

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 63-34315

Priority: November 08, 2016

Maximum Diversion Rate: 0.16 CFS

Maximum Diversion Volume: 17.0 AF

It is hereby certified that:

GINGER ALLEN
858 W HEIKES LN
EAGLE ID 83616-2518

AND

CHAD ALLEN
25500 SE 274TH PL
MAPLE VALLEY WA 98038-2039

have complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 08, 2016, and has submitted Proof of Beneficial Use on March 24, 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	0.10 CFS	16.2 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.1 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.7 AF

Location of Point(s) of Diversion

GROUND WATER NE¼ NW¼, Sec. 32, 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	32					3.6												3.6

Total Acres: 3.6

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	32					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	32					X												

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 63-34315

Conditions of Approval

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. 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.
3. Water bearing zone to be appropriated is 200 to 450 feet.
4. Domestic use is for 1 home, a swimming pool and hot tub, and does not include lawn, garden, landscape, or other types of irrigation.
5. Point of diversion is located within Lot 3, Blk. 1, Kozi Ridge Estates.
6. Place of use is located within Lot 3, Blk. 1, Kozi Ridge Estates.
7. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

This license is issued pursuant to the provisions of Idaho Code § 42-219. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 30th day of May, 20 23.



COREY SKINNER
Southern Regional Manager

State of Idaho
Department of Water Resources
Attachment to Water Right
63-34315

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.

01E



0 0.035 0.07 0.14 Miles

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



SCANNED
MAY 31 2023

State of Idaho
Department of Water Resources
Attachment to Water Right
63-34315

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
MAY 31 2023

State of Idaho
Department of Water Resources
Attachment to Water Right
63-34315

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



SCANNED
MAY 31 2023



IDAHO DEPARTMENT OF
WATER RESOURCES

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

May 31, 2023

GINGER ALLEN
858 W HEIKES LN
EAGLE ID 83616-2518

CHAD ALLEN
25500 SE 274TH PL
MAPLE VALLEY WA 98038-2039

RE: License No. 63-34315

*Corr. &
Field Exam*

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 May 31, 2023, I served a true and correct copy of Water Right License No. 63-34315 by U.S. Mail, postage prepaid, to the following:

GINGER ALLEN (Current Owner)
858 W HEIKES LN
EAGLE ID 83616-2518

CHAD ALLEN (Current Owner)
25500 SE 274TH PL
MAPLE VALLEY WA 98038-2039



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: 63-34315
Exam Date: 04/27/2023

1. Current Owner:
GINGER ALLEN 858 W HEIKES LN EAGLE ID 83616-2518 AND
CHAD ALLEN 25500 SE 274TH PL MAPLE VALLEY WA 98038-2039
2. Accompanied by: Chad Allen
Phone No: (206) 353-4452
Address: 858 W HEIKES LN EAGLE ID 83616-2518
Relationship to permit Holder: A 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: Overlap

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

Comments: _____

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. 32, 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	32					3.6												3.6

Total Acres: 3.6

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	32					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	32					X												

Method of Determination: On-site inspection

3.

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.

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

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
D0082464	Franklin Electric	7.5	Model: 2366018120		

D. FLOW MEASUREMENTS

1.

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

2. Measurements: No measurement required per IDAPA 37.03.02 Beneficial Use Examination Rules as the flow rate for the total diversion (0.02 CFS) falls below the 0.24 cfs or greater flow rate requiring measurement.

E. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3.6 \text{ acres} \times 4.5 \text{ afa} = 16.2 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.1 \text{ cfs} \times 260 \text{ days} \times 1.9835 = 51.57 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \mathbf{16.2 \text{ afa}}$$

2. Volume Calculations for Other Uses:

Domestic:

0.6 af for culinary in-house use.

Swimming pool and hot tub: 35,000 gallon pool and 2600 gallon hot tub, filled annually. Mr. Allen indicated he has to add approximately 2" to pool every other week to replace evaporative losses,

$$0.0022 \text{ acre pool surface area} \times 0.167' \times 26 \text{ intervals} = 0.0096 \text{ af or } 3112.65 \text{ gallons}$$

$$35,000 + 2600 + 3112.65 = 4071.65 \text{ gallons} \approx 4072 \text{ gallons} \approx \mathbf{0.13 \text{ afa}}$$

$$\text{Total: } 0.6 \text{ af} + 0.13 \text{ af} = \mathbf{0.73 \text{ af}}$$

Stockwater:

$$\text{Up to 8 horses and 2 donkeys at } 12.0 \text{ gallons per day (gpd)} = 120.0 \text{ gpd} \times 365 = 43,800 \text{ gallons}$$

$$4 \text{ goats at } 2.0 \text{ gpd} = 8.0 \text{ gpd} \times 365 = 2,920 \text{ gallons}$$

$$43,800 + 2,920 = 46,720 \text{ gallons per year} \approx \mathbf{0.14 \text{ afa}}$$

$$\mathbf{\text{Total Volume: } 16.2 \text{ af irrigation} + 0.73 \text{ af domestic} + 0.14 \text{ af stockwater} = 17.07 \text{ af rounded to } \mathbf{17.1 \text{ afa}}}$$

G. NARRATIVE/REMARKS/COMMENTS

On 4/27/2023 I visited the Allen property to conduct a field exam. Mr. Allen met me by the pump house and well location. He opened the pump house where I could see the main line coming off the well head. The well head was inside a small, insulated enclosure adjacent to the building and was inaccessible. I couldn't verify the well tag, but the pump tag was visible on the wall inside the pump house (Figure 1).

Mr. Allen then took me over to the stable and showed me a horse and two goats. The original permit holder had indicated 10 head of mixed stock on the application for permit, but Mr. Allen indicated that they have 8 horses, 2 donkeys and 4 goats and those numbers have been the same since they purchased the property and filed proof of beneficial use.

Mr. Allen then showed me the pasture and lawn area behind the house, as well as the pool and hot tub adjacent to the house.

The pool and tub were very well maintained. The pool and hot tub combined have a filled capacity of 37,600 gallons of water. Mr. Allen indicated that he fills the pool once a year and has to add approximately 2" to the pool and hot tub every other week to keep them full. Both are kept full year round. I calculated evaporative losses using the U of I ETIdaho website and also by what Mr. Allen indicated. His method produced a higher volume (around 3,113 gallons), so I used what he told me to calculate evaporative losses for licensing. The U of I ETIdaho data for small ponds in the Boise area indicated evaporative losses of approximately 1872 gallons per year from the pool and hot tub (796 mm annually for small stock ponds).

Mr. Allen then showed me the front yard and the lawn area on the west side of the driveway. The front lawn was dying back because they have decided to fence it in and convert it to irrigated horse pasture. In total, there are 3.6 acres of lawn and horse pasture that are irrigated.

Recommend licensing 0.1 cfs and 16.2 af for irrigation; 0.02 cfs and 0.14 af for stockwater; 0.04 cfs and 0.73 af for domestic use and a total diversion 0.16 cfs and 17.1 af.

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>	
IRRIGATION	03/01 to 11/15	0.10 CFS	16.2 AF <i>16.2</i>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.14 AF <i>.1</i>
DOMESTIC	01/01 to 12/31	0.04 CFS	0.73 AF <i>.7</i>

Totals:

0.16 CFS

17.1 AF

17.0 1.5-

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

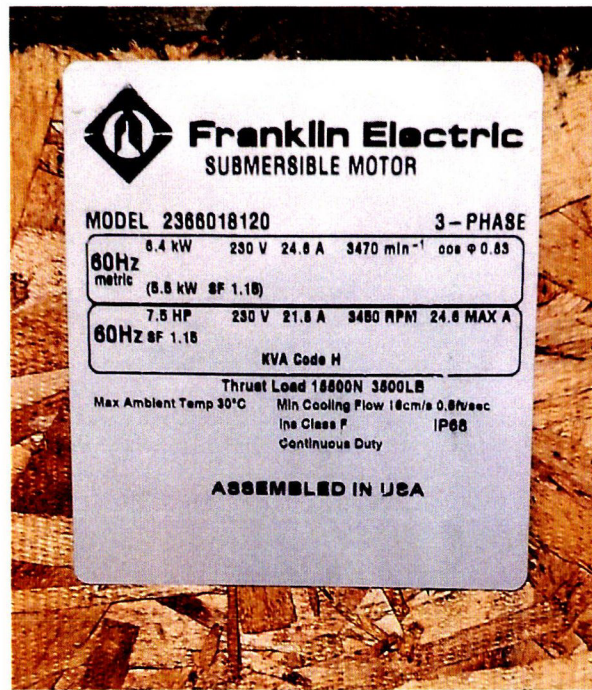


Figure 1: Tag from pump



Figure 2: Stable, backyard and pasture



Figure 3: A horse and goat



Figure 4: Hot tub and pool



Figure 5: lawn area west of driveway



Figure 6: Front lawn area that is being converted to pasture

System Diagram

