

See remarks

WATER RIGHT NUMBER: 63-32580 V1

Owner Type Name and Address
MASON CREEK DITCH CO
C/O RICHARD BICANDI
1905 MASON
CALDWELL, ID 83605
(208)459-0428

Priority Date: 03/01/1922

Basis: Beneficial Use
Status: Active

Source
MASON CREEK
Tributary
BOISE RIVER

Beneficial Use From To Diversion Rate Annual Volume
IRRIGATION 03/01 to 11/15 17,000 CFS 17,000 CFS

Total Diversion: 17,000 CFS

Location of Point(s) of Diversion

MASON CREEK NW1/4NW1/4 Sec. 19, Twp 04N, Rge 02W, B.M.
CANYON County
MASON CREEK SE1/4NW1/4 Sec. 19, Twp 04N, Rge 02W, B.M.
CANYON County

Place of Use

Conditions of Approval:

1. E55 This right and Right No. 63-179C are limited to the irrigation of a combined total of 1504.3 acres in a single irrigation season.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(e), Idaho Code.
3. The source of this water right includes waste water. The wasting of water may be discontinued at any time.
4. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32580 V1

Comments:

1. Jshurte 11/12/2009 POU and acres rec
Comment: The place of use is shown as the Mason Creek Ditch Co boundaries. This right is used to irrigate approximately 850 acres below the diversion points on Mason Creek. Per information submitted by the ditch company in a letter dated 11-29-06.

2. Jshurte 11/12/2009 Priority date
Comment: The priority date recommended came after much discussion. The two affidavits submitted were by two people who had lived on farms that were served with Mason Creek water their entire lives. One was 90 years old and one was 86 years old in 2006 when the affidavits were submitted. In the affidavit for the 90 year old gentleman he stated that Mason Creek had been used as long as he remembered and he had lived on this property his whole life. The other affidavit stated that the woman who was 86 years old could remember Mason Creek water being diverted in 1931. Relying on the idea that the gentleman could have been as young as 6 years old and remembered the water being used out of Mason Creek, we came up with the 1922 date. The reason we felt hesitant to recommend 1869 is due to the size of the diversions out of Mason Creek, the amount of water claimed and the number of acres irrigated that were claimed. In 1869 there would have been only the natural flow in Mason Creek and less land developed due to that and due to the number of homesteads in the area. In other words it seems that the 17 cfs and 850 acres of irrigation in 1869 would have been difficult. However, due to the addition of the canal systems early in the 1900s, including diversion of water from the New York Canal into Mason Creek beginning in 1909, it is more likely 17 cfs and 850 acres could have been irrigated after that date. The proof submitted in the affidavits allowed us to go as far back as 1922. There was likely some irrigation out of Mason Creek in 1869 for homesteads along the creek but not to the extent outlined for the 850 acres in the large place of use for Mason Creek Ditch Co. At this point we have no evidence for that number of acres or cfs amount. The claimants will likely object and more information can be obtained possibly requiring more claims be filed showing the progression of the irrigated lands at different dates.

3. Jshurte 11/12/2009 Quantity
Comment: The quantity of water came from a theoretical calculation based on the area of the diversion ditches, slope and condition of the ditches.

4. Jshurte 11/13/2009 Wastewater Remark
Comment: A wastewater remark was added to this right based on the fact that Mason Creek does receive wastewater from ditch company irrigation above. This wastewater remark does state that the right includes wastewater meaning that it also includes natural flow. This was added due to the objections and judgements in the SRBA concerning wastewater and factoring in the natural flow component as being a part of Mason Creek.

Water Supply Bank:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Mason Creek Ditch Company
Address: c/o Richard Bicandi
1905 Mason, Caldwell, Idaho 83605

Daytime Phone: 208-459-3617
Name & Address of Attorney, if any:
Scott L. Campbell / Andrew J. Waldera
Moffatt Thomas Barrett Rock & Fields
P.O. Box 829, Boise, ID 83701-0829

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Pioneer Irrigation District
Address: P.O. Box 426
Caldwell, Idaho 83606

Please fill in the following information:

In Re SRBA
Case No. 39576
A. Subcase 63-32580
(Insert water right number)
STANDARD FORM 1
OBJECTION

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

by _____
Clerk
District Court-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
SEP - 1 2010
LODGED

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

- | | | |
|---|-------------------------------------|---|
| 1. | ☐ | Name and Address
Should be: |
| <hr/> | | |
| 2. | ☒ | Source
Should be: |
| Waste water remarks should be revised to more specifically identify source as waste water developed within the boundaries of Pioneer Irrigation District; and that such waste water is subject to the right of recapture by the District. | | |
| <hr/> | | |
| 3. | ☒ | Quantity
Should be: |
| No more than 0.02 cfs/acre or the duty of water actually proven; stacked right with no. 63-00179C currently yields in excess of 0.02 cfs per acre for irrigation purposes. | | |
| <hr/> | | |
| 4. | ☒ | Priority Date
Should be: |
| The evidence does not reasonably support a 1922 priority date or assigning that priority date to the entire recommended 17 cfs. | | |
| <hr/> | | |
| 5. | ☐ | Point of Diversion
Should be: |
| <hr/> | | |
| 6. | ☐ | Instream Flow Beginning and Ending Point
Should be: |
| <hr/> | | |
| 7. | ☐ | Purpose(s) of Use
Should be: |
| <hr/> | | |
| 8. | ☐ | Period of Year
Should be: |
| <hr/> | | |
| 9. | ☐ | Place of Use
Should be: |
| <hr/> | | |
| 10. | ☐ | I object because: |

- ☐ This water right Should not exist.
- ☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S):

F.

VERIFICATION (must be completed)

State of Idaho)
(ss.)
County of Ada)

Andrew J. Waldera _____, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: _____

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on _____, 2010, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:
Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707
2. One copy to the claimant of the water right at the following address:
Name: Mason Creek Ditch Company c/o Richard Bicandi
Address: 1905 Mason
Caldwell, ID 83605
3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449

Signature of objector or attorney
mailing on Objector's behalf

Shurte, Jan

From: Lester, Steve
Sent: Thursday, April 03, 2008 9:13 AM
To: Western Region
Subject: FW: New Manning's Flow Calculator available on the Water Right Permits Section page in Wenet

This could be useful for many people. Note it applies to ditches/creeks as well as some pipeline situations.

From: Keen, Shelley
Sent: Thursday, April 03, 2008 8:50 AM
To: Skaggs, Pam; Padilla, Cherie; Van Dyke, Nick; Harris, Jeff; Marshall, Aaron; Weaver, Mathew; Edl, Michele; Peppersack, Jeff; Luke, Tim; Miller, Nick; Nelson, Dan; Knowles, Corbin; Fritschle, Carter; Lester, Steve; Merritt, Allen; Franklin, Keith; Carlsen, Ernie
Subject: New Manning's Flow Calculator available on the Water Right Permits Section page in Wenet

Mat Weaver created a useful Manning's flow calculator in Excel. We've made it available from the Water Right Permits Section page in Wenet. You'll find it at the bottom of the page under "Reference material." The calculator is useful for estimating flow rates in open channels and unpressurized pipelines. Please try it out. Questions should be directed to Mat.

Shelley

P.S. -- Ernie, Steve, Keith, Carter, and Allen, please forward this to others in your work areas.

Needs Manning's Equation
done. See bottom of page

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-32580	
NAME AND ADDRESS: MASON CREEK DITCH CO C/O RICHARD BICANDI 1905 MASON CALDWELL ID 83605	
SOURCE: MASON CREEK	
The source of this water right includes waste water. The wasting of water may be discontinued at any time.	
QUANTITY: 17.000 CFS	PRIORITY DATE: 03/01/1922
POINT OF DIVERSION:	
T04N R02W S19 MNW within CANYON County	
T04N R02W S19 SENW within CANYON County	
PURPOSE AND PERIOD OF USE:	
PURPOSE OF USE	PERIOD OF USE
IRRIGATION	03/01 11/15
PLACE OF USE:	QUANTITY 17.000 CFS

850 ACRES TOTAL

This right and Right No. 63-179C are limited to the irrigation of a combined total of 1504.3 acres in a single irrigation season.

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OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

X/6775: 6/63-179C = .035 CFS/A or 1 3/4" /A OUT
TO GRAVELLY RIVER BOTTOM SOILS & DITCH NO. 55.
1504.3 = 53 CFS (17 FOR THIS RT + 36 ON 179C) . 66' slope

Owner Type		Name and Address		Current Owner	
		MASON CREEK DITCH CO C/O RICHARD BICANDI 1905 MASON CALDWELL, ID 83605 (208)459-0428			
Priority Date:		03/01/1922			
Basis:		Beneficial Use			
Status:		Active			
Source		Tributary			
MASON CREEK		BOISE RIVER			
Beneficial Use		From To		Diversion Rate	
IRRIGATION		03/01 to 11/15		17,000 CFS	
				Annual Volume	
				17,000 CFS	
				Total Diversion:	
				17,000 CFS	

Location of Point(s) of Diversion

MASON CREEK	NW1/4NW1/4	Sec. 19, Twp 04N, Rge 02W, B.M.
CANYON COUNTY		
MASON CREEK	SE1/4NW1/4	Sec. 19, Twp 04N, Rge 02W, B.M.
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CONVERSATION MEMORANDUM

DATE: 11-12-09
WATER RIGHT NO. 63-32580
CALLER: Dick & Dorothy Bryant
Dick's GRANT # 15

Report of diver's observations
for theoretical sale on floor.
with submitted in letter dated
11-29-2006.

DIVERSION #1 - SENU, 5.19 15 2.5' DEEP.
DIVERSION #2 - KUNU, 5.19 15 3' DEEP.

Also - 310 gpm on #1 (not #2) on
per letter of 11-29-06.
+ 540 gpm on #2 (not #1) on
per letter of 11-29-06.

IDAHO DEPARTMENT OF WATER RESOURCES
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Water Supply Bank:

READ ME

READ ME

$$\frac{1}{1} \cdot 0.0038 = S$$
$$n = 0.035 \text{ Manning's coefficient}$$
$$A = 2.90 \text{ area (ft}^2\text{)}$$
$$WP = 5.60 \text{ wetted perimeter (ft)}$$
$$R = 0.52 \text{ hydraulic radius (ft)}$$
$$Q = 4.90 \text{ flow rate (CFS)}$$

Channel Slope

Slope Options

☒ Manual Entry ☐ Slope Calculator

Slope Calculator

Rise = 20 feet

Run = 5280 feet

Slope, $S = 0.0038 \text{ ft/ft}$

Channel Material, (n):

natural channel, w/ stones and weeds

Manning's Equation (1), is

equation (2) when combining computation of the flow rate

flow.

In equations (1) and (3), η

Roughness and can be for channel types. R is the hydraulic radius, $R = A/P$. S is the slope of the area of the open channel, P is the wetted perimeter, A is the cross-sectional area of flow. It is often assumed to be equal

Because Manning's Equation to obtain a velocity in ft/s; reported in ft², hydraulic radius be reported in ft/ft. Manning's unitless constant.

$$\frac{1}{n} \left(\bar{\sigma} = 1.49 \right) \quad (3)$$

$$v_A = \delta \quad (2)$$

$$\left(\frac{1}{2} \right) 67.1 = 1 \quad (1)$$

Manning's Equation Calculator for Flow Rate in Any Open Channel

S = 0.0038 ft/ft

n = 0.035 manning's coefficient

A = 30.00 area (ft²)

WP = 20.00 wetted perimeter (ft)

R = 1.50 hydraulic radius (ft)

Q = 103.30 flow rate (CFS)

READ ME

Manning's Equation (1), is an empirical formula that sol velocity (v) in a open channel under uniform flow. The equation (2) when combined with equation (1) allows for computation of the flow rate (Q) in an open channel under flow.

In equations (1) and (3), η refers to Manning's Coefficient Roughness and can be found in tabulated form for many channel types. R is the hydraulic radius of the open channel equal to the area of the open channel divided by the wetted perimeter, $R = A/P$. S is the slope of the energy grade often assumed to be equal to the slope of the channel.

Because Manning's Equation is empirical the units are not consistent. To obtain a velocity in ft/s and a flow rate in ft³/s, area must be reported in ft², hydraulic radius must be reported in ft, and slope must be reported in ft/ft. Manning's Coefficient of Roughness is a unitless constant.

Channel Slope

Slope Options

☒ Manual Entry

☐ Slope Calculator

Slope Calculator

Rise = 20 feet

Run = 5280 feet

Slope, S = 0.0038 ft/ft

Channel Material, (n):



natural channel, w/ stones and weeds

$$(1) \quad v = 1.49 \left(\frac{1}{\eta} \right) \left(R^{\frac{2}{3}} \right) \sqrt{S}$$

$$(2) \quad Q = vA$$

$$(3) \quad Q = 1.49 \left(\frac{1}{\eta} \right) (A) \left(R^{\frac{2}{3}} \right) \sqrt{S}$$

Dis #2