

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 96-11743
Exam Date: 05/18/2023

1. Current Owner:
KEVIN BROWN PO BOX 399 COCOLALLA ID 83813 AND/OR
PATRICIA L BROWN PO BOX 399 COCOLALLA ID 83813
2. Accompanied by: Kevin Brown
Phone No: (208) 818-5055
Address: 212 N Beach Rd, Cocolalla, ID
Relationship to permit Holder: Same

3. **SOURCE:**
COCOLALLA LAKE

Tributary
COCOLALLA CREEK

Method of Determination: ArcMap & DRG.

B. OVERLAP REVIEW

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

Water Right No.	Source	Purpose of Use	Basis
96-2163	Cocolalla Lake	Domestic & Irrigation 10 acres	License with a Claim Filed for 0.22 cfs
96-2164	Cocolalla Lake	Irrigation 35 acres	License (No Claim)
96-4103	Cocolalla Lake	Irrigation for 1 acre	Statutory Claim (No Claim)
96-8604	Cocolalla Lake	Irrigation for 0.3 acres	License (No Claim)
96-12067	Groundwater	Domestic	Claim Filed

Comments:

1. 96-2163 – License with a Notice of Claim filed by Strudel LLC with a POU that originally overlaps 96-11743's irrigation POU on an existing licensed WR. The surface water source for this water right is Cocolalla Lake. Claim was filed on the existing license for 10.0 acres of irrigation and domestic use with a diversion rate of 0.22 cfs. The map for this claim shows that the water right POU does not overlap this Right's POU. I do not have any overlapping concerns with these water rights.
2. 96-2164 – Licensed water right for Lloyd Hatcher with a priority date of 3/11/1946 for irrigation of 35 acres from Cocolalla Lake for 0.44 cfs was licensed on 4/30/1956. **No claim has been filed** on this water right by the applicant. After reviewing the backfile, this right would overlap 96-11743 POU but the parcels have been subdivided and sold to other owners. If a claim were to be filed, the POU could only be a portion of the original water right, as I did find some of this POU still owned by the Hatchers. I do not have any overlapping concerns with these water rights.
3. 96-4103 – Statutory Claim - from 6/1/1968 that has a source of Cocolalla Lake for Irrigation of 1 acre. There has been **no claim filed in the CFPRBA**; This parcel is clearly defined in the back file and it is not the same place of use that 96-11743 is. I do not have any overlapping concerns with these water rights.
4. 96-8604 – Licensed water right for (Lawrence) Vernon Erickson with a priority date of 3/11/1946 for irrigation of 0.3 acres from Cocolalla Lake for 0.01 cfs, 0.9 af which was licensed on 4/30/1956. **No claim has been filed** on this water right by the applicant. I did find parcel RP002120010090A owned by Lawrence V Erickson near the POU for 96-11743 but it is clearly not the same POU. There has been no claim filed in the CFPRBA; I do not have any overlapping concerns with these water rights.
5. 96-12067 –Adjudication Claim filed for the Shepard Family Trust for Domestic from Groundwater, which does not have the same source, but the POU shape appears on the same parcel as the Cocolalla Family Trust. I found the Shepard Family Trust on parcel #RP55N02W054120A. I don't believe there are any overlap concerns.

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

Comments: There is no shared Point of Diversion for 96-11743.

C. DIVERSION AND DELIVERY SYSTEM

1. LOCATION OF POINT(S) OF DIVERSION:

COCOLALLA LAKE NW¼ SW¼, Sec. 5, Twp 55N, Rge 02W, B.M. BONNER County

Method of Determination: GPS. POD is located at -116°36.3419, 48°8.4389.

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	
55N	02W	5										0.1	L5						0.1

Total Acres: 0.1

Method of Determination:

- 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
Centrifugal Pump	Sears # 390.251400	1/2			

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 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 0.03 CFS or 8.6 GPM.

G. VOLUME CALCULATIONS

1. Volume Calculations for irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 0.1 \times 3.0 \text{ AF} = 0.3 \text{ AF}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.02 \text{ CFS} \times 215 \times 1.9835 = 8.53 \text{ AF}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = \mathbf{0.3 \text{ AF}}$$

2. Volume Calculations for Other Uses: N/A

G. NARRATIVE/REMARKS/COMMENTS

This permit qualifies for an in-house field examination. A drive-by exam was conducted on 5/18/2023 to obtain photographs of the POU, validate irrigation areas, & GPS the POD. Bonner County tax parcel data states parcel RP002120010020A is in the name Cocolalla Family Trust, with Co-Trustees Kevin N & Patricia L Brown which validates the ownership.

The permit was authorized for **0.03 CFS** diversion rate for the irrigation of 0.1 acres. During the site visit, the applicant's screened intake pipe from the lake to the centrifugal pump were observed at the POD. The pump specification identifies a 0.5 HP Sears centrifugal pump.

A 0.5 HP pump likely has a pump capacity larger than 8.6 gpm, but the applicant has restricted the discharge port to a 1 inch hose and sprinklers which includes pumping 10 yards up slope to a pressure tank with 75-100 PSI. It is reasonable the pump incurs sufficient head pressure loss reducing diversion capacity to a rate comparable to the 0.02 cfs recommended for licensing this right, considering department rounding standards.

The irrigation POU was traced out using field maps, and ArcMap aerial imagery was used during licensing review to accurately trace out the acreage equaling 0.1 acres, considering department rounding standards. The annual volume associated with irrigating 0.1 acres = 0.3 AF, which is recommended for licensing purposes. Irrigation water is used for multiple small planters, trees, shrubs, and lawn. I've recommended licensing with the department standard season of use.

All permitted conditions shall be carried forward to the license. There are no overlap concerns for this water right.

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

H. RECOMMENDATIONS

1. Recommended Amounts

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	
IRRIGATION	04/01 to 10/31	0.03 CFS	

Totals: 0.03 CFS

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

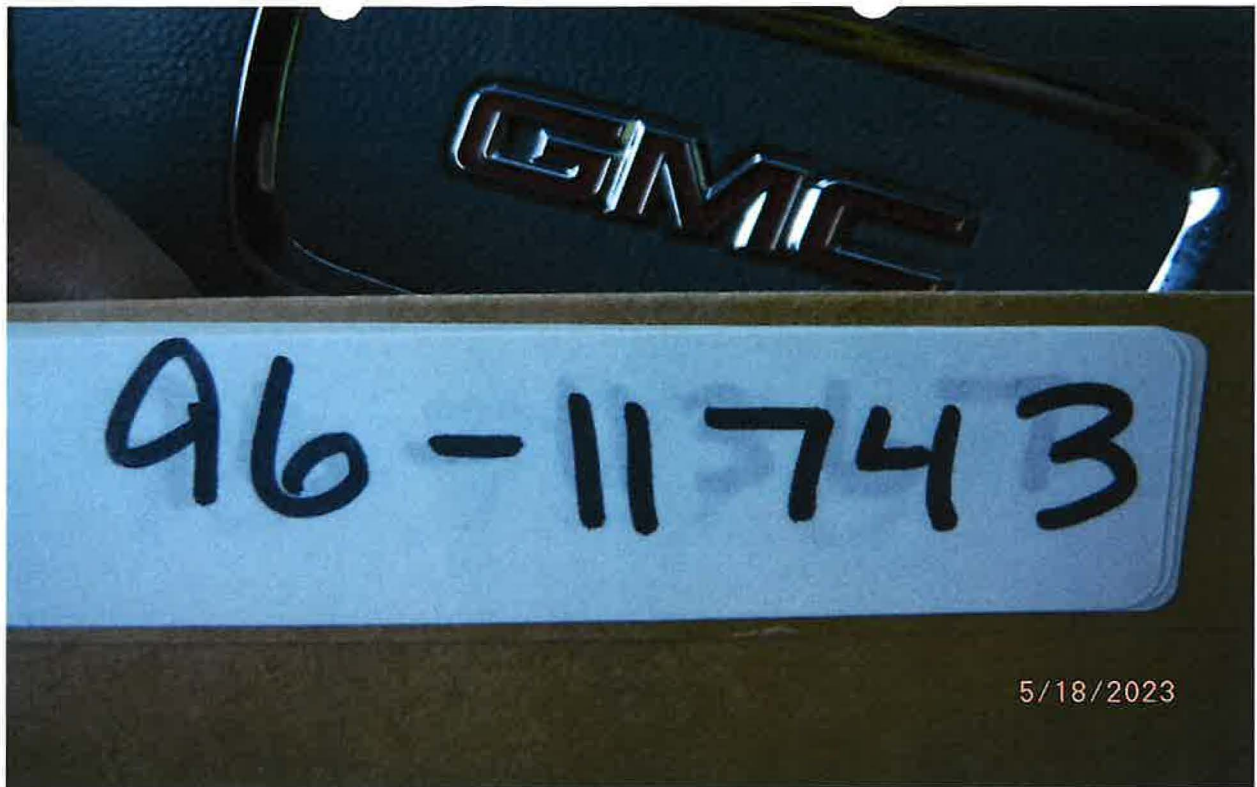
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ None

I. AUTHENTICATION

Tammy Alleman -

Field Examiner's Name _____ Date 2/20/24

Reviewer Chen Beef Date 2/27/2024



BENEFICIAL USE FIELD EXAM DATE 5/18/2023



POD – SCREENED FOOT VALVE IN LAKE WITH POLY PIPE TO CENTERFUGAL PUMP



SEARS 1/2 HP PUMP & PRESSURE POT





SEARS ½ HP PUMP MODEL NO. 390.251400





IRRIGATION POU – HOSE & SPRINKLER LAWN & LANDSCAPTE AROUND SMALL LOT





IRRIGATION POU – LAWN SPACE AROUND HOME TO RIGHT OF PHOTOGRAPH



IRRIGATION POU – LAWN AND LANDSCAPE PLANTS AROUND HOME



IRRIGATION POU – LAWN AND LANDSCAPE PLANTS ON ROADSIDE OF LAKE HOUSE



Instrument # 1012685
Bonner County, Sandpoint, Idaho
10/11/2022 08:19:50 AM No. of Pages: 2
Recorded for: CUSACK LAW FIRM, PLLC
Michael W. Rosedale Fee: \$15.00
Ex-Officio Recorder Deputy cbrannon
Index to: WARRANTY DEED

RECORD FOR AND RETURN TO:

CUSACK LAW FIRM, PLLC
320 E. NEIDER AVENUE, SUITE 206
COEUR D'ALENE, IDAHO 83815

WARRANTY DEED

FOR VALUE RECEIVED, KEVIN N. BROWN and PATRICIA L. BROWN, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto KEVIN N. BROWN and PATRICIA L. BROWN as Co-Trustees, or to their successor Trustees, of the COCOLALLA FAMILY TRUST U/A 10/04/2022, and not as individuals, whose current address is P.O. Box 399, Cocolalla, Idaho 83813, as Grantees, and to Grantees' heirs and assigns forever, the following described premises to wit, situated in Bonner County, State of Idaho, together with all after acquired title of the Grantors therein:

Lot 2 of KAY'S LAKE LOTS, according to the plat thereof, recorded in Book 2 of Plats, Page 12, records of Bonner County, Idaho.

SUBJECT TO any claims arising out of the difference between the mean high water line and the meander line of Cocolalla Lake.

together with their appurtenances, said Grantors, do hereby covenant to and with the said Grantees that they are the owner in fee simple of said real property; that said premises is free from all encumbrances excepting current taxes, restrictions, easements and rights-of-way in view and of record, and excepting those of record, and said Grantors will warrant and defend the same from all lawful claims whatsoever.

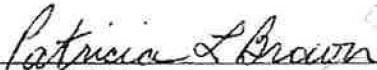
Tax notices should be sent to the Grantees at the address described above. For the purpose of preserving the homeowner's tax exemption, the Grantees declare that this trust is revocable, the Grantees are the beneficiaries of the trust, and the Grantees reside in the home.

1. WARRANTY DEED
[212 N. Beach Road, Cocolalla]
(CH00332568.DOCX; 1/22337.000)

DATED this 4 day of October 2022.



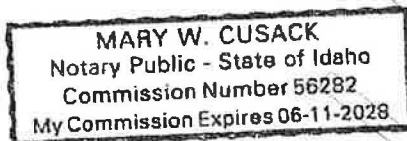
KEVIN N. BROWN
Grantor



PATRICIA L. BROWN
Grantor

STATE OF IDAHO)
 :SS
County of Kootenai)

On this 4th day of October 2022, before me, MARY W. CUSACK, a notary public in and for said state, personally appeared KEVIN N. BROWN and PATRICIA L. BROWN, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.





NOTARY PUBLIC