State of Idaho
Department of Water Resources

Water Right License

Water Right No. 63-33752

Priority: April 03, 2013

Maximum Diversion Rate: 0.26 CFS
Maximum Diversion Volume: 50.3 AF

It is hereby certified that:

MARK NIEMEYER 14625 OASIS RD CALDWELL ID 83607-7507 AND/OR
CHERYL NIEMEYER 14625 OASIS RD CALDWELL ID 83607-7507

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 03, 2013, and has submitted Proof of Beneficial Use on June 24, 2021. An examination confirms water is diverted from:

Source : GROUND WATER

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
IRRIGATION	03/15 to 11/15	0.22 CFS	49.5 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.2 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF

Location of Point(s) of Diversion
GROUND WATER L3 (NE¼ NW¼), Sec. 3, Twp 05N, Rge 03W, B.M. CANYON 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	03W	3					11.0 L3												11.0

Total Acres: 11.0

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	03W	3					X L3												

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	03W	3					X L3												

Conditions of Approval

1. Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
2. 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.

SCANNED
MAY 03 2023

State of Idaho
Department of Water Resources

Water Right License

Water Right No. 63-33752

3. 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.
4. 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 April, 2023.

SCOTT STORMS
Water Rights Supervisor

SCANNED
MAY 03 2023

State of Idaho
Department of Water Resources

Attachment to Water Right

63-33752

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

N

SCANNED
MAY 03 2023

State of Idaho
Department of Water Resources

Attachment to Water Right

63-33752

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.



0 0.035 0.07 0.14 Miles

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

N

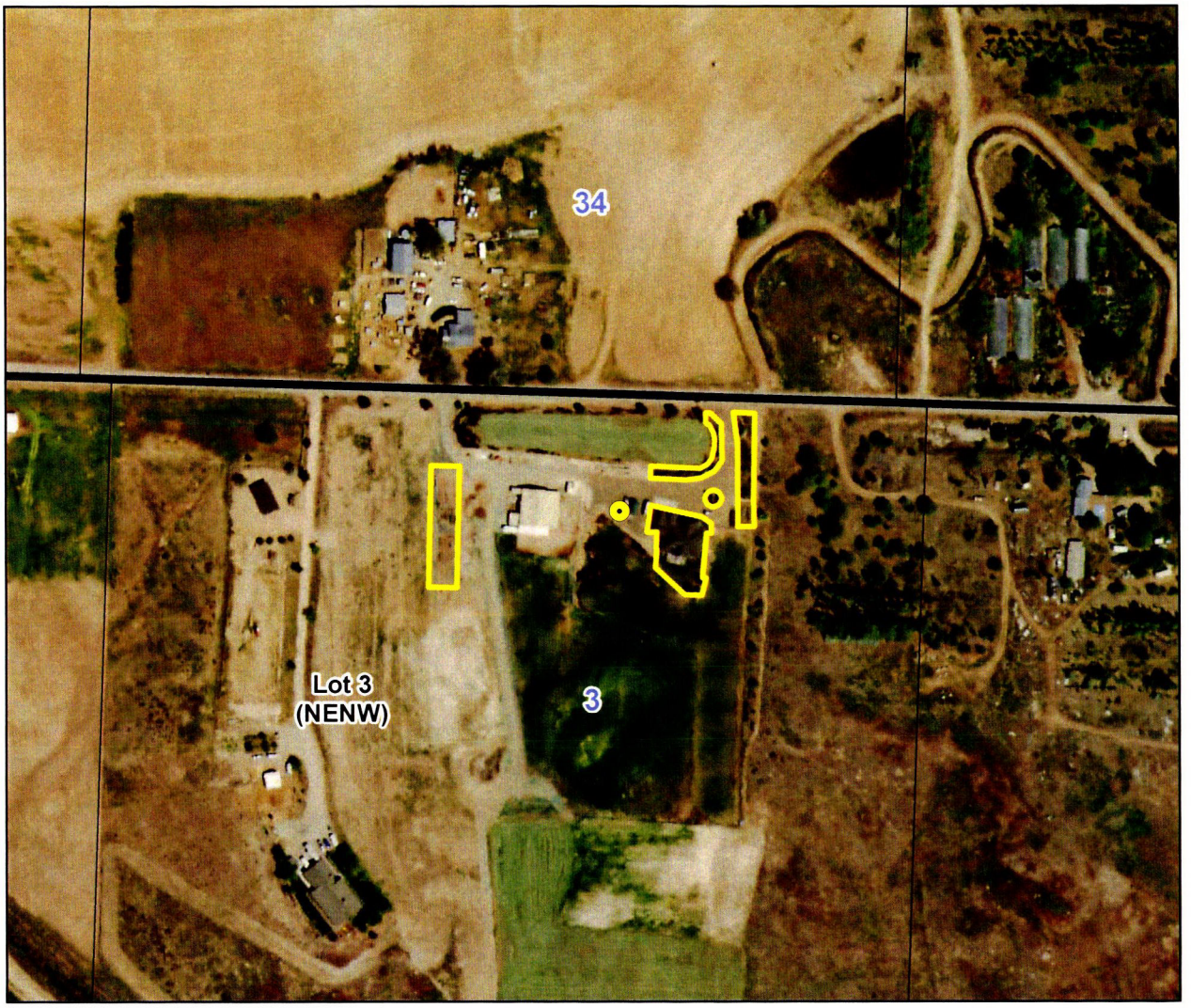
SCANNED
MAY 03 2023

State of Idaho
Department of Water Resources

Attachment to Water Right

63-33752

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



0 0.035 0.07 0.14 Miles

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

N

SCANNED
MAY 03 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 63-33752
Exam Date: 09/10/2021

1. Current Owner:
MARK NIEMEYER 14625 OASIS RD CALDWELL ID 83607-7507 AND/OR
CHERYL NIEMEYER 14625 OASIS RD CALDWELL ID 83607-7507

2. Accompanied by: Mark Neimeyer
Phone No: (208) 919-3899
Address: 14625 Oasis Rd., Caldwell, ID
Relationship to permit Holder: same

3. **SOURCE:**
GROUND WATER

Method of Determination: Permit application, IDWR records, and field examination

B. OVERLAP REVIEW

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

Water Right No.	Source	Purpose of Use	Basis
65-2900	TUNNEL NO 2 DRAIN	IRRIGATION	Decreed
63-2878	WILSON DRAIN	IRRIGATION	Decreed
63-2878	ELIJAH DRAIN	IRRIGATION	Decreed
63-2322	ELIJAH SLOUGH	IRRIGATION	Decreed
63-2322	WILSON SLOUGH	IRRIGATION	Decreed
65-2433	PAYETTE RIVER	IRRIGATION	Decreed

Comments: Property does not receive any water from the irrigation company.

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

Water Right No.	Source	Purpose of Use	Basis

Comments: _____

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**
GROUND WATER L3 (NE¼ NW¼), Sec. 3, Twp 05N, Rge 03W, B.M. CANYON County

Method of Determination: Permit, field examination, and ArcMap tools with aerial imagery.

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	03W	3					X L3												

SCANNED
MAY 03 2023

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	03W	3					11.0 L3												11.0

Total Acres: 11.0

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	03W	3					X L3												

Method of Determination: Permit, field examination, and ArcMap tools with aerial imagery.

3.

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

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

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
D0066245		15			
D0066245		5			

*The applicant was unable to obtain the actual pump set depth or pump curves from the pump installer but did provide the pump horsepower.

D. FLOW MEASUREMENTS

1.

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

2. Measurements:

E. FLOW CALCULATIONS

X Additional Computation Sheets Attached

Measured Method:

Measurement = direct measurement not taken; active sprinkler heads were counted.

SCANNED

MAY 03 2023

Nozzle Discharge Calculations:

Pop-up rotor system: Light Blue Rainbird Falcon® 6504 sprinklers with #6 light blue Rain Curtain™ Low Flow Nozzles

Manufacture reported nozzle flow rate: Light Blue #6 Nozzle = 5.50 gpm at 50 psi
Sprinkler heads counted: 18 heads were running during field exam
18 heads x 5.50 gpm = 99.0 gpm total or 0.22 cfs
See Attached Additional Computation Sheets

Wheeline System
Nozzle size: 11/64 or 0.172 in standard straight bore nozzle
Estimated operating pressure: 50 psi
Nozzle Discharge from Field Examiners Handbook for 11/64 nozzle = 6.19 gpm
of sprinkler heads: 13 heads
Q = 6.19 gpm x 13 heads = 80.5 gpm or 0.18 cfs
See Attached Additional Computation Sheets

Theoretical Calculation for 15 Hp Irrigation Pump

Comparison at 70% and 75% pump efficiencies

Estimating 70% efficiency Q = (8.8) x (15 Hp) x 70% / [(330 ft) + (50 psi X 2.31)] = 0.21 cfs or 93.1 gpm

Estimating 75% efficiency Q = (8.8) x (15 Hp) x 75% / [(330 ft) + (50 psi X 2.31)] = 0.22 cfs or 99.7 gpm

Theoretical Calculation for 5 Hp House Pump

Comparison at 70% and 75% pump efficiencies

Estimating 70% efficiency Q = (8.8) x (5 Hp) x 70% / [(336 ft) + (50 psi X 2.31)] = 0.068 cfs or 30.6 gpm

Estimating 75% efficiency Q = (8.8) x (5 Hp) x 75% / [(336 ft) + (50 psi X 2.31)] = 0.073 cfs or 32.8 gpm
See Attached Additional Computation Sheets

	Permit Rate (cfs)	Fee Rate (cfs)	Beneficial Use Standard (cfs)	Theoretical Rate (cfs)	Recommended Value
IRRIGATION	0.34	0.34	0.22	0.22	0.22 BU
STOCKWATER	0.02	0.02	0.02	0.03	0.02 BU
DOMESTIC	0.02	0.02	0.04	0.04	0.02 Fee
	0.38	0.38	0.28	0.29	0.26

Recommended rates: Irrigation Standard Rate - 0.22 cfs = 0.02 cfs/acre x 11.0 acres
Stockwater Standard Rate – 0.02 cfs based on 0 – 10 head AP Memo #3
Domestic Permit Rate – 0.02 cfs based on Permit & Fee Rate
Total Recommended Rate – 0.26 cfs

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 11 acres x 4.5 ac-ft = 49.5 ac-ft

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation season) x 1.9835 = (0.22 cfs) x (246 days) x 1.9835 = 107.3 ac-ft

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 49.5 ac-ft

2. Volume Calculations for Other Uses:

Domestic use is 0.6 af per household without irrigation per application processing Memo 22.

Stock water Volume: As per IDWR Application Processing Memo 3: Annual Use of Water for Stockwater Purposes
Both range cattle and horses are based on 12 gpd/head over a 12-month period of use. Two steers were observed.
The annual volume for 0 to 10 head of Stock is 0.20 ac-ft per year.

SCANNED
MAY 03 2023

G. NARRATIVE/REMARKS/COMMENTS

Mark Niemeyer is the owner of permit 63-33752 for irrigation, stock water, and domestic use in Canyon County. This permit was approved on 5/13/2013 with a proof due date of 5/1/2018. A request for extension was approved on 2/13/2018 extending the proof due date to 5/01/2023. The proof of beneficial use was submitted on 6/24/2021 with an examination fee of $100. A field exam was conducted on 9/10/2021. Mark Niemeyer accompanied the water resource agent on the field exam. At that time, the Niemeyer's still owned the property, but were preparing to sell. According to current IDWR parcel records, the Glenn and Mary Alice Tadema Family Trust are the new owners of the property. An ownership change is needed.

The original application and permit proposed 15 acres of irrigation on an 18-acre parcel. Since then, a four-acre parcel was sold off to the neighbors immediately to the west. This parcel was part of the original application proposal but was never developed.

The source of water for this water permit is from an 8-inch well, tag# D0066245, located between the barn and the house. Mr. Niemeyer was unable to obtain the actual pump set depth or pump curves from the pump installer but did provide the pump horsepower. According to him, a 15 horsepower submersible pump supplies water to the irrigation system and a 5 hp pump supplies water to the house. A Cerus Titan Series control panel mounted in the barn controls the irrigation system. The panel operates 18 sprinkler heads in field 1 (1.5 acres), which were in operation during the exam and another 9 sprinkler heads in field 2 (0.8 acres). Field 3 (1.5 acres) is irrigated with a single mobile gun type sprinkler. Field 4 (3.4 acres) is irrigated by a wheeline with 13 sprinkler heads. According to aerial photos from 2018, field 5 (3.0 acres) was formerly equipped with a wheelline, but this was not present at the time of the field exam. Field 5 is currently plowed up and fallow. There are two valves located at the north end of field 5 which indicate that water delivery is possible when an irrigation application system is in place. There is a large garden area (200 ft x 45 ft) situated west of the barn along the edge of field 5 which is irrigated by driplines and supplied by the domestic pump. Landscaping along the driveway, the driveway island and yard area are irrigated by popups and driplines and supplied by the domestic pump. A sixth field (0.8 acres) between Oasis Road and the house is irrigated by handlines. In total, fields 1, 2, and 3 comprise 7.2 acres. The front pasture is 0.8 acres and field 5 is 3.0 acres for a total acreage of 11.0 acres.

The Climate Engine application was accessed (https://app.climateengine.com/) to retrieve remote sensing data to determine evidence of irrigation (see attached climate data). The variables set in the data query were Type: Remote Sensing, Dataset: Sentinel 2 TOA, Variable: NDVI, Processing Statistic: Maximum, and Time Period: Entire Period of Record between 2015-06-23 to 2023-03-25. Fields 1, 2, and 3 were analyzed together with Normalized Difference Vegetation Index (NDVI) values consistently above 0.6 during the irrigation season (May through September) from 2016 through 2021. Field 4 was analyzed individually with NDVI values consistently above 0.6 during the irrigation season (May through September) beginning in 2019 through 2021. Field 6, the front pasture, was analyzed individually with NDVI values consistently above 0.6 during the irrigation season (May through September) beginning in 2016 through 2021. In conclusion, the 8 acres comprised of fields 1, 2, 3, 4, & 6 have all been irrigated within the last 5 years. As for field 5, Google earth imagery dated 6/30/2018 and 7/20/2018 show wheeline constructed on the field, NDVI average values for the months of May to June in 2019 and 2020 go up to 0.459 and 0.504 respectively. This is little evidence for the irrigation of field 5 when compared to the other fields. Based on the evidence of a delivery system with valves and the clear intention to develop the field, I am including the 3.0 acres from field 5 in the total acres, therefore I am recommending an irrigation place of use of 11.0 acres.

The application proposed the irrigation of 15 acres at a rate of 0.02 cfs/acre or 0.30 cfs. During the field exam 18 Rainbird Falcon 6504 Series Rotor Pop-up sprinklers with light blue #6 nozzles (5.5 gpm discharge) were observed irrigating field 1.

SCANNED
MAY 03 2023

In lieu of direct measurements and pump specifications, the well log and standard wheeline sprinkler specifications from North Dakota State University (Scherer 2022) for wheellines and manufacturer specifications from Rainbird for the rotor type sprinklers were used for discharge calculations. The lines of evidence used to arrive at the irrigation systems capacity included: first, an estimation of each systems standard operating pressures from university and manufactures data, second, standard nozzle sizes for wheelines and the observed nozzle rate for the rotors were chosen to make nozzle discharge calculations. Also, using the well drillers report a pump set depth could be estimated to calculate a theoretical pump rate. By combining lines of evidence from these three sources the following calculations were made.

In estimating the wheeline discharge rate, five standard pressures, from 40 to 60 psi were used with three standard nozzle diameters, 9/64, 5/32, and 11/64, to discern if the system could reasonably produce the standard rate given any combination of nozzle size and pressure (see attached Nozzle Discharge Calculations for the wheeline). Given that wheeline systems generally have an operating pressure of 50 psi at the inlet (medium operating pressure) (Scherer 2022). The nozzle discharge at 50 psi operating pressure for a nozzle size of 11/64 inches the nozzle discharge is 6.19 gpm according to the IDWR Field Examiners Handbook. Multiplying 13 sprinkler heads by 6.19 gpm gives a total discharge rate of 80.5 gpm or 0.18 cfs.

In calculating the pop-up rotor system, the calculations are based on the RainBird Falcon® 6504 Nozzle Performance charts found at RainBird.com. According to the manufacturer's specifications these sprinklers are designed to operate at no less than 30 psi and no more than 90 psi. This sprinkler is rated for a spray distance of 39 ft -65 feet at a 25-degree angle. The distance between heads was measured on Google Earth imagery and was found to average about 60 feet between sprinkler heads. The Falcon 6504 Series with #6 light blue nozzles have a spray distance of 47 feet when operating pressure is at 50 psi. The nozzle discharges 5.50 gpm. The nozzle discharge calculations show that the pop-up rotors with #6 light blue nozzles are capable of discharging 0.22 cfs when operating 18 sprinklers at 50 psi of pressure. (see attached Nozzle Discharge Calculations for the rotors).

The Theoretical Horsepower Method was used to estimate a flow rate for each of the pumps. The permit holder was unable to obtain the actual pump set depth or pump curves from the pump installer but did provide the pump horsepower. The calculations are based on information contained in the well log and from the property owner. Common operating pressures for small irrigation systems were used for interpolation. It was assumed the irrigation pump was set at least at the drawdown level of 330 feet and at most 10 feet from the well bottom. Operating pressures were gleaned from standard operating pressures of comparable sprinkler systems. The well is 346 feet deep with 335 feet of steel casing and 10 feet of stainless-steel screen from 336 to 346 feet. The static water level is 126' 6". The initial pump test pumped 350 gpm in a 2-hour test that drew the water level down to 330 feet. Therefore, it can be assumed that the irrigation pump is pumping from at least 330 feet. A comparison was made between theoretical efficiency rates of 70% and 75%. Pumping from 330 feet at 50 psi of pressure and 70% efficiency a 15 hp irrigation pump can discharge 0.21 cfs (93.1 gpm). Pumping from 330 feet at 50 psi of pressure and 75% efficiency a 15 hp irrigation pump can discharge 0.22 cfs (99.7 gpm).

The theoretical pump calculations and the nozzle discharge calculations for the rotor nozzle indicate that the system has the capacity to produce 0.22 cfs. Therefore, I am recommending the standard rate of 0.02 cfs per acre for the 11 acres for a total rate of 0.22 cfs (97 gpm).

For the domestic well it was assumed to be pumping from the level of the stainless-steel screen of 336 feet. The pressure was arrived at based on the normal water pressure in a residential home of 40-70 psi. A pressure of 40 psi and lower is insufficient to meet household needs and pressures of more than 80 psi will lead to premature failure of appliances, faucet leaks and noisy pipes. In general, households with private residential wells use a pressure tank with a pressure switch to control the water pressure. A typical pressure switch is rated as 40/60, which means the pump is turned on at 40 psi and off at 60 psi. Operating pressures were based on standard operating pressures of residential systems assuming a 40/60 pressure switch which regulates pressures to about 50 psi. A comparison was made between theoretical efficiency rates of 70% and 75%. Pumping from 336 feet at 50 psi of pressure and 70% efficiency a 5 hp domestic pump can

SCANNED
MAY 03 2023

discharge 0.068 cfs (30.6 gpm). Pumping from 336 feet at 50 psi of pressure and 75% efficiency a 5 hp domestic pump can discharge 0.073 cfs (32.8 gpm). The domestic and stockwater pump could potentially produce more than the permit rate. As per AP Memo #3 the standard stock water rate for 0 to 10 head of livestock is 0.02 cfs. For domest use, AP Memo #22 allows a standard domestic rate for a single home of 0.04 cfs. The 5 hp pump is adequate to supply simultaneous flow for the stock water and household needs, therefore I am recommending the permit rate of 0.02 cfs for domestic uses and 0.02 cfs for the stock water use.

Condition 26A was removed as per department licensing standards. Condition 121 was updated to 103 as per department licensing standards. Condition 004 was removed since access across the land of another is not a concern. Condition 046A was removed as per department licensing standards. Conditions X02 was removed as per department licensing standards.

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

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
IRRIGATION	03/15 to 11/15	0.22 CFS	49.5 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.2 AF
	Totals:	0.26 CFS	50.3 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

Allen Bradbury - Water Resource Agent, Senior

Field Examiner's Name Allen Bradbury Date 4/21/23

Reviewer _____ Date 4/28/23

SCANNED
MAY 03 2023

63-33752 Beneficial Use Field Exam

Permit: Groundwater 0.30 cfs Irrigation on 15.0 acres, 0.02 cfs Stockwater, 0.02 Domestic

Recommendation: Groundwater 0.22 cfs Irrigation on 11.0 acres, 0.02 cfs Stockwater, 0.02 Domestic



0 0.05 0.1 Miles

Point of Diversion

System

Irrigation

Domestic

Tax Lot

SCANNED
MAY 03 2023

Theoretical Horsepower Method to Determine Flow Rate

Water Right No.: 63-33752
Examiner: AB
Date of Field Exam: 9/10/2021

Well Drill Date: 3/31/2014
Well Drillers Report: **Well Depth:** 346 ft **Pump Set:** 330 ft **Test Yield:** 350 gpm **Drawdown:** 330 ft

Diversion Name or Number:	Irrigation	Irrigation	Irrigation	Irrigation	Irrigation
Discharge Pressure Estimate:	55	50	50	45	40
Pump Horsepower (hp)	15	15	15	15	15
Pumping Level (ft)	330	330	330	330	330
Discharge Pressure (psi)	55	50	50	45	40
Assumed Efficiency (%)	70.0%	70.0%	75.0%	70.0%	70.0%
Rate of Flow (cfs)	**0.20**	**0.21**	**0.22**	**0.21**	**0.22**
Rate of Flow (gpm)	**90.74**	**93.09**	**99.74**	**95.57**	**98.18**

Q = (8.8) X (HP) X E
TDH = [(LIFT) + (PSI X 2.31)]

TDH = Total dynamic head = [(LIFT) + (PSI X 2.31)]
PSI (if open discharge assume [0])

Examiners Notes:

The applicant was unable to obtain the actual pump set depth or pump curves from the pump installer but did provide the pump horsepower. The above calculations are based on information contained in the well log and from the property owner. Common operating pressures for small irrigation systems were used for interpolation. It was assumed the irrigation pump was set at least at the drawdown level of 330 feet and at most 10 feet from the well bottom. Operating pressures were gleened from standard operating pressures of sprinkler systems. A comparison was made between theoretical efficiciency rates.

Theoretical Horsepower Method to Determine Flow Rate

Water Right No.: 63-33752
Examiner: AB
Date of Field Exam: 9/10/2021

Well Drill Date: 3/31/2014
Well Drillers Report: **Well Depth:** 346 ft **Pump Set:** 330 ft **Test Yield:** 350 gpm **Drawdown:** 330 ft

Diversion Name or Number:	Dom & Stock	Dom & Stock	Dom & Stock	Dom & Stock	Dom & Stock
Discharge Pressure Estimate:	70	60	50	50	40
Pump Horsepower (hp)	5	5	5	5	5
Pumping Level (ft)	336	336	336	336	336
Discharge Pressure (psi)	70	60	50	50	40
Assumed Efficiency (%)	70.0%	70.0%	70.0%	75.0%	70.0%
Rate of Flow (cfs)	**0.06**	**0.06**	**0.068**	**0.073**	**0.07**
Rate of Flow (gpm)	**27.78**	**29.13**	**30.62**	**32.80**	**32.27**

Q = (8.8) X (HP) X E
TDH = [(LIFT) + (PSI X 2.31)]

TDH = Total dynamic head = [(LIFT) + (PSI X 2.31)]
PSI (if open discharge assume [0])

Examiners Notes:

The applicant was unable to obtain the actual pump set depth or pump curves from the pump installer but did provide the pump horsepower. The above calculations are based on information contained in the well log and from the property owner. Common operating pressures for domestic and stockwater systems were used for interpolation. It was assumed the domestic pump was set at least 6 feet above the irrigation pump. Operating pressures were based on standard operating pressures of residential systems assuming a 40/60 pressure ~~gage~~ switch*. A comparison was made between theoretical efficiciency rates.

* The normal water pressure in a residential home is **40-70 psi** (pound per square inch). While a pressure of 40 psi and lower is insufficient to meet household needs, pressure of more than 80 psi will lead to premature failure of appliances, faucet leaks as well as noisy pipes. Typically, households have an inlet water pressure of **40-45 psi**. A household's water pressure is usually regulated to about **50 PSI**. https://www.plumbingsupply.com/residential-water-pressure-explained.html

SCANNED
MAY 03 2023

Nozzle Discharge Calculations:

Water Right No.: 63-33752
Examiner: AB
Date of Field Exam: 9/10/2021

Sprinkler Type: Rainbird Falcon 6504 Series Full or Part-Circle Rotor Pop-Up
39 to 65 feet spray distance Flow rates from 2.9 to 21.7 GPM
operating pressures from 30 to 90 psi

Nozzle Type: #6 light blue Rain Curtain™ Low Flow Nozzles
Est. Operating Pressure: 50 psi
Input # sprinkler heads: 18

Falcon® 6504 Nozzle Performance

Pressure (psi)	30	40	50	60
	lt blue	lt blue	lt blue	lt blue
Nozzle #	6	6	6	6
Spray Radius	43	45	47	47
Nozzle Discharge (gpm)	4.20	4.90	5.50	6.00
Total Discharge (gpm)	75.6	88.2	99.0	108.0
Total Discharge (cfs)	0.17	0.20	0.22	0.24

Examiners Notes:

The above calculations are based on information obtained from RainBird.com concerning Rainbird Falcon 6504 Series Full or Part-Circle Rotor Pop-Up sprinklers. This sprinkler is rated for a spray distance of 39 ft -65 ft for a 25 degree angle. The distance between heads was measure on Google Earth imagery and was found to average about 60 feet between sprinkler heads. The above calculations are base on nozzle tables for the RainBird Falcon® 6504 Nozzle Performance. The nozzle discharge calculations show that the pop-up rotors with #6 light blue nozzles are capable of discharging 0.22 cfs when operating 18 sprinklers at 50 psi of pressure. According the manufactures specifications these sprinklers are designed to operate at no less than 30 psi and no more than 90 psi. Nozzle sizes 4, 6, and 8 are considered low flow systems.

SCANNED
MAY 03 2023

Nozzle Discharge Calculations:

Water Right No.: 63-33752
Examiner: AB
Date of Field Exam: 9/10/2021

Sprinkler Type: Wheeline
Est. Operating Pressure 50 psi at inlet (medium operating pressure)*
Input # sprinkler heads: 13

P (psi) =	60			55			50			45			40		
Nozzle Size (fraction)	**9/64**	**5/32**	**11/64**	9/64	5/32	11/64	9/64	5/32	11/64	9/64	5/32	11/64	9/64	5/32	11/64
Nozzle Size (in)	0.141	0.156	0.172	0.141	0.156	0.172	0.141	0.156	0.172	0.141	0.156	0.172	0.141	0.156	0.172
Nozzle Discharge (gpm)	4.50	5.65	6.80	4.37	5.39	6.48	4.18	5.15	6.19	3.99	4.91	5.91	3.74	4.61	5.54
Total Discharge (gpm)	**58.5**	**73.5**	**88.4**	**56.8**	**70.1**	**84.2**	**54.3**	**67.0**	**80.5**	**51.9**	**63.8**	**76.8**	**48.6**	**59.9**	**72.0**
Total Discharge (cfs)	0.13	0.16	0.20	0.13	0.16	0.19	0.12	0.15	0.18	0.12	0.14	0.17	0.11	0.13	0.16

Formula: $Q_n = 29.82 \times D^2 \times \sqrt{P} = \underline{gpm}$

where: Q_n = flow rate (gpm), D^2 = nozzle diameter (in), & $\sqrt{P}$ = pressure at nozzle (psi)

Nozzle Diameters (in):

Fraction of Inch	**3/32**	**1/8**	**9/64**	**5/32**	**11/64**	**3/16**	**13/64**	**7/32**
Thousands of inch	0.094	0.125	0.141	0.156	0.172	0.188	0.200	0.219

Examiners Notes:

The above calculations are based on information obtained from North Dakota State University concerning wheel lines with impact type sprinkler heads. Wheeline systems generally have an operating pressure of 50 psi at the inlet (medium operating pressure). The nozzle discharge calculations show that the wheelline is likely capable of discharging approximately 0.18 cfs when operating at 50 psi pressure and running 13 sprinkler heads with a nozzle size of 11/64 inches.

* Scherer, T. 2022. Selecting a Sprinkler Irrigation System. North Dakota State University (NDSU) Extension.AE91.

SCANNED
MAY 03 2023

Falcon 6504 Nozzle Performance

Pressure bar	Nozzle	Radius ft.	Flow gpm	■ Precip in/h	▲ Precip in/h
30	4	39	2.9	0.37	0.42
	6	43	4.2	0.44	0.50
40	4	41	3.3	0.38	0.44
	6	45	4.9	0.47	0.54
	8	49	6.6	0.53	0.61
	10	51	8.1	0.60	0.69
	12	53	9.7	0.66	0.77
	14	55	11.3	0.72	0.83
	16	55	12.6	0.80	0.93
	18	59	13.7	0.76	0.87
50	4	41	3.7	0.42	0.49
	6	49	5.5	0.44	0.51
	8	51	7.4	0.55	0.63
	10	53	9.1	0.62	0.72
	12	55	11.0	0.70	0.81
	14	59	12.7	0.70	0.81
	16	61	14.3	0.74	0.85
	18	59	15.4	0.85	0.98
60	4	41	4.0	0.46	0.53
	6	47	6.0	0.52	0.60
	8	51	8.2	0.61	0.70
	10	55	10.0	0.64	0.73
	12	57	12.2	0.72	0.83
	14	61	14.0	0.72	0.84
	16	63	15.7	0.76	0.88
	18	63	17.1	0.83	0.96
70	4	41	4.4	0.50	0.58
	6	49	6.3	0.51	0.58
	8	51	8.9	0.66	0.76
	10	57	10.8	0.64	0.74
	12	59	13.2	0.73	0.84
	14	61	15.2	0.79	0.91
	16	63	16.9	0.82	0.95
	18	65	18.3	0.83	0.96
80	4	43	4.6	0.48	0.55
	6	49	6.9	0.55	0.64
	8	53	9.4	0.64	0.74
	10	55	11.6	0.74	0.85
	12	61	14.0	0.72	0.84
	14	61	16.2	0.84	0.97
	16	63	18.1	0.88	1.01
	18	65	19.6	0.89	1.03
90	18	65	21.7	0.99	1.14

Precipitation rates based on half-circle operation

■ *Square spacing based on 50% diameter of throw*

▲ *Triangular spacing based on 50% diameter of throw*

Performance data collected in zero wind conditions

Performance data derived from tests that conform with ASAE Standards; ASAE S398.1.

Falcon 6504 Nozzle Performance METRIC

Pressure bar	Nozzle	Radius m	Flow m³/h	Flow l/m	■ Precip mm/h	▲ Precip mm/h
2.1	4	11.9	0.66	10.98	9	11
	6	13.1	0.95	15.90	11	13
2.5	4	12.3	0.72	11.92	10	11
	6	13.5	1.05	17.56	12	13
	8	14.9	1.50	25.20	13	16
	10	15.5	1.84	30.60	15	18
	12	16.2	2.20	36.60	17	19
	14	16.8	2.57	42.60	18	21
	16	16.8	2.86	47.40	20	24
	18	18.0	3.11	51.60	19	22
3.0	4	12.5	0.78	13.02	10	12
	6	14.1	1.16	19.34	12	13
	8	15.1	1.56	26.04	14	16
	10	15.8	1.92	31.99	15	18
	12	16.4	2.31	38.44	17	20
	14	17.2	2.68	44.63	18	21
	16	17.4	3.00	49.95	20	23
	18	18.0	3.25	54.11	20	23
3.5	4	12.5	0.85	14.09	11	13
	6	14.9	1.26	20.96	11	13
	8	15.5	1.69	28.24	14	16
	10	16.2	2.08	34.70	16	18
	12	16.8	2.52	41.98	18	21
	14	18.0	2.91	48.45	18	21
	16	18.6	3.27	54.53	19	22
	18	18.1	3.53	58.78	22	25
4.0	4	12.5	0.89	14.91	11	13
	6	14.4	1.34	22.33	13	15
	8	15.5	1.83	30.44	15	17
	10	16.6	2.23	37.17	16	19
	12	17.3	2.72	45.28	18	21
	14	18.5	3.12	52.01	18	21
	16	19.1	3.50	58.37	19	22
	18	19.0	3.81	63.45	21	24
4.5	4	12.5	0.96	15.94	12	14
	6	14.6	1.40	16.72	13	15
	8	15.5	1.95	32.43	16	19
	10	17.1	2.37	39.44	16	19
	12	17.7	2.89	48.17	18	21
	14	18.6	3.32	55.38	19	22
	16	19.2	3.71	61.82	20	23
	18	19.5	4.03	67.12	21	24
5.0	4	12.7	1.01	16.84	13	15
	6	14.9	1.47	15.08	13	15
	8	15.7	2.05	34.16	17	19
	10	17.2	2.50	41.64	17	19
	12	18.1	3.04	50.72	19	21
	14	18.6	3.51	58.49	20	23
	16	19.2	3.91	65.11	21	24
	18	19.8	4.23	70.51	22	25
5.5	4	13.1	1.04	17.39	12	14
	6	14.9	1.56	25.79	14	16
	8	16.1	2.13	35.54	16	19
	10	16.8	2.63	43.84	19	22
	12	18.6	3.18	52.92	18	21
	14	18.6	3.67	61.23	21	25
	16	19.2	4.10	68.40	22	26
	18	19.8	4.44	74.07	23	26
6.0	18	19.8	4.79	79.77	24	28
6.2	18	19.8	4.93	82.13	25	29

SCANNED
MAY 03 2023

63-33752 Average NDVI Values May & June compared to July through September

63-33752 Fields 1, 2, & 3 Average NDVI Values May & June compared to July through September

	2016	2017	2018	2019	2020	2021	2022	Average
May-June	0.5268	0.6332	0.6146	0.7092	0.7336	0.6939	0.3518	0.6519
July-Sept	0.6525	0.6499	0.5964	0.5545	0.6013	0.5910	0.3685	0.6076

63-33752 Fields 4 Average NDVI Values May & June compared to July through September

	2016	2017	2018	2019	2020	2021	2022	Average
May-June	0.3532	0.4557	0.2387	0.6345	0.6432	0.6907	0.2827	0.6561
July-Sept	0.1818	0.2551	0.2690	0.6126	0.6104	0.5668	0.1629	0.5966

63-33752 Fields 5 Average NDVI Values May & June compared to July through September

	2016	2017	2018	2019	2020	2021	2022	Average
May-June	0.4143	0.2236	0.2491	0.4593	0.5045	0.2932	0.2419	0.4819
July-Sept	0.2900	0.2583	0.2005	0.3372	0.3626	0.2510	0.1408	0.3499

63-33752 Fields 6 Front Pasture Average NDVI Values May & June compared to July through September

	2016	2017	2018	2019	2020	2021	2022	Average
May-June	0.5736	0.6099	0.5646	0.6724	0.5947	0.5724	0.2616	0.5979
July-Sept	0.6516	0.5710	0.6201	0.4851	0.5921	0.5520	0.2675	0.5786

SCANNED
MAY 03 2023

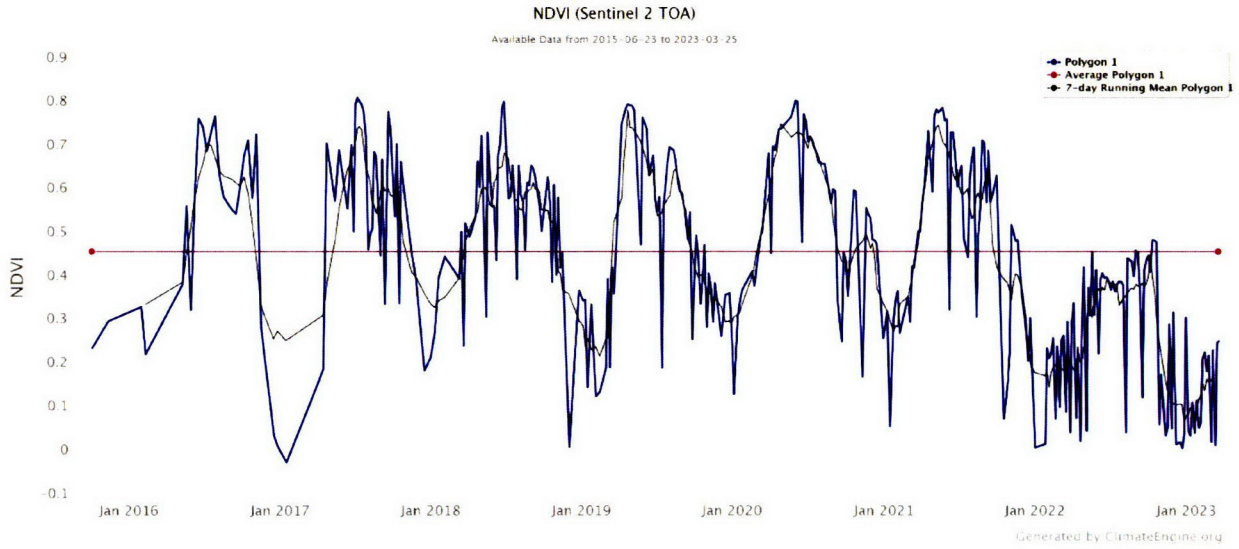


Figure 1. Climate Engine (63-33752 Fields 1 2 3) – Values above 0.6 during summer months from 2016 to 2021

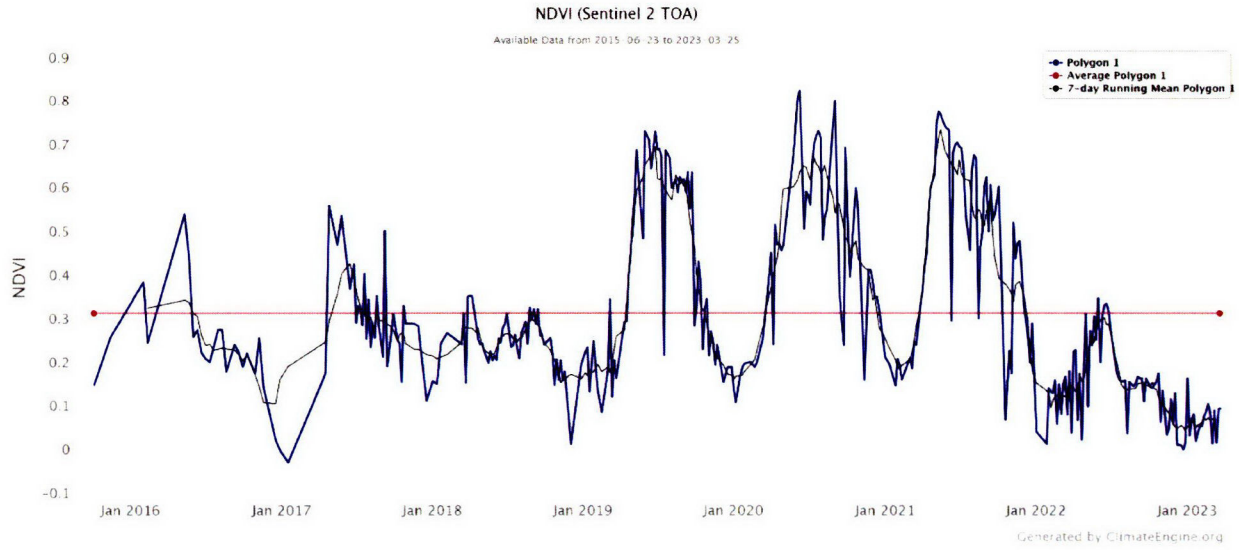


Figure 2. Climate Engine (63-33752 Field 4) – Values above 0.6 during summer months 2019 to 2021.

SCANNED
MAY 03 2023

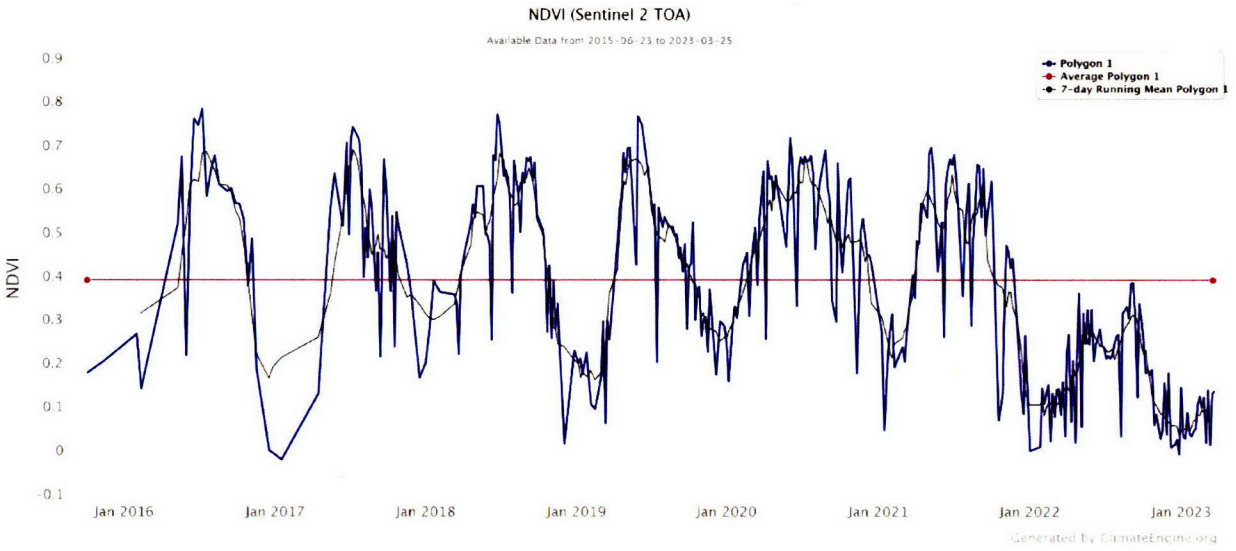


Figure 3. Climate Engine (63-33752 Front Pasture) – Values above 0.6 during summer months from 2016 to 2021.

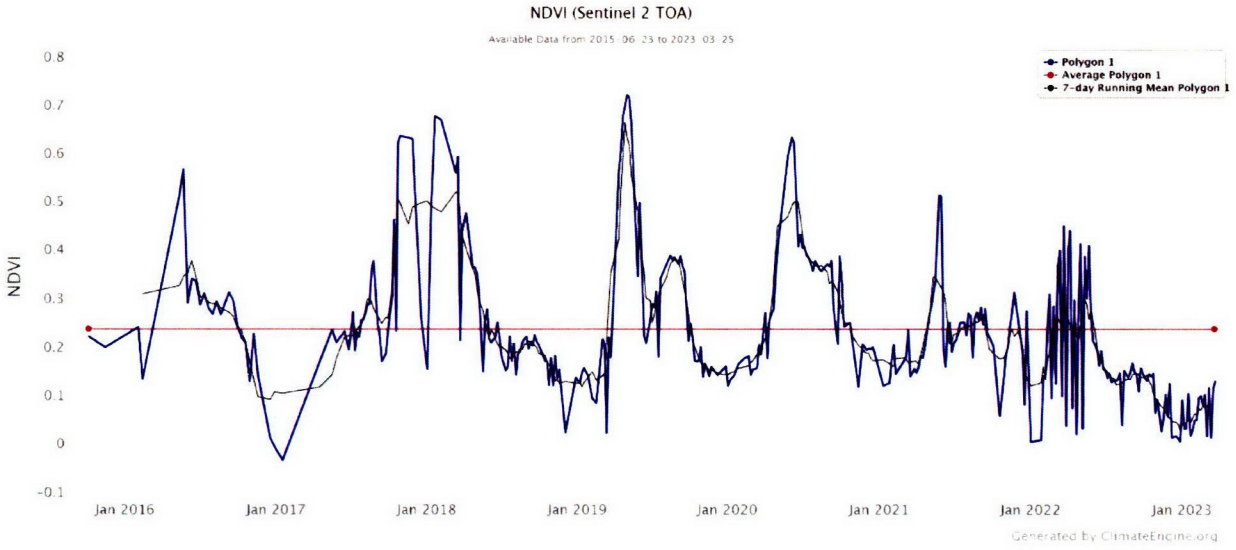


Figure 4.Climate Engine (63-33752 Field 5) – Values above 0.6 during May and June but not July, August, September, or October.

SCANNED
MAY 03 2023

63

Form 238-7
6/07

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

1. WELL TAG NO. D 0066245
Drilling Permit No. 965348-871407
Water right or injection well # 63-33752
2. OWNER: Mark & Cheryl Niemeyer
Name
Address 25173 Elk Way
City Caldwell State Id. Zip 83607
3.WELL LOCATION:
Twp. 5 North ☑ or South ☐ Rge. 3 East ☐ or West ☑
Sec. 3 ____ 10 acres 1/4 NE 40 acres 1/4 NW 160 acres 1/4
Gov't Lot ____ County Canyon
Lat. 43° 48:398 (Deg and Decimal minutes)
Long. 116° 41:066 (Deg. and Decimal minutes)
Address of Well Site 14625 OASIS Rd.
City Caldwell
(Give at least name of road + Distance to Road or Landmark)
Lot. ____ Blk. ____ Sub. Name ____
4. USE:
☑ Domestic ☐ Municipal ☐ Monitor ☑ Irrigation ☐ Thermal ☐ Injection
☐ Other Combination Domestic & AG well
5. TYPE OF WORK:
☑ New well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other ____
6. DRILL METHOD:
☑ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other ____
7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method/procedure
3/8 Bent	0	44	36 Bags	Dry Pour
	0	44		

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/ Schedule	Material	Casing	Liner	Threaded	Welded
8	+2	335	250	Steel	☐	☐	☐	☑
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Was drive shoe used? ☑ Y ☐ N Shoe Depth(s) 335'
9. PERFORATIONS/SCREENS:
Perforations ☐ Y ☐ N Method ____
Manufactured screen ☑ Y ☐ N Type Johnson
Method of installation Wash DN. Valve

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
336	346	18	6" Tele		S.S.	

Length of Headpipe 7'-1" Length of Tailpipe 0
Packer ☑ Y ☐ N Type 2-5X8 Staggered
10.FILTER PACK:

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

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

12. STATIC WATER LEVEL and WELL TESTS:
Depth first water encountered (ft) 191 Static water level (ft) 126'-6"
Water temp. (°F) 69 Bottom hole temp. (°F) ____
Describe access port Sani Seal Well Cap
Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)
330	350	2 hrs.
	320	1 hr.

Test method: Pump ☐ Bailer ☐ Air ☑ Flowing artesian ☐
Water quality test or comments: ____
13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water Y	Water N
14	0	3	Top Soil		✓
	3	5	Clay		✓
	5	7	Clay & Sand		✓
8	7	79	Clay		✓
	79	117	Clay & Sand		✓
	117	146	Clay 2-4 hr		✓
	146	150	Sand 7'-1"		✓
	150	171	Clay		✓
	171	184	Clay & Sand		✓
	184	191	Clay		✓
	191	194	Sand 4'-9"	✓	
	194	198	Clay		✓
	198	227	Sandy clay		✓
	227	231	Fine Sand	✓	
	231	254	Sandy clay	✓	
	254	259	Brn Clay		✓
	259	279	Sandy Clay 10'	✓	
	279	283	Brn Clay		✓
	283	293	Sandy Clay		✓
	293	295	Brn clay		✓
	295	301	med. white Sand	✓	
	301	304	Brn Clay		✓
	304	317	Sandy Clay	✓	
	317	321	Blue clay Fractured w/ Sand	✓	
	321	325	Sandy clay (Brn.)	✓	
	325	332	Brn Clay & Sand	✓	
	332	335	Blue clay		✓
	335	346	Blue/gray Sand	✓	

Completed Depth (Measurable): 346 ft.
Date Started: 3/25/14 Date Completed: 3/31/14
14. DRILLER'S CERTIFICATION:
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.
Company Name Precision Well Drilling Co. No. 522
*Principal Driller Jeff Ransom Date 4/27/14
*Driller ____ Date ____
*Operator II ____ Date ____
Operator I ____ Date ____
* Signature of Principal Driller and rig operator are required.

RECEIVED
APR 28 2014
WATER RESOURCES
WESTERN REGION

SCANNED
MAY 03 2023



Figure 1. Well with tag #D0066245.



Figure 2. Well location with spigot and a variety of valves.

SCANNED
MAY 03 2023

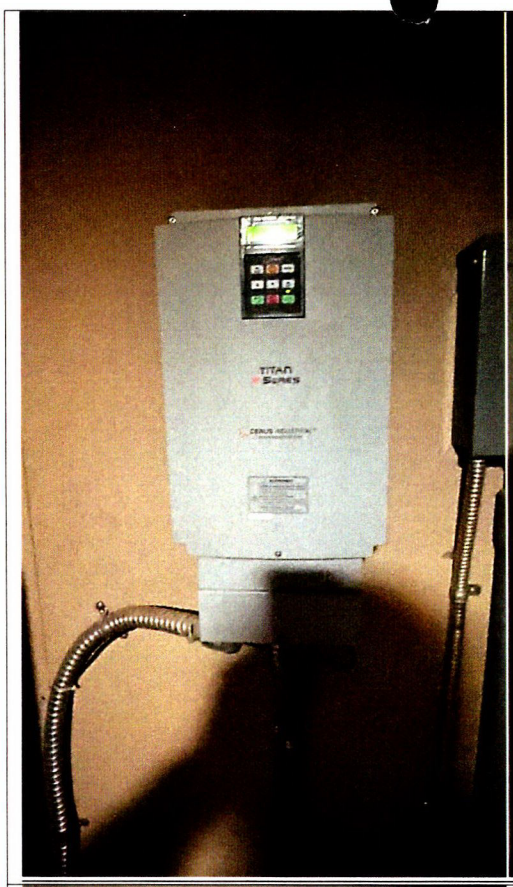




Figure 3. Cerus Titan Series control panel.



Figure 4. Valve for barn area.

SCANNED
MAY 03 2023



Figure 5. Stock water spigot inside barn.



Figure 6. Stock water tank in corral and barn area.

SCANNED
MAY 03 2023



Figure 7. Valve going to 1-acre of irrigation north of house.



Figure 8. 1-acre of irrigation, north of house.

SCANNED
MAY 03 2023



Figure 9. Irrigation in first pasture south of house..



Figure 10. Pop-up sprinkler heads in first pasture south of house. Inset photo of Rainbird Falcon 6504 Series Full or Part-Circle Rotor Pop-Up sprinkler head with light blue, 4.9 gpm nozzle.

SCANNED
MAY 03 2023



Figure 11. Irrigation in second and third pastures south and west of house. The big gun can be seen in the middle of the photo in field 3.



Figure 12. Looking directly south down draw. The bottom pasture can be seen wich is irrigated by wheelines

SCANNED
MAY 03 2023



Figure 13. Two steers loafing in pasture.



Figure 14. Landscaping beds along driveway irrigated by drip lines.

SCANNED
MAY 03 2023



Figure 15. Driveway landscaping, including island, irrigated from house pump for domestic use.



Figure 16. Driveway landscaping looking south toward house.

SCANNED
MAY 03 2023



Figure 17. Irrigation valves in field 5, showing plowed but fallow land.



Figure 18. Looking south at plowed and fallow field 5. The raspberry patch and garden plot can be seen on the left.

SCANNED
MAY 03 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 14, 2023

GLENN AND MARY ALICE TADEMA FAMILY TRUST
14625 OASIS RD
CALDWELL, ID 83607-7507

RE: Field Exam Information Request for Water Right Permit No. 63-33752

Dear Property Owner:

I am writing to you today regarding the water right permit referenced above, which authorizes the use of ground water for domestic, stock water and irrigation of up to 15 acres. The current water right permit owners of record are Mark & Cheryl Niemeyer. Canyon County tax lot information indicates Glenn and Mary Alice Tadema Family Trust may now own the property associated with this permit's place of use. A water right permit is the personal property of the permit owner. It remains personal property of the named owner until it is assigned to a new owner. However, I wanted to reach out to you as the current owner of the property associated with this permit to help complete the water right licensing process.

In the permit licensing process, a field examination is completed to provide the Department with required visible/documented proof that water has been beneficially used pursuant to the parameters listed on the holder's permit. A field exam for permit 63-33752 was conducted on 9/10/2021. Later, on 9/14/2021, additional information was requested by email concerning the pump specifications for the 15 hp submersible irrigation pump but to this date no information has been received. For the Department to continue with the water right licensing process for this property we will need additional information.

If you desire the Department to continue processing the above permit for licensing, please contact me to provide the following information:

-Pump specifications—make, model, pump set depth.
-Irrigation sprinkler specifications – make, model, nozzle color and size
-Maximum capacity of system – how many sprinklers can you run at once

I have enclosed a copy of the water permit report and a map depicting the permit's place of use and point of diversion for your reference. Further, I have enclosed a copy of the findings of beneficial use field exam conducted in 2021 for your reference.

Also, at some point we can talk about filing a change in ownership, so that the property ownership matches the water right ownership.

SCANNED
MAY 03 2023

Please contact me within thirty (30) days of the date of this letter. If I do not receive a response within this time, I will assume that you do not have any interest in pursuing a water right license, and I will take action to void the permit. You can reach me by phone at 208-334-2190 or email me at allen.bradbury@idwr.idaho.gov. I appreciate your attention to this matter, and I look forward to hearing from you.

Sincerely,

Allen Bradbury

Allen Bradbury
Water Resource Agent, Sr.
IDWR Western Region

Enclosures: Water Permit Report and Map
Beneficial Use Field Exam Map

SCANNED
MAY 03 2023

Re: Thank you
Mark Niemeyer
To: Bradbury, Allen
Attachments: image001.png;
IMG_3347.jpg
Sent: 9/14/2021 3:44 PM

Hi Allen- I'm still waiting to hear back from my well driller. He's been out of town. Here's the pics I took for you of the pump room

On Tue, Sep 14, 2021 at 9:54 AM Bradbury, Allen <Allen.Bradbury@idwr.idaho.gov> wrote:

Hi Mark,

I just wanted to touch base and see whether you had some time to gather up the pump specs for your well pumps.

Take care,

Allen

From: Mark Niemeyer <niemeyerm17@gmail.com>
Sent: Tuesday, August 31, 2021 1:19 PM
To: Bradbury, Allen <Allen.Bradbury@idwr.idaho.gov>
Subject: Thank you

Allen- look forward to meeting you at 14625 Oasis Road on Friday September 10th. I've got all afternoon blocked out in case times need to change. I'll work on getting the 15 hp pump info from our well driller. In case anything changes, this is the email address you can use, and my cell # is 208-919-3899. After the permit gets full approval, we'll submit the paperwork on the transfer of ownership.

Mark

--

Sent from my IPhone

SCANNED
MAY 03 2023

Bradbury, Allen

From: Mark Niemeyer <niemeyerm17@gmail.com>
Sent: Tuesday, August 31, 2021 1:19 PM
To: Bradbury, Allen
Subject: Thank you

Allen- look forward to meeting you at 14625 Oasis Road on Friday September 10th. I've got all afternoon blocked out in case times need to change. I'll work on getting the 15 hp pump info from our well driller. In case anything changes, this is the email address you can use, and my cell # is 208-919-3899. After the permit gets full approval, we'll submit the paperwork on the transfer of ownership.

Mark

SCANNED
MAY 03 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

US POSTAGE PITNEY B
ZIP 83702 $ 001.5
02 4W
0000382634 MAY. 01. 2

RECEIVED
MAY 15 2023
WATER RESOURCES
WESTERN REGION

MARK & CHERYL NIEMEYER
14625 OASIS RD
CALDWELL ID 83607-7507

Re: 63-33752

-R-T-S- 836075050-1N 05/10/23P

RETURN TO SENDER
UNABLE TO FORWARD
UNABLE TO FORWARD
RETURN TO SENDER

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

May 01, 2023

MARK & CHERYL NIEMEYER
14625 OASIS RD
CALDWELL ID 83607-7507

RE: License No. 63-33752

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) 605-4624.

Sincerely,

Lynne Evans
for Scott Storms
Water Rights Supervisor

Enclosure(s)

SCANNED
MAY 03 2023

CERTIFICATE OF SERVICE

I hereby certify that on May 01, 2023, I served a true and correct copy of Water Right License No. 63-33752 by U.S. Mail, postage prepaid, to the following:

MARK NIEMEYER (Current Owner)
14625 OASIS RD
CALDWELL ID 83607-7507

CHERYL NIEMEYER (Current Owner)
14625 OASIS RD
CALDWELL ID 83607-7507

MIKE MEYERS (Watermaster)
WATER DISTRICT #63
PO BOX 767
STAR ID 83669-4500

Lynne Evans
Administrative Assistant I

SCANNED
MAY 03 2023

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

SCANNED
MAY 03 2023

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

SCANNED
MAY 03 2023