State of Idaho
Department of Water Resources

Water Right License

Water Right No. 87-12362

Priority: December 12, 2022

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

It is hereby certified that:

KELLY L RILEY 1025 SKYVIEW LOOP MOSCOW ID 83843-5100

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 09, 2022, and has submitted Proof of Beneficial Use on November 30, 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 L3(NW¼ SW¼), Sec. 30, Twp 39N, Rge 05W, 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	
39N	05W	30										X L3							

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. The diversion and use of water described in this right 87-12362 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
4. This right does not grant any right-of-way or easement across the land of another.
5. Point of diversion is located within Lot 4, Sky View Estates.
6. Place of use is located within Lot 4, Sky View Estates.

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 10th day of January, 2024.

PHILL HUMMER
Water Rights Section Manager

State of Idaho
Department of Water Resources

Attachment to Water Right

87-12362

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 0.035 0.07 0.14 Miles

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

N

Form 42-217 Rev. 6/22

RECEIVED
NOV 30 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. 87-12302 Name of Permit Holder(s) Kelly L. Riley

Telephone No. 541 410-0828 Email Kellyrileystudio@gmail.com

Mailing Address 1025 Skyview Loop City Moscow State Id Zip 83843

2. Source of Water Ground Water If Ground Water (well), Date Drilled mo. 8 / yr. 2018

Drilling Permit/Tag No. Tag 0078925/887233 Drilling Company's Name Stuivenga Vessey Drilling

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

Domestic (No. households) 1 Irrigation (No. acres) 1/2 max 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 - Pentair model # L1084GMGS-010 serial # 001K21C (See attached sheet)

Irrigation - less than 1/2 acre landscaping sprinklers/hoses

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 (See attached pump install info)
☐	☐	☒	Mitigation plan
☐	☐	☒	Lockable controlling works
☐	☐	☒	Measuring device
☐	☐	☒	Fish screen
☒	☒	☐	Other requirements of the water right permit Drilling permit requirements (See attached well report
	☐	☒	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: Kelly Riley Telephone No. 541 410-0828 Email Kellyrileystudio@gmail.com

Mailing Address 1025 Skyview Loop 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.

[signature] Kelly L Riley owner 11-27-2023

SIGNATURE OF PERMIT HOLDER* PRINTED NAME AND TITLE DATE

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

Form 238-7
6/07

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

1. WELL TAG NO. D 0078925
Drilling Permit No 887233
Water right or injection well #

2. OWNER: Karl Tyler
Name
Address PO Box 16025
City Missoula State MT Zip 59808

3.WELL LOCATION:
Twp. 39 North ☒ or South ☐ Rge. 5 East ☐ or West ☒
Sec. 30 ____ 1/4 (10 acres) NW 1/4 (40 acres) SW 1/4 (160 acres)
Gov't Lot ____ County Latah
Lat. 46 ° 41.569 (Deg. and Decimal minutes)
Long 117 °01.150 (Deg. and Decimal minutes)
Address of Well Site Sky View Loop
(Give at least name of road + Distance to Road or Landmark) City Moscow
Lot 4 Blk ____ Sub. Name Sky View Estates

4. USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☐ Other

5. TYPE OF WORK:
☒ New well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other

6. DRILL METHOD:
☒ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method/procedure
Bentonite	0	58	1150 lbs	Over Bore Poured
Granuals				

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/ Schedule	Material	Casing	Liner	Threaded	Welded
8"	+2	58	.250	Steel	☒	☐	☐	☒
6"	-40	360	.250	Steel	☒	☒	☐	☒
					☐	☐	☐	☐
					☐	☐	☐	☐

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 40', 58', 360'

9. PERFORATIONS/SCREENS:
Perforations ☒ Y ☐ N Method Torch Cut
Manufactured screen ☐ Y ☒ N Type
Method of installation

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
320	360	1/8x6	60	6"	Steel	.250
280	300	1/8x6	20	6"	Steel	.250
220	240	1/8x6	20	6"	Steel	.250

Length of Headpipe ____ Length of Tailpipe ____
Packer ☐ Y ☒ N Type

10.FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method

11. FLOWING ARTESIAN:
Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG)
Describe control device

12. STATIC WATER LEVEL and WELL TESTS:
Depth first water encountered (ft) 240 Static water level (ft) 40
Water temp. (°F) 52 Bottom hole temp. (°F)
Describe access port Well Cap

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)
320	12	60

Test method:

Pump	Bailer	Air	Flowing artesian
☐	☐	☒	☐
☐	☐	☐	☐

Water quality test or comments: Cool & Clear

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water Y	Water N
12	0	20	Brown Clay		X
12	20	35	Tan, Decomposed Granite		X
12	35	58	Gray Granite		X
8	58	95	Tan Granite		X
8	95	110	Green Granite		X
8	110	130	White Granite		X
8	130	165	Tan Granite		X
8	165	200	Gray Granite		X
8	200	288	Tan Granite	X	
8	288	320	Gray Granite	X	
8	320	360	Tan Granite	X	

RECEIVED
AUG 29 2018
IDWR / NORTH

Completed Depth (Measurable) 360'
Date Started: Aug 20, 2018 Date Completed: Aug 23, 2018

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

Company Name Stuivenga Vessey Drilling Co. No. 545
*Principal Driller [signature] Date Aug 24, 2018
*Driller Date
*Operator II [signature] Date Aug 24, 2018
Operator I Date

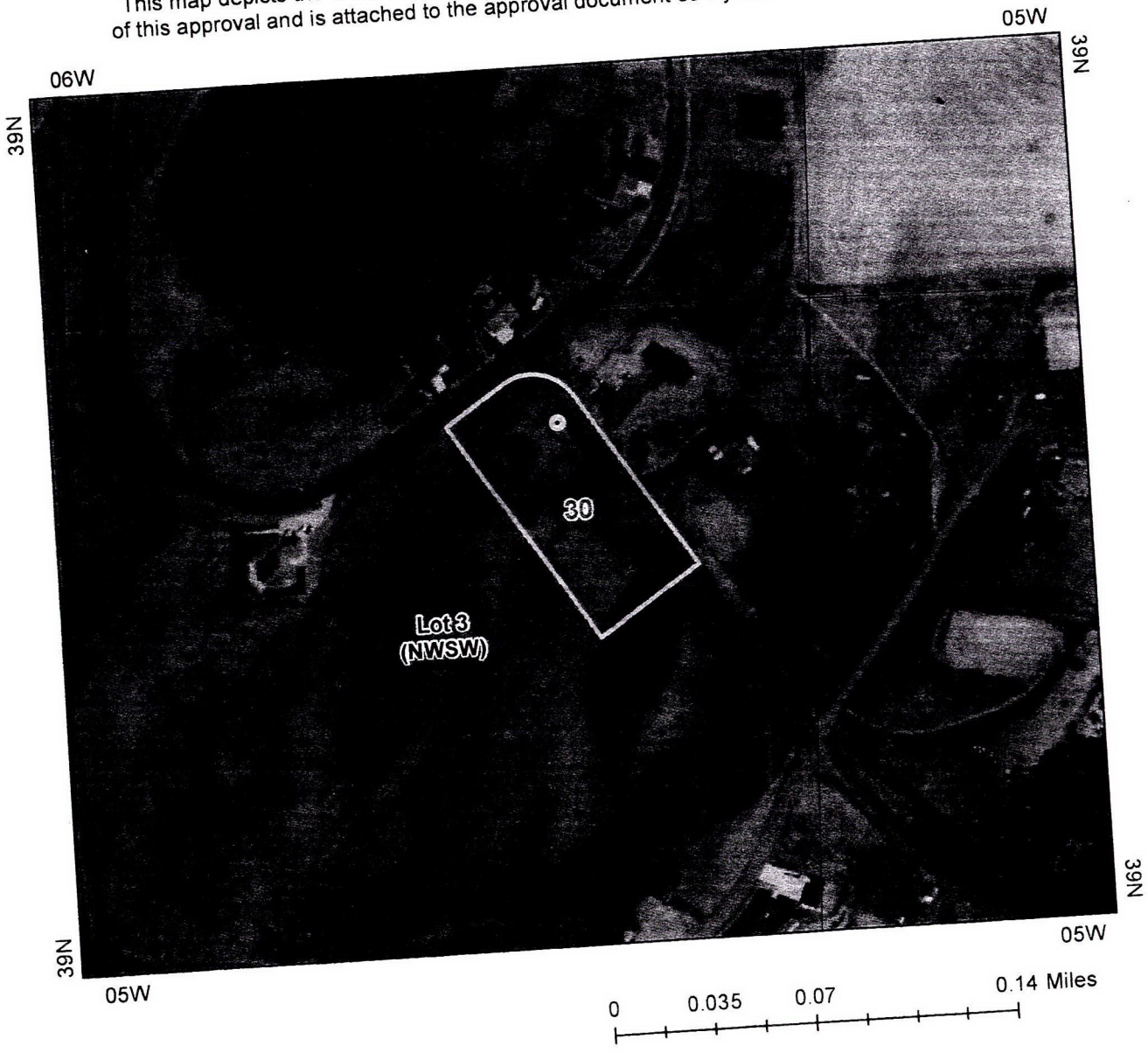
* Signature of Principal Driller and rig operator are required.

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

87-12362

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.

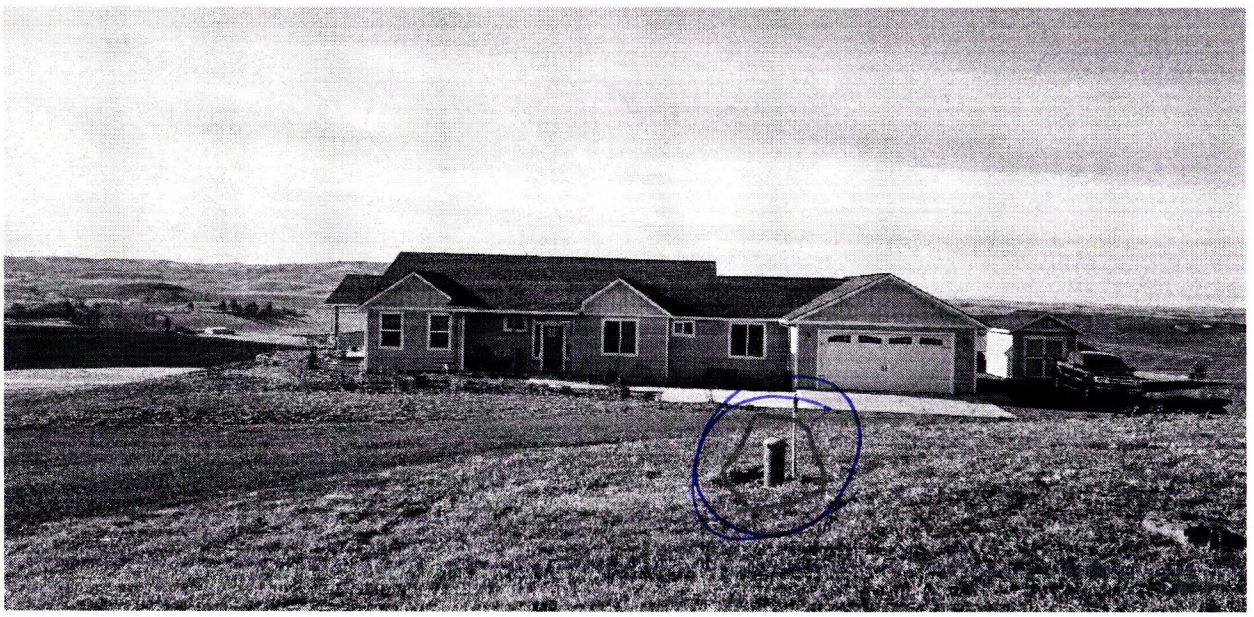


Permit # 87-12362 for proof of beneficial use

Owner: Kelly Riley kellyrileystudio@gmail.com 541-410-0828

Location: 1025 Skyview Loop Moscow, Idaho 83843

Location of well head/distribution point to house and yard. Approximately 100'. Landscaped area requiring minimal irrigation to left of and in front of house.





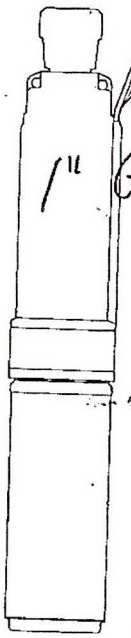
Kelly Riley - NEW - 3/31/22

PENTAIR

INSTALLATION AND OPERATING MANUAL

4" Submersible Pumps
Two and Three Wire, Single and Three Phase, 1/2 through 10 H.P., 60 Hz

2010



1" GALV SET 230'

NOTICE D'INSTALLATION ET DE FONCTIONNEMENT

Pompes submersibles de 4 pouces Moteurs bifilaires et trifilaires, Monophasés et triphasés, Puissance de 1/2 à 10 ch, 60 Hz

MANUAL DE INSTALACIÓN Y FUNCIONAMIENTO

Bombas sumergibles de 4" Bifilares y Trifilares, Monofásicas y trifásicas, 1/2 hasta 10 H.P., 60 Hz

English.....Pages 2-12
Français.....Pages 13-23
Español.....Paginas 24-34
Tables • Tableaux • Cuadros.....Pages 35-47
Diagrams • Schémas • Diagramas.....Pages 48-64

Record the following information from the motor and pump nameplates for future reference:

Sur les lignes qui suivent, indiquer les informations suivantes qui se trouvent sur les plaques signalétiques du moteur et de la pompe de façon à pouvoir s'y reporter ultérieurement

Anote la siguiente información de las chapas del motor y de la bomba para referencia futura

Pump Model No. N° de modèle de la pompe No. de modelo de la bomba	L1084GMGS-06
Pump Serial No. N° de série de la pompe No. de serie de la bomba	001K21C
Motor Model No. N° de modèle du moteur No. de modelo del motor	P43B0020A2
Motor Serial No. N° de série du moteur No. de serie del motor	J2621231032G
H.P., Volts/Hz/Ph Puissance en CH Volts/Hz/Phase(s) H.P. Voltios/Hz/Fase	2Hp/230v/60Hz/1ph
Rated Amp Draw Débit nominal en ampères Corriente nominal extraída	9.9

293 WRIGHT STREET, DELAVAN, WI 53115 WWW.PENTAIR.COM
PH: 262-728-5551

© 2014 Pentair Ltd. All Rights Reserved.

Strom Since 1938

Electric, Inc.

For Service Call 208-835-2331

Commercial | Residential | Industrial

New Motor Sale

Pumps, Sales and Installation

Well Water System Service & Installation

405 S. Main / P.O. Box 370

Troy, ID 83871

www.stromelectric.net

⚠WARNING	⚠AVERTISSEMENT	⚠ADVERTENCIA
Risk of explosion if equipment freezes or pump runs with outlet closed. Relief valve must pass entire pump outlet at system pressure. System must not freeze. Read owner's manual for detailed instructions.	Risque d'explosion si l'équipement gèle ou si la pompe fonctionne avec sa sortie fermée. La soupape de sûreté doit être de taille suffisante pour pouvoir refouler tout le débit de la pompe à la pression du circuit. Le circuit ne doit pas geler. Lire la Notice d'utilisation pour plus de détails.	Peligro de explosión si el equipo se congela o si la bomba funciona con el tubo de salida cerrado. La válvula de alivio debe pasar toda la descarga de la bomba a la presión del sistema. El sistema no se debe congelar. Para instrucciones detalladas, consulte el manual del propietario.

INSTALLATION DATE

BERKELEY®

Model No. L10P4GMGS – 06

DateCode 001K21C

MFG#: 8660835

K6165ZZ

Place In HIGHLY VISIBLE Location

WARNING: Cancer and Reproductive Harm

ADVERTENCIA: Cáncer y daños al sistema reproductor

AVERTISSEMENT: peut causer des cancers et des dangers pour la reproduction

www.P65Warnings.ca.gov

U27-2440

State of Idaho
Department of Water Resources

Permit to Appropriate Water

No. 87-12362

Priority: December 12, 2022 **Maximum Diversion Rate:** 0.02 CFS

This is to certify that

KELLY L RILEY 1025 SKYVIEW LOOP MOSCOW ID 83843-5100

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 L3 (NW¼ SW¼), Sec. 30, Twp 39N, Rge 05W, 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	
39N	05W	30										X L3							

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **February 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. The diversion and use of water described in this right 87-12362 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
7. 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 26 day of January, 2023.

LUKE BATES
Interim Water Rights Supervisor

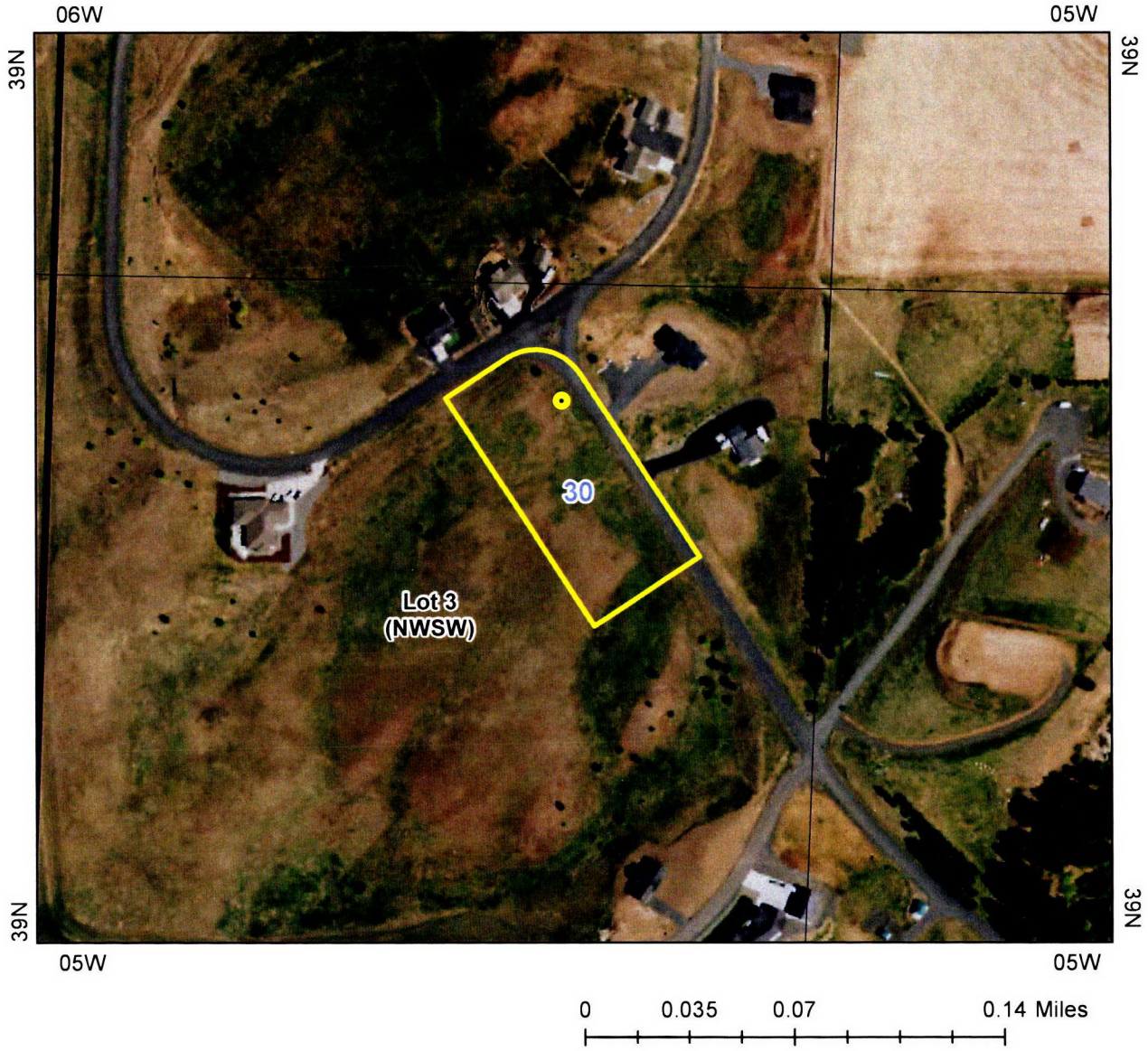
SCANNED
JAN 30 2023

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

87-12362

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 0.035 0.07 0.14 Miles

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

N

SCANNED
JAN 3 0 2023

RECEIVED
FORM 202 Rev. 09/16
DEC 09 2022
IDWR / NORTH

Print Single Sided Only

87321 STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
DEC 9, 2022
DEPARTMENT OF WATER RESOURCES

Ident. No. 87-12362

APPLICATION FOR PERMIT — Amended 12/12/22 KR

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Kelly L. Riley Phone 541-410-0628
   Name connector (check one): ■ and ■ or ■ and/or
   Mailing address 1025 Skyview Loop City Moscow
   State IDAHO ZIP 83843 Email kellyrileystudio@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 NA
4. Location of point(s) of diversion: 40 160

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
39N	5W	30	3		NW	SW	Latah	ground water	0078925
			KR 12-12-22						

5. Water will be used for the following purposes:
   Amount 0.030 for DOMESTIC purposes from 1/01 to 12/31 (both dates inclusive)
   (cfs or acre-feet per year)
   KR 12-12-22
   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre-feet per year)
   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre-feet per year)
   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.030 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. 2 HP Single phase pump in well, 1" 250 psi Polyline, 85 gal. pressure tank at House
   b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ 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 8 casing inches; proposed depth of well is 360' feet.
   d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
   e. If well is already drilled, when? Aug 24, 2018; drilling firm Stuvenga Vessey Drilling; well was drilled for (well owner) Karl Tyler; Drilling Permit No. 887233

For Department Use

Received by LA Date 12-9-22 Time _____ Preliminary check by _____
Fee $ 100.00 Receipted by LA Receipt No. N042009 Date 12-9-22

SCANNED
DEC 09 2022

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 one household
   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	
39N	05W	30		D					D			D							
												GL3							
								KR 12-12-22											

Total number of acres to be irrigated. less than 1/2

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? This water will be used partially for landscaping to establish plantings - less than 1/2 acre MOST OF the water use is for domestic use

11. a. Who owns the property at the point of diversion? Kelly Riley (self)
    b. Who owns the land to be irrigated or place of use? " "
    c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form and provide additional explanation for any of the items above. Attach additional pages if necessary. Recently constructed and now occupying a new home on the property. Well was drilled in 2018. Beneficial use began Nov. 14, 2022. Applying to claim water for domestic, beneficial use and establish water rights.

13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year). in use as of Nov. 14/22 KR 12-12-22

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.

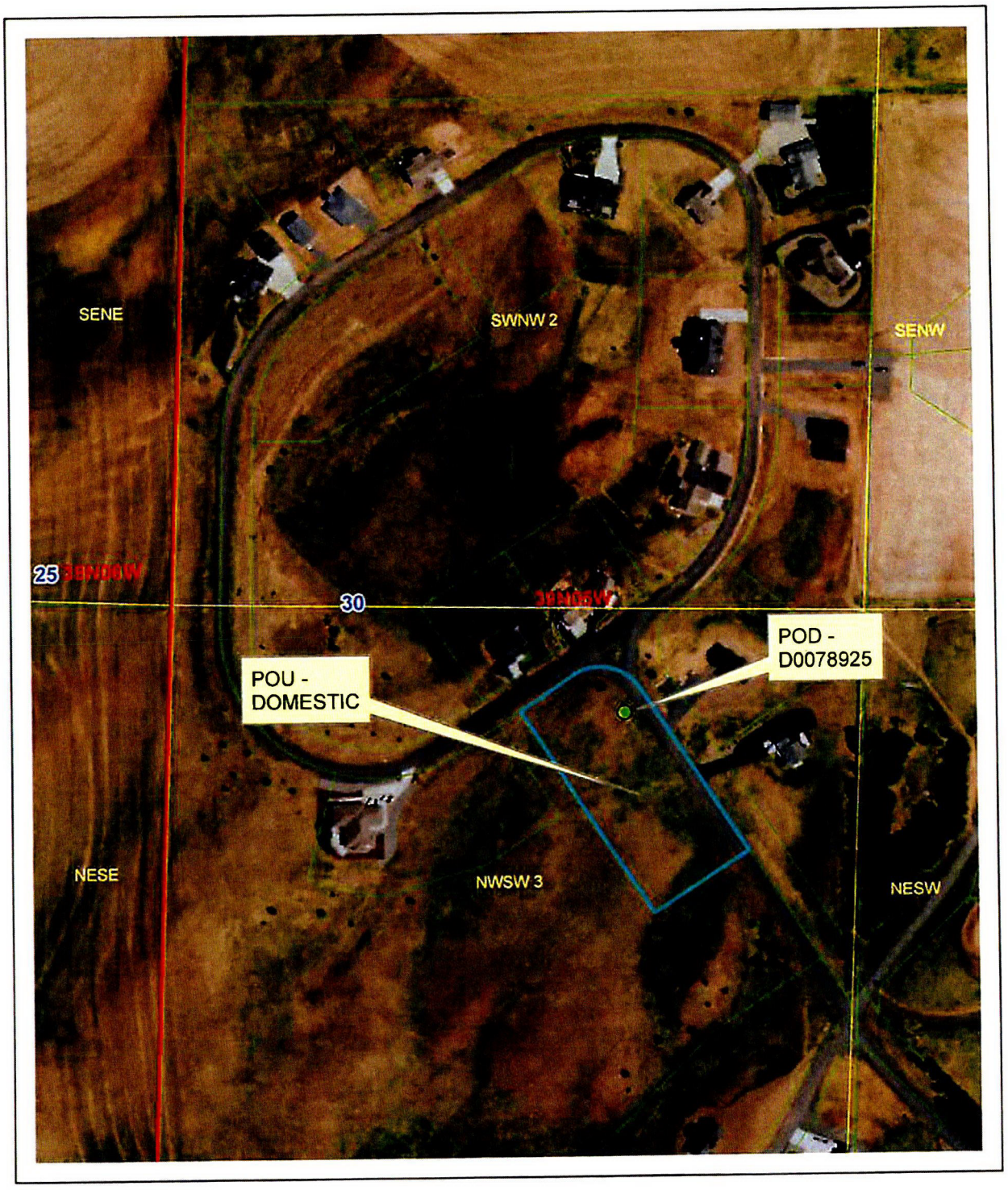
Kelly D Riley
Signature of Applicant

Kelly L. Riley
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

SCANNED
DEC 29 2022



Legend

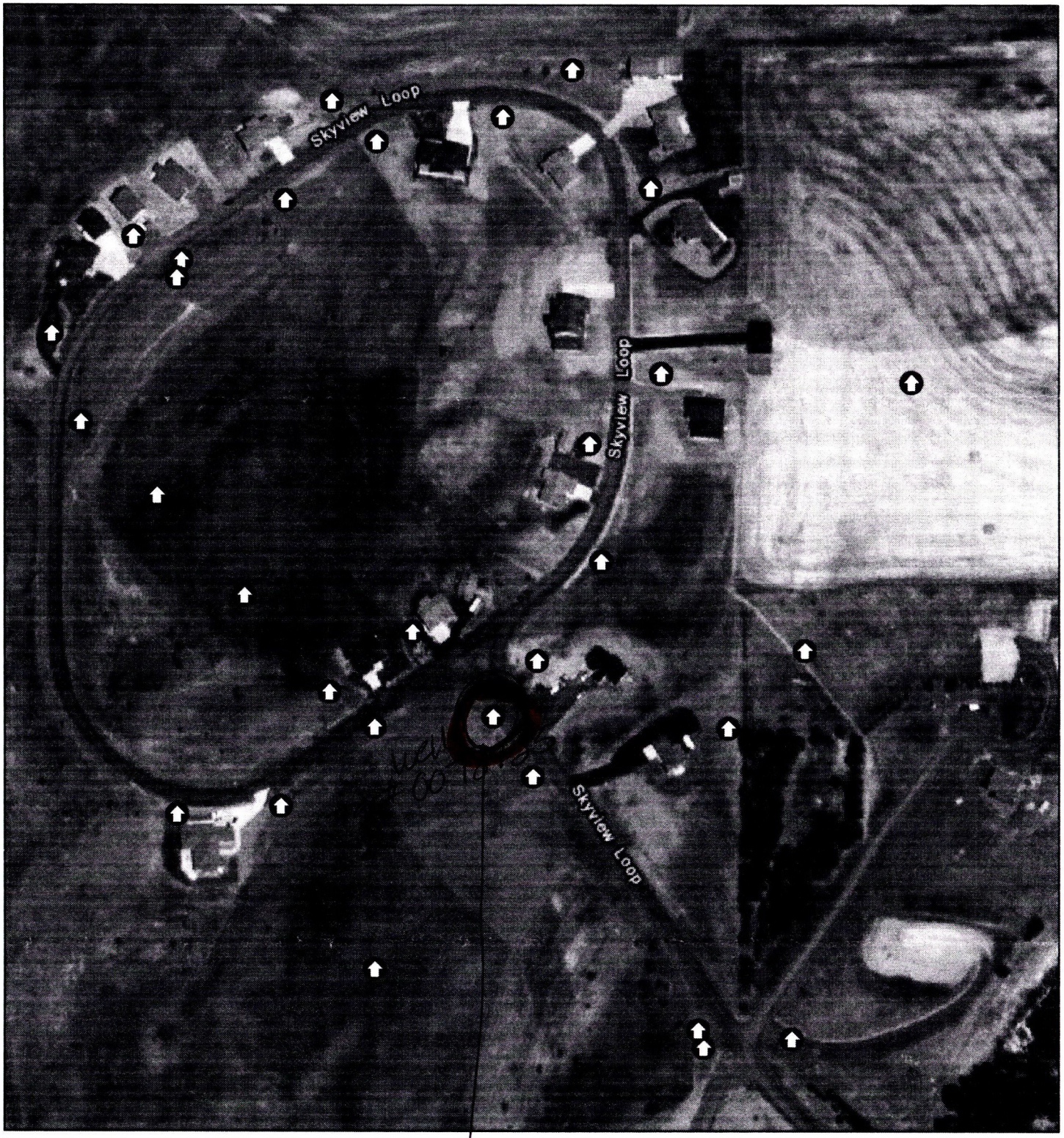
- Township/Range
- Sections
- QQ

0 0.0275 0.055 0.11 Miles

N

SCANNED
DEC 29 2022

Wells and Groundwater Management



12/7/2022, 3:09:48 PM

Wells

Administrative Regions

Counties

Well Tag #
0078925
PID

1:4,514

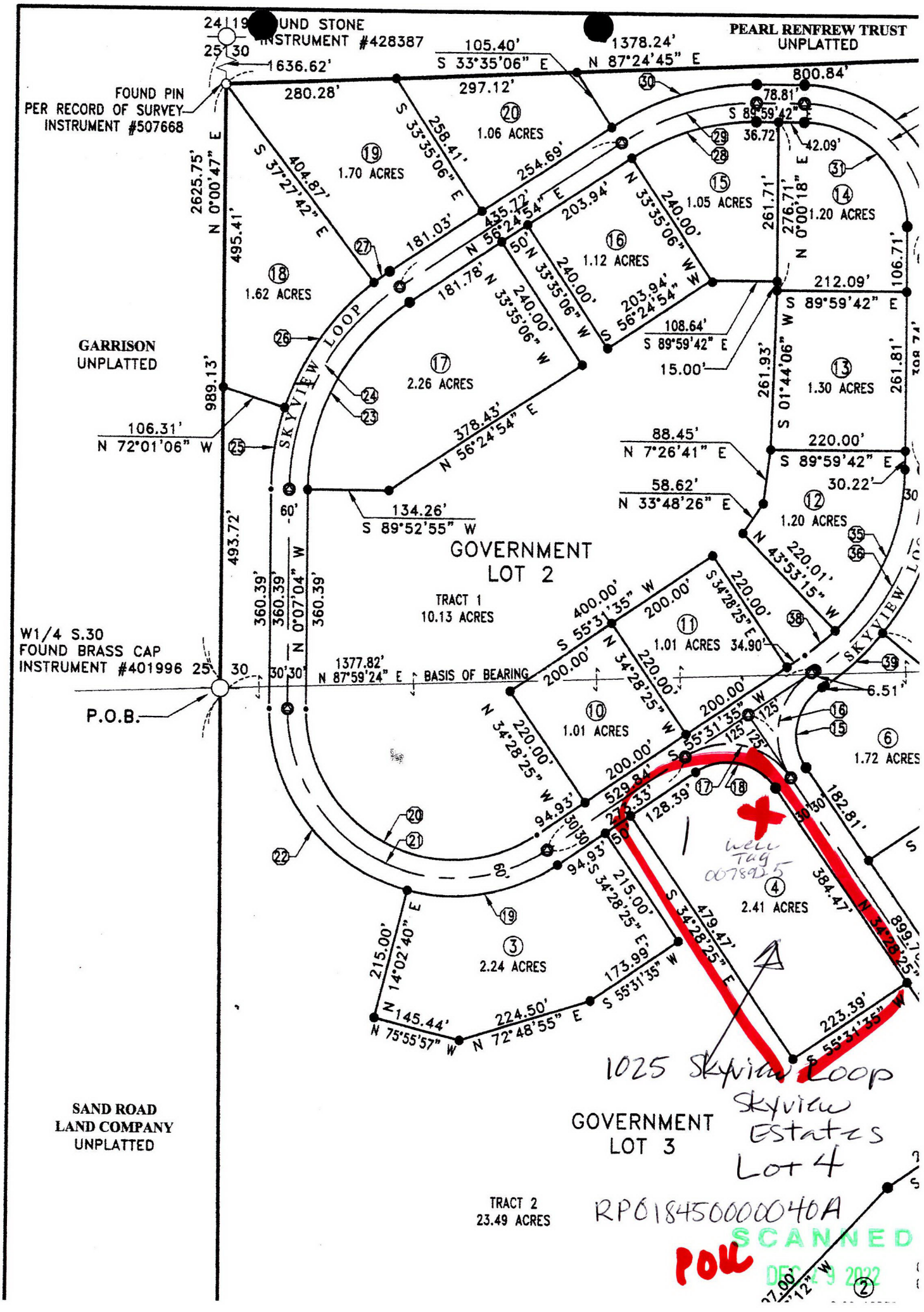
0 0.03 0.05 0.1 mi

0 0.04 0.08 0.16 km

Esri, HERE, GeoTechnologies, Inc., Esri, HERE, Garmin, GeoTechnologies, Inc., Maxar

SCANNED
DEC 29 2022
Idaho Department of Water Resources

Maxar | Esri, HERE, GeoTechnologies, Inc. | IDWR | IDEQ, IDWR- Ranking & Trend Analysis | USGS, IDWR, Spokane County, WA | USGS, Idaho Department of Water Resources | Idaho


FOUND STONE
INSTRUMENT #428387
PEARL RENFREW TRUST
UNPLATTED
FOUND PIN
PER RECORD OF SURVEY
INSTRUMENT #507668
1636.62'
105.40'
S 33°35'06" E
1378.24'
N 87°24'45" E
800.84'
280.28'
297.12'
78.81'
S 89°59'42" E
36.72'
42.09'
1.06 ACRES
1.70 ACRES
1.05 ACRES
1.20 ACRES
1.12 ACRES
1.62 ACRES
2.26 ACRES
1.30 ACRES
GARRISON
UNPLATTED
989.13'
106.31'
N 72°01'06" W
SKYVIEW LOOP
378.43'
N 56°24'54" E
134.26'
S 89°52'55" W
88.45'
N 7°26'41" E
58.62'
N 33°48'26" E
220.00'
S 89°59'42" E
30.22'
1.20 ACRES
GOVERNMENT
LOT 2
TRACT 1
10.13 ACRES
493.72'
360.39'
N 0°07'04" W
W1/4 S.30
FOUND BRASS CAP
INSTRUMENT #401996
1377.82'
N 87°59'24" E
BASIS OF BEARING
P.O.B.
1.01 ACRES
1.72 ACRES
2.41 ACRES
2.24 ACRES
SAND ROAD
LAND COMPANY
UNPLATTED
GOVERNMENT
LOT 3
TRACT 2
23.49 ACRES
well
Tag
0078925
1025 Skyview Loop
Skyview
Estates
Lot 4
RP01845000040A
SCANNED
DEC 29 2022
POC

Form 238-7
6/07

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

1. WELL TAG NO. D 0078925
Drilling Permit No. 887233
Water right or injection well # _____

2. OWNER: Karl Tyler
Name _____
Address PO Box 16025
City Missoula State MT Zip 59808

3.WELL LOCATION:
Twp. 39 North ☒ or South ☐ Rge. 5 East ☐ or West ☒
Sec. 30 _____ 1/4 (10 acres) NW 1/4 (40 acres) SW 1/4 (160 acres)
Gov't Lot _____ County Latah
Lat. 46 ° 41.569 (Deg and Decimal minutes)
Long. 117 °01.150 (Deg and Decimal minutes)
Address of Well Site Sky View Loop
(Give at least name of road + Distance to Road or Landmark) City Moscow
Lot 4 Blk. _____ Sub. Name Sky View Estates

4. USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☐ Other _____

5. TYPE OF WORK:
☒ New well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other _____

6. DRILL METHOD:
☒ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method/procedure
Bentonite	0	58	1150 lbs	Over Bore Poured
Granuals				

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/ Schedule	Material	Casing	Liner	Threaded	Welded
8"	+2	58	.250	Steel	☒	☐	☐	☒
6"	-40	360	.250	Steel	☒	☒	☐	☒
					☐	☐	☐	☐
					☐	☐	☐	☐

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 40', 58', 360'

9. PERFORATIONS/SCREENS:
Perforations ☒ Y ☐ N Method Torch Cut
Manufactured screen ☐ Y ☒ N Type _____
Method of installation _____

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
320	360	1/8x6	60	6"	Steel	.250
280	300	1/8x6	20	6"	Steel	.250
220	240	1/8x6	20	6"	Steel	.250

Length of Headpipe _____ Length of Tailpipe _____
Packer ☐ Y ☒ N Type _____

10.FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method

11. FLOWING ARTESIAN:
Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) _____
Describe control device _____

12. STATIC WATER LEVEL and WELL TESTS:
Depth first water encountered (ft) 240 Static water level (ft) 40
Water temp. (°F) 52 Bottom hole temp. (°F) _____
Describe access port Well Cap

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)
320	12	60

Test method:

Pump	Bailer	Air	Flowing artesian
☐	☐	☒	☐
☐	☐	☐	☐

Water quality test or comments: Cool & Clear

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water Y	Water N
12	0	20	Brown Clay		X
12	20	35	Tan, Decomposed Granite		X
12	35	58	Gray Granite		X
8	58	95	Tan Granite		X
8	95	110	Green Granite		X
8	110	130	White Granite		X
8	130	165	Tan Granite		X
8	165	200	Gray Granite		X
8	200	288	Tan Granite	X	
8	288	320	Gray Granite	X	
8	320	360	Tan Granite	X	

RECEIVED
AUG 29 2018
IDWR / NORTH

Completed Depth (Measurable): 360'
Date Started: Aug 20, 2018 Date Completed: Aug 23, 2018

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

Company Name Stuivenga Vessey Drilling Co. No. 545
*Principal Driller _____ Date Aug 24, 2018
*Driller _____ Date _____
*Operator II _____ Date Aug 24, 2018
Operator I _____ Date _____

* Signature of Principal Driller and rig operator are required.

SCANNED
DEC 29 2022

RECEIVED
DEC 09 2022
IDWR / NORTH

FORM 202 Rev. 09/16

Print Single Sided Only

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. _____

1. Name of applicant(s) Kelly L. Riley Phone 541-410-0828
   Name connector (check one): ■ and ■ or ■ and/or
   Mailing address 1025 Skyview Loop City Moscow
   State Idaho ZIP 83843 Email kellyriley studio@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 NA
4. Location of point(s) of diversion: 40 160

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
39N	5W	30			NW	SW	Latah	ground water	0078925

5. Water will be used for the following purposes:
   Amount 0.030 (cfs or acre-feet per year) for DOMESTIC purposes from 1/01 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)

SUPERSEDED

6. Total quantity to be appropriated is (a) 0.030 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. 2 HP Single phase pump in well, 1" 250 psi polyline, 85 gal. pressure tank at House
   b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ 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" casing inches; proposed depth of well is 360' feet.
   d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
   e. If well is already drilled, when? Aug 24, 2018; drilling firm Stuivenga Vessey Drilling; well was drilled for (well owner) Karl Tyler; Drilling Permit No. 887233.

SCANNED

For Department Use

Received by JA Date 12-9-22 Time _____ Preliminary check by DEC 29 2022
Fee $ 100.00 Receipted by JA Receipt No. N042009 Date 12-9-22

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 one household
   e. Other; describe fully. _____

SUPERSEDED

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	
39N	05W	30		D					D										

Total number of acres to be irrigated: less than 1/2

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? This water will be used partially for landscaping to establish plantings - less than 1/2 acre MOST OF the water use is for domestic use

11. a. Who owns the property at the point of diversion? Kelly Riley (self)
    b. Who owns the land to be irrigated or place of use? " "
    c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form and provide additional explanation for any of the items above. Attach additional pages if necessary. Recently constructed and now occupying a new home on the property. Well was drilled in 2018, Beneficial use began Nov. 14, 2022. Applying to claim water for domestic, beneficial use and establish water rights.

13. Time required for completion of works and application of water to proposed beneficial use is in use as of Nov. 14/2022 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.

Kelly D Riley
Signature of Applicant

Kelly L. Riley
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

SCANNED
DEC 29 2022

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 Mathew Weaver

January 11, 2024

KELLY L RILEY
1025 SKYVIEW LOOP
MOSCOW ID 83843-5100

RE: License No. 87-12362

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 Section Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on January 11, 2024, I served a true and correct copy of Water Right License No. 87-12362 by U.S. Mail, postage prepaid, to the following:

KELLY L RILEY (Current Owner)
1025 SKYVIEW LOOP
MOSCOW ID 83843-5100

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.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 87-12362
Exam Date: 12/22/2023

1. Current Owner:
KELLY L RILEY 1025 SKYVIEW LOOP MOSCOW ID 83843-5100

2. Does this qualify for an in-office field exam (IDAPA 37.03.02.035.01.r)? _X___Y ____N

a. ____ 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 < >

3. **SOURCE:**
GROUND WATER

Method of Determination: application and permit

B. OVERLAP REVIEW

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

Water Right No.	Source	Purpose of Use	Basis

Comments: ____NA_____

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

Water Right No.	Source	Purpose of Use	Basis

Comments: _____NA_____

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**
GROUND WATER L3 (NW¼ SW¼), Sec. 30, Twp 39N, Rge 05W, B.M. LATAH County

Method of Determination: application permit ArcMap and well log

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	
39N	05W	30										X L3							

Method of Determination: application permit and ArcMap

3.

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

_____ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.

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

_____ Photo of Diversion and System Attached

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

E. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation:

V_{IR} = (Acres Irrigated) x (Irrigation Requirement) =

V_{DR} = [Diversion Rate (cfs)] x (Days in Irrigation season) x 1.9835 =

V = Smaller of V_{IR} and V_{DR} =

2. Volume Calculations for Other Uses:

Domestic indoor and up to ½ acre of irrigation= 1.2 af.. Per Administrative Application Processing Memo # 22

G. NARRATIVE/REMARKS/COMMENTS:

ArcMap and Latah County show permit holder as current owner of parcel. The imagery is for 2021 and therefore does not show a home. Latah County information in the imagery attached does show the value of the land and home built (highlighted area) However, the permit holder provided pictures of the home and well cap along with the well driller's report. There are no overlapping rights. Volume is for indoor and up to ½ acre of irrigation, 1.2 af. Removed condition 046 added X59 and X60.

Have conditions of permit approval been met? ✓ 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

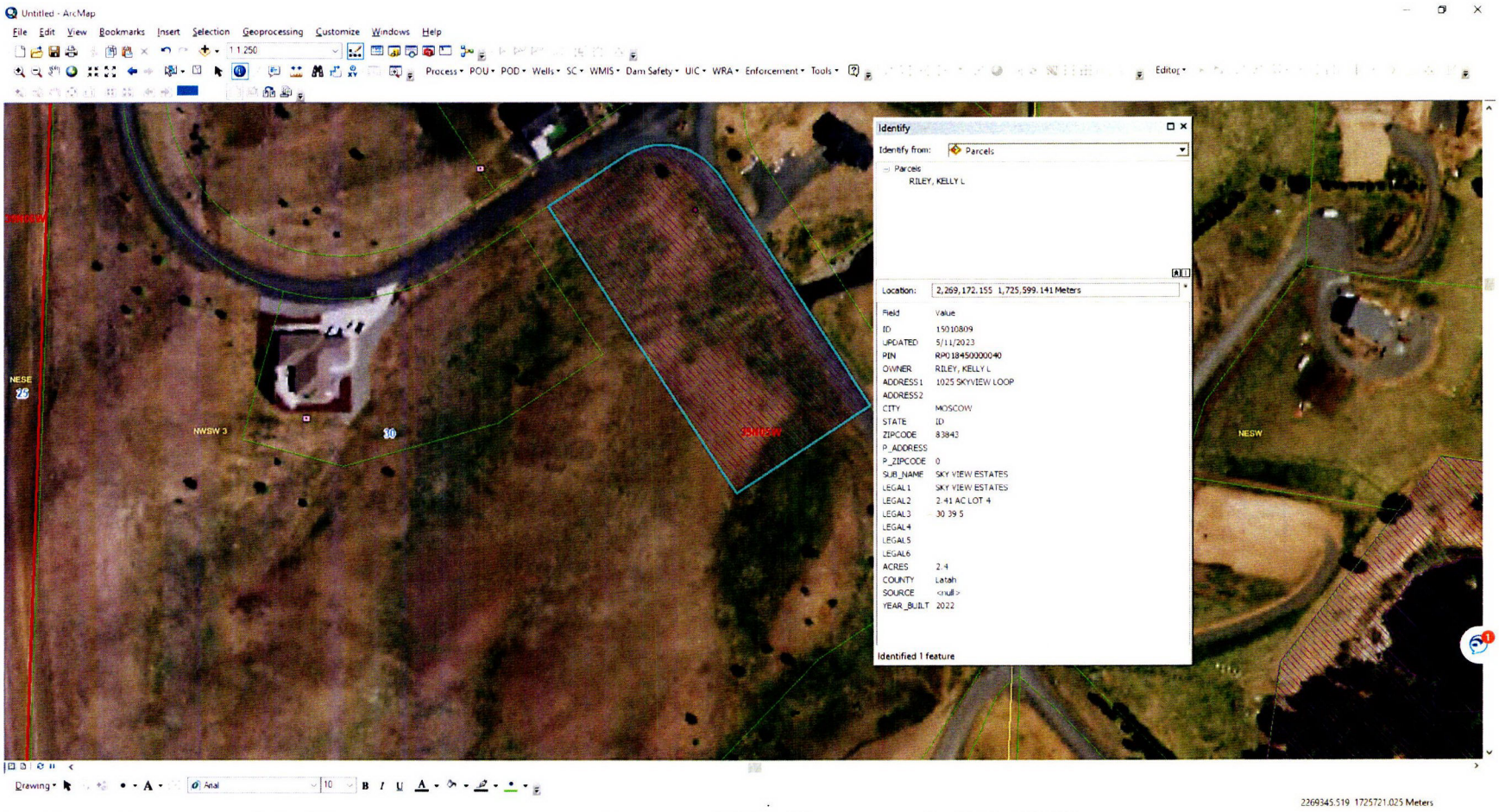
I. AUTHENTICATION Jean Hersley -

Field Examiner's Name Jean Hersley Date 12-22-23

Reviewer PThomas Date 1/10/24



Latah County shows permit holder as property owner. Highlighted area shows property value and building value.



ArcMap shows permit holder as property owner. Imagery 2021 Home was built in 2022.

.Beneficial Use Proof Evaluation

Permit Number: 87-12362 Reviewer: AVeibell Review Date: 12/5/2023

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: 11/30/2023
4) Proof Due Date: 2/1/2024
5) Days added for weekend due date? 0
6) Days added for holiday due date? 0
7) Number of days late: -63
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:
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

N042009

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

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 Mathew Weaver

November 30, 2023

KELLY L RILEY
1025 SKYVIEW LOOP
MOSCOW ID 83843-5100

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 87-12362

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 **February 01, 2024**. 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,

Amanda Veibell
Technical Records Specialist

Enclosure(s)

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

January 27, 2023

KELLY L RILEY
1025 SKYVIEW LOOP
MOSCOW ID 83843-5100

RE: Permit No. 87-12362

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
JAN 30 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
JAN 30 2023

CERTIFICATE OF SERVICE

I hereby certify that on January 27, 2023, I served a true and correct copy of Permit to Appropriate Water No. 87-12362 by U.S. Mail, postage prepaid, to the following:

KELLY L RILEY (Current Owner)
1025 SKYVIEW LOOP
MOSCOW ID 83843-5100

LATAH COUNTY (Protestant)
PO BOX 8068
MOSCOW ID 83843

Tammy Alleman
Administrative Assistant 1

SCANNED
JAN 30 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
JAN 3 0 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
JAN 30 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

January 25, 2023

LATAH COUNTY
PO BOX 8068
MOSCOW, ID 83843

RE: Withdrawal of Protest against Application for Permit No. 87-12362

Dear Protestant(s):

The Department of Water Resources acknowledges receipt of your withdrawal of protest against the above referenced application.

The application does not have any remaining protests; therefore, the department will take the steps necessary to bring the application to a final resolution.

Please contact this office if you have any questions regarding this procedure. Information about water rights and other matters administered by this agency is also available on the Internet at www.idwr.idaho.gov.

Sincerely,

Luke Bates
Interim Water Rights Supervisor

SCANNED
JAN 25 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

January 25, 2023

KELLY L RILEY
1025 SKYVIEW LOOP
MOSCOW, ID 83843-5100

RE: Withdrawal of Protest against Application for Permit No. 87-12362

Dear Applicant(s):

The Department of Water Resources has received withdrawal(s) of protest against the above referenced application. Withdrawals have been received from the following protestants:

1) LATAH COUNTY

The application does not have any remaining protests; therefore, the department will take the steps necessary to bring the application to a final resolution.

Please contact this office if you have any questions regarding this procedure. Information about water rights and other matters administered by this agency is also available on the Internet at www.idwr.idaho.gov.

Sincerely,

Luke Bates
Interim Water Rights Supervisor

SCANNED
JAN 25 2023

RECEIVED
JAN 24 2023
IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WITHDRAWAL OF PROTEST

Application for ☐ **Transfer** ☑ **Permit** ☐ **Amendment of Permit** **No.** 87-12362

In the Name of Kelly Riley
Applicant

Name of Protestant: Latah County

Represented by: Latah County Board of County Commissioners

I hereby withdraw my protest to the above referenced matter. All of my issues of protest have been addressed and/or resolved.

☐ My withdrawal is not conditional.

Or

☑ My withdrawal is conditioned on the following:

Subject to the attached Settlement Agreement as signed by the parties.

Signature of Protestant or Representative | Chair (Title) | 01/23/23 (Date)

03-01-2018

SCANNED
JAN 25 2023

SETTLEMENT AGREEMENT FOR LATAH COUNTY'S PROTEST TO KELLY L. RILEY'S WATER RIGHT APPLICATION #87-12362

RECEIVED
Jan 24, 2023
DEPARTMENT OF
WATER RESOURCES

SECTION 1. RECITALS:

Latah County ("County") filed a timely protest on the application for Water Right #87-12362 made by Kelly L. Riley ("Applicant"). Through negotiations, County agreed to withdraw its protest in exchange for the below terms and conditions being attached to Water Right #87-12362. This Settlement Agreement by and between Applicant and County sets forth such terms and conditions.

SECTION 2. OBJECTIVE:

County seeks to ensure that Water Right #87-12362 complies with the Palouse Basin Aquifer Plan ("Plan"), and that the amounts withdrawn from groundwater are not harmful to surrounding properties which might utilize the same aquifer for drinking water.

SECTION 3. TERMS AND CONDITIONS:

a. The Applicant agrees that the following terms and conditions shall attach to Water Right #87-12362 and be binding upon Applicant as agreed to by and permitted by the Idaho Department of Water Resources.

    i. The instantaneous flow rate/amount of water to be appropriated from groundwater to Applicant under Water Right #87-12362 shall be no more than .02 cubic feet per second (cfs) for "Domestic". The overall diversion rate for this application shall not exceed .02 cubic feet per second (cfs).

b. The Parties agree that the above terms and conditions shall inure to the benefit of, and be binding upon, the Parties and any of their successors and/or assigns.

c. Following execution by the Parties of this Agreement, the Idaho Department of Water Resource's acceptance of this agreement, and the Agreement's attachment to Water Right #87-12362, County agrees to withdraw its protest of Water Right #87-12362.

SCANNED
JAN 25 2023

SECTION 4. EFFECTIVE DATE:

This Agreement shall be effective upon its acknowledgement by the Parties below.

COUNTY:

DATED this 23 day of January 2023.

Thomas C. Lamar, Chair

Attest: Jennifer Piper
Clerk/Deputy Clerk of the Board

APPLICANT:

Kelly L. Riley Jan. 20, 2023
Date

SCANNED
JAN 25 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**

January 24, 2023

KELLY L RILEY
1025 SKYVIEW LOOP
MOSCOW, ID 83843-5100

LATAH COUNTY
PO BOX 8068
MOSCOW, ID 83843

RE: Application for Permit No. 87-12362

Dear Parties:

This letter acknowledges receipt of a protest(s) filed against Application for Permit No(s). 87-12362. The following options are available for the resolution of protested applications:

- Direct contact between the parties to determine the nature of the protest(s) and to attempt to resolve the protest. Sincere conversation between the parties prior to initiation of formal proceedings can often resolve protest(s).
- Discussions at an informal settlement conference between Department staff, the applicant(s), and the protestant(s). The enclosed document summarizes the informal settlement conference purpose and procedure.
- Formal proceedings administered by the Department after the informal settlement conference. If formal proceedings are necessary, the Department will schedule a prehearing conference to begin the process.

Please consider the best option(s) for resolution of the protested application.

Meanwhile, the Department will schedule an informal settlement conference pursuant to the Department's Rules of Procedure (IDAPA 37.01.01). **Please notify the Department within 14 days of any dates you are UNAVAILABLE to participate in an informal settlement conference in the next three months.** You may provide unavailable dates via mail or via email to the email address below. If you do not notify the Department of unavailable dates, the Department will assume you are available for the informal settlement conference on any date selected. The Department may schedule the informal settlement conference as a conference phone call or in-person. The Department will send notice of the informal settlement conference once it is scheduled.

SCANNED
JAN 25 2023

You may contact this office if you have any questions regarding the procedure discussed in this letter or additional information regarding the application, protest(s), water rights, and other matters administered by the Department is available on the Internet at www.idwr.idaho.gov.

Sincerely,

Tammy Alleman
Administrative Assistant 1
(208) 762-2807
Tammy.Alleman@idwr.idaho.gov

Enclosure(s): Informal Settlement Conference Procedure

SCANNED
JAN 25 2023

INFORMAL SETTLEMENT CONFERENCE PROCEDURE

APPLICATION FOR PERMIT

ISSUES

Applications to appropriate the water of the state of Idaho are referred to as applications for permit and are for the development of new water rights. Section 42-203A, Idaho Code, requires the Idaho Department of Water Resources (Department) to consider the following issues in connection with an application for permit:

1. Will the proposed appropriation reduce the quantity of water under existing water rights?
2. Is the water supply sufficient for the purpose for which it is sought to be appropriated?
3. Was the application made in good faith or for delay or speculative purposes?
4. Does the applicant have sufficient financial resources with which to complete the proposed project?
5. Will the proposed use conflict with the local public interest, where local public interest is defined as interests that the people in the area directly affected by a proposed water use have in the effects of such use on the public water resource?
6. Will the proposed use be contrary to the conservation of water resources within the State of Idaho?
7. Will the proposed use adversely affect the local economy of the watershed or local area within which the source of water for the proposed use originates, in the case where the place of use is outside of the watershed or local area where the source of water originates?

BURDEN OF PROOF

The applicant has the initial burden of proof for issues 1, 2, 3, 4, 6, and 7 above and must provide evidence for the Department to evaluate these criteria.

The initial burden of proof on issue 5 lies with both the applicant and protestant as to factors of which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for all of these issues.

PROCEDURE

The Department generally conducts an informal settlement conference with the parties to determine the issues and to try to settle a protested matter before the formal hearing process starts. The formal hearing process commences with a prehearing conference, which may require parties to be represented by an attorney.

SCANNED
JAN 2 5 2023

INFORMAL SETTLEMENT CONFERENCE

The purpose of an informal settlement conference is to provide the opportunity for the parties and the Department to familiarize themselves with a protested matter and to attempt to resolve the matter. At the conference, the Department and the parties will discuss the application and protests, explore settlement options, discuss additional informational needs, evaluate the need for additional informal proceedings or alternative dispute resolution options such as mediation, and discuss the commencement of formal proceedings. When attending the conference, please bring a calendar with your schedule for the next two–six month period from the date of the informal settlement conference for the purpose of scheduling follow-up conferences, if needed.

HEARING

If the parties do not resolve the matter at the informal settlement conference, a formal hearing process may be commenced according to Sections 42-1701A(1) and (2), Idaho Code and the Department's Rules of Procedure. Copies of Idaho Code and the Department's rules are available upon request or by accessing the Department's website at: www.idwr.idaho.gov. The Department records formal hearings, and copies of a hearing recording are available upon request. There may be a charge for reproducing the recording.

If necessary, the hearing will likely be conducted by a hearing officer appointed by the Director rather than by the Director himself. The hearing officer will be designated in a notice of prehearing conference that commences the formal hearing process.

AMERICANS WITH DISABILITIES ACT

Any scheduled conferences or hearing will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please notify the Department no later than ten (10) days prior to the conference or hearing.

RECEIVED
JAN 12 2023
IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, and 42-222, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested Application 87-12362 Kelly Riley
2. Name of protestant Latah County Board of Commissioners
3. Protestant's Representative for service (If different than protestant)

   _____
4. Service mailing address PO Box 8068 Moscow, ID 83843
5. Service telephone no. 208-883-7208 Email Address: bocc@latah.id.us
6. Basis of protest (including statement of facts and law upon which the protest is based)

   _____
   _____
   _____
   _____

   (additional pages may be attached to describe nature of the protest)
7. What would resolve your protest? Adjustment of the amount to .02 cfs

   _____

   _____

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 4th day of January, 2023.

Kathie LaFortune
Protestant

_____
Protestant's Representative

SCANNED
JAN 25 2023

NOTE:

A protestant is required to timely file a protest with the department together with a $25.00 protest fee for each application being protested in order for the protestant to be considered a full party by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."

2. Show the name of the protestant. Only one (1) protestant may be shown per protest form. If this protest form is signed by more than one person, the hearing officer will consider the first signer as the official protestant and the representative for service of documents.

3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.

4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.

5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.

6. Specifically describe the nature of the protest.

7. Describe the relief being sought by the protestant.

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Time _____

$25.00 fee Receipted by NS # N042245 Date 1-12-23

SCANNED
SCANNED
JAN 25 2023
JAN 25 2023

TRIBUNE PUBLISHING COMPANY, INC
The Lewiston Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

LEGAL ADVERTISING INVOICE

Date: 01/12/20[redacted]
Account No. 30010311
Description 172141 The foll

INVOICE NO. 172141

Times 2
Lines 29
Tab. lines

$ 94.82

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

PO# Alleman, Tammy

PCA Code 65100 ja 1/19/23

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.

172141

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
87-12362
KELLY L RILEY
1025 SKYVIEW LOOP MOSCOW, ID 83843-5100
Point of Diversion L3(NWSW) S30 T39N R05W
LATAH County
Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31
Total Diversion: 0.03 CFS
Date Filed: 12-09-2022
Place Of Use: DOMESTIC T39N R05W S30 L3(NWSW)

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 1/23/2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on 1/5/2023 and 1/12/2023

RECEIVED
JAN 19 2023
IDWR / NORTH

AFFIDAVIT OF PUBLICATION

S KELLAM , being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho and under and by virtue of the laws of the State of Washington, publishers of the Lewiston Tribune, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 105 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 172141 The foll attached hereto and which is made a part of this affadavit was published in the said Lewiston Tribune, 2 time(s). Publication being on 01/05 , or once a Week for 2 consecutive Weeks the first publication thereof being on the 01/05/2023 , and the last publication thereof being on the 01/12/2023 , and said 172141 The foll was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Skellam

State of Idaho
S.S.
County of Nez Perce

On this 13th day of January 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.

Barb Marsh

Notary Public in and for the State of Idaho, residing at Lewiston, therein
Commission Expires 2-14-25

BARB MARSH NOTARY PUBLIC Comm No. 20190298 STATE OF IDAHO

SCANNED
JAN 25 2023

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

W.R. # 87-12362 APPLICATION ID # 87321 ENT. YB BCA Ja OK to Publish MR

INITIAL REVIEW BY: YB DATE: 12/12/2022

APPLICANT: Kelly L. Riley

PRIORITY DATE: 12/12/2022

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)

___ ✓ (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: 1-5-23 & 1-12-23

Affidavit of Publication received: _____

Dates actually published: _____

Application published correctly: Yes_____ No_____

If not, action taken: _____

Final Date for Protest: January 23, 2023

Protests Received: Yes _____ No _____

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 12/12/22 By: YB

___ ___ Field check: by _____

___ ___ Field report attached

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

___ ___ Water delivered by water master? Water District # _____ Latah County Commissioner

GROUNDWATER SECTION

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
_____	D0078925	Dom X 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: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

___ ___ Notice of pending void order issued. Final order response date: ___/___/___

___ ___ 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 1/25/2023 Sr. Agent initial: JB Interim 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

December 27, 2022

KELLY L RILEY
1025 SKYVIEW LOOP
MOSCOW, ID 83843-5100

RE: Application for Permit No. 87-12362

Dear Applicant:

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 1/5/2023 and 1/12/2023. 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
DEC 29 2022

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, December 27, 2022 10:09 AM
To: commisioners
Cc: Jennifer Piper; Michelle Fuson
Subject: Request for Comments for 87-12362
Attachments: 87-12362 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 January 23, 2022.

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
DEC 29 2022

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, December 27, 2022 10:00 AM
To: DN Legals
Subject: Legal Notice
Attachments: 87-12362 Legal Notice.docx

Please publish the enclosed legal notice in the **Lewiston Tribune** on the dates indicated **January 5th & January 12th, 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 **January 23, 2022.** 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
DEC 29 2022

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
87-12362
KELLY L RILEY
1025 SKYVIEW LOOP
MOSCOW, ID 83843-5100
Point of Diversion L3(NWSW)
S30 T39N R05W
LATAH County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31
Total Diversion: 0.03 CFS
Date Filed: 12-09-2022
Place Of Use: DOMESTIC
T39N R05W S30 L3(NWSW)

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 1/23/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director Published on 1/5/2023 and 1/12/2023

SCANNED
DEC 19 2022

Bates, Luke

From: Bates, Luke
Sent: Friday, December 9, 2022 3:24 PM
To: kellyrileystudio@gmail.com
Subject: IDWR application for permit
Attachments: original app for permit - Kelly Riley - with new map.pdf; Recommended revision Kelly Riley.pdf

Kelly L. Riley,
Good afternoon.

I am requesting a courtesy response to this correspondence; it will let me know I didn't error in entering your email address. Thank you!

IDWR has received your application for permit & upon initial review I have identified a few minor corrections needed to make it accurate and complete for filing. Attached are 3 PDFs as follows:

- Original app for permit – Kelly Riley…. – this document will be used by you to make corrections with PEN & INK.
- Recommended revision… - please reference this PDF for consideration of changes requested by the department.
- I have also attached a short 2-pg PDF that explains each step in the application-permit-license process.

Form steps that require change consideration are as follows:

Step 4 – Point of Diversion – your parcel falls within Government Lot 3 of the NWSW; please enter "3" and initial/date below the change.

Step 5 – Water uses – please circle the CFS below your diversion. This is ancillary but since we are making revisions, we can include this to specify cubic feet per second diversion rate.

Step 9 – Description of Place of Use (POU) – please review the map I sent that illustrates your parcel falls within the 40-acre tract legally describes as NWSW3 (little box NW, big box SW, government lot 3). Please consider lining out your two selected locations and revise using the correction form: please initial and date next to change.

Step 13 – project time – the minimum value required here is 1 year; please enter a 1 and initial/date. I understand the system is already installed; this form is filed as if it were a new project.

Step 14 – Map requirement – IDWR application processes seek to ensure accuracy and precision during the initial intake. Please consider returning the revised forms with my recommended map page if you agree that the POD and POU are correct.

Following your review, let me know if you have any questions or concerns prior to making changes. Once satisfied with corrections you may scan and email the corrected forms to the email address listed below (**not my personal email**)

file@idwr.idaho.gov

Please do give me a call if you've any questions and we can discuss the "why" of the changes recommended. I recommend carbon copying me on the email you send to the state office file@idwr.idaho.gov

SCANNED
DEC 29 2022

As of the date of this email, please respond with corrections within 14 Days, No Later Than 23 December 2022 and/or respond with explanation why more time is required to submit revisions. I appreciate your diligence in working on these corrections and am here to assist you with any questions.

Thank you,

Luke Bates
Sr. Water Resource Agent
Northern Region
P: 208-762-2817

IDAHO DEPARTMENT OF
WATER RESOURCES
7600 N. Mineral Dr., Suite 100
Coeur D'Alene, ID 83815-7763

SCANNED
DEC 19 2022