

02/05/2004

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

RIGHT NUMBER: 27-11188

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF HEALTH & WELFARE
STATE HOSPITAL SOUTH
PO BOX 400
BLACKFOOT ID 83221

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS
12.000 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 07/18/1886

POINT OF DIVERSION:

T03S R35E S2 NESWSW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.280 CFS
IRRIGATION	04/15 10/31	0.060 CFS
		12.00 AFY

PLACE OF USE: DOMESTIC Within BINGHAM County

T03S R35E S02 NWSW T03S R35E S02 SWSW

IRRIGATION Within BINGHAM County

T03S R35E S02 NWSW 3.0

3 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 3 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: Beneficial Use

Corbett Slough Ditch Company water is also used on the above described POU for irrigation.

RIGHT NO. 27-11987 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.



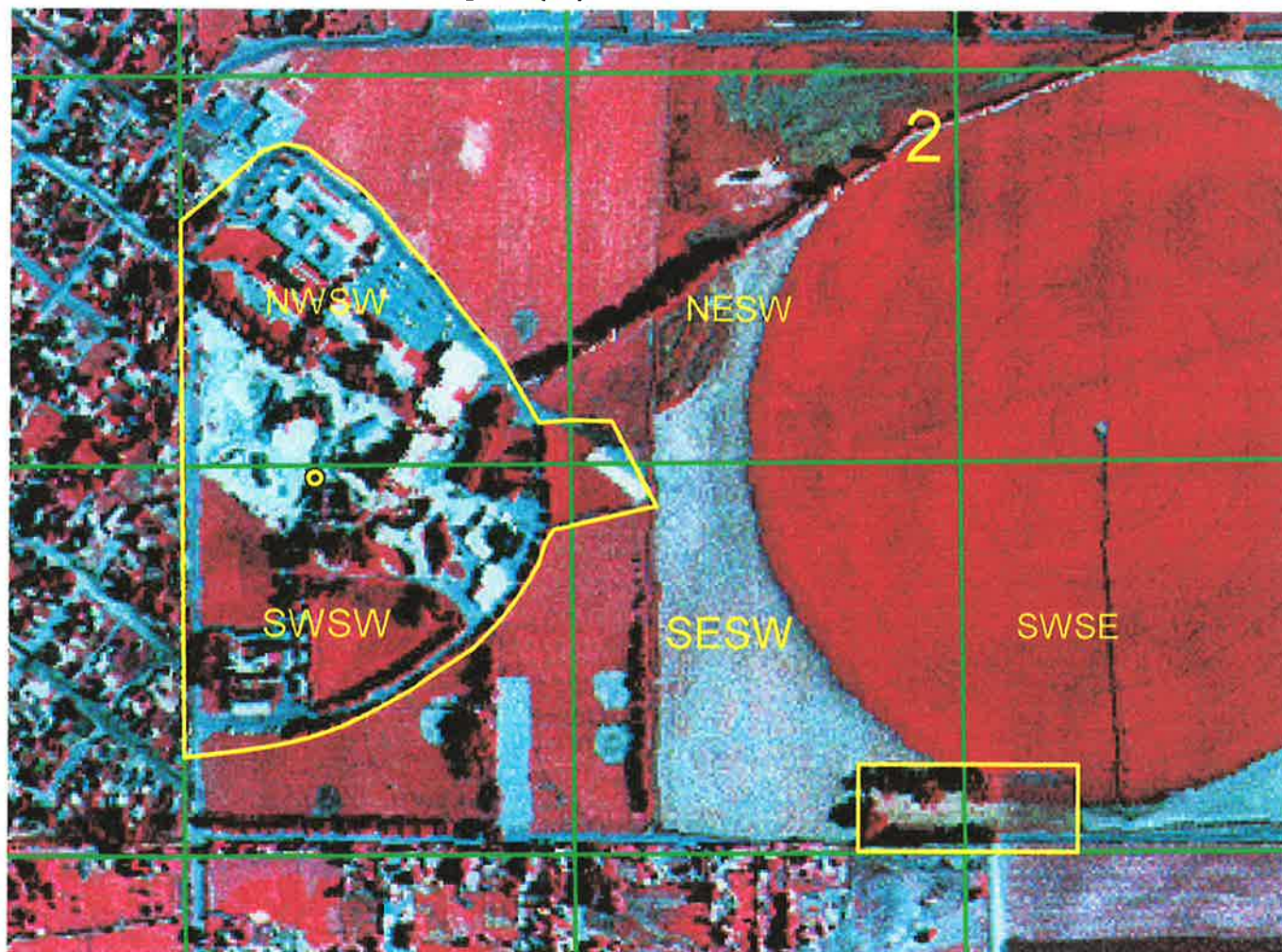
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-11188 & 27-11987



400 0 400 800 Feet

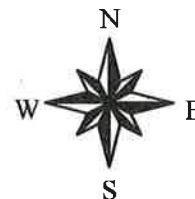
IRRIGATED ACRES: 28

LEGEND

- ⊙ Point of Diversion
- Place of Use
- Townships
- Sections
- Quarter-Quarters

Place of Use: T3S, R35E:
(part of) Sec. 2, NWSW,
NESW, SWSW, SESW, SWSE.

Point(s) of Diversion: T3S, R35E:
Sec. 2, NESWSW



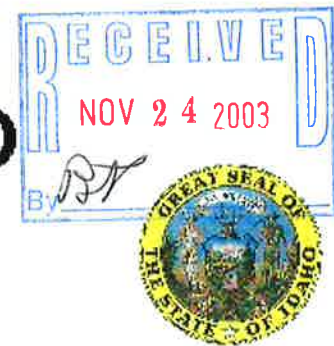
GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: February 2004



STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-11188



400 0 400 800 Feet

DRAFT COPY

LEGEND

- ⊙ Point of Diversion
- Place of Use
- Townships
- Sections
- Quarter-Quarters

Place of Use: T3S, R35E:
(part of) Sec. 2, NWSW,
NESW, SWSW, SESW.

Point(s) of Diversion: T3S, R35E:
Sec. 2, NESWSW



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: November 2003

Water Right Claim Number 27-11188
Township , 3S35E



400 0 400 800 Feet

ALL LANDSCAPED AREAS WITHIN AREA BOUND/LINES



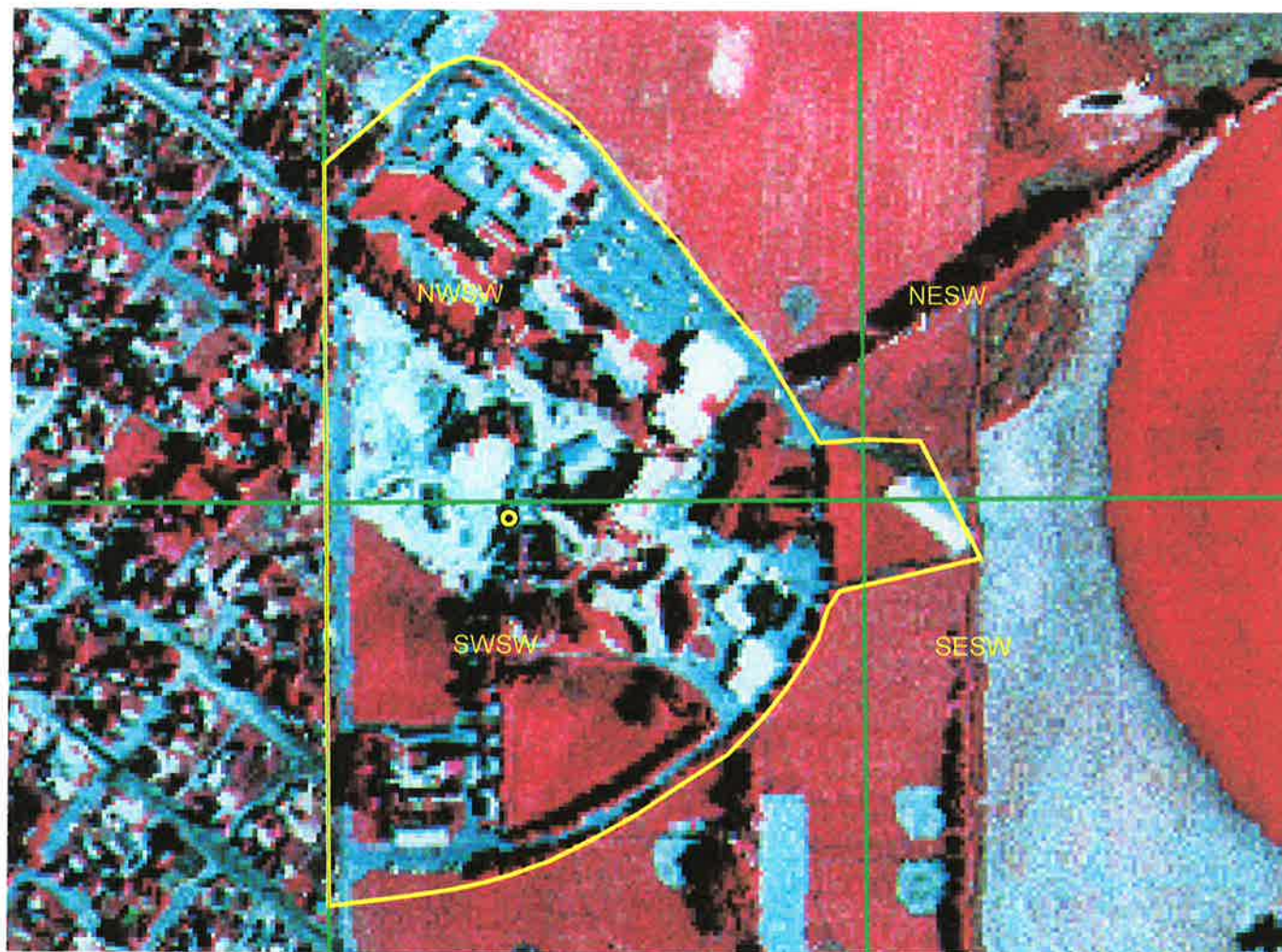
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-11188



400 0 400 800 Feet

DRAFT COPY

LEGEND

- Point of Diversion
- Place of Use
- Townships
- Sections
- Quarter-Quarters

Place of Use: T3S, R35E:
(part of) Sec. 2, NWSW,
NESW, SWSW, SESW.

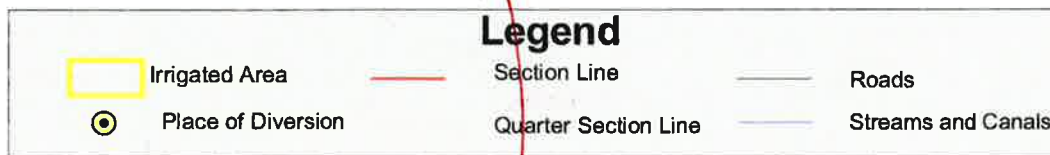
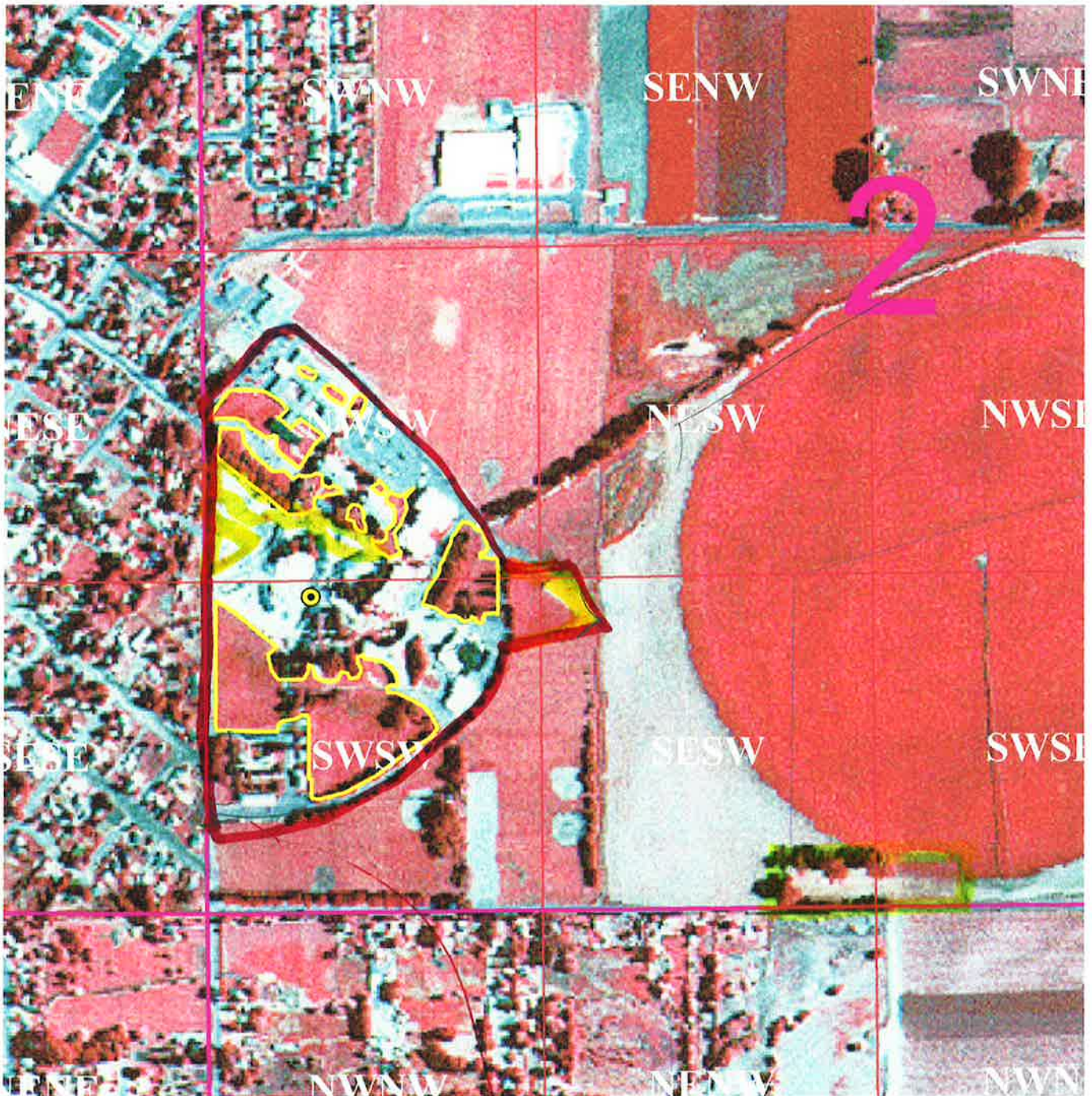
Point(s) of Diversion: T3S, R35E:
Sec. 2, NESWSW



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: November 2003

Water Right Claim Number 27-11188
Township , 3S35E

01/05/2001



400 0 400 800 Feet

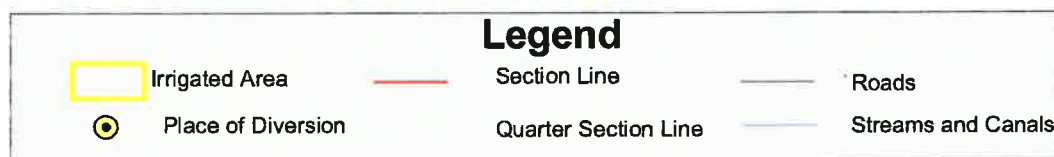
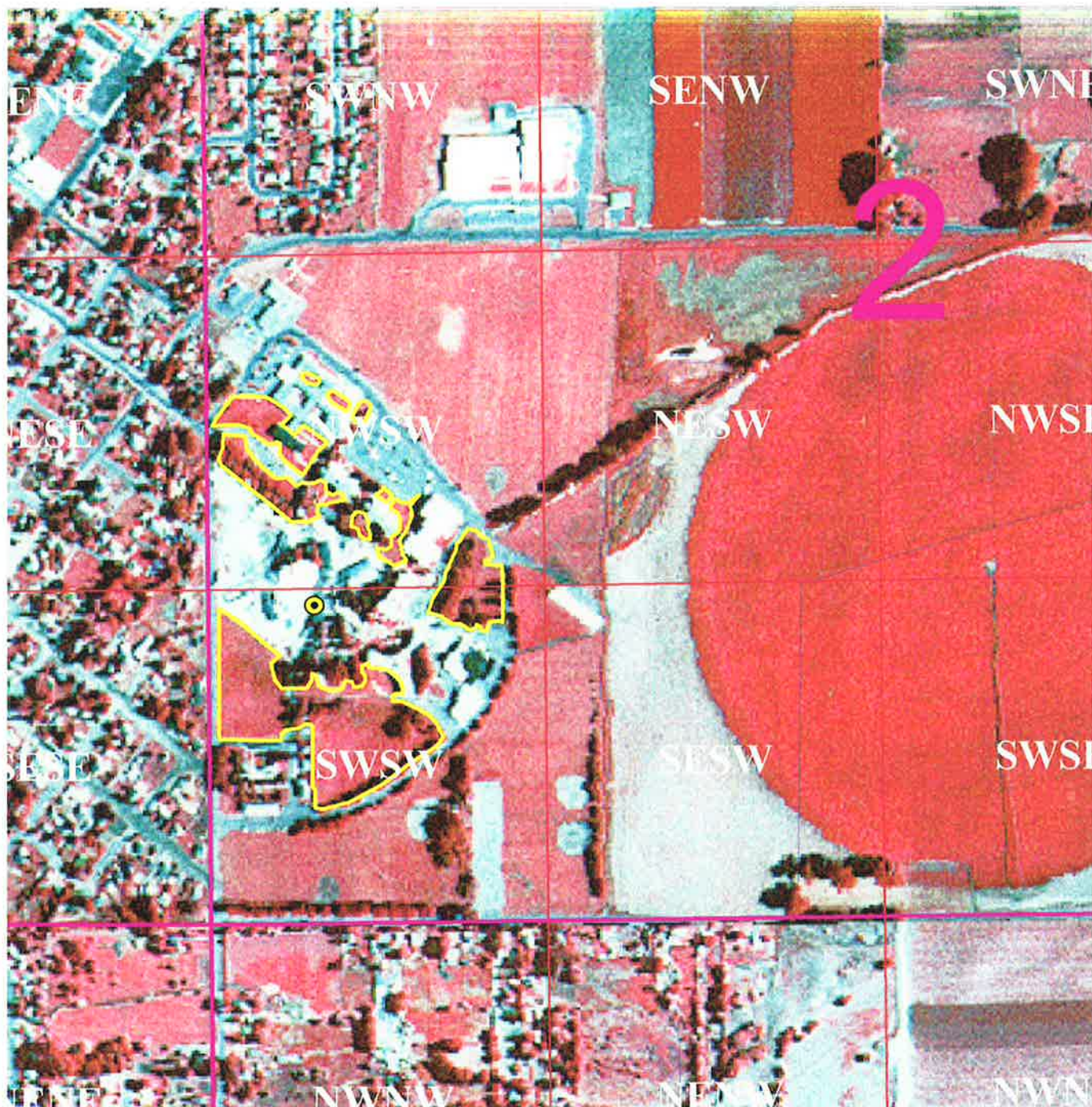


ALL LANDSCAPED AREAS
WITHIN AREA BOUND/LINES
BY RED LINE 11/20/02 (Physical
Plan)
W. Hansen Director

SPATIAL DYNAMICS

Water Right Claim Number 27-11188
Township , 3S35E

01/05/2001



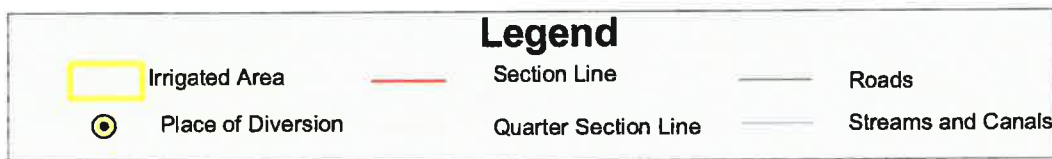
400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 27-11188
Township , 3S35E

01/05/2001



IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 27-11188

NAME AND ADDRESS:

STATE OF IDAHO
DEPT OF HEALTH & WELFARE
STATE HOSPITAL SOUTH
PO BOX 400
BLACKFOOT ID 83221

SOURCE:

Source:

Tributary:

GROUND WATER

QUANTITY:

0.340 CFS

~~0.060 CFS~~

12.000 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE:

07/18/1886

POINT OF DIVERSION:

T03S R35E S2 NESWSW
Within BINGHAM County

**PURPOSE AND
PERIOD OF USE:**

Purpose of use	Period of use:	Quantity:
IRRIGATION	04/15 10/31	0.060 CFS 12.00 AFY
DOMESTIC	01/01 12/31	0.280 CFS

PLACE OF USE:

IRRIGATION within BINGHAM County
T03S R35E S02 NWSW 3.0
DOMESTIC within BINGHAM County
T03S R35E S02 NWSW
T03S R35E S02 SWSW

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

3 ACRES TOTAL

~~THIS RIGHT IS LIMITED TO THE IRRIGATION OF 3 ACRES WITHIN THE PLACE OF
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.~~

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Corbett Slough Ditch Company water is also used on the above discribed POU for irrigation.

RIGHT NO. 27-11987 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

~~RIGHT NO. 27 11987 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.~~

~~Corbett Slough Ditch Company water is also used on the above discribed POU for irrigation.~~

COPY

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

Case No. 39576

A. Subcase Number: 27-11188

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho, Department of Health and Welfare,
State Hospital South
Address: P. O. Box 400
Blackfoot, Idaho 83221
Daytime Phone: (208) 785-1200

Name and Address of Attorney, if any:

Attorney Name: LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER (ISB # 2597)
Deputy Attorney General
Attorney Address: Office of the Attorney General
700 W. Jefferson, Room 210
P.O. Box 44449
Boise, ID 83711-4449
Attorney Phone No. (208) 334-2400

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: State of Idaho
Dept of Health & Welfare
State Hospital South
Address: P. O. Box 400
Blackfoot, ID 83332

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: Attachment I describes the correct quantity
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Points of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: Not applicable.
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The present recommendation is internally inconsistent. The description of the Purpose and Period of Use includes 0.28 cfs for year round domestic use. The quantity term omits this amount for domestic use.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

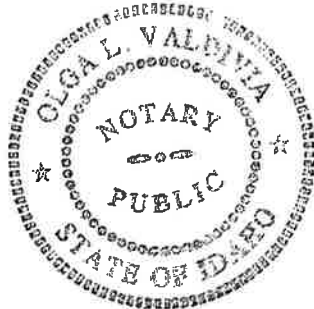
DAVID J. BARBER, Deputy Attorney General, duly sworn, upon oath, deposes and says:

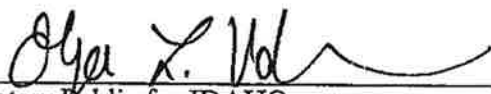
That the State of Idaho, Department of Health & Welfare, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Health and Welfare, which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on: March 8, 2006
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/8/12

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on March 8, 2006, I caused the original and the copies of this objection, including all attachments, to be served on the following persons by the method designated:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

HAND DELIVERED

2. One copy to the owner of the water right at the following address:

State of Idaho,
Department of Health and Welfare
State Hospital South
P.O. Box 400
Blackfoot, ID 83221

U.S. MAIL

ATTENTION: DENNIS LARSEN

3. Copies to:

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

STATEHOUSE MAIL

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

U.S. MAIL

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

(not applicable)



Signature of Objector or attorney
Mailing on Objector's behalf

ATTACHMENT I

QUANTITY: 0.34 CFS
12 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa at the field headgate for irrigation of the land above.

02/05/2004

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:

Water right number: 27-11188

STATE OF IDAHO
DEPT OF HEALTH & WELFARE
STATE HOSPITAL SOUTH
PO BOX 400
BLACKFOOT ID 83221
Telephone Number: (208) 785-1200

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:

Minor adjustment to point of diversion as noted on attached map.

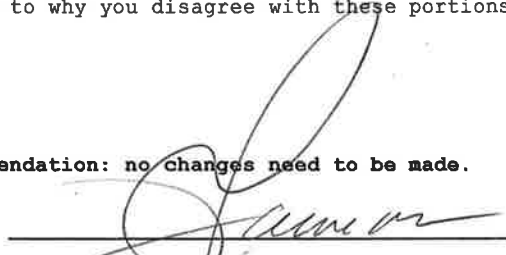
3. Give a brief explanation as to why you disagree with these portions:

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

DATE:

6/22/05

SIGNATURE:



Please print your name: Tracy J Farnsworth, FACHE

Administrative Director

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

RECEIVED

JUL 11 2005

Department of Water Resources
Eastern Region

6/22/05

Christiansen, Sonja

From: Bird, Cindy
Sent: Tuesday, May 30, 2006 10:31 AM
To: Christiansen, Sonja
Subject: FW: File for the court

Sonja,
FYI,
Cindy

-----Original Message-----

From: Crabtree, Jennifer
Sent: Tuesday, May 30, 2006 9:52 AM
To: Bird, Cindy
Subject: RE: File for the court

I guess my question was whether Sonja could do this for me. Just send the original notice of claim to the court. You might put a note that says it is for objection review. thanks again. Jen

-----Original Message-----

From: Bird, Cindy
Sent: Tuesday, May 30, 2006 9:46 AM
To: Crabtree, Jennifer
Cc: Christiansen, Sonja
Subject: RE: File for the court

good morning Jen,

Hope you had a nice weekend. Yes, I can have Sonja make a copy of the Notice of claim. What I was wondering is why you have a question mark after the court? Is there a question on whether the original Notice of Claim should go to the court or is the question if Sonja can make a copy for the file? Do we need to send them any other documents or just the original Notice of Claim and does it need to be sent certified mail?

Thanks,
Cindy

-----Original Message-----

From: Crabtree, Jennifer
Sent: Tuesday, May 30, 2006 9:37 AM
To: Bird, Cindy
Subject: File for the court

Good morning! It appears you have 27-11188 which was objected to. Could you please have Sonja make a copy of the original claim for the file, and then send the original claim with original signatures to the court? We are sending all the rest (over 500) tomorrow to the court. Thanks much. Jen (their address is SRBA, p.O. box 2707, Twin Falls id 83303-2707.

Sent Original to:

SRBA
PO Box 2707
Twin falls on 5/29/06
Idaho 83303

INTER-DEPARTMENT MEMO

TO: file

SUBJECT: New Claim

FROM: Cindy

DATE: 12/5/03

This claim is being recommended for 3 acres & domestic. Use the complete form approx 25 acres for both claims.

☒ For your information

CB
signature

☐ Response required

INTER-DEPARTMENT MEMO

TO: Barbara

SUBJECT: New Claim

FROM: Cindy

DATE: 12/23/03

Please check with I.F. to see if a new claim has been filed. If no claim has been filed and make sure that we haven't received a new claim from I.F. Then call Dennis Larsen and see if the new claim has been filed.

/ New claim received 1/30/04 CB

☒ For your information

CB
signature

INTER-DEPARTMENT MEMO

TO: Barbara

SUBJECT: layout

FROM: Cindy

DATE: 1/30/04

Please create a layout for this right and
27-11987. for a total of 25 acres. This file contains
the map with the irrigated acres outlined

Once the layout is complete, it's
ready for CCVR.

() For your information

() Response required

CB
signature

December 5, 2003

Dennis Larsen
700 East Alice
P.O. Box 400
Blackfoot, Idaho 83221

Ref: 27-11188

COPY

Subject: Additional 22 acres of irrigation.

Dear Mr. Larsen;

I've been reviewing the information you sent to me before Thanksgiving. I feel that the evidence you submitted would support an irrigation claim for the 22 acres with a 4/1/1899 priority date. I don't feel that the priority date of July 18, 1886 under 27-11188 supports that much irrigation but the later date does. The documents support the domestic and irrigation of 3 acres with the 1886 date and the 22 acres needs a new claim filed with the later priority date. I've included a notice of claim for your convenience to file. The fee would be a flat \$50.00 filing fee and \$1.00 per acre of 19 acres or a total of \$69.00. It's only 19 acres because the other three acres was paid for under 27-11188.

Please fill out and return the enclosed form to our Idaho Falls office at 900 N. Skyline Dr., suite A, Idaho Falls, 83402-1718 as soon as possible so your claims can be processed. If you have any additional questions please feel free to contact me at the office, 547-3993. Happy Holidays.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosed: Notice of Claim form
42-1409 (2) a 1/88

Notes

10/21/03. See spatial Map signed by D Larsen 11/20/03 for Pol. Canal Shares are also used on this land. Include the area for Domestic & irrigation but will be limited to the irrigation of 6 acres from the G.W. source.

11/7/03 Requested additional information from Dennis Larsen on the irrigation system and the irrigated acres.

Larsend@idhw.state.id.us

12/5/03 Evidence submitted by the hospital would support the hospital and 3 acres of irrigation with a July 18, 1886 priority. The additional 22 acres could be recommended with 4/1/1888 4/1/1899 priority from the attached claim.

1:45pm left a message for Dick Larsen to call me about filling and additional claim for the 22 acres.

1/30/04 Received new claim (27-11987) from F.F. on the additional 22 acres.

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Individual	John Doe	123 Main St	Springfield	IL	62761	(217) 555-1234
Individual	Jane Smith	456 Oak Ave	Chicago	IL	60601	(312) 555-5678
Individual	Robert Johnson	789 Pine Rd	Peoria	IL	61601	(309) 555-9012
Individual	Emily White	101 Elm St	Rockford	IL	61101	(815) 555-3456
Individual	Michael Brown	202 Maple Dr	Decatur	IL	62521	(312) 555-7890
Individual	Sarah Green	303 Birch Ln	Normal	IL	61761	(309) 555-2345
Individual	David Lee	404 Cedar Ct	Urbana	IL	61801	(309) 555-6789
Individual	Lisa Hall	505 Spruce Way	Champaign	IL	61821	(309) 555-0123
Individual	James King	606 Willow St	Carle Place	IL	60131	(815) 555-4567
Individual	Amanda Clark	707 Ash Ave	Normal	IL	61761	(309) 555-8901
Individual	Christopher Evans	808 Hickory Rd	Urbana	IL	61801	(309) 555-2345
Individual	Nicole Adams	909 Walnut Dr	Champaign	IL	61821	(309) 555-6789
Individual	Kevin Baker	1010 Cherry Ln	Carle Place	IL	60131	(815) 555-0123
Individual	Michelle Carter	1111 Peach St	Normal	IL	61761	(309) 555-4567
Individual	Andrew Miller	1212 Plum Ave	Urbana	IL	61801	(309) 555-8901
Individual	Stephanie Wilson	1313 Apple Rd	Champaign	IL	61821	(309) 555-2345
Individual	Gregory Moore	1414 Orange Dr	Carle Place	IL	60131	(815) 555-6789
Individual	Heather Taylor	1515 Lemon Way	Normal	IL	61761	(309) 555-0123
Individual	Timothy Anderson	1616 Lime Ct	Urbana	IL	61801	(309) 555-4567
Individual	Kimberly Thomas	1717 Grape St	Champaign	IL	61821	(309) 555-8901
Individual	Jonathan Jackson	1818 Pear Ave	Carle Place	IL	60131	(815) 555-2345
Individual	Christina Harris	1919 Fig Rd	Normal	IL	61761	(309) 555-6789
Individual	Benjamin Martin	2020 Date Ln	Urbana	IL	61801	(309) 555-0123
Individual	Rebecca Scott	2121 Coffee St	Champaign	IL	61821	(309) 555-4567
Individual	Christopher Green	2222 Tea Dr	Carle Place	IL	60131	(815) 555-8901
Individual	Angela King	2323 Herb Ave	Normal	IL	61761	(309) 555-2345
Individual	Matthew Lee	2424 Spice Rd	Urbana	IL	61801	(309) 555-6789
Individual	Olivia Hall	2525 Sugar Way	Champaign	IL	61821	(309) 555-0123
Individual	Isaac Clark	2626 Honey Ct	Carle Place	IL	60131	(815) 555-4567
Individual	Grace Miller	2727 Butter St	Normal	IL	61761	(309) 555-8901
Individual	Samuel Wilson	2828 Oil Dr	Urbana	IL	61801	(309) 555-2345
Individual	Chloe Moore	2929 Maple Ln	Champaign	IL	61821	(309) 555-6789
Individual	Youssef El-Agnaf	3030 Cedar St	Champaign	IL	61821	(309) 555-0123
Individual	Youssef El-Agnaf	3131 Oak Ave	Urbana	IL	61801	(309) 555-4567
Individual	Youssef El-Agnaf	3232 Pine Rd	Champaign	IL	61821	(309) 555-8901
Individual	Youssef El-Agnaf	3333 Elm Dr	Urbana	IL	61801	(309) 555-2345
Individual	Youssef El-Agnaf	3434 Maple Way	Champaign	IL	61821	(309) 555-6789
Individual	Youssef El-Agnaf	3535 Birch Ct	Urbana	IL	61801	(309) 555-0123
Individual	Youssef El-Agnaf	3636 Spruce St	Champaign	IL	61821	(309) 555-4567
Individual	Youssef El-Agnaf	3737 Cedar Ave	Urbana	IL	61801	(309) 555-8901
Individual	Youssef El-Agnaf	3838 Elm Rd	Champaign	IL	61821	(309) 555-2345
Individual	Youssef El-Agnaf	3939 Maple Dr	Urbana	IL	61801	(309) 555-6789
Individual	Youssef El-Agnaf	4040 Birch Way	Champaign	IL	61821	(309) 555-0123
Individual	Youssef El-Agnaf	4141 Spruce Ct	Urbana	IL	61801	(309) 555-4567
Individual	Youssef El-Agnaf	4242 Cedar St	Champaign	IL	61821	(309) 555-8901
Individual	Youssef El-Agnaf	4343 Elm Ave	Urbana	IL	61801	(309) 555-2345
Individual	Youssef El-Agnaf	4444 Maple Rd	Champaign	IL	61821	(309) 555-6789
Individual	Youssef El-Agnaf	4545 Birch Dr	Urbana	IL	61801	(309) 555-0123
Individual	Youssef El-Agnaf	4646 Spruce Way	Champaign	IL	61821	(309) 555-4567
Individual	Youssef El-Agnaf	4747 Cedar Ct	Urbana			

Current Owner See claim

Name connector: and ____, or ____, and/or ____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

Reviewer: CS

Date: 10/21/03.

Priority Date Data Entry FormClaim Number: A27-11188

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

History of Idaho State Hospital South
Blackfoot ID.by Bertha Larson.
The University of ChicagoReviewer: CBDate: 10/21/03

Priority Date

Claim No. _____

1. Should this water use have been included in a later court decree of the water rights from this source? Yes () No (X)
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes () No ()
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes () No ()
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes () No (X)
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes () No ()
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes () No ()
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes () No (X)
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes () No (X)
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes () No (X)
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes () No ()
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit. Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes () No ()
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes (X) No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes () No ()
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes (X) No ()
If Yes, go to 16
If No, Enter the appropriate basis of claim. B.U.
16. Is a Priority Date remark and/or condition required? Yes () No (X)
If Yes, Enter the appropriate basis of claim. Priority Date review is complete
If No, Priority Date review is complete.

Point of Diversion and Source Data Entry FormClaim Number: A27-11188

Water Right Point of Diversion: T____, R____, Sec. _____, _____, _____, _____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T____, R____, Sec. _____, _____, _____, _____. County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T____, R____, Sec. _____, _____, _____, _____. County: _____

Source: _____ Tributary: _____

☒

Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? No

Document how the POD and Source were verified and/or Pump and Motor data:

IntrepidTransfers Changing POD noReviewer: CBDate: 10/21/03

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes ☐ No ☒

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes ☐ No ☒

3. Has the License been issued?

If Yes, go to 5

If No, recommend the POD as shown on the Permit. Go to 10

Yes ☐ No ☐

4. Does the parent right have a POD?

If Yes, go to 5

If No, go to 6

Yes ☐ No ☐

5. Can the claimed POD be verified using the water right file?

If Yes, recommend the POD as shown in the water right file. Go to 10

If No, go to 6

Yes ☐ No ☐

6. Is there evidence that there has been a change in the POD?

If Yes, go to 7

If No, go to 9

Yes ☐ No ☒

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C03, go to 9

If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

Yes ☐ No ☐

8. Was a transfer filed?

If Yes, recommend the POD as shown on the approved transfer. Go to 10

If No, go to 9

Yes ☐ No ☐

9. Does the file contain all of the necessary information to verify the POD?

If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10

If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10

Yes ☒ No ☐

10. Is a POD remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POD review is complete

If No, POD review is complete.

Yes ☐ No ☒

Source

Claim No. 27 - 11188

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes () No (X)
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes () No (X)
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Source as shown on the Permit. Go to 11
Yes () No ()
4. Does the parent right have a Source?
If Yes, go to 5
If No, go to 7
Yes () No ()
5. Can the claimed Source be verified using the water right file?
If Yes, recommend the Source as shown in the water right file. Go to 11
If No, go to 7
Yes () No ()
6. Is the basis of claim a Posted Notice?
If Yes, consult the attorney assigned to the basin. Go to 7
If No, go to 7
Yes () No (X)
7. Is there evidence that there has been a change in the Source?
If Yes, go to 8
If No, go to 10
Yes (X) No ()
12/5/03
CB
8. Can the change be verified as an accomplished transfer?
If Yes, add condition C02, go to 10
If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9
Yes () No ()
9. Did the claimant file a transfer?
If Yes, recommend the Source as shown in the transfer. Go to 11
If No, go to 10
Yes () No ()
10. Does the file contain all of the necessary information to verify the Source?
If Yes, recommend the Source as it existed on 11-19-1987. Go to 11
If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11
Yes (X) No ()
11. Is a Source remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Source review is complete.
If No, Source review is complete.
Yes () No (X)

Source

Purpose of Use Data Entry Form

Claim Number: A27-11188☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Domestic				
Irrigation			3	

Document how the Purpose of Use was verified:

Historical documents

Transfers Changing Purpose of Use noReviewer: CBDate: 10/21/03

Purpose of Use

Claim No. 27-11188

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes () No (X)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes () No (X)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13

Yes () No ()

4. Does the parent right have a Purpose of Use?

If Yes, go to 5

If No, go to 6

Yes () No ()

5. Can the claimed Purpose of Use be verified using the water right file?

If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13

If No, go to 6

Yes () No ()

6. Is there evidence that there has been a change in the Purpose of Use?

If Yes, go to 7

If No, go to 11

Yes () No (X)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C04, go to 11

If No, go to 8

Yes () No ()

8. Does the change include an enlargement of the Purpose of Use?

If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9

If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12

Yes () No ()

9. Was an enlargement claim filed?

If Yes, go to 11

If No, Notify claimant that an enlargement claim is necessary. Go to 10

Yes () No ()

10. Did the claimant file an enlargement claim?

If Yes, go to 11

If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

11. Does the file contain all of the necessary information to verify the Water Use?

If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes (X) No ()

12. Did the claimant file a transfer?

If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13

If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes () No ()

13. Is a Purpose of Use remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.

If No, purpose of Use review is complete.

Yes () No (X)

Purpose of Use

Place Of Use Data Entry Form

Claim Number: A27-11188 Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
3S	35E	2	NWSW		Bingham		3	irrigation
			NWSW		Bingham		-	domestic
			SWSW		Bingham		-	domestic

Total Acres 3

Document how the POU was verified:

(see spatial map adjusted by Dennis
 Jansen 11/20/02

Needs a new claim, 12/5/03 sent a letter
 to claimants requesting a new claim.

1/30/04 received new claim 27-11987

Transfers Changing POU noReviewer: CBDate: 11/20/03

Place of Use

Claim No. _____

1. Is the basis of claim a Decree or License?

If Yes, go to 2a
If No, go to 2b

Yes () No (X)

2a. Is a POU required?

If Yes, go to 5
If No, go to 14

Yes () No ()

2b. Is a POU required?

If Yes, go to 3
If No, go to 14

Yes (X) No ()

3. Is the basis of claim a Permit or Application?

If Yes, go to 4
If No, go to 7

Yes () No (X)

4. Has the License been issued?

If Yes, go to 6
If No, recommend the POU as shown on the Permit. Go to 14

Yes () No ()

5. Does the parent right have a POU?

If Yes, go to 6
If No, go to 7

Yes () No ()

6. Can the claimed POU be verified using the water right file?

If Yes, recommend the POU as shown in the water right file. Go to 14
If No, go to 7

Yes () No ()

7. Is there evidence that there has been a change in the POU?

If Yes, go to 8
If No, go to 13

Yes () No (X)

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C05, go to 13
If No, go to 9

Yes () No ()

9. Does the change include an enlargement of the POU?

If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10
If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12

Yes () No ()

10. Was an enlargement claim filed?

If Yes, go to 13
If No, notify claimant that an enlargement claim is necessary. Go to 11

Yes () No ()

11. Did the claimant file an enlargement claim?

If Yes, go to 13
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

12. Was a transfer filed?

If Yes, recommend the POU as shown on the approved transfer. Go to 14
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

13. Does the file contain all of the necessary information to verify the POU?

If Yes, go to 14
If No, collect the necessary information. Conduct field exam if necessary. Go to 14

Yes (X) No ()

14. Is a POU remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POU review is complete.
If No, POU review is complete.

Yes (X) No ()

Place of Use

Period of Use and Quantity Data Entry Form

Claim Number: A22-11188☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	10/31	0.12	21.12
Domestic	1/1	12/31	0.28	

Overall Diversion Rate 0.40 0.34 Overall Diversion Volume 12.0

Document how the Period of Use and/or Diversion Rate were verified:

Intrepid Engineering

Reviewer: CBDate: 10/21/03

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes () No (☒)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes () No (☒)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the Period of Use as shown on the Permit. Go to 18

Yes () No ()

4. Does the parent right have a Period of Use?

If Yes, go to 5

If No, go to 6

Yes () No ()

5. Can the claimed Period of Use be verified using the water right file?

If Yes, go to 14

If No, go to 6

Yes () No ()

6. Is there evidence that there has been a change in the Period of Use?

If Yes, go to 7

If No, go to 12

Yes () No (☒)

7. Does the change include an enlargement in the Period of Use?

If Yes, go to 9

If No, go to 8

Yes () No ()

8. Can the change be recommended as an accomplished transfer?

If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12

If No, notify claimant that a transfer is necessary. Go to 11

Yes () No ()

9. Was an enlargement claim filed?

If Yes, go to 12

If No, notify claimant that an enlargement claim is necessary. Go to 10

Yes () No ()

10. Did the claimant file an enlargement claim?

If Yes, go to 12

If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12

Yes () No ()

11. Was a transfer filed?

If Yes, go to 14

If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12

Yes () No ()

12. Does the file contain all of the necessary information to verify the Period of Use?

If Yes, go to 13

If No, collect the necessary information. Conduct field exam if necessary. Go to 13

Yes (☒) No ()

13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined?

If Yes, go to 14

If No, go to 15

Yes () No (☒)

14. Is irrigation claimed as a purpose of use?

If Yes, go to 16

If No, recommend the Period of Use of the parent right. Go to 18

Yes () No ()

15. Is irrigation claimed as a purpose of use?

If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18

If No, the Period of Use is usually recommended as claimed. Go to 18

Yes (☒) No ()

16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?

If Yes, go to 17

If No, recommend the Period of Use of the parent right. Go to 18

Yes () No ()

17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use?

If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18

If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18

Yes () No ()

18. Is a Period of Use remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.

Yes () No (☒)

Period of Use

Quantity

Claim No. _____

1. Is the basis of claim a Decree or License?

Yes () No (X)

If Yes, go to 4
If No, go to 2

2. Is the basis of claim a Permit or Application?

Yes () No (X)

If Yes, go to 3
If No, go to 6

3. Has the License been issued?

Yes () No ()

If Yes, go to 5
If No, recommend the Quantity shown on the Permit. Go to 11

4. Does the parent right have a diversion rate and/or volume?

Yes () No ()

If Yes, go to 5
If No, go to 7

5. Can the claimed diversion rate and/or volume be verified using the water right file?

Yes () No ()

If Yes, go to 8
If No, go to 7

6. Is the basis of claim a posted notice?

Yes () No (X)

If Yes, consult the attorney assigned to the Basin. Go to 7
If No, go to 7

7. Is a flow measurement required?

Yes () No (X)

If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9
If No, describe why a flow measurement is not required. Go to 9

8. Does the parent right have an annual diversion volume limit?

Yes () No ()

If Yes, go to 10
If No, go to 9

9. Is the source Ground Water and does the purpose of use require a diversion volume limit?

Yes (X) No ()

If Yes, go to 10
If No, go to 11

10. Is irrigation a purpose of use?

Yes (X) No ()

If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

11. Has a diversion volume limit for this water use been established by a decree, license or transfer?

Yes () No ()

If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, go to 12

12. Is a Quantity remark and/or condition required?

Yes (X) No ()

If Yes, enter the appropriate remark and/or condition. Quantity review is complete.
If No, quantity review is complete.

Quantity

Claim No. 27-11188

Summary

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?
If Yes, go to 2
If No, go to 3
Yes ☐ No ☒
2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4
If No, status will be set as Active. Go to 5
Yes ☐ No ☐
3. Is the water being used for all of the purposes claimed and to the extent claimed?
If Yes, status will be set as Active. Go to 5
If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4
Yes ☒ No ☐
4. Is any portion of the claim being recommended?
If Yes, status will be set as Active. Go to 5
If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5
Yes ☐ No ☐
5. Is an additional remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Go to 6
If No, go to 6
Yes ☒ No ☐
6. Would you like to view the recommended right?
If Yes, go to 7
If No, the review is incomplete. The recommendation must be viewed to complete the review.
Yes ☒ No ☐
7. Is this a "split" or "combined" right?
If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 8
If No, go to 8
Yes ☐ No ☒
8. Do you have documents you would like to attach or link to the file?
If Yes, go to PowerDOCS and profile the documents. Go to 9
If No, go to 9
Yes ☐ No ☒
9. Would you like to set the verification date?
If Yes, the review is complete.
If No, the review is incomplete. The recommendation must be verified to complete the review.
Yes ☒ No ☐

Summary

Summary Data Entry Form

Claim No.: _____

Remarks and Conditions (Include Type, Category and Code if applicable):

C18

K06

Pou-I

Remark

(~~4~~³ Acres)

R64

Qty cond.

Exp Rem. Collett Slough Ditch Company water
is also used on the above described prn
for irrigation.

F05

Exp Remark

27-11987.

Split or Combined Right Analysis:

none

Attached Field Notes or Other Documents:

no

Claim No.:

27-11188

Reviewer

CB

Date

10/21/03.



IDAHO DEPARTMENT OF HEALTH & WELFARE

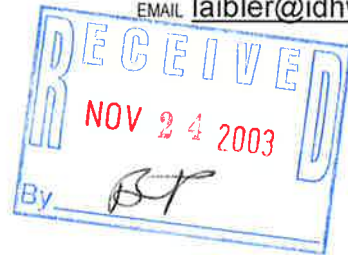
DIRK KEMPTHORNE – Governor
KARL B. KURTZ – Director

RAYMOND J. LAIBLE – Administrative Director
STATE HOSPITAL SOUTH
700 East Alice Street
P.O. Box 400
Blackfoot, Idaho 83221-0400
PHONE 208-785-1200
FAX 208-785-8448

EMAIL laibler@idhw.state.id.us

November 21, 2003

Cindy E. Bird
Adjudication Bureau
Department of Water Resources
15 West Center Street
Soda Springs, ID 83276



RE: Claim 27-11188 – Irrigated Place of Use

Dear Ms. Bird:

In response to the questions in your letter of May 9, 2003, I offer the following information:

- We have estimated that the landscaped acreage maintained and irrigated by the Hospital is 22 acres. This figure includes an approximate five (5) acre cemetery which is noted on an attached copy of the aerial photograph you enclosed with your letter. Additionally, the Hospital provides irrigation water for approximately 2.5 to 3 acres of Hospital land (SW corner of attached Site Plan) currently being leased by the City of Blackfoot.
- Since the completion of the connection of the water distribution system of the City of Blackfoot to the water distribution system of the Hospital on December 6, 2000, all potable water for the Hospital has been supplied by the City of Blackfoot.
- The well (27-11188) is located in the northeast section of the Maintenance Shop, Building No. 9 on the attached Site Plan of State Hospital South. The current disaster and business continuity planning protocols of the Hospital provide for the use of potable water from this well during disasters or emergencies.
- On the attached copy of the aerial photograph you provided by email, the approximately 1.5 acres of landscaped area(s) outlined in blue can currently only be irrigated using water supplied to the Hospital by the City of Blackfoot. These same areas are outlined in red on the attached Site Plan.
- We have been estimating that the area(s) outlined in green on the copy of the aerial photograph (green on the attached Site Plan) contain approximately 18 acres that can be irrigated using either water from the Corbett Slough Ditch Company conveyed through the Grove City Ditch or ground source water from the well (27-11188) located in the Maintenance Shop. The approximately five (5) acre cemetery can also be irrigated from either of these two water sources.

- The Hospital has used ground source water from the well (27-11188) for irrigation purposes on the Campus since at least May 24, 1972. At that time, the Hospital entered into an agreement with the Grove City Ditch Company to construct a buried pipe line to convey ditch water across the Campus. A copy of this agreement is herewith attached. To accommodate this agreement, the Hospital abandoned flood irrigation of landscaped areas on the Campus and constructed an agriculture type irrigation system comprised of a pumping station, Irrigation Pump House, Building No. 6 on the Site Plan; buried main line; and hand-move agriculture type sprinkler lines to irrigate the larger landscaped areas. Smaller landscaped areas and landscaped areas adjacent to buildings or parking lots were connected to a variety of small water irrigation systems and/or were irrigated by hoses being supplied water from individual buildings whose water source was the well (27-11188). To the best of my knowledge these areas were thought to be, and were reported for water claim purposes, as being approximately six (6) acres.

It has only been since summer of 2001 that the Hospital has had the capability to use the well (27-11188) as a source for irrigation water for the aforementioned larger landscaped areas and the cemetery.

- Use of the pumping station on the Grove City Ditch is the most economical method of supplying irrigation water for the landscaped areas on the Campus. The Maintenance Staff of the Hospital have been directed to use surface source water from the Ditch to the maximum extent possible for irrigation of the landscaped areas. The use of the well (27-11188) for irrigation purposes has only been permissible when water flow in the Grove City Ditch has been curtailed or fluctuating to the degree that reliable and safe pump operation has not been possible; and the need for irrigation water has been undisputable.

Since we are very much interested in maintaining or creating the capacity to irrigate the lands enclosed by the green and red lines on the Site Plan, as well as the approximately five (5) acre cemetery, using the well (27-11188), we would welcome the opportunity to provide, at your convenience, any additional information needed, as well as, to receive any recommendations or directions you can provide.

In closing, please accept my apologies for my inattentiveness and/or omissions in not identifying and bringing to your attention incorrect and/or omissions in the information previously reported regarding the use of Claim 27-11188.

Sincerely,



Dennis Larsen

Physical Plant Director

Encl: Two (2) Annotated Copies of Aerial Photographs
Copy of 1972 Agreement Between State Hospital South and Grove City Ditch Company
Site Plan of State Hospital South

cc: Raymond J. Laible

D:\Data\Word\General Correspondence - M&O

STATE HOSPITAL SOUTH

BUILDINGS

1. REGION VI SERVICES COMPLEX
2. ADMINISTRATION BUILDING
3. "G" BUILDING
4. "F" BUILDING
5. UTILITY BUILDING
6. IRRIGATION PUMP HOUSE
7. EAST STORAGE DEPOT
8. "C" BUILDING
9. MAINTENANCE SHOP
10. LAUNDRY
11. COTTAGES
12. MENTAL HEALTH & ADULT SERVICES
13. MOUNTAIN VIEW
14. PSYCHIATRIC TREATMENT FACILITY
15. EMERGENCY GENERATOR, "C" BLDG.

MITCHELL ROAD

GROVE CITY DITCH

CHANDLER CIRCLE

EAST ALICE

PENDELBURY LANE

AN APPROX. 5 ACRE
CEMETERY ON
CROMWELL CAN BE
IRRIGATED FROM
EITHER GROUND OR
SURFACE SOURCES

LEGEND

== SIDEWALK

--- TUNNEL

■ STRUCTURE

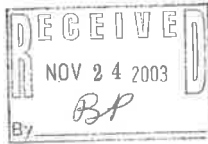
— AREA BOUND BY
GREEN LINE CAN BE
IRRIGATED FROM
EITHER GROUND OR
SURFACE SOURCES

— ARE BOUND BY RED
IS IRRIGATED BY CITY
OF BLACKFOOT WATER



CROMWELL LANE

— N —



AGREEMENT

Jas
BP *May* THIS AGREEMENT, made and entered into this 24th day of ~~April~~, 1972, by and between STATE HOSPITAL SOUTH, an institution of the State of Idaho, located at Blackfoot, Idaho, formerly Idaho Insane Asylum, hereinafter referred to as "First Party", and GROVE CITY DITCH COMPANY, LTD., a non-profit corporation, organized and existing under and by virtue of the laws of the State of Idaho, hereinafter referred to as "Second Party",
WITNESSETH:

WHEREAS, on the 25th day of April, 1923, the parties hereto, entered into an agreement whereby second party abandoned a certain canal located on lands of first party and agreed that first party should plow up and destroy said canal and the embankments thereof and convey water to which second party was entitled through a canal owned and constructed by first party across the lands of first party to a point of delivery described therein; and

WHEREAS, the parties hereto now desire to terminate said agreement and to make new provisions concerning the subject matter thereof; and

WHEREAS, first party now desires to construct a buried pipeline through which to convey the water to which second party is entitled and to plow up, cover and destroy the canal through which first party has delivered the water to which second party is entitled since the execution of the above described agreement; and

WHEREAS, second party desires to have the point at which its water is delivered by first party changed from its present location to a more convenient location;

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements herein contained, the parties hereto do hereby mutually terminate the above described agreement entered into by and between them on the 25th day of April, 1923, and do further hereby mutually agree as follows:

1. First party will construct, at its own proper cost and expense, a buried pipeline across its lands and underneath a road lying along the west side of said lands, known as Pendelberry Lane, to a point on the west side of Pendelberry Lane which shall be the new point of delivery for the delivery of water to which second party is entitled, together with the necessary accompanying structures, including a new diversion box at said point of delivery with three (3) outlets for a second party's three (3) existing lateral ditches, the confluence of which is at said point, a slide gate at the inlet opening of the buried pipeline, and baffles in front of all of the pump stations and headgates upstream from the inlet opening to the buried pipeline to the Corbett Slough Canal. The construction of said pipeline, diversion box, slide gate, baffles and necessary related items shall be in strict compliance with the engineering drawings prepared by L. H. Baliff Associates, Consulting Engineers, Pocatello, Idaho, a copy of which is attached hereto as Exhibit "A", and by this reference made a part hereof as though set forth at length herein, and the written "Technical Specifications", also prepared by L. H. Baliff Associates, Consulting Engineers, Pocatello, Idaho, a copy of which is attached hereto as Exhibit "B", and by this reference made a part hereof as though set forth at length herein. First

party will perpetually maintain at its own proper cost and expense the said buried pipeline to that point at which said buried pipeline departs from lands owned by the State of Idaho.

2. First party may plow up, destroy and cover the existing canal and the embankments thereof, and second party hereby relinquishes and abandons any and all right which it has to have its water delivered through said canal and to the present point of delivery and agrees to receive its water as provided through said buried pipeline at the new point of delivery.

3. The parties hereto hereby recognize that although second party has an entitlement by reason of its 133 shares of Corbett Slough Company stock of approximately 678 inches of water, it can use and has been using only approximately 250 inches of this entitlement. First party agrees to construct said pipeline so that the amount of water delivered to second party can be adjusted and agrees that until it is determined what amount can be consistently received by second party, adjustments will be made by first party in the amount delivered as requested by second party in amounts not to exceed 250 inches of water. (First party shall have complete and sole responsibility for the adjustment and control of the headgate at the Corbett Slough and all other control gates from Corbett Slough to the diversion box to be constructed at the new point of delivery. First party specifically agrees to deliver, and second party specifically agrees to accept at the new point of delivery the adjusted amount of water, which is agreed to be approximately 250 inches of water, but shall not exceed the carrying capacity of the pipe specified in Exhibits "A" and "B", continuously except for times of emergency or when said water must

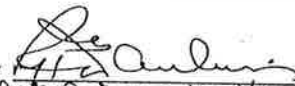
be shut off for prolonged periods of time of over five (5) days. In such times of emergency or when said water must be shut off for prolonged periods, second party will give first party as much advance notice as possible of the need to have the water shut off. First party will have available at all times during the irrigation season a responsible agent to make adjustments and control the water delivered to second party. Upon request by second party, first party will immediately make reasonable requested adjustments. Second party will not make adjustments at its point of delivery which will reduce the total amount of water it is receiving at any time without first requesting that first party make the appropriate upstream adjustment and allowing sufficient time so that any such adjustment will not cause flooding upstream.

4. It is specifically agreed that except for its agreement to construct the buried pipeline, diversion box and other necessary items including those mentioned in paragraph No. 1 above, to the new point of delivery according to the plans and specifications referred to above first party's obligation to maintain the same shall be limited to those portions of the buried pipeline located on property owned by the State of Idaho. First party's responsibility to deliver and regulate second party's water as provided in paragraph No. 3 shall extend to, but not beyond, the new point of delivery to second party's irrigation system. Second party is relying on its own knowledge and not on any representations of first party that its system will operate as it desires from the point of delivery. Second party agrees to perpetually maintain said buried pipeline, diversion box, and other necessary items including those mentioned in paragraph No. 1 above from the point at which said buried pipeline departs from property owned by the State of Idaho.

5. This agreement constitutes the entire agreement between the parties hereto and there are no other written or verbal agreements or representations not specifically contained herein. This agreement shall be binding upon the successors in interest or assigns of the parties hereto.

IN WITNESS WHEREOF, first party, by its duly authorized representative, and second party, by its President and Secretary, have executed this agreement the day and year first above written.

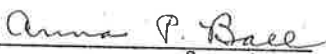
IDAHO STATE HOSPITAL SOUTH

By 
Act. Admin. S. Health
"FIRST PARTY"

GROVE CITY DITCH COMPANY, DTD.

By 
its President
"SECOND PARTY"

ATTEST:


Secretary

(seal)

A G R E E M E N T.

MEMORANDUM OF AGREEMENT, Made and entered into this 25th day of April, 1923, between Idaho Insane Asylum, a State Institution located at Blackfoot, Idaho, the party hereto of the first part, and Grove City Ditch Company, a corporation of the State of Idaho, the party hereto of the second part,

WITNESSETH: That, whereas, the parties hereto secure their waters for the irrigation of lands under their respective canals from the Corbett Slough Ditch Company, a corporation, and, whereas, the canals diverting such waters from the canal of the Corbett Slough Ditch Company canal are constructed through the lands of the State of Idaho, commonly called the Asylum Lands, and, whereas, the canal of the party of the second part runs through said premises in an inconvenient and wasteful manner, and as now located is a great injury to said lands, and, whereas, the said party of the first part has now constructed through its said premises for the irrigation of a considerable part of said lands a large canal now having a capacity sufficient to convey all of the waters of the first party used in irrigating the portion of the lands lying thereunder and in addition thereto all of the waters of the second party, represented by 133 shares of the capital stock of the Corbett Slough Ditch Company, and, whereas, said lateral or canal of the first party is constructed in the same general direction through said lands as the canal of the second party and has an elevation sufficient to furnish said second party with all of its waters,

NOW, THEREFORE, it is mutually agreed that the said party of the first part shall perpetually furnish to the second party through its said canal during irrigating seasons at a point about 400 feet south of the entrance to the Asylum grounds upon Idaho Street in Blackfoot, Idaho, the quantity of water to which

said second party is entitled in the Corbett Slough Ditch Company canal and delivered by said canal company for the second party at its point of diversion, and in consideration thereof, the said party of the second part agrees to perpetually abandon the use of its said canal through the premises of the party of the first part and permit the said first party plow up and destroy the said canal and the embankments thereof, and the second party agrees to construct and perpetually maintain at its own expense a concrete headgate and diverting works for the diversion from said canal of the first party at the point aforesaid of all of its waters, the said first party to perpetually maintain said canal in condition for conveying the waters of the second party in addition to such waters as may be diverted by the said first party therefrom.

IN WITNESS WHEREOF, the said first party, by Edward Thoreson, a member of the Board of Directors of the Idaho Insane Asylum, by said Board of Directors duly authorized to execute this agreement, has executed this contract in duplicate, and the said party of the second part has caused these presents to be signed in duplicate by its President and Secretary, the day and year first above written.

IDAHO INSANE ASYLUM,

By Edward Thoreson

A member of its

Board of Directors.

GROVE CITY DITCH COMPANY,

By L. M. Coffey

President.

Attest:

John D. McIntosh
Secretary.

INCORPORATED UNDER THE LAWS OF IDAHO

Nº 68

Shares 5



Grove City Ditch Co.

AUTHORIZED CAPITAL SHARES 1330. NO PAR VALUE

This is to certify that State of Idaho
is the owner of 5 shares of the capital stock of
GROVE CITY DITCH CO.

Transferrable only upon the books of the corporation by the holder in person or by attorney upon surrender of this certificate properly endorsed.

This is a non-profit irrigation corporation and all shares are subject to equal and ratable assessments for the purposes of construction, repair, maintenance and operation of the irrigation system owned and acquired by the corporation.

The water, ditch and pipe line rights represented by this certificate are appurtenant to Lots 6, 7, 8, 9, 10 Block 69 of Shilling
Addition to Blackfoot, Idaho.

IN WITNESS WHEREOF the said corporation has caused this certificate to be signed by its duly authorized officers and to be sealed with the seal of the corporation this 7th day of September A.D. 1954

Vera Belmont
SECRETARY

[Signature]
PRESIDENT



Close

From: Payne, Barbara**To:** 'larsend@idhw.state.id.us '**Cc:****Subject:** Claim 27-11188**Sent:** 11/18/2003 4:16 PM**Importance:** Normal

Hi Dennis,

Cindy Bird requested that I send you a .jpg copy of the drawing for the above subject claim number. If it does not come through okay, please let us know. Thanks.

Barbara

 27-11188.jpg



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

November 7, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dennis Larsen
Physical Plant Director
State Hospital South
700 East Alice
P.O. Box 400
Blackfoot, ID 83221

Ref: Snake River Basin Adjudication (SRBA)
Claim 27-11188

Subject: Irrigated place of use.

RESPONSE DATE: November 24, 2003

Dear Claimant (s):

About a year ago you circled the place of use of the State Hospital and returned it to Idaho Department of Water Resources (IDWR). The above referenced claim number is for irrigation of 6 acres. The yellow outlines in the attached aerial photo include 12 acres. If we expand the shape to include the boundaries that you have indicated it will be a lot more than 6 acres. I understand that you also have shares in the Corbett Slough Ditch. Are those shares also used on the piece of ground? Which part of the hospital grounds is irrigated with the shares? Is the ground water and surface water commingled? The boundary you drew includes land in the NESW and SESW of section 2. These quarter- quarters have not been claimed in the adjudication as irrigated. Are they irrigated from the well? If so, when did you first begin to irrigate them? Evidence to support the irrigation of the land in SW of section 2 must be submitted to IDWR as soon as possible and your claim will have to be amended. Otherwise it can not be recommended to the SRBA court.

Also, is the hospital well located in the shed behind the hospital in the NESWSW of section 2?

Please reply to the above questions by the response date. If you have any further questions please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird

Enclosure: Copy of Spatial Dynamics layout



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 23-27

RIGHT ID 27 11188
POD ID 168143
Folder No. A2711188
Claim Status In Use
IDTMEAST 635599
IDTMNORTH 232904
GPSID A0009306

Diversion Description

WELL AND PUMP. POD located in a shed behind hospital.

Assumptions

Elevation head.

Invoice

2000-055-23-27-0

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missing)
Phase-III (Complete w/issues)

Linked

photos\27-11188-001.JPG

Photos

photos\27-11188-002.JPG

GPS Accuracy (ft)

19 Feet

Date (M/D/Y)

07-24-02

Time

16:25

Flow Rate (CFS)

1.86

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity 0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning (If used, include photo of representative channel section)

Channel Slope 0

Channel Description

Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System ☒

HP 50

Pressure Head (psi) 50

Elevation Head (ft) 50

Motor Mfg GE

Motor Serial # GEJ730463

Pump Type Vertical Turbine

Pump Mfg Johnston

Pump Serial#

New Contact Information ☐

New Contact Comments

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FOLDER NO. A2711188

SCANNED

JUL 20 2001

Log for claim 27-11188

Spatial Dynamics LTD

1/5/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03s35e	2	NWSW	3	4.2	Indiscernible
03s35e	2	SWSW	3	7.9	POD placement? / Indiscernible
Totals:			6	12.1	

AJ5809NP
No. A27-11188

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 196

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STATE OF IDAHO DEPT OF HEALTH & WELFARE STATE HOSPITAL SOUTH P.O. BOX 400 BLACKFOOT ID 83221 (208) 785-1200	07/18/1886	IRRIGATION DOMESTIC	04-01 11-01 01-01 12-31	0.180 CFS 0.280 CFS	
TOTAL DIVERSION:					0.460 CFS	
CONSUMPTIVE USE:						15.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T03S R35E S02 NESWSW BINGHAM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
03S	35E	2	:					:					:	03	03			:						:	6.0
TOTAL ACRES																							6.0		

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
03S	35E	2	:					:					:	D	D			:						:	

POU County: BINGHAM

Non-Irrigation Uses: D/STATE HOSPITAL SOUTH A STATE PHYCHIATRIC HOSPITAL

Other Rights: RIGHTS FOR IRRIGATION IS ALSO HELD INT HE CORBETT SLOUGH DITCH.

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

A01-00047E A01-00048 A01-00304

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Audit: 07/25/89 ESRBA 02/07/95 DSHAFF 02/24/95 DSHAFF



IDAHO DEPARTMENT OF HEALTH & WELFARE

DIRK KEMPTHORNE – Governor
KARL B. KURTZ – Director

RAYMOND J. LAIBLE – Administrative Director
STATE HOSPITAL SOUTH
700 East Alice Street
P.O. Box 400
Blackfoot, Idaho 83221-0400
PHONE 208-785-1200
FAX 208-785-8448
EMAIL laibler@idhw.state.id.us

June 2, 2003

Cindy E. Bird
Adjudication Bureau
Department of Water Resources
15 West Center Street
Soda Springs, ID 83276

RE: Evidence of Priority, Claim No. A27-11188

Dear Ms. Bird:

In response to your request for "Evidence of Priority" for Claim No. A27-11188 in your letter of May 9, 2003, please find attached selected pages from a Master's Thesis, *History of Idaho State Hospital South*, published by Bertha Larson in December 1943.

The Thesis indicates the well for the Hospital was initially drilled in 1886. This well was situated either very close to or in exactly the same location as the existing Campus well. While there are several footnote references regarding the well, one, the Annual Report of the Secretary of Interior for Fiscal Year Ending June 30, 1887, (Washington: Government Printing Co., 1889), p. 885, appears to confirm the first historical use of the well as being 1886.

The last known, substantial, improvement to the well on which Adjudication Claim No. 27-11188 was filed in 1989 was a complete re-drilling in 1957. The Well Log for this work is attached.

If you require additional "Evidence of Priority" or have any questions, please contact Dennis Larsen, Physical Plant Director, 208/785-8471, at your convenience.

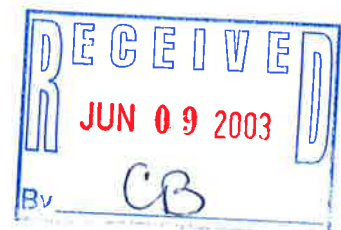
Sincerely,

Raymond J. Laible
Administrative Director

RJL:dl

Encl: (2)

cc: Dennis Larsen



THE UNIVERSITY OF CHICAGO

HISTORY OF IDAHO STATE HOSPITAL SOUTH, BLACKFOOT, IDAHO

A REPORT

SUBMITTED TO THE FACULTY OF THE
SCHOOL OF SOCIAL SERVICE ADMINISTRATION
IN CANDIDACY FOR THE DEGREE OF
MASTER OF ARTS

BY

BERTHA LARSON

CHICAGO, ILLINOIS

DECEMBER, 1943

venty-six male and ten female, on July 2, 1886, from Salem, Oregon.¹

Thus the scene was set for an institution which through the ensuing years was to expand to accommodate increasing numbers of patients. There was in addition another factor to be dealt with, the concomitant necessity of developing the physical plant to provide for a degree of self-sufficiency essential to an institution.

The improvement added during the first year included a one-story kitchen built of corrugated iron 26 x 28 feet adjacent to the buildings. To provide for a water supply a frame tower forty-one feet high was built upon which was placed a 10,000 gallon water tank supplied by a windmill attached to a well. The water was pumped to the asylum buildings. It was said that the water system gave good satisfaction except that the well water was not entirely free from contamination received from the first cesspool which was placed too near the well.² To protect patients from direct accidental contact with the heating stoves iron screen guards were placed around the stoves. How safe and satisfactory such a heating system was can well be imagined, though it was in keeping with that time.

By the month of June, 1887, the patient population had so increased that it was necessary to partition off rooms within the large wards to make accommodations available.

During that same summer seventy-three acres of land surround-

¹Annual Report of Secretary of Interior for Fiscal Year Ending June 30, 1887 (Washington: Government Printing Co., 1889), I, 684-86.

²Ibid., p. 885.

est problem concerning Idaho's insane was proper feeding of the patients. He asserted that the "only way to solve it is for the asylum to produce its own eatables as far as it can."¹ And indeed employable patients and the employees bent their efforts toward that end, clearing the rough land of sage brush and scattered fragments of lava rock, coaxing the reluctant irrigation streams over the sandy soil.

In May, 1896, Governor William J. McConnell reported that the increase in number of patients was "so rapid that the extra accommodation provided by the preceding legislature will be crowded by next session."²

By 1899 a greater water supply was assured for all domestic purposes by the installation of a pump in the well, operated by the electrical power from American Falls, fifty miles distant. No longer did the whimsies of the wind in propelling the windmill have to be depended upon nor did the institution have to rely upon the locally manufactured power. In this same year the asylum's miles of fence were extended to enclose the 2,100 acres of land.⁴

During the next decade much stress was laid on bringing the farm to a high degree of productivity. By 1910 the twenty-two acres of orchard was yielding enough fruit to supply patient needs. Vegetables of all kinds from the truck garden filled the numerous

¹ Proceedings of the National Conference of Charities and Correction at 22d Annual Session held in New Haven, Conn., May 24-30, 1895 (Boston: Press of Geo. H. Ellis, 1895), p. 341.

² Journal of House of Representatives of State of Idaho, 1895-96, p. 36.

³ Hurd, op. cit., p. 171.

⁴ Ibid., p. 171.

cellars. The wheat raised was traded for flour and bran. The boast was made that

Nearly all the labor was done by the inmates under the supervision of the superintendent and a few foremen. Here is a colony of about three hundred and fifty people having all their wants supplied from less than 400 acres of land, and that too from the labors of not to exceed thirty-five able bodied men, for although seventy-five of the inmates work, their labor would not exceed half a man each.¹

The building program had also continued as demands became acute. In 1901 a two-story brick ward 100 x 40 feet was completed providing room for fifty patients. In the last two years of the decade four new buildings and a rock cellar, all of rock quarried on the farm, were constructed. They included a kitchen, a storehouse with rooms for inmates on the third floor, a large rock cottage, and apiary with accommodations for ninety hives of bees. A new sewerage system was put in, also heating and steam cooking systems which also furnished heat to all buildings of the institution. In the main buildings new maple wood flooring was laid.²

The Board of Health reported in 1912, after a sanitary inspection, that a small hospital had been in operation for about a year and meeting adequately a long-felt need. They commended the cleanliness of the buildings and the bakery with its excellent quality of bread. The water supply contained in a 50,000 gallon tank on a steel tower was said to be ample with assurance of fire protection. However, the only equipment for fighting fire consisted of one line of cotton hose in the men's ward and only two wards had

¹ Biennial Report of the Commissioner of Immigration, Labor and Statistics, 1907-08 (Boise: Published by Authority, 1908), p. 179.

² Ibid., p. 179.

annual reports before the appropriation was made to fill the need. During the remainder of that decade the improvements that were made pertained principally to the operation of the plant. In 1926 a new laundry was equipped and put into use at a cost of \$6,000. Fire escape chutes were installed in the new buildings.¹ During the following biennium the improvement of the heating system had become a pressing need. A 200 H. P. boiler and stoker were therefore installed along with a new well pump and a 26,000 gallon water softener. A cold storage plant was equipped with a refrigerator machine, a freezing room, and an ice tank to make 1,200 pounds of ice. Four bath rooms were repaired. A 525 foot tunnel was built connecting the boiler room and the outside buildings.²

The fire protection which had been so urgently needed ten years before was not installed until 1930, and then after a fire had been the grim reminder. The new laundry was burned down in February of 1929, thereby demonstrating the inadequacy of the water supply and the lack of water power. Measures were taken to remedy the situation. The hot water tank was covered with asbestos and equipped with a steam regulator. The main building was rewired throughout. New fire plugs were installed and 650 feet of new fire hose placed in the buildings. Another laundry was built and equipped with a new set of machinery. Also a new water pump was installed.³

Governor Baldrige in his message to the legislature in 1927

* ¹ Biennial Report of the Department of Public Welfare, 1925-26, pp. 25-26.

² Ibid., 1929-30, p. 56.

³ Ibid.

Tot

Rec. _____, 19____

Permit No. _____

DIAM. CASING	FROM FEET	TO FEET	LENGTH	"REMARKS" -- SEALS, GROUTING, ETC.

Log No. _____
 Rec. _____, 19____
 Well No. _____
 Permit No. _____

Owner State Hospital South Address Blackfoot, Idaho.
Driller Cushman and Johnson Address Blackfoot, Idaho. Lic. No. 16
Location of Well: C.N.E. 1/4 N. 1/4 Sec. 11, T. 3 S. N/S, R. 35 E/W Bingham County,
and _____ feet N/S, and _____ feet E/W from _____ Corner of _____ 1/4 _____ 1/4 Sec.
Size of Drilled Hole 20 in. Total depth of Well 368 ft.
Give depth of standing water from surface 30 ft. Water Temp. 72 °Fahrenheit
When pumped 685 g.p.m. 50' drawdown, When pumped 380 g.p.m. 25' drawdown
On pumping test delivery was _____ g.p.m. or _____ c.f.s. Drawdown was _____ feet.
Size of pump and motor used to make the test _____
Length of time pumped during check was 8 hour pumping test hr., _____ minutes.
If flowing well, give flow in c.f.s. not flowing or g.p.m. _____ and shut in pressure _____
If flowing well, describe control works _____
(TYPE AND SIZE OF VALVE, ETC.)
Water will be used for Private use at Hospital Weight of casing per linear foot 70 lbs. & 60 lbs.
Thickness of casing 5/16 Casing material Steel
E.G., PIPE, CONCRETE, WOOD.
Diameter, length and location of casing _____
(CASING 12" IN DIAMETER AND UNDER GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER GIVE OUTSIDE DIAMETER.)
Number and size of perforations none located _____ feet to _____ feet
from surface of ground.
Other perforations none
Date of commencement of well June 24, 1957 Date of completion of well Dec. 26, 1957.
Type of well rig Lucyus Erie 28 -L.

DIAM. CASING	FROM FEET	TO FEET	LENGTH	"REMARKS" -- SEALS, GROUTING, ETC.

Size of Drilled Hole 20 in. Total depth of Well 68 ft.
 Give depth of standing water from surface 30 ft. Water Temp. 72 °Fahrenheit
 When pumped 605 g.p.m. 50' drawdown, when pumped 380 g.p.m. 25' drawdown
 On pumping test delivery was g.p.m. or c.f.s. Drawdown was feet.
 Size of pump and motor used to make the test _____
 Length of time pumped during check was 8 hour pumping test hr., _____ minutes.
 If flowing well, give flow in c.f.s. not flowing or g.p.m. _____ and shut in pressure _____
 If flowing well, describe control works _____
 (TYPE AND SIZE OF VALVE, ETC.)
 Water will be used for Private use at Hospital Weight of casing per linear foot 70 lbs. & 60 lbs.
 Thickness of casing 5/16 Casing material Steel
 E.G., PIPE, CONCRETE, WOOD.
 Diameter, length and location of casing _____
 (CASING 12" IN DIAMETER AND UNDER GIVE INSIDE DIAMETER;
 CASING OVER 12" IN DIAMETER GIVE OUTSIDE DIAMETER.)
 Number and size of perforations none located _____ feet to _____ feet
 from surface of ground.
 Other perforations none
 Date of commencement of well June 24, 1957 Date of completion of well Dec. 26, 1957.
 Type of well rig Ducyrus Eric 28 -L.

CASING RECORD

DIAM. CASING	FROM FEET	TO FEET	LENGTH	"REMARKS" -- SEALS, GROUTING, ETC.

GENERAL INFORMATION—Pumping Test, Quality of Water, Etc.

The well was tested at 725 ft. and only pumped 160 g.p.m. then cased off and drilling
 and underpinning was continued, and casing was set, from (2) two ft. above the ground
 167 ft. plus shoe, of 20 in. O.D. casing 5/16 in. wall 70 lbs. ^(per ft.) was set, from (2) two ft.
 above the ground, 422 ft. 5 in. plus shoe, of 16 in. O.D. casing 5/16 in. wall, 60 lbs. per ft.
 was set, from (2) two ft. above the ground 806 ft. 8 in. plus shoe, 12 in. O.D. 60 lbs. per
 ft. was set.

Well Location Blackfoot, Idaho

WELL LOG then to 12 in.

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

State of Idaho Dept. of Health & Welfare
State Hospital South
P.O. Box 400
Blackfoot, Idaho 83221

May 9, 2003

Re: Evidence of Priority

Claim No.(s) A27-11188

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 27. The Notice(s) of Claim identified with the number shown above, has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". 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. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice 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.

For your reference, I have enclosed 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 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 our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

.....
**The Department cannot recommend the court decree the Notice if no evidence of a
priority date is submitted.**
.....

Please submit the documentation supporting the priority date by June 26, 2003,
referencing all documents with the corresponding Notice number. If you have any
questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
Adjudication Claim Report



State of Idaho
DEPARTMENT OF HEALTH AND WELFARE
Division of Family and Community Services
State Hospital South

PHILIP E. BATT
Governor
LINDA L. CABALLERO
Director

P.O. Box 400
Blackfoot, Idaho 83221-0400
(208) 785-1200
FAX (208) 785-8448

January 4, 1995

RECEIVED

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Department of Water Resources
Eastern District Office

Mr. Dave Carlson
Water Right Agent, Adjudications
Department of Water Resources
State of Idaho
900 North Skyline Drive
Idaho Falls, Idaho 83402-1718

RE: EVIDENCE OF PRIORITY (A27-11188)

Dear Mr. Carlson:

Please find enclosed a master's thesis published in December, 1943, which is the substantiating proof for the priority use date of the ground water well at State Hospital South.

Reference regarding well development or modifications is made in several places in the document. The reference source establishing the first historical use of the well by State Hospital South is the Annual Report of Secretary of Interior for Fiscal Year Ending June 30, 1887.

If you need additional documentation or have any questions or comments, please contact us.

Thank you.

Sincerely,

Othea L. Toland
Acting Administrative Director

OLT
DL:klc

Enclosure

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NOV 13 1996

THE UNIVERSITY OF CHICAGO

HISTORY OF IDAHO STATE HOSPITAL SOUTH, BLACKFOOT, IDAHO

A REPORT
SUBMITTED TO THE FACULTY OF THE
SCHOOL OF SOCIAL SERVICE ADMINISTRATION
IN CANDIDACY FOR THE DEGREE OF
MASTER OF ARTS

BY
BERTHA LARSON

CHICAGO, ILLINOIS
DECEMBER, 1943

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POOR ORIGINAL

INTRODUCTION

A study of the care of the mentally ill is of special interest at the present time when public attention is aroused by the publicity given to war neuroses and psychiatric casualties. Many of the psychiatrists have been assigned to service in the armed forces in this country and all over the world. Professional staff have inevitably been recruited from the civilian hospitals for the mentally ill. Maintenance costs have increased, and the building program has been curtailed. The consequence cannot be given too serious consideration. It calls for an evaluation of existing facilities for the civilian population, anticipating an increased demand for psychiatric service for the civilians indirectly affected by the war.

This study of the history of State Hospital South was undertaken in order to be able to evaluate more intelligently the present facilities and provisions for the care and treatment of the mentally ill of Southern Idaho, measuring its program by the standards of the American Psychiatric Association. It also designs to learn how firmly established this hospital is with regard to administration policies, financial resources, and personnel practices in order to estimate how well it can sustain the incursion the war has already made on its staff.

Nearly eighty years have passed since the Territory of Idaho, by act of its second legislative assembly, an unwieldy constit-

agency coming from a vast area of what is now Idaho, Montana, and part of Wyoming, first gave cognizance to its responsibility for the mentally handicapped. This study proposes to scrutinize the legislative provisions and procedures which have been made for the care and protection of the mentally ill from that December day in 1864 until the present to ascertain how much progress has been made.

Reflected in a state institution--its administration, the amount of its appropriations, its location, its development--are the political and historical development of the state, also the evidence of the interest or indifference of the people toward its social welfare. The Idaho Insane Asylum at Blackfoot, now known as State Hospital South, seems to be a typical product of these influencing factors. It is Idaho's first of two institutions for the insane. Its history had its inception fifty-eight years ago after the transient thousands of prospectors, miners, and adventurers had departed, leaving behind those who invisioned from the fertile soil the possibilities of livelihood, a home, and the other attending institutions of civilization. During its history at least eighteen superintendents are known to have held the administrative reins. This study further proposes to present the historical development of this hospital, discussing its various aspects, and attempts to discover factors which have influenced Idaho's progressive, or stagnant, or, if such be the case, regressive policies relating to her mentally ill.

The study is organized into four chapters, the first one relating to early territorial provisions for the insane. In order to understand more clearly the factors operative in its development,

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It is necessary to present a historical sketch of the kind of people and events that fostered the growth of a territory into a state in 1890 with its subsequent responsibility for the social welfare of those within its boundaries. The effect of the topographical features of this state, which has been called a "geographic monstrosity," must also be credited with shaping the destinies of the people and their institutions. Thus in this first section the scene is set with an historical preface, followed by the first territorial provisions for the care of the insane. Chapter II deals with the establishment of the Idaho Insane Asylum in 1885 and its subsequent growth and development of (1) physical plant, (2) personnel, (3) provisions for special groups, and (4) patient population. Chapter III discusses the legal provisions for the administration and financing of the hospital, the procedure of regular and voluntary commitments, and parole and discharge. The fourth and final chapter is a formulation of the conclusions arrived at as a result of the study, concluding with evaluation and recommendations.

The dearth of organized source material concerning the historical period prior to 1918 was in itself a stimulus to learn how the patients had fared up to that time without required reporting by superintendents, also without the existence of any central supervisory agency. The fact that state historians and writers have conscientiously avoided references to the state institutions, except for very brief mention, seems expressive of the people's attitude toward the insane. The superintendents' biennial reports were until the last four years lacking in respect to certain aspects so essential to an adequate program for the mentally ill, that is, the

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medical care, therapy other than occupational, the number of employed and personnel practices, which in itself is significant. There is a wealth of information concerning the farm and physical plant. The legislature delegated to the administrative board power to include all rules and regulations in the by-laws, which were not available for use in this study. Reports on finance have been limited by non-sequitur systems of auditor's reports. The main sources of information have been the Biennial Reports of the Department of Public Welfare, the Idaho Session Laws and House Journals, governors' reports to the Secretary of the Interior and historical records.

The writer wishes to acknowledge appreciation to Dr. J. H. Hamilton, Mental Hospital Advisor of the United States Health Service, for the use of the "Resurvey of Idaho State Hospital at Blackfoot, Idaho" made in 1940 following a previous survey in 1937. The Honorable George W. Curtis, Idaho Secretary of State, very kindly attempted to locate early reports of the institution. The writer also appreciates the interest of the Honorable H. C. Baldrige, Acting Director of the Department of Charitable Institutions, in providing reports and current data and information.

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CHAPTER I

EARLY PROVISIONS FOR THE CARE OF THE MENTALLY ILL OF IDAHO TERRITORY

The Scene Is Set

The scene of the Idaho Insane Asylum was set in territorial days. Its foundation bears the impression made by early sociological, economic, political, and geographic factors. A backward glance over the events that preceded its establishment and the conditions which contributed toward its founding depicts Idaho's first manifestation of concern for her mentally ill.

Idaho in 1859 was a single county of Shoshone, a part of the Washington Territory, which also embraced the future states of Montana and Wyoming. As it had no citizens, it had no governing body. The discovery of gold in North Idaho in the year 1861 produced a rapid influx of thousands of prospectors, miners, adventurers, and war-weary Southerners. The first arrivals at each new placer discovery set up regulations, but the local governments were unable to enforce the laws. After Washington Territory had failed to help the mining districts with their increasing crime, the miners petitioned Congress directly for a separate government. On March 3, 1863, President Lincoln signed the Organic Act creating the Territory of Idaho, including the area between Washington and Nebraska.¹

¹The Federal Writers' Project, Idaho, The Idaho Encyclopedia. Compiled by the Federal Writers' Project of the W. P. A., Vardis Fisher State Director (Caldwell, Idaho: The Caxton Printers, Ltd., 1938), p. 186.

The population in that year had increased to 32,340.¹ As new coveries of gold were made in the southern section of the territory, the population gravitated in that direction. However, by 1870 the surface placers of gold had been despoiled of their treasure,² so many departed, leaving a population of only 14,999. withdrew "to separate cliques of blood and race, rendered further asunder from each other by rugged individualism."³ Some turned their energies to quartz mining; others began fencing in farms, scattering in the arid south "along the small streams from which the water could be easily and cheaply diverted and used for irrigation;"⁴ still others settled in the more humid north. Thus they arranged up sparse and scattered settlements separated by distance, interests, mountain ranges, and arid sage brush plateaus.

The topographical features and geographic boundaries are such that the development of the state, and with it the social welfare system, has of necessity been adjusted to them. In 1870 the jurisdictional limits of Idaho were set giving it an area of 83, square miles and creating it, when granted statehood in 1890, the twelfth largest state in the Union. It is said that "Nature and the original state makers allocated little flat land to this state out of mountains, rivers and fertile valleys, it is more than amply endowed."⁵ Seventy-six per cent of the state to the present time

¹Ibid., p. 190.

²Ibid., p. 197.

³Ibid., p. 19

⁴The Idaho Digest and Blue Book. A Compendium of Social, Industrial, Financial, and Governmental Statistics, Together with a "Who's Who" of Idaho People,, Compiled and Edited by G. C. Hobbs with Richard Lake and Clara Bays cooperating (Caldwell, Idaho: T. Saxton Printers, Ltd., 1935), p. 312.

⁵Ibid., p. 455.

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is held as United States forest reserves, parks, and state lands, with only twenty-four per cent of the land taxable, seventeen per cent of which is occupied by farms. The Salmon River Canyon in the central part of the state obstructs the building of a railway connection between North and South Idaho, in which sections are concentrated the bulk of the population. This population, which has increased from 32,340 in 1863 to 524,873 in 1940,¹ have segregated themselves geographically in sparse communities and small towns, tending "to build up a more intense local individuality."² During the early days, when necessity demanded, the settlers banded themselves together against the depredations of hostile Indians but otherwise devoted themselves to making a livelihood in this new frontier.

Idaho's charitable institutions may have suffered the result of a situation which one of the historians commented on in referring to the early political government. He observed that "except for the lawyers and office-holders, the people paid little attention to the legislature, but attended to their work."³ Nearly fifty per cent of the population in 1863 were unnaturalized immigrants--Irish, Canadian, English, Scandinavian--with no legal voice in the government. The constituency of the remainder was a conglomeration of

¹U. S. Dept. of Commerce, Bureau of the Census, 16th Census of the United States, 1940. Population, Second Series, Characteristics of the Population, Idaho (Washington: Government Printing Office, 1941), p. 9.

²The Idaho Digest and Blue Book, op. cit., p. 455.

³John Hailey, The History of Idaho (Boise, Idaho: Press of Syms York Co., Inc., 1910), p. 91.

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various American extractions, many having migrated into the Northwest at the outbreak of the Civil War. More followed them, making Idaho a stronghold of the Southern Democrats who naturally aligned themselves with the strong Democratic party already there, who, fortunately, represented the "vested interests" of gambling and liquor traffic. The few Union men of early days were the officials appointed by the President and were not necessarily men who had an understanding of the Far West. Their only power was exercised through the legislature and county units, constituted almost entirely of Democrats who did not cooperate with them.¹ It was said that "few of either party, other than toughs and adventurers, attended primaries or nominating conventions;"² those who voted did so for the sake of the party and not because they particularly endorsed the candidate (often of doubtful reputation). The strong Democrats, therefore, generally elected those of their ranks. The "between the strife of the two parties, concern for public good almost disappeared. Factional intrigues and counterplots resulted in nonsensical legislation." of a 600 page volume of legislation enacted by the first legislature in 1863, most of it was repealed the following year.³

The Territory Recognizes Its Responsibility

However, it was the second legislature which passed the

¹ Federal Writers' Project, Idaho, op. cit., p. 190.

² J. McConnell, Early History of Idaho (Caldwell, Idaho: The Carton Printers, 1913), p. 91.

³ Federal Writers' Project, Idaho, op. cit., p. 191.

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first act to provide for the mentally handicapped. It empowered the board of county commissioners to levy and collect an annual per capita tax not exceeding two dollars for each taxable inhabitant. The funds so raised were to provide care for "the indigent sick, the idiotic, and the insane persons in the several counties."¹ The commissioners were to contract with any responsible party of the county for their protection, care, and maintenance. Such party was to give a bond and render a quarterly report to the commissioners "showing causes and the nature of the confinement" in addition to an account of the expenditures entailed in the care of their charges. The funds were to be set aside in a hospital fund. Thus the first provision for the insane was made a county responsibility.

How effective this first act was cannot be specifically stated. However there were two adverse factors operative; the one, the carving out of Idaho Territory the Territories of Montana in 1864 and Wyoming in 1868² with the result of shifting county lines, and the other, the civil strife within Idaho Territory. In that same year the legislature passed an act which started the dissension between North and South Idaho which existed for many years and perhaps to a degree to this day. It focused on a reality situation, "Idaho, the geographical monstrosity," that is responsible for Idaho's ultimately having two hospitals for the mentally ill instead of one, as do her neighboring Mountain States. Against the bitter opposition of the northern minority, the Capitol was moved

¹Idaho Laws, 1864, p. 424.

²Biennial Report of Commissioner of Immigration, Labor statistics, 1907-1908, p. 3.

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from Lewiston in North Idaho to Boise in the South. As a result the question was carried to the Supreme Court and thence to the Congress of the United States, which passed a bill to return the five northern counties to Washington. However, it was not approved by the President.¹ The report that accompanied the House Bill pointed out the fact that:

The people are isolated from the southern portion of the territory by the Salmon River Range of mountains which are exceedingly rugged and precipitous in their character. The sole means of communication between the two sections is a primitive Indian trail, in the winter a six month trip by snow shoes. There are no commercial relations between these two sections.²

As has been previously pointed out, this situation has not been greatly remedied except for the highway which now connects the two extremities. Unproductive efforts were again made in memorials to Congress by the legislative assemblies of both Idaho and Washington Territories to sever the two sections. Nothing resulted after a variance on the subject had developed among the Northerners. Frustration was somewhat lessened by locating the University in the North in 1889. The extent to which the insane, the idiotic, and the indigent sick received attention in such a shifting and controversial scene can only be imagined.

In 1870 Acting Governor E. J. Curtis made the first recommendation for institutional care within Idaho Territory. In the biennial message to the sixth legislature he said:

I ask your attention to the subject of the insane asylum. . . . This poor and unfortunate class of persons are often thrown

¹W. J. McConnell, op. cit., p. 311.

²Forty-ninth Congress of United States, 2d Sess. H. R. 28

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upon the highway of life, without friends or money and therefore to become charges upon the people and a severe burden upon the community. Some means should be provided upon economic basis by which the insane and indigent of the territory can receive proper care and treatment a civilized people should bestow.¹

However, the only action taken by the legislature was to add a supplement to the Act of 1864, authorizing the county commissioners to make provisions for the "sick person" desiring such aid, such person having first made application to the probate judge or county clerk declaring his indigency. After an investigation had been made, the applicant would then testify under oath that he was indigent. The county commissioners were thereupon authorized to make provision for him under the previous act.¹ This was merely a poor relief measure with the added quality of deterrence and, it is noted, no specific provision was yet made for the insane.

It was not until 1880 that an act was passed making institutional care available to the insane. The Governor and the President of the Council authorized special commissioners to make a contract with proprietors of an insane asylum in either or both states of California and Oregon for the keeping, treatment, and maintenance of the indigent insane of the Territory. (Commitment procedures will be described in Chapter IV.) The manager of such asylum would be required to render quarterly to the Territorial Controller a verified account of the expenditures for insane persons under care "together with a statement showing the condition of persons under treatment, and if such person die, escape, or be

¹Journal of the Council of Idaho Territory, 1870-71, Appendix, p. 13.

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discharged, to immediately report the fact to the Controller.

The commissioners finally contracted with a private asylum in East Portland, Oregon, which was conducted by Dr. Loryea and Dr. Hawthorne. The insane of Idaho Territory were cared for until October, 1883, when the contract was made with the Oregon Hospital for the Insane which had been established at Salem. This arrangement continued until the Idaho Insane Asylum was established.

The same act which provided for the erection of a Capitol building made provision for an insane asylum. The thirteenth legislative assembly, composed of thirty-six members, only nine of whom were from North Idaho, passed an act which provided for an insane asylum to be built in southeastern Idaho. It was approved by Governor W. M. Bunn and specified:

There shall be erected, equipped, and established in or within one mile of the town of Blackfoot in the County of Blaine, Territory of Idaho, at cost to the Territory of Idaho, of not exceeding \$20,000, upon a site to be selected and procured by the Board of Directors an institution for the care and treatment of the insane, to be designated and known as The Idaho Insane Asylum, each Director to take oath to support the Constitution of the United States and Organic Act of this Territory.³

The Board of Directors appointed by Governor Bunn, upon the advice and consent of the Legislative Council, for a term of four years were Watson H. Shilling, Lowell Holbrook, and Schuyler Crawford.⁴ They were authorized by law to have charge of the

¹Idaho Laws, 1880-81, p. 301.

²An Illustrated History of State of Idaho (Chicago: The Lewis Publishing Co., 1897), p. 58.

³Idaho Laws, 1884-85, p. 62.

⁴Journal of The Council of Idaho Territory, 1884-85, p. 246.

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NOV 13 1996

in and construction of the asylum. There was a penalty of void-
ing the contract should any one of them be interested in any con-
tract to be let or in the supplies furnished. They were to report
expenditures for the construction furnishing, and equipment of the
asylum to the next legislative assembly. The duty of appointing
the medical superintendent was also conferred upon this board.¹

The legislature provided for the perpetuation of the contract
with the Oregon asylum until their own institution was ready for oc-
cupancy, the date of which was set for October 1, 1886. The Terri-
tory had during that year of 1885 paid \$11,000 to the Oregon asylum
for the care of thirty-five patients, a per capita cost of \$6.00
per week plus transportation. In reporting to the Secretary of the
Interior the amount expended, Governor Bunn asserted his opinion
that henceforth the money could be spent to better advantage within
the territory.

Thus was terminated Idaho's contractual provision for the
insane in the territory. In reviewing the changes effected during
this early period, it is seen that the local responsibility for the
care of the insane placed in the hands of the county commissioners
by the act of 1864 was superseded by legislation enacted in 1880
which lodged the responsibility with the territory. The governing
body had recognized the necessity of caring for this class of de-
pendents within the boundaries of the territory.

¹Idaho Laws, 1884-85, p. 301.

²Annual Report of the Secretary of the Interior at the
Opening of the First Session of the Forty-ninth Congress (Wash-
ington: Government Printing Office, 1885), II, 986.

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By 1885 Idaho had experienced a transition from the
bulent condition of placer mining to an agricultural country.
towns were springing up as marketing centers in the habitable
of the state. Immigrants came for the purpose of establishing
homes. How much social responsibility the people felt for
who succumbed mentally or physically to the vicissitudes of
is perhaps expressed to a degree in the way in which the first
hospital, the Idaho Insane Asylum, developed and grew. When
not there was any aggressive efforts on the part of social
individuals, groups, governors, or legislators in behalf of
mentally ill can best be seen by a perusal of the history of
institution.

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ORIGINAL

CHAPTER II

HISTORY AND DEVELOPMENT OF THE IDAHO INSANE ASYLUM (STATE HOSPITAL SOUTH)

The Growth of the Physical Plant

The building of the Idaho Insane Asylum was instituted in 1885 on a seven acre tract of sage brush land on ground donated by Mr. L. Shilling.¹ It was located one mile east of the town of Blackfoot, a town near the banks of the Snake River, the site of which lay in the path of the Old Oregon Trail.

A three story building with a stone basement was erected. The outer walls of the first and second stories were made of brick, the upper story of wood. The first floor was to be used as offices, reception rooms, store rooms, living and sleeping rooms for the superintendent and several of the employees. The female patients were to occupy one part of the second story with the women attendants in an adjoining apartment. The male patients were to be housed in the other part of the second floor and the whole of the third floor. The heating arrangements consisted of stoves on different floors, and the lights were coal oil lamps and lanterns. Such was the new home to which Dr. T. T. Cabaness, the first medical superintendent transferred the first patient population of thirty-six,

¹An Illustrated History of the State of Idaho (Chicago: The Lewis Co., 1887), p. 580.

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

Case No. 39576

Subcase No. 27- 11188

STANDARD FORM 5

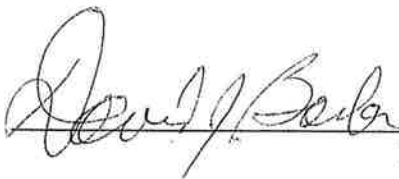
STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s):

 7/25/2006
Date

Date

STANDARD FORM 5

RECEIVED
AUG 02 2006
Department of Water Resources
Eastern Region

OBJECTOR(s):

David J. Bahr 7/28/08
Date

Date

RESPONDENT(s):

N/A

Date

Date

IDWR Concurrence:

Ernie Carlsen 7-28-06
Ernie Carlsen Date
IDWR Adjudication Supervisor

Candice McHugh 7/25/06
Candice McHugh Date
Deputy Attorney General
Attorney for IDWR

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 27-11188

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF HEALTH & WELFARE
STATE HOSPITAL SOUTH
PO BOX 400
BLACKFOOT ID 83221

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: ~~0.060~~ 0.34 CFS
12.00 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 07/18/1886

POINT OF
DIVERSION: T03S R35E S2 NESWSW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.280 CFS
IRRIGATION	04/15 10/31	0.060 CFS 12.00 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County
T03S R35E S02 NWSW 3.0

DOMESTIC Within BINGHAM County
T03S R35E S02 NWSW T03S R35E S02 SWSW

3 ACRES TOTAL

~~THIS RIGHT IS LIMITED TO THE IRRIGATION OF 3 ACRES WITHIN THE PLACE
OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.~~

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHT NO. 27-11987 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Corbett Slough Ditch Company water is also used on the above discribed POU for irrigation.

CERTIFICATE OF MAILING

I certify that on July 29, 2006, 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
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

State of Idaho Department of Health & Welfare
~~State Hospital South~~
P.O. Box 400

Blackfoot ID 83221

David J. Barber
Office of the Attorney General

P.O. Box 44449

Boise ID 83711-4449

IDWR Repository
P.O. Box 83720
Boise, ID 83720

Kari Lewis
Signature of person or attorney mailing the form

twenty-six male and ten female, on July 2, 1886, from Salem, Oregon.¹

Thus the scene was set for an institution which through the ensuing years was to expand to accommodate increasing numbers of patients. There was in addition another factor to be dealt with, the concomitant necessity of developing the physical plant to provide for a degree of self-sufficiency essential to an institution.

The improvement added during the first year included a one-story kitchen built of corrugated iron 26 x 28 feet adjacent to the buildings. To provide for a water supply a frame tower forty-one feet high was built upon which was placed a 10,000 gallon water tank supplied by a windmill attached to a well. The water was pumped to the asylum buildings. It was said that the water system gave "good satisfaction except that the well water was not entirely free from contamination received from the first cesspool which was placed too near the well."² To protect patients from direct accidental contact with the heating stoves iron screen guards were placed around the stoves. How safe and satisfactory such a heating system was can well be imagined, though it was in keeping with that time.

By the month of June, 1887, the patient population had so increased that it was necessary to partition off rooms within the large wards to make accommodations available.

During that same summer seventy-three acres of land surround-

¹Annual Report of Secretary of Interior for Fiscal Year Ending June 30, 1887 (Washington: Government Printing Co., 1889), I, 684-86.

²Ibid., p. 885.

Ore- ing the buildings were purchased and fenced in, fifteen acres of
 gh the which were put into cultivation. A ditch was dug for purposes of
 of irrigation. In reporting this new addition the superintendent said
 ith, almost apologetically that "when the farm and garden are brought
 pro- into successful operation the fresher supply of vegetable and farm
 tion. products will render the diet of patients more acceptable and health-
 a one- ful and reduce the per capita cost of caring for them."¹ The per
 to the capita net cost had in fact been eighty cents a day. The \$34,904.24
 -one expended by the territory had been stretched to cover bills for the
 er tank land, improvements, livestock, furniture, salaries, and supplies of
 ped all kinds.²

ave The summer of 1888 brought further expansion of the farm
 y free by the addition of eighty acres which, with the help of employable
 placed men patients, were cleared of sagebrush, put under irrigation, and
 tal cultivated. The water right purchased for the irrigation of this
 d around land was subjected to litigation but settled the next year by the
 was can directors.³

1 so During the next year brick making was introduced. Patients
 the and the very few employees burned 75,000 bricks in the kiln for
 the new building that was under construction. A portion of the
 \$15,000 appropriation for improvements was used for the new two-
 story building, 117 x 30 feet, adjacent to the main building. It
 had twenty-one sleeping rooms, four dining rooms, and three bath

irround-

ar End-
 . I.

¹ Ibid., p. 886.

² Ibid., p. 886.

³ Journal of House of Representatives, 1888-89, p. 158.

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OR ORIGINAL

rooms and lavatories.¹ The outside walls were thirteen inches thick and inside walls nine inches thick. All casings were at corners and the inside corners of the brick walls were rounded, "thus preventing epileptic patients from injury."² floors and the stairway was made of wood. The roof was fire with no open space between roof and ceiling as it was in the building. In addition to this building which was in process of construction during the year, a laundry 30 x 60 feet was built. A ditch seven miles long, twelve feet wide, and three feet deep was constructed from Snake River to irrigate the Asylum farm from the time of the establishment of this institution part of the appropriation has of necessity been diverted to purposes of irrigation, an expenditure upon which depend the farm products and a portion of the food for the patients.

On November 24, 1889, a disastrous fire occurred at 11 A.M. resulting in the loss of several lives and the entire destruction of the main building and its contents, amounting to damage about \$25,000. All that remained, the furnishings, supplies and records having been burned, were a few thousand bricks and a stone in the foundation. The origin of the fire was not known. It was thought that an exploding coal oil lamp or stove or a flue may have started it. Dr. Givens, the Superintendent, and

¹Henry M. Hurd, The Institutional Care of the Insane in the United States and Canada (Baltimore: Johns Hopkins Press, 1912), II, 171.

²Annual Report of Secretary of the Interior for Fiscal Year Ending June 30, 1890 (Washington: Government Printing Office, 1891), III, 559-63.

³Ibid., p. 559.

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ORIGINAL

employees removed patients as long as the building could be entered.

One hour elapsed until the roof fell in. Many of the sixty-seven patients escaped and were found the following day. The charred bodies of one man and one woman were found. Four men and one other woman were also missing, but it was never known if they escaped or were burned to death. For a few days the male patients were kept at the Bingham County Courthouse and the female patients at the Methodist Church until they could be removed to the new uncompleted addition which had been somewhat damaged by fire.¹

Thus Dr. Givens in reporting this devastating experience to Governor George L. Shoup pointed out the lessons that it had taught and what, in his opinion, was the criteria for a well-built asylum. It had been demonstrated that inasmuch as the asylum population is almost completely helpless in time of a fire, the buildings should be fireproof. Broad stairways should be built of non-combustible material and be easily accessible from wards and dormitories. Heating, cooking, and lighting apparatus should be such that they give a minimum of risk. The water supply should be outside and independent of the buildings. He further recommended that when land is plentiful and cheap, the asylum proper ought not to be more than two stories high. He believed that the first consideration should be given to usefulness, safety, and permanency, although architectural beauty of external and internal appearance need not be neglected. The buildings, as far as it is possible, should be built in such a way that they contribute to cleanliness, order, and furnish pure air.²

¹Ibid., p. 563.

²Ibid.

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However, despite the drama of this episode and the need for supplies, furnishings, and all else necessary for the support of sixty dependent, insane individuals, little was done by the legislature to mitigate the serious situation. Their interests were all engrossed in seeking statehood.

During the summer preceding the fire agitation for self-government with its attendant privileges had resulted in Governor Shoup's summoning a Constitutional Convention without waiting to secure the customary Enabling Act from Congress authorizing the holding of a Convention.¹ The Constitution was completed on June 6, 1889, and provided: "Educational, reformatory, and penal institutions and those for benefit of the insane. . . shall be established and supported by the State in such manner as may be provided by law."² In referring to the insane asylum the plural form "asylums" was inserted after Mr. Ainslie had brought to the attention of those convened that the legislature might at some future time provide another asylum in some other part of the territory. The Constitution was submitted to general election in November, 1889, ratified, and then submitted to the United States Congress. The House approved it on April 3, 1890, and the Senate July 1. President Harrison signed the Idaho Admission Bill on July 3, thereby granting statehood.

¹The Federal Writer's Project, Idaho. The Idaho Encyclopedia. Compiled by the Federal Writer's Project of the Work Projects Administration, Vardis Fisher, State Director (Caldwell: The Caxton Printers, Ltd., 1938), p. 200.

²Constitution of State of Idaho, Article X, Sec. 1.

³Proceedings and Debates of Constitutional Convention, Idaho, 1889 (Caldwell, Idaho: Caxton Printers, Ltd., 1912),

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increased statehood.¹ Thus after twenty-seven years as a territory, Idaho, with a population of 88,548, became the forty-third state admitted to the Union.²

By the same act the Idaho Insane Asylum had become a state institution. However, it was blessed with no immediate beneficent provision to ameliorate the conditions resulting from the fire.

During the year 1890 over-crowding inevitably resulted from the loss of the old building. By June seventy-nine people were housed in the one building intended to accommodate fifty patients. Three of the dining rooms were converted into wards and the lower hall was used for the superintendent's office. There were only three bathrooms and three lavatories in the building. Dr. Givens urgently recommended to the governor that additional quarters be provided, specifying that they be fireproof, lighted by gas or electricity, well-ventilated, easily operated and kept clean, have a hot water supply, and, further, that "broad porches be enclosed with wire guards where patients might be tempted out into the open air every day in the year, no matter how cold and inclement the weather." However, the existing conditions had not been improved by the time the first session of the legislature of the State of Idaho had convened in December. The Committee on Public Buildings reported that:

During the summer the present administration proceeded to erect a fine brick structure but they are unable for want of funds to furnish and equip it. Dr. Givens, with mostly asylum labor, quarried the rock and made 270,000 bricks. Out of this amount

¹U. S. Statutes at Large, XXVI, Part I, 656 (1890).

²Hiram French, History of Idaho (Chicago and New York: The Lewis Publishing Co., 1914), p. 91.

they sold \$700 worth. With this amount in funds, and part of the \$15,000 appropriated by the last legislature, he erected a substantial brick building fifty feet square and two stories high.¹

This building was located 300 yards from the old one, affording a better means of drainage, 700 feet above the old site.² However, since this building was not ready for occupancy the patients were forced to remain in their congested quarters with not less than three in any room, whereas one room contained twenty-four.³

Despite the above report, another special committee was appointed to examine into the affairs of the Insane Asylum reporting that they believed "the patients were well cared for and provided with all necessary care, clothing, and food at present."⁴ They recommended an appropriation of not less than \$40,000 for permanent improvements, but the amount appropriated by the legislature for this purpose fell short of \$5,000.⁵ Thus it is seen that although the Idaho Insane Asylum had become a state institution, it was, in the whole, unaffected in respect to policy or practice by the transition from territory to statehood.

During the ensuing years there was an increasing number of admissions which necessitated the addition of new buildings to accommodate the patients and the further development of the farm. In 1892, a two-story building 30 x 50 feet was built. An orchard

¹ Journal of the House of Representatives of State of Idaho, 1890-91, p. 52.

² Hurd, op. cit., p. 171.

³ Journal of the House of Representatives of State of Idaho, 1890-91, p. 53.

⁴ Ibid., p. 57.

⁵ Ibid., p. 58.

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of 1,500 trees was planted and a farm of 40 acres purchased.

The following year Dr. Givens submitted a report concerning the provisions for the insane in Idaho to the National Conference of Charities and Correction, an organization with which Idaho had no official affiliation. He described the asylum buildings as plain, practically fireproof brick buildings which would accommodate 150 patients and attendants. He emphasized the economy to the institution effected by patient employment in brickmaking. Because patients and attendants had made the bricks, hauled the sand, mixed the mortar, and carried the materials to the masons and plasterers for constructing the buildings, they had saved \$34,650, for the buildings were valued at \$91,650 where the actual costs had been \$54,000. In addition, he reported, patients and employees had developed a farm of 160 acres from raw sagebrush land.¹

In 1894 another ward building 24 x 25 feet was constructed, and the farm was expanded. A tract of land, 360 acres adjoining the asylum, was bought and 1,480 acres nearby procured by relinquishment, making a total of 2,100 acres. The installation of an electric light plant that year minimized to a great extent the fire hazard.²

The following year a corresponding secretary reported to the National Conference of Charities and Corrections that the great-

¹Proceedings of the National Conference of Charities and Correction at 20th Annual Session held in Chicago, Ill., June 8-11, 1893 (Boston: Press of George H. Ellis, 1893), p. 311.

²Hurd, op. cit., p. 172

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est problem concerning Idaho's insane was proper feeding of the patients. He asserted that the "only way to solve it is for the asylum to produce its own eatables as far as it can."¹ And indeed employable patients and the employees bent their efforts toward that end, clearing the rough land of sage brush and scattered fragments of lava rock, coaxing the reluctant irrigation streams over the sandy soil.

In May, 1896, Governor William J. McConnell reported that the increase in number of patients was "so rapid that the extra accommodation provided by the preceding legislature will be crowded by next session."²

By 1899 a greater water supply was assured for all domestic purposes by the installation of a pump in the well, operated by the electrical power from American Falls, fifty miles distant. No longer did the whimsies of the wind in propelling the windmill have to be depended upon nor did the institution have to rely upon the locally manufactured power. In this same year the asylum's miles of fence were extended to enclose the 2,100 acres of land.⁴

During the next decade much stress was laid on bringing the farm to a high degree of productivity. By 1910 the twenty-two acres of orchard was yielding enough fruit to supply patient needs. Vegetables of all kinds from the truck garden filled the numerous

¹Proceedings of the National Conference of Charities and Correction at 22d Annual Session held in New Haven, Conn., May 24-30, 1895 (Boston: Press of Geo. H. Ellis, 1895), p. 341.

²Journal of House of Representatives of State of Idaho, 1895-96, p. 36.

³Hurd, op. cit., p. 171.

⁴Ibid., p. 171.

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cellars. The wheat raised was traded for flour and bran. The boast was made that

Nearly all the labor was done by the inmates under the supervision of the superintendent and a few foremen. Here is a colony of about three hundred and fifty people having all their wants supplied from less than 400 acres of land, and that too from the labors of not to exceed thirty-five able bodied men, for although seventy-five of the inmates work, their labor would not exceed half a man each.¹

The building program had also continued as demands became acute. In 1901 a two-story brick ward 100 x 40 feet was completed providing room for fifty patients. In the last two years of the decade four new buildings and a rock cellar, all of rock quarried on the farm, were constructed. They included a kitchen, a storehouse with rooms for inmates on the third floor, a large rock cottage, and apiary with accommodations for ninety hives of bees. A new sewerage system was put in, also heating and steam cooking systems which also furnished heat to all buildings of the institution. In the main buildings new maple wood flooring was laid.²

The Board of Health reported in 1912, after a sanitary inspection, that a small hospital had been in operation for about a year and meeting adequately a long-felt need. They commended the cleanliness of the buildings and the bakery with its excellent quality of bread. The water supply contained in a 50,000 gallon tank on a steel tower was said to be ample with assurance of fire protection. However, the only equipment for fighting fire consisted of one line of cotton hose in the men's ward and only two wards had

¹Biennial Report of the Commissioner of Immigration, Labor and Statistics, 1907-08 (Boise: Published by Authority, 1908), p. 179.

²Ibid., p. 179.

MICROFILMED

NOV 13 1996

attachments for fire hose. There were no fire escapes. Upon recommendation fifty feet of hose were added for each of the four wards.¹

Investigation by the State Affairs Committee

As no provision had ever been made for a state supervisory agency, the board of directors had autonomous control over the affairs of the Idaho Insane Asylum. How efficiently they performed their duties depended solely upon the degree to which they realized their responsibility. As political appointees with no qualifying standards to meet they were free to use the institution for political ends, or if they were conscientiously interested in promoting the welfare of the mentally ill patients confined therein, that too was their choice. In a state concerned with developing natural resources and reclaiming barren soil, perhaps it is not surprising that the emphasis was laid on increasing the productivity of the asylum farm.

Thus the first public exposure in 1919 of the true state of affairs and condition of the patients at the Idaho Insane Asylum should not have been too startling.

The Joint State Affairs Committee was dispatched by the legislature to make an investigation. After several days of thorough inspection they reported back that they had found "a deplorable condition in the whole institution, in the buildings, the upkeep, the supplies, the general management, and the equipment."²

¹Biennial Report of the State Board of Health for Fiscal Year Ending June 30, 1912 (Boise: Published by Authority, 1912), p. 72.

²Journal of the House of Representatives, 1919, pp. 246-47.

NOV 13 1996

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

STATE Hospital South

CLAIM IDENT. NO.

127-11188

DATE RECEIVED

5-30-89

Ch. #

-

AMOUNT \$

78

YES

NO

Required
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?
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 *
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: DM

Date:

6/28/89

Claim must be returned to claimant:

(Yes) ☒ (No) ☐

Claimant must be notified of modifications:

☒ (Yes) ☐ (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments:

ENTER CONSUMPTIVE USE AS IS A.F.A.

NOV 13 1992

800 8959

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JUL 28 2001

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A27-11188
Date Received: 5/30/1989
Receipt No: E008959
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STATE OF IDAHO DEPARTMENT OF HEALTH 208-785-1200
Address: AND WELFARE STATE HOSPITAL S.
P.O. BOX 400
BLACKFOOT, ID 83221

2. Date of Priority: JUL 18, 1886

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	35E	2	NE	SW	SW		BINGHAM

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.280		
IRRIGATION	04/01	11/01	0.180		

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/STATE HOSPITAL SOUTH A STATE PHYCHIATRIC HOSPITAL

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	35E	2	NW	SW		DOMEST	3.0

A27-11188

Page 1

Date: 07/25/89

A2711188



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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	35E	2	NW	SW		IRR	
			SW	SW		DOMEST	3.0
			SW	SW		IRR	
						Section Acres	6.0
						Total Acres	6.0

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:

RIGHTS FOR IRRIGATION IS ALSO HELD INT HE CORBETT SLOUGH DITCH.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A27-11188
Date Received: 5/30/1989
Receipt No: E008959
Received By: _____

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

1. Name: STATE OF IDAHO DEPARTMENT OF HEALTH 208-785-1200
Address: AND WELFARE STATE HOSPITAL S.
P.O. BOX 400
BLACKFOOT, ID 83221

2. Date of Priority: JUL 18, 1886

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	35E	2	NE	SW	SW		BINGHAM

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.280		
IRRIGATION	04/01	11/01	0.180		

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/STATE HOSPITAL SOUTH A STATE PHYCHIATRIC HOSPITAL

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	35E	2	NW	SW		DOMEST	3.0

A27-11188

Page 1

Date: 07/25/89

A2711188



COPY

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Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	35E	2	NW	SW		IRR	
			SW	SW		DOMEST	3.0
			SW	SW		IRR	

Section Acres 6.0

Total Acres 6.0

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:

RIGHTS FOR IRRIGATION IS ALSO HELD INT HE CORBETT SLOUGH DITCH.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

COPY

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NOV 13 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: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

COPY

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NOV 13 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 227-11188Date Received 6-7-1989 5-30-1989Receipt Number 15008959

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

RECEIVED

MAY 30 1989

Department of Water Resources
Eastern District Office

Please type or print clearly

STATE OF IDAHO
DEPARTMENT OF HEALTH AND WELFARE
STATE HOSPITAL SOUTH

Phone (208) 785-1200Mailing Address P. O. Box 400, Blackfoot, IdahoZip 832212. Date of Priority (Only one (1) per claim) July 18, 18863. Source of water supply (a) Ground Water

which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 3S Range 35E Section 2,NE 1/4 of SW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Bingham

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

No information is available on the well prior to 1957. However, the well that existed prior to 1957 was capped and a new well drilled at the same location. Well casing is set from (2) two feet above ground to 167 ft. plus shoe with 20 in. O.D. casing w/ 5/16 in. wall; then from (2) two feet above ground to 422 ft. 5 in. plus shoe with 16 in. O.D. casing w/ 5/16 in. wall; and then from (2) two feet above ground to 806 ft. 8 in. plus shoe with 12 in. O.D. casing w/ 5/16 in. wall. Total depth drilled was 868 ft.. In 1969, the well pump was changed to the document 80" H.P. Johnson Model 10CC 6 Stage Pump. In 1938, a 50,000 gallon capacity elevated water storage tank was installed that is still in service.

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NOV 13 1992

COPY

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 1-1 to 12-31 amount 0.28 or _____
 For Irrigation purposes from 4-1 to 11-1 amount 0.18 or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.46 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 159.89 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic: State Hospital South A State Psychiatric Hospital

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3S	35E	2										³ D	³ D						6

Total number of acres irrigated 6

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

12. Do you own the property listed above as place of use? Yes X No _____
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

Water rights for irrigation of the six acres are also held in the Corbett Slough Ditch or None ()
Company of Blackfoot, Idaho

14. Remarks:

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NOV 13 1992

Last Name State Hospital South Ident No. _____

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

COPY

Scale: 2 inches equals 1 mile

R35E

T	3	S
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POINT OF DIVERSION

CCPY

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NOV 13 1992

Last Name State Hospital South

Ident No.

Copies: White-State, Yellow-Claimant

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 _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 0

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

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Administrative Director

Title

of State Hospital South, Dept. of H & W, State of Idaho, that I have signed the foregoing

Organization

document in the space below as Administrative Director of State Hospital South

Title

Organization

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

Signature of Authorized Agent *[Signature]*

Title and Organization Administrative Director, State Hospital So. Date MAY 26, 1989

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

Subscribed and sworn (or affirmed) before me this 26th day of May 19 89

SEAL

Notary Public *[Signature]*

Residing at Blackfoot

My Commission Expires 1/4/93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

NOV 13 1992

Last Name State Hospital South Ident. Number _____

27-11188

NW SW	22.1
SE SW	1.0
SW SW	22.6
NE SW	<u>0.6</u>
	46.3

POD:

I changed the special to put the POD
per marked map.

The claimed POD is NE SW SW.

The drawing POD is NW SW SW.

The gold b POD was NE SW SW.

no ink:

Project sonexco

b27 bjp 27-11188. a pr.