

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

A. GENERAL INFORMATIONPermit No: 96-9826

Exam Date: 10/21/2021

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: Craig and Tonia Theilman
Owner of Record Correct? X Y N
Address of Record Correct? Y N
If No: Address

The Department's parcel data shows Craig P. and Tonia K. Thielman 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: C111102

4. SOURCE**TRIBUTARY**

Pend Oreille River

Columbia 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: NO Overlap

Water Right No.	Source	Purpose of Use	Basis

Comments: There are no active water rights, claims, or recommendations on this parcel. The permit holders do own the property to the west of the parcel associated with this water right. The property to the west does have 2 water rights 96-9678 and 96-9677. There is a boat channel and a boat barn between the two properties, and the point of diversion for 96-9678 is on the same channel as this permit, except that it is on the opposite bank of that channel.

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

Water Right No.	Source	Purpose of Use	Basis

Comments: There are no active water rights, claims, or recommendations on this parcel. The permit holders do own the property to the west of the parcel associated with this water right. The property to the west does have 2 water rights 96-9678 and 96-9677. There is a boat channel and a boat barn between the two properties, and the point of diversion for 96-9678 is on the same channel as this permit, except that it is on the opposite bank of that channel.

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

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Pend Oreille River	1		SE	SE	26	57N	3W	B.M.	Bonner County
								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	3W	25											0.1						0.1
													0.9						0.9
57N	3W	25											L1						
Total Acres =																			1.0

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
UNKNOWN	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 spring pump is for this permit. Therefore, I am required to fall back on the standard for domestic use set forth by Administrative Processing Memo #17.

Administrative Memo #17 = 0.03 cfs
Permit allowed = 0.03 cfs

I am recommending 0.03 cfs since the permit limitation was based on Administrative Memorandum #17.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1.0 \times 3.0 = 3.0$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.03 \times 214 \times 1.9835 = 12.7$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 3.0 \text{ af}$$

Please Note: This is an irrigation use from a river, so according to Idaho Administrative Code Beneficial Use Examination Rules, IDAPA 37.03.02.035.01.2.viii a volume is not required on these water rights. The volume will be addressed with the R66 Condition.

2. Volume Calculations for Other Uses:

G. PURPOSE OF USEIrrigation ☒ Y ☐ N # Stock _____ Domestic # of Homes _____

Other: < >

Change in Purpose of Use? ☐ Y ☐ NMethod 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 is an irrigation use from the Pend Oreille River from what appears to be a channel created for the boat barn between the two properties. The points of diversion for this property and the neighboring property is on either side of the boat barn. The main issue with this permit is the permit holder owns the property to the west of this property. It almost looks as though they are for the same property. However, both properties have separate pumps and separate delivery systems.

The irrigation of this property goes into the lake according to the Department's imagery. This put a small portion of the property outside of Government Lot 1. However, the entire property is in the SWSW of Section 25. There should be no need of an amendment to clarify the legal descriptions.

The permit required a fish screen be installed on this system. I contacted the permit holder by email October 20, 2021, and the permit holder responded on October 21, 2021. In the permit holder's email, he stated that he does have a commercial check-valve with a metal screen cone over the intake pipe. It appears as though the screen has been properly installed.

Conditions R66 and 004 should be carried forward to licensing. Condition 029 is not need, since the condition has been met.

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>
Irrigation	04/01 to 10/31	0.03 CFS	
<u>Totals:</u>		0.03 CFS	

Please Note: This is an irrigation use from a river, so according to Idaho Administrative Code Beneficial Use Examination Rules, IDAPA 37.03.02.035.01.2.viii a volume is not required on these water rights. The volume will be addressed with the R66 Condition.

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

10-26-21

Reviewer



Date

10/26/21

Field Exam Map:

The yellow border shows the place of use and the yellow points shows the points of diversion. The green border shows the tax parcel borders. I also included the place of use and points of diversion in red for water rights 96-9677 and 96-9678 on the neighboring property that is also owned by the permit holder. You can see that there are two separate points of diversions for both parcels.



Nelson, Dan

From: Nelson, Dan
Sent: Thursday, October 21, 2021 10:33 AM
To: Craig Thielman
Subject: RE: Permit 96-9826

Ms. Thielman,

Thank you so much for sending me this information and speaking with me on the telephone today. As I stated in our telephone conversation, I will have this file to my supervisor for final review by the end of today. You should receive the result of this resolution in the mail within the next few weeks.

If you have any further 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)

From: Craig Thielman <craigtonia@gmail.com>
Sent: Thursday, October 21, 2021 10:22 AM
To: Nelson, Dan <Dan.Nelson@idwr.idaho.gov>
Subject: Re: Permit 96-9826

Dan, per are phone conversations today, yes I'm using a commercial check-valve with a metal screen cone over the intake pipe, which serves as a fish screen.

Craig Thielman

Sent from my iPhone

On Oct 20, 2021, at 2:46 PM, Nelson, Dan <Dan.Nelson@idwr.idaho.gov> wrote:

Dear Mr. and Ms. Thielman,

I have been asked to review your water right file for license purposes. On smaller permits such as yours, we can generally verify the use 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 Department staff will be able to set up appointments in your area.

I have verified most of your water use with the records that are available to our office. However, there are a couple of questions that need to be clarified prior to recommending that this permit be licensed. I will list them below:

- 1.) Your permit requires that prior to the diversion of water under this approval, you shall comply with all fish screening and/or fish passage requirements of the Idaho Department Fish and Game. A point of diversion is the place where you are diverting the water away from the Pend Oreille River for your water use. On your proof of beneficial use form, you stated that a fish screen was not required. I will need you to confirm that you have installed a fish screen at your point or point of diversion or some documentation confirming that the fish screen is not required for your point of diversion.

Once I receive the above information, I can move forward with making a recommendation for the licensing of your water right. All that is needed is a response to this email informing me of the answers to the above question, or a copy of the letter or other documentation exempting you from needing a fish screen on your system.

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 November 22, 2021. If I do not receive the requested information or I have not been contacted by you to request an onsite field verification by November 22, 2021, 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.

Respectfully,

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

Nelson, Dan

From: Nelson, Dan
Sent: Wednesday, October 20, 2021 3:47 PM
To: craigtonia@gmail.com
Subject: RE: Permit 96-9826

Dear Mr. and Ms. Thielman,

I have been asked to review your water right file for license purposes. On smaller permits such as yours, we can generally verify the use 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 Department staff will be able to set up appointments in your area.

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If you have any questions, please don't hesitate to contact me. I would be more than happy to discuss the above requests.

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