

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 45-14538

Priority: July 01, 2021

Maximum Diversion Rate: 0.04 CFS

Maximum Diversion Volume: 1.2 AF

It is hereby certified that:

LISA D FIELD PO BOX 848 BURLEY ID 83318-0848 AND/OR
PATRICK FIELD PO BOX 848 BURLEY ID 83318-0848

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 25, 2021, and has submitted Proof of Beneficial Use on February 07, 2023. An examination confirms water is diverted from:

Source : GROUND WATER

Beneficial Use
DOMESTIC

Period of Use
01/01 to 12/31

Rate of Diversion
0.04 CFS

Annual Volume
1.2 AF

Location of Point(s) of Diversion

GROUND WATER L4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Sec. 18, Twp 12S, Rge 25E, B.M. CASSIA 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	
12S	25E	18										X L3	X L4						

Conditions of Approval

1. Domestic use is for 1 home.
2. The domestic use authorized under this right shall not exceed 13,000 gallons per day.
3. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
4. This right is for the use of trust water, and it is subject to review 5 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.

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 17th day of May, 2023.

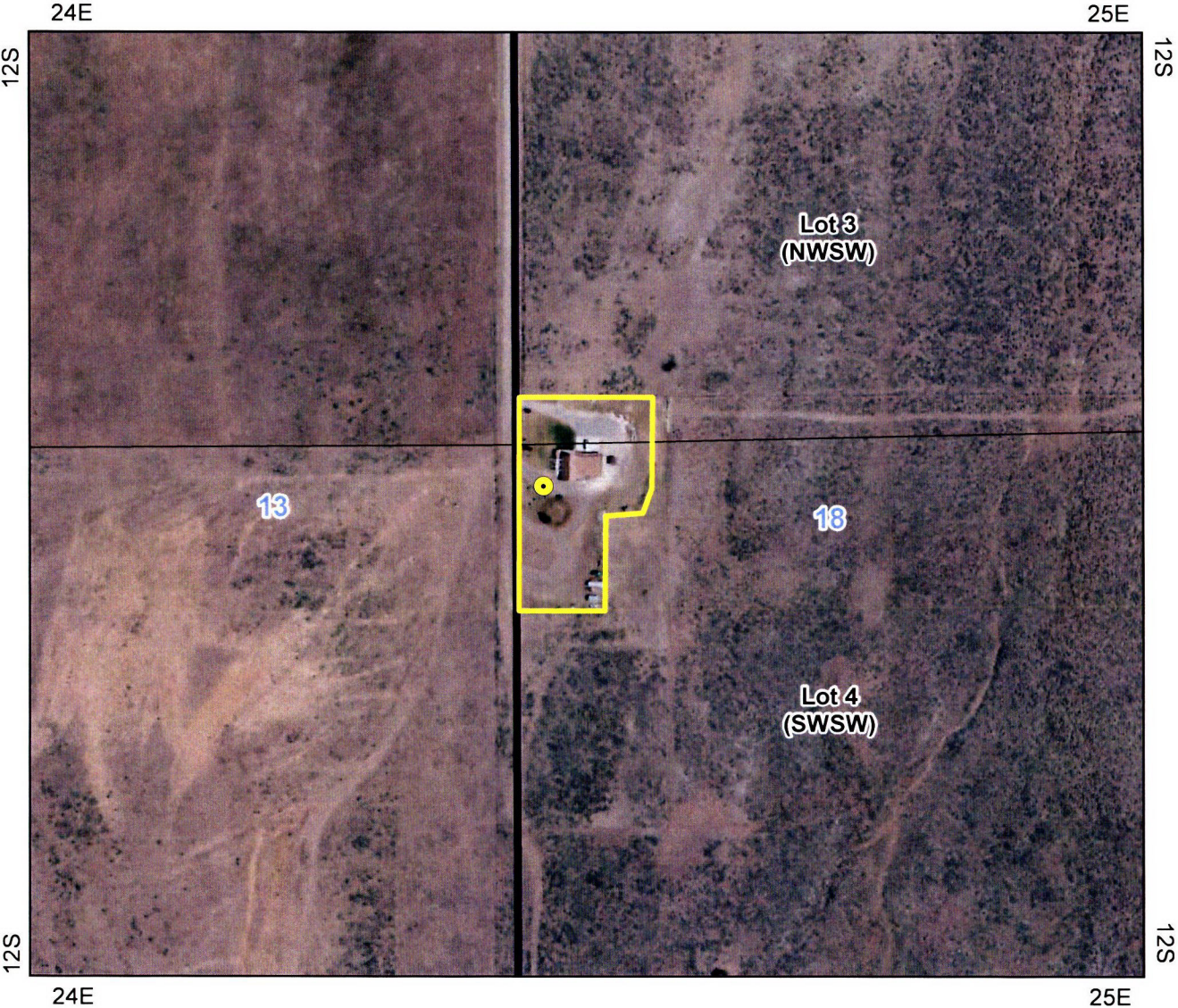


PHILL HUMMER
Water Rights Supervisor

SCANNED
MAY 18 2023

State of Idaho
Department of Water Resources
Attachment to Water Right
45-14538

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.



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



SCANNED
MAY 18 2023

State of Idaho
Department of Water Resources
Application for Amendment
(For Licensing Purposes)
Water Right No. 45-14538

RECEIVED

MAY 17 2023

DEPARTMENT OF
WATER RESOURCES

Priority: July 01, 2021

Maximum Diversion Rate: 0.04 CFS

Maximum Diversion Volume: 1.2 AF

The owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 45-14538

LISA D FIELD PO BOX 848 BURLEY ID 83318-0848 AND/OR
PATRICK FIELD PO BOX 848 BURLEY ID 83318-0848

requests the permit be changed as follows:

Source : GROUND WATER

Beneficial Use

DOMESTIC

Period of Use

01/01 to 12/31

Rate of Diversion

0.04 CFS

Annual Volume

1.2 AF

Location of Point(s) of DiversionGROUND WATER L4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Sec. 18, Twp 12S, Rge 25E, B.M. CASSIA 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	
12S	25E	18										X L3	X L4						

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed this 10 day of May, 20 23.


(Signature)

SCANNED

MAY 18 2023

State of Idaho
Department of Water Resources
Application for Amendment
(For Licensing Purposes)
Water Right No. 45-14538

FOR DEPARTMENT USE ONLY

Preliminary check by PH Fee = \$100 Received by KM # C116259 Date 5/17/23

ACTION OF THE DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources hereby approves the above Application for Amendment for Permit No. 45-14538 with the following:

Conditions of Approval

1. Domestic use is for 1 home.
2. The domestic use authorized under this right shall not exceed 13,000 gallons per day.
3. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
4. This right is for the use of trust water, and it is subject to review 5 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.

This amendment is issued pursuant to the provisions of Idaho Code § 42-211.

Signed this 17th day of May, 2023.



PHILL HUMMER
Water Rights Supervisor

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF PERMIT NO. 45-14538	)	PRELIMINARY ORDER
IN THE NAME OF LISA D. FIELD	)	REINSTATING A PERMIT
AND PATRICK FIELD	)	
	)	
_____	)	

This matter having come before the Idaho Department of Water Resources ("Department"), the Department finds, concludes and orders as follows:

FINDINGS OF FACT

1. On January 21, 2022, the Department issued Permit No. 45-14538 ("Permit") in the name of Lisa D. Field and Patrick Field ("Permit Holder") authorizing the diversion of 0.04 cubic feet per second of ground water for domestic use in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18 of Township 12 South, Range 25 East, B.M., Cassia County. A condition of permit approval required the Permit Holder to submit proof of beneficial use of water to the Department on or before February 1, 2023.
2. On November 30, 2022, the Department notified the Permit Holder by certified mail that proof of beneficial use was due and instructed the Permit Holder of the steps to be taken to submit a *Statement of Completion for Submitting Proof of Beneficial Use* ("Proof"), or a *Request for Extension of Time* ("Extension Request").
3. On February 1, 2023, the Permit lapsed because the Department had not received an acceptable Proof or Extension Request.
4. On February 7, 2023, the Permit Holder filed an acceptable Proof.

CONCLUSIONS OF LAW

Idaho Code § 42-218a(1) states, in pertinent part:

A permit upon which the proof of beneficial use..., has not been submitted, or a request for extension of time has not been received on or before the date set for such proof or incremental statement, shall lapse and be of no further force nor effect... . Notice of said lapsing shall be sent by the department to the permit holder at the address of record by regular mail.

Idaho Code § 42-218a(2) states, in pertinent part:

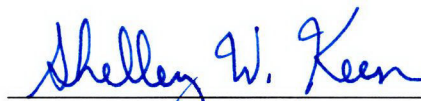
Within sixty (60) days after such notice of lapsing the department may, upon a showing of reasonable cause, reinstate the permit with the priority date advanced a time equal to the number of days that said showing is subsequent to the date set for proof.

By submitting an acceptable Proof, the Permit Holder has shown reasonable cause why this Permit should be reinstated. The Permit should be reinstated based upon the February 7, 2023 filing date.

ORDER

IT IS HEREBY ORDERED that Permit No. 45-14538 is **REINSTATED** and the Permit's priority date is advanced to July 1, 2021.

DATED this 14th day of February, 2023.



Shelley W. Keen, Chief
Water Allocation Bureau

CERTIFICATE OF SERVICE

I hereby certify that on **February 15, 2023** I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (**PRELIMINARY ORDER REINSTATING PERMIT**) to the person(s) listed below:

RE: Preliminary Order in the Matter of Permit No. **45-14538**

LISA D FIELD
PO BOX 848
BURLEY ID 83318-0848

PATRICK FIELD
PO BOX 848
BURLEY ID 83318-0848



Jean Hersley
Technical Records Specialist II

SCANNED

FEB 14 2023

RECEIVED

FEB 07 2023

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
STATEMENT OF COMPLETION
FOR SUBMITTING PROOF OF BENEFICIAL USERECEIVED
FEB 10 2023
DEPARTMENT OF
WATER RESOURCES

FOR OFFICE USE ONLY

Amt. of Fee \$ _____
Receipt No. _____
Received By _____
Date Received _____

The Idaho Department of Water Resources (Department) considers this form a statement that the permit holder(s) applied water to beneficial use and completed development of a water right to the extent described below. **This form must be accompanied by an examination fee, when necessary, or by a completed Beneficial Use Field Report prepared by a certified water right examiner (CWRE).** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, complete an Assignment of Permit form. If you wish to relinquish your permit because you have not established the authorized water use and are not applying for an extension, please notify the Department in writing.

- Permit No. 45-14538 Name of Permit Holder(s) Lisa D. Field Patrick Field
Telephone No. 208-431-9818 Email patlisafield@live.com
Mailing Address PO Box 848 City Burley State ID Zip 83318
- Source of Water ground water If Ground Water (well), Date Drilled mo. 8-30 yr. 94
Drilling Permit/Tag No. 45-94-5-0044-000 Drilling Company's Name Thomas Lloyd Drilling Inc
- Extent of use(s) completed as authorized by the water right permit:
Domestic (No. households) 1 Irrigation (No. acres) _____ Stockwater (No. and stock type) _____
Other _____
- Total diversion rate or volume (storage only) for which proof is submitted 0.04 cfs OR _____ af
If the total developed water use is 5 acres of irrigation or less, is stockwater storage of 14.6 acre-feet or less, or has a diversion rate of less than 0.24 cfs, attach a map of the place of use and point of diversion and photographs showing beneficial use.
- Describe the diversion and delivery system from the water source to the use (pump, lift, irrigation method, etc.)
submersible pump and pipe to the house.
- Permit condition compliance. Refer to the permit approval conditions and check all the items required, then check "Yes" or "No" to indicate whether the required items were established, submitted, and/or installed:
Required? Yes No (If "Yes", attach required data, evidence of compliance, or evidence of installation)

☐	☐	☐	Ground water level data, pumping information, or other diversion data
☐	☐	☐	Mitigation plan
☐	☐	☐	Lockable controlling works
☐	☐	☐	Measuring device
☐	☐	☐	Fish screen
☐	☐	☐	Other requirements of the water right permit _____
☐	☐	☐	Reasonably Anticipated Future Needs ("RAFN") Municipal use

If RAFN Municipal use, additional increment of beneficial use developed? ☐ Yes (attach CWRE report) ☐ No
- Fee Enclosed \$ -0- or ☐ CWRE field report attached or ☐ No fee required
See fee schedule on page 3 of the instructions. Proof statements filed without an appropriate fee are incomplete.

- Person to contact to accompany a Department representative during the field examination of the water system:

Name: Patrick Field Telephone No. 208-431-9818 Email patlisafield@live.com
Mailing Address PO Box 848 City Burley State ID Zip 83318

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.

Lisa D. Field Lisa D. Field Owner 2/1/23
SIGNATURE OF PERMIT HOLDER* PRINTED NAME AND TITLE DATE

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

SCANNED

FEB 21 2023



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

May 19, 2023

PATRICK FIELD
LISA D FIELD
PO BOX 848
BURLEY ID 83318-0848

RE: License No. 45-14538

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,

Sidney Palmer

Phill Hummer
Water Rights Supervisor

Enclosure(s)

SCANNED
MAY 18 2023

CERTIFICATE OF SERVICE

I hereby certify that on May 19, 2023, I served a true and correct copy of Water Right License No. 45-14538 by U.S. Mail, postage prepaid, to the following:

PATRICK FIELD (Current Owner)
PO BOX 848
BURLEY ID 83318-0848

LISA D FIELD (Current Owner)
PO BOX 848
BURLEY ID 83318-0848

Sidney Palmer

Sidney Palmer

Technical Records Specialist 1

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

A. GENERAL INFORMATION

Permit No: 45-14538

Exam Date: 04/19/2023

1. Does this qualify for an in-office field exam (IDAPA 035.02.r)? X Y ___ N
- a. Irrigation of 5 acres or less
 - b. Storage of up to 14.6 AF for stockwater purposes only
 - c. Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
 - d. Other < >

2. Current Owner: Name: Lisa& Patrick Field
 Owner of Record Correct? X Y N
 Address of Record Correct? X Y N
 If No: Address

3. Beneficial Use Fees have been paid: X Y N Receipt No: No fee required- Domestic

4. <u>SOURCE</u>	<u>TRIBUTARY</u>
Ground Water	N/A

Method of Determination: GIS and Tax lot Data

Change in Source: _____ Y _____ X _____ N

B. OVERLAP REVIEW

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

Water Right No.	Source	Purpose of Use	Basis
None	NA	NA	NA

Comments: No rights overlap the permit POU.

2. Other water rights with the same point of diversion (POD): NO Overlap

Water Right No.	Source	Purpose of Use	Basis
None	NA	NA	NA

Comments: No rights share the permit POD.

C. DIVERSION AND DELIVERY SYSTEM

1. LOCATION OF POINT(S) OF DIVERSION:

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Submersible Pump	4		SW	SW	18	12S	25E	B.M.	Cassia

Method of Determination: GIS and Tax lot data.

Change in POD? X N Amendment Required? X N

2. PLACE OF USE: USE: DOMESTIC

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	25E	18									X L 3	D L 4							
															Total Acres =				

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

Indicate weir size/pipe as applicable.

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

4. Well or Drilling Permit No.	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
459450044000	UNKNOWN		UNKNOWN	UNKNOWN	UNKNOWN

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE						

2. Measurements: No measurement is required for an in-house exam, but a typical pump capacity and Application Processing Memo #22 were used to determine a reasonable diversion rate.

E. FLOW CALCULATIONS Additional Computation Sheets Attached

Measured Method: Administrative Guidance and typical pump capacities.

Although we were not provided any pump information, 12gpm or approximately 0.04cfs is possible with even a ½ HP pump. According to Administrative memo #22 up to 0.04cfs is an acceptable rate for domestic use in 1 home with up to ½ acre of irrigation. I am recommending a diversion rate of 0.04cfs, which is what was requested on their application for the permit.

Permitted = 0.04cfs**Recommendation = 0.04cfs****F. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 0.5 \times 4 = 2.0$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.04 \times 184 \times 1.9835 = 14.6$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 2.0$$

2. Volume Calculations for Other Uses:
According to Administrative memo #22 up to 1.2 AFA, per year is acceptable for domestic use for 1 home and up to ½ acre of irrigation. I am recommending 1.2 AF for the purposed license for 1 home with up to ½ acre of irrigation.

G. PURPOSE OF USEIrrigation X Y N # Stock Domestic # of Homes 1

Other: < >

Change in Purpose of Use? Y X NMethod of Determination: Tax lot data and GIS data.

H. NARRATIVE/REMARKS/COMMENTS

Prior to issuing the license, I reached out to the permit holder (April 19th, 2023) regarding the possibility of a permit amendment to address the areas of irrigation in the NWSW of Gov Lot 3, which were not included on the application or permit. The area permitted and the area of irrigation in the NWSW of Gov Lot 3 are all within parcel RP12S25E186200, which Cassia County Treasurer website lists as owned by the permit holders. The applicants were mailed the permit amendment April 27th, 2023, to sign and return with the \$100 fee payment. I followed up with a phone call to the applicant to advise them regarding the letter and the response needed to complete the license. The amended permit and fee payment were received May 17th, 2023.

This permit for domestic use and up to 0.5 acre of irrigation diverted from groundwater in Water District (WD)140 qualifies for an in-house exam. Small domestic uses, such as the case of the reviewed permit, are not administered by WD 140. The permit holder did not include irrigation on the proof of beneficial use form submitted. However, irrigation for up to ½ acre was on the permit, there are irrigated areas visible in aerial imagery, and there is no surface water accessible at the POU.

The proof of beneficial use stated that the system uses a submersible pump conveying water via pipe to the house. The owner did not provide any other details regarding the pump, but Administrative Memo #22 allows up to 0.04cfs and up to 1.2 AF for domestic use in 1 home with up to ½ acre of irrigation. Even a typical ½ Hp pump can provide 12 GPM (approximately 0.04cfs). Therefore, I am recommending the license be issued with a diversion rate of 0.04 cfs and 1.2AF (13,000 Gal per day on license).

I am recommending the license be issued with conditions X01, 071, 187 and 993.

Have conditions of permit approval been met? X Yes N

I. RECOMMENDATIONS**1. Recommended Amounts**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Domestic	03/15 to 11/15	0.04 CFS	1.2 AF
<u>Totals:</u>		0.04 CFS	1.2 AF

2. Recommended Amendments

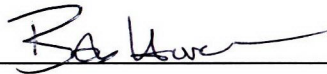
 Change P.D. as reflected above Add P.D. as reflected above X None

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

Other: < >

J. AUTHENTICATION- Bob Howe-Water Resource Agent

Water Resource Agent



Date

5/19/23

Reviewer



Date

5/17/23

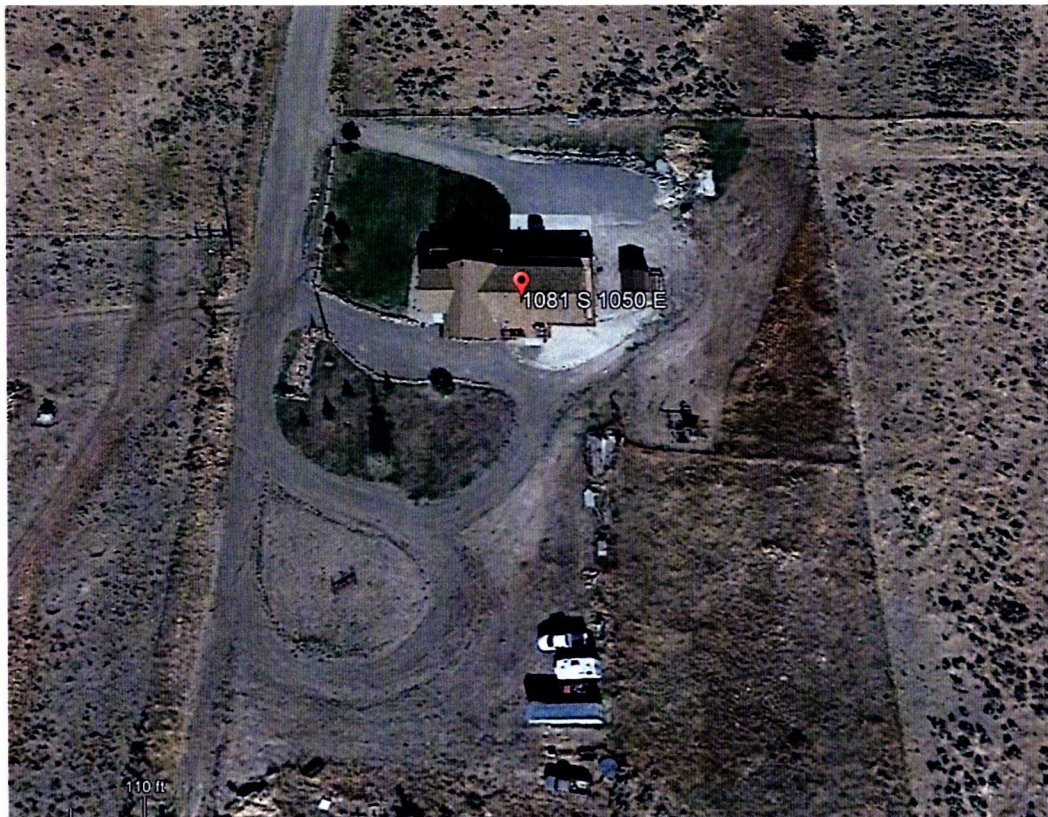


Figure 1- 2022 Google Earth image of the POU. Areas of irrigation are visible surrounding the home.

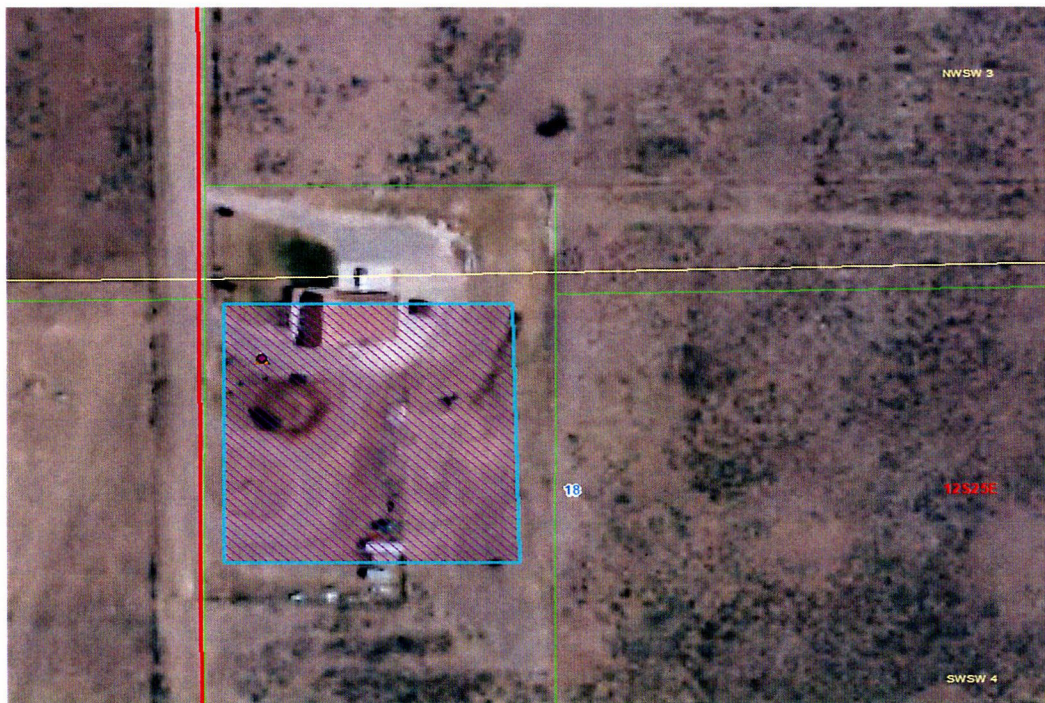


Figure 1.1- 2021 GIS image of the POU. Outlined and shaded in area is the POU area on the permit.



Figure 1.1a- Amended POU map.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

April 27, 2023

LISA D FIELD
PATRICK FIELD
PO BOX 848
BURLEY ID 83318-0848

RE: Water Right Permit No. 45-14538

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit(s) referenced above prior to issuing water right license(s). By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit.

The examiner who verified your water use reported that certain elements of the permit(s) have been developed differently than described on your permit(s). Changes that do not increase the authorized use of water under the permit(s) can be requested and approved in accordance with Idaho Code § 42-211. Before license(s) can be issued, your permit(s) must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit(s):

____ Point(s) of Diversion

 x Place(s) of Use- Legal description on application does not include NWSW of Sec 18.

____ Other

The enclosed Application for Amendment form(s) depicts the elements of the water right(s) as they will appear on the license(s) when issued. Please review the amendment form(s) carefully. If you concur with the information presented, please sign and return the form(s) with the filing fee of \$100.00 within fourteen (14) days.

If you have any questions, please call me at (208)287-4847.

Sincerely,

Bob Howe

April 27, 2023

Page 2

Enclosure(s): Application for Amendment



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

February 14, 2023

LISA D FIELD
PATRICK FIELD
PO BOX 848
BURLEY ID 83318-0848

PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 45-14538

Dear Permit Holder(s):

The Department acknowledges receipt of the Proof of Beneficial Use form ("proof") and license examination fee for the above-referenced water right permit. Enclosed is an order that reinstates this permit since proof and the license examination fee were submitted after the proof deadline. Please note that the priority date for this permit has been advanced to **July 01, 2021**, pursuant to Idaho Code § 42-218a(2).

The next step in the process of developing a water right is for the Department to conduct a field examination to determine and confirm the use being made of the water according to the conditions of the permit.

Please be advised that Idaho Code § 42-248, requires you or the owner of this water right to maintain current ownership and address records on file with the Department. Forms to file a change of ownership of a water right and/or a change in the address of the water right 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 field examination, please contact the State Office of the Department located in Boise at (208) 287-4800.

Sincerely,

for
Debbi Judd

Technical Records Specialist

Enclosure(s)

SCANNED

FEB 14 2023

Beneficial Use Proof Evaluation

Permit Number: 45-14538 Reviewer: jhersley Review Date: 2/13/2023

Acceptability

- 1) Is the contact on the request the current permit holder? Yes
- 2) Does the address of record need to be updated? No
- 3) Proof Submitted Date: 2/7/2023
- 4) Proof Due Date: 2/1/2023
- 5) Days added for weekend due date? 0
- 6) Days added for holiday due date? 0
- 7) Number of days late: 6
- 8) Proof received timely? No

Analysis

- 1) Are the water uses correct? Yes
- 2) Are one of the following items required?
 - a. Measuring Device -- No
 - b. Lockable Device --No
 - c. Fish Screen -- No
- 3) Are the required items installed?
 - a. Measuring Device --
 - b. Lockable Device --
 - c. Fish Screen --
- 4) Is there a request to waive the required items? No
- 5) Drilling Permit Number:
- 6) Is a drilling permit upgrade needed? No
- 7) Was a well drillers report filed? Yes
- 8) Is proof accepted? Yes

Fees

- 1) Is a licensing exam fee required? No
- 2) Was proof submitted with an exam report from a CWE? No
- 3) Filing fee due: \$0.00
- 4) Filing fee submitted: \$0.00
- 5) Remaining fee or (refund): \$0.00

Receipt IDs

S038658, S038659

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.

Reinstate Evaluation

Permit Number: 45-14538 Reviewer: jhersley Review Date: 2/13/2023

Analysis

- 1) Proof/extension request received date: 2/7/2023
- 2) Number of days proof/extension request received late: 6
- 3) Was a lapsed notice sent? No
- 4) Date lapsed notice sent:
- 5) Number of days between proof/extension request received date and date lapsed notice was sent: 0
- 6) Was the proof or extension request received more than 60 days after the lapsed notice was sent? No
- 7) Priority date: 6/25/2021
- 8) New priority date: 7/1/2021
- 9) New status: Active

Comments

Lapse Notice was dated to be mailed on February 9, 2023. Southern Region received the proof statement on Feb. 7, 2023. Proof is acceptable.



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
November 30, 2022

Director Gary Spackman

LISA D FIELD
PATRICK FIELD
PO BOX 848
BURLEY ID 83318-0848

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 45-14538

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 Holders:

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, 2023**. Please complete and return the enclosed Statement of Completion for Submitting Proof of Beneficial Use (proof) if you have completed the water project authorized by your permit. The proof statement must be accompanied by either the appropriate license examination fee or a field examination report prepared by a certified water right examiner.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Idaho Code § 42-204. If you have been delayed by a government agency or by litigation that brings title to the water in question, an extension of time may be granted if appropriate documentation is provided at the time of filing. An extension request must be accompanied by a \$50.00 filing fee and signed by the appropriate authorized permit holder(s) or authorized representative with a power of attorney.

Either an acceptable proof or an acceptable extension request must be received by this Department on or before the above proof due date. If neither is received, the Department will send you a lapse notice and the permit will no longer be of any force or effect.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

CERTIFIED MAIL

7016 1370 0000 2018 3991

NO _____

SCANNED

NOV 30 2022



Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

January 25, 2022

PATRICK FIELD
LISA D FIELD
PO BOX 848
BURLEY ID 83318-0848

RE: Permit No. 45-14538

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

FEB 10 2022

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 me at (208) 736-3033.

Sincerely,

A handwritten signature in blue ink, appearing to read "Corey Skinner".

Corey Skinner
Southern Regional Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on January 25, 2022, I served a true and correct copy of Permit to Appropriate Water No. 45-14538 by U.S. Mail, postage prepaid, to the following:

PATRICK FIELD (Current Owner)
LISA D FIELD (Current Owner)
PO BOX 848
BURLEY ID 83318-0848



Denise Maline
Administrative Assistant 1

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.

*** Proof of Publication ***

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

The following application(s) have been filed to appropriate
the public waters of the State of Idaho:
45-14538

SHERRI DAVIS, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

PATRICK FIELD
LISA FIELD
PO BOX 848
BURLEY, ID 83318-0848
Point of Diversion L4(SWSW) S18 T12S R25E CASSIA County
Source GROUND WATER Tributary
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 06-25-2021
Place Of Use: DOMESTIC
T12S R25E S18 L4(SWSW)
Application proposes to divert 0.04 cfs of ground water for domestic use from an existing well. The Point of Diversion and Place of Use is located approximately 0.4 miles west and 2.6 miles south of Albion. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 85256

MOUNTAIN VIEW LAND LLC, 695 N 700 E, RUPERT, ID 83350-8407 has filed Application No. 85256 for changes to the following water rights within LINCOLN, MINIDOKA County(s): Right No(s). 36-13610, 36-13611, 36-16376, 36-7273B, 36-7460L, 36-7646. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU), point of diversion (POD), and add points of diversion for a 0.20 cfs (100.00 acre-foot) portion of ground water right 36-7646 (stockwater & commercial) which is currently appurtenant to a CAFO located approximately 16.0 miles west and 1.8 miles north of Minidoka. The proposed POU is a CAFO located approximately 2.8 miles south and 2.1 miles west of Minidoka. Eight existing wells located within the proposed POU will be utilized as PODs for the transferred portion. The transfer will also modify the stockwater and/or commercial place of use of the five existing rights (2.72 cfs combined flow rate) at the proposed POU. Post transfer, the six rights will have eight authorized PODS (wells) with a total flow rate of 2.92 cfs at the proposed POU. Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see <https://re-search.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **October 4, 2021**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on September 16th & 23rd, 2021

✓ OK DM 10/8/2021

2 Insertions

ID DEPARTMENT OF WATER RESOURCES

650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

ORDER NUMBER 118952

Sherrie Davis
(Legals Clerk)

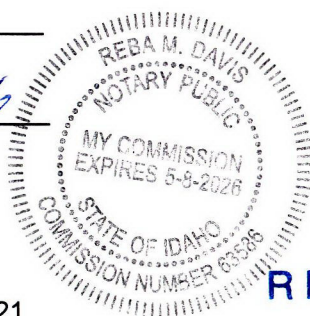
STATE OF IDAHO)

.SS

COUNTY OF TWIN FALLS)

On this 23rd day of September in the year of 2021 before me, a Notary Public, personally appeared before me Sherrie Davis known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Reba M Davis
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 5/8/2026



Section: Legals

Category: 50 Legal

PUBLISHED ON: 09/16/2021, 09/23/2021

RECEIVED

SEP 29 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

TOTAL AD COST: 171.96

FILED ON: 9/23/2021

SCANNED

FEB 10 2022