



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

June 22, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Gary Resh
Rob Hartman
Astaris Idaho LLC
PO Box 4111
Pocatello, Idaho 83205

Re: Adjudication Claims 29-2255E, 29-2284, 29-2301, 29-11342

Dear Water Users:

We are reviewing adjudication claims in Basin 29, in preparation for making recommendations to the court. In looking at your claims, there are some things I find I need help with, and some things you may want to be aware of.

1. Claim 29-2255E appears to be the right out of the "racetrack well." Its claimed point of diversion, however, is about a quarter mile east of where the Water Measurement District indicates the well is (see attached map). You may wish to amend this claim to show the correct location.
2. From the aerial photo, I can't tell how much irrigation was taking place from the racetrack well in 1987. If you could provide an affidavit from someone who personally observed the irrigation, describing approximately how many acres, and where, were irrigated, that would help me.
3. The Water Measurement District indicates that in 1998 you were using five wells – racetrack, Pilot House, #1, #3, and #4. Transfer 4128 (1994) appeared to authorize replacing well #5 with a new well, #6. It is not clear if this ever took place. Could you help me with a description of the wells currently used?
4. License 29-2284 and 29-2301 are the rights that describe use in the plant itself. They total 8.5 cubic feet per second (cfs). It appears that the historical capacity of wells at the plant was about 11.5 cfs, and the current capacity of wells 1, 3, and 4 is about the same. You may wish to consider filing a "beneficial use" claim for the additional capacity.
5. One of the elements of the water rights that I need to recommend is an annual volume. If you have historical data on the number of hours per day of

operation of the wells, and the number of days per year of operation of the plant, that would help me a great deal. The most valuable data will be data going back before 1987, and especially before 1963.

6. Claim 29-11342 is for the "Pilot House Well," purchased from the City of Pocatello. The city had filed for municipal purposes, but it appears the well is now used for domestic water in a few homes and businesses, and for some irrigation. Could you please help me clarify the current uses? I also need an affidavit if possible describing the amount (number of acres) and location of irrigation in 1987 or earlier.

Please call me at 525-7161 if you have questions. I will be out of the office until June 27 or 28.

Sincerely,

A handwritten signature in cursive script that reads "Bryce A. Contor".

Bryce A. Contor
Senior Water Resource Agent

enclosure

MEMORANDUM

TO: 29-2284
29-2255E
29-2301
29-11342

FR: Bryce Contor
Date: 6/22/01

Re: Location of P.O.'s

Attached is a TerraServer photo which clarifies the location of the "Race track" well from EWMD sketch, a marked-up map from EWMD files (I did the marking) and a GIS layout.

It appears that Astoria is currently using six wells, "Race track well" (in location marked by EWMD), Well #1, Well #3, Well #4, Well #6, and Pilot House Well.

Claim 29-2255E appears to be diverted from race track well, not where claimed. Claim 29-11342 appears to be diverted from pilot house well. Claims 29-2284 and 29-2301

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Appear to be diverted through Wells #1, 3, 4, and six. It appears that well #2 is not used.

29-2301 is the subject of Post-1987 transfer 4128, which assigns it to wells #3 and #6. This can't be changed in AB.

It appears that 29-2255E should be amended to show the location of the Race Track well (consistent w/ transfer 2916).

29-2284 should be amended to show wells #1, 3, 4, 6. R

Beneficial use claim if filed should show wells #1, 3, 4, 6.

Maps / GIS layouts are filed w/ 22-2284.

Dwight A. Conton

MEMORANDUM

To: 29-2301
29-2284
29-11342

Fr: Bryce Cantor

Date: 6/22/01

Re: Capacity of Wells

Please see attached GIS layout for EWMD-reported well locations.

Well #1

No measurement, lack of straight pipe.

Motor horsepower 125, discharge pressure 58 psi. 1952 licensing exam reports static WL = 68 ft, drawdown 2 feet. Exam reports capacity $\approx$ 1500 gpm but it is unclear if this is measured or from operator interview. "Proof of beneficial use" asserts "1800 gallons per minute, measured with orifice (sic)." (Copy in claim file 29-2284)

$$GPM = \frac{\text{Water HP} \times 3960}{TDM} = \frac{(125)(.75)(3960)}{(68 + 2 + 10 + 58 \times 2.31)}$$

(10 ft assumed friction, ^{75%}~~70%~~ assumed pump efficiency) = 1735 gpm

Well # 2

Apparently no longer used. Proof of Beneficial Use asserts 2000 gpm measured with orifice.

Well # 3

Not measured by EWMD. EWMD reports 100 psi, 65 ft depth to water. This is consistent w/ data for Well #1. License examiner states "Capacity is the same as well #1."

$$GPM = \frac{(150)(0.75)(3960)}{(65 + 2 + 10 + 100 \times 2.31)} = 1446 \text{ gpm}$$

Well # 4

Not measured by EWMD. Not running at time of EWMD exam, no discharge pressure recorded. Assume lower limit = same capacity as calc. for well #3 (same motor horsepower). Calculate upper limit at discharge pressure reported for well #1:

$$GPM = \frac{(150)(0.75)(3960)}{(1.5 + 2 + 10 + 58 \times 2.31)} = 2112 \text{ GPM}$$

License exam 27-2301 appears to refer to well #4. Holcher asserts 1800 gpm from calibrated orifice. Examiner reports motor = 150 hp but no Q data

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Well #6

WMD has no record. Transfer 4/28 asserts will be 150 horse power. Assume range of 1450-2100 gpm from calculations for well #3 and well #4.

Racetrack Well

No measurement, no pressure reported. EWM reports 40 hp motor, <15 acres irrigation.

$$* \text{GPM} = \frac{(40)(1.75)(3960)}{(65 + 2 + 10 + 60 \times 2.31)} = 551 \text{ gpm}$$

$$15 \times 0.02 = 0.30 \text{ cfs} \quad 0.30 \text{ cfs} \times 448.8 = 135 \text{ gpm}$$

Pilot House Well

No meas, no pressure. EWM reports 20 hp motor, <5 acres irrigation

$$* \text{GPM} = \frac{(20)(1.75)(3960)}{(65 + 2 + 60 \times 2.31)} = 276 \text{ gpm} \approx 0.6 \text{ cfs}$$

$$5 \times 0.03 = 0.15 \text{ cfs} \quad 0.15 \text{ cfs} \times 448.8 \approx 68 \text{ gpm}$$

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Total Capacity

Well #1	1735 GPM
Well #3	1446 GPM
Well #4	2112 GPM
Well #6	1450-2100 GPM
Racetrack Well	551 GPM
Pilot House Well	276 GPM
7570 - 8220 GPM = 16.9 - 18.3	
cfs	

Total Licensed

29-2301 per T 4128	4.0 cfs
29-2284 original license	4.5 cfs (claimed 4.5 cfs)
29-2255E per T 2816	0.04 cfs
Total	8.54 cfs

Notes from FWMO record 200564 regarding
Parshall Flume reading of ≈ 1200 GPM (2.7 cfs):

"All water use less evaporation flow through here in winter. During summer water is diverted before reaching flume for irrigation of company land scaping during visit approximately 65% of water being pumped was going through flume."
(Lewis Rounds exam 5/13/1996)

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$$\frac{1200 \text{ GPM}}{0.65} = 1850 \text{ GPM}$$

It appears not all wells were running at time of exam, or that Lewis' estimate of 65% is off. See attached e-mail.

Original Capacity from exams

License exam 22-2284, copy in AS file 29-2284

Well #1	1500 gpm (engineer)	1800 gpm (witnesses)
Well #2*	350 gpm (engineer)	
Well #3**	1500 gpm (engineer)	2000 gpm (witnesses)

License exam 22-2301, copy in AS file 29-2301

Well #4	1800 gpm (license)	1800 gpm (witnesses)
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License 29-2255 E

(remaining after xfer 2916) 18 gpm

* See lower left corner of map page

** Affidavits call this #2 but I assume with purchase of Sinyet Well, this was renumbered #3

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Evidence of Ben Use in 29-11342

- Claim asserts this is Pocatello City Well # 11, Old license 24451 gives cap. at 1.11 cfs
- Exhibit "A" is "Summary of Data Pertaining to City of Pocatello Well # 11 Dec 1953 by James N. Scandino."
 - SWL 65.5 ft
 - Pumping test 220 gpm July 22, 1951
 - Pumping test 230 gpm July 24, 1951
- Affidavits indicate use in Pilot House Restaurant, Grub 1sp. Service, & trailer homes through 1960's - 1970's -
- Use "exhibit A" to evidence capacity of 230 gpm $\approx$ 0.51 cfs.
- Overlapping/competing claims review (see file 29-11342) proposes Pilot House be recommended at 0.5 cfs

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Original
Summary of Capacity

- 29-2255E stands alone based on transfer / on the fact that it is not connected to plant. (Race track well)
- 29-13142 stands alone based on history of purchase for City of Pocatello (see file) (Pilot House well).

- Wells associated with plant as follows:

# 1	1500 - 1800	GPM
# 2	350	GPM
# 3	1500 - 2000	GPM
# 4	1800	GPM
		5150 - 5950 GPM
		11.47 - 13.26 cfs

Proposal

- Invite Astari's to file ban use claim for $11.47 - 8.54$ (see p4) = 2.93 cfs
- Invite Astari's to amend claim 29-13142 to show Δ nature of use to current uses. Require

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pg

Documentation of irrigation as GIS is inconclusive.

- Invite Asteris to amend 29-2284 to include all current POOS.

Deya A. Contor

(Note that EWMD exams and GIS layouts are only included with copy in 29-2284)

Contor, Bryce

From: Contor, Bryce
Sent: Friday, June 22, 2001 8:18 AM
To: Rounds, Lewis
Subject: FMC exam, Parshall flume

In the EWMD files is a report of you inspecting a Parshall flume that handles the discharge of wells #1, #3, and #4. You reported about 1200 gpm which you said was "65% of what was being pumped."

Do you remember which of the pumps were running? The original licensing measurements were 1500 to 1800 gpm per pump, and this makes sense with a theoretical calculation. So my guess is only one pump was running? (65% of 1850 is 1200).

Also do you have any idea what annual volume would be? I've asked Terry to get me whatever is on WMIS and whatever pump card data they've returned.

Thaks.

Bryce Contor
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls, ID 83402
208 525 7161
bcontor@idwr.state.id.us

6/22/2001

MEMORANDUM

To: 29-11339
29-11342
29-11343
29-11344

Fr: Bryce Contor

Date: 6/22/01

Re: Old License 24451

The City of Pocatello filed these four claims based on old License 24451. A copy of the license in file 29-11342 indicates 14.76 gfs from 6 wells as follows:

# 11	1.11	gfs -
# 12	6.20	gfs
# 13	2.22	gfs
# 15	1.11	gfs
# 1	2.20	gfs
# 2	1.92	gfs
	14.76	

The "old number book" cross references to license 29-2338 (copy attached) which is also for 14.76 to the city of Pocatello. Transfer 5452 added points of diversion.

The AJ claims sum to:

29-11339	10.42
29-11342	1.10
29-11343	2.20
29-11344	1.92
	15.64 gfs

It appears the right is over-claimed.

Claim 29-11342 is now in the name of Astaris, by change of ownership } quitclaim deed. Exhibit "A" in that file indicates capacity of about 0.5 gfs. Theoretical calculations in memo "Capacity of Wells" in 29-11342 (based on East Water Measurement District records) indicate about the same capacity.

(Exhibit "A" identifies well #11 as Pilot House)

Uses under 29-11342 have not been fully investigated but appear to be

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domestic uses for a few businesses, homes
and irrigation of less than 15 acres.

Assume 3 businesses @ 0.04 cfs	=	0.12
3 homes @ 0.04 cfs	=	0.12
15 acres @ 0.02 cfs	=	0.30
		0.54

Conclusion

Recommend 29-11342 @ 0.50 cfs based
on "exhibit A". This leaves a balance
of 14.26 cfs to be apportioned among
the claims still owned by City of Pocatello.

Note that change of ownership was in May
2000, transfer 5452 was in 1999.
Therefore post-1987 transfer 5452 does not
preclude this conclusion

Bryce A. Contor

MEMO

To: 29-11342
Fr: Bryce Contor
Date: 6/21/01

Re: Scanned Water Meas District Exam

When this file was scanned it contained a copy of East Water Meas. District record 200561.

Since then I have determined that this is the wrong exam, and I have removed that copy from the file (except the first page, which contained the "Scanned" Stamp).

Record 200560 appears to correspond to this claim & that record is now included in the file. 29-2284 w/ other general FMC/Aslan's documents.

Bryce A. Contor

SCANNED

MAY 16 2001

NAME_1	FMC CORPORATION	ADRES_ID	134
		POD	06S 33E 12 SESW
		DIV_RATE	4.5
NAME_2	C/O KW TANDY- PURCHASING MANAGER	UNITS	CFS
ADDRESS_1	PO BOX 4111	SURF_FLG	
		CONTACT	
ADDRESS_2		COMMENTS	
CITY	POCATELLO		
ST	ID		
ZIP	83202	SITE_VISIT	
PHONE	2082326101	EXAMINER	
REGPOD98		5 SITE_TAGNO	
RECNO	200561		
WRNUMBER	A29-02284		

By Race Track

Note 6/21/01
This is the only
well. Paper removed
from file. (except for
the wheel barrow
discarded in place)

Claim 29-11342
Doc Source East Water Mtns
District ~~_____~~
Date 5/3/01 Sig. BAC
Record 200561