

24-10000

Wyoming Game &
Fish Department

No Layout Needed

Fish Propagation

02/06/2006

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

RIGHT NUMBER: 24-10000

NAME AND ADDRESS: STATE OF WYOMING
GAME & FISH DEPARTMENT
5400 BISHOP BLVD
CHEYENNE WY 82006

SOURCE: WEBSTER CREEK TRIBUTARY: STUMP CREEK

QUANTITY: 3.000 CFS

PRIORITY DATE: 08/01/1959

POINT OF DIVERSION:

T07S R46E S32 SESWSE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FISH PROPAGATION	01/01 12/31	3.000 CFS

PLACE OF USE: FISH PROPAGATION Within CARIBOU County

T07S R46E S32 SWSE

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 - Beneficial Use

SCANNED

AUG 0 2001

ASSISTANT

100 02

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

RECEIVED

AUG 3 1989

Ident. Number: A24-10000
Date Received: 7/14/1989
Receipt No: E009952
Received By: TO

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WYOMING GAME & FISH DEPARTMENT 307-777-7730
Address: 5400 BISHOP BOULEVARD
CHEYENNE, WY 82006

2. Date of Priority: AUG 01, 1959

3. Source: WEBSTER CREEK Trib. to: STUMP CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	46E	32	SW	SE			CARIBOU

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.
FISH PROPAGATION	01/01	12/31	5.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
H/FISH PROPAGATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	46E	32	SW	SE		FISH	

11. Place of use in counties: CARIBOU

A24-10000

Page 1

Date: 07/14/89

MICROFILMED

NOV 6 1989

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
A24-02035/04044/07037/10001.

14. Remarks:

THE WATER IS DIVERTED BY A CONCRETE HEADGATE (1976) WHICH REPLACES A WOODEN HEADGATE (1959). THE WATER IS DIVERTED APPROXIMATELY 800' FOR FISH PROPAGATION, A NONCONSUMPTIVE USE, AND RETURNED TO WEBSTER CREEK.
THIS HATCHERY IS OPERATED UNDER A FOREST SERVICE LEASE AGREEMENT. A COPY IS ATTACHED. PROCUREMENT OF WATER RIGHTS IS CONDITIONED UPON THE OPERATION OF A FISH HATCHERY COMPLEX.
THIS CLAIM COMBINES CLAIMS 22-4198 AND 22-4045.

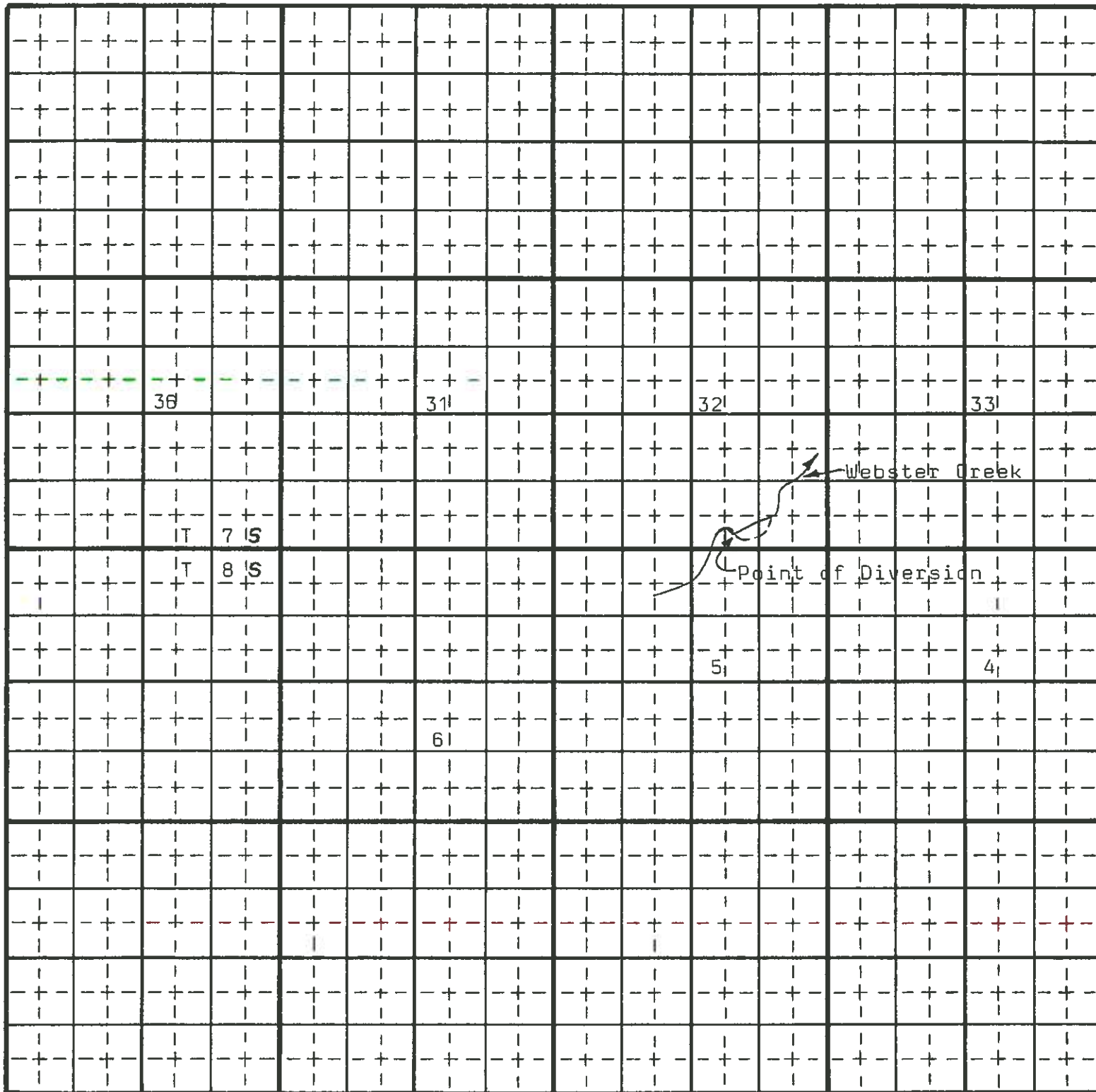
15. Basis of Claim: BENEFICIAL USE

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

Scale: 2 inches equals 1 mile

R 45 E

R 46 E



Last Name _____

Ident No. _____

Copies: White-State, Yellow-Chinaman

MICROFILMED

NOV 16 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 Organizations:

I do solemnly swear or affirm that I am Fish Division Chief of _____ Title

Wyoming Game & Fish Department, that I have signed the foregoing Organization

document in the space below as Fish Division Chief of Title

Wyoming Game & Fish Department and that the statements contained in the Organization

foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Fish Division Chief, Wyo Game & Fish De
Title and Organization

August 1, 1989

Date

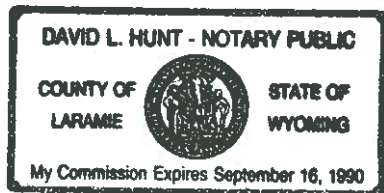
State of ~~Idaho~~ Wyoming)
County of Laramie) SS.

Subscribed and sworn (or affirmed) before me this 18th day

of August 19 89

David Hunt
Notary Public

Seal



Residing at 5400 Bishop Blvd
Chey WY

My Commission Expires 9/16/90

MICROFILMED
NOV 6 1992

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: AJA-04086 39576
Ident. Number A24-10000
Date Received _____
Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUL 10 1989

Department of Water Resources
Eastern District Office

A2410000

22-4198

Please type or print clearly

1. Name of Claimant (s) Wyoming Game and Fish Department Phone (307) 777-7736

Mailing Address 5400 Bishop Boulevard, Cheyenne, WY Zip 82006

2. Date of Priority (Only one (1) per claim) August 1, 1959

3. Source of water supply (a) Webster Creek
which is tributary to (b) Stump Creek

4. a. Location of existing point of diversion is: Township 7th S Range 46 E Section 32,
SW 1/4 of SE 1/4 of 1/4, Govt. Lot, B.M., County of Caribou

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. The water is diverted by a concrete
headgate (1976) which replaced a wooden headgate (1959) for fish
propagation, a non consumptive use, and returned to Webster Creek.

MICROFILMED

NOV 06 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Fish Propagation purposes from Jan 1 to Dec 31 amount 4.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is N/A acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Fish propagation - 4.0 cfs

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	
7S	46 E	32															X		

Total number of acres irrigated _____

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

12. Do you own the property listed above as place of use? Yes _____ No X

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.

24-4045 for 1.0 cfs used for Fish Propagation - Webster Creek or None ()

14. Remarks:

12. This hatchery is operated under a Forest Service Lease Agreement.
Copy of Lease is attached. Procurement of water rights is conditional
upon Lease Agreement for the operation of a fish hatchery complex.

13. 19209 for 2.249 cfs for fish hatchery - Terrace Springs.

24-4044 for 2.151 cfs for fish propagation & domestic - Terrace Springs.

24-7037 for 0.02 cfs for domestic - Spring, tributary of Spring Creek.

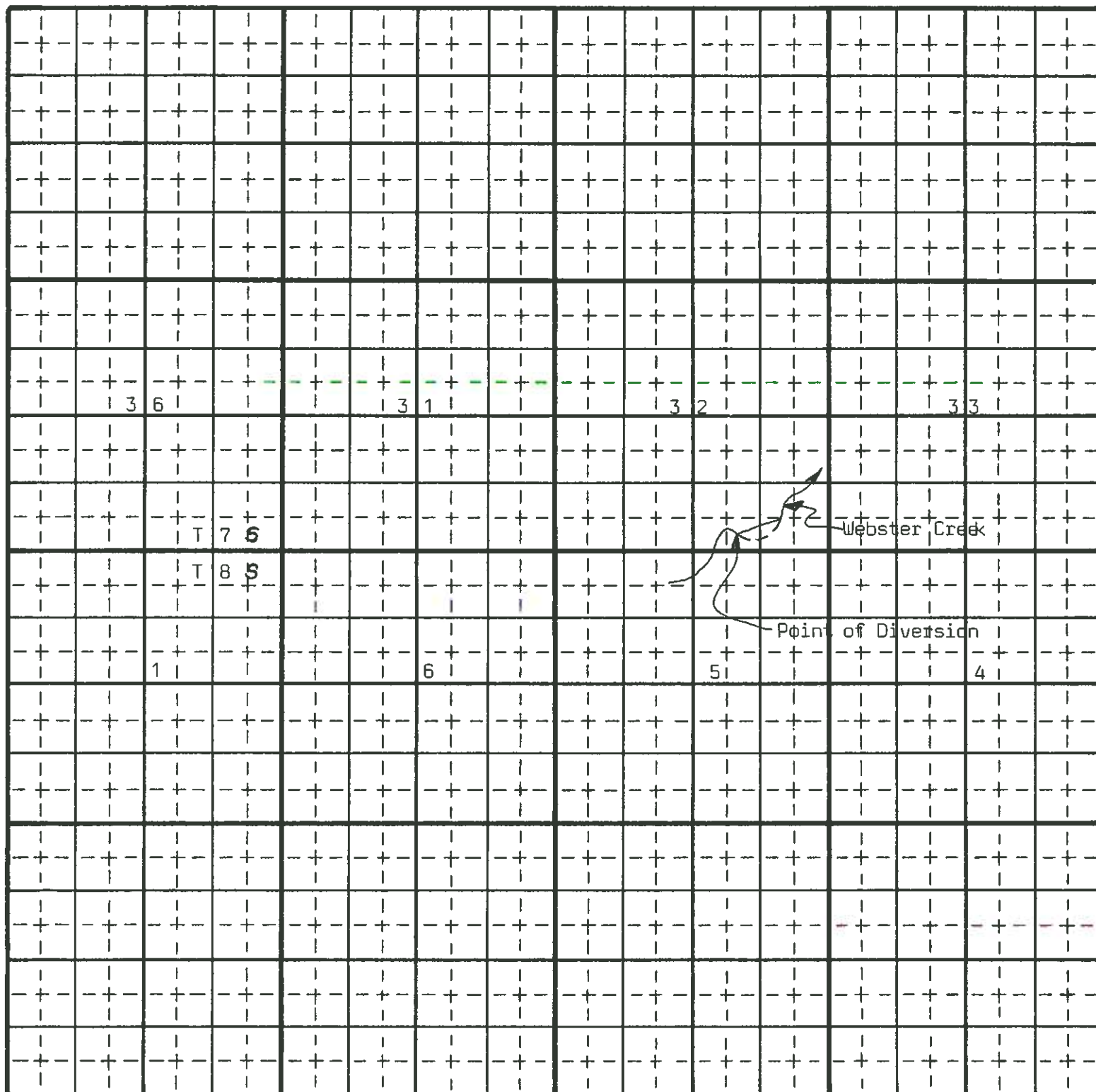
NOV 06 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

R 46 E



MICROFILMED

NOV 06 1992

Last Name Ident No.

Copies: White-State, Yellow-Claimant

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

Decree _____

If applicable provide IDWR Water Right Number _____ Claim No. 22-4198

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 _____

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 Joe White, Fish Division Chief Title _____

of Wyoming Game and Fish Department Organization _____, that I have signed the foregoing

document in the space below as Fish Division Chief Title _____ of Wyoming Game and Fish Department Organization _____

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

Signature of Authorized Agent Joseph R. White

Title and Organization Fish Division Chief, Wyoming Game and Fish Department Date 30 June 89

State of ~~Idaho~~ or Wyoming)
County of Laramie) SS.

Subscribed and sworn (or affirmed) before me this 5th day of July 1989

SEAL

Notary Public James J. Stuhl

Residing at 7207 Manhattan Ln Cheyenne Wyo

My Commission Expires December 15, 1992

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
NOV 06 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

**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 A24-10000

Date Received _____

Receipt Number _____

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

24-4045

RECEIVED

JUL 10 1989

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Wyoming Game and Fish Department Phone (307) 777-7730Mailing Address 5400 Bishop Boulevard, Cheyenne, WY Zip 820062. Date of Priority (Only one (1) per claim) August 1, 19593. Source of water supply (a) Webster Creek
which is tributary to (b) Stump Creek4. a. Location of existing point of diversion is: Township 7th S Range 46 E Section 32,
SW 1/4 of SE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of CaribouAdditional points of diversion if any: None

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. The water is diverted by a
concrete headgate (1976) which replaces a wooden headgate (1959)
headgate (76). The water is diverted approximately 800'
and for fish propagation, a nonconsumptive use, and returned to
Webster Creek.

RECORDED

NOV 06 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Fish Propagation purposes from Jan 1 to Dec 31 amount 1 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is N/A acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Fish propagation - 1 cfs

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	
<u>7S</u>	<u>46 E</u>	<u>32</u>															<u>X</u>		

Total number of acres irrigated _____

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

12. Do you own the property listed above as place of use? Yes _____ No X
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.
22-4198 for 4.0 cfs used for fish propagation - Webster Creek or None ()

14. Remarks:
12. This hatchery is operated under a Forest Service Lease agreement.
A copy is attached. Procurement of water rights is conditioned upon
the operation of a fish hatchery complex.
13. 19209 - 2.249 cfs for Fish Hatchery - Terrace Springs
24-4044 for 2.151 cfs for fish propagation & domestic - Terrace Spgs.
24-7037 for 0.02 cfs for Domestic - Spring, tributary to Spring Creek.

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____ Claim No. 24-4045
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 _____

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 Joe White, Fish Division Chief
of Wyoming Game and Fish Department, that I have signed the foregoing
document in the space below as Fish Division Chief of Wyoming Game and Fish Department
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization Fish Division Chief, Wyoming Game and Fish Department Date 30 June 89

State of ~~Idaho~~ or Wyoming)
County of Laramie) SS.

Subscribed and sworn (or affirmed) before me this 5th day of July 1989

SEAL

Notary Public _____

Residing at 9201 Manhattan Ln Cheyenne Wyo

My Commission Expires December 15, 1992

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 _____

Last Name _____ Ident. Number _____

MICROFILMED

NOV 06 1992
Copies White-State, Yellow-Claimant

02/06/2006

**NOTICE OF ERROR
REPLY**

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 24-10000

STATE OF WYOMING
GAME & FISH DEPARTMENT
5400 BISHOP BLVD
CHEYENNE WY 82006
Telephone Number: (307)777-7730

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: 10-3-06

SIGNATURE: [Signature]

Please print your name: Gregg Arthur, Deputy Director

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



RECEIVED
OCT 10 2006
Department of Water Resources
Eastern Region

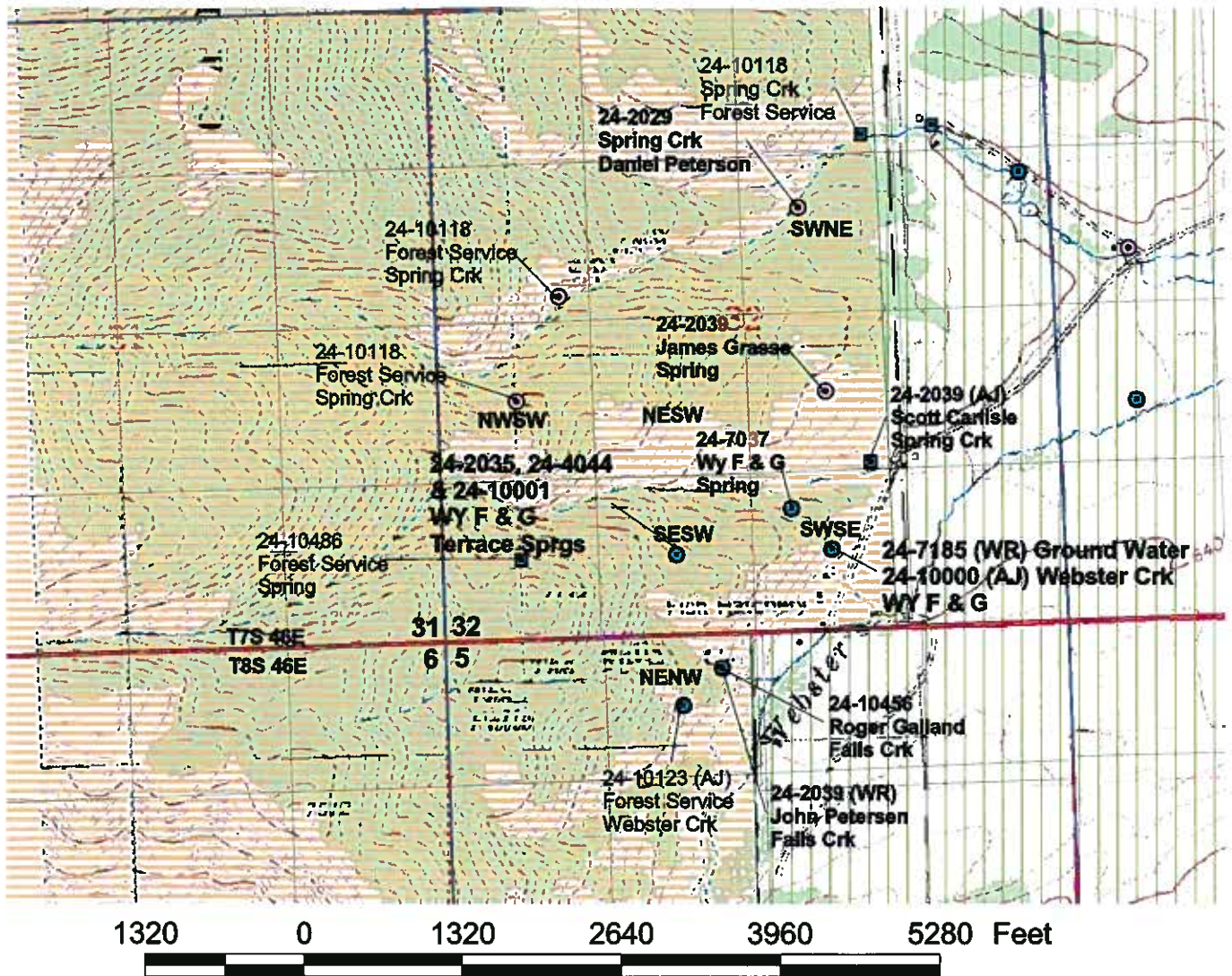
COMPLETED *NOB*
10/10/06 KAW



DIVERSIONS ON FOREST SERVICE LANDS



T7S R46E AND T8S R46E



LEGEND

- Township/Range
- Sections
- Quarter-quarter lines
- Claim POD
- Right POD
- B.L.M.
- Bureau of Indian Affairs
- Forest Service
- Private
- Recommended POU

RIGHTS INVOLVED:

24-2026, 24-2029,
24-2035, 24-2038, 24-2039,
24-4044, 24-10001, 24-10456



GIS POINTS OF DIVERSION PRESENTATION
PREPARED BY C. BIRD
JUNE, 2006

Notes

2/3/05 3:53pm I sent Tom an email to explain the limitation on their right due to the Petersen's (24-2026) right CB

2/6/05 the Hatchery uses (non consumptive) the Petersen's right before it goes to the Petersen's (Rodger Galland) 3.0 cfs limit.

2/6/05 Recommendation Complete CB

Notes

11-22-05 Received measurement of Webster Creek from Tim Annear.

11-23-05 I worked up some estimates for the flow of Webster Creek in my Hecstad program. If the depth of water was doubled it's estimated to be 4.82 cfs. Top width is estimated to be 6.7 ft. The slope 0.000147 ft/ft, using a coefficient of 0.03 for natural channel, rocky. The claimed cfs of 5.0 appears reasonable for spring flows. (limited to 24-2026 of 3.0 cfs).

11/28/05 Ed Berry returned my call. He said the fish hatchery and homes are in the SWSE of section 32. CB.

1-10-06 I discussed this right with Ernie because of the letter that they had permission to divert the Peterson's right. This right would then be limited to the Peterson right. (Ditch capacity for Peterson's) 24-2026.

2/3/06 24-2026 was licensed for 3.0 cfs. The SRBA claims were filed for recreation storage, limited irrigation + stock.

Receipt Details for ID E009952

Status	Adjustment Type	Version
	Adjusted Receipt	1

Wyoming G+F
24-4044

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
8/23/1989 3:55:28 PM	8/23/1989	Eastern	\$292.49	Check
Payer		STATE OF WYOMING		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
871098			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE FOR AUBURN HATCHERY

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$292.49	ADJUDICATION FEE FOR AUBURN HATCHERY	410162	9337	00		6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
24	7037		\$25.00	Claim
24	10001		\$25.00	Claim
24	4044		\$70.00	Claim
24	2035		\$72.49	Claim
24	10000		\$100.00	Claim

24-10000

11-22-05

Per your request below and according to our discussion earlier today, I've assembled information that may adequately address your remaining questions about our Webster Creek water right. Specifically, I've attached a spreadsheet that shows the flow measurement taken last week (2.2 cfs) and also included a photo taken today that shows the diversion.

As I mentioned on the phone, the flow measurement was taken about 100 yds upstream from the diversion point but there are no intervening ditches taking water out of the stream and no significant inputs of flow. The sight chosen for measuring the flow was selected because it was a straight section of stream with more laminar flow than occurred in the ditch below the diversion box. The spreadsheet shows the calculations used, location of the measurement and a map.

The attached photo shows how Webster Creek (on the left) is essentially blocked off and the entire flow of the stream is directed to the hatchery (on the right). Hatchery personnel advised me that this diversion has been set like this to capture the entire flow of Webster Creek for as long as anyone can remember. Note the grass growing up in front of the Webster Creek side of the creek (left) as evidence that there has been no significant flow through that channel for a long time. Though some water does still seep through the headgate boards, it's never very much.

Though the stream was only flowing 2.2 cfs last Thursday when the measurement was made (about normal for this time of year), I hope you can tell that the diversion ditch does in fact have the capacity to carry much more than that amount. As I've noted previously, we have no other documentation of how much flow actually goes down the ditch but we're confident it is at least equal to, if not greater than our 5 cfs right when the stream flows higher during the spring and summer.

I hope this information and documentation adequately addresses your questions about this particular water right, but if it does not, please let me know and I'll set about providing whatever else you need. I appreciate your patience and have learned much about Idaho water administration. I guess now it's too bad we don't have more Idaho water rights for me to put my new knowledge to much use . . . but maybe that's a good thing!

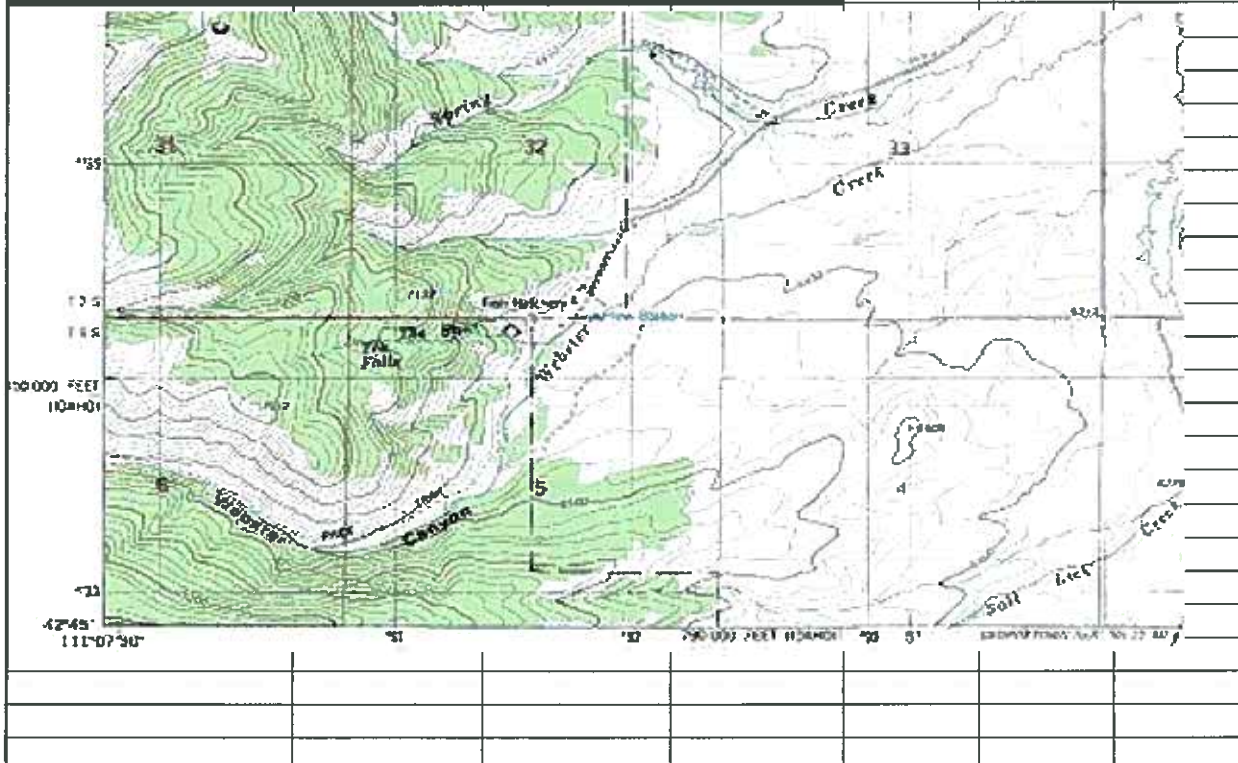
Best regards,

Tom

Tom Annear
Water Management Coordinator
Wyoming Game and Fish Department
307-777-4555
307-777-4611 (fax)
tom.annear@wgf.state.wy.us



Stream name:		Webster Creek			
Date:		11/17/2005			
Collected by:		Chris Menard/ Ed Berry			
Transect descript		T32N R149W Sec 32 SW 1/4			
		UTM=491,820E 4,734,280N ZN 12.			
		Below confluence of The Falls Creek - about 100 yds upstream from diversion			
Station(ft)	Depth	Velocity	Flow (cfs)		
0.0	0	0	0		
0.3	0.25	0.8	0.088		
0.9	0.5	1.15	0.252		
1.2	0.5	1.4	0.204		
1.5	0.5	1.74	0.254		
1.8	0.45	1.8	0.236		
2.0	0.4	2.07	0.362		
2.6	0.3	2.01	0.352		
3.2	0.2	1.78	0.208		
3.8	0.1	1.42	0.083		
4.4	0.1	1.56	0.091		
5.0	0.2	0.22	0.026		
5.5	0.15	0.2	0.018		
6.1	0.25	0.36	0.052		
6.7	0	0	0		
TOTAL			2.225		



Bird, Cindy

From: Tom Annear [Tom.Annear@wgf.state.wy.us]
Sent: Tuesday, November 15, 2005 9:42 AM
To: Cindy.Bird@idwr.idaho.gov
Subject: RE: October 13th response date

Indeed I did. Still trying to find the best means to get that info for you and not sure just when I'll be able to get to it, but hopefully within the next week or so.

Tom

Tom Annear
Water Management Coordinator
Wyoming Game and Fish Department
307-777-4555
307-777-4611 (fax)
tom.annear@wgf.state.wy.us

>>> "Bird, Cindy" <Cindy.Bird@idwr.idaho.gov> 11/14/05 5:04 PM >>>

Tom,

I spoke to Ed today on Terrace Springs. I received your document on Webster Crk and now I'm waiting for a measurement on Webster Creek? You talked about getting me a measurement.

Cindy

-----Original Message-----

From: Tom Annear [mailto:Tom.Annear@wgf.state.wy.us]
Sent: Monday, November 14, 2005 4:08 PM
To: Cindy.Bird@idwr.idaho.gov
Subject: Re: October 13th response date

Cindy,

I haven't heard from either you or Ed since last we spoke and was wondering how things now sit with water right issues for our Webster Creek right . . . and the domestic portion of Terrace Springs. If there's anything you need or are still waiting for, please let me know.

Best regards,

tom

Tom Annear
Water Management Coordinator
Wyoming Game and Fish Department
307-777-4555
307-777-4611 (fax)
tom.annear@wgf.state.wy.us

>>> "Bird, Cindy" <Cindy.Bird@idwr.idaho.gov> 10/12/05 10:09 AM >>>

11/16/2005

hi Tom,

The October 13th response date is just that a date which I need you to respond by. We have talked several times since my letter to resolve the issues. The 13th isn't a deadline date but just a response date.

respectfully,
Cindy

11/16/2005

WYOMING
GAME AND FISH DEPARTMENT

Dave Froendstedt, Governor



Terry Cleveland, Director

"Conserving Wildlife - Serving People"

Fish Division

Fax

To: Cindy Bird

Fax Number: _____

From: Tom Annear

Phone: 307-777-4555

Fax Number: (307) 777-4611

Date: 11-9-05

Pages: 2 (including this page)

Notes: Please call or email to confirm
receipt - Thanks,

tom.annear@wgf.state.wy.us

WYOMING GAME & FISH COMMISSION

HATCHERY WATER RIGHTS

INTER-DEPARTMENT COMMUNICATIONS

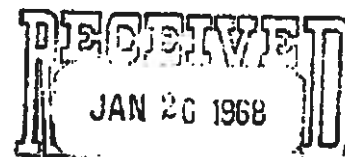
No. _____
DATE Jan 25 68 19____

TO: Jon Orden
FROM: Earl S. Wilde
COPIES TO:
SUBJECT: Hatchery Water Source

The one spring is the only source of water that is used at the Auburn hatchery except the water from Webster Creek is used to run through our brood stock raceway. This raceway was made in the original ditch used for irrigation on the Ray Peterson ranch. After approximately 90 yds of this ditch line the water is returned to the main creek channel.

Mr Peterson gave us permission (verbal) to do this for the use of the head gate at the lower end of the raceway. This was being tried on an experimental basis and it has worked out very well, therefore we have been using this set up since about 1959.

Earl Wilde



RESEARCH AND DEVELOPMENT
DIVISION

Notes

10/18/05 I sent Tom Annear an email that we still need evidence on this claim.

In previous discussions with Tom they aren't currently using this source because of contaminants in the water.

Bryce has a note in Rodger Hallenel 24-3026 file referring to 24-4044 & 24-10000

11/9/05 Tom Annear, Wyo fish & Game letter - Jan 25, 1968 Hatchery super to Hatchery engineers

- Peterson - w/R

Ruling - copy of claim

- fax letter

Measure Capacity

GAME AND FISH DEPARTMENT

Don Frankel, Governor



Terry Lundquist, Director

"Conserving Wildlife - Serving People"

October 12, 2005

Pauline Bassett
Idaho Department of Water Resources
15 West Center Street
Soda Springs, ID 83256

Re: Snake River Basin Adjudication – Claims 24-4044 and 24-1000

Dear Ms. Bassett:

Please be advised that my staff has been working diligently with Ms. Cindy Bird of your office to address the water rights issue noted above. We are in the final stages of collecting and submitting documentation for proof of beneficial use per the instruction of Ms. Bird. We anticipate providing the information requested within the next 7 – 10 days, but will advise your office if we encounter significant delays. It is our understanding from Ms. Bird that this minor delay is acceptable as long as we are progressing toward resolution of this matter.

If you have any questions or our understanding is incorrect, please do not hesitate to let me know.

Sincerely,

Michael D. Stone
Chief of Fisheries

MDS/TA/tw



WYOMING
GAME AND FISH DEPARTMENT

Don Froehlich, Director



Darry Cleveland, Director

"Conserving Wildlife - Serving People"

Fish Division

Fax

To: Pauline Bassett

Fax Number: 208-547-3939

From: Mike Stone

Phone: 307-777-4559

Fax Number: (307) 777-4611

Date: 10-12-05

Pages: 2 (including this page)

Notes: _____

OCT 18 2005

59

SRBA

SUBCASE SUMMARY REPORT 24-10001

[Return to SRBA Home Page](#)

SRBA
10-06-2005

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 24-10001 FILE#: 00036
CLAIMANT: WYOMING GAME & FISH DEPARTMENT
5400 BISHOP BLVD

CHEYENNE WY 82006
STATUS: PD ISSUED SPECIAL MASTER:
WATER SOURCE:

**** PARTIES INVOLVED ****

WYOMING GAME & FISH DEPART C PRO SE

**** ROA ENTRIES ****

04-25-2000 PARTIAL DECREE FILED - DISALLOWED RIGHT

04-25-2000

[Return to SRBA Home Page](#)



Close

check w/ Katy
on 10/6/05.

From: Bird, Cindy
To: Payne, Barbara; Jackson, Katy
Cc:
Subject: Wyoming Fish & Game missing file.
Sent: 10/4/2005 12:15 PM

Importance: Normal

hi,
During my web search I found that Wyoming Fish & Game have 4 adjudication claims but we only have 3 files accounted for. The one we don't seem to have is 24-10001.

I attached a copy of the web search for their claims.

Is the file still in Idaho Falls?

 ADJUDICATION CLAIMS.doc

Cindy

State record Center
Box E0076

NO RECOMMENDATION
Domestic use

http://www.idwr.idaho.gov/apps/ExtSearch/SearchWRAJ.asp - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Search Favorites Media

Address http://www.idwr.idaho.gov/apps/ExtSearch/SearchWRAJ.asp Go Links

OrganizationName = WYOMING GAME & FISH
 Search for active Records

Information for type: Claim

	Record	Basin	Sequence	Suffix	Version	Basis	Status	Priority Date	Diversion Rate	Source List	Water Uses	Owner List
Details Related Documents General Provision	1	24	2035			License	Active	1941-12-01	2.249	TERRACE SPRINGS	FISH PROPAGATION	WYOMING GAME & FISH DEPARTMENT (Current)
Details Related Documents General Provision	2	24	4044			Statutory Claim	Active	1942-04-01	2.151	TERRACE SPRINGS	DOMESTIC, FISH PROPAGATION	WYOMING GAME & FISH DEPARTMENT (Current)
Details Related Documents General Provision	3	24	10000			Beneficial Use	Active	1959-08-01	5	WEBSTER CREEK	FISH PROPAGATION	WYOMING GAME & FISH DEPARTMENT (Current)
Details Related Documents General Provision	4	24	10001			Beneficial Use	Active	1972-07-01	0.02	TERRACE SPRINGS	DOMESTIC	WYOMING GAME & FISH DEPARTMENT (Current)

Done Internet

Start

Inbox - M... Microsoft ... Microsoft ... http://... Water Rig...

12:04 PM

IDWR Water Right and Adjudication Search

Note: This search tool identifies active water rights and active transfers. If you want to search both active and inactive water rights, please check the box below.

☐ Search for both active and inactive water right records.

Search Results

Type of Query

USAGE INSTRUCTION

☒ All SRBA & Water Rights

SRBA

☐ Claims

☐ Recommendations

☐ Both

Water Rights

☐ Applications

☐ Permits

☐ Decrees, Licenses and Statutory Claims

☐ Transfers

☐ All of the above

Basin

Who

What

When

Where

Clear

Search

Help

Query parameters:

basinFrom = 24

OrganizationName = WYOMING GAME & FISH

Search for: active Records

*10/4/05
Where is this file
CB.*

Information for type: Claim

	Record	Basin	Sequence	Suffix	Version	Basis	Status	Priority Date	Diversion Rate	
Details										
Related Documents	1	24	2035			License	Active	1941-12-01	2.249	TE SP
General Provision										
Details										
Related Documents	2	24	4044			Statutory Claim	Active	1942-04-01	2.151	TE SP
General Provision										
Details										
Related Documents	3	24	10000			Beneficial Use	Active	1959-08-01	5	W. CF
General Provision										
Details										
Related Documents	4	24	10001			Beneficial Use	Active	1972-07-01	0.02	TE SP
General Provision										

Information for type: Statutory Claim, Decree and License

	Record	Basin	Sequence	Suffix	Version	Basis	Status	Priority Date	Diversion Rate	S
Details	5	24	4086			Statutory Claim	Active	1959-08-01	4	WE CRI
Related Documents										
General Provision										
Details	6	24	7037			Decreed	Active	1980-05-15	0.02	SPF
Related Documents										
General Provision										

Number of records = 6

Notes

10-28-04 Assessor's Office: DB

Wyoming Fish & Game Dept.

5400 Bishop Blvd.

Cheyenne, WY 82006

Parcel Number is: 76120

no record of township, range, section or acres

5-25-05 Put a copy of the plat, topo + ortho maps
in the file. DB

6-16-05 Called 307-777-7730 to verify address. Caribou County
Assessor has the zip code as 82002. The phone
number we have on file, changed about 15 years
ago. After a couple of calls I got the right
number its: 307-777-4600. The Fish Division
Chief is no longer Joseph White its now Mike
Stone. I faxed them a copy of the change in
address form, so we can update our records. DB

9/21/05 Buys Les 24-2035 but wasn't sent
24-4044; 24-10000 for some reason! CB

This file needs evidence to support the
priority date.

9-22-05 Sent evidence of priority letter to
claimant. DB

10-3-05 Received FAX from Claimant re docs. BT

10-12-05 " " " " " " 157

Contacts Data Entry Form

24 10000

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____

Current Owner Wyoming Fish & Game Dept.

Name connector: and _____ or _____ and/or _____

Current Owner 5400 Bishop Blvd, Cheyenne, WY 82002

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Reviewer: _____

Date: _____

Contacts Data Entry Form

Priority Date Data Entry FormClaim Number: 24-10060

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Reviewer: _____

Date: _____

Priority Date Data Entry Form

1. Should this water use have been included in a later court decree of the water rights from this source? Yes () No (X)
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes () No ()
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes () No ()
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes () No (X)
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes () No ()
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes () No ()
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes () No (X)
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes () No (X)
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes () No (X)
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes () No ()
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit.
Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes () No ()
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes () No ()
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes () No ()
If Yes, go to 16
If No, Enter the appropriate basis of claim.
16. Is a Priority Date remark and/or condition required? Yes () No ()
If Yes, Enter the appropriate basis of claim. Priority Date review is complete.
If No, Priority Date review is complete.

Priority Date

Claim No 124 - 1000

Point of Diversion and Source Data Entry Form

Claim Number:

24-10000

Water Right Point of Diversion: T____ R____ Sec.____,____,____,____ County:_____

Source:_____ Tributary:_____

Claimed Point of Diversion: T____ R____ Sec.____,____,____,____ County:_____

Source:_____ Tributary:_____

Recommended Point of Diversion: T____ R____ Sec.____,____,____,____ County:_____

Source:_____ Tributary:_____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

Transfers Changing POD _____

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes () No (✓)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No (✓)

3. Has the License been issued?

If Yes, go to 5
If No, recommend the POD as shown on the Permit. Go to 10

Yes () No ()

4. Does the parent right have a POD?

If Yes, go to 5
If No, go to 6

Yes () No ()

5. Can the claimed POD be verified using the water right file?

If Yes, recommend the POD as shown in the water right file. Go to 10
If No, go to 6

Yes () No ()

6. Is there evidence that there has been a change in the POD?

If Yes, go to 7
If No, go to 9

Yes () No (✓)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C03, go to 9
If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

Yes () No ()

8. Was a transfer filed?

If Yes, recommend the POD as shown on the approved transfer. Go to 10
If No, go to 9

Yes () No ()

9. Does the file contain all of the necessary information to verify the POD?

If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10
If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10

Yes (✓) No ()

10. Is a POD remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POD review is complete
If No, POD review is complete

Yes () No (✓)

Point of Diversion

Claim No. 24 - 10000

1. Is the basis of claim a Decree or License?

Yes () No (X)

If Yes, go to 4
If No, go to 2

2. Is the basis of claim a Permit or Application?

Yes () No (X)

If Yes, go to 3
If No, go to 6

3. Has the License been issued?

Yes () No ()

If Yes, go to 5
If No, recommend the Source as shown on the Permit. Go to 11

4. Does the parent right have a Source?

Yes () No ()

If Yes, go to 5
If No, go to 7

5. Can the claimed Source be verified using the water right file?

Yes () No ()

If Yes, recommend the Source as shown in the water right file. Go to 11
If No, go to 7

6. Is the basis of claim a Posted Notice?

Yes () No (X)

If Yes, consult the attorney assigned to the basin. Go to 7
If No, go to 7

7. Is there evidence that there has been a change in the Source?

Yes () No (X)

If Yes, go to 8
If No, go to 10

8. Can the change be verified as an accomplished transfer?

Yes () No ()

If Yes, add condition C02, go to 10
If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9

9. Did the claimant file a transfer?

Yes () No ()

If Yes, recommend the Source as shown in the transfer. Go to 11
If No, go to 10

10. Does the file contain all of the necessary information to verify the Source?

Yes (X) No ()

If Yes, recommend the Source as it existed on 11-19-1987. Go to 11
If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11

11. Is a Source remark and/or condition required?

Yes () No (X)

If Yes, enter the appropriate remark and/or condition. Source review is complete.
If No, Source review is complete.

Source

Claim No. A24 - 10000

Purpose of Use Data Entry Form

Claim Number: 24-10000☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

Transfers Changing Purpose of Use _____

Reviewer: _____

Date: _____

Purpose of Use Data Entry Form

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes () No (X)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No (X)

3. Has the License been issued?

If Yes, go to 5
If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13

Yes () No ()

4. Does the parent right have a Purpose of Use?

If Yes, go to 5
If No, go to 6

Yes () No ()

5. Can the claimed Purpose of Use be verified using the water right file?

If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13
If No, go to 6

Yes () No ()

6. Is there evidence that there has been a change in the Purpose of Use?

If Yes, go to 7
If No, go to 11

Yes () No (X)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C04, go to 11
If No, go to 8

Yes () No ()

8. Does the change include an enlargement of the Purpose of Use?

If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9
If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12

Yes () No ()

9. Was an enlargement claim filed?

If Yes, go to 11
If No, Notify claimant that an enlargement claim is necessary. Go to 10

Yes () No ()

10. Did the claimant file an enlargement claim?

If Yes, go to 11
If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

11. Does the file contain all of the necessary information to verify the Water Use?

If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes (X) No ()

12. Did the claimant file a transfer?

If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13
If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes () No ()

13. Is a Purpose of Use remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.
If No, purpose of Use review is complete.

Yes () No (X)

Purpose of Use

Claim No. 124 - 10000

Place Of Use Data Entry Form

Claim Number: 24-10000☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

Transfers Changing POU _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

1. Is the basis of claim a Decree or License?

If Yes, go to 2a
If No, go to 2b

Yes () No (X)

2a. Is a POU required?

If Yes, go to 5
If No, go to 14

Yes () No ()

2b. Is a POU required?

If Yes, go to 3
If No, go to 14

Yes () No ()

3. Is the basis of claim a Permit or Application?

If Yes, go to 4
If No, go to 7

Yes () No ()

4. Has the License been issued?

If Yes, go to 6
If No, recommend the POU as shown on the Permit. Go to 14

Yes () No ()

5. Does the parent right have a POU?

If Yes, go to 6
If No, go to 7

Yes () No ()

6. Can the claimed POU be verified using the water right file?

If Yes, recommend the POU as shown in the water right file. Go to 14
If No, go to 7

Yes () No ()

7. Is there evidence that there has been a change in the POU?

If Yes, go to 8
If No, go to 13

Yes () No ()

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C05, go to 13
If No, go to 9

Yes () No ()

9. Does the change include an enlargement of the POU?

If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10
If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12

Yes () No ()

10. Was an enlargement claim filed?

If Yes, go to 13
If No, notify claimant that an enlargement claim is necessary. Go to 11

Yes () No ()

11. Did the claimant file an enlargement claim?

If Yes, go to 13
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

12. Was a transfer filed?

If Yes, recommend the POU as shown on the approved transfer. Go to 14
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

13. Does the file contain all of the necessary information to verify the POU?

If Yes, go to 14
If No, collect the necessary information. Conduct field exam if necessary. Go to 14

Yes () No ()

14. Is a POU remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POU review is complete.
If No, POU review is complete.

Yes () No ()

Place of Use

Claim No. A24 - 10000

Period of Use and Quantity Data Entry FormClaim Number: 24-10000☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity**Water Right Period of Use and Diversion Rate**

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Reviewer: _____

Date: _____

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes () No (X)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No (X)

3. Has the License been issued?

If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18

Yes () No ()

4. Does the parent right have a Period of Use?

If Yes, go to 5
If No, go to 6

Yes () No ()

5. Can the claimed Period of Use be verified using the water right file?

If Yes, go to 14
If No, go to 6

Yes () No ()

6. Is there evidence that there has been a change in the Period of Use?

If Yes, go to 7
If No, go to 12

Yes () No (X)

7. Does the change include an enlargement in the Period of Use?

If Yes, go to 9
If No, go to 8

Yes () No ()

8. Can the change be recommended as an accomplished transfer?

If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11

Yes () No ()

9. Was an enlargement claim filed?

If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10

Yes () No ()

10. Did the claimant file an enlargement claim?

If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12

Yes () No ()

11. Was a transfer filed?

If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12

Yes () No ()

12. Does the file contain all of the necessary information to verify the Period of Use?

If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13

Yes () No ()

13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined?

If Yes, go to 14
If No, go to 15

Yes () No ()

14. Is irrigation claimed as a purpose of use?

If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18

Yes () No ()

15. Is irrigation claimed as a purpose of use?

If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18

Yes () No ()

16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?

If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18

Yes () No ()

17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use?

If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18

Yes () No ()

18. Is a Period of Use remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.
If No, Period of Use review is complete.

Yes () No ()

Period of Use

Claim No. 24 - 10000

1. Is the basis of claim a Decree or License?

If Yes, go to 4
If No, go to 2

Yes () No (X)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3
If No, go to 6

Yes () No (X)

3. Has the License been issued?

If Yes, go to 5
If No, recommend the Quantity shown on the Permit. Go to 11

Yes () No ()

4. Does the parent right have a diversion rate and/or volume?

If Yes, go to 5
If No, go to 7

Yes () No ()

5. Can the claimed diversion rate and/or volume be verified using the water right file?

If Yes, go to 8
If No, go to 7

Yes () No ()

6. Is the basis of claim a posted notice?

If Yes, consult the attorney assigned to the Basin. Go to 7
If No, go to 7

Yes () No (X)

7. Is a flow measurement required?

If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9
If No, describe why a flow measurement is not required. Go to 9

Yes () No ()

8. Does the parent right have an annual diversion volume limit?

If Yes, go to 10
If No, go to 9

Yes () No ()

9. Is the source Ground Water and does the purpose of use require a diversion volume limit?

If Yes, go to 10
If No, go to 11

Yes () No ()

10. Is irrigation a purpose of use?

If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

Yes () No ()

11. Has a diversion volume limit for this water use been established by a decree, license or transfer?

If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, go to 12

Yes () No ()

12. Is a Quantity remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Quantity review is complete.
If No, quantity review is complete.

Yes () No ()

Quantity

Claim No. A24 - 10000

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?

If Yes, go to 2
If No, go to 3

Yes () No (☒)

2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?

If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4
If No, status will be set as Active. Go to 5

Yes () No ()

3. Is the water being used for all of the purposes claimed and to the extent claimed?

If Yes, status will be set as Active. Go to 5
If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4

Yes (☒) No ()

4. Is any portion of the claim being recommended?

If Yes, status will be set as Active. Go to 5
If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5

Yes () No ()

5. Does this right have any combined used limits with other rights?

If Yes, go to 6
If No, go to 6

Yes () No (☒)

6. Is an additional remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Go to 7
If No, go to 7

Yes (☒) No ()

7. Would you like to view the recommended right?

If Yes, go to 8
If No, the review is incomplete. The recommendation must be viewed to complete the review.

Yes (☒) No ()

8. Is this a "split" or "combined" right?

If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 9
If No, go to 9

Yes () No (☒)

9. Do you have documents you would like to attach or link to the file?

If Yes, go to PowerDOCS and profile the documents. Go to 10
If No, go to 10

Yes () No (☒)

10. Would you like to set the verification date?

If Yes, the review is complete.
If No, the review is incomplete. The recommendation must be verified to complete the review.

Yes (☒) No ()

Summary

Claim No. 424 - 10000

Summary Data Entry Form

Claim No.: _____

Remarks and Conditions (Include Type, Category and Code if applicable):

Split or Combined Right Analysis:

Attached Field Notes or Other Documents:

Claim No.: 24-10000

Reviewer _____ Date _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 22, 2005

Wyoming Game & Fish Dept
% Mike Stone, Chief of Fisheries
5400 Bishop Boulevard
Cheyenne, WY 82006

COPY

Re: Snake River Basin Adjudication (SRBA)
Claims: 24-4044 & 24-10000

Subject: EVIDENCE OF PRIORITY

Response Date: October 13, 2005

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 24. The Notice(s) of Claim identified with the numbers shown above, have been filed in the Snake River Basin Adjudication (SRBA).

The Notice indicates that the claims are based on statutory use. Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have enclosed the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of

Evidence is Required” and “Some examples of Documents Which May Be Evidence of the Priority Date”.

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

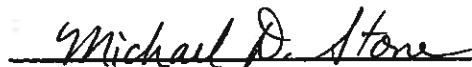
.....
The Department cannot recommend the court decree the Notice if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by the above noted response date referencing all documents with the corresponding Claim numbers. If you have any questions not covered by this letter, please feel free to contact me at (208) 547-3993.

Respectfully,

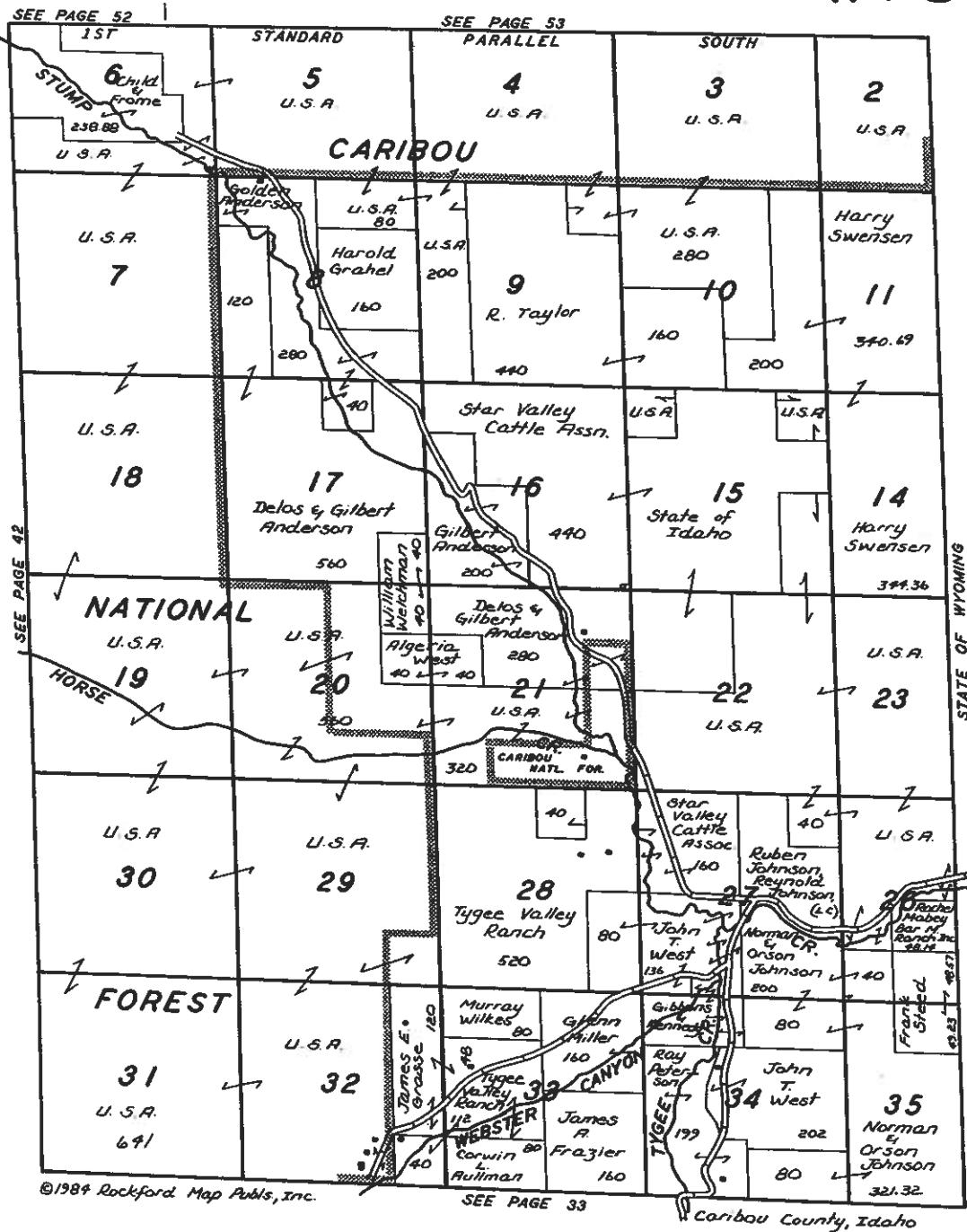
Pauline Bassett

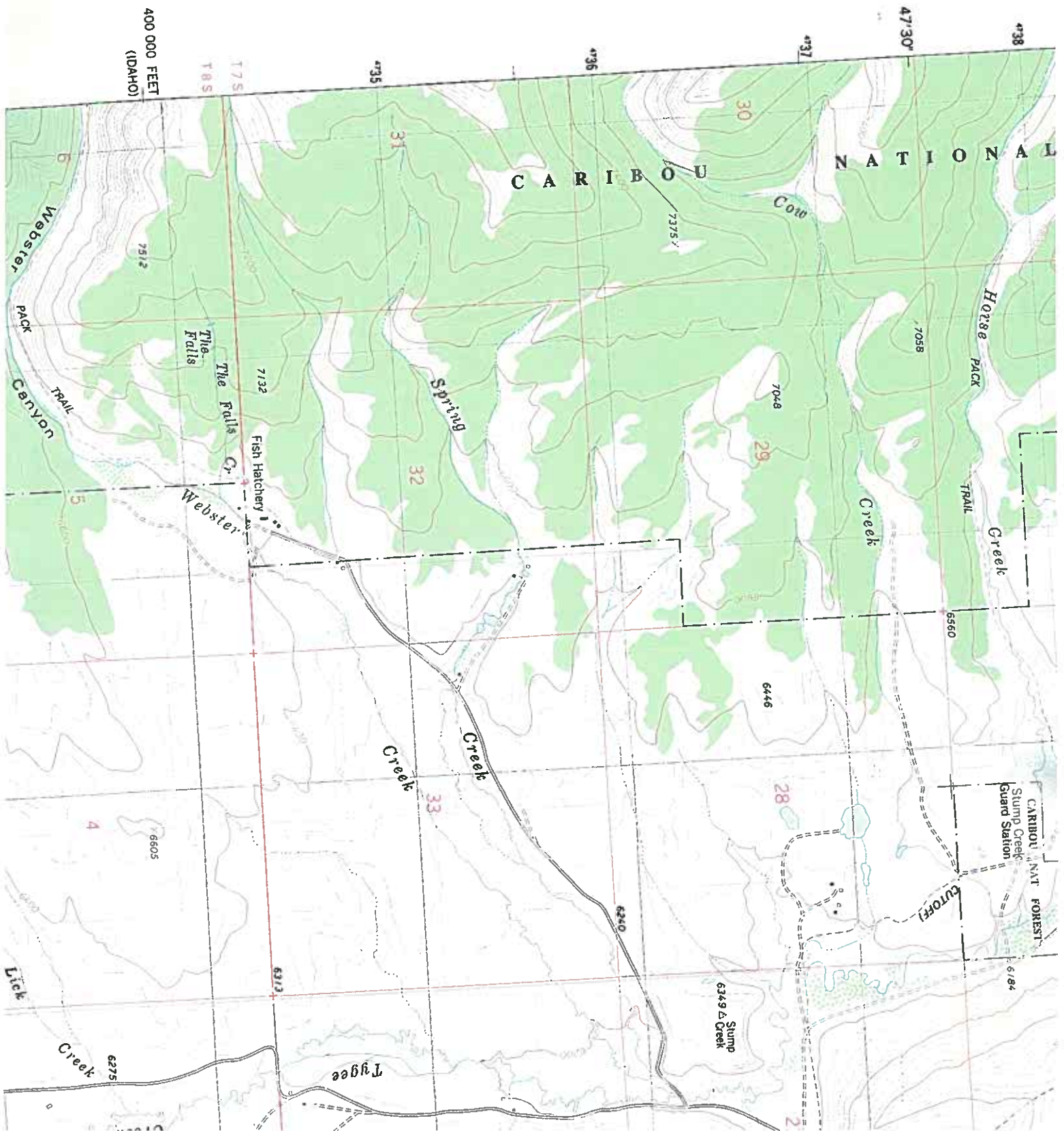
Enclosure: Brochure on “Evidence of Priority”

**SNAKE RIVER BASIN ADJUSTICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM****Claim Number(s):**24-2035, 24-4044 & 24-10000**Previous Mailing Address:**Wyoming Game & Fish Dept.
Joseph White, Fish Division Chief
5400 Bishop Boulevard
Cheyenne, WY 82002**New Mailing Address:**Wyoming Game & Fish Dept.
Mike Stone, Chief of Fisheries
5400 Bishop Blvd.
Cheyenne, WY 82006**Telephone Number:**(307) 777-4559**Signature of Claimant(s):**Michael D. Stone **Sign Here**

Please return this completed form to the address indicated below:

☐ Adjudication Bureau
Idaho Dept. of Water Resources
P. O. Box 83720
Boise, ID 83720-0098
Ph. 208/287-4800 or
FAX 208/287-6700☐ Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037☐ Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348☐ Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177☒ Adjudication Bureau
Idaho Dept. of Water Resources
15 West Center Street
Soda Springs, ID 83276
Ph. 208/547-3993 or
FAX 208/547-3939





-75
-85



400 000
FEET

42° 45'
111° 7' 30" 780 000 FEET

Produced by the Geological Survey
in cooperation with the Forest Service

Orthophotograph prepared from 1:78 000-scale
aerial photographs taken September 1, 1976

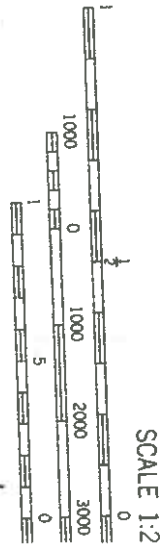
Projection: Idaho coordinate system, east zone
(transverse Mercator)

10,000-foot grids based on Idaho coordinate system, east zone
and Wyoming coordinate system, west zone

1000-meter Universal Transverse Mercator grid ticks,
zone 12. 1927 North American datum

Photom imagery transformed by scanning techniques
which may produce double or mismatched images;
use the mean of image positions for map point.

NORTH



THIS MAP COMPLIES WITH NATION
FOR SALE BY U. S. GEOLOGICAL SUI

... ..

AUG 06 2001

AUGUST 12, 1992

WYOMING GAME & FISH DEPARTMENT
5400 BISHOP BOULEVARD
CHEYENNE WY 82006

RE: NOTICE OF CLAIM A24-10000

Dear Sirs:

On, or about July 10, 1989, two Notices of Claim were filed for the Wyoming Game & Fish Department. Both of the Notices submitted have the same nature of use and priority date, but with different cfs amounts. Tony Olienachak, Water Resource Agent, combined the two claims into one (A24-10000).

Enclosed for your records are the yellow copies of the two claims you submitted. Also enclosed is a Notice of Claim (A24-10000) showing the combined water rights. This is a copy for your records.

If you have any questions, please call 525-7161 and ask for Ernie Carlsen.

Respectfully submitted,



Jo Thompson
Adjudication Secretary

Enclosure: yellow copies and computer copy (A24-10000)

MICROFILMED
NOV 10 1992