

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: A43-00145
Date Received: 6/05/1990
Receipt No: 5012386
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RODNEY N. HALL 208-645-2517
Address: P.O. BOX 631
MALTA, ID 83342
AND/OR
Name: DORIS J. HALL 208-645-2517
Address: P.O. BOX 631
MALTA, ID 83342
2. Date of Priority: APR 01, 1894
3. Source: CASSIA CREEK Trib. to: RAFT RIVER
4. Point of Diversion:
T13S 27E 18 NW SW SE
Township Range Section 1/4 of 1/4 of 1/4 Lot County
5. Description of diverting works:
PORTABLE PUMP DELIVERING TO MAINLINE TO SPRINKLERS
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.200		
7. Total Quantity Appropriated is:
1.200 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 480.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	27E	18	SE	NE		IRR	40.0

A43-00145

Page 1

Date: 06/05/90

MICROFILMED

MAR 02 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	27E	18	NE		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
Section Acres								160.0
Total Acres								160.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A43-04119 THRU A43-04122 & A43-02373

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

ALBION-IDAHO LAND CO.
Decree Plaintiff

vs

JOBE ADAMS ET AL
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

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):

Robert N. Hall

Date:

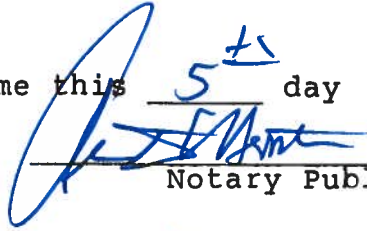
5 Jun 90

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of June 19 90

Seal


Notary Public

Residing at Kirkley Id.

My Commission Expires 6/30/94

A 43-00324 +
Permanent files



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 1, 1989

Mr. Sherl L. Chapman, Consultant
410 S. Orchard, Suite 144
Boise, ID 83705

RE: Snake River Basin Adjudication SRBA Claim
Mr. Rodney Hall of Malta, Idaho
Cassia County

Dear Mr. Chapman:

In response to your letter of May 26, 1989 and the reasons given therein for the late filing of the above mentioned Adjudication claims.

This letter is a denial of Extension of Time for the filing of the above referenced Notice of Claims to a Water Right. The original filing deadline for the claims is June 8, 1989. The extension is denied on the basis the claimant has not shown diligence in preparing these claims.

This extension is denied under the authority of §42-1409 (10), Idaho Code.

Signed this 1st day of June, 1989.

David B. Shaw

David B. Shaw
Adjudication Bureau Chief

DBS;ds

Coanes.

*1-90-91
State fee paid
+ claims filed
6/5/89 5012386
See attached receipt.
Tanni Smith*

MICROFILMED

MAR 02 1993

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 01/30/90
Time: 12:09:00

Rec/No - S012386 AR/No -
From: - HALL, RODNEY &/OR DORIS

Receipt Type - CK Doc/No - 3638
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 06/05/1990

Type Of Payment	Program	Acct	Class	Fee
ADJUDICATION FEE	410162	9337	6490	1160.00
LATE FEE	410162	9337	6490	550.00

Total Due - 1710.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A4300324	290.00	A4300145	210.00	A4310639	25.00
A4310638	25.00	A4310637	25.00	A4304122	50.00
A4304121	50.00	A4304120	50.00	A4304119	50.00
A4310636	135.00	A4302373	50.00	A4302424	200.00

(ENTER=CONTINUE)

(GOLD7=SELECTION SCREEN)

(GOLD8=CANCEL)

MICROFILMED
MAR 02 1993

05/09/2001

**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: June 15, 2001

Water right number: 43-145

DORIS J HALL
PO BOX 631
MALTA ID 83342
Telephone Number: (208)645-2517

RODNEY N HALL
PO BOX 631
MALTA ID 83342
Telephone Number: (208)645-2517

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:

12 Jan 01

SIGNATURE:

Rodney N Hall

Please print your name:

Rodney N Hall

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

RECEIVED

JUN 18 2001

**Department of Water Resources
Southern Region**

6

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

02/16/2001

RIGHT NUMBER: 43-145
NAME AND ADDRESS: DORIS J HALL
RODNEY N HALL
PO BOX 631
MALTA, ID 83342

VERIFIED BY. KKC

SOURCE: CASSIA CREEK TRIBUTARY: RAFT RIVER

QUANTITY: 1.2 CFS

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER
ACRE. COMBINED RIGHT NOS. 43-145, 43-324, 43-2327, 43-2424, 43-4119, 43-4120,
43-4121, 43-4122, AND 43-10636

PRIORITY DATE: 04/01/1894

POINT OF DIVERSION: T13S R26E S13 SWSSEW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	3-15 11-15	1.20 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T13S R27E S17	SWNW	35	T13S R27E S17	NWSW	40
T13S R27E S17	SWSW	40	T13S R27E S18	NENE	40
T13S R27E S18	NWNE	40	T13S R27E S18	SWNE	40
T13S R27E S18	SENE	40	T13S R27E S18	NESE	40
T13S R27E S18	SWSE	40	T13S R27E S18	SESE	40
T13S R27E S19	NENE	40	T13S R27E S19	SENE	40
T13S R27E S19	NESE	40	T13S R27E S20	NWNW	40
T13S R27E S20	SWNW	40	T13S R27E S20	NWSW	38

633 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 633 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-145,
43-324, 43-2327, 43-2424, 43-4119, 43-4120, 43-4121, 43-4122, AND 43-10636

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE 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 - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

02/16/2001

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

RIGHT NUMBER: 43-145

NAME AND ADDRESS: DORIS J HALL
RODNEY N HALL
PO BOX 631
MALTA, ID 83342

SOURCE: CASSIA CREEK TRIBUTARY: RAFT RIVER

QUANTITY: 1.2 CFS

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER
ACRE. COMBINED RIGHT NOS. 43-145, 43-324, 43-2327, 43-2424, 43-4119, 43-4120,
43-4121, 43-4122, AND 43-10636

PRIORITY DATE: 04/01/1894

POINT OF DIVERSION: T13S R26E S13 SWSESW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	1.20 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T13S R27E S17	SWNW	35	T13S R27E S17	NWSW	40
T13S R27E S17	SWSW	40	T13S R27E S18	NENE	40
T13S R27E S18	NWNE	40	T13S R27E S18	SWNE	40
T13S R27E S18	SENE	40	T13S R27E S18	NESE	40
T13S R27E S18	SWSE	40	T13S R27E S18	SESE	40
T13S R27E S19	NENE	40	T13S R27E S19	SENE	40
T13S R27E S19	NESE	40	T13S R27E S20	NWNW	40
T13S R27E S20	SWNW	40	T13S R27E S20	NWSW	38

633 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 633 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-145,
43-324, 43-2327, 43-2424, 43-4119, 43-4120, 43-4121, 43-4122, AND 43-10636

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE 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 - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

CLAIM NUMBER A43-00145 DATE 2-16-01 TRANSFER NUMBER _____
 AGENT K KC CLAIMED ACRE TOTAL 16
 GIS ACRE TOTAL 158.

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	13S	27E	18				40									40		40	40
GIS			18				39.7									39.6		39.7	39.7
RECOM							40									40		40	40
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B43-DBPOU.SHP See 43-02373 for GIS MAP Claimed as decreed
 SHAPE NOS. NO season of use given in the decree
P/D - Per Rod Hall during a 2-15-01 office
visit. the P/D is actually in Sec 13 (13S, 26E).
 43-DBPOD.SHP The ditch from the P/D follows the Q Q line
 NOS. DESCRIPTION to the NW corner of the NENE of Sec 24 and then turns
South to dump into a sump pond and can then
be pumped to any location on the farm.
I am recommending that the right be limited
to 160 acres (original decreed P/D) within the
PPU for the ground basically east of West River.

DBF TABLES UPDATED _____
 B43-DBPOU.DBF _____
 B43-DBPOD.DBF _____
 JPEG LAYOUT _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

January 19, 2000

RODNEY HALL
PO BOX 631
MALTA ID 83342

RE: SURFACE WATER CLAIMS A43-00145 AND A43-00324

Dear Rodney

In a similar manner as the groundwater claims questionnaire, I have enclosed a 2 page analysis and questionnaire regarding the two rights listed above. I realize that some of the questions answered for one claim will likely answer a similar question for the other claim. If this does occur please note that your answer refers to both claims.

To aid you in following the analysis process for a portion of the claim review, the following describes one of the analysis processes used. Many of the rights decreed in the Jobe Adams decree have a diversion rate that when compared to the total acres within the decreed place of use would suggest that the original place of use was for fewer acres within the described place of use. The other alternative is that the irrigated acres were irrigated at a rate less than one inch to the acre. Based upon the information currently available that is the assumption I am using for 43-00145. I expect to recommend 1.20 cfs for approximately 160 acres. That equates to 0.0075 cfs/acre.

Although I have tentatively formed an opinion for a majority of your claims and have an expectation as to how I will recommend those claims, I need the documentation to my questions for conformation purposes.

Thank you for your efforts

Kelly K Christensen
Sr Water Resource Agent

Enclosures

HALL SURFACE WATER CLAIMS 43-00145 & 43-00324

43-00145 Decree information Source = Cassia Creek. Diversion rate = 1.20 cfs. No season of use given in the decree. No point of diversion was given in the decree.

Claim information Source = Cassia Creek. Diversion rate = 1.20 cfs. The claimed season of use matches the current department standard season for that area.

Claimed P/D legal description matches one of the legal descriptions for 43-00324. Diversion description indicates that it is a portable pump tied into the mainline delivery system. Indications are that the diversion location pulls from the Raft River channel.

Claimed P/U matches the decreed place of use. All available aerial photography shows the entire claimed and decreed place of use as being irrigated.

Questions concerning 43-00145

The assumption is that there was an unrecorded change in point of diversion when the system was changed to a pump tied into the mainline delivery system.

1. Was the change prior to 1987?
2. If so what approximate date?
3. Assuming that the diversion is from Raft River, how is the Cassia Creek water regulated?
4. During the office visit you stated that the pumps were sized to deliver the decreed diversion rate only. What are the pump sizes?

43-00324 Decree information Source = Raft River. Diversion rate = 4.80 cfs. No season of use given in the decree. No point of diversion was given in the decree.

Claim information Source = Raft River. Diversion rate = 4.80 cfs. The claimed season of use matches the current department standard season for that area.

Claimed P/D legal description matches one of the legal descriptions for 43-00145. Diversion description indicates that it is a portable pump tied into the

mainline delivery system. Indications are that the diversion location pulls from the Raft River channel.

The second point of diversion legal description is for a location on the eastern side of the claimed place of use. There are no physical features visible on aerial photography to associate that diversion with any source of water. The assumption is that it is for the unnamed stream (Meadow Cr) source.

Claimed P/U matches the decreed place of use. All available aerial photography shows the entire claimed and decreed place of use as being irrigated.

Questions concerning 43-00324

The assumption is that there was an unrecorded change in point of diversion when the system was changed to a pump(s) tied into the mainline delivery system.

1. Was the change prior to 1987?
2. If so what approximate date?
3. I recall you indicating that there were two locations where Raft River water was pumped from the stream. This is not reflected on the claim. If there are two locations not in the same 10-acre tract then the claim will need to be amended to include the second P/D.
4. During the office visit you stated that the pumps were sized to deliver the decreed diversion rate only. What are the pump sizes and how do they relate to the Cassia Creek claim?
- 5.

This claim identifies an unnamed stream (Meadow Cr) as a second source. The decree only identifies Raft River as the source for this right. Before I can recognize this stream as part of the decreed source I will need additional information. I would prefer more rather than less documentation to support your assertions. Because it is not mentioned in the Jobe Adams decree, there will have to be compelling information supplied to be able to include that source in the claim recommendation.

An alternative would be for you to submit a beneficial use claim for the diversion from that stream. Evidence of priority would be required to substantiate the claimed priority date and the historic place of use. The earliest priority date that would likely be recognized is one day after the decree date of 10-18-1928. That is based upon the fact that the unnamed stream (Meadow Cr) was not included in the decree.