

Favreau, Danielle

From: Spencer, Steven M -FS [sspencer@fs.fed.us]
Sent: Wednesday, January 30, 2013 4:01 PM
To: Favreau, Danielle
Subject: RE: moving permits to licenses

Thank you very much.

From: Favreau, Danielle [mailto:Danielle.Favreau@idwr.idaho.gov]
Sent: Wednesday, January 30, 2013 3:48 PM
To: Spencer, Steven M -FS
Subject: RE: moving permits to licenses

Hi Steve,

Thank you for getting back with me.

I will add to the files that 73-7099 is part of the Rattlesnake Springs Pipeline and that 73-11948 is for the trough in 13N22E30NENW.

Danielle

From: Spencer, Steven M -FS [mailto:sspencer@fs.fed.us]
Sent: Wednesday, January 23, 2013 2:53 PM
To: Favreau, Danielle
Subject: RE: moving permits to licenses

Danielle,

These do slowly move along. I've truncated your original message to focus on Rattlesnake Springs. I just heard back from my folks in Salmon last Friday and have subsequently looked up the history of each water right mentioned with respect to Rattlesnake Spring. Turning the clock back 30 years, what I've learned is outlined below:

- The Forest Service filed 73-07099 in 1984. It was ultimately licensed in 1987 with the POD in the NENW Sec 30 and POU's in the SWNE and NENW Sec 30.
- In the SRBA the FS filed 73-07099. For reasons unknown only the POU in the SWNE was decreed.
- The FS also filed 73-11948 in the SRBA to get the 1882 historic use priority date for the spring in the NENW Sec 30. (There was a lot going on with stockwater in the SRBA and it may have been that since the POU for stockwater was going to be decreed in the NENW Sec 30 that duplication of that POU in 73-07099 would be repetitive and unnecessary.)
- Then in 2011 the BLM discovers that it has some troughs in Sec 19 without water rights. They file 73-12200. This application provides some excellent background and historical information.
 - In No. 6 it is indicated that the headbox "delivers the water to one trough on the Forest Service and 2 troughs on the BLM".
 - In No. 11 it is indicated that then entire system was "constructed in 1985", contemporary with the FS 73-07099.

From this information it looks like:

- In answer to your question, 73-07099 does appear to be part of the original 1984/5 Rattlesnake Springs Pipeline.

- That although the FS POD in the NENW Sec. 30 may not appear as a POU on 73-07099, that same POU it is technically within the POU for 73-11948. If there is no change in the quarter-quarter and the use is still in the appropriate quarter-quarter, the NENW Sec 30 of 73-11948, I would urge the Department to consider the matter and hopefully determine further water right action may not be warranted because the NENW of Sec. 30 is authorized in 73-11948.

If you have any questions about this matter or there is additional action needed please contact me.

Thank you.

Steve

From: Favreau, Danielle [<mailto:Danielle.Favreau@idwr.idaho.gov>]

Sent: Wednesday, August 01, 2012 1:00 PM

To: Spencer, Steven M -FS

Subject: moving permits to licenses

Hi Steve,

I hope that you had a great July. I am busily working on stock water permits to move them toward licensing.

Thanks again for forwarding the emails from Cody. They are very helpful.

Rattlesnake Springs Pipeline:

I am actually working on the BLM permit for 73-12200. During my review, I ran into a few discrepancies with the USFS water rights associated with the pipeline.

Please verify if 73-7099 is or is not part of the Rattlesnake Springs Pipeline.

The historic spring right is 73-11948. There is a trough in 13N22E30NWNENW that is part of the pipeline system but does not appear to have a water right. Please let me know if you would like to follow-up with any action regarding the trough in 13N22E30NENW.

Table 2: Rattlesnake Springs Pipeline			
Water Right No.	Use	Question	
73-7099	Stock water	Is 73-7099 part of the Pipeline? Please confirm if it is or is not.	
		There is a trough in 13N22E30NENW that is part of the pipeline system but does not appear to have a water right.	

I'm looking forward to hearing from you on these and other permits.

Thank you in advance for all of your help with these permits.

Danielle

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