

04/26/2004

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

RIGHT NUMBER: 23-11288

NAME AND ADDRESS: CONANT VALLEY RANCH
PO BOX 5546
ORANGE CA 92613

SOURCE: PRITCHARD CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.910 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 19.61 CFS. COMBINED RIGHT NOS.:
23-11286, 23-11288, 23-11290, 23-11294, 23-11304.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 19.58 CFS. COMBINED RIGHT NOS.:
23-11286, 23-11288, 23-11290.

PRIORITY DATE: 06/23/1897

POINT OF DIVERSION:

T02N R43E S31 NWSESE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	2.910 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T02N R43E S19	SESW	10.0	T02N R43E S19	SWSE	35.0
T02N R43E S19 Lot 5	SESE	1.0	T02N R43E S30 Lot 8	NENE	23.0
T02N R43E S30	NWNE	27.0	T02N R43E S30	SWNE	28.0
T02N R43E S30 Lot 7	SENE	34.0	T02N R43E S30	NENW	15.0
T02N R43E S30	SENW	5.3	T02N R43E S30	SESW	3.5
T02N R43E S30 Lot 6	NESE	11.0	T02N R43E S30	NWSE	14.0
T02N R43E S31 Lot 5	NENE	26.0	T02N R43E S31	NWNE	38.0
T02N R43E S31	SWNE	40.0	T02N R43E S31	SENE	39.0
T02N R43E S31	NENW	30.0	T02N R43E S31	SENW	27.0
T02N R43E S31	NESE	25.0	T02N R43E S31	SESE	2.2
T02N R43E S32	SWNW	14.0	T02N R43E S32 Lot 5	SENW	0.6
T02N R43E S32	NESW	18.0	T02N R43E S32	NWSW	22.0

488.6 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 490.3 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-11286, 23-11288,
23-11290, 23-11294, 23-11304.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 145.5 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

04/26/2004

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

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 23-11286, 23-11288, 23-11290.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 23-00053.



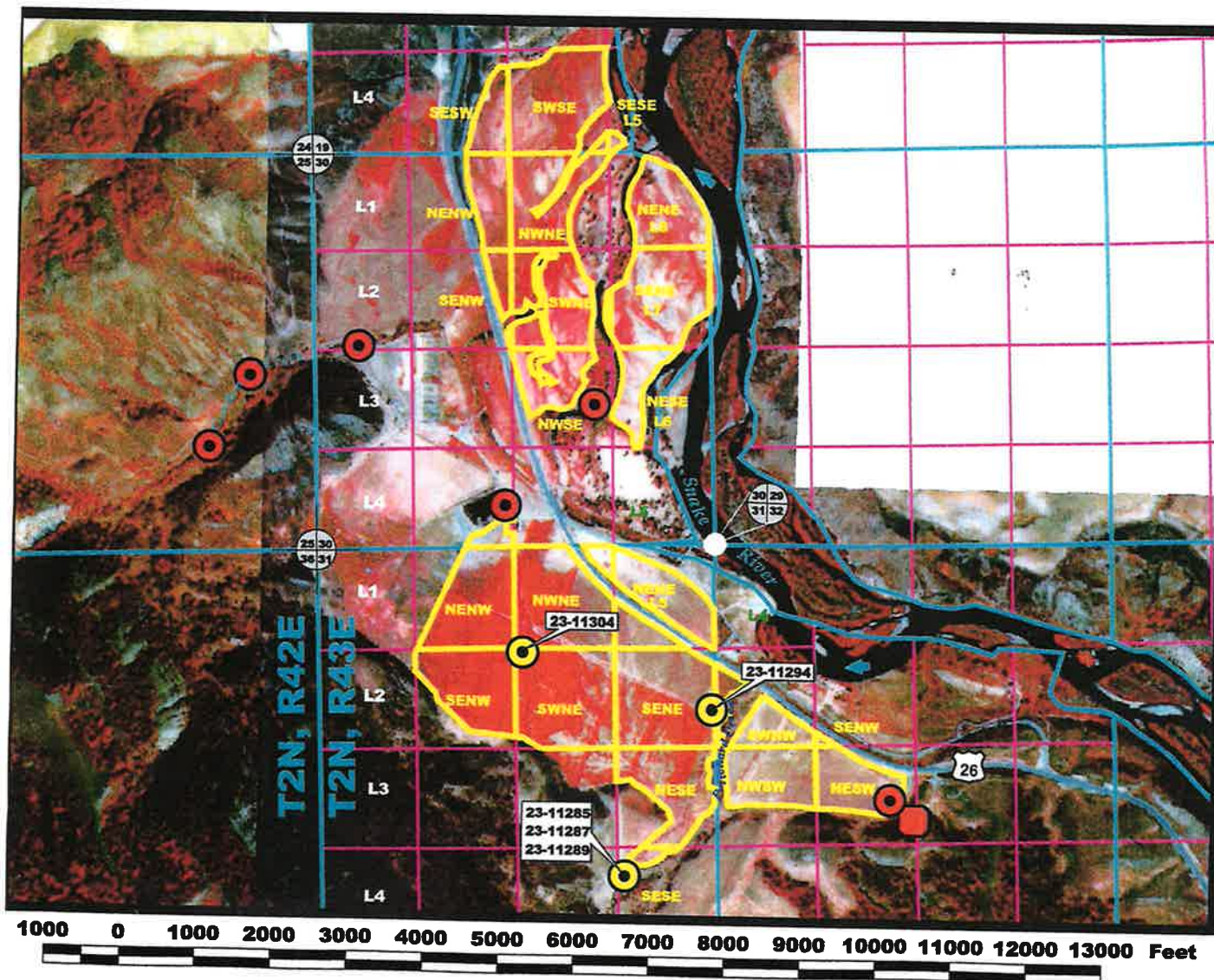
JUL 26 2004

SCANNED

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

23-11286,
23-11288,
23-11290,
23-11294,
23-11304

Place of Use: (parts of)
T2N, R43E
Secs. 19, 30, 31, 32

Point(s) of Diversion:
T2N, R43E
Sec. 31 NWSESE (surface),
NWSWNE, SESENE (wells)

LEGEND

- Point of Diversion
- SESE Place of Use
- Section
- Quarter-Quarter



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

-----Original Message-----

From: Dala Walton [mailto:DWALTON@pn.usbr.gov]
Sent: Monday, April 26, 2004 11:09 AM
To: aruberry@idwr.state.id.us
Cc: E. Gail McGarry; kmarioncarr@yahoo.com
Subject: Basin 23

Al,

In Basin 63 Part 1, Dave Tuthill accepted comments from us regarding federal land involved in the preliminary recommendations. I'm providing the following in hopes this will eliminate objections from us in Basin 23:

23-7004 - According to USGS DOQQ and BLM GCBD no springs are mapped in the SESW, NENW and NWNW. In the SWSW some springs are inside and some are outside the meander line. Outside the meander line is on federal land. A remark that POD's and POU's are not on federal land is asked to me added. "The Point of Diversion and Place of Use does not include a use on Federal Public Land."

23-11212 - The only private land in this 40 is in the NENENENW. We request a remark to narrow the place of use or a remark that POD's and POU's are not on federal land.

23-11279 - The POU listed as T02N R43E S32 NWSE is a trespass on federal land. It should be deleted from the final recommendation.

23-11248 - The POU listed as T02N R43E S30 SWSE is a trespass on federal land. It should be deleted from the final recommendation.

23-11286, 23-11288, and 23-11290 - The POU listed as T02N R43E S29 Lot 2 SWNW is a trespass on federal land. It should be deleted from the final recommendation.

23-10123 - The POU listed includes both private and federal land and should include the remark "The Place of Use does not include a use on Federal Public Land."

23-7087 - The POU listed includes both private and federal land and should include the remark "The Place of Use does not include a use on Federal Public Land."

23-7088 - The POD and POU listed includes both private and federal land and should include the remark "The Point of Diversion and Place of Use does not include a use on Federal Public Land."

Please contact me if you need further documentation or have questions regarding these water rights. Hopefully, we can resolve these before the final recommendations to the court.

02/24/2004

**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:

Water right number: 23-11288

CONANT VALLEY RANCH
PO BOX 5546
ORANGE CA 92613

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 4-6-04 SIGNATURE: Anthony H Osterkamp
Please print your name: Anthony H. Osterkamp

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

4/26/04 Pull ADJUSTED DUE TO BOR e-mail DIRECTING
T2N R43E SEC. 29 LOT 2 (SWNW)
IS FEDERAL PUBLIC LANDS w/o A
Farm AGREEMENT.

RECEIVED

MAR 18 2004

Department of Water Resources
Eastern Region

CONANT VALLEY RANCH & BLM SPLITS

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

23-52
Pritchard Ck

Parent 3³ cfs @ 0.02 = 160 ac
11286 CUR, 2⁹ cfs on 145⁷ ac

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

23-53
Pritchard Ck

Parent 3³ cfs @ 0.02 = 160 ac
11288 CUR, 2⁹ cfs on 145⁷ ac

11289 - BLM, 14.3 ac @ 0.34

23-11244
Pritchard Ck
(Prior Split)

Parent (Split of Original 23-105 @ 16⁰ cfs) Also See 23-11243 $\frac{\text{Flow Rte.}}{\text{Eq. Pts.}} = 16^0$
11290 CUR, 13²⁶ cfs on 581⁵ ac

11303 - BLM, 14.3 ac @ 0.129 cfs 50⁰⁵ AF

23-11245
Well
(23-2058
prior Split)

Parent - error on original split - herein corrected.
11304 CUR, 2⁶⁴ cfs on 296⁷ ac 1038⁴⁵

11293 - BLM, 14.3 ac @ 0.0046 cfs/ac = 0.06 cfs

23-7019
Well

Parent 2.3 cfs on 561⁰ ac to Lic.
11294 CUR 2.24 cfs on 546⁰ 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 18⁰ 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

11299 - BLM, 5.9 ac @ 0.12 cts

23-49

Parent 2nd cts @ 0.02 = 100 ac

Garden Ck 11300 CVR, 1.88 cts on 94¹ ac

11301 - BLM, 5.9 ac @ 0.12 cts

23-11243

Parent (split on 23-105 @ 16th cts) son 23-11244 $E_{\text{anph}} = 16^{\text{th}}$ Food Rt

Garden Ck

11302 CVR, 1.78 cts on 89¹ ac

(Prior Spur)

11291 - BLM, 5.9 ac @ 0.05 cts (0.009 cts/ac) 20th ac

23-11246

Parent - error on original split corrected herein

Well
23-2058
(Prior Spur)

11292 - CVR 1.99 cts on 224¹ ac 704³⁵ ac

BLM Garden Ck $E_Q = 0.48$ cts ³⁶ surface only; E_Q w/won = 0.41 cts
CVR Garden Ck $E_Q = 9^{\text{th}}$ cts surface only
 E_Q w/won = 12th cts

BLM Pritchard Ck $E_Q = 0.92$ cts surface only
CVR Pritchard Ck $E_Q = 19^{\text{th}}$ cts surface only

BLM wons $E_Q = 0.19$ cts
CVR wons $E_Q = 4.96$ cts

1.11 cts

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 23-53

WATER RIGHT NUMBER: 23-53

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

Priority Date: 06/23/1897

Basis: Decreed

Status: **PARENT: see 23-11287 and 23-11288**

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	3.200 CFS	$+ 0.02 = 160 \text{ ac}$
<u>Total Diversion:</u>		3.200 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 Lot 4 SWSW 35.0	T02N R43E S30 SESW 33.0
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 SENW 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 SENW 1.2
T02N R43E S32 NESW 20.0	T02N R43E S32 NWSW 23.0

Total Acres: 398.6

Conditions of Approval:Remarks:

Split of Q

11287

 $14^3 @ 0.02 = 0.286 \Rightarrow 0.29$

11288

 $3.2 - 0.29 = 2.91 \text{ cfs}$ Ac Limits 145² ac

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 23-53

1. General P/D AND P/U INCOMPLETE. AC. IRR. = 164.15.

Comments:

Ruberry, Allen

From: PZumberge@Osterkampgrp.com
Sent: Tuesday, February 17, 2004 3:00 PM
To: aruberry@idwr.state.id.us
Subject: Conant Valley Ranch

Dear Mr. Ruberry:

Please remove the name "Timothy Hopkins" and/or his law firm's name, as it pertains to any water rights filings concerning Conant Valley Ranch.

Thank you:

Paul Zumberge,
Counsel for CVR
3577 W. Philadelphia Ave.
Chino, CA 91710

Direct 909-517-2815
Fax 909-364-2180

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