

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 90427**

This is to certify that: COTTONWOOD POINT WATER & SEWER ASSN
PO BOX 708
SAINT MARIES, ID 83861

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>
91-7080	WR/DECREED	6/21/1983	0.130 cfs	61.2 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>
91-7080	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>
91-7080	91-7080	0.130 cfs	61.2 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.130 cfs	61.2 af	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 30 day of June, 2026.


Spencer Humphrey, Water Resource Supervisor

WATER RIGHT NO. 91-7080
As Modified by Transfer No. 90427

In accordance with the approval of Transfer No. 90427, Water Right No. 91-7080 is now described as follows:

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

Priority Date: 6/21/1983

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	0.130 cfs 0.130 cfs	61.2 af 61.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L1 (NENE)	Sec 17 Twp 46N Rge 02W BENEWAH County
GROUND WATER	SENE	Sec 17 Twp 46N Rge 02W BENEWAH 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 point of diversion pursuant to Section 42-1425, Idaho Code.
3. Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.
4. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
5. Place of use is within the area served by the public water supply system of Cottonwood Point Water and Sewer Association.
6. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
7. 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.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 90427

WATER RIGHT NO. 91-7080
As Modified by Transfer No. 90427

CONDITIONS OF APPROVAL

10. This right does not grant any right-of-way or easement across the land of another.

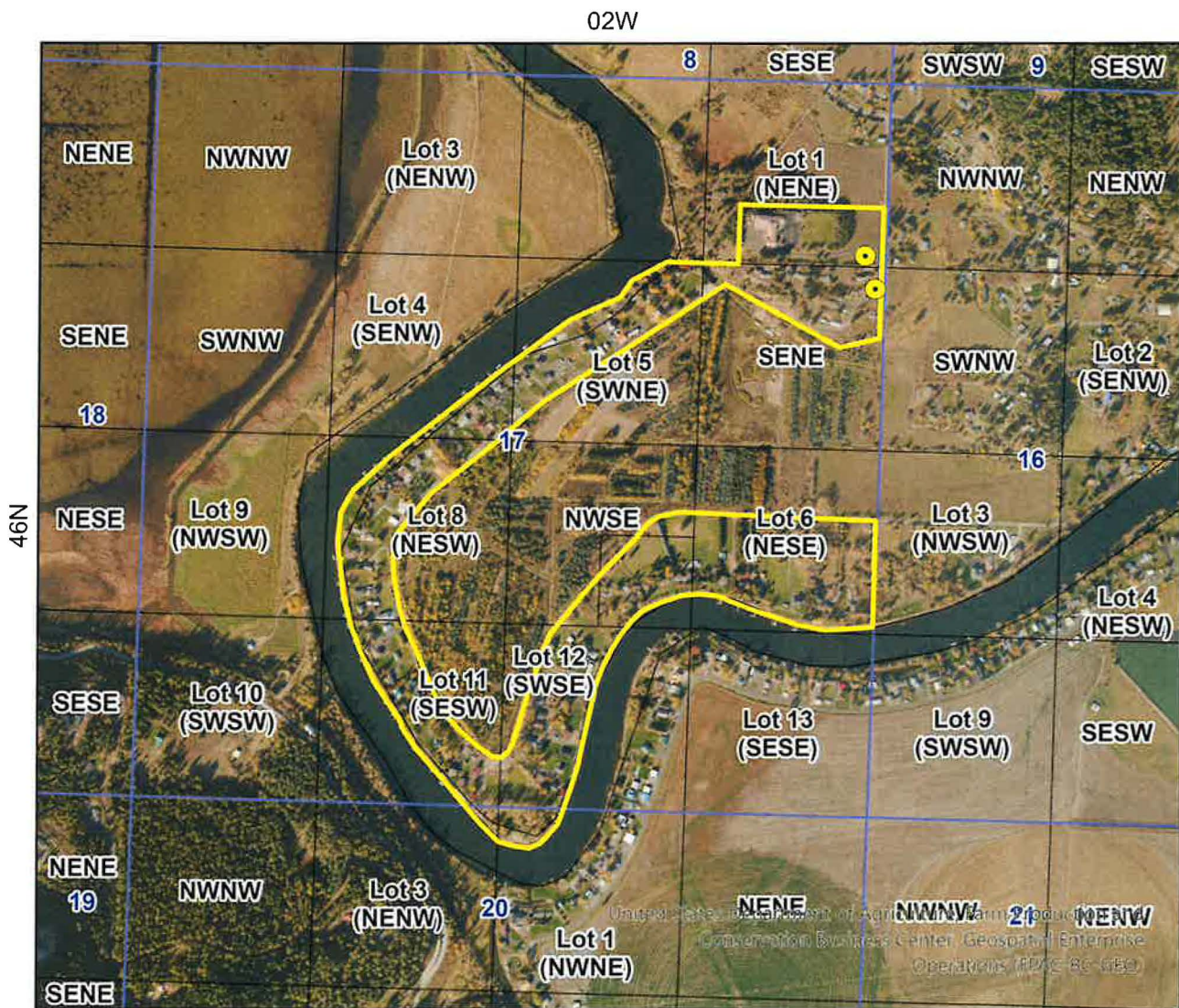
State of Idaho
Department of Water Resources

Attachment to Transfer # 90427

Right 91-7080

COTTONWOOD POINT WATER & SEWER ASSN

This map depicts the MUNICIPAL 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.



- Point of Diversion
- Water Service Area Boundary
- State Outline
- Townships
- Sections
- Quarter Quarters



0 0.2 0.4 0.6 0.8 Miles



Imagery: 2023 Aerial Photography
Prepared By Bates, Luke



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

June 30, 2026

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

Re: Transfer No: 90427
Water Right No(s): 91-7080
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, appearing to read "Spencer Humphrey", with a long, sweeping horizontal line extending to the right.

Spencer Humphrey
Water Resource Supervisor

Enclosure

CERTIFICATE OF SERVICE

I hereby certify that on June 30, 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.: 90427

Water Right No(s): 91-7080

COTTONWOOD POINT WATER & SEWER ASSN

PO BOX 708

SAINT MARIES ID 83861



Micki Bowman
Administrative Assistant I

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.¹ 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

¹ 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.

RECEIVED

JUN 01 2026

IDWR / NORTH

Affidavit of Publication

STATE OF IDAHO

County of Benewah, ss.

Tyson Juarez, being first duly sworn on oath, deposes and says that he is editor of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah County, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of notice of advertisement herein.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of 2 issues, the first publication being on the 20 day of May, 2026 and the last on the 27 day of May, 2026.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

Dated this 27 day of May, 2026



STATE OF IDAHO

COUNTY OF BENEWAH

On this 27 day of May, in the year of 2026 before me, a Notary Public, personally appeared Tyson Juarez, known or identified to me to be the person whose name subscribed to within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

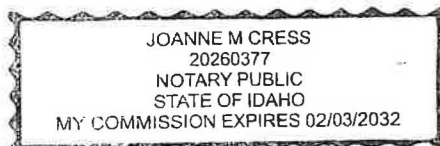


Notary Public for Idaho

Residing at St. Maries, Idaho

My commission expires:

2.3.32



PUBLIC NOTICE

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 BE-
NEWAH County
Source MIESEN DRAW
CREEK Tributary ST JOE
RIVER
Point of Diversion L3(
SWSW) S13 T46N R01W BE-
NEWAH 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(N-
WSE),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: DOMES-
TIC,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: DOMES-
TIC,STOCKWATER
T44N R01E S22 NWNW

Permits will be subject to all
prior water rights. For addi-
tional information concern-
ing 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/water-rights/wrapplcationresults/>.
Protests may be submitted
based on the criteria of Ida-
ho Code § 42-203A. Any
protest against the approval
of this application must be
filed with the Director, Dept.
of Water Resources, North-
ern Region, 7600 N MINER-
AL DR STE 100, COEUR D
ALENE ID 83815-7763 to-
gether 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 WA-
TER & 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/water-rights/querynewtransfers>.
The purpose of the transfer
is to change a portion of the
above rights as follows:
This transfer proposes add-
ing 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 sub-
mitted based on the criteria
of Idaho Code Sec. 42-222.
Any protest against the pro-
posed change must be filed
with the Department of Wa-
ter Resources, Northern Re-
gion, 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, Director
Published on 5/20/2026 and
5/27/2026
2120 – May 20-27

Kristina Hammond

From: Kristina Hammond
Sent: Thursday, May 14, 2026 1:31 PM
To: chief@cdatribe-nsn.gov; sfields@cdatribnsn.gov
Subject: WR 91-7080 Transfer # 90427

Dear Interested Party:

The Department of Water Resources (Department) is notifying you of an application for permit that may be of interest to you. A full description concerning property location may be found at:

<https://research.idwr.idaho.gov/apps/waterrights/wrapapplicationresults/>.

COTTONWOOD POINT WATER AND SEWER ASSOCIATION have filed an application for TRANSFER OF 91-7080 (TRANSFER # 90427)

If you desire to file a formal protest against approval of the application, a written protest along with the \$25 protest fee for each application protested must be received by June 8, 2026. Notice of Protest forms are available on our website, www.idwr.idaho.gov.

Please contact the Department's Northern office at (208) 762-2800 if you have any questions regarding the application

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



IDAHO DEPARTMENT OF
WATER RESOURCES

Kristina Hammond

From: Kristina Hammond
Sent: Thursday, May 14, 2026 1:29 PM
To: Anna Moody; Rachel Basnaw
Subject: TRANSFER # 90427 WR 91-7080

Dear Interested Party:

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Kris Hammond | Administrative Assistant 1

Idaho Department of Water Resources
Northern Regional Office
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Coeur d'Alene, ID 83815-7763
Phone (208) 762-2800

