

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 97-8487

Priority: March 28, 2022

Maximum Diversion Rate: 0.04 CFS

Maximum Diversion Volume: 1.2 AF

It is hereby certified that:

DOUGLAS H SMITH 408 REGALSTONE LN COPLEY OH 44321-3213

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 28, 2022, and has submitted Proof of Beneficial Use on April 10, 2023. An examination confirms water is diverted from:

Source : PRIEST LAKE

Tributary: PRIEST RIVER

Beneficial Use
DOMESTIC

Period of Use
01/01 to 12/31

Rate of Diversion
0.04 CFS

Annual Volume
1.2 AF

Location of Point(s) of Diversion

PRIEST LAKE L3 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 22, Twp 60N, Rge 04W, B.M. BONNER 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	
60N	04W	22							X L3										

Conditions of Approval

1. This right does not grant any right-of-way or easement across the land of another.
2. Water shall not be diverted under this right when flows in the Priest River are below minimum flow amounts as defined by Right 97-7380. The right holder shall be responsible for monitoring the daily flow of the Priest River using real-time data and shall cease diverting water when flows in the Priest River are below established minimum flow amounts. Unless otherwise specified by the Director of the Department of Water Resources, data from the U.S. Geological Survey Priest River Gauging Station, No. 12395000, may be used for purposes of determining the daily flow amounts.
3. Domestic use is for 1 home.
4. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
5. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
6. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.
7. Place of use is located within Lot 16; Blk. 1; Tanglewood Point subdivision.

This license is issued pursuant to the provisions of Idaho Code § 42-219. 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 12th day of April, 2023.


PHILL HUMMER
Water Rights Supervisor

SCANNED
APR 14 2023

State of Idaho
Department of Water Resources
Attachment to Water Right
97-8487

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.



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



0 400 800 Feet

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APR 14 2023

RECEIVED

APR 10 2023

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

FOR OFFICE USE ONLY

Amt. of Fee \$ 50.00
Receipt No. C115832
Received By KM
Date Received 4.10.23

The Idaho Department of Water Resources (Department) considers this form a statement that the permit holder(s) applied water to beneficial use and completed development of a water right 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 (CWRE).** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, complete a Notice of Change in Water Right Ownership form. If you wish to relinquish your permit because you have not established the authorized water use and are not applying for an extension, please notify the Department in writing.

1. Permit No. 97-8487 Name of Permit Holder(s) Douglas H. SmithTelephone No. (330) 933-7044 Email douglas.h.smith@timken.comMailing Address 408 Regalstone Lane City Copley State OH Zip 443212. Source of Water Priest Lake If Ground Water (well), Date Drilled mo. ____ / yr. ____

Drilling Permit/Tag No. ____ Drilling Company's Name ____

3. Extent of use(s) completed as authorized by the water right permit:

Domestic (No. households) 1 Irrigation (No. acres) ____ Stockwater (No. and stock type) ____

Other ____

4. Total diversion rate or volume (storage only) for which proof is submitted 0.04 cfs OR ____ af
If the total developed water use is 5 acres of irrigation or less, is stockwater storage of 14.6 acre-feet or less, or has a diversion rate of less than 0.24 cfs, attach a map of the place of use and point of diversion and photographs showing beneficial use.

5. Describe the diversion and delivery system from the water source to the use (pump, lift, irrigation method, etc.)

submersible in-lake pump

6. Permit condition compliance. Refer to the permit approval conditions and check all the items required, then check "Yes" or "No" to indicate whether the required items were established, submitted, and/or installed:

Required? Yes No (If "Yes", attach required data, evidence of compliance, or evidence of installation)

- | | | | |
|--------------------------|-------------------------------------|--------------------------|---|
| ☐ | ☐ | ☐ | Ground water level data, pumping information, or other diversion data |
| ☐ | ☐ | ☐ | Mitigation plan |
| ☐ | ☐ | ☐ | Lockable controlling works |
| ☐ | ☐ | ☐ | Measuring device |
| ☐ | ☒ | ☐ | Fish screen |
| ☐ | ☐ | ☐ | Other requirements of the water right permit |
| ☐ | ☐ | ☐ | Reasonably Anticipated Future Needs ("RAFN") Municipal use |

If RAFN Municipal use, additional increment of beneficial use developed? ☐ Yes (attach CWRE report) ☐ No7. Fee Enclosed \$ 50.00 or ☐ CWRE field report attached or ☐ No fee required

See fee schedule on page 3 of the instructions. Proof statements filed without an appropriate fee are incomplete.

8. Person to contact to accompany a Department representative during the field examination of the water system:

Name: Doug Smith Telephone No. (330) 933-7044 Email douglas.h.smith@timken.comMailing Address 408 Regalstone Lane City Copley State OH Zip 44321

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 beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

DH Smith

SIGNATURE OF PERMIT HOLDER*

Douglas H. Smith

PRINTED NAME AND TITLE

April 3, 2023

DATE

*Attach power of attorney if completing on behalf of permit holder.

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APR 14 2023



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

April 13, 2023

DOUGLAS H SMITH
408 REGALSTONE LN
COPLEY OH 44321-3213

RE: License No. 97-8487

ISSUANCE OF LICENSE

Dear Water Right Holder:

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.

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. 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) 287-4925.

Sincerely,

Phill Hummer
Water Rights Supervisor

Enclosures

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APR 14 2023

CERTIFICATE OF SERVICE

I hereby certify that on April 13, 2023, I served a true and correct copy of Water Right License No. 97-8487 by U.S. Mail, postage prepaid, to the following:

DOUGLAS H SMITH (Current Owner)
408 REGALSTONE LN
COPLEY OH 44321-3213



Debbi Judd
Technical Records Specialist

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
IN-OFFICE REVIEW/BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATIONPermit No: 97-8487

Exam Date: 04/11/2023

1. Does this qualify for an in-office field exam (IDAPA 035.02.r)? X Y ___ N
 a. Irrigation of 5 acres or less
 b. Storage of up to 14.6 AF for stockwater purposes only
 c. Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less.
 d. Other < >

2. Current Owner: Name: Douglas H. Smith
 Owner of Record Correct? X Y ___ N
 Address of Record Correct? X Y ___ N

3. Beneficial Use Fees have been paid: X Y ___ N Receipt No: C115832

4. **SOURCE** **TRIBUTARY**
 Priest Lake Priest River

Method of Determination: GIS and Tax lot Data

Change in Source: ___ Y ___ X ___ N

B. OVERLAP REVIEW

1. Other water rights with the same place of use: No Overlap

Water Right No.	Source	Purpose of Use	Basis
NONE	NA	NA	NA

Comments: There are no water rights or claims overlapping the permit place of use (POU).

2. Other water rights with the same point of diversion: NO Overlap

Water Right No.	Source	Purpose of Use	Basis
NONE	NA	NA	NA

Comments: No other water rights share the same point of diversion (POD) as the permit POD.**C. DIVERSION AND DELIVERY SYSTEM****1. LOCATION OF POINT(S) OF DIVERSION:**

Source	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.		County
Lake-Submersible pump	3		SW	NW	22	60N	04W	B.M.	Bonner

Method of Determination: GIS and Tax lot data.

Change in POD? ___ Y ___ X ___ N Amendment Required? ___ Y ___ X ___ N

2. PLACE OF USE: Use: Domestic

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
60N	04W	22							D										
		Lot #							3										
Total Acres =																			X

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Method of Determination: GISChange in POU? X N Amendment Required? X N Delivery System Diagram Attached (required). Indicate all major components and distances between components.

Indicate weir size/pipe as applicable.

X Aerial Photo Attached (required for irrigation of 10+ acres). Photo of Diversion and System Attached

4. Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Lake Pump	unknown	unknown	unknown	unknown	unknown

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE						

2. Measurements: No measurement is required for an in-house exam, but Administrative Memo #22 was used to determine the requested diversion rate is reasonable.

E. FLOW CALCULATIONS

Although no pump information was provided, 12gpm or approximately 0.04cfs is possible with even a ½ HP pump. According to Administrative memo #22 up to up to 0.04cfs is acceptable for domestic use in 1 home with up to ½ acre of irrigation. I am recommending a diversion rate of 0.04cfs, which is what was requested on their application for the permit.

Permit allowed = 0.04cfs**Recommendation= 0.04cfs****F. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 0.5 \times 3 = 1.5$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.04 \times 214 \times 1.9835 = 16.98$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 1.5$$

2. Volume Calculations for Other Uses:

According to Administrative memo #22 up to 1.2 AFA, per year is acceptable for domestic use for 1 home and up to ½ acre of irrigation.

G. PURPOSE OF USEIrrigation X Y N # Stock NA Domestic # of Homes 1Change in Purpose of Use? Y X NMethod of Determination: Tax lot data and conversations with owner.

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H. NARRATIVE/REMARKS/COMMENTS

This permit for domestic use and up to 0.5 acre of irrigation diverted from Priest Lake qualifies for an in-house exam. The permit holder did not include irrigation use on the proof of beneficial use he submitted. I emailed and called the owner for clarification of the beneficial use on April 11th, 2023, and received confirmation from the permit holder that he uses an external hose bib to irrigate a garden and landscaping on the property. I was able to confirm the landscaped garden areas near the cabin via aerial imagery (see figure 1.2). Parcel data lists the permit holder as the current owner of the parcel appurtenant to the permit POU.

The only information the owner did not provide any details regarding the pump, but Administrative Memo #22 allows up to 0.04cfs and up to 1.2 AF for domestic use in 1 home and up to ½ acre of irrigation. Also, even a ½ Hp pump can provide 12 GPM (approximately 0.04cfs). Therefore, I am recommending the license be issued with a diversion rate of 0.04cfs and 1.2AF provided that //the period(s) of usage strictly follow the minimal stream flow guidelines.

I am recommending the license be issued with conditions 004, X01, 187, X15, X16, X60 and 227 to include MSF restrictions for the Priest River.

Have conditions of permit approval been met? ☒ Yes ☐ No

I. RECOMMENDATIONS**1. Recommended Amounts**

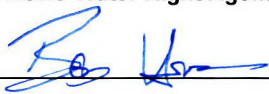
BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
Irrigation	04/01 to 10/31	0.04 CFS	1.2 AF
Totals:		0.04 CFS	1.2 AF

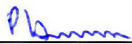
2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ None

J. AUTHENTICATION- Bob Howe-Water Right Agent

Water Right Agent  Date 4/12/23

Reviewer  Date 4/12/23

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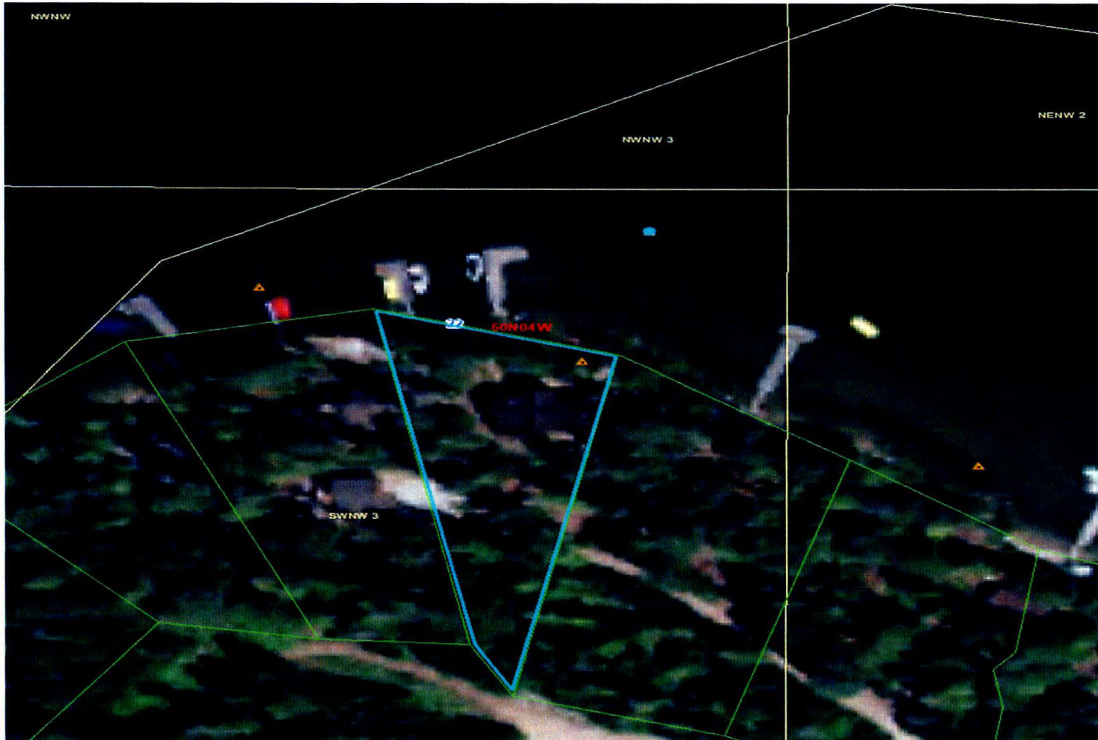


Figure 1- 2021- GIS image of the POU and POD (light blue outlined area and point).

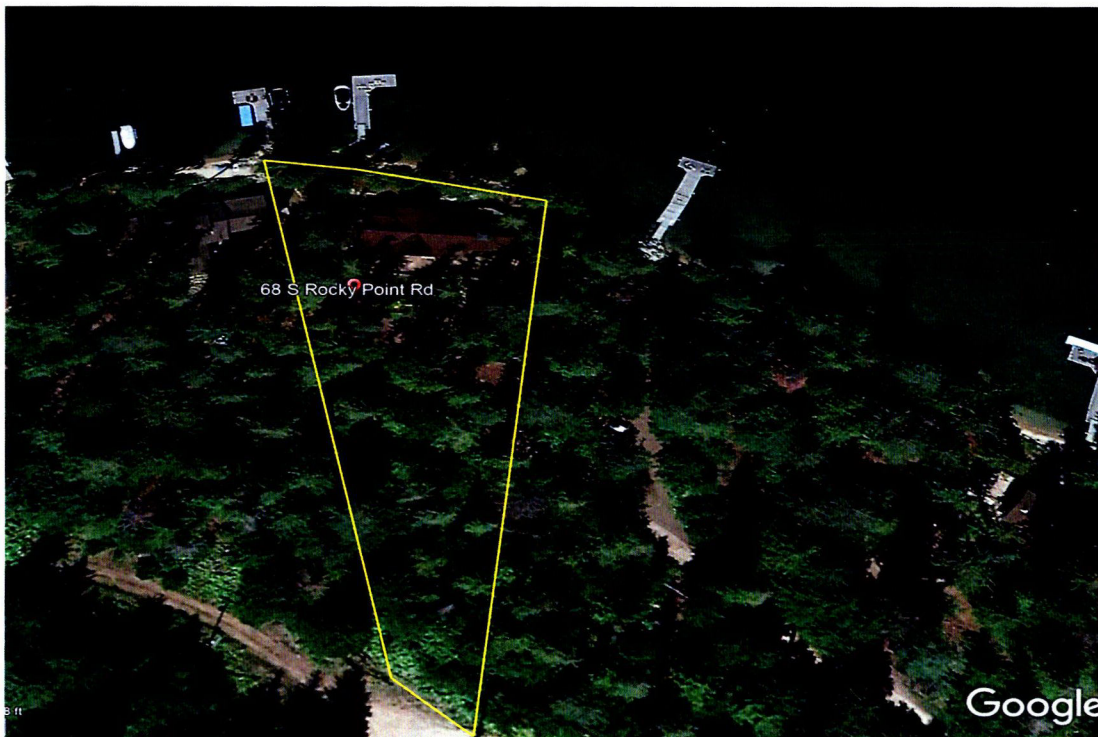


Figure 1.1- 2022- Google image of the POU.

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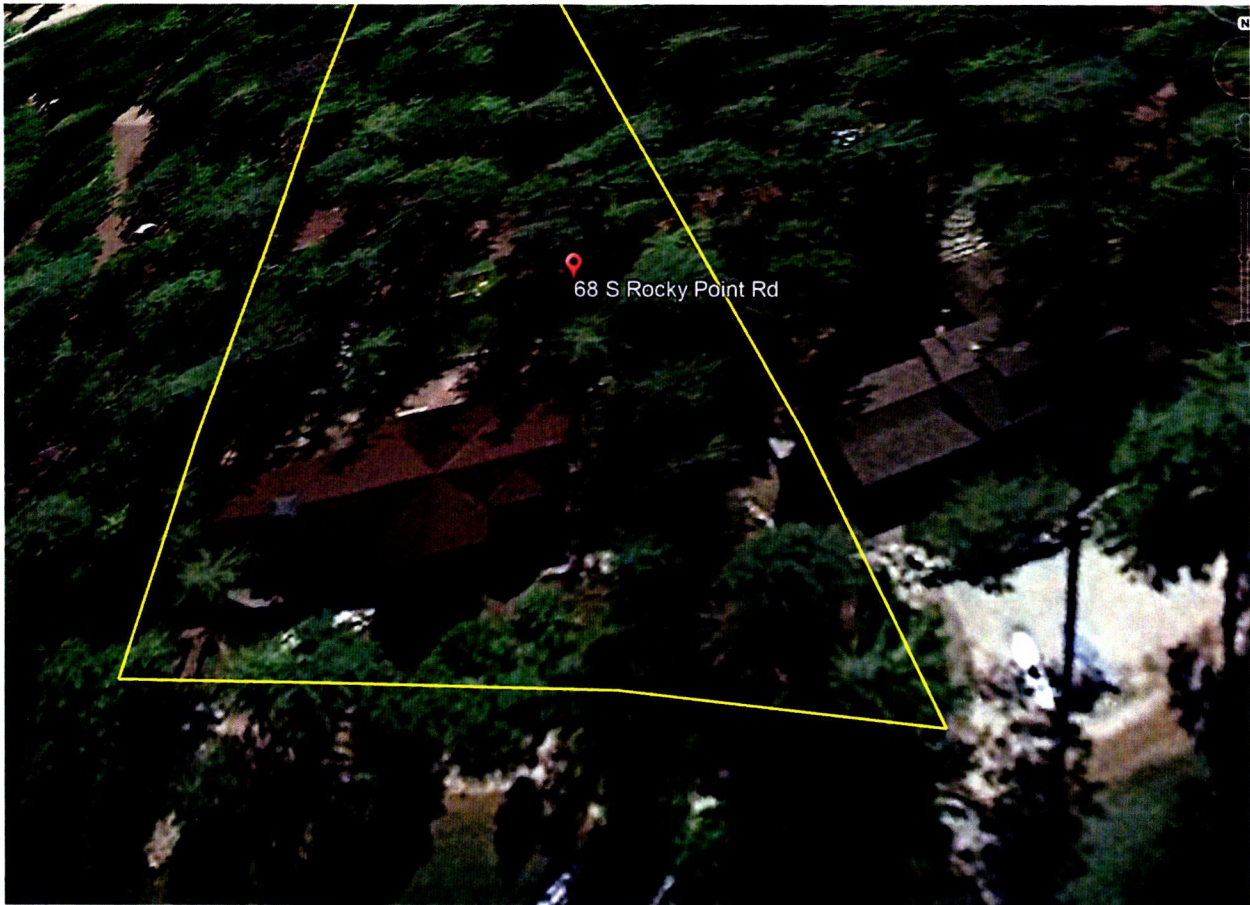


Figure 1.2- 2022-zoomed in Google image of the POU. Landscaped areas are visible around the cabin.

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Beneficial Use Proof Evaluation

Permit Number: 97-8487 Reviewer: djudd Review Date: 4/10/2023

Acceptability

- 1) Is the contact on the request the current permit holder? Yes
- 2) Does the address of record need to be updated? No
- 3) Proof Submitted Date: 4/10/2023
- 4) Proof Due Date: 6/1/2023
- 5) Days added for weekend due date? 0
- 6) Days added for holiday due date? 0
- 7) Number of days late: -52
- 8) Proof received timely? Yes

Analysis

- 1) Are the water uses correct? Yes
- 2) Are one of the following items required?
 - a. Measuring Device -- No
 - b. Lockable Device --No
 - c. Fish Screen -- Yes
- 3) Are the required items installed? Yes
 - a. Measuring Device -- No
 - b. Lockable Device --No
 - c. Fish Screen -- Yes
- 4) Is there a request to waive the required items?
- 5) Drilling Permit Number:
- 6) Is a drilling permit upgrade needed?
- 7) Was a well drillers report filed?
- 8) Is proof accepted? Yes

Fees

- 1) Is a licensing exam fee required? Yes
- 2) Was proof submitted with an exam report from a CWE? No
- 3) Filing fee due: \$50.00
- 4) Filing fee submitted: \$50.00
- 5) Remaining fee or (refund): \$0.00

Receipt IDs

N038683, T111232, T111232

Comments

Proof deemed acceptable. Gave file to water right agent for in-house license review. Water right agent will enter the proof made date in AdHoc at the time of licensing.



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

March 31, 2023

DOUGLAS H SMITH
408 REGALSTONE LN
COPLEY OH 44321-3213

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 97-08487

IMPORTANT: A response from you is required to maintain the active status of the referenced water right permit. If no response is received from you, the permit will lapse and your authorization to develop and/or use this water right will be cancelled.

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before **June 01, 2023**. Please complete and return the enclosed Statement of Completion for Submitting Proof of Beneficial Use (proof) if you have completed the water project authorized by your permit. The proof statement must be accompanied by either the appropriate license examination fee or a field examination report prepared by a certified water right examiner.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Idaho Code § 42-204. If you have been delayed by a government agency or by litigation that brings title to the water in question, an extension of time may be granted if appropriate documentation is provided at the time of filing. An extension request must be accompanied by a \$50.00 filing fee and signed by the appropriate authorized permit holder(s) or authorized representative with a power of attorney.

Either an acceptable proof or an acceptable extension request must be received by this Department on or before the above proof due date. If neither is received, the Department will send you a lapse notice and the permit will no longer be of any force or effect.

Sincerely,


Debbi Judd
Technical Records Specialist

Enclosures

