

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

A. GENERAL INFORMATIONPermit No: 74-16004Exam Date: 12/201612-14-16DA

1. Does this qualify for an in-office field exam (IDAPA 035.02.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: Allan and/or Betty Purcell
- Owner of Record Correct? X Y N
- Address of Record Correct? Y N
- If No: Address

Tax Parcel data shows Allan Purcell as the owner of the place of use, but it also shows Kurt Bird as the owner of the property at the point of diversion. The application for permit also shows Mr. Bird as the owner of the point of diversion. The point of diversion being used by Mr. Purcell has been in place since 1933, so there is clearly some form of easement for the point of diversion and the ditch.

3. Beneficial Use Fees have been paid: X Y N Receipt No: C0
4. SOURCE TRIBUTARY
- Big Timber Creek Lemhi River
- Method of Determination: Water Right Records and GIS
- 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
74-398	Big Timber Creek	Irrigation	Decree
74-399	Big Timber Creek	Irrigation	Decree
74-1834	Big Timber Creek	Irrigation	Decree
74-2335	Ground Water	Irrigation	Decree

Comments: Water rights 74-698, 74-399, and a 34 acre portion of 74-1834 share the same point of diversion and place of use as this permit, but they are all for irrigation. Water right 74-2335 is a ground water right that supplies irrigation water to the same place of use, but doesn't share the same point of diversion

2. Other water rights with the same point of diversion: YES Overlap

Water Right No.	Source	Purpose of Use	Basis
74-398	Big Timber Creek	Irrigation	Decree
74-399	Big Timber Creek	Irrigation	Decree
74-1834	Big Timber Creek	Irrigation	Decree

Comments: Water rights 74-698, 74-399, and a 34 acre portion of 74-1834 share the same point of diversion and place of use as this permit, but they are all for irrigation. Water right 74-2335 is a ground water right that supplies irrigation water to the same place of use, but doesn't share the same point of diversion

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

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Big Timber Creek			NW	SE	8	15N	26E	B.M.	LEMHI
								B.M.	
								B.M.	

Method of Determination: GIS and Existing water right records.Change in POD? X N Amendment Required? X N**2. PLACE OF USE:** Use: Stockwater

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	25E	25	S	S	S		S	S	S	S		S							
		Lot #																	
Total Acres =																			

Method of Determination: GIS and existing water right records. The place of use for this permit is the same place of use as existing irrigation rights described in the overlap analysis.Change 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
Creek Diversion	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. However, I did contact the watermaster of Water District 74W to determine if this water right had been delivered, and the watermaster told me he was not aware that the permit had been approved. No mailing was sent to the watermaster telling him that the permit had been approved. Therefore, there are no Water District records of this water right being delivered. However, water could have been diverted prior to the time that the watermaster was actively regulating the creek. This district allows water users to regulate their own head gates until there is an official call for water.

E. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

There is no information to show how much water was diverted under this permit. However, the overlapping irrigation rights do allow a diversion much greater than the 0.02 cfs diverted for this permit. The system does have the capacity to deliver the 0.02 cfs when the irrigation rights are being diverted.

Permit allowed = 0.02 cfs

I am recommending a diversion rate of 0.02 cfs as limited by the permit.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

This permit was limited to a total use of 13,000 gallons per day, so there is no need to establish a volume. The permit does allow up to 100 head of range cattle, which would use 1,200 gallons per day (12 gpd X 100 head = 1,200 gallons per day). The 100 head of range cattle would use much less than the 13,000 gallons per day and wouldn't use more than 0.9 af during the 246 day limited season of use $[(2500 \times 246) / 325850 = 0.9 \text{ af}]$.

G. PURPOSE OF USEIrrigation _____ N # Stock 100 Domestic # of Homes _____

Other: < >

Change in Purpose of Use? ____ Y ____ N

Method of Determination: Tax data, GIS, and Well Driller's Report.

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

H. NARRATIVE/REMARKS/COMMENTS

This permit is qualifies for an in-house exam. This permit was filed for what is known as flood water in the Lemhi Basin. Flood water is better defined as the time when the creeks and rivers in this area are running extremely high during the spring runoff. Flood water is generally only available for a few weeks each year, and this permit is the most junior water right on the creek, so it would only be able to be delivered when all of the senior water rights are fully being delivered. High water can vary from year to year, so it would have been difficult to determine an annual volume based on the number of days, so the permit was approved with a 13,000 gallon per day limitation.

It appears as though the stock simply drink out of the existing ditches, so I don't believe there is any real stock troughs or other structures dedicate to just the stockwater uses. A diversion rate of 0.02 cfs is the standard for an in-stream stockwater use, so this rate of diversion should be adequate for the type of use allowed by this permit.

The owner filed proof of beneficial use after the 2016 irrigation season, so we only have a one year development period to work with. I spoke with the watermaster, and he told me he was unaware that the permit had been approved. Therefore, the watermaster could provide no proof that the permit had been delivered to the property or beneficially used. The Water District has a resolution that prevents the watermaster from being called into service prior to April 1st of each year. This permit was filed as a flood right with a season of use starting March 15th, so the right could have been delivered prior to the watermaster being able to delivering water for the district. I contacted the watermaster and he told me that Mr. Purcell can and does divert water prior to his being called out by the Water District. The watermaster also stated that he delivered water from May 10, 2016 to September 30, 2016. Therefore, there is a possibility that this permit was diverted without the watermaster's knowledge.

Conditions 1 (R05), 2 (01P), and 3 (N05) should be carried forward to licensing. Condition 4 (X02) should be dropped at licensing as is standard.

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>
Stockwater	03/15 to 11/15	0.02 CFS	

Totals: 0.02 CFS

Please Note: No volume is required due to the 13,000 gallon per day limitation in the conditions.

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None

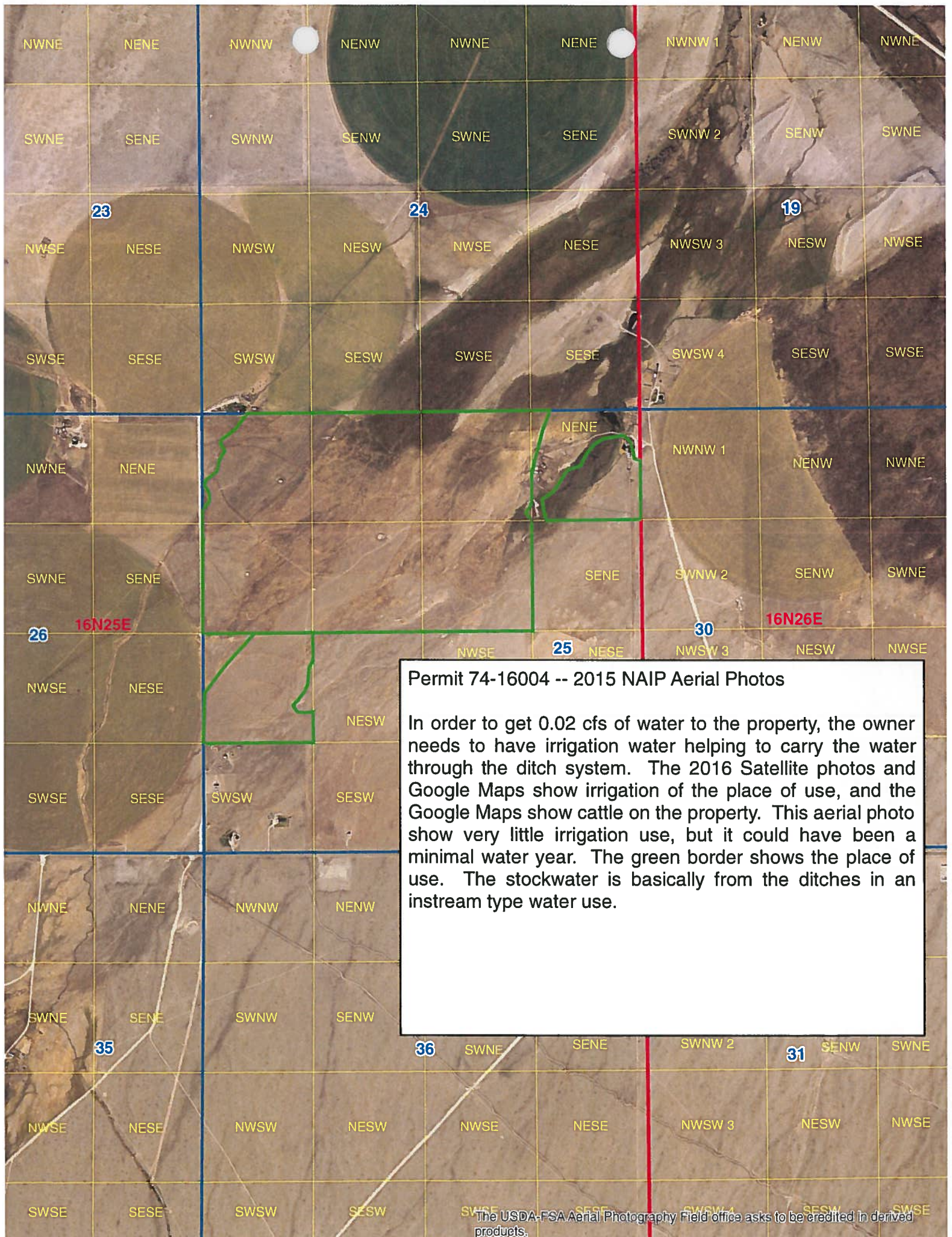
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ None

Other: < >

J. AUTHENTICATION – DANIEL A. NELSON – Analyst 3

Field Examiner's Name  Date 12-14-16

Reviewer _____ Date _____

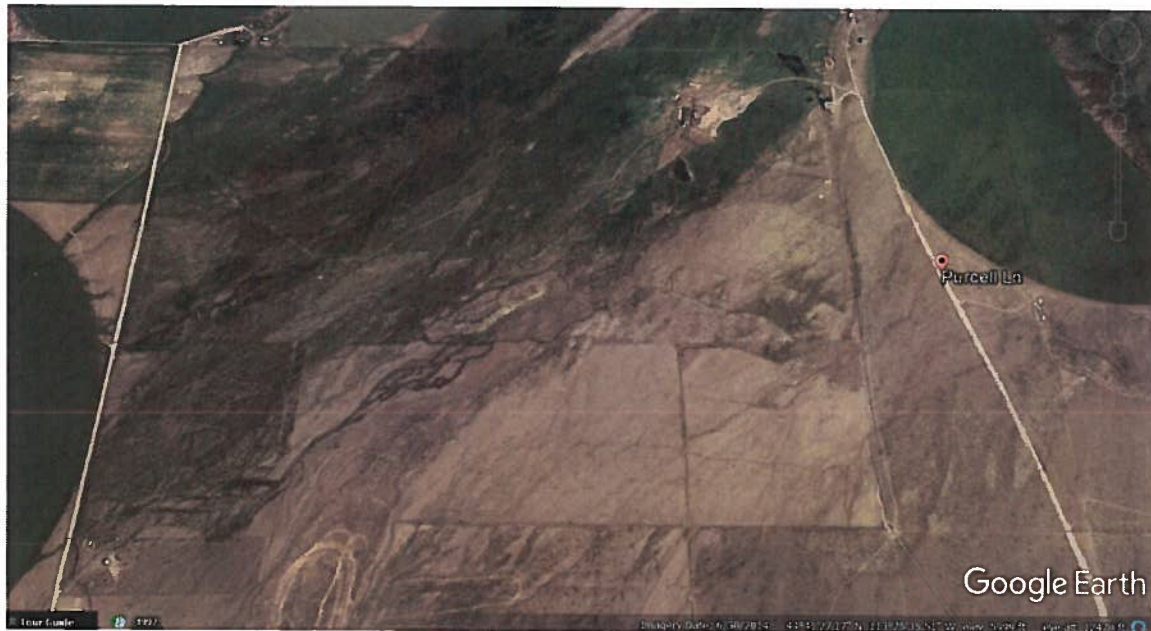


Permit 74-16004 -- 2015 NAIP Aerial Photos

In order to get 0.02 cfs of water to the property, the owner needs to have irrigation water helping to carry the water through the ditch system. The 2016 Satellite photos and Google Maps show irrigation of the place of use, and the Google Maps show cattle on the property. This aerial photo show very little irrigation use, but it could have been a minimal water year. The green border shows the place of use. The stockwater is basically from the ditches in an instream type water use.

Permit 94-16004 – Field Exam Maps From Google Earth

I was not able to see any irrigation or water delivery in the Department's 2013 and 2015 aerial photography, but I was able to find irrigation in the 2016 satellite photos that seemed to taper off in August. This may be why I couldn't find any irrigation in the standard aerial photos. However, the 2014 aerial photos from Google Earth show the property being wild flooded and the second aerial photo shows about 25 to 30 head of cattle in the pasture by the pond.



RESOLUTIONS PERTAINING TO THE TIME AND MANNER OF COLLECTING THE BUDGET AS
ADOPTED AT THE ANNUAL MEETING OF THE USERS OF

WATER DISTRICT No. 74-W

Water District 74-W
Leadore, Idaho 83464

RETAINED RESOLUTIONS & MOTIONS FROM 1991 MINUTES
WITH REVISIONS FROM THE 1994, 1995, 1996, 1999, 2004, 2005, 2007, 2008,
2010, 2011, 2012 and 2014

MINUTES

That the Secretary be paid \$400.00 per year, plus \$50.00 for office supply and postage.

That the water masters be paid \$1500.00 per month; \$700.00 wages, \$1300.00 equipment rental, withholding \$50.00 per month until end of season, at which time if all paperwork and reports are turned in to the secretary and okayed for being turned in to the State Department of Water Resources, the water master shall receive the \$50.00 per month withheld, or the sum total of \$325.00. If the paperwork and reports are not completed, and the secretary has to finish them then the secretary will receive the withheld \$50.00 per month, up to the sum of \$325.00.

That the water master, one advisory board member and one user of that creek get together and go up that creek and locate all head gates and weirs, so there will be no question on that creek, of order and locations of said head gates and weirs.

That the amounts payable by each water user, shown in the adopted budget, becomes due and payable May 1st. Said amounts, if not so paid, shall bear interest at the rate of 10% when paid, until paid. That the Lemhi County Treasurer will bill and collect funds for Water District 74-W.

That the water master can be signed on by one user anytime after April 1st, or is automatically on duty May 1st, to serve until October 1st, after which time he can be signed on until November 1st, at the request of one water user.

That the water master will require all weirs have an appropriate water measuring device.

Water Master will be allowed to 5 measurements during the heat of the day to calculate potential ditch loss and to adjust the amount accordingly on Little Timber & Hawley Creek with additional salary for the water master.

We as a Water District opposes any in stream flow or intent on any streams in our water district.

PLEASE NOTE: WATERMASTER CANNOT BE CALLED
OUT TO REGULATE WATER UNTIL AFTER APRIL 1

Permit 74-16004

Nelson, Dan

From: Dan P. Smith [Dan.Smith@itd.idaho.gov]
Sent: Tuesday, December 13, 2016 9:39 PM
To: Nelson, Dan
Subject: RE: Allan Purcell water delivery
Attachments: BIG TIMBER CREEK 2016.xlsx

Attached is Big Timber Creek measurements for 2016
We started regulating May 1 to September 30
Yes Mr. Purcell can divert water and does before I start regulating and after I am done

From: Nelson, Dan [<mailto:Dan.Nelson@idwr.idaho.gov>]
Sent: Thursday, December 08, 2016 7:19 AM
To: Dan P. Smith
Subject: RE: Allan Purcell water delivery

Hi Dan,

There are three things that I would like to know.

- 1.) What was the highest diversion rate measured or reported from the Purcell diversion?
- 2.) What date were you called out to deliver water?
- 3.) Can Mr. Purcell divert water before you are called out to regulate the stream?

If you could answer these questions, I think we can move this permit forward in the processing.

Thank you for this information.

Respectfully,

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

From: Dan P. Smith [<mailto:Dan.Smith@itd.idaho.gov>]
Sent: Thursday, December 08, 2016 12:29 AM
To: Nelson, Dan
Subject: Allan Purcell water delivery

Dan
Allan Purcell water was delivered from 5/11/2016 to 6/22/2016
If you need anything else let me
Dan

Name	WR#	Big Timber 2015							
		Apr.	May	June	Juiy	Aug.	Sep.	Oct.	Total
K.Tyler	74-37	0	14.16	100.8	104.16	104.16	108.8	0	432.08
M.Beyeler	74-31	0	43.4	42	43.4	43.4	42	0	214.2
C.Ellsworth	74-42	0	148.8	144	148.8	137.4	144	0	723
K.Bird	74-32	0	100.44	97.2	100.44	100.44	97.2	0	495.72
K.Bird	74-34	0	67.27	65.1	67.27	59.27	43.05	0	301.96
J.Whittake	74-39B	0	162	180	176	16	0	0	534
K.Tyler	74-39A	0	78.43	75.9	63.25	0	0	0	217.58
K.Bird	74-148	0	776.2	827.38	316.55	0	0	0	1920.13
R.Foster	74-51	0	153.6	179.2	0	0	0	0	332.8
K.Bird	74-35	0	158.64	158.64	0	0	0	0	317.28
K.Tyler	74-54	0	0	0	0	0	0	0	0
J.Whittake	74-56	0	44	54	0	0	0	0	98
A.Purcell	74-59A	0	44	54	0	0	0	0	98
V.Hartman	74-59B	0	3.08	3.78	0	0	0	0	6.86
J.Whittake	74-63	0	20.16	25.92	0	0	0	0	46.08
K.Bird	74-1801	0	3.36	4.32	0	0	0	0	7.68
T.Carlson	74-1619	0	0	0	0	0	0	0	0
J.Whittake	74-1103	0	10.08	12.5	0	0	0	0	22.58
A.Purcell	74-398	0	120.96	111.6	0	0	0	0	232.56
K.Purcell	74-399	0	10.08	8.64	0	0	0	0	18.72
J.Whittake	74-1102	0	78.12	66.96	0	0	0	0	145.08
A.Purcell	74-1834	0	28.77	24.66	0	0	0	0	53.43
K.Tyler	74-61	0	59.52	66.96	0	0	0	0	126.48
K.Bird	74-7165	0	104.8	104.8	0	0	0	0	209.6
P.Ogden	74-7175	0	0	0	0	0	0	0	0
J.Whittake	74-15613	0	36	49.5	0	0	0	0	85.5