

Nelson, Dan

From: Macfarlane, William -FS <william.macfarlane@usda.gov>
Sent: Friday, January 28, 2022 12:02 PM
To: Nelson, Dan
Cc: Deschaine, David -FS
Subject: RE: Water Right Permit No. 77-14338 Amendment
Attachments: 77-14338_20220128_ReceiptForAmendmentFilingFeePayment.pdf

Dan,

The filing fee for the amendment for water right no. 77-14338 was paid today at the Eastern Regional Office. Receipt is attached.

Please let me know if you have any questions. Thank you.

-Bill



Bill MacFarlane
Hydrologist
Forest Service
Salmon-Challis National Forest

p: 208-756-5108
william.macfarlane@usda.gov

1206 S Challis St
Salmon, ID 83467
www.fs.fed.us



Caring for the land and serving people

From: Nelson, Dan <Dan.Nelson@idwr.idaho.gov>
Sent: Thursday, January 13, 2022 9:58 AM
To: Macfarlane, William -FS <william.macfarlane@usda.gov>
Cc: Deschaine, David -FS <david.deschaine@usda.gov>
Subject: RE: Water Right Permit No. 77-14338 Amendment

Sorry Bill, I had a typo in my last email. It has been corrected.

Dan

From: Nelson, Dan
Sent: Thursday, January 13, 2022 9:51 AM
To: Macfarlane, William -FS <william.macfarlane@usda.gov>
Cc: Deschaine, David -FS <david.deschaine@usda.gov>
Subject: RE: Water Right Permit No. 77-14338 Amendment

Dear. Mr. McFarlane,

Thank you so much for your email. I will hold the water right 77-14338 until January 31, 2022, to allow time for the payment and amendment to be received by our office. I did contact our Idaho Falls office, and they are expecting you and should send a copy of the receipt to my office. When you pay the fee, make sure you reference the water right number and that I am processing the draft license.

If you have any further questions, please don't hesitate to contact me.

Respectfully,

Daniel Nelson
Water Right Analyst 3
Idaho Department of Water Resources
Telephone (208) 287-4856
Fax (208) 287-6700 (attn: Dan Nelson)

From: Macfarlane, William -FS <william.macfarlane@usda.gov>
Sent: Thursday, January 13, 2022 9:38 AM
To: Nelson, Dan <Dan.Nelson@idwr.idaho.gov>
Cc: Deschaine, David -FS <david.deschaine@usda.gov>
Subject: Water Right Permit No. 77-14338 Amendment

Dan,

I spoke to you yesterday regarding submission of a permit amendment for Water Right number 77-14338 (Seafoam Guard Station). You had requested for the permit amendment application to be received by your office by January 18.

The completed permit amendment application was mailed to you yesterday. Please note that we are in the process of submitting the \$100 payment for the filing fee. Because our office is no longer able to write checks, we intend to make an in-person credit card payment to the IDWR Eastern Regional Office in Idaho Falls some time during the week of January 17.

Thank you for working with us on this.

-Bill



Bill MacFarlane
Hydrologist
Forest Service
Salmon-Challis National Forest
p: 208-756-5108
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United States
Department of
Agriculture

For.
Service

Salmon-Challis National
Forest Supervisor's Office

1206 South Challis Street
Salmon ID 83467
208-756-5100/208-756-5151

File Code: 2540
Date: January 12, 2022

Daniel A. Nelson
Idaho Department of Water Resources
322 E Front Street
P.O. Box 83720
Boise, ID 83720-0098

RECEIVED

JAN 18 2022

DEPARTMENT OF
WATER RESOURCES

Dear Daniel,

Enclosed is a completed application for amendment for Water Right Permit number 77-14338 (Seafoam Guard Station). This amendment will correct the legal location description for the point of diversion. A payment of \$100 is also being submitted at this time to cover the required filing fee. If you have any questions about this request, please contact David Deschaine at (208)756-5171 or Jamie Gough at (208)204-4571. Thank you.

Sincerely,

CHARLES A. MARK
Forest Supervisor





IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

January 4, 2022

UNITED STATES OF AMERICA
SALMON-CHALLIS NATIONAL FOREST
1206 S CHALLIS ST
SALMON ID 83647

RE: Water Right Permit No. 77-14338

Dear Permit Holder:

The Idaho Department of Water Resources (Department) is reviewing permit 77-14338 prior to issuing a water right license. With the information supplied with the Proof of Completion of for Submitting Proof of Beneficial Use Statement (Proof), we were able to verify the water use needed for licensing this permit without an in-field verification of the water use. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit.

On December 1, 2021, the Department received from your office a Proof form with an attachment concerning the above referenced permits. In the attachment, you provided GPS Coordinates and a note stating that the point of diversion was in a different quarter-quarter than specified in the permit.

Department staff entered those coordinates into our mapping program and confirmed that the point of diversion for this permit was developed in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24 in Township 14 North, Range 11 East. This is a different legal description than what was authorized by the water right permit of NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23 in Township 14 North, Range 11 East. We cannot move forward with the processing of this licensed water right without first correcting the permit. An amendment of permit must be approved before we can move forward with licensing of the permit. When we receive the amendment of permit we can continue with the licensing process.

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

If you have any questions, please don't hesitate to contact me.

Sincerely,

Daniel A. Nelson

Analyst 3

Water Right Section

Idaho Department of Water Resources

Telephone # (208) 287-4856

Email – dan.nelson@idwr.idaho.gov

Enclosure(s): Three Applications for Amendment with maps

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

A. GENERAL INFORMATIONPermit No: 77-14338

Exam Date: 12-30-2021

1. Does this qualify for an in-office field exam (IDAPA 37.03.02.035.01.r)? X Y N
- Irrigation of 5 acres or less
 - Storage of up to 14.6 AF for stockwater purposes only
 - Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
 - Other < >

2. Current Owner: Name: United States of America, USDA Forest Service
Owner of Record Correct? X Y N
Address of Record Correct? Y N
If No: Address

The Department's parcel data shows the owner of the property as the Salmon-Challis National Forest, so I don't see any issues with the ownership of this property.

3. Beneficial Use Fees have been paid: X Y N Receipt No: E047586

4. **SOURCE** **TRIBUTARY**

Seafoam Creek

Vanity Creek

Method of Determination: GIS, Tax Parcel Data, and the US Forest Service provided GPS coordinates of the point of Diversion.

Change in Source: Y X N

B. OVERLAP REVIEW

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

Water Right No.	Source	Purpose of Use	Basis
77-11518	Spring	Administrative	Decree

Comments: 77-11518 allows the personnel at the Seafoam Guard Station to utilize the water at the guard station for back country/wilderness recreation, trails and range. It appears it is used for livestock and in-house uses for the cabins.

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

Water Right No.	Source	Purpose of Use	Basis

Comments: The point of diversion for 77-11518 is further up the hill and doesn't appear to be related or tributary to the stream source associated with this permit.

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

Source	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.		County
SEAFOAM CREEK			NE	NW	24	14N	11E	B.M.	Bingham
								B.M.	
								B.M.	

Method of Determination: GIS, Tax Parcel Data, and the US Forest Service provided GPS coordinates of the point of Diversion.

Please Note: The application for permit places the point of diversion much further upstream than what was developed. An amendment is required.

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

2. PLACE OF USE: Use: Irrigation and Fire Protection

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	11E	24					1.2												1.2
							F												
Total Acres =																			1.2

Method of Determination: GIS and Tax Parcel Data

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

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

Indicate weir size/pipe as applicable.

 X Aerial Photo Attached (required for irrigation of 10+ acres).

 Photo of Diversion and System Attached

4. Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Gravity Fed System					

*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. Measurements: No measurement is required for an in-house exam.

E. FLOW CALCULATIONS

___Additional Computation Sheets Attached

Measured Method:

There was no information submitted with the application to suggest a diversion rate. There are photos showing a single sprinkler being used for irrigation purposes. I cannot be sure that this sprinkler is the only one used on the system. According to the contour lines in ArcMap, there is approximately 80 feet of fall or 34 psi developed in what appears to be a ¾ inch line. With this pressure, a sprinkler would use between 1.55 to 7.3 gpm depending on the nozzle size. Without knowing if there are more than 1 sprinkler or the nozzle size, it isn't reasonable to guess at the diversion rate based on the photos supplied by the permit holder. Therefore, I will rely on Administrative Processing Memorandum #17 to determine the flow rate for the irrigation use. The fire protection use would be the same as the irrigation use, since the same system is used for both uses.

0.036

Administrative Processing Memo #17 = 0.03 cfs/acre X 1.2 acres = ~~0.36~~ cfs rounded to 0.04 cfs
Permit allowed = 0.04 cfs

I am recommending 0.04 cfs for both irrigation and fire protection as recommended by Administrative Processing Memorandum #17.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3 \text{ af} \times 1.2 \text{ acres} = 3.6 \text{ af}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.04 \text{ cfs} \times 184 \text{ days} \times 1.9835 = 14.6 \text{ af}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 3.6 \text{ af}$$

Please Note: No volume is required for irrigation from a natural stream. Therefore, no volume will be carried forward to licensing.

2. Volume Calculations for Other Uses:

No Volume is required for fire protection, since it can only used to fight an existing fire.

G. PURPOSE OF USE

Irrigation X Y N # Stock _____ Domestic # of Homes _____

Other: Fire Protection

Change in Purpose of Use? Y X N

Method of Determination: Taxlot data and conversations with owner.

If Yes: From Use _____ To Use _____ Amount _____ CFS _____ AFA _____

H. NARRATIVE/REMARKS/COMMENTS

This permit qualifies for an in-house examination. This permit provides irrigation around the Seafoam Creek Guard Station in the wilderness area. The domestic type uses are covered by water right 77-11518 from a spring further up the mountain side. The permit holder provided photos that show a small ¾ to 1 inch line running from the point of diversion to what appears to be a single sprinkler.

The irrigation use is sparse, but it does appear as though they try to keep the natural grasses around the guard station somewhat green during the year. I think this use is mainly to create a green perimeter around the guard station and keep the dust down more than the aesthetic value, but there is evidence that some irrigation has occurred.

The permit holder provided GPS coordinates of the point of diversion, which places the point of diversion in a different 40-acre tract than what was in the application for permit and what was approved in the permit. An amendment is needed to place the point of diversion into the correct location.

According to the elevation contours, it appears as though there is approximately 80 feet of fall from the point of diversion to the guard station. This would provide approximately 34 pressure per square inch (psi) at the sprinkler. This is a minimal amount of pressure for the rainbird type sprinkler shown in the photos. The photos also show that there isn't any water in the stream at the time the photo was taken, but the topographical maps show this stream as a perennial stream. If this is an intermittent stream, that would explain the discrepancies in the aerial imagery on the extent of irrigation.

The permit required that a fish screen be placed on the point of diversion. The permit holder confirmed a fish screen has been installed on the point of diversion. Due to the very small use for this permit, the permit holder will be allowed to divert or will not be allowed to divert. This system can easily be removed from the creek, so the lockable controlling works condition has been met. The measurement conditions have also been met, since the only way to get a reasonable measurement on this device is to measure the flow out of the sprinkler. Then you would need to use the time clock method to determine the volume (diversion rate X number of hours of use = volume). There needs to be some leeway for these smaller uses, because you can't install an accurate measurement device on these smaller piped systems.

Conditions 195, 196, 197, 198, 077, and x60 should be carried forward to licensing. Condition R69 should be changed to condition R66, because this is the correct volume limitation for this area. Condition 121 should be changed to 103 as is standard.

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

I. RECOMMENDATIONS

1. Recommended Amounts

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Irrigation	05/01 to 10/31	0.04 CFS	
Fire Protection	05/01 to 10/31	0.04 CFS	
<u>Totals:</u>		0.04 CFS	

Please Note: Where this water source is a natural stream there is no volume for irrigation, and no volume is allocated to fire protection, since it can only be used to fight an existing fire.

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 – DANIEL A. NELSON – WATER RIGHT ANALYST 3

Field Examiner's Name



Date

1-31-22

Reviewer

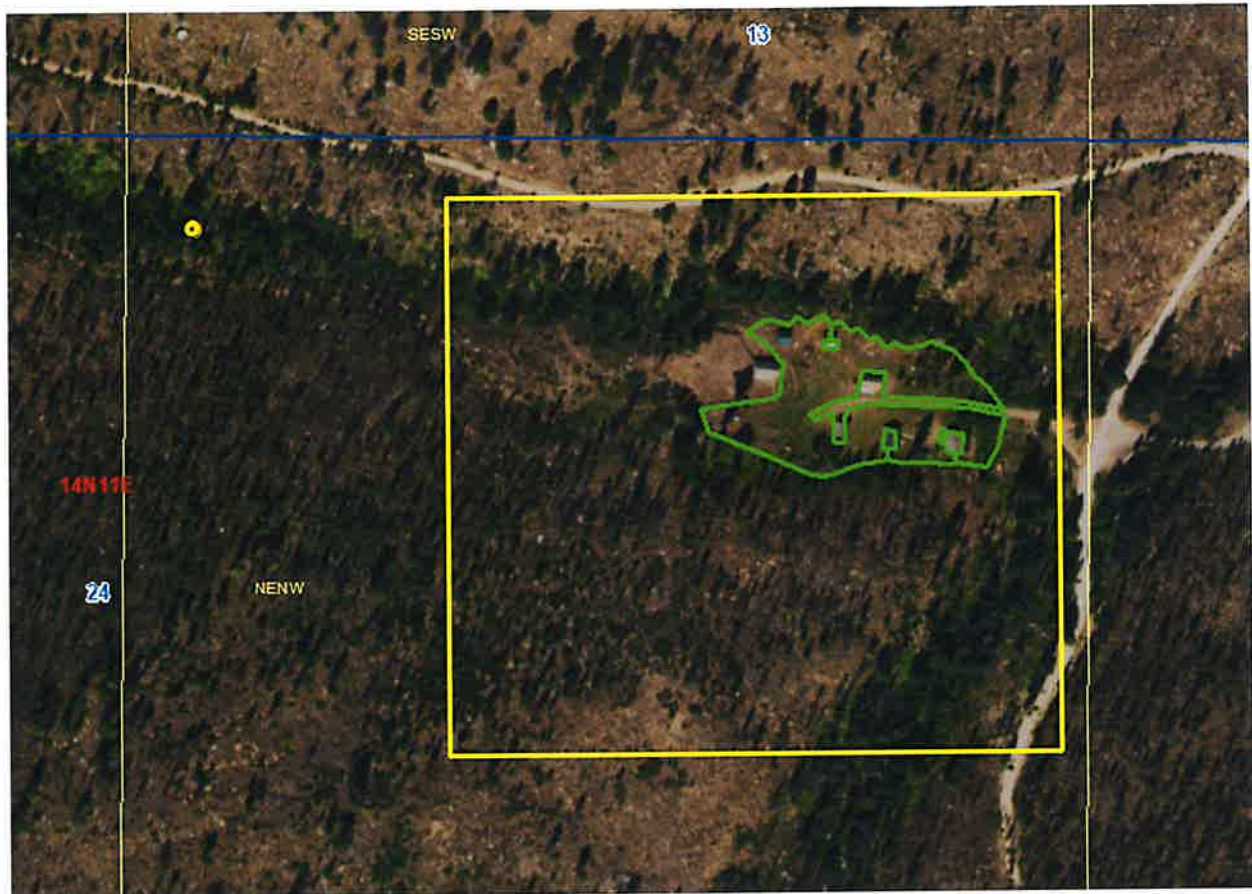


Date

1/31/22

Field Exam Map:

The green border shows the place of use for the irrigation. The yellow border shows the place of use for the fire protection. The yellow point shows the point of diversion.



The difference in permitted point of diversion and the point GPS'ed by the US Forest Service is shown below.



2011 Google Earth Map.

