

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
IN-OFFICE REVIEW/BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATIONPermit No: 98-8067Exam Date: 6/27/2022

1. Does this qualify for an in-office field exam (IDAPA 37.03.02.035.01.r)? X Y N
- Irrigation of 5 acres or less
 - Storage of up to 14.6 AF for stockwater purposes only
 - Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
 - Other < >

2. Current Owner: Name: Larry Duscher
- Owner of Record Correct? X Y N
- Address of Record Correct? Y N
- If No: Address

The Department's parcel data shows Duscher Revocable Inter Vivos Trust as the owner of the property. In a March 9, 2022, email exchange between the applicant and Idaho Dept. of Water Resources ("Department") staff, the applicant states that he and his wife are the trustees of the trust.

3. Beneficial Use Fees have been paid: X Y N Receipt No: N040029

4. **SOURCE** TRIBUTARY

Ground Water

Method of Determination: GIS, Well Driller's Report, and Tax Parcel DataChange in Source: Y X N**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: NO Overlap

Water Right No.	Source	Purpose of Use	Basis
98-7672, 98-7818, 98-7820, 98-7822, and 98-7843	Ground Water	Municipal	Licenses and Permit.
98-2121, 98-7803 and 98-8060	Moyie Creek and Ground Water	Municipal	Licenses and Permit
98-2055 and 98-2121	Ground Water	Irrigation and Domestic	Licenses

Comments: Licenses 98-7672, 98-7818, 98-7820 and permit 98-7843 owned by Three Mile Water District supplies municipal water to this area. Licenses 98-2121, 98-7803, and permit 98-8060 owned by Bee Line Water Association also supplies municipal water to this area. Licenses 98-2055 and 98-2121 owned by North Bench Water District supplies domestic and irrigation to this same area. The home associated with this permit was built in 2013 and the well was drilled in 2019. I contacted the permit holder to find out if he is or has access to one or more of these companies. The permit holder contacted me and informed me that the Three Mile Water District was the only municipal type provider in the area, and they didn't have enough connections for him to connect. He also stated that the pipeline was quite a ways off, and he would have to pay to get easements and the pipeline to his property. The well was the only reasonable alternative to supply water to his property.

2. Other water rights with the same point of diversion: NO Overlap

Water Right No.	Source	Purpose of Use	Basis

Comments: There are no other points of diversion in this 40-acre tract.

C. DIVERSION AND DELIVERY SYSTEM**1. LOCATION OF POINT(S) OF DIVERSION:**

Source	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.		County
Well Tag # D0079538			NE	SE	12	62N	1E	B.M.	Boundary
								B.M.	
								B.M.	

Method of Determination: GIS, Well Driller's Report, and Tax Parcel Data. PLEASE NOTE: I used the applicant's location of the well, since the coordinates from the Well Driller's Report places the well in the middle of the home. It appears the

Change in POD? X N Amendment Required? X N

2. PLACE OF USE: Use: Domestic and stockwater

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
62N	1E	12													D				
		Lot #																	
Total Acres =																			

Method of Determination: GIS and Tax Parcel Data

Change in POU? X N Amendment Required? X N

 Delivery System Diagram Attached (required). Indicate all major components and distances between components.

Indicate weir size/pipe as applicable.

 X 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
D0079538	Unknown				

*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
NONE						

2. Measurements: No measurement is required for an in-house exam.

E. FLOW CALCULATIONS

___ Additional Computation Sheets Attached

Measured Method:

There was no information submitted with the application for permit to determine the flow rate for the well. Therefore, I am required to fall back on the standard for domestic use set forth by Administrative Processing Memo #22. The application for permit states that there will be one home and shop building.

Administrative Memo #22 = 0.04 cfs for domestic use, and an extra 0.02 cfs was added for the shop building.

Permit allowed = 0.06 cfs total for both uses.

I am recommending 0.06 cfs for domestic use based on the limits imposed by the permit.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

Administrative Processing Memorandum #22 provides guidance to allow 1.2 acre-feet for in-house use and yard irrigation.

I contacted the permit holder by telephone on June 28, 2022, and he said the shop use would include washing vehicles and equipment, filling fertilizer and weed tanks, and various other small tasks. A standard fixture produces approximately 3 gpm. The shop use shouldn't be used more than 2 hours (120 minutes) a day for 3 days a week. Therefore, the volume for the shop would be 0.2 acre-feet (3 gpm X 120 Hrs X 3 days/week X 52 weeks = 56,160 gal / 325,850 = 0.1723 acre-feet).

The domestic volume for this permit should be 1.2 acre-feet for the home plus 0.2 acre-feet for the shop for a total of 1.4 acre-feet.

G. PURPOSE OF USE

Irrigation ___Y___N # Stock _____ Domestic # of Homes 1 home and one shop

Other: _____

Change in Purpose of Use? ___Y___N

Method of Determination: Taxlot data and conversations with owner.

If Yes: From Use _____ To Use _____ Amount _____ CFS _____ AFA _____

H. NARRATIVE/REMARKS/COMMENTS

This permit qualifies for an in-house examination. This permit authorized a water use for ground water from a single well to supply water to a home and a shop. The shop is used for a grain farming operation. The equipment for the farming operation is stored, repaired, and cleaned at this shop. The shop use does supply more than the standard volume authorized for just a home. Therefore, I included an analysis of the shop water use based on a telephone call with the permit holder to determine the additional volume needed for the shop.

The permit authorized additional diversion rate for the shop, so that shouldn't be an issue.

This property is within the borders of 3 separate municipal type water companies, but none of these companies have a pipeline to this property. In order for the permit holder to use their water he would have to acquire a connection from one of these companies, and he told me that there were not any connections left for these companies. Even if he could attain a connection, he would have to pay for easements and pipelines to get the water to his property, which made the well the only economic solution to his water needs.

I cut down the area for the place of use, since the domestic use is all contained within the NESE quarter – quarter of Section 12 in Township 62 North, Range 1 East. It appears as though the tax parcel and the aerial imagery may not line up properly, so we should only use the area where the home is located to avoid confusion later on. I also used the point of diversion for used in the application for permit, since the well drillers well location is in the middle of the home.

Conditions X01 and 187 are the only conditions that are needed on the license.

Have conditions of permit approval been met? ☒ Yes ☐ No

I. RECOMMENDATIONS

1. Recommended Amounts

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Domestic	01/01 to 12/31	0.06 CFS	1.4 AFA
<u>Totals:</u>		0.06 CFS	1.4 AFA

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ None

Other: < >

J. AUTHENTICATION – DANIEL A. NELSON – WATER RIGHT ANALYST 3

Field Examiner's Name  Date 6-28-22

Reviewer  Date 6/29/22

Field Exam Map:

The yellow border shows the place of use for the domestic use, and the yellow point shows the point of diversion.



Nelson, Dan

From: Nelson, Dan
Sent: Monday, June 27, 2022 10:32 AM
To: lduscher@reagan.com
Subject: RE: Licensing of permit 98-8067

Dear Mr. Duscher,

I called you today, June 27, 2022, and left you a message. In that message, I told you I would send you this email.

I have been asked to review water right permit 98-8067 for license purposes. On smaller permits such as yours, we can generally verify the water use for licensing purpose by using aerial photography and various state and county records without setting a time with you to do an onsite verification. We refer to these reviews of smaller permits as in-house exams or desk top reviews. Performing these in-house exams avoids the time and costs to the Idaho Department of Water Resources (Department) and yourself from having to meet at the site to verify the water use. If you would prefer to have someone from our Northern Region office set up a time with you to come to the property and verify these issues, I can have someone from that office make an appointment with you to visit the property. Due to a backlog of water rights needing onsite verifications, it may be some time before our Northern Region staff will be able to set up appointments in your area.

During my review, I have been able to determine most of the elements needed to license your permit. However, I will need additional information to determine the annual volume of water to assign the proposed license. To determine the volume of water for the proposed license, we will need to find out the total amount of water used per day and the number of days per year each water use is performed. We will then add up all of these water uses to come up with an annual volume of water needed by the school.

Please supply the answers to following questions:

- 1.) It appears you are within the borders of Three Mile Water District and Bee Line Water Association municipal water suppliers. Do you use or have access to the municipal water systems?
- 2.) It also appears you are within North Bench Water District Irrigation Company's borders. Do you use or have access to this irrigation company's water system?

With answers to the above questions, I believe I can make a recommendation for your water right reasonably quickly. Once I receive this information, I can make a recommendation for issuing a water right license for your domestic water use within a couple of days. That should allow us to issue a subsequent license withing the next couple of weeks if all turns out well.

On your "*Statement of Completion For Submitting Proof of Beneficial Use*" form, you stated that you would have possible future livestock. For your information, a domestic water right does allow minimal livestock use, but it will not be listed as an actual use on the license without it being included on the permit. Your permit will be limited to a maximum of 1.2 acre-feet or 391,020 gallons per year. If you stay under the 1.2 acre-feet, you will be able to use your domestic right to water your livestock under this permit or water right. I want to give you some general numbers for your use to determine if it would be in your best interest to file a second permit for your livestock use. Generally, horses, mules, and range cattle drink about 12 gallons per day, dairy cattle drink about 35 gallons per day, sheep, hogs and turkeys drink about 2 – 4 gallons per day, and chickens and

turkeys drink about 5 to 20 gallons per hundred per day. Normal in-house use is 250 gallons to 500 gallons per day depending on the number of people in the home. Irrigation of a ½ acre generally requires less than 4,500 gallons per irrigation. This should give you some idea if you will need a second permit for your livestock use.

As I stated above, you can request an agent from the Department to visit your property to verify these issues if you wish. You or a representative will need to be present during that inspection to show them your system. Please provide the requested information or inform me that you would rather have Department staff visit your property to verify the above issues by July 27, 2022. If I do not receive the requested information or I have not been contacted by you to request an onsite field verification by July 27, 2022, I will need to take action to void your permit under the provision of Section 42-219(8) of the Idaho Code.

If you have any questions, please don't hesitate to contact me. I would be more than happy to discuss the above requests with you. Working through a water right process can be confusing sometimes, and I enjoy working with folks to ensure that we get through the process as easily as possible.

Respectfully,

Daniel Nelson
Water Right Analyst 3
Idaho Department of Water Resources
Telephone (208) 287-4856
Fax (208) 287-6700 (attn: Dan Nelson)