

10/28/2006

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

RIGHT NUMBER: 63-32530
NAME AND ADDRESS: FRANCES D ENGLE
9450 FERRY RD
MELBA ID 83641
FRANK L ENGLE
9450 FERRY RD
MELBA ID 83641

SOURCE: WARM SPRINGS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.680 CFS
329.35 AFY

PRIORITY DATE: 06/16/1967

POINT OF DIVERSION:
T01S R02W S10 NWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.680 CFS 329.35 AFY
The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15, under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.		

PLACE OF USE: IRRIGATION Within CANYON County

T01S R02W S09	SWNE	4.00	T01S R02W S09	SENE	18.00
T01S R02W S09	NESW	19.00	T01S R02W S09	NESE	38.00
T01S R02W S09	NWSE	31.00	T01S R02W S10	SWNW	6.00

116 ACRES TOTAL

Right Nos. 63-32528 and 63-32530 are limited to the irrigation of a combined total of 116 acres in a single irrigation season.

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 - License

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

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

This right is a split from former right 63-3590 .



Idaho Department of Water Resources

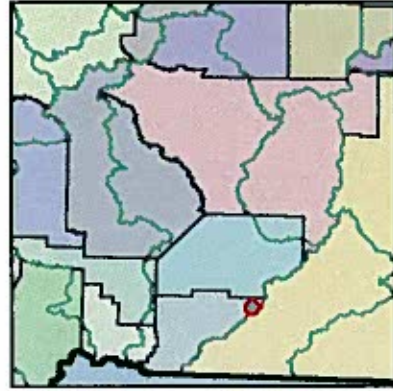
SRBA Recommendation:

63-32530

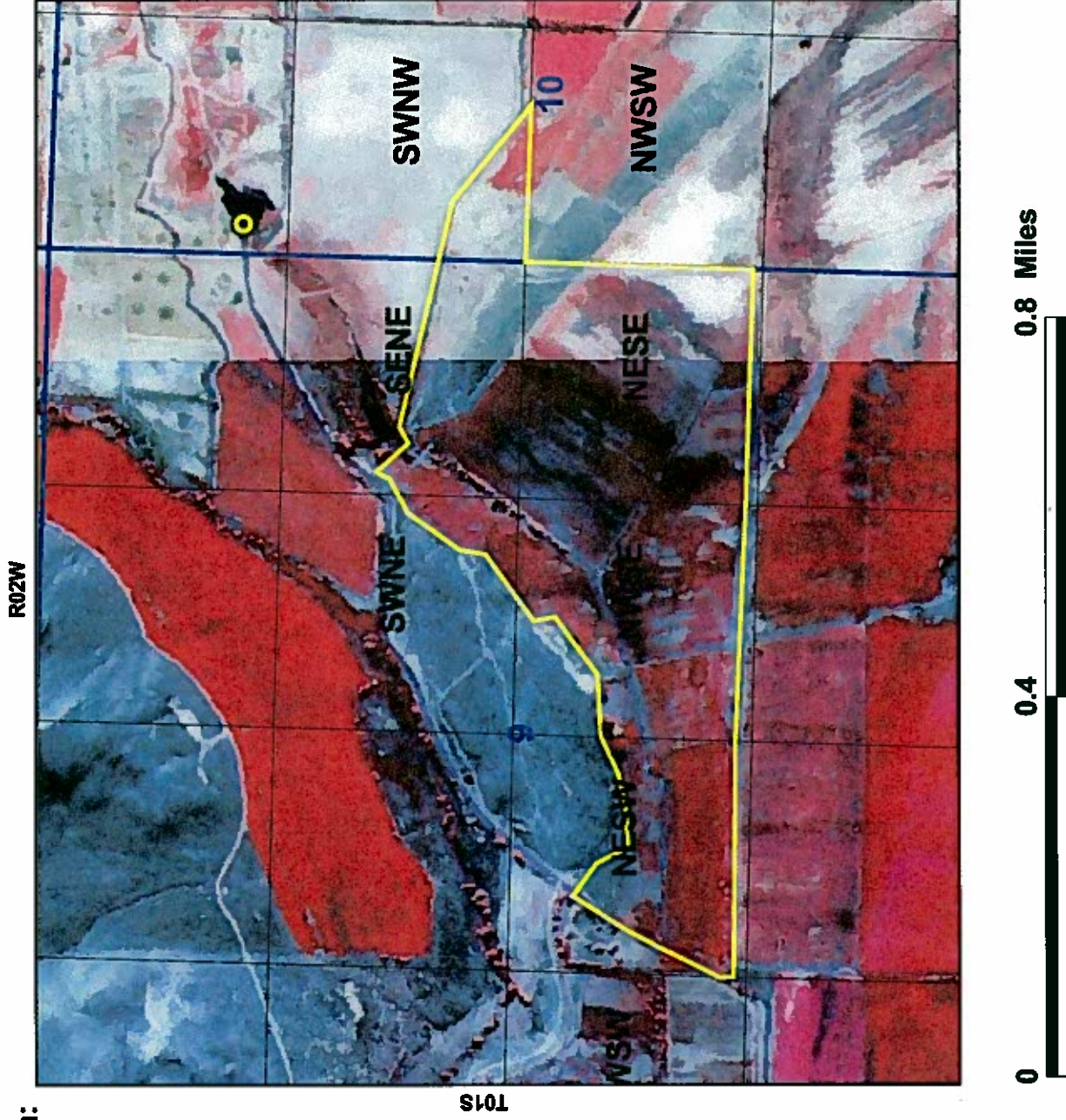
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63



Prepared by M. Ciscell
On Saturday, October 28, 2006
1987/88 Aerial Photography

State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 33531/63-3590 Priority June 16, 1967 Amount 0.97 cfs

THIS IS TO CERTIFY, that FRANK ENGLE

of Melba, Idaho, has complied with the terms and conditions of Permit No. 33531/63-3590 issued pursuant to Application for Permit dated March 27, 1967, and has submitted proof to the Department of Water Administration on June 23, 1970 (late proof), that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 0.97 cfs of water from Warm Springs Creek, tributary to the Snake River, and that the permit holder has applied to a beneficial use & established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>0.97</u> cfs and	<u>470.5 acre feet or</u>
	from <u> </u> to <u> </u>	at <u> </u> cfs and	<u>4.5 af per acre</u>
	from <u> </u> to <u> </u>	at <u> </u> cfs and	<u> </u>

(both dates inclusive)

Subject, however, to the condition that no more than 0.97 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 470.5 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9 -and- SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10, Twp. 1 S, Rge. 2 W, B.M. in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1 S	2 W	9				37					40				40	35			152
		10							38										38

Total number of acres irrigated 190

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25 day of February, 19 74.

Director

63 3590