

MEMORANDUM

TO: Rob Whitney & Tim Luke

FROM: Angie Grimm 

DATE: December 11, 2014

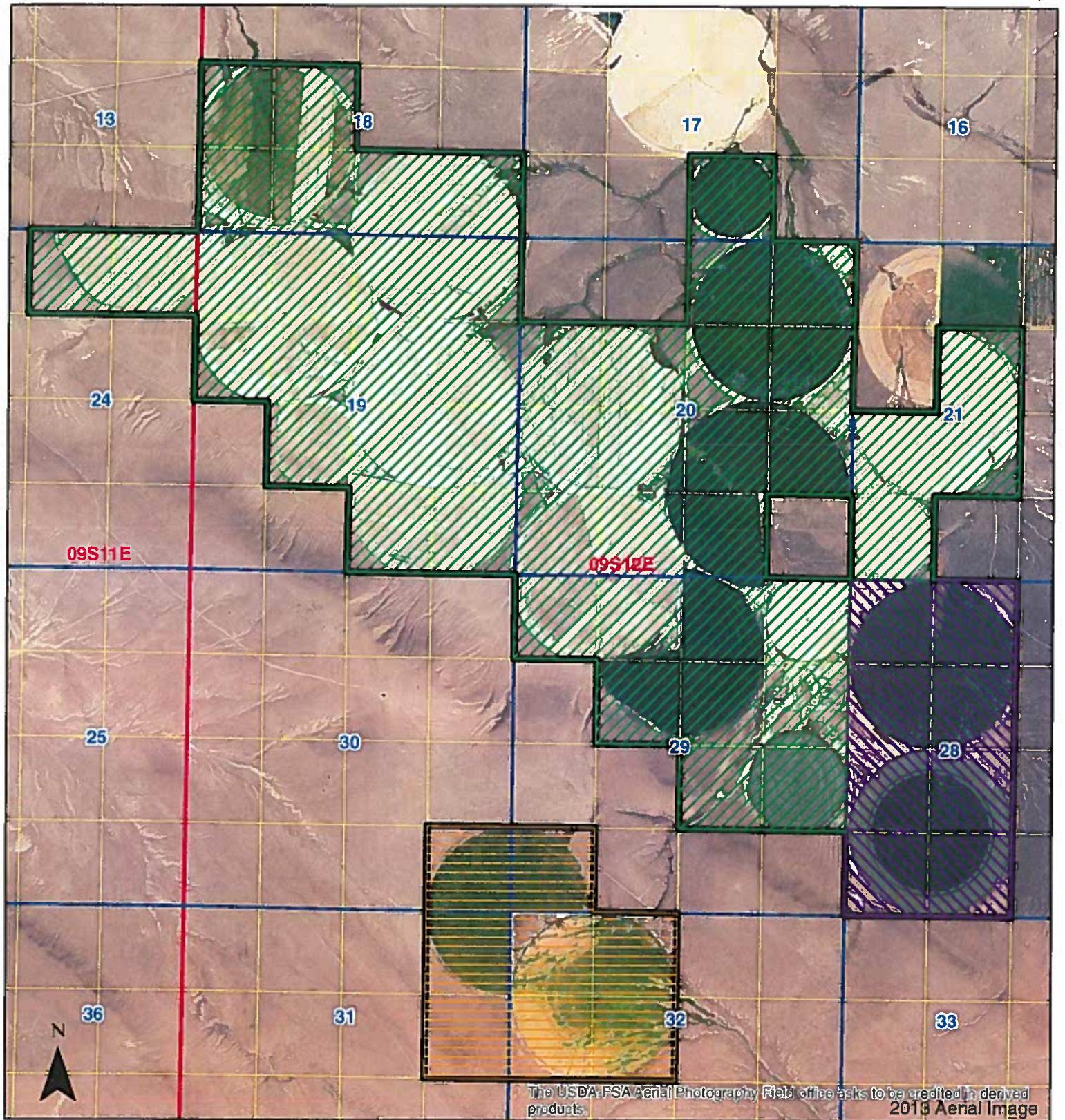
RE: Big Sky Dairy Irrigation Water Use vs. Water Right Coverage Review

On November 20, 2014, Tim Luke requested Western Region staff coordinate with Rob Whitney to review water right coverage for an area of irrigated acres on land owned by Big Sky Dairy within the Blue Gulch CGWA. In response, I volunteered to research the water rights and 2013 aerial imagery of irrigated land to determine any place of use discrepancies. The following summarizes my findings:

- Big Sky Dairy property within T09S R11E Section 24 and T09S R12E Sections 17, 18, 19, 20, 21, 28, 29, 30, 31, and 32 reviewed.
- Found three different systems authorized by ground water rights;
 - System #1 rights 51-2185, 51-2186, 51-2189, 51-7018, 51-7030, and 51-7038.
 - System #2 rights 51-2188 and expansion right 51-10046.
 - System #3 right 51-7014.
 - See attached map for generalized POU shape of 40 acre-tracts authorized within each system.
- System #1:
 - Each water right within this system describes a unique POU.
 - Irrigation of 1,580 total acres authorized.
 - Irrigation of ~ 1,588 acres occurring within the POU per 2013 aerial imagery.
 - Irrigation is greater than authorized in certain 40 acre-tracts, less than authorized in other 40 acre-tracts, and overall ~8 acres greater than authorized.
- System #2:
 - Right 51-2188 authorizes irrigation of 217 acres within a 278 acre PPU.
 - Expansion right 51-10046 authorizes irrigation of the additional 61 acres within the same 278 acre PPU.
 - Irrigation of 278 total acres authorized.
 - Irrigation of ~263 acres occurring within the POU per 2013 aerial imagery.
 - Irrigation is greater than authorized in certain 40 acre-tracts, less than authorized in other 40 acre-tracts, greater than the 217 acres authorized by the non-expansion right, but overall is less than the total number of acres authorized within the PPU.
- System #3:
 - Right 51-7014 authorizes irrigation of 320 acres.

- Irrigation of ~232 acres occurring per 2013 aerial imagery.
- Irrigation is occurring within the 40 acre-tract limits of the authorized POU.
- Conclusions:
 - Total irrigation occurring on Big Sky Dairy property is within the total number of acres authorized by all nine water rights. However, the irrigation is not occurring according to the described POU for each system.
 - Based on information found in the field exam for right 51-7018, it appears much of this land was converted from gravity irrigation to pivot irrigation during the period for 1990 through 2011. The rights were adjudicated based on use prior to this conversion period. POU discrepancies noted during licensing and adjudication of the rights (specifically 51-7018, 51-7030, and 51-7038) were discussed with the water right owner. Filing of a transfer application was anticipated once the rights were decreed, but no filing has been received.
- Recommendations:
 - Transfer application(s) should be filed to correct POU discrepancies for the rights. Determination of the interconnectivity of each system and between systems will dictate the nature and number of transfer applications necessary.
 - Discuss expansion right 51-10046 with the water right owner to address any issues regarding continued use following issuance of the SRBA Final Unified Decree per I.C. § 42-1416B.

Big Sky Dairy Irrigation Use vs. Water Right Coverage Review Map



Legend

- | | |
|---|--|
|  System #1 |  Township/Range |
|  System #2 |  Sections |
|  System #3 |  QQ |
|  Big Sky Dairy Property | |

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