

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A Beneficial Use Field Report is prepared by a water right examiner as the result of an examination to clearly confirm and establish the extent of the beneficial use of water established in connection with a permit during the development period authorized by the permit and any extensions of time previously approved.

A. GENERAL INFORMATIONPermit No. 65-13392

1. Owner Tina Marie Hoven, Shirley C Hoven Phone No. _____
Current address same
2. Examiner's name Phill Hummer EXAM DATE 10/15/2018
3. Accompanied by Nick Miller (IDWR) Email _____
Address _____
Relationship to permit holder _____ Phone No. _____
4. Source Dodge Creek tributary to SF Payette River

B. OVERLAP REVIEW

1. Other water rights with the same place of use 65-13963, 65-22976
2. Other water rights with the same source and point of diversion 65-13963, 65-8992

C. DIVERSION AND DELIVERY SYSTEM

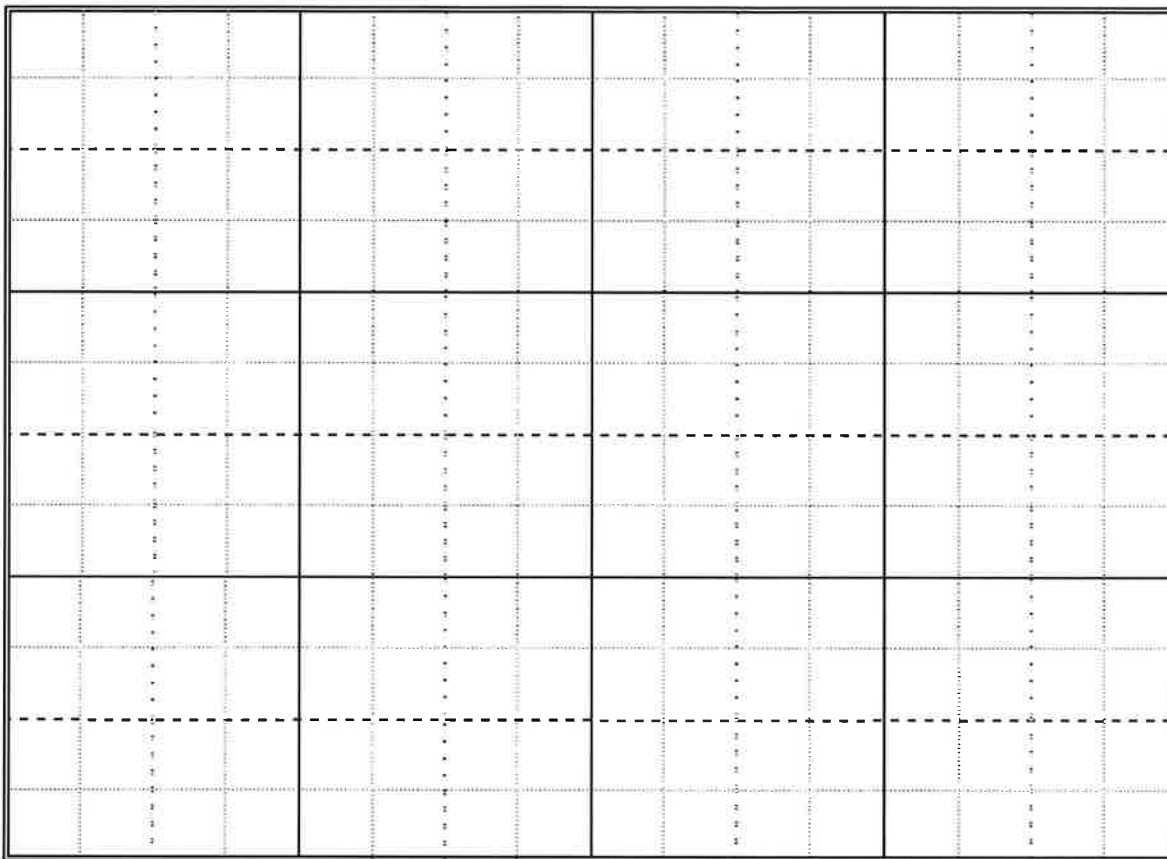
1. Point(s) of Diversion:

Ident. No.	Gov't Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Method of Determination/Remarks
			SW	SW	01	08N	05E	Boise	GPS (inaccurate), Map/DRG
	6		NW	SW	01	08N	05E	Boise	not developed, not recommended

2. Place(s) of Use: Method of determination Ms. Hoven drew crop boundaries on a map

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	05E	01										1.5	1.5						3.0
												L6							

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe diameter (inside), as applicable. Use the space provided or ☒ see attached.



Scale: 1" = _____

- ☒ Copy of USGS Quadrangle attached showing location(s) of point(s) of diversion and place(s) of use (**required**)
☐ 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
n/a					

*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
no measurement made						

2. **Measurements:** _____

The open end of the pvc pipe was capped at the time of the field examination. Ms. Hoven said she has had trouble with rocks and sand getting into the pipe so she needs to redesign the system. The same 4 in pvc will be used but she plans on making an enclosure of some kind to prevent sabotage and filter sand more effectively.

E. NARRATIVE/REMARKS/COMMENTS

The diversion system was not operating at the time of the field examination. However, the backfile for permit no. 65-13963 contains a measurement log from 2003 so there is some evidence that the system was functioning during the development period. The data from the log is shown in the attached table. During the field examination I was unable to find visual evidence that irrigation had occurred in the place of use or anywhere in association with this permit. However, I discussed the use of water with the permit holder at length. Ms. Hoven said that she had planted several trees along the two roads for the purposes of providing shade and as landscape features. She filled buckets from the pipeline and used them to water the trees. Additionally, she used a small pump and hand sprayer to water crops of cat nip. She drew rough boundaries for each crop on the field exam map. She said that problems with grasshoppers and sabotage to her diversion system killed the trees and cat nip. Despite the lack of visual evidence at the site and on aerial imagery I think we should give her the benefit of doubt. The development period for this permit ended nearly a decade before I was able to conduct an examination (12/04/2000 to 12/01/2008). Residual plant matter and any soil shaping that would be characteristic of irrigation practices may have been destroyed by time. Also it is doubtful that the type of irrigation described by Ms. Hoven would be noticeable on Landsat or visual satellite imagery. I drew shapes in Arcmap similar to the boundaries that Ms. Hoven drew on the map. The areas sum to about 1.86 acres in the NWSW lot 5 and 1.78 acres in the SWSW of section 01, township 08N, range 05E. I rounded both of these numbers down for simplicity since the number of acres irrigated is an estimate. This is the same number of acres that should be recommended for the "irrigation from storage" use of permit no. 65-13963. The rights should be conditioned to a combined limit of 3 acres. The boundaries shapes that Ms. Hoven drew are all within either lot 25 or Block 1 Lot 1 of Payette River Heights subdivision.

Ms. Hoven stated the greenhouses she planned on constructing for commercial use were never built. The use of water for commercial purposes was not developed and should not be licensed.

Has the permit holder met all conditions of permit approval, including any mitigation requirements and/or measuring device installation requirements? ☒ Yes ☐ No If no, what must be done to meet the permit requirements?

F. FLOW CALCULATIONS☐ Additional computation sheets attached

Measured Method:

The system was not functional during the site visit. However, measurement data submitted by Ms. Hoven (attached) shows the system is capable of diverting 0.80 cfs.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (1.5 + 1.5) \times 3.5 = 10.5 \text{ af}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.09 \times 243 \times 1.9835 = 43.4 \text{ af}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 10.5 \text{ af}$$

2. Volume Calculations for Other Uses:

Commercial use was not developed.

A volume for irrigation should not be used on the license because irrigation use from a natural stream is exempt under the Department's Rules of Appropriation 37.03.02.035.01.j.viii.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	03/15	10/31	0.09	
Totals:			0.09	

2. Recommended Amendments

☐ Change P.D. as reflected on page 1☐ Add P.D. as reflected on page 1☒ None☐ Change P.U. as reflected on page 1☐ Add P.U. as reflected on page 1☐ Other**I. AUTHENTICATION**

Field Examiner's Signature



Date

2/7/19

Reviewer



Date

2/7/19

SEAL

Conditions of the Permit Discussion

The two conditions on the permit that need to be address are condition 01J and condition 004 as it relates to trespass on federal land. Condition 01J was used on the permit because the POD is within a water district, the total diversion rate is greater than 0.20 cfs, and it was requested by the watermaster. On 10/21/2015 the Department received photos from Ms. Hoven showing a butterfly valve type lockable controlling device installed on the diversion system. While this is not within the development period communication documents scanned to the backfile imply IDWR staff were allowing MS. Hoven to make repairs to the system prior to a site visit, the repairs included the installation of the controlling device. There is no evidence in the file that suggests a measurement device was installed. However, commercial use was not developed and the rate for irrigation that was developed is much less than the rate that requires a measuring device. For this reason I consider this condition met and the recommend the license be issued with conditions R02 and 01R instead of 01J. I discussed this with Ron Shurtleff (watermaster district 65) and he approved the change in conditions since the diversion is not on the either main stems of the Payette River.

The backfile for the permit contains a copy of a special use permit issued to Ms. Hoven on 05/16/1995 for the maintenance of a waterline for domestic purposes. The special use permit was amended in 2000 to included irrigation and agricultural use. Ms. Hoven has said she continues to pay for the special use permit every year. I think this is enough evidence to show she had legal access to install the pipeline on federal property. Since access issues were such an important topic during the whole process of this right (forest service protest) and it is currently becoming more of an issue with contested cases. Condition 004 should remain on the license.

Diversion Measurements

date 2003	rate (gal/sec)	rate (gal/min)	rate (cfs)
13-Jan	6.000	360	0.80
31-Jan	1.250	75	0.17
21-Mar		75	0.17
19-Apr	0.625	37.5	0.08
25-Apr	0.714	42.84	0.10
29-Apr	1.250	75	0.17
10-May	1.000	60	0.13
11-May	1.667	100.02	0.22
20-Jun	0.417	25.02	0.06
26-Jun	0.278	16.68	0.04
15-Jul	0.417	25.02	0.06
12-Aug		5	0.01
13-Aug		5	0.01
		avg	0.15

*Data received 08/15/2003 scanned to 65-13963



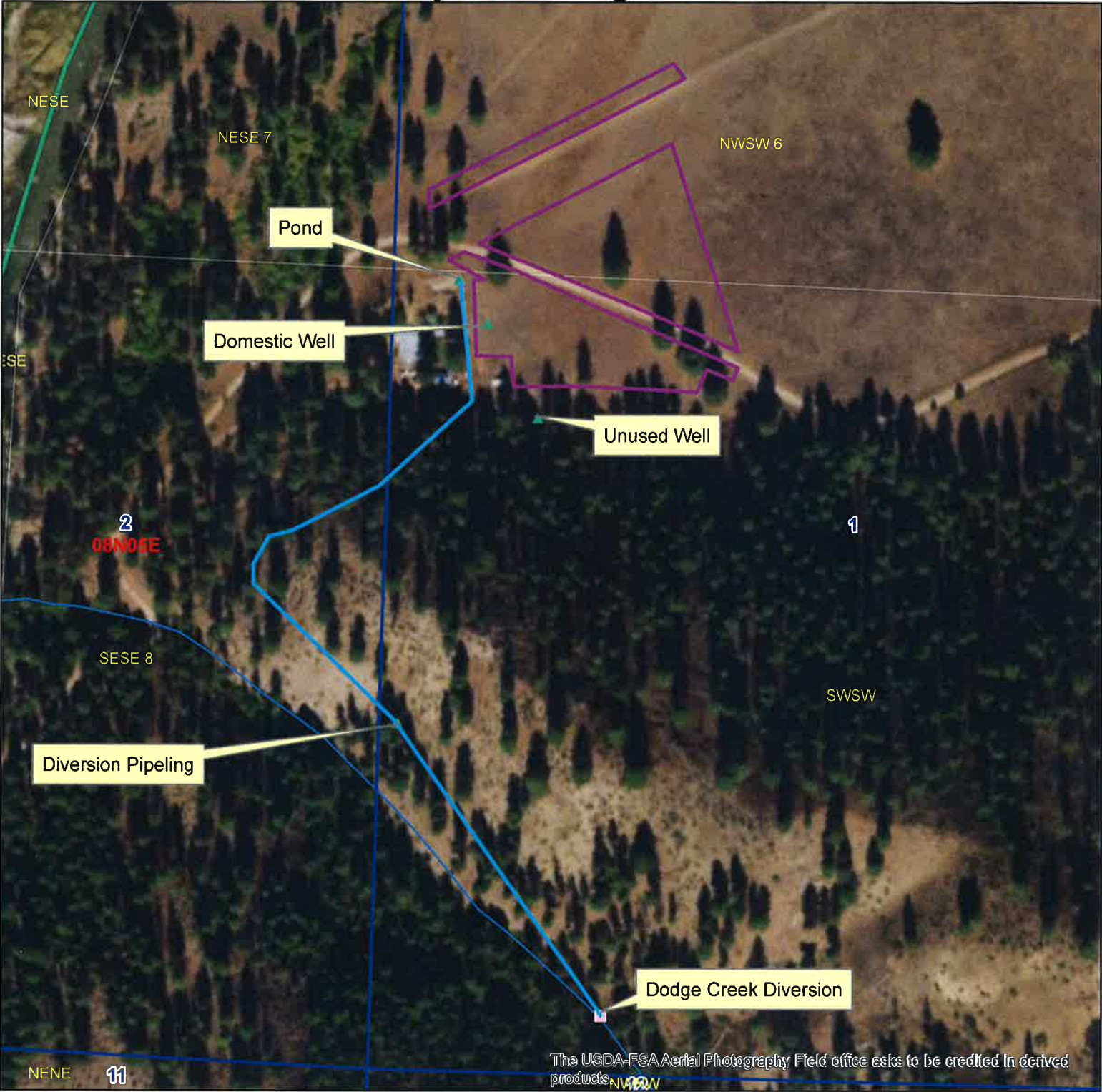
-  Townships
-  PLS Sections
-  Taxlots

Field Examination Map

0 0.02 0.04 0.08 Miles

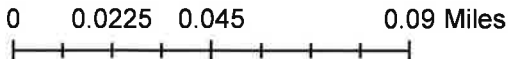


System Diagram

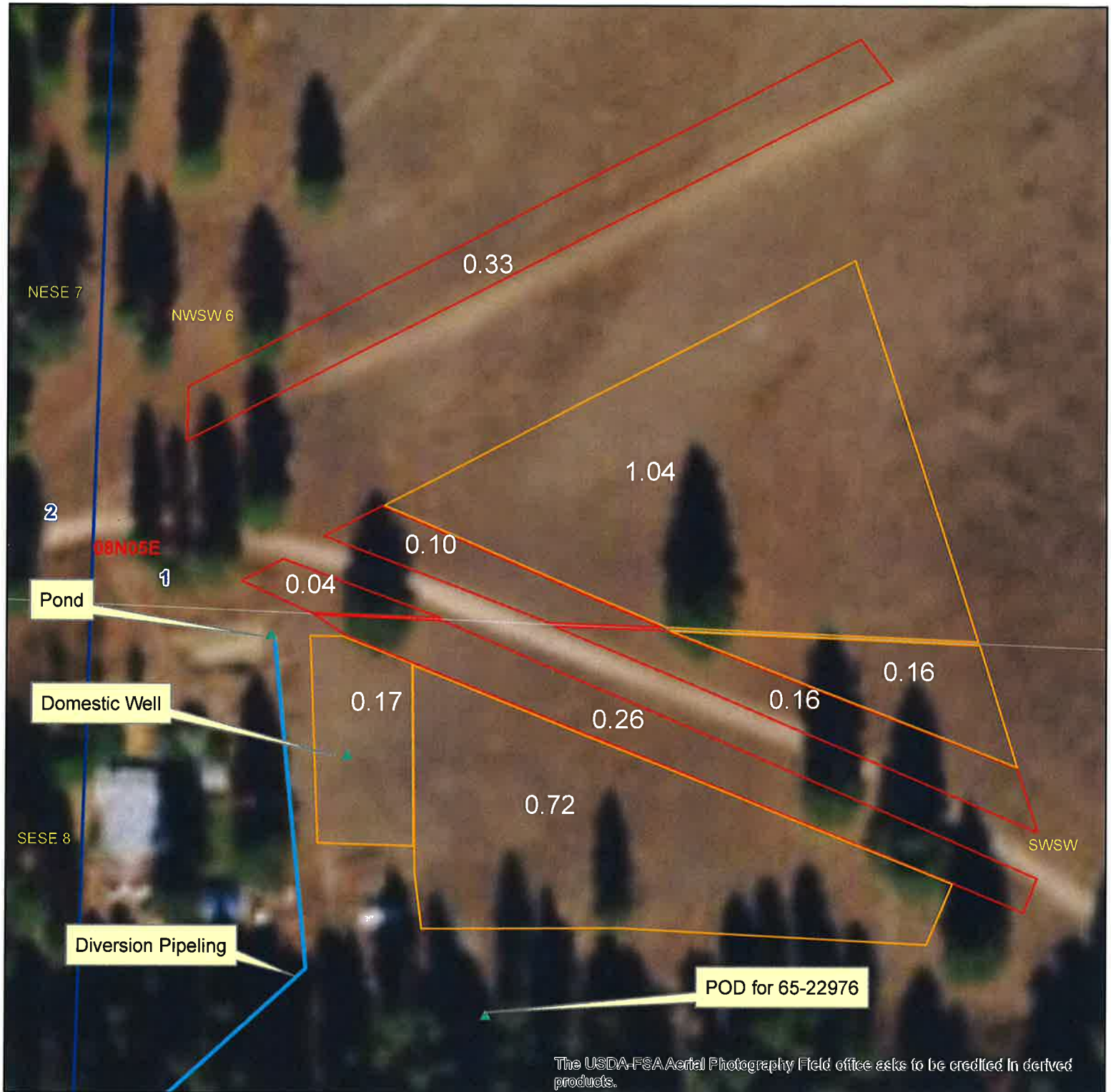


Legend

- Water Right POD
- Field Exam GPS Points
- Irrigation POU
- Township/Range
- Sections
- QQ



Irrigated Acres



The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

Legend

- ▲ gps
- Tree Boundaries
- Catnip Boundaries
- Township/Range
- Sections
- QQ

0 0.0075 0.015 0.03 Miles





Picture 1.



Picture 2.



Picture 3.

Photos 1 and 2 are the views North/Northwest and East across the property from the unused well. Photo 3 shows the area between the house and the shed, as well as the undeveloped lots in distance. The place of use north of the two are not pictured.



Pictures 4 and 5 show the diversion end of the pvc pipe in the bed of Dodge Creek. Photos submitted by Ms. Hoven that show the rest of the pipeline were scanned to the records for 65-13392 and 65-13963 on 04/04/2018 under "Order Voiding Permit & Supporting Documents". Photos submitted by Ms. Hoven that show the lockable controlling device are also in the same location.