

01/12/2007

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

RIGHT NUMBER: 73-152A

NAME AND ADDRESS: CATHERINE M WATSON
4177 RD L
ORLAND CA 95963

LEE J WATSON
4177 RD L
ORLAND CA 95963

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 3.200 CFS

Right Nos. 73-152A and 73-153A are limited to a total combined diversion rate of 3.2 cfs.

PRIORITY DATE: 05/01/1886

POINT OF DIVERSION:

T14N R22E S35 NESW 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	3.200 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T14N R22E S22	SWNE	37.00	T14N R22E S22	SENE	11.00
T14N R22E S22	NESE	40.00	T14N R22E S22	NWSE	37.00
T14N R22E S22	SWSE	39.00	T14N R22E S22	SESE	39.00
T14N R22E S23	NESW	15.00	T14N R22E S23	NWSW	40.00
T14N R22E S23	SWSW	40.00	T14N R22E S23	SESW	38.00
T14N R22E S26	NENW	38.00	T14N R22E S26	NWNW	40.00

414 ACRES TOTAL

This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 414 acres in a single irrigation season. Combined Right Nos.: 73-33, 73-152A, 73-153A, 73-2151, 73-10100.

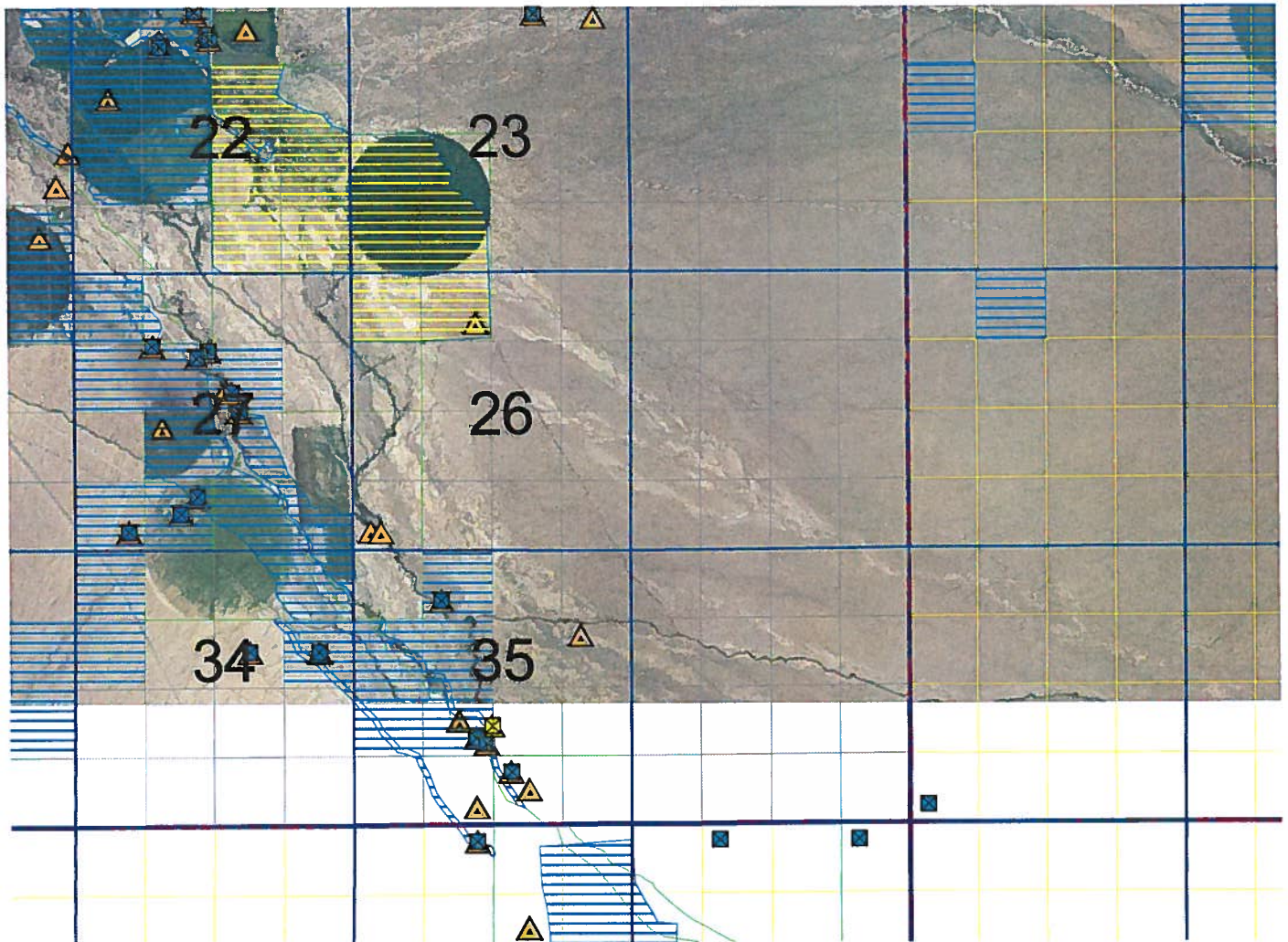
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

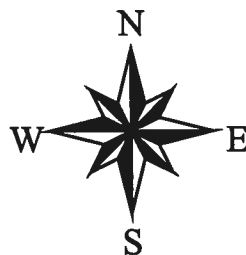
Basin 73 Watson

73-152A etc POU



1 0 1 2 Miles

- Sections
- Custer taxlots
- Lemhi taxlots
- GCDB14N22E GCDB
- Township/Range
- Recommendation POD
- Recommendation POU
- QQ
- ▲ SpatialData



D. Shaff
1/12/06
2004 Photography

11/02/2006

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

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4177 RD L
ORLAND CA 95963

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SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 3.200 CFS

Right Nos. 73-152A and 73-153A are limited to a total combined diversion rate of 3.2 cfs.

PRIORITY DATE: 05/01/1886

POINT OF DIVERSION:

T14N R22E S35 NESW 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	3.200 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T14N R22E S22	SWNE	37.00	T14N R22E S22	SENE	11.00
T14N R22E S22	NESE	40.00	T14N R22E S22	NWSE	37.00
T14N R22E S22	SWSE	39.00	T14N R22E S22	SESE	39.00
T14N R22E S23	NESW	15.00	T14N R22E S23	NWSW	40.00
T14N R22E S23	SWSW	40.00	T14N R22E S23	SESW	38.00
T14N R22E S26	NENW	38.00	T14N R22E S26	NWNW	40.00

414 ACRES TOTAL

This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 414 acres in a single irrigation season. Combined Right Nos.: 73-33, 73-152S, 73-153S, 73-2151.

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

02/21/2006

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

RIGHT NUMBER: 73-152A
NAME AND ADDRESS: CATHERINE M WATSON
4177 RD L
ORLAND CA 95963

LEE J WATSON
4177 RD L
ORLAND CA 95963

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 3.200 CFS

Right Nos. 73-152A and 73-153A are limited to a total combined diversion rate of 3.2 cfs.

PRIORITY DATE: 05/01/1886

POINT OF DIVERSION:

T14N R22E S35 NESW 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	3.200 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T14N R22E S22	SWNE	1.30	T14N R22E S22	SENE	3.40
T14N R22E S22	NESE	40.00	T14N R22E S22	NWSE	24.00
T14N R22E S22	SWSE	39.00	T14N R22E S22	SESE	38.00
T14N R22E S23	NESW	14.00	T14N R22E S23	NWSW	40.00
T14N R22E S23	SWSW	21.00	T14N R22E S23	SESW	9.30

230 ACRES TOTAL

This right is limited to the irrigation of 160 acres within the place of use described above 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

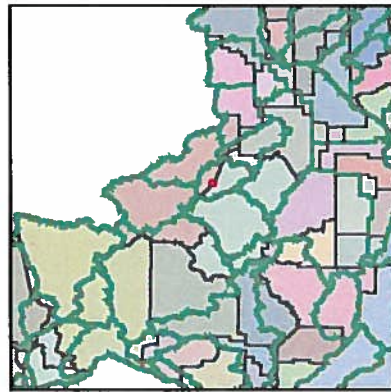
**73-33, 73-152A,
73-153A, 73-2151**

Adjudication Claim Number:

**T14N R22E
T14N R23E**

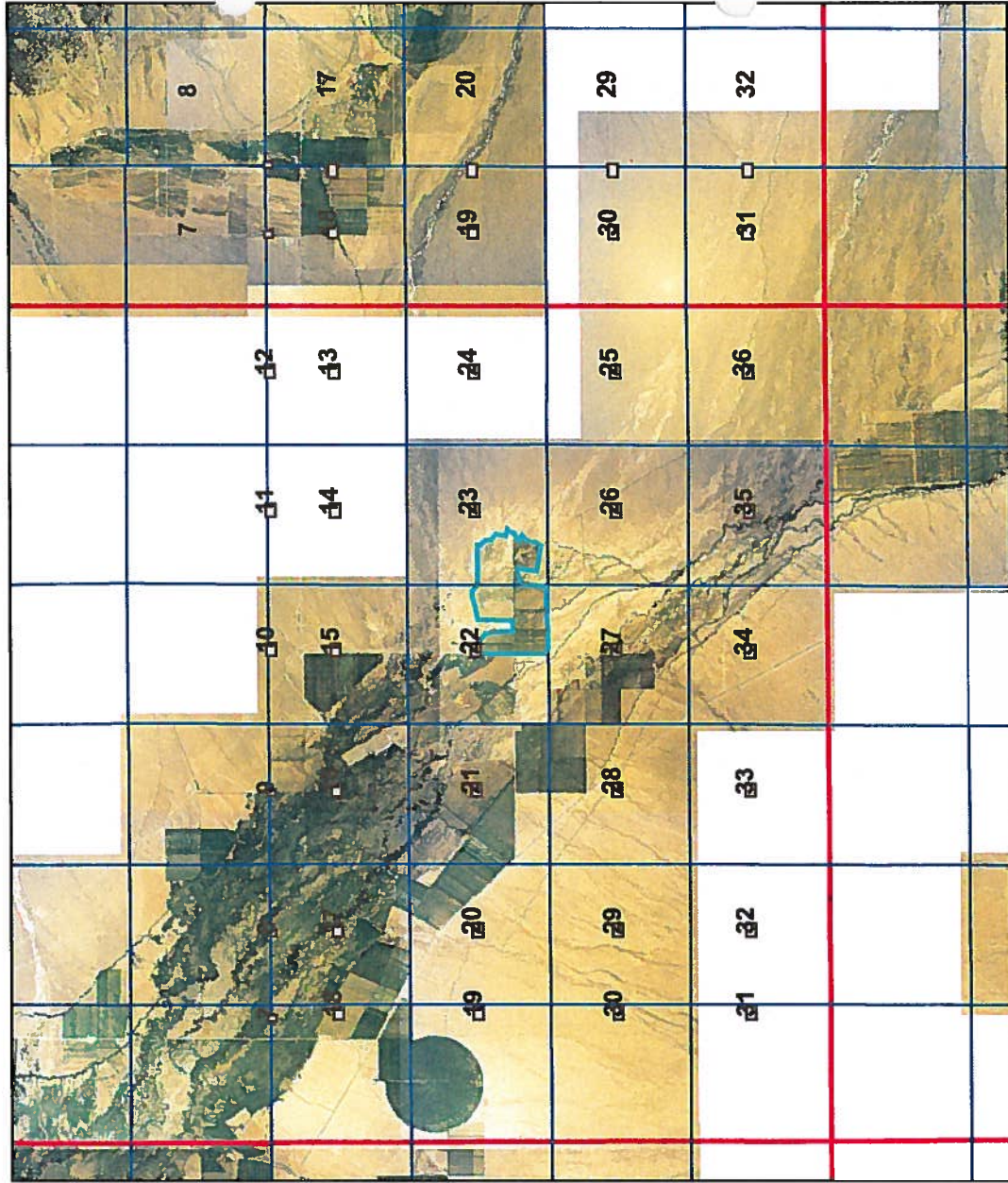
Legend

- Place of use
- Township/Range
- Sections



Custer County
IDWR Basin 73

Prepared by R. Brown
On Tuesday, February 21, 2006
1988 Aerial Photography



0 2 4 Miles



Water Right Number: 73-152
 Division Rate: 10.4 CFS
 Reviewer Name: R. Brown
 Date: 2/13/2006

[illegible]

Water Right Number: 73-152
Diversion Rate: 10.4 CFS
Reviewer Name: R. Brown
Date: 38761

Split Tree

73-152A

(160.0 ac & 3.20 cfs)

73-10061

(160.0 ac & 3.20 cfs)

73-10071

(80.0 ac & 1.60 cfs)

73-152

(520.0 ac & 10.40 cfs)

Summary

[illegible]

WATSON

WATER DISTRICT # 73 -WATER RIGHTS PLAN INFORMATION SURVEY

DECEMBER 2002

USERS NAME
 Lee & Williams
 Watson

ADDRESS
 4177 Rd L
 Oakland, CA 95463

PHONE NUMBER
 530 865 7886

LIST OF ALL WATER RIGHTS STREAM NAME	WAT. RIGHT #	POINT OF DIVERSION	LEGAL DESCRIPTION	LOCKABLE		WEIR OR MEASURING DEVICE		DESCRIPTION OF GENERAL TYPE / MAKE		DIMENSIONS HEADGATE		LOCATION HEADGATE		LOCATION MEASURING DEVICE		OTHER INFORMATION
				YES	NO	YES	NO	YES	NO	HEADGATE	HEADGATE	HEADGATE	HEADGATE	MEASURING DEVICE	MEASURING DEVICE	
Pahsimeni River	00152A	T14NR22E526	See attached		X											
Pug Creek	00153A	T14NR22E526			X											
Pahsimeni River	10100	T14NR22E526			X											
Pug Creek	10096	T13NR23E513			X											
Pug Creek	10096	T14NR22E526			X											
Pug Creek	10099	T13NR23E513			X											
Pug Creek	10099	T14NR22E526			X											
Pahsimeni	02044	T13NR23E511			X											
Patterson Creek	02151	T14NR22E523			X											

RETURN BY DECEMBER 18, 2002

MAIL FORM BACK TO ONE OF THE FOLLOWING :

- DOUG PARKINSON
- P.O. BOX 65
- ELLIS, ID 83235
- 876-4450
- JERRY HAWKINS
- HC 61 BOX 3050
- CHALLIS, ID 83226
- 879-2058
- GEORGE MILLER
- 50 P MILLER ROAD
- MAY, ID 83253
- 876-4280

Shaff, Don

From: Shaff, Don
Sent: Thursday, November 02, 2006 3:50 PM
To: 'lwatson@ottoconstruction.com'
Subject: Revised Recomm

Hello Lee,

I hope we can speed our communication by this means to help you resolve the issues you raised in the Notice of Error. I discovered an aerial photograph filed with the claim for 73-152A that helps prove the point you made about the 1987 photography and irrigation. You should find attached a revised map that reflects the 414 acres shown in the recommendations. I have attached the recommendation for 73-33 as an example of the results. I trust you can apply the same approach to the other water rights. I do not see, at this point, modifying the quantities (cfs or inches) or the priority dates.

Feel free to call me later today or next week, if you want to talk about the map. I have a copy, and I think we can communicate effectively, if you want to direct me to particularly areas on the map. I am out of the office tomorrow (11/03) and Monday (11/06) afternoon.



73-33 Revised
Prelim.RTF



73-watson.jpg

Thanks for your involvement to get your water rights described properly.

Don Shaff
(208)287-4921
don.shaff@idwr.idaho.gov

Smith, Danni

Don't been trying to reach Roxanne I called him so he sent it to me

Danni

From: Lee Watson [lwatson@ottoconstruction.com]
Sent: Wednesday, November 01, 2006 2:30 PM
To: Smith, Danni
Subject: FW: Watson water rights in basin #73 2nd request

Danni

I have trying to send this e-mail to Roxanne and I just found out today that she is no longer at IDWR. Please forward to the right person or contact me with a response. I can be reached either by telephone at 916 417 4117 or at this e-mail address.

Thank You

Lee Watson

From: Lee Watson
Sent: Wednesday, November 01, 2006 11:42 AM
To: 'roxanne.brown@idwr.idaho.gov'
Subject: Watson water rights in basin #73 2nd request

Roxanne

I have review you letter dated Oct. 8th 06 and I offer the following response. One the both aerial photo do not show the state of irrigation. The 1988 photo was done during one of the longest droughts, approximately 7 years and should not be used for reference. Idaho law allows for fields to not be irrigated so long as not being more than 5 years continuously. I am in the process on gathering more information and photo to provide to you. Please let me know if there is a dead line date for the information to be provided. Also could you provide me any and all information on the claims to my water rights #73-152A and #73-153A, I have never been notified nor has Mr. Hamilton of any claims being filed.

Thank you,

Lee Watson

This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized and may be illegal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

October 8, 2006

Lee and Catherine Watson
4177 Rd. L
Orland, CA 95963

Re: Snake River Basin Adjudication (SRBA)
Notice of Error Reply – Subcase No. 73-10100

Dear Lee and Catherine,

Thank you for your response to our preliminary recommendation of the water right claim(s) captioned above. This letter is an attempt to answer your questions and address your concerns about the recommendation(s).

It's important to understand that the paperwork you attached to each Reply was not a determination of your water rights; it was a copy of information taken from the original claim in the SRBA. IDWR is required to verify and make its recommendation of your claims to the SRBA Court. We are now going through that process.

73-33, 73-152A, 73-153A

Many of the elements of a water right that has been previously decreed, such as these three, are recommended as they were decreed. This is true of the priority dates and sources for these rights. The season of use, if it is not listed in the decree, is limited to the standard season for all other rights in your area.

Two of the claims (73-152A and 73-153A) were for portions of previously decreed rights. Your neighbors claimed other portions of these rights. IDWR made a determination of which quantity of water belonged to individual claimants, based on the original decrees. Disagreements caused by this type of determination are best settled during the objection phase of the SRBA, when all of the involved parties can work together for a solution. The objection phase will be described in the upcoming Director's Report, which you should receive in the mail shortly.

A water right recommendation in the SRBA must include a list of actual irrigated acres. We use aerial photography to establish the acres irrigated at the commencement of this adjudication: November 19, 1987. In your case, we used 1988 photography to establish your place of use. We found 230 acres irrigated in 1988; this is the basis of our recommended in the SRBA.

A copy of the photography is attached, with your property boundary outlined in black. It does not appear that all of the acres you own were irrigated at that time. With this evidence, we are unable to change our recommendation as requested.

We have also attached a copy of 2006 NAIP photography. The irrigation practice has obviously changed with the installation of pivots; you may now be irrigating more than can be recommended. This may cause a problem for you in the future; I would recommend that you contact IDWR as soon as possible to resolve this issue.

73-10098, 73-10099

IDWR could find no record of the water rights claimed by Mr. Hamilton as 73-10098 and 73-10099. We are unable to recommend these claims.

73-10100

In this case, Dwayne Hamilton had made the original claim with a priority date May 1, 1886. In addition, the claim was made for "high water" (see Remarks on the Adjudication Claim Profile Report). Such a claim is for the beneficial use of water in addition to any decreed or licensed water rights.

We are unable to recommend this claim without additional information. Please complete and submit the enclosed questionnaire. The information you supply describing your water delivery system and irrigation methods is essential in order for our staff to evaluate this beneficial use claim. Much of the information required is technical; you may wish to contact the Soil Conservation Service or other professionals for assistance with the form.

Please call me at (208) 287-4914 if you have additional questions or concerns. You may also reach me using email: roxanne.brown@idwr.idaho.gov.

Sincerely,



Roxanne Brown
Water Rights Supervisor
Adjudication Bureau
Idaho Department of Water Resources

1988

