



State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 28, 1998

Mark Darrington
870 E 475 S
Declo, ID
83323

Subject: Pump Recently Installed In Marsh Creek East of Declo

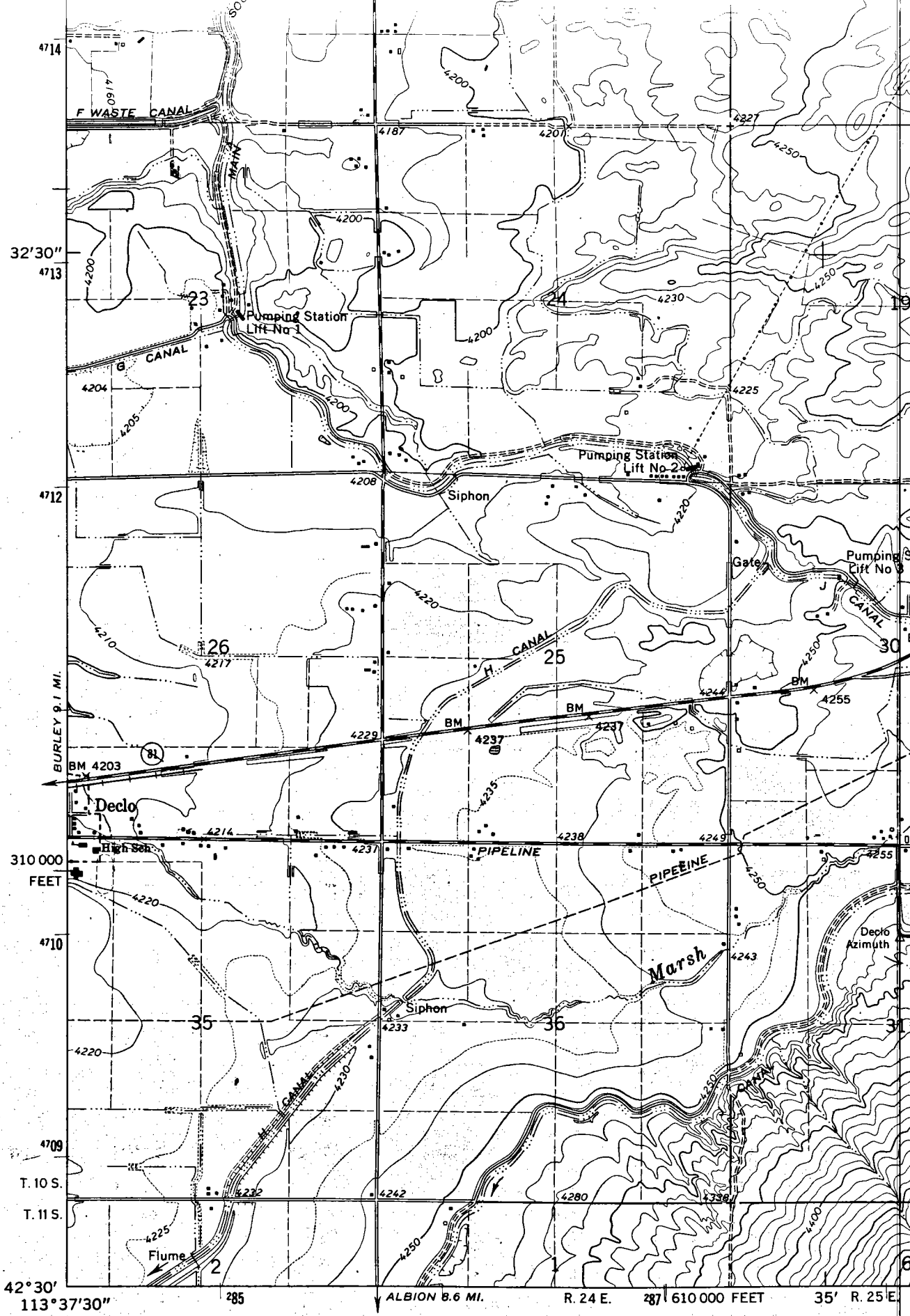
Dear Mr. Darrington;

I have been informed that you recently installed an irrigation pump in Marsh Creek in the SW/NW Sec. 36 T. 10S R. 24E. This is where Marsh Creek crosses the H Canal of the Burley Irrigation District. Today I spoke with Randy Bingham of the BID, who informed me that the water being pumped is wastewater being generated as subterranean flow within his district. License 45-02064 covers this site and two others for up to 150 cfs, but has not been claimed in the Snake River Basin Adjudication; decree 45-00512 may also cover this use, and it has been claimed. He told me that there was a BID pump at this site until two years ago, when it was removed due to declining stream flows. It is Mr. Bingham's position that this water belongs to the BID, and is being provided to you as a shareholder in the District. And since this diversion is below the Skaggs Ranch, it does not appear to be part of Water District 45-F. Since the BID does have a licensed point of diversion from Marsh Creek at the site of your new pump, and since there is only one diversion at that site, operation of the pump appears to be covered by the license and/or decree. Unless conflicting information is brought to my attention, I do not plan to take further action on this matter.

Regards,

James E. Stanton
Sr. Water Resource Agent

cc: Randy Bingham, BID
Don Gunderson, Marsh Creek Watermaster



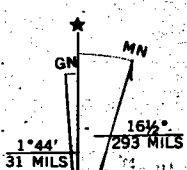
(VIEW)
3268' NW

Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography by photogrammetric methods from aerial photographs taken 1962. Field checked 1964

Polyconic projection. 1927 North American datum. 10,000-foot grid based on Idaho coordinate system, central zone 1,000 meter Universal Transverse Mercator grid ticks



WR5809NP
No. 45-02005

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/27/98
PAGE: 1

OWNER CODE: C
NAME & ADDRESS: HYRUM S. LEWIS
ALBION ID
C ROY A. JUDD

PRIORITY DATE: 05/26/1904
WATER USE: IRRIGATION

USE PERIOD FROM TO: 00/00 00/00
DIVERSION RATE: 4,200 CFS
DIVERSION VOLUME: 4,200 CFS

TOTAL DIVERSION: 4,200 CFS

Water Source: MARSH CREEK
Point(s) of Diversion: T10S R24E S36
Tributary to: SINKS
Stage: LICENSE
CASSIA County

Place of use Legal Description for: IRRIGATION

T	R	S	NE			NW			SW			SE			SUM
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
10S	24E	27	40	40	40	40	40	40	40	40	40	40	40	40	50.0
10S	24E	34	40	40	40	40	40	40	40	40	40	40	40	40	160.0
TOTAL ACRES														210.0	

Pou County: CASSIA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
45-02064 45-07249 45-07501 45-07551

Remarks: GEN SEE FILE FOR OTHER OWNERS.

Dates:
App. Received: 05/26/1904
Proof Due Date:
Exam Made Date:
Licensed Date: 05/24/1979

Misc: Water District Number: Field Exam Fee:
03/26/85 05/28/88 CONVERT 06/20/89 CURTIS

Audit: 03/26/85 05/28/88 CONVERT 06/20/89 CURTIS

WR5809NP
No. 45-02064

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/27/98
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF INTERIOR BUREAU OF RECLAMATION 1150 N CURTIS RD BOISE ID 83704-1234 (208) 378-5155	07/16/1910	IRRIGATION DOMESTIC	00/00 00/00 00/00 00/00	150.000	CFS

TOTAL DIVERSION: 150.000 CFS

Water Source: MARSH CREEK Tributary to: SNAKE RIVER Stage: LICENSE

Point(s) of Diversion: T10S R24E S26 SWSW CASSIA County
S36 SNNW CASSIA County
R25E S29 NWSW CASSIA County

Pou County:

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
45-02005 45-02454 45-07249 45-07501 45-07551

Remarks: GEN P/U WITHIN MINIDOKA PROJECT OF U.S. RECLAMATION SERVICE.

Dates: App. Received: Priority Date: 07/16/1910
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 05/24/1979

Misc: Water District Number: Field Exam Fee:

Audit: 03/26/85 05/28/88 CONVERT 01/26/92 POST-STD 02/10/93 ZIMMERMA

WR5809NP
No. 45-00512

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/28/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF INTERIOR	04/10/1909	IRRIGATION	00/00 00/00	150.000 CFS	
TOTAL DIVERSION:					150.000 CFS	

Water Source: MARSH CREEK

Tributary to:

Stage: DECREED

Pou County:

Dates: App. Received: 04/10/1909
Proof Due Date:
Exam Made Date:
Licensed Date:
Priority Date:
Proof Made Date:
Exam Sent to S.O.:

Misc: Water District Number: 01 Field Exam Fee:

Audit: 05/21/86 05/28/88 CONVERT 01/26/92 POST-STD

AJ5809NP
No. A45-00512

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/28/98
PAGE: 1

OWNER CODE NAME & ADDRESS PRIORITY DATE WATER USE USE PERIOD FROM TO DIVERSION RATE DIVERSION VOLUME

C UNITED STATES OF AMERICA, ACTING THROUGH 04/09/1909 IRRIGATION 04-01 11-01 150.00 CFS
REGIONAL DIRECTOR, PN REGION
BUREAU OF RECLAMATION
1150 N CURTIS RD
BOISE ID 837061234
(208) 378-5155

TOTAL DIVERSION:
CONSUMPTIVE USE:
150.00 CFS
144000.00 AFA

Water Source: MARSH CREEK Tributary to: SNAKE RIVER Stage: DECREED

Point(s) of Diversion: T10S R24E S26 SWSW
S36 SWNW
R25E S29 NWSW

POU County:

Non-Irrigation Uses: DOMESTIC - AMOUNT INCLUDES DE MINIMUS DOMESTIC USE

Other Rights: 01-00219, 01-02016, 02-00211A, 01-00214A, 01-10034

Remarks: GEN 48,000 ACRES (INCLUDES WATERSPREAD) IN BURLEY IRRIGATION DISTRICT
SUPPLEMENTAL WATER RIGHT FOR MINIDOKA PROJECT OF THE UNITED
STATES RECLAMATION SERVICE.
STATE LICENSE 45-02064 PRIORITY DATE 7/16/1910
CONSUMPTIVE USE 3 ACRE FEET/ACRE
DRAIN WELLS AND PUMPS USED WITHIN BOUNDARIES OF THE DISTRICT.

Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: 01 Field Inspection Flag:
Presumption Flag:
Audit: 04/28/89 BOR2 02/24/93 FRAZEE