

04/19/2013

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

RIGHT NUMBER: 61-7418
NAME AND ADDRESS: STATE OF IDAHO
DEPT OF LANDS
300 N 6TH ST STE 103
PO BOX 83720
BOISE ID 83720-0050

SOURCE: SPRING TRIBUTARY: CROWN CREEK

QUANTITY: 0.010 CFS
0.100 AFY

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

PRIORITY DATE: 09/26/1980

POINT OF
DIVERSION:

T01N R06E S35 NESW Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	06/01 11/30	0.010 CFS 0.10 AFY

PLACE OF
USE:

STOCKWATER in ELMORE County
T01N R06E S35 NESW

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 - License

61-7418

3/15/13 *sm*

POD - Conflicting MAPS for location (Y13)
1) claim map - bottom of topo Danskin Peak
2) Backfile MAP - top of topo Syrup Creek (Y63)

I am rec'd #2 - sounds crazy, but
cows are gathered in that AREA
in Aerial photo.

source ARIB = okay (spring to Crown Cr.)

ADD: 0.1 AFA Volume

~~NH~~ / N13

6/3/13 updated shapes per field info
from IDL.

Post-review follow up issues for IDL claims in basins 61 and 63.

The rights outlined below need some additional information from IDL staff to clarify a better location of the Points of Diversion and/or the Places of Use (POD/POU). Most of the conflicts found are due to the lack of mapping accuracy available at the time the licenses were filed. With the aerial mapping available today, a more precise point can be identified for each claim filed by IDL.

The rights have an attached map/photo showing conflicts found and identified by the water right claim numbers.

61-7418

This claim file actually had a POD located on the claim map – the exception to these late claims. It conflicts with the point located in the Backfile map. The two points are marked on separate USGS Topo maps: the claim is marked on the bottom of the Danskin Peak topo while the Backfile is shown on the top of Syrup Creek topo. Based on the cows shown in the aerial photo it would look like the lower diversion point is more accurate – a very scientific method. Perhaps IDL could confirm a more exact location to further resolve this POD. Otherwise it can be recommended as prepared. <See photo and rec'd>

61-7419

This claim file also had a POD located on the claim map. The POD and POU do not appear to be located in section 21 but might be better described in section 20 where a source of water is more likely found; based on the aerial photo. <See photo for better illustration of the issue.>

63-9465 & 63-9657

IDL submitted almost identical claims (and identical maps) for these two rights. It appears 63-9465 (IDL #102) is for a trough diversion and 63-9657 (IDL #99) is for a "spring w/excavated pond" for 503 cattle. (Note: the IDL numbers above are noted on the Backfile map and may not be numbers assigned by IDL but are good references on the maps.) On the USGS topo there are two springs marked in the SENE but I have no way to link which spring goes to the trough or the pond – nor do I know where the trough or pond are located. Although at first review of 63-9465, it looked as if the trough was clearly seen in the photo and it wasn't until I reviewed 63-9657 that there was an overlap. If two systems are claimed here please give more details as to where they are located and how the systems exist. <See photo and copy of Backfile map>

63-9479

This right may not have an issue at all. License says it is a spring to a trough and I was able to approximate the POD location from the Backfile map and could easily recommend as claimed. However, there is a large pond very near the POD location and IDL has already amended a claim to correct a pond use. Is the pond a man-made diversion for this right? Is this the actual use for this source and claim? Just want to double check with IDL given what the photo shows. <See photo>

63-9577

The plotted POD in the Backfile map (SWSE) does not appear to be located at a source of water. It appears there may be an error and the actual location of the POD/POU for this right should be moved to the SESE tract to the east. <See photo>

63-9587

This claim is unique as it involves the distribution through a pipeline system to two troughs from a spring over ½ mile away. The Backfile map is poor to scale for this description. Very little appears in the photo to indicate a POD spring. The same can be said for the POU troughs. I had hoped to use the pipeline length information in the Backfile to better estimate these locations. Unfortunately the pipeline numbers were of little help. The Backfile states there are 3400 feet of pipe between the spring and the first trough (IDL#064) and 900 feet of pipe to the second trough (IDL#062). I doubt the pipeline traveled in a truly straight line but it was a guide worth considering. Using GIS mapping to incorporate this info, I was unable to estimate where any of these points are located. The attached photo includes some lines to scale in the photo to help illustrate the distances mentioned. <See photo>

63-9588 & 63-9590

It looked as though 63-9588 was easily located on the aerial photos as claimed. There is a clearly visible pond site in the SENW (Sec. 26) which seems to match the claim and license. In the draft recommendation I have converted the purpose of use for this right to a storage type use based on the pond development. However, when beginning the review for 63-9590 I found that both these claims appear to be located in the same area. Although 63-9590 is claimed and licensed in the NESW, there doesn't appear to be any type of water source in that tract (QQ). It looks to be incorrectly described as to its location. I will need further information from IDL to explain how these two rights relate to the water sources found on the maps of the area. The right 63-9588 is for IDL#094 and 63-9590 is for the IDL#068 as identified on the Backfile map. <See photo and rec'd for 63-9588>

63-9591

This claim/license appears to have been incorrectly described in the QQ locations. It appears the spring might be located in a fenced off area in (SW)NWNE while the trough is across the quarter line in the (NW)SWNE. The claim has been recommended based on the photos and that assumption. I would like confirmation from IDL that this is correct or an explanation of the actual system in place here. <See photo and rec'd>

Review notes for recommendations of late claims filed by IDL.
Sent as an attachment with email to IDL attorney, Tyson Nelson.
Steve Clelland – May 1, 2013

7418

61-7418 claimed map

01M06E

35

61-7418 backfile map POD

SESW

NE SW
SE SW

Source: Esri, DigitalGlobe, GeoEye, Earthstar, USDA, USGS, AER, GeoEye, Aero

