

Water rights issue

April 09 2004

I purchased the land in August of 1980

Aerial map of 1965 at County Assessors office shows the demarcation outline of the agriculture land and that which is cultivated. The lines correspond with ditches that are on a topographical map by Tim Shurtliff when he worked for Hamilton and Vohller engineers. My contention is that the area of NE1/4NE1/4 of section 29 was irrigated from the spring at .3 cfs which is superior to the rights of all other parties.

Attached copy of aerial map

Ruling of water rights

Water resources board list the water right as .5 cfs. The decree indicates that there is .5 cfs from the south fork of Pocatello creek plus .3 cfs from the spring that originates on the property plus 3/23 of all surplus flood water above the 5.21 cfs decreed in the ruling.

The tax assessors office taxes this land as 01 (irrigated agricultural land) and 18 (other rural land) rural residence. Previous to building the house it was assessed as irrigated agricultural.

Attached copies of Assessors Land Data

When I purchased the property there was an existing ditch that originated where the creek crosses the line between section 29 and section 20. I used that ditch to flood irrigated my property that is in S1/2SE1/4 of section 20.