

Idaho Department of Water Resources

T04N, R01W, S13 & S24

Claim No: 63-133L

Prepared By: Kimberly Brown

Date: May 20, 2005



Place of Use



Section Lines



1/4 1/4



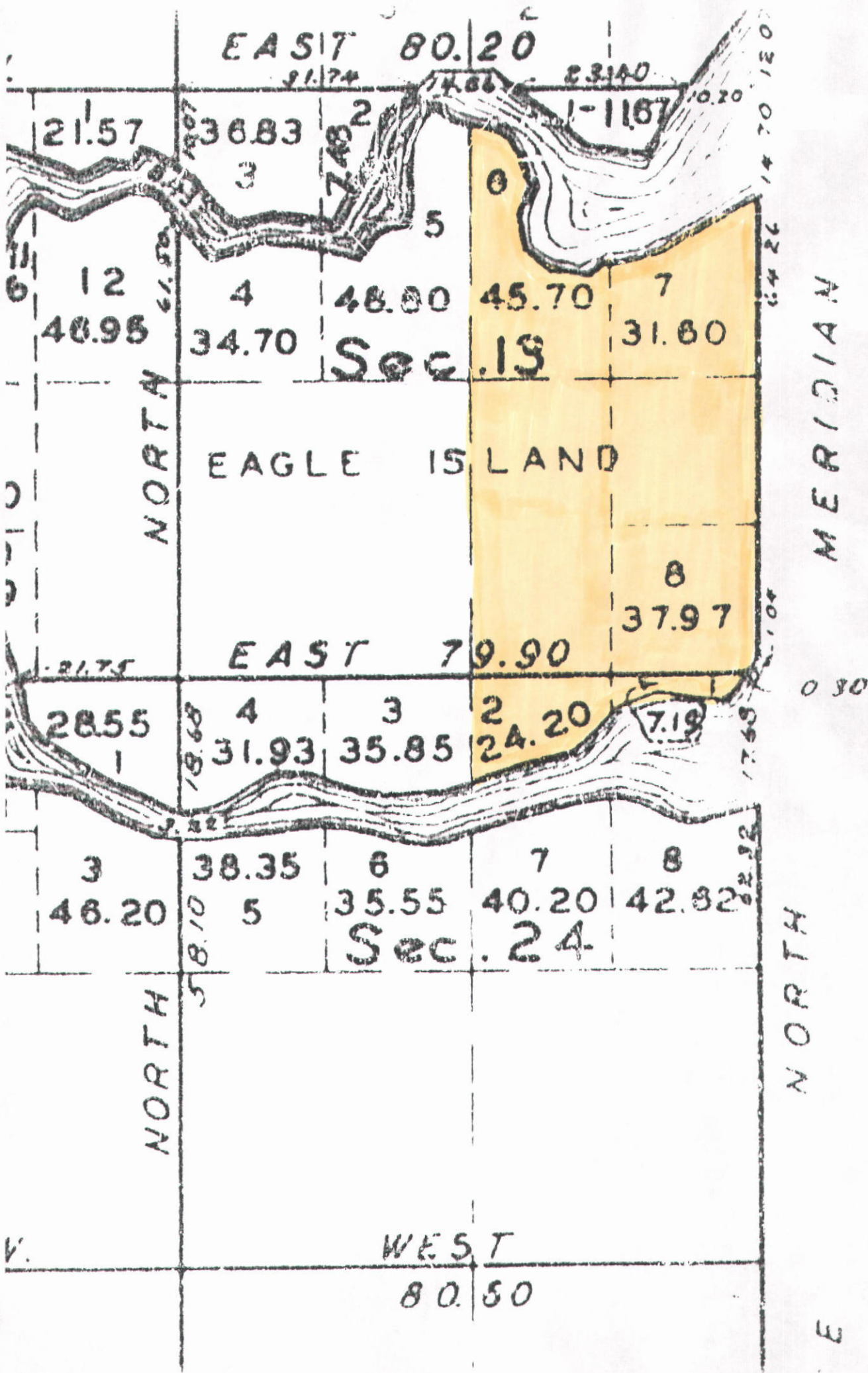
Point of Diversion

Acres Irrigated = 23.6



1987 NAPP

0.00012 Miles

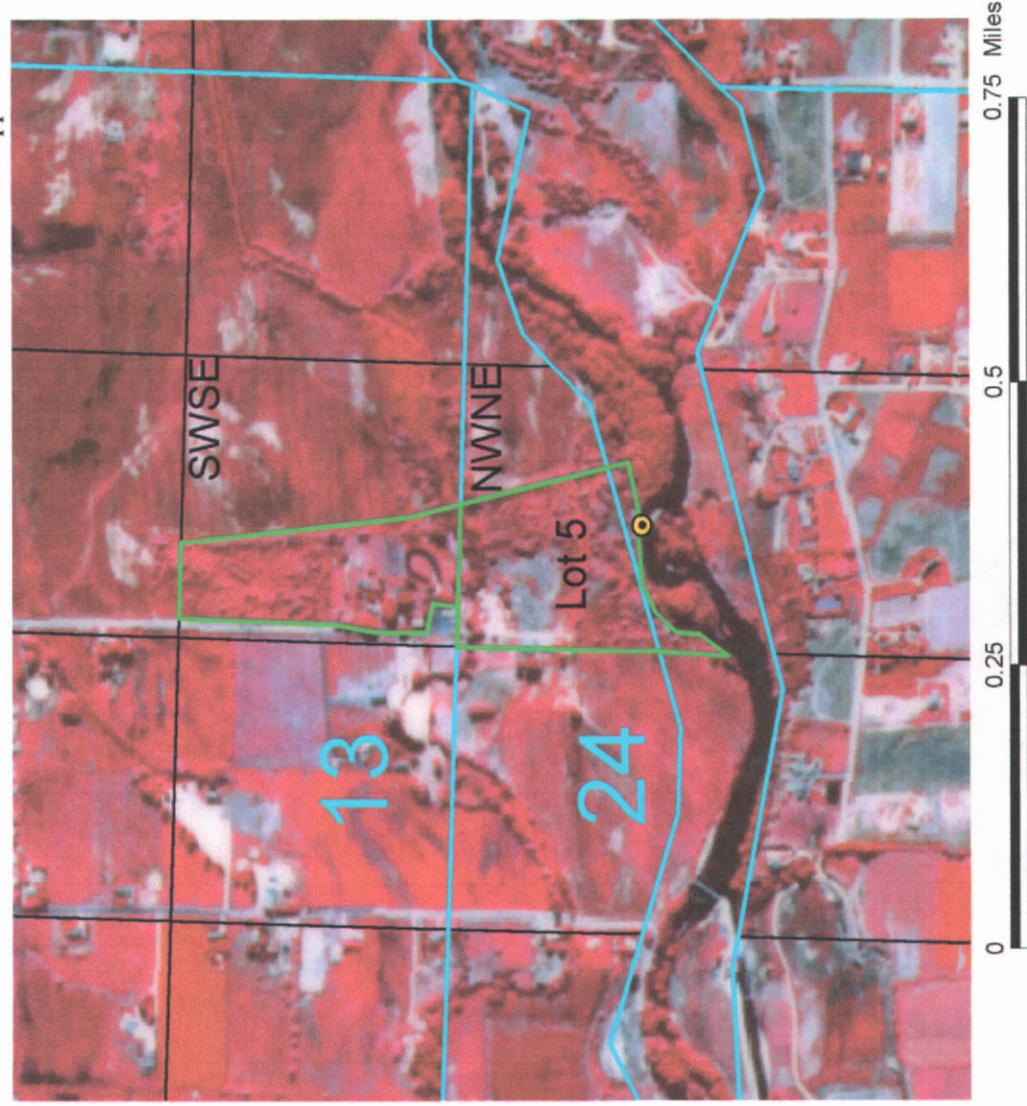


Idaho Department of Water Resources

Claim Number: 63-00133L
Legal: T04N, R01W, S13, 24
Reviewed By: *Karan Waters*

1987 Napp Photo

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



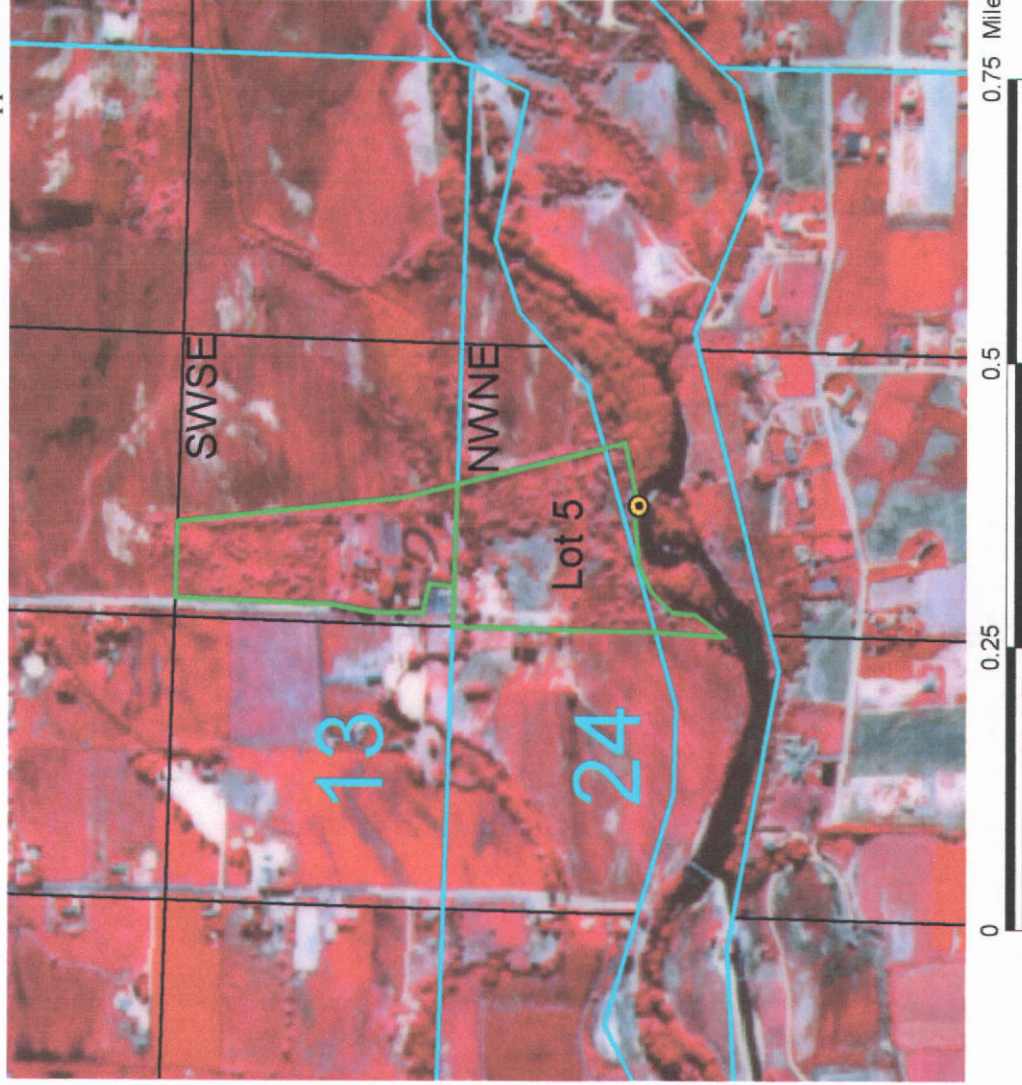
Idaho Department of Water Resources

Claim Number: 63-00133L
Legal: T04N, R01W, S13, 24
Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



1987 Napp Photo



JP

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: A63-00133L
Date Received: 3/13/1991
Receipt No: CO20153
Received By: JP

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

1. Name: STATE OF IDAHO 208-334-3700
Address: DEPT. OF FISH & GAME
P.O. BOX 25
BOISE, ID 83720

2. Date of Priority: JUN 1, 1871

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01W	24	NW	NE		5	ADA

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.240		

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

8. Total consumptive use is 82.6 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	13	SW	SE		IRR	12.9

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	12.9
		24	NW	NE	IRR	10.7
					Section Acres	10.7
					Total Acres	23.6

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
63-0132L, 63-0132K, 63-0133K.

14. Remarks:
DIVERSION WORKS: ROCK WEIR DIVERSION FORM BOISE RIVER INTO A
DIRT DITCH. NO KNOWN CHANGES TO DIVERSION. CONCRETE MEASURING
WEIR IN PLACE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMERS CO-OP DITCH CO.

Decree Plaintiff

RIVERSIDE IRR. DIST.

vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

MICROFILMED
AUG 14 1992

For Organizations:

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

Signature of Authorized Agent

Title and Organization

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 _____

MICROFILMED
AUG 14 1992

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

\$124.00

98

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

A63-133L

Date Received

3/13/91

Receipt Number

98 6020153

4/8/91 98

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) State of Idaho Dept. of Fish and Game Phone (208) 334-3700Mailing Address 600 S. Walnut Boise ID Zip 837072. Date of Priority (Only one (1) per claim) 06-01-18713. Source of water supply (a) Boise River
which is tributary to (b) S Snake River4. a. Location of existing point of diversion is: Township 4 N Range 1 W Section 24,
1/4 of NW 1/4 of NE 1/4, Govt. Lot, S B.M., County of Ada

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Rock weir diversion from
Boise River into a dirt ditch. No known changes
to diversion. Concrete measuring weir in place.

MICROFILMED

AUG 14 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount 0.24 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.24 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 82.6 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	1W	13															12.9		12.9
4N	1W	24		10.7															10.7

Total number of acres irrigated 23.6

11. In which county (ies) are lands listed above as place of use located? Adz

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
63-132L, 63-132K, 63-133K or None ()

14. Remarks:

MICROFILMED

AUG 14 1992

Last Name IDFG Ident No. 63-133L

Copies: White-State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

RECEIVED

AUG 14 1988

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant Farmers Co-op Ditch Co. vs Riverside Irrigation Dist.

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Director Title _____

of IDAHO DEPT. OF FISH & GAME that I have signed the foregoing
Organization _____ document in the space below as Director of IDAHO DEPT. OF FISH & GAME
Title _____ Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization Director Date 3/11/91

IDAHO DEPT. OF FISH & GAME

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 11th day of March 19 90

SEAL

Notary Public [Signature]

Residing at Camden Idaho

My Commission Expires 10/31/1991

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

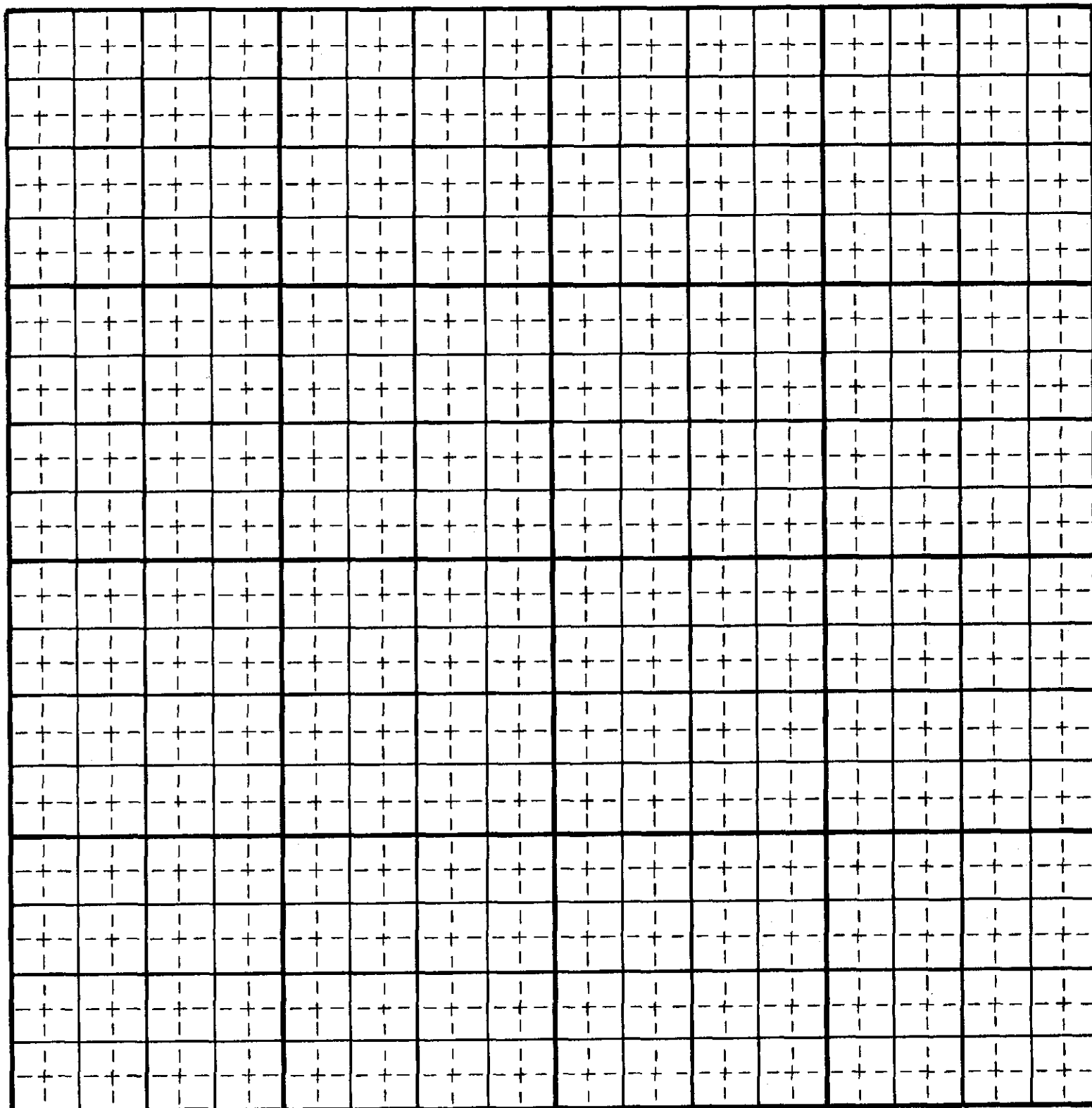
MICROFILMED
AUG 14 1994

Last Name IDFG Ident. Number 63-133L

Copies White-State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED

AUG 14 1992

Last Name IDFG

Ident No. 43-133L

Copies: White-State, Yellow-Claimant

05/20/2005

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

RIGHT NUMBER: 63-133L

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.072 CFS

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1871

POINT OF DIVERSION:
T04N R01W S24 NENE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.072 CFS
Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.		

PLACE OF USE: IRRIGATION Within ADA County

T04N R01W S13 SWSE 12.9

T04N R01W S24 Lot 2 NWNE 10.7

23.6 ACRES TOTAL

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

This right is also designated as Right No. 52 in the Boise River Stewart Decree and Boise River Water Distribution Report.

Property is also known as the Eagle Fish Hatchery.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Idaho Department of Water Resources

**T04N, R01W,
S13 & S24**

Claim No: 63-133L
Prepared By: Kimberly Brown
Date: May 20, 2005



Place of Use

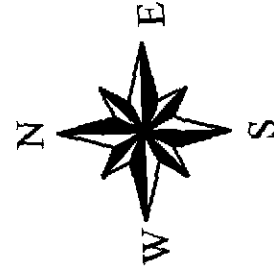


Section Lines

1/4 1/4

⊙ Point of Diversion

Acres Irrigated = 23.6



0.0002 Miles

1987 NAPP



05/31/2005

NOTICE OF ERROR

REPLY

RECEIVED

JUL 13 2005

WATER RESOURCES
WESTERN REGION

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 15, 2005

Water right number: 63-133L

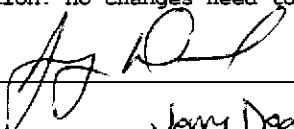
STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707
Telephone Number: (208)334-2920

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

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

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

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

DATE: 6/23/05 SIGNATURE: 

Please print your name: Jerry Deal

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

#52 in Boise River Stewart Decree

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-133L ✓

WATER RIGHT NUMBER: 63-133L ✓

Owner Type Name and Address

Original Owner T C CATLIN

Original Owner
. ZZ
POLETTE MACE

Current Owner
. ZZ
STATE OF IDAHO ✓
DEPT OF FISH & GAME
PO BOX 25
BOISE, ID 83707
(208)334-2920

→ Eagle Fish Hatchery (#208-939-4114)

Priority Date: 06/01/1871 ✓

Basis: Decreed ✓

Status: Active

Property Address:

1800 S. Trout Road

Eagle

Source

BOISE RIVER ✓

Tributary

SNAKE RIVER ✓

63-132 K + 133 L = 0.24 cfs

Beneficial Use

IRRIGATION ✓

From To

3/15 to 11/15 ✓

Diversion Rate

-0.240 CFS ✓

0.072

Total Diversion:

-0.240 CFS ✓

0.072

Annual Volume

Location of Point(s) of Diversion

BOISE RIVER

ADA County ✓

~~L5 (NW 1/4 NE 1/4)~~ ✓

NE NE

(no Govt. lot)

Sec. 24, Twp 04N, Rge 01W, B.M. ✓

(Seven Suckers Ditch)

Place of Use

IRRIGATION ✓

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 04N	01W	13	✓																12.9 ✓
✓ 04N	01W	24																	10.7 ✓

Total Acres: 23.6

ADD C03 - POD Accomplished Transfer

Conditions of Approval:

Parcel No: a portion of 80413438407.

1.

DIVERSION WORKS: ROCK WEIR DIVERSION FORM BOISE RIVER INTO A DIRT DITCH. NO KNOWN CHANGES TO DIVERSION. CONCRETE MEASURING WEIR IN PLACE.

Remarks:

ADD - This right is also designated as Right No. 52 in the Boise River Stewart Decree and Boise River Water Distribution Report.

ADD 845 -
ADD Condition 155 -

ADD 001 - Place of use is also known as Eagle Fish Hatchery.

#52 in Boise River Stewart
Decree

Field Exam Date 5.20.05

(in office review)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$124.00
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below - include overlapping right for exam
- ☐ Evidence of Priority - if none, talk with claimant N/A

CLAIMANT INFORMATION - verify contact information is complete

Claim No(s) A63-133L

Owner: State of Idaho - Fish & Game Phone No. (208) 334-2920

Current Address: P.O. Box 25, Boise 83707

Property Address:
800 S. Trout Rd.
Eagle

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☒ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property?

Accompanied by: N/A

PRIORITY DATE

- ☒ No change - Complete evidence submitted or not necessary
- ☐ Incomplete - Claimant should be asked when water was first used and submit proof of date.
- ☒ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 06/01/1871 (per decree)

(If priority date, based on your exam, seems questionable, explain below.)

Source: Boise River Tributary to Snake River

- ☒ No Change - SAME SOURCE
- ☐ Source found is different than claimed:

POINT OF DIVERSION

Seven Suckers Ditch

- ☐ No change
- ☒ POD found is different than claimed: NE NE 1/4 Sec. 24
- ☐ If different, when did POD change? (no Govt. lot)

ADD CO3 - POU Accomplished Transfer
(see "Notice of Proposed Change in POD" in file)

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
	—		NE	NE					Seven Suckers Ditch

Description of diverting works

Rock weir diversion from Boise River into a dirt ditch. Concrete measuring weir in place.

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain: _____

WATER USES

☐ No change

☐ Different Uses

Use Irrigation From 3/1 To _____ Amount 0.072 CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME - Groundwater only

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☒ Changes found, the new total is, Amount 0.072 CFS _____ AFA

☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☒ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:

☐ No Change

☒ Changes shown below:

Govt. lot. 2 for NWNE, Sec. 24

* no project map was submitted by F&G so I am unable to determine the claimed POU.

Parcel No: a portion of 30413438407.

Place of use is also known as the Eagle Fish Hatchery.
Season of use is 8/1 to 11/15.

This right is also designated as Right No. 52 in the
Boise River Stewart Decree and Boise River Water
Distribution Report.

ADD S45

ADD Condition 155

ADD C03 - POD Accomplished Transfer

Parcel No: a portion of S0413438407.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 5.20.05 (in office review)

FIELD EXAMINER: Kimberly Brown

III.

That the defendant THE MIDDLETON MILL DITCH COMPANY, a corporation, be and it is hereby awarded the use of the waters of Boise River, diverted from said river at a point near the farm of Davis & Hart, Sec 13, T. 4 N. R. 1 W. E.M., for use upon the lands lying under its canal system, in the following amounts from the following dates;

- 63 0121 ^{T 300, 301, 349, 350, 391, 393} 1640 inches, from June 1, 1864; and hereby designated as Right No. 3
 63 0125 ^{T 300, 301, 391, 393} 1865 inches, from June 1, 1871; and hereby designated as Right No. 54.
 63 0126 350 inches, from June 1, 1891; and hereby designated as Right No. 120.
^{300, 301, 393}

And adjudged to pay \$222.25 costs, in addition to the costs incurred by it.

IV.

That the defendant THOMAS ANDREWS be and he is hereby awarded the use of the waters of Boise River, diverted from said river at a point in SE $\frac{1}{4}$ of Sec. 25 and in SW $\frac{1}{4}$ of Sec. 30, T. 5 N. R. 5 W. B.M., for use upon the SE $\frac{1}{4}$ of SE $\frac{1}{4}$, SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 23, E. $\frac{1}{2}$ of SE $\frac{1}{4}$, NW $\frac{1}{4}$ of SE $\frac{1}{4}$, NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$, E. $\frac{1}{2}$ of NW $\frac{1}{4}$, and lot 2, Sec. 22, all in T. 5 N. R. 5 W. B.M., in the following amounts from the following dates;

- 63 0127 ¹³⁵ inches, from June 1, 1864; and hereby designated as Right No. 4.
 63 0128 ³⁰⁰ inches, from June 1, 1865; and hereby designated as Right No. 29.
 63 0129 ⁶⁵ inches, from June 1, 1870; and hereby designated as Right No. 31.
 63 0130 ⁴⁵ inches, from June 1, 1889; and hereby designated as Right No. 104.
 63 0131 ¹⁷⁵ inches, from June 1, 1891; and hereby designated as Right No. 121.
 And adjudged to pay \$52.50 costs, in addition to the costs incurred by him.

V.

That the defendants T. C. CATLIN and POLETTE MACF be and they are hereby awarded the use of the waters of Boise River, diverted from a point on the south bank of said river, on Lot 5, Sec. 17, T. 4 N. R. 1 E. B.M., for use on their lands on Eagle Island, Ada County, Idaho, in the following amounts from the following dates;

- 63 0132 ^{T 143} inches, from June 1, 1864; and hereby designated as Right No. 5.
 63 0133 ⁵⁴³ inches, from June 1, 1871; and hereby designated as Right No. 32.
 And adjudged to pay \$37.52 costs, in addition to the costs incurred by them.

VI.

That the defendant T. C. CATLIN be and he is hereby awarded the use of the waters of Boise River, diverted near the center of the NE $\frac{1}{4}$ of Sec. 13, T. 4 N. R. 1 E. B.M., through what is known as the Davis & Hart ditch, for use upon lands lying under said ditch on Eagle Island, Ada County, Idaho, in the following amount from the following date;

- 63 0134 165 inches, from June 1, 1864.

And adjudged to pay \$11.55 costs, in addition to the costs incurred by him.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
CERTIFICATE OF CHANGE IN POINT OF DIVERSION OF DECREED WATER RIGHT
No. 179

THIS IS TO CERTIFY THAT IDAHO FISH & GAME DEPARTMENT, of Boise, Idaho, is the owner of and using certain water rights in the Boise River, County of Ada, State of Idaho, described as follows: Right No. 5, for 0.168 cubic foot per second, with priority of June 1, 1864, and Right No. 32, for 0.4432 cubic foot per second, with priority of June 1, 1871; said rights being decreed to T. C. and Felitta Catlin, by decree of Judge George H. Stewart, of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Canyon, in the case of

FARMERS COOPERATIVE DITCH COMPANY, a corporation,

Plaintiff,

vs.

RIVERSIDE IRRIGATION DISTRICT, LTD., a corporation, et al,

Defendants

being appurtenant to the following described lands, to-wit:

Lots 6, 7 & 8, $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13;
Lots 1 & 2, Section 24; Township 4 North,
Range 1 West, B.M. and

Lots 3, 4, 5, 10 & 11, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18,
Township 4 North, Range 1 East, B.M., excepting
80 acres, more or less in Lot 3, last above de-
scribed.

That the said decree bears date of January 18, 1906, and is entered in the records of the Department of Reclamation in Volume 5 of Decrees, at page 410 thereof.

That the said applicant, Idaho State Fish & Game Department, has become the owner of a portion of Lot 2, Section 24, Township 4 North, Range 1 West, B.M., and a portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, Township 4 North, Range 1 West, B.M., by purchase.

That now, upon the application of Idaho State Fish & Game Department, of Boise, Idaho, for a Certificate of Change in Point of Diversion, made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted, the right to change the point of diversion of 0.24 of a second foot of the above described water rights is hereby granted.

That said change in point of diversion shall not modify in effect said decrees, water rights, or place of use. Said water to be limited at any time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

0.24 of a second foot of the above described water
rights, with priorities as above stated.

That said water rights are appurtenant to the following described lands,
to-wit:

A portion of the following:

Lot 2 Section 24, Township 4 North, Range 1 West, B.M.
SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15, Township 4 North, Range 1 West, B.M.

That the water rights above described from the Boise River have been conducted to the place of use through the Catlin-Mace ditch, with point of diversion located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 16, Township 4 North, Range 1 East, B.M.- shown in the decree as Lot 5, Section 17, Township 4 North, Range 1 East, B.M.

That the water rights above described will hereafter be conducted to the place of use through the Seven Suckers ditch, with point of diversion located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24, Township 4 North, Range 1 West, B.M.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 31st day of March, A. D. 1945.

MARK R. KULP
State Reclamation Engineer
By

Ray W. Thompson
Supervisor of Water Distribution

NOTICE OF PROPOSED CHANGE IN POINT OF DIVERSION OF WATER RIGHT

Notice is hereby given that Idaho Fish & Game Department of Boise Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the point of Diversion of .24 cubic feet per second of the water of Boise River, located in Ada County, Idaho from the legally stated point of diversion, i.e. $83\frac{1}{2}$ $67\frac{1}{2}$ of Section 16, Twp. 4.N. Range 1.E.B.M. and delivered through the Catlin - Mace ditch, to the following described point of diversion, $83\frac{1}{2}$ $67\frac{1}{2}$ Section 24. Twp. 4.N. Range 1.W.B.M. to be delivered through the Seven Suckers ditch.

And that on the 2nd day of February A.D.1945 at Room 107, State House, Boise Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such change.

MARK.R. KULP.

State Reclamation Engineer.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-133 V1

WATER RIGHT NUMBER: 63-133 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MACE CATLIN DITCH CO C/O BOB KELL 1820 MACE RD EAGLE, ID 83616 (208)939-4618

Priority Date: 06/01/1871

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	7.788 CFS	
	<u>Total Diversion:</u>	7.788 CFS	

Location of Point(s) of Diversion

BOISE RIVER	SE1/4SW1/4SW1/4	Sec. 16, Twp 04N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	9					X L 3												
04N	01E	17								X L 6	X L 5	X	X	X L 8	X L 7	X	X		
04N	01E	18					X L 3	X L 4		X	X L 5	X L 11	X L 10	X L 7	X L 6	X L 9	X L 8		
04N	01E	19		X L 2															
04N	01E	20	X L 1	X L 2				X L 4											
04N	01W	13			X L 6	X L 7								X	X	X	X L 8		
04N	01W	24	X L 1	X L 2															

Total Acres: 549.4

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-133 V1

Conditions of Approval:

1. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
2. 155 This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and preceding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. S45 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

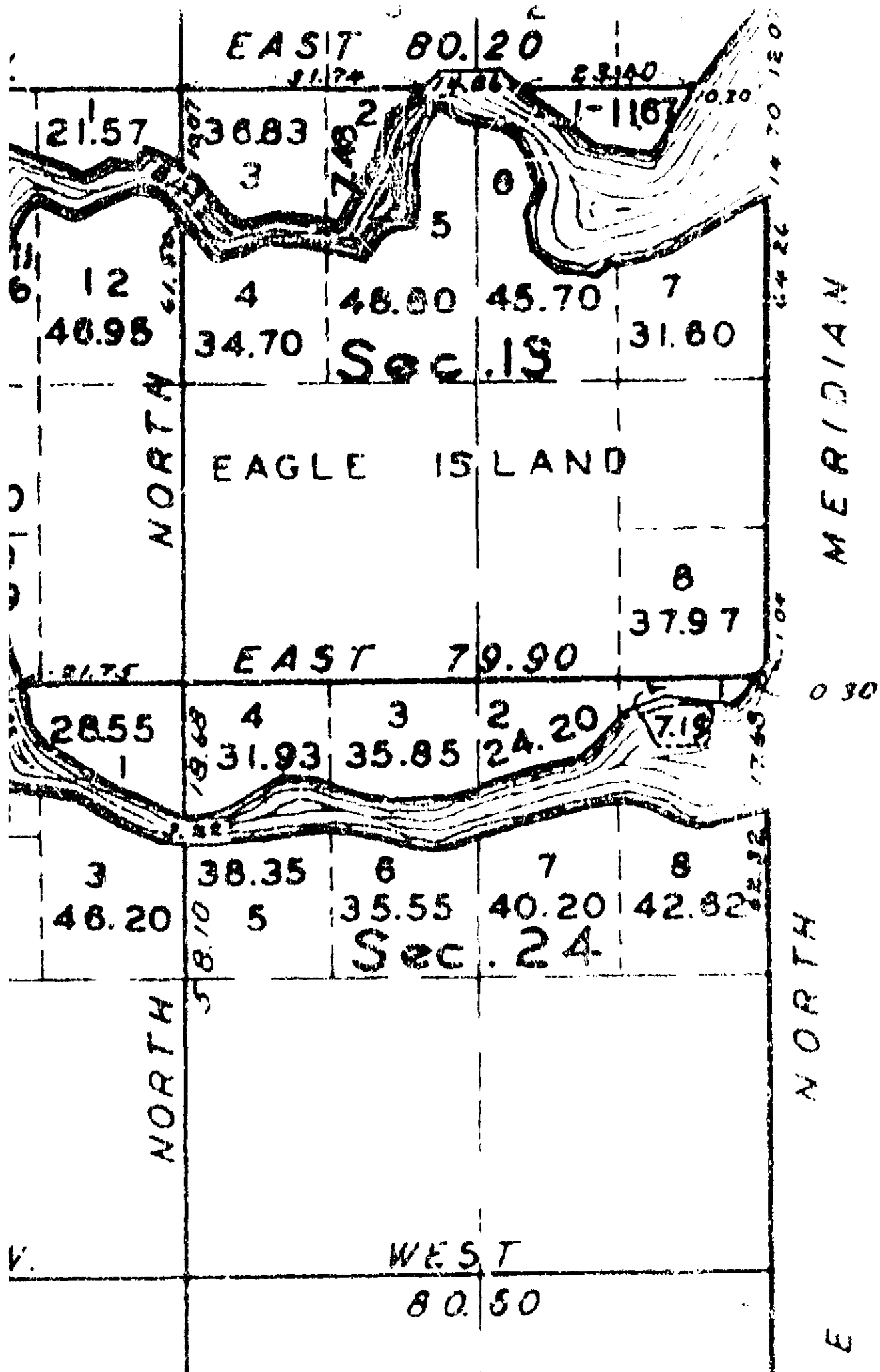
Remarks:

1. Explanatory DESIGNATED AS RIGHT NO 52 IN THE STEWERT DECREE AND THE BOISE RIVER WATER MASTERS RECORDS
2. Quantity THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.
3. Explanatory WATER IS DELIVERED THROUGH THE MASON-CATLIN CANAL
4. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 63-132, 63-382B
5. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 549.4 ACRES WITHIN THE BOUNDARY OF THE MACE-CATLIN DITCH COMPANY.

Comments:

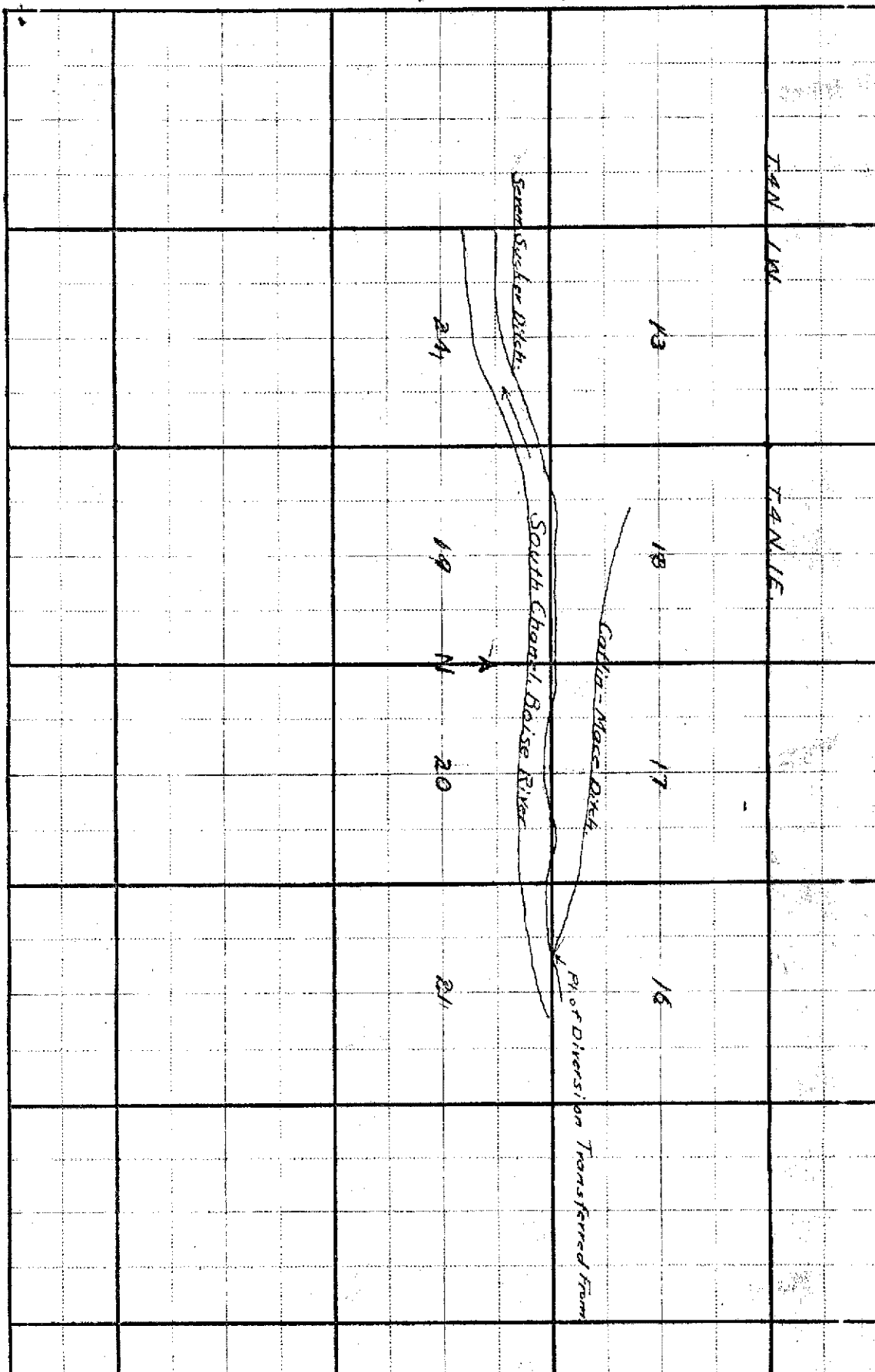
1. mcase 7/21/2004 POD
Comment: Correlated PODID 610781 from SpatialDataID 342564 to SpatialDataID 302494

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-133 V1



NAME OF APPLICANT *State of Idaho Dept. of Fish & Game.*

FORM No. D



SCALE: 2 INCHES EQUALS 1 MILE. DRAW PLAN IN INK.

~~Scale 2 Inches = 1 Mile. Draw Map in Ink.~~

NOTICE OF PROPOSED CHANGE IN POINT OF DIVERSION OF WATER RIGHT

Notice is hereby given that Idaho Fish & Game Department of Boise Idaho, has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the point of Diversion of .24 cubic feet per second of the water of Boise River, located in Ada County, Idaho from the legally stated point of diversion, i.e. NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, Twp. 4.N. Range 1.E.B.M. and delivered through the Catlin - Mace ditch, to the following described point of diversion, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24. Twp. 4.N. Range 1.E.B.M. to be delivered through the Seven Suckers ditch.

And that on the 2nd day of February A.D.1945 at Room 107, State House, Boise Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present for his consideration any reason or reasons why a certificate should not be issued authorizing such change.

MARK.R. KULP.

State Reclamation Engineer.

Affidavit for Change of Point of Diversion of Decreed Water Right

STATE OF IDAHO,

County of Ada

ss.

James O. Beck, Director

Idaho State Fish & Game Department

being first duly sworn, deposes and says: That his postoffice address is Boise, Idaho; That he is the owner of and using a certain water right, bearing date of priority of June 1, 1864, 1871, for .168 Right # 52 cubic feet per second of the waters of Boise River.

County of Ada, State of Idaho, decreed to T.C. & Paletta Catlin by decree of Judge Geo. H. Stewart, of the District Court, 7th Judicial District of the State of Idaho, in and for the County of Ada, in the case of Farmers Cooperative Ditch Co. vs. Riverside Irrig. District, Ltd. et al. said decree bearing date of Jan. 18, 1906, for the purpose of irrigating the following described lands, situate, lying and being in Water Dist. No. 12-A, in the County of Ada, and State of Idaho, to-wit: Lots 6, 7 & 8, W¹/2 Sec. 13; Lots 1 & 2, Sec. 24, Township 4 N., R. 1 W. E. 1/2 and Lots 3, 4, 5, 10, & 11, NW¹/4 Sec. 18 Twp. 4 N. R. 1 E. E. 1/2, excepting 20 acres more or less in Lot 3, last above described.

That he is the person (or representative of the corporation) to whom such right was issued, (or has become the owner thereof in the following manner: By purchase of portion of Lot 2, Sec. 24, Twp. 4 N. R. 1 W. and portion of SE¹/4 Sec. 13, T. 4 N. R. 1 W.

That said waters are now diverted from said stream in the SE 1/4 SW 1/4 of Sec. 16, Twp. 4 N., Range 1 E., and conducted to the above described lands through the Catlin - Mace ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said water from the point above described to a point located in NW 1/4 of NE 1/4, Sec. 24, Twp. 4 N., Range 1 W., and thereafter conduct same to the above described land through the Seven Suckers ditch, as per map above referred to:

That his reasons for desiring to make such change are as follows: Impractical to irrigate land in Lot 2, Sec. 24, Twp. 4 N. R. 1 W. from Catlin - Mace Ditch.

That no one will be injured by such change and that such change will be made at affiant's own risk

Idaho State Fish & Game Department
by *James O. Beck* Director
Affiant.

Subscribed and sworn to before me this 5 day of January, 1945.

Dorothy M. O'Brien

Notary Public, Reading Room, Idaho

NOTE:—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

The above application for change in point of diversion is hereby approved.

Watermaster District No. 12-A

H. C. Helms

**Land Records**
[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)
Property Details for Parcel S0413438407

- [Main Page](#)
- [Property Search](#)
- [Online Map](#)
- [Contact Us](#)
- [Disclaimer](#)
- [Help Index](#)
- [FAQ](#)
- [About Us](#)
- [Image Documents](#)
- [Old interactive map](#)

General Information

Property Acres: 33.156
Zone Code: RUT
Primary Code Area: 100 Tax Districts
Group Type: SECT
Subdivision: 4N 1W 13
Section: 4N1W13

**Property Description**

PAR #8407 @ SW COR SE4
 SEC 13 4N 1W &
 NW COR NE4
 SEC 24 4N 1W
 #438405-B

Property Address

S TROUT RD
 EAGLE, ID 83616

[Click to View Interactive Map](#)
Assessor Links

- [Assessor Main Page](#)
- [Administration](#)
- [Information](#)
- [Appraisal](#)
- [Exemptions and Reductions](#)
- [Motor Vehicles](#)
- [Levy Rates](#)

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	810-GOVERNMENT EXEMPTION	33.156	\$0	MARKET

Total Assessed Value: \$0

Parcel Valuation History

Assessed value for year 2004 \$0

Ada County Links**Property Characteristics**

Land

- [Ada County Home Page](#)
- [Commissioners](#)
- [Treasurer](#)
- [Clerk/Auditor/Recorder](#)
- [Development Services](#)
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overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES ADJUDICATION CLAIM POU REVIEW REPORT ADJUDICATION CLAIM NUMBER: 63-133L

05/20/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
132K	Claim	04N	01W	13	SW	SE		IRRIGATION	12.9/12.9	STATE OF IDAHO
133K	Claim	04N	01W	13	SW	SE		IRRIGATION	12.9/12.9	STATE OF IDAHO
~~133L~~	~~Claim~~	~~04N~~	~~01W~~	~~13~~	~~SW~~	~~SE~~		~~IRRIGATION~~	~~12.9/23.6~~	~~STATE OF IDAHO~~
134	Claim	04N	01W	13	SW	SE		IRRIGATION	38/843	HART-DAVIS DITCH CO INC
1822	Claim	04N	01W	13	SW	SE		IRRIGATION	7.3/49	STATE OF IDAHO
132K	Water Right	04N	01W	13	SW	SE		IRRIGATION		STATE OF IDAHO
132L	Water Right	04N	01W	13	SW	SE		IRRIGATION	DISALLOWED	STATE OF IDAHO
133K	Water Right	04N	01W	13	SW	SE		IRRIGATION	DISALLOWED	STATE OF IDAHO
~~133L~~	~~Water Right~~	~~04N~~	~~01W~~	~~13~~	~~SW~~	~~SE~~		~~IRRIGATION~~		~~STATE OF IDAHO~~
1822	Claim	04N	01W	13	SW	SE		STOCKWATER		STATE OF IDAHO
10627	Claim	04N	01W	13	SW	SE		COMMERCIAL		US DEPT OF DEFENSE
10627	Water Right	04N	01W	13	SW	SE		COMMERCIAL		US DEPT OF DEFENSE
2635	Claim	04N	01W	13	SW	SE		FISH PROPAGATION	6W	STATE OF IDAHO
2850	Claim	04N	01W	13	SW	SE		FISH PROPAGATION	6W	STATE OF IDAHO
133L	Claim	04N	01W	24	NW	NE		IRRIGATION	10.7/23.6	STATE OF IDAHO
7383	Water Right	04N	01W	24	NW	NE		IRRIGATION	16/76	SEVEN SUCKERS IRRIGATION DIST
1614B	Claim	04N	01W	24	NW	NE		IRRIGATION FROM STORAGE	5/10964.2	SETTLERS IRRIGATION DISTRICT
1618B	Claim	04N	01W	24	NW	NE		IRRIGATION FROM STORAGE	5/10964.2	SETTLERS IRRIGATION DISTRICT
1622B	Claim	04N	01W	24	NW	NE		IRRIGATION FROM STORAGE	5/10964.2	SETTLERS IRRIGATION DISTRICT
132L	Claim	04N	01W	24	NW	NE	2	IRRIGATION	10.7/10.7	STATE OF IDAHO
132K	Water Right	04N	01W	24	NW	NE	2	IRRIGATION		STATE OF IDAHO
132L	Water Right	04N	01W	24	NW	NE	2	IRRIGATION		STATE OF IDAHO
133K	Water Right	04N	01W	24	NW	NE	2	IRRIGATION		STATE OF IDAHO
~~133L~~	~~Water Right~~	~~04N~~	~~01W~~	~~24~~	~~NW~~	~~NE~~	~~2~~	~~IRRIGATION~~		~~STATE OF IDAHO~~
2635	Claim	04N	01W	24	NW	NE	2	FISH PROPAGATION		STATE OF IDAHO
2850	Claim	04N	01W	24	NW	NE	2	FISH PROPAGATION		STATE OF IDAHO
11625	Water Right	04N	01W	24	NW	NE	7	FISH PROPAGATION		CAROLYN A BOWER

63-132K + 63-133L = 0.24 cfs

no overlap -

Receipt Details for ID C020153

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/8/1991 4:42:24 PM	4/8/1991	State	\$337.10	Warrant
Payer		IDAHO, STATE OF		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
81224			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$337.10	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
72	2149	D	\$103.10	Claim
63	133	L	\$124.00	Claim
65	2561		\$50.00	Claim

Print Report

ILWR - WESTERN REGION

CONTRACTOR: Karen Waters

CLAIM/ID #: A63-00133L Date: 4-17-01

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	1W	13															12.9		12.9
GIS																		14		14
Claim	4N	1W	24		10.7															10.7
GIS					16															16
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1 (Lot 5)

Total Claimed Acres: 23.6

Total GIS Acres: 30

Overlapping POU Claim #'s:

63-00132L, 63-00132K, 63-00133K

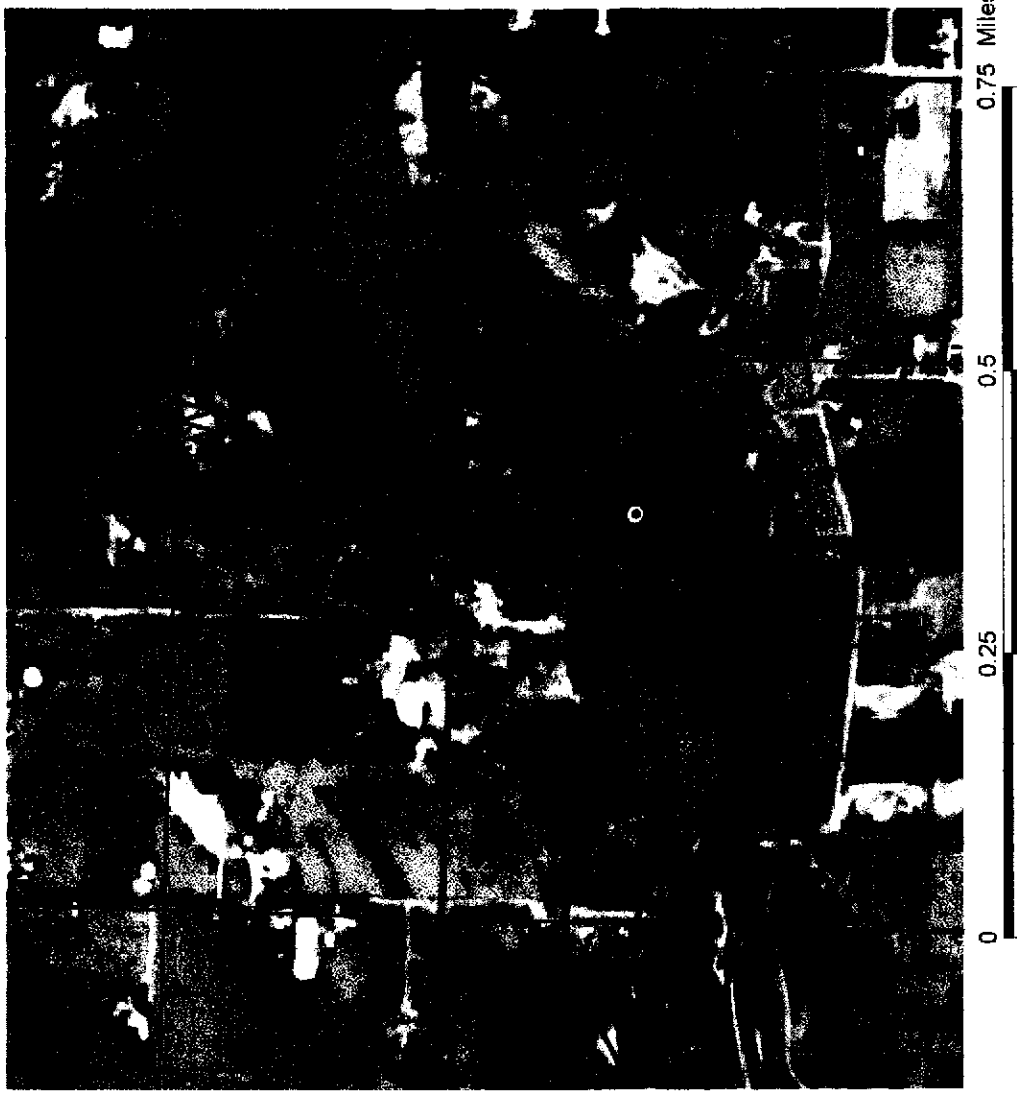
COMMENTS:

no map - Per county data & image interpretation.
POD estimated per claim legal.

Idaho Department of Water Resources

Claim Number: 63-00133L
Legal: T04N, R01W, S13, 24
Reviewed By: *Karan Waters*

1987 Napp Photo



⊙ Point of Diversion

☐

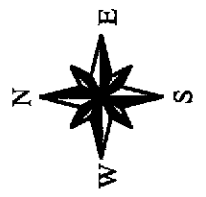
Place of Use

☐

Section Lines

☐

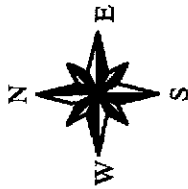
Quarter Quarter Lines



Idaho Department of Water Resources

Claim Number: 63-00133L
Legal: T04N, R01W, S13, 24
Reviewed By:

- ☐ Point of Diversion
- ☐ Place of Use
- ☐ Section Lines
- ☐ Quarter Quarter Lines



1987 Napp Photo

