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SEP 14 2023

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SEP 13 2023

WATER RESOURCES
WESTERN REGIONDEPARTMENT 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 \$ 50.00Receipt No. W051534Received By DMDate Received 9-13-23

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. 57-12084 Name of Permit Holder(s) CITY OF Grand View
 Telephone No. 208-834-2700 Email H2olines@Tjuno.com CITY OF Grand View @
 Mailing Address PO Box 69 City Grand View State Id Zip 83624 SPEED 9412. Net

2. Source of Water Drain ditch If Ground Water (well), Date Drilled mo. ____ / yr. ____

Drilling Permit/Tag No. ____ Drilling Company's Name ____

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

Domestic (No. households) ____ Irrigation (No. acres) 4.2 Stockwater (No. and stock type) ____

Other ____

4. Total diversion rate or volume (storage only) for which proof is submitted .13 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 Into Automatic Irrig System

6. Permit condition compliance. Refer to the permit approval conditions and check all the items required, then check "Yes" or "No" to indicate whether the required items were established, submitted, and/or installed:

Required? Yes No (If "Yes", attach required data, evidence of compliance, or evidence of installation)

☐ ☐ ☐ Ground water level data, pumping information, or other diversion data

☐ ☐ ☐ Mitigation plan

☐ ☐ ☐ Lockable controlling works

☐ ☐ ☐ Measuring device

☐ ☐ ☐ Fish screen

☐ ☐ ☐ Other requirements of the water right permit ____

☐ ☐ Reasonably Anticipated Future Needs ("RAFN") Municipal use

If RAFN Municipal use, additional increment of beneficial use developed? ☐ Yes (attach CWRE report) ☐ No

7. Fee Enclosed \$ 50.00 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: Terry Carothers Telephone No. 208-880-1609 Email H2olines@Tjuno.com

Mailing Address PO Box 331 City Grand View State Id Zip 83624

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 OF PERMIT HOLDER*

PRINTED NAME AND TITLE

DATE

Terry Carothers Terry Carothers Rep. 9-13-23

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

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 57-12084

Priority: March 28, 2022

Maximum Diversion Rate: 0.10 CFS

Maximum Diversion Volume: 15.3 AF

It is hereby certified that:

CITY OF GRAND VIEW PO BOX 69 GRAND VIEW ID 83624-0069

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 28, 2022, and has submitted Proof of Beneficial Use on September 13, 2023. An examination confirms water is diverted from:

Source : DRAIN DITCH

Tributary: SNAKE RIVER

Beneficial Use
IRRIGATION

Period of Use
03/01 to 11/15

Rate of Diversion
0.10 CFS

Annual Volume
15.3 AF

Location of Point(s) of Diversion

DRAIN DITCH L6(NW¼ SW¼), Sec. 15, Twp 05S, Rge 03E, B.M. OWYHEE County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	03E	15							0.6 L5			2.2 L6	0.1						2.9
05S	03E	16				0.1 L3									0.4				0.5

Total Acres: 3.4

Conditions of Approval

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 2.
3. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.
4. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
5. 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.
6. When the minimum stream flow water rights in the Snake River at Murphy Gage are not being satisfied, the right holder shall cease diverting water for the consumptive uses authorized by this right. The minimum stream flow water rights are for 3,900 cfs from April 1 through October 31 and 5,600 cfs from November 1 through March 31. See IDAPA 37.03.08.030.

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 57-12084

7. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

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 28th day of November, 20 23.



PHILL HUMMER
Water Rights Supervisor

State of Idaho
Department of Water Resources
Attachment to Water Right
57-12084

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.075 0.15 0.3 Miles

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





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 29, 2023

CITY OF GRAND VIEW
PO BOX 69
GRAND VIEW ID 83624-0069

RE: License No. 57-12084

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,

Phill Hummer

Phill Hummer
Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on November 28, 2023, I served a true and correct copy of Water Right License No. 57-12084 by U.S. Mail, postage prepaid, to the following:

CITY OF GRAND VIEW (Current Owner)
PO BOX 69
GRAND VIEW ID 83624-0069

WATER DISTRICT #02
ROB WHITNEY-WD 02 (Watermaster)
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098



Debra Mansfield
Technical Records Specialist 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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 57-12084
Exam Date: 11/21/2023

1. Does this qualify for an in-office field exam (IDAPA 37.03.02.035.01.r)? x Y N

- a. x Irrigation of 5 acres or less
- b. Storage of up to 14.6 AF for stockwater purposes only
- c. Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
- d. Other < >

2. Current Owner:

CITY OF GRAND VIEW PO BOX 69 GRAND VIEW ID 83624-0069

3. **SOURCE:**
UNNAMED DRAIN

Tributary
SNAKE RIVER

Method of Determination: GIS ArcMap Tools, Aerial Imagery, and Taxlot Data

B. OVERLAP REVIEW

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

Water Right No.	Source	Purpose of Use	Basis
2-203	Snake River	Irrigation	Decreed
2-29	Snake River	Irrigation	Decreed
2-2034	Snake River	Irrigation	Decreed

Comments: Grandview Irrigation District rights overlap the place of use.

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

Water Right No.	Source	Purpose of Use	Basis
57-12073	Drain Ditch	Irrigation	Permit/License

Comments: Irrigation permit for Bruneau Grandview School District shares point of diversion on Drain Ditch.

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**

UNNAMED DRAIN L6 (NW¼ SW¼), Sec. 15, Twp 05S, Rge 03E, B.M. OWYHEE County

Method of Determination:

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	03E	15							0.6 L5			2.2 L6	0.1						2.9
05S	03E	16				0.1 L3									0.4				0.5

Total Acres: 3.4

Method of Determination: GIS ArcMap Tools, Aerial Imagery, and Taxlot Data

3.

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

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

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

_____ Photo of Diversion and System Attached

4.

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
N/A	N/A	N/A	N/A	N/A	N/A	N/A

2. Measurements: No measurement required for an in-office examination.

E. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

(Acres irrigated) x (generic diversion rate) = (3.4 acres) x (0.03 cfs/acre) = 0.10 cfs

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (3.4 \text{ acres irrigated}) \times (4.5 \text{ af}) = 15.3 \text{ af}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 51.6 \text{ af}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 15.3 \text{ af}$

2. Volume Calculations for Other Uses: None

G. NARRATIVE/REMARKS/COMMENTS

This permit qualifies for an in-office exam because it is for irrigation of less than 5 acres. Field exam was conducted on November 21, 2023, by Justin Shearer. Ownership of the permit is in the name of the City of Grand View. Current taxlot data represents the City of Grand View owns the land appurtenant to the place of use (POU) and point of diversion (POD). Proof of Beneficial Use was submitted on September 13, 2023. No ownership change is required.

Aerial imagery available to the Department indicates that 3.4 acres of irrigation have been developed compared to the 4.2 acres permitted. As a result, I am recommending 0.10 cfs and 15.3 af for the irrigation of 3.4 acres on this license. Overlap

shows that there is POU overlap with Grand View Irrigation District rights service area. Additionally, POD overlap analysis shows that there is potentially a shared point of diversion from the Drain Ditch with a Bruneau Grandview School District active water right permit. However, both entities declined to provide any comment at time of advertisement during the application process when sought for comment. Additionally, the POU for this right does not overlap with the POU of the right that potentially shares POD so a combined use limit is not necessary.

Because the source is not just surface water runoff, the source should be more correctly named as "Unnamed Drain" not "Drain Ditch." Note that the source is not changing, but I am clarifying how the source is described. Thus, I have changed the source on the license to read as "Unnamed Drain."

All conditions of permit approval have been met. Condition 176 is being added to address the use of wastewater. Condition 121 is being changed to 103 as per department standard.

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

H. RECOMMENDATIONS

1. Recommended Amounts

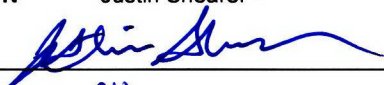
<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.10 CFS	15.3 AF
<u>Totals:</u>		0.10 CFS	15.3 AF

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

Justin Shearer -

Field Examiner's Name  Date 12/29/23

Reviewer  Date 11/28/23

Beneficial Use Proof Evaluation

Permit Number: 57-12084 Reviewer: AVeibell Review Date: 9/20/2023

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: ~~4/14/23~~ 9/13/23
- 4) Proof Due Date: 8/1/2027
- 5) Days added for weekend due date?
- 6) Days added for holiday due date?
- 7) Number of days late:
- 8) Proof received timely? Yes

Analysis

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

Fees

- 1) Is a licensing exam fee required? Yes
- 2) Was proof submitted with an exam report from a CWE? No
- 3) Filing fee due: \$50.00
- 4) Filing fee submitted: \$50.00
- 5) Remaining fee or (refund): \$0.00

Receipt IDs

W050045

Comments

Question 6 not complete. 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.