



State of Idaho

DEPARTMENT OF WATER RESOURCES

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 20, 2003

WILLIAM H WOODLAND
8405 BUCKSKIN RD
POCATELLO ID 83201

RE: Preliminary recommendation for Snake River Basin Adjudication (SRBA) claim 29-00448G

Dear Mr. Woodland,

Through the Notice of Error process, several questions were brought up that resulted in IDWR re-reviewing the preliminary recommendations made for split portions of decreed rights 29-00448 and 29-00449.

Evidence collected does not support historical flood irrigation of your property from the South Fork of Pocatello Creek dating back to the decree. An affidavit signed by Monte Casper states that, **"The property of William Woodland and William McNabb was never irrigated out of the creek until recent years..."**. Field exams and speaking with local residents indicate that S. Fk of Pocatello Creek water was diverted into a ditch that ran along the south side of the road and was able to flood irrigate properties down gradient until about McNabb's property, but did not historically flood irrigate McNabb's or your property.

However, the affidavit does support that your and McNabb's property was sprinkler irrigated from the springs that rise on your property in the 1950's when Bisline was irrigating the land. **"There was a spring and pond on Woodlands property that was used to irrigate Woodlands and McNabb's property, then owned and sprinkled by Bisline in the 50's."**

At this time I do not have enough evidence to support recommending that a portion of historical right 29-00448 is applicable to your property.

However, based on the affidavit and available evidence, I can recommend your claim as beneficial use from the springs with a priority date of 1959.

If you feel this assessment is inaccurate, please submit additional evidence that supports that South Fork of Pocatello Creek water historically was used on your property at the time of the 1925 decree. Or additional evidence of when the springs were first used on your property prior to 1959.

At this time I plan to re-number your right to represent a beneficial use claim and recommend use from the springs dating back to 4/1/1959. A revised version of the preliminary recommendation will be sent to you when completed.

Please feel free to contact myself or my supervisor Ernie Carlsen (208) 525-7161 with further questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Craig L. Saxton". The signature is fluid and cursive, with a long horizontal stroke at the end.

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau