

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

A. GENERAL INFORMATIONExam Date: 7/1/2026

1. Does this qualify for an in-office field exam (IDAPA 37.03.02.035.01.q)? X Y N
- Irrigation of 5 acres or less
 - 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
 - Other < >

Comment: N/A

2. Current Owner: Stephan and Nancy Kuster

Owner of Record Correct? X Y NAddress of Record Correct? X Y NIf No Explain: N/A

3. Beneficial Use Fees have been paid:
- X
- Y
-
- N Receipt No: N044745

4. Source: Lake Pend Oreille Tributary: Pend Oreille River

Method of Determination: GIS, Idaho Tax Parcel Data, and the Permit Holders Statement of Completion for Proof of Beneficial Use (Proof Statement).

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

1. Other water rights with the same place of use: Overlap ?
-
- Yes
- X
- No

Water Right No.	Source	Purpose of Use	Basis
N/A			

Comments: There are no other Water Rights (WR) overlapping the permitted place of use (POU).

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

Water Right No.	Source	Purpose of Use	Basis
N/A			

Comments: There are no other WR's overlapping the permitted point of diversion (POD).**C. DIVERSION AND DELIVERY SYSTEM**

1. Location of Point(s) of Diversion:

Source	Govt. Lot	¼	¼	Sec.	Twp.	Rge.		County
Lake Pend Oreille	4	NW	SW	25	57N	02W	B.M.	Bonner

Method of Determination: GIS, Idaho Tax Parcel Data, and photographs provided by the permit holder.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	02W	25										D	D						D
		Lot #										4	5						

Method of Determination: GIS, Idaho Tax Parcel Data, 2025 NAIP/2025 Bonner County Aerial Imagery, and photographs provided by the permit holder. Aerial Imagery indicates a portion of the POU falls within Twp 57N, Rng 02W, Sec 25 SWSW Government lot 5. This legal description is not within the authorized POU on the permit and requires an amendment.

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

3. Diversion System Information

Description: N/A Delivery System Diagram Attached. (mark all major components and distances between components) X Aerial Photo indicating the location of the recommended POD and POU. 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
N/A					

*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
N/A						

2. Measurement Comments: No measurement is required for permits qualifying for an in-office examination according to the IDAPA Beneficial Use Examination Rules.

E. FLOW CALCULATIONS

 Additional Computation Sheets AttachedMeasured Method: According to Administrative Application Processing Memo #22 the standard diversion rate for a single domestic use is 0.04 cfs. I am recommending a 0.04 cfs diversion rate

Administrative Application Processing Memo #22 Standard = 0.04 cfs

Permit allowed = 0.04 cfs

Total Recommendation = 0.04 cfsComments: N/A

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{N/A}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = \underline{N/A}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{N/A}$$

2. Volume Calculations for Other Uses: 2025 Bonner County and NAIP Aerial Imagery confirmed the development of internal and external domestic use. According to Administrative Application Processing Memo #22 the standard diversion volume for a single domestic use is 0.6 for internal and 0.6 for external domestic use or 1.2 af total. However, after speaking with the permit holder on October 3rd, 2025, they indicated the property is only occupied 3 months of the year. According to a document titled "Rural and Domestic Water Uses" the average use for rural residencies is 60 gal/day. I am recommending a 0.7 af total diversion volume.

$$(60 \text{ gal/day}) \times (90 \text{ days}) = 5,400 \text{ gal} / 325,850 \text{ gal} = 0.016 \text{ af or } 0.1 \text{ af rounded}$$

$$(0.1 \text{ af internal use}) + (0.6 \text{ af external use}) = 0.7 \text{ af total}$$

Administrative Application Processing Memo #22 Standard for External Use= 0.6 af

Rural and Domestic Water Uses Calculation (Internal Use) = 0.1 af

Total Recommendation = 0.7 afComments: N/A

G. PURPOSE OF USEIrrigation Y X N # Stock N/A Domestic # of Homes 1 (Internal and External)Change in Purpose of Use? Y X NMethod of Determination: GIS, Idaho Tax Parcel Data, Aerial Imagery, and the permit holders Proof Statement.**H. NARRATIVE/REMARKS/COMMENTS**

This permit qualifies for an in-office licensing examination. The permit authorized internal and external domestic use diverting from Lake Pend Oreille. 2025 NAIP and 2025 Bonner county Aerial Imagery confirmed the development of internal and external domestic use within the development period. Aerial Imagery also indicated a portion of the POU is within the Twp 57N, Rng 02W, Sec 25 SWSW Gov Lot 5 which is not authorized on the permit. Therefore, I recommend the POU be amended adding the additional legal description to the POU.

A condition on the permit requires the permit holder to install a fish screen meeting the fish screening and passage requirements of the Idaho Department of Fish and Game. The permit holder indicated a fish screen was installed on the diversion intake on their Proof Statement. The standards set in Administrative Application Processing Memo #22 and the document titled "Rural and Domestic Water Uses" were utilized to make a diversion rate and volume recommendation for internal and external domestic use. All conditions of permit approval have been met, and development of beneficial use was confirmed within authorization on the permit. Therefore, I am recommending a 0.04 cfs diversion rate and 0.7 af diversion volume.

Conditions X60, X01, 187, and 004 should remain on the license. Condition 029 should be removed because the permit holder confirmed the installation of a fish screen meeting the fish screening and permit requirements of the Idaho Dept. of Water Resources.

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>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Domestic	01/01 – 12/31	0.04 CFS	0.7 AF
	<u>Totals:</u>	<u>0.04 CFS</u>	<u>0.7 AF</u>

2. Recommended Amendments:

 Change P.D. as reflected above Add P.D. as reflected above X NoneX Change P.U. as reflected above Add P.U. as reflected above None**J. AUTHENTICATION**Field Examiner: **Skyler Cheever – Water Resource Agent, Sr – State Office**

Field Examiner's _____ Date _____

Reviewer  Date 8/6/2026

Field Exam Map

Map showing the authorized point of diversion (yellow point) and place of use (orange outline).

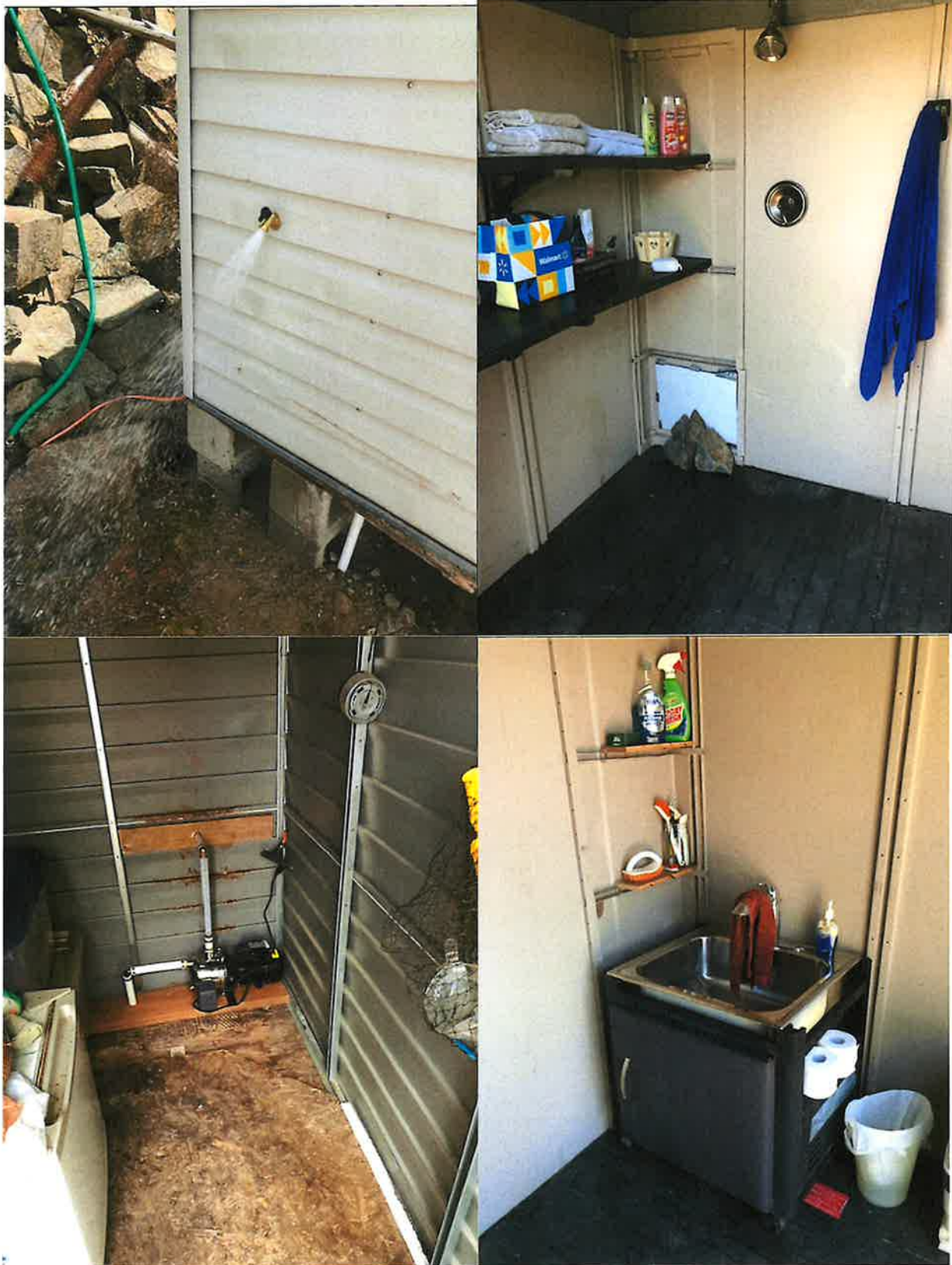


2025 Bonner County Aerial Imagery

96-13262



Photos provided by the permit holder.





IDAHO DEPARTMENT OF
WATER RESOURCES

RECEIVED

JAN 06 2025

DEPARTMENT OF
WATER RESOURCES

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Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 6, 2025

STEPHAN KUSTER
2390 BOTTLE BAY RD
SAGLE ID 83860-8898 AND/OR

NANCY KUSTER
2390 BOTTLE BAY RD
SAGLE ID 83860-8898

RE: Water Right Permit No. 96-13262

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit(s) referenced above prior to issuing water right license(s). By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit.

The examiner who verified your water use reported that certain elements of the permit(s) have been developed differently than described on your permit(s). Changes that do not increase the authorized use of water under the permit(s) can be requested and approved in accordance with Idaho Code § 42-211. Before license(s) can be issued, your permit(s) must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit(s):

____ Point(s) of Diversion

 x Place(s) of Use

____ Other

The enclosed Application for Amendment form(s) depicts the elements of the water right(s) as they will appear on the license(s) when issued. Please review the amendment form(s) carefully. If you concur with the information presented, please sign and return the form(s) with the filing fee of \$100.00 within fourteen (14) days.

If you have any questions, please call me at 208-287-4871.

Sincerely,

Jared Klay
Water Resource Agent, Sr.
Enclosure(s): Application for Amendment