State of Idaho
Department of Water Resources

Water Right License

Water Right No. 85-15773

Priority: May 09, 2016

Maximum Diversion Rate: 0.01 CFS
Maximum Diversion Volume: 5.6 AF

It is hereby certified that:

TIFFANY L WEEKS 140 PINE RD KAMIAH ID 83536 AND/OR
TED G WEEKS 140 PINE RD KAMIAH ID 83536

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 09, 2016, and has submitted Proof of Beneficial Use on July 07, 2021. An examination confirms water is diverted from:

Source : SPRING **Tributary:** SINKS

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
IRRIGATION	03/15 to 11/15	0.01 CFS	4.9 AF
STOCKWATER	01/01 to 12/31	0.01 CFS	0.1 AF
DOMESTIC	01/01 to 12/31	0.01 CFS	0.6 AF

Location of Point(s) of Diversion
SPRING L23 (NW¼ NW¼ SW¼), Sec. 12, Twp 33N, Rge 03E, B.M. IDAHO 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	
33N	03E	12							1.5 L10			1.5 L23							3.0

Total Acres: 3.0

Place of Use: 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	
33N	03E	12							X L10			X L23							

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	
33N	03E	12							X L10			X L23							

Conditions of Approval

1. Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
2. 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.

SCANNED
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Water Right License

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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 30th day of May, 2023.

Michelle Richman

MICHELLE RICHMAN
Northern Regional Manager

SCANNED
MAY 31 2023

State of Idaho
Department of Water Resources

Attachment to Water Right License

85-15773

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.

03E

33N



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

0 0.035 0.07 0.14 Miles

N

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MAY 31 2023

State of Idaho
Department of Water Resources

Attachment to Water Right License

85-15773

This map depicts the IRRIGATION & 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.

03E

33N



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

0 0.035 0.07 0.14 Miles

N

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MAY 31 2023

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

May 31, 2023

TED G WEEKS
TIFFANY L WEEKS
140 PINE RD
KAMIAH ID 83536

RE: License No. 85-15773

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 the Northern Region Office at (208) 762-2800.

Sincerely,

Michelle Richman

Michelle Richman
Northern Regional Manager

Enclosure(s)

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MAY 31 2023

CERTIFICATE OF SERVICE

I hereby certify that on May 31, 2023, I served a true and correct copy of Water Right License No. 85-15773 by U.S. Mail, postage prepaid, to the following:

TED G WEEKS (Current Owner)
140 PINE RD
KAMIAH ID 83536

TIFFANY L WEEKS (Current Owner)
140 PINE RD
KAMIAH ID 83536

Tammy Alleman
Administrative Assistant 1

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MAY 31 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.

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MAY 3 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.

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MAY 31 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 85-15773
Exam Date: 06/06/2022

1. Current Owner:
   TIFFANY L WEEKS 140 PINE RD KAMIAH ID 83536 AND/OR
   TED G WEEKS 140 PINE RD KAMIAH ID 83536

2. Accompanied by: Ted & Tiffany Weeks
   Phone No: 208-983-5657
   Address: Same as above
   Relationship to permit Holder: Permit holders

3. **SOURCE:** SPRING

Tributary SINKS

Method of Determination: Arcmap and DRG.

B. OVERLAP REVIEW

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

Water Right No.	Source	Purpose of Use	Basis
85-2125	Lawyer Creek	Domestic	Decree
85-10011	Groundwater	Domestic	Decree
85-10414	Spring	Domestic	Decree
85-10513	Groundwater	Domestic & Irrigation	Decree

Comments: 4ea decreed WRs 85-2125, 85-10011, 85-10414, & 85-10513 listed above have overlapping POU(s) with this water right; each of the 4 was assessed for overlap concern and it was determined that all 4 are not associated with the applicant's property nor water system. Backfile information and Recommended Proof Reports designate other parcels than this right's POU; it is plausible that generic shapes were incorporated when developing the water rights at time of recommendation in the SRBA. There are no overlap concerns for this water right.

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

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**
SPRING L23 (NW¼ NW¼ SW¼), Sec. 12, Twp 33N, Rge 03E, B.M. IDAHO County

Method of Determination: GPS. POD is a spring source & cistern located at -116°1.8932, 46°12.8764.

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	
33N	03E	12							1.5 L10			1.5 L23							3.0

Total Acres: 3.0

PLACE OF USE: STOCKWATER & 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	
33N	03E	12							X L10			X L23							

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MAY 31 2023

Method of Determination: Beneficial use field exam & Arcmap aerial imagery.

3.

Delivery System Diagram Attached (required). Indicate all major components and distances between components.
X 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
X 1:24,000 or greater.

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

X Photo of Diversion and System Attached

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Serial No. or Discharge Size
SPRING	GRAVITY FLOW FROM CISTERN TO STORAGE TANK	1 HP TRANSFER PUMP AT TANK		

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
4-CUP MEASURMENT						

2. Measurements: 2 ea 4-cup measurements were taken from the gravity flow discharge pipe located at the applicant's storage tank resulting in an average flow rate of 4.75 gpm following conversion from cup to gallons, or **0.01 cfs** considering department rounding standards.

E. FLOW CALCULATIONS

Measured Method: 4-Cup measurements from 1 ¼ inch poly pipe

- 4 cup vessel filled in 3:18 seconds x 4 cup per gal = 12.72 sec per gal & 60 sec / 12.72 sec per gal = 4.7 gpm
- 4 cup vessel filled in 3: 12 seconds x 4 cup per gal = 12.48 sec per gal & 60 sec / 12.48 sec per gal = 4.8 gpm
- Avg of two measurements equals 4.75 gpm or 0.01 cfs considering department rounding standards.

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation:

$V_{I.R}$ = (Acres Irrigated) x (Irrigation Requirement) = 3.0 ac x 3.0 afa = 9.0 af

$V_{D.R}$ = [Diversion Rate (cfs)] x (Days in Irrigation season) x 1.9835 = 0.01 cfs x 246-day x 1.9835 = 4.9 af considering department rounding standards.

V = Smaller of $V_{I.R}$ and $V_{D.R}$ = **4.9 af**

2. Volume Calculations for Other Uses: Stockwater annual volume equals 5 horses x 12 gpd x 365-day = 21,900 gal per year / 325,850 gal per af = **0.1 af** considering department rounding standards.

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MAY 3 1 2023

G. NARRATIVE/REMARKS/COMMENTS

Field exam performed on 6/6/2022 with the applicant(s), Ted & Tiffany Weeks, showed a spring being used for domestic, irrigation, & stockwater purposes. The POD for the spring is located upon land owned by another party; during licensing review quit claim deeds provided by applicant at time of initial application submission was validated for an easement to the POD from the applicant's property. This mitigates any concern for trespass for this water right's POU to the POD. The POD is an 8 ft cubed concrete cistern with discharge pipe installed approx. 3 feet off the floor of the cistern. A 1 ¼ " poly pipe discharge enables gravity flow of spring water to the applicant's property buried along the easement.

At the applicant's parcel edge, a 1,100-gal storage tank receives gravity inflow prior to distribution for beneficial uses. The lid was removed from the storage tank and a 4-cup measuring device was used to take flow measurements. Two samples were taken resulting in an average flow rate of 4.75 gpm following conversion from cup to gallons, or 0.01 cfs considering department rounding standards. The permit was approved for beneficial uses with department diversion rates that are higher than the spring diverts via gravity flow; for licensing purposes I recommend the gravity flow diversion rate measured at time of exam = **0.01 cfs** for each of the three beneficial uses in addition to the maximum diversion rate for licensing purposes. The applicant's use of the storage tank enables full distribution daily for the beneficial uses of water as discussed below.

The irrigation system was walked with the applicants during the exam and the irrigation POU sketched on field maps. The water system includes a main trunk line that routes along the southern extent of the property with riser/tee poly pipe lateral lines at interval to garden hose attachment points for irrigation & stockwater use. The applicant uses a 1 HP booster pump to increase flow rate for irrigation of garden, lawn space, and pasture areas on the property; during the exam the system was operated to illustrate water usage from the booster pump from 1,100-gal storage tank. Mr. Weeks asserts he will drain the 1,100-gal tank 3 times a day rotating sprinkler(s) from location to location at the POU throughout summer months. With the spring diverting approx. 5 gal per minute, it will take under 4 hours to fill the tank. The irrigation POU was traced out using Arcmap aerial imagery resulting in 3.0 acres irrigation. Although the department standard for 3.0 acres equals 9.0 af, the applicant is limited by diversion rate for licensing purposes with 0.01 cfs x 246-day season of use x 1.9835 (pump factor) = **4.9 af** which is recommended for licensing purposes.

The stockwater POU consists of the applicant's property primarily in the irrigation POU location as portable stock tanks are filled from the same garden hose in various areas of the property. I have designated the same POU as Irrigation for stockwater beneficial use and the annual volume for 5 horses watered during the development period of the permit equals **0.1 af** annually considering department rounding standards.

The applicant's property has a few small structures, and the applicant periodically uses an RV on the parcel for domestic purposes. When installing the water system, a dedicated stub-in with shutoff valve was installed for domestic use near a designated home site; applicant stated they were awaiting the cost of building supplies to reduce prior to initiating their construction project. Due to the observed & dedicated stub-in coupled with RV domestic use during the development period I am recommended domestic in-home use for 1 home for licensing, with annual volume equals **0.6 af** annually. The maximum diversion volume for licensing equals the sum of three beneficial uses = **5.6 af**.

Conditions 26A and X02 were removed from the permit during licensing review. All other conditions on the permit are being carried to licensing. There are overlapping WRs as discussed on PG1 above, but none constitute overlap concerns and there are no additional overlap issues associated with this water right.

SCANNED
MAY 3 1 2023

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
IRRIGATION	03/15 to 11/15	0.01 CFS	4.9 AF
STOCKWATER	01/01 to 12/31	0.01 CFS	0.1 AF
DOMESTIC	01/01 to 12/31	0.01 CFS	0.6 AF
	Totals:	0.01 CFS	5.6 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

I. AUTHENTICATION

Luke Bates -

Field Examiner's Name _____ Date 12/5/2022

Reviewer Michelle Richman Date 5/30/2023

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MAY 31 2023

State of Idaho
Department of Water Resources

Attachment to Field Exam

85-15773

DOMESTIC system diagram.



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

0 0.035 0.07 0.14 Miles

N

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MAY 3 1 2023

State of Idaho
Department of Water Resources

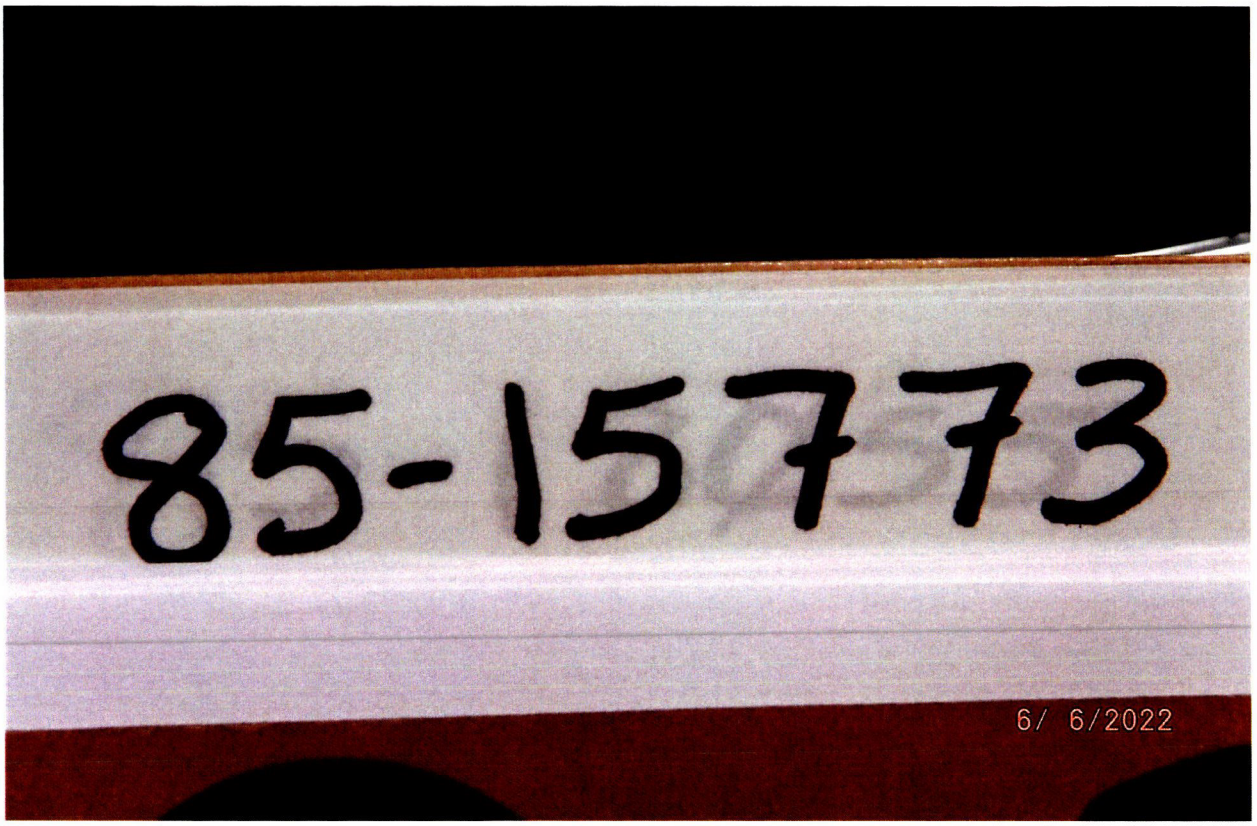
Attachment to Field Exam

85-15773

IRRIGATION & STOCKWATER system diagram.



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BENEFICIAL USE FIELD EXAM DATE 6/6/2022



POD – 8FT X 8FT X 8FT CONCRETE CISTERN IMPOUNDS SPRING WATER

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GRAVITY FLOW OF WATER IN 1 ¼ INCH POLY PIPE FROM SPRING TO 1,100 GAL STORAGE TANK BEFORE USES



WATER CONVEYANCE SYSTEM – GRAVITY FLOW FROM 1,100 GAL TANK TO END POINT IN ALL MAIN WATER LINE(S)

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MAY 3 1 2023

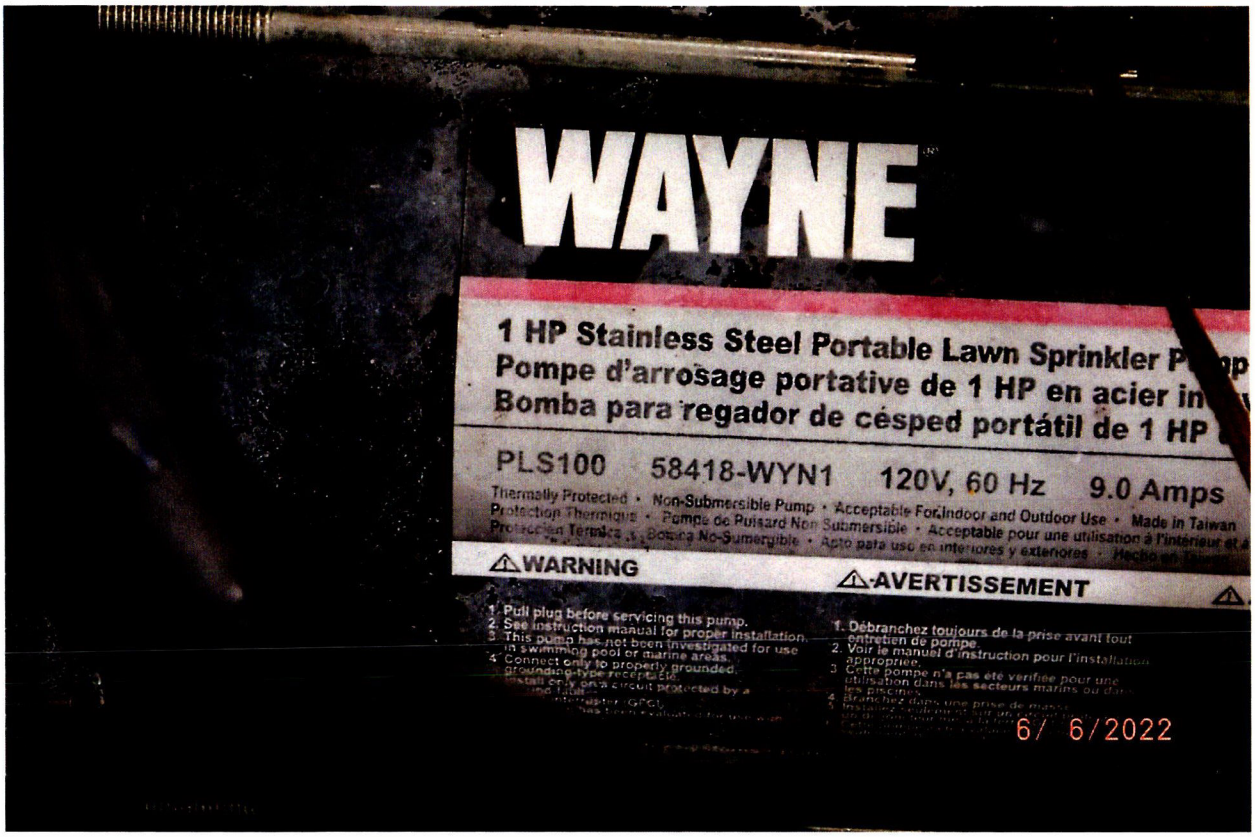


GRAVITY FLOW FROM POD INTAKE TO STORAGE TANK – FLOW MEASUREMENT TAKEN AT THIS LOCATION



PORTABLE 1HP PUMP USED FOR IRRIGATION BY HOSE AND SPRINKLER THROUGHOUT IRRIGATION POU

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1 HP PORTABLE LAWN SPRINKLER BOOSTER PUMP



IRRIGATION POU

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IRRIGATION POU



1 ¼ POLY PIPE ROUTED ALONG SOUTHERN EXTENT OF IRRIGATION POU WITH IRRIGATION RISERS AT INTERVALS

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WATER SYSTEM MAIN LINES



IRRIGATION RISER AND HOSE FEED

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IRRIGATION POU



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IRRIGATION POU



IRRIGATION POU – PORTABLE PUMP AND SPRINKLERS USED FROM STORAGE TANK

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DOMESTIC POU – DEDICATED STUB-IN PIPE LOCATED AT FUTURE HOME SITE ON PROPERTY



STOCKWATER POU

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STOCKWATER USED FOR 5 HORSES DURING DEVELOPMENT PERIOD OF PERMIT

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MAY 3 1 2023