

12/14/2000

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

RIGHT NUMBER: 31-281

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH  
USDI FISH AND WILDLIFE SER  
DIVISION OF ENGINEERING  
911 NE 11TH AVE  
PORTLAND, OR 972324181

SOURCE: CAMAS CREEK

TRIBUTARY: MUD LAKE

QUANTITY: 2.46 CFS

PRIORITY DATE: 07/30/1903

|                     |               |        |                         |
|---------------------|---------------|--------|-------------------------|
| POINT OF DIVERSION: | T07N R35E S1  | NESWSE | Within JEFFERSON County |
|                     | T08N R36E S32 | NESENW | Within JEFFERSON County |

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| WILDLIFE              | 04-01 10-31          | 2.46 CFS        |

PLACE OF USE:

WILDLIFE Within JEFFERSON County

|               |       |      |               |       |      |
|---------------|-------|------|---------------|-------|------|
| T07N R35E S1  |       | SESW | T07N R35E S1  |       | SWSE |
| T07N R35E S12 | LOT 1 | NENE | T07N R35E S12 |       | NWNE |
| T07N R35E S12 |       | SWNE | T07N R35E S12 | LOT 2 | SENE |
| T07N R35E S12 |       | NENW | T07N R35E S1  | LOT 7 | SESE |
| T07N R35E S12 |       | SESW | T07N R35E S12 |       | NESW |
| T07N R35E S12 |       | NWSW | T07N R35E S12 | LOT 3 | NESE |
| T07N R35E S12 |       | NWSE | T07N R35E S12 |       | SWSE |
| T07N R35E S12 | LOT 4 | SESE | T07N R35E S13 | LOT 1 | NENE |
| T07N R35E S13 |       | NWNE | T07N R35E S13 |       | SWNE |
| T07N R35E S13 | LOT 2 | SENE | T07N R35E S13 |       | NESW |
| T07N R35E S13 |       | SESW | T07N R35E S13 | LOT 3 | NESE |
| T07N R35E S13 |       | NWSE | T07N R35E S13 |       | SWSE |
| T07N R35E S13 | LOT 4 | SESE | T07N R35E S24 | LOT 1 | NENE |
| T07N R35E S24 |       | NWNE | T07N R35E S24 |       | SWNE |
| T07N R35E S24 | LOT 2 | SENE | T07N R35E S24 |       | NENW |
| T07N R35E S24 |       | SESW | T07N R35E S24 |       | NESW |
| T07N R35E S24 |       | NWSE | T07N R35E S24 | LOT 3 | NESE |
| T07N R35E S24 |       | SESE | T07N R35E S24 |       | SWSE |
| T07N R35E S24 | LOT 4 | SESE | T07N R35E S25 | LOT 1 | NENE |
| T07N R35E S25 | LOT 2 | SENE | T07N R35E S25 | LOT 3 | NESE |

|               |       |      |               |       |      |
|---------------|-------|------|---------------|-------|------|
| T07N R36E S16 |       | NWNW | T07N R36E S16 |       | SWNW |
| T07N R36E S16 |       | NESW | T07N R36E S16 |       | NWSW |
| T07N R36E S16 |       | SWSW | T07N R36E S16 |       | SESW |
| T07N R36E S16 |       | NWSE | T07N R36E S16 |       | SWSE |
| T07N R36E S17 |       | NENE | T07N R36E S17 |       | NWNE |
| T07N R36E S17 |       | SWNE | T07N R36E S17 |       | SENE |
| T07N R36E S17 |       | NENW | T07N R36E S17 |       | NWNW |
| T07N R36E S17 |       | SWNW | T07N R36E S17 |       | SENW |
| T07N R36E S17 |       | NESW | T07N R36E S17 |       | NWSW |
| T07N R36E S17 |       | SWSW | T07N R36E S17 |       | SESW |
| T07N R36E S17 |       | NESE | T07N R36E S17 |       | NWSE |
| T07N R36E S17 |       | SWSE | T07N R36E S17 |       | SESE |
| T07N R36E S18 |       | NENE | T07N R36E S18 |       | NWNE |
| T07N R36E S18 |       | SWNE | T07N R36E S18 |       | SENE |
| T07N R36E S18 |       | NENW | T07N R36E S18 | LOT 1 | NWNW |
| T07N R36E S18 | LOT 2 | SWNW | T07N R36E S18 |       | SENW |
| T07N R36E S18 |       | NESW | T07N R36E S18 | LOT 3 | NWSW |
| T07N R36E S18 | LOT 4 | SWSW | T07N R36E S18 |       | SESW |
| T07N R36E S18 |       | NESE | T07N R36E S18 |       | NWSE |
| T07N R36E S18 |       | SWSE | T07N R36E S18 |       | SESE |
| T07N R36E S19 |       | NENE | T07N R36E S19 |       | NWNE |
| T07N R36E S19 |       | SWNE | T07N R36E S19 |       | SENE |
| T07N R36E S19 |       | NENW | T07N R36E S19 | LOT 1 | NWNW |
| T07N R36E S19 | LOT 2 | SWNW | T07N R36E S19 |       | SENW |
| T07N R36E S19 |       | NESW | T07N R36E S19 | LOT 3 | NWSW |
| T07N R36E S19 | LOT 4 | SWSW | T07N R36E S19 |       | SESW |
| T07N R36E S19 |       | NESE | T07N R36E S19 |       | NWSE |
| T07N R36E S19 |       | SWSE | T07N R36E S19 |       | SESE |
| T07N R36E S20 |       | NENE | T07N R36E S20 |       | NWNE |
| T07N R36E S20 |       | SWNE | T07N R36E S20 |       | SENE |
| T07N R36E S20 |       | NENW | T07N R36E S20 |       | NWNW |
| T07N R36E S20 |       | SWNW | T07N R36E S20 |       | SENW |
| T07N R36E S20 |       | NESW | T07N R36E S20 |       | NWSW |
| T07N R36E S20 |       | SWSW | T07N R36E S20 |       | SESW |
| T07N R36E S20 |       | NWSE | T07N R36E S21 |       | NENW |
| T07N R36E S21 |       | NWNW | T07N R36E S21 |       | SWNW |
| T07N R36E S21 |       | SENW | T07N R36E S29 |       | NENW |
| T07N R36E S29 |       | NWNW | T07N R36E S29 |       | SWNW |
| T07N R36E S29 |       | SENW | T07N R36E S29 |       | NWSW |
| T07N R36E S30 |       | NENE | T07N R36E S30 |       | NWNE |
| T07N R36E S30 |       | SWNE | T07N R36E S30 |       | SENE |
| T07N R36E S30 |       | NENW | T07N R36E S30 | LOT 1 | NWNW |
| T07N R36E S30 | LOT 2 | SWNW | T07N R36E S30 |       | SENW |
| T07N R36E S30 |       | NESW | T07N R36E S30 | LOT 3 | NWSW |
| T07N R36E S30 | LOT 4 | SWSW | T07N R36E S30 |       | SESW |
| T07N R36E S30 |       | NESE | T07N R36E S30 |       | NWSE |
| T07N R36E S30 |       | SWSE | T07N R36E S30 |       | SESE |
| T07N R36E S5  | LOT 4 | NWNW | T07N R36E S5  |       | SWNW |
| T07N R36E S5  |       | SESW | T07N R36E S5  |       | SWSE |
| T07N R36E S5  |       | SESE | T07N R36E S6  | LOT 1 | NENE |
| T07N R36E S6  | LOT 2 | NWNE | T07N R36E S6  |       | SWNE |
| T07N R36E S6  |       | SENE | T07N R36E S6  |       | NESW |
| T07N R36E S6  | LOT 6 | NWSW | T07N R36E S6  | LOT 7 | SWSW |
| T07N R36E S6  |       | SESW | T07N R36E S6  |       | NESE |
| T07N R36E S6  |       | NWSE | T07N R36E S6  |       | SWSE |
| T07N R36E S6  |       | SESE | T07N R36E S7  |       | NENE |
| T07N R36E S7  |       | NWNE | T07N R36E S7  |       | SWNE |
| T07N R36E S7  |       | SENE | T07N R36E S7  |       | NENW |
| T07N R36E S7  | LOT 1 | NWNW | T07N R36E S7  | LOT 2 | SWNW |
| T07N R36E S7  |       | SENW | T07N R36E S7  |       | NESW |
| T07N R36E S7  | LOT 3 | NWSW | T07N R36E S7  | LOT 4 | SWSW |
| T07N R36E S7  |       | SESW | T07N R36E S7  |       | NESE |
| T07N R36E S7  |       | NWSE | T07N R36E S7  |       | SWSE |
| T07N R36E S7  |       | SESE | T07N R36E S8  |       | NENE |
| T07N R36E S8  |       | NWNE | T07N R36E S8  |       | SWNE |
| T07N R36E S8  |       | SENE | T07N R36E S8  |       | NENW |
| T07N R36E S8  |       | NWNW | T07N R36E S8  |       | SWNW |

|               |      |               |      |
|---------------|------|---------------|------|
| T07N R36E S8  | SENW | T07N R36E S8  | NESW |
| T07N R36E S8  | NWSW | T07N R36E S8  | SWSW |
| T07N R36E S8  | SESW | T07N R36E S8  | NESE |
| T07N R36E S8  | NWSE | T07N R36E S8  | SWSE |
| T07N R36E S8  | SESE | T07N R36E S9  | SWSW |
| T07N R36E S9  | SESW | T08N R36E S32 | NESW |
| T08N R36E S32 | NWSW | T08N R36E S32 | SWSW |
| T08N R36E S32 | SESW |               |      |

THIS RIGHT IS LIMITED TO OF 123 ACRES WITHIN THE BOUNDARY OF THE PLACE OF USE DESCRIBED ABOVE.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO 3045 ACRES WITHIN THE BOUNDARY OF THE PLACE OF USE DESCRIBED ABOVE. COMBINED RIGHT NOS.: 31-00269, 31-00270, 31-00271, 31-00272, 31-00273, 31-00274, 31-00275, 31-00276, 31-00277, 31-00278, 31-00279, 31-00280, 31-00281, 31-00282, 31-00283 AND 31-00284.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO 5231 ACRES WITHIN THE BOUNDARY OF THE CAMAS NATIONAL WILDLIFE REFUGE. COMBINED RIGHT NOS.: 31-00269, 31-00270, 31-00271, 31-00272, 31-00273, 31-00274, 31-00275, 31-00276, 31-00277, 31-00278, 31-00279, 31-00280, 31-00281, 31-00282, 31-00283, 31-00284, 31-02251, 31-02350, 31-02362, 31-02363, 31-07301, 31-11230, 31-11231 AND 31-11232.

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.

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                                                                        |
|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Current Owner     | UNITED STATES OF AMERICA ACTING THROUGH<br>USDI FISH AND WILDLIFE SER<br>DIVISION OF ENGINEERING<br>911 NE 11TH AVE<br>PORTLAND, OR 972324181<br>(503)231-6145 |

Attorney HAUGRUD K JACK OR D ZANE OR M GHELETA  
US DEPARTMENT OF JUSTICE  
ENV & NR DIVISION  
550 W FORT ST BOX 33  
BOISE, ID 83734  
(202)272-4134

**Original Owner** MARTIN D SCHLAGEL

| <u>Source</u> | <u>Tributary to</u> |
|---------------|---------------------|
| CAMAS CREEK   | MUD LAKE            |

| Point(s) of Diversion: |       |         |                   |    |    |     |           |
|------------------------|-------|---------|-------------------|----|----|-----|-----------|
| Township               | Range | Section | 1/4 of 1/4 of 1/4 |    |    | Lot | County    |
| 08N                    | 36E   | 32      | NE                | SE | NW |     | JEFFERSON |
| 07N                    | 35E   | 1       | NE                | SW | SE |     | JEFFERSON |

Place of Use Legal Description: WILDLIFE JEFFERSON County

Water Right 31-281

|     | NESW |   | NWSW |   | SWSW |  | SESW |
|-----|------|---|------|---|------|--|------|
|     | NWSE |   | SWSE |   |      |  |      |
| 17  | NENE |   | NWNE |   | SWNE |  | SENE |
|     | NENW |   | NWNW |   | SWNW |  | SENW |
|     | NESW |   | NWSW |   | SWSW |  | SESW |
|     | NESE |   | NWSE |   | SWSE |  | SESE |
| 18  | NENE |   | NWNE |   | SWNE |  | SENE |
|     | NENW | 1 | NWNW | 2 | SWNW |  | SENW |
|     | NESW | 3 | NWSW | 4 | SWSW |  | SESW |
|     | NESE |   | NWSE |   | SWSE |  | SESE |
| 19  | NENE |   | NWNE |   | SWNE |  | SENE |
|     | NENW | 1 | NWNW | 2 | SWNW |  | SENW |
|     | NESW | 3 | NWSW | 4 | SWSW |  | SESW |
|     | NESE |   | NWSE |   | SWSE |  | SESE |
| 20  | NENE |   | NWNE |   | SWNE |  | SENE |
|     | NENW |   | NWNW |   | SWNW |  | SENW |
|     | NESW |   | NWSW |   | SWSW |  | SESW |
|     | NWSE |   |      |   |      |  |      |
| 21  | NENW |   | NWNW |   | SWNW |  | SENW |
| 29  | NENW |   | NWNW |   | SWNW |  | SENW |
|     | NWSW |   |      |   |      |  |      |
| 30  | NENE |   | NWNE |   | SWNE |  | SENE |
|     | NENW | 1 | NWNW | 2 | SWNW |  | SENW |
|     | NESW | 3 | NWSW | 4 | SWSW |  | SESW |
|     | NESE |   | NWSE |   | SWSE |  | SESE |
| 5   | 4    |   | NWNW |   | SWNW |  |      |
|     | SESW |   |      |   |      |  |      |
|     | SWSE |   | SESE |   |      |  |      |
| 6   | 1    | 2 | NWNE |   | SWNE |  | SENE |
|     | NESW | 6 | NWSW | 7 | SWSW |  | SESW |
|     | NESE |   | NWSE |   | SWSE |  | SESE |
| 7   | NENE |   | NWNE |   | SWNE |  | SENE |
|     | NENW | 1 | NWNW | 2 | SWNW |  | SENW |
|     | NESW | 3 | NWSW | 4 | SWSW |  | SESW |
|     | NESE |   | NWSE |   | SWSE |  | SESE |
| 8   | NENE |   | NWNE |   | SWNE |  | SENE |
|     | NENW |   | NWNW |   | SWNW |  | SENW |
|     | NESW |   | NWSW |   | SWSW |  | SESW |
|     | NESE |   | NWSE |   | SWSE |  | SESE |
| 9   | SWSW |   | SESW |   |      |  |      |
| 08N | 32   |   | NWSW |   | SWSW |  | SESW |

Conditions of Approval:

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

Remarks:

1. Place of Use - Irrigation THIS RIGHT IS LIMITED TO OF 123 ACRES WITHIN THE BOUNDARY OF THE PLACE OF USE DESCRIBED ABOVE.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO 3045 ACRES WITHIN THE BOUNDARY OF THE PLACE OF USE DESCRIBED ABOVE. COMBINED RIGHT NOS.: 31-00269, 31-00270, 31-00271, 31-00272, 31-00273, 31-00274, 31-00275, 31-00276, 31-00277, 31-00278, 31-00279, 31-00280, 31-00281, 31-00282, 31-00283 AND 31-00284.
3. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO 5231 ACRES WITHIN THE BOUNDARY OF THE CAMAS NATIONAL WILDLIFE REFUGE. COMBINED RIGHT NOS.: 31-00269, 31-00270, 31-00271, 31-00272, 31-00273, 31-00274, 31-00275, 31-00276, 31-00277, 31-00278, 31-00279, 31-00280, 31-00281, 31-00282, 31-00283, 31-00284, 31-02251, 31-02350, 31-02362, 31-02363, 31-07301, 31-11230, 31-11231 AND 31-11232.

Dates:

Licensed Date:  
Claim Received Date: 03/25/1993

Enlargement Use Priority Date:  
 Enlargement Statute Priority Date:  
 Decreed Date: 11/01/1930  
 Date Filed with Court:  
 Objection Filed Date:  
 SF5 Filed:  
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

| Element       | Last Review Date    | Reviewer | Last Verified Date  | Verifier | Status     |
|---------------|---------------------|----------|---------------------|----------|------------|
| Contacts      | 12/14/00 1:05:22 PM | csaxton  |                     |          | In Process |
| POD           | 12/14/00 1:06:59 PM | csaxton  |                     |          | In Process |
| POU           | 12/14/00 1:10:21 PM | csaxton  |                     |          | In Process |
| Priority Date | 12/14/00 1:05:53 PM | csaxton  |                     |          | In Process |
| Quantity      | 12/14/00 1:28:59 PM | csaxton  |                     |          | In Process |
| Season        | 12/14/00 1:19:16 PM | csaxton  |                     |          | In Process |
| Source        | 12/14/00 1:08:47 PM | csaxton  |                     |          | In Process |
| Summary       | 12/14/00 1:38:57 PM |          | 12/14/00 1:38:57 PM | csaxton  | Complete   |
| Use           | 12/14/00 1:26:00 PM | csaxton  |                     |          | In Process |

Other Information:

Receipt Number(s):  
 State or Federal: S  
 Owner Name Connector:  
 Overall Max Diversion Rate: 2.46  
 Overall Max Diversion Volume: 0  
 Generic Max Rate per Acre:  
 Generic Max Volume per Acre:  
 Civil Case Number:  
 Old Case Number:  
 Decree Plaintiff:  
 Decree Defendant:  
 PresumptionFlag:  
 Notice of Error Flag:C  
 Swan Falls Trust or Nontrust:  
 Swan Falls Dismissed:  
 DLE Act Number:  
 Cary Act Number:  
 Mitigation Plan: False

Verification Log:

| Element  | Date Time Stamp     | Reviewer | Log Text                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------|---------------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Contacts | 12/14/00 1:05:21 PM | csaxton  | 1. Appointment has not been scheduled.<br>Comment for 1: Met with FWS personnel on several occasions.<br>Edited point location<br>Edited point location                                                                                                                                                                                                                                                                                   |
| POD      | 12/14/00 1:08:28 PM | csaxton  | 1. (NO) The basis is not beneficial use.                                                                                                                                                                                                                                                                                                                                                                                                  |
| POD      | 12/14/00 1:08:00 PM | csaxton  | 2. (YES) Parent right has a Point of Diversion.                                                                                                                                                                                                                                                                                                                                                                                           |
| POD      | 12/14/00 1:06:58 PM | csaxton  | 3. (NO) The claimed Point of Diversion can not be verified using the water right file.                                                                                                                                                                                                                                                                                                                                                    |
|          |                     |          | 4. (YES) There is evidence that there has been a change in the Point of Diversion.                                                                                                                                                                                                                                                                                                                                                        |
|          |                     |          | 5. (YES) The change can be verified as an accomplished transfer.                                                                                                                                                                                                                                                                                                                                                                          |
|          |                     |          | Comment for 5: Water delivered through different POD than described in Decree. POD added.                                                                                                                                                                                                                                                                                                                                                 |
|          |                     |          | 6. (YES) The file contains all the necessary information to verify the POD.                                                                                                                                                                                                                                                                                                                                                               |
|          |                     |          | Comment for 6: Field Exam                                                                                                                                                                                                                                                                                                                                                                                                                 |
|          |                     |          | 8. (NO) Point of Diversion remark was not required.                                                                                                                                                                                                                                                                                                                                                                                       |
|          |                     |          | 9. (YES) Point of Diversion condition was required.                                                                                                                                                                                                                                                                                                                                                                                       |
| POU      | 12/14/00 1:10:20 PM | csaxton  | 1. (YES) The POU is required.<br>2. (NO) The basis of claim is not beneficial use.<br>3. (YES) The Parent Right has a POU.<br>4. (NO) The claimed POU can not be verified using the water right file.<br>5. (YES) There is evidence that there has been a change in the POU.<br>6. (YES) The change can be verified as an accomplished transfer.<br>Comment for 6: When purpose of use changed from irrigation to wildlife, POU expanded. |

Priority Date 12/14/00 1:05:51 PM csaxton

Quantity 12/14/00 1:28:57 PM csaxton

Season 12/14/00 1:19:15 PM csaxton

Source 12/14/00 1:08:46 PM csaxton

Summary 12/14/00 1:38:56 PM csaxton

Use 12/14/00 1:25:59 PM csaxton

9. (YES) The file contains all the necessary information to verify the POU.

Comment for 9: NAPP

12. (NO) POU remark was not required.

13. (YES) POU condition was required.

1. (NO) There has not been a later court decree of the water right(s) from the water source.

4. (NO) The basis of claim is not beneficial use.

5. (NO) The basis of claim is not a posted notice.

6. (YES) Parent right has a priority date.

7. (NO) The basis of claim is not an application or permit.

12. (YES) The claim is recommended.

13. (YES) The claim is coded correctly.

14. (NO) Priority remark was not required.

15. (NO) Priority condition was not required.

1. (NO) The basis of claim is not beneficial use.

2. (NO) The basis of claim is not a posted notice.

3. (YES) The parent right has a diversion rate and/or diversion volume.

4. (YES) The claimed diversion rate and/or volume can be verified using the water right file.

6. (NO) The source is not ground water and the purpose of use does not require a diversion volume limit.

7. (NO) The parent right does not have an annual diversion volume limit.

9. (NO) Quantity remark was not required.

10. (NO) Quantity condition was not required.

1. (NO) The basis of claim is not beneficial use.

2. (NO) The parent right does not have a period of use.

4. (NO) There is not evidence that there has been a change to the period of use.

9. (YES) The file contains all the necessary information to verify the period of use.

11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined.

13. (NO) Irrigation is not the purposed use.

Comment for 13: Decreed as irrigation, so IDWR standard irrigation season used.

15. (NO) Period of Use remark was not required.

16. (NO) Period of Use condition was not required.

1. (NO) The basis is not beneficial use.

2. (YES) Parent right has a source.

3. (YES) The claimed source can be verified using the water right file.

8. (YES) The source is surface water.

9. (YES) The source is a standard source.

10. (NO) Source remark was not required.

11. (NO) Source condition was not required.

1. (NO) The basis of the claim is not beneficial use.

3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture.

5. (NO) General remark was not required.

6. (NO) Explanatory remark was not required.

7. (YES) Additional condition was required.

8. (YES) Wanted to view the recommended right.

9. (NO) This is not a split right.

10. (NO) This is not a combined right.

11. (NO) Documents were not linked or attached to this file.

12. (YES) Set the verification date.

1. (NO) The basis of claim is not beneficial use.

2. (YES) The parent right has a purpose of use.

3. (NO) The claimed purpose of Use can not be verified using the water right file.

4. (YES) There is evidence that there has been a change to the purpose of use.

5. (YES) The claim only can be verified as an accomplished transfer.

Comment for 5: Decreed as irrigation, now used for wildlife.

9. (YES) The file contains all the necessary information to verify the purpose of use.

11. (NO) Purpose of Use remark was not required.

12. (YES) Purpose of Use condition was required.

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: A31-00281  
Date Received: 3-25-93  
Receipt No.: X11111  
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: United States of America Phone: 503-231-6145  
(Fish and Wildlife Service)  
Address: Division of Engineering  
911 NE 11th Avenue  
Portland, OR 97232-4181
2. Date of Priority: July 30, 1903
3. Source: Camas Creek Trib. to: Mud Lake
4. Point of Diversion:  
Township 8N Range 36E Section 32, SE1/4 of NW1/4, B.M. (Main)  
County of Jefferson  
Additional Points of Diversion T.7 N., R.35 E., Section 1, NW1/4 of SE1/4 (Westside).
5. Description of diverting works: (Main): 28' concrete structure with Parshall flume; (Westside): 24" pipe with slide gate.
6. Water is claimed for the following purposes:
- | Purpose  | From  | To     | C.F.S. | or A.F.A. |
|----------|-------|--------|--------|-----------|
| Wildlife | Jan.1 | Dec.31 | 2.46   |           |
7. Total Quantity Claimed is:  
2.46 C.F.S. (and/or) \_\_\_\_\_ A.F.A.
8. Total consumptive use claimed is 606 Acre Feet Per Annum.
9. Non-irrigation uses: Wildlife.
10. Place of Use: Within the Camas National Wildlife Refuge (See Attachment 1).



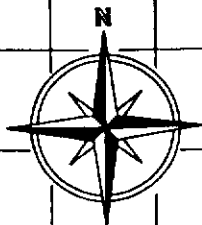
United States of America  
Fish and Wildlife Service

**MICROFILMED**  
NOV 14 1996

11. Place of use, county(ies): Jefferson
12. Do you own the property listed above as place of use? Yes.
13. Other Water Rights Used: IDWR Water Right Numbers 31-0231, 31-0269, 31-0270, 31-0271, 31-0272, 31-0273, 31-0274, 31-0275, 31-0276, 31-0277, 31-0278, 31-0279, 31-0280, 31-0282, 31-0283, 31-0284, 31-2251, 31-2322, 31-2350, 31-2362, 31-2363, 31-4016, 31-4066, 31-7301.
14. Remarks: This claim clarifies and updates information given in decree No. 635.
- Use of water for Refuge purposes includes irrigation of meadows and marshes, and incidental use by cattle to promote wildlife refuge purposes.
- The Camas National Wildlife Refuge was established by Executive Order 7720 of October 12, 1937 as a refuge and breeding ground for migratory birds and other wildlife.
15. Basis of Claim (Check one) Beneficial Use ☐ Posted Notice ☐  
License ☐ Permit ☐ Decree ☒
- If applicable provide IDWR Water Right Number 31-0281  
Court \_\_\_\_\_ Case Number 635 Decree Date \_\_\_\_\_

R 35 E

R 36 E

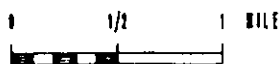


POINTS OF  
DIVERSION

PLACE OF USE

WATER RIGHT NUMBER 31-0281

MICROFILMED



NOV 14 1996

## CAMAS NATIONAL WILDLIFE REFUGE

Jefferson County, Idaho

Township 7 North, Range 36 East, Boise Meridian

Section 5, NW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Section 6, E $\frac{1}{4}$ , SW $\frac{1}{4}$ ;  
Section 7, All;  
Section 8, All;  
Section 9, That portion of NE $\frac{1}{4}$  lying W of old U.S. Highway 91,  
NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , that portion of SE $\frac{1}{4}$  lying W of old U.S.  
Highway 91;  
Section 16, All;  
Section 17, All;  
Section 18, All;  
Section 19, All;  
Section 20, NE $\frac{1}{4}$ , W $\frac{1}{2}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Section 21, NW $\frac{1}{4}$ ;  
Section 29, W $\frac{1}{2}$ ;  
Section 30, All;

Township 8 North, Range 36 East, Boise Meridian

Section 28, That portion of SW $\frac{1}{4}$  lying W of old U.S. Highway 91;  
Section 29, SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Section 31, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Section 32, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ ;  
Section 33, That portion of N $\frac{1}{2}$ NW $\frac{1}{4}$  lying W of old U.S. Highway 91;

Township 7 North, Range 35 East, Boise Meridian

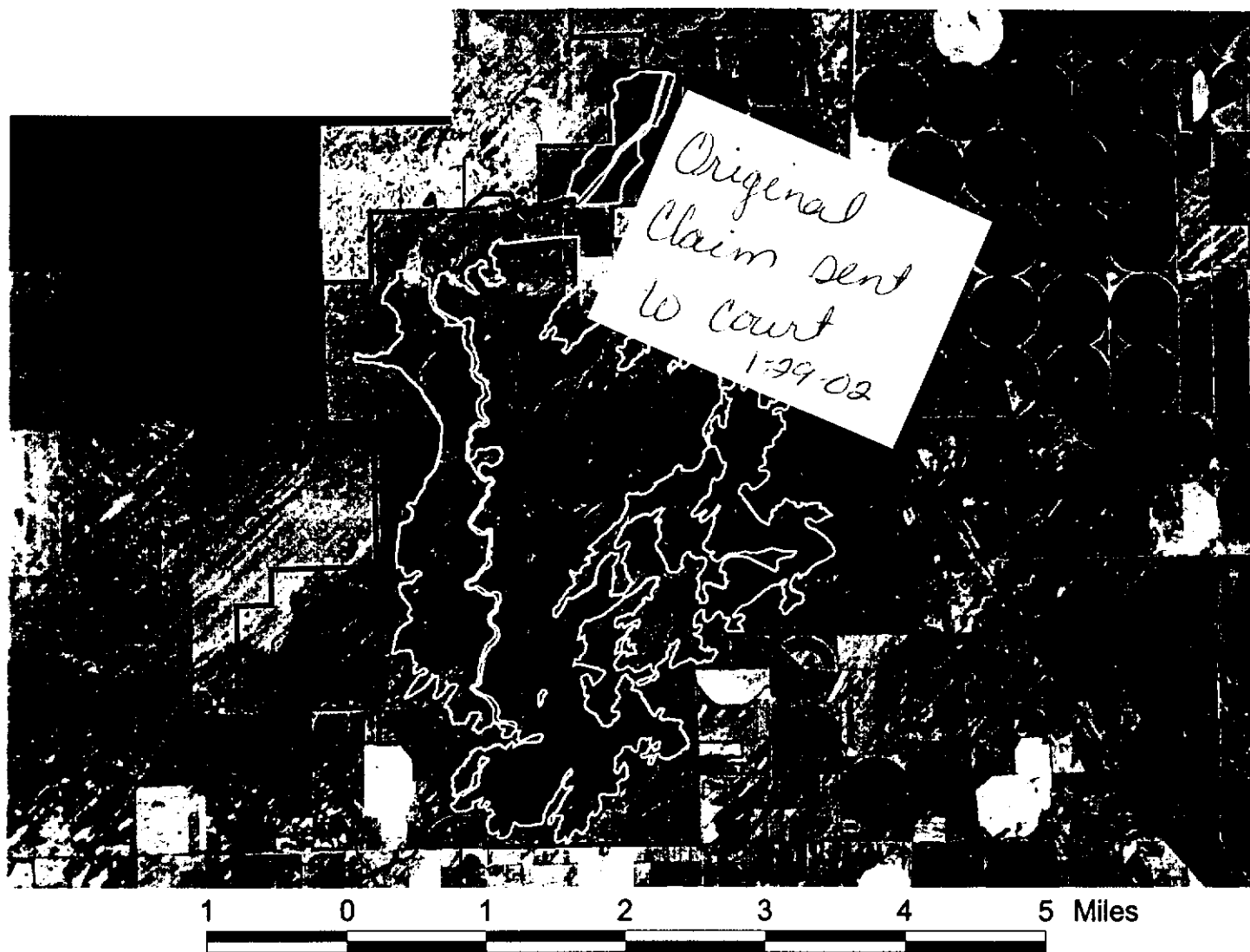
Section 1, E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Section 11, E $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Section 12, All;  
Section 13, E $\frac{1}{4}$ , E $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Section 23, E $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Section 24, All;  
Section 25, NE $\frac{1}{4}$ , Lot 3, NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Section 26, W $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{4}$ NW $\frac{1}{4}$ .



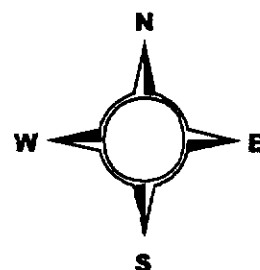
# State of Idaho

Department of Water Resources  
Eastern Region

Water Rights(s): 31-00269, 31-00270, 31-00271, 31-00272, 31-00273, 31-00274  
31-00275, 31-00276, 31-00277, 31-00278, 31-00279, 31-00280  
31-00281, 31-00282, 31-00283, and 31-00284.



- Point of Diversion (s)
- Camas National Wildlife Refuge Boundary
- Place of Use - Purpose of Use Wildlife
- Quarter Section Lines
- Section Lines



GIS Place of Use Illustration  
1987/1988 NAPP photography  
Prepared by: C. Saxton  
Date: December 2000



# State of Idaho

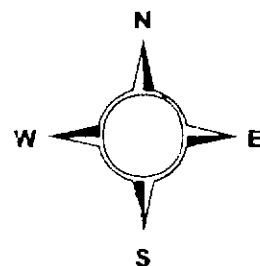
Department of Water Resources  
Eastern Region

Water Rights(s): 31-00269, 31-00270, 31-00271, 31-00272, 31-00273, 31-00274  
31-00275, 31-00276, 31-00277, 31-00278, 31-00279, 31-00280  
31-00281, 31-00282, 31-00283, and 31-00284.



1 0 1 2 3 4 5 Miles

- Point of Diversion (s)
- Camas National Wildlife Refuge Boundary
- Place of Use - Purchase of water right
- Quarter Section Lines
- Section Lines



GIS Place of Use Illustration  
1987/1988 NAPP photography  
Prepared by: C. Saxton  
Date: December 2000

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

13:25:27  
04/25/00

PAGE: 1  
GENERAL INFORMATION

1  
CLAIM NUMBER: A31-00291

LAST: SCHLAGEL  
ADDRESS:  
CITY: X  
PHONE NUMBER: 208-000-0000

FIRST: MARTIN D.  
STATE: ID ZIP: 0

OWNER CODE: 0

LAST: FWS  
ADDRESS:  
CITY: PORTLAND  
PHONE NUMBER: 208-000-0000

FIRST:  
STATE: OR ZIP: 97232

OWNER CODE: K

LAST: AMERICA, ACTING THROUGH  
ADDRESS: USDI FISH AND WILDLIFE SER  
DIVISION OF ENGINEERING  
911 NE 11TH AVE  
CITY: PORTLAND  
PHONE NUMBER: 503-231-6145

FIRST: UNITED STATES OF  
STATE: OR ZIP: 972324181

OWNER CODE: C

LAST: HAUGRUD K JACK OR D ZANE OR M GHELETA  
ADDRESS: US DEPARTMENT OF JUSTICE  
ENV & NR DIVISION  
550 W FORT ST BOX 33  
CITY: BOISE  
PHONE NUMBER: 202-272-4134

FIRST:  
STATE: ID ZIP: 83734

OWNER CODE: A

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE  
Y

FIELD  
EXAMINER  
Y( ) N( )

CLAIM REMARKS: GEN

THIS CLAIM CLARIFIES AND UPDATES INFORMATION GIVEN IN DECREE NO. 635.

USE OF WATER FOR REFUGE PURPOSES INCLUDES IRRIGATION OF MEADOWS AND MARSHES, AND INCIDENTAL USE BY CATTLE TO PROMOTE WILDLIFE REFUGE PURPOSES.

PLACE OF USE: WITHIN THE CAMAS NATIONAL WILDLIFE REFUGE (SEE ATTACHMENT 1).

THE CAMAS NATIONAL WILDLIFE REFUGE WAS ESTABLISHED BY EXECUTIVE ORDER 7720 OF OCTOBER 12, 1937 AS A REFUGE AND BREEDING GROUND FOR MIGRATORY BIRDS AND OTHER WILDLIFE.

ITEM 5. (MAIN): 28' CONCRETE STRUCTURE WITH PARSHALL FLUME;

PAGE: 2  
GENERAL INFORMATION

CLAIM NUMBER: A31-00281<sup>2</sup>

CLAIM REMARKS (CONT'D):

(WESTSIDE): 24" PIPE WITH SLIDE GATE.  
ITEM 13. 31-00231, 31-00269/00270/00271/00272/00273/00274/  
00275/00276, A31-00278 THRU 00284/2251/2322/2350/2362/2363/4016  
/4066/7301

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Gerald Deutscher

PHONE NUMBER: ( ) -

DATE OF FIELD EXAM: \_\_\_/\_\_\_/\_\_\_

APPOINTMENT MADE: Y( ) N( )

TIME: \_\_\_:\_\_\_ A( ) P( )

ACCOMPANIED BY: \_\_\_\_\_

PHONE NUMBER: ( )

RELATIONSHIP TO CLAIMANT: \_\_\_\_\_

DIRECTIONS TO PROPERTY / NOTES:

-----  
-----  
-----  
-----  
-----  
-----  
-----  
-----

A. AJ CLAIM: # A31-00281 PRIORITY DATE: 07-30-1903 STAGE: D

B. WR RECORD: # 31-00281 PRIORITY DATE: 07-30-1903 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N( )

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y( ) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?  
(IF YES, DESCRIBE BELOW) Y( ) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A( ) Y( ) N( )

FIELD EXAM COMPLETED N/A( ) Y( ) N( )

FIELD EXAM SENT TO STATE OFFICE N/A( ) Y( ) N( )

LICENSE ISSUED N/A( ) Y( ) N( )

\* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,  
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE  
OF THE PRIORITY DATE REQUIRED? N/A( ) Y( ) N( )

\* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,  
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N( )

NOTES:

*Recommended as Claimed*

RECOMMENDED PRIORITY DATE:

07-30-1903

REVIEWED BY

*Craig L. Guter*

DATE

*12/12/00*

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD<br>FLAG | COUNTY    | DIVERSION NAME | DIVERSION NUMBER |
|-----------|-----------|------|-----|-----|-----|-----|-------------|-----------|----------------|------------------|
| A31-00281 | 07N 35E   | 1    |     | NW  | SE  |     |             | JEFFERSON |                |                  |
| A31-00281 | 08N 36E   | 32   |     | SE  | NW  |     |             | JEFFERSON |                |                  |

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX  
\* NONE

WR RECORDS IN SAME 40 ACRE TRACT

31-02362  
31-02363

\* 19 A PREFIX CLAIMS WITH THIS POD

SOURCE: CAMAS CREEK

TRIB: MUD LAKE

B. WR POINT OF DIVERSION AND SOURCE:

3100281 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: CAMAS CREEK

TRIB: MUD LAKE

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A( ) Y( ) N( )

\* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A( ) Y( ) N( )

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y( ) N( )

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A( ) Y( ) N( )

\* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y( ) N( )

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y( ) N( )

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM ) Y( ) N( )

AJ FIELD EXAM (DATE OF FIELD EXAM NAME OF EXAMINER ) Y( ) N( )

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: POO + Source Verified by several trips to the refuge,  
and Discussions w/ Gerald Deutscher

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (\_\_\_)

| TWP. | RGE. | SEC. | 1/4 | 1/4   | 1/4 | LOT | POD<br>FLAG | COUNTY    | DIVERSION NAME | DIVERSION NBR |
|------|------|------|-----|-------|-----|-----|-------------|-----------|----------------|---------------|
| 07N  | 35E  | 1    | NE  | NE SW | SE  |     |             | JEFFERSON | Quetlow        |               |
| 08N  | 36E  | 32   | NE  | SE    | NW  |     |             | JEFFERSON | main           |               |
| ---  | ---  | ---  | --- | ---   | --- | --- | ---         | ---       | ---            | ---           |
| ---  | ---  | ---  | --- | ---   | --- | --- | ---         | ---       | ---            | ---           |
| ---  | ---  | ---  | --- | ---   | --- | --- | ---         | ---       | ---            | ---           |
| ---  | ---  | ---  | --- | ---   | --- | --- | ---         | ---       | ---            | ---           |
| ---  | ---  | ---  | --- | ---   | --- | --- | ---         | ---       | ---            | ---           |
| ---  | ---  | ---  | --- | ---   | --- | --- | ---         | ---       | ---            | ---           |

SOURCE: CAMAS CREEK

TRIB: MUD LAKE

REVIEWED BY: CS

DATE: 12/12/00

SYSTEM DESCRIPTION: DESCRIBED BELOW (\_\_\_), SEE LICENSE FILE (\_\_\_), OR SEE ATTACHMENT (\_\_\_)

A. ROOT WATER RIGHT NUMBERS: A31-00281

B. POOL LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ<br>#/ACRES | WR<br>#/ACRES | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|------|---------------|---------------|-----------------|----------------|------------------|
|-----|-----|-----|-----|-----|-----|------|---------------|---------------|-----------------|----------------|------------------|

--- ADDITIONAL POOL FOUND ---

*See GIS layout*

--- TOTAL ACRES --- A31-00281

POU COUNTY:

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y( ) N(☒)

\* IF YES, ARE THESE TRACTS LISTED ABOVE ( ), OR ARE THEY LISTED ON AN ATTACHED SHEET ( )

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y(☒) N( )

\* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: SEE REMARKS.

*See Remarks*

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☒) Y( ) N( )

\* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A( ) Y( ) N(☒)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y(☒) N( )

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y( ) N(☒)

CHECK DOCUMENTS USED TO VERIFY POU: ( ) ORTHOPHOTOQUAD, IDWR NO. \_\_\_\_\_; ( ) TOPOGRAPHIC QUAD, IDWR NO. \_\_\_\_\_;  
(X) NAAPP, IDWR NO. 1287; ( ) ASCS PHOTO; ( ) OTHER \_\_\_\_\_

NOTES:

*POU Verified By Naapp Photography in meetings with FWS  
Personnel*

RECOMMENDATIONS:

TOTAL ACRES: \_\_\_\_\_ N/A (✓)

REVIEWED BY: LS

DATE: 12/12/00

A. CLAIMED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| A31-00281 WILDLIFE          | FROM 01-01 TO 12-31       | 2.460 CFS              |                        |
| TOTAL DIVERSION RATE/VOLUME |                           | 2.460 CFS              |                        |

B. WR RECORDED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| 31-00281 IRRIGATION         | FROM 05-01 TO 09-01       | 2.460 CFS              |                        |
| 31-00281 STOCKWATER         | FROM TO                   |                        |                        |
| 31-00281 DOMESTIC           | FROM TO                   |                        |                        |
| TOTAL DIVERSION RATE/VOLUME |                           | 2.460 CFS              |                        |

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y( ☒ ) N( ☐ )

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A( ☐ ) Y( ☐ ) N( ☒ )

\* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INQUIRY ANALYSIS PERFORMED AND ENTER FLAG 'C' WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y( ☐ ) N( ☒ )

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y( ☐ ) N( ☒ )

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y( ☒ ) N( ☐ )

\* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A( ☐ ) Y( ☒ ) N( ☐ )

\* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A( ☐ ) Y( ☐ ) N( ☒ )

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A( ☒ ) Y( ☐ ) N( ☐ )

\* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A( ☒ ) Y( ☐ ) N( ☐ )

NOTES: - Purpose of use accomplished transfer  
- Period of use - Recommend to FWR Irrigation Standards  
- Diversion Rate - Recommend as per record  
- Diversion Volume N/A

AJ CLAIM TOTAL DIVERSION RATE: 2.460 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 2.460 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A( ) Y(☒) N( )

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A( ) Y(☒) N( )

\* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y( ) N(☒)

\* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y( ) N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD \_\_\_\_\_, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE  
ACRES \_\_\_\_\_ x 0.02 CFS/ACRE = \_\_\_\_\_ CFS  
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y( ) N( )

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y( ) N( )

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = \_\_\_\_\_ AE/A  
ACRES \_\_\_\_\_ x DIVERSION VOL. AE/A FOR AREA \_\_\_\_\_ =  
TOTAL DIVERSION VOLUME \_\_\_\_\_ AE/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 606.0 AE/A  
ACRES \_\_\_\_\_ x CONSUMPTIVE VOL. AE/A FOR AREA \_\_\_\_\_ =  
TOTAL CONSUMPTIVE USE \_\_\_\_\_ AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW ( ) OR SEE ATTACHMENT ( )

NOTES:

*see notes on Page 9*

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (\_\_\_)

| REC.<br>PURPOSE OF USE | REC. PERIOD<br>FROM TO              | REC. DIV<br>RATE CFS | REC. DIV<br>VOL. AE/A | REC. CONS.<br>USE |
|------------------------|-------------------------------------|----------------------|-----------------------|-------------------|
|                        |                                     | DATABASE EXAMINER    | DATABASE EXAMINER     | DATABASE EXAMINER |
| WILDLIFE               | <del>01-01</del> 12-31<br>4/1 10/31 | 2.460 ✓              |                       | <del>506.0</del>  |
|                        |                                     |                      |                       |                   |
|                        |                                     |                      |                       |                   |
|                        |                                     |                      |                       |                   |
|                        |                                     |                      |                       |                   |
|                        |                                     |                      |                       |                   |
| TOTAL FOR THIS RIGHT   |                                     |                      |                       |                   |

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (\_\_\_)

REVIEWED BY: Living System

DATE: 12/12/00

FLAG: D

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

C16  
C12  
C13  
C14  
K16  
E14 > 2

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP \_\_\_\_\_  
FORFEIT/ABANDON \_\_\_\_\_  
ADDITIONAL DIV. AMOUNT \_\_\_\_\_

ACCEPTED  
AS CLAIMED ☒ ( )  
NEEDS  
REVIEW ☐ ( )

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-00281

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE  
2.460

EXAMINER  
\_\_\_\_\_

CFS

SPLITS:

| OLD RIGHT<br>NUMBERS | CURRENT<br>CLAIM NUMBERS | DIVERSION<br>RATE | CURRENT "R"<br>CLAIM NUM. | "R" DIV.<br>RATE | WR RIGHT<br>NUMBERS | DIVERSION<br>RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| -                    | A31-00281                | 2.460             | -                         |                  | 31-00281            | 2.460             |
| TOTAL CFS            |                          | 2.460             |                           |                  |                     | 2.460             |

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)  
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW ( ) OR SEE ATTACHMENT ( )?

DATABASE  
Y  
FIELD  
EXAMINER  
Y( ) N( )

NOTES:

*Not a split*

AUTHENTICATION:

SIGNATURE: *Craig J. [Signature]*  
NAME OF FIELD EXAMINER: *Craig J. [Signature]*

DATE: *12/12/00*  
TITLE: *Water Resource Agent*

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

| TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED) | IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION | COPY INCLUDED IN FILE? |
|-------------------------------------------|--------------------------------------------------------|------------------------|
| ( ) ORTHOPHOTOQUAD                        | DATE OF PHOTO _____ IDWR ID NO. _____                  | Y( ) N( )              |
| ( ) TOPOGRAPHIC                           | DATE FIELD CHECKED _____ IDWR ID NO. _____             | Y( ) N( )              |
| (X) NAPP                                  | DATE OF PHOTO <u>1987</u> IDWR ID NO. _____            | Y( ) N( )              |
| ( ) ASCS AERIAL PHOTO                     | DATE OF PHOTO _____                                    | Y( ) N( )              |
| ( ) ASCS COLOR SLIDE                      | DATE OF PHOTO _____                                    | Y( ) N( )              |
| ( ) BLM OR USFS AERIAL PHOTO              | DATE OF PHOTO _____                                    | Y( ) N( )              |
| ( ) TOWNSHIP SURVEY (GOVERNMENT PLAT)     | DATE OF SURVEY _____                                   | Y( ) N( )              |
| ( ) SCS SOIL SURVEY MAP                   | DATE ISSUED _____                                      | Y( ) N( )              |
| ( ) SUBDIVISION PLAT MAP                  | DATE OF MAP _____                                      | Y( ) N( )              |
| ( ) OTHER _____                           | DATE _____                                             | Y( ) N( )              |
| ( ) OTHER _____                           | DATE _____                                             | Y( ) N( )              |
| ( ) OTHER _____                           | DATE _____                                             | Y( ) N( )              |

| LIST OF ATTACHMENTS (CHECK IF ATTACHED) | IF ATTACHED, SUPPLY APPROPRIATE INFORMATION | NO. OF PAGES | NOTES |
|-----------------------------------------|---------------------------------------------|--------------|-------|
| ( ) LICENSING FIELD EXAM                | DATE OF FIELD EXAM _____                    | _____        | _____ |
| ( ) WATER RIGHT LICENSE                 | DATE LICENSE SIGNED _____                   | _____        | _____ |
| ( ) IDWR APPROVED TRANSFER              | DATE TRANSFER APPROVED _____                | _____        | _____ |
| ( ) SYSTEM DESCRIPTION                  | DATE DRAWN _____                            | _____        | _____ |
| ( ) PHOTOGRAPHS                         | DATE(S) PHOTOS TAKEN _____                  | _____        | _____ |
| ( ) SPLIT RIGHT REVIEW                  | DATE REVIEW COMPLETED _____                 | _____        | _____ |
| ( ) HUBBLE ANALYSIS                     | DATE ANALYSIS COMPLETED _____               | _____        | _____ |
| ( ) CONVEYANCE LOSS ANALYSIS            | DATE ANALYSIS COMPLETED _____               | _____        | _____ |
| ( ) FLOW MEASUREMENT CALCULATIONS       | DATE SYSTEM MEASURED _____                  | _____        | _____ |
| (X) OTHER <u>Decree, Same</u>           | DATE <u>1931</u>                            | _____        | _____ |
| ( ) OTHER _____                         | DATE _____                                  | _____        | _____ |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

13:25:27  
04/25/00

PAGE: 15  
QUICKLOOK INFORMATION

15  
CLAIM NUMBER: A31-00281

| WR ELEMENT                | DATA<br>DISCREPANCY<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | ELEMENT<br>DOCUMENTED<br>WHOM/DATE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|----------------------------|-------------------------------------------------|----------------------------|------------------------|------------------------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             |                            |                                                 |                            |                        |                                    | CS<br>12/12/00                   | CS<br>12/12/00                       | CS<br>12/12/01                |
| POINT OF DIV              | Y                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| SOURCE                    |                            |                                                 |                            |                        |                                    |                                  |                                      |                               |
| PLACE OF USE              |                            |                                                 |                            |                        |                                    |                                  |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME | Y                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| CONSUMPTIVE USE           | -                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| PURPOSES OF USE           | Y                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| PERIOD OF USE             | Y                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| BASIS OF CLAIM            |                            |                                                 |                            |                        |                                    |                                  |                                      |                               |
| REMARKS                   | Y                          |                                                 |                            |                        |                                    |                                  |                                      |                               |

BARCODE UPDATED  
WHOM/DATE

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

13:25:48  
04/25/00  
16

PAGE: 16  
PROFILE REPORT

CLAIM NUMBER: A31-00281

| OWNER<br>CODE | NAME & ADDRESS                           | PRIORITY<br>DATE | WATER USE | USE PERIOD<br>FROM TO                | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|------------------------------------------|------------------|-----------|--------------------------------------|-------------------|---------------------|
| C             | UNITED STATES OF AMERICA, ACTING THROUGH | 07/30/1903       | WILDLIFE  | <del>01-01-12-31</del><br>4-1-10-31  | 2.460 CFS         |                     |
|               |                                          |                  |           | TOTAL DIVERSION:<br>CONSUMPTIVE USE: | 2.460 CFS         |                     |

Water Source: CAMAS CREEK

Tributary to: MUD LAKE

Stage: DECREE

Point(s) of Diversion:

T07N R35E S01  
T08N R36E S32

NE NW  
NE SE NW

JEFFERSON County  
JEFFERSON County

POU County:

Other Rights: SEE REMARKS.

Remarks: GEN

THIS CLAIM CLARIFIES AND UPDATES INFORMATION GIVEN IN DECREE NO. 635.

USE OF WATER FOR REFUGE PURPOSES INCLUDES IRRIGATION OF MEADOWS AND MARSHES, AND INCIDENTAL USE BY CATTLE TO PROMOTE WILDLIFE REFUGE PURPOSES.

PLACE OF USE: WITHIN THE CAMAS NATIONAL WILDLIFE REFUGE (SEE ATTACHMENT 1).

THE CAMAS NATIONAL WILDLIFE REFUGE WAS ESTABLISHED BY EXECUTIVE ORDER 7720 OF OCTOBER 12, 1937 AS A REFUGE AND BREEDING GROUND FOR MIGRATORY BIRDS AND OTHER WILDLIFE.

ITEM 5. (MAIN): 28' CONCRETE STRUCTURE WITH PARSHALL FLUME; (WESTSIDE): 24" PIPE WITH SLIDE GATE.

ITEM 13. 31-00231, 31-00269/00270/00271/00272/00273/00274/00275/00276, A31-00278 THRU 00284/2251/2322/2350/2362/2363/4016/4066/7301

*Pou Landlist*

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number: 31

Field Inspection Flag: Y  
Presumption Flag: D

*203  
205  
204  
212  
206  
E14 X2*

RECEIVED

AUG 02 2002

Department of Water Resources  
Adjudication Bureau

AUG 31 PM 12:19

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED

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

In Re SRBA

Case No. 39576

)  
) ORDER OF PARTIAL DECREE  
)  
) For Water Right 31-231, 31-269, 31-270,  
) 31-271, 31-272, 31-273, 31-274, 31-275, 31-  
276, 31-277, 31-278, 31-279, 31-280, 31-281,  
31-282, 31-283, 31-284, 31-2363, 31-11232

On May 31, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 31-231, 31-269, 31-270, 31-271, 31-272, 31-273, 31-274, 31-275, 31-276, 31-277, 31-278, 31-279, 31-280, 31-281, 31-282, 31-283, 31-284, 31-2363, 31-11232 is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED July 31, 2002

  
\_\_\_\_\_  
ROGER S. BURDICK  
Presiding Judge  
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on July 30, 2002, with sufficient first-class postage to the following:

UNITED STATES OF AMERICA  
UNITED STATES OF AMERICA ACTIN

Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724  
Phone: 208-387-0835

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

*Robbin Vlas*

RECEIVED

JAN 22 2002

Department of Water Resources  
Eastern Region

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

In Re SRBA

Case No. 39576

A. Subcase 31-281

(Insert water right number)

STANDARD FORM 1  
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America (Fish and Wildlife Service)

Address: 911 N. E. 11<sup>th</sup> Ave.

Portland, OR 97232-4181

Daytime Phone: (208) 662-5423

Name & Address of Attorney, if any:

James DuBois, Esq.

999 18<sup>th</sup> Street, Suite 945

Denver, Colorado 80202

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: United States of America, acting through USDI Fish and Wildlife Service

Address: 911 N. E. 11<sup>th</sup> Ave.

Portland, OR 97232-4181

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: \_\_\_\_\_

2. ☐ **Source**

Should be: \_\_\_\_\_

3. ☐ **Quantity**

Should be: \_\_\_\_\_

4. ☐ **Priority Date**

Should be: \_\_\_\_\_

5. ☐ **Point(s) of Diversion**

Should be: \_\_\_\_\_

6. ☐ **Instream Flow Description**

Should be: \_\_\_\_\_

7. ☐ **Purpose(s) of Use**

Should be: \_\_\_\_\_

8. ☐ **Period of Year**

Should be: \_\_\_\_\_

9. ☒ **Place of Use**

Should be: A. The following parcels should be deleted from the place of use: (1) SWSE Section 5, T07N, R36E; (2) SESE Section 5, T07N, R36E.

B. The following parcels were in the original claim and should be included in the description of the place of use: (1) SWNE Section 25, T07N, R35E; (2) NWNW Section 9, T07N, R36E; (3) SWNW Section 9, T07N, R36E; (4) NWSW Section 9, T07N, R36E

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** The United States, in cooperation with IDWR has determined that the parcels to be deleted are private land that was

inadvertently included in the claim, and the parcels to be included or added to the reported places of use were originally claimed by the United States, but mistakenly removed from the place of use by IDWR. In order to accurately describe this water right, these changes should be made to the places of use.

**F. VERIFICATION (Must be Completed)**

State of Colorado )  
 )ss.  
County of Denver )

James DuBois, Esq., duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

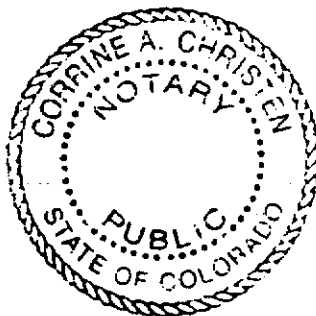
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

James DuBois  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

1/11/02



Corrine A. Christen  
Notary Public for Colorado  
Residing at: Denver  
My Commission Expires: 8/11/02

My Commission Expires 08/11/2002

## INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

### G. CERTIFICATE OF MAILING

I certify that on January 11, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

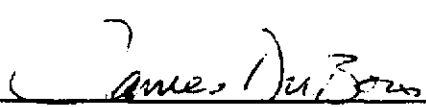
Name: United States of America (Fish and Wildlife Service)  
Address: 911 N. E. 11<sup>th</sup> Ave.  
Portland, OR 97232-4181

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

  
\_\_\_\_\_  
Signature of Objector or attorney  
mailing on Objector's behalf

NOTICE OF ERROR  
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

**YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 9, 2001**

Water right number: 31-281

UNITED STATES OF AMERICA ACTING THROUGH  
USDI FISH AND WILDLIFE SERVICE  
DIVISION OF ENGINEERING  
911 N E 11TH AVE  
PORTLAND OR 972324181  
Telephone Number: (503)231-6145

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

**Place of Use**

2. Describe the changes you wish to make in the proposed recommendation:

Change "THIS RIGHT IS LIMITED TO OF 123 ACRES ....," to "THIS RIGHT IS LIMITED TO 123 ACRES ...."

3. Give a brief explanation as to why you disagree with these portions:

This appears to be a typographical error.

\_\_\_\_ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 2/7/01 SIGNATURE: Tim Mayer  
Please print your name: Tim Mayer

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

*POU Changes Made. csaxton 3/12/01*

Good Livestock  
Company, a cor-  
poration

(continued)

1903 - July 30

2.75  
31.8 c.f.s. 281

Source: Camas Creek, a tributary  
of Mud Lake.

Point of Diversion: Approximately  
in Section 8, Township 7 North,  
Range 36 East, B.M.

1902 - August 25

31 282  
11.2 c.f.s.

Source: Camas Creek, a tributary  
of Mud Lake.

Point of Diversion: Through the  
Toomey Ditch, having its point of  
diversion on Camas Creek at a  
point in Section 8, Township 7  
North, Range 36 East, B.M.

1909 - March 23

31 283  
2.24 c.f.s.

Source: Camas Creek, a tributary  
of Mud Lake.

Point of Diversion: On said  
creek, in the Northwest Quarter of  
the Southwest Quarter of Section  
36, Township 8 North, Range 36  
East, B.M.

1911 - May 26

31 284  
1.6 c.f.s.

Source: Camas Creek, a tributary  
of Mud Lake.

Point of Diversion: In the South-  
west Quarter of Section 28, Town-  
ship 8 North, Range 36 East, B.M.

All of the rights on this page  
and the preceding page for use on  
the following described land, to-wit:

LAND LIST NO. 1

| <u>Legal Subdivision</u>                                                                                                                  | <u>Section</u> | <u>Township<br/>North</u> | <u>Range<br/>B.M.</u> |
|-------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------------|-----------------------|
| E $\frac{1}{2}$ NW $\frac{1}{4}$ ; E $\frac{1}{2}$ SW $\frac{1}{4}$ ; Lots 1 and 2, 3 and 4                                               | 30             | 7                         | 36                    |
| W $\frac{1}{2}$ SE $\frac{1}{4}$ ; W $\frac{1}{2}$ NW $\frac{1}{4}$ ; E $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ | 19             | 7                         | 36                    |
| Lots 1, 2, 3, 4                                                                                                                           | 19             | 7                         | 36                    |
| Lot 4                                                                                                                                     | 18             | 7                         | 36                    |

Wood Livestock Company,  
a corporation

(continued)

|                                                                                     |    |   |    |
|-------------------------------------------------------------------------------------|----|---|----|
| NW $\frac{1}{4}$                                                                    | 20 | 7 | 36 |
| SW $\frac{1}{4}$                                                                    | 16 | 7 | 36 |
| E $\frac{1}{2}$ SW $\frac{1}{4}$ ; S $\frac{1}{2}$ NE $\frac{1}{4}$                 | 6  | 7 | 36 |
| Lots 1, 2, 6, and 7                                                                 | 6  | 7 | 36 |
| S $\frac{1}{2}$ NW $\frac{1}{4}$ ; Lots 3 and 4                                     | 5  | 7 | 36 |
| Lots 3 and 4                                                                        | 13 | 7 | 35 |
| Lots 1 and 2                                                                        | 24 | 7 | 35 |
| Lots 6 and 7; SW $\frac{1}{4}$ SE $\frac{1}{4}$                                     | 1  | 7 | 35 |
| NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; Lots 1 and 2                                    | 12 | 7 | 36 |
| SW $\frac{1}{4}$                                                                    | 32 | 8 | 36 |
| N $\frac{1}{2}$ NW $\frac{1}{4}$                                                    | 33 | 8 | 36 |
| SW $\frac{1}{4}$                                                                    | 28 | 8 | 38 |
| S $\frac{1}{2}$ SE $\frac{1}{4}$                                                    | 17 | 7 | 36 |
| N $\frac{1}{2}$ NE $\frac{1}{4}$                                                    | 20 | 7 | 36 |
| Lots 3 and 4                                                                        | 12 | 7 | 35 |
| SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; SE $\frac{1}{4}$ SW $\frac{1}{4}$               | 8  | 7 | 36 |
| NE $\frac{1}{4}$                                                                    | 30 | 7 | 36 |
| W $\frac{1}{2}$ NE $\frac{1}{4}$ ; NE $\frac{1}{4}$ NE $\frac{1}{4}$                | 18 | 7 | 36 |
| NW $\frac{1}{4}$ NW $\frac{1}{4}$                                                   | 17 | 7 | 36 |
| E $\frac{1}{2}$ NE $\frac{1}{4}$ ; NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Lot 2        | 18 | 7 | 36 |
| N $\frac{1}{2}$ SE $\frac{1}{4}$ ; SE $\frac{1}{4}$ NE $\frac{1}{4}$                | 18 | 7 | 36 |
| SW $\frac{1}{4}$ NE $\frac{1}{4}$                                                   | 17 | 7 | 36 |
| NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17, and SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 20 | 7 | 36 |
| SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, and SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 13 | 7 | 35 |
| NW $\frac{1}{4}$ NW $\frac{1}{4}$                                                   | 21 | 7 | 36 |

(continued)

Wood Livestock Company,  
a corporation

(continued)

|                                                                                                                       |    |   |    |
|-----------------------------------------------------------------------------------------------------------------------|----|---|----|
| Lot 1 Section 7, and Lot 3                                                                                            | 18 | 7 | 36 |
| W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 6, and NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 7  | 7 | 36 |
| SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; and Lots 2 and 3                                                                  | 7  | 7 | 36 |
| NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; SE $\frac{1}{4}$ NE $\frac{1}{4}$                                                 | 19 | 7 | 36 |
| S $\frac{1}{2}$ SE $\frac{1}{4}$                                                                                      | 7  | 7 | 36 |
| SE $\frac{1}{4}$                                                                                                      | 29 | 8 | 36 |
| N $\frac{1}{2}$ NE $\frac{1}{4}$ ; SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; SE $\frac{1}{4}$ NW $\frac{1}{4}$              | 32 | 8 | 36 |
| SE $\frac{1}{4}$ SW $\frac{1}{4}$                                                                                     | 29 | 8 | 36 |
| N $\frac{1}{2}$ NW $\frac{1}{4}$                                                                                      | 32 | 8 | 36 |
| NE $\frac{1}{4}$ NE $\frac{1}{4}$                                                                                     | 31 | 8 | 36 |

No. 143

WR5809NP  
No. 31-00281

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 04/26/00  
PAGE: 8

| OWNER<br>CODE    | NAME & ADDRESS     | PRIORITY<br>DATE | WATER USE                            | USE PERIOD<br>FROM TO                     | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|--------------------|------------------|--------------------------------------|-------------------------------------------|-------------------|---------------------|
| C                | WOOD LIVESTOCK CO. | 07/30/1903       | IRRIGATION<br>STOCKWATER<br>DOMESTIC | 05/01 09/01<br>00/00 00/00<br>00/00 00/00 | 2.460 CFS         |                     |
| TOTAL DIVERSION: |                    |                  |                                      |                                           | 2.460 CFS         |                     |

Water Source: CAMAS CREEK

Tributary to: MUD LAKE

Stage: DECREED

Place of use Legal Description for: IRRIGATION

|     |        | NE |      |      |    | NW |      |      |      | SW |    |      |      | SE |      |    |    |      |
|-----|--------|----|------|------|----|----|------|------|------|----|----|------|------|----|------|----|----|------|
| T   | R S    | Lt | Ac   | Lt   | Ac | Lt | Ac   | Lt   | Ac   | Lt | Ac | Lt   | Ac   | Lt | Ac   | Lt | Ac | SUM  |
| 07N | 35E 1  | :  |      |      |    | :  |      |      |      | :  |    |      |      | :  |      |    |    |      |
| 07N | 35E 12 | :  | 01-I |      | I  | :  |      |      |      | :  |    |      |      | :  | 06-I |    | I  | 07-I |
| 07N | 35E 13 | :  |      |      |    | :  |      |      |      | :  |    |      |      | :  | 03-I |    |    | 04-I |
| 07N | 35E 24 | :  | 01-I |      |    | :  |      |      |      | :  |    |      |      | :  | 03-I |    | I  | 04-I |
| 07N | 36E 5  | :  |      |      |    | :  | 03-I | 04-I |      | :  | I  |      |      | :  |      |    |    |      |
| 07N | 36E 6  | :  | 01-I | 02-I |    | :  |      |      |      | :  | I  | 06-I | 07-I | :  |      | I  | I  |      |
| 07N | 36E 7  | :  |      |      | I  | :  | I    | 01-I | 02-I | :  |    | 03-I |      | :  |      |    | I  |      |
| 07N | 36E 8  | :  |      |      |    | :  |      |      |      | :  |    |      |      | :  |      |    | I  |      |
| 07N | 36E 16 | :  |      |      |    | :  |      |      |      | :  | I  | I    | I    | :  |      |    |    |      |
| 07N | 36E 17 | :  |      |      |    | :  |      | I    | I    | :  |    |      |      | :  | I    |    | I  |      |
| 07N | 36E 18 | :  | I    | I    |    | :  |      |      | 02-I | :  | I  | 03-I | 04-I | :  | I    | I  |    |      |
| 07N | 36E 19 | :  |      |      | I  | :  | I    | 01-I | 02-I | :  | I  | 03-I | 04-I | :  | I    | I  | I  |      |
| 07N | 36E 20 | :  | I    | I    |    | :  | I    | I    |      | :  |    |      |      | :  |      |    |    |      |
| 07N | 36E 21 | :  |      |      |    | :  |      | I    |      | :  |    |      |      | :  |      |    |    |      |
| 07N | 36E 30 | :  | I    | I    |    | :  | I    | 01-I | 02-I | :  | I  | 03-I | 04-I | :  |      |    |    |      |
| 08N | 36E 28 | :  |      |      |    | :  |      |      |      | :  | I  | I    | I    | :  |      |    |    |      |
| 08N | 36E 29 | :  |      |      |    | :  |      |      |      | :  |    |      |      | :  | I    | I  | I  |      |
| 08N | 36E 31 | :  | I    |      |    | :  |      |      |      | :  |    |      |      | :  |      |    |    |      |
| 08N | 36E 32 | :  | I    | I    |    | :  | I    | I    |      | :  | I  | I    | I    | :  |      |    |    |      |
| 08N | 36E 33 | :  |      |      |    | :  | I    | I    |      | :  |    |      |      | :  |      |    |    |      |

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: JEFFERSON

Other Water Rights Listing Overlapping Place(s) of use:

|          |          |          |          |           |          |          |          |           |           |
|----------|----------|----------|----------|-----------|----------|----------|----------|-----------|-----------|
| 31-00066 | 31-00067 | 31-00068 | 31-00069 | 31-00269  | 31-00270 | 31-00271 | 31-00272 | 31-00273  | 31-00274  |
| 31-00275 | 31-00276 | 31-00277 | 31-00278 | 31-00279  | 31-00280 | 31-00282 | 31-00283 | 31-00284  | 31-02008  |
| 31-02026 | 31-02035 | 31-02250 | 31-02322 | 31-023358 | 31-02350 | 31-02362 | 31-02363 | 31-07015C | 31-070378 |

Remarks: GEN DECREE INCORRECTLY DESCRIBES P/U S33, T8N, R36E AS S33, T8N R26E.

WR5809NP  
No. 31-00281

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 04/26/00  
PAGE: 9

Remarks: P/D APPROX. S6, T7N, R36E.

|        |                 |                    |            |
|--------|-----------------|--------------------|------------|
| Dates: | App. Received:  | Priority Date:     | 07/30/1903 |
|        | Proof Due Date: | Proof Made Date:   |            |
|        | Exam Made Date: | Exam Sent to S.O.: |            |
|        | Licensed Date:  |                    |            |

Misc: Water District Number: 31 Field Exam Fee:

Audit: 07/23/85 05/22/88 CONVERT 06/27/88 CURTIS 02/06/98 CLEARFLD

*eastern*

Evidence in Support of Beneficial Use Claims  
Of United States Fish & Wildlife Service

The following declarations are submitted in support of the beneficial use claims made by the U.S. Fish & Wildlife Service. Each declaration provides evidence regarding one or more claims, as shown in the cross-referencing index below. In addition, for each applicable claim, the last page of the claim refers to the declaration that supports it. In accord with IDWR practice and instructions, declarations have not been provided for small domestic and stockwater claims or for claims supported by a license.

Index of Fish & Wildlife Service Declarations

| <u>No.</u> | <u>Declarant</u>    | <u>Sub-basin<br/>(report area)</u> | <u>Refuge</u> | <u>Beneficial-Use<br/>Claim No. or Title</u> |
|------------|---------------------|------------------------------------|---------------|----------------------------------------------|
| 1.         | Martha K. Collins   | 43 (07)                            | Minidoka      | a. Raft River                                |
|            |                     | 35 (05)                            | Minidoka      | b. Gifford Spring                            |
|            |                     | 35 (05)                            | Minidoka      | c. Gifford Spring<br>& assoc. seeps          |
|            |                     | 35 (05)                            | Minidoka      | d. Unnamed Seeps--<br>Gifford Slough         |
| 2.         | Ronald R. Thomasson | 35 (05)                            | Minidoka      | a. Gifford Spring                            |
| 3.         | Michael N. Fisher   | 25 (14)                            | Grays Lake    | a. 25-4032                                   |
|            |                     |                                    |               | b. 25-4032                                   |
|            |                     |                                    |               | c. 25-4034                                   |
|            |                     |                                    |               | d. 25-4046                                   |
|            |                     |                                    |               | e. Eagle Creek                               |
|            |                     |                                    |               | f. Hdqtrs Pond                               |
| 4.         | Gerald L. Deutscher | 31 (08)                            | Camas         | a. Well No. 1                                |
|            |                     |                                    |               | b. Well No. 2                                |
|            |                     |                                    |               | c. Well No. 3                                |
|            |                     |                                    |               | d. Well Nos 4,<br>5 & 6.                     |
|            |                     |                                    |               | e. 31-4014<br>(Well 9)                       |
|            |                     |                                    |               | f. 31-4066                                   |
| 5.         | Kevin Ryan          | 63 (13)                            | Deer Flat     | a. 63-5404                                   |

*Declaration Filed w/31-04066*

MICROFILMED  
NOV 14 1996