

RECEIVED

FORM 202 Rev. 09/16

JUN 25 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of IdahoIdent. No. **37-23112**1. Name of applicant(s) United States of America USDA Forest Service Phone 208-423-7500Name connector (check one): ☐ and ☐ or ☐ and/orMailing address 370 American Avenue City JeromeState Idaho ZIP 83338 Email _____2. Name of representative, if any Steve Spencer Phone 208-365-7055Mailing address 1805 Hwy 16 Rm 5 City EmmettState Idaho ZIP 83617 Email sspencer@fs.fed.usa. ☒ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.b. ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.3. Source of water supply Groundwater which is a tributary of _____

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
5N	16E	5			NW	NW	Blaine	Groundwater	D0034440

5. Water will be used for the following purposes:

Amount 0.04 cfs for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)6. Total quantity to be appropriated is (a) 0.04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

7. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Well with pump to pressure tank to recreation residence.b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No

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

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ Noe. If well is already drilled, when? 11/23/2004; drilling firm Walker Water Systems;
well was drilled for (well owner) USDA Forest Service; Drilling Permit No. 824890

For Department Use

Received by DM Date 6-25-2018 Time 12:30 PM Preliminary check by _____
Fee \$ See original Receipted by _____ Receipt No. _____ Date _____

Amended

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in kW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; must complete and attach the Municipal Water Right Application Checklist.
- Domestic; show number of households One recreation residence.
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	16E	5						D											

Total number of acres to be irrigated: _____

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? Surface water from spring tributary to sinks under 37-13466.

- Who owns the property at the point of diversion? United States of America
- Who owns the land to be irrigated or place of use? United States of America
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Spruce Creek Recreation Residence Tract Lot 10.

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

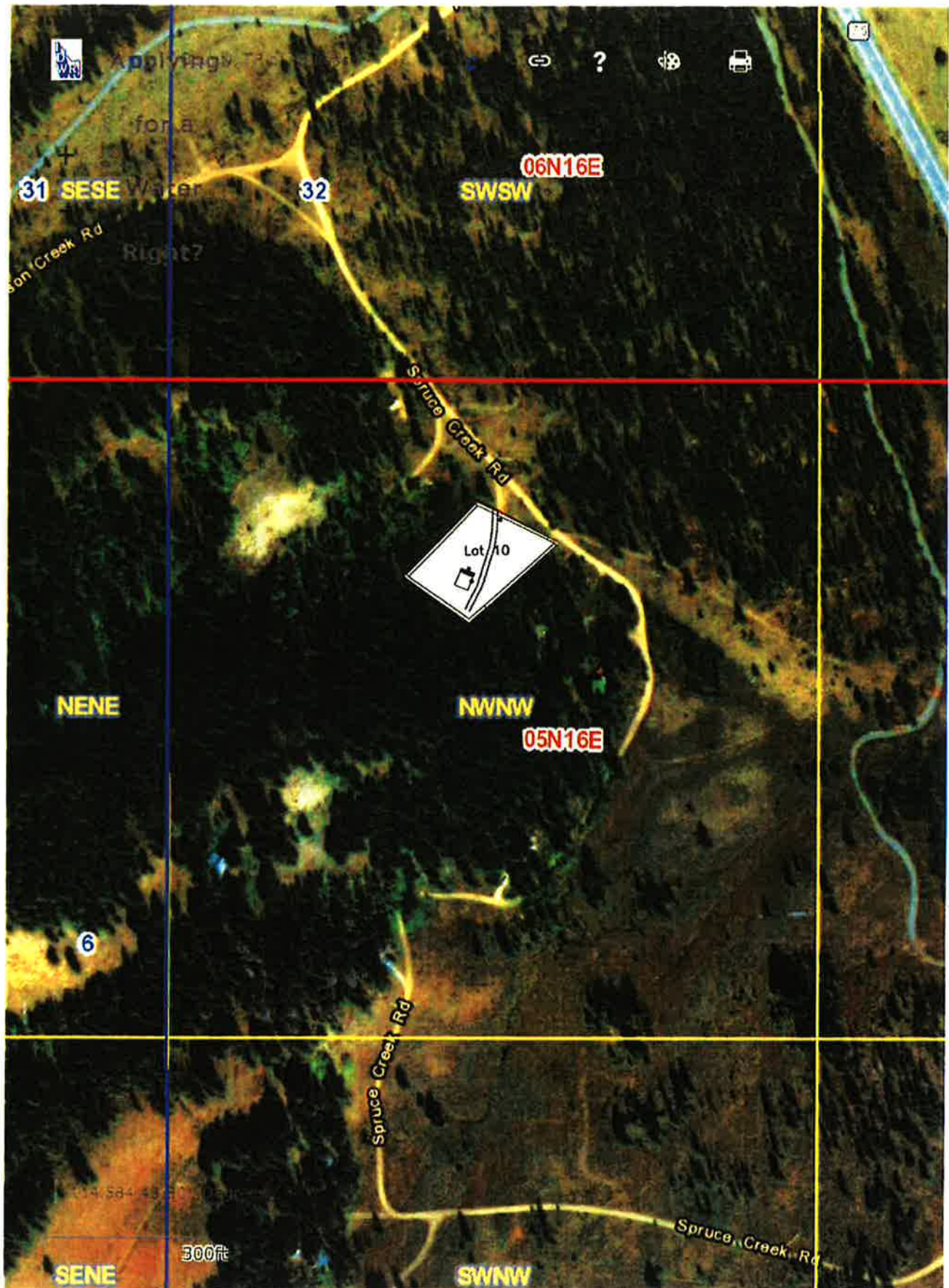
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Kathryn J. Conant
 Signature of Applicant
 Kathryn J. Conant, Director of Lands and Minerals
 Print Name (and title, if applicable)

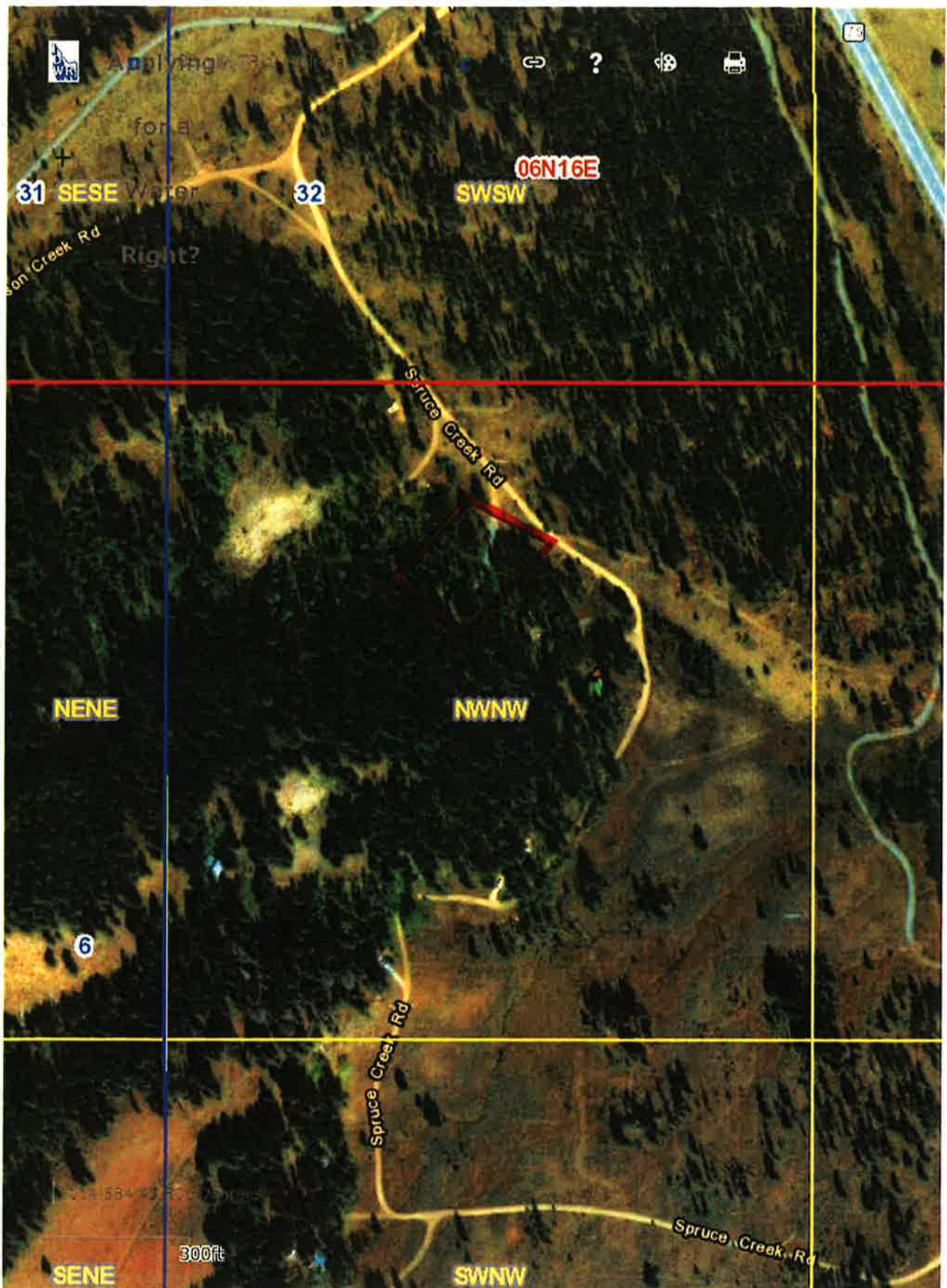
 Signature of Applicant

 Print Name (and title, if applicable)



37-23112

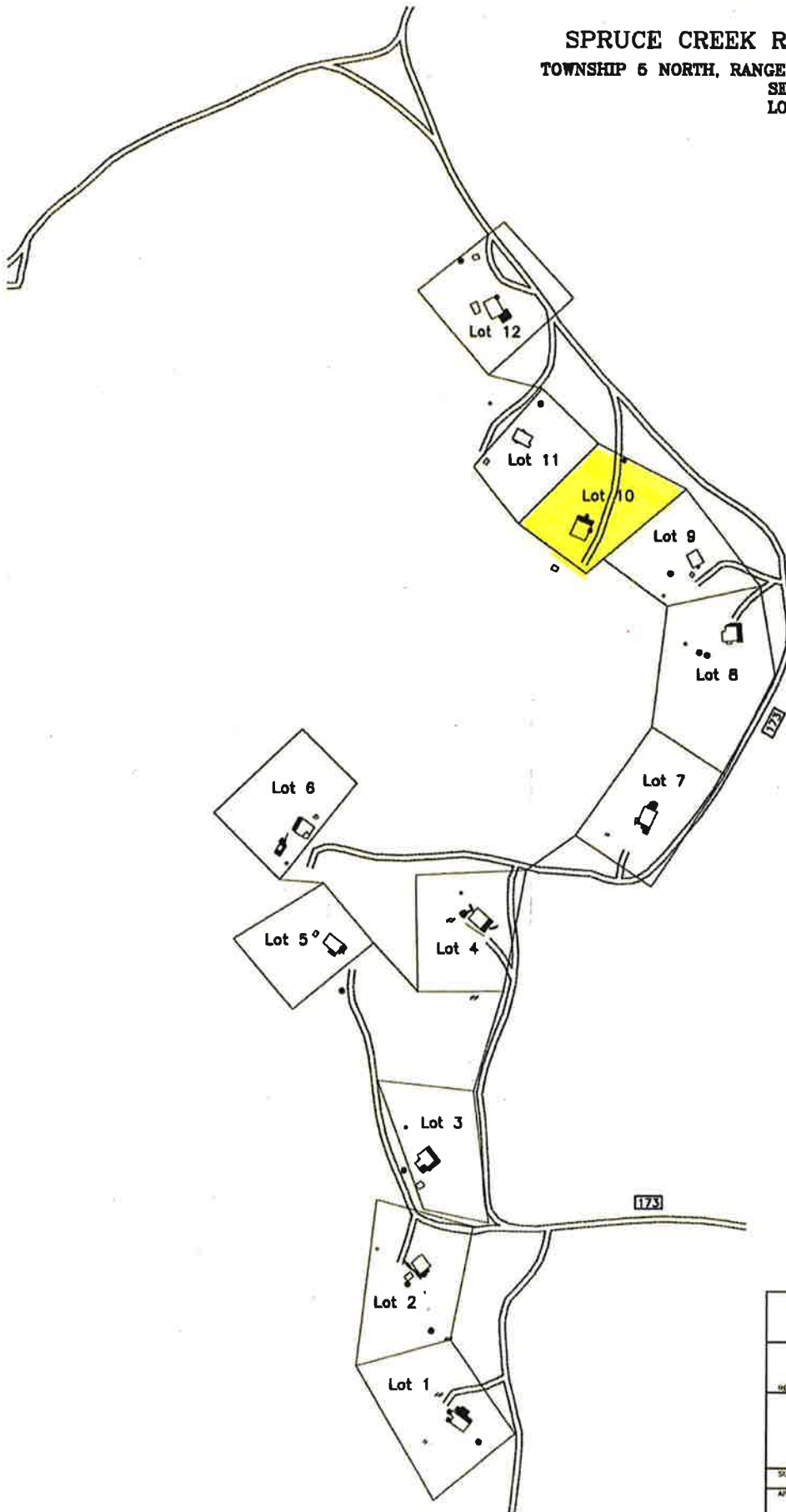
Amended



37-23112

Amende d

SPRUCE CREEK RECREATION RESIDENCE
TOWNSHIP 5 NORTH, RANGE 16 EAST, BOISE MERIDIAN, IDAHO
SECTION 5
LOTS 1-12



SCALE IN FEET



SPRUCE CREEK RECREATION RESIDENCE	
U.S. DEPARTMENT OF AGRICULTURE FOREST SERVICE	
SECTION 5	SMITHSON NATIONAL FOREST
TOWNSHIP 5 NORTH, RANGE 16 EAST, B.M. SECTION 5 BLAINE COUNTY, IDAHO	
SURVEYED BY S. BIRT / C. WORAS	DRAWN BY E. CLARK 2/09
APPROVED BY	CHECKED BY
	SHEET 1 OF 1
Michael D. Coffey LAND SURVEYOR	DATE

37-23112

Correction

37-23112

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) United States of America USDA Forest Service Phone 208-423-7500
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 370 American Avenue City Jerome
 State Idaho ZIP 83338 Email _____
2. Name of representative, if any Steve Spencer Phone 208-365-7055
 Mailing address USDA Forest Service, 1805 Hwy 16 Room 5 City Emmett
 State ID ZIP 83617 Email sspencer@fsfed.us
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☒ Send original correspondence to the applicant and copies to the representative.
- b. ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Groundwater which is a tributary of _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
5N	16E	5			SW	NW	Blaine	Groundwater	D0034440

5. Water will be used for the following purposes:
- Amount 0.04 cfs for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. Well with pump to pressure tank to recreation residence.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☐ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? 11/23/2004; drilling firm Walker Water Systems;
 well was drilled for (well owner) USDA Forest Service; Drilling Permit No. 824890

For Department Use

Received by CH/DM Date 5-7-2018 Time 10:30 AM Preliminary check by _____
 Fee \$ 100- Received by DM Receipt No. 3036729 Date 5-7-2018

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
 - Domestic; show number of households One recreation residence.
 - Other; describe fully. _____
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- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
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TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	16E	5							D										

Total number of acres to be irrigated: _____

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? Surface water from spring tributary to sinks under 37-13466.
11. 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: _____
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Spruce Creek Recreation Residence Tract Lot 10.
13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

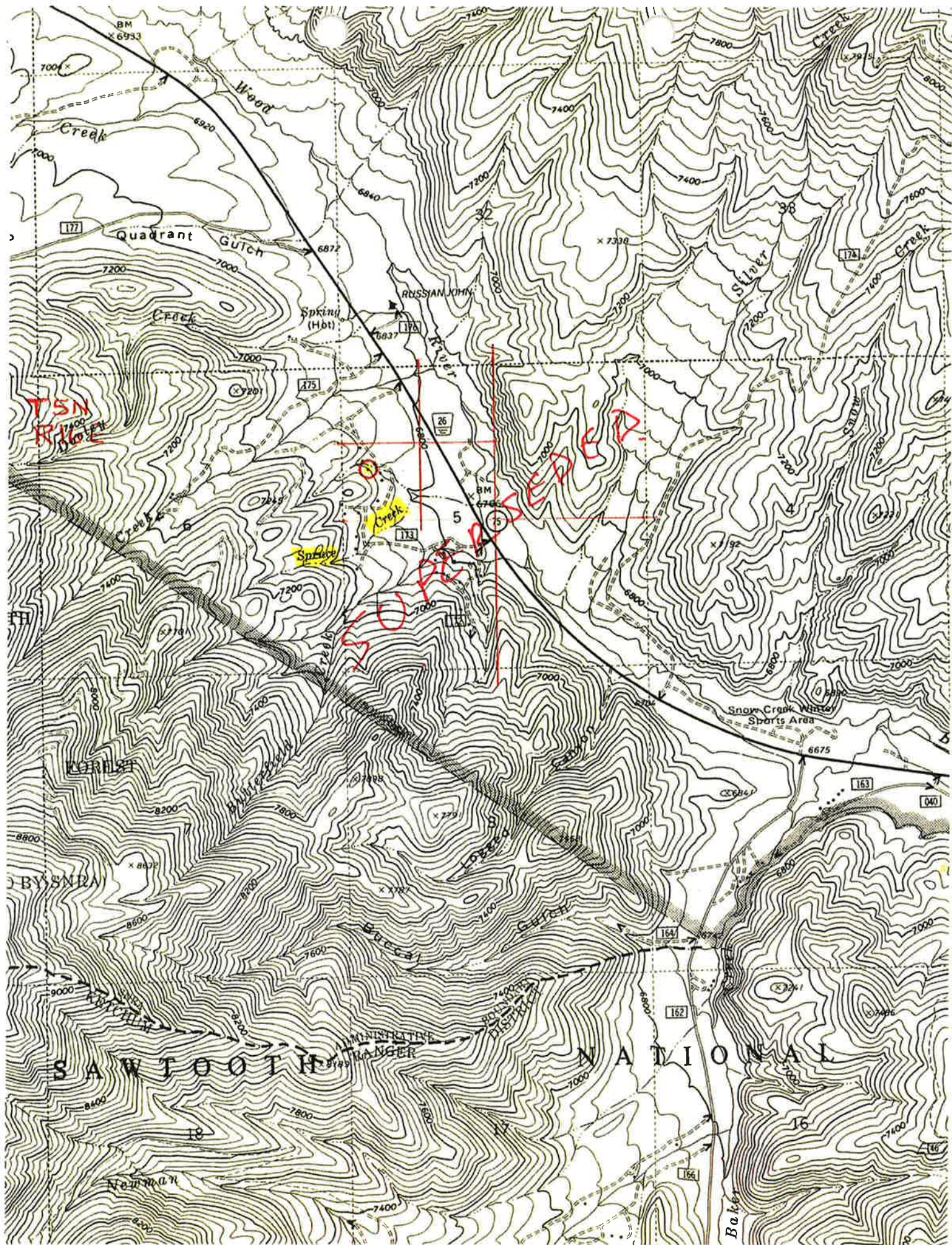
Signature of Applicant

Kathryn J. Conant, Director of Lands and Minerals

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)





State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 28, 2018

UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
370 AMERICAN AVE
JEROME, ID 83338-6162

RE: Application For Permit No. 37-23112, 37-23113

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the **IDAHO MOUNTAIN EXPRESS** on **7/4/2018** and **7/11/2018**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **July 23, 2018**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline
Administrative Assistant

cc:

UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
STEVEN M SPENCER
1805 HWY 16 RM 5
EMMETT, ID 83617

Maline, Denise

From: Maline, Denise
Sent: Thursday, June 28, 2018 1:23 PM
To: Kevin Lakey (WD37); Cyndi WD37
Subject: Comment Letters: 37-23110, 37-23111, 37-23112 & 37-23113
Attachments: Comment letter to WD37 for 37-23110, 37-23111, 37-23112, 37-23113.docx; 37-23111 Water Resource Board.pdf; 37-23112 Forest Service.pdf; 37-23113 Forest Service.pdf; 37-23110 Water Resource Board.pdf

Hi Kevin,

Attached are (4) Applications for Permit currently being processed within your District. (2) of these applications are for Idaho Water Resource Board, and they are pretty big. I should be able to have the entire files and all attachments scanned to our website by tomorrow.

Please review the information and provide any necessary comments within 21 days.

Thank you,

Denise @ IDWR

Denise Maline

Administrative Assistant

Idaho Dept of Water Resources, Southern Region

650 Addison Ave W, Ste 500

Twin Falls, ID 83301

(208) 736-3033

denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 28, 2018

WATER DISTRICT #37

via e-mail

KEVIN LAKEY

107 W 1ST ST

SHOSHONE ID 83352

RE: Application For Permit No.(s): 37-23110, 37-23111, 37-23112 & 37-23113

Dear Kevin:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the water master, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, June 28, 2018 8:55 AM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express cover letter.docx; Idaho Mtn Express Ad.doc

Attached please find (1) legal notice being submitted for publication on July 4th & 11th, 2018. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise

*Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov*



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 28, 2018

LEGAL NOTICE DEPARTMENT
IDAHO MOUNTAIN EXPRESS
PO BOX 1013
KETCHUM, ID 83340

RE: Application For Permit No.(s): 37-23111, 37-23112, 37-23113

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before July 23, 2018. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

37-23112

UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE

370 AMERICAN AVE

JEROME, ID 83338-6162

Point of Diversion NWNW S5 T05N R16E BLAINE County Source GROUND WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 5/7/2018

Place Of Use: DOMESTIC

T05N R16E S5 NWNW

Application for permit proposes diversion of up to 0.04 cfs for domestic use from an existing well associated with a home. The place of use and point of diversion are in the Spruce Creek Summer Home Area located approximately 8.2 miles north and 11.0 miles west of Ketchum.

37-23113

UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE

370 AMERICAN AVE

JEROME, ID 83338-6162

Point of Diversion SENW S5 T05N R16E BLAINE County Source GROUND WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 5/7/2018

Place Of Use: DOMESTIC

T05N R16E S5 SENW

Application for permit proposes diversion of up to 0.04 cfs for domestic use from an existing well associated with a home. The place of use and point of diversion are in the Boulder View Summer Home Area located approximately 7.8 miles north and 10.6 miles west of Ketchum.

37-23111

STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

322 E FRONT ST

PO BOX 83720

BOISE, ID 83720-0098

Point of Diversion SENE S30 T02S R18E BLAINE County Source BIG WOOD RIVER Tributary MALAD RIVER

Point of Injection NWSE S25 T04S R19E LINCOLN County Source BIG WOOD RIVER Tributary MALAD RIVER

Point of Re-diversion L4(SWSE) S25 T04S R19E LINCOLN County Source BIG WOOD RIVER Tributary MALAD RIVER

Point of Re-diversion SWNE S36 T05S R17E LINCOLN County Source BIG WOOD RIVER Tributary MALAD RIVER

Point of Injection SESW S15 T05S R17E LINCOLN County Source BIG WOOD RIVER Tributary MALAD RIVER

Use: GROUND WATER RECHARGE 01/01 to 12/31 800 CFS

Total Diversion: 800 CFS

Date Filed: 4/17/2018

Place Of Use: GROUND WATER RECHARGE

Located within portions of:

T02S R18E S29, S30, S32, S33, S34

T03S R18E S2, S3, S10, S11, S13, S14, S15, S16, S20, S21, S22, S23, S24, S25, S28, S36

T03S R19E S13, S14, S15, S16, S17, S18, S19, S20, S21, S22, S23, S24, S25, S26, S27, S28, S30, S31, S32, S35, S36

T03S R20E S19, S30, S31

T04S R18E S1, S12, S13

T04S R19E S1, S2, S5, S6, S7, S8, S9, S10, S11, S12, S13, S14, S15, S16, S17, S18, S19, S20, S21, S22, S23, S24, S25, S26, S27, S28, S29, S30, S31, S32, S33, S34, S35, S36

T04S R20E S5, S6, S7, S8, S17, S18, S19

T05S R15E S10, S12, S13, S14, S15, S16, S21, S22, S28, S29, S32

T05S R16E S7, S8, S9, S11, S12, S13, S14, S15, S16

T05S R17E S7, S8, S15, S16, S17, S18, S22, S23, S25, S26, S36

T05S R18E S34

T05S R19E S2, S4, S5, S6, S7, S10, S11, S15, S22, S26, S27, S34, S35

T06S R18E S2, S3, S4, S9, S10, S11, S12, S13, S14, S24, S25, S36

T06S R19E S2, S3, S4, S5, S6, S7, S8, S9, S10, S11, S12, S13, S14, S15, S16, S17, S18, S19, S20, S21, S22, S23, S26, S27, S28, S29, S30, S31, S32, S33, S34

T07S R19E S1, S2, S3, S4, S10, S11, S12

Application for permit proposes to divert up to 800 cfs from an existing point of diversion on the Big Wood River located approximately 20 miles north and 2.5 miles east of Shoshone for ground water recharge purposes. The application proposes to inject &/or divert this water through portions of the Richfield Canal system, Dietrich Canal system, Milner Gooding Canal, Little Wood River, and the Big Wood River channel as well as existing and proposed off-channel recharge sites located near Richfield, Dietrich, & Shoshone. Published in the Idaho Mountain Express on July 4th & 11th, 2018, and Times News, Idaho Statesman, Post Register & Lewiston Tribune on July 5th & 12th, 2018

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the right(s), please see

www.idwr.idaho.gov/WaterManagement/WaterRights/#New_Listings. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **July 23, 2018**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on July 4th & 11th, 2018

RECEIVED

JUN 25 2018

Gough, Jamie -FS

From: Spencer, Steven M -FS
Sent: Monday, June 18, 2018 4:55 PM
To: Gough, Jamie -FS
Subject: RE: Applications for Permit north of Ketchum in the Boulder View and Spruce Creek summer home area - 37-23112 & 37-23113
Attachments: 37-23112 Amended Application.pdf; 37-23113 Amended Application.pdf

DEPT OF WATER RESOURCES
SOUTHERN REGION

Jamie,

As we talked briefly about this afternoon, I talked with Jim Bitzenburg, IDWR in Twin Falls, about amending the two application for permit. He has talked about it with Cory Skinner, Southern Regional Manager. The see that the simplest way to go would be to file amended applications showing the change in the quarter-quarter discussed in this email chain. They also need new maps reflecting the change in QQs. The attachments are the two amended claims with new maps. After you look them over and are OK with you all they need is Kathryn's signature. Then mail them directly to:

Jim Bitzenburg
Idaho Department of Water Resources
650 Addison Ave W Ste 500
Twin Falls, ID 8331-5858

Nothing else would be needed. All the other attachments to the original applications would still be on file as not being amended. The filing fee has already been paid so all that is needed for each of them is the change in the quarter-quarter in the POD and POU supported by the updated maps.

You will probably notice 37-23113 was on an old IDWR application format while the amended application uses the new application.

If you have any questions about this business please contact me.

Steve

Jim,
These are the Amended
applications you discussed
with Steve Spencer.

Thanks.
JAMIE GOUGH

Bitzenburg, James

From: Bitzenburg, James
Sent: Thursday, June 07, 2018 7:59 AM
To: 'Spencer, Steven M -FS'
Subject: RE: Applications for Permit north of Ketchum in the Boulder View and Spruce Creek summer home area - 37-23112 & 37-23113

Steve-

No problem. I appreciate your help with it.

Jim

Jim Bitzenburg
Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-736-3033
Fax (208)-736-3037
james.bitzenburg@idwr.idaho.gov

From: Spencer, Steven M -FS [mailto:sspencer@fs.fed.us]
Sent: Wednesday, June 06, 2018 4:59 PM
To: Bitzenburg, James <James.Bitzenburg@idwr.idaho.gov>
Subject: RE: Applications for Permit north of Ketchum in the Boulder View and Spruce Creek summer home area - 37-23112 & 37-23113

Jim,

I'm not certain how to factor in the 2006 Protraction Diagrams. It's new to me so I have asked our surveyor what the right thing to do is. He is out most of the week now so it may be a few days before I hear from him. Then factoring in that I'll be out of the office Friday and Monday I don't know exactly how quickly I can get back with you. I will get back with you as soon as I know more about how we deal with these conundrums.

Thank you for working with me on this.

Steve



Steven M. Spencer
Water Use Specialist
Idaho Water Right Coordinator

Forest Service
Intermountain & Northern Regions
p: 208-365-7055
sspencer@fs.fed.us

1805 Hwy 16 Rm 5
Emmett, ID 83617
www.fs.usda.gov



Caring for the land and serving people

From: Bitzenburg, James [<mailto:James.Bitzenburg@idwr.idaho.gov>]

Sent: Monday, June 04, 2018 11:07 AM

To: Spencer, Steven M -FS <sspencer@fs.fed.us>

Subject: Applications for Permit north of Ketchum in the Boulder View and Spruce Creek summer home area - 37-23112 & 37-23113

Steve-

I have been reviewing and completing data entry on the two USFS Applications for Permit which were filed in our office on May 7, 2018. That area, as you are aware, has not been surveyed, and because of that, the legal descriptions up there are projected from existing surveys. It appears that IDWR is using one PLSS layer, while Blaine County and the U.S. Forest Service are using another. The two projections seem to be offset by approximately ¼ mile. The attached map shows the layer that IDWR is using (sections are dark blue lines) and the light blue square represents Section 5 as Blaine county and the Forest Service project it. Our PLSS layer places 37-23112 in the NWNW and 37-23113 in the SENW, while the Applications for Permit place them in the SWNW and NESW respectively.

The other attachment contains the BLM protraction diagram plats that were cited by the IDWR GIS analyst in Boise as supporting IDWR's PLSS layer. The township corners IDWR is using match the BLM protracted township corners. Here are the links to those BLM GLO

records: https://gloreCORDS.blm.gov/details/survey/default.aspx?dm_id=98333&sid=mjyes3bz.41u#surveyDetailsTabIndex=1 and

https://gloreCORDS.blm.gov/details/survey/default.aspx?dm_id=98321&sid=2ewvjuhb.roh&surveyDetailsTabIndex=1.

In reviewing decreed rights, permits, and licenses in the same two QQs, it appears that the consensus is that there is no consensus. IDWR and USFS have gone both ways on the matter. We spoke with the State IDWR office during our weekly staff meeting last week, and their directive was to leave the decision to the Forest Service.

We can go ahead and process and advertise the two applications as they are, or change the POD and POU descriptions to match the PLSS layer we are using at IDWR; the choice is yours, let me know how you wish to proceed. Please feel free to call and discuss if you'd like.

Jim

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