

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

**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE BEAR RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 79576

Claim ID: 11-4208

Date Received: 10/23/23

Receipt No: P000540

Claim Fee: \$2.00 By: MB

RECEIVED

OCT 23 2023

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

IDWR/Preston

Please type or print clearly

1. Name of claimant(s) Three Mile Creek Irrigation Company Phone (____) _____
Mailing address _____ Georgetown _____ ID _____ Zip 83239
Street or Box _____ City _____ State _____
Email address (optional) _____
2. Date of priority: (Only one per claim) April/15/1936 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Dunns Canyon Creek
which is tributary to (b) Bear River
4. a. Location of point of diversion is: Township 11S, Range 44E, Section 16,
SE 1/4 of SW 1/4, Govt. Lot _____, BM, County of Bear Lake
Parcel no. _____
Additional points of diversion, if any: 11S 44E 29 NWNE
If available, GPS Coordinates _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Dam & pond to pipeline & ditches.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For Irrigation purposes from 4/15 to 10/15 amount 1.16 or

For Stockwater purposes from 1/1 to 12/31 amount 0.02 or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 1.18 (cfs) and/or (b) (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) 300 Head of cattle &/or horses &/or sheep

9. Description of place of use: (Supplemental POU Page is Attached)

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Parcel no(s). Total number of acres irrigated 1395.8

10. In which county(ies) are lands listed above as place of use located? Bear Lake

11. Do you own the property listed above as place of use? Yes () No (☒)

If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

11-7047 and other claims by this claimant - no IDWR numbers assigned. or None ()

13. Remarks (Include an explanation of the priority date selected):

1) Priority date per IDWR adjustment to Statutory Claim 11-4208. See attached narrative.

2) This claim is for irrigation of 518 acres within the described Permissible Place of Use listed on the supplemental POU form.

3) Place of Use belongs to patrons of the Claimant company.

4) This claim and Claim 1 together are for irrigation of 518.1 acres with 10.36 cfs and watering of 300 head of stock.

5) Attachments are:

a) Supplemental POU list;

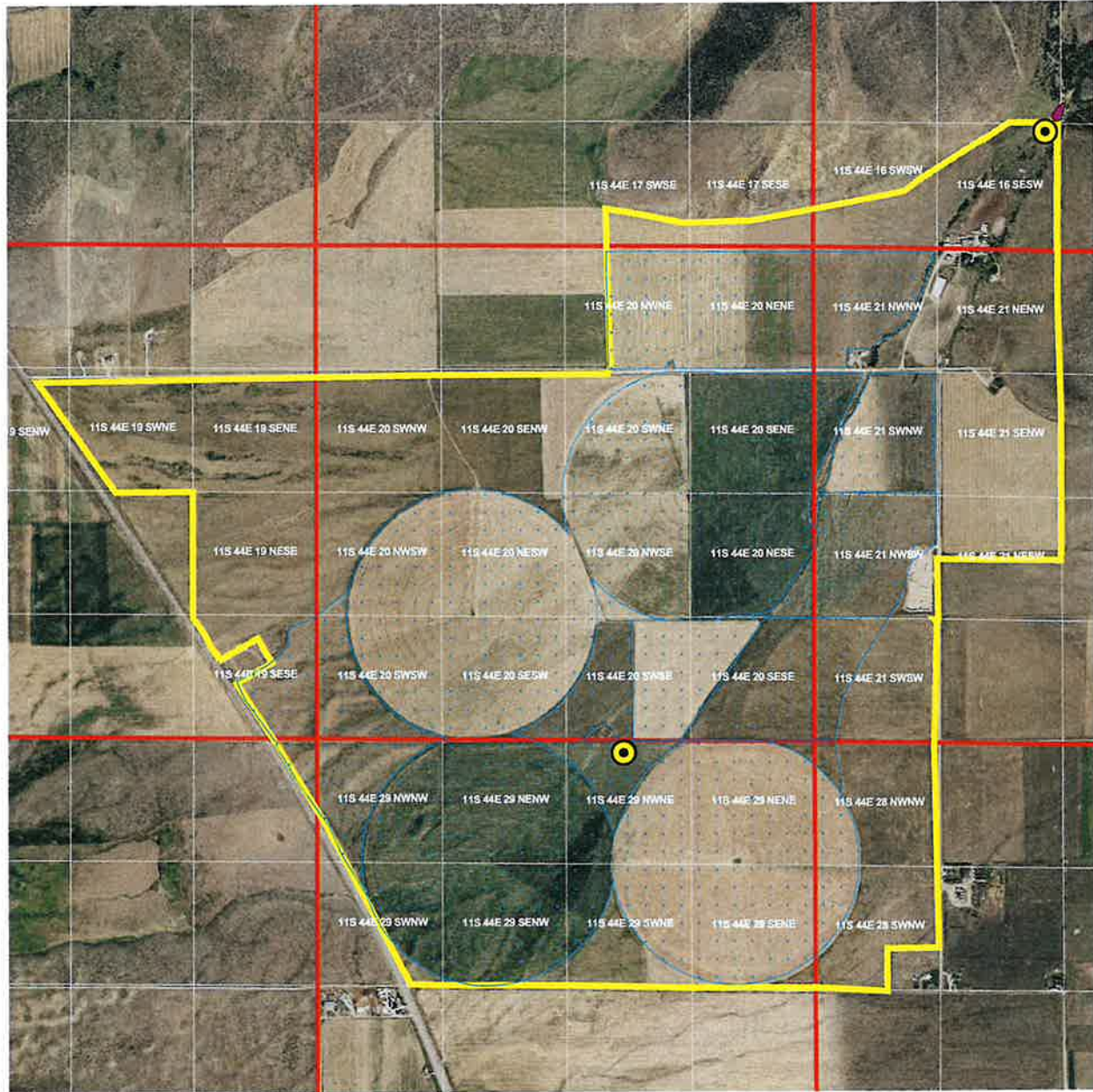
b) Narrative;

c) Maps for Narrative;

d) USGS StreamStats report

Name of claimant(s) Three Mile Creek Irrigation Company (Claim based on 11-4208) Claim ID

Map of Project



- POD
- Pond
- 2021 Irrigation
- PPU
- Section
- QQ

Three Mile Irrigation Company

1000 0 1000 2000 Feet



Basemap: 2021 USDA
NAIP Image

Projection:
UTM 12N NAD83

Map: Rocky Mountain
Env. Assoc. Inc.

Claimant: Three Mile Irrigation Company
Claim No: _____

14. Basis of claim (Check one) Beneficial Use (☒) Posted Notice (☐) License (☐) Permit (☐) Decree (☐)

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 11-4208

15. **Signature(s)**

- (a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System Adjudication."
(b.) I/We do (☐) do not (☒) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 4

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

_____ of Three Mile Irrigation Co
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Drew Smith Date 10/18/2023

Printed Name of Authorized Agent Drew Smith

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) Thomas J Budge, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Thomas J. Budge Date 10/19/2023

Address Racine, Olson, Nye & Budge. 201 E Center St, Pocatello, ID 83201

Name of claimant(s) Three Mile Irrigation Company (Claim based on 11-4208) Claim ID _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. _____

Point of Diversion/Place of Use Supplement

Attachment to: ☐ Application for Permit to Appropriate Water ☐ Application for Transfer** ☒ Adjudication Claim
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

Location of points of diversion (POD):

New POD?	Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or well/diversion tag #
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										

Description of place of use (POU):

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	44E	16											17	36					53
		17															6.5	9.2	15.7
		19				37			32	1.9					40	13		24	147.9
		20	40	26	40	40			38	39	40	40	40	40	40	40	40	40	543
		21					39	40	40	40	21	40	40						260
		28						39	34										73
		29	40	40	40	40	40	38	21	40									299
		30	4.2																4.2
																		Sum	1395.8

Narrative for Bear River Basin Adjudication Claims for Three Mile Creek Irrigation Company

Administrative History

Statutory Claim 11-4208 was filed in 1981 by Three Mile Creek Irrigation Company (Company). In 2015, the Company filed a formal water-right transfer to change the Place of Use (POU). Idaho Department of Water Resources (IDWR) conducted a field exam and review of the claim. It approved the Transfer and amended the claim in the following ways:

- Advanced the Priority Date from the original claimed priority of May 30, 1900 to April 15, 1936;
- Reduced the acreage from 560 acres to 518.1 acres within an 1135.7-acre Permissible Place of Use;
- Added a condition that *"Rights 11-4208 and 11-7047 when combined shall not exceed the irrigation of 576 acres."* The latter right is a groundwater right owned by Bryce Crane, one of the patrons of the Company, and its water is used on some of Crane's lands within the Company service area.

IDWR noted that the claimed diversion rate for irrigation was less than half of what the field examiner found in a July flow measurement, but did not adjust the diversion rate. IDWR did not note that the diversion rate for stockwater was inconsistent with the number of stock indicated in the Statutory Claim, and also did not adjust the diversion rate for stockwater.

In 2023, Rocky Mountain Environmental Associates, Inc. (RMEA) in behalf of the Company provides this Narrative, to explain elements of claims made in the Bear River Basin Adjudication (BRBA).

Development History

Based on the IDWR transfer-evaluation memorandum, interpretation of aerial images, review of the Statutory Claim and associated backfile, and discussion with the Company, RMEA offers key events in the history of the development of use under this right.

- IDWR's conclusion was that by 1936, 518.1 acres were irrigable with gravity (flood) irrigation, in a footprint that differs from the POU mapped and described in the Statutory Claim. This footprint is mapped in Figure 1 (attached).
- An additional 83 acres of irrigation are distinctly apparent in a 1947 aerial image, outside the footprint of the 518.1 acres mapped by IDWR. This is shown in Figure 2. This is not an assessment of what was *irrigable* but what showed clear evidence of irrigation on the date of the photo (August 11, 1947). Evidence includes:
 - Fields with uniform, robust dark coloration, indicating actively-growing crops. This late in the season, these likely are alfalfa fields.

- Fields that show patterns consistent with longitudinal dikes typical of border irrigation.
- Fields that show linear features that appear to meander cross-slope with the topography, consistent with internal field ditches for flood irrigation.
- Fields that show dark streaks aligned in the downslope direction, typical of wet soil from active irrigation.
- Fields that are oriented in a downslope orientation, as if to facilitate gravity irrigation.

Given the late date of the photo and its status as a single snapshot in time, lack of indication of irrigation in this photo is not taken as an indication of non-irrigated status.

- In a July 16, 1953 aerial image, 23 acres of irrigation are apparent outside the 1936 and 1947 footprints. This is shown in Figure 3, assessed as described above for the 1947 image.
- An additional approximately 80 acres in the 1953 image show indications of irrigation, but the interpretation is somewhat tentative. These also are shown in Figure 3. Parcels with tentative interpretation are outlined with a finer line.
- Together, these data indicate that by 1953, at least 624 acres as possibly as many as 704 acres were under irrigation. Figure 4 shows a union of areas indicated to be irrigated from the IDWR analysis, the 1947 image and the 1953 image. Conservatively, slivers from the GIS union action, corresponding to georeferencing differences, have been omitted.
- Figure 5 shows a georeferenced set of plans dated 1959. Black lines appearing to be part of the original plans described "proposed" pipeline. Penciled red lines show a different configuration of piping, but it is unknown whether the red was an alternate proposal or describes an as-built condition. Just east of center is a hand-drawn red dot with the notation "# W Pump 16,000."
- Line-feature shapefiles in Figure 6 indicate the piping drawn in black and directional arrows in the drawing. The northernmost east-west pipeline is labeled "proposed" in the drawing. Labels on the figure provide pipe sizes wherever these are indicated in the plans. Figure 6 also shows a ditch that is mapped in the plans.
- Figure 7 maps the pipeline marked in red pencil, with its pipe sizes where indicated.
- The plans provide what appear to be parcel boundaries, with names of owners. These boundaries generally align with the 2021 parcel boundaries provided by Bear Lake County. Figure 8 maps in gray the parcels mapped in the 1959 plans that appear to have reasonable access to the black pipelines, and maps in blue the parcels mapped in the 1959 plans that appear to have reasonable access to the ditch but not to the pipeline.
- Figure 9 maps in pink the parcels with reasonable access to the red pipeline, and in pale blue the parcels with reasonable access to the ditch but not the red pipeline. In addition, the purple extrapolation is marked because it could have been served with portable-mainline extensions from the red lines, or was gravity irrigated per prior analyses. The green "South East 40" extrapolation is added because it is a parcel explicitly mapped in the 1959 plans, and it too could have been or was irrigated per prior analyses.

- Figure 10 overlays the prior gravity-irrigation analyses over the more-conservative red-pipeline analysis.
- In Figure 11, the more-conservative red-line pipeline analysis is unioned with the gravity-irrigation analysis to assess what would have been possible with combined gravity and sprinkler irrigation. It was edited to remove areas not likely to have been irrigated, such as the hillside to the north, and roads and farmsteads. The base map is a September 5, 1969 aerial image obtained from USGS. Labels indicate the following:
 - Label A is an example of clear indication of sprinkler irrigation.
 - Label B is an example of clear indication of gravity irrigation.
 - Label C is an example of areas within the unioned polygon that do not strongly appear irrigated in the fall of 1969.
 - Label D is an example of areas outside the polygon that do appear irrigated in the fall of 1969.
 - Label E is an example of areas where the polygons were not expanded to match the 1969 image, in order to be conservative.

This trimmed irrigated area sums to 816 acres.

- The 1981 Statutory Claim indicates 560 acres of irrigation, with a map that appears to have been drawn without reference to aerial imagery or parcel boundaries. The Statutory Claim shapefile in Figure 12 is georeferenced from the hand-drawn map and sums to 638 acres. In Figure 12, it overlays the trimmed, unioned shapefile from Figure 11. Figure 13 overlays a partial 1979 image above the 1969 image. The specific date of the 1979 image is unknown.
- The statutory claim indicates the steel pipe was 10 inches in diameter, though the plans indicate 14 inches (black line) and 12 inches (red line) maximum diameters.
- Company patron Bryce Crane indicated that in 1996, a replacement pipeline was started, and completed within "a few years." It is plastic, with a maximum diameter of 16 inches. Figure 14 provides Crane's indication of the 2021 Place of Use along with IDWR's indication of the location of the current pipeline system. Crane indicates that his groundwater right 11-7047 is used to supplement the Company water on the three pivots labeled "Crane" in Figure 14. Pivot connections indicated by Crane also are mapped in Figure 14. Total irrigated area in Figure 14 is 863 acres.

Approach to BRBA Claims

Under a paradigm that IDWR can recommend less but not more than is claimed, some elements of the claim exceed current documentation, to allow IDWR to recommend the full amount that might be supported by supplemental documentation that may be appended to the claim(s) after initial filing. The explanations below acknowledge where there are differences between what is claimed and what is currently supported.

Acres and Priority Dates

IDWR's transfer-evaluation memo indicates that the acres above its determination of 518.1 "*would need to be included under a separate statutory claim or adjudication claim.*" Based on the

understanding that IDWR specifically determined the priority date and acreage under 11-4208, the following claims are presented with the indicated priority dates and acreages, including claims for historical uses that IDWR was not able to represent in a pre-Adjudication Transfer proceeding.

- Claim 1: A Beneficial Use claim for 518.1 acres and watering of 300 head of cattle, sheep and horses, with a priority date of 4/15/1900. This priority is based on the affirmation under oath in the Statutory Claim. The acreage is based on IDWR's analysis of original gravity-irrigable acres. The diversion rate is discussed later in this narrative. A search of land patents and Government Land Office surveys will be made, and any information that supports priority date will be appended to the claim. It is acknowledged that until additional information is identified, the IDWR finding of a 4/15/1936 priority date is the earliest that currently is documented.
- Claim 11-4208: A 518.1-acre claim based on 11-4208, with priority date and diversion rate as configured by IDWR in the transfer. This claim fully overlaps the Beneficial Use claim described above.
- Claim 3: A new beneficial-use claim for irrigation of 83 acres, with the priority date of 4/15/1947, considering that the irrigation observed in the 1947 image would have occurred for the full irrigation season.
- Claim 4: A new beneficial-use claim for irrigation of 103 acres with a priority date of 4/15/1953, based on the 1953 aerial image. It is acknowledged that 80 acres of the 103 acres are tentatively identified as irrigated, and that further analysis may require a recommendation of a different number of acres.
- Claim 5: A new beneficial-use claim for irrigation of 192 acres with priority date 4/15/1960. This date is the earliest reasonable date that the system described in the plans dated February 1959 could have been operational. It is acknowledged that at the time of claims filing, the earliest evidence of use of this system is the 1969 aerial image. A full 816 acres were irrigated under the pipeline and gravity irrigation. The intent of this claim is that it would be recommended for enough acreage to allow the sum of claims through 1960 to be 816 acres. If the 1953 claim is recommended for more than 23 acres, it is expected that Claim 5 would be recommended for less than 192.
- Claim 6: An Enlargement claim for 303 acres. This acreage is claimed to provide IDWR the ability to recommend the full 863 acres of current irrigation, under various interpretations of the history outlined above. A discrepancy is acknowledged between the acreage tabulated in the above history, and the 560 acres claimed or the 638 acre Place of Use mapped in the Statutory Claim. The most reasonable explanation is that the Statutory Claim was imprecise due to lack of aerial imagery and precise parcel data, and that it represented only irrigation under the sprinkler system. Likely it was assumed that the original irrigation under gravity irrigation had been in place so long that it did not need to be included in the claim, and that 816 acres was the full extent of irrigation from the 1960s through the early 1990s. Under that interpretation, the Enlargement needs to be recommended for only 47 acres (863 - 816). Likewise, if it is determined that 560 acres *was* the actual irrigation in 1960, the increase in acres circa 1996 could be considered a resumption up to the original 624 to 704 acres of gravity irrigation. In that case, the enlargement would be $(863 - 704) = 159$ acres to $(863 - 624) = 239$ acres. If the determination were made that the 560 acres is accurate and represents a forfeiture that had not been resumed, an Enlargement of 303 acres would still provide for the full current 863 acres of irrigation.

Table 1 summarizes the time sequence of acreage and priority dates described above.

Table 1. Summary of Acreage and Priority

Claim	Priority	Current Supported Priority	Acres	Cumulative Acres	Minimum Acres	Minimum Cumulative Acres
Claim 1 (Beneficial Use)	5/30/1900	4/15/1936	518	518	518	518
Claim Based on 11-4208	4/15/1936	4/15/1936	518.1	518	518.1	518
Claim 3 (Beneficial Use)	4/15/1947	4/15/1947	83	601	83	601
Claim 4 (Beneficial Use)	4/15/1953	4/15/1953	103	704	23	624
Claim 5 (Beneficial Use)	4/15/1960	4/15/1969	192	816	112	816
Claim 6 (Enlargement)	4/15/1996	4/15/1999	303	863	47	863

Diversion Rate

IDWR noted that the Statutory Claim overall diversion rate was less than its examiner found in a July 2015 field visit, but did not invite an amended claim or adjust the diversion rate approved in the transfer. The Statutory Claim diversion rate for stockwater is less than standard for the 300 head of sheep, cattle and horses claimed, but IDWR did not comment on this or make adjustments.

Table 2 summarizes the estimated flow rates from the attached USGS StreamStats report. The report does contain the warning that the catchment size is out of the range of the prediction equations, but the 2015 IDWR flow measurement of 2.47 cfs nicely fits near the 20 percent duration estimate for July, providing confirmation of the StreamStats estimates.

Table 2. StreamStats Estimates (cfs)

Month	20 Percent Duration	50 Percent Duration
April	11	5.5
May	27.2	13.8
June	8.56	4.18
July	2.45	1.42
August	0.909	0.494
September	0.572	0.389
October	0.579	0.301

Table 3 provides diversion rates at the standard rate of 0.02 cfs/acre for the various acreages represented in Table 1.

Table 3. Diversion Rates at Standard 0.02 cfs/acre

Acres	Diversion Rate (cfs)
518	10.36
601	12.02
624	12.48
704	14.08
816	16.32
863	17.26

All of these values are well within the StreamStats estimates for May flows. There is no reason to suppose that any of the development would have been made to provide less than an adequate diversion rate.

System capacity is another potential constraint. None of these rates of flow are unreasonable for surface delivery systems constructed with human labor and livestock power. For sprinkler systems, pipeline capacity can be a constraint. Table 4 lists theoretical pipeline capacities at various assumptions of pipeline velocity. A velocity of 5 feet per second is typical of modern design practice, while 7 feet per second is more typical of 1960s design practice. Ten feet per second is likely an upper limit for at least the initial sections of a gravity-fed pipeline, though RMEA personnel repeatedly have measured velocities as high as 17 feet per second in pipelines fed by pumps.

Table 4. Pipeline Capacities in cfs Under Various Assumptions

Size	Area (ft ²)	cfs @ 5 ft/s	cfs @ 7 ft/s	cfs @ 10 ft/s
10"	0.55	2.73	3.82	5.45
12"	0.79	3.93	5.50	7.85
14"	1.07	5.35	7.48	10.69
16"	1.40	6.98	9.77	13.96

These capacities are all within the range of springtime flows indicated by StreamStats.

The Statutory Claim indicates a 10" pipeline, though the 1959 plans indicate both 12" and 14" pipes. The current system is 16". Assuming the cfs rates associated with 7 ft/s of velocity and 0.02 cfs/acre, Table 5 shows how many acres would need to be irrigated by gravity, given pipeline capacities for sprinkler delivery.

Table 5. Acreage Assumptions at Full 0.02 cfs/acre

Time Frame	Pipe Size	cfs @ 7 ft/s	Sprinkler Acres @ 7ft/s	Total Acres for Date	Implied Gravity Acres
1960s	10"	3.82	191	816	625
1960s	12"	5.50	275	816	541
1960s	14"	7.48	374	816	442
Post-1996	16"	9.77	489	863	374

The 1960s implied gravity acreages all are within the range of possibility, given the pre-sprinkler acreages documented by IDWR and the 1947 and 1953 aerial images. The implied post-1996

gravity irrigation of 374 acres is somewhat larger than the current gravity-irrigation footprint of 207 acres, but this difference is mitigated by the following factors:

- It is common for sprinkler systems to actually apply less than 0.02 cfs/acre. This could allow more acres to be served by sprinklers, requiring fewer to be gravity irrigated.
- Company Patron Bryce Crane indicates that the three pivots that belong to him are supplemented by groundwater under his private irrigation right from groundwater.
- The system may actually operate with pipeline velocities closer to 10 feet per second.

Based on this analysis, all claims use a full 0.02 cfs/acre diversion rate. It is acknowledged that whatever rate is recommended for the Enlargement, a combined-use limitation will confine the enlargement and its underlying right to the pre-Enlargement total diversion rate.

It also is acknowledged that these values differ from the Statutory Claim, which indicates 1.16 cfs for irrigation. This does not make sense in light of the acreage, the pipe size, or the StreamStats indication of available flows in the springtime. One possible explanation is that the claim was based on a flow measurement made late in the season. Another is that there was a units error; had the claimants mistaken 0.002 cfs/acre for 0.02 cfs/acre, the calculated diversion rate would have been 1.12 cfs, very nearly what actually was claimed. Regardless, the other analyses all are more reasonable than the Statutory Claim indication.

Permissible Place of Use

IDWR recognized a Permissible Place of Use for 11-4208 in its transfer adjustments. All the claims described here use a very similar Permissible Place of Use, adjusted in many places to correspond to county parcel boundaries and the 2021 irrigated footprint.

Points of Diversion

Points of Diversion are claimed per IDWR analysis during the transfer of 11-4208.

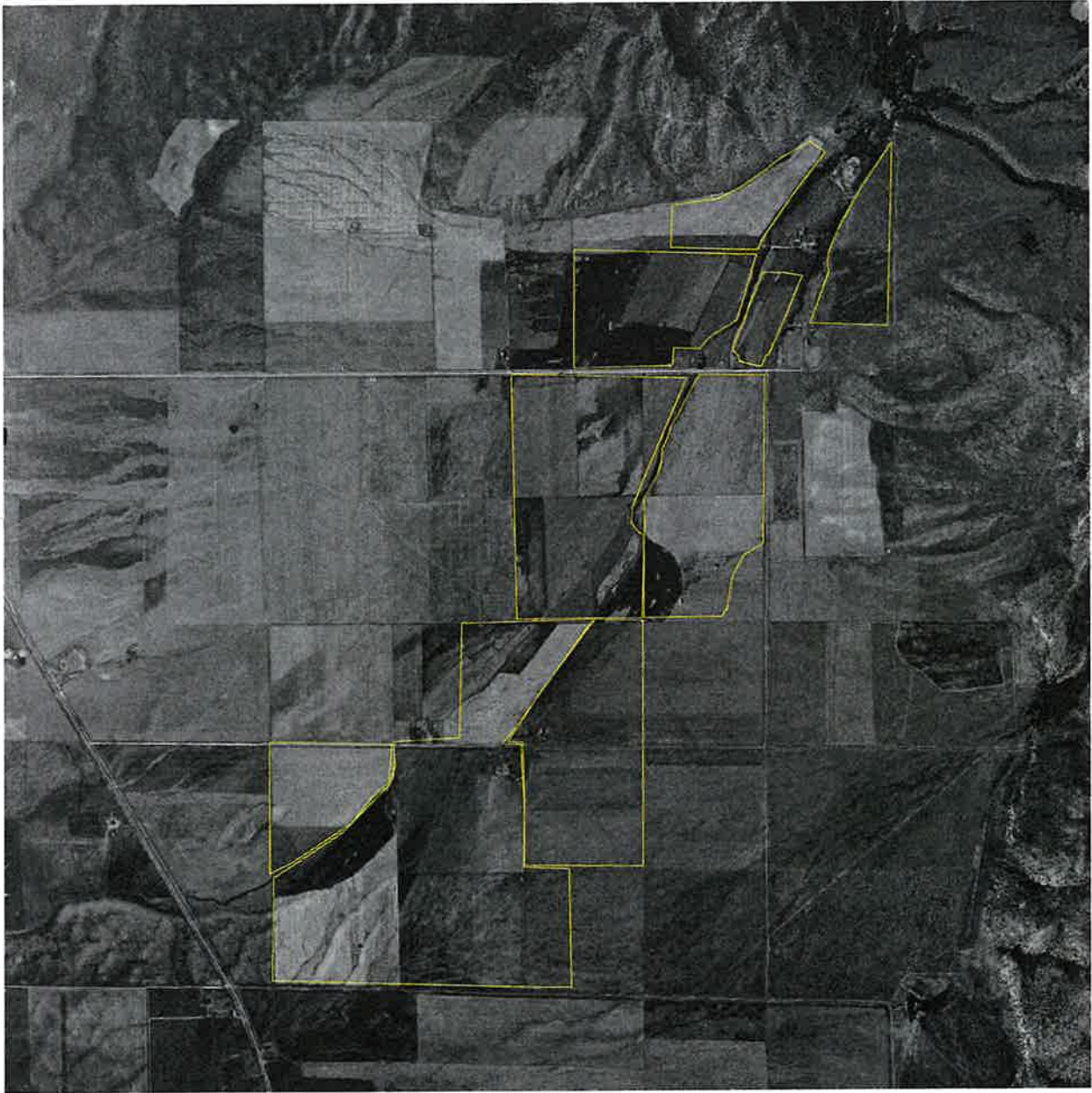
Pond

A historical pond described in the Statutory Claim and mapped on the USGS topographic map is represented on Figure 14 and the claims maps. Its capacity is less than 24-hours of diversion rate.

Overlap

The southern part of the Permissible Place of Use is overlapped with Bryce Crane's right 11-7047, and this does reflect actual use patterns. The pre-Adjudication service area of Georgetown Irrigation overlaps the western part of the PPU, but there is no actual overlap of irrigation.

Figure 1: IDWR Determination



 Gravity Irrigable

Three Mile Irrigation Company



Base Map: 1947 Aerial
from USGS Earth
Explorer

Projection:
UTM 12N NAD83

Map: Rocky Mountain
Env. Assoc. Inc.

Figure 2: Irrigation in 1947 Image



 1947_image_interp.shp

Three Mile Irrigation Company

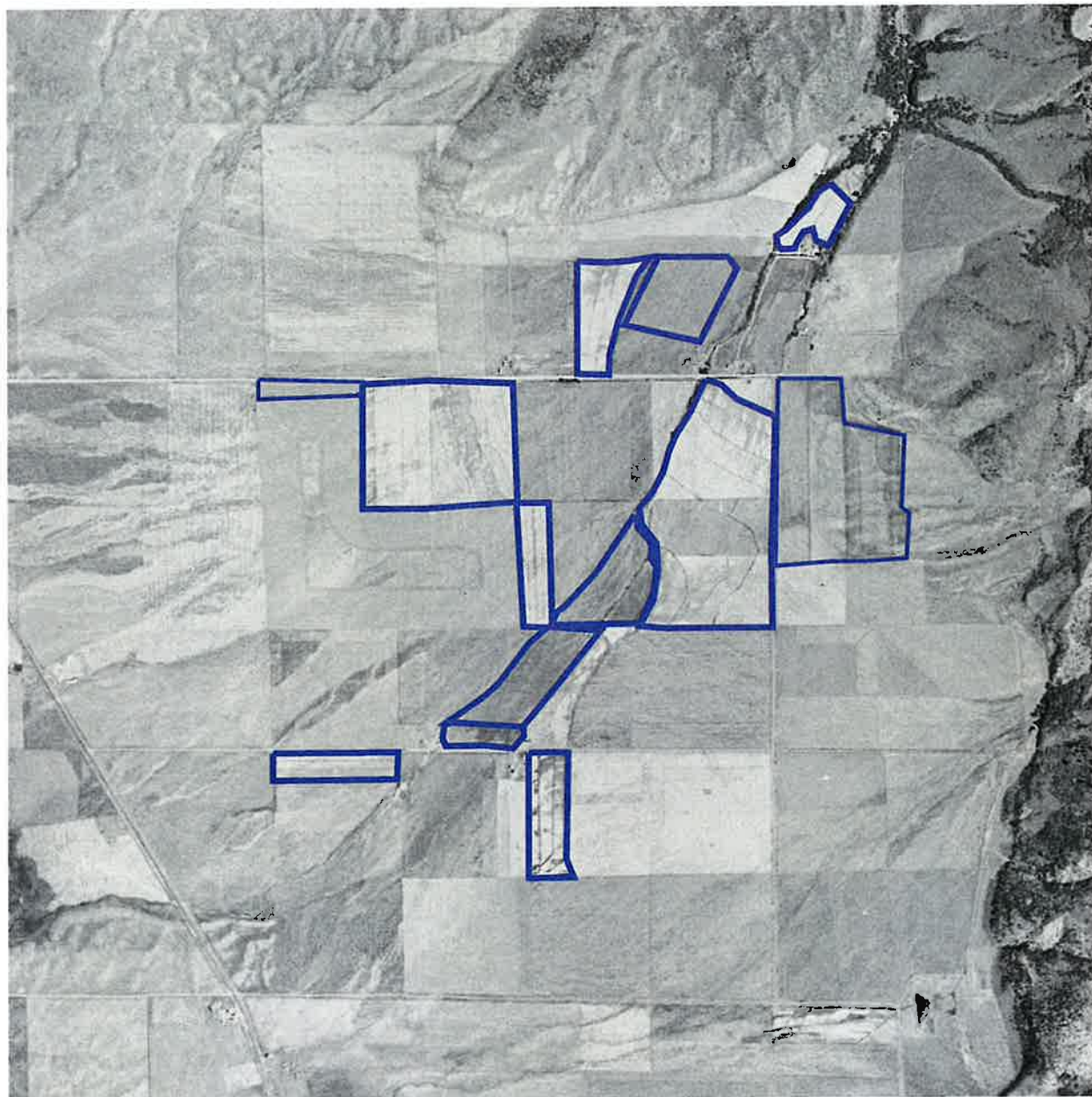


Base Map: 1947 Aerial
from USGS Earth
Explorer

Projection:
UTM 12N NAD83

Map: Rocky Mountain
Env. Assoc. Inc.

Figure 3: Irrigation in 1953 Image



1953_image_interp.shp

-  Good Confidence
-  Tentative

Three Mile Irrigation Company

1000 0 1000 2000 Feet

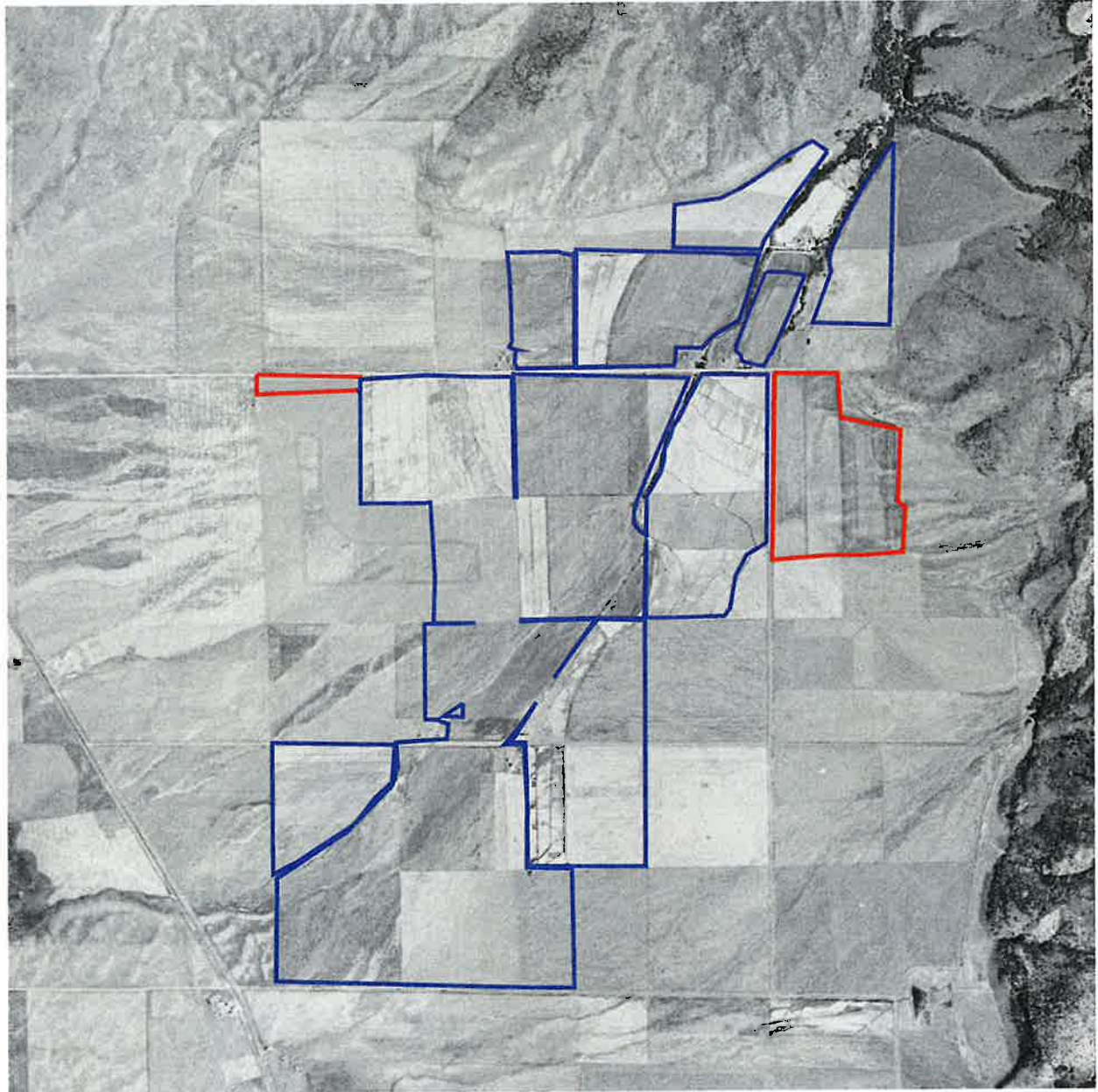


Base Map: 1953 Aerial
from USGS Earth
Explorer

Projection:
UTM 12N NAD83

Map: Rocky Mountain
Env. Assoc. Inc.

Figure 4: Union of Gravity Irrigation Analyses



 Union of Gravity-Irrigation Assessments
 Tentative 1953 Irrigation

Three Mile Irrigation Company

1000 0 1000 2000 Feet

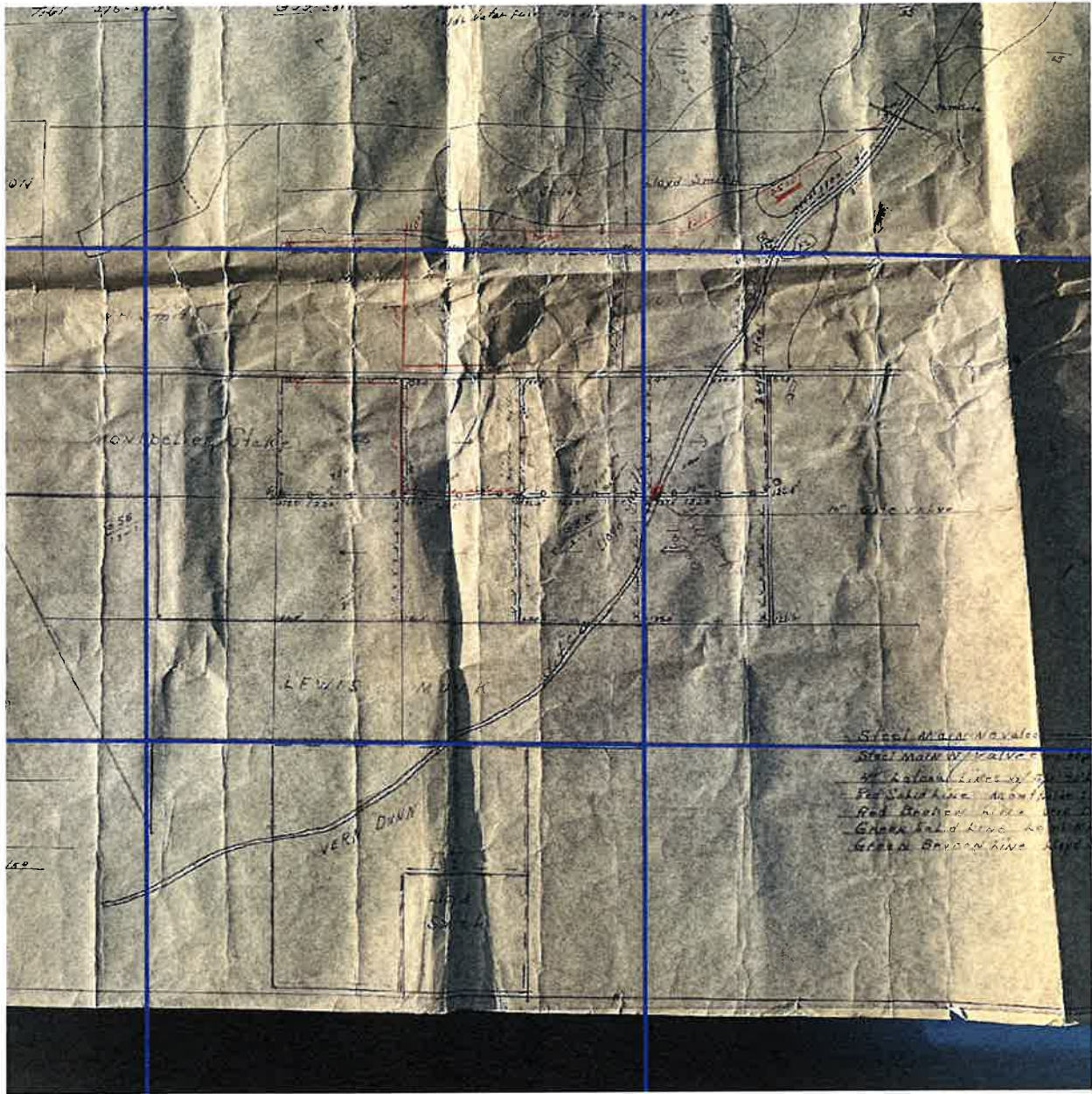


Base Map: 1953 Aerial
from USGS Earth
Explorer

Projection:
UTM 12N NAD83

Map: Rocky Mountain
Env. Assoc. Inc.

Figure 5: Georeferenced 1959 Drawing



Section

Three Mile Irrigation Company

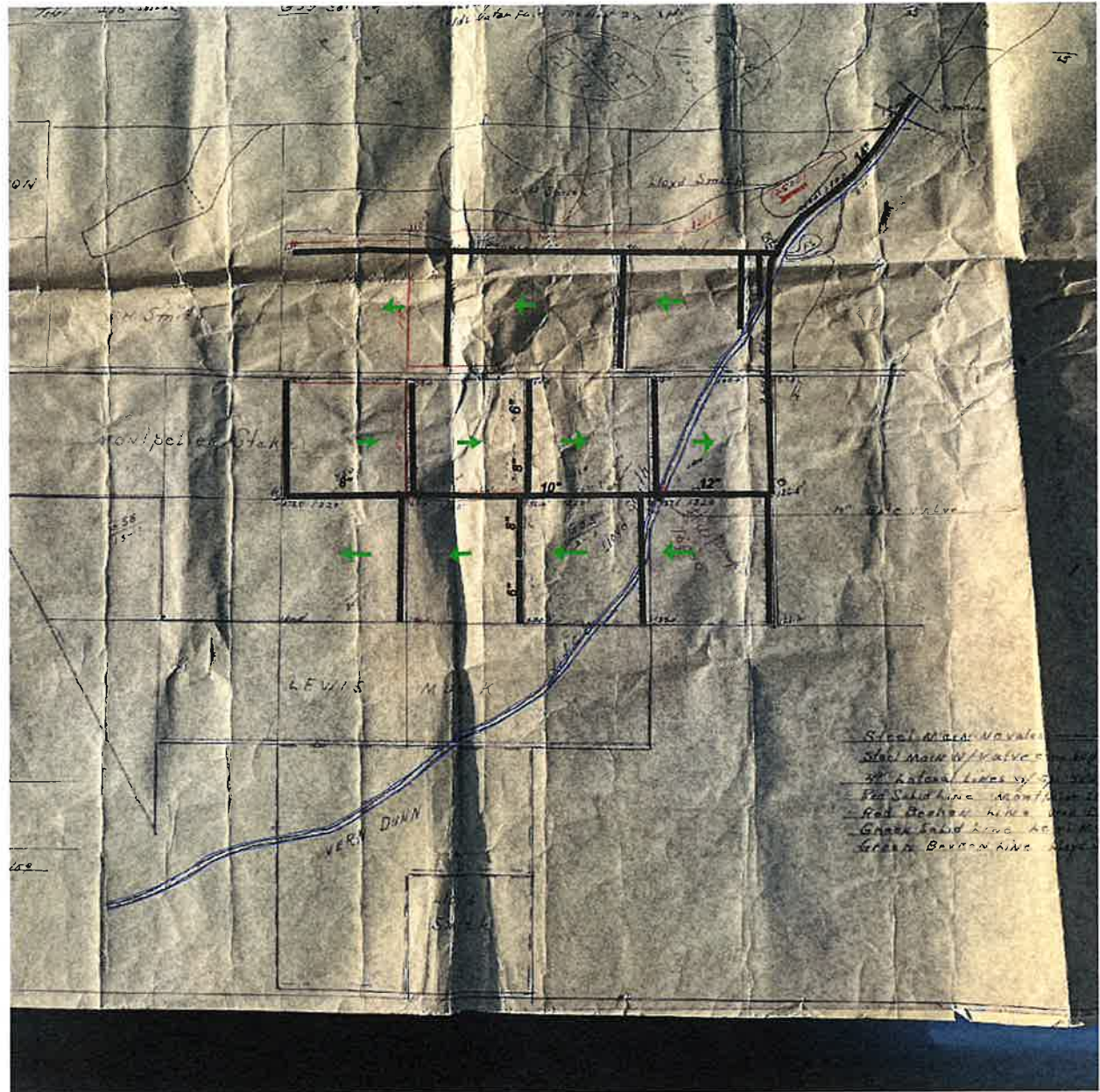
1000 0 1000 2000 Feet



Projection:
UTM 12N NAD83

Map: Rocky Mountain
Env. Assoc. Inc.

Figure 6: Piping Drawn in Black in Plans



Three Mile Irrigation Company

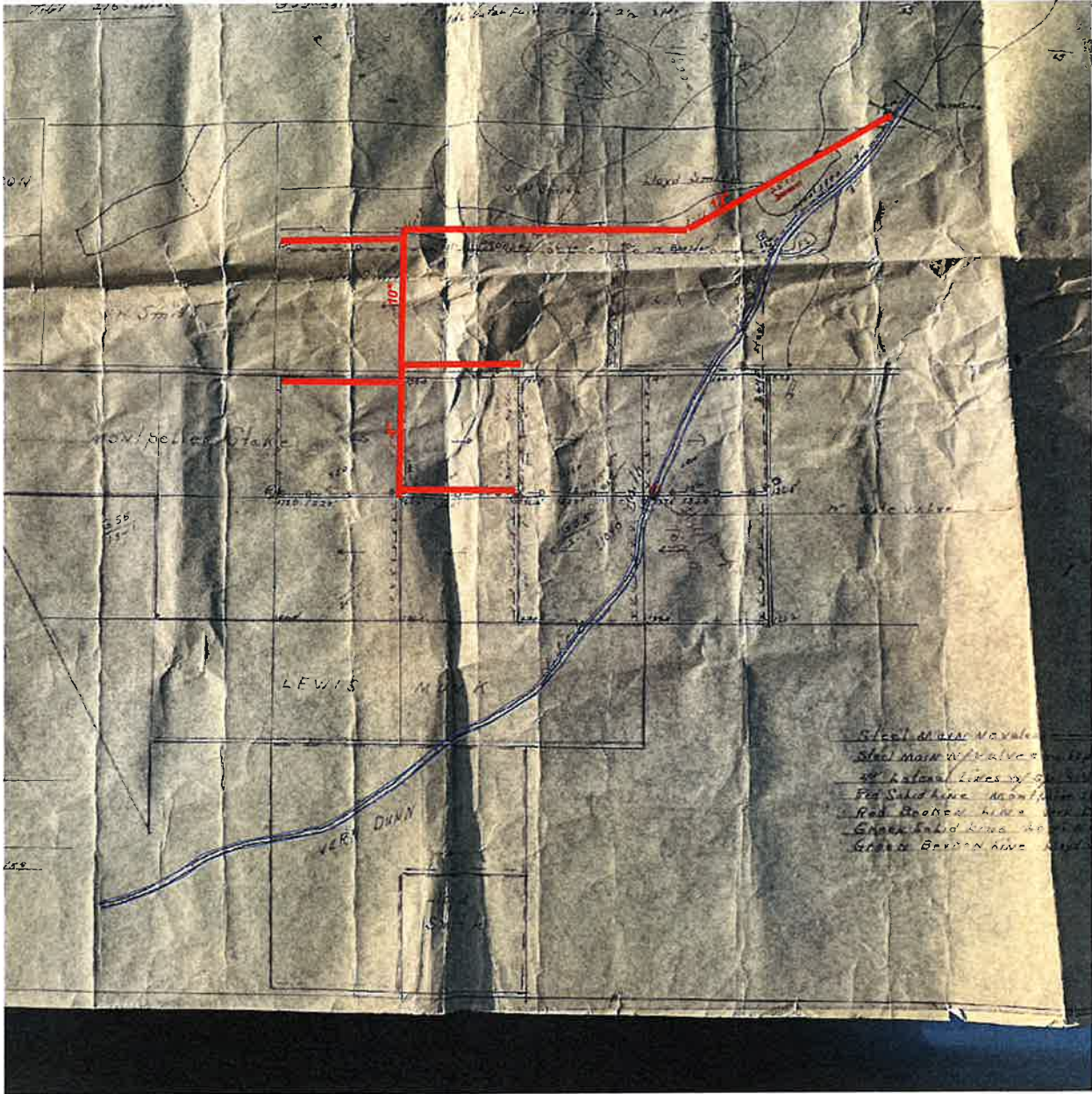
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Projection:
UTM 12N NAD83

Map: Rocky Mountain
Env. Assoc. Inc.

Figure 7: Piping Drawn in Red in Plans



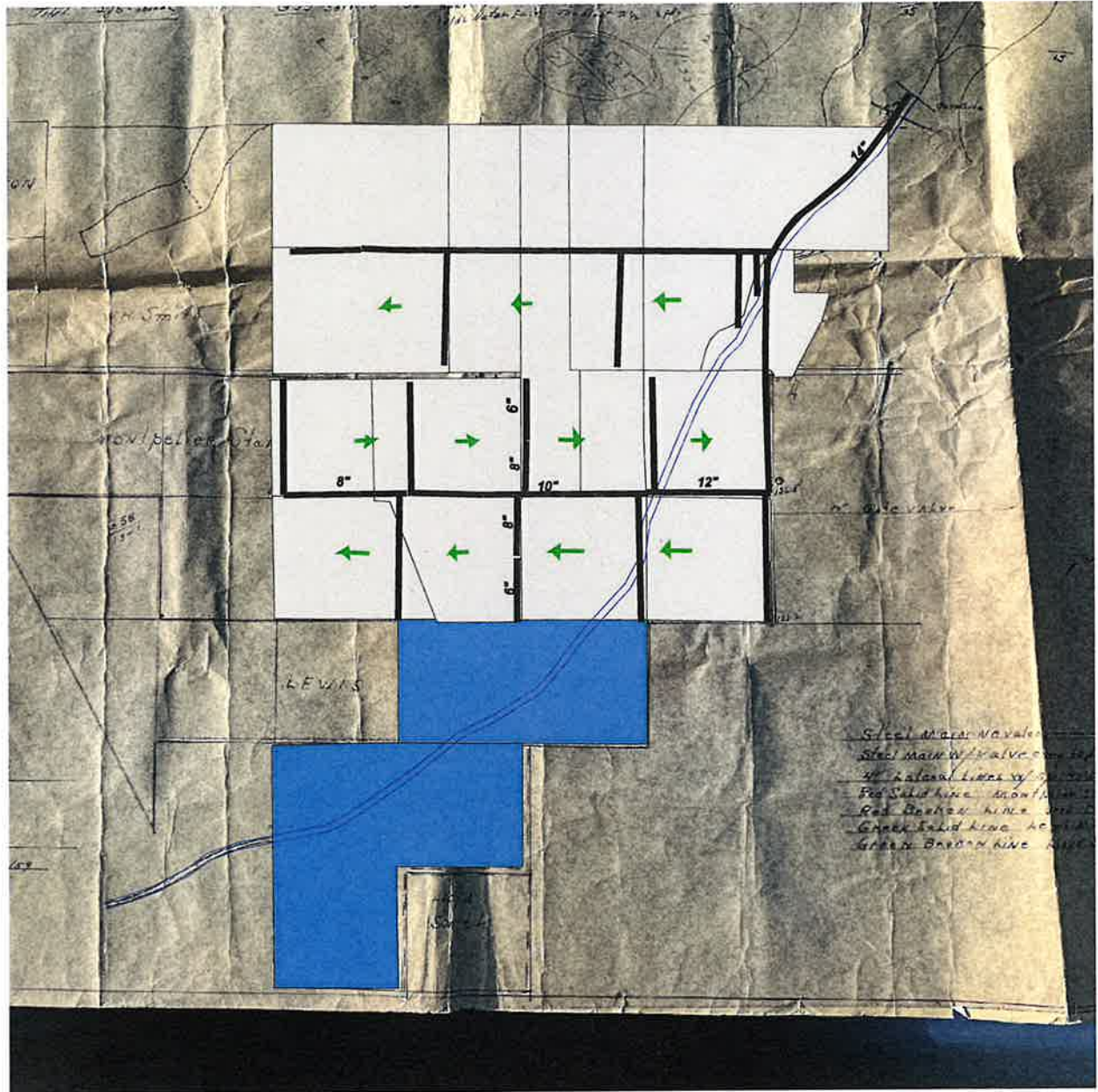
Three Mile Irrigation Company



Projection:
UTM 12N NAD83

Map: Rocky Mountain
Env. Assoc. Inc.

Figure 8: Parcels with Access to Black Pipeline or Ditch



-  Arrows
-  Black Line
-  Ditch
-  Ditch Parcels 1
-  Black Line Parcels

Three Mile Irrigation Company

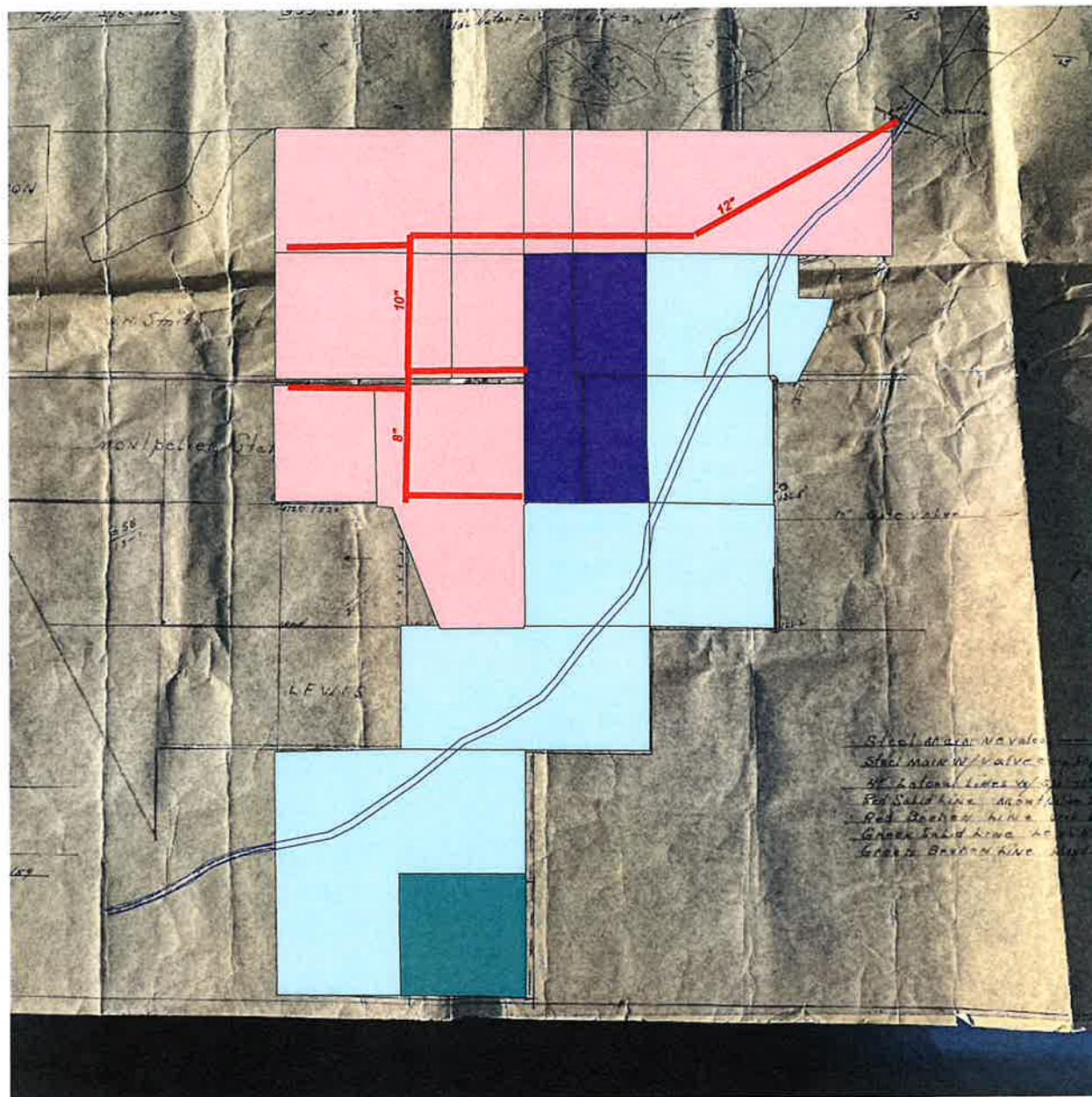
1000 0 1000 2000 Feet



Projection:
UTM 12N NAD83

Map: Rocky Mountain
Env. Assoc. Inc.

Figure 9: Parcels with Access to Red Pipeline or Ditch



-  Red Line
-  Ditch
-  Red Line Parcels
-  Ditch Parcels 2
-  Extrapolation
-  South East 40

Three Mile Irrigation Company

1000 0 1000 2000 Feet



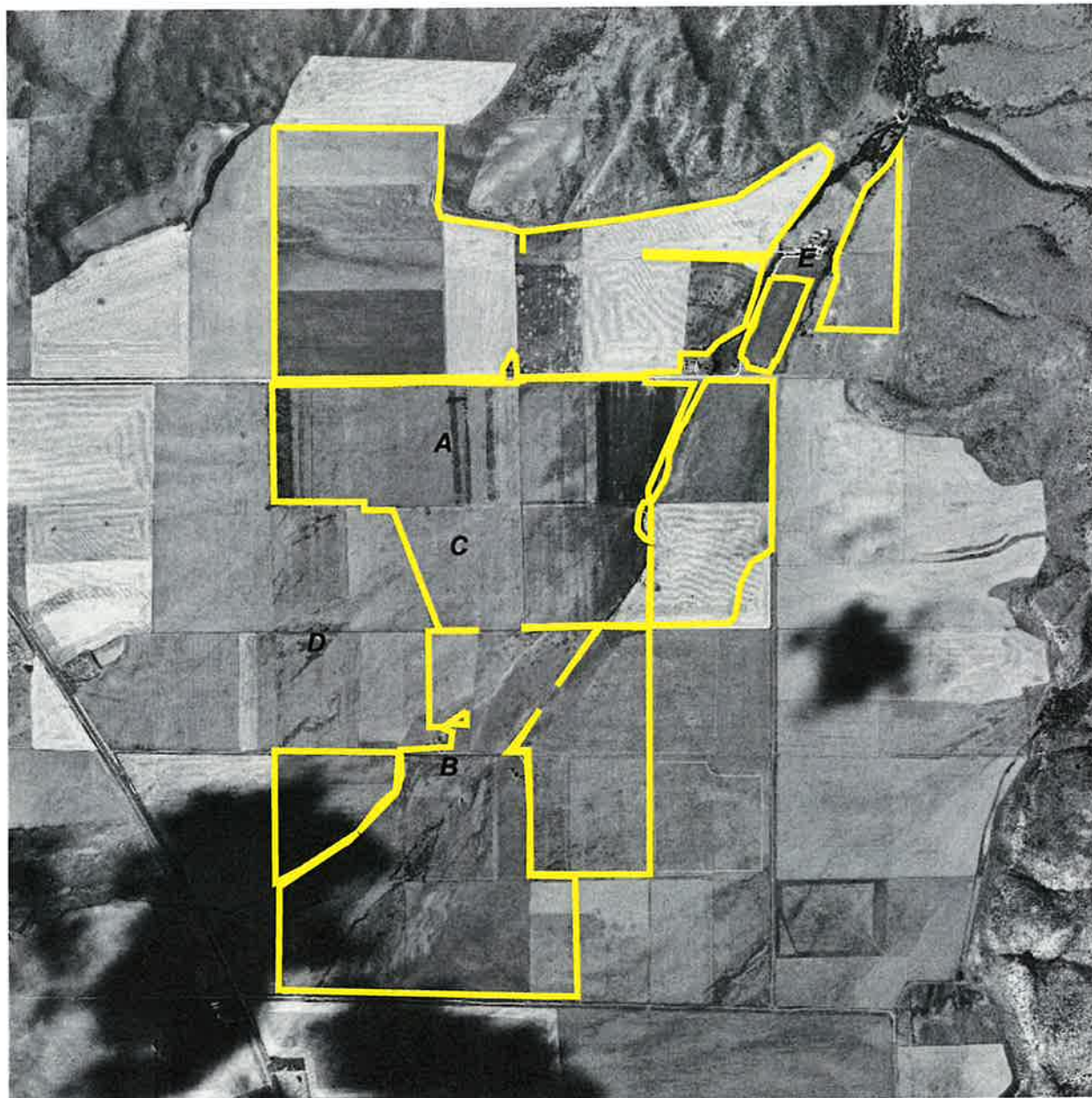
Projection:
UTM 12N NAD83

Map: Rocky Mountain
Env. Assoc. Inc.

Figure 10: Red Pipeline Analysis w/ Gravity-Irrigation Analysis



Figure 11: Union of Analyses, Trimmed, w/ 1969 Image



Three Mile Irrigation Company

Projection:
UTM 12N NAD83

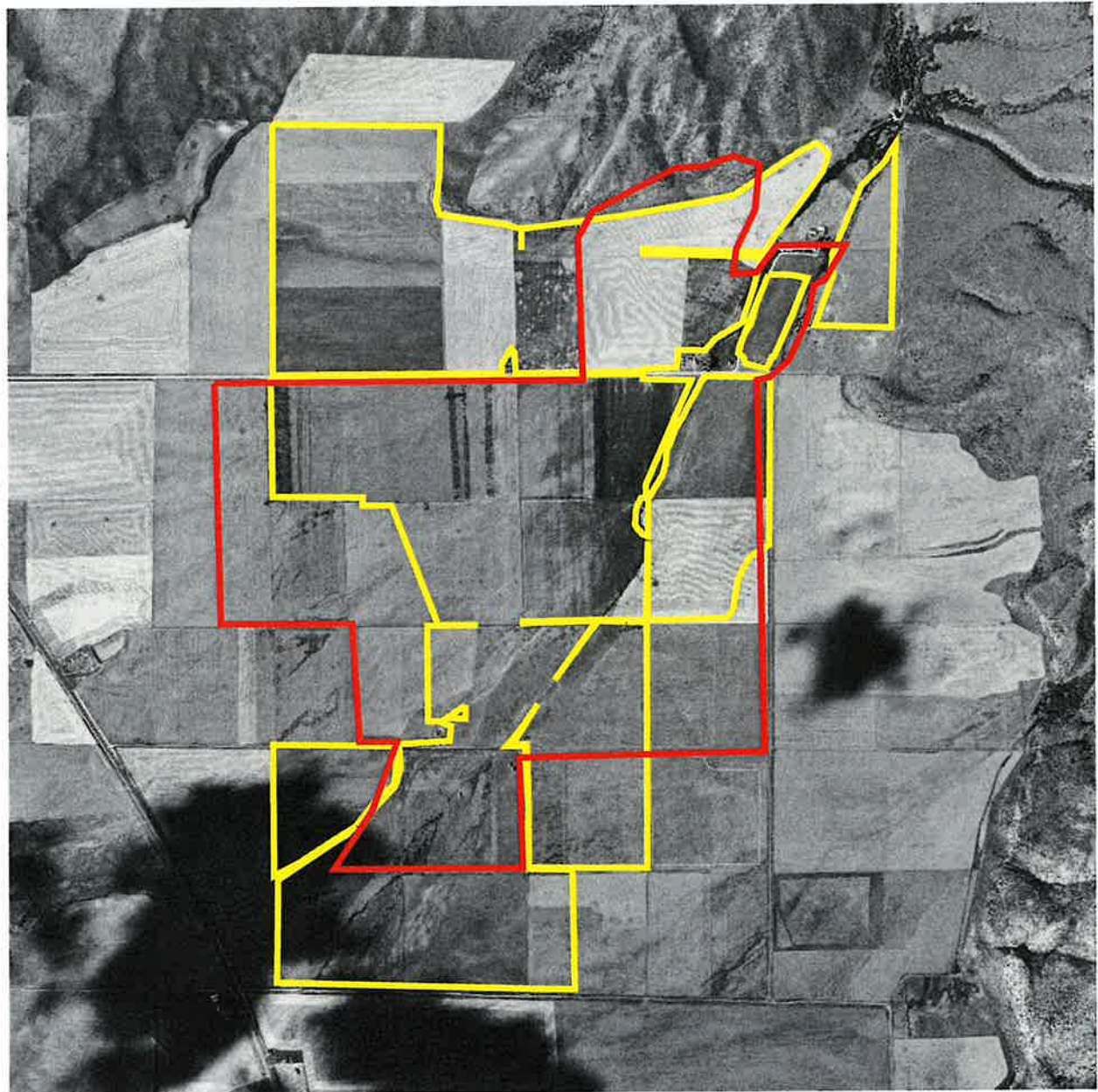
Map: Rocky Mountain
Env. Assoc. Inc.

 Trimmed Union

1000 0 1000 2000 Feet



Figure 12: Union of Analyses, Trimmed, w/ 1969 Image and Statutory Claim POU



 Statutory Claim POU
 Trimmed Union

Three Mile Irrigation Company

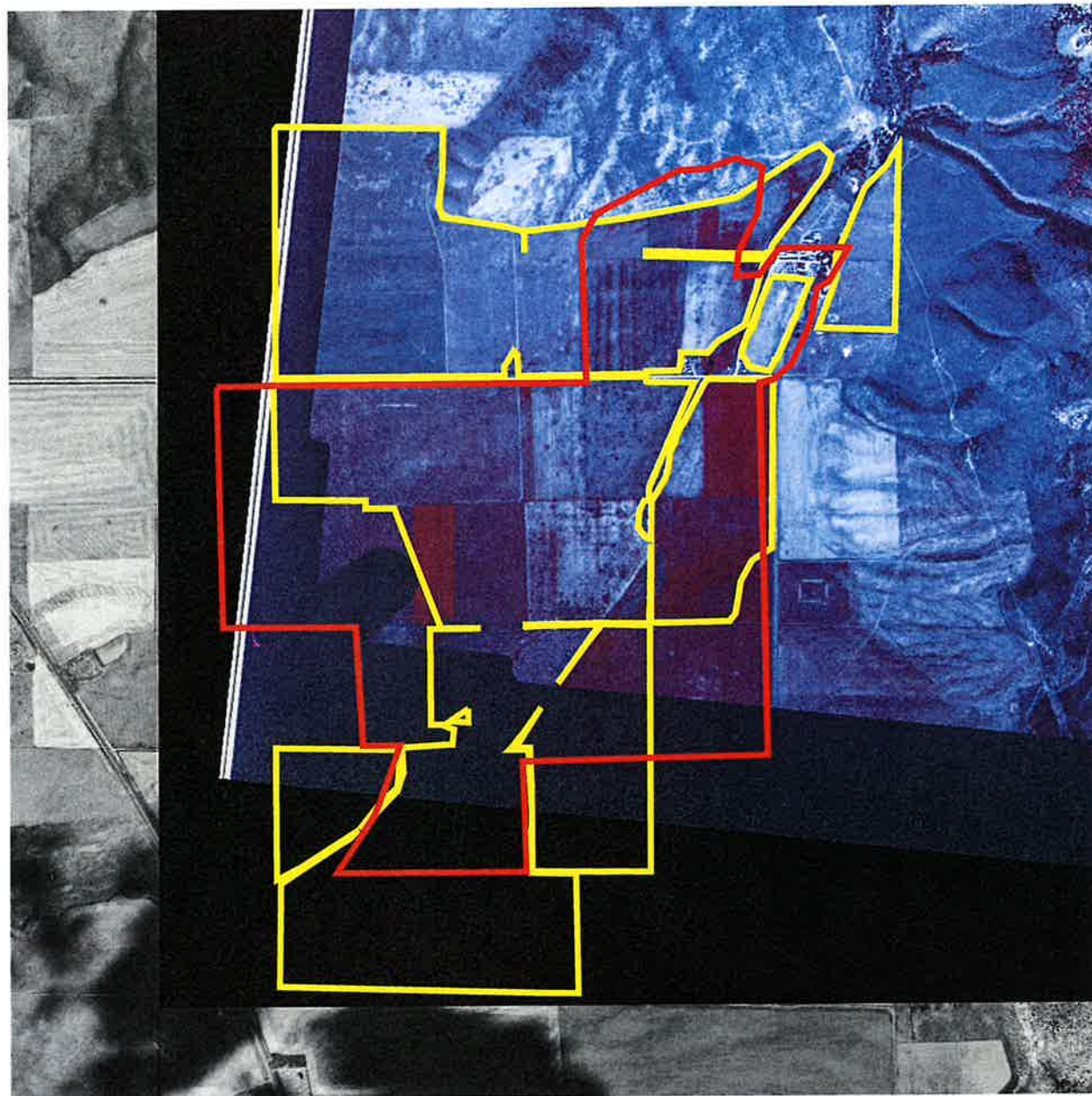
1000 0 1000 2000 Feet



Projection:
UTM 12N NAD83

Map: Rocky Mountain
Env. Assoc. Inc.

Figure 13: Union of Analyses, Trimmed, w/ 1969 Image, 1979 image and Statutory Claim POU



 Statutory Claim POU
 Trimmed Union

Three Mile Irrigation Company

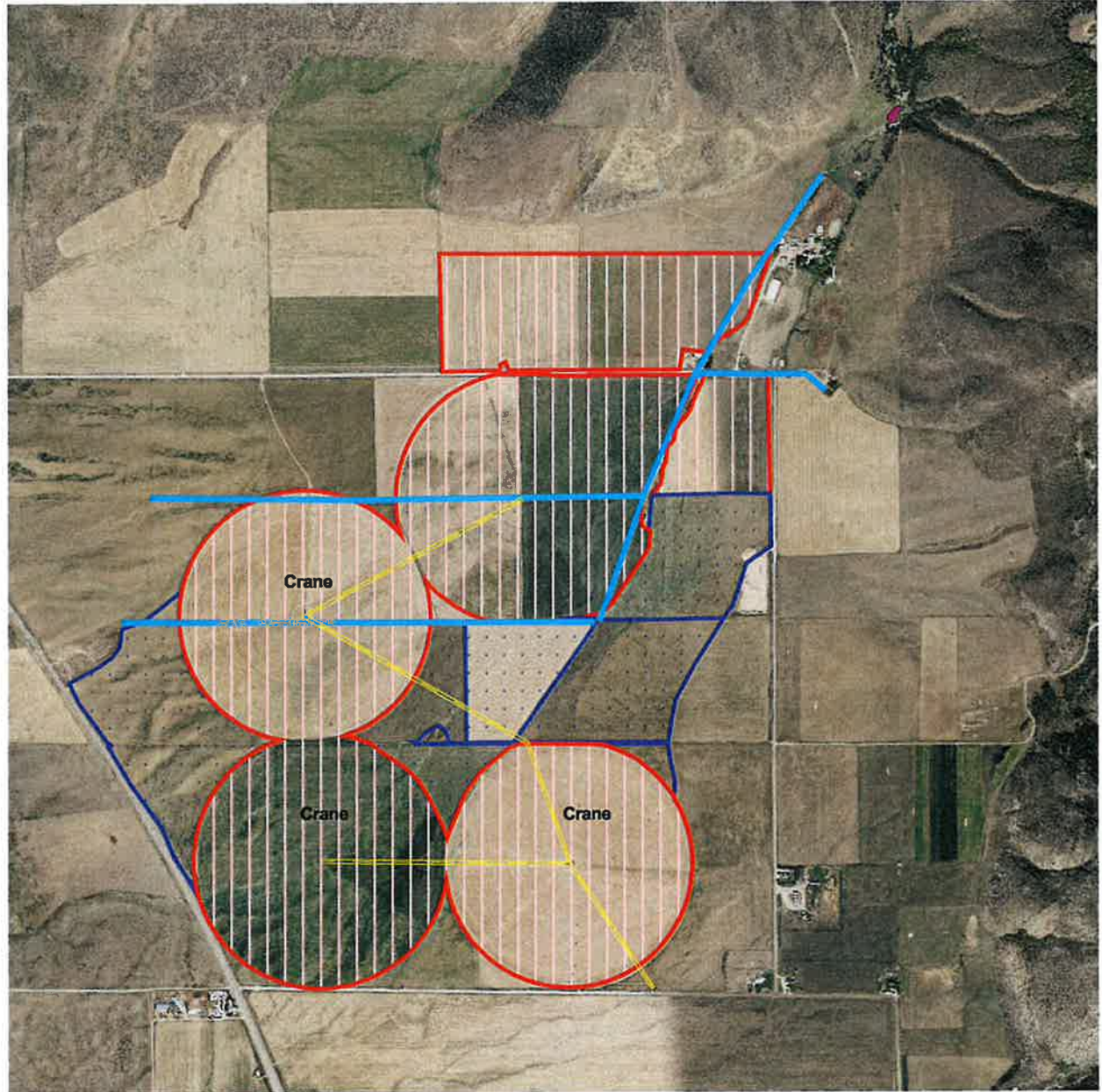
1000 0 1000 2000 Feet



Projection:
UTM 12N NAD83

Map: Rocky Mountain
Env. Assoc. Inc.

Figure 14: New Pipeline w/ 2021 Irrigated Area



- Pivot Connections (Company)
- Pipeline (IDWR)
- Pond
- 2021 Irrigation
- Flood
- Sprinkler

Three Mile Irrigation Company

1000 0 1000 2000 Feet



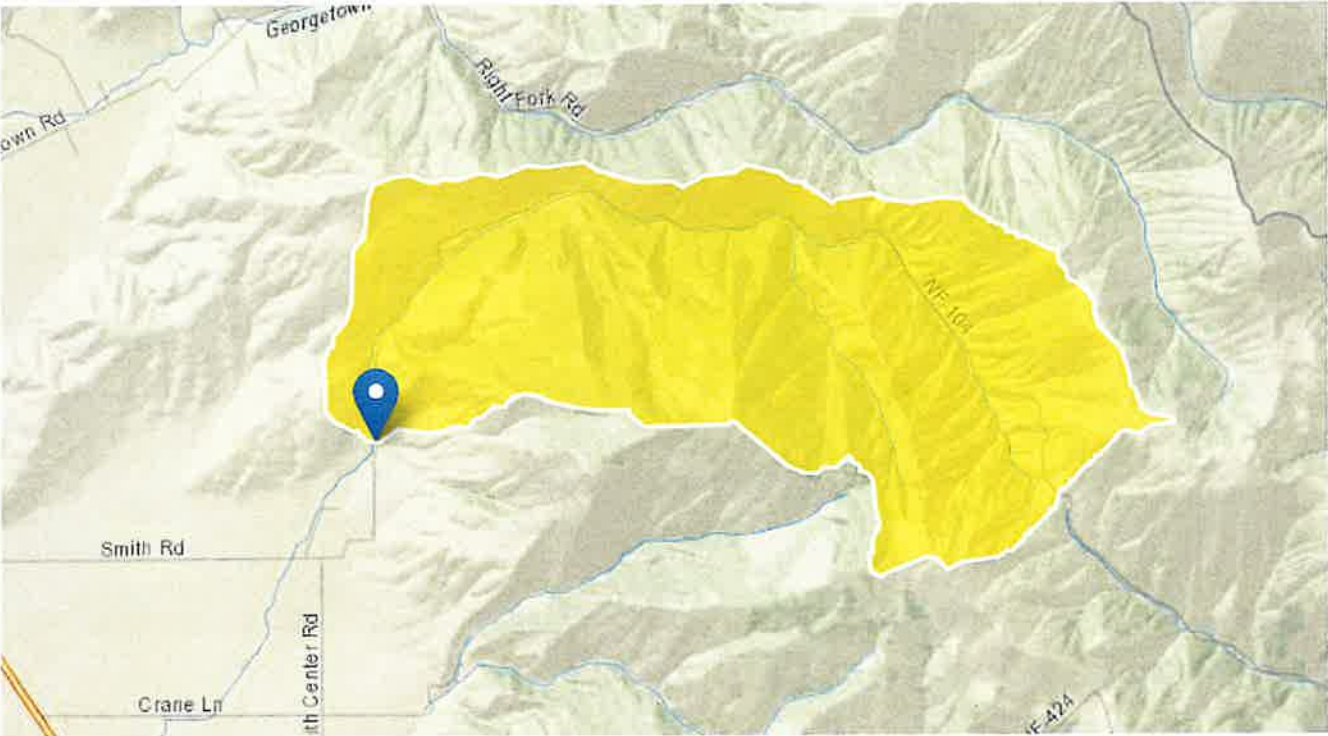
Basemap: 2021 USDA
NAIP Image

Projection:
UTM 12N NAD83

Map: Rocky Mountain
Env. Assoc. Inc.

StreamStats Report

Region ID: ID
Workspace ID: ID20230925234908326000
Clicked Point (Latitude, Longitude): 42.46338, -111.31764
Time: 2023-09-25 17:49:35 -0600



Collapse All

> Basin Characteristics

Parameter Code	Parameter Description	Value	Unit
BSLDEM30M	Mean basin slope computed from 30 m DEM	44.2	percent
DRNAREA	Area that drains to a point on a stream	4.75	square miles
ELEV	Mean Basin Elevation	7770	feet
FOREST	Percentage of area covered by forest	60	percent
PRECIP	Mean Annual Precipitation	22.3	inches

Parameter Code	Parameter Description	Value	Unit
SLOP30_30M	Percent area with slopes greater than 30 percent from 30-meter DEM.	76.5	percent

➤ April Flow-Duration Statistics

April Flow-Duration Statistics Parameters [Monthly Annual Region 8 2001 4093]

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
DRNAREA	Drainage Area	4.75	square miles	6.6	874.8
PRECIP	Mean Annual Precipitation	22.3	inches	14.2	56
ELEV	Mean Basin Elevation	7770	feet	5691.9	8951
BSLDEM30M	Mean Basin Slope from 30m DEM	44.2	percent	6.15	53.2

April Flow-Duration Statistics Disclaimers [Monthly Annual Region 8 2001 4093]

One or more of the parameters is outside the suggested range. Estimates were extrapolated with unknown errors.

April Flow-Duration Statistics Flow Report [Monthly Annual Region 8 2001 4093]

Statistic	Value	Unit
April 20 Percent Duration	11	ft ³ /s
April 50 Percent Duration	5.5	ft ³ /s
April 80 Percent Duration	2.53	ft ³ /s

April Flow-Duration Statistics Citations

Hortness, J.E., and Berenbrock, Charles, 2001, Estimating Monthly and Annual Streamflow Statistics at Ungaged Sites in Idaho : U.S. Geological Survey Water-Resources Investigations Report 01-4093, 36 p. (<https://pubs.er.usgs.gov/publication/wri014093>)

➤ May Flow-Duration Statistics

May Flow-Duration Statistics Parameters [Monthly Annual Region 8 2001 4093]

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
DRNAREA	Drainage Area	4.75	square miles	6.6	874.8
PRECIP	Mean Annual Precipitation	22.3	inches	14.2	56
ELEV	Mean Basin Elevation	7770	feet	5691.9	8951
BSLDEM30M	Mean Basin Slope from 30m DEM	44.2	percent	6.15	53.2

May Flow-Duration Statistics Disclaimers [Monthly Annual Region 8 2001 4093]

One or more of the parameters is outside the suggested range. Estimates were extrapolated with unknown errors.

May Flow-Duration Statistics Flow Report [Monthly Annual Region 8 2001 4093]

Statistic	Value	Unit
May 20 Percent Duration	27.2	ft ³ /s
May 50 Percent Duration	13.8	ft ³ /s
May 80 Percent Duration	7.09	ft ³ /s

May Flow-Duration Statistics Citations

Hortness, J.E., and Berenbrock, Charles, 2001, Estimating Monthly and Annual Streamflow Statistics at Ungaged Sites in Idaho: U.S. Geological Survey Water-Resources Investigations Report 01-4093, 36 p. (<https://pubs.er.usgs.gov/publication/wri014093>)

➤ June Flow-Duration Statistics

June Flow-Duration Statistics Parameters [Monthly Annual Region 8 2001 4093]

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
DRNAREA	Drainage Area	4.75	square miles	6.6	874.8

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
FOREST	Percent Forest	60	percent	2.3	93.9
PRECIP	Mean Annual Precipitation	22.3	inches	14.2	56
BSLDEM30M	Mean Basin Slope from 30m DEM	44.2	percent	6.15	53.2

June Flow-Duration Statistics Disclaimers [Monthly Annual Region 8 2001 4093]

One or more of the parameters is outside the suggested range. Estimates were extrapolated with unknown errors.

June Flow-Duration Statistics Flow Report [Monthly Annual Region 8 2001 4093]

Statistic	Value	Unit
June 20 Percent Duration	8.56	ft ³ /s
June 50 Percent Duration	4.18	ft ³ /s
June 80 Percent Duration	1.72	ft ³ /s

June Flow-Duration Statistics Citations

Hortness, J.E., and Berenbrock, Charles, 2001, Estimating Monthly and Annual Streamflow Statistics at Ungaged Sites in Idaho: U.S. Geological Survey Water-Resources Investigations Report 01-4093, 36 p. (<https://pubs.er.usgs.gov/publication/wri014093>)

➤ July Flow-Duration Statistics

July Flow-Duration Statistics Parameters [Monthly Annual Region 8 2001 4093]

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
DRNAREA	Drainage Area	4.75	square miles	6.6	874.8
FOREST	Percent Forest	60	percent	2.3	93.9
PRECIP	Mean Annual Precipitation	22.3	inches	14.2	56
SLOP30_30M	Slopes gt 30pct from 30m DEM	76.5	percent	1.2	86.6

July Flow-Duration Statistics Disclaimers [Monthly Annual Region 8 2001 4093]

One or more of the parameters is outside the suggested range. Estimates were extrapolated with unknown errors.

July Flow-Duration Statistics Flow Report [Monthly Annual Region 8 2001 4093]

Statistic	Value	Unit
July 20 Percent Duration	2.45	ft ³ /s
July 50 Percent Duration	1.42	ft ³ /s
July 80 Percent Duration	0.826	ft ³ /s

July Flow-Duration Statistics Citations

Hortness, J.E., and Berenbrock, Charles, 2001, Estimating Monthly and Annual Streamflow Statistics at Ungaged Sites in Idaho: U.S. Geological Survey Water-Resources Investigations Report 01-4093, 36 p. (<https://pubs.er.usgs.gov/publication/wri014093>)

➤ August Flow -Duration Statistics

August Flow-Duration Statistics Parameters [Monthly Annual Region 8 2001 4093]

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
DRNAREA	Drainage Area	4.75	square miles	6.6	874.8
FOREST	Percent Forest	60	percent	2.3	93.9
PRECIP	Mean Annual Precipitation	22.3	inches	14.2	56
SLOP30_30M	Slopes gt 30pct from 30m DEM	76.5	percent	1.2	86.6

August Flow-Duration Statistics Disclaimers [Monthly Annual Region 8 2001 4093]

One or more of the parameters is outside the suggested range. Estimates were extrapolated with unknown errors.

August Flow-Duration Statistics Flow Report [Monthly Annual Region 8 2001 4093]

Statistic	Value	Unit
August 20 Percent Duration	0.909	ft ³ /s

Statistic	Value	Unit
August 50 Percent Duration	0.494	ft ³ /s
August 80 Percent Duration	0.429	ft ³ /s

August Flow-Duration Statistics Citations

Hortness, J.E., and Berenbrock, Charles, 2001, Estimating Monthly and Annual Streamflow Statistics at Ungaged Sites in Idaho: U.S. Geological Survey Water-Resources Investigations Report 01-4093, 36 p. (<https://pubs.er.usgs.gov/publication/wri014093>)

► September Flow-Duration Statistics

September Flow-Duration Statistics Parameters [Monthly Annual Region 8 2001 4093]

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
DRNAREA	Drainage Area	4.75	square miles	6.6	874.8
FOREST	Percent Forest	60	percent	2.3	93.9
PRECIP	Mean Annual Precipitation	22.3	inches	14.2	56

September Flow-Duration Statistics Disclaimers [Monthly Annual Region 8 2001 4093]

One or more of the parameters is outside the suggested range. Estimates were extrapolated with unknown errors.

September Flow-Duration Statistics Flow Report [Monthly Annual Region 8 2001 4093]

Statistic	Value	Unit
September 20 Percent Duration	0.572	ft ³ /s
September 50 Percent Duration	0.389	ft ³ /s
September 80 Percent Duration	0.329	ft ³ /s

September Flow-Duration Statistics Citations

Hortness, J.E., and Berenbrock, Charles, 2001, Estimating Monthly and Annual Streamflow Statistics at Ungaged Sites in Idaho: U.S. Geological Survey Water-Resources Investigations Report 01-4093, 36 p. (<https://pubs.er.usgs.gov/publication/wri014093>)

➤ October Flow-Duration Statistics

October Flow-Duration Statistics Parameters [Monthly Annual Region 8 2001 4093]

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
DRNAREA	Drainage Area	4.75	square miles	6.6	874.8
FOREST	Percent Forest	60	percent	2.3	93.9
PRECIP	Mean Annual Precipitation	22.3	inches	14.2	56

October Flow-Duration Statistics Disclaimers [Monthly Annual Region 8 2001 4093]

One or more of the parameters is outside the suggested range. Estimates were extrapolated with unknown errors.

October Flow-Duration Statistics Flow Report [Monthly Annual Region 8 2001 4093]

Statistic	Value	Unit
October 20 Percent Duration	0.579	ft ³ /s
October 50 Percent Duration	0.301	ft ³ /s
October 80 Percent Duration	0.266	ft ³ /s

October Flow-Duration Statistics Citations

Hortness, J.E., and Berenbrock, Charles, 2001, Estimating Monthly and Annual Streamflow Statistics at Ungaged Sites in Idaho: U.S. Geological Survey Water-Resources Investigations Report 01-4093, 36 p. (<https://pubs.er.usgs.gov/publication/wri014093>)

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Application Version: 4.17.0

StreamStats Services Version: 1.2.22

NSS Services Version: 2.2.1



RECEIVED

OCT 23 2023

IDWR/Preston

October 19, 2023

Idaho Dept. of Water Resources
325 East 600 South, Ste 300
Preston, Idaho 83263-4921
marion.beck@idwr.idaho.gov

Sent via Email & U.S. Mail

**Re: Three Mile Creek Irrigation Company
Notices of Claims to Water Rights
Bear River Basin Adjudication**

To whom it may concern:

Enclosed for filing please find the originals of six Notices of Claims to Water Rights on behalf of Three Mile Creek Irrigation Company, together with a check in the amount of \$1,746.00 for the filing fees, broken down as follows:

Claim 1: \$50 flat fee + \$25 for stockwater claim + (\$1.00 per acre x 1,396 acres) = \$1,471.00
Claim 2: \$50 flat fee + \$25 for stockwater claim + (no variable fee, claiming same POU acres) = \$75.00
Claim 3: \$50 flat fee + (no variable fee, claiming same POU acres) = \$50.00
Claim 4: \$50 flat fee + (no variable fee, claiming same POU acres) = \$50.00
Claim 5: \$50 flat fee + (no variable fee, claiming same POU acres) = \$50.00
Claim 6: \$50 flat fee + (no variable fee, claiming same POU acres) = \$50.00
Total: \$1,746.00

Please file the originals and email the claim numbers assigned to tessa@racineolson. Thank you for your assistance. Please contact us if you have any questions.

Sincerely,

TESSA SPARROW
Paralegal

Enclosure

c: Three Mile Creek Irrigation Company
Bryce Contor, Rocky Mountain Environmental Associates, Inc.