

MEMORANDUM

TO: File

FROM: Monica Van Bussum

DATE: April 1, 2008

RE: Discrepancies in 75-14063 recommendation

I have been reviewing objections in Jesse Creek, near the City of Salmon, and came across this beneficial use claim. I have noticed several issues with the recommendation. This memo serves as a record of my understanding of the issues and the steps, were I given the opportunity, I would take to remedy them.

Evidence of Priority

This is a beneficial use claim listing a priority date of April 1, 1913. I have thoroughly examined the claim file and the scanned documents associated with this claim and can find no evidence of the claimed priority date, nor can I find any documentation from IDWR asking the claimant for such evidence. The claimed/recommended POU does not overlap an irrigation district, so evidence of priority is not available via that route. Given the opportunity to review this claim in conjunction with objected-to claims in this area, I would ask the claimant for evidence of priority and recommend according to the evidence.

Source

The claim was filed and recommended with a source of Pollard Canyon Creek tributary to the Salmon River. Pollard Canyon Creek (aka Pollard Creek) is and has always been tributary to Jesse Creek. A quick glance at the USGS topographic map for this area might lead one to think Pollard Canyon Creek is tributary to the Salmon, but conversation with Bob Foster at the Salmon office, and maps of the area dating to 1890, verify Pollard Canyon Creek (also aka Middle Fork Jesse Creek in 1890) is tributary to Jesse Creek. I do not have final direction on whether to call it Pollard Canyon Creek or Pollard Creek, but I would change the source to be Pollard or Pollard Canyon Creek tributary to Jesse Creek.

POU

The claimed POU and the recommended POU are different. Claim was for Section 2 SESE and was recommended, supposedly based on Bob Foster's field exam, in Section 2 NESE. No amended claim was solicited or received. Given the opportunity, I would solicit an amended claim to close this gap.