

February 23, 2004

Marsh Creek Water District 45F

Water Master's 2003 Annual Report

I would like to thank all of the Water District Members as a whole for the overall cooperation on the short fall of water during this last irrigation season. We did work as a team when it counted. Everybody did their part. ***This year's annual water meeting the Membership needs to decide on how the Non-consumptive water plus the Pomerelle Ski Resort is to be billed.***

Our over all projection for the season was 5,792.07 CFS and our actual usage of water totaled 3,444.2 CFS a difference of 2,347.87 CFS or a 59.464 percent of projected usage. Last year was a little different it was 84.30 %. The water was called off the head of Howell June 26th 2003. We had a cold and wet spring that produced a later run off and was able to capture a higher % of usage off what we had.

I have indicated to the Water District Advisory Council, that due to the problems that were encountered the previous year, some were corrected this year and hopefully more will be corrected this coming year. Some of the decreed users have problems with their delivery systems, diversion and measuring devices that are not in line legally. They need to correct them, so delivery of water can be made.

- 6S Ranch corrected their problems on Land Creek by placing a diversion and screw down head gate at 'B' and also cleaned in around their measuring device on 'C' plus delivery ditch work.
- Also White Pine has a Weir and screw down head gate & diversion.

The priority now is for the corrections to be made on Antone & Pine Creeks, there is no measuring devices or head gate diversion. Basically, Those two creeks are illegal for delivery of water to Grant Clark and Fred Hawker. This last season, I had no water of beneficial use to measure to either party. See Antone /Pine creek for details.

Other streams within the Water District were dry or were very low to be used for beneficial use at point of use. They were Summit Creek, Broad hollow, and Amos Creeks. Also, most of the springs along the whole mountain frontage of the Water District were dry.

The adjudication of Marsh Creek Water District 45F has continued through this last year, which was started the previous fall. The IDWR person is Mr. Kelly Christensen. The Adjudication was started on upper Land & Marsh Creek and Kelly has moved around in some of the other areas of primary concern.

6S-Ben diversion off of Land Creek running to Marsh Creek (delivery culvert) will need repair work due to the Flash Flood that took place last July. The diversion had been closed (land Cr.) and with the pressure developed on the Marsh Creek side, buckled the culvert where the rubber and cement culverts came together on Ben Chatburn's property.

AREAS OF CONCERN

Marsh Creek Drainage:

- Tom Geary, The West slope drainage needs diversion head gates and measuring device(s) dealing with decreed right 45-02704 and the upper meadows of the west slope.
- A. W. Anderson needs a head gate and measuring device for water diversion off of West slope channel NW of Geary's, only legal water right is off the highland ditch from diversion 'B2'.
- George Montgomery/Kent Cooper diversion 'G' needs cleaned of weeds and shrubbery, also an additional measuring and diversion off of main delivery ditch, placed in valid area of Montgomery's delivery of water.
- **Nick & Cedar Knudsen** Place needs legal diversion & measuring device w/property transfer off of Vaughn ditch. Decreed Right 45-0312.
- The Janet O'Rear, new owner must create a valid diversion/measuring device for diverted water off the Vaughn ditch, decreed right 45F-0312.
- Kent Coopers diversion off of the Vaughn Ditch will require a measuring device and delivery ditch fixed up. Water not contained within ditch.

The City of Albion needs to reconsider their delivery channel priority. Again this last season the delivery ditch could not handle their decreed right of 1.2cfs due to weed growth and not maintaining ditch.

- Currently 6S has run a lateral approximately 12' parallel to the city's ditch and has placed a screw down head gate in.
- Ben Chatburn needs to repair his diversion on the Main Channel of Marsh Creek so he is not pumping directly from main creek for his sprinklers. He will also maintain a gallon-age meter for water delivery on this system.

Starrh Ditch Delivery System:

A meeting of the Starrh Ditch Users shall determine their fate and elect a Ditch Rider before April 1st, 2004 and present their rotation schedule to the Water Master.

Between the Users, the delivery ditch needs to be repaired to enable the delivery of water this coming season. Also, needs to be a measuring device at the forks of the Starrh ditch and to the Adams's, and Bailey channel, with the parties working their own delivery system. Baileys delivery ditch needs to be repaired and maintained in handling water that is being used, approximately .80cfs (40") on rotation

- A ditch rider will maintain beneficial use of water on the Starrh ditch if the rotation is to continue. There will be no abuse in overloading with wastewater as it has happened this previous year off of the Anderson place.
- The Loma Reeder place has been sub-divided, land owned by Eldon Adams, Jim Kelley & Lorna Reeder. Therefore, diversions and measuring devices need to be implemented.

- 3
- The Gary & Marie Crawford property has been sub-divided by several buyers which I have no data on. The original decreed right has .46cfs allotted, and currently the Water District needs a means of assuring the right individual is being charged or has a legal right to the water.

Land Creek:

This last fall the diversion and weir off of 'F' has had rock placed into areas of ditch to create a backfill and erosion of ground protecting property damage. The weir, rock was placed to keep weir from washing and eroding away.

On the Berrett Ditch, there needs to be a culvert placed over the ditch where White Pine crosses, so water can be returned to Land Creek, not inter-mingled.

1. Also, there is other calls from users off of same ditch, there will be a diversion and measuring device for passing on called water (preferable at the designated point Clark pulls their share) will need to be worked out by users.
2. Justin Manning diversion off of Land Creek needs to be submitted to Water Resources and still maintain their two diversions (one of which has been dismantled and inoperative since stand-pipe was implemented for Grigg's & Koyle).
3. Last year a rotation was used, but the rotation (days) needs to be revised by all parties if used this coming year by Mark Grigg, Wade and Koyle. The delivery ditch will be maintained.

White Pine Creek:

In the fall of 2002, 6S-Ranch placed a head gate (screw down), creating a diversion with a rectangular weir, was implemented on the creek.

Brim Creek:

The main channel does not have any legal diversion and measuring devices on the creek.

I found this last season, at two points of diversion going towards the Clarks. Also the designated water right to Ina Droz's, the head gate has been washed out over many years, the water delivered is to one place and that's been primarily for live stock use. Work on reservoir was completed for storing and diverting water.

1. Since the Berrett ditch is part of the original Brim Creek at George Kelley's. There needs to be head gates of some sort to eliminate the cutting and erosion of banks.

- Example is at Gunderson's and the diverting of water to the north meadow of Alan Clarks, cutting of banks to set a dam has eroded the major bank of the delivery system.
- The other is to put a culvert where White Pine crosses the Berrett delivery ditch.
- Roger Jenkins needs to replace water channel through his corner of property which he took out when leveling ground. I currently have a written complaint from Gary Erickson pertaining to this problem. The problem needs to be resolved by the two parties involved.

The water (at High Water) is not able to be return to Land Creek. This spring, the run off is going to end up possibly washing out some District Highway on 900 South and Highway 77.

Black Jack Ranch:

Rose Creek:

There needs to be a main channel weir and/or diversion head gate with a measuring device, placed at the upper meadow approximately 100 –150 feet off the fence line. Joe Peterson has been shown where it should be placed Larry Mahoney is aware.

Broad Hollow Creek:

I recommend that a head gate and measuring device be placed on the main channel where the water has been diverted west to Mahoney's. Reason is the last couple of years I had no water to measure at the regular areas that Broad Hollow crosses Brim ditch. This last year I measured water going into Howell Creek as the beneficial use and not irrigation. I hiked to the diversion point and found that the water is returning to its original channel (approximately 100 feet above Brim Ditch diversion on Howell Cr.) and Larry Mahoney has been informed of this.

Anton / Pine Creek: (Clyde)!!

The main channel at 1st diversion point Grant Clark (Anton), a diversion screw down head gate, placed with a measuring device(s) needs to be installed. A 2nd diversion placed where Fred Hawker diverts his water with a measuring device(s) head gate needs to also be installed.

- The main channel of Pine Creek was designated by Grant Clark, June 16, 2000, to both the Water District Advisory Council and to the Watermaster of 45F. Mr. Clark was informed that the water would stay in main channel until legal head gate and measuring device was implemented.
- This last season the water was being diverted. The water had been turned back at a later date of the 2001 season. The Watermaster with the Advisory Council present could and would request the water called back to main channel. As of this date no measurement or head gate has been placed on channels.

Mr. Grant Clark also, did a lot of development on his upper meadows (2001) and Greg Jones, Adjudication's Officer with the Department of Water Resources and myself had reviewed his project indicating that he was tapping into a spring and that under the circumstances, Grant could not be stopped in laying the pipe, but that he could not connect the system up and that he needed to get his water rights in line. As of March 1, 2002, I am not aware that Mr. Clark has adhered to the requests.

Weirs:

We have had four weirs on Marsh Creek, that 6S Ranch has repaired (major repairs) and one on Land Creek/Marsh Creek diversion (to 6S-Ben).

There are (27) additional weirs on the following main channels and some are in need of repair due to bank erosion on leeward side of weirs and/or cleaning of shrubbery off of delivery ditch(s).

1. Marsh Creek:

Diversion 'B2' (Anderson/Geary) measuring device & ditch needs cleaned up;
Diversion 'C' (Geary) diversion and delivery ditch needs work; Diversion 'D'
(Anderson/Geary); Diversion 'F' (A.W. Anderson); Diversion 'G' (Montgomery/Cooper);

Diversion 'H' Montgomery/Anderson); Diversion 'I' (Vaughn/Starrh); Diversion 'J' (Ben Chatburn); Diversion 'K' (Ben Chatburn).

2. Land Creek:

Diversion 'C' (needs head gate cleaned out in front (silt)); Diversion 'D' (6S Ranch/Sorensen) delivery ditch work; Diversion 'E' (Sorensen); Diversion 'F' (Berrett Users), repair of Partial Flume and delivery ditch; Diversion 'G' (Hutton/Grigg/Koyle) measuring and delivery ditch; Diversion 'H' (Perry/Parton/Fitzgerald) weir and delivery ditch; Diversion 'I' (Cunningham) diversion filled in.; Diversion 'J' (Robinson/6S Ranch) delivery to Robinson and Banks need work.

3. Howell Creek:

Diversion 'A' (Brim ditch Users) head gate needs repair of seal; Diversion 'B' (Anderson/Hawker/Clark) above weir, main channel repair plus delivery ditch work and partial flume needs leveling; Diversion 'C' (Anderson) weir and shrub, also setup a delivery channel to lower areas of irrigation versus main channel; Diversion 'D' (Hallard/Users) delivery ditch and weir needs work and delivery ditch needs cleaned out; Diversion 'E' (Bell upper/lower meadows) delivery to Measuring device needs work also, a lateral setup for lower meadows; Diversion 'F' (Warthen) weir needs work done on it verse what is currently being done; Diversion 'G' Mahoney, diversion head gate and channel needs work, also a measuring device required; Diversion 'H' (Earls Pond/Goodman) needs work, pond needs silt removed at weir, delivery ditch to Goodman's cleaned up; Diversion 'I' (Chatburn) shrub cut back on diversion and repair of delivery ditch to pond; Diversion 'J' (Chatburn) diversion off creek needs repair and measuring device placed.

4. Cow Gulch Creek:

The diversion and head gate needs work, and the Cipolletti weir needs repair also a measuring device setup off of Asher creek which intermingles with the decreed right off of cow gulch. The Cipolletti weir at Bells delivery pipe needs work around it. Washes out each year.

Main Marsh/Land Creek, aka (Narrows):

The main channel weir has completely been repaired by 6S-Ranch. The Partial flume (36") does need to have a flow test done due to the leeward side is tilted. Run tests between it and the measurement on the main weir and I don't get the same reading. Tests made by Lynn Taylor and Water Master. One of the devices is out.

Don G. Gunderson, Water Master
Marsh Creek Water District 45F

Cc: Advisory Board Member's:
Jeff Chatburn, George Kelley
George Moosman, Gwen Montgomery, Chairman
Water District Member 45F (copy Req.)

WATERMASTER'S REPORT

From: January, 01, 2003 To: December 31, 2003

Water District No. 45F

Name of Watermaster: Don G. Gunderson

P.O. Address: 1047 E. 1000 S. Albion, Idaho 83311

RECEIVED
FEB 11 2004
Department of Water Resources
Southern Region

AFFIDAVIT OF WATERMASTER

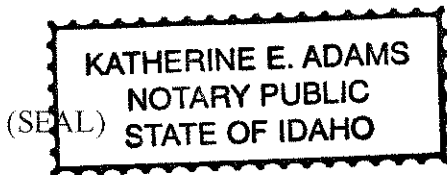
STATE OF IDAHO }
 } ss.
COUNTY OF Cassia }

Don G. Gunderson, being first duly sworn, deposes and says that he is Watermaster, of Water District 45F, Marsh Creek, having been lawfully appointed by Karl J. Dreher, Director, Idaho Department of Water Resources, and that the volumes of water, as stated in this report and prorated by him to the water right holders of the district are correct.

Don G. Gunderson
(Deputy) Watermaster District No. 45F

Subscribed and sworn to before me, this 9th day of February, 2004

Katherine E. Adams
Notary Public
My Commission expires 10-01-05



Boise, Idaho, 2-19, 2004

I HEREBY CERTIFY, that Don G. Gunderson was lawfully appointed by me as Water Master of Water District No. 45F, and that the information contained in this report, as herein sworn to, is, to the best of my knowledge and belief, correct.

Karl J. Dreher
Director, Department of Water Resources

By *Jeff Stanton*

Total # Days of

Watermaster:

WtrMaster Salary:

Secretary Salary:

Total Salary:

Other Expenses:

a) State Insurance

b) Mileage Assistance

c) Office Supplies

1- Gunderson Re-imbers

2- Bells Re-imbers

2- Secretary Expenses

Sub-Total:

Additional Costs:

Due to US Forest

and other protest of the

Wtr. Dist. Legal/Office

expenses that were not

budgeted but were avail

able of none expended

funds.

TOTAL COST:

Total No. 24-Hour sec.

Feet Delievered:

Cost per 24-Hour sec.

Feet Delievered:

(= Cost Factor)

365 2/22/02 changed total cfs

to read Totals:

\$10,208.04

\$860.00

\$11,068.04

\$1,818.00

(\$925.00)

(\$735.96)

\$420.00

(\$30.69)

(\$95.00)

\$451.35

\$0.00

\$13,306.04

3444.2

3.863318042

WATERMASTER'S REPORT 2003

Marsh Creek Water District 3.863318042 (cost fac.)

1 2 3 4 5

Water Right Owner	Water Right Ident No:	IDWR	Diversion Name/Remrks	Total Divr. in 24 Hours	Sec. Feet	Total Cost \$ cts.	Adopted Budget:		Debits (-) \$ cts.	Credits (+) \$ cts.	Outstanding Receivables
							\$	cts.			
Adams, Eldon	45F-317		T12sR25Es06 MrsCrk	5.71		\$22.06	\$20.44		(\$1.62)		
Adams, Richard	45F-317		T12sR25Es06 MrsCrk	13.32		\$51.46	\$32.42		(\$19.04)		
Adams, Bob (Robert)	45F-317		T12sR25Es06 MrsCrk	4.95		\$19.12	\$13.04		(\$6.08)		
Adams, Bret (Robert)	45F-317		T12sR25Es06 MrsCrk	4.95		\$19.12	13.05		(\$6.07)		
Adams, Bart (Robert)	45F-317		T12sR25Es06 MrsCrk	4.95		\$19.12	13.05		(\$6.07)		
Adams, Todd	45F-317		T12sR25Es06 MrsCrk	7.26		\$28.05	\$4.74		(\$23.31)		\$39.09
Albion, City of	45F-307			28.44		\$109.87	\$148.96				
Allen, Randall	45F-529B		T12sR25Es05 MrsCrk	4.3		\$16.61	\$7.21		(\$9.40)		\$75.84
Anderson, Helen/Dick	45F-275,284,285,327		T12sR25Es21 HwlCrk	114.68		\$443.05	\$518.89				
	45F-517		SprCrk	0		\$0.00	\$0.00		\$0.00		
Andersen, A.Woody (Denaugle)	45F-311,312		T12sR24Es12 MrsCrk	231.48		\$894.28	\$283.13		(\$611.15)		
	45F-317,waschgabove		T12sR25Es12 MrsCrk	0		\$0.00	\$0.00		\$0.00		
	45F-294		LkCivld	0		\$0.00	\$0.00		\$0.00		
Anderson, Marc	45F-521		T12sR24Es13 LndCrk	1.35		\$5.22	\$2.00		(\$3.22)		
Asher, Tom	45F-309		T12sR25Es06 MrsCrk	25.84		\$99.83	\$48.49		(\$51.34)		
Bailey, Bernice	45F-300		T12sR25Es09 HwlCrk	0		\$0.00	\$0.00		\$0.00		
Bailey, Iona/Robert	45F-317		T12sR25Es06 MrsCrk	7.27		\$28.09	\$9.59		(\$18.50)		
Banner, Kevin	45F-308		MrsCrk	42.62		\$164.65	\$42.98		(\$121.67)		\$387.85
Bell, Leo/David (Hager)	45F-320,321,327		T12sR25Es16/s18 HwlCrk	30		\$115.90	\$503.75				\$66.40
	45F-526		T12sR25Es09 CowGuich	16.11		\$62.24	\$128.64				\$233.72
Brackenbury, Randy	45F-319		T12sR25Es07 HwlCrk	19.17		\$74.06	\$307.78				
Chatburn, Ben	45F-307		T12sR25Es06 MrsCrk	73.74		\$284.88	\$240.19		(\$44.69)		
Chatburn, Bethael/Jeff	45F-260,273,274,325		T12sR25Es04 HwlCrk	41.23		\$159.28	\$407.48				\$248.20
	45F-(221-225)		T11sR25Es27/s28 HwlCrk	0		\$0.00	\$0.00		\$0.00		
	45F-532		MrsCrk	0		\$0.00	\$0.00		\$0.00		
	45F-271		T11sR25Es22 WarmCrk	0		\$0.00	\$0.00		\$0.00		
Clark, Alan	45F-521		T12sR24Es13 LndCrk	29.76		\$114.97	\$75.34		(\$39.63)		\$27.11
Clark, Shirley/Glenn	45F-521		LndCrk	3.99		\$15.41	\$42.52				\$233.29
Clark, Grant	45F-284,286		T12sR25Es21 HwlCrk	42.79		\$165.31	\$398.60				\$164.64
	45F-256		s21/s28 AntPne	0		\$0.00	\$164.64				\$12.05
Cooper, Kent	45F-315		T12sR24Es01 MrsCrk	63.37		\$244.82	\$256.87				
Crawforth, Gary	45F-309		T12sR25Es06 MrsCrk	28.46		\$109.95	\$70.74		(\$39.21)		
Cunningham, Von & Viola	45F-309		MrsCrk	40.21		\$155.34	\$84.55		(\$70.79)		
	High Water		LndCrk	0		\$0.00	\$0.00		\$0.00		\$49.83
Dayley, Norman	45F-299		T12sR25Es09 HwlCrk	0		\$0.00	\$49.83				
Droz, Ina	45F-304		T12sR25Es18 BrimCrk	11.88		\$45.90	\$21.00		(\$24.90)		
	45F-321		HwlCrk	1.78		\$6.88	\$0.00		(\$6.88)		
Fitzgerald, Harry	45F-277		T12sR25Es12 LndCrk	9.95		\$38.44	\$61.62				\$23.18
Gearty, Tom	45F-310,2704		T12sR24Es11/s14 MrsCrk	166.51		\$643.28	\$257.04		(\$386.24)		

