

January 31, 2004

General Comments

This claim is for half the original acres but all the original diversion rate of an old license. Because the application method is gravity border irrigation, this actually makes physical sense. I propose recommending as claimed, but preventing injury with a remark similar to the remark included in partial decree 31-63C (see printout in file). Note that one use of a transfer listed in the October 2002 administrative memo is to "concentrate" diversion rate on irrigated lands. This claim could represent an accomplished transfer that did just that.

Ownership

The enclosed change of ownership appears to be correct. Included in the blue folder is a sketch I made from the legal description and it matches the claim and my field inspection.

POD

The claim is correct. GPS location is waypoint 6, 662,657 E 286,298 N IDTM.

POU

The claim is correct.

Overlap

The claim notes that surface water is also used on this place, and a large ditch comes in from the east through a cement box at the well, where well water can be put into the same ditch system.

Conflict

None noted. The Internet does not show any competing claim for the lands that were originally irrigated from this license, west of the claimed POU.

Priority

Per license, 10/30/1961.

Quantity

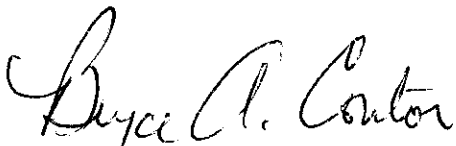
I propose 1.54 cfs, with a two-week volume limitation equal to the volume produced at 0.02 cfs/acre on recommended acres. I propose recommending the limitation volume and total volume on based on GIS acres. Note that the licensing field exam and my sketch both suggest 38 acres irrigated in this parcel.

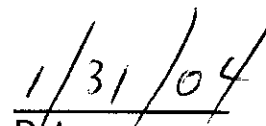
Water Use

Irrigation

List of Photos

A25-2139_1.jpg	POD looking North-northwest towards POU.
A25-2139_2.jpg	POD
A25-2139_3.jpg	Looking north along ditch over the top of the concrete box at the POD. POU is to the left of the ditch that runs up the center of the photo.
A25-2139_4.jpg	Looking SE across the POD. The ditch that comes in towards the pickup from the left comes under the road and connects with the concrete box.
A25-2139_Field_Notes.jpg	Field notes.


Bryce A. Contor


Date

A25-02139 Preview/Contact log

Preview 1/19/04

- 1) Need to check for claims to rest of WR
 - 2) Consider Hubbel analysis for increased diversion rate - accomplished ~~x~~fer - consolidation of acc. p 3 of Transfer Process # 24 - if soil type/practices appear to require add'l div rate. This may be tough in light of original license @ 0.02
 - 3) See sketch fr. deed in S ownership folder
- Per Internet no GW claims in NWSE
 - See Quantity remark 2 of. 31-00063C

1/19/03 12:22 745-8522 no answer

1/19/03 See field notes

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07N	36E	26		SWSW	1.3									
		27		SESE	5.1									

Total Acres: 6.4

Conditions of Approval:

1.	C18	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.
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Remarks:

1.	Place of Use - Irrigation	USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 6.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00062C, 31-00063C.
2.	Quantity	USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION VOLUME OF 5.33 ACRE FEET IN ANY 21 DAY PERIOD. RIGHT NOS.: 31-00062C, 31-00063C.
3.	Quantity	THE TOTAL COMBINED DIVERSION RATE FROM THE WELL LOCATED IN T7N R36E SECTION 27 NESESE IS LIMITED TO 1.75 CFS.
4.	Purpose of Use	THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 1 AND AFTER SEPTEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
5.	Explanatory	THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 31-00062C, 31-00063C.

Dates:

Licensed Date:

Decreed Date: 02/22/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 31

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

August 18, 2003

Reynold or Kathy Tanner
255 N 3700 E
Rigby, ID 83442

Re: Water Right Adjudication Claim(s) A25-2139

Dear Water User:

Idaho Department of Water Resources (IDWR) is reviewing claims to water rights in the Snake River Basin Adjudication in your area. Water Resources Field Services has been retained to do field inspections to aid the Department in making correct recommendations to the court. In the next weeks and months, we will be contacting you to make an appointment to look at your diversion works and uses of water.

I look forward to helping make sure your water right recommendation is correct. If there is a particular time that would be convenient for you, You may call in the evenings, or leave a message on the answering machine.

Sincerely,

Bryce A. Contor