



State of Idaho

DEPARTMENT OF WATER RESOURCES

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R. KEITH HIGGINSON
DIRECTOR

June 16, 1992

Michael Stoy
Deputy Attorney General
Department of Health and Welfare
450 W. State St.
Boise, ID 83720

RE: Snake River Basin Adjudication (SRBA)
A84-10457, A84-04162, A63-08196, A27-07084, A21-11971,
A21-11972, A63-26877 and A84-04161
Freemont, Boise, Bingham, Clearwater & Canyon Counties

Dear Mr. Stoy:

It was a pleasure to have spoken with you by phone on May 6th regarding Community Rehab's claims to a water right listed above. Your thoughts at the time were that it would be best if I put together a letter regarding any questions I might have on these claims so that you could respond accordingly. Richard Humiston's staff was of great help in tracking the monies submitted for these claims. I have enclosed a computer-generated copy of each of the claims referenced above.

I have listed the items which require clarification in sequential order for each claim. If any of the following is not clear, please let me know. The items mentioned are only a suggestion, in that if you have other information which you feel better describes that particular right, please supply it. Along this same line, if the right is filed as a beneficial use right, proof of the priority date will be required in support of the date claimed before it can be recommended.

A84-10457 - Item #7(b), Diversion Volume, and Item #8, Consumptive Use Volume, need attention. IDWR's suggested Field Headgate Required Diversion Volume (FHRD) is 3.5 acre ft./acre per year (afa/yr) or 140 af/yr for 40 acres. The suggested consumptive use volume is 2.5 afa/yr or 100 af/yr for 40 irrigated acres.

A84-04162 - This claim may be fine at this point. I would like to mention that on-stream stockwater and recreation storage does not require a diversion rate (Item #6) unless you are also claiming direct flow. The reason I mention this is the claim submitted for this use previously only has the storage component. You have also placed the same figure of 27.7 ac.ft. in the consumptive use for Item #8. We do not usually assign a

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consumptive use for range cattle; if you have any documentation for this figure, please submit it.

A63-08196 - Item #8. The consumptive use figure for this area is 3.5 afa/yr, for a total of 210 afa/yr for 60 acres.

A27-07084 - this claim was also submitted by the Administrative Director of State Hospital South to our Eastern Region Office in Idaho Falls, on May 31, 1989. The cover letter submitted along with the claim is signed by Dennis Larsen, Director of Maintenance and Operations and describes the property as leased by Wasia Farms. The filing fee was also paid by Wasia Farms. The only discrepancy I have identified between the two besides the claimant name and mailing address is 38 acres are identified by your office's claim as being in the NESW Sec. 1 T3S R35E. However, on the other claim the 38 acres are in the NWSW Sec. 1, which is the same as what the license was issued for. Please let me know if you would like to withdraw your office's claim, have State Hospital South withdraw their claim or have competing claims for the same right. Copies of both claims are enclosed.

A21-11971 - This claim looks fine.

A21-11972 - A couple of items which you may consider changing or adding are Items #6, Season of Use (we recommend 4/15 to 10/15 for this area) and #7, Recommended FHRD Volume of 3.5 afa or 140 afa/yr for 40 acres.

A63-26877 - Item #2, Date of Priority, needs to be completed. A claim cannot be considered without this element. Item #3, Tributary, will also need to be completed. If the stream is not a direct tributary to another stream, "sinks" may be appropriate. As I understand this claim, the water is diverted from the creek to the pond. If this is the case, Item #6 may be described as Diversion to Storage - .01 cfs, Recreation Storage .172 af. This description would not include a direct flow. If there is a direct flow, you would include Recreation .01 cfs or whatever it may be.

Item #8, Consumptive Use - Please supply further documentation for this amount.

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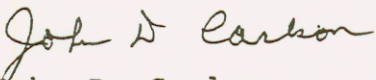
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A84-04161 - The seven-family residence at the old band mill will be limited to the single ownership domestic definition of 13,000 gal. per day. If this use does not exceed this amount, nothing further is required.

I look forward to working with you to enhance the above claims. Please feel free to contact me if you should have any questions.

Sincerely,


John D. Carlson
Adjudication Supervisor

JDC:sf:state:tf
Enclosures:

Copies of Data-Entered Claims Referenced Above
Copy of Typed Claim #A27-07084
Receipts #T008367 & #T011572

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