

MEMORANDUM

To: Water Right Permit 78-12414

From: Luke Bates *JSB*

Date: 6/23/2021

Re: Permit to Appropriate Water within the State of Idaho.

A field exam was performed on Permit 78-12414, owned by Richard Stubbs and/or Tyra Stubbs (applicant), on 6/16/2021. The permit was approved for domestic and irrigation beneficial uses. During the exam, it was identified that irrigation from the groundwater well associated with this permit was developed consisting of 0.4 acres of watered fruit trees and ground cover shrubs.

The water resource agent explained to the applicant during the exam that water use for irrigation purposes was less than the department standard as defined by the department for 'domestic' use, and that the applicant may consider requesting to have the separate irrigation component removed during licensing review. This would allow the permit to be licensed solely for Domestic beneficial use, including irrigation up to $\frac{1}{2}$ acre covered under that domestic use.

The applicant replied to email correspondence on 6/23/2021, that the applicant agrees to the removal of the irrigation component of their well water right (permit 78-12414), so long as their existing surface water right (license 78-7348) still provides irrigation coverage for their parcel.

Review of licensed right 78-7348 validates the applicant's still have an active water right to use Little Elk Creek water for irrigation of up to 1.0 acres, which was explained to the applicant via email correspondence on 6/23/2021.

Following email communication, the separate irrigation beneficial use component for permit 78-12414 shall be removed from the permit during licensing review; domestic with $\frac{1}{2}$ acre irrigation shall be recommended with volume associated equating to 1.2 af for licensing purposes.

Bates, Luke

From: Bates, Luke
Sent: Wednesday, June 23, 2021 3:07 PM
To: 'Richard Stubbs'
Subject: RE: IDWR field exam follow up for 78-12414

Thank you Mr. Stubbs,

Your existing water right 78-7348, with priority date 8/6/1993, is licensed for both irrigation 1.0 acres and domestic use for 1 home is still active on the parcel. The domestic use accounts for in-home use for the pre-existing double-wide trailer that is on your parcel. The source of water is Little Elk Creek, tributary to Elk Creek.

Yes, your property is still licensed to irrigate from Little Elk Creek.

I will remove the separate irrigation component from permit No. 78-12414 during licensing review, and apply domestic use for 1 home (main residence), plumbing to the small office for bathroom use, and irrigation up to ½ acre.

If you have any questions feel free to reach out by phone or email.

Thank you,

Luke Bates
Water Resource Agent
IDWR – Northern Region Office
P: 208-762-2817
Luke.bates@idwr.idaho.gov

From: Richard Stubbs [mailto:richard.stubbs@me.com]
Sent: Wednesday, June 23, 2021 2:32 PM
To: Bates, Luke <Luke.Bates@idwr.idaho.gov>
Subject: Re: IDWR field exam follow up for 78-12414

Good afternoon Mr. Bates,

We agree to removal of the irrigation component of our well water right, so long as that does not eliminate our right to irrigate using our separate water right to take water from Little Elk Creek. We use the Elk Creek water to irrigate fruit trees and other vegetation throughout our property below Little Elk Creek.

Thank you.

Richard Stubbs
richard.stubbs@me.com

On Jun 23, 2021, at 12:41 PM, Bates, Luke <Luke.Bates@idwr.idaho.gov> wrote:

Good afternoon Mr. Stubbs.

Following the field exam performed on 6/16/2021 at your place off N. Elk Lake RD, I wanted to send an email requesting follow up correspondence we discussed.

The area in red displayed below is what I would consider for assigning "irrigation" Place of Use toward licensing. The total acreage is less than 0.4 acres, which is covered under our definition of Domestic use. As a result, we discussed removing the separate irrigation component, and capturing the irrigation of fruit trees under Domestic.

<image001.jpg>

Please respond to this email using a separate email chain validating you agree to this change in your permit [removing IRRIGATION component] and keeping the Domestic beneficial use with included ½ acre.

This will enable me to continue forward with finalizing this permit for licensing.

If you have any questions, don't hesitate to give me a call. Thank you.

Luke Bates
Water Resource Agent
IDWR – Northern Region Office
P: 208-762-2817
Luke.bates@idwr.idaho.gov