

IN-OFFICE BENEFICIAL USE FIELD REPORT

Permit No: 67-7977

Examiner: A. Skinner

Date: 9/8/2017

In-office qualification (IDAPA 035.01.r): ☐ Irrigation $\leq$ 5 acres
☐ Stockwater storage $\leq$ 14.6 af
☒ Total diversion rate $\leq$ 0.24 cfs and not irrigation or storage

Current Owner Name: DOLORES and/or DONALD KOESTER Address: 2351 LAPPIN LANE,
 COUNCIL, ID 83612

Beneficial Use Fee Paid: \$100.00 Receipt: C050160

Source: WASTE WATER Source change? ☒ N ☐ Y Change clarifies originally intended source.
 If not – void permit.

Point of Diversion			NE				NW				SW				SE			
Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
17N	01W	35					X											

Method of Determination: Site visit and aerial imagery.

POD change? ☒ N ☐ Y

Place of Use			NE				NW				SW				SE				Totals
Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	01W	35					S												

Method of Determination: Site visit and aerial imagery.

POU change? ☒ N ☐ Y

Purpose of Use: Stockwater (Irrigation was not developed)

Purpose change? ☐ N ☒ Y

Method of Determination: Site visit and communication with Doug Kesler.

Standard Season of Use: 01/01 - 12/31

Update required on license? ☒ N ☐ Y

Overlap Review POD overlap? ☒ N ☐ Y WR's:

Analysis Attached ☒ Comments: NA

POU overlap? ☒ N ☐ Y WR's:

Comments: NA

Diversion Rate	Permitted Rate: 0.32 cfs	BU Standard Limit: 0.02 cfs
	BU Fee Limit: 1.00 cfs	Theoretical (optional): cfs
Recommended Total Div Rate: 0.02 cfs		

Annual Volume

For Irrigation:	cfs x 1.9835 x	days	=	af
	acres x	af/ac (FHR)	=	af
	Smaller of two volumes		=	af

For other uses: Stockwater use is for 10 mixed use stock. According to Administrator's Memorandum No. 3, stockwater for up to 10 stock is allowed at a rate and volume of 0.02 cfs and 0.2 AF respectively.

Recommended Amounts

Beneficial Use	Season of Use	Diversion Rate (cfs)	Annual Volume (af)
STOCKWATER	01/01 - 12/31	0.02	0.20
Totals		0.02 cfs	0.20 af

IN-OFFICE BENEFICIAL USE FIELD REPORT

Amendments Required☐ Change P.D.☐ Add P.D☒ None☐ Change P.U.☐ Add P.U.☐ Other:**Conditions:**

Conditions 01P, R05, and X02.

Have conditions of permit been met? ☒ Y ☐ N**Narrative:**

Permit No. 67-7977 authorizes the diversion rate of 0.32 cfs for irrigation and stockwater use and an assumed volume limit of 60.2 AF (15 acres X 4 H.G.R. + 0.2 AF for 10 stock animals). A site visit on 7/11/2017 verified that the irrigation component had not been developed. This was confirmed by aerial imagery. In 1999/2000, six acres show up on imagery as plowed ground. I spoke with Doug Kesler, a neighbor, who Ms. Graham (current owner) scheduled to meet me for the field exam. Mr. Kesler stated that it was him who tried to farm the six acres, but couldn't get anything to grow. He stated nothing else has ever been irrigated or farmed since. There was a weir to divert water from the unnamed creek/stream, but no sign of irrigation present. Moving forward, the irrigation portion of the permit will be dropped. Stockwater is small enough to qualify for an in-office field exam as stated under IDAPA 37.03.02.035.01r. The in-office exam was completed on September 8, 2017 by WRA Aaron Skinner.

System Description:

Water is diverted from the seasonal unnamed creek/stream. A weir is in place that is used to dam water up to be pumped out to the troughs (assumed). Water is also diverted to the troughs via black poly lines and PVC fixtures (best guess with available resources). Images of the stockwater use are included in this file from the backfile that were submitted by the original applicant, Donald Koester. Pictures taken during the site visit were added as well.

Diversion Rate and Volume:

The permit authorizes a rate of 0.32 cfs, but as mentioned above, only 0.02 cfs is for stockwater use. Administrator's Memorandum # 3 recommends a rate and volume limit of 0.02 cfs and 0.20 AF, therefore, will be recommended to licensing.

Overlap:

There are no POD or POU overlaps associated to this right.

Ownership:

The current Adams County taxlot data shows that the Graham Family Trust are owners of the property. **A change in water right ownership form is necessary to update the license accordingly.** A letter to Ms. Graham was sent on 10/26/2017 requesting a ownership change to be submitted. No response was received. Because use was developed, a license will be drafted under the Koester name.

Conditions:

Condition 01J was removed since taking off the irrigation component changes the total rate to less than 0.20 cfs. Condition 03A and 26A were removed and not forwarded to licensing. Condition 028 was updated to 01P because 028 has since become inactive. New stockwater applications received condition 01P as a standard practice. Condition 005 was update to R05.

Workflow

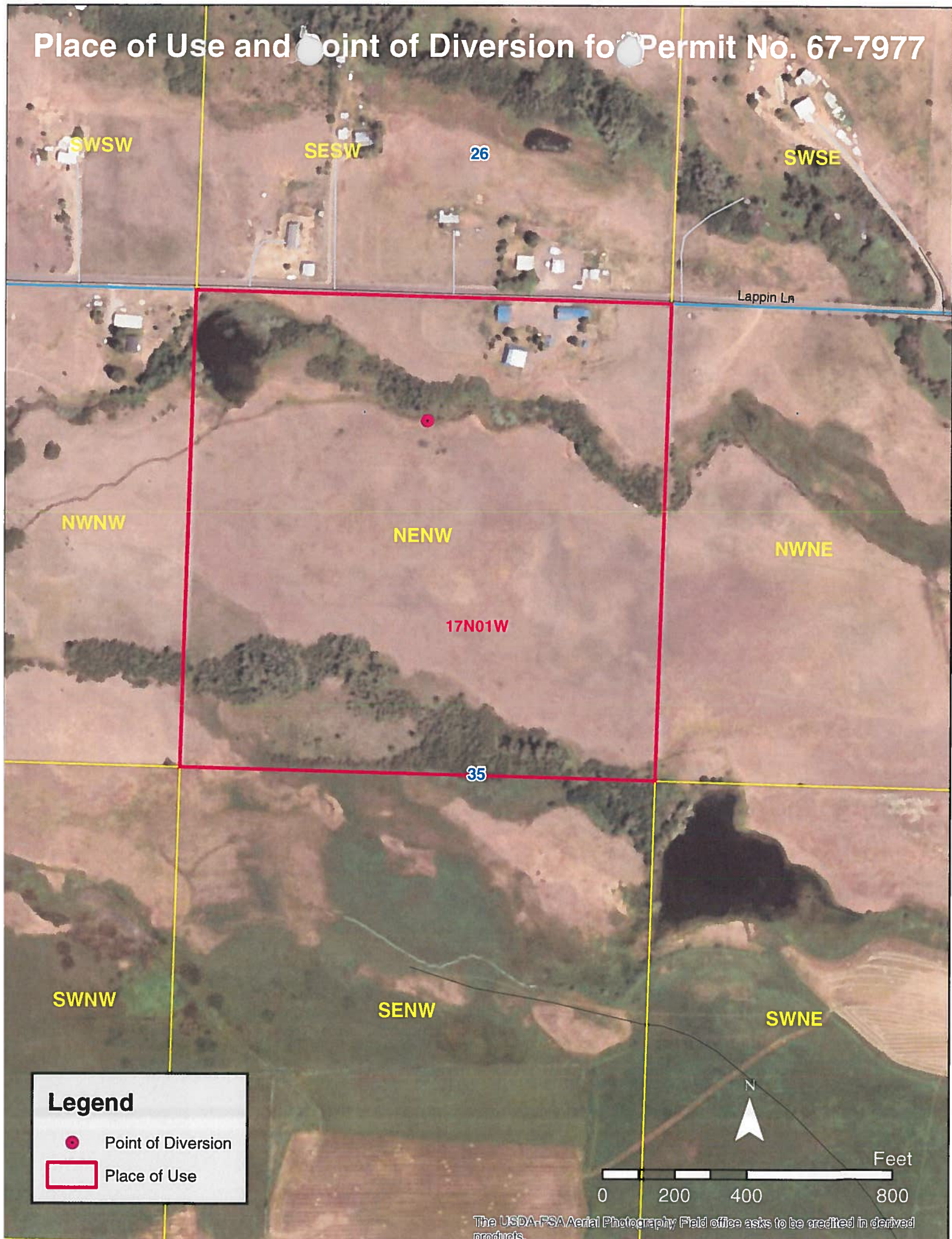
Exam Date Entered ☒
 POU/POD shapes ☒
 Combined Rights Entry ☐
 Wild & Scenic Entry ☐
 Draft License and Map ☒
 FE Database (N: drive) ☒

Supporting Documents

Aerial Photograph ☒ Well Log ☐
 POU/POD Map ☒ Diagrams ☐
 LandSat ☒ Theoretical ☐
 Photographs ☒ Other: ☐
 Site Visit Date: 7/11/2017

AuthenticationField Examiner's Name: Aaron SkinnerDate: 4/5/2018Reviewer: [Signature]Date: 4/5/18

Place of Use and Point of Diversion for Permit No. 67-7977



Legend

● Point of Diversion

□ Place of Use

0 200 400 800 Feet

17N02W35

Water Right

17N01W35

Water Right

[illegible]



Weir located along the unnamed creek that runs through the middle of the property.



Off set weir



Upside down
trough. Located in
the NENW of
Section 35



Potential PVC line
that feeds trough



Place of Use for
stockwater



Creek during normal seasonal
flow.

6

MICROFILMED

SEP 13 2000



Creek : Creek Summer Flow ⁸
 (Irrigation ditch empty) (shot off)

as reported this whole creek
runs dry June - July depending
 on water year.

older picture (no structure)

MICROFILMED

SEP 13 2000



Ditch and structure looking west





Ditch, storage, and creek bed looking east.

Creek runs dry in June or July 95% of the years. This creek is supplied by the overflows of the Mill Creek System.



water line diverting water to troughs...







creek during Flood,

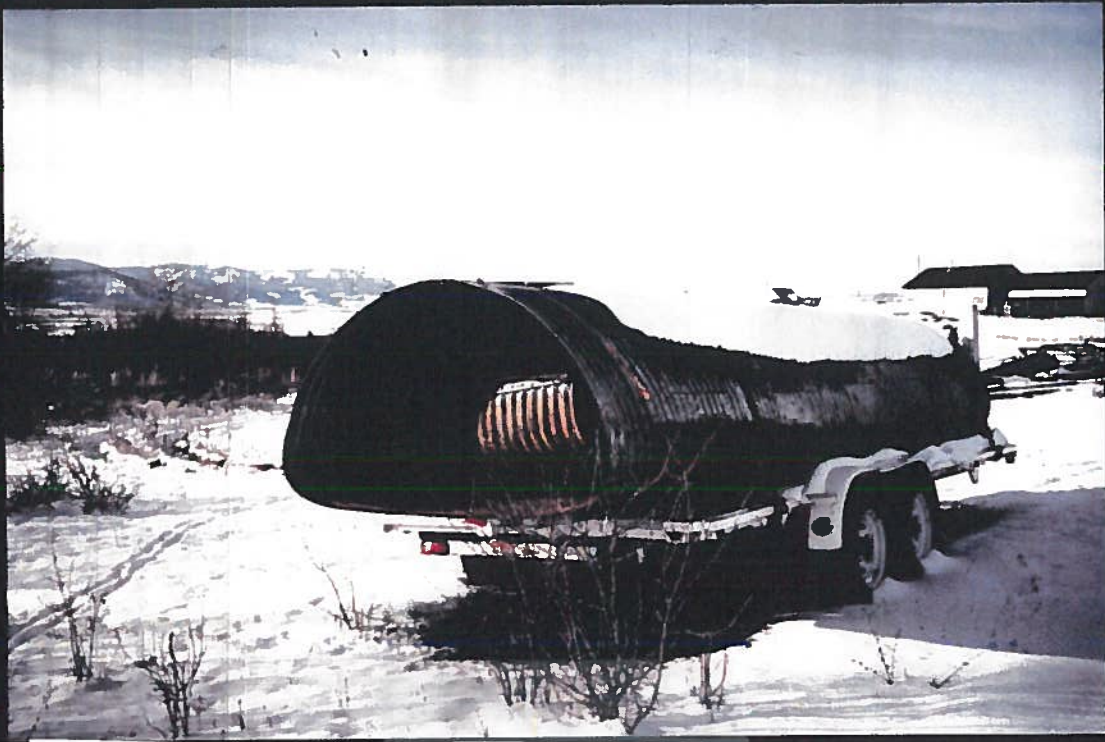
5



MICROFILMED

SEP 14 2000





2 ft. Culvert would not handle spring 3
 Run-off flow. This 5'x7' Squash bottom
 installed in Spring 1999,

410.24 027 21+00 HHHH-26H-0050

MICROFILMED
 SEP 13 2000



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

October 26, 2017

COPY

KATHLEEN GRAHAM
PO BOX 254
CAZADERO, CA 95421

RE: Water Permit 67-7977

Dear Ms. Graham:

Idaho Department of Water Resources is trying to finalize recommendations for STOCKWATER use located at 2351 Lappin Lane in Council, Idaho. The current name on the permit is Donald and/or Dolores Koester. In order to process the permit for licensing, the permit needs to be changed into your name.

Enclosed is a Notice of Change in Water Right Ownership form that will need to be completed and returned to our office. I've added the permit number and current owners name to the form. Please complete sections 3, 5, 7 (first three boxes only), and 8. Disregard sections 4 and 6 as they are not pertinent to the permit. I've enclosed a map for your convenience to be used for section 7's plat map. The filing fee is \$25 and should be included in the returned form/documents.

Please submit the ownership change form for the permit to be processed. If the form is not received within 30 days (November 28, 2017), the voiding process will be initiated for the permit. Feel free to contact me at (208) 334-2190 if you questions. Thank you for your attention to this matter.

Respectfully,

A handwritten signature in black ink, appearing to be 'AS' or 'A.S.', representing Aaron Skinner.

Aaron Skinner
Water Resource Agent
Idaho Department of Water Resources
Western Regional Office
aaron.skinner@idwr.idaho.gov

Enclosures: Change in Ownership form and map

OFFICE DAY REFERRAL

J. Shearer

YOUR NAME

6/22/17

DATE

PROGRAMS - CHECK ALL THAT APPLY

☒ Water Rights ☐ Dams ☐ Wells ☐ Other

QUESTIONS/CONCERNS

- Irr. & Stockwater Permit
- sent letter for field exam
- didn't even know she had a permit for her property
- wants to schedule Field Exam

WATER RIGHT NO.

67-7977

OR

LEGAL DESCRIPTION

CONTACT INFO - check one for best method

Name

Kathleen Graham

☒ Telephone

707-889-8739

☐ Fax

☐ Mailing Address

☐ E-Mail Address



State of Idaho

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C.L. "BUTCH" OTIER
Governor

GARY SPACKMAN
Director

April 7, 2017

COPY

DOLORES KOESTER AND/OR
DONALD KOESTER
2351 LAPPIN LANE
COUNCIL, IDAHO 83612

RE: Scheduling Field Exam for Water Right Permit No. 67-7977

Dear Permit Holder:

We are planning to conduct water right examinations in the vicinity of the above-referenced permit **during the weeks of May 8th – May 26, 2017**. An examination is needed to verify the water use in order to issue a water right license.

The above-referenced permit authorizes a **diversion rate of 0.32 cfs for irrigation and stockwater use from waste water, a tributary of Mill Creek**. 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 or if you did develop that use, but subsequently abandoned it, a license cannot be issued. Please relinquish the permit by submitting the enclosed Relinquishment of Permit form (no fee required). The permit will be voided if beneficial use under the permit was not developed or was developed, but is now abandoned and you do not relinquish the permit.

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 to either schedule an examination, submit a relinquishment, or submit an assignment. 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.

Please call me at (208) 334-2190 if you have any questions. I appreciate your attention in this matter and I look forward to hearing from you.

Sincerely,

Aaron Skinner
Water Resource Agent

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705-5082

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C. L. "BUTCH" OTTER

Governor

May 22, 2014

GARY SPACKMAN

Director

Graham Family Trust
2351 Lappin Lane
Council, ID 83612

Re: Water Right Permit No. 67-7977

I am writing to inform you of an existing water right permit which exist on your property located at 2351 Lappin Lane, Council, Idaho. A water right permit is not a water right, but a permit issued by the Department to allow the beneficial use of water as requested by the applicant. The beneficial use for the water right permit is to divert waste water for irrigation and stock water. The water right permit was issued to Donald and Dolores Koester, whom I presume were the former property owners.

If you wish to proceed with obtaining a water right for irrigation and stock water, there are two options available which transfers the water right ownership to you. The first option would be to have the Koester's assign the permit to you. If you have contact information for the Koester's, we can submit an 'Assignment of Permit' form to the Koester's. The process fee for an 'Assignment of Permit' is \$25.00. If contact information is not attainable for the Koester's, the next option would be to proceed with obtaining a water right under the Koester's name. Upon issuance of the water right, you will then need to execute a 'Change of Ownership'. This will transfer the water right ownership to you. The process fee for the 'Change of Ownership' is \$25.00.

A water right license cannot be issued if beneficial use of the water was not developed or if use was developed but abandoned. If the water right permit falls into either of these categories, please relinquish the permit by using the enclosed 'Relinquishment of Permit' form (no fee required). The permits will be voided if relinquishment forms are not submitted within thirty (30) days. If you no longer own the property and do not assign or relinquish your permits, IDWR will work with the current property owner to issue licenses or to void the permits.

The next step which needs to take place to proceed with the issuance of a water right is to conduct a field examination. The field examination is required to verify that the permit information is accurate, and if possible to obtain water flow measurements. The Idaho Department of Water Resources (IDWR) is planning to conduct water field examinations in the vicinity of the above referenced permits **during the week of June 9.**

Please contact me to schedule a field examination for a day and time that is convenient for you. **Please call me at (208) 334-2190 by June 5 to conduct the field exam during the week of June 9.** If there is a problem with scheduling or conducting the field examination at this time, please let me know so we can reschedule.

If you have any questions, you can contact me at the Idaho Department of Water Resources Western Region office at (208) 334-2190, or by e-mail at rick.collingwood@idwr.idaho.gov.

Sincerely,

A handwritten signature in black ink that reads "Rick Collingwood". The signature is fluid and cursive, with the first name "Rick" and last name "Collingwood" clearly legible.

Rick Collingwood, P.E.
Water Resources Agent, Sr.