



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

July 24, 2013

CHRIS BEARDEN
16967 HWY 95 S
GRANGEVILLE ID 83530

RE: License Nos. 85-15537 & 85-15635

Issuance of Licenses

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right Licenses confirming that water rights have been established in accordance with your permits. Please be sure to thoroughly review the conditions of approval and remarks listed on your licenses. Also enclosed is a copy of the approved application for amendment.

The licenses are PRELIMINARY ORDERS issued by the Department pursuant to section 67-5243, Idaho Code. They can and will become final orders without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4916.

Sincerely,

Craig L. Saxton

Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on July 25, 2013, I mailed true and correct copies, postage prepaid, of the foregoing PRELIMINARY ORDERS (Approved Licenses) to the person(s) listed below:

RE: WATER RIGHT NO.

85-15537 & 85-15635

**CHRIS BEARDEN
16967 HWY 95 S
GRANGEVILLE ID 83530**



**Darla Block
Technical Records Specialist**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 85-15537

Priority: January 06, 2005

Maximum Diversion Rate: 0.07 CFS
Maximum Diversion Volume: 1.7 AF

It is hereby certified that CHRIS BEARDEN
16967 HWY 95 S
GRANGEVILLE ID 83530 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated January 06, 2005; and has
submitted Proof of Beneficial Use on March 22, 2010. An examination confirms water is diverted from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.07 CFS	1.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW¼SE¼ Sec. 24, Twp 30N, Rge 02E, B.M. IDAHO County

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
30N 02E 24														X			

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home, RV park with 21 spaces, and a recreation building.
2. Domestic does not include lawn, garden, landscape, or other types of irrigation.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 24th day of July, 2013.

Gary Spackman
For _____
GARY SPACKMAN
Director

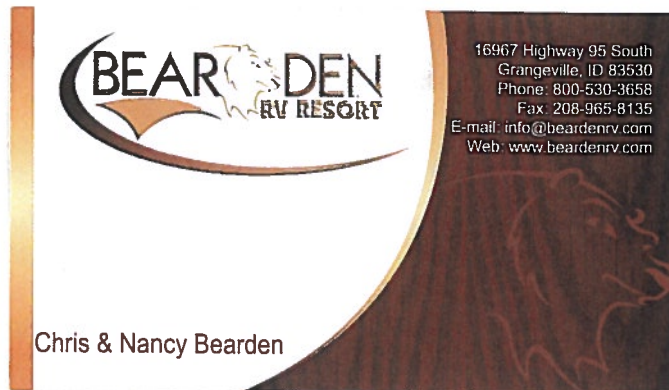
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 85-15537

Exam Date: June 14, 2012

1. Current Owner: CHRIS BEARDEN
16967 HWY 95 S
GRANGEVILLE ID 83530



3. SOURCE
GROUND WATER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 85-4066 (statutory claim—not claimed at this time)
2. Other water rights with the same point of diversion: 85-15635 and 85-4066* → uses the PD as back-up only ep

*historically 85-4066 was diverted from a well that was drilled in 1956. That well is no longer in use but the well under this permit is now used for domestic use. If the right holder files a claim for 85-4066, they will most likely identify the PD authorized under this right as the PD that they will be using. **NOTE: AS CLOSED 1/31/13 to claims - Right 85-4066 will be closed or disallowed*

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

GROUND WATER NW1/4SE1/4 Sec. 24, Twp 30N, Rge 02E, B.M. IDAHO County

Method of Determination: GPS (45.92297, -116.14734)

2.

PLACE OF 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	
30N	02E	24														X			

Method of Determination: Site visit and aerial imagery

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.

Well or Diversion

ID No.*

Motor Make Hp

Motor Serial No.

Pump Make

Pump Serial No. or Discharge

Size

D0040071 and E0009299

5

Submersible

Grundfos

not known

D. FLOW MEASUREMENTS

1.

Measurement

<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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NA-the well is equipped with a submersible pump that directly discharges into a storage tank. No open length of pipe was available to obtain a measurement with the polysonic.

2. Measurements: A theoretical estimate will be used for the licensure of this right.

Where

hp = 5

efficiency = 70%

depth to water = 360 ft (static water level of water per well driller's report)

psi = 13 (water is open discharged into storage tank that is 5' uphill—5' x 0.4333 = ~3psi and back pressure on the system is ~10 psi)

$$\frac{8.8 \times 5 \times 0.7}{360 + (2.31 \times 13)} = \frac{30.8}{390} = 0.78 \text{ or } 0.08 \text{ cfs}$$

E. FLOW CALCULATIONS

___x___ Additional Computation Sheets Attached

Measured Method: Chris Bearden stated that the well produces about 28 gpm or 0.06 cfs. I conducted a hp equation of the well and got an estimate of 0.078 cfs or 0.08 cfs. The permit was issued with a diversion rate of 0.07 cfs. There is good evidence in the theoretical estimate that the system can at least produce 0.07 cfs if not 0.08 cfs.

In addition, I conducted a pipe flow estimate (see attached computation sheet) to double check the diversion rate found using the hp equation. The result was 0.06 cfs which places the diversion rate in a reasonable range of 0.06 cfs – 0.08 cfs. License should be issued with a diversion rate of 0.07 cfs.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation: NA

2. Volume Calculations for Other Uses: Domestic

1 home = 0.6 af (the irrigation component is authorized under 85-15635)

21 RV spaces = 0.5 af (per Table 3 of the field examiner's handbook—50 gallons/day per person)

Recreation building = 0.6 af (two showers, two bathrooms—10 gpm total x avg of 30 minutes/day x 365 days) (2 washers-1600 loads* per year x 50 gallons = 80,000 gallons or 0.3 af) ≈ 0.3 af

*I made the assumption that roughly half of the customers used the laundry facilities

G. NARRATIVE/REMARKS/COMMENTS

For 2011, there were 3,315 reservations at the RV resort which was about average according to Mr. Bearden. I used the number of reservations to estimate the annual volume of water that the resort uses and came up with 1.7 af.

Note that there are four log cabins on site but they are not plumbed.

The right holder has installed 7 additional RV spots that are not covered by this right. Overlapping right 85-4066 for domestic and stockwater might cover the additional RV spots but the right holder must file a claim in the SRBA as it is a statutory claim at this time. Mr. Bearden agreed that it was a good idea to file the claim; I emailed him the paperwork to do so.

System Notes

The well discharges to two 3,000 gallons tanks that are connected and have float switches that automatically turn on/off the water based on tank levels. Water is pumped into the top of the cement storage tanks using a 1-1/2" pipe and a common, 3" pipe distributes the water to the resort and home.

A one way valve on the system can feed into the irrigation system and will be added to 85-15635 which is for irrigation purposes.

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>
DOMESTIC	01/01 to 12/31	0.070 CFS	1.7 AF
<u>Totals:</u>		0.070 CFS	1.7 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 Chair Palmer Date 7/9/12

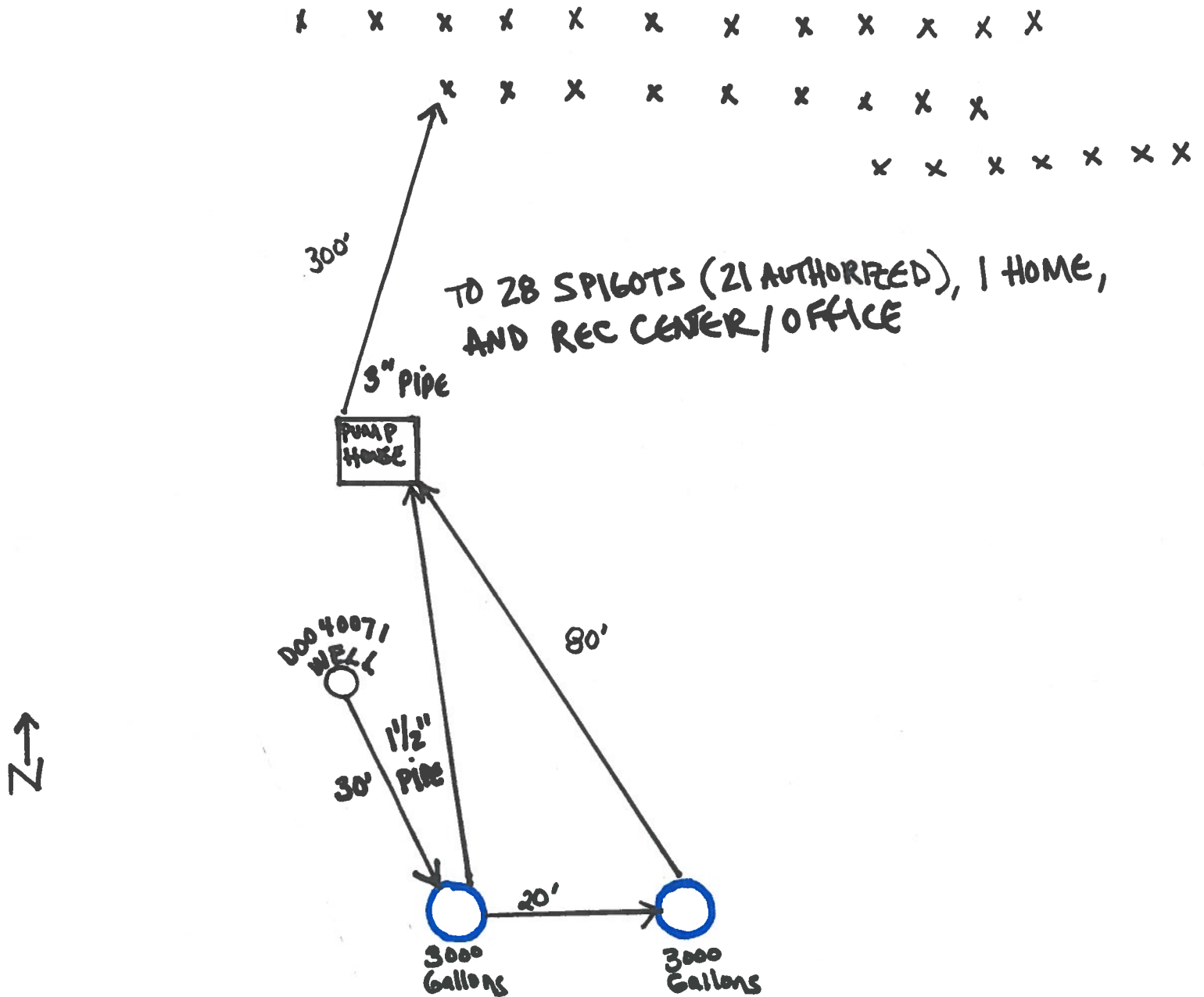
Reviewer _____ Date _____

HOME

July 9, 2012

Delivery System

REC
CENTER/
OFFICE

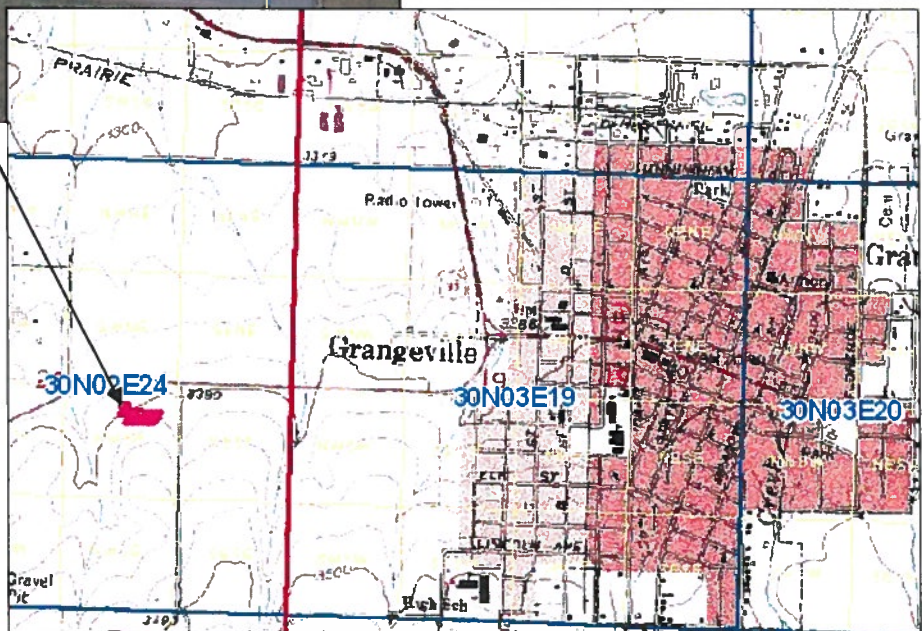
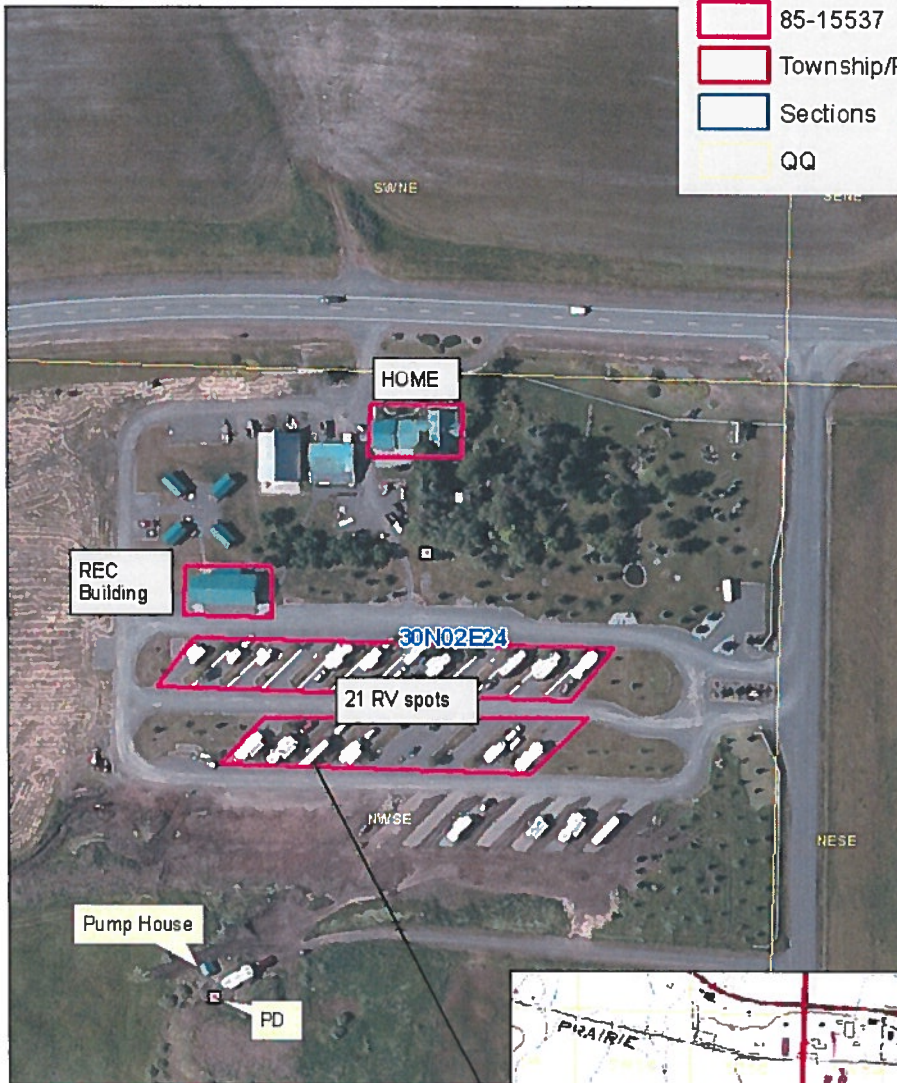


X- RV spot

Map/Aerial Imagery

Legend

- 85-15537
- Township/Range
- Sections
- QQ



Photos



Same PD w/
two tags
E0009299
+
D0040071



Looking at PD
facing SW



2 pipes coming
into the
pressure tanks
from the storage
tanks



Pressure tanks



3" pipe going to
the RV resort







Storage tank



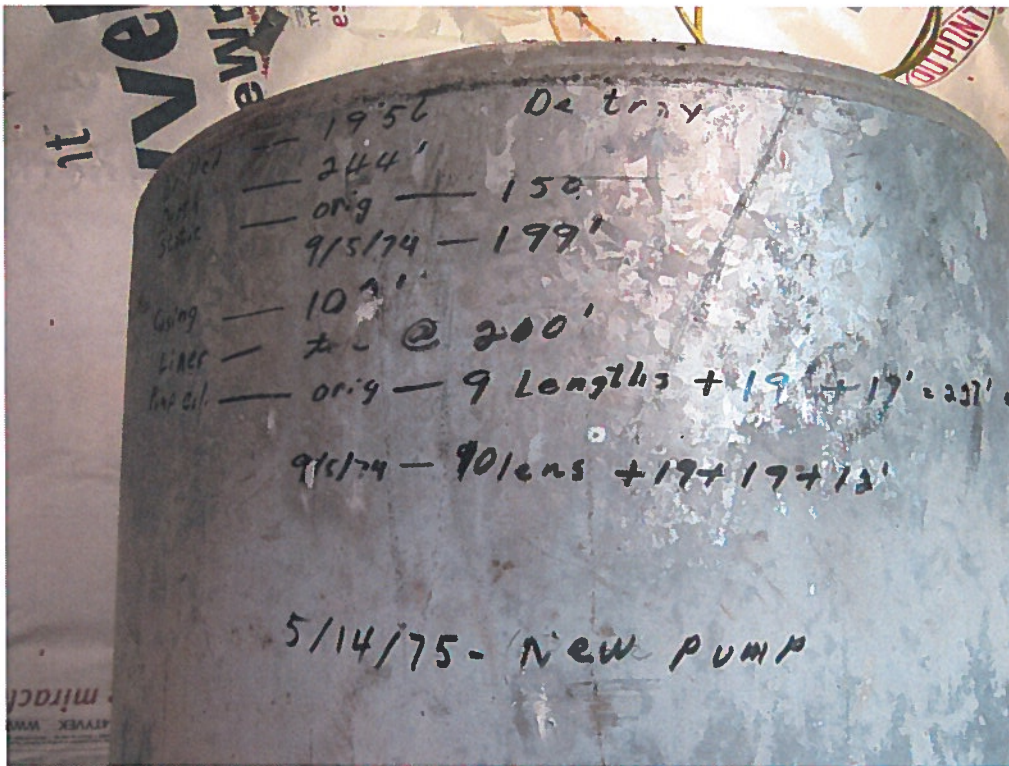
POU



Recreation
building



Recreation
building
2 bathrooms
w/ 1 shower each.



old well and
Storage tank.
under 85-4066

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only
Well ID No. _____
Inspected by _____
Twp _____ Rge _____ Sec _____
1/4 _____ 1/4 _____ 1/4 _____
Lat: : : Long: : :

1. WELL TAG NO. D 0040071

DRILLING PERMIT NO. 831950

Water Right or Injection Well No. _____

2. OWNER:

Name Richard Baines

Address Rt. 2, Box 852

City Grangeville State ID Zip 83530

3. LOCATION OF WELL by legal description:

You must provide address or Lot, Blk, Sub. or Directions to well.

Twp. 30 North ☒ or South ☐

Rge. 2 East ☒ or West ☐

Sec. 24 NE 1/4 NW 1/4 1/4

Gov't Lot _____ County Idaho

Lat: : : Long: : :

Address of Well Site Approx 700 ft west of inter-

section of Hwy 95 & City Grangeville

Fish Hatchery Road

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☒ Other Public Water

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD:

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

Seal Material	From	To	Weight / Volume	Seal Placement Method
Portland Cement	0	98	43 Sk	Tremie Pipe Pumped

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 98

Was drive shoe seal tested? ☒ Y ☐ N How? Air

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
8	+2	98	322	Steel	☒	☐	☒	☐
6	-7	480	160	PVC	☐	☒	☒	☐

Length of Headpipe _____ Length of Tailpipe _____

Packer ☐ Y ☒ N Type _____

9. PERFORATIONS/SCREENS PACKER TYPE

Perforation Method Saw Cut

Screen Type & Method of Installation _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
440	480	1/8x6	90	6	PVC	☐	☒

10. FILTER PACK

Filter Material	From	To	Weight / Volume	Placement Method
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11. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

360 ft. below ground Artesian pressure _____ lb.

Depth flow encountered 400 ft. Describe access port or control devices: _____

Well Cap

30 N 2 E 24

12. WELL TESTS:

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
30			1 hr

Water Temp. 52

Bottom hole temp. _____

Water Quality test or comments: Cool & Clear

Depth first Water Encounter 400

13. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
12	0	5	Boulders		X
12	5	15	Fractured Basalt		X
12	15	35	Red Clay		X
12	35	55	Tan Clay		X
12	55	60	Red Clay		X
12	60	80	Tan Clay		X
12	80	90	Clay & Lava		X
12	90	98	Basalt		X
8	98	190	Basalt		X
8	190	192	Silt Soft Lava (Stable)		X
8	192	200	Soft Lava (Stable)		X
8	200	240	Lava Medium		X
8	240	400	Basalt		X
8	400	425	Fractured Basalt	X	
8	425	428	Blue Shale		X
8	428	480	Basalt		X

RECEIVED

MAY 18 2005

PLANT NORTH

Completed Depth 480' (Measurable)
Date: Started 4/29/05 Completed 05/05/05

14. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Stuivenga Vessey Drilling Firm No. 545

Principal Driller [Signature] Date 5-06-05

and Driller or Operator II [Signature] Date 5-06-05

Operator I _____ Date _____

Principal Driller and Rig Operator Required.
Operator I must have signature of Driller/Operator II.

FORWARD WHITE COPY TO WATER RESOURCES



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 30, 2012

CHRIS BEARDEN
16967 HWY 95 S
GRANGEVILLE ID 83530

RE: PERMIT TO APPROPRIATE WATER 85-15537 AND 85-15635

Dear Permit Holder(s):

I am planning to conduct water right examinations in the vicinity of the above-referenced permits on June 13th, 14th, and 15th. An examination is a necessary step in the water appropriation process. During the examination, I will verify your water uses pursuant to your permits (copy enclosed).

In order to conduct your exam as efficiently as possible, please call me at (208) 287-4944 to schedule a day and time that is convenient for you. Please be advised that you will need to operate your system under normal conditions during the examination.

I look forward to meeting with you and working towards finalizing permits 85-15537 and 85-15635.

Sincerely,

Cherie Palmer, Sr. Water Resource Agent
Water Allocation Bureau