



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 18, 2004

To: Attached Distribution List

Re: Inspection of Diversions for Squaw Ridge – Ola Water Rights

RECEIVED
DEC 16 2004
Department of Water Resources

Dear Interested Party:

Deputy Watermaster Charles Wallace ("Deputy") and I conducted an inspection for water right diversions in your area last Tuesday, August 10. Please see the enclosed summary for results of the inspection. Also enclosed is a copy of the diversion points map previously distributed to you in our April meeting.

The diversions adequately comply with the Idaho Department of Water Resources (IDWR) Order issued on July 8, 2004, in this regard. Some acceptable deviations from the standards set forth in the order were found as explained in the enclosed summary. Therefore, IDWR will not issue any notices of violation at this time.

At the conclusion of the inspection, Mr. MacKenzie made a call to the Deputy for delivery of instream stockwater right 65-22373, which involves the stream below diversion point #4. IDWR is seeking additional information from Mr. MacKenzie to properly evaluate his call for water. A final determination by IDWR regarding delivery of his senior water right is expected soon.

The Deputy resigned late last week. It is probably too late in the season to find a suitable replacement, although any suggestions are welcome. **Additional calls for delivery of any water rights should be made by contacting Watermaster Eric Herr at 584-3515.** The Watermaster will contact IDWR to coordinate a response to determine if delivery of any water right is required.

Your efforts to meet the requirements of the July 8 Order are commendable and appreciated. I realize that disagreements about these matters linger, but you made significant progress in providing a situation suitable for regulation of the water rights if that proves to be necessary.

Please contact me at 334-2190 if you have any questions about this information.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure

SQUAW RIDGE - OLA MAILING LIST

ERIC HERR
SQUAW CREEK WATERMASTER
8917 BUTTE RD
SWEET ID 83670

JACK MOOERS & BETTY DERBONNE
PO BOX 70
OLA, ID 83657

JACK MOOERS & BETTY DERBONNE
3940 HANCOCK ST
SUITE 202
SAN DIEGO CA 92110

CHARLES MACKENZIE
PO BOX 1005
CALDWELL, ID 83605

CARROLL CARLOCK
PO BOX 60
OLA, ID 83657

MICHAEL & SARAH REDMAN
2309 N 18TH ST
BOISE ID 83702

CHARLES HONSINGER
RINGERT CLARK CHRTD LAWYERS
PO BOX 2773
BOISE ID 83701-2773

INSPECTION OF DIVERSIONS ON AUGUST 10, 2004

ALSO SEE ENCLOSED MAP

Diversion Point #1 – Fir Tree Gulch

Mooers-Derbonne 65-13598

- Permit with pending license 1995 priority.
- Pipeline to upper pond about ¾ mile southeast of diversion and south of creek.
- Can empty upper pond to route water to 4 smaller ponds located in drainage above Mooers-Derbonne home.
- Control box for diversion located near upper pond.
- Overflow possible at upper pond.
- Controls not necessary at creek intake pipe unless events show otherwise.
- **Diversion system approved since can be adjusted, locked and measured at control box.**
- **Can call for delivery of water although most junior of rights from this source.**

Carlock 65-22784

- Pending in adjudication 1865 priority.
- Instream stockwater downstream from 65-13598 diversion.
- Not subject to measuring device requirement unless decreed in adjudication and owner calls for delivery of water.
- **Diversion system acceptable as is for now.**
- **Cannot call for delivery of water unless right is decreed and measuring device installed at upstream end of instream reach.**

Redman 65-13156

- Licensed 1990 priority.
- Diversion considerably downstream from Mooers-Derbonne and Carlock.
- Not inspected since not a key factor in disputes.
- Could be incorporated into regulated diversions if owner wants to call for delivery of water.
- **Diversion system acceptable as is for now.**
- **Cannot call for delivery of water unless adjustable, lockable and measurable diversion exists.**

Diversion Point #2 – Springs aka “Box Canyon Springs”

Also feeds downstream diversion point #3.

Mooers-Derbonne 65-3025A and 65-22597

- Decreed 1890 priorities.
- Diversion is upended culvert collection with pipelines.
- Pipelines in culvert capped and not in use during inspection.
- Pipeline to Redman Ditch must not be used since lacks water right.
- Uncapped pipe found outside of culvert routes natural flow to nearby downstream drainage.
- Natural flow observed around culvert, leads to small boggy area and small flow channel to nearby downstream drainage.
- Culvert collection diversion can be locked closed with wooden lid.
- Diversion pipelines cannot be adjusted or measured.
- **Diversion system approved provided water is not diverted during periods of water shortages and/or regulation.**

- **Cannot call for delivery of water since diversion cannot be adjusted and measured.**

Diversion Point #3 – Unnamed Stream to “Redman/MacKenzie Diversion Box”

MacKenzie 65-18442

- Downstream decreed 1880 priority for instream stockwater.
- Pipe and valve from diversion box to provide flow to downstream drainage.
- Collection pipe at upstream end of instream reach can be measured.
- **Diversion system approved since measurable.**
- **Can call for delivery of water.**

Redman 65-3025X and 65-13155

- Decreed 1890 priority and licensed 1990 priority.
- Diversion box is 3 ft. rectangular suppressed weir with staff gauge to measure flow to ditch, ditch to pond, pond to Fir Tree Gulch near Ola Hwy.
- Cannot adjust flow through diversion box.
- During water shortages, unlikely enough natural flow available to totally fill both rights so lack of adjustment okay.
- **Diversion system approved since measurable, lack of adjustable controls acceptable unless events show otherwise.**
- **Can call for delivery of water.**

Diversion Point #4 – Springs aka “Homestead Springs” and Unnamed Stream

MacKenzie 65-22373

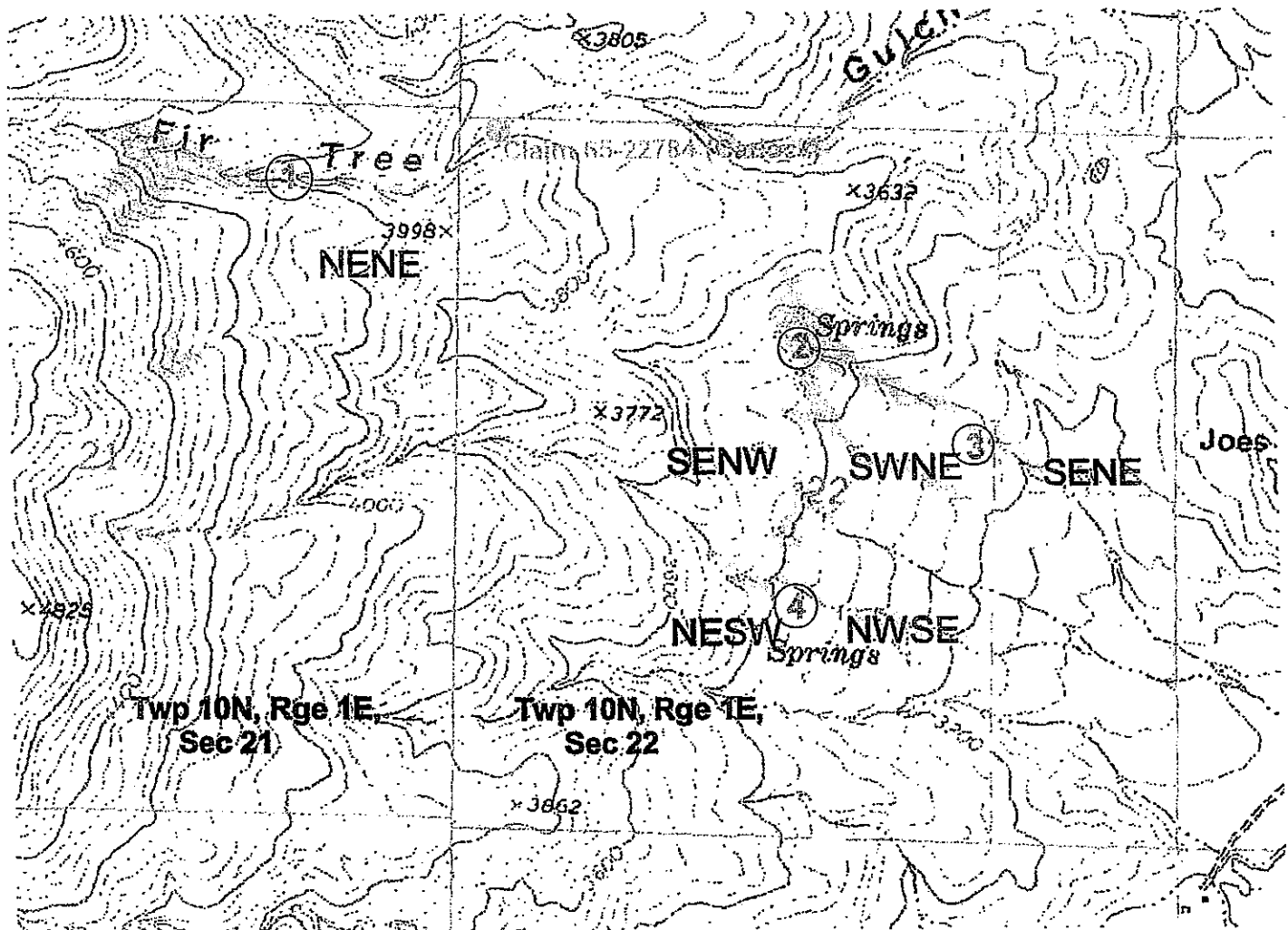
- Downstream decreed 1880 priority for instream stockwater.
- Collection pipe at upstream end of instream reach can be measured.

- **Diversion system approved since measurable.**
- **Can call for delivery of water.**

Mooers-Derbonne 65-13599 and 65-13677

- Permits with pending licenses for 1995 and 1996 priorities.
- Underground collection at springs, buried pipeline to control box located south of natural flow drainage and springs.
- Pipeline from control box to buried cistern and then piped to home.
- Overflow possible at control box or cistern.
- **Diversion system approved since can be adjusted, locked and measured at control box.**
- **Can call for delivery of water although junior to instream right 65-22373.**

Water Rights for Regulation by Watermaster Fir Tree Gulch Creek & Springs/Unnamed Streams tributary to Squaw Creek



0.3 0 0.3 0.6 Miles

Prepared by Sharla Curtis
April 2004
USGS Topograph

- 1 - Fir Tree Gulch Creek Permit 65-13598 (Derbonne-Mooers),
Right 65-13156 (Redman)
- 2 - Springs Rights 65-3025A & 65-22597 (Derbonne-Mooers)
- 3 - Spring/Unnamed Stream Rights 65-3025X (Redman),
65-18442 (Mackenzie), 65-13155 (Redman)
- 4 - Unnamed Stream Right 65-22373 (Mackenzie),
Permits 65-13599 & 65-13677 (Derbonne-Mooers)



SQUAW RIDGE - OLA WATER RIGHTS DELIVERY LIST, PRIORITY ORDER BY DELIVERY POINT									
DELIVERY POINT #1: Fir Tree Gulch Creek									
REDMAN	License	65-13156	3/19/1990	0.20 cfs/9.0 af storage					
MOOERS	Permit	65-13598	2/23/1995	1.00 cfs/26.2 af storage		90 gpm			Diversion downstream
Pat Carlook has Snake River Basin Adjudication Claim 65-22784 waiting to be decreed; not deliverable now. If decreed, the right will be deliverable. Elements of the claim are as follows:									
CARLOOK	Claim	65-22784	4/1/1865	0.02 cfs					Diversion at Point #1
DELIVERY POINT #2: Springs (feeds delivery point #3)									
MOOERS	Decree	65-3025A	5/1/1890	0.10 cfs		45 gpm	45 gpm		
MOOERS	Decree	65-22597	5/1/1890	0.02 cfs		9 gpm			
Not to exceed 0.10 cfs when combined									
DELIVERY POINT #3: Unnamed Stream									
MACKENZIE	Decree	65-18442	5/1/1880	0.02 cfs					
REDMAN	Decree	65-3025X	5/1/1890	0.10 cfs					Note that delivery point #2 rights are junior to right 65-18442
REDMAN	License	65-13155	2/24/1990	0.20 cfs/9.0 af storage		45 gpm			
DELIVERY POINT #4: Springs									
MACKENZIE	Decree	65-22373	5/1/1880	0.02 cfs					
MOOERS	Permit	65-13599	2/23/1995	0.05 cfs					
MOOERS	Permit	65-13677	7/8/1996	0.18 cfs/1.1 af storage					

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DEC 16 2010
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