

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: **A63-10293**
Date Received: 3/25/1993
Receipt No: X111111
Received By: _____

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

1. Name: UNITED STATES OF AMERICA, ACTING THROUGH 503-231-6145
Address: USDI FISH AND WILDLIFE SER
DIVISION OF ENGINEERING
911 NE 11TH AVE
PORTLAND OR 97232-4181

2. Date of Priority: APR 22, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	03W	17	SE	SW			CANYON

5. Description of diverting works:
12' CASSED WELL, PRESSURE TANK, AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.630		

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

8. Total consumptive use is 77.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	03W	17	SE	SW		IRR	
			SW	SE		IRR	

MICROFILMED

OCT 08 1996

History of water use filed in A63-30075

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
IDWR WATER RIGHT NO. 63-7340.

14. Remarks:

THE DEER FLAT NATIONAL WILDLIFE REFUGE WAS ESTABLISHED BY EXECUTIVE ORDER NO. 1032 OF FEBRUARY 25, 1909, AS A PRESERVE AND BREEDING GROUND FOR NATIVE BIRDS.

THIS CLAIM IN COMBINATION WITH THE U.S. BUREAU OF RECLAMATION'S CLAIM NO. A63-07340 PROVIDES FOR 0.04 CFS PER ACRE. THE PARK IS IRRIGATED ON A 12-HOUR DAY REQUIRING A DIVERSION RATE OF 0.04 CFS PER ACRE.

THIS CLAIM CLARIFIES AND UPDATES INFORMATION GIVEN IN PERMIT NO. 63-10293.

15. Basis of Claim: PERMIT

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

MICROFILMED

OCT 08 1996

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
OCT 08 1996

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

FEB 26 1996

WATER RESOURCES
WESTERN REGION

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Ident. Number: A63-10293
Date Received: 3-25-93
Receipt No.: XIIIIII
Received By: V. Kelly

1. Name: United States of America Phone: 503-231-6145
(Fish and Wildlife Service)
Address: Division of Engineering
911 NE 11th Avenue
Portland, OR 97232-4181
2. Date of Priority: April 22, 1985
3. Source: Ground Water (Rec. Area Well) Trib. to: _____
4. Point of Diversion:
Township 3N Range 3W Section 17, SE1/4, of SW1/4, B.M.
County of Canyon
Additional Points of Diversion _____
5. Description of diverting works: 12" cased well, pressure tank, and
sprinkler system.
6. Water is claimed for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
Irrigation	Mar.15	Nov.15	0.63		
7. Total Quantity Claimed is:
0.63 C.F.S. (and/or) _____ A.F.A.
8. Total consumptive use claimed is 77 Acre Feet Per
Annum.
9. Non-irrigation uses: _____

MICROFILMED

OCT 08 1996

United States of America
Fish and Wildlife Service

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
3N	3W	17	SE		SW		I	11
3N	3W	17	SW		SE		I	11

Total Number of Acres Irrigated 22

11. Place of use, county(ies): Canyon

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

13. Other Water Rights Used: IDWR Water Right No. 63-7340.

14. Remarks: The Deer Flat National Wildlife Refuge was established by Executive Order No. 1032 of February 25, 1909, as a preserve and breeding ground for native birds.

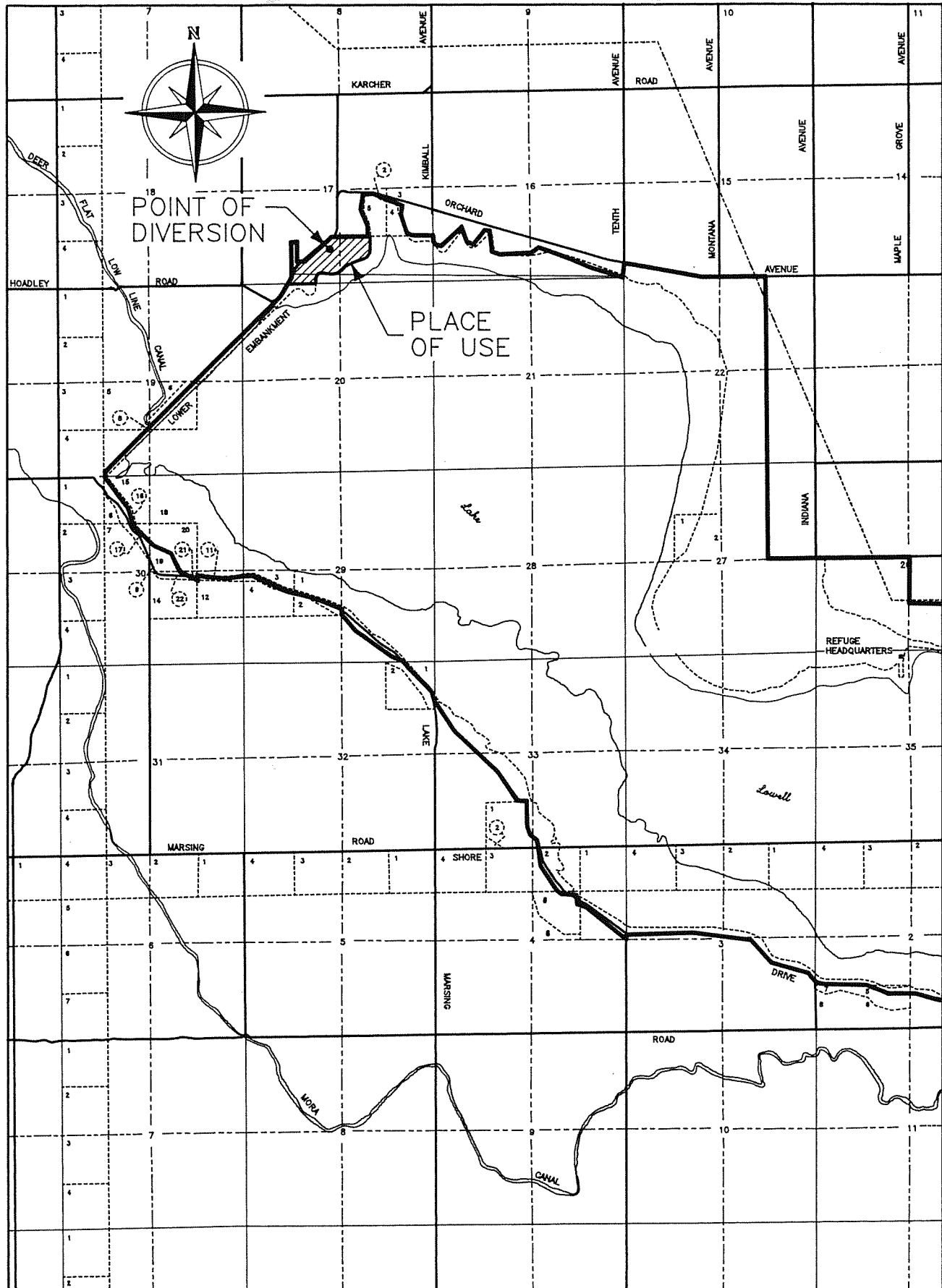
This claim in combination with the U.S. Bureau of Reclamation's claim No. A63-07340 provides for 0.04 cfs per acre. The park is irrigated on a 12-hour day requiring a diversion rate of 0.04 cfs per acre.

This claim clarifies and updates information given in Permit No. 63-10293.

15. Basis of Claim (Check one) Beneficial Use ☐ Posted Notice ☐
License ☐ Permit ☒ Decree ☐

If applicable provide IDWR Water Right Number 63-10293
Court ☐ Case Number ☐ Decree Date ☐

R3W



T
3
N

T
2
N

T
3
N

T
2
N

WATER RIGHT NUMBER 63-10293

MICROFILMED
OCT 08 1996

0 2000 4000 6000 FEET

08/22/2006

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

RIGHT NUMBER: 63-10293

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI FISH AND WILDLIFE SERVICE
DIVISION OF ENGINEERING
911 N E 11TH AVE
PORTLAND OR 97232-4181

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.550 CFS
99.000 AFY

Right Nos. 63-7340 and 63-10293 are limited to a total combined diversion rate of .02 cfs per acre and to a total combined annual diversion volume of 99.0 AF.

PRIORITY DATE: 04/22/1985

POINT OF DIVERSION:

T03N R03W S17 SESW 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	0.550 CFS 99.00 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

T03N R03W S17	SESW	11.00	T03N R03W S17	SWSE	11.00
---------------	------	-------	---------------	------	-------

22 ACRES TOTAL

Right Nos. 63-7340 and 63-10293 are limited to the irrigation of a combined total of 22 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



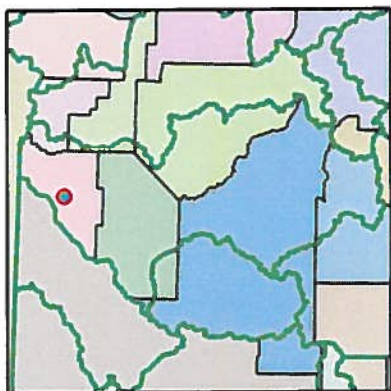
Idaho Department of Water Resources

SRBA Recommendation:

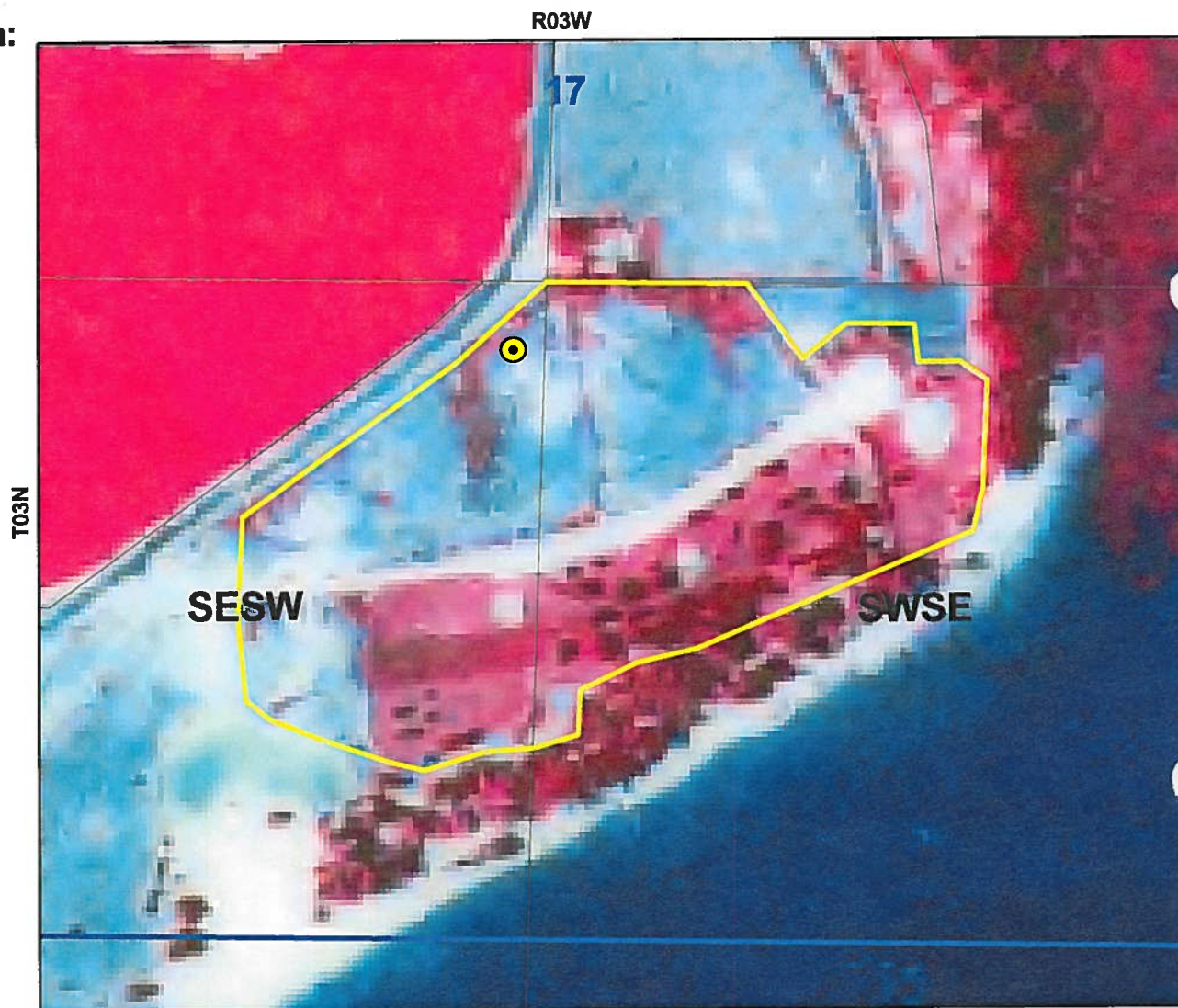
63-10293

Legend

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



Canyon County
IDWR Basin 63



0 0.1 0.2 Miles



Prepared by S. Egbert
On Wednesday, August 23, 2006
1987/88 Aerial Photography

[illegible]

5/2/2006

Idaho Dept. of Water Resources Place of Use Comparison Report

Page2

[illegible]

[illegible]

Idaho Dept. of Water Resources Place of Use Comparison Report

[illegible]

**Idaho Dept. of Water Resources
Place of Use Comparison Report**

Right	63 26969	JOHN L BAKER, JUNE L BAKER,	GROUND WATER	03N03W17		X													0
Right	63 2709	CLYDE L BEOUGHER,	GROUND WATER	03N03W17			4												4
Right	63 2734A	GEORGE G BARRETT,	GROUND WATER	03N03W17							28	38					13		79
Right	63 2734B	RITA JO DEVLIN,	GROUND WATER	03N03W17													2		2
Right	63 2747	MRS D M BEOUGHER,	GROUND WATER	03N03W17		5													5
Right	63 27924	AGNES MAE GIBBENS,	GROUND WATER	03N03W17	X														0
Right	63 2819A	BARTLETT J MURPHY,	GROUND WATER	03N03W17												22			22
Right	63 2819B	RODRIGO MENCHACA, MOLLY MENCHACA,	GROUND WATER	03N03W17												6			6
Right	63 28768	MARY M JOHNSON, LYNN R JOHNSON,	GROUND WATER	03N03W17		X													0
Right	63 28790	STEPHANIE TANNER, HAROLD TANNER,	GROUND WATER	03N03W17												X			0
Right	63 30248	LARRY J DOWEN, LEE AXELSEN, PAUL AXELSEN, SHARON DOWEN,	GROUND WATER	03N03W17	X														0
Right	63 3145	SAXTON FRUIT FARMS INC,	GROUND WATER	03N03W17			5												5
Right	63 7340	US DEPT OF INTERIOR,	GROUND WATER	03N03W17												11		11	22
Right	63 7340	US DEPT OF INTERIOR,	GROUND WATER	03N03W17										X					0
Right	63 7394	BARRETT FARMS LTD,	GROUND WATER	03N03W17							27	36				10		10	83
Right	63 9251	MICHAEL DAY,	GROUND WATER	03N03W17									2						2

File in H63-10293

Chairman

State of Idaho
Department of Water Resources

AMENDED **WATER RIGHT LICENSE** AMENDED

WATER RIGHT NO. 63-10293

Priority: April 22, 1985 Maximum Diversion Rate: 0.55 CFS

This is to certify, that US DEPT OF INTERIOR
FISH & WILDLIFE SERVICE
DIVISION OF ENGINEERING
911 NE 11TH AVE
PORTLAND OR 97232-4181

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 22, 1985; and has submitted Proof of Beneficial Use on November 12, 1985. An examination indicates that the works have a diversion capacity of 0.800 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.55 CFS	

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 17, Township 03N, Range 03W
CANYON County

<u>PLACE OF USE:</u>	<u>IRRIGATION</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
<u>TWN RGE SEC</u>					
03N 03W 17	SESW 11	11	SWSE 11	11	22
Total number of acres irrigated:					22

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with Right 63-07340 and all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 99.0 af for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 31ST day of MAY, 1985.

Karl J. Dreher
Acting for KARL J. DREHER, Director

MICROFILMED
OCT 08 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10293

Priority: April 22, 1985

Maximum Diversion Rate:

0.10 CFS

This is to certify, that US DEPT OF INTERIOR
FISH & WILDLIFE SERVICE
DIVISION OF ENGINEERING
911 NE 11TH AVE
PORTLAND OR 97232-4181

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated April 22, 1985; and
has submitted Proof of Beneficial Use on November 12, 1985. An examination indicates
that the works have a diversion capacity of 0.350 cfs of water from a **GROUNDWATER**
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.10 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 17, Township 03N, Range 03W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>	
03N	03W	17	SES	11	SWSE	11	22

Total number of acres irrigated: 22

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with Right 63-07340 and all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 99.0 af for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 4TH
day of APRIL, 1985.

Acting for

R. Keith Higginson, Director

MICROFILMED

OCT 08 1996