

RECEIVED
FORM 202 Rev. 09/16
FEB 01 2021

IDWR / NORTH

82947
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 86-12055

1. Name of applicant(s) ROBERT W. AND/OR NORENE L. BENNETT Phone _____
Name connector (check one): ☐ and ☐ or ☒ and/or
Mailing address 5341 LENVILLE RD City MOSCOW
State IDAHO ZIP 83843 Email NORMSGLASS@YAHOO.COM
2. Name of representative, if any DAVID W. BENNETT Phone 208-882-5127
Mailing address 5341 LENVILLE RD City MOSCOW
State IDAHO ZIP 83843 Email NORMSGLASS@YAHOO.COM
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☒ Send original correspondence to the applicant and copies to the representative.
- b. ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply GROUNDWATER which is a tributary of _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
38N	04W	5	1		NE	NE	LATAH	GROUNDWATER	D0022108

5. Water will be used for the following purposes:
- Amount 0.04 cfs for DOMESTIC purposes from 01-01 to 12-31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount 0.02 cfs for STOCKWATER purposes from 01-01 to 12-31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.06 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. DRILLED WELL, COMPLETED IN 2002
FOR USE FOR 1 HOME WITH OUTSIDE HYDRANT FOR GARDEN AND STOCKWATER TANK.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? 5/22/2002; drilling firm WITT WELL DRILLING #58
well was drilled for (well owner) YES; Drilling Permit No. 777110

For Department Use

Received by TA Date 1-7-19 Time _____ Preliminary check by _____
Fee \$ 100.00 Received by TA Receipt No. N 33985 Date 1-7-19

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. 1 TO 4 HORSES
 - Municipal; must complete and attach the Municipal Water Right Application Checklist.
 - Domestic; show number of households 1 HOME
 - Other; describe fully. _____
9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
38N	04W	4						D/S											
								GL4											
38N	04W	5	S																
			GL1																

Total number of acres to be irrigated: _____

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? _____
11. a. Who owns the property at the point of diversion? APPLICANT
- b. Who owns the land to be irrigated or place of use? APPLICANT
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. APPLICANT PLANS TO USE WATER FOR 1 HOME WITH OUTSIDE HYDRANT FOR SMALL GARDEN (LESS THAN 1/2 ACRE) AND STOCKWATER TANK FOR UP TO 4 HORSES.
13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

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.

Robert W. Bennett by Peggy L. Devereaux
 Signature of Applicant
 Robert W. Bennett
 Print Name (and title, if applicable)

Norene L. Bennett by Peggy L. Devereaux
 Signature of Applicant
 Norene L. Bennett
 Print Name (and title, if applicable)

RECEIVED

JAN 07 2003

DEPARTMENT OF WATER RESOURCES APPLICATION FOR PERMIT To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Robert W. & / or Norene L Bennett Phone 208-882-0850
 Name connector (check one): ☐ and ☐ or ☒ and/or
 Mailing address 5341 Lenville Rd. City Moscow
 State Idaho ZIP 83843 Email normsglass@yahoo.com
2. Name of representative, if any David W. Bennett Phone 208-882-5127
 Mailing address 5341 Lenville Rd. City Moscow
 State Idaho ZIP 83843 Email normsglass@yahoo.com
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☒ Send original correspondence to the applicant and copies to the representative.
- b. ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
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4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
38N	04W	1	1		NE	NE	Latah	Ground Water	0022108

5. Water will be used for the following purposes:
- Amount .04 for domestic purposes from 01-01 to 12-31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount .02 for stockwater purposes from 01-01 to 12-31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) .06 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. drilled well --completed in 2002 for use for 1 home with outside hydrant for garden & stock water tank
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? 5/22/2002; drilling firm Witt Well Drilling # 58
 well was drilled for (well owner) yes; Drilling Permit No. 777110

For Department Use

Received by ja Date 1-7-19 Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by ja Receipt No. N033985 Date 1-7-19

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. 1 to 4 horses
- c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households 1
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
38N	04W	5	D																
38N	04W	5	S																
			GL1																

Total number of acres to be irrigated: _____

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? _____

11. a. Who owns the property at the point of diversion? Robert W. & Norene L. Bennett
- b. Who owns the land to be irrigated or place of use? Robert W. & Norene L. Bennett
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. small garden -- less than 1/2 acre

13. Time required for completion of works and application of water to proposed beneficial use is 1 yr years (minimum 1 year).

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

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.

Robert W. Bennett
Signature of Applicant

Robert W. Bennett owner

Print Name (and title, if applicable)

Robert W. Bennett
Application for Permit

Norene L. Bennett
Signature of Applicant

Norene L. Bennett owner

Print Name (and title, if applicable)

Norene L. Bennett

JUN 11 2002

Form 238-7

11/97 IDWR/North

DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
1/4 _____ 1/4 _____ 1/4 _____
Lat _____ Long _____
☒ Pump ☐ Bailer ☐ Flowing Artesian

1. WELL TAG NO. D 0022108

DRILLING PERMIT NO. 73110

Other IDWR No. _____

2. OWNER:

Name Bob Bennett

Address 5341 Lenville Rd

City Moscow State Id Zip 83843

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
W
S
E
Twp. 38 North ☒ or South ☐
Rge. 4 East ☐ or West ☒
Sec. 5 NW 1/4 NE 1/4
Gov't Lot _____ County Latah 1/4 1/4
Lat _____ Long _____
Address of Well Site Same
City _____
(Give at least name of road & distance to road or landmark)

LI. _____ Blk. _____ Sub. _____ Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
ben-tonite	0	19	250 lbs	dry

Was drive shoe used? ☒ N ☐ Shoe Depth(s) _____

Was drive shoe seal tested? ☐ Yes ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
<u>8</u>	<u>+1</u>	<u>19</u>	<u>250</u>	<u>Steel</u>	☒	☐	☐	☐
<u>6</u>	<u>-10</u>	<u>134</u>	<u>240</u>	<u>PVC</u>	☐	☒	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations _____ Method saw

Screens _____ Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
<u>94</u>	<u>134</u>	<u>8x8</u>	<u>22</u>			☐	☒

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

+1 ft. below ground Artesian pressure _____ lb.

Depth flow encountered _____ ft. Describe access port or control devices: _____

38N 4W 5

FORWARD WHITE COPY TO WATER RESOURCES

11. WELL TESTS:

☐ Pump ☐ Bailer

Yield gal./min.	Drawdown	Pumping Level	Time
<u>approx 9</u>			

Water Temp. _____

Bottom hole temp. _____

Water Quality test or comments: _____

Depth first Water Encounter 26

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
<u>10</u>	<u>0</u>	<u>3</u>	<u>overburden</u>		☒
<u>10</u>	<u>3</u>	<u>19</u>	<u>basalt firm</u>		☒
<u>8</u>	<u>19</u>	<u>26</u>	<u>basalt firm</u>		☒
<u>8</u>	<u>26</u>	<u>37</u>	<u>porus basalt</u>	☒	
<u>8</u>	<u>37</u>	<u>41</u>	<u>basalt firm</u>		☒
<u>8</u>	<u>41</u>	<u>50</u>	<u>porus basalt</u>	☒	
<u>8</u>	<u>50</u>	<u>58</u>	<u>basalt firm</u>		☒
<u>8</u>	<u>58</u>	<u>62</u>	<u>porus basalt</u>	☒	
<u>8</u>	<u>62</u>	<u>67</u>	<u>basalt firm</u>		☒
<u>8</u>	<u>67</u>	<u>80</u>	<u>black shale</u>		☒
<u>8</u>	<u>80</u>	<u>134</u>	<u>basalt firm</u>	☒	
<u>8</u>	<u>134</u>		<u>clay</u>		☒

Completed _____ Depth 134 (Measurable)

Date: Started 5/21/02 Completed 5/22/02

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

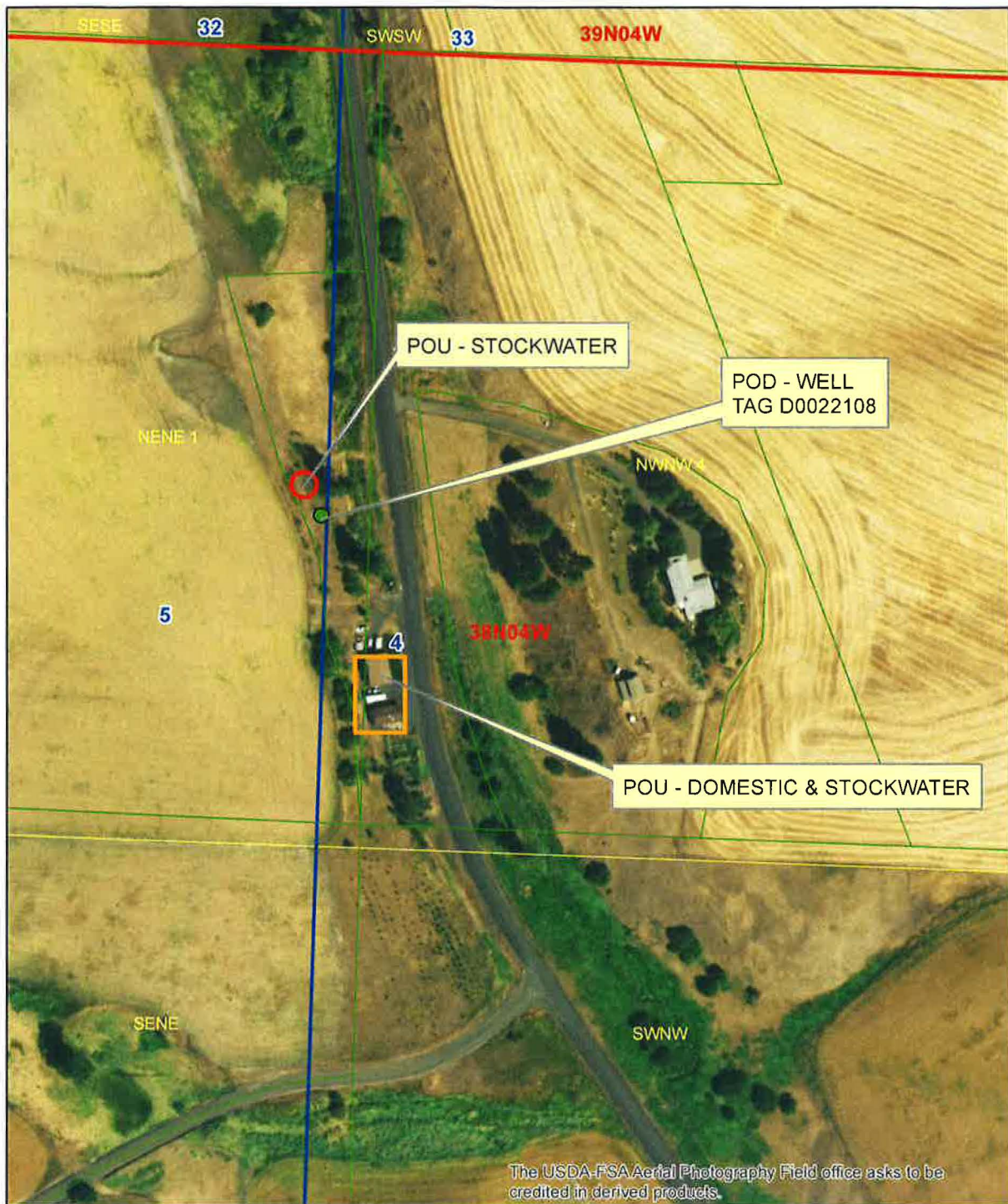
Company Name WITT Well Drilling Firm No. 58

Firm Official Roger Witt Date 6/10/02

and _____

Driller or Operator _____ Date _____

(Sign once if Firm Official & Operator)



Legend

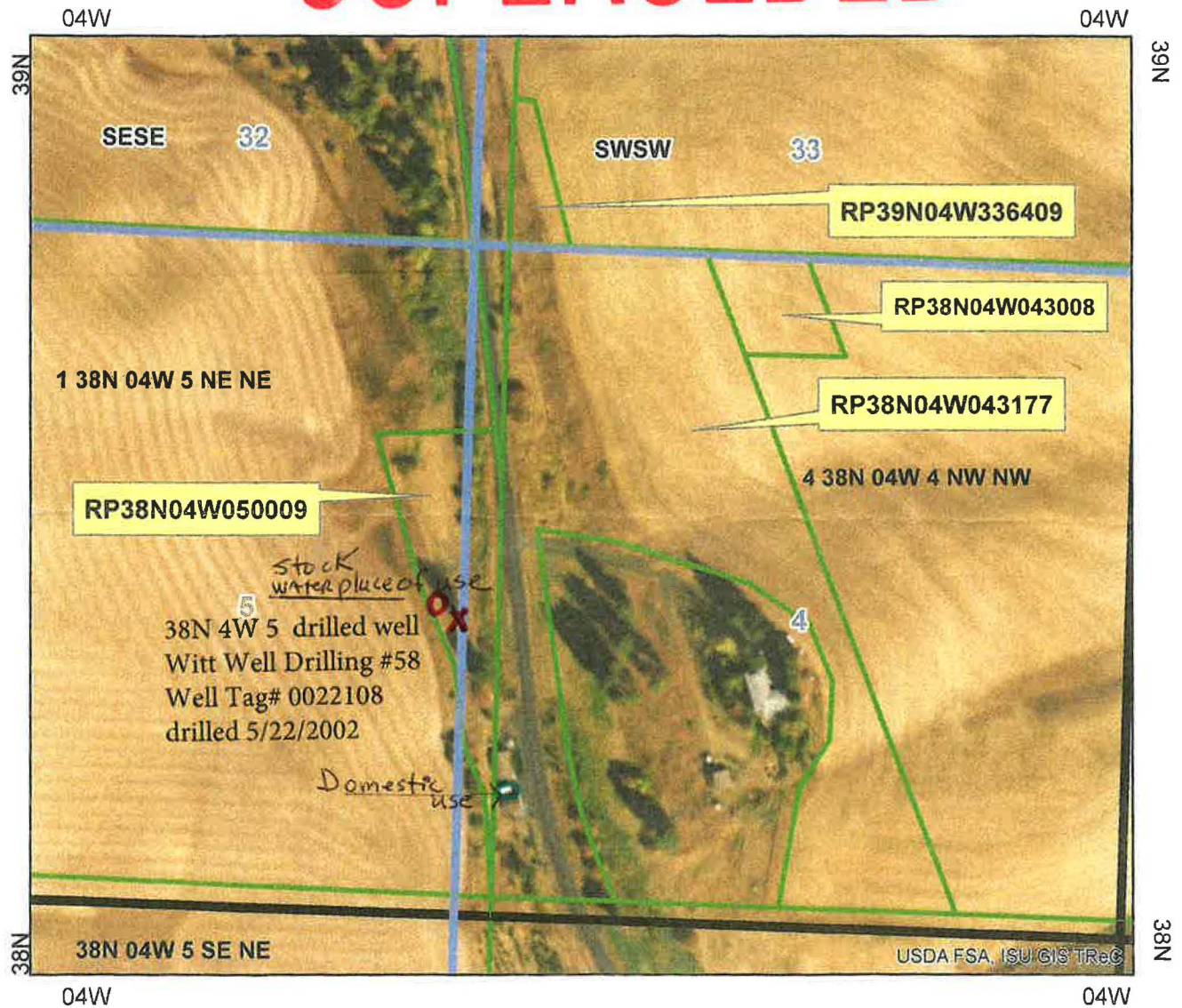
-  Parcels
-  Township/Range
-  Sections
-  QQ

0 0.025 0.05 0.1 Miles



State of Idaho
Department of Water Resources
Application For Permit

SUPERSEDED



- PLS Sections
- Taxlots

0 0.04 0.08 0.16 Miles

- = well (point of diversion)
- = Domestic Place of use
- = Stock water place of use



Tax parcel information provided by Latah County.

DURABLE POWER OF ATTORNEY

OF

Robert Wayne Bennett

Robert Wayne Bennett (herein referred to as the Principal), domiciled and residing in the State of Idaho, hereby executes this Durable Power of Attorney, as follows:

1. Designation of Attorney-in-Fact: **Peggy Leann Devereaux**, my daughter, is hereby designated as attorney-in-fact for the Principal. It is my intention that if the person named above shall be unable or unwilling to serve, then I hereby designate **Corey Lynn O'Brien**, to serve as attorney-in-fact.

2. Effectiveness and Duration: This power of attorney shall become effective immediately. This power of attorney shall survive the disability or incompetence of the Principal, and shall remain in effect unless and until revoked or terminated under Paragraph 3, 4, or 5 below, notwithstanding any uncertainty as to whether the Principal is dead or alive.

3. Revocation: This power of attorney may be revoked, suspended, or terminated by the Principal if the Principal both sends written notice to the designated attorney-in-fact (if already acting as such) and records the written instrument of revocation in the office of the Recorder of Latah County, State of Idaho.

4. Revocation of Any Previous Power of Attorney: I hereby revoke any previous Power of Attorney that I may have executed.

5. Termination:

(a) By Conservator of Estate: The appointment of a conservator of the estate of the Principal vests in the conservator, with Court approval, the power to revoke, suspend, or terminate this power of attorney. The appointment of a guardian of the person only does not empower the guardian to revoke, suspend, or terminate this power of attorney.

(b) By Death of Principal: The death of the Principal shall be deemed to revoke this power of attorney upon actual knowledge or actual notice being received by the attorney-in-fact.

6. Powers Regarding Property, Property Rights and Liabilities: My attorney-in-fact, as fiduciary, shall have with respect to all of my assets and liabilities, whether located within or without the State of Idaho, all powers of an absolute owner, and all management and distributive powers and discretions with respect to said assets and liabilities granted by the laws of the State of Idaho to trustees with respect to trust property, and all such additional powers as are necessary or desirable for the orderly management of my assets and liabilities or to provide for my support, maintenance, health, emergencies, and necessities, and to hire professional help and consultants.

6.1 Specific Powers: By way of illustration, and without limiting the generality of the foregoing, the attorney-in-fact may exercise the following powers among others:

6.1.1 To ask, demand, sue for, recover, collect and receive all such sums of money, debts, accounts, legacies, bequests, interests, dividends, annuities and demands whatsoever, as are now or shall hereafter become due, owing, payable or belonging to me, and to have, use and take all lawful ways and means in my name, or otherwise, for the recovery thereof, by actions at law or in equity, attachments, arrest, distress, or otherwise, and to compromise and agree for the same, and to make, sign, seal and deliver acquittances, releases or other sufficient discharges for the same;

6.1.2 For me and in my name, to bargain, agree for, purchase, receive and take, lease, let, demise, bargain, sell, remise, release, convey, mortgage and hypothecate land, tenements, hereditaments or any other interest in real property, and to accept the seisin and possession of all lands or interests in real property, and all deeds, deeds of trust, mortgages, security interests in collateral and other assurances in the law therefor; to assign any mortgage; to release mortgages or reconvey deeds of trust on land; and for me and in my name, and as my act and deed, to sign, seal, execute, deliver and acknowledge such deeds, leases and assignments of leases, covenants, indentures, agreements, mortgages, deeds of trust, releases and satisfactions of mortgage, judgment and other debts, reconveyances and requests to reconvey deeds of trust and such other instruments in writing, of whatsoever kind or nature, as may be necessary or proper in the premises;

6.1.3 To bargain and agree for, buy, sell, hypothecate, and in any and every way and manner deal in and with goods, wares and merchandise, shares of stock, bonds, choses in action and all other tangible or intangible personal property, in possession or in action; to assign and transfer any promissory note or other instrument or any contract or other right that may be assigned; to grant or release security interests in such property; and for me and in my name, and as my act and deed, to sign, seal, execute, deliver and acknowledge such bills of sale, leases and assignments of leases, agreements, pledges, financing statements, hypothecations, checks, notes, receipts, evidences of debt, releases and satisfactions of security interests, judgment and other debts, proofs of claim in receiverships and estates, and such other instruments in writing, of whatsoever kind or nature, as may be necessary or proper in the premises;

6.1.4 To prepare, sign and file such tax and other returns as may be required by the State of Idaho or any other state of the United States of America, or by the United States of America or any other nation, including forms 1040, 709 and 2848 from now through 2020; to make claims for refunds thereof and to receive all such refunds to which I am entitled; and to act on behalf of the principal for any such tax matters or dealings.

6.1.5 To vote at all meetings of any corporation or corporations or any general or limited partnership or partnerships, limited liability company and otherwise to act as my representative in respect of any shares of stock, partnership interests and membership units now held or which may hereafter be acquired by me therein and for that purpose to sign and execute any proxies or other instruments in my name and on my behalf;

6.1.6 To deal with accounts maintained by me or on my behalf with financial institutions, banks, securities dealers, credit unions, savings and loan associations, mutual fund companies, which shall include the authority to maintain accounts, make deposits and withdrawals, sign checks, closeout or transfer certificates of deposits, sell or transfer stocks, bonds and other securities owned by me or in which I have an interest, and otherwise engage in all banking transactions at any and all banking institution or institutions or other financial institution that accepts deposits and allows checkwriting;

6.1.7 To execute trading authorizations, and to purchase, sell, assign and transfer securities on my behalf with such mutual fund or funds or such member firm or firms of any recognized stock exchange, such as, but not limited to, the New York Stock Exchange, as the attorney-in-fact may select or as the attorney-in-fact may delegate to a financial advisor, whether fee-based or non-fee-based, with the discretion in such advisor to make investments on behalf of the attorney-in-fact and Principal; provided that the attorney-in-fact shall not have the power to purchase securities on margin or to make short sales. My attorney-in-fact shall also be authorized to make deposits and withdrawals and to sign checks and engage in any and all other transactions with respect to any money market fund or other account that I may own or that may be established in my name with any mutual fund or with any broker;

6.1.8 To have access to any safety deposit box that may be leased by me;

6.1.9 To pay premiums on any and all life insurance policies carried by me, to borrow money on the security of the same or to surrender the same and receive the value thereof;

6.1.10 To do and transact every kind of business;

6.1.11 To hire professional help or consultants to perform services for me or my property, and to assist the attorney-in-fact in the exercise of the powers herein granted, including fee based financial advisors and counselors including the power to delegate to the financial advisor the discretion and authority to make investments on behalf of the principal;

6.1.12 To make such distributions and/ gifts from my estate as are necessary to carry out on my behalf any plan of family, personal and/or charitable gifts which I had prior to my disability or incompetence apparently established or clearly

contemplated, including bequests and devises as contemplated in my Last Will and Testament, including distributions to any then existing trust or trusts and/or distributions to my attorney-in-fact;

6.1.13 To disclaim any gift, legacy, bequest, interest or power for which a qualified disclaimer may be made under applicable federal and state law, if such disclaimer appears to be in the best interest of my estate, including disclaimers for quasi-community property interests;

6.1.14 To perform any act required for obtaining Medicaid assistance or other State or Federal entitlement program including interspousal transfers, if married; transfer of assets and gift making for eligibility purposes including distributions to my attorney-in-fact; and signing Marriage Settlement Agreements if required.

6.1.15 To establish or terminate a revocable or irrevocable trust and/or annuity for me and in my name and to transfer assets of my estate to or from that trust or annuity, with me and/or one or more members of my family, including my attorney-in-fact, as beneficiaries thereof, and designating one or more members of my family, including my attorney-in-fact, as trustee or trustees;

6.1.16 Tax Planning – In General. The Attorney-In-Fact shall have the power, though not the duty, to assess the status of the Principal's estate plan from time to time and to engage in such tax planning as may be appropriate under the circumstances. In exercising this power the Attorney-In-Fact shall give primary consideration to the Principal's continued health and well-being and shall consider the dispositive aspects of the Principal's estate plan, as reflected in the Principal's Last Will and Testament and other non-probate beneficiary designations together with the Principal's gifting patterns and stated intentions. No undertakings made pursuant to this grant of authority shall significantly alter the interests of any of the objects of the Principal's bounty.

6.1.17 Tax Planning- Specific Powers. Subject only to the criterion and limitations stated in this instrument, the Attorney-In-Fact's tax reduction powers shall include the power to disclaim any interest in property to which the Principal would otherwise succeed; the power to create such trusts, partnerships, limited liability companies, corporations or other entities as are appropriate to the exercise of this power; the power to make gifts of the Principal's assets including gifts of interests resulting from the formation of entities as herein provided.

6.1.18 HIPAA Powers. HIPAA Release Authority. My agent shall be treated as I would be with respect to my rights regarding the use and disclosure of my individually identifiable health information or other medical records. This release authority applies to any information governed by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 42 U.S.C. 1320d and 45 CFR 160 through 164. I authorize any physician, health care professional, dentist, health plan, hospital, clinic, laboratory, pharmacy, or other covered health care provider, any

insurance company, and the Medical Information Bureau, Inc. or other health care clearinghouse that has provided medical treatment or services to me, or that has paid for or is seeking payment from me for such services, to give, disclose, and release to my agent, without restriction, all of my individually identifiable health information and medical records regarding any past, present, or future medical or mental health condition, including all information relating to the diagnosis of HIV/AIDS, sexually transmitted diseases, mental illness, and drug or alcohol abuse. The authority given my agent shall supersede any other agreement that I may have made with my healthcare providers to restrict access to or disclosure of my individually identifiable health information. The authority given my agent has no expiration date and shall expire only in the event that I revoke the authority in writing and deliver it to my health care provider.

6.1.19 Personal Transactions. Notwithstanding Idaho Code §15-12-301, which prohibits an attorney-in-fact from exercising certain powers unless specifically granted in the empowering document, the authority of my attorney-in- fact shall include the following such powers:

- (a) _____ Make, amend, alter, or revoke any of my life insurance or other beneficiary designations, community property agreements, or other agreements fixing the status of community or separate property, if and to the extent that such designations and/or agreements, as thus made, amended, altered, or revoked are consistent with the balance of my estate planning documents which I executed while competent, and to transfer any and all of my assets into or out of any revocable or irrevocable inter vivos trust or trusts created by me, whether or not such trusts are now in existence and to make, amend, alter, or revoke any such trusts to the full extent as I have the power to do so;
- (b) _____ To make gifts of my property to one or more of my descendants and to continue a plan or pattern of charitable gifts which I undertook while competent; provided however, that my attorney-in-fact shall not have the power to make any gifts the impact of which would be to cause my attorney- in-fact to be deemed to hold a general power of appointment over the assets of my estate.
- (c) _____ To do all acts necessary to maintain the customary standard of living of me and my dependents, including by way of illustration and not limitation to provide such living quarters and the maintenance and operation thereof, food, clothing, medical, surgical, and dental care, and other incidentals to which I and my dependents are accustomed;
- (d) _____ To continue the discharge of any services or duties assumed by me to my family, relatives, friends, and to continue payments incidental to my membership in or affiliation with any church, club, society or other organization;
- (e) _____ To disclaim property otherwise receivable by me by way of gift,

devise, bequest or descent; and

(f) _____ Create or change a beneficiary designation: Apply for, purchase, carry, surrender (in whole or in part), convert, borrow against, designate and change beneficiaries, change ownership by gift or sale assign as collateral, change dividend and non-forfeiture options, authorize asset allocations and transfers and otherwise deal with insurance and annuity contracts, payment plan accounts, premium payment accounts, retirement or deferred compensation assets including Individual Retirement Accounts and Roth Individual Retirement Accounts and other insurance-related contracts of any kind and create or change rights of survivorship;

(g) _____ Delegate authority granted under this power of attorney;

(h) _____ Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan; or

(i) _____ Cause a trustee to make distributions of property held in trust under the same conditions that the principal could;

(j) _____ Make any other provisions for non-probate transfer at death contained in non-testamentary instruments;

6.1.20 Digital Assets. My attorney-in-fact shall have i) the power to access, use and control my digital devices, including but not limited to, desktops, laptops, tablets, peripherals, storage devices, mobile telephones, smart phones, and any similar digital device which currently exists or may exist as technology develops or such comparable items as technology develops for the purpose accessing, modifying, deleting or controlling or transferring my digital assets, ii) the power to use, access, delete, control modify and transfer use and control my digital assets, including but not limited to, my emails, email accounts, digital music, digital photographs, digital videos, software licenses, social network accounts, file sharing accounts, financial accounts, domain registrations, DNS service accounts, and web hosting accounts, tax preparation service accounts, other online accounts, and similar digital items related to my digital assets. devices, which currently exists or may exist as technology develops or such comparable items develop.

7. Medicaid: I further specifically authorize said attorney in fact to execute on my behalf any document that may be required to establish my eligibility for medical assistance under the Medicaid program or under any program that replaces or complements, in part or in whole, the Medicaid program, including the power to enter into a "Miller" or "Medigap" Trust in order that I can meet the income qualifications for any government programs including Medicaid. The Attorney in Fact shall have the authority, after consultation with the Principal's immediate family, to make any non-prohibited transfer of resources for the purpose of qualifying the Principal or the maintaining the Principal's eligibility for state or federal medical care assistance, or for limiting recovery from the Principal's estate for any such benefits received.

7A. Intent to Obviate Need for Guardianship/Conservatorship: It is the Principal's intent that the power given to the attorney-in-fact designated herein be interpreted to be so broad as to obviate the need for the appointment of a guardian for the person or conservator for the estate of the Principal. In the event the a Guardian and/or Conservator shall be appointed, it is my intent that this Durable Power of Attorney shall survive.

8. Accounting: My attorney-in-fact shall account to my heirs and any subsequently appointed personal representative for the Principal. For this purpose, the attorney-in-fact shall prepare written balance sheets on an annual basis using an accountant of his or her choice.

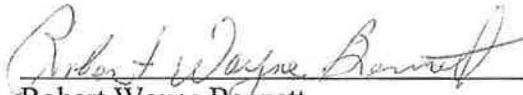
9. Reliance: The designated and acting attorney-in-fact and all persons dealing with the attorney-in-fact shall be entitled to rely upon this power of attorney so long as neither the attorney-in-fact nor any person with whom the attorney-in-fact was dealing at the time of any act taken pursuant to this power of attorney had actual knowledge or had received actual notice of any revocation, suspension, or termination of the power of attorney by death or otherwise. Any action so taken, unless otherwise invalid or unenforceable, shall be binding on the heirs, devisees, legatees, or personal representatives of the Principal.

10. Indemnity: The estate of the Principal shall hold harmless and indemnify the attorney-in-fact from all liability for acts done in good faith and not in fraud of the Principal.

11. Reliance on Photocopy Hereof: Third parties shall be entitled to rely upon a photocopy of the signed original hereof, as opposed to a certified copy of the same.

12. Applicable Law: The laws of the State of Idaho shall govern this power of attorney.

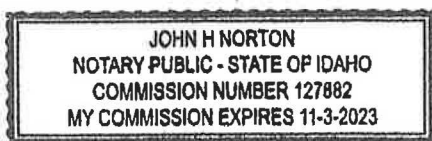
DATED this 24th day of OCTOBER, 2019.

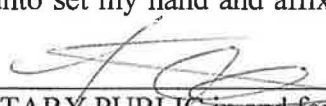

Robert Wayne Bennett

STATE OF IDAHO)
COUNTY OF Latah)

On this 24th day of OCTOBER, 2019, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Robert Wayne Bennett, known to me to be the person whose name is subscribed to the foregoing Durable Power of Attorney instrument, and acknowledged that he executed the same.

IN WITNESS WHEREOF, I have here unto set my hand and affixed my official seal, the day and year first above written.




NOTARY PUBLIC in and for the
State of Idaho, residing at
Moscow therein.

DURABLE POWER OF ATTORNEY

OF

Norene Leann Bennett

Norene Leann Bennett (herein referred to as the Principal), domiciled and residing in the State of Idaho, hereby executes this Durable Power of Attorney, as follows:

1. Designation of Attorney-in-Fact: **Peggy Leann Devereaux**, my daughter, is hereby designated as attorney-in-fact for the Principal. It is my intention that if the person named above shall be unable or unwilling to serve, then I hereby designate **Corey Lynn O'Brien**, to serve as attorney-in-fact.

2. Effectiveness and Duration: This power of attorney shall become effective immediately. This power of attorney shall survive the disability or incompetence of the Principal, and shall remain in effect unless and until revoked or terminated under Paragraph 3, 4, or 5 below, notwithstanding any uncertainty as to whether the Principal is dead or alive.

3. Revocation: This power of attorney may be revoked, suspended, or terminated by the Principal if the Principal both sends written notice to the designated attorney-in-fact (if already acting as such) and records the written instrument of revocation in the office of the Recorder of Latah County, State of Idaho.

4. Revocation of Any Previous Power of Attorney: I hereby revoke any previous Power of Attorney that I may have executed.

5. Termination:

(a) By Conservator of Estate: The appointment of a conservator of the estate of the Principal vests in the conservator, with Court approval, the power to revoke, suspend, or terminate this power of attorney. The appointment of a guardian of the person only does not empower the guardian to revoke, suspend, or terminate this power of attorney.

(b) By Death of Principal: The death of the Principal shall be deemed to revoke this power of attorney upon actual knowledge or actual notice being received by the attorney-in-fact.

6. Powers Regarding Property, Property Rights and Liabilities: My attorney-in-fact, as fiduciary, shall have with respect to all of my assets and liabilities, whether located within or without the State of Idaho, all powers of an absolute owner, and all management and distributive powers and discretions with respect to said assets and liabilities granted by the laws of the State of Idaho to trustees with respect to trust property, and all such additional powers as are necessary or desirable for the orderly management of my assets and liabilities or to provide for my support, maintenance, health, emergencies, and necessities, and to hire professional help and consultants.

6.1 Specific Powers: By way of illustration, and without limiting the generality of the foregoing, the attorney-in-fact may exercise the following powers among others:

6.1.1 To ask, demand, sue for, recover, collect and receive all such sums of money, debts, accounts, legacies, bequests, interests, dividends, annuities and demands whatsoever, as are now or shall hereafter become due, owing, payable or belonging to me, and to have, use and take all lawful ways and means in my name, or otherwise, for the recovery thereof, by actions at law or in equity, attachments, arrest, distress, or otherwise, and to compromise and agree for the same, and to make, sign, seal and deliver acquittances, releases or other sufficient discharges for the same;

6.1.2 For me and in my name, to bargain, agree for, purchase, receive and take, lease, let, demise, bargain, sell, remise, release, convey, mortgage and hypothecate land, tenements, hereditaments or any other interest in real property, and to accept the seisin and possession of all lands or interests in real property, and all deeds, deeds of trust, mortgages, security interests in collateral and other assurances in the law therefor; to assign any mortgage; to release mortgages or reconvey deeds of trust on land; and for me and in my name, and as my act and deed, to sign, seal, execute, deliver and acknowledge such deeds, leases and assignments of leases, covenants, indentures, agreements, mortgages, deeds of trust, releases and satisfactions of mortgage, judgment and other debts, reconveyances and requests to reconvey deeds of trust and such other instruments in writing, of whatsoever kind or nature, as may be necessary or proper in the premises;

6.1.3 To bargain and agree for, buy, sell, hypothecate, and in any and every way and manner deal in and with goods, wares and merchandise, shares of stock, bonds, choses in action and all other tangible or intangible personal property, in possession or in action; to assign and transfer any promissory note or other instrument or any contract or other right that may be assigned; to grant or release security interests in such property; and for me and in my name, and as my act and deed, to sign, seal, execute, deliver and acknowledge such bills of sale, leases and assignments of leases, agreements, pledges, financing statements, hypothecations, checks, notes, receipts, evidences of debt, releases and satisfactions of security interests, judgment and other debts, proofs of claim in receiverships and estates, and such other instruments in writing, of whatsoever kind or nature, as may be necessary or proper in the premises;

6.1.4 To prepare, sign and file such tax and other returns as may be required by the State of Idaho or any other state of the United States of America, or by the United States of America or any other nation, including forms 1040, 709 and 2848 from now through 2020; to make claims for refunds thereof and to receive all such refunds to which I am entitled; and to act on behalf of the principal for any such tax matters or dealings.

6.1.5 To vote at all meetings of any corporation or corporations or any general or limited partnership or partnerships, limited liability company and otherwise to act as my representative in respect of any shares of stock, partnership interests and membership units now held or which may hereafter be acquired by me therein and for that purpose to sign and execute any proxies or other instruments in my name and on my behalf;

6.1.6 To deal with accounts maintained by me or on my behalf with financial institutions, banks, securities dealers, credit unions, savings and loan associations, mutual fund companies, which shall include the authority to maintain accounts, make deposits and withdrawals, sign checks, closeout or transfer certificates of deposits, sell or transfer stocks, bonds and other securities owned by me or in which I have an interest, and otherwise engage in all banking transactions at any and all banking institution or institutions or other financial institution that accepts deposits and allows checkwriting;

6.1.7 To execute trading authorizations, and to purchase, sell, assign and transfer securities on my behalf with such mutual fund or funds or such member firm or firms of any recognized stock exchange, such as, but not limited to, the New York Stock Exchange, as the attorney-in-fact may select or as the attorney-in-fact may delegate to a financial advisor, whether fee-based or non-fee-based, with the discretion in such advisor to make investments on behalf of the attorney-in-fact and Principal; provided that the attorney-in-fact shall not have the power to purchase securities on margin or to make short sales. My attorney-in-fact shall also be authorized to make deposits and withdrawals and to sign checks and engage in any and all other transactions with respect to any money market fund or other account that I may own or that may be established in my name with any mutual fund or with any broker;

6.1.8 To have access to any safety deposit box that may be leased by me;

6.1.9 To pay premiums on any and all life insurance policies carried by me, to borrow money on the security of the same or to surrender the same and receive the value thereof;

6.1.10 To do and transact every kind of business;

6.1.11 To hire professional help or consultants to perform services for me or my property, and to assist the attorney-in-fact in the exercise of the powers herein granted, including fee based financial advisors and counselors including the power to delegate to the financial advisor the discretion and authority to make investments on behalf of the principal;

6.1.12 To make such distributions and/ gifts from my estate as are necessary to carry out on my behalf any plan of family, personal and/or charitable gifts which I had prior to my disability or incompetence apparently established or clearly

contemplated, including bequests and devises as contemplated in my Last Will and Testament, including distributions to any then existing trust or trusts and/or distributions to my attorney-in-fact;

6.1.13 To disclaim any gift, legacy, bequest, interest or power for which a qualified disclaimer may be made under applicable federal and state law, if such disclaimer appears to be in the best interest of my estate, including disclaimers for quasi-community property interests;

6.1.14 To perform any act required for obtaining Medicaid assistance or other State or Federal entitlement program including interspousal transfers, if married; transfer of assets and gift making for eligibility purposes including distributions to my attorney-in-fact; and signing Marriage Settlement Agreements if required.

6.1.15 To establish or terminate a revocable or irrevocable trust and/or annuity for me and in my name and to transfer assets of my estate to or from that trust or annuity, with me and/or one or more members of my family, including my attorney-in-fact, as beneficiaries thereof, and designating one or more members of my family, including my attorney-in-fact, as trustee or trustees;

6.1.16 Tax Planning – In General. The Attorney-In-Fact shall have the power, though not the duty, to assess the status of the Principal's estate plan from time to time and to engage in such tax planning as may be appropriate under the circumstances. In exercising this power the Attorney-In-Fact shall give primary consideration to the Principal's continued health and well-being and shall consider the dispositive aspects of the Principal's estate plan, as reflected in the Principal's Last Will and Testament and other non-probate beneficiary designations together with the Principal's gifting patterns and stated intentions. No undertakings made pursuant to this grant of authority shall significantly alter the interests of any of the objects of the Principal's bounty.

6.1.17 Tax Planning- Specific Powers. Subject only to the criterion and limitations stated in this instrument, the Attorney-In-Fact's tax reduction powers shall include the power to disclaim any interest in property to which the Principal would otherwise succeed; the power to create such trusts, partnerships, limited liability companies, corporations or other entities as are appropriate to the exercise of this power; the power to make gifts of the Principal's assets including gifts of interests resulting from the formation of entities as herein provided.

6.1.18 HIPAA Powers. HIPAA Release Authority. My agent shall be treated as I would be with respect to my rights regarding the use and disclosure of my individually identifiable health information or other medical records. This release authority applies to any information governed by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 42 U.S.C. 1320d and 45 CFR 160 through 164. I authorize any physician, health care professional, dentist, health plan, hospital, clinic, laboratory, pharmacy, or other covered health care provider, any

insurance company, and the Medical Information Bureau, Inc. or other health care clearinghouse that has provided medical treatment or services to me, or that has paid for or is seeking payment from me for such services, to give, disclose, and release to my agent, without restriction, all of my individually identifiable health information and medical records regarding any past, present, or future medical or mental health condition, including all information relating to the diagnosis of HIV/AIDS, sexually transmitted diseases, mental illness, and drug or alcohol abuse. The authority given my agent shall supersede any other agreement that I may have made with my healthcare providers to restrict access to or disclosure of my individually identifiable health information. The authority given my agent has no expiration date and shall expire only in the event that I revoke the authority in writing and deliver it to my health care provider.

6.1.19 Personal Transactions. Notwithstanding Idaho Code §15-12-301, which prohibits an attorney-in-fact from exercising certain powers unless specifically granted in the empowering document, the authority of my attorney-in-fact shall include the following such powers:

- (a) _____ Make, amend, alter, or revoke any of my life insurance or other beneficiary designations, community property agreements, or other agreements fixing the status of community or separate property, if and to the extent that such designations and/or agreements, as thus made, amended, altered, or revoked are consistent with the balance of my estate planning documents which I executed while competent, and to transfer any and all of my assets into or out of any revocable or irrevocable inter vivos trust or trusts created by me, whether or not such trusts are now in existence and to make, amend, alter, or revoke any such trusts to the full extent as I have the power to do so;
- (b) _____ To make gifts of my property to one or more of my descendants and to continue a plan or pattern of charitable gifts which I undertook while competent; provided however, that my attorney-in-fact shall not have the power to make any gifts the impact of which would be to cause my attorney-in-fact to be deemed to hold a general power of appointment over the assets of my estate.
- (c) _____ To do all acts necessary to maintain the customary standard of living of me and my dependents, including by way of illustration and not limitation to provide such living quarters and the maintenance and operation thereof, food, clothing, medical, surgical, and dental care, and other incidentals to which I and my dependents are accustomed;
- (d) _____ To continue the discharge of any services or duties assumed by me to my family, relatives, friends, and to continue payments incidental to my membership in or affiliation with any church, club, society or other organization;
- (e) _____ To disclaim property otherwise receivable by me by way of gift,

devise, bequest or descent; and

(f) _____ Create or change a beneficiary designation: Apply for, purchase, carry, surrender (in whole or in part), convert, borrow against, designate and change beneficiaries, change ownership by gift or sale assign as collateral, change dividend and non-forfeiture options, authorize asset allocations and transfers and otherwise deal with insurance and annuity contracts, payment plan accounts, premium payment accounts, retirement or deferred compensation assets including Individual Retirement Accounts and Roth Individual Retirement Accounts and other insurance-related contracts of any kind and create or change rights of survivorship;

(g) _____ Delegate authority granted under this power of attorney;

(h) _____ Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan; or

(i) _____ Cause a trustee to make distributions of property held in trust under the same conditions that the principal could;

(j) _____ Make any other provisions for non-probate transfer at death contained in non-testamentary instruments;

6.1.20 Digital Assets. My attorney-in-fact shall have i) the power to access, use and control my digital devices, including but not limited to, desktops, laptops, tablets, peripherals, storage devices, mobile telephones, smart phones, and any similar digital device which currently exists or may exist as technology develops or such comparable items as technology develops for the purpose accessing, modifying, deleting or controlling or transferring my digital assets, ii) the power to use, access, delete, control modify and transfer use and control my digital assets, including but not limited to, my emails, email accounts, digital music, digital photographs, digital videos, software licenses, social network accounts, file sharing accounts, financial accounts, domain registrations, DNS service accounts, and web hosting accounts, tax preparation service accounts, other online accounts, and similar digital items related to my digital assets. devices, which currently exists or may exist as technology develops or such comparable items develop.

7. Medicaid: I further specifically authorize said attorney in fact to execute on my behalf any document that may be required to establish my eligibility for medical assistance under the Medicaid program or under any program that replaces or complements, in part or in whole, the Medicaid program, including the power to enter into a "Miller" or "Medigap" Trust in order that I can meet the income qualifications for any government programs including Medicaid. The Attorney in Fact shall have the authority, after consultation with the Principal's immediate family, to make any non-prohibited transfer of resources for the purpose of qualifying the Principal or the maintaining the Principal's eligibility for state or federal medical care assistance, or for limiting recovery from the Principal's estate for any such benefits received.

7A. Intent to Obviate Need for Guardianship/Conservatorship: It is the Principal's intent that the power given to the attorney-in-fact designated herein be interpreted to be so broad as to obviate the need for the appointment of a guardian for the person or conservator for the estate of the Principal. In the event the a Guardian and/or Conservator shall be appointed, it is my intent that this Durable Power of Attorney shall survive.

8. Accounting: My attorney-in-fact shall account to my heirs and any subsequently appointed personal representative for the Principal. For this purpose, the attorney-in-fact shall prepare written balance sheets on an annual basis using an accountant of his or her choice.

9. Reliance: The designated and acting attorney-in-fact and all persons dealing with the attorney-in-fact shall be entitled to rely upon this power of attorney so long as neither the attorney-in-fact nor any person with whom the attorney-in-fact was dealing at the time of any act taken pursuant to this power of attorney had actual knowledge or had received actual notice of any revocation, suspension, or termination of the power of attorney by death or otherwise. Any action so taken, unless otherwise invalid or unenforceable, shall be binding on the heirs, devisees, legatees, or personal representatives of the Principal.

10. Indemnity: The estate of the Principal shall hold harmless and indemnify the attorney-in-fact from all liability for acts done in good faith and not in fraud of the Principal.

11. Reliance on Photocopy Hereof: Third parties shall be entitled to rely upon a photocopy of the signed original hereof, as opposed to a certified copy of the same.

12. Applicable Law: The laws of the State of Idaho shall govern this power of attorney.

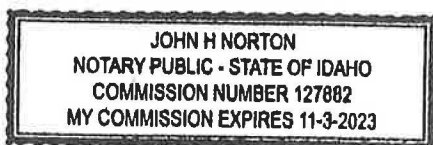
DATED this 24 day of October, 2019.

Norene Leann Bennett
Norene Leann Bennett

STATE OF IDAHO)
COUNTY OF Latah)

On this 24 day of October, 2019, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Norene Leann Bennett, known to me to be the person whose name is subscribed to the foregoing Durable Power of Attorney instrument, and acknowledged that she executed the same.

IN WITNESS WHEREOF, I have here unto set my hand and affixed my official seal, the day and year first above written.



[Signature]
NOTARY PUBLIC in and for the
State of Idaho, residing at
Moscow therein.



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN Region • 7600 N MINERAL DR STE 100 • COEUR D'ALENE, ID 83815-7763
Phone: (208)762-2800 • Fax: (208)769-2819 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

February 11, 2021

ROBERT W BENNETT
NORENE L BENNETT
5341 LENVILLE RD
MOSCOW, ID 83843

RE: Application for Permit No. 86-12055

Dear Applicants:

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

A legal notice of the application has been prepared and is scheduled for publication in the MOSCOW PULLMAN DAILY NEWS on 2/18/2021 and 2/25/2021. 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 permit.

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

Sincerely,

A handwritten signature in blue ink that reads "Tammy Alleman".

Tammy Alleman
Administrative Assistant

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, February 11, 2021 10:16 AM
To: commisioners
Cc: 'Kara Egan'; Michelle Fuson
Subject: Request for Comments on WR#86-12055

Dear Interested Agencies:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced Water Right Permit application. You can find copies of the application at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of the application(s), you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication. The deadline for comments on the applications is March 8, 2021.

Please contact the Northern Region Office at (208) 762-2800 if you have any questions regarding the Permit application.

Thank you,

Tammy

*Tammy Alleman
Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone: (208) 762-2800
Fax (208) 762-2819*

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, February 11, 2021 10:15 AM
To: legals
Subject: Legal Notice
Attachments: Legal Notice for 86-12055 & 87-12256.docx

Please publish the enclosed legal notice in the **Moscow Pullman Daily News** on the dates indicated **February 18th & February 25th, 2021** (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately. Please send a proof once you have the article ready for print for our review.

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 **March 8, 2021**. Your cooperation is appreciated.

Thank you,

Tammy

*Tammy Alleman
Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone: (208) 762-2800
Fax (208) 762-2819*

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

86-12055

ROBERT W BENNETT

NORENE L BENNETT

5341 LENNVILLE RD

MOSCOW, ID 83843

Point of Diversion L1(NENE)

S5 T38N R04W

LATAH 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: 02-01-2021

Place Of Use: DOMESTIC, STOCKWATER

T38N R04W S4 L4(NWNW)

Place Of Use: STOCKWATER

T38N R04W S5 L1(NENE)

87-12256

JAMES O'DONNELL

PO BOX 2019

REDMOND, WA 98073-2019

Point of Diversion SWNE

S9 T41N R03W

LATAH County

Source SURFACE RUNOFF

Tributary PALOUSE RIVER

Use: STOCKWATER STORAGE

01/01 to 12/31 1.5 AF

Use: FIRE PROTECTION STORAGE

01/01 to 12/31 1.5 AF

Total Diversion: 1.5 AF

Date Filed: 01-29-2021

Place Of Use: FIRE PROTECTION STORAGE, STOCKWATER STORAGE

T41N R03W S9 SWNE

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 3/8/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 2/18/2021 and 2/25/2021

MEMORANDUM

To: Water Right Permit 86-12055

From: Luke Bates *LSB*

Date: 2/2/2021

Re: Application for a Permit to Appropriate Water within the State of Idaho.

An application for permit for domestic and stockwater use in the name of Robert W. and/or Norene L. Bennett was originally received on 1/7/2019. During initial review the application was complete, but required minor corrections for the POD and POU to align to the applicant's property and map product for beneficial uses applied for. Phone and mail correspondence between Department staff and the applicants occurred in January of 2019, but no finalization of the application corrections were completed.

Several iterations of phone and email correspondence between the applicant's daughter, Peggy Leann Devereaux, occurred starting in April 2020 leading up to the Department receiving a 'corrected' version of the original application on 2/1/2021. Correspondence was added to the application for profiling purposes during ADHOC data entry for application 86-12055.

Due to the original application being complete, and needing only corrections that did not influence elements of the application that necessitate changing the priority date, the original application submission date is reflected as the priority date (1/7/2019).

Bates, Luke

From: Norms Glass <normsglass@yahoo.com>
Sent: Tuesday, August 18, 2020 2:15 PM
To: Bates, Luke
Subject: Re: IDWR Water Permit Application

I believe I have all the papers here, but I don't know what needs to be fixed.

Sorry

Peggy

On Tuesday, August 18, 2020, 7:32:46 AM PDT, Bates, Luke <luke.bates@idwr.idaho.gov> wrote:

Good morning Peggy,

No worries, I just want to help get your folks the permit they had applied for so long ago. Being new to the agency, I feel bad this one was not resolved before now. Let me know if I need to resend documents and I can do that.

v/r,

Luke Bates

Water Resource Agent

Idaho Dept. of Water Resources

Northern Regional Office

P: (208) 762-2800

F: (208) 762-2819

Luke.bates@idwr.idaho.gov

From: Norms Glass [mailto:norms.glass@yahoo.com]
Sent: Friday, August 14, 2020 9:13 AM
To: Bates, Luke <Luke.Bates@idwr.idaho.gov>
Subject: Re: IDWR Water Permit Application

Gosh, I thought this was all done. I'm not sure what is left to complete.

Sorry this has taken so long.

Peggy

On Friday, August 14, 2020, 7:33:01 AM PDT, Bates, Luke <luke.bates@idwr.idaho.gov> wrote:

Good morning,

I wanted to reach out and inquire about the incomplete water permit application we had discussed this spring; please let me know if there is anything I can do to assist in finalizing the application and get it processed. As I had discussed, Robert and/or Norene Bennett have already paid the \$100.00 fee associated with the application. Only minor changes are required and updated signatures to make the application whole.

If there is not a desire to continue the application, we can look to terminating it, and refunding the fees.

Thank you for your time,

Luke Bates

Water Resource Agent

Idaho Dept. of Water Resources

Northern Regional Office

P: (208) 762-2800

F: (208) 762-2819

Luke.bates@idwr.idaho.gov

Bates, Luke

From: Norms Glass <normsglass@yahoo.com>
Sent: Friday, April 10, 2020 8:48 AM
To: Bates, Luke
Subject: Re: IDWR Water Right Correspondence

Thanks so much. We'll be touch in after my folks get home.

Have a Great Friday.

Peggy Devereaux

On Friday, April 10, 2020, 8:30:36 AM PDT, Bates, Luke <luke.bates@idwr.idaho.gov> wrote:

Peggy,

With a power of attorney you can, but you would need to be added to the application as a representative, and a letter from parent's stating you are allowed to sign (strange added considering power of attorney to sign).

I recommend holding onto the products I've sent, review them against the original you have, and wait the couple weeks until your parents are back up here.

The important part of all this is 'wet' signatures and initials of changes, no copy/scan/fax. The final application will have to be snail mailed back into the office.

Please let me know if you have any further questions.

v/r,

Luke Bates

Water Resource Agent

Idaho Dept. of Water Resources

Northern Regional Office

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Luke.bates@idwr.idaho.gov

From: Norms Glass [mailto:normsglass@yahoo.com]

Sent: Friday, April 10, 2020 8:22 AM

To: Bates, Luke <Luke.Bates@idwr.idaho.gov>

Subject: Re: IDWR Water Right Correspondence

I have all the original paper here at my office. Also, I have power of attorney for my parents, so is this something I can do?

My parents phone# in Indio, Calif. 760-342-2129

My brother David-- cell# 208-301-0471

If you have any questions, my brother is the best contact. Our parents are in their eighties and dad is sometimes easily confused, partially because he can't hear.

David is in Calif. getting everything ready to bring our parents home in a couple weeks.

Peggy Devereaux

On Friday, April 10, 2020, 6:48:45 AM PDT, Bates, Luke <luke.bates@idwr.idaho.gov> wrote:

Good morning Peggy.

I appreciate the response.

From the last correspondence letter sent out from our office on 9 Jan 2019, below are what needed changed:

- Correct Section number on Pg. 1 line 4 of the application to read as '5'
- Correct Pg. 2 line 9 of the application to read as shown on the enclosed IDWR example... - basically this was the Place of Use section and quarter-section values were incorrect on the original application.
- Initial and date changes made above and return original to IDWR.

Now, if the original is still in possession by Robert and Norene, the changes can be made and initialed. I have sent a corrected version of the application and a map developed using the software we are required to input with for permitting. In addition to the changes needed from above, I noted the phone number for Robert and Norene was suspended, and we would like to get an updated phone number. The attached application is fillable, and I highly recommend Robert and Norene review all the contact information in steps 1 and 2 for correctness, and make changes as necessary. The map will show larger areas for place of use (POU) – it is still in the same parcel area, but a larger & less descriptive area of use. I recommend this, as often during the course of finalizing a project locations for stock tanks change, or where water is needed to be used. The larger area covers it all, then when we do field reports we narrow the area to correct usage.

Please contact me at your convenience, and I will provide you with some additional information that will assist in the completion. I will be in the office until 5 pm today.

v/r,

Luke Bates

Water Resource Agent

Idaho Dept. of Water Resources

Northern Regional Office

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Luke.bates@idwr.idaho.gov

From: Norms Glass [<mailto:nor.glass@yahoo.com>]

Sent: Thursday, April 9, 2020 5:28 PM

To: Bates, Luke <Luke.Bates@idwr.idaho.gov>

Subject: Re: IDWR Water Right Correspondence

I am Peggy Devereaux. Robert & Norene's daughter and David's sister. I sent the application. We are not sure what is needed for the correction. I will look at it tomorrow and maybe together, you can help me figure out what I need to do. My parents are snow birds and won't be back in Idaho for a couple more weeks.

Best Regards,

Peggy Devereaux

208-882-3543- wrk #

On Thursday, April 9, 2020, 4:43:16 PM PDT, Bates, Luke <luke.bates@idwr.idaho.gov> wrote:

Good afternoon Robert, Norene, and David Bennett.

I am following up on a water right application you initiated in January 2019. At that time you were working with Shaun Maxey, but I've been tasked with following up on your application.

From correspondence sent by Shaun Maxey back in January of 2019, he sent the original application back to you for corrections. That is the last correspondence I am tracking between our office and you all.

I attempted to call both numbers on the application today, and left message with David.

If possible please call me when you are available and we can discuss the status, and how to best move forward to meet your needs for this application.

Talking points:

- 1) Are you currently still interested in obtaining the water right? If NO, I can walk you through the process of recouping application fees.
- 2) If YES, I noted minor changes required by Robert and/or Norene on the original application that prevent it from being processed
- 3) IF YES, I have developed an application I can email/mail to you for review, and if it is as you want it, sign and mail back in, no additional fees required.

I look forward to assisting you with your water right application.

Respectfully,

Luke Bates

Water Resource Agent

Idaho Dept. of Water Resources

Northern Regional Office

P: (208) 762-2800

F: (208) 762-2819

Luke.bates@idwr.idaho.gov



State of 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

Website: idwr.idaho.gov • Email: northerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 9, 2018

****Time Sensitive Response Required****

Robert W. Bennett or Norene L. Bennett
5341 Lenville RD
Moscow, ID 83843

Re: Unacceptable for Filing Application for Permit (Latah parcel RP38N04W050009) (Rule 35 Application Requirements)

Dear Applicants:

Idaho Department of Water Resources (IDWR) received an Application for Permit from you on January 7, 2019 to divert water for Domestic use and Stockwater using a well (Ground Water). **The Application is currently unacceptable for filing** because the legal descriptions shown on Page 1 (Line 4) and Page 2 (Line 9 Domestic Use) do not agree with the Application Map. Your original Application and map are enclosed. IDWR personnel are not authorized to correct your Application.

Please review the enclosed IDWR information and correct your Application by completing the following steps:

- Correct the Section number on Pg. 1 Line 4 of the Application to read as '5'.
- Correct Pg. 2 Line 9 of the Application to read as shown on the enclosed IDWR Example.
- Initial and date the changes to Pg. 1 Line 4 and Pg. 2 Line 9 of the Application and return the Application and attached map to IDWR.

Please telephone IDWR if you have questions at (208) 762.2800. Your **corrected Application and fee must be received no later than February 11, 2019**. IDWR will take steps to terminate your Application, if no response is received, in accordance with Idaho Code § 42-204.

Respectfully,

Shaun M. Maxey
Sr. Water Resource Agent
Idaho Department of Water Resources, Northern Region

Enclosures: Unacceptable for filing Application and map
IDWR Application For permit Instructions.

CONVERSATION MEMO

OV- Office Visit T-Telephone M-Meeting O- Other

TO Right No. 86-12455

FROM Shaun Maxey IDWR

☐ OV ☒ T ☐ M ☐ Other _____ DATE 1/4/2019 WITH David W. BENNETT (Representative)
Telephoned Mr. Bennett (David W.) after receiving voicemail message on 2 attempts at Robert W. & Noreen's telephone # saying phone 'is suspended'. David indicated he could make necessary corrections to Application if it is letter is mailed to him. Letter mailed to David Bennett on 1/4/2019. Robert & Noreen are 'snowbirds'. Note accompanying letter asks for Robert & Noreen's alternate address.

☐ OV ☐ T ☐ M ☐ Other _____ DATE _____ WITH _____

☐ OV ☐ T ☐ M ☐ Other _____ DATE _____ WITH _____