

4/2014

IN-OFFICE BENEFICIAL USE EXAM REPORT

"Hybrid"

Permit No. 63-11544

Prepared by Steve Lester

Date 8/27/2014

Same as permit Different than permit

Owner Name	☒	☐	_____
Owner Address	☐	☒	_____
Source	☐	☒	_____
Tributary	☐	☒	_____
POD	☐	☒	_____
POU	☐	☒	_____
Beneficial Use(s)	☒	☐	_____

} See 8/27/2014 Memo

Exam Fee Required for Permitted Rate \$50

Exam Fee Paid \$50

Overlaps ☒ No ☐ Yes, summarize _____

Amendment ☐ No ☒ Yes, summarize change POD & POU

Technical Confirmation Tools

ArcMap	☒	GPS	☒
Taxlot	☐	Photos	☒
Well Log	☐	Diagrams	☒
Other	☒	explain: <u>emails from Steve Spencer, Forest Service</u>	

Conditions/Comments Conditions met. See attached memo, map & 1993 exam notes

Exam Date Entered ☒

Draft License Created ☒

Shapes Updated ☒

KW
9/24/14

KW
9/24/14

MEMORANDUM

TO: File

FROM: Steve Lester 

DATE: August 27, 2014

RE: 63-11544 Field Exam & Licensing

This permit was examined in 1993 using the in-office method of that era: visit the Forest Service (FS) office and compare our records to theirs. FS provided contradictory information for POD and POU locations. Their records also suggested this involved a spring instead of ground water ("french drain").

The exam report lingered for many years until clarification was available (Steve Spencer, FS). The best available FS information leads to the following conclusions.

1) Owner¹ address – Use current address for Boise National Forest: 1249 S. Vinnell Wy, Boise ID 83709 (contact ID 376201).

2) Source & Tributary – Spring, assume sinks. This is an allowable clarification instead of a real change in source. A french drain is a shallow ground water collector that could easily mimic a spring development.

3) POD and POU – T8N, R6E, Section 34 Govt Lot 3: POD, NESWSE; POU, SWSE. Requires **amendment** for both.

4) Rate – Allow 0.02 cfs requested by FS in most recent email. This is the lesser of permit limit, beneficial use, assumed system capacity and proof fee paid category. Use this rate for **stockwater & wildlife** uses.

5) Volume – Assume n/a. Updated BU Rules excuse diversion volume for a single ground water use under 42-111 (not community wells) but are silent for a similar use from surface water. Irrigation from surface water does not require this volume – why would a much lesser use like stockwater need a volume? Also, determining wildlife volume is impossible.

6) Conditions – Assume water district n/a to this "non-tributary spring."

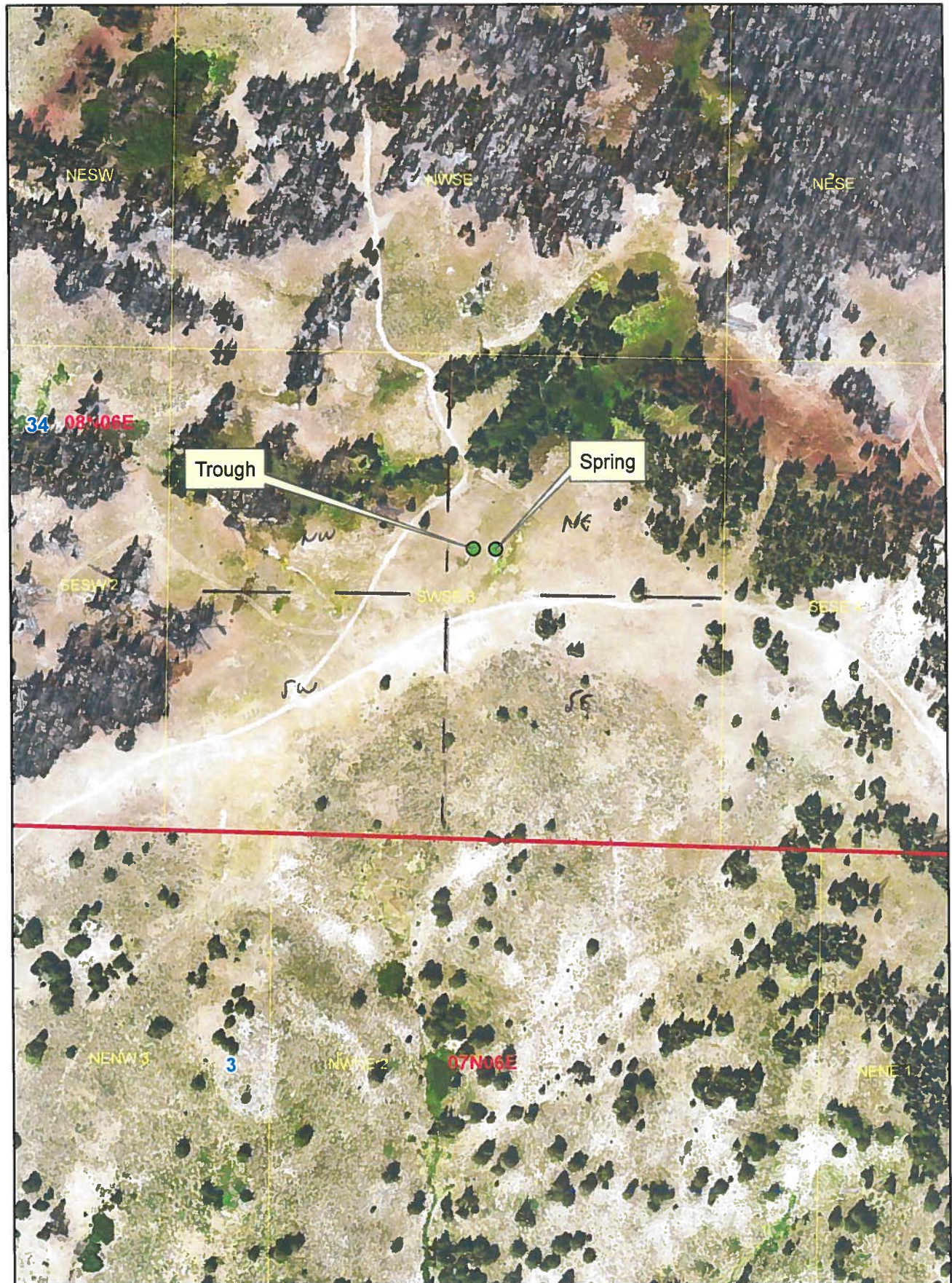
Delete well drilling & stockwater conditions.

Add condition for FS project: Wilson Peak Water Development, Project No. BS-90-703.

See attached – Map, emails with photos & gps data, 1993 incomplete exam (just cover page was used) with associated copies of FS records from then.

¹ FS and SO currently working on a single standard for FS contacts – whether it is the local forest, the regional office overseeing multiple forests, including more than 1 name/address, or some other solution. Meanwhile, use the name of record but update the address already noted in our contact table.

63-11544



IOWR map per 8/15/2014 email
from F.S.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 25, 2014

US DEPT OF AGRICULTURE
FOREST SERVICE
ATTN: STEVE SPENCER
1249 S VINNELL WAY STE 200
BOISE ID 83709-1663

RE: Water Right Permit No. 63-11544

Dear Permit Holders:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

☒ **Point of Diversion, Place of Use, Clarify Source of Water**

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$100.00 filing fee within 14 days.

If you have any questions, please call me at 334-2190.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Lester, Steve

From: Spencer, Steven M -FS [sspencer@fs.fed.us]
Sent: Thursday, August 21, 2014 2:43 PM
To: Lester, Steve
Subject: 63-11544 Wilson Peak Water Development Photos
Attachments: Spring Area.JPG; Trough Rd in Background.JPG; Trough to Spring Source.JPG

Steve,

Attached are some photos of this water development taken in the last few days that might be useful for the Department to have in this particular file.

Steve

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.





Lester, Steve

From: Spencer, Steven M -FS [sspencer@fs.fed.us]
Sent: Friday, August 15, 2014 1:45 PM
To: Lester, Steve
Subject: RE: Permit 63-11544 Wilson Peak Water Development
Attachments: 63-11544 Permit - Aerial Photo.pdf

Steve,

I hope the attached aerial photo will suffice. It looks like trough is in the SWSE Sec 34 T8N R6E.

GPS Coordinates are:

POD	43.9802	-115.7313
POU	43.9802	-115.7315

I'm suspecting this will probably trigger a Permit Amendment. I have some other suggestions that hopefully can be incorporated into an amendment.

The source appears to me to be a spring with the 'French Drain' underground collection system supplying water to the string of four in-line troughs. I understand that a well needs to be at least 18 feet deep. I'm pretty certain that the French Drain is not 18 feet deep. It's probably no more than 3 – 6 feet deep. With this in mind the source might need to be changed from Groundwater to Spring.

Since this is a gravity fed system I'm also pretty certain that the diversion rate is not 0.07 cfs. The customary amount of 0.02 cfs continuous flow would supply 13,000 gpd, certainly more than is going to be used in any one day.

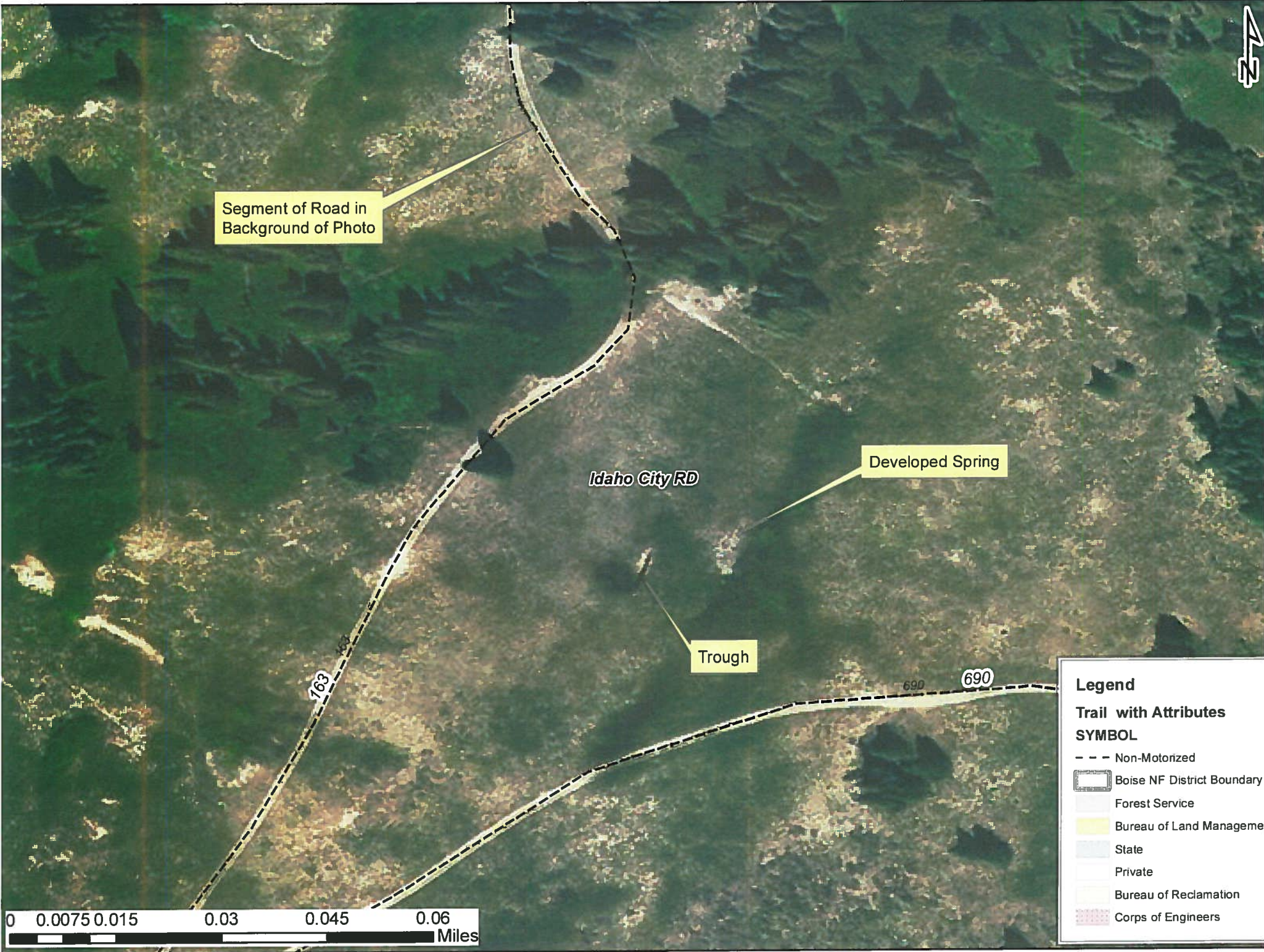
I'd also vie for changing the name and address to as part of this amendment process. (I'm just beginning what will be several months work with the State Office getting the addresses on the 9,000+ SRBA decrees changed to the appropriate Forest Supervisors Office. In the long run I also hope to get the name of the 'Forest Service' in IDWR records standardized. I understand right now the Department has 207 different individual names and for the Forest Service in Idaho. In fact, if you have comments or suggestions on this name and address matter please let me know.)

United States of America
USDA Forest Service
1249 South Vinnell Way, Suite 200
Boise, ID 83709

After you've had a chance to think about this matter if you have any questions please contact me. If you'll prepare the appropriate amendment I'll get it forwarded to the right person for signature and return to you with the fee.

Thanks for your help on this one.

	Steven M. Spencer Water Use Specialist USDA Forest Service 1805 Hwy 16 Rm 5 Emmett, ID 83617 sspencer@fs.fed.us 208-365-7055	
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Lester, Steve

From: Lester, Steve
Sent: Friday, August 08, 2014 8:56 AM
To: 'sspencer@fs.fed.us'
Subject: Permit 63-11544 Wilson Peak Water Development
Attachments: 63-11544 FS exam info.pdf

Contacts: Steve Spencer

Hi Steve:

We are hoping to license this permit based on incomplete 1993 exam when I got pretty good information from FS district office in Idaho City, copy attached. This was identified as FS Project BS-90-703, Wilson Peak Water Development (aka West-Side S & G Allotment 2240?).

I emailed you about this in August 2012. As I recall, I think things were too busy with many fires that year, preventing any progress in this matter.

The only thing I need to confirm is the correct legal description – Sections 3 &/or 4 vs. Section 34? Per attached copies of 1993 FS records:

- 1) Map showing project in Section 4 (maybe trough in Section 3?).
- 2) Map with that location crossed out & Section 34 location shown, same project id label.
- 3) Narrative of project.
- 4) Diagram of project.
- 5) Photo of trough.

Please confirm POD & POU legal description so the permit can be licensed. Without confirmation, we would have no option except to void the permit because we cannot confirm correct development under the permit. I hesitate to put a deadline on this but probably should according to our mandated procedures. Please provide the information by November 1, 2014. More time will be available upon request.

Thanks for your help in wrapping up this loose end.

Steve Lester
Water Rights Supervisor
IDWR Western Region
2735 Airport WY
Boise, ID 83705
(208-334-2190)

Lester, Steve

From: Lester, Steve
Sent: Monday, August 06, 2012 11:27 AM
To: 'sspencer@fs.fed.us'
Subject: Forest Service permit 63-11544, Boise Natl Forest

Contacts: Steve Spencer

Hi Steve:

This is an inquiry to verify location of point of diversion & place of use for a ground water system – kind of a french drain shallow ground water collector west of Pilot Peak/Mores Creek Summit. FS project *BS-90-703, Wilson Peak Water Development*. Aka *West-Side S & G Allotment (2240)*?

IDWR has incomplete field exam information from 1993, would be great to wrap it up & issue the license.

Permit identifies POD in 7N 6E Sec. 4 NENESE & POU in NESE, same section.

Traditionally, IDWR has visited FS offices to confirm project location & other specs from FS files. This occurred at ID City Ranger Station in 1993. Attached are copies from FS file. Includes several maps that id same project # but show different locations. Also included copy of system diagram from FS file. Can you help me verify the correct location? Just an email reply would work, don't need further documentation unless GPS data already available in FS records for this – that would be the gold medal solution.

On another note, please call me when you can. Would like to discuss a method we can develop to use email, scanned documents & maybe GPS data to conduct exams for FS permits. This would be updated version of our traditional way of visiting FS ranger stations to look at files. This is a situation where less is better: don't want too much information, just enough to verify development was completed and POD/POU location. This effort is part of new IDWR focus on tackling the licensing backlog (very big!). Western Region will handle most/maybe all FS permits in our region, so thought it would help to discuss it with you so we can see what works best on both ends.

Thanks for all your help.

Steve
334-2190

just this cover
pg. was used

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 63-11544

1. Owner: USDA FOREST SERVICE / BOISE NAT'L FOREST Phone No. 392-6681 or 384-4330

Current Address: 1750 FRONT ST. BOISE, ID 83702

2. Accompanied by: Terry Sexton EXAM DATE: 10/27/93

Address: Same Phone No. _____

Relationship to Permit Holder: IO. City Range Dist. Staff

3. Source: _____ tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
								Boise	USGS 7 1/2' topo & Forest SERVICE RECORDS

2. Place(s) of Use:

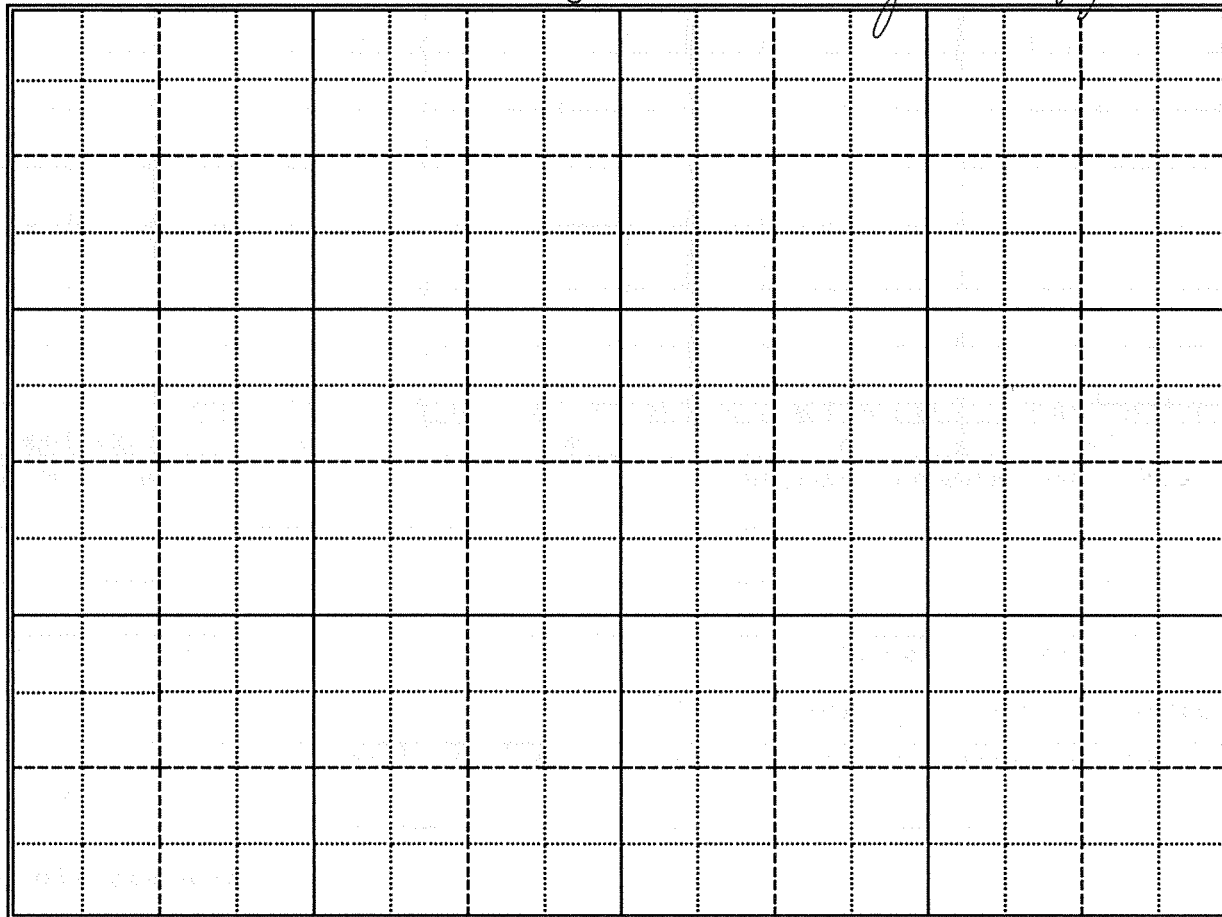
Indicate Method of Determination SAME AS ABOVE

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

incomplete - see attached notes - SL

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

See FS diagram - copy included with report



Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

N/A ☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached *See copies of FS photos*

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	<i>N/A</i>				

*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

2. Measurements: *NONE*

CULTURAL RESOURCE REPORT NARRATIVE

U.S. FOREST SERVICE - INTERMOUNTAIN REGION (IDAHO)

- A. NAME AND FULL DESCRIPTION OF THE PROPOSED UNDERTAKING (KEY TO MAP)
(Be specific and describe all direct and indirect impacts expected; include a statement of project objectives):

BS-90-703 WILSON PEAK WATER DEVELOPMENT
Project Number Project Name

THE PROJECT CONSISTS OF THE INSTALLATION OF A STOCK TANK, ABOUT 600' OF WATER LINE, AND A CATCH BOX AT A SPRING ON THE NORTH EAST SIDE OF WILSON PEAK IN BOISE COUNTY, IDAHO. THE EXCAVATION OF A 600' TRENCH, AND THE CATCH BOX WOULD DISTURB, OR DESTROY ANY EXISTING SITES. ALSO, CONCENTRATING FLOCKS OF SHEEP AROUND THE TANK WOULD DISTURB, OR DESTROY ANY SUFACE ARTIFACTS.

- B. LOCATION AND GENERAL ENVIRONMENTAL SETTING (Key to map, include full legal description of the project area, list all maps and aerial photographs used)

THE LIFE ZONE IS HUDSONIAN, WITH A VEGETATIVE COMMUNITY OF SUB ALPINE FIR, DOUGLAS FIR, AND LODGEPOLE PINE AT ABOUT 7500' ON A NORTH EAST SLOPE. THE NEAREST WATER SOURCE IS THE SPRING AT THE CATCH BOX.

USGS topographic map(s): SUNSET MTN. QUADRANGLE, BOISE COUNTY IDAHO, BOISE MERIDIAN

Legal description: T 7 N. R 6 E. Section(s) SE 1/4 OF 4
 T 7 N. R 6 E. Section(s) SW 1/4 OF 3

C. PRE-FIELD RESEARCH

1. Sources of information checked: ☒ Project Atlas
☐ GLO Plats ☐ Sensitivity Maps ☐ Other

2. Summary of previous studies in this general area, similar terrain:

Report No./Title	Distance/Direction	Results
BS-80-119/LAGER BEER TS	SE ABOUT 5 MILES	NONE APPLICABLE

BS-78-66/SHAWS GULCH S. ? MILES
AIRPORT UNIT AND
JONNY WOODS LANDS
EXCHANGES

D. EXPECTED HISTORIC AND PREHISTORIC LAND USE AND SITE SENSITIVITY

1. Are there known sites in the general area? ☐ Yes ☒ No
2. Are sites expected? ☐ Yes (Where?) ☒ No (Why?) Explain below:
THE SITE OF THE PROJECT IS ON THE SIDE OF A MOUNTAIN WHERE THERE HAS NOT BEEN ANY RECORDED MINING ACTIVITY, AND IS AN UNLIKELY AREA FOR INDIANS.

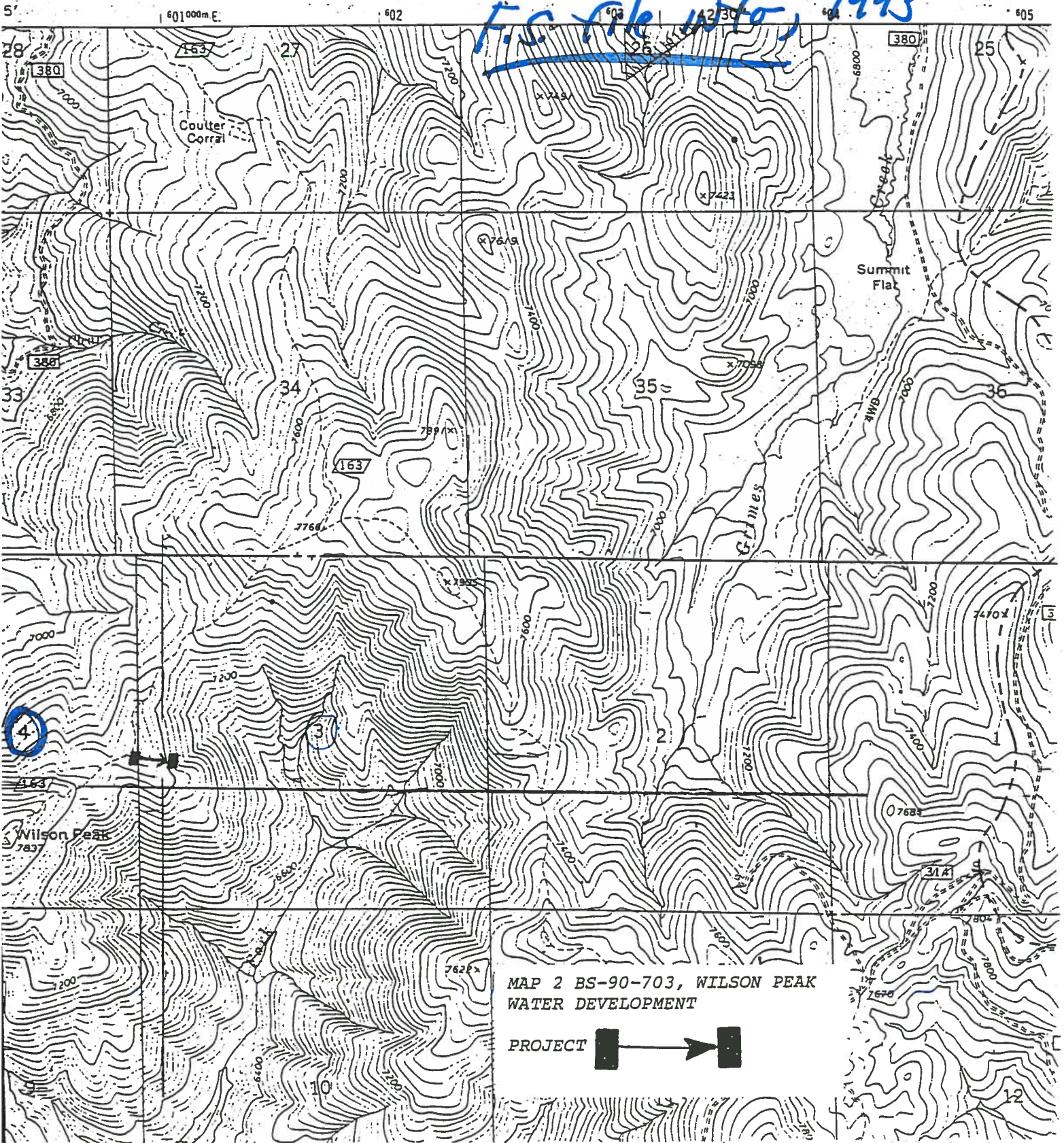
info from FS files 10/27/93
-SL

UNITED STATES
DEPARTMENT OF AGRICULTURE
FOREST SERVICE
INTERMOUNTAIN REGION

BOISE NATI
IDAHO CITY AND LOV

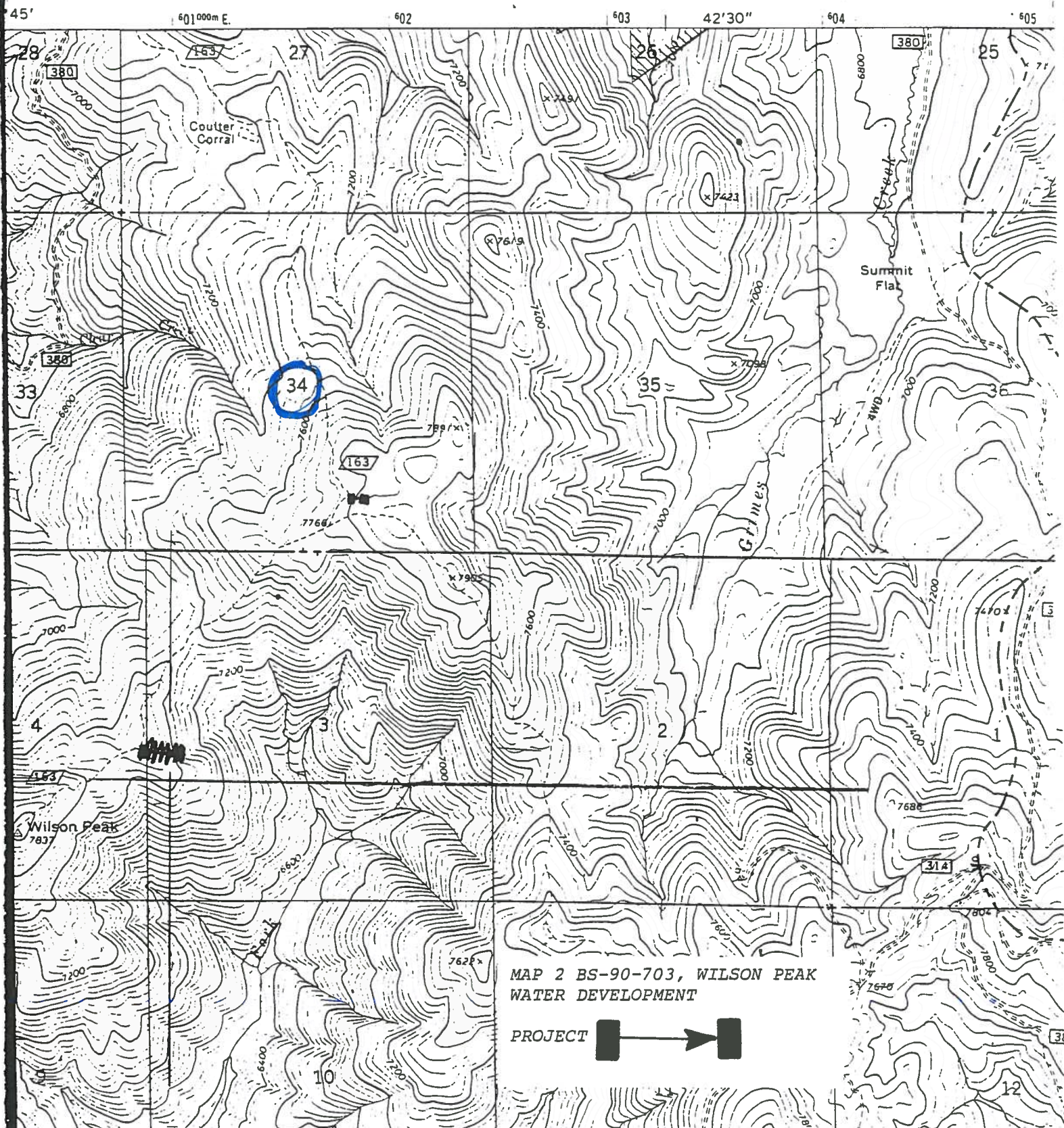
63-11544

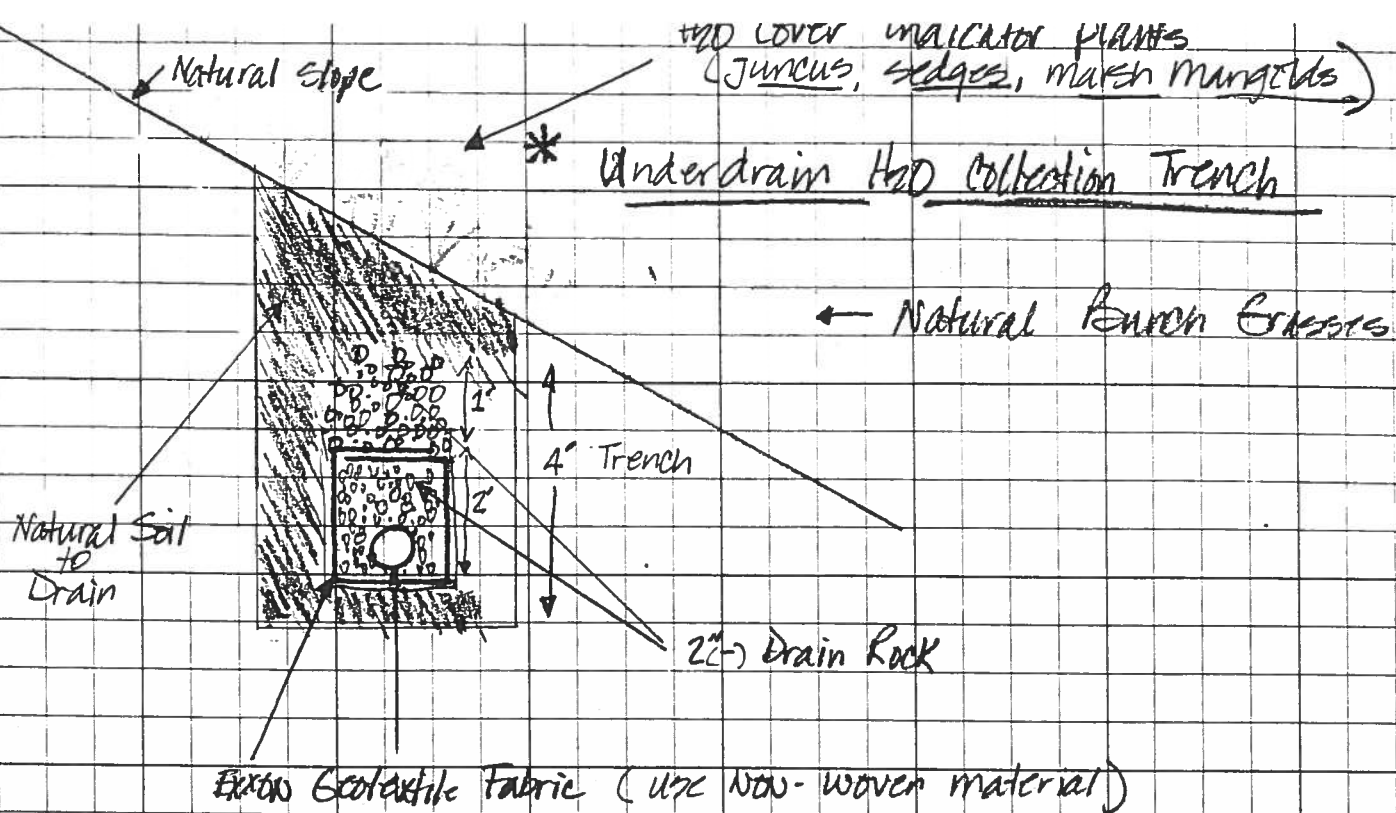
F.S. file info, 1993



UNITED STATES
DEPARTMENT OF AGRICULTURE
FOREST SERVICE
INTERMOUNTAIN REGION

BOISE NATIONAL FOREST
IDAHO CITY AND LOVELAND DISTRICTS





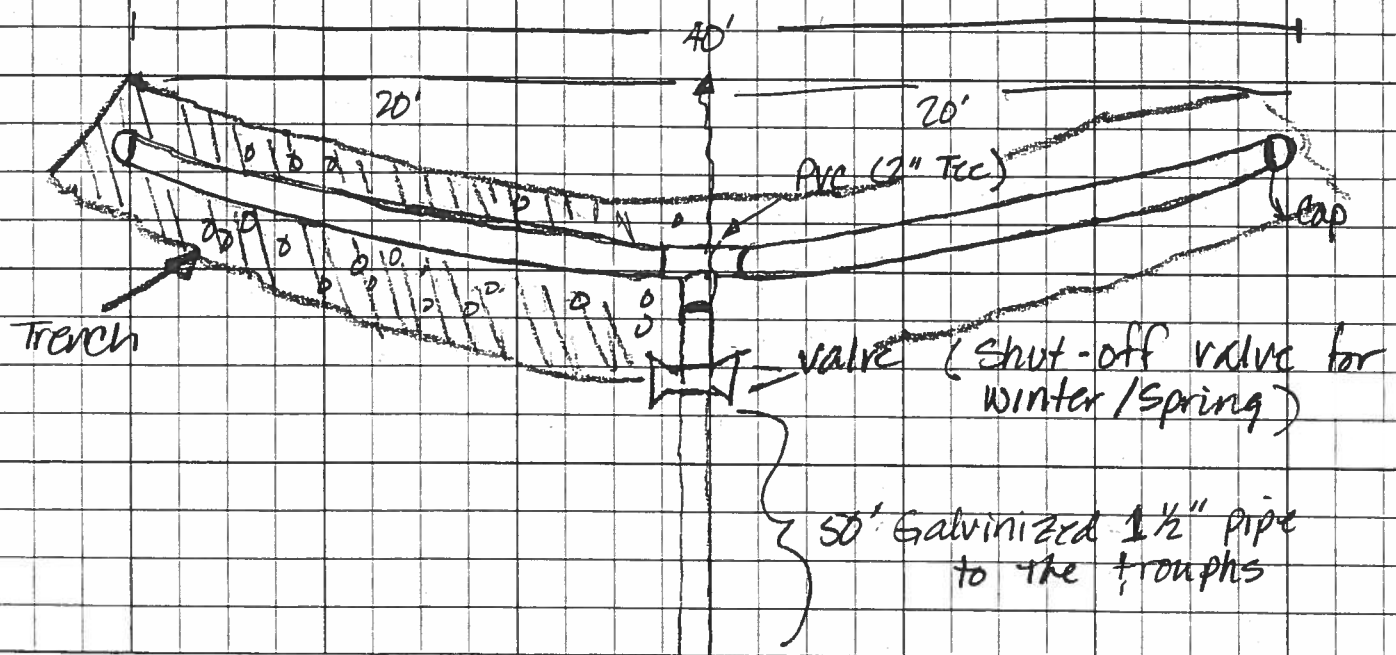
* 2" Perforated collector Pipe (should use 4")

* PVC Perforated Pipe

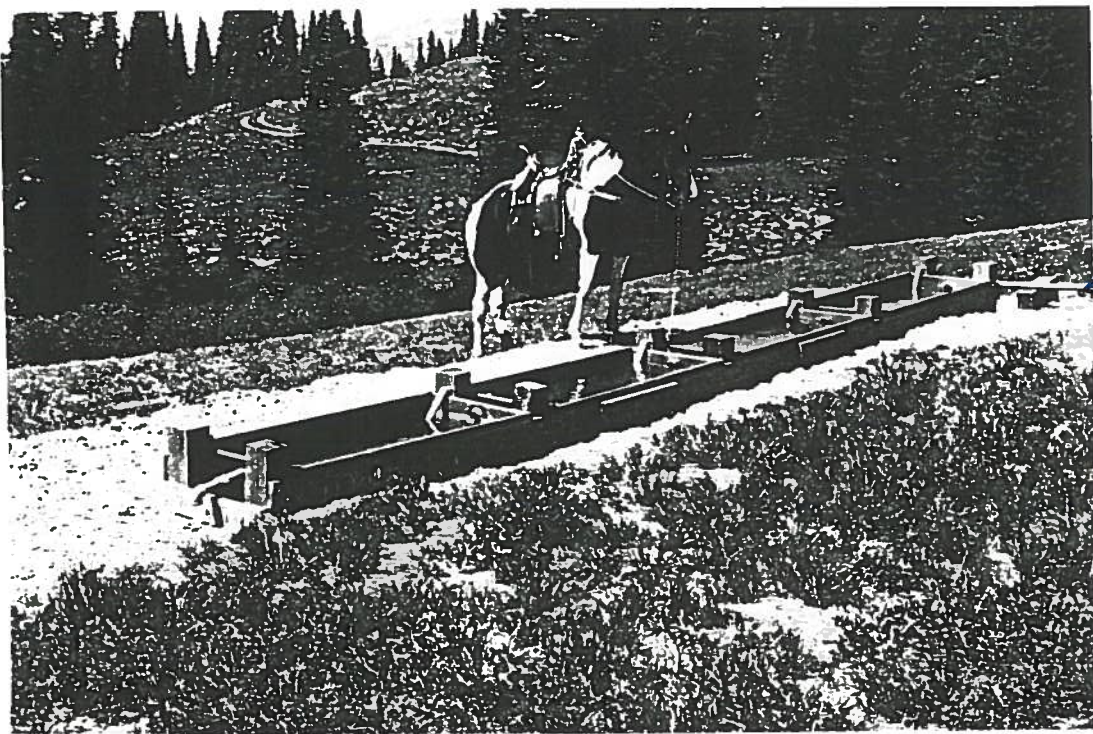
→ either buy 4" perforated pipe
or drill 5/4" (or) holes in 2-3" PVC Pipe



Vertical View of Collection system



FS into → French drain system,
pipe to trench

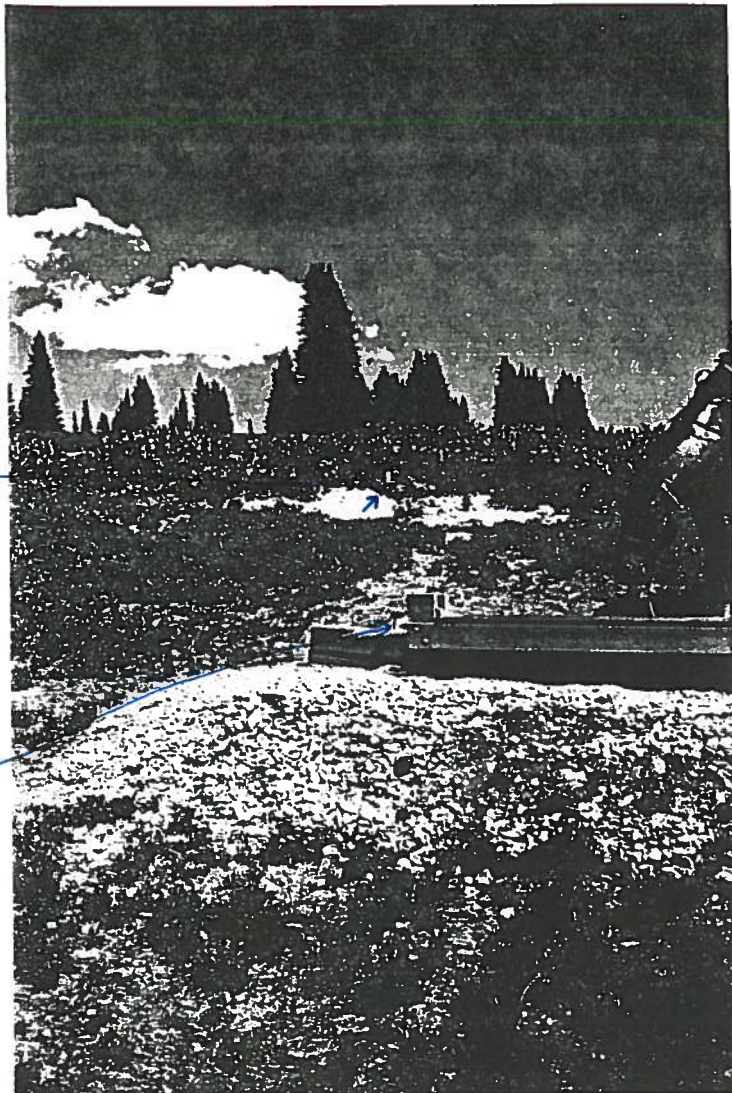


Delivery
pipe

WILSON PEAK WATER DEV
1998

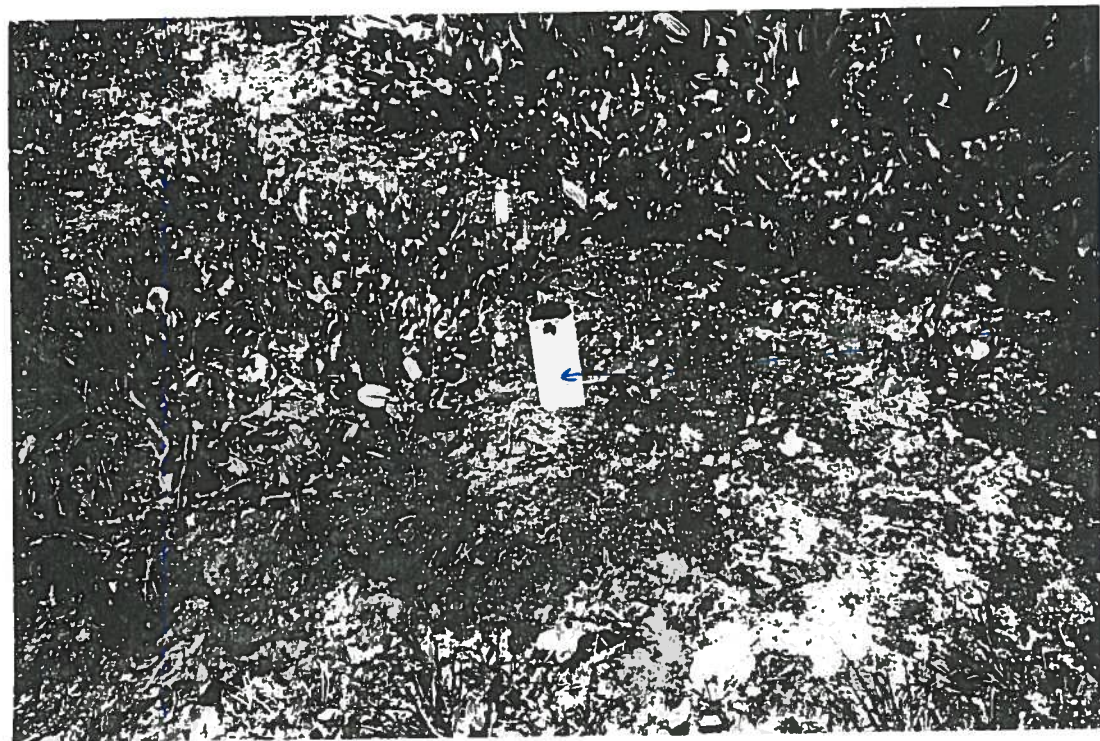
white PVC pipe
6m long - is this area
where French
Drain is
buried? *

1 1/2" galvanized
delivery pipe

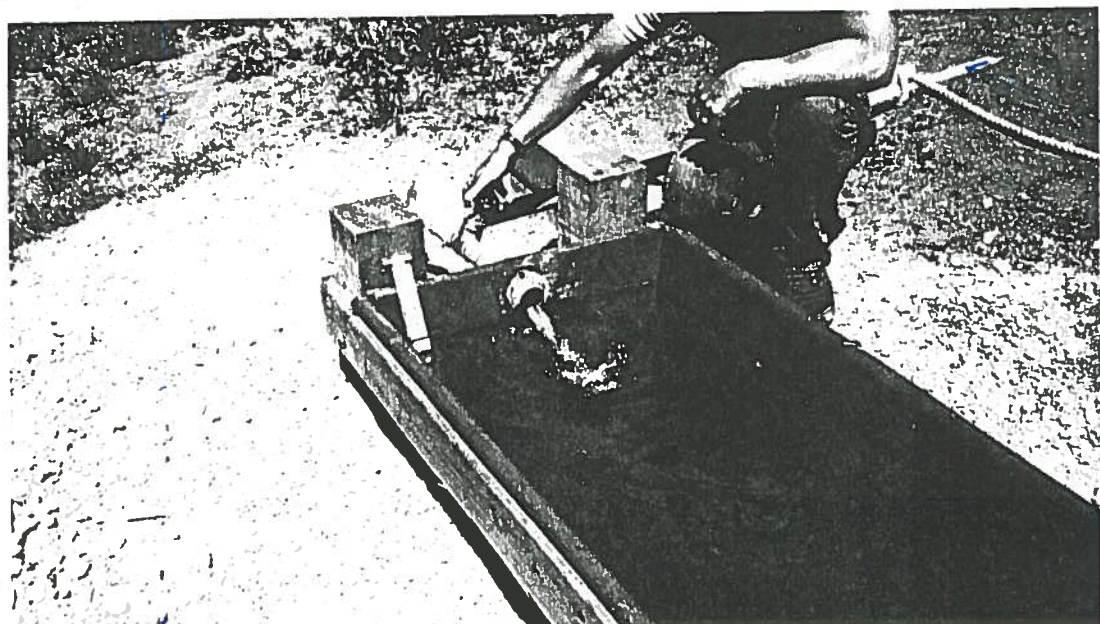


trough

* If yes - Length delivery pipe est. 30-50'
- Ft. of hd est. 10'



white PVC pipe
emerges just
uphill 30'-50'
from trough
area where French
drain is buried?



Delivery
pipe

