

MEMO

TO: File 32-7098

FROM: CPadilla

DATE: September 22, 2010

RE: Licensing Review Memo

Time Line:

Application for Permit Received: 7/25/78

Permit Approved: 10/2/78

Proof of Beneficial Use Received: 12/23/99

Field Exam Conducted: 7/20/07

*There is no need for the permit holder to file a claim in the SRBA since proof was not submitted until after 1987.

POU: I reviewed 1986, 1987, 1991, 1992, and 1998 Imagery for Sec. 32 11N35E and found that the lands in connection with this permit appear very dry. This land is/was flood irrigated when water was available, which was not very often, so I can see why the imagery shows sparsely irrigated fields. I recommend licensing this right to be consistent with the field examiners report since there is no other information to the contrary.

Watermaster Records:

Time	24-hour second ft	Days Water Delivered (if 4.8 cfs delivered)
April 20-October 31 1980	220.8	46
May 1-October 31 1981	115.2	24
May 1-October 31 1982	302.4	63
May 1-October 31 1983	518	108
May 1-October 31 1984	586	122
May 1-November 1 1986	62	13
May 1-October 31 1993	310	65
May 1-October 31 1995	260	54
May 1-October 31 1997	37	8
July 1999	144	30

POU Overlap Analysis: NONE. No other rights are appurtenant to the subject land.

Conditioning:

Comment	Water Permit Condition Report 32-7098
Carry to license since on the permit. Taxlot shows that Egan owns all land associated with this right but not the land that the ditch crosses.	1. 004 The issuance of this right does not grant any right-of-way or easement across the land of another.
Will use updated R05 WM condition for WD 32C.	2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

PD Summary: Currently, several rights share this PD that include:

Right	Rate in cfs
32-25	3.36
32-43	2.0
32-7097	4.76
32-7098	4.44
32-13296	2.11
32-13298	0.65
32-13300	4.07
32-13302	0.5
32-13304	2.88
32-13306	0.77
Total	25.54 cfs

I will add condition F06 to the license to address the PD overlaps. All rights above except for 32-7097 and 32-7098 have multiple PDs.

System Capacity: In order to calculate the ditch's capacity, I evaluated the ditch in the years around the time proof was filed (late 90s). At that time, different rights were using this PD as follows:

Right	Rate	
32-20	2.34	Total of 12.2 cfs on 521 acres
32-21	0.72	
32-22	4.52	
32-23	0.86	
32-24	0.56	
32-51	3.2	
32-7097	4.76	
32-7098	4.44	

The first 6 rights also shared 3 other PDs that are downstream. Also, at that time, those rights irrigated lands in two different areas (see attached map). It is obvious that the northerly field can only be irrigated with the PD in Sec. 25. With that information we can figure out roughly how much water was being conveyed for that 158 acre field by calculating the proportionate amount of water per acre.

12.2 total cfs/521 acres total under all 6 rights = 0.023 cfs/acre x 158 acres=3.63 cfs

I then tried to figure out how much water was conveyed for rights 32-7097 and 32-7098. To find a year where both rights were simultaneous delivered, I looked through watermaster records. In 1995, both rights were delivered 3 cfs each on the same day for several days. Note that most years, the rights were not delivered at the same time.

With this information, I can conclude that the ditch has the minimum capacity of:

$$3.63 \text{ cfs} + 3\text{cfs} + 3\text{cfs} = 9.63 \text{ cfs}$$

No combined limits will apply to this right. The rights that use this as their only PD have a combined total of 9.2 cfs [32-7097 (4.76 cfs) 32-7098 (4.44)].

Season of Use: 4/1-10/31

Volume and Diversion Rate: The field examiner found 222 irrigated acres. The rate will be limited to the duty of water of 0.02 cfs/acre. The volume is based on the standard headgate requirement of 3.5 af/acre.

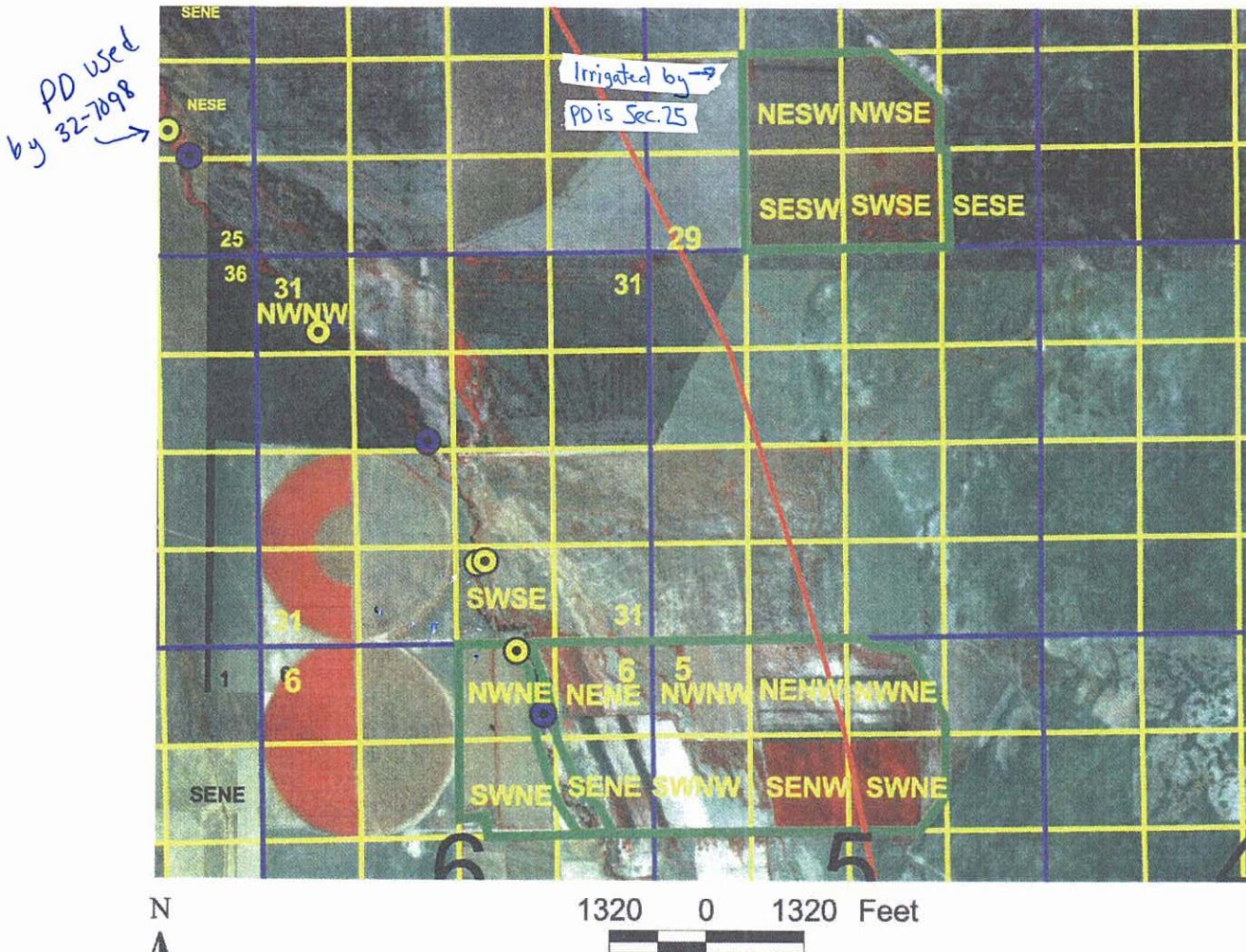
Amendment Needed?: NO

IDAHO DEPARTMENT OF WATER RESOURCES

32-00020, 21, 22, 23, 24, 51,

32-07081B (groundwater right, not considered for the system capacity eval.)

T10N, R35E, SEC. 5, 6
T11N, R35E, SEC. 29



ACRES IRRIGATED- 521



PLACE OF USE



POINT OF DIVERSION

GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
PREPARED BY DAVE CARLSON

NOTE — Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

Month of MAY + June 19 95

Name of Prese Owner	6	7	8	9	10	11	12	13	14	15	RKS
Dusty Shifflet											
G & L Cattle											
Webster											
Wood Field	170	170	170	170	170	170	170	170	170	170	
Webster											
Small											
Stelzer											
Med. Lodge											
Med. Lodge											
Dusty Shifflet											
G & L Cattle											
G & L Cattle											
Wood Field	5	5	5	5	5	5	5	5	5	5	
Webster											
Wood Field											
Tom Eden	640	640	640	640	640	640	640	640	640	640	
Tom Eden											
G & L Cattle	2										
G & L Cattle											
Medicine Lodge					3	3	3	3	3	3	
McGarry P.				3	3	3	3	3	3	3	