

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 95-12164

Exam Date:

1. Current Owner: PATRICIA PERRY
26625 N GOOD HOPE RD
ATHOL ID 83801
(208) 683-1672

And/Or

WALLACE PERRY
26625 N GOOD HOPE RD
ATHOL ID 83801
(208) 683-1672

2. Accompanied by: Owner

Phone No:

Address:

Relationship to Permit Holder:

3. SOURCEGROUND WATER
SPRINGSTRIBUTARY

SINKS

B. OVERLAP REVIEW

1. Other water rights with the same place of use:
2. Other water rights with the same point of diversion:

C. DIVERSION AND DELIVERY SYSTEM1. LOCATION OF POINT(S) OF DIVERSION:

SPRINGS	NE1/4SE1/4NE1/4	Sec. 30,	Twp 53N,	Rge 02W, B.M.
KOOTENAI County				
GROUND WATER	NE1/4SE1/4NE1/4	Sec. 30,	Twp 53N,	Rge 02W, B.M.
KOOTENAI County				

Method of Determination:

2.

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
53N	02W	30				10.0													10.0

Total Acres: 10

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PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
53N 02W 30	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
				X													

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
53N 02W 30	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
				10.0													10.0

Total Acres: 10

PLACE OF USE: RECREATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
53N 02W 30	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
				X													

PLACE OF USE: AESTHETIC STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
53N 02W 30	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
				X													

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Method of Determination:

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>
N/A					

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>
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

2. Measurements: Diversion to irrigation is with a 10hp pump that has the flow capacity of 75GPM to 160GPM.

E. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

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F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 10 \times 3 \text{ AF} = 30 \text{ AF}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 84.89 \text{ AF}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 30 \text{ AF}$$

2. Volume Calculations for Other Uses: POND 0.35AC X 8 FEET = 2.8 AF

$$\text{EVEPORATION} = 0.87 \text{ AF}$$

$$\text{SEEPAGE} = 1.02 \text{ AF}$$

G. NARRATIVE/REMARKS/COMMENTS: no diversion to storage on this water right because the source is in the pond.

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>
IRRIGATION	04/01 to 10/31	0.200 CFS	30.00 AF
IRRIGATION STORAGE	01/01 to 12/31		1.00 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		1.00 AF
RECREATION STORAGE	01/01 to 12/31		1.00 AF
AESTHETIC STORAGE	01/01 to 12/31		1.00 AF
<u>Totals:</u>		0.200 CFS	31.00 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 Eric J. Lewis Date 12-30-13

Reviewer Keith E. Frankham Date 1-14-14

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BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF LAPSED PERMIT)
NO. 96-9056 (RENUMBERED TO)
95-12164) IN THE NAME OF)
PATRICIA AND WALLACE PERRY)
_____)

**ORDER OF
REINSTATEMENT**

This matter having come before the Idaho Department of Water Resources ("Department"), the Department finds, concludes and orders:

FINDINGS OF FACT

1. On January 3, 2001, the Department issued Permit No. 96-9056 in the name of Patricia and Wallace Perry (permit holders). The Department issued permit 96-9056 with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before January 1, 2006.
2. On October 31, 2005, the Department sent the permit holder a notice by certified mail that proof of beneficial use was due. The notice provided instruction to the permit holder of the steps to be taken to submit the proof of beneficial use. The postal service marked the notice "Not Deliverable" and returned it to the Department.
3. On January 9, 2006, the Department sent the permit holder a lapse notice because the Department had not received an acceptable proof of beneficial use statement or request for extension of time to submit proof of beneficial use. The postal service returned the lapse notice to the Department as well.
4. On July 10, 2009, the Department received a proof of beneficial use statement submitted by the permit holder. The permit holder provided an explanation for filing late proof and submitted evidence supporting that beneficial use authorized by permit 96-9056 had occurred during the authorized period. The proof of beneficial use form itself was unsigned, however, the attached letter explaining the rationale for requesting reinstatement of the permit was signed and will be considered an addendum to the proof of beneficial use form. A signature on the actual proof of beneficial use form itself is not required.

5. Section 42-218a.2, Idaho Code provides as follows:

That upon receipt of proof of beneficial use after sixty (60) days after such notice of lapsing, the director shall require sufficient evidence to be submitted by the permit holder to

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clearly establish the extent of beneficial use made during the time authorized by the permit and any extensions of time previously approved. Upon finding that beneficial use had occurred during the authorized period and upon a showing of reasonable cause for filing a late proof of beneficial use, the director may reinstate the permit with the priority date advanced to the day that proof of beneficial use was received;

CONCLUSIONS OF LAW

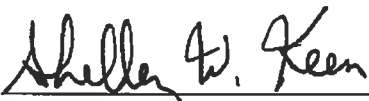
1. The permit holder provided sufficient information to show that water was beneficially used during the authorized development period in accordance with the permit.
2. The permit holder demonstrated reasonable cause for filing late proof of beneficial use.
3. The Department should reinstate the permit with the priority date advanced to the date that proof of beneficial use was received.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 96-9056 is **REINSTATED** with an advance in priority to **July 10, 2009**.

IT IS FURTHER ORDERED, because of a redrawing of the boundary line between IDWR Administrative Basins 95 and 96, permit 96-9056 is **RENUMBERED** to 95-12164.

DATED this 18th day of March, 2010.



SHELLEY KEEN, Manager
Water Rights Section

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
Address of the owners of record for the listed water rights.

(Please print or type)

[] Water Right Number(s): 96-9056

Renumbered to
95-12164

[] Names(s): WALLACE Perry

PATRICIA Perry

[] Old Mailing Address: 22117 N ROSE LN
RATHBURN ID 83858

[] New Mailing Address: 26625 NoGoodHope Rd
ATHOL 83801

Telephone Number: (208) 683 - 1672

[] Signature(s) of Owner(s) Wallace Perry

(Include your title if on behalf of company or organization)

Date: 10-18-2013

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IRRIGATION-.JPG



POND.JPG



PUMP .JPG



SPRING IN THE POND.JPG



10 AC IRRIGATION.JPG



10 HP PUMP.JPG



GROUND WATER.JPG



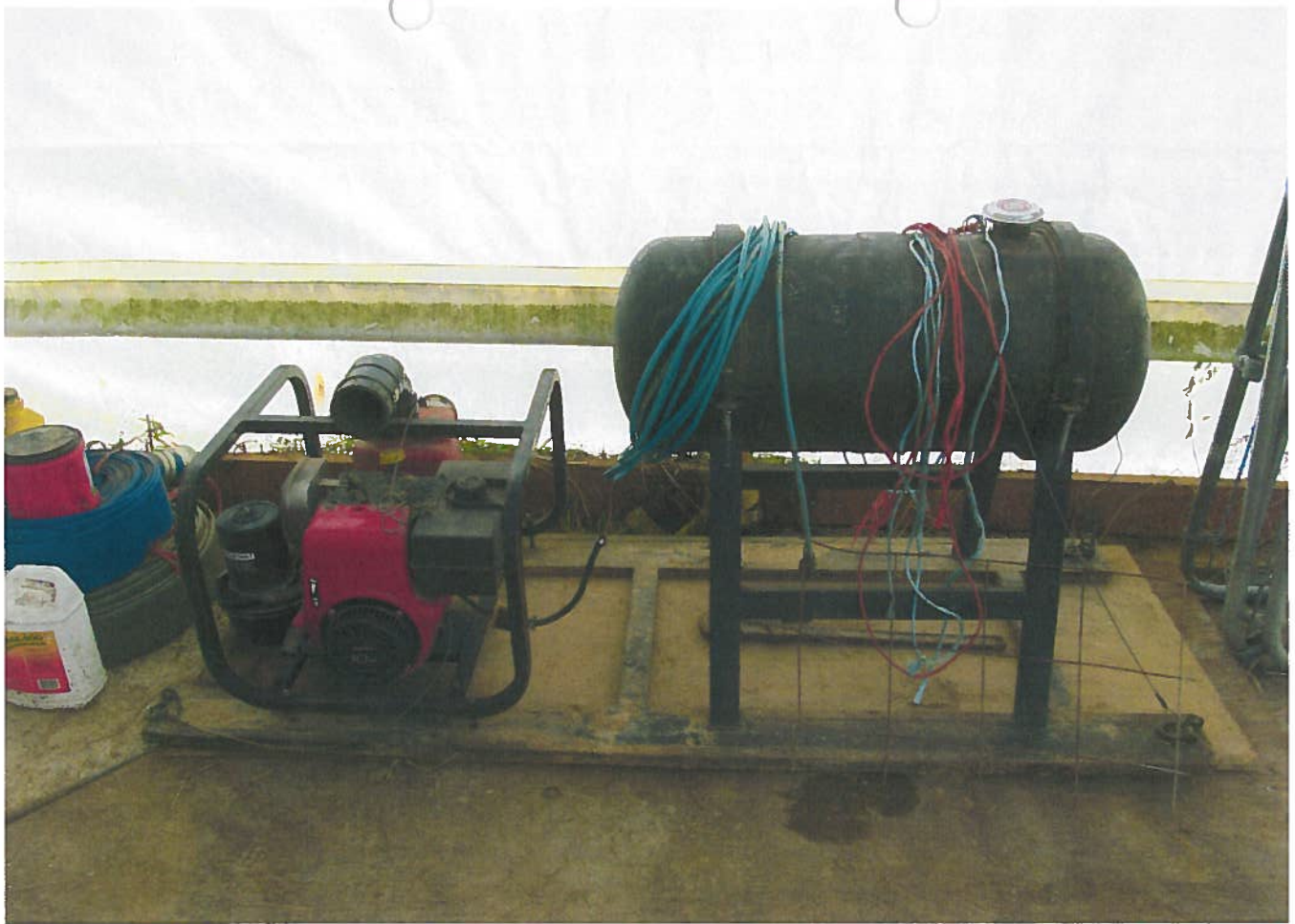
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