

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 96-9549
Exam Date: 06/22/2023

1. Current Owner:
THOMAS E YAKE 1815 E 35TH AVE SPOKANE WA 99203-4025 AND/OR
JOAN YAKE 1815 E 35TH AVE SPOKANE WA 99203-4025
2. Accompanied by: Thomas Yake
Phone No: 509-535-3934
Address: Same as above
Relationship to permit Holder: Permit Holder.

3. **SOURCE:**
UNNAMED STREAM

Tributary
LAKE PEND OREILLE

Method of Determination: ArcMap, DRG, site visit.

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NO Overlap
2. Other water rights with the same point-of-diversion: NO Overlap

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**
UNNAMED STREAM SW¼ SE¼, Sec. 27, Twp 57N, Rge 01W, B.M. BONNER County

Method of Determination: GPS; POD is a portable barrel with hose in stream located at -116°25.5339, 48°15.1082.

PLACE OF USE: DOMESTIC

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	01W	27														X L2	X		

Method of Determination: Drive by to collect photographs to validate domestic uses.

3.
 - X Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.
 - X Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.
 - X Aerial Photo Attached (required for irrigation of 10+ acres).
 - X 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
5/8 hose gravity flow	N/A	N/A	N/A	Gravity flow	5/8" garden hose

D. FLOW MEASUREMENTS

1.

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

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

E. 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 **0.02 CFS** or 9.0 GPM.

G. VOLUME CALCULATIONS

There is no annual volume recommended for the face of the license, rather condition X03 is being recommended during licensing review which limits the applicant to 2,500 gallons per day for domestic use of two homes. Applicants are limited to a maximum diversion rate of 0.02 cfs on the face of the license.

H. NARRATIVE/REMARKS/COMMENTS

This permit qualifies for an in-house field examination. A drive-by exam was conducted on 6/22/2022 to obtain photographs of the POU, validate the water source, & GPS the POD. Bonner County tax parcel data validates ownership of the two parcels owned by the applicants as follows:

- RP03388000070A – Lot 7, Eureka Heights Subdivision. POD & 1 home with minor irrigation less than ½ acre covered under domestic use occurring with ownership under names Thomas E & Joan Yake.
- RP00310000023BA – Lot 23 less E 50ft Lot 24, Pages Subdivision. POU 1 home with minor irrigation less than ½ acre covered under domestic use occurring with ownership under names Thomas E & Joan Yake.

The permit authorized the applicant to develop domestic use for two homes and irrigation up to 3.0 acres from an unnamed stream source. The applicant's statement of completion designated 2 homes and 1 acre irrigation. The irrigation use observed during the drive by examination results in less than ½ acre total between the two parcels, and during licensing review I've recommended removal of the irrigation beneficial use and applying the ½ acre irrigation covered by domestic use total between the two lots.

At the POD, the applicant uses a portable barrel placed within the running stream to capture water that gravity flows through a series of 5/8-inch garden hoses to where a vehicle transported 250-gallon water tank prior to delivery to water uses. The stream was abnormally dry at time of site visit for the month of June, but Mr. Yake provided historical flow measurements taken from during the development period that illustrated a 4-gallon drum was filled in 23 seconds resulting in a flow rate of 10.4 gpm or 0.02 cfs considering department rounding standards. I'm recommending both the domestic beneficial use diversion rate and maximum diversion rate of **0.02 cfs** for licensing purposes.

The applicant's domestic use is split between the two parcels but served by the same portable water delivery system and recommended for licensing together. The inland parcel or Lot 7, Eureka Heights Sub. has a small hunting cabin that has a storage tank inside filled from the transportable tank & used for showers, cooking, & bathroom uses. Aside from this the cabin is very basic and of single room design. Mr. Yake asserts he does reside at the cabin often throughout the year as he works on the property. Mr. Yake has developed irrigation on this parcel with water diverted from the stream being used to irrigate berry bush plantings co-located within the stream basin. No irrigation has been developed around the small cabin.

For water transported to the lakefront parcel or Lot 23, Pages Sub. has a small residence with 1,000-gal storage tank which serves as the primary residence which uses the water system. Little to no irrigation occurs around the residence, which benefits from a northern exposure along the lakefront to maintain vegetation with minimal watering on the steeply graded parcel. As a result, the two parcels when combined with small domestic uses effectively amount to less than ½ acre irrigation as observed during the site visit with Mr. Yake.

I have recommended addition of condition X03 which stipulates the right holder is limited to 2,500 gallons per day for domestic uses but do not recommend an annual nor maximum diversion volume for licensing purposes. The unnamed stream has variable seasons of use that are not accessible year-round as the stream flow goes to ground higher in the system. The applicant supplements water uses by collecting runoff in rain barrels and purchasing water from a municipal fill station when the stream doesn't support water tank filling.

The permit conditions of approval were altered during licensing review to reflect the following:

- Condition 26A was removed.
- A text condition related to the delivery of water by truck was removed following the site visit as water conveyance descriptions are not required as a condition for licensing.
- Condition R66 was replaced with condition 187 describing a ½ acre total irrigation covered under domestic use for two homes.
- Condition X03 was added describing the 2,500 gal per day domestic water use limitation on the license.
- Condition X59 was added to describe the POD from the source being in a named subdivision lot.
- All other conditions on the permit shall be carried forward to the license.

Statutory Claim 96-4167 has domestic use POU that overlaps this Permit's POU, cites a spring source which is a separate source than this right & not associated with the applicant's parcels. To date, a Notice of Claim has not been submitted for the statutory claim and it is not being evaluated as a concern for overlap between the two rights. There are no additional overlapping water right concerns toward licensing 96-9549.

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>
DOMESTIC	01/01 to 12/31	0.02 CFS

Totals: 0.02 CFS

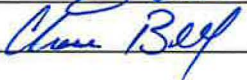
2. Recommended Amendments

____ Change P.D. as reflected above ____ Add P.D. as reflected above X None

____ Change P.U. as reflected above ____ Add P.U. as reflected above X None

J. AUTHENTICATION Luke Bates -

Field Examiner's Name  Date 12/26/2023

Reviewer  Date 6/5/24

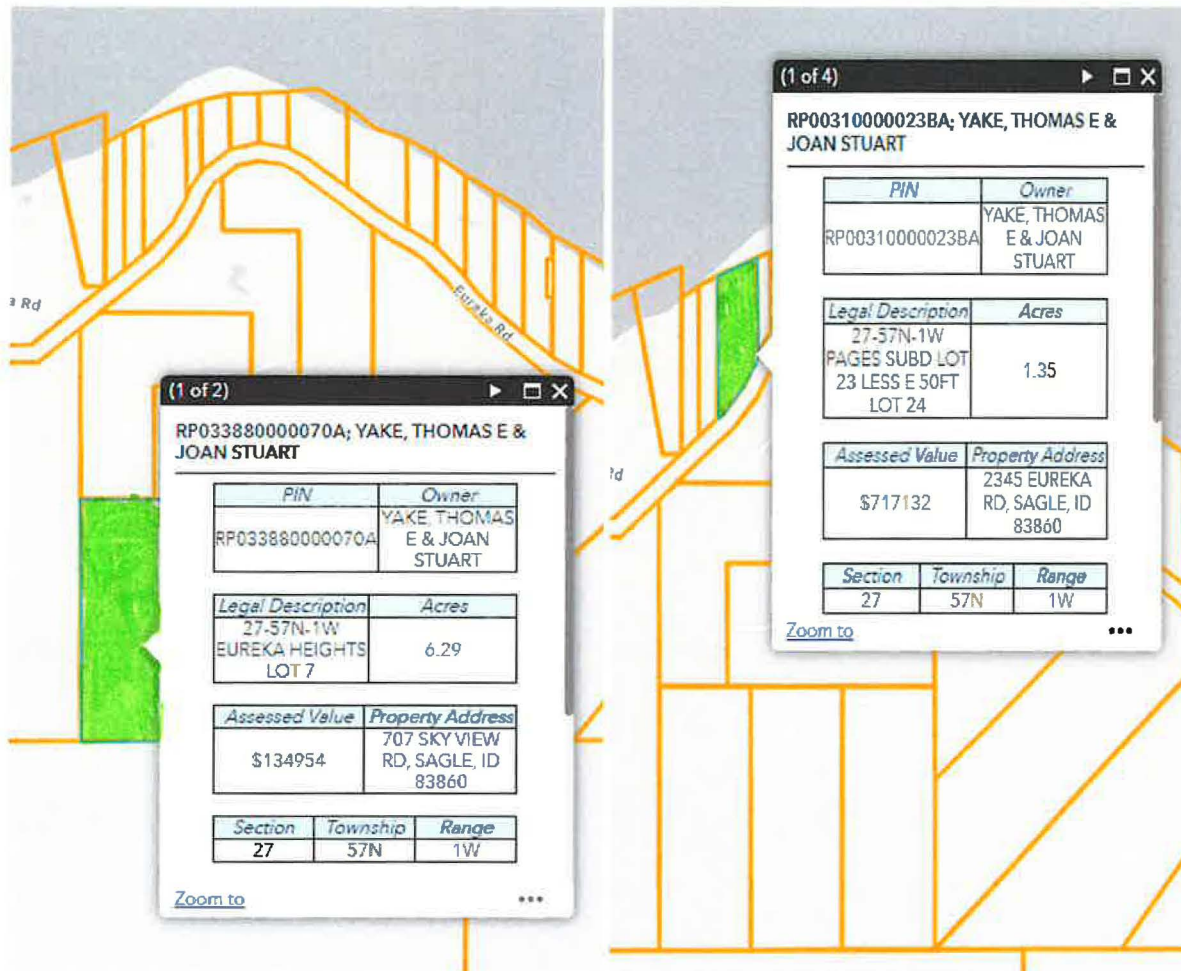
State of Idaho
Department of Water Resources
Attachment to Field Exam
96-9549

This map depicts the DOMESTIC system diagram.



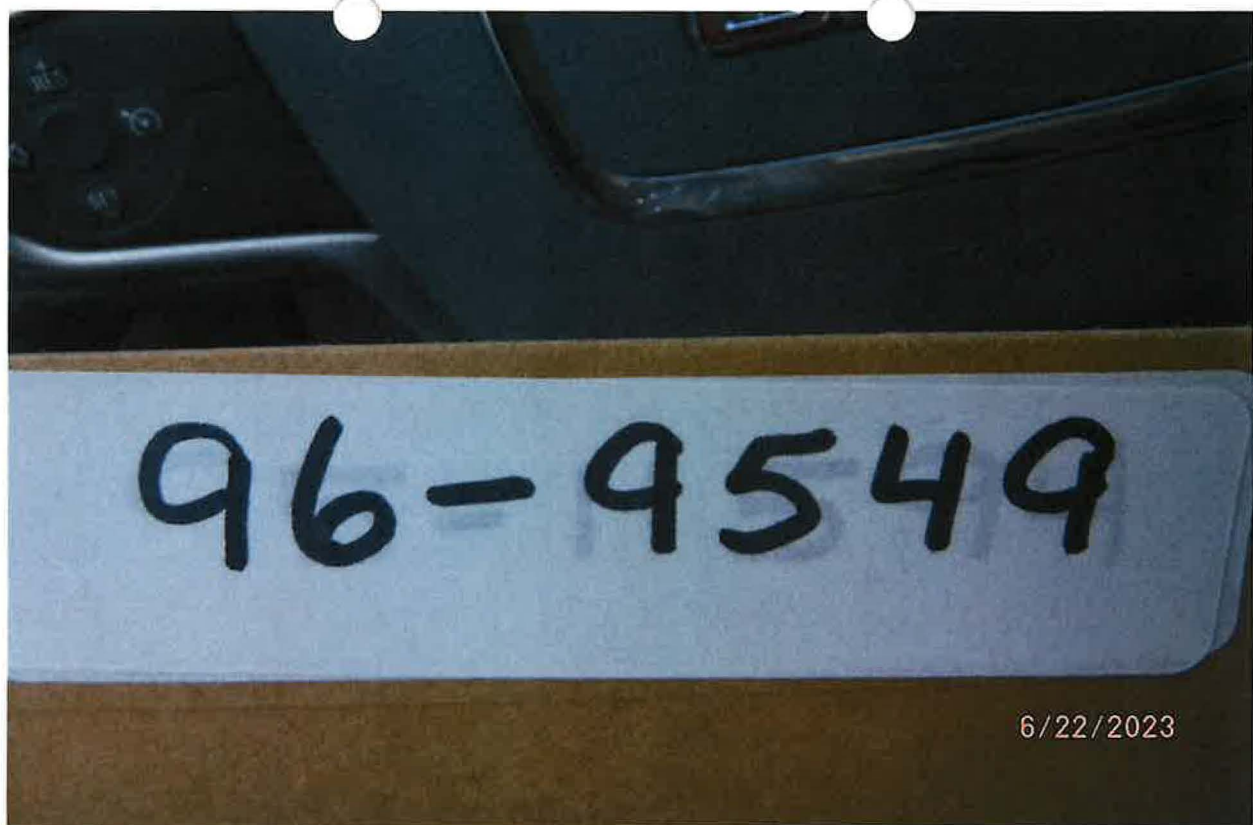
96-9549

IN-OFFICE LICENSING REVIEW TAX PARCEL VALIDATION



Retrieved from Bonner County Tax Parcel Viewer at www.bonnercountyid.gov/public/ on 12/26/2023

- POD – Located within Lot 7, Eureka Heights Subdivision.
- POU – Located within Lot 7, Eureka Heights Subdivision and Lot 23 less E 50 ft Lot 24, Pages Subdivision.



BENEFICIAL USE FIELD EXAMINATION DATE 6/22/2023



POD – SEASONAL CREEK (DRY AT TIME OF EXAM) WATER COLLECTED BELOW CULVERT



POD – REPURPOSED PLASTIC DRUM USED TO CAPTURE STREAM WATER AND GRAVITY PIPE BY HOSE TO WATER USES



LONG LENGTH OF GARDEN HOSE FROM POD TO POINT WHERE PORTABLE WATER TANKS ARE FILLED



DOMESTIC POU – RUSTIC HUNT CABIN



PORTABLE 250 GAL WATER TANK USED IN CABIN FOR DOMESTIC USES



UP TO ½ AC IRRIGATION OCCURING LOT 7, EUREKA HEIGHTS SUB – APPLICANT PLANTED NUMEROUS BERRY BUSHES IN LUSH HILLSLOPE (BUSHED NEAR T-POSTS)





WATER TANK USED TO HOLD WATER TEMPORARILY AT CABIN LOT 7, EUREKA HEIGHTS SUB.



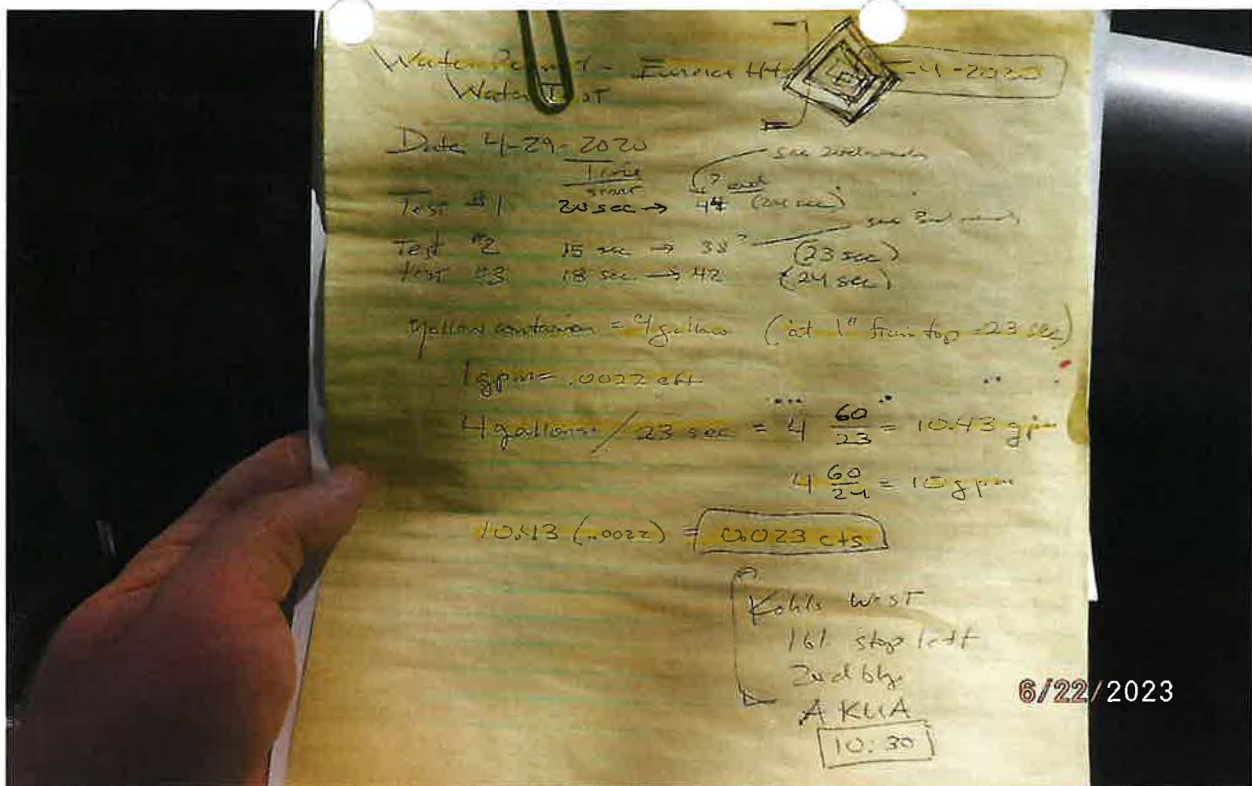
DOMESTIC POU – LOTS 23, PAGES SUB. – 1 LAKEFRONT HOME



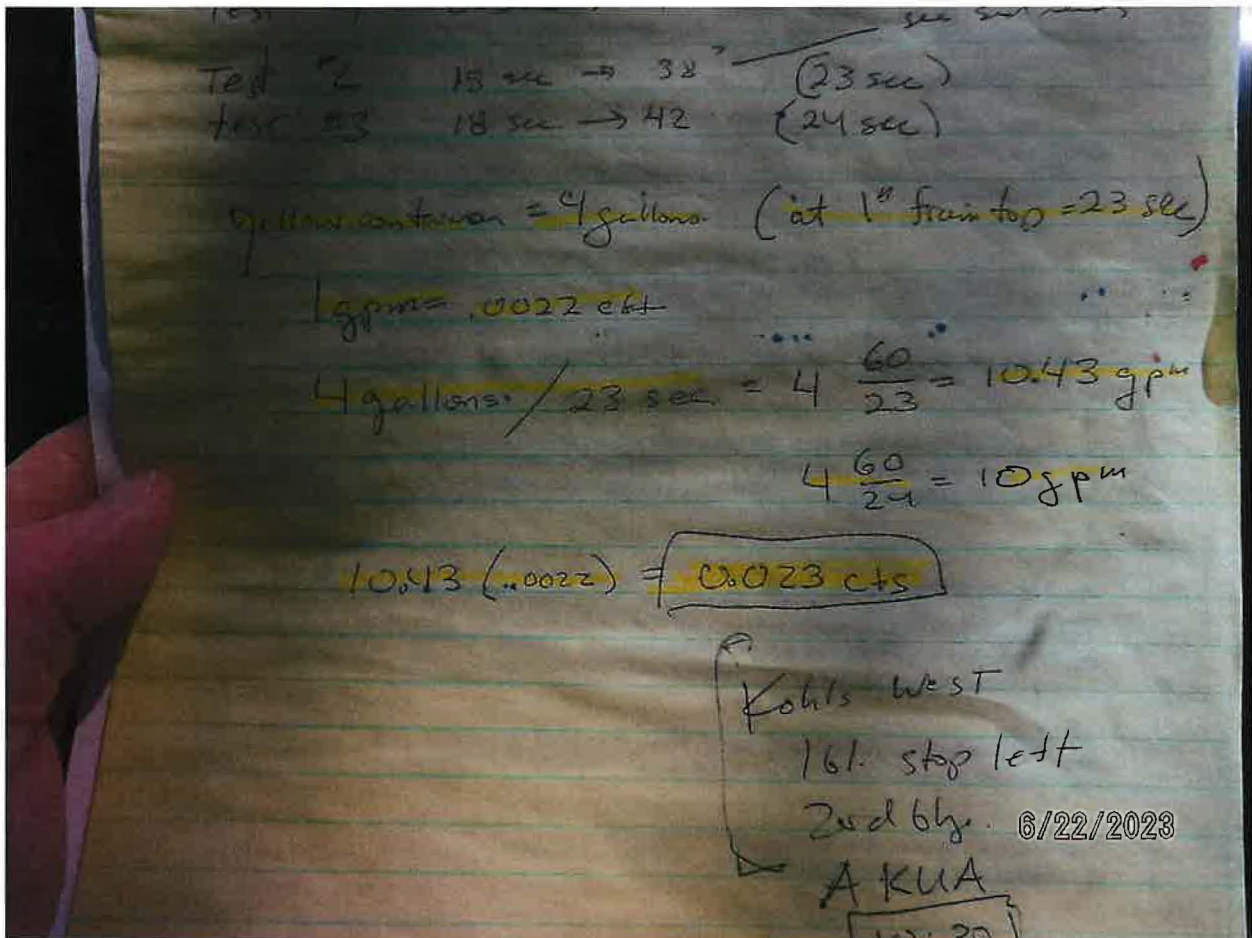
LARGE STORAGE TANK USED AT LAKEFRONT HOME – FILLED USING PORTABLE TANK FROM POD ON HILL
AND TRANSPORTED BY VEHICLE W/TRAILER DOWN TO HOME.



BANJO VALVE FROM WATER TANK AT HOME



SEASONAL STREAM – FLOW MEASUREMENTS CONDUCTED INDEPENDENT BY APPLICANT



4 GAL VESSEL USED TO CONDUCT MEASUREMENT EARLY IN YEAR WHEN STREAM WAS RUNNING