

Adjudication Recommendation Report 75-4150 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BIG FLAT DITCH CO C/O KATIE SLAVIN PO BOX 255 CARMEN, ID 83462 (208)756-6309

Priority Date: 03/30/1904
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
SALMON RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	84.100 CFS	
STOCKWATER	11/01 to 03/01	0.230 CFS	
	<u>Total Diversion:</u>	84.100 CFS	

SALMON RIVER LEMHI County	SW1/4SE1/4SW1/4	Sec. 17, Twp 22N, Rge 22E, B.M.
SALMON RIVER LEMHI County	SW1/4SW1/4NW1/4	Sec. 17, Twp 22N, Rge 22E, B.M.

IRRIGATION

[illegible]

Adjudication Recommendation Report 75-4150 V1

[illegible]

Total Acres: 1682

STOCKWATER same as IRRIGATION

1. C18 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.
2. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
3. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
4. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
5. K06 This right is limited to the irrigation of 1682 acres within the place of use described above in a single irrigation season.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 75-4150 V1

Comments:

1. dfavreau 11/30/2006 Contact

Comment: As per conversation with Don Shaff, contact should be. No Big Flat Ditch Co. claim to 75-4150A or 75-4150B. There is a Big Flat Ditch Co. claim on 75-4150. 75-4150 has been determined to be a company right. The change of ownership was processed incorrectly.

2. dfavreau 11/30/2006 priority date

Comment: agreement between Big Flat people and Carmen Ck. people regarding construction of ditch and arbitration sufficient for priority date. Reviewed with Don Shaff 11/7/06

3. dfavreau 11/30/2006 POU

Comment: POU for Bills (75-4339) removed from company POU because Bills not listed as a share holder and filed competing claim.

4. dfavreau 11/30/2006 POD

Comment: S8/9 diversion

5. dfavreau 11/30/2006 Quantity

Comment: 2.5 inches per acres approved as per letter from soil conservationist in Norton Ditch file. Reviewed with Don Shaff.

6. dfavreau 11/30/2006 purpose of use

Comment: ground water recharge was removed from purpose of use because conditions of 8-23-06 letter from Don Shaff was not met.

7. dfavreau 12/1/2006 purpose of use

Comment: stockwater deminimus

8. dfavreau 12/1/2006 quantity

Comment: total acres found 1682. 1682 acres at 2.5 inches per acre (1682 * 0.05 cfs) is 84.1 cfs

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	12/1/2006 9:42:23 AM	dfavreau			Active
POD	12/1/2006 9:42:36 AM	dfavreau			Active
POU	12/1/2006 10:04:22 AM	dfavreau			Active

IDAHO DEPARTMENT OF WATER RESOURCES

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Source	12/1/2006 10:05:37 AM	dfavreau	Active
Source	12/1/2006 10:05:56 AM	dfavreau	Active
Use	12/1/2006 10:06:46 AM	dfavreau	Active
Season	12/1/2006 10:07:07 AM	dfavreau	Active
Quantity	12/1/2006 10:07:34 AM	dfavreau	Active
Summary		12/01/2006 dfavreau	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	12/1/2006 9:45:00 AM	dfavreau	Updated shape
POD	11/30/2006 6:00:22 PM	dfavreau	Updated shape
POD	12/1/2006 9:42:37 AM	dfavreau	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POU	12/1/2006 9:47:21 AM	dfavreau	Updated PLS for Active POU
POU	12/1/2006 10:04:23 AM	dfavreau	(No) 1. Is the basis of this claim a Decree or License? (No) 2b. Is the POU required? (No) 14. Is a POU remark and/or condition required?
Source	12/1/2006 10:05:37 AM	dfavreau	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required?
Source	12/1/2006 10:05:56 AM	dfavreau	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - GIS review

IDAHO DEPARTMENT OF WATER RESOURCES

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Use	12/1/2006 10:06:46 AM	dfavreau	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - For irrigation - GIS review of aerial photography Stockwater deminimus
Season	12/1/2006 10:07:08 AM	dfavreau	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (No) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administrativly determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	12/1/2006 10:07:35 AM	dfavreau	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
General	12/1/2006 9:42:24 AM	dfavreau	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - contract and statement regarding building of Big Flat Ditch
POU	12/1/2006 9:46:32 AM	dfavreau	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

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Summary	12/1/2006 10:25:38 AM	dfavreau	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
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Water Supply Bank:



Big Flat Ditch Co

SRBA Recommendation: 75-4150

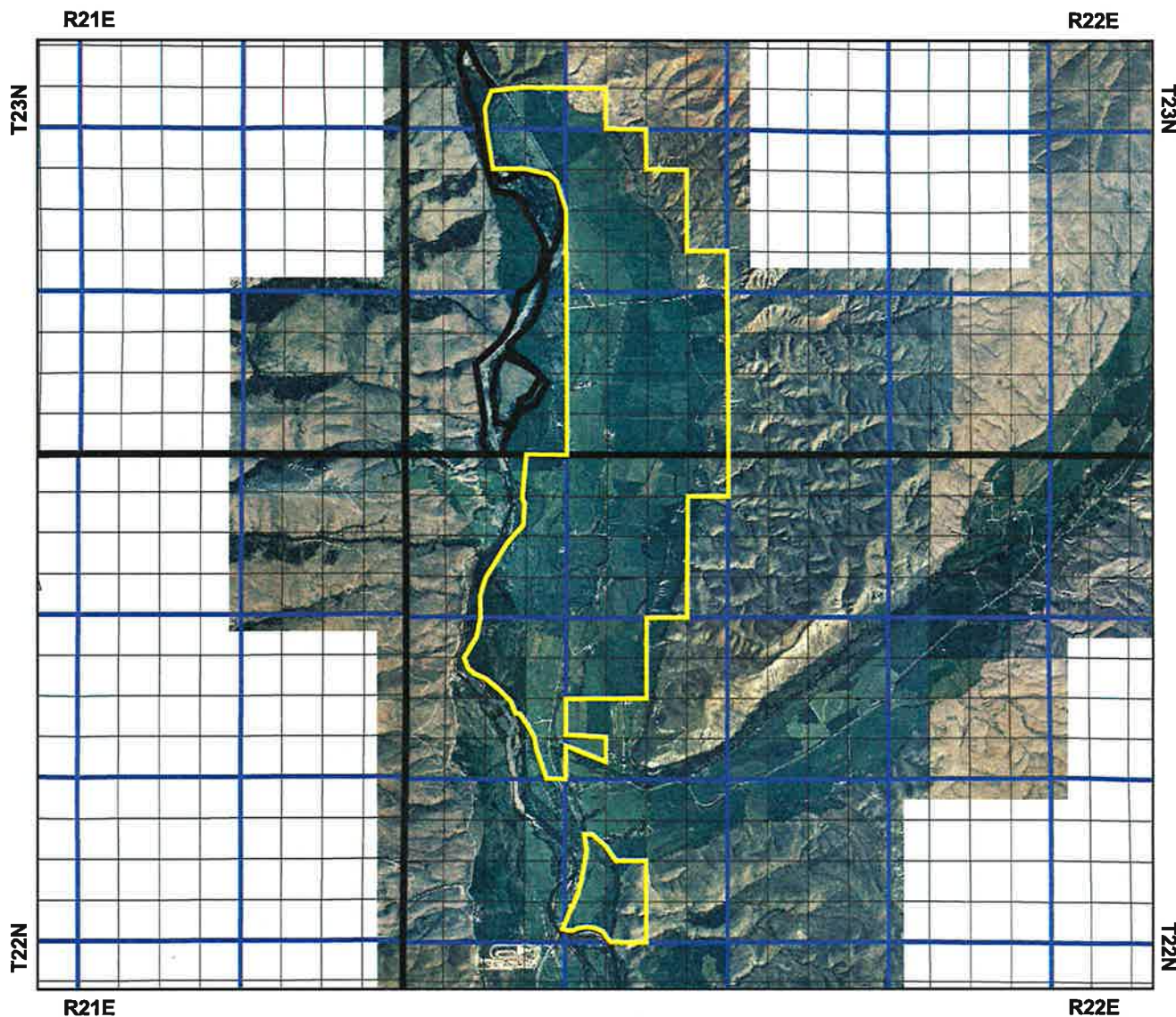
Service Area Boundary
GIS Place of Use Illustration

Legend

-  Service Area
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



0 2 4 Miles



Prepared by D. Favreau
On Sunday, December 3, 2006
2004 Aerial Photography

Big Flat Ditch Company
c/o Nancy M Cummings REEC
16 Hot Springs Ranch Road
Carmen, ID 83462

208-756-2749\208-756-2794 fax

To: Danielle Bruno-Favreau
Idaho Department of Water Resources
FAX 208-287-6700

From: Chad Cheyney, Director
Big Flat Ditch Company



RE: Objects with Water Right 754150

The directors find that we have issues with the digital description of the "placer of use" for the water right claimed for irrigation by the Big Flat Ditch Company, including areas not included and included areas not part of the right.

We also find that we have issues with the boundary of the service area for the Big Flat Ditch Company.

As per our telephone conversation, you will place this in our file, and we file objects to the director's report to correct the problems. As per our conversation, the directors report is expected to be published within 2 weeks of January 1, 2007.

Thank you very much for you assistance with these issues.

Cc: Katie Slavin, secretary of the Big Flat Ditch Company

2004 BIG FLAT DITCH COMPANY Foster 75-4150, 75-10340

NAME	BIG FLAT SHARES	McNUTT SHARES	PHONE	ADDRESS
Charles Dailey	1.2	2.5	756-2404	Box 68, Carmen
Brent Mulkey	.6		756-2634	Box 629, Salmon
Dan McFarland (Bar S)	.875		756-3143	Box 681, Salmon
University of Idaho (Hot Springs Ranch, Auen Berger) (corp.)	16.2	12.5	756-4440	#18 Hot Springs Road, Carmen
Bill Slavin	1.5	2	756-6309	Box 255, Carmen
Don Bellamy	.125			Box 473, Hwy 93 North, Carmen
Derrold Slavin	1.5	4	756-3442	Box 41, Carmen
Ken Beller	.8		756-3904	301 Main Street, Salmon
Jay Wiley	5	1	756-3383	Box 63, Carmen
Antelope Hills North (% Robin Drago) (corp.)	1			Box 150, Carmen
Maurice Foland	1			Box 142, Carmen
Jerry Johnson		1		504 Hwy 93 North, Carmen
Jeff Minor	.2			44 Red Rock Stage Road, Salmon
TOTAL	30	23		

Katie Slavin
Secretary
PO Box 255
Carmen, ID 83462
756-6309

Post-It® Fax Note 7671		Date 5/16/01	# of pages 1
To Roxanna Brown		From Bob Foster	
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4150

WATER RIGHT NUMBER: 75-4150

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BIG FLAT DITCH CO C/O KATIE SLAVIN PO BOX 255 CARMEN, ID 83462 (208)756-6309

Priority Date: 03/30/1904

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SALMON RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/01 to 11/01	126.300 CFS	
STOCKWATER	11/01 to 3/01	0.330 CFS	
GROUND WATER RECHARGE	11/01 to 3/01	4.670 CFS	
<u>Total Diversion:</u>		126.300 CFS	

Location of Point(s) of Diversion

SALMON RIVER	SW1/4SE1/4SW1/4	Sec. 17, Twp 22N, Rge 22E, B.M.
LEMHI County		
SALMON RIVER	SW1/4SW1/4NW1/4	Sec. 17, Twp 22N, Rge 22E, B.M.
LEMHI County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
22N	22E	5	8.0	37.0	25.0		40.0	40.0	38.0	38.0	37.0	40.0	36.0	35.0		13.0	7.0		394.0
22N	22E	6	40.0		7.0	40.0				3.0			10.0		40.0	32.0	38.0	40.0	250.0
22N	22E	7	34.0	30.0	29.0	38.0	7.0			9.0					35.0			14.0	196.0
22N	22E	8					35.0	38.0	40.0	27.0	23.0	40.0	23.0						226.0
22N	22E	17								2.0	18.0	17.0	3.0						40.0
23N	22E	19														9.0	34.0		43.0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4150

23N 22E 20													13.0							13.0
23N 22E 29						13.0	38.0	40.0	23.0	40.0	40.0	37.0	40.0		18.0	21.0				310.0
23N 22E 30		36.0			18.0															54.0
23N 22E 32		35.0	35.0	40.0	39.0	38.0	37.0	38.0	37.0	40.0	38.0	40.0	35.0	26.0	40.0	40.0	21.0			579.0

Total Acres: 2105

STOCKWATER same as IRRIGATIONGROUND WATER RECHARGE same as IRRIGATIONConditions of Approval:

1. WATER CLAIMED FOR GROUNDWATER RECHARGE IS PRIMARILY RELIED ON TO TRANSPORT STOCKWATER THE LENGTH OF THE DITCH. ALL EXCESS WATER RETURNS TO THE RIVER.

Remarks:Comments:Dates and Other Information:

Claim Received Date: 4/27/1990
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:

50
2105
63 - Variable acidity
2092
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: A75-04150
Date Received: 4/27/1990
Receipt No: 2086787
Received By: J.C.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BIG FLAT DITCH CO. 208-756-2605
Address: C/O MRS. E.C. BOLANDER
P.O. BOX 128
CARMEN, ID 83462

2. Date of Priority: MAR 30, 1904

3. Source: SALMON RIVER Trib. to: SNAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
22N	22E	17	SW	SW	NW		LEMHI
			SW	SE	SW		LEMHI

5. Description of diverting works:
TWO CONCRETE HEADGATES, 16' X 11' X 9', OPEN DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/01	126.300		
STOCKWATER	11/01	03/01	0.330		
GROUNDWATER RECHARGE	11/01	03/01	4.670		

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

8. Total consumptive use is 5262.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/1500 CATTLE, 50 HORSES.

A75-04150

Page 1

Date: 04/27/90

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DEC 15 1992



10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
22N	22E	17	NE	SW		IRR	2.0
			NW	SW		IRR	18.0
			SW	SW		IRR	17.0
			SE	SW		IRR	3.0
			Section Acres				40.0
23N	22E	19	SW	SE		IRR	9.0
			SE	SE		IRR	34.0
			Section Acres				43.0
		20	SW	SW		IRR	13.0
			Section Acres				13.0
		29	NE	NW		IRR	13.0
			NW	NW		IRR	38.0
			SW	NW		IRR	40.0
			SE	NW		IRR	23.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	37.0
			SE	SW		IRR	40.0
			NW	SE		IRR	18.0
			SW	SE		IRR	21.0
			Section Acres				310.0
		30	NE	NE		IRR	36.0
			SE	NE		IRR	18.0
			Section Acres				54.0
		32	NE	NE		IRR	35.0
			NW	NE		IRR	35.0
			SW	NE		IRR	40.0
			SE	NE		IRR	39.0
			NE	NW		IRR	38.0
			NW	NW		IRR	37.0
			SW	NW		IRR	38.0
			SE	NW		IRR	37.0
			NE	SW		IRR	40.0
			NW	SW		IRR	38.0

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
22N	22E	5	NE		NE		IRR	8.0
			NW		NE		IRR	37.0
			SW		NE		IRR	25.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	38.0
			SE		NW		IRR	38.0
			NE		SW		IRR	37.0
			NW		SW		IRR	40.0
			SW		SW		IRR	36.0
			SE		SW		IRR	35.0
			NW		SE		IRR	13.0
			SW		SE		IRR	7.0

Section Acres 394.0

6	NE	NE	IRR	40.0
	SW	NE	IRR	7.0
	SE	NE	IRR	40.0
	NE	SW	IRR	3.0
	SE	SW	IRR	10.0
	NE	SE	IRR	40.0
	NW	SE	IRR	32.0
	SW	SE	IRR	38.0
	SE	SE	IRR	40.0

Section Acres 250.0

7	NE	NE	IRR	34.0
	NW	NE	IRR	30.0
	SW	NE	IRR	29.0
	SE	NE	IRR	38.0
	NE	NW	IRR	7.0
	SE	NW	IRR	9.0
	NE	SE	IRR	35.0
	SE	SE	IRR	14.0

Section Acres 196.0

8	NE	NW	IRR	35.0
	NW	NW	IRR	38.0
	SW	NW	IRR	40.0
	SE	NW	IRR	27.0
	NE	SW	IRR	23.0
	NW	SW	IRR	40.0
	SW	SW	IRR	23.0

Section Acres 226.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
23N	22E	32	SW	SW		IRR	40.0
			SE	SW		IRR	35.0
			NE	SE		IRR	26.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	21.0

Section Acres 579.0

Total Acres 2105.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
WATER FROM CARMEN CREEK

14. Remarks:
WATER CLAIMED FOR GROUNDWATER RECHARGE IS PRIMARILY RELIED ON TO
TRANSPORT STOCKWATER THE LENGTH OF THE DITCH. ALL EXCESS WATER
RETURNS TO THE RIVER.

15. Basis of Claim: STATUTORY 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 Organizations:

I do solemnly swear or affirm that I am Secretary-treasurer of Big Flat Ditch Co., that I have signed the foregoing document in the space below as Secretary-treasurer of Big Flat Ditch Co. and that the statements contained in the foregoing document are true and correct.

Jane Bolander
Signature of Authorized Agent

Big Flat Ditch Co.
Title and Organization

Apr. 27, 1990
Date

State of Idaho)
County of Latah) SS.

Subscribed and sworn (or affirmed) before me this 27 day

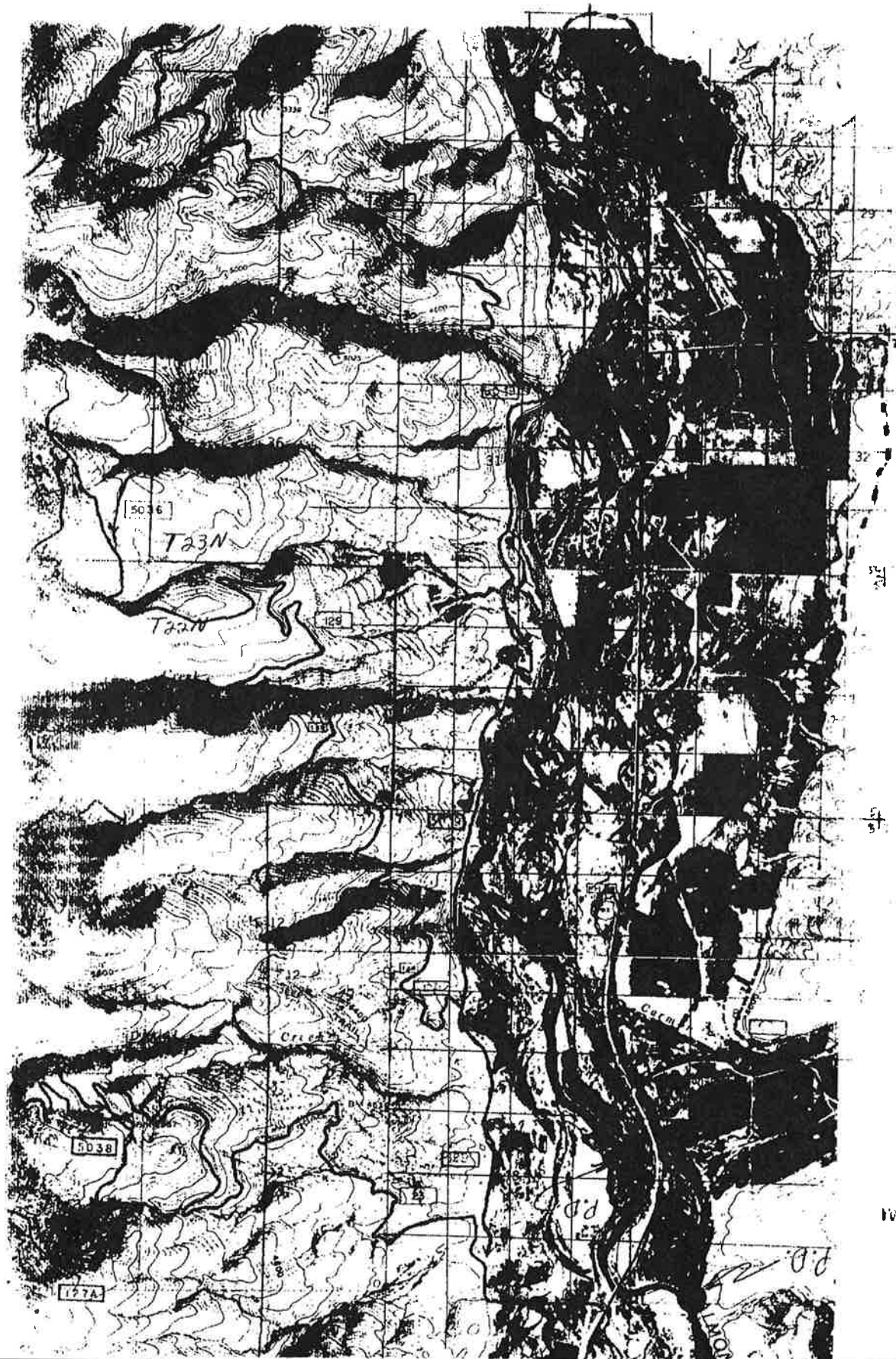
of April 19 90

Ernest Carlson
Notary Public

Seal

Residing at 1640 S. 11th, ID

My Commission Expires 6-14-1994



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DEC 15 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

March 30, 1995

Berger A Trust
C/O Ronald M. Auen Trustee
PO Box 3064
Arcadia Ca. 91066

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MAILED
MAR 31 1995

Department of Water Resources
Eastern District Office

Mr. Auen:

This letter is in regards to a meeting on March 16, 1995 with Dan Walker, manager of Hot Springs Ranch.

On the above date I made an on-site visit to Hot Springs Ranch and met with Mr. Walker. At that time we were attempting to determine the possibility of filing an application for transfer to transfer a portion of water right no. 75-04150 to approximately 13 acres located in T23N R22E S20 which had been put into production in 1994.

Mr Walker had inquired about the possibility of moving water rights from land under cultivation located in T23N R22E S33. Mr. Walker stated this ground had been irrigated since he had been manager of the property, approximately two years. Upon further investigation there appears to be no water rights associated with the cultivated land in section 33.

After contacting Harold Jones, Water Rights Supervisor in our Eastern Region Office, we have determined that before we can proceed with this proposed transfer a more thorough examination of water right 75-04150 should be conducted. This examination would reflect current practices and actual acres currently under irrigation. Our department could conduct this exam in the next 30 to 45 days. Upon the completion of the exam we would gladly assist you or a representative in proceeding with the proposed transfer application.

Please be aware that the irrigation of the lands described in this letter may result in a **Cease and Desist Order** from the department and the liability for civil penalties provided under **Idaho Code 42-351 & 42-352**

If you have any questions or if our department can be of assistance feel free to contact me at our Salmon office (208) 756-6644 or Harold W. Jones at our Idaho Falls office (208) 525-7161.

Cordially,

Robert E. Foster
Sr. Water Resource Agent

cc: H.W. Jones
Dan Walker
Gary Spackman

MICROFILMED
NOV 18 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

March 30, 1995

Berger A Trust
C/O Ronald M. Auen Trustee
PO Box 3064
Arcadia Ca. 91066

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MAR 31 1995

Department of Water Resources
Eastern District Office

Mr. Auen:

This letter is in regards to a meeting on March 16, 1995 with Dan Walker, manager of Hot Springs Ranch.

On the above date I made an on-site visit to Hot Springs Ranch and met with Mr. Walker. At that time we were attempting to determine the possibility of filing an application for transfer to transfer a portion of water right no. 75-04150 to approximately 13 acres located in T23N R22E S20 which had been put into production in 1994.

Mr Walker had inquired about the possibility of moving water rights from land under cultivation located in T23N R22E S33. Mr. Walker stated this ground had been irrigated since he had been manager of the property, approximately two years. Upon further investigation there appears to be no water rights associated with the cultivated land in section 33.

After contacting Harold Jones, Water Rights Supervisor in our Eastern Region Office, we have determined that before we can proceed with this proposed transfer a more thorough examination of water right 75-04150 should be conducted. This examination would reflect current practices and actual acres currently under irrigation. Our department could conduct this exam in the next 30 to 45 days. Upon the completion of the exam we would gladly assist you or a representative in proceeding with the proposed transfer application.

Please be aware that the irrigation of the lands described in this letter may result in a **Cease and Desist Order** from the department and the liability for civil penalties provided under Idaho Code 42-351 & 42-352

If you have any questions or if our department can be of assistance feel free to contact me at our Salmon office (208) 756-6644 or Harold W. Jones at our Idaho Falls office (208) 525-7161.

Cordially,

Robert E. Foster
Sr. Water Resource Agent

cc: H.W. Jones
Dan Walker
Gary Spackman

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NOV 18 1996

Receipt Details for ID M006789

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/27/1990 10:55:58 AM	4/27/1990	Mobile	\$2,175.00	Check
Payer		BIG FLAT DITCH CO.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
241			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$2,175.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
75	10340		\$83.00	Claim
75	4150		\$2,092.00	Claim

Print Report

claimed 2105 acres
 claim fee 50
 2155

stock
 dominions



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

August 23, 2006

Re: Supporting documentation for Stock Water or Ground Water Recharge

Dear Claimant:

Over the past several months, numerous meetings have taken place with individuals and representatives of water delivery organizations in the upper Snake River Valley and the Idaho Department of Water Resources (IDWR) concerning claims for the non-irrigation season diversion of stock water and ground water recharge. In response to these meetings the following criteria were identified for evaluating and recommending these two uses.

- The claimant will have to provide documentation that verifies a historical practice of diverting water during the non-irrigation season for the purpose of providing stock water and ground water recharge. An example would be copies of the minutes for a water delivery organization referencing the diversion of water for these two uses. This information also will be used to help establish the priority date of the use.
- The claimant needs to provide copies of records showing the quantity of water historically diverted during the non-irrigation season. These records will be used as a basis for recommending the diversion rates for these two uses.
- The claimant will have to provide documents, written statements and/or affidavits from individuals who have witnessed the non-irrigation season diversion of water. These individuals need to provide a historical perspective based on actual observation.

Claimants need to assess their historic diversion requirements for stock water and ground water recharge. The quantity of water claimed for non-irrigation season stock water should be the amount needed to reach the end of the delivery system plus provide drinking water for stock. Claimants should not rely upon ground water recharge as a use to supplement the stock water in order for water to reach the end of the delivery system. *Claimants holding Winter Water Savings contracts may have lost their right to divert water for 150 days between November 1 and April 30 through either abandonment or forfeiture or may have a modified season of use depending on a case-by-case review of the facts.*

For some claimants, amending claims, or filing new claims, to reflect the historic quantity for stock water will result in a substantial filing fee (\$200 per cfs). This fee is not refundable, which emphasizes the importance of providing documentation that supports the claimed uses.

If you or the organization you represent have already amended one or more claims and provided the documentation identified above, you may disregard this letter. Individuals or organizations

wishing assistance in amending their claims or filing additional claims should call the Eastern Region office at (208) 525-7161 by September 1, 2006 to make an appointment.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'Donald Shaff', is written over the typed name.

Donald Shaff
Adjudication Bureau Chief, IDWR

Enclosure: SRBA claim proof report

cc: Ernest Carlsen, IDWR

OCT 08 2001

Norton-Big Flat
 both Pury - mooretam Perren (ID 193)
 Statago 250K

April 17, 1990

Sub: Irrigation Water Requirements
 To: Norton Ditch Company
 Salmon, Idaho

Mike Overacker, of the Norton ditch company requested assistance from the Soil Conservation Service in determining the amount of irrigation water required to supply a full season of water to crops on the ditch. They are in the process of applying for a water right under the Snake River adjudication procedure. For several reasons I am only able to do a very general analysis of this need. Some of the reasons are I have limited time, there are **33** irrigators on the ditch, various size tracts are involved, various types of crops are involved, different irrigation methods are being used, soils vary and ect. For this assessment I'm assuming two things: 1) flood irrigation and 2) a alfalfa-grass crop. These would be typical of the majority of irrigation methods and crops on the ditch.

Soils vary, but a typical map unit would be the Bromaglin complex. This complex is derived on old Salmon river terraces. This soil has a silt loam surface over a gravelly sandy loam subsoil. It has an available water holding capacity of about 4.5 inches in the top 60 inches. The normal rooting depth for the alfalfa grass crop is about 30 inches. The AWC in this depth is 2.5 inches. From this using a peak consumptive use of .25 inches per day during the peak growing season then $2.5 \times 50\% = 1.25 / .25 = 5$ day. These are from the SCS Idaho Irrigation Guide. This states that a 1.25 inch application is needed every 5 days during the peak months of July and August. This seems very close to the irrigation interval most irrigators on the ditch are using.

Also from the Irrigation Guide, a alfalfa-grass crop requires 24.60 inches of water gross and 21.15 net per season in this area. The 21.15 would be what's needed from irrigation. $21.15 / 1.25 = 17$ irrigations. $17 \times 5 = 105$ days. This would be about right if you put 10 days on the front of the season and 10 days on the back where irrigation would not be required making this a 125 day growing season. This seems very close since the growing season in Salmon is near 120 days.

Calculating the water needed to supply the 1.25 inch irrigation is not complicated. What is complicated is figuring the efficiency of application and efficiency of delivery of this 1.25 inches to the crop. A typical system

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DEC 15 1992

is earthen ditches with irrigation dams. Fields for the most part are unleveled and are as the river left them years ago. Very little leveling has been done because of the gravel bars running through the fields. Based on what I have observed for the past 10 years the irrigation field efficiency runs about 30 to 35 percent. I base this not only on observation but from calculating field efficiencies from producers estimates of water used per season. Delivery efficiency is also very difficult since there aren't any measuring devices on the ditch or its field laterals. Again from observation this runs from 60 to 90 percent. I assumed 70 percent delivery for this estimate of water used.

I calculated the water needs per acre. Net requirement is $.25"/\text{day} \times 1\text{cfs}/24 \text{ acre inches}/\text{day} = .0104 \text{ cfs}/\text{acre}$. Gross requirement is $.0104/.35 = .0297 \text{ cfs}$ or $.0297 \times 50 \text{ in}/\text{cfs} = 1.49 \text{ miners inches}$. This divided by 70% is equal to 2.12 inches per acre. This could go to 2.47 inches per acre if a 30 percent irrigation efficiency was assumed.

There are some pros and cons in this amount of water used. In terms of water use only, these are very poor. However in terms of wildlife habitat that is created along the earthen ditches banks and in the swales that sub and create wetlands it's good. This letter is not meant to be a statement by the SCS as for or against these poor efficiencies but the affects of improving them may or may not be of benefit.



Ralph Swift
District Conservationist
Soil Conservation Service
Salmon, Id.

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