

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

A. GENERAL INFORMATIONPermit No: 35-14660Exam Date: 4/14/2021

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: Lyle Yancey
Owner of Record Correct? X Y N
Address of Record Correct? Y N
If No: Address

The Department's parcel data shows Provident Rental Properties II LLC as the owner of the property. The Idaho Secretary of State Business Search shows that Provident Rental Properties II LLC has Lyle and Marcia Yancey as members, and Lyle Yancey is the Registered Agent. 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: E046701

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
35-13918	Ground Water	Municipal	Permit
35-8354	Ground Water	Domestic	License
Riverside Canal Company	Snake River	Irrigation	Various Decreed Water Rights.

Comments: Water rights 35-8354 and 35-13918 are domestic/municipal rights for Groveland Water and Sewer District (GWSD). It doesn't appear as though these properties have any access to the GWSD rights. These rights also are within the borders of the Riverside Canal Company. The application for permit states that they do have irrigation rights for these properties, so I am assuming that the well water is for supplemental type use.

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

Water Right No.	Source	Purpose of Use	Basis
35-14661	Ground water	Domestic	Permit- Pending licensing

Comments: During my review, I noticed that there was only one well drilled by Mr. Yancey in this area during the development period. The GPS reading on the well driller's report put the well in the middle of cul-de-sac, so I contacted Mr. Yancey and he informed me that there is only one well for both of these townhouses and that the well is on the northern property associated with permit 35-14661.

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

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Well Tag # D0081715			NE	SW	28	2S	35E	B.M.	Bingham
								B.M.	
								B.M.	

Method of Determination: GIS, Well Driller's Report, and Tax Parcel Data.

Please Note: The well driller's report places the well on the south side of the cul-de-sac. The permit holder informed me that the well is on the property on the north side of the cul-de-sac, and the photos show it is just west of the duplex.

Change in POD? ☒ N ☐ Amendment Required? ☒ 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	
2S	35E	28									D								
		Lot #																	
Total Acres =																			

Method of Determination: GIS and Tax Parcel DataChange in POU? ☒ N ☐ Amendment Required? ☒ N

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

Indicate weir size/pipe as applicable.

☒ 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 or in 35-14660 that tells what the size of the well pump is for this permit. Therefore, I am required to fall back on the standard for domestic use set forth by Administrative Processing Memo #22.

Administrative Memo #22 = 0.06 cfs for domestic use
Permit allowed = 0.06 cfs

I am recommending 0.046 cfs since the permit limitation was based on Administrative Memorandum #22 for 2 homes

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 af for in-house use and yard irrigation, which would allow 1.8 af for this type of permit. However, this permit has a 13,000 gallon per day limitation condition, so no volume is required.

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 is for a duplex on a single parcel. According to a telephone call with the permit holder on April 14, 2021, there is a single well that serves the duplex for this permit and the duplex for permit 35-14661. The well for this permit is on parcel covered by water right 35-14661. This permit is limited to 13,000 gpd, and 1/2 acre of yard irrigation. The parcel associated with this permit is a 0.6 acre parcel, so once the duplex and the driveway were constructed, there is less than a 1/2 acre of ground left for yard irrigation.

You cannot see the duplex for this parcel in any of imagery available to the Department. In review of the county tax parcel information, I was also not able to see that the duplex had been constructed. I contacted the permit holder and he provided photos of the duplex and the duplex being covered by water right 35-14661. With these photos I am confident that the duplex has been constructed and the yard has been planted.

The only other issues that I can see is that it appears that this permit and permit 35-14461 utilize the same well. This is not a significant issue, but a condition will need to be included to ensure a new well isn't added at a later date.

Conditions X01, 071, and 187 should be carried forward to licensing. The remaining conditions should not be included on the license. Condition F06 should be added to show water rights 35-14460 and 35-14461 use the same well. Condition X59 and X60 should also be included on the permit show where the place of use and point of diversion are located. The Place of use is in Block 2, Lot 8 in New Meadows IV Subdivision. The Point of diversion is in Block 2, Lot 7 in New Meadows IV Subdivision.

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	
<u>Totals:</u>		0.06 CFS	

Please Note: This permit has a condition limiting the domestic use to 13,000 gallons per day, so no annual volume will be included on the water right license.

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: < >

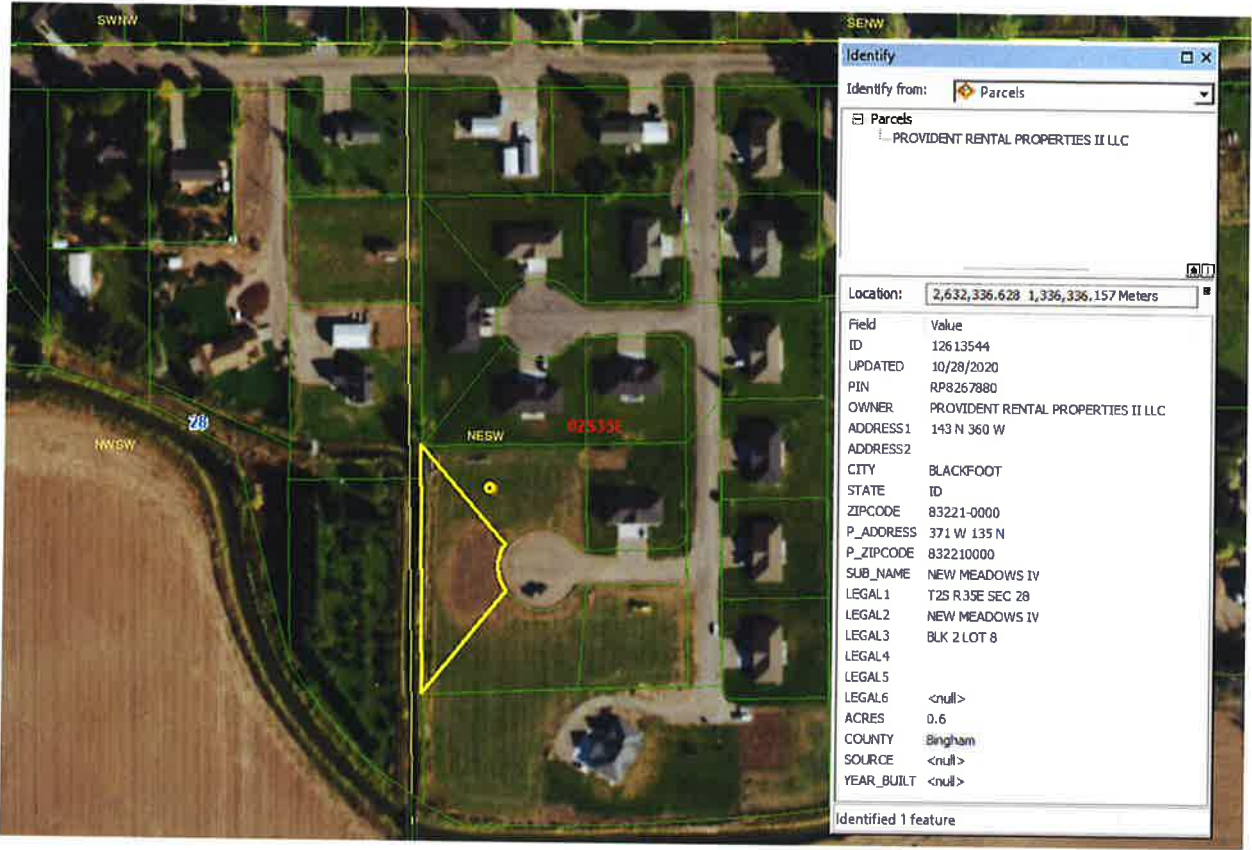
J. AUTHENTICATION – DANIEL A. NELSON – WATER RIGHT ANALYST 3

Field Examiner's Name Daniel A. Nelson Date 4-15-21

Reviewer PH Date 4/15/21

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.



Bonner County Tax Maps



Nelson, Dan

From: Lyle Yancey <yanceylm@hotmail.com>
Sent: Wednesday, April 07, 2021 10:30 AM
To: Nelson, Dan
Subject: 35-14660 and 35-14661
Attachments: IMG_20210407_094821953.jpg; IMG_20210407_094827745.jpg; IMG_20210407_094847709.jpg; IMG_20210407_094847709.jpg

Dan,

Thanks for the email and phone conversation. I took these pictures of the two properties listed and the well casing. Please let me know if this will meet the requirements needed for the statement of completion documentation. If you zoom in the house numbers are on the buildings.

Thank you Lyle Yancey

From: Nelson, Dan <Dan.Nelson@idwr.idaho.gov>
Sent: Monday, April 5, 2021 8:02 AM
To: yanceylm@hotmail.com <yanceylm@hotmail.com>
Cc: Judd, Debbi <Debbi.Judd@idwr.idaho.gov>
Subject: RE: Water Right Permit 96-9776

Dear Mr. Yancey;

On December 30, 2019, the Idaho Department of Water Resources (Department) issued permit 35-14660 authorizing the development of a right to divert 0.06 cfs for domestic use from ground water the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28, Township 2 South, Range 35 East. This property is also known as Lot 8, Block 2, of New Meadows IV subdivision. Also on December 30, 2019, the Idaho Department of Water Resources (Department) issued permit 35-14661 authorizing the development of a right to divert 0.06 cfs for domestic use from ground water the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28, Township 2 South, Range 35 East. This property is also known as Lot 2, Block 7, of New Meadows IV subdivision. For your convenience, I have attached a copy of each of the permits listed above.

On March 9, 2021, the Department received *Statement of Completion* forms from you stating that you had completed the work proposed on both of these permits. The final step in the water appropriation process is the issuance of a Water Right License. By issuing a license, the Department recognizes that water has been put to beneficial use in accordance with the permit.

This permit qualifies for what is known as in-house exam or desk top review instead of an in-field verification inspection of the property. A verification review is necessary to move this permit forward to a water right license. During my review of your file for licensing purposes, I was not able to confirm that the domestic use proposed by these permits has been completed. I could find no evidence of a structure on the above two parcels in any of the aerial imagery or tax parcels available to our agency. With the COVID pandemic, many of our records are not current, so we need to have some evidence that the domestic uses have been completed.

On March 16, 2021, Debbi Judd from our office contacted you to determine if the *Statement of Completion* forms had been submitted in error and if you would like to file an extension of time to submit the forms. You informed Ms. Judd that you would send photos showing the buildings were constructed and in use. After this conversation, our agency had a failure of our email programs, so we haven't received those photos from you.

In order to move forward with the licensing of this permit, we need some form of evidence that these domestic uses have been developed. Photos would be sufficient to show the permits have been completed. You could

also provide any other form of documentation that confirms that the domestic uses associated with these two permits are in place.

If you wish, you can request that Department personnel visit your property to collect this information accompanied by yourself or your representative. For this to occur, please contact me within 30 days. If you would like your representative to be present, please have the name, telephone number, and email of your representative. Be aware that you and the representative must be available to be contacted for scheduling of the required visit in a timely manner.

Please provide the requested information by May 3, 2021. If I do not receive the requested information or I have not been contacted by you to request an in-field verification by May 3, 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 contact me at 208-287-4856. Thank you for your attention to this matter.

Respectfully,

Daniel A. Nelson

Water Right Analyst 3

Telephone # (208) 287-4867

Fax (208) 287-6700 (attn: Dan Nelson)

Email dan.nelson@idwr.idaho.gov

Permits 35-14660 and 35-14661 – photos from permit holder showing development of properties included with email dated 4/7/2021

