

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 35-14218
Exam Date: 08/17/2020

1. Current Owner:
LOVES TRAVEL STOPS & COUNTRY STORES 10601 N PENNSYLVANIA
PO BOX 26210 OKLAHOMA CITY OK 73126

2. Accompanied by:
Phone No:
Address:
Relationship to permit Holder:

3. **SOURCE:**
GROUND WATER

Method of Determination: Site Visit

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NO Overlap

Water Right No.	Source	Purpose of Use	Basis

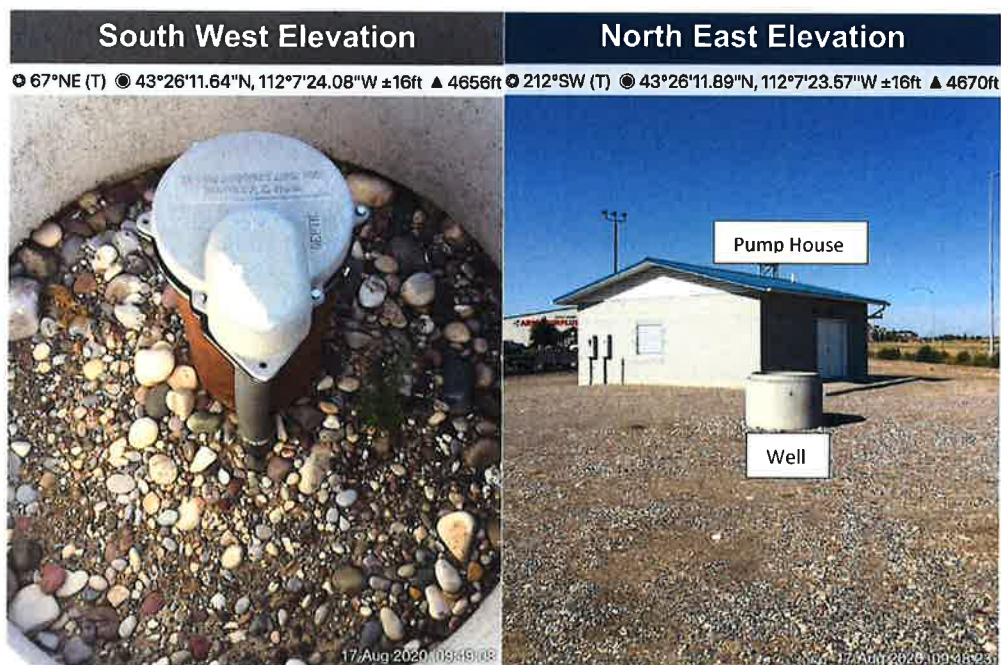
2. Other water rights with the same point-of-diversion: NO Overlap

Water Right No.	Source	Purpose of Use	Basis
35-13285	Ground Water	Domestic	License

C. DIVERSION AND DELIVERY SYSTEM1. **LOCATION OF POINT(S) OF DIVERSION:**

GROUND WATER SE¼ NE¼ NE¼, Sec. 8, Twp 01N, Rge 37E, B.M. BONNEVILLE County

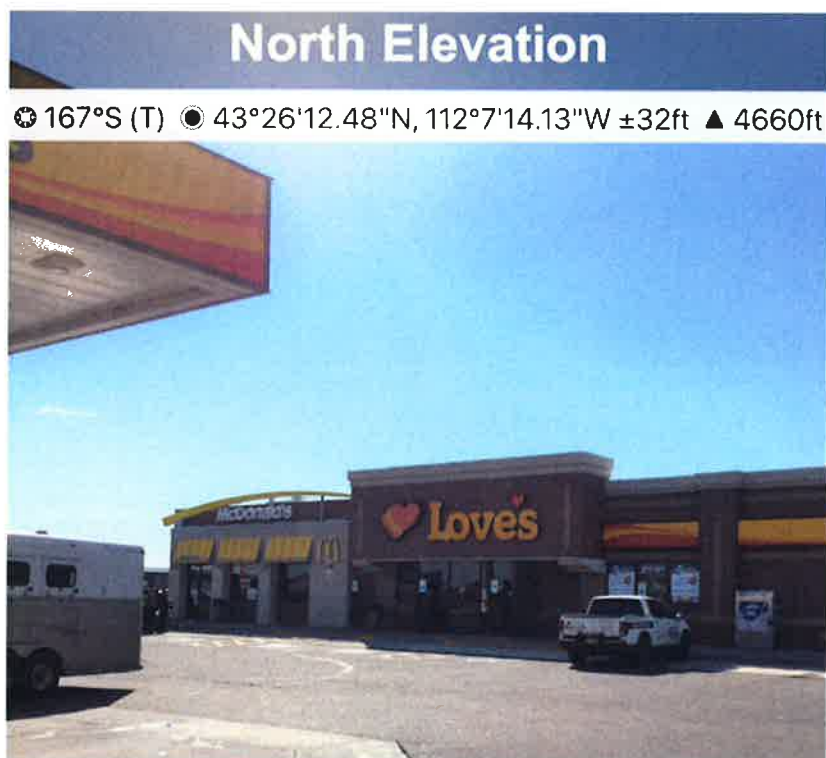
Method of Determination: GPS and aerial photography.



PLACE OF USE: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	37E	9						X	X										

Method of Determination: Aerial photography and site visit.



3.

Delivery System Diagram Attached (required). Indicate all major components and distances between components.
☒ Indicate weir size/pipe as applicable.

Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be
☒ 1:24,000 or greater.

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	15			

Pump data based on 2002 license field exam for 35-13285.

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Portable Flow Meter.	Ultrasonic	Fuji				

2. Measurements:

E. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method: Water District 120 staff met with Alan Widaman (property owner at point of diversion) on July 22, 2020 to conduct a flow meter calibration test. Instantaneous rate of diversion observed was 0.29 cfs (128.8 gpm). 2002 beneficial use report for 35-13285 (shares same POD) reports the rate of diversion at 0.84 cfs.

Recommended rate 0.29 cfs.

Rights 35-13285 and 35-14218 when combined will be limited to 0.84 cfs.

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation: N/A

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 =$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$$

2. Volume Calculations for Other Uses:

Commercial use is for 1 truck stop with a restaurant. Historic water use data was provided by Alan Widaman who is the property owner at the point of diversion (Widaman Well). Maximum volume recorded was in 2019 at 10 af. From 2013 to 2019 water demand at the truck stop/restaurant has steadily increased. Recommend licensing volume at 10.0 af. Water use at the truck stop/restaurant is for in-building use only (non-consumptive).

G. NARRATIVE/REMARKS/COMMENTS

The use of water under this right is for in-building uses at Loves Truck Stop and McDonalds. Loves and McDonalds share the same building. Water uses associated with Loves and McDonalds in non-consumptive. The irrigation of landscape associated with the truck stop/ restaurant is authorized under water right 35-14227. There are two wells on Loves property. Currently only one of the wells is utilized for irrigating landscape. Loves and McDonalds utilize the Widaman well solely for commercial in-building use only. Water rights 35-13285 and 35-14218 are diverted from the Widaman well.

Have conditions of permit approval been met? ☒ Yes ☐ No

H. RECOMMENDATIONS**1. Recommended Amounts**

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
COMMERCIAL	01/01 to 12/31	0.29 CFS	10.0 AF
Totals:		0.29 CFS	10.0 AF

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

I. AUTHENTICATION

Blake Jordan - Water Rights Supervisor

Field Examiner's Name

Blake Jordan

Date

8/18/2020

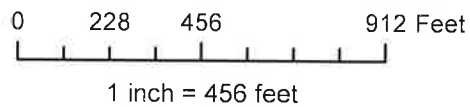
Reviewer

Date



Water Right 35-14218

- Point of Diversion
- - - Pipe Line
- Place of Use
- Township/Range
- Sections
- QQ







Cross-Roads Subdivision Property Owners Association, Inc.
Alan Widaman
208-731-3478
PWS # 7100218

Date	User	Jan 1st	Dec 31st	Total Usage in Gallons
2013				
	Love's	24,299	1,268,310	1,244,011
	McDonald's	12,005	534,247	522,242
2014				
	Love's	1,268,310	2,854,625	1,586,315
	McDonald's	534,247	1,185,710	651,463
2015				
	Love's	2,854,625	4,476,734	1,622,109
	McDonald's	1,185,710	1,609,526	423,816
2016				
	Love's	4,476,734	6,172,732	1,695,998
	McDonald's	1,609,526	2,020,581	411,055
2017				
	Love's	6,172,732	8,048,071	1,875,339
	McDonald's	2,020,581	2,451,179	430,598
2018				
	Love's	8,048,071	10,137,668	2,089,597
	McDonald's	2,451,179	2,914,099	462,920
2019				
	Love's	10,137,668	12,923,844	2,786,176
	McDonald's	2,914,099	3,392,666	478,567
2020				
Jan 1 - July 22	Love's	12,923,844	14,425,452	1,501,608
Jan 1 - July 22	McDonald's	3,392,666	3,630,977	238,311

Cross-Roads Subdivision Property Owners Association, Inc.
Alan Widaman
208-731-3478
PWS# 7100218
6831 S 45th W
Idaho Falls Idaho 83402

Date	User	Meter start	Meter end	Total usage
2018				
01/01/18 - 12/31/18	Army Surplus	672,466	825,402	152,936
1/1/2018 - 12/31/18	Love's	8,048,071	10,137,668	2,089,597
1/1/2018 - 12/31/18	McDonald's	2,451,179	2,914,099	462,920
Total		11,171,716	13,877,169	2,705,453
2019				
01/01/19 - 12/31/19	Army Surplus	825,402	931,162	105,760
01/01/19 - 12/31/19	Love's	10,137,668	12,923,844	2,786,176
01/01/219 - 12/31/19	McDonald's	2,914,099	3,392,666	478,567
Total		13,877,169	17,247,672	3,370,503

Jordan, Blake

From: Jordan, Blake
Sent: Thursday, October 19, 2017 7:29 AM
To: 'Rob Harris'
Subject: RE: Email #1: Love's Travel Stop--Information for Field Exam for Water Right No. 35-14277

Thanks Rob
Blake

From: Rob Harris [mailto:rharris@holdenlegal.com]
Sent: Wednesday, October 18, 2017 2:28 PM
To: Jordan, Blake <Blake.Jordan@idwr.idaho.gov>
Subject: Email #1: Love's Travel Stop--Information for Field Exam for Water Right No. 35-14277

Blake:

This is the first of two emails, both of which concern Water Right Permit No. 35-14218 owned by the permit holder, Love's Travel Stops and Country Stores, Inc.

Earlier this year, you and another IDWR agent went to the Love's site to conduct the statutorily-required field exam in order to license 35-14277. My understanding is that a representative from Love's, Carlos Pulido, accompanied you, but he did have answers to all of your questions regarding the water system and did not have a key to access one of the wells known as the "Widaman well" which provides culinary water to the Love's facility.

First, on the access issue, I called Alan Widaman and he confirmed that there is a key that will open the door to the well. I have visited with Carlos about where that key is at, and you should therefore have access to the well house for the Widaman well when you arrange for your follow up field exam.

Second, I have attached photographs associated with the two wells that are located on Love's property. There is an "east well" and a "west well," the location of both of which are depicted in the map that was submitted with Love's proof of beneficial use. If you need me to provide a copy of this map, let me know, but it should be in IDWR's files.

The attached pictures and associated notations are self-explanatory and explain that the east well is currently the only utilized well located on the Love's property, and it fills a tank that is then used to irrigate the landscaping on the property. The west well is connected to the tank and it is capable of diverting water into the tank, but the west well is currently not being used. More detailed drawings showing the water lines and associated plumbing of these lines will be included in a the second email.

I have included a spreadsheet that summarizes the Love's water rights. For purposes of licensing 35-14218, which is only for commercial purposes, the drawings that I will send in the second email show that only the Widaman well was developed to connect to the commercial facility to provide culinary water. Therefore, the two other wells listed on the permit should be removed at licensing.

Please let me know if you have any questions. Because of the attachments, please confirm that you received this email.



Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, PLLC
1000 Riverwalk Drive, Suite 200
P.O. Box 50130
Idaho Falls, ID 83405-0130
Phone: (208) 523-0620
Fax: (208) 523-9518
E-Mail: rharris@holdenlegal.com

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Jordan, Blake

From: Rob Harris <rharris@holdenlegal.com>
Sent: Wednesday, October 18, 2017 2:30 PM
To: Jordan, Blake
Subject: Email #2: Love's Travel Stop--Information for Field Exam for Water Right No. 35-14277
Attachments: 11-0059 - C6.1 - Utility Plan SCD 3 Rev 4_101012-2017-08-18.pdf; 11-0059 - L3.10 - Landscape Plan-2017-08-18.pdf

Blake:

Attached are drawings showing the water system for the Love's facility. Below is an email from Dave Pierson, the Sr. Project Manager, explaining the water system.

Because of the attachments, please confirm that you received this email.

Thanks,

Rob Harris

Attached is a lot of info I have marked up to help with visualizing what we constructed; where each water system comes from and goes to.

I tried to keep it simple, so if additional questions arise, just holler. I also was not on site continuously during construction, so it is possible some of my info and suppositions are off, but I don't think so as things match to plans pretty well.

The domestic water main from Widaman POC feeding the store is highlighted/noted in blue (to keep highlighting minimized, I did not highlight all the taps for fire hydrants, feeds from the store out to canopy areas or Tire Shop); the irrigation system highlighted in violet.

I do NOT believe the west well is in use at all, due to being damaged at UST remediation; leaving only the east well feeding site landscaping.

My notations on these plans limiting flows at any one time/any one zone of 18 GPM would be the most conservative of either of the wells flowing $([0.05\text{CFS} \times 7.5] \times 60 = 22.5 \text{ GPM})$ which I rounded down to 18 as zone valve safety factor.

At one point near the end of entitlements before recording the Improvement Plans and moving into construction, I wrote a letter to IDWR requesting keeping the west Commercial well as a redundant potable supply. However, as you and I and Kym and Gary W found going further down that road, retaining that well would not provide the demand flow rate for the store -not to mention fire flows, and as well could not test out for water quality for human consumption under new regs. So we kept it as a redundant option for irrigation only, and that was the context of the IDWR/IDEQ plans and applications as ultimately approved. IDWR should have a set of these same plans.

DAVE PIERSON, SR. PROJECT MANAGER

515 South 700 East, Suite 3F

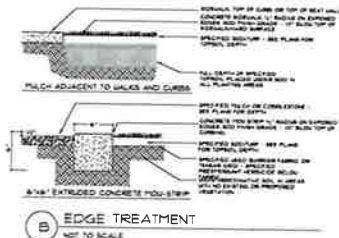
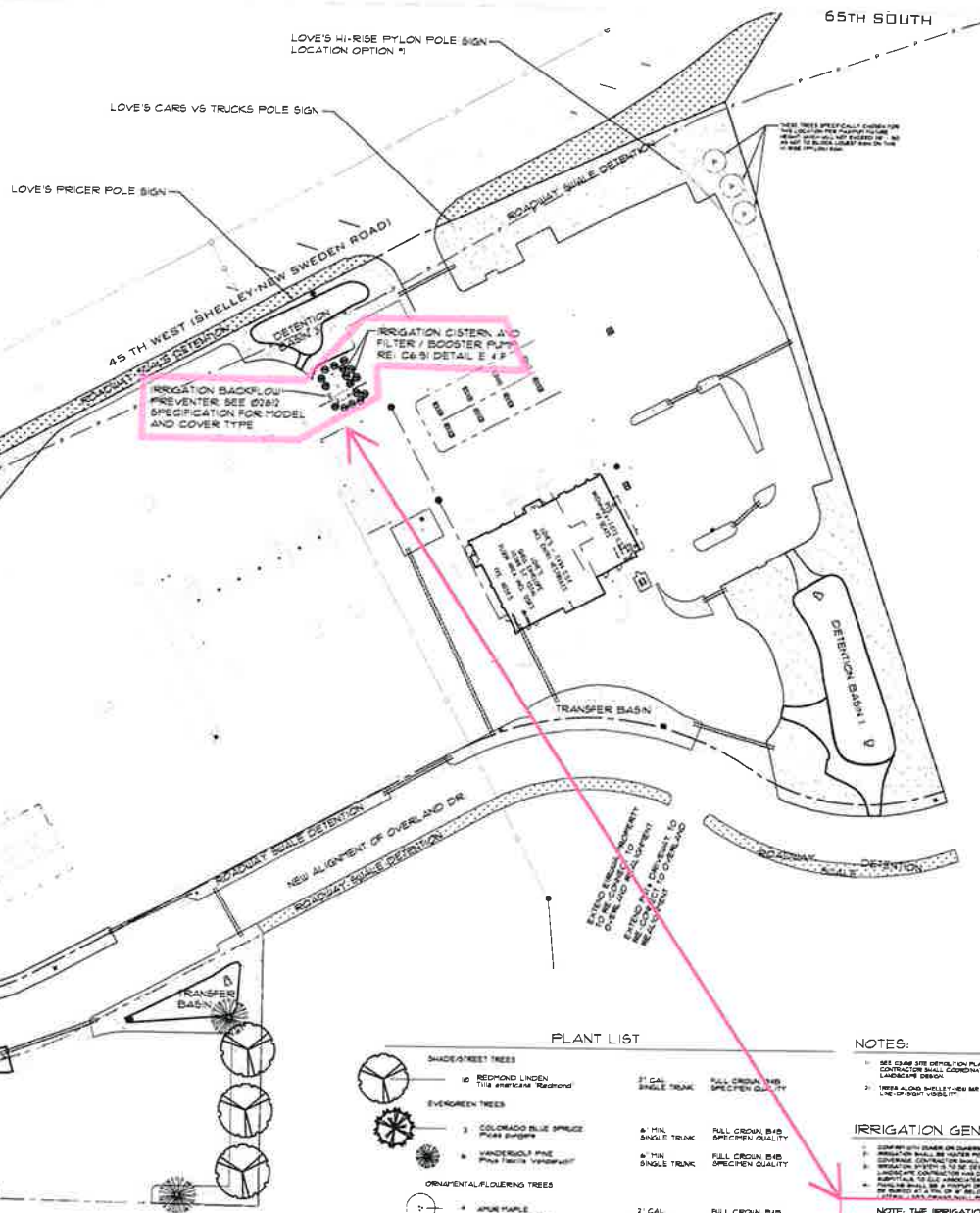
Salt Lake City, UT 84102

801.953.1357 O

801.549.7563 C

DavePierson@GallowayUS.com


www.GallowayUS.com



LIMITS OF DISTURBANCE	
ON SITE IMPERVIOUS AREA	8.81±AC
ON SITE LANDSCAPE AREA	2.86±AC
OFFSITE DISTURBED AREA	4.83±AC
UNDISTURBED AREA	0.00±AC
TOTAL DISTURBED AREA	16.50±AC
SITE AREA	11.67±AC


PLANT LIST

SHADE/TREE TREES




10 REDBUD LINCOLN
The American Redbud

EVERGREEN TREES




3 COLORADO BLUE SPRUCE
Blue Spruce




4 VANDERHOF PALM
Palm 'Palm' Vanderhof

ORNAMENTAL/FLOWERING TREES



4 APRICOT PURPLE
Apricot Purple Tree

DECIDUOUS SHRUBS



1000 KM LILAC
Syringa palustris 'Pink Kim'

31 GAL SINGLE TRUNK FULL CROWN 1/10 SPECIMEN QUALITY

4 1/2 MIN SINGLE TRUNK FULL CROWN 1/10 SPECIMEN QUALITY

4 1/2 MIN SINGLE TRUNK FULL CROWN 1/10 SPECIMEN QUALITY

2 1/2 GAL SINGLE TRUNK FULL CROWN 1/10 SPECIMEN QUALITY

5 GAL SPACING AS SHOWN 18" X 12" FT

4 DEEP 1/2" CONJUGATE LEAVES (LEAVES 1/2" x 1/2" x 1/2") 1/2" x 1/2" x 1/2"

4 DEEP 1/2" CONJUGATE LEAVES (LEAVES 1/2" x 1/2" x 1/2") 1/2" x 1/2" x 1/2"

4 DEEP 1/2" CONJUGATE LEAVES (LEAVES 1/2" x 1/2" x 1/2") 1/2" x 1/2" x 1/2"

4 DEEP 1/2" CONJUGATE LEAVES (LEAVES 1/2" x 1/2" x 1/2") 1/2" x 1/2" x 1/2"

NOTES:

- SEE SHEET 3 FOR DEFINITION OF PLAN FOR EXISTING TREES THAT MAY BE SAVED. GENERAL CONTRADICTIONS AND/OR OMISSIONS CONTRACTOR SHALL CORRECT WITH OWNER TO PROTECT ANY LISTED TREES. TREES SHOULD BE PRESENT FOR INSPECTION IN FINAL LANDSCAPE DESIGN.
- SEE SHEET 4 FOR TREE SPECIES LIST. TREES THAT HAVE BEEN INTENTIONALLY NOT PLACED TO PRESERVE CURVE LINE-OF-SIGHT VISIBILITY.

IRRIGATION GENERAL NOTES:

- DESIGNER HAS CONSIDERED EXISTING AND PROPOSED PLANTING AND IRRIGATION. PLANTING AND IRRIGATION PLANS SHALL BE SUBMITTED TO THE OWNER FOR REVIEW AND APPROVAL. THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE SUFFICIENT WATER TO MAINTAIN THE HEALTH AND GROWTH OF THE PLANTS AND TO MAINTAIN THE SOIL MOISTURE AT A LEVEL THAT IS SUFFICIENT TO MAINTAIN THE HEALTH AND GROWTH OF THE PLANTS. THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE SUFFICIENT WATER TO MAINTAIN THE HEALTH AND GROWTH OF THE PLANTS AND TO MAINTAIN THE SOIL MOISTURE AT A LEVEL THAT IS SUFFICIENT TO MAINTAIN THE HEALTH AND GROWTH OF THE PLANTS.

NOTE: THE IRRIGATION SYSTEM SHALL BE DESIGNED AND INSTALLED SUCH THAT NO VALVE SHALL EXCEED A FLOW RATE OF 10 GALLONS PER MINUTE.

IRRIGATION NOTES:

CALL IDAHO DIG LINE
UTILITY NOTIFICATION CENTER
1-800-342-1585

CALL 2-BUSINESS DAYS IN ADVANCE BEFORE
YOU DIG, GRADE, OR EXCAVATE FOR THE
MARKING OF UNDERGROUND MEMBER UTILITIES

CRATON: 40755, 40756, 40757, 40758

NOTE: ALL LANDSCAPING STONE PLACED ON SLOPES FOR SLOPES CREATED BY THIS PROJECT THAT ARE STEEPER THAN 5:1 SHALL RECEIVE TENNIS-TRUNK GRASS INSTEAD OF DEWITT PRO'S WEED BARRIER. INSTALLED AS STAKED PER MFR RECOMMENDATIONS AND DETAILS.

 4" DEEP x 4" CORRELSTONE
FURNISHED WITH AN UNDERLAYMENT
OF DRYSET FIBER GLASS MESH

 4" DEEP x 8" ANGULAR GREY
STONE FURNISHED WITH AN
UNDERLAYMENT OF FIBERGLASS
NON-SLIP/WEAR RESISTANT PADDED
SEE DETAIL 1 / C.A.M.

SEEDS: BREAK - UNIFORMITY GUARANTEED

KENTUCKY BLUEGRASS SEED MIX
CONTAINING 80% OF KENTUCKY BLUEGRASS - 3 TYPE
10% PERENNIAL RYE
10% RED FESCUE
LESS THAN 5% OF OTHER SEEDS


SITE DEVELOPMENT CONSTRUCTION PLANS
FOR
LOVE'S TRAVEL STOPS & COUNTRY STORES, INC.
APPX. 6737 SOUTH 45TH ST., WEST
BONNEVILLE COUNTY (IDAHO FALLS), ID

LANDSCAPE PLAN

L3.10

LOVE'S TRAVEL STOPS AND COUNTRY STORES, INC. WATER RIGHTS (IDAHO FALLS STORE)

Type	Basin	Sequence	Priority Date	Basis	Div. Rate (cfs)	Div. Volume (AF)	Source	Water Use	Acre Limit	Point of Diversion	Notes
Permit	35	14218	12/9/2011	Permit	0.29	11.2	GROUND WATER	COMMERCIAL	N/A	SENWNW, Sec. 9, 01N, 37E (Irrigation well) SENESE, Sec. 8, 1N, 37E (Widaman well) SWNWNW, Sec. 9, 1N, 37E (Well not in use)	This water right only authorizes the diversion of inside culinary water (non-consumptive).
WR	35	14277	8/19/1952	Decreed	0.05	11.2	GROUND WATER	IRRIGATION	2.8	SENWNW, Sec. 9, 01N, 37E (Irrigation well) SWNWNW, Sec. 9, 1N, 37E (Well not in use)	This is the water right that Love's purchased and moved to the property site for outside irrigation of landscaping.
TOTAL					0.34	22.4		TOTAL	2.8		



THIS SHOULD BE THE EASTERN 3/4" OR 1" WELL, PLACED
IN A VAULT WITH WATER LINE CONNECTED TO
IRRIGATION SYSTEM PUMP. (WEST SIDE OF CAR
DRIVEWAY VIEWED NORTH)



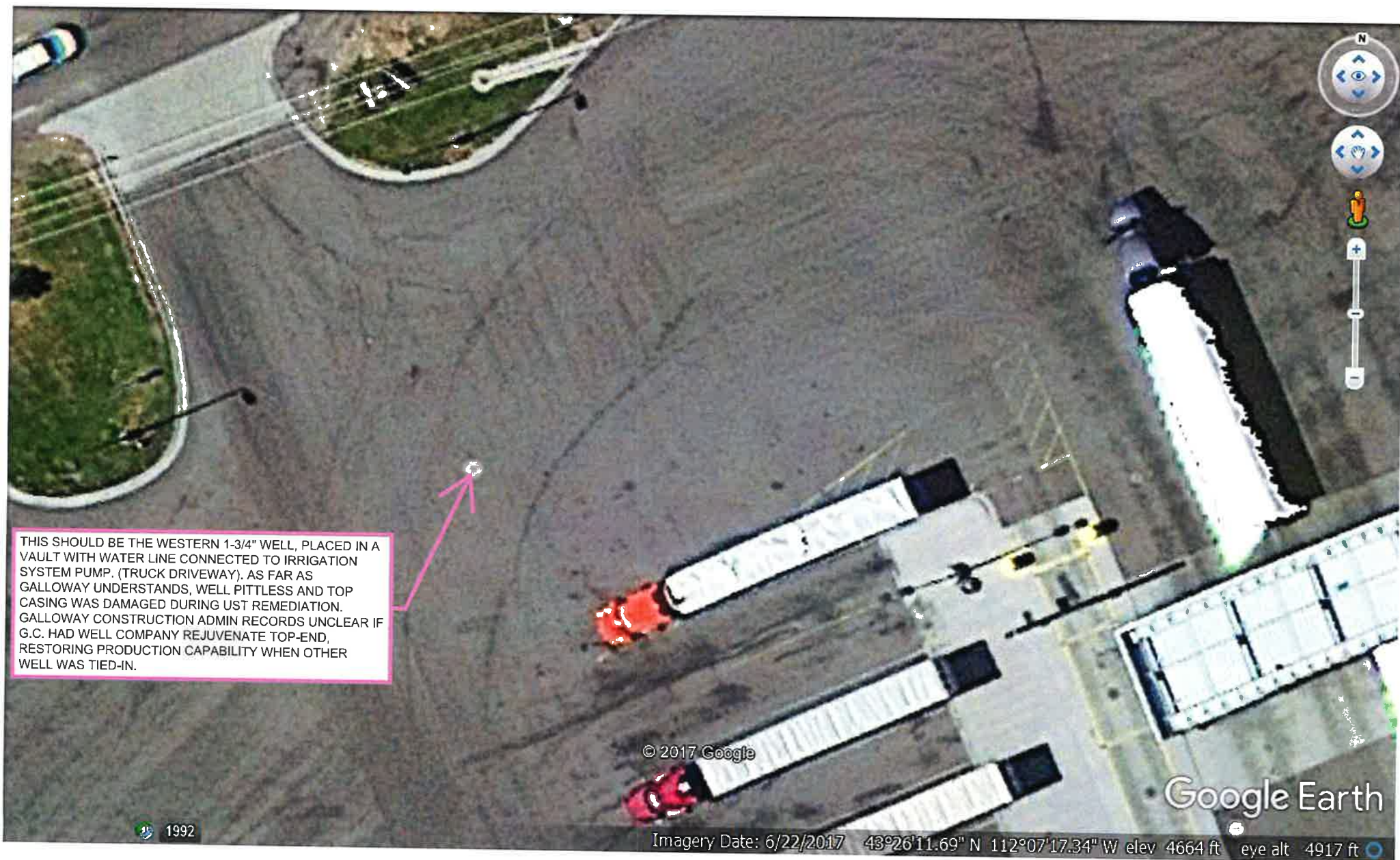


THIS SHOULD BE THE
EASTERN 3/4" OR 1"
WELL, PLACED IN A
VAULT WITH WATER
LINE CONNECTED TO
IRRIGATION SYSTEM
PUMP. (WEST SIDE OF
CAR DRIVEWAY
VIEWED SOUTH)



BELIEVE THIS IS
THE IRRIGATION
PUMP VAULT
WHERE BOTH
WELL LINES ARE
CONNECTED AND
TIED INTO PUMP





THIS SHOULD BE THE WESTERN 1-3/4" WELL, PLACED IN A VAULT WITH WATER LINE CONNECTED TO IRRIGATION SYSTEM PUMP. (TRUCK DRIVEWAY). AS FAR AS GALLOWAY UNDERSTANDS, WELL PITTLISS AND TOP CASING WAS DAMAGED DURING UST REMEDIATION. GALLOWAY CONSTRUCTION ADMIN RECORDS UNCLEAR IF G.C. HAD WELL COMPANY REJUVENATE TOP-END, RESTORING PRODUCTION CAPABILITY WHEN OTHER WELL WAS TIED-IN.

© 2017 Google

Google Earth

Imagery Date: 6/22/2017 43°26'11.69" N 112°07'17.34" W elev 4664 ft eye alt 4917 ft

IRRIGATION
BACKFLOW
PREVENTER.
APPEARS TO BE
EITHER 1" OR 1-1/4".
MAX ALLOWABLE

