

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

A. GENERAL INFORMATIONPermit No: 96-10305Exam Date: 5/11/2022

1. Does this qualify for an in-office field exam (IDAPA 37.03.02.035.01.r)? X Y N
- a. Irrigation of 5 acres or less
 - b. Storage of up to 14.6 AF for stockwater purposes only
 - c. Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
 - d. Other < >
2. Current Owner: Name: Deborah Ackley and Dave Pfenning
 Owner of Record Correct? X Y N
 Address of Record Correct? Y N
 If No: Address

The Bonner County and Department's parcel data shows Deborah Ackley and Dave Pfenning as the owners of the property. Therefore, I don't see any issues with the ownership of this property.

3. Beneficial Use Fees have been paid: X Y N Receipt No: N03885

4. SOURCE**TRIBUTARY**

Lake Pend Oreille

Pend Oreille River

Method of Determination: GIS and Tax Parcel Data

Change 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

Comments: There are no other water rights in this area.

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 water rights in this area.

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
Lake Pump			SW	NW	3	54N	1W	B.M.	Bonner
								B.M.	
								B.M.	

Method of Determination: GIS and Tax Parcel DataChange 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	
54N	1W	3							D										
		Lot #							3										
Total Acres =																			

Method of Determination: GIS and Tax Parcel DataChange 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
Well Pump	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 Memorandum #22. The application for permit states that there will be one home.

Administrative Memorandum #22 = 0.04 cfs for domestic use.

Permit allowed = 0.04 cfs for domestic use

I am recommending 0.04 cfs for domestic use based on the limits imposed by the permit and Administrative Processing Memorandum #22.

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 am recommending that this permit be limited to 1.2 acre-feet for domestic use.

G. PURPOSE OF USE

Irrigation ___Y___N # Stock _____ Domestic # of Homes 1

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 from Lake Pend Oreille for a single home and up to ½ acre of irrigation.

The Department's parcel data shows the home was constructed in 1997, and you can clearly see the blue roof of the home in the 2013 NAIP imagery and the 2012 Google Earth imagery.

A condition on the permit requires a fish screen be installed. The permit holder stated on the Statement of Completion for Submitting Beneficial Use form that a fish screen was not required. This was incorrect. I contacted the permit holder on May 11, 2022, to determine if a fish screen was installed on the system. I received an email from Ms. Ackey stating that there is a fish screen on the pump.

Conditions 004, X01, 187, and X60 should be carried forward to licensing. No further conditions are required for the licensing of this permit.

Have conditions of permit approval been met? X 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	0.04 CFS	1.2 AFA
<u>Totals:</u>		0.04 CFS	1.4 AFA

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above X None

___ Change P.U. as reflected above ___ Add P.U. as reflected above X None

Other: < >

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

Field Examiner's Name



Date

5-17-22

Reviewer

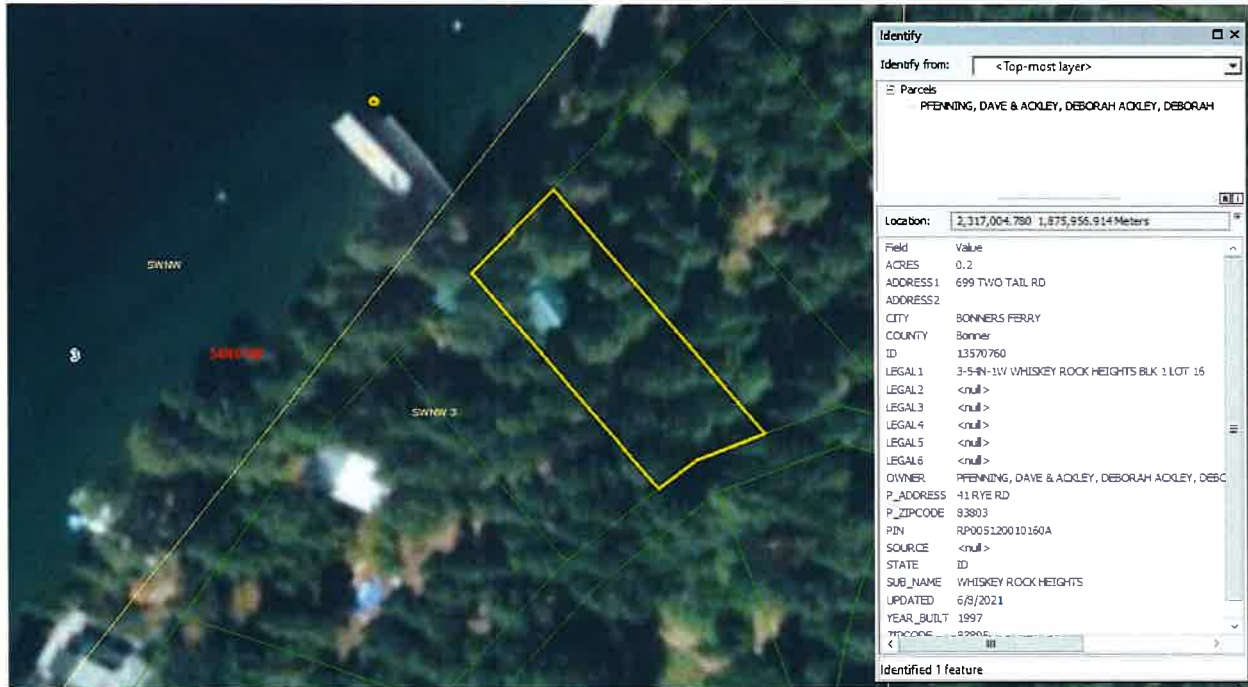


Date

5/17/22

Field Exam Map:

The yellow border shows the place of use for the domestic use and the yellow point shows the point of diversion. The parcel boundaries are shown in green and in the Bonner County Parcel maps below. You can see the bluish green roof of the home in the tax parcel. The imagery below is the 2013 NAIP imagery.

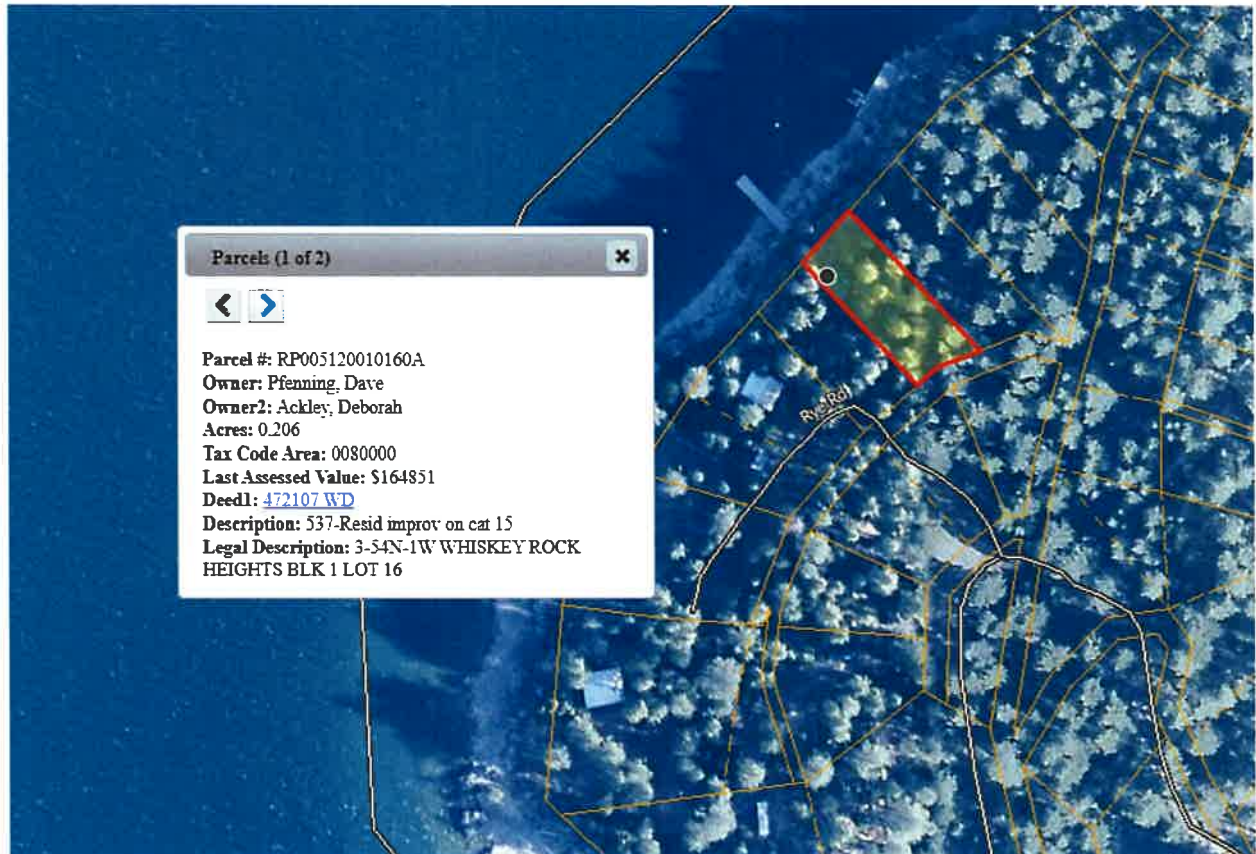


2012 Google Earth Aerial Imagery:



Bonner County Map.

This map shows that the property is owned by Dave Pfenning and Deborah Ackley.



Nelson, Dan

From: Nelson, Dan
Sent: Monday, May 16, 2022 10:30 AM
To: katkatrees
Subject: RE: Licensing of Permit 96-10305

Ms. Ackley,

Thank you for this information. This is all I needed. I will do my best to get this in of licensing as soon as possible.

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

From: katkatrees <katkatrees@gmail.com>
Sent: Friday, May 13, 2022 4:58 PM
To: Nelson, Dan <Dan.Nelson@idwr.idaho.gov>
Subject: RE: Licensing of Permit 96-10305

Hi Dan, The pump does have a screen on the intake to prevent fish, and trash , from getting sucked up. Thanks, Debby Ackley

Sent from [Mail](#) for Windows

From: [Nelson, Dan](#)
Sent: Wednesday, May 11, 2022 9:47 AM
To: katkatrees@gmail.com
Subject: Licensing of Permit 96-10305

Dear Mr. Pfenning and Ms. Ackley,

I have been asked to review water right permit 96-10305 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 drought conditions in Idaho and the 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. A condition of your permit states the following:

Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

On your *Statement of Completion for Submitting Beneficial Use* form, you state that a fish screen was not required. The above condition does require a fish screen be installed on the pump intake. Most pumps in a lake or river have a screened intake to prevent trash or fish from entering the pump and water system.

Please respond to this email with a statement confirming that a fish screen or trash screen has been installed on the pump intake **OR** a document showing that the Idaho Department of Fish and Game have waived the need for a fish screen. The statement can be a simple response to this email. The document from the Idaho Department of Fish and Game can either be a copy of a letter or other type documentation that authorizes you to use this system without a fish screen.

With the response to the above question, I believe I can make a recommendation to license this permit reasonably quickly.

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 June 13, 2022. If I do not receive the requested information or I have not been contacted by you to request an onsite field verification by June 13, 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)