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

# Water Right License

**Water Right No. 95-18519**

**Priority**: October 05, 2023

**Maximum Diversion Rate:** 0.05 CFS
**Maximum Diversion Volume:** 9.4 AF

It is hereby certified that:

BUTTERWORTH DRAW SUBDIVISION ASSN PO BOX 1081 SPIRIT LAKE ID 83869-1081

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 05, 2023, and has submitted Proof of Beneficial Use on January 30, 2025. An examination confirms water is diverted from:

**Source :** GROUND WATER

| Beneficial Use | Period of Use | Rate of Diversion | Annual Volume |
|---|---|---|---|
| IRRIGATION | 04/01 to 10/31 | 0.05 CFS | 5.7 AF |
| DOMESTIC | 01/01 to 12/31 | 0.05 CFS | 3.7 AF |

**Location of Point(s) of Diversion**
GROUND WATER SE¼ SE¼, Sec. 31, Twp 54N, Rge 04W, B.M. BONNER County

**Place of Use:** IRRIGATION

| Twp | Rng | Sec | NE | | | | NW | | | | SW | | | | SE | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| 54N | 04W | 31 | | | | | | | | | | | | | | | 1.1 | 0.8 | 1.9 |

Total Acres: 1.9

**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 | |
| 54N | 04W | 31 | | | | | | | | | | | | | | | X | X | |

**Conditions of Approval**

1. Point of diversion is located within Lot 1, Butterworth Draw Subdivision.
2. Place of use is located within Lots 1 - 6, Butterworth Draw Subdivision.
3. Domestic use is for 6 homes and 1 church. Irrigation of lawn, garden and landscaping associated with the homes and church is authorized under the irrigation component of this right.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
5. 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.
6. 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.

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7. 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.
8. This right does not grant any right-of-way or easement across the land of another.

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

Signed this 21st day of July, 2026.

Michelle Richman

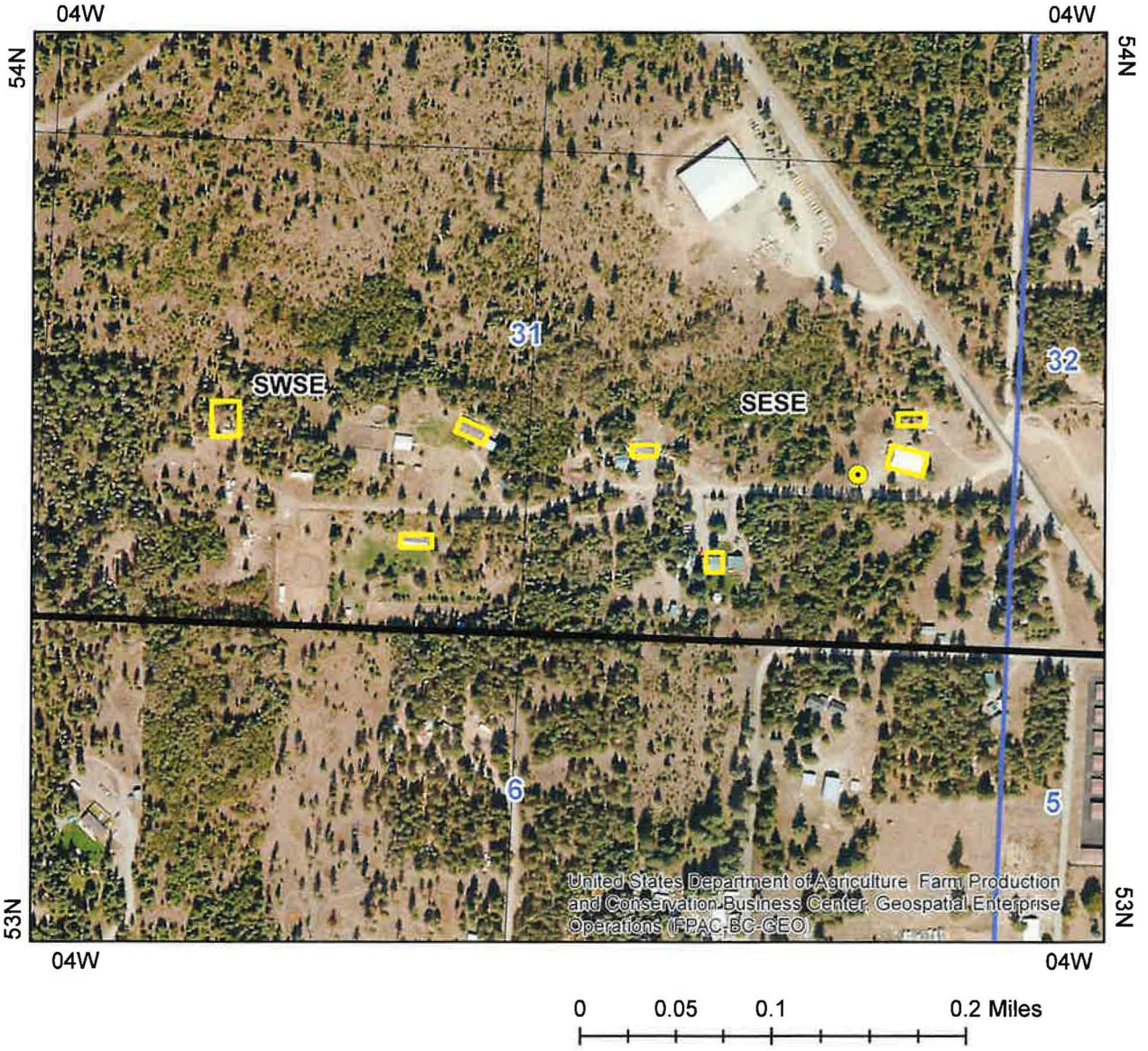
Richman, Michelle
Northern Regional Manager

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

# Attachment to Water Right

**95-18519**

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

Townships

PLS Sections

Quarter Quarters

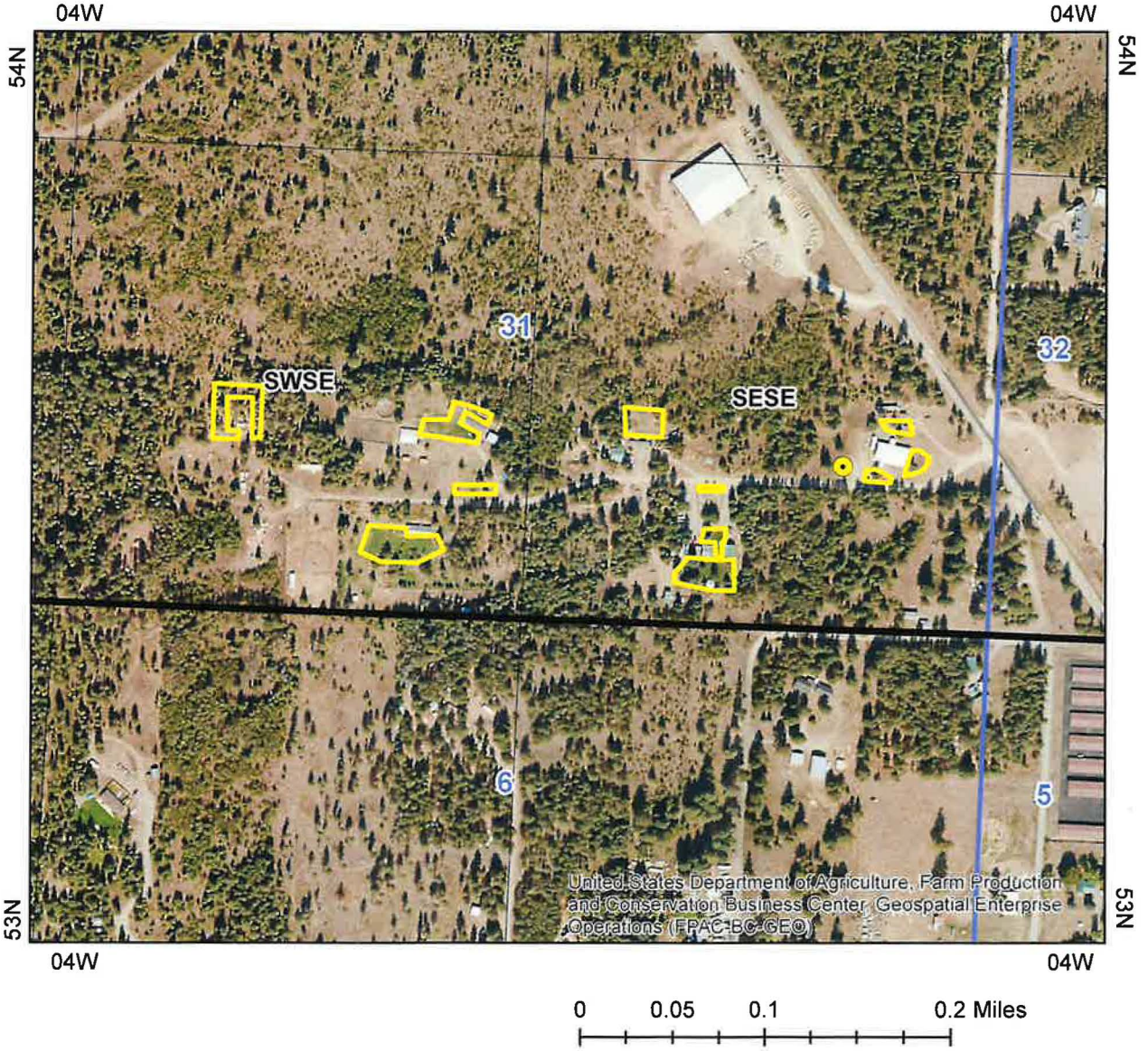
N

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

# Attachment to Water Right

**95-18519**

This map depicts the IRRIGATION 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

Townships

PLS Sections

Quarter Quarters

N

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

July 21, 2026

BUTTERWORTH DRAW SUBDIVISION ASSN
PO BOX 1081
SPIRIT LAKE ID 83869-1081

RE: License No. 95-18519

**ISSUANCE OF LICENSE**

Dear Water Right Holder:

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

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

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

If you have any questions concerning the enclosed information, please contact the Northern Region office at (208)762-2800.

Sincerely,

Michelle Richman

Michelle Richman
Northern Regional Manager

Enclosure(s)

## CERTIFICATE OF SERVICE

I hereby certify that on July 21, 2026, I served a true and correct copy of Water Right License No. 95-18519 by U.S. Mail, postage prepaid, to the following:

BUTTERWORTH DRAW SUBDIVISION ASSN (Current Owner)
PO BOX 1081
SPIRIT LAKE ID 83869-1081

Micki Bowman

Micki Bowman
Administrative Assistant 1

# 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.