

06/11/2002

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

RIGHT NUMBER: 29-13357
NAME AND ADDRESS: H REED CAMMACK
PO BOX 62
MC CAMMON ID 83250
SOURCE: UNNAMED STREAM TRIBUTARY: PORTNEUF RIVER
QUANTITY: 2.80 CFS
PRIORITY DATE: 05/01/1880
POINT OF DIVERSION:

T09S R36E S12 NESWSE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	2.800 CFS
STOCKWATER	01/01 12/31	0.050 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE [APRIL 15] AND AFTER [SEPTEMBER 15] UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R36E S11	NENE	6.0	T09S R36E S11	SENE	6.0
T09S R36E S11	NESE	19.0	T09S R36E S11	SESE	5.0
T09S R36E S12 Lot 4	NENW	8.0	T09S R36E S12	NWNW	25.0
T09S R36E S12	SWNW	30.0	T09S R36E S12	SENW	7.0
T09S R36E S12	NWSW	25.0	T09S R36E S12	SWSW	9.0

STOCKWATER same as IRRIGATION

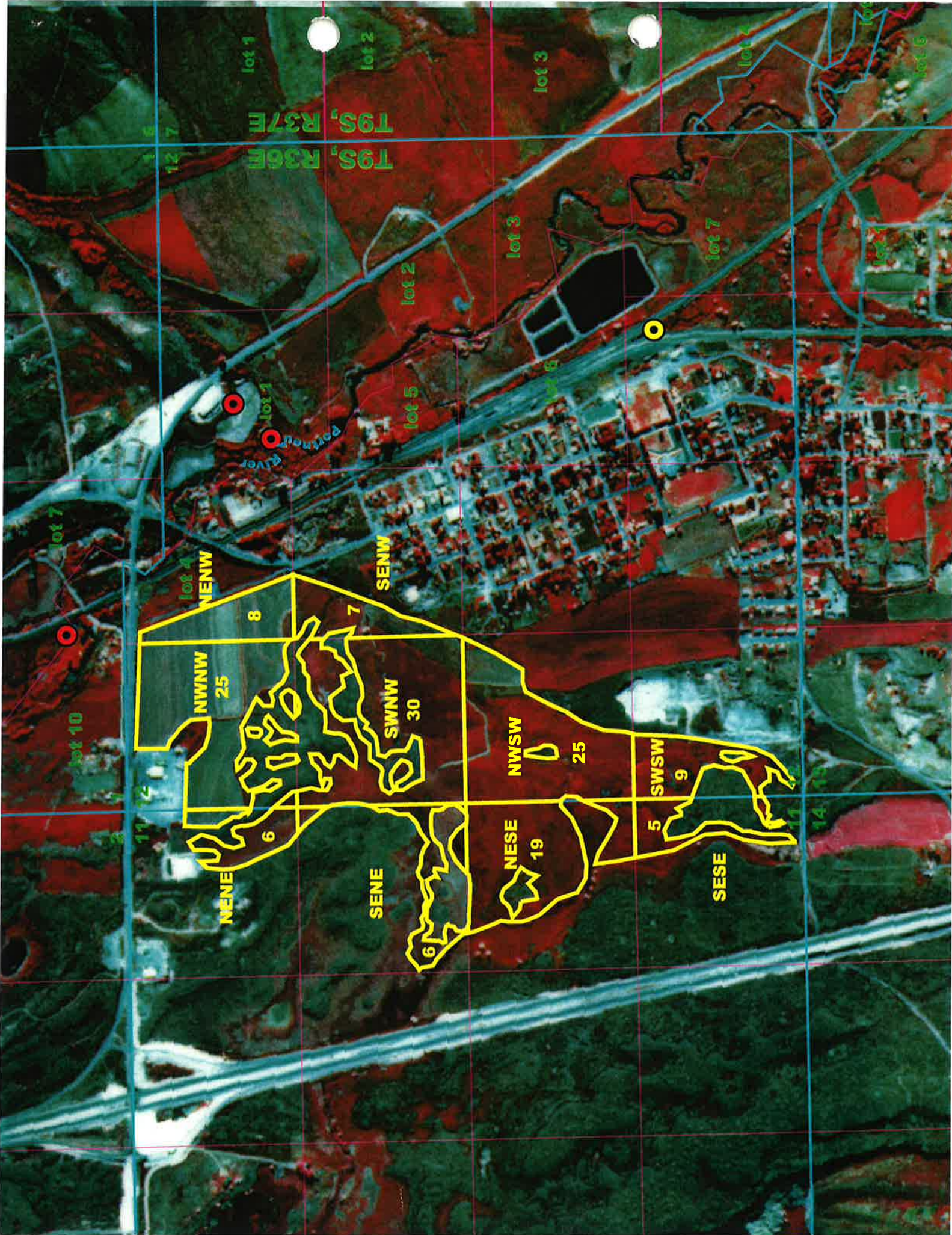
140 ACRES TOTAL

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. THE REMAINDER OF THIS RIGHT WAS FORFEITED FOR NON-USE FROM 1975 TO 1987.

EXPLANATORY MATERIAL: Decreed

THIS RIGHT RENUMBERED FROM 29-61 AFTER SPLIT.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.
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.
PORTION OF RIGHT FORFEITED/ABANDONED.
WATER IS DELIVERED THROUGH HALE-HARKNESS DITCH.



Allen



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s): 29-13357



LEGEND

Point of Diversion

SESE Place of Use

Section

Quarter-Quarter

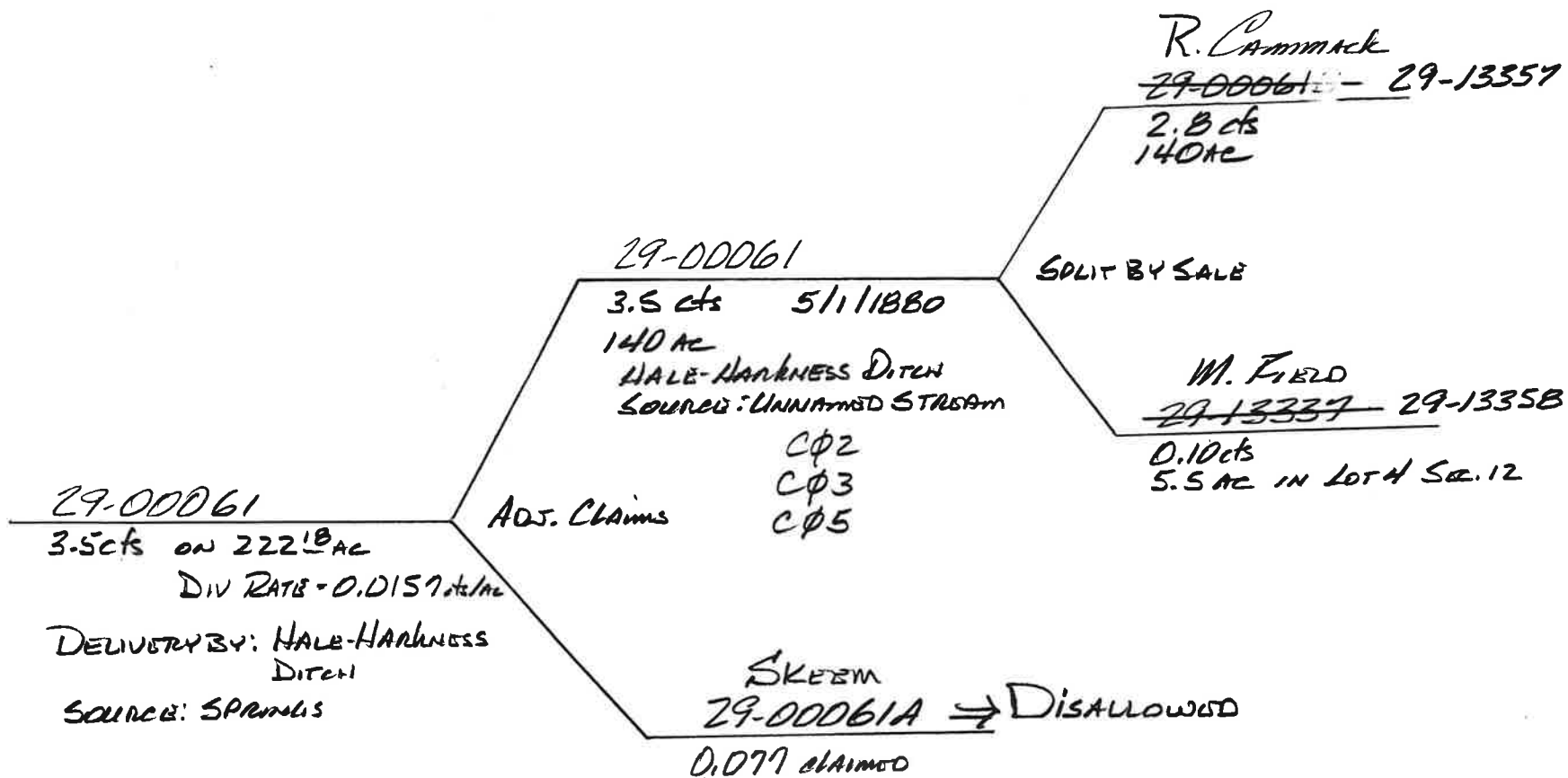
Place of Use: T9S, R36E
Sec. 12 (parts of) W2SW, NW
Sec. 11 (parts of) E2E2

Point(s) of Diversion: T9S, R36E
Sec. 12 NWSWSE

Note: Delivery through
Hale-Harkness Ditch



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: June 2002



$$E = 2.97 \text{ cfs}$$

61B - 2.80 Cammack
13337 - 0.10 Field
61A - 0.07 DISALLOWED.

$$\begin{array}{r} 2.97 \\ - 3.50 \\ \hline \end{array}$$

0.53 cfs UNCLAIMED

+ 0.07 OR NOT FOUND

JUN 06 2001

29-00061

① Some ELEMENTS CLAIMED AS DECURED - OVERALL CLAIM VARIES FROM DECURED AS FOLLOWS: (SEE EXCERPT)

Q: CHANGE TO POD'S, WHEN DID THIS OCCUR? UNKNOWN

2.) DECURED w/ 2 POD'S; CLAIMS ONLY THE ONE IN SEC 13 SWING (AS DECURED) OK $\Rightarrow$ C03

Actual POD IS AT THE KINK OF RAILROAD TRACK. ITS A CULVERT WHICH FLOWS UNDER EAST TRACK THEN PARALLEL TRACKS FLOWING NW.

C03

PERIOD OF USE DECURED IS 4/15 TO 9/15. CLAIMS 4/15 TO 11/1. USE DECURED PERIOD. $\Rightarrow$ C08

3.) CLAIMS IMPLICATION AS USE BUT IMPLIES STOCKWATER USE (ITEM 9. UP TO 160 HD CATTLE). THE DECURED DOES NOT SPECIFY STOCKWATER AS A USE. HOWEVER, IT IS CONSIDERED THAT THE WHOLE PURPOSE OF AGRICULTURE IS TO RAISE FOOD; EITHER FOR HUMAN CONSUMPTION OR CONSUMPTION BY ANIMALS ... FOR HUMAN FOOD CONSUMPTION OR TOWARDS THAT END AS W/ HORSES TO DRIVE/WORK CATTLE, SHEEP, etc. THEREFORE, STOCKWATER IS ADDED AS A RECOMMENDED USE WITH YEAR ROUND USE BUT A NON-ADDITIVE VALUE.

Add Ranch
5/9/01

Q: WHEN DID CHANGE TO POD OCCUR? _____

4.) PLACE OF USE: W/R DATA BASE SUPPOSEDLY REPRESENTS THE ELEMENTS OF THE EXISTING WATER RIGHT. THEREFORE, COMPARISON OF W/R DATA BASE TO CLAIM SHOWS A CHANGE IN PLACE OF USE. $\Rightarrow$ C05

5.) DECURED @ 225? AC TOTAL CLAIMS 140² AC AND ALL 3.5 acs OF WATER? THIS EXCEEDS BOTH DECURED Q AND STATE STATUTE 42-220 IC.

DECURED/CLAIM: 3.50

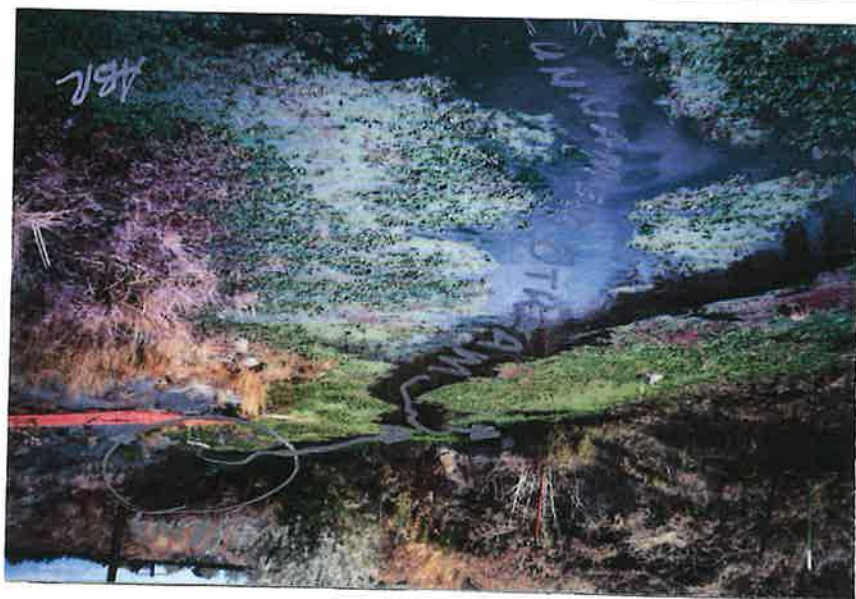
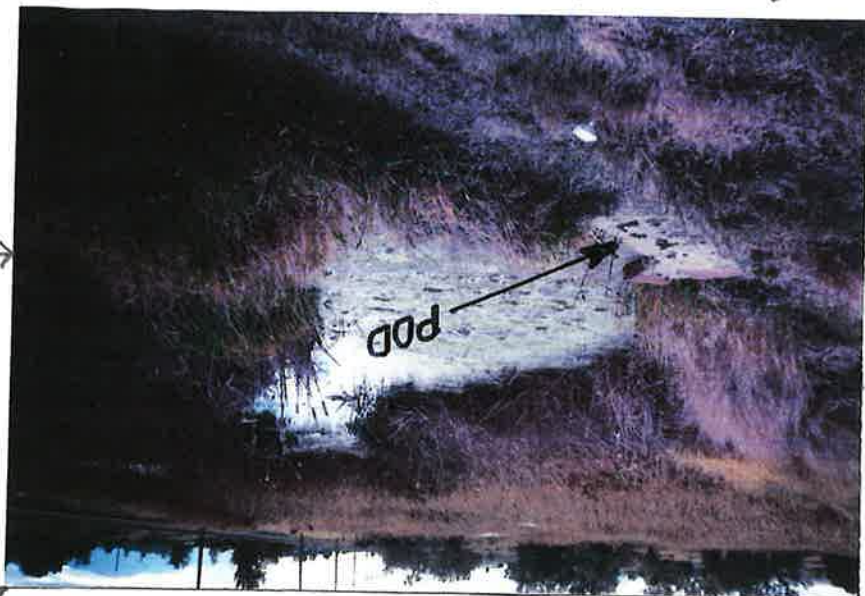
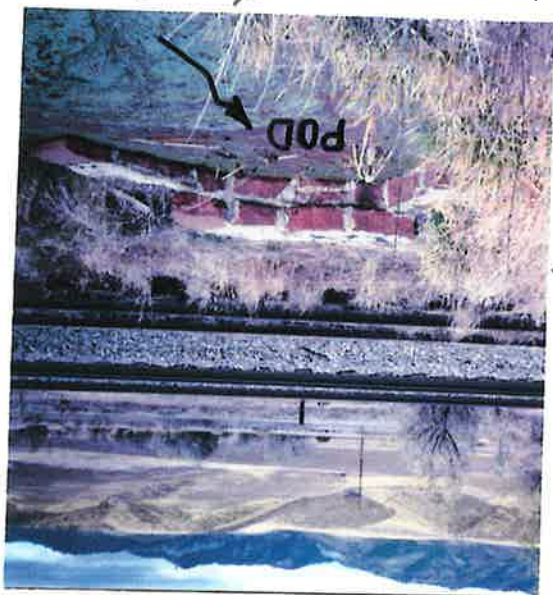
140 AC X .02 = 2.80

REDUCTION: 0.70 cfs

6.) Q W/WH LIKELY BE REDUCED TO 0.02 cfs/AC BASED ON TOTAL ACRES. NO CONVEY LOSS, W/WH DELIVERY? NO

CULVERT UNDER UPPER TRACKS -
 CONSIDERED TO BE POD - NO AERIAL DIV.
 STRUCTURES - DISCHARGES & MAN-MADE DITCH

Beginning of fire-floodiness
 Ditch



Looks! ≈ 50.

Looks: 115

Becked POD:
 95 376 Sec. 18
 5000 1079
 NO POD ROWNO

Becked POD:
 58NWS55 Sec. 13
 795 R368
 NO POD ROWNO

29-13337

29-00061