

IDAHO DEPARTMENT OF WATER RESOURCES

Disallowed Adjudication Recommendation Report 79-4285 V1

WATER RIGHT NUMBER: 79-4285 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	GRANGEVILLE COUNTRY CLUB INC PO BOX 64 GRANGEVILLE, ID 83530
Current Owner	CITY OF GRANGEVILLE 225 W NORTH ST GRANGEVILLE, ID 83530 (208)983-1380

Priority Date: 01/01/1959

Basis:

Status: **Disallowed**

<u>Source</u>	<u>Tributary</u>
JOHNS CREEK	ROCK CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.760 CFS	
	<u>Total Diversion:</u>	0.760 CFS	

Location of Point(s) of Diversion

JOHNS CREEK	SW1/4NW1/4	Sec. 25, Twp 30N, Rge 02E, B.M.
IDAHO County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
30N	02E	25							26.0										26.0
30N	02E	26				12.0													12.0

Total Acres: 38

Conditions of Approval:

1. **DISALLOWED. RECOMMENDED AS 79-4288.**

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 79-4285 V1

Comments:

1. shemenway 9/15/2008 ATTORNEY REPRESENTING CLAIMANT

Comment: DENNIS ALBERS 401 W NORTH ST, GRANGEVILLE, ID 83530 (208) 983-2310.

2. shemenway 9/15/2008 PURPOSE OF LATE CLAIM

Comment: TO REMOVE JOHNS CREEK AS A SOURCE ON 79-4288, LEAVING GROUND WATER AS THE ONLY SOURCE.

3. shemenway 9/15/2008 TRANSFER

Comment: SENT CLAIMANT COPY OF APPLICATION FOR TRANSFER OF WATER RIGHT, SINCE 79-4288 IS ALREADY A PARTIAL DECREED WATER RIGHT, AND THEY ARE REQUESTING TO REMOVE JOHNS CREEK SOURCE FROM 79-4288 AND FILE ON THAT SOURCE ON WATER RIGHT 79-4285.

4. shemenway 9/15/2008 EVIDENCE OF PRIORITY

Comment: REVIEWING BOTH 79-4285 AND 79-4288 FILES, THE ONLY EVIDENCE OF PRIORITY FOUND WAS THE IDAHO COUNTY LIGHT AND POWER DOCUMENTS ON THE IRRIGATION PUMP DATED 4/15/1961, AND THE NOTICE OF CLAIM DATED 4/6/1983. ADDITIONAL EVIDENCE OF PRIORITY WILL NEED TO BE SUBMITTED TO BACK UP THE 1/1/1959 DATE CLAIMED FOR 79-4285. COPY OF EOP BROCHURE WAS SENT TO CLAIMANT.

5. shemenway 9/15/2008 SYSTEM

Comment: DIVERSION TO POND AND SPRINKLER SYSTEM.

6. shemenway 9/15/2008 CONTACT

Comment: CITY OF GRANGEVILLES CONTACT IS KEN GORTSEMA, PUBLIC WORKS DIRECTOR (208) 983-1380.

7. shemenway 9/15/2008 OVERLAP

Comment: 79-4288 OVERLAPS POU. NOTES IN FILE STATED THAT 79-4288 GROUND WATER WAS USED FOR POTABLE WATER AND SUPPLEMENTAL TO THE POND IF JOHNS CREEK WAS RUNNING LOW. IF GROUNDWATER SOURCE WAS USED, IT PUMPED TO THE POND AND THEN THE SPRINKLER SYSTEM.

Water Supply Bank:



Map from 79-4288

79-4285

GRANGEVILLE COUNTRY
CLUB INC.

P.O. BOX 64,
GRANGEVILLE, ID 83530
Source: JOHNS CREEK
trib. to ROCK CREEK

Priority Date: 03/15/1959

Diversion Pt: SWNW Sec 25
T 30N R 02E

Use: IRRIGATION (0.76
CFS)

In: SWNW Sec 25 T 30N R
02E SENE Sec 26 T 30N R
02E FOR 38 ACRES.

Exceptions to a claim
may be filed with the
Director, Dept. of Water
Resources, Western Region,
Statehouse, Boise, Idaho
83720.

KEN DUNN, Dir.

Published 04/27 & 05/04/83.

A27-M4

A hand-drawn map on a grid background. A horizontal line is labeled '26' on the left and '25' on the right. A vertical line intersects this horizontal line. At the intersection, there is a small square area filled with diagonal hatching. To the left of this square, the text 'Hwy 95' is written and underlined. To the right of the square, the text 'Point' is written. Below the horizontal line, there is a legend: 'x Point of diversion' and '/// Lands irrigated'. The map shows a diversion point where a road (Hwy 95) crosses a horizontal line, and the area to the right of the diversion point is marked as irrigated lands.

Received by JS Date 4-6-83 Exception filed by: _____ Forwarded to _____ Date _____
 Prelim. check by JS Date 4-19-83 claimant by: SP 5/17/83
~~\$20.00~~ fee received by KW Date 4-6-83 # 26811
 Published in Indian Co. Inc. Press See the attached:
 Date 4/27 8 5/4/83

30.00

Published in
Date

Saxton, Craig

From: Saxton, Craig
Sent: Monday, April 21, 2008 12:28 PM
To: Bromley, Chris; Courtney, Andrea; Kelly, Vicki
Cc: Van Bussum, Monica
Subject: Late Claim 79-4285 - Overpaid filing fees

Hello Everyone,

Motion to file late claim 79-4285 was received by IDWR on 4-11-08. The motion will be heard on 7-15-08. If the motion is granted on or after that date, the new fee schedule approved by the legislature this year will be in effect.

The claimant currently paid \$200.00

\$100 claim fee
\$100 late fee
\$0 variable fee (Variable fee paid under 79-4288)

The filing fee after 7-8-08 should be:

\$50 claim fee
\$50 late fee
\$0 variable fee (Variable fee paid under 79-4288)
Total : **\$100**

If the claimant did actually pay the \$200 fee indicated on the motion, we will need to refund the claimant \$100.00

Thanks,

Craig

4/21/2008