

From: [Howe, Bob](#)
To: [Schwed, Tara](#)
Subject: Additional Information-IDFG Claim 11-4071 with Statutory Claim Basis
Date: Monday, August 31, 2026 2:22:08 PM
Attachments: [Outlook-j0v1hack.png](#)
[GSWMA acquisition proposal 1989.pdf](#)
[Jones Canyon water diagram.pdf](#)
[Jones Cabin 3.jpg](#)
[Pipeline diagrams.pdf](#)

From: Beck,Jason <jason.beck@idfg.idaho.gov>
Sent: Wednesday, March 25, 2026 2:03 PM
To: Howe, Bob <Bob.Howe@idwr.idaho.gov>
Subject: Re: Additional Information-IDFG Claim 11-4071 with Statutory Claim Basis

Bob,

Thank you for the opportunity to provide additional information and clarification.

Domestic and de minimis livestock use is probably the most appropriate designation for this water right. I don't do the legal side of water rights every day, so let me know if that does not match our current and historic use as described below.

This is the location of our patrol cabin, horse corrals and a source for water when we conduct prescriptive grazing projects around the WMA (currently 120 AUMs). None of this exceeds 13,000 gallons per day or storage exceeding daily use.

1. Our priority date evidence is the notarized affidavit of personal knowledge. Other documents, including Wildlife Management Plans appear to rely on this affidavit. I have requested a title search to verify when the property was homesteaded and if spring developments or the impoundments were described in early deeds, but I have not yet received those documents from the county.
2. I attached a 1989 acquisition proposal that includes a map showing a reservoir (i.e. the stock pond) in the SESW of section 10. I don't know that this documentation is necessary because we do not currently plan to use the ponds or maintain the dams.
3. I attached a photo of the cabin. It was demolished around 2010 in preparation for replacement, but the replacement project is on our

deferred maintenance list. In the meantime, we have used tents and a camp trailer for temporary housing when needed. The cabin had a wood shingle roof and parts were mossy when we tore it down, which makes it very hard to see in most old aerial photos.

4. There are probably surveying discrepancies in the area, but it really gets confusing because the springs sit right on the line between the NWSE and SWSE of section 10. The spring on the SWSE side of the line is piped for domestic use in the NWSE, but the spring in the NWSE was piped to water troughs in the SWSE and SESW. I attached a more detailed pipeline diagram as well as one drawn in 1991 when we first acquired the property.

I began working for IDFG in 2006 as the regional Landowner Sportsman Coordinator. While I was not directly responsible for Georgetown Summit WMA, I was responsible for the regional depredation prevention program and depredations were a main driver for creation and IDFG management of GSWMA. I immediately began working with WMA management to improve and expand the WMA and eventually transferred into direct management of GSWMA in 2017.

We conducted extensive cleanup in Jones Canyon (the location of water right 11-4071) around 2010. The appearance of the stock ponds on aerial imagery that you mentioned was likely a result of that effort. We didn't do any work on the ponds or dams other than digging out all of the junk that had accumulated in them. Apparently the ponds did not hold water very well, so the junk was roughly a dozen water troughs made from every kind of reclaimed metal or fiberglass container that might be made to hold water. We also removed around 1500 feet of pipeline. The pipeline from the lower spring to the stock water tanks had not been disconnected for a long time and was taking the entire flow where it mostly leaked out underground before dumping into a gully on the west side of the property. We removed all of the old pipe we could find and now use hoses if we need to get water somewhere beyond the spigot at the cabin location. Removing the pipeline that had diverted water past the ponds has noticeably extended the length of stream flow and greened up the pond in the SWSE of section 10.

The cabin was deemed unsafe in 2010, so we removed it to prepare for a replacement and stubbed the domestic pipeline at an outdoor spigot. I inherited a long list of deferred maintenance projects, but most of the ones ahead of this cabin have been completed so I now have time to focus on finding funding for it. We do regularly tent camp here if it is short term, and have brought in a camp trailer for longer stays. While the cabin sat in the NWSE, the horse corral spanned the line between the NWSE and SWSE of section 10. Even when we

aren't grazing in the area, this is where we fill up our truck or trailer tanks for livestock water or weed spraying.

The pond in the SESW of section 10 is sedimented in and we have removed the corrals and water troughs without plans to replace them. I would not object to removing the SESW of section 10. We can file a change if we choose to resume use in the SESW in the future.

Jason Beck

Regional Wildlife Habitat Biologist

Idaho Department of Fish and Game

1345 Barton Road

Pocatello, ID 83214

From: Howe, Bob <Bob.Howe@idwr.idaho.gov>

Sent: Tuesday, February 24, 2026 9:50 AM

To: Beck, Jason <jason.beck@idfg.idaho.gov>

Subject: Additional Information-IDFG Claim 11-4071 with Statutory Claim Basis

Dear Claimant,

The Department received Notice of Claim 11-4071 you submitted for Domestic and Stockwater uses. We are currently reviewing the claim for recommendation. The recommendation process reviews information/documentation submitted by the claimant, available county records, IDWR records, BLM GLO records, and historical GIS aerial imagery for evidence supporting the validity of a claim. The completed review provides a recommendation to the court.

After reviewing your Notice of Claim, it seems likely that further information or clarification is necessary. Based on my review I have identified the following areas of concern in your claim.

1. In section 2 of your notice of claim 11-4071 you request 06/01/1910 as your date of priority. In section 13 of your notice of claim you describe the priority date basis as "Priority date based on IDWR Water Right Report. To the best of my knowledge this is when the diversion systems were first put in place." However, the backfile is that of a statutory claim, which has the same requirements as a beneficial use claim. There are two supporting

documents on file that were particularly helpful, a notarized affidavit of personal knowledge and a 1991-1995 Wildlife Management Plan (the backfile documents can be viewed online at idwr.idaho.gov). Neither of these documents describes a diversion system for stockwater. Please provide evidence supporting the date the stockwater diversion system was first constructed.

2. The dammed stockwater pond claimed is first visible in aerial imagery from the 2000's. The Mandatory Permitting Statute requires an application for permit be filed for any development of surface water completed after May 20, 1971. Additionally, this is on an unnamed stream that sinks with 2 spring sources. You may wish to pursue an application for permit for stockwater storage.
3. In section 8 of your notice of claim you describe the use as "Domestic: campground and used for spraying; wildlife; stockwater use. No where on the claim is the cabin described, is the cabin no longer there, if so, is the domestic use all related to a campground?
4. In section 9 of your notice of claim you describe stockwater use in the SESW and SWSE of section 10. The statutory claim, affidavit, and 1991-1995 Wildlife Management Plan all describe use at or around the cabin, in the NWSE of section 10. Please provide evidence when stockwater tanks were first used in these areas. Additionally, the pond(s) appear to be fed by runoff from both springs in the canyon. Are you claiming that they filled by pipe fed diversions? Please provide a sketch of the stockwater and domestic diversion system including any service at the cabin, stocktanks, and ponds.

Based on the current evidence available the claim could possibly be recommended for domestic and de minimis stockwater use in the NWSE of section 10. However, this would still require a clearer understanding of how the diversion system works (maybe a sketch of the diversion system). This information would also help support the claimed rates of diversion.

Feel free to reach out to me with any questions or concerns regarding the items above. It is important that you respond to this request by email within the next 30 days, in order to expedite your claim process. If you do not respond your claim will be recommended based on the information provided in your notice of claim. Any documentation can be e-filed by emailing the attachments to file@idwr.idaho.gov using "claim 11-4071" as the subject. Thank you for your time

and attention on these matters.

Best Regards,

Bob Howe



IDAHO DEPARTMENT OF
WATER RESOURCES

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