

DEC 19 2022

DEC 27 2022

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

IDWR / NORTH

DEPARTMENT OF
WATER RESOURCES

STATEMENT OF COMPLETION

FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY

Amt. of Fee \$ 5000

Receipt No. N042099

Received By JA

Date Received 12-19-22

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. 83-11995 Name of Permit Holder(s) SHAYNE E. NORMA SKIPWORTH
 Telephone No. 208-476-0458 Email CAYMAN SHAYNE @ AOL.COM
 Mailing Address 3688 CANYON CREEK RD City OROFINO State ID Zip 83544
2. Source of Water UNNAMED STREAM If Ground Water (well), Date Drilled mo. NA / yr. NA
 Drilling Permit/Tag No. NA Drilling Company's Name NA

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

Domestic (No. households) _____ Irrigation (No. acres) _____ Stockwater (No. and stock type) _____
 Other DIVERSION TO STORAGE FIRE POND

4. Total diversion rate or volume (storage only) for which proof is submitted 0.20 cfs OR 2.1 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, injection method, etc.)
Submerged 5 GALLON Bucket with 1/4 Drilled Holes & Filter Inside A Small Holding Pond of Water with a 2" PVC & 1 1/2" PVC INTO A SYSTEM THAN FROM THEN A 2" PVC LINE TO EXISTING FIRE POND

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 HAS BEEN INSTALLED
☐ ☒ 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) ☐ No

7. Fee Enclosed \$ _____ 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: SHAYNE SKIPWORTH Telephone No. 208-476-0458 Email CAYMAN SHAYNE @ AOL.COM

Mailing Address 3688 CANYON CREEK RD City OROFINO State ID Zip 83544

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.

Shayne Skipworth
 SIGNATURE OF PERMIT HOLDER*

SHAYNE SKIPWORTH
 PRINTED NAME AND TITLE

12/14/2022
 DATE

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

COINED
 JAN 3 2023

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 83-11995

Priority: August 25, 2022

Maximum Diversion Rate: 0.20 CFS

This is to certify that

SHAYNE SKIPWORTH
3688 CANYON CREEK RD
OROFINO, ID 83544-6099

AND / OR

NORMA SKIPWORTH
3688 CANYON CREEK RD
OROFINO, ID 83544-6099

have applied for a permit to appropriate water from:

Source : UNNAMED STREAM

Tributary: TIE CREEK

and a permit is APPROVED for development of water as follows:

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
FIRE PROTECTION STORAGE	01/01 to 12/31		2.1 AF
AESTHETIC	01/01 to 12/31	0.20 CFS	
AESTHETIC STORAGE	01/01 to 12/31		2.1 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.20 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM L2 (NW¼, SW¼), Sec. 17, Twp 37N, Rge 02E, B.M., CLEARWATER County

Place of Use: FIRE PROTECTION STORAGE, AESTHETIC STORAGE, and AESTHETIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
37N	02E	17										X L2							

Conditions of Approval:

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2027**.
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. A fish screen of 3/32 inch or smaller mesh shall be installed and maintained at the point of diversion.
5. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.
6. Water shall not be diverted from fire protection storage except to fight or repel an existing fire.
7. Right 83-11995 authorizes total annual storage volume of 2.1 Acre Feet (AF), 1.1 AF to be used for the initial filling or carryover storage of the ponds and 1.0 AF for the replacement of losses caused by seepage and evaporation.
8. The two ponds established by the storage of water under this right shall not exceed a total capacity of 1.1 Acre Feet (AF) or a total surface area of 0.4 acre.

Signed this 25th day of October, 2022



ADAM FREDERICK
Water Rights Supervisor

SCANNED

NOV 01 2022

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

83-11995

This map depicts the FIRE PROTECTION STORAGE, AESTHETIC STORAGE, and AESTHETIC 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.

02E



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

0 0.0375 0.075 0.15 Miles

Tax parcel information provided by Clearwater County.

SCANNED
NOV 07 2022

Total Storage Calculations

FILE NUMBER	83-11995
REVIEWER	Blake Burkard
DATE	9/1/2023

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total seepage, evaporation and fill capacity required for a pond.

User Input
Calculated value
Formula Explanations

Upstream Pond

Surface Area (AC.)	0.1136	"Surface Area" is automatically carried over from the "Seepage Loss" sheet.
Average Pond Depth (FT.)	4	"Average Pond Depth" depicts the actual depth of the pond either measured or estimated. Note: If you know the maximum depth and not the average depth, the Field Examiner's Handbook suggests multiplying the maximum depth by 0.4 to get the average depth, or you can use any method that seems reasonable to attain average depth.
Pond Capacity (AF)	0.454	Pond Capacity is calculated by multiplying the Pond Surface Area by the Average Pond Depth. If you know the capacity, divide the capacity by surface area and enter the average pond depth in the space above. <i>Note: If pond capacity is determined using a method shown on the "Pond Capacity" sheet, the user may need to modify the value of "Pond Capacity" (cell B9) manually. Note that if the value is modified manually, the formula will be altered for future use.</i>
Multiple Fill Volume Above Initial Fill to Fulfill From Storage Needs- "Multiple Fills" (AF)	0	The "Multiple Fill Volume Above Initial Fill" is the acre-feet of water required to meet a <i>from storage</i> component if the <i>from storage</i> component exceeds a one time fill. This section should not include the amount of water needed to fill the pond initially or the amount of water needed to maintain the pond level due to evaporation or seepage. For example: if a pond has a capacity of 5 acre feet and 2.5 acre feet of seepage and evaporation, but the pond is used for irrigation that requires 10 acre feet of from storage for the irrigation use, then you would insert 5 acre feet into this location (10 acre feet needed - 5 acre feet from the initial fill = 5 acre feet of additional storage needed). <i>Note: You must have a "From Storage" component exceeding the initial fill on the permit to include a volume in this space.</i>
Estimated Seepage Loss (AF)	0.29	The "Estimated Seepage Loss" is automatically carried over from the "Seepage Loss" sheet.
Estimated Evaporation Loss (AF)	0.30	The "Estimated Evaporation Loss" is automatically carried over from the "Evaporation Loss" sheet.
Total Volume Required (AF)	1.043	The "Total Volume Required" is calculated by adding the Pond Capacity, Multiple Fills, Seepage Loss, and Evaporation Loss amounts to determine the total amount of storage required.

~~2160~~
~~2000~~
~~TO 1 (HEAD)~~
 TO BE ATTACHED
 TO WR BU
 REPORT

Flow Rate into Pond (CFS)	0.08	The "Flow Rate into Pond" depicts the actual flow, either measured or estimated, into the pond. For offstream facilities, this will be equivalent to "diversion to storage" rate.
Highest Daily Evaporation Rate From Evaporation Tab. (mm/Day)	4.74	This number is carried over from the "Evaporation Loss" sheet. It is the highest recorded number in the "Precipitation Deficit Table".
Required Daily Maintenance Volume (AF/Day)	0.00	"Required Daily Maintenance Volume" is the maximum volume of water needed on any given day during the year to maintain pond volume. It is calculated by adding the highest daily evaporation loss to the average daily seepage loss in acre feet. The average daily seepage loss is calculated by dividing the "Estimated Seepage Loss" by 365 days. This is acceptable, since the seepage rate shouldn't vary throughout the season unless the pond completely freezes over during the winter months. The highest daily evaporation loss is calculated by dividing the Highest Daily Evaporation Rate by the 304.8 conversion factor and multiplying this number by the pond surface area to attain a combined daily acre feet requirement.
Minimum Maintenance Flow (CFS)	0.00	The "Minimum Maintenance Flow" is the minimum amount of flow required to maintain the level of the pond. This number is determined by dividing the "Maximum Required Daily Maintenance Volume" by 1.9835. This flow can be used to determine if the flow rate into the pond is adequate to maintain the pond level.
Days Required to Fill the Pond	3	The "Days Required to Fill the Pond" is calculated by dividing the "Pond Capacity" by the "Flow Rate" minus "Minimum Maintenance Flow" multiplied by 1.9835. This section will assist you in determining if the flow rate being diverted to the pond is adequate to fill the pond while maintaining the pond level. The length of time to fill the pond will help determine if the flow rate is adequate for the size of pond being proposed. If this number is approximately 6 months (180 days) or more, the reviewer should have a discussion with the applicant to make sure he/she understands that it will take a significant length of time to fill the pond.
Days Required to Fill the Pond at 13,000 Gallons per Day	12	Some water users may want to fill a pond under the 13,000 gallons per day domestic exemption. The "Days Required to Fill the Pond at 13,000 Gallons per Day" is calculated by converting the "Pond Capacity" and the "Required Daily Maintenance Volume" to gallons. The "Pond Capacity" is then divided by 13,000 gallons minus the "Required Daily Maintenance Volume" in gallons to determine the number of days to fill pond. If this number is approximately 6 months (180 days) or more, the reviewer should have a discussion with the applicant to make sure he/she understands that it will take a significant length of time to fill the pond. Negative values indicate that the supply of 13,000 gallons per day is not enough volume to overcome the required daily maintenance volume; the pond will never fill.

Total Storage Calculations

FILE NUMBER	83-11995
REVIEWER	Blake Burkard
DATE	9/1/2023

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total seepage, evaporation and fill capacity required for a pond.

User Input
Calculated value
Formula Explanations

Downstream Pond

Surface Area (AC.)	0.041	"Surface Area" is automatically carried over from the "Seepage Loss" sheet.
Average Pond Depth (FT.)	3	"Average Pond Depth" depicts the actual depth of the pond either measured or estimated. Note: If you know the maximum depth and not the average depth, the Field Examiner's Handbook suggests multiplying the maximum depth by 0.4 to get the average depth, or you can use any method that seems reasonable to attain average depth.
Pond Capacity (AF)	0.123	Pond Capacity is calculated by multiplying the Pond Surface Area by the Average Pond Depth. If you know the capacity, divide the capacity by surface area and enter the average pond depth in the space above. <i>Note: If pond capacity is determined using a method shown on the "Pond Capacity" sheet, the user may need to modify the value of "Pond Capacity" (cell B9) manually. Note that if the value is modified manually, the formula will be altered for future use.</i>
Multiple Fill Volume Above Initial Fill to Fulfill From Storage Needs- "Multiple Fills" (AF)	0	The "Multiple Fill Volume Above Initial Fill" is the acre-feet of water required to meet a <i>from storage</i> component if the <i>from storage</i> component exceeds a one time fill. This section should not include the amount of water needed to fill the pond initially or the amount of water needed to maintain the pond level due to evaporation or seepage. For example: if a pond has a capacity of 5 acre feet and 2.5 acre feet of seepage and evaporation, but the pond is used for irrigation that requires 10 acre feet of from storage for the irrigation use, then you would insert 5 acre feet into this location (10 acre feet needed - 5 acre feet from the initial fill = 5 acre feet of additional storage needed). <i>Note: You must have a "From Storage" component exceeding the initial fill on the permit to include a volume in this space.</i>
Estimated Seepage Loss (AF)	0.10	The "Estimated Seepage Loss" is automatically carried over from the "Seepage Loss" sheet.
Estimated Evaporation Loss (AF)	0.11	The "Estimated Evaporation Loss" is automatically carried over from the "Evaporation Loss" sheet.
Total Volume Required (AF)	0.336	The "Total Volume Required" is calculated by adding the Pond Capacity, Multiple Fills, Seepage Loss, and Evaporation Loss amounts to determine the total amount of storage required.

Flow Rate into Pond (CFS)	0.08	The "Flow Rate into Pond" depicts the actual flow, either measured or estimated, into the pond. For offstream facilities, this will be equivalent to "diversion to storage" rate.
Highest Daily Evaporation Rate From Evaporation Tab. (mm/Day)	4.74	This number is carried over from the "Evaporation Loss" sheet. It is the highest recorded number in the "Precipitation Deficit Table".
Required Daily Maintenance Volume (AF/Day)	0.00	"Required Daily Maintenance Volume" is the maximum volume of water needed on any given day during the year to maintain pond volume. It is calculated by adding the highest daily evaporation loss to the average daily seepage loss in acre feet. The average daily seepage loss is calculated by dividing the "Estimated Seepage Loss" by 365 days. This is acceptable, since the seepage rate shouldn't vary throughout the season unless the pond completely freezes over during the winter months. The highest daily evaporation loss is calculated by dividing the Highest Daily Evaporation Rate by the 304.8 conversion factor and multiplying this number by the pond surface area to attain a combined daily acre feet requirement.
Minimum Maintenance Flow (CFS)	0.00	The "Minimum Maintenance Flow" is the minimum amount of flow required to maintain the level of the pond. This number is determined by dividing the "Maximum Required Daily Maintenance Volume" by 1.9835. This flow can be used to determine if the flow rate into the pond is adequate to maintain the pond level.
Days Required to Fill the Pond	1	The "Days Required to Fill the Pond" is calculated by dividing the "Pond Capacity" by the "Flow Rate" minus "Minimum Maintenance Flow" multiplied by 1.9835. This section will assist you in determining if the flow rate being diverted to the pond is adequate to fill the pond while maintaining the pond level. The length of time to fill the pond will help determine if the flow rate is adequate for the size of pond being proposed. If this number is approximately 6 months (180 days) or more, the reviewer should have a discussion with the applicant to make sure he/she understands that it will take a significant length of time to fill the pond.
Days Required to Fill the Pond at 13,000 Gallons per Day	3	Some water users may want to fill a pond under the 13,000 gallons per day domestic exemption. The "Days Required to Fill the Pond at 13,000 Gallons per Day" is calculated by converting the "Pond Capacity" and the "Required Daily Maintenance Volume" to gallons. The "Pond Capacity" is then divided by 13,000 gallons minus the "Required Daily Maintenance Volume" in gallons to determine the number of days to fill pond. If this number is approximately 6 months (180 days) or more, the reviewer should have a discussion with the applicant to make sure he/she understands that it will take a significant length of time to fill the pond. Negative values indicate that the supply of 13,000 gallons per day is not enough volume to overcome the required daily maintenance volume; the pond will never fill.



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
December 30, 2022

Director Gary Spackman

SHAYNE SKIPWORTH
NORMA SKIPWORTH
3688 CANYON CREEK RD
OROFINO ID 83544-6099

PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 83-11995

Dear Permit Holders:

The Department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the Department to conduct a field examination to determine and confirm the use being made of the water.

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 concerning the field examination, please contact the Northern Region Office of the Department located in Coeur d'Alene at (208) 762-2800.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

SCANNED

JAN 03 2023

Beneficial Use Proof Evaluation

Permit Number: 83-11995 Reviewer: djudd Review Date: 12/27/2022

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: 12/19/2022
- 4) Proof Due Date: 11/1/2027
- 5) Days added for weekend due date? 0
- 6) Days added for holiday due date? 0
- 7) Number of days late: -1778
- 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?
- 3) Filing fee due: \$50.00
- 4) Filing fee submitted: \$50.00
- 5) Remaining fee or (refund): \$0.00

Receipt IDs

Comments

Proof acknowledged.

RECEIVED
DEC 05 2022
IDWR / NORTH

RECEIVED
JAN 03 2023
DEPARTMENT OF
WATER RESOURCES

November 23, 2022

Adam Frederick
Water Right Supervisor
Northern Region Office
7600 N. Mineral Drive, Suite 100
Coeur D'Alene, ID 83815-7763

Reference: Permit No. 83-11995; Statement of Completion for Submitting Proof of Beneficial Use

Dear Adam,

I have completed the project outlined in my permit number 83-11995. With the assistance of the Twin Ridge Rural Fire Department, the project was completed during the months of October and November 2022. The following descriptions and photographs show the steps completed in fulfilling the permit conditions and implementation details.

The basic project design consists of a two-gallon plastic bucket "spring box" with a lid placed in a pool along the spring channel. The bucket has some 5/16 inch diameter holes drilled into it to allow water to enter the closed container. Two poly pipes (one 2" and one 1.25") with screened intake ends enter the container to pick up the water and transfer it approximately 25 feet to a 16-inch steel culvert placed two feet vertically in the ground to function as a cistern with a capacity of approximately 4 gallons. Wooden plugs are located at the spring box intake to provide a means of shutting the system off if needed (remove screen and insert plug). The cistern has an overflow pipe directing water back to the spring channel to prevent flooding and the chance of erosion. A two-inch poly pipe comes out of the cistern bottom and runs approximately 550 feet in a buried trench to a holding pond outfitted with a four-inch dry hydrant suitable for year around water extraction. Areas of disturbed soil have been seeded with grass to reduce the chance of surface erosion.

Detailed Description of Permit Conditions:

1. Spring diversion: I would like to clarify that the water source is from a spring located high up in the drainage of Tie Creek and not directly out of Tie Creek as might be construed by Idaho Fish and Games' response to the permit (email C.Hickey, Request for Comment, 9/23/22). Fish are not found in this spring; however, the need for a screen on the intake pipe was still felt to be justified to reduce the chance of other organisms entering the system. A 16 mesh (1/16" holes) screen was placed around the intake pipe, which are contained in the plastic spring box (Figure 1). Also, the diversion is located in a pool on the spring with a gentle gradient, which would keep the approach velocity well below 0.5 feet per second (Figure 2).

SCANNED
JAN 13 2023

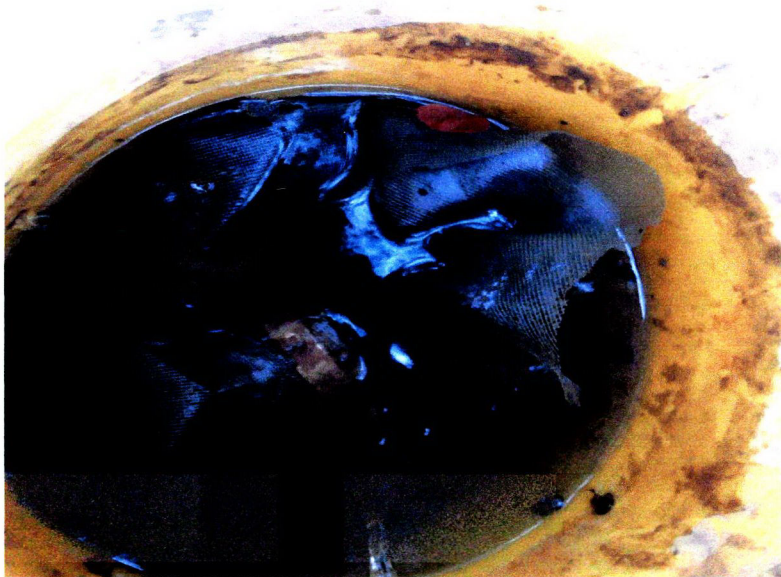


Figure 1: Screened Spring Box Inlet Pipes



Figure 2: Spring in Spring Pool

SCANNED
JAN 13 2023

2. Diversion shut off: If necessary, the diversion can be shut off by placing a custom built wooden plug in the intake pipe (Figure 3; inlet pipes are under inner cover). The plugs are attached to the spring box.



Figure 3: Inlet Pipe Plugs

3. Cistern: A small four-gallon cistern consisting of a 16 inch steel culvert collects the water from the spring box and routes it into a 2 inch poly pipe. Any over flow from the cistern is routed back into the spring channel (Figures 4 and 5).



Figure 4: Spring Box Diversion Pipes to Cistern



Figure 4: Inside Cistern View; Inlet pipes at top, then overflow and outlet pipe is in one gallon tube.

4. Feed pipe: Approximately 550 feet of 2-inch poly pipe was laid between the cistern and the pond (Figure 6).

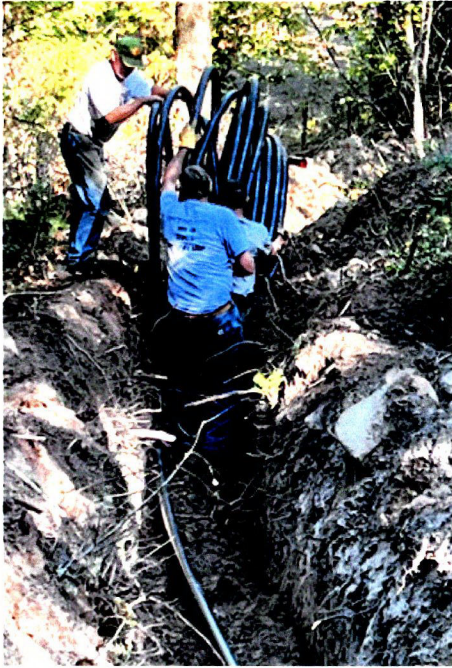


Figure 6: Laying Main 2-inch Poly Pipe.

5. Diversion amount: The two-inch main line is currently providing approximately 2 to 3 gallons of water per minute to the pond (Figure 7).



Figure 7: Diversion Outflow Into Holding

SCANNED
JAN 13 2023

6. Holding pond: The main holding pond is an average of 45 feet wide by 110 feet long and 4 feet deep for a surface area of 0.11 acres and an approximate capacity of 148,000 gallons. The small pond is an average of 40 feet wide by 45 feet long and 3 feet deep for a surface area of 0.04 acres and a capacity of 40,000 gallons. Total storage capacity consists of approximately 0.15 acres and 188,000 gallons (Figure 8). A six-inch pipe with a four-inch discharge has been placed in the storage pond below the freezing level to provide year around water access (Figure 9).

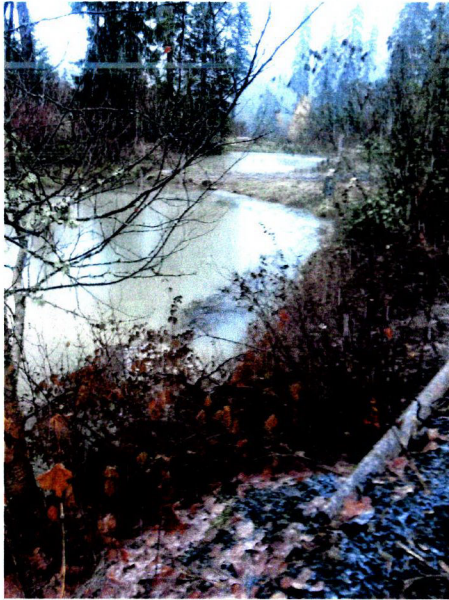


Figure 8: Holding Ponds



Figure 9: Pond Hydrant

RECEIVED
JAN 13 2023

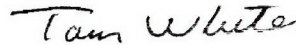
In summary, the project has been completed and is in compliance with the "Conditions of Approval" outlined in Permit #83-11995. This project is a major improvement to providing fire protection to the rural homes in this continually developing wild land interface area.

If you have any questions, please contact Shayne Skipworth at 208-476-0458 or Tam White at 208-476-7193.

Sincerely,



Shayne Skipworth
Permit Holder



I am White
Twin Ridge Rural Fire Department
Chairman Fire Commissioners

RECEIVED
JAN 13 2003

7



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

November 07, 2022

SHAYNE SKIPWORTH
NORMA SKIPWORTH
3688 CANYON CREEK RD
OROFINO ID 83544-6099

RE: Permit No. 83-11995

Permit Approval Notice

Dear Permit Holder(s):

The Department of Water Resources ("Department") has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review all the conditions of approval listed on your permit. The conditions include requirements that you must accomplish, such as timely submittal of proof of beneficial use or installation of a measuring device, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district. Failure to comply with the conditions of approval may result in your permit lapsing or being canceled.

The permit is a PRELIMINARY ORDER issued 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.

The final step in the water right process is issuance of a water right license. To receive a water right license, you must divert and use water to the full extent intended and submit a *Statement of Completion for Submitting Proof of Beneficial Use* by the date shown in condition no. 1 of your permit. The Department will send you a *Proof Due Notice* approximately 60 days prior to the date listed in condition no. 1 of your permit.

You may also require approvals from other Department programs, such as Ground Water Protection, Safety of Dams, or Stream Channel Protection, to accomplish your proposed development. Please call or visit any Department office or see the Department's website at idwr.idaho.gov for more information about these programs.

SCANNED

NOV 07 2022

Please be advised that Idaho Code § 42-248, requires you or the owner of this water permit to maintain current ownership and address records on file with the Department. Forms to file an assignment of permit and/or a change in the address of the permit owner are available from any Department office or at the Department's website at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please contact the Northern Region Office at (208) 762-2800.

Sincerely,



Adam Frederick
Water Right Supervisor

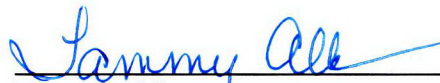
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on November 07, 2022, I served a true and correct copy of Permit to Appropriate Water No. 83-11995 by U.S. Mail, postage prepaid, to the following:

SHAYNE SKIPWORTH (Current Owner)
3688 CANYON CREEK RD
OROFINO ID 83544-6099

NORMA SKIPWORTH (Current Owner)
3688 CANYON CREEK RD
OROFINO ID 83544-6099



Tammy Alleman
Administrative Assistant 1

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

October 24, 2022

Water Right Application for Permit: 83-11995

Author: Shaun M. Maxey, Idaho DEPT of Water Resources (IDWR), Northern Region

Subject: IDWR Regional Analysis / Sensitive Basin Memo & Recommendation in Accordance with Water Appropriation Rules (IDAPA 37.03.08.040.05).

Water Supply Information: The Applicant plans to install a pipeline from an unnamed stream to connect two existing off-stream ponds in succession before returning overflow water to the same unnamed stream. The ponds will impound a total of 1.1 Acre Feet (AF) year-round (01-01 to 12-31) for aesthetic storage and fire protection storage. Maps and IDWR ArcMap™ software indicate that the unnamed stream is a tributary of Tie Creek. Tie Creek is tributary to the portion of the North Fork Clearwater River that is submerged below Dworshak Reservoir. The record does not contain information that indicates an inadequate water supply is available for the proposed uses.

Good Faith, Delay, or Speculative Information: Clearwater County property tax records indicate that the Applicant owns the Point of Diversion (POD) and Place of Use (POU) tax parcel. IDWR has no information that indicates the Application is not being made in good faith, is intended to delay, or that it is speculative.

Financial Resources Information: The scope of the project and five-year development period, proposed by the Applicant, appears to be feasible. IDWR has no information that indicates the Applicant is financially incapable of completing the project.

Local Public Interest: Idaho Department of Environmental Quality (IDEQ), Idaho Department of Fish and Game (IDFG), and the IDWR Planning Section were contacted for comment on recreation, fish, and wildlife resources. The file indicates that IDEQ and the IDWR Planning Section did not submit comments.

The IDFG comment e-mail states that '...the proposed location and amount of withdrawal is unlikely to have a significant impact on fish, wildlife, or habitat....'. IDFG's recommendations concerning maximum screen mesh size at the intake Point of Diversion and limiting approach velocity to not exceed 0.5 Feet Per Second have been incorporated in IDWR conditions on the proposed permit (83-11995).

Injury to Other Users – Other Water Rights: The Idaho Water Resource Board holds Water Right No. 83-11962 for Minimum Stream Flow (MSF) purposes on the North Fork Clearwater River located downstream from the POD and POU. No injury to the MSF Right is anticipated. There are no active water rights located between the Unnamed Stream and the North Fork Clearwater River.

Recommendation: IDWR Northern Region staff recommend that the Permit be issued with the conditions requested by IDFG (X15 and X16).

SCANNED

NOV 07 2022

Alleman, Tammy

From: Hickey, Clay
Sent: Friday, September 23, 2022 2:33 PM
To: Alleman, Tammy
Subject: RE: Request for Comments for WR#83-11995

Hi Tammy, I have reviewed WR#83-11995 for the application to withdraw 0.2 CFS from Tie Creek.

Based on my understanding of the application, the proposed location and amount of withdrawal; the withdrawal is unlikely to have a significant impact on fish, wildlife or habitat. I do recommend that the pump intake be screened. I'd recommend a maximum screen mesh size of 3/32- inches. I would also recommend to require that approach velocities at the intake should not exceed 0.5 feet per second.

Thank you,

Clay Hickey
Environmental Staff Biologist, Clearwater Region
Idaho Department of Fish and Game
3316 16th Street
Lewiston, ID 83501
Office (208) 750-4217
Clay.hickey@idfg.idaho.gov



From: Alleman, Tammy <Tammy.Alleman@idwr.idaho.gov>
Sent: Tuesday, August 30, 2022 2:26 PM
To: Sujata Connell <Sujata.Connell@deq.idaho.gov>; Hickey, Clay <clay.hickey@idfg.idaho.gov>; IWRB Water Use Reviews <WaterUseApprovalReviews@idahogov.onmicrosoft.com>
Subject: Request for Comments for WR#83-11995

Dear Interested Agencies:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced Water Right Permit application. You can find copies of the application at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of the application(s), you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication. The deadline for comments on the applications is September 26, 2022.

Please contact the Northern Region Office at (208) 762-2800 if you have any questions regarding the Permit application.

Thank you,



Tammy Alleman | Administrative Assistant

Idaho Department of Water Resources

Northern Regional Office

7600 N Mineral Drive, Suite 100

Coeur d'Alene, ID 83815-7763

Phone: (208) 762-2800

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Clearwater)

MARCIE STANTON

being first duly sworn in, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE; that said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of:

**Idaho Department of Water Resources
SKIPWORTH WATER RIGHTS
APPLICATION**

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for a period of two consecutive weeks, commencing on the 7th day of September 2022 and ending on the 14th day of September 2022.

Marcie Stanton

STATE OF IDAHO)
)
COUNTY OF CLEARWATER)

On this 14th day of September in the year of 2022, before me, a Notary Public, personally appeared

Marcie Stanton

known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Michelle D. Donner

Notary Public for Idaho
Resident at Orofino, Idaho
My commission expires: 10/3/2023

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

83-11995

SHAYNE SKIPWORTH

NORMA SKIPWORTH

3688 CANYON CREEK RD

OROFINO, ID 83544-6099

Point of Diversion L2(NWSW)

S17 T37N R02E

CLEARWATER County

Source UNNAMED STREAM

Tributary TIE CREEK

Use: DIVERSION TO STORAGE

01/01 to 12/31 0.2 CFS

Use: FIRE PROTECTION STORAGE

01/01 to 12/31 2.1 AF

Use: AESTHETIC STORAGE

01/01 to 12/31 2.1 AF

Use: AESTHETIC

01/01 to 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 08-25-2022

Place Of Use: AESTHETIC, AESTHETIC

STORAGE, DIVERSION TO STORAGE, FIRE PROTECTION STORAGE

T37N R02E S17 L2(NWSW)

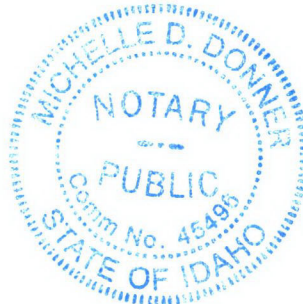
Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D'ALENE ID 83815-7763 together with a protest fee of \$25.00 for each application on or before 9/26/2022. The protestant must also send a copy of the protest to the applicant. GARY SPACKMAN, Director

9-7,14-22c

RECEIVED

SEP 14 2022

IDWR/NORTH



SCANNED

NOV 07 2022