



BROCKWAY
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Hydraulics

Hydrology

Water Resources

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DEPARTMENT OF
WATER RESOURCES

June 9, 2004

Mr. Jeff Peppersack
Idaho Department of Water Resources
1301 North Orchard St.
Boise, ID 83706

Re: Transfer 71010 Petition for Reconsideration

Dear Mr. Peppersack:

You requested additional information regarding the Petition for Reconsideration filed for the above-referenced transfer.

The diversions and ditches on the property have been outlined and discussed with the regional staff. According to Fred Faulkner, the irrigation configuration has not changed since approximately the 1940s. No other individual is alive who can testify to water usage prior to that time.

As noted in the Petition, the lands shown in the 1987 photo are irrigated by the decreed water, and the amended SRBA claims assert an accomplished transfer to encompass the entire place of use. The fact that the 1987 photo shows irrigation with decreed water can be demonstrated by an analysis of the water supply in Chimney Creek.

Whenever the discharge in Chimney Creek drops below 4.0 cfs, no water is present to fill the late-priority right 37-2147, and all of the water in the creek is decreed water. On September 3, 2003, the discharge in the creek was well below 4.0 cfs – I estimated it at no more than 1.0 cfs. As you know, 2003 was a significantly below-average water year, similar to 1987. No systematic records of Chimney Creek discharge are available, but the discharge in Camas Creek should be reasonably representative of the relative magnitude of side-drainage flow, including flow in Chimney Creek. The enclosed plot shows monthly Camas Creek discharge at the USGS gauge for 1987 and 2003 compared to the average 1912-2003 flow. This plot shows that the water yield of the Camas drainage was lower in 1987 than it was in 2003. Camas Creek monthly discharge in 1987 was 9.7 cfs in June, 4.4 cfs in July and 3.0 cfs in August.

The analysis can be made more specific by looking at discharge on the date of the 1987 aerial photo, which was August 7, 1987. On this date, the discharge

in Camas Creek was 3.2 cfs. On the date of my site visit, the discharge was 2.9 cfs. If the discharge in Chimney Creek was <1.0 cfs when Camas Creek was 2.9 cfs, it is highly unlikely that more than 4.0 cfs existed when the aerial photo was taken and the Camas Creek flow was 3.2 cfs. This analysis assumes that Camas Creek irrigation diversions were roughly similar in 1987 and 2003, which is not known. Certainly, however, by August 1987 runoff would have ceased and Chimney Creek would have recessed to its spring-fed base flow, which is estimated to be 0.5 to 1.0 cfs, similar to 2003.

I believe these data demonstrate that the flow in Chimney Creek was likely less than 4.0 cfs throughout the 1987 irrigation season, and certainly less than 4.0 cfs on the date of the aerial photo. If that is the case, then all of the irrigated land shown on the 1987 photo (with the exception of the 5± acres in the draw in NWNE Sec. 35 which cannot be reached by gravity) was irrigated with decreed water.

The Department should recognize an accomplished transfer of decrees 37-228 and 37-229 based on this evidence.

Cordially,



Charles G. Brockway, P.E.

cc: Jay and Fred Faulkner

Monthly Discharge for Camas Creek near Blaine

