

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 63-34560

Priority: June 26, 2018

Maximum Diversion Rate: 0.07 CFS

Maximum Diversion Volume: 6.9 AF

It is hereby certified that:

WILLIAM S WONDERS 2171 W VALLI HI RD EAGLE ID 83616-2400

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 26, 2018, and has submitted Proof of Beneficial Use on June 14, 2023. 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	6.8 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.1 AF

Location of Point(s) of Diversion

GROUND WATER NW¼ SE¼, Sec. 31, 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	31														1.5			1.5

Total Acres: 1.5

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	31														X			

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. This right does not grant any right-of-way or easement across the land of another.
3. 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.
4. The following rights are diverted through point of diversion described above: 63-18911, 63-34560.

SCANNED

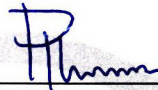
JUL 24 2023

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 63-34560

5. To prevent injury to prior water rights appropriating water from the underlying shallow aquifer, the 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.
6. Water bearing zone to be appropriated is 200 to 300 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 21st day of July, 2023.



PHILL HUMMER
Water Rights Supervisor

SCANNED

JUL 24 2023

State of Idaho
Department of Water Resources
Attachment to Water Right
63-34560

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.

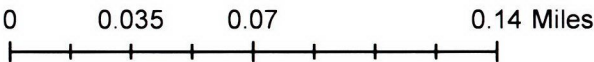
01E



State of Idaho
Department of Water Resources
Attachment to Water Right
63-34560

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



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



RECEIVED

JUN 14 2023

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
STATEMENT OF COMPLETION
FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY

Amt. of Fee \$ 50.00Receipt No. WOS1306Received By DMDate Received 6-14-23

The Idaho Department of Water Resources (Department) considers this form a statement that the permit holder(s) applied water to beneficial use and completed development of a water right to the extent described below. **This form must be accompanied by an examination fee, when necessary, or by a completed Beneficial Use Field Report prepared by a certified water right examiner (CWRE).** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, complete an Assignment of Permit form. If you wish to relinquish your permit because you have not established the authorized water use and are not applying for an extension, please notify the Department in writing.

1. Permit No. 63-34560 Name of Permit Holder(s) William S WondersTelephone No. 208-860-1623 Email swonderspe@yahoo.comMailing Address 2171 W Valli Hi Road City Eagle State ID Zip 836162. Source of Water Ground Water If Ground Water (well), Date Drilled mo. 6 / yr. 2019Drilling Permit/Tag No. 889559 / D0082656 Drilling Company's Name Dennis Phipps

3. Extent of use(s) completed as authorized by the water right permit:

Domestic (No. households) 1 Irrigation (No. acres) 1.8 Stockwater (No. and stock type) 5 Goats

Other _____

4. Total diversion rate or volume (storage only) for which proof is submitted 0.07 cfs OR _____ af
If the total developed water use is 5 acres of irrigation or less, is stockwater storage of 14.6 acre-feet or less, or has a diversion rate of less than 0.24 cfs, attach a map of the place of use and point of diversion and photographs showing beneficial use.

5. Describe the diversion and delivery system from the water source to the use (pump, lift, irrigation method, etc.)

Use of 5 hp pump within well to serve home and drip / sprinkler system for landscaping, lawn and pasture.

6. Permit condition compliance. Refer to the permit approval conditions and check all the items required, then check "Yes" or "No" to indicate whether the required items were established, submitted, and/or installed:

Required? Yes No (If "Yes", attach required data, evidence of compliance, or evidence of installation)

☐ ☐ ☐ Ground water level data, pumping information, or other diversion data☐ ☐ ☐ Mitigation plan☐ ☐ ☐ Lockable controlling works☐ ☐ ☐ Measuring device☐ ☐ ☐ Fish screen☐ ☐ ☐ Other requirements of the water right permit _____☐ ☐ Reasonably Anticipated Future Needs ("RAFN") Municipal useIf RAFN Municipal use, additional increment of beneficial use developed? ☐ Yes (attach CWRE report) ☐ No7. Fee Enclosed \$ _____ or ☐ CWRE field report attached or ☐ No fee required

See fee schedule on page 3 of the instructions. Proof statements filed without an appropriate fee are incomplete.

8. Person to contact to accompany a Department representative during the field examination of the water system:

Name: Scott Wonders Telephone No. 208-860-1623 Email swonderspe@yahoo.comMailing Address 2171 W Valli Hi Road City Eagle State ID Zip 83616

The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted and applied to beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

SIGNATURE OF PERMIT HOLDER*

William S Wonders

PRINTED NAME AND TITLE

DATE

5/24/23
SCANNED

*Attach power of attorney if completing on behalf of permit holder.



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

July 24, 2023

WILLIAM S WONDERS
2171 W VALLI HI RD
EAGLE ID 83616-2400

RE: License No. 63-34560

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) 287-4925.

Sincerely,

Jean Hersley

For
Phill Hummer
Water Rights Supervisor

Enclosure(s)

SCANNED

JUL 24 2023

CERTIFICATE OF SERVICE

I hereby certify that on July 24, 2023, I served a true and correct copy of Water Right License No. 63-34560 by U.S. Mail, postage prepaid, to the following:

WILLIAM S WONDERS (Current Owner)
2171 W VALLI HI RD
EAGLE ID 83616-2400



Jean Hersley
Technical Records Specialist 2

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: 63-34560
Exam Date: 06/21/2023

1. Does this qualify for an in-office field exam (IDAPA 37.03.02.035.01.r)? X Y ___ N
- a. X Irrigation of 5 acres or less
b. ___ Storage of up to 14.6 AF for stockwater purposes only
c. ___ Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less

2. Current Owner:

WILLIAM S WONDERS 2171 W VALLI HI RD EAGLE ID 83616-2400

Owner of Record Correct? X Y ___ N
Address of Record Correct? X Y ___ N
If No Explain:

3. Beneficial Use Fees have been paid: X Y ___ N Receipt No: W051306

4. SOURCE:
GROUND WATER

Method of Determination: Well Construction Log

B. OVERLAP REVIEW

1. Other water rights with the same place of use: No Overlap

Water Right No.	Source	Purpose of Use	Basis
63-248, etc (Farmers Union Ditch Co)	Boise River	Irrigation	Decreed
63-12448 (City of Eagle)	Ground Water	Municipal	License
63-18911	Ground Water	Domestic	Partial Decree

Comments: Permit holder is water right owner for 63-18911 but does not receive water from Farmers Union or City of Eagle

2. Other water rights with the same point-of-diversion: Yes Overlap

Water Right No.	Source	Purpose of Use	Basis
63-18911	Ground Water	Domestic	Partial Decree

Comments: Domestic well diverts water for domestic, irrigation, and stockwater uses for both water rights

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

GROUND WATER NW¼ SE¼, Sec. 31, Twp 05N, Rge 01E, B.M. ADA County

Method of Determination: GIS and Taxlot information

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JUL 24 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	01E	31														1.5			1.5

Total Acres: 1.5

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	31														X			

Method of Determination: GIS and Taxlot information

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
993560		5			

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
N/A						

2. Measurements: N/A (in-house examination)

E. FLOW CALCULATIONS

$$Q = \frac{\text{Pump HP} * 8.82 * \text{Efficiency}}{\text{Dynamic Head}}$$

Where: Dynamic head = static head + pressure head + friction head

$$\text{Variables: pressure head} = 60 \text{ psi} * 2.31 \frac{\text{feet}}{\text{psi}} = 138.6$$

efficiency = 70% & friction head = negligible

static head = 100 ft lift (from well construction log static water level)

$$Q = \frac{5 \text{ HP} * 8.82 * 0.7}{100 \text{ ft static head} + 138.6 \text{ ft pressure head}} = 0.129 \text{ cfs}$$

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System is capable producing flow rate permitted and flow can be limited with a regulator flow valve.

63-18911 Domestic licensed flow rate = 0.04 cfs

0.07 cfs (irrigation+stockwater) + 0.04 (domestic) = 0.11 cfs (less than system capacity of 0.129 cfs)

System is capable of producing both flow rates simultaneously and should be licensed without combined flow rate limits.

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1.5 \text{ acres} \times 4.5 \text{ acre-ft/acre} = 6.75 \text{ acre-ft}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 25.8 \text{ acre-ft}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 6.75 \text{ acre-ft}$

2. Volume Calculations for Other Uses:

Stockwater volume: From 1982 Annual Stockwater Use Table: 2 GPD/HEAD for Goats

$5 \text{ goats} \times 2 \text{ GPD/HEAD} \times 365 = 3650 \text{ GPY} = 0.011 \text{ acre-ft}$

Minimum allowable volume for stockwater = 0.1 acre-ft

3. Combined Volume = 6.85 acre-ft = 6.9 acre-ft (2 significant figures)

G. NARRATIVE/REMARKS/COMMENTS

Proof of beneficial use statement of completion was received by IDWR on June 15, 2023 with appropriate fees. An in-house beneficial use examination was performed because it fit the criteria established in IDAPA 37.03.02.035.01.r. A map detailing the place of use and point of diversion locations was not attached to the submitted form, but aerial imagery and well construction log information were used to demonstrate proof.

The permit allowed for irrigation of up to 1.8 acres, which is the size of the parcel. Removing the footprint of the house, driveways, and shop on the parcel, the remaining portions showed development of a lawn, the growing of some kind of crop, and garden beds totaling 1.5 acres. I recommend limiting the annual diversion volume to reflect the developed acreage as shown in Section F. Flow should not be reduced, since reducing acres does not affect the permitted flow rate.

Section E demonstrates that the diversion system is capable of achieving both the irrigation and stockwater rates as well as domestic flow rate for water right 63-18911. No combined limit conditions should be placed on the license besides R69, which is specifically for the irrigation portion of this right.

Condition 046 related to the well construction should be removed due to the completion of the well. Water bearing zone restrictions were followed, as detailed in the well construction log in file. Conditions 930 and 165 should remain on the license to condition future wells, if needed. Condition X02 should be removed as stock head limits are typically removed at licensing. A proposed volume for stockwater is located in Section F.

After discussion with Phill Hummer, Cody Parker, and Nick Miller, it is recommended that condition 01M detailing measurement device requirements be removed from this permit for licensing. The Department uses a flow chart for determining whether conditions should be placed on certain permits, and the criteria for 01M was not met on the permit.

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JUL 24 2023

With no evidence of reasoning, I believe it was wrongly placed on the permit.

Condition F06 should be placed on the license to help future research on this water right and its relationship with water right 63-18911. They share a POD.

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>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.05 CFS	6.8 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.1 AF
<u>Totals:</u>		0.07 CFS	6.9 AF

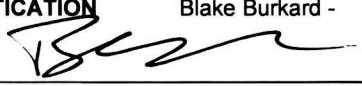
2. Recommended Amendments

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

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

I. AUTHENTICATION

Blake Burkard -

Field Examiner  Date 7/21/23

Reviewer  Date 7/21/23

SCANNED

JUL 24 2023

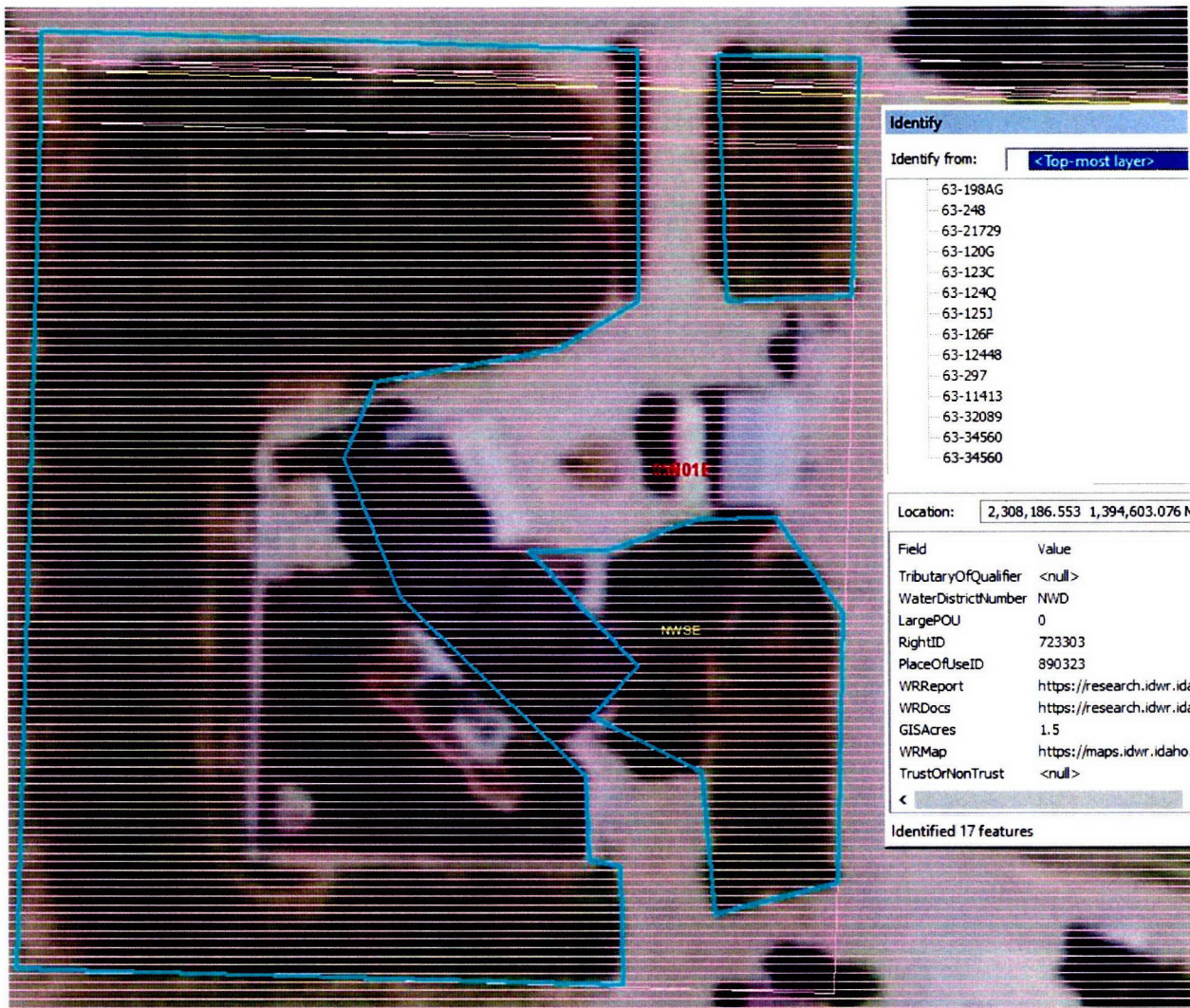


Figure 1: Irrigation Acreage

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JUL 24 2023

Beneficial Use Proof Evaluation

Permit Number: 63-34560 Reviewer: AVeibell Review Date: 6/15/2023

Acceptability

- 1) Is the contact on the request the current permit holder? Yes
- 2) Does the address of record need to be updated? No
- 3) Proof Submitted Date: 6/14/2023
- 4) Proof Due Date: 10/1/2023
- 5) Days added for weekend due date?
- 6) Days added for holiday due date?
- 7) Number of days late:
- 8) Proof received timely? Yes

Analysis

- 1) Are the water uses correct? Yes
- 2) Are one of the following items required?
 - a. Measuring Device -- No
 - b. Lockable Device --No
 - c. Fish Screen -- No
- 3) Are the required items installed? Yes
 - a. Measuring Device -- No
 - b. Lockable Device --No
 - c. Fish Screen -- No
- 4) Is there a request to waive the required items? No
- 5) Drilling Permit Number:
- 6) Is a drilling permit upgrade needed? No
- 7) Was a well drillers report filed? No
- 8) Is proof accepted? Yes

Fees

- 1) Is a licensing exam fee required? Yes
- 2) Was proof submitted with an exam report from a CWE? No
- 3) Filing fee due: \$50.00
- 4) Filing fee submitted: \$50.00
- 5) Remaining fee or (refund): \$0.00

Receipt IDs

W046478

Comments