



IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little

Director Gary Spackman

June 23, 2022

MC CANN LAND CO
C/O GARY SNYDER
1824 17TH AVE
LEWISTON ID 83501

RECEIVED

JUN 29 2022

IDWR / NORTH

RE: Water Right Permit No. 85-15743

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit(s) referenced above prior to issuing water right license(s). By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit.

The examiner who verified your water use reported that certain elements of the permit(s) have been developed differently than described on your permit(s). Changes that do not increase the authorized use of water under the permit(s) can be requested and approved in accordance with Idaho Code § 42-211. Before license(s) can be issued, your permit(s) must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit(s):

 X Point(s) of Diversion - Approved Permit authorized development of a pond dam POD in Government Lot **L15**, **NW** $\frac{1}{4}$ **SE** $\frac{1}{4}$ **NE** $\frac{1}{4}$ of Sec. 23, Twp 33N, Rge 03W. At time of beneficial use field examination, the Corral Pond dam POD was found to be located in Government Lot **L16**, **SW** $\frac{1}{4}$ **SE** $\frac{1}{4}$ **NE** $\frac{1}{4}$ of Sec. 23, Twp 33N, Rge 03W.

The enclosed Application for Amendment form(s) depicts the elements of the water right(s) as they will appear on the license(s) when issued. Please review the amendment form(s) carefully. If you concur with the information presented, **please sign and return the form(s) with the filing fee of \$100.00 within fourteen (14) days.**

If you have any questions, please call me at (208) 762-2817.

Sincerely,

Luke Bates

Enclosure(s): Application for Amendment w/Map(s) & copy of Permit w/Maps



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

Governor Brad Little

Director Gary Spackman

June 23, 2022

MC CANN LAND CO
C/O GARY SNYDER
1824 17TH AVE
LEWISTON ID 83501

RE: Water Right Permit No. 85-15743

Dear Permit Holder(s):

I met with Russel Snyder on June 9th, 2022 to conduct a beneficial use field examination for Permit 85-15743. During the exam I observed one of the two ponds permit approved for development to be constructed in a different location than initial application maps illustrated, as well as being developed using a different source of water than permit approved to develop.

The pond, know as "Camp" pond, located in Government Lot L23, NW¼SW¼ of Sec. 23, Twp 33N, Rge 03W was permit approved for development using a **spring** source tributary to sinks. The application map provided by the applicant at time of submission showed the pond to be located in the SW corner of Government Lot L23. Review of USGS mapping software show there are no streams designated in this location, which makes development of a spring source reasonable by the applicant.

At time of exam the pond was found to be developed in the NW corner of Government Lot L23 and was built as an in-stream pond receiving water from an USGS designated **unnamed stream** source tributary to Mission Creek. The fact that the overflow water discharges down stream to Mission Creek and subsequently to Lapwaii Creek & the Clearwater River result in Minimum Stream Flow water rights which may be impacted by the impoundment of stream water in the pond, that were not fully vetted and advertised for public comment during the application-to-permit approval process.

As a result, the Camp Pond is not being recommended for licensing under current Permit 85-15743 as it was constructed to impound a different source of water than permit approved to develop.

At time of exam the pond dam was found to be breached by seasonal high flows, allowing stream water to flow unimpeded downstream. In the future if you would like to develop the pond to impound water for beneficial use(s) you will need to submit a new application for permit.

I spoke with Russell Snyder about the pond, and he asserted that it may be better served to expand the pond to include a naturally wet area near the pond when repairing the pond dam. I recommend considering this if you elect to file for a new application for permit. I will be happy to assist you in that endeavor.

If you have any questions, please call me at (208) 762-2817.

Sincerely,

A handwritten signature in blue ink, appearing to read "Luke Bates", with a stylized flourish above the name.

Luke Bates

CC: Russell J Snyder at 1409 Forest Rd, Winchester ID 83555

Enclosure(s): Application for Permit w/Map, USGS Map

Return Service Requested

FIRST-CLASS



ZIP 83815 \$ 000.53⁰
02 7H
0001280624 JUN 23 2022

DEPT OF WATER RESOURCES
7600 N MINERAL DR - STE 100
COEUR D ALENE ID 83815-7763

FIRST-CLASS



US POSTAGE[®] PITNEY BOWES

ZIP 83815
02 7H
0001280624

\$ 000.93⁰

JUN 23 2022



MC CANN LAND CO
C/O GARY SNYDER
1824 17TH AVE
LEWISTON ID 83501