

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

On or before the date set by the permit, a permit holder must submit the Statement of Completion for Submitting Proof of Beneficial Use form (Proof) together with the license examination fee (if required) **OR** the Proof together with a completed examination report prepared by a Certified Water Right Examiner (CWRE) to fulfill the conditions of the permit to obtain a water right license.

An examination of the diversion system and water use is required before a license can be issued. This license examination can be completed by a CWRE of your choice ([see list here](#)), or by an agent of the Idaho Department of Water Resources (Department). If you choose to have the Department conduct the license examination, a license examination fee will be required (see fee schedule). If your water right permit meets certain qualifications, an on-site license examination is not required (see fee schedule).

The information entered on the Proof form should show the extent of actual development of the project and should correspond to that authorized by the permit. If it does not, an amendment (change) to the permit may be required.

For more information about the Proof see the Frequently Asked Questions section following the instructions.

Complete the Statement of Completion for Submitting Proof of Beneficial Use as Follows:

1. Print the permit number. Print the name of permit holder(s), the permit holder(s)'s telephone number, email, mailing address, city, state, and zip code. The information should be the current contact information for the permit holder, not the location of the water right place of use (if different).
2. State the water source you are using. If you are using water from a surface water source (river, creek, slough, drain, etc.) provide the name of the water source. If you are using a ground water well, state the source as 'ground water', the month and year the well was constructed, the IDWR well construction drilling permit or metal well tag number (if known), and the well drilling company's name that constructed the well. If the source is a spring, write "spring".
3. Describe the water uses developed. For domestic use list the number of households/homes served by the permit diversion system and indicate if the domestic use includes irrigation of lawn, garden, landscape, etc. For irrigation use, list the number of acres irrigated. For stockwater use, list the number and type of each animal served. If the permit authorizes water uses other than domestic, irrigation, or stockwater, describe the use in the space provided next to 'Other'. For municipal use, please include the current municipal service area boundary map with Proof.
4. State the total water diversion rate or volume (if applicable) for which you are submitting Proof. The diversion rate should be stated in cubic feet per second (cfs). The volume should be stated in acre-feet (af). The total volume is only required for storage uses.
 - An on-site license examination of the water diversion system is not required if the total water use is irrigation of five acres or less, or storage of 14.6 acre-feet or less for stockwater, aesthetic, recreation, or wildlife uses, or for a permit for any use with a total diversion rate of less than 0.24 cfs. If the permit meets the qualification to be exempt from an on-site examination, please submit information that can be used by the Department to determine the extent of beneficial use developed. Useful information can include maps showing the location of the point of diversion (location where water is taken from the source) and place of use (location where water is used), diagrams or other system design information, records of installed equipment, and photographs of the well, pump, diversion system, and water being used. Please provide a brief description of each photograph provided. *If the information provided is insufficient, the Department may not be able to issue a license without an on-site examination.*

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5. Briefly describe the water diversion and delivery system, i.e. how water is taken from the water source and transported to the place of use. Diversion system information can include pipe or ditch size and length, pump and motor horsepower and/or serial numbers, vertical lift (the height water has to travel as it moves through your discharge pipe), well construction logs, size and number of storage ponds/reservoirs/tanks, irrigation methods (pivot, sprinklers, gravity, etc.), and any other relevant information. The Department may use the information provided to estimate the amount of water used. Attach additional pages as necessary.
6. This section contains check boxes for things commonly required by the permit approval conditions. If permit conditions required you to: report diversion data; comply with a mitigation plan; install lockable controlling works; install a measuring device; or install a fish screen during the permit development period, please check the box(es) under “Required?” and “Yes” and attach documentary evidence of compliance with those requirements. If there are other items required by the permit condition(s), please check the box(es) under “Required?” and “Yes” then briefly describe those in the space provided and attach documentary evidence of compliance. The ‘permit development period’ is the timeframe from the permit approval date to the date the Proof is submitted to the Department.

If the permit is for Reasonably Anticipated Future Needs (RAFN) municipal use, check “Yes” for this item. Also, check the “Yes” box if an additional increment of use beyond the amounts authorized by existing water rights was developed. A CWRE examination report is required with Proofs for RAFN municipal use that describes the use developed and includes a current municipal service area boundary map. Please check the “No” box if an additional increment of beneficial use was not developed. A CWRE examination report is not required if no additional increment of beneficial use was developed under the RAFN municipal use permit during the reporting interval per Idaho Code § 42-204(4). The reporting interval is the time between the permit approval and/or the previous RAFN municipal use permit incremental Proof and the current Proof filing.

If any of the items were not required by the permit, please check the box(es) under “No”. If the permit conditions do not require any of the items, but the items listed have been reported, submitted, or installed anyway, please check the box(es) under “Yes” and attach documentary evidence of establishment or installation.

The Proof may be unacceptable if the required information is not submitted with or before the Proof. It is possible a water right license may not be issued if the permit conditions have not been complied with. You must comply with the permit conditions or seek to have the Department waive the permit condition(s).

7. A license examination fee is required at the time the Proof is filed for the filing to be considered complete and acceptable. A license examination fee is not required if the Proof is filed with an examination report completed by a CRWE or if the use meets certain requirements as described below. A license examination fee is required by Idaho Code § 42-217 and is based on the diversion rate of the system or for storage the total volume of water stored, according to Idaho Code § 42-221. State the fee amount you are submitting as part of the Proof in the space provided.

Pursuant to Rule 009 of the Department’s Beneficial Use Examination Rules ([37.03.02](#)), a license examination fee is not required if the use is exempt from requiring a recorded water right. The exemption is typically for ground water use for single family homes including irrigation, campgrounds, or stockwater with a total diversion of less than 13,000 gallons per day. Ground water used for any purpose if the total annual volume is 2.8 acre feet per year or less is also exempt from the fee requirement. Additionally, ground water use for inside homes only (no irrigation) in specific situations. See the License Examination Fee Schedule below to determine the appropriate fee. If a fee is not required, leave the fee amount line blank and check the box to indicate a fee is not required.

If the appropriate license examination fee is not received, the Proof will be considered incomplete. Fees received after the Proof due deadline may be cause to advance the priority date of the water right. Contact the Department before submitting Proof if you have any questions about the examination fee.

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8. List the contact information of a person that can answer questions about the water use and will be available to accompany a Department examiner when a license examination is conducted. The contact information will be used to schedule an on-site examination and to get additional information about the system and water use.
IMPORTANT: Read the statement in bold above the signature line, then sign the form, print your name and title (if the permit holder is a company, corporation, etc.), and state the date. Attach the power of attorney if you are signing and submitting the Proof on behalf of the permit holder.

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License Examination Fee Schedule:
 (Per Idaho Code § 42-221)

The required license examination fee is based on diversion rate in cubic feet per second (cfs) or the storage volume in acre-feet per year (af) in accordance with the table below. For permits authorizing storage with both a diversion rate and a storage volume, determine each fee separately and pay the greater of the two.

A license examination fee is required for all permits except for the following criteria:

- Ground water (well) use for a single family home, public campground, or stock water if the total use is less than 13,000 gallons per day,
- Ground water (well) use for any purpose, including multiple dwelling units or commercial use if the total use is less than 2.8 acre feet per year,
- Ground water (well) use supplying one or more homes for in-home domestic use only if the total use is less than 13,000 gallons per day,
- Surface water use for which a recorded water right is not required by law.

Checks should be made payable to the Idaho Department of Water Resources (IDWR).
 Mail to: Idaho Department of Water Resources, PO Box 83720, Boise ID, 83720-0098.

CFS			AF			FEE
0	–	0.20	0	–	20	\$ 50.00
0.21	–	1.00	21	–	100	\$ 100.00
1.01	–	2.00	101	–	200	\$ 125.00
2.01	–	3.00	201	–	300	\$ 150.00
3.01	–	4.00	301	–	400	\$ 175.00
4.01	–	5.00	401	–	500	\$ 200.00
5.01	–	6.00	501	–	600	\$ 225.00
6.01	–	7.00	601	–	700	\$ 250.00
7.01	–	8.00	701	–	800	\$ 275.00
8.01	–	9.00	801	–	900	\$ 300.00
9.01	–	10.00	901	–	1000	\$ 325.00
10.01	–	11.00	1001	–	1100	\$ 350.00
11.01	–	12.00	1101	–	1200	\$ 375.00
12.01	–	13.00	1201	–	1300	\$ 400.00
13.01	–	14.00	1301	–	1400	\$ 425.00
14.01	–	15.00	1401	–	1500	\$ 450.00
15.01	–	16.00	1501	–	1600	\$ 475.00
16.01	–	17.00	1601	–	1700	\$ 500.00
17.01	–	18.00	1701	–	1800	\$ 525.00
18.01	–	19.00	1801	–	1900	\$ 550.00
19.01	–	20.00	1901	–	2000	\$ 575.00
20.01	–	OVER	2001	–	OVER	\$ 600.00

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FREQUENTLY ASKED QUESTIONS:

What if I have not fully developed the diversion system or applied all the water authorized by the permit to beneficial use?

Additional time to develop the permit may be granted pursuant to Idaho Code § 42-204. The permit holder must submit a *Request for Extension of Time to Submit Proof of Beneficial Use* ([Extension](#)) before the deadline to submit Proof set by the permit. If the Extension request is received after the deadline, it may still be granted, but the priority date of the water right may be advanced. Each Extension request will be considered on its own merits.

What if I fail to submit proof of beneficial use on time?

If the permit holder fails to submit Proof on or before the deadline, the permit will lapse according to the provisions of Idaho Code § 42-218a. If beneficial use was developed, the Department may reinstate a permit that has lapsed if Proof is received **within sixty (60) days** from the date notice the permit has lapsed is sent. For the Department to reinstate the permit, the permit holder must show reasonable cause why the permit should be reinstated along with their Proof.

If it has been **more than sixty (60) days** since the date of the lapse notice, the Proof can still be submitted, but the Proof must be submitted with an examination report from a CWRE. The examination report must include a showing of reasonable cause for filing a late Proof. A reinstatement fee of \$250 is also required under Idaho Code § 42-218.

What information can I supply that will help get my permit licensed?

The more information available to the Department the easier it is to understand the water use developed. Any additional information that can be supplied will assist the Department in issuing a water right license for your permit. Helpful information that you can supply with the Proof includes; pump information and pump curves, irrigation system descriptions and diagrams, maps showing the location of the water use and the point where the water is diverted, and photographs showing the water in use. If you need more space than is provided on the form, you can attach additional documents as needed. Please provide a caption and/or explanation for each photograph provided.

I have already been using water for the use, can I submit Proof right away?

Once Proof has been received for a permit the development period is considered over and the **only water use** that **can** be recommended for the **license** is that **use that occurred during the permit development period**, including a total annual volume. The permit development period is the time from the date the permit was approved to the date an acceptable Proof is received. Before you submit Proof, you need to have the system installed and using water as authorized by the permit during the permit development period. Just having a system installed is not enough to establish a water right license. It is recommended that the system be in operation for a period of 12 months or more to ensure the water use has been established during the permit development period.

I am not listed as the current owner of the permit, can I submit Proof?

If you are the new permit owner, you must submit a notice of change in water right ownership form, information showing ownership (typically a deed), and the required fee with the Proof. If you are filing on behalf of the permit owner you must include a power of attorney or other documentation showing you have the authority to act on behalf of the permit holder. Note that any license issued for the water use will be issued to the permit owner unless a notice of change in ownership is filed.