

State of Idaho  
Department of Water Resources  
**Water Right License**  
Water Right No. 63-33630

Priority: March 28, 2012

Maximum Diversion Rate: 0.11 CFS

Maximum Diversion Volume: 13.1 AF

It is hereby certified that:

STEVEN WELLIS  
5484 HONDO LN  
EAGLE ID 83616

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 28, 2012, and has submitted Proof of Beneficial Use on June 27, 2022. An examination confirms water is diverted from:

Source : GROUND WATER

| <u>Beneficial Use</u> | <u>Period of Use</u> | <u>Rate of Diversion</u> | <u>Annual Volume</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 03/01 to 11/15       | 0.05 CFS                 | 12.2 AF              |
| STOCKWATER            | 01/01 to 12/31       | 0.02 CFS                 | 0.3 AF               |
| DOMESTIC              | 01/01 to 12/31       | 0.04 CFS                 | 0.6 AF               |

**Location of Point(s) of Diversion**

GROUND WATER NE¼ NW¼, Sec. 29, Twp 05N, Rge 01E, B.M. ADA 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 |        |
| 05N | 01E | 29  |    |    |    |    | 2.0 | 0.3 |    | 0.4 |    |    |    |    |    |    |    |    | 2.7    |

Total Acres: 2.7

**Place of Use: STOCKWATER**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 05N | 01E | 29  |    |    |    |    | X  | X  |    | X  |    |    |    |    |    |    |    |    | 0.0    |

**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 |        |
| 05N | 01E | 29  |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |    | 0.0    |

**Conditions of Approval**

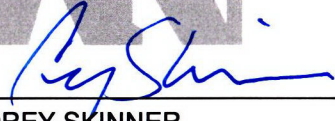
- After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

State of Idaho  
Department of Water Resources  
**Water Right License**  
Water Right No. 63-33630

2. 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.
3. After specific notification by the Department, the right holder shall participate in a Department approved ground water monitoring plan.
4. To prevent injury to prior water rights appropriating water from the Boise River and /or the underlying shallow aquifer tributary to the Boise River, a future replacement well and/or an additional well used as a point of diversion for this water right shall be constructed and maintained with unperforated casing and sealed into the first significant confining layer located 200 feet or more below ground surface.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
6. Domestic use is for 1 home.
7. Point of diversion and place of use is located within Parcel E, Lot 13 and a portion of Lot 14, Blk. 1, Highlander Estates Subdivision.
8. Water bearing zone to be appropriated is from 275 to 457 feet.

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.

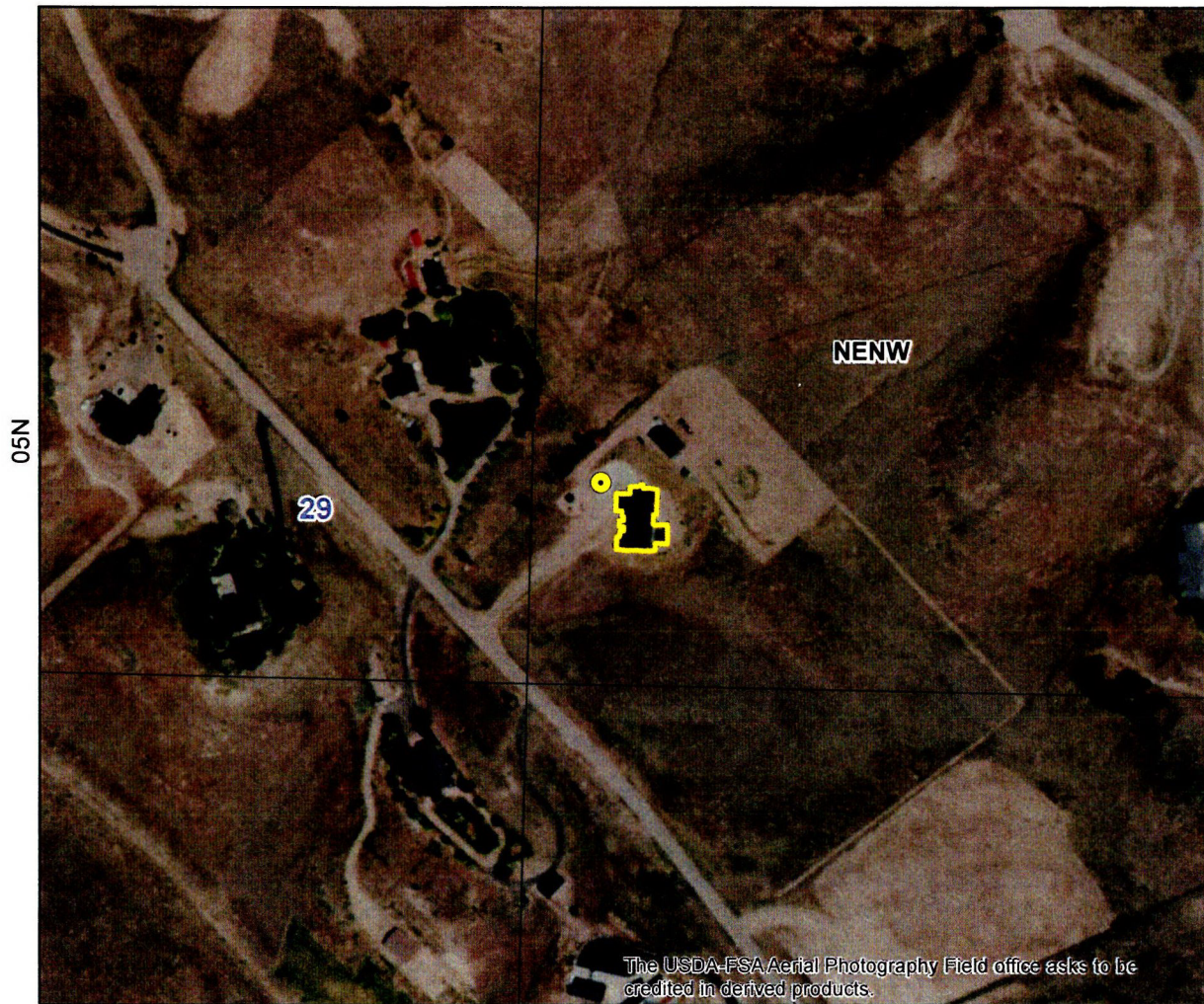
Signed this 22<sup>nd</sup> day of August, 2023.

  
\_\_\_\_\_  
COREY SKINNER  
Southern Regional Manager

State of Idaho  
Department of Water Resources  
**Attachment to Water Right**  
63-33630

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.

01E



0 0.035 0.07 0.14 Miles

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



SCANNED  
AUG 30 2023

State of Idaho  
Department of Water Resources  
**Attachment to Water Right**  
63-33630

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

01E



0 0.035 0.07 0.14 Miles

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



SCANNED  
AUG 30 2023

State of Idaho  
Department of Water Resources  
**Attachment to Water Right**  
63-33630

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 0.035 0.07 0.14 Miles

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



SCANNED  
AUG 30 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](mailto:southerninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Gary Spackman

August 22, 2023

STEVEN W ELLIS  
5484 HONDO LN  
EAGLE ID 83616

RE: License No. 63-33630

### 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](http://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

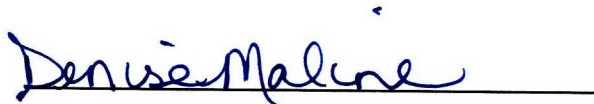
Enclosure(s)

## CERTIFICATE OF SERVICE

I hereby certify that on August 22, 2023, I served a true and correct copy of Water Right License No. 63-33630 by U.S. Mail, postage prepaid, to the following:

STEVEN W ELLIS (Current Owner)  
5484 HONDO LN  
EAGLE ID 83616

HDR INC (Representative)  
ATTN LORI GRAVES  
412 E PARKCENTER BLVD STE 100  
BOISE ID 83706-6659

A handwritten signature in blue ink, reading "Denise Maline", is written over a horizontal line.

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: 63-33630  
Exam Date: 08/14/2023

1. Current Owner:  
STEVEN W ELLIS 5484 HONDO LN EAGLE ID 83616
2. Accompanied by: Steve Ellis  
Phone No: (208) 850-6324  
Address: 5484 Hondo Ln, Eagle ID 83616  
Relationship to permit Holder: Permit Holder

3. **SOURCE:**  
GROUND WATER

**Method of Determination:** On-site inspection

**B. OVERLAP REVIEW**

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

| Water Right No. | Source | Purpose of Use | Basis |
|-----------------|--------|----------------|-------|
| N/A             |        |                |       |
|                 |        |                |       |

Comments: Place of use is within the City of Eagle municipal service area

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

| Water Right No. | Source | Purpose of Use | Basis |
|-----------------|--------|----------------|-------|
| N/A             |        |                |       |
|                 |        |                |       |

Comments: \_\_\_\_\_

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

GROUND WATER NE¼ NW¼, Sec. 29, Twp 05N, Rge 01E, B.M. ADA County

**Method of Determination:** On-site inspection

**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 |        |
| 05N | 01E | 29  |    |    |    |    | 2.0 | 0.3 |    | 0.4 |    |    |    |    |    |    |    |    | 2.7    |

Total Acres: 2.7

**PLACE OF USE:** STOCKWATER

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 05N | 01E | 29  |    |    |    |    | X  | X  |    | X  |    |    |    |    |    |    |    |    |        |

**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 |        |
| 05N | 01E | 29  |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |    |        |

Method of Determination:

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 |
|---------------------------|------------|----|------------------|-----------|-----------------------------------|
| D0025608                  |            |    |                  |           |                                   |

**D. FLOW MEASUREMENTS**

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
| 5 Gallon Bucket       |      |      |           |            |      |             |

2. Measurements: Bucket filled in 5.64 seconds, which is approximately 54 gallons per minute, which is equivalent to 0.12 cfs

**E. FLOW CALCULATIONS**

Measured Method: N/A

           Additional Computation Sheets Attached**F. VOLUME CALCULATIONS**

## 1. Volume Calculations for irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2.7 \text{ acres} \times 4.5 \text{ afa} = 12.15 \approx 12.2 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.11 \times 260 \text{ days} \times 1.9835 = 56.73 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 12.2 \text{ afa}$$

## 2. Volume Calculations for Other Uses:

**Domestic:**

0.6 af for culinary in-house use.

**Stockwater:**

Up to 20 mixed stock year round at 12.0 gallons per day (gpd) = 20 mixed stock X 12 gpd x 360 days = 86,400 gallons

$$86,400/325,850 = 0.265 \approx 0.3 \text{ af}$$

**Total Volume:** 12.2 af irrigation + 0.6 af domestic + 0.3 af stockwater = 13.1 afa**G. NARRATIVE/REMARKS/COMMENTS**

I met with Mr. Ellis at his home on the morning of 8/14/2023. He walked me around his property and showed me where he irrigates his 9.5 acre lot, we also looked at his stock animals and his well. We measured the flow rate from the well using the 5 gallon bucket measurement method at 0.12 cfs from a hydrant adjacent to the well. After returning to the office I made a shape in ArcMap that represents where he indicated he irrigates and it indicated he irrigates 2.7 acres. He only had two cows on site that day, but stated that he has had up to 20 head of mixed stock (cows, horses and donkeys) during the beneficial use development period and that he planned on obtaining more stock in the near future.

Recommend licensing 0.05 cfs and 12.2 af for irrigation use; 0.02 cfs and 0.3 af for stockwater; 0.04 cfs and 0.6 af for domestic use; with a total diversion of 0.11 cfs and 13.1 af.

Have conditions of permit approval been met? ☒ Yes ☐ No**H. RECOMMENDATIONS****1. Recommended Amounts**

| <b><u>Beneficial Use</u></b> | <b><u>Period of Use</u></b> | <b><u>Rate of Diversion</u></b> | <b><u>Annual Volume</u></b> |
|------------------------------|-----------------------------|---------------------------------|-----------------------------|
| IRRIGATION                   | 03/01 to 11/15              | 0.05 CFS                        | 12.2 AF                     |
| STOCKWATER                   | 01/01 to 12/31              | 0.02 CFS                        | 0.3 AF                      |
| DOMESTIC                     | 01/01 to 12/31              | 0.04 CFS                        | 0.6 AF                      |

**Totals:**                      0.11 CFS                      13.1 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**

Bill Mills -

Field Examiner's Name

Date

Reviewer

Date

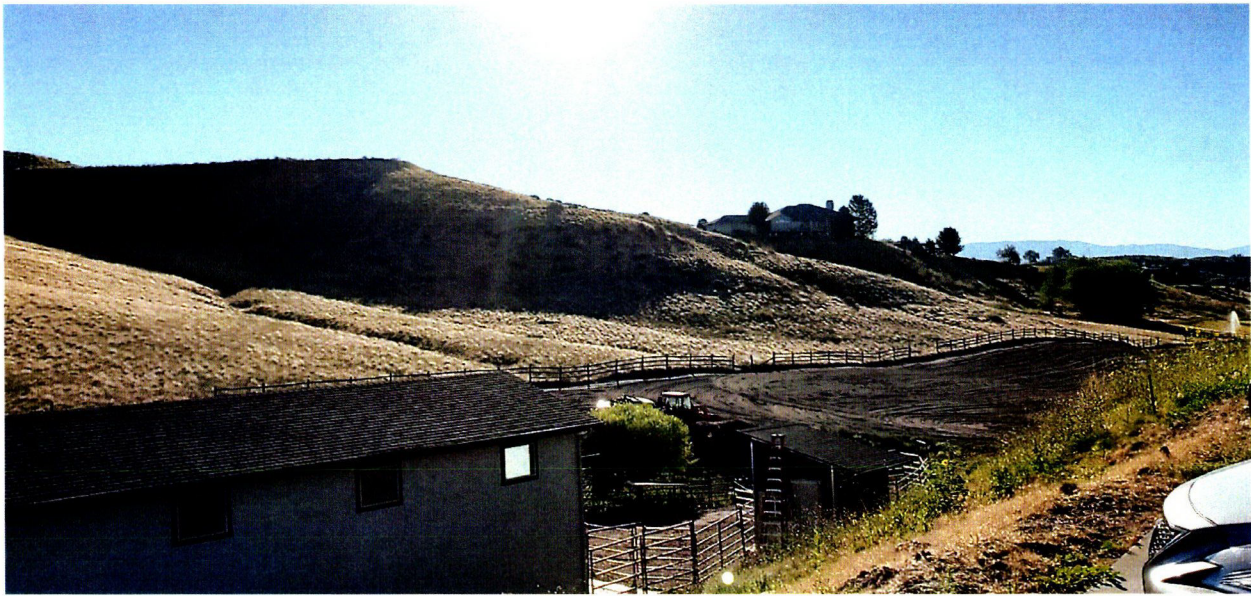


Figure 1: Barn, part of stockyard and part of plowed field that is irrigated



Figure 2: Backyard



Figure 3: Front yard



Figure 4: Irrigated berm along south side of property



Figure 5: Well head and D0025608 tag

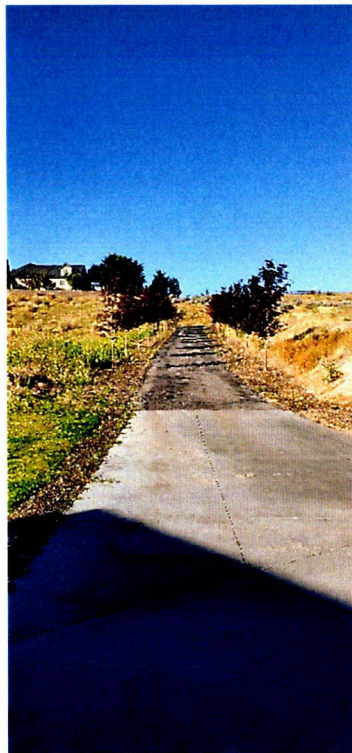


Figure 6: Irrigated trees along driveway

# System Diagram



IDAHO DEPARTMENT OF WATER RESOURCES  
WELL DRILLER'S REPORT

786738

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

1. WELL TAG NO. D 0025608

DRILLING PERMIT NO. \_\_\_\_\_

Other IDWR No. \_\_\_\_\_

2. OWNER:

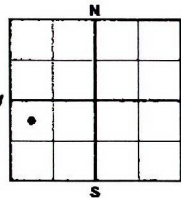
Name Homan Land Development

Address 2229 W State St. Suite B

City Boise State ID Zip 83702

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.



Twp. 5 North ☒ or South ☐  
Rge. 1 East ☒ or West ☐  
Sec. 20 1/4 NW 1/4 SW 1/4  
Gov't Lot \_\_\_\_\_ County Ada  
Lat: \_\_\_\_\_ Long: \_\_\_\_\_

Address of Well Site End of Hondo Rd

City Engle

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

Lt. 13 Blk. 1 Sub. Name Highlander Estates

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          |  | METHOD   |
|------------------|---------|-----------------|--|----------|
| Material         | From To | Sacks or Pounds |  |          |
| Bentonite        | 0 275   | 1000 lbs        |  | overbore |

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 455

Was drive shoe seal tested? ☒ Y ☐ N How? Air

8. CASING/LINER:

| Diameter | From To | Gauge | Material | Casing                              | Liner                    | Welded                              | Threaded                 |
|----------|---------|-------|----------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| 6        | +2 455  | .250  | Steel    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Length of Headpipe \_\_\_\_\_ Length of Tailpipe \_\_\_\_\_

9. PERFORATIONS/SCREENS:

☐ Perforations Method \_\_\_\_\_  
☐ Screens Screen Type \_\_\_\_\_

| From To | Slot Size | Number | Diameter | Material | Casing                   | Liner                    |
|---------|-----------|--------|----------|----------|--------------------------|--------------------------|
|         |           |        |          |          | <input type="checkbox"/> | <input type="checkbox"/> |

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

214 ft. below ground Artesian pressure \_\_\_\_\_ lb.

Depth flow encountered 457 ft. Describe access port or control

devices: cap

11. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

| Yield gal./min. | Drawdown | Pumping Level | Time |
|-----------------|----------|---------------|------|
| 100             | 254      | 440           | 1 hr |

Water Temp. 56

Bottom hole temp. 56

Water Quality test or comments: \_\_\_\_\_

Depth first Water Encounter 275

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

| Bore Dia. | From | To  | Remarks: Lithology, Water Quality & Temperature | Water |   |
|-----------|------|-----|-------------------------------------------------|-------|---|
|           |      |     |                                                 | Y     | N |
| 8         | 0    | 2   | TOP SOIL                                        |       |   |
| 8         | 2    | 6   | HARD PAN                                        |       |   |
| 8         | 6    | 275 | SAND, CLAY STRIPS                               |       |   |
| 6         | 275  | 451 | SAND w/ CLAY STRIPS                             | X     |   |
| 6         | 451  | 457 | BLUE CLAY                                       |       |   |
| 6         | 457  |     | SAND                                            | X     |   |

RECEIVED

NOV 13 2002

WATER RESOURCES  
WESTERN REGION

Completed Depth 457

(Measurable)

Date: Started 10/28/2002

Completed 10/30/2002

13. DRILLER'S CERTIFICATION:

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

Company Name Treasure Valley Drilling

Firm No. 560

Firm Official

and

Driller or Operator

(Sign once if Firm Official & Operator)

Date 10/31/2002

Date 10/31/2002

SCANNED

AUG 30 2023