

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 63-34342

Priority: February 02, 2017

Maximum Diversion Rate: 0.12 CFS

Maximum Diversion Volume: 11.9 AF

It is hereby certified that:

LANE SCHAFFER
AND/OR
LAURA SCHAFFER
13251 ROOSEVELT AVE
NAMPA ID 83686-8094

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 02, 2017, and has submitted Proof of Beneficial Use on July 28, 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	0.08 CFS	11.3 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF

Location of Point(s) of Diversion

GROUND WATER NW¼ SE¼, Sec. 26, Twp 03N, 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	
03N	03W	26														2.5			2.5

Total Acres: 2.5

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	
03N	03W	26														X			

Conditions of Approval

- Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
- 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.

SCANNED

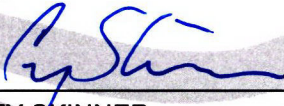
APR 07 2023

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Water Right No. 63-34342

3. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
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 31ST day of March, 20 23.



COREY SKINNER
Southern Regional Manager

State of Idaho
Department of Water Resources
Attachment to Water Right
63-34342

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.

03W



0 0.035 0.07 0.14 Miles

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



SCANNED
APR 07 2023

State of Idaho
Department of Water Resources
Attachment to Water Right
63-34342

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

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



SCANNED
APR 07 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 63-34342
Exam Date: 03/08/2023

1. Current Owner:
LANE SCHAFFER 13251 ROOSEVELT AVE NAMPA ID 83686-8094 AND/OR
LAURA SCHAFFER 13251 ROOSEVELT AVE NAMPA ID 83686-8094
2. Accompanied by: Lane Schaffer, and Kent Aasa IDWR Agent
Phone No: 208-284-1419
Address: SAA
Relationship to permit Holder: Permit Holder

3. **SOURCE:**
GROUND WATER

Method of Determination: Aerial Photography, ArcMap, Site Visit

Field Exam

B. OVERLAP REVIEW

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

Water Right No.	Source	Purpose of Use	Basis
63-3120B	Ground Water	Irrigation	Decree

Comments: Owner indicated he also has canal shares.

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

Water Right No.	Source	Purpose of Use	Basis
None			

Comments: _____

C. DIVERSION AND DELIVERY SYSTEM1. **LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER NW¼ SE¼, Sec. 26, Twp 03N, Rge 03W, B.M. CANYON County

Method of Determination: Aerial Photography, ArcMap, Site Visit

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	
03N	03W	26														2.5			2.5

Total Acres: 2.5

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	
03N	03W	26														X			

Method of Determination: Aerial Photography, ArcMap, Site Visit

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
D0074531	N/A				

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
None						

2. Measurements: None

No measurement was required per IDAPA 37.03.02 Beneficial Use Examination rules as the permit flow rate of .16 cfs falls below the .24 cfs or greater flow rate requiring measurement.

E. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method: None

2.5 acres X 0.03 cfs/acre = 0.08 cfs
 Domestic permitted amount of 0.04 cfs

Total 0.12 cfs

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2.5 \text{ acres} \times 4.5 \text{ af} = 11.25 = 11.3 \text{ af}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.03 \text{ cfs} \times 260 \text{ days} \times 1.9835 = 15.47 \text{ af}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \text{Volume} = 11.3 \text{ af}$$

2. Volume Calculations for Other Uses: 0.6 af standard in-house allowance for domestic Use

Total annual volume 11.9 (0.6 af in-house and 11.3 af for irrigation).

G. NARRATIVE/REMARKS/COMMENTS

Application for permit 63-34342 was filed on February 2, 2017, by Lane and/or Laura Shaffer. A permit to appropriate ground water for domestic and irrigation uses was issued on July 31, 2017. A statement of completion for submitting proof of beneficial use was filed on July 28, 2022. Kent Aasa and I met with Lane Schaffer (permit holder) on March 8, 2023, to conduct a beneficial use field exam to verify the completion of development for permit 63-34342. During our visit with Mr. Schaffer, we discussed his system. Mr. Schaffer explained that he diverts water from his well for domestic use for his home. He also described his irrigation system was for landscaping and lawn around his home and to irrigate some pasture behind his home. Mr. Schaffer indicated that he irrigates portions of his property north of the well with just canal shares and not the well. The well only irrigates the landscaping around the well, and home, the lawns and back pasture as indicated totaling 2.5 acres. The Department allows a flow rate of up to .03 cfs/acre for irrigation of up to five acres. This principle was applied to this permit to allow for the maximum allowable cfs/acre for 2.5 acres of irrigation. Also per IDAPA 37.03.02 Beneficial Use Examination rules, if the total combined diversion rate for all the uses established in connection with the permit does not exceed twenty-four one hundredths (0.24) cubic feet per second and for Irrigation of up to five (5) acres a direct measurement of the diversion rate is not required. Therefore, since permit 63-34342 meets the above mentioned exemptions, I **recommend that permit 63-34342 be licensed as permitted for domestic flow rate of 0.04 cfs and the irrigation flow rate of 0.08 cfs and a volume of 0.6 af for domestic and a volume of 11.3 af for irrigation. For a total of 0.12 cfs and 11.9 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>	<u>Volume</u>
IRRIGATION	03/01 to 11/15	0.08 CFS	11.3
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6

Totals: 0.12 CFS 11.9

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 Benny Walker -

Field Examiner's Name Benny Walker Date 3/30/23

Reviewer [Signature] Date 3/31/2023

Permit 63-34342



Above: Home, Lawn, Landscaping, and Domestic Well Location

Below: Domestic Well

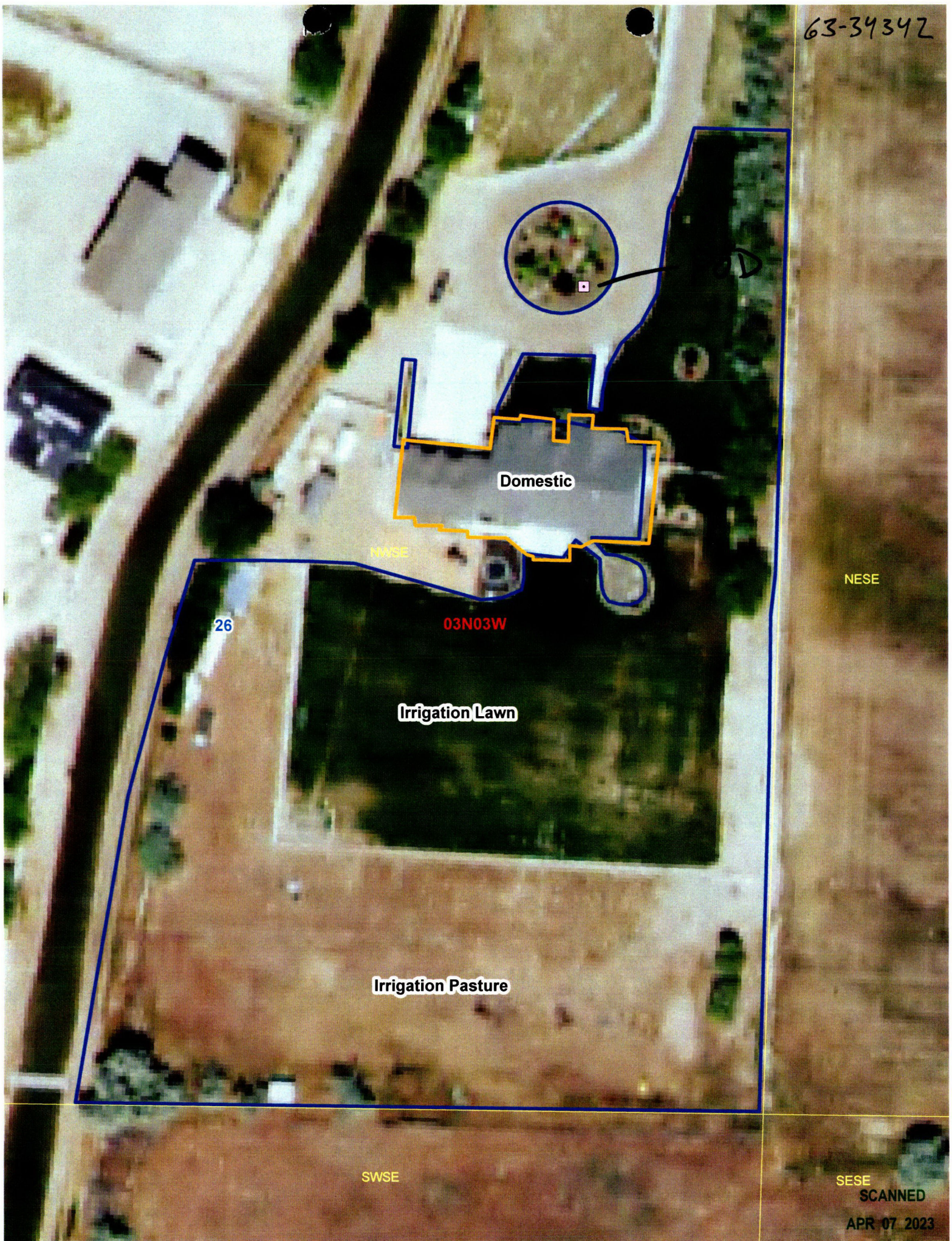


Permit 63-34342



Backyard Lawn and Trees

63-34342



Domestic

NWSE

NESE

26

03N03W

Irrigation Lawn

Irrigation Pasture

SWSE

SESE
SCANNED
APR 07 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

April 4, 2023

LANE SCHAFFER
LAURA SCHAFFER
13251 ROOSEVELT AVE
NAMPA ID 83686-8094

RE: License No. 63-34342

Correspondence

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 April 4, 2023, I served a true and correct copy of Water Right License No. 63-34342 by U.S. Mail, postage prepaid, to the following:

LANE SCHAFFER (Current Owner)
LAURA SCHAFFER (Current Owner)
13251 ROOSEVELT AVE
NAMPA ID 83686-8094

KEVIN BAILEY (Representative)
13317 PEACEFUL WAY
NAMPA ID 83686



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.