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Documents
In File

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: A65-02379

Date Received: 11-2-89

Receipt No: X99999

Received By: RAJ

hat

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SQUAW CREEK DITCH CO. 208-584-3311
Address: C/O ALVIN MOSES
8975 SWEET OLA HWY
SWEET, ID 83670

2. Date of Priority: MAY 08, 1934

3. Source: SQUAW CREEK Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	01E	15	SE	SW			GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	7.660		
STOCKWATER	01/01	12/31	0.090		

7. Total Quantity Appropriated is:

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

8. Total consumptive use is 4644.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	01E	2	NW	NW		IRR	2.0
			SW	NW		IRR	20.0

A65-02379

Page 1

Date: 10/24/89

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MICROFILMED

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	01E	2	NW	SW		IRR	18.0
			SW	SW		IRR	14.0
			Section Acres				54.0
		3			1	IRR	38.0
					2	IRR	39.0
					3	IRR	13.0
			SW	NE		IRR	39.0
			SE	NE		IRR	39.0
			SW	NW		IRR	1.0
			SE	NW		IRR	28.0
			NE	SW		IRR	29.0
			NW	SW		IRR	24.0
			SW	SW		IRR	25.0
			SE	SW		IRR	38.0
			NE	SE		IRR	38.0
			NW	SE		IRR	39.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				470.0
		10	NE	NE		IRR	35.0
			NW	NE		IRR	38.0
			SW	NE		IRR	23.0
			NE	NW		IRR	40.0
			NW	NW		IRR	36.0
			SW	NW		IRR	27.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	37.0
			SW	SW		IRR	23.0
			SE	SW		IRR	30.0
			NW	SE		IRR	6.0
			SW	SE		IRR	7.0
			Section Acres				382.0
		11	NW	NW		IRR	4.0
			Section Acres				4.0
08N	01E	22	NE	NW		IRR	4.0
			SE	NW		IRR	2.0
			Section Acres				6.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08N	01E	27	SW		NW		IRR	12.0
			SE		NW		IRR	8.0
			NE		SW		IRR	8.0
			NW		SW		IRR	15.0
			SW		SW		IRR	21.0
			SE		SW		IRR	17.0
							Section Acres	81.0
		34	NE		NE		IRR	7.0
			NW		NE		IRR	19.0
			SW		NE		IRR	15.0
			SE		NE		IRR	36.0
			NE		NW		IRR	38.0
			NW		NW		IRR	18.0
			SE		NW		IRR	24.0
			NE		SW		IRR	16.0
			SE		SW		IRR	3.0
			NE		SE		IRR	36.0
			NW		SE		IRR	31.0
			SW		SE		IRR	36.0
			SE		SE		IRR	32.0
							Section Acres	311.0
		35	SW		NW		IRR	3.0
			NW		SW		IRR	14.0
			SW		SW		IRR	2.0
							Section Acres	19.0
							Total Acres	1327.0

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A65-03043, A65-03044

14. Remarks:
PLACE OF USE WITHIN LANDS OF SQUAW CREEK DITCH COMPANY.

15. Basis of Claim: DECREED

Case Number:
Court :
Decree date:

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

Decree Defendant

vs

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 Chairman of _____

Title

Squaw Creek Ditch Co., that I have signed the foregoing

Organization

document in the space below as Chairman of _____

Title

Squaw Ck. Ditch Co. and that the statements contained in the

Organization

foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Chairman,
Squaw Ck. Ditch Co.
Title and Organization

11-2-89

Date

State of Idaho)

County of Ada)

SS.

Subscribed and sworn (or affirmed) before me this 2nd day

of November 19 89

[Signature]
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho

My Commission Expires December 1, 1994

RECEIVED

JAN 24 2002

WATER RESOURCES
WESTERN 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)

A. Subcase 65-2379

(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100

Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234

Daytime Phone: (208) 678-0461 (Dala Walton)

Name & Address of Attorney, if any:

David W. Gehlert (303 312-7352)

Trial Attorney, General Litigation Section

Environment and Natural Resource Division

U.S. Department of Justice

999 18th Street, Suite N 945

Denver, CO 80202

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

Name: Squaw Creek Ditch Co. c/o Alvin Moses

Address: 8975 Sweet Ola Hwy
Sweet, ID 83670

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AUG 21 2003

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

- ☒ **General Provision Basin 65 Irrigation & Other Part III (3) Separate Streams**
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:
 11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

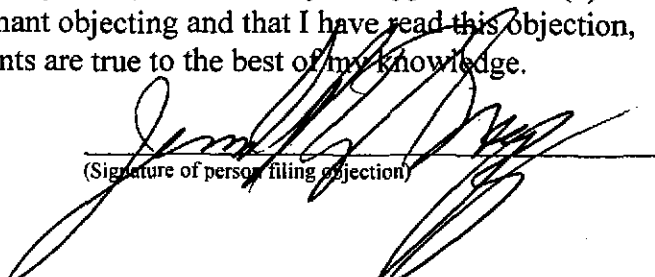
The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part III. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

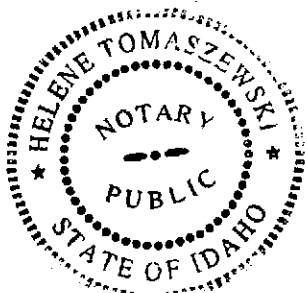
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

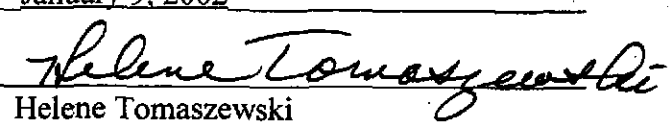

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 9, 2002




Helene Tomaszewski
Notary Public for: Idaho
Residing at: Meridian
My Commission Expires: 01-16-2002

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 17, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Name: Squaw Creek Ditch Co. c/o Alvin Moses

Address: 8975 Sweet Ola Hwy
Sweet, ID 83670

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724


Signature of Objector or attorney mailing on Objector's behalf

10/16/2000

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

RIGHT NUMBER: 65-2379

NAME AND ADDRESS: SQUAW CREEK DITCH CO
C/O ALVIN MOSES
8975 SWEET OLA HWY
SWEET, ID 83670

SOURCE: SQUAW CREEK TRIBUTARY: Payette River

QUANTITY: 7.75 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 28.94
CFS. FOR IRRIGATION. COMBINED RIGHT NOS.: 65-3043 & 65-
3044.

PRIORITY DATE: 05/08/1934

POINT OF DIVERSION: T08N R01E S15 SESW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01-01 12-31	0.09 CFS
IRRIGATION	04-01 11-01	7.66 CFS

PLACE OF USE:

THE PLACE OF USE IS WITHIN THE BOUNDARIES OF THE
SQUAW CREEK DITCH COMPANY.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
1327 ACRES IN A SINGLE IRRIGATION SEASON WITHIN THE
BOUNDARIES OF THE SQUAW CREEK DITCH COMPANY.
COMBINED RIGHT NOS.: 65-3043 & 65-3044.

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

SCANNED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:08:46
12/09/99
218

PAGE: 28
PROFILE REPORT

CLAIM NUMBER: A65-02379

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SQUAW CREEK DITCH CO	05/08/1934	IRRIGATION STOCKWATER	04-01 11-01 01-01 12-31	7.660 CFS 0.090 CFS	
					TOTAL DIVERSION:	7.660 CFS
					CONSUMPTIVE USE:	4644.50 AFA

Water Source: SQUAW CREEK

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion:

T08N R01E S15

SESW

GEM County

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	01E	2	:							02	20				18	14				:	54.0		
07N	01E	3	:							01	28			29	24	25	38		38	39	40	40	380.0
07N	01E	10	:	35	38	23			40	36	27	40		40	37	23	30			06	07		382.0
07N	01E	11	:							04													4.0
08N	01E	22	:						04		02												6.0
08N	01E	27	:							12	08			08	15	21	17						81.0
08N	01E	34	:	07	19	15	36		38	18	24			16		03		36	31	36	32		311.0
08N	01E	35	:							03					14	02							19.0
																				TOTAL ACRES	1327.0		

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

Lots Without 1/4 1/4 Description: IRRIGATION

07N	01E	3	:	01-38	02-39	03-13																SUM
																				90.0		

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

POU County: GEM

Other Rights: A65-03043, A65-03044

Remarks: GEN PLACE OF USE WITHIN LANDS OF SQUAW CREEK DITCH COMPANY.

Dates: Exam Made Date: Verified Date: 12/31/1984 Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

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WR5809NP
No. 65-02379

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/08/99
PAGE: 13

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SQUAW CREEK DITCH CO. P.O. BOX 15 SWEET ID 83670	05/08/1934	IRRIGATION STOCKWATER	04/01 11/01 01/01 12/31	7.660 CFS 0.090 CFS	5.40 AFA
TOTAL DIVERSION:					7.750 CFS	5.40 AFA

Water Source: SQUAW CREEK Tributary to: Stage: DECREED
Point(s) of Diversion: T08N R01E S15 SESW GEM County
Pou County:

Remarks: GEN PLACE OF USE WITHIN LANDS OF SQUAW CREEK DITCH COMPANY.
SEE RIGHT 65-3043.

Dates: App. Received: Priority Date: 05/08/1934
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

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AUG 21 2003

A65-2379

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

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INDICATES TOTAL

SOURCE: SQUAW CREEK

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-3084	SHULTZ, LOIS L. 2038 EAST LINDEN STREET, CALDWELL, IDAHO 83605	10/17/1919	IRRIGATION	4/ 1 11/ 1	--- AFA .14 CFS	SWNE S11 T12N R 1E	NWSE(2) SWSE(5) S11 T12N R 1E *7*	DECREE
65-3007	GOODWIN FARMS INC. BOX 15, SWEET, IDAHO 83670	4/ 1/1920	IRRIGATION	4/ 1 11/ 1	--- AFA .99 CFS	SENE S27 T 8N R 1E	NWNE(1) SWNE(14) NENE(10) NWSE(15) S 9 T 7N R 1E *40*	DECREE
65-0215	DOLPHIN RANCH ULA, IDAHO 83657	5/29/1927	IRRIGATION	4/ 1 11/ 1	--- AFA .10 CFS	NENE S15 T11N R 1E	NENE(5) S15 T11N R 1E *5*	BENEFICIAL USE
65-11169	GLENH, ASA ULA, IDAHO 83657	5/29/1927	IRRIGATION	4/ 1 11/ 1	--- AFA .26 CFS	NWSW S13 T10N R 1E	SENE(13) S26 T10N R 1E *13*	BENEFICIAL USE
65-11256	NESBITT, HOMER ULA, IDAHO 83657 REMARKS: SOURCES FOR THIS RIGHT ARE VAUGHAN GULCH & SQUAW CREEK.	5/29/1927	IRRIGATION	4/ 1 11/ 1	--- AFA .26 CFS	LOT 4 S 2 T11N R 1E NENE S 2 T11N R 1E	NWSW(2) S 2 T11N R 1E SENE(11) S10 T11N R 1E *13*	BENEFICIAL USE
65-0393	VAHLBERG, RONALD N. & VAHLBERG, AUDREY M. ROUTE #3 BOX 155, EMMETT, IDAHO 83617	5/29/1927	IRRIGATION	4/ 1 11/ 1	--- AFA .10 CFS	SWSE S22 T 8N R 1E	SWSE(5) S22 T 8N R 1E *5*	BENEFICIAL USE
65-3447	SMITH, DALE H. & SMITH, DORA H. ROUTE 1, SWEET, IDAHO 83670	4/15/1933	IRRIGATION	4/ 1 11/ 1	--- AFA .44 CFS	SWNW S27 T 8N R 1E	NENE(6) SESE(6) S33 T 8N R 1E NNNW(10) S34 T 8N R 1E *22*	BENEFICIAL USE
65-2379	SQUAW CREEK DITCH COMPANY BOX 15, SWEET, IDAHO 83670 REMARKS: PLACE OF USE WITHIN LANDS OF SQUAW CREEK DITCH COMPANY. SEE RIGHT 65-3043.	5/ 8/1934	IRRIGATION	4/ 1 11/ 1	--- AFA 7.66 CFS	SESW S15 T 8N R 1E	*1105*	LICENSE
			STOCKWATER	1/ 1 12/31	5.40 AFA .09 CFS *---AFA *7.75+CFS		SAME AS OTHER USE	
65-0422	DAVIS, DELBERT ROUTE #1, EMMETT, IDAHO 83617	4/ 1/1947	IRRIGATION	4/ 1 11/ 1	--- AFA .06 CFS	NESE S10 T11N R 1E	NESE(3) S10 T11N R 1E *3*	BENEFICIAL USE
65-10448	CARLUCK, CARROLL C CARLUCK, JANET ULA, IDAHO 83657	10/ 1/1950	IRRIGATION	4/ 1 11/ 1	--- AFA .14 CFS	NWSW S12 T10N R 3E	NWSW(7) S35 T10N R 1E *7*	BENEFICIAL USE

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 8, 1999

Squaw Creek Ditch Company
P.O. Box 15
Sweet, ID 83670

RE: Snake River Basin Adjudication (SRBA)
Water Delivery System Boundaries and/or Service Area

The purpose of this letter is to ask for your assistance in helping IDWR identify the boundaries and/or the service area of your water delivery system. This is the initial phase for identifying water delivery systems for the Snake River Basin Adjudication. Any information you can provide us showing your boundaries and/or service area will be appreciated. The preferable method for presenting this information would be to draw outlines of the boundary and service on some form of a chart or map.

Please submit your service area boundary information within 30 days.

Thank you for your assistance. If you have any questions or concerns, please contact me at 1/800-451-4129.

Sincerely,

Erik Norquest
Sr. Water Resources Agent
Adjudication Technical Bureau

EN:ss:region

A65-02379
03043
03044

SCANNED

AUG 21 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

January 19, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Alvin Moses
Squaw Creek Ditch Co.
P.O. Box 15
Sweet, ID 83670

RE: Snake River Basin Adjudication (SRBA)
Water Delivery System Boundaries and/or Service Area

Enclosed please find the boundary and/or service area IDWR has on file for your water delivery system. This is the initial phase for identifying water delivery systems for the Snake River Basin Adjudication. Any additional information you can provide us showing your boundaries and/or service area will be appreciated. The preferable method for presenting this information would be to modify the outlines of the boundary and/or service area we have enclosed, and return a copy to us.

Please return your modified boundary and/or service area information within 30 days.

Thank you for your assistance. If you have any questions or concerns, please contact me at 1/800-451-4129.

Sincerely,

Erik Norquest
Sr. Water Resources Agent
Adjudication Technical Section

EN:ss:region
Enclosures

SCANNED

AUG 21 2003