

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

A. GENERAL INFORMATIONPermit No: 71-10943

Exam Date: 12/9/2016

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: USDA Forest Service
Owner of Record Correct? X Y N
Address of Record Correct? Y N
If No: Address

This cabin is in a recreational tract in the Sawtooth National Forest. I spoke with Steve Spencer from the US Forest Service about ownership of the land. Mr. Spencer informed me that a recreational tract is a tract of land owned by the Forest Service being used for a recreational cabin. The individual owns the cabin, but US Forest Service owns the land. In order to use the land, the cabin owner needs to attain a special use permit. The special use permit allows the owner to build on Forest Service Land, but they need to comply with conditions of the permit. The Forest Service has the right to revoke the permit if the cabin owner doesn't comply with the conditions of the permit, and remove all improvements on the land including the wells, cabin and other structures.

3. Beneficial Use Fees have been paid: X Y N Receipt No: C0

4. **SOURCE** **TRIBUTARY**

Ground water

Method of Determination: Additional Plat Map Supplied in 12/8/2016 email and well driller's reportChange in Source: Y X N**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: NO Overlap

Water Right No.	Source	Purpose of Use	Basis
71-10237	Unnamed Stream	Domestic	Decree

Comments: Water right 71-10237 supplies water from an unnamed stream tributary to Vat Creek to the same cabin and a cabin on lot 34. This permit is to supply a better source of water with a better supply of water to just the cabin in lot 23. There is a condition on the permit that the water use under this permit when combined with 71-10237 are limited to 13,000 gallons per day and not to exceed ½ acre for the domestic use on lot 23. This area is a recreational site for several cabins, and each cabin site has one or two water rights on each cabin site. Some of the legal descriptions are not accurate so it appears as though there more water rights in this 40 acre tract then there are cabins, but the most of the water rights have a lot number on them, and there doesn't appear to be any other water rights that directly overlap the place of use described in this permit.

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

Water Right No.	Source	Purpose of Use	Basis
NONE			

Comments: The well used for this permit is only for this permit and only supplies Lot 23, so there is no direct overlap. This area is a recreational site for several cabins, and each cabin site has one or two water rights on each cabin site. Some of the legal descriptions are not accurate so it appears as though there more water rights in this 40 acre tract then there are cabins, but the most of the water rights have a lot number on them, and there doesn't appear to be any other water rights that directly overlap the point of diversion described in this permit.

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

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Well			SE	NW	7	7N	14E	B.M.	BLAINE
								B.M.	
								B.M.	

Method of Determination: GIS and additional information supplied in 12/8/2016 email.Change in POD? X N Amendment Required? X N **2. PLACE OF USE:** Use: Irrigation

TWP	RGE	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	14E	7								D									
		Lot #																	
Total Acres =																			

Method of Determination: GIS and additional information supplied in 12/8/2016 email.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
Well	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 is no information to show what size of well pump is being used. Therefore, I am following the standards set forth in Processing Administrative Memorandum #22, which states that the permit should be limited to 0.04 cfs.

Administrative Memo #22 = 0.04

Permit allowed = 0.04 cfs

I am recommending a diversion rate of 0.04 cfs as recommended in Administrative Memo #22.

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:

There is no information to show what the actual water volume being used. Therefore, I am following the standards set forth in Processing Administrative Memorandum #22, which states that the permit should be limited to 1.2 af for in-house use and up to ½ acre of yard irrigation.

G. PURPOSE OF USE

Irrigation ____Y____N # Stock _____ Domestic # of Homes ____1____

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. The biggest issue on this permit is that the tax parcel doesn't match the actual place of use. From conversations with Steve Spencer of the US Forest Service, the county draws in their taxing lot. He is not aware of anyone from the county going out and surveying the tax parcel or soliciting the recreational tract data from the Forest Service. The county does assess the value of the land and the cabin separately, so the county is not as concerned about the actual location of the recreational tracts, since they are all on Forest Service land. This cabin is part of a recreational tract on US Forest Service land. A recreational tract is land owned by the US Forest Service where individuals are allowed to apply for a special use permit to build a cabin on US Forest Service property. There are no real lots or surveyed property boundaries, only the tract designated by the US Forest Service. These areas are similar to organizational camps on Forest Service land. Since the property boundaries have not been surveyed, it should not be an issue to move place of use outside of the county tax boundary.

Conditions 1 (X01), 2 (187), 4 (004), and 5 (199) should be carried forward to licensing. Condition 3 (071) was altered at permitting to include additional language. Condition 071 should be carried forward to licensing with the standard language. Condition X35 should be added to limit the water use of 71-10943 and 71-10237 when combined on Lot 23 to 13,000 gallons per day for domestic use on Lot 23 of the Valley View Recreational Tracts. Another condition should be added that states water rights 71-10237 and 71-10943 when combined are limited to two domestic uses in Lots 23 and 34 in Valley View Recreational Tracts. Conditions X59 and X60 should also be included on the license to better describe the place of use and point of diversion for this permit.

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>
Domestic	01/01 to 12/31	0.04 CFS	1.2 AF
<u>Totals:</u>		0.04 CFS	1.2 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 – Analyst 3

Field Examiner's Name

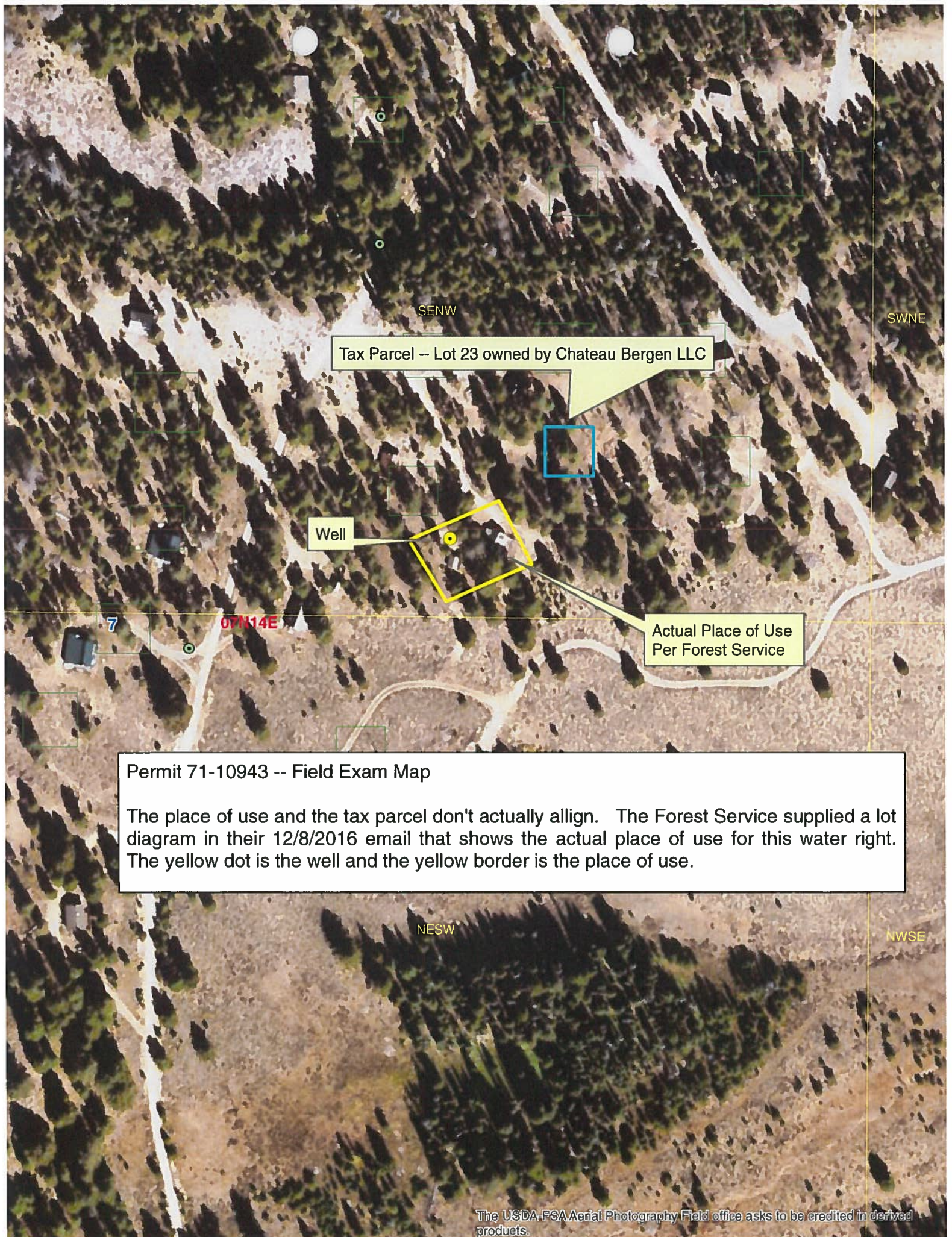


Date



Reviewer

Date



Tax Parcel -- Lot 23 owned by Chateau Bergen LLC

Well

Actual Place of Use
Per Forest Service

Permit 71-10943 -- Field Exam Map

The place of use and the tax parcel don't actually align. The Forest Service supplied a lot diagram in their 12/8/2016 email that shows the actual place of use for this water right. The yellow dot is the well and the yellow border is the place of use.

Nelson, Dan

From: Nelson, Dan
Sent: Thursday, December 08, 2016 1:10 PM
To: 'Spencer, Steven M -FS'
Cc: Fisher, Arthur - FS; Dallon, Mark V -FS
Subject: RE: Question on permit 71-10943

Hi Steve,

I am doing well. Thank you for asking. This is exactly what I needed. Thank you for the help. I tried to move around the tax parcel squares to make them fit, and they didn't really match the aerial photos very well when I moved them as a group. I decided it was best just to ask for help, and you came through for me. I appreciate the quick response.

We will talk to you soon.

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

From: Spencer, Steven M -FS [<mailto:sspencer@fs.fed.us>]
Sent: Thursday, December 08, 2016 11:53 AM
To: Nelson, Dan
Cc: Fisher, Arthur - FS; Dallon, Mark V -FS
Subject: RE: Question on permit 71-10943

Dan,

Thanks for letting me know about this. I haven't seen you for quite a while. Hope you are well.

This mapping information in more rural and remote locations is always fun to unravel. Based on experience in lots of situations the various map templates often don't overlap perfectly. Comparing the aerial photo image you sent with the plat I have for this portion of Valley View Recreation Residences and highlighting the nearby roads on each it appears that the cabin on Lot 23 is a little bit southwest of where it appears on the aerial image. I highlighted things so that I could see how features lined up between the aerial imagery and the plat.

It would appear to me that the well would be at approximately 43.9499 and -114.8659, while the cabin would be 43.9499 and -114.8658.

I hope this is helpful and what you need to move this along. If you have any questions about it please let me know.

Thank you,

Steve



Steven M. Spencer
Water Use Specialist
Forest Service
Intermountain Region
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: Nelson, Dan [<mailto:Dan.Nelson@idwr.idaho.gov>]
Sent: Wednesday, December 07, 2016 8:10 AM
To: Spencer, Steven M -FS <sspencer@fs.fed.us>; Fisher, Arthur - FS <arthurfisher@fs.fed.us>
Subject: Question on permit 71-10943

Hello Steve and Art,

I am working on licensing permit 71-10943, and came across an issue that needs to be resolved before I can move forward. Permit 71-10943 was supposedly permitted for a domestic use for a cabin that has been in place for some time. A well log was submitted that shows a well was drilled in 1998 for the ground water use described in the permit. The only issue is that I can't find a cabin on the tax parcel or the place of use described in the permit (Please See Attached Map). The permit states the cabin is in Lot 23 at 315 Valley View Road. Aerial photos don't show a cabin in this lot, so either the cabin was built in the wrong place or the description on the permit was incorrect. Could I ask you to check this one out, and let me know which cabin the water right belongs too? I would appreciate it.

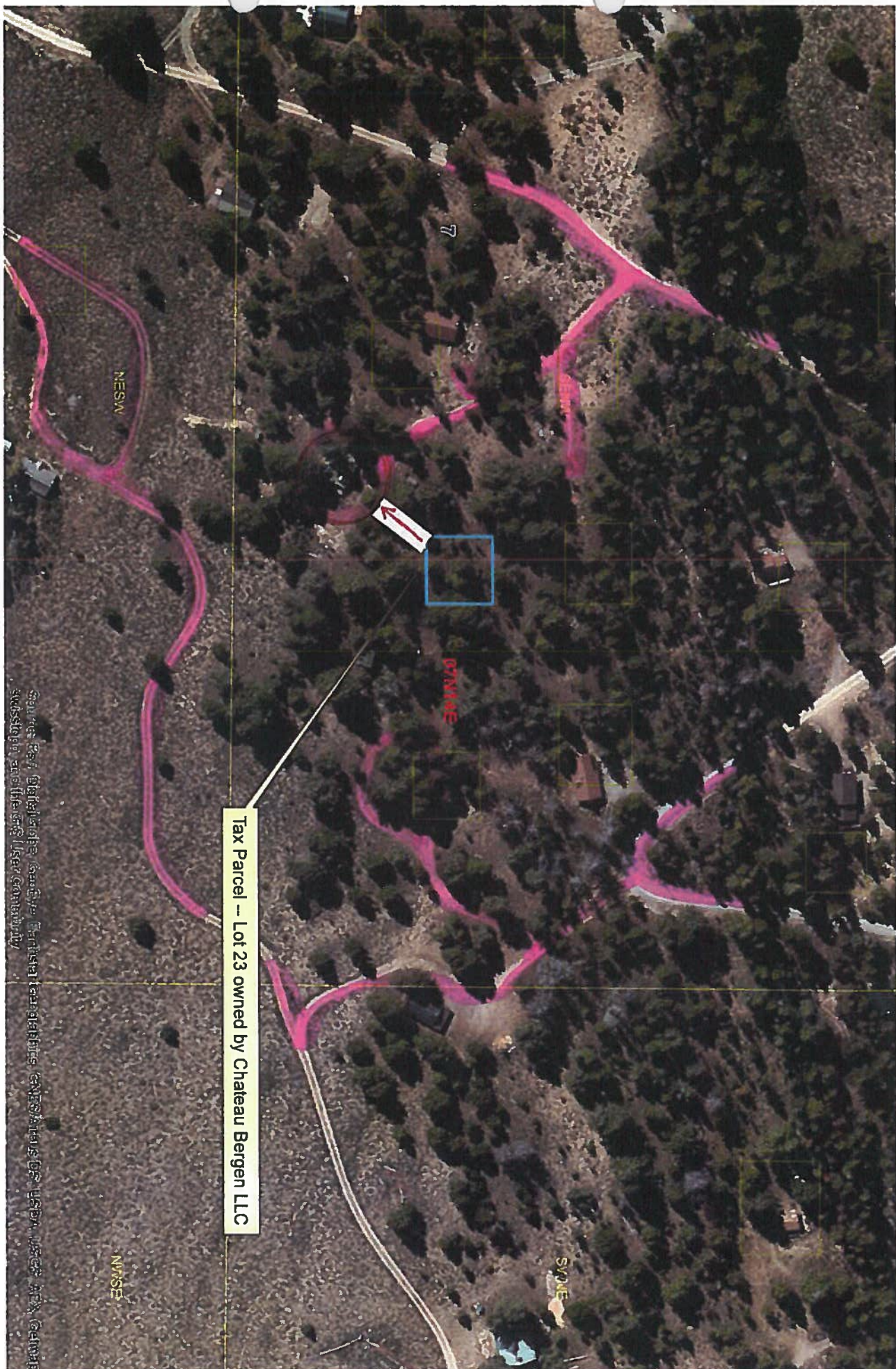
I have to ask that you submit the needed information within 30 days or by January 9, 2017. If we don't receive the needed information by this date, I am required to void the permit. Sending me an aerial photo with the cabin associated with this permit would suffice to move forward with licensing.

Thank you.

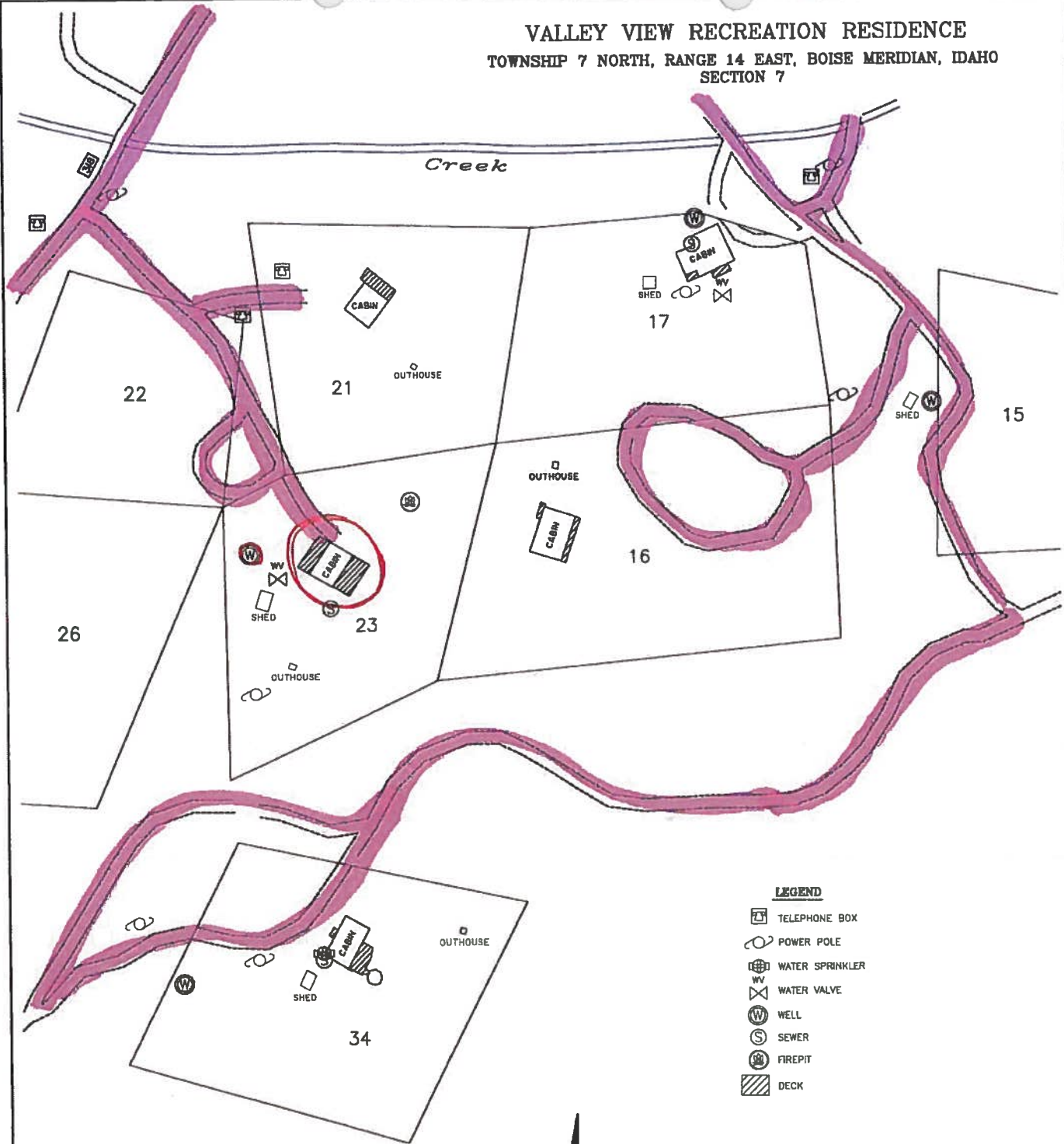
Daniel Nelson
Analyst 3
Idaho Department of Water Resources
Telephone (208) 287-4856
Fax (208) 287-6700 (attn: Dan Nelson)

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VALLEY VIEW RECREATION RESIDENCE
TOWNSHIP 7 NORTH, RANGE 14 EAST, BOISE MERIDIAN, IDAHO
SECTION 7



LEGEND

- TELEPHONE BOX
- POWER POLE
- WATER SPRINKLER
- WATER VALVE
- WELL
- SEWER
- FIREPIT
- DECK

SCALE IN FEET



VALLEY VIEW RECREATION RESIDENCE	
U.S. DEPARTMENT OF AGRICULTURE FOREST SERVICE	
REGION 4 SAGINAW NATIONAL FOREST	
TOWNSHIP 7 NORTH, RANGE 14 EAST, B.M. SECTION 7 BLAINE COUNTY, IDAHO	
SURVEYED BY C. WORAS	DRAWN BY E. CLARK 8/08
APPROVED BY	CHECKED BY
	SHEET 4 OF 8
Michael D. Coffey LAND SURVEYOR	DATE

Nelson, Dan

From: Nelson, Dan
Sent: Wednesday, December 07, 2016 11:14 AM
To: 'Fisher, Arthur - FS'
Cc: Spencer, Steven M -FS
Subject: RE: Question on permit 71-10943

Hello Art,

I am good with anything that you can provide that shows which cabin this permit is serving. As you can see in the aerial photo I included with the email, there isn't a cabin in the parcel (Lot 23) listed on the permit. You could use the same aerial photo and mark which cabin is supposed to be associated with Lot 23 if you like. Either way works. I just can't recommend a water right license for a parcel that doesn't have a cabin. I need to link them together somehow before I can license the permit.

Dan

From: Fisher, Arthur - FS [<mailto:arthurfisher@fs.fed.us>]
Sent: Wednesday, December 07, 2016 10:43 AM
To: Nelson, Dan
Subject: RE: Question on permit 71-10943

Dan,
I will have a look at our permit files for the Valley View Tract and hopefully get back with you if those are dispositive on this issue. If there is a map of diagram I will provide that.

Please feel free to remind me if you haven't heard from by early next week.

Art

From: Nelson, Dan [<mailto:Dan.Nelson@idwr.idaho.gov>]
Sent: Wednesday, December 07, 2016 8:10 AM
To: Spencer, Steven M -FS <sspencer@fs.fed.us>; Fisher, Arthur - FS <arthurfisher@fs.fed.us>
Subject: Question on permit 71-10943

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