

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 65-22947

Exam Date: 05/15/2018

1. Current Owner:
KENNETH D DONLEY 5268 S YARROW AVE BOISE ID 83716
2. Accompanied by:
Phone No: 208-484-6339
Address: 154 Granite Basin Rd, Garden Valley, ID 83622
Relationship to permit Holder: Same

3. SOURCE:
ANDERSON CREEK
GROUND WATER

Tributary
MIDDLE FORK PAYETTE RIVER

Method of Determination: Field observation, USGS DRG Map, ArcMap tools.

B. OVERLAP REVIEW

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

C. DIVERSION AND DELIVERY SYSTEM

1. LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW¼ NE¼, Sec. 23, Twp 09N, Rge 04E, B.M. BOISE County
ANDERSON CREEK SE¼ NE¼, Sec. 23, Twp 09N, Rge 04E, B.M. BOISE County

Method of Determination: Handheld GPS

PLACE OF USE: IRRIGATION FROM STORAGE

[illegible]

Total Acres: 0.8

PLACE OF USE: IRRIGATION STORAGE

[illegible]

PLACE OF USE: AESTHETIC STORAGE

[illegible]

PLACE OF USE: RECREATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	04E	23			X														0.0

Method of Determination: Handheld GPS, Aerial Imagery, and ArcMap Tools.

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 1:24,000 or greater.

 x

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

 x

Photo of Diversion and System Attached

 x

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A					

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
5 Gal Bucket	N/A	N/A	N/A	N/A	N/A	N/A

2. Measurements: Placed 5 gallon bucket at end of pipe diverting water from Anderson Creek to Pond and performed 4 timed measurements of filling the bucket from empty to full.

E. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method: 5 gallon Bucket Test 4 trial average: 1.29 gal/sec = 77.67gpm = 0.17 cfs

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation: N/A

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

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

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \text{N/A}$$

2. Volume Calculations for Other Uses: Aesthetic Storage & Recreation Storage

$$\text{Pond Capacity} = \text{Pond Surface Area (0.05 ac)} \times \text{Average Pond Depth (6.8 ft)} = 0.34 \text{ AF}$$

$$\text{Estimated Seepage Loss} = 0.0 \text{ AF}$$

$$\text{Estimated Evaporation Loss} = 0.1 \text{ AF}$$

$$\text{Total Volume Required} = 0.4 \text{ AF}$$

Irrigation Storage & Irrigation from Storage: $(0.8 \text{ ac}) \times (3.5 \text{ HGR}) = 2.8 \text{ AF}$

Aesthetic Storage/Recreation Storage + Irrigation Storage = 3.2 AF

Permit	10.5 af
B.U. Standard Allowance	3.2 af
B.U. Proof Fee	\$100 → 20.1 to 100 af
License Recommendation	3.2 af

G. NARRATIVE/REMARKS/COMMENTS

Field exam was completed by agent Justin Shearer on May 15, 2018 and was accompanied by permit holder Ken Donley. Donley is the active permit owner and original applicant. The application for permit was submitted on April 14, 2005 and proof of beneficial use was made on April 24, 2008.

The applicant has 0.05 acre pond on his property that partially fills with groundwater from a high water table and water diverted from Anderson Creek for Aesthetic Storage, Recreation Storage, and Irrigation Storage purposes. Upon field exam, it was observed that the pond was developed differently than proposed as a flow-through system, but rather there was no observed overflow, and was developed as just a diversion to storage. Additionally, the Points of Diversion (POD's) were developed in slightly different places than proposed and permitted. The Anderson Creek POD was permitted to be developed in the SW ¼ NE ¼ of TWP 09N, Rge 04E, Sec 23, but Donley is actually diverting surface water from the creek in the SE ¼ NE ¼ of TWP 09N, Rge 04E, Sec 23. Furthermore, there is no Domestic use developed under this system. Donley's Domestic uses are provided from a nearby well rather than from either Anderson Creek, or the shallow groundwater that helps fill the pond. Because Donley irrigates from the pond, "Irrigation" use should be amended to "Irrigation from Storage." Aerial imagery and field observation was used to determine irrigated acres. ArcMap tools were used to calculate an area of 0.8 acres being irrigated. I am recommending amendments to clarify all Beneficial Uses and POD locations.

Pond capacity was determined using satellite imagery, ArcMap tools, and information found during the field exam. Surface area of the pond was determined to be 0.05 acres, with an average depth of 6.8 feet, giving a total pond capacity of 0.34 af, with zero seepage loss (since the pond partially fills with shallow ground water), and an estimated evaporation loss of 0.1 af, and an estimated multiple fill volume of 2.8 af to meet the 'Irrigation from Storage' component, for a total volume required of 3.2 af. This volume is permissible seeing as how the permit allowed for up to 10.5 af for irrigation use. 0.4 af meets the pond capacity and evaporative loss needs of the Aesthetic Storage and Recreation Storage components, while the additional 2.8 af covers the needs for the Irrigation from Storage use.

The Diversion to Storage Rate was measured to be 0.17 cfs during field exam using a 5 gallon bucket test method. Anderson Creek is diverted using a 4" PVC pipe with valve that opens and shuts the flow to a gravity system that feeds the pond when needed. Diversion rate is just less than the 24 hour rule requirement, thus justifying the storage components recommended for amendment. From the pond the applicant irrigates approximately 0.8 acres using a 5 hp pump and hand lines with 15 Rainbird sprinklers.

Condition 220 was added to describe pond capacity and surface area limits. Condition 259 was added to describe initial fill

and refill amounts related to the 'Irrigation from Storage' component of the right. Condition 121 was modified to 103 as per licensing standards. Condition 01J was removed and condition R02 was added because a waiver for a measuring device was received from WD 65 watermaster Ron Shurtleff. Condition WB5 was removed because there was no Domestic use developed associated with this system.

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>	<u>Annual Volume</u>
IRRIGATION STORAGE	01/01 to 12/31		2.8 AF
IRRIGATION FROM STORAGE	03/15 to 10/31		2.8 AF
AESTHETIC STORAGE	01/01 to 12/31		0.4 AF
RECREATION STORAGE	01/01 to 12/31		0.4 AF
DIVERSION TO STORAGE	03/15 to 10/31	0.17 CFS	

Totals: 0.17 CFS 3.2 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 ☒ Beneficial Uses

I. AUTHENTICATION

Justin Shearer - Water Resource Agent, Senior

Field Examiner's Name Justin Shearer Date 8/27/19

Reviewer Justin Shearer Date 8-27-19

NWNE

GW POD

09N04E

Aesthetic Recreation Storage

Amo Basin Rd

Irr. POD

23

Anderson Creek

POD / GLE POD

SWNE



Pic of Submerged
Diversion Pipe
(white) Inlet in
Anderson Creek



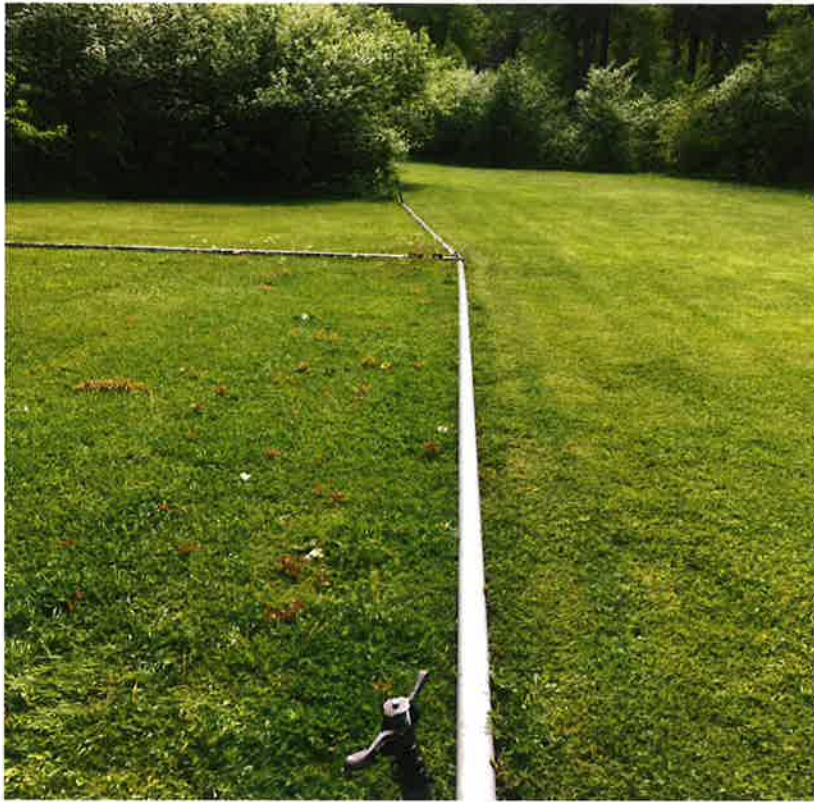
Pic of Diversion
Pipe (white) Outlet
and Pond for
Rec/Aesth. Storage
& Irr. Storage



Pic of Outlet Pipe
with Anderson
Creek Water
Flowing into Pond



Pic of Diversion
from Storage Pump
Set-up



Pic Showing
Irrigation Hand-line
Coming Out from
Pump and T'ing
Off to Irrigate
POU.



Pic of Irrigation
from Storage POU.

Shearer, Justin

From: Ron Shurtleff <waterdist65@srvinet.com>
Sent: Thursday, August 22, 2019 11:00 AM
To: Shearer, Justin
Subject: RE: Request of Waiver for Measuring Device 65-22947

Good morning Justin,

As a follow up to our phone conversation this morning, August 22, 2019. I have reviewed water permit 65-22947 and taken into consideration your comments from the field exam. In this regard I do agree to your request to waive the requirement in condition R43 for a measuring device. If you need any further information please do not hesitate to contact me.

Ron Shurtleff

Water District No. 65
102 N. Main
Payette, ID 83661
Phone: 208-642-4465
Fax: 208-642-1042
Cell: 208-642-0230

From: Shearer, Justin [mailto:Justin.Shearer@idwr.idaho.gov]
Sent: Wednesday, August 14, 2019 11:32 AM
To: Ron Shurtleff
Subject: Request of Waiver for Measuring Device 65-22947

Good morning Ron,

I recently conducted a field exam for water permit 65-22947 and am recommending a license for a diversion to storage from Anderson Creek and Groundwater of 0.17 cfs. The applicant has a 0.5 acre pond on his property that partially fills with groundwater from a high water table and water diverted from Anderson Creek for Aesthetic Storage, Recreation Storage, and Irrigation Storage purposes. At the time of exam, the applicant did not have a measuring device installed. Because the diversion to storage is accomplished through naturally high groundwater and supplemented by water from Anderson Creek, a measuring device installed on the creek diversion would not be accurate of the overall water diverted seeing as how a good portion of water diverted comes from naturally seeping groundwater.

For this reason I am requesting a waiver of a measuring device requirement on this license and the recommended condition R43 that states: *The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.*

Please let me know your thoughts on this at your earliest convenience.

Thanks and regards,

Justin Shearer
Water Resource Agent, Sr.
(208)-334-2190

65

Form 238-7
6/02IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT1. WELL TAG NO. D DOB-48134
DRILLING PERMIT NO. REMOVED
Water Right or Injection Well No. _____

2. OWNER:

Name KEN DONLEY
Address 32168 30 JARROW AVE
City BOISE State ID Zip 83716

3. LOCATION OF WELL by legal description:

You must provide address or Lot, Blk, Sub. or Directions to well.

Twp. 9 North ☒ or South ☐
Rge. 4 East ☒ or West ☐
Sec. 23 NE 1/4 SE 1/4 NE 1/4
Gov't Lot _____ County BOISE

Lat: _____ Long: _____

Address of Well Site Anderson Creek + Anderson
Creek Rd. City Garden Valley

(Give at least name of road - Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name Turn at School
go 2 miles left at canal Anderson Cr.

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply

(Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD:

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

Seal Material	From	To	Weight / Volume	Seal Placement Method
Bentonite	0	18	15 Sacks	RODARY

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 60Was drive shoe seal tested? ☒ Y ☐ N How? Air

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6.4	+2	60	250	STEEL	☒	☐	☒	☐
4.5	50	220	80	PVC	☐	☒	☐	☒

Length of Headpipe Nine Length of Tailpipe _____Packer ☐ Y ☒ N Type _____

9. PERFORATIONS/SCREENS PACKER TYPE

Perforation Method Saw B

Screen Type & Method of Installation _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
220	120	1/4x3	800	4.5	PVC	☐	☒

10. FILTER PACK

Filter Material	From	To	Weight / Volume	Placement Method
None				

11. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

40 ft. below ground Artesian pressure _____ lb.

Depth flow encountered _____ ft. Describe access port or control devices: _____

846721

Office Use Only

Well ID No. 416763

Inspected by _____

Twp _____ Rge _____ Sec _____

1/4 1/4 1/4

Lat: _____ Long: _____

12. WELL TESTS:

☐ Pump ☐ Bailor ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
3	380	380	45 MIN

Water Temp. ColdBottom hole temp. Cold

Water Quality test or comments: _____

Depth first Water Encounter _____

13. LITHOLOGIC LOG: (Describe repairs or abandonment)

Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
12	0	60	TOP SOIL		X
6	60	155	Granite		X
6	155	158	Decomposed Granite		X
6	158	215	Granite		X
6	215	217	SOFT Granite		X
6	217	225	Granite		X
6	225	227	Decomposed Granite		X
6	227	240	Granite		X
6	240	250	Decomposed Granite	X	X
6	250	255	Decomposed Granite		X
6	255	257	RED CLAY		X
6	257	290	Decomposed Granite		X
6	290	390	Decomposed Granite	X	
6	390	400	SOFT Granite	X	

Been Abandoned

RECEIVED

JUN 04 2007

WATER RESOURCES
WESTERN REGIONCompleted Depth 400 (Measurable)Date: Started 5/4/07 Completed 5/9/07

14. DRILLER'S CERTIFICATION

I/we certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name ALLSTATE DRILLING Firm No. 861Principal Driller Mary Jones Date 6/4/07

Driller or Operator II _____ Date _____

Principal Driller and Rig Operator Required. Heber Date 6/4/07

Operator I must have signature of Driller/Operator II.

FORWARD WHITE COPY TO WATER RESOURCES



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: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

June 24, 2019

KENNETH D DONLEY
154 GRANITE BASIN RD
GARDEN VALLEY, ID 83622-0000

COPY

RE: Water Right Permit No. 65-22947

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 Idaho Code § 42-211. 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

☒ 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 filing fee of \$100.00 within fourteen (14) days.

If you have any questions, please call me at (208) 334-2190.

Sincerely,

Justin Shearer
Water Resource Agent, Senior

Enclosure(s): Application for Amendment, Maps

Return Service Requested

FIRST CLASS



ZIP 83702 \$ 0
02 4W
0000359175 JUN

WATER RESOURCES
WESTERN REGION

83705>5082



Brad Little
Governor

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: www.idwr.idaho.gov

Gary Spackman
Director

June 11, 2019

KENNETH D DONLEY
5268 S YARROW AVE
BOISE ID 83716

COPY

RE: Water Right Permit No. 65-22947

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 Idaho Code § 42-211. 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

☒ Beneficial Uses

☐ 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 filing fee of \$100.00 within fourteen (14) days.

If you have any questions, please call me at (208) 334-2190.

Sincerely,

Justin Shearer
Water Resource Agent, Senior

Enclosure(s): Application for Amendment, Maps

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED

Letter Date: 6/22/17

RE: Field Exam Request

Resent to new address 9/21/17

not
this address

154 Granite Basin Rd
Garden Valley ID 83622



RECEIVED

AUG 01 2017

WATER RESOURCES
WESTERN REGION

NIXIE

841 FE 1

0007/29/17

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

SC: 83705508235

*0636-01874-23-39

-- 9326020025 24761 8371886909 000
8370550823



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 22, 2017

KENNETH D DONLEY
5268 S YARROW AVE
BOISE, ID 83716

COPY

RE: Scheduling Field Exam for Water Right Permit No. 65-22947

Dear Permit Holder:

We are planning to conduct water right examinations 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 **0.500 cfs** from **GROUNDWATER and ANDERSON CREEK** tributary to **MIDDLE FORK PAYETTE RIVER** for **IRRIGATION, DOMESTIC, RECREATION, & AESTHETIC** 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.**

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 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,

Justin Shearer
Water Resource Agent

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