

RECEIVED

Mar 21, 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 \$ \_\_\_\_\_

Receipt No. \_\_\_\_\_

Received By \_\_\_\_\_

Date Received \_\_\_\_\_

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. 63-34080 Name of Permit Holder(s) Chris EmmertTelephone No. 208-466-3670 Email bsuefarm@yahoo.comMailing Address 7180 Bowmont Road City Nampa State ID Zip 836862. Source of Water ground water If Ground Water (well), Date Drilled mo. 05 / yr. 2020Drilling Permit/Tag No. D0083598 Drilling Company's Name Treasure Valley Drilling

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

Domestic (No. households) \_\_\_\_\_ Irrigation (No. acres) 73 Stockwater (No. and stock type) \_\_\_\_\_

Other \_\_\_\_\_

4. Total diversion rate or volume (storage only) for which proof is submitted 1.46 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, submersible pump, flow meter, buried pipe, and open ditches for gravity irrigation;relift pump for northernmost fields

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 useIf RAFN Municipal use, additional increment of beneficial use developed? ☐ Yes (attach CWRE report) ☐ No7. 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.



Chris Emmert

March 16, 2023

SIGNATURE OF PERMIT HOLDER\*

PRINTED NAME AND TITLE

DATE

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

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED

Mar 21, 2023

DEPARTMENT OF  
WATER RESOURCES

A Beneficial Use Field Report is prepared by a water right examiner as the result of an examination to clearly confirm and establish the extent of the beneficial use of water established in connection with a permit during the development period authorized by the permit and any extensions of time previously approved.

**A. GENERAL INFORMATION**Permit No. 63-34080

1. Owner Chris Emmert Phone No. 208-989-5090  
Current address 7180 Bowmont Road, Nampa, ID 83686
2. Examiner's name Terry Scanlan, P.E., P.G. EXAM DATE 7/6/2022 and 3/16/2023
3. Accompanied by Chris Emmert Email bsuefarm@yahoo.com  
Address 7180 Bowmont Road, Nampa, ID 83686  
Relationship to permit holder same Phone No. 208-989-5090
4. Source ground water tributary to NA

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use Boise Kuna Irrigation District
2. Other water rights with the same source and point of diversion None

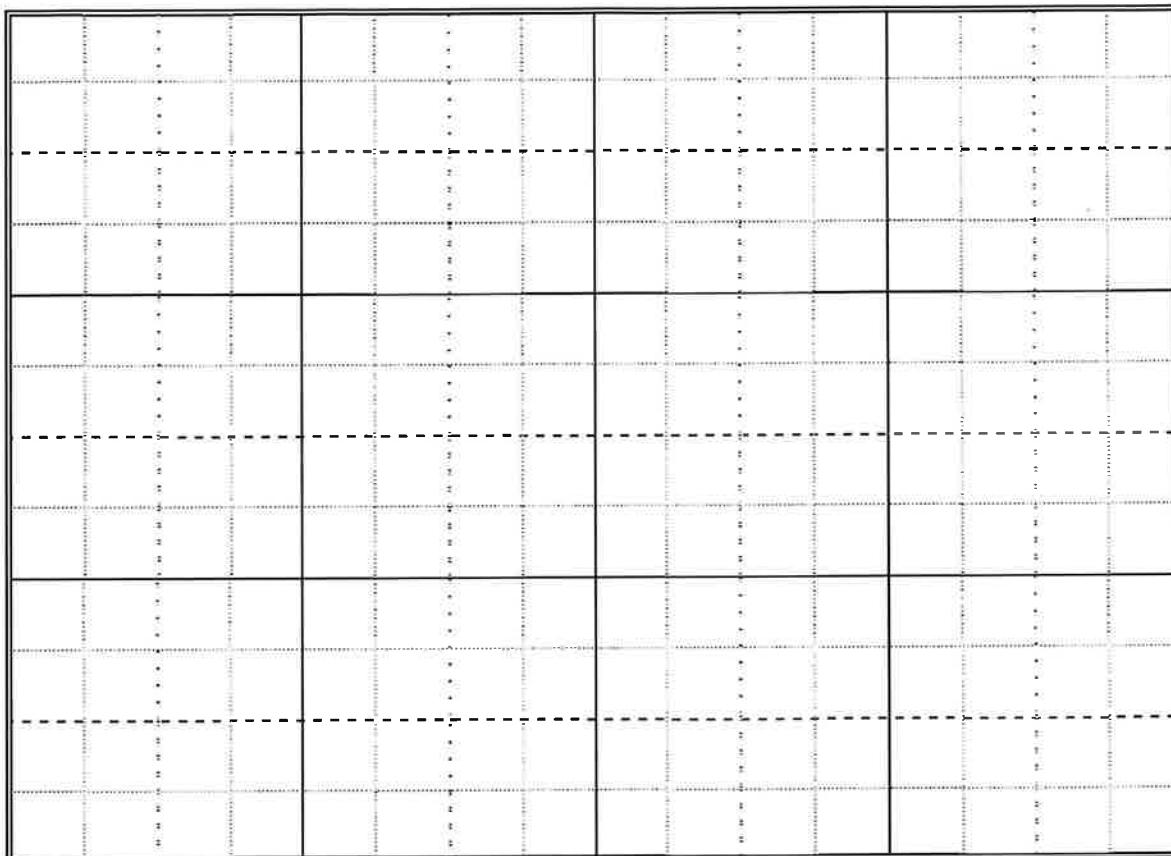
**C. DIVERSION AND DELIVERY SYSTEM****1. Point(s) of Diversion:**

| Ident. No. | Gov't Lot | ¼ | ¼  | ¼  | Sec | Twp | Rge | County | Method of Determination/Remarks |
|------------|-----------|---|----|----|-----|-----|-----|--------|---------------------------------|
|            |           |   | SW | NW | 1   | 1N  | 2W  | Canyon | GIS                             |
|            |           |   |    |    |     |     |     |        |                                 |
|            |           |   |    |    |     |     |     |        |                                 |
|            |           |   |    |    |     |     |     |        |                                 |

**2. Place(s) of Use:** Method of determination GIS

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 1N  | 2W  | 1   |    |    |    |    | 15 | 30 | 28 |    |    |    |    |    |    |    |    |    | 73     |
|     |     |     |    |    |    |    | L3 | L4 |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe diameter (inside), as applicable. Use the space provided or ☒ see attached.



Scale: 1" = \_\_\_\_\_

- ☒ Copy of USGS Quadrangle attached showing location(s) of point(s) of diversion and place(s) of use (**required**)  
☒ Aerial photo attached (required for irrigation of 10+ acres)  
☒ Photo of diversion and system attached

4.

| Well or Diversion Identification No.* | Motor Make  | Hp | Motor Serial No. | Pump Make   | Pump Serial No. or Discharge Size |
|---------------------------------------|-------------|----|------------------|-------------|-----------------------------------|
| D0083598                              | submersible | 30 | submersible      | submersible | 6-inch                            |
|                                       |             |    |                  |             |                                   |
|                                       |             |    |                  |             |                                   |

\*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          |
|-----------------------|------|----------|-----------|------------|--------|----------------------|
| flow meter            | mag  | Growsmar | IM3000    | GT18060943 | 6-inch | Oct 2018 manufacture |
|                       |      |          |           |            |        |                      |

2. **Measurements:** \_\_\_\_\_

Flow rate was steady at 529 gpm (1.18 cfs).

**E. NARRATIVE/REMARKS/COMMENTS**

**Attached**

Attached

Has the permit holder met all conditions of permit approval, including any mitigation requirements and/or measuring device installation requirements? ☒ Yes ☐ No If no, what must be done to meet the permit requirements?

[illegible]

**F. FLOW CALCULATIONS**☐ Additional computation sheets attached

Measured Method:  
flow meter 1.18 cfs

**G. VOLUME CALCULATIONS**

## 1. Volume Calculations for Irrigation:

$$V_{I,R} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 73 \text{ ac} \times 4.5 \text{ af/ac} = 328.5 \text{ af}$$

$$V_{D,R} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.18 \text{ cfs} \times 260 \text{ days} \times 1.9835 = 608.5 \text{ af}$$

$$V = \text{Smaller of } V_{I,R} \text{ and } V_{D,R} = 328.5 \text{ af. Permit is limited by condition to 102 af}$$

## 2. Volume Calculations for Other Uses:

**H. RECOMMENDATIONS**

## 1. Recommended Amounts

| Beneficial Use | Period of Use |       | Rate of Diversion | Annual Volume |
|----------------|---------------|-------|-------------------|---------------|
|                | From          | To    | Q (cfs)           | V (afa)       |
| irrigation     | 3/1           | 11/15 | 1.18 cfs          | 102 afa       |
|                |               |       |                   |               |
|                |               |       |                   |               |
|                |               |       |                   |               |
|                |               |       |                   |               |
| <b>Totals:</b> |               |       | 1.18 cfs          | 102 afa       |

## 2. Recommended Amendments

- ☐ Change P.D. as reflected on page 1    ☐ Add P.D. as reflected on page 1    ☐ None  
☒ Change P.U. as reflected on page 1    ☐ Add P.U. as reflected on page 1    ☐ Other

**I. AUTHENTICATION**

Field Examiner's Signature Terry M. Scanlan Date 3/16/2023

Reviewer \_\_\_\_\_ Date \_\_\_\_\_



**Narrative.**

A 10-inch x 285-foot well equipped with a 30-hp submersible pump provides supplemental irrigation to 73 acres irrigated from concrete and earthen ditches. The well is cased to 215 feet and open hole within basalt and gravel from 215 to 285 feet. Static water level is 100 feet.

The well was constructed in 2020 and first put into service for the 2022 irrigation season.

To mitigate for theoretical depletions to Lake Lowell caused by groundwater pumping under this permit (63-34080), the right holder is required to provide 3.0 acre feet at the New York Canal to Boise Project Board of Control. The right holder is required to also provide 4.0 acre feet related to permit 63-34079. For the 2022 irrigation season, the right holder rented 9 acre feet of water right 63-146 from the Idaho Water Supply Bank under agreement No. 306.

The right holder is required to record the volume of water diverted on a weekly basis. These records are summarized for the 2022 irrigation season on Attachment E and totaled 59.3 acre feet.

Permit development included 15 acres of irrigation in the NENW Section 1, outside the permit authorized place of use. An amendment is recommended to recognize water use on these acres.

Attachment A – Field Exam Maps – Aerial Image and Topographic

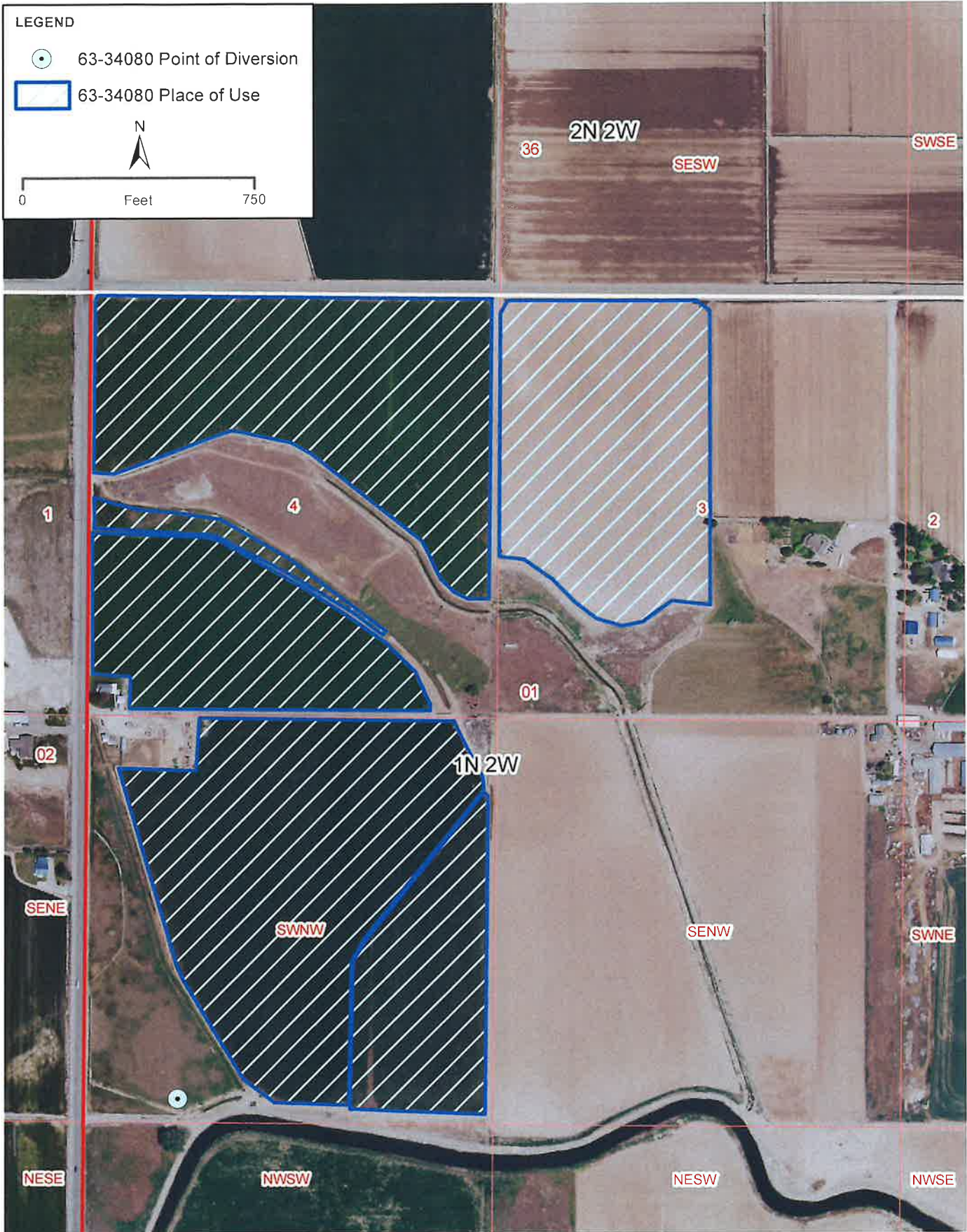
Attachment B – System Diagram

Attachment C – Well Drillers Report and Pump Receipt

Attachment D – Water Bank Rental Agreement 306

Attachment E – 2022 Diversion Records

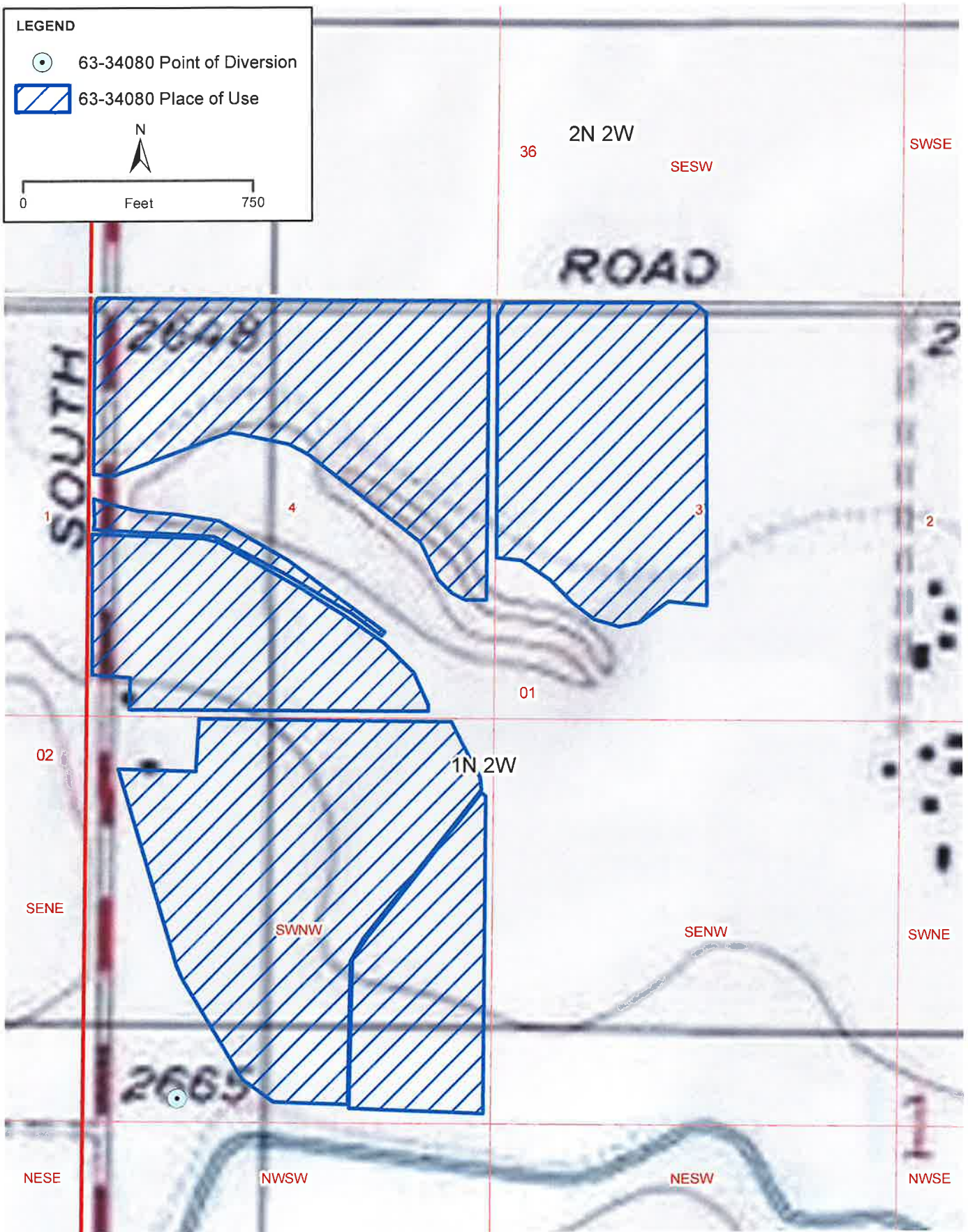
Attachment F – Field Exam Photos



**LEGEND**

 63-34080 Point of Diversion  
 63-34080 Place of Use

  
 0 Feet 750



**HDR**

DATA SOURCE: USA Topo

## 63-34080 BUFE - ATTACHMENT A2

USA TOPO MAP

CHRIS EMMERT

## Attachment B – System Diagram



Water is pumped from the well (yellow star) through 8" buried pipe to a concrete box (red circle). At the box, water can flow into either a concrete ditch (red line) to irrigate fields 2 and 4 or pipe (dash green line) that irrigates field 3 using a gated pipe (solid green line). Water from the concrete ditch can flow to pond at the east end of field 4 where a portable pump and pipeline can deliver it to concrete ditches that irrigate fields 5 and 23. Field 23 is outside of the permit area (blue solid line) and is proposed to be included under an amendment to the permit.

# ATTACHMENT C1

## IDAHO DEPARTMENT OF WATER RESOURCES

### WELL DRILLER'S REPORT

1. WELL TAG NO. D 0083598Drilling Permit No. 893003Water right or injection well # 63-340802. OWNER: Chris Emmert

Name \_\_\_\_\_

Address 7180 Bowmont RdCity Nampa State ID Zip 83686

## 3. WELL LOCATION:

Twp. 1 North ☒ or South ☐ Rge. 2 East ☐ or West ☒Sec. 1 SW 1/4 NW 1/4 160 acres 1/4Gov't Lot \_\_\_\_\_ County CanyonLat. 43 ° 27.116 (Deg. and Decimal minutes)Long. 116 ° 31.924 (Deg. and Decimal minutes)Address of Well Site E side of south side RdCity Nampa

(Give at least name of road + Distance to Road or Landmark)

Lot. \_\_\_\_\_ Blk. \_\_\_\_\_ Sub. Name \_\_\_\_\_

## 4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation ☐ Thermal ☐ Injection☐ Other \_\_\_\_\_

## 5. TYPE OF WORK:

☒ New well ☐ Replacement well ☐ Modify existing well☐ Abandonment ☐ Other \_\_\_\_\_

## 6. DRILL METHOD:

☒ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other \_\_\_\_\_

## 7. SEALING PROCEDURES:

| Seal material   | From (ft) | To (ft)   | Quantity (lbs or ft <sup>3</sup> ) | Placement method/procedure |
|-----------------|-----------|-----------|------------------------------------|----------------------------|
| <u>red chip</u> | <u>0</u>  | <u>38</u> | <u>1850 lbs</u>                    | <u>Poured</u>              |

## 8. CASING/LINER:

| Diameter (nominal) | From (ft) | To (ft)    | Gauge/Schedule | Material     | Casing                              | Liner                    | Threaded                 | Welded                              |
|--------------------|-----------|------------|----------------|--------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| <u>12"</u>         | <u>+2</u> | <u>38</u>  | <u>250</u>     | <u>steel</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>10"</u>         | <u>+2</u> | <u>215</u> | <u>250</u>     | <u>steel</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

## 12. STATIC WATER LEVEL and WELL TESTS:

Depth first water encountered (ft) 100 Static water level (ft) 100Water temp. (°F) 67 Bottom hole temp. (°F) 62

Describe access port \_\_\_\_\_

## Well test:

| Drawdown (feet) | Discharge or yield (gpm) | Test duration (minutes) |
|-----------------|--------------------------|-------------------------|
| <u>150</u>      | <u>500</u>               | <u>2 Hrs</u>            |

## Test method:

| Pump                     | Bailer                   | Air                                 | Flowing artesian         |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Water quality test or comments: \_\_\_\_\_

## 13. LITHOLOGIC LOG and/or repairs or abandonment:

| Bore Dia. (in) | From (ft)  | To (ft)    | Remarks, lithology or description of repairs or abandonment, water temp. | Water |   |
|----------------|------------|------------|--------------------------------------------------------------------------|-------|---|
|                |            |            |                                                                          | Y     | N |
| <u>12"</u>     | <u>0</u>   | <u>7</u>   | <u>Clay</u>                                                              |       |   |
|                | <u>7</u>   | <u>36</u>  | <u>weathered Basalt</u>                                                  |       |   |
|                | <u>36</u>  | <u>36</u>  | <u>Basalt</u>                                                            |       |   |
| <u>12"</u>     | <u>36</u>  | <u>97</u>  | <u>Basalt</u>                                                            |       |   |
|                | <u>97</u>  | <u>127</u> | <u>Liner</u>                                                             |       |   |
|                | <u>127</u> | <u>205</u> | <u>Fractured Basalt</u>                                                  |       |   |
|                | <u>205</u> | <u>215</u> | <u>Basalt</u>                                                            |       |   |
| <u>10"</u>     | <u>215</u> | <u>278</u> | <u>Basalt</u>                                                            |       |   |
| <u>10"</u>     | <u>278</u> | <u>285</u> | <u>gravel</u>                                                            |       |   |

RECEIVED

JUN 22 2020

WATER RESOURCES  
WESTERN REGIONCompleted Depth (Measurable): 282Date Started: 7-26-2020 Date Completed: 5-11-2020

## 14. DRILLER'S CERTIFICATION:

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Treasure Valley Drilling Co. No. 5600\*Principal Driller [Signature] Date 5-15-2020\*Driller [Signature] Date 5-15-2020

\*Operator II \_\_\_\_\_ Date \_\_\_\_\_

Operator I [Signature] Date 5-15-2020

\* Signature of Principal Driller and rig operator are required.

## 11. FLOWING ARTESIAN:

Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) \_\_\_\_\_Describe control device PIG

# ATTACHMENT C2



**Burgess Pump & Supply, LLC**

706 East Main Street  
Middleton, ID 83644

PH: (208) 585-6202

EMAIL: service@burgesspump.com • WEB:

## INVOICE

**13882**

11/1/2020

**BILL TO** Chris Emmert  
7180 Bowmont Rd  
Nampa ID 83686

**SHIP TO**

| BURGESS WO# | TECH                                                                                                                                                                                                                                                                                                            | CUSTOMER PO# | TERMS             | PROJECT                 |
|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------------------|-------------------------|
| 17638       | BP                                                                                                                                                                                                                                                                                                              | EST # 9318   | 50% Down / 50%... | IRRIGATION PUMP SYSTEMS |
| QTY         | DESCRIPTION                                                                                                                                                                                                                                                                                                     |              |                   |                         |
|             | 2 (ea) 6" 30HP 460V 3PH Motor w/ 700 - 750 GPM @ 100TDH Pump end, & 2 (ea) Nema size 2.5 Start Panel; 6" Black T&C Pipe, 8/3 Submersible W /Ground Cable & plumbing down the well (pump set 126'); Check Valve, 6" 80 DI (Drilled for draining), well head assembly, misc plumbing, electrical & shop supplies. |              |                   |                         |

*Handwritten:* 11-1-2020

# ATTACHMENT D



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

January 4, 2022

CHRIS EMMERT  
7180 BOWMONT RD  
NAMPA ID 83686

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK  
WATER RIGHT NO(S). 63-146, AGREEMENT 306**

Dear Renter:

Please find enclosed a receipt in the amount of **\$180.00** in connection with the rental of 9 acre-feet of water during 2022. Upon receipt of this letter, you are authorized to divert water in compliance with the conditions of water use described in your rental agreement.

Pursuant to the Water Supply Bank Rules, 90% or \$162.00 of the rental fee will be paid to the lessor(s) and 10% or \$18.00 will be retained by the Department to offset administrative costs.

If you have any questions, please contact this office at (208) 287-4936.

Sincerely,

Mary Condon  
Water Supply Bank Specialist

Enclosure(s): Receipt No. C111590

c: Sascha Marston – Fiscal

# Idaho Department of Water Resources Receipt

Receipt ID: C111590

---

|                |                                                                                                                               |               |            |        |       |
|----------------|-------------------------------------------------------------------------------------------------------------------------------|---------------|------------|--------|-------|
| Payment Amount | \$180.00                                                                                                                      | Date Received | 12/22/2021 | Region | STATE |
| Payment Type   | Check                                                                                                                         | Check Number  | 8258       |        |       |
| Payer          | EMMERT, CHRIS A                                                                                                               |               |            |        |       |
| Comments       | WATER SUPPLY BANK RENTAL AGREEMENT<br>RENTER NAME: CHRIS EMMERT<br>RENTAL AGREEMENT # 306<br>FOR WR # 63-146<br>FOR YEAR 2022 |               |            |        |       |

## Fee Details

| Amount   | Description            | PCA   | Fund | Fund Detail | Subsidiary | Object |
|----------|------------------------|-------|------|-------------|------------|--------|
| \$162.00 | WATER BANK-OWNER SHARE | 29512 | 0490 | 1           |            | 1205   |
| \$18.00  | WATER BANK-OWNER SHARE | 29512 | 0490 | 1           |            | 1205   |

*Ka*

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Signature Line (Department Representative)

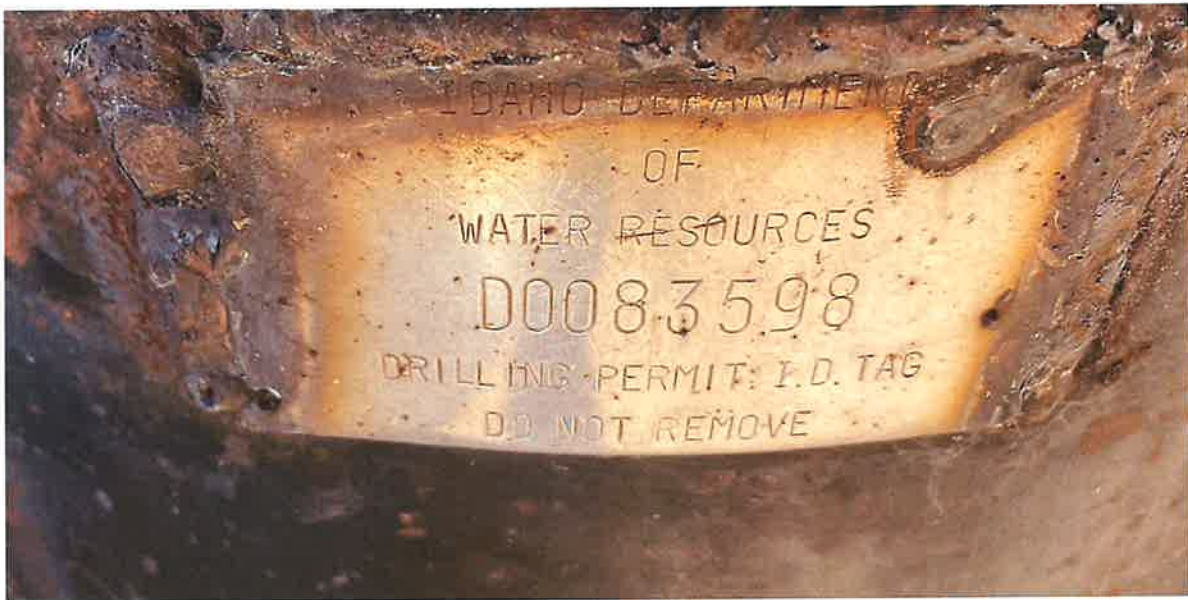
| Attachment E - 63-34079 2022 Weekly Diversion Records |                    |                    |                      |
|-------------------------------------------------------|--------------------|--------------------|----------------------|
| Date                                                  | Flow Meter Reading | Cumulative Gallons | Cumulative Acre Feet |
| 6/20/2022                                             | 8537               | 8,537,000          | 26.2                 |
| 6/27/2022                                             | 11771.1            | 11,771,100         | 36.1                 |
| 7/4/2022                                              | 16614.4            | 16,614,400         | 51.0                 |
| 7/11/2022                                             | 19325.2            | 19,325,200         | 59.3                 |
| 7/18/2022                                             | 19325.2            | 19,325,200         | 59.3                 |
| 7/25/2022                                             | 19325.2            | 19,325,200         | 59.3                 |
| 8/1/2022                                              | 19325.2            | 19,325,200         | 59.3                 |
| 8/8/2022                                              | 19325.2            | 19,325,200         | 59.3                 |
| 8/15/2022                                             | 19325.2            | 19,325,200         | 59.3                 |
| 8/22/2022                                             | 19325.2            | 19,325,200         | 59.3                 |
| 8/29/2022                                             | 19325.2            | 19,325,200         | 59.3                 |



Well and discharge piping.



Well site looking west toward Southside Boulevard



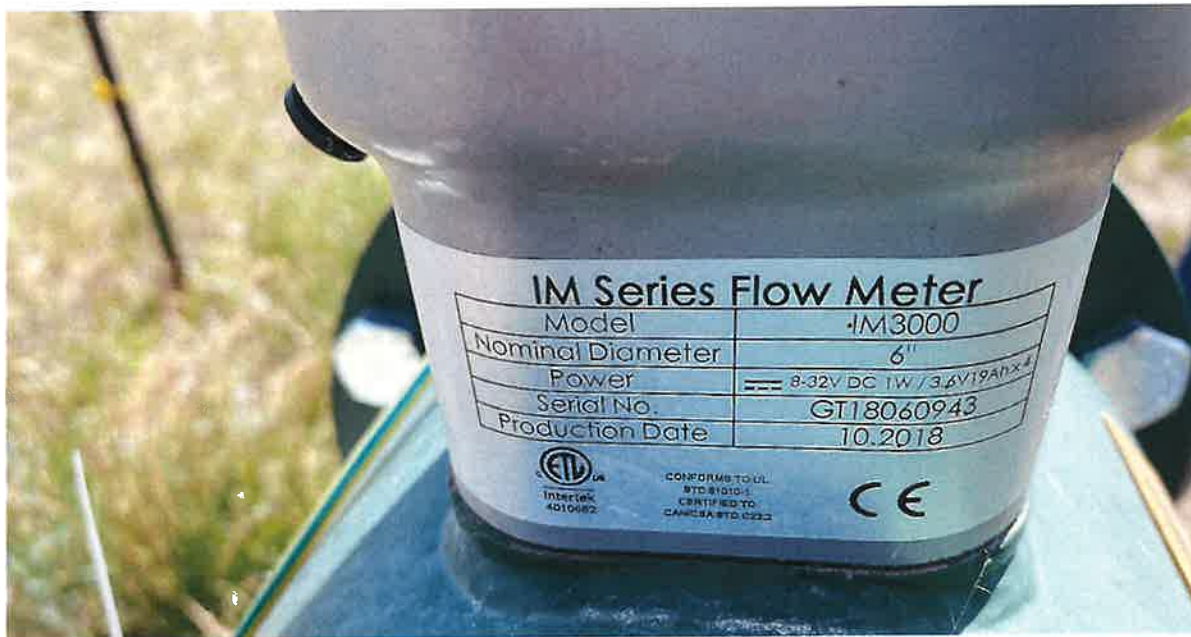
Well tag



Pump panel



Flow meter display. 531.69 gpm = 1.18 cfs



Flow meter nameplate



Discharge from well to concrete box looking north. Concrete ditch and field 2 in background. Delivery pipe from Mora Canal in foreground



Discharge from well to concrete box looking east



Gated pipe for irrigation of field 3



Delivery box and weir to field 23. Water can be pumped to this box from the pond (or from ditch) east of field 4.



Portable pump at southwest corner of field 4 to pump water to fields 5 and 23



Mainline from portable pump to fields 5 and 23.



Delivery to field 23 headgate.

**Hersley, Jean**

---

**From:** Scanlan, Terry <Terry.Scanlan@hdrinc.com>  
**Sent:** Tuesday, March 21, 2023 10:47 AM  
**To:** Ritter, Ashley; IDWR File  
**Cc:** Beverly Sue  
**Subject:** 63-34080 Proof Statement and Beneficial Use Field Report  
**Attachments:** 63-34080 BU Field Report.pdf; 63-34080 proof.pdf

**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.

---

Ashley,

On behalf of Chris Emmert, attached is a Statement of Completion for Submitting Proof of Beneficial Use for permit 63-34080. Please let me know if there is anything else needed for licensing of this permit. Thanks.

**Terry M. Scanlan, P.E., P.G.**

*Principal Engineer*

**We are now HDR | SPF**

412 E. Parkcenter Boulevard., Suite 100  
Boise, ID 83706

**D** +1.208-872-9530 **M** +1.208-861-4758

Terry.Scanlan@hdrinc.com

[hdrinc.com/follow-us](https://hdrinc.com/follow-us)

[spfwater.com](https://spfwater.com)

# Memorandum

**Date:** September 12, 2023  
**From:** Blake Burkard  
**To:** Water Right Files 63-34079 & 63-34080  
**Subject:** Licensing Review of Certified Water Right Examiner Report

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Permits 63-34079 and 63-34080 authorize two ground water diversions for irrigation of land approximately six miles southeast of Lake Lowell. Both permits were applied for as supplemental ground water irrigation sources and were protested by the Boise Project Board of Control due to concerns of the cumulative effects that the ground water withdrawals may adversely affect senior water rights in the Lake Lowell vicinity.

To mitigate for the modeled effects on Lake Lowell, the applicant was required to make 4.0 acre-ft and 3.0 acre ft, respectively, available to the Boise Project Board of Control at the New York canal for use within its member irrigation districts. Volume limits were also conditions of approval and the total anticipated diversion volumes were divided proportionally based on acreage: 133 acre-ft for 95 acres, and 102 acre-ft for 73 acres, respectively.

The beneficial use field exams for permits 63-34079 and 63-34080 were submitted by Certified Water Right Examiner (CWRE) Terry M. Scanlan, P.E., P.G., and received on March 21, 2023. The purpose of this memo is to review the recommendations made in the field exam.

## **Ownership:**

Chris Emmert is the applicant and permit holder for permits 63-34079 and 63-34080. Proof statements were signed by Emmert, but the proof statements and field reports were submitted by the CWRE. Written evidence of authority to file is not needed.

An amendment for the place of use description of permit 63-34080 was recommended by the CWRE. Scanlan does not have authority to sign the amendment, so it will be sent to Emmert to sign, if approved.

**Overlap:**

Both permits are for supplemental ground water irrigation use. Surface water shares from Boise Kuna Irrigation district are used as a primary source. Overlap is not a concern as there are no additional supplemental water rights and certain conditions of approval prevent enlargement.

**Point of Diversion and Place of Use:**

The legal description of the point of diversion for each permit is confirmed in the field exam report submitted. Irrigation acreage to the nearest acre was determined, and GIS can confirm the accuracy. The field report for permit 63-34080 documented irrigation in Lot 3 NE¼NW¼ of Section 1, which was not permitted. An amendment was recommended by the CWRE.

**Diversion Rate and Volume:**

The examiner provided instantaneous flow rate measurements using an approved flow meter for both permits. Rates are given below:

|          | Recommended Flow Rate (cfs) | Permitted Flow Rate (cfs) |
|----------|-----------------------------|---------------------------|
| 63-34079 | 1.52                        | 1.90                      |
| 63-34080 | 1.18                        | 1.46                      |

Given both wells divert to headboxes, assuming no pressure head, the pump specifications given are theoretically capable of diverting at these rates.

The examiner recommended the permitted volume for both permits. Conditions of approval required the permit holder to install a totalizing flow meter for each diversion and to record weekly diversion volumes. In 2022, the only year that the irrigation system had operated, permit 63-34079 had diverted 160.4 acre-ft, though it was only permitted for 133 acre-ft. An email was sent to the examiner and the permit holder requesting an operation plan that would detail how the permit holder would intend on not exceeding the volume limits described on the permit. An operation plan was received on September 5, 2023, describing how the totalizer can be used as a forecasting device and that the permit holder could anticipate when the volume limit would be reached. I recommend licensing these permits for the quantities recommended by the CWRE. I also recommend adding these water rights to the WMIS network to monitor compliance with the volume limits.

**Conditions:**

The examiner indicated that the permit holder had met all conditions of approval, including mitigation requirements and measuring device requirements. Individual conditions were not discussed.

All conditions related to proof submittal and project/well construction were followed and can be removed. Conditions 065 should be replaced by 943 and R62 should be replaced by WB7 in order to update the supplemental ground water right conditions.

## Burkard, Blake

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**From:** Burkard, Blake  
**Sent:** Monday, September 11, 2023 4:18 PM  
**To:** Scanlan, Terry  
**Subject:** RE: Certified Water Right Examiner Report for 63-34079 and 63-34080

Terry,

I believe that the operation plan is adequate, as does Justin Shearer, who will be reviewing my review memo. If approved by a water rights supervisor, we will also be adding these rights to our annual water delivery measurement network for added assurance in regards to compliance.

Blake Burkard

**From:** Scanlan, Terry <terry.scanlan@hdrinc.com>  
**Sent:** Tuesday, September 5, 2023 1:58 PM  
**To:** Burkard, Blake <Blake.Burkard@idwr.idaho.gov>; IDWR File <file@idwr.idaho.gov>  
**Cc:** bsuefarm@yahoo.com  
**Subject:** RE: Certified Water Right Examiner Report for 63-34079 and 63-34080

**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.

Blake,

An operation plan is attached. Let me know if this is adequate. Thanks.

**Terry M. Scanlan**, P.E., P.G.  
D 208-872-9530 M 208-861-4758

[hdrinc.com/follow-us](https://hdrinc.com/follow-us)

**From:** Burkard, Blake <[Blake.Burkard@idwr.idaho.gov](mailto:Blake.Burkard@idwr.idaho.gov)>  
**Sent:** Friday, September 1, 2023 11:24 AM  
**To:** Scanlan, Terry <[terry.scanlan@hdrinc.com](mailto:terry.scanlan@hdrinc.com)>  
**Cc:** [bsuefarm@yahoo.com](mailto:bsuefarm@yahoo.com)  
**Subject:** Certified Water Right Examiner Report for 63-34079 and 63-34080

**CAUTION:** [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Terry,

I am currently reviewing the beneficial use field exam reports for permits 63-34079 and 63-34080. Approval conditions limited the annual diversion volumes to 133 and 102 acre-ft, respectively. The attached weekly pumping volumes for 63-34079 documented that the permit had exceeded its volume limit. While it is understood that the overall diversion volume between the two permits had been mitigated for adequately, the Department has concerns about licensing the

permits without an operational plan or some additional action that would keep the water rights within compliance of their respective volume limits.

Under permit 63-34079, Emmert diverted 160.4 acre-ft over 85 acres, which is approximately 1.9 acre-ft per acre. Emmert diverted approximately 0.8 acre-ft per acre under 63-34079. An acceptable operation plan could involve a more even distribution of the available surface water.

When an operation plan is developed, please email it to [file@idwr.idaho.gov](mailto:file@idwr.idaho.gov) attn: Blake Burkard. Feel free to contact me with any questions you may have.

Regards,

Blake Burkard  
Engineer Intern  
(208) 287-4870  
[blake.burkard@idwr.idaho.gov](mailto:blake.burkard@idwr.idaho.gov)





RECEIVED

Sep 05, 2023

DEPARTMENT OF  
WATER RESOURCES

## Memo

Date: Tuesday, September 05, 2023  
Project: Chris Emmert Water Rights  
To: Blake Burkard – [blake.burkard@idwr.idaho.gov](mailto:blake.burkard@idwr.idaho.gov)  
From: Terry Scanlan, P.E, P.G. – HDR Engineering  
cc: Chris Emmert - [bsuefarm@yahoo.com](mailto:bsuefarm@yahoo.com)  
Subject: Operation Plan for Water Rights 63-34079 and 63-34080

Water rights 63-34079 and 63-34080 are limited to annual volumes of 133 acre feet and 102 acre feet, respectively. These volume limits are based on the annual mitigation volumes provided by the water right holder to the Boise Project Board of Control.

Two methods will be implemented to prevent exceedances of the volume limits in the future.

- The right holder shall record diversion volumes on a weekly basis and cease diversions when the volumes reach the annual limits. The wells supplying both water rights are equipped with magnetic flow meters with totalized flows reading in 1000-gallon increments. For 63-34079, the annual volume shall not exceed 43,338,050 gallons (43,338 on meter). For 63-34080, the annual volume shall not exceed 33,237,000 gallons (33,237 on meter). At the start of each irrigation season, these volumes shall be added to the beginning meter reading and recorded on the log sheet as the annual volume limit for that year. The operator can then easily monitor pumping throughout the irrigation season to prevent exceeding the annual limits recorded on the log sheet.
- For irrigation planning purposes, the estimated number of pumping days at the current diversion rates can be used to forecast water use. Assuming pumping of 63-34079 at 1.52 cfs, the pump can be operated for a total of 44 days. Assuming pumping of 63-34080 at 1.18 cfs, that pump can likewise be operated for 44 days. Actual pumping days will be longer if the pumps are operated at less than full capacity. Under this method, the operator should begin to pay close attention to actual diversion volume if a pump is operated for more than 40 days in any irrigation season.