

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

A. GENERAL INFORMATIONPermit No: 95-17136

Exam Date: 4/2/2021

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: Charles Husband.
Owner of Record Correct? X Y N
Address of Record Correct? Y N
If No: Address

Kootenai County tax parcel records shows Charles Husband as the owner of the property.

3. Beneficial Use Fees have been paid: X Y N Receipt No: C110129

4. SOURCE TRIBUTARY

Spring Sinks

Method of Determination: GISand 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
95-8367	Spring	Stockwater and Domestic	License

Comments: The water right shown above is for a spring in the same 40 acre tract. Looking at the maps in the field report an argument could be made that this water right is for the same property as this permit. Regardless of whether or not the above water right is for this property or not, there doesn't appear to have been a home on this property since 2009. Therefore, the water right would probably face possible forfeiture issues if it was for this property.

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

Water Right No.	Source	Purpose of Use	Basis
95-8367	Spring	Stockwater and Domestic	License
95-13978	Spring	Irrigation and stockwater	Decreed
95-13979	Ground Water	Domestic	Decreed
95-8366	Unnamed Stream	Stockwater	License

Comments: Water right 95-8367 is for a spring in the same 40 acre tract. Looking at the maps in the field report an argument could be made that water right 95-8367 is for the same property as this permit. Regardless of whether or not the water right 95-8367 is for this property or not, there doesn't appear to have been a home on this property since 2009. Therefore, water right 95-8367 would probably face possible forfeiture issues if it was for this property. Water rights 95-8366, 95-13978, and 95-13979 are diverted from the same spring complex. The adjudication claim for 95-13978 claims that there are at least 9 separate springs in this complex. The springs were developed prior to 1925, so it would be impossible to determine if this actually separate springs or just one main spring with multiple outlets. The claim for 95-13978 states that several of the springs were combined to provide water for this water right. There is an easement in the permit file that was filed in 1925, so it appears as though there is adequate water for this property and there shouldn't be any public interest or overlapping water right issues.

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

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Spring		SE	SW	SE	35	52N	5W	B.M.	KOOTENAI
								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

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
52N	5W	35																D	
		Lot #																	
																		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
	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 the overlapping water rights that provide any information on the capacity of the spring. It is still unclear whether or not there is a pump in this system. Therefore, I am required to fall back on the standard for domestic use set forth by Administrative Processing Memo #22.

Administrative Memo #22 = 0.04 cfs for domestic use
Permit allowed = 0.04 cfs

I am recommending 0.04 cfs since the permit limitation was based on Administrative 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 0.6 af for in-house use and 0.6 af for yard irrigation. No irrigation was developed under this permit, so I can't recommend the 0.6 af irrigation portion of this domestic use. The only use that was developed was for a trailer or recreational vehicle for this property.

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

The biggest issue with this permit is the number of water rights that are using this spring complex. It is very unlikely that a field examination could provide any clarification on this spring system, since adjudication claim 95-13978 claims that several of the springs have been combined together. It appears as though multiple folks are using these springs for multiple uses. The easement documentation in the permit file confirms that the permit holder has some ability to use this spring. I cannot provide anything that prevent this permit from moving forward to licensing.

I left the point of diversion where it was located on the permit application. According to the Department's records for 65-13978, there appears to be up to 9 springs in this spring complex. Water right 65-13978 shows 7 separate spring diversions, so I didn't want to use one of the existing spring points in this area as the point of diversion to this right without some kind of understanding of this spring complex. As stated above, due to the development of the springs it is unlikely that we can truly know the original layout of these springs.

You can see in the aerial imagery a square open roofed building with round tanks in the building. This is the point where the water is delivered from the spring to the property and stored in pressure tanks. On April 1, 2021, Mr. Husband sent photos showing his camp trailer hooked up to the water system. Therefore, we can allow in-house use for this right. It is clear from conversations with Mr. Husband and the photos that there is no yard irrigation.

Conditions X01* and 004 should be carried forward to licensing. Condition 187 cannot be carried forward to licensing, since there was no irrigation use developed on this property.

*Condition X01 changed to WBS because irrigation use was not developed

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	0.04 CFS	0.6 AF
<u>Totals:</u>		0.04 CFS	0.6 AF

~~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

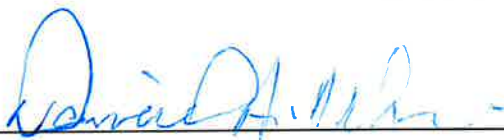
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ 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



Date

4-2-21

Reviewer



Date

4/6/21

Field Exam Map:

The green border below shows the outline of the tax parcel for the property involved in this permit. That tax border will be the place of use. The green dot shows the location of the spring according to the permit. The area in the trees around the point of diversion is the location of the spring complex discussed in the narrative. The yellow circle shows the location of the building where the spring water is delivered. You can see the round tanks in the building that are used to capture the water from the spring. The trailer or recreational vehicle is parked somewhere near the round driveway area. It isn't in the aerial imagery, but the permit holder has submitted photos showing the camper hooked up to the water system.



The following two images are from the Kootenai County Assessor's page showing the property. These tax records don't show a home has been built on the property.

Kootenai County GeoView

Parcel Search

By Shape By Value Results

Features selected: 1

Parcel Number: 04535-001-004-0

Name: CHARLES S HUSBAND LIVING TRUST THE

Property Address

City

Charles E. Husband

AIN: 253992 LRSN: 85301 GEO: 1212

Parcel Number: 04535-001-004-0

Appr Dist: 1 TCA: 103000

Incorporation: NONE

Owner Information:

CHARLES S HUSBAND LIVING TRUST THE

PO BOX 929

RATHDRUM ID 83658

Site Address:

Legal Description: RAGING BULL L74 BLK1

BKPG: J741

Acres: 6.7730 TRS: 525.535 PDF



Parcel

Parcel Number 026800200AAA	AIN 134751	Site Address 16913 W HIGHWAY 53, RATHDRUM	Date as of 3/28/2021
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Owner Information

Owner Name	CHARLES S HUSBAND LIVING TRUST THE
Owner Address	PO BOX 929 RATHDRUM ID 83658-0929
Transfer Date	01/01/2011
Document #	
Deed Book/Page	

Location / Description

Tax Authority Group	103000	Current Legal Desc.	GREENACRES IRR DISTRICT PLAT 1, TAX#22807 IN TRA (GL1) Section 62 Township 5 N Range 05W
Site Address	16913 W HIGHWAY 53, RATHDRUM		
Acres	7.3325		

Parcel Type

Property Class Code	537- Imp res rural sub
Neighborhood Code	1212 WEST 52N64W AREA

Assessment Information

Appraisal Date	07-13-2020	Current Year	2020	Prior Year	2019
Market Value Land	\$170,071	Homesteaders Eligible Amt Land	\$0	Homesteaders Eligible Amt Land	\$0
Market Value Improvement	\$103,920	Homesteaders Eligible Amt Imp	\$0	Homesteaders Eligible Amt Imp	\$0
Total Market Value	\$273,991	State Homesteaders Eligible Amt	\$0	State Homesteaders Eligible Amt	\$0
		Homesteaders Exemption Allowed	\$0	Homesteaders Exemption Allowed	\$0
Acres	7.3325	Total Market Value	\$273,991	Total Market Value	\$234,333
		Homesteaders Exemption Allowed	\$0	Homesteaders Exemption	\$0
		Ag/Timber Exemption	\$36,272	Ag/Timber Exemption	\$36,507
		Other Exemptions	\$0	Other Exemptions	\$0
		Net Taxable Value	\$237,719	Net Taxable Value	\$197,826

FROM

CHARLES HUSBAND

PO BOX 929

RATHDRUM ID 83858-0929

3-28-2021

RECEIVED

APR 01 2021

DEPARTMENT OF
WATER RESOURCES

TO DAN NELSON

DEPT. OF WATER RESOURCES

BOISE ID

RE:

WATER PERMIT NO.

95-17136

Hi DAN

Great TALKING WITH YOU THE OTHER DAY.

I AM SUPPLYING SOME PICTURES.

IF YOU NEED ADDITIONAL PICTURES OR ANY
MORE INFORMATION PLEASE LET ME KNOW.

Thanks for the help
Chris

1 208 683 0790



