

March 4, 2007

## *Marsh Creek Water District 45F*

### Water Master's 2006 Annual Report

RECEIVED  
MAR 16 2007  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

I would like to thank all of the Water District Members as a whole for the overall cooperation on the call of water during this last irrigation season. We did work as a team when it counted. Everybody did their part.

Our over all projection for the season was **4817.81 CFS** and our actual usage of water totaled **6474.40 CFS** a difference of 1656.59 CFS to the good. We utilized 134.39 % over our projected water year. Therefore, costing the user less. Also, due to excessive water run off we did not have a basic call for water for the month of March also, on the east side of the valley in April no calls. We did have excessive run off on the Howell Creek drainage thus washing out an estimated 20 acres of hay on the Chatburn Ranch and approximately 5 to 8 acres on the Robinson's Ranch.

Rains were excessive, extending water into the irrigation season a bit longer especially on the Howell Creek drainage. I did not have to call for the complete first right at the head of Howell Creek as I have in the past and I only had it for approximately 21 days at 47% of called right.

*As your current Water Master, in this coming year (at this annual meeting) I am requesting from MCWD, that ANY excessive water from Rose Creek be channeled through the main channel of Rose Creek. Therefore, reaching Marsh Creek verses being channeled down through the Ole Homestead of Mahoney's, that is a lateral for irrigation and not pushing waste water. That was part of the problem with flooding Robinson and Chatburns Ranches. The Goodman Ranch cannot handle all of that water as we had this last season.*

It will be noted most of the springs along the whole mountain frontage of the Water District have yet to reestablish, most are still dry.

(As your current Water Master, I am requesting action from this delegation today on the following).  
*Marsh Creek Water District submitted a Petition for Reconsideration On The Final Order Creating The Oakley Basin 140 Water District (including 45F). We had a total of 33 signatures. On February 15, 2007 we had the opportunity to listen to the new Interim Director of Water Resources, David Tuthill, out of Boise. He made a special trip on behalf of our request to listen to our reasons for not wanting to be part of the new Water District 140 that was being created. The consensus after the meeting is we need a representative for MCWD. We have been included with Attorney Bill Parsons 8 step rebuttal along with what was submitted by District 130 and MCWD for consideration at this time. I therefore, ask as your water-master, for the MCWD 45F board to consider having a representative, represent this water District 45F.*

*At the 2005 annual water meeting, the membership decide on \$12.00 a month for the Non-consumptive water User's, leaving the Pomerelle Ski Resort charge still up in the air.*  
Please, I ask you to come up with a specific charge for the Pomerelle Ski Resort. The water usage is very small for the time spent. Spent excessive time to try and resolve problem. I have made a dozen trips to the top of the mountain this last season and four of them were dealing with Lake Cleveland, replacing a lock on top of being a mediator between users and attorneys on the legality of water. 4 trips estimated total time to resolve amounted to 6.5 hr's plus an average of 1-1.3 hr's per trip on the other 8 trips.

I have indicated to the Water District and Advisory Council through my annual water master report, that due to some house keeping problems that have been encountered over the last few years, some areas have been corrected and hopefully more will be corrected this coming year.

#### **OTHER AREA'S OF CONCERN:**

Some of the decreed users have problems with their delivery systems, diversion and measuring devices that are not in line legally. They need corrected so delivery of water can be measured correctly and not estimated. They are as follows:

**Marsh Creek Tributary: (main channel)**

John Burrows:

- A) 'MJ' Diversion screw-down head gate and measuring device required.

Ben Chatburn Estate (city):

- B) 'MK' Diversion screw-down head gate needs to be placed prior to weir with measuring device to a pond verses pumping strait from creek at weir. Using a pump from the ponds with a pressure-gage will support what is being handled through hand-lines.

6S-Ben, Skagg's Ranch:

- C) 'ML' Diversion currently a slide type diversion off of main creek. Therefore, needs Screw down head gate.

Snodgrass East Side:

- D) 'MM' Diversion has no existing water right at present, but has a Weir and sliding diversion gate with really no existing measuring device.

**Land Creek Channel:**

Cunningham/Erickson Weir:

- A) 'L' The weir is in place but there is no head-gate, set up for sliding boards. Needs screw-down plus a measuring device. Mr. Roger Jenkins needs to open up delivery channel in which he covered up after purchasing the ground from Cunningham.

6S Ranch/Robinson Weir

- B) 'LJ' needs to be upgraded to a higher height plus screw-down head-gate's for both diversions. Robinson needs a corrected measuring gage on cipolletti weir, the one that's there is incorrect. 6S has a box w/measuring device, but is a slide type non-lockable device. Plus culvert to Marsh Creek needs repaired. A means of a shut off on the Marsh Creek side would prevent pressure build up in culvert during flood stage causing damage to culvert.

**Howell Creek Channel:**

Albion Ranch 2006 LLC:

- A) 'HC' diversion is currently being changed to new location (below) and adding a new weir and two diversions off of it and I understand will both be enclosed lines with digital read outs. This is currently being developed through the new owner of Albion Ranch 2006, LLC. There could be problem areas below this weir since there is no other diversion that I am aware of for the ranch to legally divert water from the creek. They will need to create lateral delivery ditch to handle their water correctly.

Jolley/Robinson/6S Howell delivery system:

- B) 'HD' Halard Ditch, has screw down head gate and 18" Parshall flume but needs a lot of work before water can be read accurately, plus delivery ditch needs a lot of work done to it. George & Bill Kelley closed off part of it this last summer at the east end of airport which needs to be corrected. I as the Water master has informed both parties and I understand Lee Jolley has initiated his layer on this.

Leo/David Bell:

- C) 'HE' diversion has head gate and measuring device, but between head gate and measuring device the ditch needs work done on it. Plus they need to set up a lateral ditch for lower meadows verses taking water at lower part of bank off of creek.

Larry Mahoney:

- D) 'HG' Diversion has screw down head gate but no measuring device.

Dayley Diversion:

- E) 'HJ' Diversion, the weir needs maintained, he has a screw down head-gate, but no measuring device. Also, needs a head-gate screw down with measuring device on west delivery system (Goodman Lateral).

Mathews Diversion:

- F) 'HK' Diversion, this needs to be checked out, should be okay!

Chatburn's 2<sup>nd</sup> Diversion (south of 800 South 1300 East):

- G) 'HM' Diversion, there is a channel diversion to the east controlled by boards to pond needs a screw down head gate and measuring device.

There are no other diversions that I am aware of on Howell Creek from this point on to Marsh Creek.

**Brim Creek:**

Again, same issue, the main channel does not have any legal diversion and measuring devices on the creek. Due to the adjudication changes, we have delivery of water to David Clark, 6S Ranch and Droz's (others (?)). There needs to be legal measuring devices and head gates placed on this creek by the users if they are to call for water. Original rights were the Droz's and 6S Ranch.

**Black Jack Ranch: Larry Mahoney**

**Rose Creek:**

*The director's agreement in 2000 with Larry Mahoney was never corrected.* There needs to be a main channel weir and diversion head gate with a measuring device, placed at the upper meadow approximately 100 – 150 feet off the fence line. Joe Peterson has been shown where it should be placed and Larry Mahoney is aware.

**Broad Hollow Creek:**

Larry Mahoney has corrected the problem of water returning to Howell Creek this last spring and was charged for water. He has yet to implement a diversion-measuring device on the creek, the water master is still estimating usage.

**Anton / Pine Creek: (Clyde)!!**

The main channel at 1<sup>st</sup> diversion point Grant Clark (Anton), a diversion screw down head gate needs to be placed with a measuring device(s), needs to be installed. A 2<sup>nd</sup> diversion placed where Fred Hawker diverts his water with a measuring device(s) head gate needs to also be installed. I have submitted this problem since 2000 when I shut them off.

**Pumps in main creek channels!** A priority problem on Land Creek is pumps in the creek. This was addressed last year at great length and is still causing a problem in delivering water to the proper right as the creek drops it creates a bigger issue. These pumps have been placed mostly, illegally. The individual(s) have a legal diversion but do not maintain a delivery ditch, but maintain the pump to deliver water for keeping grass green.

I, as the Water master has a problem of controlling and maintaining water usage and or billing, this also infringes on senior water rights.

- The Water District did indicate through Allen Merritt's ruling that if that right is down to a portion of the right and it has to go to the next in line, it is shut off irregardless, if the individual persists to use a pump then there shall be a monitor required instead of guessing on usage. As the Water-master, here are some following options that **SHALL** be implemented. 'ABB C-700 Water Meters vary from the Minimum of ¼ GPM to 25 GPM maximum (3/4" size) to a 1" to 2" sizes that will deal in GPM from ¾ to 2 and max out respectively 25 to 50 GPM. See me for more information.

**Marsh Creek channel change**, main channel at the Randell Allen residence needs hand on supervision of stream change that was initiated two years ago. ***There needs to be ripe rap done to the creek to complete the project.***

**AREA'S Off of Main Channel's:**

**Marsh Creek Drainage:**

- Tom Geary, The West slope drainage needs diversion head gates and measuring device(s) dealing with decreed right 45-02704 and the upper meadows of the west slope.
- A.W. Anderson needs a head gate and measuring device for water diversion off of West slope channel NW of Geary's, only legal water right is off the highland ditch from diversion 'B2'.
- George Montgomery/Kent Cooper diversion 'G' needs an additional measuring device and diversion head gate off of main delivery ditch, placed in valid area for Montgomery's delivery of water.
- Nick & Cedar Knudsen Place needs legal diversion & measuring device w/property transfer off of Vaughn ditch. Decreed Right 45-0312.

- The O'Rear place on the Vaughn Ditch needs a proper diversion headgate and measuring device for the decreed right 45F-0312. Hill is the new owner, I believe.
- Kent Coopers diversion off of the Vaughn Ditch will require a head gate and measuring device. Also, the delivery ditch fixed up. Water not contained within ditch.

***Howell Creek:***

Diversion 'A' (Brim ditch Users) head gate needs repair of seal; Diversion 'B' (Anderson/Hawker/Clark) above weir, main channel repair plus delivery ditch work and partial flume needs leveling;

***Cow Gulch Creek:***

The diversion and head gate needs work, and the Cipolletti weir needs repair also a measuring device setup off of Asher creek which intermingles with the decreed right off of cow gulch.

***Main Marsh/Land & Howell Creek, aka (Narrows):***

The main channel weir has completely been repaired by 6S-Ranch. A flow test was done to the main channel weir and the CFS passing through the weir is accurate. The Highland diversion still has to be modified with measurement devices for the delivery system to the two new catchment basins that were developed at the Narrows.

***Point of Interest:***

Six-S Ranch developed a new reservoir during the 2004 season, completing the project in December 2004. The dam that was constructed is called "Point of Rocks Dam" was constructed to a height of 25+/- feet. The homogenous/zoned earth fill dam provides storage of 253 acre-feet for irrigation, recreation, and fish and wildlife propagation. Although originally designed as a thin core dam, the dam was constructed as a section dam with the upper 2/3 consisting of impervious material and the lower 1/3 of pervious material. The irrigation project services an area consisting of 1,541 irrigable acres under existing distribution systems from Marsh Creek.

This last season 6S-Ranch has been developing two sediment catchment basins with the following dimensions (225' long, 10' deep, 60' wide) will be constructed immediately adjacent to Marsh Creek and 6S-Ranch's property in the SENW of Section 22, Township 11 South, Range 25 East, Cassia County. Only one basin will be in use per season. When the first basin is full of sediment, water will then be diverted into the second basin. Water will be diverted into the sediment catchment basin and then immediately returned to Marsh Creek. The purpose of these catch basins is to substantially reduce the amount of sediment and debris in Marsh Creek, thereby improving its water quality.

Respectively submitted by;

Don G. Gunderson, Water Master  
Marsh Creek Water District 45F

Cc: Advisory Board Member's:  
Jeff Chatburn, George Kelley  
Pat Mc Cammon, Gwen Montgomery, Chairman  
Water District Member's 45F (copy if Requested)

WATER DISTRICT 45-f YEAR 2007 MEETING DATE 3-5-07

Watermaster Don Gunderson Telephone 673-5359

Address 1047 E 1000 S, Albion 83311

Appointment:  Annual  Seasonal

Secretary David Bell Telephone 673-5381

Address Styr Rt Box 25, Albion

Treasurer Cassia County Telephone \_\_\_\_\_

Address \_\_\_\_\_

Basis of Budget:  Year Average  Water Rights  
 Last Year's Deliveries (No Debits/Credit)  
Other \_\_\_\_\_

WM Oath of Office Sent 3-20-07 Received 3-30-07

Call-On Petition Sent - Received -

Certificate of Appointment Sent 4-2-07

36 Daily Record Books Sent \_\_\_\_\_ Received \_\_\_\_\_

Treasurer Oath Sent - Received -

Certificate of Appointment Sent -

Forms Needed:	Date Sent:	Received:
<u>* Watermaster Report</u>	<u>-</u>	<u>2-4-08</u>
<u>* Proposed Budget</u>	<u>-</u>	<u>2-16-07</u>
<u>* Adopted Budget</u>	<u>-</u>	<u>3-16-07</u>

WM Report Returned For Correction \_\_\_\_\_

WM Report Approved 2-25-08 Copy To District 2-25-08

Minutes of Meeting Received 3-16-07 Acknowledged 3-19-07

Bills Received \_\_\_\_\_

Sent To County \_\_\_\_\_

Contact Person/FAX # \_\_\_\_\_

\* Computerized form from District