State of Idaho
Department of Water Resources

Water Right License

Water Right No. 86-12096

Priority: November 05, 2020 **Maximum Diversion Volume:** 4.2 AF

It is hereby certified that:

DAVID SALMERI 3108 HIGHWAY 3 DEARY ID 83823-9603

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 05, 2020, and has submitted Proof of Beneficial Use on October 28, 2022. An examination confirms water is diverted from:

Source : UNNAMED STREAM **Tributary:** PINE CREEK

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
STOCKWATER STORAGE	01/01 to 12/31		0.1 AF
RECREATION STORAGE	01/01 to 12/31		4.1 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		4.1 AF

Location of Point(s) of Diversion
UNNAMED STREAM SE¼ SW¼, Sec. 23, Twp 40N, Rge 02W, B.M. LATAH County
UNNAMED STREAM SE¼ SW¼, Sec. 23, Twp 40N, Rge 02W, B.M. LATAH County

Place of Use: STOCKWATER STORAGE, RECREATION STORAGE, and FIRE PROTECTION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
40N	02W	23												X					

Conditions of Approval

1. The two (2) ponds established by the storage of water under this right shall not exceed a total capacity of 2.8 acre-feet or a total surface area of 0.6 acres.
2. Right 86-12096 authorizes the storage of an annual total of 4.2 acre-feet, comprised of 2.8 acre-feet to be used for the initial filling or carryover storage of the ponds, 1.3 acre-feet for the replacement of losses due to seepage and evaporation, and up to 0.1 acre-feet for additional refills for stockwater from storage use.
3. Water shall not be diverted from fire protection storage except to fight or repel an existing fire.
4. Water shall not be diverted under this right when flows in the Clearwater River are below minimum flow amounts as defined by Right 86-7345. The right holder shall be responsible for monitoring the daily flow of the Clearwater River using real-time data and shall cease diverting water when flows in the Clearwater 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 Spalding gauging station, No. 13342500, may be used for purposes of determining the daily flow amounts.

State of Idaho
Department of Water Resources

Water Right License

Water Right No. 86-12096

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 7th day of March, 2025.

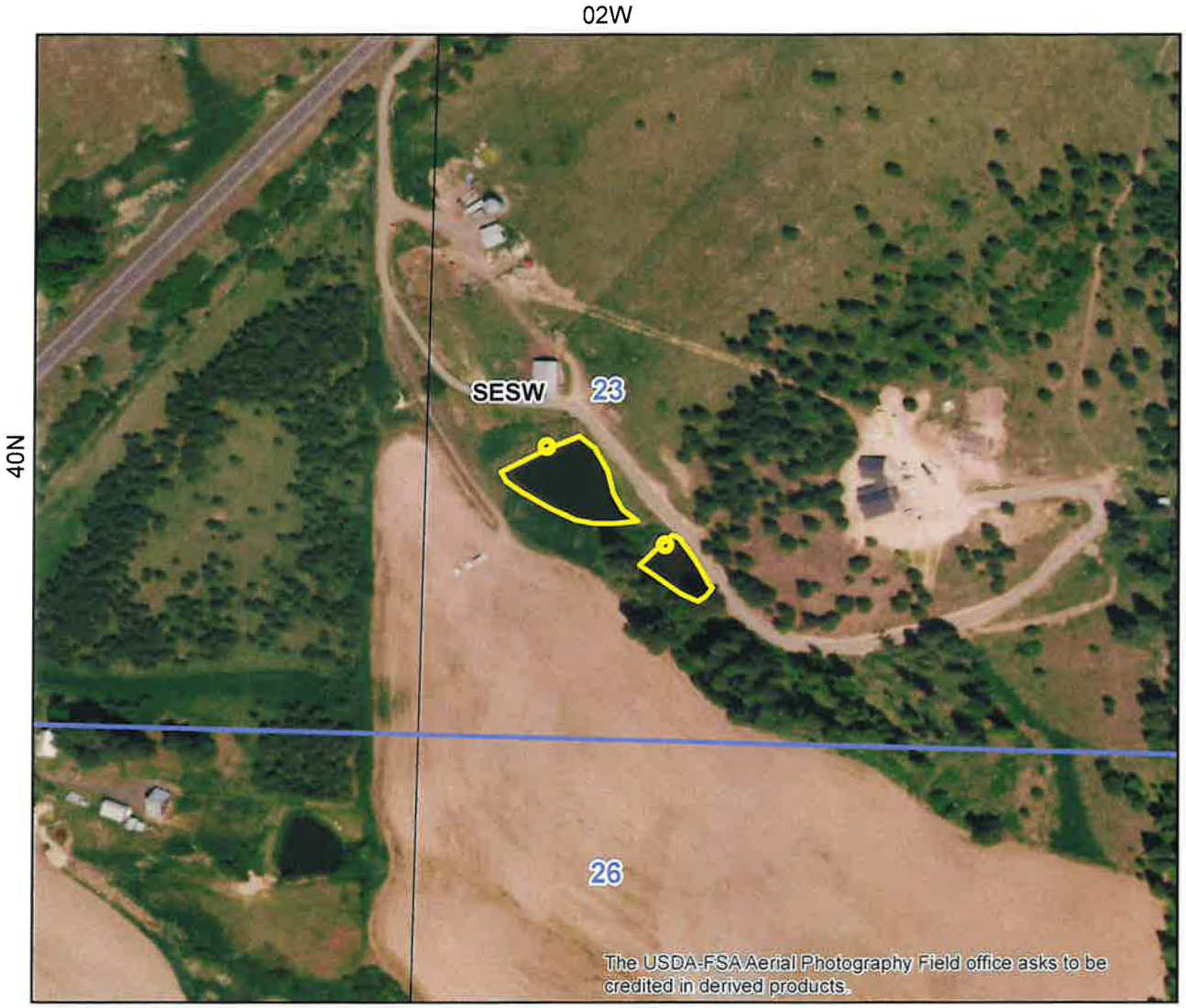
PHILL HUMMER
Water Rights Supervisor

State of Idaho
Department of Water Resources

Attachment to Water Right

86-12096

This map depicts the STOCKWATER STORAGE, RECREATION STORAGE, and FIRE PROTECTION 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.



0 0.035 0.07 0.14 Miles

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

N

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 Mathew Weaver

March 17, 2025

DAVID SALMERI
3108 HIGHWAY 3
DEARY ID 83823-9603

RE: License Nos. 86-12095 & 86-12096

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 me at (208) 287-4925.

Sincerely,

Phill Hummer

Phill Hummer
Water Rights Section Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on March 17, 2025, I served a true and correct copy of Water Right License No. 86-12095 by U.S. Mail, postage prepaid, to the following:

DAVID SALMERI (Current Owner)
3108 HIGHWAY 3
DEARY ID 83823-9603

Debra Mansfield
Technical Records Specialist 1

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was held)

The accompanying order is a **Preliminary Order** issued by the Idaho Department of Water Resources (Department) pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and brief as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of the order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The hearing officer 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 to the Director. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The Director retains the right to review the preliminary order on his own motion.

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.