

RECOMMENDATION REVIEW:

Date: 10/16/2008
Agent: S. Hemenway
Claimant: Nancy E. Hawkins
WR# 67-14890
Mailing Address: PO Box 624 Pine Valley, CA 91962
Phone #: (619)473-9776
Location of POD: cluster of 4 springs on the inner side of the north side of the pond; cluster of 4 springs on old ditch.
Current System Description: 90' X 70' X 9' deep pond. A 1 1/2 Hp sump pump with a 1 1/2" discharge, with an adapter to 2" to hook up to 2" fire hoses and sprinklers that are on risers throughout the yard/field. There are some small ditches throughout, so the water can be channeled around the lower area. A spring cluster of four springs are found directly on the north inner side of the pond, and a cluster of four springs found along the old ditch (these can be visibly seen when the level of the pond is down----the level is in direct correlation with the Weiser River, per 10/13/2008 phone conversation w/claimant)

1955 System Description: 0.2 acre pond, w/cluster of 4 springs on inner side of north side of pond, and cluster of 4 springs on the old ditch; multiple dirt ditches winding throughout the property from the pond going east and west, and south; gravity flow system utilized by damming up ditches and flood irrigating.
(unknown depth of pond) THIS IS THE SYSTEM AND POU THAT WILL BE RECOMMENDED, SINCE IRRIGATING THE PROPERTY TO THE NORTH OF THE POND REQUIRES A PUMP, WHICH WAS NOT USED UNTIL 1988, AND WOULD REQUIRE A PERMIT SINCE IT FALLS AFTER 5/20/1971 REQUIREMENT FOR SURFACE WATER.

Measuring Device: Water from Weiser 67-7937 controlled by Watermaster. No way to measure flow from cluster of springs that keep a constant level in the pond year-round.

Field Exam: 9/19/1996 FE conducted and written up on 3/25/1997 on 67-7937 (pond); 10/2/2007 and 10/9/2007 FE conducted on 67-97B (POU).

Nonirrigation Uses: Recreation Storage and Diversion to Storage (WR 67-7937); Irrigation from Storage, Irrigation Storage (WR 67-14890); irrigation storage and irrigation from storage (WR67-2053L)

Other Uses: fire protection when claimant conducts controlled burns on her property

Other WRs Used: 67-79B (overlaps the POU), 67-2053L (3 shares for irrigation storage and irrigation from storage. Lost Valley Reservoir Exchanged for direct flow from the Weiser River); 67-14889

Supplemental Water: NONE

Basis of Claim: Beneficial Use

Priority Date: 8/21/1955 (CSS 1:20,000 aerial map shows pond and dirt ditches for gravity flow/flood irrigation)

Evidence of Priority:

Ditch company was established 6/1890 (6/1/1890 Priority Date for 67-79B utilizing same POD/POU, by means of Muir v. Allison Decree) ---- no evidence of irrigation from pond

12/1/1905 Right of Way and Track Map from Pacific Railroad showing farm crossing access
Evidence of old dinnerware, a baby mug, and other artifacts were found on the lower section indicating a residence had been located there. Exhibit B (no evidence of irrigation from pond)

1915 Assessment Roll for Real Property (showing 2 acres irrigated in lower field where residence was)
Exhibit "C" 40 acres cut over and burnt over timber land, \$100 value for improvements.
Per Claimant, earlier rolls were lost in a fire. (no evidence of irrigation from pond)

1927 Assessment Roll for Real Property (showing 2 acres irrigated/agricultural, and 25 acres grazing land; \$1000 value for improvements) Exhibit "D" (no evidence of irrigation from pond)

1944 Assessment Roll for Real Property (still showing 2 acres irrigated in the lower field, 25 acres grazing, and 40 acres cut over and burnt over timber land; improvements @ \$800 value)
No evidence of irrigation from pond.

8/21/1955 CSS 1:20,000 aerial map shows the entire ditch farm area, as it was being farmed.
(pond visible on map, but not ditch leaving pond to return flow back to the Weiser River)
Gravity flow/flood irrigate system through dirt ditches evident for property east and west on pond, and to the south. Slope of the land would not allow for gravity flow north of pond.
No evidence of pumping from pond prior to claimant purchasing property 9/8/1988, and placing a sump pump in the small pond.

NOTES:

Place of Use overlaps with Decreed Water Right 67-79B & 67-14889 (lower yard/field).

9/18/2008 RECEIVED COMMENTS TO QUESTIONS FROM CLAIMANT: "YES" THE LEVEL OF POND HAS A DIRECT CORRELATION WITH THE WEISER RIVER TO THE SOUTH.
When water level drops, the location of the springs can be seen.

10/13/2008 per phone conversation, prior to reconstructing the pond (11/9/1993) and adding the Weiser River source to the pond, a sump pump was dropped into the pond, 1 1/2" discharge, hooked onto a 2" adapter to hook onto the fire hoses or sprinklers that were moved around POU. Used a lot when she does a controlled burn on the property.

67-2053L DISALLOWED, recommended in name of Lost Valley Reservoir 67-14566 thru 67-14568
3 shares for irrigation storage and irrigation from storage pond; Lost Valley Reservoir exchanged for a direct flow from Weiser River.

67-7937 ACTIVE DRAFT, PD 11/9/1993; diversion to storage, & recreation storage from Weiser Rv
Copied from comment: "This right is non-consumptive." 10/3/1995 letter from IDWR removed measuring device requirement. (permit to appropriate was to enlarge the pond)
Water under this WR subject to control by the watermaster of State Water District #67.
11/9/1993 Permit to Appropriate Water remark: "recreational storage use is for a wetland

NOTES: (continued)

pond."

9/19/1996 Field Exam conducted, and completed by Cindy Hodges 3/25/1997. During field inspection, no springs were drawn on diagram only the inlet from the Weiser River. Under NARRATIVE/REMARKS/COMMENTS: "Pond for recreational use."

diversion rate was calculated for water from the Weiser River.

storage volume: $(90' \times 70' \text{ pond} = 6300 \text{ ft squared} \times 9' \text{ deep}) / 43560 = 1.3 \text{ AF}$

If 1988 were used for the priority date, the claim would be DISALLOWED, due to the 5/20/1971 surface water requirement to have a permit, and the user would be encouraged to file an application for permit for the use. By using the 1955 priority date, no permit is required, but the POU decreases in size. (1988 is the date when the pump was used from the pond for the first time.)

1955 System:

Dirt ditches from pond; gravity flow/flood irrigation (no flood irrigation to property north of pond, since this would not be possible due to the slope of the land to flow up hill)

Current System:

Theoretical on the sump pump: $(8.8) \times (1.5 \text{ Hp}) \times (0.07) / (15' \text{ lift}) + (40 \text{ psi for irr.} \times 2.31) = 0.08 \text{ cfs}$
1 1/2" discharge from pump = 0.06 cfs maximum capacity

Recommendation:

C18

E51 and E62 Combined limit of 0.02 cfs/acre with WR#67-79B, 67-14889, 67-7937, 67-2053L, and any other water rights during any single irrigation season.

Place of Use overlaps with 67-79B and 67-14889 (lower yard/field).

188 Limited to 1.3 acres within the boundary.

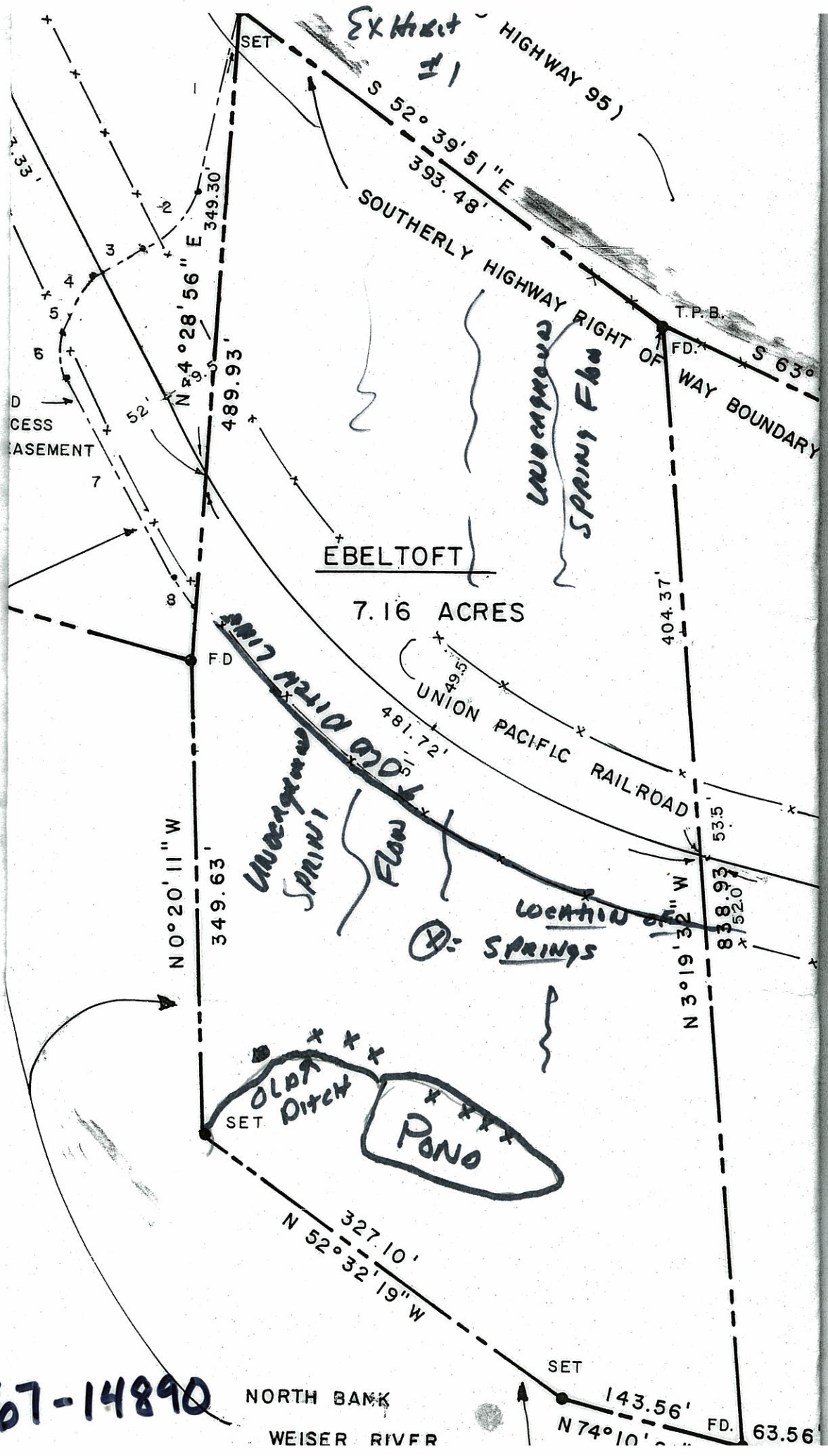
E37 authorizes irrigation of 1.3 acres within the boundary.

Explanatory: Each POD consists of a cluster of 4 springs (as shown in **Exhibit 1** drawing)

Recommending 0.03 cfs/acre due to this water having available water in the pond year-round; ditches available to irrigate the POU; and since the springs start on the claimants property and "sink" on the claimants property it shows no "cause to damage" any other water right

$1.3 \text{ acres} \times 0.03 \text{ cfs} = 0.04 \text{ cfs}$

$0.2 \text{ acre pond} \times 9' \text{ depth (current depth used, since 1955 depth unknown)} = 1.8 \text{ AF}$, therefore recommending 1.3 AF as claimed.



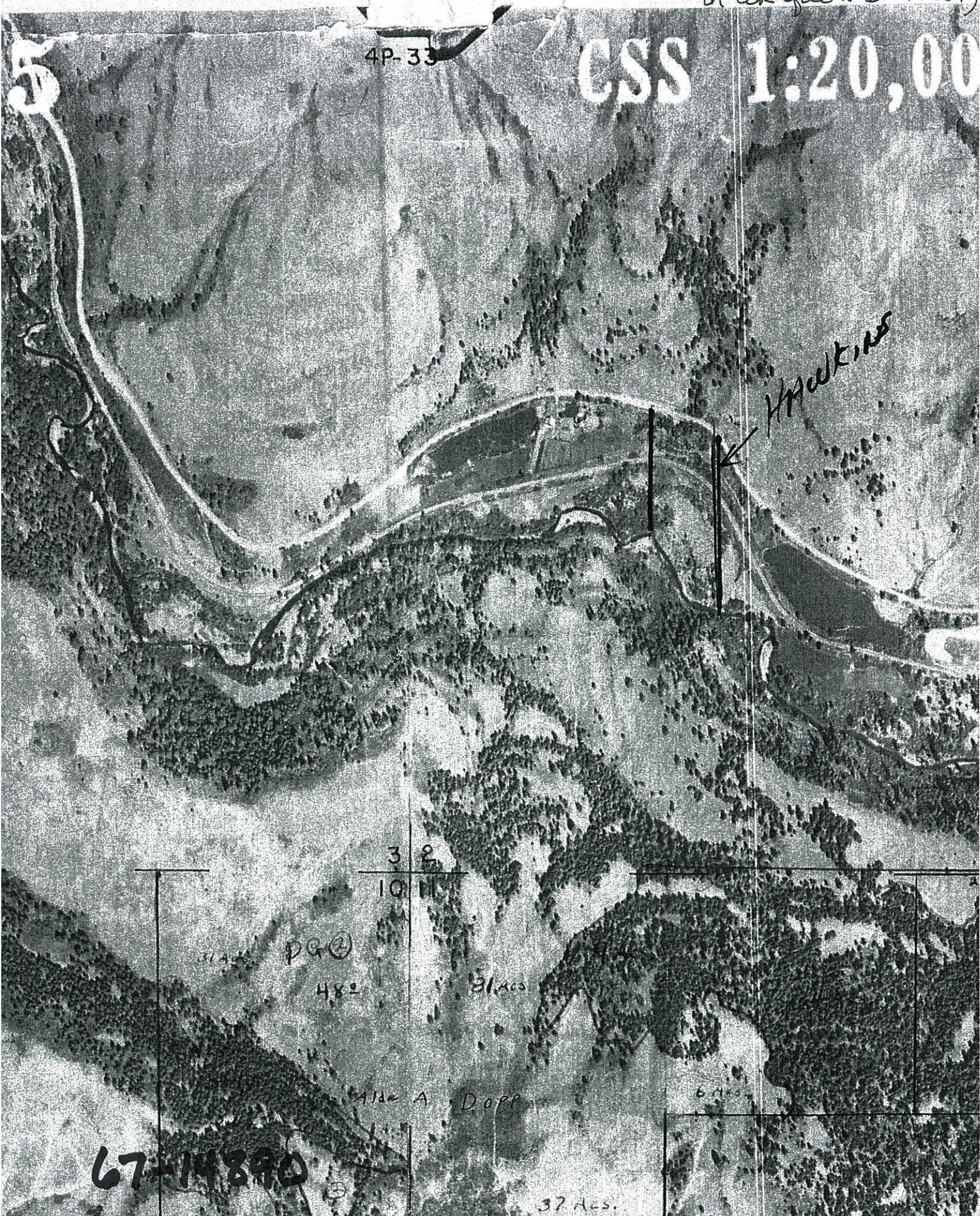
67-14890

Exhibit 1 SEE Reverse For Details



8/21/1955 CSS 1:20,000

Exhibit 4F
(full size map found
in WR file # 67-14889)



4P-33

CSS 1:20,000

HAWKINS

3 2
10 11

31 Acs
PG 2
482

31 Acs

Side A DOPP

6 Acs

67-14890

37 Acs.