**State of Idaho**
**Department of Water Resources**

# Water Right License

**Water Right No. 79-14264**

**Priority**: July 15, 2016 **Maximum Diversion Rate:** 0.04 CFS

It is hereby certified that:

MARLIN DEWITT 618 N COLLEGE ST GRANGEVILLE ID 83530-1602

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 15, 2016, and has submitted Proof of Beneficial Use on June 30, 2022. An examination confirms water is diverted from:

**Source :** SALMON RIVER **Tributary:** SNAKE RIVER

| Beneficial Use | Period of Use | Rate of Diversion |
|---|---|---|
| IRRIGATION | 03/15 to 10/31 | 0.04 CFS |

**Location of Point(s) of Diversion**
SALMON RIVER L4(SE¼ NW¼), Sec. 27, Twp 28N, Rge 01E, B.M. IDAHO County

**Place of Use:** IRRIGATION

| Twp | Rng | Sec | NE | | | | NW | | | | SW | | | | SE | | | | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| 28N | 01E | 27 | | | | | | | | 1.3 L4 | | | | | | | | | 1.3 |

Total Acres: 1.3

**Conditions of Approval**

1. Rights 79-14264, 79-7159, and 79-14300 when combined shall not exceed a total diversion rate of 0.04 cfs and the irrigation of 1.8 acres.
2. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
3. This right does not grant any right-of-way or easement across the land of another.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. 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.

**State of Idaho**
**Department of Water Resources**

# Water Right License

**Water Right No. 79-14264**

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 9th day of July, 2025.

Hummer, Phill
Water Rights Section Manager

**State of Idaho**
**Department of Water Resources**

# Attachment to Water Right

**79-14264**

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.

01E

28N

0 0.035 0.07 0.14 Miles

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

N

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

July 10, 2025

MARLIN DEWITT
618 N COLLEGE ST
GRANGEVILLE ID 83530-1602

RE: License No. 79-14264

**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 Section Manager

Enclosure(s)

## CERTIFICATE OF SERVICE

I hereby certify that on July 10, 2025, I served a true and correct copy of Water Right License No. 79-14264 by U.S. Mail, postage prepaid, to the following:

MARLIN DEWITT (Current Owner)
618 N COLLEGE ST
GRANGEVILLE ID 83530-1602

Debra Mansfield
Technical Records Specialist 1

# EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

**(To be used in connection with actions when a hearing was held)**

The accompanying order is a **Preliminary Order** issued by the Idaho Department of Water Resources (Department) pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and brief as further described below:**

## PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of the order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The hearing officer 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 to the Director. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The Director retains the right to review the preliminary order on his own motion.

## 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.