

MEMORANDUM

TO: File 22-7418

FROM: KAY WALKER

RE: License Review

Date: January 5, 2006

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I was advised that we should prepare licenses for the lands under this permit by current ownership but this was problematic. Called Madison County Assessor office on December 30, 2005, and confirmed that the ownership of lands in SE $\frac{1}{4}$, S12, 5N; 40E are owned by Richard Smith. Lands in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13 are owned by Richard Smith. Lands in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13 are owned by Byron Webster, et al. Lands in N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 18, 5N, 41E are owned by Richard Smith. Lands in S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 18 are owned by Webster Brothers. These property owners have made arrangements to irrigate each other's properties. I requested a copy of the agreement but did not get a response to my letter. In order to proceed with the licensing of this permit it was decided that we could license the two systems found by field examiner and then the land owners may have to file transfers in the future if they want to make changes to the water rights. This permit will be split into 2 parts under numbers 22-13457 (SRBA 22-7418A) and 22-13458 (SRBA 22-7418B) since there were 2 separate systems utilized on lands included under the permit.

License 22-13457 has been prepared as 517.1 acres of irrigation at 0.011 cfs per acre (5.88 cfs/517.1 acres). There are no other water rights diverted from this well according to information search of our database. Field examiner recommended 592.7 acres of irrigation on his exam. Lands in S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 18 were previously licensed under Rt. 22-7071 but those lands have not been claimed in the SRBA under Claim 22-7071. In phone conversation with Al Ruberry (he is preparing Rts. 22-7071 and 22-7418 for SRBA recommendations) on 12/30/05 regarding these lands and he stated he will request an amended claim for 22-7071 so that he can recommend the lands in S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 18 as part of that licensed right. I did not include these lands in licensing recommendations as they are licensed under Rt. 22-7071 at 0.015 cfs per acre, which allows a better flow rate for these lands.

License 22-13458 has been prepared as 71 acres of irrigation from the wells developed under Rts. 22-7071, 22-7156 and 22-2247 since that land has been irrigated from Webster Brothers wells due to the land swapping agreement. There are no other water rights for this 71 acres. I recommend that we allow 0.92 cfs for the irrigation of the 71 acres. I reviewed the rates licensed under rights 22-7071 (0.015 cfs/ac), 22-2247 (0.011 cfs/ac) and 22-7156 (0.013 cfs/ac). I averaged these rates and came up with an average of 0.013 cfs/acre so have prepared license 22-13458 at this rate. These rights,

when combined, will have a capacity limitation of 18.27 cfs based on flows determined on the prior licenses. Claim 22-7418B will need to be amended to allow the rate I have recommended since they only claimed 0.57 cfs for this land.

In discussion with Al Ruberry and Skip Jones it was determined that they will "invite" the parties involved under this permit into the office so they can sit down with the parties and go over the proposed licenses and the claims that have been submitted which are currently undergoing SRBA review. I will prepare licensing amendments and layouts of each proposed license and e-mail them to Al so he can discuss with the parties at the time of their visit.



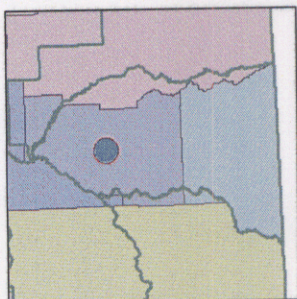
Idaho Department of Water Resources

Water Right Number: **22-13457**

T05N R40E
T05N R41E

Legend

- License 22-13457
- Sections
- QQ



Madison County
IDWR Basin 22

