

02/20/2004

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

RIGHT NUMBER: 23-11291

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.050 CFS
20.650 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.29 CFS. COMBINED RIGHT NOS.: 23-11291,
23-11295, 23-11297, 23-11299, 23-11301.

PRIORITY DATE: 08/24/1955

POINT OF DIVERSION:

T02N R43E S30 SWSWNW Lot 2 Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.050 CFS
20.65 AFY

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.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 5.9 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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: License

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

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 23-11246 (23-02058).

02/20/2004

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

RIGHT NUMBER: 23-11291

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.050 CFS
20.650 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.29 CFS. COMBINED RIGHT NOS.: 23-11291,
23-11295, 23-11297, 23-11299, 23-11301.

PRIORITY DATE: 08/24/1955

POINT OF DIVERSION:

T02N R43E S30 SWSNW Lot 2 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	0.050 CFS 20.65 AFY

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T02N R43E S30 Lot 3 NWSW	1.9	T02N R43E S30	SWSE	3.2
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This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
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EXPLANATORY MATERIAL: License

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

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 23-11246 (23-02058).

RECEIVED

APR 18 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: 23-11291

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

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 { Parent 3³ cfs @ 0.02 = 160 ac
Ritchard Ck 11286 CUR, 2⁹ cfs on 145² ac

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

23-53 { Parent 3³ cfs @ 0.02 = 160 ac
Ritchard Ck 11288 CUR, 2⁹ cfs on 145² ac

11289 - BLM, 14.3 ac @ 0.34

23-11244 { Parent (Split of Original 23-105 @ 16⁰ cfs) ALSO SEE 23-11243 FLOOD Rtg. $E_{MULTI} = 16^2$
Ritchard Ck 11290 CUR, 13² cfs on 581⁵ ac
Prior Split)

11303 - BLM, 14.3 ac @ 0.129 cfs 50⁰⁵ AF

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

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

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

11295 BLM, 5.9 ac @ 0.12 cfs

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

11297 - BLM, 5.9 ac @ 0.12 cfs

23-43 { Parent 6⁰ cfs @ 0.02 = 300⁰ ac
Garden Ck 11298 CUR, 5.88 cfs on 294¹ ac

23-49 11299 - BLM, 5.9 ac @ 0.12 cfs
 Garden Ck 11300 CUR, 1.88 cfs on 94' ac

23-11243 11301 - BLM, 5.9 ac @ 0.12 cfs
 Garden Ck (Parent (Split on 23-105 @ 16° cfs) see 23-11244 $E_{\text{amph}} = 16^\circ$ Flood Rt
 (Prior Spur) 11302 CUR, 1.78 cfs on 89' ac

23-11246 11291 - BLM, 5.9 ac @ 0.05 cfs (0.009 cfs/ac) 20° SE
 Well (Parent - error on original split - corrected herein
 23-2058 11292 - CUR 1.99 cfs on 224' ac 704' SE
 (Prior Spur)

BLM Garden Ck $E_Q = 0.48$ cfs ³⁶ surface only; E_Q w/well = 0.41 cfs
 CUR Garden Ck $E_Q = 9.92$ cfs surface only
 E_Q w/well = 12.64

BLM Pritchman Ck $E_Q = 0.92$ cfs surface only
 CUR Pritchman Ck $E_Q = 19.58$ cfs surface only

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

1.11 cfs

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 23-11245

WATER RIGHT NUMBER: 23-11245

See 11246 Attachment

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	M E TOLIVER 595 12TH ST IDAHO FALLS, ID 83401
Original Owner	FAMA DAIRY PO BOX 5546 ORANGE, CA 92667 (714)633-1770
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
Attorney	HOPKINS RODEN CROCKETT HANSEN & HOOPES C/O C TIMOTHY HOPKINS PO BOX 51219 IDAHO FALLS, ID 83405-1219 (208)523-4445

Priority Date: 08/24/1955

Basis: License

Status: PARENT: see 23-11303 and 23-11304

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

<u>From</u>	<u>To</u>
04/01	to 10/31

Diversion Rate

2.040 CFS

Total Diversion:

2.040 CFS

2.77

Annual Volume

801.50 AF

801.50 AF

Location of Point(s) of Diversion

GROUND WATER

BONNEVILLE County

L3 (NW1/4SW1/4)

Sec. 30, Twp 02N, Rge 43E, B.M.

Place of UseIRRIGATION Within BONNEVILLE County

T02N R43E S19	SWSE	17.0	T02N R43E S19	SESE	9.0
T02N R43E S30	SWNE	22.0	T02N R43E S30 Lot 1	NWNW	26.0
T02N R43E S30 Lot 2	SWNW	30.0	T02N R43E S30	SENE	31.0
T02N R43E S30	NESW	34.0	T02N R43E S30	SWSW	38.0
T02N R43E S30	SESW	39.0	T02N R43E S30	NWSE	16.0
T02N R43E S31	NENE	34.0	T02N R43E S31	NWNE	40.0
T02N R43E S31	SWNE	40.0	T02N R43E S31	SENE	40.0

307.10 Total

Q Split:

11303

59 ac @ 0.009 cfs = 0.0536

11304

2.77 - 0.053 = 2.717 cfs

Ac Limits 30139

Rt. Originator MS

$$23-2058 @ 481 \text{ cfs on } 541^{\circ} \text{ ac}$$

$$= 0.00889 \text{ cfs/ac} \Rightarrow 0.009$$
~~ERROR OF ORIGINAL SPLIT:~~

11245 should have been

2.77 cfs on 311⁶ ac

11246 should have been

2.04 cfs on 229⁴ ac

THEY WERE REVERSED - HORDIN

Annual Volume

801.50 AF

801.50 AF

Corrected!

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 23-11246

WATER RIGHT NUMBER: 23-11246

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CONANT VALLEY RANCH PO BOX 5546 ORANGE, CA 92705
Original Owner	M E TOLIVER 595 12TH ST IDAHO FALLS, ID 83401
Original Owner	FAMA DAIRY PO BOX 5546 ORANGE, CA 92667 (714)633-1770
Current Owner	CONANT VALLEY RANCH 2350 SWAN VALLEY HWY SWAN VALLEY, ID 83449 (208) 483-2693
Attorney	HOPKINS RODEN CROCKETT HANSEN & HOOPES C/O C TIMOTHY HOPKINS PO BOX 51219 IDAHO FALLS, ID 83405-1219 (208)523-4445

Priority Date: 08/24/1955

Basis: License

Status: PARENT: see 23-11291 and 23-11292

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.020 CFS	
IRRIGATION	04/01 to 10/31	~~2.770 CFS~~	1,088.50 AF
	<u>Total Diversion:</u>	~~2.770 CFS~~	1,088.50 AF

Location of Point(s) of Diversion

GROUND WATER NE1/4NW1/4
BONNEVILLE County

2.04 on 229⁴ ac = 0.00889 cfs
0.009 cfs/ac

Sec. 31, Twp 02N, Rge 43E, B.M.

Place of UseIRRIGATION Within BONNEVILLE County

T02N R43E S19 SWSE 17.0	T02N R43E S19 SESE 9.0
T02N R43E S30 SWNE 22.0	T02N R43E S30 Lot 1 NWNW 26.0
T02N R43E S30 Lot 2 SWNW 30.0	T02N R43E S30 SENW 31.0
T02N R43E S30 NESW 34.0	T02N R43E S30 SWSW 38.0
T02N R43E S30 SESW 39.0	T02N R43E S30 NWSE 16.0
T02N R43E S31 NENE 34.0	T02N R43E S31 NWNE 40.0

Split of Q

11291

143 @ .009 = 0.129 cfs

143 X 3.5 AFA = 50 cfs

11292

2.04 - 0.129 = 1.91 cfs

215¹ ac hinds

T02N R43E S31

SWNE 40.0

T02N R43E S31

SENE 40.0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 23-11246

T02N R43E S31	NENW	40.0	T02N R43E S31	NWNW	34.0
T02N R43E S31	SENW	35.0	T02N R43E S31	NESE	10.0

Total Acres: 535

STOCKWATER same as IRRIGATION

Conditions of Approval:

Remarks:

1. Explanatory THIS CLAIM IS A SPLIT PORTION OF 23-02058. SEE RECEIPT NO. E011096.

Comments:



Wendy Velman
Natural Resource Specialist

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

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

Fax Cover Sheet

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

From: "Shane" Conant Valley Ranch

Remarks: AL, Here is the peer
work on the BLM farm agreement
with CUR, see VA on Monday
my 2's call, Shane

Breeders of Top Quality
Commercial Cattle

Phone Number: (208) 483-2693

Fax Number: (208) 483-2694

DEC 17 '93 09:34AM BLM IDAHO FALLS

PAGE 02/05

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Form 2930-1
(October 1992)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

LAND USE APPLICATION AND PERMIT
Sec. 302(b) of P.L. 94-675, October 31, 1976, 43 U.S.C. 1732

FORM APPROVED
ONES NO. 1004-0009
Expires August 31, 1995

FOR BLM USE ONLY

Application Number

IDI-28133

APPLICATION

1. Name (first, middle initial, and last)

ANTHONY H. OSTERKAMP, JR.

Address (include zip code)

CONANT VALLEY RANCH
P.O. BOX 5846

ORANGE, CA 92863-5546

Phone (include area code)

714-639-6980

2. Attach map or sketch showing public lands for which you are applying

3. Proposed date(s) of use: from January 1, 1998

to December 31, 2000

4. Give legal basis for holding interest in lands in the state of Idaho
(Check appropriate box and explain.)

- ☐ Resident ☒ Partnership
☐ Corporation ☐ County
☐ Local Government ☐ State Government
☐ Other

5. Are the lands now improved, occupied, or used? ☒ Yes ☐ No (If "yes," describe improvements and purposes, identify users and occupants.)

Used for storage and cultivation

6. Do you need access to the land? ☒ Yes ☐ No (Describe needed or existing access)

7a. What do you propose to use the lands for?

Continued use for storage and cultivation related to ranching operation.

b. What improvements and/or land development do you propose? (To complete application processing, engineering and construction drawings may be required.)

No additional improvements

c. What is the estimated capital cost?

\$

d. What is the source of water for the proposed use?

I CERTIFY That the information given by me in this application is true, complete, and correct to the best of my knowledge and belief and is given in good faith.

(Signature of Applicant)

12-5-92
(Date)

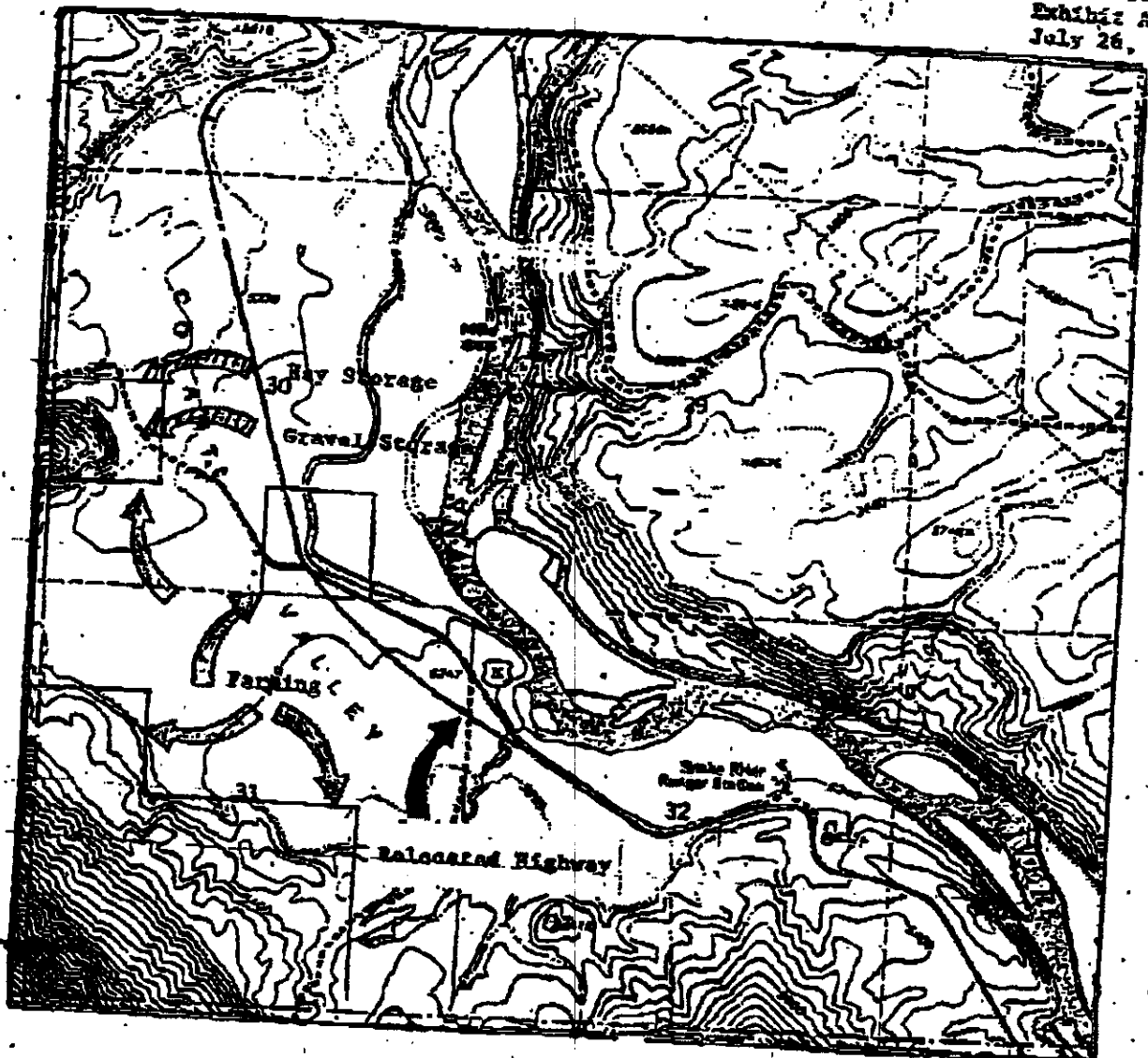
True is U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

12/17/2003 16:01 9893642180

DEC 17 '03 09:35AM BLM IDAHO FALLS.

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IDP-28133
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

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

LAND USE PERMIT STIPULATIONS

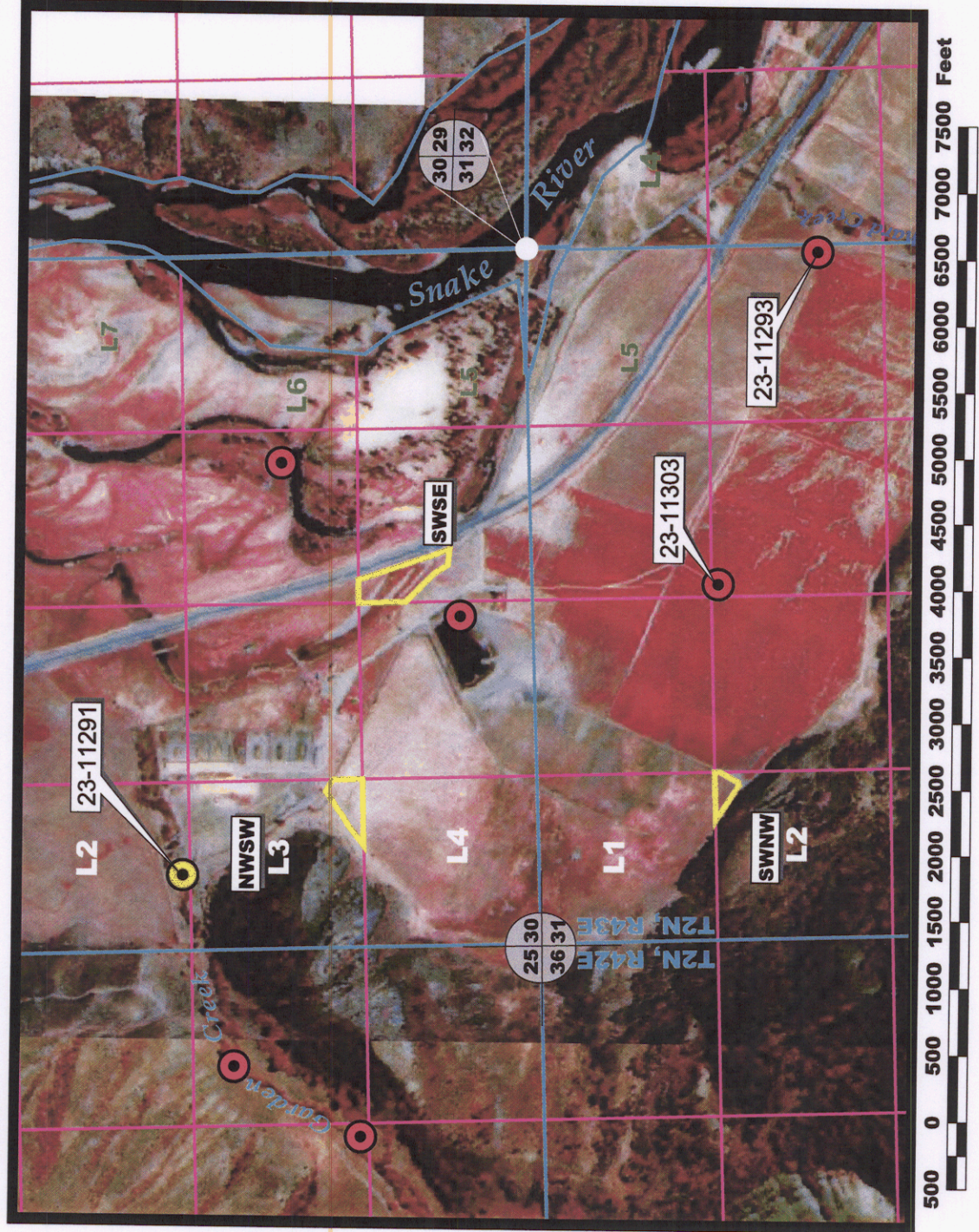
1. The holder(s) shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder(s) shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et seq.) with regard to any toxic substances that are used, 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



Place of Use



Section



Quarter-Quarter



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