



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 31, 2013

GREGORY W STOUT
SANDRA L STOUT
20130 COTTONTAIL LN
CULDESAC ID 83524

RE: License No. 85-15634

Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources 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 the conditions of approval and remarks listed on your license.

The license 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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4916.

Sincerely,

A handwritten signature in blue ink, reading "Craig L. Saxton".

Craig L. Saxton
Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on **August 01, 2013**, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

85-15634

**GREGORY W STOUT
20130 COTTONTAIL LN
CULDESAC ID 83524**

**SANDRA L STOUT
20130 COTTONTAIL LN
CULDESAC ID 83524**



**Darla Block
Technical Records Specialist**

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.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 85-15634

Priority: April 20, 2005

Maximum Diversion Rate: 0.07 CFS
Maximum Diversion Volume: 9.8 AF

It is hereby certified that GREGORY W STOUT

Or

SANDRA L STOUT

20130 COTTONTAIL LN

CULDESAC ID 83524

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 20, 2005; and has submitted Proof of Beneficial Use on July 24, 2006. An examination confirms water is diverted from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
IRRIGATION	02/15 to 11/30	0.05 CFS	9.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L2 (NW¼NE¼) Sec. 4, Twp 36N, Rge 03W, B.M. NEZ PERCE County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
36N 03W 4		X															
		L 2															

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
36N 03W 4		2.3															2.3
		L 2															

Total Acres: 2.3

CONDITIONS OF APPROVAL

- 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.

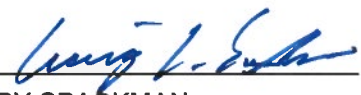
State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 85-15634

2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. 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 31st day of July, 2013.

For 
GARY SPACKMAN
Director



State of Idaho
Department of Water Resources
Attachment To Water Right License
85-15634

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.



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

0 0.025 0.05 0.1 Miles



State of Idaho
Department of Water Resources
Attachment To Water Right License
85-15634

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.

03W



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

0 0.01 0.02 0.04 Miles



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 85-15634

Exam Date: 5/16/2012

1. Current Owner: GREGORY W. and SANDRA L STOUT
20130 COTTONTAIL LN
CULDESAC, ID 83524
(208)836-5677
2. Accompanied by: Not accompanied by anyone, but obtained verbal permission per phone conversation
(208)962-3179 from Gregory Stout (owner).

Additional Information: Tax Lot information that was updated on 1/13/2012 confirms the same owner and address (both mailing address and physical address are the same).

3. SOURCE**TRIBUTARY**

GROUND WATER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None. There are other water rights in the same QQ 85-11024 (Wicks; groundwater, domestic use), 85-7292 (Wicks, Cottonwood Ck source for irrigation), but none of these are for the same POU as for water right 85-15634.

2. Other water rights with the same point of diversion: None. 85-7292 is for Cottonwood Ck source for Wicks (a neighbor).

C. DIVERSION AND DELIVERY SYSTEM**1. LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER L2 NW1/4NE1/4 Sec. 4, Twp 36N, Rge 03W, B.M. NEZ PERCE County

Method of Determination: Garmin GPS Map, Arc Map Esri and 2011 Imagery.

2.

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
36N	03W	4		X															
				L 2															

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
36N	03W	4		2.3															2.3
				L 2															

Total Acres: 2.3

Method of Determination: Garmin GPS Map, Arc Map Esri and 2011 Imagery.

3. ☒ Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.
- ☐ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.
- ☒ Aerial Photo Attached (required for irrigation of 10+ acres).
- ☒ Photo of Diversion and System Attached

4.

<u>Well or Diversion</u>					<u>Pump Serial No. or Discharge</u>
<u>ID No.*</u>	<u>Motor Make</u>	<u>Hp</u>	<u>Motor Serial No.</u>	<u>Pump Make</u>	<u>Size</u>
D0010654	Gould submersible	2 Hp	model 18GS20		2 inch

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

D. FLOW MEASUREMENTS1. **Measurements:****Well Drillers Report:** 60 gpm X 0.00223 = 0.13 cfs (pumped for only 1 hr)**Theoretical:** $(8.8 \times 2 \text{ Hp} \times 0.7 \text{ eff}) / [35 \text{ ft} + (52 \text{ psi} \times 2.31)] = 12.32 / 155.12 = 0.079 = 0.08 \text{ cfs}$ **5-gallon Measurement:** $[(5 \text{ gallon} \times 60 \text{ sec}) / 8 \text{ seconds}] \times 0.00223 = 0.08 \text{ cfs}$, (capacity of the system)**RECOMMEND:****Domestic:** IDWR Standard for D1 internal use only = 0.02 cfs**Irrigation:** 2.3 acres X 0.02 cfs/acre (as conditioned in the permit) = 0.05 cfs**Total Diversion Rate:** 0.07 cfs**E. FLOW CALCULATIONS**

Measured Method: No additional flow calculations

F. VOLUME CALCULATIONS1. **Volume Calculations for Domestic:** IDWR Standard for Domestic 1-home internal use only (external use is covered under the irrigation component) = 0.6 af.2. **Volume Calculations for Irrigation:****Vir:** (2.3 Acres Irrigated) X (4.0 Irrigation Requirement) = 9.2 af**Vdr:** (0.05 cfs Diversion Rate X 289 Days in Irrigation Season X 1.9835) = 28.66 af**V:** 9.2 af**RECOMMEND:****Irrigation:** 9.2 af**Domestic:** 0.6 af (internal use only)**Total Annual Volume:** 9.8 af

G. NARRATIVE/REMARKS/COMMENTS

The well D0010654, was drilled on April 20, 2000 by Burns Well Drilling firm No. 103. The well has an 8 inch casing that extends 20 inches above the ground level. It is 215 ft deep, 25 ft static, 2 Hp Gould submersible, model 18GS20, which runs at 52 psi; 2 inch discharge to frost free risers located throughout the yard connected to 3/4 inch hoses and misc size nozzles in the pasture and garden/orchard area; some Orbit large mist nozzles, drip irrigation, and Hunter pop-ups throughout the immediate yard. Use is for domestic one home internal use only (external use is covered under the irrigation component), and irrigation of 2.3 acres consisting of pasture, yard, landscaping, garden and orchard area.

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

H. RECOMMENDATIONS**1. Recommended Amounts**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.020 CFS	0.60 AF
IRRIGATION	02/15 to 11/30	0.050 CFS	9.20 AF
	<u>Totals:</u>	0.070 CFS	9.80 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 ☐ Other

I. AUTHENTICATION

Field Examiner's Name Sandy Hemenway Date: 7/16/2013

RECEIVED

Form 238-7
11/99

MAY 25 2000

IDAHO DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

IDWR/North

1. WELL TAG NO. D 0010654

DRILLING PERMIT NO.

Other IDWR No. 764 053

2. OWNER:

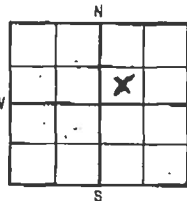
Name Lee Heath

Address Rt. 1 Box 38

City Juliaetta State ID Zip 83535

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.



Twp. 36 North ☒ or South ☐
 Rge. 03 East ☐ or West ☒
 Sec. 04 SW 1/4 NE 1/4 1/4
 Gov't Lot County Nez Perce
 Lat. : : Long. : :
 Address of Well Site 1/4 Mile up Ruben

Gifford Rd. From Hwy. 12 City Gifford
 (Give at least name of road + Distance to Road or Landmark)

Lt. : Blk. : Sub. Name :

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK		AMOUNT		METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	22	6 bags	Dry pour

Was drive shoe used? ☐ Y ☐ N Shoe Depth(s) 23

Was drive shoe seal tested? ☐ Y ☐ N How? Air

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
8"	+2	25	002	Steel	☒	☐	☒	☐
6"	-15	215		PVC	☐	☒	☐	☐

Length of Headpipe : Length of Tailpipe :

9. PERFORATIONS/SCREENS

Perforations Method Skill Saw
 Screens Screen Type :

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
175	215	6 1/8	40	6	PVC	☐	☒

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

25 ft. below ground Artesian pressure lb.
 Depth flow encountered 180 ft. Describe access port or control devices: Removable Well Cap

36N 3W 4

FORWARD WHITE COPY TO WATER RESOURCES

Office Use Only

Inspected by

Twp Rge Sec

1/4 1/4 1/4

Lat. : : Long. : :

11. WELL TESTS:

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
60		200	1 hour

Water Temp. 51°

Bottom hole temp. :

Water Quality test or comments:

Depth first Water Encounter 180

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
16	0	4	Soil		
10	4	15	Sand		
10	15	65	Basalt		
8	65	70	Fractured Basalt		
8	70	100	Basalt		
8	100	105	Fractured Basalt		
8	105	135	Basalt		
8	135	175	Fractured Basalt		
8	175	200	Schale		
8	200	215	Schale/Sand		

Completed Depth 215' (Measurable)
 Date: Started 19APR2000 Completed 20APR2000

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Burns Well Drilling Firm No. 103

Firm Official B.R. Burns Date 5/19/00

and Driller or Operator Date 5-19-00

(Sign once if Firm Official & Operator)

Idaho Department of Water Resources Receipt

Receipt ID N016881

Payment Amount	\$125.00	Date Received	5/3/2005 1:20:07 PM	Region	Northern	Status	
Payment Type	Check	Check Number	3152				

Payer G BILL STOUT

Comment Upgrade fee for D10654 (well drilled for Lee Heath)
WR No. 85-15634 in name of Stout

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$125.00	DRILLING PERMITS	0229	21	65134	1205

Signature Line (Dept. Representative)

SESW

Clearwater River

SWSE

37N03W

SESW

SWSE

Cottonwood Ct.

Foot
• Foot w/ hose
+ misc
nozzles

Numerous
Hoses
pop-up
nozzles

NENW

NWNE

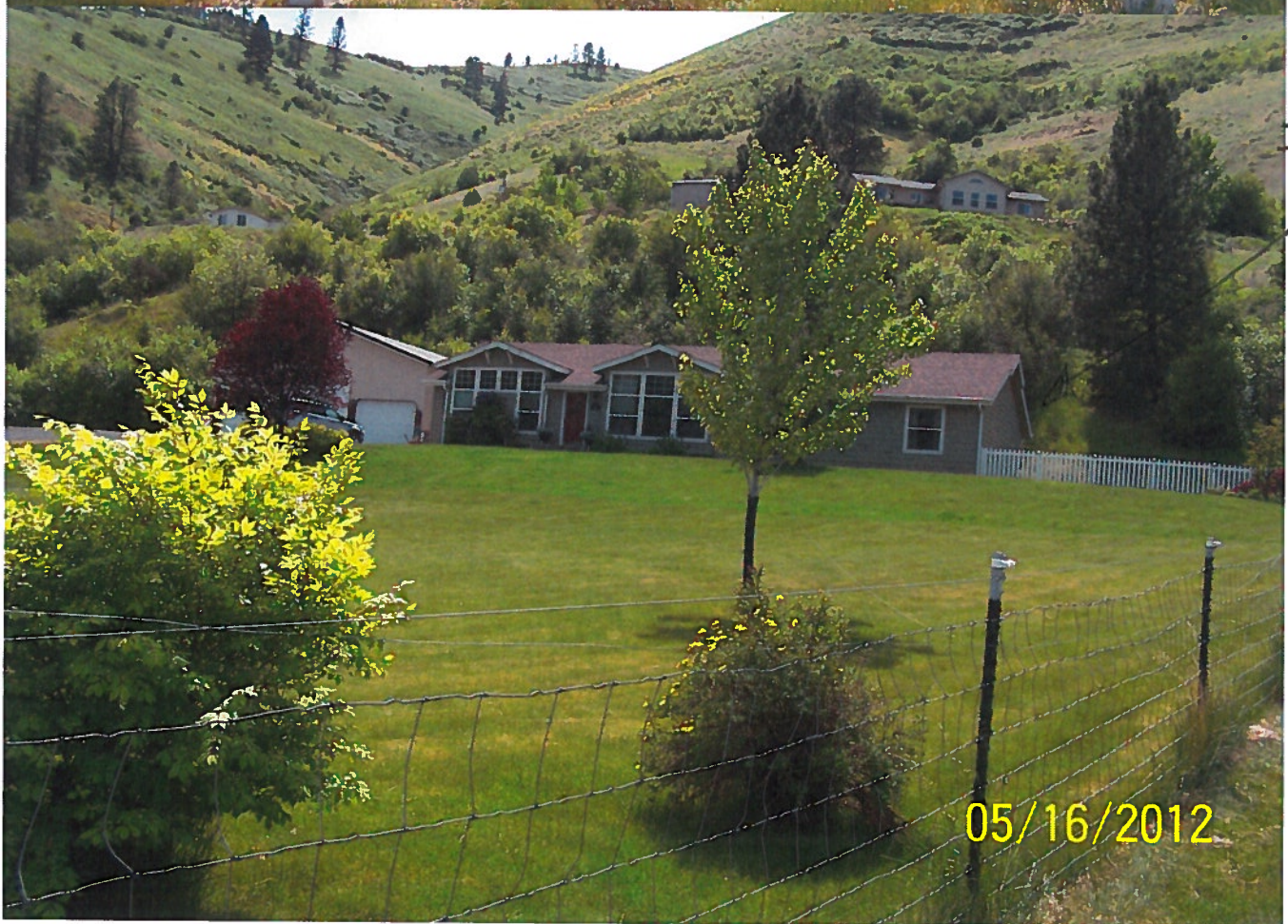
36N03W

Foot
• Foot w/ hose
+ misc
nozzles

POD



POU:
 Domestic
 1-horn
 intersex
 +
 Irrigated



85-15634 stout

S. Hemmenway



Pou:
yard
+
garden
area
surround
house

85-15634 stout

S. Hemerway



Orbit
large
mist
in
garden
area

05/16/2012



POD:
8" .
casing
extend:
20"
above
ground
level,
2"
dischar

05/16/2012

85-15634 stout

S. Hernerway



Another
picture
of
POD



POU
property
north
of
house

85-15634 Stout

S. Hemenway



pressure
system
utilizing
Hunter
pop-up
nozzles

05/16/2012



POU :
Area
behind
the
house

05/16/2012

85-15634 Stout

S. Hemenway