

IN-OFFICE BENEFICIAL USE FIELD REPORT

Permit No: 65-13956

Examiner: CP

Date: 12/19/16

In-office qualification (IDAPA 035.01.r):

- ☐ Irrigation ≤ 5 acres
☐ Stockwater storage ≤ 14.6 af
☒ Total diversion rate ≤ 0.24 cfs and not irrigation or storage

Current Owner Name: V DOT CATTLE CO

Address: PO BOX 68 EMMETT ID 83617

Beneficial Use Fee Paid: \$50.00

Receipt: C050836

Source: Spring

Source change? ☒ N ☐ Y Change clarifies originally intended source.
If not – void permit.

Point of Diversion			NE				NW				SW				SE			
Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
09N	01W	25									X							

Method of Determination: Spring box located on aerial imagery and digital PLS mapping

POD change? ☒ N ☐ Y

Place of Use			NE				NW				SW				SE				Totals
Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	01W	25									S								
											D								

Method of Determination: Aerial imagery and digital PLS mapping, cabin taken down after 2004

POU change? ☒ N ☐ Y

Purpose of Use: Stockwater and Domestic

Purpose change? ☒ N ☐ Y

Method of Determination: Spring is apparent in aerial images

Standard Season of Use: 01/01 - 12/31

Update required on license? ☒ N ☐ Y**Overlap Review**POD overlap? ☒ N ☐ Y WR's:Analysis Attached ☐

Comments: No other WR's in Q-Q to divert from POD

POU overlap? ☒ N ☐ Y WR's:

Comments: The only other right in section lies in two different QQ's

Diversion Rate

Permitted Rate: 0.09 cfs

BU Standard Limit: 0.13 cfs

BU Fee Limit: 0.20 cfs

Theoretical (optional): cfs

Recommended Total Div Rate: 0.01 cfs (per correspondence with permit owner 10-19-00)**Annual Volume**

For Irrigation: cfs x 1.9835 x days = af
 acres x af/ac (FHR) = af
 Smaller of two volumes = af

For other uses: Stockwater: 2.7 af, per admin AP memo #3

Domestic: 1.2 af, per admin AP memo #22

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Recommended Amounts

Beneficial Use	Season of Use	Diversion Rate (cfs)	Annual Volume (af)
Stockwater	01/01 - 12/31	0.01	2.7
Domestic	01/01 - 12/31	0.01	1.2
Totals		0.01 cfs	3.9 af

Amendments Required

☐ Change P.D. ☐ Add P.D. ☒ None
☐ Change P.U. ☐ Add P.U. ☐ Other:

Conditions: Change 121 to 103 at licensing, remove stockwater and domestic use conditions, remove 01J, modify condition R43 to reserve right to require right owners to install lockable and measuring devices in the future (from correspondence with watermaster 12/22/16)

Have conditions of permit been met? ☒ Y ☐ N

Narrative:

Permit 65-13956 authorized the diversion of 0.09 cfs for domestic and stockwater use. The total diversion rate permitted was less than 0.24 cfs, qualifying this permit for an in-office field exam. The exam was completed on 12/19/16 by WRA Cody Parker.

The location of the POD was confirmed using aerial imagery. The permit holder describes the POD as a spring box. The imagery shows a concrete box at the head of the spring and is easily seen. The description of the POD was confirmed using digital PLS mapping. The place of use for the domestic use was confirmed using historical aerial imagery in Google Earth and ArcMap (see attached). There is no cabin at this location any more, but there had been a small ~500 square-foot cabin just south of the POD at the time that the Proof of Beneficial Use was submitted. The POU for the stockwater can be seen in the current aerial imagery. Starting at the spring box, the spring runs west toward the edge of the Q-Q. The description of the location was again confirmed using digital PLS mapping. A review of other water rights in the area shows that there is no overlap with the POU or POD. This right is the only one in this Q-Q.

The diversion rate I have suggested for the license is 0.01 cfs. This comes from correspondence between the Department and the permit holder back in 2000. At that time, the landowner informed the Department that the permitted rate was much higher than the discharge of the spring, which is closer to 2 1/2 gallons per minute (~0.01 cfs). The permit holder suggested that the conditions of the permit requiring lockable controlling works and measuring devices be waived because the actual stream discharge is so minimal. The permit holder was advised by the Department at that time to contact the Watermaster for Water District No. 65 to evaluate his request and advise the Department to drop the condition if he saw fit. This action was not taken by the landowner prior to the field exam. To resolve this issue, I contacted both the permit holder (see enclosed letter), and the watermaster (via phone conversation). The Watermaster, Mr. Shurtleff, agreed to waive the requirements at this time but suggested that we retain the right to require them at a later date.

The total annual volume recommended on the license is 3.9 afa. 1.2 afa is to be used for domestic use (including up to 1/2 acres of irrigation, per Admin AP Memo No. 22) and 2.7 afa for stockwater. The stockwater volume is based on 120 head of cattle. An explanatory condition on the permit indicates that stockwater use is for 350 head range cattle. However, the permit holder has acknowledged that the number of stock watered during the development period was 120 range cattle (from the Proof of BU). The 2.7 afa is recommended based on this reduced number of cattle per Admin AP Memo No. 3.

Workflow

Exam Date Entered ☒
 POU/POD shapes ☒
 Combined Rights Entry ☐
 Wild & Scenic Entry ☐
 Draft License and Map ☒
 Other:

Supporting Documents

Aerial Photograph ☒ Well Log ☐
 POU/POD Map ☒ Diagrams ☐
 LandSat ☐ Theoretical ☐
 Photographs ☐ Other: ☐
 Site Visit ☐ Date:

Authentication

Field Examiners Name:

Cody Parker

Date: 06/12/17

Reviewer:

Angela M. Gamm

Date: 4/13/17

State of Idaho
Department of Water Resources
Map of POU/POD
65-13956

This map depicts the STOCKWATER place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

01W



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

0 0.035 0.07 0.14 Miles



State of Idaho
Department of Water Resources
Map of POU/POD
65-13956

This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

01W



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

0 0.03 0.06 0.12 Miles



**REQUEST TO WAIVE/MODIFY
CONDITION OF APPROVAL**

Permit # 65-13956

I request the condition(s) of approval requiring (select 1 or more):

- ☒ measuring device
☒ lockable controlling works
☐ annual measuring/reporting, or power records alternative
☐ other – identify in space below

be waived or modified because:

Due to the physical nature of this spring flow right the condition for approval requiring a mea-
suring device and lockable control device is not necessary at this time. I recommend reserving
the right to reinstate these conditions in the future if it becomes necessary to administer the
water rights on Jakes Creek.


signature

December 22, 2016
date

Ron Shurtleff
print name



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 20, 2016

V DOT CATTLE CO
PO BOX 68
EMMETT ID 83617

Dear V Dot Cattle Company,

I am writing in regard to the Water Right Permit No. 65-13956 to divert water for stockwater and domestic use. The Idaho Department of Water Resources (IDWR) received your Proof of Beneficial use on October 19, 2000. The next step in developing a water right license is to complete a field exam to confirm that you have developed the proposed beneficial use listed on your permit. I am currently working on an in-office field exam pursuant to IDAPA 37.03.02.035.01.r.. In order to move forward with the exam I need some additional information pertaining to the conditions on your permit.

On October 17, 2000 the Department received your letter requesting that Condition 5 of your permit (installation of a measuring device and lockable controlling works) be waived. Deborah J. Gibson of the Water Allocation Bureau sent a response on October 20, 2000, advising that the V Dot Cattle Company should appeal to the Watermaster for Water District No. 65 concerning this condition. If the Watermaster determined that he did not need the device to regulate the water right, he should have advised the IDWR in writing of such a determination. There is no record that we received anything from the Watermaster concerning your permit since then.

In order to move forward with the field exam for this permit, please submit proof that you have complied with the terms of Condition 5 listed on the permit, or have the Watermaster for Water District 65 advise the IDWR in writing that he does not need the device to regulate your water right. Please return this information to the address listed in the heading at the top of this page within sixty (60) days. If I do not hear from you within sixty days, I will assume you no longer have any interest in establishing a water right, and I will take action to void the permit. Please do not hesitate to call my office at 208-334-2190 with any questions.

Respectfully,

Cody Parker
Water Resource Agent
IDWR, Western Region