

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 96-9883
Exam Date: 03/08/2023

1. Current Owner:
MARC BRINKMEYER PO BOX 220 LACLEDE ID 83841-0220
2. Accompanied by: In-Office Exam

3. **SOURCE:**
GROUND WATER

Method of Determination: ArcMap and DRG.

B. OVERLAP REVIEW

1. Other water rights with the same place of use: YES Overlap

Water Right No.	Source	Purpose of Use	Basis
96-4431	Hornby Creek & Spring	Irrigation, Domestic, Stockwater	Statutory Claim with Claim filed in CFPRBA
96-9738	Groundwater (x4)	Irrigation, Domestic	License with Claim filed in CFPRBA

Comments: Statutory Claim 96-4431 has been filed on in the Clark Fork Pend Oreille River Basin Adjudication (CFPRBA) process by the applicant and has an irrigation POU that overlaps this right's POU. A text version of condition 928 has been added to the Permit during licensing review to annotate that if claim 96-4431 is decreed as claimed, rights 96-4431, 96-9738, & 96-9883 shall have combined use limitations by the amount necessary to avoid any redundancy of water rights. Combined use limitations are implemented to negate a stacking of water rights; in the case of 96-9883 it would be to limit the applicant from irrigating the same acreage from surface & groundwater congruently during the irrigation season.

Licensed Right 96-9738 has also been claimed in the CRPRBA process. 96-9738 shares the same permissible irrigation POU with Permit 96-9883 for the total 7.0 acres irrigation; each Right is authorized 3.5 acres per season of use. Permit 96-9883 was necessitated due to the prior Right 96-9738 not filing for sufficient irrigation acreage to license the historic irrigation practices found at time of field exam for 96-9738. Condition X35 has been added during licensing review to mitigate overlap concerns between the two Rights for the permissible POU. X35 limits both rights to a total of 7.0 acres, 21.0 af, and the department standard diversion rate of 0.02 cfs per acre x 7.0 ac = 0.14 cfs for irrigation use.

2. Other water rights with the same point-of-diversion: YES Overlap

Water Right No.	Source	Purpose of Use	Basis
96-9738	Groundwater (x4)	Irrigation, Domestic	License with claim filed in CFPRBA

Comments: Rights 96-9738 & 96-9883 share common water system infrastructure for water uses in a permissible irrigation POU. Condition F06 was applied at time of permit approval and shall be carried forward to licensing.

C. LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE¼ SW¼, Sec. 24, Twp 57N, Rge 03W, B.M. BONNER County
Owen well located at -116°38.571, 48°16.371; 96-91-N-61.

GROUND WATER NE¼ NW¼, Sec. 24, Twp 57N, Rge 03W, B.M. BONNER County
D0054541 located at -116°38.755, 48°16.665.

GROUND WATER NE¼ NW¼, Sec. 24, Twp 57N, Rge 03W, B.M. BONNER County
Old well located at -116°38.761, 48°16.647, no tag information available.

GROUND WATER NW¼ SE¼, Sec. 24, Twp 57N, Rge 03W, B.M. BONNER County
Murphy well located at -116°38.519, 48°16.273; 96-91-N-69.

Method of Determination: well locations validated using GPS. See above for detailed well NAME and GPS coordinates.

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	03W	24			0.1					3.1	0.1					0.2			3.5

Right Acre Limit: 3.5

Total Acres: 7.0

Method of Determination: ArcMap aerial imagery, Backfile data review for Licensed Right 96-9738, & Bonner County GIS tax parcel data for ownership validation.

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
OWEN WELL - 96-91-N-61		5			
D0054541		5			
OLD WELL - NO TAG		UNKOWN			
MURPHY WELL - 96-91-N-69		1.5			

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE						

2. Measurements: No measurement is required for an in-house exam.

E. FLOW CALCULATIONS

Flow measurement not required as per IDAPA RULE 37.03.02.035.01.r.iii.

F. DIVERSION RATES

The diversion rate for this irrigation right is limited to **0.11 CFS** or 49.4 GPM.

G. VOLUME CALCULATIONS

The annual volume for this irrigation right is limited to = 3.5 acres x 3.0 afa = **10.5 af**, which is the smaller of V_{IR} and V_{DR} .

H. NARRATIVE/REMARKS/COMMENTS

This permit qualifies for an in-house field examination. The applicant's representative, Ryan Fobes - PE Foresite Engineering – PLLC, provided verification that the water conveyance pump components had not changed since the issuance of 96-9738, which uses common water system infrastructure to this permit (email correspondence dated 1/9/2024). Aerial imagery was used to prove that active irrigation is occurring consistent with the POU shape designated at time of permit approval. Bonner County GIS tax parcel map aerial imagery provided a more current year imagery than IDWR's ArcMap 2021-year imagery. The imagery illustrates the irrigation acreage has not increased beyond the existing system and acreage at time of permit approval.

Bonner County tax parcel data validates that the POD/POU located within four parcels is owned by the applicant; two of the four show ownership by Priest River Land Co, which is owned by Mr. Brinkmeyer. Backfile information from Right 96-9738 was referenced in the development of this Permit's licensing recommendation.

During the previous licensing of Mr. Brinkmeyer's Right 96-9738 diverting works and irrigation acreage were established; the PODs are four groundwater wells that pump to storage reservoirs prior to distribution. GPS data that was collected from the B.U. report for 96-9738 is the same for this permit's PODs. The diversion rate recommended for licensing this right is **0.11 cfs** based on Department standard rates for 3.5 acres irrigation. The field exam map supplied for aerial imagery was created from prior Right 96-9738. Photographs of the applicant's system are located in the B.U. report backfile for 96-9738.

I assigned the same POU shape for irrigation using ArcMap aerial imagery during licensing review. The POU consists of 7.0 acres which serves as a permissible POU between Rights 96-9738 & 96-9883. The annual volume and maximum diversion volume for licensing purposes equals $3.5 \text{ ac} \times 3.0 \text{ afa} = 10.5 \text{ af}$.

Condition 046 was removed from the permit during licensing review. All other conditions on the permit shall be carried forward to licensing. I have added a text version of condition 928 that describes the surface water claim filed on prior statutory Claim 96-4431; if Claim 96-4431 is decreed as claimed the surface water source will authorize the applicant to irrigate the same 7.0 acres related to license 96-9738 and this permit 96-9883, which will necessitate combined use limitations to mitigate stacking of water rights for the same irrigation acreage. I have added condition X35 which describes the combined use between licensed Right 96-9738 & this Permit 96-9883 for the total of 7.0 acres.

X35 designates that when combined, 96-9738 & 96-9883 shall not exceed a diversion rate of 0.14 cfs for irrigation water use, and the annual volume of 21.0 af for the irrigation of 7.0 acres. Each Right is authorized 0.11 cfs for irrigation, but the combined diversion rate is limited by department standards to 0.02 cfs per acre equaling $0.02 \text{ cfs} \times 7.0 \text{ ac} = 0.14 \text{ cfs}$. The applicant's water system diverts a total of 0.20 cfs, which when compared to the two Rights illustrates department standard diversion rates are complied with as follows:

- $0.06 \text{ cfs (Domestic use 96-9738)} + 0.14 \text{ cfs (Irrigation combined use limit 96-9738 \& 96-9883)} = 0.20 \text{ cfs}$.

Aside from claims filed by the applicant as described above, there are no overlapping concerns for this water right.

Have conditions of permit approval been met? X Yes No

I. RECOMMENDATIONS**1. Recommended Amounts**

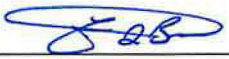
<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.11 CFS	10.5 AF

Totals: 0.11 CFS 10.5 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 ☒ None

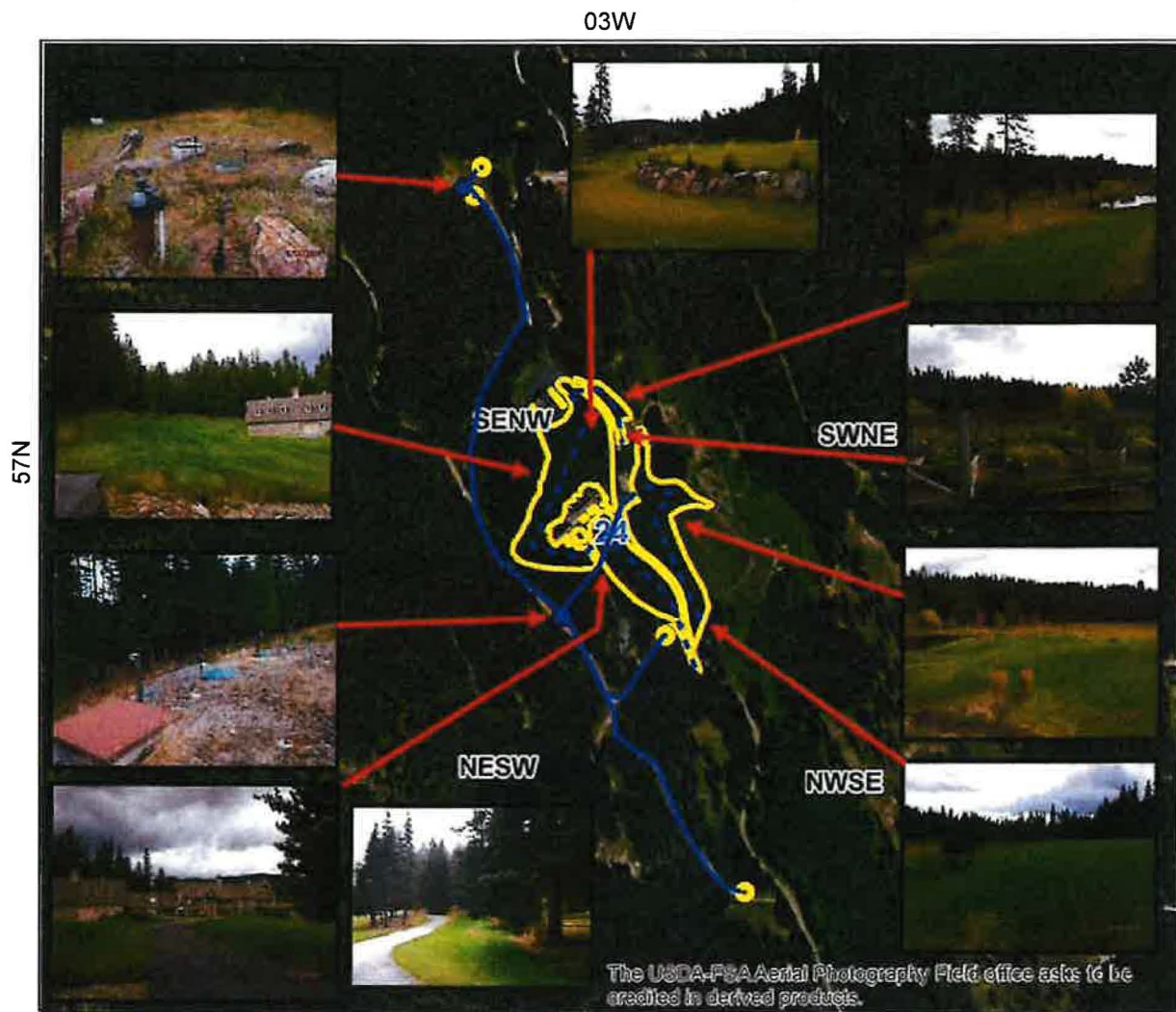
J. AUTHENTICATION Luke Bates -

Field Examiner's Name  Date 1/18/2024

Reviewer _____ Date _____

State of Idaho
Department of Water Resources
Attachment to Field Exam
96-9883

This map depicts the IRRIGATION system diagram.



0 0.075 0.15 0.3 Miles

-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion



Bates, Luke

From: Ryan Fobes <ryan@foresite.solutions>
Sent: Tuesday, January 9, 2024 3:34 PM
To: Bates, Luke
Subject: Re: Brinkmeyer Permit 96-9883

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Luke,
Confirmed: no changes since your field visit.

Thanks for following up.

Ryan Fobes, PE
FORESITE ENGINEERING, PLLC
208-714-6866

On Thu, Nov 16, 2023 at 7:25 AM Bates, Luke <Luke.Bates@idwr.idaho.gov> wrote:

Ryan,

Good morning.

I'm currently working to process active permit 96-9883, which authorized 3.5 acres irrigation from 4ea groundwater wells for Marc Brinkmeyer. This permit was the add-on from prior permit 96-9738 which didn't have adequate irrigation acreage to account for the entire 7 acres being irrigated by the groundwater system.

Permit 96-9883 qualifies for an in-office exam, and I'm reaching out to validate the 4ea wells used by Mr. Brinkmeyer have not changed their pump components from 9/24/2020 (date of field exam for 96-9738), and when the statement of completion was submitted for 96-9883 (9/26/2022). Listed below is well and diversion rates determined at time of field exam in 2020 as I worked to license the prior permit:

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
OWEN WELL - 96-91-N-61		5			
D0054541		5			
OLD WELL – NO TAG		UNKOWN			
MURPHY WELL – 96-91-N-69		1.5			

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
5 GAL BUCKET MEASUREMENT(S) & THEORETIC PUMP EQUATION(S)						

2. Measurements: well(s) D0054541 and the Murphy well (96-91-N-69) had inadequate pipe requirements to facilitate flow measurements; theoretic pumping equations were used to derive the flow measurements for these wells. 5 gallon bucket measurements were captured from frost free hydrants co-located with the Owen well (96-91-N-61) and the old well without identification nor HP pump data. The results are listed below:

- Owen well (96-91-N-61) – 29.7 gpm
- D0054541 – 24.4 gpm
- Old well no tag – 19.9 gpm
- Murphy well (96-91-N-69) – 15.0 gpm
- TOTAL GPM = 89.0 gpm = 0.2 cfs considering department rounding standards.

You will note I was able to secure flow measurements from the old well and the Owen well and used theoretic pump equations based on pump Hp for the other two wells.

Please confirm the water system is set up with the same pump/pump motors and/or identify changes in components as required.

Thank you,

Luke Bates

Sr. Water Resource Agent

Northern Region

P: 208-762-2817



7600 N. Mineral Dr., Suite 100

Coeur D'Alene, ID 83815-7763

96-9883

LICENSING REVIEW – TAX PARCEL VERIFICATION



Bonner County Tax Parcel Map – image capture date 11/16/2023

<https://cloudgisapps.bonnercountyid.gov/public/>

- Parcel RP57N03W244650A – Owner 1: Brinkmeyer, Marc A
- Parcel RP57N03W240004A – Owner 1: Priest River Land Co (ref: Secretary of State information)
- Parcel RP57N03W244801A – Owner 1: Brinkmeyer, Marc a
- Parcel RP57N03W248000A – Owner 1: Priest River Land Co (ref: Secretary of State information)

Mr. Marc Brinkmeyer is the President of Priest River Land Co.



0005464769



STATE OF IDAHO
Office of the secretary of state, Phil McGrane
ANNUAL REPORT
Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

For Office Use Only

-FILED-

File #: 0005464769

Date Filed: 11/6/2023 5:44:48 AM

Entity Name and Mailing Address:

Entity Name: PRIEST RIVER LAND COMPANY
The file number of this entity on the records of the Idaho Secretary of State is: 0000300468
Address: 687 W CANFIELD AVE
STE 100
COEUR D ALENE, ID 83815-5335

Entity Details:

Entity Status: Active-Good Standing
This entity is organized under the laws of: IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: C97020

The registered agent on record is:

Registered Agent: C T CORPORATION SYSTEM
Commercial Registered Agent
Physical Address
1555 W SHORELINE DR
STE 100
BOISE, ID 83702
Mailing Address
1555 W SHORELINE DR
STE 100
BOISE, ID 83702

Agent or Address Change

☐ Select if you are appointing a new agent.

Corporate Officers and Directors:

Name	Title	Business Address
Marc Brinkmeyer	President	687 W CANFIELD AVE STE 100 COEUR D ALENE, ID 83815

The annual report must be signed by an authorized signer of the entity.

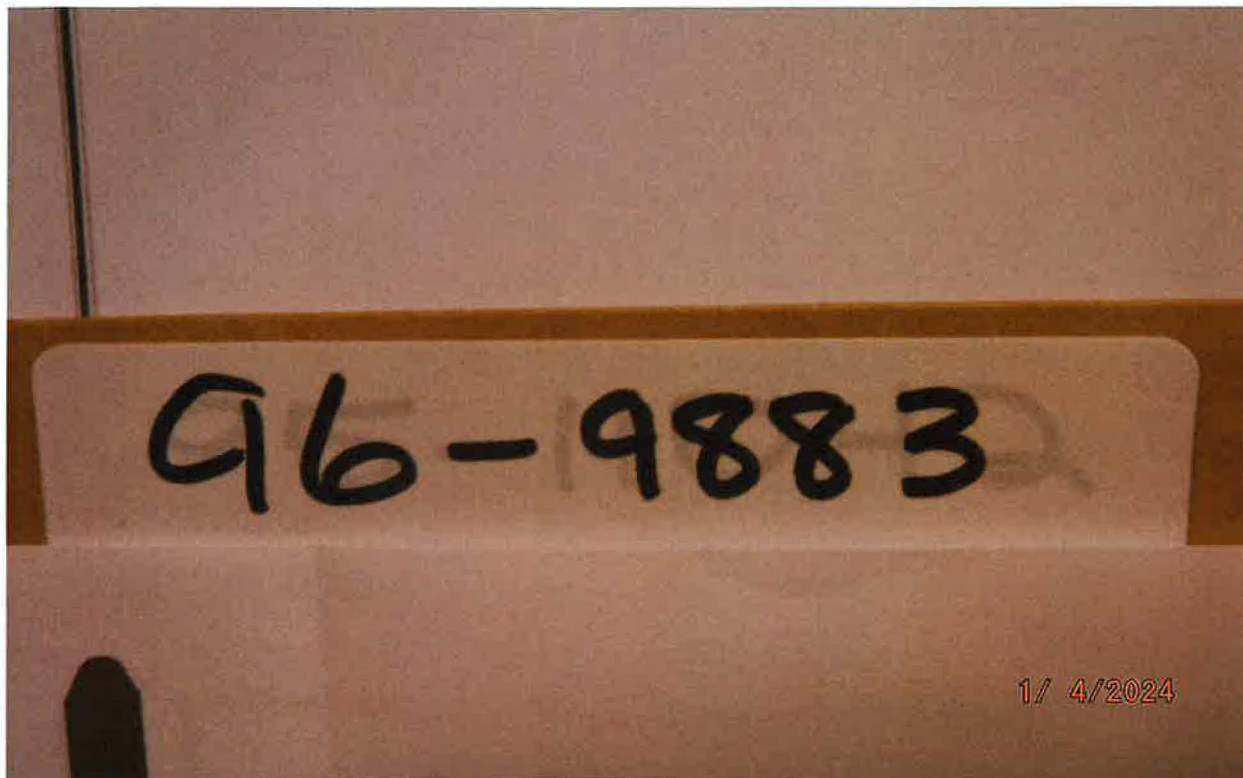
Job Title: Power of Attorney

Ryan Knerr

Sign Here

11/06/2023

Date



IN-OFFICE EXAMINATION INITIATED ON – 3/8/2023. PHOTOGRAPHS FROM THE PREVIOUS EXAM FOR 96-9738 WERE USED DURING LICENSING REVIEW TOWARD FINALIZING THE BENEFICIAL USE REPORT.



POD – WELL 96-91-N-69 LOCATED IN NW¼SE¼



1.5 HP PUMP IN WELL 96-91-N-69



POD – WELL 96-91-N-61 LOCATED IN NE¼SW¼



9/24/2020

1 HP PUMP IN WELL 96-91-N-61



POD – WELL D0054541 LOCATED IN NE¼NW¼



5 HP PUMP IN WELL D0054541



POD – WELL LOCATED IN NE¼NW¼



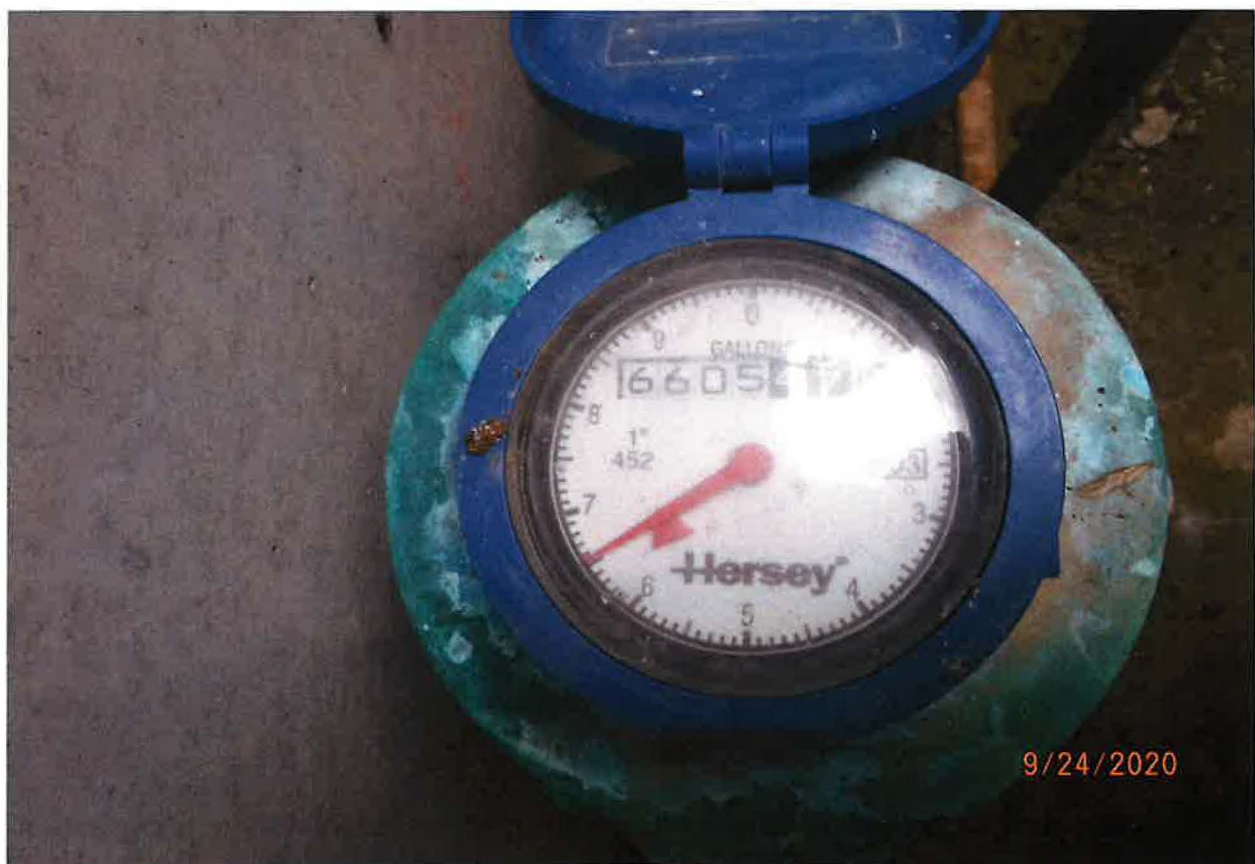
5 HP PUMP IN WELL WITHOUT TAG



3,000 GAL STORAGE TANK LOCATED IN NE¼NW¼



FLOWMETERS INSTALLED CAPTURING VOLUME DATA FROM 3,000 GALLON TANK TRANSFERRED TO 9,000 GALLON TANK PRIOR TO SYSTEM USE.

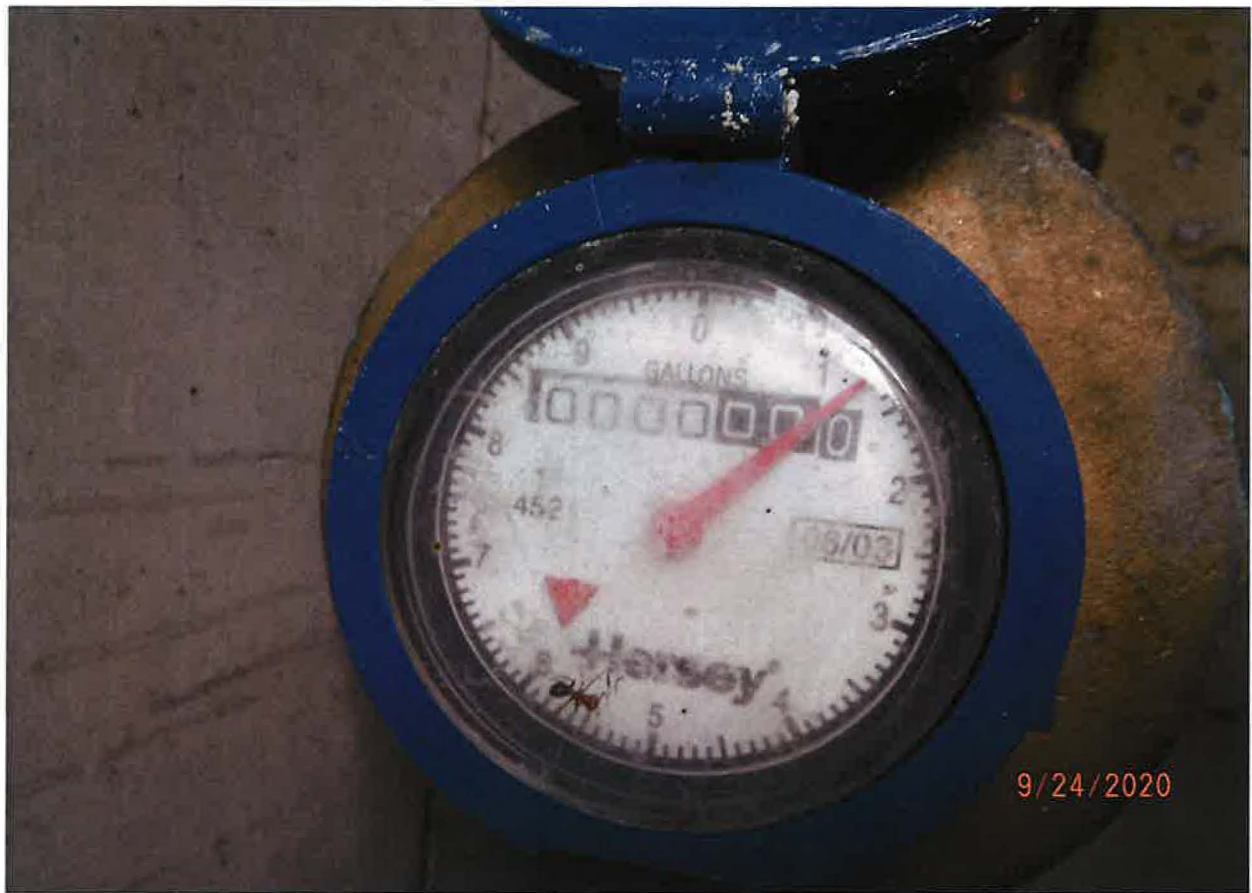




9,000 GALLON STORAGE RESERVOIR – CO-MINGLES WATER FROM 4EA WELLS



VAULTED 9,000 GALLON STORAGE RESERVOIR WATER WORKS



2EA FLOW METERS INSTALLED TO CAPTURE VOLUME READINGS IN PUMP CONTROL VAULT



IRRIGATION POU



IRRIGATION POU





IRRIGATION POU



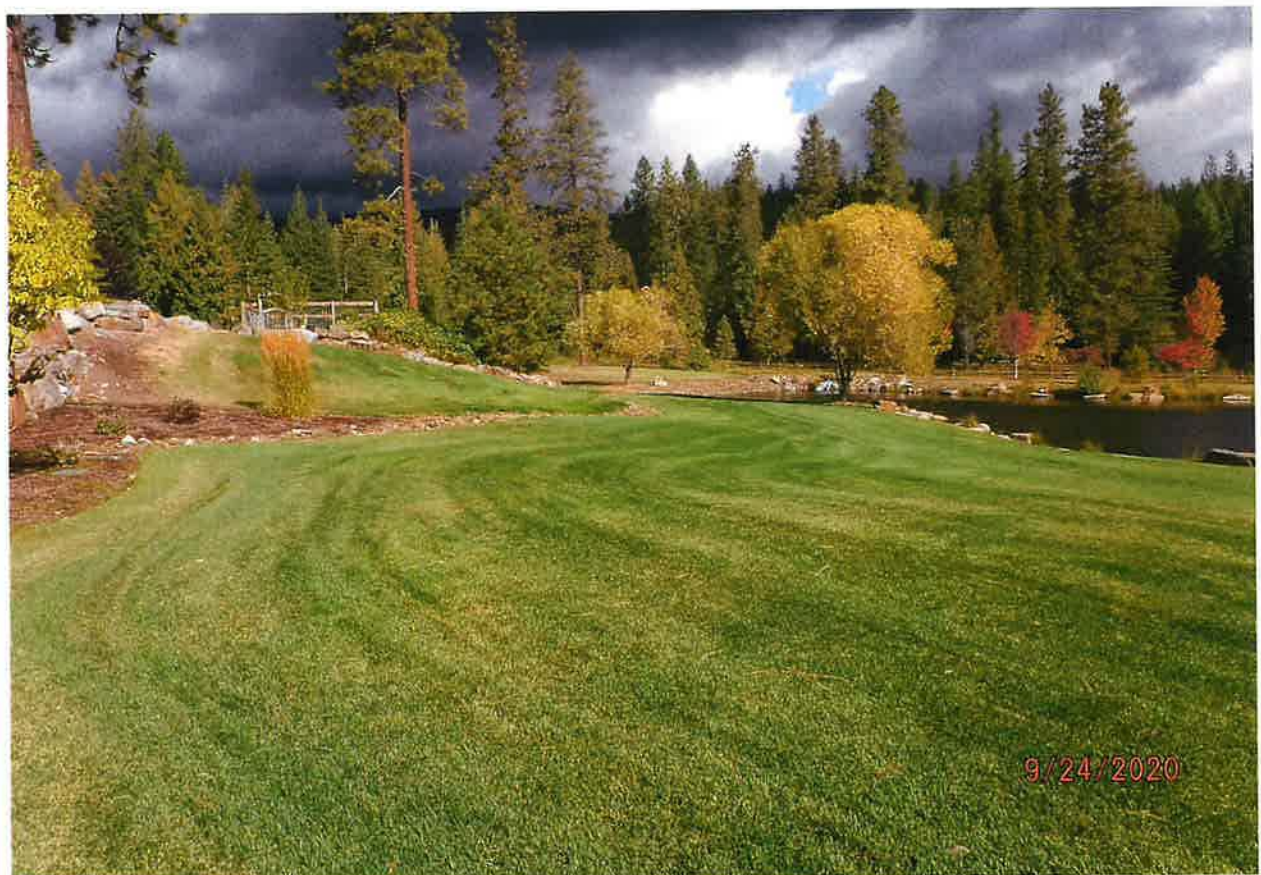


IRRIGATION POU





IRRIGATION POU





IRRIGATION POU





IRRIGATION POU



IRRIGATION POU – PRESSURIZED SPRINKLER HEADS FLAGGED



IRRIGATION POU



IRRIGATION POU – LANDSCAPE AREAS