

Water District 36A
Frank Erwin, Water Master
PO Box 295, Hagerman, ID 83332 email: wd36a@northrim.net

To: Lynn & Kathy Babington and Clifton & Suzanne Jensen

RE: Curtailment Notice of Water Right 36-7875

Date: June 4, 2014

The purpose of this letter is to inform you that water right 36-7875 is being curtailed, effective June 19, 2014, pursuant to Idaho Code 42-106. Our records indicate that you are the owners of this water right.

Low spring flow into Billingsley Creek has decreased the water available for distribution to water rights diverting from Billingsley Creek. If sufficient water were available, the Padgett Ditch would divert 12.149 cfs from Billingsley Creek to satisfy all rights along the ditch. The accompanying table lists water rights that are entitled to divert from the Padgett Ditch. Although water right 36-7875 was decreed as a non-consumptive beneficial use for fish propagation, the diversion is consumptive to the Billingsley Creek system because the discharge from the hatchery does not return to Billingsley Creek to supply downstream users. Thus, senior water users below the hatchery diversion are not being filled and curtailment of the junior priority right is required.

This curtailment order will remain in effect for the 2014 irrigation season unless or until a mitigation plan is in place or the water situation improves.

By Order of the Water Master, Water District 36A
Frank Erwin



Cc: Tim Luke, IDWR

Water District 36A
Frank Erwin, Water Master
PO Box 295, Hagerman, ID 83332 email: wd36a@northrim.net

To: All Water Right Owners along the Padgett Ditch

The purpose of this letter is to alert every one of a current action being taken along the Padgett Ditch, actions that water right holders along the ditch must initiate for the 2014 irrigation season, and actions water right holders along the ditch must initiate by the start of the 2015 irrigation season.

(a) Effective June 19, 2014, water right 36-7875 will be curtailed, pursuant to Idaho Code 42-106. Curtailment will remain in effect for the 2014 irrigation season unless or until a mitigation plan is in place or the water situation improves.

Low spring flow into Billingsley Creek has decreased the water available for distribution to water rights diverting from Billingsley Creek. If sufficient water were available, the Padgett Ditch would divert 12.149 cfs from Billingsley Creek to satisfy all rights along the ditch. The accompanying table lists water rights that are entitled to divert from the Padgett Ditch. Although water right 36-7875 was decreed as a non-consumptive beneficial use for fish propagation, the diversion is consumptive to the Billingsley Creek system because the discharge from the hatchery does not return to Billingsley Creek to supply downstream users. Thus, senior water users below the hatchery diversion are not being filled and curtailment of the junior priority right is required.

(b) By June 15, 2014, I need to know who has been designated to act as Lateral Manager for the Padgett Ditch for the current irrigation season, or with whom I will be able to coordinate adjustments at the head gate for the 2014 irrigation season.

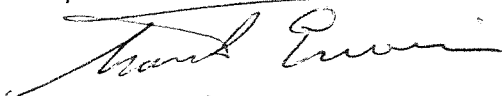
Idaho Code requires right holders on common ditches or laterals to handle maintenance and operational issues of the ditch, including designating a Lateral Manager who will coordinate with the Water Master the distribution of water through the head gate. (I.C. 42-907, 42-908, 42-909, 42-1301)

(c) On or before February 15, 2015 (the start of the irrigation season), and continuing each year thereafter on or before February 15, I need to know who has been designated as the Lateral Manager for the irrigation season.

(d) By February 15, 2015, a weir must be installed directly below the head gate. (I.C. 42-701, 42-110)

The current weir sits some distance below the head gate which means water rights that divert above the weir cannot be measured. The accompanying table lists all of the water rights along the Padgett Ditch and identifies the ones that divert upstream of the weir and those that divert downstream of the weir. With water right 36-7875 curtailed, a total of 2.149 cfs is required to fulfill remaining water rights along the ditch; however, only 1.700 cfs will be measured at the weir where it is currently located. As spring flows that feed Billingsley Creek continue to decrease, it will become more critical that weirs are properly placed and maintained to ensure water right holders receive the amount of water they are entitled to divert.

By Order of the Water Master, Water District 36A, Frank Erwin


6-4-14

Water rights diverted through Padgett Ditch.

Water Right	Owner	Priority Date	Diversion Rate (cfs)	Use
36-96 A	Kirt Martin	1881	0.100	Irrigation
36-113 B	Stephen & Linda Smith Family Trust	1881	0.038	Irrigation
36-113 D	Richard Uppiano	1881	0.040	Irrigation
36-113 G	Ken Stutzman	1881	0.120	Irrigation
36-113 H	Stephen & Linda Smith Family Trust	1881	0.071	Irrigation
36-113 J	Stephen & Linda Smith Family Trust	1881	0.180	Irrigation
36-10283 A	Lynn Babington Clif Jensen	1881	2.380 subordinated to 1.300	Irrigation
36-10283 B	Teri & Richard Dorchuck	1881	0.300	Irrigation
35-15683	Kirt Martin	2001	0.000 (delivered in combination with 36-96 A)	Aesthetic, diversion to storage
36-7875	Lynn Babington Clif Jensen	1979	10.000	Fish Propagation

12.149 cfs total

after curtailment

Water Rights Diverted ABOVE Weir	CFS
36-113 B	0.038
36-113 D	0.040
36-113 G	0.120
36-113 H	0.071
36-113 J	0.180

0.449 cfs total

after curtailment

Water Rights Diverted BELOW Weir	CFS
36-96 A	0.100
36-10283 A	1.300
36-10283 B	0.300

1.700 cfs total