

TRANSFER 79399 STARK, PREHEARING CONFERENCE NOTES 1/20/2015

Steve Lester

Both parties attended.



APPLICANT

- Fairly new owner.
- Familiar with water districts & measuring device requirements, Challis area.
- Prior diversion was ditch, lots of loss, not viable.
- Replaced with pump & sprinklers downstream from old POD & near home.
- Very efficient, viable. Use about 35 gpm, 7 heads at 5 gpm each.

PROTESTANT

- PODs downstream about 1.5-2 miles.
- Short supply, has senior rights, often not enough water.
- Assumes Applicant junior right should be shut off when gets dry but is not happening.
- More senior PODs between parties is Burch, said "don't want to get involved."

DISCUSSION

- Applicant said tested futile call idea, shut off pump and curtailed water did not reach next downstream POD (Burch) about ½ mile away. No benefit if curtains so should keep diverting. How does Protestant know how much he is diverting if no measurement devices? Nobody has devices so should not single out Applicant in transfer process.
- Protestant replied that common sense, long-time knowledge of area & good neighbor policy should be enough to know what to do, don't need measuring devices. Not convinced Applicant test was reliable.
- Applicant said could withdraw transfer & improve and use old POD if had to.

SETTLEMENT?

- Protestant agreed to conditionally withdraw protest if IDWR did futile call test this year when water short. If does show futile, will withdraw protest.

NEXT

- IDWR did not get written conditional withdrawal at conference, an error in hindsight.
- IDWR will send letter to parties to set up conditional protest withdrawal combined with futile call measurement test this irrigation season when dry enough to mimic typical shortage period.
- Appears typically dry about early July, target that for test.
- Test will measure impact upstream but adjacent to Burch's most upstream POD in NENE S30 (1st POD below Applicant).

1/20/2015

Basin	Sequence	Suffix	Basis	Priority	Date	Cfs	Rate	Source	Water Use	Current Owner	Total Acres
55	4019		Decreed		4/1/1881	0.920		TROUT CREEK	IRRIGATION, STOCKWATER	BURCH; RICHMAR LANDHOLDINGS LLC	44.4
55	4047		Decreed		4/15/1881	2.200		TROUT CREEK	IRRIGATION, STOCKWATER	L U RANCHING CO INC	110.0
55	4116		Decreed		4/15/1895	2.250		TROUT CREEK	IRRIGATION	06 LIVESTOCK	45.6
55	7437		License		1/19/1993	*		EAST FORK TROUT CREEK	STOCKWATER STORAGE	ELORDI	
55	10097		Decreed		9/6/1902	0.150		TROUT CREEK	IRRIGATION, STOCKWATER	STARK	5.0
55	10300		Decreed		11/8/1913	0.020		EAST FORK TROUT CREEK, UNNAMED STREAMS	STOCKWATER	L U RANCHING CO INC	
55	7437		License		1/19/1993	*		EAST FORK TROUT CREEK	STOCKWATER STORAGE	ELORDI,	
55	10096		Decreed		4/1/1867	0.020		SPLIT ROCK CREEK	STOCKWATER	BURCH; RICHMAR LANDHOLDINGS LLC	
55	10129		Decreed		6/1/1900	0.020		SPLIT ROCK CANYON CREEK	STOCKWATER	BURCH; RICHMAR LANDHOLDINGS LLC	
55	10211		Decreed		6/1/1870	0.020		SPRING	STOCKWATER	ELORDI	
55	10297 A		Decreed		5/20/1872	0.020		UNNAMED STREAM	STOCKWATER	L U RANCHING CO INC	
55	10297 B		Decreed		11/8/1913	0.020		UNNAMED STREAMS	STOCKWATER	L U RANCHING CO INC	
55	10298		Decreed		11/8/1913	0.020		SPLIT ROCK CANYON CREEK, UNNAMED STREAM	STOCKWATER	L U RANCHING CO INC	
55	10300		Decreed		11/8/1913	0.020		EAST FORK TROUT CREEK, UNNAMED STREAMS	STOCKWATER	L U RANCHING CO INC	

tributary to Trout Ck.

*small stock pond

06 Livestock → Stanford

SCANNED
MAY 06 2015

IDAHO DEPARTMENT OF WATER RESOURCES
ROSTER OF ATTENDANCE

Pre-Hearing Status Conference

Mark & Karen Stark

Application for Transfer No. 79399

Place: Lizard Butte Library, 111 S 3rd Ave W, Marsing, ID 208-896-4690

Date: Tuesday, January 20, 2015

Time: noon

NAME

ORGANIZATION

1. MARK STARK	RANCHER
2. Karen Stark	Rancher
3. JERRY Hillyard	Friend
4. ROSA MARIA LOWRY	Rancher
5. Bill Lowry	Rancher
6. Tim Lowry	"
7.	
8.	
9.	
10.	

Steve Lester, IDWR

Pre-hearing Conference

Mark & Karen Stark

Application for Transfer No. 79399

*Reminder calls for a Pre-hearing Conference scheduled on 01/20/2015 at noon
held at Lizard Butte Library-Marsing ID*

Mark & Karen Stark: (208)583-4146

tt Karen. "We'll be there." 1/16/15

Tim Lowry/ L.U. Ranching Co: (208)583-2249

Message left for Tim . 1/16/15

Janna/Lizard Butte Library: (208)896-4690 avail after noon

JANNA