

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
IN-OFFICE REVIEW/BENEFICIAL USE FIELD REPORT

**A. GENERAL INFORMATION**Permit No: 94-9660Exam Date: 01/31/2025

1. Does this qualify for an in-office field exam (IDAPA 37.03.02.035.01.r)? ☒ Yes ☐ No
- ☒ Irrigation of 5 acres or less
  - ☐ Storage of up to 14.6 acre-feet ("AF") for stockwater purposes only
  - ☒ Combined diversion rate is less than 0.24 cubic feet per second ("cfs")

2. Current Owner: Name: Luke Smith and / or Tianne Smith  
 Owner of Record Correct? ☒ Yes ☐ No  
 Address of Record Correct? ☒ Yes ☐ No

3. Beneficial Use Fees have been paid: ☒ Yes ☐ No Receipt No: C119061

4. **SOURCE**

Spring

**TRIBUTARY**

Sinks

Method of Determination: GIS and information provided by Luke Smith ("the permit holder") for the application for permit.  
The application for permit identified existing water rights that share the same source.

Change in Source: ☐ Yes ☒ No

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: ☒ Yes ☐ No

| Water Right No. | Source         | Purpose of Use             | Basis   |
|-----------------|----------------|----------------------------|---------|
| 94-7629         | Spring         | Irrigation, Stockwater     | Decree  |
| 94-7639         | Unnamed Stream | Wildlife, Wildlife Storage | License |
|                 |                |                            |         |

Comments: There are two water rights within this parcel with Places of Use (POUs) that overlap with the POU for this permit.  
This permit authorizes domestic use, while the overlapping POUs serve different beneficial uses, therefore the overlap is not a concern.  
Other water rights within the same quarter-quarter section pertain to different parcels and do not overlap.

2. Other water rights with the same point(s) of diversion: ☒ Yes ☐ No

| Water Right No. | Source | Purpose of Use         | Basis  |
|-----------------|--------|------------------------|--------|
| 94-7629         | Spring | Irrigation, Stockwater | Decree |
| 94-7884         | Spring | Domestic               | Decree |
| 94-9622         | Spring | Domestic, Stockwater   | Decree |
| 94-9656         | Spring | Domestic               | Decree |

Comments: Application for Permit No. 94-9660 ("this permit") and Adjudication Claim no.94-9656 identify the rights in the table above as sharing the same point of diversion. The Statement of Completion for Submitting Proof of Beneficial Use ("Statement of Completion") for this permit states that the spring is diverted to two 10,000 gallon holding tanks with three different lines diverting for domestic uses. One of those lines is for the domestic use authorized by this permit.

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

| Source | Govt. Lot | ¼  | ¼  | ¼  | Sec. | Twp. | Rge. |      | County   |
|--------|-----------|----|----|----|------|------|------|------|----------|
| Spring |           | NW | NE | SE | 23   | 49N  | 01W  | B.M. | Kootenai |

Method of Determination: GIS and description of POD and diverting works as provided by the permit holders.

Change in POD? ☐ Yes ☒ No

Amendment Required? ☐ Yes ☒ No

2. **PLACE OF USE:** Use: Domestic. The POU for this permit is associated with the home located at 27191 E SCHOOL HOUSE LOOP, Cataldo ID.

| TWP | RGE | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |
| 49N | 01W | 13  |    |    |    |    |    |    |    |    |    |    |    |    | D  |    |    |    |

Method of Determination: GIS and mailing address of permit holders.

Change in POU? ☐ Yes ☒ No

Amendment Required? ☐ Yes ☒ No

### 3. Diversion System Information:

Description:

☐ Delivery System Diagram Attached. (mark all major components and distances between components)

☒ Aerial Photo Attached (required)

☐ Photo of Diversion and System Attached

☒ Map clearly identifying POD and POU

| 3. Well or Diversion Identification No.* | Pump Make      | Part Number | Frame | Serial number | HP |
|------------------------------------------|----------------|-------------|-------|---------------|----|
| POD                                      | No information |             |       |               |    |

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

## D. FLOW MEASUREMENTS

1. Measurements: Because this permit qualifies for an in-office examination, no flow measurements were taken. Diverting works shared by four other water rights, listed in section B.2.

## E. FLOW CALCULATIONS

No Additional Computation Sheets Attached

Measured Method: Because this permit can be licensed through an in-office exam, I did not calculate any estimates of flow.

## F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation: No calculations

Comments: Authorized for domestic use.

2. Volume Calculations for Other Uses: Domestic use for one home = 1.2 AF per year.

Comments: For Domestic use where irrigation is included, Administrator's Memorandum – Application Processing # 22 – "Definition of "Domestic"" recommends an annual diversion volume of 1.2 AF.

3. Total Volume: 1.2 AF

**G. PURPOSE OF USE**

Domestic use for 1 home, including up to 0.5 acres of irrigation.

Change in Purpose of Use? ☐ Yes ☒ No

Method of Determination: Description and maps of the proposed use in the application for permit, and confirmation of the presence of the home using satellite imagery.

**H. NARRATIVE/REMARKS/COMMENTS**

Luke and Tianne Smith ("the permit holders") submitted the Statement of Completion for Submitting Proof of Beneficial Use ("Statement of Completion") on October 11, 2024, for Permit No. 94-9660 ("this permit"). Because this permit authorizes a diversion rate of less than 0.24 cubic feet per second ("cfs") and no more than 0.5 acres of irrigation as part of the domestic use, this permit can be licensed through an in-office examination of beneficial use (IDAPA 37.03.02.035.01.r).

This permit, at the time of approval, identified three other water rights that would share the point of diversion from the same spring: Water Right Nos. 94-7629, 94-7884, and 94-9622. During the development period for this permit, a fourth water right was decreed as diverting from the same spring: Water Right No. 94-9656. (Section B.2 above)

The description of the diverting works from the Statement of Completion is as follows. "Spring is gravity fed with a pump that pushes water up the hill to two 10,000 gal holding tanks which has a line to our home with another 2 lines for two other homes with their own water rights". The home for this domestic use is on the parcel at 27191 E SCHOOL HOUSE LOOP, Cataldo ID.

I am recommending the standard diversion rate for domestic use of 0.04 cfs (Idaho Code §42-111). An estimated annual diversion volume for domestic use with irrigation is 1.2 AF (Administrator's Memorandum – Application Processing # 22 – "Definition of "Domestic"").

Conditions of approval

The four conditions for approval on this permit will be carried forward to the license.

Have conditions of permit approval been met? ☒ Yes ☐ No

**I. 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       | 0.04 CFS              | 1.2 AF               |

**2. Recommended Amendments**

☐ Change POD as reflected above ☐ Add POD as reflected above ☒ None

☐ Change POU as reflected above ☐ Add POU as reflected above ☒ None

Other:

**J. AUTHENTICATION – David Betts, Water Resource Agent**

Field Examiner's Name David Betts Date 03 - FEB - 2025

Reviewer TP Date 02/3/24

**Field Exam Map**

The map below displays location of the spring (yellow marker) at the authorized point of diversion. The bold yellow outline identifies the home associated with the DOMESTIC use authorized by this permit.



Satellite imagery from 2023