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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: A65-10353
Date Received: 11/23/1988
Receipt No: X999999
Received By: DEMN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF CASCADE 208-382-4279
Address: P. O. BOX 451
CASCADE, ID 83611

2. Date of Priority: MAR 01, 1919

3. Source: SKEIN LAKE Trib. to: CASCADE RESERVOIR
SKEIN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13N	03E	9	SE	NW			VALLEY

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
MUNICIPAL FROM STORAGE	01/01	12/31			60.00
MUNICIPAL	01/01	12/31	0.800		60.00

7. Total Quantity Appropriated is:
0.800 C.F.S. (and/or) 60.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
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11. Place of use in counties:

A65-10353

Page 1

Date: 04/28/89

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SEP 24 1992

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

13. Other Water Rights Used:

14. Remarks:

POINT OF RE-DIVERSION IS BETWEEN LOTS 3 & 4, S.3, T.13N, R.3E.
SOURCES FOR THIS RIGHT ARE SKEIN LAKE & SKEIN CREEK.
PLACE OF USE WITHIN CITY LIMITS OF CASCADE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

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SEP 24 1992

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 Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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. No.

ATTACHMENT TO
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly:

Name of Claimant(s) CITY OF CASCADE, IDAHO

Mailing Address P.O. Box 451
(include Zip Code) CASCADE, IDAHO 83611

Phone Number (208) 382-4279

RECEIVED
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NOV 23 1988
SEP 24 1992
Department of Water Resources
Western Regional Office

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TETON FALLS

1. NAME OF APPLICANT: CITY OF CASCADE
2. ADDRESS: P. O. BOX 751
CASCADE, ID. 83611

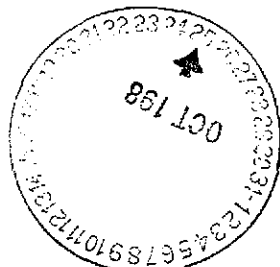
CIVIL CASE NUMBER: 39576

IDENT. NUMBER: 95-10353

DATE RECEIVED:

RECEIPT NO:

RECEIVED BY: _____



LETTER OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

NOV 23 1988

Department of Water Resources
Western Regional Office

1. NAME: CITY OF CASCADE
ADDRESS: P. O. BOX 751
CASCADE, ID. 83611

2. DATE OF RECEIPT: SEP 01, 1981

3. LOCATION: 1/4 OF 1/4 OF 1/4 LOT
TETON FALLS

CASCADE RESERVOIR

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF 1/4 OF 1/4	LOT	COUNTY
13N	12E	6	SE NW		VALLEY

5. DESCRIPTION OF DIVERSION WORKS:

6. WATER TO BE USED FOR THE FOLLOWING PURPOSES:

PURPOSE	APPROX	1/4	C.F.S.	(COR)	A.F.A.
MUNICIPAL PROP STORAGE	01/01	12/31			50.00
MUNICIPAL	01/01	12/31	0.500		50.00

7. TOTAL QUANTITY APPROPRIATED IS:

0.500 C.F.S. (AND/OR)

50.00 A.F.A.

8. TOTAL CONSUMPTION IS:

ACRES FEET PER ANNUM.

9. NON-PRODUCTION USED:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF 1/4	LOT	USE	ACRES

11. PLACE OF USE: VALLEY, VALLEY

DATE: 09/30/88 MICROFILMED 824

SEP 24 1992

12. IS THE PROPERTY OF ANY LIMITED BODY OR GROUP OF USE? YES

13. OTHER NAME OR ALIAS? NO

14. REMARKS:

POINT OF ACQUISITION IS BETWEEN LITS 3 & 4, S.E. T.13N. R.3E.
SLURPED FOR THIS DISTRICT SKELIN LAKE & SKELIN CREEK.
PLACED IN THE ALTHIN CITY LIMITS OF CASCADE.

15. BASIS OF CL. LIT. LIT. LIT.

CL. LIT. LIT.

CL. LIT. LIT.

CL. LIT. LIT. 1/21/1991

STATE OF IDAHO

CL. LIT. LIT.

A & C CORP., ET AL.

VS

CL. LIT. LIT.

DATE: 08/30/99

12-

MICROFILMED

SEP 24 1992

CLAIMANT(S) NAME, ADDRESS, CITY, STATE AND ZIP CODE HAVE RECEIVED, READ AND UNDERSTOOD THE CONTENTS OF THIS NOTICE AND WILL RECEIVE NOTICE IN THE SNAKE RIVER VALLEY JOURNAL. I, CLAIMANT, DO NOT WISH TO RECEIVE AND PAY A SMALL ANNUAL FEE FOR COPIES OF THE DCKET SHEET.

NUMBER OF SETS OF NOTES: _____

FOR INFORMATION:

I/WE DO HEREBY CERTIFY ON PAPER THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S): _____ DATE: _____

_____ DATE: _____

FOR THE CITY OF:

I DO HEREBY CERTIFY ON PAPER THAT I AM CITY CLERK OF

CASCADE, IDAHO, THAT I HAVE SIGNED THE FOREGOING

DOCUMENT IN THE SPACE BELOW AS CITY CLERK OF

CITY OF CASCADE, IDAHO AND THAT THE STATEMENTS CONTAINED IN THE

FOREGOING DOCUMENT ARE TRUE AND CORRECT.

David Mathews
SIGNATURE OF AUTHORIZED AGENT

CITY CLERK OF CASCADE, IDAHO
TITLE AND ORGANIZATION

11/21/88
DATE

STATE OF IDAHO

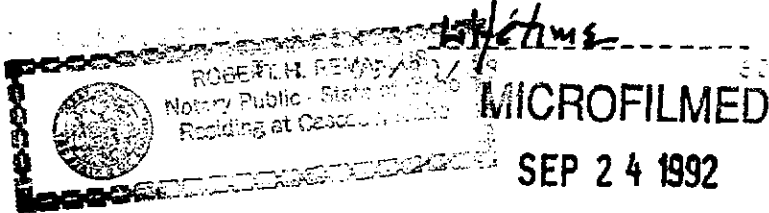
COUNTY OF VALLEY

SUBSCRIBED AND SIGNED (FOR APPEARANCE) BEFORE ME THIS 21ST DAY

OF NOVEMBER 1988

Edson Smith
NOTARY PUBLIC

FILED AT CASCADE, IDAHO



1/23/1988

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME City of Cascade CLAIM IDENT. NO. AG 5-10353

- DATE RECEIVED 11-23-88 CK # N/A AMOUNT \$ _____
- | | YES | NO | Required Info? |
|--|-------------------------------------|-------------------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered?
Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) <u>N/A</u> | ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☐ | ☒ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☐ | ☒ | |
| Is the consumptive use correct? | ☐ | ☒ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☒ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☐ | ☒ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☐ | ☒ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ | |
| 22. Should this claim be receipted and data entered? | ☒ | ☒ | |

Claim checked by: LWDate: 4-4-89

Claim must be returned to claimant:

(Yes) (No)

Claimant must be sent a copy of amended claim for approval:

(Yes) (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments:

POU - OK

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SEP 24 1992

ROBERT H. REMAKLUS, LAWYER P.A.

PROFESSIONAL CENTER BUILDING
POST OFFICE BOX 759
CASCADE, IDAHO 83611
TELEPHONE (208) 382-4267
November 21, 1988

Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, Idaho 83705

Re: Snake River Adjudication
Twin Falls County Civil No. 39576

Gentlemen:

Enclosed are notices of claim to water right of the City of Cascade, Idaho, to-wit:

65-10353 and 65-10354

This is to advise that we have not yet received a print-out for City of Cascade water right No. 65-3138 and by this letter do hereby notify you of the intention of the City of Cascade to make such filing to protect such water right.

Very truly yours,


Robert H. Remaklus

bb

RECEIVED
NOV 23 1988

Department of Water Resources
Western Regional Office

MICROFILMED

SEP 24 1992

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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-10353

2003 JUL 7 AM 10 12

NAME AND ADDRESS: CITY OF CASCADE
PO BOX 451
CASCADE, ID 83611

SOURCE: SKEIN CREEK

TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 0.80 CFS
60.00 AFY

PRIORITY DATE: 03/01/1919

POINT OF DIVERSION: T13N R03E S03 LOT 3 (NWNW) (Rediversion) Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	0.80 CFS 60.00 AFY

PLACE OF USE:
PLACE OF USE WITHIN CITY LIMITS OF CASCADE.

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. I.C. SECTION 42-1412(6).

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

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

JUL - 8 2003

Department of Water Resources

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2003 JUL 7 AM 10 11

**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 65-10353**
)

On May 23, 2003, 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 65-10353 is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED July 7, 2003



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

RECEIVED

APR 14 2000

Department of Water Resources

RECEIVED

APR 25 2000

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

Case No. 39576

A. Subcase: _65-10353_
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 USDA Forest Service
Address: 550 West Fort Street
MSC 033
Boise, Idaho 83724
Daytime Phone: (208) 387-0835

Name and Address of Attorney, if any:

Randall J. Bramer
550 West Fort Street
MSC 033
Boise, Idaho 83724

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

Name: City of Cascade
Address: P.O. Box 451
Cascade, ID 83611

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: See attached page.
3. ☒ **Quantity**
Should be: See attached page.
4. ☐ **Priority Date**
Should be:
5. ☒ **Point(s) of Diversion**
Should be: See attached page.
6. ☐ **Instream Flow Description**
Should be:
7. ☒ **Purpose(s) of Use**
Should be: See attached page.
8. ☒ **Period of Year**
Should be: See attached page.
9. ☐ **Places 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 above.

E. **REASONS SUPPORTING OBJECTION(S):**

Skein Lake dam was breached in 1982 and has not been repaired.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

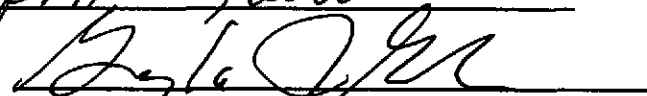
Michael Collette , duly sworn, upon oath, deposes and says:
(Name of person filing objection)

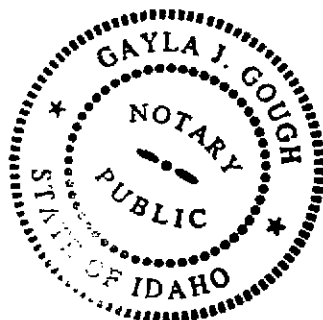
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objections)


(Attorney signing in representative capacity)

Subscribed and sworn before me on: April 10, 2000


Gayla J. Gough



Notary Public for: Idaho
Residing at: Kuna, Idaho
Commission Expires: 11/17/2004

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 April 12 2000, 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:

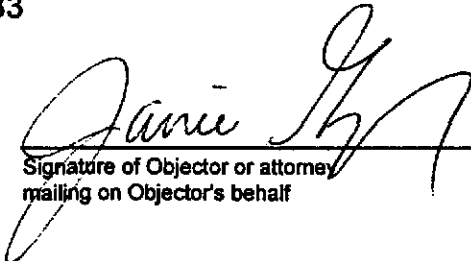
Name: City of Cascade
Address: P.O. Box 451
Cascade, ID 83611

3. Copies to:

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

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

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



Signature of Objector or attorney
mailing on Objector's behalf

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 65-10353

Name and Address: CITY OF CASCADE
PO BOX 451
CASCADE, ID 83611

Source: ~~SKEIN LAKE~~ Tributary: ~~CASCADE RESERVOIR~~
SKEIN CREEK CASCADE RESERVOIR

Quantity: .80 CFS
60.00 AFY

Priority Date: 03-01-1919

Diversion Point: T13N R03E S03 LOT 3 (NWNW) (Rediversion)
~~S09~~ ~~SENW~~

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	~~Municipal from Storage~~	~~01-01 TO 12-31~~	~~60.00 AFY~~
	Municipal	01-01 TO 12-31	.80 CFS
			60.00 AFY

Place of Use: See remarks

Place of Use: Municipal from Storage
Same as Other Use

Place of Use: Municipal
Same as Other Use

PLACE OF USE WITHIN CITY LIMITS OF CASCADE.

Other Provisions Necessary for Definition / Administration of this Water Right:

Explanatory Material: Basis of Claim - Decreed

AJ0749NP
No. R65-10353

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

DATE: 08/12/99
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF CASCADE PO BOX 451 CASCADE ID 83611 (208) 382-4279	03/01/1919	MUNICIPAL MUNICIPAL FROM STORAGE	01-01 12-31 01-01 12-31	0.800 CFS	60.00 AFA 60.00 AFA
TOTAL DIVERSION:					0.800 CFS	60.00 AFA

Water Source: SKEIN LAKE
SKEIN CREEK

Tributary to:
CASCADE RESERVOIR

Stage: DECREED

Point(s) of Diversion: T13N R03E S09 SENW
Point(s) of Re-diversion: T13N R03E S03 Lot03(NWNW)

VALLEY County
VALLEY County

POU County:

Remarks: POU1 PLACE OF USE WITHIN CITY LIMITS OF CASCADE.

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

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

Comments: Date: 08/12/1999 User-ID: SBOCK Subject: COPIED FROM REMARKS
POINT OF RE-DIVERSION IS BETWEEN LOTS 3 & 4, S.3, T.13N, R.3E.
SOURCES FOR THIS RIGHT ARE SKEIN LAKE & SKEIN CREEK.

Audit: 08/12/99 SBOCK

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:31:01
08/11/99
30

PAGE: 15
PROFILE REPORT

CLAIM NUMBER: A65-10353

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF CASCADE	03/01/1919	MUNICIPAL MUNICIPAL FROM STORAGE	01-01 12-31 01-01 12-31	0.800 CFS	~~60.00 AFA~~ 60.00 AFA
TOTAL DIVERSION:					0.800 CFS	60.00 AFA

Water Source: SKEIN LAKE
SKEIN CREEK

Tributary to:
CASCADE RESERVOIR

Stage: DECREED

Point(s) of Diversion:

T13N R03E S04

SENE

VALLEY County

POU County:

Remarks: GEN Comm:
POINT OF RE-DIVERSION IS BETWEEN LOTS 3 & 4, S.3, T.13N, R.3E.
~~SOURCES FOR THIS RIGHT ARE SKEIN LAKE & SKEIN CREEK.~~
Pool PLACE OF USE WITHIN CITY LIMITS OF CASCADE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:30:35
08/11/99

PAGE: 1
GENERAL INFORMATION

16
CLAIM NUMBER: A65-10353

LAST: CITY OF CASCADE
ADDRESS: P O BOX 451
CITY: CASCADE
PHONE NUMBER: 208-382-4279

FIRST:
STATE: ID ZIP: 83611

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN POINT OF RE-DIVERSION IS BETWEEN LOTS 3 & 4, S.3, T.13N, R.3E.
SOURCES FOR THIS RIGHT ARE SKEIN LAKE & SKEIN CREEK.
PLACE OF USE WITHIN CITY LIMITS OF CASCADE.

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:

A. AJ CLAIM: # A65-10353 PRIORITY DATE: 03-01-1919 STAGE: D

B. WR RECORD: # 65-10353 PRIORITY DATE: 03-01-1919 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 PRIORITY DATE:

03-01-1919

REVIEWED BY JB

DATE 8/12/99

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
A65-10353	13N 03E	9		SE	NW			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: SKEIN LAKE
SKEIN CREEK

TRIB:
CASCADE RESERVOIR

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
65-10353	13N 03E	9		SE	NW			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: SKEIN LAKE
SKEIN CREEK

TRIB:
CASCADE RESERVOIR

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 Done) Y() N()

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

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: POD shown where city diverts water. According to
memo in file the dam was breached in 1988
assuming the storage is from the lake

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 VALLEY	DIVERSION NAME	DIVERSION NBR
OK 13N	03E	9		SE	NW				Rediversion	
		3		NW	NW					

SOURCE: SKEIN LAKE

TRIB:

REVIEWED BY: SB

DATE: 8/12/99

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

A. ROOT WATER RIGHT NUMBERS: A65-10353

B. POU LISTING

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

ADDITIONAL POU FOUND

TOTAL ACRES A65-10353

POU COUNTY:

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

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

Y() N(☒)

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?

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

N/A Y() N()

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?

N/A 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(☒)

NOTES:

TOTAL ACRES: N/A N/A()
REVIEWED BY: JB

DATE: 8/12/99

A. AJ CLAIMED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-10353	MUNICIPAL FROM STORAGE	FROM 01-01 TO 12-31		60.00 AF/A
A65-10353	MUNICIPAL	FROM 01-01 TO 12-31	0.800 CFS	60.00 AF/A
	TOTAL DIVERSION RATE/VOLUME		0.800 CFS	60.00 AF/A

B. WR RECORDED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-10353	MUNICIPAL FROM STORAGE	FROM 01-01 TO 12-31		60.00 AF/A
65-10353	MUNICIPAL	FROM 01-01 TO 12-31	0.800 CFS	60.00 AF/A
	TOTAL DIVERSION RATE/VOLUME		0.800 CFS	60.00 AF/A

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(☒)

PAGE: 8

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

23

CLAIM NUMBER: A65-10353

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.800 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.800 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 = 60.00 AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ 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	
MUNICIPAL FROM STORAGE	01-01	12-31	DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
MUNICIPAL	01-01	12-31	0.800	_____	60.00	_____	0.0	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT			0.800	_____	60.00	_____	0.0	_____

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

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: 65-10353

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 0.800 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-10353	0.800	-		65-10353	0.800
TOTAL CFS		0.800				0.800

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 FIELD
Y EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

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()
() NAPP	DATE OF PHOTO _____ 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 _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:30:35
08/11/99

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QUICKLOOK INFORMATION

29
CLAIM NUMBER: A65-10353

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				2	Done	8-12-99		
POINT OF DIV				2	name in file			
SOURCE				2				
PLACE OF USE								
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

INTER-DEPARTMENT MEMO — 1

FROM CHARLIE BRYAN

DATE 11/26/80

TO FILE 65-10353

SUBJECT SKEIN LAKE DAM

JOHN HENDERSON, U.S.F.S., BOISE NATIONAL FOREST,
CONFIRMED THE DAM WAS BREACHED 10/16/80. IT
HAS BEEN REMOVED FROM DAM SAFETY'S INVENTORY.

Charlie Bryan
SIGNATURE

AKN 2/3/78

24
filed with
district court
10-4-88

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

IN THE MATTER OF THE GENERAL	)	Civil Case No. 3667
DETERMINATION OF THE RIGHTS TO	)	
THE USE OF SURFACE AND GROUND	)	WITHDRAWAL OF OBJECTION
WATER OF THE PAYETTE RIVER	)	OF THE CITY OF CASCADE,
DRAINAGE.	)	IDAHO
	)	

On March 2, 1979, the director of the Idaho Department of Water Resources filed with this court a Proposed Finding of Water Rights for the Payette River drainage. Included among the proposed water rights were four water rights for the city of Cascade, state of Idaho. Those four water rights, listed briefly below, are fully set forth in Appendix A to this motion:

1. 65-3138 - 2.34 cfs, dating from June 1, 1899 for
(Campbell Creek) municipal use
2. 65-10354 - 2.34 cfs, dating from July 16, 1888 for
(Hazard Creek) municipal use
3. 65-10353 - 60 afa dating from March 1, 1919 for
(Skein Creek) municipal use from storage
4. 65-10353 - 60 afa dating from March 1, 1919 for
(Skein Lake) municipal use from storage

The city of Cascade had actually filed five claims in the Payette Adjudication. Those five claims are listed briefly below for comparison with what was recommended to the court after the Idaho Department of Water Resources investigated the five claims.

1. 65-3138 - 10.4 cfs dating from June 1, 1899 for
(Campbell Creek) municipal use.

conformed copy
original with
court

2. ^{No claim} 65-3139 - 1.2 cfs dating from June 1, 1899 for
(Campbell Creek) municipal use.
3. ^{No claim} 65-10351 - 90 AF dating from Sept. 24, 1921, for
(Raft Lake) municipal use from storage.
4. 65-10353 - 60 AF dating from March 1919 for municipal
(Skein Creek/
Skein Lake) use from storage.
5. 65-10354 - 2.5 cfs dating from September, 1957 for
(Hazard Creek) municipal use.

On June 21, 1979 Water Resources received an objection from the city of Cascade, Idaho to the Proposed Findings. The city objected to the dismissal of claim 65-3139 (for an additional diversion rate from Campbell Creek) and the dismissal of claim 65-10351 (from Raft Lake).

The city of Cascade, state of Idaho, through its undersigned attorney hereby withdraws its objections to the Proposed Finding of Water Rights.

DATED this 29th day of September, 1988.

ROBERT H. REMAKLUS, Lawyer P.A.

75/

Attorney for City of
Cascade, Idaho