

02/20/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 23-11297

NAME AND ADDRESS: BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK
IDAHO FALLS ID 83401

SOURCE: GARDEN CREEK TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 0.120 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.12 CFS. COMBINED RIGHT NOS.: 23-11291,
23-11295, 23-11297, 23-11299.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.12 CFS. COMBINED RIGHT NOS.: 23-11295,
23-11297, 23-11299.

PRIORITY DATE: 06/01/1888

POINT OF DIVERSION:

T02N R42E S25 NWNESE Within BONNEVILLE County
T02N R42E S25 SENWSE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.120 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T02N R43E S30 Lot 3 NWSW	1.9	T02N R43E S30	SWSE	3.2
T02N R43E S31 Lot 2 SWNW	0.8			

5.9 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 5.9 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-11291, 23-11295,
23-11297, 23-11299, 23-11301.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 23-00043.

02/19/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 23-11297

NAME AND ADDRESS: BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK
IDAHO FALLS ID 83401

SOURCE: GARDEN CREEK

TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 0.120 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.12 CFS. COMBINED RIGHT NOS.: 23-11295,
23-11297, 23-11299, ~~23-11303~~.

11291

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COMBINED DIVERSION RATE OF 0.12 CFS. COMBINED RIGHT NOS.: 23-11295,
23-11297, 23-11299.

PRIORITY DATE: 06/01/1888

POINT OF DIVERSION:

T02N R42E S25 NWNESE Within BONNEVILLE County

T02N R42E S25 SENWSE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.120 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T02N R43E S30 Lot 3 NWSW 1.9 T02N R43E S30 SWSE 3.2
T02N R43E S31 Lot 2 SWNW 0.8

5.9 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 5.9 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-11295, 23-11297,
23-11299, 23-11301, ~~23-11303~~.

11291

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 23-00042.

43

RECEIVED

APR 15 2004

Department of Water Resources

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 30, 2004

Water right number: 23-11297

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

NAME AND ADDRESS:

2. Describe the changes you wish to make in the proposed recommendation:

BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK
IDAHO FALLS ID 83401

Should be changed to:

UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657
PHONE: (208) 373-4000

Done

3. Give a brief explanation as to why you disagree with these portions:

The address in Idaho Falls is a BLM Field Office. All water rights should be addressed to the BLM Idaho State Office, located in Boise, at 1387 S. Vinnell Way.

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4-9-04

SIGNATURE: Gary A. Madenford

Please print your name: Gary A. Madenford

RECEIVED

APR 21 2004

Department of Water Resources
Eastern Region

CONANT VALLEY RANCH & BLM SPLITS

11285 - BLM, 14.3 ac @ 0.286 cfs $\Rightarrow$ 0.29

23-52 Pritchard Cr Parent 3³ cfs @ 0.02 = 160 ac
11286 CUR, 2⁹ cfs on 145² ac

11287 - BLM, 14.3 ac @ 0.286 cfs $\Rightarrow$ 0.29

23-53 Pritchard Cr Parent 3³ cfs @ 0.02 = 160 ac
11288 CUR, 2⁹ cfs on 145² ac

11289 - BLM, 14.3 ac @ 0.34

23-11244 Pritchard Cr Parent (Split of Original 23-105 @ 16² cfs) ALSO SEE 23-11243 FLOOD Rtg. $E_{MULTI} = 16^2$
11290 CUR, 13² cfs on 581⁵ ac
(Prior SPLIT)

11303 - BLM, 14.3 ac @ 0.129 cfs 50²⁵ AF

23-11245 Well Parent - error on original split - herein corrected.
11304 CUR, 2⁶⁴ cfs on 296² ac 1038⁴⁵
(23-2058 prior SPLIT)

11293 - BLM, 14.3 ac @ 0.004 cfs/ac = 0.06 cfs

23-7019 Well Parent 2.3 cfs on 561² ac to Lic.
11294 CUR 2.24 cfs on 546² ac

11295 BLM, 5.9 ac @ 0.12 cfs

23-42 Garden Cr Parent 0.50 cfs @ 0.02 = 25 ac
11296 CUR, 0.38 cfs on 18² ac

11297 - BLM, 5.9 ac @ 0.12 cfs

23-43 Garden Cr Parent 6² cfs @ 0.02 = 300² ac
11298 CUR, 5.88 cfs on 294¹ ac

23-49 11299 - BLM, 5.9 ac @ 0.12 cfs
 Garden Ck Parent 2nd cfs @ 0.02 = 100 ac
 11300 CVR, 1.88 cfs on 94¹ ac

23-11243 11301 - BLM, 5.9 ac @ 0.12 cfs
 Garden Ck Parent (Split on 23-105 @ 16th cfs) sees 23-11244 $E_{Q_{AuTh}} = 16^{\circ}$ Flood Rt
 (Prior Spurt) 11302 CVR, 1.78 cfs on 89¹ ac

23-11246 11291 - BLM, 5.9 ac @ 0.05 cfs (0.009 cfs/ac) 20^{6.5} ac
 Parent - error on original split corrected herein
 Well 11292 - CVR 1.99 cfs on 224¹ ac 704^{3.5} ac
 (Prior Spurt)

BLM Garden Ck $E_Q = 0.48$ cfs surfaces only; $E_Q w/well = 0.41$ cfs
 CVR Garden Ck $E_Q = 9.92$ cfs surfaces only
 $E_Q w/well = 12.64$

BLM Pritchard Ck $E_Q = 0.92$ cfs surfaces only
 CVR Pritchard Ck $E_Q = 19.58$ cfs surfaces only

BLM wows $E_Q = 0.19$ cfs
 CVR wows $E_Q = 4.96$ cfs

1.11 cfs

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 23-43

WATER RIGHT NUMBER: 23-43

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CHARLES R HIGHAM
	, ID
Current Owner	CONANT VALLEY RANCH PO BOX 5546 ORANGE, CA 92705
Current Owner	CONANT VALLEY RANCH 2350 SWAN VALLEY HWY SWAN VALLEY, ID 83449 (208) 483-2693

Priority Date: 06/01/1888

Basis: Decreed

Status: **PARENT: see 23-11297 and 23-11298**

<u>Source</u>	<u>Tributary</u>
GARDEN CREEK	SOUTH FORK SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	6.000 CFS	
	<u>Total Diversion:</u>	6.000 CFS	

<u>Location of Point(s) of Diversion</u>		
GARDEN CREEK	NE1/4SE1/4	Sec. 25, Twp 02N, Rge 42E, B.M.
BONNEVILLE County		
GARDEN CREEK	NE1/4SE1/4	Sec. 25, Twp 02N, Rge 42E, B.M.
BONNEVILLE County		

Place of UseIRRIGATION Within BONNEVILLE County

T02N R43E S30	NWNE	18.0	T02N R43E S30	SWNE	15.0
T02N R43E S30	NENW	29.0	T02N R43E S30 Lot 1	NWNW	34.0
T02N R43E S30 Lot 2	SWNW	30.0	T02N R43E S30	SENE	26.0
T02N R43E S30	NESW	28.0	T02N R43E S30 Lot 3	NWSW	16.0
T02N R43E S30 Lot 4	SWSW	35.0	T02N R43E S30	SESW	33.0
T02N R43E S30	NWSE	1.2	T02N R43E S30	SWSE	11.0
T02N R43E S31	NENW	5.5	T02N R43E S31 Lot 1	NWNW	14.0

Total Acres: 295.7

Conditions of Approval:

0.5 Split?

11297

5.9 cfs @ 0.02 cfs/ac = 0.118 cfs

11298

6.0 cfs - 0.118 cfs = 5.882 cfs

Ac Limits 294'

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 23-43

Remarks:

1. General P/D & P/U INCOMPLETE ACRES IRRIGATED 325.37
2. Explanatory CLAIM AMENDED TO DELETE STORAGE COMPONENT. SEE AMENDED 23-00049,
STORAGE ADDED.

Comments:



Wendy Velman
Natural Resource Specialist

Address: 1405 Hollipark Drive
Idaho Falls, ID 83401
Phone: (208) 524-7520 (office)
Cell: (208) 709-2381
E-mail: wendy_velman@blm.gov
Fax: (208) 524-7505

Conant Valley Ranch
2354 Swan Valley Highway
Swan Valley, Idaho 83449

Fax Cover Sheet

To: AL Ruberry
Attention: "A.L."
Fax Number: 525-7177
Date: Jan 6 Time: 1:20 pm

From: "Shane" Conant Valley Ranch

Remarks: AL, here is the paper
work on the BLM farm agreement
with CUR, see you on Monday
my 2's call, Shane

Breeders of Top Quality
Commercial Cattle

Phone Number: (208) 483-2693
Fax Number: (208) 483-2694

TDI-28133

Phone (include area code)
714-639-6980

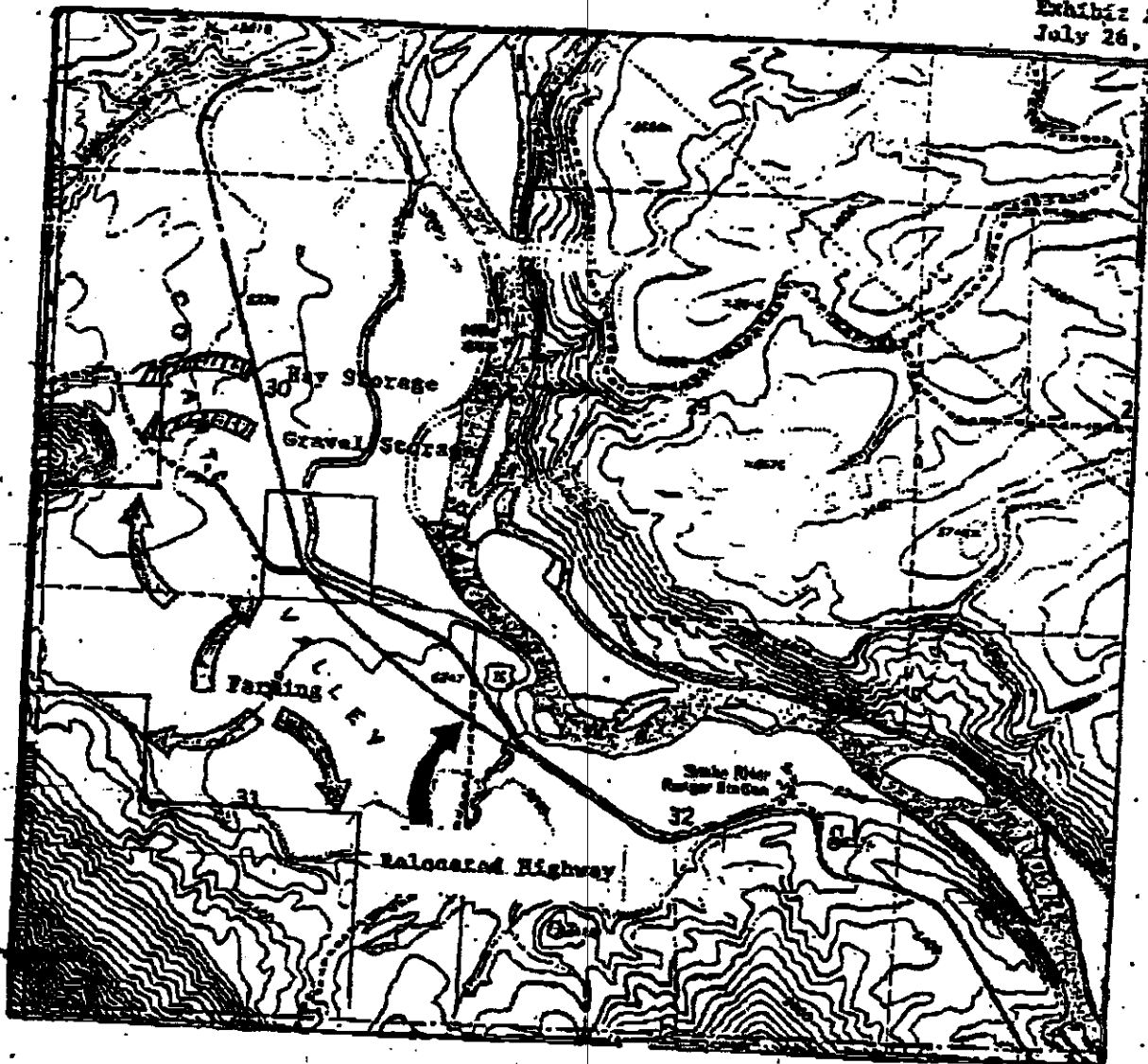
01/08/04 TUE 13:12 FAX 2084832894

12/17/2003 10:01 9893642180

DEC 17 '03 09:35AM BLM IDAHO FALLS

PAGE 04/05

IDP-48133
Exhibit A
July 26, 1996



Map Name: Conant Valley Quad

Map scale: 1:24000

Legal: T. 2 N., R. 43 E., BM
sec. 30, lots 3, 9, and 10;
sec. 31, lot 2, NWSE;

EA Number: _____

Project Name: A. H. Osterkamp Land Use Permit

DEC 17 '03 09:36AM BLM IDAHO FALLS

PAGE 05/05

P.S.

IDI-28133
Exhibit B
July 26, 1996
Page 1 of 1

LAND USE PERMIT STIPULATIONS

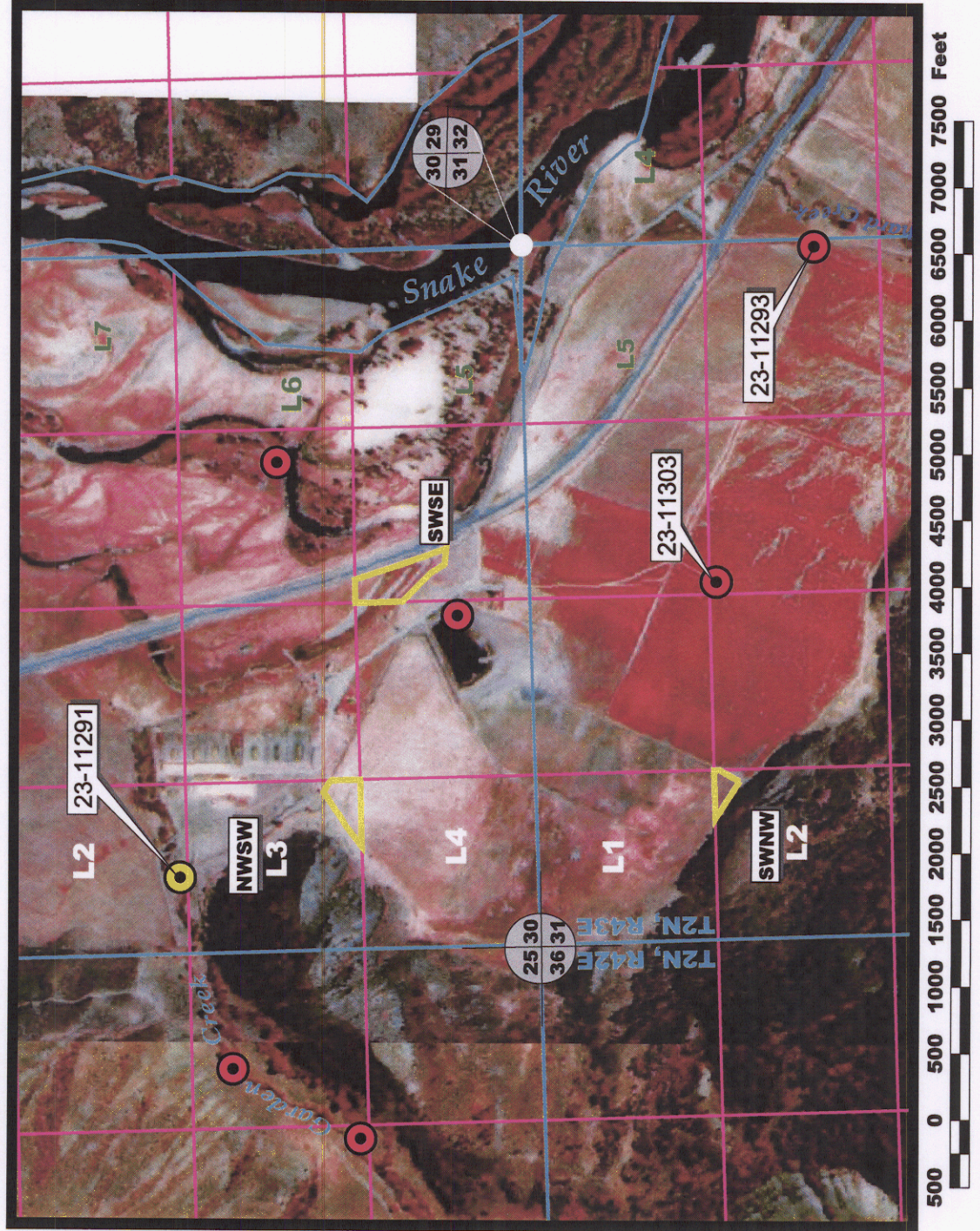
1. The holder(s) shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder(s) shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
2. Use of pesticides shall comply with the applicable Federal and state laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the holder shall obtain from the authorized officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the authorized officer. Emergency use of pesticides shall be approved in writing by the authorized officer prior to such use.
3. Any cultural and/or paleontological resources (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.
4. Upon termination of the land use permit, the holder shall seed all disturbed areas, using an agreed upon method suitable for the location. Seeding shall be repeated if a satisfactory stand is not obtained as determined by the authorizing officer upon evaluation after the first growing season.
5. No payments shall be collected from the State of Idaho for damages due to wildlife depredation which may occur on the subject public lands.
6. The permittee shall not store, mix, transfer, load, or unload agricultural chemicals within the land use permit area. This does not constrain the holder from properly applying agricultural chemicals to crops within the land use permit area.



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

23-11291,
23-11295,
23-11297,
23-11299,
23-11301

Place of Use: (parts of)
T2N, R43E
Secs. 30, 31

Point(s) of Diversion:
T2N, R43E
Sec. 30 SWSWNW (L2)
T2N, R42E
Sec. 25 SWNWSE, NWNESE

LEGEND

- Point of Diversion
- SESE
- Place of Use
- Section
- Quarter-Quarter

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: February 2004

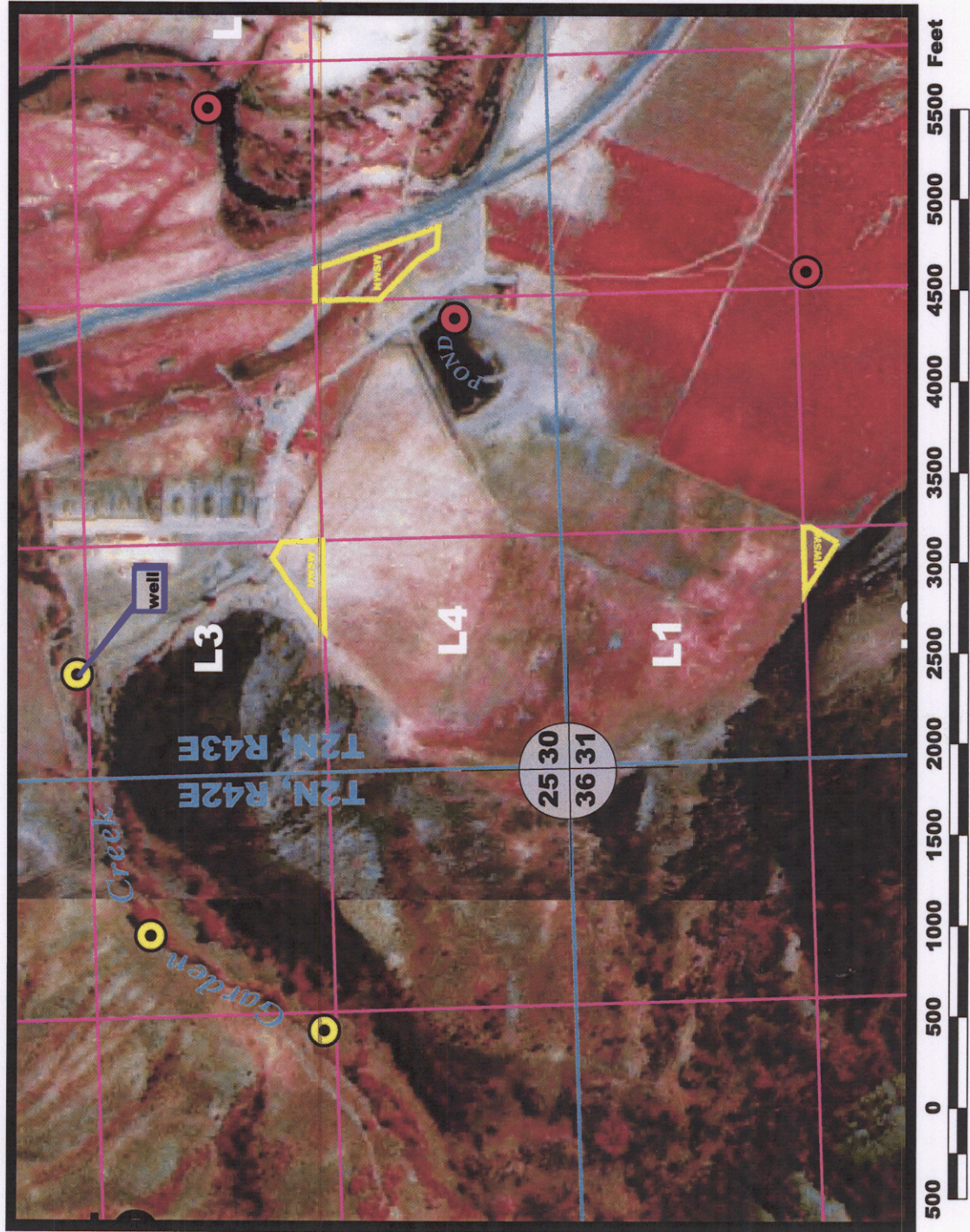




State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
 23-11295, 23-11297,
 23-11299, 23-11301,
 23-11303

Place of Use: (parts of)

T2N, R43E

Sec.30 NWSW (L3), SWSE,
 Sec.31 SWNW (L2)

Point(s) of Diversion:

T2N, R42E Sec. 25

SESWSE, NWSESE (surface)

T2N, R43E Sec. 30

SWSWNW (L2) (well)

LEGEND



Point of Diversion



SESE



Section



Quarter-Quarter



GIS Place of Use Illustration
 1987/1988 NAPP Photography
 Prepared by: A. Ruberry
 Date: February 2004