

4/24/07 In Settlement Agreement w/claimant.
HKM'S FINDINGS AND RECOMMENDATIONS FOR SELECTED CLAIMS

Claim #	IDWR Documents & Comments	HKM Analysis	IDWR Recommended Acres/cfs	HKM Recommended Acres/cfs
27-2078	• 1920 license and Certificate of Water Right for 50 acres of irrigation and domestic use from an unnamed spring. • 1923 Proofs of Beneficial Use by applicant and two other witnesses document use for domestic, stock and irrigation of a small garden. • The 1923 Application of Extension of Time for Beneficial Use Proof states "the source of water supply during the fall and winter months runs too low". (11/23/22) • IDWR notes: "The 1974 orthoquad BB47 Johnson Creek doesn't show irrigation. Ditches from the POD aren't evident in any imagery." (10/14/05) • "In the 2004 imagery the field claimed doesn't look any different than the fields and hills around it." (10/14/05) • Field verified on October 24, 2005 and IDWR said the "ditch is still there". • October 17, 2005, the recommendation was to disallow the claim. • November 9, 2005 IDWR recommended water rights for 50 acres at 1 cfs and 0.02 cfs for livestock.	• Any remains of a ditch was not evident on 1980, 1987 and 1992 stereo aerial photography. • Domestic and garden use appears to have been abandoned for a long time. • The house and other buildings do not appear on aerial photography or the 1949 USGS Quad. • Please locate these buildings and the garden area on a map. Please give the GPS coordinates using UTM's in NAD27 or NAD83. • The original filing described the ditch as diverting from Burchert Canyon near its confluence with Dry Fork. The elevation at that location would limit the service area as mapped by IDWR. • The NWSE is included in the claim and Recommended Rights but appears to have no record of water right. • Please identify on a map or photo the location of the ditch verified in the field on 10/24/05 including a GPS location in NAD27 or NAD83 UTM's. Please do not use Idaho State plane coordinates.	50.0/1.0	0.0

John B. Burchett Soda Springs

27-2078

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Spring

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SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.

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IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

04/24/2007

WATER RIGHT NO. 27-2078

Owner Type	Name and Address
Current Owner	JORGENSEN FARMS LTD PTN 1928 OLD HWY 30 BANCROFT, ID 83217 (208)425-3864

Priority Date: 12/22/1920

Basis: License

Status: Active

Source	Tributary
SPRING	BURCHERTT CANYON CREEK

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	1 CFS	
STOCKWATER	06/01	11/01	0.02 CFS	
Total Diversion			1 CFS	

Location of Point(s) of Diversion:

SPRING	SWNWNW	Sec. 11	Township 09S	Range 43E	CARIBOU County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION CARIBOU County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
09S	43E	2		NWSE	15		SWSE	23		SESE	12			

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Total Acres: 50

Conditions of Approval:

1.	C05	Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2.	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.

Dates:

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close