

10/13/2004

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

RIGHT NUMBER: 25-13097

NAME AND ADDRESS: RALPH J STEELE
531 S 52ND E
IDAHO FALLS ID 83401

SOURCE: DEER CREEK

TRIBUTARY: WILLOW CREEK

QUANTITY: 0.020 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 11/01/1987

POINT OF DIVERSION:

T03S R40E S9 NENE End of Stream Flow Within BINGHAM County

T03S R40E S16 NESE Begin of Stream Flow Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/01 11/01	0.020 CFS
Stockwater use is for 600 range cattle.		

PLACE OF USE: STOCKWATER Within BINGHAM County

T03S R40E S08	NENE	T03S R40E S08	SENE
T03S R40E S09	NENE	T03S R40E S09	SWNE
T03S R40E S09	SENE	T03S R40E S09	NENW
T03S R40E S09	NWNW	T03S R40E S09	SWNW
T03S R40E S09	SENW	T03S R40E S09	NESE
T03S R40E S09	SESE	T03S R40E S16	NENE
T03S R40E S16	SENE	T03S R40E S16	NESE

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

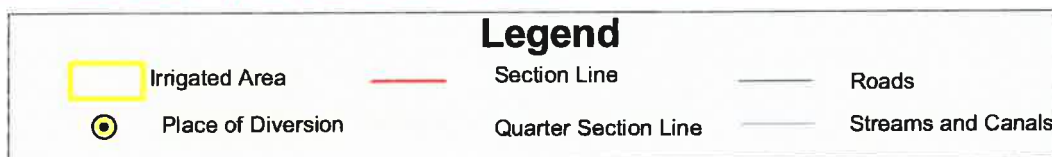
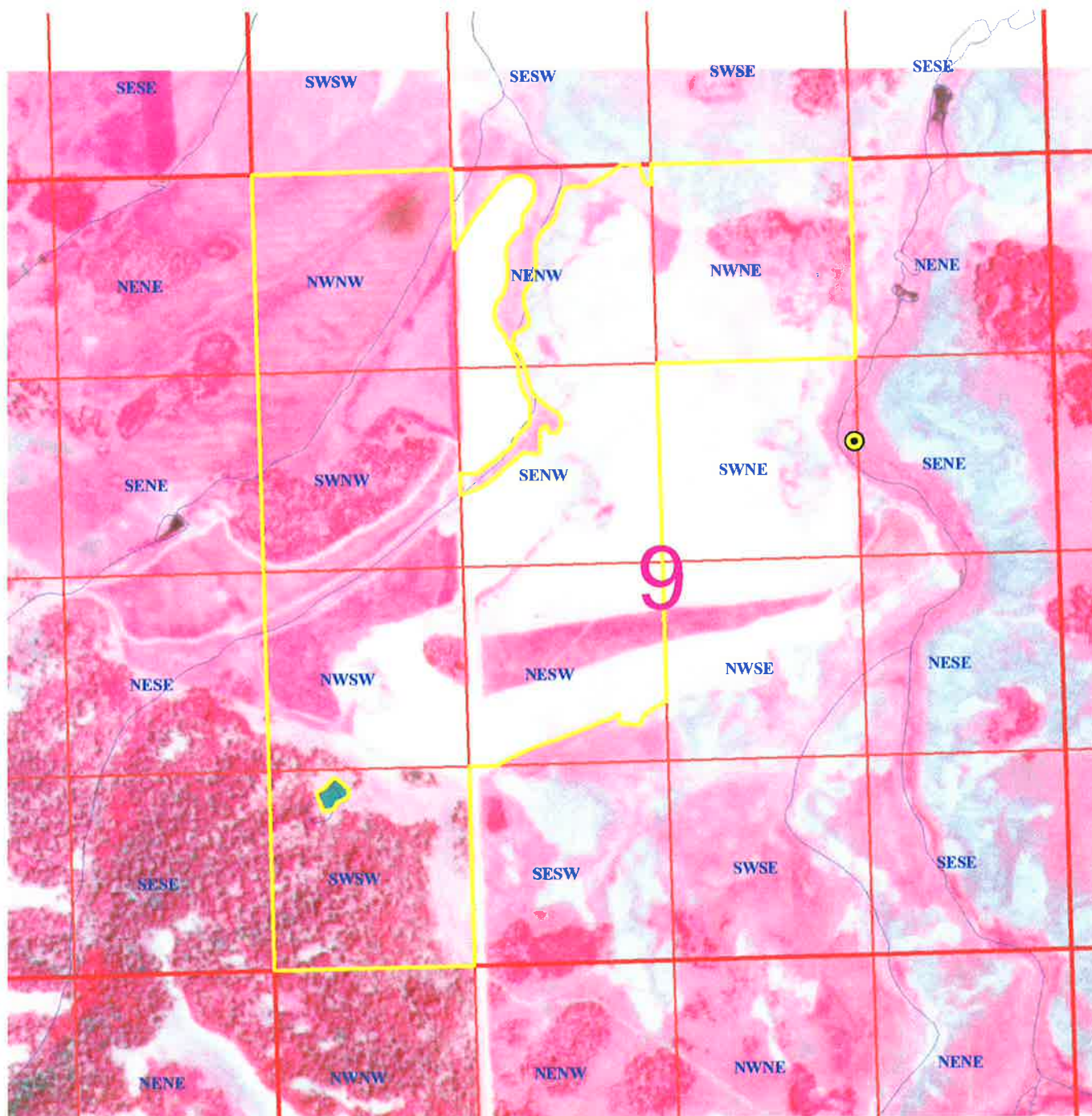
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

Water Right Claim Number 25-13097
Township , 3S40E

11/10/2000

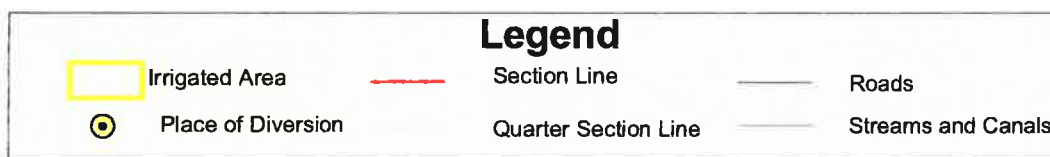
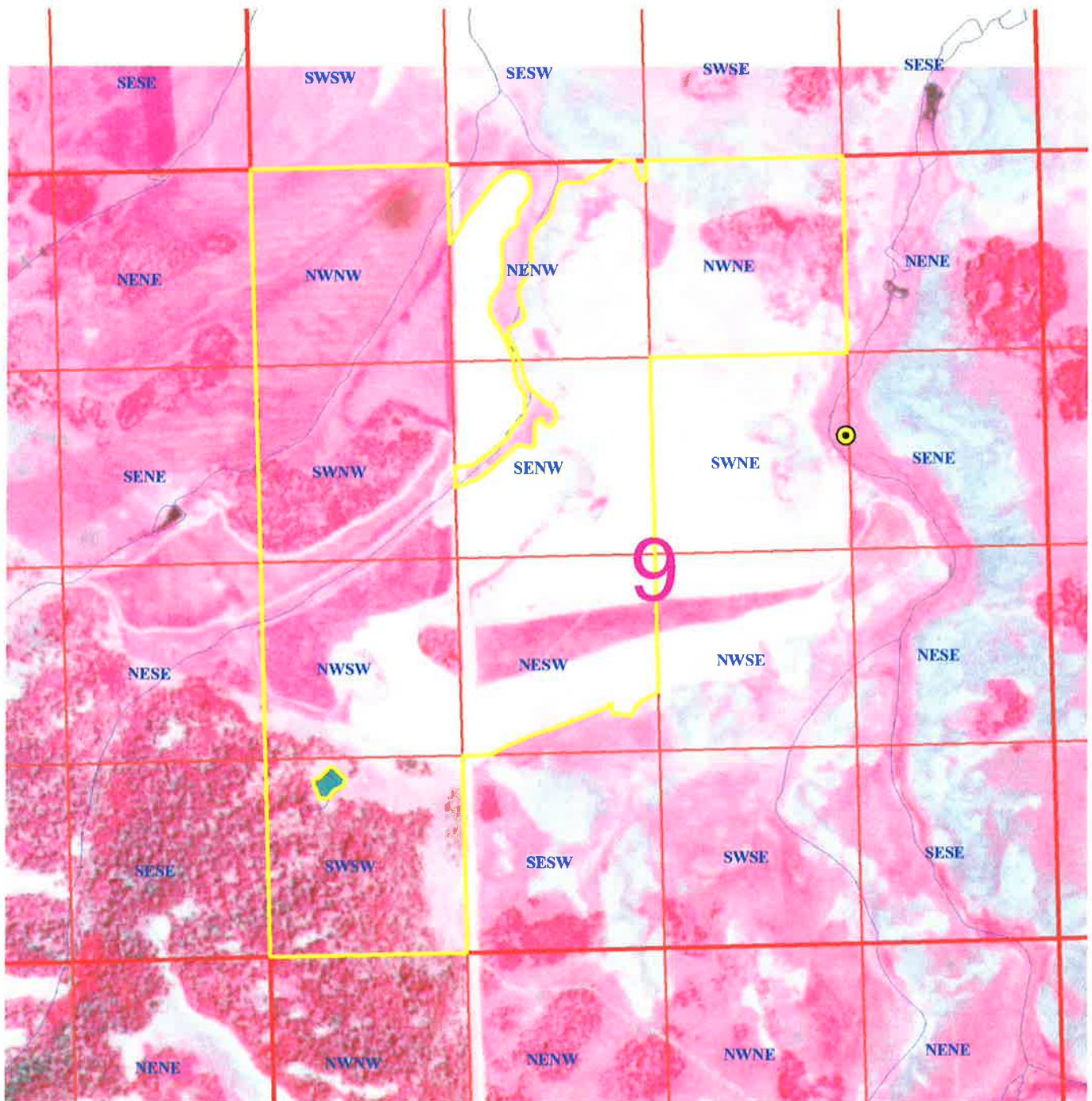


SPATIAL DYNAMICS



Water Right Claim Number 25-13097
Township , 3S40E

11/10/2000

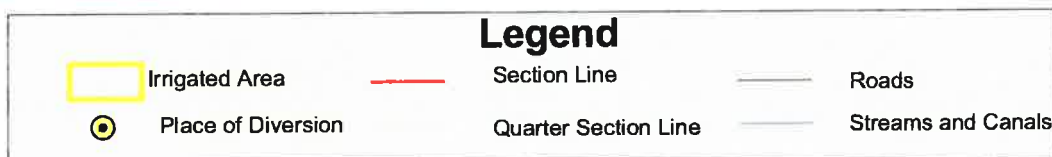
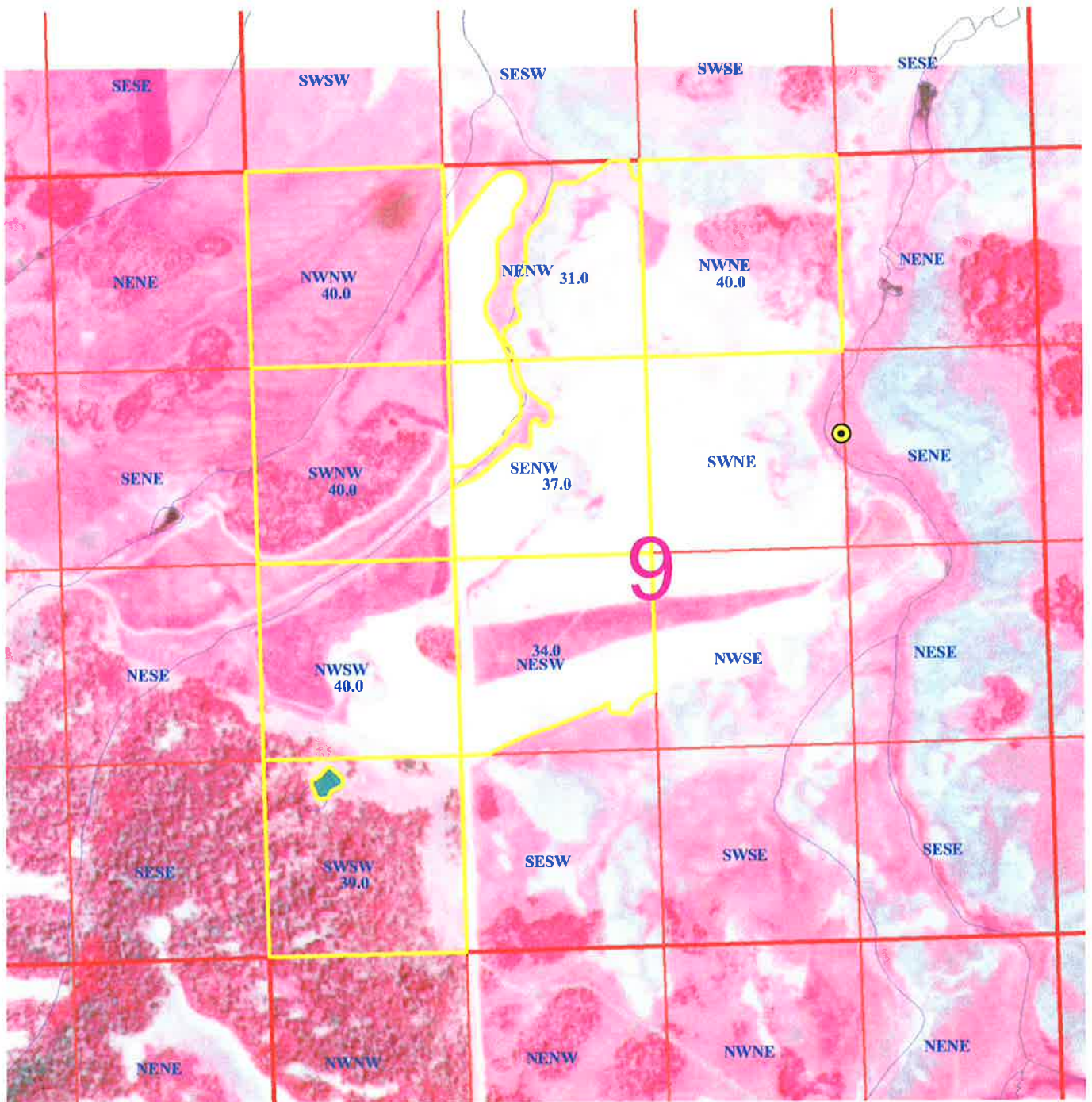


SPATIAL DYNAMICS



Water Right Claim Number 25-13097
Township , 3S40E

11/10/2000



SPATIAL
DYNAMICS



09/28/2004

RECEIVED

OCT 13 2004

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Department of Water Resources
Eastern Region

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 25-13097

RALPH J STEELE
531 S 52ND E
IDAHO FALLS ID 83401
Telephone Number: (208)523-5424

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

This claim should include stockwater.

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

10/13/04

SIGNATURE:

Ralph J Steele
Ralph J Steele

Please print your name:

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

Amended claim - fixed Rec 10/13/04 - RM

PROFILED

SCANNED

OCT 15 2004

All hand lines - tractor pump

3 lines 1/4 mile

40/30 John Deere tractor

No style PDA Used - moved ~~tractor~~ tractor to west
condemned place

No idea on # of heads/quantity / size of pump

it has been a "while" since they migrated. they haven't
had the need - (tried to do seed potatoes but couldn't) - they
get 1 cut of alfalfa usually with moisture gun spray.

They have also had ~~big~~ problems w/ vandals since they
haven't had anyone staying up there daily.

He said ~~we~~ he could look up some records if we needed them

9/28/04

Based on the above statement Ernie & I agreed on recommending
.33 cfs on each line with 1 ~~time~~ line for claim # 4253
on 2 lines for claim # 4276. Since no cfs is needed on
claim 4253 we will only acknowledge .66 cfs on claim 4276

PROFILE

OCT 04 2004

SCANNED

DEER CREEK LAND AND CATTLE COMPANY

Idaho Falls, Idaho

208-523-5424

Bone, Idaho

208-390-5717



February 10, 2004

Idaho Department of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, Idaho 83402

Re: Water Rights Enlargement Claims
Claim Nos. A25-13095 and A25-13096
Deer Creek Land & Cattle Co. Ranch, Bingham County, Idaho

ATTN: Michael Holliday

Dear Mr. Holliday:

In response to the IDWR letter of October 24, 2003, please be advised that in 1963 I personally enlarged the acreage of barley and alfalfa that I irrigated on those areas west of the ranch road from the pond that is fed by the Steele Springs. Also, in 1967 I personally enlarged the acreage of barley and alfalfa that I irrigated on those areas on the south end of my ranch near the cattle guard from a pond which flows into Deer Creek.

If you have any additional questions, please feel free to contact me at (208) 523-5424.

Sincerely,

Ralph J. Steele

SCANNED

OCT 04 2004

PROFILED

Field Exam Summary A25-13097

Bryce Contor

Water Resources Field Services

General Comments

Please see summary for A25-04276. This right is an enlargement of A25-04276. No evidence of beneficial use was found. I propose recommending disallowal.

Ownership

POD

POU

Overlap

Conflict

Priority

Quantity

Water Use

List of Photos


Bryce A. Contor


Date

SCANNED

OCT 04 2004

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Log for claim 25-13097

Spatial Dynamics CAT

11/10/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03s40e	9	NWNE	7	40	Indiscernible
03s40e	9	NENW	8	31	Indiscernible
03s40e	9	NWNW	24	40	Indiscernible
03s40e	9	SWNW	25	40	Indiscernible
03s40e	9	SEnw	33	37	Indiscernible
03s40e	9	NESW	29	34	Indiscernible
03s40e	9	NWSW	35	40	Indiscernible
03s40e	9	SWSW	4	39	Indiscernible
Totals:			165	301	

AJ5809NP
No. A25-13097

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/18/00
PAGE: 76

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RALPH J STEELE 531 S 52ND E IDAHO FALLS ID 83401 (208) 523-5424	11/01/1987	IRRIGATION	04-01 11-01	1.964 CFS	
TOTAL DIVERSION:					1.964 CFS	
CONSUMPTIVE USE:						245.50 AFA

Water Source: DEER CREEK

Tributary to: WILLOW CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T03S R40E S09

SWNE

BINGHAM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
03S	40E	9	:			07				08	24	25	33			29	35	04		:	168.2
TOTAL ACRES																				:	168.2

POU County: BINGHAM

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A25-04276

Other Water Rights Listing Overlapping Place(s) of Use:
A25-04276

Remarks: GEN THIS CLAIM IS BASED ON THE PRESUMPTION STATUTE AND IS AN
EXPANSION BASED ON THE BENEFICIAL USE RIGHT DESCRIBED IN
A25-04276. THE TOTAL ACREAGE OF 168.2 ACRES IDENTIFIED ON
THIS CLAIM DESCRIBES THE ORIGINAL 70 ACRES CLAIMED UNDER
A25-04276 AS WELL AS THE EXPANSION OF 98.2 ACRES.

Dates: Exam Made Date: Verified Date: 02/13/1991 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 11/08/89 HARRINGT 02/13/91 THOMPSON 03/29/95 POST-STD

May 2, 1991

Ralph J. Steele
531 S. 52nd E.
Idaho Falls, ID 83401

RE: **Evidence of Priority**

Dear Mr. Steele:

The Notices of Claim identified with the numbers shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notices indicates the water usage are based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notices and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notices have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notices be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority dates by **June 3, 1991**, referencing all documents with the corresponding Notice numbers. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

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NOV 12 1992

Ralph J. Steele

Page 2

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Ernest Carlsen
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

A25-13097
RALPH J. STEELE
531 S. 52ND E.

IDAHO FALLS ID 83401

A25-04277
RALPH J. STEELE
531 S. 52ND E.

IDAHO FALLS ID 83401

A25-13094
RALPH J. STEELE
531 S. 52ND E.

IDAHO FALLS ID 83401

A25-04276
RALPH J. STEELE
531 S. 52ND E.

IDAHO FALLS ID 83401

A25-13096
RALPH J. STEELE
531 S. 52ND E.

IDAHO FALLS ID 83401

A25-13095
RALPH J. STEELE
531 S. 52ND E.

IDAHO FALLS ID 83401

A25-04283
RALPH J. STEELE
531 S. 52ND E.

IDAHO FALLS ID 83401

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NOV 12 1992

FROM Ernie

DATE April 22, 1991.

TO A25-13097.

SUBJECT Land list: The map of the P.O.U. & the land list in Item 10 do not correspond. The P.O.U. under this notice will likely have to be amended.

MICROFILMED

NOV 12 1992

SIGNATURE



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

September 29, 1989

Mr. Ralph J. Steele
531 S. 52nd E.
Idaho Falls, Idaho 83401

RE: Snake River Basin Adjudication
Claims #A25-13094/#A25-13095/#A25-13096/#A25-13097
Bingham County

Dear Mr. Steele:

I have finally found the time to straighten out your claims. I used your maps to identify number of total acres irrigated and have completed Item #10 on each of the expansion claims.

Having completed Item #10, I have modified other items accordingly:

Item #6/#7: Amounts

I have adjusted these numbers, calculating the standard .02 cfs per acre.

Item #8: Consumptive Use

Adjusted to correct amount based on number of acres.

Item #4, #A25-13096: Point of Diversion

We inadvertently did not complete this item; I completed it using the information from #A25-4277.

I have included copies of your maps and my map with transferred information for you to use in comparing the information in Item 10 with each claim. Unfortunately, now that I have had the time to review the maps you submitted, I find that we need an additional \$55 to cover the actual acres. It seem that two of the expansion

MICROFILMED

NOV 12 1992

Mr. Ralph J. Steele
Page 2
September 29, 1989

claims were over payments; one expansion was an under payment. The claim which had previously not been filed for springs, tributary to Willow Creek, in Section #15, was also an over payment:

Claim No.	Acres Paid	Acres Due	Balance
A25-13094	163	160	< 3 >
A25-13095	101	143	42
A25-13096	30	18	< 12 >
A25-13097	70	98	28
	Balance Due		<u>\$ 55</u>

Because of the nature of the changes which have been made from the original handwritten claim which we completed together in Idaho Falls, I need to have you sign and have notarized the enclosed claims and return them to me along with the additional \$55.00.

Please return them to me by October 29, 1989. If you have any questions or disagree with any of the changes I made, please let me know. Please be sure to send them to me at: 1301 North Orchard, Boise, Idaho 83706. My phone number is 327-7900. We will get these claims completed! Thanks for your patience.

Sincerely,

Helen Harrington-Thornton
Helen Harrington-Thornton
Water Rights Agent

HHT:mcc:state
Enclosures:

Claims #A25-13094/#A25-13095/
#A25-13096/#A25-13097

MICROFILMED
NOV 12 1992

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 25-13097
Date Received: 9/15/1989
Receipt No: E010488
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RALPH J STEELE Phone: (208)523-5424
531 S 52ND E
IDAHO FALLS ID USA 83401

2. Date of Priority: 11/01/1987

3. Source: DEER CREEK Trib. to: WILLOW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot		County	Type
03S	40E	9	SW	NE	BINGHAM	

5. Description of diverting works:

SUCTION PUMP IS USED TO PULL WATER OUT OF BEAVER PONDS IN STREAM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	1.964	
STOCKWATER	04/01	11/01	0.14	

7. Total Quantity Appropriated is:
1.964 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
03S	40E	9	NE	NW	IRRIGATION	8.6
			NW	NW	IRRIGATION	24.9
			SW	NW	IRRIGATION	25.9
			SE	NW	IRRIGATION	33
			NE	SW	IRRIGATION	29
			NW	SW	IRRIGATION	35.6
			SW	SW	IRRIGATION	4.2
			NW	NE	IRRIGATION	7
					Section Acres	168.2
					Total Acres	168.2

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS BASED ON THE PRESUMPTION STATUTE AND IS AN EXPANSION BASED ON THE BENEFICIAL USE RIGHT DESCRIBED IN A25-04276. THE TOTAL ACREAGE OF 168.2 ACRES IDENTIFIED ON THIS CLAIM DESCRIBES THE ORIGINAL 70 ACRES CLAIMED UNDER A25-04276 AS WELL AS THE EXPANSION OF 98.2 ACRES.

Amended to include stockwater- up to 600 head of range cattle

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: 10/13/04

_____ Date: _____

State of Idaho)

County of BONNEVILLE)

SS.

Subscribed and sworn (or affirmed) before me this 13th

of Oct 2004

ALON B. RUBENY

Notary Public

Residing at BOAHO KAIS & DANE

My commission Expires 9/23/09



09/28/2004

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

RIGHT NUMBER: 25-13097

DISALLOWED

NAME AND ADDRESS: RALPH J STEELE
531 S 52ND E
IDAHO FALLS ID 83401

SOURCE: DEER CREEK

TRIBUTARY: WILLOW CREEK

QUANTITY:

PRIORITY DATE: 11/01/1987

POINT OF DIVERSION:

PURPOSE AND
PERIOD OF USE:

PLACE OF USE:

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

No beneficial use found.

EXPLANATORY MATERIAL: Beneficial Use

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

Water Right 25-13097

1

SCANNED

OCT 04 2004

FILED

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: A25-13097
Date Received: ~~9/15/1989~~ 10/23/89
Receipt No: 6012489
Received By: OK
Lat E010485

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
OCT 23 1989

1. Name: RALPH J. STEELE
Address: 531 S. 52ND E.
IDAHO FALLS, ID 83401

208-523-9424

Department of Water Resources

2. Date of Priority: NOV 01, 1987

3. Source: DEER CREEK Trib. to: WILLOW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
03S	40E	9	SW NE		BINGHAM

5. Description of diverting works:
SUCTION PUMP IS USED TO PULL WATER OUT OF BEAVER PONDS IN STREAM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.964		

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

8. Total consumptive use is 245.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03S	40E	9	NW NE		IRR	7.0
			NE NW		IRR	8.6
			NW NW		IRR	24.9
			SW NW		IRR	25.9

A25-13097

Page 1

Date: 09/25/89

A2513097



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NOV 12 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
03S	40E	9	SE	NW		IRR	33.0
			NE	SW		IRR	29.0
			NW	SW		IRR	35.6
			SW	SW		IRR	4.2
					Section Acres		168.2
					Total Acres		168.2

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS BASED ON THE PRESUMPTION STATUTE AND IS AN EXPANSION BASED ON THE BENEFICIAL USE RIGHT DESCRIBED IN A25-04276. THE TOTAL ACREAGE OF 168.2 ACRES IDENTIFIED ON THIS CLAIM DESCRIBES THE ORIGINAL 70 ACRES CLAIMED UNDER A25-04276 AS WELL AS THE EXPANSION OF 98.2 ACRES.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
NOV 12 1992

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: 2

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): ☒ *Ralph J. Allen* Date: ☒ 10-13-89

Date: _____

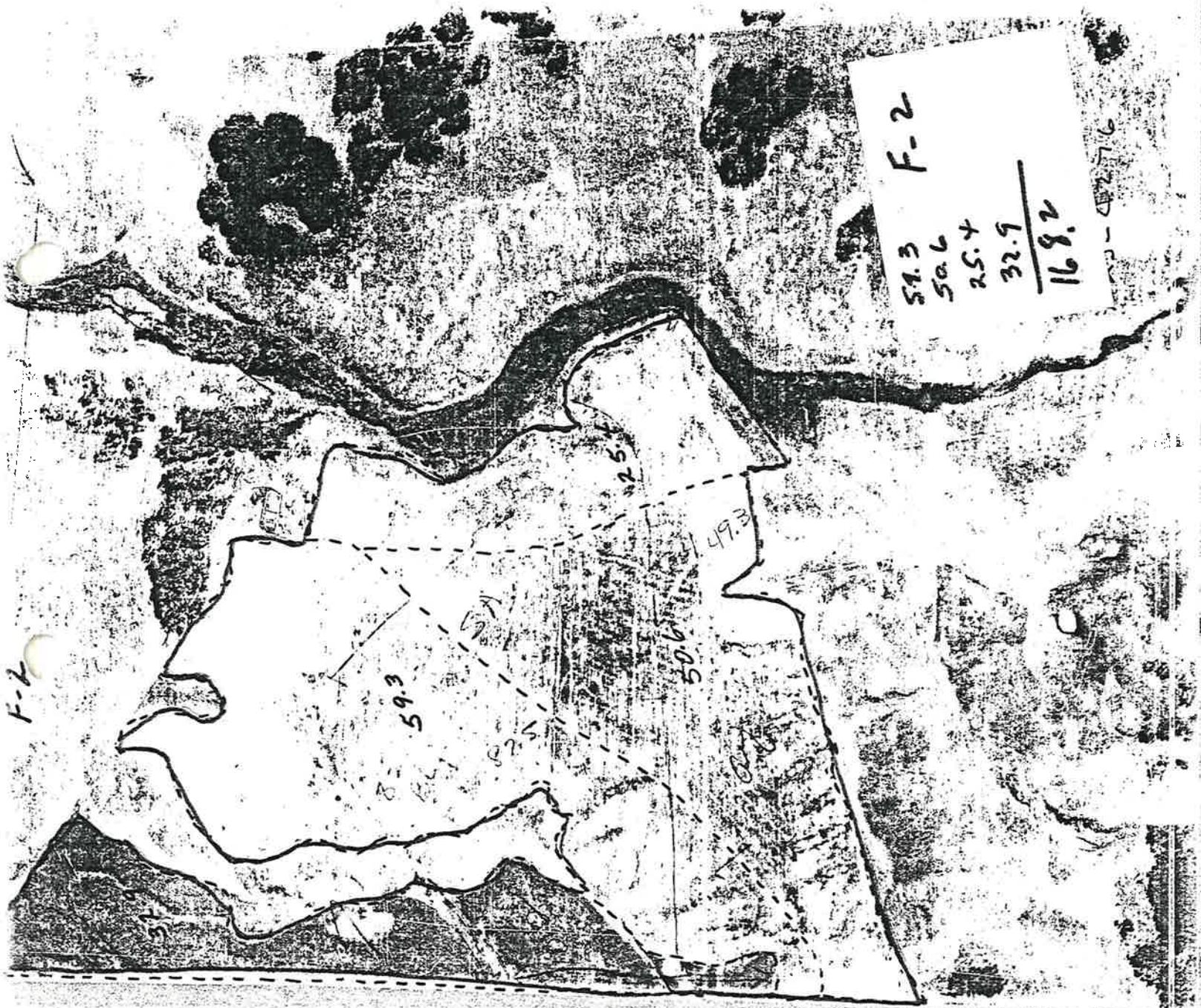
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of October 19 89

Jerrill Frank
Notary Public

Seal

Residing at *Boise, Idaho*
My Commission Expires *8/28/92*



59.3
 50.6
 25.4
 32.9
 168.2

168.2
 168.2

MICROFILMED
 NOV 12 1992

Expenditure of Rs 04270

500.9
NE NW
NW NW
SW NW
SE NW
33
24.9
25.9
8.6

29
35.6
4.2

7. $\text{N} \rightarrow \text{N}^+$

168.2



Expansion of A25-04270

Sec. 9	8.6	
NE NW	24.9	
NW NW	25.9	
SW NW	33	
SE NW		
NE SW	29	
NW SW	35.6	
SW SW	4.2	
NW NE	7	
	168.2	

