



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098  
Phone: (208) 327-7900 FAX: (208) 327-7866

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PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

December 30, 1997

Curren Ditch Water Users

Re: Regulation of Water Diverted to Curren Ditch - Winter Water Use

Dear Water Users:

On about December 12, 1997, I contacted Frank Erwin, Water District 36-A watermaster, and asked him to visit the Curren Ditch and report on the amount of water being diverted to Curren Ditch and what water was being bypassed to Billingsley Creek. My purpose in asking for this inspection and report was to follow up on concerns about diversions to the Curren Ditch exceeding authorized water rights rates of diversion which had been raised and confirmed a year ago. The Department had provided some direction to the watermaster last winter to regulate this diversion.

On December 16, Mr. Erwin contacted me and reported that the staff gage reading at the 10 foot rectangular weir near the head of the Ditch was 1.0 ft. This reading corresponds to a discharge of 32.6 cfs. On December 18, I personally inspected the ditch diversion while in the area on other business. My reading of the gage on that day was 1.02 cfs, which corresponds to a discharge of 33.6 cfs.

Attached to this letter is a list of water rights which are diverted to the Curren Ditch. Buckeye Farms holds two permits for diversion of 20 cfs each. One permit is for fish propagation and the other is for wildlife, recreation and aesthetics. Approval conditions for these two permits limits the total combined authorized rate of diversion under the two rights to 20 cfs. The attached list also includes a decreed right, 36-0004, owned by Spring Valley Ranch. A claim for this right filed by Spring Valley Ranch in the Snake River Basin Adjudication (SRBA) includes a claimed diversion rate of 5 cfs for year round wildlife and recreation use, and 0.19 cfs for year round stock watering use. The 5 cfs for wildlife and recreation use was added to the claim by an amendment filed with IDWR on December 11, 1997. IDWR's recommendation to the SRBA court of non-irrigation uses for this claim, prior to the December 11 amendment, includes only winter stock watering use with a diversion rate of 1.64 cfs. No other winter uses were recommended. A second decreed right for the Curren Ditch, 36-00018, is owned by Buckeye Farms. The SRBA claim filed for this right did not include any non-irrigation or winter water uses. No amendments have been made to this claim and the claim has been partially decreed by the SRBA court.

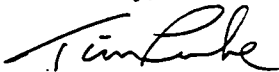
The purpose of this letter is to advise water right holders with winter uses from Curren Ditch that the Department may provide direction to the watermaster regarding regulation of this

diversion. IDWR's direction would be to limit the rate of diversion to 21.64 cfs. This rate includes the 20 cfs limited to permits 36-07742 and 36-08730 owned by Buckeye Farms, and the 1.64 cfs stock watering use for Spring Valley Ranch, recommended by IDWR for right 36-0004. IDWR is aware that other winter stock water rights from Weatherby Springs and the Bar-S Ditch are conveyed via the Curren Ditch. This does not affect the amount of water which should be diverted to the Curren Ditch from Billingsley Creek. Any directive issued to the watermaster concerning regulation of the Curren Ditch will involve some consideration about coordinating with these other right holders and those right holders on the Curren Ditch to properly control or split the water on the Curren Ditch to the north and south pipelines. It is IDWR's understanding that the north pipeline carries the Bar-S rights, plus the Spring Valley Ranch rights, and that the south pipeline conveys the Buckeye Farms rights.

The Department wishes to ask users on Curren Ditch why the diversion to the Curren Ditch from Billingsley Creek should not be limited to 21.64 cfs at this time. Potentially affected users are asked to comment on or before January 7, 1998. IDWR will not give any direction to the watermaster about regulating the diversion until at least January 9, 1998. It is IDWR's intent that users will be given notice and some amount of time before any actual control is administered by the watermaster.

Please send all comments and questions about this matter to me at the address or phone number listed with this letter. You may also send e-mail to me at [tluke@idwr.state.id.us](mailto:tluke@idwr.state.id.us). A copy of this letter has been sent to the users or parties identified on the attached mailing list.

Sincerely,



Tim Luke

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CURREN DITCH WATER RIGHTS

| Water Rt. | Owner               | Priority   | Rate<br>(cfs)              | Use                           | Season of Use                             |
|-----------|---------------------|------------|----------------------------|-------------------------------|---|
| 36-00004  | Spring Valley Ranch | 09/10/1884 | 15.0                       | Irr.<br>Stock*                | 3/15 - 11/15<br>11/16 - 3/14              |
| 36-00018  | Buckeye Farms       | 04/01/1917 | 20.0                       | Irr.<br>Stock**               | 3/15 - 12/31                              |
| 36-07742  | Buckeye Farms       | 08/01/1977 | 20.0^^                     | Fish<br>Prop.                 | 1/1 - 12/31                               |
| 36-08730  | Buckeye Farms       | 09/24/1987 | 20.0^^<br>20.0^^<br>20.0^^ | Wildlife<br>Aesthetic<br>Rec. | 1/1 - 12/31<br>1/1 - 12/31<br>1/1 - 12/31 |

\* Spring Valley Ranch claimed 0.19 cfs for year round stock use in SRBA. The SRBA Director's report recommended 1.64 cfs for winter stock use. Spring Valley amended claim on 12/11/97 for 5.0 cfs for year round wildlife and recreation use.

\*\* Stock use not claimed in SRBA by owners.

^^ Total diversion under rights 36-07742 and 36-08730 not to exceed 20 cfs.

NOTE: Curren Ditch is used to convey some stock water rights from Bar-S ditch. Point of injection from Bar-S Ditch to Curren Ditch is below Curren Ditch heading from Billingsley Creek.

Mailing list attachment:

Buckeye Farms  
Dan Yore  
18335 US Hwy 30  
Hagerman ID 83332

Western Legends LC aka  
Spring Valley Ranch  
PO Box 737  
Hagerman ID 83332

Frank Erwin, Watermaster  
2628 S 975 E  
Hagerman ID 83332

Flying Triangle Inc  
Rt 1 Box 180  
Hagerman ID 83332

Stanley Hoskovec  
2793 S 900 E  
Hagerman ID 83332

Allen Merritt  
Southern Region Mgr  
1341 Fillmore St Ste 200  
Twin Falls ID 83301