

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

A. GENERAL INFORMATION

Permit No: 96-14436

Exam Date: 06/13/2024

1. Does this qualify for an in-office field exam (IDAPA 37.03.02.035.01.r)? X Y N
- N/A Irrigation of 5 acres or less
 - N/A Storage of up to 14.6 AF for stockwater purposes only
 - X Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less.
 - N/A Other < >
2. Current Owner: JONES TRUST
- Owner of Record Correct? X Y N
- Address of Record Correct? X Y N
- If No Explain:
- Bonner County Tax Parcel information shows Jones Trust as the owners of parcel RP000360010060A. I don't see any issues with the ownership of this permit or proposed license.
3. Beneficial Use Fees have been paid: X Y N Receipt No: C117499
4. **SOURCE:** Lake Pend Oreille **TRIBUTARY:** Pend Oreille River

Method of Determination: ArcMap GIS and Tax Parcel Data.

Change in Source: Y X N**B. OVERLAP REVIEW**

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

Water Right No.	Source	Purpose of Use	Basis
96-2011	Spring Creek	Domestic, Irrigation	License w/Notice of Claim filed in CFPRBA
96-7476	Groundwater	Domestic	License
96-9128	Lake Pend Oreille	Domestic	License
96-16347	Groundwater	Domestic	Notice of Claim in CFPRBA

Comments: License 96-2011 uses Spring Creek as a water source and has a Notice of Claim filed in the Clark Fork Pend Oreille River Basin Adjudication (CFPRBA) process for a separate parcel than this Permit's domestic POU. There isn't any concern for overlap between 96-2011 & 96-14436.

License 96-7476 uses a Groundwater source for domestic use with generic POU shape that overlaps this Permit's domestic POU. Backfile review identifies the License was approved authorizing domestic use in the NE1/4SW1/4 whereas this Permit's parcel with domestic use is located in the SE1/4SW1/4. There hasn't been a Notice of Claim filed on 96-7476 but regardless there is no concern for overlap between 96-7476 & 96-14436.

A Notice of Claim, 96-16347, was filed in the CFPRBA for domestic use from a groundwater source with a POU that overlaps this Permit's lake water domestic POU. Review of the proof report for the claim identifies the claimant filed for 0.04 cfs, but the POU shape includes several parcels not owned by the Permit Holder. The Permit Holder asserts the only water source used for domestic use on his parcel is the lake water system covered by the Permit. Due to the claim not being evaluated for recommendation, I can't make a final determination on whether there is direct overlap or not between these two Rights, but based on the Permit Holder's acknowledgement the two systems are separate and unrelated. I don't perceive any overlap concern between 96-16347 & 96-14436.

License 96-9128 and this Permit have direct overlap and use the same water system infrastructure. 96-9128 was secured by the prior owner of the parcel before sale to the Permit Holder. Mr. Eugene Jones asserted by phone conversation with Department Adjudication staff members that he was not going to pursue filing a Notice of Claim on the existing license 96-9128, rather would like to finalize the current Permit vice spend additional money on filing a claim. Regardless of the

current property owner's intent, there is potential a future owner may file a late claim in the CFPRBA for 96-9128. I'm recommending the addition of condition X35 for licensing purposes that describes combined use limitations for diversion rate, volume, and domestic use between 96-9128 & 96-14436. Condition X35 remedies all overlap concerns toward licensing Permit 96-14436.

2. Other water rights with the same point of diversion: X No Overlap

Comments: I've not recommended adding condition F06 to this Permit during licensing review. Although currently 96-9128 & 96-14436 are appurtenant to parcel RP000360010060A, no claim is being pursued by the Permit Holder for the prior water right license. F06 is an explanatory description-based condition that is informative in nature and so long as no claim is filed in the CFPRBA for 96-9128 that license shall be disallowed following basin wide decree for the CFPRBA.

C. DIVERSION AND DELIVERY SYSTEM

1. Location of Point(s) of Diversion:

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Lake Pump	L5		SE	SW	33	57N	01W	B.M.	BONNER

Method of Determination: GIS and Tax Parcel Data.

Change in POD? Y X N Amendment Required? Y X N

2. Place of Use: 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	
57N	01W	33												X					
		Lot #												L5					

Method of Determination: GIS and Tax Parcel Data.

Change in POU? X N Amendment Required? X N

3. Diversion System Information:

Description: Screened intake pipe with ¾ hp submersible Goulds pump to domestic water system.

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

 X Aerial Photo Attached (required)

 Photo of Diversion and System Attached

3. Diversion Id No.*	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Pump	Franklin	¾	Unknown	Goulds	Unknown

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

D. FLOW MEASUREMENTS

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

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

E. FLOW CALCULATIONS

Measurement = Domestic 1 home with ½ ac irrigation included = 0.04 cfs, Administrator's Memorandum - Application Processing Memo No. 22 – Definition of Domestic.
 Permit allowed = 0.04 cfs

Comments: there is approximately 40 ft of lift required from the lake pump to the POU at the applicant's home. The following equation depicts a theoretical pump equation for a submersible pump:

$$Q = (0.75 \text{ Hp}) * (8.8) * (0.90 \text{ efficiency}) / [(40 \text{ ft lift}) + (2.31 * 45 \text{ pressure psi})] = 5.94 / 143.95 = \underline{0.04 \text{ cfs}}$$

I'm recommending the diversion rate of **0.04 cfs** for licensing based on guidance from the administrator's processing memo and the theoretic pump equation detailed above.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation: N/A – ½ acre irrigation covered under domestic water use.
2. Volume Calculations for Other Uses: Domestic annual volume = 1 home with ½ acre = **1.2 af.**

G. PURPOSE OF USE

Irrigation N N # Stock N/A Domestic # of Homes 1

Other: < >

Change in Purpose of Use? X N

Method of Determination: Taxlot data and information assessed on the Statement of Completion form.

H. NARRATIVE/REMARKS/COMMENTS

This permit qualifies for an in-house examination. Department State Office personnel initiated an in-office exam but pushed the permit to Northern Office due to overlapping water right concerns between 96-9128 & 96-14436. I worked directly with the Permit Holder and included Adjudication staff to evaluate whether Mr. Eugene Jones will be filing a Notice of Claim on the prior license 96-9128 or not. In phone conversation between staff and Mr. Jones, the prior license would not be filed on in the CFPRBA. This deconflicts immediate overlap concerns but there is potential for a future owner to file a late claim for a license that is appurtenant to this Permit's POU (parcel). I've recommended licensing with condition X35 to describe combined use between WRs which mitigates any concern for stacking of rights for the applicant's parcel.

During my licensing review, speaking with Mr. Jones, I found the lake pump had recently been replaced by H2O Well Services. I spoke with the pump installer on 6/10/2024 and gained pump specifics which included that upon replacement new fish screens were replaced on the intake suction pipe on the system. Based on this information I've removed condition 029 from the permit during licensing review and all other conditions shall be carried to license approval.

Field Exam Map(s): 169 Bottle Bay Rd, Sagle ID. Lt 6, Blk 1; Bottle Bay Tracts Sub.

Bonner County Tax Parcel map retrieved from www.bonnercountyyid.gov on 6/10/2024



Have conditions of permit approval been met? ☒ 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>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
<u>Totals:</u>		0.04 CFS	1.2 AF

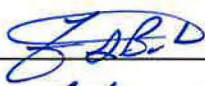
2. Recommended Amendments:

☐ 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

Other: < >

J. AUTHENTICATION Luke Bates – Sr Water Resource Agent

Field Examiner's  Date 6/13/2024

Reviewer  Date 6/26/2024

Bates, Luke

From: Thompson, Michael
Sent: Thursday, May 30, 2024 2:21 PM
To: Bates, Luke; Cooksey, Greg
Subject: Re: Claim based on License call back for Eugene Jones

Mr. Jones would like to continue with the new license, he decided against filing a claim on 96-9128 after my conversation with him.

Michael Thompson
Water Resource Agent
Idaho Department of Water Resources, Northern Region
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone (208) 762-2800



IDAHO DEPARTMENT OF
WATER RESOURCES

From: Bates, Luke <Luke.Bates@idwr.idaho.gov>
Sent: Wednesday, May 29, 2024 8:28 AM
To: Thompson, Michael <Michael.Thompson@idwr.idaho.gov>; Cooksey, Greg <Greg.Cooksey@idwr.idaho.gov>
Subject: Claim based on License call back for Eugene Jones

Good morning.

I'm currently working on conducting a field exam for active Permit 96-14436 – Jones Trust. This parcel has a prior water right from the same source for irrigation with slightly less diversion rate than the current permit (96-9128).

I spoke with Eugene (Gene) yesterday to schedule the beneficial use field exam, and opened discussion related to filing a claim on the existing license 96-9128. I let Gene know he will gain approximately 20 years of priority if he files the claim based on license, but that if he elected not to, he would still benefit from his current permit. Gene requested additional information about the claim process; I know this one may require a late claim and I wasn't sure how that works but let Gene know someone from our adjudication staff would reach out and could like assist in populating data to make the process easier. The owner of License 96-9128 was the prior owner that Gene purchased the property from.

Can one of you two give Gene a call back to discuss?

EUGENE JONES 801-583-7612
JONES TRUST
933 S 1200 E
SALT LAKE CITY UT 84105-1522

Please let me know how this conversation goes. I'm doing a site visit on 6/13/2024.

Luke Bates
Sr. Water Resource Agent
Northern Region

P: 208-762-2817



IDAHO DEPARTMENT OF

WATER RESOURCES

7600 N. Mineral Dr., Suite 100

Coeur D'Alene, ID 83815-7763