

08/31/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: September 29, 2006

Water right number: 73-109

JEANNE ELLIS
HC 62 BOX 1010
ELLIS ID 83235

DAVID R ELLIS
HC 62 BOX 1010
ELLIS ID 83235

Telephone Number: (208)876-4465

This property was purchased by Stan & Trish Downton in 2005. Water right will be held in name of Roy & Jeanne Ellis with purchase contract.

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

- Place of use is incorrect. See below #2

2. Describe the changes you wish to make in the proposed recommendation:

- Should also include 73-4090 0.23 CFS claim for stockwater
- Place of use is incorrect - transfer was filed for 1/24/06 - should reflect that a pivot was installed, 1274' full circle.

3. Give a brief explanation as to why you disagree with these portions:

Reasons stated above. ^{possibly high water right}
Waste water right needs to be applied for to legally irrigate ground below pivot - Ditch remained in place on recommendation of NRCS engineer because of length of delivery ditch and

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 9/19/06

SIGNATURE:

Trish A. Downton

Please print your name: Trish A. Downton

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

Subsequent ability to regulate excess water flow.

73-4090 DAS Objection.
Transfer not yet approved 11-01-06.
Downtons added as Present Owner.

02/06/2006

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

RIGHT NUMBER: 73-109

NAME AND ADDRESS: JEANNE ELLIS
HC 62 BOX 1010
ELLIS ID 83235

DAVID R ELLIS
HC 62 BOX 1010
ELLIS ID 83235

SOURCE: PATTERSON CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 5.600 CFS

PRIORITY DATE: 07/27/1900

POINT OF DIVERSION:

T15N R21E S26 SWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	5.600 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R21E S31 Lot 4 SWNW	3.90	T16N R21E S31	SENW	13.00	
T16N R21E S31	NESW	37.00	T16N R21E S31 Lot 1 NWSW	4.50	
T16N R21E S31	SESW	30.00	T16N R21E S31	NWSE	9.00
T16N R21E S31	SWSE	33.00	T16N R21E S31	SESE	0.20

130.6 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: BASIS OF CLAIM - Decreed

Source is locally known as Big Spring Creek.



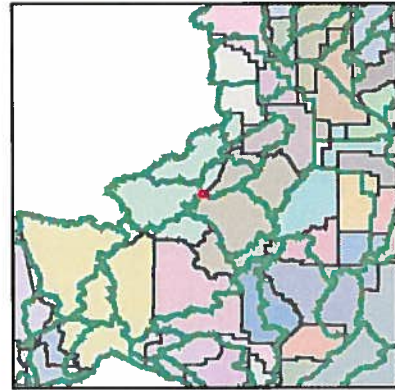
Idaho Department of Water Resources

Adjudication Claim Number: **73-109**

T15N R20E
T15N R21E
T16N R20E
T16N R21E

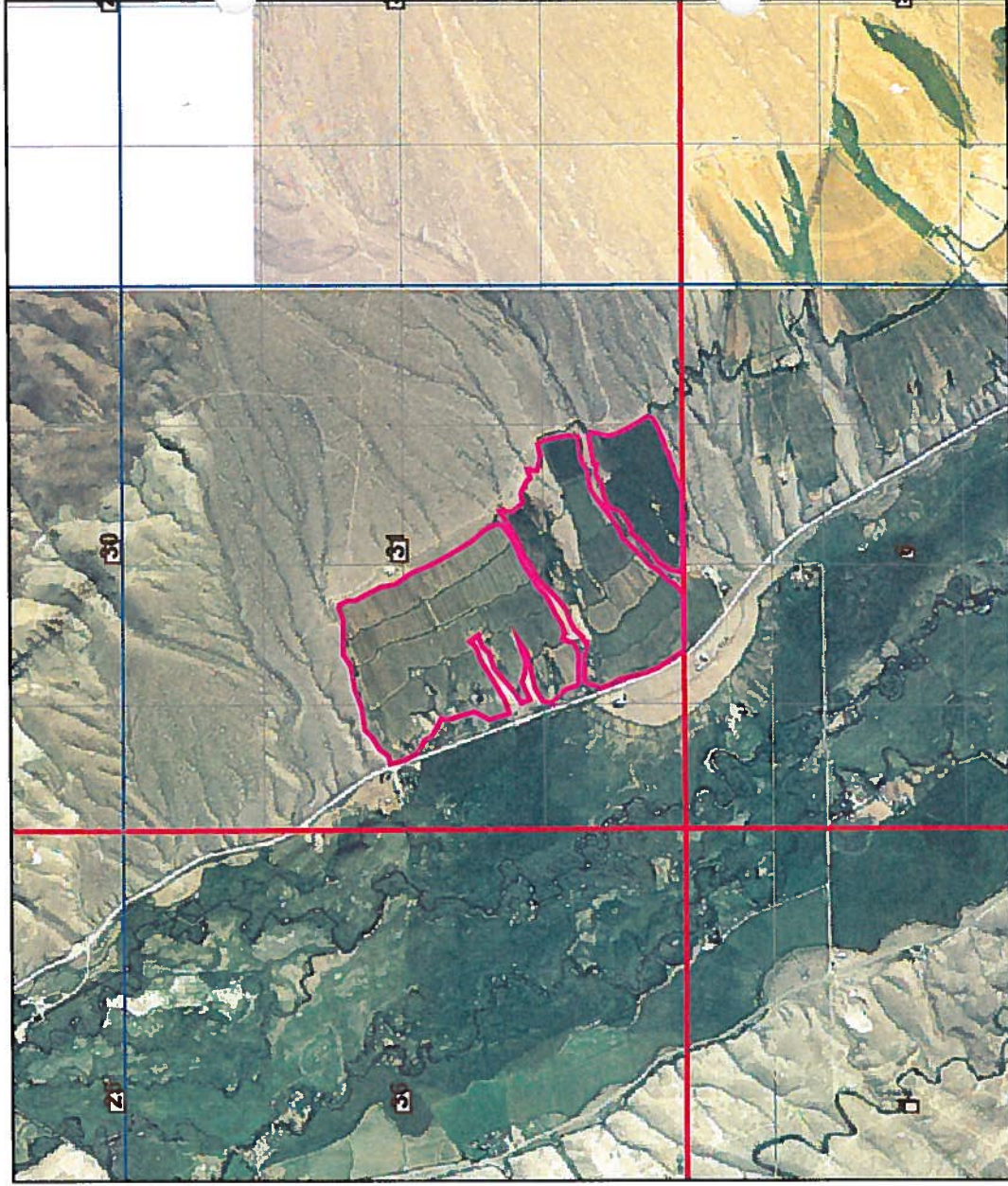
Legend

	73-109
	Township/Range
	Sections
	GCDB16N21E GCDB
	GCDB15N21E GCDB



Custer County
IDWR Basin 73

Prepared by R. Brown
On Monday, February 6, 2006
1988 Aerial Photography



173-109

ESTIMATING CONVEYANCE LOSS

Carter ditch

Formula:

$$S = (W)(i)(0.0667)$$

where:

S is loss in cfs per mile

W is the top width of the high water mark in feet

i is the loss rate in feet per day (see Table)

0.0667 is a factor used to convert to cfs per mile

Table:

Type of soil	Loss rate i (ft/day)
medium clay loam	0.5 to 1.5
impervious clay	0.5
medium soils	1.0
somewhat pervious soils	1.5 to 2.0
gravel	2.5 to 5.0

Worksheet:

$$S = (\underline{4.5} \text{ ft}) (\underline{2.0} \text{ ft/day}) (0.0667)$$

$$S = \underline{0.60} \text{ cfs/mi}$$

$$\text{Conveyance loss} = (S)(\text{length of ditch in miles})$$

$$\text{Conveyance loss} = (\underline{0.60} \text{ cfs/mi}) (\underline{2.4} \text{ mi})$$

$$\text{Conveyance loss} = \underline{4.44} \text{ cfs}$$