

205

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: A63-04639
Date Received: 6/19/1990
Receipt No: T017346
Received By: _____

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

1. Name: STATE OF IDAHO
Address: DEPT. OF FISH & GAME
P.O. BOX 25
BOISE, ID

83707

2. Date of Priority: NOV 25, 1960

3. Source: SAND HOLLOW DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	06W	36	NW	NW			CANYON

5. Description of diverting works:
PUMP & DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.200		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	06W	36	NW	NW		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	10.0
					Total Acres	10.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

ID F36

CLAIM IDENT. NO.

A63-04639

DATE RECEIVED

6-19-90

CK #

T017346

AMOUNT \$

600

YES

NO

Require Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO
8. If required is a consumptive use entered? ☒ YES ☐ NO N/A
- Is the consumptive use correct? ☒ YES ☐ NO N/A
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO
12. Is the ownership of p.u. checked? ☒ YES ☐ NO
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO None
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO N/A
15. Is the basis of the claim indicated? ☒ YES ☐ NO
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A
22. Should this claim be data entered? ☒ YES ☐ NO

Claim checked by: Rat

Date:

7-5-90

Claim must be returned to claimant:

(Yes)

(No)

Claimant must be notified of modifications:

(Yes)

(No)

Receipt Prepared by: Rat
 Claim data entered by: Rat
 Sent to claimant by: Rat

Date:
 Date:
 Date:

Checked by: Rat

Date:

7-6

Comments:

MICROFILMED

AUG 20 1992

#60⁰⁰

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: A63-04639
Date Received: 6-19-90
Receipt No: T017346
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STATE OF IDAHO
Address: DEPT. OF FISH & GAME
P.O. BOX 25
BOISE, ID

83720
07

2. Date of Priority: NOV 25, 1960

3. Source: SAND HOLLOW DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	06W	36	NW	NW			CANYON

5. Description of diverting works:
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6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	06W	36	NW	NW		IRR	10.0
Section Acres							10.0

10. Place of Use: Continued

Total Acres 10.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 Organizations:

I do solemnly swear or affirm that I am Chief, Field Operations of
the Idaho Dept. of Fish and Game, that I have signed the foregoing
Organization Title
document in the space below as Acting Director of
the Idaho Dept. of Fish and Game and that the statements contained in the
Organization Title
foregoing document are true and correct.

Jerry Mallet
Signature of Authorized Agent
Chief, Field Operations
Idaho Dept. of Fish and Game
Title and Organization

June 14, 1989
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of June 19 89

Narathy Baker
Notary Public

Seal

Residing at Emmett, Idaho

My Commission Expires October 31, 1991

09/29/2006

**NOTICE OF ERROR
REPLY**

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

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: October 31, 2006

Water right number: 63-4639

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707
Telephone Number: (208)334-3700

RECEIVED

OCT 30 2006

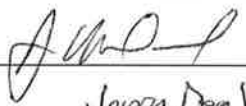
WATER RESOURCES
WESTERN REGION

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

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: 10/27/06 SIGNATURE: 

Please print your name: Jerry Deal

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

09/27/2006

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

RIGHT NUMBER: 63-4639

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707

SOURCE: SAND HOLLOW CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.120 CFS

PRIORITY DATE: 11/25/1960

POINT OF DIVERSION:

T06N R05W S31 NWSW Lot 3 Within CANYON County

T06N R06W S36 NWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.120 CFS

PLACE OF USE:

IRRIGATION Within CANYON County

T06N R06W S36

NWNW

6.00

6 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

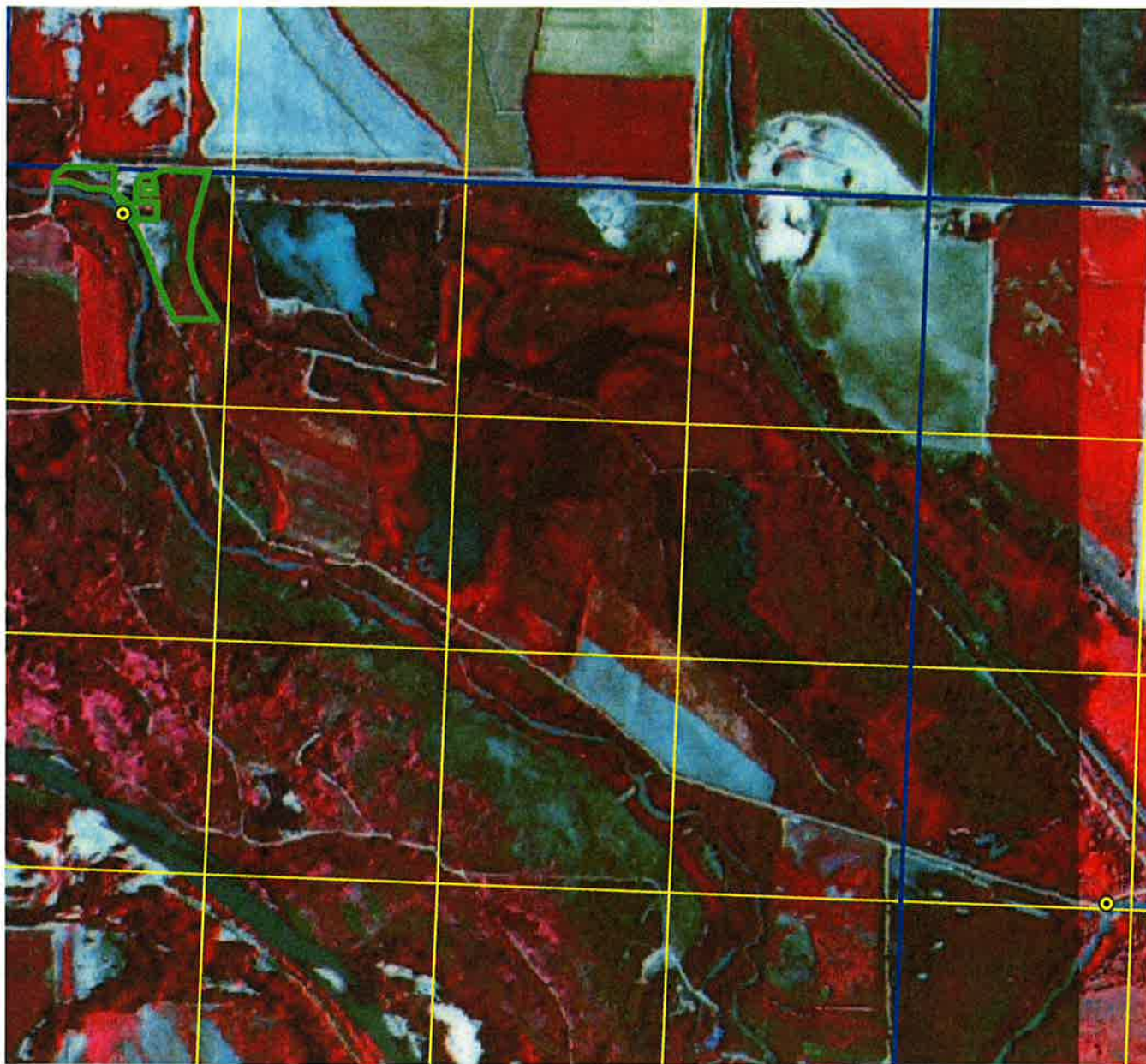
The following rights are also diverted through point of diversion in Section 31 described above: 63-4717, 63-4638, 63-9218.



Idaho Department of Water Resources

63-4639

06N 06W S36



-  POU
-  POD
-  Sections
-  Quarter/Quarter

Total Irrigated
Acres: 6.0

500 0 500 Feet



IDWR
Prepared by: Lori Graves
Date: 09-15-06
1986-87 Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4639 V1

WATER RIGHT NUMBER: 63-4639 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STATE OF IDAHO DEPT OF FISH & GAME PO BOX 25 BOISE, ID 83707 (208)334-3700

Priority Date: 11/25/1960

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SAND HOLLOW CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.120 CFS	
	<u>Total Diversion:</u>	0.120 CFS	

Location of Point(s) of Diversion

SAND HOLLOW CREEK CANYON County	L3 (NW1/4SW1/4)	Sec. 31, Twp 06N, Rge 05W, B.M.
SAND HOLLOW CREEK CANYON County	NW1/4NW1/4	Sec. 36, Twp 06N, Rge 06W, 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	
06N	06W	36						6.0											6.0

Total Acres: 6

Conditions of Approval:

1. C18 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.
2. F06 The following rights are also diverted through point of diversion in Section 31 described above: 63-4717, 63-4638, 63-9218.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4639 V1

Comments:

1. Igraves 9/15/2006 P/Ds

Comment: Manager Clair Kofoed visited the office 9/14/06 and indicated that water from two diversions can supply water to the acres claimed. Water from the NWSW S31 p/d flows through a series of ponds prior to reaching the p/u and water from the NWNW S36 p/d is diverted directly to the p/u via pump and ditch. Both p/ds have been used for many years, prior to 1987.

2. Igraves 9/15/2006 Flow Rate

Comment: The diversion works for the NWSW S31 p/d has the capacity for 18.6 cfs measured in 1987 for license 63-9218. A theoretical calculation was used for the NWNW S36 p/d, which consists of a 3 hp electric pump with 6 ft lift from the drain (per manager, Clair Kofoed).

$3 \text{ hp} \times 8.8 \times .7 / 6 \text{ ft} + (5 \text{ psi} \times 2.31) = 1.05 \text{ cfs}$

3. Igraves 9/16/2006 Overlaps

Comment: Overlaps are for other uses and/or acres.

4. Igraves 9/27/2006 Source

Comment: Source was clarified to Sand Hollow Creek per department analysis and topo maps.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4639

WATER RIGHT NUMBER: 63-4639

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STATE OF IDAHO DEPT OF FISH & GAME PO BOX 25 BOISE, ID 83707 (208)334-3700

Priority Date: 11/25/1960

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
SAND HOLLOW DRAIN <i>creek</i>	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/45	to 11/15	0.200 CFS	
	)			
	<u>Total Diversion:</u>		0.200 CFS	

Location of Point(s) of Diversion

SAND HOLLOW DRAIN	NW1/4NW1/4	Sec. 36, Twp 06N, Rge 06W, B.M.
CANYON County	+ L3 NWSW	31 5N 6W

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	
06N	06W	36						40.0											40.0
								6											6

Total Acres: ~~40~~
6

Claim Received Date: 6/19/1990

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

*add F06 - shared P/D in
531*

Water Supply Bank:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Department of Water Resources

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Idaho Dept. of Fish and Game

(Name of Claimant)

Route 2, Box 75, Parma, ID 83605

(Mailing Address)

Telephone No. 722-5888

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) November 25, 1960

A claim is not acceptable on a ground water source with a priority later than March 26, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Sand Hollow Drain tributary to Snake River

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				Period of Use From (Mo., Day)	To (Mo., Day)
Quantity .20	Use Irrigation	Period of Use From 3/15	To 11/15		
Quantity	Use	Period of Use From	To		
Quantity	Use	Period of Use From	To		
Quantity	Use	Period of Use From	To		
Quantity	Use	Period of Use From	To		

- (4) .20 TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW 1/4 NW 36 Sec. 36 Twp. 6N Rge. 6W B.M., County of Canyon

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Gas pump and ditches for flood irrigation.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6N	6W	36					10												10

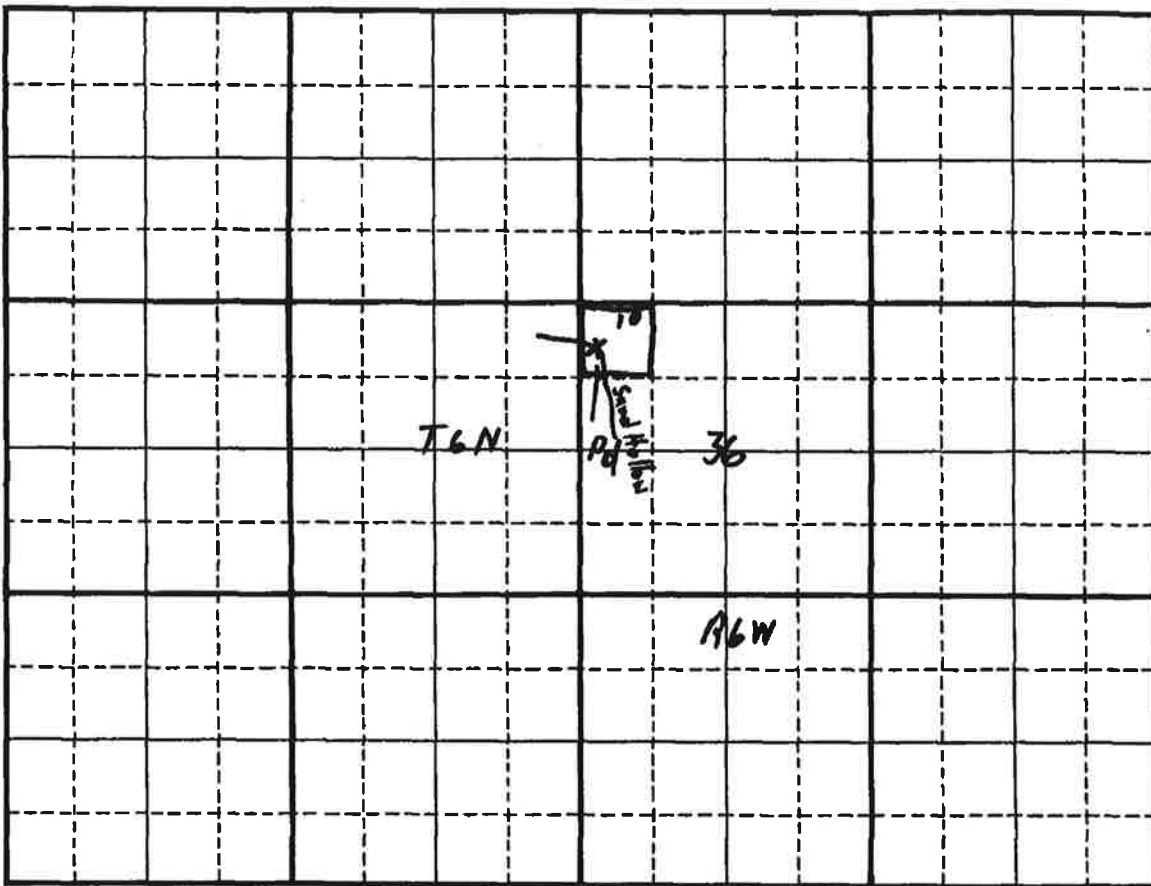
No. of acres 10

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks _____



Scale: 2 Inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 12th day of March, 1979

Robert L. Satter
(Claimant)
[Signature]
Notary Public
Residing at Brian, Idaho

My commission expires 9-24-80

Received by AK Date 3/13/79 FOR DEPARTMENT USE ONLY
Prelim. check by AK Date 3/12/79 Exception filed by: _____ Date _____
\$20.00 fee received by AK Date 3/30/79 # 13023 Forwarded to claimant by: _____ Date _____
Published in News Tribune
Dates 3/22 & 3/28/79

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.)
63-4638, 63-4639, 63-4640
State of Idaho)
County of Canyon)

AFFIDAVIT

Chester Takatori

deposes and says: I was born and raised and live on property just south of Fort Boise Wildlife Management Area near Parma. Growing up, I hunted, fished and farmed on the land owned now by Fish and Game. My father and I used to walk from our home down the Boise River to its mouth at the Snake, and fish on property now on the Wildlife Area. As long as I can remember, the diversion dam on Sand Hollow creek, claimed in 63-4638, has been in place and operated for the irrigation of crops, and lately for wildlife. I recall it was there in 1938 when I was nine years old. This is the same place, township 6N, range 5W, section 31, in the SW corner of the SW quarter, where the diversion dam is today. In fact as a life-long farmer I was involved in farming the 5 acres of crops in Section 36, NW,NW, in claim 63-4638, irrigated by a ditch coming off that dam. The Sand Hollow diversion water was also used to water the 40 acres of pasture just south and west of the exiting dam on the north side of the creek.

I was also a witness to the beneficial use for agriculture of the water in claims, 63-4639 and 63-4640. Both of these claims were water diverted from Sand Hollow creek further west of the dam, toward the Snake River. Claim 63-4639 involved water pumped on to ten acres originally owned by Everett Watkins. I have knowledge this water and the water used to irrigate 50 acres adjacent and west of it, was put on pasture or crops continually from 1952, up until the Fish and Game purchased the ground in the early 1960's.


21 Aug 2006

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.)
63-4638, 63-4339, 63-4340)
State of Idaho)
County of Canyon)

AFFIDAVIT

W. Clair Kofoed

deposes and says: I have been the manager of Fort Boise Wildlife Management Area, Idaho Department of Fish and Game, Parma, Idaho, since early October, 1985. In almost twenty one years managing the property under the three claims above, I have witnessed the beneficial use of water in the amounts and on those locations indicated under those claims. In that time, I have also been witness to two field exams by Dept. of Water Resources personnel regarding those claims which have validated the points of diversion, quantity and place of use. In personal communication my predecessor, Jim Uranga, of Caldwell, Idaho, I have verified the priority dates indicated in claims 63-4639 and 63-4640. He has personal knowledge of the use of water on these properties. My Fish and Game records also indicated beneficial use of these properties from the initial date of purchase by the Department, to the present. A an 86 year-old neighbor near the Area, Robert Greenway, 28551 Klahr Rd, Parma, Id., also indicated to me he hunted and fished on the property now occupied under all three water claims and saw the water being used to irrigate crops and pastures in the locations indicated in the claim. He first saw this in 1933, when he began hunting and fishing on the property. He verified the use up until 1941, when he went into military service. In 1946, when he returned home after the war, he said the property was leased by J. R. Simplot and he could not gain access to it so he could not verify the use of water. Another adjoining neighbor Chester Takatori also verified to me in conversation (and deposition) the use of the water on the fish and game property. He has live in the area continously, other than the 1941-

With regard to water right claim 63-4638, I have submitted with this affidavit a copy of an aerial photograph taken on 11-6-1938, which shows the diversion dam in place on Sand Hollow creek, ditches, cultivated fields and irrigated pastures in accordance with the claim. The original photograph is kept in the Department of Fish and Game, State Office in Boise and has a notarized seal of authenticity attached dated 1-18-1977 from Ralph E. Ehrenberg, the Director of the Cartographic Division of the National Archives in Washington, D. C.

 8/25/06

GENERAL SERVICES ADMINISTRATION
National Archives and Records Service

BUJ-1-56

all to whom these presents shall come, Greeting:

By virtue of the authority vested in me by the Administrator of General Services, I
on his behalf, under the seal of the National Archives of the United States, that
attached reproduction(s) is a true and correct copy of documents in his custody.



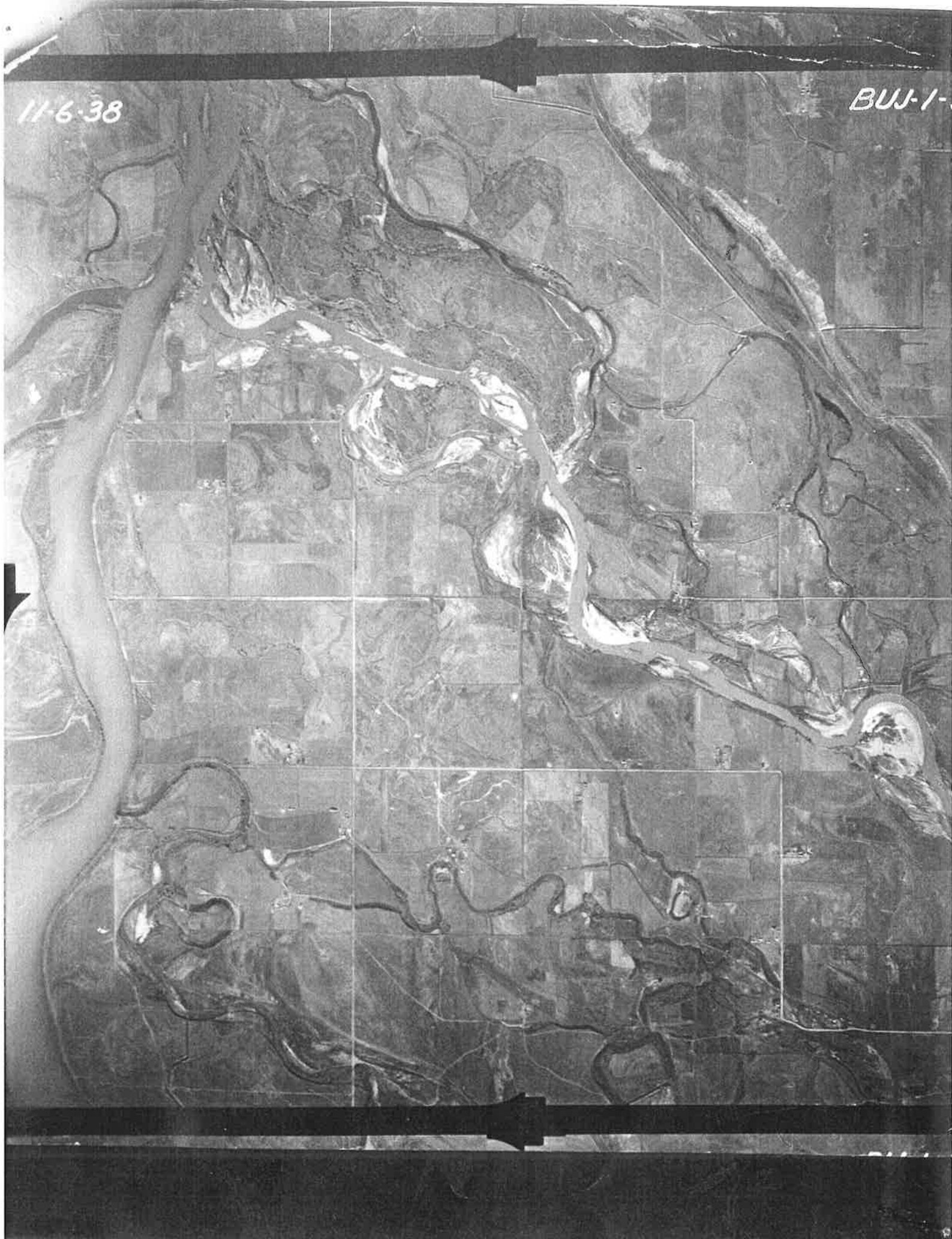
SIGNATURE <i>Ralph E. Ehrenberg</i>	
NAME Ralph E. Ehrenberg	DATE 1-18-77
TITLE Director Cartographic Archives Division	
NAME AND ADDRESS OF DEPOSITORY The National Archives Washington, D. C. 20408	

GSA FORM APR '68 6791A



11-6-38

BUJ-1-



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
AUG 31 2001
DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 63-9218

1. Owner: STATE OF IDAHO, DEPT. OF FISH AND GAME Phone No. (208) 722-588

Current Address: RT 2 BOX 75, PARMA ID 83660

2. Accompanied by: CLAIR KOFOED, AREA MANAGER EXAM DATE : 5/13/1987 & 10/6/2000

Address: SAME AS ABOVE Phone No. SAME AS ABOVE

Relationship to Permit Holder: AREA MANAGER

3. Source: SAND HOLLOW DRAIN tributary to SNAKE RIVER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63-4717, 63-4639, 63-4640, 63-4638, 63-11812, 63-11813

2. Other water rights with the same point of diversion: 63-4717, 63-4639, 63-4640, 63-4638, 63-11812, 63-11813

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	SW	31	6N	5W	CANYON	VISUAL INSPECTION AND USE OF 2000 AERIAL PHOTO AND USGS QUADRANGLE MAP.
			SE	SE	36	6N	6W	CANYON	VISUAL INSPECTION AND USE OF 2000 AERIAL PHOTO AND USGS QUADRANGLE MAP.
			SW	NW	36	6N	6W	CANYON	VISUAL INSPECTION AND USE OF 2000 AERIAL PHOTO AND USGS QUADRANGLE MAP.
			SW	NW	36	6N	6W	CANYON	VISUAL INSPECTION AND USE OF 2000 AERIAL PHOTO AND USGS QUADRANGLE MAP.

63-9218

2. Place(s) of Use:

Indicate Method of Determination SAME AS POINT OF DIVERSION

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	5W	1		S															
6N	5W	31										S	S D						
6N	6W	36	S	S	S	S	S	S	S	S	S	S D			S		S	S D	
6N	6W	35	S			S													

PLEASE NOTE: The S stands for storage component. Diversion to storage is marked with a D (there are 2 diversion points in SWNW S36).

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/pipe i.d. as applicable.

SEE ATTACHED SHEET.

YES Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

YES Aerial Photo Attached (required for irrigation of 10+ acres).

YES Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pygmy meter				090181		

2. **Measurements:** Jan Shurte performed a measurement of the entire Sand Hollow drain on 5/13/1987. Since the applicant is the last person on the drain before it enters the Snake River, they have the ability to use all of the drain water if necessary.

63-9268

E. NARRATIVE/REMARKS/COMMENTS

On May 13, 1987, Jan Shurte performed a field exam on this permit. During this field exam, Ms. Shurte measured the water in Sand Hollow Drain and determined the capacity of the system. I have reviewed her data and agree with her measurements. This measurement should be used to determine the amount of water allocated for this permit.

The water for this permit is taken from the Sand Hollow Drain at multiple points along the drain. The applicant is the last user on the drain, so they have the ability to divert the entire drain if needed. This system is comprised of a number of wildlife storage ponds and irrigated fields that are all fed through ditch system and gravity irrigation. Approximately 83.4 acres of ground have been irrigated at this place of use. The crops grown are generally corn and grain type crops to supply food for the ducks and other wildlife that use the facility. There are approximately 15 ponds that are used to supply water for ducks and fish. All of the ponds are interconnected and the return flows from the ponds and irrigation goes directly into the Snake River.

OVERLAP

Water rights 63-4717, 63-4639, 63-4640, 63-4638, 63-11812, 63-11813 all overlap the place of use and point of diversion. 63-4717, 63-4639, 63-4640, and 63-4638 overlap the 83.4 acres that were found irrigated. These rights are all statutory claims and have not been verified. However, the irrigation described in these rights more than cover the amount land actually irrigated. Therefore, no irrigation should be recommended under this permit.

63-11812 and 63-11813 overlaps some of the ponds for this permit. However, all of the ponds had been developed except for the ponds in Section 25. Therefore, these permits should be used to cover the ponds in Section 25. All the remaining ponds not in Section 25 will be covered under this permit.

This permit allows wildlife, but does not have any storage component. The four irrigation rights do have a wildlife component, but do not have a storage component either. Therefore, this permit should be amended for the storage of the ponds and the diversion to storage. The refill of the ponds will be covered by the wildlife components listed on the 4 statutory claims.

RECOMMENDATIONS:

I recommend that this permit be recommended for diversion to storage at a diversion rate of 5.16 cfs and wildlife storage for 292 afa. This permit should be amended to remove the irrigation and wildlife component for the permit and changed to include the storage components.

Have conditions of permit approval been met? X yes ___ no

F. FLOW CALCULATIONSYES Additional Computation Sheets Attached

Measured Method:

The capacity of the system was measured at 18.6 cfs (please see attached sheet).

The permit limits the diversion rate to 5.16 cfs, so the maximum allowable diversion rate is 5.16 cfs.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$$

B

2. Volume Calculations for Other Uses:

292 acre-feet of storage for all of the ponds, excluding the ponds in Section 25, which will be covered under, permits 63-11812 and 63-11813.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial use	Period Of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
DIVERSION TO STORAGE	1/1	12/31	5.16 CFS	
WILDLIFE STORAGE	1/1	12/31		292 AFA
TOTAL			5.16 CFS	292 AFA

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ Other(CHANGE USE TO DIVERSION TO STORAGE
AND WILDLIFE STORAGE)**I. AUTHENTICATION**

DANIEL A. NELSON – SENIOR AGENT

Field Examiner's Name

Daniel A. Nelson

Date

8-22-01

Reviewer

Date

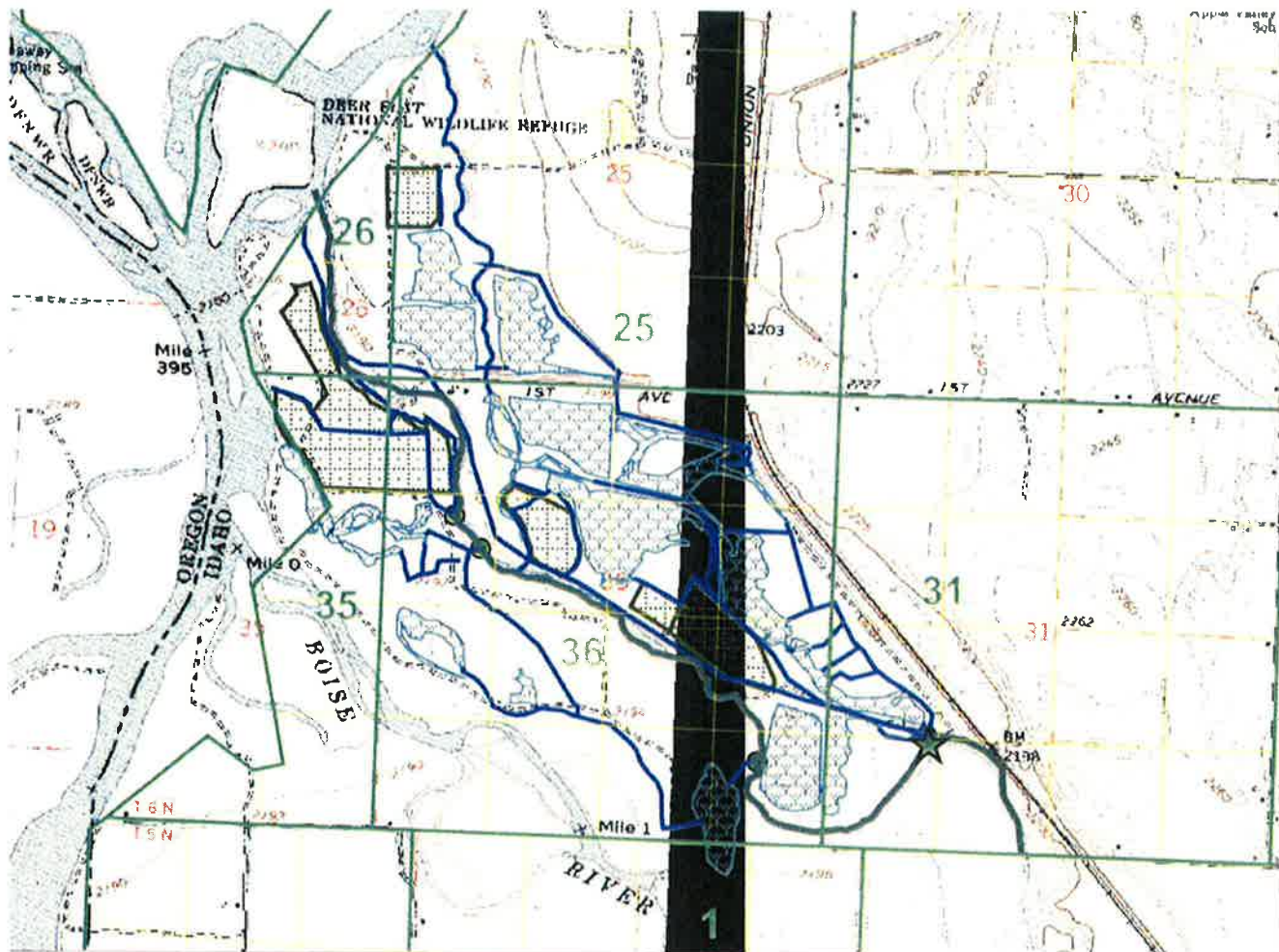
SEAL

63-9218

63.9218

63-9218

USGS QUADRANGLE MAP



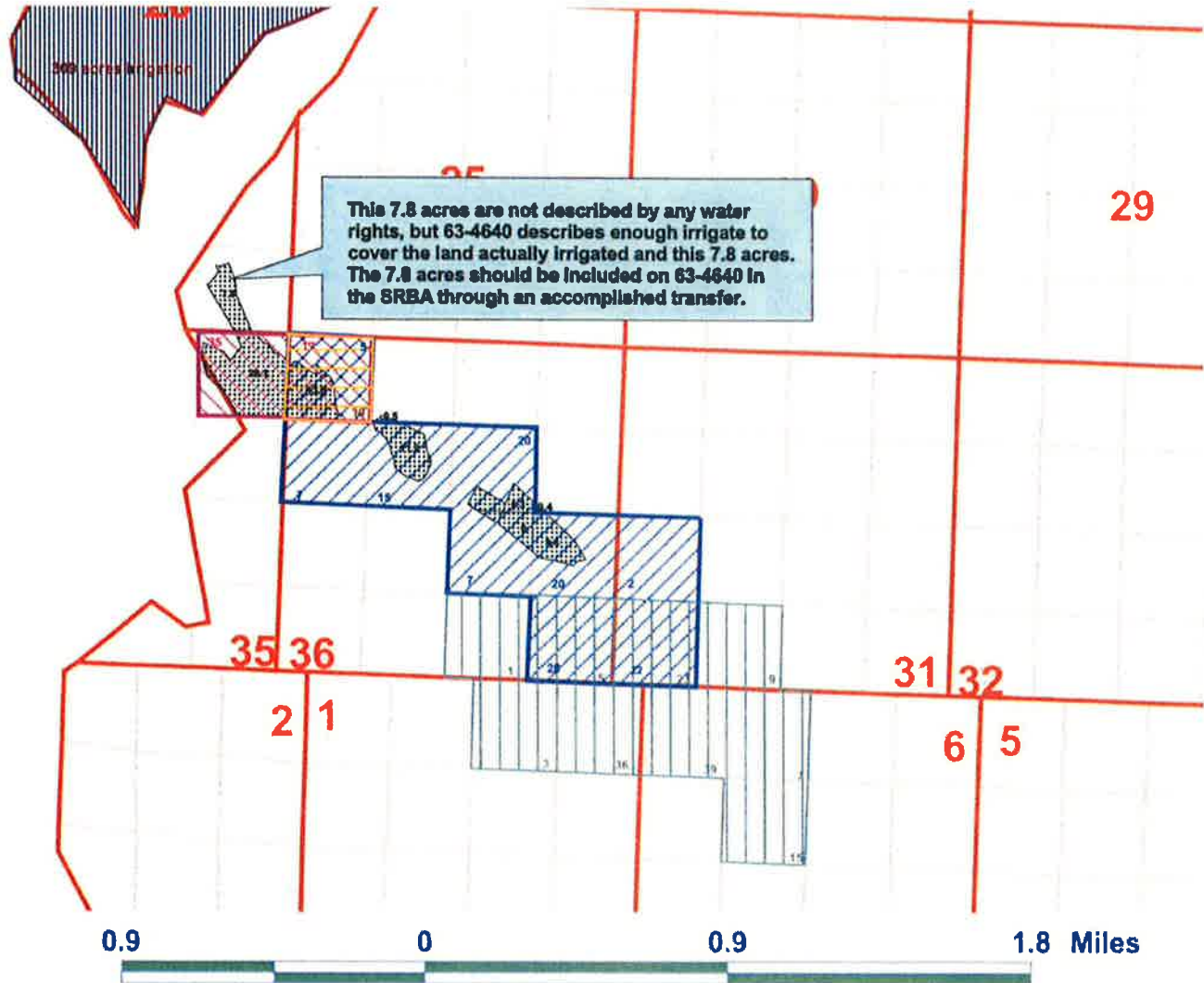
0.7 0 0.7 1.4 Miles

- Sand Hollow Drain
- Ditches
- Irrigated lands
- Ponds
- Points of Diversion
- Sections
- 1/4 1/4 lines



63-9218

IRRIGATION OVERLAP



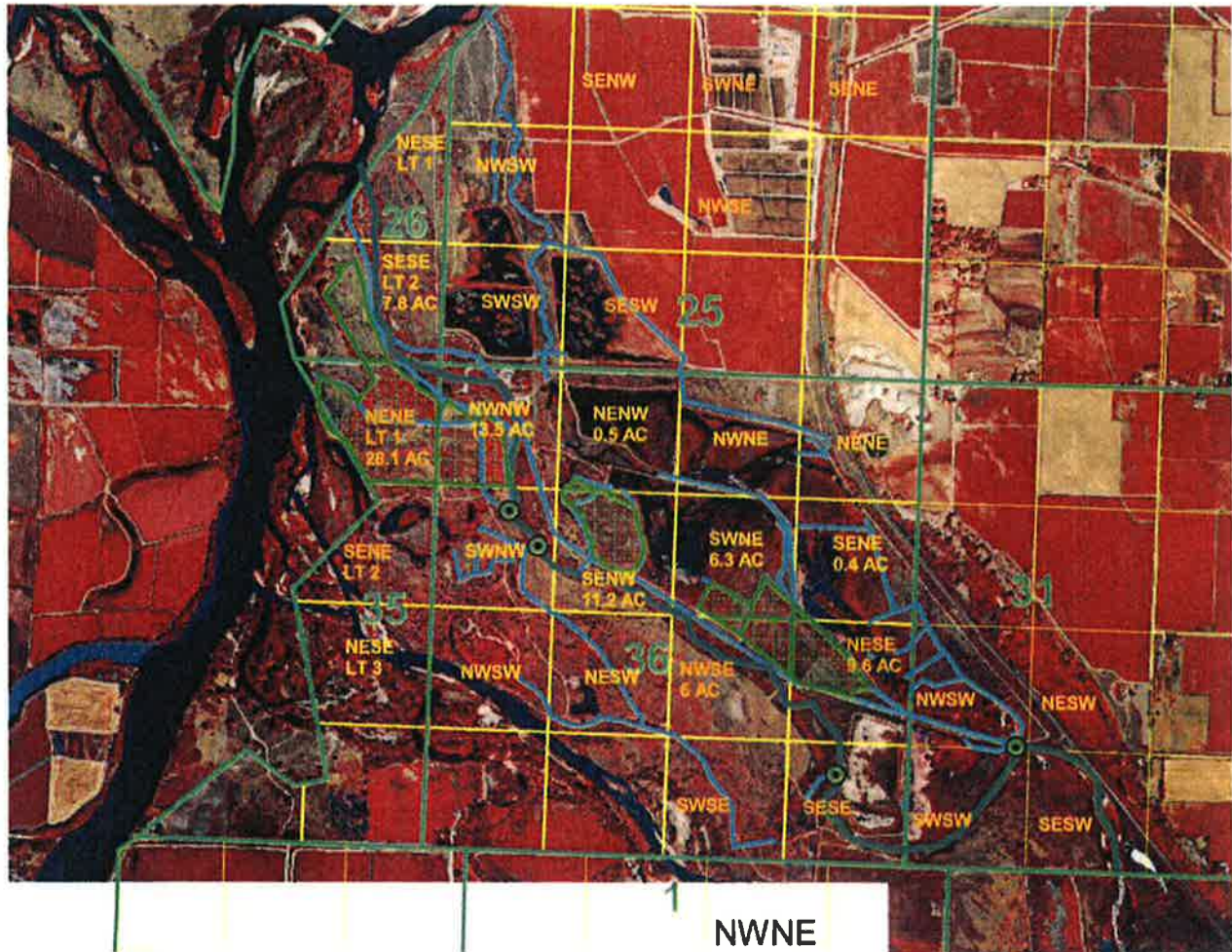
- 03-2059 IRRIGATION OF ISLAND FROM SNAKE RIVER
- 63-4717, 138 ACRES FROM SAND HOLLOW DRAIN, .02 CFS/ACRE
- 63-4639, 10 ACRES FROM SAND HOLLOW DRAIN, .02 CFS/ACRE
- 63-4640, 52 ACRES FROM SAND HOLLOW DRAIN, .02 CFS/ACRE
- 63-4638, 118 ACRES FROM SAND HOLLOW DRAIN, .02 CFS/ACRE
- LAND ACTUALLY IRRIGATED
- SECTIONS
- 1/4 1/4 LINES



PLEASE NOTE: All lands currently irrigated are covered under existing water rights. Therefore, the irrigation componet for permit 63-9218 should not be allowed.

63-9218

63-9218
ACRES IRRIGATED
T6N R6W S25 - 26 - 35 - 36
T6N R5W S 31
T5N R6W S 1
83.4 ACRES TOTAL



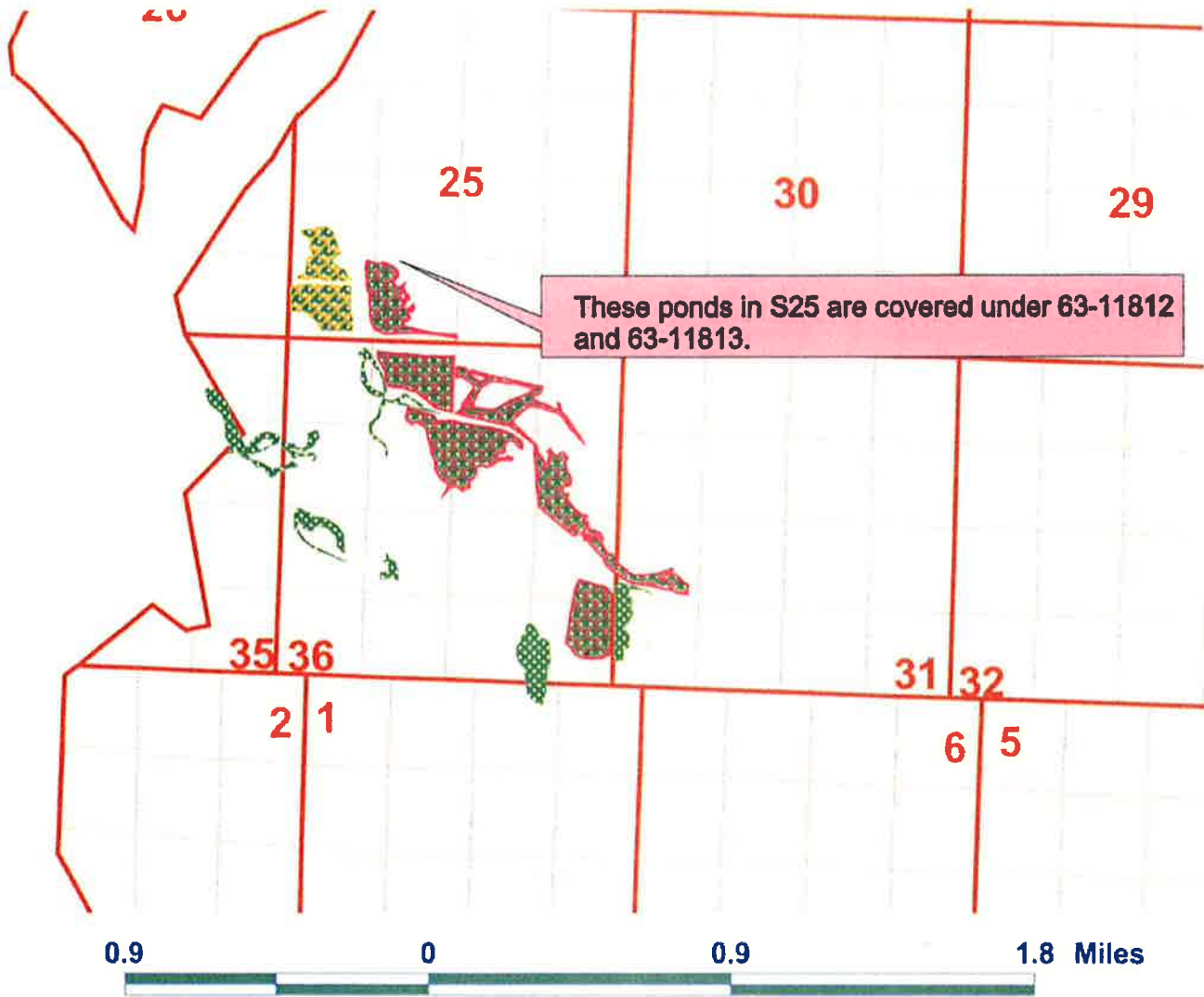
- Ponds
- P/Ds
- IRRIGATED LANDS
- SAND HOLLOW DRAIN
- DITCHES
- SECTIONS
- 1/4 1/4 LINES



63-9218

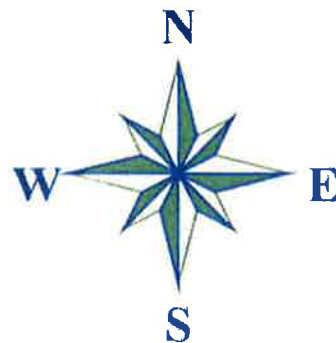
63-9218

POND OVERLAP



-  PONDS DESCRIBED IN 63-11812
-  PONDS DESCRIBED IN 63-11813
-  Ponds 9218.shp
-  SECTIONS
-  1/4 1/4 LINES

PLEASE NOTE: The ponds in Section 25 were not constructed at the time proof was filed on 63-9218. Therefore, all of the ponds should be included on this permit except for the ponds shown in Section 25. The ponds in Section 25 are covered under water rights 63-11812 and 63-11813.



63-9218



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

June 20, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

IDF&G
ATTN: CLAIR KOFOED, AREA MANAGER
RT 2 BOX 75
PARMA ID 83660

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim Nos: A63-4638, A63-4639, A63-4640

Dear Claimants,

In the past, you submitted the above referenced claims during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed are computer generated print-outs of the claims for your reference only, it is not necessary to return these print-outs. These claims are based on "Statutory Claims" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-outs. Your claims have not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire 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 important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority dates, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right if water availability problems arise in the future.

Dan Nelson has already confirmed the diversion points and acres irrigated during his field exam 10/6/2000 for IDF&G license 63-9218. If additional information is needed regarding the above rights, Dan will be notifying you.

Page 2

The above requested information needs to be submitted by July 11, 2006. Please let me know if you may not be able to submit the information or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

Respectfully,

A handwritten signature in black ink, appearing to read "Lori Graves". The signature is fluid and cursive, with the first name "Lori" written in a larger, more prominent script than the last name "Graves".

Lori Graves
Sr. Water Resource Agent

Enclosure: "Evidence of Priority" Pamphlet/Affidavit
Notice of Claims A63-4638, A63-4639, A63-4640

**Idaho Dept. of Water Resources
Place of Use Comparison Report**

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	63 138C	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N06W36	20																20
Claim	63 188	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N06W36	20																20
Claim	63 189	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N06W36	20																20
Claim	63 190	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N06W36	20																20
Claim	63 191	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N06W36	20																20
Claim	63 296	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N06W36	20																20
Claim	63 303A	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N06W36	20																20
Claim	63 4632A	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	06N06W36											19						19
Claim	63 4632B	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	06N06W36											19						19
Claim	63 4632C	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	06N06W36											19						19
Claim	63 4632D	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	06N06W36											19						19
Claim	63 4632E	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	06N06W36											19						19
Claim	63 4632F	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	06N06W36											19						19
Claim	63 4632G	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	06N06W36											19						19
Claim	63 4632H	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	06N06W36											19						19
Claim	63 4632J	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	06N06W36											19						19

Idaho Dept. of Water Resources

Place of Use Comparison Report

Claim	63 4632K	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	06N06W36											19						19
Claim	63 4632L	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	06N06W36											19						19
Claim	63 4632M	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	06N06W36											19						19
Claim	63 4632N	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	06N06W36											19						19
Rec	63 138C	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N06W36	X			X													0
Rec	63 188	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N06W36	X			X													0
Rec	63 189	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N06W36	X			X													0
Rec	63 190	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N06W36	X			X													0
Rec	63 191	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N06W36	X			X													0
Rec	63 296	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N06W36	X			X													0
Rec	63 4632A	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	06N06W36											19						19
Rec	63 4632B	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	06N06W36											19						19
Rec	63 4632C	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	06N06W36											19						19
Rec	63 4632D	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	06N06W36											19						19
Rec	63 4632E	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	06N06W36											19						19
Rec	63 4632F	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	06N06W36											19						19
Rec	63 4632G	MC CONNEL ISLAND DITCH CO LTD,	BOISE RIVER	06N06W36											19						19

[illegible]

[illegible]

**Idaho Dept. of Water Resources
Place of Use Comparison Report**

Right	63 4638	STATE OF IDAHO,	SAND HOLLOW DRAIN	06N06W36				X	X			X					X				0
Right	63 4638	STATE OF IDAHO,	SAND HOLLOW DRAIN	06N06W36			20			5	7	15					20	7		20	94
Right	63 4639	STATE OF IDAHO,	SAND HOLLOW DRAIN	06N06W36						10											10
Right	63 4640	STATE OF IDAHO,	SAND HOLLOW DRAIN	06N06W36							X										0
Right	63 4640	STATE OF IDAHO,	SAND HOLLOW DRAIN	06N06W36						17											17
Right	63 4717	STATE OF IDAHO,	SAND HOLLOW DRAIN	06N06W36															1	5	6
Right	63 9218	STATE OF IDAHO,	SAND HOLLOW DRAIN	06N06W36	X	X	X	X	X	X	X	X	X	X			X		X	X	0
Claim	63 9218	STATE OF IDAHO,		06N06W36					2	8	10		40	30		20	5	20	20	40	195
Claim	63 9218	STATE OF IDAHO,		06N06W36				X	X		X	X				X					0
Rec	63 9218	STATE OF IDAHO,		06N06W36					2	8	10		40	30		20	5	20	20	40	195
Rec	63 9218	STATE OF IDAHO,		06N06W36				X	X		X	X				X					0

Receipt Details for ID T017346

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
6/19/1990 4:19:46 PM	6/19/1990	Electronically Transmitt	\$17,466.30	Electronically Transmitt
Payer		DEPT. OF FISH AND GAME		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
Card Expiration Date	Credit Card Transaction #		

Comment FISH & GAME ADJUDICATION CLAIMS

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$17,466.30	FISH & GAME ADJUDICATION CLAIMS	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
79	2073		\$70.00	Claim
81	2020		\$2,050.00	Claim
83	2015		\$300.00	Claim
83	2023		\$62.66	Claim
35	7725		\$55.53	Claim
77	4181		\$117.00	Claim
86	2029		\$110.00	Claim
86	2038		\$59.34	Claim

51	4047
2	7004
63	2635
63	2850
63	4638
63	4639
63	4640
63	4717
63	4926
63	4927
63	9218
65	12126
67	4450
51	7299
36	4227
63	4338
36	7836
36	7855
37	2782
35	8654
63	4679
77	4180
77	4179
75	4154
27	4012
75	2138
35	4254
21	4007
21	4008
21	7151
23	7004
35	4253
35	4255
35	4256
71	10174
71	10175
71	10176
71	10178

\$61.42	Claim
\$1,297.00	Claim
\$90.00	Claim
\$75.70	Claim
\$404.00	Claim
\$60.00	Claim
\$206.00	Claim
\$188.00	Claim
\$60.72	Claim
\$50.14	Claim
\$826.00	Claim
\$250.00	Claim
\$50.17	Claim
\$25.00	Claim
\$25.00	Claim
\$465.11	Claim
\$80.00	Claim
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\$150.00	Claim
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\$53.60	Claim
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\$51.07	Claim
\$50.77	Claim
\$300.00	Claim
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\$196.26	Claim
\$219.50	Claim
\$58.00	Claim
\$58.00	Claim
\$58.00	Claim
\$58.00	Claim

71	10180	\$58.00	Claim
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72	10529	\$58.00	Claim
72	10530	\$58.00	Claim
72	10531	\$58.00	Claim
72	10532	\$58.00	Claim

[Print Report](#)