

Idaho Dept of Water Resources
Claims review notes and narrative

Date: 11-27-2000
12-15-2000

File: 43-272 ward sys analysis and prelim review

Prepared by Kelly K Christensen

PRE EXAM REVIEW

POST EXAM ANALYSIS

43-272, 43-273 claimed from Cassia Creek on the decreed place of use and an additional forty acre tract (NWSW Sec 21). A portion of that quarter has been licensed for irrigation under 43-2558 (groundwater source).

Basis of recommendation:

I am recommending the Cassia Creek rights from two points of diversion that allows irrigation on both sides of Cassia Creek. The riparian area surrounding Cassia Creek is not irrigated or recommended. Rice Springs water is delivered into the north side delivery system and can irrigate all of the same acres north of Cassia Creek. The ground south of Cassia Creek is currently marginally irrigated. Charles indicated that there have been problems with the shared ditch and that he often does not get any water to irrigate with. The recommended PP/U is for all irrigated acres with the Cassia Creek decreed rights and limited to the irrigated acres within the decreed place of use.

43-274 was claimed for irrigation, stockwater, and domestic uses. The domestic and stockwater uses are not part of the decreed uses and therefore are not recognized under this right.

For irrigation uses, it was claimed from Warm Creek / Rice Springs on the decreed place of use plus two additional quarters. The decree lists Warm Creek as the source. Added ground is the NENW Sec 20 and the NWSW Sec 21.

In reviewing the 1962, 1968, and 1987 aerial photography there is no clear indication of an irrigation system in the NENW Sec 20.

The NWSW Sec 21, again, was apparently developed under 43-2558 and this use expanded onto that ground.

The stockwater use is claimed in the NENW of Sec 19 and W½NW¼ of Sec 21 all that is Blm ground. Remarks in the claim seem to indicate that a pipeline watering system was developed. If so this would indicate a separate system and use (in essence a new claim).

The domestic/stockwater use also appears to be in a pipeline that may or may not be independent of the other stockwater uses. Additional information needed as of 11-27-2000.

Basis of recommendation:

After visiting with Charles Ward, I am recommending this right for the ground North of Cassia Creek and south of the Cassia Creek ditch recommended under the other 2 decreed rights. I am not recommending any irrigation at the spring source. Charles Ward stated that he is the only person that diverts water from this source.

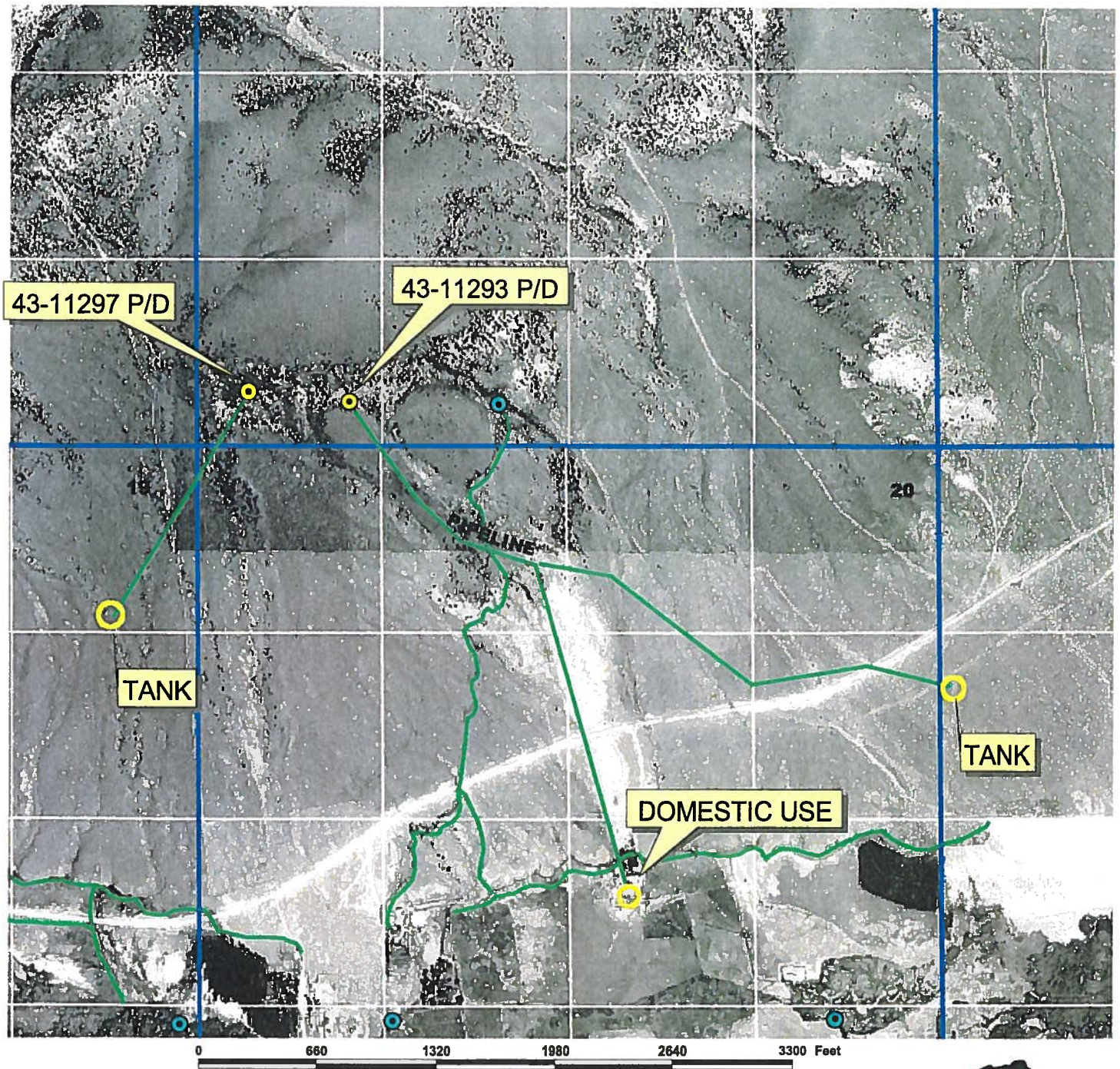
The domestic and stockwater uses were developed through two different systems and at different times. Therefore I have split those uses off this claim and am recommending them as follows.

43-11293 for domestic and stockwater with a 1938 priority date.

43-11297 for stockwater with a 1956 priority date.

The recommendations are based upon information supplied by Charles Ward.

RECOMMENDED PLACE OF USE FOR 43-11293 AND 43-11297



PLACE OF USE

TWP 13S, RNG 26E, SEC 20 & 21

Data entry on December 15, 2000

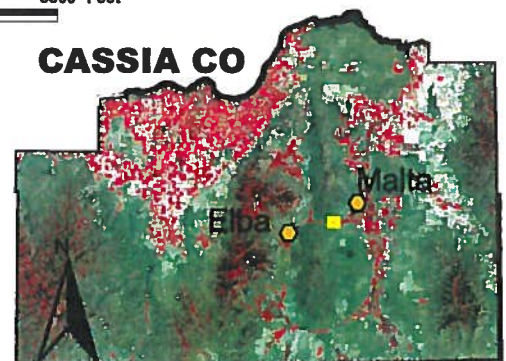
GIS PLACE OF USE PRESENTATION

1962 ASCS AERIAL PHOTOGRAPHY

DATA ENTRY BY KELLY K CHRISTENSEN

-  RECOMMENDED POINT OF DIVERSION
-  RECOMMENDED PLACE OF USE
-  SECTION LINES
-  QUARTER/QUARTER LINES

CASSIA CO



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 43-11297

WATER RIGHT NUMBER: 43-11297

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE, ID 83709-1657 (208)373-4000
Directors Report Owner	CHARLES R WARD 2075 E 1700 S MALTA, ID 83342 (208)645-2576
Directors Report Owner	JANET O WARD 2075 E 1700 S MALTA, ID 83342 (208)645-2576

Priority Date: 12/31/1956

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01	to 12/31	0.040 CFS	
	<u>Total Diversion:</u>		0.040 CFS	

Location of Point(s) of Diversion

SPRING	SW1/4SW1/4SW1/4	Sec. 17, Twp 13S, Rge 26E, B.M.
CASSIA County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	19	X																

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 43-11297

2. 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.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:Comments:

1. kchrste 8/23/2002 basis for version 2 recommendation
Comment: Ownership changed based upon an SF5 signed 8-14-2002

Dates and Other Information:

Licensed Date:
Decreed Date: 10/8/2002
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Water Supply Bank: