

IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R03E, S21



1987 NAPP PHOTO

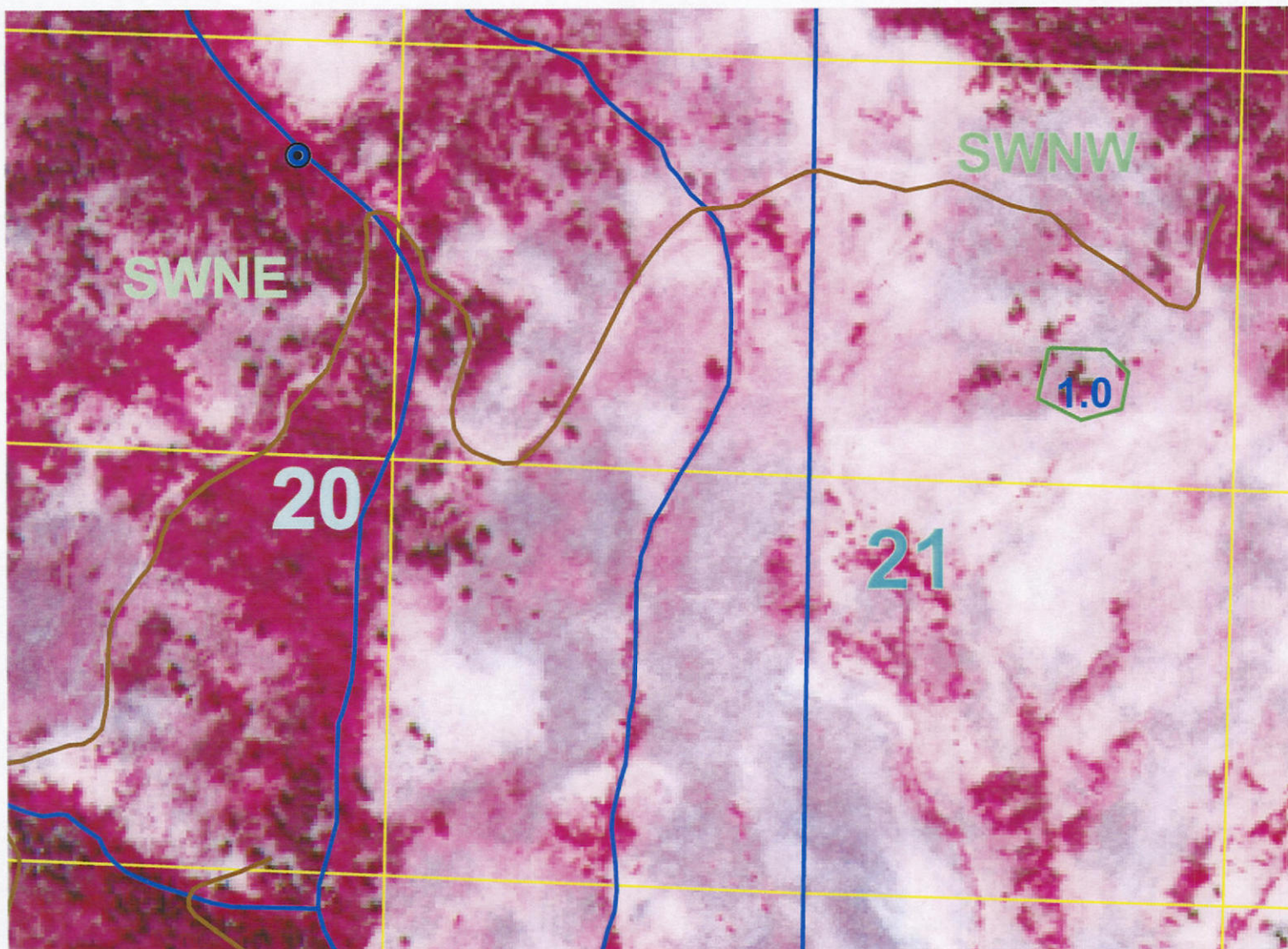
-  POINT OF DIVERSION
-  PLACE OF USE
-  1/4 1/4 LINES
-  SECTION LINES
- 6 ACRES
- 6 SECTION NUMBERS

CLAIM(S): 65-02886D

OWNER(S): DENKE

Prepared by Mel Schulte

DATE: JULY 23, 1999

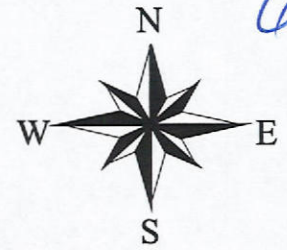


0 0.25 0.5 0.75 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R03E, S21



66b

1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

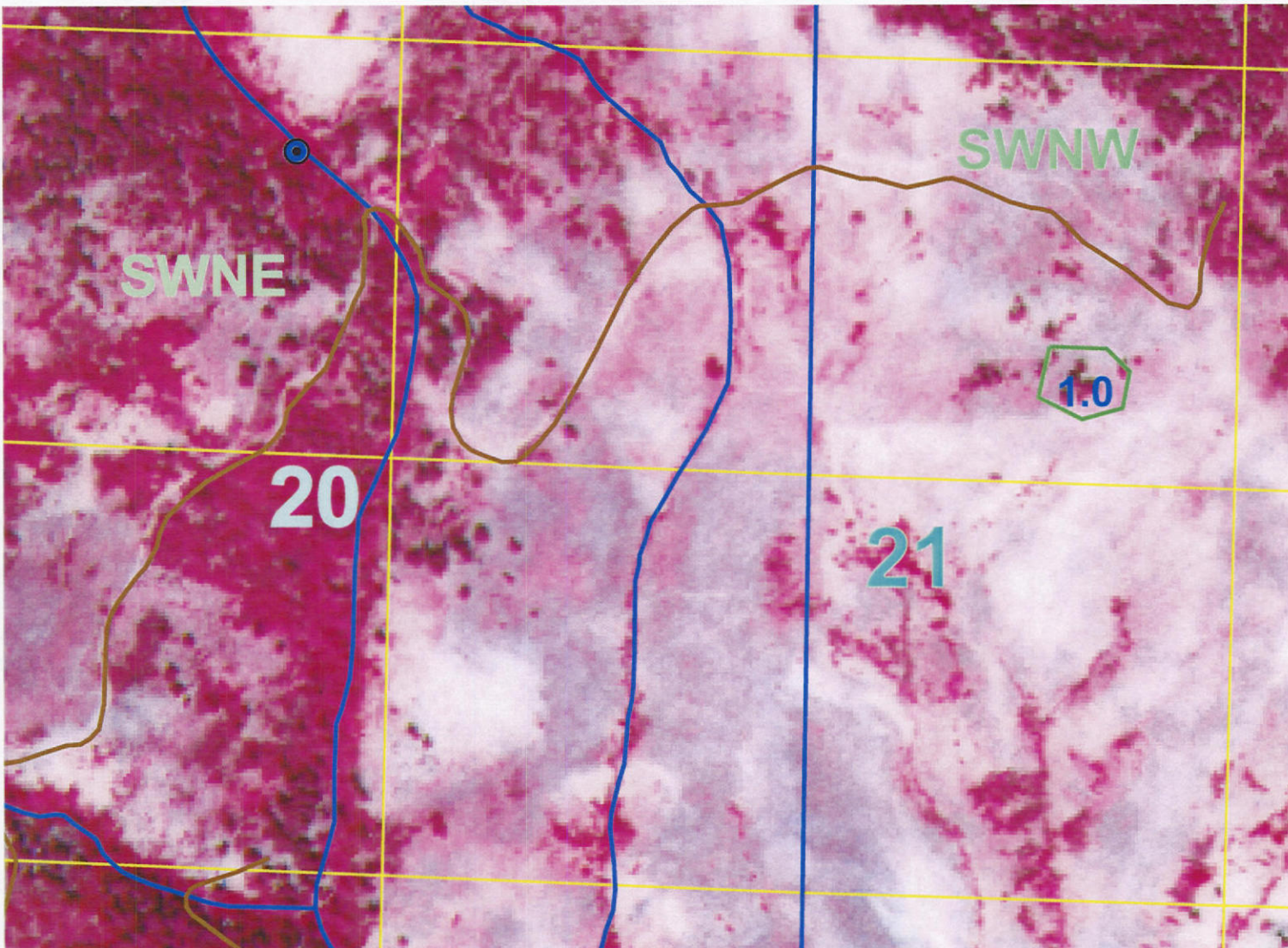
6 SECTION NUMBERS

CLAIM(S): 65-02886D

OWNER(S): DENKE

Prepared by Mel Schulte

DATE: JULY 23, 1999



0 0.25 0.5 0.75 Miles

5c

S20

S21

R3E

CLAIM 465-028867 INIT
T. R. S. Q/Q
P/D 9N 3E 20 SWNE
SCALE
PHOTO ID ASCS DATE 1961

SENE

Dunka

Jones

Tac

Jones
Sac

Jones

SWNE

Jones
Tac

Shaw

NWSW

Wase

No map
tree

Phillips
Creek

20

28

day

Lange
0350
NWNE

Lange

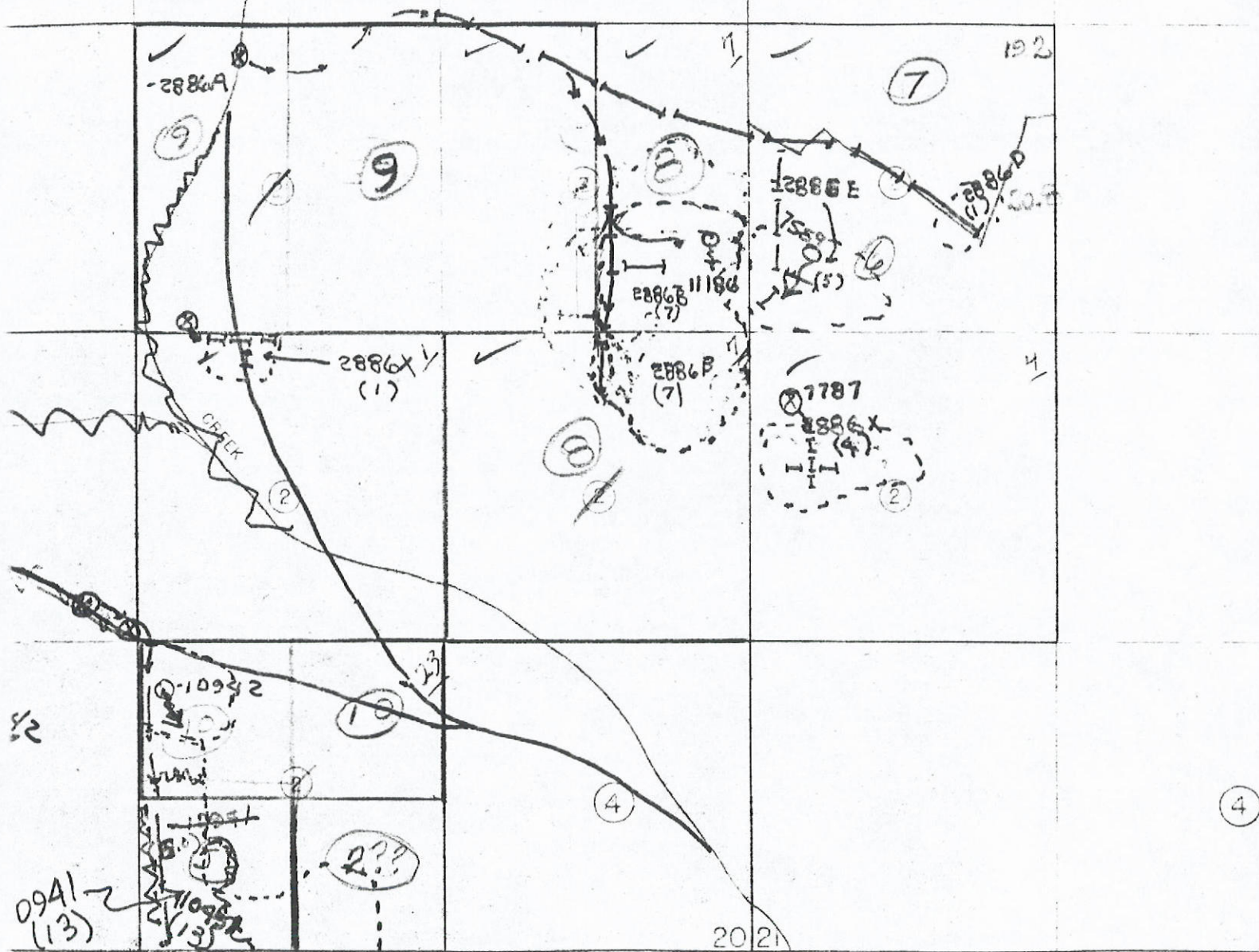
3900

Dovel
Tac

3997

2209
JUNE

6d



Hurd

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: A65-02886D
Date Received: 2/14/1989
Receipt No: X999999
Received By: CF

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK D. DENKE 208-467-4913
Address: 619 NORTH MC DERMOTT ROAD
NAMPA, ID 83687
OR
Name: IRENE E. DENKE 208-467-4913
Address: 619 NORTH MC DERMOTT ROAD
NAMPA, ID 83687
2. Date of Priority: DEC 16, 1966
3. Source: PHILLIPS CREEK Trib. to: PAYETTE RIVER, NORTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	03E	20	SW	NE			BOISE
5. Description of diverting works:
DIVERSION FROM CREEK INTO PIPELINE
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.020		
7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 2.5 Acre Feet Per Annum.
9. Non-irrigation uses:

A65-02886D

Page 1

Date: 02/14/89

MICROFILMED

SEP 21 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	03E	21	SW	NW		IRR	1.0
Section Acres							1.0
Total Acres							1.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
65-07575

14. Remarks:

15. Basis of Claim: LICENSE

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: -0-

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Frank D. Denke Date: 2/14/89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of February 19 89 Carter Fritschle
Notary Public

Seal

Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED



NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

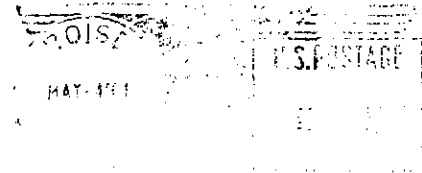
FRANK D DENKE

65-2886D

IRENE E DENKE
619 N MC DERMOTT RD
NAMPA, ID 83687

65-2886D

Handwritten signature

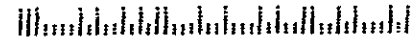


RECEIVED

MAY 07 2001

WATER RESOURCES
WESTERN REGION

4UM5 83705/5082





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

~~RETURN TO SENDER~~
RECEIVED

DEC 16 1999

Department of Water Resources

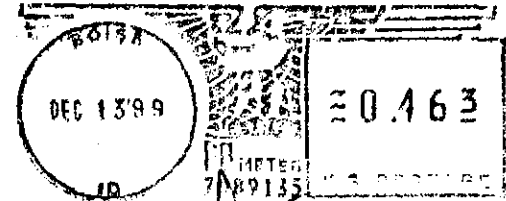
IMPORTANT WATER RIGHT INFORMATION

65-02886D
FRANK D DENKE
IRENE E DENKE
619 N MC DERMOTT RD
NAMPA ID 83687

RETURN SERVICE
REQUESTED

UNDELIVERABLE
AS ADDRESSED
FORWARDING
ORDER EXPIRED

REGISTERED
FIRST CLASS



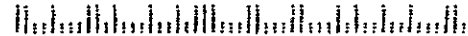
UAA
~~RECEIVED~~

RECEIVED

DEC 21 1999

WATER RESOURCES
WESTERN REGION

AUTO ~~83720/0098~~





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

December 8, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

65-02886D
FRANK D DENKE
IRENE E DENKE
619 N MC DERMOTT RD
NAMPA ID 83687

RE: Water Rights in Reporting Area 15, Basin 65
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right(s) in part 1 of basin 65 (the North Fork of the Payette River drainage area). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area. Water rights for nearly all domestic and/or stockwater rights were recommended separately in an earlier report, and most of those now have been decreed by the SRBA Court.

Note you have 120 days in which to review the water rights of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouses in Cascade, Idaho City, Emmett, Payette, and Weiser, and at all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed early next year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-02886D

NAME AND ADDRESS: FRANK D DENKE
IRENE E DENKE
619 N MC DERMOTT RD
NAMPA ID 83687

SOURCE: PHILLIPS CREEK TRIBUTARY: PAYETTE RIVER, NORTH FORK

QUANTITY: 0.02 CFS

PRIORITY-DATE: 12/16/1966

POINT OF DIVERSION T09N R03E S20 SWNE Within BOISE County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 11-01	0.02 CFS

PLACE OF USE: IRRIGATION Within BOISE County
T09N R03E S21 SWNW 1
1 ACRES TOTAL

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

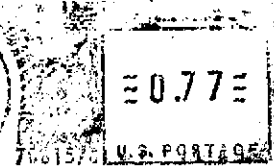
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-02886E, 65-02886A, 65-02886B AND
65-02886G.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705



ADDRESS SERVICE
REQUESTED



RECEIVED

OCT 01 1999

WATER RESOURCES
WESTERN REGION

UAA

65-02886 D

FRANK D DENKE
IRENE E DENKE
619 N MC LEPMOTT RD
NAMPA ID 83687

0



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

September 29, 1999

Dear Water Right Claimant(s):

The Idaho Department of Water Resources (IDWR) has completed its initial investigation of your water right claim(s) in the Snake River Basin Adjudication (SRBA). We have enclosed a print-out showing our preliminary recommendation regarding how your water right should be reported to the SRBA District Court.

Please review the preliminary recommendation carefully. If there is any information on the print-out you believe is inaccurate, please fill out the enclosed reply indicating what changes you believe should be made. Further instructions to assist you with the review are enclosed. For water rights with an irrigation water use, a Geographic Information System (GIS) computerized image of the place of use for your water right is also enclosed.

You may return this reply in person to us at a public meeting IDWR will be conducting in your area. **The meeting will be held on Wednesday, October 13, 1999, at 7:00 p.m. in the Senior Citizen Center, 409 School Road, Cascade.** Please come to the public meeting, where you will have an opportunity to find out more about the SRBA process and speak with a department staff member should you have questions regarding your water right. Please bring any and all information you have which will help the Department understand your water rights and describe them accurately.

This process is intended to ensure IDWR recommends your water right accurately to the SRBA District Court. This is the easiest and least costly means for you to identify corrections you believe should be made to our recommendation. Completion of this process is an important step toward the overall success of the adjudication in Idaho. Your participation is necessary so that accurate information is provided to the SRBA District Court.

We look forward to hearing from you.

Sincerely,

Karl J. Dreher
Director

Enclosures

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



(208) 736-3011
FAX (208) 736-2121

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

Dear Water Right Claimant:

To help you with your water right claim(s) in the Snake River Basin Adjudication, this letter of explanation is being sent to you along with information sent by the Idaho Department of Water Resources (IDWR). Included are the following important documents which I ask you to please read carefully because they give you the opportunity to save a great deal of time and money:

1. **Preliminary Recommendation.** This is IDWR's *initial* finding and conclusion about your water right and how it should be reported to the SRBA Court. This preliminary recommendation is not filed with the court, but is provided to you to help correct errors or resolve any disagreement you may have over its content. This document has been prepared following IDWR's investigation and may be different than the claim(s) you actually filed.

Therefore, please review this preliminary recommendation carefully to find any errors or disagreements you have with IDWR's findings.

2. **Error Correction/Settlement Process.** This preliminary recommendation is a special service provided to you by IDWR to help you correct errors and resolve any other disagreement you have before the actual recommendations are ultimately filed with the court.

A description of how to work with IDWR is included. Our experience in the SRBA shows that by working in cooperation with IDWR most errors and differences can be addressed before coming into court. It's well worth your time to take full advantage of IDWR's helpful service. If your disagreement cannot be resolved, you will be able to file an objection to IDWR's actual recommendation when it is filed in court and have the final decision made by the Presiding Judge.

This error correction service is an important opportunity for you to work together with IDWR to make sure your water right claim(s) are decreed accurately. There is no cost to you other than your time reviewing the preliminary recommendation and talking to IDWR about any problem you see. Of course, you may always employ the services of an attorney if you wish.

The goal of the SRBA is to see that your water right(s) are decreed by the court as accurately and fairly as possible. It is important to me that this is done efficiently in order to reduce your costs and present you with your decree.

I strongly encourage you to take full advantage of this opportunity to use the fine and courteous service provided by IDWR.

Sincerely yours,

Barry Wood

Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

RIGHT NUMBER: 65-02886DNAME AND ADDRESS: FRANK D DENKE
IRENE E DENKE
619 N MC DERMOTT RD
NAMPA ID 83687

SOURCE: PHILLIPS CREEK TRIBUTARY: PAYETTE RIVER, NORTH FORK

QUANTITY: 0.02 CFS

PRIORITY-DATE: 12/16/1966

POINT OF DIVERSION T09N R03E S20 SWNE Within BOISE County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 11-01	0.02 CFS

PLACE OF USE: IRRIGATION Within BOISE County
T09N R03E S21 SWNW 1
1 ACRES TOTAL

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

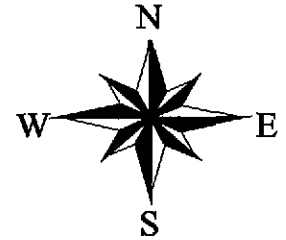
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-02886E, 65-02886A, 65-02886B AND
65-02886G.

IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R03E, S21



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-02886D

OWNER(S): DENKE

Prepared by Mel Schulte

DATE: JULY 23, 1999

20

21

SWNW

0.75 Miles

0.5

0.25

0

AJ0749NP
No. R65-02886D

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/23/99
PAGE: 1

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=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE          WATER USE    FROM    TO    RATE      VOLUME
-----
C  FRANK D DENKE    12/16/1966    IRRIGATION    04-01    11-01    0.020 CFS
C  IRENE E DENKE
    619 NORTH MC DERMOTT ROAD
    NAMPA ID 83687
    (208) 467-4913
                                TOTAL DIVERSION:    0.020 CFS

Water Source:  PHILLIPS CREEK          Tributary to:  PAYETTE RIVER, NORTH FORK          Stage:  LICENSE

Point(s) of Diversion:    T09N R03E S20          SWNE          BOISE County

Place of use Legal Description for:  IRRIGATION
      NE              NW              SW              SE
      NENE  NWNE  SWNE  SENE  :  NENW  NWNW  SWNW  SENW  :  NESW  NWSW  SWSW  SESW  :  NESE  NWSE  SWSE  SESE  :
T   R   S  :  Lt Ac Lt Ac Lt Ac Lt Ac  :  Lt Ac Lt Ac Lt Ac Lt Ac  :  Lt Ac Lt Ac Lt Ac Lt Ac  :  Lt Ac Lt Ac Lt Ac Lt Ac  :  SUM
-----
09N 03E 21 :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :  :
                                TOTAL ACRES    1.0

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POU County: BOISE

Remarks: EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-02886E, 65-02886A, 65-02886B AND
65-02886G.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Audit: 07/23/99 MSCHULTE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:02:47
07/12/99
17

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-028860

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																							
C	FRANK D DENKE	12/16/1966	IRRIGATION	04-01 11-01	0.02 CFS																																																																																								
C	IRENE E DENKE																																																																																												
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Water Source: PHILLIPS CREEK		Tributary to: PAYETTE RIVER, NORTH FORK			Stage: LICENSE																																																																																								
Point(s) of Diversion: T09N R03E S20		SWNE			BOISE County																																																																																								
Place of use Legal Description for: IRRIGATION																																																																																													
<table border="0"> <thead> <tr> <th colspan="4">NE</th> <th colspan="4">NW</th> <th colspan="4">SW</th> <th colspan="4">SE</th> <th></th> </tr> <tr> <th>NENE</th> <th>NWNE</th> <th>SWNE</th> <th>SENE</th> <th>NENW</th> <th>NWNW</th> <th>SWNW</th> <th>SENW</th> <th>NESW</th> <th>NWSW</th> <th>SWSW</th> <th>SESW</th> <th>NESE</th> <th>NWSE</th> <th>SWSE</th> <th>SESE</th> <th></th> </tr> <tr> <th>T</th> <th>R</th> <th>S</th> <th>Lt</th> <th>Ac</th> <th>Lt</th> <th>Ac</th> <th>Lt</th> <th>Ac</th> <th>Lt</th> <th>Ac</th> <th>Lt</th> <th>Ac</th> <th>Lt</th> <th>Ac</th> <th>Lt</th> <th>Ac</th> <th>SUM</th> </tr> </thead> <tbody> <tr> <td>09N</td> <td>03E</td> <td>21</td> <td>:</td> <td></td> <td>:</td> <td></td> <td>01</td> <td>:</td> <td></td> <td>:</td> <td></td> <td>:</td> <td></td> <td>:</td> <td></td> <td>:</td> <td>1.0</td> </tr> <tr> <td colspan="16">TOTAL ACRES</td> <td>1.0</td> </tr> </tbody> </table>							NE				NW				SW				SE					NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE		T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	09N	03E	21	:		:		01	:		:		:		:		:	1.0	TOTAL ACRES																1.0
NE				NW				SW				SE																																																																																	
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TOTAL ACRES																1.0																																																																													

POU County: BOISE

Other Rights: 65-07575

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

EXP-FORD

WR5809NP
No. 65-02886D

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/09/99
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FRANK DENKE ROUTE 6, BOX 6337 NAMPA ID 83651	12/16/1966	IRRIGATION	04/01 11/01	0.020 CFS	
TOTAL DIVERSION:					0.020 CFS	

Water Source: PHILLIPS CREEK

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: LICENSE

Point(s) of Diversion: T09N R03E S20 SWNE

GEM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---
09N	03E	21	:					:			01		:					:					:	1.0
TOTAL ACRES																							1.0	

Pou County: GEM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-02886A 65-02886B 65-02886E 65-02886X

Other Water Rights Listing Overlapping Place(s) of use:
65-02886E

Dates:	App. Received:	Priority Date:	12/16/1966
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	06/08/1982	

Misc: Water District Number: 65 Field Exam Fee:

Audit: 06/08/82 04/30/88 CONVERT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:02:13
07/12/99

PAGE: 16
QUICKLOOK INFORMATION

16
CLAIM NUMBER: A65-028860

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			MS 7-23-99 In office	N		MS 7-23-99	MS 7-23-99	
POINT OF DIV				N				
SOURCE				N				
PLACE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME				N				
CONSUMPTIVE USE	-			NA				
PURPOSES OF USE				N				
PERIOD OF USE				N				
BASIS OF CLAIM	Y			N				
REMARKS				Y				

BARCODE UPDATED
WHOM/DATE

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()
(☒) <u>GIS</u>	DATE OF PHOTO <u>1987 7-23-99</u> IDWR ID NO. _____	Y(☒) N() <u>5b</u>
(☒) <u>ASCS</u> AERIAL PHOTO	DATE OF PHOTO <u>1961</u>	Y(☒) N() <u>5c</u>
() 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()
(☒) <u>OTHER GIS table</u>	DATE <u>7-23-99</u>	Y(☒) N() <u>5a</u>
(☒) <u>OTHER PRBA map</u>	DATE _____	Y(☒) N() <u>5d</u>
() 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 <u>6-19-79</u>	<u>3</u>	
(☒) WATER RIGHT LICENSE	DATE LICENSE SIGNED <u>6-29-79</u>	<u>1</u>	
() 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 _____		
(☒) <u>OTHER Page from decree</u>	DATE <u>3-2-79</u>	<u>1</u>	
(☒) <u>OTHER PRBA claim</u>	DATE <u>12-8-78</u>	<u>1</u>	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:02:13
07/12/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-028860

LAST: DENKE FIRST: FRANK D
ADDRESS: 619 NORTH MC DERMOTT ROAD
CITY: NAMPA STATE: ID ZIP: 83687
PHONE NUMBER: 208-467-4913

OWNER CODE: C

LAST: DENKE FIRST: IRENE E
ADDRESS: 619 NORTH MC DERMOTT ROAD
CITY: NAMPA STATE: ID ZIP: 83687
PHONE NUMBER: 208-467-4913

OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER: (____) ____-____
DATE OF FIELD EXAM: ____/____/____ APPOINTMENT MADE: Y(____) N(____) TIME: ____:____ A(____) P(____)
ACCOMPANIED BY: _____ PHONE NUMBER: (____) ____-____
RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

In office exam

A. AJ CLAIM: # A65-028860 PRIORITY DATE: 12-16-1966 STAGE: L

B. WR RECORD: # 65-028860 PRIORITY DATE: 12-16-1966 STAGE: L

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: *This right was filed in the PRBA as a permit, and licensed during the adjudication process. This recommendation is based on the license.*

RECOMMENDED PRIORITY DATE:

12-16-1966

REVIEWED BY

Mel Schulte

DATE

7-23-99

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-02886D	09N	03E	20		SW	NE			BOISE		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-02886A NONE
A65-02886B
A65-02886E
A65-02886G

WR RECORDS IN SAME 40 ACRE TRACT
65-02886A
65-02886B
65-02886E
65-02886X

SOURCE: PHILLIPS CREEK

TRIB: PAYETTE RIVER, NORTH FORK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-02886D	09N	03E	20		SW	NE			GEM		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A65-02886A NONE
A65-02886B
A65-02886E
A65-02886G

65-02886A
65-02886B
65-02886E
65-02886X

SOURCE: PHILLIPS CREEK

TRIB: PAYETTE RIVER, NORTH FORK

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(☒)

1. 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: Recommended as licensed.

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY BOISE	DIVERSION NAME	DIVERSION NBR
09N	03E	20		SW	NE					
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: PHILLIPS CREEK

TRIB: PAYETTE RIVER, NORTH FORK

REVIEWED BY:

Mel Schulte

DATE:

7-23-99

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

A. ROOT WATER RIGHT NUMBERS:	A65-02886D
	A65-02886A
	A65-02886B
	A65-02886E
	A65-02886H
	A65-02886J
	A65-02886F
	A65-02886G

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09N	03E	21	SW	NW		DENKE, FRANK D	A65-02886D /	1.0	65-02886D /	1.0	
			SW	NW		DENKE, FRANK D	A65-07575 /		65-07575 /		
			SW	NW		JONES, MICHAEL	A65-02886E /	5.0	65-02886E /	5.0	
			SW	NW		JONES, MICHAEL	A65-07559 /		65-07559 /		
			SW	NW		JONES, MICHAEL	65-07559 /		- /		
			SW	NW		DENKE, FRANK D	65-07575 /		- /		

ADDITIONAL POU FOUND

TOTAL ACRES	A65-02886D	1.00	1.00
-------------	------------	------	------

POU COUNTY: BOISE

WESTERN REGION

OWNER (S): Denke

CLAIM NUMBERS: A65-02886.D

AGENT: MEL SCHULTE

DATE 7-23-99

[illegible]

POLYGON CREATED ON 330

POLYGON # () () () () UPDATED BY MTS

ATTRIBUTES OF B65-POU.SHP (798) () () () ()

ATTRIBUTES OF B65-POD.SHP (708) () () () ()

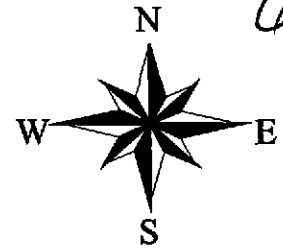
8-16-99 B65-DBFOU.DBF UPDATED BY MTS

8-16-99 B65-DBPOD.DBF UPDATED BY MTS

NOTES :

IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R03E, S21



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-02886D

OWNER(S): DENKE

Prepared by Mel Schulte

DATE: JULY 23, 1999

20

21

0

0.25

0.5

0.75 Miles

5c

S20

S21

R3E

CLAIM A-65-028867 INIT

T. R. S. 212

P/D 9N 3E 20 SW NE

SCALE

PHOTO ID ASCS DATE 1961

SE NE

Dunk

Boyes

70

Jones

Jones

RSC

Wase

SW NW

NW SW

NW SW

No more
trees

Phillips
Creek

day

Longe Trust
059
NW NE

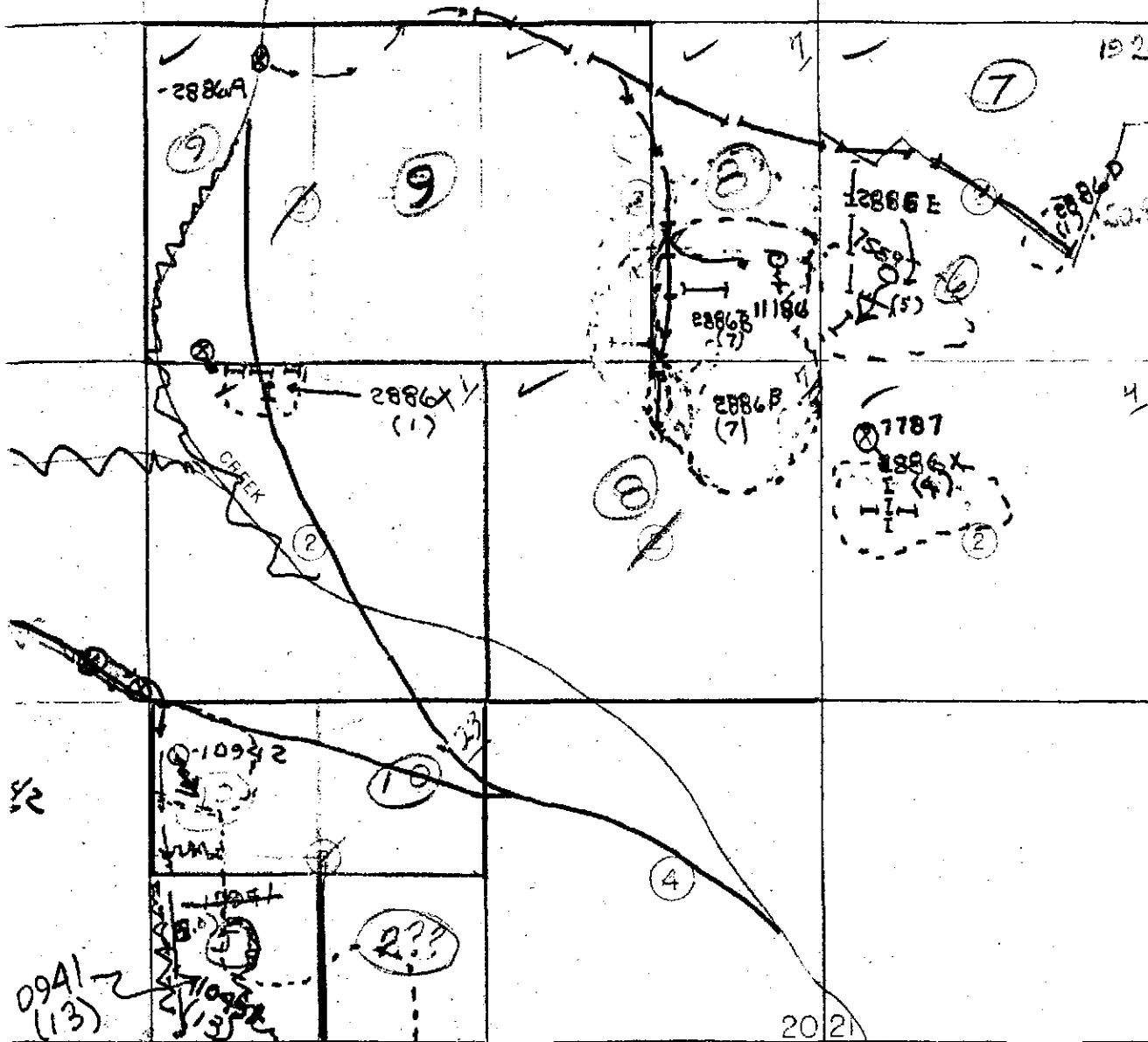
Longe

3400
50
Dovel
loc - 3997

2209

A65-02886D

6d



Map of
 of Idaho
 Morrell & Franklin B. Edwards
 Clyde E. Shawl
 Canyon Grazing
 Alvin Moses
 ic Domain
 rge W. Dovel
 rael Robert Jones
 k B. Denke
 add R. Ratts MICHAEL JONES
 Hambley & Bonnie Robinson
 Hurd

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 POI AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-028860	PHILLIPS CREEK	DENKE, FRANK D	0.020	0.020		
A65-028866	PHILLIPS CREEK	JONES, MICHAEL	0.100	0.020		

LIST ALL RIGHTS WITH SAME POI BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-07575	DOMESTIC	DENKE, FRANK D	FROM 01-01 TO 12-31	0.040 CFS	
A65-07559	DOMESTIC	JONES, MICHAEL	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-07559	STOCKWATER	JONES, MICHAEL	FROM 01-01 TO 12-31	0.020 CFS	0.20 AF/A
65-07559	DOMESTIC	JONES, MICHAEL	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-07559	STOCKWATER	JONES, MICHAEL	FROM 01-01 TO 12-31	0.020 CFS	0.20 AF/A
65-07575	DOMESTIC	DENKE, FRANK D	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A

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

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 65-07575 - *Dom.*

E. IS THE CLAIMED POI 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 POI, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

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

N/A() Y(☒) N()

G. SHOULD THE CLAIMED POI 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. _____;

GTS
() *WAPP*, IDWR NO. _____; () *ASCS* PHOTO; () OTHER *PRBA map*.

NOTES:

Recommended as licensee. The exact location of the POU is not clearly described in the current records.

RECOMMENDATIONS:

TOTAL ACRES: 1

N/A ()

REVIEWED BY: *Mel Schulte*

DATE: 7-23-99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-028860 IRRIGATION	FROM 04-01 TO 11-01	0.020 CFS	
TOTAL DIVERSION RATE/VOLUME		0.020 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-028860 IRRIGATION	FROM 04-01 TO 11-01	0.020 CFS	
TOTAL DIVERSION RATE/VOLUME		0.020 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 INJURY 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:

Recommended as licensed.

- AJ CLAIM TOTAL DIVERSION RATE: 0.020 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.020 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 None, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 1 x 0.02 CFS/ACRE = 0.02 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 = NA AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = NA 2.5 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

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

NOTES: _____

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
IRRIGATION	04-01	11-01	DATABASE 0.020	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 2.5	EXAMINER N/A
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			0.020	_____		_____	2.5	N/A

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: Mel Schulta DATE: 7-23-99

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXP-FOG

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(✓)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-02886

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 0.590 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A65-02886X	A65-02886A	0.020	-		65-02886	
-	A65-02886B	0.280	-		65-02886A	0.020
-	A65-02886D	0.020	-		65-02886B	0.280
-	A65-02886E	0.100	-		65-02886C	0.110
-	A65-02886F	0.040	-		65-02886D	0.020
-	A65-02886G	0.020	-		65-02886E	0.100
-	A65-02886H	0.055	-		65-02886X	0.060
-	A65-02886J	0.055	-		-	
TOTAL CFS		0.590				0.590

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 N FIELD EXAMINER Y() N()

NOTES:

Licensed as a split

=====

AUTHENTICATION:

SIGNATURE:

Mel Schulte

DATE:

7-23-99

NAME OF FIELD EXAMINER:

TITLE:

=====

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 65-2886D Priority December 16, 1966 Amount 0.02 cfs

THIS IS TO CERTIFY, that FRANK D. DENKE
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 65-2886D issued pursuant to Application for Permit dated December 16, 1966
and has submitted proof to the Department of Water Resources on August 2, 1977
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.95 cfs of water from Phillips Creek
tributary to Payette River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from April 1 to November 1	at 0.02 cfs and	4.5 acre feet
	from to	cfs and	
	from to	at cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.02 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
4.5 acre feet per year, said waters to be diverted within the SW-NEK, Sec. 20, Twp. 9N,
Rge. 3E, B.M., in the County of Boise

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9N	3E	21							1						1

Total number of acres irrigated 1

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of
June, 19 79

Deputy Director

MICROFILM

FILED REPORT
FRANK DENKE

2. Source of water supply: Groundwater ☐ Surface water ☒ Phillips Creek
(name spring, stream, etc.)
Tributary to Payette River

- Other uses: _____

- Other Points of Diversions: _____

Description of diverting works: Diversion box & pipe

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TOTAL ACREAGE _____ /

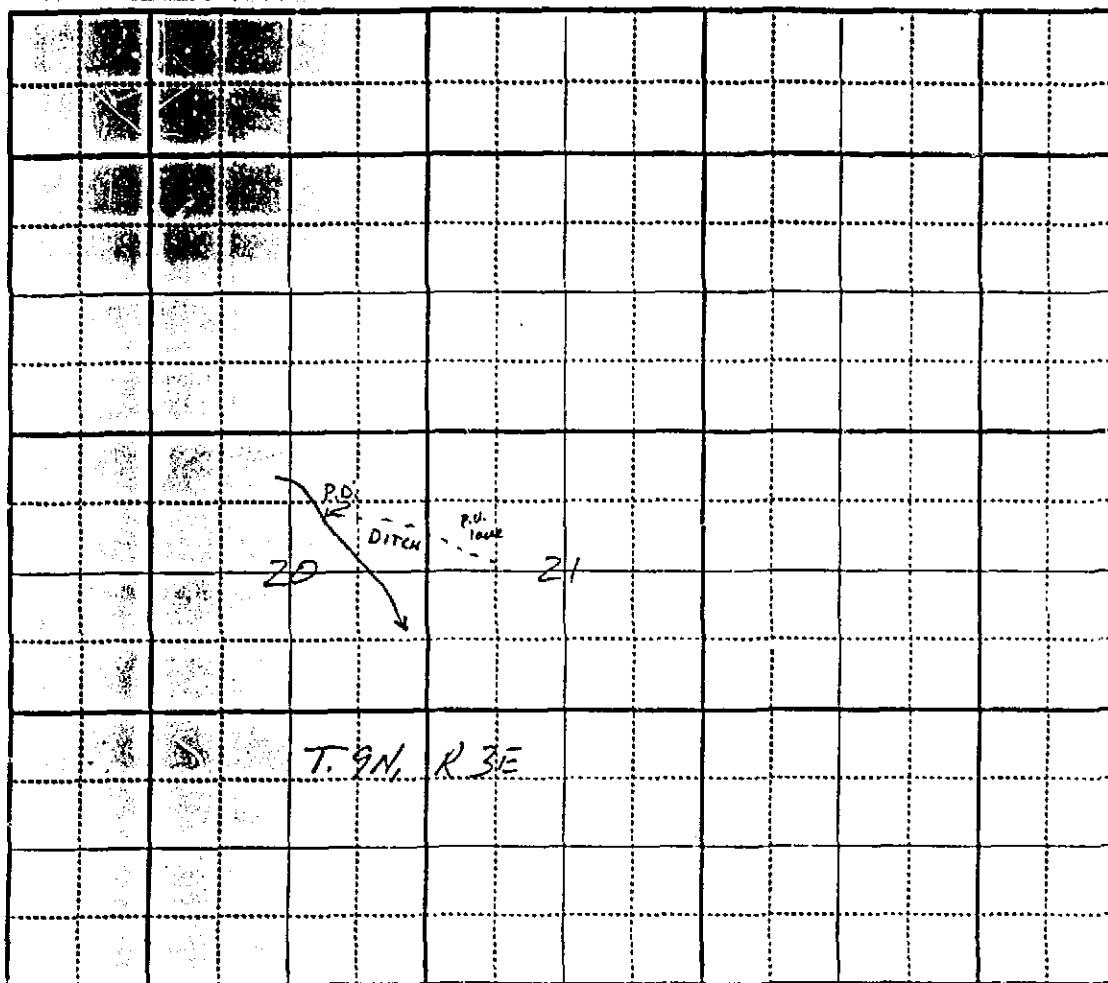


Diagram of System

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 297

INDICATES TOTAL

SOURCE: PHILLIPS CREEK

TRIBUTARY TO: NORTH FORK, PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AAC ACREAGE	BASIS FOR RIGHT
65-10941	DOVEL, GEORGE W. & DOVEL, AMY R. BOX 3, BANKS, IDAHO 83602 REMARKS: TWO POINTS OF DIVERSION IN NESH. SOURCES ARE TWO FORKS OF PHILLIPS CREEK. THIS RIGHT WHEN COMBINED WITH RIGHT 65-2886C SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	2/24/1908	IRRIGATION	4/ 1 11/ 1	--- AFA .41 CFS	NESH S20 T 9N R 3E	SWSE(13) S20 T 9N R 3E NWNE(5) S29 T 9N R 3E *18*	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.70 AFA .02 CFS *---*AFA *.43*CFS		SAME AS OTHER USE	
65-2886D	DENKE, FRANK ROUTE 6, BOX 6337, NAMPA, IDAHO 83651 REMARKS: THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	12/16/1966	IRRIGATION	4/ 1 11/ 1	--- AFA .02 CFS	SWNE S20 T 9N R 3E	SWNW(1) S21 T 9N R 3E *1*	PERMIT
65-2886C	DOVEL, GEORGE W. & DOVEL, AMY R. BOX 3, BANKS, IDAHO 83602 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-10941 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE. SOURCES FOR THIS RIGHT ARE PHILLIPS CREEK & SPRING. THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	12/16/1966	IRRIGATION	4/ 1 11/ 1	--- AFA .11 CFS	NESE S20 T 9N R 3E SESW S20 T 9N R 3E	SWSE(6) S20 T 9N R 3E *6*	PERMIT
65-2886B	JONES, MICHAEL & JONES, DIANE 2608 STEWART AVENUE, BOISE, IDAHO 83702	12/16/1966	IRRIGATION	4/ 1 11/ 1	--- AFA .28 CFS	SWNE S20 T 9N R 3E	SENE(7) NESE(7) S20 T 9N R 3E *14*	LICENSE

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
Payette River

**NOTICE OF CLAIM
TO A
WATER RIGHT**

65-2886D
ID. No. Map No.
RECEIVED
DEC 8 1978

Notice is hereby given that Franks Denke

(Name of Claimant)

Route 6, Box 6337, Nampa, ID 83651

(Mailing Address)

(Zip Code)

Telephone No.

Department of Water Resources

Western Regional Office

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of the claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed, or permit right)
December 16, 1966

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Phillips Creek, North fork Payette River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 0.02 CFS Use Irrigation Period of Use From 4/1 To 11/1

(CFS, GPD, A/F) (Domestic, irrigation, stock, etc.) (Mo., Day) (Both dates inclusive)

Quantity 0.02 CFS Use Irrigation Period of Use From 4/1 To 11/1

(CFS, GPD, A/F) (Domestic, irrigation, stock, etc.) (Mo., Day) (Both dates inclusive)

Quantity 0.02 CFS Use Irrigation Period of Use From 4/1 To 11/1

(CFS, GPD, A/F) (Domestic, irrigation, stock, etc.) (Mo., Day) (Both dates inclusive)

Quantity 0.02 CFS Use Irrigation Period of Use From 4/1 To 11/1

(CFS, GPD, A/F) (Domestic, irrigation, stock, etc.) (Mo., Day) (Both dates inclusive)

(4) 0.02 CFS TOTAL QUANTITY CLAIMED

(5) A) Point of Diversion: Give location of point where water is diverted from its source SW 1/4 Sec. 20, Twp. 3N, Rge. 3E, B.M., Boise County

Additional Points: Div. Dam, with ditch and pipeline w/standpipes for portable sprinkler system.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NEX				NW				SW				SE				TOTAL
			NEX	NW	SW	SE	NEX	NW	SW	SE	NEX	NW	SW	SE	NEX	NW	SW	SE	
0N	3E	21																	

Total no. of acres 1

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization: Claimant

(8) Remarks: This right is portion of 65-2886 assigned by Clyde Shaul. /Subsequently assigned .10 CFS of original .12 CFS to Michael and Diane Jones.

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use, ☐ B) Right decreed by court, cite title of case.

KEYPUNCHED

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. permit

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

December 8, 1978 (Date)

State of Idaho Organization Franks Denke (Signature of Claimant)

County of Ada Seal (Signature of Spouse)

On this 9 day of Dec, in the year 1978 before me

a notary public, personally appeared Franks Denke

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

My commission expires Sept 10, 1980 Notary Public residing at Boise, Id

2/7/79