

10/28/2005

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

RIGHT NUMBER: 77-4003
NAME AND ADDRESS: HOWARD E ADKINS
11950 CHINDEN BLVD
BOISE ID 83714
SOURCE: MOCCASIN CREEK TRIBUTARY: INDIAN CREEK
QUANTITY: 1.390 CFS
The quantity of water under this right for stockwater uses shall not exceed 13,000 gallons per day.
PRIORITY DATE: 12/31/1970
POINT OF DIVERSION:

T24N R07E S15 NENW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.370 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T24N R07E S15	NWNE	4.0	T24N R07E S15	NWNW	13.0
T24N R07E S15	SWNW	15.0			

STOCKWATER Within IDAHO County

T24N R07E S15	NWNE	T24N R07E S15	NWNW
T24N R07E S15	SWNW		

32 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

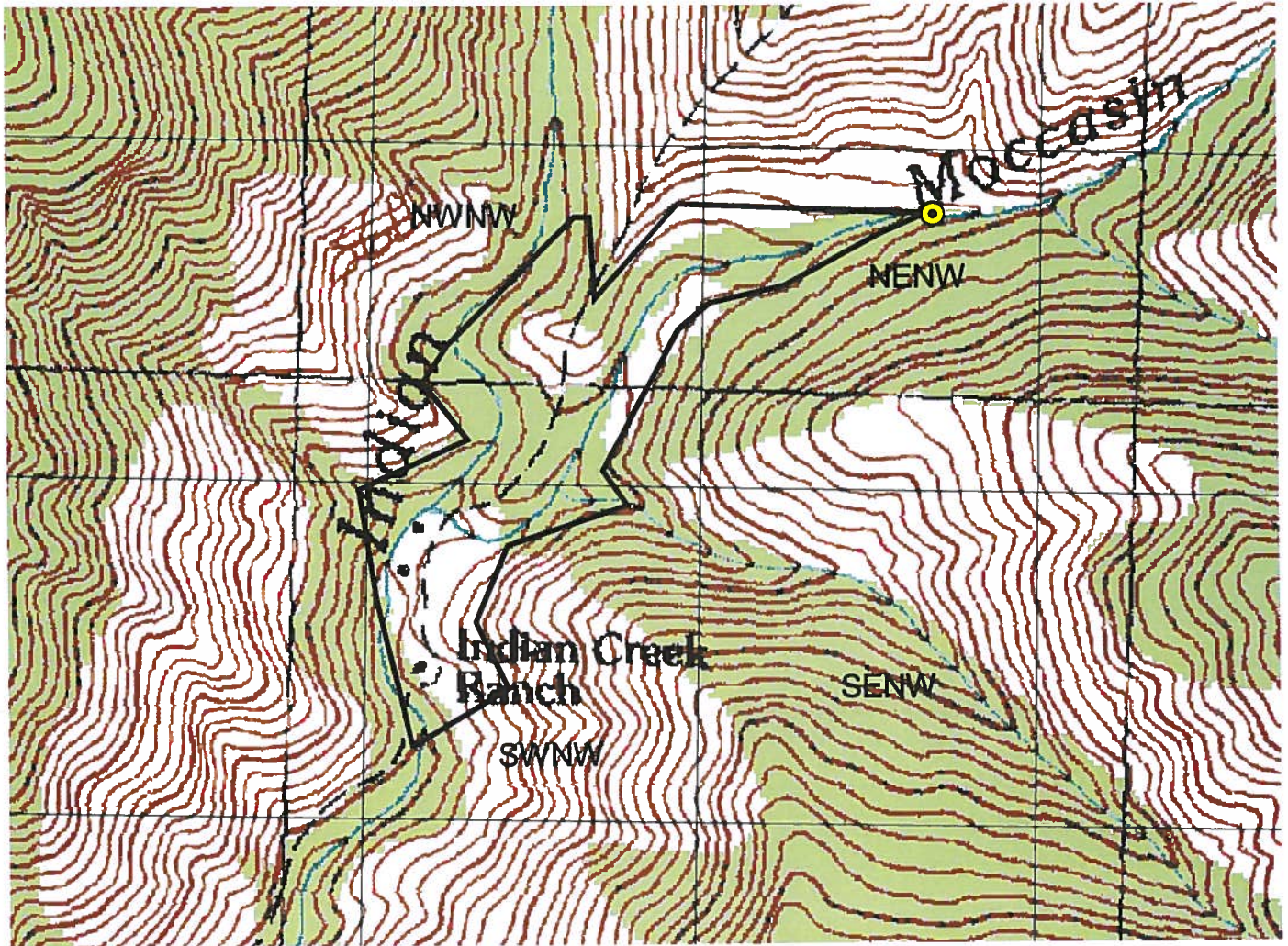
The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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.

PROPERTY IS ~~AND~~ KNOWN AS HOMESTEAD ENTRY SURVEY NO. 728.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

77-4003



0 500 1000 Feet

Section 15
T24N R7E



● Point of Diversion

□ Place of Use

Map prepared on December 20, 2004
By Kenneth Knoblock
Idaho Department of Water Resources

Oct. 9, 2005

RECEIVED
OCT 13 2005
IDWR/North

State of Idaho, Dept. of Water Resources
1910 Northwest Blvd. Suite 210
Coeur d'Alene, ID 83814

Re 774003 & 774004 and your letter of 10/5/05

Gentlemen,

The property in Section 16 is HE 728 and is known as Indian Creek Ranch. The property you list in Section 32 is Romine Ranch and actually lies in portions of sections 28, 32 & 33. Water claims were filed on both in 1971 by Steve Jordan, representing Idaho Vacations, Inc. and approved. I was told that these claims accrue to the land as opposed to permits which accrue to the filing individual. These properties passed to me personally in 1972. In 2002, both were deeded to Moccasin LLC. In 2004, Romine Ranch was purchased by the Trust for Public Land and passed thence to the United States Forest Service. Moccasin LLC still owns Indian Creek Ranch and I am the managing partner for that organization. As such, I still receive the pertinent tax notice and pay it with checks to Idaho County drawn on the Moccasin account with Wells Fargo Bank.

I hope this explains the matter to your satisfaction.

Sincerely,



Howard E. Adkins, M.D.
11950 Chinden Blvd.
Boise, ID 83714



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 5, 2005

Howard Adkins
11950 Chinden Blvd.
Boise, ID 83714

RE: 77-4003 & 77-4004

Dear Mr. Adkins:

On July 18, 1988, you submitted a Notice of Claim in the Snake River Adjudication. It lists stock water and irrigation use in Sections 16 & 32 Township 24N Range 7E. We searched the Idaho County tax lot information and we cannot find that you own property in that section. Would you please provide us with the parcel number?

Sincerely,

A handwritten signature in black ink, appearing to read 'Knoblock', written over a horizontal line.

Kenneth Knoblock
Water Resources Agent

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: 39356

Ident. Number A77-04003Date Received 7-18-88 RWReceipt Number W000592

RECEIVED

JUL 20 1988

No ✓ enc.
Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED

JUL 18 1988

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Howard Eugene Adkins md Phone (208) 939-2003Mailing Address 11950 Chinden Blvd Boise, Idaho Zip 837142. Date of Priority (Only one (1) per claim) 1970 - Used continuously. Claim granted 19793. Source of water supply (a) Moccasin Creek
which is tributary to (b) Indian Creek → Main Salmon River4. a. Location of existing point of diversion is: Township 24N Range 7E Section 16

HES #728

1/4 of NE 1/4 of NE 1/4, Govt. Lot, B.M., County of Idaho

Per quad map

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.

Multiple poly-pipe hoses coming out of creek
to run gravity-pressured sprinklers. No dam
in creek.

RECEIVED

AUG 12 1988

Department of Water Resources
MICROFILMED
Copies: White State, Yellow: Chairman

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3-1 to 9-15 amount 1.72 or _____

For Stock water purposes from 1-1 to 12-31 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.74 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ 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 horses

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	
24N	7E	16	HES #728				Metes & Bounds Description												32

Total number of acres irrigated 32

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

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.
_____ or None (☒)

14. Remarks: Irrigated land is a series of gravel -
base meadows and require a great deal of
water

Last Name Adkins Ident No. 39352
A7704003

COPIES (White, Same, Yellow, Claimant)
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OCT 05 1999

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number Claim # 77-4003 6-11-79
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 3

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

Signature of Claimant (s) Howard E. Adkins Date 7-15-88

Date _____

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

Signature of Authorized Agent _____
Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this Tenth day of AUGUST 19 88

SEAL

Notary Public

Residing at

My Commission Expires

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 _____

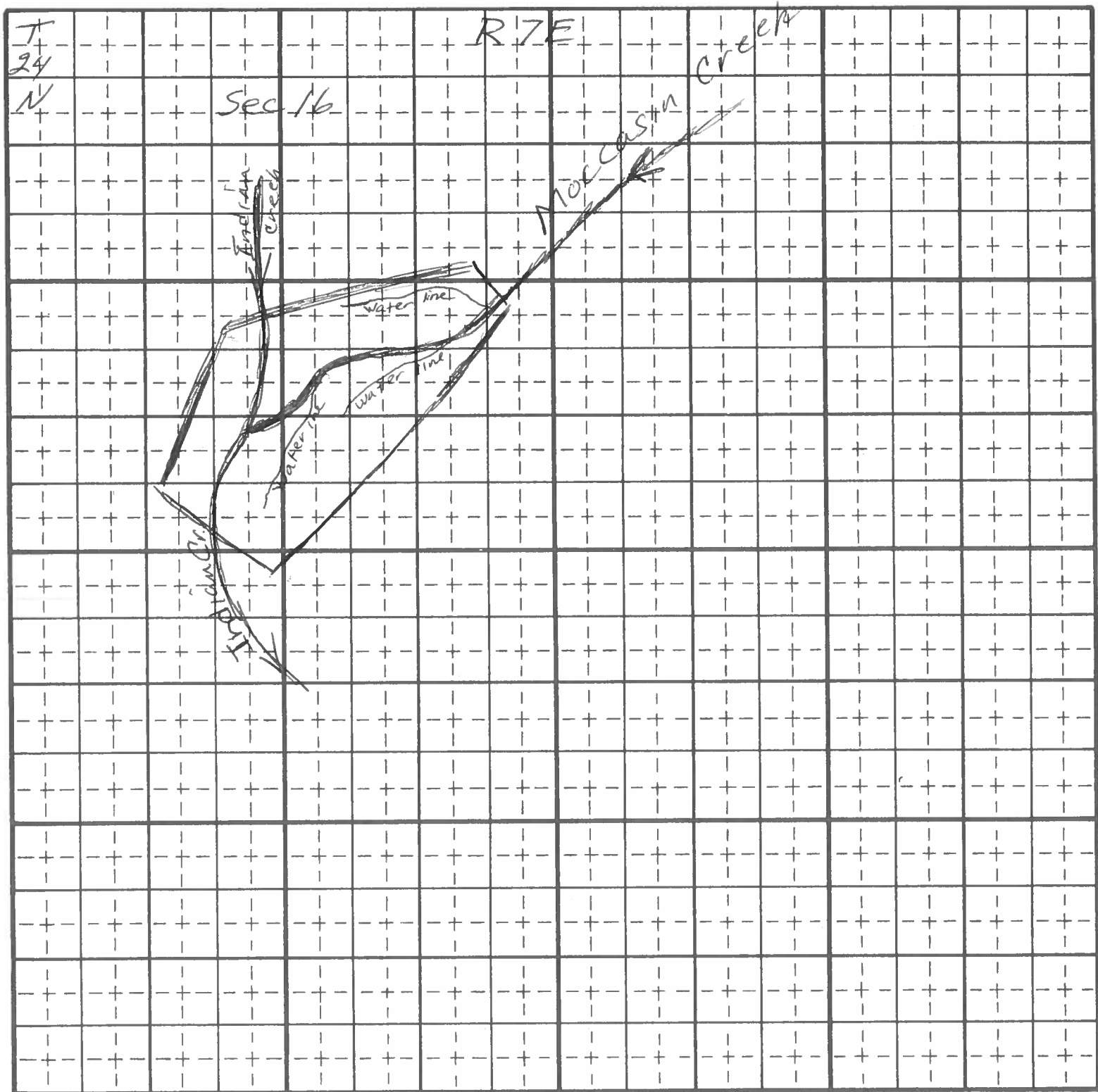
Date _____

Last Name Adkins Ident. Number A7704003

Copies White State, Yellow Claimant
MICROFILMED

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

Scale: 2 inches equals 1 mile



Last Name

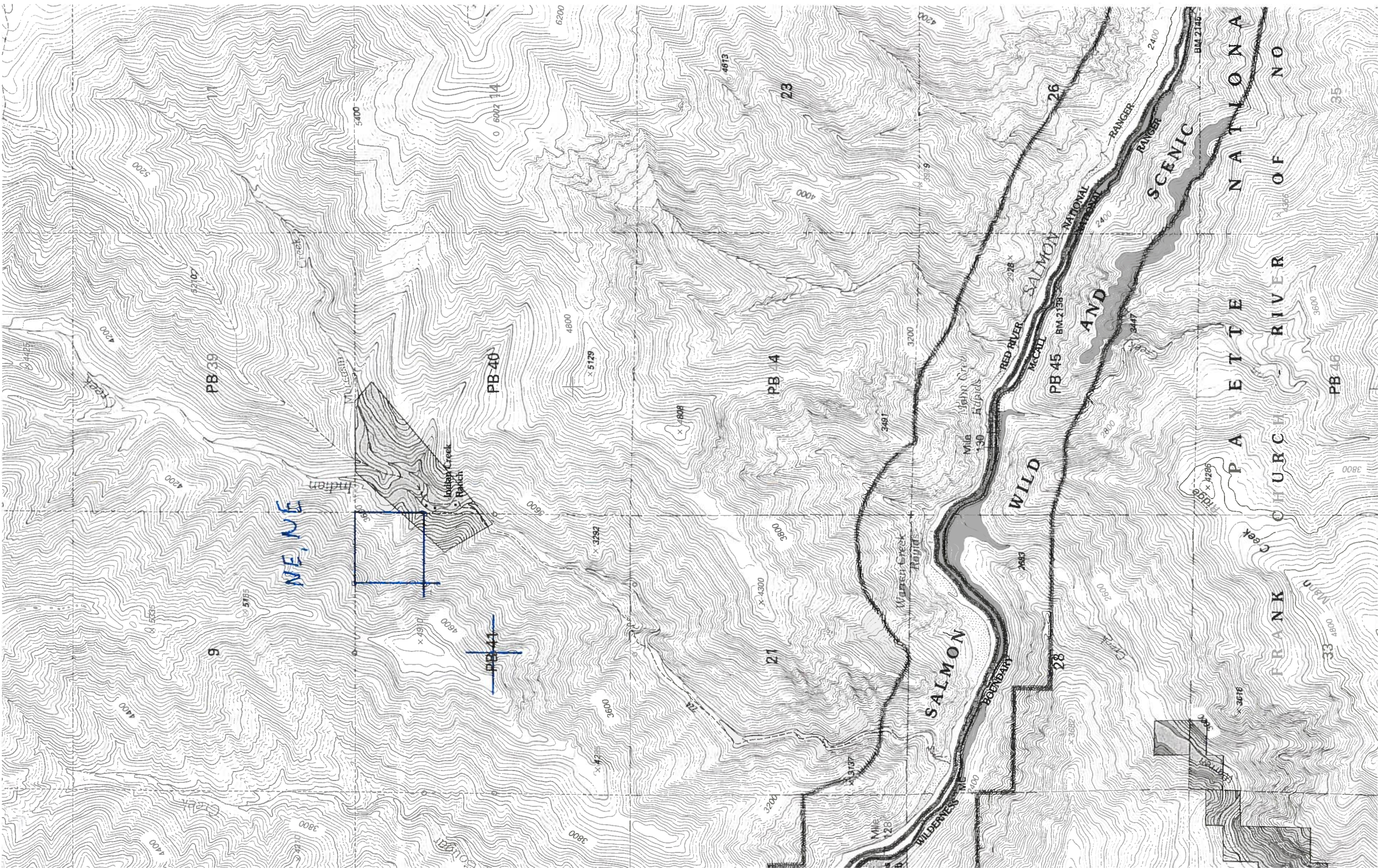
Adkins

Ident No.

39356
A77-09003

Copies: White-State, Yellow-Claimant

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609

610

612

612

612

24N

7E

Sec 16

27-4003

Mackay Bar (1995)

SCALE 1:24 000

0

1000

2000

3000

4000

5000

6000

feet

0

1000

2000

3000

4000

5000

6000

miles

Map taken 1992

1995. Partial

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: A77-04003
Date Received: 7/18/1988
Receipt No: W000592
Received By: EJR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOWARD E. ADKINS 208-939-2003
Address: 11950 CHINDEN BLVD.
BOISE, ID 83714

2. Date of Priority: DEC 31, 1970

3. Source: MOCCASIN CREEK Trib. to: INDIAN CREEK
INDIAN CREEK SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	07E	16	NE	NE			IDAHO

5. Description of diverting works:
PIPELINE FROM CREEK TO GRAVITY SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	09/15	1.720		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/10 HEAD HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	07E	16	NE			IRR	32.0

Section Acres 32.0

A77-04003

Page 1

Date: 08/18/88

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OCT 05 1992

10. Place of Use: Continued

Total Acres 32.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:

P.O.U. WITHIN HES 728; UNSURVEYED QUADS.

IRRIGATED LAND IS SERIES OF GRAVEL BASE LAND REQUIRING EXCESSIVE
AMOUNTS OF WATER.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

	YES	NO
Is the name and address complete with zip code?	☒	☐
Is priority date entered?	☒	☐
Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued? A Permit is required for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd). A Permit is required for surface water developed after May 20, 1971 (except for instream stockwater).		
(a) Is a source entered?	☒	☐
(b) Is a tributary to entered? (if required)	☒	☐
Is the legal description of the p.d. complete?	☒	☐
Is there a description of the diverting works?	☒	☐
Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form.	☒	☐
Is the period of use included?	☒	☐
Is a quantity claimed for each use?	☒	☐
Is a total quantity claimed entered?	☒	☐
Is the consumptive use correct?	☐	☒
If required is a consumptive use entered?	☐	☒
Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim.	☒	☐
0. Is (are) the place(s) of use entered?	☒	☐
1. Is (are) the county(ies) entered?	☒	☐
2. Is the ownership of p.u. checked?	☒	☐
3. Are other water rights listed or "none" checked?	☒	☐
4. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐
15. Is the basis of the claim checked?	☒	☐
16. Is the claim signed by the claimant? Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)	☒	☐
Has the claim been signed, sealed, and dated by a notary?	☒	☐
Is the fee enclosed correct?	☒	☐
Should this claim be receipted and data entered?	☒	☐
If this claim is based on an existing water right, has the identification number been entered?	☐	☒ N/A

Claim checked by: LW

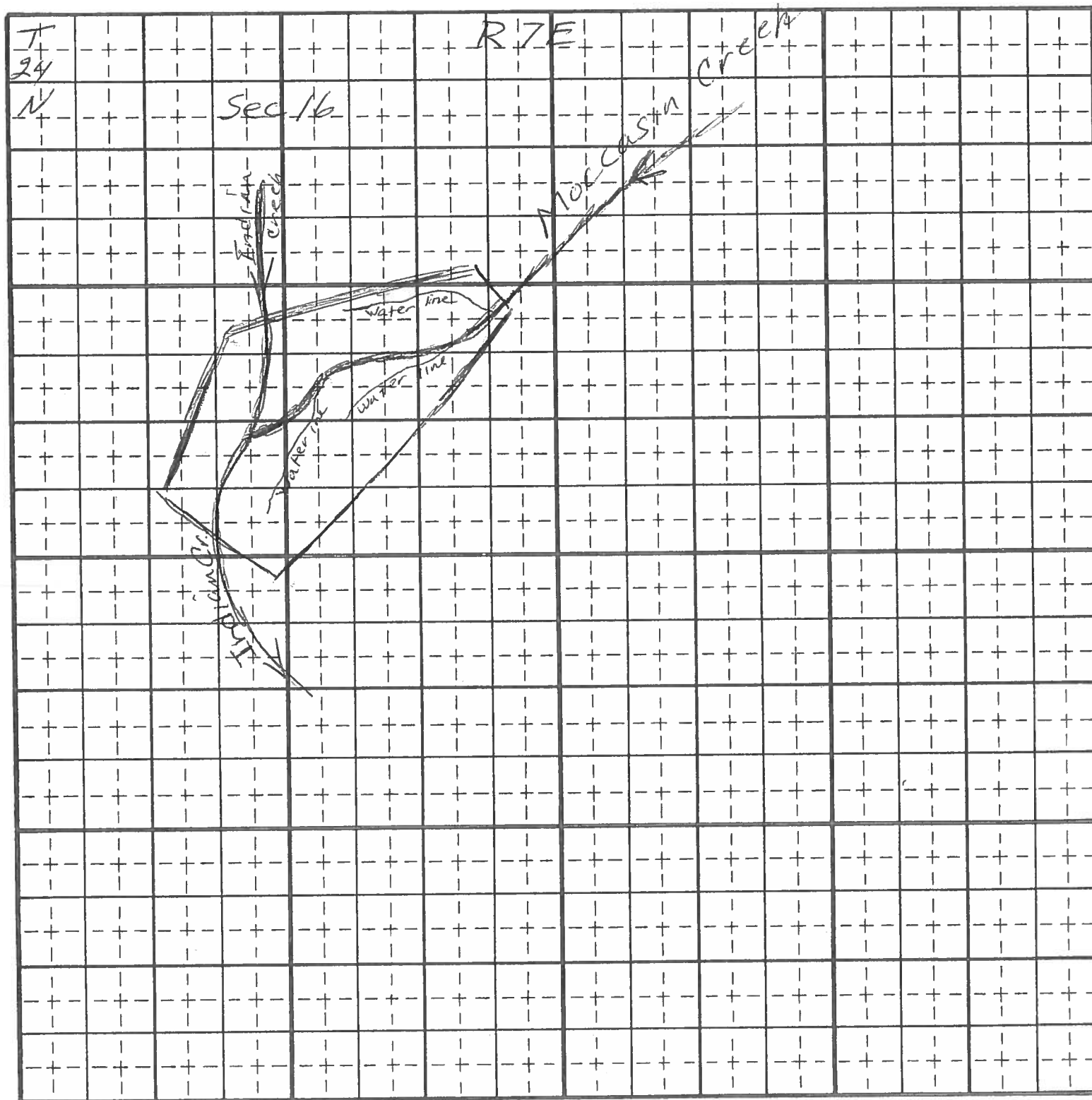
Comments: No consumptive use. See add. remarks under item 5 on hard copy.

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

Scale: 2 inches equals 1 mile



Last Name

Adkins

Ident No.

39356

477-04003

Copies: White-State, Yellow-Claimant

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