

BDF

File in Worm Creek Adj.  
file #13-0311

February 10, 1977

Mr. Robert M. Kerr, Jr.  
KERR, WILLIAMS & CLARKE  
P.O. Box 708  
Blackfoot, ID 83221

RE: STATE OF IDAHO v. AINSCOUGH (Worm Creek Drainage Basin  
Adjudication), Franklin County, Case No. 3236

Dear Mr. Kerr:

Pursuant to my letter of January 24, 1977, I am writing to inform you that the Department of Water Resources has re-examined the water right claims and objections filed by Harold M. Hull, Robert M. Hull, and Gilbert Hull. The Hulls in their objection filed November 14, 1975 indicated that the 67 acres associated with water right claim 13-0311 should be accorded a maximum rate of diversion of 2.5 c.f.s. (This amounts to 1.87 miner's inches/acre:  $\frac{2.5 \text{ cfs}}{67 \text{ ac}} \times 50 \text{ mi}$ ). The department in its proposed findings

(p.36) recommended a maximum of 1.34 c.f.s. for these 67 acres. This amounts to 1.0 miner's inches/acre ( $\frac{1.34 \text{ cfs}}{67 \text{ ac}} \times 50 \text{ mi}$ )

and is in general conformance with the recommendation for water right claims in the Worm Creek drainage.

The department is still of the opinion that the recommended 1.34 c.f.s. is sufficient for the irrigation of the 67 acres associated with water right claim 13-0311. By reference to the Soil Conservation Service Irrigation Guide, it can be seen that 90% of the area where these 67 acres are located is silt/loam soil. About 10% of the area is sandy-loam. In addition, this area has a class B slope of 2% to 4% as determined from the Soil Conservation Service soil map of the acreage. Accordingly, by the department's calculation, the recommended one miner's

Worm Creek  
Adj.  
13-0311

Mr. Robert M. Kerr, Jr.

Page 2

February 10, 1977

inch/acre would be sufficient during the peak water use period even if the Halls were able to achieve only 52% irrigation efficiency.

If a more detailed explanation of this recommendation is desired, the state office of Water Resources through Norman Young (384-2215) can put you in contact with the engineers who conducted the re-examination of the Halls' water claim.

Very truly yours,

JOSEPHINE P. BEEMAN  
Assistant Attorney General  
Legal Counsel, Idaho Department  
of Water Resources

JPB/slg

CC: Lowell D. Castleton  
Honorable Francis J. Rasmussen  
Ronald Carlson

Norman  
Ad.  
13-0311