

## Gardiner, Glen

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**From:** Arave, Nathaniel L [narave@blm.gov]  
**Sent:** Monday, August 20, 2012 12:00 PM  
**To:** Gardiner, Glen  
**Subject:** RE: Water Right permit east of Challis  
**Attachments:** Opal Springs Pipeline.zip; IMG\_1194.JPG; IMG\_1200.JPG

Glen,

I've attached a map and the GIS files for this pipeline. There are three troughs under 73-2209 that were developed in the 1960's under this license. The 3 new troughs area under 73-11973 that were added to the system under this water right. The proper legal description for the POD for the BLM system is SWSWSE sec. 6 T13N, R21E, BM. My understanding is we cannot file a transfer on 73-11973 to correct the POD until it is licensed. I would prefer to wait to file a transfer to correct the POD on 73-2209 until it can be done with 73-11973 and also change the place of use so all 6 troughs are on each right. On water right 73-11973 the trough was originally to be placed in the NESE sec. 32 T14N, R21E BM was actually placed in the SESE sec. 32 T14N, R21E BM. The other 2 troughs for 73-11973 are in the correct QQ pursuant to the permit. The troughs were installed with floating stops you can see the shutoff valve in IMG 1194 attached but the float is not in view. The trough pictured here however is the type which was used for all of the new troughs. I cannot tell you anything about the forest service rights. However, the spring which feeds this pipeline is not the actual "opal Springs" as it is labeled on the map, this spring is about a quarter mile south of the POD for the pipeline. Furthermore there is another pipeline in the vicinity because there is a trough about 50 yards south of the POD for 73-11973 and 73-2209. I hope this straightens things out for you. If you have any questions feel free to call.

Nathaniel Arave  
Hydrologist  
USDI-BLM Challis Field Office  
1151 Blue Mountain Road  
Challis, Idaho 83226  
Office: 208.879.6215  
Cell: 208.608.3787

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**From:** Gardiner, Glen [<mailto:Glen.Gardiner@idwr.idaho.gov>]  
**Sent:** Wednesday, August 15, 2012 12:28 PM  
**To:** Arave, Nathaniel L  
**Subject:** Water Right permit east of Challis

Attached is some information I'm being asked to verify on a BLM permit east of Challis. I'm going to be in Salmon next week Wednesday and Thursday and was planning to verify information on this permit. If the fires allow, I can verify by myself but didn't know if you wanted to participate.

The location of 73-11973 is T13N, R21E, Sec6 and it's for spring water use for Wildlife and Stockwater submitted in Dec 2007. I need to verify the spring location, water trough locations and that a float or shut-off system is included in the troughs. If you have any information on this claim, I'd appreciate any feedback.

I'm planning on driving up Wednesday, Aug 22<sup>nd</sup>, spending the evening in Salmon. I have an appointment Thursday morning west of North Fork which should take a few hours. If possible, I'd verify the BLM permit Wednesday afternoon.

If you have any questions, I can be contacted at 208-287-4872 in Boise. My cell number is 208-608-8522 (Verizon). I'm watching the news for fire locations, please let me know if I can't get to the range east of Challis.

Thank you.

April 7, 1975

OPERATIONS DIVISION  
ADMINISTRATOR'S MEMORANDUM

TO: District Office  
FROM: A. Kenneth Dunn  
SUBJECT: Annual Use of Water for Stockwater Purposes

| No. of Stock<br>(head) | <u>RANGE CATTLE</u> |                      | <u>DAIRY CATTLE</u> |                      |
|------------------------|---------------------|----------------------|---------------------|----------------------|
|                        | Rate*<br>c.f.s. (1) | Volume<br>AF/yr. (1) | Rate*<br>c.f.s. (2) | Volume<br>AF/yr. (2) |
| 0 - 10                 | 0.02                | 0.2                  | 0.02                | 0.4                  |
| 11 - 25                | 0.02                | 0.4                  | 0.02                | 1.0                  |
| 26 - 50                | 0.02                | 0.7                  | 0.04                | 2.0                  |
| 51 - 100               | 0.03                | 1.4                  | 0.07                | 4.0                  |
| 101 - 200              | 0.05                | 2.7                  | 0.13                | 7.9                  |
| 201 - 300              | 0.07                | 4.1                  | 0.20                | 12.0                 |
| 301 - 400              | 0.09                | 5.4                  | 0.26                | 16.0                 |
| 401 - 500              | 0.12                | 6.7                  | 0.33                | 20.0                 |
| 501 - 600              | 0.14                | 8.1                  | 0.39                | 24.0                 |
| 601 - 700              | 0.16                | 9.4                  | 0.46                | 28.0                 |
| 701 - 800              | 0.19                | 11.0                 | 0.52                | 32.0                 |
| 801 - 900              | 0.20                | 12.0                 | 0.58                | 36.0                 |
| 901 - 1000             | 0.23                | 14.0                 | 0.65                | 40.0                 |
| 1001 - up (3)          |                     |                      |                     |                      |

(1) The amounts shown are based on 12 gpd/head with a 12 month period of use. (i.e. for range cattle, horses and mules). The amount does not include a loss (i.e. thru conveyance, etc.)

2. The amounts shown are based on 35 gpd/head with a 12 month period of use. (i.e. for dairy cattle). The amount does not include a loss. (i.e. thru conveyance, etc. ).

3. For annual use calculations which involve more than 1000 head, round the number of head up to the next even one hundred, and

Volume

- a) for livestock use @ 12 gpd/hd, N (0.0134).
- b) for dairy use @ 35 gpd/hd, N (0.0391).

Rate

- a) for livestock use @ 12 gpd/hd, N (0.00022).
- b) for dairy use @ 35 gpd/hd, N (0.00065).

The answer should be rounded up to the nearest whole acre-foot.

\*The rate is based upon approx. 2 hr/day diversion to obtain daily requirement.

*A. Kenneth Dunn*

## Overlap Report 73-11973

[illegible]

|     | Conditions listed on Permit                                                                                                                                                                                                                                                                                                                                                                               | Comment                   |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| X02 | <del>Stockwater use is for 262 cow/calf pairs of range cattle.</del>                                                                                                                                                                                                                                                                                                                                      | Removed at licensing      |
| 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.                                                                                                                                                     | OK                        |
| 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.                                                                                                                                                                                                                | OK                        |
| 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.                                                                                                                                                                                    | OK                        |
| 26A | <del>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.</del>                                                                             | Removed at licensing      |
|     | A float or sensor shut-off system shall be installed on each of the water troughs described as a place of use by right nos. 73-11973 and 73-2209. When the water level in the water trough reaches a level considered full but not overflowing, the float or sensor associated with each water trough shall activate the necessary mechanism to close a valve in the pipe delivering water to the trough. | Replaced with #229 below  |
|     |                                                                                                                                                                                                                                                                                                                                                                                                           |                           |
|     | <b>Suggested Conditions</b>                                                                                                                                                                                                                                                                                                                                                                               |                           |
| 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.                                                                                                                                                                                    | Already listed            |
| 229 | The system established for delivery of water to stock trough(s) under this right shall be fully enclosed and shall be equipped with an automatic shutoff valve or a mechanism for returning unused water to the source through an enclosed system. The water delivery system shall be designed to facilitate measurement of the rate of flow through the system.                                          | Replaced condition above. |
| 184 | <del>The right holder shall report to IDWR when diversions commence under this right and from that time forward shall report by January 31 of each year all new municipal connections installed in the prior calendar year of a size greater than 4 inches in diameter. Each report shall include the size, capacity, and location of each connection required to be reported.</del>                      | N/A                       |
| 027 | <del>Use of water under this right shall be non-consumptive.</del>                                                                                                                                                                                                                                                                                                                                        | N/A                       |
| R02 | <del>A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.</del>                                                                                                                                                                                                        | N/A, used 01P             |
|     |                                                                                                                                                                                                                                                                                                                                                                                                           | Continued on page 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.                                                                   | Already listed                                                                                        |
| 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. &DISTRICT. | Already listed                                                                                        |
| 029 | Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.                                                                | N/A                                                                                                   |
| 115 | Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.       | N/A                                                                                                   |
| 111 | This right authorizes the watering of livestock directly from the stream without a diversion.                                                                                                                                                                | N/A                                                                                                   |
| 238 | This right authorizes the diversion of water to a trough from the same spring that is the source of water for Water Right <----->-, which was established pursuant to Public Water Reserve 107 and decreed in the Snake River Basin Adjudication.            | Not added. WR 73-11973 is for new troughs, not existing although they do extend the 73-2209 pipeline. |

Photographs for 73-11973.  
Date August 22, 2012



This photo supplied by Nathaniel Arave – BLM showing POD.



This photo supplied by Nathaniel Arave – BLM showing trough. Shutoff visible on left side of trough. Float not visible because water level is low.

Photographs for 73-11973.  
Date August 22, 2012



This photo showing Trough #1 using GIS and Bing Imagery.



This photo showing Trough #2 using GIS and Bing Imagery.

Photographs for 73-11973.  
Date August 22, 2012



This photo showing Trough #3 using GIS and Bing Imagery.