

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

A. GENERAL INFORMATIONPermit No: 85-15786

Exam Date: 7/26/19

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

2. Current Owner: Name: Robert Konen
 Owner of Record Correct? x Y N
 Address of Record Correct? x Y N
 If No: Address

3. Fees have been paid: x Y N Receipt No: C106876

4. SOURCE TRIBUTARY
 Unnamed Stream Sinks
 Method of Determination: GIS and Taxlot Data
 Change in Source: Y x N

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

Water Right No.	Source	Purpose of Use	Basis
85-2127	Groundwater	Irrigation	Decreed

Comments: Water right 85-2127 overlaps with this permit's POU. According to shapes in ArcMap, overlap occurs in the western edge of the SWNE quarter-quarter Sec 26, T35N R05W. Right 85-2127 is owned by Konen Farms, authorizing 1.040 cfs and 536.0 AF for the irrigation of 134.0 acres. Even though the shapefiles show a small overlap, right 85-11223 likely uses ground water south of the canal. Therefore, no overlap is perceived.

2. Other water rights with the same point of diversion: X NONE

Water Right No.	Source	Purpose of Use	Basis
NONE			

Comments: No overlapping water rights at the POD.

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

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Unnamed Stream			SE	NW	26	35N	05W	B.M.	Nez Perce
								B.M.	

Method of Determination: GIS/Department Records

Change in POD? Y x N Amendment Required? Y 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	
35N	05W	26			2.0														2.0
		Lot #																	
Total Acres =																			2.0

Method of Determination: GIS and Department Records

Change in POU? Y x N Amendment Required? Y x N3. N/A 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). N/A 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

*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

2. Measurements: No measurement is required for an in-house exam per IDAPA Rule 37.03.02, Section 35.01.j.**E. FLOW CALCULATIONS** *Additional Computation Sheets Attached

Measured Method: NONE

Administrative memo #17 allows a higher rate, up to .03 cfs/acre for irrigation under 5 acres.

0.03 X 2 acres=.06 cfs

Permit allowed = .06 cfs

License recommend = .06 cfs.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation: N/A.

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

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

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

IDAPA code 37.03.02-Beneficial Use Examination Rules, Section 35.01.j discusses the volume exemption for irrigation rights sourced from surface water. In summary, the rule states that irrigation using natural stream flow diverted from a stream or spring is exempt from the volume reporting requirement on licenses.

This rule applies to this permit and will be licensed without a volume.

2. Volume Calculations for Other Uses: N/A

G. PURPOSE OF USE

Irrigation x Y N # Stock N/A Domestic # of Homes N/A

Other:

Change in Purpose of Use? Y x N

Method of Determination: Tax parcel information and GIS

If Yes: From Use To Use Amount CFS AFA

H. NARRATIVE/REMARKS/COMMENTS

This permit qualifies for an in-house exam. The place of use (POU) irrigated is outside of Lewiston, ID in the Lewiston Orchards. Water is diverted from an unnamed stream in the SWNE quarter-quarter of Section 26 in Township 35 North, Range 05 West. The water permit is in basin 85 and there is no current water district at the time of licensing. The application was advertised in the Lewiston Tribune on 8/3/17 and 8/10/19 with no protests.

The permit was approved to irrigate 2 acres with a diversion rate of .06 cfs. Administrative memo #17 authorizes up to .03 cfs/acre of irrigation up to 5 acres. Under this memo, a diversion rate of .06 cfs is acceptable.

The permit holder had until October 1, 2022 to submit proof that he was irrigating the 2 acres. The statement of completion was submitted May 22, 2019. I had difficulty finding recent imagery of the POU. The most recent Google Earth imagery is from 2015 and the most recent Department imagery is from 2017. I used 2018 and 2019 Sentinel imagery to look for evidence of beneficial use. From the Sentinel imagery, it was difficult to tell what was irrigated and what was green from spring precipitation. Therefore, I emailed Mr. Konen on 7/29/19 and requested images of the property showing irrigation. On 8/4/19, Mr. Konen sent me images of where water is being pumped out of the unnamed stream and a photo showing irrigation at the POU. The photo of irrigation sufficiently represented the beneficial use at the POU. However, I wanted to ensure the photos were taken during the developmental period so I called Mr. Konen on 8/9/19. He stated the photos were taken the same day he emailed them to me; 8/4/19. He also directed me to look at the hay surrounding the irrigated area, stating that it is freshly cut and consistent with the color of hay for this time of year. Based on this conversation, there are not concerns with the proof that irrigation occurred.

Water right 85-2127 overlaps with this permit's POU. According to shapes in ArcMap, overlap occurs in the western edge of the SWNE quarter-quarter Sec 26, T35N R05W. Right 85-2127 is owned by Konen Farms, authorizing 1,040 cfs and 536.0 AF for the irrigation of 134.0 acres. Even though the shapefiles show a small overlap, right 85-11223 likely uses ground water south of the canal. Therefore, no overlap is perceived.

Condition 1 (26A) was removed per licensing standards. Condition 2(X15) was removed for the reason that it's not possible for fish to get to the POD location. A Fish and Game email dated 7/17/19 and the applicant's waiver via email dated 8/4/19 support the removal of condition X15 from the license. Condition 3 (R68) was carried over to the license since the higher diversion rate up to .03 cfs/acre is authorized under this permit. Condition 4 (004) was removed since ownership of the land at the POU and POD is not an issue.

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>
Irrigation	02/15- 11/30	.06 CFS	N/A
<u>Totals:</u>		.06 CFS	N/A

2. Recommended Amendments

 Change P.D. as reflected above Add P.D. as reflected above x None

 Change P.U. as reflected above Add P.U. as reflected above x None

Other: NONE

J. AUTHENTICATION - Alex Dagleish - Water Resource Agent

Field Examiner's Name Alex Dagleish Date 10/9/19

Reviewer [Signature] Date 12/19/19

WR 85-15786 Irrigated POV 8/4/19



WR 85-15786 pod sump 8/4/19



Dalgleish, Alex

From: Bob & Molly Konen <makonen@lewiston.com>
Sent: Sunday, August 4, 2019 10:50 AM
To: Dalgleish, Alex
Subject: RE: Permit 85-15786
Attachments: IMG_20190802_083431828.jpg; IMG_20190802_090238968.jpg

Alex I am sending 2 pictures one is the hose laying in the sump where I am pumping water out. The second is of the 2 acres of alfalfa that is green. Wheat stubble around it In this picture I have the sprinkler going. This was taken looking north east with the Lewiston Roundup grounds in the background. Again where I am pulling water out, There are no fish around top get into the water. For that reason I would like to see the fish screen not needed on the water right. Thanks for your help. Bob Konen cell 208 791 4371

From: Dalgleish, Alex [mailto:Alex.Dalgleish@idwr.idaho.gov]
Sent: Monday, July 29, 2019 12:23 PM
To: makonen@lewiston.com
Subject: Permit 85-15786

Mr. Konen,

I am in the process of reviewing your permit for irrigation near the Lewiston Orchards. In the process of turning the permit into a license, there are a few items that need your attention.

First, the permit was conditioned with the requirement that a fish screen be installed at the point of diversion. On your statement of completion, you state that there is no way fish can reach the point of diversion. The Department needs you to approve the removal of the fish screen condition. A response to this email approving the removal of this condition can act as your authorization.

Second, I am having difficulty finding recent imagery showing irrigation of the 2 acres under your permit. Can you please provide some photos showing the irrigation of the 2 acres?

Please contact me with any questions or concerns.

Best,

Alex Dalgleish
Water Resource Agent
Phone (208) 287-4913
alex.dalgleish@idwr.idaho.gov