

Idaho Department of Water Resources (IDWR)

MEMORANDUM

Date: 4/1/2015
To: James Cefalo, Hearing Officer IDWR
From: Blake Jordan, Sr. Water Resource Agent IDWR *BS*
Subject: Field investigation of natural channel.

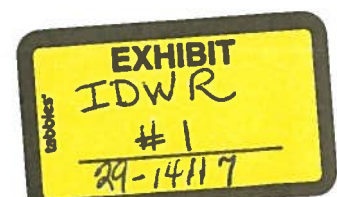
In late October 2014, you requested the Department to conduct a field investigation of a runoff and spring fed natural channel that is associated with a protested application for permit (29-14117). Your purpose for the field investigation was to determine if the natural channel crossed onto the Tatar (applicant) property. On March 18, 2015 the Department conducted a field investigation of the natural channel. The purpose of this memo is to report what was found during the field investigation.

Department staff conducting the field investigation included Sr. Water Resource Agents Blake Jordan and Scott Bergendorf, and Stephen Bosworth, EIT. To determine the location and path of the natural channel surveying equipment consisting of a Trimble Geo7X Rover and the NetR9 Mobile Base Station were used. Data points derived from the survey equipment were downloaded and overlaid onto maps using Arc Map 10.2.2. For illustrative purposes a map of the natural channel, diversion points, ditches and property boundary lines is attached to this memo.

Natural Channel:

At the time of the field investigation, there was no water flowing in the natural channel.

A barbed wire fence serves as the boundary line between the BLM property and Anderson property, and the Anderson property and Tatar property. The head of the natural channel is located on BLM property. The natural channel heads to the east and first crosses onto the Anderson property. Inside the Anderson property the natural channel runs for approximately 80 feet before it crosses the fence line onto the Tatar property. The natural channel continues east on the Tatar property for approximately 180 feet until it crosses back onto the Anderson property. From this point the natural channel did not return to the Tatar property.



Diversion Points:

There were three different diversion points found within the surveyed portion of the natural channel. The first diversion is a small ditch that begins on BLM property just below the spring source located in the SENE of 07S, 36E, Section 10. This ditch heads east and enters the Tatar property. The ditch returns to the natural channel on the Tatar property just below the second diversion point.

The second diversion point is on the Anderson property just inside the fence that separates the Anderson property from the Tatar property located in the SWNW of 07S, 36E, Section 11. The diversion on the Anderson property consisted of several fallen tree branches and logs piled up along and in the natural channel. This log pile appears to be used to re-channel all or part (unknown) of the flowing water from the natural channel to a ditch heading in a north easterly direction.

The third diversion point is a ditch on the Tatar property approximately 66 feet below the point where the first ditch returns to the natural channel. The third diversion is located in the NWSW of 07S, 36E, Section 11. From the natural channel this ditch heads to the south where it ends above some water collecting containers located on the Tatar property. Attached to these water collecting containers is a black flexible pipe (3"- 4" diameter in size) that carries water down the hill to the Tatars ground water well.

Water rights:

According to Department records, there are no water rights from the natural channel (Unnamed Stream). Department records show BLM having two stockwater rights (29-2595 and 29-12989) from a spring(s) located on their property. There was a stockwater trough located just inside the Anderson property with a black PVC pipe extending onto BLM property.

There are no water rights that authorize the diversion of water from the three diversions located on the natural channel.

Conclusion:

Based on what was observed during the field investigation, the natural channel begins on BLM property and meanders through both the Anderson Property and the Tatar Property. The Natural Channel crosses onto the Tatar property at the diversion point found on the Anderson property.