

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

**A. GENERAL INFORMATION**

Permit No: 2-10334

Exam Date: 07/22/2020

## 1. Current Owner:

RICHARD A SYMMS 14068 SUNNY SLOPE RD CALDWELL ID 83607 AND/OR  
WEBB LLP C/O R A SYMMS 14068 SUNNY SLOPE RD CALDWELL ID 83607

## 2. Accompanied by: Tyler Ode

Phone No: 208-606-2208

Address:

Relationship to permit Holder: Employee of permit holder

3. **SOURCE:**

SNAKE RIVER

Tributary

COLUMBIA RIVER

Method of Determination: Site visit, Aerial imagery

**B. OVERLAP REVIEW**

## 1. Other water rights with the same place of use:

NO Overlap

Water Right No.	Source	Purpose of Use	Basis

Comments: No overlap present

## 2. Other water rights with the same point-of-diversion:

YES Overlap

Water Right No.	Source	Purpose of Use	Basis
2-2392	Snake River	Irrigation, Stockwater	Decreed
2-7077	Snake River	Irrigation	Decreed

Comments: Decreed WR's 2-2392 and 2-7077 both use the same point of diversion and delivery system as this permit.

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

SNAKE RIVER L1 ( NW¼ NW¼), Sec. 23, Twp 02N, Rge 04W, B.M. OWYHEE County

Method of Determination: Site visit, aerial imagery, digital PLSS system

**PLACE OF USE:** IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	04W	10														19.0			19.0
02N	04W	15						14.0											14.0

Total Acres: 33.0

Method of Determination: Site visit, 2009 aerial imagery, digital PLSS system

3.

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

X 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

X 1:24,000 or greater.X Aerial Photo Attached (required for irrigation of 10+ acres).X 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
POD	US Electrical Motors	350	D-7011435	Unknown	18 in
POD	US Electrical Motors	350	J520804	Unknown	18 in

**D. FLOW MEASUREMENTS**

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Panametric	Ultrasonic	GE	PT878	10087	402	March, 2019

2. Measurements:

Time 07/22/200	Velocity ft/s	Volume feet <sup>3</sup> /sec	Volume gal/min	Diagnostics P# Up	Error
11:16:56	5.89	9.700	4353.8	371	0
11:17:56	5.89	9.701	4354.2	371	0
11:18:56	5.89	9.707	4356.8	371	0
11:19:57	5.90	9.727	4365.6	371	0
11:20:56	5.88	9.690	4349.2	371	0
11:21:56	5.87	9.678	4343.9	371	0
11:22:56	5.88	9.694	4350.8	371	0
11:23:57	5.89	9.706	4356.6	371	0
11:24:56	5.87	9.676	4343.1	371	0
<b>AVG</b>	<b>5.88</b>	<b>9.697</b>	<b>4352.7</b>	<b>371</b>	<b>0</b>

**E. FLOW CALCULATIONS**X Additional Computation Sheets Attached

Measured Method:

Permit	1.10 cfs
B.U. Standard Allowance	0.66 cfs
B.U. Proof Fee	\$125 → 1.01 to 2.00 cfs
Measurement Rate	9.70 cfs

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**License Recommendation      0.66 cfs**

**F. VOLUME CALCULATIONS**

## 1. Volume Calculations for irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 50 \text{ acres} \times 4.5 \text{ af/acre} = 225.0 \text{ af}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 1.10 \text{ cfs} \times 260 \text{ days} \times 1.9835 = 567.3 \text{ af}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 225.0 \text{ af}$$

## 2. Volume Calculations for Other Uses:

\*Exempt from volume reporting per IDAPA 37.03.02.35.

**G. NARRATIVE/REMARKS/COMMENTS**

The original beneficial use field exam for water right permit no. 2-10334 was conducted by WRA Phill Hummer in July 2017. This beneficial use field exam was done by WRA Tyler Smith, accompanied by SWRA Allen Bradbury, on July 22, 2020. This exam was conducted at the request of the permit holder due to their objection of the diversion rate limit of the diversion system to 7.70 cfs as found during the original exam when only one of the two pumps for the system was operating. This resulted in a lower diversion rate than the permit holder believed to be sufficient for their operations, and they requested a re-examination when both pumps would be running.

Both pumps were confirmed to be running during the time of this field exam. The pumps were behind a locked fence so pump and motor information was taken from the original field exam. Measurements taken on a section of pipe near the pumps yielded an average flow rate of 9.70 cfs. WR's 2-2392 & 2-7077, also owned by the permit holder, share the same point of diversion and diversion system as this permit and are licensed for 7.70 and 1.60 cfs respectively, but limited to 7.70 cfs combined. Since there is no overlap for the place of use with 2-2392 or 2-7077, and the system is capable of diverting 9.70 cfs, no combined use limit is recommended for this license.

2-10334 was permitted for a 1.10 cfs diversion rate and 54.5 acres. 33 acres of irrigation were developed during the beneficial use period, and therefore the rate recommended for licensing is 0.66 cfs.

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

**H. RECOMMENDATIONS**

## 1. Recommended Amounts

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>
IRRIGATION	03/01 to 11/15	0.66 CFS

Totals: 0.66 CFS

## 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**

Tyler Smith - Water Resource Agent

Field Examiner's Name Tyler Smith Date 8/14/20

Reviewer Phill Hummer Date 8-20-2020



## Delivery System Diagram for B.U. Exam 2-10334

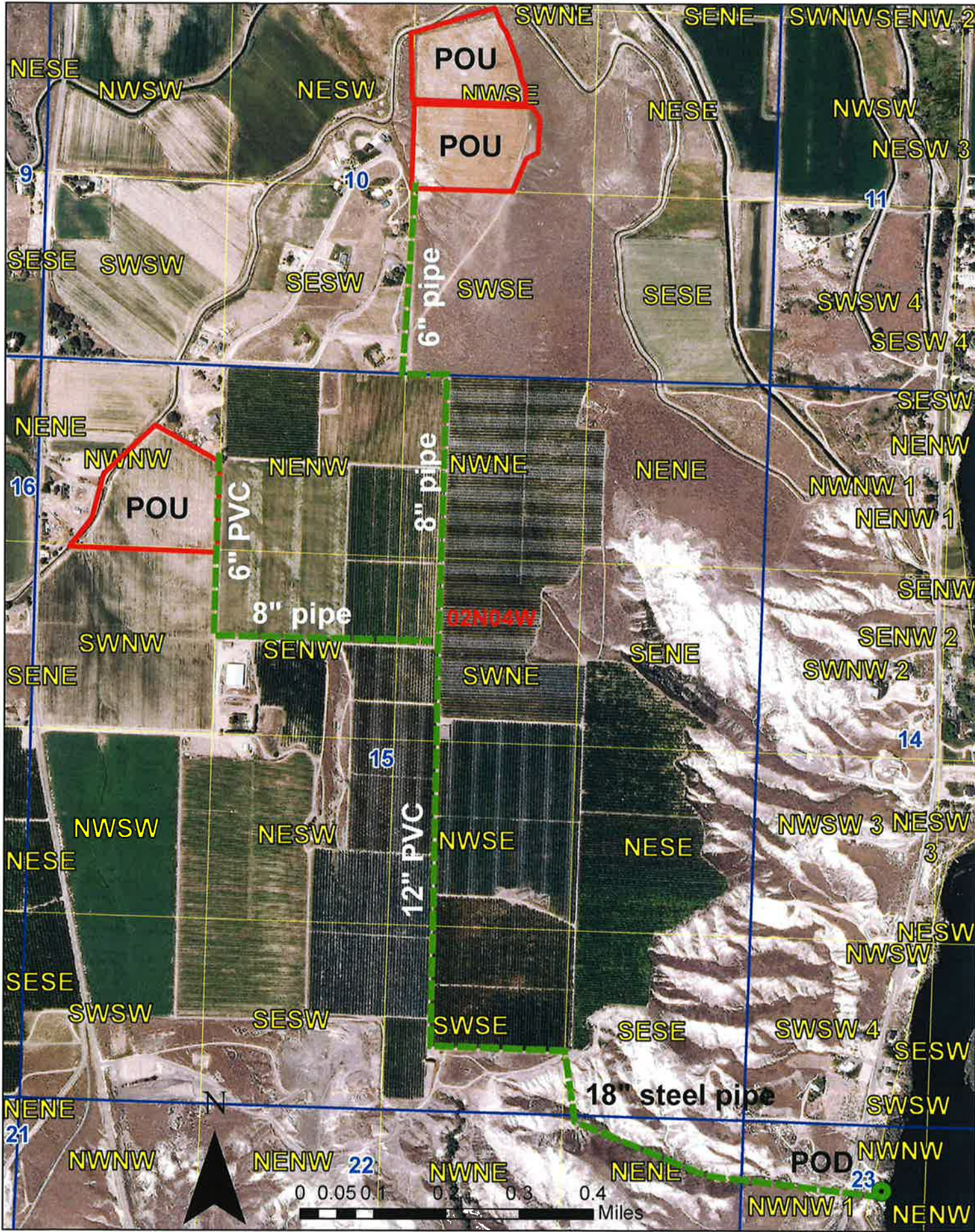






Fig. 1 – Point of Diversion with Snake River to the left, pumps & motors in the background, pipes in the foreground.



Fig. 2 – Two pumps shown in the background bring water into the same pipe for delivery as seen between the two sections of red pipe.





Fig. 3 – Two pumps are shown in the background. Back-flow water in foreground going back to the Snake River.



Fig. 4 – Pressure gauge reading ~225 psi where both pump flows meet into one pipe.





Fig. 5 – One of two pumps for diversion system as seen through the locked fence.



Fig. 6 – Motor information was not able to be determined, and therefore was taken from previous field exam.

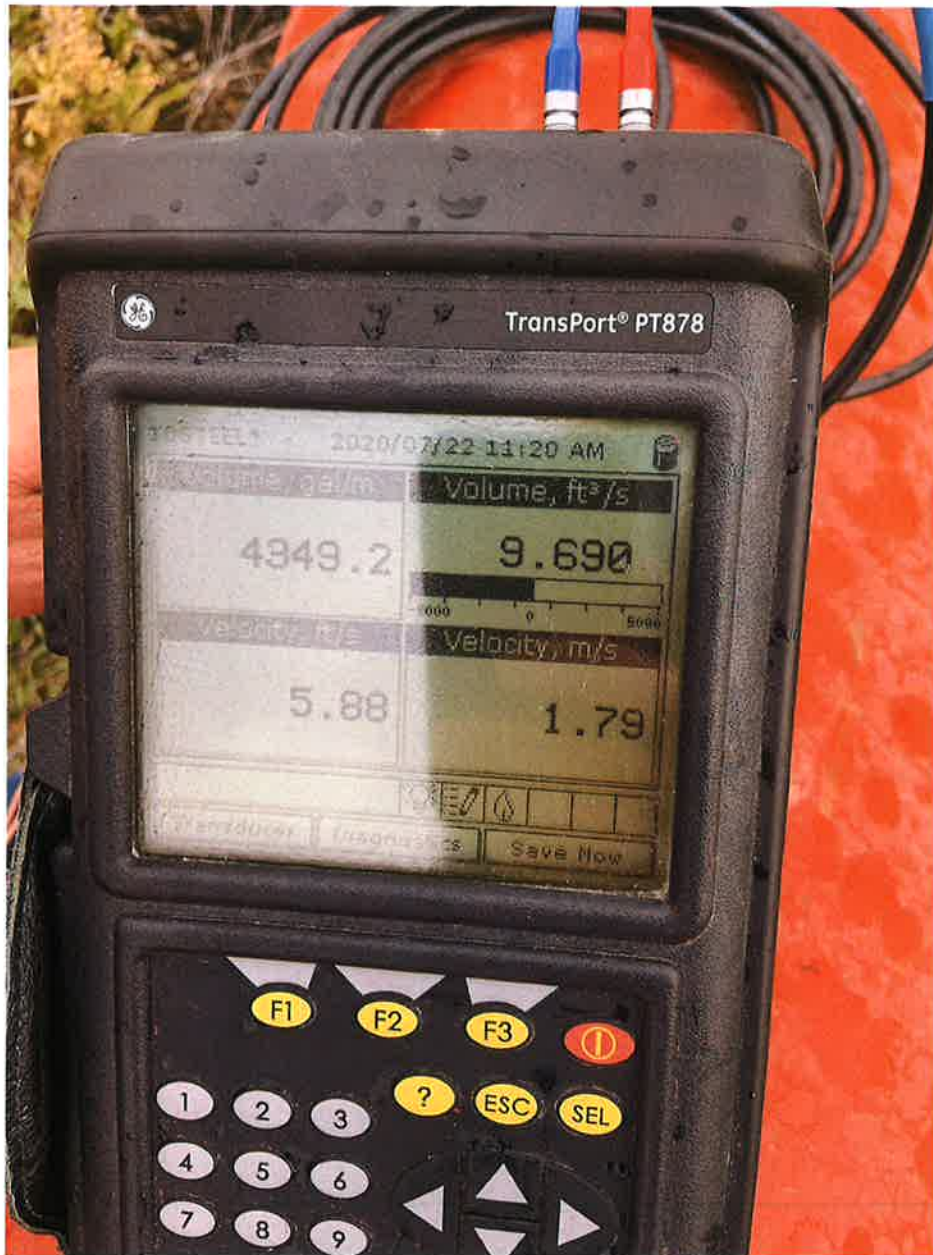


Fig. 7 – Panametrics data reading during the measurements.





State of Idaho

## DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W Airport Way • Boise ID 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348

Website: [idwr.idaho.gov](http://idwr.idaho.gov) • Email: [westerninfo@idwr.idaho.gov](mailto:westerninfo@idwr.idaho.gov)

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

July 1, 2020

**COPY**

RICHARD A SYMMS  
14068 SUNNY SLOPE RD  
CALDWELL, ID 83607

### RE: Scheduling Field Exam for Water Right Permit No. 2-10334

Dear Permit Holder:

In your letter dated February 26, 2019 to the Department of Water Resources ("Department"), you stated that, "we believe that when you [Phil Hummer] measured the water last summer we were only using one of our two pumps."

We are planning to re-conduct a water right examination in the vicinity of the above-referenced permit **this season**. An examination is needed to verify the water use in order to issue a water right license.

The above-referenced permit authorizes **1.10 CFS of SURFACE WATER FROM THE SNAKE RIVER for IRRIGATION use**. **If you have developed a beneficial use and still own the place of use property, please contact me at your earliest convenience to schedule an examination when both pumps are running at max capacity. An examination fee equal to the initial examination fee of \$125 paid to the Department should be paid for a re-examination according to IDAPA 37.03.02.**

If you did not develop a beneficial use of water under the permit during the beneficial use period, a license cannot be issued and the permit should be relinquished. If that use was developed, but have ceased using the water and you currently carry no interest in it, please relinquish the permit by submitting the enclosed Relinquishment of Permit form (no fee required).

If you did develop a beneficial use of water under the permit, but you no longer own the place of use property identified in the permit, please submit the enclosed Assignment of Permit form with the applicable \$25 processing fee.

**Please contact me within the next thirty (30) days at (208) 334-2190 or [tyler.smith@idwr.idaho.gov](mailto:tyler.smith@idwr.idaho.gov) to either schedule an examination or submit a relinquishment or assignment form. If you no longer own the place of use property and/or do not respond to this letter, the department will work with the current property owner to issue a license or void the permit.**

Sincerely,

Tyler Smith  
Water Resource Agent

Enclosures: Relinquishment of Permit form  
Assignment of Permit form  
Proof Report and Map





**SYMMS FRUIT RANCH, INC.**  
14068 Sunny Slope Road • Caldwell, Idaho 83607

26 February 2019

Idaho Department of Water Resources  
Phill Hummer, Water Resource Agent, Senior  
2735 W. Airport Way  
Boise, ID 83705

RECEIVED

FEB 28 2019

WATER RESOURCES  
WESTERN REGION

Re: Water Right Permit No. 2-10334

Dear Mr. Hummer,

This letter is in response to your letter to me and Webb LLP dated 13 February 2019. As you discussed on the phone yesterday with Dar Symms, we do not agree with and object to combining water right numbers 2-2392, 2-7077 and 2-10334 and limiting the total diversion rate to 7.70 cfs. This is stated in the document, Application for Amendment, paragraph 2, which accompanied your above referenced letter.

As discussed, we believe that when you measured the water last summer we were only using one of our two pumps. This happens occasionally and most likely occurred when we had hay cut and were not irrigating it. We request that each of the above listed water rights be left as are and not limited to a combined amount of 7.7 cfs.

Sincerely,

R. A. Symms





State of Idaho

**DEPARTMENT OF WATER RESOURCES**

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

November 08, 2017

RICHARD A SYMMS  
14068 SUNNY SLOPE RD  
CALDWELL ID 83607

WEBB LLP  
C/O R A SYMMS  
14068 SUNNY SLOPE RD  
CALDWELL ID 83607

RE: Water Right Permit No. 2-10334

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit(s) referenced above prior to issuing water right license(s). By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit(s) have been developed differently than described on your permit(s). Changes that do not increase the authorized use of water under the permit(s) can be requested and approved in accordance with Section 42-211, Idaho Code. Before license(s) can be issued, your permit(s) must be amended to depict your water use as it was actually developed. Based on the examiner's report, the following elements were developed differently than described on your permit(s):

\_\_\_\_\_ Point(s) of Diversion

  X   Place(s) of Use

\_\_\_\_\_ Other

The enclosed Application for Amendment form(s) depicts the elements of the water right(s) as they will appear on the license(s) when issued. Please review the amendment form(s) carefully. If you concur with the information presented, please sign and return the form(s) with the \$100.00 filing fee within 14 days. If you have any questions, please call me at (208) 334-2190.

Sincerely,

Phill Hummer  
Water Resource Agent  
Idaho Department of Water Resources  
Phone: (208) 334-2190  
Email: [phill.hummer@idwr.idaho.gov](mailto:phill.hummer@idwr.idaho.gov)

Enclosure(s): Application for Amendment



State of Idaho  
Department of Water Resources  
**Application for Amendment**  
(For Licensing Purposes)  
**Water Right No. 2-10334**

Priority: April 03, 2007

Maximum Diversion Rate: 1.00 CFS

The owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 2-10334

RICHARD A SYMMS 14068 SUNNY SLOPE RD CALDWELL ID 83607 AND/OR  
WEBB LLP C/O R A SYMMS  
14068 SUNNY SLOPE RD CALDWELL ID 83607

requests the permit be changed as follows:

Source : SNAKE RIVER

Tributary: COLUMBIA RIVER

**Beneficial Use**

IRRIGATION

**Period**

03/01 to 11/15

**Rate of Diversion**

1.00 CFS

**Annual Volume**

0.0 AF

**Location of Point(s) of Diversion**

SNAKE RIVER L1 (¼ NW¼ NW¼), Sec. 23, Twp 02N, Rge 04W, B.M. OWYHEE County

**Place of Use: IRRIGATION**

Twp	Rng	Sec	NE				NW				SW				SE				No QQ	Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
02N	04W	10			1.0										12.0	21.0		2.0		36.0
02N	04W	15						14.0												14.0

Total Acres: 50.0

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(Signature)

State of Idaho  
Department of Water Resources  
**Application for Amendment**  
(For Licensing Purposes)  
**Water Right No. 2-10334**

FOR DEPARTMENT USE ONLY

Preliminary check by \_\_\_\_\_ Fee = \$100 Received by \_\_\_\_\_ # \_\_\_\_\_ Date \_\_\_\_\_

**ACTION OF THE DEPARTMENT OF WATER RESOURCES**

The Idaho Department of Water Resources hereby approves the above Application for Amendment for Permit No. 2-10334 with the following:

**Conditions of Approval**

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
2. Rights 2-2392, 2-7077 and 2-10334 when combined shall not exceed a total diversion rate of 7.70 cfs.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. Water shall not be diverted under this right when flows in the Snake River are below established minimum flow amounts at any of the following locations: Weiser, 4750 cfs; Johnson Bar, 5000 cfs; Lime Point 13,000 cfs.
5. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

This amendment is issued pursuant to the provisions of Idaho Code § 42-211.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
NICK MILLER  
Engineer, Manager 2



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
BENEFICIAL USE FIELD REPORT

## A. GENERAL INFORMATION

Permit No: 2-10334  
Exam Date: 7/25/2017

## 1. Current Owner:

RICHARD A SYMMS  
14068 SUNNYSLOPE RD  
CALDWELL ID 83607  
(208) 459-4821

And/Or

WEBB LLP  
C/O R A SYMMS  
14068 SUNNY SLOPE RD  
CALDWELL ID 83607

## 2. Accompanied by:

07/18/2017 - Angie Grimm and Rachel Sommer (IDWR), Dick and Dar Symms  
Phone No: (208) 459-4821  
Relationship to Permit Holder: Same, Manager  
07/25/2017 – Angie Grimm and Rachel Sommer (IDWR)

## 3. Source and Tributary:

Snake River, Columbia River

## B. OVERLAP REVIEW

## 1. Other water rights with the same place of use:

None.

## 2. Other water rights with the same point-of-diversion:

Water Right Nos. 2-2392 and 2-7077

## C. DIVERSION AND DELIVERY SYSTEM

On 07/18/2017 the permit holder showed us the location of the point of diversion. (Figure 1 and 2). The legal description for the location was determined via GPS and ArcMap. The place of use was determined by a visual inspection of the irrigated orchards. Dick Symms and Darr Symms drove me on a tour of the orchards being irrigated under this permit (red dotted line on the attached System Diagram and Place of Use Map) which included an area not described as the place of use on the permit (Figures 3, 4 and 5). I compared the locations of the orchards to aerial imagery to determine an accurate description of the place of use and the actual number of acres being irrigated.

The permit authorizes a total of 14.5 acres within the NWNW of section 15 and 40 acres within the NWSE of section 10, township 02N and range 04W. Aerial imagery shows only 14 acres of irrigation within the NWNW of section 15 and 21 acres in the NWSE of section 10 with part of this orchard (1 acre rounded up) actually in the SWNE. They are also irrigating an orchard that was not included in the place of use of the permit. This new orchard is located in the NESE (12 acres) and the SESE (2 acres) of section 10, township 02N and range 04W. When combined the three orchards total 50 acres which is less than the total acres authorized under the permit. The addition of this new orchard does not increase the total number of acres irrigated and it should be included on this license but the permit holder will need to submit a license amendment to add the portion of their orchard in the SWNE and the new orchard that is in the NESE and SESE of section 10, township 02N and range 04W.

## 1. Location of Point of Diversion(s):

L1 (NW¼NW¼) Sec. 23, Twp 02N, Rge 04W, B.M. OWYHEE County

## 2. Location of Place of 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	
02N	04W	10			1.0										12.0	21.0		2.0	36.0
02N	04W	15						14.0											14.0

Total Acres: 50

## 3. Attachments:

- ☒ Delivery System Diagram.
- ☒ Map Showing Location(s) of Point(s) of Diversion and Place(s) of Use.
- ☒ Aerial Photo.
- ☒ Photo(s) of Diversion and System.

## 4. Diversion Works Information:

Well or ID No.	Motor Make	Hp	Motor Serial No.	Pump Make	Pipe Size
POD	US Electrical Motors	350	D-7011435	Unknown	18 in
	US Electrical Motor	350	J520804	Unknown	18 in

## D. FLOW MEASUREMENTS

## 1. Device Information

Equipment	Type	Make	Model No.	Serial No.	Size	Calibration. Date
Panametric	Ultrasonic	GE	PT878-01	08447	402	03/28/2017

## 2. Measurement Description:

The two pumps at the point of diversion move water from the Snake River into an 18 inch diameter steel pipe. That pipe is underground near the station (Figure 1 and 2). On the other side of the mound a long straight section of pipe is exposed and is the perfect place to attach transducers for measurement (Figure 6 and 7). On 07/18/2017, the first field examination attempt, only one pump was running because the irrigation system was under maintenance. A measurement was not taken on this date because the measuring device's battery was not charged. On 07/25/2017 I was informed both pumps were operating but when we arrived only one pump was operating. The measuring device was working properly a measurement of the diversion was taken at this time.

## E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

## 1. Irrigation:

The measuring device was setup as shown in Figure 4. I had accidentally set the device to record from 11:35 to 23:46 but stopped measuring early when I realized it had been running for longer than 10 minutes, which is why there are 17 measurements on the log. The rate of flow is calculated by subtracting the first total gallons measurement from the last measurement to get the total number of gallons diverted during the measuring interval. To get the rate in cubic feet per second this total is divided by the measuring interval and a conversion factor 448.83. The attached spreadsheet shows the measurement log and calculated rate of 4.72 cfs.

Water rights no. 2-7077 and 2-2392 are diverted from the same pumping station but they supply water to different orchards. These two water rights when combined authorize a rate of 7.70 cfs. The diversion rate we measured is less than the rate currently authorized under existing water rights, indicating the system is not diverting more water with the addition of permit no. 2-10334. The permit holders have applied water to a beneficial use not previously licensed so a license should be approved for water right no. 2-10334. However, the permit holder was not operation both pumps at either exam dates so a system capacity could not be determined. It is assumed no additional capacity in excess of the historic use was developed under this permit. Therefore this license should be condition to limit the diversion rate to a combined rate with rights no. 2-7077 and 2-2390 of 7.70 cfs.

The measured rate of 4.72 cfs is much greater than the rate authorized by the permit. Since multiple water rights are being diverted from the same pump station the diversion rate for this license should be based on the number of acres irrigated. The following calculation shows this more accurate diversion rate:

$$\text{Rate (cfs)} = \# \text{ acres irrigated} * \text{department standard rate per acre} = 50.0 * 0.02 = 1.00 \text{ cfs}$$



**F. VOLUME CALCULATIONS****1. Irrigation:**

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 50 \times 4.5 = 225.0$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in season}) \times 1.9835 = 1.0 \times 260 \times 1.9835 = 515.7$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 225.0 \text{ af}$$

According to the Beneficial Use Examination Rules IDAPA 37.03.02.35.01.j part 2.viii. irrigation from natural stream flow is exempt from the volume reporting requirement. The license should be approved without an annual diversion volume restriction.

**2. Volume Calculations for Other Uses:**

None.

**G. COMMENTS**

The conditions on the permit will need to be altered for the license. Condition X36 is no longer active and has been replaced by F06 but it is no longer used on licenses. Also the condition 074 that is on the permit is not the same wording as the current condition 074. This condition is not needed since there is no department administrative reason why a new POD could not be developed and the condition would restrict future transfer of the water right. Condition 121 that is used on permits is changed to condition 103 on licenses. As discussed in the flow calculation sections of this report condition X35 should be added with a rate limitation of 7.70 cfs.

Have conditions of permit approval been met?   X   Yes        No

**H. RECOMMENDATIONS****1. Limiting Factors**

Factor	Rate (cfs)	Volume (af)	Other
Application For Permit	1.10	N/A	
Water Right Permit	1.10	N/A	
Proof of Beneficial Use	1.01 – 2.00	N/A	Paid \$125.00
Standard Rate	1.00	225.0	50 acres

**2. Recommended Amounts**

Beneficial Use	Period of Use	Rate (cfs)	Volume (af)
Irrigation	03/01 to 11/15	1.00	

Totals: 1.00 cfs

**3. Amendments**

       Change P.D. as reflected above        Add P.D. as reflected above   X   None  
  X   Change P.U. as reflected above        Add P.U. as reflected above        None

**I. AUTHENTICATION**

Field Examiner's Name   P. H. [Signature]   Date   11/02/2017  

Reviewer   [Signature]   Date   11/7/17

File Title: C:\Users\pkelly\Desktop\S1.LOG  
 File Name: C:\Users\pkelly\Desktop\S1.LOG  
 Start Time: 7/25/2017 11:35  
 End Time: 7/25/2017 23:46  
 Interval: 60  
 Records: 17  
 Cyclic Flags: 2  
 Error Flags: 8208

Date/Time	Velocity (ft/s)	Volume (gal/m)	(+)Total (gal)	Error #
7/25/2017 11:35	2.80	2100.60	216349.89	0
7/25/2017 11:36	2.82	2115.00	218516.56	0
7/25/2017 11:37	2.81	2109.60	220606.68	0
7/25/2017 11:38	2.80	2100.99	222686.82	0
7/25/2017 11:39	2.81	2107.27	224847.61	0
7/25/2017 11:40	2.82	2111.75	226938.16	0
7/25/2017 11:41	2.82	2117.72	229021.84	0
7/25/2017 11:42	2.82	2115.00	231232.91	0
7/25/2017 11:43	2.84	2127.08	233200.98	0
7/25/2017 11:44	2.80	2101.97	235408.70	0
7/25/2017 11:45	2.83	2118.02	237494.16	0
7/25/2017 11:46	2.83	2124.22	239584.68	0
7/25/2017 11:47	2.84	2130.31	241672.92	0
7/25/2017 11:48	2.81	2105.48	243852.07	0
7/25/2017 11:49	2.83	2120.51	245941.04	0
7/25/2017 11:50	2.82	2111.35	248132.26	0
7/25/2017 11:51	2.82	2111.44	250219.85	0

average	2.82		
total		33869.96	last measurement minus first measurement
gal/min		2116.87	total gallons divided by total time
cfs		4.72	gal/min converted to cfs



# System Design and Place of Use Map

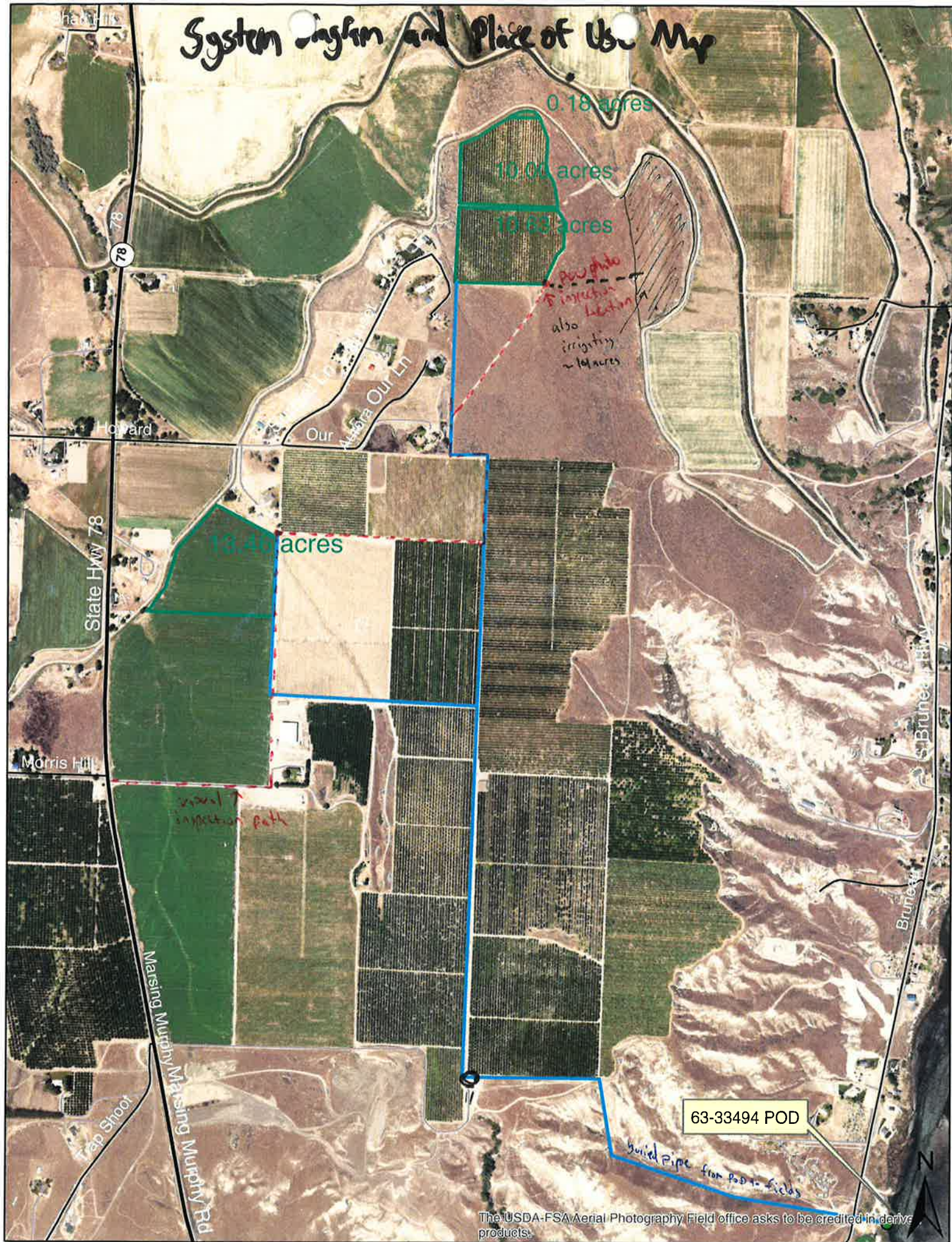






Figure 1. The pump station for water rights no. 2-2392, 2-7077 and for permit no. 2-10334.



Figure 2. Photo showing the two motors. The water is diverted into the pipe closer to the ground, the larger pipe was part of the air removal system of the older diversion system.





Figure 3. Photo taken at the POU inspection location shown on the System Diagram and Place of Use Map. The view is of the northeast with the new orchard in the NESE of section 10, T02N, R04W on the right and a corner of the NWSE orchard on the left.



Figure 4. Photo looking north into the place of use orchard in the NWSE of section 10, T02N, R04W



Figure 5. Photo showing the orchard in the NESE and SESE of section 10, T02N, R04W. This is the new orchard that needs to be added to the license via amendment.





Figure 6. Photo looking west along the diversion pipe after it leaves the ground near the pump station. The measurement equipment is visible on the other side of the bush.



Figure 7. The transducers and Panametric measuring device attached to the 18 inch steel diversion pipe at the measuring site.





Figure 6. Motor tag on one of the pump housings at the pumping station.



Figure 7. Motor tag on the other pump housing at the POD pumping station.

02N 04W sec 10

TRF	Process	Basin Sequence	Owner	Source	POD	POU	Use	NENE	NWNE	SWNE	SENE	NENW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total Acres
02N04W10	Water Right	57-10225	RATHBONE, MARY W; RATHBONE, P T	SPRING	POD						X												
02N04W10	Water Right	57-10227	RATHBONE, MARY W; RATHBONE, P T	GROUND WATER	POD			X															
02N04W10	Water Right	57-10713	THOMPSON, JO ANNE; VAN DOEN, KENNETH D; VAN	GROUND WATER	POD												X						
02N04W10	Water Right	57-11662	COMONTOFSKI, SUZANNE	GROUND WATER	POD													X					
02N04W10	Water Right	57-4061	RATHBONE, MARY W; RATHBONE, P T	WASTE WATER	POD						X												
02N04W10	Water Right	57-7603	SHARON LEE; FAWCETT, JAMES H	GROUND WATER	POD											X							
02N04W10	Water Right	57-7641	HARRIS, CHRIS A; HARRIS, JAMES H	GROUND WATER	POD													X					
02N04W10	Water Right	57-10227	RATHBONE, MARY W; RATHBONE, P T	GROUND WATER	POU		DOMESTIC	X															
02N04W10	Water Right	57-10713	THOMPSON, JO ANNE; VAN DOEN, KENNETH D; VAN	GROUND WATER	POU		DOMESTIC										X						
02N04W10	Water Permit	2-10334	SYMMES, RICHARD A; WEBB LLP	SNAKE RIVER	POU		IRRIGATION																40
02N04W10	Water Permit	2-10515	BARKER, ALBERT P; GEM IRRIGATION DISTRICT	SNAKE RIVER	POU		IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N04W10	Water Right	2-10334	SYMMES, RICHARD A; WEBB LLP	SNAKE RIVER	POU		IRRIGATION																23
02N04W10	Water Right	2-10416	BARKER, ALBERT P; GEM IRRIGATION DISTRICT	SNAKE RIVER	POU		IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N04W10	Water Right	2-10416	BARKER, ALBERT P; GEM IRRIGATION DISTRICT	SNAKE RIVER	POU		IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N04W10	Water Right	2-10416	BARKER, ALBERT P; GEM IRRIGATION DISTRICT	SNAKE RIVER	POU		IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N04W10	Water Right	2-10416	BARKER, ALBERT P; GEM IRRIGATION DISTRICT	SNAKE RIVER	POU		IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N04W10	Water Right	57-11662	COMONTOFSKI, SUZANNE	GROUND WATER	POU		IRRIGATION											2.6					2.6
02N04W10	Water Right	57-4061	RATHBONE, MARY W; RATHBONE, P T	WASTE WATER	POU		IRRIGATION				1								2			19	22
02N04W10	Water Right	57-7603	SHARON LEE; FAWCETT, JAMES H	GROUND WATER	POU		IRRIGATION									1		3					4
02N04W10	Water Right	57-7641	HARRIS, CHRIS A; HARRIS, JAMES H	GROUND WATER	POU		IRRIGATION											5					5
02N04W10	Water Right	57-10227	RATHBONE, MARY W; RATHBONE, P T	GROUND WATER	POU		STOCKWATER	X															
02N04W10	Water Right	57-10713	THOMPSON, JO ANNE; VAN DOEN, KENNETH D; VAN	GROUND WATER	POU		STOCKWATER											X					

- Irr District

02N 04W

02N 04W sec 15

TRS	Process	Basin Sequence	Owner	Source	POD	POU	Use	NENE	NWNE	SWNE	SENE	NENW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total Acres
02N04W15	Water Right	57-10264	COOK, DOUGLAS J; COOK, MELODY L	GROUND WATER	POD								X										
02N04W15	Water Right	57-10570	MERTZ, JAMES P; SYMMMS, RICHARD A	GROUND WATER	POD										X								
02N04W15	Water Right	57-10571	MERTZ, JAMES P; SYMMMS, RICHARD A	GROUND WATER	POD										X								
02N04W15	Water Right	57-10572	MERTZ, JAMES P; SYMMMS, RICHARD A	GROUND WATER	POD										X								
02N04W15	Water Right	57-10800	WHITTAKER, EDWARD T; WHITTAKER, M LORAIN	GROUND WATER	POD								X										
02N04W15	Water Right	57-10264	COOK, DOUGLAS J; COOK, MELODY L	GROUND WATER	POU		DOMESTIC					X											
02N04W15	Water Right	57-10570	MERTZ, JAMES P; SYMMMS, RICHARD A	GROUND WATER	POU		DOMESTIC								X								
02N04W15	Water Right	57-10571	MERTZ, JAMES P; SYMMMS, RICHARD A	GROUND WATER	POU		DOMESTIC							X									
02N04W15	Water Right	57-10800	WHITTAKER, EDWARD T; WHITTAKER, M LORAIN	GROUND WATER	POU		DOMESTIC						X										
02N04W15	Water Application	7411-2	DANIEL SYMMMS	SNAKE RIVER	POU		IRRIGATION	40															40
02N04W15	Water Permit	2-10334	SYMMMS, RICHARD A; WEBB LLP	SNAKE RIVER	POU		IRRIGATION					14.5											14.5
02N04W15	Water Permit	2-10515	BARKER, ALBERT P; GEM IRRIGATION DISTRICT	SNAKE RIVER	POU		IRRIGATION	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
02N04W15	Water Right	2-10334	SYMMMS, RICHARD A; WEBB LLP	SNAKE RIVER	POU		IRRIGATION					14											14
02N04W15	Water Right	2-10416	BARKER, ALBERT P; GEM IRRIGATION DISTRICT	SNAKE RIVER	POU		IRRIGATION					X											
02N04W15	Water Right	2392-2	MERTZ, JAMES P; SYMMMS, RICHARD A	SNAKE RIVER	POU		IRRIGATION		36	39	11	39											399
02N04W15	Water Right	1964-2	BARKER, ALBERT P; GEM IRRIGATION DISTRICT	SNAKE RIVER	POU		IRRIGATION						X										
02N04W15	Water Right	1965-2	BARKER, ALBERT P; GEM IRRIGATION DISTRICT	SNAKE RIVER	POU		IRRIGATION						X										
02N04W15	Water Right	57-10264	COOK, DOUGLAS J; COOK, MELODY L	GROUND WATER	POU		STOCKWATER					X											

Ames

Whittaker

gem

gem

gem





## State of Idaho

### DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER,  
Governor

GARY SPACKMAN  
Director

05/11/2017

RICHARD A SYMMS  
14068 SUNNY SLOPE RD  
CALDWELL ID 83607

**RE: Scheduling Field Exam for Water Permit No. 2-10334**

Dear Permit Holder:

The Idaho Department of Water Resources (IDWR) is planning to conduct water right examinations in the vicinity of the above-referenced permit **during the weeks of 06/19 through 06/30**. An examination is needed to verify the water use(s) developed under the permit in order to issue a water right license. According to Department records, a field exam was completed on 05/07/2013 but a measurement was not taken. In order to take the next step in licensing your permit a flow measurement is needed.

The enclosed report of permit no. 2-10334 shows you are authorized to use 1.10 cfs from the Snake River for the purposes of irrigation. If you developed a beneficial use of water and still own the place of use identified on the map, please contact me at your earliest convenience to schedule an examination.

If you developed a beneficial use of water under the permit but no longer own the property show as the place of use, please fill out the enclosed Assignment of Permit Form to change the owner of the water right permit to the current owner of the property. Submit the complete form and a \$25.00 fee to this office. This will allow IDWR to work with the new permit owner for the license process. A license cannot be issued if beneficial use of water was not developed or if use was developed but abandoned. In either of those cases, please submit the enclosed Relinquishment of Permit Form.

Please contact me at 208-334-2190 within the next thirty (30) days to schedule an examination or if you have any questions. The permit will become void if this office does not receive some correspondence from you by 06/12/2017. If you no longer own that property and do not assign or relinquish the permit, IDWR will work with the current property owner to issue a license or void the permit.

Sincerely,

Phill Hummer

Water Resource Agent

Phone: (208) 334-2190

Email: [phillhummer@idwr.idaho.gov](mailto:phillhummer@idwr.idaho.gov)

Enclosure: Relinquishment and Assignment Forms  
Proof Report and Map of Permit No. 2-10334

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

**A. GENERAL INFORMATION**

Permit No: 2-10334

Exam Date:

1. Current Owner: RICHARD A SYMMS  
14068 SUNNY SLOPE RD  
CALDWELL ID 83607  
(208)459-4821

cell # 989-4167

And/Or

WEBB LLP  
C/O R A SYMMS  
14068 SUNNY SLOPE RD  
CALDWELL ID 83607

2. Accompanied by: *Richard & Dar Symms*  
Phone No:  
Address:  
Relationship to Permit Holder: *same*

**3. SOURCE**

SNAKE RIVER

**TRIBUTARY**

COLUMBIA RIVER

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: *n/a - not in irr district per Arch map*  
2. Other water rights with the same point of diversion: *2-2392, 2-1077 combined limit*

**C. DIVERSION AND DELIVERY SYSTEM***system capacity = 7.7 cfs***1. LOCATION OF POINT(S) OF DIVERSION:**

\* SNAKE RIVER

OWYHEE County

L1 NW1/4NW1/4

Sec. 23, Twp 02N, Rge 04W, B.M.

Method of Determination:

*GPS, aerial**43.50049  
-116.78780**78 - 1.5 miles south of yellow knot  
turn @ Bruheta Rd - 7 mi*

2.

**PLACE OF USE:**

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
02N 04W 10	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	40.0
02N 04W 15							14.5										14.5

Total Acres: 54.5

*applicants*  
*met @ POD ~ 2.5-3 miles south of the mainline Hwy 55 & 78  
intersections, on Hwy 78 @ 11 am. May 6.*

Method of Determination:

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.

<u>Well or Diversion</u> <u>ID No.*</u>	<u>Motor Make</u>	<u>Hp</u>	<u>Motor Serial No.</u>	<u>Pump Make</u>	<u>Pump Serial No. or Discharge</u> <u>Size</u>
Pump #1	US Electric	350	unk	LDyne	12"
Pump #2	"	"	unk		12"

\*Code to correspond with No. on map and aerial photo

## D. FLOW MEASUREMENTS - none taken

1.

<u>Measurement</u> <u>Equipment</u>	<u>Type</u>	<u>Make</u>	<u>Model No.</u>	<u>Serial No.</u>	<u>Size</u>	<u>Calib. Date</u>

2. Measurements:

$$36" \text{ pipe} = 35.38 \text{ cfs}$$

$$48" \text{ pipe} = 62.83$$

## E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

Measured Method:

hp equation:  $350 \text{ hp} \times 2, 70\% \text{ eff, } 10 \text{ psi open system}$   
 $10' \text{ lift?}$

$$\frac{(350)(8.8)(.7)}{10 + (2.31)(10)} = \frac{2156}{31.1} = 69.32$$



**F. VOLUME CALCULATIONS**

## 1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (31)(4.5) = 166.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = (.14)(1.9835)(260) = 381.63$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 166.5$$

## 2. Volume Calculations for Other Uses:

n/a

**G. NARRATIVE/REMARKS/COMMENTS**

pumps have been replaced & moved ~ 30' since 1983 exam  
 both 350 hp. us tur. + layne pumps (no model or plate). water from Snake  
 thru 36"-42" steel pipe to underground vault. 2 turbine pumps →  
 12" steel pipe → 18" steel pipe up the hill.

14 acres - planted in hay. 2 wheel lines operating w/ ~ 25 heads.  
 no specs

23 acres - apricot trees head = 200 per acres @ 3 bpm  
 they didn't have specs

Have conditions of permit approval been met? \_\_\_\_ Yes \_\_\_\_ No

8-12 MTD w/ Steve L. : talk to Angie re meas.

H. RECOMMENDATIONS

1. Recommended Amounts

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/01 to 11/15	1.100 CFS .14	166.5
	<u>Totals:</u>	1.100 CFS .14	166.5

Permit No: 2-10334

Page 3

2. Recommended Amendments

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

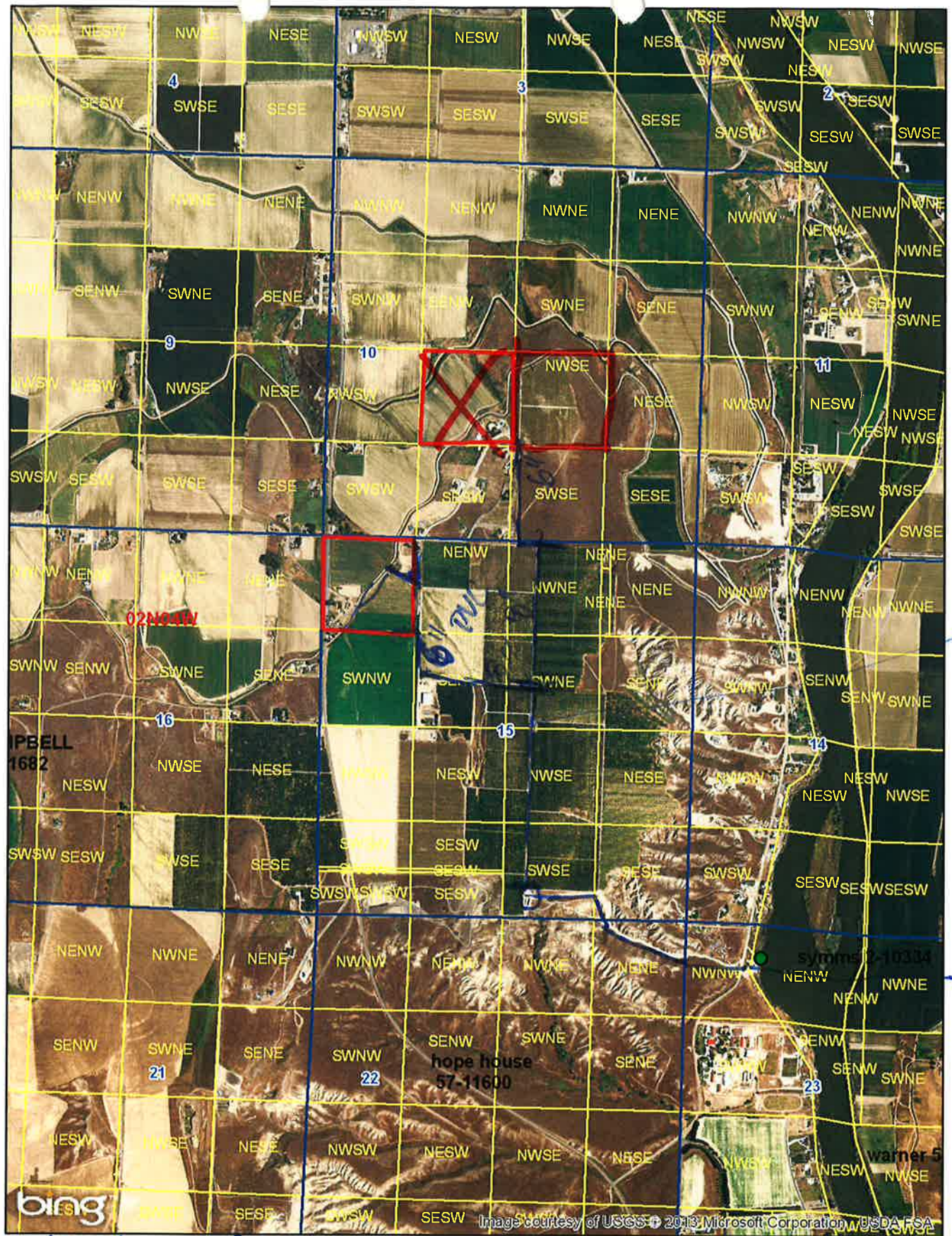
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name \_\_\_\_\_ Date \_\_\_\_\_

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

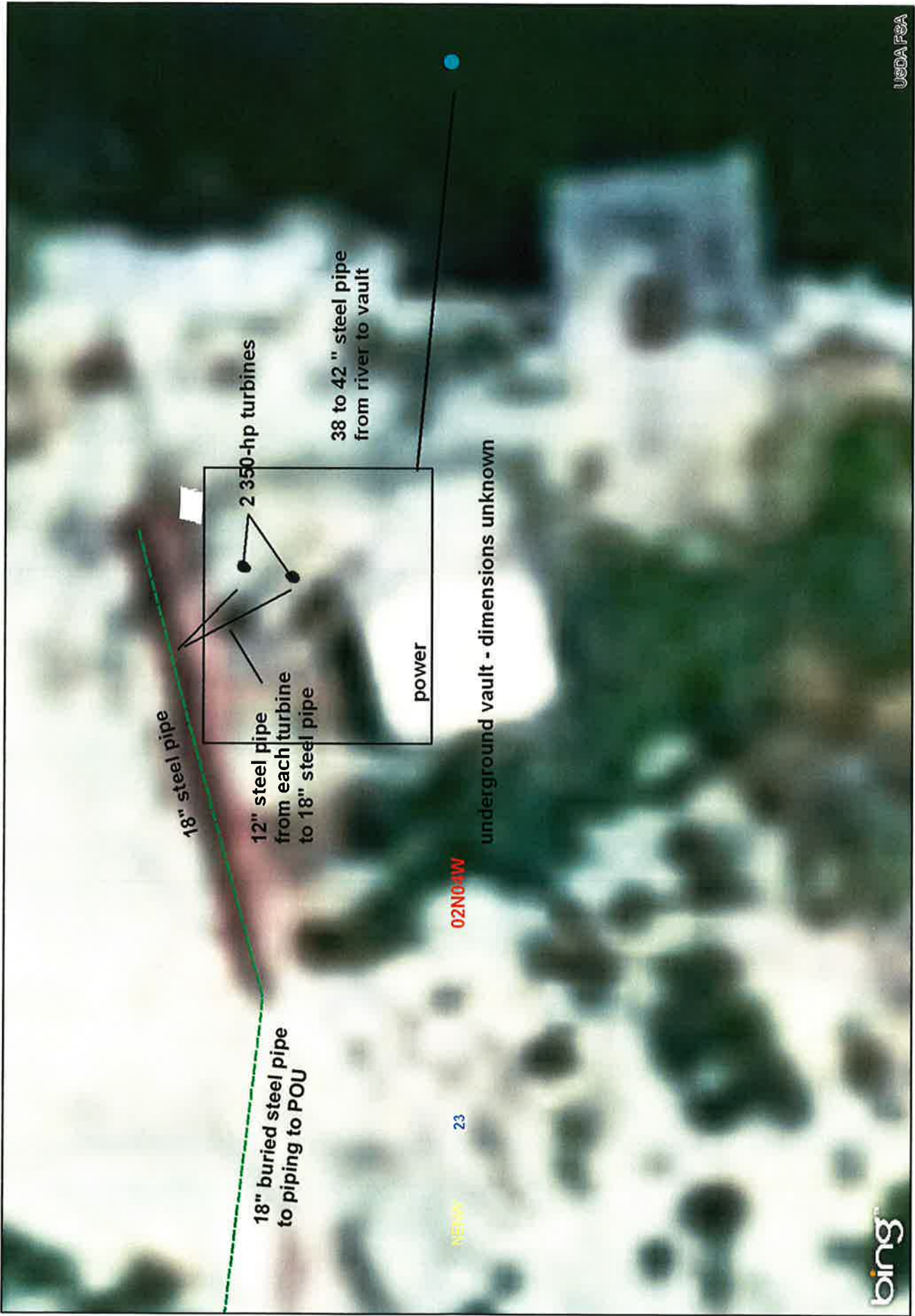




2.49 miles S of margin  
 2-10334 SYMMS  
 2011

1-2 wheel tracks



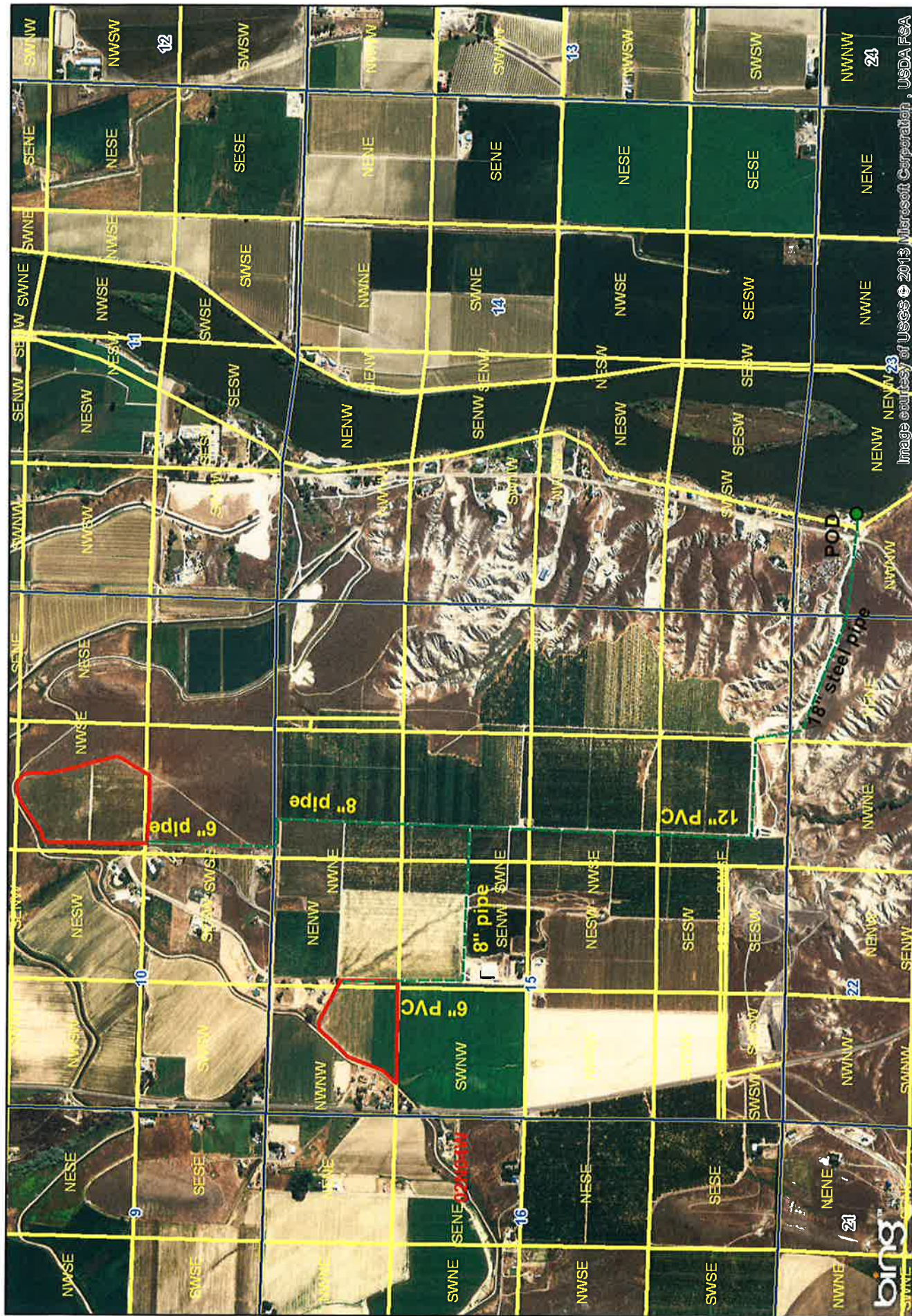


2-10334 - Symms - Photograph is a blow up of the POD from the Snake River, and the pump and power station.









2-10334 - Symms - Photograph shows the location of the POD from the Snake River, and the conveyance system, [in aqua blue]. The POU is outlined in red. 2011 NAIP photography.



2-10334 – Field exam photographs



Looking southeast at the POD and the pump station.



The two 350- hp turbines





Pressure gauge – reading was 200 psi during exam, with one turbine operating. The 12" diameter piping from the turbines seen center.



Another view of the 12" diameter piping from the turbines to the 18" diameter steel pipe.





The 18" diameter pipe goes underground.



POU – the northernmost 23 acres, in the NWSE of Section 10, is an apricot orchard.





A sprinkler head in the orchard. There is a head every 20'.



POU – the 14 acres in the NWNW Section 15 is planted with hay. A wheel line is seen in the background.

## Music, Vicky

---

**From:** Dar Symms [dar@symmsfruit.com]  
**Sent:** Tuesday, June 11, 2013 8:30 AM  
**To:** Music, Vicky  
**Subject:** RE: permit 2-10334

Hi Vicky,

See the responses below. Let me know if you need anything else. Thanks, Dar

---

**From:** Music, Vicky [<mailto:Vicky.Music@idwr.idaho.gov>]  
**Sent:** Jun 05, 2013 4:58 PM  
**To:** Dar Symms  
**Subject:** permit 2-10334

Dar –

I need additional information before the above permit can be license. This is the exam I did several weeks ago.

In the apricot orchard –

1 - how many lines or total number of sprinklers operate at a time? We run 1000 at a time

2 – are there 100 or 200 sprinklers per acre? 100 per acre

Regarding the hay field –

1 – I need the nozzle size and pressure 1/8 inch nozzles at about 80 psi.

Please provide this information by June 25, 2013. Thank you and call if you have questions.

Vicky Music  
Sr. Water Resource Agent  
IDWR Western Region  
2735 Airport Way  
Boise, ID 83705  
208.334.2190



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

April 24, 2013

RICHARD A SYMMS  
14068 SUNY SLOPE RD  
CALDWELL, ID 83607

Re Permit To Appropriate Water No. 2-10334

Dear Mr. Symms:

The permit referenced above was issued for the irrigation of 54.5 acres from the Snake River. This letter is to request that you call me to schedule the field exam for this permit. A field exam is required by Idaho law before a license can be issued, at which time it becomes a water right. The license is the end product needed for continued water use.

The system must be operating the day of the exam and you will need to provide information regarding diversion and delivery works, such as pump and motor specs, number and size of sprinkler lines.

I will be conducting exams in the Marsing area on Monday and Tuesday, May 6 and 7, 2013. Please call me at 208.334.2190, **by May 3, 2013**, to set an appointment for the exam. Failure to respond to this letter request may result in the permit being voided or a license issued for less than the permitted amount. Thank you.

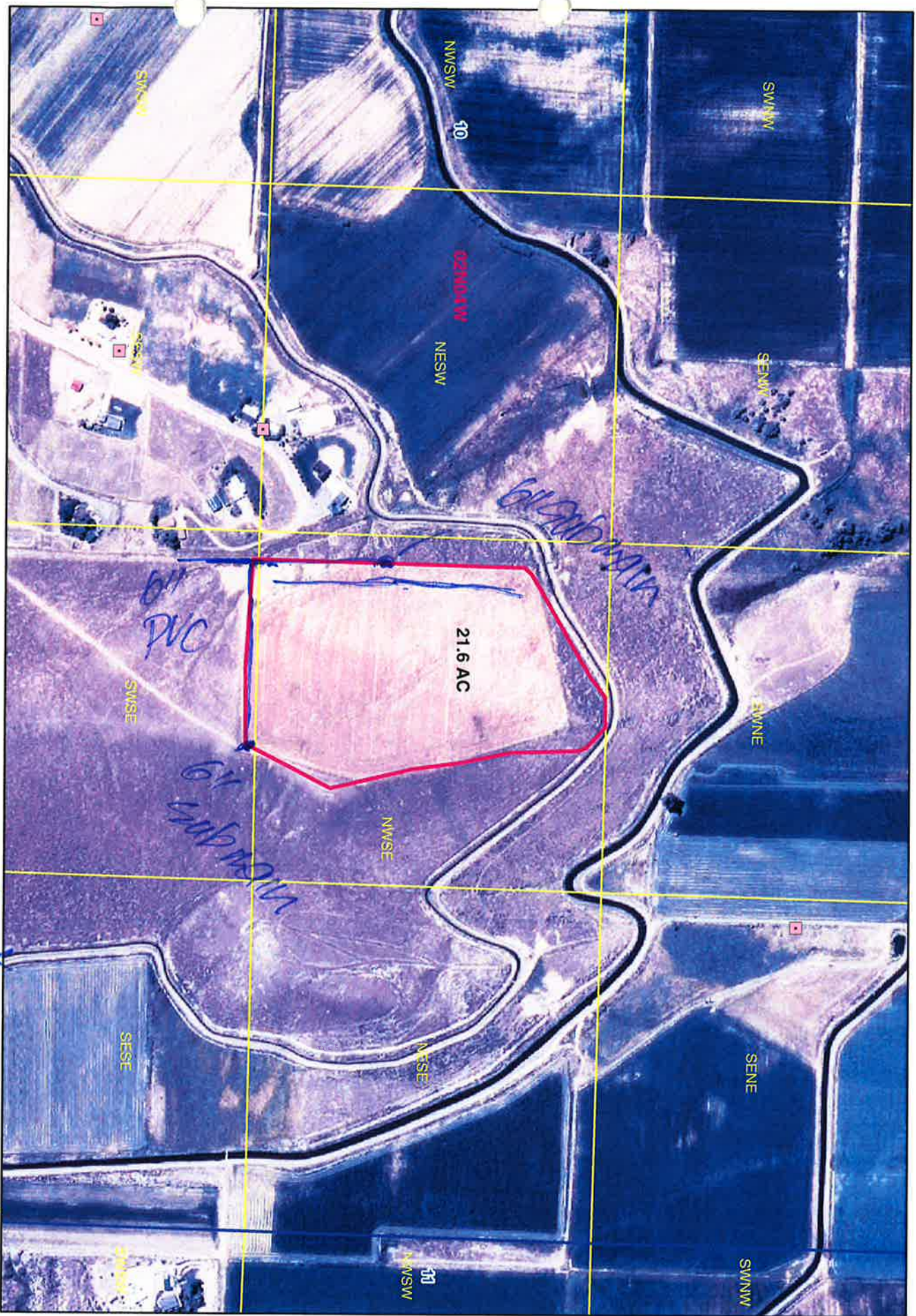
Sincerely,

Vicky Music  
Sr. Water Resource Agent









symms 2009 aerial. irrigation season following b/u proof.

split part  
20' apart  
20' apart  
20' apart