



State of Idaho

DEPARTMENT OF WATER RESOURCES

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SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 27, 2006

Don Gunderson
1047 E 1000 S
Albion, ID 83311

RE: Water District 45-F, Marsh Creek & Tributaries

Dear Don;

We have received your 2005 Watermaster's Report, the minutes of this year's water meeting, and your 2006 Adopted Budget. As you have again been elected as watermaster of your district, an oath of office is enclosed for your signature. Once we received your notarized oath, a certificate of appointment will be issued.

The Report has been reviewed and approved as we discussed. A signed copy of the approval page is enclosed for your records.

Regards,

James E. Stanton
Sr. Water Resource Agent

February 27, 2006

Marsh Creek Water District 45F

Water Master's 2005 Annual Report

I would like to thank all of the Water District Members as a whole for the overall cooperation on the call of water during this last irrigation season. We did work as a team when it counted. Everybody did there part.

Our over all projection for the season was 4733.468 CFS and our actual usage of water totaled 4817.81 CFS a difference of 84.342 CFS to the good. We utilized 101.78 % of projected water, due to the previous years usage. Therefore, costing the user less. Also, over on the west side of the valley we had less calls for water due to the flooding (May & June) therefore, extending water into the irrigation season longer. I guess what I am trying to say is we could have had a higher actual billable CFS usage verses what we actually did.

I have indicated to the Water District and Advisory Council through my annual Watermaster report, that due to some house keeping problems that have been encountered over the last few years, some areas have been corrected 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 corrected so delivery of water can be measured correctly and not estimated.

This last irrigation year was quite different than most years in the past even though we have placed these last seven years as drought years. We had excessive moisture and it seemed like we got it at the right time. But May and June gave the City of Albion a couple of Flash Floods coming in off the west side of the valley. Due to the creeks developing all the under growth with in the channels thus causing the water to flow over the banks carrying debris down the creeks collecting on fences thus washing out property was one of the biggest concerns. Where culverts running under the roads washed out created boulders (rocks) wash down stream filling up the creek channels where there is no banks to hold the water within her channels have created even a bigger threat this coming spring. Yes, we had teams in from IDWR and the Army Core of Engineer's to go over the problem areas and submitting special Emergency forms to property owners to make the necessary stream changes, the changes did not occur or did not happen. Now that the window of opportunity passed this last fall we are having a problem again raising its head and no place for the water to run but back over the same areas of last year. Hopefully, I am wrong, but I wouldn't bet on it.

Also, most of the springs along the whole mountain frontage of the Water District were dry.

Last year's annual water meeting, the membership decide on \$12.00 a month for the Non-consumptive water User's, leaving the Pomerelle Ski Resort charge still up in the air.

- A. **Pumps in main creek channels!** A priority problem on Land Creek is pumps in the creek. *This was addressed last year at great length and is still causing a problem in delivering water to the proper right as the creek drops it creates a bigger issue.* These pumps have been placed illegally. The individual(s) have a legal diversion but do not maintain a delivery ditch, but maintain the pump to deliver water for keeping grass green. I as the watermaster has a problem of controlling and maintaining water usage and or billing, this also infringes on senior water rights.
- B. **The priority now** is corrections to be made on **Antone & Pine Creek** there are no measuring devices or head gate diversions. Basically, those two creeks are illegal for delivery of water to Grant Clark and Fred Hawker. See Antone /Pine creek for details below. I have submitted this problem since 2000 when I shut them off.
- C. **Marsh Creek channel change**, main channel at the Randell Allen residence needs hand on supervision of stream change that was initiated last fall. Authorization was from an agency of

the Army Core of Engineers with knowledge at IDWR! Water master has no input other than what has been discussed with IDWR representative Terry Blau. Thank god, for what had been done, because if it wasn't for the change the Allen homestead would probably been washed off its foundation due to the flood waters in May and June. There needs to be ripe rap done to the creek to complete the project.

AREA'S 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 an additional measuring device and diversion head gate off of main delivery ditch, placed in valid area for 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 corrected their delivery problem by sterilizing the delivery ditch channel, their decreed right of 1.2cfs was maintained. Had to repair an area that horses tromp down but overall, they have corrected problem.

- 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.
- Last season a separate delivery ditch was created parallel to the Vaughn Ditch for return measurement Marsh Creek for delivery on east meadows when Marsh Creek is completely diverted through the Vaughn Ditch and the city and 6-S is using their rights on the Merrill Ranch.
- A screw down head gate replaced the slide gate that was put in a year ago. Cattle are closing gate by rubbing and therefore creating a flood plain down private road. Delbert Bennet used steel posts in preventing cattle problem.
- Vaughn ditch from the Tramaine barn to Marsh creek needs channel cleaned out, responsibly party is the Ben Chatburn Estate. Kevin Banner and fire department went in and did a controlled fire burn from 6-s Merrell gate to mentioned area at the barn. Mr. Banner also went in and cleaned that same delivery channel area.

Starrh Ditch Delivery System:

A meeting of the Starrh Ditch Users shall determine their fate and elect a Ditch Rider before April 1st, 2006 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 after the flooding last season. No water will be delivered until ditch is corrected in handling water that is being called, 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.
- The Loma Reeder place has been sub-divided, land owned by Eldon Adams, Jim Kelley & Loma Reeder. Therefore, diversions and measuring devices need to be implemented.
- The Gary & Marie Crawford property has been sub-divided by several buyers which I have updated and created percentages on delivery of water. 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:

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, Willis and Koyle. The delivery ditch will be maintained. There will be no trespassing with vehicles to the head gate of diversion "LG" which I have been informed by the property owner, Ron Somsen. The last couple of years this has been abused by the water user on this delivery system.

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. This is a 1892 right which calls for the water to be directed to Land Creek at that time. The sole user is the 6-S Ranch and with the tributary to Land Creek being shut off or diverted by property owner Clark, the water will be redirected through 6S to Land Creek.

Brim Creek:

Again, same issue, the main channel does not have any legal diversion and measuring devices on the creek. Due to the adjudication changes, we have delivery of water to David Clark and others (?). Their needs to be legal measuring devices and head gates placed on this creek by the users if they are to call for water. Original rights were the Droz's and 6S Ranch.

I found again this last season, two points of diversion going towards the Clarks, which are means of diverting water for irrigation of Six-S. 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 still 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:

This problem still has not been corrected per water user and directors agreement in 2000. There needs to be a main channel weir and 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 and Larry Mahoney is aware.

Broad Hollow Creek:

Larry Mahoney has corrected the problem of water returning to Howell Creek this last spring and was charged for water. He has yet to implement a diversion-measuring device on the creek, the water master is still estimating usage.

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.

Note: Prior history concerns.

The main channel of Pine Creek was designated by Grant Clark, June 16, 2000, to both the Water District Advisory Council and to the Water master of 45F. Mr. Clark was informed that the water would stay in main channel until legal head gate and measuring device was implemented.

The water had been turned back at a later date of the 2001 season. The Water master 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 per agreement during meeting.

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, 2005, 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) needs cleaned up; Diversion 'F' (A.W. Anderson) main channel needs work; Diversion 'G' (Montgomery/Cooper) needs work on leeward side; Diversion 'H' (Montgomery/Anderson); Diversion 'I' (Vaughn/Starrh); Diversion 'J' (Ben Chatburn); Diversion 'K' (Ben Chatburn).

2. Land Creek:

Diversion 'D' (6S Ranch/Sorensen) delivery ditch work; Diversion 'E' (Sorensen); Diversion 'F' (Berrett Users), repair of Partial Flume; Diversion 'G' (Hutton/Grigg/Koyle) measuring and delivery ditch; Diversion 'H' (Perry/Parton/Fitzgerald) weir and delivery ditch; Diversion 'I' (Cunningham) diversion in question due to adjudication and prior calls off of Land Creek (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 '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.

Main Marsh/Land Creek, aka (Narrows):

The main channel weir has completely been repaired by 6S-Ranch. A flow test was done to the main channel weir and the CFS passing through the weir is accurate. The Highland diversion will be modified as a delivery system to the two new catchment basins that are currently being developed at the Narrows.

Point of Interest:

Six-S Ranch developed a new reservoir during the 2004 season, completing the project in December 2004. The dam that was constructed is called "Point of Rocks Dam" was constructed to a height of 25+/- feet. The homogenous/zoned earth fill dam provides storage of 253 acre-feet for irrigation, recreation, and fish and wildlife propagation. Although originally designed as a thin core dam, the dam was constructed as a section dam with the upper 2/3 consisting of impervious material and the lower 1/3 of pervious material. The irrigation project services an area consisting of 1,541 irrigable acres under existing distribution systems from Marsh Creek.

This last season 6S-Ranch has been developing two sediment catchment basins with the following dimensions (225' long, 10' deep, 60' wide) will be constructed immediately adjacent to Marsh Creek and 6S-Ranch's property in the SENW of Section 22, Township 11 South, Range 25 East, Cassia County. Only one basin will be in use per season. When the first basin is full of sediment, water will then be diverted into the second basin. Water will be diverted into the sediment catchment basin and then immediately returned to Marsh Creek. The purpose of these catch basins is to substantially reduce the amount of sediment and debris in Marsh Creek, thereby improving its water quality.

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

Cc: Advisory Board Member's:
Jeff Chatburn, George Kelley
Pat McCannon, Gwen Montgomery, Chairman
Water District Member's 45F (copy Request)