

Arkoosh Law Offices
Chartered

POST OFFICE BOX 32
301 MAIN STREET
GOODING, IDAHO 83330

JAY J. KIIHA, ESQ.

RECEIVED

SEP 22 2006

DEPARTMENT OF
WATER RESOURCES

TELEPHONE: (208) 934-8872
FACSIMILE: (208) 934-8873
E-MAIL: ALO@CABLEONE.NET

September 21, 2006

Roxanne Brown
Water Rights Supervisor
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Water Right 73-10047

Dear Roxanne:

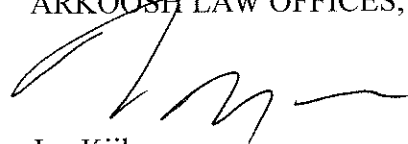
The purpose of this letter is to provide supplemental information on Water Right 73-10047 as we discussed in our telephone conversation of September 13, 2006. After speaking with Royden Eaton, Manager for the Sulphur Creek Ranch, that all 2.0 c.f.s. of the same have historically been beneficially used on the property.

Apparently, a response was partially drafted to your May 19, 2006, for information relating to beneficial use, but the same was never submitted as a result of various difficulties that arose with mapping the property. I am submitting the draft response to you along with a map that was hand-drawn by Mr. Eaton explaining how the water is used once it is diverted into the pipe that supplies the property.

I hope that this information can be used to reverse the "disallowed" decree which has been entered on the preliminary director's report prior to the release of the Basin 73 report. If it cannot, please let me know what additional information you would find relevant in submission with our filing an objection to the same. Thank you for your continuing time and consideration of this matter.

Sincerely,

ARKOOSH LAW OFFICES, CHTD.



Jay Kiiha

Roxanne Brown
September 21, 2006
Page 2

JK/hs
Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 19, 2006

Sulphur Creek Livestock
PO Box 151
May, ID 83253

RE: Snake River Basin Adjudication (SRBA)
Claim/Subcase No. 73-10047

Dear Claimants,

We are requesting additional information on your irrigation water requirements for the Notice of Claim to a Water Right referenced above. The information contained in this claim indicates you are claiming 2.0 cubic feet per second (cfs) for the irrigation of 715 acres.

Please complete the enclosed questionnaire. The information you supply describing your water delivery system and irrigation methods is essential in order for our staff to evaluate this beneficial use claim. Much of the information required is technical; you may wish to contact the Soil Conservation Service or other professionals for assistance with the form.

Please return the completed form to my attention at this office by June 30, 2006. Do not hesitate to contact me if you have any questions.

Sincerely,

Roxanne Brown
Water Rights Supervisor
Idaho Department of Water Resources

Enclosure(s)

Copy of claim
Questionnaire w/instructions
Postage-paid envelope

INSTRUCTIONS FOR IRRIGATION FLOW RATE QUESTIONNAIRE

The information required in this questionnaire will describe your water delivery system and irrigation methods. This information is essential in order for staff of IDWR to evaluate your irrigation water requirements. Much of the information is technical, and you may wish to contact the Soil Conservation Service or other professionals for assistance with this form.

Please provide your name, address, and phone number where you may be contacted for further information or clarification. Include the claim number(s) for those claims where the irrigation flow rate is more than 0.02 cfs (1 miner's inch) per acre.

1. provide the total number of acres irrigated for the claims listed.
2. provide a breakdown in acres of the types of crops grown in a typical irrigation season for each of your irrigation system types.

Items 3 through 8 must be completed for each of the irrigation system types you specified in item 2. This information must be completed as accurately as possible. All information must be based on peak water use during the irrigation season.

inflow -

this is the flow of water applied to an individual furrow, border, ditch, etc.; proper evaluation requires good accuracy

spacing or width -

this is the distance between individual furrows, border ridges, sprinkler laterals, etc.

length -

this is the maximum length of run of furrows, corrugations, borders etc.

field slope -

this is the slope of the field in the direction of the run of furrows, borders, etc.; specify in percent or give units if specified otherwise

set time -

this is the number of hours that water is applied during an irrigation set

frequency -

this is the number of days between irrigation start times of the same set of furrows or border(s) etc.

9. complete the appropriate items for the main ditch from the point of diversion to the farm; if this ditch is shared by other water users a more complete description of the system will be required

Items 10, 11, 12, and 13 see questionnaire.

IRRIGATION FLOW RATE QUESTIONNAIRE

THIS INFORMATION IS REQUIRED FOR ANY ADJUDICATION CLAIM(S) FOR WHICH THE IRRIGATION FLOW RATE CLAIMED IS MORE THAN 0.02 CFS PER ACRE (ONE EXCEPTION IS THAT 0.03 CFS PER ACRE MAY BE ALLOWED FOR IRRIGATION OF UP TO 5 ACRES).

CLAIM NO(S). _____
 NAME Sulphur Creek Livestock
 ADDRESS P.O. Box 151 MAY 17. 83253
 PHONE 208/976-4233 208/940-1304

1. TOTAL IRRIGATED ACRES SHOWN ON CLAIM(S) REFERENCED ABOVE 7/5 ACRES.

2. SHOW THE NUMBER OF ACRES OF CROPS GROWN FOR YOUR IRRIGATION SYSTEM(S) DURING A TYPICAL SEASON

	Border	Furrow	Corrugation	Sprinkler	Contour Ditch	Other
Alfalfa						
Beans						
Field Corn						
Silage						
Spring Grain						
Winter Wheat						
Orchard						
Pasture					✓	✓ 7/5
Potatoes						
Sugar Beets						
Other						

PLEASE COMPLETE ITEMS 3 THROUGH 8 FOR EACH OF THE IRRIGATION SYSTEM TYPES SPECIFIED ABOVE

inflow to border (cfs)	border width (feet)	border length (feet)
field slope (%)	set time (hours)	number of borders per set
frequency (days)		

4. **FURROW (COMPLETE BELOW BASED ON PEAK USE)**

inflow to furrow (gpm)	furrow spacing (inches)	furrow length (feet)
field slope (%)	set time (hours)	number of furrows per set
frequency (days)		

5. **CORRUGATION (COMPLETE BELOW BASED ON PEAK USE)**

inflow to corr. (gpm)	corr. spacing (inches)	corr. length (feet)
field slope (%)	set time (hours)	number of corrugations per set
frequency (days)		

6. **SPRINKLER (COMPLETE BELOW BASED ON PEAK USE)**

average nozzle flow (gpm)	nozzle spacing (feet)
lateral length (feet)	lateral spacing (feet)
number of laterals per set	set time (hrs)
frequency (days)	

7. **CONTOUR DITCH (COMPLETE BELOW BASED ON PEAK USE)**

inflow to ditch (cfs)	field slope (%)
ditch length (feet)	distance between ditches (feet)
number of ditches per set	set time (hours)
frequency (days)	

8. **OTHER IRRIGATION SYSTEM TYPE (specify)
(COMPLETE BELOW BASED ON PEAK USE)**

*Miniditch, Flood irrigated - None
Contours done above in 1986.*

inflow (cfs)	total area irrigated per set (acres)
field slope (%)	set time (hrs)
frequency (days)	

ave. top width of water surface (inches)

ave. top width of water surface (inches)

10.8 diameter (inches)

IF YES, PLEASE DESCRIBE OR SKETCH THE SYSTEM SHOWING THE NUMBER OF WATER USERS, LOCATION OF HEADGATES, LENGTHS ETC.

SYSTEM. AN AERIAL PHOTO/FARM PLAN WITH THE IRRIGATION SYSTEM SKETCHED ON IT MAY BE USED. THIS SKETCH MUST INCLUDE THE FOLLOWING INFORMATION FOR EACH REACH: LENGTH, TOP WIDTH OF WATER SURFACE, DEPTH FROM LAND SURFACE, SOIL TYPE OR LINING, AND PERCENT OF TOTAL FLOW DURING USE.

IRRIGATION SYSTEM FROM THE ONE HISTORICALLY USED? (FOR EXAMPLE
LAND LEVELING, CHANGING LENGTH OF RUNS, CHANGE FROM FURROW TO SPRINKLER, ETC.)

IF YES, PLEASE DESCRIBE:

No

12. HAVE YOU HAD ANY IRRIGATION SYSTEM DESIGN/EVALUATIONS OR FARM SOIL SURVEYS COMPLETED BY
THE SOIL CONSERVATION SERVICE, PRIVATE CONSULTANTS, OR IRRIGATION EQUIPMENT DEALERS?
IF YES, PLEASE DESCRIBE OR ATTACH COPIES

No

13. PLEASE INCLUDE ANY FURTHER COMMENTS WHICH WILL AID IN THE EVALUATION OF YOUR WATER
REQUIREMENTS.

Hillside Creek
Point of Diversion
enters steel pipe (underground)

Note if this water was
not used it would
run ^{down} a steep mountain
face and sink on Sta
ground with no Beneficial use
to Nobody.

