

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Stockwater use is for 500 range cattle.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

August 23, 2006

Re: Supporting documentation for Stock Water or Ground Water Recharge

Dear Claimant:

Over the past several months, numerous meetings have taken place with individuals and representatives of water delivery organizations in the upper Snake River Valley and the Idaho Department of Water Resources (IDWR) concerning claims for the non-irrigation season diversion of stock water and ground water recharge. In response to these meetings the following criteria were identified for evaluating and recommending these two uses.

- The claimant will have to provide documentation that verifies a historical practice of diverting water during the non-irrigation season for the purpose of providing stock water and ground water recharge. An example would be copies of the minutes for a water delivery organization referencing the diversion of water for these two uses. This information also will be used to help establish the priority date of the use.
- The claimant needs to provide copies of records showing the quantity of water historically diverted during the non-irrigation season. These records will be used as a basis for recommending the diversion rates for these two uses.
- The claimant will have to provide documents, written statements and/or affidavits from individuals who have witnessed the non-irrigation season diversion of water. These individuals need to provide a historical perspective based on actual observation.

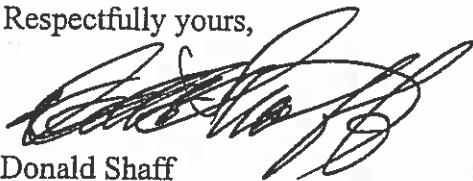
Claimants need to assess their historic diversion requirements for stock water and ground water recharge. The quantity of water claimed for non-irrigation season stock water should be the amount needed to reach the end of the delivery system plus provide drinking water for stock. Claimants should not rely upon ground water recharge as a use to supplement the stock water in order for water to reach the end of the delivery system. *Claimants holding Winter Water Savings contracts may have lost their right to divert water for 150 days between November 1 and April 30 through either abandonment or forfeiture or may have a modified season of use depending on a case-by-case review of the facts.*

For some claimants, amending claims, or filing new claims, to reflect the historic quantity for stock water will result in a substantial filing fee (\$200 per cfs). This fee is not refundable, which emphasizes the importance of providing documentation that supports the claimed uses.

If you or the organization you represent have already amended one or more claims and provided the documentation identified above, you may disregard this letter. Individuals or organizations

wishing assistance in amending their claims or filing additional claims should call the Eastern Region office at (208) 525-7161 by September 1, 2006 to make an appointment.

Respectfully yours,



Donald Shaff
Adjudication Bureau Chief, IDWR

Enclosure: SRBA claim proof report

cc: Ernest Carlsen, IDWR

The Great Feeder Canal or the Dry Bed as it is also known is a natural channel of the Snake River. This natural channel ran through the John Ellis Farm and He Established a water right there in 1988. In those days many families used the streams for livestock water and also for domestic water. This stream had water year around.

The Corps of Engineers built a Flood Control dyke in the 1950's. In the process they dammed off the Tander Slough which partially fed the Great Feeder, thus putting the Control of the Great Feeder at the Headgates Farther up River. The Ellis Family was in the Sheep Business and depended on this source of water. Later on my father bought the Ellis Family Sheep operation and we continued to buy the Hay produced on their farm and fed the sheep there. Eventually we changed from sheep to cattle and we bought their Hay until 1973 when we bought the farm. We have

Continued to use The water Every year
To The present time.

the Ellis Ditch Has no palisade storage
water - we Havent been tied to a contract
with 150 days out of use.

Some years ago the Great Feeder, for
a short Distance, Has been diverted into
an alternate channel. The Ellis Ditch
Has the ability to divert water into the
old channel for winter stock water which
we have always done and still do.

we Calve 400 Cows in this location.

The Ellis Family drilled a well 45' deep
when the water was not in the channel
the well would on occasion cease to Function.
they realized the value of the water table
and the Recharge in the area.

Edwin E. (Jr) Hanson

3810 E. 850 N.

Pigby, Id. 83442

(208) 745-6482



State of Idaho

DEPARTMENT OF WATER RESOURCES

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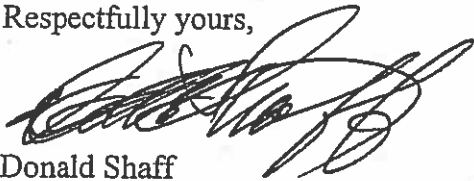
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Respectfully yours,

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

Donald Shaff
Adjudication Bureau Chief, IDWR

Enclosure: SRBA claim proof report

cc: Ernest Carlsen, IDWR

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Ellis Ditch CLAIM I.D. NO. A01-10040

DATE RECEIVED 1-20-89 CK # 471 AMOUNT \$ 75

	YES	NO
1. Is the name and address complete with zip code?	☒	☐
2. Is a 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: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.		
3. (a) Is a source entered?	☒	☐
(b) Is a tributary to entered? (if required)	☐ N/A	☐
4. Is the legal description of the p.d. sufficient?	☒	☐
5. Is there a description of the diverting works?	☒	☐
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐
Is the period of use included?	☒	☐
Is a quantity claimed for each use?	☒	☐
7. Is a total quantity claimed entered?	☒	☐
8. If required is a consumptive use entered?	☐ N/A	☐
Is the consumptive use correct?	☐ N/A	☐
9. 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, see Adjudication Memo # 4.	☐ N/A	☐
10. Is (are) the place(s) of use entered?	☒	☐
11. Is (are) the county(ies) entered?	☒	☐
12. Is the ownership of p.u. checked?	☒	☐
13. Are other water rights listed or "none" indicated?	☒	☐
14. 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.)	☐ N/A	☐
15. Is the basis of the claim checked?	☒	☐
16. Is the claim signed by the claimant, and 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?	☒	☐
Was this claim filed on time, or was an extension granted?	☒	☐
Is the fee enclosed correct?	☐ Exempt	☐
If this claim is based on an existing water right, has the identification number been entered?	☐ N/A	☐
Should this claim be receipted and data entered?	☒	☐

Claim checked by: [Signature]

Comments: _____

MICROFILMED
OCT 20 1992

5668

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 1-10040
Date Received: 1/20/1989
Receipt No: E005568
Received By: MWH

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

1. Name of Claimant(s)

EDWIN E HANSON Phone: (208)745-6482
3810 E 850 N
RIGBY ID USA 83442

THEO I HANSON Phone: (208)745-6051
3836 E 620 N
RIGBY ID USA 83442

2. Date of Priority: 06/01/1888

3. Source: DRY BED Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	38E	1	NE NW 3	JEFFERSON	Beginning Point
05N	38E	36	SE SW	JEFFERSON	Ending Point

5. Description of diverting works:

DAM ON THE GREAT FEEDER CANAL, WITH A 14" HEADGATE. INSTREAM STOCKWATER FOR 500 HEAD.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.25	
GROUND WATER RECHARGE	11/01	03/31	2.5	

7. Total Quantity Appropriated is:
2.75 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
04N	38E	1	NE NW	STOCKWATER	
			SE NW	STOCKWATER	

NE	SW	STOCKWATER
NE	NW	GROUND WATER RECHARGE
SE	NW	GROUND WATER RECHARGE
NE	SW	GROUND WATER RECHARGE
SE	SW	GROUND WATER RECHARGE
SE	SW	STOCKWATER

05N 38E 36

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

CO-OWNERS; EDWIN E. HANSON OR THEO I. HANSON

15. Basis of Claim: Beneficial Use

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): Edwin E. Hanson Date: 11-15-06

_____ Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 15
of November 2006

Jennifer Crabtree

Notary Public

Residing at Idaho Falls ID

My commission Expires 9/23/09



AUG 24 2001

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: A01-10040
Date Received: 1/20/1989
Receipt No: E005568
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELLIS DITCH 208-745-6482
Address: 3810 E., 850 N.
RIGBY, ID 83442
2. Date of Priority: JUN 01, 1888
3. Source: GREAT FEEDER CANAL Trib. to: SOUTH FORK, SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	38E	1	NE	SE			JEFFERSON

5. Description of diverting works:
DAM ON THE GREAT FEEDER CANAL, WITH A 14" HEADGATE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
GROUNDWATER RECHARGE	11/01	03/31	2.500		
STOCKWATER	11/01	03/31	0.250		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
GROUNDWATER RECHARGE, STOCKWATER 1000 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	38E	1	NE	NW		GWR	
			NE	NW		STOCK	

A01-10040

Page 1

Date: 02/07/89

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	38E	1	SE		NW		GWR	
			SE		NW		STOCK	
			NE		SW		GWR	
			NE		SW		STOCK	
05N	38E	36	SE		SW		GWR	
			SE		SW		STOCK	

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
NONE

14. Remarks:
CO-OWNERS; EDWIN E. HANSON OR THEO I. HANSON

15. Basis of Claim: BENEFICIAL USE

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 _____

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 AOI-10040

Date Received 1-20-1989

Receipt Number E005568

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

A0110040



Please type or print clearly

1. Name of Claimant (s) ELLIS DITCH Phone (208) 745-2482

Mailing Address 3810 E. 850 N. Rigby IDAHO Zip 83442

2. Date of Priority (Only one (1) per claim) June 1, 1888

3. Source of water supply (a) GREAT FEEDER - ELLIS DITCH
which is tributary to (b) SOUTH FORK OF SNAKE RIVER

4. a. Location of existing point of diversion is: Township 4N Range 38E Section 1,
NE 1/4 of SE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of JEFFERSON

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. DAM ON GREAT FEEDER WITH
14' HEADGATE.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For GROUNDWATER RECHARGE purposes from 11-1 to 03-31 amount 2.5 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For STOCKWATER purposes from 11-1 to 03-31 amount 0.25 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.75 (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.) GROUNDWATER RECHARGE & IN STREAM FLOW OF CAUAL FOR STOCK.
STOCK - 1000 RANGE CATTLE

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	
4N	38E	1				E/S				E/S E/S									
5N	38E	36												E/S					

Total number of acres irrigated _____

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

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

14. Remarks: Co-owners: EDWIN E. HANSEN or
THEO J. HANSEN

Last Name _____ Ident No. _____

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Copies: White - State Yellow - Claimant

OCT 20 1992

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

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 _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am CO-OWNER _____

of ELLIS DITCH _____, that I have signed the foregoing
Organization

document in the space below as CO-OWNER _____ of ELLIS DITCH _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Edwin E. Hanson _____

Title and Organization ELLIS DITCH / CO-OWNER _____ Date 19-Jan-89

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

Subscribed and sworn (or affirmed) before me this 20 day of JANUARY 19 89

SEAL

Notary Public [Signature] _____

Residing at IDAHO FALLS _____

My Commission Expires 9-12-94 _____

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 _____ Ident. Number _____

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OCT 20 1992

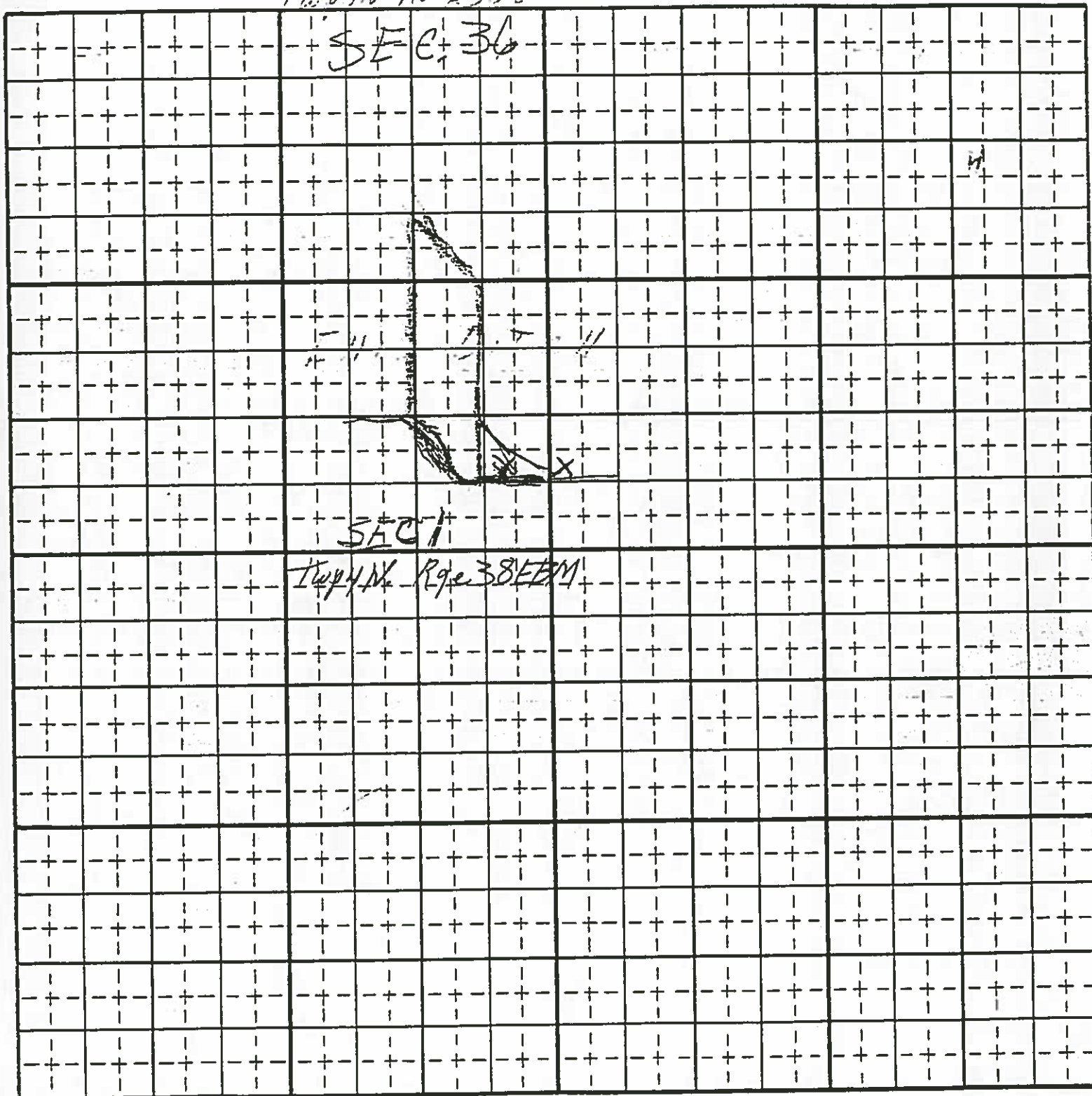
Copies White-State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

X-point of diversion

T.1205N R.38E B.1



MICROFILMED

Last Name Hanson

Ident No. _____

Copies: White-Red Yellow-Clayton
867-2-8-1982