State of Idaho
Department of Water Resources

Water Right License

Water Right No. 65-23672

Priority: December 05, 2016

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 46.8 AF

It is hereby certified that:

BARBARA SZURGOT 50 DEKE DR HORSESHOE BEND ID 83629-0100 AND/OR
LARRY SZURGOT 50 DEKE DR HORSESHOE BEND ID 83629-0100

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 08, 2016, and has submitted Proof of Beneficial Use on September 12, 2017. An examination confirms water is diverted from:

Source : HILL CREEK **Tributary:** PAYETTE RIVER

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
IRRIGATION STORAGE	03/15 to 10/31		15.0 AF
IRRIGATION FROM STORAGE	03/15 to 10/31		15.0 AF
WILDLIFE STORAGE	01/01 to 12/31		31.8 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.04 CFS	

Location of Point(s) of Diversion
HILL CREEK SE¼ NE¼, Sec. 1, Twp 07N, Rge 02E, B.M. BOISE County

Place of Use: IRRIGATION STORAGE

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	02E	2																X	

Place of Use: IRRIGATION FROM STORAGE

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	02E	2																3.0	3.0

Total Acres: 3.0

Place of Use: WILDLIFE STORAGE

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	02E	2																X	

Conditions of Approval

1. Rights 65-3803C and 65-23672 when combined shall not exceed the irrigation of 18.1 acres.
2. The pond established by the storage of water under this right shall not exceed a total capacity of 2.0 acre-feet or a total surface area of 0.4 acre.

SCANNED
JUL 07 2023

State of Idaho
Department of Water Resources

Water Right License

Water Right No. 65-23672

3. This right authorizes the storage of an annual total of 46.8 acre-feet; 2.0 acre-feet to be used for the initial filling or carryover storage of the pond, 29.8 acre-feet for the replacement of losses due to seepage and evaporation, and up to 15.0 acre-feet for additional refills for irrigation from storage use.
4. This right when combined with all other rights shall provide no more than 5.0 afa per acre for irrigation storage and irrigation from storage for the place of use.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.
7. Use of water under this right regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
8. The right holder shall contact the watermaster by June 15 each year for authorization to continue diverting and using water. The right holder shall not divert water after June 15 each year unless the watermaster authorizes continued diversion and use of water under this water right. When the watermaster informs the right holder that water is not available to fill this right, the right holder shall cease diversion, shall rent water from the Payette River Rental Pool, or shall otherwise mitigate for the depletion of water caused by this water use. The department may amend the contact date listed in this administrative provision to more closely coincide with the date when water is not available to fill this water right.
9. This right does not grant any right-of-way or easement across the land of another.
10. 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 6th day of July, 2023.

SCOTT STORMS
Water Rights Supervisor

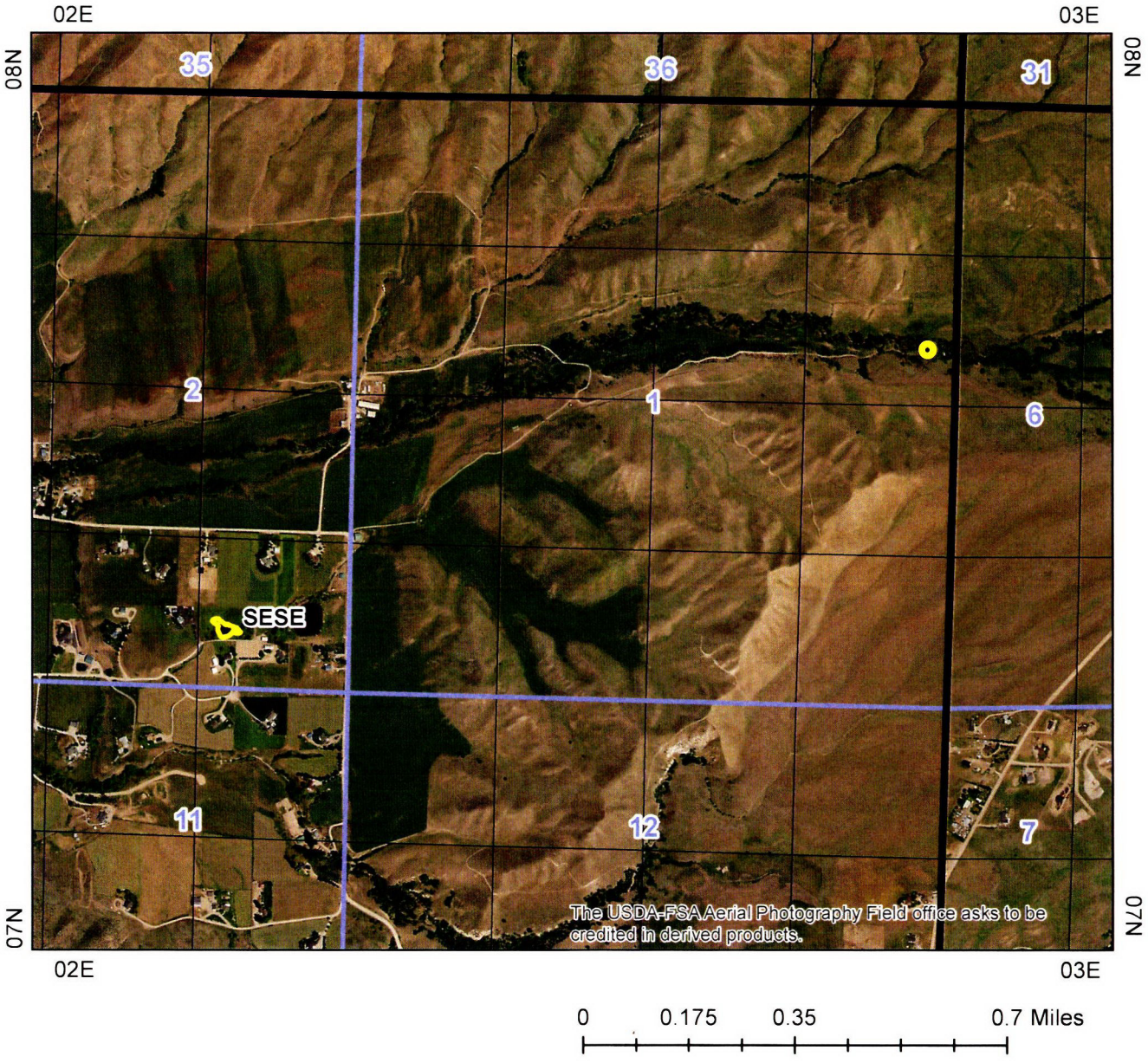
SCANNED
JUL 07 2023

State of Idaho
Department of Water Resources

Attachment to Water Right

65-23672

This map depicts the IRRIGATION STORAGE 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.



SCANNED
JUL 07 2023

State of Idaho
Department of Water Resources

Attachment to Water Right

65-23672

This map depicts the IRRIGATION STORAGE 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.



0 0.035 0.07 0.14 Miles

Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters

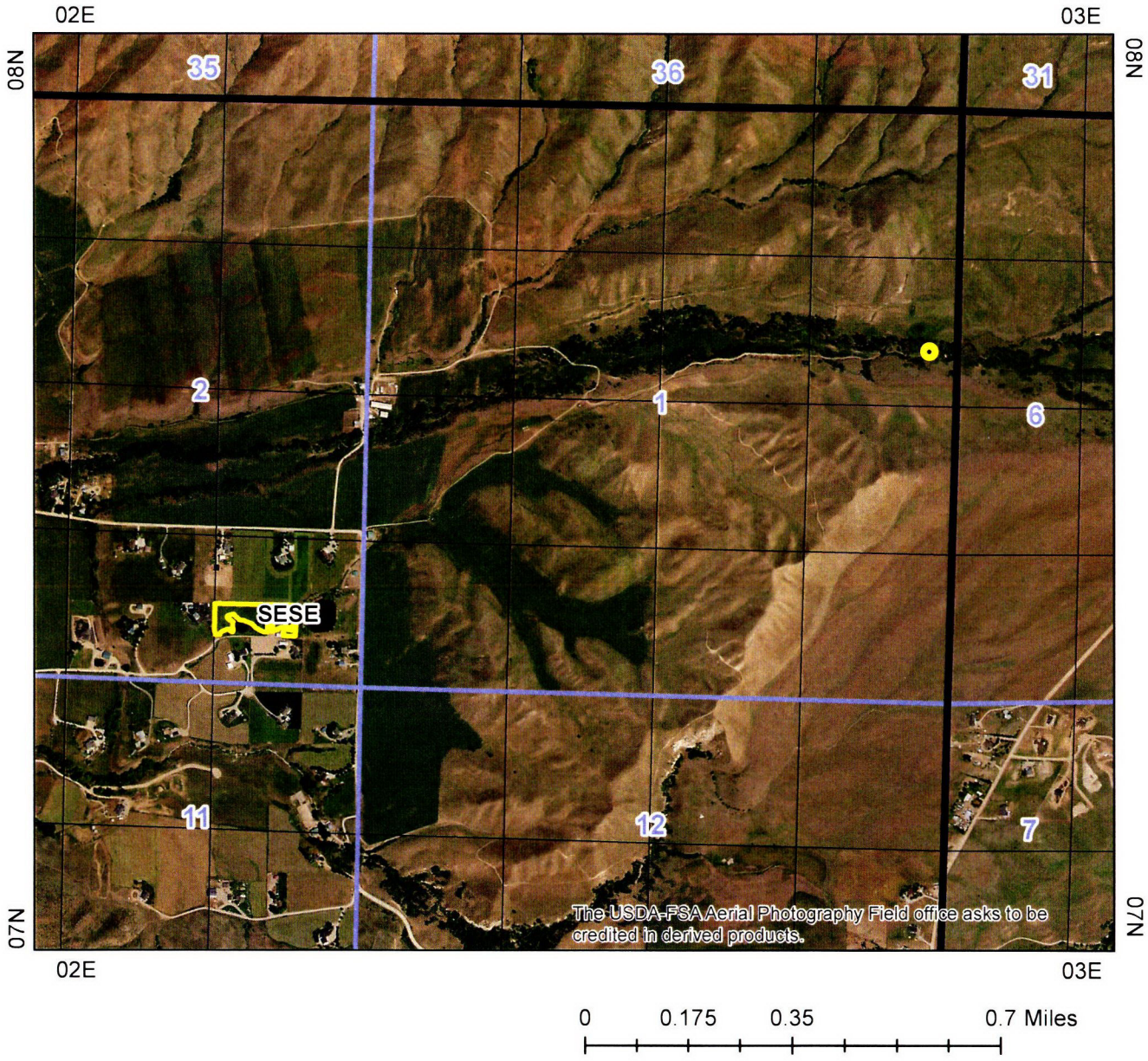
SCANNED
JUL 07 2023

State of Idaho
Department of Water Resources

Attachment to Water Right

65-23672

This map depicts the IRRIGATION FROM STORAGE 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.



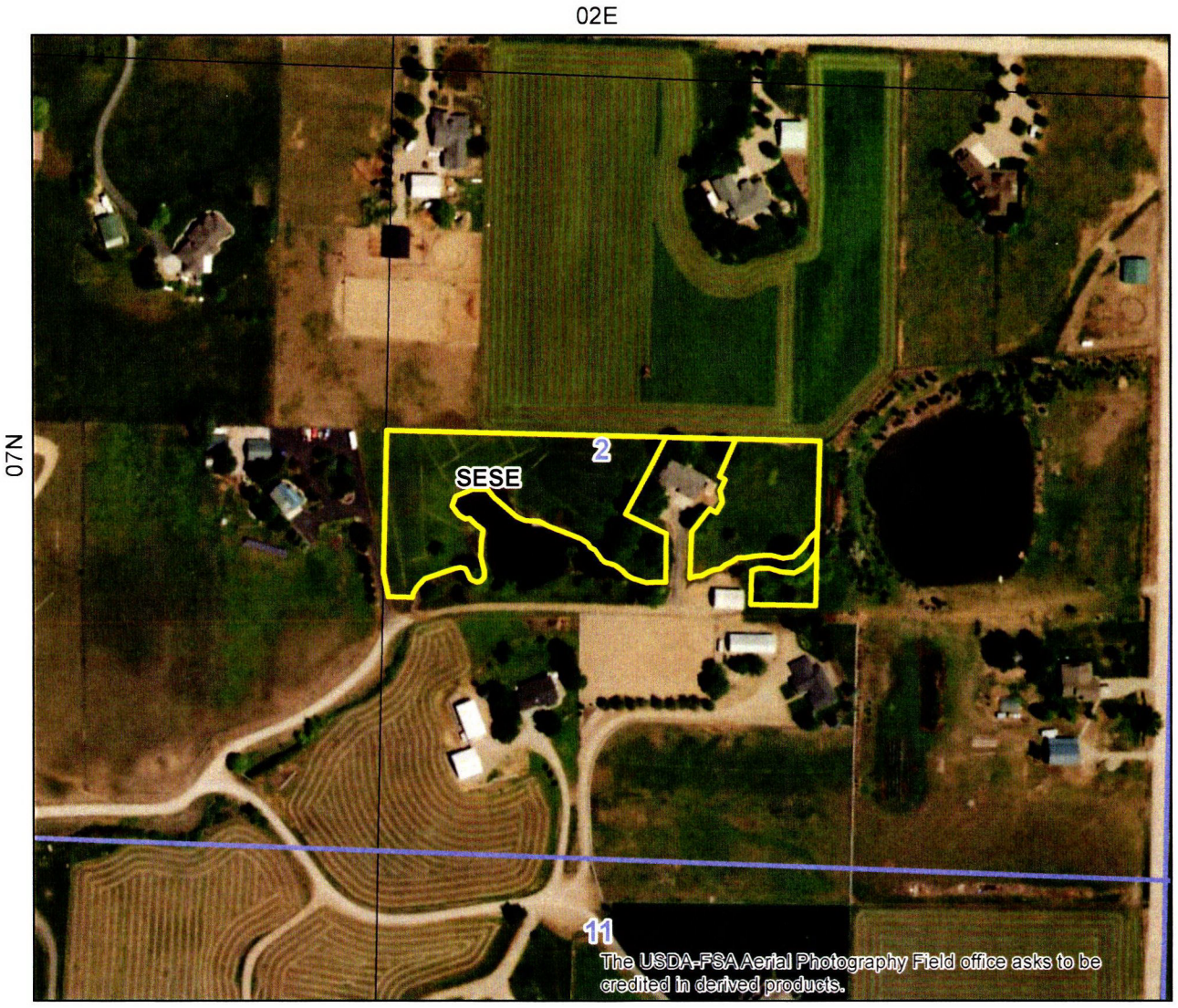
SCANNED
JUL 07 2023

State of Idaho
Department of Water Resources

Attachment to Water Right

65-23672

This map depicts the IRRIGATION FROM STORAGE 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.



0 0.035 0.07 0.14 Miles

Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters

N

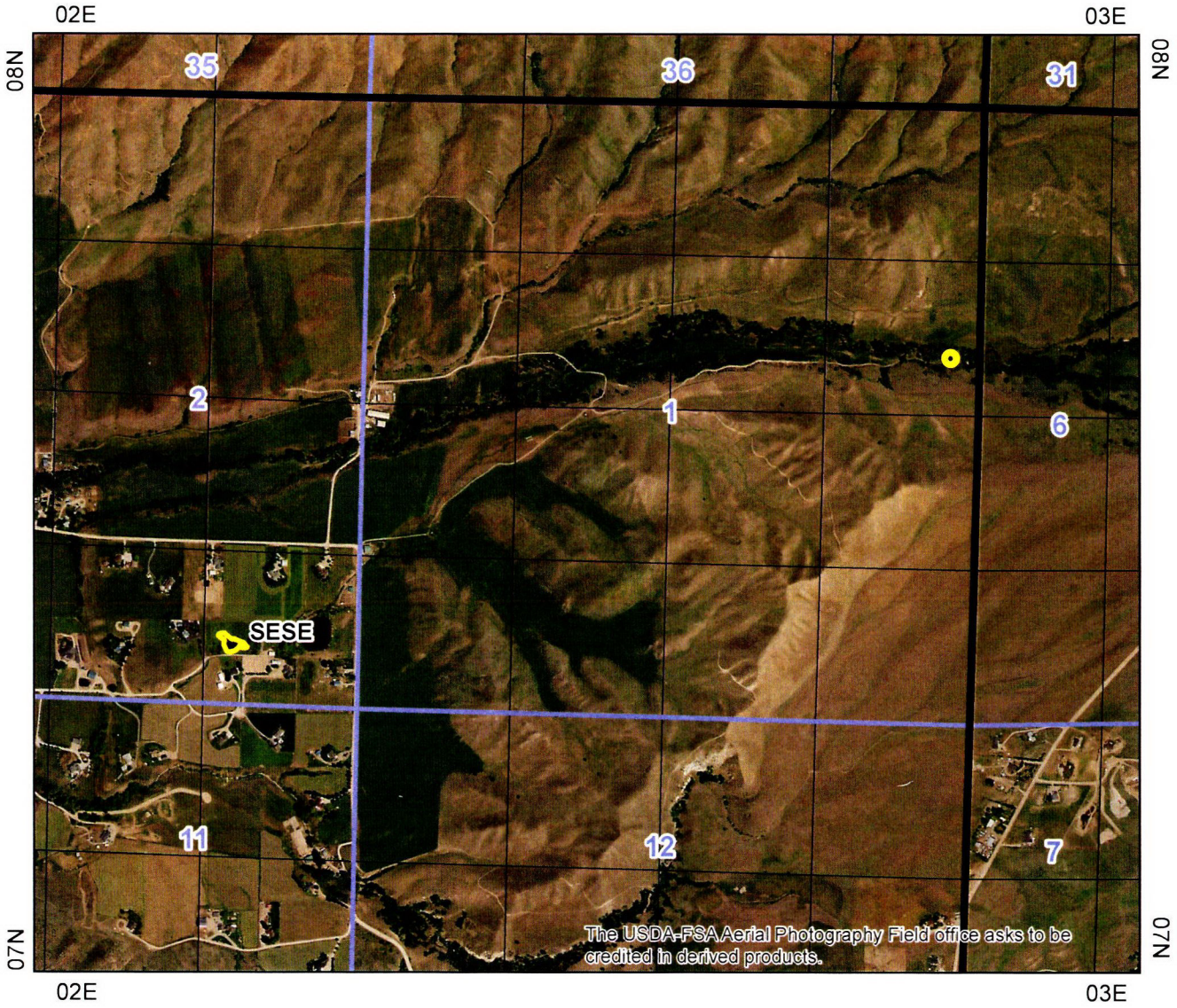
SCANNED
JUL 07 2023

State of Idaho
Department of Water Resources

Attachment to Water Right

65-23672

This map depicts the WILDLIFE STORAGE 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.



SCANNED
JUL 07 2023

State of Idaho
Department of Water Resources

Attachment to Water Right

65-23672

This map depicts the WILDLIFE STORAGE 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.

02E

07N



0 0.035 0.07 0.14 Miles

Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters

SCANNED
JUL 07 2023

RECEIVED
JAN 18 2022
WATER RESOURCES
WESTERN REGION

State of Idaho
Department of Water Resources

Application for Amendment

(For Licensing Purposes)
Water Right No. 65-23672

Priority: December 05, 2016

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 46.8 AF

The owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 65-23672

BARBARA SZURGOT 50 DEKE DR HORSESHOE BEND ID 83629-0100 AND/OR
LARRY SZURGOT 50 DEKE DR HORSESHOE BEND ID 83629-0100

requests the permit be changed as follows:

Source : HILL CREEK **Tributary:** PAYETTE RIVER

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
IRRIGATION STORAGE	03/15 to 10/31		15.0 AF
IRRIGATION FROM STORAGE	03/15 to 10/31		15.0 AF
WILDLIFE STORAGE	01/01 to 12/31		31.8 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.04 CFS	

Location of Point(s) of Diversion
HILL CREEK SE¼ NE¼, Sec. 1, Twp 07N, Rge 02E, B.M. BOISE County

Place of Use: IRRIGATION STORAGE

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	02E	2																X	

Place of Use: IRRIGATION FROM STORAGE

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	02E	2																3.0	3.0

Total Acres: 3.0

Place of Use: WILDLIFE STORAGE

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	02E	2																X	

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed this 13th day of January, 2022.

Barbara Szurgot
(Signature)

SCANNED
JUL 07 2023

State of Idaho
Department of Water Resources

Application for Amendment

(For Licensing Purposes)
Water Right No. 65-23672

FOR DEPARTMENT USE ONLY

Preliminary check by ____ Fee = $100 Receipted by LE # W050059 Date 01/18/2022

ACTION OF THE DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources hereby approves the above Application for Amendment for Permit No. 65-23672 with the following:

Conditions of Approval

1. Rights 65-3803C, and 65-23672 when combined shall not exceed the irrigation of 24 acres.
2. The pond established by the storage of water under this right shall not exceed a total capacity of 2.0 acre-feet or a total surface area of 0.4 acre.
3. This right authorizes the storage of an annual total of 46.8 acre-feet; 2.0 acre-feet to be used for the initial filling or carryover storage of the pond, 29.8 acre-feet for the replacement of losses due to seepage and evaporation, and up to 15.0 acre-feet for additional refills for irrigation from storage use.
4. This right when combined with all other rights shall provide no more than 5.0 afa per acre for irrigation storage and irrigation from storage for the place of use.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.
7. Use of water under this right regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
8. The right holder shall contact the watermaster by June 15 each year for authorization to continue diverting and using water. The right holder shall not divert water after June 15 each year unless the watermaster authorizes continued diversion and use of water under this water right. When the watermaster informs the right holder that water is not available to fill this right, the right holder shall cease diversion, shall rent water from the Payette River Rental Pool, or shall otherwise mitigate for the depletion of water caused by this water use. The department may amend the contact date listed in this administrative provision to more closely coincide with the date when water is not available to fill this water right.
9. This right does not grant any right-of-way or easement across the land of another.
10. 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

SCANNED
JUL 07 2023

State of Idaho
Department of Water Resources

Application for Amendment

(For Licensing Purposes)
Water Right No. 65-23672

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 amendment is issued pursuant to the provisions of Idaho Code § 42-211.

Signed this 6th day of July, 2023.

NICK MILLER
Western Regional Manager

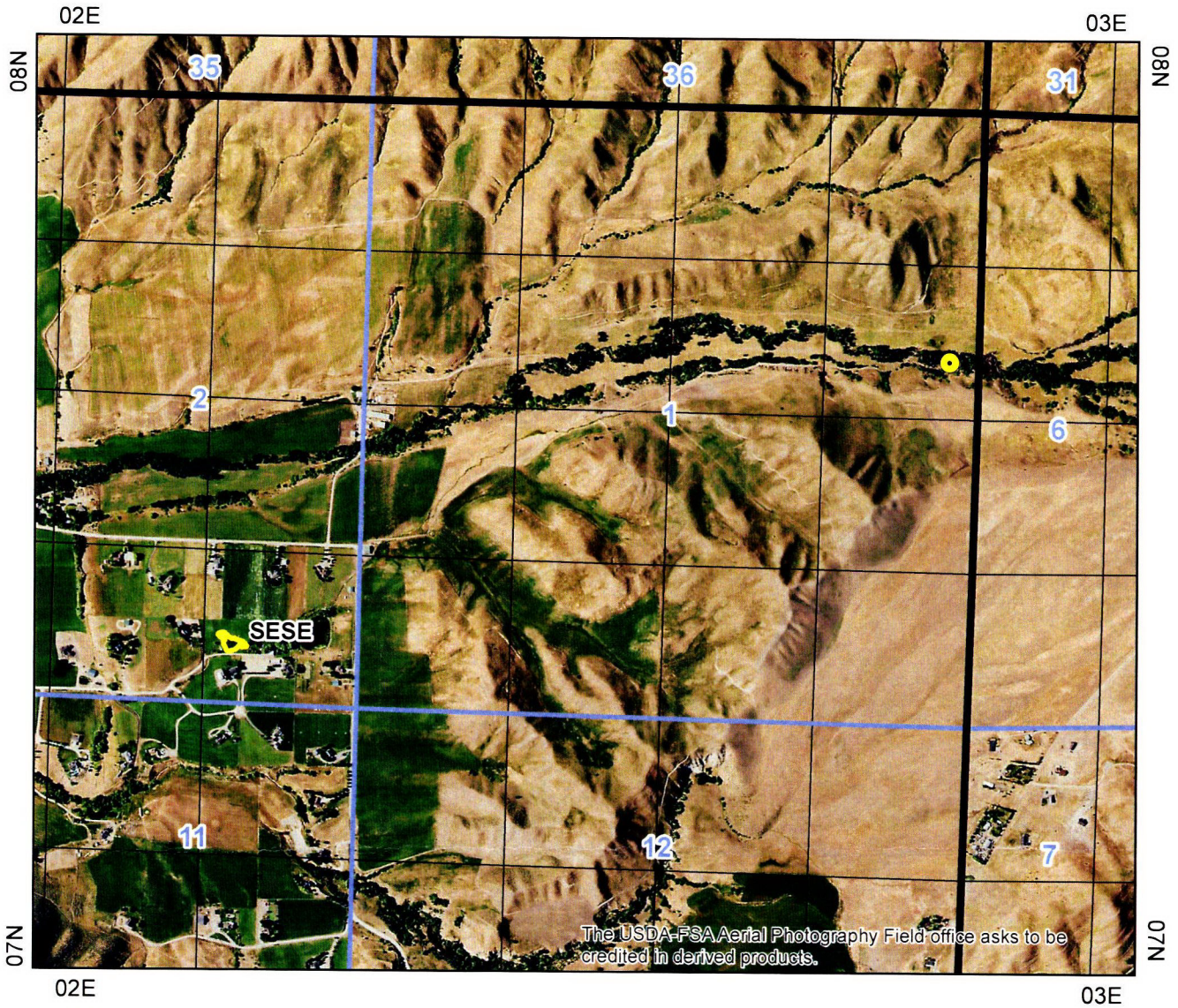
SCANNED
JUL 07 2023

State of Idaho
Department of Water Resources

Attachment for Application to Amend a Permit

65-23672

This map depicts the IRRIGATION STORAGE 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

0 0.175 0.35 0.7 Miles

N

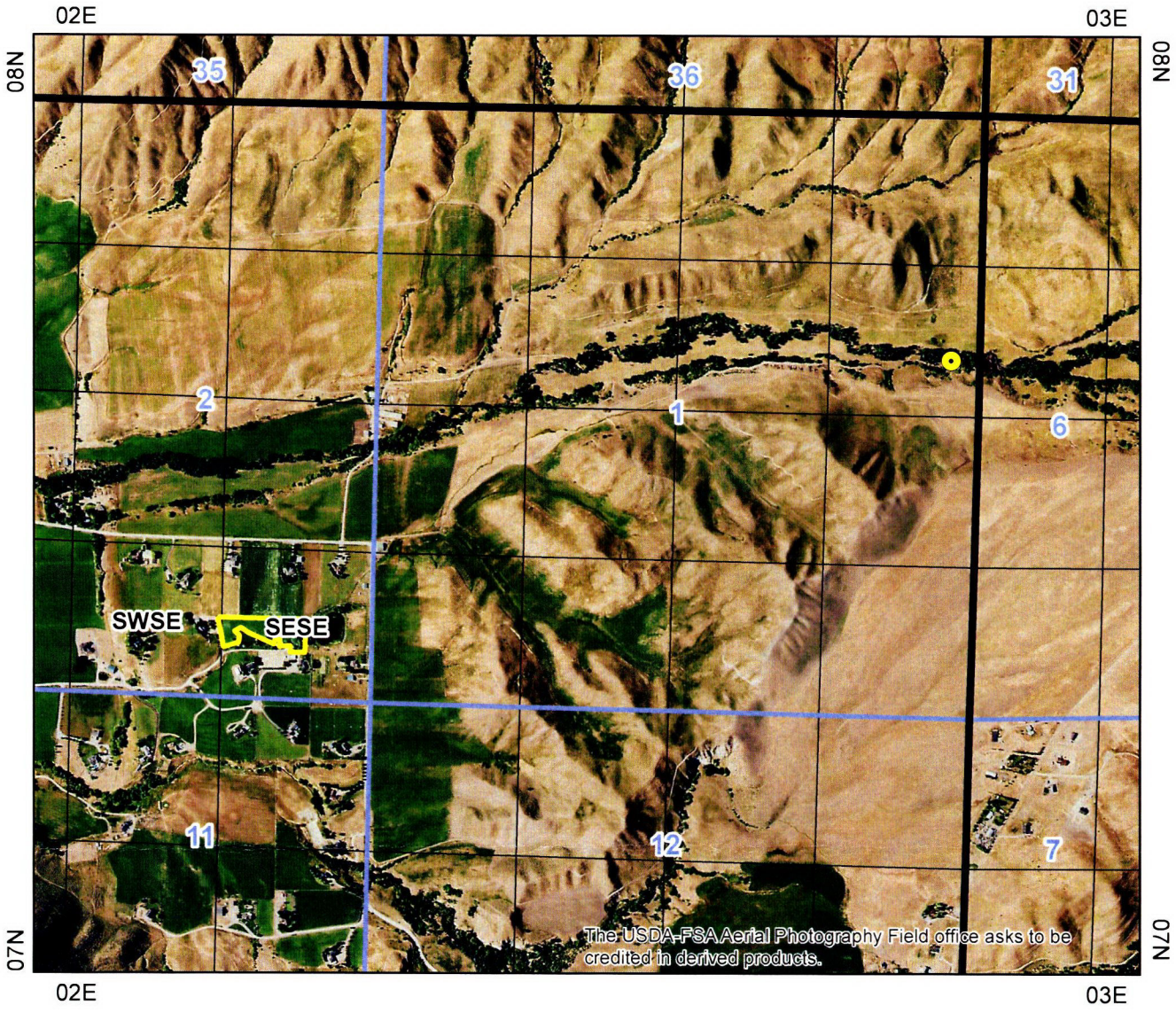
SCANNED
JUL 07 2023

State of Idaho
Department of Water Resources

Attachment for Application to Amend a Permit

65-23672

This map depicts the IRRIGATION FROM STORAGE 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.



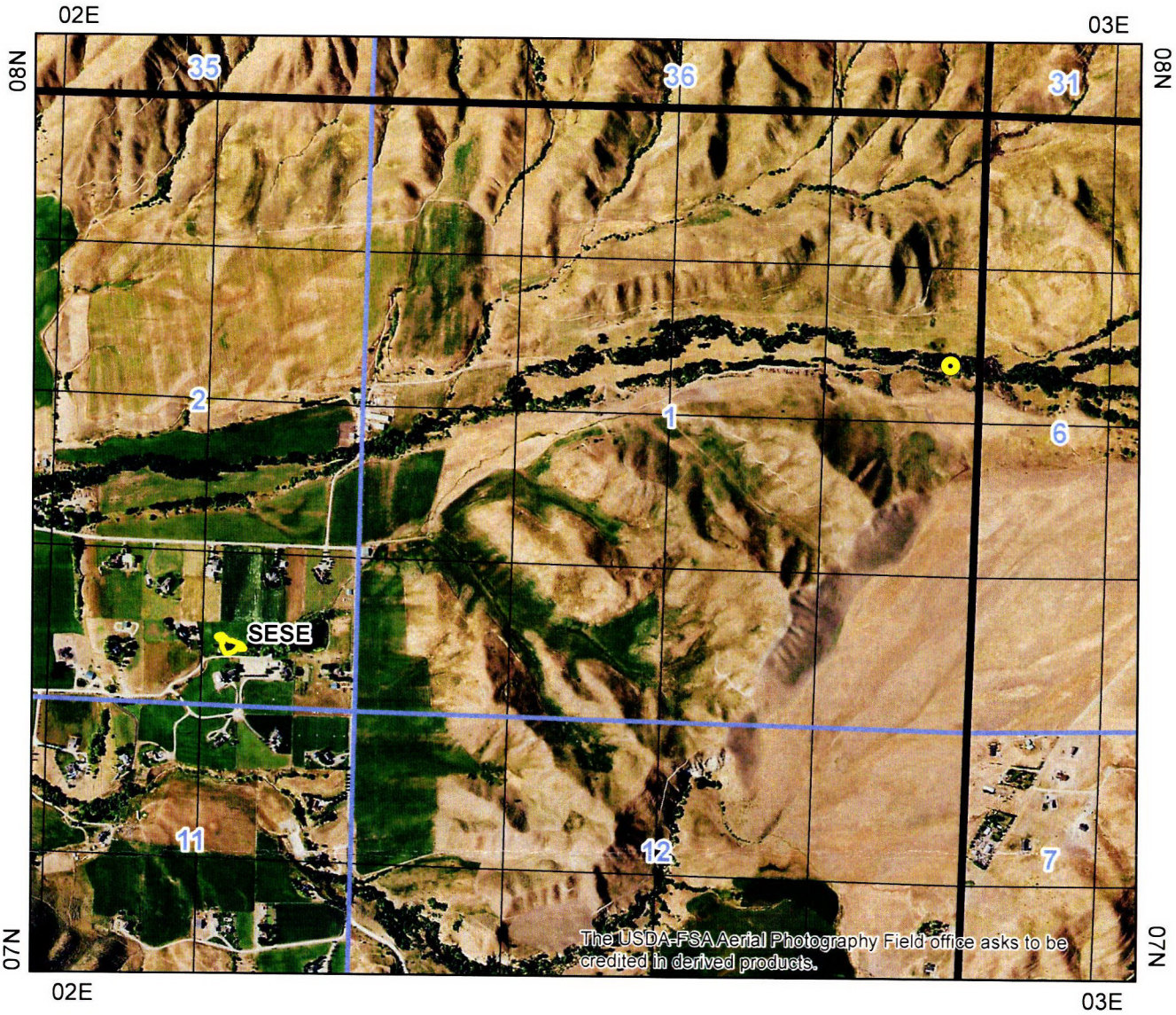
SCANNED
JUL 07 2023

State of Idaho
Department of Water Resources

Attachment for Application to Amend a Permit

65-23672

This map depicts the WILDLIFE STORAGE 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.



SCANNED
JUL 07 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

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**

July 07, 2023

BARBARA SZURGOT & LARRY SZURGOT
50 DEKE DR
HORSESHOE BEND ID 83629-0100

RE: License No. 65-23672

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,

for Lynne Evans
Scott Storms
Water Rights Supervisor

Enclosure(s)

SCANNED
JUL 07 2023

CERTIFICATE OF SERVICE

I hereby certify that on July 07, 2023, I served a true and correct copy of Water Right License No. 65-23672 by U.S. Mail, postage prepaid, to the following:

BARBARA SZURGOT (Current Owner)
50 DEKE DR
HORSESHOE BEND ID 83629-0100

LARRY SZURGOT (Current Owner)
50 DEKE DR
HORSESHOE BEND ID 83629-0100

NEIL SHIPPY (Watermaster)
WATER DISTRICT #65
102 N MAIN ST
PAYETTE ID 83661-2522

Lynne Evans
Administrative Assistant I

SCANNED
JUL 07 2023

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.

SCANNED

JUL 07 2023

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.

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JUL 07 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

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

RECEIVED
JAN 18 2022
WATER RESOURCES
WESTERN REGION

January 7, 2022

LARRY AND/OR BARBARA SZURGOT
50 DEKE DR
HORSESHOE BEND, ID 83629-0100

RE: Water Right Permit No. 65-23672

Dear Permit Holders:

I am writing you today concerning the water right permit referenced above and the outcome of the field examination for this permit done on August 26, 2020.

The Department of Water Resources sent you an Application for Amendment form on December 18, 2020, for the above referenced Permit. The amendment is required because the field examiner who verified the water use reported that one of the elements of your water use differs from the permit. As of this date the Department has not received a response.

After review of the water right permit following the field visit, it appears that the point of diversion was developed differently than what was described on the permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211 *Idaho Code*. Before a license can be issued, the permit must be amended to depict the water use as it was actually developed.

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when issued. Please review the amendment form carefully. If you agree with the information presented, **sign and return the permit amendment form** with the associated $100 filing fee.

If I do not receive the amendment **within the next fourteen (14) days**, I will assume you are no longer interested in obtaining a water right license and your permit will be voided.

Please submit the requested documents to the address listed in the letterhead above. If you have any questions, please contact me as soon as possible at 208-334-2190 or by email at allen.bradbury@idwr.idaho.gov.

Sincerely,

Allen Bradbury
Water Resource Agent, Sr.

Enclosures

Application for Amendment Form
Informational Map

SCANNED
JUL 07 2023

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082
Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

December 18, 2020

BARBARA SZURGOT
50 DEKE DR
HORSESHOE BEND ID 83629-0100 AND/OR

LARRY SZURGOT
50 DEKE DR
HORSESHOE BEND ID 83629-0100

RE: Water Right Permit No. 65-23672

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit(s) referenced above prior to issuing water right license(s). By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit.

The examiner who verified your water use reported that certain elements of the permit(s) have been developed differently than described on your permit(s). Changes that do not increase the authorized use of water under the permit(s) can be requested and approved in accordance with Idaho Code § 42-211. Before license(s) can be issued, your permit(s) must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit(s):

__X__ Point(s) of Diversion

_____ Place(s) of Use

_____ Other

The enclosed Application for Amendment form(s) depicts the elements of the water right(s) as they will appear on the license(s) when issued. Please review the amendment form(s) carefully. If you concur with the information presented, please sign and return the form(s) with the filing fee of $100.00 within fourteen (14) days.

SCANNED
JUL 07 2023

If you have any questions, please call me at (208) 605-4623.

Sincerely,

Allen Bradbury
Water Resource Agent, Senior

Enclosure(s): Application for Amendment

cc:

SCANNED

JUL 07 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 65-23672
Exam Date: 08/26/2020

1. Current Owner:
   BARBARA SZURGOT 50 DEKE DR HORSESHOE BEND ID 83629-0100 AND/OR
   LARRY SZURGOT 50 DEKE DR HORSESHOE BEND ID 83629-0100

2. Accompanied by: Larry Szurgot
   Phone No: (208) 793-2581 (H)
   Address: 50 Deke Dr, Horseshoe Bend, ID
   Relationship to permit Holder: Same

3. **SOURCE:** HILL CREEK — **Tributary** PAYETTE RIVER

Method of Determination: Permit application, IDWR records, and field examination

B. OVERLAP REVIEW

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

Water Right No.	Source	Purpose of Use	Basis
65-23221	Payette River	Irrigation	Decreed
65-23223	Payette River	Irrigation	Decreed
65-23241	Payette River	Irrigation	Decreed
65-23240	Payette River	Irrigation	Decreed
65-3803C	Hill Creek	Irrigation	Decreed

Comments: 65-23221, 65-23223, and 65-23241 Faull Ranch Estates Owners Assn; 65-23240 O & D Partnership. For further info see Dan Nelson's Beneficial Use Exam for these water rights and permit 65-23574. Payette River water rights 65-23221(13 ac) and 65-23223 (20 ac) show overlapping POU's south of Szurgot while water rights 65-23241 (10 ac), and 65-23240 (5.2 ac) show non-overlapping POU's north of Szurgot. A field exam review for permit 65-23574, dated July 20, 2016, raised concerns about the lack of limiting conditions on these overlapping water rights involving Hill Creek, Porter Creek and the Payette River. This now void permit requested 0.08 cfs of Payette River water for 3.8 acres of the Szurgot property. According to analysis in this report there was adequate Payette River water right coverage for the 3.8 acres requested in permit 65-23574. The table in the report shows that the 40 acre tract in T07N 02E Sec. 2. SESE has more than 40 acres of coverage and therefore concluded that permit 65-23574 should be voided.

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

Water Right No.	Source	Purpose of Use	Basis
65-23490	Hill Creek	Irrigation	Permit
65-23832	Hill Creek	Irrigation	Permit
65-23663	Hill Creek	Irrigation	Permit
65-3803B	Hill Creek	Irrigation	Decreed

Comments: The point of diversion for this water right is listed in the incorrect quarter-quarter. The correct QQ is Twp 07N, Rge 02E Sec. 1 SE¼ NE¼ from Hill Creek. There are four other water rights that share this POD. More than likely the POD for 65-3803C is also in this QQ.

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**
HILL CREEK SE¼ NE¼, Sec. 1, Twp 07N, Rge 02E, B.M. BOISE County

Method of Determination: Field examination and Aerial Imagery

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PLACE OF USE: WILDLIFE STORAGE

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	02E	2																X	

PLACE OF USE: IRRIGATION STORAGE

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	02E	2																X	

PLACE OF USE: IRRIGATION FROM STORAGE

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	02E	2																3.0	3.0

Total Acres: 3.0

Method of Determination: Aerial Imagery, ArcMap Tools, and observation during field exam.

3.

X 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.

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

X 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
		5		Sta-Rite Model DHJ-170	

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: No measurements collected during the exam.

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E. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Due to the time of year, there water was not entering the pond during the field exam.

F. VOLUME CALCULATIONS

Pond Surface Area = 0.4 Acres
Seepage Loss = 29.2 AF
Evaporation Loss = 0.6 AF
Pond Capacity = 2.0 AF
Total Volume = **31.8 AF**

1. Volume Calculations for irrigation:

$V_{I.R}$ = (Acres Irrigated) x (Irrigation Requirement) =

$V_{D.R}$ = [Diversion Rate (cfs)] x (Days in Irrigation season) x 1.9835 =

V = Smaller of $V_{I.R}$ and $V_{D.R}$ =

2. Volume Calculations for Other Uses:

Wildlife Storage:

Storage capacity: 0.4 (storage surface area) acres x 5 (average depth) feet = 2.0 AF

Estimated Seepage Loss: 29.2 AF

Estimated Evaporation Loss: 0.6 AF

Wildlife Storage Volume = 29.2 AF Seepage + 0.6 AF Evap + 2.0 AF Capacity = 31.8 AF

Irrigation From Storage and Irrigation Storage:

Storage duty of water is 5 af/acre, IDAPA 42-202(3) & 42-202(6).

5.0 AF per acre x 3.0 acres irrigation = 15 af

Maximum Diversion Volume = 29.2 AF Seepage + 0.6 AF Evap + 2.0 AF Capacity + 15.0 AF Irrigation = 46.8 AF

G. NARRATIVE/REMARKS/COMMENTS

Larry and Barbara Szurgot are the owners of water permit 65-23672 for irrigation storage, irrigation from storage, wildlife storage, and diversion to storage near Gardena, ID. The exam fee was based on the maximum diversion volume of 46.8 af which requires an exam fee of $100. The proof of beneficial use was submitted first on August 14, 2017 with a $50 dollar check (C103969) then followed-up on September 12, 2017 with the remaining balance of $50.00 (C104122). An exam was conducted on August 26, 2020, by water resource agent Allen Bradbury. Larry Szurgot accompanied the agent on the field exam. Current Boise County tax parcel data lists Larry and Barbara Szurgot as the current owners of the property pertinent to the place of use (POU). No ownership change is required.

A large concrete headgate spans Hill Creek diverting water into a pipeline controlled with a waterman style gate. The pipeline runs about 300 feet then enters a bubbler screen to filter out debris before entering the main pipeline. This is the POD for four other water rights (see table above). Water is conveyed through pipeline and open ditch from the diversion for approximately 1.2 miles before entering a 1.5-acre pond (WR #65-13708) on the upstream neighboring property. The outflow of this pond exits through a 12-inch pipe into a channel which flows approximately 350 feet into the Szurgot's pond. A Sta-Rite Model DHJ-170 pump is used to pump water from the pond into pressurized irrigation lines. The field west of the residence is irrigated by handlines and the areas east of the house are irrigated with fixed set sprinklers. The pond is stocked with fish.

The description in the original application states that the purpose of the permit is to fill the pond and store water for year around wildlife and occasional irrigation. The storage in the pond allows the landowner to irrigate pasture during the time in which Faull Ranch Estates switches from Hill Creek water to Payette River water. This often involves a lag time of 2 to 3 weeks as the watermaster manages the combined system to accommodate the unpredictable changes in the Hill Creek

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hydrograph.

As noted in section C1. the point of diversion is listed incorrectly as SW¼ NE¼, Sec. 1, Twp 07N, Rge 02E. I am recommending the POD be corrected to SE¼ NE¼, Sec. 1, Twp 07N, Rge 02E through a licensing amendment.

The proposed rate of diversion to storage was 0.04 cfs on the original application, permit, and proof of beneficial use. During the field exam, no water was flowing from the upstream pond (WR #65-13708). It is reasonable to assume that the pipe and ditch which supplies 65-13708 is able to carry 0.04 cfs (17.9 gpm) for this right, since this is roughly the volume of a ¾-inch garden hose operating at 40 psi. Therefore, the system itself does not limit the rate of diversion to storage. I am recommending the diversion to storage rate remain 0.04 cfs.

The proposed volume wildlife storage was 31.8 af. The a total storage capacity remains at 2.0 af, and the calculated seepage loss of 29.2 AF and evaporation loss of 0.6 AF remain the same. Therefore, I am recommending a volume of 31.8 af for wildlife storage.

The total surface area of the Szurgot pond is 0.4 acres with a total capacity of 2.0 af. Seepage Loss was calculated at 29.2 AF and evaporation loss was calculated at 0.6 AF. The proposed volume of irrigation from storage and irrigation storage was 15 af. The volumes of irrigation from storage and irrigation storage was calculated by the storage duty of water which is 5 af/acre as per 42-202(3) and 42-202(6). Irrigated acres were calculated from Department GIS imagery. As evidenced during the field exam and confirmed by GIS 3.0 acres were found to be developed for irrigation within the bounds of the original permit proposal. Approximately 0.1 acres in the SWSE were irrigated and about 0.2 acres are irrigated directly south of the pond. Based on 3.0 acre of irrigation, I am recommending a volume of irrigation from storage and irrigation storage of 15 af each.

Condition #6, 01H lockable device. Did not check box on Statement of Completion, however diversion point on Hill Creek is controlled by a waterman-type headgate which is lockable.

The shapefile in the Department database for water right 65-3104B for Faull Ranches from Porter Creek overlaps the Szurzgot property however Faull Ranch does not deliver Porter Creek water to Szurzgot. Detailed GIS analysis shows only 9 acres in the SESE quarter-quarter for 65-3104B which covers the 3 properties south of Deke Drive. This right should not be included in combined use limits.

Faull Ranch Estates Owners Association owns irrigation right 65-3803C from Hill Creek which covers three parcels with an 18.1-acre POU including Szurgot's parcel. A fourth parcel 5.9-acre parcel downstream and adjacent to Szurzgot was split from 65-3803C to create 65-24154. Though most of Faull Ranch subdivision is covered by Payette River rights later in the irrigation season, Szurzgot is not covered by Payette River rights and depends on the pond.

65-3803C has a POD located in T07N R02E Section 2 NESE it is more likely in T07N R02E Section 1 SENE, the same as 65-23672. Since 65-3803C fully overlaps and provides "live" water from Hill Creek, a combined use limit of 18.1 acres with rights 65-3803C will be added.

Condition 121 was updated to 103 as per department licensing standards. Added condition X35 for combined use.

Have conditions of permit approval been met? _X_ Yes ____ No

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
WILDLIFE STORAGE	01/01 to 12/31		31.8 AF
IRRIGATION STORAGE	03/15 to 10/31		15.0 AF
IRRIGATION FROM STORAGE	03/15 to 10/31		15.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.04 CFS	
	Totals:	0.04 CFS	46.8 AF

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2. Recommended Amendments

__X__ 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 __X__ None

I. AUTHENTICATION Allen Bradbury - Water Resource Agent, Senior

Field Examiner's Name Allen Bradbury Date 7/5/23

Reviewer _____ Date 7/6/23

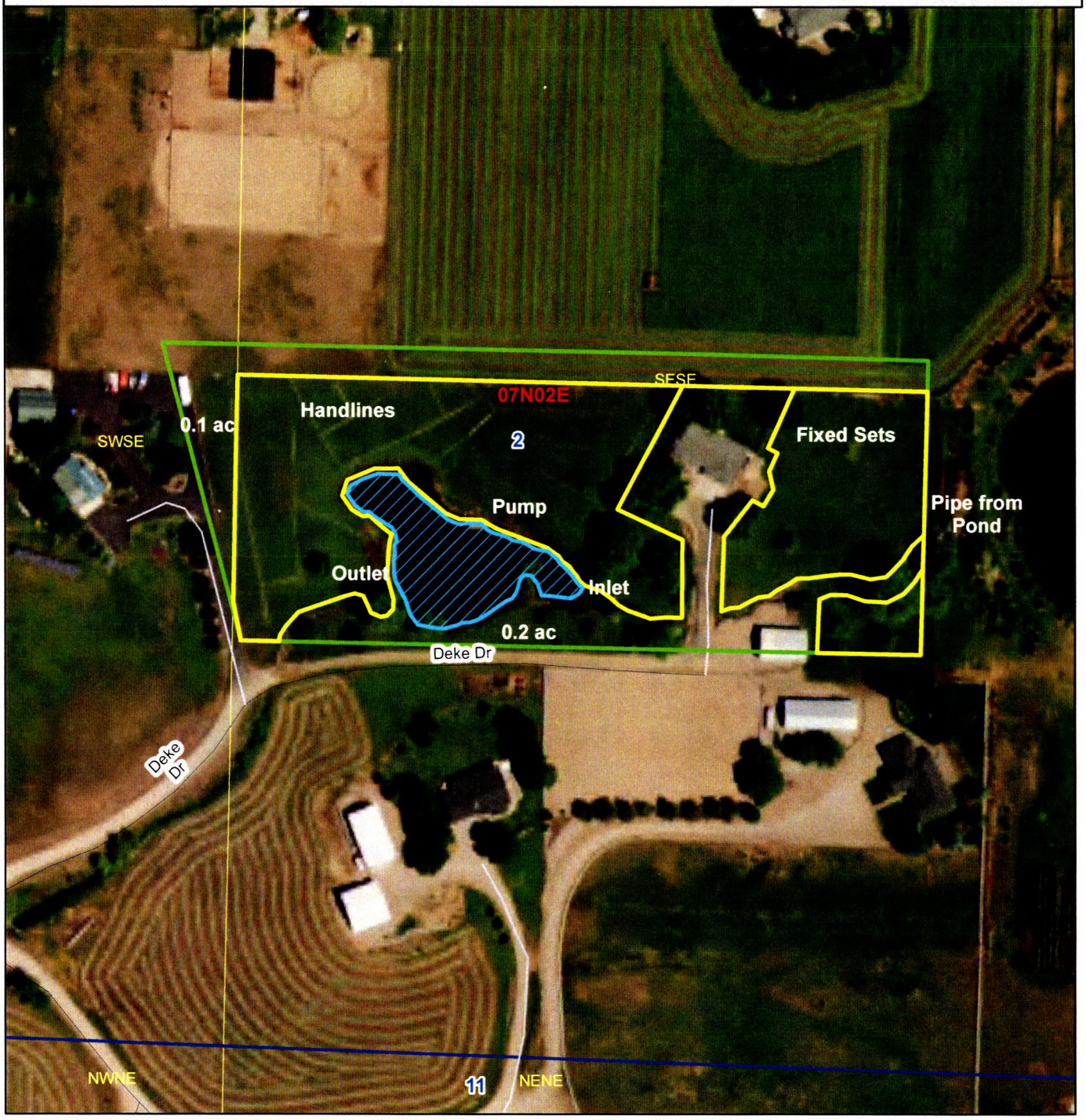
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Water Right 65-23672 Szurgot
System Design

Pond Surface Area 0.40 acres; Pond Capacity 2.0 AF; Developed 3.0 acres of Irrigation

IRRIGATION STORAGE 15.0 AF; IRRIGATION FROM STORAGE 15.0 AF
WILDLIFE STORAGE 31.8 AF; DIVERSION TO STORAGE 0.04 cfs; Maximum Diversion Volume 46.8 AF
Hill Creek trib. to Payette River



Storage
Irrigation
Tax Parcel

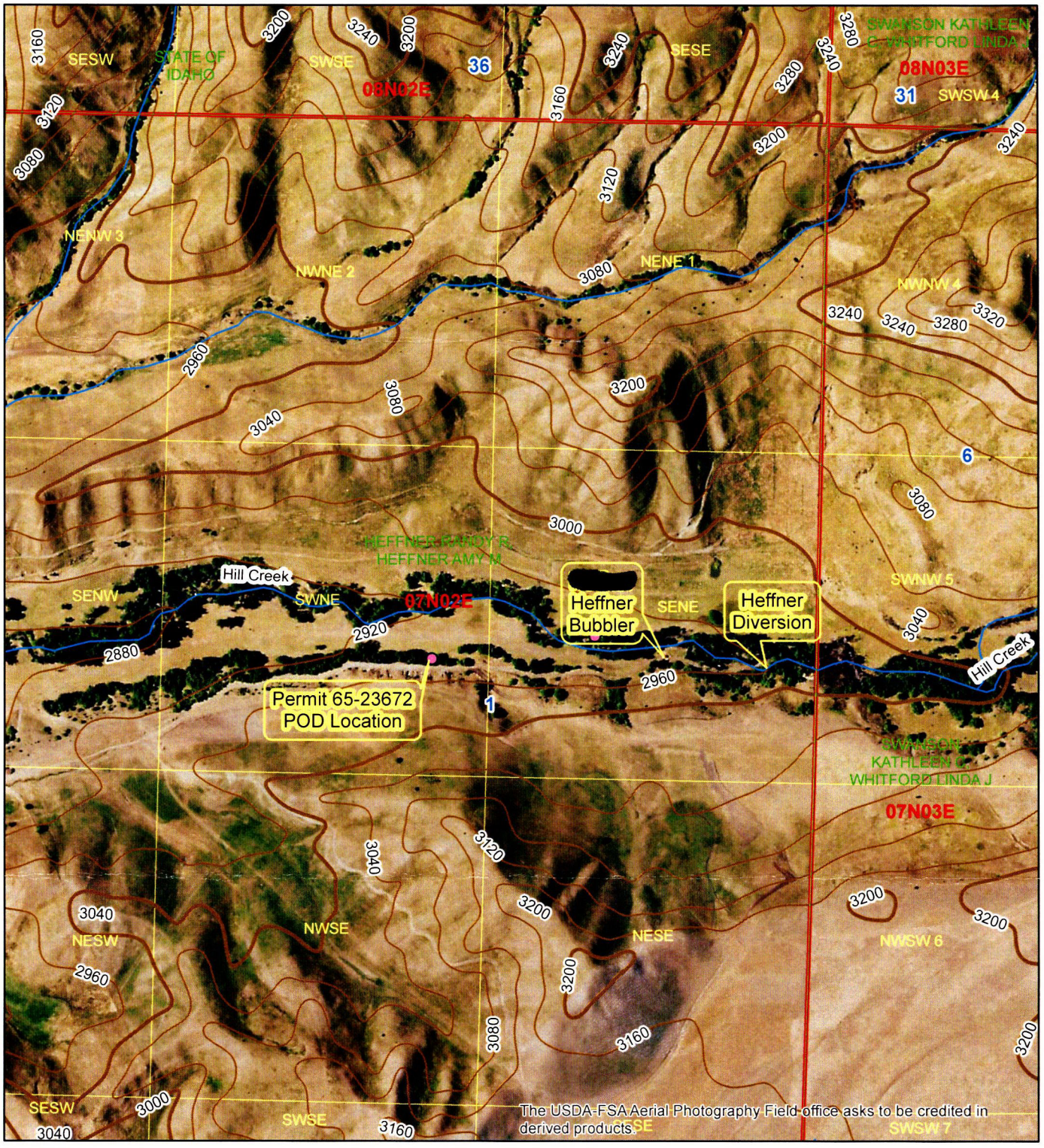
0 0.05 0.1 Miles

1 inch = 0.03 miles 1 inch = 150 feet

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Point of Diversion Location
65-23672

For Information Purpose ONLY
Not part of amendment application



Parcels
Township/Range
Sections
QQ

0 0.15 0.3 Miles

1 inch = 0.1 miles

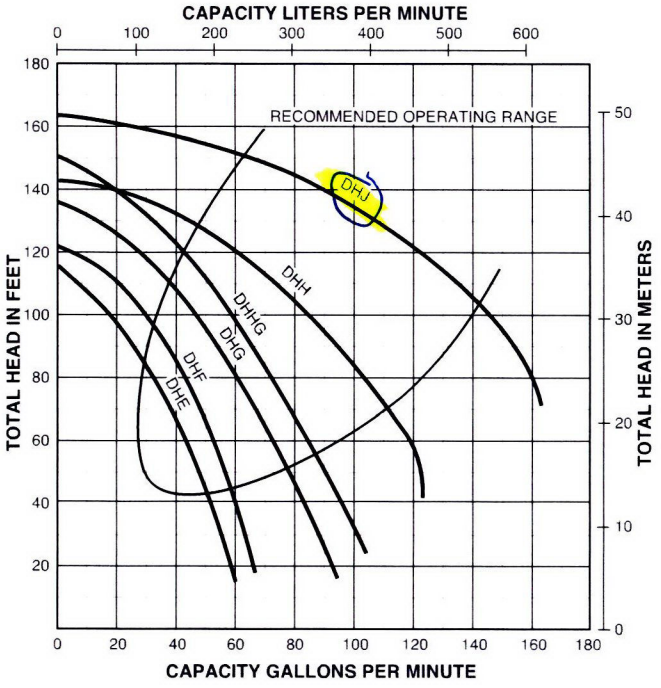
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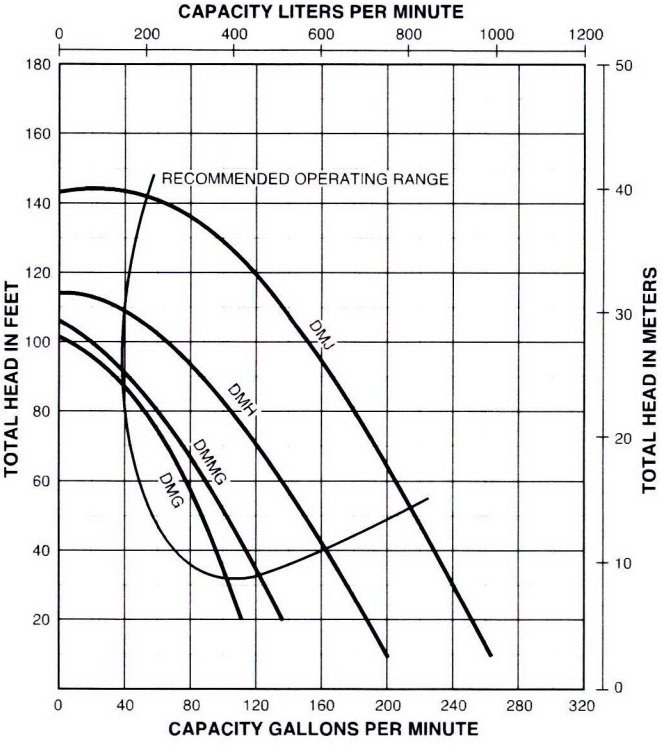
STA-RITE

self-priming centrifugal pumps

PUMP PERFORMANCE – HIGH HEAD



PUMP PERFORMANCE – MEDIUM HEAD



PUMP PERFORMANCE *(Capacity in Gallons Per Minute)*

HIGH HEAD

Cat. No.	HP	Discharge PSI	Discharge Feet Head	Suction Lift in Feet 5'	10'	15'	20'	25'
DHE	1	20	46.2	46	43	41	40	38
		30	69.3	35	32	29	25	21
		40	92.4	19	15	–	–	–
		50	115.5	–	–	–	–	–
		60	138.6	–	–	–	–	–
DHF	1-1/2	20	46.2	55	53	51	49	48
		30	69.3	45	42	39	36	32
		40	92.4	31	27	22	15	–
		50	115.5	–	–	–	–	–
		60	138.6	–	–	–	–	–
DHG	2	20	46.2	77	74	71	68	65
		30	69.3	63	60	56	53	49
		40	92.4	48	44	40	36	30
		50	115.5	30	20	13	–	–
		60	138.6	–	–	–	–	–
DHHG	2-1/2	20	46.2	89	85	82	80	76
		30	69.3	75	72	68	64	60
		40	92.4	60	57	51	49	42
		50	115.5	42	37	31	25	20
		60	138.6	14	–	–	–	–
DHH	3	20	46.2	–	–	–	112	109
		30	69.3	109	103	98	92	89
		40	92.4	90	75	74	69	62
		50	115.5	62	51	42	32	20
DHJ	5	20	46.2	–	–	–	–	–
		30	69.3	–	–	–	–	–
		40	92.4	146	141	136	130	122
		50	115.5	122	114	105	99	85
		60	138.6	81	70	50	30	–

MEDIUM HEAD

Cat. No.	HP	Discharge PSI	Discharge Feet Head	Suction Lift in Feet 5'	10'	15'	20'	25'
DMG	2	20	46.2	84	79	74	69	63
		30	69.3	60	53	46	35	20
		40	92.4	22	–	–	–	–
		50	115.5	–	–	–	–	–
DMMG	2-1/2	20	46.2	103	96	90	80	70
		30	69.3	70	60	50	46	30
		40	92.4	30	18	5	–	–
		50	115.5	–	–	–	–	–
DMH	3	20	46.2	149	140	136	124	119
		30	69.3	116	108	99	85	76
		40	92.4	75	65	51	26	–
DMJ	5	20	46.2	214	209	202	194	182
		30	69.3	185	179	172	165	158
		40	92.4	153	146	139	130	120
		50	115.5	119	107	95	80	50

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07N02E2 **65-23672 SZURGOT Overlap Analysis - Place of Use**

Process	WR#	Owner	Source	Use	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total Acres
Water Permit	65-23672	SZURGOT, BARBARA; SZURGOT, LARRY	HILL CREEK	IRRIGATION FROM STORAGE																X	3
Water Permit	65-23672	SZURGOT, BARBARA; SZURGOT, LARRY	HILL CREEK	IRRIGATION STORAGE																X	
Water Permit	65-23672	SZURGOT, BARBARA; SZURGOT, LARRY	HILL CREEK	WILDLIFE STORAGE																X	
Water Right	65-24154	CHRISTMAS, ANTHONY	HILL CREEK	IRRIGATION															5.9		5.9
Water Right	65-3803C	FAULL RANCH ESTATES OWNERS ASSN INC	HILL CREEK	IRRIGATION															9.1	9	18.1
Water Right	65-3104B	FAULL RANCH ESTATES OWNERS ASSN INC	PORTER CREEK	IRRIGATION															2	9	11
Water Right	65-13708	FAULL RANCH ESTATES OWNERS ASSN INC	UNNAMED STREAM	WILDLIFE STORAGE																X	
Water Right	65-23221	FAULL RANCH ESTATES OWNERS ASSN INC;	PAYETTE RIVER	IRRIGATION															1	13	14
Water Right	65-23223	FAULL RANCH ESTATES OWNERS ASSN INC	PAYETTE RIVER	IRRIGATION															17	20	37
Water Right	65-23241	FAULL RANCH ESTATES OWNERS ASSN INC	PAYETTE RIVER	IRRIGATION													2	1.4	10	10	23.4
W[redacted]ight	65-22713	FAULL RANCH ESTATES OWNERS ASSN INC	PAYETTE RIVER	IRRIGATION															5		5
W[redacted]ight	65-22725	FAULL RANCH ESTATES OWNERS ASSN INC	PAYETTE RIVER	IRRIGATION															3.7		3.7
Water Right	65-23240	O & D PARTNERSHIP	PAYETTE RIVER	IRRIGATION													1			5.2	6.2

65-13708	Pond right flowing into property
65-3803C	FAULL RANCH - right includes 4 adjacent properties, source Hill Creek
65-3104B	FAULL RANCH - only 9 acres in SESE QQ
65-24154	Christmas, source Hill Creek, downstream from Szurgot

65-23221	FAULL RANCH - south of Syzurgot
65-23223	FAULL RANCH - south of Syzurgot
65-23240	O & D PARTNERSHIP - NW QQQ of SESE
65-23241	FAULL RANCH - north of Syzurgot

07N02E1 **65-23672 SZURGOT Overlap Analysis - Amended Point of Diversion**

Process	WR#	Owner	Source	Use	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total Acres
Water Right	65-23672	SZURGOT, BARBARA; SZURGOT, LARRY	HILL CREEK							X											
Water Permit	65-23490	HEFFNER, AMY; HEFFNER, RANDY R	HILL CREEK							X											
Water Right	65-3803B	HEFFNER, AMY; HEFFNER, RANDY R	HILL CREEK							X											
Water Permit	65-23832	HEFFNER, AMY; HEFFNER, RANDY R	HILL CREEK							X											
Water Permit	65-24152	HEFFNER, AMY; HEFFNER, RANDY R	HILL CREEK							X											



Figure 1. Point of diversion from Hill Creek on Heffner property.



Figure 2. Bubbler screen for pipeline.

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Figure 3. Inlet from adjacent neighbors pond onto Szurgot property.



Figure 4. Channel entering pond.

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Figure 5. Dam on southwest end of pond.



Figure 6. Outlet of pond.

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Figure 7. Sta-Rite Model DHJ-170 pump with 5 hp motor.



Figure 6. 3" pump intake with 2" discharge port necked up to 3" line.

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Figure 7. A view of the 0.4 acre pond looking southwest.



Figure 8. Handlines west of house.

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Figure 9. Handlines irrigate northwest portion of property.



Figure 10. Fixed set sprinklers irrigate east side of property.

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