

12/20/2000

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-43B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF DUBOIS PO BOX 27 DUBOIS, ID 83423 (208)374-5241

Priority Date: 04/27/1914
Basis: Decreed
Status: Valid

<u>Source</u>	<u>Tributary to</u>
BEAVER CREEK	CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
MUNICIPAL	04/01	10/31	0.5 CFS		
Total Diversion			0.5 CFS		

Location of Point(s) of Diversion:

BEAVER CREEK	SENWNW Lt	Sec. 21	Township 10N	Range 36E	CLARK County
BEAVER CREEK	NWSENW Lt	Sec. 21	Township 10N	Range 36E	CLARK County
BEAVER CREEK	SWNESW Lt	Sec. 21	Township 10N	Range 36E	CLARK County

Place(s) of use: No POU's found for this right

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. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C04 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. Place of Use PLACE OF USE IS WITHIN THE SERVICE AREA INCLUDING THE CITY LIMITS OF THE CITY OF DUBOIS.

Dates:

Licensed Date:
Claim Received Date: 06/29/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Review Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
POD	12/19/00 4:45:17 PM	ECarlsen			In Process
POU	12/20/00 7:59:04 AM	ECarlsen			In Process
	12/19/00 4:52:02 PM	ECarlsen			In Process
Priority Date	12/19/00 4:03:37 PM	ECarlsen			In Process
Quantity	12/20/00 7:56:43 AM	ECarlsen			In Process
	12/19/00 4:57:33 PM	ECarlsen			In Process
Season	12/19/00 4:57:31 PM	ECarlsen			In Process
Source	12/19/00 4:48:54 PM	ECarlsen			In Process
Summary	12/20/00 8:19:27 AM		12/20/00 8:19:27 AM	ECarlsen	Complete
Use	12/19/00 4:57:29 PM	ECarlsen			In Process

Other Information:

Receipt Number(s):
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Overall Max Diversion Rate: 0.5
 Overall Max Diversion Volume:
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:

12/20/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-43B

NAME AND ADDRESS: CITY OF DUBOIS
PO BOX 27
DUBOIS, ID 83423

SOURCE: BEAVER CREEK TRIBUTARY: CAMAS CREEK

QUANTITY: 0.5 CFS

PRIORITY DATE: 04/27/1914

POINT OF DIVERSION:	T10N R36E S21	SENWNW	Within CLARK County
	T10N R36E S21	NWSENW	Within CLARK County
	T10N R36E S21	SWNESW	Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	04-01 10-31	0.50 CFS

PLACE OF USE:

PLACE OF USE IS WITHIN THE SERVICE AREA INCLUDING THE CITY
LIMITS OF THE CITY OF DUBOIS.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A31-00043B
Date Received: 6/29/1988
Receipt No: E000594
Received By: Kaw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF DUBOIS 208-374-5241
Address: P.O. BOX 27
DUBOIS, ID 83423

2. Date of Priority: APR 27, 1914

3. Source: BEAVER CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	36E	21	SE	NW	NW		CLARK
			SW	SE	NW		CLARK
			SW	NE	SW		CLARK

5. Description of diverting works:
HEADGATE TO DITCHES FOR IRRIGATION WITHIN CITY LIMITS OF DUBOIS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	04/01	11/01	0.500		

7. Total Quantity Appropriated is:
0.500 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	36E	20				MUNI	
		21				MUNI	

A31-00043B

Page 1

Date: 07/08/88

MICROFILMED
NOV 16 1992

AUG 23 1988

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	36E	28			MUNI	
		29			MUNI	
		33			MUNI	

11. Place of use in counties: CLARK

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

A31-00121B/07011/10001/10002

14. Remarks:

MUNICIPAL IS DEFINED AS IRRIGATION FOR PURPOSES OF THIS RIGHT

15. Basis of Claim: DECREED

Water Right Number: 310043

Case Number: 635

Court :

Decree date: 11/01/1930

ERNEST SAUVE

Decree Plaintiff

vs

W. H. ABBOTT

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 3

For Organizations:

I do solemnly swear or affirm that I am Mayor of _____ Title

City of Dubois, that I have signed the foregoing Organization document in the space below as Mayor of Title

City of Dubois and that the statements contained in the Organization foregoing document are true and correct.

Mike Wagner
Signature of Authorized Agent

Mayor, City of Dubois
Title and Organization

August 9, 1988
Date

State of Idaho)
County of Clark) SS.

Subscribed and sworn (or affirmed) before me this 4th day
of August 19 88

Jeffrey D. Lawrence
Notary Public

Seal

Residing at Dubois, Idaho
My Commission Expires 9-30-91

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

A31-00043B

Ident. Number: A31-00043A

Date Received: 5/10/1988

Receipt No: _____

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF DUBOIS 208-374-5241
Address: P.O. BOX 27
DUBOIS, ID 83423

2. Date of Priority: APR 27, 1914

3. Source: BEAVER CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	36E	21	SE	NW	NW		CLARK
			SW	SE	NW		CLARK
			SW	NE	SW		CLARK

5. Description of diverting works:

HEADGATE TO DITCHES FOR IRRIGATION WITHIN CITY LIMITS OF DUBOIS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	04/01	11/01	0.500		

7. Total Quantity Appropriated is:

0.500 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	36E	20				MUNI	
		21				MUNI	

A31-00043A

Page

1

Date: 06/09/88

MICROFILMED

NOV 16 1992



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	36E	28			MUNI	
		29			MUNI	
		33			MUNI	

11. Place of use in counties: CLARK

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
A31-00121B/07011/10001/10002

14. Remarks:
MUNICIPAL IS DEFINED AS IRRIGATION FOR PURPOSES OF THIS RIGHT

15. Basis of Claim: DECREED
Water Right Number: 310043
Case Number: 635
Court :
Decree date: 11/01/1930

ERNEST SAUVE

Decree Plaintiff

vs

W. H. ABBOTT

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Organizations:

I do solemnly swear or affirm that I am Mayor of The City of Dubois, that I have signed the foregoing Organization document in the space below as Mayor of The City of Dubois and that the statements contained in the foregoing document are true and correct.

Mae Wigan
Signature of Authorized Agent

Mayor of City of Dubois
Title and Organization

June 17, 1988
Date

State of Idaho)
County of Clark) SS.

Subscribed and sworn (or affirmed) before me this 17th day of June 1988

John D. Javanne
Notary Public

Residing at Quincy, Idaho
My Commission Expires 9-30-91

Denning Clark Live
Stock Company, a
corporation

31 0043 ✓

1914 - April 27

1.0 c.f.s.

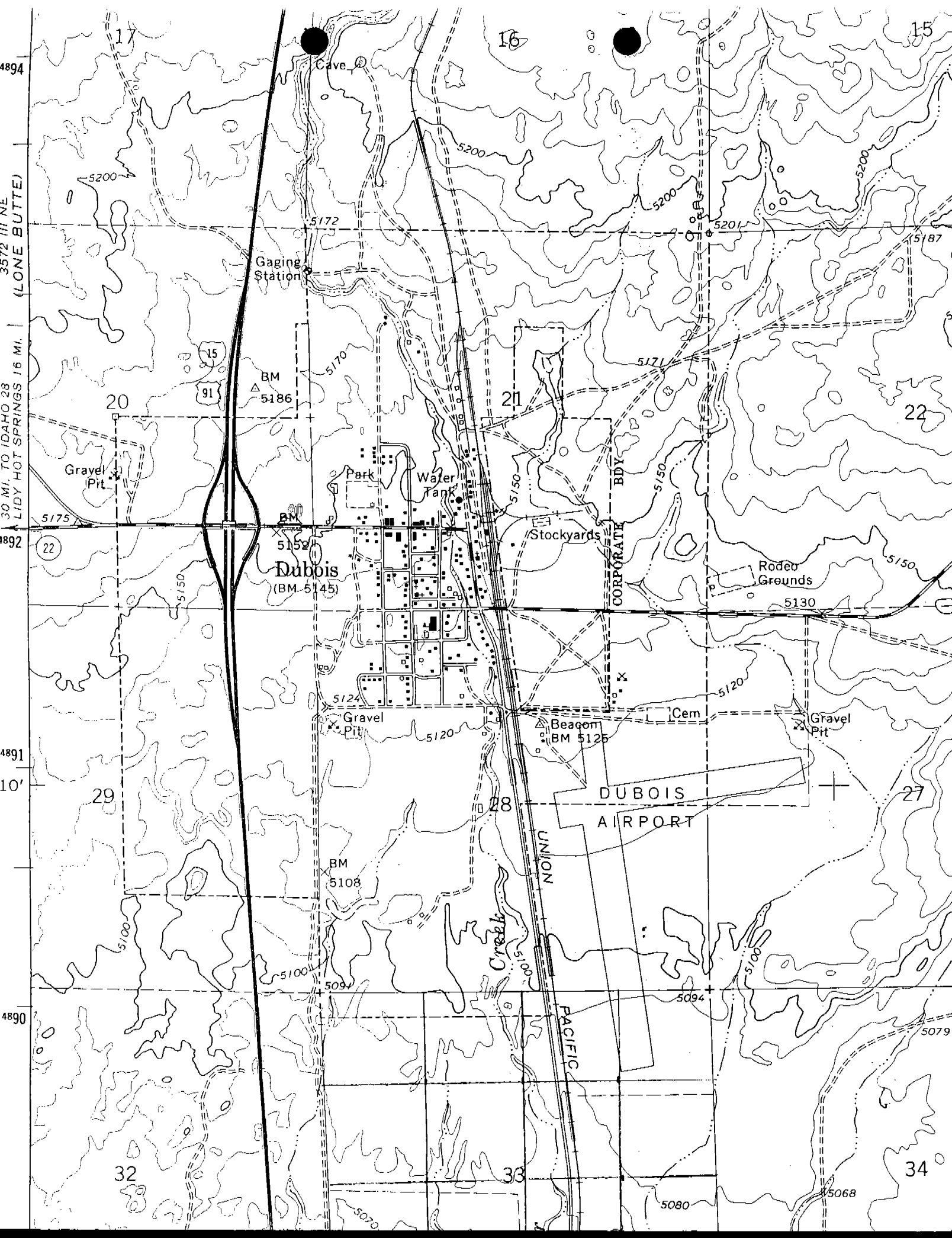
Source: Beaver or Dry Creek,
a tributary of Camas Creek.

Point of Diversion: The North-
east Quarter of the Southwest
Quarter of Section 21, Township
10 North, Range 36 East, B. M.

For use on the following described
land, to-wit: The Northwest Quar-
ter of the Northwest Quarter, and
the Southwest Quarter of the North-
west Quarter of Section 28, Town-
ship 10 North, Range 36 East, B. M.

No. 23

30 MI. TO IDAHO 28
LIDY HOT SPRINGS 16 MI. (LONE BUTTE)





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RECEIVED

MAR 1 - 1990

Department of Water Resources
Eastern District Office

February 22, 1990

Dubois Water Dept.
P. O. Box 27, Main St.
Dubois, ID 83423

Gentlemen:

Our records show you have filed your adjudication claim(s) in the Snake River Basin Adjudication. Our records do not, however, include a clear map of your service area. Would it be possible for us to get a map of your customer service area for your municipal water system, both to supplement the record of your claim(s) and for use as described below?

In our review and investigation phase of the Snake River Basin Adjudication, the map would be helpful for us to have this information in verifying individual claims to water rights for domestic purposes. We will be happy to discuss with you the most convenient way for you to provide this information to us. I can be reached at 327-7931 or you may contact my assistant, Anita Warntjes at 327-7986.

Your assistance in this matter is greatly appreciated.

Sincerely,

DAVID B. SHAW
Adjudication Bureau Chief

DBS:alw

A21-00000000
A21-00000001
A21-100001
A21-100002

MICROFILMED

NOV 16 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

July 12, 1988

City of Dubois
P.O. Box 27
Dubois, ID 83523

Dear Sir:

Enclosed is a revised adjudication claim and a copy of the original claim filed with changes noted in RED. Please review the revised adjudication claim, sign in front of a Notary, and return the claim to this office. The change corrects a duplicate number that was issued in the mobile field office, and makes no other changes in the claim.

Your prompt response will be appreciated.

Sincerely,

Keith C. Wilson
Senior Resource Agent

KCW:jt

Enclosure

MICROFILMED

NOV 16 1992

DATE: 6 JULY 1988

FROM: ERNEST

TO: KEITH

THE WATER RIGHT NUMBER ON THIS CLAIM IS A DUPLICATE NUMBER FOR A CLAIM IN THE NAME OF WEBSTER RANCH, RECEIPT M000127. TO RESOLVE THIS PROBLEM PLEASE PREPARE ANOTHER CLAIM FOR THE CITY OF DUBOIS AND GIVE IT NUMBER A31-00043B, INCLUDE A MAP AND SEND IT TO THE MAYOR FOR SIGNING. ONCE IT HAS BEEN RETURNED WE CAN CHANGE THE WATER RIGHT NUMBER ON RECEIPT E000594 ENABLING TRANSFERENCE TO THE ADJUDICATION ADABASE.

THANKS

MICROFILMED

NOV 16 1992