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AUG 28 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

88577

IDWR / NORTH
APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split
☐ Transfer is for changes pursuant to [Idaho Code § 42-221.0.8](#). Attach an explanation and any supporting documentation.

1. APPLICANT(S) Brett & Shawnea Wilkes Phone 208-818-4500
 2. MAILING ADDRESS 20451 N. Hope Valley Rd. City Rathdrum
 State ID Zip 83858 Email Shawneawilkes@gmail.com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 95-13863

- ☒ Attach a copy of the water right(s) as recorded, available at [idwr.idaho.gov](#), [Water Right Transfers](#), Step 1, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is 0.0178 cubic feet per second and/or 0.09 CFS acre-feet per annum.
 (diversion rate) 0.09 CFS (storage volume) BW 8-29-23

5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at [idwr.idaho.gov](#), [Water Rights](#), [Water Right Transfers](#), [Modeling Resources](#).

New?	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
✓			SE	NE	14	52N	04W	Kootenai	Ground	D0086440
			SE	NE	14	52N	04W	Kootenai	Ground	Existing Well

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Pump & Pipe to Place of use. Well & Cistern.
New Well & Existing Well will be connected to home. BA 8-29-23

- b. Who owns the property at the point(s) of diversion? Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

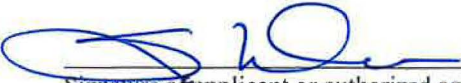
If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

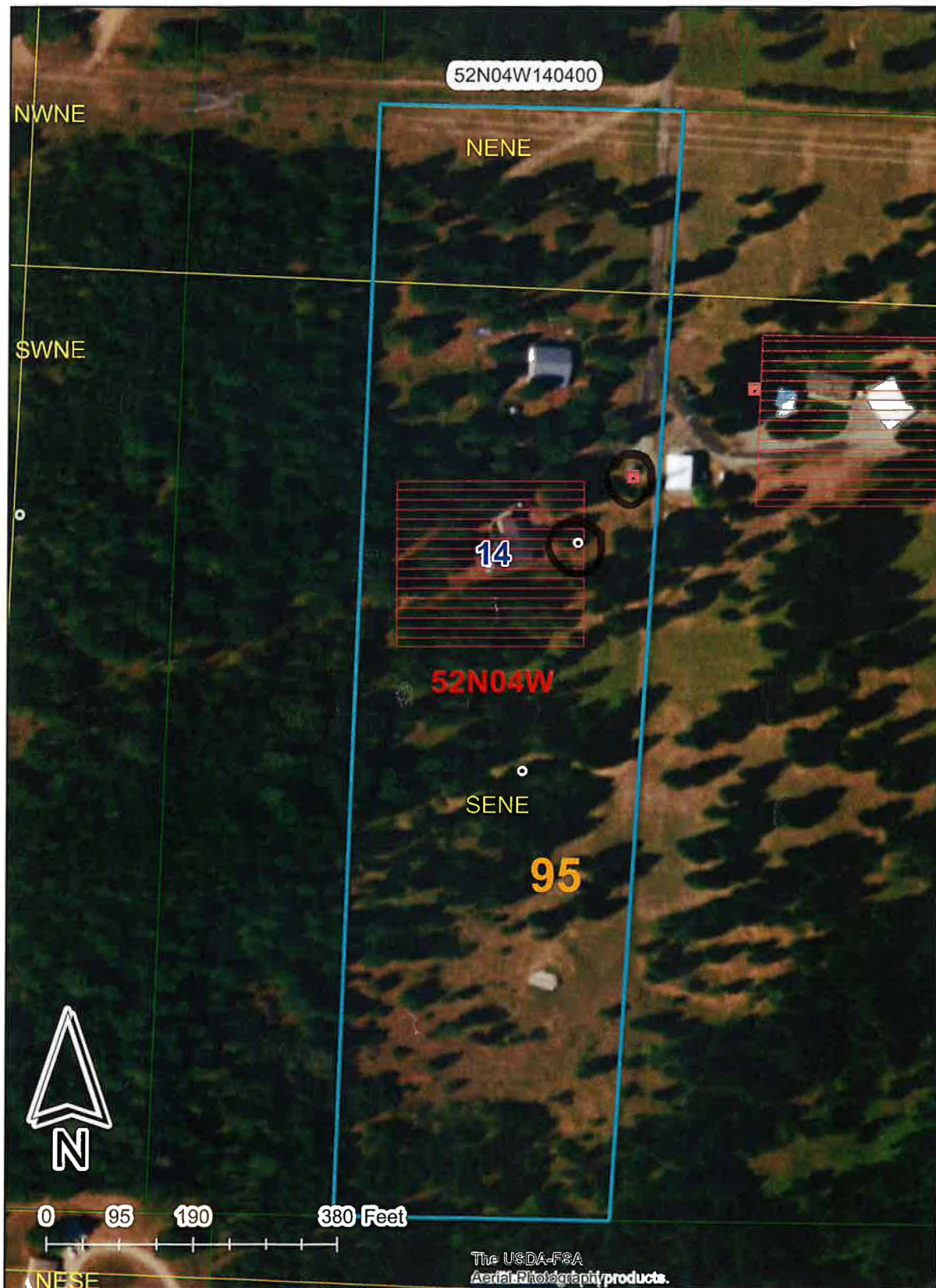
 Signature of applicant or authorized agent	Shawnea Wilkes Print name and title if applicable	6-23-23 Date
 Signature of applicant or authorized agent	Brett Wilkes Print name and title if applicable	6-23-23 Date

9. **FEE** – ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions. \$200⁰⁰

FOR DEPARTMENT USE ONLY

Transfer includes 3 pages of attachments. Received by PS Date 8/29/23
Fee paid 200- Date 8/29/23 Received by PS Receipt # N043997
Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐
W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐
(Do NOT scan the W-9 – confidential information is held by fiscal only)

APPLICATION FOR TRANSFER 95-13863



2019 AERIAL IMAGERY

PODs



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

March 1, 2024

BRETT A WILKES
20451 N HOPE VALLEY RD
RATHDRUM, ID 83858-7166

SHAWNEA K WILKES
20451 N HOPE VALLEY RD
RATHDRUM, ID 83858-7166

RE: Transfer No. 88577
Water Right No(s). 95-13863

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 COEUR D ALENE PRESS on 3/7/2024 and 3/14/2024. 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,

Chace Bell
Water Rights Supervisor

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 88577

BRETT A WILKES and SHAWNEA K WILKES, 20451 N HOPE VALLEY RD, RATHDRUM, ID 83858-7166 has filed Application No. 88577 for changes to the following water rights within KOOTENAI County(s): Right No(s). 95-13863; 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 to add a new point of diversion to the applicants existing groundwater rights in the SE1/4 NE1/4 of Section 14, Twp 52N, Rge 04W.

TRANSFER NO. 88596

ENVIROTECH SERVICES INC, 910 54TH AVE STE 230, GREELEY, CO 80634-4403 has filed Application No. 88596 for changes to the following water rights within KOOTENAI County(s): Right No(s). 95-12832; 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 a change of the Point of Diversion from TWP 51N, RGE 05W, Sec 31, SESE to TWP 51N, RGE 05W, Sec 31, SWSE.

TRANSFER NO. 88761

SILVERWOOD INC, 27843 N HWY 95, ATHOL, ID 83801-8624 has filed Application No. 88761 for changes to the following water rights within KOOTENAI County(s): Right No(s). 95-9474, 95-9940; 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 to add a new point of diversion to the applicants existing groundwater rights in the SW1/4 NW1/4 of Section 33, Twp 53N, Rge 03W.

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 3/25/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 3/7/2024 and 3/14/2024

MEMORANDUM

Date: October 16, 2023
To: Transfer 88577
From: Tammy Alleman
Re: Legal Notice Remarks

This transfer proposes to add a new point of diversion to the applicants existing groundwater rights in the SE1/4 NE1/4 of Section 14, Twp 52N, Rge 04W.