



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 Gary Spackman

May 20, 2022

SILVIUS FAMILY TRUST
305 SUNNYSIDE UP
SANDPOINT ID 83864-9481

PROOF WITHDRAWAL ACKNOWLEDGEMENT LETTER

RE: Permit No. 96-9782

Dear Permit Holder:

The Department acknowledges your request to withdraw the proof of beneficial use form (proof) submitted for the above referenced permit. A refund has been requested and will arrive under separate cover from the State Controller's Office.

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, please contact me at (208) 287-4920 or debbi.judd@idwr.idaho.gov.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

RECEIVED

MAR 17 2022

IDWR/NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
STATEMENT OF COMPLETION
FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY

Amt. of Fee \$ 5000
Receipt No. N038650
Received By NS
Date Received 3-17-22

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.

WITHDRAWN

- Permit No. 96-9702 Telephone No. 208 255-2612
- Name of Permit Holder(s) SILVIUS FAMILY TRUST
- Mailing Address 305 SUNNYSIDE UP City SANDPOINT
State ID Zip 83864 Email CONAN 7474 b @ GMAIL.COM
- Source of Water GROUND WATER If GROUND WATER (well), Date Drilled mo. MAY / yr. 2014
Well Driller UNIVERSAL WELL DRILLING Drilling Permit Number 872586
- Extent of use(s) completed **as authorized by the water right permit:**
Domestic (No. of households) 1 Stockwater (No. and type of stock) 0
Irrigation (No. of acres) 5 Other _____
- Total rate of diversion or storage volume for which proof is submitted 0.14 cfs OR _____ acre-feet.

RECEIVED

MAR 21 2022

DEPARTMENT OF
WATER RESOURCES

- 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 ☒

- 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.
- Person to contact to accompany the Department representative during field examination of the water system.
Name BRIAN SILVIUS Telephone Number 208-255-2612
Mailing Address 305 SUNNYSIDE UP City SANDPOINT
State ID Zip 83864 Email CONAN 7474 b @ GMAIL.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 Brian Silvius Date 3-1-22
(Include your title, if on behalf of company or organization)

SCANNED

MAR 29 2022

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

Judd, Debbi

From: Brian Silvius <conan7474b@gmail.com>
Sent: Thursday, May 19, 2022 10:04 AM
To: Judd, Debbi
Subject: Request for withdrawing statement of completion #96-9782

Good morning Debbi,

This is Brian Silvius.

I was referred to you by water resources agent Luke Bates of the northern region.
I am requesting my Statement of Completion for my beneficial use permit 96-9782 be withdrawn.

I apologize for the inconvenience. I thought I had to file the Statement of Completion and have the field examination done before I started using the water.

After speaking with Luke Bates yesterday I learned of my mistake.

I would sure appreciate any help you can provide.

I am out of town for a few days, but can be reached on my cellphone 661 343 4955. I have spotty reception where I am at but please leave a message if I can't pick up and I will return your call as soon as possible.

Thank your time and again sorry for the inconvenience.

Judd, Debbi

From: Bates, Luke
Sent: Wednesday, May 18, 2022 9:41 AM
To: conan7474b@gmail.com
Cc: Judd, Debbi
Subject: Water Permit 96-9782

Mr. Brian Silvius,

Good morning. Following our phone conversation related to scheduling of a beneficial use field examination for Permit **96-9782**, below are my recommendations:

- You submitted your Statement of Completion form signed 3/1/22 which was received by the department on 3/17/2022.
- The permit was approved with a 5-year development period suspending on February 1, 2025; this was the latest you could develop your water uses under this permit.
- By submitting the Statement of Completion, you effectively ended your permit development period early. If I were to complete a beneficial use exam today, I can only assess water development that occurred within the development period.

As you stated, you were under the impression that the irrigation system had to be inspected prior to using it; your system is in place, but no active irrigation has been occurring up to this point.

I highly recommend reaching out to Debbi Judd, Technical Records Specialist 1 at our State Office, to request withdrawing your Statement of Completion and re-align with the original proof of beneficial use date on the permit (2/1/2025). This will enable you to fully develop your irrigation use prior to my field exam.

You may not be approved for this process, but it is worth requesting it. I do not know if the fees you submitted would be refunded or not, but If not it's a small loss to maintain the original priority date and work the permit up to this point in my opinion.

I have CC'd Debbi on this email for visibility of the conversation, and you may respond to her by phone and/or email to discuss your options. Debbi Judd – 208-287-4920.

Please do consider keeping me updated on your progress toward withdrawing, and I will table the field exam at this time.

Thank you Sir,

Luke Bates
Water Resource Agent
Northern Region
P: 208-762-2817

Idaho Department of Water Resources
7600 N. Mineral Dr., Suite 100
Coeur D'Alene, ID 83815-7763

Judd, Debbi

From: Judd, Debbi
Sent: Thursday, May 19, 2022 11:55 AM
To: IdwrPayable
Subject: Refund request

TO: Fiscal
FROM: Debbi Judd
DATE: May 19, 2022
RE: **Refund: Proof of Beneficial Use**

Please refund \$50. Proof was withdrawn.

NAME: BRIAN & DIANE SILVIUS
ADDRESS: 305 SUNNYSIDE UP
SANDPOINT ID 83864-9481

RECEIPT #: N038650

Thank you.
Debbi

Debbi Judd
Technical Records Specialist
debbi.judd@idwr.idaho.gov

Idaho Department of Water Resources
322 E Front St
PO Box 83720
Boise, ID 83720-0098
208-287-4920
www.idwr.idaho.gov