

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 90540**

This is to certify that: CANDACE LISENBEE AND/OR
DAVID LISENBEE
1371 EVERGREEN RD
DE SMET, ID 83824

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
87-11045	WR/DECREED	12/31/1918	0.040 cfs	N/A	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
87-11045	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
87-11045	87-11045	0.040 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.040 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 15th day of September, 2020.

Michelle Richman, Northern Regional Manager

Transfer No. 90540

WATER RIGHT NO. 87-11045
As Modified by Transfer No. 90540

In accordance with the approval of Transfer No. 90540, Water Right No. 87-11045 is now described as follows:

Right Holder: DAVID LISENBEE AND/OR
CANDACE LISENBEE
1371 EVERGREEN RD
DE SMET, ID 83824

Priority Date: 12/31/1918

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
DOMESTIC	01/01	to 12/31	0.040 cfs 0.040 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENE	Sec 18 Twp 43N Rge 05W LATAH County
GROUND WATER	NENE	Sec 18 Twp 43N Rge 05W LATAH County

PLACE OF USE: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
43N	05W	18	X																

CONDITIONS OF APPROVAL

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Idaho Code § 42-1412(6).
2. The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. The quantity of water under this right shall not exceed 13,000 gallons per day.
4. Domestic use is for 1 home.
5. Parcel No. RP43N05W180598
6. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 90540

WATER RIGHT NO. 87-11045
As Modified by Transfer No. 90540

CONDITIONS OF APPROVAL

8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. This right does not grant any right-of-way or easement across the land of another.

Candice Lisenbee and/or David Lisenbee

Attachment to Transfer # 90540

Right 87-11045

This map depicts the DOMESTIC 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.



- Point of Diversion
- Place Of Use Boundary
- Townships
- Sections
- Quarter Quarters



0 0.04 0.09 0.14 0.18 Miles



Imagery: 2023 Aerial Photography
Prepared By LBates



IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little

Director Mathew Weaver

September 01, 2026

DAVID LISENBEE
1371 EVERGREEN RD
DE SMET ID 83824

CANDACE LISENBEE
1371 EVERGREEN RD
DE SMET ID 83824

Re: Transfer No: 90540
Water Right No.: 87-11045
Transfer Approval Notice

Dear Water Right Holders:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) 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 by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action 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 Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 762-2803.

Sincerely,

A handwritten signature in blue ink that reads "Michelle Richman". The signature is written in a cursive, flowing style.

Michelle Richman
Northern Regional Manager

Enclosure

CERTIFICATE OF SERVICE

I hereby certify that on September 01, 2026 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 90540

Water Right No(s): 87-11045

**DAVID LISENBEE
1371 EVERGREEN RD
DE SMET ID 83824**

**CANDACE LISENBEE
1371 EVERGREEN RD
DE SMET ID 83824**



Micki Bowman

Administrative Assistant I

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

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

PETITION FOR RECONSIDERATION

(See Idaho Code § 67-5243(3))

Any party may file a petition for reconsideration of this preliminary order with the Department within fourteen (14) days of the service date of this order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The presiding officer 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.

PETITION FOR REVIEW (EXCEPTIONS)

(See Idaho Code § 67-5245)

Within fourteen (14) days after: (a) the service date of this preliminary order, (b) the service date of a denial of a petition for reconsideration of this preliminary order, or (c) the failure within twenty-one (21) days of the presiding officer to act on a petition for reconsideration of this preliminary order, any party may petition the Director in writing to review any part of this preliminary order by filing exceptions, and any supporting brief, with the Department.¹ Any parties opposing the exceptions shall have fourteen (14) days from the service date of the exceptions to file a brief. If the Director determines that oral argument is to be heard, the Director will provide reasonable notice to the parties of the place, date, and hour for the argument.

The Director will issue a final order on exceptions within fifty-six (56) days of receipt of the written briefs or oral argument, whichever is later, unless extended for good cause. The Director may remand the matter for or hold an evidentiary hearing if further factual development of the record is necessary before issuing a final order.

REQUEST FOR HEARING

(See Idaho Code § 42-1701A(3))

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 Idaho Code § 42-1701A(3). A written petition to the Director contesting the preliminary order and requesting a hearing must be filed with the Department

¹ The Director may decide to review this preliminary order upon his own motion. Should the Director decide to do so, the Director will provide written notice to the parties within the period the parties are allowed to petition the director for review of the preliminary order.

by any aggrieved person **within fifteen (15) days after service of this preliminary order.**

CERTIFICATE OF SERVICE
(See IDAPA 37.01.01.053, 37.01.01.202)

All documents filed with the Department in connection with a petition for reconsideration, petition for review, or a request for hearing of this preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 53 and 202.

MEMORANDUM

Date: August 28, 2026
To: Transfer 90540
From: Luke Bates JSB 8/28/2026
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes adding a new groundwater well POD to the Right Holder's current water system for Right 87-11045.

Authority to File:

The applicant, David Lisenbee, is listed as the current owner of the Right being transferred according to IDWR records. Application adds spouse Candace Lisenbee as a right holder. The application was signed by David Lisenbee.

Water Right Validity:

The water right is valid and has been Decreed as part of the Palouse River Basin Adjudication process.

Injury to Other Water Rights:

Injury is not anticipated.

Enlargement of Use:

None; the added groundwater well shall serve as primary, and the original POD ground water well shall be maintained for redundancy purposes. During transfer approval processing conditions 046, T07, T08, and 004 were added to Right 87-11045.

Local Public interest:

No negative issues anticipated.

Beneficial Use/Conservation of Water Resources:

Proposed use is recognized as a beneficial use of water.

Effect on the Economy of the Local Area:

The new well will ensure a safe drinking water source for future use by right holders is secured.

Effect on Agricultural Base of the Local Area:

None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

NEWS REVIEW PUBLISHING COMPANY

The Moscow-Pullman Daily News

P.O.Box 957

Lewiston, Idaho 83501

(208) 743-9411

Date:

08/13/2026

INVOICE NO.

205490

Account No.

964750

Description

205490 NOTICE O**LEGAL ADVERTISING
INVOICE**

Times

2

Lines

64

Tab. lines

\$ 197.20**RECEIVED****AUG 24 2026**

PO#

Bowman, Micki

Sold To: IDAHO DEPT OF WATER RESOURCES
7600 MINERAL DRIVE SUITE 100
COEUR D' ALENE ID 83814

IDWR / NORTH

NOTICE: This is a invoice of Purchase made by you. Statement will be rendered the first of the month
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

S KELLAM, Legal Clerk being first duly sworn, on oath deposes and says; I am a printer and publisher of the Moscow-Pullman Daily News and DNews.com, a newspaper and affiliated website of general circulation, published at Moscow, Latah County Idaho, in compliance with Sections 60-106, 60-107, and 60-108 of the Idaho Code and the amendments thereto; an official newspaper for Whitman County, Washington as required by R.C.W. 36.72.071 and other provisions of the Revised Code of Washington and the amendments thereto; that the notice of which the annexed is a full, true and correct printed copy was published in the regular and entire issues of said newspaper, and not in a supplement thereto, as well as the websites idahopublicnotices.com and wapublicnotices.com, upon the following date(s):

Print Publication Dates: 08/06/2026, 08/13/2026

the same being the date designated for the publication of said notice.

Skellam

On this 17 day of Aug in the year of 2026, before me, a Notary Public, personally appeared Skellam, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that (s)he executed the same.

Rucinto
Notary Public in and for the State of Idaho,
residing at Lewiston, Idaho therein.
Commission Expires 12/31/28



1118 F St, Lewiston, ID 83501
(208) 799-4370



Brad Little, Governor
Jess Byrne, Director

August 4, 2026

Idaho Department Water Resources
7600 N Mineral Dr. Suite 100
Coeur d'Alene, Idaho 83815

Subject: Water Right Transfer 90540

Dear Idaho Department of Water Resources:

The Idaho Department of Environmental Quality (DEQ) received a request for comment along with a copy of a transfer application. The application is to add a second well to the existing domestic water right 87-11045. The point of diversion is located in Township 43N, Range 5W, and Section 18. Assuming all federal, state, and local permits have been obtained, regulations met, and reviews completed, DEQ offers the following comment.

Because we assume any water of the State which occurs beneath the surface of the earth in a saturated geological formation of rock or soil to be groundwater (Idaho Code 58.01.02.010.45), we assume there to be hydrologic gradient connectivity to surface waters of the State. It is the policy of the State of Idaho Ground Water Management Plan that existing and projected beneficial uses of groundwater and interconnected surface water be maintained and protected and degradation that would impair beneficial uses of groundwater and interconnected surface water not be allowed.

Thank you for the opportunity to comment on your application. If you have any questions regarding the Idaho Water Quality Standards, please call (208) 799-4370, or by email at jenna.fortier@deg.idaho.gov.

Sincerely,

A handwritten signature in cursive script that reads "Jenna A. Fortier".

Jenna Fortier
Water Quality Manager

c: David and Candace Lisenbee
EDMS

Bowman, Micki

From: Jenna Fortier
Sent: Tuesday, August 4, 2026 4:04 PM
To: Bowman, Micki
Cc: lisenbeefarms@gmail.com
Subject: RE: Water Right Transfer 90540
Attachments: Water Right David and Candace Lisenbee 08-04-2026.pdf

Hi Micki,

Attached is DEQ's comment for WR Transfer 90540.
Please let me know if there are any questions.

Thank you,
Jenna



Jenna Fortier
Regional Water Quality Manager
Idaho Department of Environmental Quality
1118 F Street, Lewiston, Idaho 83501
P: (208) 799-4370 | C: (208) 739-2187
www.deq.idaho.gov

From: Bowman, Micki <Micki.Bowman@idwr.idaho.gov>
Sent: Wednesday, July 29, 2026 10:09 AM
To: Sujata Connell <Sujata.Connell@deq.idaho.gov>; Jenna Fortier <Jenna.Fortier@deq.idaho.gov>
Subject: Water Right Transfer 90540

Dear Interested Party:

The Department of Water Resources (Department) is notifying you of an Application for Permit that may be of interest to you. A full description concerning property location may be found at: <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>.

David Lisenbee & Candace Lisenbee have filed Application for Transfer 90540.

If you desire to file a formal protest against approval of the application, a written protest along with the \$25 protest fee for each application protested must be received by August 24, 2026. Notice of Protest forms are available on our website, www.idwr.idaho.gov.

Please contact the Department's Northern office at (208) 762-2800 if you have any questions regarding the application.

Micki Bowman | Administrative Assistant 1
Idaho Department of Water Resources