

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

A. GENERAL INFORMATIONPermit No: 75-14815Exam Date: 7/2/2021

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: Living Trust of Ross E. Brown and Lois L. Brown
- Owner of Record Correct? X Y N
- Address of Record Correct? Y N
- If No: Address

The Department's parcel data shows Ross E. Brown as the owner of the property. Mr. Brown is named in the Trust, so there doesn't appear to be any issues with the ownership of this property.

3. Beneficial Use Fees have been paid: X Y N Receipt No: E041572

4. SOURCE TRIBUTARY

Ground Water

Method of Determination: GIS, and Tax Parcel Data

Please Note: The ground water is diverted from an abandoned mine, so there isn't any well information on this permit.

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
75-2091L	Salmon River	Irrigation	Decree
75-11628	Ground Water	Domestic	Decree
75-14787	Spring	Irrigation	Decree

Comments: Water right 75-2091L is a Salmon River Irrigation right that is used to irrigate the yard area around the home in the northeastern portion of the parcel. Permit 75-14815 was filed to provide a means to irrigate the remainder of the yard area between the river and the border of 75-2091L. Water right 75-11628 provides the domestic use for the home from a ground water well. It appears as though that well is located on lands not owned by the permit holder. I am assuming that the point of diversion for 75-11628 is included in a shared well situation. Water right 75-11628 shouldn't be affected by this permit. Water right 75-14787 is for a spring to irrigate 2.5 acres on the parcel to the southeast of the parcel associated with this permit. Water right 75-14787 and the parcel associated with that right are owned by the permit holder, but the two uses are not connected. It appears as though 75-14787 hasn't been used in some time, so regardless of how the irrigation system is designed, 75-14787 should cause any concerns for this permit.

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

Water Right No.	Source	Purpose of Use	Basis

Comments: There is no information that show the water from this mining shaft is used by anyone else or any other water right.

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

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Mine Shaft Pump			SE	SE	26	26N	21E	B.M.	Lemhi
								B.M.	
								B.M.	

Method of Determination: GIS and Tax Parcel Data. You can clearly see the pump house in the aerial imagery.Change in POD? X N Amendment Required? X N**2. PLACE OF USE:** 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	
26N	21E	26																<u>1</u>	1
Total Acres =																			1

Method of Determination: GIS and Tax Parcel DataChange in POU? X N Amendment Required? 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
Mine Shaft Pump	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. 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 for permit that tells what the size of the well pump is for this permit. Therefore, I am required to fall back on the standard set forth by Administrative Memo #17 for the irrigation use.

Administrative Memo #17 = 0.03 cfs per acre X 1 acres = 0.03 cfs for irrigation use
Permit allowed = 0.03 cfs for irrigation

I am recommending 0.06 cfs for irrigation use since the permit limitation was based on Administrative Memorandum #17.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1 \text{ acres} \times 3.5 \text{ af/ac} = 3.5 \text{ af}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 0.03 \times 214 \text{ days} \times 1.9835 = 12.7 \text{ af}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 3.50 \text{ af}$$

2. Volume Calculations for Other Uses:

G. PURPOSE OF USEIrrigation X Y ___ N ___ # Stock ___ Domestic # of Homes ___

Other: < >

Change in Purpose of Use? ___ Y ___ 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. The main issue associated with this permit is a concern over the registration between the aerial imagery and the Lemhi County tax parcel maps. This was brought to the Department's attention during the application for permit process, and it still appears to be an issue. The parcel lines and the aerial imagery don't match each other. I had to draw the shape file using the aerial imagery, but shape file created shows some of the irrigation in the neighbors tax parcel according to tax parcel data. Regardless of this issue, the entire irrigated portion is within what the permit holder believes is their property boundary. The neighbor has a fence up that reaffirms the permit holder's stance. Without evidence of a current survey, adjustments of the aerial imagery, or a court decree defining the actual place of use, we have no alternative but to go with the information provided by the permit holder. Once registration of the aerial imagery or county tax records occurs, we can then correct our records to match the results of those processes.

This permit uses water from an abandoned mineshaft. According to the application for permit information, the water in the mineshaft is not hydraulically connected to the Salmon River. Any channel in this area has a gaining reach, so I agree that that the water for the river is not filling the mineshaft with water. However, I also believe that the water in the mineshaft eventually enters the Salmon River at some point. Regardless of the affects between the surface water source and the ground water source, this permit should still be considered part of the Wild and Scenic conditions.

The permit holder was required to install a lockable device and have stated in the proof report that a lockable device was installed.

Conditions 196, 197, 198, R67, X59, and X60 should be carried forward to licensing. Condition 004 is not needed, since the system doesn't go outside the borders of the permit holder's parcel. Condition 01H should be changed to condition R02 as is standard. A second X59 condition was added to deal with the Homestead Entry Survey (HES), and this condition should be changed to the standard HES condition J02.

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>
Irrigation	04/01 to 10/31	0.03 CFS	3.5 AF
<u>Totals:</u>		0.03 CFS	3.5 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: < >

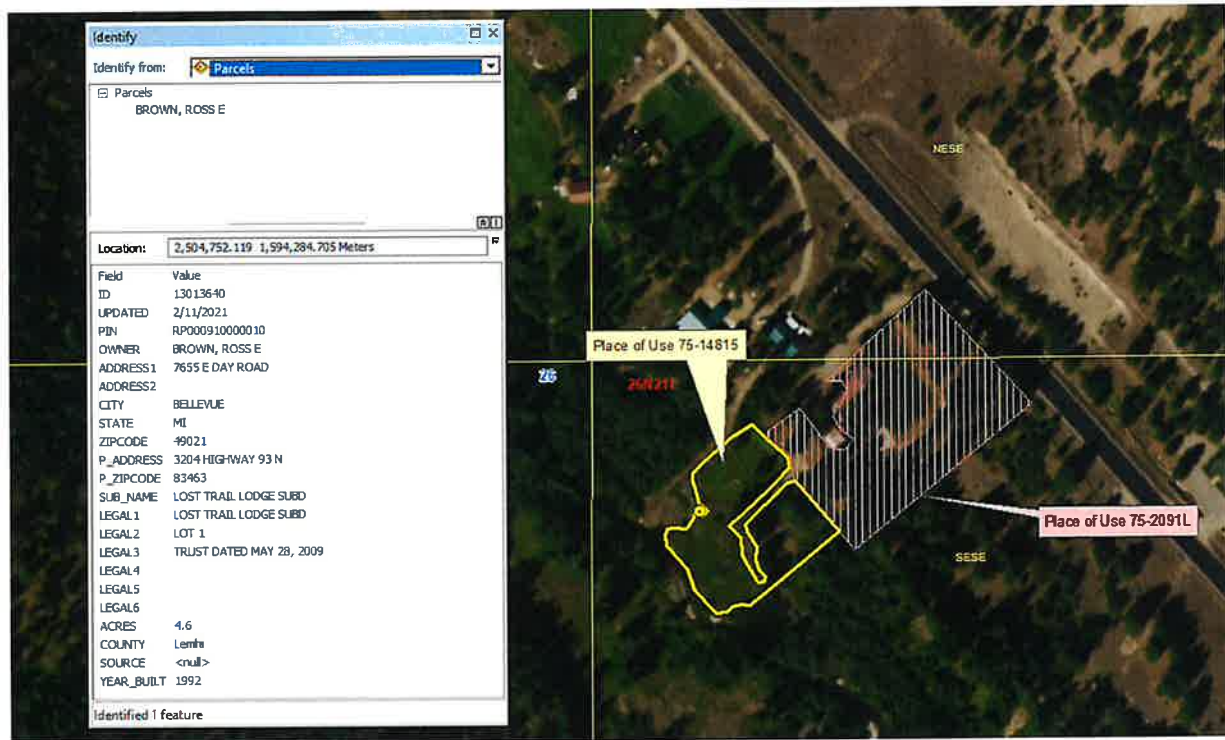
J. AUTHENTICATION – DANIEL A. NELSON – WATER RIGHT ANALYST 3

Field Examiner's Name  Date 7-2-21

Reviewer  Date 7/12/21

Field Exam Map:

The yellow border shows this permit's place of use for irrigation, and the yellow point shows the point of diversion for this permit. The red hatched area shows the place of use for water right 75-2091L, which is diverted from Salmon River to irrigate the northeast portion of this property. Please see the discussion on the next page for the issues regarding the tax parcel vs. aerial imagery registration.



Lemhi County Tax Maps



Imagery vs. County Parcel Location vs. Owner's Understanding of Parcel Location:

The owner stated in the application for permit that the parcel and aerial imagery locations don't match properly. There is an approximate 30 foot variation from what the county shows as the parcel location and what the aerial imagery shows as the parcel location. Please see the county maps shown above for the county's designation of the location of this parcel. Our GIS analysts state that there is an approximate 50 feet of possible error in the imagery, so the parcel data is more reliable than the aerial imagery. There is a fence around the neighbor's property, so I do believe it could be the aerial imagery that is incorrect. Due to the very small irrigated area, I had to use the aerial imagery to determine the actual acres irrigated. All of the actual irrigated ground is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26 in Township 26 North, Range 21 East. The 30 foot variation will not change to the legal description of the place of use or the point of diversion, so this really shouldn't be an issue. Both the point of diversion and the place of use are located entirely in Lot 1 of Lost Trail Lodge Subdivision. If the neighbor does try to claim a portion of this right, that can be settled by a court.

The yellow border and yellow dot are the locations of the irrigated acres and the point of diversion as shown in the aerial imagery. The green border is the tax parcel border that has been supplied to the Department by Lemhi County, and the purple border is the border adjusted to the neighbor's fence line. Due to the fact that the fence goes around the neighbor's property, it is safe to assume that they are in agreement with the shared property. This really appears to be an issue with the registration of the imagery to the county records.

