

09/24/2007

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

RIGHT NUMBER: 67-98

NAME AND ADDRESS: STEPHEN C VANZANDT
176 MAURICE ST N #309
TWIN FALLS ID 83301

SOURCE: UNNAMED STREAM

TRIBUTARY: FALL CREEK

QUANTITY: 0.520 CFS

PRIORITY DATE: 06/01/1895

POINT OF DIVERSION:

T15N R01E S30 NWSWNW Lot 2 Rediversion Within ADAMS County

T15N R01E S35 NWNENE Injection Within ADAMS County

T15N R01E S36 NWNWSW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.520 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T15N R01W S23	SWSE	4.60	T15N R01W S23	SESE	20.00
T15N R01W S26	NENE	11.00	T15N R01W S26	NWNE	6.00

41.6 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

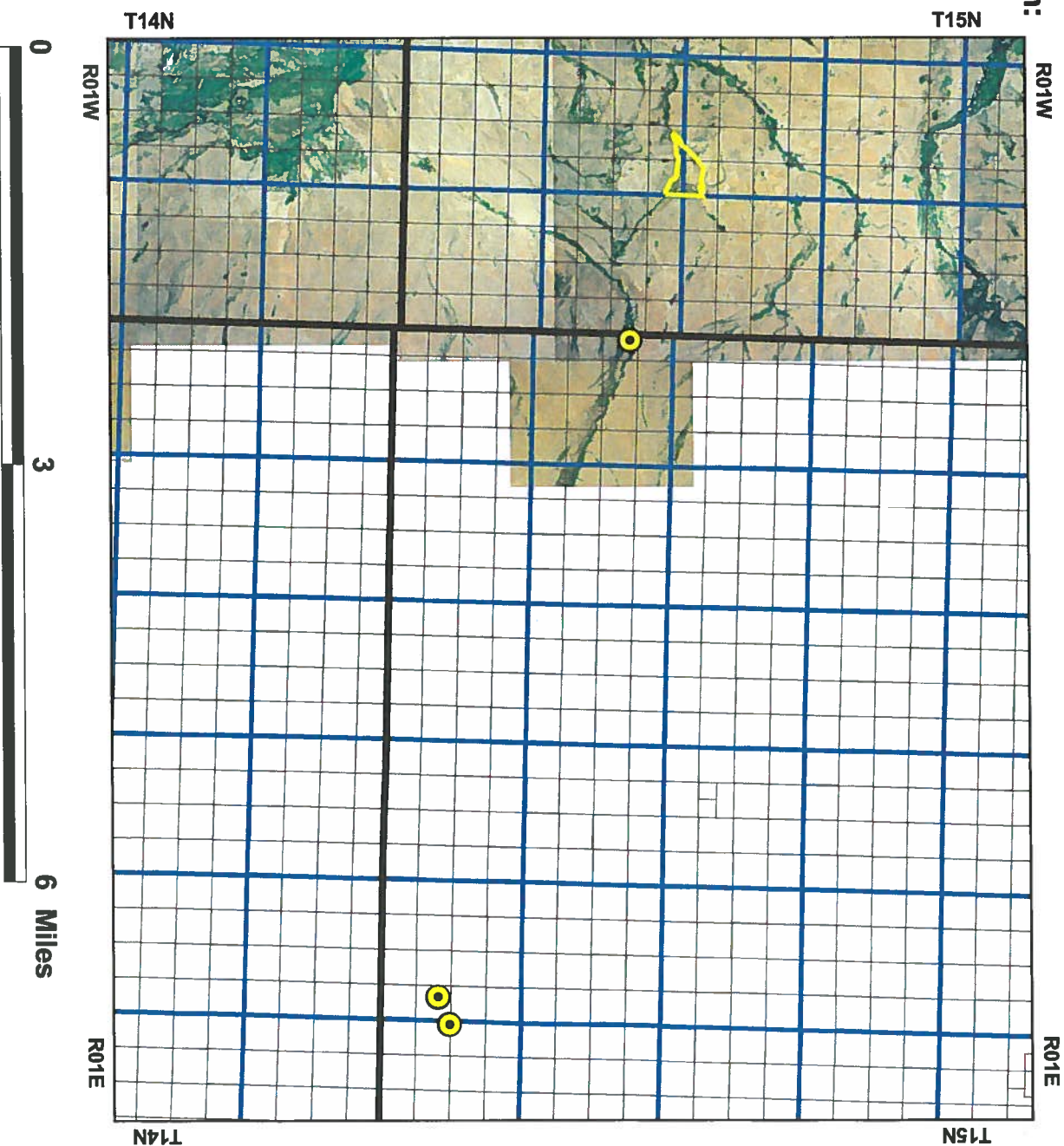
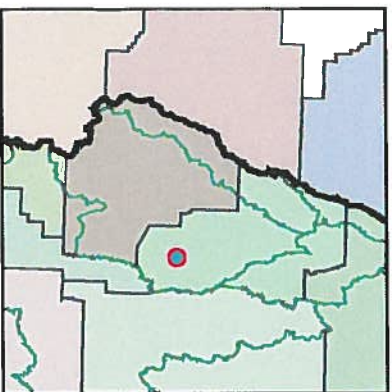
Idaho Department of Water Resources



SRBA Recommendation:
67-98
(Irrigation)

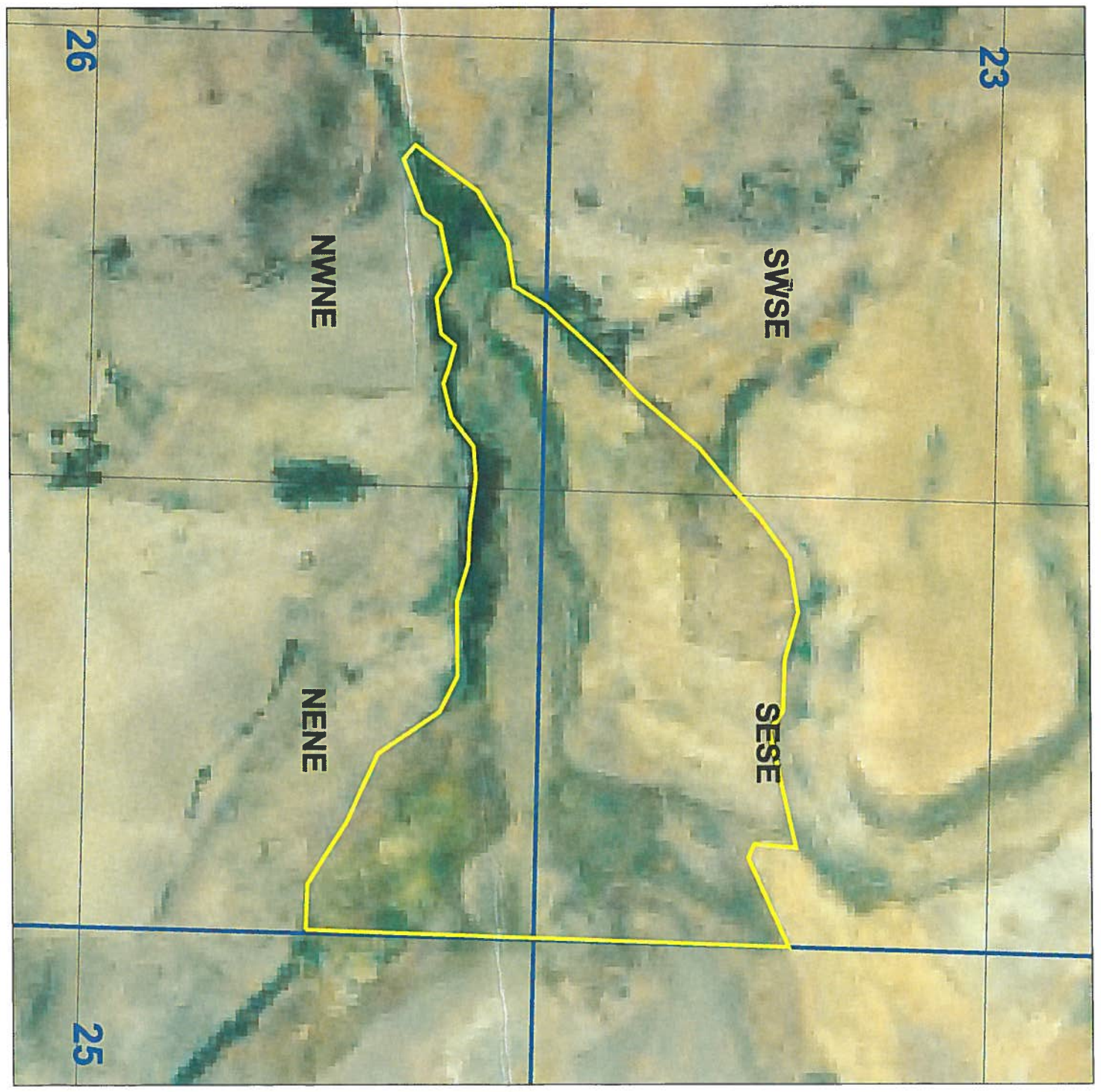
Legend

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



Prepared by IDWR State Office
On Monday, September 24, 2007
1987/88 Aerial Photography

67-98



11/14/2006

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TRIBUTARY: FALL CREEK

QUANTITY: 0.520 CFS

PRIORITY DATE: 06/01/1895

POINT OF DIVERSION:

T15N R01E S35 NESE Within ADAMS County

T15N R01E S36 SWNW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



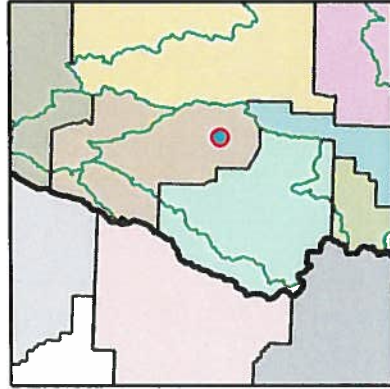
Idaho Department of Water Resources

SRBA Recommendation:

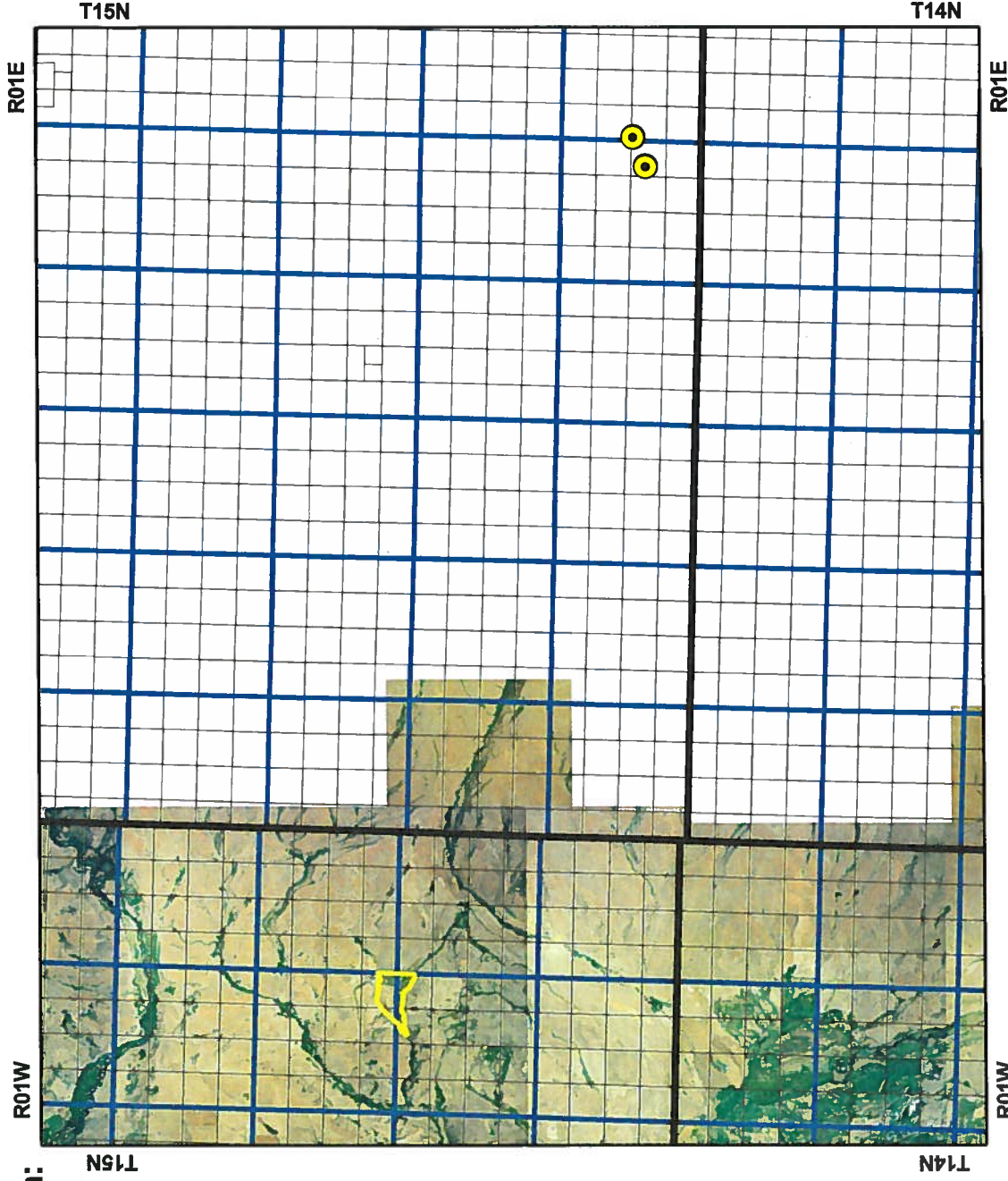
67-98
(Irrigation)

Legend

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



Adams County
IDWR Basin 67



Prepared by S. Egbert
On Tuesday, November 14, 2006
1987/88 Aerial Photography

RECEIVED

DEC 23 2004

WATER RESOURCES
WESTERN REGION

December 19, 2004

Ms. Lori Graves
Sr. Water Resource Agent
Western Regional Office
2735 Airport Way
Boise, Idaho 83705-5082

Steve VanZandt
176 Maurice st. N. #309
Twin Falls, Idaho 83301

Dear Lori,

Thank you again for answering my questions about my surface water right A67-00098 in Indian Valley. I really appreciate all the guidance you have given me. You may recall, I spoke with you in both the summer and autumn of 2003 about Mark Wagner's installation of a pond on his property which interdicted my historical irrigation ditch. Since we spoke, I have consulted extensively with Watermaster, Roger Meyer, and Indian Valley Water Users' Association board member, Wayne Burkhardt, about the best way to reconnect to the unnamed ditch which carries Falls Creek water to my property. Because Mark Wagner sold his property this summer to a Mr. Louie Bandoni, I have worked with the new owner to make sure he was comfortable with my plans.

On November 1, 2004, after I obtained much advice from various irrigation experts, contractors completed the installation of a buried 1300-foot, 10-inch PVC pipe which bypasses the pond and will deliver water to the former delivery point on my property. We also installed a drop box and diversion structure. We moved the diversion point on the unnamed ditch about 100 feet downstream which is a more convenient place but is still on the Wagner property. (Rerouting a ditch was impractical because of the extensive excavation which would have been necessary). Before commencing construction, I consulted with Roger Meyer to make sure it would be OK. He had spoken with IDWR about my water situation and informed me I could proceed with the project.

Thanks again for your help.

Sincerely,



Steve VanZandt

cc. Mr. Roger Meyer, District Watermaster

MEMORANDUM

DATE: 7/27/2002

FROM: Lori Graves 

TO: Fall Creek SRBA Claim Files

RE: Source and Diversion Clarification

Fall Creek is actually tributary to the Weiser River drainage but has been historically diverted and decreed to lands in the Little Weiser River drainage.

The original ditch was built in 1883 and is still in use. A second ditch was attempted in the early 1900's but failed.

Bob Whitman once owned the majority of land that Fall Creek water is decreed to. He hired Bill Thomas many years ago to clean, maintain and regulate the original Fall Creek diversion dam and ditch. At 77 years old, Bill is still at it. On 7/25/02 Bill agreed to show Mike Bishop and myself the Fall Creek diversion and ditch site. From Bill's house, we drove up N Fk Grays Creek to the end of the road in the NESE S35 T15N R1EW. This is the beginning of N Fk Grays Creek and the end of the original man-made ditch used to divert Fall Creek water. From there, we hiked up the man-made ditch to the actual P/D, which consisted of a 4' rock dam used to block the water from flowing naturally into the Weiser River drainage. Instead, the water is diverted into the Little Weiser River drainage via the man-made ditch and N Fk Grays Creek.

The location of the P/D (beginning of the ditch) and end of the ditch were captured with a Garmen GPS unit and downloaded onto the King Hill Creek Topo map (T-58). Based on the GPS results, the actual source should be described as an unnamed stream tributary to Fall Creek. The unnamed stream is diverted into the ditch in the SWSWNW S36 T15N R1E. The ditch flows into the drainage for N Fk Grays Creek in the NESE S35 T15N R1E. Mystery solved.



Basin	Sequence	Suffix	Basis	Priority Date	Rate (cfs)	Source	Water Use(s)	Owner(s)	Source To App ID
67	94		Decreed	1883-07-01	2.4	FALL CREEK	IRRIGATION	C & V HARRELL RANCH LLC (Current)	wrAdjudicationClaim
67	95		Decreed	1883-07-01	1.8	LITTLE FALL CREEK	IRRIGATION	WHITEMAN, ILENE C (Current); WHITEMAN, ROBERT W (Current)	wrAdjudicationClaim
67	97		Decreed	1899-05-01	0.8	FALL CREEK	IRRIGATION, STOCKWATER	GRAYS CREEK RANCH (Current)	wrAdjudicationClaim
67	98		Decreed	1895-06-01	0.52	FALL CREEK	IRRIGATION	VANZANDT, STEPHEN C (Current)	wrAdjudicationClaim
67	99		Decreed	12/30/1907	1.48	FALL CREEK	IRRIGATION, STOCKWATER	GRAYS CREEK RANCH (Current)	wrAdjudicationClaim
67	100 A		Decreed	12/30/1907	0.48	FALL CREEK	IRRIGATION	HOLMES, JOHN W (Current)	wrAdjudicationClaim
67	100 B		Decreed	12/30/1907	0.1	LITTLE FALL CREEK	IRRIGATION	THOMAS, ROBERTA L (Current); THOMAS, WILLIAM R (Current)	wrAdjudicationClaim
67	102 B		Decreed	1883-07-01	0.35	FALL CREEK	IRRIGATION, STOCKWATER	GRAYS CREEK RANCH (Current)	wrAdjudicationClaim
67	2022 B		License	12/30/1907	3.98	FALL CREEK, LITTLE FALL CREEK	IRRIGATION, STOCKWATER	GRAYS CREEK RANCH (Current)	wrAdjudicationClaim
67	4577		Statutory Claim	5/1/1940	0.2	FALL CREEK, UNNAMED STREAM, WEISER RIVER MIDDLE FORK	COMMERCIAL, FIRE PROTECTION, STOCKWATER	BOISE CASCADE CORP (Current)	wrAdjudicationClaim
67	12046		Beneficial Use	1883-06-01	0.03	FALL CREEK	STOCKWATER	UNITED STATES OF AMERICA ACTING THROUGH (Current)	wrAdjudicationClaim
67	12047		Beneficial Use	1883-06-01	0.03	FALL CREEK	STOCKWATER	UNITED STATES OF AMERICA ACTING THROUGH (Current)	wrAdjudicationClaim
67	12127		Beneficial Use	1883-06-01	0.03	FALL CREEK PONDS	STOCKWATER	UNITED STATES OF AMERICA ACTING THROUGH (Current)	wrAdjudicationClaim
67	14266		Decreed	1883-06-01	1.42	LITTLE FALL CREEK	IRRIGATION	W EUGENE FISHER FAMILY TRUST (Current)	wrAdjudicationClaim
67	14267		Decreed	1883-06-01	0.44	LITTLE FALL CREEK	IRRIGATION	DAVIS, KATHLEEN A (Current); DAVIS, LESLIE G (Current)	wrAdjudicationClaim

Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate/ cfs	Source	Water Use(s)	Owner(s)	Source Table
67	96 A		Decreed	Active	12/30/1907	0.58	GRAYS CREEK NORTH FORK	IRRIGATION	BOTT, EDWARD T BUZZ (Current); SINDEN, CAROL ANN (Current)	wrAdjudicationClaim
67	101		Decreed	Active	12/30/1907	1.25	GRAYS CREEK NORTH FORK	IRRIGATION	BOTT, EDWARD T BUZZ (Current); SINDEN, CAROL ANN (Current)	wrAdjudicationClaim
67	102 A		Decreed	Active	1883-07-01	0.35	GRAYS CREEK NORTH FORK	IRRIGATION	BOTT, EDWARD T BUZZ (Current); SINDEN, CAROL ANN (Current)	wrAdjudicationClaim
67	11774		Beneficial Use	Active	1883-07-01	0.88	GRAYS CREEK NORTH FORK	IRRIGATION, STOCKWATER	GRAYS CREEK RANCH (Current)	wrAdjudicationClaim
67	12074		Beneficial Use	Active	1883-06-01	0.03	GRAYS CREEK NORTH FORK	STOCKWATER	UNITED STATES OF AMERICA ACTING THROUGH (Current)	wrAdjudicationClaim
67	12495		Beneficial Use	Active	1877-01-01	0.04	GRAYS CREEK NORTH FORK	STOCKWATER, WILDLIFE	UNITED STATES OF AMERICA ACTING THROUGH (Current)	wrAdjudicationClaim
67	14252		Decreed	Active	1884-06-01	1.97	GRAYS CREEK NORTH FORK	IRRIGATION	W EUGENE FISHER FAMILY TRUST (Current)	wrAdjudicationClaim
67	14253		Decreed	Active	1884-06-01	0.53	GRAYS CREEK NORTH FORK	IRRIGATION	BANTA, ALLAN H (Current)	wrAdjudicationClaim

DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT

(OD-26)

Water Right Number - 67-00098 Adj. Flag Translation: Standard Water Right Number Old (D) Number -
+ - - - - Last Name - - - - + + - - - - First Name - - - + + - - - - Address - - - - - +
*** C - CURRENT OWNER ***
BUZZARD JESSE

- 1 -
 - 2 -
 - 3 -
- City- State- Zip-
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1995 14 D - DECREED

+ - - Source - - - + + - - Tributary - - - - - +
FALL CREEK WEISER RIVER, MIDDLE FORK

+ - - Twn Rng Sec Tract Lot RFlg County Point of Diversion - - - - - +
15N 14E 26 NE, NE Stream Index (Blank if no Index Code) - - - - - +

+ - - Code Description Period From Water Use Diversion Rate Diversion Volume - - - - - +
01 - IRRIGATION 0.520

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
0.520

+ - - Twn Rng Sec Tract Lot Acres Place of Use Description County - - - - - +
15N 14E 23 SW SE 4.6 4.6 20 IRRIGATION 3 ADAMS
15N 14E 23 SE SE 4.6 4.6 20 IRRIGATION 3 ADAMS
15N 14E 26 NE NE 11 11 6 IRRIGATION 3 ADAMS
15N 14E 26 NW NE 6 6 6 IRRIGATION 3 ADAMS

Total Acres: 41.6

+ - - Diversion Means -
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -
+ - - THIS WATER CARRIED IN THE STEWARD DITCH.
+ - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - Decree Plaintiff - - - + + - - Decree Defendant - - - + + - - Decree Date - +
JOHN T. MUIR WILLIAM ALLISON 06/20/1921

145A17H WPA WAT. QUAL.
WATER TEST - 534 - 5867

$$26 \times \frac{6}{3} =$$

$$52 \times = 26$$
$$x = \frac{26}{3.2} = 50$$

Water right number - 67-00098

Adj. flag translation: Standard Water Right Number

+ - - Microfilm Rolls -

+ - - Audit Fields - 04/16/85

05/01/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - - +									
Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-		
Approved/Denied	-	00/00/0000	Protested Date	-	00/00/0000	Swan Falls	-		
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	-	P	
Start Work Date	-	00/00/0000	Verified Date	-	04/16/1985	DLE/Carey Act	-		
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-	67	
Licensed Date	-	00/00/0000	Appl Received	-	00/00/0000	Transfer/Amended	-		
Decree Date	-	06/20/1921							

MICROFILMED
OCT 01 1992