

RECOMMENDATION REVIEW:

Date: 9/22/2008

Agent: S. Hemenway

Claimant: Howard Taylor & Sons, Inc.

Contact: Carl Taylor, President of Howard Taylor & Sons, Inc

WR# 35-13748

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Attorney Representing Claimant: Robert L. Harris Holden, Kidwell, Hahn & Crapo, PLLC

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Location of POD: (well #1) T2N R35E Sec 1 SWSW, and (well #2) T2N R 35E Sec 12

System: Well #1 Groundwater diverted by 500 Hp 3 phase US motors vertical pump motor s/n 52-01764 and by a "BJ" vertical turbine pump s/n 731-s-1405 w/a 200 Hp 3 phase US motors horizontal booster pump motor s/n 84-04432, and by a peerless centrifugal pump (no ID#s). 12" diameter steel main extends 30' east of POD and the on-line booster is located 4' east of POD.
Well #2 Groundwater is diverted by a 500 Hp 3 phase "BJ" submersible pump/motor s/n 2578, and by a 150 Hp 3 phase US motors horizontal booster pump motor s/n 1152493, and a peerless centrifugal pump (no ID#s). A 10" diameter steel main extends a distance of 8' south from the POD with an in-line booster located 3' south of POD. System runs (40)-1/4 mile lateral sprinkler lines having 5/32" diameter jets. (narrative taken from WR#35-7559 file). System was described by Phil Jordan, lessee, during FE.

Measuring Device: (2)-12" Flow meters

Field Exam: 8/28/1958 Dept of Reclamation (well in Sec. 12), & 2/7/1980 FE by Dept. of Water Resources (Sec. 1 & 12).

Nonirrigation Uses: NONE

Other Uses: NONE

Other WRs Used: 35-2321

Supplemental Water: NONE

Basis of Claim: Beneficial Use (enlargement of WR 35-2321)

Priority Date: 4/15/1980 (ID CODE 42-1416 ENLARGEMENTS MUST BE ON OR BEFORE 11/19/1987)

Evidence of Priority: 2/7/1980 FE, transfers

Reason for Filing Late Claim: Enlargement of WR 35-2321. Irrigation system is connected, and acres were inadvertently not claimed.

NOTES: Enlargement 42-1416 & 42-1426 (Idaho Code) Both 1987 aerial maps, and 1992 DOQQ show proof of irrigation
Original License 35-2321 shows only one POD located in Sec. 12, but a Notice of Proposed Change of WR: changed POD to Sec. 1 and Sec. 12 (like shown in 35-13748)
Adjudication Recommendation Report for License 35-2321 shows both POD in Sec. 1 and Sec. 12.
35-2321 has 1088 acre boundary for 675 ac. irrigation; 35-13748 is enlargement of acres w/o increase of cfs.

NOTES: (continued)

Permit waived, due to not requesting an increase in the total rate of diversion; going with

Maximum Combined Diversion Rate on license of 5.12 cfs

Idaho Code 42-1426

Type II enlargement - 2 WR w differing priority dates

0.02 X 36.7 acres = 0.73 cfs (with Total Combined Limit of 5.12 cfs, and 675 acres for 35-13748 & 35-2321)
 146.8 AF= 36.7 acres irrigated X 4.0 requirement (STANDARD AF)

Recommendation:

GROUNDWATER

C18

C05

Accomplished change in POU. (published in Post Register 12/18 - 12/26/1975)

F05

37-7323, 35-2321, 35-2853B, 35-7559, & 35-13748 are diverted through same POD.

K09 THIS RIGHT IS AN ENLARGEMENT OF 36.7 ACRES

K06

LIMITED TO 36.7 acres within the POU within single irrigation season.

K02

BASED UPON ENLARGEMENT OF WR 35-2321

C11 To prevent injury..... (required for enlargements)

C03

Accomplished change in POD (original license only showed POD in Sec. 12)

Season of Use was changed from 4/1 - 11/1 to 4/1 10/31, which is the current IDWR standard

E51

35-13748 and 35-2321 limited to total combined diversion rate of 5.12 cfs.

E62

when combined with 35-2321 shall not exceed 0.02 cfs and 4.0 AF per acre.

THIS RIGHT AND RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.91 CFS. COMBINED RIGHT NOS.: 35-7323, 35-2853B, 35-7559, & 35-2321.

OTHER RELATED WATER RIGHTS:

Priority Dt	License & cfs:	Acreage Boundary	Recommendations:
2/3/1953	35-2321 (5.12cfs)	1088 acres	C05, C18, LIMITED TO TOTAL COMBINED DIVERSION RATE OF 12.91 CFS, AND TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4352 AF (COMBINED W/ RIGHTS NOS.: 35-7323, 35-2853B, 35-2321, 35-7559) Limited to ___ acres within any single irrigation season (limited to acres on license) F05 shared POD w/35-2321, 35-7559, 35-2853B, 35-7323
8/28/1973	35-7323 (9.54 cfs)	1088 acres	same as above
12/19/1966	35-2853B (4.85 cfs)	1088 acres	same as above
12/5/1975	35-7559 (2.80 cfs)	1088 acres	same as above

Comments:

***Overlaps for the WRs listed above are same POU boundary, and same POD.

***Total Combined Diversion Rate for the above WRs is 12.91 cfs. (maximum capacity of system is 12.91 cfs)

***Total Combined Annual Diversion Volume for the above WRs is 4352 AF for the 4 licenses listed above.