

RECEIVED

AUG 30 2023

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

FOR OFFICE USE ONLY

Amt. of Fee \$ 50.00Receipt No. C116979Received By KTDate Received 8/30/2023

The Idaho Department of Water Resources (Department) considers this form a statement that the permit holder(s) applied water to beneficial use and completed development of a water right to the extent described below. **This form must be accompanied by an examination fee, when necessary, or by a completed Beneficial Use Field Report prepared by a certified water right examiner (CWRE).** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, complete a Notice of Change in Water Right Ownership form. If you wish to relinquish your permit because you have not established the authorized water use and are not applying for an extension, please notify the Department in writing.

1. Permit No. 63-34581 Name of Permit Holder(s) Joseph C. McDonald and Carol S. McDonald Revokable Trust

Telephone No. Joseph 559-804-0881, Carol 559-994-2773 Email joecmcdonald@outlook.com carol_mcdonald@live.com

Mailing Address 28803 Farmway Road City Caldwell State ID Zip 83607

2. Source of Water Existing Well If Ground Water (well), Date Drilled mo. / yr. 1992

Drilling Permit/Tag No. Drilling Company's Name Gary Duspiva Drilling

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

Domestic (No. households) 1 Irrigation (No. acres) 4 Stockwater (No. and stock type) 8 Goats

Other

4. Total diversion rate or volume (storage only) for which proof is submitted .20 cfs OR af
If the total developed water use is 5 acres of irrigation or less, is stockwater storage of 14.6 acre-feet or less, or has a diversion rate of less than 0.24 cfs, attach a map of the place of use and point of diversion and photographs showing beneficial use.

5. Describe the diversion and delivery system from the water source to the use (pump, lift, irrigation method, etc.)

Well water is delivered to household via underground pipe for inhome use and inground sprinkler system and above ground sprinklers

6. Permit condition compliance. Refer to the permit approval conditions and check all the items required, then check "Yes" or "No" to indicate whether the required items were established, submitted, and/or installed:

Required? Yes No (If "Yes", attach required data, evidence of compliance, or evidence of installation)

☐ ☐ ☒ Ground water level data, pumping information, or other diversion data

☐ ☐ ☒ Mitigation plan

☐ ☐ ☒ Lockable controlling works

☐ ☐ ☒ Measuring device

☐ ☐ ☒ Fish screen

☐ ☐ ☒ Other requirements of the water right permit

☐ ☒ Reasonably Anticipated Future Needs ("RAFN") Municipal use

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

7. Fee Enclosed \$ 50.00 or ☐ CWRE field report attached or ☐ No fee required

See fee schedule on page 3 of the instructions. Proof statements filed without an appropriate fee are incomplete.

8. Person to contact to accompany a Department representative during the field examination of the water system:

Name: Carol McDonald Telephone No. 559-994-2773 Email carol_mcdonald@live.com

Mailing Address 28803 Farmway Road City Caldwell State ID Zip 83607

The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted and applied to beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

Carol McDonald

SIGNATURE OF PERMIT HOLDER*

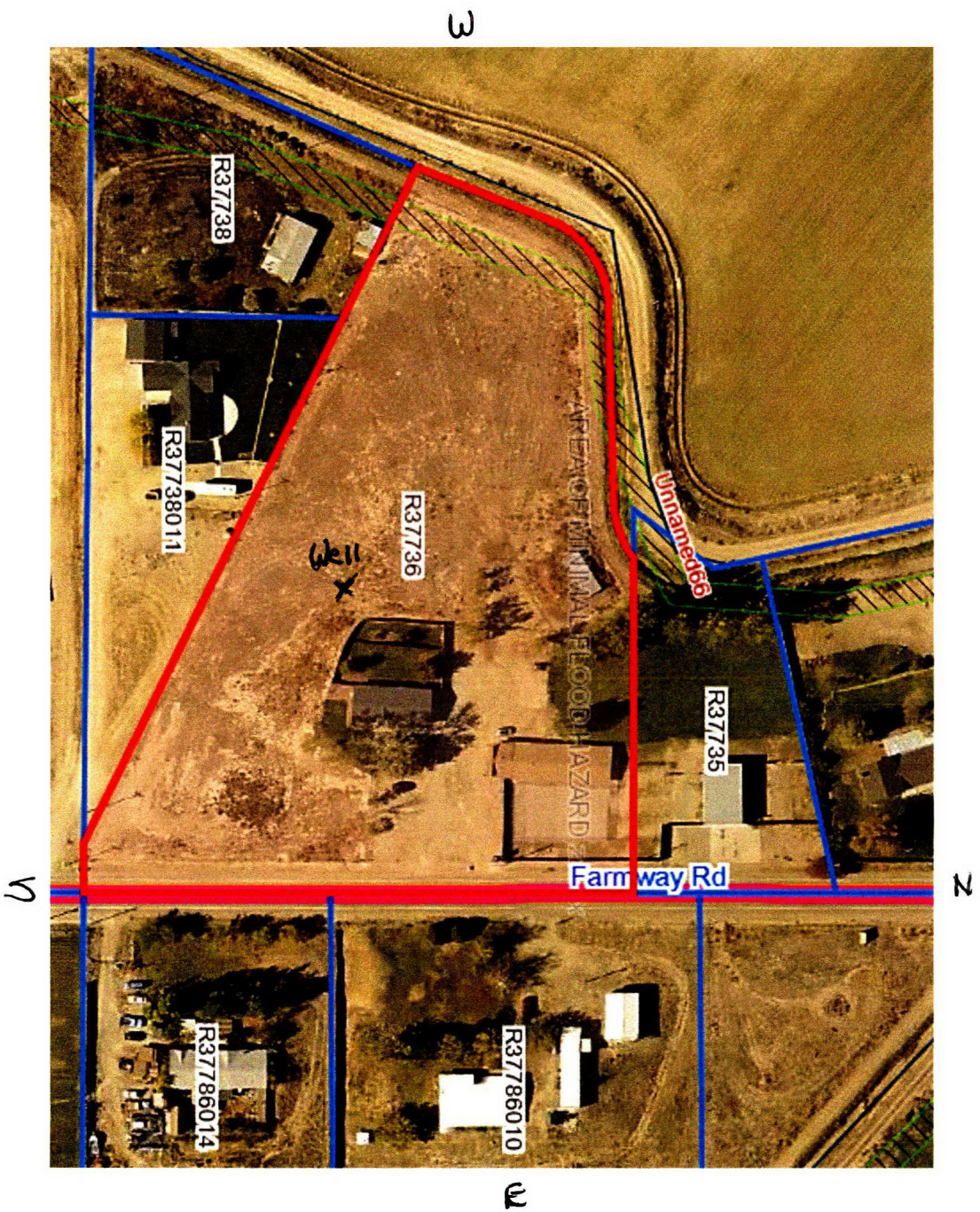
Carol McDonald, Owner

PRINTED NAME AND TITLE

8/28/2023

DATE

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



E

This view of our well faces the back of our house at an angle.

N



S

W





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 Mathew Weaver

October 19, 2023

JOSEPH MCDONALD
CAROL MCDONALD
28803 FARMWAY RD
CALDWELL ID 83607-8635

RE: License No. 63-34581

ISSUANCE OF LICENSE

Dear Water Right Holder(s):

The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district.

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact me at (208) 287-4925.

Sincerely,

Phill Hummer

Phill Hummer
Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on October 19, 2023, I served a true and correct copy of Water Right License No. 63-34581 by U.S. Mail, postage prepaid, to the following:

JOSEPH MCDONALD (Current Owner)
28803 FARMWAY RD
CALDWELL ID 83607-8635

CAROL MCDONALD (Current Owner)
28803 FARMWAY RD
CALDWELL ID 83607-8635



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
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 63-34581

Exam Date: 10/16/2023

1. 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. x Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
- d. Other < >
2. Current Owner:
- CAROL MCDONALD 28803 FARMWAY RD CALDWELL ID 83607-8635 OR
- JOSEPH MCDONALD 28803 FARMWAY RD CALDWELL ID 83607-8635

3. SOURCE: GROUND WATER

Method of Determination: GIS ArcMap Tools, Aerial Imagery, and Taxlot Data

B. OVERLAP REVIEW

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

Water Right No.	Source	Purpose of Use	Basis
65-2900	Tunnel No 2 Drain	Irrigation	Decreed
63-2878	Elijah Drain	Irrigation	Decreed

Comments: Black Canyon Irrigation District rights. Original applicants indicated that property is not eligible to receive water from irrigation district.

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

Water Right No.	Source	Purpose of Use	Basis

Comments: None.

C. DIVERSION AND DELIVERY SYSTEM

1. LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE¼ NE¼, Sec. 8, Twp 05N, Rge 03W, B.M. CANYON County

Method of Determination: GIS ArcMap Tools, and Taxlot Data

PLACE OF USE: IRRIGATION

[illegible]

Total Acres: 0.3

PLACE OF USE: STOCKWATER

[illegible]

PLACE OF USE: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	03W	8	X																

Method of Determination: GIS ArcMap Tools, Google Earth Imagery, and Taxlot Data

3.

Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.

Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.

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

Photo of Diversion and System Attached

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A	N/A	N/A	N/A	N/A	N/A

D. FLOW MEASUREMENTS

1.

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

2. Measurements: No measurement is required for an in-office examination, but a theoretical calculation was used to determine if the diversion rate is reasonable.

E. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

A theoretical analysis shows that a diversion rate of 0.03 cfs is possible with a 1.5 hp pump and 165' of lift.

$$Q = (1.5 \text{ hp})(8.8)(0.7 \text{ efficiency}) / (165 \text{ lift in ft}) + (2.31)(50 \text{ pressure psi}) + (\text{friction}) = 0.03 \text{ cfs}$$

Measurement = 0.03 cfs

Permit Allowed = 0.20 cfs

Irrigated acres x acre limit = (0.3 ac) x (0.03 cfs/ac) = 0.01 cfs

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (0.3 \text{ ac}) \times (4.5 \text{ af}) = 1.4 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 4.5 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1.4 \text{ afa}$$

2. Volume Calculations for Other Uses:

Domestic: 0.6 af per domestic household when irrigation is separated as per Application Processing Memo No. 22.

Stockwater: 0.2 af for 0-10 head of stock as per Application Processing Memo No. 3.

G. NARRATIVE/REMARKS/COMMENTS

This permit qualifies for an in-office exam because it is for irrigation of less than 5 acres and all other uses combined have a diversion rate less than 0.24 cfs. The exam was conducted on October 16, 2023 by Justin Shearer. At the time of exam, ownership of the permit is in the name of Joseph McDonald, or Carol McDonald. Current Canyon County taxlot data represents the McDonald's own the land pertinent to the place of use (POU) and point of diversion (POD). Proof of Beneficial Use was submitted on August 30, 2023.

Statement of Completion for Submitting Proof of Beneficial Use indicated that the extent of uses completed as authorized by the permit were domestic for 1 household, irrigation of 4 acres, and stockwater for 8 goats. The original application from 2018 indicated that the well's diversion works were upgraded in 2017 to a new 1.5 hp pump set at 165' below ground. A quick theoretical analysis shows that a diversion rate of 0.03 cfs is possible with 1.5 hp pump and 165' of lift. The permit authorized 0.14 cfs for 4.5 acres of irrigation, 0.04 cfs for domestic, and 0.02 cfs for stockwater. However, ArcMap tools and aerial imagery including Google Earth imagery were only able to confirm 0.3 acres of irrigation as having been developed. Because no on-site examination was conducted to determine current system capacity I am not going to restrict my recommendation by the theoretical diversion rate of 0.03 cfs. As a result, I am recommending 0.01 cfs and 1.4 af for 0.3 acres of irrigation. Additionally, I am recommending 0.04 cfs and 0.6 af for domestic purposes, and 0.02 cfs and 0.2 af for stockwater purposes.

All conditions for the permit have been met. Conditions X02 26A, 046, and 004 are being removed at licensing as per department standard. Condition 121 is updated to 103 as per department standard. Condition R69 will and WB5 will carry over to the license.

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

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Diversion	Volume
IRRIGATION	03/01 to 11/15	0.01 CFS	1.4 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.2 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF

Totals: 0.07 CFS 2.2 AF

2. Recommended Amendments

_____ Change P.D. as reflected above _____ Add P.D. as reflected above x None

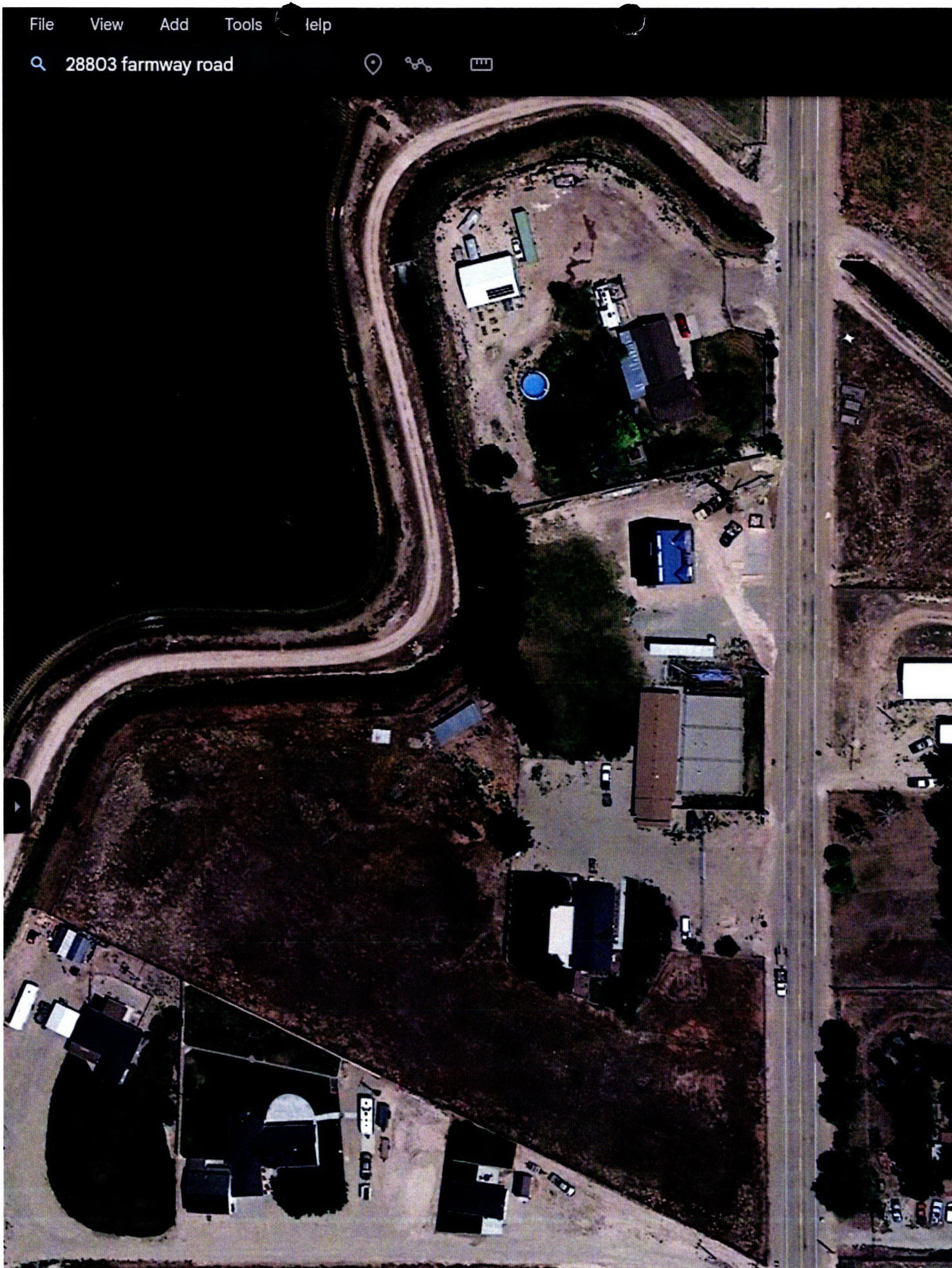
_____ Change P.U. as reflected above _____ Add P.U. as reflected above x None

I. AUTHENTICATION

Justin Shearer -

Field Examiner's Name  Date 10/16/2023

Reviewer _____ Date _____



Google Earth Imagery 6/29/2022

Beneficial Use Proof Evaluation

Permit Number: 63-34581 Reviewer: AVEibell Review Date: 9/5/2023

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: 8/30/2023
- 4) Proof Due Date: 10/1/2023
- 5) Days added for weekend due date? 2
- 6) Days added for holiday due date? 0
- 7) Number of days late: -34
- 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: 63-92-W-207
- 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: \$50.00
- 5) Remaining fee or (refund): \$0.00

Receipt IDs

W046596

Comments

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



IDAHO DEPARTMENT OF
WATER RESOURCES

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 31, 2023

CAROL MCDONALD
JOSEPH MCDONALD
28803 FARMWAY RD
CALDWELL ID 83607-8635

NOTICE: STATEMENT OF COMPLETION DUE

RE: Permit No. 63-34581

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 **October 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 Right Section

Enclosure(s)

CERTIFIED MAIL

7022 1670 0001 2370 9799

NO

SCANNED

AUG 02 2023