

03/14/2006

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

RIGHT NUMBER: 1-10443

NAME AND ADDRESS: NEIL H LARSEN
PO BOX 87
HANSEN ID 83334

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.870 CFS

Right Nos. 45-11969 and 1-10443 are limited to a total combined diversion rate of 1.89 cfs.

PRIORITY DATE: 03/15/1961

POINT OF DIVERSION:

T10S R24E S29 NWSE Lot 10 Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.870 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T10S R24E S29 Lot 11 NESW	15.00	T10S R24E S29 Lot 12 NWSW	9.30
T10S R24E S29 Lot 10 NWSE	12.70	T10S R24E S30 Lot 8 NESE	5.70
T10S R24E S30 Lot 8 SESE	0.80		

43.5 ACRES TOTAL

Right Nos. 45-11969 and 1-10443 are limited to the irrigation of a combined total of 94.6 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 - Beneficial Use

10/11/2005

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

RIGHT NUMBER: 1-10443

NAME AND ADDRESS: NEIL H LARSEN
PO BOX 87
HANSEN ID 83334

SOURCE: POND TRIBUTARY: SNAKE RIVER

QUANTITY: 0.870 CFS

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PRIORITY DATE: 03/15/1961

POINT OF DIVERSION:

T10S R24E S29 NWSE Lot 10 Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.870 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T10S R24E S29 Lot 11 NESW	15.0	T10S R24E S29 Lot 12 NWSW	9.3
T10S R24E S29 Lot 10 NWSE	12.7	T10S R24E S30 Lot 8 NESE	5.7
T10S R24E S30 Lot 8 SESE	0.8		

43.5 ACRES TOTAL

Right Nos. 45-11969 and 1-10443 are limited to the irrigation of a combined total of 94.6 acres in a single irrigation season.

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

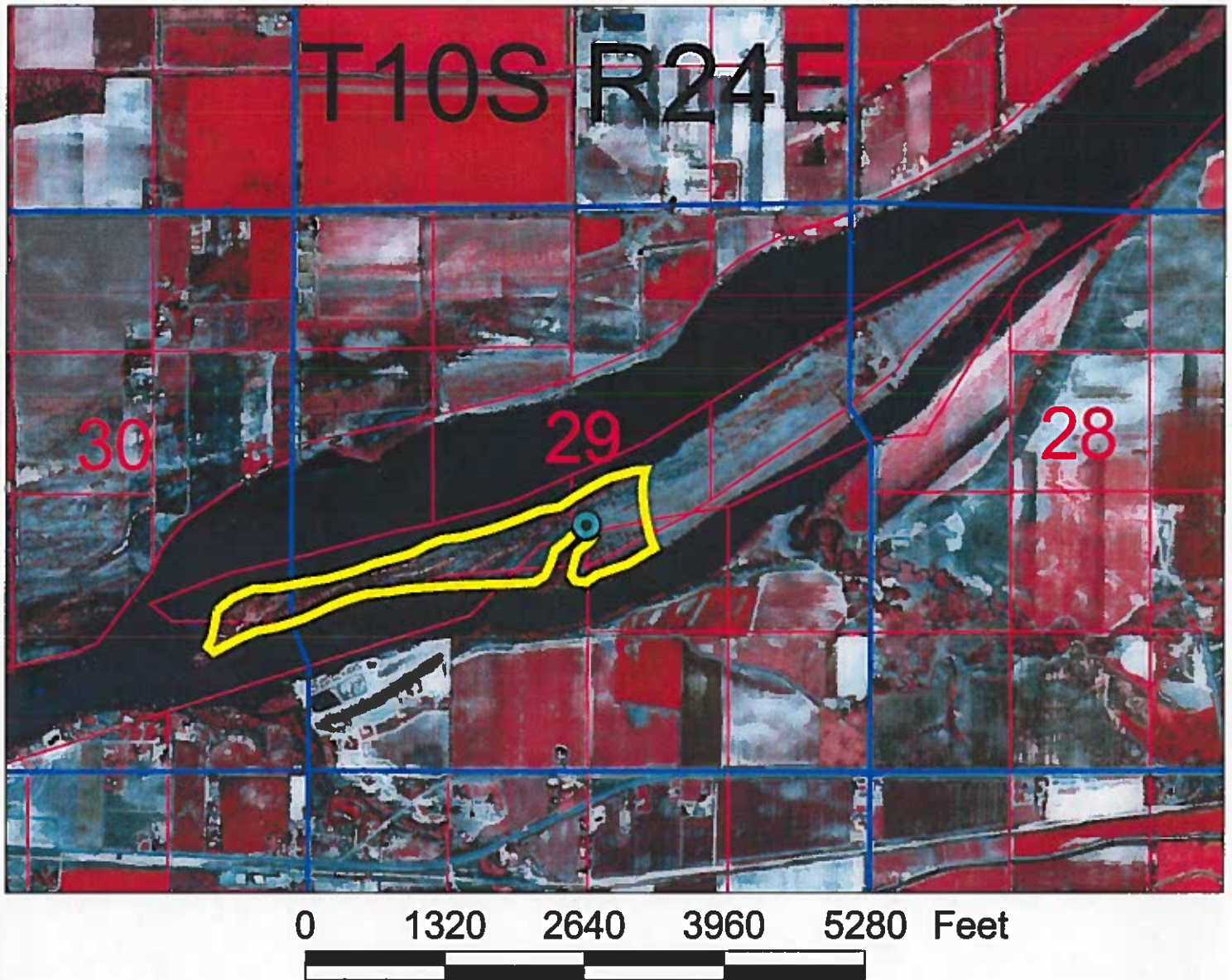
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Department of Water Resources

Claim No.: 01-10443



-  Point of diversion
-  Place of Use
-  Township/Range
-  Sections
-  QQ



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: October 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-11969

WATER RIGHT NUMBER: 45-11969

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RON PATRICK PO BOX 87 HANSEN, ID 83334
Current Owner	JACK MC CALL PO BOX 87 HANSEN, ID 83334
Current Owner	LARSEN PATRICK MC CALL PARTNERSHIP PO BOX 87 HANSEN, ID 83334 (208)423-4444
Current Owner	NEIL H LARSEN PO BOX 87 HANSEN, ID 83334 (208)423-4444

Priority Date: 06/01/1939

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.260 CFS	378.40 AF
	<u>Total Diversion:</u>	1.260 CFS	378.40 AF

Location of Point(s) of DiversionGROUND WATER
CASSIA County

L9 (SE1/4NE1/4)

Sec. 29, Twp 10S, Rge 24E, B.M.

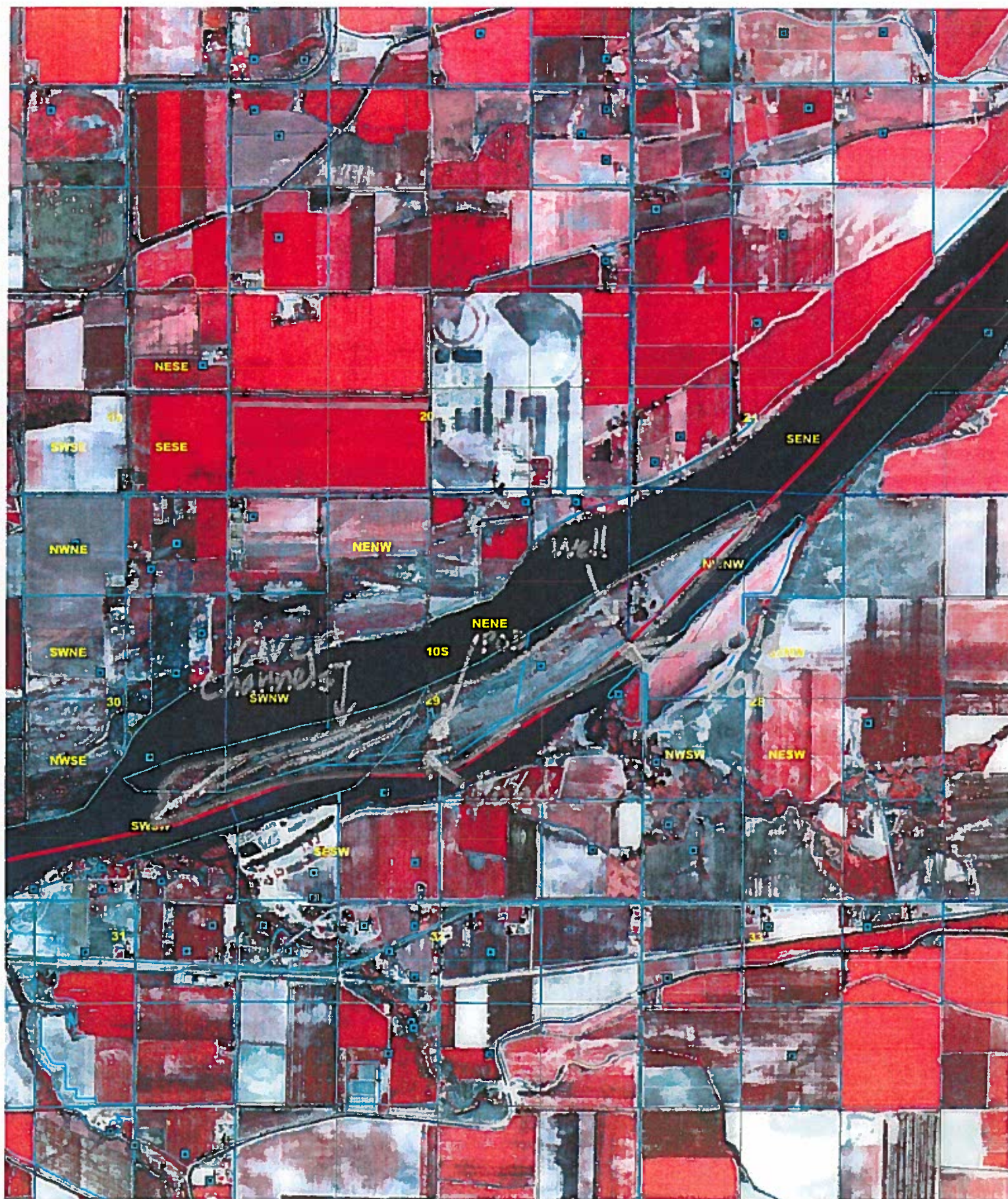
Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S 24E 28						11.0	5.0										16.0
						L 4	L 4										
10S 24E 29	.7		7.1	24.0					15.0	9.3				16.0			72.1
	L 9		L 9	L 9					L 11	L 12				L 10			
10S 24E 30													5.7			.8	6.5
													L 8			L 8	

Total Acres: 94.6

01-10443



01-10443

Frenchman's Island (Larsen)

9/18/05 Phone call to set appt, 208 423-4444

9/19/05 Verified POD by inspection after visiting at 1:30 pm
w/ Larsen's. Photos, GPS fixGPS # 084 2526511 pond
1258280

Larsen's have owned island from 1990. Former owner, ~~Woodland~~ Woodland, purchased property in 1950. Land was used for dairy and crops. Surface water is pumped from old river channel (pond) for irrigation of lower half of property supplemented by water drawn from deep well on northeast half of island. Regarding the question of "ditches" and use, there is no evidence of any ditch digging. Ditches referred to in water claim are the remnants of river channels ~~dig~~ dug out of the island when river was at a higher water mark. These river channels run parallel with river flow cutting slightly diagonally across island in a NE/SW direction and are only found on the southern half of island. Water is occasionally pumped into these channels as needed for irrigation. A main line runs from the deep well to pond with a leg going from the control valves to the closest channel. When heavily farmed, in past, crops were corn, beets, and potatoes, and pasture for dairy cows.

GPS # 85 2527207 present deep well
1258690
86 2527255 old well (not used)
1258608



Claim Number **01-10443**

21 September 2005

Point(s) of Diversion

GPS Coordinates

Waypoint #: 084 2526511
 1258280



Pond

Waypoint #: 085 2527207
 1258690



Deep well pump house

Waypoint #: 086 2527255
1258608



Old POD (not presently used). Pipe shown is terminated.



Old well house near concrete pad shown above (not used).

Motor/Pump Data

Motor

Make: Baldor

Cat. No.: JPM2539T

Spec.: 42E96X18

Frame: 324JP

Serial: 689C

HP: 40 DP

Volts: 230/460

Amps: 94/47

RPM: 1760

HZ: 60

Phase: 3

Class: B

Series F.: 1.15

Design: B

Code: K

NEMA nom. eff.: 92 %

P.F.: 85%

Rating: 40 °C AMB-CONT



$$Q = \frac{40 \times 8.814 \times 0.70}{(2.31 \times 60) + 10'}$$
$$= 1.66 \text{ cfs}$$

Pump

Make: Cornell

Model: 4RB40-4

Serial No.: 64175 12





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

DEPT INTERNET WEB SITE: www/idwr.state.id.us

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 23, 2004

COPY

NEIL LARSEN
PO BOX 87
HANSEN ID 83334

RE: SNAKE RIVER BASIN ADJUDICATION (SRBA) CLAIM 45-13397 RENUMBERED TO 1-10433

Dear Neil

As I noted in my 2-13-2004 letter, this claim has been renumbered to a basin 01 claim. This claim will be reviewed with the other basin 01 claims. The director's report for basin 45 will be shortly submitted to the court and you will receive the recommendations for your b45 claims at that time.

If you have any questions, please call this office for information.

Sincerely

Kelly K Christensen
Sr Water Resource Agent
E-mail address: kchrste@idwr.state.id.us

Enclosure



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 DEPT INTERNET WEB SITE: [www/idwr.state.id.us](http://www.idwr.state.id.us)

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 13, 2004

NEIL LARSEN
3851 N 3500 E
KIMBERLY ID 83341

RE: SNAKE RIVER BASIN ADJUDICATION CLAIMS 45-11969 AND 45-13397

Dear Neil

This letter is accompanying the preliminary recommendation for 45-11969. This claim is for the well and is recommended for the irrigation of the entire island.

I am not recommending 45-13397 in the basin 45 report. After discussing this right with my supervisors, we felt that this right would be better described as a Basin 01 right. The reasoning for the change is that it was determined that the pond water is hydrologically linked with the Snake River. As water is pumped from the pond it would be refilled with Snake River water filtering through the gravel pack. This claim will be renumbered and subsequently recommended in the Basin 01 report that will be completed at a later date.

If you have any questions please give me a call at the number listed above.

Sincerely

Kelly K Christensen
Sr Water Resource Agent
E-mail address: kchrste@idwr.state.id.us

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 1-10443
Date Received: 8/23/2004
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NEIL H LARSEN Phone: (208)423-4444
PO BOX 87
HANSEN ID USA 83334

2. Date of Priority: 03/31/1960

3. Source: POND Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10S	24E	29	11	CASSIA	

5. Description of diverting works:

Pond is 870 ft X 70 tp 90 FT X15 to 20 FT with gas or tractor operated pump.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.25	
WILDLIFE	02/10	12/01	1.25	

7. Total Quantity Appropriated is:
1.25 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
10S	24E	29		10 IRRIGATION	13
				11 IRRIGATION	19.6
				12 IRRIGATION	17.2
				10 WILDLIFE	
				11 WILDLIFE	
				12 WILDLIFE	
				Section Acres	49.8
10S	24E	30		8 WILDLIFE	
				8 IRRIGATION	11.9

Section Acres 11.9

Total Acres 61.7

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:

14. Remarks:

THE WATER USED FROM THIS IRRIGATION POND WAS USED AS SUPPLEMENTAL WATER TO FLOOD AND SPRINKLE IRRIGATE GRASS AND PASTURE AROUND THE MIDDLE AND LOWER END OF THE ISLAND.

This claim was renumbered from 45-13397 to reflect that the pond source is hydrologically connected to the Snake River and is therefore better represented as a Basin 01 right.

15. Basis of Claim: Beneficial Use

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 45-13397
Date Received: 2/13/01
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NEIL H LARSEN Phone: (208)423-4444
PO BOX 87
HANSEN ID USA 83334

2. Date of Priority: 03/31/1960

3. Source: POND Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10S	24E	29	11	CASSIA	

5. Description of diverting works:

POND IS 870 FT X 70 TO 90 FT X 15 TO 20 FT WITH GAS OR TRACTOR OPERATED PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.25	
WILDLIFE	02/10	12/01	1.25	

7. Total Quantity Appropriated is:
1.25 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	
10S	24E	29			12	WILDLIFE	
					11	WILDLIFE	
					10	WILDLIFE	
					12	IRRIGATION	17.2
					11	IRRIGATION	19.6
					10	IRRIGATION	13
					Section Acres		
10S	24E	30			8	WILDLIFE	
					8	IRRIGATION	11.9
					Section Acres		
Total Acres					61.7		

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:

14. Remarks:

THE WATER USED FROM THIS IRRIGATION POND WAS USED AS SUPPLEMENTAL WATER TO FLOOD AND SPRINKLE IRRIGATE GRASS AND PASTURE AROUND THE MIDDLE AND LOWER END OF THE ISLAND.
RECEIPT NUMBER S023616

15. Basis of Claim: Beneficial Use

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 45-13397Date Received 2/13/01Receipt Number 5023616

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) NEIL H. LARSEN Phone (208) 423-4444Mailing Address P.O. Box 87, Hansen, Id. Zip 833342. Date of Priority (Only one (1) per claim) 1960 - MARCH3. Source of water supply (a) LARGE IRRIGATION POND
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 10S Range 24E Section 29,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, 11 B.M., County of CASSIA

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.

IRRIGATION POND IS APPROXIMATELY
870' LONG, 70' TO 90' IN WIDTH & 15' TO 20+ DEEP. IT WAS OPERATED
OR TRACTOR OPERATED PUMP OPERATES FROM THE NORTH EAST END OF THE
POND. THE SIDES OF THE POND WERE SLOPED IN DEC. 2000, BUT THE
POND WAS NOT ENLARGED. SOME OLD MUCK & DEAD FISH WERE
EXCAVATED FROM THE BOTTOM OF THE POND ALSO IN DEC. 2000.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from MARCH 15 to Nov. 15 amount 1.25 CFS or _____

For Wild Life Habitat purposes from Feb. 10 to Dec. 1 amount 1.25 CFS or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.25 CFS (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is N/A acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Delivery Ditches for Ducks & Geese on Lower 1/2 of Island.

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
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10S	24E	29	Lots 10; 11; 12				— Lot 10 → 13 Acres; Lot 11 → 19.6 Ac.; Lot 12 → 17.2 Ac.												
10S	24E	30	Lot 8 → 11.9 Ac.																

Total number of acres irrigated 61.7 Ac.

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

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.
Well - Water Right # 45-11969 or None ()

14. Remarks: The water used from this Irrigation Pond was used as Supplemental water to Flood & Sprinkle Irrigate GRASS & PASTURE, Around the Middle & Lower end of the Island.

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant



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) *Neil K. Jensen* Date 2/13/01

Date _____

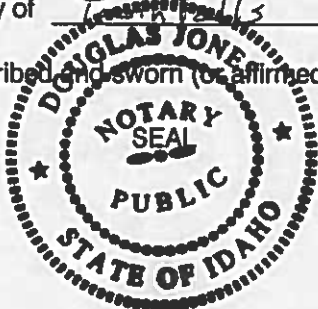
For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Teton Falls) SS.

Subscribed and sworn (or affirmed) before me this 13th day of February 2001



Notary Public *Douglas Jones*

Residing at Buhl, ID

My Commission Expires 8/8/2001

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 _____

Copies White-State, Yellow-Claimant

The following is an affidavit concerning additional irrigation water and dates of usage from an irrigation pond on Frenchman's Island.

1. My name is Nannette Woodland and we (my family) moved to the Island in 1951. We lived and owned the Island until 1990 and during that time we raised six children, had a dairy, farmed and had pasture for cattle, sheep and horses on the Island.
2. There is a deep well at the end of the bridge that we used to irrigate the east end of the Island and most of the middle area.
3. There is a large irrigation pond in about the middle of the Island.
4. We purchased a tractor operated pump to supplement irrigation of the middle and lower half of the Island.
5. We pumped water from the pond for sprinklers and flood irrigation of grass and pasture.
6. I believe the date we started using water from the pond was the early 1960's; perhaps 1960 or 1961 - - about 10 years after we moved to the Island.

Dated this 12 day of February 2001.

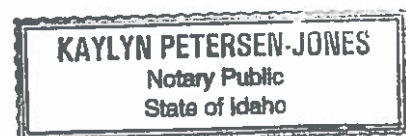
Nannette H. Woodland
Nannette Woodland
2425 25th Dr.
Burley, Id.
(208) 678-4533

State Of Idaho)
) ss.
County of Cassia)

On this 12th day of February, 2001, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Nannette Woodland, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Kaylyn Petersen-Jones
NOTARY PUBLIC
Residing at: Burley, Id. Cassia County
My Commission Expires: MY COMMISSION EXPIRES:
June 23, 2005



Idaho Department of Water Resources Receipt

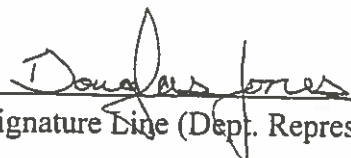
Receipt ID S023616

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$175.00	ADJUDICATION FILING FEE	0337		44503	1155


Signature Line (Dept. Representative)

COPY