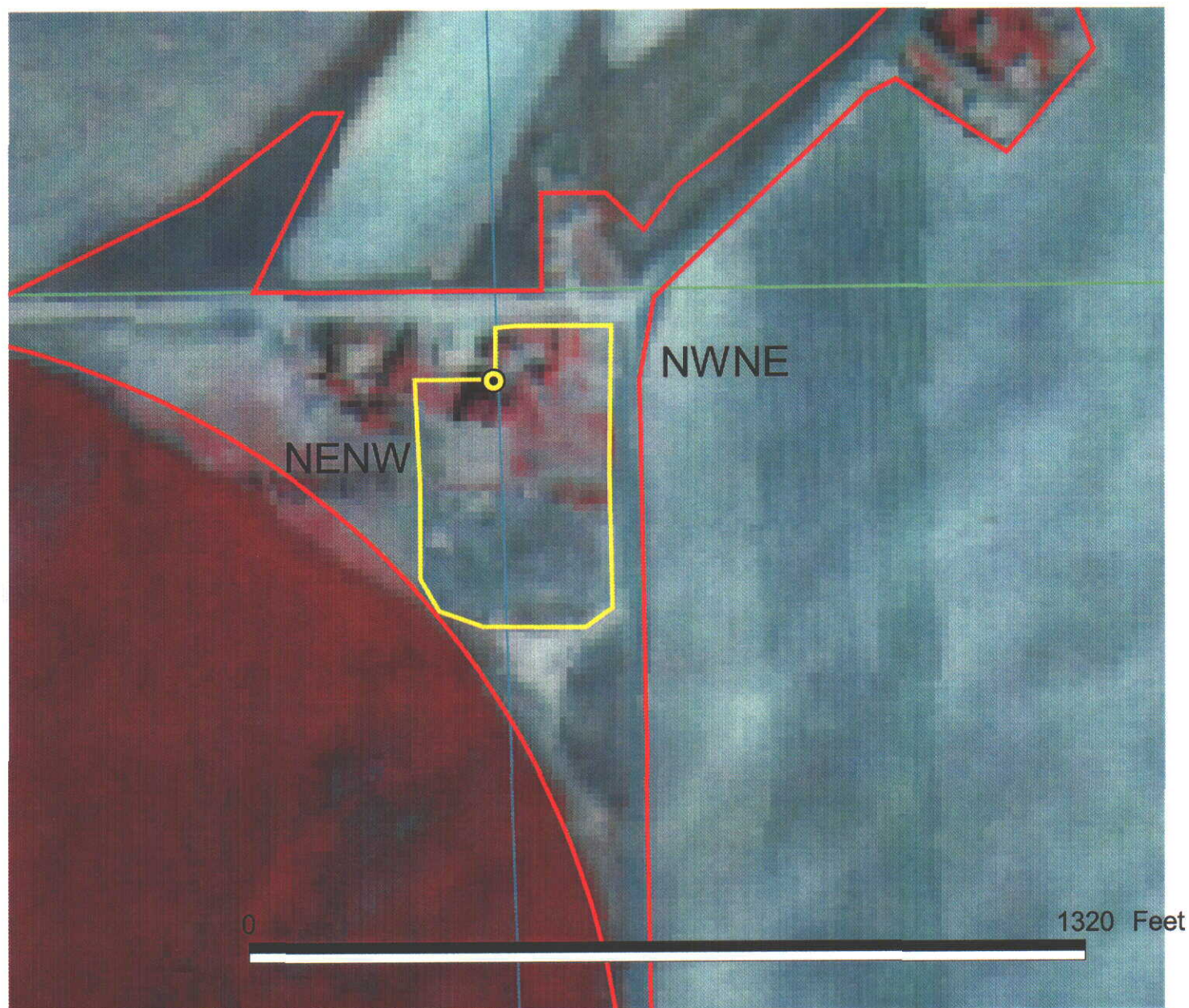


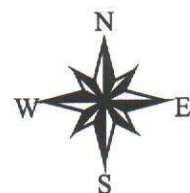
IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-10291

Township 7 North Range 36 East Section 28



- Point of Diversion - This Water Right
- Point of Diversion - Other Water Rights
- Place of Use - This Water Right
- Place of Use - Other WR
- Sections
- Quarter-quarter Sections



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-10291

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LULA HANSEN
Current Owner	MELVIN HANSEN
	2344 E 2000 N
	HAMER, ID 83425
	(208)662-5231

Priority Date: 12/31/1940
 Basis: Beneficial Use
 Status: Valid

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	1.68 CFS	10.5 AFA	
STOCKWATER	01/01	12/31	0.02 CFS	0.4 AFA	
DOMESTIC	01/01	12/31	0.02 CFS	0.6 AFA	
Total Diversion			1.72 CFS	11.5 AFA	

Point(s) of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
07N	36e	28	NE NE NW		JEFFERSON

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	36E	28		NENW	3									

Place of Use Legal Description: STOCKWATER JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	36E	28		NENW										

Place of Use Legal Description: DOMESTIC JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	36E	28		NENW										

Total Acres: 3

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.

Remarks:

1. Quantity THE VOLUME OF WATER THAT MAY BE DIVERTED FOR IRRIGATION UNDER THIS RIGHT IS LIMITED TO 3.75 ACRE FEET IN ANY 21 DAY PERIOD.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
bcontor	10/4/00	Diversion Rate	Excessive diversion rate recommended per historical practice. Injury prevented by 3-week diversion volume limitation and annual diversion volume limitation. Note that these limitations are in accordance with standard rates and volumes.
bcontor	10/4/00	Priority Date	Documentation indicates "1940" but specific date within 1940 not identified; therefore 12/31/1940 selected per Claims Verification Handbook.
bcontor	10/4/00	POU	In this location there is a discrepancy between USGS, GCDB, and aerial photos. Recommended per county legal description of deeded property, which matches aerial photos and USGS topos. Disagrees with GCDB.
bcontor	10/4/00	Volume	Total acres are correct. Irrigation, 3 acres @ 3.5. Domestic, "household only" 0.6 afa, Allocations standard volume per Harold Jones. Livestock, 0 - 10 head of stock 0.4 afa per "Administrators Memorandum" April 7, 1975.
bcontor	10/4/00	Volume limitation	IDWR standard for under 10 acres is 0.03 cfs/ acre. $3 \times 0.03 = 0.09$ "std" rate for this POU. $0.09 \text{ cfs} \times 1.9835 \text{ acre ft/day/cfs} \times 21 \text{ days} = 3.75 \text{ acre foot limitation}$.

Dates:

Licensed Date:
 Claim Received Date: 09/15/1988
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 Response Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Review Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
POD	10/4/00 12:35:40 PM	bcontor			In Process
POU	10/4/00 12:47:46 PM	bcontor			In Process
Priority Date	10/4/00 12:31:45 PM	bcontor			In Process
Quantity	10/4/00 1:05:14 PM	bcontor			In Process
	10/4/00 12:41:44 PM	bcontor			In Process
Season	10/4/00 12:41:41 PM	bcontor			In Process
Source	10/4/00 12:36:02 PM	bcontor			In Process
Summary	10/4/00 1:08:00 PM		10/4/00 1:08:00 PM	bcontor	Complete
Use	10/4/00 12:48:55 PM	bcontor			In Process
	10/4/00 12:41:39 PM	bcontor			In Process

Other Information:

Receipt Number(s):
 State or Federal: S
 Water District:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
POD	10/4/00 12:35:38 PM	bcontor	1. (YES) The basis is beneficial use. 4. (NO) There is not evidence that there has been a change in the Point of

POD	8/30/00 2:55:46 PM	bcontor
POU	10/4/00 12:47:42 PM	bcontor

Priority Date	10/4/00 12:31:43 PM	bcontor
---------------	---------------------	---------

Quantity	10/4/00 1:05:13 PM	bcontor
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Quantity	10/4/00 12:41:42 PM	bcontor
Season	10/4/00 12:41:39 PM	bcontor
Source	10/4/00 12:36:00 PM	bcontor

Summary	10/4/00 1:07:58 PM	bcontor
---------	--------------------	---------

Use	10/4/00 12:48:53 PM	bcontor
-----	---------------------	---------

Use	10/4/00 12:41:36 PM	bcontor
-----	---------------------	---------

Diversion.

6. (YES) The file contains all the necessary information to verify the POD.
Comment for 6: Phone conversation w/ claimant to confirm location in relationship to home, then located by GIS.

8. (NO) Point of Diversion remark was not required.

9. (NO) Point of Diversion condition was not required.

Edited point location

1. (YES) The POU is required.

2. (YES) The basis of claim is beneficial use.

5. (NO) There is no evidence that there has been a change in the POU.

9. (YES) The file contains all the necessary information to verify the POU.

Comment for 9: See comments. Note that aerial photo is unclear about irrigation on south portion of claimed POU. Field inspection confirms owner's statement in file.

12. (NO) POU remark was not required.

13. (NO) POU condition was not required.

1. (NO) There has not been a later court decree of the water right(s) from the water source.

4. (YES) The basis of claim is beneficial use.

4b. (NO) The priority date was not claimed after the date a permit was required for the source and water use.

10. (YES) The claim file contains sufficient evidence of priority date.

12. (YES) The claim is recommended.

13. (YES) The claim is coded correctly.

14. (NO) Priority remark was not required.

15. (NO) Priority condition was not required.

1. (YES) The basis of claim is beneficial use.

5. (YES) A flow measurement was required.

Comment for 5: Theoretical calculation exceeds claim. Claim based on trajectory method meas. done by claimant, notes in claim file.

6. (YES) The source is ground water and the purpose of use requires a diversion volume limit.

8. (YES) Irrigation is a purpose of use.

Comment for 8: Rate exceeds std. rate, see Comments and file. Volume limitations prevent injury.

9. (YES) Quantity remark was required.

10. (NO) Quantity condition was not required.

1. (YES) The basis of claim is beneficial use.

1. (YES) The basis of claim is beneficial use.

1. (YES) The basis is beneficial use.

4. (NO) There is not evidence that there has been a change in the Source.

Comment for 7: Affidavits - see file.

10. (NO) Source remark was not required.

11. (NO) Source condition was not required.

1. (YES) The basis of the claim is beneficial use.

2. (YES) All the water being used for all the purposes is being claimed and to the extent it was claimed.

5. (NO) General remark was not required.

6. (NO) Explanatory remark was not required.

7. (YES) Additional condition was required.

8. (YES) Wanted to view the recommended right.

9. (NO) This is not a split right.

10. (NO) This is not a combined right.

11. (NO) Documents were not linked or attached to this file.

12. (YES) Set the verification date.

1. (YES) The basis of claim is beneficial use.

4. (NO) There is not evidence that there has been a change to the purpose of use.

9. (YES) The file contains all the necessary information to verify the purpose of use.

11. (NO) Purpose of Use remark was not required.

12. (NO) Purpose of Use condition was not required.

1. (YES) The basis of claim is beneficial use.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A31-10291**
Date Received: 9/15/1988
Receipt No: E002326
Received By: Bac

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MELVIN HANSEN 208-662-5231
Address: 2344 E 2000 N
HAMER ID 83425

AND/OR

Name: LULA HANSEN 208-662-5231
Address: 2344 E 2000 N
HAMER ID 83425

2. Date of Priority: APR 1, 1940

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	36E	28	NE	NE	NW		JEFFERSON

5. Description of diverting works:
WELL & PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		
STOCKWATER	01/01	12/31	0.020		
IRRIGATION	04/01	11/01	1.680		

7. Total Quantity Appropriated is:
1.720 C.F.S. (and/or) 10.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC - 1 HOME, STOCKWATER - 5 HEAD CATTLE/PIGS

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	36E	28	NE	NW	DOMEST	
			NE	NW	STOCK	
			NE	NW	IRR	3.0
					Section Acres	3.0
					Total Acres	3.0

11. Place of use in counties: JEFFERSON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE.

14. Remarks:

SYSTEM IS AN OPEN DISCHARGE PUMP PRODUCING APPROXIMATELY
84 MINERS INCHES. SEE ATTACHMENT FOR DETAILS OF OPERATION.
YARD IS DIKED IN LEVEL LANDS AND NO RUNOFF LEAVES PLACE OF USE.
THIS HISTORICAL PRACTICE HAS CONTINUED SINCE 1940.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Melvin Hansen Date: 4-11-00
Linda Hansen Date: 4-11-00

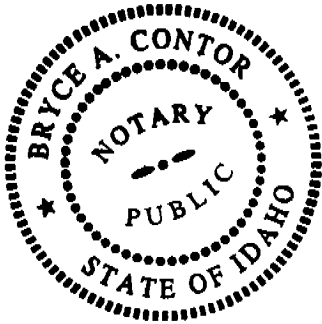
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 11 day

of April 20 00

Bryce A. Contor
Notary Public

Seal



Residing at Mud Lake ID

My Commission Expires 10/14/2005

10 April 2000

A further explanation to the history of the well. Before placing the 5 hours power centrifugal pump on the 8 inch casing, the 2 hr. pump was started and the water table dropped in the casing about 2 ft. While this was running, the pump was placed on the casing just above the water line so that when the 2 hr. pump was off the water raised into the bowel of the pump.

This lasted for several years until the water table dropped below the pump impeller. At this time, I constructed a foot valve which was bolted onto the casing about 8 ft. below the ground level indicating the water level in the pipe had dropped that far since the well was drilled.

This lasted another few years until the foot valve lost its water. At that time I installed a hand vacuum pump to draw the water back into the foot valve. Since the water table is many feet lower than in 1940, it is evident that the pump does not pump as much as it did originally.

To have some idea how much the pump now pumps, I secured a flow measurement chart which told me how to measure the water flow. We did as the directions told us and found the pump puts out about 760 g. p. m. or 84 inches. This appears to be consistent with a centrifugal pump, the further the pump has to lift the water the less water that it will pump.

I have kept a log of time needed to water each little piece of land so that I would know how long it would take to irrigate: Lawn grass 3 hours every 7 or 10 days, pasture 4 hrs every 14 days, alfalfa 5 hours every 3 weeks or last year it was 7 times for three crops.

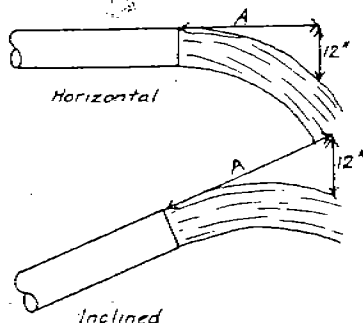
A handwritten signature in cursive script, appearing to read "Melvin C. Hansen". The signature is written in dark ink and is centered on the page.

FLOW MEASUREMENT

Our water flow was $7\frac{1}{2}$ pipe opening extended $15\frac{1}{2}$ "

ESTIMATING FLOW FROM HORIZONTAL OR INCLINED PIPES

(FULL PIPES)



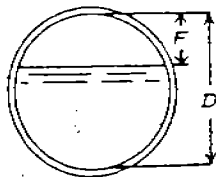
A fairly close determination of the flow from full open pipes may be made by measuring the distance the stream of water travels parallel to the pipe in falling 12 inches vertically.

Measure the inside diameter of the pipe accurately (in inches) and the distance (A) the stream travels in inches parallel to the pipe for a 12-inch vertical drop. (See diagram)

The flow, in gallons per minute, equals the distance (A) in inches multiplied by a constant K obtained from the following table:

I.D. Pipe	K	I.D. Pipe	K	I.D. Pipe	K	I.D. Pipe	K	I.D. Pipe	K	I.D. Pipe	K
2	3.3	4	15.1	6	29.4	8	62.3	10	81.7	12	118.
1/4	4.1	1/4	14.7	1/4	31.9	1/4	55.5	1/4	85.9	1/2	123.
1/2	5.1	1/2	16.5	1/2	34.5	1/2	59.0	1/2	90.1	13	138.
3/4	6.2	3/4	18.4	3/4	37.2	3/4	62.5	3/4	94.4	1/2	149.
3	7.3	5	20.4	7	40.0	9	66.2	11	98.9	14	160.
1/4	8.6	1/4	22.5	1/4	42.9	1/4	69.9	1/4	103.	1/2	172.
1/2	10.0	1/2	24.7	1/2	45.9	1/2	73.7	1/2	108.	15	184.
3/4	11.5	3/4	27.0	3/4	49.0	3/4	77.7	3/4	113.	16	209.

(PARTIALLY FILLED PIPES)



For partially filled pipes, measure the freeboard (F) and the inside diameter (D) and calculate the ratio of F/D (in percent). Measure the stream as explained above for full pipes and calculate the discharge. The actual discharge will be approximately the value for a full pipe of the same diameter multiplied by the correction factor from the following table:

F/D Percent	Factor	F/D Percent	Factor	F/D Percent	Factor	F/D Percent	Factor
6	0.981	30	0.747	55	0.436	80	0.142
10	.948	35	.688	60	.375	85	.095
15	.905	40	.627	65	.312	90	.052
20	.868	45	.564	70	.253	95	.019
25	.805	50	.500	75	.195	100	.000

FLOW MEASUREMENT

THEORETICAL DISCHARGE OF

IN U. S. GALLONS PER MIN

Head	Feet	Diameter of Nozzle in Inches												Velocity of Discharge Feet per Sec.
		1/16	1/8	3/16	1/4	5/16	3/8	1/2	5/8	3/4	7/8	1		
10	23.1	0.37	1.48	3.32	5.91	13.3	23.6	36.9	53.1	72.4	94.5			
15	34.6	0.45	1.81	4.06	7.24	16.3	28.9	45.2	65.0	88.5	116.			
20	46.2	0.52	2.09	4.69	8.35	18.8	33.4	52.2	75.1	102.	134.			
25	57.7	0.58	2.34	5.25	9.34	21.0	37.3	58.3	84.0	114.	149.			
30	69.3	0.64	2.56	5.75	10.2	23.0	40.9	63.9	92.0	125.	164.			
35	80.8	0.69	2.77	6.21	11.1	24.8	44.2	69.0	99.5	135.	177.			
40	92.4	0.74	2.96	6.64	11.8	26.6	47.3	73.6	106.	145.	189.			
45	103.9	0.78	3.13	7.03	12.5	28.2	50.1	78.2	113.	153.	200.			
50	115.5	0.83	3.30	7.41	13.2	29.7	52.8	82.5	119.	162.	211.			
55	127.0	0.87	3.46	7.77	13.8	31.1	55.3	86.4	125.	169.	221.			
60	138.6	0.90	3.62	8.12	14.5	32.5	57.8	90.4	130.	177.	231.			
65	150.1	0.94	3.77	8.45	15.1	33.8	60.2	94.0	136.	184.	241.			
70	161.7	0.98	3.91	8.78	15.7	35.2	62.5	97.7	141.	191.	250.			
75	173.2	1.01	4.05	9.08	16.2	36.4	64.7	101.	146.	198.	259.			
80	184.8	1.05	4.18	9.39	16.7	37.6	66.8	104.	150.	205.	267.			
85	196.3	1.08	4.31	9.67	17.2	38.8	68.8	107.	153.	208.	270.			

Conversion: $1 \text{ inch of water} = 9 \text{ gals per minute}$

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A31-10291
Date Received: 9/15/1988
Receipt No: E002326
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MELVIN HANSEN 208-662-5231
Address: HC 69 BOX 2020
HAMER, ID 83425
AND/OR
Name: LULA HANSEN 208-662-5231
Address: HC 69 BOX 2020
HAMER, ID 83425

2. Date of Priority: APR 01, 1940

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	36E	28	NE	NE	NW		JEFFERSON

5. Description of diverting works:
WELL & PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		
STOCKWATER	01/01	12/31	0.020		
IRRIGATION	04/01	11/01	0.060		

7. Total Quantity Appropriated is:
0.100 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC - 1 HOME, STOCKWATER - 5 HEAD CATTLE/PIGS

A31-10291

Page 1

Date: 09/15/88

MICROFILMED

NOV 17 1992

A3110291



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	36E	28	NE	NW		DOMEST	
			NE	NW		STOCK	
			NE	NW		IRR	3.0
						Section Acres	3.0
						Total Acres	3.0

11. Place of use in counties: JEFFERSON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Melvin Hansen* Date: 9-15-88
_____ Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of September, 19 88

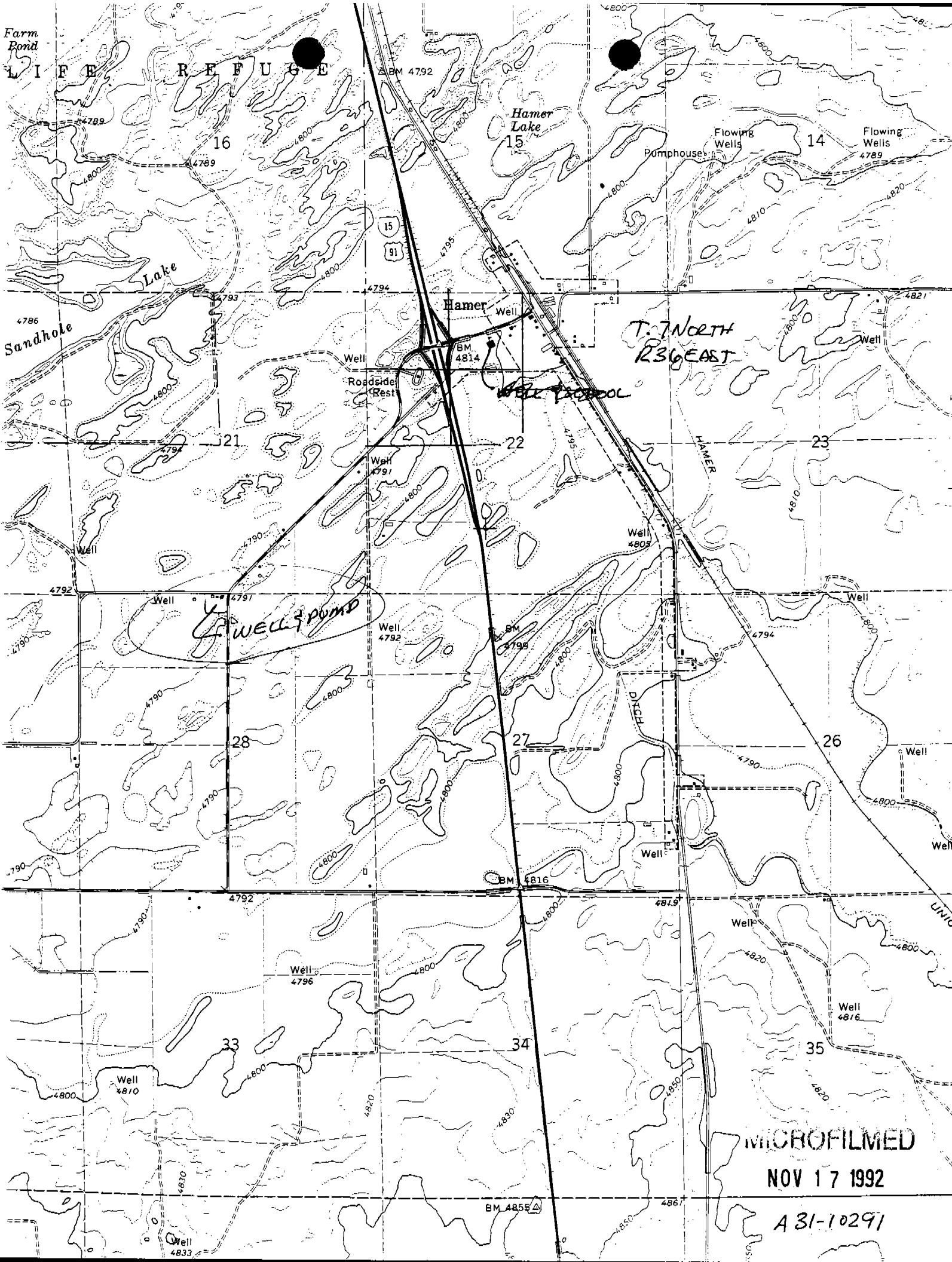
Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 6-94

Farm Pond

L I F E R E F U G E



MICROFILMED

NOV 17 1992

A 31-10291

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-10291

Township 7 North Range 36 East Section 28



- ⊙ Point of Diversion - This Water Right
- Point of Diversion - Other Water Rights
- ▭ Place of Use - This Water Right
- ▭ Place of Use - Other WR
- ▭ Sections
- ▭ Quarter-quarter Sections



01/24/2001

**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: March 9, 2001

Water right number: 31-10291

LULA HANSEN
2344 E 2000 N
HAMER ID 83425
Telephone Number: (208)662-5231

MELVIN HANSEN
2344 E 2000 N
HAMER ID 83425
Telephone Number: (208)662-5231

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

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

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

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

DATE: 2-12-01 SIGNATURE: *Melvin J. Hansen*
Please print your name: Melvin J. Hansen

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, 2085257161

Contor, Bryce

From: McHugh, Candice
Sent: Tuesday, May 09, 2000 3:52 PM
To: Contor, Bryce
Subject: RE: Excessive Diversion Rate

Keep the memo you wrote to me in the file. Since the claimant claimed the amount which is excessive diversion rate and it is the common practice in the area and you have good reasons to support your recommendation, recommending the excess rate is appropriate and if we get any objections thereto then we will deal with that then. Thanks

Candice

-----Original Message-----

From: Contor, Bryce
Sent: Wednesday, April 19, 2000 11:04 AM
To: McHugh, Candice
Cc: Carlsen, Ernie; Music, Vicky
Subject: Excessive Diversion Rate

<< File: To.doc >>

To: A31-10291, A31-10292
Fr: Bryce Contor
Date: 5/2/00

Re: Excessive Diversion Rate

Candice McHugh indicated today after the B31 Action Meetings that we could go ahead and recommend these claims, as they appear reasonable and as the objection process provides due process to anyone who may be injured.

Excessive Diversion Rate

Claim

"Spirit"

a) $1.68 \text{ cfs} / 3 \text{ acs}$

$$0.03 \times 3 \times \frac{24}{1}$$

$$0.02 \times 3 \times \frac{24}{1}$$

b) $1.68 \times 1.9835 \times \frac{20}{24} \approx 2.8 \text{ af.}$

$$0.09 \times 1.9835 \times 2$$

$$0.06 \times 1.9835 \times 2$$

c) $3 \times 3.5 = 10.5$

$$3 \times 3.5 =$$

$$\frac{10.5}{2.8} \approx 4 \text{ irrigations}$$

$$\approx 12 \text{ weeks}$$

$$\approx 84 \text{ days @ full operation}$$

$$0.09 \times 1.9835$$

$$0.06 \times 1.9835$$

$$\frac{10.5}{0.18} \approx 6$$

$$\frac{10.5}{0.12} \approx 8$$

To: Carlsen, Ernie
Subject: RE: Excessive Diversion Rate

Memo #44 contemplates irrigating daily, but for only part of a day. The proposed diversion rate is increased by the ratio of 24 hrs/hrs of pumping.

Extending the same reasoning to these claims, I can calculate max. authorized diversion rate by dividing the number of hours of operation by the proposed limitation period, and multiplying that ratio by the standard rate.

For A31-10291, the operator reports "3 hrs of lawn irrigation every 7 - 10 days, 4 hours of pasture irrigation every 14 days, 5 hours of alfalfa irrigation every 21 days." I come up with (3 hrs * 3 irrigations + 4 hrs * 1.5 irrigations + 5 hrs * 1 irrigation = 20 hrs irrigation per 21-day period). $0.09 * (24 \text{ hrs} * 21 \text{ days} / 20 \text{ hrs}) = 2.27$ cfs. Only 1.68 cfs is claimed.

For A31-10291, I estimate 6 hrs of pumping every seven days (last summer, the playground was flooded every Sunday morning when I drove by). $0.09 * (24 \text{ hrs} * 7 \text{ days} / 6 \text{ hrs}) = 2.52$ cfs. Only 1.35 cfs is claimed.

Bryce.

-----Original Message-----

From: Carlsen, Ernie
Sent: Thursday, April 20, 2000 10:42 AM
To: Contor, Bryce
Subject: RE: Excessive Diversion Rate

For the irrigation of three acres the quantities you propose appear high. What is the diversion rate if you follow the guidelines in Memo #44.
Ernie

-----Original Message-----

From: Contor, Bryce
Sent: Wednesday, April 19, 2000 11:04 AM
To: McHugh, Candice
Cc: Carlsen, Ernie; Music, Vicky
Subject: Excessive Diversion Rate

<< File: To.doc >>

To: Candice McHugh
cc: Ernie Carlsen
Vicky Music
Fr: Bryce Contor
Date: 4/19/2000

Re: A31-10291, A31-10292

These are the two small-acreage irrigation claims that I plan to recommend with excessive diversion rates. Each claim is for three acres, which ordinarily would justify a diversion rate of 0.09 cfs. Claim A31-10291 includes 1.68 cfs for private irrigation. A31-10292 includes for 1.35 cfs for irrigation of the playground at an elementary school.

Both are beneficial use claims, with good documentation of 1940 and 1938 priority dates. The large diversion rates are due to the historical practice of "level border" irrigation. This is a surface-irrigation practice where the place of use is divided into "lands" or basins with a level surface and surrounded by a small dike or border. A large stream of water is diverted into the land for a short period of time, until the land is filled to the desired depth of application. A large stream is necessary so that the water spreads quickly across the entire land, ensuring uniform application. This can be a very efficient method of application, and my calculations show that efficiency is adequate in these two cases.

This is a common irrigation practice in this area. However, most of the places irrigated this way are parts of much larger places of use, so there are enough acres to justify the claimed diversion rate. Therefore, these are the only two claims I've come across where excessive diversion rate per acre appears to be an issue.

I plan to recommend the claimed diversion rates, based upon the following:

1. AJ memo #44 allows for excessive diversion rate with appropriate volume limitations, for irrigation of public turf areas. While only one of these is a public area, the concept seems to apply to both. Memo #44 requires a daily limitation on irrigation volume. In this case, the claimants only irrigate once a week to once every three weeks, so I propose a 21-day volume limitation on A31-10291 and a 7-day volume limitation on A31-10292.

The limitation I propose is based upon round-the-clock pumping at the standard diversion rate of 0.03 cfs/acre. In both cases, this is more than adequate to supply the actual diverted volume calculated from the documentation in the files.

Of course, I also plan to recommend the standard annual diversion volume limitation. Calculations show that this is also very adequate to allow continuation of historical practices.

2. The claimant of A31-10291 tried a sprinkler system a number of years ago, and asserts that running "round the clock" he could not irrigate as adequately as with the level border system. Calculation of the volume from round-the-clock diversion at a typical sprinkler diversion rate shows a larger diversion volume than calculated from the claimant's records of his actual level-border practice.

This is consistent with my understanding of the range of irrigation efficiencies associated with sprinkler and level border irrigation in general.

3. There is no off-site runoff from either location, so any excess diversion volume would percolate to groundwater. Therefore there is not a potential for injury on a volume basis.
4. These wells have been in place at least 60 years. Any injury due to diversion rate would have become apparent in that time. There is no indication that anyone has ever raised the issue of injury. Furthermore, if there is injury, the objection process provides a forum for the injured to be heard.
5. There is a potential for injury if an attempt were made to transfer these rights to larger places of use, resulting in more annual hours of diversion and larger annual volumes. I believe that the acreage element of the water rights, the standard annual volume limitations, and the proposed 7-day or 21-day volume limitations, guard against this potential.
6. The Claims Verification Manual Draft, page 1, chapter 6, states "A determination that the quantity diverted for a long-standing use is not reasonable... should be made only after consultation with legal staff and the bureau chief." This clearly points to the need for caution in reducing a recommendation.

In this case, I cannot find any reason to determine that the long-standing use is unreasonable.

7. The only possible cause for concern I see here is that the documentation in both cases is provided by the same individual, Melvin Hansen. He is the claimant for A31-10291 and is the retired Superintendent of Schools, so he has or had an interest in both water rights.

However, Mr. Hansen has a very good reputation for trustworthiness in the community. Also, if these recommendations are challenged, we should be able to obtain documentation from other long-time residents of the community.

It will be a few weeks before I start coding the recommendations for these claims. Unless I hear otherwise, I plan to do a GIS analysis of the place of use and recommend them basically as claimed.

Thanks,

Bryce

To: A31-10291 file

Fr: Bryce Couter

Date: 4/19/00

Re: Approximate efficiency

- 1) Assume Max ET = 0.30"/day
- 2) $0.30"/\text{day} \times 1 \frac{\text{ft}}{12"} = 0.025 \text{ ft/day}$
- 3) $0.025 \text{ ft/day} \times 21 \text{ days} \approx .525 \text{ ft}$
- 4) $.525 \text{ ft} \times 3 \text{ acres} \approx 1.58 \text{ acre ft ET}$
- 5) $\frac{1.58 \text{ af ET}}{2.76 \text{ af application}} \approx 57\% \text{ efficient}$
(See 4/12/00 calculations)

This is a reasonable efficiency for surface irr.

on sandy soil. In fact, it is likely that sprinkler irr. would not be much more efficient on this size of a system.

Bryce

A31-10291 Volume Calculations

4/12/00 B. Conlon

The 3/17/00 Calculations used an assumed 2.5 cfs diversion rate. These calculations use claimed 1.68 cfs diversion rate, and operating regime described on attachment to claim.

A) Standard IOWR rate

- 1) 0.03 cfs/acre standard for small diversions
- 2) 0.03 cfs/acre $\times$ 3 acres = 0.09 cfs
- 3) 0.09 cfs $\times$ 1.983 acre ft/cfs/day = 0.178 acre ft/day
- 4) 21 days $\times$ 0.178 acre ft/day = 3.77 acre ft

B) Claimed operation - Lawn 3 hrs every 7 days

- 1) $\frac{3 \text{ hrs}}{7 \text{ days}} \times 3600 \text{ sec/hr} \times 1.683 \text{ cfs} = 18,100 \text{ ft}^3/7 \text{ days}$
- 2) $18,100 \text{ ft}^3/7 \text{ days} \times \frac{3}{3} = 54,300 \text{ ft}^3/21 \text{ days}$
- 3) $54,300 \text{ ft}^3/43560 = 1.24 \text{ acre ft}/21 \text{ days}$

C) Claimed operation - pasture 4 hrs every 14 days

- 1) $\frac{4 \text{ hrs}}{14 \text{ days}} \times 3600 \text{ sec/hr} \times 1.683 \text{ cfs} = 24,200 \text{ ft}^3/14 \text{ days}$

A31-10291 Volume calculations 4/17/00 pz

$$2) \quad 24,200 \text{ ft}^3 / 14 \text{ days} \times \frac{1.5}{1.5} = 36,300 \text{ ft}^3 / 21 \text{ days}$$

$$3) \quad \frac{36,300 \text{ ft}^3}{43560} \approx 0.83 \text{ acre ft} / 21 \text{ days}$$

D) Claimed operation - Alfalfa - 5 hrs every 21 days

$$1) \quad 5 \text{ hrs} / 21 \text{ days} \times 3600 \text{ sec/hr} \times 1.68 \text{ ft}^3/\text{sec} \approx 30,200 \text{ ft}^3 / 21 \text{ days}$$

$$2) \quad \frac{30,200 \text{ ft}^3}{43560} \approx 0.69 \text{ acre ft} / 21 \text{ days}$$

E) Total: Lawn @ 1.24, Pasture @ 0.83, Alf. @ 0.69
 $\Sigma = 2.76 \text{ acre ft} / 21 \text{ days}$

F) Annual Volume Calculations

$$1) \quad 1.68 \text{ ft}^3/\text{sec} \times 3600 \text{ sec/hr} \approx 6050 \text{ ft}^3/\text{hr}$$

$$2) \quad 10.5 \text{ acre ft/yr} \times 43560 \text{ ft}^3/\text{acre ft} \approx 460,000 \text{ ft}^3/\text{yr}$$

$$3) \quad \frac{460,000 \text{ ft}^3/\text{yr}}{6050 \text{ ft}^3/\text{hr}} \approx 76 \text{ hrs of operation annually}$$

$$4) \quad \text{Assume } 5 \text{ hrs/irrigation} \approx \frac{76}{5} \approx 15 \text{ irrigations}$$

CHAPTER 6

PURPOSE OF USE, QUANTITY FOR EACH PURPOSE, AND TOTAL QUANTITY

I. INTRODUCTION

The purpose and quantity elements of a water right lie at the heart of the description of water use under a water right. The agent must be familiar with how to describe the various uses of water the investigation uncovers. Further, the method by which the water right was established determines to a large extent what evidence is relevant to the purpose of use and quantity to be recommended. *per Karl*

II. PURPOSES OF USE AND QUANTITY

Any use of water can be recommended for a water right so long as the use is for a beneficial purpose. The following subsections describe various beneficial uses, how they should be reported, and the quantity to recommend for each.

Adjudication Memo #32 sets forth standard remarks to describe the following:

- a. right measured at point other than point of diversion (D01),
- b. portion of right solely for conveyance loss (D02 - D04),
- c. storage capacity (D05),
- d. facility volume (D06).

The agent's recommendation on quantity must include the rate and volume of diversion for each use, and the total rate and volume of diversion. See Adjudication Memo #31 as to measurement of flow for ground water claims that require field exam; see Adjudication Memo #34 as to which rights require determination of diversion volume. See Application Processing Memo 14 as to determination of amount for rights that include storage purposes.

For a claimed quantity to be recommended, the full amount must be beneficially used and the amount must be reasonable. Otherwise the amount recommended will be limited to a reasonable amount. In determining whether the amount used is reasonable, the following factors should be taken into account: the nature of use, the purpose of use, transmission losses, quantities used for the same purpose by others in the area, and amount of return flows. The fact that water is returned to the stream does not automatically make the diversion unreasonable. A determination that the quantity diverted for a long-standing use is not reasonable is a decision that should be made only after consultation with legal staff and the bureau chief. *Hubbard OK*

There may be instances in which the total quantity may appropriately be less than the sum of the amounts for each purpose, such as where all or part of the amount for one purpose may also be used for another purpose. (For example, if an appropriator diverts 10



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 17, 2000

Melvin Hansen
Lula Hansen
2344 E 2000 N
Hamer, ID 83425

Re: Adjudication Claim A31-10291

Dear Mr. and Mrs. Hansen:

Thank you for the letter documenting the history of your well and irrigation practices. With this letter, I can recommend your water right as claimed. Your claim is for 0.10 cfs on ten acres. This is about five miners inches.

As we discussed, however, your actual usage is for much more water, but for only a brief period of time for each irrigation. In making a recommendation, however, I cannot recommend more than is claimed, even if good documentation indicates that historical practices justify a different recommendation.

No doubt your claim reflects guidance you received that may have been based more on Idaho Department of Water Resources guidelines and standards than on your actual historical usage. If you wish to amend your claim, I will likely be able to make a more favorable recommendation, even if I cannot recommend all of your historical practice.

Please review the enclosed Amended Claim carefully. I have tried to make it reflect your actual historical usage of water.

At this point you have two choices. You can leave your claim intact, and I can recommend it as claimed. You will likely receive a decree for adequate water to sprinkle your place with the one-horsepower pump you described.

You may also choose to submit the Amended Claim. No additional fees will be required, but your signature must be notarized. This claim will allow me to make as favorable a recommendation as I can, within the guidelines I have to work with. I generally bring my notary stamp home at nights, so you may bring the claim to Mud Lake some evening to have it notarized, if you wish.

Please call me at 525-7161 or 663-4853 if you have questions.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

A31-10291 3/A/2000 B. Conlon
Theoretical Calculations

- 1) 5 hp, 40% efficiency, open discharge,
 6' lift + 1' friction

$$GPM = \frac{\text{Water hp} \times 3960}{TDM}$$

$$GPM = \frac{(5)(.4)(3960)}{(6+1)} = \frac{7920}{7} \approx 1120 \text{ gpm}$$

$$\approx 2.5 \text{ cfs} = 125 \text{ inches}$$

$$\frac{2.5 \text{ cfs} \times 8 \text{ hrs}}{24 \text{ hrs}} \approx 0.83 \text{ cfs on 24 hr basis}$$

$$\frac{0.83 \text{ cfs}}{10 \text{ days}} \approx 0.08 \text{ cfs on } \text{constant daily basis}$$

Note that
 3 acres $\times$ 0.03
 $=$ 0.09 cfs on
 constant daily
 basis.

- 2) 1 hp, 40% efficiency, 40 psi, 6' lift + 1' friction

$$GPM = \frac{(1)(.4)(3960)}{(6+1+40 \times 2.31)} = \frac{(1584)}{(99.4)} \approx 15.9 \text{ gpm}$$

$$\approx 0.035 \text{ cfs}$$

A31-10291

Theoretical p 2

3) 5 small sprinklers @ 40 psi

$$4 \text{ gpm} \times 5 = 20 \text{ gpm} \approx 0.044 \text{ cfs}$$

To: File A31-10291
Fr: Bryce A. Contor
Date: 3/17/2000



Re: Hansen letter, history of well.

Melvin and Lula Hansen's letter of 3/15/2000 was in response to my request and letter, as explained in the phone conversation notes of 3/8/2000 in the file.

Per our phone conversation, the Hansen letter needs to be clarified by a few points:

- Melvin Hansen was 14 years old at the time the well was drilled and personally observed the practices and conditions he describes in his letter.
- The transition from the 5 hp motor to the 7 1/2 hp motor was accompanied with an adjustment of the pump impeller. This explains the reduction in flow and developed horsepower. *This system was not removed to add the 1 hp pump.*
- With the addition of a foot valve at 6 feet, this is the system still used to flood irrigate the property. *Boe*
- One irrigation option is to run the 7 1/2 horsepower pump for approximately eight hours every ten days to two weeks.
- The other irrigation option is to run the 1 horsepower pump with the five small sprinklers almost constantly.

Hansen's description of his irrigation practices is consistent with the local practice I've observed at the Hamer Elementary School, as confirmed in a phone conversation with maintenance supervisor Larry Soderquist.

March 15, 2000

Bryce A. Contor
900 N. Skyline Dr. Suite A,
Idaho Falls, ID 83402-1718

Re: The History of our Well:

The well was drilled in 1940. The driller started with an 8" casing and when they hit the first rock they reduced to 6" casing and drilled to 210 ft. When the drilling was finished, the water level came to within 3 ft of ground level at the pump site. A 5 horse, single phase, 240 volt, vertical centrifugal pump was bolted on top of the casing. When this pump was started it produced 125 inches of water but the motor was pulling 15 horse power. The five horse motor was removed and a seven and one half horse motor put in its place. This motor only pulled 5 horse power but the output was reduced noticeably. It was never measured because of cost but estimations were that it was close to 100 inches of water output.

Also attached to the casing at 21 ft down and extending to within six feet of the ground, was a one and one quarter inch pipe which allowed a one half horse centrifugal pump to be attached to supply water for the house. Another pipe, size two and one half inch pipe, came to within six feet of the ground level and attached to it was a 2 horse centrifugal pump to water the yard when needed. This pump is no longer in service as it was not needed when the farm was sold.

I have since replaced the one half horse centrifugal pump with a one horse pump and motor. I sprinkle our garden with this pump and it will run five small sprinklers at 40 lbs pressure. I tried sprinkling part of my ground that was above the water well level and it took two days to water it once a week. I leveled the ground two years ago and I can now water the whole yard, when needed, in less than ten hours which will last ten days to two weeks depending on watering grass or alfalfa. The alfalfa only needs irrigating once or twice between cuttings. I estimate that the one horse pump would be running constantly in order to keep the yard watered during the heat of the summer.

The yard is diked in narrow level lands and seldom gets more than 2 inches deep while watering. There is no water run off and soon sinks into the ground.

Sincerely,
Melvin Hansen
Lula Hansen
Melvin and Lula Hansen

RECEIVED

MAR 17 2000

Department of Water Resources
Eastern Region

Note address above

2344 E. 2000 N.

Msg fr. Valene 3/8/2000

Melvin Hansen called w/ questions -

wants to call for light (not long distance)

662-5231 - called Mr. Hansen 3/8/2000 10:25

Drilled 1940 8" casing - 6" @ rock

210' six inch casing -

was flowing well @ that time

centrifugal 5 hp - judged @ 125" - 5 hp -

adjusted impeller / put 7 1/2 hp motor -

didn't put out as much -

water tap the dropped - put foot valve

on @ 6' - 3 1/2 acres - flooded -

still same system (7 1/2 hp - = 6' lift).

Tried to sprinkle - 1 hp centrifugal -

can flood in 8 hrs - 96 for 10 days -

if sprinkle, has to

See Claims
manual Sept 1999

Draft
purpose / a. p. -

Review

Golf Course

memo -

justify diversion

vate -



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 17, 2000

Melvin Hansen
Lula Hansen
HC 69 Box 2020
Hamer, Idaho 83425

Re: Adjudication Claim A31-10291

Dear Mr. and Mrs. Hansen:

We are now investigating Adjudication Claims in Basin 31. To complete a favorable recommendation for your claim, we need documentation of diversion capacity.

The best documentation would be a pump test performed by a qualified individual. Next best would be documentation of the pump horsepower, the pumping water level, and the discharge pressure. Next to that would be a description of the irrigation system you operate. If it is a sprinkler system, tell us how many sprinklers you operate at one time, what size nozzles are used, and what discharge pressure is typical.

Please call me at 525-7161 or 663-4853 if you have questions. Please document what you can of your diversion capacity so that we may make a favorable recommendation to the court.

Sincerely,

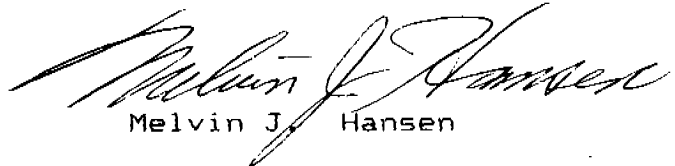
Bryce A. Contor
Senior Water Resource Agent

attach to
A31-10291

3-3-93

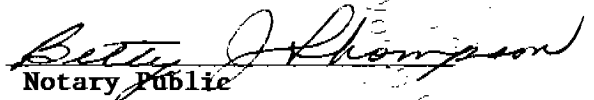
TO WHOM IT MAY CONCERN:

I certify that according to my memory and from the history of my older sister Thorah Gough, my parents Maud and Heber Hansen drilled their well in the spring of 1940. The purpose was to have culinary water and to water additional ground on their farm. The well was drilled on SEC 28 TWP 7 N RGE 36 EBM.


Melvin J. Hansen

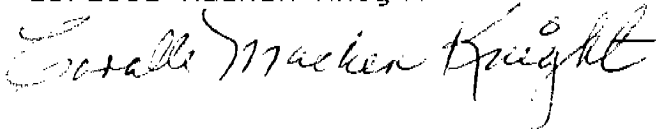
By signing below, I acknowledge that I have received, read and understand the above Affidavit and that Mr. Hansen did appear before me this day, March 5, 1993.

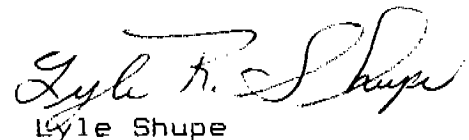
BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES: 6-30-94


Notary Public

WITNESS ATTEST:

Coralie Machen Knight




Lyle Shupe

Mr. Lyle Shupe and Coralie Knight did not appear before me and I do not attest to their signatures. BJA 3-5-93

MICROFILMED

APR 15 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION
FEBRUARY 9, 1993

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

POOR ORIGINAL

*

RE: EVIDENCE OF PRIORITY

Dear Claimant(s):

The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

EVIDENCE OF PRIORITY
Page - 2 -

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

The Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by MARCH 9, 1993, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Eric Verner
Senior Water Agent

EV:jt

Enclosure: Brochure on "Evidence of Priority"
Proof Report

Other Water Right Numbers Needing Evidence of Priority

MICROFILMED

APR 15 1994