

Lester, Steve

From: Lester, Steve
Sent: Tuesday, April 22, 2014 1:51 PM
To: 'qsmoser@aol.com'
Subject: FW: Monroe Creek Irrigation District Rights
Attachments: Monroe Ck Irr Dist rights.pdf; Monroe Ck Irr Dist map.pdf; Attorneys.doc

BCC → WATERMASTER #67

This should work with corrected address.

From: Lester, Steve **On Behalf Of** Western Info
Sent: Tuesday, April 22, 2014 1:28 PM
To: 'qsmosier@aol.com'
Subject: Monroe Creek Irrigation District Rights

Shauna:

Attached are the 3 water rights for this irrigation district: numbers 67-634, 67-724 & 67-2032. Involves Mann Creek & Monroe Creek, including Barton Reservoir. Also a map showing district boundary within which its rights can be used for up to 753 acres.

Distribution of these water rights within the irrigation district boundaries remains internal business of the irrigation district, subject to law under *Idaho Code Title 43*. Problems regarding those laws are civil matters not under jurisdiction of the Idaho Dept. of Water Resources (IDWR) or any other government agency. State civil matters fall under jurisdiction of Idaho courts.

Diversion of water rights from water sources is under regulatory authority of the Weiser River Watermaster, Brandi Horton. She determines how much water can be diverted from sources based on available water supply and water rights priority (seniority) system. She does not regulate that water after it has been diverted from sources ... so she does not get involved with internal questions about how the irrigation district distributes water to its users.

The Watermaster operates under authority delegated by the IDWR Director, *Idaho Code Title 42, Chapter 6*. Problems/questions about Watermaster delivery of water rights can be addressed to Brandi at 208-550-0313.

There is nothing more I can add to this situation – neither IDWR nor the Watermaster can resolve problems with distribution of irrigation district water rights within the irrigation district boundary. You may wish to seek legal help by contacting an attorney. Legal reference information is also attached (Idaho State Bar etc.).

As we discussed this morning, the water supply is pretty tight in the Weiser River drainage this year.

Steve Lester
Water Rights Supervisor
IDWR Western Region
2735 Airport WY
Boise, ID 83705
(208-334-2190)

WATERMASTER'S QUESTIONS/CONCERNS ABOUT
MONROE CK. IRR DISTRICT RIGHTS

-SL

IDAHO DEPARTMENT OF WATER RESOURCES

4/22/2014

Proof Report

Water Right 67-634

Owner Type

Current Owner

Name and Address

MONROE CREEK IRRIGATION DISTRICT
C/O GEORGE L CHANDLER
1116 HWY 95
WEISER, ID 83672
(208)549-1144

MANN CREEK
BARTON RESERVOIR
LULLEY DITCH

Priority Date: 4/1/1915Basis: DecreedStatus: ActiveSource

MANN CREEK

Tributary

WEISER RIVER

Beneficial Use

IRRIGATION

From

03/01

To

11/15

Diversion Rate

12.000 CFS

VolumeTotal Diversion

12.000 CFS

Source and Point(s) of Diversion

MANN CREEK

SWSE

Sec. 12, Twp 12N, Rge 05W, WASHINGTON County

Place Of UseIRRIGATION within WASHINGTON County

Large POU not displayed

Total Acres = 753.0

Conditions of Approval:

1. 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(6), Idaho Code.
2. 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.
3. 167 This right shall receive 100% of its decreed amount until the natural flow of the waters of Mann Creek shall decrease so that all rights cannot receive 100%, at which time this right and other various decreed rights, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), shall be cut to 70% of the said amounts, beginning with the latest right and proceeding to the earliest right in the order of priority.
4. 168 This right is a Secondary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, is subordinate only to all rights identified as Primary Rights on Mann Creek.

Secondary Right

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/22/2014

5. F01 Water is delivered through Lolley Ditch.

Comments:

1. mvanbussum 1/29/2008 Copied from remarks
THIS IS A SECONDARY RIGHT.= 8.4 CFS FLOOD WATER RIGHT IS 12.0000 CFS.
WATER CARRIED IN THE LOLLEY DITCH.
STORAGE IS BARTON RESERVOIR.
2. mvanbussum 1/29/2008 Amended claim
Right was decreed for storage and was claimed for irrigation. We recommended it as
irrigation, but it seems it would be better claimed as a diversion to storage right with the storage
right for Barton Reservoir being covered under 67-2032. Sent amended claim to Monroe
Creek ID January 28, 2008. See scanned docs.

Dates and Other Information

Decreed Date: 9/10/2008
Civil Case Number: 39576
Water District Number: 67

IDAHO DEPARTMENT OF WATER RESOURCES

4/22/2014

Proof Report

Water Right 67-724

Owner Type

Current Owner

Name and Address

MONROE CREEK IRRIGATION DISTRICT
 C/O GEORGE L CHANDLER
 1116 HWY 95
 WEISER, ID 83672
 (208)549-1144

MONROE CREEK

Priority Date: 4/1/1888**Basis:** Decreed**Status:** Active**Source**

MONROE CREEK

Tributary

WEISER RIVER

Beneficial Use

IRRIGATION

From

3/15

To

11/15

Diversion Rate

15.060 CFS

Volume

1,749.0 AF

Total Diversion

15.060 CFS

1,749.0 AF

Source and Point(s) of Diversion

MONROE CREEK	NENW	Sec. 28, Twp 11N, Rge 05W,	WASHINGTON County(F
MONROE CREEK	SESW	Sec. 10, Twp 11N, Rge 05W,	WASHINGTON County(F
MONROE CREEK	NWNW	Sec. 22, Twp 11N, Rge 05W,	WASHINGTON County(F
MONROE CREEK	SWSE	Sec. 21, Twp 11N, Rge 05W,	WASHINGTON County(F
MONROE CREEK	NENE	Sec. 21, Twp 11N, Rge 05W,	WASHINGTON County(F
MONROE CREEK	SWSE	Sec. 10, Twp 11N, Rge 05W,	WASHINGTON County(F
MONROE CREEK	SESW	Sec. 22, Twp 12N, Rge 05W,	WASHINGTON County

Place Of Use**IRRIGATION within WASHINGTON County**

Large POU not displayed

Total Acres = 753.0

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3. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/22/2014

4. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Dates and Other Information

Decreed Date: 9/10/2008

IDAHO DEPARTMENT OF WATER RESOURCES

4/22/2014

Proof ReportWater Right 67-2032**Owner Type**

Current Owner

Name and Address

MONROE CREEK IRRIGATION DISTRICT
C/O GEORGE L CHANDLER
1116 HWY 95
WEISER, ID 83672
(208)549-1144

*Monroe Creek**Barton Reservoir***Priority Date:** 4/12/1909**Basis:** Decreed**Status:** Active**Source**

MONROE CREEK

Tributary

WEISER RIVER

Beneficial Use

IRRIGATION STORAGE

From

1/01

To

12/31

Diversion Rate**Volume**

1,000.0 AF

IRRIGATION FROM STORAGE

3/15

11/15

1,000.0 AF

DIVERSION TO STORAGE

9/15

5/15

20.000 CFS

Total Diversion

20.000 CFS

1,000.0 AF

Source and Point(s) of Diversion

MONROE CREEK

SESW

Sec. 22, Twp 12N, Rge 05W, WASHINGTON County

Place Of Use**IRRIGATION FROM STORAGE within WASHINGTON County**

Large POU not displayed

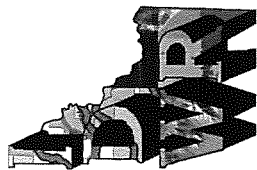
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Dates and Other Information

Decreed Date: 9/10/2008

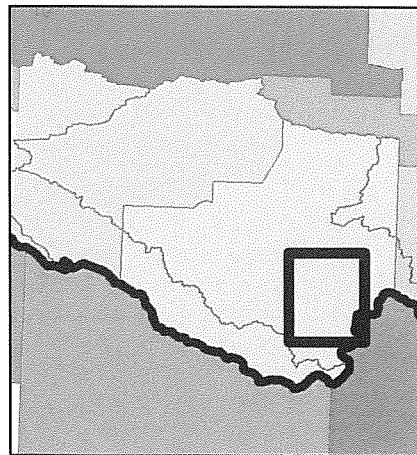


Monroe Creek Irrigation District

Water Rights: 67-634 , 67-724 , 67-2032

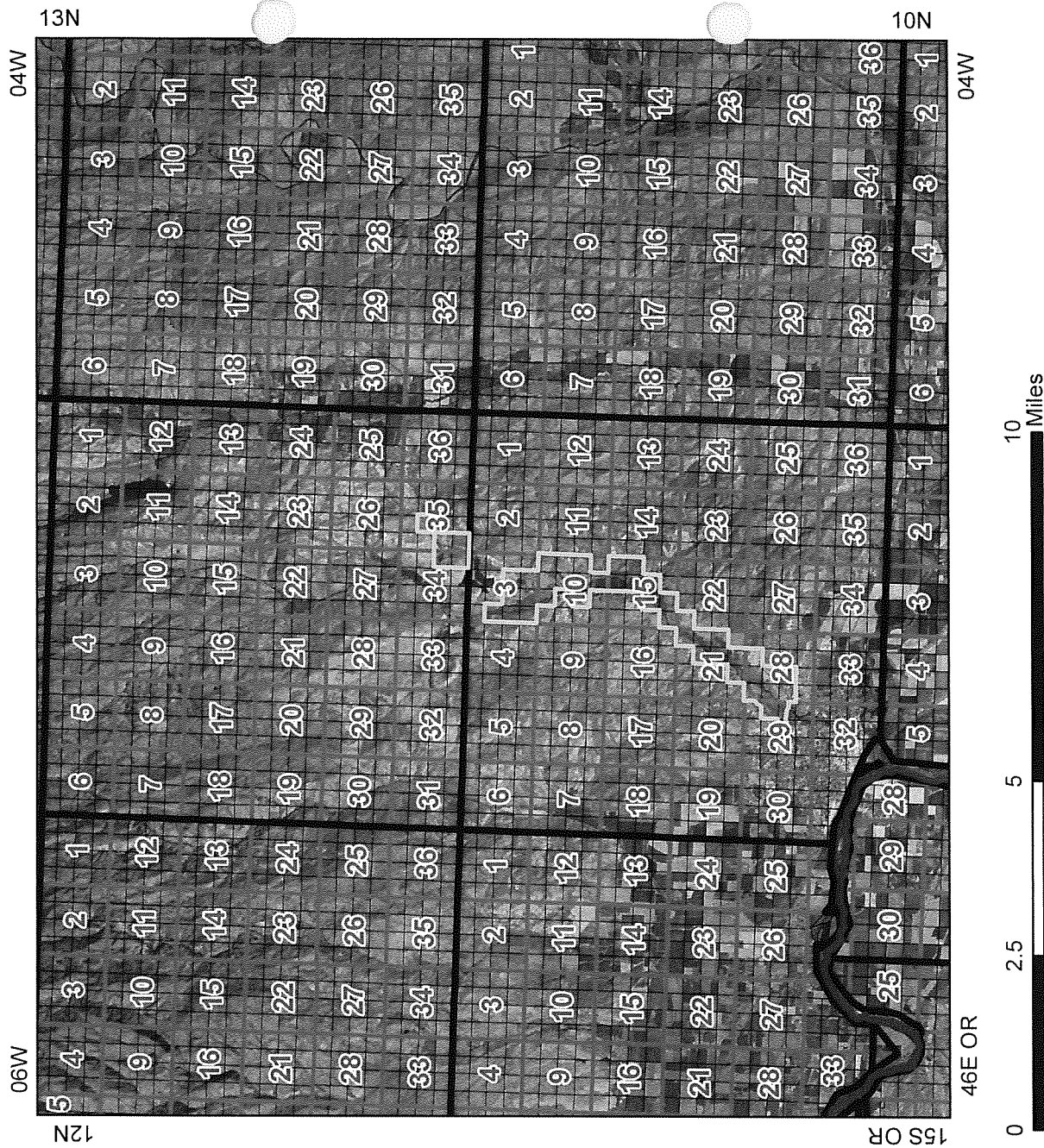
Irrigation Service Area Boundary
GIS Place of Use Illustration

- Service Area
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Washington County
IDWR Basin 67

Prepared by Lester, Steve
On April 22, 2014
2009 Aerial Photography



RECOMMENDING ATTORNEYS

As a public agency, IDWR cannot recommend a specific attorney for water related problems. The following references might help you find an attorney for your situation.

IDAHO STATE BAR & IDAHO LAW FOUNDATION INC.

WEBSITE	www.isb.idaho.gov
EMAIL	see contact info at website
TELEPHONE	208-334-4500
MAILING ADDRESS	PO Box 895 Boise, ID 83701

IDAHO LAW SCHOOL

WEBSITE	www.law.uidaho.edu
EMAIL	uilaw@uidaho.edu
TELEPHONE	208-885-4977
MAILING ADDRESS	University of Idaho College of Law PO Box 442321 Moscow, ID 83844

IDAHO WATER USERS ASSOCIATION

WEBSITE	www.iwua.org
EMAIL	iwua@iwua.org
TELEPHONE	208-344-6690
MAILING ADDRESS	1010 W. Jefferson Suite 101 Boise, ID 83702