

10/17/2006

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

RIGHT NUMBER: 63-21608

NAME AND ADDRESS: ALAN J SPROAT
5251 CHEYENNE
BOISE ID 83705

SOURCE: WARM SPRINGS CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.000 CFS

Right Nos. 63-353A, 63-360A, 63-7911, 63-7912, 63-21348A, 63-21348B
and 21608 are limited to a total combined diversion rate of 3.42 cfs.

PRIORITY DATE: 04/01/1947

POINT OF DIVERSION:
T01S R02W S10 NWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	04/01 04/30	0.600 CFS
	05/01 06/30	0.880 CFS
	07/01 11/15	1.000 CFS

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before April 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within CANYON County

T01S R02W S09 NWSW 10.00 T01S R02W S09 SWSW 40.00

STOCKWATER same as IRRIGATION

50 ACRES TOTAL

Right Nos. 63-353A, 63-360A, 63-7911, 63-7912, 63-21348A, 63-21348B
and 21608 are limited to the irrigation of a combined total of 171 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 - Decreed



Idaho Department of Water Resources

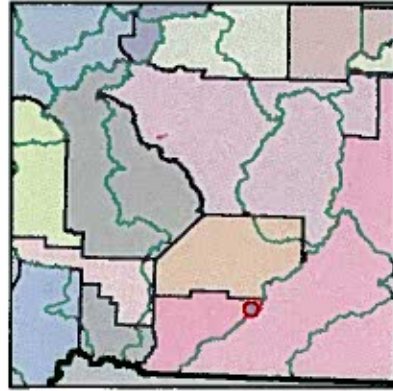
SRBA Recommendation:

63-21608

(Irrigation)

Legend

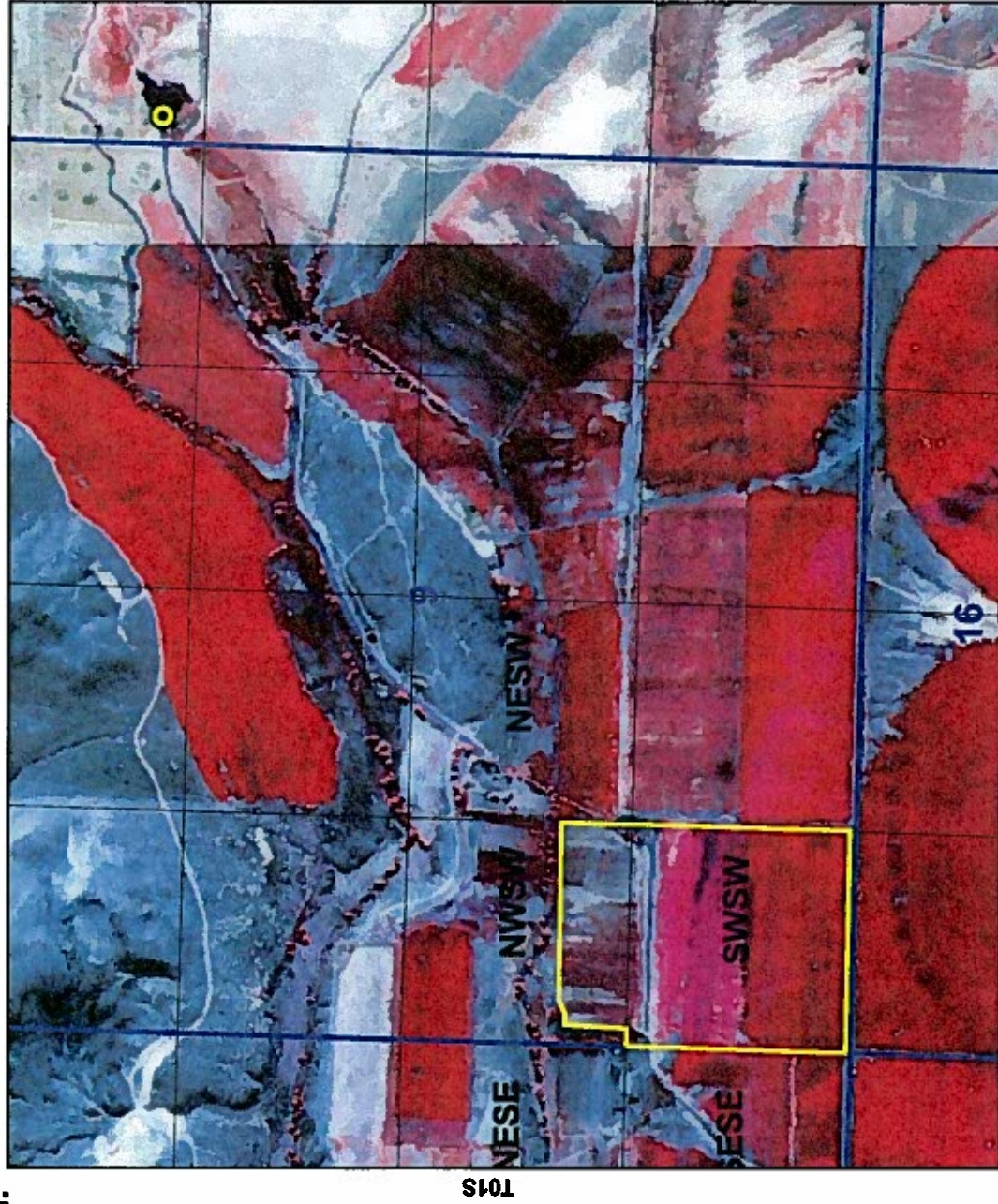
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63

Prepared by M. Ciscell
On Tuesday, October 17, 2006
1987/88 Aerial Photography

R02W

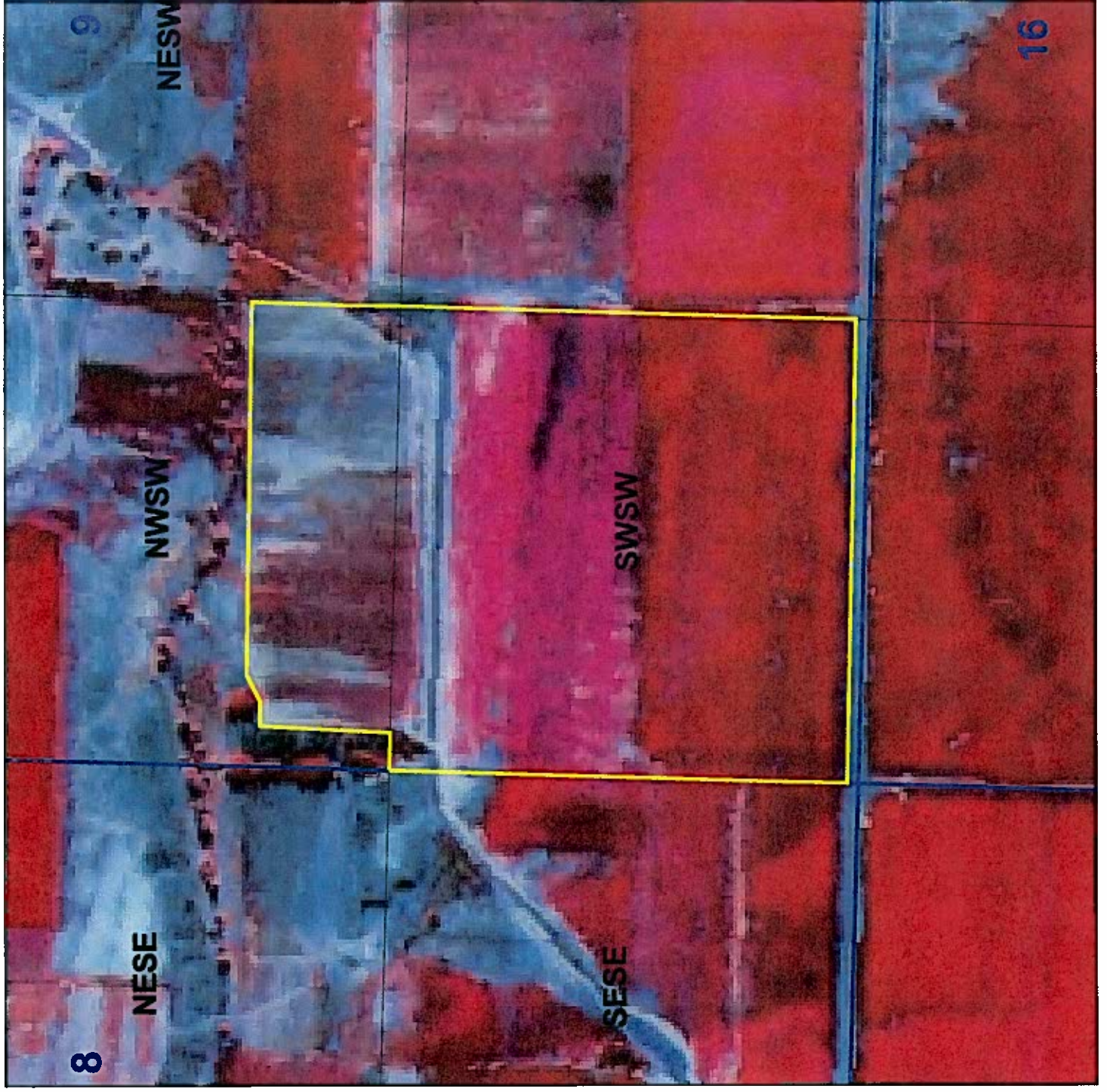


103E



0 0.4 0.8 Miles

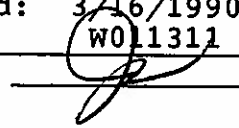
63-21608



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: A63-21608
Date Received: 3/16/1990
Receipt No: W011311
Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ALAN J. SPROAT 208-362-9679
Address: 5251 CHEYENNE
BOISE, ID 83705

2. Date of Priority: APR 01, 1947

3. Source: DRAINS Trib. to: WARM SPRINGS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	02W	8	SW	SE	SE		CANYON

5. Description of diverting works:
DITCH INTO LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/15	1.000		
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 175.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/50

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	02W	9	NW	SW		IRR	10.0
			SW	SW		IRR	40.0

A63-21608

Page 1

Date: 09/07/90

MICROFILMED

SEP 03 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	50.0
					Total Acres	50.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NA

14. Remarks:

THIS CLAIM IS A SPLIT OF WATER RIGHTS 63-00353, 63-00354 AND
WATER RIGHT 63-00355 DECREED TO ELLEN T. SPROAT

NOTE: THIS CLAIM WAS AMENDED ON 9-7-90 AFTER SPEAKING WITH THE
CLAIMANT. THIS WATER HAS BEEN USED ON DIFFERENT LANDS SINCE 1982
AND THE CLAIMANT WAS NOT INFORMED AT THE TIME OF THE ORIGINAL
FILING OF THIS CLAIM THAT HE SHOULD SHOW THE LAND TO WHICH THE
WATER HAD BEEN LEASED OUT RATHER THAN HIS OWN PROPERTY WHERE THE
WATER WAS USED ORIGINALLY. THIS AMENDMENT REFLECTS THE WATER USE
AS IT HAS BEEN IN ORDER TO PREVENT LOSS OF THE WATER RIGHT SINCE
IT HAS NOT BEEN USED ON THE ORIGINAL POU, BUT HAS STILL BEEN
USED. 9-7-90 JS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

CARL E. NICHOLSON
Decree Plaintiff

REYNOLDS IRR. DIST.
Decree Defendant

vs

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Al J. Pratt Date: 9-7-90

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of Sept. 19 90

Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-90



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: A63-21608
Date Received: 2/20/1990
Receipt No: W011311
Received By: DAS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALAN J. SPROAT 208-362-9679
Address: 5251 CHEYENNE
BOISE, ID 83705

2. Date of Priority: APR 01, 1947

3. Source: DRAINS Trib. to: WARM SPRINGS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	02W	8	SW	SE	SE		CANYON

5. Description of diverting works:
DITCH INTO LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	04/30	1.000		
STOCKWATER	04/01	04/30	0.020		

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 175.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/50

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	02W	8	SE	NW	3	IRR	40.0
			NE	SW	2	IRR	10.0

Section Acres 50.0

A63-21608

Page 1

Date: 03/16/90

NOT RECORDED

SEP 03 1992

10. Place of Use: Continued

Total Acres 50.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NA

14. Remarks:

THIS CLAIM IS A SPLIT OF WATER RIGHTS 63-00353, 63-00354 AND
WATER RIGHT 63-00355 DECREED TO ELLEN T. SPROAT

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

CARL E. NICHOLSON
Decree Plaintiff

vs

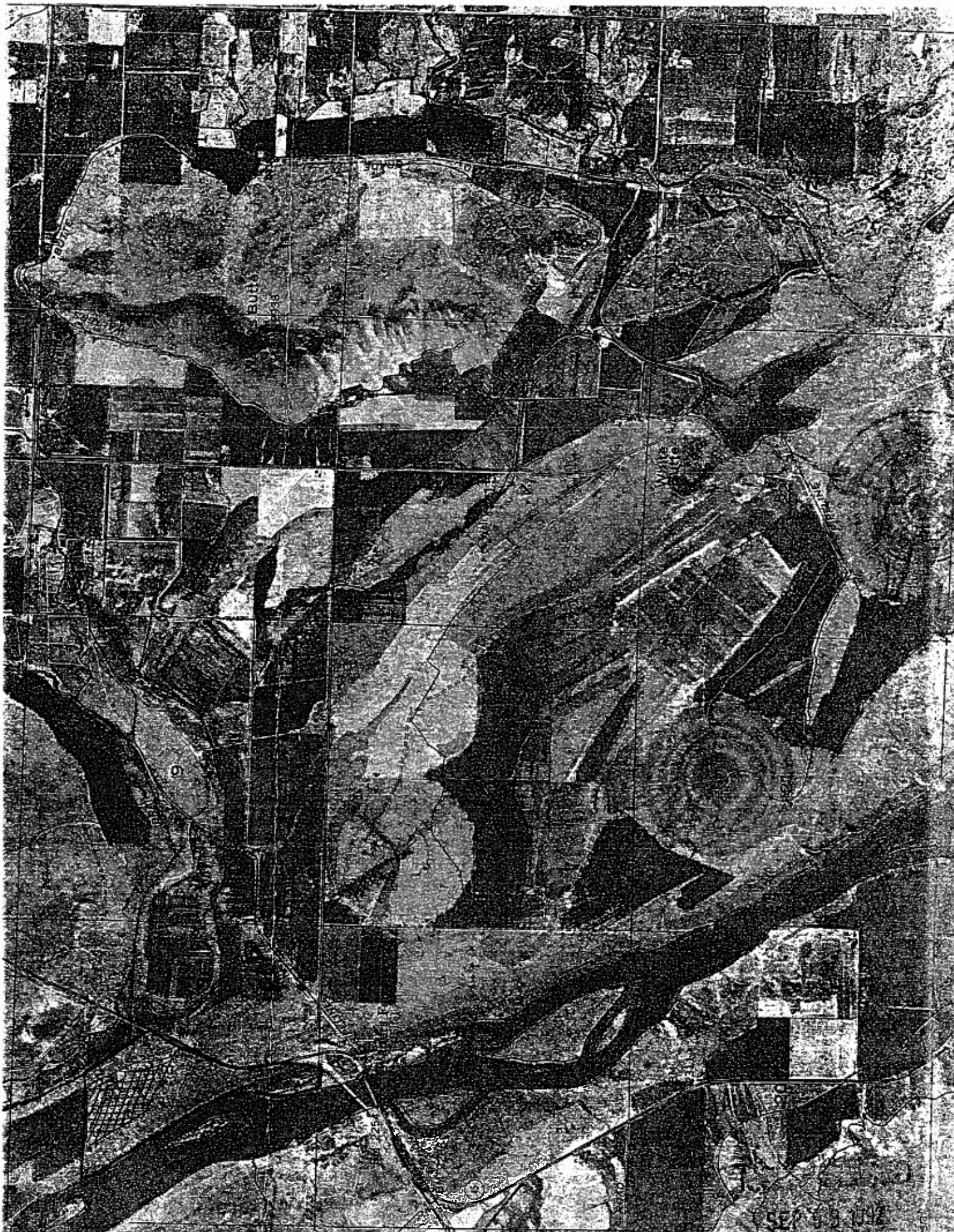
REYNOLDS IRR. DIST.
Decree Defendant

MAINTAINED

SEP 03 1992

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

SEP 03 1992



[illegible]

State- Zip-

```

+ - - - - Source - - - - - +
DRAINS
+ - - - - Tributary - - - - -
WARM SPRINGS CREEK

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[illegible]

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
1	1	1	1	1	1	1

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Div. Capacity - +	+ - Total Consumptive Use - +	+ - KW Usage - +
2.400				

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
01S	02W	8	SE NW	3		01	IRRIGATION	27 CANYON
01S	02W	8	NE SW	2		01	IRRIGATION	27 CANYON
01S	02W	8	NW SW	4		01	IRRIGATION	27 CANYON
01S	02W	8	NW SE			01	IRRIGATION	27 CANYON
01S	02W	8	SW SE			01	IRRIGATION	27 CANYON
01S	02W	8	SE SE			01	IRRIGATION	27 CANYON
01S	02W	9	NW SW			01	IRRIGATION	27 CANYON
01S	02W	0	SW SW			01	IRRIGATION	27 CANYON

A63-21608

Total Acres:

25/00

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

	Date	Remarks
+ +	- -	No Remarks found.

SEP 03 1992

Water Right Number - 63-00355

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - - - - - Address - - - - - + - - - - -

*** C - CURRENT OWNER ***

SPROAT

ELLEN T.

1 -

2 -

3 -

City- State- Zip-

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +

04/01/1947

D - DECREED

+ - - - - Source - - - - + + - - - - - Tributary - - - - - + - - - - -

DRAINS

WARM SPRINGS CREEK

+ - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - - +

+ - - - - Description - - - - - Period From - - - - - Water Use - - - - - Diversion Rate - - - - - Diversion Volume - - - - - +

Code

01 - IRRIGATION 07/01 03/31 3.500

04 - STOCKWATER 07/01 03/31

43 - DOMESTIC 07/01 03/31

+ - - Total Div. Rate - + - - - Total Div. Volume - + - - - Total Div. Capacity - + - - - Total Consumptive Use - + - - - KW Usage - +

3.500

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
01S	02W	8	NW NW	4		01	IRRIGATION	27 CANYON
01S	02W	8	SE NW	3		01	IRRIGATION	27 CANYON
01S	02W	8	NE SW	2		01	IRRIGATION	27 CANYON
01S	02W	8	NW SE	1		01	IRRIGATION	27 CANYON
01S	02W	8	SW SE			01	IRRIGATION	27 CANYON
01S	02W	8	SE SE			01	IRRIGATION	27 CANYON
01S	02W	9	NW SW			01	IRRIGATION	27 CANYON
01S	02W	9	SW SW			01	IRRIGATION	27 CANYON

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - No Remarks found.

2.5

8

Total Acres:

CFR 0 2 1997

[illegible]

*** C - CURRENT OWNER ***
SPROAT

ELLEN T.

1	2	3	Cit	Pho
---	---	---	-----	-----

State- Zip-

+ - -	Priority Date	- - +	+ - - -	Region	- - - +	+ - - -	Stage	- - - +	+ - - -	Status
			14			D - DECREE				
	04/01/1947									

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+ - - - - Source - - - - - +
DRAINS
+ - - - - Tributary - - - - - +
WARM SPRINGS CREEK

```

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Stream Index (Blank if no Index Code)
+	-	-	-	-	-	-	- Point of Diversion -	- Stream Index (Blank if no Index Code) -

Code	Description	Period From	Water Use	Period To	Diversion Rate	Diversion Volume
1	1	1	1	1	1	1

01 - IRRIGATION	05/01	06/30	2.800
04 - STOCKWATER	05/01	06/30	
43 - DOMESTIC	05/01	06/30	

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Div. Capacity - +	+ - Total Consumptive Use - +	+ - KW Usage - +
2.800				

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
01S	02W	8	NW NW	4		01	IRRIGATION	27 CANYON
01S	02W	8	SE NW	3		01	IRRIGATION	27 CANYON
01S	02W	8	NE SW	2		01	IRRIGATION	27 CANYON
01S	02W	8	NW SE			01	IRRIGATION	27 CANYON
01S	02W	8	SW SE	1		01	IRRIGATION	27 CANYON
01S	02W	8	SE SE			01	IRRIGATION	27 CANYON
01S	02W	8	SW SW			01	IRRIGATION	27 CANYON
01S	02W	9	NW SW			01	IRRIGATION	27 CANYON
01S	02W	9	SW SW			01	IRRIGATION	27 CANYON

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

	Remarks
	No Remarks found.

2/80

RECORDED

SEP 03 1992

SEP 03 1992

INSTRUMENT NO. 434650

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON.

F I L E D

CARL E. NICHOLSON and
BLANCHE NICHOLSON,
husband and wife,

Plaintiffs

vs.

REYNOLDS IRRIGATION DISTRICT
a quasi-public corporation of
Owyhee County, Idaho; and

ELLEN T. SPROAT,

Defendants.

A.M. 3:30 P.M.
JUN 11 1956
S. S. FOOTE, CLERK
Lavona Sayre, DEPUTY

THIS CAUSE came regularly on for hearing and disposition before the Court without a jury, on the 11th day of June, 1956; Edwin Snow and Homer E. Martin, of Boise, Idaho, appearing as attorneys for plaintiffs; Maurice H. Greene and David Doane, of Boise, Idaho, appearing as attorneys for the defendant Reynolds Irrigation District; and Laurel E. Elam, of Boise, Idaho, appearing as attorney for the defendant Ellen T. Sproat.

The parties presented to the Court a stipulation in writing, signed by their respective attorneys of record, thereunto duly authorized, which stipulation had been duly filed herein; and wherein were set out and agreed upon the ultimate facts with respect to the beneficial use of the waters involved in the suit by the respective parties hereto, and also the amount and the date of priority of the water right to which each party was entitled based upon its said use; and the Court having examined and approved the said stipulation. And the parties having also presented to the Court this decree based upon such stipulation, upon which decree is endorsed the written consent and approval of the attorneys of record for the respective parties;

NOW, THEREFORE, in conformity with said stipulation and said consent, and all the parties having waived Findings of Fact and Conclusions of Law in connection with such decree, it is hereby ORDERED, ADJUDGED and DECREED as follows:

- Decree # T -

1.

The water supply, the rights to the use of which are hereby adjudicated, consists of the waters flowing in the drain ditch from which all the parties hereto divert their water; and the waters flowing in said drain and its branches, whether said waters are derived from surface waste, or percolation into the drain, or from any existing wells, including the well of plaintiffs, the wells of the defendant Reynolds Irrigation District, and a well known as the "Simpson Well", situated at the head of one branch of the main drain ditch from which the parties hereto divert their water, constitute a common and interdependent source of supply; and the withdrawal of water from said main drain, or any of its said contributing sources of supply, depletes the water rights and supply of each of the parties hereto.

11.

The defendant Ellen T. Sproat is hereby decreed the right to the use of the following amounts of waters of the drains and wells involved in this suit:

- 63 0353 (a) 120 miners inches of said waters during the month of April of each irrigation season; -2.4 cfs
- 63 0354 (b) 140 miners inches of said waters during the months of May and June of each irrigation season; -2.8 cfs
- 63 0355 (c) 175 miners inches at all times after July 1st of each irrigation season; -3.5 cfs

The priority of all of said defendant's rights dates from April 1, 1947.

Said water is decreed for irrigation, livestock, and domestic uses upon said defendant's lands, to-wit:

The NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 9;
Lots 1, 2, 3 and 4;
The SE $\frac{1}{4}$ SW $\frac{1}{4}$, and the NW $\frac{1}{4}$ SE $\frac{1}{4}$, of Section 8;
All in Twp. 1 S., R 2, W. B. N.

The point of diversion of said water is, as it has been for a long time heretofore, at a point in Section 10, Twp. 1 S., R. 2, W. B. N., where an irrigation ditch belonging to said defendant and to plaintiffs has its heading in said drain.

copy for A63-21608

MEMORANDUM

TO: TRANSFER APPLICATION FOR 63-00353 THROUGH 63-00355
FROM: STEVE LESTER
DATE: DECEMBER 6, 1990 - REVISED 1/23/91
RE: CLARIFICATION OF DATABASE, ACRES, AND RATES

E.K. Allen filed a transfer application on SRBA Claim A63-21348, a claim filed by Frank and Frances Engle. Mr. Allen apparently bought 25 acres in Sec. 8 SESE and wants to relocate a diversion point for his acres. Claim A63-21348 is based on a combination of split portions of decreed rights 63-00353 through 00355. Decree file 63-T-1 covers these rights (see Attachment B).

DATABASE

The transfer serves to clarify database details for source, season of use, and point of diversion. The source (drains tributary to Warm Springs Creek) actually includes surface and ground water in a "...common and interdependent source..." and perhaps should be noted in the remarks section of the database. The tributary is a local name not recognized on a USGS quad.

The season of use in 63-00355 includes 7/1-11/15, not 7/1-3/31 as shown in the database. The original point of diversion is identified as T1S R2W Sec. 10 (tract not specified). See Part II of the decree for confirmation of season and P/D.

Although the decree does not explicitly state the duty of irrigation water, Part V of the decree can be interpreted to mean up to .02 cfs/acre: "...amount of water herein allotted...is required and necessary for the proper growing of crops...". Because all three decreed rights cover the same P/U, one can infer that the largest right, 63-00355 for 3.50 cfs, describes the maximum number of acres for all three rights. Assume that the rights cover no more than 175 acres based on a decree of .02 cfs/ac. Note that the rights cover different parts of the irrigation season and together include 4/1-11/15 (the latter interpreted from IDWR standards for the area).

COMPUTATION OF ACRES

Mr. Allen indicated per 1/23/91 telecon that he bought 25 acres located north of the pipeline/ditch that more or less bisects the tract. Note that in Sec. 8 SESE, irrigated land includes 14.5 acres north of the pipeline/ditch and 16.5 acres south of it. The transfer addresses a P/D change and will result in three split rights (63-00353 A & B etc.). The decree did not identify acres per tract. We can identify the acres/tract via the 1987 ASCS aerial photo (see Attachment A). To further interpret the photo, I met with Mike Anderson on 12/6/90 at the Canyon County ASCS office to discuss the photo and to look at other aerial information (slides of area offer better look at irrigated land). The acres listed on pages 4, 6, and 8 of the transfer derive from the meeting and photo interpretation and include 110.5 irrigated acres within the place of use of 63-00353 through 63-00355, which was determined from technical methods and 1987 data without visiting the P/U.

of
ASCS
staff

MICROFILMED

SEP 03 1992

In the future, SRBA field work related to the P/U may reveal additional irrigated land in some of the tracts, e.g. pasture irrigation that does not appear to be irrigated on the photos. The following list outlines possible discrepancies that may occur between photo interpretation and site visits (approx. 49 acres).

1. Sec. 8 SENW - 29 acres not irrigated in the last five years (per Mike Johnson).
2. Sec. 8 Lot 2 (NESW) - 4 acres same as #1.
3. Sec. 8 NWNWSE - 4 acres same as #1 & 2. Nos. 1-3 are west of Hwy. 45.
4. Sec. 8 E 1/2 NWSE - approx. 10 acres conceivably could or did at one time include pasture or other low intensity irrigation.
5. Sec. 8 NE 1/4 Lot 1 (SWSE) - same as #3 but approx. 2 acres. Nos. 4 and 5 are east of the highway.

According to photos and Mike Johnson's records, the land in Sec. 8 NWSE and SWSE east of Hwy. 45 has not been irrigated for many years. Much of it is a cinder cone area used for cinder extraction in construction, landscaping, and so on.

Attachment A delineates cropland in the tracts identified in rights 63-00353 through 00355 as well as SRBA claims A63-00355A, 21608, and 21348. The claims relate to split and combined parts * of the decreed rights. The transfer file will be helpful in analyzing the SRBA claims. Copies of this memo were filed with the above claims. (* see page 3)

CONCLUSION

in discussion with IDWR
These rights became quite confusing after reviewing the SRBA files. Possibly, a partial transfer of one or more of the rights occurred prior to 1987 via a verbal agreement between landowners but without a transfer approved by IDWR. This raises an adjudication issue that is perhaps outside of the scope of the current transfer application. If so, the P/D transfer could be linked to 14.5 acres in Allen's portion of the decreed rights without consideration of the SRBA claims. On the other hand, the interests of the involved parties, including IDWR, may be served by solving the riddle of these rights during the processing of this transfer.

Based on the former choice, the confirmed irrigated acres and rate per acre for each right are shown on application pages 4, 6, and 8. Therefore, the P/D transfer includes the following instead of the rates and 25 acres on page 1 of the application:

63-00353B	.32 cfs	for 14.5 acres,
63-00354B	.37 cfs	for 14.5 acres,
63-00355B	.46 cfs	for 14.5 acres (total equals 14.5 acrs).

MICROFILMED
SEP 03 1992

Transfer 63-00353 through 63-00355, Page 3

* 63-00353 2.40 cfs irrig.

63-00354 2.80 " "

63-00355 3.40 " "

A63-00353A 0.88 cfs irrig. (from 63-00353)

A63-21608 1.00 " " (did not specify amount per right in split/combo)

A63-21348 1.52 " " (.5 from 00353, .5 from 00354, .52 from 355)

1.8
+ .58

2.38

1.0
+ .5

RECEIVED

SEP 11 3 1992

CC: A63-00353A
A63-21608
A63-21348

See Transfer file
for 63-00353 -
00355

for Attachments
referred to

JL

MEMORANDUM

TO: TRANSFER APPLICATION FOR 63-000353 THROUGH 63-00355
FROM: STEVE LESTER
DATE: DECEMBER 6, 1990
RE: CLARIFICATION OF DATABASE AND ACREAGE COMPUTATION

E.K. Allen filed a transfer application on SRBA Claim A63-21348, a claim filed by Frank and Frances Engle. Mr. Allen apparently bought 25 acres in Sec. 8 SESE and wants to relocate a diversion point for his acres. Claim A63-21348 is based on a combination of split portions of decreed rights 63-00353 through 00355. Decree file 63-T-1 covers these rights (see Attachment B).

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Although the decree does not explicitly state the duty of irrigation water, Part V can be interpreted to mean .02 cfs/acre: "...amount of water herein allotted...is required and necessary for the proper growing of crops...". Because all three decreed rights cover the same P/U, one can infer that the largest right, 63-00355 for 3.50 cfs, describes the maximum number of acres for all three rights. Assume that the rights cover no more than 175 acres. Note that the rights cover different parts of the irrigation season and together include 4/1-11/15 (the latter interpreted from IDWR standards for the area).

COMPUTATION OF ACRES

Note that in Sec. 8 SESE, irrigated land includes 14.5 acres northwest of the siphon pipeline and 16.5 acres southeast of same. The transfer addresses a P/D change and will result in three split rights (63-00353 A & B etc.). The decree did not identify acres per tract. We can identify the acres/tract via the 1987 ASCS aerial photo (see Attachment A). To further interpret the photo, I met with Mike Anderson on 12/6/90 at the Canyon County ASCS office to discuss the photo and to look at other aerial information (slides of area offer better look at irrigated land). The acres listed on pages 4, 6, and 8 of the transfer derive from the meeting and photo interpretation and include the maximum number of irrigated acres determined from technical methods without visiting the P/U.

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In the future, SRBA field work related to the P/U may reveal additional irrigated land in some of the tracts, e.g. pasture irrigation that does not appear to be irrigated on the photos. The following list outlines possible discrepancies that may occur between photo interpretation and site visits (approx. 49 acres).

1. Sec. 8 SENW - 29 acres not irrigated in the last five years (per Mike Johnson).
2. Sec. 8 Lot 2 (NESW) - 4 acres same as #1.
3. Sec. 8 NWNWSE - 4 acres same as #1 & 2. Nos. 1-3 are west of Hwy. 45.
4. Sec. 8 E 1/2 NWSE - approx. 10 acres conceivably could or did at one time include pasture or other low intensity irrigation.
5. Sec. 8 NE 1/4 Lot 1 (SWSE) - same as #3 but approx. 2 acres. Nos. 4 and 5 are east of the highway.

According to photos and Mike Johnson's records, the land in Sec. 8 NWSE and SWSE east of Hwy. 45 has not been irrigated for many years. Much of it is a cinder cone area used for cinder extraction in construction, landscaping, and so on.

Attachment A delineates cropland in the tracts identified in rights 63-00353 through 00355 as well as SRBA claims A63-00355A, 21608, and 21348. The claims relate to split and combined parts * of the decreed rights. The transfer file will be helpful in analyzing the SRBA claims. Copies of this memo were filed with the above claims.

* 63-00353 2.40 cfs irrig.
63-00354 2.80 " "
63-00355 3.40 " "

A63-00353A 0.88 cfs irrig. (from 63-00353)
A63-21608 1.00 " " (did not specify amount per right in split/combo)
A63-21348 1.52 " " (.5 from 00353, .5 from 00354, .52 from 355)