

IN-OFFICE BENEFICIAL USE FIELD REPORT

Permit No: 69-11522

Examiner: Patrick Kelly

Date: 12/8/2017

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: Dennis J Tolan/Randy Sevens Address: 11647 W Peppermint Dr Boise ID 83709 / 7798 W Mojave Boise ID 83709

Beneficial Use Fee Paid: \$50 Receipt: W040760

Source: Jackson Gulch Creek 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
16N	06W	15			X													

Method of Determination: Permit shape used for POD. This point lies within SWNE on digital PLSS.

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	
16N	06W	15							X	X									
									L3										

Method of Determination: Satellite imagery compared with digital PLSS map boundaries.

POU change? ☐ N ☒ Y

Purpose of Use: Domestic

Purpose change? ☒ N ☐ Y

Method of Determination: Photos confirm diversion in creek. Domestic use for two cabins visible on satellite imagery. No irrigation present.

Standard Season of Use: 1/1 to 12/31

Update required on license? ☒ N ☐ Y

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

Analysis Attached ☐ Comments: No water rights found within legal descriptions above.

POU overlap? ☒ N ☐ Y WR's:

Comments: No water rights found within legal descriptions above.

Diversion Rate	Permitted Rate: 0.02 cfs	BU Standard Limit: 0.10 cfs
	BU Fee Limit: 0.20 cfs	Theoretical (optional): cfs
Recommended Total Div Rate: 0.02cfs		

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: 0.6 af/home * 2 homes = 1.2 af (AM#22)

IN-OFFICE BENEFICIAL USE FIELD REPORT

Recommended Amounts

Beneficial Use	Season of Use	Diversion Rate (cfs)	Annual Volume (af)
Domestic	1/1 - 12/31	0.02	1.2

Totals

0.02 cfs

1.2 af

Amendments Required☐ Change P.D.☐ Add P.D☐ None☒ Change P.U.☐ Add P.U.☒ Other: Add 2nd

domestic use

Conditions: Standard conditions identifying number of domestic homes, right-of-way, and potential future mitigation requirements will be maintained on the right.

Have conditions of permit been met? ☒ Y ☐ N

Narrative: The 2012 proof of beneficial use form was submitted claiming 2 homes and 2 acres of irrigation. Satellite imagery from 2009-2013 was used to determine beneficial use. 2 cabins are visible in the imagery. An assignment of permit was completed to recognize Randy Stevens to the system. Current taxlot data was used to suggest Dennis Tolan has moved to a Peppermint Dr address. There was no formal address change submitted by Mr. Tolan, and should assume that the Mojave address is still current until otherwise corrected by the user.

Photos that were submitted with the proof of beneficial use report were quite helpful to establish BU. But it is apparent that the irrigation use has not been developed. Conditions of the permit restrict domestic use to 1 home. If the users want to add the 2nd domestic use to the right, they will have to complete a licensing amendment to convert a portion of the irrigation use to domestic. The 0.02 cfs diversion rate is an acceptable rate given the system that is in place. Keeping the 0.02 cfs domestic rate will prevent enlargement of the right during the non irrigation season.

An amendment to the POU may not have been recommended had it not been for the nature of use change. The Tolan cabin appears to be within the SWNW L3 QQ, but its so close to the boundary, it could be argued either way. Still, since we are already requiring an amendment the POU will be updated to include the western QQ too.

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: ☐

AuthenticationField Examiner's Name: Patrick KellyDate: 12-8-2017Reviewer: Angela J. QuinnDate: 2/9/2018

State of Idaho
Department of Water Resources

69-11522



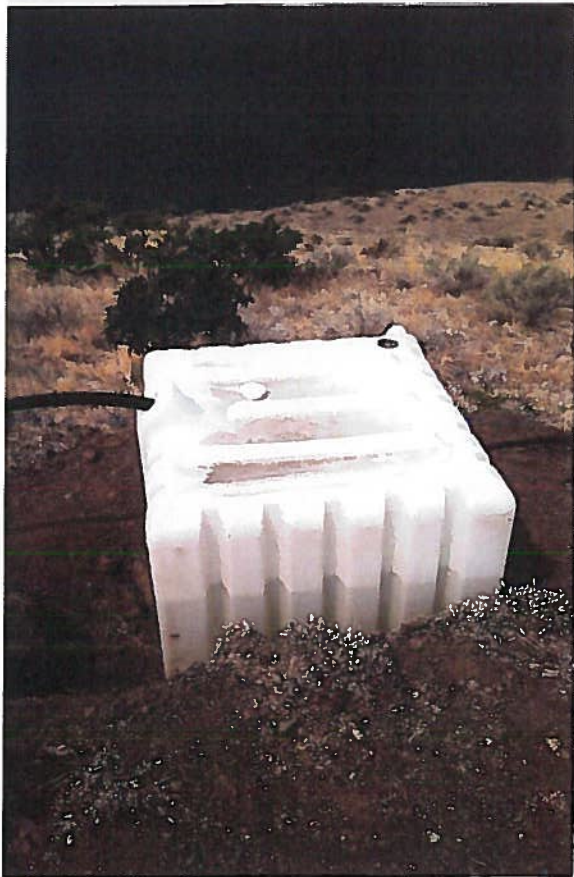
-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

0 0.05 0.1 0.2 Miles











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

Dennis Tolan
3030 N. Ash Park
Boise, ID 83704

RE: Scheduling Field Exam for Water Right Permit No. 69-11522

Dear Permit Holder:

The Idaho Department of Water Resources (IDWR) is planning to conduct water right field examinations in the vicinity of the above-referenced permit **during the week of June 9**. An examination is needed to verify water use(s) developed under the permit in order to issue a water right license.

Your permit authorizes the diversion of surface water from Jackson Gulch Creek for irrigation and domestic use. If you developed a beneficial use of water and still own the place of use property identified in the permit, please contact me at your earliest convenience to schedule an examination.

If you developed a beneficial use of water under the permit but no longer own the place of use property, please use the enclosed Assignment of Permit form (\$25 fee). This will allow IDWR to work with the new permit owner through the water right licensure process.

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

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.

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

Sincerely,

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

Enclosure: Relinquishment and Assignment of Permit Forms