

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 45-7693

Exam Date: 8/8/2014

1. Current Owner: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657
(208) 373-4000

- | | |
|----------------------------|-------------------------------|
| 3. <u>SOURCE</u>
SPRING | <u>TRIBUTARY</u>
COW CREEK |
|----------------------------|-------------------------------|

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Federal reserved water right 45-12687 appears to be from the same spring and lists the place of use in the same location (SWSW of Section 24). However, the spring was fenced off to keep livestock away from the spring. In stream stock water right 45-12531 (Cow Creek) lists the beginning point as the SESWSW of Section 24, so the right flows through this same area (SWSW of Section 24).

2. Other water rights with the same point of diversion: Federal reserved water right 45-12687 appears to be from the same spring. Note that federal reserved water right 45-12687 lists the POD in the SESWSW but the fenced in spring enclosure is located within the NESWSW (per site visit, aerial photography, and conversation with BLM). Note that there are no other springs located in the SW ¼ of Section 24. Since there is only one spring in this area, the federal reserved right and this permit / right have to refer to the same spring. In stream stock water right 45-12531 (Cow Creek) lists the beginning point as the SESWSW of Section 24, so the right flows through this same area, but is from a different source (Cow Creek) rather than the spring.

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

SPRING NE1/4SW1/4SW1/4 Sec. 24, Twp 12S, Rge 25E, B.M.
CASSIA County

Method of Determination: Site visit, aerial photography, and conversation with BLM

2.

PLACE OF 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	
12S 25E 24											X						

PLACE OF USE: WILDLIFE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 25E 24											X						

Method of Determination: Site visit and aerial photography

D. FLOW MEASUREMENTS

Diverted spring flow was measured using a one gallon container and a watch. Multiple measurements were taken and the one gallon container filled in approximately eight to nine seconds, resulting in a flow of approximately seven gpm or 0.0156 cfs. Due to rounding, 0.02 cfs will be recommended for licensing.

E. VOLUME CALCULATIONS

Not required for 42-111 type domestic uses per new Beneficial Use Examination Rules implemented 3/29/2012. Stockwater use can be considered a "part a" domestic use (up to 13,000 gpd). Consider wildlife use as an incidental type of use contributing no additional water to the appropriation above and beyond what is allowed for stockwater use as described on the permit.

F. NARRATIVE/REMARKS/COMMENTS

Application for Permit 45-7693 was filed on September 3, 1991 by the Bureau of Land Management for the diversion of 0.11 cfs from a spring (tributary to sinks) for stockwater and wildlife use. The permit was issued on April 23, 1992 and proof of beneficial use was filed on April 27, 1995. On August 8, 2014, I conducted the licensing field exam for permit/right 45-7693.

An overlap review indicates that decreed federal reserved water right 45-12687 appears to describe the same spring. Note that federal reserved water right 45-12687 lists the POD in the SESWSW of Section 24 (T12S, R 25E) and describes the source as "Spring tributary to Cow Creek". The field examination indicated that there are no other springs in this area and that the spring is located in the bottom of the Cow Creek canyon and would be tributary to Cow Creek. The spring is fenced in a pole fence enclosure and the Cow Creek channel runs through this same enclosure. The spring and enclosure are located within the NESWSW of Section 24. Permit 45-7693 incorrectly lists the point of diversion / spring location as being in the SWSESW of Section 24. A licensing amendment was prepared and originally identified the spring location as the SESWSW of Section 24 (T12S, R 25E) in an attempt to keep the description consistent with federal reserved water right 45-12687. Upon receiving and reviewing the proposed licensing amendment, Fred Price of the BLM contacted me and indicated that the BLM would like to have the license issued with the correct point of diversion / spring location (NESWSW of Section 24). Note that Mr. Price corrected and initialed the point of diversion description on the licensing amendment that the BLM signed and submitted to IDWR. It is recommended to issue license 45-7693 with the correct point of diversion / spring location (NESWSW of Section 24) as requested by the BLM. However, despite different point of diversion descriptions, and special data points in IDWR records, in reality right 45-7693 shares the same point of diversion / source / spring location as decreed federal reserved water right 45-12687.

The system consists of a developed spring within a fenced in enclosure with a pipeline to two adjacent stock troughs located just outside the fenced in enclosure. The spring could not actually be located within the fenced in enclosure due to thick lush vegetation, but it is suspected that it is located in a large patch of stinging nettle towards the southeast end of the enclosure. A metal access pipe with a lid, located within the fenced in enclosure, revealed a buried plastic pipe approximately 2 inches in diameter leading towards the troughs just outside the fenced in enclosure. Water was discharging into the southwestern trough and then flowing into the adjacent, northeastern trough. A two inch pipeline discharged from the second (northeastern) trough into the Cow Creek channel approximately 25 feet away. This discharge pipe from the trough(s) was where the measurement was conducted using a one gallon container and a watch. Multiple measurements were taken and the one gallon container filled in approximately eight to nine seconds, resulting in a flow of approximately seven gpm or 0.0156 cfs. Due to rounding, 0.02 cfs will be recommended for licensing. During the exam, cattle were present at the troughs and elk and deer sign was observed in the area around the spring and troughs documenting stockwater and wildlife use.

Have conditions of permit approval been met? ☒ Yes ☐ No

G. RECOMMENDATIONS**1. Recommended Amounts**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	04/01 to 12/31	0.020 CFS	N/A
WILDLIFE	01/01 to 12/31	0.020 CFS	N/A
<u>Totals:</u>		0.020 CFS	N/A

2. Recommended Amendments

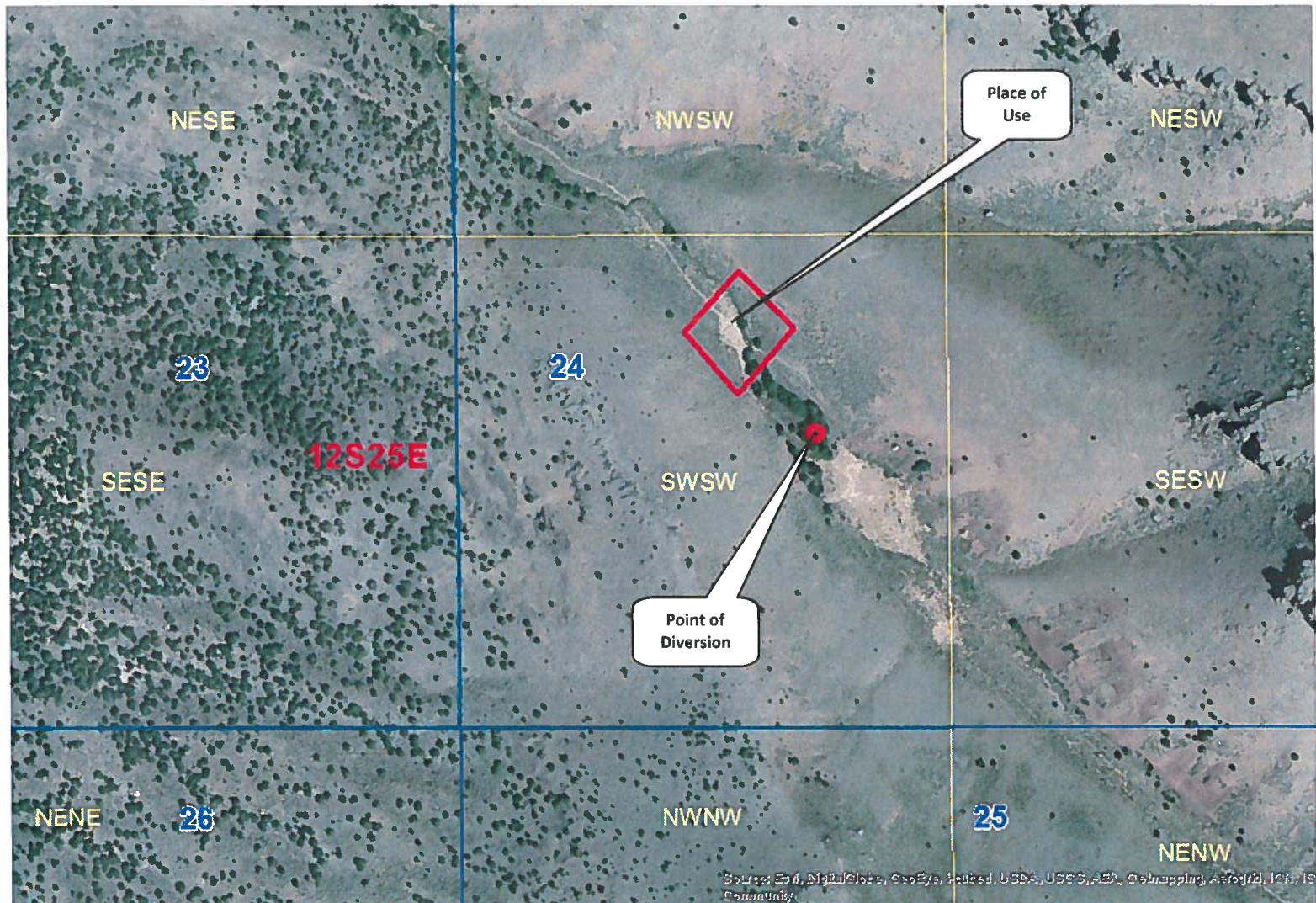
☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

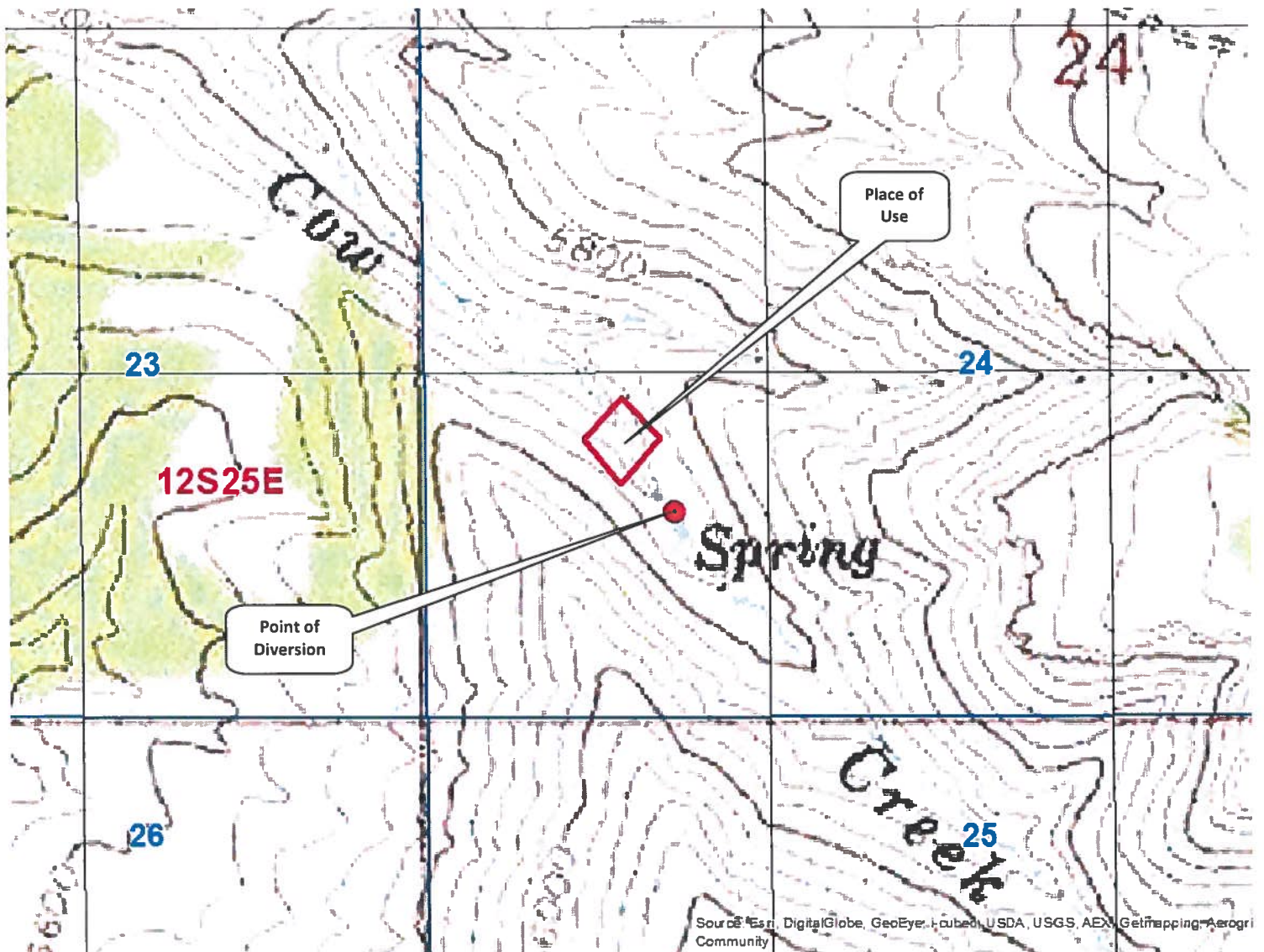
H. AUTHENTICATION

Field Examiner's Name [Signature] Date 9/9/2014
 Reviewer [Signature] Date 9/11/2014

45-7693 Point of Diversion and Place of Use Map ESRI Imagery



45-7693 Point of Diversion and Place of Use Map USGS Quadrangle

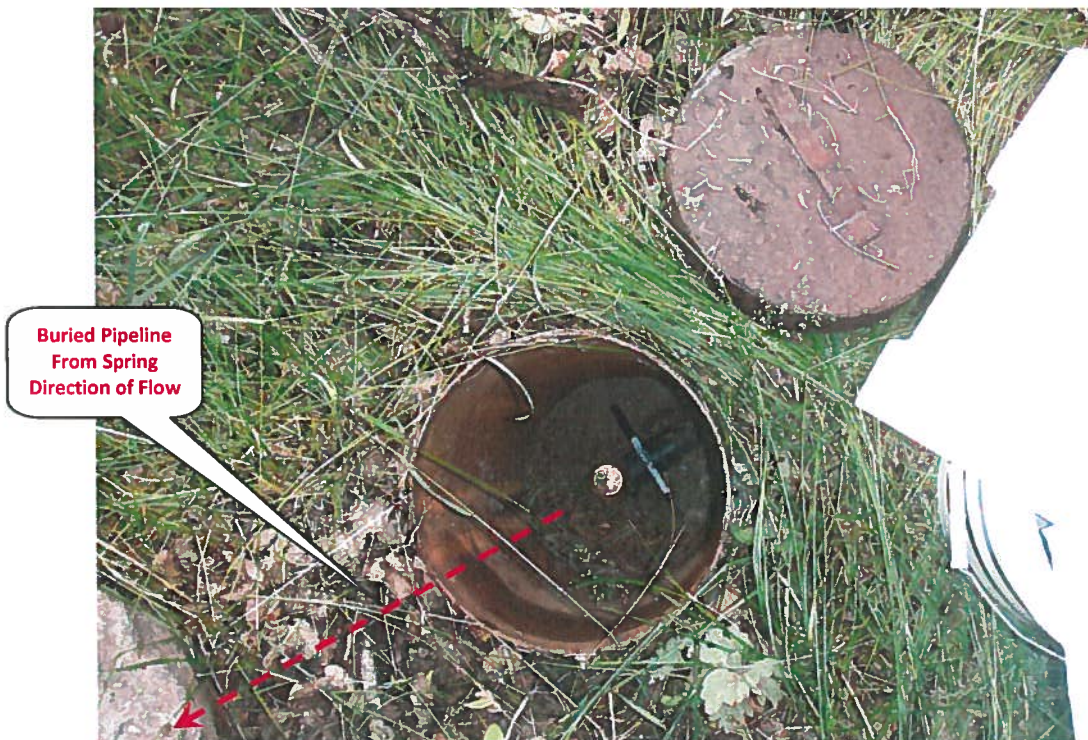


45-7693 Point of Diversion and Place of Use Photos



ABOVE: View looking southeast, up Cow Creek canyon, across the southwestern trough with the fenced in spring enclosure visible in the background. Note cattle documenting stockwater use.

BELOW: View of metal access pipe within fenced in spring enclosure showing plastic pipeline.



45-7693 Point of Diversion and Place of Use Photos

