

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: A37-00050E
Date Received: 4/15/1996
Receipt No: S019028
Received By: KAC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DOUGLAS HAYES HOLLENBECK 208-726-3944
Address: PO BOX 2596
SUN VALLEY ID 83353

2. Date of Priority: JUN 27, 1883

3. Source: SOLDIER CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	14E	33	NE	SE	SE		CAMAS

5. Description of diverting works:
CATCHMENT POND INTO CREEK AND LATERAL THROUGH 2 PONDS TO P/U

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	14E	3	NE	NW		IRR	2.0
			NW	NW		IRR	3.0
			SW	NW		IRR	3.0
			SE	NW		IRR	2.0

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10. Place of Use: Continued

Section Acres 10.0

Total Acres 10.0

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

NONE

14. Remarks:

PLACE OF USE IS ALSO KNOWN AS LOT 16 MOUNTAIN VIEW ACRES
SUBDIVISION.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

CLIFFORD HALLOWELL

Decree Plaintiff

MILO W. BAKER, ET. AL.

vs Decree Defendant

16. Signature(s)

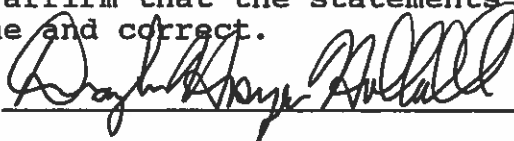
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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):



Date:

4/15/96

Date:

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NOV 21 1996

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 15 day
of Apr 19 96

Kelly L. Christensen
Notary Public

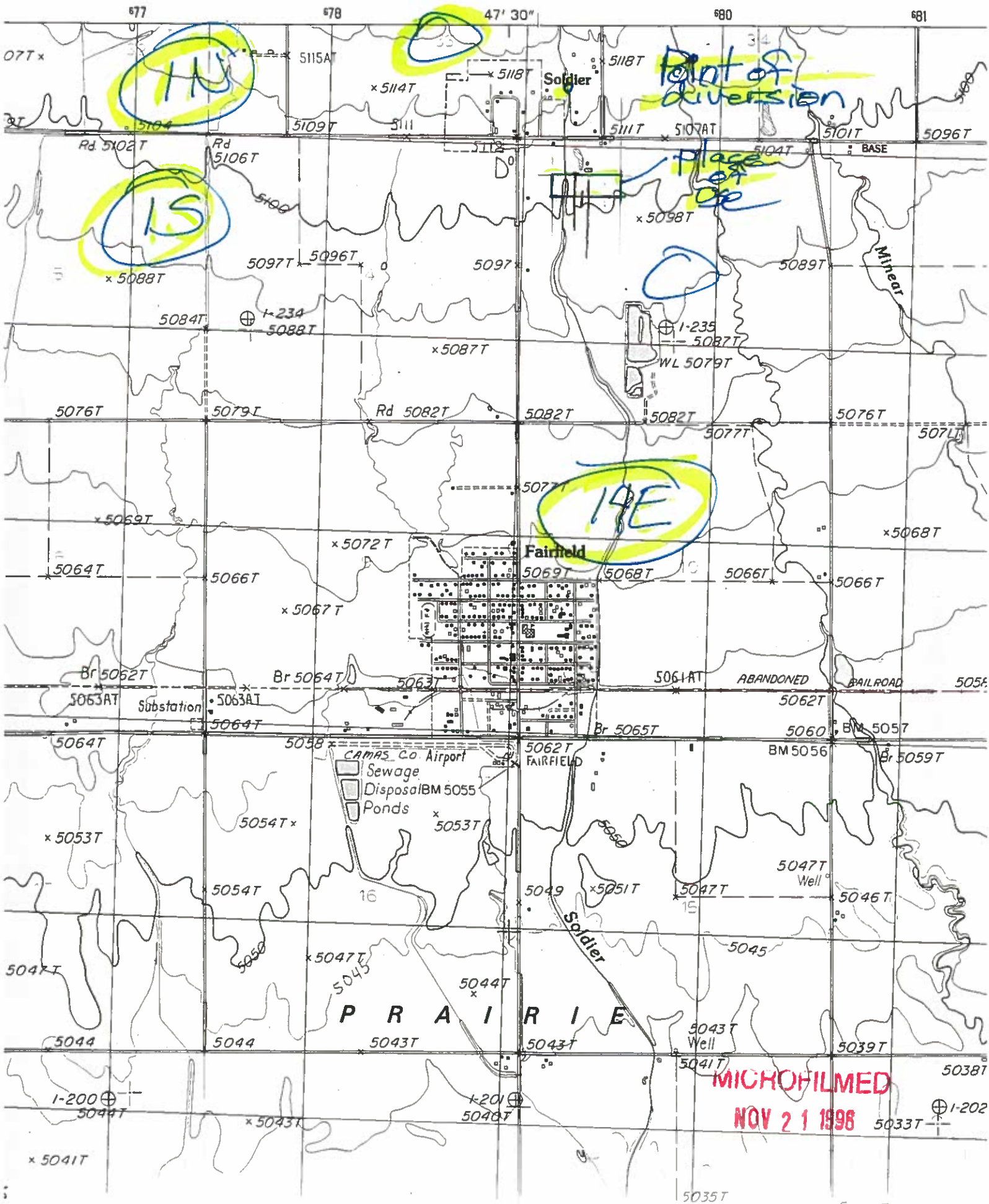
Seal

Residing at Kimberly Rd
My Commission Expires 3-2-98



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NOV 21 1996



09/22/2006

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

RIGHT NUMBER: 37-50E

NAME AND ADDRESS: DOUGLAS HAYES HOLLENBECK
PO BOX 2596
SUN VALLEY ID 83353

SOURCE: SOLDIER CREEK

TRIBUTARY: CAMAS CREEK

QUANTITY: 0.180 CFS

PRIORITY DATE: 06/27/1883

POINT OF DIVERSION:

T01N R14E S33 NESESE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.180 CFS

PLACE OF USE: IRRIGATION Within CAMAS County

T01S R14E S03 Lot 3 NENW	2.00	T01S R14E S03 Lot 4 NWNW	3.50
T01S R14E S03 SWNW	2.50	T01S R14E S03 SENW	1.00

9 ACRES TOTAL

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.



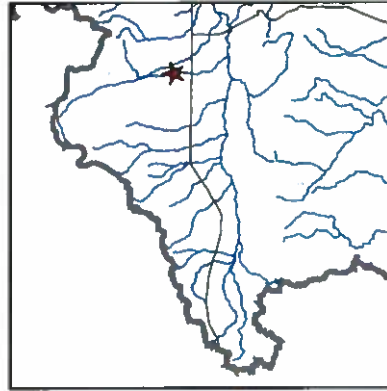
Idaho Department of Water Resources

SRBA Recommendation:

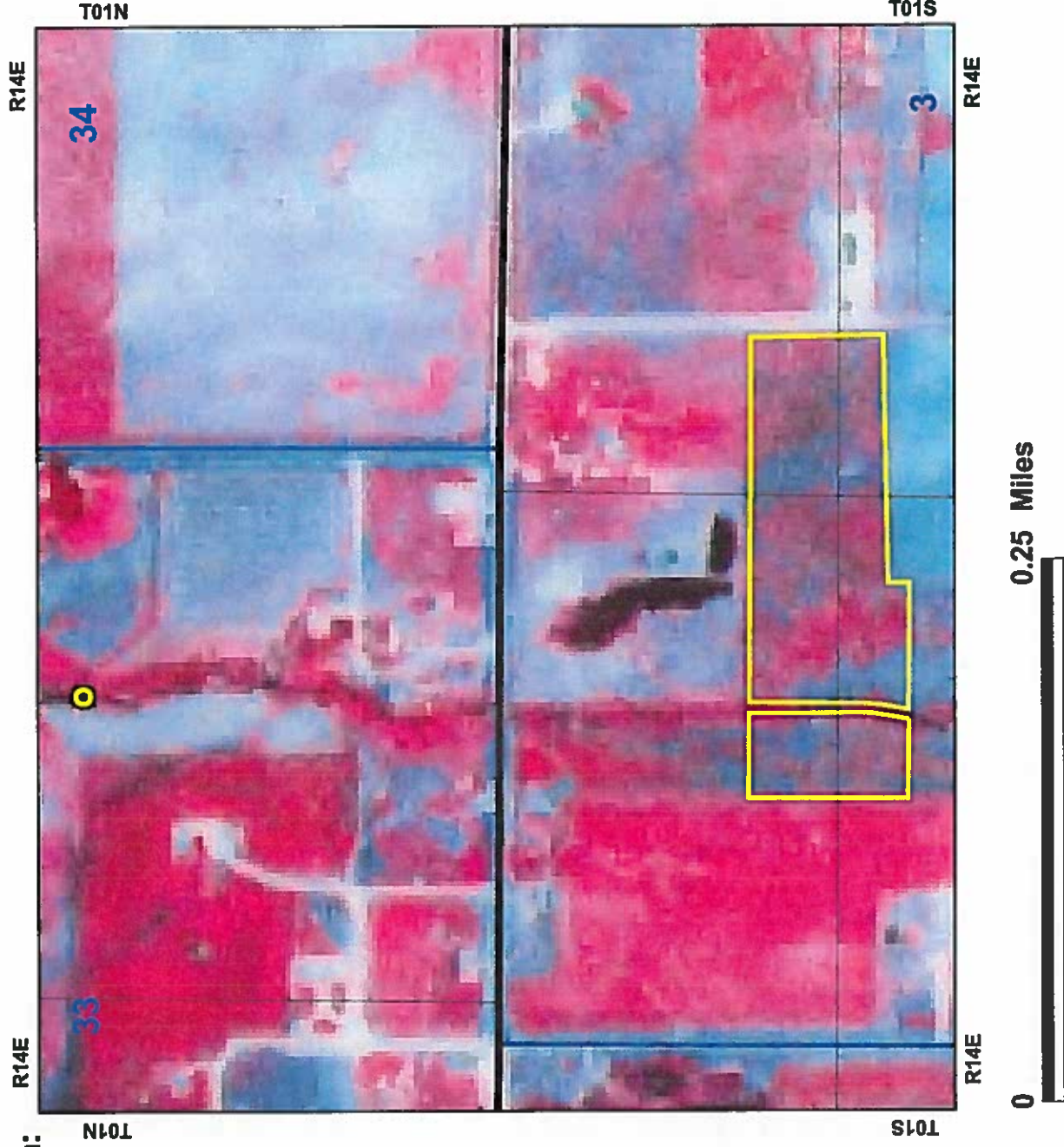
37-50E

Legend

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



Camas County
IDWR Basin 37



Prepared by M. Anders
On Friday, September 22, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-50E

Background Data

- Source is Soldier Creek tributary to Camas Creek
- Priority date search indicates:
 - 37-50A decreed for 0.72 cfs on 5 QQ
 - 37-50B decreed for 2.0 cfs on 5 QQ
 - SRBA claims
 - 37-50A
 - 37-50C claimed 0.05 cfs from 37-50A for Irrigation of 15 acres
 - 37-50D claimed 0.03 cfs from 37-50A for Irrigation of 29.6 acres
 - 37-13187 claimed 0.06 cfs from 37-50A for Irrigation of 17 acres
 - 37-50E claimed 0.2 cfs from 37-50A & 37-50B for Irrigation of 10 acres
 - 37-13195 claimed 1.0 cfs from 37-50A & 37-50B for Irrigation of 513 acres
 - 37-13198 claimed 0.12 cfs from 37-50A, 37-50B, and 37-222B for Irrigation of 9 acres
 - 37-21796 claimed 0.2 cfs from 37-50A & 37-50B for Irrigation of 10 acres
 - 37-21801 claimed 0.17 cfs from 37-50A & 37-50B for Irrigation of 5.7 acres
 - 37-50B
 - 37-50C claimed 0.15 cfs from 37-50B for Irrigation of 15 acres
 - 37-50D claimed 0.25 cfs from 37-50B for Irrigation of 29.6 acres
 - 37-13187 claimed 0.18 cfs from 37-50B for Irrigation of 17 acres
 - 37-21298 claimed 0.2 cfs from 37-50B for Irrigation of 10 acres
 - 37-50E claimed 0.2 cfs from 37-50A & 37-50B for Irrigation of 10 acres
 - 37-13195 claimed 1.0 cfs from 37-50A & 37-50B for Irrigation of 513 acres
 - 37-13198 claimed 0.12 cfs from 37-50A, 37-50B, and 37-222B for Irrigation of 9 acres
 - 37-21796 claimed 0.2 cfs from 37-50A & 37-50B for Irrigation of 10 acres
 - 37-21801 claimed 0.17 cfs from 37-50A & 37-50B for Irrigation of 5.7 acres

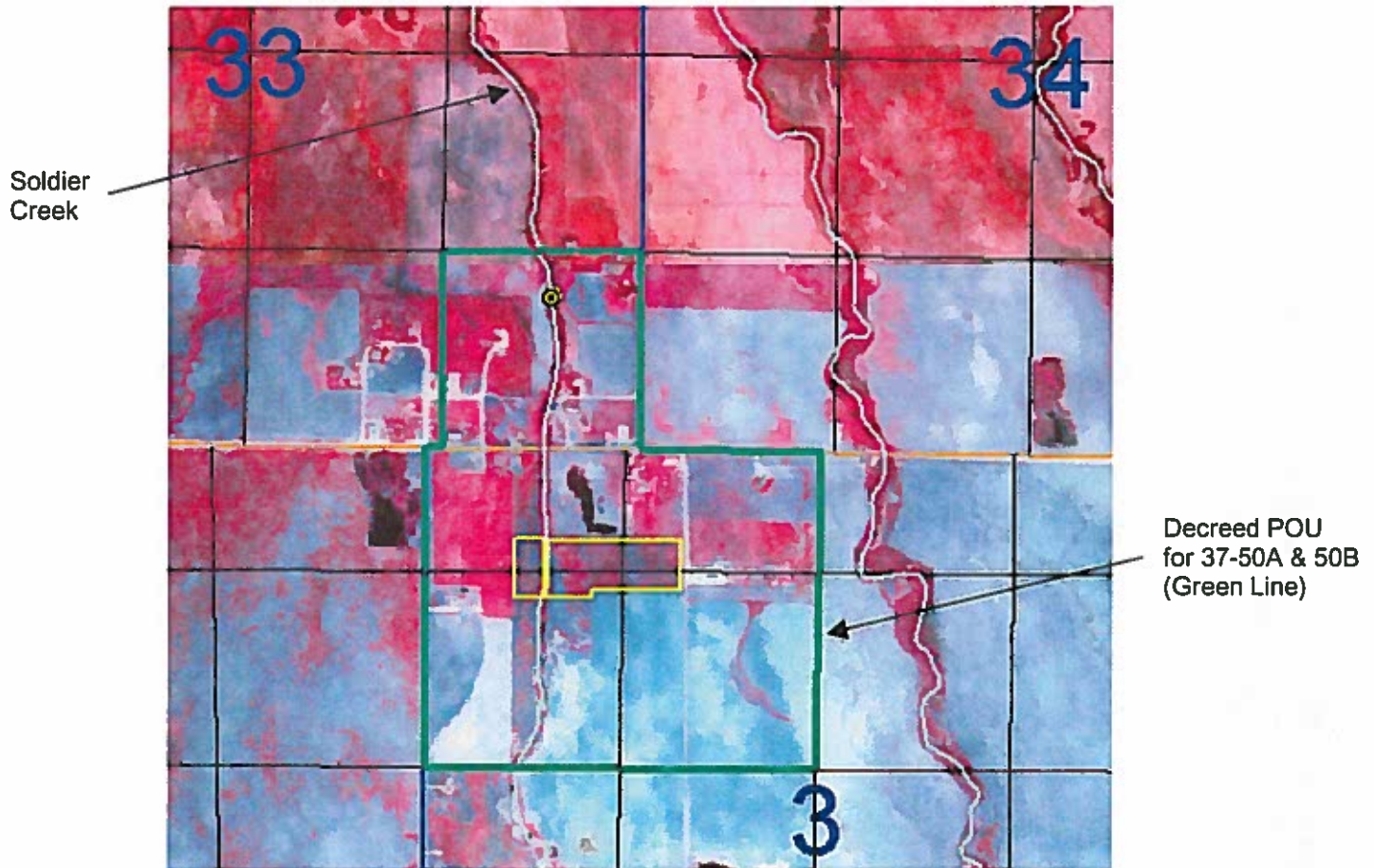
Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo



Notes

T1S R14E Section 3

- Found 9 acres of Irrigation.
- Claim combines water from 2 different water rights. There is no combined use limit on this right for the acreage for each of the rights because: a) the allocated irrigated acres from the different rights equal/exceed the irrigated acreage, b) it would have required to put multiple limits on different portions of the diversion rate on a one right (ex: 0.04 cfs of this right are limited to 130 acres, 0.26 cfs of this right are limited to 400 acres, etc.), which is uncommon, c) the water was moved and applied before 1987 and there are no known disputes/injuries, and d) as right are currently claimed, there is no expansion of the water right, if additional water is claimed any expansion of the water right would be minimal.

- Water right 37-50A has a remark that it was not reaffirmed in *Hallowell vs. Baker* (1959) and may therefore not be valid. The focus of the *Hallowell vs. Baker* was a transfer by Clifford Hallowell. The other rights listed are also delivered from the Abbot Branch of Soldier Creek and appear to have been listed because the decree is documenting their right to use and maintain the Abbot Branch as their delivery system. The other rights were not reviewed and therefore they were probably not reaffirmed by the decree. Also, 37-50A is delivered directly from Soldier Creek, the Abbott Branch is not used, so 37-50A would not have been listed in the *Hallowell vs. Baker* decree. Summary: 37-50A is a valid water right.
- Recommendations:
 - 37-50E – 0.18 cfs for Irrigation of 9 acres
 - 37-50A
 - 37-50C – 0.05 cfs for Irrigation of 13 acres
 - 37-50D – 0.03 cfs for Irrigation of 25 acres
 - **37-50E – 0.05 cfs for Irrigation of 9 acres**
 - 37-13187 – 0.06 cfs for Irrigation of 17 acres
 - 37-13195 – 0.26 cfs for Irrigation of 513 acres
 - 37-13198 – 0.02 cfs for Irrigation of 9 acres
 - 37-21796 – 0.04 cfs for Irrigation of 4.5 acres
 - 37-21801 – No apparent irrigation. Claim disallowed.
 - Unclaimed – 0.21 cfs for Irrigation of 58 acres
 - 37-50B
 - 37-50C – 0.15 cfs for Irrigation of 13 acres
 - 37-50D – 0.25 cfs for Irrigation of 25 acres
 - **37-50E – 0.13 cfs for Irrigation of 9 acres**
 - 37-13187 – 0.18 cfs for Irrigation of 17 acres
 - 37-13195 – 0.74 cfs for Irrigation of 513 acres
 - 37-13198 – 0.04 cfs for Irrigation of 9 acres
 - 37-21796 – 0.10 cfs for Irrigation of 4.5 acres
 - 37-21801 – No apparent irrigation. Claim disallowed.
 - 37-21298 – 0.18 cfs for Irrigation of 9 acres
 - Unclaimed – 0.23 cfs for Irrigation of 23 acres
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

37-50A decreed POU = 5 QQ			(0.72 cfs) duty = 0.0036 cfs/acre	(26% of 37-50)		
Basin	Sequence	Suffix	Claimed cfs	Irrigated Acres	Recom. Acres	Rec. cfs
37	50	C	0.05	13.0	13.0	0.05
37	50	D	0.03	25.0	13.0	0.03
37	50	E	0.20	50A, 50B	9.0	0.05
37	13187		0.06	17.0	17.0	0.06
37	13195		1.00	50A, 50B	513.0	0.26
37	13198		0.12	50A, 50B, 222B	9.0	0.02
37	21796		0.20	50A, 50B	4.5	0.04
37	21801		---	---	---	---
Unclaimed					58.0	0.21
Total					200.0	0.72

37-50B decreed POU = 5 QQ			(2.0 cfs) duty = 0.01 cfs/acre	(74% of 37-50)		
Basin	Sequence	Suffix	Claimed cfs	Irrigated Acres	Recom. Acres	Rec. cfs
37	50	C	0.15	13.0	13.0	0.15
37	50	D	0.25	25.0	25.0	0.25
37	50	E	0.20	50A, 50B	9.0	0.13
37	13187		0.18	17.0	17.0	0.18
37	13195		1.00	50A, 50B	513.0	0.74
37	13198		0.12	50A, 50B, 222B	9.0	0.04
37	21796		0.20	50A, 50B	4.5	0.10
37	21801		---	---	---	---
37	21298		0.20	9.0	9.0	0.18
Unclaimed					23.0	0.23
Total					200.0	2.00

37-222A decreed POU = 8 QQ			(2.8 cfs) duty = 0.0088 cfs/acre	(29% of 37-222)		
Basin	Sequence	Suffix	Claimed cfs	Irrigated Acres	Recom. Acres	Rec. cfs
37	13195		1.58	222A, 222B	513.0	1.12
Unclaimed					191.0	1.68
Total					320.0	2.80

37-222B decreed POU = 12 QQ			(0.8 cfs) duty = 0.0017 cfs/acre	(71% of 37-222)		
Basin	Sequence	Suffix	Claimed cfs	Irrigated Acres	Recom. Acres	Rec. cfs
37	13187		0.03	17.0	17.0	0.03
37	13195		1.58	222A, 222B	513.0	0.46
37	13198		0.12	50A, 50B, 222B	9.0	0.06
Unclaimed					148.0	0.25
Total					480.0	0.80

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-50A

WATER RIGHT NUMBER: 37-50A

Owner Type Name and Address

Current Owner JOHN L BAXTER

, ID

Priority Date: 06/27/1883

Basis: Decreed

Status: Active

Source

SOLDIER CREEK

Tributary

CAMAS CREEK

Beneficial Use

IRRIGATION

From To

/ to /

Diversion Rate

0.720 CFS

Annual VolumeTotal Diversion:

0.720 CFS

Location of Point(s) of Diversion

SOLDIER CREEK

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
01N 14E 33	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	X
01S 14E 3					X	X	X	X									
					L 3	L 4											

Conditions of Approval:

1. P/D & P/U INCOMPLETE. SEE FILE.
RT. WAS NOT REAFFIRMED IN HALLOWELL DECREE. MAY HAVE BEEN LOST.

Remarks:Comments:

Water Right Report 37-50B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	REX MC DONALD
	, ID

Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	2.000 CFS	
	Total Diversion:	2.000 CFS	

SOLDIER CREEK SW1/4NE1/4 Sec. 21, Twp 01N, Rge 14E, B.M.
CAMAS County

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
01N	14E	33																	X
01S	14E	3					X L3	X L4	X	X									

1. ORIGINALLY DECREED TO JOHN L. BAXTER IN THE FROST DECREE.

Comments:

RECEIVED
APR 8 1996

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

RECEIVED
APR 1 - 1996

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Douglas Hayes Hollenbeck Hollenbeck 208 726-3944
Name of Claimant Phone Number
P.O. Box 2596 Sun Valley Idaho 83353
Mailing Address City State Zip
CAMAS 10-1-90 OR 12-6-90
County(s) where place of use is located Date claim originally due
A PORTION OF A37-00050B
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

As to a Phone Conversation with Kelly Christensen @ Twin Falls County Water Resources + a in person meeting on Friday 3/22/96 L. Doug Hollenbeck was lead to believe 10 acres of water @ maximum available quantity would be available to me the legal owner of Lot #16 in Mt. View Sub. Speak with near by neighbors. This land has been worked continuously in past yrs.

Claimant requests an extension to _____, 19 ____
Douglas Hollenbeck 3/28/96 19 96
Signature Date of request
Legal owner of said above property
Title

See to follow Plan for use
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

Accept claim & waive late fee.

and if granted the filing deadline is extended to May 1, 19 96
Signed this 1 day of April, 19 96

[Signature]
Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

ADJUDICATION SECTION
MICROFILMED
NOV 21 1996

37-00050

decided to 135 acres

00050A

.72CFS

BAXTER

$2.00\text{CFS}/135\text{A} = 0.0148\text{CFS}/\text{acre}$

00050B

2.00CFS

Mc DONNARD

AD JUDICATION CLAIMS

	50A	50B	222B	total
A37-00050C Sullivan	.05 CFS	.15 CFS		.20 CFS
00050D Prock	.03	.25		.28
13187 Ballard	.06	.18	(.03)	.24* ^{50 only}
13195 Reedy		1.00 CFS	2.02* (222B and others)	1.00 CFS

total against (50) 1.72 CFS

Balance not claimed if
37-00050B is the only valid
right -

0.28 CFS.

Related decrees

Frost decree 12-13-1909

Abbott vs Reedy et al (1903)

Hall et al vs Baker et al (1959) Prepared by KKC

3-22-96

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Mtn. View Drive

Lot (16) Mtn. View Sub.

Lot (16) Mtn. View Sub.

Existing Canal

Existing Canal

Irrigation Canal

Gate

Grated Pipe

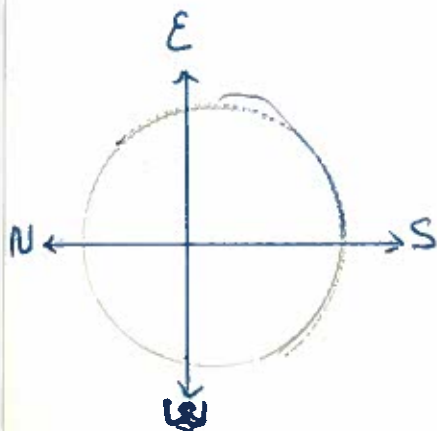
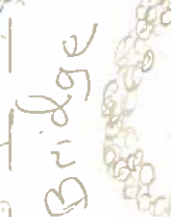
6" Underground Pipe

Wetlands Fish & Bird Habitats

Bog Land

Soldier Creek

Proposed Driveway



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