

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 63-35183

Priority: January 06, 2022

Maximum Diversion Rate: 0.17 CFS

Maximum Diversion Volume: 18.1 AF

It is hereby certified that:

HEATHER BENSON 6619 E LEWIS LN NAMPA ID 83686-9013 AND
MICHEAL BENSON 6619 E LEWIS LN NAMPA ID 83686-9013

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 06, 2022, and has submitted Proof of Beneficial Use on April 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	0.11 CFS	16.9 AF
DOMESTIC	01/01 to 12/31	0.06 CFS	1.2 AF

Location of Point(s) of Diversion

GROUND WATER NW¼ NW¼, Sec. 17, Twp 02N, Rge 01W, 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	
02N	01W	17						3.8											3.8

Total Acres: 3.8

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	
02N	01W	17						X											

Conditions of Approval

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor exceed a combined annual maximum diversion volume of 18.1 af at the field headgate for the place of use.
2. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
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.

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 63-35183

4. Domestic use is for 2 homes. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
5. 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 24th day of April, 2023.



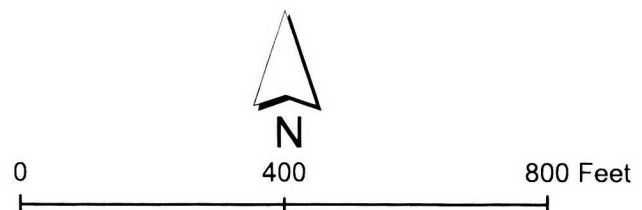
PHILL HUMMER
Water Rights Supervisor

State of Idaho
Department of Water Resources
Attachment to Water Right
63-35183

This map depicts the IRRIGATION & 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.



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



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
IN-OFFICE REVIEW/BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATIONPermit No: 63-35183Exam Date: 04/20/2023

1. Does this qualify for an in-office field exam (IDAPA 035.02.r)? X Y N
- Irrigation of 5 acres or less
 - Storage of up to 14.6 AF for stockwater purposes only
 - Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
 - Other < >

2. Current Owner: Name: Heather & Michael Benson
Owner of Record Correct? X Y N
Address of Record Correct? Y N
If No: Address

3. Beneficial Use Fees have been paid: X Y N Receipt No: C115880

4. SOURCE TRIBUTARY
Groundwater N/A

Method of Determination: GIS and Tax lot DataChange in Source: Y X N**B. OVERLAP REVIEW**

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

Water Right No.	Source	Purpose of Use/ affiliation	Basis
63-136, 63-137B	Boise River	Irrigation-Pioneer-Dixie Ditch	License
63-198,199B,200A&B,30181,32695 A&B, et. al	Various-Source	Nampa-Meridian-Irrigation Dist	License Decreed
63-372	Boise River	Boise-Kuna-New York Canal	License Decreed
63-200A, 63-33251 and 63-33253	Various-Surface	Irrigation-Boise Project Board-	license
63-34229	Groundwater	Municipal-City of Nampa	License
63-373A, 301A, 302A, 251A, 2106, 2109, et, al	Boise River	Irrigation- United States-Acting	License

Comments:

Any rights that overlap the permit place of use (POU) are irrigation company surface water, or City of Nampa municipal groundwater. The permit has conditions that will be carried over to licensing prioritizing the use of any surface water available first and limiting the rights annual use when combined with any other rights to address any enlargement or injury concerns.

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

Water Right No.	Source	Purpose of Use	Basis
NONE			

Comments: There are no overlaps for the point of diversion.**C. DIVERSION AND DELIVERY SYSTEM****1. LOCATION OF POINT(S) OF DIVERSION:**

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Pump/well			NW	NW	17	02N	01W	B.M.	Canyon

Method of Determination: GIS and Tax lot data.Change in POD? X N Amendment Required? X N2. **PLACE OF USE:** Use: Irrigation & Domestic

TW P	RGE	Sec	NE				NW				SW				SE				Total s
			NE	N W	S W	SE	NE	N W	S W	SE	NE	N W	S W	SE	NE	N W	S W	SE	
02N	01W	17						3.8											3.8
02N	01W	17						D											
		Lot #																	
Total Acres =																			3.8

Method of Determination: GISChange in POU? X N Amendment Required? X N Delivery System Diagram Attached (required). Indicate all major components and distances between components.

Indicate weir size/pipe as applicable.

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

4. Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
PUMP	UNKNWOWN		UNKNOWN	UNKNOWN	18GPM (well pump flow)

D. FLOW MEASUREMENTS

1.Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE						

2. Measurements: No measurement is required for an in-house exam, but administrative memos #17 &22 were used to support that the rate requested is acceptable.**E. FLOW CALCULATIONS** Additional Computation Sheets Attached

The only details for the pump installed that were provided in the proof of beneficial use was a well pump flow of 18 gpm submersible pump. When I spoke with the permit holder, Heather, she said she knew no other details of the pump but she described the system. The pump delivers water to the buildings, lawn irrigation system and to earthen irrigation ditches for gravity fed flood irrigation. The permit was issued for 4 acres of irrigation, which was also requested on the Proof of Beneficial Use. However, only about 3.75 acres of irrigation could be verified.

Administrative memo 17 allows a rate of up to 0.03cfs per acre, for irrigation of up to 5 acres. The area irrigated was measured at 3.75 acres (rounded to 3.8 acres) using ArcGIS. Administrative Memo 22 allows a rate of up to 0.06cfs for domestic use in 2 homes. The right has the uses stated with separate elements. I am recommending a total maximum diversion rate of 0.17 cfs for the license, 0.11cfs of which is supplemental to the surface water for irrigation.

Permit allowed = 0.18cfs, Recommendation=0.17cfs

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3.75 \times 4.5 = 16.9 \text{ AF}$$

$$V = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.11 \times 242 \times 1.9835 = 52.8 \text{ AF}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 16.9 \text{ AF}$$

2. Volume Calculations for Other Uses:

According to Administrative memo #22 up to 1.2 AF, per year is an acceptable volume for domestic use in 2 homes. I am recommending 1.2 AF on the license for domestic use in 2 homes.

G. PURPOSE OF USE

Irrigation ☒ Y ☐ N # Stock _____ Domestic # of Homes 2

Other: < >

Change in Purpose of Use? ☐ Y ☒ X ☐ N

Method of Determination: Tax lot data and documentation from owner.

H. NARRATIVE/REMARKS/COMMENTS

Prior to issuing the license, I spoke with the permit holder on a phone call April 20th, 2023, regarding the irrigation at the place of use (POU). I explained that I could only find evidence of 3.75 acres of total irrigation at the POU. On the Proof of Beneficial Use submitted they stated use in 2 homes and 4 acres of irrigation. The owner, Heather Benson, was agreeable with making the license for 3.75 acres of irrigation (rounded to 3.8 acres, as per Admin Memo #6).

This permit for domestic use and 3.75 acres of irrigation diverted from groundwater in Water District (WD) 63 qualifies for an in-office exam. The area irrigated was confirmed using Google Earth and GIS imagery (see Figures 1 & 1.1). The point of diversion is in Water District 63; however, it is downstream of the Star bridge and not in the area of concern as outlined by administrative memo #59. The water bearing zone reported in the legal remarks at advertisement is from 40-200ft in depth.

The total yearly volume allowed for irrigation was calculated as 16.9 AF using the headgate irrigation requirements and the total acres of irrigation. According to Administrative memo #22, the standard total domestic use volume for 2 homes is up to 1.2 AF per year. The total maximum volume for the right is conditioned that it is supplemental to surface water for irrigation use and limited to the headgate standard when combined with any other rights.

Administrative Memos #17 & #22 were used to determine the appropriate rate of flow for irrigation and domestic uses, respectively on the license. I am recommending a rate of 0.11cfs for irrigation and 0.06 for domestic use in 2 homes on the license. The right is conditioned so that the groundwater for irrigation is supplemental to surface water, and when combined with any other right(s) does not exceed 0.11cfs.

I am recommending the license be issued with conditions WB7, R61, 943, 132 and 103. Condition 046 was removed before licensing, as the permit holder confirmed in the proof report that the well construction is complete. Condition 121 was replaced with condition 103 at licensing.

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

I. RECOMMENDATIONS**1. Recommended Amounts**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Irrigation	03/01 to 11/15	0.11 CFS	16.9 AF
Domestic	01/01 to 12/31	0.06 CFS	1.2 AF
	<u>Totals:</u>	0.17 CFS	18.1 AF

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above X None

___ Change P.U. as reflected above ___ Add P.U. as reflected above X None

J. AUTHENTICATION- Water Resource Agent- Bob Howe

Water Resource Agent's Name Bob Howe Date 4/24/23

Reviewer P. H. Hume Date 4/24/23



Figure 1.- 2021-GIS image of the irrigation POU, outlined in light blue, POD is identified by light blue point.



Figure 1.2 Google Earth 2022-aerial image of irrigation POU, both homes visible in image.

RECEIVED

APR 14 2023

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

FOR OFFICE USE ONLY

Amt. of Fee \$ 50Receipt No. C115880Received By KHDate Received 4.14.23

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 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. 63-35183 Name of Permit Holder(s) Heather + Michael Benson
Telephone No. 208-631-6333 Email heathermbenson1@gmail.com
Mailing Address 6619 E Lewis Ln City Nampa State ID Zip 83686
2. Source of Water ground water If Ground Water (well), Date Drilled mo. unknown / yr. unknown
Drilling Permit/Tag No. unknown Drilling Company's Name unknown

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

Domestic (No. households) 2 Irrigation (No. acres) 4 Stockwater (No. and stock type) _____
Other _____

4. Total diversion rate or volume (storage only) for which proof is submitted 0.18 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.)

*see attached diagram well pump flow is 18GPM, 1 inch poly pipes deliver water 250 ft to the shop and 125 ft to the secondary dwelling. Trenches are 4 feet deep. Back front side yards use well water for irrigation.

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: The 2 alfalfa fields are flood irrigated (3+ acres) Pump is electric.

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 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: Heather Benson Telephone No. 208-631-6333 Email heathermbenson1@gmail.com
Mailing Address 6619 E Lewis Ln City Nampa State ID Zip 83686

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.

Heather Benson
SIGNATURE OF PERMIT HOLDER*

Heather Benson
PRINTED NAME AND TITLE

4-6-23
DATE

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

Property Line

Property Line

Property Line

SIDE
YARD
USES
WELL
WATER
FOR
IRRIGA-
-TING

FRONT YARD
USES WELL
WATER FOR
IRRIGATING

SIDE
YARD
USES
WELL
WATER
FOR
IRRIGA-
-TING

Primary Dwelling-
1900 sq ft
4 bdrms/3baths

WELL
PUMP

Alfalfa
Field-
Flood
Irrigated

BACKYARD
USES WELL
WATER FOR
IRRIGATING

*250
feet of
poly
pipe
(well
to the
shop)

6619

SHOP- WATER
INSIDE

SECONDARY
DWELLING-
1500 sq ft, 3
bdrms/2baths

*125 ft of poly pipe from shop
to secondary dwelling, 4 ft deep

2nd Alfalfa Field-
Flood Irrigated

**Poly pipes (marked in red) deliver water from the well to the shop and to the secondary dwelling. Trenches were dug 6 feet deep, total length of pipe is 330 feet. The secondary dwelling line was Teed off from the existng shop water line.

Property Line



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

April 26, 2023

HEATHER BENSON
6619 E LEWIS LN
NAMPA ID 83686-9013

MICHEAL BENSON
6619 E LEWIS LN
NAMPA ID 83686-9013

RE: License No. 63-35183

ISSUANCE OF LICENSE

Dear Water Right Holder(s):

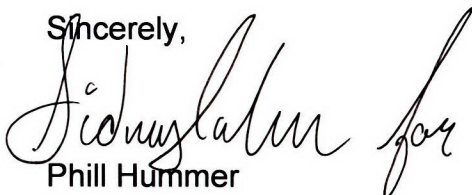
The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing 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,


Phill Hummer

Water Rights Supervisor

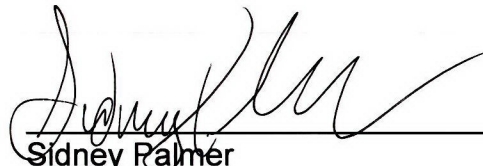
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on April 26, 2023, I served a true and correct copy of Water Right License No. 63-35183 by U.S. Mail, postage prepaid, to the following:

HEATHER BENSON (Current Owner)
6619 E LEWIS LN
NAMPA ID 83686-9013

MICHEAL BENSON (Current Owner)
6619 E LEWIS LN
NAMPA ID 83686-9013



Sidney Palmer
Technical Records Specialist 1

Beneficial Use Proof Evaluation

Permit Number: 63-35183 Reviewer: djudd Review Date: 4/14/2023

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: 4/14/2023
- 4) Proof Due Date: 6/1/2023
- 5) Days added for weekend due date? 0
- 6) Days added for holiday due date? 0
- 7) Number of days late: -48
- 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?
 - a. Measuring Device --
 - b. Lockable Device --
 - c. Fish Screen --
- 4) Is there a request to waive the required items?
- 5) Drilling Permit Number: UNKNOWN
- 6) Is a drilling permit upgrade needed?
- 7) Was a well drillers report filed?
- 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

W050013

Comments

Proof deemed acceptable. Gave file to water right agent for in-house license review. Water right agent will enter the proof made date in AdHoc at the time of licensing.



IDAHO DEPARTMENT OF
WATER RESOURCES

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Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little
March 31, 2023

Director Gary Spackman

HEATHER BENSON
MICHEAL BENSON
6619 E LEWIS LN
NAMPA ID 83686-9013

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 63-35183

IMPORTANT: A response from you is required to maintain the active status of the referenced water right permit. If no response is received from you, the permit will lapse and your authorization to develop and/or use this water right will be cancelled.

Dear Permit Holders:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before **June 01, 2023**. Please complete and return the enclosed Statement of Completion for Submitting Proof of Beneficial Use (proof) if you have completed the water project authorized by your permit. The proof statement must be accompanied by either the appropriate license examination fee or a field examination report prepared by a certified water right examiner.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Idaho Code § 42-204. If you have been delayed by a government agency or by litigation that brings title to the water in question, an extension of time may be granted if appropriate documentation is provided at the time of filing. An extension request must be accompanied by a \$50.00 filing fee and signed by the appropriate authorized permit holder(s) or authorized representative with a power of attorney.

Either an acceptable proof or an acceptable extension request must be received by this Department on or before the above proof due date. If neither is received, the Department will send you a lapse notice and the permit will no longer be of any force or effect.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures



SCANNED
MAR 31 2023