

FIELD EXAMINATION OF CSRBA WATER RIGHT CLAIM

Claim Identification Number: 95-9676

Note: This claim has been split from 95-9676 to 95-17796 and 95-17797

Exam Report Completed By: Linda Werner on 9/27/2019 J.W.

Date of Exam: September 4, 2019

Time of Exam: 10:00 a.m.

IDWR Field Staff: Linda Werner, Sr. Water Resource Agent, Christopher Holmes, Water Resource Agent

Accompanied By: Tim Watson & Auggie Watson

Examination Location: 32 Watson Way, Blanchard, ID

Purpose of Visit: Claimant Filed Objection to Claim Recommendation, i.e. Point of Diversion Location, Season of Use and Place of Use. Field exam completed to determine these items.

Field Examination Notes: Point of Diversion: NE1/4SW1/4, Section 8, T54N, R5W

Found: Water is diverted from an unnamed stream at a point of diversion in the NE1/4SW1/4, Section 8, T54N, R5W. This is the "flood ditch" diversion which is used to divert flood water from the creek to prevent it from flowing easterly over their access road. At this point water can also be diverted east or west to irrigate land around the vicinity of homes in the NESW and NWSW-8-T54N-R5W. The flood water runs southerly through a dirt ditch flowing to the channel's end where it becomes diffused and empties into the NESW, Section 8. Plans are to divert the water back into a channel and take it to a pond, of which construction began in April, 2008. The pond is located in the SWSW-8. Water from this pond is to be diverted and used to irrigate 600 larch trees, also located in the SWSW-8-T54N-R5W. The pond dimensions are approximately 50.4' long x 36' wide x 8' deep, or 0.33 acre-feet. Claimant intends to construct a second pond adjacent to the north side of the field in the SWSW-8.

There was no water in the stream so it was hard to tell where the stream actually ends but it appears that may be in the NWSW-8-T54N-R5W, as this is where claimant states the old point of diversion used to be. At this point there is a dirt ditch/channel where water could flow southerly to the pond. It is also noted that the application for permit, completed by N.L. Presnell, and approved on May 6, 1911, states that the creek has always sunk into the ground on the N1/2 of SW1/4 of Section 8, T54N, R5W.

Claimant's Objections/Department Recommendation:

Objection 1. The point of diversion should also include the SWSW, Section 8, T54N, R5W.

It is recommended that the diversion recommendation include only the NESW, Section 8, T54N, R5W, as this is one of the claimed points of diversion and based on exam information, photos and claimant statements, the point in the SWSW of Section 8, was developed after 2006. Claimant may choose to file for a transfer in the point of diversion.

Objection 2. Season of use should be 1/1 to 12/31 or whenever stream is flowing.

The recommended season of use should be April 1 to October 31, per Department standards

Objection 3. Place of use should include the NESW, SWSW, NWSW, Section 8, T54N, R5W

Place of use has been recommended as claimed, and licensed. The recommended total number of acres irrigated is 33.3, as claimed, but less than what was licensed, 44.0; however, the objection does not include the number of acres, only the place of use.



95-9676 Field Exam

09/04/2019



Figure 1- First culvert where creek runs under road and enters property on the North side running south.



Figure 2- Diversion from creek (next to original culvert) towards south east creating "Flood Creek" which then runs parallel to creek/road southward until about 30 ft. in trees. "Flood Creek" ends about 30 ft. in trees, water flows freely.



Figure 3- Original culvert for creek to run under path.



Figure 4- Old diversion from creek, diverting water east under road/lot line.



Figure 5- Point where creek drains into dugout/pond that does not hold water (blue circle, left). Point where water drains out of dugout/pond heading east, then turning south (red circle, right).



Figure 6 – Looking south at place of use in the NWSW-8-T54N-R5W



Figure 7 - Place of Use in SWSW-8-T54N-R5W



The first two photos are of downstream flooding. The reason for the flood diversion ditch is to prevent water from flooding access road.
Date of photo: 5/17/2008

"Dad's" Diversion 5/17/2008



Roz's Property (E1/2NW1/4SW-8-T54N-R5W) Photo Date: 5/17/2008



Pond Work 4/8-9/2009

NESWSW-8-T54N-R5W



Pond full – 4/11/2009



8/7/2012 – Watering of trees from water truck. Water Supplied by Well Located Near Home in NESW-8-T54N-R5W
Claimant did not notate on photo list where place of use is. He did mention during exam that they were watering the trees in the SWSW-8-T54N-R5W. This may be that location. OK

2008

1314 - 1327 4/15/08
 1380 - 1381 4/26/08 ROZ
 1387 - 1397 4/29
 1412 - 1415 5/4
 1418 5/4
 1420 - 1429 5/6
 1432 - 1440 5/7
 1442 - 1443 5/7
 1451 - 1458 5/7+8
 1464 - 1466 5/9
 1469 5/11
 1473 5/13
 1482 5/15
 1489 - 1503 5/16
 1518 - 1529 5/17
 1531 - 1557 5/17 DOWNSIDE FLOODING
 1545 5/17 DAD'S DIV. POINT
 1558 - 1560 5/17 ROZ
 1562 - 1594 5/18
 1603 - 1613 5/19
 1614 - 1642 5/20, 21, 22
 1648 - 1656 5/23
 1681 - 1690 5/24

2009

2853 - 2856 1/20/09
 2999 - 3007 2/26
 3089 - 3105 3/21 CEMENT DAM FILLING - SPRING
 3114 - 3120 3/22
 3155 - 3166 4/6
 3167 3169 - 3178 4/7/09 STARTING POND DIG
 3184 4/8 CEMENT DAM POND
 3185 - 3212 4/8+9 POND WORK
 3213 - 3215 4/9 DAM POND
 3223 - 3251 4/11 POND FULL
 3256 - 3284 4/13 AROUND POND
 3285 - 3295 4/13 CEMENT DAM → TO RD
 3326 - 3329 4/18
 3436 - 3497 4/21 DAD'S POINT AREA
 3478 4/21 FLOODING - CENTER RD
 3499 - 3494 4/21 " @ POWERLINE RD
 3495 - 4/21 CEMENT DAM
 3507 - 3514 4/23 " " CLEANED
 3699 - 3700 6/24 CEMENT DAM AREA
 4476 - 4499 1/12/10 " "
 4507 - 4513 1/12/10 AROUND POND
 4575 - 4584 3/4/10 ROZ AREA NEAR DAD'S POINT

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2010

4600 - 4638 3/7+10 ROAD WORK
 4643 - 4663 3/11
 4668 3/19 ROZ
 4672 - 4675 3/25 ROZ
 4676 - 4683 3/27 POND FIRST FILL
 4684 - 4697 3/27 STREAM INTO POND & UP TO DAD'S POINT
 4698 - 4700 3/27 DAPS POINT - SEE BAG + STAKES
 4701 - 4726 3/27 ROZ CHANNEL WORK TO COLVERT
 4727 - 4753 3/27 UPSTREAM TO RD COLVERT
 4754 - 4756 3/27 24" COLVERT ACROSS RD
 4761 - 4784 3/28+29 POND FILLED, FLOWING ACROSS POWERLINE IN TRENCH
 4804 - 4810 4/18 POND WEAVING
 4811 - 4825 4/18 AROUND POND + RD
 4826 - 4834 4/19 MORE WEAVING
 4840 - 4843 4/21 POND
 4915 - 4921 5/27 COLVERT INSTALLS POWER LINE

2011

5407 - 1/16/11
 5411 1/16
 5421 - 5429 1/16
 5438 1/16
 5455 - 5456 1/16
 5473 - 5497 1/30
 5513 - 5518 3/31
 5582 - 5591 5/9
 5622 - 5638 5/14
 5642 - 5675 5/16
 5678 - 5689 5/17
 5691 - 5701 5/17

~~5705 - 5720~~

2012

6166 - 4/11/12
 6179 4/11
 6183 4/11
 6185 - 6186 4/11
 6400 6/4
 6651 - 6652 8/7
 6412 - 6414 6/4

Photos on pages 1 - 3 were supplied by claimant Tim Watson. This is the index for those pictures. Not all photos were used. Linda Werner, IDWR

2017

-085246 } 3/16/17 FLOODING
TO 100826

-160724 } 3/20/17 FLOOD CONTROL
TO 161317

-151936 } 3/23/17 FLOOD CONTROL
TO 155333

2018

-163515 } 4/4/18 ADDED DIV. TO ...
TO 164630

-165927 } 4/10/18 CONTROL FLOODING
TO 170727