

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 82-12294
Exam Date: 05/29/2025

1. Current Owner:
MICHAELS HOLPEN CORP 285 MAIN ST ELK CITY ID 83525
2. Accompanied by: Michael Edmondson
Phone No: 208-842-2704
Address: Same as above
Relationship to permit Holder: Representative

3. SOURCE:

SPRING
SWALE CREEK
SURFACE RUNOFF

Tributary

SWALE CREEK
BIG ELK CREEK
SWALE CREEK

Method of Determination: Arc Pro GIS and DRG Layer

B. OVERLAP REVIEW

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

Water Right No.	Source	Purpose of Use	Basis
82-10215	Ground Water	Domestic, Stockwater	Decreed
82-10216	Ground Water	Domestic, Stockwater	Decreed

Comments: Both Decreed Rights 82-10215 and 82-10216 used Ground Water source(s) for Domestic and Stockwater uses which overlap this Right's Stockwater Storage POU. Both decreed rights authorize stockwater use for 10 horses, 30 chickens, 2 cows, and 3 lamas. During my exam I accounted for some of the total stockwater uses but have recommended adding condition X35 to account for combined stockwater use between all three rights for the stock animal and number of head listed above.

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

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

SWALE CREEK NE¼ NE¼, Sec. 15, Twp 29N, Rge 08E, B.M. IDAHO County	-115°26.8790, 45°51.4004
SURFACE RUNOFF NE¼ NE¼, Sec. 15, Twp 29N, Rge 08E, B.M. IDAHO County	-115°26.7803, 45°51.4223
SPRING NW¼ NE¼ NE¼, Sec. 15, Twp 29N, Rge 08E, B.M. IDAHO County	-115°26.7518, 45°51.4062

Method of Determination: GPS; Swale Creek diversion with pump, Surface Runoff captured by earthen dam and overflow pipe, and Spring filled storage pond PODs are represented above and to right of each legal description.

PLACE OF USE: STOCKWATER STORAGE and FIRE PROTECTION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
29N	08E	15	X																

Method of Determination: beneficial use field exam and Arc Pro GIS aerial imagery.

- 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
Swale Creek	Unkown	7	Type EFPPEA1 Gas Fire Pump	EFPPEA1	1.5-inch discharge orifice
Surface Runoff	N/A				Storage pond impoundment
Spring	N/A				Storage pond impoundment

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
5-Gallon Bucket						

2. Measurements: of the three water sources, only Swale Creek requires a flow measurement associated with Diversion to Storage beneficial use; I conducted three 5-gal bucket measurements that resulted in an average flow rate of 0.11 cfs considering Department rounding standards.

E. FLOW CALCULATIONS

Measured Method: 5-Gallon Bucket Measurement.

- Permit authorized: 0.20cfs contemplated for Diversion to Storage from Swale Creek.
- Beneficial Use Examination 5-GAL Bucket Tests = (5 gal / 6.43 sec) x 60 sec/min = 46.67 gpm
 = (5 gal / 6.06 sec) x 60 sec/min = 49.50 gpm
 = (5 gal / 6.23 sec) x 60 sec/min = 48.15 gpm
 Average of 3 ea. 5-GAL Bucket Tests = (46.67 gpm + 49.50 gpm + 48.15 gpm) / 3 = 48.11 gpm = 0.11 cfs considering department rounding standards.
- License recommendation = **0.11 cfs** based on diverting pump capacity as developed at time of field exam designated for Diversion to Storage rate and Maximum Diversion Rate.

F. VOLUME CALCULATIONS

1. Volume Calculations for irrigation: N/A

2. Volume Calculations for Other Uses:

- Fire Protection Storage annual volume = **1.0 af** based on pond analysis worksheet – see attached.
- Stockwater Storage annual volume = (5 horse + 2 cow) x 12 gpd x 365 day per year = 30,660 gal per year + (30 chickens) x 5 gal per day x 365 day per year = 1,825 gal per year = 32,485 gal annually / 325,850 gal per af = 0.09 af or **0.1 af** considering Department rounding standards.
- Maximum Diversion Volume = **1.1 af**

G. NARRATIVE/REMARKS/COMMENTS**POD(s)**

I conducted the beneficial use field exam on 5/29/2025 with the Applicant's representative, Mr. Michael Edmondson, which showed diversion to storage occurring from Swale Creek, and impoundment of Spring source water and Surface Runoff capture in the same storage pond. The small pond is set within a small draw with earthen dike dam installed at the low point as the draw's drainage interfaces with a larger meadow area of the property. The storage pond relies heavily on surface runoff rain/snowmelt to fill the pond fully by start of each season, and the spring impoundment serves to offset some seepage and evaporative loss throughout the year. The pond was excavated to receive spring water source at the Eastern extent of the storage pond.

Aside from the Spring and Surface Runoff source water, which is considered "on-stream" and not assigned a diversion rate, the right holder diverts from Swale Creek when water is available to top off the storage pond in late spring to early summer. Discussion held with Mr. Edmondson during the exam Swale Creek runs almost dry each year by late July. I have maintained a year-round diversion to storage season of use as the creek flow is variable depending on seasonal climate input and some years may sustain flows later in some years. Only the Swale Creek source has a POD that incorporates pumping to divert water from creek to pond. The diverting works include a gas power generator framed fire pump with 1.5-inch discharge pipe coupled to 450-ft of flexible fire hose routing up slope and inflowing to the pond. I evaluated a **0.11 cfs** flow rate from diverting pump considering Department rounding standards. The diverting works uses a 3/32" inlet screen secured in Swale Creek.

POU(s)

The Stockwater Storage and Fire Protection Storage POU was excavated with an earthen dike dam and 4-inch flexible poly-pipe overflow device which allows water to flow downslope to Swale Creek early in the year when Spring and Surface Runoff water is in excess; this has kept the pond dam from overbanking historically. The storage pond POU elements are described below:

- Surface area = 0.2 acres; maximum depth = 7 ft with average depth of 2.8 ft; the pond has a capacity of 0.6 af and a seepage and evaporative loss rates of 0.4 af. The total volume required to maintain the pond full year-round = 1.0 af.
- The Fire Protection Storage annual volume = **1.0 af** based on a pond analysis worksheet evaluated after the field examination and during licensing review.
- The Stockwater Storage annual volume = **0.1 af** as calculated on PG2 of this report.
- The maximum diversion volume recommended for licensing = sum of both beneficial use or **1.1 af**.

During the exam I used field maps, GPS unit, and camera to collect data and sketch the POU and water conveyance system. I used Arc Pro GIS aerial imagery YR 2025 to trace out the surface area of the storage pond for licensing purposes.

Conditions of Approval

As permitted, minimum stream flow (MSF) conditions of approval specified that the right holder did not benefit from subordination to senior MSF Rights 82-12220, 82-12225, 82-12227, and 82-12229. Based on two WB9 conditions and one 227 condition the Right Holder was required to self-curtail when senior MSF Rights were not satisfied.

- During licensing review, I analyzed each MSF right discussed above and found the in every case each right includes a non-DCMI condition of approval that authorizes a certain amount of future development for non-DCMI beneficial uses which will enjoy subordination from these MSF Rights. As a result, I have recommended removal of all the MSF related conditions of approval as described below as of 6/3/2026 (date of BU report finalization):

- Remove condition WB9 (x2) – this Permit's Diversion to Storage rate of 0.11 cfs enjoys subordination in relation to 82-12225, 82-12227, and 82-12229 non-DCMI allotment. As of 6/3/2026 none of the three MSF rights have used up their entire carve out allotment by conditions of approval per respective right.
- Remove condition 227 – this Permit's Diversion to Storage rate of 0.11 cfs enjoys subordination in relation to 82-12220 non-DCMI allotment. As of 6/3/2026 the S.F. Clearwater River has not exhausted the carve out allotment by condition of approval.

BASIN 82 - Current as of 6/3/2026						
Basin Number	Sequence Number	Priority Date	Overall Max Diversion Rate	Source List	Tributary List	NON-DCMI ALLOWANCE (CFS)
82	12220	4/1/2005	3639	SOUTH FORK CLEARWATER RIVER	CLEARWATER RIVER	23.4
82	12225	4/1/2005	98	BIG ELK CREEK	AMERICAN RIVER	0.4
82	12227	4/1/2005	447	AMERICAN RIVER	SOUTH FORK CLEARWATER RIVER	1.7
82	12229	4/1/2005	2391	SOUTH FORK CLEARWATER RIVER	CLEARWATER RIVER	12.2

NON-DCMI APPROPRIATED (CFS)	NON-DCMI ELIGIBLE FOR ALLOCATION
0.37	23.03
0.11	0.29
0.15	1.55
0.15	12.05

last updated with recommendation of Permit 82-12294 for licensing on 6/3/2026.

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Excerpt taken from Northern Region MSF non-DCMI tracker on 6/3/2026

- Permit 82-12294 is still junior to three additional MSF rights downstream of the POD for Swale Creek –
 - 85-7583 – Clearwater River (Kooskia with confluence of M.F. Clearwater River to Orofino)
 - 86-7318 – Clearwater River (Orofino to confluence of Potlatch River)
 - 86-7345 – Clearwater River (from confluence of Potlatch River to backwater of river near Lewiston)
 - I have recommended adding condition 227 related to MSF 85-7583 with associated stream gauge at Orofino for monitoring purposes. I've recommended adding condition WB9 related to both 86-7318 and 86-7345 which generically puts the right holder on notice that self-curtailment is required during periods either reach of the Clearwater River from Orofino to Lewiston are not meeting MSF right(s) requirements. Addition of these MSF conditions do not make the water right more restrictive than permit approved, rather notify the right holder of senior water right requirements that are applicable to their diverting system.
- During licensing review, I revised condition 219 to reflect accurate storage pond related volume elements for licensing purposes.
- I removed condition X02 based on condition usage description to drop at time of licensing.
- I've added condition X35 which mitigates stockwater overlapping water right concerns between three rights owned by the right holder as referenced on PG1 of this report.
- All other conditions on the permit shall be carried forward to the license.

There are no outstanding overlapping water right concerns toward licensing 82-12294.

Have conditions of permit approval been met? X Yes No

H. RECOMMENDATIONS**1. Recommended Amounts**

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
STOCKWATER STORAGE	01/01 to 12/31		0.1 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		1.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.11 CFS	

Totals: 0.11 CFS 1.1 AF

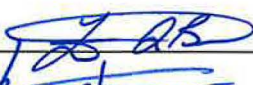
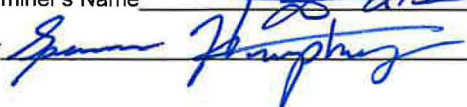
2. Recommended Amendments

____ 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

I. AUTHENTICATION

Luke Bates – Sr Water Resource Agent

Field Examiner's Name  Date 6/3/2026Reviewer  Date 7.7.26

State of Idaho
Department of Water Resources
Attachment to Field Exam
82-12294

This map depicts the DIVERSION TO STORAGE, STOCKWATER STORAGE and FIRE PROTECTION STORAGE system diagram.

08E



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



0 0.04 0.09 0.14 0.18 Miles



Imagery: 2023 Aerial Photography
Prepared By Bates, Luke

Total Storage Calculations

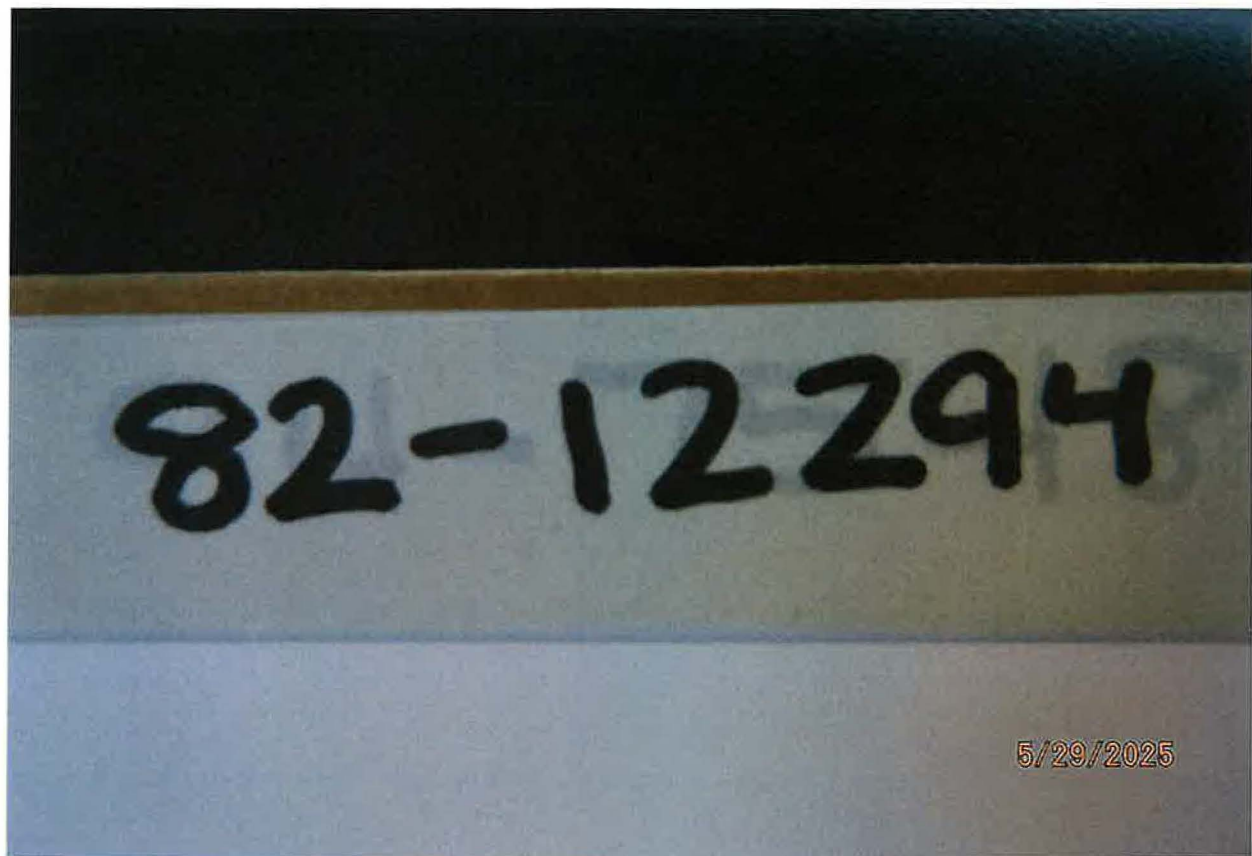
FILE NUMBER	82-12294
REVIEWER	Luke Bates
DATE	5/30/2025

This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total seepage, evaporation and fill capacity required for a pond.

User Input
Calculated value
Formula Explanations

Surface Area (AC.)	0.2	"Surface Area" is automatically carried over from the "Seepage Loss" sheet.
Average Pond Depth (FT.)	2.8	"Average Pond Depth" depicts the actual depth of the pond either measured or estimated. Note: If you know the maximum depth and not the average depth, the Field Examiner's Handbook suggests multiplying the maximum depth by 0.4 to get the average depth, or you can use any method that seems reasonable to attain average depth.
Pond Capacity (AF)	0.6	Pond Capacity is calculated by multiplying the Pond Surface Area by the Average Pond Depth. If you know the capacity, divide the capacity by surface area and enter the average pond depth in the space above. Note: If pond capacity is determined using a method shown on the "Pond Capacity" sheet, the user may need to modify the value of "Pond Capacity" (cell B9) manually. Note that if the value is modified manually, the formula will be altered for future use.

Multiple Fill Volume Above Initial Fill to Fulfill From Storage Needs- "Multiple Fills" (AF)	0	The "Multiple Fill Volume Above Initial Fill" is the acre-feet of water required to meet a <i>from storage</i> component if the <i>from storage</i> component exceeds a one time fill. This section should not include the amount of water needed to fill the pond initially or the amount of water needed to maintain the pond level due to evaporation or seepage. For example: if a pond has a capacity of 5 acre feet and 2.5 acre feet of seepage and evaporation, but the pond is used for irrigation that requires 10 acre feet of from storage for the irrigation use, then you would insert 5 acre feet into this location (10 acre feet needed - 5 acre feet from the initial fill = 5 acre feet of additional storage needed). Note: You must have a "From Storage" component exceeding the initial fill on the permit to include a volume in this space.
Estimated Seepage Loss (AF)	0.2	The "Estimated Seepage Loss" is automatically carried over from the "Seepage Loss" sheet.
Estimated Evaporation Loss (AF)	0.2	The "Estimated Evaporation Loss" is automatically carried over from the "Evaporation Loss" sheet.
Total Volume Required (AF)	1.0	The "Total Volume Required" is calculated by adding the Pond Capacity, Multiple Fills, Seepage Loss, and Evaporation Loss amounts to determine the total amount of storage required.



BENEFICIAL USE FIELD EXAM DATE 5/29/2025



POD – FLEXIBLE 1.5-INCH INTAKE SUCTION PIPE WITH 3/32-INCH SCREEN IN CREEK



POD – DIVERTING WORKS USES A GENERATOR FRAMED WATER TRANSFER PUMP



POD – DIVERTING WORKS 1.5-INCH SUCTION/DISCHARGE FIRE PUMP TYPE EFPPEA1. WATER CONVEYED BY 1.5-INCH FIRE HOSE 450FT TO POND



POU – STORAGE POND WITH DIVERSION TO STORAGE ACTIVELY TOPPING OFF POND DURING EXAM



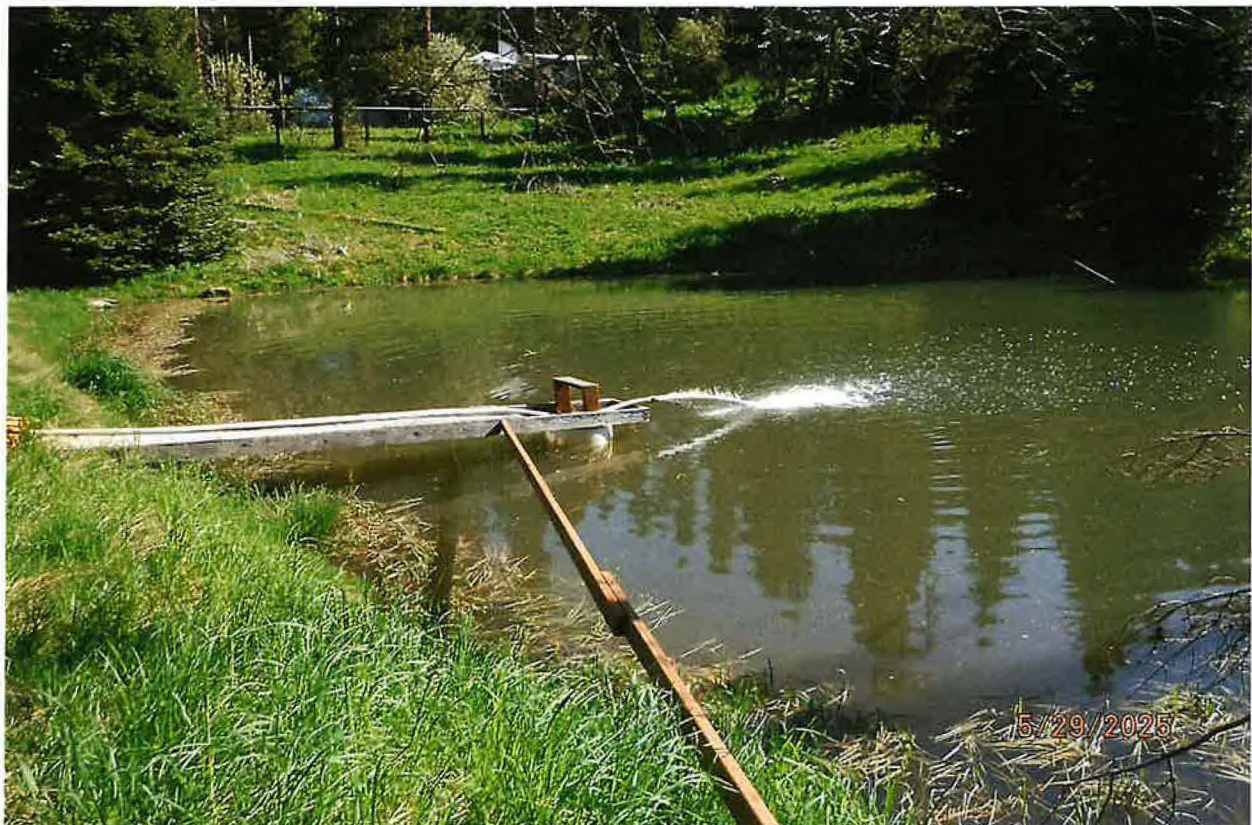
POND OVERFLOW DEVICE IS A 4-INCH CORRUGATED FLEX PIPE; WATER IS DIVERTED FROM THE CREEK UNTIL POND WATER IS OVERFLOWING THE DISCHARGE PIPE THEN THE PUMP IS TURNED OFF



POD – EARTHEN DAM IMPOUNDS SURFACE RUNOFF SOURCE WATER AND SPRING SOURCE WATER IN THE STORAGE POND. THE POND WAS EXCAVATED WITH THE SPRING SOURCE BEING WITHIN THE HIGH WATER MARK OF THE POND



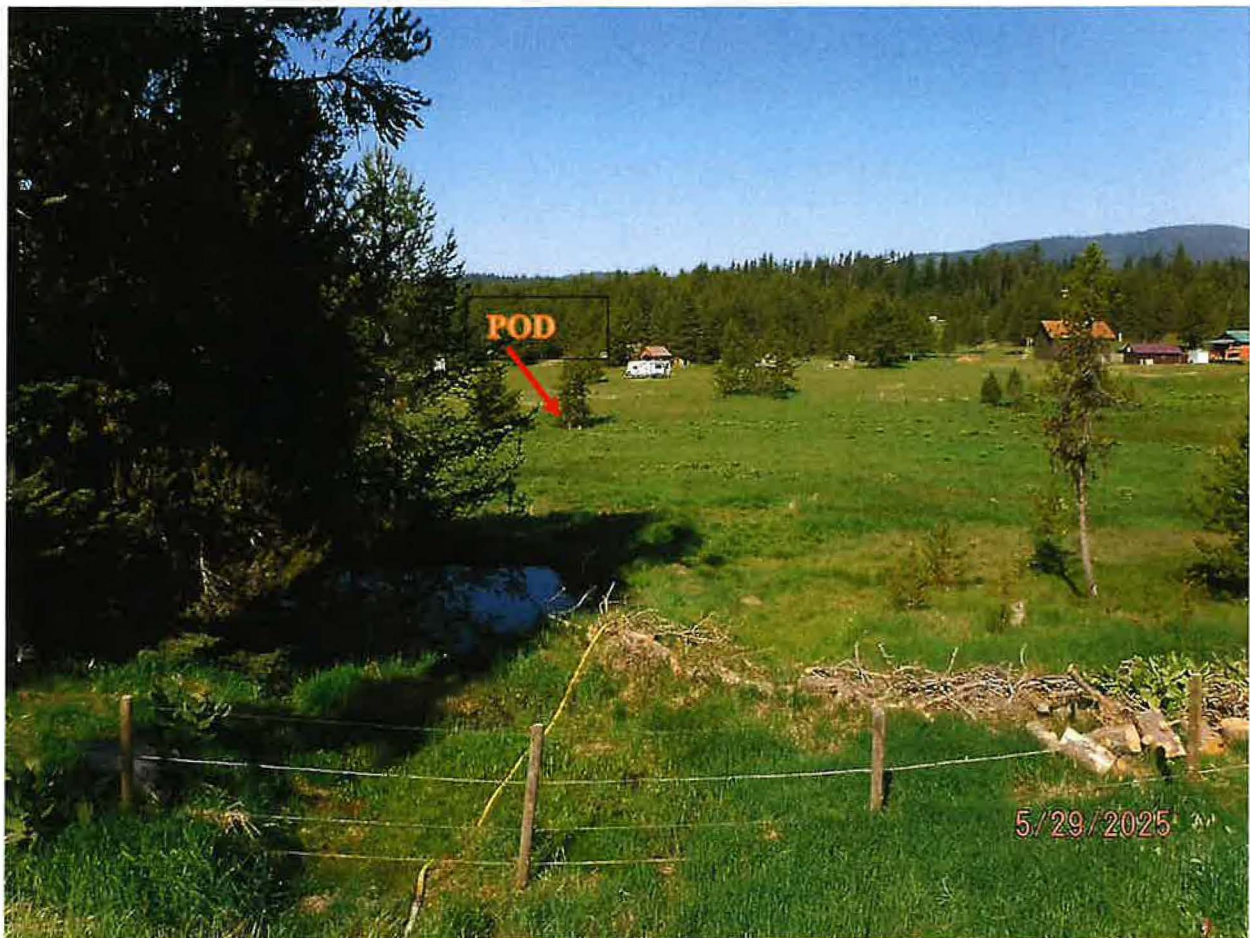
POU – FIRE PROTECTION STORAGE & STOCKWATER STORAGE POND



POU – STORAGE POND AND DIVERSION TO STORAGE GANG PLANK



OVERFLOW DISCHARGE PIPE LOCATED IN NW CORNER OF POND



VII
VIEW FROM POND DAM LOOKING TOWARD SWALE CREEK. NOTE YELLOW FIRE
HOSE RUN, WHICH ROUTES DIRECTLY IN LINE FROM STREAM TO POND