

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 37-20704

Exam Date: 9/11/2008

1. Current Owner: JANET NACHTMAN
PO BOX 966
BELLEVUE ID 83313
(208)578-7695

And

FRANK NACHTMAN
PO BOX 966
BELLEVUE ID 83313
(208)578-7695

2. Accompanied by: Frank and Kevin Lenane from Alpine Aquatics (he designed system)

3. **SOURCE**

GROUND WATER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 37-20705, 37-20706, 37-20707, 37-20708 (see attached proof reports)
2. Other water rights with the same point of diversion: none

C. DIVERSION AND DELIVERY SYSTEM1. **LOCATION OF POINT(S) OF DIVERSION:**GROUND WATER SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36, Twp 01N, Rge 18E, B.M. BLAINE County

Method of Determination: GPS

2.

PLACE OF USE: DOMESTIC, FIRE PROTECTION, FIRE PROTECTION STORAGE, COMMERCIAL STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
01N	18E	36																		

Method of Determination: Site visit 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

4.

<u>Well or Diversion 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 Size</u>
D0016292					

All specs are unknown, submersed pump

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

D. FLOW MEASUREMENTS

Measurements:

Using a calibrated 5.5 gallon bucket 5 measurements were taken to determine system capacity:

11.65 sec
10.99
10.31
9.62
10.38
10.60 second average

E. FLOW CALCULATIONS

Measured Method: Bucket and stopwatch

$GPM = 5.5 \text{ gallons} \times 60 \text{ seconds} / 10.6 \text{ seconds} = 31 \text{ GPM or } 0.07 \text{ cfs}$

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation: n/a

2. Volume Calculations for Other Uses:

Commercial and Fire Protection Storage: The pond surface area is 0.5 acre based on aerial photography. The pond has such an irregular shape, a physical measurement of the pond wouldn't have been effective. The pond is lined and has an average depth of 4 feet.

$0.5 \text{ acres} \times 4 \text{ feet} = 2 \text{ acre feet capacity}$

10.5 af is covered by rights 37-20706 and 37-20708. This permit will cover evaporative losses while surface water is not available up to 2 af/year.

Domestic: The domestic use for this right is the standard in-house use, plus ½ acre of irrigation, therefore the standard volume of 1.2 af will apply.

Fire Protection: No volume gets assigned to fire protection uses

G. NARRATIVE/REMARKS/COMMENTS

The system consists of a wet well, a dry hydrant, a well (tag # D0016292), a pond, and an irrigation line where surface water feeds into the wet well.

The wet well kicks on to fill the pond when the level in the pond falls below the level of the wet well. Depending on if surface water is available, water from either the irrigation line (surface water) or the groundwater well maintains the level in the wet well.

I called and confirmed with Baseline Canal Co. that Frank still owned 101 inches in the Baseline canal in addition to 40 shares from pump #1 and 40 shares from pump #2 (the pumps are from deep groundwater that kicks on after the Big Wood water dries up). Kevin says the 101 shares run up until mid-July or early August. *The applicant has retained the appropriate amount of shares for mitigation.*

For mitigation, there should be 1.5 acres not being irrigated. The driveway, home, commercial building and pond all make up for the 1.5 acre so requirements for mitigation have been met.

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>
DIVERSION TO STORAGE	01/01 to 12/31	0.070 CFS	N/A
DOMESTIC	01/01 to 12/31	0.040 CFS	1.20 AF
FIRE PROTECTION	01/01 to 12/31	0.070 CFS	N/A
COMMERCIAL STORAGE	01/01 to 12/31		2.00 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		2.00 AF
<u>Totals:</u>		0.070 CFS	3.20 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 Cherie Padilla Date of exam 9/11/08
 Reviewer Cp Date of review 3/13/09

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-20705 V1

WATER RIGHT NUMBER: 37-20705 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JANET NACHTMAN PO BOX 966 BELLEVUE, ID 83313 (208)578-7695
Current Owner	FRANK NACHTMAN PO BOX 966 BELLEVUE, ID 83313 (208)578-7695

Priority Date: 03/24/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.180 CFS	68.00 AF
	<u>Total Diversion:</u>	0.180 CFS	68.00 AF

Location of Point(s) of Diversion

BIG WOOD RIVER	SE1/4SW1/4	Sec. 12, Twp 01N, Rge 18E, B.M.
BLAINE County		
BIG WOOD RIVER	SE1/4NW1/4	Sec. 25, Twp 01N, Rge 18E, B.M.
BLAINE County	(Rediversion)	

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	18E	36								24.0									24.0

Total Acres: 24

Conditions of Approval:

1. This right is measured and administered at the point of rediversion.
2. S24 Use of this right is combined with water from Base Line Canal Co.
3. X35 Rights 37-20705 and 37-20707 when combined shall not exceed the irrigation of 24 acres.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		24

Combined Water Rights: 37-20705 , 37-20707

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-20707 V1

WATER RIGHT NUMBER: 37-20707 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JANET NACHTMAN PO BOX 966 BELLEVUE, ID 83313 (208)578-7695
Current Owner	FRANK NACHTMAN PO BOX 966 BELLEVUE, ID 83313 (208)578-7695

Priority Date: 06/15/1891

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.530 CFS	214.00 AF
	<u>Total Diversion:</u>	0.530 CFS	214.00 AF

Location of Point(s) of Diversion

BIG WOOD RIVER	NW1/4SE1/4SW1/4	Sec. 12, Twp 01N, Rge 18E, B.M.
BLAINE County	— —	—
BIG WOOD RIVER	NW1/4SE1/4NW1/4	Sec. 25, Twp 01N, Rge 18E, B.M.
BLAINE County	(Rediversion)	

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N 18E 36								24.0									24.0

Total Acres: 24

Conditions of Approval:

1. This right is measured and administered at the point of rediversion.
2. X35 Rights 37-20705 and 37-20707 when combined shall not exceed the irrigation of 24 acres.
3. S24 Use of this right is combined with water from Base Line Canal Co.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		24

Combined Water Rights: 37-20705 , 37-20707

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-20706 V1

WATER RIGHT NUMBER: 37-20706 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JANET NACHTMAN
Current Owner	FRANK NACHTMAN
	PO BOX 966
	BELLEVUE, ID 83313
	(208)578-7695

Priority Date: 03/24/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
FIRE PROTECTION	04/15 to 10/31	0.020 CFS	
FIRE PROTECTION STORAGE	01/01 to 12/31		4.40 AF
COMMERCIAL STORAGE	01/01 to 12/31		4.40 AF
DIVERSION TO STORAGE	04/15 to 10/31	0.020 CFS	
COMMERCIAL	04/15 to 10/31	0.020 CFS	0.60 AF
	<u>Total Diversion:</u>	0.020 CFS	5.00 AF

Location of Point(s) of Diversion

BIG WOOD RIVER	NW1/4SE1/4SW1/4	Sec. 12, Twp 01N, Rge 18E, B.M.
BLAINE County		
BIG WOOD RIVER	NW1/4SE1/4NW1/4	Sec. 25, Twp 01N, Rge 18E, B.M.
BLAINE County	(Rediversion)	

Place of Use

FIRE PROTECTION, COMMERCIAL STORAGE, COMMERCIAL, FIRE PROTECTION STORAGE

Twp Rge Sec	NE	NW	SW	SE	Totals
01N 18E 36	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
		X			

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. Commercial use is for a dog kennel and training facility.
3. T18 Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
5. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. The pond associated with this approval is limited to 1/2 acre surface area with a total storage volume of 2.0 acre feet. The pond shall be filled with water diverted from the Big Wood River under rights 37-20706 and 37-20708. To the fullest extent possible water diverted from the Big Wood River shall be utilized to maintain the water level of the pond as mitigation for diversion of ground water under Permit 37-20704.
7. X60 Place of use is located within Lot 3, Blk. 2, Dove Flat Subdivision.
8. 077 Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.

9. This right is measured and administered at the point of diversion.
10. S24 Use of this right is combined with water from Base Line Canal Co.
11. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
12. WB4 The total instantaneous diversion of water from all points of diversion under Rights 37-20706 and 37-20708 shall not exceed 0.09 cfs, nor total combined annual volume of 10.5 af.

SubCase:

SubCase Number: 37-20706

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent: dsmith

Basis of Claim: Decreed

Date Filed: 12/28/2007 Objection Status: Active

Date Filed: 12/21/2007 Objection Status: Active

Date Filed: 1/4/2008 Objection Status: Active

Date Filed: 11/14/2007 Objection Status: Active

Date Filed: 11/14/2007 Objection Status: Active

Date Filed: 11/14/2007 Objection Status: Active

Date Filed: 11/14/2007 Objection Status: Active

Date Filed: 11/14/2007 Objection Status: Active

Date Filed: 11/14/2007 Objection Status: Active

Date Filed: 11/14/2007 Objection Status: Active

Date Filed: 11/14/2007 Objection Status: Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-20708 V1

WATER RIGHT NUMBER: 37-20708 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JANET NACHTMAN
Current Owner	FRANK NACHTMAN
	PO BOX 966
	BELLEVUE, ID 83313
	(208)578-7695

Priority Date: 06/15/1891

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	04/15 to 10/31	0.070 CFS	
FIRE PROTECTION	04/15 to 10/31	0.070 CFS	
COMMERCIAL STORAGE	01/01 to 12/31		4.40 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		4.40 AF
DIVERSION TO STORAGE	04/15 to 10/31	0.070 CFS	
	<u>Total Diversion:</u>	0.070 CFS	5.00 AF

Location of Point(s) of Diversion

BIG WOOD RIVER	NW1/4SE1/4SW1/4	Sec. 12, Twp 01N, Rge 18E, B.M.
BLAINE County		
BIG WOOD RIVER	NW1/4SE1/4NW1/4	Sec. 25, Twp 01N, Rge 18E, B.M.
BLAINE County	(Rediversion)	

Place of Use

COMMERCIAL, FIRE PROTECTION, FIRE PROTECTION STORAGE, COMMERCIAL STORAGE

Twp	Rge	Sec	NE	NW	SW	SE	Totals
01N	18E	36		X			

Conditions of Approval:

1. T18 Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. S24 Use of this right is combined with water from Base Line Canal Co.
5. WB4 The total instantaneous diversion of water from all points of diversion under Rights 37-20706 and 37-20708 shall not exceed 0.09 cfs, nor total combined annual volume of 10.5 af.
6. This right is measured and administered at the point of rediversion.
7. 077 Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.

8. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
9. X60 Place of use is located within Lot 3, Blk. 2, Dove Flat Subdivision.
10. Commercial use is for a dog kennel and training facility.
11. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. The pond associated with this approval is limited to 1/2 acre surface area with a total storage volume of 2.0 acre feet. The pond shall be filled with water diverted from the Big Wood River under rights 37-20706 and 37-20708. To the fullest extent possible water diverted from the Big Wood River shall be utilized to maintain the water level of the pond as mitigation for diversion of ground water under Permit 37-20704.

SubCase:

SubCase Number: 37-20708

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent: dsmith

Basis of Claim: Decreed

Date Filed: 12/28/2007 Objection Status: Active

Date Filed: 12/21/2007 Objection Status: Active

Date Filed: 1/4/2008 Objection Status: Active

Date Filed: 11/14/2007 Objection Status: Active

Date Filed: 11/14/2007 Objection Status: Active

Date Filed: 11/14/2007 Objection Status: Active

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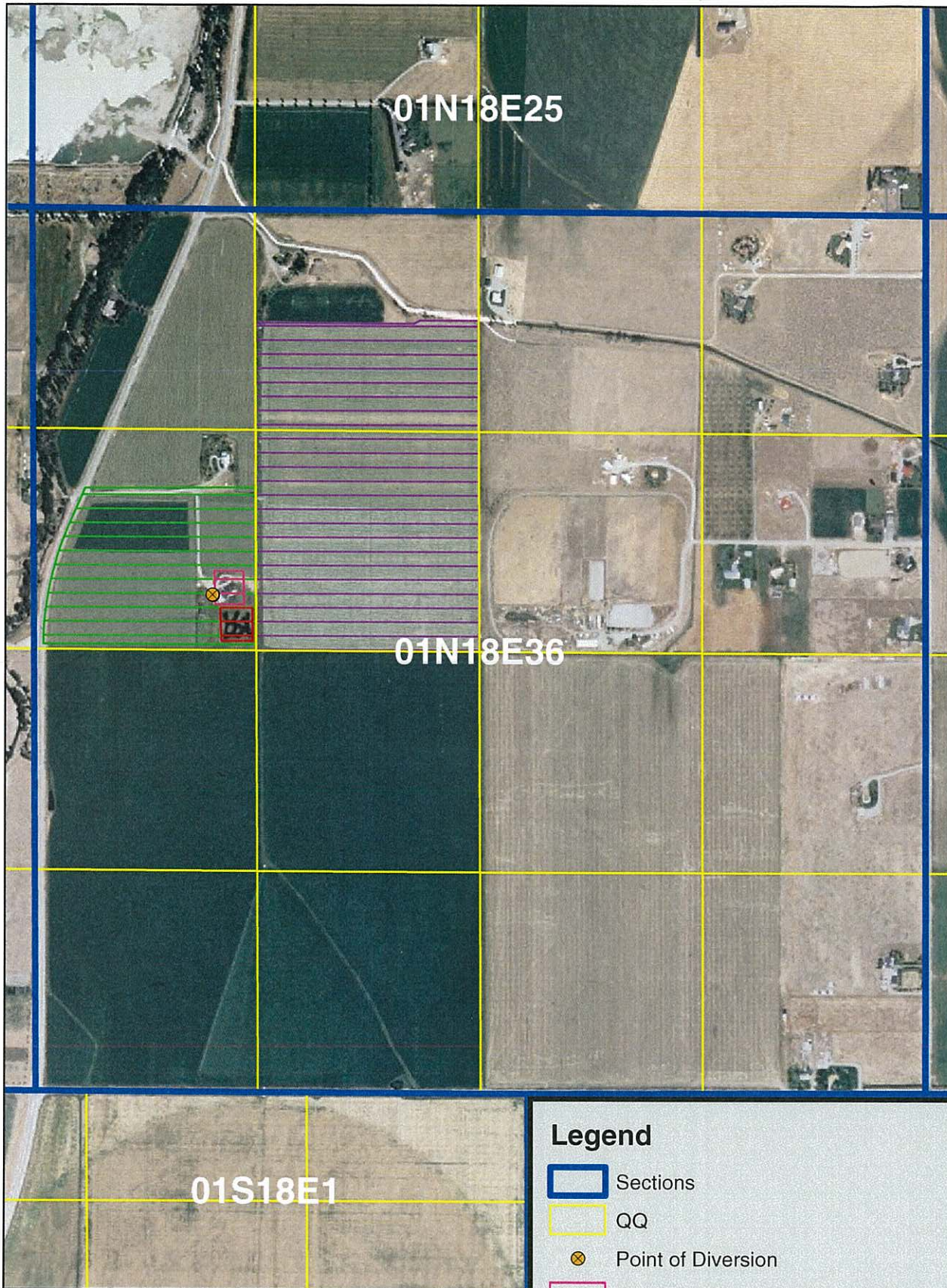
Date Filed: 11/14/2007 Objection Status: Active

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Field Exam Map for 37-20704

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Map Created 3/4/2009 by Cherie Padilla

Note that the overlapping rights are from surface water only.
There are no overlapping groundwater rights.

Applicant was to dry up 1.5 acres as mitigation. It is not apparent from the imagery that any acres were dried up.

However, the home, commercial buildings, driveway and pond make up 1.5 acres satisfying the req

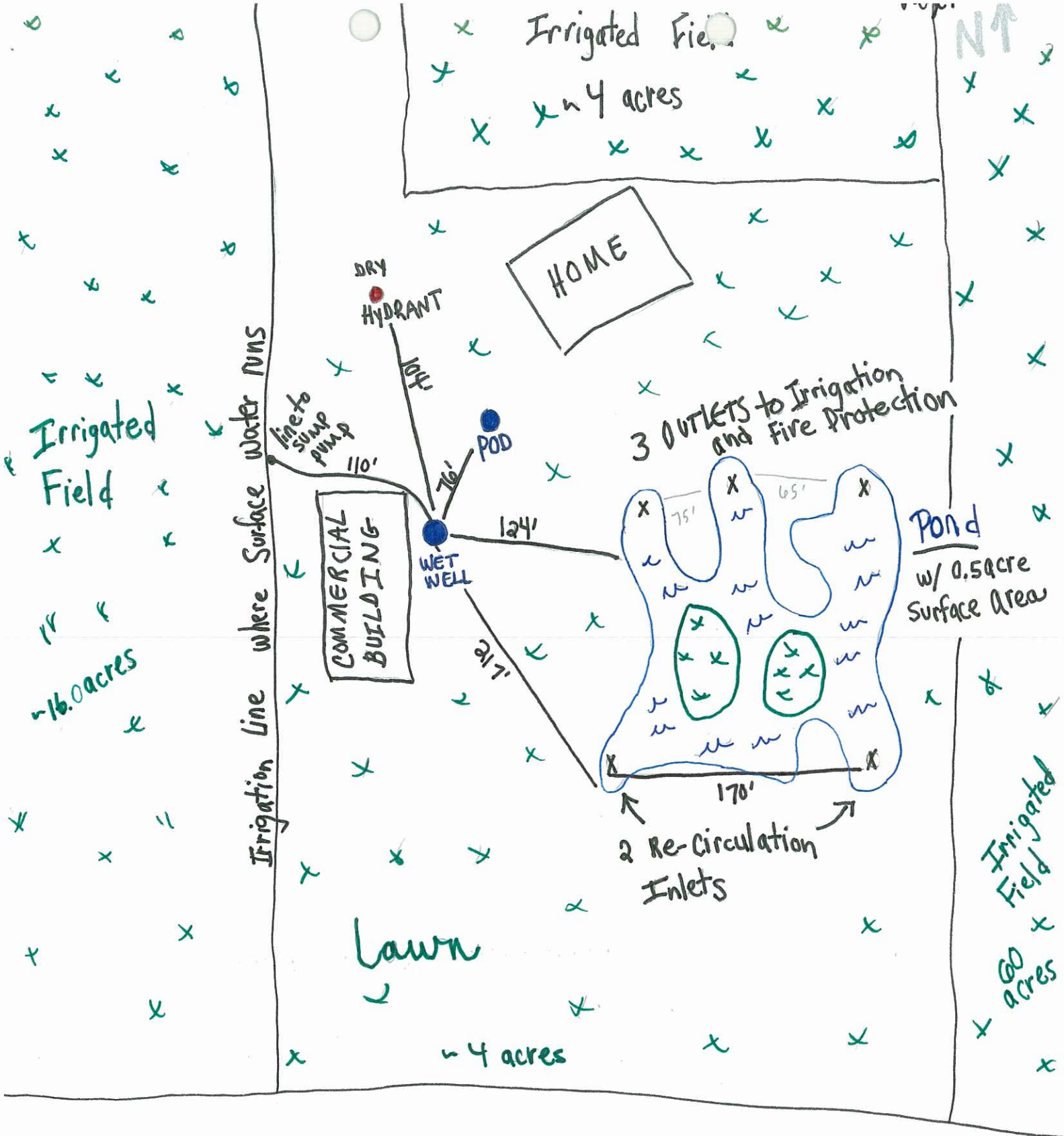
Legend

- Sections
- QQ
- ⊗ Point of Diversion
- 37-20704 Domestic Place of Use
- 37-20704 Fire and Commercial Pond
- 37-20580 Irrigation Place of Use (also 37-20576, 37-20513, 37-20583, and 37-20586)
- 37-20705 and 37-20707 Irrigation Place of Use



Map Created 3/4/2009 by Cherie Padilla

Note that the overlapping rights are from surface water only.
There are no overlapping groundwater rights.



Permit 37-20704
System Diagram

84 irrigated acres
total, prior to construction
of pond, home, etc.
101 irrigation shares retained
for 2.02 cfs.

#1



Wet well

#2



Dry hydrant

#3



Pond. Picture taken facing SE.

#4



Re-circulation inlet into pond.

#5



Irrigation pipe with line to pump

#6



Well

370704

4/11/08 nyp/b

#7



Commercial building. Picture taken facing west.

#8



Home. Picture taken facing NE.