

Bird, Cindy

From: Bird, Cindy
Sent: Tuesday, September 10, 2002 3:20 PM
To: Peppersack, Jeff
Subject: FW: Dean Smith water transfer

hi Jeff,
Your input on this would be helpful for my recommendation on these claims.
Cindy

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

From: Jones, Harold (Skip)
Sent: Tuesday, September 10, 2002 2:23 PM
To: Bird, Cindy
Subject: RE: Dean Smith water transfer

Mr Smith should talk to Jeff Peppersack about this and
we will do what Jeff says.

Skip

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

From: Bird, Cindy
Sent: Tuesday, September 10, 2002 2:02 PM
To: Jones, Harold (Skip)
Subject: Dean Smith water transfer

hi skip,
The water is being transferred to ground that is irrigated with Kelly Toponce Water which has a 1902 priority date and this water has a 1886 priority date. So would Dean need to dry up the acreage claimed under the surface water claim?

Thanks,
Cindy

- Both pieces have Kelly Canal water on it but they need to have the early water

9/10/02 Skip,

If the water is being transferred to ground that has never been irrigated then Deans would have to buy up acres because they are stacked rights, or they wouldn't allow the transfer at all.

They may allow the transfer with it going to

3:58pm

Wouldn't necessary have to hang up
Acres.
doesn't

C

- draft transfer memo
- unchecking lines
drafting
selling prime
Supplemental letter right
- Unless the appropriate can demonstrate
the use
2 draft / acres.

primarily: $\frac{\text{Acres}}{3} =$

who ever produces the report
is at an enlargement.

100 many acres are accepted
by the
plant

new/low power

More volume?

(flow measurement) pumping records — ~~2000~~
Power
speeds / document accounting of a line

3:58pm 9/10/02 Jeff Peppersack

He wouldn't necessarily need to dig up acres because it wasn't a condition of the license to use S.W. first (primary right) G.W. supplemental right.

Pg 18

The question that must be answered is this an enlargement?

how many acres are irrigated?
before
after

Volume?

pumping records - PCC. for the past
5 years.

head, hp., power records.

flow measurement?

document acres / use of water
water master records

Volume calc going from supplemental to
primary right 1-1.

They may be able to have an answer
if it was at 2 ac-ft/acre $\Rightarrow \frac{\text{primary}}{3} = \frac{\text{acres}}{3}$ present std?
- Copy of draft memo.

8/29/02 W.L. Hatch. Office visit.
Transfer water on 29-110A.

Amending claim to 160 acres under the decree.

decree at 210 acres.

- Paul Hatch Jr. Claimed 48 acres.
- Gary Hatch has some ground decreed but hasn't filed a claim.
- Dean Smith amending claim to 160 acres.
- Need a copy of Dean Smith's warranty deed to make sure he owns the property.

CB

4/23/02

W/R 29-110 is undclaimed.

W.L. Hatch & Wayne Perkins purchased this water right
and need to transfer it to the Toponce Canal POB.

The claim will be split 50/50 between W.L. Hatch &
Wayne Perkins.

W.L. Hatch will get me the new POB.

40 SENE S7 Paul Hatch.

80 W $\frac{1}{2}$ SW S8 Gary Hatch. } will.

40 SWNW S8 " "

160 NW Sec. 17. } 80 acres. Dear Smith
80 " } ~~Paul Hatch~~

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-110A

NAME AND ADDRESS:

DEAN SMITH
826 WOOD RD
BANCROFT ID 83217

SOURCE: Source: Tributary:
TOPONCE CREEK PORTNEUF RIVER

QUANTITY: 2.600 CFS
0.000 AFY

PRIORITY DATE: 06/01/1886

POINT OF DIVERSION:

T07S R39E S5 NWNWNW Within CARIBOU County

SWNW

PURPOSE AND PERIOD OF USE: Purpose of use Period of use: Quantity:
IRRIGATION 04/15 07/01 2.600 CFS

~~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 APRIL 15 AND AFTER SEPTEMBER 15 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.~~

PLACE OF USE: IRRIGATION within CARIBOU County

T07S R39E S17 NENW 25.0
T07S R39E S17 NWNW 40.0
T07S R39E S17 SWNW 40.0
T07S R39E S17 SENW 25.0

130 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 427 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED
RIGHT NOS.: 29-110A & 29-2373.

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: BASIS OF CLAIM - Decreed

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