

07/19/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 79-7203

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.720 CFS
144.000 AFY

Right Nos. 79-7203 and 79-2066A are limited to a total combined diversion rate of 2.8 cfs.

PRIORITY DATE: 04/30/1991

POINT OF DIVERSION:

T26N R01E S23 NWNE Lot 1 Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	02/15 11/30	0.720 CFS 144.000 AFY

PLACE OF USE: IRRIGATION Within IDAHO County

T26N R01E S23	SWNE	33.00	T26N R01E S23	SENE	6.00
T26N R01E S23 Lot 4	SENE	23.00	T26N R01E S23	NESW	36.00
T26N R01E S23 Lot 6	NWSW	2.00	T26N R01E S23	NESE	8.00
T26N R01E S23	NWSE	32.00			

140 ACRES TOTAL

Right Nos. 79-7203 and 79-2066A are limited to the irrigation of a combined total of 140 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

79-2066A & 79-7203

T26N R02E
Section(s) 14 & 23



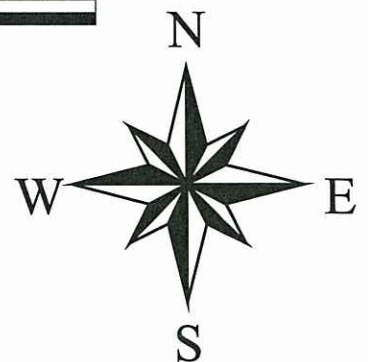
0.2 0 0.2 0.4 Miles



Place of Use



Point of Diversion



Layout prepared on July 19, 2006
By Greg Taylor
Idaho Department of Water Resources



1996 Photo
T26N, R1E, Sec 23.

MICROFILMED Photo shows
Aerial Photo shows
Center Pivot and Agriculture
Land being farmed by David Cereghino.

79-07203

RECEIVED

2700-4

USDA - Forest Service

DEC 12 1997

*Expires in 2001.*WATER RESOURCES
WESTERN REGIONSPECIAL USE PERMIT
Act of October 21, 1976
(43 USC 1761)This permit is revocable and non-
transferable (Ref. FSM 2710)

Record No.	Region Northern 01	Forest Nez Perce 17
District Salmon River 01	User No. <i>5180</i>	Kind of Use 211
State Idaho 16	County Idaho 049	Card No.

David E. & JoAnn Cereghino of P.O. Box 387, Lucile, ID 83542 (hereafter called the holder) is hereby authorized to use subject to the conditions set out below, the following described lands or improvements:

WR #

79-04132

This permit covers a declining number of acres, the number and location of acres will be established and revised as provided within this permit. The maximum number of acres will be 140 acres described here and as shown on the attached map.

P/D

John

Day

Creek

Township 26 North, Range 1 East, Boise Meridian: A surveyed tract of land which occupies portions of Lot 1, Lot 4, Lot 5, SW1/4 NE1/4, SE1/4 NE1/4, NE1/4SW1/4, NW1/4 SE1/4 and NE1/4 SE1/4 of Section 23, said township and range, and located upon the ground according to the survey lines, figures, measurements, and other references shown on the plat recorded at the request of the Nez Perce National Forest on June 17, 1991, as Instrument No. 358691, records of Idaho County, Idaho.

The number of acres available for use by the permit holder will be updated annually or when significant development activities are necessary for the Seed Orchard. The permit holder is authorized to plant, cultivate and harvest crops consisting of corn silage, alfalfa hay or similar crop that are considered acceptable to the Forest Officer in charge.

1. Construction or occupancy and use under this permit shall begin on November 15, 1991.
2. In consideration for the use, the holder shall pay to the Forest Service, U.S. Department of Agriculture, the sum of forty Dollars per acre (\$40.00) for the period from November 15, 1991, to December 31, 1992, total of \$5,600 for this period. See clause 18.
3. This term permit is accepted subject to the conditions set forth herein on pages 2 through 6, and to exhibits A and B attached or referenced hereto and made a part of this permit.

THIS PERMIT IS ACCEPTED SUBJECT TO ALL OF ITS TERMS AND CONDITIONS.

ACCEPTED:

David E. Cereghino

DAVID E. CEREGHINO

JoAnn Cereghino

JOANN CEREGHINO

11-15-91

HOLDER'S NAME AND SIGNATURE

DATE

APPROVED:

Michael King

MICHAEL KING

Forest Supervisor

11/19/91

AUTHORIZED OFFICER'S NAME AND SIGNATURE

TITLE

DATE

JUN 20 2001

79-07203

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 06 1998
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 79-07203
1. Owner: U.S. Dept. of Agriculture Forest Service Phone No. (208) 839-2211
Current Address: Federal Building, P.O. Box 7669, Missoula, MT. 59807
2. Accompanied by: Marvin Lowry EXAM DATE: 9-18-97
Address: State Creek Ranger Station HCO1, Box 70, White Bird, ID 83554 Phone No. (208) 839-2211
Relationship to Permit Holder: Forest Service Employee
3. Source: Salmon River tributary to Susque River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 79-04132 (David Cereghino)
2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	1	SE	NE	NW	23	26N	1E	Idaho	Site Visit, map

2. Place(s) of Use:

Indicate Method of Determination Site Visit, Map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
26N	1E	23			33.0	4.0				18.0	39.0	2.0	5.0	10.0	39.0	5.0			155.0

MICROFILMED
JUN 20 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 79-7203
Date Received: 5/27/2005
Receipt No:
Received By:

RECEIVED
AUG 17 2005
IDWR/North

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

UNITED STATES OF AMERICA ACTING THROUGH Phone: (208)387-0835
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID USA 83724

2. Date of Priority: 04/30/1991

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
26N	01E	23	SE	NE	NW 1	IDAHO	

5. Description of diverting works:

pump and pressure pipe distribution system

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	02/15	11/30	0.72	144

7. Total Quantity Appropriated is:
0.72 C.F.S. and/or 144 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
26N	01E	23	SE	NW	4	IRRIGATION	2
			SW	NE		IRRIGATION	25
			NW	SE		IRRIGATION	2.5
			SE	NE		IRRIGATION	6
			NE	SE		IRRIGATION	0.5
						Section Acres	36
						Total Acres	36

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

Rights 79-02066 and 79-07203 when combined shall not exceed the irrigation of 217.5 acres.

Right 79-07258 is also diverted through the point of diversion described above.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Forest Service Record ID: 1 17 17060209 4

Irrigation use for Salmon River Seed Orchard.

15. Basis of Claim: License

RECEIVED

MAY 27 2005

WATER RESOURCES
WESTERN REGION

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number: 79-07203

FILED UNDER STATE LAW

1. Name of Claimant: UNITED STATES OF AMERICA on behalf of the U.S.D.A. Forest Service

Address: 550 W. Fort Street MSC033

Boise

ID 83724

2. Date of Priority: 04/30/1991

3. Source of water: SALMON RIVER

Tributary: SNAKE RIVER

4. Location Meridian BOISE

Description of Diversion Works: Pump

From: Stream

Location of Point of Diversion

T: 26 N R: 01 E S: 23 SENENW

Location of Place of Use

T: 26 N R: 01 E S: 23 NWSE

ac: 2.5

T: 26

N R: 01

E S: 23 NESE

ac: 0.5

T: 26 N R: 01 E S: 23 SENW

ac: 2

T: 26

N R: 01

E S: 23 SENE

ac: 6

T: 26 N R: 01 E S: 23 SWNE

ac: 25

5. Quantity claimed:

Period

Quantity

For

2/ 15 -- 11/ 30

0.72 CFS

Irrigation

6. Total Consumptive Use Claimed for Present and Future Use is:

0.72 CFS

7. Present and future uses to which the water is or will be used:

Irrigation

8. Remarks:

State Basin: 79

National Forest: Nez Perce

Forest Service Record ID: 1 17 17060209 4

Use is for irrigation of the Salmon River Seed Orchard. Used with 79-7258.

I verify to the best of my knowledge the statements contained in this document are true and correct.

Steven M. Spencer

STEVEN M. SPENCER

Consumptive Use Water Specialist

Subscribed and sworn to before me on:

May 25, 2005

Gloria Baimbridge

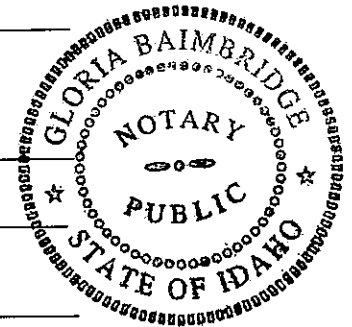
Notary Republic

Residing at:

Boise, Idaho

My Commission Expires:

10-07-08



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 79-07203

Priority: April 30, 1991

Maximum Diversion Rate: 0.72 CFS
Maximum Diversion Volume: 144.0 AF

It is hereby certified that US DEPT OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG
PO BOX 7669
MISSOULA MT 59887-7669 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated April 30, 1991; and has
submitted Proof of Beneficial Use on December 13, 1996. An examination indicates that the works have
a diversion capacity of 3.43 cfs of water from:

SOURCE

SALMON RIVER

Tributary: SNAKE RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	02/15 to 11/30	0.72 CFS	144.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SALMON RIVER L1 SE 1/4 NE 1/4 NW 1/4 Sec. 23, Twp 26N, Rge 01E, B.M., IDAHO County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
26N	01E	23			25.0	6.0					5	2.5			36.0

Total Acres: 36

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
2. Right 79-07258 is also diverted through the point of diversion described above.
3. Rights 79-02066 and 79-07203 when combined shall not exceed the irrigation of 217.5 acres.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 12TH day of June, 2001.

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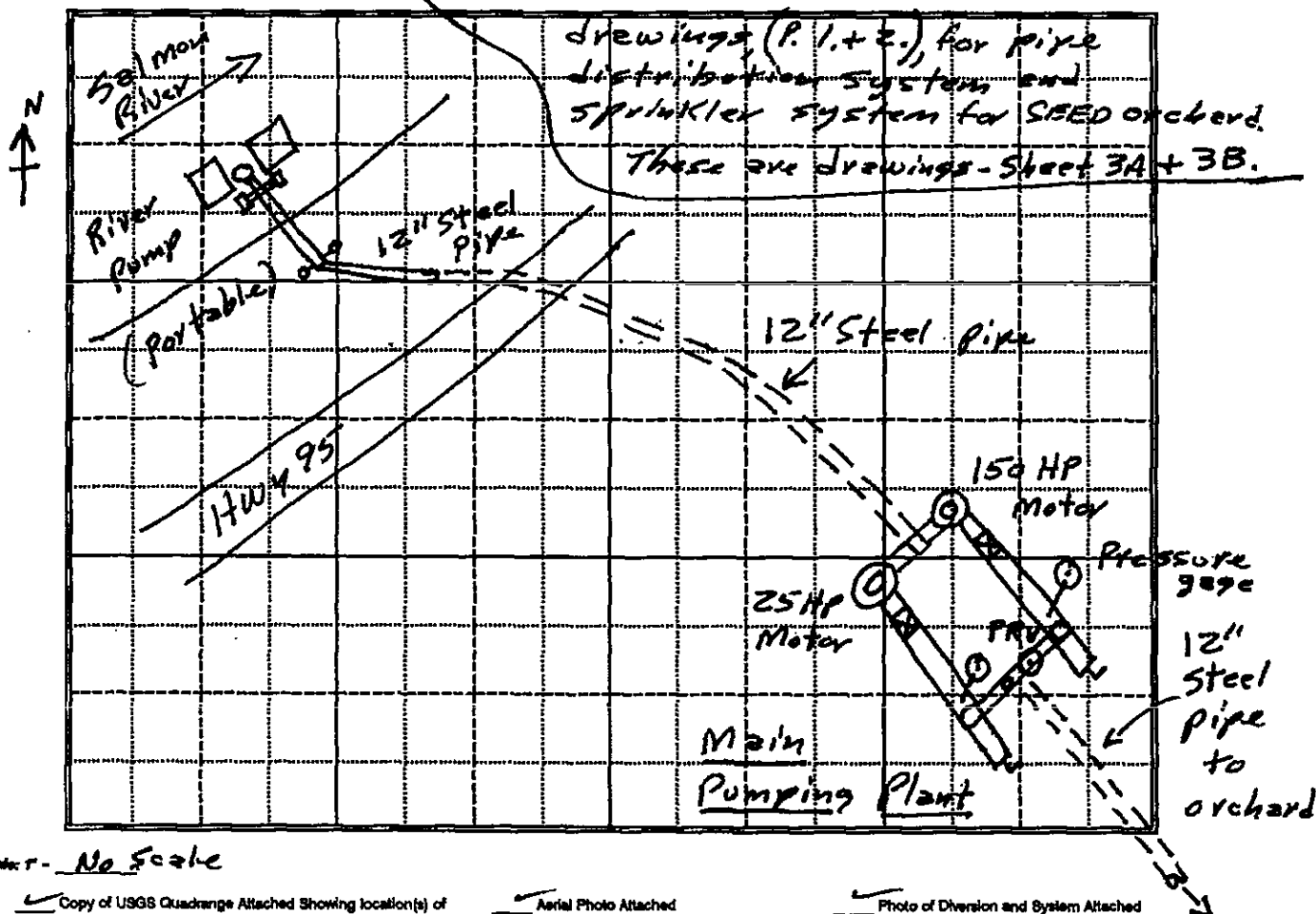
JUN 20 2001

Acting for

KARL J. DREHER
Director

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe I.d. as applicable.

Note: See Forest Service Design



✓ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

✓ Aerial Photo Attached (required for irrigation of 10+ acres)

✓ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
River Pump	Baldor	20	Cat. A15091C-55	Cornell	mod 4RU-20-4, #9164310.00
Main Pump	U.S. Electk	150	4094208-R024R-5	Layne	9 stage 11BMH
Main Pump	U.S. Electk	25	856102	Layne	4 stage 10RKHC

*Code to correspond with No. on map and aerial photo

MICROFILMED

D. FLOW MEASUREMENTS

JUN 20 2001

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
1) Flow meter	(make) water-meter			60809	12"	
2) Planimeter	ELASICO	Special	42P	B-90848		

2. Measurements: 1) (water) None - System was off.

2) Irrigated Acres - w/ planimeter = 174.7 Ac.
Allow the 155 Ac. in Permit.

5. The portable river pump will be replaced with a larger unit as the seed orchard is planted in trees.

E. NARRATIVE/REMARKS/COMMENTS

1. This water permit is for a pump and pressure pipe distribution system to irrigate 155 Acres for use as a seed orchard. The orchard will grow trees and other plants as a source of seed.
2. The land was purchased from David Cereghino, and has a center-pivot sprinkler system on it with water supplied from John Day Creek; WR#79-04132. At the time of the exam, most of the land was still being farmed by Cereghino under a Special Use Permit dated 11-15-91/11-19-91, with the Forest Service. This permit allows Cereghino to continue farming the land as the Forest Service develops their orchard. About 20 Acres of the land has been planted in trees, and the rest is agriculture crops. All the land under this permit will be planted in trees by 2001, and the full diversion rate for this permit will be used. The Special Use Permit is attached.
3. The water system for this permit has been constructed, and water is being used for the area now planted in trees. Cereghino's water system is also still being used for agriculture crops and will be removed when ^{this F.S.} the permit expires.
4. The water system has a portable pump in the Selmon River which supplies water to the main pumping plant. The main plant has a 150 HP, and a 25 HP unit with a TDH of 600' and combined output of 1540 GPM, = 3.43 cfs. The main plant supplies water through a 12" steel discharge line to the

Have conditions of permit approval been met? ☒ yes ☐ no

pipe distribution system in the seed orchard. The pipe distribution system furnishes water to the drip pipe system that waters the trees. A flow meter is installed in the 12" line at the junction of the orchard pipe system.

6. David Cereghino's WR # 79-04132 should be decreased by 155 ac. in the year 2001.

FILED
JUN 20 2001

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method: None. System was off.

From Pump Curves:

1) 150 HP, 11 BMH, $Q = 660$ GPM

2) 25 HP, 10 RKHC, $Q = 880$ GPM

$$Q_{\text{allowed}} = (155 \text{ AC.}) (0.02 \frac{\text{cfs}}{\text{AC.}}) = 3.10 \text{ cfs}$$

$$\text{Total } Q = 1540 \text{ GPM} = 3.43 \text{ cfs} > 3.10 \text{ cfs in permit.}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{\text{I.R.}} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (155 \text{ AC.}) (3.0 \frac{\text{AFU}}{\text{AC.}}) = 465.0 \text{ AFU}$$

$$V_{\text{D.R.}} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (3.1) (275) (1.9835) = 1691$$

$$V = \text{Smaller of } V_{\text{I.R.}} \text{ and } V_{\text{D.R.}} = 465.0$$

2. Volume Calculations for Other Uses:

Note: There is no storage in the water system.
The pumping plants are designed to pump water on demand directly into the pressure pipe distribution system and drip irrigation

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Irrigation</u>	<u>03/01</u>	<u>11/30</u>	<u>3.10</u>	<u>465.0</u>
Totals:			<u>3.10</u>	<u>465.0</u>

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

1) Change Plu. (Location) Acres

☒ Change P.U. as reflected above

☒ Add P.U. as reflected above

☒ Other

2) No Storage.

3) Irrigation Season is "E"; 03/01 to 11/30.

I. AUTHENTICATION

Field Examiner's Name Don Tomich Date 2-4-98

Reviewer _____ Date _____

SEAL

MICROFILMED

JUN 20 2001