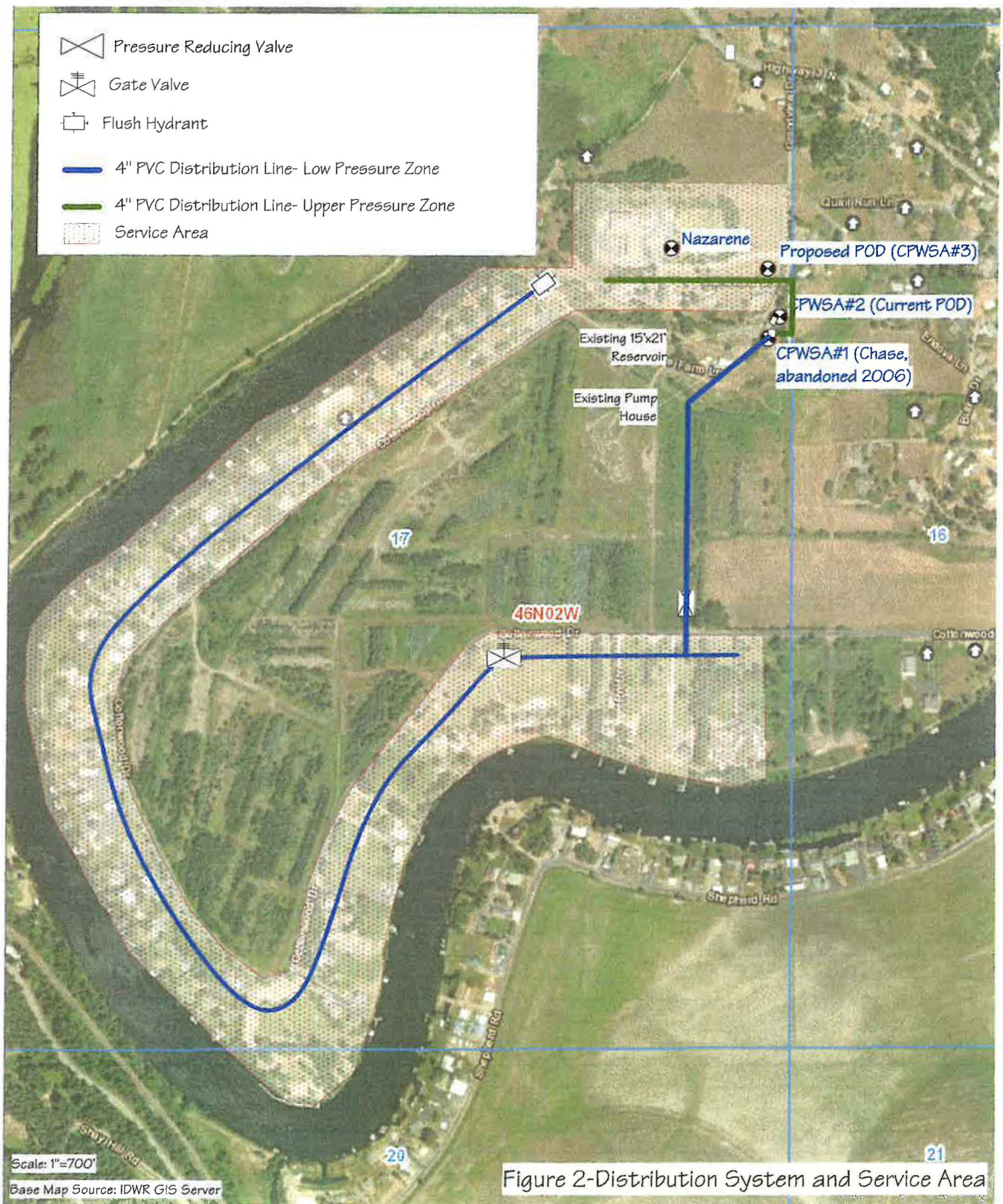
- C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
- C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
- C04 Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.
- C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
- 128 Place of use is within the area served by the public water supply system of Cottonwood Point Water and Sewer Association.

Dates

Licensed Date :
 Decreed Date : 3/29/2017
 Permit Proof Due Date : 8/1/1988
 Permit Proof Made Date : 6/20/1988
 Permit Approved Date : 8/25/1983
 Permit Moratorium Expiration Date :
 Enlargement Use Priority Date :
 Enlargement Statute Priority Date :
 Application Received Date: 6/21/1983
 Protest Deadline Date:

Other Information

State or Federal :
 Water District Number : NWD
 Generic Max Rate Per Acre : 0
 Generic Max Volume Per Acre : 0
 Civil Case Number :
 Decree Plaintiff :
 Decree Defendant :
 Swan Falls Trust or Nontrust :
 Swan Falls Dismissed :
 DLE Act Number :
 Cary Act Number :
 Mitigation Plan: False



0 500 1500 2500



QUANTUM Engineering and Geologic Consulting

ENGINEER: Jim De Smet
DRAWN BY: Jim De Smet
DATE: 11/12/25
SCALE: As Shown
SHEET NO:

Cottonwood Point
Water and Sewer Association
T46N R2W Sections 16/17
Benewah County, Idaho



Septic Sites for surrounding properties within 500-feet



QUANTUM Engineering and Geologic Consulting*

ENGINEER: Jim De Smet
DRAWN BY: Jim De Smet
DATE: 2/12/26
SCALE: As Shown
SHEET NO:

Subsurface Septic Locations
Cottonwood Point
Water and Sewer Association
T46N R2W Sections 16/17
Benewah County, Idaho

Attachment 4-D

The Association was created in the 1970s to serve 70 lots of the Cottonwood Point Subdivision including the Cherry Bend Boaters Park. Water service has since been extended to the Nazarene Church and two residential services on the southeast portion of the service area for a potential of 73 services. Water has been supplied by a single well (CPWSA#2) since 2005, it is treated using sodium hypochlorite and is stored in a single 19,300-gallon concrete storage reservoir. An August, 22, 2018 IDEQ Sanitary Survey for Cottonwood Point Water Association stated; "The water system is encouraged to develop another groundwater source to satisfy the requirements for redundancy and increase the stability of the water system in the event of an unplanned emergency".

This Transfer Application for a new POD at CPWSA#3 is intended to provide a secondary source for CPWSA.

Attachment 4C-6

There are currently 60 users on the system. Table 1 summarizes current usage for 2022.

Table 1-2022 Demand Summary

	Days	gallons	1,248,560
1/5/22	5	37,015	1,285,575
1/29/22	24	147,860	1,433,435
2/26/22	28	183,087	1,616,522
3/27/22	29	193,048	1,809,570
4/29/22	33	238,975	2,048,545
5/27/22	28	208,050	2,256,595
6/29/22	33	323,115	2,579,710
7/31/22	32	422,825	3,002,535
8/31/22	31	373,910	3,376,445
9/30/22	30	272,340	3,648,785
10/28/22	28	224,215	3,873,000
11/30/22	33	233,580	4,106,580
12/28/22	28	238,890	4,345,470
12/31/22	3	65,620	4,411,090
365		3,162,530	
Daily Average	8,664		
Weekly Average	60,818		
Average Monthly	263,544		
Peak Day	23,020	Leak 12/28/2022	
Peak day no leak	15,385	7/2/22	
Peak Month	July	13,213 per day	

The following data is taken from the Cottonwood Point Water and Sewer Association Facility Plan dated October 15, 2023 and approved by Idaho Department of Environmental Quality on October 9, 2024.

Projected 2042 Usage for 73-Users extrapolated from 60 current users

Average Annual Demand	3,953,162	gallons/year
Average Daily demand	10,830	gallons/day
Average Weekly Demand	76,022	gallons/week
Average Monthly Demand	329,430	gallons/month
Peak Daily Demand	19,231	gallons/day
Peak Hourly Demand	55.9	gallons/minute

The projected annual usage for 73 users is 3.95 million gallons/year compared to the allowable annual diversion of 19.94 million gallon/year.

Peak Hour Demand Calculations

Since PHD data is not available for the system, an estimate of PHD was calculated using the Water Design Manual procedures (Washington Department of Health, Water system Design Manual 2020). To be conservative, the PHD was calculated using 73 ERUs.

According the Washington Design Manual, the PHD is calculated as follows:

$$PHD = (MDD_{ERU} / 1440) ((C)(N)) + F + 18$$

$$PH = (263.4 / 1440) ((2.5)(73) + 25) + 18$$

$$PHD = 55.9 \text{ gpm}$$

Where:

C=Coefficient Associated with Ranges of ERUs (2.5)

N=Number of ERUs (73)

F=Factor associated with Range of ERUs (25)

MDD_{ERU}=Maximum Day Demand /ERU (19,231/73=263.4 gallons/ERU)

Table 2-Coefficients from Washington Water Design Manual

Number of ERUs (N)	C	F
15-50	3.0	0
51-100	2.5	25
101-250	2.0	75
251-500	1.8	125
>500	1.6	225

The current diversion rate is approximately 13-gpm from CPWSA#2. The diversion rate from the proposed diversion from CPWSA#3 is unknown until drilling and pump testing occurs. It is intended

that CPWSA#3 will be sized to produce 40-45 gpm, thereby staying within the allowable diversion rate. CPWSA#3 would be drilled under the Association name and no transfer of ownership would be required.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
MUNICIPAL WATER RIGHT APPLICATION CHECKLIST

This checklist must be completed and submitted with an application to appropriate water for municipal purposes. There are two types of permits for municipal water use. The first type of municipal permit provides water for reasonably anticipated future needs (RAFN) over a defined planning horizon.¹ The second type of municipal permit, called **non-RAFN**, provides water solely for use to meet needs that will arise in the near-term (five years).² Each type of municipal water use has a distinct set of review requirements.

Applicant Name: Cottonwood Point Water and Sewer Association

1. Type of Municipal Provider. Applicant must qualify as a Municipal Provider to obtain a water right for municipal purposes. See [Idaho Code § 42-202B\(5\)](#). Check one:

- ☐ Type 1 - Municipality
☐ Type 2 - Franchise or political subdivision supplying water for municipal purposes
☒ Type 3 - Corporation or association regulated as a “public water supply” system by IDEQ
☒ Attach documentation of qualification as a Municipal Provider. See [Idaho Code § 42-202\(2\)](#). See Attachment 1A
☐ Check here if you are a Type 3 provider proposing to develop a new municipal system but have not yet received recognition as a Public Water Supply by Idaho DEQ.

- 2a. List existing water rights (permits, licenses, decrees, and beneficial use claims) available to the applicant for municipal needs. These rights may or may not have a purpose of use expressly defined as “municipal.” Explain the inclusion or exclusion of water rights used within the service area, but not currently owned by the applicant. Include a separate attachment as needed.

Right Number	Nature of Use	Diversion Rate (cfs)	Annual Volume (acre-feet)	Service Area
91-7080	Municipal	0.13	61.2	CPWSA Service Area
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Total		0.13	* 61.2	*

* Be sure to account for any combined volume and/or diversion rate limits in the approval conditions of each right listed.

- 2b. List any overlapping water providers within your service area, such as irrigation districts, canal companies, or municipal providers:

N/A

- 3a. Currently or within five years will your municipal water system demand exceed the total diversion rate or annual volume authorized by the water rights listed in item #2a?

- ☐ Yes, see item #4
☒ No, see item #3b

- 3b. Are you planning to replace an existing point of diversion, but will not develop a new water source nor exceed the total authorized diversion rate and volume of your current water rights? **Supplemental Source**

- ☒ Yes. Please file an Application for Transfer of Water Right *instead* of an Application for Permit.
☐ No, I am filing this Application for Permit for reasonably anticipated future needs (RAFN) pursuant to [Idaho Code § 42-202B\(8\)](#). See item #4.

¹ For a thorough discussion of RAFN water rights, see IDWR’s *Recommendations for the Processing of Reasonably Anticipated Future Needs (RAFN) Municipal Water Rights at the Time of Application, Licensing, and Transfer* (Application Processing Memorandum No. 74).

² For a thorough discussion of non-RAFN water rights, see IDWR’s Application Processing Memorandum No. 18.

4. Please specify the term for which you are making an application for permit. See [Idaho Code § 42-202B\(7\)](#). Check one:
- ☒ Non-RAFN: (planned water system improvements and beneficial use of the entire quantity of water will occur within 5 years). Go to item #5.
 - ☐ RAFN (Full water usage will occur over a planning horizon longer than five years). Specify planning horizon: _____ years. Ending year of planning horizon: 20____. Skip to item #6.
5. Non-RAFN application. Per [Water Appropriation Rule 40.05.d.i](#), attach a water requirement narrative to your application. It should include the following information:
- ☒ Attach a map of the municipal water service area defined by [Idaho Code §42-202B\(9\)](#). If applicable, map should delineate neighboring service areas associated with other municipal water providers.
 - ☒ Current water demand within the municipal service area expressed in average day demand, maximum day demand, and peak hour demand.
 - ☒ The required diversion rate during the peak and the average use period at the end of your project (5 years maximum). Typically, these values would be average day demand, maximum day demand, peakhour demand, and supporting information. State the capacity of any reservoirs which will be used to meet peak demand. Do not include demand solely for fire protection. If your fire protection demand exceeds your other municipal needs, you may request an appropriation for fire protection as a separate beneficial use.
 - ☐ Proposed future annual diversion volume needed by the end of your project (required only for providers not serving an incorporated municipality). Include a copy of your approved preliminary plat and the calculation method used to reach the requested volume.
 - ☒ Current and proposed capacity of entire diversion system (pumps).
 - ☐ If you are a Type 3 municipal provider, do you have a plan for assigning ownership of the water right permit to a subdivision HOA or other local entity? If so, attach a relevant excerpt from your CC&Rs or a description of the ownership change agreement between the HOA and the developer.
6. RAFN application.
- ☐ Attach a map of the current municipal water service area and the service area as it will be at the end of the planning horizon. Provide justification for inclusion of areas currently served by another municipal provider or by large industrial, commercial, or domestic water systems. Areas overlapped by conflicting comprehensive land use plans may not be included. See [Idaho Code §§ 42-202\(2\)](#) and [42-202B\(9\)](#).
 - ☐ Attach justification for the proposed planning horizon. The planning horizon should be consistent with water infrastructure planning standards and current land use planning documents for the service area. See [Idaho Code §§ 42-202\(2\)](#) and [42-202B\(7\)](#).
 - ☐ Attach a population projection within the service area over the planning horizon. The population projection should be based on planning and demographic studies, standard statistical methods, and evaluation of geography and other limiting factors. See [Idaho Code §§ 42-202\(2\)](#) and [42-202B\(8\)](#).
 - ☐ Attach an evaluation of the water demand within the service area at the end of the planning horizon. Evaluate unaccounted for water (UAW) separate from municipal use. Do not include demand solely for fire protection. See [Idaho Code §§ 42-202\(2\)](#) and [42-202B\(8\)](#). If your fire protection demand exceeds your other municipal needs, you may request an appropriation for fire protection as a separate beneficial use.
 - ☐ Attach a gap analysis: [Municipal Demand in Ending Year] x [UAW Factor] – [Sum of Existing WR Diversion Rates] = RAFN Application Diversion Rate.

Cottonwood Point Water Association, Inc.

PO Box 708 St. Maries, ID 83861

208-245-3961

April 27, 2026

Idaho Department of Water Resources
7600 N Mineral Drive
Coeur d'Alene, Id 83815-7763

Re: Application for Transfer of Water Right

Gentlemen,

Please find attached an Application for Transfer of Water Right for the Cottonwood Point Water and Sewer Association. The Application with attachment along with a check for the \$250 Filing Fee are enclosed.

Please let me know if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Harold L White". The signature is fluid and cursive, with the first name "Harold" being more prominent and the last name "White" following in a similar style.

Harold L White
President

Cc: James DeSmet



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

May 13, 2026

COTTONWOOD POINT WATER & SEWER ASSN
PO BOX 708
SAINT MARIES, ID 83861

RE: Transfer No. 90427
Water Right No(s). 91-7080

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the ST MARIES GAZETTE RECORD on 5/20/2026 and 5/27/2026. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Kristina Hammond
Administrative Assistant 1

Kristina Hammond

From: Kristina Hammond
Sent: Wednesday, May 13, 2026 12:14 PM
To: jamie@smgazette.com
Subject: LEGAL NOTICES
Attachments: LEGAL NOTICE WR91-8089, 91-8090, 92-11152, 92-11153 TRANSFER 90427.docx

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates 5/20/2026 AND 5/27/2026. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 6/8/2026. Your cooperation is appreciated

Thank you

Kris Hammond | Administrative Assistant 1
Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone (208) 762-2800



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

91-8089

KRISTINA C WEST
JOSEPH C WEST
1250 COTTONWOOD DR
SAINT MARIES, ID 83861-9451
Point of Diversion L12(SWSE) S17 T46N R02W BENEWAH County
Source ST JOE RIVER Tributary COEUR D ALENE LAKE
Use: IRRIGATION
03/15 to 10/31 0.03 CFS
Total Diversion:
0.03 CFS
Date Filed: 04-29-2026
Place Of Use: IRRIGATION
T46N R02W S17 L12(SWSE)
Total Acres: 0.9

91-8090

STATE OF IDAHO
IDAHO DEPARTMENT OF FISH & GAME
2885 W KATHLEEN AVE
COEUR D ALENE, ID 83815-8523
Point of Diversion L3(SWSW) S13 T46N R01W BENEWAH County
Source MIESEN DRAW CREEK Tributary ST JOE RIVER
Point of Diversion L3(SWSW) S13 T46N R01W BENEWAH County
Source MIESEN DRAW CREEK Tributary ST JOE RIVER
Point of Diversion L1(NWSE) S14 T46N R01W BENEWAH County
Source MIESEN DRAW CREEK Tributary ST JOE RIVER
Use: WILDLIFE STORAGE
1 /1 to 12/31 63.2 AF
Total Diversion:
63.2 AF
Date Filed: 04-30-2026
Place Of Use: WILDLIFE STORAGE
T46N R01W S14 NESE,L1(NWSE),L7(SESE),L7(SWSE)

92-11152

KESTREL FLATS LLC
PMB 6527 PO BOX 257
OLYMPIA, WA 98507
Point of Diversion SWNW S22 T44N R01E BENEWAH County
Source SPRING Tributary CRYSTAL CREEK
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion:
0.06 CFS
Date Filed: 05-05-2026
Place Of Use: DOMESTIC,STOCKWATER
T44N R01E S22 SWNW

92-11153

KESTREL FLATS LLC
PMB 6527 PO BOX 257
OLYMPIA, WA 98507
Point of Diversion NWNW S22 T44N R01E BENEWAH County
Source SPRING Tributary CRYSTAL CREEK
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion:
0.06 CFS
Date Filed: 05-05-2026
Place Of Use: DOMESTIC,STOCKWATER
T44N R01E S22 NWNW

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://research.idwr.idaho.gov/apps/waterrights/wrapapplicationresults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of \$25.00 for each application on or before 6/8/2026. The protestant must also send a copy of the protest to the applicant.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 90427

COTTONWOOD POINT WATER & SEWER ASSN, PO BOX 708, SAINT MARIES, ID 83861 has filed Application No. 90427 for changes to the following water rights within BENEWAH County(s): Right No(s). 91-7080; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

This transfer proposes adding a new point of diversion to Cottonwood Point Water & Sewer Assn, Inc.'s water system for existing ground water right 91-7080 in the NE¼NE¼ Government Lot 1 of Section 17, Twp 46N, Rge 02W.

For additional information concerning 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 6/8/2026. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Directo

Published on 5/20/2026 and 5/27/2026

MEMORANDUM

Date: April 29, 2026

To: Transfer 90427

From: Luke Bates *YSB 4/29/2026*

Re: Comment/Analysis

Complete transfer application was received on 4/29/2026 which contemplates adding a single ground water source POD to Cottonwood Point Water & Sewer Assn, Inc.'s (CPWSA) municipal water system.

During data entry on form PG 5 – Proposed Points of Diversion, the Applicant declared three separate PODs in data. Description of Proposed Changes in Part 3 of form PG 3 describe that one of two historic PODs had been abandoned (CPWSA#1). Row 1 of the Proposed Points of Diversion table reflect data related to the abandoned POD, with well abandonment occurring in 2006.

In the Transfer tool I have removed one of the two PODs on record for 91-7080 based on abandonment of an old "Chase" 1974 era well. Both historic wells have the same legal description and fell within the SE¼SE¼. The single POD currently in use by the Right Holder has well D-Tag D0035540/D0035371(modification).

I have added the proposed well POD in the designated legal description which falls within the NE¼NE¼ Gov Lot 1. The description of proposed changes indicates two contemplated new well sites, but both are located within the same parcel and fall within the same legally described QQ/Q as above in Gov Lot 1. I have only designated a single Transfer POD based on request to develop a single new ground water POD.

MEMORANDUM

Date: April 29, 2026

To: Transfer 90427

From: Luke Bates *JSB 4/29/2026*

Re: Legal Notice Remarks

This transfer proposes adding a new point of diversion to Cottonwood Point Water & Sewer Assn, Inc.'s water system for existing ground water right 91-7080 in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Government Lot 1 of Section 17, Twp 46N, Rge 02W.