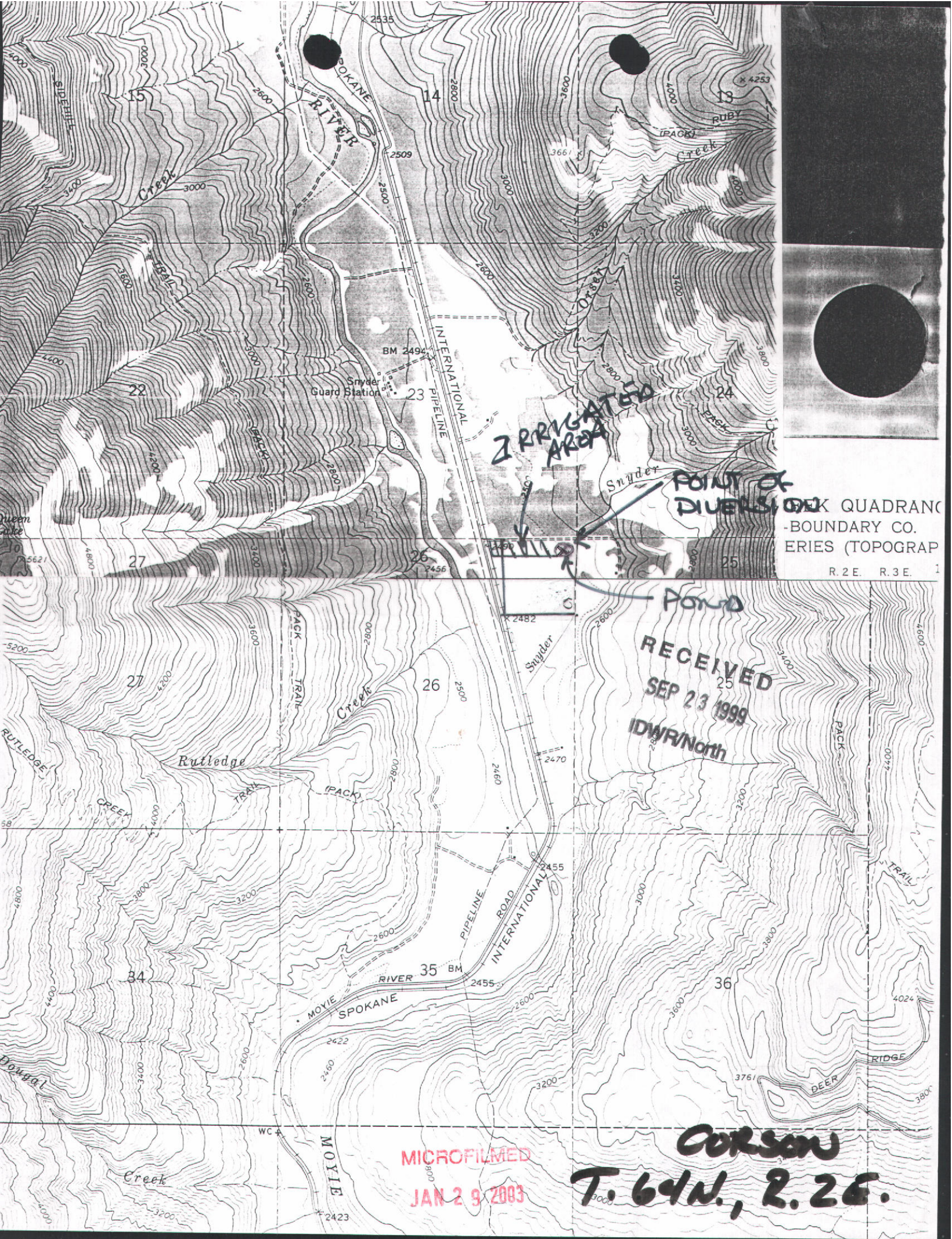




QUADRANGLE  
-BOUNDARY CO.  
ERIES (TOPOGRAPHIC)  
R. 2 E. R. 3 E. 1

RECEIVED  
SEP 23 1999  
IDWR/North

MICROFILMED  
JAN 29 2003

CORSON  
T. 64N., R. 2E.

98-07795-



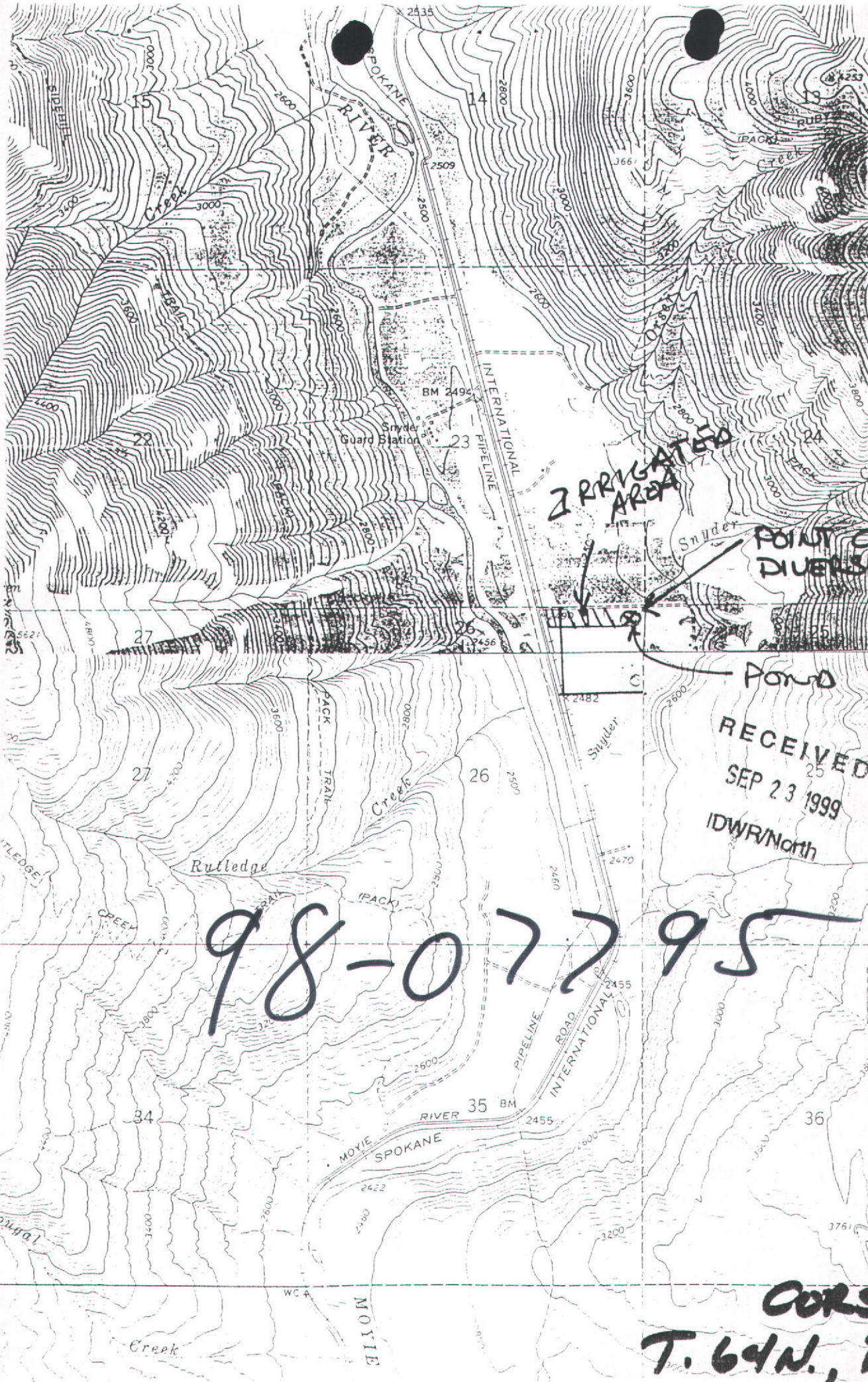
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QUADRAN  
-BOUNDARY CO.  
ERIES (TOPOGRAF

R.2E R.3E

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SEP 23 1999  
IDWR/North

98-07795

CORSON  
T. 64N., R. 2E.

RECEIVED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

JAN 23 2001  
Ket  
Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 98-07795 Telephone No. (208)-267-2174

2. Name of Permit Holder(s): Ben Corson

3. Mailing Address: HCR 61, Box 193  
City Bonnars Ferry State ID Zip 83805

4. Source of Water: Snyder Creek If GROUNDWATER (well), Date Drilled: mo. \_\_\_\_\_ / yr. \_\_\_\_\_  
Well Driller: \_\_\_\_\_ Drilling Permit Number: \_\_\_\_\_

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): \_\_\_\_\_ Stockwater (No. and type of stock): 16 head cattle and horses

Irrigation (No. of acres): 3.0 Other: (NENE 2.5<sup>A</sup>, NWNE 0.5)

6. Total rate of diversion and/or volume for which proof is submitted: 0.20 cfs OR 30.2 acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes \_\_\_\_\_ or No ✓

Has the measuring device been installed?

Yes \_\_\_\_\_ or No ✓

8. Fee Enclosed: \$ 100.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Ben Corson Telephone Number: (208)-267-2174

Address: HCR 61, Box 193 Bonners Ferry, ID 83805

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Ben J. Corson co-owner - Mojave Valley Ranch Date: Jan. 20, 2001  
(include your title, if on behalf of company or organization)

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JAN 23 2001

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 98-07795

Priority: August 23, 1999

Maximum Diversion Rate:

0.20 CFS

This is to certify, that BEN CORSON

HCR 61 BOX 193

BONNERS FERRY ID 83805

has applied for a permit to appropriate water from:

SNYDER CREEK

tributary of MOYIE RIVER

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> | <u>ANNUAL VOLUME</u> |
|-------------------------|----------------------|--------------------------|----------------------|
| IRRIGATION STORAGE      | 04/15 to 10/31       |                          | 10.0 AF              |
| IRRIGATION FROM STORAGE | 04/15 to 10/31       |                          | 10.0 AF              |
| STOCKWATER STORAGE      | 01/01 to 12/31       |                          | 0.2 AF               |
| RECREATION STORAGE      | 01/01 to 12/31       |                          | 10.0 AF              |
| DIVERSION TO STORAGE    | 01/01 to 12/31       | 0.20 CFS                 |                      |
|                         | Totals               | 0.20 CFS                 |                      |

LOCATION OF POINT(S) OF DIVERSION:

SESESE , Sec. 23, Township 64N, Range 02E  
NWNWNW , Sec. 25, Township 64N, Range 02E  
NENENE , Sec. 26, Township 64N, Range 02E  
BOUNDARY County

PLACE OF USE: IRRIGATION FROM STORAGE

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 64N        | 02E        | 26         | NENE 2.5     | NWNE 0.5     |              | 3.0          |

Total number of acres irrigated: 3.0

PLACE OF USE: STOCKWATER STORAGE

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> |
|------------|------------|------------|
| 64N        | 02E        | 26         |
|            |            | NENE       |

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before February 1, 2001.
2. Subject to all prior water rights.
3. This right authorizes a single point of diversion.
4. Water shall not be diverted under this right when flows in the Moyie River are below established minimum stream flows.
5. Stockwater storage is for 16 range cattle and horses.
6. Recreation storage is for fishing and swimming.

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JAN 29 2000

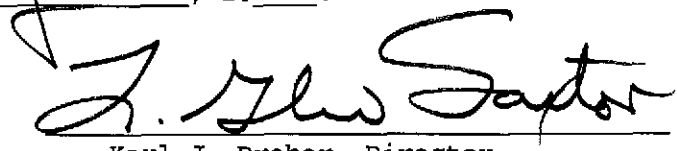
State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 98-07795

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.  
Witness the signature of the Director, affixed at Boise, this

24<sup>th</sup> day of January, 2000.

  
Karl J. Dreher, Director  
*for*



MICROFILMED

JAN 29 2003

Attn: Ken Knoblock  
RECEIVED

Ident. No. 98-07795

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR PERMIT**

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of Applicant Ben Corson Phone 208-267-2174  
Mailing address HCR 61, Box 193 Bonners Ferry, ID 83805
2. Source of water supply SYNDER CREEK which is a tributary of MOYIE RIVER
3. Location of point of diversion is Township 64 N Range 2 East Sec. 26 in the NE 1/4, NE 1/4, NE 1/4, Govt. Lot \_\_\_\_\_, B.M., Boundary County; additional points of diversion if any: Sec 23, T 64N, R 2E, BM, stock watering S E S E S E  
SEC 25, T. 64N, R. 2E, N W N W N W
4. Water will be used for the following purposes:  
 Amount 10.0 for STORAGE FOR REC. purposes from 7/1 to 12/31 (both dates inclusive)  
 (cfs or acre-feet per annum)  
 Amount 0.20 for DIVERSION TO STORAGE purposes from 7/1 to 12/31 (both dates inclusive)  
 (cfs or acre-feet per annum)  
 Amount 10.0 for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)  
 (cfs or acre-feet per annum)  
 Amount 10.0 for IRRIGATION FROM STORAGE purposes from 3/15 to 11/15 (both dates inclusive)  
 (cfs or acre-feet per annum)  
 Amount 1.2 AF for stockwater storage purposes from 1/1 to 12/31 (both dates inclusive)  
 (cfs or acre-feet per annum)  
 Amount 1.2 AF for stockwater from storage purposes from 1/1 to 12/31 (both dates inclusive)  
 (cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 1.20 and/or (b) 30.20 (10)  
cubic feet per second acre feet per annum
6. Proposed diverting works:
  - a. Describe type and size of devices used to divert water from the source Gravity flow from stream
  - b. Height of storage dam 7 feet; active reservoir capacity 10 acre-feet; total reservoir capacity 12 acre-feet
  - 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? \_\_\_\_\_
  - e. If well is already drilled, when? \_\_\_\_\_; Drilling firm \_\_\_\_\_  
Well was drilled for (well owner) \_\_\_\_\_; Drilling Permit No. \_\_\_\_\_
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
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. cattle & horses, 5-6 cows, 10 horses
  - c. Municipal; show name of municipality. \_\_\_\_\_
  - d. Domestic; show number of households. \_\_\_\_\_
  - e. Other; describe fully. Recreation use for fishing & swimming

MICROFILMED

JAN 29 2000

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.

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.

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.

[illegible]

**Total number of acres to be irrigated**

10. Describe any other water rights used for the same purposes as described above.

11. a. Who owns the property at the point of diversion? Ben Corson  
b. Who owns the land to be irrigated or place of use? Ben Corson

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make

\_\_\_\_\_ :သူရဲရည်သူရဲ

12. Remarks: THE PART OF DIVERSION IS LOCATED AT THE CORNERS

OF SECTIONS 23, 25 & 6.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Signature of Applicant (and title, if applicable)

|              |         |       |         |                      |         |
|--------------|---------|-------|---------|----------------------|---------|
| Received by  | Date    | Time  | #       | Preliminary check by | Date    |
| Received by  | 8/23/19 | 11:11 | NO13171 |                      | 8/23/19 |
| Fee \$ 50.00 |         |       |         |                      |         |

Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_  
Published in \_\_\_\_\_ 11/11/19

Publication approved \_\_\_\_\_ Date 13/6/99

Date 6/20/11 Time 1:15 Preliminary check by [Signature]

Received by \_\_\_\_\_ # \_\_\_\_\_ Date 8/23/79

Date 11/10/99 Published in Brown Ferry News 11/17/99

Time \_\_\_\_\_ Preliminary check by \_\_\_\_\_

Published in *Journal of the American Medical Association* 11/14/49

Date 13/6/99

Date 01/31/71 8/23/79

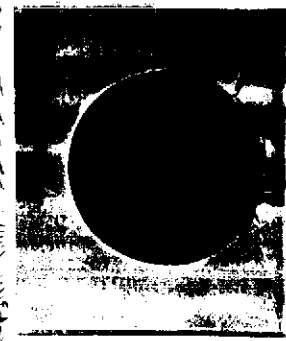
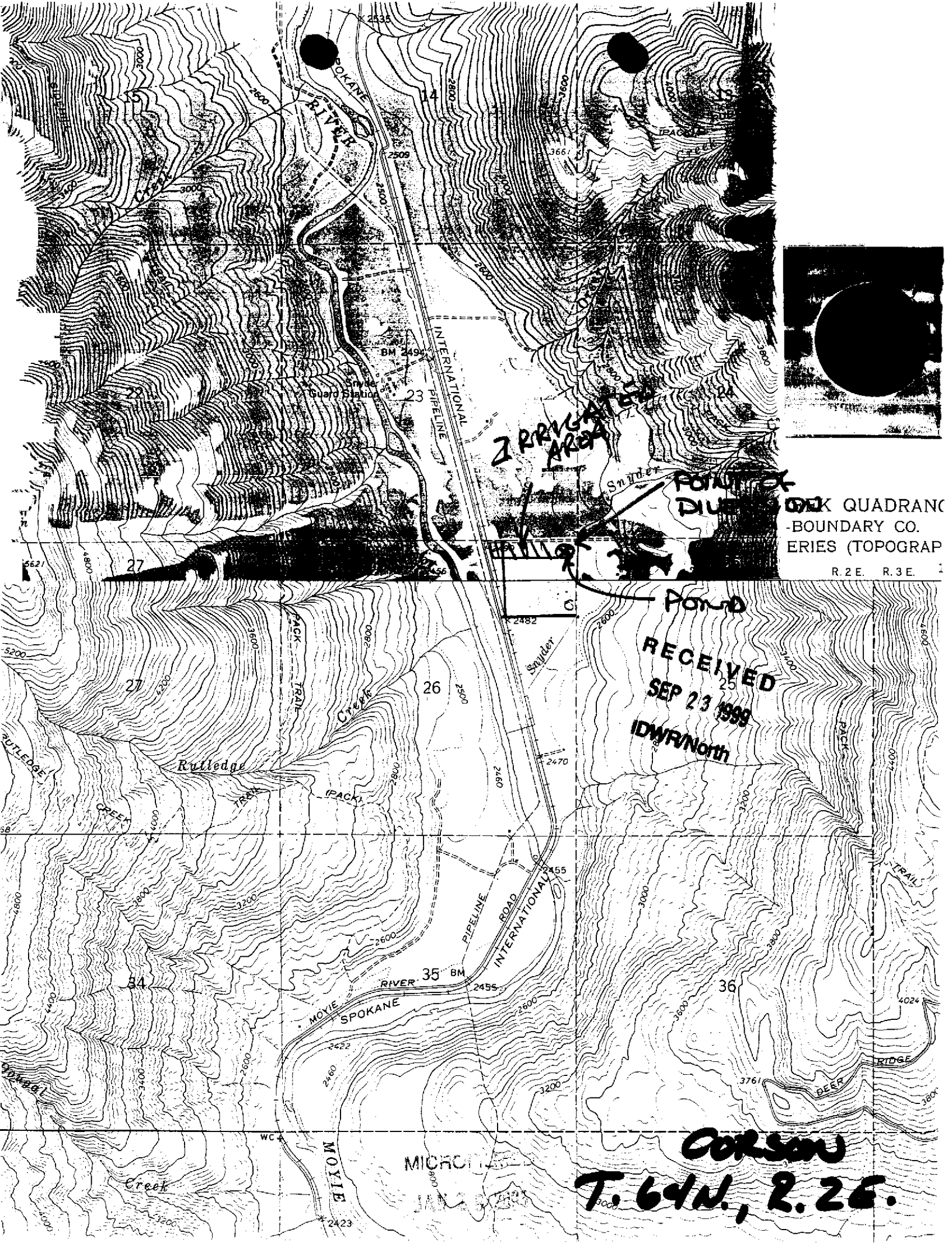
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6619

MICROFILMED

09-08-2007



QUADRANGLE  
-BOUNDARY CO.  
ERIES (TOPOGRAPHIC)  
R.2E. R.3E. 1

POND  
RECEIVED  
SEP 23 1999  
IDWR/North

CORSON  
T. 64N., R. 2E.

OCT 3 - 2001 *K*

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

## References and Resources

## A. GENERAL INFORMATION

Permit No. 98-07795

1. Owner: Den Colson Phone No. (208) 267-2174

Current Address: HCR 61 Box 193 Bonneau Ferry Id 83805

2. Accompanied by: Ben Carson EXAM DATE: 6-28-01

Address: Same as above Phone No. \_\_\_\_\_

Relationship to Permit Holder:

3. Source: Snyder Creek tributary to Boyce River

## B. OVERLAP REVIEW

1. Other water rights with the same place of use: \_\_\_\_\_

2. Other water rights with the same point of diversion:

### C. DIVERSION AND DELIVERY SYSTEM

**1. Point(s) of Diversion:**

Point(s) of Diversion: a single point of div on corner

[illegible]

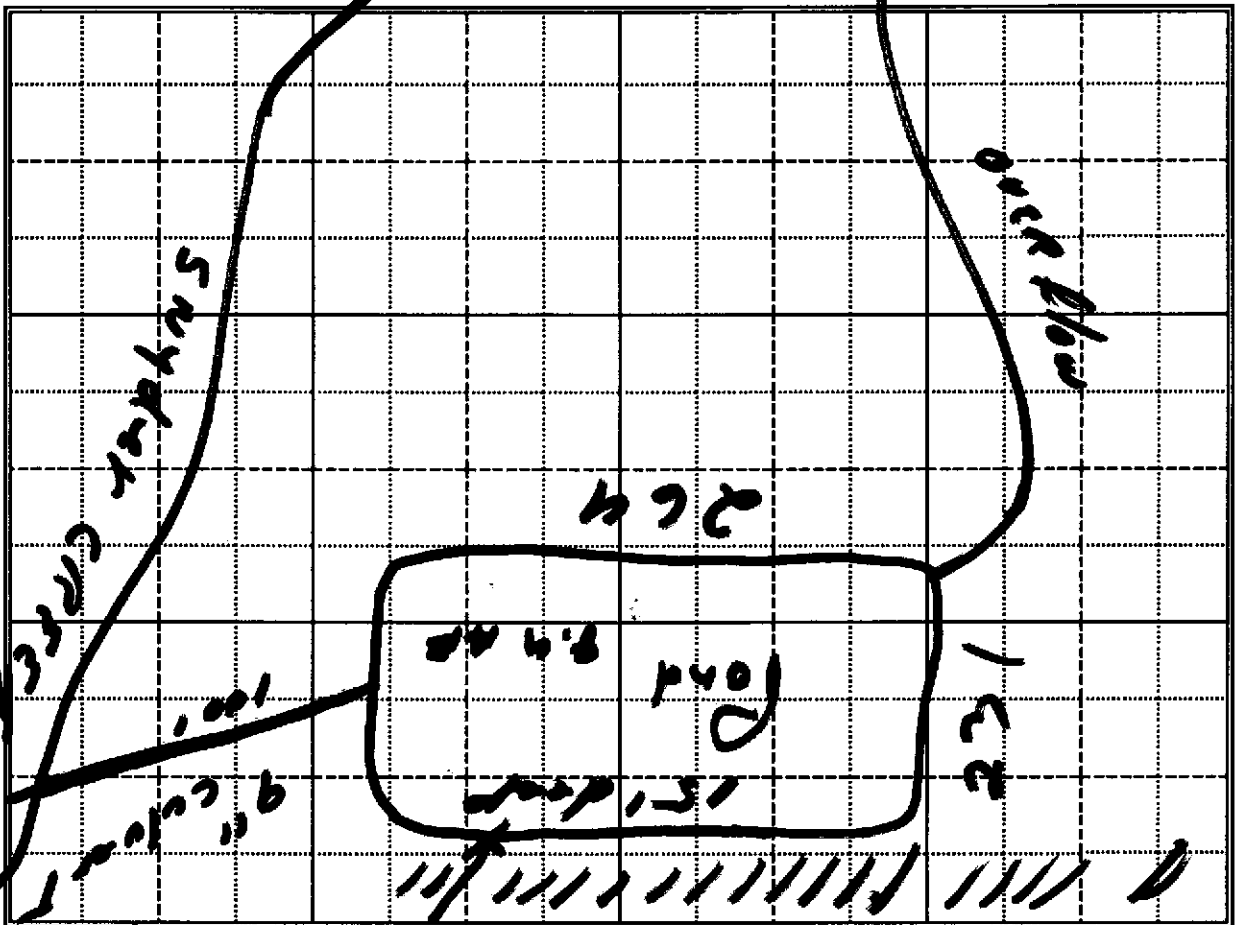
**2. Place(s) of Use:**

**Indicate Method of Determination**

[illegible]

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe I.D. as applicable.

15 ft



Scale: 1" =

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (if required).

Aerial Photo Attached of (required for irrigation of 10+ acres)

Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make   | HP  | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|--------------|-----|------------------|-----------|-----------------------------------|
|                                       | Exxon 574160 | 2.5 | NL               | NL        | 1"                                |
|                                       |              |     |                  |           |                                   |
|                                       |              |     |                  |           |                                   |

\*Code to correspond with No. on map and aerial photo

## D. FLOW MEASUREMENTS

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

## 2. Measurements:

98-07795-



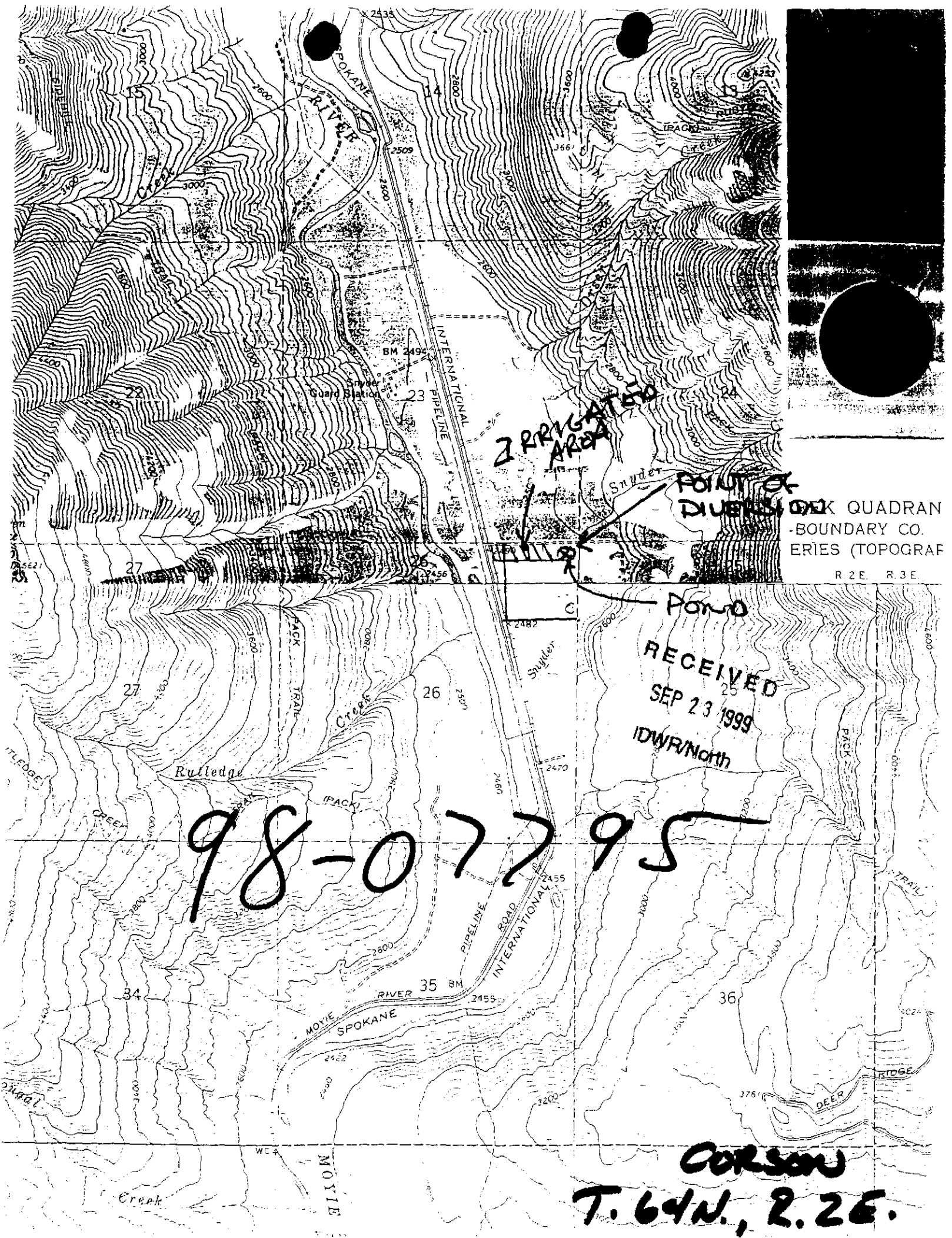
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IRR



QUADRAN  
-BOUNDARY CO.  
ERIES (TOPOGRAF  
R 2E R 3E

RECEIVED  
SEP 23 1999  
IDWR/North

98-07795

CORSON  
T. 64N., R. 2E.

E. NARRATIVE/REMARKS/COMMENTS

Diversion is gravity flow from creek to Pond.

a small gas powered pump hooked to 1" main line PVC then to 5/8" hose and portable sprinklers to irrigate 3 acres

Have conditions of permit approval been met? ☒ yes ☐ no

**Measured Method:**

Additional Computation Sheets Attached  
5 ppm on IR 545701

Spd checked at over flow with full pot  
5 gal in 6.22 = 50 ppm x .133651 = 6.675  
60

### G. VOLUME CALCULATIONS

### 1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3 \times 3 = 9$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 103 \times 199 \times 1.9835 = 11,189$$

$$V_{DR} = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 9$$

## 2. Volume Calculations for Other Uses:

$264 \times 231 \times 15 = 83160$   
 $83160 \div 4 = 20790$

## H. RECOMMENDATIONS

### 1. Recommended Amounts

## Beneficial Use

Chicago  
Longfellow from Chicago  
Blackwell Chicago  
Recreation from Chicago  
Chicago from Chicago

Period of Use

10-31

**Totals:**

### Rate of Diversion

(SIC) D

Annual Volume  
V (a1a)

## 2. Recommended Amendments

Change P.D. as reflected above

|       |                             |
|-------|-----------------------------|
| _____ | Add P.D. as reflected above |
| _____ | Add P.U. as reflected above |
| _____ | Other                       |
| _____ | None                        |

## I. AUTHENTICATION

Field Examiner's Name

Date \_\_\_\_\_

SEAL



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

January 25, 2001

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

BEN CORSON  
HCR 61 BOX 193  
BONNERS FERRY ID 83805

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 98-07795

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made meets the permitted beneficial use.

Upon review of your proof, I see that you reported that your total rate of diversion is 0.20 cfs. According to your permit that is the amount appropriated, however, you paid \$100.00 for the examination fee. The examination fee for 0.20 cfs is \$50.00, therefore, I will request that \$50.00 be refunded to you. A check will be issued by the State of Idaho in approximately 7-10 business days and mailed to you under separate cover.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **Northern** Regional Office of the department in Coeur d'Alene at (208) 769-1450. If you have any questions regarding the refund or the processing of these proofs, please contact me at (208)327-7953.

Sincerely,

Deborah J. Gibson  
Administrative Assistant  
Water Allocation Bureau

Encl.

c: IDWR - Regional Office  
Fiscal

MICROFILMED  
JAN 28 2001

## ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 98-7795

Reviewed By: dgibson

Date: January 25, 2001

|                                   | <u>Yes</u> | <u>No</u> |                                  | <u>Yes</u> | <u>No</u> |
|-----------------------------------|------------|-----------|----------------------------------|------------|-----------|
| Proof received timely?            | X          |           | Drilling permit required?        |            | X         |
| License examination fee required? | X          |           | Drilling permit No.:             |            |           |
| Appropriate fee submitted?        |            | X         | Drilling permit upgrade needed?  |            |           |
| Receipt No.:                      |            | C051987   | Well driller's report filed?     |            | X         |
| Additional Amount Due:            |            |           | Measuring device required?       |            | X         |
| Name and address same as permit?  | X          |           | Measuring device installed?      |            |           |
| Are the water uses correct?       | X          |           | Measure device waiver requested? |            |           |

### Priority Calculation

|                     |   |            |
|---------------------|---|------------|
| Date proof received |   | 01/23/2001 |
| Date proof due      | - | 02/01/2001 |
| No. of days late    | = | 0          |
| Holiday allowance   | + |            |
| Priority date       | + | 08/23/1999 |
| New priority date   | = | 08/23/1999 |

### Deficiencies of Actions Items

Acknowledge proof and refund \$50 of examination fee paid by permitholder. (Paid \$100.00)

103

# Idaho Department of Water Resources Receipt

Receipt ID C051987

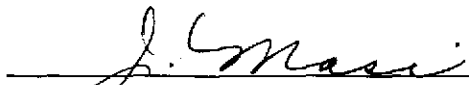
|                |          |               |                     |        |       |        |
|----------------|----------|---------------|---------------------|--------|-------|--------|
| Payment Amount | \$100.00 | Date Received | 1/23/01 11:37:25 AM | Region | State | Status |
| Payment Type   | Check    | Check Number  | 1429                |        |       |        |

Payer CORSON LINDA OR BEN

Comment WATER RIGHT # 98-07795

## Fee Detail

| Amount   | Description    | Fund | FD | PCA   | SO   |
|----------|----------------|------|----|-------|------|
| \$100.00 | BENEFICIAL USE | 0229 | 21 | 56104 | 1155 |

  
Signature Line (Dept. Representative)

MICROFILMED  
JAN 29 2003

November 30, 2000

BEN CORSON  
HCR 61 BOX 193  
BONNERS FERRY ID 83805

PROOF DUE NOTICE

RE: PERMIT NO. 98-07795

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before February 1, 2001. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

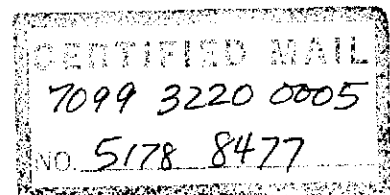
SINCERELY,

DEBORAH GIBSON  
Administrative Assistant

Enclosures

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JAN 2 5 2003





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

January 24, 2000

BEN CORSON  
HCR 61 BOX 193  
BONNERS FERRY ID 83805

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 98-07795

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script, reading 'Shelley W. Keen', written in dark ink.

Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosures

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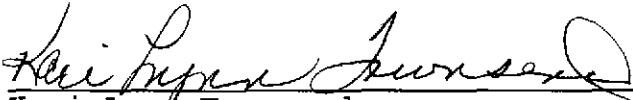
JAN 29 2000

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of **January, 2000**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved Permit)** to the person(s) listed below:

**Water Right No. 98-07795**

**BEN CORSON  
HCR 61 BOX 193  
BONNERS FERRY ID 83805**

  
Kari Lynn Townsend  
Secretary

MICROFILMED

JAN 29 2003

## Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the order. 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

### ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

JAN 29 2000

### CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

### FINAL ORDER

The Department 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 Department 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 issuance 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.

**Curtis, Sharla**

---

**From:** Graham, Bill  
**Sent:** Wednesday, January 19, 2000 1:23 PM  
**To:** Curtis, Sharla  
**Subject:** RE:

Hello Sharla -

Thanks for the reminder & sorry about the delay in responding. The standard minimum streamflow condition should suffice for this application.

BG

-----Original Message-----

**From:** Curtis, Sharla  
**Sent:** Thursday, January 13, 2000 7:50 AM  
**To:** Graham, Bill  
**Subject:**

Bill, here's one that's above the MSF on the Moyie River. As usual, can you send me a message back letting me know whether or not something extra is required besides the standard msf condition or if you have other concerns.

Thanks for your help.  
<< File: 98-07795.doc >>

**APPLICATION FOR PERMIT  
STATE OFFICE ANALYSIS**  
Reviewed by Sharla Curtis on 1/12/00

No. 98-07795 Name: Corson Corp. Officers N/A Ad ok ☒ Govt Lots ☐

AREA OF CONCERN: ☒ No/Yes ☐ Moratorium ☐ GWMA ☐ TRUST/NON-TRUST

**GROUNDWATER: (✓Flow Chart)**

**DRILLING PERMIT**

All wells - 046(P23)  
Basin 34 - 085  
Irr. w/in WD - P05  
WMD - North/East/West  
≤ 0.24 cfs/5 acres - No MD  
> 0.24 cfs/5 acres - 067  
~~WMD~~  
Supp irr (irr = only use) - 065-104  
Supp irr (+ other uses) - 100-105  
≤ 0.24 cfs/5 acres - No MD  
> 0.24 cfs/5 acres - 01M

**LOCATION:**

Boise Front LoGeo - 058 (<85 GW)  
Mitigation - 121  
42-248 Area - P84 (20s-70s, 81-86)  
Swan Falls Flag -  
Trust - 051(P74) (consumptive uses)  
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

**✓USES:**

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA  
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)  
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)  
STOCKWATER - R37 (BLM/USFS)  
MINING - 054-081(P10)  
FISH PROP - 029(70'S only)-007-042-081(P10)  
HEAT/COOL - R07(injection well)  
FIRE PROT. - 077

**BENEFICIAL USE DUE:** 2/01/2001

**MISC CONDITIONS/REMARKS:**

-Protested - 020-W19  
Development Period  
✓ ≤ 1 yr - **(P16)**  
→ 1 yr - 26A(P17)  
-Ownership - 004  
-Non-consumptive - 027  
-Water Quality - 081-R07

**✓SURFACE WATER: (✓Flow Chart)**

F&G contacted - Yes/No Response No objection  
In/Above MSF - ~~WB9~~

**PLANNING SECTION REVIEW/RESPONSE**

In-stream development - P52  
WD - R04 (WD#       )  
≤ 0.20 cfs/others - 01H(P01), 01P or No MD  
> 0.20 cfs - 01J(P08)

**SPRINGS/SINK, INACTIVE WD & REST OF STATE**

≤ 0.24 cfs/5 acres - ~~No MD~~  
> 0.24 cfs/5 acres - 01M or No MD

**RIVER BASINS: (8W special considerations)**

Snake R (01) - W22(P04), N/A  
(02,03) - 007 (w/ remark WB9 if above Weiser)  
Payette R (65) - 047(P04) (Payette Lake)  
Salmon R (70's) - 029 (fish screens)  
Weiser R (67) - 086-087

**USES:**

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)  
MUNICIPAL  
Restricted area - 022,075  
Irr., GW supp to SW - 102  
DOMESTIC  
Surface water - WB5 (Big Wood or Boise above Star Bridge)  
27A (Payette R)  
> 1/ in restricted area - 070-071-075(no parks/common areas, etc)  
Irr use listed separate - WB5  
Moratorium approvable - W03 (2400 gpd - meets domestic definition  
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32  
Subd lot desc (pd) - W59 50/16 dairy cattle & horses  
Subd lot desc (pu) - W60 25/ fishing & swimming  
Use definitions - W02 example - S/50 range  
Pre-1987 development - 068-074 (allow 120 days for proof due)  
✓ Single p/d intended - ~~076~~

**IRRIGATION SEASON** 4/15 - 10/31 (Per updated map)

**OTHER CONDITIONS/REMARKS**

**COMMENTS** No stock from storage since no div. from pond to tanks etc.

RECEIVED

JAN 07 2000

Memorandum

Department of Water Resources

Date: January 5, 2000

To: File 98-07795

From: Al Beardslee

RE: Surface water approval from Idaho Fish and Game Dept.

~~~~~  
A notice was faxed to Chip Corsi of the Panhandle Fish and Game Office on 12/13/99 that final comments would be accepted for the approval of this filing through 12/23/99. No negative reply was received from him.

MICROFILMED  
JAN 29 2000

IDAHO DEPARTMENT OF WATER RESOURCES  
APPROVAL APPLICATION ANALYSIS SHEET

RECEIVED

WR  
BCA  
WRA

JAN 7 2000

... RECEIVED

APPLICATION # 98-07795

INITIAL REVIEW

DEPARTMENT OF WATER RESOURCES

APPLICANT JAN 07 2000 CORSON

BY: AB

DATE: 1/1/

ITEMS REQUIRED BY WATER RESOURCES

1. (X) Name and Address
2. (X) Source
3. (X) Point of Diversion & County
4. (X) Quantity
  - (X) Nature of Proposed Use
  - (X) Period of Use
5. (X) Total Quantity
6. (X) Description of diverting works
7. (X) Time required for b/u
8. (X) Proposed use
9. (X) Place of use or acres irrigated
10. (X) Other water Rights
11. (X) Ownership
12. (X) Map
  - (X) Signature
  - (X) Fee (Amt, receipt, acknowledgement)

\*\*\* Send info sheet Y ( ) N ( )

ADDITIONAL INFORMATION

(Yes) (No)

- X Field check: by \_\_\_\_\_
- X Field report attached
- X Analysis Supp. attached (>5cfs/500af)
- X Water delivered by water master?
- Water District # \_\_\_\_\_

PROCESSING

(Yes) (No)

PRIORITY DATE: 8/23/99

(Include Moratorium Remark)

Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

BF/Word ok

ADVERTISE IN: Boundary County

LETTERS SENT REQUESTING:

- ( ) Dam Information ( ) Fish Information
- ( ) Power Information ( ) Other: N/A

INFORMATION RECEIVED:

- ( ) Dam Information ( ) Fish Information
- ( ) Power Information ( ) Other: N/A

GROUNDWATER SECTION

| WD Permit No.'s: | Type:                             | Fees              | Receipt No. | Upgrade Needed? |
|------------------|-----------------------------------|-------------------|-------------|-----------------|
| <u>  </u>        | Dom. <u>  </u> Non-Dom. <u>  </u> | Paid \$ <u>  </u> | <u>  </u>   | Y ( ) N ( )     |
| <u>  </u>        | Dom. <u>  </u> Non-Dom. <u>  </u> | Paid \$ <u>  </u> | <u>  </u>   | Y ( ) N ( )     |
| <u>  </u>        | Dom. <u>  </u> Non-Dom. <u>  </u> | Paid \$ <u>  </u> | <u>  </u>   | Y ( ) N ( )     |

- Groundwater management area
- Critical ground water area
- Well Drilling Permit required
- Well Drilling Application and Fees received
- Well Drilling Application approved?

Remarks: \_\_\_\_\_

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

- Notice of pending void order issued. Final order response date:   /  /
- Further information required from applicant
- Affidavit of publication received
- Application published correctly. If not, record action taken:

- Publication dates and paper recorded on application | Sr. Agent initial
- Protests received, Final protest date: 12/6/99
- Measuring device required
- Measuring port required
- Special conditions:

Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: \_\_\_\_\_

Date:   /  /

# AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Boundary,

David Keyes being first duly sworn on oath  
deposes and says that he/she is publisher  
of the Bonners Ferry Herald, a newspaper printed and  
published at Bonners Ferry, Boundary County, Idaho; that  
the said newspaper has been continuously and  
uninterruptedly published in said Boundary County during  
a period of 12 months prior to the first publication of the  
hereto attached notice of publication in the case of:

4190 Water Right

as it was published in the regular and entire issue of the  
said paper for a period of 2 consecutive weeks,  
commencing on 17 day of November, 1999  
and ending on the 24 day of November, 1999  
and that said notice was published in said newspaper.

Dated: November 24, 1999  
[Signature]

Subscribed and sworn to before me this 24 day  
of November, 1999.

[Signature]  
Notary Public for Idaho

Residing at Bonners Ferry

My Commission expires: 7/22/2002

RECEIVED  
DEC 06 1999  
IDWR/North

## NOTICE OF APPLICATION FOR WATER RIGHT

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

98-07795

CORSON, BEN  
HCR 61 BOX 193  
BONNERS FERRY, ID 83805  
Source: SNYDER CREEK

Tributary: MOYIE RIVER

Diversion Pt: SESESE Sec 23 T 64N R 02E in BOUNDARY County.  
NWNWNW Sec 25 T 64N R 02E in BOUNDARY County.  
NENENE Sec 26 T 64N R 02E in BOUNDARY County.  
Use: IRRIGATION STORAGE ( 10.00 AF)  
IRRIGATION FROM STORAGE ( 10.00 AF)  
STOCKWATER STORAGE ( 0.20 AF)  
STOCKWATER FROM STORAGE ( 0.20 AF)  
RECREATION STORAGE ( 10.00 AF)  
DIVERSION TO STORAGE ( 0.200 CFS)  
Total Diversion: ( 0.200 CFS)

Date Filed: 8/23/1999

In: BOUNDARY County

T64N R02E S26 NENE

NWNE

3.0 ACRES TOTAL

For additional information concerning the property location, call the Northern  
Regional Office at (208)769-1450.

The permit(s) will be subject to all prior water rights. Protests must be filed with  
the applicant and with the Director, Dept. of Water Resources, Northern Region,  
1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest  
fee of \$25.00 on or before DECEMBER 6, 1999.

KARL J. DREHER, Director

BFH#4190

November 17 and 24, 1999

MICROFILMED

183 2 9 2000

98-07795

CORSON, BEN  
HCR 61 BOX 193  
BONNERS FERRY, ID 83805

Source: SNYDER CREEK

Tributary: MOVIE RIVER

Diversion Pt:            SESESE    Sec 23 T 64N R 02E in BOUNDARY County.  
                          NWNWNW    Sec 25 T 64N R 02E in BOUNDARY County.  
                          NENENE    Sec 26 T 64N R 02E in BOUNDARY County.

|                         |   |            |
|-------------------------|---|------------|
| Use: IRRIGATION STORAGE | ( | 10.00 AF)  |
| IRRIGATION FROM STORAGE | ( | 10.00 AF)  |
| STOCKWATER STORAGE      | ( | 0.20 AF)   |
| STOCKWATER FROM STORAGE | ( | 0.20 AF)   |
| RECREATION STORAGE      | ( | 10.00 AF)  |
| DIVERSION TO STORAGE    | ( | 0.200 CFS) |
| Total Diversion:        | ( | 0.200 CFS) |

Date Filed: 8/23/1999

In: BOUNDARY County  
    T64N R02E S26            NENE            NWNE

3.0 ACRES TOTAL

MICROFILMED

JAN 23 2000

November 10, 1999

Ben Corson  
HCR 61 Box 193  
Bonners Ferry ID 83805

Re: Water Appropriation Application No. 98-07795

Dear Mr. Corson:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application. Enclosed for your file is Receipt Number N013171.

Your appropriation application is currently being prepared for advertising in the local county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State office in Boise.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE  
Senior Water Resources Agent

AB:db

MICROFILM

JAN 20 2000