

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

**A. GENERAL INFORMATION**

Permit No: 37-21339

Exam Date: 4/3/2014

1. Current Owner: PETER A BOWLER  
4521 CAMPUS DR #216  
IRVINE CA 92612

2. Accompanied by :N/A

**3. SOURCE**

SPRING  
UNNAMED STREAM

**TRIBUTARY**

SNAKE RIVER  
SNAKE RIVER

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: None  
2. Other water rights with the same point of diversion: None

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

|                |               |                                 |
|----------------|---------------|---------------------------------|
| UNNAMED STREAM | L3 SW1/4SE1/4 | Sec. 21, Twp 06S, Rge 13E, B.M. |
| GOODING County |               |                                 |
| SPRING         | L3 SW1/4SE1/4 | Sec. 21, Twp 06S, Rge 13E, B.M. |
| GOODING County |               |                                 |

Method of Determination: Waypoints were collected with a Garmin GPSmap 60CSx receiver and downloaded into an ArcMap shapefile that corresponds with 2011 and 2013 aerial photography and verified the points of diversion are located as recorded. See attached map.

2.

**PLACE OF USE:** DOMESTIC

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |     |    |        |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW  | SE | Totals |
| 06S | 13E | 21  |    |    |    |    |    |    |    |    |    |    |    |    |    |    | X   |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    | L 3 |    |        |

**PLACE OF USE:** AESTHETIC STORAGE

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |     |    |        |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW  | SE | Totals |
| 06S | 13E | 21  |    |    |    |    |    |    |    |    |    |    |    |    |    |    | X   |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    | L 3 |    |        |

Method of Determination: Place of use determined using 2011 aerial photography and verified the place of use is located as recorded. See attached map.

3. ☒ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.  
☒ Aerial Photo Attached (required for irrigation of 10+ acres).  
☒ Photo of Diversion and System Attached

**D. FLOW MEASUREMENTS** No measurement required per current beneficial use examination rules for a domestic use permitted for 0.04 cfs.

1.

| <u>Measurement Equipment</u> | <u>Type</u> | <u>Make</u> | <u>Model No.</u> | <u>Serial No.</u> | <u>Size</u> | <u>Calib. Date</u> |
|------------------------------|-------------|-------------|------------------|-------------------|-------------|--------------------|
| _____                        | _____       | _____       | _____            | _____             | _____       | _____              |
| _____                        | _____       | _____       | _____            | _____             | _____       | _____              |
| _____                        | _____       | _____       | _____            | _____             | _____       | _____              |

2. Measurements: N/A

**E. FLOW CALCULATIONS** N/A

**F. VOLUME CALCULATIONS**

1. Volume Calculations for Other Uses: Aesthetic Storage:  
Pond measures approximately 15' W x 30' L x 1' D:  
 $(15' \times 30' / 43,560) \times 1' = 0.01 \text{ AF}$   
Domestic In-house Use = **0.6 AFA**

**G. NARRATIVE/REMARKS/COMMENTS**

Permit 37-21339 was approved for 0.04 cfs Domestic and 0.1 Acre Feet of Aesthetic Storage. Application for permit was filed on 8/24/2004 and proof of beneficial use was received on 10/29/2006.

Original application for permit requested 0.04 cfs for domestic use and 0.09 cfs aesthetic, with a total flow rate of 0.13 cfs. During permit review aesthetic use was changed to 0.1 af aesthetic storage as the applicant indicated the pond was on-stream during the review process.

Upon reviewing this permit, an on-site inspection was needed in order to determine the size of the pond because documents in the Department's backfile indicated that the pond would be downsized in order to comply with a request from Idaho Fish and Game to keep the depth of the pond to 1' or less to minimize oxygen depletion and temperature increases to the spring water that flows into the Snake River.

Mr. Bowler had originally indicated the pond would have a concrete headgate and would be approximately 20' wide x 30' long x 3' deep. At the pond site I found the footprint of a 15' wide x 30' long x 1' deep pond with a 12' long x 1' high check board still in place. The water had eroded the soil around the board and water was flowing under it in the stream channel. I located the spring source but was not able to find the spring box that Mr. Bowler had indicated was constructed to divert water for domestic purposes. However, the site was extremely overgrown with bulrushes and woody brush, making it impossible to verify if a spring box had been constructed or not. No home had ever been built on the property, but two sites had been leveled that would allow sufficient space to park a camping trailer, and leveling jacks were present at one of the sites. The presence of the two sites is an indication of potential domestic use from the spring source. Therefore, I'm going to recommend domestic in-house use only for the campsite.

Precipitation deficit data from the University of Idaho ET website indicates a mean of 839 mm (2.75 af) per acre/ per year for small open water – shallow systems (ponds, streams) in the Bliss area. Based on the calculated surface area of 0.01 acres, the data indicates that approximately 0.03 af could potentially evaporate from the system each year. Therefore, the recommended volume for the permit will represent storage capacity combined with the potential evaporative losses.

In the ArcMap 10.1 GIS software program, the pond and approximately half of the domestic place of use (based on the taxlot layer) appear to be located in a non-surveyed meander along the banks of the Snake River corridor (designated as the SESW ¼) adjacent to Government Lot 3 (SWSE). I've included a copy of the survey plat from the BLM General Land Office Records that indicates the place of use and pond are located in Government Lot 3 and the SWSE ¼.

Overlap review does indicate Mr. Bowler has two other domestic rights, 37-4148A & 37-4148B, but those are diverted from a separate spring source and are appurtenant to homes he owns on adjacent lots.

Recommend licensing 0.1 af for Aesthetic Storage and 0.04 cfs with an annual volume of 0.6 af for in-house Domestic use.

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

#### H. RECOMMENDATIONS

##### 1. Recommended Amounts

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| AESTHETIC STORAGE     | 01/01 to 12/31       |                       | 0.10 AF              |
| DOMESTIC              | 01/01 to 12/31       | 0.040 CFS             | 0.6 AF               |
|                       | <u>Totals:</u>       | 0.040 CFS             | 0.6 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

#### I. AUTHENTICATION

Field Examiner's Name Albert M. Milt Date 6-16-2014

Reviewer A. Menden Date 6/17/14



Figure 1: The remains of the pond



[http://www.glorerecords.blm.gov/details/survey/default.aspx?dm\\_id=97309&sid=vhymu3r...](http://www.glorerecords.blm.gov/details/survey/default.aspx?dm_id=97309&sid=vhymu3r...) 4/21/2014