

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

A. GENERAL INFORMATION

Permit No: 96-9566

Exam Date: 7/6/2016

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
 - Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
 - Other < >

2. Current Owner: Name: Michael D Bennett
 Owner-of-Record Correct? ☒ Yes ☐ No
 Address-of-Record Correct? ☒ Yes ☐ No
 If No: <Address>

Available Bonner County taxlot information shows the owner of the property as Bennett Trust, Michael Bennett Trustee

3. Beneficial Use Fees have been paid: ☒ Yes ☐ No Receipt No: C102129

4. SOURCE TRIBUTARY

Ground Water

N/A

Method of Determination: An aerial photo showing the POD was submitted with application.

Change in Source: ☐ Yes ☒ No

B. OVERLAP REVIEW

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

Water Right No.	Source	Purpose of Use	Basis
96-4058	Cocolalla Lake	Irrigation	Statutory Claim
unrecorded	Ground water	Domestic	

Comments: Condition 5 of Permit 96-9566 states that an overlap of this right exists with 96-8620. I found no overlap. Please refer to the June 24, 2016 memo in this file: *POU shape update*.

I also found that a domestic well had been drilled within this property by a previous owner. See the Well Driller's Report for 96-71-N-30, R.F.Bradley, well owner.

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

Water Right No.	Source	Purpose of Use	Basis

Comments: A second, newer well is also located within this property. That well is the POD for Permit 96-9579 which has been issued to Arrowhead Ranch Water Company. Mr. Bennett is a principal in the company, but at this time his property is not included in the POU for that permit.

C. DIVERSION AND DELIVERY SYSTEM

1. LOCATION OF POINT(S) OF DIVERSION:

Source	Govt. Lot	¼	¼	¼	Sec.	TWP	RGE		County
Ground water	6		NE	NW	18	55N	02W	B.M.	BONNER

Method of Determination: The legal description in the permit is validated by PLS data and aerial photography. The property is not within a platted subdivision this time.

Change in POD? ☐ Yes ☒ No

Amendment Required? ☐ Yes ☒ No

2. **LOCATION OF PLACE(S) OF USE:** Use: Domestic

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N	02W	18					X												
							L6												

LOCATION OF PLACE(S) 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	
55N	02W	18					0.8												
							L6												

Method of Determination: The legal description in the permit is validated by PLS data and aerial photography.

Change in POU? ☐ Yes ☒ No Amendment Required? ☐ Yes ☒ No

3.

☐ Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.

☒ 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
Unknown.				Unknown submersible	

*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: In-office field exam. No measurements taken**E. FLOW CALCULATIONS**☒ Additional Computation Sheets Attached

	Irrigation	Domestic
Policy standard on proposed acre	0.03 cfs x 0.8 ac = 0.02 cfs	0.04 cfs
Permit allowed	0.07 cfs	0.04 cfs
License recommendation	0.02 cfs	0.03 cfs

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 0.8 \times 3.0 = 2.4 \text{ af}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.03 \times 214 \times 1.9835 = 12.7 \text{ af}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 2.4 \text{ af}$$

Volume Calculations for Other Uses: Domestic internal use = 0.6 af**License recommendation – 3.0 af total.**

G. PURPOSE OF USEIrrigation ☒ Yes ☐ No # Stock _____ Domestic # of Homes 1

Other: < >

Change in Purpose of Use? ☐ Yes ☒ No

Method of Determination: Information in the water right file is consistent with aerial photography of the property.

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

H. NARRATIVE/REMARKS/COMMENTS

Permit 96-9566 authorized a diversion from ground water of 0.11 cfs for domestic and irrigation purposes. Based on the small permitted diversion rate, this permit qualifies for an in-office field exam.

The legal description of the POU was used to locate the property. Available taxlot information shows the owner as The Bennett Trust, Michael Bennett Trustee. The physical address of the property is 290 Arrowhead Dr.

A map identifying the POU was submitted with the application and the shape outlined on that map matches the entire taxlot boundary. That map and taxlot includes a small portion of gov't lot 1, but the permitted POU doesn't include any of lot 1. I consulted with Mr. Michael D Bennett about the extent of the POU. Rather than amend the permit POU to include the 0.10-acre of the property which is located in lot 1 (NWNW), Mr. Bennett has ok'd its exclusion from the license POU. I created the 0.8 acre POU shape based primarily on aerial photography. In addition to IDWR's NAIP imagery, I referred to Google Earth imagery to differentiate natural vegetation from irrigation-supported vegetation. Most of the permitted 2.5 acre POU appears to be natural vegetation.

Mr. Bennett stated that occasionally he drops a pump in Cocolalla lake to irrigate when the well or well-pump are not operational or are insufficient. He believed that that use had been 'grandfathered' in as a permanent authorization by a previous owner and that he didn't need to be concerned about it. I explained that use of surface water required a water right. In the review process for this right, I found Statutory Claim 96-4058 to be a true overlap and shared that information with Mr. Bennett. The claim was submitted by Roland F. Bradley in 1973. Mr. Bennett recognized the name as a previous owner of the property and he has been encouraged to update the ownership of that claim. (See my June 22, 2016 email to him.) Because Statutory Claim 96-4058 is still only a claim, it is not appropriate to issue license 96-9566 with combined or supplemental conditions which define the overlap between the two. The overlap will need to be considered and defined in the Northern Idaho Adjudication process.

The POD shape is based on the permit's POD shape and was confirmed by the permit holder over the phone. The permit holder also provided a photo of the well-head via email. No well driller's records for this well-POD have been found.

In a query of well logs in the vicinity, I found a well driller's report for a well drilled in 1971 for R. F. Bradley. (see #96-71-N-30). R. F. Bradley is likely Roland F. Bradley, who is also the owner of the overlapping statutory claim 96-4058 mentioned in the paragraph above. Therefore an unrecorded domestic water right pre-existed Permit 96-9566. Mr. Bennett confirmed that the RF Bradley well is also on his property and provided a photo of that wellhead via email. According to Mr. Bennett, that well proved unusable very shortly after he purchased the property.

At my request, Mr. Bennett queried the local experts for information about the well-POD for this permit. As a result he was able to provide an estimate of the well pump horsepower, 1 HP and the well depth, 400 ft. for use in a theoretical calculation.

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

Based on a review of the BU report for Right 96-8620, no overlap with this right was found, so condition 5 has been dropped from the license.

I. RECOMMENDATIONS**1. Recommended Amounts**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Domestic	01/01-12/31	0.03 cfs	0.6 af
Irrigation	04/01-10/31	0.02 cfs	2.4 af
	<u>Totals</u>	0.03 cfs	3.0 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 ☐ Other

Other: < >

I. AUTHENTICATIONField Examiner's Name Michele Edl Date July 6, 2016

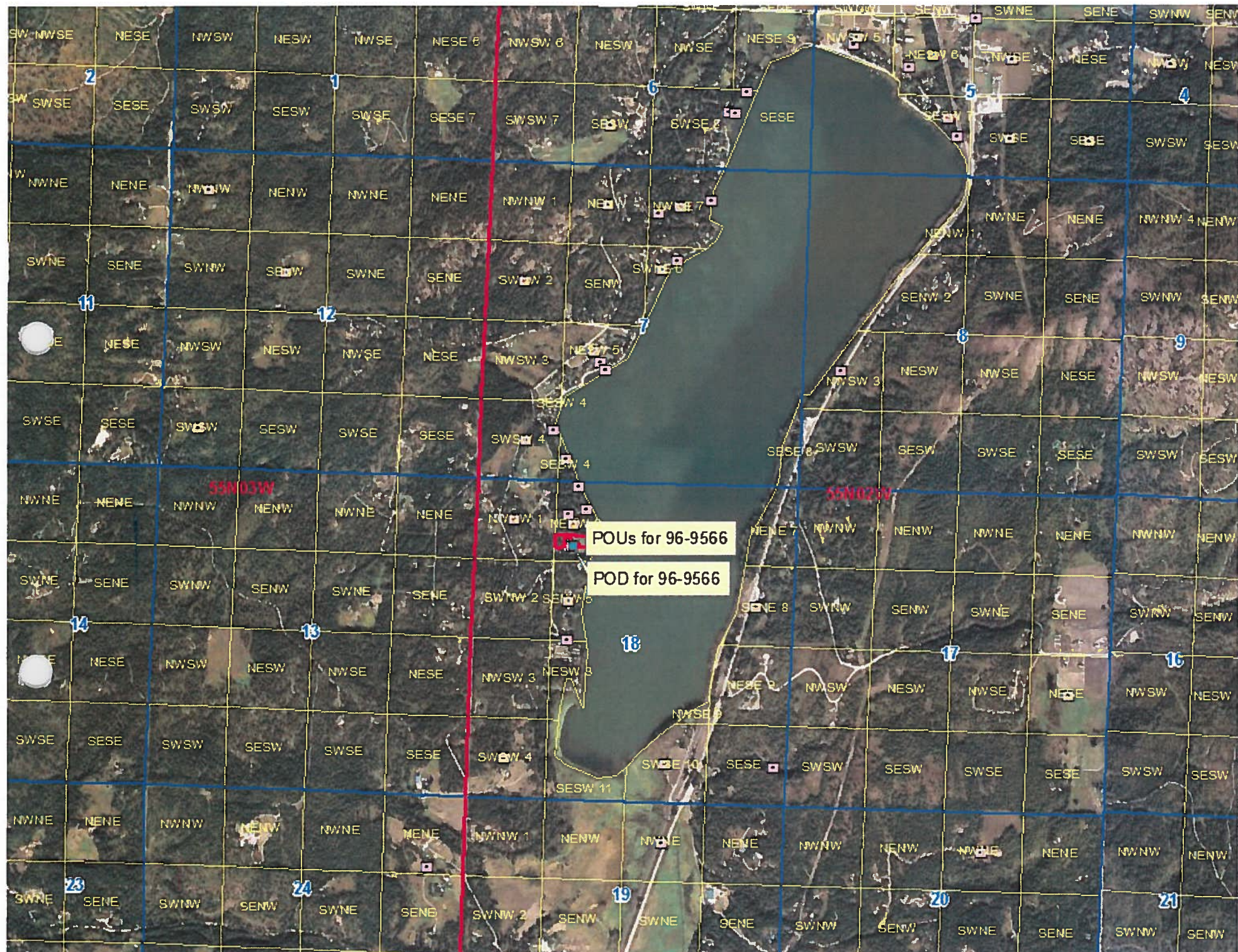
Reviewer _____ Date _____

Workflow

Exam Date Entered ☒
POU/POD shapes ☒
Combined Rights Entry ☐
Wild & Scenic Entry ☐
Draft License and Maps ☒

Supporting Documents

Historical Imagery ☒ Well Log ☐ not available
Photographs ☒ Diagrams ☐
LandSat ☐ Theoretical ☒
Other: _____



Map 1 - 4 L E. H. Pover 9/10-95/10



Google earth



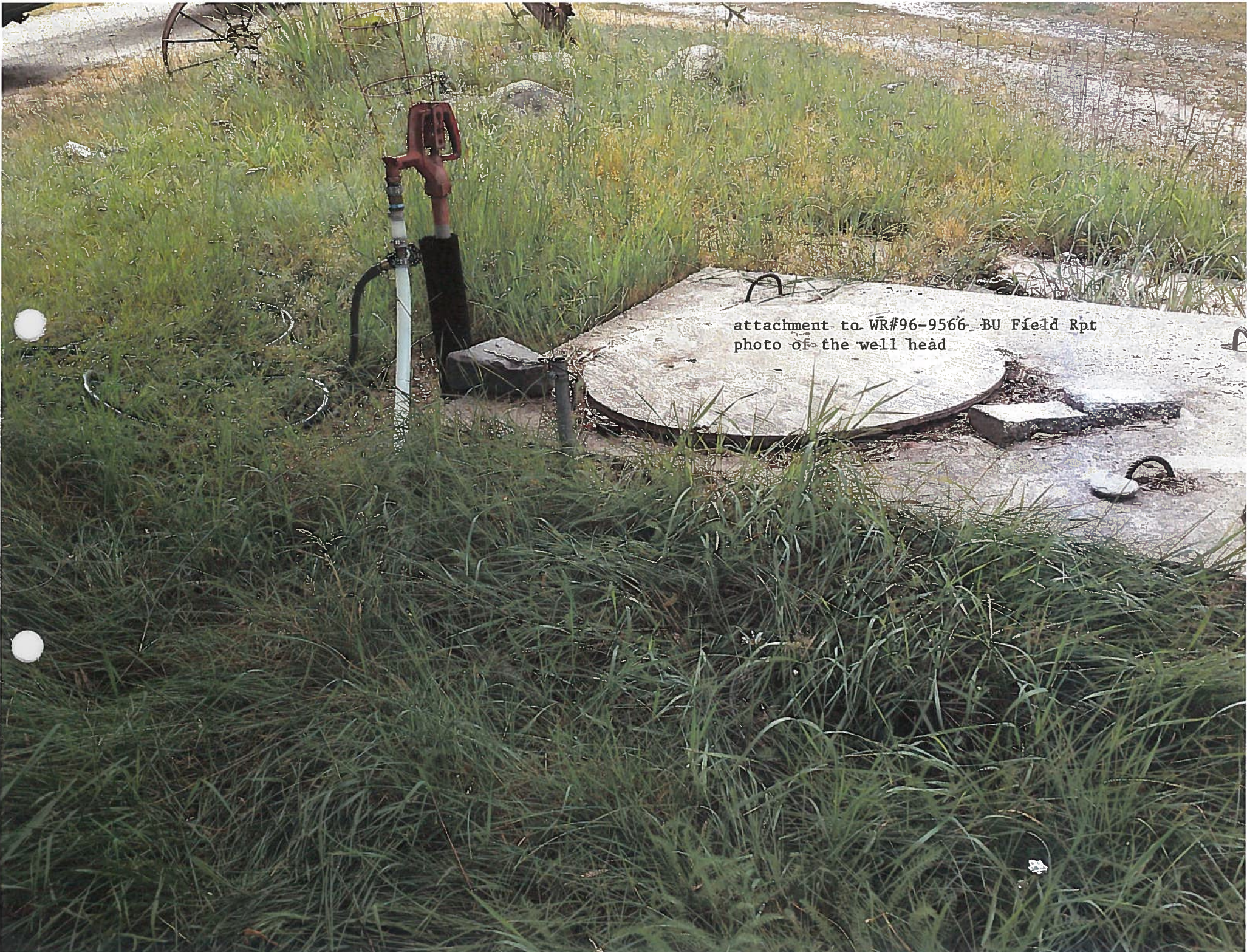
Attachment to BU Field Rpt WR# 96-9566
imagery date 7/11/2014

Edl, Michele

From: mike [mikebennett1@gmx.com]
Sent: Wednesday, July 06, 2016 3:57 PM
To: Edl, Michele
Attachments: IMG_20160706_145414098.jpg

Sent from my Verizon 4G LTE Droid

Photo of the well head
Attachment to the BU Field Rpt WR# 96-9566



attachment to WR#96-9566 BU Field Rpt
photo of the well head

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 96-9566
 Reviewer: Michele Edl
 Date of Review: 7/6/2016

P/D No.:	Senerio 1	Senerio 2	Senerio 3	
PUMP HORSEPOWER	1	1	1	
BOOSTER HORSEPOWER	0	0	0	
PUMPING LEVEL	100.0	100.0	100.0	
DISCHARGE PRESSURE	35	45	55	
RATE OF FLOW (cfs)	0.03	0.03	0.03	0.030
(gpm)	15.29	13.56	12.18	13.674

The above calculates the formula =

$$Q = \frac{8.8 * (\text{Efficiency}) * \text{hp}}{\text{depth to water} + 2.31 * (\text{psi}) + \text{friction}}$$

Assumptions: % 70 efficiency
 No Friction

Examiners Notes:

Horsepower and flow rate were given by permit holder to be 1 HP and 14 gpm respectively. The permit holder also gave the well depth at 400 ft. The lift is my estimate based on a depth to water which will yield approximately 14 gpm. Discharge pressure ranges from 35-55 psi to account for expected system in use.

Overlap Analysis for License Review 96-9566 Bennett

6/27/2016

TRS	Process	BasinSequence	Draft	Owner	Source	POD	NENW
55N02W18	Water Right	96-4058	N	BRADLEY, ROLAND F	COCOLALLA LAKE	POD	X
55N02W18	Water Right	96-8970	N	GLADISH, CHARLES F	COCOLALLA LAKE	POD	X
55N02W18	Water Right	96-9007	N	DAVENPORT, RON; MYERS, DARRELL N	UNNAMED STREAM	POD	X
55N02W18	Water Right	96-9202	N	MUSKOPF, LINDA; MUSKOPF, RONALD	COCOLALLA LAKE	POD	X
55N02W18	Water Right	96-9335	N	MYERS , JOANN	COCOLALLA LAKE	POD	X
55N02W18	Water Right	96-9566	Y	BENNETT, MICHAEL D	GROUND WATER	POD	X

No overlapping POD Rts - Sole GW Right this QQ

TRS	Process	BasinSequence	Draft	Owner	Source	POU	Use	NENW
55N02W18	Water Right	96-4058	N	BRADLEY, ROLAND F	COCOLALLA LAKE	POU	IRRIGATION	4.0
55N02W18	Water Right	96-8620	N	ROMEY WATER SYSTEM	GROUND WATER	POU	DOMESTIC	X
55N02W18	Water Right	96-8970	N	GLADISH, CHARLES F	COCOLALLA LAKE	POU	IRRIGATION	0.3
55N02W18	Water Right	96-9007	N	DAVENPORT, RON; MYERS, DARRELL N	UNNAMED STREAM	POU	RECREATION STORAGE	X
55N02W18	Water Right	96-9202	N	MUSKOPF, LINDA; MUSKOPF, RONALD	COCOLALLA LAKE	POU	IRRIGATION	0.5
55N02W18	Water Right	96-9335	N	MYERS , JOANN	COCOLALLA LAKE	POU	DIVERSION TO STORAGE	X
55N02W18	Water Right	96-9566	Y	BENNETT, MICHAEL D	GROUND WATER	POU	DOMESTIC	X
55N02W18	Water Right	96-9566	Y	BENNETT, MICHAEL D	GROUND WATER	POU	IRRIGATION	2.4

Statutory Claim 96-4058 Overlapping POU

96-8620, 96-9007, 96-9202 & 96-9335 to the north on separate parcels

96-8970 lot to the north in Arowhead Ranch Subdivision

Permit 96-9579 does not include 96-9566 POU.

Attachment to Field Report 96-9566

MEMORANDUM

Date: June 24, 2016
To: Water Right Files 96-8620 and 96-9566
From: Michele Edl
Re: POU shape update

While reviewing Permit 96-9566 in preparation for licensing, I found that a condition on the permit declared an overlap with licensed right 96-8620. I have reviewed the contents of the file for Right 96-8620 and found that no true overlap exists. Instead, I found that only the ArcMap place-of-use shape for Right 96-8620 overlapped the Bennett property and only because that shape had been inadvertently extended too far south.

Both the map provided with the Proof statement and the map provided with the BU field report for Right 96-8620 show that the POU extends into government lot 6 (NENW) of section 18. However, both maps also show that POU for the Romey Water System includes only one or two lots south of the sec7 / sec18 line. The Romey Water System POU terminates several taxlots north of the Bennett property. Therefore the POU for Right 96-8620 does not really overlap the POU for Permit 96-9566.

As consequence, I have adjusted the ArcMap shape file for Right 96-8620 to more accurately mimic how the file maps depict the POU in government lot 6 (NENW).

I have no knowledge of which homes in government lot 4 (SWSW) and lot 4 (SESW) are served by the Romey Water System so I made no changes to that portion of the shapefile.

Edl, Michele

From: Edl, Michele
Sent: Wednesday, June 22, 2016 1:25 PM
To: 'mikebennett1@gmx.com'
Cc: Steading, Natalie
Subject: pumping from Cocolalla Lake

Mr. Bennett,

This email is the promised follow-up to this morning's phone conversation. When I searched for water rights which divert from Cocolalla Lake for irrigation of your property, I found a statutory claim. The claim is **#96-4058** and it was submitted by Roland F. Bradley in 1973. It has not been verified by an IDWR inspection or review, so it is still only a claim. However, I believe that this filing may be what you understand as your 'grandfathered' authorization to pump irrigation water from the lake. IDWR has scanned the contents of that file and made it available here <http://www.idwr.idaho.gov/apps/ExtSearch/RelatedDocs.asp?Basin=96&Sequence=4058&SplitSuffix=>

As I stated in our phone conversation, I recommend that you get the ownership updated. You will still have to claim this Statutory Claim again in the adjudication of Basin 96. I understand that that adjudication is years out but correct ownership will speed up some of the processing once the adjudication commences. Meanwhile, getting the record in your name provides you with the beneficial use filing/authorization to utilize Cocolalla Lake water for irrigation.

The form you need to use to update the ownership is a Notice of Change in Water Right Ownership form. It can be found on our website <https://idwr.idaho.gov/files/water-rights/notice-of-change-of-water-right-ownership.pdf>. If you don't have an internet connection or don't have a printer, then let IDWR know and one of us will be happy to send you one through the mail.

Respectfully,
Michele Edl

To: WR File 96-9566