

MEMORANDUM

Date: September 7, 2021
To: Decreed Right 29-523
From: Michele Edl
Re: watermaster control review

Yesterday, an IDWR colleague asked if I could determine whether this right should be administered by a watermaster.

This right is for domestic use from a spring (locally known as Johnson Spring). As a domestic use, it did not need to be claimed in the Snake River Basin Adjudication (SRBA) and it was not. It was decreed in May 1992 during a different adjudication.

There was no SRBA claim or recommendation so there is very little information in the water right backfile. Data entry for the decreed right was based on the best information available at that time. That information can be found in the decrees for 13-R. That a B29 right was adjudicated among B13 rights indicates a question about the direction of water flow from the spring.

A quick review of the USGS's Hydrological Units (HU2), shows the spring located within the boundary for tributaries to the Columbia River (HU2 = 17). The boundary for water flowing into the Bear River and/or the Great Salt Lake (HU2 = 16) is about 8 or 9 miles to the SE of Bancroft.

Although the body of water that the spring is tributary to may not be correct, this is a valid water right. As the right appears now, it cannot be regulated by a watermaster.

Because it is a de minimis use that was not claimed, it could be claimed now as late claim in the SRBA. To get the most out of the de minimis use, three claims, (one for each house) should be submitted to the SRBA court.

from 13-R, durre

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LISTING OF RIGHTS

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
SOURCE: GROUNDWATER (CONT'D.)								
13-7261	CHRISTENSEN, DWAIN K. RT. #1 BOX 43 GRACE, ID 83241	09-10-1979	IRRIGATION	04-01 11-01	2.00 CFS	SWSW S20 T09S R40E	NESE(40) NWSE(40) PERMIT SWSE(40) SESE(40) S19 T09S R40E * 160 ACRES*	
13-7259	SIMONSON, VON N. RT. #1 BOX 37 GRACE, ID 83241 REMARKS: WELL IS UNDER PERMIT #13-7084	09-20-1979	IRRIGATION	04-01 11-01	2.00 CFS	SWNW S27 T09S R40E	NENE(40) NWNE(20) PERMIT SWNE(20) SENE(40) S27 T09S R40E * 120 ACRES*	
13-0519	COOMBS, EVAN B. P.O. BOX 478 ORANGEVILLE, UT 84537 REMARKS: SINGLE FAMILY DOMESTIC.	06-03-1980	DOMESTIC	01-01 12-31	1.20 AFA .04 CFS	NWSW S05 T10S R40E	NWSW S05 T10S R40E	BENEFICIAL USE
13-7058	REVOIR, JR., DAVID E. RT. 1, BOX 82 GRACE ID 83241	08-20-1975	STOCKWATER	01-01 12-31	2.70 AFA .05 CFS	NESW S10 T10S R39E	SENE S10 T10S R39E NWSW NWSE S11 T10S R39E	PERMIT
SOURCE: JOHNSON SPRING								
TRIBUTARY TO: NORTH CANYON CREEK								
29-0523	RIGBY, DON C. RIGBY, MAX D. BANCROFT, ID 83217 REMARKS: THE SPRING SERVES THE DOMESTIC NEEDS OF THREE HOMES. THIS RIGHT WAS ESTABLISHED PRIOR TO THE SALE OF THIS SPRING. TO THE CITY OF BANCROFT.	05-01-1910	DOMESTIC	01-01 12-31	3.60 AFA .12 CFS	SWNW S23 T08S R38E	SWNW S16 T08S R39E	BENEFICIAL USE
SOURCE: JOSIE SPRINGS								
TRIBUTARY TO: SINKS								
29-0564	HAYSTACK MOUNTAIN FARMS INC. BOX #37 BANCROFT, ID 83217 REMARKS: 150 HEAD OF CATTLE.	10-01-1962	STOCKWATER	01-01 12-31	2.70 AFA .02 CFS	NESW S29 T08S R39E	NESW S29 T08S R39E	BENEFICIAL USE

INDICATES TOTAL

MAY 14 1996

Possible incorrect tributary of listing for water right 29-523

Water Right	Source	Owner	Uses	Priority Date	Maximum Rate CFS	Volume Acre Feet	Tributary Of
29-523	JOHNSON SPRING	BANCROFT INVESTMENT GROUP LLC; RIGBY, MAX D	DOMESTIC	05/01/1910	0.120	2.4	NORTH CANYON CREEK

This POD maps to the center of SWNW Section 23, T08S R38E, about 1.5 miles due east of the Portneuf River. A USGS quad map shows a spring there that drains to an unnamed creek that empties into the Portneuf River about 1.5 miles to the west, at about NWSW Section 22. Apparently the tributary listing of North Canyon Creek is incorrect in the water right.

