

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 98-7921

Priority: February 05, 2013

Maximum Diversion Rate: 0.20 CFS

It is hereby certified that:

JAMES R HUNTLEY 1146 CHRISTMAS LN NAPLES ID 83847-6009

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 05, 2013, and has submitted Proof of Beneficial Use on June 20, 2023. An examination confirms water is diverted from:

Source : UNNAMED STREAM

Tributary: DEEP CREEK

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.01 CFS	
STOCKWATER	01/01 to 12/31	0.01 CFS	0.1 AF
FIRE PROTECTION	01/01 to 12/31	0.20 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM SW¼ SW¼, Sec. 33, Twp 60N, Rge 01W, B.M. BOUNDARY County

Place of Use: IRRIGATION, STOCKWATER, FIRE PROTECTION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
60N	01W	33											0.2, X						0.2

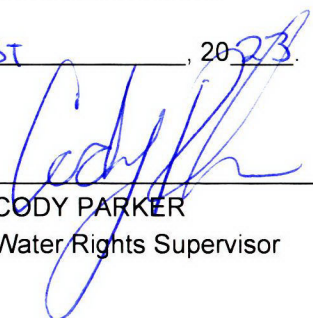
Total Acres: 0.2

Conditions of Approval

1. This right when combined with all other rights shall provide no more than 0.01 cfs nor more than 0.6 afa at the field headgate for irrigation of the place of use.
2. Rights 98-7921 and 98-7973 when combined shall not exceed the irrigation of 0.2 acres.
3. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
4. A fish screen of 0.25 inch or smaller mesh shall be installed and maintained at the point of diversion.

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 7 day of AUGUST, 2023.



CODY PARKER
Water Rights Supervisor

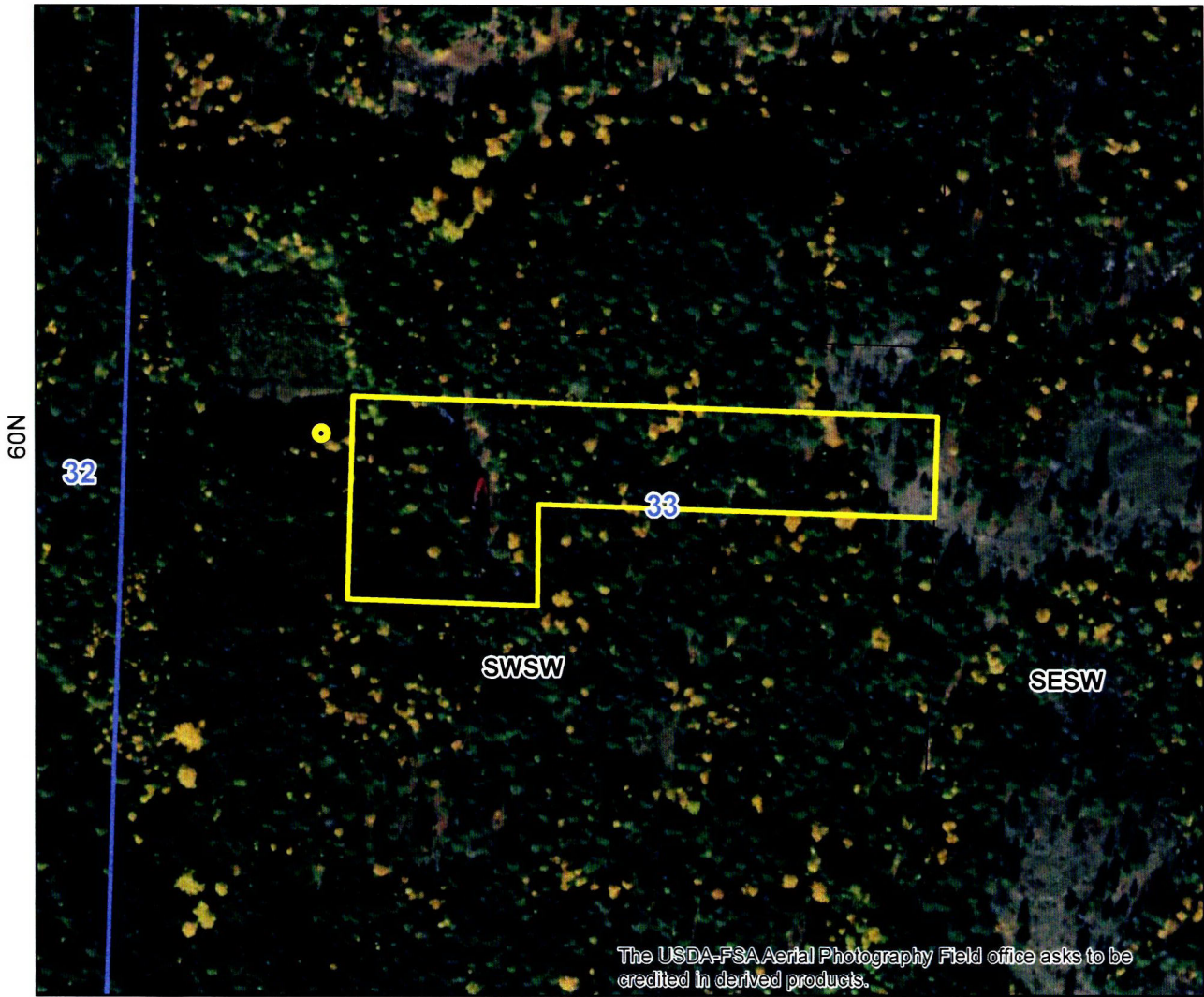
SCANNED

AUG 03 2023

State of Idaho
Department of Water Resources
Attachment to Water Right
98-7921

This map depicts the STOCKWATER 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.

01W



0 0.035 0.07 0.14 Miles

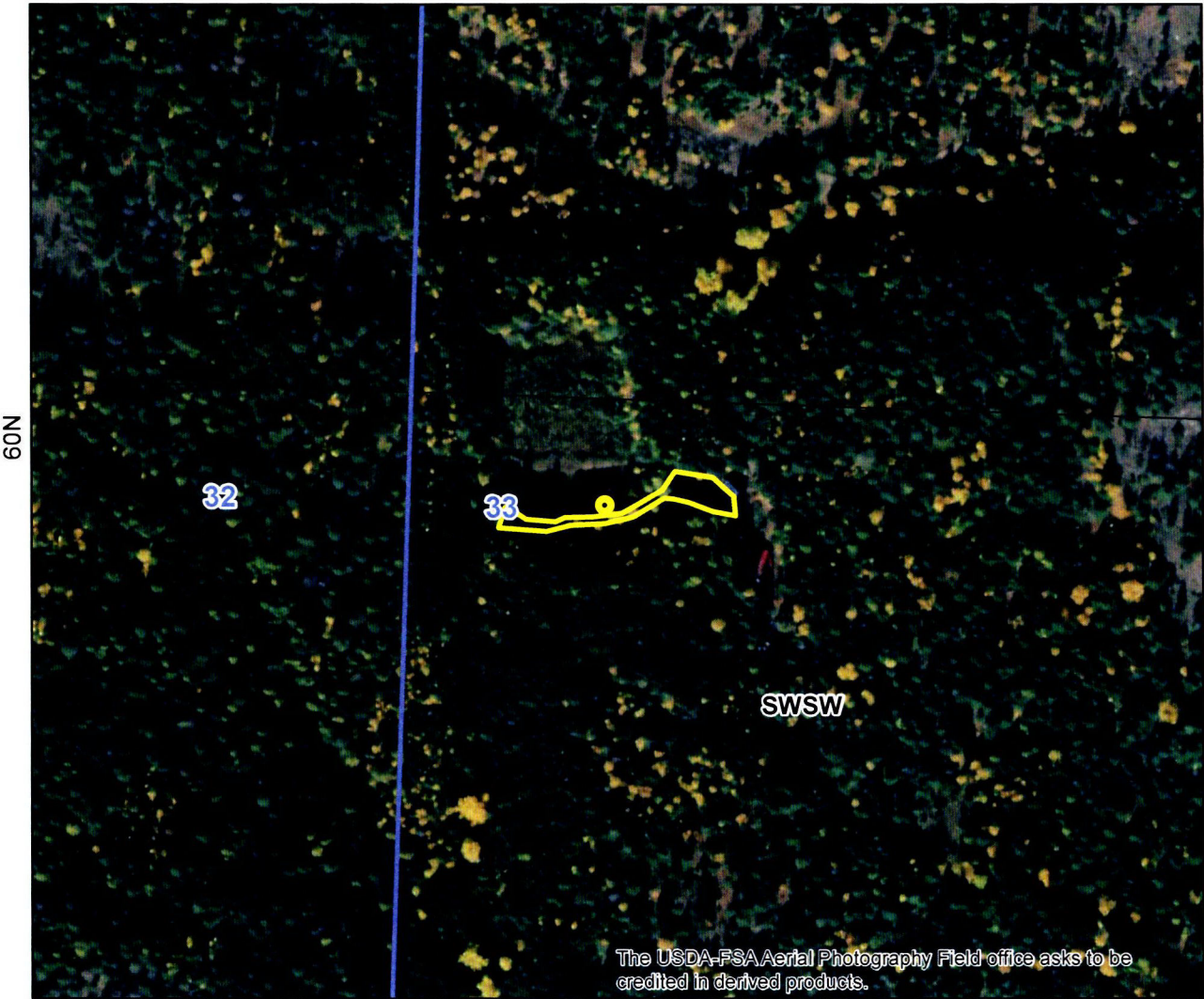
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Point of Diversion

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AUG 03 2023
N

State of Idaho
Department of Water Resources
Attachment to Water Right
98-7921

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.

01W



0 0.035 0.07 0.14 Miles

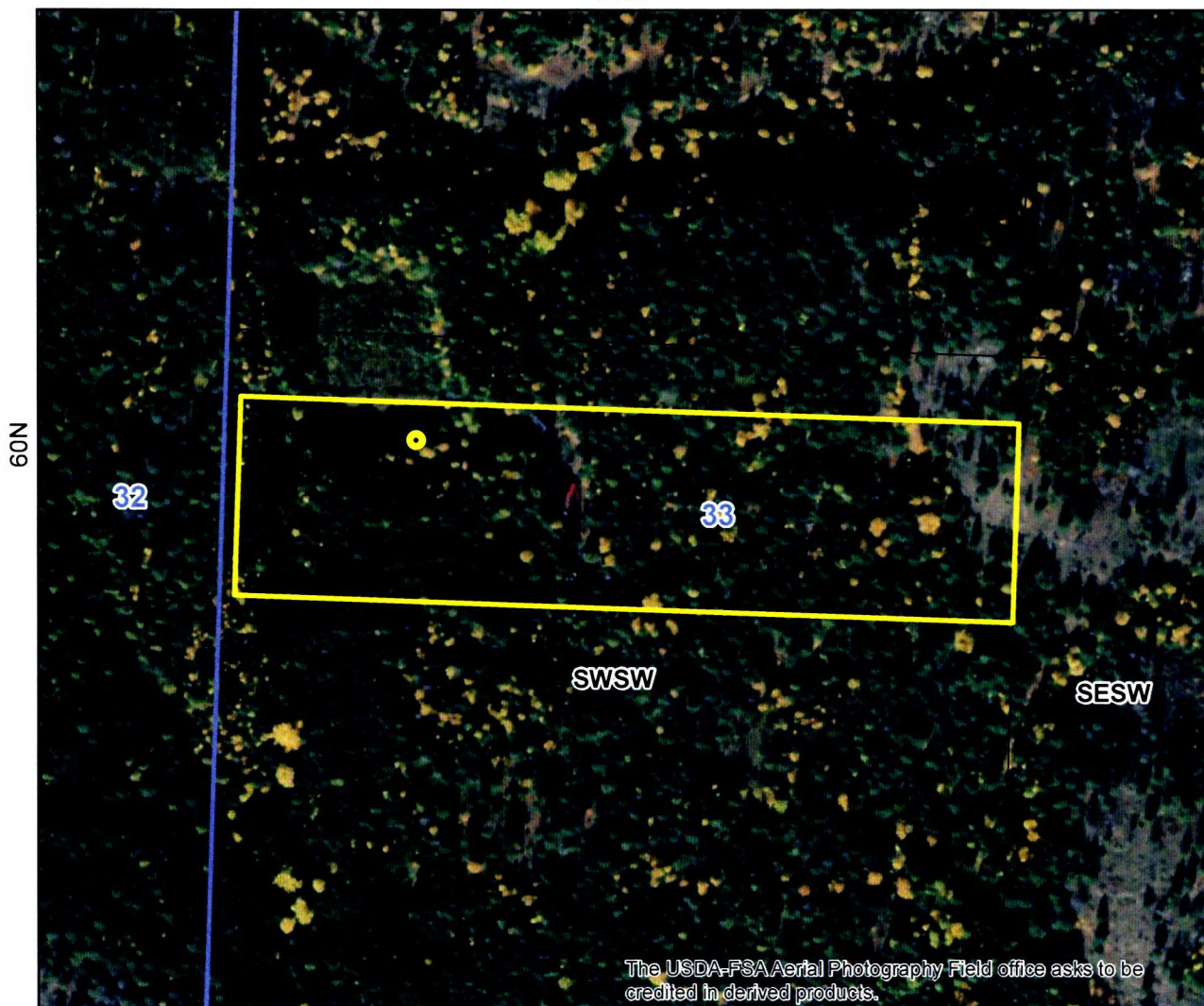
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion

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State of Idaho
Department of Water Resources
Attachment to Water Right
98-7921

This map depicts the FIRE PROTECTION 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.

01W



0 0.0375 0.075 0.15 Miles

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

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RECEIVED

JUN 20 2023

DEPARTMENT OF
WATER RESOURCES

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

FOR OFFICE USE ONLY

Amt. of Fee \$ 500Receipt No. 0116547Received By KLDate Received 6.20.23

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.

- Permit No. 98-07973 Name of Permit Holder(s) James & Caroline Huntley
Telephone No. 208 946-7547 Email Pondicherry Farms@gmail.com
Mailing Address 1146 Christmas Ln. City Naples State ID Zip 83847
- Source of Water Unpaved Stream If Ground Water (well), Date Drilled mo. ____ / yr. ____
Tributary of Deep Creek
Drilling Permit/Tag No. ____ Drilling Company's Name ____
- Extent of use(s) completed as authorized by the water right permit:
Domestic (No. households) ____ Irrigation (No. acres) 3 Stockwater (No. and stock type) 20 Head, Mixed
Other Irrigation Storage, Fire Storage, Recreation, Wildlife
- Total diversion rate or volume (storage only) for which proof is submitted ____ cfs OR 16.1 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.
- Describe the diversion and delivery system from the water source to the use (pump, lift, irrigation method, etc.)
Pump, 2" Pipe, Sprinklers, Stock Tanks
- 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
- Fee Enclosed \$ ____ 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: _____ Telephone No. _____ Email _____

Mailing Address _____ City _____ State _____ Zip _____

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.

James R. Huntley
SIGNATURE OF PERMIT HOLDER*

James R. Huntley - owner 6/11/2023
PRINTED NAME AND TITLE DATE

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

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AUG 03 2023



Governor Brad Little

Director Gary Spackman

August 03, 2023

JAMES R HUNTLEY
1146 CHRISTMAS LN
NAPLES ID 83847-6009

RE: License No. 98-7921

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) 287-4910.

Sincerely,

Jean Hersley

For
Cody Parker
Water Rights Supervisor

Enclosure(s)

SCANNED

AUG 03 2023

CERTIFICATE OF SERVICE

I hereby certify that on August 03, 2023, I served a true and correct copy of Water Right License No. 98-7921 by U.S. Mail, postage prepaid, to the following:

JAMES R HUNTLEY (Current Owner)
1146 CHRISTMAS LN
NAPLES ID 83847-6009



Jean Hersley
Technical Records Specialist 2

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
IN-OFFICE REVIEW/BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATIONExam Date: 7/14/20231. Does this qualify for an in-office field exam (IDAPA 37.03.02.035.01.r)? X Y N

- a. X Irrigation of 5 acres or less
 b. Storage of up to 14.6 AF for stockwater purposes only
 c. Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
 d. Other < >

2. Current Owner: James and Caroline Huntley

Owner of Record Correct? NAddress of Record Correct? N

If No Explain: N/A

3. Beneficial Use Fees have been paid: X Y N Receipt No: C116547

4. Source: Tributary:
 Unnamed Stream Deep Creek

Method of Determination:

Change in Source: Y X N**B. OVERLAP REVIEW**1. Other water rights with the same place of use: No Overlap

Water Right No.	Source	Purpose of Use	Basis
98-7973	Unnamed Stream	Irrigation Storage, Irrigation from Storage, Stockwater Storage, Stockwater from Storage, Wildlife Storage, Recreation Storage, and Fire Protection Storage	License

Comments: Water right 98-7973 achieves the same purpose as this permit but diverts from a on stream pond. Both irrigate the same acres and will be limited to the irrigation of 0.2 acres combined.

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

Water Right No.	Source	Purpose of Use	Basis
N/A			

Comments: N/A

C. DIVERSION AND DELIVERY SYSTEM

1. Location of Point(s) of Diversion:

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Unnamed Stream			SW	SW	33	60N	01W	B.M.	Boundary
								B.M.	
								B.M.	

Method of Determination: GIS and Tax Parcel Data.Change in POD? Y X N Amendment Required? Y X N

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2. Place of Use: Irrigation, Fire Protection, Stockwater

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
60N	01W	33											F, S, 0.2						0.2
		Lot #																	N/A
Total Acres =																			0.2

Method of Determination: GIS, Tax Parcel Data, and field examination report from water right 98-7973.Change in POU? Y X N Amendment Required? Y 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

3. Diversion Id No.*	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A					

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

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

2. Measurement Comments: The permit holder did not provide pump horsepower. Therefore, a diversion rate calculation is not possible.**E. FLOW CALCULATIONS** Additional Computation Sheets Attached

Measured Method: Since the permit holder did not provide a pump horsepower a diversion rate calculation is not possible. According to Administrative Processing Memo #17 the standard diversion rate per acre is 0.03 cfs/acre, (0.2 acres) *(0.03 cfs/acre) = 0.006 cfs or 0.01 cfs rounded. The diversion rate for stockwater was determined through the field exam report for water right 98-7973 and calculations below. The diversion rate for fire protection should be the same as what is authorized on the permit. The permit authorizes 0.2 cfs. I am recommending 0.01 cfs of irrigation, 0.01 cfs for stockwater and 0.2 cfs for fire protection or 0.2 cfs total.

(20 goats) *(2 gpd/head) = 40 gpd(10 chickens) *(1 gpd/head) = 10 gpd(10 gpd) +(40 gpd) = 50 gpd total(50 gpd)/ (646,315 gpd) = 0.01 cfs

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F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (0.2 \text{ acres}) \times (3.0 \text{ af/acre}) = 0.6 \text{ af}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = (0.01 \text{ cfs}) \times (214 \text{ days}) \times (1.9835) = 4.2 \text{ af}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 0.6 \text{ af}$$

2. Volume Calculations for Other Uses:

The diversion volume for stockwater was determined from the field examination for water right 98-7973. Below are the calculations determining the recommended diversion volume for stockwater.

(20 Goats) * (2 gpd) * (365 days) = 14,600 gpy

(10 Chickens) * (1 gpd) * (365 days) = 3,650 gpy

(14,600 gpy + 3,650 gpy) = 18,250 gpy total / 325,850 gal/af = 0.056 af or 0.1 af rounded.

This permit authorizes diversion from a natural stream/river. According to the IDAPA Beneficial Use Examination Rules 37.03.02.35. 01j.viii a diversion volume is not required if diversion is from a natural stream/river or spring. According to the IDAPA Beneficial Use Examination Rules 37.03.02.35. 01j.iv a diversion volume is not required for fire protection unless it is fire protection storage. I am recommending a 0.1 af diversion volume.

G. PURPOSE OF USE

Irrigation X Y N # Stock 20 head mixed stock Domestic # of Homes N/A

Other: Fire Protection

Change in Purpose of Use? Y X N

Method of Determination: GIS, Tax Parcel Data, and field report from the field examination of water right 98-7973.

If Yes: From Use To Use Amount CFS AFA

H. NARRATIVE/REMARKS/COMMENTS

This permit qualifies for an in-office examination. According to Tax Parcel data the property was developed in 1994. The permit authorizes stockwater, fire protection, and the irrigation of 3 acres. After an email conversation with the permit holder, they inquired why they should peruse this permit if water right 98-7973 was providing a suitable water supply? It was explained in a response that the pond authorized in 98-7973 is in stream and diversion for beneficial use is only authorized from the pond. Licensing this permit would provide a backup plan if there is a low water year or if the pond structure fails allowing diversion directly from the unnamed stream.

Unfortunately, aerial imagery was not sufficient to determine the extent of use, specifically the number of acres irrigated. However, this permit was issued before the overlapping water right 98-7973 was applied for. 98-7973 had a field examination on August 27th, 2020, within the development period of this permit, from July 11th, 2013, to when proof was submitted on June 20th, 2023. After speaking with the permit holder, it was confirmed this permit and water right 98-7973 share beneficial uses and irrigate the same acres. Therefore the confirmation of 0.2 acres of irrigation and stockwater during field examination, pictures from exam attached, could be used to make licensing recommendations for this permit.

A condition on the permit requires the permit holder to install and maintain fish screen of 1/4 in or less. However, the permit holder marked they did not install a fish screen on their Statement of Completion for Proof of Beneficial Use. After an email conversation with the permit holder on July 14th, 2023, they confirmed a fish screen with those specifications was installed. Since the permit holder did not provide a pump horsepower a diversion rate calculation is not possible. The standards set in Administrative Processing Memo #17 were used to make a diversion rate recommendation for irrigation use. Observations provided from the field report for 98-7973 were used to make a diversion rate recommendation for stockwater use. Since this permit authorizes fire protection and irrigation from a natural stream/river a diversion volume is not required under the IDAPA Beneficial Use Examination Rules 37.03.02.35.01j. iv and viii. All of the conditions have been met and it has been confirmed a beneficial use was developed within authorization on the permit. Therefore, I am recommending a 0.2 cfs total diversion rate and 0.1 af diversion volume for stockwater.

Conditions 077 and X15 should remain on the license. Condition X35 should be added limiting this license and water right 98-7973 to the irrigation of 0.2 acres combined. Condition R66 should be changed to X31 because irrigation is less than 1 acre. Condition 004 should be removed because it was confirmed there are no legal access concerns to the POD or POU. Condition X02 should be removed as standard with licensing. Condition 26A should be removed as standard with licensing. All other conditions should be removed as standard with licensing.

Have conditions of permit approval been met? X Yes N

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AUG 03 2023

I. RECOMMENDATIONS

1. Recommended Amounts:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Irrigation	04/01-10/31	0.01 CFS	
Fire Protection	01/01-12/31	0.2 CFS	
Stockwater	01/01-12/31	0.01 CFS	0.1 AF
		<u>Totals:</u>	0.2 CFS

2. Recommended Amendments:

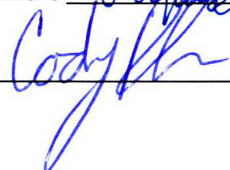
___ Change P.D. as reflected above ___ Add P.D. as reflected above X None

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

Other: < >

J. AUTHENTICATION Skyler Cheever – Water Resource Agent

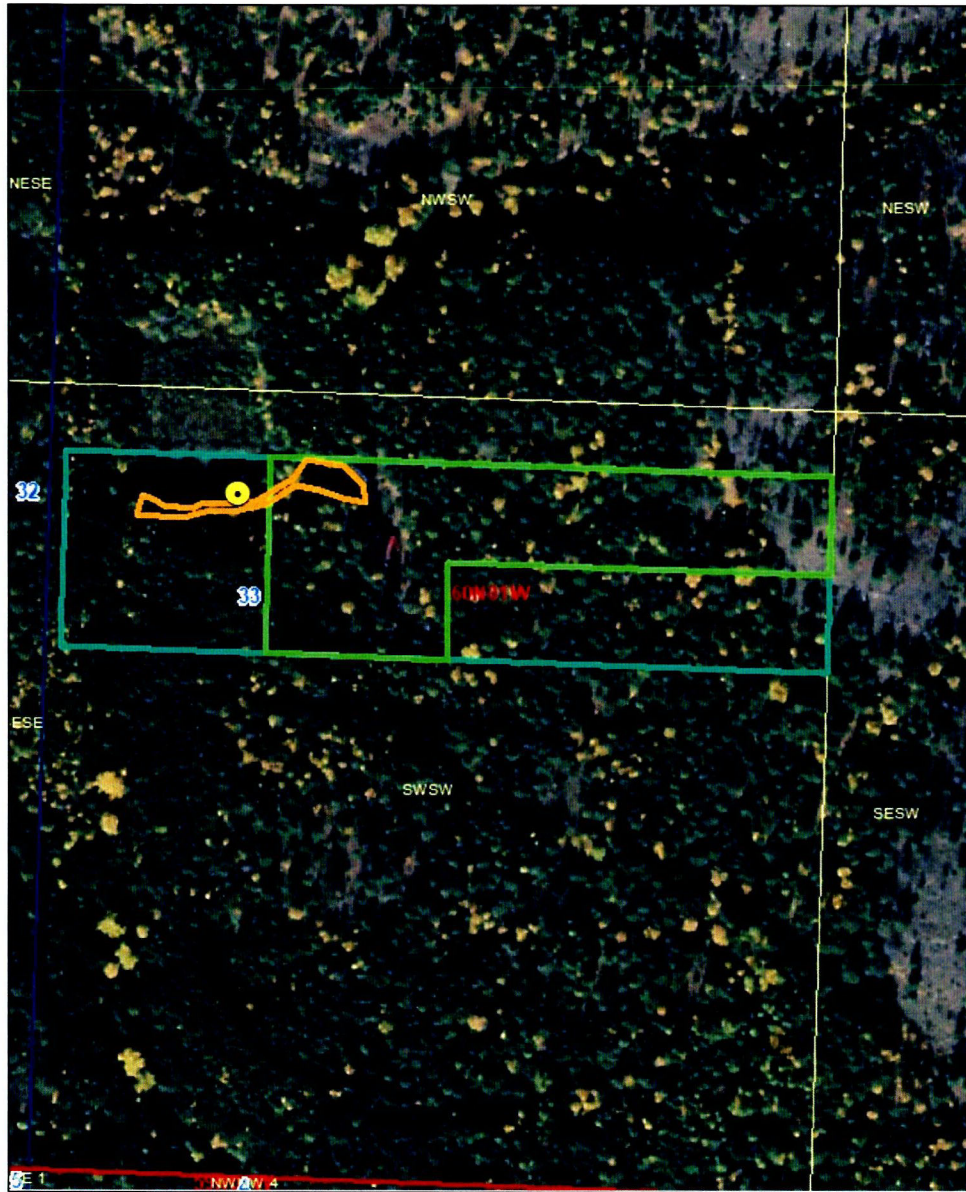
Field Examiner's  Date 7/14/2023

Reviewer  Date 8-2-23

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AUG 03 2023

Field Exam Map

Map showing the authorized point of diversion (yellow point) and place of use for irrigation (orange outline), stockwater (green outline), and fire protection (blue outline)



Legend

- Point of Diversion
- ▭ Irrigation Place of Use
- ▭ Fire Protection Place of Use
- ▭ Stockwater Place of Use
- ▭ Township/Range
- ▭ Sections
- QQ

0 105 210 420 630 Feet



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IRRIGATION FROM STORAGE POU



8/27/2020

ED

AUG 03 2023



IRRIGATION FROM STORAGE POU



NNED
AUG 03 2023



STOCKWATER FROM STORAGE POU



UNED
AUG 03 2023



STOCKWATER FROM STORAGE POU



INED
AUG 03 2023

Cheever, Skyler

From: Pondicherry Farms <pondicherryfarms@gmail.com>
Sent: Friday, July 14, 2023 11:40 AM
To: Cheever, Skyler
Subject: Re: Licensing Review for Permit 98-7921

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hello,

Yes we do have a fish screen to those Specs on that intake. No problems there.

Thanks,
Jim

On Fri, Jul 14, 2023 at 9:52 AM Cheever, Skyler <Skyler.Cheever@idwr.idaho.gov> wrote:

Hello James,

Before I complete my license review, I have one more clarifying question I need to ask you. Is the intake on your pump you currently use to divert water from the pond have or could have a fish screen on the intake ? If not, it may not be possible to license 98-7921 because there is a condition on the permit that required you to install and maintain a fish screen of ¼ of an inch or smaller at the point of diversion. If you have any questions, please let me know.

Best,

Skyler

From: Pondicherry Farms <pondicherryfarms@gmail.com>
Sent: Thursday, July 13, 2023 11:07 AM
To: Cheever, Skyler <Skyler.Cheever@idwr.idaho.gov>
Subject: Re: Licensing Review for Permit 98-7921

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CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hi Skyler,

It is my understanding that they are the same irrigated acres. I was surprised at the last field examination that I had a 2nd permit open/established, but figured hey two water rights are better than one so following through with the 2nd. If you think it's redundant and not necessary and the first right has us covered then great 👍. Otherwise we can go through with 2nd field visit.

I can call you later if needed.

Hope that helps,

Jim Huntley

208 946 7547

On Wed, Jul 12, 2023 at 12:49 PM Cheever, Skyler <Skyler.Cheever@idwr.idaho.gov> wrote:

Hello Mr. Huntley,

I am currently reviewing your permit, 98-7921 for licensing. However, it is difficult to discern the number of acres that were irrigated using Aerial Imagery alone. You already have another water right on the property 98-7973 for a pond on the property allowing irrigation from storage. Does this permit irrigate the same acres as the 98-7973 or does it irrigate different acres ? If it does irrigate the same acres, the field exam for 98-7973 would allow me to make a proper recommendation. If you have any questions, please let me know and feel free to call me using the number below.

Best,

Skyler

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AUG 03 2023

Skyler Cheever

Water Resource Agent, State Office

Email: skyler.cheever@idwr.idaho.gov

Phone: 208-287-4913

Beneficial Use Proof Evaluation

Permit Number: 98-7921 Reviewer: AVEibell Review Date: 7/11/2023

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: 6/20/2023
- 4) Proof Due Date: 7/1/2023
- 5) Days added for weekend due date?
- 6) Days added for holiday due date?
- 7) Number of days late: -11
- 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? Yes
 - a. Measuring Device -- No
 - b. Lockable Device --No
 - c. Fish Screen -- No
- 4) Is there a request to waive the required items? No
- 5) Drilling Permit Number:
- 6) Is a drilling permit upgrade needed? No
- 7) Was a well drillers report filed? No
- 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: \$500.00
- 5) Remaining fee or (refund): (\$450.00)

Receipt IDs

N029638

Comments

Proof received by State office on 6/20/23 with fee. Proof had incorrect permit number on form. Permit was lapsed. Permit Holder called and spoke to AJV 7/11/23 and clarified that the check had cleared 6/20

but they had received a lapse notice. PH advised to process proof as normal and keep lapse notice in file. 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

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

July 07, 2023

JAMES R HUNTLEY
1146 CHRISTMAS LN
NAPLES ID 83847-6009

LAPSE NOTICE

RE: PERMIT NO. 98-07921

IMPORTANT: This permit has lapsed because no written response was received from you by the IDWR. Development and/or use must cease.

Dear Permit Holder(s):

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in the proof due notice dated April 28, 2023. No further construction or additional development is authorized under this permit.

If water was put to beneficial use prior to the date proof of beneficial use was due, you may file the Statement of Completion (proof) now, or if you or a previous owner of this permit have not received a prior extension of time, you may file the Request for Extension of Time (extension request) if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. You may also request an extension of time if you have been delayed by a government agency, or by litigation that brings title to the water in question.

Either an acceptable proof or an acceptable extension request must be received by this Department within sixty (60) days of the mailing of this lapse notice in order to reinstate this permit.

Please contact Phill Hummer at 208-287-4925, if you need additional assistance.

Sincerely,

Angela Hansen, Manager
Water Rights Section

CERTIFICATION OF MAILING

I hereby certify that on 7-7-23
a copy/an original of this document was
deposited in the United States mail, postage
prepaid addressed to the individual(s)
named above.

SCANNED

JUL 10 2023



IDAHO DEPARTMENT OF
WATER RESOURCES



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Governor Brad Little

Director Gary Spackman

April 28, 2023

JAMES R HUNTLEY
1146 CHRISTMAS LN
NAPLES ID 83847-6009

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 98-07921

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 Holder(s):

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 **July 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 Section 42-204, Idaho Code. 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,

Water Rights Section

Enclosure(s)



SCANNED
MAY 01 2023