

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 in 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 field examination report prepared by a Certified Water Right Examiner (CWRE) to fulfill the conditions of the permit to obtain a water right license.

A license examination of the diversion system and water use is required. 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 criteria in question no. 4).

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 contact information should be the telephone number, email, and mailing address the Department can use to contact you with questions about the permit and/or proof statement, 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.
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 those water uses 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 necessary for storage uses. The Department is not required to complete an on-site license examination of the water diversion system if the total water use is irrigation of five acres or less, or stockwater storage of 14.6 acre-feet or less, or a total diversion rate of less than 0.24 cfs. If the permit qualifies for an in-office license examination, please submit information that can be used by the Department to determine the extent of beneficial use developed. This information includes a map(s) 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, receipts of purchase or installation of equipment, and photographs of the well, pump, diversion system, and water being used. Please provide a brief description of each photograph provided.

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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. Please provide as much information as possible about the diversion system so that the Department can understand what work was done to divert and use water. 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 item contains check boxes for things commonly required by the permit approval conditions. If permit conditions required you to: report ground water level, pumping information, or other diversion data; comply with a mitigation plan; install a 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 permit’ is the timeframe from the permit approval date to the date Proof is submitted.

If the permit is for Reasonably Anticipated Future Needs (RAFN) municipal use, check “Yes” for this item. Also, if the permit is for RAFN municipal use, please check the “Yes” box if an additional increment of use beyond that authorized by existing water rights was developed. If an additional increment of use was developed, with Proof, include a CWRE field examination report 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 field 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 pervious 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 to confirm the extent of beneficial water use developed during the permit development period is required. You need to either submit a field examination report completed by a CRWE or pay a license examination fee to the Department. A license examination fee is required by Idaho Code § 42-217. The fee required is based on the diversion rate of the system or 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.

A license examination fee is not required if a field examination is conducted by a CWRE or if you are using a total of 0.04 cfs or less or storing 4.0 acre-feet per year or less from a ground water well. 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.

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The Department will issue a license of water right based on the determination of the amount of water beneficially used in compliance with the existing law. The license will include specific information to describe the water right developed.

8. List the contact information of a person that will accompany the Department field examiner when a license examination is conducted. The contact information will be used to schedule a field 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 a power of attorney if you are signing and submitting the Proof on behalf of the permit holder.

License Examination Fee Schedule:

(Per Idaho Code § 42-221)

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

(CFS = cubic feet per second AF = acre-feet)

A license examination fee is not required in connection with permits which use a ground water (well) source **AND** have a total diversion rate of 0.04 CFS or less or where the total volume stored is 4.0 AF per year or less.

A license examination fee is required for ANY permit which uses surface water.

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.

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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 date set in the permit to submit Proof. 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 you have applied the water to beneficial use but did not submit the Proof on or before the deadline, the permit will lapse according to the provisions of Idaho Code § 42-218a. The Department may reinstate a permit that has lapsed if Proof or an Extension request is received **within sixty (60) days** from the date the lapse notice 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 or Extension request.

If it has been **more than sixty (60) days** since mailing of the lapse notice, the Proof can still be submitted, but it must be sent with a field examination report from a CWRE. The field examination report must include a showing of reasonable cause for filing a late Proof. A reinstatement application 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 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**. 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.