



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene ID 83815-7763

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

1/2/2020

SANDRA AND ROBERT HENRIKSEN
4211 HWY 8
TROY ID 83871

Re: Application for Permit 86-12064 Settlement Agreement

Dear Mrs. and Mr. Henriksen,

This past fall we spoke on the phone about your application, the protest, and the proposed settlement agreement. The discussion attempted to explain the limitations imposed on your proposed uses by the settlement agreement. You requested a letter explanation of what was discussed. Please excuse the tardiness of this response.

Application 86-12064 identifies domestic and stock water for a home and 125 mixed stock, respectively. Generally IDWR does not limit the diverted volume of ground water on a permit. Rather, upon completion of the development authorized under the permit, the permit holder files a completion of work form describing what water uses were developed. Afterward, IDWR completes an examination and drafts a license with appropriate water diversion rates and volumes for each use, along with conditions as necessary to administer the right.

In the circumstance proposed by your application, IDWR would determine if a home was served, whether yard and garden irrigation is part of the system, and the number and types of stock that are present. If IDWR found a home, a yard less than ½ acre, 125 head of cows and/or horses, and the well pump can produce up to 22 gallons per minute, then a license would be prepared that has a flow rate of 0.05 cfs, a domestic volume of 1.2 acre feet (home and yard), and a stock water volume of 1.7 acre feet (about 550,000 gallons per year, 1500 gallons per day just for the animals), total of 2.9 acre feet. All of the proposed uses in the application combined amount to less than the 13,000 gallons per day limit of the domestic permit exemption.

As proposed in the settlement the total volume that would be allocated would be limited to 1.2 acre feet (1070 gallons average per day for all uses). A separate issue with the settlement is a provision for "diversion to storage" – no such use is described in the application – and therefore no storage would be authorized.

You may certainly accept the limitations included in the settlement, though it may limit the number of stock that can be supported. Please respond either by phone or letter (or to email address in letterhead) that you wish to proceed pursuant to the settlement, IDWR will immediately draft the permit. If you wish to further discuss modifications to the settlement with Latah County or if you wish to withdraw your application, then IDWR will provide 30 days for this to happen and to hear back from

you or from Latah County with a modified settlement signed by all parties (deadline extension is available). With no response to any of these options, a permit will be issued after 30 days.

Thank you for your attention to this matter.

Respectfully,

A handwritten signature in blue ink, appearing to read "Douglas Jones", with a long horizontal flourish extending to the right.

Douglas Jones
IDWR Northern Regional Manager

cc: Latah County Board of Commissioners