

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 57-12022

Priority: October 05, 2020

Maximum Diversion Rate: 0.04 CFS

Maximum Diversion Volume: 2.9 AF

It is hereby certified that:

ROBERT MANCASO 17931 BRIAR CREEK RD MURPHY ID 83650-5005 AND
SHERRY MANCASO 17931 BRIAR CREEK RD MURPHY ID 83650-5005

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 17, 2020, and has submitted Proof of Beneficial Use on November 25, 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	0.01 CFS	2.3 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF

Location of Point(s) of Diversion

GROUND WATER NE¼ SE¼, Sec. 5, Twp 03S, Rge 02W, B.M. OWYHEE 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	
03S	02W	5													0.5				0.5

Total Acres: 0.5

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	
03S	02W	5													X				

Conditions of Approval

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
3. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

SCANNED

FEB 23 2023

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 57-12022

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 14th day of February, 2023.



PHILL HUMMER
Water Rights Supervisor



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FEB 23 2023

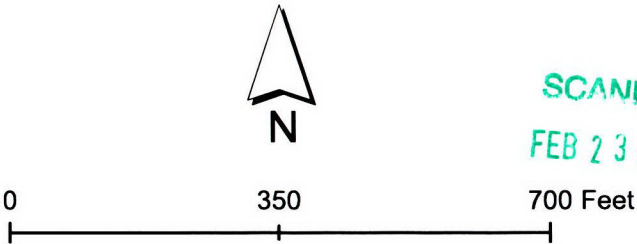
State of Idaho
Department of Water Resources
Attachment to Water Right
57-12022

This map depicts the DOMESTIC & 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.

02W



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



SCANNED
FEB 23 2023

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF PERMIT NO. 57-12022	)	PRELIMINARY ORDER
IN THE NAME OF ROBERT MANCASO	)	REINSTATING A PERMIT
AND SHERRY MANCASO	)	
_____	)	

This matter having come before the Idaho Department of Water Resources ("Department"), the Department finds, concludes and orders as follows:

FINDINGS OF FACT

1. On October 30, 2020, the Department issued Permit No. 57-12022 ("Permit") in the name of Robert Mancaso and Sherry Mancaso ("Permit Holders") authorizing the diversion of 0.04 cubic feet per second of ground water for irrigation and domestic uses in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5 of Township 03 South, Range 02 West, B.M., Owyhee County. A condition of permit approval required the Permit Holders to submit proof of beneficial use of water to the Department on or before November 1, 2022.
2. On August 31, 2022, the Department notified the Permit Holders by certified mail that proof of beneficial use was due and instructed the Permit Holders of the steps to be taken to submit a *Statement of Completion for Submitting Proof of Beneficial Use* ("Proof"), or a *Request for Extension of Time* ("Extension Request").
3. On November 1, 2022, the Permit lapsed because the Department had not received an acceptable Proof or Extension Request.
4. On November 14, 2022, the Department notified the Permit Holders the Permit lapsed because no Proof or Extension Request had been received.
5. On November 25, 2022, the Permit Holders filed an acceptable Proof.

CONCLUSIONS OF LAW

Idaho Code § 42-218a(1) states, in pertinent part:

A permit upon which the proof of beneficial use..., has not been submitted, or a request for extension of time has not been received on or before the date set for such proof or incremental statement, shall lapse and be of no further force nor effect... . Notice of said lapsing shall be sent by the department to the permit holder at the address of record by regular mail.

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DEC 14 2022

Idaho Code § 42-218a(2) states, in pertinent part:

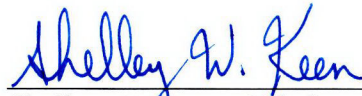
Within sixty (60) days after such notice of lapsing the department may, upon a showing of reasonable cause, reinstate the permit with the priority date advanced a time equal to the number of days that said showing is subsequent to the date set for proof.

By submitting an acceptable Proof, the Permit Holders have shown reasonable cause why this Permit should be reinstated. The Permit should be reinstated based upon the November 25, 2022 filing date.

ORDER

IT IS HEREBY ORDERED that Permit No. 57-12022 is **REINSTATED** and the Permit's priority date is advanced to October 5, 2020.

DATED this 8th day of December, 2022.



Shelley W. Keen, Chief
Water Allocation Bureau

SCANNED
DEC 14 2022

RECEIVED

NOV 25 2022

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
STATEMENT OF COMPLETION
FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY

Amt. of Fee \$ _____

Receipt No. _____

Received By _____

Date Received _____

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. 57-12022 Name of Permit Holder(s) Robert/Sherry Manauuso
Telephone No. 208 6974913 Email ncorctracks810@gmail.com
Mailing Address 17931 Briar Cr. Rd. City Murphy State ID Zip 83650

2. Source of Water Well If Ground Water (well), Date Drilled mo. _____ / yr. _____
Drilling Permit/Tag No. 00025398 Drilling Company's Name _____

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

Domestic (No. households) 1 Irrigation (No. acres) 1/2 Stockwater (No. and stock type) _____

Other irrigation of lawn/garden; 2 dogs, chickens, 3 goats,

4. Total diversion rate or volume (storage only) for which proof is submitted 0.04 cfs OR _____ 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, irrigation method, etc.)

pump, sprinklers, garden hose

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 |
| ☐ | ☐ | ☐ | 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: See above Telephone No. 208 6974913 Email _____

Mailing Address _____ City _____ State _____ Zip _____

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.

Sherry Manauuso
SIGNATURE OF PERMIT HOLDER*

Sherry Manauuso
PRINTED NAME AND TITLE

Nov 22, 2022
DATE

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

SCANNED

DEC 4 2022



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 Gary Spackman

February 22, 2023

SHERRY MANCASO
ROBERT MANCASO
17931 BRIAR CREEK RD
MURPHY ID 83650-5005

RE: License No. 57-12022

ISSUANCE OF LICENSE

Dear Water Right Holders:

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
Water Rights Supervisor

Enclosures

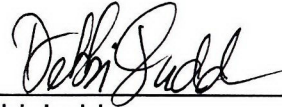
SCANNED
FEB 23 2023

CERTIFICATE OF SERVICE

I hereby certify that on February 22, 2023, I served a true and correct copy of Water Right License No. 57-12022 by U.S. Mail, postage prepaid, to the following:

SHERRY MANCASO (Current Owner)
17931 BRIAR CREEK RD
MURPHY ID 83650-5005

ROBERT MANCASO (Current Owner)
17931 BRIAR CREEK RD
MURPHY ID 83650-5005



Debbi Judd
Technical Records Specialist

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
IN-OFFICE REVIEW/BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 57-12022

Exam Date: 02/10/2023

1. Does this qualify for an in-office field exam (IDAPA 035.02.r)? X Y N
- Irrigation of 5 acres or less
 - Storage of up to 14.6 AF for stockwater purposes only
 - Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
2. Current Owner: Name: Robert & Sherry Mancuso
Owner of Record Correct? X Y N
Address of Record Correct? Y N
If No: Address
3. Beneficial Use Fees have been paid: X Y N Receipt No: None Required -(0.04cfs, source-GW)
4. SOURCE TRIBUTARY
Ground Water N/A

Method of Determination: GIS and Parcel DataChange in Source: Y X N**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: YES Overlap

Water Right No.	Source	Purpose of Use	Basis
57-10436	Ground Water	Domestic and Stock Water	License

Comments: The permitted place of use is overlapped by water right 57-10436 for domestic and stock water, owned Gene Lewis. The overlapping place of use is the entire NESE quarter-quarter. There are no parcels within the NESE quarter-quarter that name Gene Lewis as the owner. There are no concerns regarding impact to water right 57-10436 due to the permitted water right for domestic use and ½ acre of irrigation on parcels owned by the permit holder.

2. Other water rights with the same point of diversion: NO Overlap

Water Right No.	Source	Purpose of Use	Basis
NONE			

Comments: No water rights overlap the point of diversion.

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

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
PUMP-Permit#803562			NE	SE	5	03S	02W	B.M.	Owyhee

Method of Determination: GIS and Parcel dataChange in POD? X N Amendment Required? X N

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FEB 23 2023

2. **PLACE OF USE:** Use: DOMESTIC & IRRIGATION

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	02W	5													D				
03S	02W	5													0.5				0.5
		Lot #																	
Total Acres =																			0.5

Method of Determination: GIS and Google Earth imagery, GIS parcel dataChange in POU? X N Amendment Required? X N Delivery System Diagram Attached (required). Indicate all major components and distances between components.

Indicate weir size/pipe as applicable.

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

4. Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Pump	UNKNOWN	5	UNKNOWN	UNKNOWN	UNKNOWN

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

D. FLOW MEASUREMENTS

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

2. Measurements: No measurement is required for an in-house exam, but a theoretical calculation was used to determine if the diversion rate is reasonable.**E. FLOW CALCULATIONS** Additional Computation Sheets Attached

Measured Method:

No pump information was included on the proof of beneficial use or the application. The permit holder did provide the well information on the application, including the permit number, well diameter 6" and well depth of 266ft. I called the permit holder on February 14th, 2023, and asked for any information on the pump I spoke with Sherry and Robert who told me they did not know the make or model, but that the pump is a 5Hp submersible pump. A theoretical calculation found that the requested 0.04cfs could easily be provided at the place of use by a 5Hp pump.

$$Q = (5.0\text{Hp})(8.8)(0.70)/276 \text{ ft max lift} + (30\text{psi} \times 2.31) = 0.10\text{cfs}$$

Recommended= 0.04cfs

Permit allowed = 0.04cfs

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 0.5 \times 4.5 = 2.25 \text{ AF}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.05 \times 214 \times 1.9835 =$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 2.25 \text{ AF}$$

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FEB 23 2023

2. Volume Calculations for Other Uses:

This is a domestic use with separate irrigation. According to processing memo #22, Domestic use for 1 house can have up to 0.6 acre feet of annual water use. A headgate calculation was used to get the maximum irrigation annual volume of 2.25AF. I am recommending a combined maximum annual volume of 2.85 AF for this license.

G. PURPOSE OF USE

Irrigation ☒ Y ☐ N # Stock 3 Goats Domestic # of Homes 1

Change in Purpose of Use? ☐ Y ☐ N

Method of Determination: Tax lot data and conversations with owner.

H. NARRATIVE/REMARKS/COMMENTS

This permit for domestic use and 1/2 acre of irrigation qualifies for an in-house exam. I was able to confirm that the use of this system is occurring at the home and garden/orchard via GIS and Google imagery (see Figures 1.1 & 1.2). Water right (WR) 57-10436 is only water right overlapping the permit place of use. WR 57-10436 is for domestic and stock water use and the current water right owner on record with IDWR is not the named owner for any parcel appurtenant to the water right.

A phone call was made to the permit holders to request pump details, in our conversation they stated that the system has a 5 Hp submersible pump. I was able to use a theoretical calculation to determine that a 5 Hp pump can provide the 0.04cfs requested. A headgate calculation was used to determine the recommended irrigation volume of 2.25 AF, and the recommended domestic use volume is 0.6 AF, as per Administrative Memo #22. I am, therefore, recommending a diversion rate of 0.04cfs and an annual volume of 2.85 AFA for the license.

I recommend approving the water right license with conditions R69, WB5 and 103. Condition 046 can be removed since the owner provided the drilling company name and permit number (Can Ada Well Drilling, permit #803562) in the permit application.

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

I. RECOMMENDATIONS

1. Recommended Amounts

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Irrigation	03/15 to 11/15	0.01 CFS	2.25 AF
Domestic	01/01 to 12/31	0.04 CFS	0.6 AF
<u>Totals:</u>		0.04 CFS	2.85 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 ☒ None

J. AUTHENTICATION-Water Resources Agent Bob Howe

Water Resource Agent's Name [Signature] Date 2/10/23

Reviewer [Signature] Date 2/14/23



Figure 1.1- 2022 Google Earth image of permit POU. Orchard planted on the Eastern POU area is visible, as are irrigated landscaping around the home.

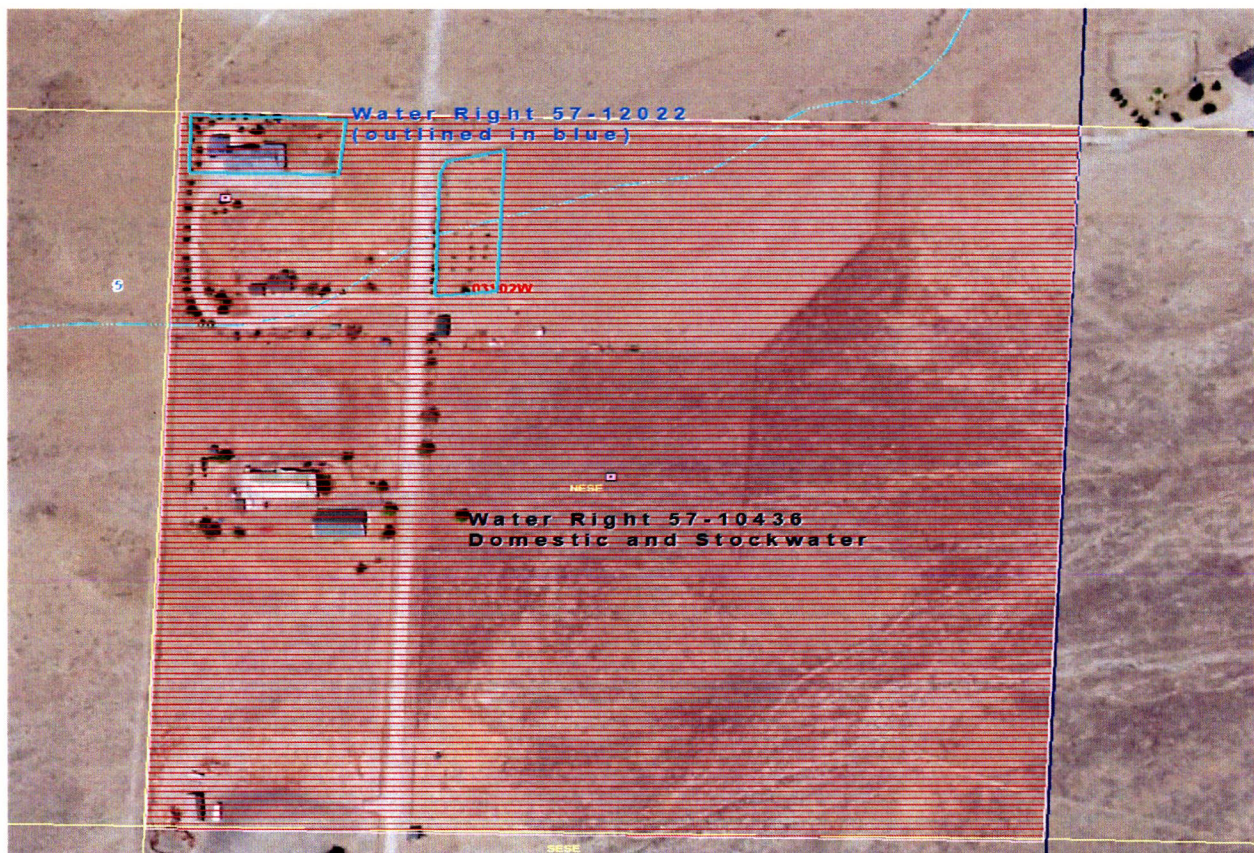


Figure 1.2- 2021- GIS image of water right 57-10436 (stock water and domestic use) POU overlapping the permitted POU (outlined in blue). Note: the POD of WR 57-10436 is the pink point located in the center of the quarter-quarter.

SCANNED
FEB 23 2023



IDAHO DEPARTMENT
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
December 14, 2022

Director Gary Spackman

ROBERT MANCASO
SHERRY MANCASO
17931 BRIAR CREEK RD
MURPHY ID 83650-5005

PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 57-12022

Dear Permit Holders:

The Department acknowledges receipt of the Proof of Beneficial Use form ("proof") and license examination fee for the above-referenced water right permit. Enclosed is an order that reinstates this permit since proof was submitted after the proof deadline. Please note that the priority date for this permit has been advanced to **October 05, 2020**, pursuant to Idaho Code § 42-218a(2).

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 according to the conditions of the permit.

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 this permit, please contact the State Office of the Department located in Boise at (208) 287-4800.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

SCANNED

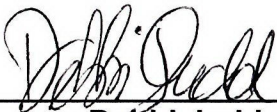
DEC 14 2022

CERTIFICATE OF SERVICE

I hereby certify that on **December 14, 2022** I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (**PRELIMINARY ORDER REINSTATING A PERMIT**) to the persons listed below:

RE: Preliminary Order in the Matter of Permit No. **57-12022**

**ROBERT MANCASO
SHERRY MANCASO
17931 BRIAR CREEK RD
MURPHY ID 83650-5005**



Debbi Judd
Technical Records Specialist

SCANNED
DEC 14 2022

Beneficial Use Proof Evaluation

Permit Number: 57-12022 Reviewer: djudd Review Date: 11/28/2022

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: 11/25/2022
- 4) Proof Due Date: 11/1/2022
- 5) Days added for weekend due date? 0
- 6) Days added for holiday due date? 0
- 7) Number of days late: 24
- 8) Proof received timely? No

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 -- No
- 3) Are the required items installed?
 - a. Measuring Device --
 - b. Lockable Device --
 - c. Fish Screen --
- 4) Is there a request to waive the required items?
- 5) Drilling Permit Number: 803562
- 6) Is a drilling permit upgrade needed? No
- 7) Was a well drillers report filed? Yes
- 8) Is proof accepted? Yes

Fees

- 1) Is a licensing exam fee required? No
- 2) Was proof submitted with an exam report from a CWE? No
- 3) Filing fee due: \$0.00
- 4) Filing fee submitted: \$0.00
- 5) Remaining fee or (refund): \$0.00

Receipt IDs

W048625, W048625

Comments

Proof received 24 days late. Reinstate permit and advance priority date to October 5, 2020.

Reinstate Evaluation

Permit Number: 57-12022 Reviewer: djudd Review Date: 11/28/2022

Analysis

- 1) Proof/extension request received date: 11/25/2022
- 2) Number of days proof/extension request received late: 24
- 3) Was a lapsed notice sent? Yes
- 4) Date lapsed notice sent: 11/14/2022
- 5) Number of days between proof/extension request received date and date lapsed notice was sent: 11
- 6) Was the proof or extension request received more than 60 days after the lapsed notice was sent? No
- 7) Priority date: 9/11/2020
- 8) New priority date: 10/5/2020
- 9) New status: Lapsed

Comments

Proof received 24 days late. Reinstate permit and advance priority date to October 5, 2020.



IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

Director Gary Spackman

November 14, 2022

ROBERT MANCASO
SHERRY MANCASO
17931 BRIAR CREEK RD
MURPHY ID 83650-5005

LAPSE NOTICE

RE: PERMIT NO. 57-12022

IMPORTANT: This permit has lapsed because no written response was received from you by the IDWR. Development and/or use must cease.

Dear Permit Holders:

You are hereby notified that under the provisions of Idaho Code § 42-218a, the above referenced permit has lapsed and is of no further force nor effect. The Department provided the proper forms to you in the proof due notice dated August 31, 2022. No further construction or additional development is authorized under this permit.

If water was put to beneficial use prior to the date proof of beneficial use was due, you may file the Statement of Completion (proof) now, or if you or a previous owner of this permit have not received a prior extension of time, you may file the Request for Extension of Time (extension request) if the delay is for reasonable cause as provided in Idaho Code § 42-204. You may also request an extension of time if you have been delayed by a government agency, or by litigation that brings title to the water in question.

Either an acceptable proof or an acceptable extension request must be received by this Department within sixty (60) days of the mailing of this lapse notice in order to reinstate this permit.

Please contact Debbi Judd at 208-287-4920, if you need additional assistance.

Sincerely,


Angela Hansen, Manager
Water Rights Section

SCANNED
NOV 15 2022