

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

A. GENERAL INFORMATIONPermit No: 96-9577Exam Date: 10/15/2018

1. Does this qualify for an in-office field exam (IDAPA 035.02.r)? ☒ Yes ☐ No
- Irrigation of 5 acres or less
 - Storage of up to 14.6 AF for stockwater purposes only
 - Combined diversion rate is less than 0.24 cfs**

2. Current Owner: Name: Mark and Susan Kubiak
- Owner of Record Correct? ☒ Yes ☐ No
- Address of Record Correct? ☒ Yes ☐ No
- If No: Address

3. Beneficial Use Fees have been paid: ☒ Yes ☐ No Receipt No: C105610

4. **SOURCE** **TRIBUTARY**
- Pend Oreille River Columbia River
- Method of Determination: GIS and USGS quad maps
- Change in Source: ☐ Yes ☒ No

B. OVERLAP REVIEW

1. Other water rights with the same place of use: ☒ Yes ☐ No

Water Right No.	Source	Purpose of Use	Basis
96-9543	Pend Oreille	Municipal	Permit

Comments: Water Right File No. 96-9543 is a permit that belongs to the City of Dover for municipal use. The status of 96-9543 is unclear. A previous municipal permit was voided because the City of Dover was unable to complete the diverting works within the designated development period. This application for permit (96-9577) states that Dover City water is available, but that the intended use is for irrigation of 0.5 acres of yard around the home, and "backup emergency in-home use". Other water rights within the same Government Lot (Lot 1 in NENW quarter-quarter of Section 32) do not overlap with the place of use. The other places of use were identified through Bonner County tax parcel data.

2. Other water rights with the same point of diversion: ☐ Yes ☒ No

Water Right No.	Source	Purpose of Use	Basis

Comments: Point of diversion is within property boundaries of permit holder, and is not shared.

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

Source	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.		County
Pend Oreille	1		NE	NW	32	57N	02W	B.M.	BONNER
								B.M.	
								B.M.	

Method of Determination: GIS and tax parcel information

Change in POD? ☐ Yes ☒ No

Amendment Required? ☐ Yes ☒ No

Permit No: 96-9577

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2. PLACE OF USE: Use: Domestic Use, including 0.5 acres of 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	02W	32					D												
		Lot #					1												
Total Acres =																			

Method of Determination: GIS, tax parcel information, applicants' maps.

Change in POU? ☐ Yes ☒ No

Amendment Required? ☐ Yes ☒ No

4. Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
NA	Unknown	<0.5	Unknown	Unknown	0.75 inch outlet

*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
NA	Unknown	Unknown	Unknown	Unknown	NA	NA

2. Measurements: This permit was reviewed as an in-house permit, so there were no measurements made. Application materials listed a pump that appears to be too small to match the full diversion rate of the permit. The pump described in the application has a rate of 2.9 gpm, with a pressure of 50 psi. An online calculator estimated the total horsepower to be less than 0.2 hp (<http://irrigation.wsu.edu/Content/Calculators/General/Required-Water-Pump-HP.php>, last visited on 10/22/2015). A screen shot of the online calculator is an attachment to this In-Office Review.

E. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

Administrative Memorandum – Application Processing #6: The minimum diversion rate for a water right is 0.01 cfs.

Minimum diversion rate = 0.01 cfs

Permit allowed = 0.04 cfs

License recommend for 0.01 cfs.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation: None

According to Administrative Memorandum – Application Processing #22 we can allow up to 1.2 AFA per household for when irrigation is included with in-home domestic use.

2. Volume Calculations for Other Uses: NA

G. PURPOSE OF USEIrrigation ☒ Yes ☐ No # Stock NA Domestic # of Homes 1Other: Irrigation of 1/2 acre is part of the domestic use.Change in Purpose of Use? ☐ Yes ☒ NoMethod of Determination: GIS, tax parcel data, and maps from applicant.**H. NARRATIVE/REMARKS/COMMENTS**

Mark and Susan Kubiak filed an application for permit on July 1, 2015 for domestic water use, including 1/2 acre of irrigation. An incomplete application was previously received on May 28, 2015. The applicants stated that municipal water is available for in-home use, but this permit would be primarily for irrigation and a back-up source for in-house domestic use. Overlap with other water rights is not a concern.

For the licensing of this permit, the place of use is two adjacent parcels owned by the applicants. Both parcels are needed to include the domestic in-home use, and the irrigation of the yard and garden. The place of use for the permit was assigned to only one of the parcels, which does not have a home on it. Through correspondence with the applicants between September 24, and October 11, 2018, they confirmed that the required home for domestic use is on tax parcel RPD00000322750A (at 241 Lakeshore Ave.), but the yard and garden that will be irrigated are on the adjacent parcel, RPD00000322775A (at 245 Lakeshore Ave.). The point of diversion is within the place of use.

The application materials list the diverting works as a small solar powered pump (2.9 gpm, 50 psi). The estimated horsepower of the pump is less than 0.25 hp. The water right can be authorized for the minimum diversion rate of 0.01 cfs, per Administrative Memo – Application Processing #6.

Conditions 1 – 3 were removed. All other conditions will be carried forward to licensing.

Have conditions of permit approval been met? ☒ Yes ☐ No

I. RECOMMENDATIONS**1. Recommended Amounts**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
Domestic	01/01 to 12/31	0.01 CFS	1.2 AF
<u>Totals:</u>		0.01 CFS	1.2 AF

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

Field Examiner's Name David Belts Date October 22, 2018

Reviewer David A. M... Date 10/22/18

Permit 96-9577 – Field Exam Map

The aerial photo below shows the point of diversion (yellow dot) and place of use (yellow border). The water is diverted from the Pend Oreille River. The place of use includes two tax parcels (green borders). The home that defines this as a domestic use is in the parcel to the north, and the ½ acre of irrigation of the yard and garden includes the second parcel to the south.



Attachment to In-Office Review

Date: October 22, 2018
To: Permit 96-9577
From: Dave Betts
Re: Screen shot of online calculator

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 [Irrigation Run Time](#)
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 [System Pumping Requirements](#)
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 [Total Dynamic Head](#)
 [Pipe Size Estimate](#)
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Required Water Pump Horsepower

Use this form to estimate the brake horsepower and total power (hp) requirements of the electric motor used to power an irrigation water pump.

Learn more about the units used on this page.

Pressure:

Flow Rate:

Pump Efficiency:
 %

Drive Motor Efficiency:
 %

Brake Horsepower:

Total Power Requirements:

<http://irrigation.wsu.edu/Content/Calculators/General/Required-Water-Pump-HP.php>

Place of Use (96-9577)

Two parcels owned by:
Mark & Susan Kubiak

Legend

Lakeshore Avenue

Google Earth

© 2018 Google

1000 ft

N

Place of Use (96-9577)
Two parcels owned by:
Mark & Susan Kubiak

Legend

Lakeshore Avenue

Google Earth

© 2018 Google

1000 ft

N

irrigation

Legend

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Google Earth

© 2018 Google

1000 ft

N

irrigation

1000 ft



Betts, David

From: mark kubiak [mailto:51markskubiak@gmail.com]
Sent: Monday, October 08, 2018 3:15 PM
To: Betts, David <David.Betts@idwr.idaho.gov>
Subject: Re: Additional information required to License: Permit 96-9577 (Kubiak)

Mr. Betts,

I am sending to you today a hard copy with irrigated area shaded in.

Mark Kubiak

On Oct 5, 2018, at 1:53 PM, Betts, David <David.Betts@idwr.idaho.gov> wrote:

Betts, David

From: Betts, David
Sent: Friday, October 05, 2018 2:53 PM
To: 'mark kubiak'
Subject: RE: Additional information required to License: Permit 96-9577 (Kubiak)

Dear Mr. Kubiak,

Because your property is split between two parcels, there was a little confusion regarding the place of use. I needed to make sure that I wasn't missing a new home on the lot at 245 Lakeshore Ave, and the number of trees on the property made it difficult to determine what area is being irrigated. If the area that is being irrigated is on the parcel with the 245 Lakeshore Ave. address and the irrigation is associated with the home at 241 Lakeshore Ave., that would satisfy the requirements for a domestic water right.

If you sent us a copy of the aerial photo of your properties with an outline around the area that is irrigated, it would allow me to link the water use to both parcels based on the home at 241 Lakeshore Ave. An electronic copy would be sufficient.

You can still request that a representative schedule an appointment to perform a field exam. Thanks for your help.

Dave Betts
(208) 287-4826

I called the applicants' phone number prior to sending this email. I was forwarded to a generic voice-mail account. I chose to send an email rather than leave a voice mail
10/08/18 

From: mark kubiak [mailto:51markskubiak@gmail.com]
Sent: Friday, September 28, 2018 3:25 PM
To: Betts, David <David.Betts@idwr.idaho.gov>
Subject: Re: Additional information required to License: Permit 96-9577 (Kubiak)

Mr. Betts,

The water is being used at 245 Lakeshore Ave., Dover Id.. Yes there is no house on the lot, I didn't know that was required. So, I am confused as you may be. If there are any more questions or issues feel free to contact me.

Thanks,

Mark Kubiak

Betts, David

From: Betts, David
Sent: Monday, September 24, 2018 3:53 PM
To: '51markskubiak@gmail.com'
Subject: Additional information required to License: Permit 96-9577 (Kubiak)
Attachments: Map AppforPermit 96-9577 Kubiak.pdf; Parcels 96-9577 Kubiak.pdf
Categories: Reference

Dear Mark and Susan Kubiak

On September 07, 2018, the Department of Water Resources (Department) received the "Statement of Completion for Submitting Proof of Beneficial Use" claiming that you have completed the construction and development of the water system for 1 home and 0.5 acres of irrigation and that you have supplied that water to the 1 home and 0.5 acres of irrigation.

This water use is small enough to allow the Department to review the water use and possibly license this permit without performing an on-site field examination. Not a great deal of information is needed to complete the license. Unfortunately, I am unable to identify the intended place of use, which is required to continue with the licensing process.

Your application materials indicated the intended place of use as parcel RPD00000322775A. For your reference, I am including a copy of the map that was filed with your application for permit. County tax parcel information lists the address of this parcel as 245 Lakeshore Ave. No home is identifiable on that parcel using the most recent satellite imagery or online county records.

A second map is attached to this email ("Parcels 96-9577 Kubiak.pdf"), which has a closer view of your properties. The parcel which was used to identify the place of use is outlined in orange (245 Lakeshore Ave.). Outlined in green is your property at 241 Lakeshore Ave., which is parcel RPD00000322750A.

If you could verify the following information, I would appreciate the help to get this permit licensed as quickly as possible.

1. Identify the location of the home and yard that are the places of use for the developed water system, using the map "Parcels 96-9557 Kubiak.pdf".
 - a. Please make sure to identify whether all or part of the place of use is outside of parcel RPD00000322775A (245 Lakeshore Ave.), which is outlined in orange.
2. If there is a home on the parcel outlined in orange, please send a photograph (or photographs) of the home. The photographs of the home should include nearby structures or landmarks that will help confirm the location of the home on your property.

With the above information, I believe I can move this permit through the licensing process, without you having to schedule a time to meet with Department staff to verify your water use.

If you do not want to supply the above information, you can request that Department personnel schedule a time to meet with you to do the on-site field exam. For this to occur, Department staff require the presence of at least one of the property owners to be present at the time of the exam. I need to ask that you either supply the information requested above, or a request for a field examination within 30 days or by October 24, 2018.

If you have any questions or concerns, please don't hesitate to contact me. I have given you my direct telephone line below.

Respectfully,

Dave Betts

Water Resource Agent

Water Rights Section

Idaho Department of Water Resources

322 East Front St., PO Box 83720

Boise, ID 83720-0098

Phone: (208) 287-4826

Fax: (208) 287-6700

"Parcels 96-577 Kubiak.pdf" sent as attachment to email on Sept. 24, 2018

Place of Use (96-9577)

Two parcels owned by:
Mark & Susan Kubiak

Legend

Lakeshore Avenue

Google Earth

© 2018 Google

N

1000 ft

