

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 87-11361

Priority: July 29, 2019

Maximum Diversion Rate: 0.03 CFS

Maximum Diversion Volume: 9.6 AF

It is hereby certified that:

JAMES J BULL 2201 E 6TH ST MOSCOW ID 83843-9725

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 29, 2019, and has submitted Proof of Beneficial Use on March 06, 2023. An examination confirms water is diverted from:

Source : GROUND WATER

Beneficial Use

IRRIGATION

Period of Use

03/15 to 10/31

Rate of Diversion

0.03 CFS

Annual Volume

9.6 AF

Location of Point(s) of Diversion

GROUND WATER SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, Twp 40N, Rge 05W, B.M. LATAH 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	
40N	05W	28											3.2						3.2

Total Acres: 3.2

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 3.0 afa per acre at the field headgate for irrigation of the place of use.

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 9th day of March, 20 23.



PHILL HUMMER
Water Rights Supervisor

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MAR 13 2023

State of Idaho
Department of Water Resources
Attachment to Water Right
87-11361

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.



0 0.0375 0.075 0.15 Miles

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

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RECEIVED
MAR 06 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 \$ _____
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.

- Permit No. 87-11361 Name of Permit Holder(s) James J. Bull
Telephone No. 512 618-9892 Email bull@austin.utexas.edu
Mailing Address 2201 E. 6th Street City Moscow State ID Zip 83843
- Source of Water ground water If Ground Water (well), Date Drilled mo. May / yr. 2007
Drilling Permit/Tag No. 846629 Drilling Company's Name Two U Drilling, LLC
- Extent of use(s) completed **as authorized by the water right permit:**
Domestic (No. households) _____ Irrigation (No. acres) 3.2 Stockwater (No. and stock type) _____
Other _____
- Total diversion rate or volume (storage only) for which proof is submitted 0.03 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.
- Describe the diversion and delivery system from the water source to the use (pump, lift, irrigation method, etc.)
Well (600 feet depth, 6 inches diameter) equipped with 1-hp pump, delivers water via 1-inch pipeline to 2,000 gallon cistern, from which water is distributed to place of use - green house, garden area and orchard (fruit and coniferous trees)
- 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
- 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.
- Person to contact to accompany a Department representative during the field examination of the water system:
Name: James Browitt/attorney Telephone No. 208 413-6065 Email jbrowitt@browittlaw.com
Mailing Address 1317 Prospect Avenue City Lewiston State ID Zip 83501

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.

James J. Bull
SIGNATURE OF PERMIT HOLDER*

James J. Bull/permit holder
PRINTED NAME AND TITLE

1 March 2023
DATE

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

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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

March 10, 2023

JAMES J BULL
2201 E 6TH ST
MOSCOW ID 83843-9725

RE: License No. 87-11361

ISSUANCE OF LICENSE

Dear Water Right Holder:

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

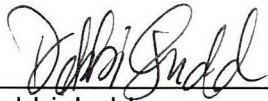
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CERTIFICATE OF SERVICE

I hereby certify that on March 10, 2023, I served a true and correct copy of Water Right License No. 87-11361 by U.S. Mail, postage prepaid, to the following:

JAMES J BULL (Current Owner)
2201 E 6TH ST
MOSCOW ID 83843-9725

JAMES BROWITT (Attorney) – *via email*
BROWITT LAW OFFICE
1317 PROSPECT AVE
LEWISTON ID 83501
jbrowitt@browittlaw.com



Debbi Judd
Technical Records Specialist

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

A. GENERAL INFORMATIONPermit No: 87-11361

Exam Date: 3/8/2023

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 Bull
- Owner of Record Correct? X Y N
- Address of Record Correct? X Y N
- If No: Address

According to Tax Parcel Data the property is owned by James Bull.

3. Beneficial Use Fees have been paid: X Y N Receipt No: N/A
4. SOURCE TRIBUTARY
- Groundwater N/A

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

1. Other water rights with the same place of use: No Overlap

Water Right No.	Source	Purpose of Use	Basis
N/A			

Comments: N/A

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

Water Right No.	Source	Purpose of Use	Basis
N/A			

Comments: N/A**C. DIVERSION AND DELIVERY SYSTEM****1. LOCATION OF POINT(S) OF DIVERSION:**

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Groundwater			SW	SW	28	40N	05W	B.M.	Latah
								B.M.	
								B.M.	

Method of Determination: GIS and Tax Parcel DataChange in POD? Y X N Amendment Required? Y X N

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2. PLACE OF USE: Use: 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	
40N	05W	28											3.2						3.2
		Lot #																	N/A
Total Acres =																			3.2

Method of Determination: GIS and Tax Parcel DataChange in POU? Y X N Amendment Required? Y X N Delivery System Diagram Attached (required). Indicate all major components and distances between components.

Indicate weir size/pipe as applicable.

 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
		1			

*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
N/A						

2. Measurements: Since the owner provided a pump horsepower of 1 a diversion rate calculation is possible.**E. FLOW CALCULATIONS** Additional Computation Sheets Attached

Measured Method: **The permit holder provided a pump horsepower of 1, so a diversion rate calculation was conducted. It determined the system could handle 0.05 cfs with a discharge pressure of 50psi. The permit authorizes 0.03 cfs. I am recommending a 0.03 cfs diversion rate.**

$$Q = (1 \text{ Hp})(8.8)(0.70)/10 \text{ ft lift} + (50\text{psi} \times 2.31) = 0.05 \text{ cfs}$$

Measurement = 0.05 cfs

Permit allowed = 0.03 cfs

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (3.2 \text{ acres}) \times (3 \text{ af/acre}) = 9.6 \text{ af}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = (0.03 \text{ cfs}) \times (231 \text{ days}) \times (1.9835) = 13.7 \text{ af}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 9.6 \text{ af}$$

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G. PURPOSE OF USEIrrigation ☒ Y ☐ N # Stock N/A Domestic # of Homes N/A

Other: < >

Change in Purpose of Use? ☐ Y ☒ NMethod of Determination: Tax Parcel data, GIS, and Google Earth Imagery.

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

H. NARRATIVE/REMARKS/COMMENTS

This permit qualifies for an in-house examination. The permit authorizes the irrigation of 3.2 acres from groundwater. GIS and Google imagery confirmed irrigation occurred in 2021. The permit holder in their *Statement of Completion for Proof of Beneficial Use* stated they were using water to irrigate a greenhouse, garden area and orchard. Google Imagery seems to indicate this is the case. The permit holder provided a pump horsepower of 1. Therefore, a diversion rate calculation was conducted. It determined the system could more than handle what is authorized on their permit. All of the conditions have been met and it is believed the permit holders are using water for the beneficial use authorized in their permit. Therefore, I am recommending a 0.03 cfs diversion rate and 9.6 af diversion volume.

Condition R66 should remain on the license, Condition 004 should be removed because there are no legal access concerns to the point of diversion. All other conditions should be removed as standard with licensing.

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	3/15 to 10/31	0.03 CFS	9.6 AF
<u>Totals:</u>		0.03 CFS	9.6 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

Other: < >

J. AUTHENTICATION Skyler Cheever, Water Resource AgentField Examiner's Name Skyler Cheever Date 3/8/2023Reviewer PH Date 3/9/23

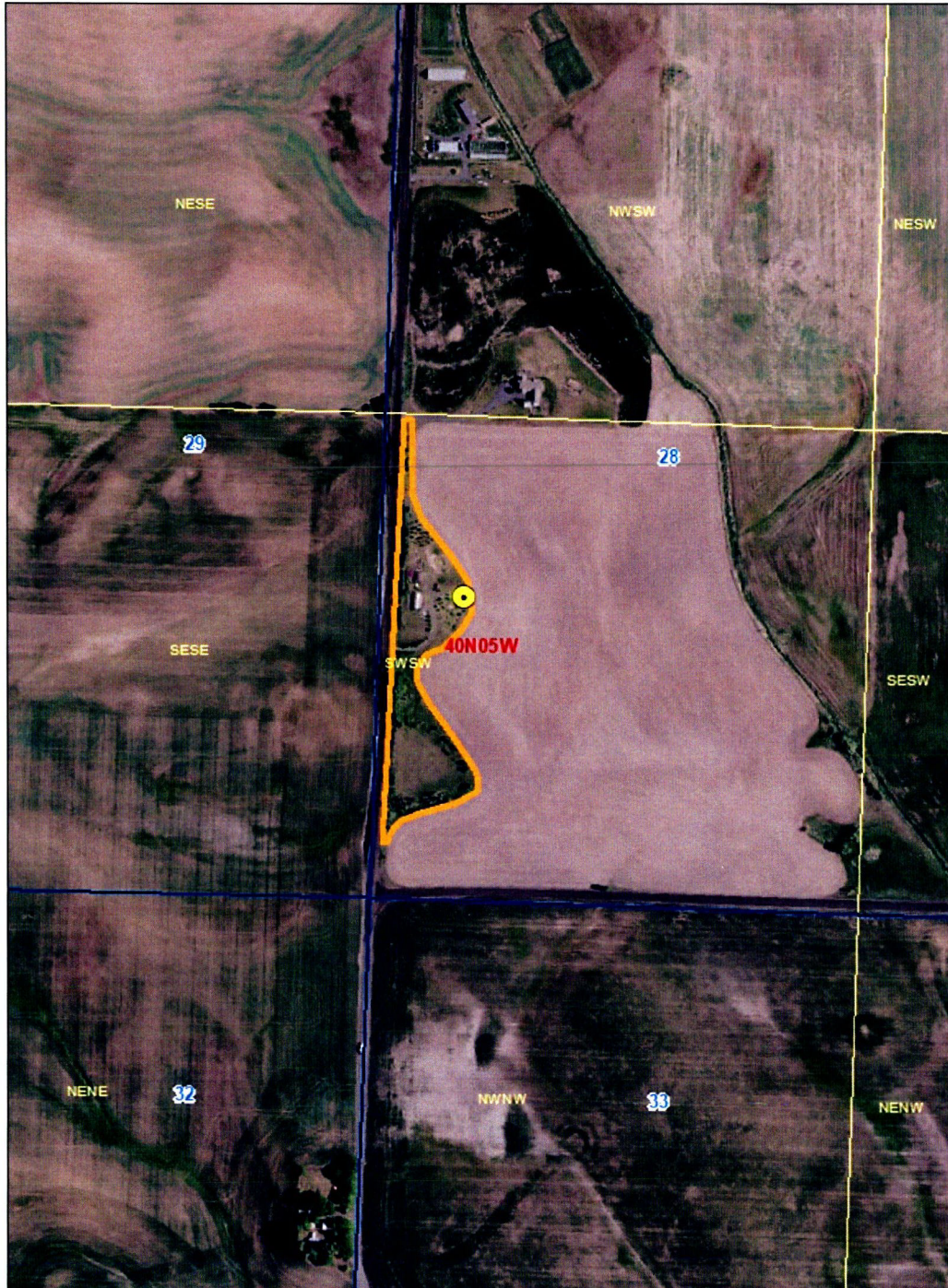
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Permit No: 87-11361

Page 4

Field Exam Map:

The orange border shows the place of use, and the yellow point shows the point of diversion.



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Google Earth Imagery from 2021. Description reads "Map depicting the place of use for water right 87-11361 indicating irrigation."



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Beneficial Use Proof Evaluation

Permit Number: 87-11361 Reviewer: djudd Review Date: 3/7/2023

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: 3/6/2023
- 4) Proof Due Date: 10/1/2024
- 5) Days added for weekend due date? 0
- 6) Days added for holiday due date? 0
- 7) Number of days late: -575
- 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: 846629
- 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

N035277

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.