

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

A. GENERAL INFORMATIONPermit No: 96-9573

Exam Date: 10/7/2016

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: Andreas and Rebecca Nicolades
- Owner of Record Correct? X Y N
- Address of Record Correct? Y N
- If No: Address

Tax lot data shows Andreas P. and Rebecca Nicolades as the owners of the property.

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

4. **SOURCE****TRIBUTARY**

Sand Creek

Pend Orielle River

Method of Determination: GIS and Taxlot Data

Change in Source:

 Y X N**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: NO Overlap

Water Right No.	Source	Purpose of Use	Basis
NONE			

Comments: There are no overlapping water rights within the 40 acre tracts associated with this permit.

2. Other water rights with the same point of diversion: NO Overlap

Water Right No.	Source	Purpose of Use	Basis
NONE			

Comments: There are no overlapping water rights within the 40 acre tracts associated with this permit.

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

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
River Pump			NE	SE	3	57N	2W	B.M.	BONNER
								B.M.	
								B.M.	

Method of Determination: GIS and Tax Lot data.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	
57N	2W	3													2.3				2.3
		Lot #																	
Total Acres =																			2.3

Method of Determination: GIS and Tax Lot Data The tax lot straddles the corner of 4 - 40 acre tract linesChange 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
Creek Pump	Goulds	2	HSC20	Goulds	HSC20 – 1 inch discharge
	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
NONE						

2. Measurements: No measurement is required for an in-house exam. The pump catalog does have a pump curve, so it was used to determine pump capacity. The photos submitted by the permit holder shows a psi of the system of 45 psi and I estimated a minimum lift of 10 feet for a total dynamic head of 114 feet. The pump curve determines the capacity of the pump at 114 feet of total dynamic head at 34 gpm.

E. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

The pump curve suggests this 2 Hp pump has a capacity of 34 gpm at 114 feet of head. The head was determined using the pressure gauge reading in the permit holder's photos and an estimated lift of 10 feet.

Pump Curve = 0.07575 cfs**Acre Limits = 2.3 acres X 0.03 cfs per acre = 0.07 cfs****Permit allowed = 0.0.12 cfs**

I am recommending a diversion rate of 0.07 cfs or the maximum rate per. The pump curve shows the pump should produce 0.07 cfs and the rate per acre is limited to 0.07 cfs for the 2.3 acres being irrigated. The permit allowed 0.03 cfs per acre for 4 acres, and the system is designed for a smaller irrigated area.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2.3 \text{ acres} \times 3 = 6.9 \text{ af}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.07 \text{ cfs} \times 214 \times 1.9835 = 29.7 \text{ af}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 6.9 \text{ af}$$

2. Volume Calculations for Other Uses:

N/A

G. PURPOSE OF USEIrrigation ☒ Y ☐ N # Stock _____ Domestic # of Homes 1

Other: < >

Change in Purpose of Use? ☐ Y ☐ NMethod of Determination: Taxlot data and conversations with owner.

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

H. NARRATIVE/REMARKS/COMMENTS

This permit is qualified for an in-house exam. The aerial photos were not clear on exactly where the property was being irrigated, but it does appear as though the system will flood only the east pasture from the south east corner of the pasture. I contacted the permit holder by email, and he sent pictures and a map showing that the only area irrigated is the east pasture and the area around the home. The pictures the permit holder sent me showed photos of the pump, which has a manual with a pump curve. Using the pump curve, I was able to determine the rate of flow, which also matches the acres being irrigated. Therefore, I am reasonably confident that the diversion rate recommended is what is actually being diverted.

The photos also show a bullet shaped screen/foot valve on the end of the pump intake hose that appears to have smaller than 1/4 inch screen mesh. The permit holder stated that the intake screen complied with the condition of the permit on the proof of beneficial use form. Therefore, I believe the permit holder has complied with the fish screen conditions.

All of the conditions on the permit should be carried forward onto the license. Condition #1 (X15) is discussed above, and should be altered to simply state "maintained" instead of "installed and maintained. Condition #3 (004) should be maintained, since the diversion is diverting from a stream channel.

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

I. RECOMMENDATIONS**1. Recommended Amounts**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Irrigation	04/01 to 10/31	0.07 CFS	
<u>Totals:</u>		0.07 CFS	

Please Note: There is no volume listed on a surface water irrigation water right.

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 – STAFF HYDROLOGIST

Field Examiner's Name



Date



Reviewer

Date

**RANGE 2 WEST
SECTION 3**

SWNE

SENE

Permit 96-9573 Place of Use.

This aerial photos shows that it appears the east pasture is wild flooded from the southeast corner of the pasture. There is definite signs of irrigation. The permit holder has also supplied photos of the pasture and pump system. The west pasture in not irrigated according to the permit holder.

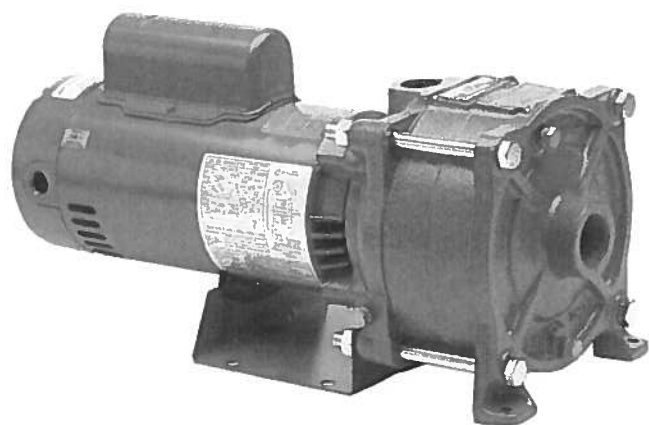
NWSE

NESE

Point of Diversion

SWSE

SESE



HSC

MULTI-STAGE CENTRIFUGAL PUMP

FEATURES

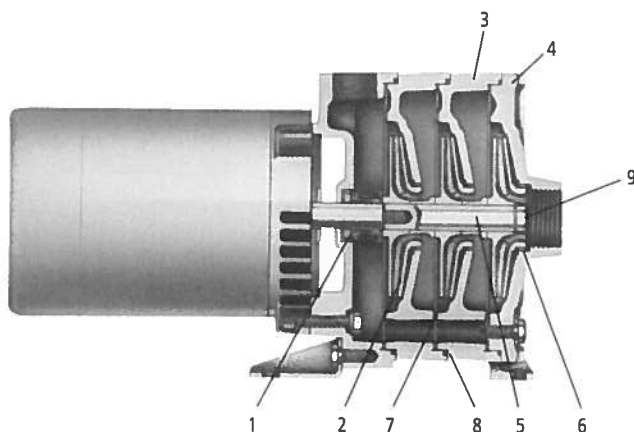
- **Multi-stage Design:** Provides steady, quiet and vibration-free operation for years of trouble-free service.
- **Impellers:** 20% glass-filled thermoplastic precision molded for high efficiencies.
- **Compact Design:** Close-coupled, space saving design provides easy installation. Flexible coupling and bedplate not required.
- **Mounting:** Can be mounted in vertical or horizontal position.
- **Stainless Steel Pump Shaft:** Hex design provides positive drive for impellers and eliminates clearance adjustments.
- **Corrosion Resistant:** Stainless steel wear rings and coverplates. Electro-coated paint process applied inside and out and then baked on.
- **O-rings:** Throughout for positive sealing.
- **Easy to Service:** Can be taken apart for service by removing four bolts.
- **Motor:** Close coupled design. Ball bearings carry all radial/axial thrust loads. Designed for continuous operation. All ratings are within working limits of the motor. Available from ¾ - 3 HP.

AGENCY LISTING



SINGLE AND THREE PHASE MODELS

HP	Stages	Order Numbers – ODP Motor	
		1Ø Model	3Ø Model
¾	2	HSC07	HSC07B
1	2	HSC10	HSC10B
1½	2	HSC15	HSC15B
2	3	HSC20	HSC20B
3	3	HSC30	HSC30B



APPLICATIONS

Specifically designed for the following uses:

- Water circulation
- Booster service
- Liquid transfer
- Spraying systems
- Jockey pump service
- General purpose pumping

SPECIFICATIONS

Pump

- Capacities: to 50 GPM
- Pressures: to 100 PSI (230 feet)
- Pipe connections: 1¼" suction, 1" discharge
- Temperatures: to 180°F (82°C) maximum
- Maximum working pressure: 125 PSI
- Rotation: right hand, ie; clockwise when viewed from motor end.

Motor

- NEMA standard, ¾ - 1½ HP, 115/230 V; 2 and 3 HP, 230 V, 60 Hz.
- Single phase ODP (standard)
- Three phase available
- 3500 RPM, ODP motors standard
- Built-in overload with automatic reset
- Capacitor type
- Stainless steel shaft
- TEFC and Explosion-proof motors available. See price book.

COMPONENTS

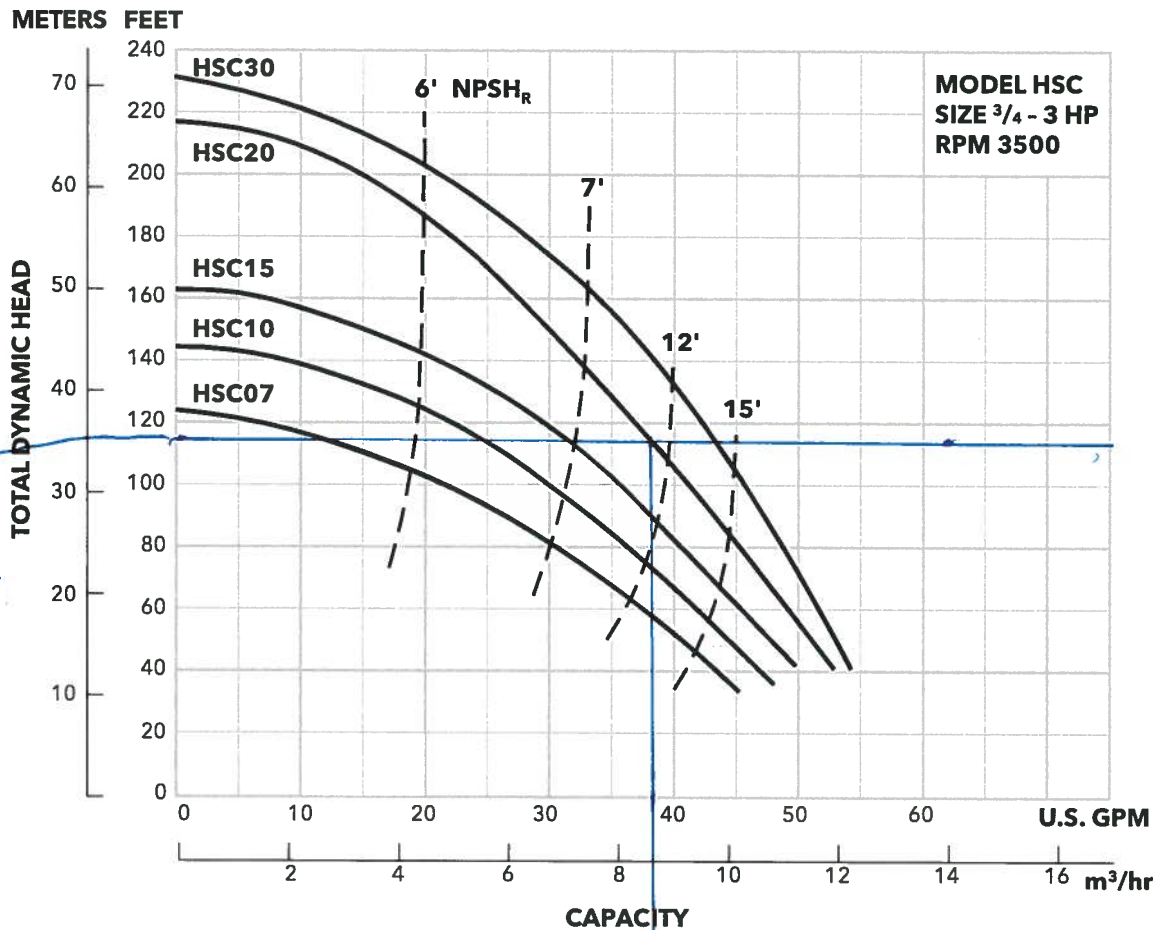
Item No.	Description
1	Mechanical seal
2	Impellers
3	Intermediate stage
4	Casing
5	Stainless steel hex shaft
6	Stainless steel wear rings
7	Stainless steel cover plates
8	O-ring seals
9	Impeller bolt and washer

DIMENSIONS AND WEIGHTS

Model	HP	Length	Width	Height	Weight (lbs.)
HSC07	¾	15	8	9	53
HSC10	1	16	8	9	58
HSC15	1½	17	8	9	72
HSC20	2	19.7	8	9	75
HSC30	3	19.1	8	9	85

(All dimensions are in inches and weight in lbs. Do not use for construction purposes.)

PERFORMANCE CURVE

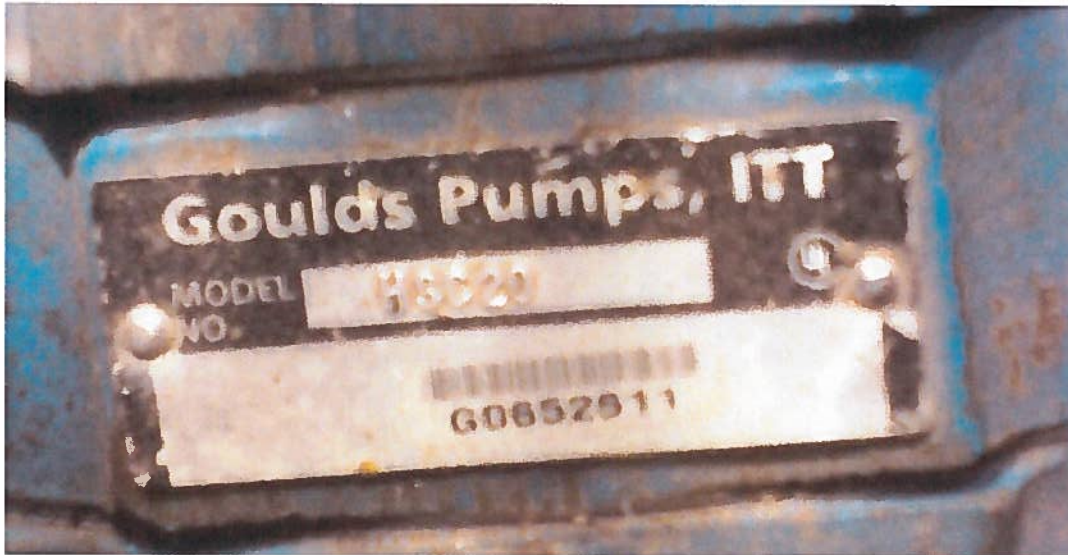


TO CONVERT FEET OF WATER TO PSI - DIVIDE FEET BY 2.31

$$34 \text{ gpm} / 448.8 = 0.07575 \text{ cfs} \text{ Rounded TO } 0.08 \text{ cfs.}$$

FILE NUMBER 96-9573

PHOTOGRAPHER AND DATE OF PHOTOS: The permit holder took pictures and sent with an email dated October 5, 2016. Using those pictures, I enlarged and cropped the photos to attain the pump model number and the pressure of the system. This information was used to attain the pump curve for the pump and to determine the total dynamic head needed to attain a system capacity.



Nelson, Dan

From: Nelson, Dan
Sent: Thursday, October 06, 2016 1:31 PM
To: 'SPFFBK'
Subject: RE: Reply to Licensing of permit 96-9573 email 2 of 2

Andreas and Rebecca,

Now it makes sense. Thank you. You will not need an amendment for this permit, since you are not irrigating the west pasture. It will take me a couple of days to finish my review memo, and then prepare a draft license for my boss to review. Hopefully, you should have a water right license within the next couple of weeks. If you don't get one, please give a call or send me an email, and I will let you know what is going on.

Thank you again for your help. I don't know if you looked at the last map that I sent you, but hopefully, you could see where my uncertainty was coming from.

Dan Nelson

From: SPFFBK [<mailto:SPFFBK@idahocritters.net>]
Sent: Wednesday, October 05, 2016 3:52 PM
To: Nelson, Dan
Subject: RE: Reply to Licensing of permit 96-9573 email 2 of 2
Importance: High

Hello Dan,

Oops, you are correct that attachment did not make it to you, but is now attached. The highlighter used was a little fat so please excuse the over-the-lines highlighted area, but you can get a better idea of what was actually irrigated. Please review and let us know if we should file the amendment.

Regards,

Andreas and Rebecca Nicolades

From: Nelson, Dan [<mailto:Dan.Nelson@idwr.idaho.gov>]
Sent: Wednesday, October 05, 2016 2:25 PM
To: SPFFBK <SPFFBK@idahocritters.net>
Subject: RE: Reply to Licensing of permit 96-9573 email 2 of 2

Andreas and Rebecca;

I would like to thank you for the photos and the comments sent in your email. It helped me tremendously in figuring out what needs done. You mentioned that you sent a map, but I didn't receive the map in your attachments to your emails, but I think the photos gave me enough information to figure out what is irrigated.

Using the photos, you sent, I tried to put together what I thought you are actually irrigating. In the attachment "96-9573 2nd try.pdf" I outlined the area I think you are irrigating in green. The yellow dot is the location of the point of diversion. The yellow lines are the 40 acre tract legal descriptions described in the "LOCATION OF THE POINT(S) OF DIVERSION" and "PLACE OF USE: IRRIGATION" in your permit document. In my interpretation of you are irrigating, it appears as though you may be irrigating some ground in the NWSE and in the SENE that was not described in on your permit or the application for permit that you submitted to the Department.

I included a marked copy of you're the permit document that you sent me with the areas that do not match the attached map. As you can see, the **"LOCATION OF THE POINT(S) OF DIVERSION"** is correct and will not need to be changed. You will also see under the section marked **"PLACE OF USE: IRRIGATION"** that reducing the number of acres in the NESE legal description is not an issue that requires an amendment to the permit. **However, adding the acres in the NWSE and the SWSE legal descriptions in the place of use section, does require an amendment to be filed prior to licensing the permit.**

Once I get confirmation from you that I have the area being irrigated correct, I can make the changes to the permit and send you an amendment to review, sign, and submit with the associated fee. I don't want to send the amendment out until I am positive of the acres being irrigated. When I do send the amendment out to you, it will be a representation of the how the license will look like when it is issued, so I need to make sure that everything is correct.

All I need from you at this point is confirmation that the shape I created on the map in green is correct. We can start the ball rolling in getting everything corrected from that point forward.

Thank you for your time and effort.

Dan Nelson

Daniel Nelson
Staff Hydrologist
Idaho Department of Water Resources
Telephone (208) 287-4856
Fax (208) 287-6700 (attn: Dan Nelson)

From: SPFFBK [<mailto:SPFFBK@idahocritters.net>]
Sent: Wednesday, October 05, 2016 11:20 AM
To: Nelson, Dan
Subject: Reply to Licensing of permit 96-9573 email 2 of 2
Importance: High

Hello Dan,

Here is the 2nd email. Please let us know if you need anything else.

Regards,

Andreas and Rebecca Nicolades
208-627-4053

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 96-09573

Priority: June 23, 2015

Maximum Diversion Rate:

0.12 CFS

This is to certify, that ANDREAS NICOLADES And/Or
REBECCA NICOLADES
71 VEDELWOOD LN
SANDPOINT ID 83864

has applied for a permit to appropriate water from:

Source: SAND CREEK

Tributary: PEND OREILLE RIVER

and a permit is APPROVED for development of water as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

04/01 to 10/31

RATE OF DIVERSION

0.12 CFS

This Amount
will VARY
Depending on
Pump Capacity
OR NUMBER
OF ACRES

LOCATION OF POINT(S) OF DIVERSION:

SAND CREEK NE1/4SE1/4 Sec. 3, Twp 57N, Rge 02W, B.M. BONNER County

PLACE OF USE: IRRIGATION

These 2 sections of the
permit are OK!

Twp	Rge	Sec	NE				NW				SW				SE				Totals
57N	02W	3	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	4.0
			ACRES PER MAP →												2.9	0.4	0.3		3.6

Total Acres: 4

3.6

CONDITIONS OF APPROVAL

An Amendment is
needed to add these
2-40 ACRES that are legal

1. Proof of application of water to beneficial use shall be submitted on or before November 01, 2016.
2. Subject to all prior water rights.
3. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
5. This right does not grant any right-of-way or easement across the land of another.

Descriptions

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of
the Director, affixed at Coeur d'Alene, this 16 day of October, 2015.

Gary Spackman
For, GARY SPACKMAN, Director

SWNE

SENE

0.3 acres in SENE
An Amendment IS needed to include
the acres in the Place of Use
for the license

0.4 acres in NWSE
An Amendment IS needed to include
the acres in NWSE in the Place of Use
for the license

2.9 acres in NESE
NO Amendment Needed to
Include the 2.9 acres in
Place of Use for License

Point of Diversion from Creek
NO Amendment needed include
the Point of Diversion on the License.

NWSE

NESE

SWNE

TOWNSHIP 57 NORTH
RANGE 2 WEST
SECTION 3

SENE

NESE

NWSE

Nelson, Dan

From: SPFFBK [SPFFBK@idahocritters.net]
Sent: Wednesday, October 05, 2016 11:20 AM
To: Nelson, Dan
Subject: Reply to Licensing of permit 96-9573 email 1 of 2
Attachments: WP_003800.jpg; WP_003797.jpg; WP_003782.jpg; Original Water Permit June 23 2015.pdf; WP_003801.jpg; WP_003768.jpg

Importance: High

I sent this yesterday and it was returned as there were too many file attachments, so I'm sending it in two emails.

From: SPFFBK [mailto:SPFFBK@idahocritters.net]
Sent: Tuesday, October 04, 2016 12:05 PM
To: 'Nelson, Dan' <Dan.Nelson@idwr.idaho.gov>
Subject: RE: Licensing of permit 96-9573
Importance: High

Hello Dan,

Thank you for the follow-up notification dated 9/31/2016 via regular mail, we received it yesterday, however it is easier to respond to your email. We have noted below in blue our responses / clarifications and have attached your photo outlined in orange what we irrigated this summer, along with additional pictures; the piping used for the pasture can barely be seen lying on the ground in #003777. If you need more information or have any questions, please call us at the number below or email!

Regards,

Andreas and Rebecca Nicolades
208-627-4053

From: Nelson, Dan [mailto:Dan.Nelson@idwr.idaho.gov]
Sent: Tuesday, September 20, 2016 7:05 AM
To: spffbk@idahocritters.net
Subject: RE: Licensing of permit 96-9573

Dear Mr. and Ms. Nicolades;

Our office received your proof of beneficial use statement on September 14, 2016 for permit 96-9573. This permit allowed you to develop up to 4 acres of irrigation to be diverted from a single pump on Sand Creek. The permit is small enough, that with a little assistance from you, we can verify the water use without actually visiting the site, unless you wish to have someone meet with you on sight to verify the water use. [We appreciate the ability to do this with our assistance in the manner you are suggesting.](#)

I have been asked to review this permit to verify the water use so it can be licensed. The aerial photos available to the Department are inconclusive of exactly where you are irrigating on your property. [Part of the reason the aerial photos are inconclusive is because the photos are old – in August of 2014 a large number of trees were destroyed on our property from the storm and this is where our garden area and](#)

yard is located. We applied for the water permit in 2015: I have attached a couple of pictures showing what we irrigated this year. The parcel information available to the Department and the State of Idaho Tax Commission, also show that your property is located in within 4 separate 40 acre legal descriptions. On your permit you proposed to only irrigate the east pasture in the NESE of Section 3, Township 57 North, Range 2 West. I reviewed the original permit paperwork and do not see the proposal to only irrigate the east pasture. The description which you noted in above is under the tile of : Location of Point(s) of Diversion: SAND CREEK NE 1/4SE1/4 Sec. 3, Twp 57N, Rge 02W, B.M. BONNER County. This was interpreted to mean the place from which the water was being taken from (diverted). The intention when the permit was originally filed was to not just irrigate the pasture area (within the white fencing), but also the yard and garden areas. I need to confirm that this is the only area that you are irrigating. If you are irrigating more than the east pasture, then I can work with you to file an amendment of permit to include all the area you are currently irrigating. I do not think we need to file an amendment, as it does not appear that we limited ourselves to just the east pasture in the paperwork, only noting the number of acres. I have attached a map with this email showing the parcels you currently own in blue, and the location of the point you proposed to divert water in the permit in pink. The pump and irrigation system were already in place when we purchased the property, with the diversion already established by the prior owner. We did however upgrade the intake piping and "foot".

If you could review the map and mark the area that you are actually irrigating and return it to me, then I can move forward with licensing this permit without someone from the Department coming out to verify the use. If you are irrigating ground in one of the other 40 acre tracts, I can make the changes to our records and send you an amendment of permit to review and sign to correct the permit. There is a \$100.00 fee to amend a permit, but I want to make sure that all of your irrigation practices are fully covered by a valid water right if you are irrigating more than the east pasture. The reason for my concern is that the area around the house and the east pasture only include approximately 2.2 acres, and your permit requested 4 acres. I can license up to 4 acres under this permit, so it is best to get everything that you are irrigating. .

Although not needed -- Any additional information you would like to send me concerning the horsepower of your pump, pictures of your pump and irrigation system, or anything you feel would help verify the water use could help in the licensing of your water right. The pump system was already in place and in use by the prior owner, and I have included pictures for you, along with the upgraded intake piping and "foot".

As I stated at the beginning of this email, if you wish to have someone come to your property to verify the use we are more than willing to accommodate that request. Please supply the information requested above or request that a Idaho Department of Water Resources employee within 30 days or by October 19,2016. If I do not receive the requested information or a request for a field verification from you within thirty (30) days, I am required to take action to void your permits under the provision of Section 42-219(8) of the Idaho Code.

Please feel free to contact me if you have any questions. I would be more than happy to speak with by telephone or email to answer any questions you may have.

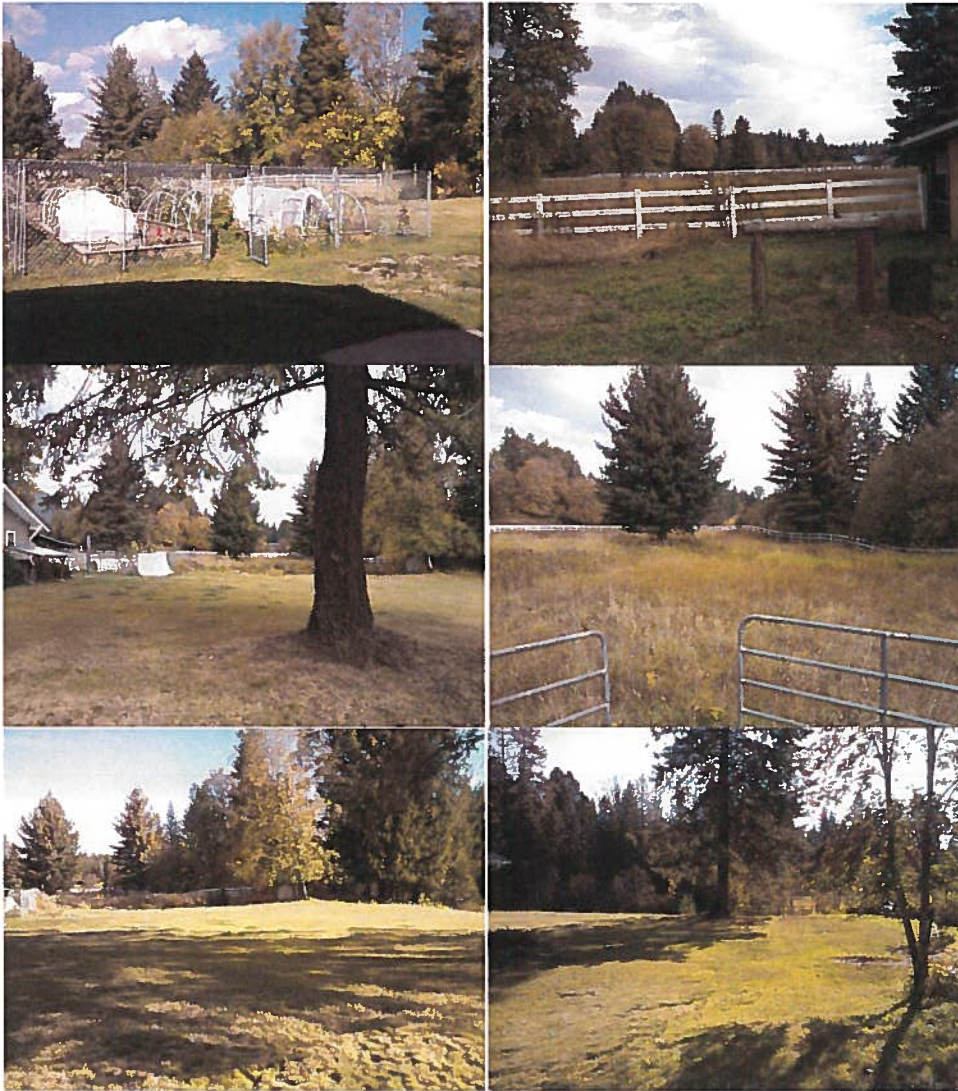
Respectfully,

Daniel Nelson
Staff Hydrologist

Idaho Department of Water Resources
Telephone (208) 287-4856
Fax (208) 287-6700 (attn: Dan Nelson)

PHOTOGRAPHER AND DATE OF PHOTOS Permit holder took pictures and sent with an email dated October 5, 2016.

FILE NUMBER 96-9573



PHOTOGRAPHER AND DATE OF PHOTOS Permit holder took pictures and sent with an email dated October 5, 2016.

FILE NUMBER 96-9573





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 29, 2016

ANDREAS AND REBECCA NICOLADES
71 VEDELWOOD LN
SANDPOINT ID 83864

RE: Water Appropriation Permit 96-9573

Request for Information

Dear Mr. and Ms. Nicolades;

Our office received your proof of beneficial use statement on September 14, 2016 for permit 96-9573. I attempted to contact you by email concerning this permit, but didn't receive a response. Therefore, I am sending this letter to ensure that you receive this information request.

This permit allowed you to develop up to 4 acres of irrigation to be diverted from a single pump on Sand Creek. The permit is small enough, that with a little assistance from you, we can verify the water use without actually visiting the site, unless you wish to have someone meet with you on sight to verify the water use.

I have been asked to review this permit to verify the water use so it can be licensed. The aerial photos available to the Department are inconclusive of exactly where you are irrigating on your property. The parcel information available to the Department and the State of Idaho Tax Commission, also show that your property is located in within 4 separate 40 acre legal descriptions. On your permit you proposed to only irrigate the east pasture in the NESE of Section 3, Township 57 North, Range 2 West. I need to confirm that this is the only area that you are irrigating. If you are irrigating more than the east pasture, then I can work with you to file an amendment of permit to include all the area you are currently irrigating. I have attached a map with this letter showing the parcels you currently own in blue, and the location of the point you proposed to divert water in the permit in pink.

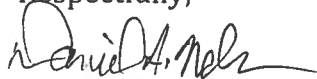
If you could review the map and mark the area that you are actually irrigating and return it to me, then I can move forward with licensing this permit without someone from the Department coming out to verify the use. If you are irrigating ground in one of the other 40 acre tracts, I can make the changes to our records and send you an amendment of permit to review and sign to correct the permit. There is a \$100.00 fee to amend a permit, but I want to make sure that all of your irrigation practices are fully covered by a valid water right if you are irrigating more than the east pasture. The reason for my concern is that the area around the house and the east pasture only include approximately 2.2 acres, and your permit requested 4 acres. I can license up to 4 acres under this permit, so it is best to get everything that you are irrigating.

Although not needed -- Any additional information you would like to send me concerning the horsepower of your pump, pictures of your pump and irrigation system, or anything you feel would help verify the water use could help in the licensing of your water right.

As I stated at the beginning of this letter, if you wish to have someone come to your property to verify the use we are more than willing to accommodate that request. Please supply the information requested above or request that a Idaho Department of Water Resources employee within 30 days or by October 29, 2016. If I do not receive the requested information or an email or letter requesting a Department employee come to your property to verify the use within thirty (30) days, I am required to take action to void your permits under the provision of Section 42-219(8) of the Idaho Code.

Please feel free to contact me if you have any questions. I would be more than happy to speak with by telephone or email to answer any questions you may have.

Respectfully,



Daniel Nelson
Staff Hydrologist
Idaho Department of Water Resources
Telephone (208) 287-4856
Fax (208) 287-6700 (attn: Dan Nelson)

Enclosures - Map of property
Computer Generated copy of permit 96-9573

NWNE 7

NENE 8

NWNW 5

TOWNSHIP 57 NORTH
RANGE 2 WEST
SECTION 3

SWNE

SENE

SWNW

NWSE

NESE

NWSW

SWSE

SESE

SWSW

Nelson, Dan

From: Nelson, Dan
Sent: Tuesday, September 20, 2016 8:04 AM
To: 'spffbk@idahocritters.net'
Subject: RE: Licensing of permit 96-9573
Attachments: 96-9573.pdf

Dear Mr. and Ms. Nicolades;

Our office received your proof of beneficial use statement on September 14, 2016 for permit 96-9573. This permit allowed you to develop up to 4 acres of irrigation to be diverted from a single pump on Sand Creek. The permit is small enough, that with a little assistance from you, we can verify the water use without actually visiting the site, unless you wish to have someone meet with you on sight to verify the water use.

I have been asked to review this permit to verify the water use so it can be licensed. The aerial photos available to the Department are inconclusive of exactly where you are irrigating on your property. The parcel information available to the Department and the State of Idaho Tax Commission, also show that your property is located in within 4 separate 40 acre legal descriptions. On your permit you proposed to only irrigate the east pasture in the NESE of Section 3, Township 57 North, Range 2 West. I need to confirm that this is the only area that you are irrigating. If you are irrigating more than the east pasture, then I can work with you to file an amendment of permit to include all the area you are currently irrigating. I have attached a map with this email showing the parcels you currently own in blue, and the location of the point you proposed to divert water in the permit in pink.

If you could review the map and mark the area that you are actually irrigating and return it to me, then I can move forward with licensing this permit without someone from the Department coming out to verify the use. If you are irrigating ground in one of the other 40 acre tracts, I can make the changes to our records and send you an amendment of permit to review and sign to correct the permit. There is a \$100.00 fee to amend a permit, but I want to make sure that all of your irrigation practices are fully covered by a valid water right if you are irrigating more than the east pasture. The reason for my concern is that the area around the house and the east pasture only include approximately 2.2 acres, and your permit requested 4 acres. I can license up to 4 acres under this permit, so it is best to get everything that you are irrigating. .

Although not needed -- Any additional information you would like to send me concerning the horsepower of your pump, pictures of your pump and irrigation system, or anything you feel would help verify the water use could help in the licensing of your water right.

As I stated at the beginning of this email, if you wish to have someone come to your property to verify the use we are more than willing to accommodate that request. Please supply the information requested above or request that a Idaho Department of Water Resources employee within 30 days or by October 19, 2016. If I do not receive the requested information or a request for a field verification from you within thirty (30) days, I am required to take action to void your permits under the provision of Section 42-219(8) of the Idaho Code.

Please feel free to contact me if you have any questions. I would be more than happy to speak with by telephone or email to answer any questions you may have.

Respectfully,

Daniel Nelson
Staff Hydrologist
Idaho Department of Water Resources
Telephone (208) 287-4856
Fax (208) 287-6700 (attn: Dan Nelson)

SWNE
TOWNSHIP 57 NORTH
RANGE 2 WEST
SECTION 3

SENE

NESE

NWSE

The USDA's Aerial Photography Field Office asks to be credited in order