

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 63-34948

Priority: August 17, 2020

Maximum Diversion Rate: 0.13 CFS

Maximum Diversion Volume: 13.7 AF

It is hereby certified that:

KIETH BRADSHAW
OR
LAUREL BRADSHAW
16924 BUTTERFLY RIDGE RD
CALDWELL ID 83607-8859

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 17, 2020, and has submitted Proof of Beneficial Use on August 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	0.09 CFS	13.1 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF

Location of Point(s) of Diversion

GROUND WATER NW¼ NW¼, Sec. 17, 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	17						2.9											2.9

Total Acres: 2.9

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	17						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.
- Point of diversion and place of use are located within Lot 5, Blk. 1, Butterfly Ridge No. 1 Subdivision.

SCANNED

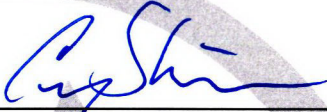
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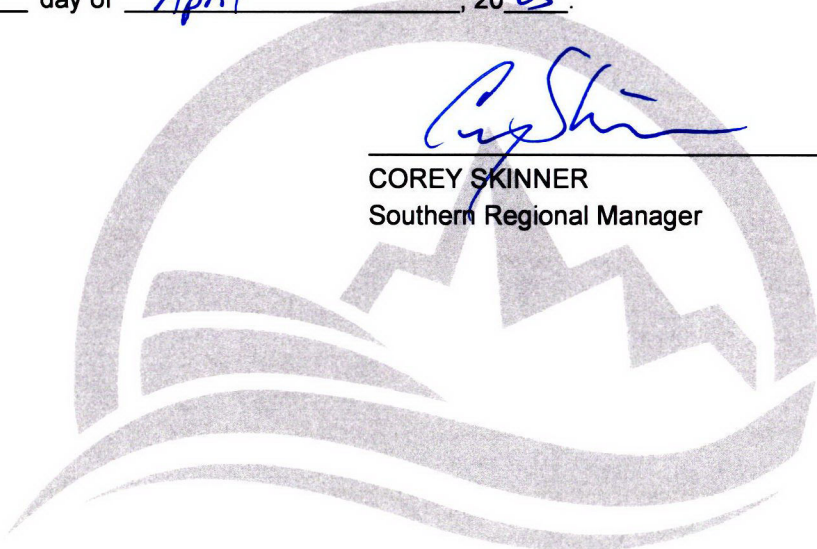
4. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this 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 5th day of April, 2023.



COREY SKINNER
Southern Regional Manager



State of Idaho
Department of Water Resources
Attachment to Water Right
63-34948

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



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State of Idaho
Department of Water Resources
Attachment to Water Right
63-34948

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.

03W



0 0.035 0.07 0.14 Miles

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



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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 63-34948
Exam Date: 03/08/2023

1. Current Owner:

KIETH BRADSHAW 16924 BUTTERFLY RIDGE RD CALDWELL ID 83607-8859 OR
LAUREL BRADSHAW 16924 BUTTERFLY RIDGE RD CALDWELL ID 83607-8859

2. **SOURCE:**

GROUND WATER

Method of Determination: Field Exam Observation

B. OVERLAP REVIEW

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

Field Exam

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

GROUND WATER NW¼ NW¼, Sec. 17, Twp 05N, Rge 03W, B.M. CANYON County

Method of Determination: **Field Exam Observation****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	17						2.9											2.9

Total Acres: 2.9

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	17						X											

Method of Determination: **Field Exam observations and ArcMap**

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

D. FLOW MEASUREMENTS:

1. Measurements: None taken per IDAPA 37.03.02 Beneficial Use Exam Rules

$$2.9 \text{ acres} \times 0.03 \text{ cfs/acre} = 0.087 \text{ or } \mathbf{0.09 \text{ cfs}}$$

E. VOLUME CALCULATIONS

1. Volume Calculations for irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2.9 \text{ acres} \times 4.5 \text{ AFA} = 13.05 \text{ AF or } \mathbf{13.1 \text{ AF}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.09 \text{ cfs} \times 260 \text{ days} \times 1.9835 = 46.4 \text{ AF}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \mathbf{13.1 \text{ AF}}$$

2. Volume Calculations for Other Uses: **0.6 AF** standard in-house allowance for domestic use

F. NARRATIVE/REMARKS/COMMENTS

On March 08, 2023 Benny Walker (IDWR employee) and I met with permit holder Kieth Brandshaw and conducted a field exam for permit number 63-34948.

Water use on the property consists of a well that provides domestic water for in-house culinary uses and the same well is also used to irrigate a total of 2.9 acres of residential lawn, landscaping, and pasture.

Permit 63-34948 was approved for 0.14 cfs of groundwater; 0.1 cfs for the irrigation of 3.3 acres and 0.04 cfs for in-house domestic use. Because of the amount of land occupied by the home, barn, and two driveways, a total of 2.9 acres of irrigation was subsequently developed.

Conditions on the permit have been complied with and I recommend licensing Permit 63-34948 for a total diversion rate of 0.13 cfs and 13.7 AF; with 0.09 cfs/ 13.1 AF for the irrigation of 2.9 acres, and 0.04 cfs/ 0.6 AF for in-house domestic use.

Have conditions of permit approval been met? ☒ Yes ☐ No

G. 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	0.09 CFS	13.1 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF

Totals: **0.13 CFS** **13.7 AF**

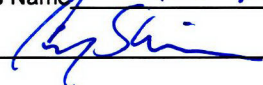
2. Recommended Amendments

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

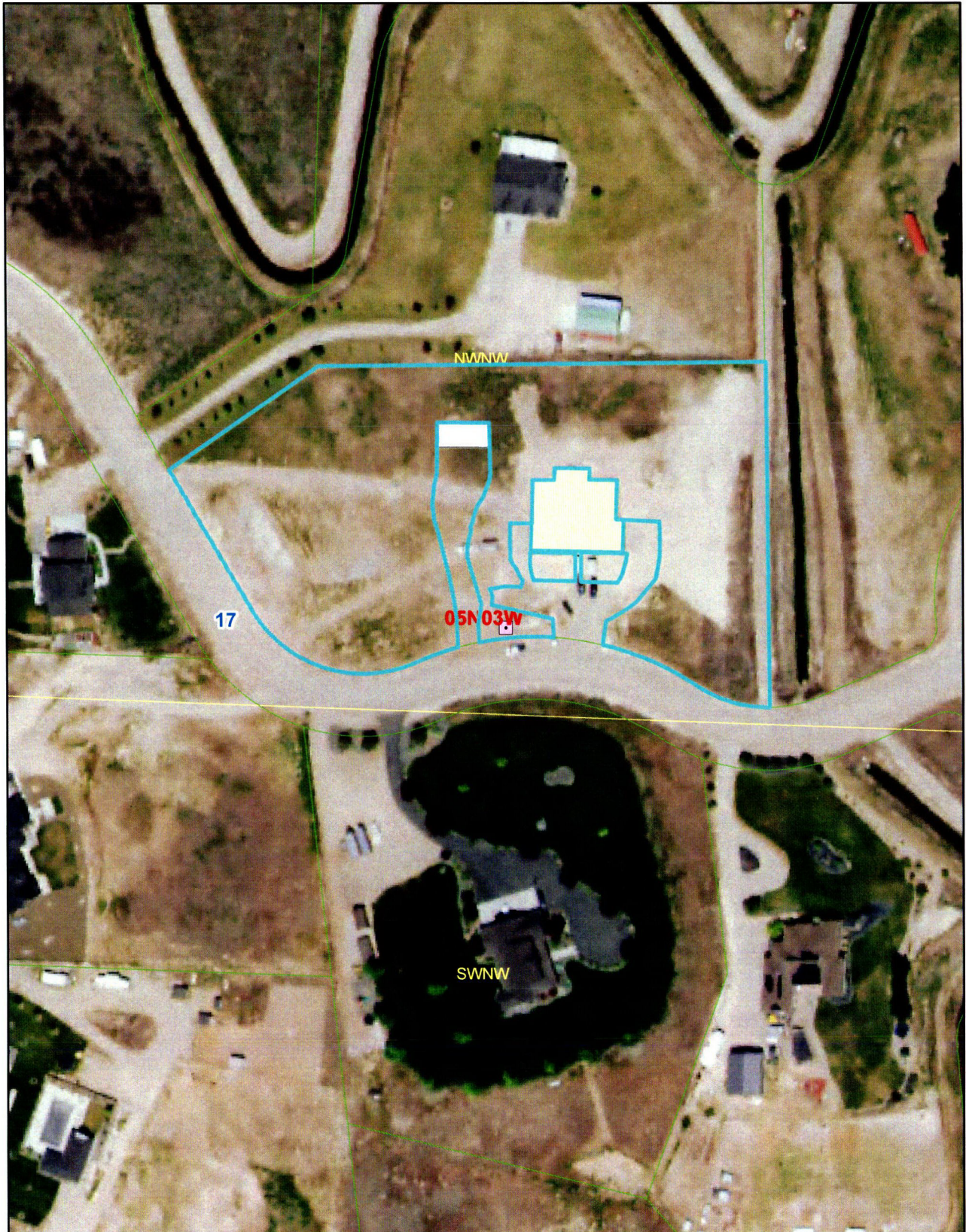
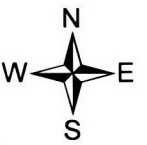
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ None

H. AUTHENTICATION Kent Aasa

Field Examiner's Name  Date 03-31-2023

Reviewer  Date 4/4/2023

63-34948



Legend

- | | | |
|-----------------|----------------|----|
| Water Right POD | Parcels | QQ |
| irrigation_POU | Township/Range | |
| Domestic_POU | Sections | |

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63-34948

Legend

📍 16924 Butterfly Ridge Rd

Laurel Bradshaw

16924 Butterfly Ridge Rd

Butterfly Ridge Rd

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APR 27 2014
Google Earth

200 ft

N

63-34948 POD



63-34948 Irrigation POU



63-34948 Domestic POU



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

FOR OFFICE USE ONLY	
Amt. of Fee \$	<u>50-</u>
Receipt No.	<u>C113783</u>
Received By	<u>KU</u>
Date Received	<u>8.24.22</u>

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 a Notice of Change in Water Right Ownership 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. 63-34948 Name of Permit Holder(s) Kieth Bradshaw
Telephone No. 208-318-4583 Email KCLKBrad@gmail.com
Mailing Address 16924 Butterfly Ridge Rd City Caldwell State Idaho Zip 83607
2. Source of Water Ground Water If Ground Water (well), Date Drilled mo. ____ / yr. ____
Drilling Permit/Tag No. D0089126 Drilling Company's Name Precision Well & Drilling
3. Extent of use(s) completed as authorized by the water right permit:
Domestic (No. households) 1 Irrigation (No. acres) 3.3 Stockwater (No. and stock type) ____
Other ____
4. Total diversion rate or volume (storage only) for which proof is submitted 0.14 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.)
5 horse power pump in Well.

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 use |
- If RAFN Municipal use, additional increment of beneficial use developed? ☐ Yes (attach CWRE report) ☐ No

7. Fee Enclosed \$ 50.00 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: Kieth Bradshaw Telephone No. 208-318-4583 Email KCLKBrad@gmail.com
Mailing Address 16924 Butterfly Ridge Rd City Caldwell State Id. Zip 83607

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.

Kieth Bradshaw Kieth Bradshaw, owner 8/22/2022
SIGNATURE OF PERMIT HOLDER* PRINTED NAME AND TITLE DATE

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

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SEP 12 2022



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 6, 2023

KIETH BRADSHAW
LAUREL BRADSHAW
16924 BUTTERFLY RIDGE RD
CALDWELL ID 83607-8859

RE: License No. 63-34948

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)

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APR 07 2023

CERTIFICATE OF SERVICE

I hereby certify that on April 6, 2023, I served a true and correct copy of Water Right License No. 63-34948 by U.S. Mail, postage prepaid, to the following:

KIETH BRADSHAW (Current Owner)
LAUREL BRADSHAW (Current Owner)
16924 BUTTERFLY RIDGE RD
CALDWELL ID 83607-8859



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.



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
September 9, 2022

Director Gary Spackman

LAUREL BRADSHAW
KIETH BRADSHAW
16924 BUTTERFLY RIDGE RD
CALDWELL ID 83607-8859

PROOF ACKNOWLEDGEMENT LETTER

RE: Permit No. 63-34948

Dear Permit Holders:

The Department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the Department to conduct a field examination to determine and confirm the use being made of the water.

Please be advised that Idaho Code § 42-248, requires you or the owner of this water right to maintain current ownership and address records on file with the Department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any Department office or at the Department's website at www.idwr.idaho.gov.

If you have any questions concerning the field examination, please contact the Western Region Office of the Department located in Boise at (208) 334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read "Debbi Judd".

Debbi Judd
Technical Records Specialist

Enclosures

SCANNED
SEP 12 2022