

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

A. GENERAL INFORMATIONPermit No: 73-12025

Exam Date: 01/25/13

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: Bureau of Land Management

Owner of Record Correct? X Y NAddress of Record Correct? X Y N

If No: Address

3. Beneficial Use Fees have been paid:
- X
- Y
-
- N Receipt No: E034236

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

Spring

Burnt Creek

Method of Determination: Photos of head box and spring provided by permit holder.

Change in Source:

 Y X N**B. OVERLAP REVIEW**

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

Water Right No.	Source	Purpose of Use	Basis

Comments: 73-10630 is Federal Reserve Right for historic use of spring. 73-10634 is for a different spring in the same QQ.

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

Water Right No.	Source	Purpose of Use	Basis
73-10630	Spring	Stockwater	Decreed – FR107

Comments: 73-10630 is Federal Reserve Right for historic use of spring. 73-10634 is for a different spring in the same QQ.

C. DIVERSION AND DELIVERY SYSTEM1. **LOCATION OF POINT(S) OF DIVERSION:**

Source	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.		County
Spring	17		SW	SW	17	11N	24E	B.M.	Custer
								B.M.	
								B.M.	

Method of Determination: Photos and GPS of head box and spring provided by permit holder.

Change in POD? Y X N Amendment Required? Y X N

- 2.
- PLACE OF USE:**
- Use: Stock and Wildlife

$V = \text{Smaller of } V_{I.B.} \text{ and } V_{D.B.} = \underline{\hspace{2cm}}$

2. Volume Calculations for Other Uses:

Per Application Processing Memo #3, sec. 3

518 X 0.0134 = 6.9 afa

Per Application Processing Memo #3 – 501-600 head, 8.1 afa

License recommend for 6.9 afa.

G. PURPOSE OF USE

Irrigation _____N # Stock 510 cattle, 8 horses _____ Domestic # of Homes _____

Other: Wildlife

Change in Purpose of Use? ____Y __X__N

Method of Determination: Troughs visible on GIS Imagery.

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

H. NARRATIVE/REMARKS/COMMENTS

Wild and Scenic – Salmon River except for Middle Fork
Known as Burt Springs Pipeline

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	6.9 AF
Wildlife	01/01 to 12/31	0.02 CFS	6.9 AF
<u>Totals:</u>		0.02 CFS	6.9 AF

2. Recommended Amendments

____Change P.D. as reflected above ____Add P.D. as reflected above __X__None

_X__Change P.U. as reflected above ____Add P.U. as reflected above ____None

Other: AMENDMENT Received from BLM 01/1/13

J. AUTHENTICATION

Field Examiner's Name Jonielli Bruni Zava Date 01-26-13

Reviewer _____ Date _____

Bert Springs Pipeline
Trough 1
73-12025



0 3060 120 180 240 Feet

D. Favreau 01/25/13

NWSW 15

NWSW 14

11N24E17

SWSW 16

SWSW 17



Bert Springs Pipeline
Trough 2

73-12025



0 3060 120 180 240 Feet

D. Favreau 07/17/12

SESE 11N24E7



SWSW

11N24E8

SWSW

NENE 11N24E18

NWNW

11N24E17

NWNW

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Right	73 10974	UNITED STATES OF AMERICA	A SPRING	11N24E8													X				0
Right	73 11882	UNITED STATES OF AMERICA	A UNNAMED STREAM	11N24E8				X									X				0
Right	73 11908	UNITED STATES OF AMERICA	A SPRING	11N24E8																	0
Right	73 11909	UNITED STATES OF AMERICA	A SPRING	11N24E8																	0
Right	73 11912	UNITED STATES OF AMERICA	A SPRING	11N24E8															X		0
Right	73 2204	UNITED STATES OF AMERICA	A SPRING	11N24E8																	0
Right	73 2204	UNITED STATES OF AMERICA	A SPRING	11N24E8																	0
Right	73 2205	UNITED STATES OF AMERICA	A SPRING	11N24E8																	0
Right	73 2205	UNITED STATES OF AMERICA	A SPRING	11N24E8																	0
Right	73 2211	UNITED STATES OF AMERICA	A SPRING	11N24E8																	0
Right	73 2211	UNITED STATES OF AMERICA	A SPRING	11N24E8																	0
Right	73 2220	UNITED STATES OF AMERICA	A SPRING	11N24E8																X	0
Right	73 2220	UNITED STATES OF AMERICA	A SPRING	11N24E8																X	0
Right	73 10622	UNITED STATES OF AMERICA	A SPRING	11N24E8																	0
Right	73 10624	UNITED STATES OF AMERICA	A SPRING	11N24E8																	0
Right	73 10628	UNITED STATES OF AMERICA	A SPRING	11N24E8																	0
Permit	73 12025	US DEPT OF INTERIOR,	SPRING	11N24E8											X						0
Permit	73 12025	US DEPT OF INTERIOR,	SPRING	11N24E8											X						0

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Right	73 10630	UNITED STATES OF AMERICA	A SPRING	11N24E17											X						0
Right	73 10634	UNITED STATES OF AMERICA	A SPRING	11N24E17											X						0
Permit	73 12025	US DEPT OF INTERIOR,	SPRING	11N24E17											X						0
Permit	73 12025	US DEPT OF INTERIOR,	SPRING	11N24E17											X						0

*per ArcMap
SWSW + Lot 17*

POD

Basin	Sequence	Suffix	Version Number	Process	Basis	Status	Draft	RightID	Priority Date	Diversion Rate	Source List	Water Use List	Current Owner
73	10630			Water Right	Decreed	Active	N	407236	1/1/1879	0.02	SPRING	STOCKWATER	UNITED STATES OF AMERICA ACTING THROUGH
73	10634			Water Right	Decreed	Active	N	407237	1/1/1879	0.02	SPRING	STOCKWATER	UNITED STATES OF AMERICA ACTING THROUGH
73	12025			Water Permit		Active	N	577429	3/25/2004	0.02	SPRING	STOCKWATER, WILDLIFE	US DEPT OF INTERIOR

Other Owner	Leased to Water Application Approval	Total Acr	Acre Lim	Volume	Water District
No					73 - Pahsimeroi River
No					73 - Pahsimeroi River
No	5/4/2004				73 - Pahsimeroi River

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/17/2012

WATER RIGHT NO. 73-10630

<u>Owner Type</u>	<u>Name and Address</u>
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

Priority Date: 01/01/1879

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.02 CFS	
Total Diversion			0.02 CFS	

Location of Point(s) of Diversion:

SPRING	Lt 17	Sec. 17	Township 11N	Range 24E	CUSTER County
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Place(s) of use:

Place of Use Legal Description: STOCKWATER CUSTER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
11N	24E	17	17											

Conditions of Approval:

1.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY. ***** 4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT. * * * * THIS WATER
2.	D01	RIGHT IS ALSO CLAIMED BASED ON FEDERAL LAW * * WITH AN APRIL 17, 1926, DATE OF PRIORITY PURSUANT TO AN * * EXECUTIVE ORDER SIGNED THE SAME DATE AND KNOWN AS PUBLIC * * WATER RESERVE 107. * *****
3.	N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4.		BLM RECORD ID = 7304582481 STOCKWATER, 270 CATTLE, 1000 SHEEP, 8 HORSES; WILDLIFE VAR. AMT.

Dates:

Licensed Date:

Decreed Date: 03/15/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 73

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:
Mitigation Plan: False

Close

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/17/2012

WATER RIGHT NO. 73-10634

<u>Owner Type</u>	<u>Name and Address</u>
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

Priority Date: 01/01/1879

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.02 CFS	
Total Diversion			0.02 CFS	

Location of Point(s) of Diversion:

SPRING	Lt 17	Sec. 17	Township 11N	Range 24E	CUSTER County
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Place(s) of use:

Place of Use Legal Description: STOCKWATER CUSTER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
11N	24E	17	17											

Conditions of Approval:

1.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY. ***** 4/17/1926
2.	D01	CLAIMED UNDER FEDERAL RESERVED WATER RIGHT. * * * * THIS WATER RIGHT IS ALSO CLAIMED BASED ON FEDERAL LAW * * WITH AN APRIL 17, 1926, DATE OF PRIORITY PURSUANT TO AN * * EXECUTIVE ORDER SIGNED THE SAME DATE AND KNOWN AS PUBLIC * * WATER RESERVE 107. * *****
3.	N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4.		BLM RECORD ID = 7304582483 STOCKWATER, 270 CATTLE, 1000 SHEEP, 8 HORSES; WILDLIFE VAR. AMT.

Dates:

Licensed Date:

Decreed Date: 03/15/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 73

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:
Mitigation Plan: False

Close

Favreau, Danielle

From: Price, Fredric [fwprice@blm.gov]
Sent: Friday, January 11, 2013 3:28 PM
To: Favreau, Danielle
Cc: Saxton, Craig; Keen, Shelley
Subject: Re: When is an amendment needed for a change in a lot description
Attachments: 73-12025_Appl-Amd-Permit_as-filed.pdf

Danielle,

Makes sense. I filed an Application to Amend Permit today for 73-12025 (Bert Spring Pipeline, Proj #362003). Proof of Ben Use was submitted back in 2008, but BLM just filed the form without any evidence of the completed project such as pictures or diagrams. Brandon Anderson and I investigated this project just ahead of the snow this winter, so I attached the results of our field investigation to the application as well. See attached.

Fred

On Thu, Jan 10, 2013 at 4:31 PM, Favreau, Danielle <Danielle.Favreau@idwr.idaho.gov> wrote:

Hi Fred,

I spoke to the powers that be here and this is my understanding of when you need an amendment to permit when further examination reveals a change in a lot.

If the change is a results in the Place of Use not quite being in the place represented on the Permit, then an Amendment to Permit is required.

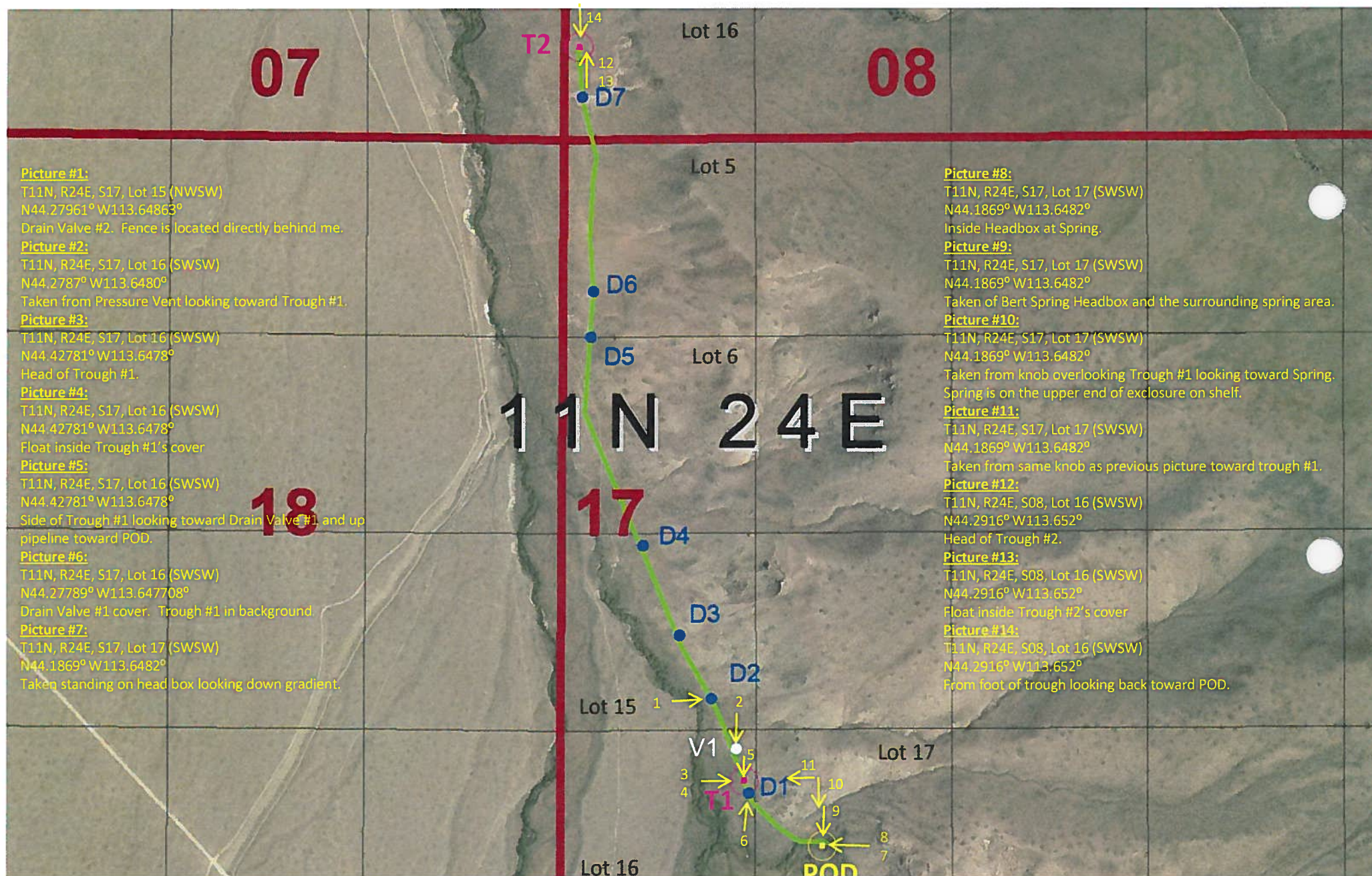
If the change is truly a change in a description – the Place of Use has not moved from where it was represented in the Permit, then it can be an administrative action. For example, the 1922 survey lists the lot description of a location as Lot 12 and the 2008 resurvey now describes that same location as Lot 8. The surveys can be used as evidence to support an administrative action and no amendment would be required.

I hope this helps.

Please let me know if I can clarify anything.

73-12025, Bert Spring Pipeline, Project #362003

Photo Key



73-12025

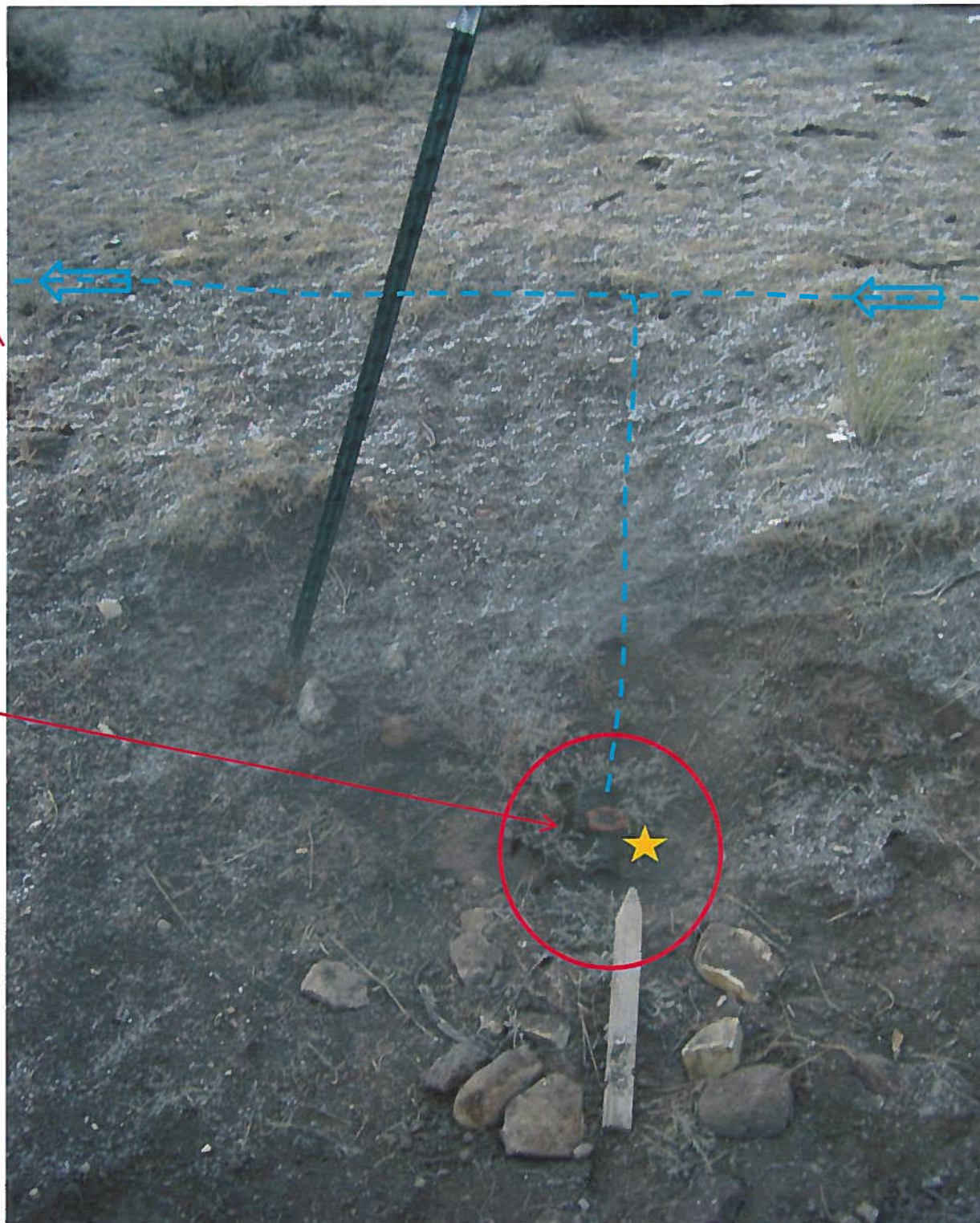
Bert Spring Pipeline
Project #362003

Picture #1
10/25/2012

Uphill

Drain
Valve #2

Drain Valve #2
T11N, R24E, S17,
Lot 15 (NWSW)
★ N44.27961°
W113.64863° (GPS)



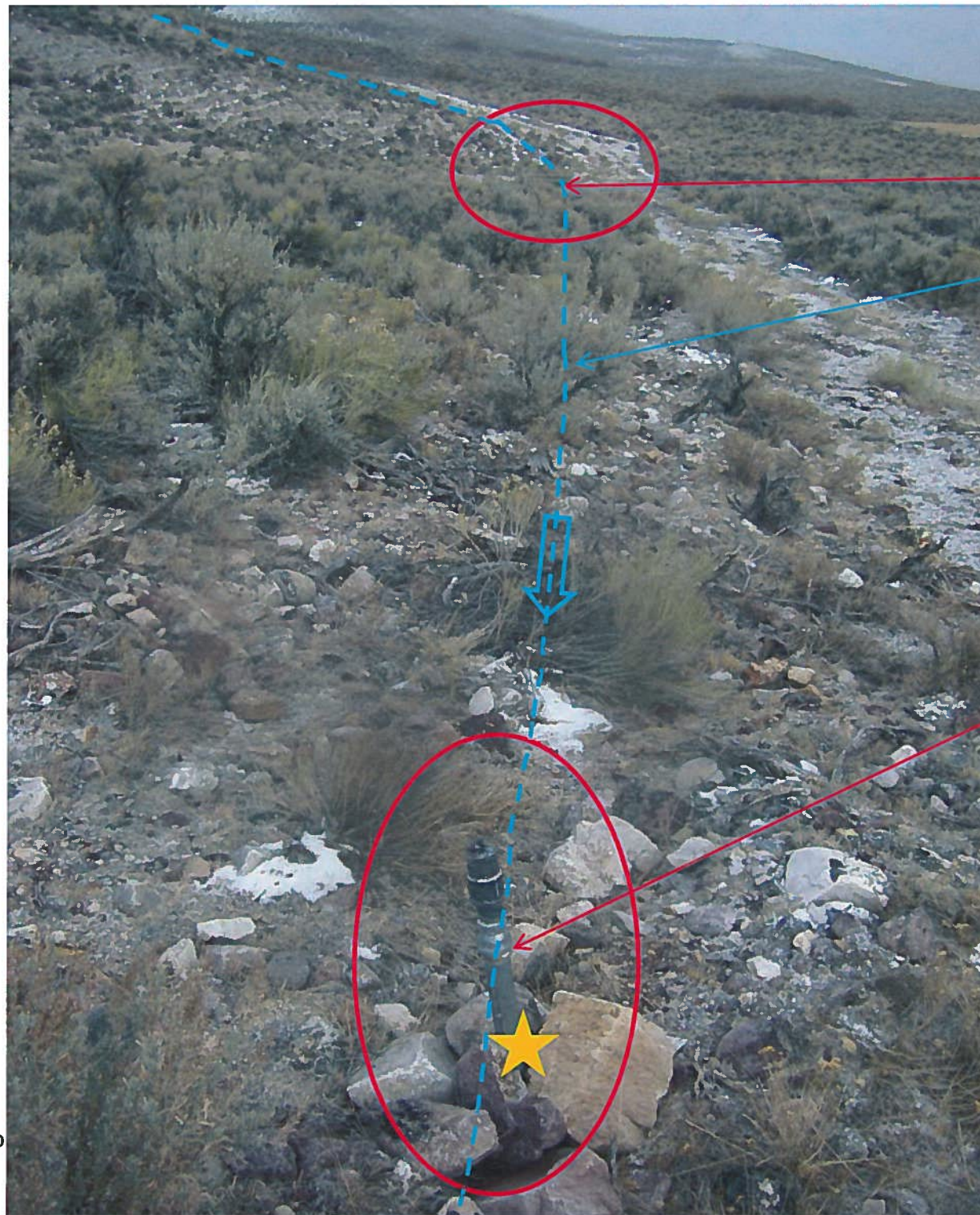
Picture of Drain Valve
#2. Fence is located
behind camera.

73-12025

Bert Spring Pipeline
Project #362003

Pressure Vent #1
T11N, R24E, S17,
Lot 16 (SWSW)

★ N44.2787° W113.6480°
(GPS)



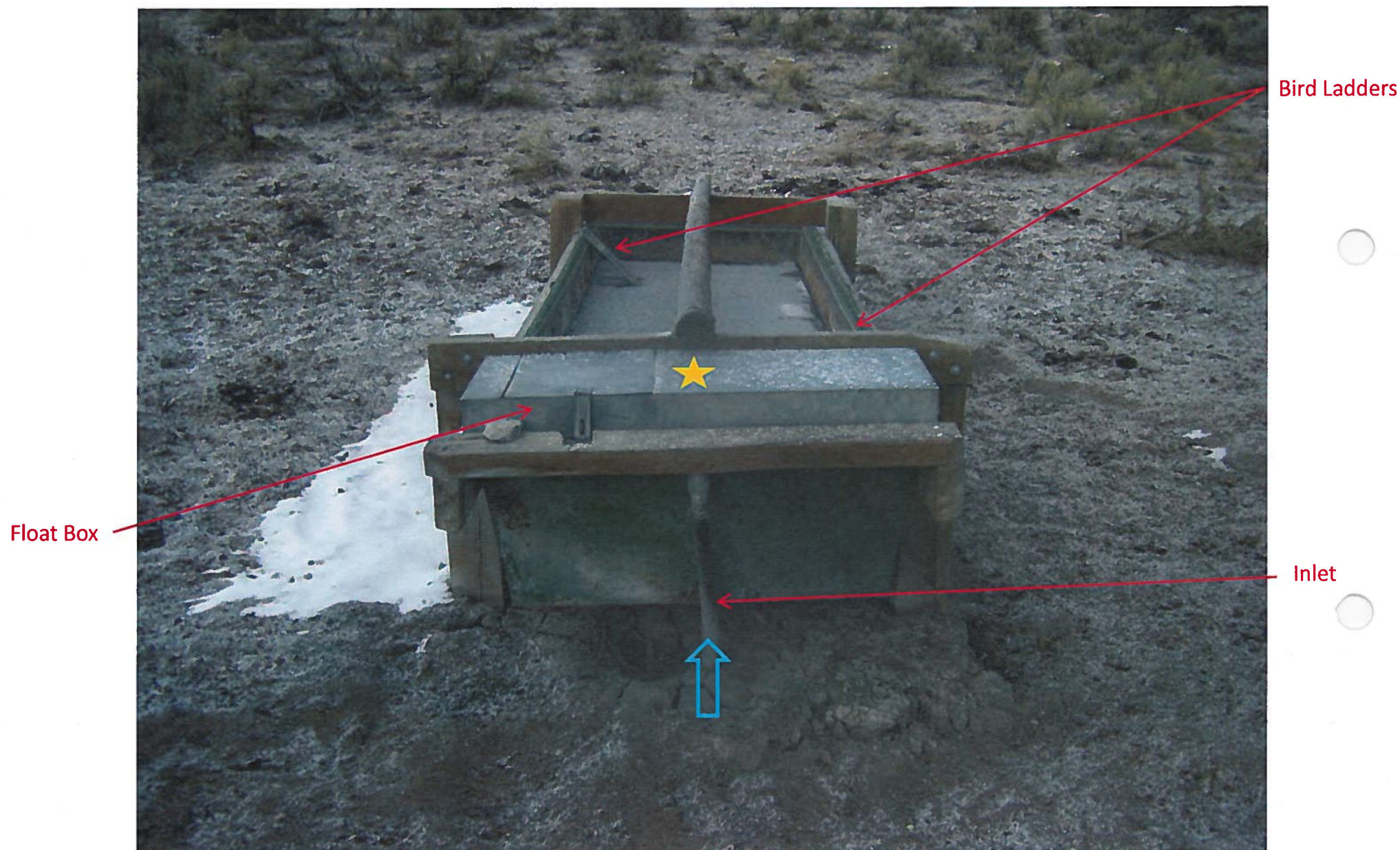
Picture #2
10/25/2012

Trough #1

Pipeline

Pressure Vent #1

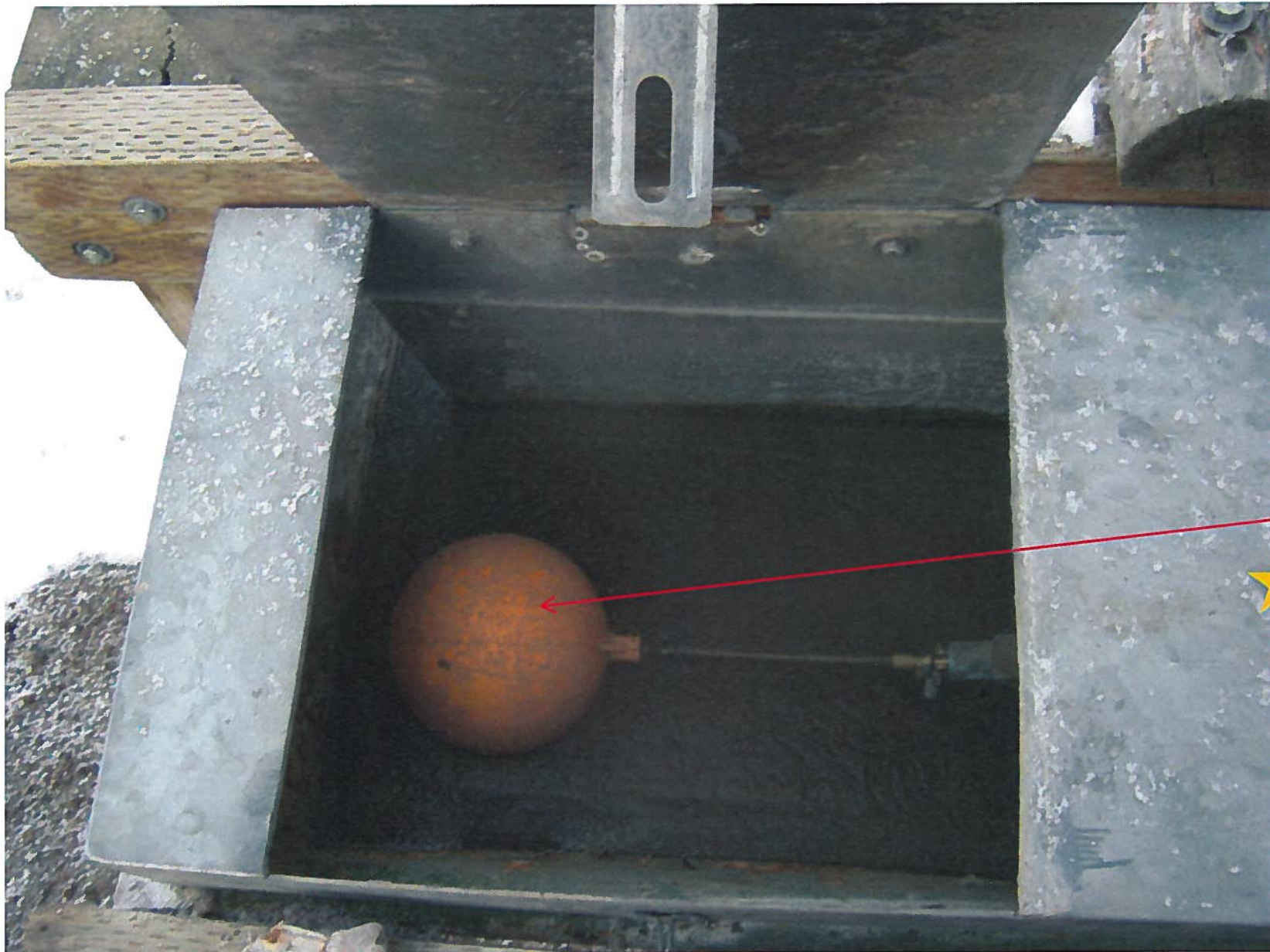
Picture taken from
Pressure Vent #1
looking toward Trough
#1.



Trough #1
T11N, R24E, S17, Lot 16 (SWSW)
N44 127210 W112 61720 (GDS)

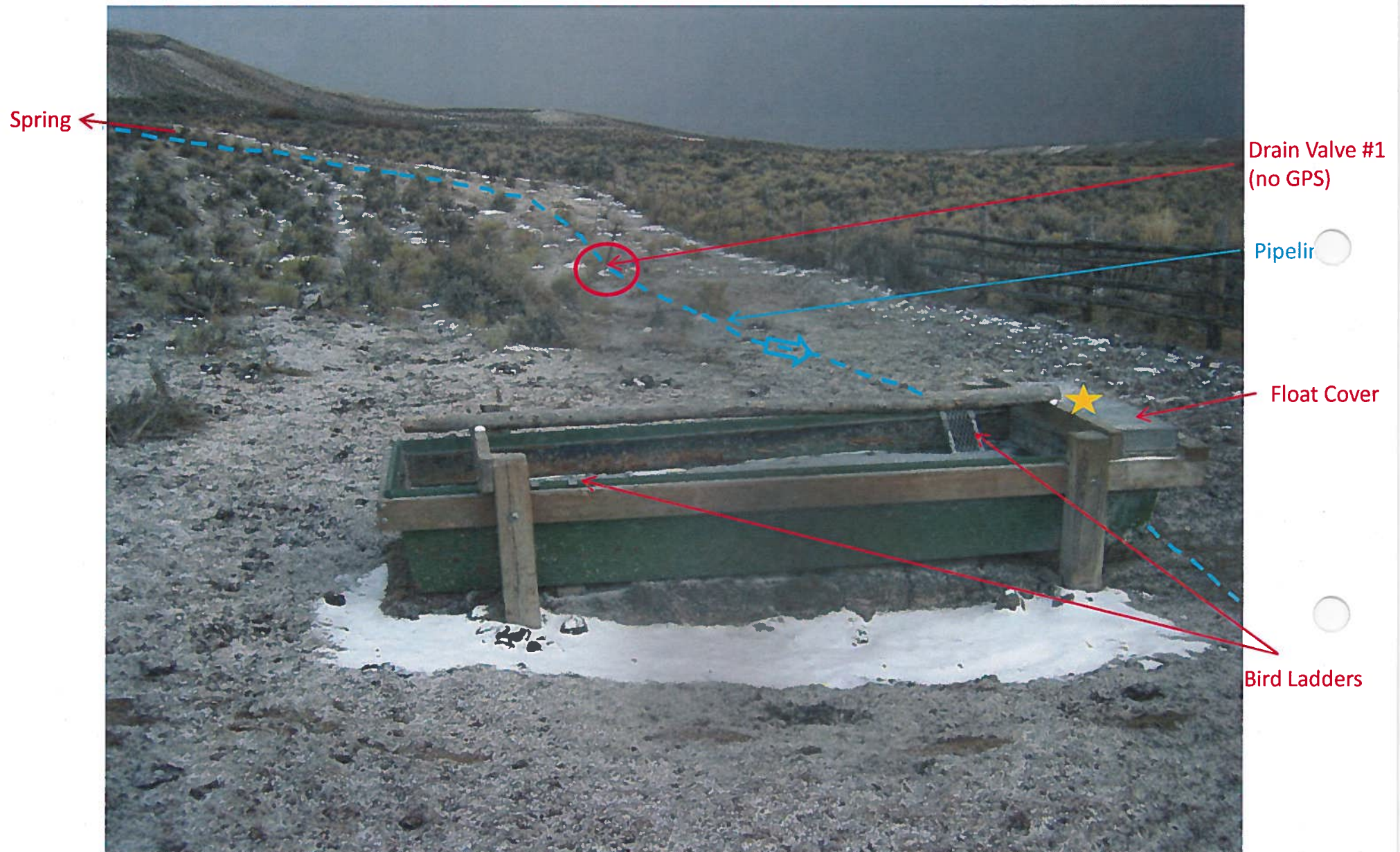


Head of Trough #1. Pipeline
and fence behind camera.



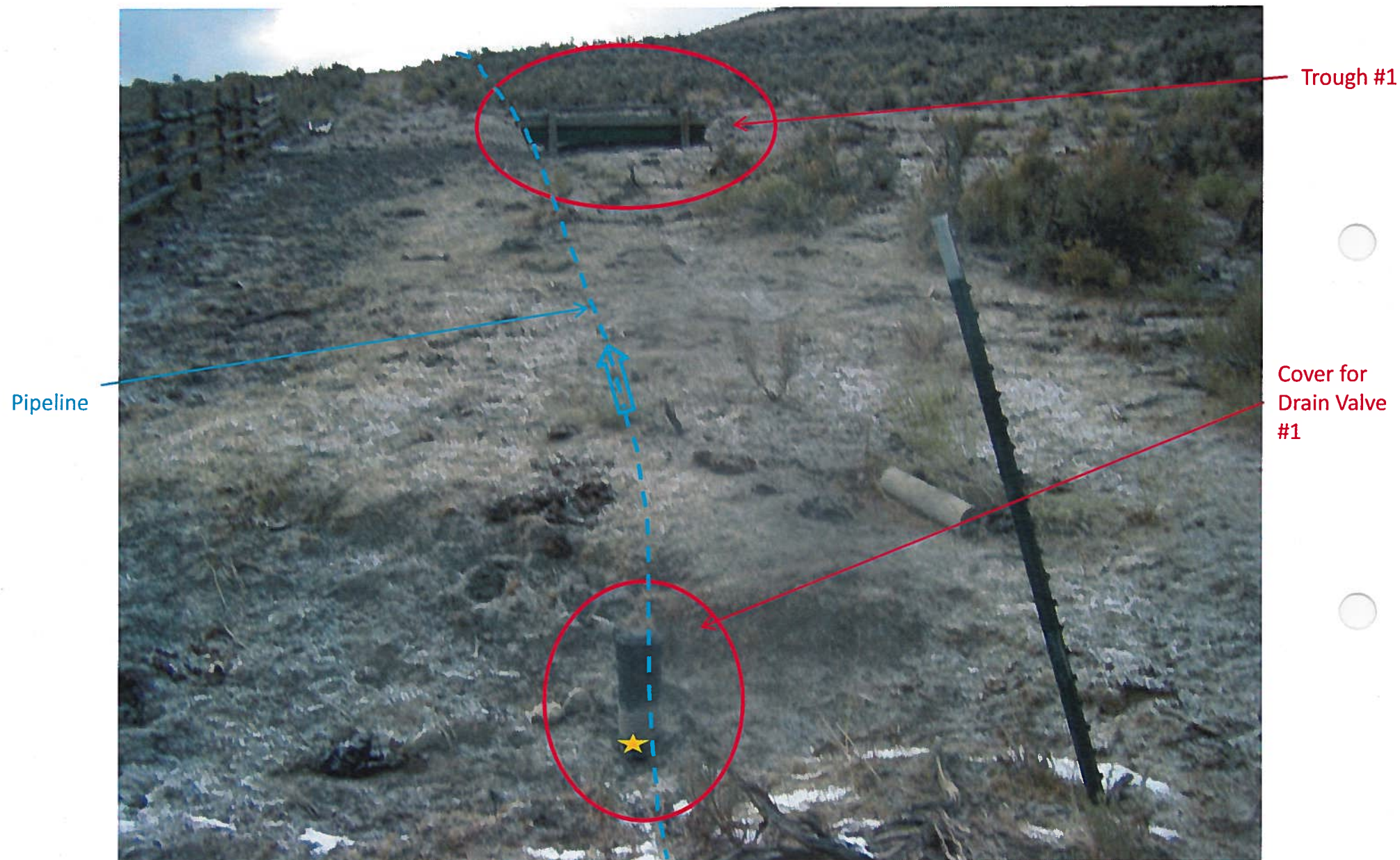
Trough #1
T11N, R24E, S17, Lot 16 (SWSW)
★ N44.42781° W113.6478° (GPS)

Picture of the inside cover of
Trough #1's float box.



Trough #1
T11N, R24E, S17, Lot 16 (SWSW)
★ N44 127°10' W112 617°0' (GPS)

Side of Trough #1 looking toward Drain Valve #1
and up pipeline toward POD.



Drain Valve #1
T11N, R24E, S17, Lot 16 (SWSW)
★N44.27789° W113.647708° (digitized)

Picture of Drain Valve #1 cover. Trough #1 in background.

Bert Spring Pipeline
Project #362003

Trough #1 is just
around corner out
of picture

73-12025

Photo point for pictures #10 &
11 taken on knob toward POD
and Trough #1

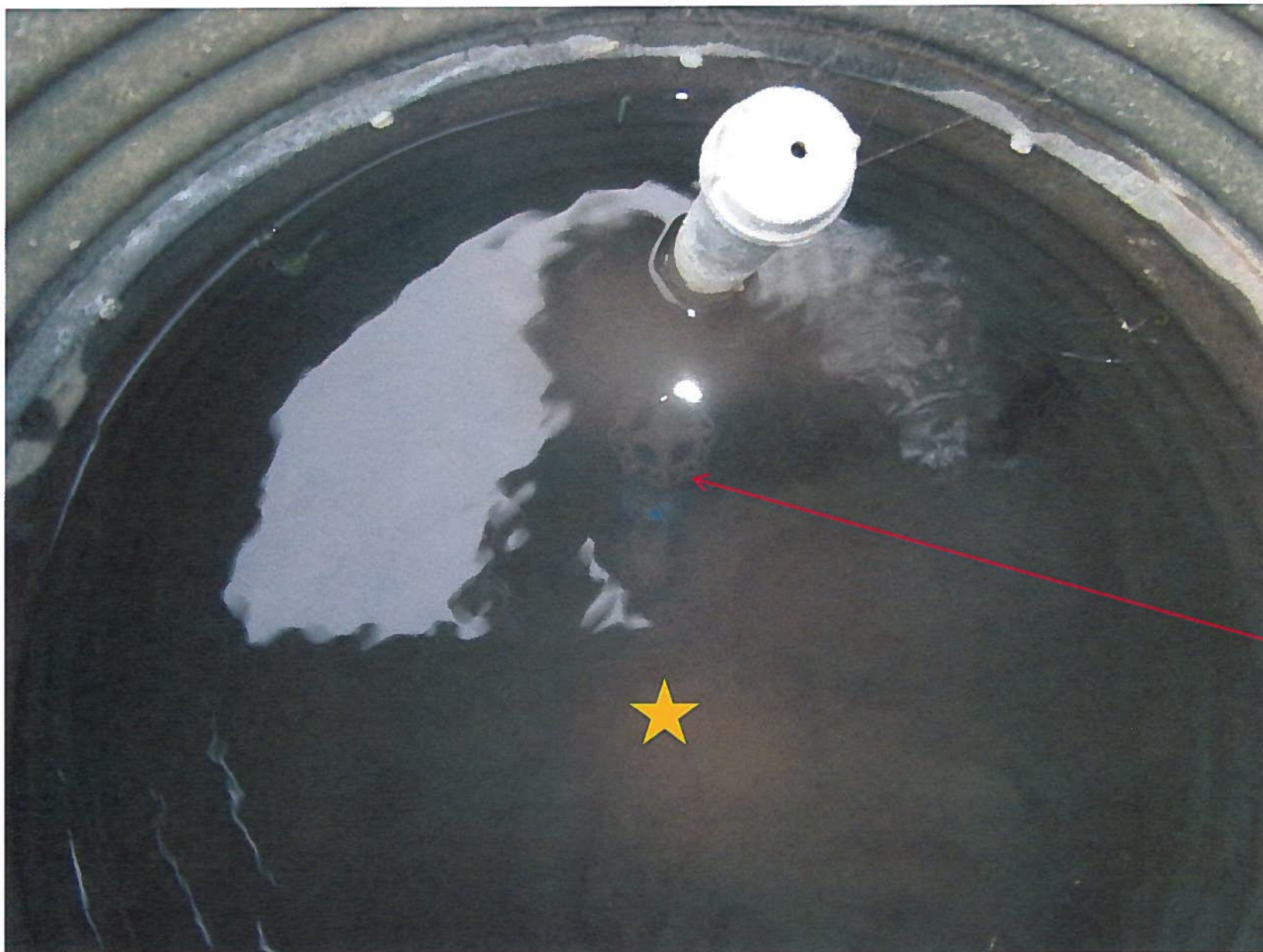
Picture #7
10/25/2012



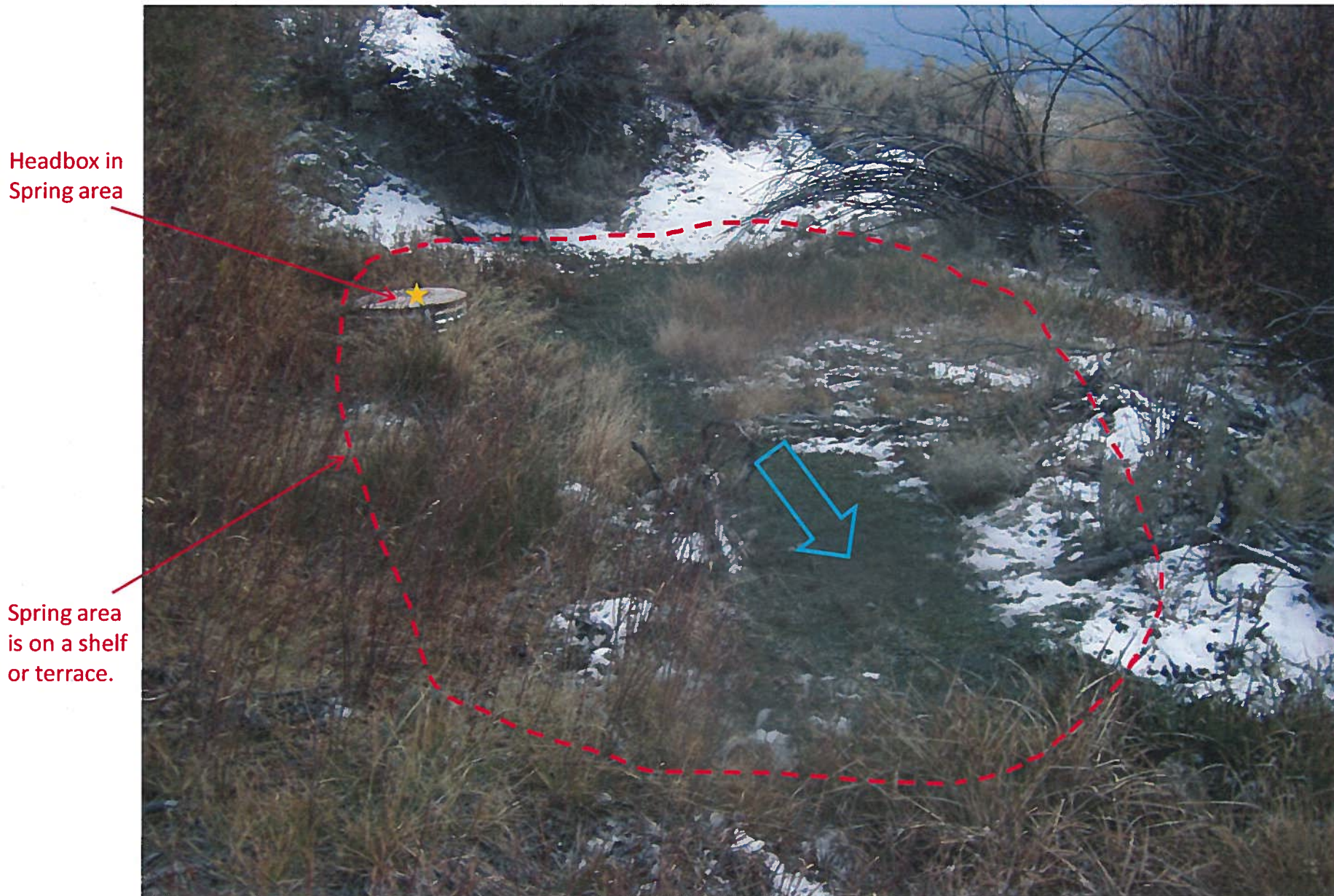
Bert Spring (POD)
T11N, R24E, S17, Lot 17 (SWSW)
★ N44 1869° W113 6487° (GPS)

Picture taken from standing on head box looking down gradient.



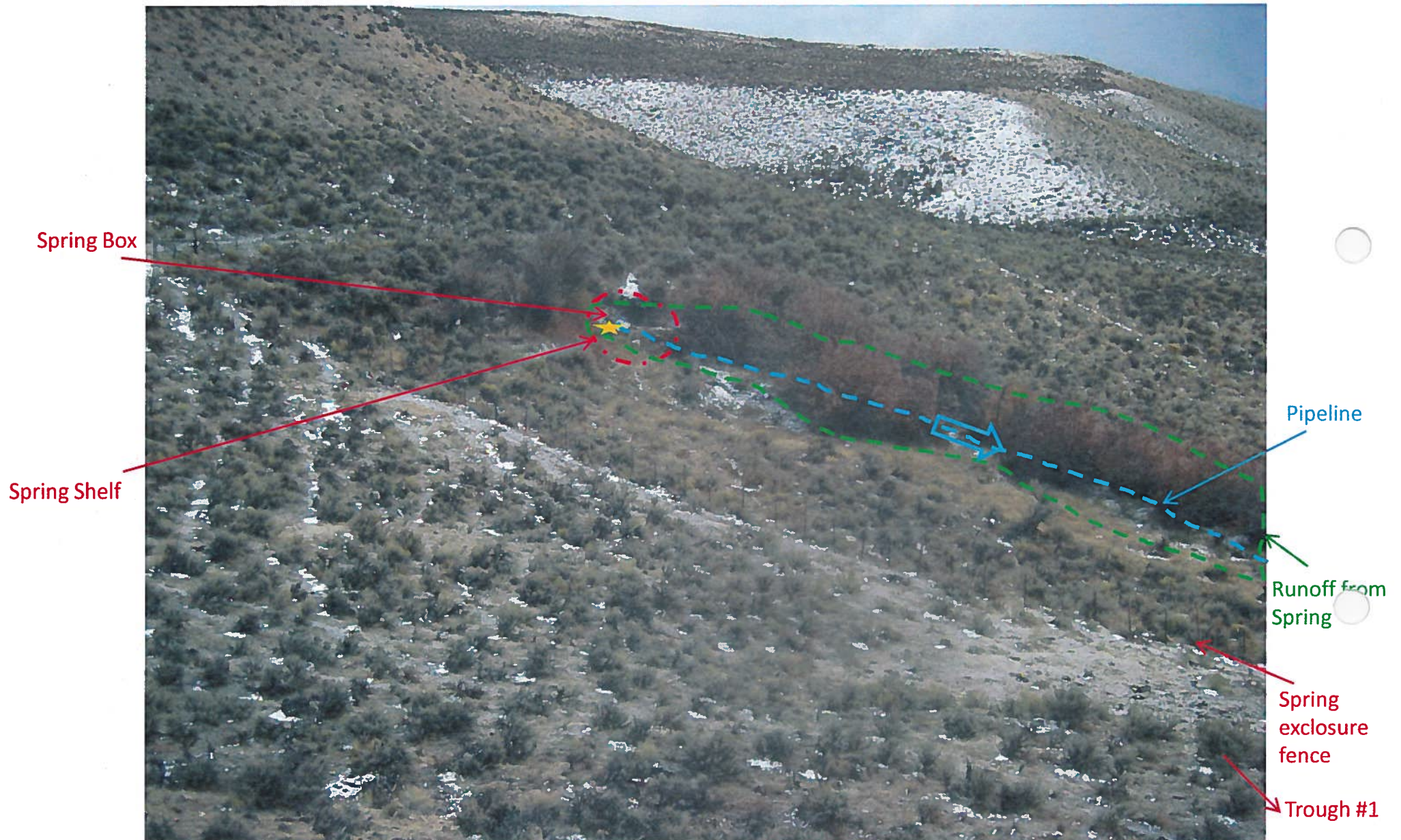


Shutoff Valve



Bert Spring (POD)
T11N, R24E, S17, Lot 17 (SWSW)
📍 N44.1869° W113.6482° (GPS)

Picture taken of Bert Spring Headbox and the surrounding spring area.



Bert Spring (POD)
T11N, R24E, S17, Lot 17 (SWSW)
★ N11 1860° W113 6187° (GDS)

Picture taken from knob looking toward Spring.
Spring is on the upper end of enclosure on shelf.

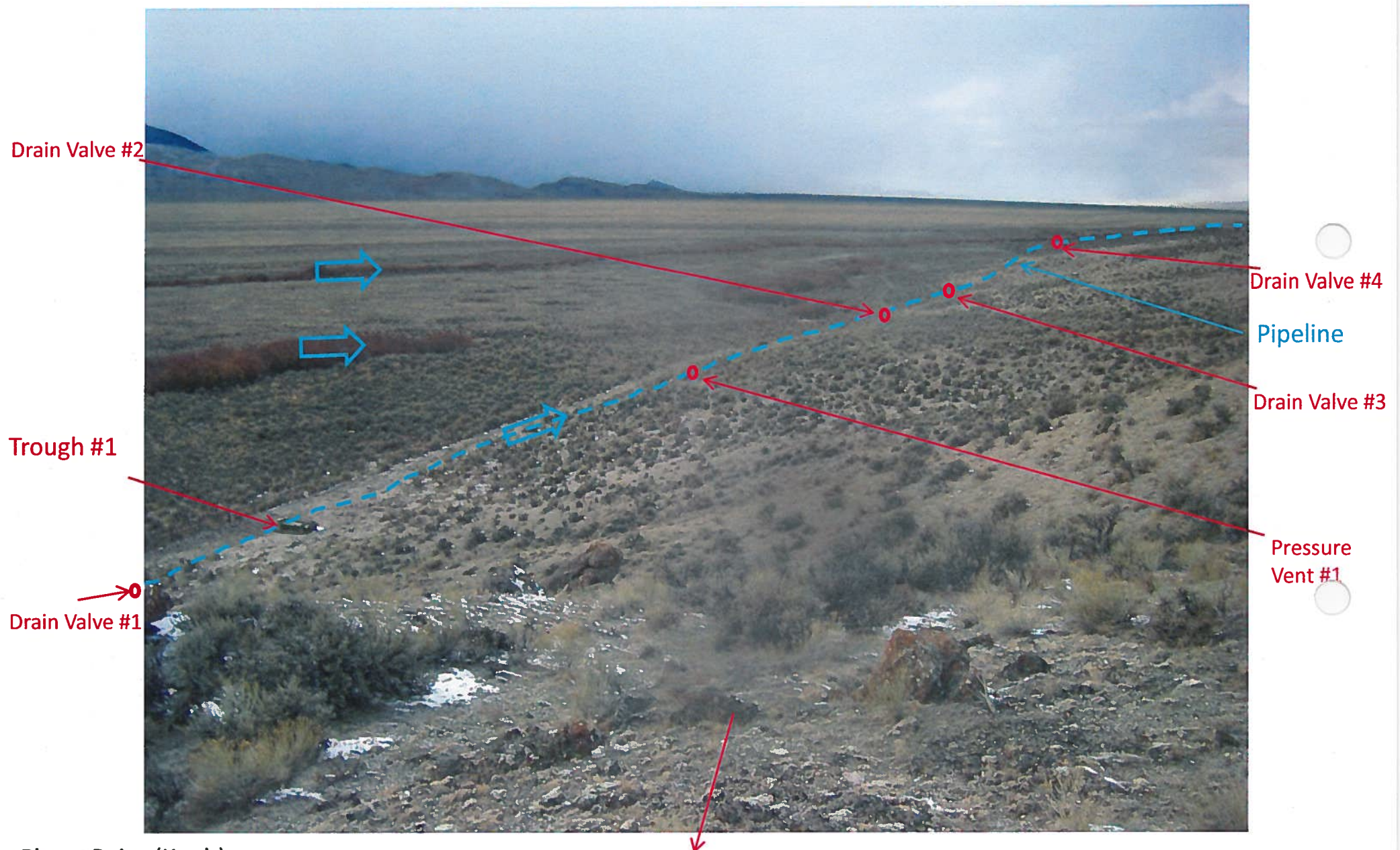


Photo Point (Knob)
T11N, R24E, S17, Lot 17 (SWSW)
N44 272° W112 6170 (digitized)

Picture taken from same knob as Picture 10, looking toward Trough #1.



Trough #2
T11N, R24E, S08, Lot 16 (SWSW)
★ N44.2916° W113.652° (GPS)

Picture of Head of Trough #2.



Trough #2
T11N, R24E, S08, Lot 16 (SWSW)
★ N44.2916° W113.652° (GPS)

Picture of the inside cover of
Trough #2's float box.

Bert Spring Pipeline
Project #362003

73-12025

Picture #14
10/25/2012

POD around hill out of picture

Pipeline

Bird Ladders



Trough #2
T11N, R24E, S08, Lot 16 (SWSW)
📍 N44.2916° W113.652° (GPS)

Picture from foot of Trough #2 looking back toward POD.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 73-12025

WATER RIGHT NUMBER: 73-12025

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT SALMON DISTRICT 1206 S CHALLIS ST SALMON, ID 83467 (208)756-5400

Priority Date: 03/25/2004

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	BURNT CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01	to 12/31	0.020 CFS	
WILDLIFE	01/01	to 12/31	0.020 CFS	
<u>Total Diversion:</u>			0.020 CFS	

Location of Point(s) of Diversion

SPRING	L17 (SW1/4SW1/4)	Sec. 17, Twp 11N, Rge 24E, B.M.
CUSTER County		

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	
11N	24E	8									X L 16								
11N	24E	17									X L 17								

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	
11N	24E	8									X L 16								
11N	24E	17									X L 17								

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 73-12025

Conditions of Approval:

1. X36 Right 73-10630 is also diverted through the point of diversion described above.
2. R37 This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
3. X02 Stockwater use is for 510 range cattle and 8 horses.
4. 01P Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
5. 26A Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
6. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
7. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.
8. Project known locally as Bert Springs Pipeline.

Remarks:

Comments:

1. dgibson 5/25/2007 Extension of Time

Comment: Request for extension of time filed and granted, extending proof deadline to 5/1/2008 based on due diligence. Request filed late and the date of priority advanced to 3/25/2004.

Water Supply Bank:

73-12025

clen
4 May 12

Stockwater & wildlife

02 CFS Fee \$50 pd.

POU 11N 24E Sec 8

Sec 17

BLM Land

Permit 73-12040

also requesting Sec 17 SWSW

wrong TR

process
together

Wild & Scenic Agreement

510 cattle
& horses

10630 }
12025 } - samp
source

10634 - may asp
samp
system

