

79-4025

Field Exam Notes

Date of Exam: August 9, 2005

The point of diversion (POD) is located on the east bank of the Salmon River, and has a GPS location of **N45° 39' 55.8"** by **W116° 18' 32.7"** and a GPS elevation of **1500 ft. $\pm$ 25 ft** (*Photo 1*). A portable electric motor and pump are used to pump water out of the Salmon River into a non-fixed conveyance pipe leading to the place of use (POU). The POD for claim 79-4026, also belonging to George and Lois Russell, the claimants of this claim, is located a few feet away from the POD for this claim. The motors and pumps used for both claims are mounted on trailers and stored in a barn where they were on the day of the exam (*Photo 3*). The specifications for the motor and pump that could be determined on the day of the exam are below.

Motor:

HP: 25

Pump:

Make: Cornell

Discharge: 2"

Because of the way the pump was stored, it was not possible to read any more of the name plate.

Mr. Russell stated that Earnest Robinson (Phone 208-839-2349 & 208-347-2753) is currently renting the property. He also stated that Mr. Robinson had not irrigated the ground in the past several years because of the cost of electricity.

The field is sprinkler irrigated using hand lines. No flow measurements were taken on the day of the exam because of the reason given above. Mr. Russell did state that each sprinkler had an output of seven gallons per minute (*7gpm*). However, it is not known how many sprinklers are run at a time. The hand lines that were checked are forty feet (**40'**) in length. The sprinkler heads are **Rainbird, 30WS** equipped with **3/16" nozzles**. A GPS reading was taken at

what appeared to be an average elevation in the POU. The location was N45° 40' 09" by W116° 18' 37.9" with an elevation of 1538 ft ± 24 ft.

A conversation with Mr. Russell and a check of the Idaho Department of Water Resources (IDWR) public web site indicated that there are no other water rights that share the same POD and/or POU as this claim.

Field Examiner:

Jim Zimmerman

Theoretical Q calculation:

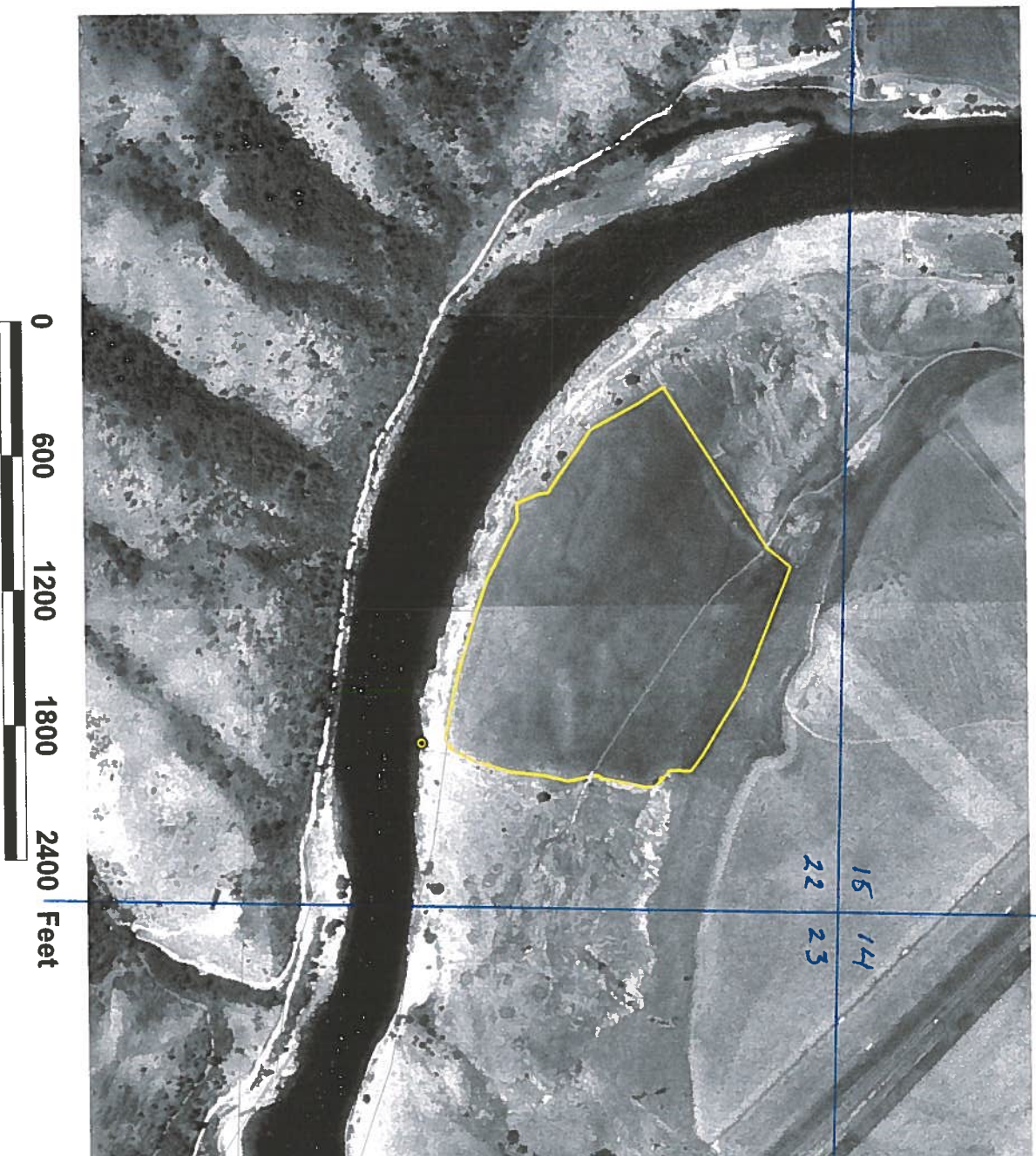
$$\frac{8.8(254P)(70\%)}{38' + (2.31 \cdot 40P \pm E)} = 1.18 \text{ cfs}$$

recommend 1"/acre

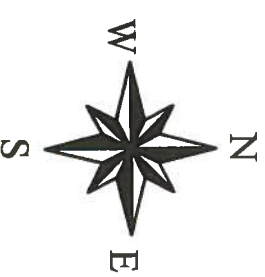
JD.

79-4025

**T27N R01E
Section(s) 22**



● Point of Diversion
□ Place of Use



Map prepared by: Greg Taylor
Date Prepared: December 28, 2004
Photography: 1992 DOQQ
Idaho Department of Water Resources

12/28/2004

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

RIGHT NUMBER: 79-4025

NAME AND ADDRESS: LOIS S RUSSELL
114 N MONROE
MOSCOW ID 83843

GEORGE R RUSSELL
114 N MONROE
MOSCOW ID 83843

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 05/01/1957

POINT OF DIVERSION:

T27N R01E S22 SENE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

02/15 11/30

0.800 CFS

PLACE OF USE:

IRRIGATION Within IDAHO County

T27N R01E S22 NENE 14.0 ✓

T27N R01E S22 Lot 1 NWNE 17.0 ✓

T27N R01E S22 Lot 1 SWNE 2.5 ✓

T27N R01E S22 Lot 5 SENE 6.5 ✓

40 ACRES TOTAL

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: Beneficial Use

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: A79-04025
Date Received: 7/13/1988
Receipt No: N 489
Received By: *[Signature]*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE R. RUSSELL 208-882-3610
Address: 114 N. MONROE
MOSCOW, ID 83843

AND/OR

Name: LOIS S. RUSSELL
Address: 114 N. MONROE
MOSCOW, ID 83843

2. Date of Priority: MAY 01, 1957

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
27N	01E	22	NE	SE	NE		IDAHO

5. Description of diverting works:
PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		

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

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
27N	01E	22	NE		NE		IRR	15.0
			NW		NE		IRR	15.0
			SE		NE		IRR	10.0
			SW		NE			
						Section Acres		40.0
						Total Acres		40.0

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:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 X 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): Gary R. Runney Date: 7-13-88
_____ Date: _____

State of Idaho)
County of Lootena) SS.

Subscribed and sworn (or affirmed) before me this 13 day
of July 19 88 Robert G. Hamer
Notary Public

Seal

Residing at Cell
My Commission Expires 11/10/92

JULY, 1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Russell, George

CLAIM IDENT. NO. A79-04025

DATE RECEIVED 7-13-88

CK # _____

AMOUNT \$ _____

YES

NO

1. Is the name and address complete with zip code?

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2. Is priority date entered?

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Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd). A Permit is required for surface water developed after May 20, 1971 (except for instream stockwater).

3. (a) Is a source entered?

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(b) Is a tributary to entered? (if required)

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4. Is the legal description of the p.d. complete?

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5. Is there a description of the diverting works?

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☐

6. Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form.

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Is the period of use included?

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Is a quantity claimed for each use?

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7. Is a total quantity claimed entered?

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8. Is the consumptive use correct?

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☐

If required is a consumptive use entered?

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☐

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim.

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10. Is (are) the place(s) of use entered?

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☐

11. Is (are) the county(ies) entered?

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☐

12. Is the ownership of p.u. checked?

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☐

13. Are other water rights listed or "none" checked?

☒

☐

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

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15. Is the basis of the claim checked?

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16. Is the claim signed by the claimant?

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Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

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Has the claim been signed, sealed, and dated by a notary?

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Is the fee enclosed correct?

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Should this claim be receipted and data entered?

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If this claim is based on an existing water right, has the identification number been entered?

N/A

☐

☐

Claim checked by: LU

Comments: _____

MICROFILMED

OCT 06 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1118 F. St, Lewiston, Idaho 83501

Phone: (208) 743-0301 FAX: (208) 743-0415 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 7, 2005

79-4025, 79-4026
GEORGE OR LOIS RUSSELL
114 N MONROE
MOSCOW ID 83843

RESPONSE DEADLINE
MAY 27, 2005

Re: Evidence of Priority Date

Dear Claimants:

The Notices of Claim to a Water Right (claim) identified with the numbers shown above your name have been filed in the Snake River Basin Adjudication (SRBA). The claims indicate your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. Since the priority date and historic use of a beneficial use right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed and the historic use of the water.

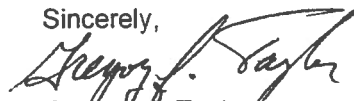
If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Enclosed you will find a computer printout of your claims and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claims **disallowed** if no evidence of the priority date and of the historic use is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office at 1-208-743-0301.

Sincerely,



Gregory J. Taylor
Sr. Water Agent

