

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 65-23467

Priority: September 09, 2011

Maximum Diversion Rate: 0.24 CFS

Maximum Diversion Volume: 54.0 AF

It is hereby certified that:

RON WOODS
5896 S WHITLEY DR
FRUITLAND ID 83619

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 09, 2011, and has submitted Proof of Beneficial Use on December 20, 2012. 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	0.24 CFS	54.0 AF

Location of Point(s) of Diversion

GROUND WATER SW¼ NW¼, Sec. 9, Twp 07N, Rge 05W, 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	
07N	05W	9							12.0										12.0

Total Acres: 12.0

Conditions of Approval

1. This right does not grant any right-of-way or easement across the land of another.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
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.

SCANNED

SEP 25 2023

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 65-23467

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 22nd day of September, 20 23.

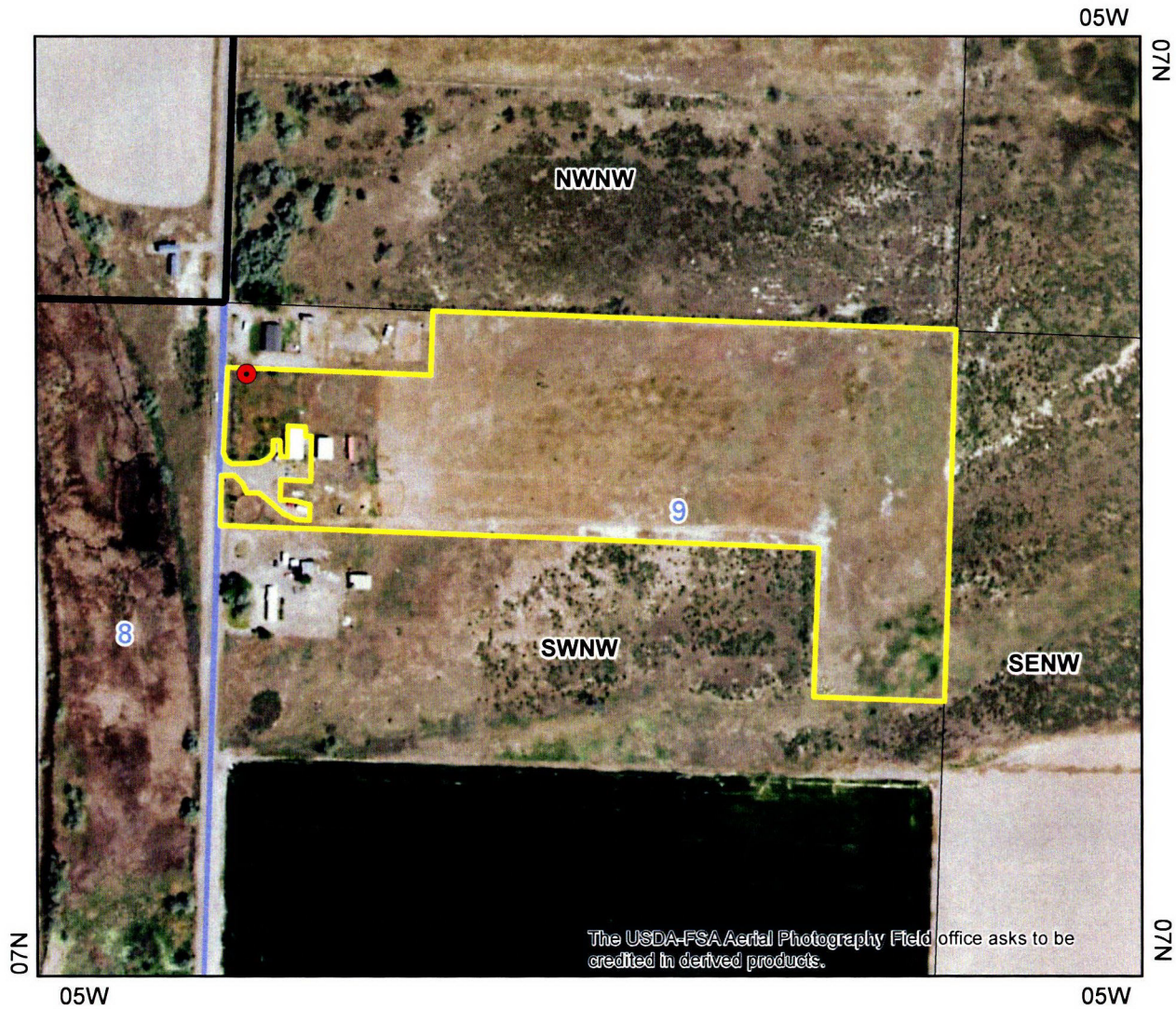


COREY SKINNER
Southern Regional Manager



State of Idaho
Department of Water Resources
Attachment to Water Right
65-23467

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.



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



SCANNED
SEP 25 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 Mathew Weaver

September 22, 2023

RON WOODS
5896 S WHITLEY DR
FRUITLAND ID 83619

RE: License No. 65-23467

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)

SCANNED

SEP 25 2023

CERTIFICATE OF SERVICE

I hereby certify that on September 22, 2023, I served a true and correct copy of Water Right License No. 65-23467 by U.S. Mail, postage prepaid, to the following:

RON WOODS (Current Owner)
5896 S WHITLEY DR
FRUITLAND ID 83619



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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 65-23467
Exam Date: 09/05/2023

1. Current Owner:
RON WOODS
5896 S WHITLEY DR
FRUITLAND ID 83619

2. Accompanied by: Ron Woods was at home and gave us permission to conduct field exam.
Kent Aasa, IDWR Agent

3. **SOURCE:**
GROUND WATER

Method of Determination: Observed well and spoke with permit holder during field examination.

B. OVERLAP REVIEW

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

Water Right No.	Source	Purpose of Use	Basis
None			

Comments: Research of Department's records show no overlapping water rights.

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

Water Right No.	Source	Purpose of Use	Basis
None			

Comments: Research of Department's records show no overlapping water rights.

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

GROUND WATER SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, Twp 07N, Rge 05W, B.M. PAYETTE County

Method of Determination: On site visit, Aerial Photography-ArcMap

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	
07N	05W	9							12.0										12.0

Total Acres: 12.0

Method of Determination: On site visit, Aerial Photography-ArcMap

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

Aerial Photo Attached (required for irrigation of 10+ acres).

X

Photo of Diversion and System Attached

X

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
D0063771					

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Polysonics	Flow Meter	Panametrics	PT878	0403		4/2023

2. Measurements: An instantaneous flow measurement was taken.

E. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 12.0 \text{ acres} \times 4.5 \text{ af/a} = 54 \text{ af/a}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.27 \text{ cfs} \times 260 \text{ days} \times 1.9835 = 139.24 \text{ af}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 54 \text{ af/a}$$

2. Volume Calculations for Other Uses: None

G. NARRATIVE/REMARKS/COMMENTS

The Beneficial use field exam for permit 65-23467 was conducted on September 5, 2023, with Kent Aasa IDWR Agent and myself. We contacted Mr. Woods and introduced ourselves and explained why we were there to verify the irrigation system developed and to measure the amount of water his well could pump. Mr. Woods gave us permission to measure his well and verify the number of acres irrigated.

The irrigation system consisted of a 10" well, underground mainlines with risers and portable hand lines that allowed for the ability to completely irrigate the property. The instantaneous measurement on the flow meter shows 154.6 gpm which equates to 0.34 cfs ($154.6 \text{ gpm} \div 448.83 \text{ gpm/1cfs} = 0.3444$).

Permit 65-23467 allows for the diversion rate of 0.27 cfs and the irrigation of 13.5 acres. Aerial imagery shows 12.0 acres of irrigation on the property, and the tax lot information describes two parcels totaling 12.6 acres.

Therefore, I recommend the irrigation of 12.0 acres and 0.24 cfs (0.02 cfs/acre), and 54 af (see volume calculations).

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	0.24CFS	54.0 AF

Totals: 0.27 CFS 54.0 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 Benny Walker -

Field Examiner's Name Benny Walker Date 9/14/2023

Reviewer [Signature] Date 9/22/2023



Above : Well Head with Flow Meter measuring device

Background: Power Box with lockable controlling works



Polysonic Flow Meter: Instantaneous measurement of 154.6 gpm

Permit 65-23467



Irrigation: Place of use and irrigation system



Field Exam 65-23467

SCANNED
SEP 25 2023



ENE 1

NWNW

NENW

Point of Diversion

Place of Use

07N05W

9

ENE 2

SWNW

SENW

Field Exam 65-23467

SCANNED
SEP 25 2023