

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

95

A. GENERAL INFORMATIONPermit No: 75-14949Exam Date: 11/10/2020

1. Does this qualify for an in-office field exam (IDAPA 035.02.r)? X Y N
- a. Irrigation of 5 acres or less
 - b. Storage of up to 14.6 AF for stockwater purposes only
 - c. Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
 - d. Other < >

2. Current Owner: Name: Robert W. Kilch and Diane E. Kilch
Owner of Record Correct? X Y N
Address of Record Correct? Y N
If No: Address

Tax lot data shows Larry B. Lacy as the owner of the property.

3. Beneficial Use Fees have been paid: X Y N Receipt No: C109438

4. **SOURCE** **TRIBUTARY**

Easter Fork Tower Creek

Tower Creek

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: YES Overlap

Water Right No.	Source	Purpose of Use	Basis
75-10575	Ground Water	Domestic	Decree

Comments: The owner stated he didn't have a water right, but it is clear that 75-10575 overlaps his property. An email was sent to apprise him of this water right. A combined limitation would be in order. There are other rights in the same 40 acre tract, but they are on the other side of the Creek.

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

Water Right No.	Source	Purpose of Use	Basis

Comments: There are no water rights at the same points of diversion

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

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
East Fork Tower Creek			NE	NW	10	23N	22E	B.M.	LEMHI COUNTY
								B.M.	
								B.M.	

Method of Determination: GIS and Tax Lot ParcelChange 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	
23N	22E	10					D												
		Lot #																	
Total Acres =																			

Method of Determination: GIS and Tax Parcel Data. The tax parcel straddles the 40 acre tract line, but the home and yard are clearly in the NENW. The PLS lines don't match the tax parcel lines, so I am assuming that the one of the two are incorrect.

Change 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
Creek 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 is no information to show what size of well pump is being used. Therefore, I am following the standards set forth in Processing Administrative Memorandum #22, which states that the permit should be limited to 0.04 cfs.

Administrative Memo #22 = 0.04

Permit allowed = 0.04 cfs

I am recommending a diversion rate of 0.04 cfs as recommended in Administrative Memo #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:

There is no information to show what the actual water volume being used. Therefore, I am following the standards set forth in Processing Administrative Memorandum #22, which states that the permit should be limited to 1.2 af for in-house use and up to ½ acre of yard irrigation.

Please Note: This permit has a condition that limits the diversion rate to 13,000 gpd, so no volume will be added to the face of the water right.

G. PURPOSE OF USE

Irrigation ____Y____N # Stock _____ Domestic # of Homes ____1____

Other: < >

Change in Purpose of Use? ____Y____N

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

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

H. NARRATIVE/REMARKS/COMMENTS

This permit is qualifies for an in-house exam. There is an overlapping water right from ground water, so there will be a need for an X35 condition. It appears as though the general use of this permit will be yard irrigation, but the application does state that the permit will use this water for irrigation around the home and other associated uses. The well is only 42 feet in depth, so it probably diverting shallow ground water that is essence tributary to the stream anyway.

The permit has a condition that requires the permit holder comply with all fish screen requirements of the Idaho Fish and Game Department. I contacted the permit holder, and they confirmed by email on November 6, 2020, that they do have a fish screen on their system.

Conditions N13, X01, 187, and 01P should all be carried forward to licensing. The remaining conditions should be removed. An X35 condition will also be needed to ensure that when water rights 75-10575 and 75-14949 are combined they are limited to 0.04 cfs and 13,000 gpd. Condition 029 will be removed which is standard after it has been discovered the condition has been met.

Have conditions of permit approval been met? X 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	1.2 AF
<u>Totals:</u>		0.04 CFS	1.2 AF

Please Note: This permit has a condition that limits the diversion rate to 13,000 gpd, so no volume will be added to the face of the water right.

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

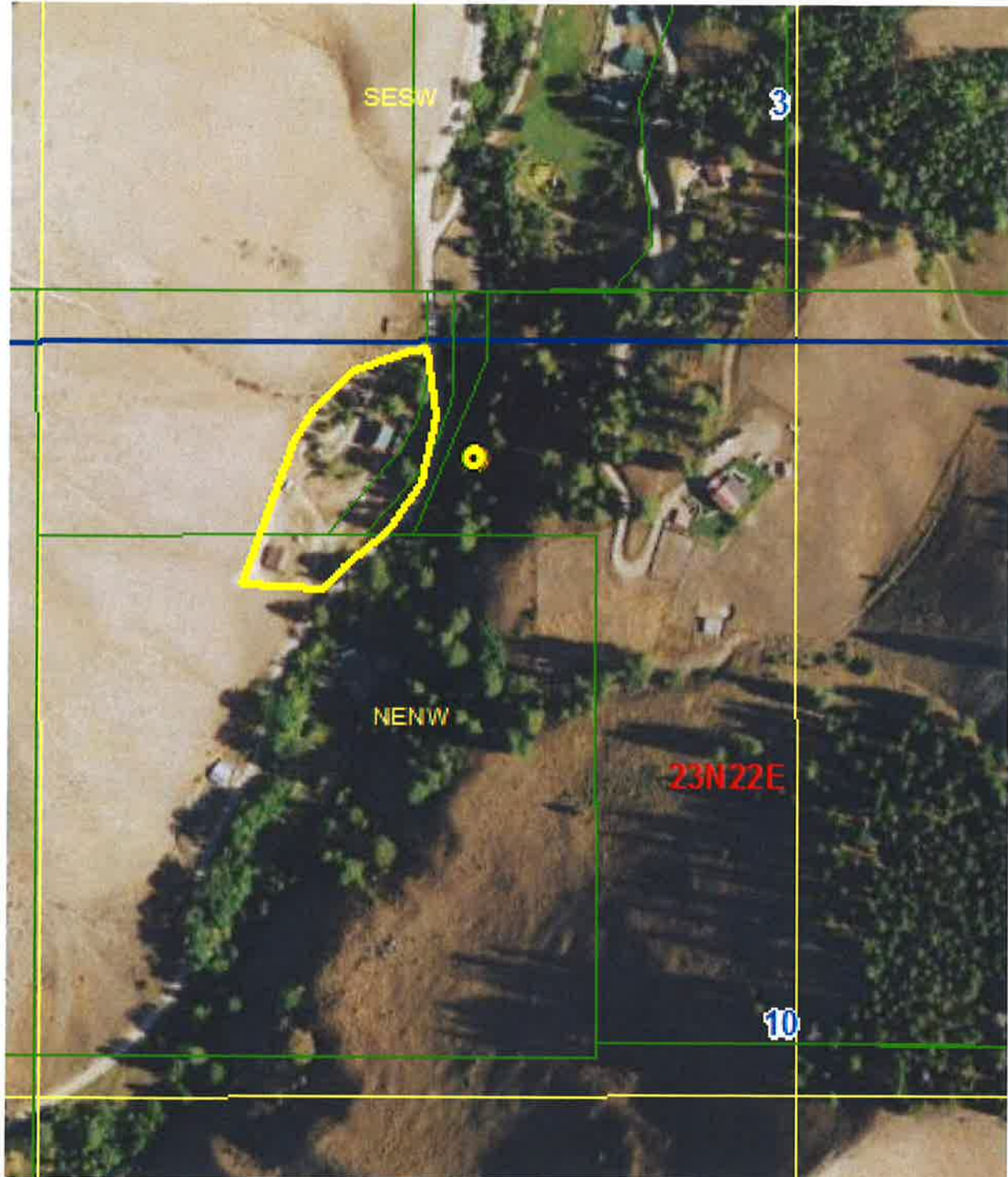
Other: < >

J. AUTHENTICATION – DANIEL A. NELSON – Analyst 3

Field Examiner's Name _____ Date _____

Reviewer _____ Date _____

The place of use is within the yellow border and the point of diversion is at the yellow dot. The green border shows the current tax parcels. You will notice that the place of use shape and the point of diversion do not match the tax parcel lines. The shapes were drawn to match the aerial imagery, but the Public Land Survey, imagery, and tax parcels do not match each other, so I went with the aerial imagery to insure the best representation of the actual point of diversion and place of use.



Nelson, Dan

From: Nelson, Dan
Sent: Monday, November 09, 2020 8:09 AM
To: 'dnklich@yahoo.com'
Cc: Judd, Debbi
Subject: RE: Permit 75-14949
Attachments: NOTICE_OF_CHANGE_OF_WATER_RIGHT_OWNERSHIP.pdf; 75-10575
wrWaterRightProofReport.rtf

Dear Mr. and Ms. Klich;

Thank you for sending the email to Ms. Judd. I checked and in my previous attempt to contact you I did spell your name incorrectly in the email. The email that you sent Ms. Judd adequately answers my questions regarding the fish screen to move forward with licensing permit 75-74949. You should be receiving the water right license for this permit within the next few of weeks.

On A Separate Matter:

On you permit you stated that the well on your property was being used as an unrecorded water right. However, I did find that ground water right (recorded well right) 75-10575 shows your property as the place of use. Therefore, unless this water right was specifically withheld during the sale of the property, this water right could be considered your water right. I have included a copy of the proof report for this right and a change of ownership form that will give you the opportunity to put this water right into your name. This will not affect the licensing of water right permit 75-14949, but it would be in your best interest to get this right into your name.

If you have any questions, please contact me at 208-287-47856. 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

-----Original Message-----

From: Diane Klich [<mailto:dnklich@yahoo.com>]
Sent: Friday, November 06, 2020 5:08 PM
To: Judd, Debbi <Debbi.Judd@idwr.idaho.gov>
Subject: Re: Dan Nelson, Dept. of Water Resources

Dan called us this afternoon, 11/06/20, and left a message saying he trying multiple times to reach us by email, but his message was undeliverable. I'm guessing he didn't try the correct one, altho' he read it off correctly. dnklich@yahoo.com Or he could use dnklich@gmail.com. He did pronounce our name as Kilch, so maybe he used that spelling which would not work. .

We got in @4 :30 ish and called him back, left a message saying we do have a screen on the pump, which was his question.

He did not leave an email address; would you mind sending this to him? If not possible, no worries, we will call him again next week.

Thank you no matter what.

Diane and Robert (Bob) Klich