MEMORANDUM

TO: Water District 36-A File

FROM: TIM LUKE TJL

DATE: August 30, 1993

RE: Water Rights and Diversions from Weatherby Springs, Three Springs and Hoagland Tunnel

==========

Following my summary of the measurements made at the Jones Fish Hatchery and from the above referenced springs (see memo to file dated August 27, 1993), I made a review of the water rights listed for these sources. These listings are attached to this memo. Three of the four attached listings identify existing decreed rights and any administrative rights from the three sources. A fourth listing identifies water rights from Hoagland Tunnel as currently recommended by the Department in the Snake River Basin Adjudication (SRBA) Basin 36 Director's Report. This latter report was generated because the Department's decreed and administrative computer water rights data base did not reflect that some rights in the New International decree listed both Weatherby Springs and the Hoagland Tunnel as a source of water. All the rights identified as being from Hoagland Tunnel on this attached abstract from the SRBA Director's Report database however were originally decreed from both Weatherby Springs and Hoagland Tunnel.

When the measurements were made on August 26, some of the flow from the Weatherby Springs complex was diverted and commingled with all of the flow from the Three Springs complex. The commingled water was used for both the fish hatchery and some irrigation diversions. All of the flow from Hoagland Tunnel was diverted directly for other irrigation uses. The total flow from all the springs on August 26 was about 50 cfs.

As per the attached lists, there are two decreed rights from Three Springs for irrigation purposes which are senior to the Jones' 1969 priority fish propagation right. The sum of the water right rate of diversion for the two rights is 7.7 cfs. The total irrigation water rights rate of diversion senior to the Jones right from Weatherby Springs and Hoagland Tunnel is 55.29 cfs. The total rate of diversion listed for those rights from Hoagland Tunnel which are senior to the Jones right in the Director's Report is 6.40 cfs. Subtraction of the 6.40 cfs for Hoagland Tunnel from the Weatherby Springs Water Master Report means that there is a total of 48.89 cfs under the senior irrigation rights.

Based on the August 26 measurements, all irrigation rights recommended from Hoagland Tunnel, except a portion of the most junior right, was being filled. Since some water from Weatherby

Springs and Three Springs was commingled, it is easier to compare the combined flow of Weatherby and Three Springs, which was 40.62 cfs on August 26, with the total senior irrigation rights from the two sources, which is 56.59 cfs.

Since a portion of the total fish hatchery diversion was overflow water from the irrigation pipeline diversion from Weatherby and Three springs, it may be assumed that the irrigation demands with rights which are filled from this pipeline were satisfied. Also, it may be assumed that all other irrigation demands with rights from Weatherby Springs were satisfied since the re-diversion of water from the hatchery to the Bar-S irrigation ditch exceeded the minimum 325 inches (6.5 cfs) which is required to maintain that ditch.

In summation, the August 26 measurements indicate that the irrigation diversions from the springs covered by the senior water rights did not exceed the total amount of water which could have been diverted under those rights. The reminaing flow from the springs not diverted directly for irrigation was available for use at the hatchery. Due to the limited available supply of flow from the springs and some irrigation use by senior water rights holders, only a portion of the 1969 priority Jones water right license for 73.05 cfs (license no. 36-7071) could be filled.

OD-5813
WR5813NP
SELECTION FILE: WHTBY

IDAHO DEPARTMENT OF WATER RESOURCES
WATER MASTER REPORT
BY WATER SOURCE/PRIORITY DATE

DATE: 08/27/93
TIME: 15:39:18
PAGE: 1

WATER RIGHT NUMBER	CURRENT OWNER NAME	PRIORITY DATE	STG	POINT OF DIVERSION	POD FLAG	TOTAL DIVERSION	TOTAL ACRES	WATER USES
WATER SOURCE: HOAGLAND TUNNEL								
36-07071	JONES & SANDY LIVESTOCK CO.	07/08/1969	L	07S 14E 30	NESW	73.050 CFS		19
WATER SOURCE: THREE SPRINGS								
36-07071	JONES & SANDY LIVESTOCK CO.	07/08/1969	L	07S 14E 30	NESW	73.050 CFS		19
WATER SOURCE: WEATHERBY SPRINGS								
36-00086A	PENFOLD, JOHN T.	02/01/1888	D	07S 14E 30	NESW	1.980 CFS	46.0	01
36-00086B	PRICE, VARNELL H.	02/01/1888	D	07S 14E 30	NESW	0.020 CFS		43
36-00045	FARMER, J. EUGENE	02/01/1888	D	07S 14E 30	NESW	0.500 CFS		01
*** 36-00068	JONES, DANIEL	02/01/1888	D	07S 14E 30	NESW	12.500 CFS		01
** 36-00177	LEMMON, GUY	02/01/1888	D			1.780 CFS		01 →
*** 36-00069	JONES, DANIEL	02/01/1888	D	07S 14E 30	NESW	1.000 CFS		01
36-00118	VADER, EARL	12/12/1901	D	07S 14E 30	NESW	0.100 CFS		01
36-00060	HIGLEY, ALBERT	12/12/1901	D	07S 14E 30	NESW	0.500 CFS		01
36-00061	HOFFMAN, L. W.	12/12/1901	D	07S 14E 30	NESW	2.220 CFS		01
36-00116	UNSINN, RUTH	12/12/1901	D	07S 14E 30	NESW	1.610 CFS		01
36-00119	VADER, FRANK J.	12/12/1901	D	07S 14E 30	NESW	0.200 CFS		01
36-00009 *	BARTON, R. W.	03/08/1902	D	07S 14E 30	NESW	0.800 CFS		01
36-00011 *	BARTON, W. C.	03/08/1902	D	07S 14E 30	NESW	1.300 CFS		01
36-00033 *	CLIFFORD, EDNA N.	03/08/1902	D	07S 14E 30	NESW	3.000 CFS		01
36-00015 *	BEDINGFELD, J. C.	03/08/1902	D	07S 14E 30	NESW	10.900 CFS		01
36-00044 *	ELIASON, JACOB	03/08/1902	D	07S 14E 30	NESW	0.700 CFS		01
36-00105 *	STROUD, FLORENCE OWENS	03/08/1902	D	07S 14E 30	NESW	1.000 CFS		01
36-00010 *	BARTON, R. W.	03/08/1902	D	07S 14E 30	NESW	0.400 CFS		01
36-00016 *	BEDINGFIELD, J. C.	04/04/1910	D	07S 14E 30	NESW	0.300 CFS		01
36-00042	ELIASON, ARMEDIA	04/04/1910	D	07S 14E 30	NESW	0.400 CFS		01
36-00062	HOFFMAN, L. W.	05/01/1912	D	07S 14E 30	NESW	0.280 CFS		01
36-02023	VADER, FRANK C.	07/08/1915	L	07S 14E 30	NENW	0.500 CFS	25.0	01,43
36-00120	VADER, FRANK J.	07/08/1915	D	07S 14E 30	NESW	0.500 CFS		01
36-00063	HOFFMAN, L. W.	11/01/1915	D	07S 14E 30	NESW	0.800 CFS		01
36-00017 *	MC CARTY, MARY	12/09/1916	D	07S 14E 30	NESW	12.000 CFS		01
36-07071	JONES & SANDY LIVESTOCK CO.	07/08/1969	L	07S 14E 30	NESW	73.050 CFS		19
36-07740 *	BUCKEYE FARMS INC.	09/24/1987	P	07S 14E 30	NESW	6.500 CFS		16,19,46,52
36-08686	ANDERSON, HALLIE	11/02/1992	P	07S 14E 30	SENESW	0.020 CFS		43

commingled in Jones Ditch per George L.

32.51 cfs

38.41 cfs

55.29 cfs

134.86

* per George Lemmon - these Rts. are diverted from EAR-S Ditch

** per George Lemmon - this Rt. was transferred to Big Springs in 1912

*** per George Lemmon - these Rts not Div. thru Jones Ditch anymore, but rather thru ~~Hatchery~~ Jones Hatchery via Weatherby Springs.

BL 9-16-93

OD-5813
AJ5813NP
SELECTION FILE: AHOAG

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION WATER MASTER REPORT
BY WATER SOURCE/PRIORITY DATE

DATE: 08/27/93
TIME: 15:51:51
PAGE: 1

WATER RIGHT NUMBER	CURRENT OWNER NAME	PRIORITY DATE	STG	POINT OF DIVERSION	POD FLAG	TOTAL DIVERSION	TOTAL ACRES	WATER USES
WATER SOURCE: HOAGLAND TUNNEL								
36-00069	JONES JR, JOHN W	02/01/1888	D	07S 14E 30 SENESW		1.000 CFS	401.0	01
36-00041B	OMOHUNDRO, NEVADA B	12/12/1901	D	07S 14E 30 SENESW		0.020 CFS		43
36-00041A	DICE, PHILIP F	12/12/1901	D	07S 14E 30 SENESW		0.020 CFS	0.7	01
36-00041F	MORELAND, MARY L	12/12/1901	D	07S 14E 30 SENESW		0.030 CFS	1.5	01
36-00061	MORRIS, HOWARD L	12/12/1901	D	07S 14E 30 SENESW		2.220 CFS	121.0	01,04,43
36-00060	BROOKS, ANDREE G	12/12/1901	D	07S 14E 30 SENESW		0.500 CFS	14.0	01
36-00116	MUSSER, J ALVIN	12/12/1901	D	07S 14E 30 SENESW		1.140 CFS	57.0	01
36-00041C	BYBEE, GERTRUDE B OWSLEY	12/12/1901	D	07S 14E 30 SENESW		0.060 CFS	2.0	01
36-00041E	GRIDLEY, DORIS M	12/12/1901	D	07S 14E 30 SENESW		0.510 CFS	25.5	01
36-00119	LITTLEFAIR, TARA G	12/12/1901	D	07S 14E 30 SENESW		0.200 CFS	15.0	01
36-00062	MORRIS, RHONDA K	05/01/1912	D	07S 14E 30 SENESW		0.200 CFS	121.0	01
36-00120	LITTLEFAIR, TARA G	07/08/1915	D	07S 14E 30 SENESW		0.500 CFS	15.0	01
36-07071	JONES, DELORIS D	07/08/1969	L	07S 14E 30 SENESW		73.050 CFS		19
36-07071	JONES, DELORIS D	07/08/1969	L	07S 14E 30 SESENW		73.050 CFS		19
WATER SOURCE: THREE SPRINGS								
36-07071	JONES, DELORIS D	07/08/1969	L	07S 14E 30 SENESW		73.050 CFS		19
36-07071	JONES, DELORIS D	07/08/1969	L	07S 14E 30 SESENW		73.050 CFS		19
WATER SOURCE: WEATHERBY SPRINGS								
36-07071	JONES, DELORIS D	07/08/1969	L	07S 14E 30 SESENW		73.050 CFS		19
36-07071	JONES, DELORIS D	07/08/1969	L	07S 14E 30 SENESW		73.050 CFS		19

Rights FROM HOAGLAND TUNNEL AS RECOMMENDED IN SRBA BASIN 36 Directors Report. TJL 8-30-93

reduced

reduced

6.40 cfs

WATER RIGHT NUMBER	CURRENT OWNER NAME	PRIORITY DATE	STG	POINT OF DIVERSION	POD FLAG	TOTAL DIVERSION	TOTAL ACRES	WATER USES
WATER SOURCE: HOAGLAND TUNNEL								
36-00041	ELIASON, ARMEDIA	12/12/1901	D	07S 14E 30	NESW	0.800 CFS		01
36-07071	JONES & SANDY LIVESTOCK CO.	07/08/1969	L	07S 14E 30	SENW	73.050 CFS		19
36-07071	JONES & SANDY LIVESTOCK CO.	07/08/1969	L	07S 14E 30	NESW	73.050 CFS		19
WATER SOURCE: THREE SPRINGS								
36-07071	JONES & SANDY LIVESTOCK CO.	07/08/1969	L	07S 14E 30	NESW	73.050 CFS		19
36-07071	JONES & SANDY LIVESTOCK CO.	07/08/1969	L	07S 14E 30	SENW	73.050 CFS		19
WATER SOURCE: WEATHERBY SPRINGS								
36-07071	JONES & SANDY LIVESTOCK CO.	07/08/1969	L	07S 14E 30	NESW	73.050 CFS		19
36-07071	JONES & SANDY LIVESTOCK CO.	07/08/1969	L	07S 14E 30	SENW	73.050 CFS		19

OD-5813
WR5813NP
SELECTION FILE: THREESP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER MASTER REPORT
BY WATER SOURCE/PRIORITY DATE

DATE: 08/27/93
TIME: 15:43:32
PAGE: 1

WATER RIGHT NUMBER	CURRENT OWNER NAME	PRIORITY DATE	STG	POINT OF DIVERSION	POD FLAG	TOTAL DIVERSION	TOTAL ACRES	WATER USES
WATER SOURCE: HOAGLAND TUNNEL								
36-07071	JONES & SANDY LIVESTOCK CO.	07/08/1969	L	07S 14E 30	NESW	73.050 CFS	19	
WATER SOURCE: THREE SPRINGS								
36-00046	FARMER, J. EUGENE	02/17/1896	D	07S 14E 30	SENW	5.700 CFS	01	
36-00029	BOYER, LEE	02/17/1896	D	07S 14E 30	SENW	2.000 CFS	01	
36-07071	JONES & SANDY LIVESTOCK CO.	07/08/1969	L	07S 14E 30	NESW	73.050 CFS	19	7.7 cfs
WATER SOURCE: WEATHERBY SPRINGS								
36-07071	JONES & SANDY LIVESTOCK CO.	07/08/1969	L	07S 14E 30	NESW	73.050 CFS	19	

Rep George Lemmon this & 36-0045 is commingled water from both Three & Weatherby Springs.