

01/28/2004

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

RIGHT NUMBER: 23-80
NAME AND ADDRESS: SHURTLEFF RANCHES LTD PARTNERSHIP
399 HEMLOCK CIR
IDAHO FALLS ID 83401
SOURCE: RAINEY CREEK TRIBUTARY: SOUTH FORK SNAKE RIVER
QUANTITY: 2.400 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 13.4 CFS. COMBINED RIGHT NOS.: 23-00063,
23-00078, 23-00080, 23-10858, 23-04043.

THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 23-00063, 23-00078,
23-00080, 23-10858, 23-04043 SHALL PROVIDE NO MORE THAN .02 CFS PER
ACRE.

PRIORITY DATE: 06/01/1891

POINT OF DIVERSION:

T02N R44E S33 SESESW Within BONNEVILLE County

T02N R44E S33 NWSWE 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	2.400 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R44E S05 Lot 4 NWNW	26.0	T01N R44E S06 Lot 1 NENE	20.0
T01N R44E S06 Lot 2 NWNE	36.0	T01N R44E S06 Lot 3 NENW	39.0
T02N R44E S31 NESW	2.0	T02N R44E S31 Lot 1 NWSW	21.0
T02N R44E S31 Lot 2 SWSW	34.0	T02N R44E S31 SESW	35.0
T02N R44E S31 SWSE	10.0		

223 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 518.4 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-00063, 23-00078,
23-00080, 23-10858, 23-04043.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120.0 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

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

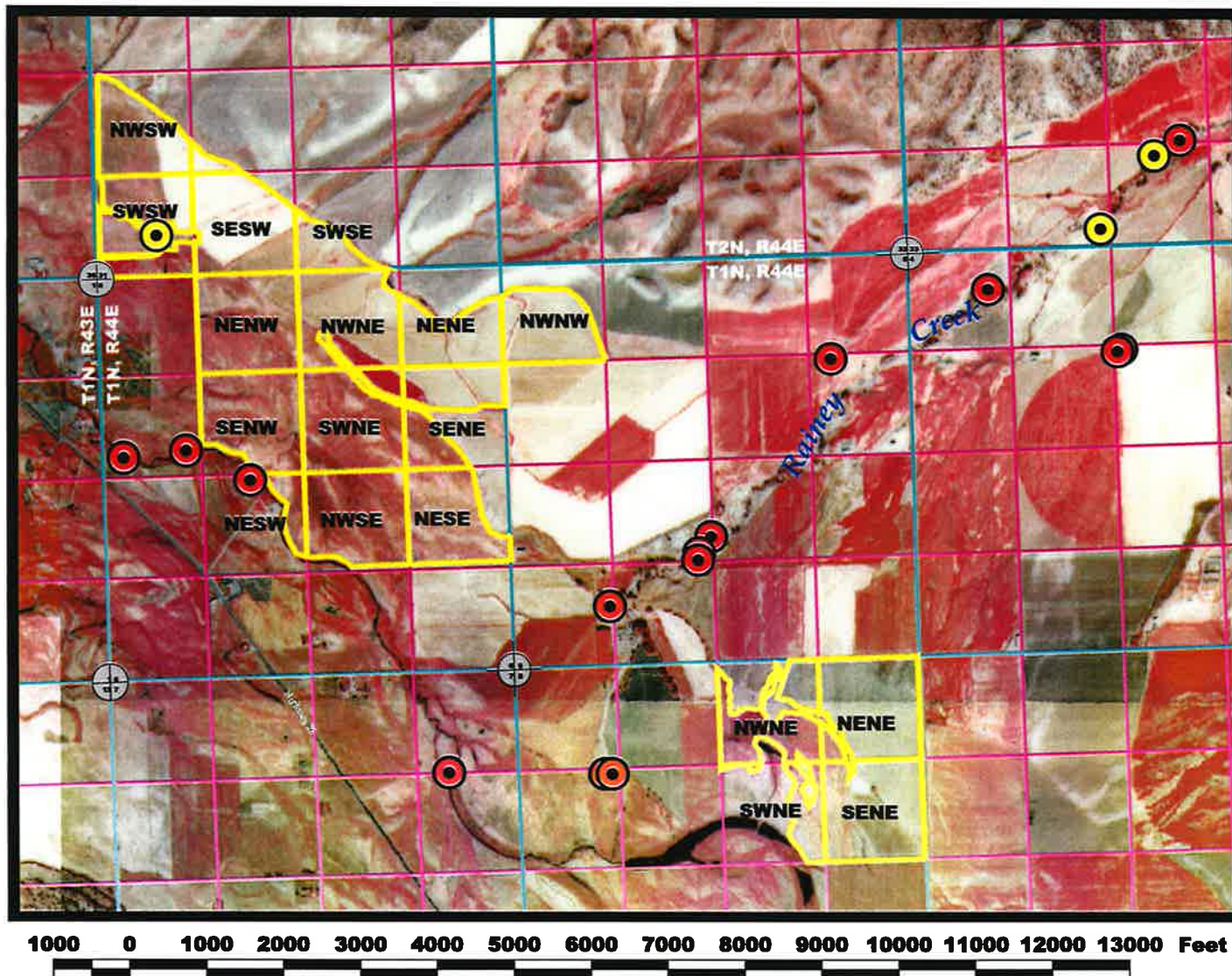


State of Idaho

Department of Water Resources

Eastern Region

JUL 08 2004
SCANNED



Water Right(s):

23-00063, 23-00078,
23-00080, 23-00094,
23-04043, 23-10858.

Place of Use: (parts of)
T1N, R44E Secs. 5, 6, & 8
T2N, R44E Sec. 31

Point(s) of Diversion:
T2N, R44E Sec. 33
SESESW, NWSWSE,
Sec. 31 SESWSW



LEGEND

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

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

01/28/2004

RECEIVED
APR 29 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:

Water right number: 23-80

SHURTLEFF RANCHES LTD PARTNERSHIP
399 HEMLOCK CIR
IDAHO FALLS ID 83401
Telephone Number: (208)523-5675

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:

4/27/04

SIGNATURE:

Bill K. Shurtleff

Please print your name:

Bill K. Shurtleff.

IDWR Regional Office,

RECEIVED
MAY 03 2004

Department of Water Resources
Eastern Region

SCANNED
JUL 08 2004

Contacts Data Entry Form

Water Right No. 23-80

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	SHURTLEFF RANCHES LTD. PARTNERSHIP					
Name connector: and _____, or _____, and/or _____						
Current Owner	_____					
Current Owner	_____					
Representing Attorney:			Phone Number: _____			
Accompanied By:			Phone Number: _____			
Relationship to Claimant: _____						
Date of Field Exam:			Time: _____			

Directions to Property (if different from above) and/or update owner information:

DECREED UNDER ROEBURG IRR Co. vs TOLON IRR Co. 1910,
AS # 98, Wm Shurtliff, June 1, 1891 RAINIER Ck 120" (2 dets)

FB INDICATED: POU/POD, System/Delivery, Overlap
or other 125.

Reviewer: _____

Date: _____

Memorandum

17 July 2003

To: The SRBA files

From: A. Ruberry

Subject: Water Rights Listing of Shurtleff Ranches (SRBA Claims)

Re: 23-00063, 23-00078, 23-00080, 23-00094, 23-04043, 23-10858

<u>Water Right (SRBA Claim)</u>	<u>Priority date</u>	<u>Quantity (cfs)</u>	<u>Acres @ 0.02cfs/ac</u>
23-00063	June 15, 1898	2.4	120.0
23-00078	May 01, 1895	1.0	50.0
23-00080	June 01, 1891	2.4	120.0
23-00094	Jan. 22, 1916	17.6	880.0
23-04043*	June 15, 1898	2.93	145.0
23-10858**	June 01, 1889	5.4	270.0

Notes:

*Statutory claim based on §42-243 IC. Beneficial Use; Evidence of Priority is Req'd for an irrigation recommendation. @ 0.02cfs/ac this right (if confirmed) could serve 145.0 ac. Claim includes stockwater @ 0.03 cfs. The priority date of this claim precedes both Rexburg Irrigation Co. vs Teton Irrigation Co. Decree, 16 December 1910, and, The Palisades Irrigation Co. vs Lynn Crandall (as Watermaster), 16 January 1951, decrees. Therefore, the priority date claimed must be advanced to one (1) day after the last decree cited; 17 January 1951.

**This claim combines old decreed rights 23-00079 and 23-00077 A/B. Same Priority date, Q: 23-00077A, 1.1 cfs; 23-00077B, 1.3 cfs; 23-00079, 3.0 cfs. Σ cfs = 5.4.

Total acreage claimed is 565.0; at 0.02cfs/ac = 11.3 cfs. If all rights (except 23-00094 and 23-04043) are combined the Q= 11.2 cfs. $11.3 \text{ cfs} / 565.0 \text{ ac} = 0.02 \text{ cfs}$; $11.2 \text{ cfs} / 565.0 \text{ ac} = 0.01982 \text{ cfs} \dots$ Rounds to 0.02. However, only 516.2 acres are confirmed by field exam and GIS. Therefore, $0.02 \text{ cfs/ac} \times 516.2 \text{ ac} = 10.32 \text{ cfs}$. Then added to this is a 5%/QQ conveyance loss allowance of 7 QQ's $\times 0.05 = 0.35$ or 35%. So, $10.32 \text{ cfs} \times 1.35 = 13.93 \text{ cfs}$ to be recommended overall. Each right will be recommended with it's cfs but with combined use limits of CFS and acres.

23-00094 is a flood water right decreed under Palisades Irrig. vs L. Crandall, 1951. 17.6 cfs @ 0.02 cfs/ac would allow irrigation of 880.0 acres (total claimed acres is 565.0). When this right is being served (when limited to 0.02cfs/ac) serves the entire 565.0 acres. And, all decreed rights are, in-effect, also being served. This right is basically worthless. However, since this is a decreed right it will be recommended for irrigation of 516.2 acres with 10.32 cfs for irrigation plus 3.61 cfs for conveyance loss regardless of POD used. Making the total Q recommended for this right as 13.93 cfs.

There is no need for the irrigation portion of 23-04043, however, it will be so recommended with permissible POU scenario with all other rights.. The stockwater portion would be recognized at 0.03 cfs, but, with the Priority Date of 17 January 1951 since Palisades Irrig vs L. Crandall (as watermaster) is dated 16 January 1951..

All decreed rights are used in a Permissible Place of Use (PPU) scenario serving the entire 516.0 acre POU. Therefore, all claims of decreed rights will be recommended as PPU with acreage and quantity limits as applicable.

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: JUNE 01, 1891 Claimed Basis: DECREESRecommended Priority Date: 6/01/1891 Recommended Basis: 01☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Priority matches DECREES.

Reviewer: _____

Date: _____



Rainey Creek Diversion Northside
T.2N., R.44E.
Section 33 SWSESW
(Diversion serves several users)
Photo taken 9/30/03 ABR



Rainey Creek Diversion Southside
T.2N., R.44E.
Section 33 NWSWSE
(Diversion serves several users)
Photo taken 9/30/03 ABR

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 2N, R 44E, Sec. 33,____, SW, SE. County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

	Twp	Rge	Sec	Gov Lot	OOQ of QQ of Q	County	Source
②	2N	44E	33		NW/SWSE	BONN	RAINY CK
GPS Coordinates:	_____						
①			33		SESE SW		
GPS Coordinates:	_____						
GPS Coordinates:	_____						
GPS Coordinates:	_____						
GPS Coordinates:	_____						
GPS Coordinates:	_____						

Other rights from this POD? GPS POD - TAG# 1. A009598 2. A009597
BOTH ON WINDY FIELDS.

Document how the POD and Source were verified and/or Pump and Motor data:

POD NOT DEFINED BY DEGREE. Multiple Rts @ POD.
NO CHANGE TO POD only to IDAC tract for RECOMMEND.
ADDED POD DUE TO PERMISSIBLE POD OF ALL Rts

Transfers Changing POD _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
1N	44E	5	NWNW		Bonn		26 ⁰	Prng
		6			"		95 ⁰	"
2N	44E	31			"		102 ⁰	"

Total Acres 223⁰

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

POU NOT ADDRESSED BY DECREE. POU OF ALL LOTS? NOT SO CLAIMED - why?

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Panag	4/1	11/1	2.4	

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Panag	4/1	10/31	2.4	

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

SOL NOT ADDRESSED BY DECREE.(Q) DECREE AS 120" → 120 AC COMBINED USE LIMITS APPLY.

Reviewer: _____

Date: _____

Log for claim 23-00080

Spatial Dynamics LTD

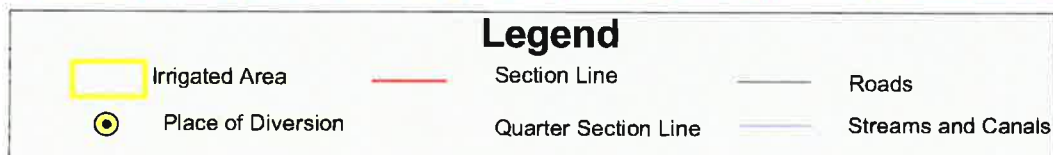
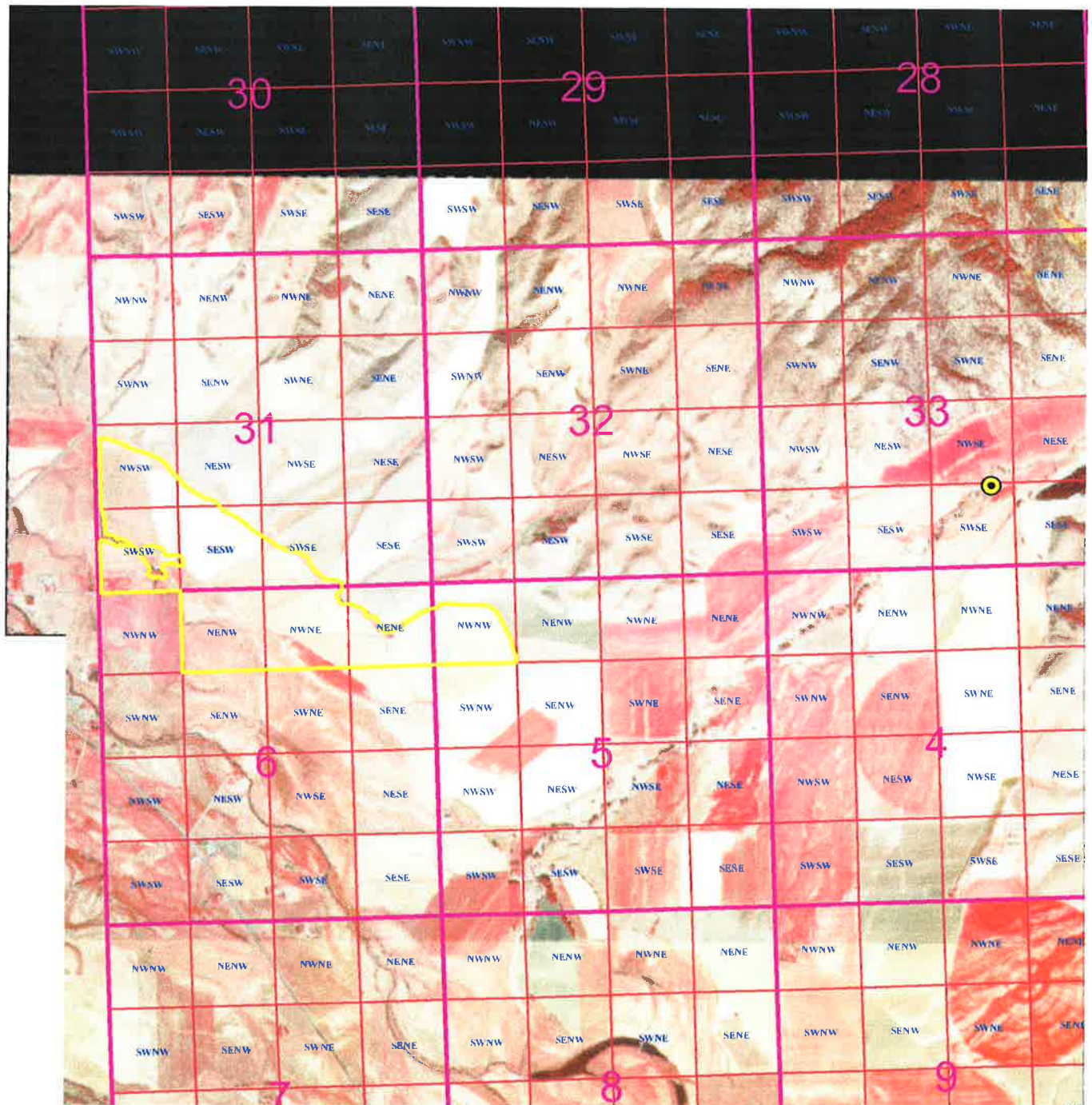
5/31/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01n44e	5	NWNW	26	25	
01n44e	6	NENE	20	23	
01n44e	6	NWNE	36	38	
01n44e	6	NENW	39	39	
02n44e	31	NESW	2	3.2	
02n44e	31	NWSW	21	25	
02n44e	31	SWSW	34	32	
02n44e	31	SESW	35	36	
02n44e	31	SWSE	10	13	
Totals:			223	234.2	

Water Right Claim Number 23-00080

Townships , 2N44E, 1N44E

05/31/2001



1500 0 1500 3000 Feet

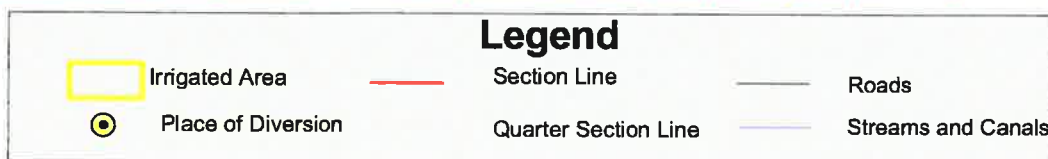
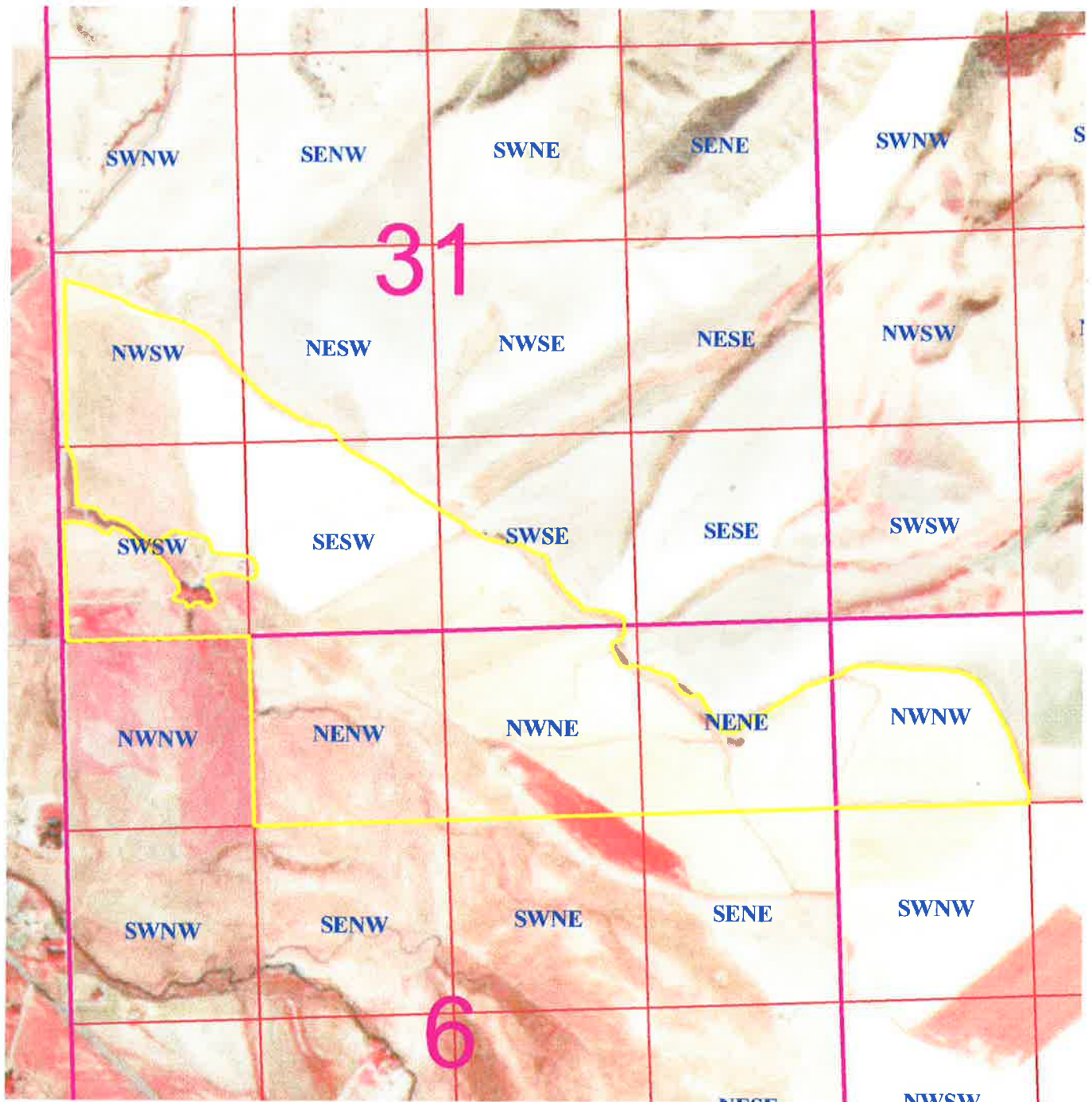


 SPATIAL
DYNAMICS



Water Right Claim Number 23-00080
Townships , 2N44E, 1N44E

05/31/2001



SPATIAL
DYNAMICS

\$50

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A23-00080
Date Received: 9/15/1988
Receipt No: 6910028
Received By: HWS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SHURTLEFF RANCHES LTD. PARTNERSHIP 208-523-5675
Address: 399 HEMLOCK CIRCLE
IDAHO FALLS, ID 83401

2. Date of Priority: JUN 01, 1891

3. Source: RAINEY CREEK Trib. to: SNAKE RIVER, SOUTH F

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	44E	33		SW	SE		BONNEVILL

5. Description of diverting works:
DITCH TO FLOOD IRRIGATION AND DAM,PUMP AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.400		

7. Total Quantity Appropriated is:
2.400 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 557.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	44E	5	NW	NW	4	IRR	26.0
Section Acres							26.0



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	44E	6	NE	NE	1	IRR	20.0
			NW	NE	2	IRR	36.0
			NE	NW	3	IRR	39.0
						Section Acres	95.0
02N	44E	31	NE	SW		IRR	2.0
			NW	SW	1	IRR	21.0
			SW	SW	2	IRR	34.0
			SE	SW		IRR	35.0
			SW	SE		IRR	10.0
						Section Acres	102.0
						Total Acres	223.0

11. Place of use in counties: BONNEVILLE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

RT. A23-00079, A23-00078, A23-00094, A23-00063

14. Remarks:

LTD. PARTNERSHIP INCLUDES; R.N. AND LARAE FERGUSON- BILL AND GARLENE SHURTLEFF- WILMA SHURTLEFF
ADDITIONAL PHONE # 523-9505

15. Basis of Claim: DECREED

Water Right Number: 230080

Case Number:

Court :

Decree date: 12/16/1910

REXBURG IRRIG. CO. ET AL

Decree Plaintiff

vs

TETON IRRIGATION CANAL CO ET A

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Spice K. Shurhoff* Date: *8/28/89*

Sequel Partners Date:

State of Idaho

County of *Lamaille*

Shurhoff Ranch
} SS.
}

Subscribed and sworn (or affirmed) before me this *28th* day

of *August* 19 *89*

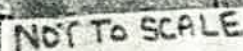
Karen Mainer
Notary Public

Seal

Residing at *823 Buckboard Ct.*

My Commission Expires *June 4 1991*

A 23-0080



NOV 07 1992