

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 67-15380

Priority: April 03, 2021

Maximum Diversion Rate: 0.04 CFS

Maximum Diversion Volume: 2.9 AF

It is hereby certified that:

GENE E WYSS
AND/OR
CATHERINE M WYSS
1688 GENTRY LN
WEISER ID 83672-5310

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 22, 2021, and has submitted Proof of Beneficial Use on June 13, 2022. 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

2.9 AF

Location of Point(s) of Diversion

GROUND WATER NW¼ NE¼, Sec. 23, Twp 11N, Rge 05W, B.M. WASHINGTON 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	
11N	05W	23		X															

Conditions of Approval

- Domestic use is for 1 home.
- 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 22nd day of February, 2023.


COREY SKINNER
Southern Regional Manager

State of Idaho
Department of Water Resources
Attachment to Water Right
67-15380

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



0 0.045 0.09 0.18 Miles

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



SCANNED
FEB 24 2023



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

February 24, 2023

GENE E WYSS
CATHERINE M WYSS
1688 GENTRY LN
WEISER ID 83672-5310

RE: License No. 67-15380

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) 736-3033.

Sincerely,

Corey Skinner
Southern Regional Manager

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on February 24, 2023, I served a true and correct copy of Water Right License No. 67-15380 by U.S. Mail, postage prepaid, to the following:

GENE E WYSS (Current Owner)
CATHERINE M WYSS (Current Owner)
1688 GENTRY LN
WEISER ID 83672-5310



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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 67-15380
Exam Date: 02/09/2023

1. Current Owner:
GENE E WYSS
AND/OR
CATHERINE M WYSS
1688 GENTRY LN WEISER ID 83672-5310
2. Accompanied by: Gene Wyss, permit holder and Corey Skinner, IDWR Southern Region Manager
Phone No: 208-550-0210
Address: same as above
Relationship to permit Holder: Permit holder

3. SOURCE:
GROUND WATER

Method of Determination: Observed well and spoke with permit holder during field examination.

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None
2. Other water rights with the same point-of-diversion: None

C. DIVERSION AND DELIVERY SYSTEM**1. LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER NW¼ NE¼, Sec. 23, Twp 11N, Rge 05W, B.M. WASHINGTON County

Method of Determination: ArcMap aerial imagery and Beneficial Use Examination site visit.

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	
11N	05W	23		X															

Method of Determination: ArcMap aerial imagery and Beneficial Use Examination site visit.

3. Delivery System Diagram Attached (required). Indicate all major components and distances between components.
 X 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.
- X Aerial Photo Attached (required for irrigation of 10+ acres).
- X Photo of Diversion and System Attached

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
D0001795					

D. FLOW MEASUREMENTS

1.

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

2. Measurements: No measurement required per Beneficial Use Examination Rules IDAPA 37.03.02, Rule 35, 01., (r), iii.

E. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method: NA

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation:

$$V_{I.R} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 4.5 \text{ AF} \times 0.5 = 2.3 \text{ AF}$$

$$V_{D.R} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.04 \times 260 \times 1.9835 = 20.6 \text{ AF}$$

$$V = \text{Smaller of } V_{I.R} \text{ and } V_{D.R} = 2.3 \text{ AF}$$

2. Volume Calculations for Other Uses: 0.6 AF standard in-house allowance for domestic use

G. NARRATIVE/REMARKS/COMMENTS

The field exam for permit 67-15380 was conducted on February 9, 2023 with permit holder Gene Wyss, IDWR Southern Region manager Corey Skinner, and myself in attendance. Mr. Wyss indicated that he had lived in the house and used water from the well for about 20 years, and from the well log, it appears that the well was drilled in 1998.

Water use on the property is limited to lawn and landscape irrigation around the house, irrigation of a garden and fruit trees near the south boundary of the property, and culinary use inside the home and a small shed. Aerial imagery shows about 0.5 acre of irrigation occurring on the property, which equates to 2.3 AF of volume (the standard annual headgate volume requirement for the area is 4.5 AF/acre), and the standard volume allowance for in-house domestic use is 0.6 AF. I recommend the permitted flow rate of 0.04 cfs and an annual volume of 2.9 AF (0.6 AF in-house and 2.3 AF for irrigation).

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>Volume</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	2.9 AF

Totals: 0.04 CFS 2.9 AF

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

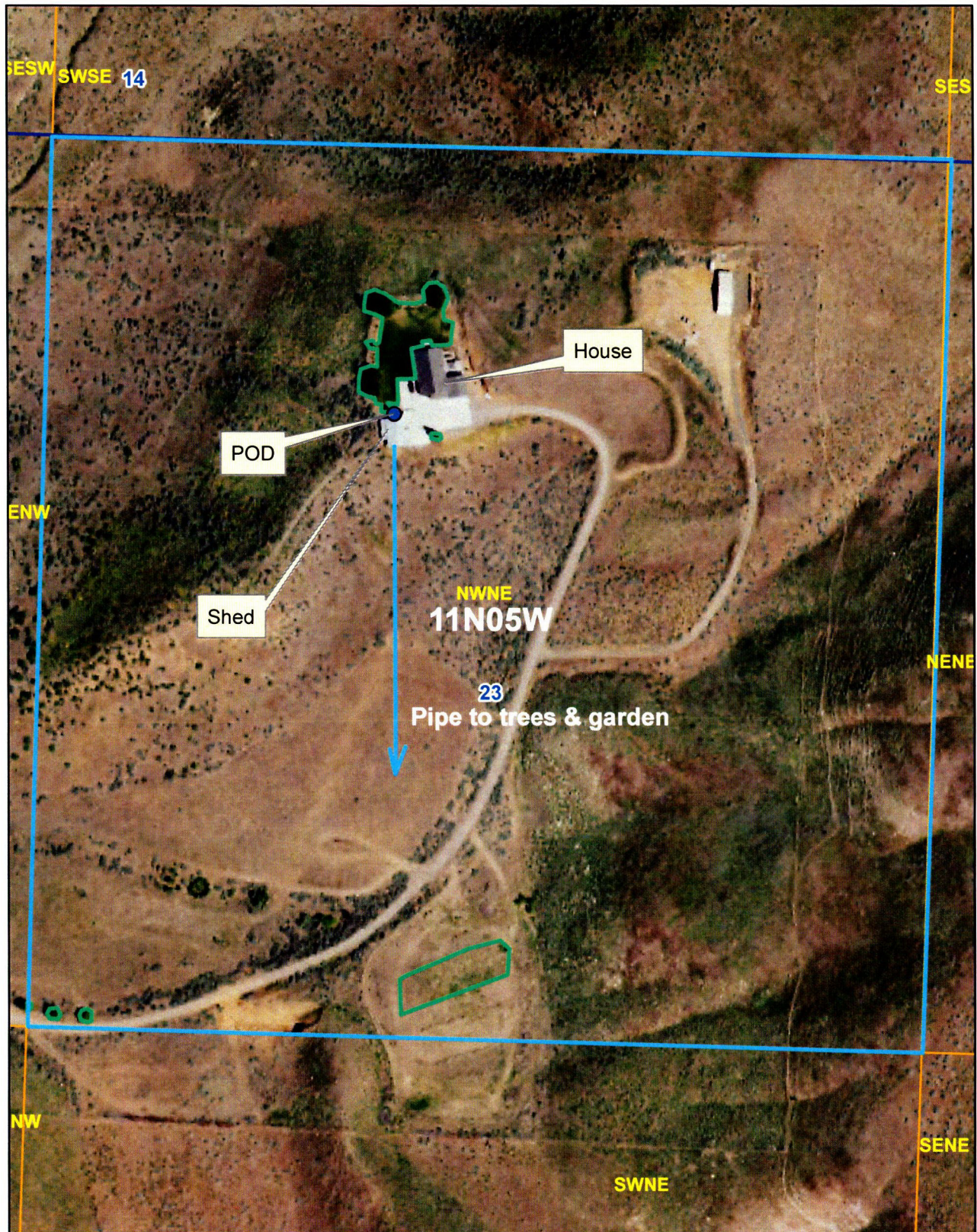
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ None

I. AUTHENTICATION

Field Examiner's Name Jim Bitzenburg Date 2-16-2023
Jim Bitzenburg, Water Rights Supervisor

Reviewer [Signature] Date 2/22/2023

67-15380 System Diagram and POU/POD Map



Legend

- POU
- Irrigated Area
- Township/Range
- Sections
- QQ

0 0.0225 0.045 0.09 Miles



SCANNED
FEB 24 2023



Point of Diversion (well, foreground) and Place of Use (house and landscaping)

IDAHO DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

Use Typewriter or Ballpoint Pen

061012

1795

Office Use Only			
Inspected by _____			
Twp _____	Rge _____	Sec _____	
1/4 _____		1/4 _____	
Lat: _____	Long: _____		

1. DRILLING PERMIT NO. 67-98-W-0014-000
Other IDWR No. _____

2. OWNER: Bill Bryon
Name _____
Address 617 Central Robertson Rd.
City Nampa State ID Zip 83687

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N W E S	Twp. <u>11</u>		North ☒ or South ☐
	Rge. <u>5</u>		East ☐ or West ☒
	Sec. <u>23</u>		1/4 <u>NW</u> 1/4 <u>NE</u> 1/4
	Gov't Lot _____		County <u>Washington</u> 10 acres 40 acres 160 acres
Lat: _____		Long: _____	
Address of Well Site <u>1688 Gentry Ln</u>		City <u>Lois</u>	

(Give at least name of road - Distance to Road or Landmark)

Lt. _____ Bld. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT Sacks or Pounds	METHOD
Material	From	To		
<u>Bentite</u>	<u>0</u>	<u>184</u>	<u>400</u>	<u>Pour</u>

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 233
Was drive shoe seal tested? ☒ Y ☐ N How? Air

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
<u>6</u>	<u>12</u>	<u>233</u>	<u>250</u>	<u>Steel</u>	☒	☐	☒	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____
☐ Screens Screen Type _____

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

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

150 ft. below ground Artesian pressure _____ lb.
Depth flow encountered 233 ft. Describe access port or control devices: CAP

11. WELL TESTS:

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal. min.	Drawdown	Pumping Level	Time
<u>50</u>	<u>220</u>	<u>220</u>	<u>3 Hr</u>

Water Temp. 56 Bottom hole temp. 56

Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Water	Y	N
<u>10</u>	<u>0</u>	<u>1</u>	<u>TOP SOIL</u>			
<u>6</u>	<u>1</u>	<u>20</u>	<u>Sandy CLAY</u>			
<u>26</u>	<u>26</u>	<u>26</u>	<u>Sand</u>			
<u>26</u>	<u>120</u>	<u>120</u>	<u>Sand CLAY Rim</u>			
<u>170</u>	<u>175</u>	<u>175</u>	<u>Sand + CLAY layers 164</u>			
<u>175</u>	<u>224</u>	<u>224</u>	<u>Sand + CLAY layers 206</u>			
<u>224</u>	<u>233</u>	<u>233</u>	<u>CLAY</u>			
<u>233</u>			<u>SAND</u>			

RECEIVED RECEIVED

APR 23 1998 APR 20 1998

Department of Water Resources

WATER RESOURCES
WESTERN REGION

Completed Depth 233 (Measurable)
Date: Started 4-8-98 Completed 4-9-98

13. DRILLER'S CERTIFICATION

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

Firm Name Treasure Valley Drilling Firm No. 580

Firm Official John R. [Signature] Date 4-16-98

and
Supervisor or Operator _____ Date _____

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES