

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 86-11987

Exam Date: 10/3/2012

1. **Current Owner:** STEPHEN T BUSCH
2279 ARBORCREST RD
MOSCOW ID 83843
(208)301-1415

2. **Accompanied by:** Stephen Busch

Phone No: (208)301-1415

Address: same as above

Relationship to Permit Holder: self

Email: steveb@moscow.com

Ownership: Tax Lot information updated on 3/3/2009 shows Leads, LLC as the owner; Idaho Secretary of State shows: Leads, LLC as the current owner (with the same address), and shows the current registered agent being: Stephen Busch with the same address, and the managers as: Stephen T and Donna J. Busch PO Box 8188, Moscow, ID 83843.

3. **SOURCE**

UNNAMED STREAM

TRIBUTARY

DRY CREEK

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None. There are additional ponds, one in the SESW, and 2 in Section SWSW7, that were determined to be "natural" ponds, and not requiring a water right at this time (there was no evidence that these ponds had been excavated, and foliage surrounding the ponds was completely developed. Mr. Busch stated that he did not develop these ponds, and that they were "existing ponds," when he purchased the property.

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

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION (both are the overflows located on the north side of the 3 ft dams):**

UNNAMED STREAM SE1/4SW1/4 Sec. 6, Twp 39N, Rge 02W, B.M. LATAH County

UNNAMED STREAM SE1/4SW1/4 Sec. 6, Twp 39N, Rge 02W, B.M. LATAH County

Method of Determination: Garmin GPS Map 76S, ArcMap 2009, 2011 and esri Imagery, and confirmed by Mr. Busch.

2.

PLACE OF USE: WILDLIFE 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
39N	02W	6												X					

Method of Determination: Garmin GPS Map 76S, ArcMap 2009, 2011 and esri Imagery, and confirmed by Mr. Busch.

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

4.

<u>Well or Diversion</u> <u>ID No.*</u>	<u>Motor Make</u>	<u>Hp</u>	<u>Motor Serial No.</u>	<u>Pump Make</u>	<u>Pump Serial No. or Discharge</u> <u>Size</u>
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Unnamed Stream that gravity flows into Pond 2, through the overflow (POD) and continues through Pond 3, through the overflow (POD) and continues down the Unnamed Stream. When there is no longer any snow melt, there is no longer any flow in the Unnamed Stream. The entire system is a gravity flow system.

Pond 1 was determined to be a "natural pond" and did not require a water right at this time. There was no evidence of being developed or excavated, and Mr. Busch stated that it was an existing pond when he purchased the property, and that he had made no improvements or changes to the pond.

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

<u>Measurement</u> <u>Equipment</u>	<u>Type</u>	<u>Make</u>	<u>Model No.</u>	<u>Serial No.</u>	<u>Size</u>	<u>Calib. Date</u>
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None. There was no live flow in the Unnamed Stream at the time of the field examination.

2. Measurements: None.

E. FLOW CALCULATIONS

Measured Method: None.

F. VOLUME CALCULATIONS

1. Volume Calculations for Wildlife Storage Ponds:

Pond 1: Determined to be a "natural pond," and did not require a water right (no development, excavation or changes had been made to the pond, and it existed there prior to Mr. Busch purchasing the property. All foliage surrounding the pond was natural and mature).

Pond 2 and 3: 0.1 total acres (calculated by ArcMap) X 3 ft average depth + 0.2 ET* = 0.5 AFA

*Precipitation Loss Calculation sheet attached to field examination.

2. Volume Calculations for Other Uses: None.

SAT 1/21/2014
No ET or seepage loss for on-stream ponds
3 AFA

G. NARRATIVE/REMARKS/COMMENTS

At the time of the 10/3/2012 field examination, there were 3 ponds found in the Sec. 6 SESW and 2 found in SWSW7. In the SESW: Pond 1 was 0.5 acres in size, with an average depth of 10 feet. Mr. Busch stated that Pond 1 was an existing/natural pond on the property, which had not been developed or enlarged by Mr. Busch. For this reason, this pond would be considered a natural pond and would not require a water right. Ponds 2 and 3 were developed by Mr. Busch, are an average depth of 3 ft, with each of them having been excavated, and having a 3 ft dam/buried area on the north end and an overflow continuing down the Unnamed Stream. The overflow is the POD for each of the ponds. One of the Unnamed Streams consists of the overflow from Pond 1, which travels down a dirt ditch to Pond 2, then gravity flows through the overflow to the south end of Pond 3 where it co-mingles with another Unnamed Stream. Both Unnamed Streams gravity flow through Pond 3, through the overflow and continue down the Unnamed Stream. Once there is no longer any snow melt, there is no longer any flow in the Unnamed Streams. At the time of the field examination, there was no active flow in either Unnamed Stream. Ponds 2 and 3 beneficial use is Wildlife Storage for deer, moose, coyote, bear, numerous birds, ducks and geese. The 2 ponds found in the SWSW7 also show up on topo maps as existing ponds. Mr. Busch stated that they were existing/natural ponds, and that he had not developed or enlarged them. The surroundings of the ponds showed no evidence of excavation, and was full of foliage along the banks. The only thing that had been added to the upper pond was a floating aerator (to prevent algae plumes). Average depth of the 2 ponds is 10 ft. These 2 ponds would be considered natural ponds. Applications for Permit were given to Mr. Busch, in the event he wanted to file for Pond 1, or the 2 ponds in the SWSW7.

On 1/14/2014, an email was sent to Mr. Busch, along with an Application for Permit form attached. In the email, Mr. Busch was told that at the present time, the ponds were determined to be "natural ponds," but in the future if any changed, enlargements, excavation, etc were conducted on the ponds, that they would no longer be considered "natural ponds," and would require an application for permit to be filed on them (this was decided after a discussion with Dan Nelson and Shelley Keen on 1/13/2014).

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

H. RECOMMENDATIONS

1. Recommended Amounts

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31	~~0.50 AF~~ 0.3 AF
<u>Totals:</u>		~~0.50 AF~~ 0.3 AF

1/21/2014

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

Sandy Hemenway

Date

1/14/2014 *SH*

Precipitation Loss Calculation

Date: January 13, 2014
Prepared by: Sandy Hemenway
Water Right No: 86-11987

P = Precipitation
ET = Evapotranspiration
 P_d = Precipitation deficit
 P_d = P - ET

P_d

Found at: <http://www.kimberly.uidaho.edu/ETIdaho/>

P_d = convert to AFA: (mm/yr) / (convert to feet) x # acres =
736 / 304.8 x 0.1
(From ET Idaho)

P_d = 0.2 AFA

* Use the Precipitation Deficit for 'P' value

1/21/2014 No ET for on-stream SH

86-11987
Ponds 2 + 3
to obtain
shapefile



SESW

6

39N02W

2011



Hemenway, Sandy

From: Hemenway, Sandy
Sent: Tuesday, January 14, 2014 6:31 AM
To: steveb@moscow.com
Cc: Hemenway, Sandy
Subject: Water Right 86-11987 Licensing Review.
Attachments: DOC003.pdf; Application_for_Permit.pdf

Importance: High

Dear Mr. Busch,

I am currently conducting the licensing review for water right 86-11987. In a meeting yesterday with Shelley Keen, Water Allocations Manager, it was determined that the one larger pond (designated as Pond 1) is a "natural pond," since no evidence was found that this pond had been enlarged, developed, or excavated. For this reason, at this time no water right is required for this pond.

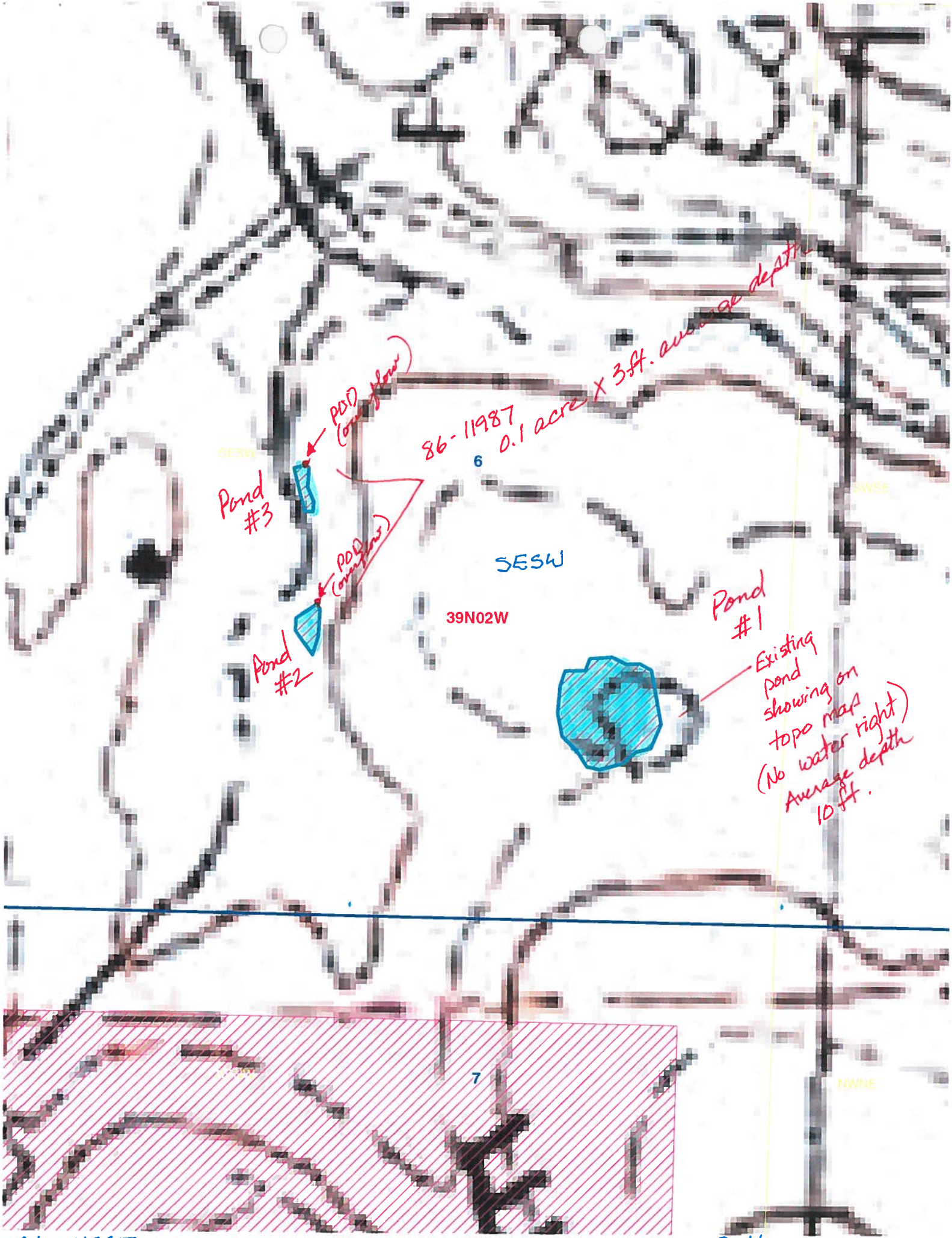
Two other ponds were also found in Section 6 , SWSW7. These two ponds have also been determined to be "natural ponds," and do not require a water right at this time.

An Application for Permit has been attached to this email, along with copies of topo maps designating the locations for the above described ponds. In the event any changes or excavation are conducted on these ponds, they will no longer be classified as "natural ponds," and will require an Application for Permit to be filed.

If you have any questions, please give me a call.

Sincerely,

Sandy Hemenway
Sr. Water Resource Agent
IDWR/State Office, Boise
(208)287-4920
Sandy.hemenway@idwr.idaho.gov





Pond #1

POE
(no active flow at time of F.E.)

POU

No water right, but "existing" on topo map.

10/03/2012



usually no flow after snow melt run-off

Pond #1

POU
10' average deep

overflow (none at time of F.E.)

to ditch to 2 ponds

10/03/2012

S. Hemerway

in 86-11987



Pond
#2

overflow
POD

POU
3' deep

10/03/2012



Pond
#3

overflow
POD

POU
3' deep

10/03/2012

86-11987

S. Hemerik

Section 6
SWSW 7

"other"
Existing
Ponds
without
water
rights
10' average
depths

39N02W

Pond #3
86-11987
Pond #2

NWSW 6

NESW

SWSW 7

6

SESW

39N02W

NWNW 1

NENW

- both ponds, average
depth 10' each

* Ponds found without
water rights.
- "Existing," show up
on topo map

1/12/2012

c. Homerwan



house
is located
west of
the 2
ponds

elevation
difference
is 12'

9'
dam
between
the
upper +
lower
pond

Pou
Lower
Pond
10' deep

if any
overflow
it
discharge
to a
ditch
running
next
to the
road
tributary
to
Dry Creek

10/03/2012

10/03/2012

Ponds found without Water Rights
but are existing on topo maps.

S. Hemerway

10/3/2012



POD
springs
in
pond +
bank
Pou:
upper
pond
10' deep
floatin
aerator

overflo
to the
lower
pond

10/03/2012

Ponds found without water rights,
but are shown "existing"
on topo maps.

S. Hemerway

S. Hemerway