

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

A. GENERAL INFORMATIONPermit No: 22-14137

Exam Date: 4/6/2017

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: Frank R. Seay and Kimberly T Seay
Owner of Record Correct? X Y ___ N
Address of Record Correct? Y ___ N
If No: Address

Tax parcel data shows Kimberly T. Seay owns the eastern parcel and Frank R. Seay owns the western parcel associated with this permit.

3. Beneficial Use Fees have been paid: X Y ___ N Receipt No: C0

4. **SOURCE** TRIBUTARY

Ground water

Method of Determination: The application has a well permit number, which allowed me to find the well driller's report to confirm the water being used is from a well.

Change in Source: Y X N

B. OVERLAP REVIEW

1. Other water rights with the same place of use: YES Overlap

Water Right No.	Source	Purpose of Use	Basis
22-14156	Ground Water	Irrigation	License
22-13845	South Leigh Creek	Irrigation	Decree
22-13846	South Leigh Creek	Irrigation	Decree

Comments: This permit is for domestic use. All of the above rights are for irrigation uses. This permit includes domestic irrigation of up to ½ acre. The existing irrigation rights allow up to 2.5 acres of irrigation from South Leigh Creek, and 3.6 acres of irrigation ground water. There is no overlapping water right condition, so it appears as though there is 6.1 acres (2.5 + 3.6 = 6.1) irrigated. However, the remarks on 22-14156 states that the Leigh rights are used within the borders of the ground water right suggesting only 3.6 acres are irrigated. There is no combine limitation conditions for all three rights on any of the water rights, so it is unclear whether or not they have the ability to irrigate 3.6 acres or 6.1 acres. The two lots combined have a total of 8.8 acres. When you remove the homes, ditches, fences, and driveways, there are approximately 6.9 acres that can be irrigated. The shape file for the Leigh Creek rights are within the border of the existing ground water irrigation right, and the irrigation right does have supplemental conditions. Therefore, I have to assume that when water rights 22-13845, 22-13846, and 22-14156 are combined they are limited to the 3.6 acres suggested in the remarks in water right 22-14156. There should be adequate ground not covered by existing water rights to allow the ½ acre of irrigation per home described in this water right.

2. Other water rights with the same point of diversion: YES Overlap

Water Right No.	Source	Purpose of Use	Basis
22-14156	Ground water	Irrigation	License

Comments: Water right 22-14156 diverts out of the same well as this permit. 22-14156 is a supplemental irrigation use, and as stated above, there are more than enough available acres for irrigation that the irrigation portion associated with this permit should be considered additive. There is a well agreement in the permit file limiting the shared water use from the well to 2 domestic uses including pools. However, a water right transfer was filed approximately 2 months after the permit was issued transferring water right 22-14156 to the same well. I am not aware of whether or not a new agreement was created or not. Both parties signed the water right transfer, so I am assuming that a new well agreement was drawn up allowing the irrigation from the well.

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

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Well			SW	NE	5	5N	45E	B.M.	TETON
								B.M.	
								B.M.	

Method of Determination: GIS Imagery, tax parcel, and Application for Permit. There is a well driller's report for the well, but it lists the wrong 40 acre tract. The only portion of the tax parcel in the NWNE has a ditch in the middle of it, so it is not reasonable to assume the well is in that portion of the tax parcel. I believe the point marked on the map by the permit holder is the most reasonable identification of the point of diversion.

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	
5N	45E	5			D														
		Lot #																	
Total Acres =																			

Method of Determination: GIS and Tax Parcel DataChange 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
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

2. Measurements: No measurement is required on an in-house field examination.

E. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

There is no data in the file or the water right transfer for the irrigation right to determine what the well can actually produce. Administrative memorandum #22 advises that diversions of 2 homes on the same well should be limited to 0.06 cfs for in-house use only. Under the domestic use, the two homes can have up to ½ acre per home for a total of 1 acre for the two homes. Administrative Processing Memorandum #17 allows up to 0.03 cfs for under 5 acres of irrigation. Therefore, this domestic use could have up to 0.09 cfs for the two homes.

Administrative Memorandums # 17 and # 22 = 0.09
Permit allowed = 0.08 cfs

I am recommending a diversion rate of 0.0 cfs as applied for in the permit.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = \underline{\hspace{2cm}}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$

2. Volume Calculations for Other Uses:

There is no information to show what the actual water volume being used. Therefore, I am following the standards set forth in Processing Administrative Memorandum #22, which states that the permit should be limited to 1.2 af per home for in-house use and up to ½ acre of yard irrigation for a total of 2.4 af.

G. PURPOSE OF USE

Irrigation ____Y____N # Stock _____ Domestic # of Homes 1

Other: < >

Change in Purpose of Use? ____Y____N

Method of Determination: Tax data, GIS, and Well Driller's Report.

If Yes: From Use _____ To Use _____ Amount _____ CFS _____ AFA _____

H. NARRATIVE/REMARKS/COMMENTS

This is permit qualifies for an in-house examination. There are two major issues involved with this permit that need to be addressed.

The first issue is whether or not we should allow the irrigation components under the domestic uses on this permit. This permit is for domestic use. There are three irrigation rights overlapping this permit. This permit includes domestic irrigation of up to ½ acre per home for a total of up to an additional 1 acre of irrigation. The existing irrigation rights allow up to 2.5 acres of irrigation from South Leigh Creek, and 3.6 acres of irrigation ground water. There is no overlapping water right condition that restricts the total acres to be irrigated, so it appears as though there is 6.1 acres (2.5 + 3.6 = 6.1) irrigated. However, the remarks on 22-14156 states that the South Leigh Creek rights are used within the borders of the ground water right suggesting only 3.6 acres are irrigated when all three rights are combined. The shape file created in ArcMap also suggest that there are only 3.6 acres irrigated when all three rights are combined. Since there is no combine limitation conditions for all three rights on any of the water rights, it is unclear whether or not they have the ability to irrigate 3.6 acres or 6.1 acres. The two lots combined have a total of 8.8 acres. When you remove the homes, ditches, fences, and driveways, there are approximately 6.9 acres that can be irrigated. Therefore, I have to assume that when water rights 22-13845, 22-13846, and 22-14156 are combined they are limited to the 3.6 acres suggested in the remarks in water right 22-14156. I have discussed this issue with staff, and they agree that the three existing water rights should be limited to 3.6 acres. Therefore, there should be adequate ground not covered by existing water rights to allow the ½ acre of irrigation per home described in this water right.

The second issue is whether or not we should describe the domestic irrigation component in this permit as irrigation. Typically when an irrigation use above a ½ acre per home is diverted from the same well as the domestic use, the yard irrigation under the domestic use is described as an irrigation use and the domestic use is described as in-house use only. In this circumstance, the irrigation use was diverted from a separate well prior to this domestic permit being approved. This allowed the permit to be issued with the yard irrigation use described as part of the domestic use component. The transfer that was filed to move the ground water irrigation right, 22-14156, to the same well being used for domestic purposes happened after the permit was approved. This is a situation where the timing of the filings affect how we can describe the domestic yard irrigation. The domestic yard irrigation can be included in the domestic component on the license, since the irrigation right was not diverted from the same point of diversion prior to the permit approval.

Whereas there is some areas for concern regarding the overlapping irrigation rights. The shape file I created for this permit does not overlap the irrigation place of use. None of the irrigation place of use should be used for the area described in this permit.

Conditions 2 (X04), 3 (071) and 4 (070) need to be carried over to licensing. Condition 1 (X59) will be corrected and condition X60 will be added at licensing. Since these parcels are not in a normal subdivision, but are recorded as plat maps with the county, Conditions X59 and X60 should use the county's Instrument Number of 163782 instead of a subdivision name. Condition 5 (26A) will be removed at licensing as is standard

Have conditions of permit approval been met? X Yes No

I. RECOMMENDATIONS**1. Recommended Amounts**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Domestic	01/01 to 12/31	0.08 CFS	2.4 AF
<u>Totals:</u>		0.08 CFS	2.4 AF

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None

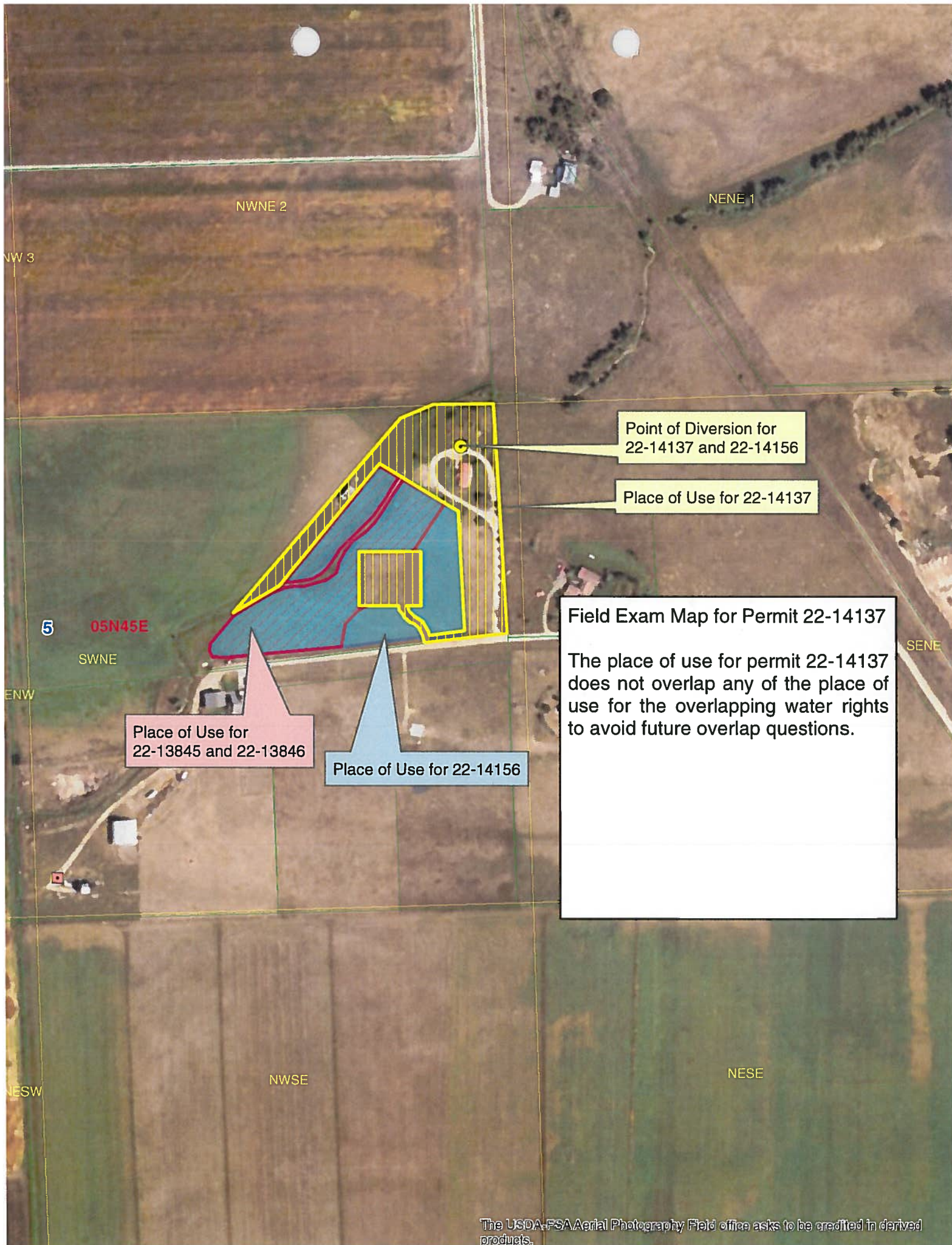
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ None

Other: < >

J. AUTHENTICATION – DANIEL A. NELSON – Analyst 3

Field Examiner's Name  Date 4-6-17

Reviewer _____ Date _____



Point of Diversion for
22-14137 and 22-14156

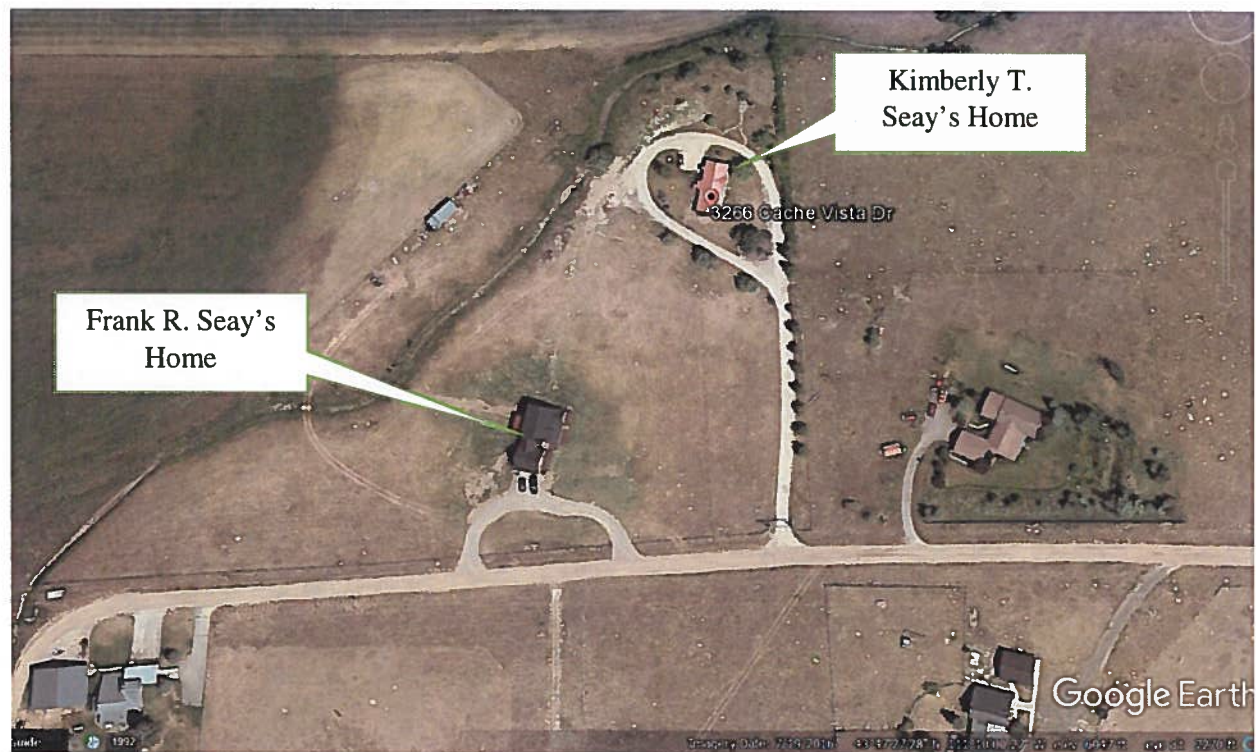
Place of Use for 22-14137

Place of Use for
22-13845 and 22-13846

Place of Use for 22-14156

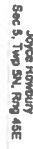
Field Exam Map for Permit 22-14137

The place of use for permit 22-14137 does not overlap any of the place of use for the overlapping water rights to avoid future overlap questions.



The Department doesn't have any imagery that shows both homes. However, I was able to find the two homes in Google Earth Imagery.

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