

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 78-07347

PRIORITY: July 20, 1993

Maximum Diversion Rate: 0.20 CFS

Maximum Diversion Volume: 3.0 AF

It is hereby certified that:

DASHA BELKOVA PO BOX 88 NEW MEADOWS ID 83654-0088

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 20, 1993, and has submitted Proof of Beneficial Use on August 30, 1996. An examination confirms water is diverted from:

SOURCE:
LITTLE CREEK

TRIBUTARY:
LITTLE SALMON RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
RECREATION STORAGE	05/01 to 06/30		3.0 AF
DIVERSION TO STORAGE	05/01 to 06/30	0.20 CFS	
WILDLIFE STORAGE	05/01 to 06/30		3.0 AF

LOCATION OF POINT(S) OF DIVERSION:

LITTLE CREEK SW¼NW¼ Sec. 9, Twp 18N, Rge 02E, B.M. ADAMS County

PLACE OF USE: RECREATION STORAGE and WILDLIFE STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	02E	9						X	X										

CONDITIONS OF APPROVAL

- The one (1) pond established by the storage of water under this right shall not exceed a total capacity of 3.0 acre-feet or a total surface area of 1.9 acres.

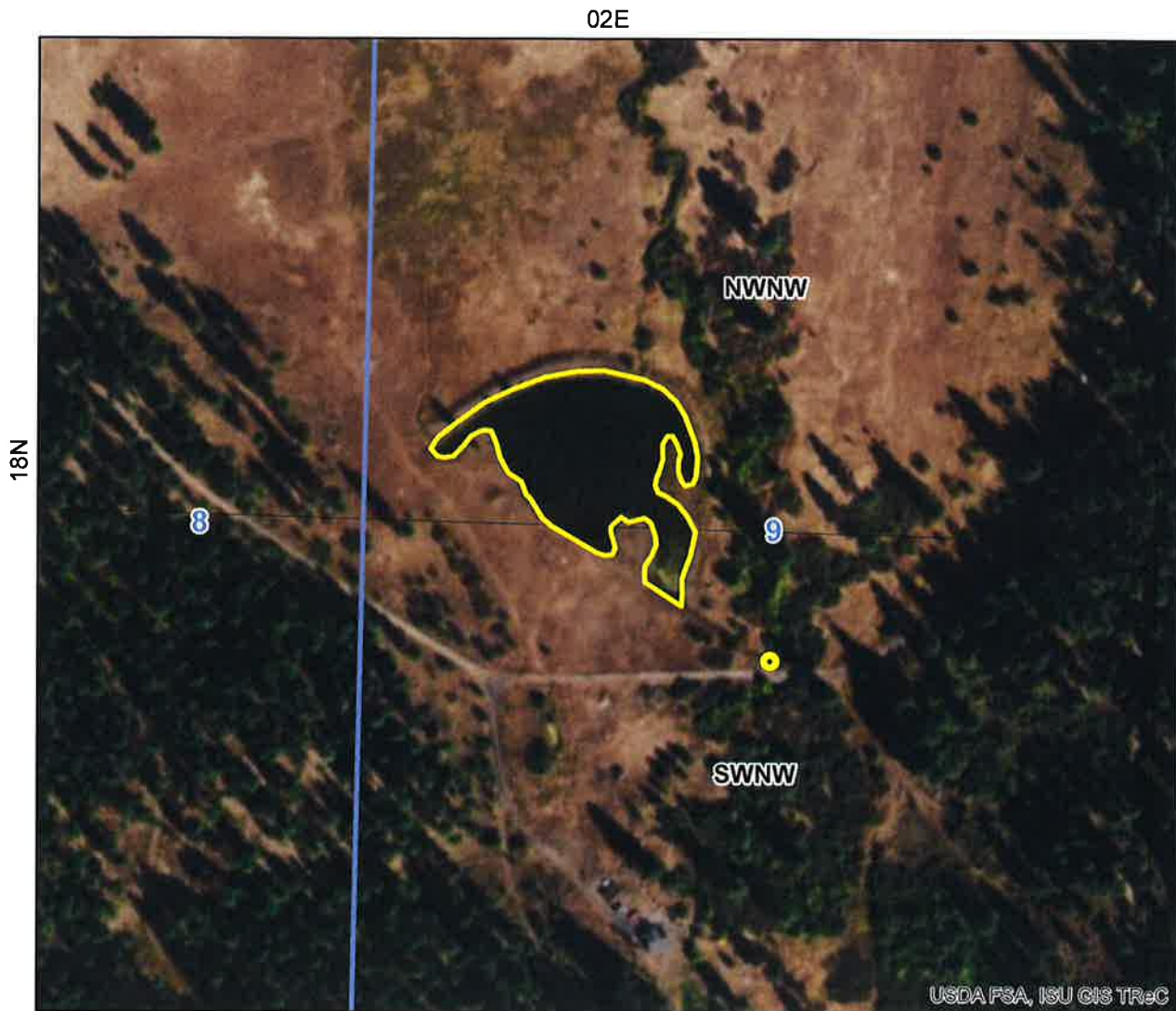
This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 23rd day of OCTOBER, 2018.


Angela M Grimm
Water Rights Supervisor

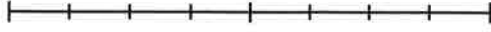
State of Idaho
Department of Water Resources
Attachment to Water Right License
78-7347

This map depicts the RECREATION STORAGE and WILDLIFE STORAGE 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
-  PLS Sections

0 0.035 0.07 0.14 Miles



State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 78-07347

RECEIVED
SEP 28 2018
WATER RESOURCES
WESTERN REGION

PRIORITY: July 20, 1993

Maximum Diversion Rate: 0.20 CFS

Maximum Diversion Volume: 3.0 AF

Comes now

DASHA BELKOVA PO BOX 88 NEW MEADOWS ID 83654-0088

and represents to the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 78-07347, and requests that the permit be changed as follows:

SOURCE:
LITTLE CREEK

TRIBUTARY:
LITTLE SALMON RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
RECREATION STORAGE	05/01 to 06/30		3.0 AF
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LOCATION OF POINT(S) OF DIVERSION:

LITTLE CREEK SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 9, Twp 18N, Rge 02E, B.M. ADAMS County

PLACE OF USE: RECREATION STORAGE and WILDLIFE STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	02E	9						X	X										

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this _____ day of _____, 2017. *22*



(Signature)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 78-07347

FOR DEPARTMENT USE ONLY

Preliminary check by AS Fee = \$100.00 Received by AK # W646803 Date 9/28/18

ACTION OF THE DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources hereby approves the above Application for Amendment for Permit No. 78-07347 with the following:

CONDITIONS OF APPROVAL

1. The one (1) pond established by the storage of water under this right shall not exceed a total capacity of 3.0 acre-feet or a total surface area of 1.9 acres.

This amendment is issued pursuant to the provisions of Section 42-211, Idaho Code.

Signed this 23rd day of OCTOBER, 2018.



Angela M Grimm
Water Rights Supervisor



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

October 23, 2018

DASHA BELKOVA
PO BOX 88
NEW MEADOWS ID 83654-0088

RE: License No. 78-7347

Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district. Also enclosed is a copy of the approved application for amendment.

The license is a PRELIMINARY ORDER issued by the Department 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.

Also, 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. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact me at (208) 334-2190.

Sincerely,

 Rachel Neely for:

Nick Miller
Regional Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on October 23, 2018, I served a true and correct copy of Water Right License No. 78-7347 by U.S. Mail, postage prepaid, to the following:

DASHA BELKOVA (Current Owner)
PO BOX 88
NEW MEADOWS ID 83654-0088

WATER DISTRICT #78A
ED RANEY (Watermaster)
3498 RANEY RD
NEW MEADOWS ID 83654



Rachel Neely
Administrative Assistant I

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.

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.

MEMORANDUM

TO: Water Right File No. 78-7347
FROM: Aaron Skinner – Water Resource Agent, Sr.
DATE: September 28, 2018
SUBJECT: Amendment Fee

I was handed this file after Patrick Kelly was promoted to work in the well construction program. Patrick had reviewed the field exam and entered everything into the data base according to Steve Lester's 1998 notes.

Several letters and phone calls were not returned and/or unanswered. On June 22, 2018, a notice of intent to void letter was sent to Ms. Belkova. On July 5, 2018, the amendment was returned without the appropriate fee. I was able speak with Ms. Belkova in August about the necessary \$100 amendment fee. She was upset about having to pay the fee "again" and thought the amendment was a byproduct of the Departments mistake. All aside, Ms. Belkova needed time to save money. She agreed to have payment in by the first week in October 2018.

The Department received the amendment fee on September 28, 2018.

9-20-18

Dear Patrick Kelly,

I want a receipt stating that this is the last time I have to pay for what I have already payed when the pond was inspected. This pond has been there for more then 18 years with the same amount of water. If the location of the pond was wrong it is not my mistake... but yours.

Sincerely

Joshua Bland



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

RECEIVED

SEP 28 2018

WATER RESOURCES
WESTERN REGION

JUNE 7, 2018

DASHA BELKOVA
DASHA BELKOVA REVOCABLE TRUST
PO BOX 88
NEW MEADOWS ID 83654

RE: Water Right Permit No. 78-7347

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 Section 42-211, Idaho Code. 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):

☒ **Point(s) of Diversion**

☒ **Place(s) of Use**

☐ **Other**

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 \$100.00 filing fee within 14 days.

Additionally, based on the information collected during your field exam and in office review, you are over appropriating more water than you have a right to divert. An application for permit must be filed to account for the excess water in your pond, or your pond should be excavated to greatly reduce its capacity. PLEASE, contact me for further assistance completing an application for permit. I would be happy to help you through this process. You may call me at 208-334-2190 to discuss the issue further.

Sincerely,

Patrick Kelly
Water Resource Agent, Sr.

Enclosure(s): Application for Amendment

They assured me this is the
last time I have to pay \$100.-
for the dry lake that I already
payed for it when they inspected it
send \$100 ch # 315 ID first
9-10-18

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 78-07347

RECEIVED
JUL 05 2018
WATER RESOURCES
WESTERN REGION

PRIORITY: July 20, 1993

Maximum Diversion Rate: 0.20 CFS

Maximum Diversion Volume: 3.0 AF

Comes now

DASHA BELKOVA PO BOX 88 NEW MEADOWS ID 83654-0088

and represents to the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 78-07347, and requests that the permit be changed as follows:

SOURCE:
LITTLE CREEK

TRIBUTARY:
LITTLE SALMON RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
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DIVERSION TO STORAGE	05/01 to 06/30	0.20 CFS	
WILDLIFE STORAGE	05/01 to 06/30		3.0 AF

LOCATION OF POINT(S) OF DIVERSION:LITTLE CREEK SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 9, Twp 18N, Rge 02E, B.M. ADAMS County**PLACE OF USE:** RECREATION STORAGE and WILDLIFE STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	02E	9						X	X										

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 1 day of July 2018, 2017.



(Signature)

* no fee was included/received - called and will send check in Oct. 2018.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 22, 2018

COPY

DASHA BELKOVA
DASHA BELKOVA REVOCABLE TRUST
PO BOX 88
NEW MEADOWS ID 83654

Notice of Intent to Void Permit

RE: Water Appropriation Permit 78-7347

Dear Permit Holders:

In 1994 IDWR issued permit 78-7347 authorizing Dasha Belkova to develop a right to divert 0.20 cfs and 3.0 acre-feet from Little Creek for water storage purposes in the NW¼ NW¼ Section 9, Township 18 North, Range 2 East. In August 1998, an IDWR field examiner inspected your development and reported that the diversion from Little Creek was actually developed within SW¼ NW¼ Section 9, Township 18 North, Range 2 East. A licensing amendment is required to correct the legal descriptions of your permit for both point of diversion and place of use.

The final step in the water appropriation process is the issuance of a Water Right License. By issuing a license, IDWR recognizes that you have met the requirements for establishing a water right. If you wish to maintain the pond developed on your property, please return the application for amendment. If I do not receive the requested information from you within thirty days, I will take action to void your permit under the provision of Section 42-219 of the Idaho Code.

Sincerely,

Patrick Kelly
Water Resource Agent, Sr.

Attachement: Application for Amendment of Permit 78-7347

IDAHO DEPARTMENT OF WATER RESOURCES

WESTERN REGION

2735 Airport Way

Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED

1st attempt

DASHA BELKOVA

DASHA BELKOVA REVOCABLE TRUST

PO BOX 88

NEW MEADOWS ID 83654

PRESORTED
FIRST CLASS



U.S. POSTAGE® PITNEY BOWES
ZIP 83702 \$ 000.373
02 1M
0001393358DEC 13 2017

RECEIVED

DEC 18 2017

WATER RESOURCES
WESTERN REGION

837055082

* RETURN TO SENDER
BELKOVA DASHA
TEMPORARILY AWAY
RETURN TO SENDER
BC: 83705508235 4248-00032-14-16

IDAHO DEPARTMENT OF WATER RESOURCES

WESTERN REGION

2735 Airport Way

Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED

2nd attempt

DASHA BELKOVA

DASHA BELKOVA REVOCABLE TRUST

2950 FISH LAKE RD

NEW MEADOWS ID 83654

PRESORTED
FIRST CLASS



U.S. POSTAGE® PITNEY BOWES
ZIP 83702 \$ 000.373
02 1M
0001393358DEC 13 2017

RECEIVED

DEC 20 2017

WATER RESOURCES
WESTERN REGION

✓

837055082

RETURN TO SENDER
NO MAIL RECEPTACLE
UNABLE TO FORWARD
BC: 83705508235 4248-00032-14-16



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 12, 2017

(2nd attempt)

DASHA BELKOVA
DASHA BELKOVA REVOCABLE TRUST
2950 FISH LAKE RD
NEW MEADOWS ID 83654

RE: Water Right Permit No. 78-7347

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 Section 42-211, Idaho Code. 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):

☒ **Point(s) of Diversion**

☒ **Place(s) of Use**

☐ **Other**

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 \$100.00 filing fee within 14 days.

Additionally, based on the information collected during your field exam and in office review, you are over appropriating more water than you have a right to divert. An application for permit must be filed to account for the excess water in your pond, or your pond should be excavated to greatly reduce its capacity. PLEASE, contact me for further assistance completing an application for permit. I would be happy to help you through this process. You may call me at 208-334-2190 to discuss the issue further.

Sincerely,

Patrick Kelly
Water Resource Agent, Sr.

Enclosure(s): Application for Amendment



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 12, 2017

(1st attempt)

COPY

DASHA BELKOVA
DASHA BELKOVA REVOCABLE TRUST
2950 FISH LAKE RD
NEW MEADOWS ID 83654

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Enclosure(s): Application for Amendment



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December 12, 2017

(1st attempt)

DASHA BELKOVA
DASHA BELKOVA REVOCABLE TRUST
PO BOX 88
NEW MEADOWS ID 83654

COPY

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Enclosure(s): Application for Amendment