

03/19/2010

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

RIGHT NUMBER: 1-10564

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH  
USDI FISH AND WILDLIFE SERVICE  
DIVISION OF ENGINEERING  
911 N E 11TH AVE  
PORTLAND OR 97232-4181

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.070 CFS

PRIORITY DATE: 10/31/1969

POINT OF DIVERSION:

T09S R25E S1 NENE Lot 5 Within MINIDOKA County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/01 10/31          | 0.020 CFS       |
| FIRE PROTECTION       | 01/01 12/31          | 0.070 CFS       |

PLACE OF USE: IRRIGATION in MINIDOKA County

T09S R25E S01 NWNE 0.20 T09S R25E S01 Lot 8 SWNE 0.20

T09S R25E S01 Lot 9 SENE 0.10

FIRE PROTECTION in MINIDOKA County

T09S R25E S01 Lot 5 NENE T09S R25E S01 NWNE

T09S R25E S01 Lot 8 SWNE T09S R25E S01 Lot 9 SENE

0.5 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 - Beneficial Use

Property is also known as Minidoka National Wildlife Refuge headquarters.



# Idaho Department of Water Resources

Adjudication Recommendation

1-10564

(IRRIGATION)

## Legend

Point of Diversion



Place of Use



State Outline



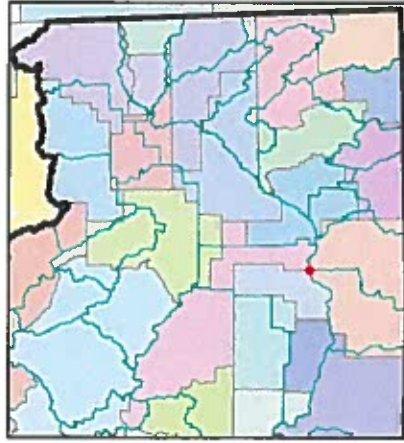
Townships



PLS Sections



Quarter Quarters

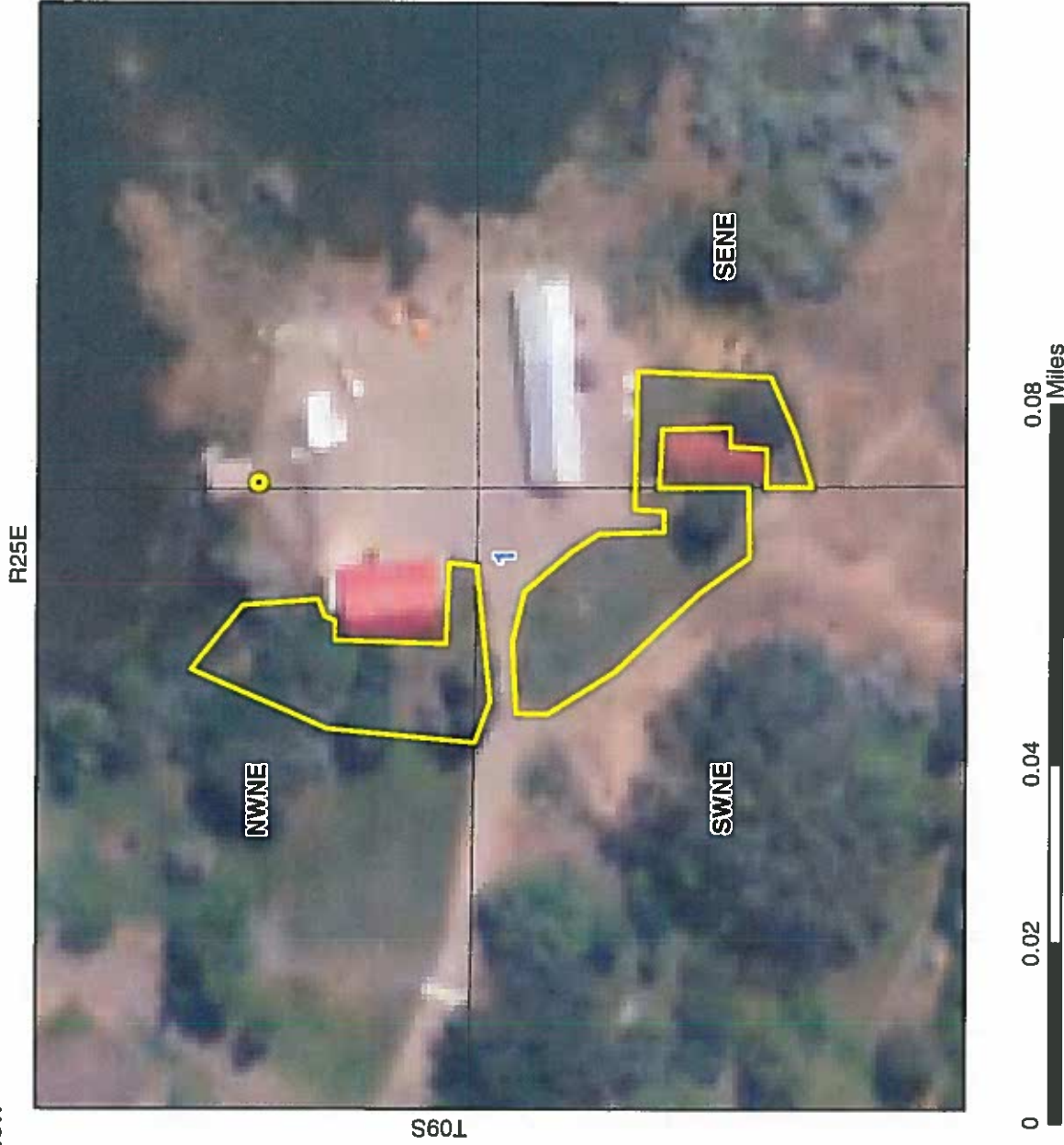


Minidoka County  
IDWR Basin 1

Prepared by Michael Holliday

On March 19, 2010

2004 Aerial Photography





C. L. "Butch" Otter  
governor

Nancy C. Merrill  
director

David M. Ricks  
deputy director

IDAHO PARK AND  
RECREATION BOARD

Steve Klatt  
region one

Randal F. Rice  
region two

Ernest J. Lombard  
region three

Latham Williams  
region four

Jean S. McDevitt  
region five

Douglas A. Hancey  
region six

IDAHO DEPARTMENT OF  
PARKS AND RECREATION

p.o. box 83720  
boise, idaho 83720-0065

(208) 334-4199

fax (208) 334-3741

tdd 1-800-377-3529

street address  
5657 warm springs avenue  
boise, idaho 83716

[www.parksandrecreation.idaho.gov](http://www.parksandrecreation.idaho.gov)

## LAKE WALCOTT STATE PARK

959 E. Minidoka Dam Rd. Rupert, ID 83350

Phone: 208-436-1258 --- Fax: 208-436-1268

### FAX COVER SHEET

DATE: 3/16/10

TO: DWQ

ATTN: MIKE HOLYDAY

FROM: TRAPPER

# PAGES: 2

#### MESSAGE:

MIKE  
HERE'S YOUR GPS STUFF.  
N 42° 40 MIN 23.3 SEC.  
N 113° 28 MIN 38.1 SEC.  
THERE WAS ONLY ONE MORE PAGE  
THAT PERTAINED TO THE REFUGE  
COMPOUND.  
TRAPPER

#### CCC CAMP

Established by Congress in 1933 and reorganized in 1937, the Civilian Conservation Corps was a federally funded vocational training program, primarily for young men between the ages of 17 and 23. For the most part, CCC enrollees worked on conservation-related projects, living in nearby government-supervised camps patterned after army cantonments. In early 1935 the CCC agreed to furnish enrollees to Reclamation's Minidoka Project, selecting Walcott Park as the site for both a camp and a conservation project. Officially designated Camp BR-27, the CCC camp received its first contingent of about 200 enrollees in the fall of 1935 and remained in operation until the summer of 1941. Although CCC crews continued to work on the Minidoka Project until the spring of 1942, these enrollees were stationed at another camp near Paul, Idaho, which closed in May 1942.

Camp BR-27 contained about 18 wood-frame buildings, including an education building, infirmary, mess hall, recreation building, supply warehouse, officers' quarters, and eight barracks [see Figure 14 for site plan of camp].<sup>a</sup> Most of these structures stood on a small rise, overlooking an unpaved service and loading area that separated the camp from the Old Park, immediately to the southwest. All CCC buildings at Walcott Park were demolished or removed in the decades after World War II. Camp BR-27's only major structural remains are some mortared, rubble, lava-rock foundation fragments, originally part of a loading-dock complex built by the CCC in 1939.<sup>b</sup> Located in the former service and loading area, these foundation fragments measure about 14 inches in width, stand three to four feet in height, and cover about 150 lineal feet. On the higher terrain above the service and loading area, the camp grounds survive as an open, level, irrigated lawn.

#### MINIDOKA NWR HEADQUARTERS

In 1909 the federal government established a national wildlife refuge at Lake Walcott under the supervision of the U.S. Biological Survey, which was renamed the Fish and Wildlife Service [FWS] in 1940.<sup>c</sup> FWS oversees the refuge from a headquarters compound at the east end of Walcott Park, about one-quarter mile northeast of the Minidoka Powerhouse. This administrative area occupies the neck of a small, and otherwise undeveloped, peninsula that juts southeastward into Lake Walcott. Vehicular access is facilitated by an east-west, 300-foot, unpaved driveway off Walcott Park's lakeshore drive. The driveway leads to a

<sup>a</sup>See HABS Photos ID-103-58 through 60 for views of the CCC Camp

<sup>b</sup>See HABS Photo ID-103-60.

<sup>c</sup>See HABS Photos ID-103-61 through 72 for views of the FWS Headquarters area.

turnaround in the headquarters courtyard, an open grass-and-gravel area bordered by four structures: Office Building, Equipment Building, Oil House, and Quarters No. 2. A fifth building, the Boat House, stands north of the courtyard on lower terrain by the shore.

The Office Building, located at the end of the entrance driveway in the northwest section of the courtyard, was the first permanent structure at the site.<sup>a</sup> Although plans for the building have not survived, documentary sources indicate that it was designed by Wilfred J. Gregson, a CCC architect stationed in Portland, Oregon. Measuring 58 feet east-west by 28 feet north-south, it is a one-story, side-gabled, wood-frame building with thickly mortared, rubble, lava-rock-veneer walls; concrete lintels and sills; and composition-shingle roofing. A concrete plaque in the north gable end bears the inscription: "CONSTRUCTED BY CIVILIAN CONSERVATION CORPS 1939."<sup>b</sup> This announcement, however, was slightly premature, for documentary sources indicate that construction was not completed until the following year.

Originally known as the "Service Building", the Office Building served the refuge manager as a combination bunkhouse, office, and garage. On the east side, the building's multiple purpose was architecturally expressed by a four-bay division—three bays with vehicle doors for the garage area and, at the southeast corner, a single stone-walled bay with a double window for the office-sleeping area.<sup>c</sup> The building's lava-rock west facade was broken by a double window in the office-sleeping area, and three regularly spaced single windows in the garage area.<sup>d</sup> Each gable end contained an entrance and two single windows.<sup>e</sup>

In 1951 a year after appointing a full-time manager to the Minidoka wildlife refuge, FWS remodeled the Office Building for additional living space. This alteration claimed the southernmost garage bay: the vehicle door on the east side was removed, and the garage stall enclosed by horizontal, wood siding with an entrance door and a casement window. In 1968 FWS remodeled the Office Building again, this time eliminating the residential area for increased office space. Apparently as part of this work program, the two remaining

<sup>a</sup>See HABS Photos ID-103-62 through 68.

<sup>b</sup>See HABS Photo ID-103-68.

<sup>c</sup>See HABS Photo ID-103-65.

<sup>d</sup>See HABS Photo ID-103-66.

<sup>e</sup>See HABS Photos ID-103-67.

garage stalls were enclosed by horizontal wood siding, with each bay receiving a single, sliding, aluminum-sash, window. Presumably at the same time, aluminum sash also was installed in the building's two original double windows, creating their present appearance as picture windows.<sup>13</sup>

The Office Building's west side overlooks a broad expanse of lawn terraced into two levels.<sup>a</sup> The upper lawn is held in place by an inclined, three-foot-high, dry-laid, lava-rock embankment constructed in 1941. Although the work was performed by WPA labor, it is indistinguishable from CCC riprapping found elsewhere in the Walcott Park area. During the 1960s FWS built several new lawns and retaining walls in an attempt "to improve the appearance of the headquarters area." As part of this program, the Office Building's lawn was extended on a lower level to the lakeshore drive. The new retaining wall for the lower lawn was typical of other stonework erected by FWS at the headquarters compound during this period. Standing one to two feet tall, it consists of large, crudely mortared rubble, often only a single stone high and deep. Although intended as beautification, the FWS stonework has an unfortunate, clumsy quality that compares poorly with the rustic masonry of the New Deal era.<sup>14</sup> \*

Upon completing the Office Building in 1940, FWS had hoped to build a boat house approximately 100 feet to the northeast on the shore. Although the agency succeeded in pouring a concrete foundation for this structure by 1942, funding difficulties suspended further work. It was not until 1952 that FWS resumed the project and erected a single-story, front-gabled, concrete-block Boat House on the old foundation.<sup>b</sup> Measuring 25 feet north-south by 18 feet east-west, the structure has industrial-steel sash on the east and west sides, horizontal wood siding in the gable ends, slightly overhanging eaves, and composition shingles on the roof.<sup>15</sup>

To store fuel for its boats, FWS in 1952 also constructed an Oil House, located on the courtyard above the shore, about 40 feet south of the Boat House. Measuring 10 feet north-south by 16 feet east-west on a poured concrete foundation, this one-story, front-gabled, concrete-block building has basically the same sash, eave, and gable-end treatment as the Boat House. Its roofing, however, is corrugated metal instead of composition shingle.<sup>16</sup>

FWS's final construction project during this period was an Equipment Building, completed in 1953. Noting that the building "will be used for shop and equipment storage purposes," the original specifications called for a prefabricated,

<sup>a</sup>See HABS Photos ID-103-61 and 2.

<sup>b</sup>See HABS Photo ID-103-71.

corrugated-metal structure "28' wide by 72' long, providing 6 bays" equipped with "sliding or overhead doors." A gable-roofed building fitting this description went up on the east side of the courtyard, with its six overhead, metal, vehicle doors facing north. The building's other sides displayed regularly spaced, industrial-steel sash. At an undetermined date, the Equipment Building was extended on the east by a 43-foot-long, gable-roofed, corrugated-metal addition containing three overhead doors matching the original construction. Apart from this alteration, the building has experienced little modification.<sup>19</sup>

Quarters 2, located at the southeastern end of the courtyard, completes the architectural ensemble at the FWS headquarters compound. Although the most recent addition to the site, it is actually the oldest piece of construction. Originally built in 1914 by Reclamation for the government Housing Camp at the dam, it was moved in 1960 to a new poured-concrete foundation at the headquarters compound and designated "Quarters No. 2". Measuring approximately 25 feet by 44 feet, the one-bedroom residence at first provided lodging for student trainees while they worked at the wildlife refuge. Within a few years, however, it seems to have been taken over by the refuge manager who assigned subordinate staff to the Office Building's sleeping area, known as "Quarters No. 1". It is currently vacant.<sup>20</sup>

Photographs of Quarters No. 2, taken upon its arrival at the headquarters in 1960, show a one-story, wood-frame, gable-roofed, Bungalow-style cottage with enclosed porches at each end. The front porch, slightly offset from the main block, mirrored the main block in its boldly bracketed front gable, overhanging eaves, and exposed rafter ends. The full-width rear porch had an unbracketed hipped roof, but otherwise conformed to the prevailing eave and rafter design. Both porches had a wrap-around band of rectangular wooden windows.<sup>21</sup>

The present appearance of Quarters No. 2 appears to be the result of a 1965 remodeling program. In that year, FWS put new composition shingles on the roof, sheathed the exterior with horizontal fiberboard siding, and completely reconfigured the building's windows, installing new sliding aluminum sash.<sup>22</sup> The building received new picture windows on the main block and lost most of its window openings on the porches. Although Quarters No. 2 still recalls the Bungalow style in its massing, exposed rafter ends, and bracketed eaves, the window remodeling introduced a modern architectural note that severely compromised its historic character.

<sup>20</sup>See HABS Photos ID-103-69 and 70.

SOURCE: RON HOWERTON

# Walcott SP



0 0.05 0.1 0.2 Miles

MEMORANDUM

DATE: 11-Jun-1991

FROM: Allen Merritt

TO: FILES A36-11114  
A36-11115  
A36-11118  
A01-04048  
DON SHAFF & LYNN KROGH-HAMPE

SUBJECT: REVIEW OF USBR CLAIMS AROUND MINIDOKA DAM

ON JUNE 7, 1991 I VISITED MINIDOKA DAM AND MET WITH JOHN FENNELL THE DAM TENDER AND OTHER MEMBERS OF THE STAFF TO LOCATE THE WELLS AND PUMPS AS DESCRIBED ON THE USBR'S CLAIMS. THE ATTACHED MAP SUMMARIZES THE LOCATIONS OF THE IMPORTANT FEATURES WITH THE FOLLOWING REMARKS.

ITEM #1 IS THE WELL REPORTED TO BE DRILLED IN 1970. THIS WELL IS CLAIMED UNDER A36-11118. THE WELL IS PRESENTLY UNUSED AND R36-11118 HAS BEEN CREATED RECOMMENDING DISALLOWAL. NO BENEFICIAL USE HAS BEEN FOUND.

ITEM #2 IS THE WELL REPORTED TO BE DRILLED IN 1972. THIS WELL WAS REPORTED TO BE DEVELOPED FOR USE IN 1990 WHEN THE PUMP HOUSE WITH THE PUMP AND THE 6920 GALLON STORAGE TANK WERE INSTALLED. THIS PUMP ( 20 H.P. U.S. MOTOR ID# F429/S08S348R065F-3 ) PRESENTLY SERVES ALL DOMESTIC WATER FOR THE DAM AND PARK AREA. THIS INCLUDES WATER TO DRINKING FOUNTAINS AND SPIGOTS (8) IN THE PARK, WATER FOR THE FISH AND WILDLIFE OFFICE & BUILDINGS, AS WELL AS POTABLE WATER USED AT THE DAM AND SURROUNDING FACILITIES. THE USE OF THIS WELL REPLACES THE USE OF THE SPRING IDENTIFIED IN ITEM #7. THIS WELL IS CLAIMED UNDER A36-11115 AND BEING RECOMMENDED UNDER R36-11115 WITH THE INTENT THAT THE RECOMMENDED USE BE DOMESTIC UNDER THE PART (B) DEFINITION WHERE IT IS LIMITED TO 2500 GAL/DAY. ANY USE BEYOND THIS LIMIT SHOULD BE PERFECTED BY FILING FOR A WATER PERMIT SINCE THE USE WAS ESTABLISHED AFTER 1963.

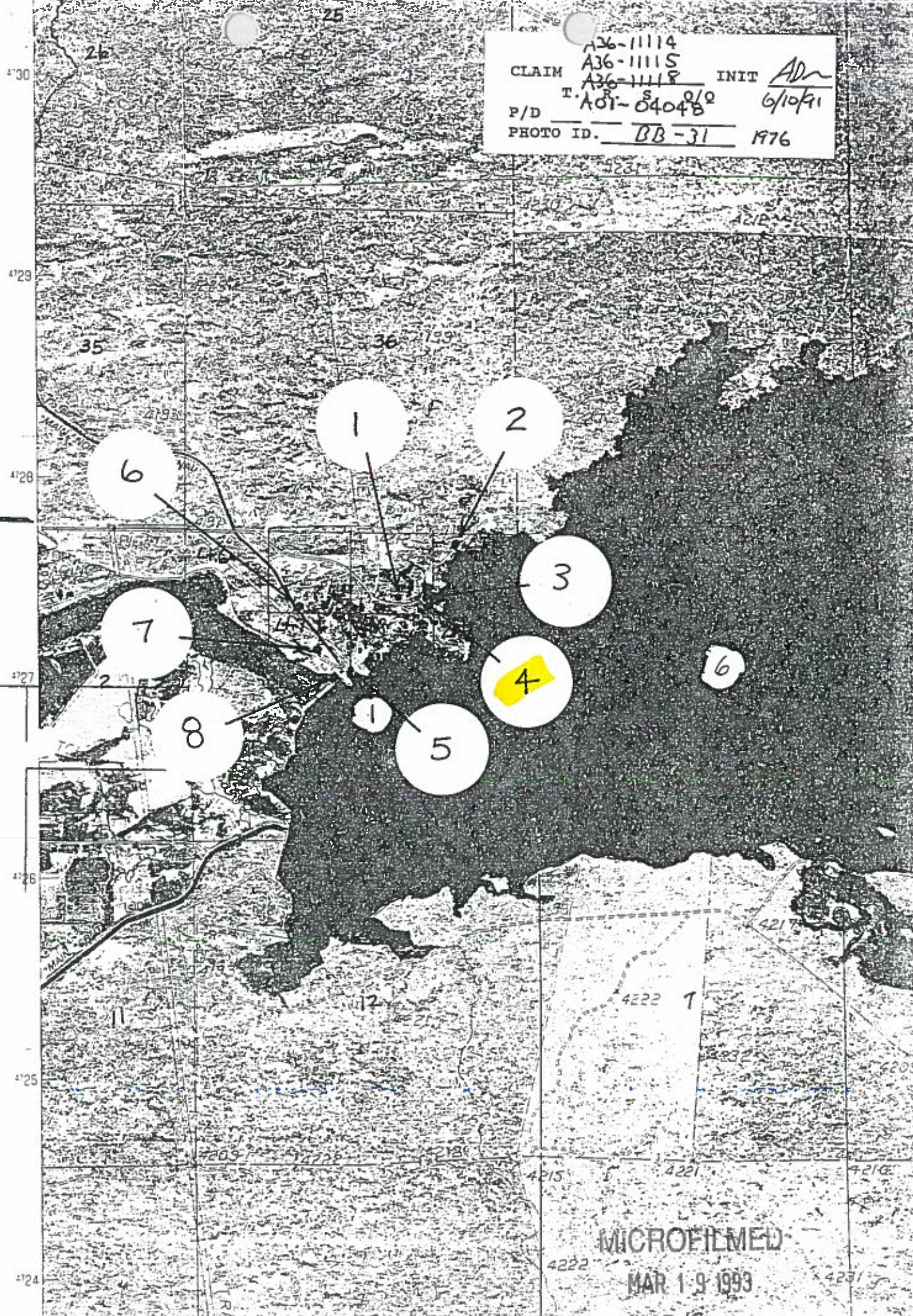
ITEMS #3, #4, #5 & #6 ARE THE DIVERSIONS OF WATER FOR IRRIGATION WITHIN THE PARK. THIS USE IS COVERED UNDER A01-04048. ITEM #3 IS A LARGE PUMP ON THE BANK OF THE RESERVIOR. THIS PUMP IRRIGATES APPROX. 1/4 OF THE PARK. ITEM #4 IS A SMALL PUMP IN THE BOAT HOUSE OF THE FISH & WILDLIFE SERVICE FOR THE SMALL LAWN AROUND THE OFFICE. ITEM #5 IS TWO PUMPS NEAR THE CONTROL GATES OF THE DIVERSION CANAL. THESE PUMPS IRRIGATE APPROX. 3/4 OF THE PARK. ITEM #6 IS A PUMP IN THE CANAL WHICH WATERS A BELT OF TREES ON THE WEST SIDE OF THE PARK.

ITEM #7 & #8 THESE ARE THE SPRINGS WHICH ORIGINALLY SERVED THE POTABLE WATER SUPPLY TO THE DAM & FACILITIES AND WATER IN THE PARK UNTIL REPLACED BY THE WELL DESCRIBED IN ITEM #2. ITEM #8 IS A SPRING WITHIN THE POWER HOUSE WHICH WAS THE FIRST SPRING DEVELOPED WHEN THE DAM WAS BUILT IN 1909. IT WAS REPORTED THAT THIS SPRING WAS OBLITERATED IN THE 1940'S WHEN UNIT #7 WAS BUILT; SPRING AT ITEM #7 WAS DEVELOPED WHICH REPLACED THE SPRING AT ITEM #8. THE USE OF THE SPRING WATER IS CLAIMED UNDER A36-11114 AND HAS BEEN RECOMMENDED UNDER R36-11114 ALTHOUGH THE USE OF THIS SPRING HAS BEEN DISCONTINUED IN 1990 BY DEVELOPMENT OF THE WELL.

MICROFILMED

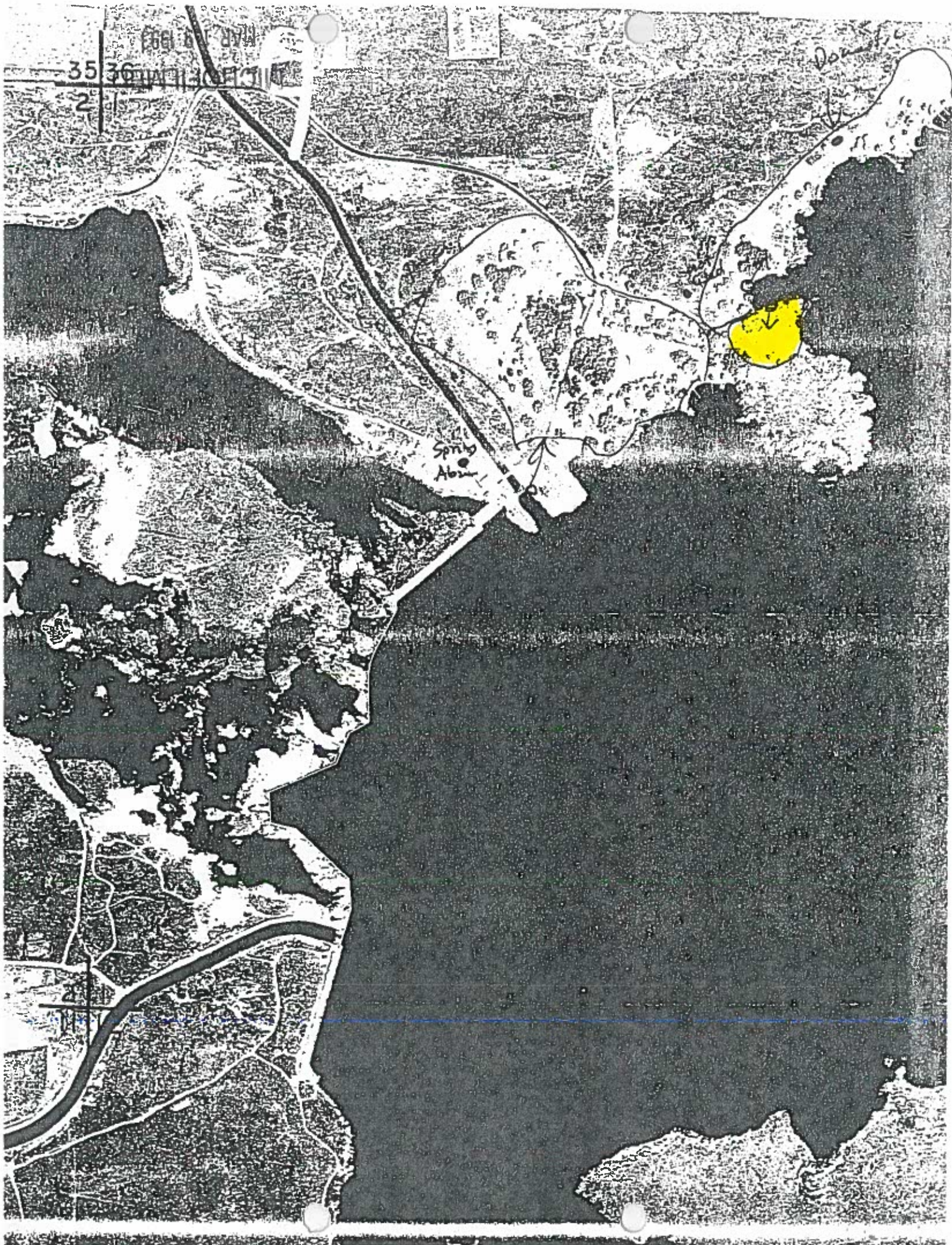
MAR 19 1993

A36-11114  
A36-11115  
A36-11118  
CLAIM T. A01-04048<sup>0/0</sup> INIT Adm  
P/D 6/10/41  
PHOTO ID. BB-31 1976



MICROFILMED

MAR 19 1993





# RECLAMATION

*Managing Water in the West*

U.S. Department of the Interior  
Bureau of Reclamation  
Snake River Area Office

1359 Hansen Avenue  
Burley, ID 83318

Main Phone: (208) 678-0461

**Fax Cover**

---

**Date:** 03/29/05

**Pages including this cover:**

**Fax: (208) 678-4321**

**To:** Michael Holliday 208 525-7177

**From:** Dala Walton

Realty Specialist

**Code:** SRA6434

**E-mail:** dwalton@pn.usbr.gov

**Phone:** 208 678-0461

**Fax:**

**Message: RE: Proof of priority and beneficial use for 1-4048 Walcott Park. Found one more document in 1995 that gave an acreage. Still looking but wanted to get this to you.**

Walcott Park Irrigation Claim No. 01-4048 – Collected by Dala Walton, March 29, 2005

| Date       | Diversion Rate                                                                                                                                                                             | Irrigated Acres                      | Remarks                                                                               |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|---------------------------------------------------------------------------------------|
| 1912-1930  |                                                                                                                                                                                            | 5                                    | Old Park – HABS. ID-103 page 9, 39, 40, 43                                            |
| 1913       | One cottage added                                                                                                                                                                          |                                      | Dec 1913 Annual Report Barry Dibble                                                   |
| 1913       |                                                                                                                                                                                            |                                      | Map of Buildings & grounds orchard, garden, park, etc. Power & Pumping System Report  |
| 1914       | Three cottages added                                                                                                                                                                       |                                      | Annual Report Barry Dibble                                                            |
| 1918       | Four cottages added                                                                                                                                                                        |                                      | Annual Project History                                                                |
| April 1920 | Additional ground seeded to grass and clover and 175 tress planted                                                                                                                         |                                      | Power System Report                                                                   |
| 1922       | Orchard pruned & sprayed – irrigation ditch serving camp cleaned                                                                                                                           |                                      | Project History                                                                       |
| 1923       | New tress set out; additional lawn planted                                                                                                                                                 |                                      | Project History                                                                       |
| 1938-1941  | New park added – picnic areas & irrigation system installed                                                                                                                                |                                      | HABS No. ID-103 pages 10-12, 45, 49<br>CCC expansion                                  |
| 1941       | Fish & Wildlife Service lawn added                                                                                                                                                         |                                      | HABS No. ID-103 page 15                                                               |
| 1940       | Four pumps being unsed<br>60 gpm – HP =<br>80 gpm – HP =<br>200 gpm – HP =<br>500 gpm – HP = 25 – 8 inch<br>Total 840 gpm<br><br>2 cfs pump installed irrigation of camp & recreation area | 15<br><br><br><br><br><br>None given | Leo's draft 1983 claim<br>Priority claimed 4/1/1907<br><br>Project History 1940 pg 83 |
| 1960       | Fish & Wildlife Service new lawn added                                                                                                                                                     |                                      | HABS No. ID-103 page 15                                                               |
| 12/7/1979  | 2-20 HP, 400 gpm pumps<br>Total 800 gpm                                                                                                                                                    | 49.07                                | Proposed development of 50 acres Walcott Park – 12/10/1979 ltr to RD                  |
| 1983       | Two pumps - 25 HP and 400 gpm each; One - 500 gpm – HP = 25 – 8 inch<br>Total 1300 gpm                                                                                                     | 15                                   | Leo's 1983 claim Priority claimed 4/1/1907                                            |
| 1989       | 2 – 25 HP pumps w/400 gpm each (sprinkler system)                                                                                                                                          | 15                                   | SRBA claim                                                                            |

|           |                                                                             |    |                                                                     |
|-----------|-----------------------------------------------------------------------------|----|---------------------------------------------------------------------|
|           | 1-25 HP pump 500 gpm<br>(gravity system)<br>Total 1300 gpm – 2.8 cfs        |    |                                                                     |
| 4/21/1995 | Acres of Lawn                                                               | 21 | Senator Cameron Ltr                                                 |
| 3/24/2005 | Current park irrigated<br>2 pumps @ 400 gpm each<br>Total 800 gpm = 1.8 cfs | 29 | GIS map from Gary Young<br>Per Bert Lujan, Foreman,<br>Minidoka Dam |

Claim No(s). 1-10564

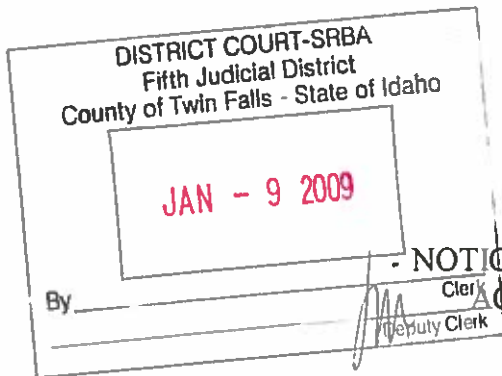
Claim No(s). 1-10564

[illegible]

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: 01-10564

Date Received: \_\_\_\_\_

Receipt No.: n/a

Received By: \_\_\_\_\_

*d.e. so  
4-24-09  
gmacl  
shaper  
offices of  
course.*

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: **United States of America**  
(Fish and Wildlife Service)  
Address: USDI FISH AND WILDLIFE SERVICE  
DIVISION OF ENGINEERING  
911 N E 11TH AVE  
PORTLAND, OR 97232-4181  
(503) 231-6145

Phone(503) 231-2098

2. Date of Priority: December 31, 1940
3. Source: Snake River Trib. to: Snake River
4. Point of Diversion:

Township 9S Range 25E Section 1, B.M. Lot 9  
County of Minidoka  
Additional Points of Diversion \_\_\_\_\_

5. Description of diverting works: **2 HP pump, pipe to sprinkler system and fire hoses.**
6. Water is claimed for the following purposes:

| Purpose          | From   | To      | C.F.S. (or) | A.F.A. |
|------------------|--------|---------|-------------|--------|
| Irrigation       | Ap. 1  | Oct. 31 | 0.074       |        |
| Fire Suppression | Jan. 1 | Dec. 31 | 0.074       |        |

United States of America  
Fish and Wildlife Service

SCANNED

APR 23 2009

7. Total Quantity Claimed is:

0.074 C.F.S.

8. Total consumptive use claimed is 3.0 acre-feet per annum for irrigation and as needed for fire suppression.

9. Non-irrigation uses Fire suppression.

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|----------|-------|---------|------------|-----|-----|-------|
| 9S       | 25E   | 1       |            | 9   | I   | 1     |

Total Number of Acres Irrigated 1.0

11. Place of use, county(ies): Minidoka

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

13. Other Water Rights Used: **N/A**

14. Remarks: **The stated diversion rate is the capacity of the pump. This water right is appurtenant to the described place of use.**

15. Basis of Claim (Check one) Beneficial Use X Posted Notice \_\_\_\_\_  
License \_\_\_\_\_ Permit \_\_\_\_\_ Decree \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_  
Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_

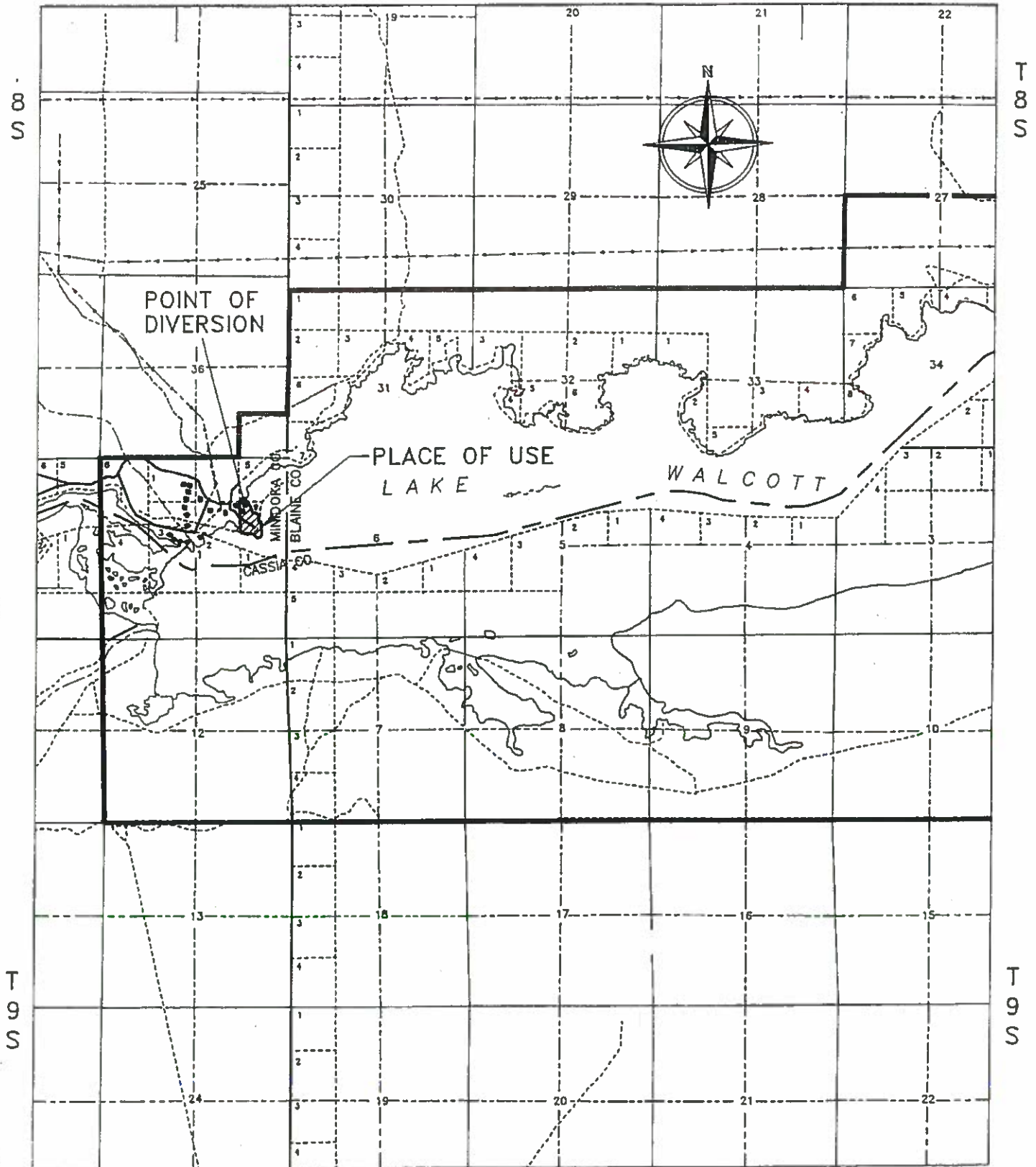
United States of America  
Fish and Wildlife Service

SCANNED

APR 23 2009

R25E

R26E



FED. RESERVED WATER RIGHT CLAIM FOR LAKE WALCOTT

SCALE



SCANNED

APR 23 2009

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF RECLAMATION

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ANNUAL PROJECT HISTORY

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REPORT OF  
CONSTRUCTION  
AND  
OPERATION AND MAINTENANCE  
FOR  
MINIDOKA PROJECT, IDAHO

\*\*\*

Vol. 34

\*\*\*

CALENDAR YEAR 1940

SCANNED

APR 23 2009

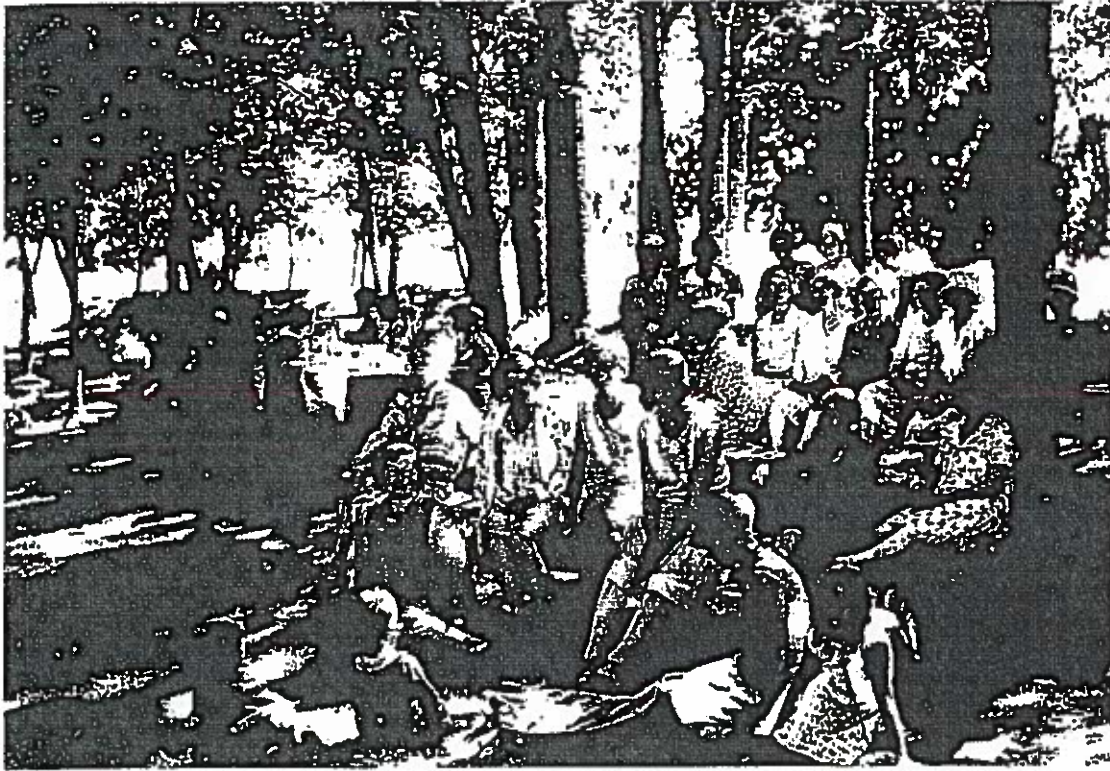
Dam and Headworks. Two new bearing caps and two new pinions were installed in the South Side canal headgate lifts and the gate stems were cleaned and given two coats of coal tar. The north and south entrances to the dam and spillway were fenced off, gates installed with locks, and no admittance signs posted above the gates to prevent visitors from crossing the dam. Repairs were made to the ice boom and about 150 new flashboards were placed in the spillway section of the dam.

Camp Cottages and Grounds. Two new cottages were built to be used as a field office and a dormitory during construction of the seventh unit. Most of the labor was supplied by construction forces, but a large part of the excavation and all of the electric wiring was performed by operation and maintenance forces. Building material was also supplied by the O&M department.

A new, 2 second-foot, vertical, centrifugal pump was installed east of the GCO camp to supply irrigation water to the camp and to the recreation areas. An extension of two feet was built on each side of the pump structure. The equipment was used in this extension except camp garage to make room for the longer, new model cars. The upper rooms in the mess house were condemned and repairs were made to other houses where necessary.

The bay used as a swimming pool was cleaned out and excavated, and a foundation for a boathouse was constructed by GCO forces. This work was performed while the lake was at elevation 4236.

Substations. All substations were operated the entire year, except the Miller substation, which was operated for 20 minutes on May 20 to carry part of the load on the east and south sides of the project.



Historic American Buildings Survey

W A L C O T T P A R K

HABS No. ID-103: Minidoka County, Idaho

submitted to:

U.S. Bureau of Reclamation  
Pacific Northwest Regional Office  
150 North Curtis Road  
Boise, ID 83706

produced by:

FRASERdesign  
P.O. Box 6025  
Loveland, CO 80537

and:

Hess Roise and Company  
100 North First Street  
Minneapolis, MN 55401

March 1998

SCANNED

APR 23 2009

the slope at approximately ten-foot intervals. They then tied strings to the batter boards and ran them horizontally across the face of the embankment, thereby establishing a guide for both the angle of the slope and the depth of the riprap. After these preparations, they dry-laid the lava rock in random courses on the embankment, placing the first course in a toe trench at the foot of the incline so as to provide a stable base for the rest of the wall. The size of the stone varied from about one to two feet in diameter. The enrollees finished the work by hand-filling the joints between the riprap with loose gravel.<sup>11</sup>

The CCC also built a stone retaining wall for a parking area at the north end of the Old Park. In the late 1970s, however, this feature was partially demolished by the Young Adult Conservation Corps (YACC), a federally funded youth-training program established by Congress in 1977 along the lines of the CCC. From 1978 to 1980, YACC enrollees completed a number of minor improvement projects at Walcott Park, including the construction of an open-air picnic shelter in the Old Park's north parking area in 1978.<sup>12</sup>

The YACC picnic shelter rests on a concrete slab, measuring about 60 feet east-west by 20 feet north-south. The shelter itself is roughly 20 feet square, with a wood-shingle-clad, hipped roof supported on wood posts, four to a side. Within the shelter is a massive, rectangular-plan, rubble, lava-rock fireplace with barbecue grates on the north and south sides. Rising from the fireplace is a broad, rectangular chimney that pieces the ridge of the roof.

On the south and east, the picnic shelter overlooks a rubble, lava-rock retaining wall, approximately 150 feet in length and three feet in height.<sup>13</sup> The wall has a slight batter, reminiscent of stonework built by the CCC for parking areas in the vicinity of the New Park. The individual stones, however, are laid in relatively recent mortar, suggesting that the CCC's original retaining walls at the site were extensively reworked during the picnic shelter's construction.

#### NEW PARK

Between 1938 and 1941, the CCC expanded the recreational area at Walcott Park by filling and leveling land for new picnic areas located along the shore to the north and south of a small peninsula, which was being developed during this same period as a headquarters compound for the Minidoka National Wildlife Refuge.<sup>14</sup> To provide vehicular access to the "New Park," as it was called,

<sup>11</sup>See HABS Photos ID-103-27 and 28.

<sup>12</sup>See HABS Photos ID-103-27 and 28.

<sup>13</sup>See HABS Photos ID-103-32 through 56 for views of the New Park area.

The lane has double-battered walls, which are about two feet thick at the roadway level and one-foot-thick at the parapet.\* According to a photograph of the wall under construction, the CCC masons achieved a uniform slope on both sides of the wall by using free-standing, A-frame batter boards.\* The parapet course consists of well-worked, oblong, lava-rock blocks, approximately ten inches by four inches by four inches.<sup>6</sup> The blocks are mortared in place in pairs, longitudinally, side-by-side, with the outer edges tilted slightly upward in a "V". Below the parapet, the walls are mortared, randomly laid stone, with individual pieces measuring about six to nine inches in diameter in the plane of the wall. Mortar joints are one to two inches wide. With its double batter and ornamental parapet, the stone-walled lane represents Walcott Park's most elegant expression of the CCC rustic aesthetic.

Compared to the Old Park, the New Park is lightly wooded: a few solitary, mature cottonwoods shade the picnic lawns, while a variety of younger deciduous growth fringes the shoreline. The area's verdure, however, is in sharp contrast with the sagebrush desert that encroaches from the north and northwest. From 1940 to 1942, the CCC constructed an irrigation system for the New Park that drew water from a lakeshore pump installed in a cove just to the north of the Wildlife Refuge Headquarters.<sup>4</sup> The pump boosted water into a stone-walled ditch, located about 300 feet east, on the west side of the lakeshore drive. Running northwesterly for approximately 250 feet, the ditch gravity fed an unlined lateral looping northeast to irrigate the new lakeshore picnic areas.\*

Although obscured by brush, the stone-walled irrigation ditch still survives. It is approximately 2½ feet deep, with vertical, rubble, lava-rock walls. Although the stonework was originally dry laid, patches of the wall have been mortared to increase stability. The bottom of the ditch is earthen and measures about 2½ feet in width. In addition to watering the New Park, the CCC irrigation system also served portions of the Old Park. Water was diverted southward to this area by means of an underground concrete pipe connected to a concrete turnout at the head, or south end, of the stone-walled irrigation ditch.<sup>1</sup>

\*See HABS Photos ID-103-22 through 25.

\*See HABS Photo No. ID-103-117.

\*See HABS Photo ID-103-29.

\*See HABS Photo ID-103-43.

\*See HABS Photo ID-103-44.

\*See HABS Photo ID-103-45.

either been developed by private individuals or state and municipal agencies. Some had no public facilities at all, but were receiving public use nevertheless. Walcott Park was one of the few sites developed by Reclamation itself.<sup>114</sup>

Despite Reclamation's willingness to promote its "pleasure resorts" from time to time, the agency did not consider recreation to be one of its responsibilities. As defined by the Reclamation Act of 1902, Reclamation saw itself as a single-purpose agency: its mission was to provide water for irrigation. Recreational development, although widely demanded, was outside its jurisdiction. That Walcott Park existed at all was strictly fortuitous—the result of geographic circumstance and local good will. Originally the park had been developed as a small garden for the government housing camp at the dam. The decision to maintain it and enlarge it for public use was made independently by Minidoka Project officials, and did not reflect an official Reclamation policy to develop recreational resources.

This situation was to change dramatically in the 1930s. In the last half of the decade, New Deal legislation suddenly provided Reclamation with the manpower and funding to develop recreational facilities. Walcott Park, in need of expansion since the 1920s, became a target for improvement. Even more significantly, Reclamation re-examined its list of priorities by the end of the decade. Responding to public demand, New Deal philosophies, and an emerging doctrine of "mixed use," the agency eventually added recreational development to its list of responsibilities.

## 5

### 1935-1942: WALCOTT PARK AND THE CIVILIAN CONSERVATION CORPS

More than any other period, the years from 1935 to 1942 had a profound affect on the appearance of Walcott Park. Other than a few random improvements, the park had remained relatively unchanged since the 1910s. With the advent of the New Deal, however, the park underwent a major and systematic transformation within only a few years. The agent of this metamorphosis was the Civilian Conservation Corps (CCC).

The CCC was in the vanguard of New Deal relief programs established by President Franklin Delano Roosevelt. Created on March 31, 1933, and reorganized in 1937, the CCC was responsible for employing men between the ages of 17 and 23. The youths were to perform conservation work, often on federal land, serving for six-month "enrollment periods." Each state was allowed to enroll one youth for every 400 residents. After 1937 the total number of enrollees was limited to 315,000 and service restricted to two years.<sup>115</sup>

This turnover was typical of most CCC camps, and BR-27 generally received a new contingent of men, as well as a new commanding officer, at least once a year. BR-27 continued to draw enrollees from the Fifth Corps area, as well as the Second Corps area, which included New York and New Jersey. A small number of local men, usually no more than ten at a time, also served at BR-27 during each enrollment period.<sup>122</sup>

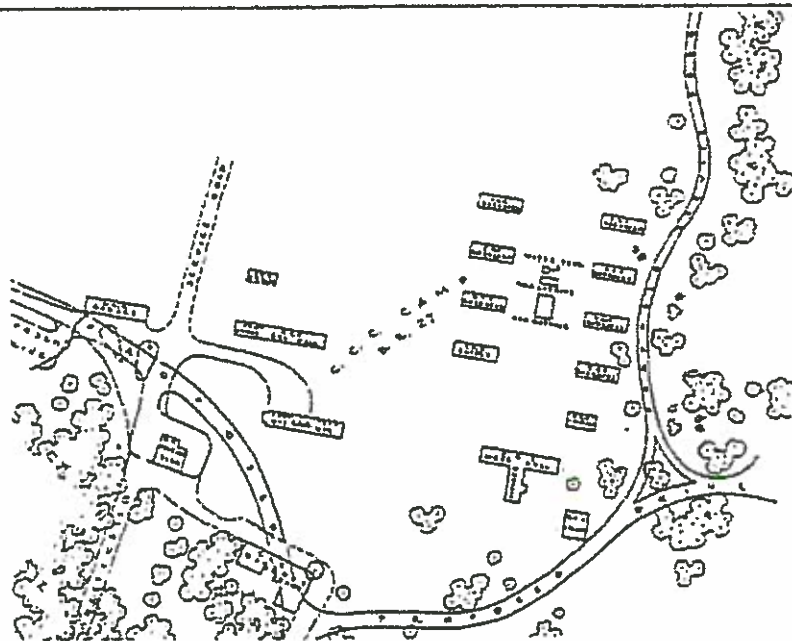


Figure 14. Site plan of CCC Camp, excerpted from drawing by Bureau of Reclamation, February 1938.

Although the commanding officer was responsible for the care of the men and the maintenance of the camp, he had little authority over the work performed by the enrollees. On the Minidoka Project, as on other Reclamation irrigation projects, the reigning Project Manager drew up the CCC work plan as part of his general duties, and a camp superintendent and foremen, assigned by the CCC, supervised the men at work. At BR-27, Louis Petzoldt served as camp superintendent from 1936 until the camp closed in 1941, assuring a continuity of authority despite the routine turnover of camp commanders.

Darlington, the Minidoka Project Manager, submitted his first work program for BR-27 in March 1935, outlining 15 projects ranging from the "improvement of the sewer system for public recreational grounds at Minidoka Dam" to "hauling rock and riprapping lateral banks in Burley Irrigation District." Riprapping and other canal improvements eventually proved to be the CCC's main task on

the Minidoka Project.\* According to written estimates, the enrollees of the two camps performed over 400,000 man-days of labor, at least 62 percent of which was spent working on the canals. Park improvements were also a high priority. From the opening of BR-27 to the time the last camp closed on the Minidoka Project, the CCC devoted over 100,000 man-days, or 25 percent of its total time, to landscaping and making other improvements in Walcott Park.<sup>123</sup>

The remainder of the CCC's time on the Minidoka Project was spent on various small projects (e.g., excavating an access road to the lower level of the powerhouse). The CCC also undertook a modest work program for the U.S. Biological Survey, an agency within the Department of Agriculture. With Reclamation's approval, the Biological Survey used CCC labor to improve the Minidoka Wildlife Refuge. This work included fencing parts of the refuge, creating feeding and nesting areas for migratory birds, and building a headquarters for refuge personnel. Located adjacent to Walcott Park, this headquarters became, for all practical purposes, part of the park landscape.

CCC enrollment dropped after 1937, as the nation's economic outlook began to improve. Sensing the program was no longer needed, Congress reduced the CCC's budget after 1938 and began discussing disbanding the agency. Due to budget reductions and enrollment shortages, Reclamation closed Camp Minidoka in July 1941. BR-56, located in Paul, remained in operation until May 1942, closing only a few months before the end of the CCC program. The Minidoka Project Manager chose to close BR-27 before the camp at Paul specifically because of its proximity to the Reclamation housing camp and Walcott Park, although these facilities had originally been key reasons for opening the camp in that location. As the Project Manager explained, the CCC's improvements to the park no longer made the site suitable for an enrollee camp:

Discharge from [BR-27's] sewage system empties into the lake at several points where recreationists at the park desire to swim... The enrollees interfere with the pleasure and privacy of residents and recreationists at that place and ignore the restrictions regarding firearms in the game refuge and on the dam. The presence of the buildings and activities of the camp are a hindrance to the park development.<sup>124</sup>

Reclamation and the Army demolished most of the BR-27 buildings soon after the camp's closure. The Army originally wanted to preserve the structures, but during World War II Reclamation was concerned that they represented a security risk to the power plant by providing potential cover for saboteurs.<sup>125</sup> The CCC's work in Walcott Park was among its most significant accomplishments on the Minidoka Project. The following sections will examine this undertaking in greater detail, beginning with Reclamation's plans to improve the park.

---

\*See HABS Photos ID-103-103 through 106 for views of CCC canal construction.

RECEIVED

APR 22 2009

DEPARTMENT OF  
WATER RESOURCES

DISTRICT COURT-SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho

APR 21 2009

By

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

) Subcase: 01-10564

Case No. 39576

) ORDER GRANTING MOTION TO FILE  
) LATE NOTICE OF CLAIM  
)  
)  
)  
)

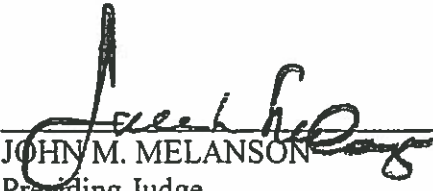
On January 9, 2009, the USDI Fish and Wildlife Service, Division of Engineering, by and through counsel, James J. Dubois, filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on April 21, 2009. This *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to this late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for the above-captioned water right is **granted**.

The original Notice of Claim, as well as any attached filing fees, and a copy of this *Order* will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claim will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of *SRBA Administrative Order 1* 4d(2)(h).

IT IS SO ORDERED.

Dated April 21, 2009.

  
JOHN M. MELANSON  
Presiding Judge  
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM was mailed on April 21, 2009, with sufficient first-class postage to the following:

USDI FISH & WILDLIFE SERVICE

Represented by:

US DEPARTMENT OF JUSTICE

ENVIRONMENT & NATL' RESOURCES

550 WEST FORT STREET, MSC 033

BOISE, ID 83724

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

ORDER

Page 1 4/21/09

FILE COPY FOR 00469

Deputy Clerk

*Sadie Murphy*  
**APR 23 2009**

JAMES J. DUBOIS,  
Attorney, Natural Resources Section  
Environment and Natural Resources Division  
U.S. Department of Justice  
1961 Stout Street, 8<sup>th</sup> Floor  
Denver, Colorado 80294  
(303) 844-1375

|                                                                                         |              |
|-----------------------------------------------------------------------------------------|--------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |              |
| JAN - 9 2009                                                                            |              |
| By _____                                                                                | Clerk        |
| _____                                                                                   | Deputy Clerk |

Counsel for the United States of America

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

|            |   |                             |
|------------|---|-----------------------------|
| In Re SRBA | ) | Subcase Nos. 01-10564       |
|            | ) |                             |
|            | ) |                             |
| Case 39576 | ) | <b>STANDARD FORM 4</b>      |
|            | ) |                             |
|            | ) | <b>MOTION TO FILE:</b>      |
|            | ) | <b>LATE NOTICE OF CLAIM</b> |
|            | ) |                             |

**MOTION TO FILE LATE NOTICES OF CLAIM**

Claimant United States of America (Fish and Wildlife Service), by and through its undersigned attorneys, and pursuant to SRBA Administrative Order 1 Rules of Procedure, and Idaho Rules of Civil Procedure 55(c), respectfully moves the Court to enter an Order granting permission to file a Late Notice of Claim in this subcase, and as grounds therefore, states:

1. The United States originally filed claim no. 01-10376 for the Minidoka National Wildlife Refuge under both federal reserved water right and state law bases. Only the federal reserved water right was reported out by the Idaho Department of Water Resources, and the federal reserved water right claim is being prosecuted by the United States. The United States and the State of Idaho are engaged in negotiation for a potential settlement of the federal reserved water right claim based upon the filing of a late notice of claim, and recognition of a state-based

*dup case*

"use" water right for the water use at issue under reserved water right claim no. 01-10376. Processing of the state-based claim is a requisite step in this process.

2. The claim subject to this Motion is based upon the historical use of water from the Snake River for the administrative site at the Minidoka National Wildlife Refuge, and by the Bureau of Reclamation, which managed the land prior to management by the Fish and Wildlife Service. The Claimant United States of America now submits this Motion to File a Late Notice of Claim (SF-4) based upon the existing historical uses.

3. Rule 55(c) sets forth the standards for setting aside a default judgment, and provides:

For good cause shown the court may set aside an entry of default and, if a judgment by default has been entered, may likewise set it aside in accordance with Rule 60(b).

4. Rule 60(b) provides, in pertinent part:

On motion and upon such terms as are just, the court may relieve a party . . . from a final judgment, order, or proceeding for the following reasons: (1) mistake, inadvertence, surprise, or excusable neglect; . . . [T]he motion shall be made within a reasonable time, and for reasons (1), (2), and (3) not more than one year after the judgment, order or proceeding was entered or taken.

Thus the "good cause" provided for in Rule 55(c) must be analyzed and defined in reference to Rule 60(b).

5. Briefly stated, the Idaho Supreme Court has stated that:

Two requirements must be met to set aside a default judgment. Under rule 60(b)(1), a party may ask for relief from a default judgment on the grounds of mistake, inadvertence, surprise, or excusable neglect. In addition, the moving party must plead facts which, if established, would constitute a meritorious defense to the entry of default. [citations omitted]

Clear Springs Trout Co. v. Anthony, 123 Idaho 141, 143, 845 P.2d 559, 561 (1992).

6. In the instant case, the procedures established by the State and this Court to only address one legal theory at a time for claims which can be advanced under two alternative theories should be deemed to constitute mistake or excusable neglect as to the prosecution of the state law based constitutional water rights claims. In the framework of the SRBA, the actions of the United States in pursuing these claims sequentially demonstrates conduct of a type expected from a

reasonably prudent person under the circumstances. See, Baldwin v. Baldwin, 114 Idaho 525, 527, 757 P.2d 1244, 1246 (Idaho App. 1988). The court must view this matter in light of the facts of this case. See generally, Baldwin, supra; Avondale on Hayden, Inc. v. Hall, 104 Idaho 321, 658 P.2d 992 (Idaho App. 1983). The claim made in this Late Claim demonstrate facts which, if established, constitute a meritorious claim for the water right. A copy of the claim is attached hereto as Exhibit I, and incorporated herein by reference.

7. The United States has therefore established the right to file the Late Claim which accompanies this Motion.

8. The filing of this Late Notice of Claim will not prejudice other parties to this litigation, as the claims accurately reflect the historic use and operation of these water rights. This motion and the Notices of Claim filed herewith are timely.

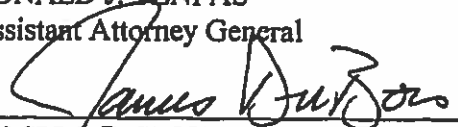
9. Counsel for the United States of America (Department of Defense) in this matter are designated below, and have read SRBA Administrative Order 1, Rules of Procedure (amended October 16, 1997).

James J. DuBois,  
Attorney, General Litigation Section  
Environment and Natural Resources Division  
U.S. Department of Justice  
1961 Stout Street, 8<sup>th</sup> Floor  
Denver, Colorado 80294  
(303) 844-1375

WHEREFORE, for good cause shown, the United States of America (Fish and Wildlife Service) respectfully requests this Court to enter an Order granting leave to file the Notice of Claim attached hereto, and incorporated by reference herein.

Respectfully submitted this 8<sup>th</sup> day of January, 2009.

RONALD J. TENPAS  
Assistant Attorney General



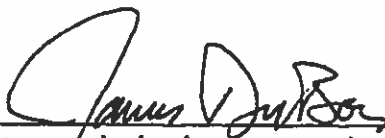
JAMES J. DUBOIS  
Trial Attorney, Natural Resources Section  
Environment and Natural Resources Division  
U.S. Department of Justice  
1961 Stout Street, 8<sup>th</sup> Floor  
Denver, Colorado 80294  
(303) 844-1375

VERIFICATION

State of Colorado )  
County of Denver )

James J. DuBois, being first duly sworn, upon oath, deposes and says:

That I am the attorney for the party/claimant filing this motion for amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

  
Attorney signing in representative  
capacity

SWORN TO AND SUBSCRIBED BEFORE ME, in my presence, this 16<sup>th</sup> of September, 2005, a Notary Public in and for the City and County of Denver, State of Colorado.

KATHERINE M. SVINARICH  
NOTARY PUBLIC  
STATE OF COLORADO  
MY COMMISSION EXPIRES 4/5/2011

  
NOTARY PUBLIC  
STATE OF COLORADO  
My Commission Expires: 4/5/2011

### CERTIFICATE OF MAILING

I certify that on January 8<sup>th</sup>, 2009, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

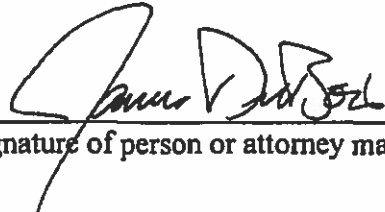
Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

  
\_\_\_\_\_  
Signature of person or attorney mailing the form

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.

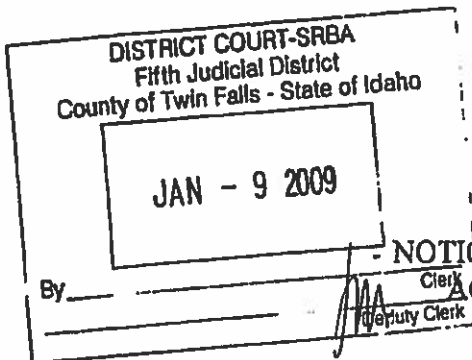
CIVIL CASE NUMBER: 39576

Ident. Number: 01-10564

Date Received: \_\_\_\_\_

Receipt No.: \_\_\_\_\_

Received By: \_\_\_\_\_



NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: **United States of America** Phone(503) 231-2098  
(Fish and Wildlife Service)  
Address: **USDI FISH AND WILDLIFE SERVICE**  
**DIVISION OF ENGINEERING**  
**911 N E 11TH AVE**  
**PORTLAND, OR 97232-4181**  
**(503) 231-6145**

2. Date of Priority: December 31, 1940

3. Source: Snake River Trib. to: Snake River

4. Point of Diversion:

Township 9S Range 25E Section 1, B.M. Lot 9  
County of Minidoka  
Additional Points of Diversion \_\_\_\_\_

5. Description of diverting works: **2 HP pump, pipe to sprinkler system and fire hoses.**

6. Water is claimed for the following purposes:

| Purpose          | From   | To      | C.F.S. (or) | A.F.A. |
|------------------|--------|---------|-------------|--------|
| Irrigation       | Ap. 1  | Oct. 31 | 0.074       |        |
| Fire Suppression | Jan. 1 | Dec. 31 | 0.074       |        |

United States of America  
Fish and Wildlife Service

7. Total Quantity Claimed is:

0.074 C.F.S.

8. Total consumptive use claimed is 3.0 acre-feet per annum for irrigation and as needed for fire suppression.

9. Non-irrigation uses Fire suppression.

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|----------|-------|---------|------------|-----|-----|-------|
| 9S       | 25E   | 1       |            | 9   | I   | 1     |

Total Number of Acres Irrigated 1.0

11. Place of use, county(ies): Minidoka

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

13. Other Water Rights Used: N/A

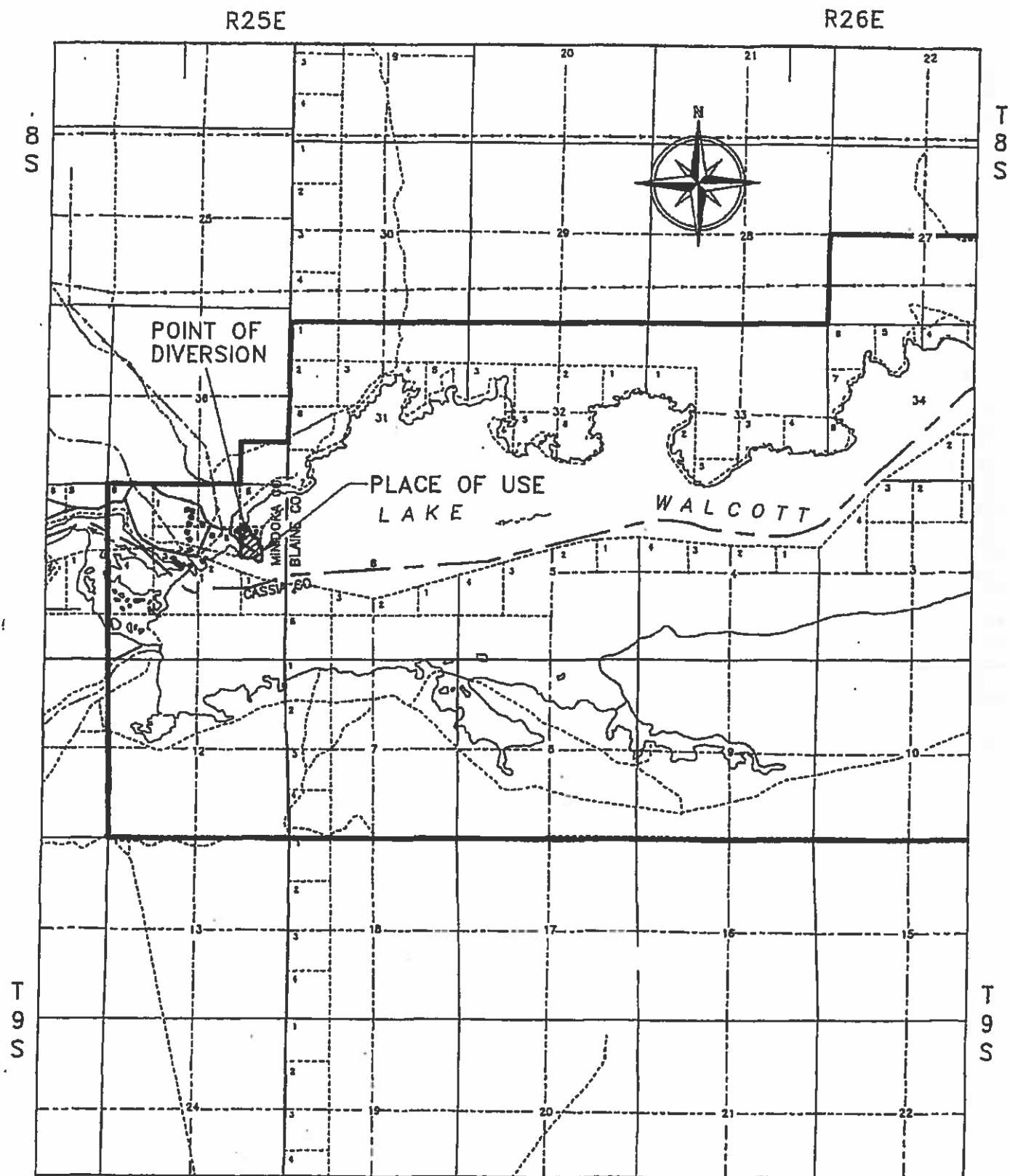
14. Remarks: **The stated diversion rate is the capacity of the pump. This water right is appurtenant to the described place of use.**

15. Basis of Claim (Check one)

Beneficial Use X Posted Notice \_\_\_\_\_  
License \_\_\_\_\_ Permit \_\_\_\_\_ Decree \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_



FED. RESERVED WATER RIGHT CLAIM FOR LAKE WALCOTT

SCALE 0 1/2 1 2 MILES

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF RECLAMATION

ANNUAL PROJECT REPORT

REPORT OF  
CONSTRUCTION

OPERATION AND MAINTENANCE  
MINIDOKA PROJECT, IDAHO

VOL. 1

CALENDAR YEAR 1960

**Dam and Headworks.** Two new bearing caps and two new pinions were installed in the South Side canal headgate lifts and the gate stems were cleaned and given two coats of coal tar. The north and south end trusses to the dam and spillway were fensed off, gates installed with locks, and no admittance signs posted above the gates to prevent visitors from crossing the dam. Repairs were made to the ice boom and about 150 new flashboards were placed in the spillway section of the dam.

**Camp Cottages and Grounds.** Two new cottages were built to be used as a field office and a dormitory during construction of the seventh unit. Most of the labor was supplied by construction forces, but a large part of the excavation and all of the electric wiring was performed by operation and maintenance forces. Building material was also supplied by the O&M department.

A new, 1 second-foot, vertical, centrifugal pump was installed east of the OGD camp to supply irrigation water to the camp and to the re-creation areas. An extension of two feet was built on each side of the pump garage to make room for the larger, new model cars. The upper rooms in the mess house were condemned and repairs were made to other houses where necessary.

The bay used as a swimming pool was cleaned out and excavated, and a foundation for a bathhouse was constructed by OGD forces. This work was performed while the lake was at elevation 4235.

**Substations.** All substations were operated the entire year, except the Miller substation, which was operated for 20 minutes on May 30 to carry part of the load on the east and south sides of the project.



**Historic American Buildings Survey**

**W A L C O T T P A R K**

**HABS No. ID-103; Minidoka County, Idaho**

submitted to:  
U.S. Bureau of Reclamation  
Pacific Northwest Regional Office  
150 North Curtis Road  
Boise, ID 83706

produced by:  
FRASERdesign  
P.O. Box 6025  
Loveland, CO 80537

and:  
Hess Roise and Company  
100 North First Street  
Minneapolis, MN 55401

**March 1998**

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<sup>11</sup>See HABS Photos ID-103-27 and 28.

<sup>12</sup>See HABS Photos ID-103-27 and 28.

<sup>13</sup>See HABS Photos ID-103-32 through 36 for views of the New Park area.

The lane has double-battered walls, which are about two feet thick at the roadway level and one-foot-thick at the parapet.<sup>a</sup> According to a photograph of the wall under construction, the CCC masons achieved a uniform slope on both sides of the wall by using free-standing, A-frame batter boards.<sup>b</sup> The parapet course consists of well-worked, oblong, lava-rock blocks, approximately ten inches by four inches by four inches.<sup>c</sup> The blocks are mortared in place in pairs, longitudinally, side-by-side, with the outer edges tilted slightly upward in a "V". Below the parapet, the walls are mortared, randomly laid stone, with individual pieces measuring about six to nine inches in diameter in the plane of the wall. Mortar joints are one to two inches wide. With its double batter and ornamental parapet, the stone-walled lane represents Walcott Park's most elegant expression of the CCC rustic aesthetic.

Compared to the Old Park, the New Park is lightly wooded: a few solitary, mature cottonwoods shade the picnic lawns, while a variety of younger deciduous growth fringes the shoreline. The area's verdure, however, is in sharp contrast with the sagebrush desert that encroaches from the north and northwest. From 1940 to 1942, the CCC constructed an irrigation system for the New Park that drew water from a lakeshore pump installed in a cove just to the north of the Wildlife Refuge Headquarters.<sup>d</sup> The pump boosted water into a stone-walled ditch, located about 300 feet east, on the west side of the lakeshore drive. Running northwesterly for approximately 250 feet, the ditch gravity fed an unlined lateral looping northeast to irrigate the new lakeshore picnic areas.<sup>e</sup>

Although obscured by brush, the stone-walled irrigation ditch still survives. It is approximately 2½ feet deep, with vertical, rubble, lava-rock walls. Although the stonework was originally dry laid, patches of the wall have been mortared to increase stability. The bottom of the ditch is earthen and measures about 2½ feet in width. In addition to watering the New Park, the CCC irrigation system also served portions of the Old Park. Water was diverted southward to this area by means of an underground concrete pipe connected to a concrete turnout at the head, or south end, of the stone-walled irrigation ditch.<sup>f</sup>

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<sup>a</sup>See HABS Photos ID-103-22 through 25.

<sup>b</sup>See HABS Photo No. ID-103-117.

<sup>c</sup>See HABS Photo ID-103-29.

<sup>d</sup>See HABS Photo ID-103-43.

<sup>e</sup>See HABS Photo ID-103-44.

<sup>f</sup>See HABS Photo ID-103-45.

either been developed by private individuals or state and municipal agencies. Some had no public facilities at all, but were receiving public use nevertheless. Walcott Park was one of the few sites developed by Reclamation itself.<sup>114</sup>

Despite Reclamation's willingness to promote its "pleasure resorts" from time to time, the agency did not consider recreation to be one of its responsibilities. As defined by the Reclamation Act of 1902, Reclamation saw itself as a single-purpose agency: its mission was to provide water for irrigation. Recreational development, although widely demanded, was outside its jurisdiction. That Walcott Park existed at all was strictly fortuitous—the result of geographic circumstance and local good will. Originally the park had been developed as a small garden for the government housing camp at the dam. The decision to maintain it and enlarge it for public use was made independently by Minidoka Project officials, and did not reflect an official Reclamation policy to develop recreational resources.

This situation was to change dramatically in the 1930s. In the last half of the decade, New Deal legislation suddenly provided Reclamation with the manpower and funding to develop recreational facilities. Walcott Park, in need of expansion since the 1920s, became a target for improvement. Even more significantly, Reclamation re-examined its list of priorities by the end of the decade. Responding to public demand, New Deal philosophies, and an emerging doctrine of "mixed use," the agency eventually added recreational development to its list of responsibilities.

## 5

### 1935-1942: WALCOTT PARK AND THE CIVILIAN CONSERVATION CORPS

More than any other period, the years from 1935 to 1942 had a profound affect on the appearance of Walcott Park. Other than a few random improvements, the park had remained relatively unchanged since the 1910s. With the advent of the New Deal, however, the park underwent a major and systematic transformation within only a few years. The agent of this metamorphosis was the Civilian Conservation Corps [CCC].

The CCC was in the vanguard of New Deal relief programs established by President Franklin Delano Roosevelt. Created on March 31, 1933, and reorganized in 1937, the CCC was responsible for employing men between the ages of 17 and 23. The youths were to perform conservation work, often on federal land, serving for six-month "enrollment periods." Each state was allowed to enroll one youth for every 400 residents. After 1937 the total number of enrollees was limited to 315,000 and service restricted to two years.<sup>115</sup>

This turnover was typical of most CCC camps, and BR-27 generally received a new contingent of men, as well as a new commanding officer, at least once a year. BR-27 continued to draw enrollees from the Fifth Corps area, as well as the Second Corps area, which included New York and New Jersey. A small number of local men, usually no more than ten at a time, also served at BR-27 during each enrollment period.<sup>122</sup>

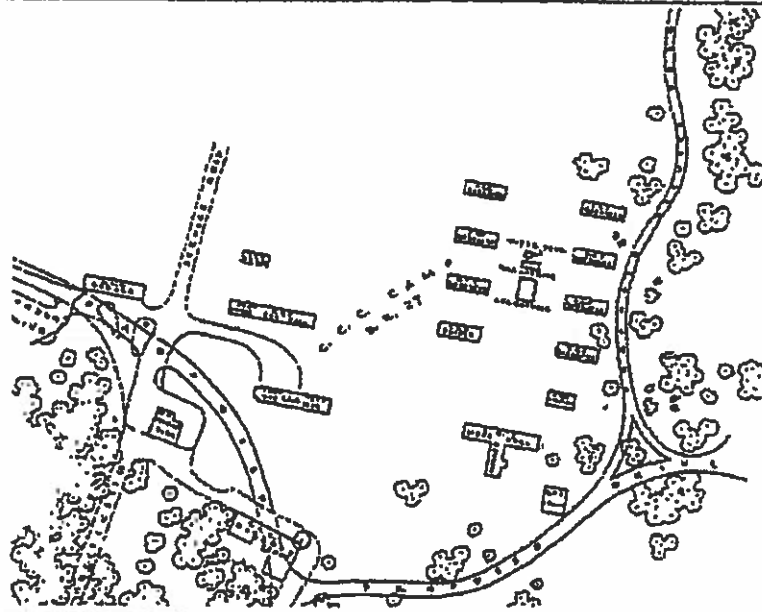


Figure 1d. Site plan of CCC Camp, excerpted from drawing by Bureau of Reclamation, February 1938.

Although the commanding officer was responsible for the care of the men and the maintenance of the camp, he had little authority over the work performed by the enrollees. On the Minidoka Project, as on other Reclamation irrigation projects, the reigning Project Manager drew up the CCC work plan as part of his general duties, and a camp superintendent and foremen, assigned by the CCC, supervised the men at work. At BR-27, Louis Petzoldt served as camp superintendent from 1936 until the camp closed in 1941, assuring a continuity of authority despite the routine turnover of camp commanders.

Darlington, the Minidoka Project Manager, submitted his first work program for BR-27 in March 1935, outlining 15 projects ranging from the "improvement of the sewer system for public recreational grounds at Minidoka Dam" to "hauling rock and riprapping lateral banks in Burley Irrigation District." Riprapping and other canal improvements eventually proved to be the CCC's main task on

the Minidoka Project.\* According to written estimates, the enrollees of the two camps performed over 400,000 man-days of labor, at least 62 percent of which was spent working on the canals. Park improvements were also a high priority. From the opening of BR-27 to the time the last camp closed on the Minidoka Project, the CCC devoted over 100,000 man-days, or 25 percent of its total time, to landscaping and making other improvements in Walcott Park.<sup>123</sup>

The remainder of the CCC's time on the Minidoka Project was spent on various small projects (e.g., excavating an access road to the lower level of the powerhouse). The CCC also undertook a modest work program for the U.S. Biological Survey, an agency within the Department of Agriculture. With Reclamation's approval, the Biological Survey used CCC labor to improve the Minidoka Wildlife Refuge. This work included fencing parts of the refuge, creating feeding and nesting areas for migratory birds, and building a headquarters for refuge personnel. Located adjacent to Walcott Park, this headquarters became, for all practical purposes, part of the park landscape.

CCC enrollment dropped after 1937, as the nation's economic outlook began to improve. Sensing the program was no longer needed, Congress reduced the CCC's budget after 1938 and began discussing disbanding the agency. Due to budget reductions and enrollment shortages, Reclamation closed Camp Minidoka in July 1941. BR-56, located in Paul, remained in operation until May 1942, closing only a few months before the end of the CCC program. The Minidoka Project Manager chose to close BR-27 before the camp at Paul specifically because of its proximity to the Reclamation housing camp and Walcott Park, although these facilities had originally been key reasons for opening the camp in that location. As the Project Manager explained, the CCC's improvements to the park no longer made the site suitable for an enrollee camp:

Discharge from [BR-27's] sewage system empties into the lake at several points where recreationists at the park desire to swim... The enrollees interfere with the pleasure and privacy of residents and recreationists at that place and ignore the restrictions regarding firearms in the game refuge and on the dam. The presence of the buildings and activities of the camp are a hindrance to the park development.<sup>124</sup>

Reclamation and the Army demolished most of the BR-27 buildings soon after the camp's closure. The Army originally wanted to preserve the structures, but during World War II Reclamation was concerned that they represented a security risk to the power plant by providing potential cover for saboteurs.<sup>125</sup> The CCC's work in Walcott Park was among its most significant accomplishments on the Minidoka Project. The following sections will examine this undertaking in greater detail, beginning with Reclamation's plans to improve the park.

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\*See HABS Photos ID-103-103 through 106 for views of CCC canal construction.