

02/19/2004

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

RIGHT NUMBER: 23-11289

NAME AND ADDRESS: BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK
IDAHO FALLS ID 83401

SOURCE: PRITCHARD CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.340 CFS

PRIORITY DATE: 01/22/1916

POINT OF DIVERSION:

T02N R43E S31 NWSESE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

IRRIGATION

04/15 10/31

0.340 CFS

PLACE OF USE:

IRRIGATION Within BONNEVILLE County

T02N R43E S30

SWSE

5.7

T02N R43E S31 Lot 2 SWNW

0.3

T02N R43E S31

NWSE

8.3

DOMESTIC same as IRRIGATION

14.3 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: Decreed

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 23-11285, 23-11287, 23-11289.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 23-11244 (23-00105).

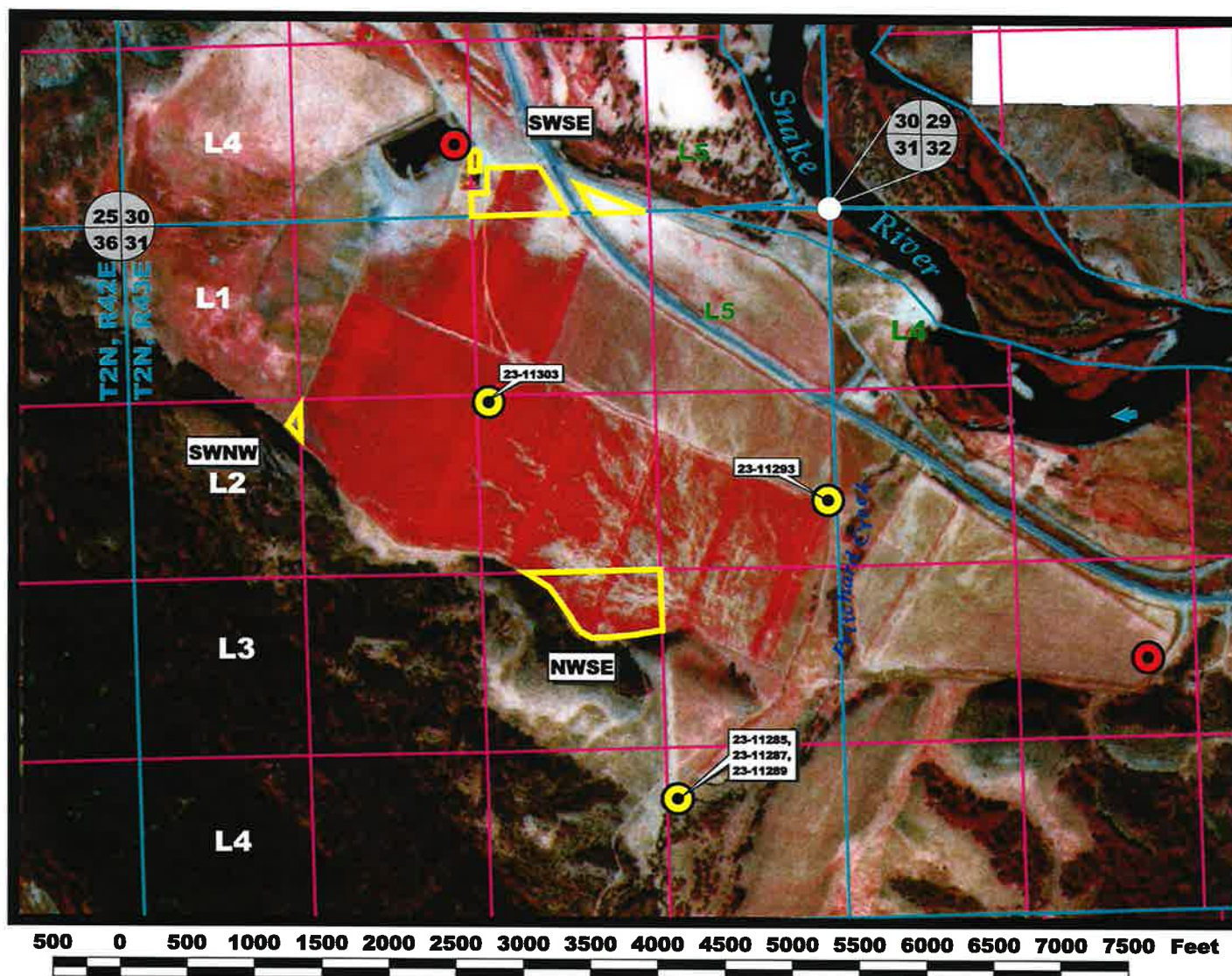


SCANNED
JUL 26 2004

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

23-11285,
23-11287,
23-11289,
23-11293,
23-11303

Place of Use: (parts of)

T2N, R43E
Secs. 30, 31

Point(s) of Diversion:

T2N, R43E
Sec. 31 NWSESE (surface),
NWSWNE, SESENE (wells)

LEGEND

-  Point of Diversion
-  SESE
-  Section
-  Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: February 2004

CONANT VALLEY RANCH & BLM SALTS

11285 - BLM, 14.3 ac @ 0.286 cfs $\Rightarrow$ 0.29

23-52
Ritchard Ck

Parent 3³ cfs @ 0.02 = 160 ac

11286 CUR, 2⁹ cfs on 145² ac

11287 - BLM, 14.3 ac @ 0.286 cfs $\Rightarrow$ 0.29

23-53
Ritchard Ck

Parent 3³ cfs @ 0.02 = 160 ac

11288 CUR, 2⁹ cfs on 145² ac

11289 - BLM, 14.3 ac @ 0.34

23-11244
Ritchard Ck
(Prior Split)

Parent (Split of Original 23-105 @ 16⁰ cfs)

Also See 23-11243 Flow Rpt. $E_{all Pts} = 16^0$

11290 CUR, 13² cfs on 581⁵ ac

11303 - BLM, 14.3 ac @ 0.129 cfs 50⁰⁵ AF

23-11245
Well
(23-205B
prior Split)

Parent - error on original split - herein corrected.

11304 CUR, 2⁶⁴ cfs on 296² ac 1038⁴⁵

11293 - BLM, 14.3 ac @ 0.004 cfs/ac = 0.06 cfs

23-7019
Well

Parent 2.3 cfs on 561⁰ ac to Lic.

11294 CUR 2.24 cfs on 546⁹ ac

11295 BLM, 5.9 ac @ 0.12 cfs

23-42
Garden Ck

Parent 0.50 cfs @ 0.02 = 25 ac

11296 CUR, 0.38 cfs on 18⁹ ac

11297 - BLM, 5.9 ac @ 0.12 cfs

23-43
Garden Ck

Parent 6⁰ cfs @ 0.02 = 300⁰ ac

11298 CUR, 5.88 cfs on 294¹ ac

SCANNED

JUL 26 2004

23-49

11299 - BLM, 5.9 ac @ 0.12 cfs

Parent 2° cfs @ 0.02 = 100 ac

Garden cks 11300 C/R, 1.88 cfs on 94' ac

23-11243

11301 - BLM, 5.9 ac @ 0.12 cfs

Parent (split on 23-105 @ 16° cfs) 505 23-11244

$E_{\text{max}} = 16^\circ$

Flood Rt

Garden cks

11302 C/R, 1.78 cfs on 89' ac

(New Spurt)

23-11246

Parent - even on original split - converted from

11292 - C/R 1.99 cfs on 224' ac - 784'35 ac

Wall
28-2058
(New Spurt)

BLM Ground

$E_0 = 0.48$ cfs surface only; $E_0 \text{ w/wall} = 0.41$ cfs

C/R Ground

$E_0 = 0.92$ cfs surface only

$E_0 \text{ w/wall} = 12.64$

BLM

Pitblume cks $E_0 = 0.92$ cfs

surface only

C/R

Pitblume cks $E_0 = 19.58$ cfs

surface only

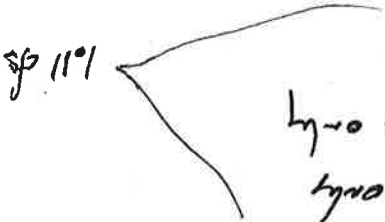
BLM

walls $E_0 = 0.19$ cfs

overs

$E_0 = 2.96$ cfs

C/R



RECEIVED

APR 15 2004

Department of Water Resources

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: April 30, 2004

Water right number: 23-11289

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

NAME AND ADDRESS:

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

BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK
IDAHO FALLS ID 83401

Should be changed to:

UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657
PHONE: (208) 373-4000

Done

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

The address in Idaho Falls is a BLM Field Office. All water rights should be addressed to the BLM Idaho State Office, located in Boise, at 1387 S. Vinnell Way.

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

DATE: 4-9-04

SIGNATURE: Garry A. Wardenford

Please print your name: Garry A. Wardenford

RECEIVED

APR 21 2004

Department of Water Resources
Eastern Region

U.S. DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Idaho Falls Field Office



Wendy Velman
Natural Resource Specialist



Address: 1405 Hollipark Drive
Idaho Falls, ID 83401
Fax: (208) 524-7505

Phone: (208) 524-7520 (office)
Cell: (208) 709-2381
E-mail: wendy_velman@blm.gov

Conant Valley Ranch
2354 Swan Valley Highway
Swan Valley, Idaho 83449

Fax Cover Sheet

To: Al Rubery

Attention: "Al"

Fax Number: 525-7177

Date: Jan 6 Time: 1:20 pm

From: "Shane" Conant Valley Ranch

Remarks: Al, here is the paper
dele on the BLM farm agreement
with CUR, see ya on Monday
my 9's call, Shane

Breeders of Top Quality
Commercial Cattle

Phone Number: (208) 483-2693

Fax Number: (208) 483-2694

DEC 17 '83 09:34AM BLM IDAHO FALLS

Form 252a-1
(October 1992)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

LAND USE APPLICATION AND PERMIT
Sec. 302(b) of P.L. 94-679, October 21, 1976, 43 U.S.C. 1732

FORM APPROVED
OMB NO. 1004-0009
Expires August 31, 1995

FOR BLM USE ONLY

Application Number

IDI-28133

APPLICATION

1. Name (first, middle initial, and last) ANTHONY H. OSTERKAMP, JR.	Address (include zip code) CONANT VALLEY RANCH P.O. BOX 5846 ORANGE, CA 92663-5546	Phone (include area code) 714-639-6980
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2. Attach map or sketch showing public lands for which you are applying

3. Proposed date(s) of use: from **January 1, 1998** to **December 31, 2000**

4. Give legal basis for holding interest in lands in the state of **Idaho**
(Check appropriate box and explain.)

☐ Resident	☒ Partnership
☐ Corporation	☐ County
☐ Local Government	☐ State Government
☐ Other	

5. Are the lands now improved, occupied, or used? ☒ Yes ☐ No (If "yes," describe improvements and purposes.)
Used for storage and cultivation

6. Do you need access to the land? ☒ Yes ☐ No (Describe needed or existing access)

7a. What do you propose to use the lands for?
Continued use for storage and cultivation related to ranching operation.

b. What improvements and/or land development do you propose? (To complete application processing, engineering and construction drawings may be required.)
No additional improvements

c. What is the estimated capital cost? \$	d. What is the source of water for the proposed use?
---	--

I CERTIFY That the information given by me in this application is true, complete, and correct to the best of my knowledge and belief and is given in good faith.

Anthony H. Osterkamp, Jr.
Signature of Applicant

12-5-92
(Date)

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

DEC 17 '03 09:34M BLM IDRAHO FALLS
9093642180

Formal to hereby granted to Anthony H. Osterkamp, Jr.
of Conant Valley Ranch, P.O. Box 5546, Orange, CA 92663-5546

TOWNSHIP	RANGE	SECTION	SUBDIVISION
2 N.	43 E.	30	

Meridian	State	County	Acres (more)
Boise	Idaho	Bonneville	22.3

Lot 2, NW1/4, Sec 30, T2N, R43E, S30

for the purpose of alfalfa farming plus hay and gravel storage

Formal Number: IDI-28133

1. This permit is issued for the period specified below. It is revocable at the discretion of the authorized officer of the Bureau of Land Management, at any time upon notice. This permit is subject to valid adverse claims, encumbrances, or homesteads registered in the public land records.
2. This permit is subject to all applicable provisions of the regulations (43 CFR 2020) which are made a part hereof.
3. The permit may not be assigned without prior approval of the authorized officer of the Bureau of Land Management.
4. Permittees shall not enclose roads or trails commonly in public use.
5. Authorized representatives of the Department of the Interior, all times, have the right to enter the premises on official business.
6. Permittee shall pay the United States for any damage to its property resulting from the use.
7. Permittees shall notify the authorized officer of address changes immediately.
8. Permittees shall observe all Federal, State, and local laws and regulations applicable to the premises and to resources or materials of value or advertising displays including the regulations for the protection of game birds and game mammals, and shall keep the premises in a neat, orderly, and sanitary condition.
9. Permittees shall pay the authorized officer, in advance, the sum of \$2,880
10. 25 PERMIT Fee \$2,880
16. Special conditions (attach additional sheets, if necessary)

Permit issued for period January 1, 1998 (Retractive Date) December 31, 2000

From: [Signature] Area Manager (Authorized Officer)

2/10/98

INSTRUCTIONS

Applicants for Land Use Permits will not be accepted unless the application of the permittee has been published in the Federal Register and for 3 weeks thereafter in a newspaper of general circulation. This provision does not apply in those situations as the publication of a Notice of Realty Action has been published in the Federal Register.

Applicants for Land Use Permits must respond before the public hearing. The applicant and permittee must respond before the public hearing. The applicant and permittee must respond before the public hearing.

Applicants for Land Use Permits must respond before the public hearing. The applicant and permittee must respond before the public hearing. The applicant and permittee must respond before the public hearing.

12/17/2003 10:01 9093642180

DEC 17 '03 09:35AM BLM IDAHO FALLS.

PAGE 04/05

IND-28133
Exhibit A
July 26, 1996



Map Name: Conant Valley Quad

Map scale: 1:24000

Legal: T. 2 N., R. 43 E., BM
sec. 30, Lots 3, 9, and 10
sec. 31, Loc 2, NWSE;

EA Number: _____

Project Name: A. H. Osterkamp Land Use Permit

DEC 17 '03 09:36AM BLM IDAHO FALLS

P.5

IDI-28133
Exhibit B
July 26, 1996
Page 1 of 1

LAND USE PERMIT STIPULATIONS

1. The holder(s) shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder(s) shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 107b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
2. Use of pesticides shall comply with the applicable Federal and state laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the holder shall obtain from the authorized officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the authorized officer. Emergency use of pesticides shall be approved in writing by the authorized officer prior to such use.
3. Any cultural and/or paleontological resources (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.
4. Upon termination of the land use permit, the holder shall seed all disturbed areas, using an agreed upon method suitable for the location. Seeding shall be repeated if a satisfactory stand is not obtained as determined by the authorizing officer upon evaluation after the first growing season.
5. No payments shall be collected from the State of Idaho for damages due to wildlife depredation which may occur on the subject public lands.
6. The permittee shall not store, mix, transfer, load, or unload agricultural chemicals within the land use permit area. This does not constrain the holder from properly applying agricultural chemicals to crops within the land use permit area.

Pritchard Creek Water Rights:
23-11285, 23-11287, 23-11289

ORIGINAL CLAIM
SENT TO COURT

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 23-11244

WATER RIGHT NUMBER: 23-11244

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	M E TOLIVER
	, ID
Current Owner	CONANT VALLEY RANCH PO BOX 5546 ORANGE, CA 92705
Current Owner	CONANT VALLEY RANCH 2350 SWAN VALLEY HWY SWAN VALLEY, ID 83449 (208) 483-2693

Priority Date: 01/22/1916

Basis: Decreed

Status: PARENT: see 23-11289 and 23-11290

$$\frac{14^1}{596^2} = 0.024 \text{ cfs/ac}$$

<u>Source</u>	<u>Tributary</u>
PRITCHARD CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	14.100 CFS	
STOCKWATER	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	14.100 CFS	

Location of Point(s) of Diversion

PRITCHARD CREEK	NW1/4NE1/4	Sec. 6, Twp 01N, Rge 42E, B.M.
BONNEVILLE County		

Place of UseIRRIGATION Within BONNEVILLE County

T02N R43E S30	NWNE	18.0	T02N R43E S30	SWNE	15.0
T02N R43E S30	NENW	29.0	T02N R43E S30 Lot 1	NWNW	34.0
T02N R43E S30 Lot 2	SWNW	30.0	T02N R43E S30	SENE	26.0
T02N R43E S30	NESW	28.0	T02N R43E S30 Lot 3	NWSW	16.0
T02N R43E S30 Lot 4	SWSW	35.0	T02N R43E S30	SESW	33.0
T02N R43E S30	NWSE	1.2	T02N R43E S30	SWSE	11.0
T02N R43E S31 Lot 5	NENE	7.8	T02N R43E S31	NWNE	36.0
T02N R43E S31	SWNE	40.0	T02N R43E S31	SENE	40.0
T02N R43E S31	NENW	40.0	T02N R43E S31 Lot 1	NWNW	33.0
T02N R43E S31	SENE	31.0	T02N R43E S31	NESE	19.0
T02N R43E S31	NWSE	8.6	T02N R43E S32	SWNW	20.0
T02N R43E S32 Lot 5	SENE	1.2	T02N R43E S32	NESW	20.0

SPLIT OR Q

11289

$$14^3_{ac} @ 0.024 = 0.34 \text{ cfs}$$

11290

$$14^1 \text{ cfs} - 0.34 = 13^76 \text{ cfs}$$

$$595^8 - 14^3 = 581^5 \text{ ac ft/min}$$

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 23-11244

T02N R43E S32 NWSW 23.0

Total Acres: 595.8

DOMESTIC same as IRRIGATION
STOCKWATER same as IRRIGATION

Conditions of Approval:

Remarks:

1. Explanatory THIS CLAIM IS A SPLIT PORTION OF 23-00105.

Comments: