

Memorandum

Date: November 13, 2012

To: File 75-7598

From: Craig L. Saxton

Re: PLS location of POU and POD for water right 75-7598: Section 20 or 28?

POU and POD for this right was permitted in T24N, R19E, S 28. The DRG and physical copies of the USGS maps show the POU in Section 28, and the USGS map was used to determine the legal description for the application for permit.

However, the GCDB indicates that the claimed POU is in Section 20. When the GCDB ~~is~~ overlays the POU location shown on the application map, the POU and POD fall within Section 20. The question is whether the POU and POD are in Section 20 or in Section 28.

The POU actually falls within H.E.S. 276. But we still need to identify a TRS description. The BLM original survey G.L.O. maps show HES 276 and then there is writing underneath the HES drawing that says, "In unsurveyed sections 20 & 21, T24N, R19E." (*See October 17, 2012 screen shots of BLM Original Survey maps in file.*)

The parcel number for the permit holder's property is RP24N19E201812 indicating that Lemhi County considers the POU to be in Section 20 which supports the BLM original survey maps and not the USGS quad maps. I spoke with Danielle Favreau, GIS Analyst, and she agreed that description the POU as being in Section 20 is more appropriate and that the USGS Quad maps appear to be in error.

No Amendment:

The true property description for the POU on the applicants deed at the time they submitted the application, most likely contained the description of Lot 12 and H.E.S. 276 without listing a TRS designation. Therefore, when the permit holder filed the application for permit and wrote in the legal description for the POU and POD, his only reference as to what section his property was located in, might have been the USGS Quad Map that incorrectly described the location as Section 28.

The place that the permit holder developed his water right did not change and is the same place as indicated on the application map. Rather the section number on the application and permit is wrong so that is being described more accurately. The error in describing the POU and POD in the application as being in Section 28 rather than section 20, is at no fault of the permit holder. Note that the error in identifying the section, also created an error in the QQ's identified on the application for permit since the assumed section 28 and the actual section 20, are offset. By mis-defining the section, the QQ designation was in error as well.

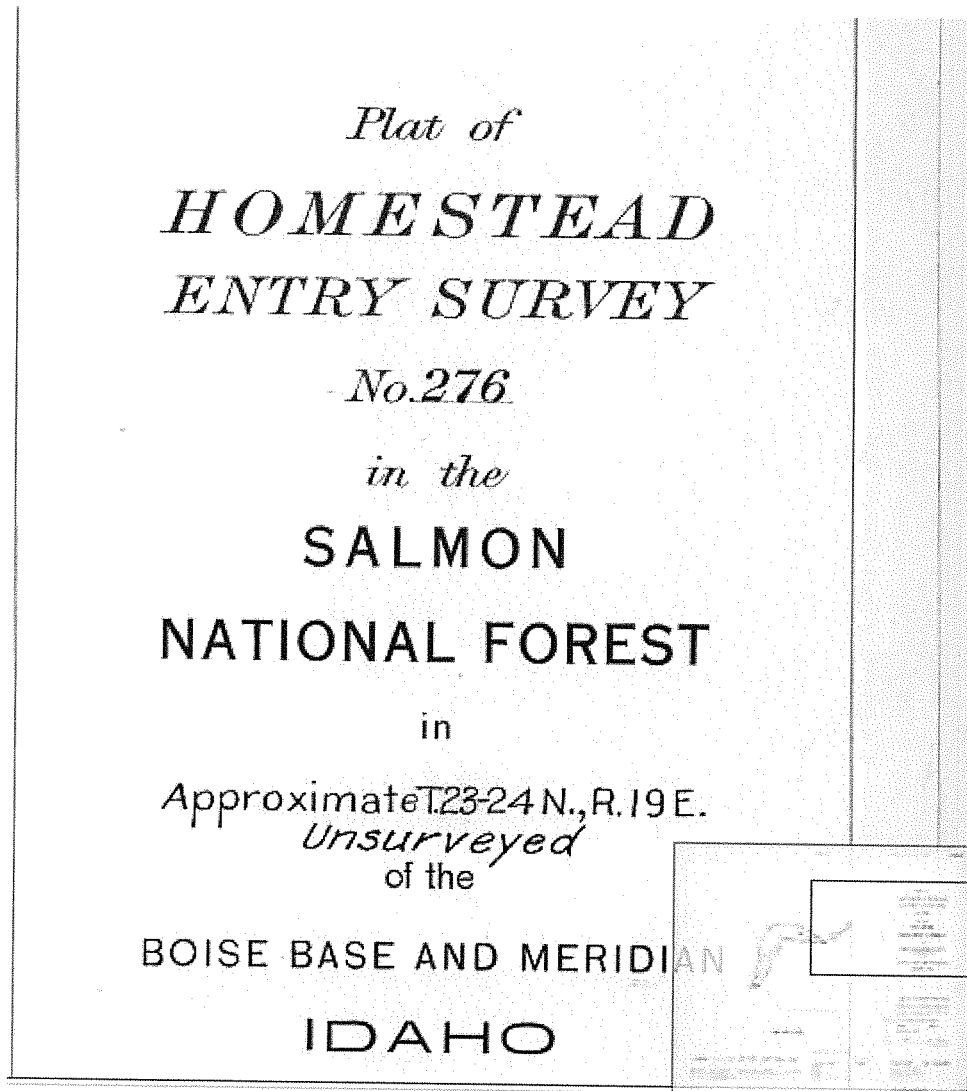
The POU description should be described as: T24N, R19E, S.20, NESE

The POD description should be described as: T24N, R19E, S.20, NESE

Condition **J02** should be added at licensing: **Property is also known as Homestead Entry Survey No. 276.**

No amendment necessary.

BLM Original Survey Maps:
Permit #75-7598

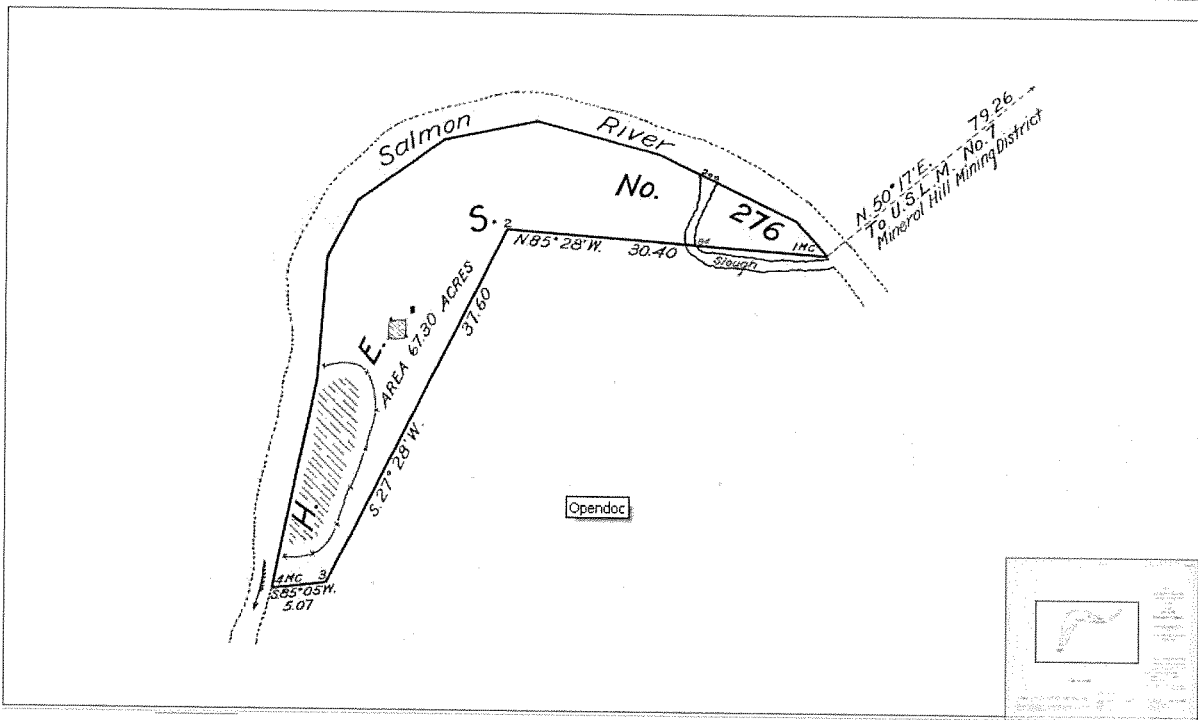


Survey Plat Details

Plat Image

Related Documents

Sheet: 1 Description:--



Sec 20 & 21, T. 24 N., R. 19 E.

This plat of Homestead Entry Survey No. 276 State of Idaho is strictly conformable to the field notes thereof on file in this office, which have been examined and approved.

U.S. Surveyor General's Office

Boise, Idaho

January 6, 1916

Jarvis H. Utter
U.S. Surveyor General

SCALE 10 chains to 1 inch

Areas in Acres	
H.E. Survey No. 276	Conflicts
In Section	
In Section	
In Section	
Total	67.30

Act of June 11, 1906 List No. 4-684
Act of June 30, 1914 Dated March 6, 1911
Latitude 45° 22' 27" N.
Longitude 114° 15' W.
Mean Mag. Decl. 20° 55' E.
At Corner No. 2.

In unsurveyed Secs 20 & 21, T. 24 N., R.

¹⁹
T. 23-24 N., R. 18 E.

SCALE 10

Surveys Designated	By whom Surveyed	Inst. Cont. Group		When Surveyed		Date of Approval
		No.	Date	Began	Completed	
USLM No. 7	Allen C. Merritt	1153	Oct 22, 1909	June 27, 1910		Dec 24, 1910
H.E. Survey No. 276	Earl R. Gilbreath Forest Ranger Surveyor	276	Aug 4, 1914	Sept 7, 1914	Sept 10, 1914	

H.E. Survey No. 276
In Section

Overall View of Map:

DM ID: 37023 Survey Type: Homestead Entry Survey State: Idaho

Survey Plat Details Plat Image Related Documents

Sheet: 1 Description: —

T. 23-24 N., R. 18 E.

HOMESTEAD ENTRY SURVEY
No. 276
in the
SALMON NATIONAL FOREST
in
Approximate T. 23-24 N., R. 18 E.
Unsurveyed
of the
BOISE BASE AND MERIDIAN
IDAHO

This plat of Homestead Entry Survey No. 276 State of Idaho is strictly conformable to the field notes thereof on file in this office which have been examined and approved.

U. S. Surveyor General's Office
Boise, Idaho
January 6, 1916.

[Signature]

SCALE 10. inches to 1 inch

Survey Designated	By whom Surveyed	Inst. Cont. Group	When Surveyed	Date of Approval
No.	Date	No.	Began	Completed
USLM No. 7	Allen C. Merritt	1153	Oct 22, 1909	June 27, 1910
H.E. Survey No. 276	Earl R. Gilbreath Forest Ranger Surveyor	276	Aug 4, 1914	Sept 10, 1914

Areas in Acres	
H.E. Survey No. 276	67.20

Act of June 11, 1906
Laid to Sec. 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98, 100.

Latitude 42° 22' 27" N.
Longitude 114° 15' 15" W.
Mean Mag. Decl. 20° 33' E.
At Corner No. 1.

12.5% ZOOM VIEW