

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/2/2020

Water Right 72-7223

Owner Type **Name and Address**
Current Owner UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE, ID 83724
(208) 365-7055

Priority Date: 12/31/1900

Basis: Decreed

Status: Active

Source **Tributary**
SPRING SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	6/01	10/31	0.020 CFS	
	<u>Total Diversion</u>		0.020 CFS	

Source and Point(s) of Diversion

SPRING SESE Sec. 4, Twp 10N, Rge 16E, CUSTER County

Place Of Use

STOCKWATER within CUSTER County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	16E	3				X													
10N	16E	4																X	
11N	16E	34															X		

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. FOREST SERVICE RECORD ID = 04 14 17060201 56 0040 465 CATTLE

Comments:

Dates and Other Information

Decreed Date: 12/29/1997

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: TBD

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/2/2020

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

056-040

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 72-7223

Name(s) of Permit Holder: United States of America - Forest Service

Post Office Address: Federal Building, 324 25th Street

Ogden, UT 84401

Tel. No. (801) 625-5360

Source of Water: Unnamed Spring

Extent of Use:

☐ Domestic

(number of households)

☒ Stockwater 500 cattle

(number and type of stock)

☐ Irrigation

(acres)

☐ Other

SECTION-R 16E

Measuring Device: Required?

☐ Yes ☒ No

Installed? ☐ Yes ☐ No

Access Port:

Required?

☐ Yes ☐ No

Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed. (for) Regional Forester

New Tooth Date March 1, 1984

Wm. C. Cum
Signature of Permit Holder

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

72-7223
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
☒ Copy of Permit
☒ Copies of any Amendments/Orders with conditions of approval
☒ Computer Data Proof Report
3. ☒ Copy of U.S.G.S. Quad
☒ Check for Government Lots. If so, make a copy of Government Plat P/D unsurveyed
Check of P/D index 16 6/11/87 (Initial and date)
Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____
Check of P/U index 12 5/16/87 (Initial and date)
Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____
Aerial Photo
Required? ☐ yes ☒ no If yes: ☐ copy attached?
Scheduling Letter sent? _____ (Initial and date)
☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
☒ Photographs of Point of Diversion and Place of Use
☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed Ken L. Buckland 10/9/96 (Signature of examiner and date)
Exam Reviewed by Senior Water Resource Agent _____ (Initial and date)
Exam Reviewed by Manager of Regional Office ADP 11/21/96 (Initial and date)
Exam Date Entered in Computer _____ (Initial and date)
Exam sent to State Office _____ (Initial and date)
Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

[illegible]

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

SEE Attachment "B"

Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ 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

*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

2. Measurements: _____

E. NARRATIVE/REMARKS/COMMENTS

This permit is for Stock use. It is for .02 cfs for 235 head of cattle. I was assisted by Valdon Hancock, Hydrologist for the Forest Service. The Forest Service compiled all given information.

The source is an unnamed spring in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ in Section 4 of Township 10N, Range 16E. Pictures, taken in June of 1996, clearly show set-up and use.

Records of rate flow and number of cattle vary. The permit is for .02 cfs and 235 cows. The proof of beneficial use states there are 500 cows. The information sheet given states the flow at .24 cfs and 1072 cows.

I am permitting .02 cfs since they were permitted for only .02 cfs. The number of cows will be 235. Theoretically, though, .02 cfs can do 1072 or 500 cows. The maximum volume for .02 cfs is 6.1 afa. 1072 cows takes 6.03 afa in volume. 500 cows takes 2.8 afa in volume. 1.4 afa is for 235 cows.

The season is from 6/1 to 10/31. There are two places of use.

Have conditions of permit approval been met? ☒ yes ☐ no

Attachment "A" Information Sheet

USDA - FOREST SERVICE

WATER USE REQUIREMENTS AND RIGHTS INVENTORY

INSTRUCTIONS: See R-4 Supplement to FSM 2541.3
Treat form as legal document. Print legibly in
black (ink preferred).

ST 112-17222

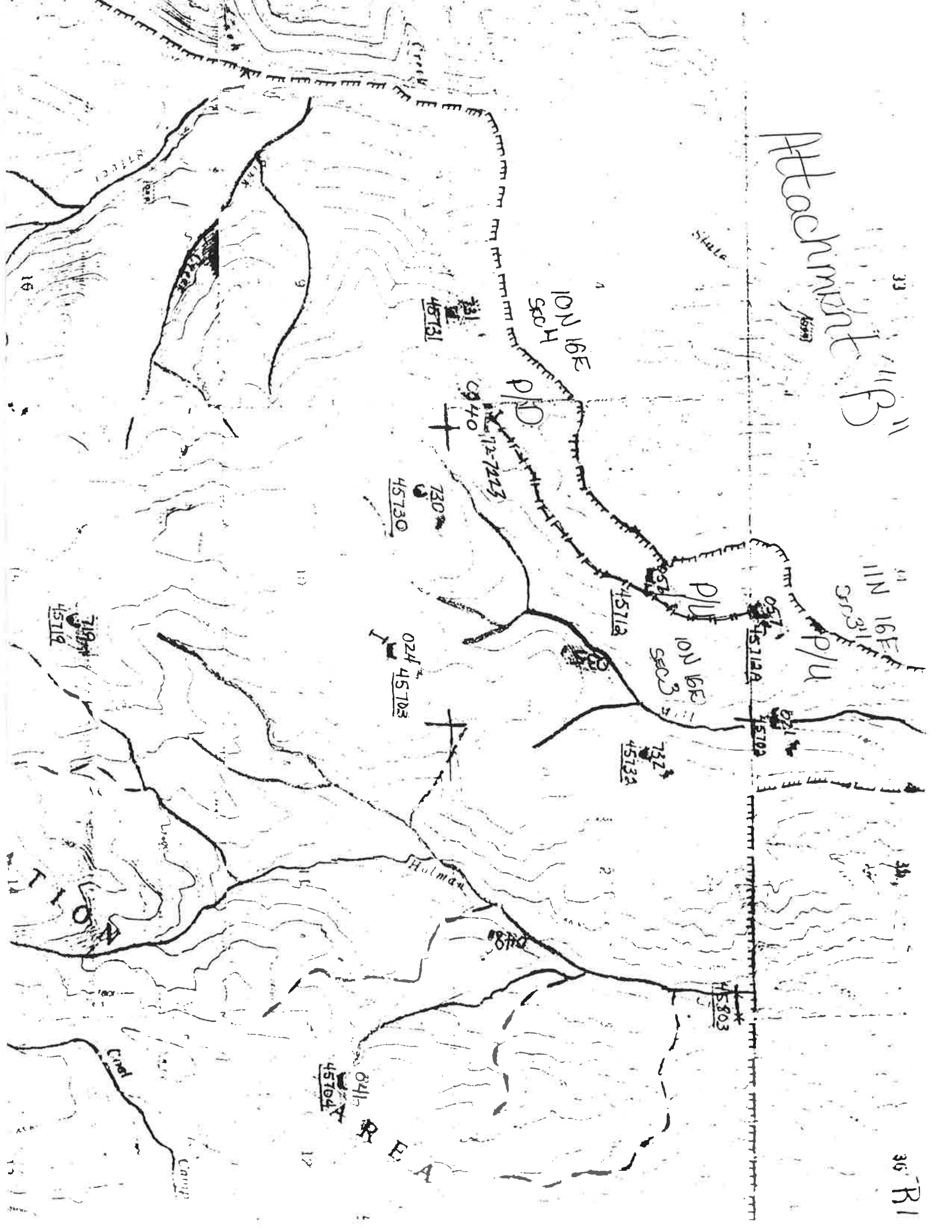
Cd. Code 1 = Add 0 = Cancel 3 = Change	Reg. 2	State 3-4	Forest 5-6	PWI Watershed 7-9	Sub Watershed 10-12	Map Number 13-15	1 = Forest Service 2 = Other
1	4	16	14	056		040	
River Basin 17-18	Major Sub Basin 19-20	Sub Trib. 3 21-22	Sub Trib. 4 23-24	Congress District 25-26	County 27-28	State Basin 29-30	Ranger District 31-32
1706	02	01	02	37	72	04	04
Location of Use				Name (Identification) of Use			
Sec. 45-46	TWP 47-49	N.S. 50	RGE 51-53	E.W. 54	Sub div 55-56	69-80	
03	10	N	16	E	12	SPR STK WA - Unnamed SPR	
Location of Use				Name of Source			
Sec. 45-46	TWP 47-49	N.S. 50	RGE 51-53	E.W. 54	Sub div 55-56	69-80	
34	11	N	16	E	15	SE SW SE Fisher Pipeline	

Card Code 2 = Add 6 = Change	Type Design S = Div H = Hbr B = Res	Int = Int W = Wd N = Nod	Use Units 18-22 233	Purpose 01 = Dam 02 = Rec 03 = Pw	04 = Cal 05 = Shp 06 = Sup	07 = Wil 08 = Mun 09 = Min	10 = Ind 11 = Paw 12 = Oih	15 = 1 25 = 2	Stream Crosses N.F. Land Boundary 1 = Enters, does not leave 2 = Enters & leaves 3 = Rises, does not leave						
2	H				04			2	3						
Reservation Principle Application 1 = Both 2 = Divrn 3 = Use	Remarks 1 = Yes 2 = No	Spec Use 1 = Yes 2 = No	Curt Issued 1 = Yes 2 = No	Div Inside NF Bdry 1 = Yes 2 = No	Reservation Date Month Day Year	State Water Law Appropriate cu ft/sec acre ft/yr									
4	1	2	2	1	11 05 1906										
Application for Filing to a State					Season of Use (Put a - in all that Apply)										
Month 54-55	Day 56-57	Year 58-61	State File Number 62-67	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept
12	07	1982	27223	1									1	1	1

Card Code 3 = Add 7 = Change	Water Rights of Others cu ft/sec acre ft/year		Suppl Water Acre Year	River Store Cap acre feet
3	17-23	24-30	31-35	36-40
Current Forest Service Use				
cubic feet/second 41-46	acre feet 47-52	Year 53-56	cubic feet/second 57-62	acre feet 63-68
02		1982		
Foreseeable Forest Service Use				
cubic feet/second 69-74	acre feet 75-80	Year 81-86	cubic feet/second 87-92	acre feet 93-98
74.80				

Card Code 4 = Add 8 = Change	Name of Permittee User Under Reservation	Notification Year 37-38	Year 39-40	Current Performent B = Both	Reason for Notification 1 Current 2 Foreseeable 3 Not Required 4 Current & Foreseeable
4	45760 E FK C&H			36	1
Adjudicated Water		Adjudication Date		Adjudication Numbers	
cubic feet/second 99-104	acre ft/year 105-110	Month 53-54	Day 55-56	Year 57-60	Permit 61-66
					67-74

Attachment "B"



57.2

- 2-7223

76-40

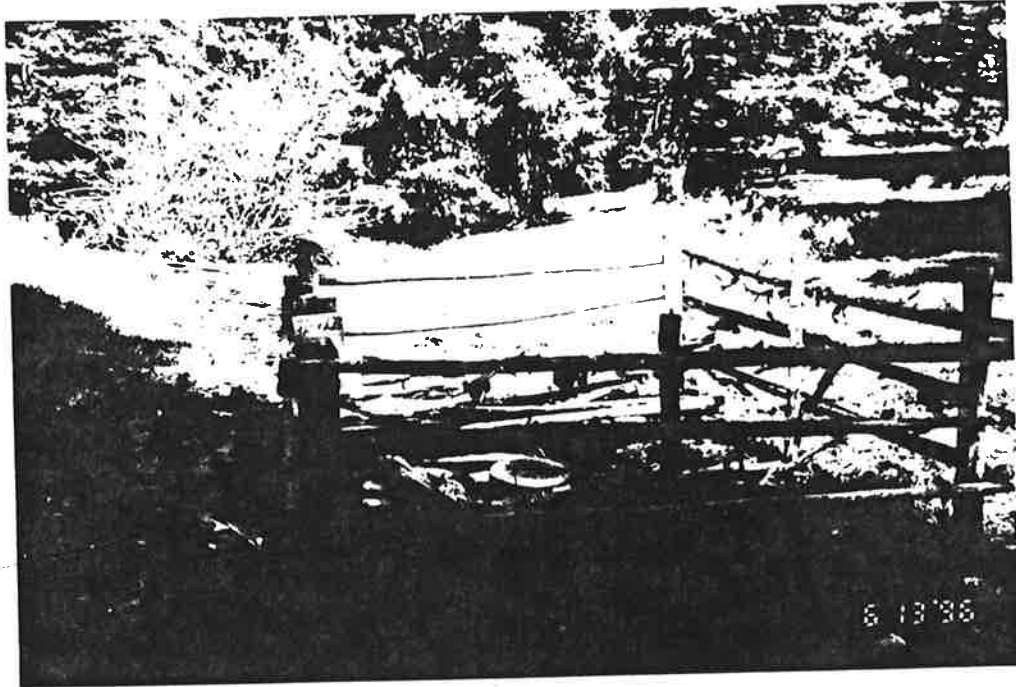
W. A. Miller Cr

6-12-96

POD - TIGER KIBES 4 SESE

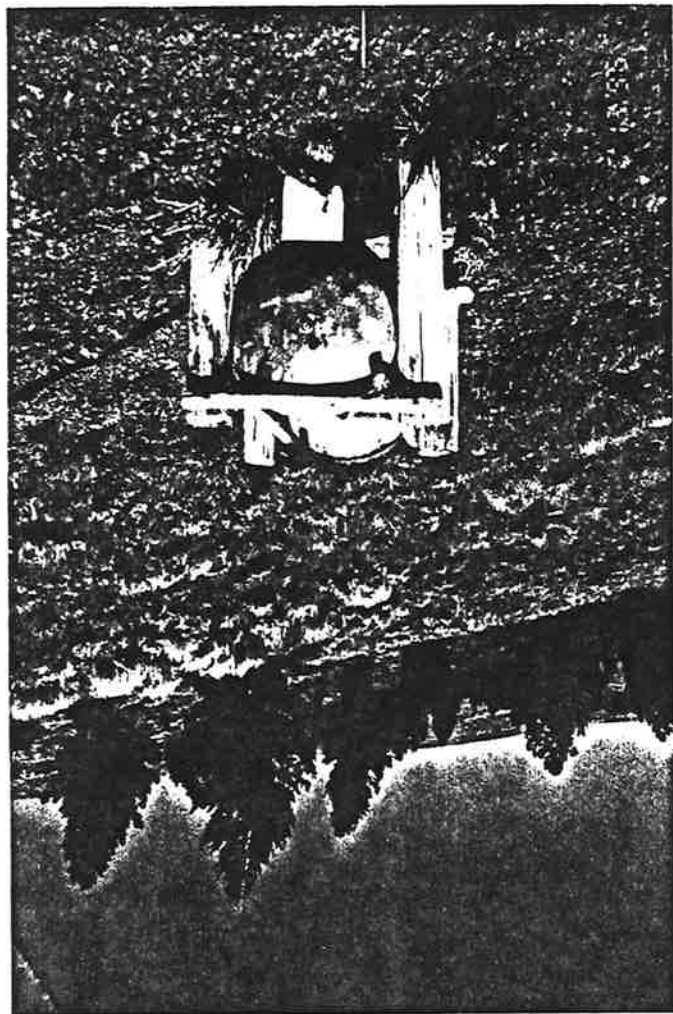
Zowie EFK

BRISOLIE



SPRING

POD



NE
1011-710A K167535458
Zent, 3 FK
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6-12-96

W. C. Hill Jr

56.56

72-7223

45712

457124

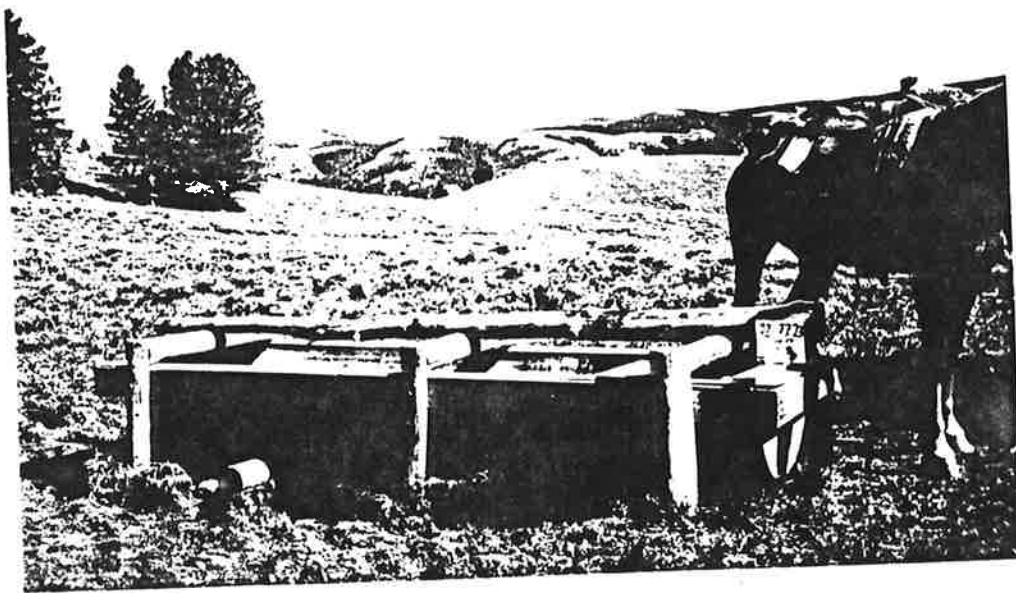
72-7223

56-57

W of MI Cr

6-12-96

POU-TAINRIGES34 SWSE
LOWES E FK
B. B. W. L. L.



F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

SEE Attachment "A"

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

235 cows

 $235 \times 12 \text{ gpd} \times 153 \text{ days} / 325900 = 1.4 \text{ afa}$ **H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Stock	6/1	10/31	.02	1.4 afa
Totals:			.02	1.4 afa

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☐ Other**I. AUTHENTICATION**

Field Examiner's Name

Chris L. Becklund

Date

10/9/96

Reviewer _____

Date _____

SEAL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

MAY 15, 1984

FOREST SERVICE - SAWTOOTH
324 25TH ST.
OGDEN UT 84401

RE: Permit No. 72-7223

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 734-3578 or in person at our office at 1041 Blue Lakes Blvd. N. Twin Falls, Idaho.

Sincerely,
s/Mary A. Newby
Secretary

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number: A72-07223

Date received: _____

Receipt No: _____

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: UNITED STATES OF AMERICA (USDA-Forest Service)
Address: 324 25th Street Phone (801) 625-5360
Ogden, Utah 84401

2. Date of Priority: 06/01/1906

3. Source: UNNAMED SPR Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	Tract	Lot	County
10 N	16 E	04	SESE		CUSTER

5. Description of diverting works: COMBINATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.	(or)	Elevation/ Well Depth
STOCKWATER	Jun.1	Sep.30	0.02		0.00		0

7. Total Quantity Appropriated is: 0.02 C.F.S. / 0.00 A.F.A.

8. Total consumptive use is: de minimus

9. Non-irrigation uses: CATTLE Livestock Numbers: 465

10. Place of Use:

Township	Range	Section	Tract	Lot	County
10 N	16 E	4	SESE		CUSTER
10 N	16 E	3	SENW SWSE		CUSTER
11 N	16 E	34	SWSE		CUSTER

Purpose of use: STOCKWATER Acres Irrigated: 10

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used: NONE

14. Remarks: Quad No. 12

KNOWN AS FISHER PIPELINE

APPLICATION DATE: 12/07/1982

15. Basis of Claim: BENEFICIAL USE/APPLICATION

Reference Information:

National Forest: SAWTOOTH

Priority Dates: SAWTOOTH NATIONAL FOREST LIVESTOCK HISTORY

Forest Service Record ID:	04 14 17060201 56 0 0040	1
	04 14 17060201 56 0 0056	2
	04 14 17060201 56 0 0057	3

IDWR Water State Filing No.: 72-07223

Allotment No.: 45700

Notice is hereby given that the United States Department of Justice will represent the Department of Agriculture, Forest Service, in all matters pertaining to the Snake River Basin Adjudication. All notices required by law to be mailed by the Director to the Claimant should be mailed to the individuals and address below

Jack Haugrud
Geoffrey Garver
Daria J. Zane
U.S. Department of Justice
Environment and Natural Resources Division
General Litigation Section
P.O. Box 663
Washington, D.C. 20044-0663
202-272-4134

This form is an attachment to a letter forwarding the claims of the U.S. Department of Agriculture, Forest Service. The signature and affirmation on such letter constitutes the signature of the authorized agent representing the United States of America required for each such claim.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant United States of America-Forest Service Phone 801-625-5360

Post office address 324 - 25th Street, Ogden, Utah 84401

2. Source of water supply Unnamed Spring which is a tributary of sinks

3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 4

Range 16E B.M. Custer County, additional points of diversion if any, _____

056 - 040

4. Water will be used for the following purposes:

Amount .02 for livestock purposes from June 1 to Oct 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .02 cubic feet per second and/or b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

Headbox with pipeline to a trough

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 34 Township 11N

Range 16E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 235 Cattle

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

72-7223

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated

c. Describe any other water rights used for the same purposes as described above.

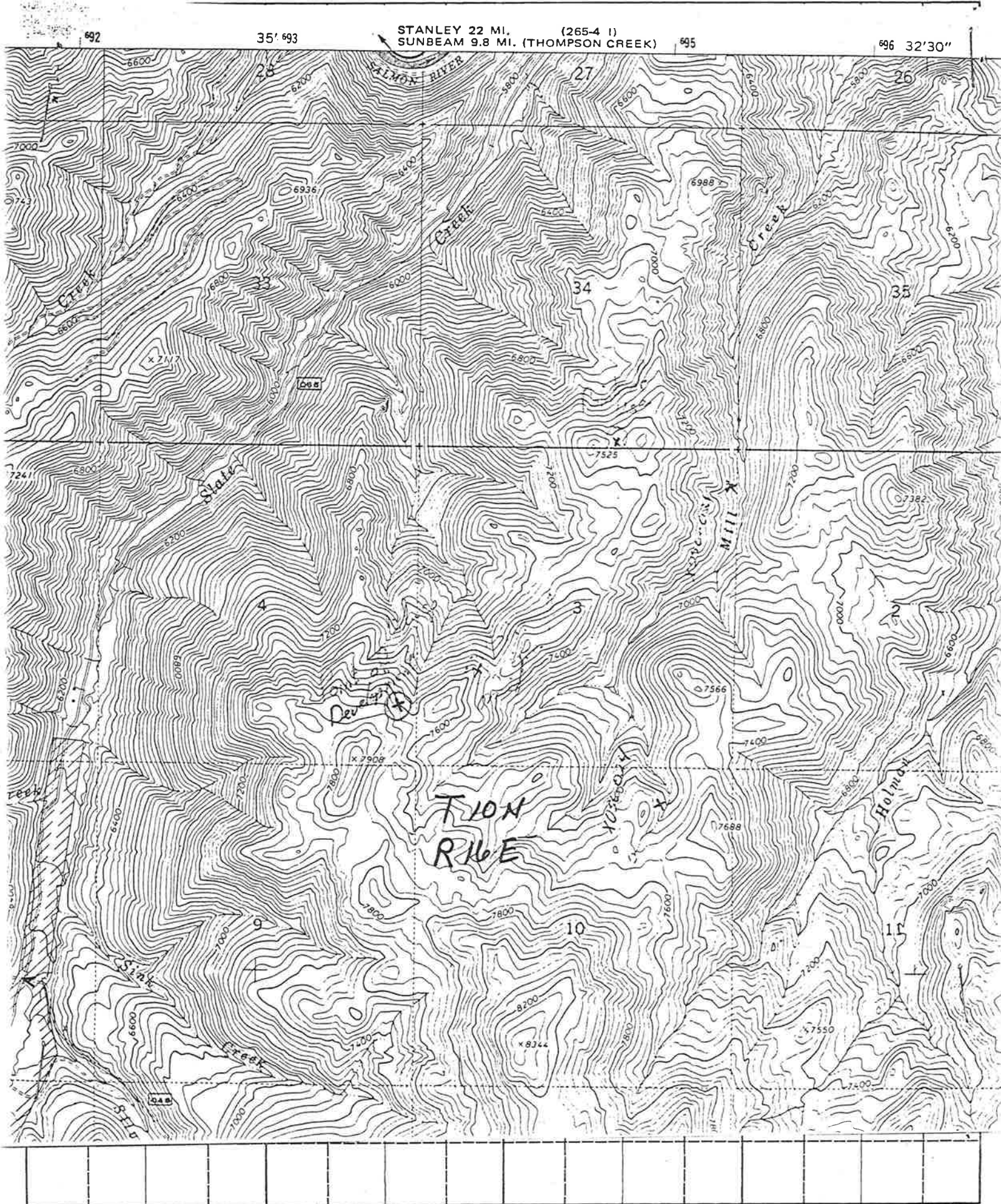
9. a. Who-owns the property at the point of diversion United States of America

b. Who owns the land to be irrigated or place of use United States of America

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth. United States of America - Forest Service

Richard L. Sanders

(for) HALLIE L. COX, Acting DRF, Resources (Applicant)

12/7/1982

Received by mace Date 12/7/82 Time 11:30 p

Preliminary check by JP Fee \$ 30.00 26068

Received by mace Date 3/10/83

Publication prepared by mace Date 12/16/82

Published in Easter Publishing Co

Publication dates 12/23 + 12/30/82

Publication approved mace Date 1/3/83

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ADM RC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 72-7223, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 84.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: _____

Witness my hand this 23rd day of March, 19 83.

J. Glen Saxton
Chief, Operations Bureau