

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

A. GENERAL INFORMATIONPermit No: 96-9961Exam Date: 2/7/2022

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: Bell Trust
- Owner of Record Correct? X Y N
- Address of Record Correct? X Y N
- If No: Address

The Department's parcel data shows Bell and Bell Trust as the owners of the property with Robert and Patricia Bell as the trustees. 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: C111853

4. **SOURCE****TRIBUTARY**

Lake Pend Oreille

Pend Oreille River

Method of Determination: GIS and Tax Parcel DataChange in Source: Y X N**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: YES Overlap

Water Right No.	Source	Purpose of Use	Basis
96-2279	Lake Pend Oreille	Irrigation	License
96-4016	Boyer Slough	Irrigation	Statutory Claim

Comments: Water right 96-2279 is a water right license that was developed in 1963. The development of the property associated with 96-2279 was subdivided in the 1990's. It doesn't appear as though water right 96-2279 has been used since the subdivision was established, so it could be considered forfeited. Water right 96-4016 is a statutory claim that may not have ever been developed. There is information in the file for 96-4016, that it was never actually developed. This house was built in 2004, and the owner's state that they have never used any other water source for this irrigation use for their property. Water right 96-8697 also appears to overlap the place of use, but it is actually for a property on Whiskey Jack Road, which is north and/or east of this property. The owners also state that they use City of Sandpoint water for their in-home use. Please see the email dated February 7, 2022.

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

Water Right No.	Source	Purpose of Use	Basis

Comments: There are no other water rights that use this point of diversion. There are other water rights with points of diversion in this general area, but they are for neighboring properties.

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

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Lake Pend Oreille	1		NW	NW	7	57N	1W	B.M.	Bonner
								B.M.	
								B.M.	

Method of Determination: GIS and Tax Parcel Data.Change in POD? X N Amendment Required? X N**2. PLACE OF USE:** Use: Domestic

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	1W	7						0.3											0.3
		Lot #																	
Total Acres =																			0.3

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
River 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 that tells what the size of the lake pump is for this permit. Therefore, I am directed to consider the standard for irrigation use set forth by Administrative Processing Memo #17.

Administrative Memo #17 = 0.03 cfs/acre X 0.3 acres = 0.009 cfs

Permit allowed = 0.02 cfs

However, the permit was approved with a 0.02 cfs rate for 0.4 acres of irrigation or 0.05 cfs/acre rate (0.02 cfs / 0.4 acres = 0.05 cfs/acre). Since the permit was issued at a higher rate per acre, then we should continue use the rate per acre permitted for licensing purposes. At 0.05 cfs per acre, 0.3 acres would require 0.015 cfs, which is rounded to 0.02 cfs.

I am recommending 0.02 cfs.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 0.3 \text{ acres} \times 3 \text{ acre-feet per acre} = 0.9 \text{ acre-feet}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.02 \text{ cfs} \times 214 \text{ days} \times 1.9835 = 8.5 \text{ acre-feet}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 0.9 \text{ acre-feet}$$

2. Volume Calculations for Other Uses:

G. PURPOSE OF USE

Irrigation ___ Y ___ N # Stock _____ Domestic # of Homes _____

Other: < >

Change in Purpose of Use? ___ Y ___ N

Method of Determination: Tax parcel data.

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

H. NARRATIVE/REMARKS/COMMENTS

This permit qualifies for an in-house examination. The biggest issue for this permit is the older overlapping water rights. Statutory claim 96-4016 shouldn't be an issue, since it appears to have not been actually developed. However, it is clear that 96-2279 was developed and used until the 1990's. I cannot determine forfeiture in the licensing process, but I have determined that the right hasn't been used per the applicant's February 7, 2022, email. Therefore, there really shouldn't be any need for combined limitation condition X35, but there should be a generic condition that limits the water use on this property.

This permit has conditions that require a fish be installed prior to diversion of this water right. The permit holder neglected to address this issue in the proof of beneficial use form, so I contacted him on February 7, 2022. He responded February 7, 2022, and stated that he does have a fish screen on his pump intake.

Conditions X15, X16, and 004 should be carried forward to licensing. Condition X31 should be altered to limit the volume to 0.9 acre-feet.

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>
Irrigation	04/01 to 10/31	0.02 CFS	0.9 AFA
	<u>Totals:</u>	0.02 CFS	0.9 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: < >

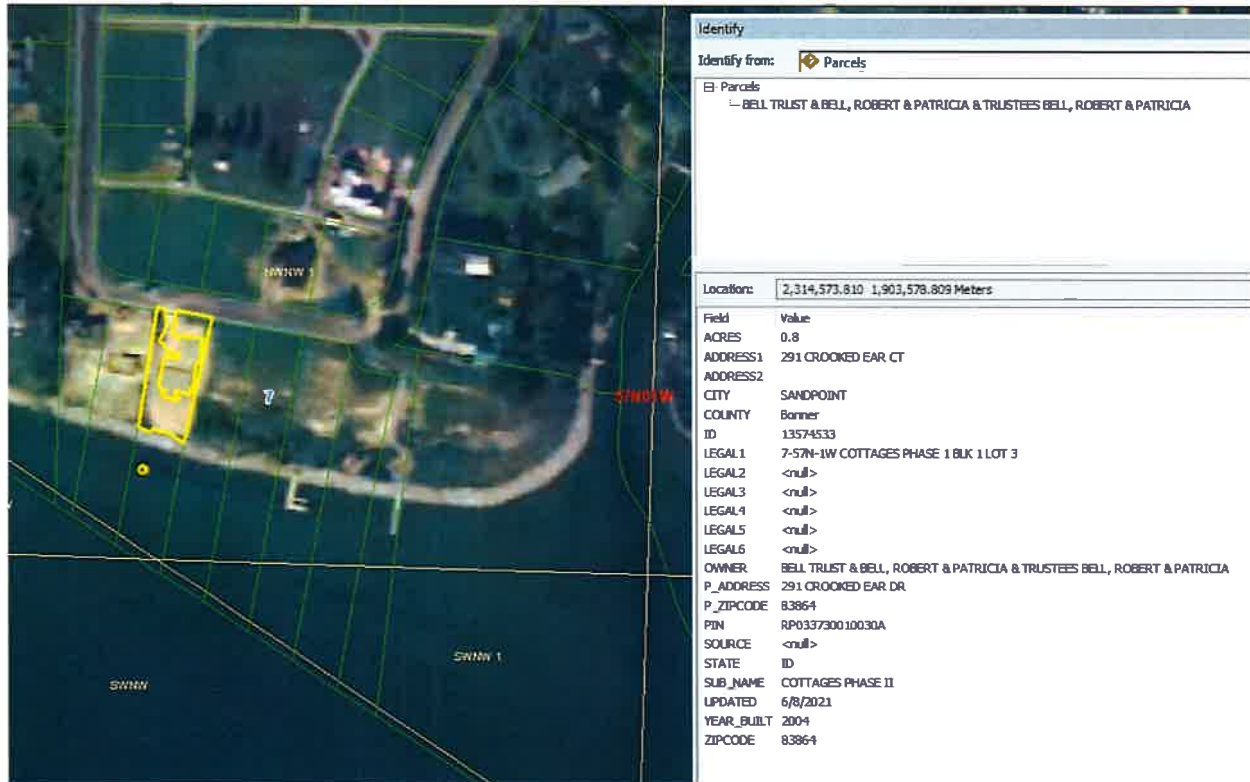
J. AUTHENTICATION – DANIEL A. NELSON – WATER RIGHT ANALYST 3

Field Examiner's Name  Date 1-7-22

Reviewer  Date 2/8/22

Field Exam Map:

The yellow border shows the place of use and the yellow point shows the point of diversion. The green borders show the tax parcels for this property.



Nelson, Dan

From: Nelson, Dan
Sent: Monday, February 07, 2022 1:05 PM
To: Robert Bell
Subject: RE: Permit Licensing

Dear Mr. Bell,

Thank you so much for this information. I will finalize my review and prepare a draft license to give to my supervisor for his review. If he finds the draft acceptable, you should receive your license within the next few weeks.

Respectfully,

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

-----Original Message-----

From: Robert Bell <rsbogp@gmail.com>
Sent: Monday, February 07, 2022 11:45 AM
To: Nelson, Dan <Dan.Nelson@idwr.idaho.gov>
Subject: Re: Permit Licensing

I just noticed your additional question. My pump has an intake fish screen .

Sent from my iPhone

> On Feb 7, 2022, at 8:07 AM, Nelson, Dan <Dan.Nelson@idwr.idaho.gov> wrote:
>
> d

Nelson, Dan

From: Robert Bell <rsbogp@gmail.com>
Sent: Monday, February 07, 2022 11:36 AM
To: Nelson, Dan
Subject: Re: Permit Licensing

Thanks for your review.

Question 1. I use the Sandpoint water for home use. Question 2. I haven't ever used another irritation system . Please advise if anything else is needed.

Bob Bell

Sent from my iPhone

On Feb 7, 2022, at 8:54 AM, Nelson, Dan <Dan.Nelson@idwr.idaho.gov> wrote:

Dear Mr. and Ms. Bell,

I also discovered another issue with the conditions of the permit. You were required to install a fish screen on the lake pump intake. Most pumps have these types of intake screens, so I need to confirmation from you that your pump does actually have an intake/fish screen.

Respectfully,

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

From: Nelson, Dan
Sent: Monday, February 07, 2022 9:07 AM
To: rsbogp@gmail.com
Subject: Permit Licensing

Dear Mr. and Ms. Bell,

I have been asked to review your permit for licensing purposes. Due to the size of your permit, we can generally do these types of licenses from our office without visiting your property to verify the water use. I have reviewed your file, and I only have a couple of questions that I need to have answered before I can make my recommendation for licensing this permit.

1.) I need to know what water source or water right you use to provide the water for your in-

home use. Do you use a private well or do you use water from a city or other municipal type provider?

2.) There are other water rights that have been developed in this area for irrigation purposes. Have you ever used any other irrigation system other than the one you use from Lake Pend Oreille?

Once I have the answers to these questions, I can make my recommendations to my supervisor for final review and licensing of your water right permit. If you would like someone to come to your property to verify your water use in person, please let me know, I will contact our Northern Region staff to contact you to set up a time to meet with you later this summer.

If you have any questions, please don't hesitate to contact me.

Respectfully,

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