

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 96-10637

Priority: March 28, 2022

Maximum Diversion Rate: 0.09 CFS

This is to certify that

MARTHA ASHFORD
PO BOX 610
PONDERAY, ID 83852-0610

has applied for a permit to appropriate water from:

Source : GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>
IRRIGATION	04/01 to 10/31	0.09 CFS

Location of Point(s) of Diversion

GROUND WATER SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 4, Twp 57N, Rge 01W, 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	
57N	01W	4								3.0									3.0

Total Acres: 3.0

Conditions of Approval:

1. Proof of application of water to beneficial use shall be submitted on or before **June 01, 2023**.
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
5. This right when combined with all other rights shall provide no more than 0.03 Cubic Feet per Second (CFS) per acre nor more than 3.0 Acre Feet (AF) annually per acre at the field headgate for irrigation of the place of use.

This permit is issued pursuant to the provisions of Idaho Code § 42-204.

Signed this 31st day of May, 2022



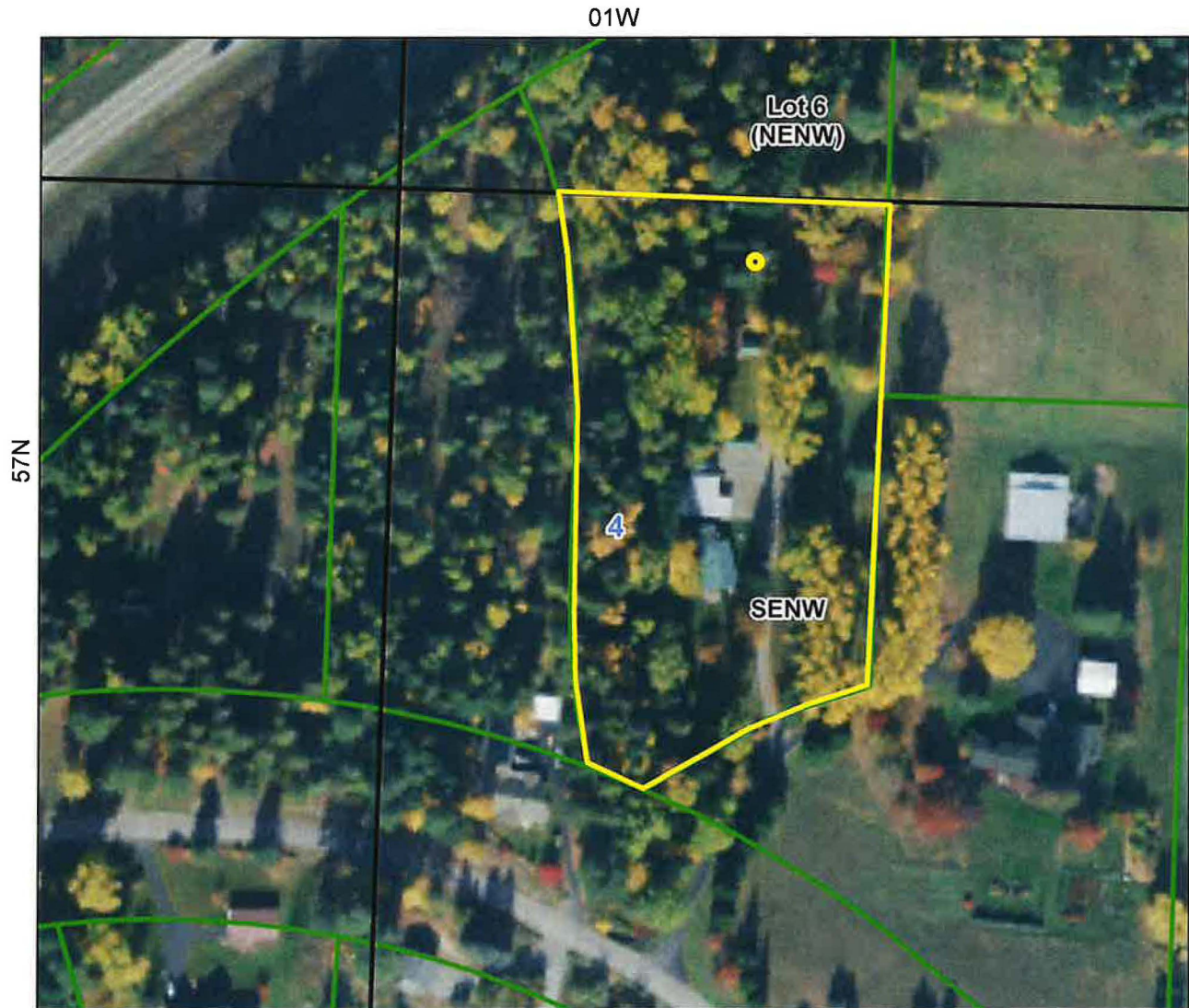
ADAM FREDERICK
Water Rights Supervisor

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-10637

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
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion
-  Taxlots

0 0.02 0.04 0.08 Miles



Tax parcel information provided by Bonner County.



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 Gary Spackman

June 03, 2022

MARTHA ASHFORD
PO BOX 610
PONDERAY ID 83852-0610

RE: Permit No. 96-10637

Permit Approval Notice

Dear Permit Holder(s):

The Department of Water Resources ("Department") has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review all the conditions of approval listed on your permit. The conditions include requirements that you must accomplish, such as timely submittal of proof of beneficial use or installation of a measuring device, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district. Failure to comply with the conditions of approval may result in your permit lapsing or being canceled.

The permit is a PRELIMINARY ORDER issued 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.

The final step in the water right process is issuance of a water right license. To receive a water right license, you must divert and use water to the full extent intended and submit a *Statement of Completion for Submitting Proof of Beneficial Use* by the date shown in condition no. 1 of your permit. The Department will send you a *Proof Due Notice* approximately 60 days prior to the date listed in condition no. 1 of your permit.

You may also require approvals from other Department programs, such as Ground Water Protection, Safety of Dams, or Stream Channel Protection, to accomplish your proposed development. Please call or visit any Department office or see the Department's website at idwr.idaho.gov for more information about these programs.

Please be advised that Idaho Code § 42-248, requires you or the owner of this water permit to maintain current ownership and address records on file with the Department. Forms to file an assignment of permit and/or a change in the address of the permit owner are available from any Department office or at the Department's website at www.idwr.idaho.gov.

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

Sincerely,



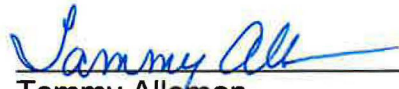
Adam Frederick
Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on June 03, 2022, I served a true and correct copy of Permit to Appropriate Water No. 96-10637 by U.S. Mail, postage prepaid, to the following:

MARTHA ASHFORD (Current Owner)
PO BOX 610
PONDERAY ID 83852-0610



Tammy Alleman
Administrative Assistant 1

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.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Bonner)

RECEIVED
APR 25 2022
DWR / NORTH

ANGELA WOODS, being first duly
sworn on oath, deposes and states:

1. I am a citizen of the United States of America, over
the age of 18 years, a resident of Bonner County, Idaho, and
am not a party to the proceedings referred to in the attached

LEGAL NOTICE
My business address is P.O. Box 159, Sandpoint, Idaho.

2. I am the bookkeeper of the Bonner County Daily Bee,
a newspaper of general publication in Bonner County, Idaho;

3. Said newspaper has been continuously and
uninterruptedly published in Bonner County, Idaho during a
period of 12 months prior to the first publication of said
Notice, and thereafter.

4. The attached Notice was published in the regular and
entire issue of the Bonner County Daily Bee for a period of
2 consecutive weeks, commencing on the 7 day of
APRIL, 2022, and ending on the 14 day of
APRIL, 2022

[Signature]

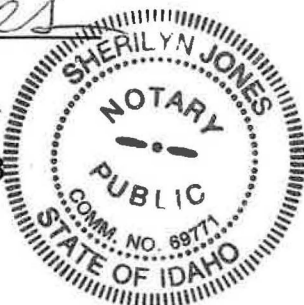
State of Idaho, county of Bonner ss.

On this 14 day of APRIL, in the year of 2022,
before me, Sherilyn Jones, Notary Public, personally
appeared ANGELA WOODS known or
identified to me to be the person whose name is subscribed
to the within instrument, and acknowledged to me that he (or
they) executed the same.

Sherilyn Jones
Notary Public

Residing at: Bonner County

My Commission Expires 4/17/23



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

95-18240

SUNNSHINE REHN
JESS REHN
5584 E FRAZIER DR
POST FALLS, ID 83854-5847
Point of Diversion L6(SESW)
S21 T54N R03W
BONNER County
Source UNNAMED STREAM
Tributary KELSO LAKE
Use: IRRIGATION
04/01 to 10/31 0.2 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.26 CFS
Date Filed: 03-21-2022
Place Of Use:
DOMESTIC, IRRIGATION,
STOCKWATER
T54N R03W S21 L6(SESW)
Total Acres: 10

96-10550

DEAN A JENNINGS
ANJALI J JENNINGS
133 WHITE MOUNTAIN RD
SANDPOINT, ID 83864-8148
Point of Diversion SESW
S4 T59N R01W
BONNER County
Source GROUND WATER
Point of Diversion SESW
S4 T59N R01W
BONNER County
Source GROUND WATER
Point of Diversion SESW
S4 T59N R01W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.08 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.12 CFS
Total Diversion: 0.2 CFS
Date Filed: 03-09-2022
Place Of Use:
DOMESTIC, IRRIGATION,
STOCKWATER
T59N R01W S4 SESW
Total Acres: 5.5

96-10556

KARL L NEUMANN
SHAR D NEUMANN
8762 RIVER RD
CLARK FORK, ID 83811-9738
Point of Diversion
L2(SESWNW)
S2 T54N R03E
BONNER County
Source SPRING
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 03-11-2022
Place Of Use: DOMESTIC
T54N R03E S3 L1(NENE)

96-10567

ROSE OLSON
ROSS D HEITSTUMAN
2130 UPPER PACK RIVER
RD
SANDPOINT, ID 83864-5913
Point of Diversion NESW
S19 T59N R01W
BONNER County
Source GROUND WATER
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: 03-14-2022
Place Of Use:
DOMESTIC, STOCKWATER
T59N R01W S19
NESW, L3(NWSW)

96-10582

GABRIEL J MOLNAR
NANCY G MOLNAR
5650 JEWEL LAKE RD
SAGLE, ID 83860-8787
Point of Diversion L5(SWNW)
S6 T55N R03W
BONNER County
Source HOODOO CREEK
Tributary PEND OREILLE
RIVER
Use: DIVERSION TO
STORAGE
01/01 to 12/31 0.2 CFS
Use: RECREATION
01/01 to 12/31 0.2 CFS
Use: RECREATION
STORAGE
01/01 to 12/31 3.5 AF
Use: WILDLIFE STORAGE
01/01 to 12/31 3.5 AF
Use: IRRIGATION STORAGE
01/01 to 12/31 51 AF
Use: IRRIGATION FROM
STORAGE
04/01 to 10/31 51 AF
Total Diversion: 0.2 CFS
Date Filed: 03-16-2022
Place Of Use: DIVERSION TO
STORAGE, IRRIGATION
FROM STORAGE, IRRIGA-
TION, RECREATION, RECREA-
TION, WILDLIFE STORAGE
T55N R03W S6 L5(SWNW)
Place Of Use: IRRIGATION
FROM STORAGE
T55N R03W S6

L3(NENW), L4(NWNW), SENW
Total Acres: 17

96-10583

TAMARACK WATER ASSOC
NC
C/O BOB HANSON WSM
37 WILDHORSE TRAIL
SANDPOINT, ID 83864-8701
Point of Diversion NESE
S3 T56N R02W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.2 CFS
Date Filed: 03-16-2022
Place Of Use: DOMESTIC
T56N R02W S2 NWSW
Place Of Use: DOMESTIC
T56N R02W S3 NESE

96-10601

KATHLEEN M OSBORNE
122 4TH ST
PONDERAY, ID 83852-7502
Point of Diversion NENESE
S29 T57N R03W
BONNER County
Source SPRING
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.09 CFS
Total Diversion: 0.15 CFS
Date Filed: 03-21-2022
Place Of Use:
DOMESTIC, IRRIGATION,
STOCKWATER
T57N R03W S29 NESE
Total Acres: 3

96-10612

ROBERT E MERRILL
KELLEE A MERRILL
477976 HIGHWAY 95
PONDERAY, ID 83852-9743
Point of Diversion L8(NENE)
S3 T57N R02W
BONNER County
Source SAND CREEK
Tributary LAKE PEND
OREILLE
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.12 CFS
Total Diversion: 0.14 CFS
Date Filed: 03-11-2022
Place Of Use:
IRRIGATION, STOCKWATER
T57N R02W S3 L8(NENE)
Total Acres: 4

96-10617

CRAIG DOLSBY
SHELLEY DOLSBY
1509 NORTSHORE DR
SANDPOINT, ID 83864-2714
Point of Diversion L1(ENE)
S28 T57N R02W
BONNER County
Source PEND OREILLE
RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.02 CFS
Date Filed: 03-23-2022
Place Of Use: IRRIGATION
T57N R02W S28 L1(ENE)
Total Acres: 0.5

96-10623

DOLSBY FAMILY LLC
1509 NORTSHORE DR
SANDPOINT, ID 83864-2714
Point of Diversion NWSW
S29 T58N R01E
BONNER County
Source UNNAMED STREAM
Tributary TROUT CREEK
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 03-24-2022
Place Of Use: DOMESTIC
T58N R01E S29 SESW

96-10624

DOLSBY FAMILY LLC
1509 NORTSHORE DR
SANDPOINT, ID 83864-2714
Point of Diversion NWSW
S29 T58N R01E
BONNER County
Source UNNAMED STREAM
Tributary TROUT CREEK
Use: POWER
01/01 to 12/31
Total Diversion: 0.27 CFS
Date Filed: 03-24-2022
Place Of Use: POWER
T58N R01E S29 SWSW

96-10625

TREATY ROCK LLC
1509 NORTSHORE DR
SANDPOINT, ID 83864-2714
Point of Diversion NWNE
S29 T58N R01E
BONNER County
Source UNNAMED STREAM
Tributary TROUT CREEK
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.15 CFS
Date Filed: 03-24-2022
Place Of Use: IRRIGATION
T58N R01E S29 NWNE
Total Acres: 5

96-10631

DEREK MULGREW
587 RIVER RUN DR
LACLEDE, ID 83841
Point of Diversion L1(NENW)
S29 T56N R03W
BONNER County
Source PEND OREILLE
RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
4/1 to 10/31
Total Diversion: 0.02 CFS
Date Filed: 03-24-2022
Place Of Use: IRRIGATION
T56N R03W S29 L1(NENW)
Total Acres: 1

96-10616

FRED OMODT
488 SHINGLE MILL RD
SANDPOINT, ID 83864-9490
Point of Diversion L7(NWNE)
S6 T57N R01W
BONNER County
Source BOYER SLOUGH
Tributary LAKE PEND
OREILLE
Use: IRRIGATION
4/1 to 10/31
Total Diversion: 0.15 CFS
Date Filed: 03-23-2022
Place Of Use: IRRIGATION
T57N R01W S6 L7(NWNE)
Total Acres: 7.5

96-10637

MARTHA ASHFORD
PO BOX 610
PONDERAY, ID 83852-0610
Point of Diversion SENW
S4 T57N R01W
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.09 CFS
Date Filed: 03-28-2022
Place Of Use: IRRIGATION
T57N R01W S4 SENW
Total Acres: 3

96-10638

MICHAEL RANCOURT
TERESA RANCOURT
368 LARICINA WAY
SANDPOINT, ID 83864-3018
Point of Diversion NWSW
S4 T58N R01W
BONNER County
Source PACK RIVER
Tributary LAKE PEND
OREILLE
Use: DIVERSION TO
STORAGE
01/01 to 12/31 0.1 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: FIRE PROTECTION
STORAGE
01/01 to 12/31 0.8 AF
Use: STOCKWATER
STORAGE
01/01 to 12/31 0.2 AF
Use: STOCKWATER FROM
STORAGE
01/01 to 12/31 0.2 AF
Total Diversion: 0.1 CFS
Date Filed: 03-28-2022
Place Of Use: DIVERSION TO
STORAGE, FIRE
PROTECTION STORAGE,
STOCKWATER,
STOCKWATER FROM
STORAGE, STOCKWATER
STORAGE
T58N R01W S4 NWSW
Place Of Use: FIRE
PROTECTION STORAGE,
STOCKWATER,
STOCKWATER FROM
STORAGE, STOCKWATER
STORAGE
T58N R01W S4 SWSW

96-10641

CHRISTOPHER DEMPSEY
105 VERMEER DR UNIT 2
PONDERAY, ID 83852-9802
Point of Diversion NESE
S26 T58N R02W
BONNER County
Source SAND CREEK
Tributary LAKE PEND
OREILLE
Use: IRRIGATION
1/1 to 10/31
Total Diversion: 0.09 CFS
Date Filed: 03-29-2022
Place Of Use: IRRIGATION
S26W S26 NESE

Total Acres: 3

96-10642

JOEL SHOEMAKER
PO BOX 24
DOVER, ID 83825
Point of Diversion NESW
S23 T57N R03W
BONNER County
Source CARR CREEK
Tributary PEND OREILLE
RIVER
Point of Diversion NWSE
S23 T57N R03W
BONNER County
Source UNNAMED STREAM
Tributary SINKS
Use: STOCKWATER
STORAGE
01/01 to 12/31 0.3 AF
Use: STOCKWATER FROM
STORAGE
01/01 to 12/31 0.3 AF
Use: FIRE PROTECTION
STORAGE
01/01 to 12/31 3.6 AF
Use: DIVERSION TO
STORAGE
01/01 to 12/31 0.07 CFS
Total Diversion: 0.07 CFS,
3.9 AF
Date Filed: 03-29-2022
Place Of Use: DIVERSION TO
STORAGE
T57N R03W S23 NESW
Place Of Use: FIRE
PROTECTION STORAGE,
STOCKWATER FROM
STORAGE, STOCKWATER
STORAGE
T57N R03W S23 NWSE
Place Of Use: STOCKWATER
FROM STORAGE
T57N R03W S23 SWSE

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://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. 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 4/25/2022. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
SNP LEGAL 4115
AD#525927
APRIL 7, 14, 2022