12/09/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-4101

NAME AND ADDRESS: JUDITH MADSEN
248 PAHSIMEROI RD
ELLIS ID 83235

SOURCE: PATTERSON CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 4.140 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1960

POINT OF DIVERSION:

T15N R21E S26 SWSE Within LEMHI County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	4.000 CFS
STOCKWATER	01/01 12/31	0.140 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T15N R21E S05 Lot 4	NWNW	31.00	T15N R21E S05	SWNW	37.00
T15N R21E S05	SENW	28.00	T15N R21E S05	NWSW	26.00
T15N R21E S05	SWSW	23.00	T15N R21E S06 Lot 1	NENE	16.00
T15N R21E S06 Lot 2	NWNE	6.70	T15N R21E S06	SWNE	3.10
T15N R21E S06	SENE	32.00	T15N R21E S06	NESE	18.00
T15N R21E S06	SESE	23.00			

STOCKWATER same as IRRIGATION

243.8 ACRES TOTAL

This right is limited to the irrigation of 200 acres within the place of use described above in a single irrigation season.

Right Nos. 73-84 and 73-4104 are limited to the irrigation of a combined total of 243.8 acres in a single irrigation season.

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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 - Beneficial Use

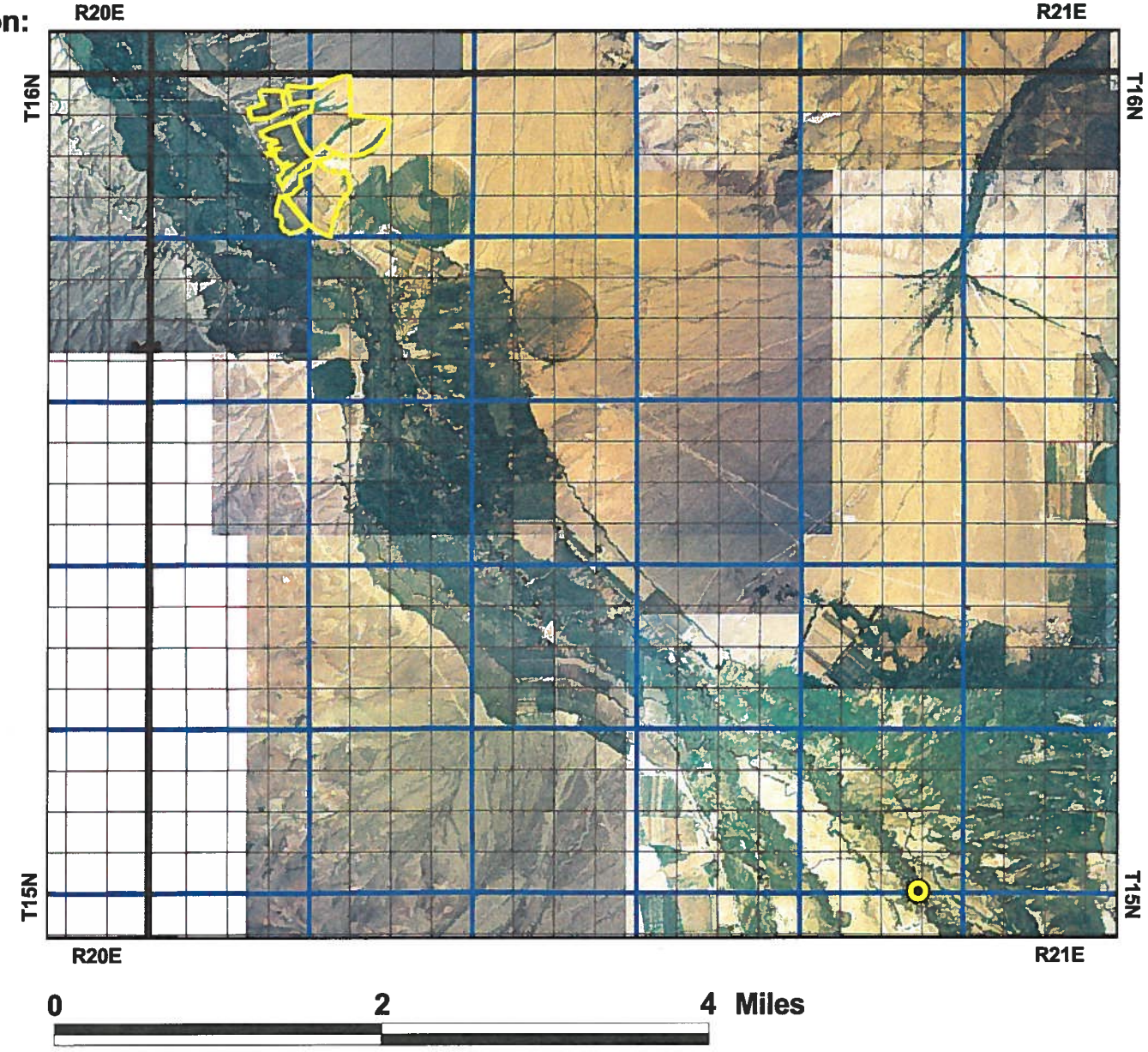
Source is also known as Big Spring Creek, Spring Creek or O Neal Creek.

Idaho Department of Water Resources

SRBA Recommendation:

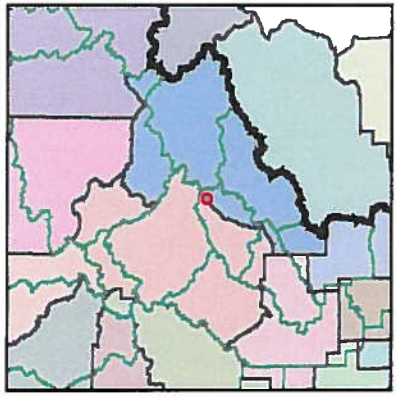
73-4101

(Irrigation)



Legend

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

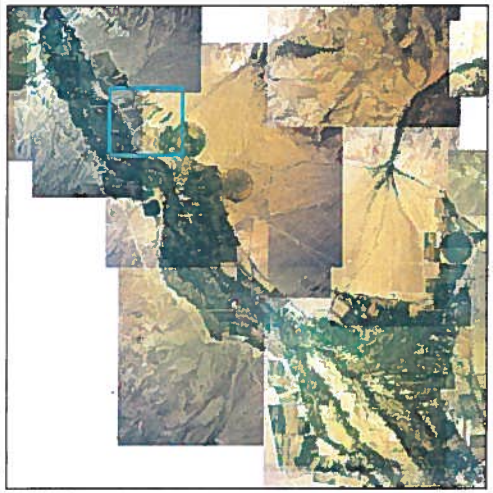


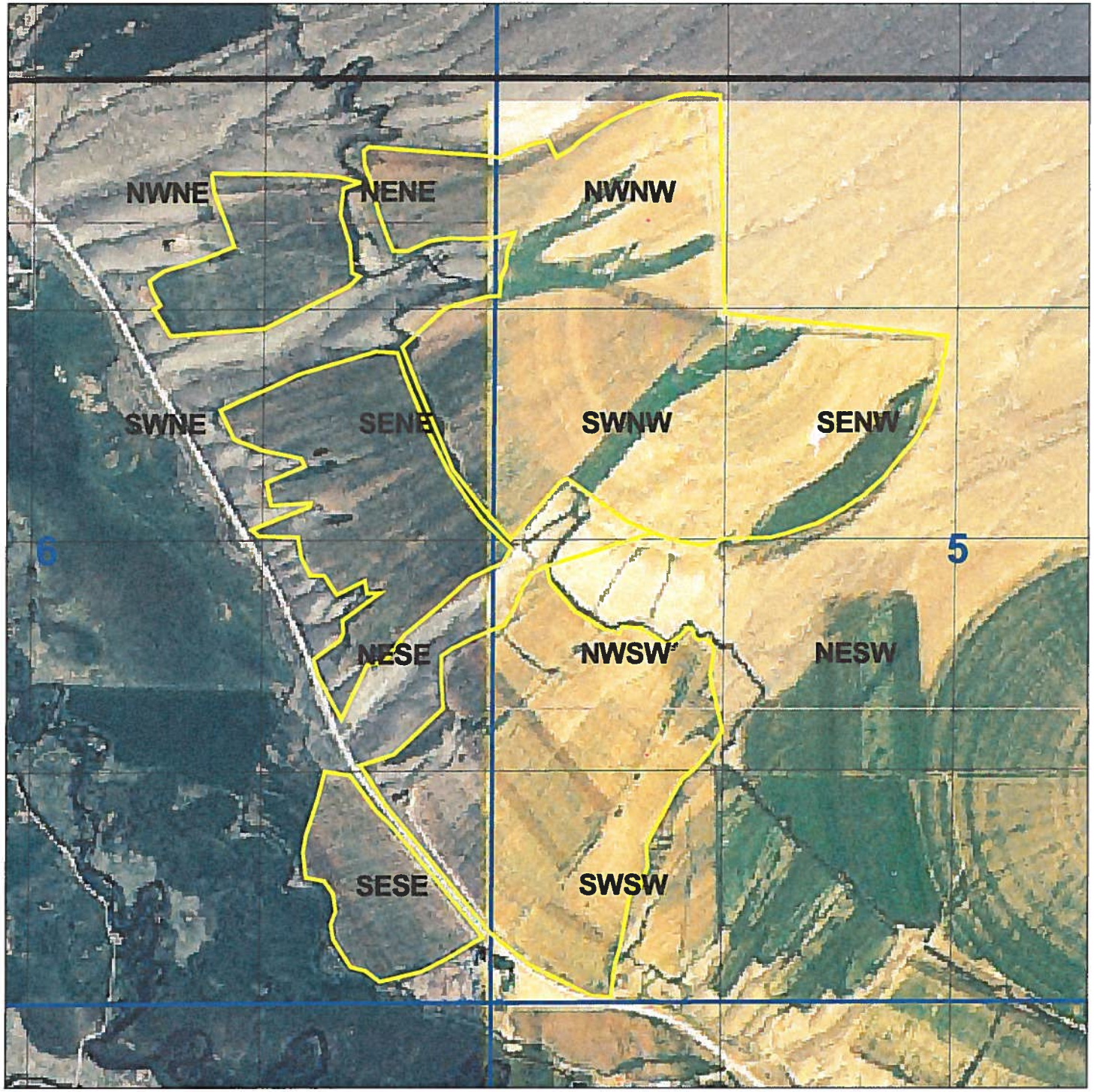
Lemhi, Custer Counties
IDWR Basin 73

N

Prepared by D. Shaff
On Saturday, December 9, 2006
1987/88 Aerial Photography

73-4101




NWNE
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N

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 7, 2006

Judith Madsen
248 Pahsimeroi Rd.
Ellis, ID 83235

Re: Snake River Basin Adjudication (SRBA)
Notice of Error Reply – Subcase No. 73-84, 73-4101

Dear Judy,

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).

73-84

Source The original decree for this right lists the source as "O'Neil or Spring Creek". We understand the right is delivered down the Cotter (or Carter) ditch. It is not unusual for the name of a stream to change over time; for consistency in our records, IDWR uses the current USGS topographic map as a standard for naming. In this case, your source of water is listed as "Patterson Creek" to conform with the map. We have added the Remark, "Source is also known as Big Spring Creek, Spring Creek or O'Neal Creek" to clarify the source. This will not effect your delivery in any way.

Irrigated area We have adjusted the irrigated area to clarify your actual use. Our calculation indicates a total of 243.8 acres.

73-4101

We are unable to recommend this claim without additional information. Since the claim now appears to be for water in addition to 73-84, 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

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

Enclosures

CONVEYANCE LOSS - WORSTELL

NAME OF DITCH: Patterson Creek 3 BY: D. Shaff DATE: Dec 9, 2006

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)	
1	3780	12.0	6.00	3.44	0.00	22.85	0.1505	0.00	36.05	
2	9023	12.0	2.50	3.42	3.20	22.85	0.1497	0.96	32.62	The Nature Cons.
3	10540	7.5	2.50	2.50	8.82	19.65	0.1270	3.77	26.00	Hatch
4	11750	7.5	2.50	2.78	4.00	10.83	0.2570	2.74	14.68	Madsen
5	2000	7.5	2.50	0.47	1.18	6.83	0.0694	0.89	7.90	DiGrigorio
6	2507	7.5	2.50	0.59	5.65	5.65	0.1051	4.85	6.24	Ellis
7				0.00		0.00	0.0000	0.00	0.00	
TOTALS	39600			13.20	22.85			13.20		

REACH = SECTION OF CHANNEL
LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS
AVE WIDTH = AVERAGE TOP WIDTH OF WATER SURFACE IN REACH
SEEPAGE = SOIL SEEPAGE RATE OF REACH
WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD
DELIVERY = TOTAL DELIVERIES IN REACH
DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)
LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT
DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY; REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH; IF MULTIPLE RIGHTS WITHIN REACH, DELIVERY LOSSES SHOULD BE PRORATED BASED ON SIZE OF DELIVERY FOR EACH RIGHT WITHIN REACH
FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

Calculations support 4.14 For this claim.
12/09/06

13-4/01

07/10/2006

IDAHO DEPARTMENT OF WATER RESOURCES

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RIGHT NUMBER: 73-4101

NAME AND ADDRESS: JUDITH MADSEN
248 PAHSIMEROI RD
ELLIS ID 83235

KENNETH MADSEN
248 PAHSIMEROI RD
ELLIS ID 83235

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

No beneficial use found.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.