

03/25/2003

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

RIGHT NUMBER: 29-7729

NAME AND ADDRESS: IRVIN L SPRAKER
745 N OLD HWY 91
INKOM ID 83245

SOURCE: PORTNEUF RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.180 CFS
31.500 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.18 CFS. COMBINED RIGHT NOS.: 29-7729
AND 29-7209.

PRIORITY DATE: 06/14/1983

POINT OF DIVERSION:

T07S R36E S34 SENE Within BANNOCK County Source: PORTNEUF RIVER

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.180 CFS 31.50 AFY

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R36E S34 SENE 9.0

9 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 9.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-7729 AND 29-7209.

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: License



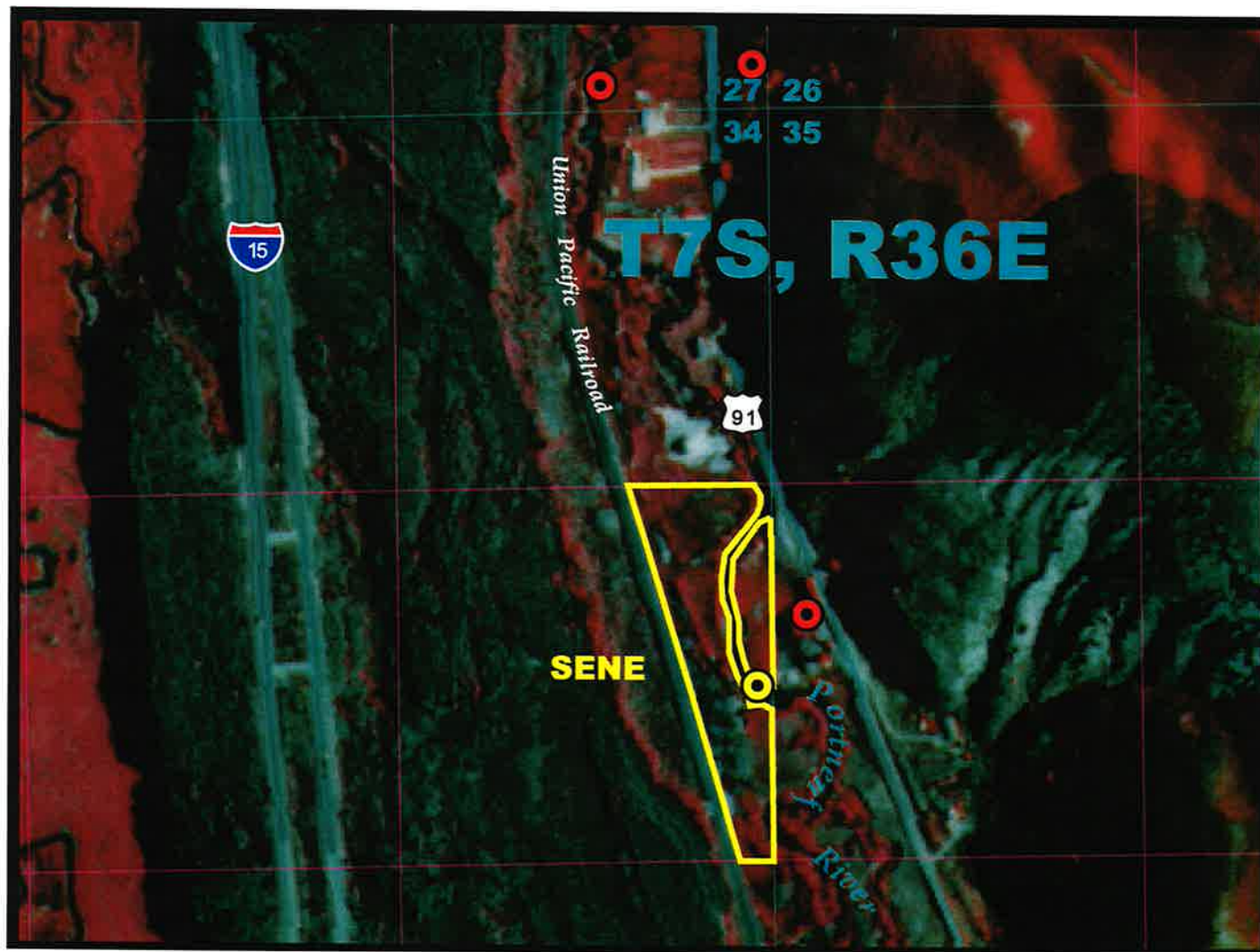
State of Idaho

Department of Water Resources

Eastern Region



PROFILED



500 0 500 1000 1500 2000 2500 3000 3500 Feet

Water Right(s):
29-7729

Place of Use: (parts of): T7S, R36E
Sections 34 SENE

Point(s) of Diversion: T7S, R36E
Sec. 34 SESENE



LEGEND

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

CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number(s): ^{Done} 29-7209, ^{Done} 29-7729, ^{Done} 29-297C
^{Done} 29-285C

[] Old Mailing Address: Bruce Spashok
729 N Old Hwy 91
Tukom Rd 83245

[] New Mailing Address: 745 N Old Hwy 91
Tukom Rd 83245

[] Telephone Number: 775-3410

[] Signature of Claimant: Bruce Spashok

[] Date: 25 March 2003

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

PROFILED

SCANNED

MAY 11 2006

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07729

Priority: June 14, 1983

Maximum Diversion Rate: 0.18 CFS
Maximum Diversion Volume: 31.5 AF

This is to certify, that IRVIN L SPRAKER
745 N OLD HW 91
INKOM ID 83245

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated June 14, 1983; and
has submitted Proof of Beneficial Use on March 29, 1990. An examination indicates
that the works have a diversion capacity of 0.370 cfs of water from:

PORTNEUP RIVER

tributary to **SNAKE RIVER**

source, and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

04/15 to 10/15

0.18 CFS

31.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE, Sec. 34, Township 07S, Range 36E
BANNOCK County

PLACE OF USE: IRRIGATION

TWN RGE SEC

07S 36E 34

ACRES

SENE 9

ACRES

ACRES

TOTAL

9

Total number of acres irrigated:

9

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 29.
6. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 29-07729

CONDITIONS OF APPROVAL AND REMARKS

7. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 4TH
day of FEBRUARY, 1998.


Acting for KARL J. DREHER, Director

☒ Additional Computation Sheets Attached

Measured Method:

Q) Ther: $\frac{5HA(8.214) \cdot 7 \text{ eff}}{8' \text{ Lift} + (33 \text{ PSI} \times 2.302)} = 0.37 \text{ CFS}$

Q Limited by 0.02 CFS/ac to 0.28 CFS

G. VOLUME CALCULATIONS

Limited by Permit to 0.20 CFS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 14 \times 3.5 = 49 \text{ AFA}$$

$$V_{DL} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.20(183)/1.9835 = 73 \text{ AFA}$$

$V = \text{Smaller of } V_{LR} \text{ and } V_{DR} = 49.4 \text{ FA.}$

2. Volume Calculations for Other Uses:

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (af)
	From	To		
Irrigation	4-15	10-15	0.20 CFS	49 AFA
Totals:			0.20 CFS	49 AFA

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above ☒ None
 ___ Change P.U. as reflected above ___ Add P.U. as reflected above ☒ Other

I. AUTHENTICATION

Field Examiner's Name Steven Garrison Date 30 JUL 96

Reviewer _____ Date _____

SEAL

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{ds} = [(Hp)(8.814)(Eff)] + [Lift + (psi \times 2.308)]$$

Hp = Horsepower = 5
Eff = Efficiency = .7 (Usually 70%)
Lift: (Static Level + Assumed Draw down)
Static Water Level = 8 ft.
Assumed Draw down = + 0 ft.
Lift = 8

OR

Measured Dynamic Water Level = _____ ft.

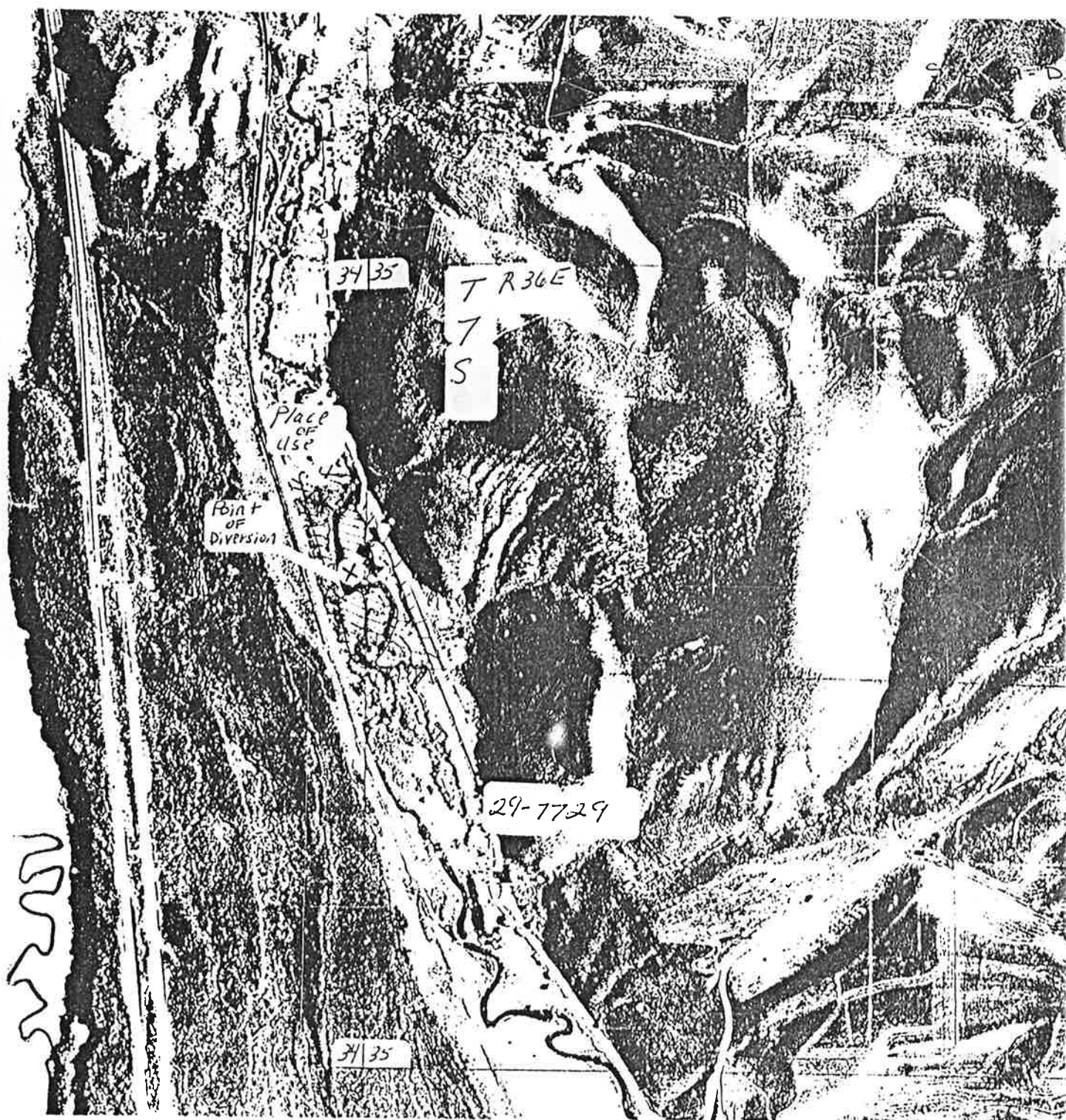
psi = Operating Pressure = 33 psi

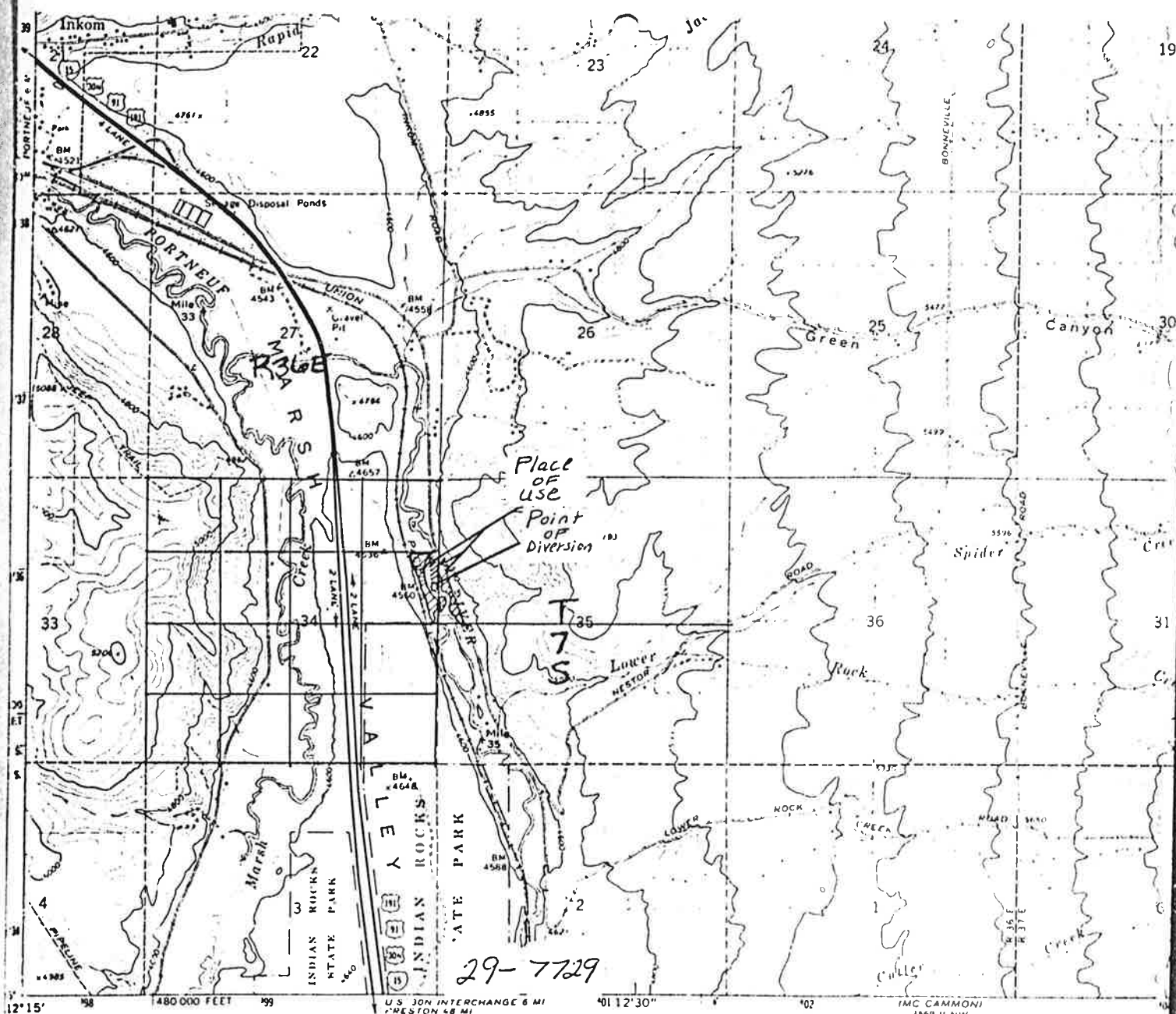
$$Q_{cfs} = \left[\frac{5}{Hp} \times 8.814 \times \frac{.7}{Eff} \right] + \left[\frac{8}{Lift} + \left(\frac{33}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = [30.849] + [84.164]$$

$$Q_{cfs} = 0.37 \text{ cfs}$$

PERMIT NO. 29-7729

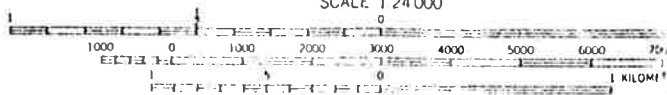
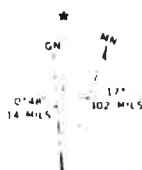




Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS

Topography by photogrammetric methods from aerial
photographs taken 1967. Field checked 1968

Polyconic projection 1927 North American datum
10,000-foot grid based on Idaho coordinate system,
east zone
1000-meter Universal Transverse Mercator grid ticks,
zone 12, shown in blue



CONTOUR INTERVAL 40 FEET
DOTTED LINES REPRESENT 20 FOOT CONTOURS
DATUM IS MEAN SEA LEVEL

MEMORANDUM

TO: File 29-07729

FROM: Sharla

DATE: January 27, 1998

RE: Recommendation Adjustment(s)

The final license recommendations for Permit No. 29-07729 are based on the following:

C. DIVERSION AND DELIVERY SYSTEM

2. Place(s) of Use:
T7S, R36E, S34 - SENE (9 acres)

H. RECOMMENDATIONS

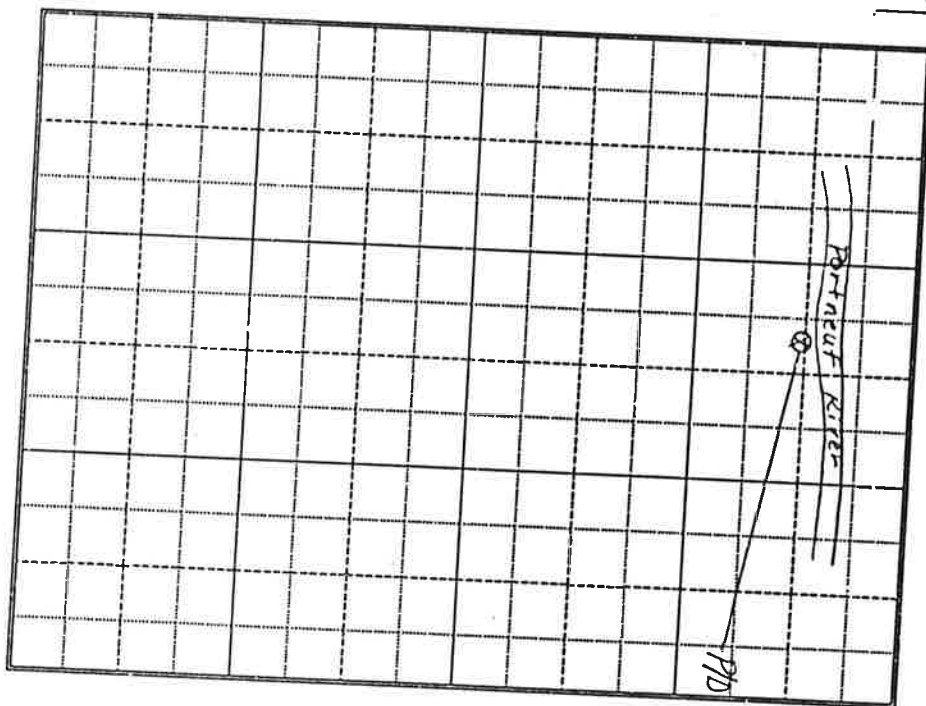
Irrigation	4/15 - 10/15	0.18 cfs	31.5 afa
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As described by the examiner, development of the 5 acre parcel occurred after proof of beneficial use was filed; I spoke with Skip Jones (Eastern) on 1/21 and he agreed that the five acre parcel should not be included with this license. The rate and volume have been adjusted accordingly.

Examiner: Steven Garrison
Exam Date: July 30, 1996

[illegible]

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe Id. as applicable.



Scale 1" = _____
 _____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and placement of use (required).
 _____ Aerial Photo Attached (required for irrigation of 10+ acres)
 _____ Photo of Diversion and System Attached

Well or Diversion No. 1	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
—	—	5	—	BORTNEY PUMP	7 3546
*Code to correspond with No. on map and aerial photo					

D. FLOW MEASUREMENTS

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
P10/P10 measuring					0-60	

2. Measurements:

Computing FS1 = 33

E. NARRATIVE/REMARKS/COMMENTS

Mr. Spraker's original application for permit listed 14 acres for irrigation. He listed a 9 acre parcel and a 5 acre parcel. When he submitted his Proof of Beneficial Use, he indicated that he could not purchase the additional 5 acre parcel because seller had reconsidered and decided not to sell. However, seller decided to sell after proof was submitted. Mr. Spraker does own the 5 acre parcel indicated on original Application for Permit. Conveyance and diversions works in place to irrigate 14 acres. Original Application for Permit requested 0.2 CFS; Proof of Beneficial Use requested 0.12 CFS. Since 30 ft covers up to 0.2 CFS; recommended he is given 0.2 CFS. Theoretical capacity 0.37 CFS.

Licens 29-07209 in 075.36E Sec. 35 SWNW 1ac.
29-07209 in 075.36E Sec. 34 SENE 4ac.
unnamed spring.

for Q Theoretical: HP = 5
PSI = 33
Eff = 70%.

Recommended as Claimed

CLAIMED AS LICUNSON (1998). LICUNSON IS
NOT CORRECT BUT DUE TO DATE SO RECOMMENDED,
CLAIMANT WANTS TO KILL TK AFTER PD ISSUED TO
CHANGE AND CORRECT POU.

PROFILE

SEARCHED
MAY 1 1 2000

APR 3/25/03

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 29-7729
Date Received: 3/25/2003
Receipt No:
Received By: *EQ28598*
3/25/03 ABR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

IRVIN L SPRAKER Phone: (208)775-3410
745 N OLD HWY 91
INKOM ID USA 83245

2. Date of Priority: 06/14/1983

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	36E	34	SE NE	BANNOCK	

5. Description of diverting works:

PUMP IN RIVER TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.18	31.5

7. Total Quantity Appropriated is:

0.18 C.F.S. and/or 31.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
07S	36E	34	SE NE	IRRIGATION	9
Section Acres					9
Total Acres					9

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM NOT REQUIRED IN SRBA. CLAIMANTS CHOICE.

CLAIMED AS LICENSED.

15. Basis of Claim:

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): *David Graham* Date: 25 March 03

Date: _____

State of Idaho)
County of BONNAPVILLE) SS.

Subscribed and sworn (or affirmed) before me this 25th
of MARCH 2003

Allen B. Ruberry

Notary Public

Residing at BOANO KAUS BOANO

My commission Expires 9/23/03

