

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 95-9951

WATER RIGHT NUMBER: 95-9951

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RIVERSIDE DEVELOPMENT CO. PO BOX 30009 SPOKANE, WA 99223 (509) 448-5045
Original Owner	ROBERT H RICKEL PO BOX 319 BAYVIEW, ID 83803-0319 (208)683-2385

Priority Date: 05/16/1994

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.810 CFS	344.00 AF
STOCKWATER	01/01 to 12/31	0.020 CFS	0.30 AF
DOMESTIC	01/01 to 12/31	0.080 CFS	3.60 AF
	<u>Total Diversion:</u>	0.810 CFS	348.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 33, Twp 53N, Rge 03W, B.M.
KOOTENAI County		
GROUND WATER	NE1/4NE1/4	Sec. 33, Twp 53N, Rge 03W, B.M.
KOOTENAI County		

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	
53N	03W	33	12.0	35.0	40.0	16.0	2.0			23.0	32.0				4.0	32.0			196.0

Total Acres: 196

STOCKWATER																			
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N	03W	33												X					

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	
53N	03W	33												X					

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Conditions of Approval:

1. 070 The irrigation occurring under this domestic use shall not exceed 1/2 acre for each home.
2. X35 Rights 96-02023C and 96-08836 when combined shall not exceed the irrigation of 196 acres.
3. R62 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
4. 065 The right holder shall use the full allotment of appurtenant surface water rights under 96-02023C in conjunction with ground water diverted under this right.
5. 071 The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
6. 105 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. X01 Domestic use is for 3 homes.

Comments:

1. kwalker 10/10/2002 Commercial Use

Comment: The commercial use under this permit was not developed per Al Beardslee who has been out to this property.

2. kwalker 10/10/2002 Review of Exam

Comment: In review of this field exam, I found the irrigated place of use to be only 199 acres. This determination was made by ArcView. I also found the place of use to be in other 40 acre tracts than identified by examiner. The domestic use has been changed from examiners recommendation also. He recommended 0.04 cfs for the 3 homes found. I reviewed our domestic requirements chart and found we would normally allow 0.08 cfs for 3 homes. I have changed the recommendations to comply with the domestic requirements chart. The examiner did not note how many stock were actually found to be using water under this right. I found that the permit holder had indicated 20 head on his proof of beneficial use form so have used this number for the proposed license. This reduced the volume proposed to 0.3 af for the 20 head identified on proof form. The capacity of the system is determined to be 0.81 cfs rather than 0.80 as examiner found. This is based on the determination of the flow meters.

3. kwalker 11/19/2002 Points of Diversion

Comment: The permit holder contacted Al Beardslee and discussed the location of the wells under this permit. The wells are actually located in the NENE, S33 as shown on the field examination and permit. Al sent in a new map showing the actual location of the wells for licensing of this permit.

4. kwalker 11/19/2002 Place of Use

Comment: The permit holder is resistant to paying any amendment fees for this permit. Since Al found that the points of diversion did not need to be amended the only amendment required would be to add 2 acres in the SESW and 1 acre in the SWSE. Al stated the permit holder would not be willing to submit an amendment fee for these 3 acres so I have changed the recommendation to exclude them from this right.

5. Renumber 12/22/2008 7:54:24 AM Renumber WR 95-9951

Comment: This has been renumbered from 96-8836

Dates and Other Information:

Licensed Date: 11/25/2002
Generic Max Rate Per Acre: 0.02
Mitigation Plan: False

Combined Use Limits:Water Supply Bank: