

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

A. GENERAL INFORMATIONPermit No: 82-12257

Exam Date: 7/19/2016

1. Does this qualify for an in-office field exam (IDAPA 035.02.r)? X Y ___ N
- a. Irrigation of 5 acres or less
 - b. Storage of up to 14.6 AF for stockwater purposes only
 - c. Any use other than irrigation or storage, if the combined diversion rate is 0.24 cfs or less
 - d. Other < >

2. Current Owner: Name: Michael H. Stickles and Deanna R. Legg.
Owner of Record Correct? X Y ___ N
Address of Record Correct? Y ___ N
If No: Address

Tax lot data shows place of use owned by Dean Roakey (Stickles father), Forest G. Wilson (Quit Claim Deed in Permit file), and Deanna Legg. The point of diversion is on property managed by the Use Forest Service. A Conditional Use Permit was submitted with the proof of beneficial use.

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

4. SOURCE**TRIBUTARY**

Spring

Sinks

Method of Determination: GIS and Taxlot Data

Change 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

Comments: Water rights 82-4144 and 82-12238 divert from a different spring. Water right 82-4144 is located north of the property and 82-12238 is south of the property. There is no direct overlapping water rights for this property or point of diversion.

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

Water Right No.	Source	Purpose of Use	Basis
NONE			

Comments: Water rights 82-4144 and 82-12238 divert from a different spring. Water right 82-4144 is located north of the property and 82-12238 is south of the property. There is no direct overlapping water rights for this property or 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
Spring	2	SW	SW	SE	23	27N	3E	B.M.	Idaho
								B.M.	
								B.M.	

Method of Determination: Owner, and Forest Service GPS'ed the site.Change in POD? Y N Amendment Required? X N

Please see Narrative for discussion of point of diversion description.

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	
27N	3E	23																X	
		Lot #																	
Total Acres =																			

Method of Determination: GIS and Tax Lot Data The tax lot straddles the 40 acre tract line, but there doesn't appear to be any use south of the tract line in Lot 1 (NENE) of Section 26, Township 27 North, Range 3 East. The mapping shows this place of use as being in Homestead Entry 139. There is a government lot around the Homestead Entry, but the Homestead Entry itself is not part for the Government Lot.

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
Spring	None				

*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:

A theoretical calculation was not used on this permit, since there is no pump on the system. This is a gravity flow spring system. Processing Administrative Memorandum #3 allows a diversion rate of 0.02 cfs for 14 head of cattle and horses.

Admin Memo #3 allows = 0.02 cfs for 10 to 25 head of cattle

Permit allowed = 0.02 cfs

I am recommending a diversion rate of 0.02 cfs, since this complies with Department Standards.

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:

The field examiner's handbook allows 12 gpd for both horses and cattle. The total volume for 14 head of mixed stock would be as follows:

$$(12 \text{ gpd} \times 14 \text{ head} \times 365 \text{ days}) / 325850 = 0.188 \text{ af rounded to } 0.2 \text{ af}$$

I am recommending a total annual volume of 0.2 af for this permit.

G. PURPOSE OF USE

Irrigation ☐ Y ☐ N # Stock ☒ X Domestic # of Homes _____

Other: < >

Change in Purpose of Use? ☐ Y ☒ X ☐ N

Method of Determination: Taxlot data and conversations with owner.

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

H. NARRATIVE/REMARKS/COMMENTS

This permit is qualifies for an in-house exam.

There has been a significant amount of trouble trying to determine the legal description of this spring. The original application didn't have a legal description for the spring. A second amended application described the spring as being in the SWSE of Section 23. The third amendment described the spring in the Lot 1 (NENESE). The permit describes the spring in the Lot 2 (NESWSE) of Section 23, and the shape file for the point of diversion in the Department's mapping system shows the point of diversion in the Lot 2 (SESWSE). There are several maps and communications between the permit holder and Department staff, and it is clear that there was significant miscommunication during the permitting process. The point of diversion was GPS'ed by the US Forest Service as being in Lot 2 (SWSWSE). The point of diversion is almost in the center of the Government Lot, so it is reasonable to see this type of misunderstanding when it comes to the point of diversion description. I spoke with administration concerning this issues, and it was determined that an amendment is not needed because the point of diversion is in a Government Lot. IDAPA Water Appropriation Rules 37.03.08.03.b.iii states that points of diversions should be described to the nearest 40 acre tract or U. S. Government Lot of the Public Land Survey System. The rule goes on to state that spring shall be described to the nearest 10 acre tract. The 10 acre tract description is necessary and required, but there is room to question whether an amendment is needed if the government lot was correctly described. The confusion with locating the point of diversion in the permitting process and the IDAPA rule were the reasons for not requiring a amendment to correct the point of diversion description for this permit.

The water for this permit is diverted from the spring and travels due south to a larger collection box/old water trough. From that point, the water travels west to the property line and then turns south to what appears to be 2 water troughs on the permit holder's property.

Condition # 1 will be removed a licensing because a copy of the conditional use permit has been attained. Condition #3 (X02) will also be removed at licensing as is standard. Condition 2 will be carried forward to licensing. I added Condition J02, since the place of use is within a Homestead Entry parcel.

Have conditions of permit approval been met? ☒ 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	01/01 to 12/31	0.02 CFS	0.2 AF
	<u>Totals:</u>	0.02 CFS	0.2 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: < >

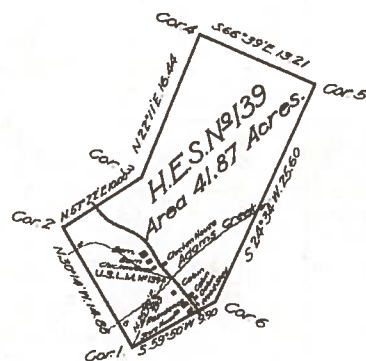
J. AUTHENTICATION – DANIEL A. NELSON – STAFF HYDROLOGIST

Field Examiner's Name  Date 7-19-16

Reviewer _____ Date _____

T.27N.,R.3E.

Unsurveyed



PLAT OF
HOMESTEAD ENTRY SURVEY No. 139
in the
NEZPERCE NATIONAL FOREST,
in
Section —unsurveyed T.27N., R.3E.,
Section —surveyed, T.—, R.—,

of the
BOISE MERIDIAN,
IDAHO.

This plat of Homestead Entry Survey No. 139, situated in Section —unsurveyed in Township 27 North, of Range 3 East, and in Section —surveyed, in Township —of Range —and in Section —surveyed, in Township —of Range —and in Section —surveyed, in Township —of Range —of the Boise Base and Meridian, is strictly conformable to the field notes of the Survey thereof, on file in this office, which have been examined and approved.

Office of U.S. Surveyor General
Boise, Idaho, June 17th 1914.

Jeremiah A. Utter
U.S. Surveyor General

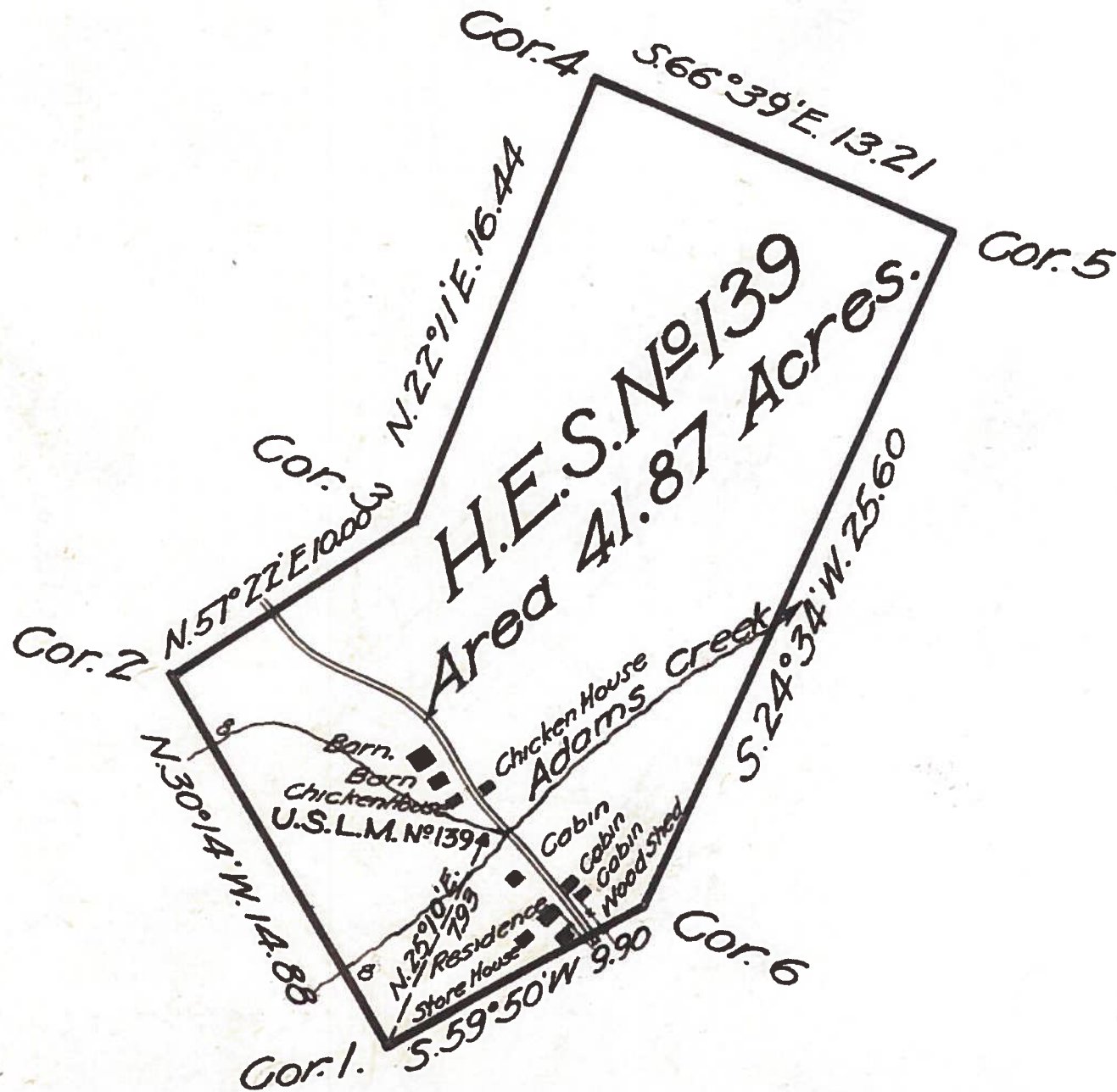
Scale
10 Chains equal 1 inch

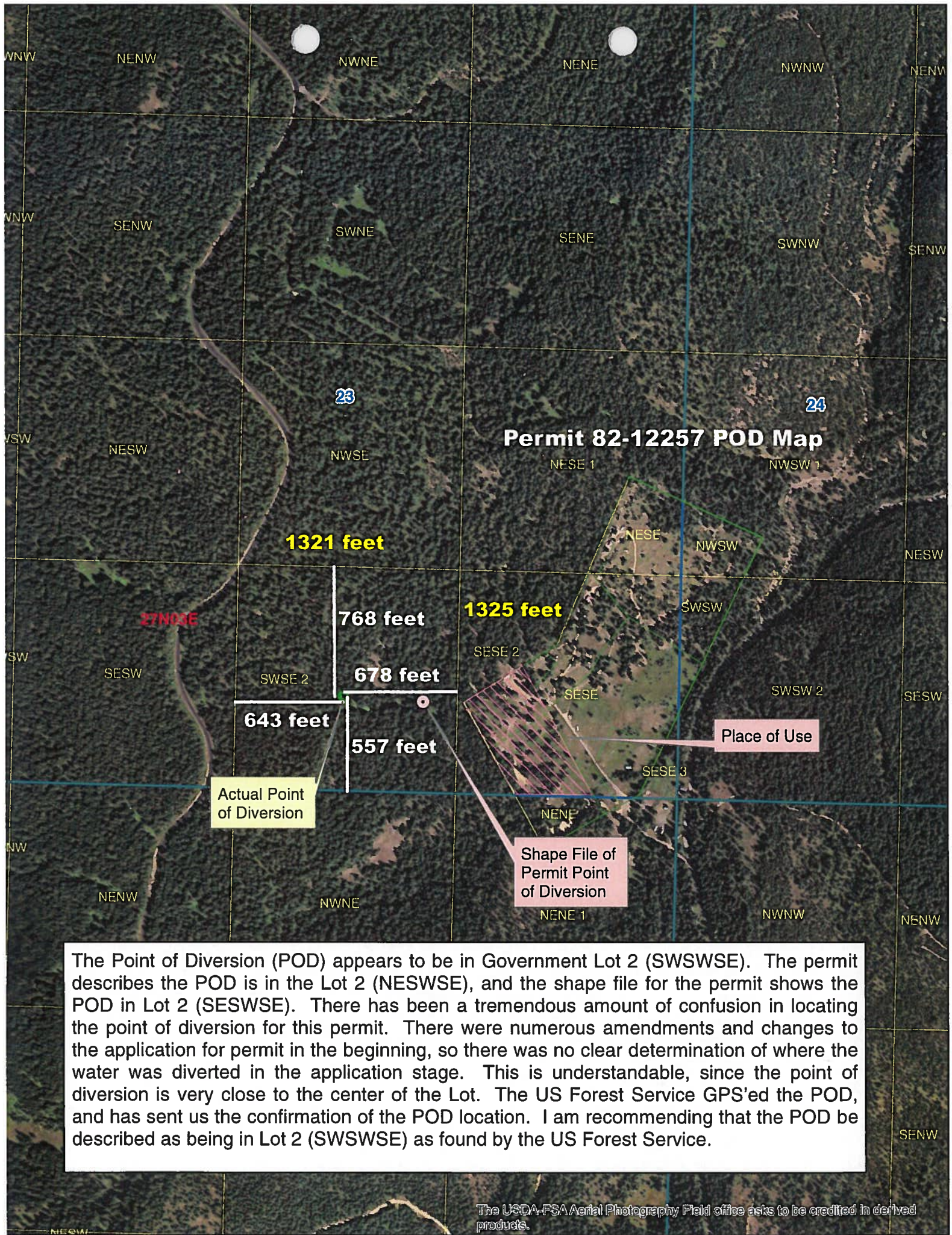
Initials *ER*

Surveys Designated	By Whom Surveyed	Instructions or Order No.	Date	When Surveyed Began	When Surveyed Completed	Date of Approval
H.E. Survey No. 139	Elmer R. Johnson	139	July 18, 1913	Aug 9, 1913	Aug 19, 1913	
	Surveyor Draftsman	Forest Service				

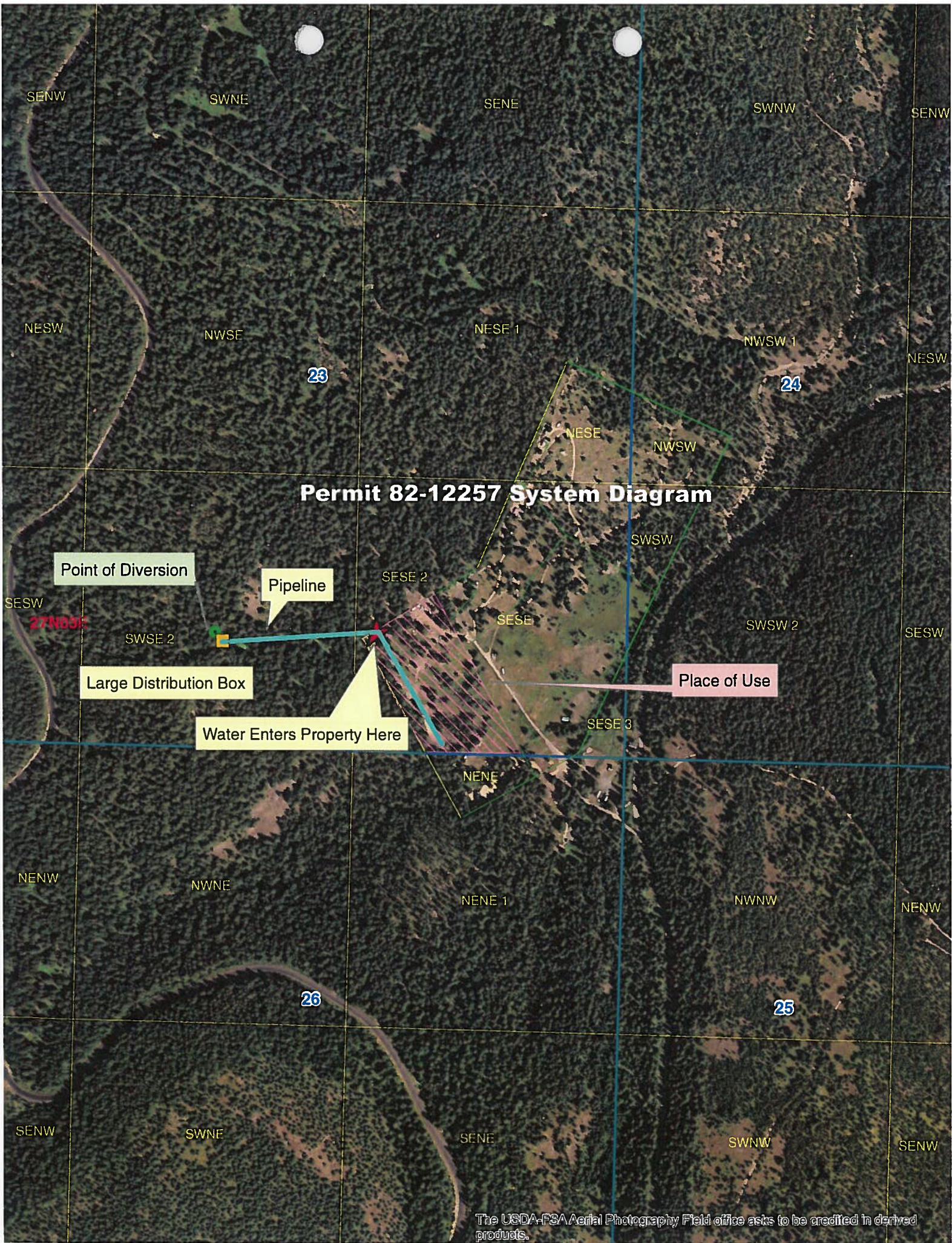
Areas			
H. E. Survey No. 139	Conflicts		
In Section			
In Section			
In Section			
Total	41.87		

List No 1-939 Date June 9, 1911.
Act of June 11, 1906; Act of March 4, 1913
Latitude 45° 40' N } At Cor. No. 1.
Longitude 116° 02' W.
Mean Mag. Decl. 22° 24' E





The Point of Diversion (POD) appears to be in Government Lot 2 (SWSWSE). The permit describes the POD is in the Lot 2 (NESWSE), and the shape file for the permit shows the POD in Lot 2 (SESWSE). There has been a tremendous amount of confusion in locating the point of diversion for this permit. There were numerous amendments and changes to the application for permit in the beginning, so there was no clear determination of where the water was diverted in the application stage. This is understandable, since the point of diversion is very close to the center of the Lot. The US Forest Service GPS'ed the POD, and has sent us the confirmation of the POD location. I am recommending that the POD be described as being in Lot 2 (SWSWSE) as found by the US Forest Service.



Nelson, Dan

From: Puchlerz, Molly E -FS [mpuchlerz@fs.fed.us]
Sent: Monday, July 18, 2016 3:19 PM
To: Nelson, Dan
Subject: Stickel Map
Attachments: stickel.pdf

Hi Dan,

I hope this helps. Thanks for working with us on this permit. Please let me know if you have any other questions.

The coordinates are

N45 39.431, W116 02.777 (large box)

N45 39.438, W116 02.786 (small box)

N45 39.442, W116 02.603 (where the line enters private).

Molly



Molly Puchlerz
Lands Special Uses Program Coordinator

Forest Service

N

**North Idaho Lands Zone, Nez Perce-Clearwater and Idaho Panhandle
National Forests**

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Caring for the land and serving people

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Stickle and Legg Waterline (Adams's Camp)

 Waterline with collection box points

