BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 96-12431 IN THE NAME OF THE MICHAEL & DIANE CORN TRUST	))	**PRELIMINARY ORDER** **REINSTATING A PERMIT**

This matter having come before the Idaho Department of Water Resources ("Department"), the Department finds, concludes and orders as follows:

FINDINGS OF FACT

1. On March 28, 2023, the Department issued Permit No. 96-12431 ("Permit") in the name of Michael & Diane Corn Trust ("Permit Holder") authorizing the diversion of 0.03 cubic feet per second from Lake Pend Oreille for irrigation use in NE¼SW¼ of Section 29, Township 57N, Range 01W, B.M., Bonner County. A condition of permit approval required the Permit Holder to submit proof of beneficial use of water to the Department on or before April 1, 2024.

2. On January 31, 2024, the Department notified the Permit Holder by certified mail that proof of beneficial use was due and instructed the Permit Holder of the steps to be taken to submit a *Statement of Completion for Submitting Proof of Beneficial Use* ("Proof"), or a *Request for Extension of Time* ("Extension Request").

3. On April 1, 2024, the Permit lapsed because the Department had not received an acceptable Proof or Extension Request.

4. On April 10, 2024, the Department notified the Permit Holder that the Permit lapsed because no Proof or Extension Request had been received.

5. On April 19, 2024, the Department received an acceptable Proof from Permit Holder.

CONCLUSIONS OF LAW

Idaho Code § 42-218a(1) states, in pertinent part:

> A permit upon which the proof of beneficial use…, has not been submitted, or a request for extension of time has not been received on or before the date set for such proof or incremental statement, shall lapse and be of no further force nor effect… . Notice of said lapsing shall be sent by the department to the permit holder at the address of record by regular mail.

SCANNED
JAN 22 2025

Idaho Code § 42-218a(2) states, in pertinent part:

> Within sixty (60) days after such notice of lapsing the department may, upon a showing of reasonable cause, reinstate the permit with the priority date advanced a time equal to the number of days that said showing is subsequent to the date set for proof.

By submitting an acceptable Proof, the Permit Holder has shown reasonable cause why the Permit should be reinstated. The Permit should be reinstated based upon the April 19, 2024 filing date.

ORDER

IT IS HEREBY ORDERED that Permit No. 96-12431 is **REINSTATED** and the Permit's priority date is advanced to September 11, 2022.

DATED this 21st day of January, 2025.

Phill Hummer, Manager
Water Rights Section

SCANNED
JAN 22 2025

CERTIFICATE OF SERVICE

I hereby certify that on **January 23, 2025** I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER **(PRELIMINARY ORDER REINSTATING A PERMIT)** to the person(s) listed below:

RE: Preliminary Order in the Matter of Permit No. **96-12431**

MICHAEL & DIANE CORN TRUST
PO BOX 9396
YAKIMA WA 98909-0396

Jean Hersley
Technical Records Specialist II

SCANNED
JAN 22 2025

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

SCANNED
JAN 22 2025

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

RECEIVED
APR 19 2024
DEPT. OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEMENT OF COMPLETION

FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY	
Amt. of Fee $	50.00
Receipt No.	C118172
Receipted By	KM
Date Receipted	4.19.24

The Idaho Department of Water Resources considers this form a statement by the permit holder(s) that development of a water right has been **completed** and that water has been applied to beneficial use to the extent described below. **This form must be accompanied by an examination fee, when necessary, or by a completed Beneficial Use Field Report prepared by a certified water right examiner.** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, contact any Department office or visit the Department's website at **idwr.idaho.gov** for an *Assignment of Permit* form. If you wish to relinquish your permit because you have not established the authorized use of the water and are not applying for an extension, please notify the Department in writing.

1. Permit No. 96-12431 Telephone No. 509 949 3350
2. Name of Permit Holder(s) MICHAEL W CORN
3. Mailing Address P.O. Box 9396 City YAKIMA
   State WA Zip 98903 Email MIKECORN@INLINESTEEL.COM
4. Source of Water LAKE FRANCIS If **GROUND WATER** (well), Date Drilled mo. _____ / yr. _____
   Well Driller _____ Drilling Permit Number _____
5. Extent of use(s) completed **as authorized by the water right permit**:
   Domestic (No. of households) _____ Stockwater (No. and type of stock) _____
   Irrigation (No. of acres) 1 Other LESS THAN AN ACRE
6. Total rate of diversion or storage volume for which proof is submitted _____ cfs **OR** _____ acre-feet.
7. Compliance with a measuring device requirement, lockable controlling device requirement, and/or other conditions of permit: Refer to the approval conditions on your permit and respond accordingly.
   The Department will not issue a license if permit conditions are not met.

Measuring Device	**Is a measuring device required?**	Yes ☐	No ☒
	If yes, has the measuring device been installed?	Yes ☐	No ☐
Lockable Controlling Device	**Is a lockable device required to control the diversion?**	Yes ☐	No ☒
	If yes, has the lockable device been installed?	Yes ☐	No ☐
Fish Screen	**Is a fish screen required?**	Yes ☐	No ☒
	If yes, has the fish screen been installed?	Yes ☐	No ☐

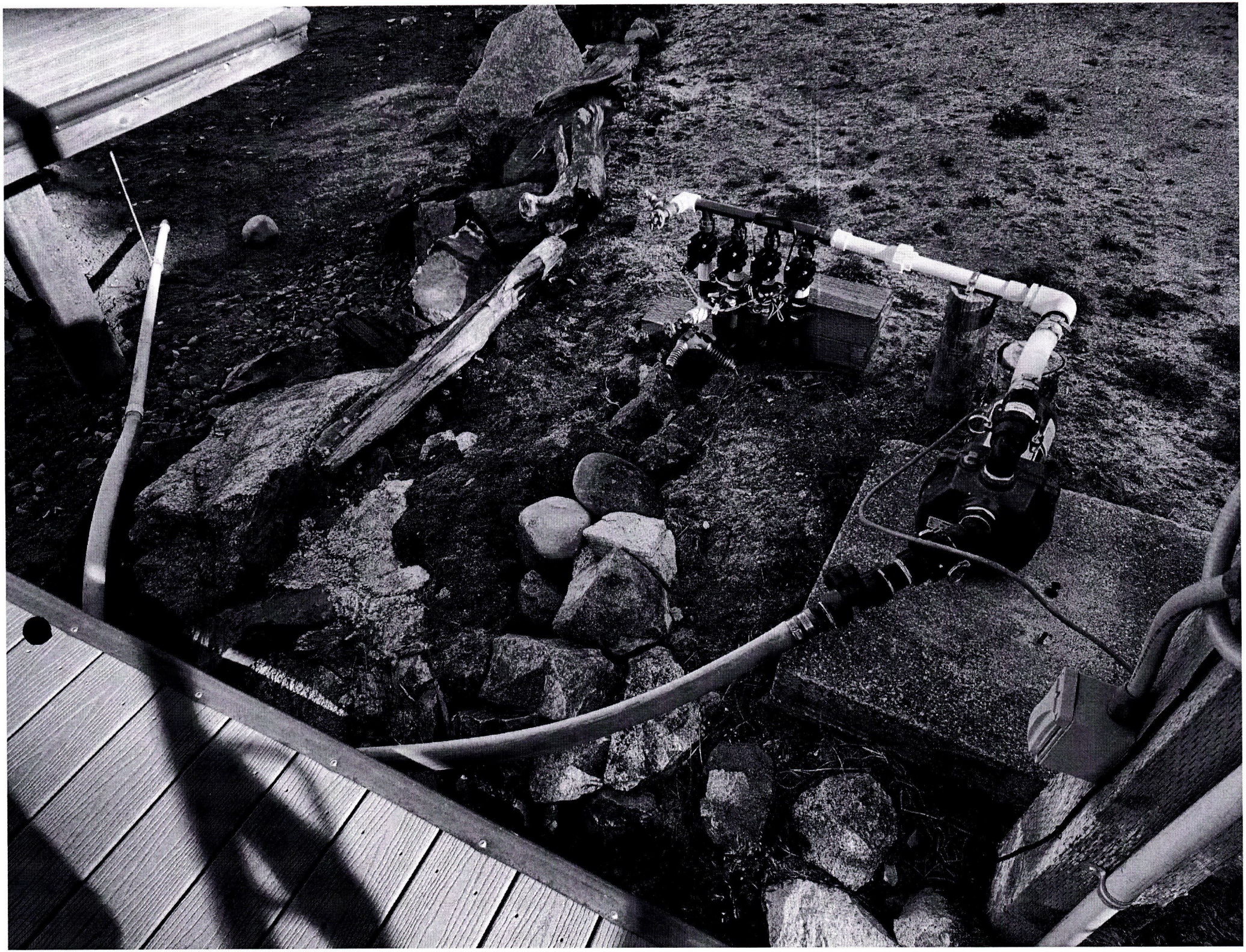
   Other Conditions of Permit
   Do the approval conditions on your permit require you to submit additional information in connection with your proof of beneficial use? If yes, list the conditions below and attach documents with the required information.
   _____ Completed? Yes ☐ No ☒
8. Fee Enclosed $ 50.00 or not applicable ☐. See fee schedule on page 2 of the instructions.
   Proof statements filed without an appropriate fee, will be considered incomplete.
9. Person to contact to accompany the Department representative during field examination of the water system.
   Name MIKE CORN Telephone Number 509 949 3350
   Mailing Address _____ City YAKIMA
   State WA Zip 98908 Email MIKECORN@INLINESTEEL.COM

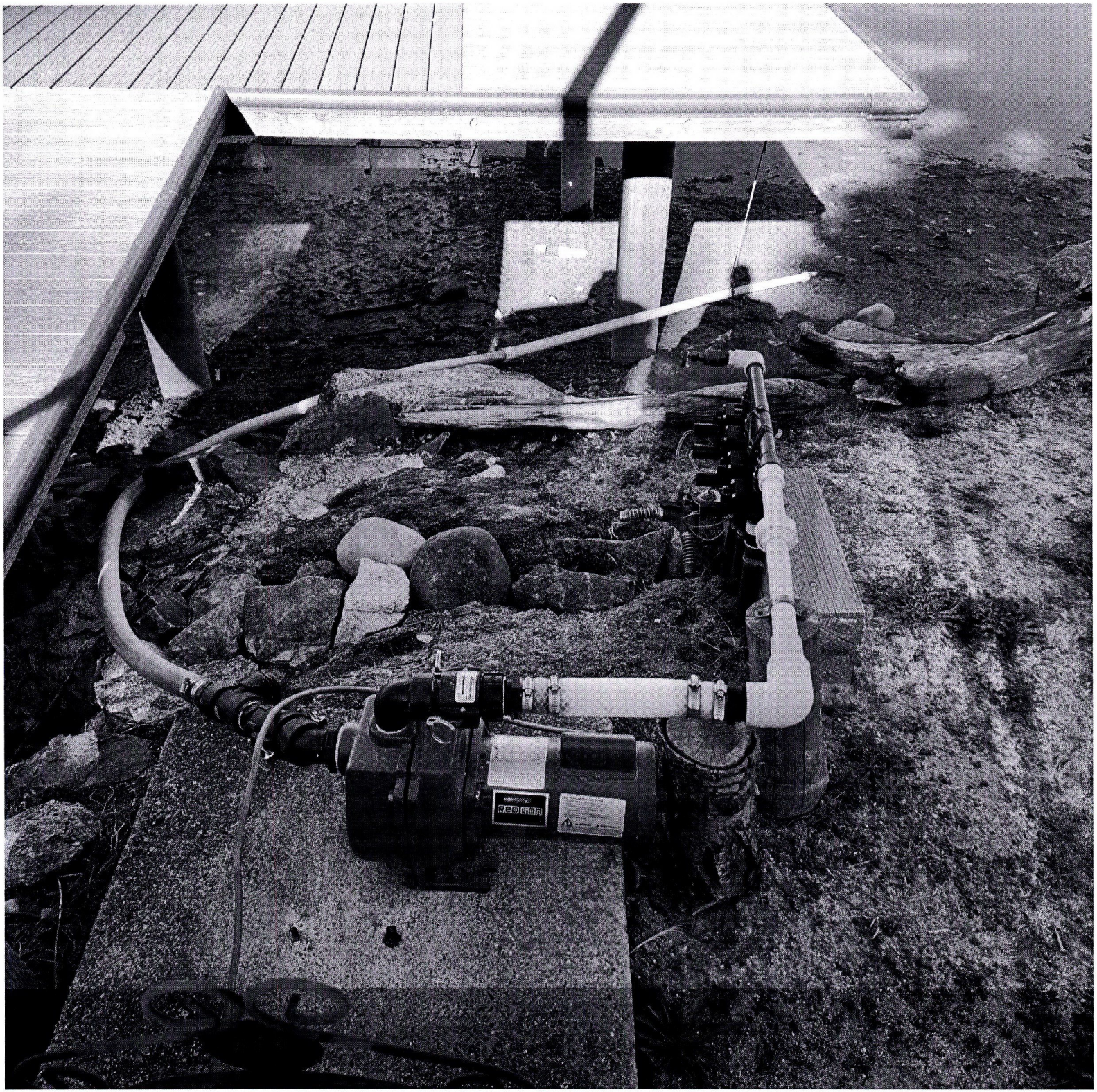
The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted and applied to a beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

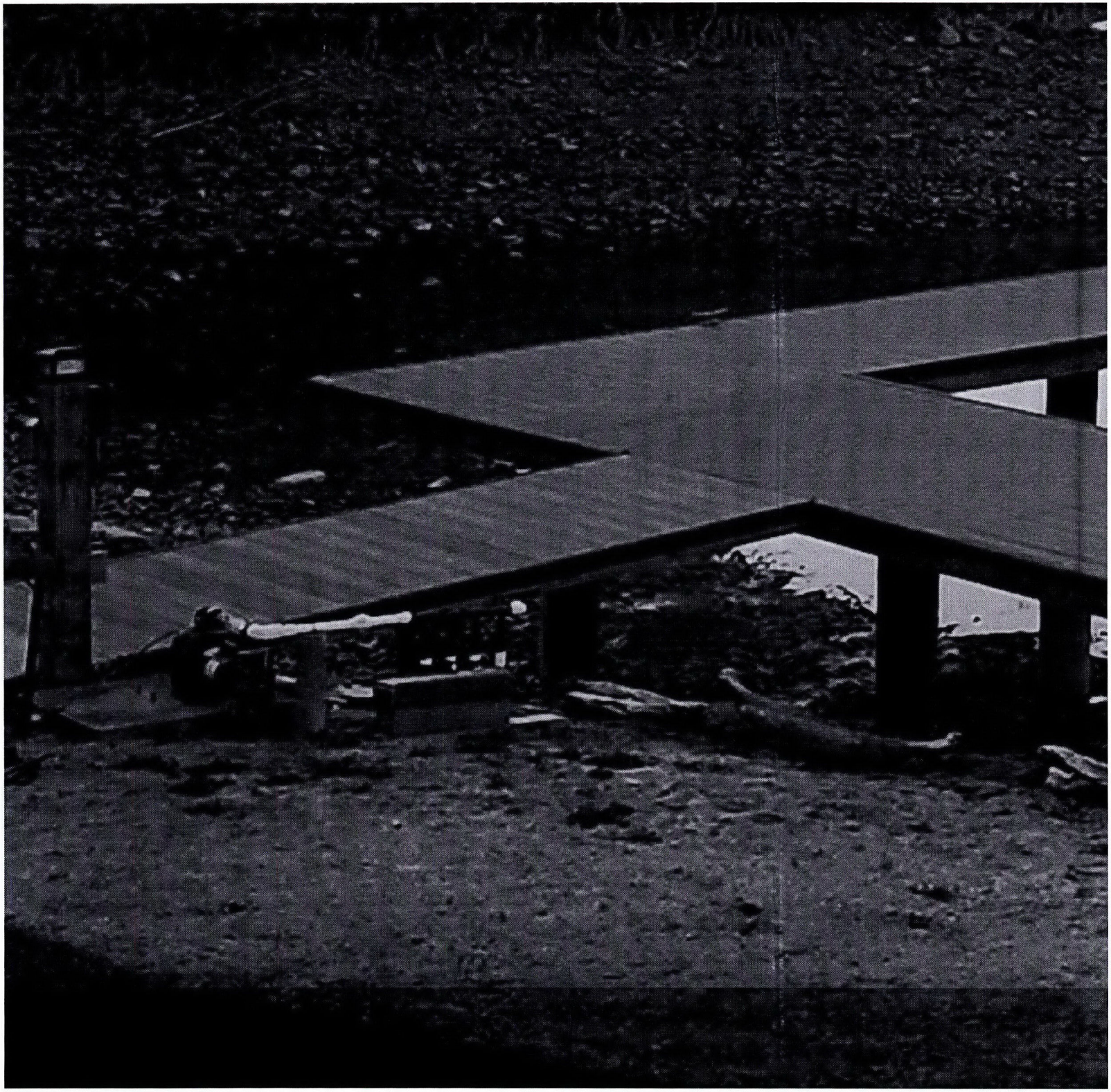
Signature of Permit Holder _____ Date 4/17/24
(Include your title, if on behalf of company or organization)

Mail to: Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098

Form No. 217 12/15




RED HEN



State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 96-12431

Priority: August 24, 2022 **Maximum Diversion Rate:** 0.03 CFS

This is to certify that

MICHAEL & DIANE CORN TRUST PO BOX 9396 YAKIMA WA 98909-0396

has applied for a permit to appropriate water from:

Source : LAKE PEND OREILLE **Tributary:** PEND OREILLE RIVER

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

Beneficial Use	Period of Use	Rate of Diversion
IRRIGATION	04/01 to 10/31	0.03 CFS

Location of Point(s) of Diversion

LAKE PEND OREILLE NE¼ SW¼, Sec. 29, Twp 57N, Rge 01W, B.M. BONNER County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	01W	29									0.7 L2								0.7
57N	01W	29									0.2								0.2

Total Acres: 0.9

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2024.**
2. Subject to all prior water rights.
3. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
4. Place of use is located within; Lots 14-15; Sourdough Point Subdivision.
5. This right when combined with all other rights shall provide no more than 0.03 cfs nor more than 2.7 afa at the field headgate for irrigation of the place of use.
6. This right does not grant any right-of-way or easement across the land of another.

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

Signed this 28 day of March, 2023.

LUKE BATES
Interim Water Rights Supervisor

SCANNED
MAR 29 2023

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

96-12431

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



SCANNED
MAR 2 9 2023

FORM 202 Rev. 09/16

86686

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED
Aug 24, 2022
DEPARTMENT OF WATER RESOURCES

Ident. No. 96-12431

1. Name of applicant(s) MICHAEL & DIANE CORN TRUST Phone 509-949-3350
   Name connector (check one): ☐ and ☐ or ☐ and/or
   Mailing address PO BOX 9396 City YAKIMA
   State WA ZIP 98909 Email MIKECORN@INLINESTEEL.COM
2. Name of representative, if any _____ Phone _____
   Mailing address _____ City _____
   State _____ ZIP _____ Email _____
   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 LAKE PEND OREILLE which is a tributary of PEND OREILLE RIVER
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
57N	01W	29			NE	SW	BONNER	LAKE PEND OREILLE	

5. Water will be used for the following purposes:
   Amount 0.03 CFS (cfs or acre-feet per year) for IRRIGATION purposes from 4/1 to 10/31 (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
6. Total quantity to be appropriated is (a) 0.03 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. SCREENED INTAKE WITH PUMP AND PIPELINE TO USE
   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? _____; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____.

For Department Use

SCANNED

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee $ _____ Receipted by _____ Receipt No. _____ Date SEP 09 2022

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. _____
   c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
   d. Domestic; show number of households _____
   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	
57N	01W	29									0.7								0.7
											GL2								
57N	01W	29									0.2								0.2

Total number of acres to be irrigated: 0.9

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 HAS EXISTING SYSTEM IN LAKE FOR IRRIGATION PURPOSES.

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.

Michael W. Corn
Signature of Applicant

MICHAEL W CORN
Print Name (and title, if applicable)

Diane M. Corn
Signature of Applicant

Diane M. Corn
Print Name (and title, if applicable)

SCANNED
SEP 09 2022

APPLICATION MAP



Legend

- Parcels
- Township/Range
- Sections
- QQ

0 0.0125 0.025 0.05 Miles

N

Created By: Adam Frederick

SCANNED
SEP 09 2022

RECEIVED
AUG 11 2022
IDWR / NORTH

Print Single Sided Only

FORM 202 Rev. 09/16

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. _____

1. Name of applicant(s) MICHAEL & DIANE CORN TRUST Phone 509 949 3350
   Name connector (check one): ☐ and ☐ or ☐ and/or
   Mailing address PO Box 9396 City YAKIMA
   State WA ZIP 98909 Email MIKECORN@INLINESTEEL.COM
2. Name of representative, if any _____ Phone _____
   Mailing address _____ City _____
   State _____ ZIP _____ Email _____
   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 LAKE POND ORFIELD which is a tributary of CLARK FORK RIVER
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
57N	1W	29					BONNER	CLARK FORK/POND ORFIELD	

SUPERSEDED

5. Water will be used for the following purposes:
   Amount .20 cfs (cfs or acre-feet per year) for IRRIGATION purposes from MARCH to NOV (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
6. Total quantity to be appropriated is (a) _____ 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 PUMP
   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? _____ drilling firm _____
   well was drilled for (well owner) _____ Drilling Permit No _____

SCANNED
SEP 09 2022

For Department Use

Received by LA Date 8-11-22 Time _____ Preliminary check by _____
Fee $ 100.00 Receipted by LA Receipt No. N040761 Date 8-11-22

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. _____
   c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
   d. Domestic; show number of households _____
   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	

? D

Total number of acres to be irrigated 1

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? NONE

11. a. Who owns the property at the point of diversion? MICHAEL & DIANE CORN TRUST
    b. Who owns the land to be irrigated or place of use? MICHAEL & DIANE CORN TRUST
    c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

SUPERSEDED

12. Describe your proposal in narrative form and provide additional explanation for any of the items above. Attach additional pages if necessary IRRIGATE LAWN & GARDEN DOMESTIC

13. Time required for completion of works and application of water to proposed beneficial use is 2 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.

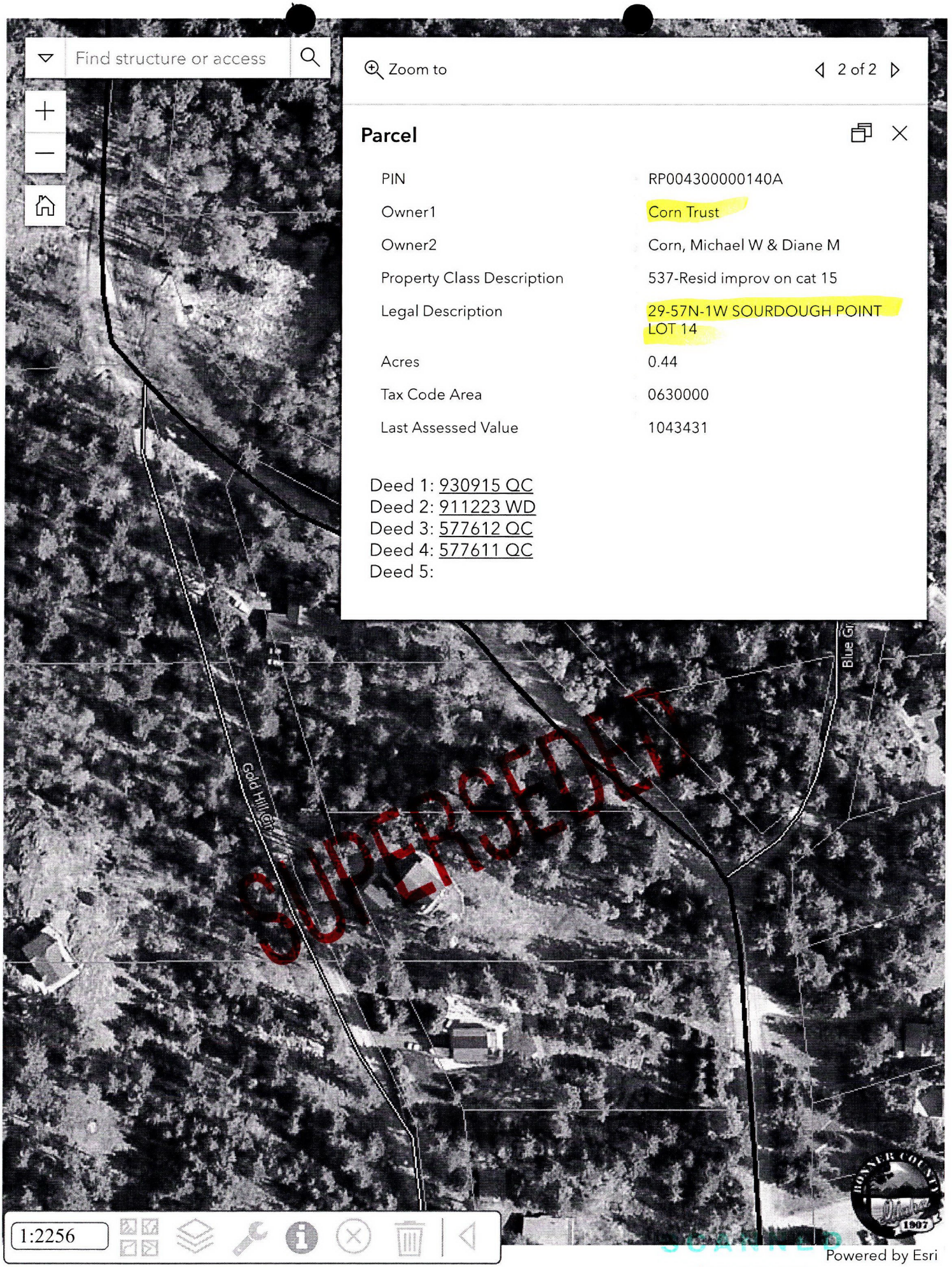
Michael M. Corn
Signature of Applicant

MICHAEL M CORN
Print Name (and title, if applicable)

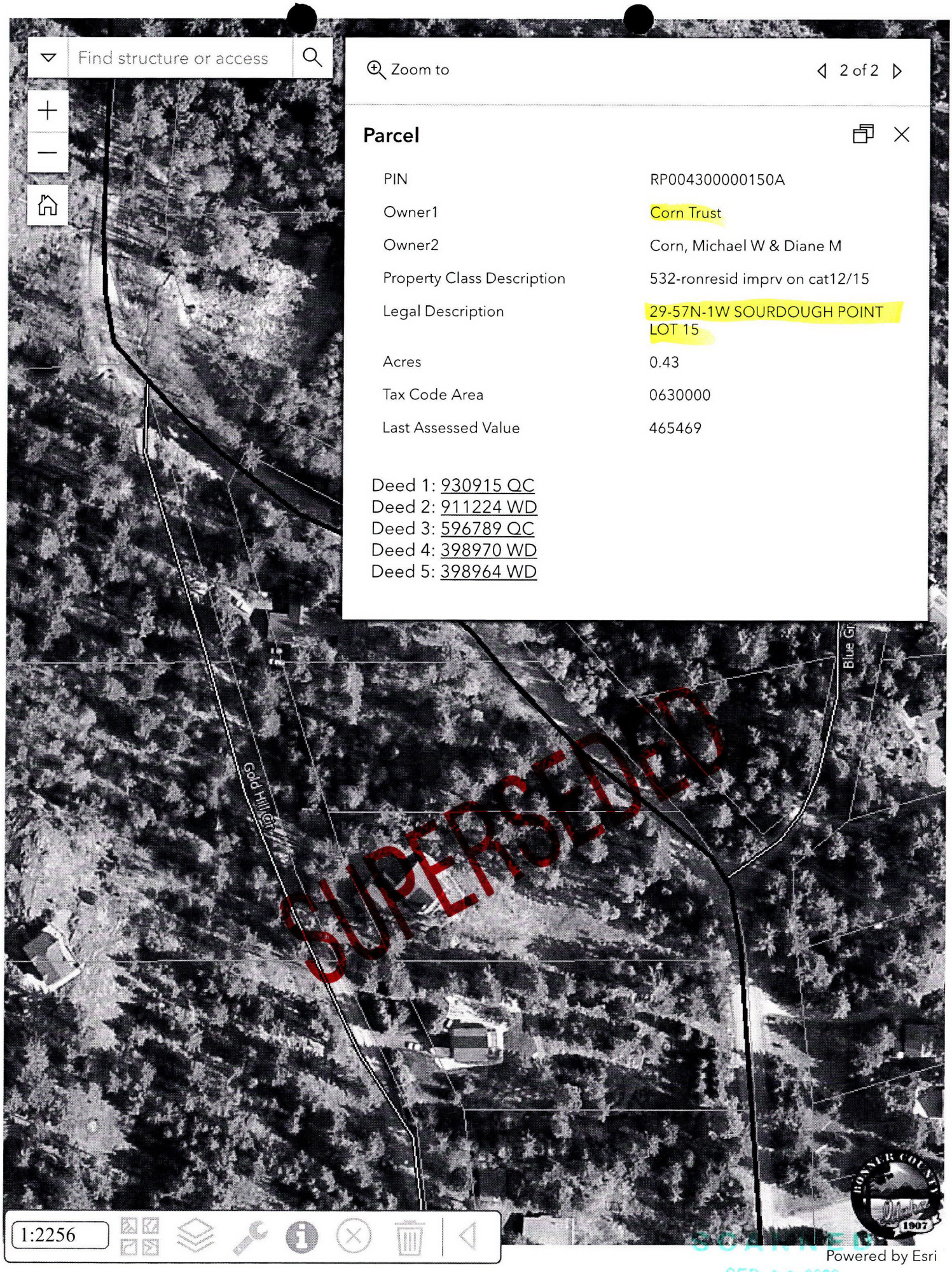
Diane M. Corn
Signature of Applicant

Diane M. Corn
Print Name (and title, if applicable)

SCANNED
SEP 09 2022



SCANNED
SEP 09 2022



SCANNED
SEP 09 2022



81 W SHORELINE LN

29-57N-1W SOURDOUGH POINT

LOT 14-15 COMBINED

SUPERSEDED

1:2256

SCANNED
SEP 09 2022

Powered by Esri

SUPERSEDED

SCANNED
SEP 09 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

January 22, 2025

MICHAEL & DIANE CORN TRUST
PO BOX 9396
YAKIMA WA 98909-0396

PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 96-12431

Dear Permit Holder(s):

The Department acknowledges receipt of the Proof of Beneficial Use form ("proof") and license examination fee for the above-referenced water right permit. Enclosed is an order that reinstates this permit since proof and the license examination fee were submitted after the proof deadline. Please note that the priority date for this permit has been advanced to **September 11, 2022**, pursuant to Idaho Code § 42-218a(2).

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 of the water according to the conditions of the permit.

Please be advised that Idaho Code § 42-248, 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 or at the Department's website at www.idwr.idaho.gov.

If you have any questions concerning the field examination, please contact the State Office of the Department located in Boise at (208) 287-4800.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)

SCANNED
JAN 22 2025

Beneficial Use Proof Evaluation

Permit Number: 96-12431 Reviewer: jhersley Review Date: 1/22/2025

Acceptability

1) Is the contact on the request the current permit holder? Yes
2) Does the address of record need to be updated? No
3) Proof Submitted Date: 4/19/2024
4) Proof Due Date: 4/1/2024
5) Days added for weekend due date?
6) Days added for holiday due date?
7) Number of days late: 18
8) Proof received timely? No

Analysis

1) Are the water uses correct? Yes
2) Are one of the following items required?
    a. Measuring Device --
    b. Lockable Device --
    c. Fish Screen -- Yes
3) Are the required items installed?
    a. Measuring Device --
    b. Lockable Device --
    c. Fish Screen --
4) Is there a request to waive the required items?
5) Drilling Permit Number:
6) Is a drilling permit upgrade needed?
7) Was a well drillers report filed?
8) Is proof accepted? Yes

Fees

1) Is a licensing exam fee required? Yes
2) Was proof submitted with an exam report from a CWE?
3) Filing fee due: $50.00
4) Filing fee submitted: $50.00
5) Remaining fee or (refund): $0.00

Receipt IDs

N040761

Comments

Proof deemed acceptable. Permit reinstated. Agent will enter proof received date at time of licensing. Hold for 14 days, then give to Jared.

Reinstate Evaluation

Permit Number: 96-12431 Reviewer: Jadams Review Date: 1/14/2025

Analysis

1) Proof/extension request received date: 4/19/2024
2) Number of days proof/extension request received late: 18
3) Was a lapsed notice sent? Yes
4) Date lapsed notice sent: 4/10/2024
5) Number of days between proof/extension request received date and date lapsed notice was sent: 9
6) Was the proof or extension request received more than 60 days after the lapsed notice was sent? ~~Yes~~ No
7) Priority date: 8/24/2022
8) New priority date: 9/11/2022
9) New status: Active

Comments

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little Director Mathew Weaver

April 10, 2024

MICHAEL & DIANE CORN TRUST
PO BOX 9396
YAKIMA WA 98909-0396

LAPSE NOTICE

RE: PERMIT NO. 96-12431

IMPORTANT: This permit has lapsed because no written response was received from you by the IDWR. Development and/or use must cease.

Dear Permit Holder(s):

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in the proof due notice dated January 31, 2024. No further construction or additional development is authorized under this permit.

If water was put to beneficial use prior to the date proof of beneficial use was due, you may file the Statement of Completion (proof) now, or if you or a previous owner of this permit have not received a prior extension of time, you may file the Request for Extension of Time (extension request) if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. You may also request an extension of time if you have been delayed by a government agency, or by litigation that brings title to the water in question.

Either an acceptable proof or an acceptable extension request must be received by this Department within sixty (60) days of the mailing of this lapse notice in order to reinstate this permit.

Please contact Amanda Veibell at 208-287-4945, if you need additional assistance.

Sincerely,

Phill Hummer, Section Manager
Water Allocation Bureau

CERTIFICATION OF MAILING
I hereby certify that on 4/10/24
a copy/an original of this document was deposited in the United States mail, postage prepaid addressed to the individual(s) named above.
AJV

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little Director Mathew Weaver

January 31, 2024

MICHAEL & DIANE CORN TRUST
PO BOX 9396
YAKIMA WA 98909-0396

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 96-12431

IMPORTANT: A response from you is required to maintain the active status of the referenced water right permit. If no response is received from you, the permit will lapse and your authorization to develop and/or use this water right will be cancelled.

Dear Permit Holder(s):

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 **April 01, 2024**. Please complete and return the enclosed Statement of Completion for Submitting Proof of Beneficial Use (proof) if you have completed the water project authorized by your permit. The proof statement must be accompanied by either the appropriate license examination fee or a field examination report prepared by a certified water right examiner.

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 delayed by a government agency or by litigation that brings title to the water in question, an extension of time may be granted if appropriate documentation is provided at the time of filing. An extension request must be accompanied by a $50.00 filing fee and signed by the appropriate authorized permit holder(s) or authorized representative with a power of attorney.

Either an acceptable proof or an acceptable extension request must be received by this department on or before the above proof due date. If neither is received, the department will send you a lapse notice and the permit will no longer be of any force or effect.

Sincerely,

Amanda Veibell

Amanda Veibell
Technical Records Specialist

Enclosure(s)

IDAHO DEPARTMENT OF
WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene, ID 83815-7763
Phone: 208-762-2800 • Fax: 208-762-2819 • Email: northerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

March 28, 2023

MICHAEL & DIANE CORN TRUST
PO BOX 9396
YAKIMA WA 98909-0396

RE: Permit No. 96-12431

Permit Approval Notice

Dear Permit Holder(s):

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

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

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

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

SCANNED
MAR 29 2023

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

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

Sincerely,

Luke Bates
Interim Water Rights Supervisor

Enclosure(s)

SCANNED
MAR 29 2023

CERTIFICATE OF SERVICE

I hereby certify that on March 28, 2023, I served a true and correct copy of Permit to Appropriate Water No. 96-12431 by U.S. Mail, postage prepaid, to the following:

MICHAEL & DIANE CORN TRUST (Current Owner)
PO BOX 9396
YAKIMA WA 98909-0396

MICHAEL CORN (Trustee)
PO BOX 9396
YAKIMA WA 98909-0396

DIANE CORN (Trustee)
PO BOX 9396
YAKIMA WA 98909-0396

Tammy Alleman
Administrative Assistant 1

SCANNED
MAR 29 2023

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

SCANNED
MAR 29 2023

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

SCANNED
MAR 2 9 2023

RECEIVED
SEP 27 2022
IDWR / NORTH

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Bonner)

Italia Jimenez, being first duly sworn on oath, deposes and states:

1. I am a citizen of the United States of America, over the age of 18 years, a resident of Bonner County, Idaho, and am not a party to the proceedings referred to in the attached Legal Notice.
My business address is P.O. Box 159, Sandpoint, Idaho.

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

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

4. The attached Notice was published in the regular and entire issue of the Bonner County Daily Bee for a period of 2 consecutive weeks, commencing on the 15th day of September, 2022, and ending on the 22nd day of September, 2022.

Italia Jimenez

State of Idaho, county of Bonner ss.
On this 22nd day of September, in the year of 2022, before me, Katrina George, Notary Public, personally appeared Italia Jimenez known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (or they) executed the same.

Katrina George
Notary Public
Residing at: Kootenai County

My Commission Expires 8/29/23

KATRINA GEORGE NOTARY PUBLIC COMM. NO. 53374 STATE OF IDAHO

SCANNED
MAR 29 2023

Legal Notice

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

96-11001
SANCTUM VENTURES PTN
151 SWAN SHORES DR
SAGLE, ID 83860-9152
Point of Diversion SENE
S10 T57N R02W
BONNER County
Source SAND CREEK
Tributary LAKE PEND OREILLE
Use: IRRIGATION
4 /1 to 10/31
Total Diversion: 0.15 CFS
Date Filed: 05-01-2022
Place Of Use: IRRIGATION
T57N R02W S10
SWNE,SENE
Total Acres: 7.6

96-12389
SHAMROCK PROPERTIES AT SANDPOINT LLC
478715 HIGHWAY 95
SANDPOINT, ID 83864-7612
Point of Diversion NESE
S3 T57N R02W BONNER County
Source SAND CREEK
Tributary LAKE PEND OREILLE
Use: IRRIGATION
4 /1 to 10/31
Total Diversion: 0.15 CFS
Date Filed: 08-23-2022
Place Of Use: IRRIGATION
T57N R02W S3
NESE,NWSE
Total Acres: 5

96-12403
JOSHUA STEBBINS
BROOKE STEBBINS
674 A ST
SANDPOINT, ID 83864-8198
Point of Diversion NESE
S25 T59N R02W
BONNER County
Source PACK RIVER
Tributary LAKE PEND OREILLE
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 08-23-2022
Place Of Use: DOMESTIC
T59N R02W S25 NESE

96-12405
JOSHUA STEBBINS
BROOKE STEBBINS
674 A ST
SANDPOINT, ID 83864-8198
Point of Diversion NESE
S25 T59N R02W
BONNER County
Source PACK RIVER
Tributary LAKE PEND OREILLE
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 08-23-2022
Place Of Use: DOMESTIC
T59N R02W S25 NESE

96-12406
JOSHUA STEBBINS
BROOKE STEBBINS
674 A ST
SANDPOINT, ID 83864-8198
Point of Diversion NESE
S25 T59N R02W
BONNER County
Source PACK RIVER
Tributary LAKE PEND OREILLE
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 08-23-2022
Place Of Use: DOMESTIC
T59N R02W S25
NESE,NWSE

96-12408
JOSHUA STEBBINS
BROOKE STEBBINS
674 A ST
SANDPOINT, ID 83864-8198
Point of Diversion NWSE
S25 T59N R02W
BONNER County
Source PACK RIVER
Tributary LAKE PEND OREILLE
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 08-23-2022
Place Of Use: DOMESTIC
T59N R02W S25
NESE,NWSE

96-12409
JOSHUA STEBBINS
BROOKE STEBBINS
674 A ST
SANDPOINT, ID 83864-8198
Point of Diversion NWSE
S25 T59N R02W
BONNER County
Source PACK RIVER
Tributary LAKE PEND OREILLE
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 08-23-2022
Place Of Use: DOMESTIC
T59N R02W S25
NESE,NWSE

96-12410
JOSHUA STEBBINS
BROOKE STEBBINS
674 A ST
SANDPOINT, ID 83864-8198
Point of Diversion NWSE
S25 T59N R02W
BONNER County
Source PACK RIVER
Tributary LAKE PEND OREILLE
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 08-23-2022
Place Of Use: DOMESTIC
T59N R02W S25
NESE,NWSE

96-12425
SELLE VALLEY PROPERTIES LLC
5453 SELLE RD
SANDPOINT, ID 83864-7560
Point of Diversion NENE
S22 T58N R01W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: COMMERCIAL
01/01 to 12/31 0.2 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Total Diversion: 0.2 CFS
Date Filed: 08-24-2022
Place Of Use: COMMERCIAL,DOMESTIC,IRRIGATION,STOCKWATER
T58N R01W S22 NENE
Total Acres: 2

96-12431
MICHAEL & DIANE CORN TRUST
PO BOX 9396
YAKIMA, WA 98909-0396
Point of Diversion NESW
S29 T57N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 08-24-2022
Place Of Use: IRRIGATION
T57N R01W S29
L2(NESW),NESW
Total Acres: 0.9

96-12488
PAMELA BATES
PO BOX 306
SAGLE, ID 83860-0306
Point of Diversion NENW
S19 T56N R01W
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.08 CFS
Date Filed: 08-29-2022
Place Of Use: IRRIGATION,STOCKWATER
T56N R01W S19 NENW
Total Acres: 2

96-12492
SALVATORE DI RAFFAELE
PHILIP DI RAFFAELE
PO BOX 1968
SANTA MONICA, CA 90406-1968
Point of Diversion SWSW
S20 T55N R02W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.08 CFS
Use: IRRIGATION
04/01 to 10/31 0.15 CFS
Total Diversion: 0.2 CFS
Date Filed: 08-29-2022
Place Of Use: DOMESTIC,IRRIGATION
T55N R02W S20 SWSW
Total Acres: 5

96-12524
WENDLEMERE WATER ASSOCIATION INC
C/O DR MARK W WENDLE
26 NORTH KULLYSPELL DR
HOPE, ID 83836-9763
Point of Diversion NENE
S14 T56N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.1 CFS
Date Filed: 08-31-2022
Place Of Use: DOMESTIC
T56N R01E S13 SWNW
Place Of Use: DOMESTIC
T56N R01E S14
L1(NENE),L2(SENE)

96-12540
GIDDINGS TRUST
163 S KOOTENAI BAY RD
SANDPOINT, ID 83864-8893
Point of Diversion L1(NENE)
S12 T57N R02W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.04 CFS
Date Filed: 09-01-2022
Place Of Use: DOMESTIC,IRRIGATION
T57N R02W S12 L1(NENE)
Total Acres: 0.5

96-12560
KINT TRUST
17 EAGEN LN
HOPE, ID 83836-9783
Point of Diversion NENENE
S21 T57N R01E
BONNER County
Source SPRING
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Total Diversion: 0.1 CFS
Date Filed: 09-01-2022
Place Of Use: DOMESTIC,IRRIGATION
T57N R01E S21 NWNE
Total Acres: 2

96-12579
DEAN MILLS
162 THUNDER RIDGE DR
WALLA WALLA, WA 99362-7762
Point of Diversion NENW
S22 T54N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 08-26-2022
Place Of Use: DOMESTIC
T54N R01W S22 L1(NENW)

SCANNED
MAR 29 2023

96-12597
RICHARD MORGAN
WILLIAM KISSEL
1687 WOODED ACRES DR
SAGLE, ID 83860-8734
Point of Diversion L3(SWNW)
S36 T57N R03W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 09-06-2022
Place Of Use: IRRIGATION
T57N R03W S36 L3(SWNW)
Total Acres: 0.8

96-12608
LUKE MC DANIEL
2461 NORSE AVE
COSTA MESA, CA 92627-1369
Point of Diversion SENW
S13 T58N R01E
BONNER County
Source FLUME CREEK
Tributary RAPID LIGHTNING CREEK
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.06 CFS
Date Filed: 08-30-2022
Place Of Use: IRRIGATION
T58N R01E S13 SENW
Total Acres: 2

96-12612
CLINT BROW
AMBER BROW
621 SUGAR MOUNTAIN RD
SANDPOINT, ID 83864-9740
Point of Diversion SESW
S16 T58N R01E
BONNER County
Source UNNAMED STREAM
Tributary RAPID LIGHTNING CREEK
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.12 CFS
Total Diversion: 0.2 CFS
Date Filed: 08-29-2022
Place Of Use: DOMESTIC,IRRIGATION,STOCKWATER
T58N R01E S16
SESW,SWSE
Total Acres: 4

96-12615
ALAN W LEAVITT
DEBORAH LEAVITT
PO BOX 398
LACLEDE, ID 83841-0398
Point of Diversion NESE
S30 T56N R03W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 09-07-2022
Place Of Use: IRRIGATION
T56N R03W S30 L6(NESE)
Total Acres: 0.4

96-12619
STEVEN M MULAWKA
BARBARA S MULAWKA
283 CROOKED EAR DR
SANDPOINT, ID 83864-9486
Point of Diversion L1(NWNW)
S7 T57N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 09-07-2022
Place Of Use: IRRIGATION
T57N R01W S7 L1(NWNW)
Total Acres: 0.5

96-12624
SCOTT DEMPSEY
DAWN DEMPSEY
500 SNUG HBR
SANDPOINT, ID 83864-6344
Point of Diversion SESW
S6 T57N R01W
BONNER County
Source BOYER SLOUGH
Tributary LAKE PEND OREILLE
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 09-07-2022
Place Of Use: IRRIGATION
T57N R01W S6 SESW
Total Acres: 0.5

96-12625
ROSEMARY WADE
PO BOX 13
CLARK FORK, ID 83811-0013
Point of Diversion SENENE
S17 T55N R03E
BONNER County
Source SPRING
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.06 CFS
Date Filed: 09-07-2022
Place Of Use: DOMESTIC
T55N R03E S17 NENE

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/WRApplicationResults/. 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 10/3/2022. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
Legal#4549
AD#560297
September 15, 22, 2022

SCANNED
MAR 29 2023

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

W.R. # 96 - 12431 APPLICATION ID # 86686 ENT. AF BCA JA OK to Publish AF

INITIAL REVIEW

APPLICANT: Michael + Diane Corn Trust BY: AF DATE: 8 / 24 / 2022

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

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

ADDITIONAL INFORMATION

(Yes)(No)

X ___ **Shape File Created** **Date** 8/24/22 **By:** AF

___ ___ Field check: by _____

___ ___ Field report attached

___ ___ Analysis Supp. attached(>5cfs/500af)

___ ___ Water delivered by water master? Water District # _____

PROCESSING

(Yes)(No) **PRIORITY DATE:** 8 / 24 / 2022

___ Y (Include Moratorium Remark)

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

ADVERTISE IN: Bonner County

Newspaper: Bonner County Daily Bee

Dates scheduled for publication 9-15-22 & 9-22-22

Affidavit of Publication received: 9-27-22

Dates actually published: 9-15-22 & 9-22-22

Application published correctly. Yes Y No ____

If not, action taken: _____

Final Date for Protest: October 3, 2022

Protests Received: Yes ____ No ____

LETTERS SENT REQUESTING:

( ) Dam Information ( ) Fish Information

( ) Power Information ( ) Other: _____

INFORMATION RECEIVED:

( ) Dam Information ( ) Fish Information

( ) Power Information ( ) Other: _____

DEQ, F+G, IDL, Board

GROUNDWATER SECTION

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
_____	_____	Dom.___ Non-Dom.___	Paid $_____	_____	Y( ) N( )
_____	_____	Dom.___ Non-Dom.___	Paid $_____	_____	Y( ) N( )
_____	_____	Dom.___ Non-Dom.___	Paid $_____	_____	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 _____

___ ___ Measuring device required

___ ___ Measuring port required

___ ___ Special conditions: _____

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

Approval Recommended by: dm Date: 02 / 15 / 2023 Sr. Agent initial _____

3 28 23 Supervisor

IDAHO DEPARTMENT OF
WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene, ID 83815-7763
Phone: 208-762-2800 • Fax: 208-762-2819 • Email: northerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 8, 2022

MICHAEL & DIANE CORN TRUST
PO BOX 9396
YAKIMA, WA 98909-0396

RE: Application for Permit No. 96-12431

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 BONNER COUNTY DAILY BEE on 9/15/2022 and 9/22/2022. 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,

Tammy Alleman
Administrative Assistant

SCANNED
SEP 09 2022

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, September 8, 2022 3:16 PM
To: IWRB Water Use Reviews; Horsmon,Merritt; Chantilly Higbee; Anna Moody; 'Mike Ahmer'
Subject: Request for Comments for 96-12431
Attachments: 96-12431 Application for Permit.pdf

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 October 3, 2022.

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

Thank you,

IDAHO DEPARTMENT OF WATER RESOURCES

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

SCANNED
SEP 09 2022

Alleman, Tammy

From: Alleman, Tammy
Sent: Thursday, September 8, 2022 12:30 PM
To: bcdblegals@cdapress.com
Subject: Legal Notice
Attachments: Legal Notice for BCBD.docx

Please publish the enclosed legal notice in the **Bonner County Daily Bee** on the dates indicated **September 15th & September 22nd, 2022** (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 **October 3, 2022.** Your cooperation is appreciated.

Thank you,

IDAHO DEPARTMENT OF WATER RESOURCES

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

SCANNED
SEP 09 2022

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

96-11001
SANCTUM VENTURES PTN
151 SWAN SHORES DR
SAGLE, ID 83860-9152
Point of Diversion SENE
S10 T57N R02W
BONNER County
Source SAND CREEK
Tributary LAKE PEND OREILLE
Use: IRRIGATION
4 /1 to 10/31
Total Diversion: 0.15 CFS
Date Filed: 05-01-2022
Place Of Use: IRRIGATION
T57N R02W S10
SWNE,SENE
Total Acres: 7.6

96-12389
SHAMROCK PROPERTIES AT SANDPOINT LLC
478715 HIGHWAY 95
SANDPOINT, ID 83864-7612
Point of Diversion NESE
S3 T57N R02W BONNER County
Source SAND CREEK
Tributary LAKE PEND OREILLE
Use: IRRIGATION
4 /1 to 10/31
Total Diversion: 0.15 CFS
Date Filed: 08-23-2022
Place Of Use: IRRIGATION
T57N R02W S3
NESE,NWSE
Total Acres: 5

96-12403
JOSHUA STEBBINS
BROOKE STEBBINS
674 A ST
SANDPOINT, ID 83864-8198
Point of Diversion NESE
S25 T59N R02W
BONNER County
Source PACK RIVER
Tributary LAKE PEND OREILLE
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 08-23-2022
Place Of Use: DOMESTIC
T59N R02W S25 NESE

96-12405
JOSHUA STEBBINS
BROOKE STEBBINS
674 A ST
SANDPOINT, ID 83864-8198
Point of Diversion NESE
S25 T59N R02W
BONNER County
Source PACK RIVER
Tributary LAKE PEND OREILLE
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 08-23-2022
Place Of Use: DOMESTIC
T59N R02W S25 NESE

96-12406
JOSHUA STEBBINS
BROOKE STEBBINS
674 A ST
SANDPOINT, ID 83864-8198
Point of Diversion NESE
S25 T59N R02W
BONNER County

SCANNED
SEP 09 2022

Source PACK RIVER
Tributary LAKE PEND OREILLE
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 08-23-2022
Place Of Use: DOMESTIC
T59N R02W S25
NESE,NWSE

96-12408
JOSHUA STEBBINS
BROOKE STEBBINS
674 A ST
SANDPOINT, ID 83864-8198
Point of Diversion NWSE
S25 T59N R02W
BONNER County
Source PACK RIVER
Tributary LAKE PEND OREILLE
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 08-23-2022
Place Of Use: DOMESTIC
T59N R02W S25
NESE,NWSE

96-12409
JOSHUA STEBBINS
BROOKE STEBBINS
674 A ST
SANDPOINT, ID 83864-8198
Point of Diversion NWSE
S25 T59N R02W
BONNER County
Source PACK RIVER
Tributary LAKE PEND OREILLE
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 08-23-2022
Place Of Use: DOMESTIC
T59N R02W S25
NESE,NWSE

96-12410
JOSHUA STEBBINS
BROOKE STEBBINS
674 A ST
SANDPOINT, ID 83864-8198
Point of Diversion NWSE
S25 T59N R02W
BONNER County
Source PACK RIVER
Tributary LAKE PEND OREILLE
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 08-23-2022
Place Of Use: DOMESTIC
T59N R02W S25
NESE,NWSE

96-12425
SELLE VALLEY PROPERTIES LLC
5453 SELLE RD
SANDPOINT, ID 83864-7560
Point of Diversion NENE
S22 T58N R01W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: COMMERCIAL
01/01 to 12/31 0.2 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS

SCANNED
SEP 0 9

Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Total Diversion: 0.2 CFS
Date Filed: 08-24-2022
Place Of Use: COMMERCIAL,DOMESTIC,IRRIGATION,STOCKWATER
T58N R01W S22 NENE
Total Acres: 2

96-12431
MICHAEL & DIANE CORN TRUST
PO BOX 9396
YAKIMA, WA 98909-0396
Point of Diversion NESW
S29 T57N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 08-24-2022
Place Of Use: IRRIGATION
T57N R01W S29
L2(NESW),NESW
Total Acres: 0.9

96-12488
PAMELA BATES
PO BOX 306
SAGLE, ID 83860-0306
Point of Diversion NENW
S19 T56N R01W
BONNER County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.08 CFS
Date Filed: 08-29-2022
Place Of Use: IRRIGATION,STOCKWATER
T56N R01W S19 NENW
Total Acres: 2

96-12492
SALVATORE DI RAFFAELE
PHILIP DI RAFFAELE
PO BOX 1968
SANTA MONICA, CA 90406-1968
Point of Diversion SWSW
S20 T55N R02W
BONNER County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.08 CFS
Use: IRRIGATION
04/01 to 10/31 0.15 CFS
Total Diversion: 0.2 CFS
Date Filed: 08-29-2022
Place Of Use: DOMESTIC,IRRIGATION
T55N R02W S20 SWSW
Total Acres: 5

96-12524
WENDLEMERE WATER ASSOCIATION INC
C/O DR MARK W WENDLE
26 NORTH KULLYSPELL DR
HOPE, ID 83836-9763
Point of Diversion NENE
S14 T56N R01E
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.1 CFS
Date Filed: 08-31-2022
Place Of Use: DOMESTIC

SCANNED
SEP 09 2022

T56N R01E S13 SWNW
Place Of Use: DOMESTIC
T56N R01E S14
L1(NENE),L2(SENE)

96-12540
GIDDINGS TRUST
163 S KOOTENAI BAY RD
SANDPOINT, ID 83864-8893
Point of Diversion L1(NENE)
S12 T57N R02W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.04 CFS
Date Filed: 09-01-2022
Place Of Use: DOMESTIC,IRRIGATION
T57N R02W S12 L1(NENE)
Total Acres: 0.5

96-12560
KINT TRUST
17 EAGEN LN
HOPE, ID 83836-9783
Point of Diversion NENENE
S21 T57N R01E
BONNER County
Source SPRING
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Total Diversion: 0.1 CFS
Date Filed: 09-01-2022
Place Of Use: DOMESTIC,IRRIGATION
T57N R01E S21 NWNE
Total Acres: 2

96-12579
DEAN MILLS
162 THUNDER RIDGE DR
WALLA WALLA, WA 99362-7762
Point of Diversion NENW
S22 T54N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.04 CFS
Date Filed: 08-26-2022
Place Of Use: DOMESTIC
T54N R01W S22 L1(NENW)

96-12597
RICHARD MORGAN
WILLIAM KISSEL
1687 WOODED ACRES DR
SAGLE, ID 83860-8734
Point of Diversion L3(SWNW)
S36 T57N R03W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 09-06-2022
Place Of Use: IRRIGATION
T57N R03W S36 L3(SWNW)
Total Acres: 0.8

SCANNED
SEP 09 2022

96-12608
LUKE MC DANIEL
2461 NORSE AVE
COSTA MESA, CA 92627-1369
Point of Diversion SENW
S13 T58N R01E
BONNER County
Source FLUME CREEK
Tributary RAPID LIGHTNING CREEK
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.06 CFS
Date Filed: 08-30-2022
Place Of Use: IRRIGATION
T58N R01E S13 SENW
Total Acres: 2

96-12612
CLINT BROW
AMBER BROW
621 SUGAR MOUNTAIN RD
SANDPOINT, ID 83864-9740
Point of Diversion SESW
S16 T58N R01E
BONNER County
Source UNNAMED STREAM
Tributary RAPID LIGHTNING CREEK
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Use: IRRIGATION
04/01 to 10/31 0.12 CFS
Total Diversion: 0.2 CFS
Date Filed: 08-29-2022
Place Of Use: DOMESTIC,IRRIGATION,STOCKWATER
T58N R01E S16
SESW,SWSE
Total Acres: 4

96-12615
ALAN W LEAVITT
DEBORAH LEAVITT
PO BOX 398
LACLEDE, ID 83841-0398
Point of Diversion NESE
S30 T56N R03W
BONNER County
Source PEND OREILLE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 09-07-2022
Place Of Use: IRRIGATION
T56N R03W S30 L6(NESE)
Total Acres: 0.4

96-12619
STEVEN M MULAWKA
BARBARA S MULAWKA
283 CROOKED EAR DR
SANDPOINT, ID 83864-9486
Point of Diversion L1(NWNW)
S7 T57N R01W
BONNER County
Source LAKE PEND OREILLE
Tributary PEND OREILLE RIVER
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 09-07-2022
Place Of Use: IRRIGATION
T57N R01W S7 L1(NWNW)
Total Acres: 0.5

96-12624
SCOTT DEMPSEY

SCANNED
SEP 09 2022

DAWN DEMPSEY
500 SNUG HBR
SANDPOINT, ID 83864-6344
Point of Diversion SESW
S6 T57N R01W
BONNER County
Source BOYER SLOUGH
Tributary LAKE PEND OREILLE
Use: IRRIGATION
04/01 to 10/31
Total Diversion: 0.03 CFS
Date Filed: 09-07-2022
Place Of Use: IRRIGATION
T57N R01W S6 SESW
Total Acres: 0.5

96-12625
ROSEMARY WADE
PO BOX 13
CLARK FORK, ID 83811-0013
Point of Diversion SENENE
S17 T55N R03E
BONNER County
Source SPRING
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.06 CFS
Date Filed: 09-07-2022
Place Of Use: DOMESTIC
T55N R03E S17 NENE

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/WRApplicationResults/. 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 10/3/2022. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director Published on 9/15/2022 and 9/22/2022

SCANNED
SEP 09 2022

Frederick, Adam

From: Frederick, Adam
Sent: Friday, August 19, 2022 1:49 PM
To: 'MIKECORN@INLINESTEEL.COM'
Subject: Corrected Application for Permit
Attachments: application-for-permit CORN TRUST.pdf; CORN TRUST.pdf

Hello,
Attached is a corrected application for permit and map for your review. If everything looks correct, please print, sign, and return to the address below or scanned as a pdf to the following email address, file@idwr.idaho.gov. Once we receive the signed corrected application for permit, we can proceed onto advertising. If you have any questions, feel free to call or email me.

Thanks,
Adam

Adam Frederick | Water Rights Supervisor
Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone: (208) 762-2800

SCANNED
SEP 09 2022