

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 67-15325

Priority: March 22, 2019

Maximum Diversion Rate: 0.21 CFS

Maximum Diversion Volume: 41.2 AF

It is hereby certified that:

KENNETH AND TANYA BILLINGTON
2310 WAITE RD MIDVALE ID 83645-5078

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 08, 2019, and has submitted Proof of Beneficial Use on April 01, 2024. An examination confirms water is diverted from:

Source : GROUND WATER

Beneficial Use

IRRIGATION

Period of Use

03/15 to 10/31

Rate of Diversion

0.21 CFS

Annual Volume

41.2 AF

Location of Point(s) of Diversion

GROUND WATER L7 (SW¼ SW¼), Sec. 6, Twp 13N, Rge 03W, B.M. WASHINGTON 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	
13N	04W	1																1.2	1.2
13N	03W	6									1.0 L6	8.1 L7							9.1

Total Acres: 10.3

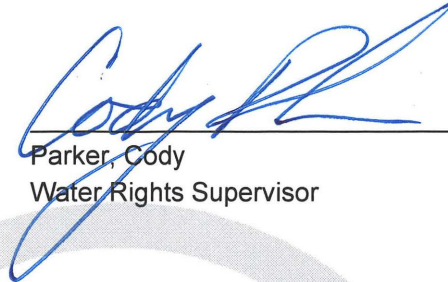
Conditions of Approval

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
2. 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.
3. 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.

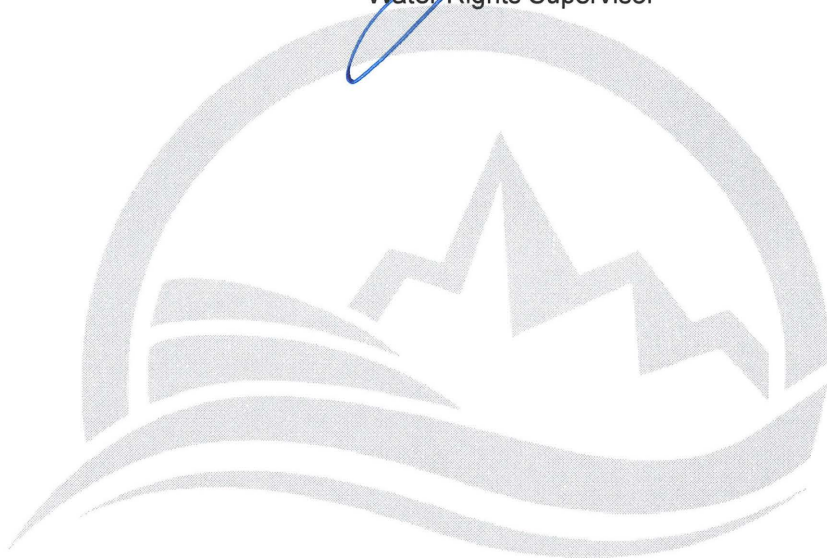
State of Idaho
Department of Water Resources
Water Right License
Water Right No. 67-15325

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 18 day of December, 2025.

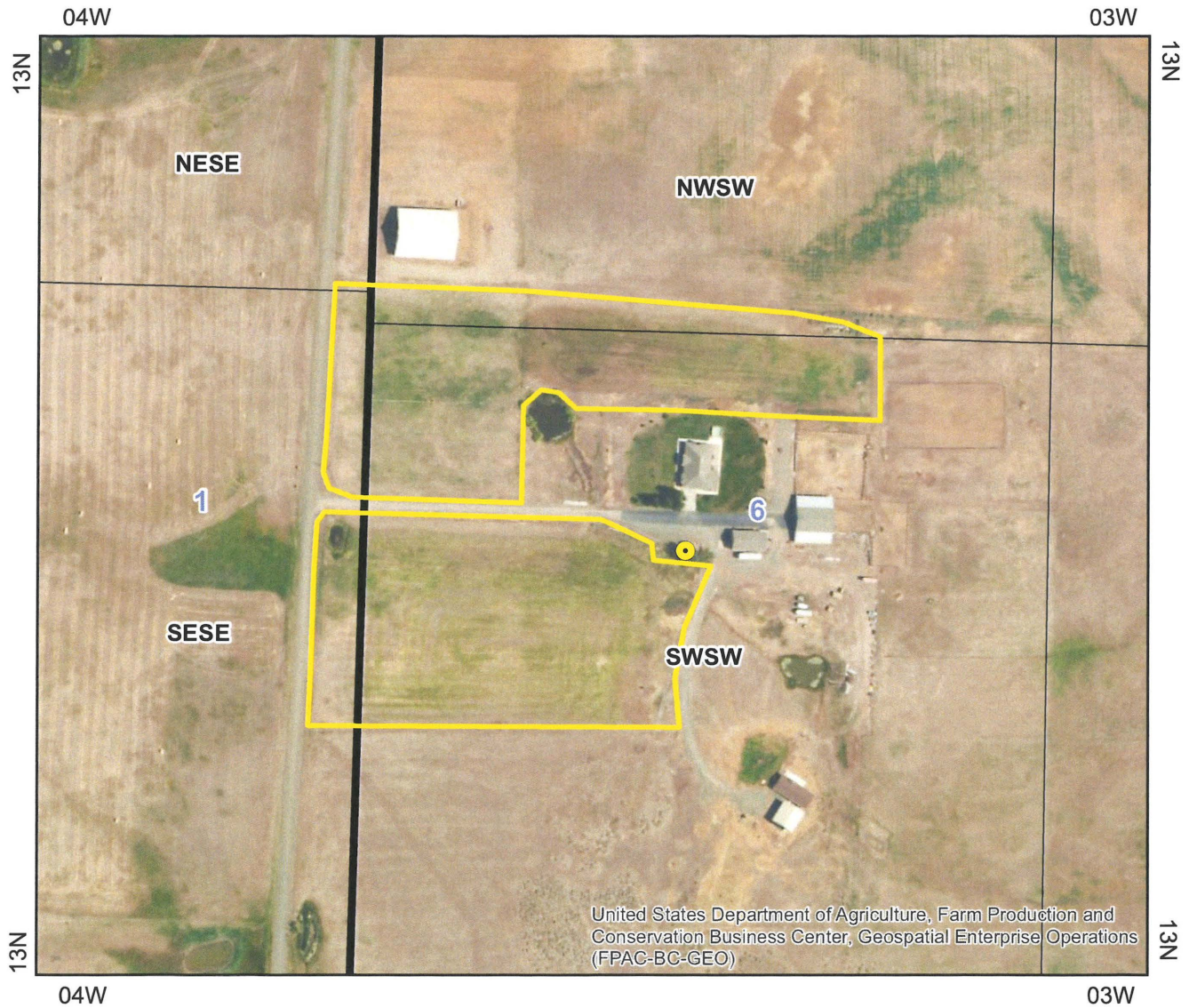


Parker, Cody
Water Rights Supervisor



State of Idaho
Department of Water Resources
Attachment to Water Right
67-15325

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.



0 0.035 0.07 0.14 Miles

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





IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

December 19, 2025

KENNETH BILLINGTON
TANYA BILLINGTON
2310 WAITE RD
MIDVALE ID 83645-5078

RE: License No. 67-15325 and 67-15526

ISSUANCE OF LICENSE

Dear Water Right Holders:

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, please contact me at 208-605-4629.

Sincerely,

Susy Hobson
for

Parker, Cody
Water Rights Supervisor

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that on December 19, 2025, I served a true and correct copy of Water Right License No. 67-15526 by U.S. Mail, postage prepaid, to the following:

KENNETH BILLINGTON (Current Owner)
2310 WAITE RD
MIDVALE ID 83645-5078

TANYA BILLINGTON (Current Owner)
2310 WAITE RD
MIDVALE ID 83645-5078



Susy Hobson
Technical Records Specialist 1

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.

State of Idaho
Department of Water Resources
Application for Amendment
(For Licensing Purposes)
Water Right No. 67-15325

RECEIVED

JUN 09 2025

WATER RESOURCES
WESTERN REGION

Priority: March 22, 2019

Maximum Diversion Rate: 0.21 CFS

Maximum Diversion Volume: 41.2 AF

The owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 67-15325

KENNETH BILLINGTON 2310 WAITE RD MIDVALE ID 83645-5078 AND
TANYA BILLINGTON 2310 WAITE RD MIDVALE ID 83645-5078

requests the permit be changed as follows:

Source : GROUND WATER

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.21 CFS	41.2 AF

Location of Point(s) of DiversionGROUND WATER L7 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Sec. 6, Twp 13N, Rge 03W, B.M. WASHINGTON 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	
13N	04W	1																1.2	1.2
13N	03W	6										1.0	8.1						9.1
												L6	L7						

Total Acres: 10.3

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

Signed this 6 day of 03, 2025.


(Signature)

State of Idaho
Department of Water Resources
Application for Amendment
(For Licensing Purposes)
Water Right No. 67-15325

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$100 Receipted by MB # W052564 Date 6/9/25

ACTION OF THE DEPARTMENT OF WATER RESOURCES

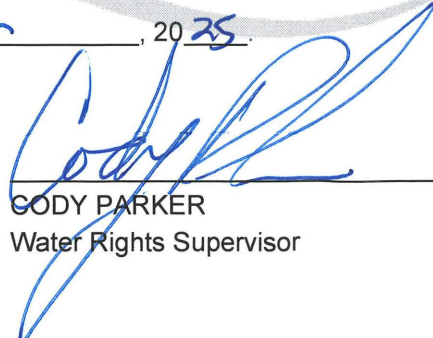
The Idaho Department of Water Resources hereby approves the above Application for Amendment for Permit No. 67-15325 with the following:

Conditions of Approval

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
2. 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.
3. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

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

Signed this 18 day of December, 2025.



CODY PARKER
Water Rights Supervisor



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

May 27, 2025

KENNETH BILLINGTON AND TANYA BILLINGTON
2310 WAITE RD
MIDVALE ID 83645-5078

COPY

RE: Water Right Permit No. 67-15325

Dear Permit Holders:

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

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

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

____ Point(s) of Diversion

 X Place of Use

____ Other

The domestic and irrigation uses developed under your permit each have their own dedicated wells and systems it is necessary that they each have their own license. To correct this issue the right has been split into 2 rights: 67-15325 for irrigation and 67-15526 for domestic use. Each right will retain the original priority date of the permit. Enclosed is the original signed License issued for your domestic use for your records.

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

If you have any questions, please call me at: (208)605-4628.

Sincerely,

Bob Howe

Water Resource Agent, Sr.

Enclosures : Application for Amendment

Amended Map

Domestic Water Right# 67-15526 & License Map

MEMORANDUM

TO Water Right 67-15526 ~~67-15526~~ 67-15325
FROM Cody Parker
RE Improper notice of approval
DATE December 18, 2025

Water right permit no 67-15325 authorized the diversion and use of ground water for irrigation and domestic purposes. IDWR staff completed a field exam for 67-15325 on April 11, 2025. The irrigation and domestic uses were developed from separate systems and separate wells, so the water right was split into 67-15325 (irrigation) and 67-15526 (domestic) at licensing.

On May 27, 2025, I reviewed and signed water right license 67-15526. However, I decided we should hold off on approval until we received an application to amend 67-15325 at licensing. The draft signed approval was inadvertently and improperly included with the letter requesting amendments to 67-15325.

Since notice of the approval of 67-15526 was not properly given, a water right approval was not issued. The approval for 67-15526 will be officially issued alongside the approval for 67-15325.