

17-2095

U.S. DEPT. OF AGRI.

FOREST SERVICE, FEDERAL BLDG., 324 25TH ST., OGDEN, UT 84401

Source: BLACK PINE SPRING tributary to BLACK PINE CANYON

Date Filed: 06/06/1980

Amount: 0.02 CFS

Diversion Point: SWSE Sec 20 T 155 R 29E, CASSIA Co.

Use: STOCKWATER (0.02 CFS) from 05/01 to 10/31

Place of Use: SWSE Sec 20 T 155 R 29E

Diversion Means: HEADBOX, PIPELINE & TROUGH.

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before JULY 21, 1980.

C. STEPHEN ALLRED

Director

Published 7/03 & 7/10/80.

INTER-DEPARTMENT MEMO — 1

FROM KAY WALKER

DATE 10/07/1980

TO Files: 17-7094, 17-7095 & 17-7096

SUBJECT Reason for delay.

These applications were received in Southern Region with a voucher for others. The applications referenced above were sent to our office on 6/23/1980, advertised and kept in the hold drawer waiting for the receipt number from Southern. I called Mary on 8/11/1980 and she had not received the money yet so they were re-filed in the hold file. Today I called Southern and the money had been received on 8/28/80 by Mary with Receipt No. 16577.

Kay

SIGNATURE

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: SM.

APPLICATION NUMBER: 17 7095

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☒ Yes ☐ No Platted by: SM. Map No. DD-33
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: July 21 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 7-17-1980 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
☒ 6-6-1980 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: Ernest Carlson Date: 10-7-1980

STATE OFFICE REVIEW:

Com item 4.5
SLW to card

- ☐ See attached sheet for more information.

By: SLW Date: 11/7/80



ite of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 25, 1980

U.S. Forest Service
Federal Office Building
Ogden, Utah 84401

Dear Sirs,

RE: Permit No.'s 17-7094 thru 17-7096, 45-7446 thru 45-7448, 47-7652, 61-6413 thru 61-7415
61-7417 thru 61-7419, 63-9442 thru 63-9459, 63-9463, 63-9465 thru 63-9468
63-9470 thru 63-9472, 63-9474 thru 63-9495, 63-9498 thru 63-9501,
63-9503 thru 63-9506, 63-9508 thru 63-9516, 71-7045 thru 71-7048,
71-7053 thru 71-7055, 71-7057 & 71-7058

Enclosed is a copy of your approved Application for Permit. We direct your
attention to the conditions of approval as listed on the fourth page.

Sincerely,

David R. Tuthill, Jr.

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:mr

Enclosure

RECEIVED

Ident. No. 17 7095

STATE OF IDAHO JUN 6 1980

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

appropriate the public waters of the State of Idaho

APPROVED
Map 8001

1. Name of applicant United States Forest Service Phone 626-3561
Post office address Federal Office Bldg, Ogden, Utah 84401
2. Source of water supply Black Pine Spring which is a tributary of Black Pine Canyon
3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 20 Township 15S
Range 29E B.M. Ossia County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Allow .02*
Amount .02 for livestock purposes from May 1 to Oct 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

Allow .02 * RH 11-7-80
a. .02 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Headbox with pipe to Trough

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 20 Township 15S
Range 29E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 252 Cattle

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

MICROFILMED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated

c. Describe any other water rights used for the same purposes as described above.

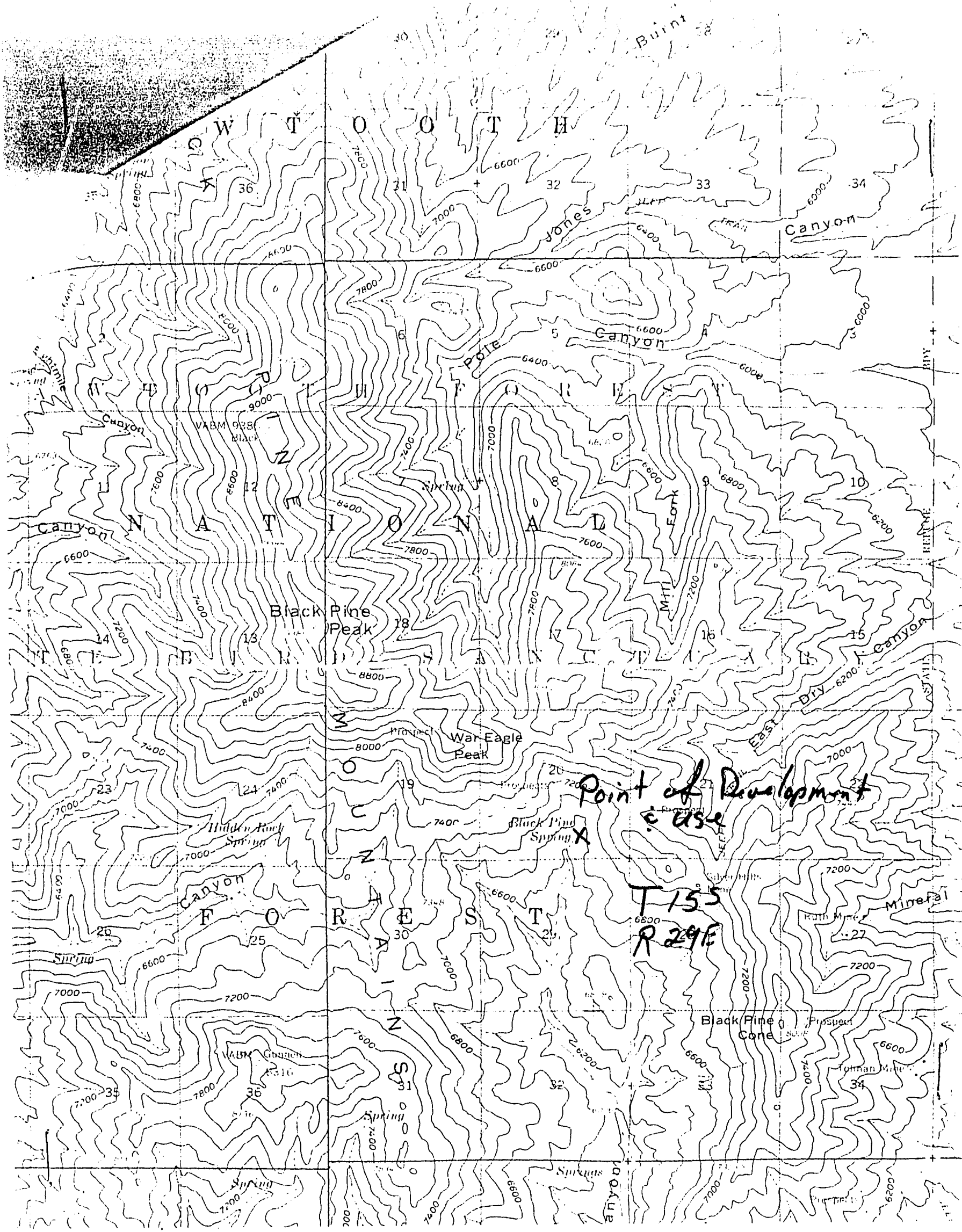
9. a. Who owns the property at the point of diversion CIGA

b. Who owns the land to be irrigated or place of use CC, A

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks





BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth. United States of America, Forest Service

Jeff M. Sirmon
Jeff M. Sirmon (Applicant) Deputy Regional Forester,
Resources

Proposed Priority 6/6/80 tw 6/23/80 6/11/80 4/10 m-Southern
Received by JH Date 06-06-80 Time 845
Preliminary check by _____ Fee \$ 20.00
Received by mary Date 8/28/80 # 16577
Publication prepared by kw Date 6/26/80
Published in South Idaho Press
Publication dates 7/3 & 7/10/80
Publication approved _____ Date _____
Protests filed by: None

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by EMC RA

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 17-7095, and said application is hereby approved.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 81.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: _____

Witness my hand this 10th day of November, 19 80.

H. Glen Saxton
Chief, Operations Bureau

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Brenda Cooper being first
duly sworn, deposes and says that she is the

Chair of the South Idaho
Press, a daily newspaper published at Bur-
ley Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for Two
consecutive weeks, commencing with the issue
dated July 3 1980, and ending
with the issue dated July 10 1980

Brenda Cooper

Subscribed and sworn to before me
this 16th day of July
1980.

Norma M. Peterson Notary Public

Cost of Publication 5.50

Notary Fee 5.50

Total Cost 11.00

NOTARY PUBLIC RESIDING AT
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1981

RECEIVED

JUL 23 1980

Department of Water Resources
Eastern District Office

ok
7/28/80

17-7095

U.S. DEPT. OF AGR., FOREST SERVICE, FEDERAL
BLDG., 324 25TH ST., OGDEN, UT 84401, Source:
BLACK PINE SPRING tributary to BLACK PINE
CANYON, Date Filed: 06/06/1980, Amount: 0.02
CFS., Diversion Point: SWSE Sec 20 T 15S R 29E,
CASSIA Co., Use: STOCKWATER (0.02 CFS) from
05/01 to 10/31, Place of Use: SWSE Sec 20 T 15S
R 29E, Diversion Means: HEADBOX, PIPELINE &
TROUGH.

RECEIVED

JUL 15 1980

Department of Water Resources
Eastern District Office

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 17-7095

Priority: June 6, 1980 Amount: .02 CFS 1.0 AFA

This is to certify, that U.S. DEPT. OF AGRI.

FOREST SERVICE

FEDERAL BLDG.

324 25TH ST.

OGDEN, UT 84401

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated June 6, 1980, and has submitted proof to the Department of Water Resources on July 8, 1981, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .02 cfs of water from;

BLACK PINE SPRING

tributary to BLACK PINE CANYON

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Stockwater	07/01 to 09/30	.02 cfs	1.0 afa

LOCATION OF POINT OF DIVERSION(S): SWSWE, Sec. 20, Township 15S, Range 29E
Cassia County

PLACE OF USE: Stockwater

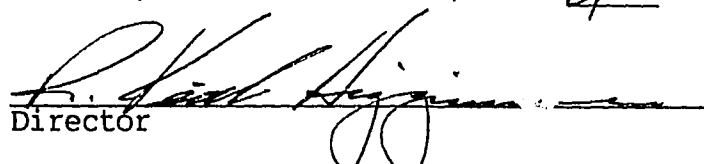
TWN RGE SEC

15S 29E 20 SWSW

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 29th day of January, 1988.


Director

001-002

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 17-7095.

Name(s) of Permit Holder: United States of America-Forest Service.

Post Office Address: Federal Building, 324 25th Street

Ogden, Utah 84401

Tel. No. (801) 626-3561

Source of Water: Black Pine Spr. Trib to Black Canyon

Extent of Use: ☐ Domestic (number of households)
☒ Stockwater 252 Cattle (number and type of stock)
☐ Irrigation (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No
Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed. (for) Deputy Regional Forester, Resources

7-1-81

Date

Carl J. Baul
Signature of Permit Holder



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

August 11, 1981

RE: Permit No. 17-7094; 17-7095; 21-7168; & 17-7096

United States Forest Service
Federal Building
324 25th Street
Ogden, Utah 84401

Gentlemen:

We acknowledge receipt of the proof of beneficial use card submitted for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our eastern regional office.

Very truly yours,

BOBBIE R. STEPHENS
Principal Clerk

cc: IDWR - State Office

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

17-7095

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☒ Telephone call made (List Telephone No. used)	4/29/87	TR	
☒ Appointment scheduled for: (Date, time, location)	4/29/87	TR	Forest S. office Burley

EXAMINATION

ate 4/29/87 Accompanied by Jim Wickle Range Con. Total Q measured _____
source Black Pine Spring Tributary to Black Pine Canyon Supp. annubar measurement sheet used? _____
source is surface water, estimate total flow of source _____
methods of measurement _____ Meets permit requirements? _____
Measurement calculations: Albaw 0.02 cfs Amt Applied for

$$456 \text{ hd} \times 12 \text{ gal/hd} \times 60 \text{ days/ANN} \div 325,851 \text{ gal/AF} = 1 \text{ AF/ANN (See Remarks)}$$

WELL/DIV. NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS

System Description Head box with 120' 1 1/4" pipe to 7' x 24" round trough (500 gal)

Code with map on reverse side. Disregard code if only one.

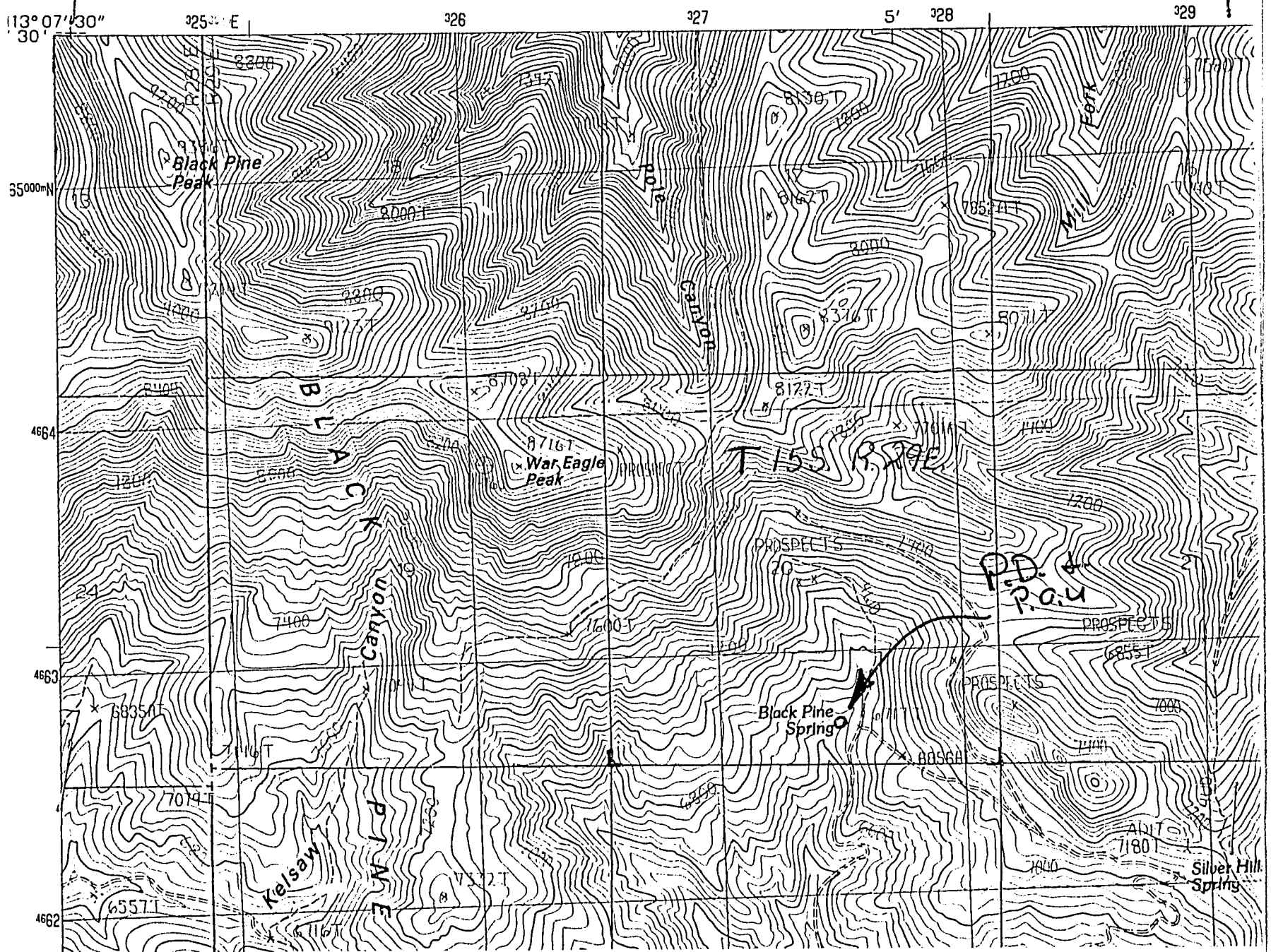
RECOMMENDED AMOUNTS

USE	Irrigation requirement =		AFA/Acre	
	Q (cfs)	V (afa)	FROM	TO
Stockwater	0.02 cfs	1 AFA	7/1	9/30
Total	0.02 cfs	1.0 afa		

Remarks This Allotment (Black Pine) has been increased to 456 head of cattle, since the Application was filed due to Range improvement. The maximum use is 60 days between 7/1 - 9/30. Silver Hills #1 & #2 Springs Tracy Spring, Pellard Spring, Middle Rider Spring, Lost Tunnel Spring and Canal Spring are also used by the same cattle during the same period of use. AFA should be limited to 1 AFA when all sources are being used to water the same 456 head of cattle HWT

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

17-7095



Point(s) of diversion: SW 1/4 SW 1/4 SE 1/4 Sec. 20 T. 15S. R. 29E.

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S	29E	20																S	

Recommended Amendments:

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

Examiner's Signature

James Black

Date

4/29/87

Checked by

W. Jones

Date

5-14-87

Approved by

Date

177095

G
Range Imp.
UPPER BLACK PINE Sprs. Memo for files
D-6, S&G

1-26-40

Closed files indicate some plank troughs were installed here 1928, with spring site tiled, and 150' of 1 1/2" pipe & tile used to reach troughs, at cost of \$251.86. In 1932, additional work was done in tiling, etc. as floods had washed the job out.

In 1937, 80' of 48" standard metal trough was set on concrete pier, with the overflow used to help fill the plank troughs, 8 of them. However, this wasn't strictly necessary. No further work was done on the spring.

In 1938, floods exposed the tile and pipe, and stopped the water flow in pipe. This time, all tile were removed, and a large excavation made in elbow or turn of the draw, so as to tap the water as far from flood effects, as possible. This was protected with a masonry gathering box, some of the tile used in it, etc. The whole, was then covered with rocks, and an effort made to crib logs to shunt water away, and protect the pipe, which was turned onto the bank as soon as possible.

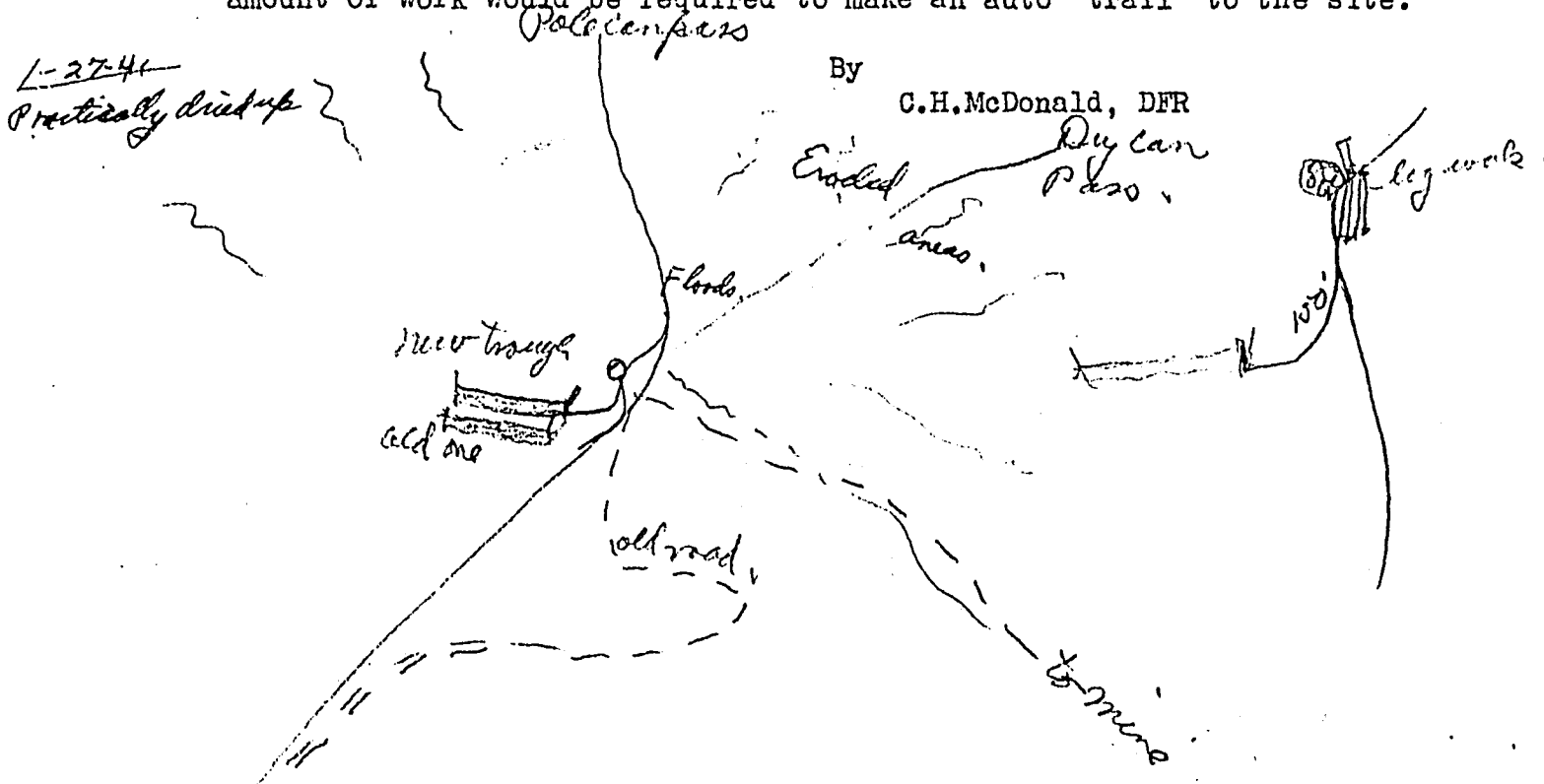
These floods are increasing in severity, and it may be necessary to prepare a new channel for the floods, and rip-rap, or log up the turn to save future cutting into the gathering box.

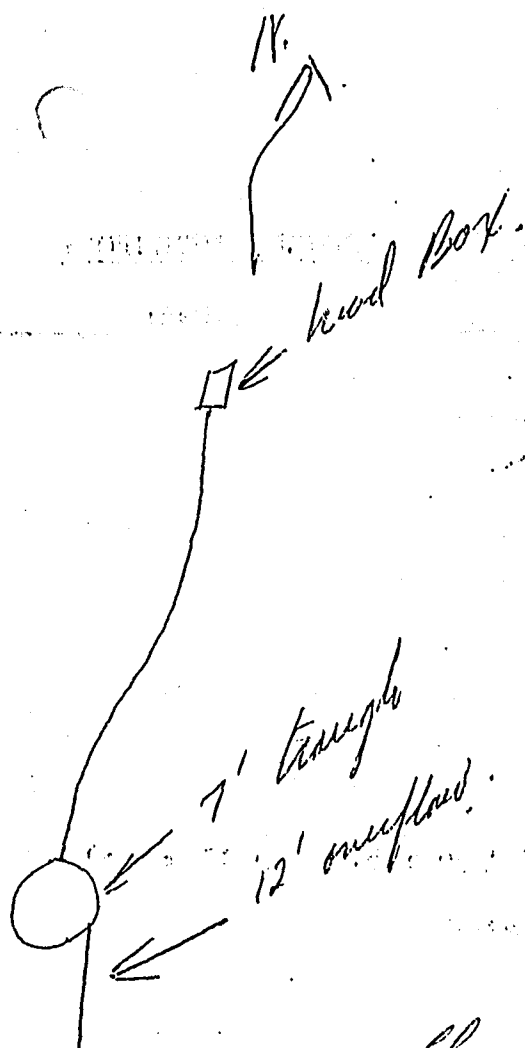
A record charge of 37.00 was made in installing the trough, which was completed in FY.1938 for \$332.00, or a total of \$555.32

Many cattle also use this. At present the adjacent range is being seriously abused from so much stock trailing in here over the steep slopes. Class III erosion is taking place in every direction. An effort will be made to get another spring near the mine, southward, developed this season, also another snow job over the hill in Dry Can.

At one time as many as 2400 sheep used this job, now thru transfer reductions, etc. only about 960 use it. However it is used from about Aug. 1 to Oct. 1 or later.

It is isolated from car travel, altho only a relatively small amount of work would be required to make an auto "trail" to the site.





There is no over abundance
 of water going in this trough
 but adequate at this date
 there is in excess of twice the
 amount of water going in that
~~is by passing~~. By passing the
 trough as there is going in from
 other spring into.

J. P. L. L. L.

TO: SECRETARY/OFFICE COORDINATOR-SOUTHERN REGION

NOTICE OF COMPLETED FIELD EXAM

The field work has been completed on the following exam:

Permit No. 17-7095 Owner Name U.S. F.S.

Date Completed: 4/29/87

Please enter the exam completed date on the Database.

Examiner: Larry Blau

orm 219-S.A.
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

17-7095
Permit No.

RECEIVED
MAY 20 1987

Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☐ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index 4B 4/28 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index 4B 4/28 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: _____

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

- ☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☐ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed _____ (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent _____ (Initial and date)

Exam Reviewed by Manager of Regional Office _____ (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

January 11, 1988

RE: Permit Nos. 15-7068/7069/7092/7093, 17-7094/7095/7096//7108,
25-7206/7207/7208/7209/7210/7211/7212/7213/7214/7215/
7216/7217/7218/7219/7220/7221/7222/7223/7224/7226/
7227/7228/7229/7230/7231/7232/7233/7234/7236/7237/
7239/7240

U.S. Dept. of Agri.
Forest Service
Federal Bldg.
324 25th St.
Ogden, UT 84401

Gentlemen:

Enclosed are draft copies of the licenses proposed to be issued on the above referenced water rights.

These rights are currently being reviewed by this office for licensing. The enclosed preliminary copies are subject to change upon further administrative review.

We ask that you review the proposed licenses and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosures



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 1, 1988

RE: Permit Nos. 15-7068/7069/7092/7093, 17-7094/7095/7096/7108,
25-7206/7207/7208/7209/7210/7211/7212/7213/7214/
7215/7216/7217/7218/7219/7220/7221/7222/7223/7224/
7226/7227/7228/7229/7230/7231/7232/7233/7234/7236/
7237/7239/7240

Forest Service
Federal Bldg.
324 25th St.
Ogden, UT 84401

Gentlemen:

Enclosed herewith are copies of the Water Right Licenses issued on the above referenced permits.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosures