State of Idaho
Department of Water Resources

Water Right License

Water Right No. 87-12363

Priority: March 03, 2023

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 1.2 AF

It is hereby certified that:

DALE STUBBS PO BOX 9444 MOSCOW ID 83843-0118 AND/OR
KAREN STUBBS PO BOX 9444 MOSCOW ID 83843-0118

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 03, 2023, and has submitted Proof of Beneficial Use on June 08, 2023. An examination confirms water is diverted from:

Source : GROUND WATER

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
DOMESTIC	01/01 to 12/31	0.02 CFS	1.2 AF

Location of Point(s) of Diversion
GROUND WATER SE¼ NE¼, Sec. 31, Twp 40N, Rge 04W, B.M. LATAH County

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	
40N	04W	31			X														

Conditions of Approval

1. Domestic use is for 1 home.
2. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
3. This right does not grant any right-of-way or easement across the land of another.

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 20th day of June, 2023.

PHILL HUMMER
Water Rights Supervisor

SCANNED
JUN 22 2023

State of Idaho
Department of Water Resources

Attachment to Water Right

87-12363

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.



0 0.045 0.09 0.18 Miles

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

SCANNED
JUN 22 2023

N

Form 42-217 Rev. 6/22

RECEIVED

JUN 08 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. _____
Receipted By _____
Date Receipted _____

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. 87-12363 Name of Permit Holder(s) Karen + Dale Stubbs

Telephone No. 509 336 4006 Email KarenLStubbs@gmail.com

Mailing Address PO Box 9444 City Moscow State ID Zip 83843

2. Source of Water Ground Water If Ground Water (well), Date Drilled mo. Sept / yr. 1997

Drilling Permit/Tag No. 0000 3323 87-97-N-40 Drilling Company's Name Uhlenkott Drilling

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

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

Other _____

4. Total diversion rate or volume (storage only) for which proof is submitted 0.02 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

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: Karen Stubbs Telephone No. 509 336 4006 Email KarenLStubbs@gmail.com

Mailing Address PO Box 9444 City Moscow State ID Zip 83843

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.

Karen Stubbs — Karen Stubbs owner — 6/2/23

SIGNATURE OF PERMIT HOLDER* PRINTED NAME AND TITLE DATE

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

SCANNED

JUN 22 2023

State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 87-12363

Priority: March 03, 2023 **Maximum Diversion Rate:** 0.02 CFS

This is to certify that

DALE STUBBS PO BOX 9444 MOSCOW ID 83843-0118 AND/OR
KAREN STUBBS PO BOX 9444 MOSCOW ID 83843-0118

has applied for a permit to appropriate water from:

Source : GROUND WATER

and a permit is APPROVED for development of water as follows:

Beneficial Use	Period of Use	Rate of Diversion
DOMESTIC	01/01 to 12/31	0.02 CFS

Location of Point(s) of Diversion
GROUND WATER SE¼ NE¼, Sec. 31, Twp 40N, Rge 04W, B.M. LATAH County

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	
40N	04W	31			X														

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2024.**
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
4. Domestic use is for 1 home.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
6. This right does not grant any right-of-way or easement across the land of another.

This permit is issued pursuant to the provisions of Idaho Code § 42-204.

Signed this 7 day of April, 2023.

LUKE BATES
Interim Water Rights Supervisor

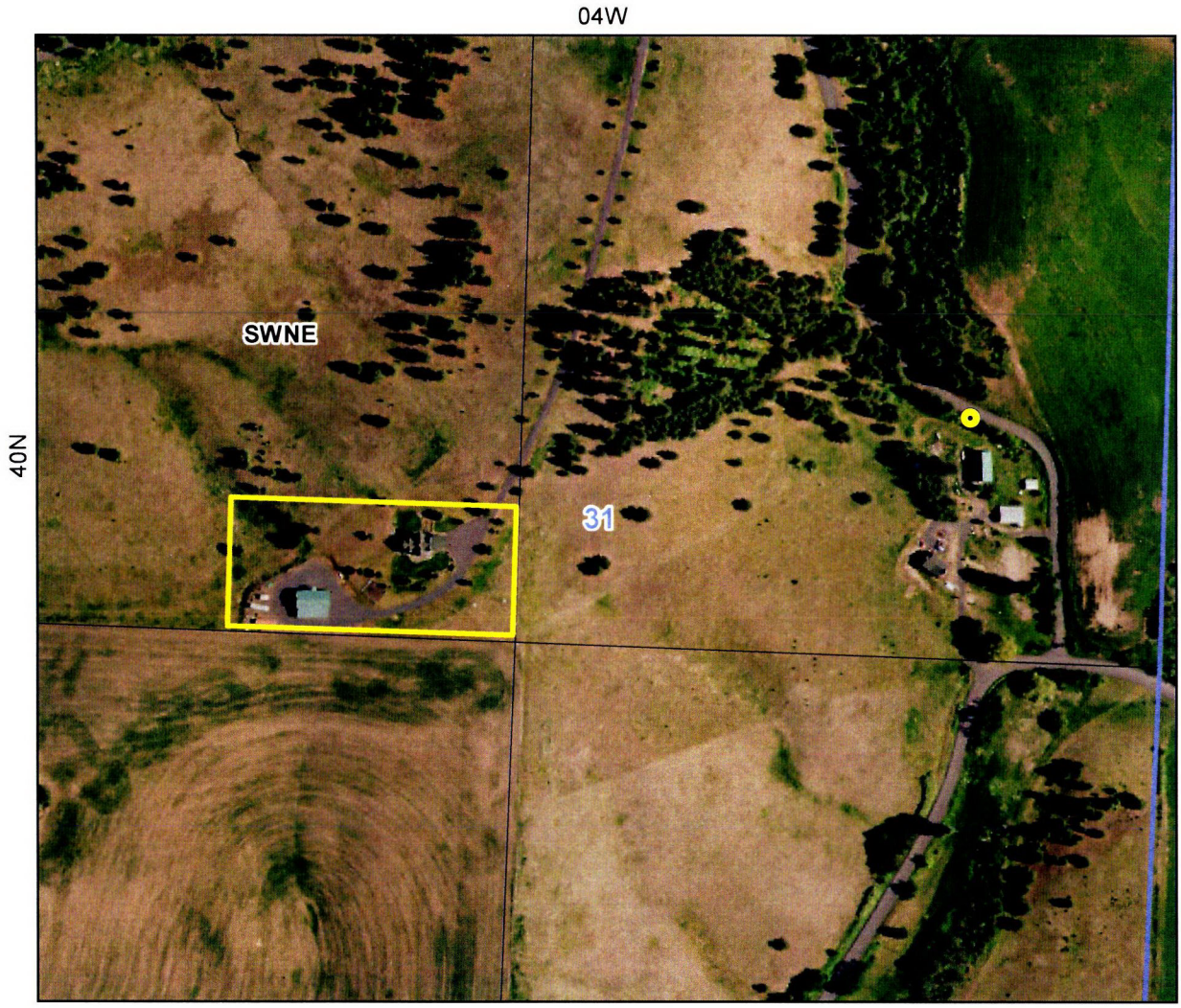
SCANNED
APR 11 2023

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

87-12363

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.



SCANNED
APR 1 1 2023

FORM 202 Rev. 09/16

RECEIVED
MAR 03 2023
IDWR / NORTH

STATE OF IDAHO 87542 Ident. No. 87-12363
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) DALE and/or KAREN STUBBS Phone 509-336-4006
   Name connector (check one): ☐ and ☐ or ☑ and/or
   Mailing address PO BOX 9444 City MOSCOW
   State ID ZIP 83843 Email KARENLSTUBBS@GMAIL.COM
2. Name of representative, if any _____ Phone _____
   Mailing address _____ City _____
   State _____ ZIP _____ Email _____
   a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
   ☐ Send original correspondence to the applicant and copies to the representative.
   b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
   ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply GROUND WATER which is a tributary of N/A
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
40N	04W	31			SE	NE	LATAH	GROUNDWATER	D0003323

5. Water will be used for the following purposes:
   Amount 0.02 CFS (cfs or acre-feet per year) for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per year) for _____ purposes from _____ to _____ (both dates inclusive)
6. Total quantity to be appropriated is (a) 0.02 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
   a. Describe type and size of devices used to divert water from the source. EXISTING WELL WITH PUMP AND PIPELINE TO WATER USE. 6 GPM WELL
   b. Height of storage dam N/A feet; active reservoir capacity _____ acre-feet; total reservoir capacity N/A acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☑ No
   c. Proposed well diameter is 6 inches; proposed depth of well is 175 feet.
   d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☑ No
   e. If well is already drilled, when? 9/16/1997; drilling firm UHLENKOTT WELL DRILLING; well was drilled for (well owner) DALE & KAREN STUBBS; Drilling Permit No. 87-97-N-40.

For Department Use

Received by [illegible] Date 3-3-23 Time _____ Preliminary check by _____
Fee $ 100.00 Receipted by [illegible] Receipt No. N042629 Date 3-3-23

SCANNED
MAR 08 2023

8. Description of proposed uses (if irrigation only, go to item 9):
   a. Hydropower; show total feet of head and proposed capacity in kW. _____
   b. Stockwatering; list number and kind of livestock. _____
   c. Municipal; must complete and attach the Municipal Water Right Application Checklist.
   d. Domestic; show number of households 1 HOME, INCLUDES 1/2 ACRE IRRIGATION
   e. Other; describe fully. _____

9. Description of place of use:
   a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
   b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

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	04W	31			D														

Total number of acres to be irrigated: _____

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? WELL USED FOR HOME & IRRIGATION OF GARDEN/LAWN/LANDSCAPING.

11. a. Who owns the property at the point of diversion? APPLICANTS
    b. Who owns the land to be irrigated or place of use? APPLICANTS
    c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. APPLICANTS WOULD LIKE TO SECURE WATER RIGHTS FOR GROUNDWATER WELL USED FOR DOMESTIC USE 1 HOME WITH 1/2 AC IRRIGATION.

13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Dale Stubbs
Signature of Applicant

Dale Stubbs
Print Name (and title, if applicable)

Karen Stubbs
Signature of Applicant

Karen Stubbs
Print Name (and title, if applicable)

SCANNED
MAR 08 2023



Legend

- Township/Range
- Sections
- QQ

0 0.0425 0.085 0.17 Miles

N

NOTE: Aerial imagery for illustrative purpose only.
Imagery may be shifted compared to survey plat map.

SCANNED
MAR 08 2023

Form 238-7
3/95

DEC 10 1997

POSTED

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Use Typewriter or Ballpoint Pen

96049

Office Use Only
Inspected by _____
Twp____ Rge____ Sec____
____1/4 ____1/4 ____1/4
Lat: : : Long: : :

NORTHERN REGION

1. DRILLING PERMIT NO. 00003323
Other IDWR No. 87-97-N-40

2. OWNER:
Name Dale & Karen Stubbs
Address 2167 Shoup Alturas Rd
City Moscow State ID Zip 83843

3. LOCATION OF WELL by legal description:
Sketch map location must agree with written location.

N / W / E / S

Twp. 40 North ☑ or South ☐
Rge. 4 East ☐ or West ☑
Sec. 31, 10 acres 1/4 SE 1/4 NE 1/4 160 acres
Gov't Lot ____ County Latah
Lat: : : Long: : :
Address of Well Site 3 miles north of Moscow City
(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 Material	From	To	AMOUNT Sacks or Pounds	METHOD
Bentonite	0	40	10 bags	Dry

Was drive shoe used? ☐Y ☑N Shoe Depth(s) ____
Was drive shoe seal tested? ☐Y ☐N How? ____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6"	+2	38	.250	steel	☑	☐	☑	☐
4½"	-35	175	160	PVC	☐	☑	☐	☐
					☐	☐	☐	☐

Length of Headpipe ____ Length of Tailpipe ____

9. PERFORATIONS/SCREENS
☐ Perforations Method ____
☐ Screens Screen Type ____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:
____ft. below ground Artesian pressure 6 lb.
Depth flow encountered ____ft. Describe access port or control devices:
1½ opening over top of well

SE NE 31 40N 4W

11. WELL TESTS:
☐ Pump ☐ Bailer ☑ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
6 gpm			

Water Temp. ____ Bottom hole temp. ____
Water Quality test or comments: Good
Depth first Water Encountered 78-175

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Water Y	Water N
8	0	3	dirt		
	3	11	clay		
	11	35	decomposed granite		
6	35	57	soft granite		
	57	78	med soft granite		
	78	175	soft granite 6½ gpm	✓	
			1½ flowing over top of well		

Completed Depth 175 (Measurable)
Date: Started Sept 15 97 Completed Sept 16, 97

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

Firm Name Wheelcott Drilling Firm No. 125
Firm Official Gay Wheelcott Date Dec 8, 97
and
Supervisor or Operator Jim Wheelcott Date Dec 8, 97
(Sign once if Firm Official & Operator)

WHITE COPY - WATER RESOURCES

SCANNED
MAR 08 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

Director Gary Spackman

June 22, 2023

DALE STUBBS
KAREN STUBBS
PO BOX 9444
MOSCOW ID 83843-0118

RE: License No. 87-12363

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) 287-4925.

Sincerely,

Jean Hersley

FOR
Phill Hummer
Water Rights Supervisor

Enclosure(s)

SCANNED
JUN 22 2023

CERTIFICATE OF SERVICE

I hereby certify that on June 23, 2023, I served a true and correct copy of Water Right License No. 87-12363 by U.S. Mail, postage prepaid, to the following:

DALE STUBBS (Current Owner)
PO BOX 9444
MOSCOW ID 83843-0118

KAREN STUBBS (Current Owner)
PO BOX 9444
MOSCOW ID 83843-0118

Jean Hersley
Technical Records Specialist 2

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.

SCANNED
JUN 22 2023

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

IN-OFFICE REVIEW/BENEFICIAL USE FIELD REPORT

Permit No: 87-12363
Exam Date: 6/15/2023

A. GENERAL INFORMATION

1. Does this qualify for an in-office field exam (IDAPA 37.03.02.035.01.r)? __X__Y ____N
   a. __X__ Irrigation of 5 acres or less
   b. ____ Storage of up to 14.6 AF for stockwater purposes only
   c. __X__ Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
   d. ____ Other

2. Current Owner:
   DALE STUBBS PO BOX 9444 MOSCOW ID 83843-0118 AND/OR
   KAREN STUBBS PO BOX 9444 MOSCOW ID 83843-0118

3. Beneficial Use Fees have been paid: EXEMPT

4. Source: GROUND WATER Tributary: N/A

Method of Determination:
Change in Source: ____Y __X__N

Method of Determination: Well Log and GIS Data

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:**
GROUND WATER SE¼ NE¼, Sec. 31, Twp 40N, Rge 04W, B.M. LATAH County

Method of Determination: Well Construction Log

SCANNED
JUN 22 2023

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	
40N	04W	31			X														

Method of Determination: GIS and Taxlot information

3.

_____ Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.

__X__ 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
933277	N/A	N/A	N/A	N/A	N/A

*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: N/A (in-house review)

E. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method: N/A

Applicant states well is capable of 6 gpm flow (~0.02 cfs).

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation: N/A (Domestic Use)

SCANNED
JUN 2 2 2023

$V_{I.R}$ = (Acres Irrigated) x (Irrigation Requirement) =
$V_{D.R}$ = [Diversion Rate (cfs)] x (Days in Irrigation season) x 1.9835 =
V = Smaller of $V_{I.R}$ and $V_{D.R}$ =

2. Volume Calculations for Other Uses: N/A

G. NARRATIVE/REMARKS/COMMENTS

Water Rights Permit 87-12363 qualifies for an in-house beneficial use exam due to the domestic use permitted flow rate being less than 0.24 cfs. Proof of beneficial use was received by the Department on June 8, 2023 by the permit holders; this permit is exempt from exam fees (42-221K).

Proof was submitted without diagram or aerial photographs demonstrating development of the permit, but GIS data, imagery software, and the well construction log proved additional information was not necessary. The permit holders stated that the well was capable of producing 6 gallons per minute which is approximately 0.0134 cfs. Given there is no restrictions on groundwater appropriation in the area, I recommend keeping the permitted rate of 0.02 cfs even if their system is not capable of producing that. 0.02 cfs is half of the standard rate for domestic use for one home. A standard volume of 1.2 AF per year is recommended.

I called the applicant to confirm the location of the well being where the POD shape was drawn after noticing that the well drilling permit shapefile was positioned in the wrong section. I suspect that the driller GPS'd the well incorrectly, and no amendments should be made to the POD location.

Condition 046 enforcing compliance with drilling requirements was followed, so it can be removed from the license.

Conditions recommended to remain include X01 (limiting domestic use to 1 home), 187 (limiting irrigation to ½ acre), and 004 (preventing illegal right-of-way or easement) since the POD is located approximately 900 feet away from the POU and there could potentially be issues if the permit holders sold the land.

Have conditions of permit approval been met? _X_ Yes ____ No

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
DOMESTIC	01/01 to 12/31	0.02 CFS	1.2 AF
	Totals:	0.02 CFS	1.2 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

SCANNED
JUN 22 2023

I. **AUTHENTICATION** Blake Burkard -

Field Examiner _____ Date 6/20/23

Reviewer _____ Date 6/20/23

SCANNED
JUN 22 2023

Beneficial Use Proof Evaluation

Permit Number: 87-12363 Reviewer: AVeibell Review Date: 6/8/2023

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: 6/8/2023
4) Proof Due Date: 4/1/2024
5) Days added for weekend due date?
6) Days added for holiday due date?
7) Number of days late: -298
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? Yes
    a. Measuring Device -- No
    b. Lockable Device --No
    c. Fish Screen -- No
4) Is there a request to waive the required items? No
5) Drilling Permit Number: 747933
6) Is a drilling permit upgrade needed? No
7) Was a well drillers report filed? No
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

N042629

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.

IDAHO DEPARTMENT OF
WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene, ID 83815-7763
Phone: 208-762-2800 • Fax: 208-762-2819 • Email: northerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 10, 2023

KAREN STUBBS
DALE STUBBS
PO BOX 9444
MOSCOW ID 83843-0118

RE: Permit No. 87-12363

Permit Approval Notice

Dear Permit Holder(s):

The Department of Water Resources ("Department") has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review all the conditions of approval listed on your permit. The conditions include requirements that you must accomplish, such as timely submittal of proof of beneficial use or installation of a measuring device, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district. Failure to comply with the conditions of approval may result in your permit lapsing or being canceled.

The permit is a PRELIMINARY ORDER issued 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.

The final step in the water right process is issuance of a water right license. To receive a water right license, you must divert and use water to the full extent intended and submit a *Statement of Completion for Submitting Proof of Beneficial Use* by the date shown in condition no. 1 of your permit. The Department will send you a *Proof Due Notice* approximately 60 days prior to the date listed in condition no. 1 of your permit.

You may also require approvals from other Department programs, such as Ground Water Protection, Safety of Dams, or Stream Channel Protection, to accomplish your proposed development. Please call or visit any Department office or see the Department's website at idwr.idaho.gov for more information about these programs.

SCANNED
APR 1 1 2023

Please be advised that Idaho Code § 42-248, requires you or the owner of this water permit to maintain current ownership and address records on file with the Department. Forms to file an assignment of permit and/or a change in the address of the permit 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 enclosed information, please contact the Northern Region Office at (208) 762-2800.

Sincerely,

Luke Bates
Interim Water Rights Supervisor

Enclosure(s)

SCANNED
APR 1 1 2023

CERTIFICATE OF SERVICE

I hereby certify that on April 10, 2023, I served a true and correct copy of Permit to Appropriate Water No. 87-12363 by U.S. Mail, postage prepaid, to the following:

KAREN STUBBS (Current Owner)
PO BOX 9444
MOSCOW ID 83843-0118

DALE STUBBS (Current Owner)
PO BOX 9444
MOSCOW ID 83843-0118

Tammy Alleman
Administrative Assistant 1

SCANNED
APR 1 1 2023

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.

SCANNED
APR 1 1 2023

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.

SCANNED
APR 11 2023

NEWS REVIEW PUBLISHING COMPANY
The Moscow-Pullman Daily News
P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date: 03/23/2023

INVOICE NO. 173008

Account No. 964750

Description 173008 The foll

LEGAL ADVERTISING INVOICE

Times 2

Lines 28

Tab. lines

$ 91.90

RECEIVED
MAR 29 2023
IDWR / NORTH

Sold To: IDAHO DEPT OF WATER RESOURCES
7600 MINERAL DR #100
COEUR D ALENE ID 83814

PO# Alleman, Tammy

NOTICE:This is a invoice of Purchase made by you. Statement will be rendered the first of the month
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

173008

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

87-12363
DALE STUBBS KAREN STUBBS
PO BOX 9444 MOSCOW, ID 83843-0118
Point of Diversion SENE S31 T40N R04W
LATAH County Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31
Total Diversion: 0.02 CFS Date Filed: 03-03-2023
Place Of Use: DOMESTIC T40N R04W S31 SWNE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; or for a full description of the right(s), please see https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of $25.00 for each application on or before 4/3/2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on 3/16/2023 and 3/23/2023

AFFIDAVIT OF PUBLICATION

S KELLAM, Legal Clerk
being first duly sworn, on oath deposes
and says: I am the printer of
Moscow-Pullman Daily News, a newspaper
of general circulation, published daily
except Sunday at Moscow, Latah County,
Idaho, in compliance with Sections 60-106,
60-107, and 60-108 of the Idaho Code and the
amendments thereto; and an official newspaper
for Whitman County, Washington as required
by R.C.W. 36.72.071 and other provisions of
the Revised Code of Washington and the
amendments thereto: that the notice of which the
annexed is a full, true and correct printed
copy was published in the regular and entire
issues of said newspaper and not in a
supplement thereto, upon the following dates:

3/16 & 3/23/2023

the same being the date designated for
the publication of said notice.

S Kellam

On this 24 day of Mar
in the year of 2023 before me, a Notary Public,
personally appeared S KELLAM ,
known or identified to me to be the person
whose name subscribed to the within instrument,
and being by me first duly sworn, declared that
the statements therein are true, and acknowledged
to me that he executed the same.

TERESA M NITCY
NOTARY PUBLIC
Comm No. 41543
STATE OF IDAHO

Notary Public for Idaho,
Residing at Lewiston, Idaho
My Commission Expires 1/23/28

SCANNED
APR 11 2023

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

W.R. # 87-12363 APPLICATION ID # 87542 ENT. JB BCA Yes OK to Publish MR

APPLICANT: Dale and/or Karen Stubbs INITIAL REVIEW BY JB DATE 3/3/23

ITEM	REQUIRED INFORMATION
1	(✓) Name and Address
2	(✓) Source
3	(✓) Point of Diversion & County
4	(✓) Quantity
5	(✓) Nature of Proposed Use
6	(✓) Period of Use
7	(✓) Total Quantity
8	(✓) Description of diverting works
9	(✓) Time required for b/u
10	(✓) Proposed use
11	(✓) Place of use or acres irrigated
12	(✓) Other water Rights
13	(✓) Ownership
14	(✓) Map
15	(✓) Signature
16	(✓) Fee (Amt, receipt, acknowledgement)

*** Send info sheet Y ( ) N ( )

PROCESSING (Yes)(No)

PRIORITY DATE 3/3/23

✓ ✓ (Include Moratorium Remark) Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af)

ADVERTISE IN LATAH County

Newspaper: Moscow Pullman Daily News

Dates scheduled for publication 3-16-23 & 3-23-23

Affidavit of Publication received 3-29-23

Dates actually published 3-16-23 & 3-23-23

Application published correctly Yes Y No ____

If not, action taken ____

Final Date for Protest April 3, 2023

Protests Received Yes ____ No Y

LETTERS SENT REQUESTING

( ) Dam Information ( ) Fish Information

( ) Power Information ( ) Other ____

INFORMATION RECEIVED

( ) Dam Information ( ) Fish Information

( ) Power Information ( ) Other ____

ADDITIONAL INFORMATION (Yes)(No)

✓ ___ Shape File Created Date 3/3/23. By: JB

___ ___ Field check by ____

___ ___ Field report attached

___ ___ Analysis Supp Attached (>5cfs/500af)

___ ___ Water delivered by water master? Water District # ____ Commissioner

GROUNDWATER SECTION

WD Permit No.'s	Tag #	Type	Fees	Receipt No	Upgrade Needed?
____	0ØØØ3323	Dom ___ Non-Dom ___	Paid $____	____	Y ( ) N (X)
____	____	Dom ___ Non-Dom ___	Paid $____	____	Y ( ) N ( )
____	____	Dom ___ Non-Dom ___	Paid $____	____	Y ( ) N ( )

___ ___ Groundwater management area

___ ___ Critical ground water area

___ ___ Well Drilling Permit required

___ ___ Well Drilling Application and Fees received

___ ___ Well Drilling Application approved?

Remarks applicant applied for 0.02cfs because their well is a low producing well.

FINAL REGIONAL PROCESSING/REVIEW

Final order response date ___/___/___

(Yes)(No)

___ ___ Notice of pending void order issued.

___ ___ Further information required from applicant ____

___ ___ Measuring device required

___ ___ Measuring port required

___ ___ Special conditions ____

___ ___ Special conditions of approval supplement and/or cover letter attached ____

Approval Recommended by ____ Date 4/6/23 Sr. Agent initial JB Section Supervisor

IDAHO DEPARTMENT OF
WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene, ID 83815-7763
Phone: 208-762-2800 • Fax: 208-762-2819 • Email: northerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

March 8, 2023

DALE STUBBS
KAREN STUBBS
PO BOX 9444
MOSCOW, ID 83843-0118

RE: Application for Permit No. 87-12363

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the MOSCOW PULLMAN DAILY NEWS on 3/16/2023 and 3/23/2023. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Tammy Alleman
Administrative Assistant

SCANNED
MAR 08 2023

Alleman, Tammy

From: Alleman, Tammy
Sent: Wednesday, March 8, 2023 2:08 PM
To: commisioners
Cc: Jennifer Piper; Michelle Fuson
Subject: Request for Comments for WR#87-12363
Attachments: 87-12363 Application for Permit.pdf

Dear Interested Agencies:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced Water Right Permit application. You can find copies of the application at: http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of the application(s), you may do so after the notice is published by filing a written protest along with a $25.00 filing fee within 10 days after final publication. The deadline for comments on the applications is April 3, 2023.

Please contact the Northern Region Office at (208) 762-2800 if you have any questions regarding the Permit application.

Thank you,

IDAHO DEPARTMENT OF WATER RESOURCES

Tammy Alleman | Administrative Assistant
Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone: (208) 762-2800

SCANNED
MAR 08 2023

Alleman, Tammy

From: Alleman, Tammy
Sent: Wednesday, March 8, 2023 2:00 PM
To: DN Legals
Subject: Legal Notice for Moscow Pullman Daily News
Attachments: 87-12363 Legal Notice.docx

Please publish the enclosed legal notice in the **Moscow Pullman Daily News** on the dates indicated **March 16th & March 23rd, 2023** (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

Please send a proof once you have the article ready for print for our review.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before **April 3, 2023.** Your cooperation is appreciated.

Sincerely,

IDAHO DEPARTMENT OF WATER RESOURCES

Tammy Alleman | Administrative Assistant
Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone: (208) 762-2800

SCANNED
MAR 08 2023

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
87-12363
DALE STUBBS
KAREN STUBBS
PO BOX 9444
MOSCOW, ID 83843-0118
Point of Diversion SENE
S31 T40N R04W
LATAH County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.02 CFS
Date Filed: 03-03-2023
Place Of Use: DOMESTIC
T40N R04W S31 SWNE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Northern office at (208)762-2800; or for a full description of the right(s), please see https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D ALENE ID 83815-7763 together with a protest fee of $25.00 for each application on or before 4/3/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director Published on 3/16/2023 and 3/23/2023

SCANNED
MAR 08 2023