

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 45-13969

Exam Date: See Remarks

1. Current Owner: KEF PROPERTIES LLC
121 E 1900 N
CENTERVILLE UT 84014
(801)973-4949

2. SOURCE

UNNAMED STREAM

TRIBUTARY

SINKS

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Rights 45-13812 and 45-13813 are for lower pond to the west. No other water rights for water storage for this pond. Note rights 45-10017B and 45-13813 provide mitigation for this right at same location (one acre of irrigation corresponding to this pond site).

2. Other water rights with the same point of diversion: Rights 45-13812 and 45-13813 are for lower pond to the west. No other water rights with point of diversion at the location of this pond.

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

UNNAMED STREAM

NE1/4SW1/4

Sec. 35, Twp 12S, Rge 23E, B.M.

CASSIA County

Method of Determination: Site visits and aerial photography

2.

PLACE OF USE: AESTHETIC STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<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>	
12S	23E	35									X					X			

PLACE OF USE: RECREATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<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>	
12S	23E	35									X					X			

Method of Determination: Site visits and aerial photography

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

D. FLOW MEASUREMENTS: N/A – Storage occurs in the natural channel

E. FLOW CALCULATIONS: N/A – Storage occurs in the natural channel

F. VOLUME CALCULATIONS

1. Volume Calculations for Other Uses:

Surface Area of Reservoir = 1.0 acres

Determined using ARCMAP and aerial photography.

Reservoir Capacity = 4.0 AF

Determined using flat bottom reservoir equation from IDWR Field Examiners Handbook and measurements made in the field (Capacity = S. Area x Depth)
1.0 acre x 4 feet = 4.0 AF.

G. NARRATIVE/REMARKS/COMMENTS

Application for Permit 45-13969 was submitted on July 19, 2005 to appropriate 4.0 acre feet of water in an existing pond for onstream storage on an unnamed stream. As part of the application, 1.0 acre of irrigation rights 45-10017B and 45-13813 was utilized as mitigation to mitigate for the evaporative losses of the pond. The 1.0 acre of irrigation converted to mitigation use corresponded to the surface area of the pond (irrigation at pond site dried up and converted to mitigation use). The filing of the application was prompted by SRBA review that revealed that the pond was constructed after 1987. Permit 45-13969 was approved on October 11th, 2005, and proof of beneficial use was filed on December 22, 2005.

The system consists of two ponds located on an unnamed stream that flows generally off the west slope of Mount Harrison, south of Burley. The lower (west) pond has existed for many years and is covered by SRBA decrees 45-13812 and 45-13813. The upper (east) pond is located adjacent to the lower pond with water flowing from the upper (east) pond into the lower (west) pond. The upper (east) pond was constructed sometime after 1987 and is the pond covered by permit 45-13969. The lower (west) pond has been regulated by IDWR Dam Safety since late 2004, after its discovery during SRBA review. As part of the dam safety regulation, I have personally inspected the west (lower) pond in 2004, 2005, 2007, and 2009. During these inspections, I observed the upper (east) pond and am familiar with its existence and operation.

The upper (east) pond has a surface area of 1.0 acre (area measured using ARCMAP and aerial photography) and an average depth of approximately four feet. The pond appears to be partially excavated, and impounds water via an embankment located primarily on the west side of the pond. Water impounded in the pond would be considered on stream storage. Near the northwest corner of the pond is an overflow (spillway) channel that empties into the lower (west) pond. In addition, there also is a low level outlet pipe, regulated via a slide gate. This low level outlet is also located near the northwest corner of the pond and also empties into the lower (west) pond. The pond is utilized as an aesthetic and recreational water feature near the permit holder's home. I recall observing canoes around the ponds during past dam safety inspections.

Note that permit 45-13969 was flagged and includes a condition indicating that the right is for the diversion of Trust Water. However, the right is for a surface water source that sinks, but if not for sinking would eventually be tributary to the Snake River above Milner Dam (source is on east side of Goose Creek drainage). Surface water sources tributary to the Snake River above Milner Dam are not Trust Water by definition. Therefore, it is recommended that the Trust Water flag and any Trust Water conditions be removed when licensed. Other than this Trust Water issue, it is recommended that permit 45-13969 be licensed as permitted for 4.0 acre-feet of recreation and aesthetic storage

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		4.00 AF
RECREATION STORAGE	01/01 to 12/31		4.00 AF
<u>Totals:</u>			4.00 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

Date

2/29/2012

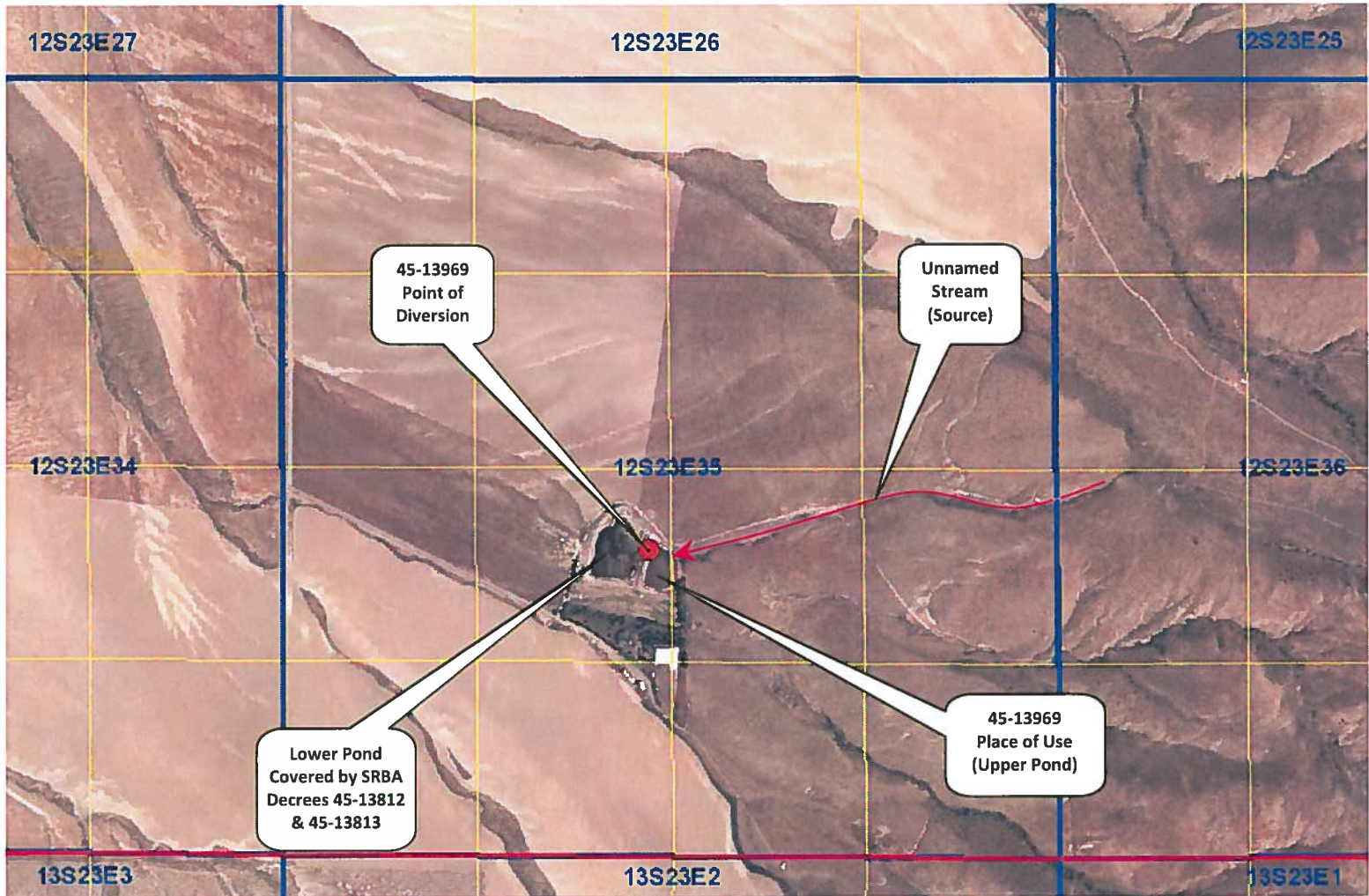
Reviewer

Date

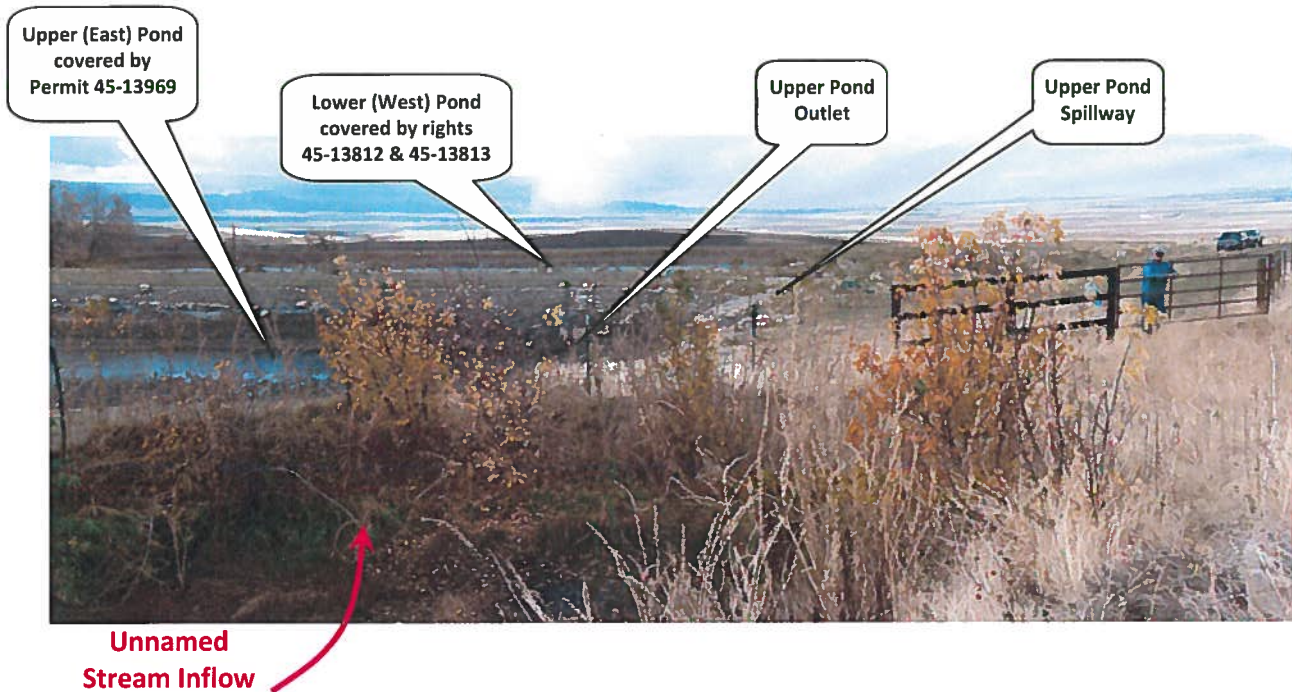
3/13/2012

45-13969 Field Exam Map

2004 aerial photography

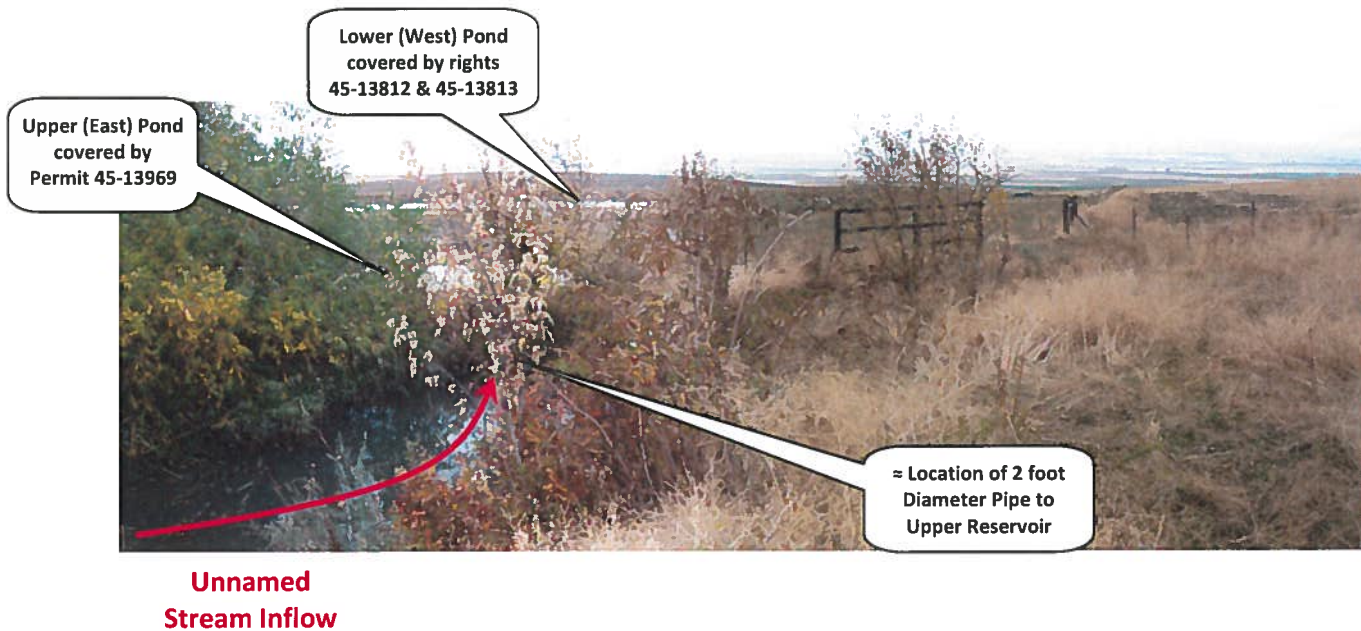


45-13969 Licensing Exam Photos



ABOVE: View from the east (above) the pond covered by permit 45-13969 on October 17, 2007. Note the relative depth of the pond, low level outlet, and spillway entrance visible in this view.

BELOW: View from the east (above) the pond covered by permit 45-13969 on October 20, 2009 from slightly different angle than view above showing unnamed stream above ponds.



45-13969 System Diagram

DRAWING NOT TO SCALE

