



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

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December 12, 2011

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

MERLE G WARD  
PO BOX 146  
NORTH FORK ID 83466

RE: Water Appropriation Permit 75-7526

Dear Mr. Ward,

On December 8, 2011, the Idaho Department of Water Resources (IDWR) received an application for amendment of permit 75-07526 for licensing purposes. Sr. Water Resource Agent, Cherie Palmer, had been working with you to amend permit 75-7526 so a final license could be issued.

Ms. Palmer's review was based on information collected during a field examination conducted on July 30, 1996. However, the field examination report did not describe the number of acres that were actually irrigated at that time of the field examination.

After reviewing the available information in the 1996 examination report, along with available aerial photography, IDWR does not have enough evidence to support that 10 acres of irrigation was developed in accordance with permit 75-7526, within the authorized development period. The authorized development period spanned from September 13, 1990 thru October 1, 1992.

The 1992 USGS aerial photography available to IDWR does not clearly show signs of irrigation on the permitted place of use (enclosed). The next closest years that we have photography available for is 2004 and 2006, which both years support up to 4.8 acres of irrigation (enclosed). The 2009 and 2011 aerial photography do not seem to support any irrigation (enclosed).

There are several options:

- 1) I have enclosed an updated Application for Amendment of permit which reflects 4.8 acres of irrigation and the associated diversion rate and volume. If you agree with the updated amendment, you could sign and submit the new amendment and IDWR would consider that a request to withdraw the amendment received on December 8, 2011. There of course would be no additional filing fees.
- 2) Provide evidence supporting that Sheep Creek water was used to irrigate more than 4.8 acres, within the authorized development period (1990 – 1992). You might be able to get some aerial photography of those years from your local FSA office that would support additional irrigated ground during that time period.

If IDWR does not receive either a signed replacement licensing amendment or evidence supporting additional beneficial use by **January 13, 2011**, IDWR will move forward to issue a license based on the current available information.

Please feel free to contact me with any questions.

Respectfully submitted,



Craig L. Saxton  
Water Rights Supervisor  
Water Right Permits

Enclosure(s): Updated Application for Amendment  
5 maps

State of Idaho  
Department of Water Resources  
**APPLICATION FOR AMENDMENT**

(For Licensing Purposes)

**WATER RIGHT NO. 75-07526**

**Date of Priority:** November 28, 1990

**Maximum Diversion Rate:** 0.14 CFS

**Maximum Diversion Volume:** 16.8 AF

Comes now **MERLE G WARD**  
**PO BOX 146**

**NORTH FORK ID 83466** and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 75-07526, and requests that the permit be changed as follows:

**Source:** SHEEP CREEK

**Tributary:** NORTH FORK SALMON RIVER

| <u><b>BENEFICIAL USE</b></u> | <u><b>PERIOD OF USE</b></u> | <u><b>RATE OF DIVERSION</b></u> | <u><b>ANNUAL VOLUME</b></u> |
|------------------------------|-----------------------------|---------------------------------|-----------------------------|
| IRRIGATION                   | 04/01 to 10/31              | 0.14 CFS                        | 16.8 AF                     |

**LOCATION OF POINT(S) OF DIVERSION:**

SHEEP CREEK NW¼NW¼ Sec. 14, Twp 25N, Rge 21E, B.M. LEMHI County

**PLACE OF USE:** IRRIGATION

| Twp Rge Sec | NE        |           |           |           | NW        |           |           |           | SW        |           |           |           | SE        |           |           |           |               |
|-------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|---------------|
|             | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>Totals</u> |
| 25N 21E 15  | 4.8       |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           | 4.8           |

Total Acres: 4.8

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
(Signature)

State of Idaho  
Department of Water Resources  
**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO.      75-07526**

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**FOR DEPARTMENT USE ONLY**

Preliminary check by \_\_\_\_\_ Fee = \_\_\_\_\_ Received by \_\_\_\_\_ # \_\_\_\_\_ Date \_\_\_\_\_

**ACTION OF THE DEPARTMENT OF WATER RESOURCES**

I, GARY SPACKMAN, of the Department of Water Resources hereby approve the  
above Application for Amendment for Permit No. 75-07526    with the following:

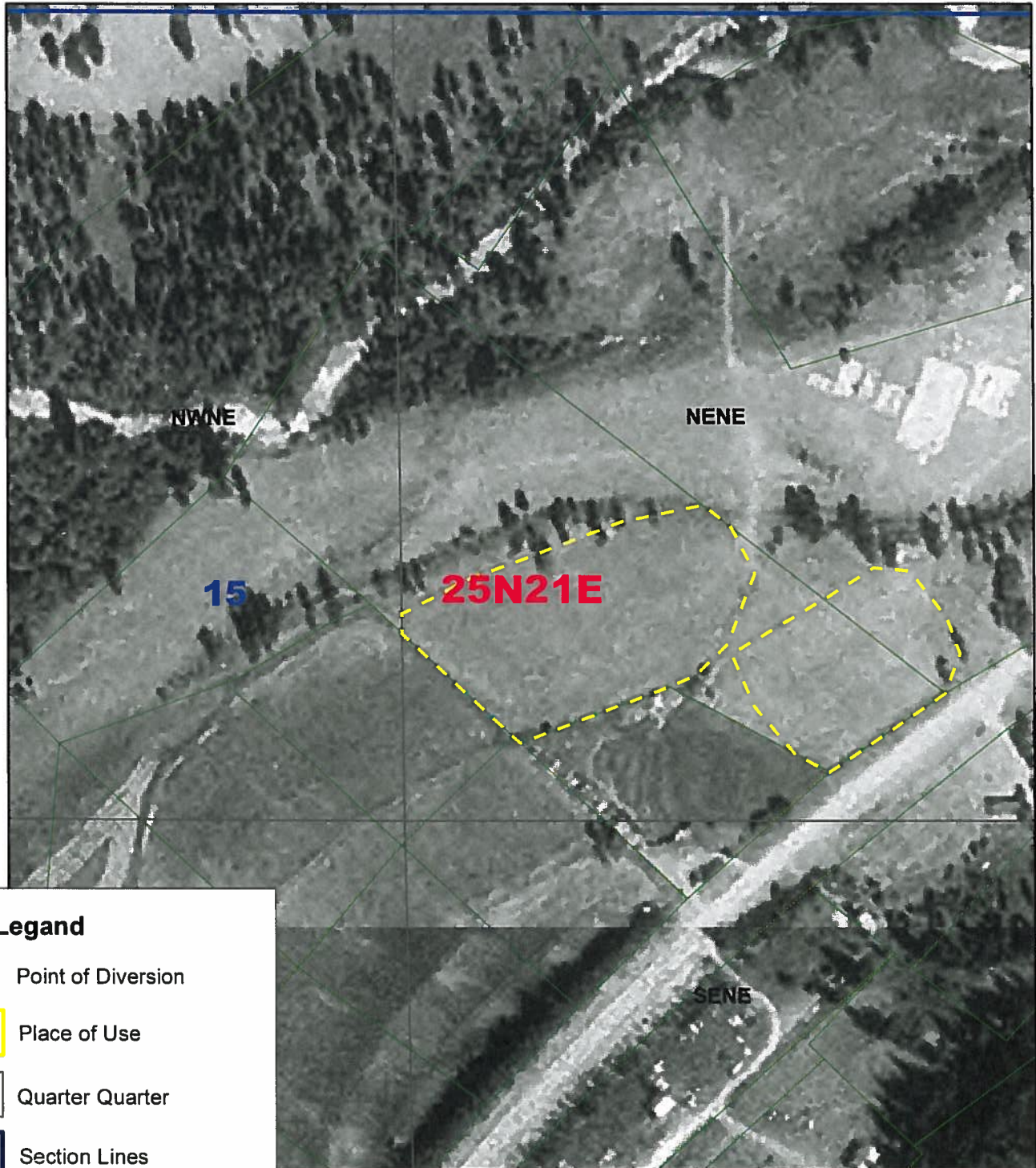
**CONDITIONS OF APPROVAL**

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
GARY SPACKMAN  
Interim Director

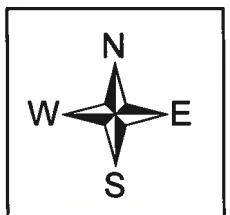
# Proposed Licensing Amendment Reference Map 75-7526



## Legend

-  Point of Diversion
-  Place of Use
-  Quarter Quarter
-  Section Lines
-  Township/Range Lines
-  Tax Lot Boundary

1992 Aerial Photography



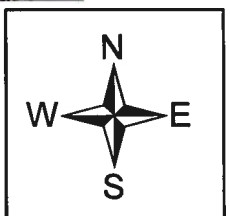
# Proposed Licensing Amendment Reference Map 75-7526



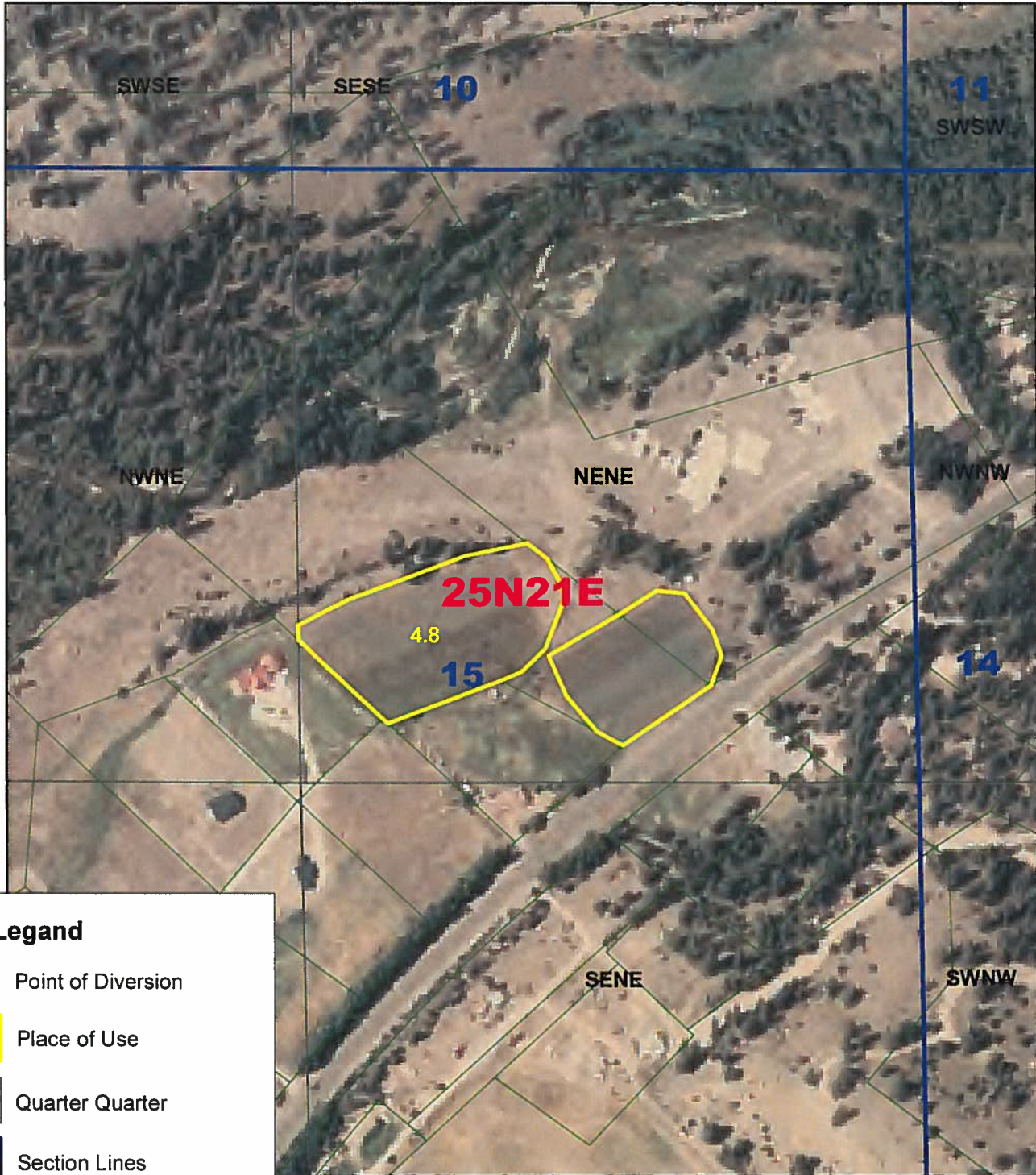
## Legend

-  Point of Diversion
-  Place of Use
-  Quarter Quarter
-  Section Lines
-  Township/Range Lines
-  Tax Lot Boundary

2004 Aerial Photography



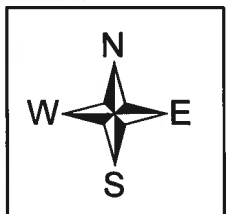
# Proposed Licensing Amendment Reference Map 75-7526



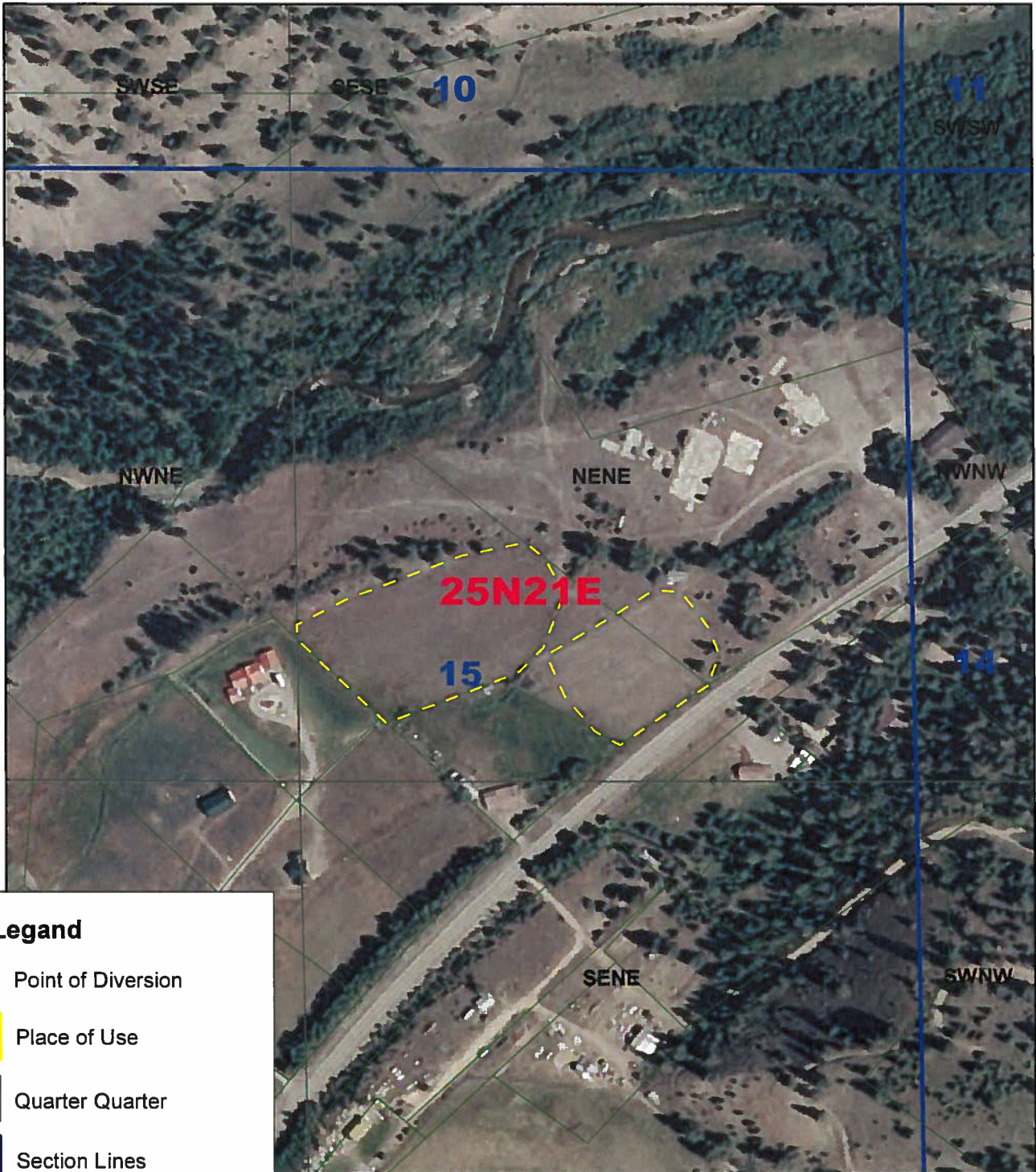
## Legend

-  Point of Diversion
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-  Quarter Quarter
-  Section Lines
-  Township/Range Lines
-  Tax Lot Boundary

2006 Aerial Photography



# Proposed Licensing Amendment Reference Map 75-7526

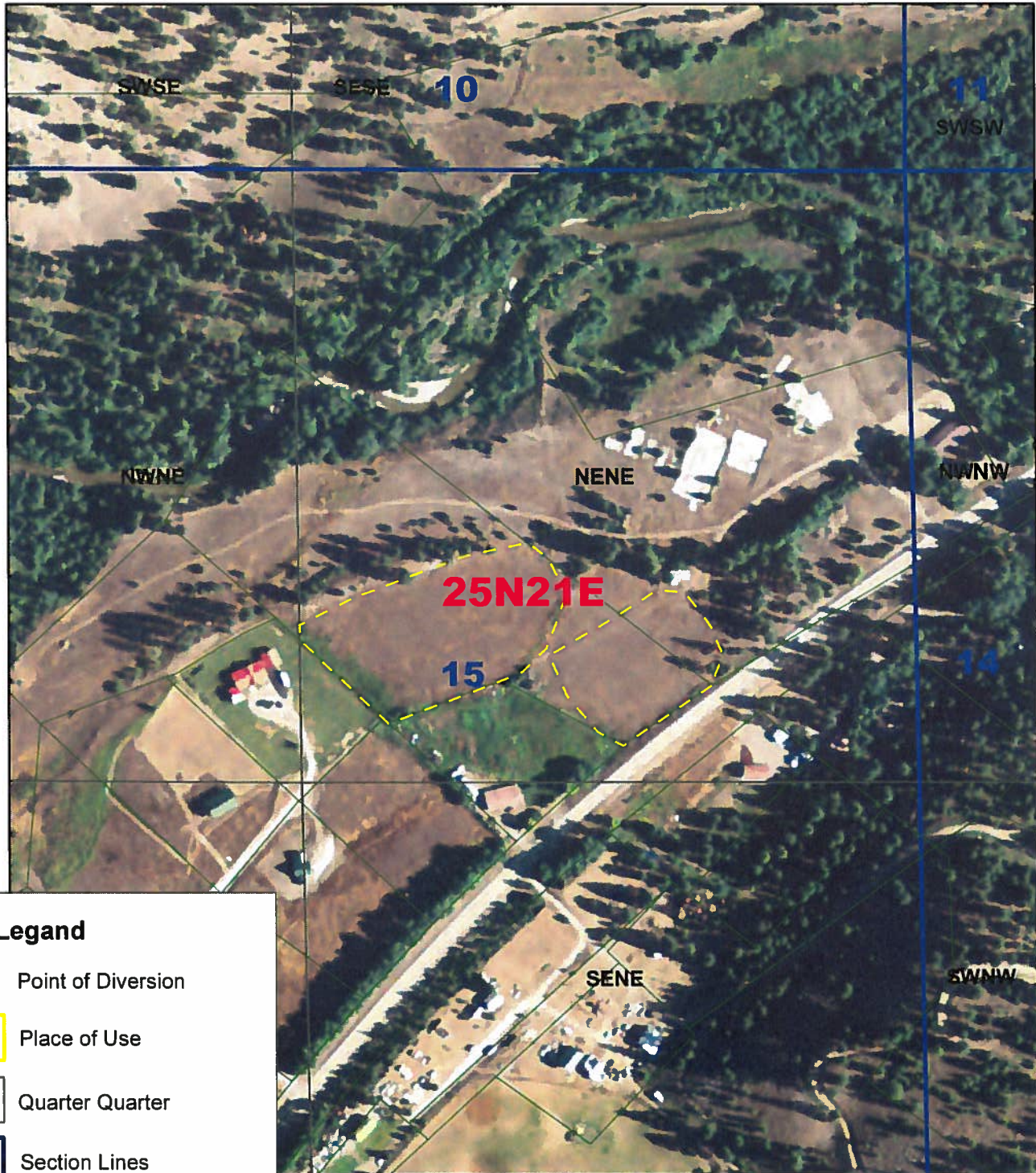


## Legend

-  Point of Diversion
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-  Quarter Quarter
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-  Tax Lot Boundary



# Proposed Licensing Amendment Reference Map 75-7526



## Legend

-  Point of Diversion
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2011 Aerial Photography

