

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 63-34711

Priority: October 04, 2009

Maximum Diversion Rate: 0.11 CFS

Maximum Diversion Volume: 16.2 AF

It is hereby certified that:

RANDALL R HUSKEY 5572 E TOWER LN CALDWELL ID 83607-8584 AND
LORIE S HUSKEY 5572 E TOWER LN CALDWELL ID 83607-8584

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 02, 2009, and has submitted Proof of Beneficial Use on August 03, 2020. 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	0.11 CFS	16.2 AF

Location of Point(s) of Diversion

GROUND WATER SW¼ NE¼, Sec. 36, Twp 06N, Rge 04W, B.M. PAYETTE 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	
06N	04W	36			3.6														3.6

Total Acres: 3.6

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. 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 June, 2023.


SCOTT STORMS
Water Rights Supervisor

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JUL 05 2023

State of Idaho
Department of Water Resources
Attachment to Water Right
63-34711

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.

04W



0 0.035 0.07 0.14 Miles

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

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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

June 30, 2023

RANDALL R HUSKEY
LORIE S HUSKEY
5572 E TOWER LN
CALDWELL ID 83607-8584

RE: License No. 63-34711

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,

Scott Storms
Water Rights Supervisor

Enclosure(s)

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CERTIFICATE OF SERVICE

I hereby certify that on June 30, 2023, I served a true and correct copy of Water Right License No. 63-34711 by U.S. Mail, postage prepaid, to the following:

RANDALL R HUSKEY
5572 E TOWER LN
CALDWELL ID 83607-8584

LORIE S HUSKEY
5572 E TOWER LN
CALDWELL ID 83607-8584



Lynne Evans
Administrative Assistant I

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: 63-34711
Exam Date: 05/27/2022

1. Current Owner:
RANDALL R HUSKEY 5572 E TOWER LN CALDWELL ID 83607-8584 AND
LORIE S HUSKEY 5572 E TOWER LN CALDWELL ID 83607-8584
2. Accompanied by: Randall R. Huskey
Phone No: 910-489-1621
Address: 5572 E. Tower Lane Caldwell, ID 83607
Relationship to permit Holder: Permit Holder

3. SOURCE:
GROUND WATER

Method of Determination: Aerial photography and site visit

1. Other water rights with the same place of use: None
2. Other water rights with the same point-of-diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**
GROUND WATER SW¼ NE¼, Sec. 36, Twp 06N, Rge 04W, B.M. PAYETTE County

Method of Determination: Site visit, aerial imagery

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	
06N	04W	36			3.6														3.6

Total Acres: 3.6

Method of Determination: Site visit, aerial imagery

3. Delivery System Diagram Attached (required). Indicate all major components and distances between components.
 x 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
- n/a Aerial Photo Attached (required for irrigation of 10+ acres).
- x Photo of Diversion and System Attached

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4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
894704	Grundfos	7.5		Grundfos	3"

D. FLOW MEASUREMENTS

1.

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

2. Measurements: None taken**E. FLOW CALCULATIONS**N/A Additional Computation Sheets Attached

Measured Method: Following IDAPA Beneficial use exam rules 35.01.(r). no measurement was taken.

Standard Rate 0.11 cfs

Permitted Total Rate 0.20 cfs

License Recommendation 0.11 cfs**F. VOLUME CALCULATIONS**

1. Volume Calculations for irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3.6 \text{ acres} \times 4.5 \text{ AFA} = 16.2 \text{ AF}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.11 \text{ cfs} \times 259 \text{ days} \times 1.9835 = 56.50$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 16.2 \text{ AF}$$

2. Volume Calculations for Other Uses: N/A

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G. NARRATIVE/REMARKS/COMMENTS

A field exam was conducted on 05/27/22 by Water Right Agent Marcelina Williams and was accompanied by Mr. Huskey. Randall Huskey is the current owner of the permit. The permit was issued on October 02, 2009, and proof of beneficial use was submitted on August 03, 2020.

The point of diversion (POD) location was confirmed at a groundwater well in the SWNE of Sec 36, T06N, R04E but two PODs were described on the permit. The other possible POD was in the NWSE of Sec 36, T06N, R04E but was not developed and was dropped at licensing. The well is installed with a 7.5hp Grundfos motor and pump which diverts water underground using a 4" main pipe to five zones. A total of ten 360 mobile K-Pods are distributed though the pasture, along with two large sprinkler guns. No amendment required to correct the legal description of the POD.

The permit authorizes appropriation of 0.20 cfs for irrigation within SWNE Sec 36, T06N, R04E. ArcMap tools and aerial imagery, supported by photos taken during the field exam, were used to verify the POU area. No amendment required to correct the legal description of the POU.

According to IDAPA Beneficial use exam rules 35.01.(r). no measurement was taken and per department standards for irrigation of small acres per ap memo #17. The total recommended flow rate and volume are 0.11 cfs for 3.6 acres and 16.2 AF.

Condition 103 replaced condition 121 per department standards. Condition 046 was removed as construction of the well is complete. Condition 01M was removed due to the acres of irrigation no longer being greater than 5. Per department standards 004 and 26A were removed. Condition R69 was updated to reflect the 0.03 cfs practice.

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	0.11 CFS	16.2 AF

Totals: 0.11 CFS 16.2 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

Marcelina Williams -

Field Examiner's Name Marcelina Williams Date 06/28/23

Reviewer [Signature] Date 06/28/23

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DELIVERY SYSTEM DIAGRAM

Water Right No. 63-34711

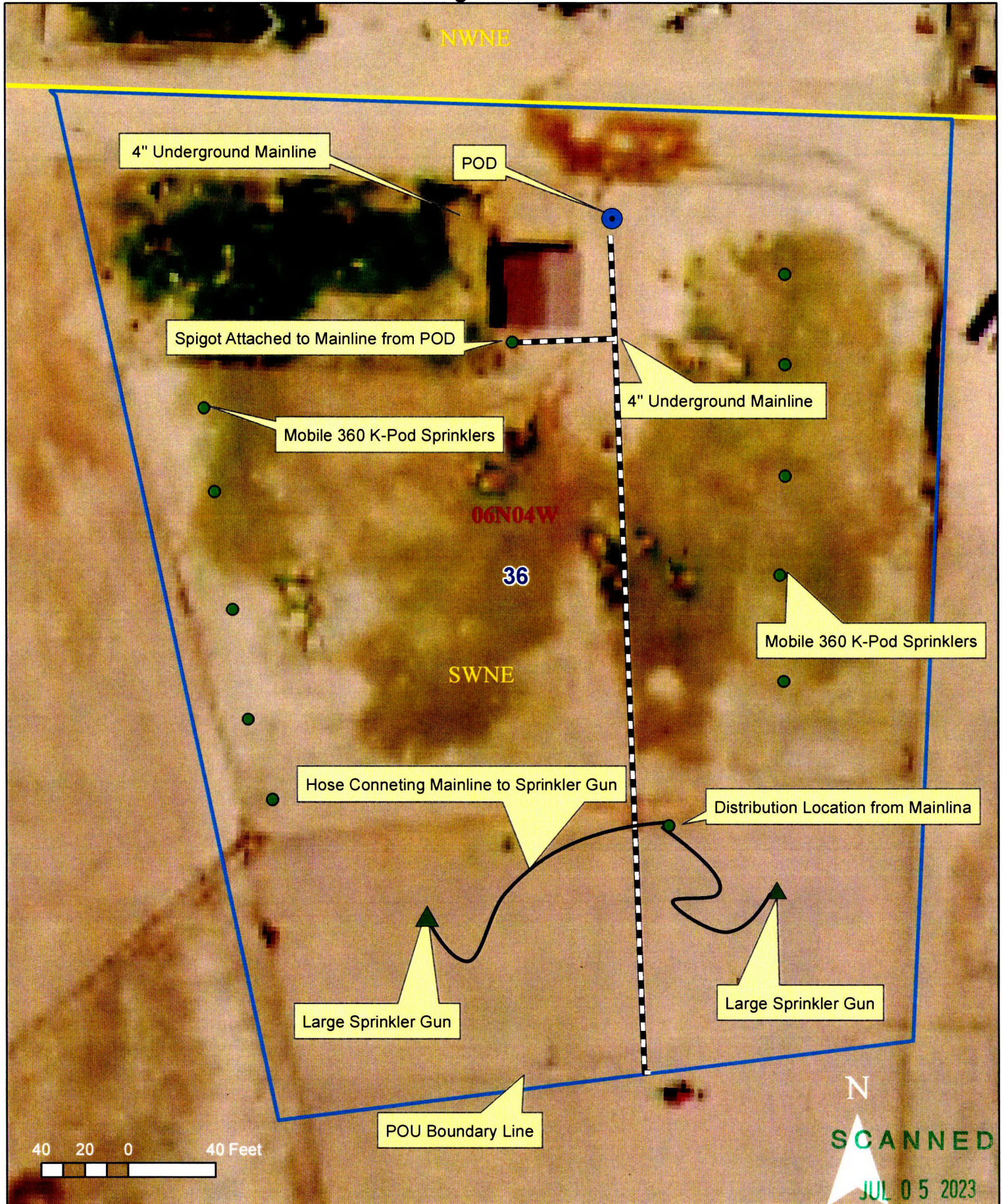




Fig. 1 – POD located in the SWNE QQ. View looking E.



Fig. 2 –Well tag

GPS'd at:

43° 49' 5" N

116° 45' 39" W

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Fig. 3 – Developed irrigation POU
in SWNE QQ. View looking E.



Fig. 4 – Developed irrigation POU
in SWNE QQ. View looking S.



Fig. 5 – Developed irrigation POU
in SWNE QQ. View looking N.



Fig. 6 – Developed irrigation POU
in SWNE QQ. View looking NE.



Fig. 7 – Undeveloped permitted irrigable acres in the SWNE QQ. View looking SE.



Fig. 8 – Undeveloped permitted irrigable acres in the SWNE QQ. View looking SW.



Fig. 9 – Irrigation system component attached to the 4-inch main line .



Fig. 10 – Irrigation system component attached to the sprinkler gun.



Fig. 11 – Head of sprinkler gun.



Fig. 12 Sprinkler gun that is moved throughout irrigated area.



Fig. 13 –Irrigation system component attached to the 4-inch main line .



Fig. 14 – Irrigation system component attached to the 4-inch main line .

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Fig. 15 – Irrigation system component known as k-pods.



Fig. 16 – Irrigation system component known as k-pods.

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