

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

**A. GENERAL INFORMATION**Permit No: 96-9785Exam Date: 3/24/2020

1. Does this qualify for an in-office field exam (IDAPA 37.03.02.035.01.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: George D. and Margaret A. Agar  
Owner of Record Correct?    X    Y    N  
Address of Record Correct?    Y    N  
If No: Address

The Department's tax parcel data shows the property is in the ownership of the George D. and Margaret A. Agar property.

3. Beneficial Use Fees have been paid:    X    Y    N Receipt No: C108456

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

Lake Pend Oreille

Pend Oreille River

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: NO Overlap

Water Right No.	Source	Purpose of Use	Basis

Comments: Water rights 96-7044 and 96-9179 are both located in the Government Lot as this permit, but they are for properties to the east of this property. According to the field examination for right 96-7044 it appears to belong to a parcel at 245 Kootenai 4<sup>th</sup> Avenue. Water right 96-9179 appears to be associated with the parcel at 105 Secret Cove Road. Water right 96-9136 is an irrigation right that is owned by the neighbor to the west of the permit holder's property.

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

Water Right No.	Source	Purpose of Use	Basis

Comments: There are no other rights that are diverted from the lake pump described in this permit.

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

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Lake Diversion	1		NE	NE	12	57N	2W	B.M.	Bonner County
								B.M.	
								B.M.	

Method of Determination: GIS and Tax Lot data.Change 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	
57N	2W	12	1.5																1.5
		Lot #	1																
Total Acres =																			1.5

Method of Determination: GIS and Tax Lot Data

**PLEASE NOTE:** The permit describes the place of use in Government Lot 4 (NWSW) instead of the actual location in Government Lot 4 (NWSW) and Government Lot 4 (SWSW). The permit had the incorrect 40 acre tract designation, but it isn't an issue because the true legal description is Government Lot 4, which was included on the permit.

N/A. PERMIT  
PLACE OF  
USE SAME AS  
FIELD EXAM  
RECOMMENDATION.  
-AG 4/2/2020

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
Lake Pump	Unknown	1 Hp			

\*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**

YES Additional Computation Sheets

Attached

Measured Method:

The permit holder supplied a letter with their proof of beneficial use statement that states the pump used is a 1 Hp pump. Using the contours for this area and a standard pressure of 50 psi, I was able to estimate the diversion rate. I also calculated the standard for irrigation for less than 5 acres use set forth by Administrative Processing Memo #17.

**Theoretical Calculation =  $(8.8 \times 1 \times 0.7) / (40 \times [50 \times 2.31]) = 0.0396 \text{ cfs}$  Rounded to 0.04 cfs**

**Administrative Memo #17 = 1.5 acres X 0.03 cfs/acre = 0.045 cfs rounded to 0.05 cfs**

**Permit allowed = 0.03 cfs**

**I am recommending 0.03 cfs since the permit was approved at a rate lower than the standard 0.03 cfs per acre. I cannot recommend more diversion rate than is authorized by the permit.**

**F. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1.5 \text{ acres} \times 3 = 4.5 \text{ af}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.03 \times 214 \text{ days} \times 1.9835 = 12.7 \text{ af}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 4.5 \text{ af}$$

2. Volume Calculations for Other Uses:

N/A

**G. PURPOSE OF USE**

Irrigation X 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**

This permit qualifies for an in-house examination. I was not able to find anything in the file that describes the water used for the in-house use. I am assuming the water is supplied by a private well or the City of Kootenai. Other files in this area describe a water line from the City of Kootenai that runs to this general area.

The permit required a fish screen, and the permit holder stated in a letter submitted with the proof of beneficial use statement that he has a submersible pump that sits inside a 4 inch PVC pipeline. This is a common configuration for pumping systems in this area, so it does appear as though he has complied with the fish screen requirements.

Conditions R66 and 004 will be carried forward to licensing. Conditions 26A and 029 can be removed at licensing, since they have been completed. I do have a concern that this permit is upstream of minimum stream flow right 96-8730. No conditions were placed on the permit, and minimum streamflow conditions have only been placed on 2 of the 174 rights with a source of Pend Oreille River of Lake Pend Oreille. Since no conditions were placed on the permit, it was determined that it would create an additional burden to place this condition on the license.

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>
Irrigation	04/01 to 10/31	0.03 CFS	4.5 AFA
<u>Totals:</u>		0.03 CFS	4.5 AFA

**Please Note:** This is a surface water right, so no 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 3-25-20

Reviewer  Date 4/2/2020

Field Exam Map:

The yellow border shows the parcel for this permit and the yellow dot shows the point of diversion. This is 2019 aerial NAIP imagery.



## Nelson, Dan

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**From:** George Agar <gdmaagar@gmail.com>  
**Sent:** Tuesday, March 24, 2020 5:26 PM  
**To:** Nelson, Dan  
**Subject:** RE: Permit 96-9785

Hi Dan. Thanks for the info request. This will be easy as we are on the Sandpoint City Water system for our house hold needs.

Thanks for your help,

George Agar

**From:** Nelson, Dan <Dan.Nelson@idwr.idaho.gov>  
**Sent:** Tuesday, March 24, 2020 9:56 AM  
**To:** gdmaagar@gmail.com  
**Subject:** Permit 96-9785

Dear Mr. and Ms. Agar;

I have been asked to review permit 96-9785 for licensing. I have been able to determine a majority of the components needed to license this permit without doing an in-field inspection. The only thing that I need to complete the licensing process is to determine what water source you use for your in-house use. Do you have your own private well, or are you connected into a municipal type system?

I want to thank you for the letter you sent in with your proof of beneficial use statement. It was very helpful. I am hoping that I can complete this review by the end of this week and submit it to my supervisor for final review and signature by the end of today or tomorrow. Hopefully, we can issue a license for this permit soon. However, with the COVID-19 virus, a number of our staff are working remotely, so it may take a bit longer than normal to complete this process.

Respectfully,

Daniel Nelson  
Water Right Analyst 3  
Idaho Department of Water Resources  
Telephone (208) 287-4856  
Fax (208) 287-6700 (attn: Dan Nelson)