

# MEMO

**TO:** File 31-11736

**FROM:** CPadilla

**DATE:** December 1, 2010

**RE:** Licensing Review Memo

**Time Line:**

Application for Permit Received: 2/11/02

Permit Approved: 4/12/02

Proof of Beneficial Use Received: 8/19/05

Field Exam Conducted: 9/21/07

**Conditioning:**

| Comment                                                                                                                                                      | Water Permit Condition Report                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Field examiner reported 150 cattle, 350 sheep, and 6 horses. The permit limited right to 300 sheep so volume we be based on the permitted number of animals. | X02 Stockwater use is for 150 range cattle, 300 sheep and 6 horses..                                                                                                                                                                                                                                               |
| Doesn't carry to license                                                                                                                                     | 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 permit holder had no control. |
| Carry to license, Domestic use confirmed.                                                                                                                    | X01 Domestic use is for 1 home.                                                                                                                                                                                                                                                                                    |
| Doesn't carry to license                                                                                                                                     | 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.                                                                                                                                                                                                                 |

**POU Overlap Analysis:** There are no overlapping water rights.

**PD Summary:**

| Tag #    | Location                 | Rights that Use PD | Uses                    |
|----------|--------------------------|--------------------|-------------------------|
| D0027164 | NESE Sec. 12<br>13N 36E* | 31-11736           | Domestic and Stockwater |

\*The field examiner reported that the PD is in the SENE of Sec. 12. He used a GPS unit to pinpoint the PD. However, when the GPS point is overlaid onto ArcMap, the point is within 1 ft of the QQ line. There is typically a 30' margin of error when working with the PLS in ArcMap and since the GPS point places the PD 1' within the QQ line, I do not believe that an amendment is necessary as the examiner recommended. The PD will remain as permitted.

**Volume and Diversion Rate:** The field examiner found a total capacity of 0.03 on the system. This license will be issued with a diversion rate of 0.03 cfs.

The volume recommended by the field examiner is based on 150 range cattle, 350 sheep and 6 horses. As discussed above, the permit only authorized 150 range cattle, 300 sheep and 6 horses. I recommend the license to reflect the volume as follows<sup>1</sup>:

Sheep:  $300 \times 2 \text{ gallons/day} = 0.67 \text{ afa}$

Range Cattle:  $150 \text{ cattle} \times 0.0134 \text{ (rate is based on 2 hr/day diversion)} = 2.0 \text{ afa}$

Horses:  $6 \times 12 \text{ gallons/day} = 0.08 \text{ afa}$

2.8 afa

The volume for domestic and stockwater together will be 4 afa.

**Amendment Needed?:** NO. The POU and PD appear to be within the NESE of Sec. 12.

---

<sup>1</sup> Stock water consumption for cattle, sheep, and horses comes from the Field Examiners Handbook