

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 63-35166

Priority: December 01, 2021

Maximum Diversion Rate: 0.06 CFS

Maximum Diversion Volume: 1.4 AF

It is hereby certified that:

JAMES MICHAEL APOSTOLOU 5783 E BARREL HORSE LN KUNA ID 83634-5025 OR
TINA APOSTOLOU 5783 E BARREL HORSE LN KUNA ID 83634-5025

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 01, 2021, and has submitted Proof of Beneficial Use on February 24, 2023. An examination confirms water is diverted from:

Source : GROUND WATER

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
STOCKWATER	1/1 to 12/31	0.02 CFS	0.2 AF
DOMESTIC	1/1 to 12/31	0.04 CFS	1.2 AF

Location of Point(s) of Diversion

GROUND WATER NW¼ SE¼, Sec. 21, Twp 02N, Rge 01E, B.M. ADA County

Place of Use: DOMESTIC and STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	01E	21														X			

Conditions of Approval

1. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
2. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
3. Domestic use is for 1 home.
4. Stockwater use is for 7 horses.
5. Point of diversion and place of use are located within Lot A, Blk. 3, Cloverdale Ridge Estates.
6. 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
MAR 07 2023

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 63-35166

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 3rd day of March, 20 23.

Phummer

PHILL HUMMER
Water Rights Supervisor



SCANNED
MAR 11 7 2023

State of Idaho
Department of Water Resources
Attachment to Water Right
63-35166

This map depicts the DOMESTIC & STOCKWATER 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.



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



0 400 800 Feet

SCANNED
MAR 17 2023

RECEIVED

FEB 24 2023

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 \$ 50.00
Receipt No. C115393
Received By K4
Date Received 2.24.23

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. 63-35166 Name of Permit Holder(s) JAMES MICHAEL APOSTOLOU / TINA APOSTOLOU
Telephone No. 208 941-1522 Email TINAMIKE406GMAIL.COM
Mailing Address 5783 E. BARREL HORSE LN. City KUNA State ID Zip 83634

2. Source of Water WELL If Ground Water (well), Date Drilled mo. 06 / yr. 2007
Drilling Permit/Tag No. _____ Drilling Company's Name CANADA WELL DRILLING

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

Domestic (No. households) 1 Irrigation (No. acres) 1 Stockwater (No. and stock type) 7 HORSES
Other _____

4. Total diversion rate or volume (storage only) for which proof is submitted 0.06 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 AT WELL, APPROX 75 LF 2" POLY PIPE TO HOUSE

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 \$ 50.00 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: JAMES APOSTOLOU Telephone No. 208 941-1522 Email tinamike406@gmail.com
Mailing Address 5783 E. BARREL HORSE LN. City KUNA State ID Zip 83634

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.

SIGNATURE OF PERMIT HOLDER*

PRINTED NAME AND TITLE

DATE

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

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MAR 07 2023



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
March 6, 2023

Director Gary Spackman

JAMES MICHAEL APOSTOLOU
TINA APOSTOLOU
5783 E BARREL HORSE LN
KUNA ID 83634-5025

RE: License No. 63-35166

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
MAR 10 7 2023

CERTIFICATE OF SERVICE

I hereby certify that on March 6, 2023, I served a true and correct copy of Water Right License No. 63-35166 by U.S. Mail, postage prepaid, to the following:

TINA APOSTOLOU (Current Owner)
5783 E BARREL HORSE LN
KUNA ID 83634-5025

JAMES MICHAEL APOSTOLOU (Current Owner)
5783 E BARREL HORSE LN
KUNA ID 83634-5025



Debbi Judd
Technical Records Specialist

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

A. GENERAL INFORMATIONPermit No: 63-35166

Exam Date: 02/28/2023

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
 - Other < >

2. Current Owner: Name: James & Tina Apostolou
Owner of Record Correct? X Y N
Address of Record Correct? X Y N

3. Beneficial Use Fees have been paid: X Y N Receipt No: C115393

4. **SOURCE** TRIBUTARY
Ground Water NA

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

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

Water Right No.	Current Owner	Source	Purpose of Use	Basis
63-31548	Ciluaga/Marks	Ground Water	Domestic	License
63-4410 ,63-7749	Cloverdale Ridge Water Corp	Ground Water, Wastewater	Irrigation, Irr. from Storage, & Stock water	Decree
63-3266, 8215, 11970, 63-12552, 31481, 3174	City of Kuna	Ground Water	Municipal	Decree, License

Comments: There are several water rights that appear to overlap the permitted place of use, most of which are Municipal or belonging to Cloverdale Ridge Water Corporation (irrigation company). There is domestic use WR 63-31548, which has an overlapping place of use (POU) shape. However, 63-31548 is a split of 63-7670 and documents in the file suggest the right is appurtenant to lot 7 block 1 Cloverdale Ridge Estates.

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 permit POD.

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Pump			NW	SE	21	02N	01E	B.M.	Ada

Method of Determination: GIS and Tax lot data.Change in POD? X N Amendment Required? X N

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MAR 07 2023

2. **PLACE OF USE:** Use: Domestic, Irrigation, & Stock water

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	01E	21														D			
02N	01E	21														S			
		Lot #																	
Total Acres =																			

Method of Determination: GISChange 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				

*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:

A theoretical calculation shows that a diversion rate of 0.07cfs is possible with even a 1 Hp pump. Typical submersible pumps I have encountered in systems for domestic purposes diverting ground water in this area have been 5 Hp. The owner did not provide any pump information, so I will be basing my recommendation on Processing Memo #22 and Processing Memo #3. Memo #22 allows up to 0.04cfs and 1.2 AF for domestic use and the irrigation of up to ½ acre. Memo #3 allows for up to 0.02cfs and 0.2 AF/year for up to 10 head of livestock. I am recommending a diversion rate of 0.06 cfs, which is what was requested on their application for permit.

$$Q = (1 \text{ Hp}) (8.8)(0.70)/20 \text{ ft lift} + (30 \text{ psi} \times 2.31) = 0.07 \text{ cfs}$$

Permit allowed = 0.06 cfs

Recommendation = 0.06 cfs

F. VOLUME CALCULATIONS

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MAR 07 2023

1. Volume Calculations for Irrigation:

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

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.03 \times 260 \times 1.9835 = 15.5 \text{ AF}$$

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

2. Volume Calculations for Other Uses:

This is a domestic use. According to processing memo #22, and Domestic use for in-house and yard irrigation can have up to 1.2 AF of annual water use. Processing memo #3 allows .02 AF for up to 10 head of livestock. I am recommending 1.4 AF for this permit.

G. PURPOSE OF USE

Irrigation X Y N # Stock 7 horses Domestic # of Homes 1

Change in Purpose of Use? Y X N

Method of Determination: Proof of beneficial use and GIS data.

If Yes: From Use _____ To Use _____ Amount _____ CFS _____ AFA _____

H. NARRATIVE/REMARKS/COMMENTS

This permit for domestic and stock water use qualifies for an in-house exam. Only Municipal, Irrigation District, and a domestic water right overlap the proposed place of use and no water rights overlap the point of diversion (POD). Parcel data lists the permit holder as the current owner of the parcel that the POU and POD are located on. I was able to confirm the system is being used via GIS imagery of the home and small lawn areas (see figures 1.1 & 1.2) as well as on the proof of beneficial use submitted by the permit holder.

On the proof of beneficial use, the owner identifies the beneficial uses as Domestic, Stock Water for 7 horses and 1 acre of irrigation. I called the permit holder February 28th, 2023, requesting clarification if the permit holder needs additional ground water for irrigation. I left them a voicemail explaining that I am only able to process the license based on the permitted diversion rate and beneficial uses. If they need additional irrigation, they need to apply for another water right. I also requested additional details regarding the pump (particularly the Hp).

I recommend conditions 071, 187, X01, X02, X59, & 103. Condition 046 should be removed as the well construction was completed in 2007, prior to the application for permit being submitted.

Have conditions of permit approval been met? X Yes No

I. RECOMMENDATIONS

1. Recommended Amounts

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
Irrigation	03/01 to 11/15	0.06 CFS	1.4 AF
Totals:		0.06 CFS	1.4 AF

2. Recommended Amendments

 Change P.D. as reflected above Add P.D. as reflected above X None

 Change P.U. as reflected above Add P.U. as reflected above X None

J. AUTHENTICATION

Field Examiner's Name  Date 3/3/2023

Reviewer  Date 3/3/23

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MAR 07 2023



Figure 1.1- 2021 GIS aerial image of WR place of use (blue=Domestic, yellow=Stock Water). Irrigation evident in lawn surrounding the home.



Figure 1.2- 2021 GIS aerial image of the purposed water right POU (yellow outlined area) and overlapping domestic right 63-31548 (outlined in blue).

Beneficial Use Proof Evaluation

Permit Number: 63-35166 Reviewer: djudd Review Date: 2/24/2023

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: 2/24/2023
- 4) Proof Due Date: 4/1/2023
- 5) Days added for weekend due date? 0
- 6) Days added for holiday due date? 0
- 7) Number of days late: -36
- 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: 848016
- 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: \$50.00
- 4) Filing fee submitted: \$50.00
- 5) Remaining fee or (refund): \$0.00

Receipt IDs

T111414

Comments

Proof deemed acceptable. Gave file to water right agent for in-house license review. Water right agent will enter the proof made date in AdHoc at the time of licensing.



Governor Brad Little

Director Gary Spackman

January 31, 2023

JAMES MICHAEL APOSTOLOU
TINA APOSTOLOU
5783 E BARREL HORSE LN
KUNA ID 83634-5025

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 63-35166

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 Holder(s):

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 **April 01, 2023**. 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 Section 42-204, Idaho Code. 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

Enclosure(s)

CERTIFIED MAIL

7016 0750 0000 2176 3067

NO

SCANNED

JAN 31 2023