

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 67-15175

Priority: April 18, 2017

Maximum Diversion Rate: 0.44 CFS

Maximum Diversion Volume: 106.0 AF

It is hereby certified that:

JOHN P PASQUALIN
AND/OR
JANICE PASQUALIN
11771 N RIVER RD
PAYETTE ID 83661-5085

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 18, 2017, and has submitted Proof of Beneficial Use on October 19, 2022. An examination confirms water is diverted from:

Source : GROUND WATER

Beneficial Use

IRRIGATION

Period of Use

03/01 to 11/15

Rate of Diversion

0.44 CFS

Annual Volume

106.0 AF

Location of Point(s) of DiversionGROUND WATER L2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 11, Twp 09N, Rge 05W, B.M. PAYETTE 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	
09N	05W	11							6.5	17.0									23.5

Total Acres: 23.5

Conditions of Approval

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
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.

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 67-15175

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 25th day of August, 2023.

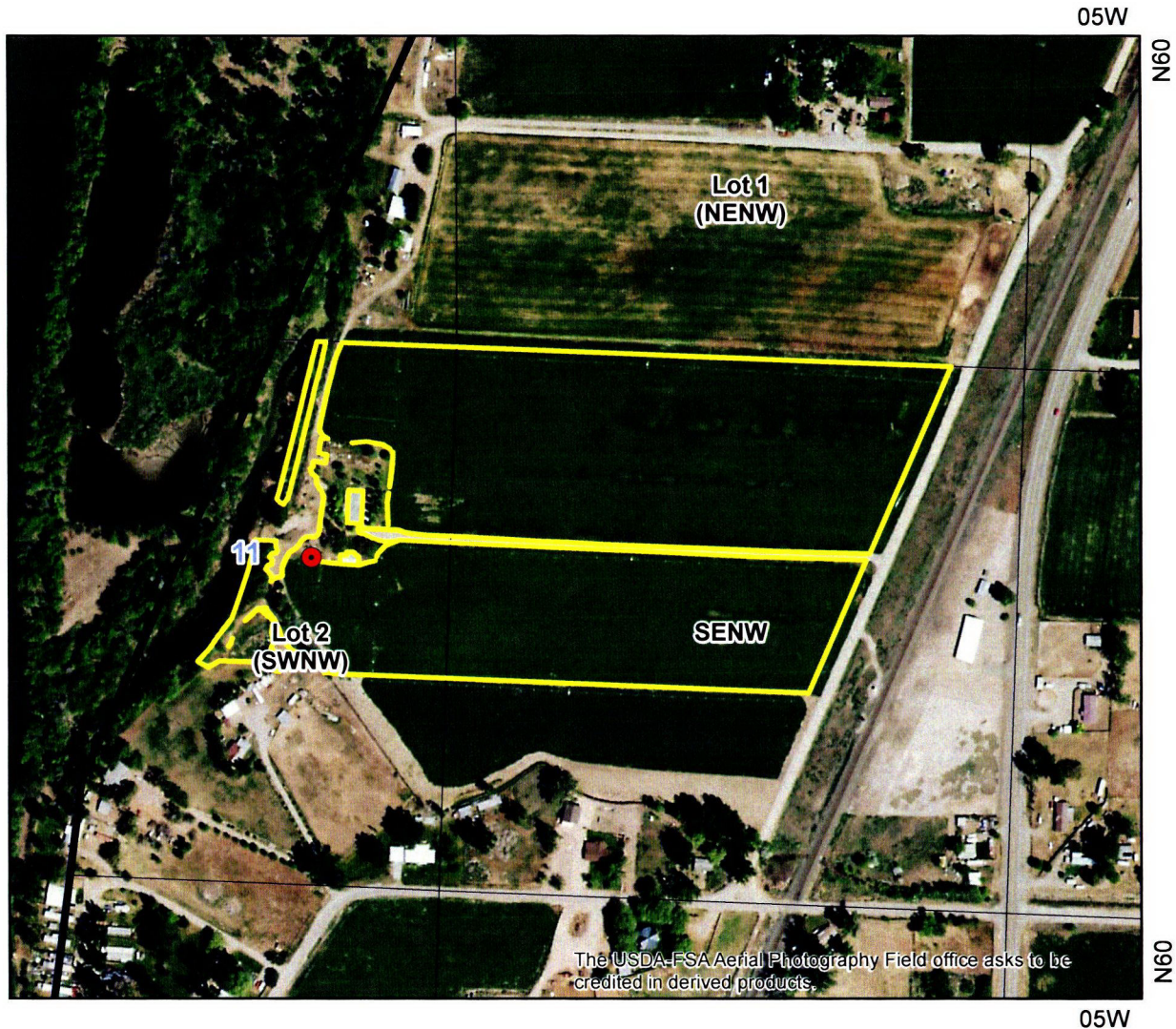


COREY SKINNER
Southern Regional Manager



State of Idaho
Department of Water Resources
Attachment to Water Right
67-15175

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



SCANNED
AUG 30 2023

RECEIVED
OCT 21 2022
DEPARTMENT OF
WATER RESOURCES

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

FOR OFFICE USE ONLY
Amt. of Fee \$ 100.00
Receipt No. W050639
Received By LE
Date Received 10/19/2022

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. 67-15175 Name of Permit Holder(s) JOHN + JANICE PASQUALIN
Telephone No. 810-241-3356 (JMM) Email JPPASQUALIN@AOL.COM
Mailing Address 11771 N. RIVER RD City PALETTE State ID Zip 83661

2. Source of Water WELL If Ground Water (well), Date Drilled mo. APRIL / yr. 2018
Drilling Permit/Tag No. D0077532 Drilling Company's Name DALLAS DRILLING

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

Domestic (No. households) _____ Irrigation (No. acres) 25 Stockwater (No. and stock type) _____
Other _____

4. Total diversion rate or volume (storage only) for which proof is submitted 60 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.)

When engaged, the 15 HP pump in the 40' well pumps well water to the irrigation pipe risers feeding the wheel line sprinklers.

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)

- NO { ☐ ☐ ☐ 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 \$ 100 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: JOHN PASQUALIN Telephone No. 810 241 3356 Email JPPASQUALIN@AOL.COM
Mailing Address 11771 N RIVER RD City PALETTE State ID Zip 83661

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.

John P Pasqualin
SIGNATURE OF PERMIT HOLDER*

JOHN PASQUALIN
PRINTED NAME AND TITLE

10-14-22
DATE

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

SCANNED
OCT 25 2022



Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

August 28, 2023

JOHN P PASQUALIN
JANICE PASQUALIN
11771 N RIVER RD
PAYETTE ID 83661-5085

RE: License No. 67-15175

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) 736-3033.

Sincerely,

Corey Skinner
Southern Regional Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on August 28, 2023, I served a true and correct copy of Water Right License No. 67-15175 by U.S. Mail, postage prepaid, to the following:

JOHN P PASQUALIN (Current Owner)
JANICE PASQUALIN (Current Owner)
11771 N RIVER RD
PAYETTE ID 83661-5085



Denise Maline
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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 67-15175
Exam Date: 06/22/2023

1. Current Owner:
JOHN P PASQUALIN 11771 N RIVER RD PAYETTE ID 83661-5085 AND/OR
JANICE PASQUALIN 11771 N RIVER RD PAYETTE ID 83661-5085
2. Accompanied by: John Pasqualin

3. **SOURCE:**
GROUND WATER

Method of Determination: Field Exam

B. OVERLAP REVIEW

1. Other water rights with the same point-of-diversion: **None**

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**
GROUND WATER L2 (SW¼ NW¼), Sec. 11, Twp 09N, Rge 05W, B.M. PAYETTE County

Method of Determination: ArcMap and Field Exam

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	
09N	05W	11							6.5 L2	17.0									23.5

Total Acres: 23.5

Method of Determination: ArcMap and Field Exam

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.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
ID NO. 288502		15			4 IN DISCHARGE

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Portable Flowmeter	Ultrasonic	General Electric	PT878	04031		April 2023

2. Measurements: **199 gallons per minute (0.44cfs)****E. VOLUME CALCULATIONS**

1. Volume Calculations for irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 23.5 \text{ acres} \times 4.5 \text{ AFA} = 105.75 \text{ AF or } 106.0 \text{ AF}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.44 \text{ cfs} \times 260 \text{ days} = 226.9 \text{ AF}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \mathbf{106.0 \text{ AF}}$$

F. NARRATIVE/REMARKS/COMMENTS

On June 22, 2023, I performed a field exam for Water Permit 67-15175 that was permitted for 0.6 cfs from groundwater for the irrigation of 30.0 acres. John Pasqualin, the applicant, was present and showed me the developed irrigation system. The POD with the system uses a well with a 15-horsepower pump that supplies water through 4-inch diameter pipe to two separate wheel lines. Mr. Pasqualin operated the irrigation system, and I used a General Electric Panametrics PT 878 to measure a maximum flow rate of 199 gallons per minute.

Mr. Pasqualin's property consists of two separate parcels that total 28 acres although, as mentioned above, he proposed 30 acres of irrigation. Approximately 3.8 acres of his parcels encompass a slough and wetlands adjacent to the Snake River that cannot be cultivated, and 0.7 acres are building footprint and driveway/parking areas. That leaves a total of 23.5 irrigated acres.

Conditions on the permit have been complied with and I recommend licensing 67-15175 for 0.44 cfs and 106.0 AF for the irrigation of 23.5 acres.

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

G. RECOMMENDATIONS**1. Recommended Amounts**

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>VOLUME</u>
IRRIGATION	03/01 to 11/15	0.44CFS	106.0 AF

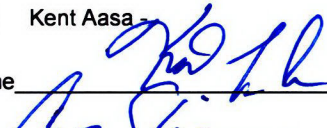
Totals: **0.44 CFS** **106.0 AF**

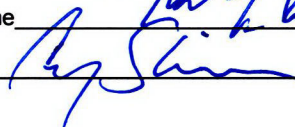
2. Recommended Amendments

☐ 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

H. AUTHENTICATION Kent Aasa -

Field Examiner's Name  Date 8-24-2023

Reviewer  Date 8/25/2023

67-15175 POD



Field Exam 67-15175

67-15175 POU



Field Exam 67-15175

67-15175 Flow Meter Reading 199 gpm



Field Exam 67-15175

67-15175 System Diagram



State of Idaho
Department of Water Resources

Water Right

67-15175



0 0.075 0.15 0.3 Miles

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

Field Exam 67-15175



SCANNED
AUG 30 2023



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
October 26, 2022

Director Gary Spackman

JOHN P PASQUALIN
JANICE PASQUALIN
11771 N RIVER RD
PAYETTE ID 83661-5085

PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 67-15175

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 Western Region Office of the Department located in Boise at (208) 334-2190.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

SCANNED
OCT 25 2022

Beneficial Use Proof Evaluation

Permit Number: 67-15175 Reviewer: djudd Review Date: 10/21/2022

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: 10/19/2022
- 4) Proof Due Date: 12/1/2022
- 5) Days added for weekend due date? 0
- 6) Days added for holiday due date? 0
- 7) Number of days late: -43
- 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 -- 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: 885289
- 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? Yes
- 2) Was proof submitted with an exam report from a CWE? No
- 3) Filing fee due: \$100.00
- 4) Filing fee submitted: \$100.00
- 5) Remaining fee or (refund): \$0.00

Receipt IDs

W045175

Comments

Proof acknowledged



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
September 30, 2022

Director Gary Spackman

JOHN P PASQUALIN
JANICE PASQUALIN
11771 N RIVER RD
PAYETTE ID 83661

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 67-15175

IMPORTANT: A response from you is required to maintain the active status of the referenced water right permit. If no response is received from you, the permit will lapse and your authorization to develop and/or use this water right will be cancelled.

Dear Permit Holders:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before **December 01, 2022**. Please complete and return the enclosed Statement of Completion for Submitting Proof of Beneficial Use (proof) if you have completed the water project authorized by your permit. The proof statement must be accompanied by either the appropriate license examination fee or a field examination report prepared by a certified water right examiner.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Idaho Code § 42-204. If you have been delayed by a government agency or by litigation that brings title to the water in question, an extension of time may be granted if appropriate documentation is provided at the time of filing. An extension request must be accompanied by a \$50.00 filing fee and signed by the appropriate authorized permit holder(s) or authorized representative with a power of attorney.

Either an acceptable proof or an acceptable extension request must be received by this Department on or before the above proof due date. If neither is received, the Department will send you a lapse notice and the permit will no longer be of any force or effect.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

