

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

A. GENERAL INFORMATIONPermit No: 95-17465

Exam Date: 4/15/2019

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: Paul W. and/or Elisabeth A. Middlemore
Owner of Record Correct? X Y N
Address of Record Correct? Y N
If No: Address

Tax lot data shows Paul W. Middlemore as the owner of the property.

3. Beneficial Use Fees have been paid: X Y N Receipt No: N034146

4. SOURCE TRIBUTARY

Ground Water

Method of Determination: GIS and Tax Parcel Data

Change 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
95-14321	Ground Water	Domestic	Recommendation

Comments: There are other rights in the general area, but the only right that partially overlaps the place of use is Recommendation 95-14321. Statutory claim 95-4170 appears to be for the same property, but this statutory claim was not claimed in the Adjudication. I also could not find any land irrigated on this property in the 1990's or 1980's aerial photography, so I think that 95-4170 was never actually viable or was incorrectly described. The metes and bounds description in claim 95-4170 didn't make any sense and basically created a straight line.

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

Water Right No.	Source	Purpose of Use	Basis
95-14321	Ground Water	Domestic	Recommendation

Comments: There are other rights in the general area, but the only right that partially overlaps the point of diversion is Recommendation 95-14321. Please Note: The point of diversion described in recommendation 95-14321 is incorrect. Both rights divert out of the same well. Statutory claim 95-4170 appears to be for the same property, but this statutory claim was not claimed in the Adjudication. I also could not find any land irrigated on this property in the 1990's or 1980's aerial photography, so I think that 95-4170 was never actually viable or was incorrectly described. The metes and bounds description in claim 95-4170 didn't make any sense and basically created a straight line.

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

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Dog Run Well			NW	NE	18	50N	5W	B.M.	Kootenai County
								B.M.	
								B.M.	

Method of Determination: GIS, Tax Lot data, and telephone call with owner.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	
50N	5W	7															1		1
		Lot #																	
Total Acres =																			1

Method of Determination: GIS, Tax Parcel data, and telephone call with owner.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
Dog Run Well	Unknown				

*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

____ Additional Computation Sheets Attached

Measured Method:

There is very little information concerning this system. Therefore, I am recommending this permit based on Administrative Processing Memorandum Number 17.

Acre Limits = 1 acres X 0.03 cfs per acre = 0.03 cfs

Permit allowed = 0.03 cfs

I am recommending a diversion rate of 0.03 cfs, since maximum rate per acre and the permitted amounts are the same.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1 \text{ acres} \times 3 = 3 \text{ af}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.03 \text{ cfs} \times 246 \times 1.9835 = 14.6 \text{ af}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{D.R.} = 3 \text{ af}$$

2. Volume Calculations for Other Uses:

N/A

G. PURPOSE OF USE

Irrigation ☒ 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 can be done as an in-house field examination. This is a basic irrigation use from ground water, but there are issues with recommendation 95-14321. Water right 95-14321 is an adjudication claim based on a beneficial use. This right hasn't been decreed, so we cannot include any combined limits when this permit and right 95-14321 are combined. This becomes an issue, since there are 1.1 acres of irrigation on this property. Water right 95-14321 is a domestic right, and could possibly provide up to 1/2 acre of irrigation. If right 95-14321 was a decreed water right, I would limit this permit to 0.6 acres of irrigation (1.1 acres - 0.5 acres from 95-14321 = 0.6 acres for this permit). However, since water right 95-14321 has not been decreed, we will need to use condition 928, which will allow the Department to limit this permit after the license is issued to the actual amount of irrigation developed. Until water right 95-14321 is decreed, it would not be fair to impose limits on this permit at licensing that may or may not be needed based on how 95-14321 is decreed.

Conditions R66, 01R, 174, 175, and 004 should be carried forward to licensing. All of the other conditions on the permit should be removed. Condition 004 is needed on the license since the mainline crosses tax parcel lines. We will also need to add condition 928.

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	03/15 to 11/15	0.03 CFS	3.0 AFA
<u>Totals:</u>		0.03 CFS	3.0 AFA

Please Note: This is a surface water right, so no volume will be included on the water right license.

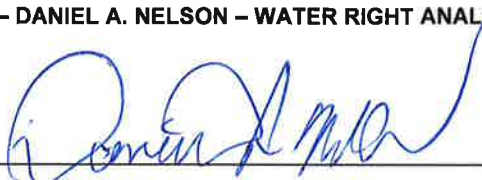
2. Recommended Amendments

___ 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 4-15-19

Reviewer  Date 4/28/19

Permit 95-17465 Field Exam Map

The 2017 aerial image below shows the place of use and point of diversion for this permit in yellow. The purple area is area that is covered by Adjudication Recommendation 95-14321. The place of use for 95-14321 also includes some of the area described by permit 95-17465, so condition 928 will be needed.



Permit 95-17465 – Street View Photos from Google Earth.

The following are Street View Photos from Google Earth, that clearly show the property is being irrigated.



MEMORANDUM

TO: Water Right File 63-11610

FROM: Daniel Nelson – Analyst 3

DATE: April 15, 2019

SUBJECT: Telephone Conversation Memo

On this date, I spoke with Elisabeth A. Middlemore concerning permit 95-17465. In my conversation with Ms. Middlemore, I discovered that the well was properly located on the permit map. The well is in a fenced in area that she referred to as the dog run in the NWNE of Section 18 in Township 50 North, Range 5 West. Adjudication recommendation 95-14321 shows the well in the irrigated area north of the driveway in the SWSE of Section 7 in Township 50 North, Range 5 West, which is incorrect. Ms. Middlemore stated that she was going to go to the Northern Region office to get the adjudication recommendation corrected.

Ms. Middlemore confirmed that the only irrigation occurring at this time is 1 acre, in a yard type area north of the driveway from the home, and two flower gardens around the home. The dog run area where the well is located is not irrigated.

Ms. Middlemore also confirmed that the well providing water to this permit also provides water to adjudication claim 95-14321 for domestic use, which allows up to ½ acre of yard irrigation. The shape file for 95-14321 includes a portion of the large irrigated area north of the driveway.