



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

SEPTEMBER 17, 2009

LARRY AND PHYLLIS MC DOWELL
HC 67 BOX 2030
CHALLIS, ID 83226

Re: Order Requiring Measuring Devices and Head gates in Water District No. 170.

Dear Mr. and Mrs. Mc Dowell:

This letter is a follow-up to our visit last week at your property near Challis, ID. As we discussed, the Department will use the power consumption coefficient (PCC) method to monitor your usage from your ground water diversion. No further action is required on your part at this time to comply with the February 20, 2007 order requiring controlling works and measuring devices in Water District No. 170.

During the site visit last week, I measured the flow rate of your system and the corresponding power consumption. The measurements indicated your system uses approximately 350.07 kilowatt-hours per acre-foot of water pumped. This value will be used with power usage data provided by Salmon River Electric to estimate your water usage for the 2009 irrigation season. As we discussed, Water District No. 170 will measure and report diversions each irrigation season. For your diversion, water district staff will obtain periodic readings from your power meter and estimate water diversion volume based on the kilowatt-hour usage.

You asked for additional information about your irrigation water right, so I have attached a report for that water right (water right number 72-7048) and also a report for your domestic water right (water right number 72-10132). The report indicates that your irrigation water right authorizes you to irrigate 10 acres between April 1 and November 1 of each year and that you may not divert in excess of 0.20 cubic feet per second at any time and can divert up to 30 acre-feet total in any one year.

It was a pleasure meeting with you last week and I look forward to working with you in the future. If you have any questions about this matter, please feel free to call, email, or write me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nick Miller', is written over a white background.

Nick Miller, P.E.
Water Distribution Section, IDWR
Watermaster, Water District No. 170

Enclosures:

Water right proof reports for water rights 72-10132 and 72-7048

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 72-7048

WATER RIGHT NUMBER: 72-7048

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LARRY L MC DOWELL HC 67 BOX 2030 CHALLIS, ID 83226 (208)879-2374
Current Owner	PHYLLIS W MC DOWELL HC 67 BOX 2030 CHALLIS, ID 83226 (208)879-2374

Priority Date: 07/28/1975
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01	11/01	0.200 CFS	30.00 AF
	<u>Total Diversion:</u>		0.200 CFS	30.00 AF

Location of Point(s) of Diversion

GROUND WATER L6 (NW1/4SW1/4SE1/4) Sec. 16, Twp 13N, Rge 19E, B.M.
CUSTER County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	19E	16																	10.0
														8.0				2.0	
														L 6				L 6	

Total Acres: 10

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. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-7048

Comments:

1. CLELLAND 12/15/1993 COPIED FROM REMARKS

Comment: STOCKWATER AS LICENSED NOT USED. RECOMMENDATION POD & POU WERE INCORRECTLY DESCRIBED IN THE LICENSE AND CLAIM. THE ACTUAL LEGALS ARE SHOWN IN THIS RECORD AS CONFIRMED BY MANY SOURCES.

2. SCLELLAN 8/9/1996 CHANGE OF OWNERSHIP & AMENDMENT

Comment: CLAIMANTS AMENDED CLAIMED POD AND POU TO CORRECT LEGALS ON THIS DAY AND UPDATED OWNERSHIP TO CURRENT NAMES.

3. SCLELLAN 11/14/1998 REFORMAT & GIS UPDATE

Comment: REFORMAT & GIS UPDATE INCORRECTLY LICENSED POU; ACTUAL POU AS SHOWN W/ ACRES FOUND.

4. AJU10-DS 11/21/1998 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

5. nmiller 9/11/2009 3:40:28 PM POD

Comment: Updated Shape

6. nmiller 9/11/2009 3:40:58 PM POD

Comment: Deleted Shape

7. nmiller 9/17/2009 10:29:35 AM POU

Comment: Updated Shape

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 72-10132

WATER RIGHT NUMBER: 72-10132

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	PHYLLIS E WILLIAMS HC 67 BOX 2030 CHALLIS, ID 83226 (208)879-2374
Current Owner	PHYLLIS W MC DOWELL HC 67 BOX 2030 CHALLIS, ID 83226 (208)879-2374
Original Owner	PHYLLIS W MC DOWELL RT 1 BOX 30 FABIUS, NY 13063 (315)683-5361
Current Owner	LARRY L MC DOWELL HC 67 BOX 2030 CHALLIS, ID 83226 (208)879-2374

Priority Date: 11/01/1977

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER L6 (NW1/4SW1/4SE1/4) Sec. 16, Twp 13N, Rge 19E, B.M.
CUSTER County

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	19E	16															X		
																	L 6		

Conditions of Approval:

- N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-10132

2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

Comments:

1. SCLELLAN 8/9/1996 COPIED FROM REMARKS

Comment: PARCEL NO. RP13N19E166620A AMENDED & CORRECTED CLAIM CLAIMANTS CAME IN TO CORRECT THE LEGALS AS CLAIMED. CONTRACTOR APPROVED INCORRECT POD AND POU.

2. DS1-PROD 1/14/1997 D&S 1 HOME UPDATE

Comment: USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME". CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD. ANY GEN REMARK CHANGED TO AN EXP REMARK.

3. nmiller 9/17/2009 10:30:53 AM POD

Comment: Updated Shape

Water Supply Bank: