

MEMORANDUM

Date: February 06, 2013
To: Water Right File 13-7279
From: jcefalo
Re: Field Report Narrative

Application 13-7279 was filed by Cub River Irrigation Company (CRIC) seeking water rights to cover the full capacity of their pumping station on the Bear River. CRIC has an existing right from the Bear River for 100 cfs (13-2066), but their pumping plant can divert up to 125 cfs. The application sought a water right for the additional 25 cfs. The water right, when in priority, would be used to meet the peak demand of existing shareholders on existing irrigated acres. After reviewing water availability in the Bear River basin, the Department issued Permit 13-7279.

A field exam was completed in August 1988. The examiner gave a detailed description of the pumping plant infrastructure. Water is diverted from the Bear River in a short channel to the pumping plant. Water is then pumped uphill 90 feet and discharged into an open canal.

The field examiner recommended voiding the permit for non-development. Although water district records show that CRIC diverted up to 125 at times during the development period, there was a concern that the water diverted greater than 100 cfs was actually storage water from Bear Lake rather than water diverted under Permit 13-7279. The Bear River basin is now highly regulated. Water under this right will only be delivered when all other senior irrigation rights in Idaho and Utah are fully satisfied. Water may only be available for a few days per year. The water right license should be issued based on capacity of the system and the historical practice of diverting 125 cfs.

As part of the licensing process, the Department usually must determine how many acres are irrigated under a water right. For a large canal company like CRIC, this analysis could take months of research. Because 13-7279 is supplemental to existing CRIC water rights, a full analysis of irrigated acres is not needed. The license will be issued with a condition stating that no new acres are authorized under this right. The place of use for license 13-7279 will be limited to the total acres authorized under existing rights 13-2066, 13-222 (Worm Cr), and 13-26B (Cub River). In the 1981 Worm Creek Decree, the total number of acres irrigated by CRIC shareholders was calculated to be 5,560 acres. It is unclear whether this acre total covered the entire company or just the irrigated acres in Idaho.