

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

A. GENERAL INFORMATIONPermit No: 96-9820Exam Date: 8/18/2021

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: Eugene C. Nelson
Owner of Record Correct? X Y N
Address of Record Correct? Y N
If No: Address

Tax Parcel information shows Eugene C. Nelson Senior and Eugene C. Nelson Junior are owners of the property. Prior to the submittal of proof of beneficial use statement, there was no information in the permit file to suggest whether this permit was owned by Mr. Nelson Senior or Mr. Nelson Junior. When proof of beneficial use statement was received, the proof of beneficial use statement was received with a copy of the death certificate of Eugene C. Nelson Senior and legal proof that Eugene C. Nelson Junior is the executor of the Eugene C. Nelson Senior's estate. These documents were supplied with the proof of beneficial use statements for both 96-9820 and 96-9821.

I am concerned that we did not receive a change of ownership or amendment of permit to put the ownership of these two permits into Eugene C. Nelson Junior's name. It appears from the documents that were enclosed with the proof of beneficial use statement that permits 96-9820 and 96-9821 were filed and owned by Eugene C. Nelson Senior. With the submittal of the death certificate and the court verification that Eugene C. Nelson Junior is able to file proof of beneficial use with the documents he supplied. The application for permit for 96-9820 was signed by Eugene C. Nelson, and the application for permit 96-9821 was signed by E. Curtis Nelson. It appears as though it was the intent of these two individuals that there was a separate permit for each of them. The proof of beneficial use report was signed by E. Curtis Nelson. Therefore, it appears as though an assignment of permit needs to be done on 96-9820. Department staff spoke to Mr. Curtis on this issue, so he should be aware that an assignment of permit is needed.

3. Beneficial Use Fees have been paid: X Y N Receipt No: C110713

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
96-8657	Ground Water	Domestic and Irrigation	License

Comments: Water right 96-8657 is the only water right that overlaps this place of use. There are other rights in this general area, but they are not direct overlapping water rights for this place of use. Water right 96-8657 is the homeowner's association that supplies both the culinary and irrigation water for this property and other properties within the subdivisions.

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 users using the same water pump and point of diversion that is used for this water right.

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

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Pump			SE	SE	35	56N	4W	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: Irrigation

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N	4W	2	0.8 L-1																0.8
55N	4W	35																0.1 L-1	0.1
Total Acres =																			0.9

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 that tells what the size of the well pump is for this permit. Therefore, I am required to fall back on the standard irrigation use less than 5 acres set forth by Administrative Processing Memo #17.

Administrative Memo #17 = 0.9 acres X 0.03 cfs/acre = 0.027 cfs rounded to 0.03 cfs for irrigation use
Permit allowed = 0.03 cfs

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

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 0.9 \text{ acres} \times 3.0 \text{ af/ac} = 2.7 \text{ af.}$$

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

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 2.7 \text{ af.}$$

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 is needed for the X31 condition.

2. Volume Calculations for Other Uses:

N/A

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

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 is a relatively simple permit diverting water from the river to a yard. The overlapping water right for this is a ground water right that supplies the entire subdivision for in-house use and irrigation. The overlapping water right is not really not a concern, since we generally require ground water to be supplemental to surface water sources. No additional conditions should be added limiting the use of the homeowner's association rights and this right when combined. The standard X31 condition should address those issues.

The permit stated in the Proof of Beneficial Use form that the pump screen requirement has been met.

Conditions 004, X15, X16 and X60 should be carried forward to licensing. Condition R66 should be changed to condition X31, since the acres irrigated is less than one (1) acre.

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 is needed for the X31 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 8-18-21

Reviewer  Date 8/23/21

Field Exam Map:

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

