

[illegible]

Total Acres =

0

Method of Determination: from permit and maps provided with permit

Change in POU? X N Amendment Required? X N

Delivery System Diagram Attached.

Indicate all major components and distances between components.

Indicate weir size/pipe as applicable.

 X Aerial Photo Attached (required for irrigation of 10+ acres).

Less than 10 acres

 Photo of Diversion and System Attached

None (in-house exam)

4. Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A					

*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
N/A						

2. Measurements: in-house field exam no measurement needed**E. FLOW CALCULATIONS** Additional Computation Sheets Attached

Measured Method: (none made for in-house field exam)

Idaho Statute 42-111(a) and (b) indicates that domestic use with 1/2 acre of irrigation is allowed a diversion rate of 0.04 cfs and a limit of 13,000 gallons per day.

Permit allowed = 0.04 cfs

License recommend for 0.04 cfs

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\text{(no irrigation component in permit)}}$ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = \underline{\text{(no irrigation component in permit)}}$ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\text{(no irrigation component in permit)}}$

2. Volume Calculations for Other Uses:

This permit has a condition that limits the volume to 13,000 gallons per day, so no volume will be included on the license.

G. PURPOSE OF USEIrrigation ☐ Y ☒ N # Stock 0 Domestic # of Homes 1

Other: < >

Change in Purpose of Use? ☐ Y ☒ N

Method of Determination: House is seen in aerial imagery.

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

H. NARRATIVE/REMARKS/COMMENTS

The original owners of the water right permit 77-14160 Charles and Shirley Wansch applied for a permit to divert water for both domestic use and to fill a pond they planned to build on the property. They planned to divert from a spring for domestic use and an unnamed stream to fill the pond. A cabin currently is located on the property. The current owner JST Properties LLC, sent us an email stating that there was no pond at the time they purchased the property. Therefore the only beneficial use that has been completed is the domestic use. A letter scanned on July 16, 2012 indicates that the diversion to the house occurs by gravity through a 1.5" pipe. When the water is not being used the excess diversion returns to the creek.

In the proof of beneficial use submitted to IDWR on July 1, 2012 they former owners indicated that they had 1 cfs of diversion for storage, but further contact with the current owners and the letter mentioned above does not indicate that that use was actually developed. No pond is visible in aerial photos either. Based on these findings the license is being approved for domestic use only with a diversion rate of 0.04 cfs.

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	
<u>Totals:</u>		0.04 CFS	

This permit has a condition that limits the volume to 13,000 gallons per day, so no volume will be included on the 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. AUTHENTICATIONField Examiner's Name David Hochman Date 12/31/2020 1:48 pmReviewer Danica A. [Signature] Date 12-31-20

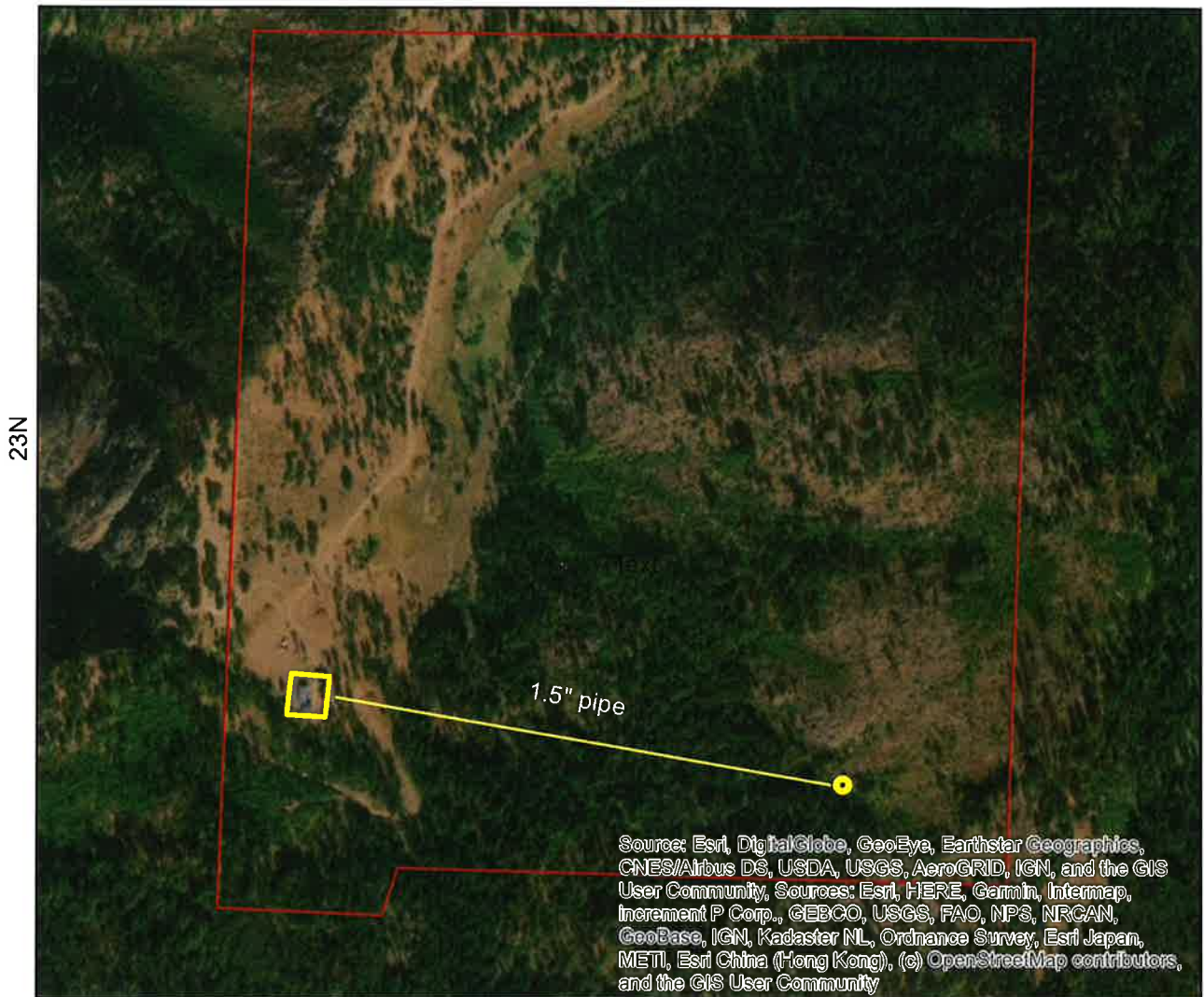
State of Idaho
Department of Water Resources

System Map

77-14160

This map depicts the DOMESTIC place of use boundary for this water right at the time of the beneficial use exam and is solely for illustrative purposes.

03E

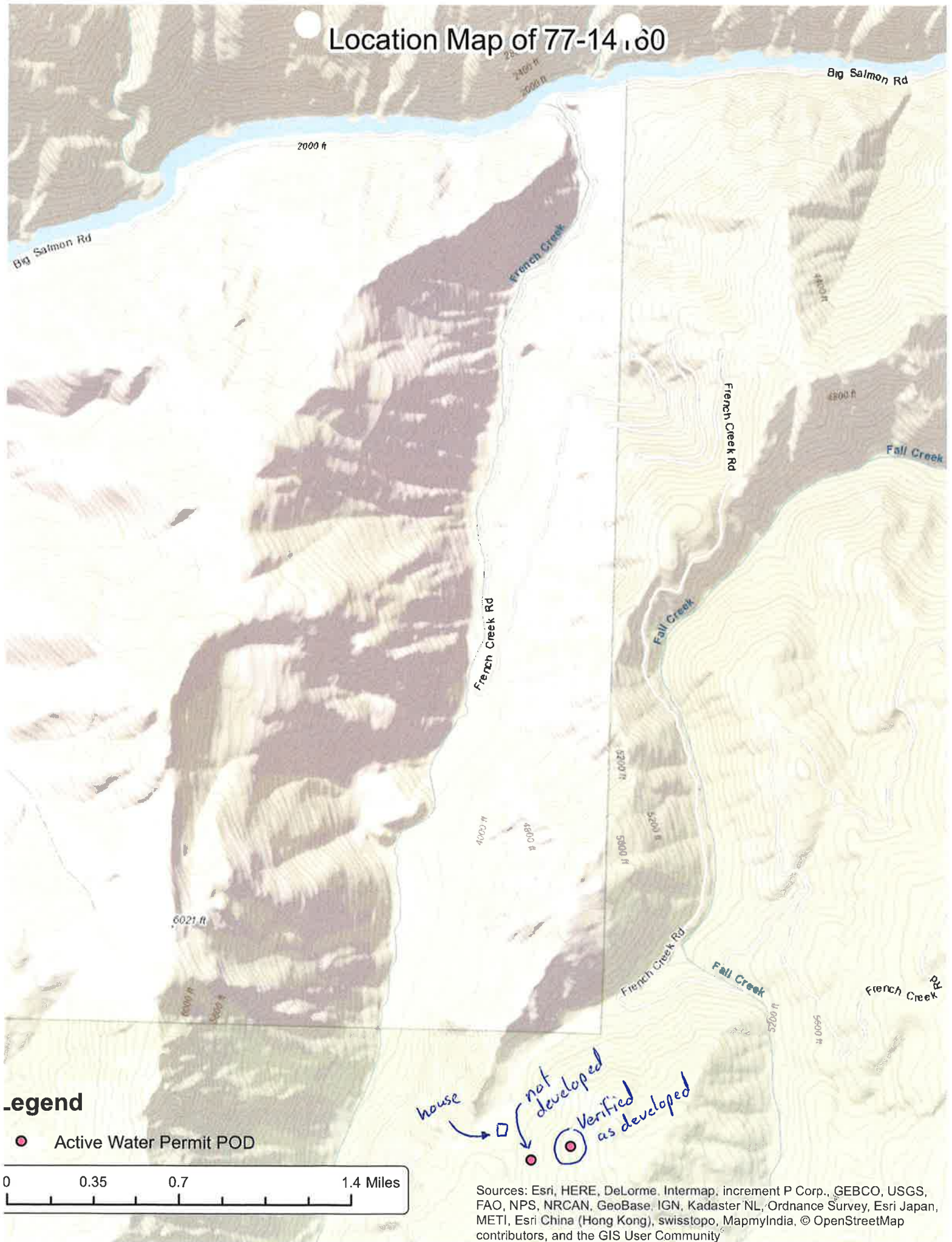


0 0.075 0.15 0.3 Miles

- Point of Diversion
- Place Of Use Boundary



Location Map of 77-14, 60



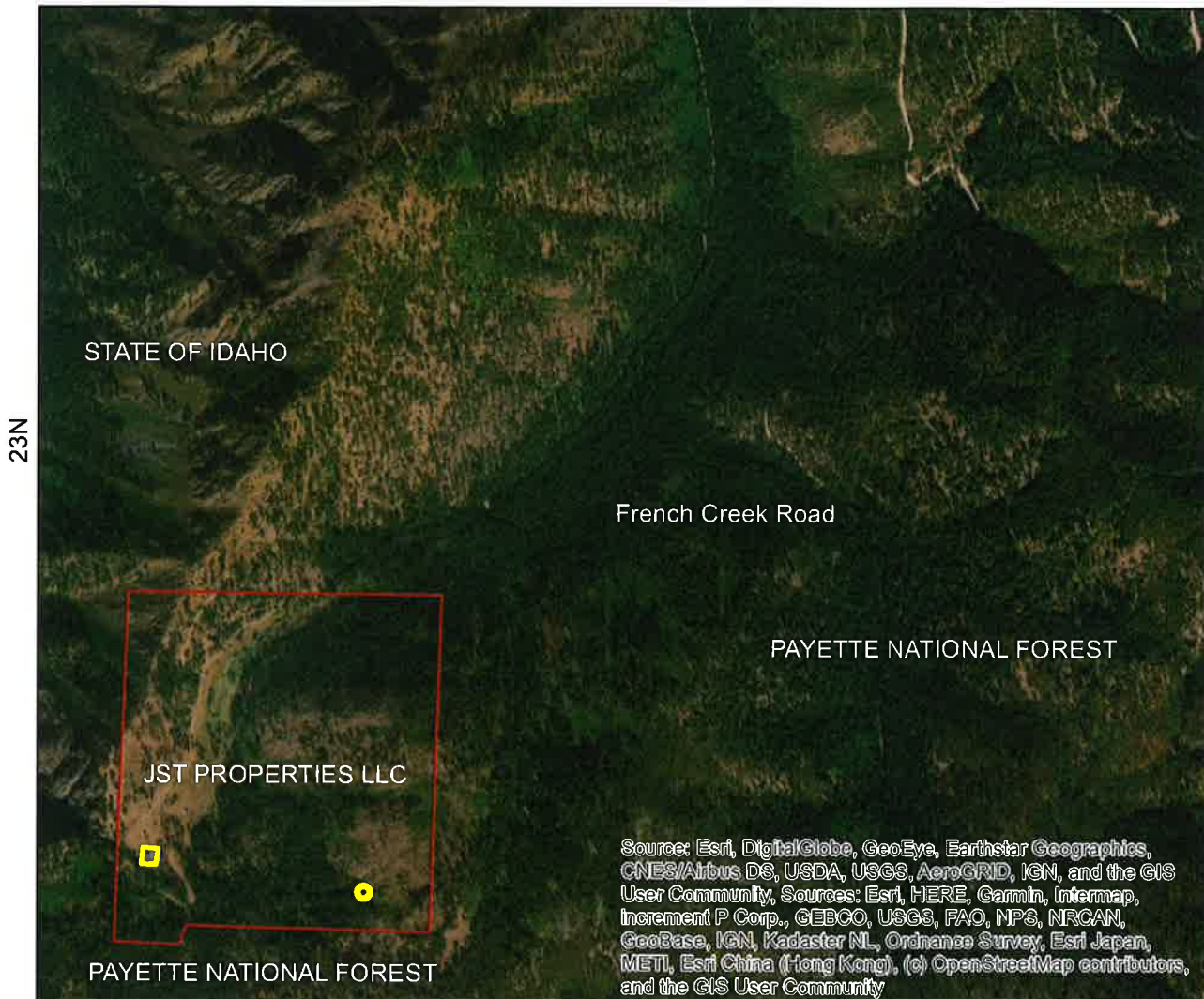
State of Idaho
Department of Water Resources

Location Map

77-14160

This map depicts the DOMESTIC place of use boundary for this water right at the time of the beneficial use exam and is solely for illustrative purposes.

03E



0 0.175 0.35 0.7 Miles

- Point of Diversion
- Place Of Use Boundary



Hoekema, David

From: Louise Bertagnolli <vlbertagnolli@msn.com>
Sent: Tuesday, December 22, 2020 11:05 AM
To: Hoekema, David
Subject: RE: Permit 77-14160

Hi David. Yes, there is a screen on the pipe.

Thanks,

Louise

From: Hoekema, David [mailto:David.Hoekema@idwr.idaho.gov]
Sent: Tuesday, December 22, 2020 10:52 AM
To: Louise Bertagnolli
Subject: RE: Permit 77-14160

Louise,

Please respond to this email and indicate to me whether or not there is a screen on the 1 ½" pipe providing water to the house. The condition on the permit requires that the pipe be screened.

David Hoekema | Hydrologist
Idaho Department of Water Resource
Office: 208-287-4830 | Cell: 714-697-3203
Email: david.hoekema@idwr.idaho.gov
P.O. Box 83720 | Boise, ID 83720

From: Louise Bertagnolli [mailto:vlbertagnolli@msn.com]
Sent: Tuesday, December 22, 2020 9:56 AM
To: Hoekema, David <David.Hoekema@idwr.idaho.gov>
Subject: RE: Permit 77-14160

Thanks David. This is to confirm that there was no pond on the property when we purchased it.

Have a nice Holiday!



Louise Bertagnolli
JST Properties LLC
vlbertagnolli@msn.com
208 631 3150

From: Hoekema, David [mailto:David.Hoekema@idwr.idaho.gov]
Sent: Tuesday, December 22, 2020 9:48 AM

To: Louise Bertagnolli
Cc: Nelson, Dan
Subject: RE: Permit 77-14160

Louise,

Per our conversation this morning. My understanding is that the former permit holders did not develop a pond on your property on French Creek. If you confirm that this is the case by responding to this email, I'll start processing the water right license for domestic use only. Please confirm that you are okay with this decision.

Also, per your request I have included a pdf that contains a water permit application and a pdf with a list of licensed water right examiners from the state of Idaho that can help you through the permitting process. If you decide to proceed with an application for hydropower use, it would be a good idea to talk with a water right agent at the Idaho Department of Water Resources Western Regional Office (208) 334-2190.

Idaho Department of Water Resource Water Rights Website Page
<https://idwr.idaho.gov/water-rights/>

The attached Application for Permit form can be found at:
<https://idwr.idaho.gov/forms/water-rights.html#new-water-rights>

I have CC'd a copy of this email to Dan Nelson who is my supervisor in the Water Rights Section at the department.

Sincerely,
David Hoekema | Hydrologist
Idaho Department of Water Resource
Office: 208-287-4830 | Cell: 714-697-3203
Email: david.hoekema@idwr.idaho.gov
P.O. Box 83720 | Boise, ID 83720

From: Hoekema, David
Sent: Tuesday, December 22, 2020 9:08 AM
To: 'Louise Bertagnolli' <vlbertagnolli@msn.com>
Subject: RE: Permit 77-14160

Louise,

Thank you for getting back with me. I'll plan on contacting you in early May to set up a site visit. I'll also call you shortly to verify your phone number and answer any questions you might have. In case I miss you, can I put your name and phone number in the IDWR database to help with further communication?

David Hoekema | Hydrologist
Idaho Department of Water Resource
Office: 208-287-4830 | Cell: 714-697-3203
Email: david.hoekema@idwr.idaho.gov
P.O. Box 83720 | Boise, ID 83720

From: Louise Bertagnolli [<mailto:vlbertagnolli@msn.com>]
Sent: Monday, December 21, 2020 6:24 PM
To: Hoekema, David <David.Hoekema@idwr.idaho.gov>

Cc: Victor Bertagnolli <vicbertagnolli@outlook.com>

Subject: Permit 77-14160

Dear David Hoekema;

We received your letter regarding the water rights on the French Creek Property we recently purchased. The property is currently snowed in but we should be able to access it late spring, depending on snow, etc. A safe time is probably June.

Our contact information is:

JST Properties LLC
Louise Bertagnolli , Manager
9364 W. Pebble Brook Lane
Boise, ID 83714
208 631 3150 cell

Please call if you have any questions.

A handwritten signature in black ink that reads "Louise Bertagnolli". The script is cursive and fluid, with a small dot at the end of the last word.

Louise Bertagnolli
JST Properties LLC
vlbertagnolli@msn.com
208 631 3150



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

December 18, 2020

JST Properties LLC,
9364 W. Pebble Brook Lane
Garden City, ID 83714

To whom it concerns,

On August 21, 2020, the Idaho Department of Water Resources (IDWR) received an assignment of permit stating that you are the new owner of water right Permit 77-14160 (Permit). The Permit allowed the owners of the property to divert water from a spring and unnamed stream that are tributary to French Creek. The Permit authorized the diversion of 0.04 cfs for domestic use, 1.00 cfs for aesthetic use and diversion to storage, and storage of up to 28 af of water for a pond.

On July 11, 2012, the original permit holder, Charles and Shirley Wunsch, filed a *Statement of Completion* confirming that project had been completed.

The next step in the water right process is for IDWR staff to set an appointment with the permit holder to visit the property and verify the water is actually being put to beneficial use. In order to schedule this field visit, I must have current contact information. In the assignment of permit information, there was no telephone number or email address given to allow IDWR to contact you or a representative to contact you directly to schedule a field visit.

It doesn't appear as though we can visit this property until next spring. Since the only way to contact you is by mail, I wanted to send out this letter to start the process of scheduling a field examination for next spring.

I am asking that you provide me with information on when you feel we will be able to access the site, and when would be a good time to schedule a field examination after there is access to the site. By attaining this information now, I will be able to better schedule my time this spring. I want to ensure I can visit your property, verify the water use developed, and move this permit forward toward licensing. When the permit is licensed it will become a water right.

Please don't hesitate to contact me if you have any questions or concerns. If you do wish to share your telephone number or email address, that would help tremendously in scheduling this exam when access is available.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Hoekema".

David Hoekema | Hydrologist
Idaho Department of Water Resource
Office: 208-287-4830 | Cell: 714-697-3203
Email: david.hoekema@idwr.idaho.gov
P.O. Box 83720 | Boise, ID 83720

Attachments:

Copy of Permit to Appropriate Water No. 77-14160

Copy of the 2 Maps submitted with application for permit showing diversion points

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 77-14160

Priority: May 26, 2004

Maximum Diversion Rate: 1.00 CFS

This is to certify, that CHARLES W WUNSCH And/Or SHIRLEY M WUNSCH
PO BOX 427
RIGGINS ID 83549

have applied for a permit to appropriate water from:

Source: SPRING Tributary: FRENCH CREEK
 UNNAMED STREAM FRENCH CREEK

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	
AESTHETIC STORAGE	01/01 to 12/31		28.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	1.00 CFS	
AESTHETIC	01/01 to 12/31	1.00 CFS	

LOCATION OF POINTS OF DIVERSION:

SPRING L5 (SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$) Sec. 1, Twp 23N, Rge 03E, B.M., IDAHO County
UNNAMED STREAM SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1, Twp 23N, Rge 03E, B.M., IDAHO County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
23N 03E 1			X														

PLACE OF USE: AESTHETIC STORAGE & AESTHETIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
23N 03E 1			X														

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2009**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
4. Domestic use is for 1 home.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day.

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 77-14160

6. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
7. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 7th day of September, 2004.

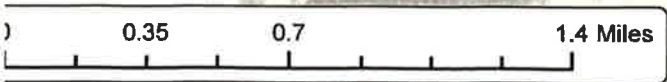

KARL J DREHER, Director

Location Map of 77-14 30



Legend

- Active Water Permit POD



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

77-1416

