State of Idaho
Department of Water Resources

Water Right License

Water Right No. 95-18072

Priority: February 26, 2021

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 3.6 AF

It is hereby certified that:

BRIAN SKELTON 14446 S HIGHWAY 95 COEUR D ALENE ID 83814-6170

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 26, 2021, and has submitted Proof of Beneficial Use on February 11, 2022. An examination confirms water is diverted from:

Source : GROUND WATER

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
IRRIGATION	03/15 to 11/15	0.03 CFS	3.0 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF

Location of Point(s) of Diversion
GROUND WATER SE¼ NE¼, Sec. 36, Twp 49N, Rge 05W, B.M. KOOTENAI County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
49N	05W	36				1.0													1.0

Total Acres: 1.0

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	
49N	05W	36				X													

Conditions of Approval

1. Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
2. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
3. This right does not grant any right-of-way or easement across the land of another.

SCANNED
MAY 30 2023

State of Idaho
Department of Water Resources

Water Right License

Water Right No. 95-18072

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 30th day of May, 2023.

Michelle Richman

MICHELLE RICHMAN
Northern Regional Manager

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MAY 30 2023

State of Idaho
Department of Water Resources

Attachment to Water Right License

95-18072

This map depicts the IRRIGATION 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 0.035 0.07 0.14 Miles

N

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State of Idaho
Department of Water Resources

Attachment to Water Right License

95-18072

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 0.035 0.07 0.14 Miles

N

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MAY 30 2023

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

May 30, 2023

BRIAN SKELTON
14446 S HIGHWAY 95
COEUR D ALENE ID 83814-6170

RE: License No. 95-18072

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.

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 the Northern Region Office at (208) 762-2800.

Sincerely,

Michelle Richman

Michelle Richman
Northern Regional Manager

Enclosure(s)

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MAY 30 2023

CERTIFICATE OF SERVICE

I hereby certify that on May 30, 2023, I served a true and correct copy of Water Right License No. 95-18072 by U.S. Mail, postage prepaid, to the following:

BRIAN SKELTON (Current Owner)
14446 S HIGHWAY 95
COEUR D ALENE ID 83814-6170

VERDIS (Representative)
3906 N SCHREIBER WAY
COEUR D ALENE ID 83815-8395

Tammy Alleman
Administrative Assistant 1

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MAY 30 2023

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.

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MAY 30 2023

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.

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MAY 30 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 95-18072
Exam Date: 05/10/2022

1. Current Owner:
   BRIAN SKELTON 14446 S HIGHWAY 95 COEUR D ALENE ID 83814-6170

2. Accompanied by: Garret Skelton
   Phone No: 208-818-9561
   Address: Same as above
   Relationship to permit Holder: Permit holder's son – currently living at location.

3. **SOURCE:**
GROUND WATER

Method of Determination: Arcmap and DRG.

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NO Overlap
2. Other water rights with the same point-of-diversion: NO Overlap

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**
GROUND WATER SE¼ NE¼, Sec. 36, Twp 49N, Rge 05W, B.M. KOOTENAI County

Method of Determination: GPS. POD located at -116°54.9689, 47°32.9611; well D-TAG D0061863.

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
49N	05W	36				1.0													1.0

Total Acres: 1.0

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	
49N	05W	36				X													

Method of Determination: Beneficial use field examination & Arcmap aerial imagery.

3.

X Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.

X Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.

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

X Photo of Diversion and System Attached

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MAY 30 2023

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
D0061863	FRANKLIN ELECTRIC	3	UNKOWN	UNKOWN	UNKOWN

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Unable to perform flow measurements due to inadequate pipe requirements. Main water line from well routed direct to pressure tank located in a pump house prior to water distribution.

E. FLOW CALCULATIONS

X Additional Computation Sheets Attached

Measured Method: Theoretic pump equation estimates flow as follows:

- D0061836 - 3 hp pump at 500 ft with 45 PSI operating pressure equals 15.7 gpm or **0.04 cfs** considering department rounding standards.

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation:

$V_{I.R}$ = (Acres Irrigated) x (Irrigation Requirement) = 1.0 ac x 3.0 afa = 3.0 af

$V_{D.R}$ = [Diversion Rate (cfs)] x (Days in Irrigation season) x 1.9835 = 0.04 cfs x 246-days x 1.9835 = 19.5 af

V = Smaller of $V_{I.R}$ and $V_{D.R}$ = **3.0 af**

2. Volume Calculations for Other Uses: Domestic annual volume = in-home water usage for 1 home = **0.6 af**.

G. NARRATIVE/REMARKS/COMMENTS

Field exam performed on 5/10/2022 with the applicant's son, Garrett Skelton, showed a groundwater well being used for domestic and irrigation uses. At the POD, GW well D0061863 routes a buried main service line NE a short distance to a small pump house that includes the control panel for the 3 HP pump motor installed in the well and a pressure tank as part of the diverting works. From the pump house the main line routes to a nearby shop-home and several frost-free hydrants for irrigation use. I was unable to perform a flow measurement due to inadequate pipe requirements and a theoretic pump equation derives flow rate for 3 HP pump at 500 ft depth with 45 PSI operating pressure equaling 15.7 gpm or 0.04 cfs considering department rounding standards.

Permit approved development for up to 2 homes and 1 acre irrigation; department standard diversion rates for these uses were permit approved, but due to pump performance determined at time of exam the maximum diversion rate for licensing equals **0.04 cfs**. The irrigation component diversion rate remains at 0.03 cfs as the department standard. The domestic component diversion rate equals 0.04 cfs which is the standard for 1 home; I identified the 2nd home was planned but not developed and credit for two homes is not recommended for licensing purposes.

The domestic POU was observed during the exam consisting of a shop-home that the applicant's son Garrett Skelton was currently residing in. Photographs of the dwelling were taken, and the home is clearly visible in Arcmap aerial imagery,

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MAY 30 2023

which was used to trace out the domestic POU during licensing review. Annual volume for domestic in-home use only 1 home equals **0.6 af** as recommended for licensing. There was no dedicated stub in for the 2nd home, and if the applicant pursues development of a second home a new application for permit is required for the additional domestic use from the well.

The applicant applied for 1 acre of irrigation which was observed during the exam. The Irrigation POU was sketched on field maps consisting of landscape trees, plants, garden beds, and minor green spaces around the residence and small pond. During licensing review Arcmap aerial imagery was used to trace out the irrigation POU which consists of 1.0 acres authorized **3.0 af** annually. The applicant irrigates using garden hoses and sprinklers. The maximum diversion volume recommended for licensing equals the sum of two beneficial uses or **3.6 af**.

There are 3ea ponds associated with the applicant's property that appear to be excavated ponds which will require application(s) for permit be filed by the applicant to be in compliance with Idaho Statute 42-351. I notified the applicant's son about this requirement during the field exam but have not received applications in the interim between exam and licensing of this water right.

Condition 046 was removed from the permit during licensing review. Condition 132 was revised to reflect 1 home developed vice 2 homes as permit approved. All other conditions of approval are being carried to licensing. There are no overlap concerns for this water right.

Have conditions of permit approval been met? __X__ Yes ____ No

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
IRRIGATION	03/15 to 11/15	0.03 CFS	3.0 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF
	Totals:	0.04 CFS	3.6 AF

2. Recommended Amendments

____ Change P.D. as reflected above ____ Add P.D. as reflected above __X__ None

____ Change P.U. as reflected above ____ Add P.U. as reflected above __X__ None

I. AUTHENTICATION

Luke Bates -

Field Examiner's Name LB Date 12/5/2022

Reviewer _____ Date _____

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MAY 30 2023

State of Idaho
Department of Water Resources

Attachment to Field Exam

95-18072

DOMESTIC system diagram.



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

0 0.035 0.07 0.14 Miles

N

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MAY 30 2023

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Department of Water Resources

Attachment to Field Exam

95-18072

IRRIGATION system diagram.



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THEORETICAL PUMPING EQUATION(S) FOR WR# 95-18072

Theoretical Pumping Equation is required because system did not allow for a proper measurement. Pump is estimated to lift 500 ft, and running at 45 psi.

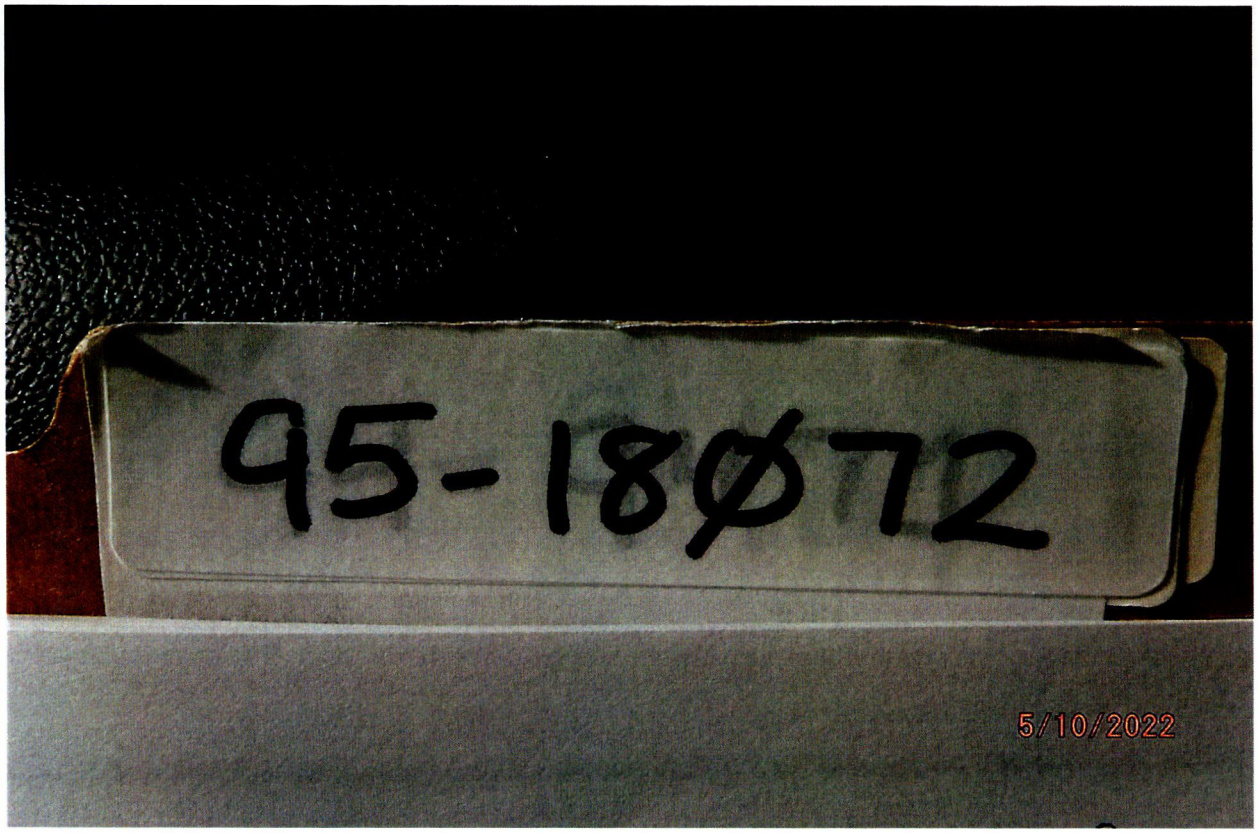
PUMP EQUATION

WATER RIGHT No. 95-18072

D0061863		HP	H in feet	Efficiency as a decimal	Pumping lift in feet	System pressure in PSI
Q =	HP*8.8*Eff/H	3	604.0816	0.8	500	45

Q = **0.035 cfs** **15.7 gpm**

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BENEFICIAL USE FIELD EXAMINATION DATE 5/10/2022



POD – GROUNDWATER WELL

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WELL D-TAG D0061863

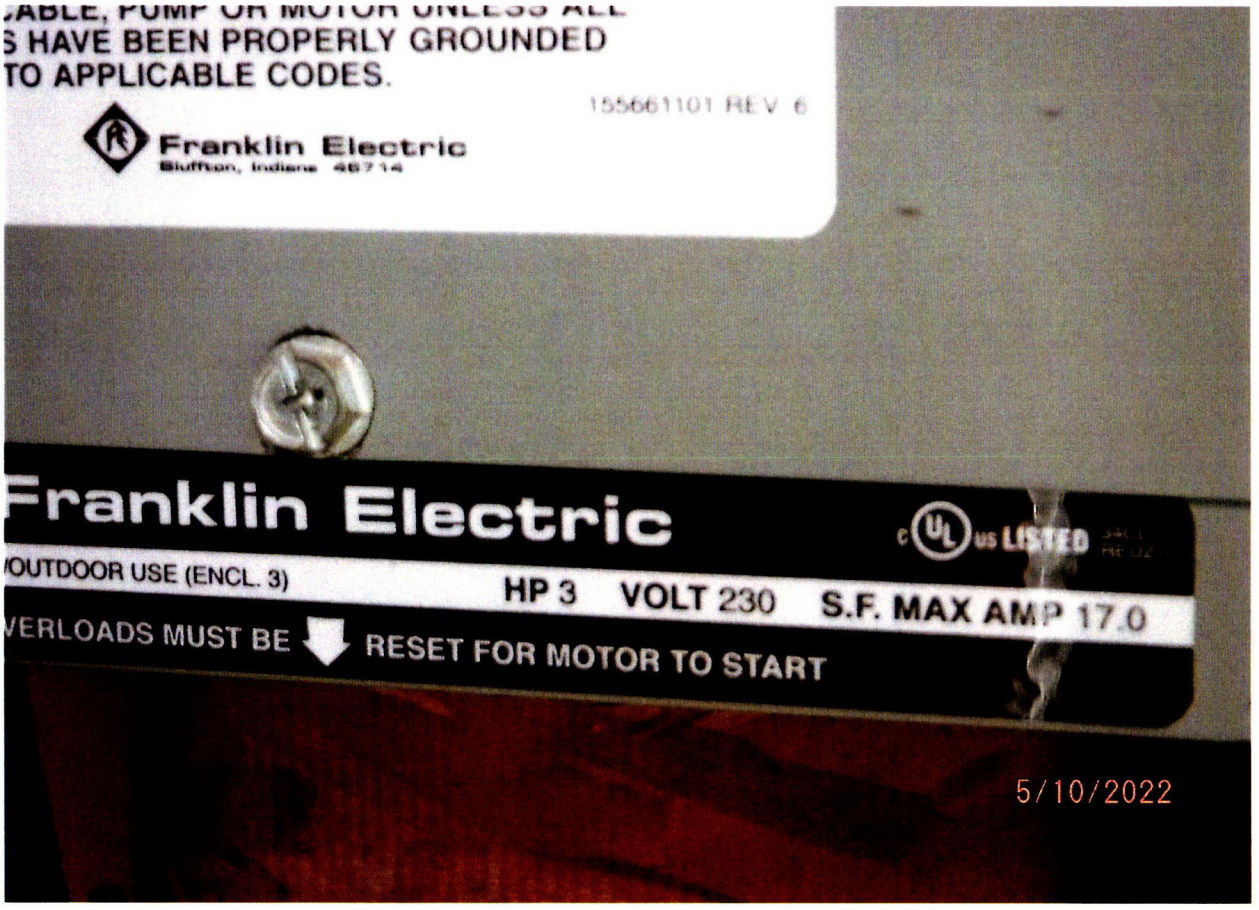


PUMP HOUSE – WELL LOCATED IN BACKGROUND OFF L/H SIDE OF PUMP HOUSE

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DIVERTING WORKS – INCLUDES PRSSURE TANK IN-LINE FROM MAIN SERVICE PIPE



3 HP FRANKLIN PUMP MOTOR INSTALLED IN WELL

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DOMESTIC POU – 1 SHOP/HOME



IRRIGATION POU – FROST FREE HYDRANT(S) TO IRRIGATION AREA(S)

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IRRIGATION POU



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