

03/17/2005

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

RIGHT NUMBER: 37-4333

NAME AND ADDRESS: MINK INC
1826 E 1700 S
GOODING ID 83330

SOURCE: WASTE WATER

TRIBUTARY: DRY CREEK

QUANTITY: 0.050 CFS
4.000 AFY

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

PRIORITY DATE: 04/01/1956

POINT OF DIVERSION:

T05S R15E S6 SESW Within GOODING County

T05S R15E S6 NWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER STORAGE	01/01 12/31	4.00 AFY
STOCKWATER FROM STORAGE	01/01 12/31	4.00 AFY
STOCKWATER	03/15 11/15	0.050 CFS

PLACE OF USE: STOCKWATER Within GOODING County

T05S R15E S06 SESW

STOCKWATER FROM STORAGE same as STOCKWATER

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

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

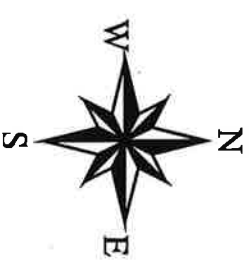
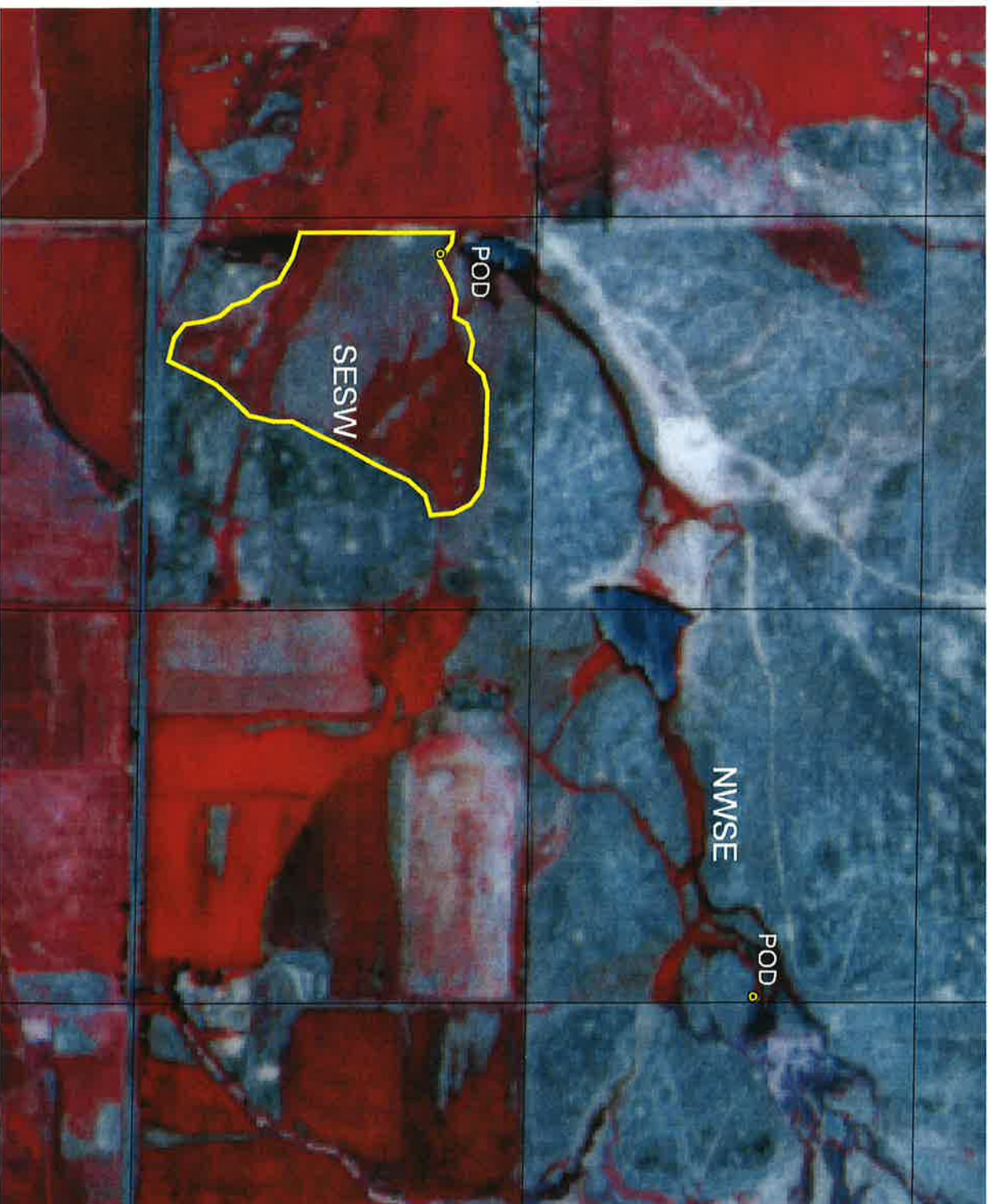
The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

The source of this right is waste water originally diverted by the Big Wood Canal Co.

37-4333

**T05S R15E
S06**



Map prepared by: Carter Fritschle
Date prepared: 01/22/03 - Revised 12/14/04
1987-1988 NAPP photography
Idaho Department of Water Resources

Contacts Data Entry Form

Claim Number 37-4333

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	MINK-INC Nancy Toone	1826 E 1700 S	GOODING	ID	83330	(208)934-5150

Date of Field Exam: 9-20-04 Time: 11:30 A

Accompanied By: Bob Esterbrook Phone Number: 934-5704

Relationship to Claimant: Neighbor-Friend

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

I met with Mr & Mrs Mink they advised me that they have sold to Nancy Toone and they would advise Title Co to send IDWR Deed - Final Closing First of 2005. Mr Mink was in no condition to go out to field so they recommended I go see their neighbor Bob Esterbrook he knew where POD are.

Date: 9-20-04



Lee R. Peterson
234 S View Rd
Jerome, ID 83338-6448

Point of Diversion and Source Data Entry Form

Claim Number 37-4333

Claimed Point of Diversion and Source

T05S R15E S6 SESW Within GOODING County Source: WASTE WATER UNNAMED STREAM

T05S R15E S6 NWSE Within GOODING County Source: WASTE WATER UNNAMED STREAM

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T05S R15E S6 SESW Within GOODING County

T05S R15E S6 NWSE Within GOODING County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

1-2 waste from neighbors dry creek

	Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
1-2	55	15E	06			Gooding	waste

Other rights from this POD? NONE

Document how the POD and Source were verified:

POD 1 as marked on color photo is on
 wrong side of pond as shown N-W corner is
 not correct - POD is S-W corner SEE GPS
 1- MINK INC MINK1 2440712 1312845 ^{plate} none ^{photo} 1030 322
 2- " " " 2 2441476 1313168 A0013792 323

Reviewer: Date: 9-20-04

Place Of Use Data Entry Form

Claim Number 37-4333

Claimed Place Of Use

T05S R15E S06 SESW 14.0

Total Acres 14

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T05S R15E S06 SESW 14.0

Total Acres 14

OK as per Bill

Recommended Place of Use

☐ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
55	15E	6			Gooding		14	Irrig-stock-stg

Total Acres _____

Document how the POU was verified:

Mr-Mrs Mink & Bob Esterbrook - Bob & I walked
the land - ditches - Pond areas

Reviewer: _____



Date: _____

9-20-04

Period of Use and Quantity Data Entry Form

This water source & volume varies day by day depends on neighbors water practices.

Claim Number 37-4333

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01 <i>when</i>	11/01 <i>SOME</i>	1	<i>no method of measurement</i>
STOCKWATER	4/01 <i>available</i>	11/01 <i>TIMES</i>	0.05	
STOCKWATER STORAGE	1/01	12/31		4 <i>maybe</i>
STOCKWATER FROM STORAGE	1/01	12/31		4

Overall Diversion Rate 1

Overall Diversion Volume 4

☐ 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
IRRIGATION	4/01	11/01	1	
STOCKWATER	4/01	11/01	0.05	
STOCKWATER STORAGE	4/01	11/01		4
STOCKWATER FROM STORAGE	1/01	12/31		4

Overall Diversion Rate 1

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>on good years</i>	<i>when ever</i>		<i>undetermined</i>	<i>no med. devices</i>
<i>water average</i>				

Overall Diversion Rate

Overall Diversion Volume

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

on good water years they may get 4 AF but these past few years were poor - this year water off soon - now none and with new Irrig. Methods - sprinklers - I don't see it improving a lot.

Reviewer: 

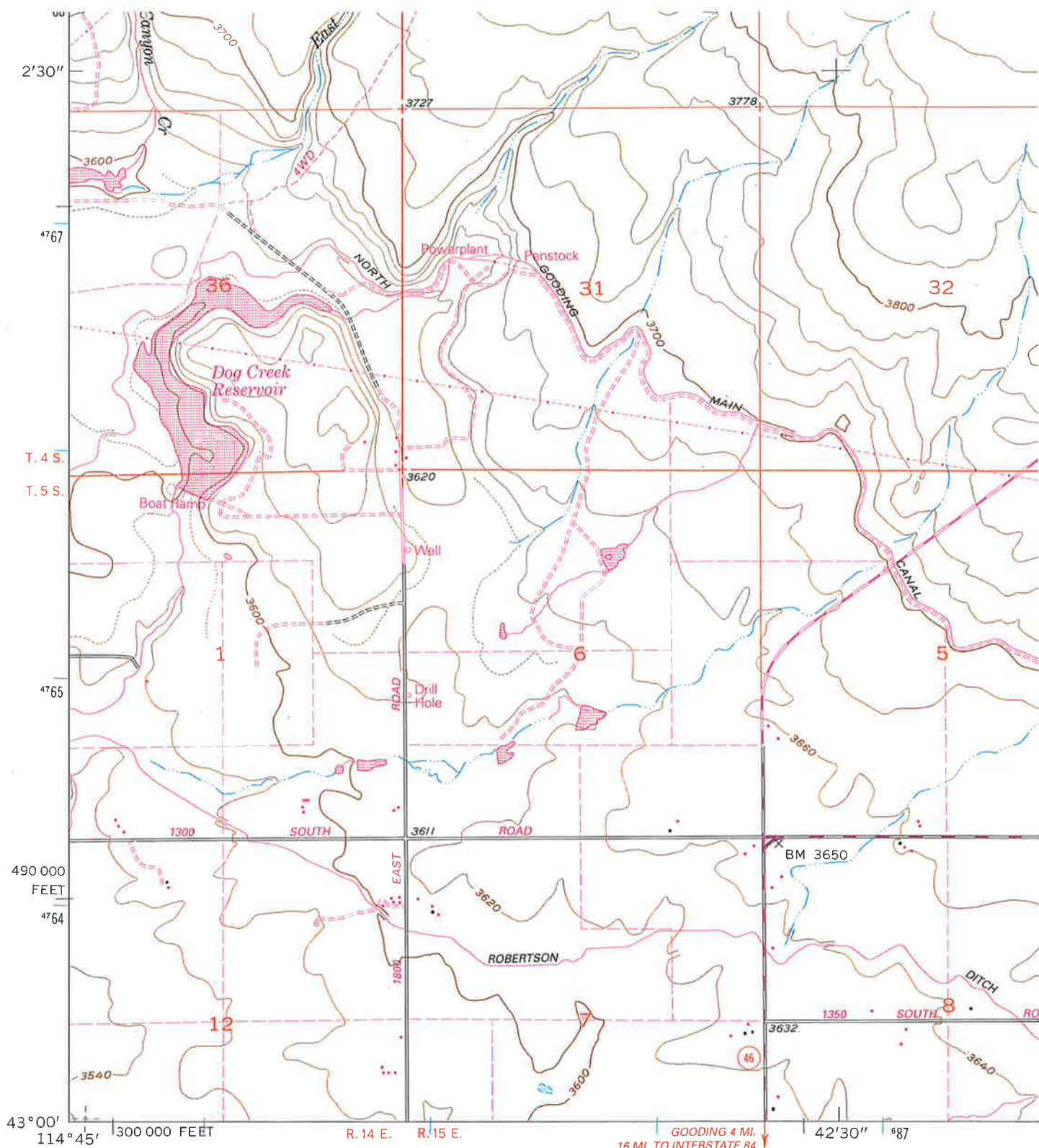
Date: *9-20-04*



37-4333 Looking north easterly towards stock pond - Photo by Lee Peterson 09/20/2004



37-4333 Looking westerly towards stock pond. - Photo by Lee Peterson 09/20/2004



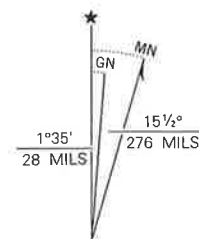
Produced by the United States Geological Survey

Control by USGS and NOS/NOAA

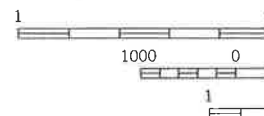
Compiled from aerial photographs taken 1954. Information shown in purple has been updated from aerial photographs taken 1987 and field checked. Map edited 1992. Conflicts may exist between some updated features and previously mapped contours

North American Datum of 1927 (NAD 27). Projection and 10,000-foot grid ticks: Idaho Coordinate System, central zone (Transverse Mercator). 1000-meter Universal Transverse Mercator grid ticks, zone 11, shown in blue

The difference between NAD 27 and North American Datum of 1983 (NAD 83) for 7.5 minute intersections is given in USGS Bulletin 1875. The NAD 83 is shown by dashed corner ticks



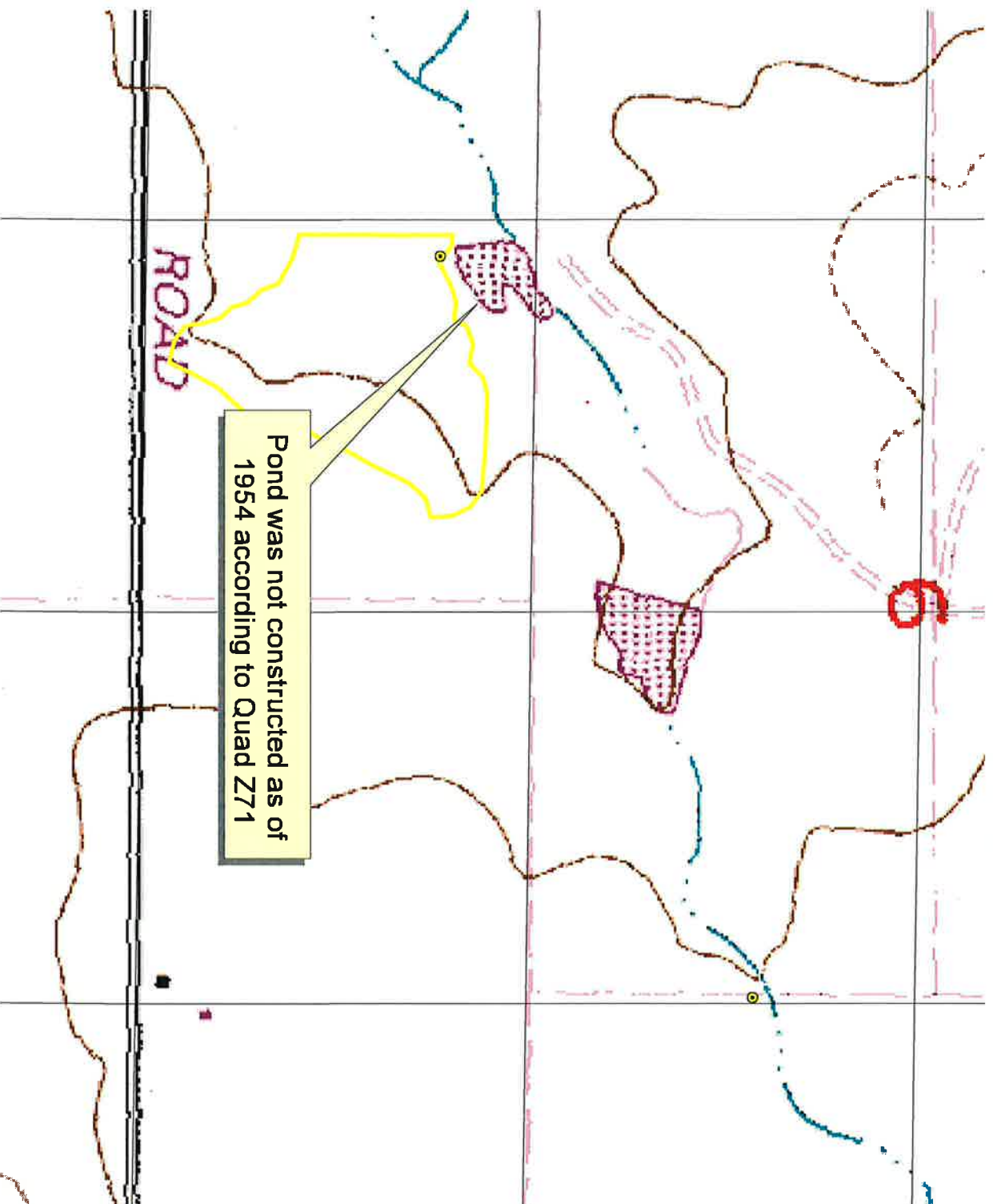
UTM GRID AND 1992 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET



THIS MAP
FOR SALE BY U. S. GEOL
A FOLDER DESCI

37-4333

**T05S R15E
S06**



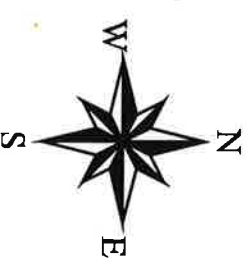
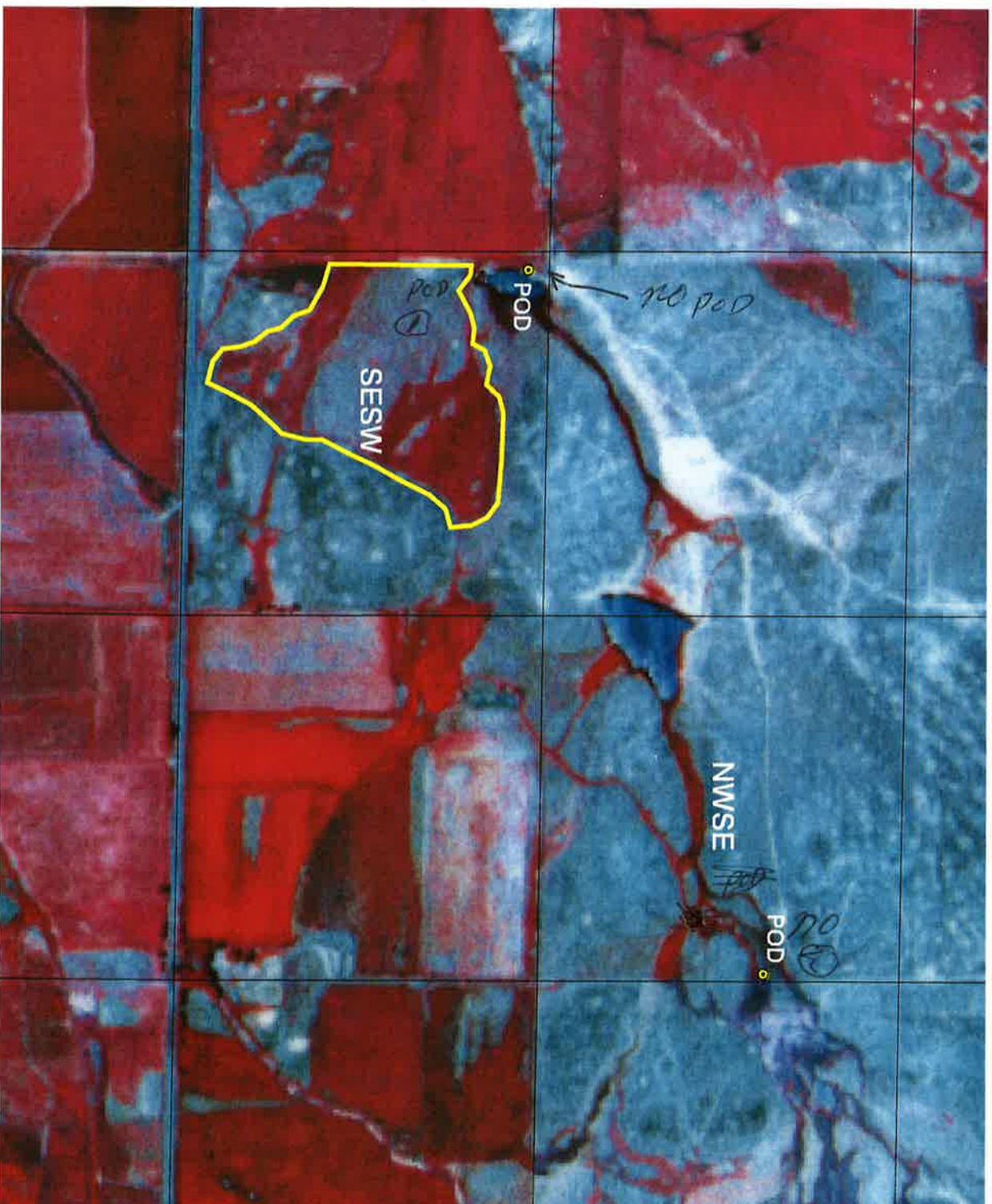
900 0 900 1800 Feet



Map prepared by: Carter Fritschle
Date prepared: 01/22/03 - Revised 12/14/04
1987-1988 NAPP photography
Idaho Department of Water Resources

37-4333

T05S R15E
S06



Map prepared by: Carter Fritschle
Date prepared: 01/22/03
1987-1988 NAPP photography
Idaho Department of Water Resources

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: A37-04333
Date Received: 6/28/1988
Receipt No: S000575
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MINK, INC. 208-934-5150
Address: 1723 E. 1300 S.
RT. 1
GOODING, ID 83330

2. Date of Priority: APR 01, 1956

3. Source: WASTE WATER Trib. to: UNNAMED STREAM

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	15E	6	SE	SW			GOODING
			NW	SE			GOODING

5. Description of diverting works:
CHECK DAM, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		
STOCKWATER	04/01	11/01	0.050		
STOCKWATER STORAGE	01/01	12/31			4.00
STOCKWATER FROM STORAGE	01/01	12/31			4.00

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) 4.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 RANGE

MICROFILMED
FEB 24 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	15E	6	SE	SW		IRR	14.0
Section Acres							14.0
Total Acres							14.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:
THERE ARE 2 P/DS IN THE SESW SEC. 6.

15. Basis of Claim: STATUTORY CLAIM
Water Right Number:

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

For Organizations:

I do solemnly swear or affirm that I am Secretary of _____ Title

Mink Incorporated that I have signed the foregoing Organization

document in the space below as Secretary of _____ Title

Mink Incorporated and that the statements contained in the Organization

foregoing document are true and correct.

Virginia J. Mink
Signature of Authorized Agent

Mink Inc.
Title and Organization

June 28, 1988
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of June 19 88

[Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



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

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

Notice is hereby given that Mink Inc. (Name of Claimant)
#1 Box 51, Gooding, ID 83330 Telephone No. 934-8150
 (Mailing Address) (Zip Code)

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

- (1) Date of priority: (When was the water first applied to a beneficial use) April 1, 1956

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

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

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

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>1.0 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>Apr. 1</u>	To <u>Nov. 1</u>
Quantity	<u>0.05 cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>Apr. 1</u>	To <u>Nov. 1</u>
Quantity	<u>4.0 AF</u>	Use <u>Storage for Stockwater</u>	Period of Use From <u>Apr. 1</u>	To <u>Nov. 1</u>
Quantity	<u>4.0 AF</u>	Use <u>Stockwater from Storage</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>
Quantity		Use	Period of Use From	To

- (4) 1.0 cfs TOTAL QUANTITY USED.
(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ SE ¼, Sec. 6 Twp. 55. Rge. 15E B.M., County of Gooding
 Additional points of diversion: 2pts SE ¼ SW ¼ Sec. 6 Twp. 55 Rge. 15E.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Cement check dam and earth ditch to place of use. Waste water enters ditch at several locations. The pd. listed is where ditch originates.

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

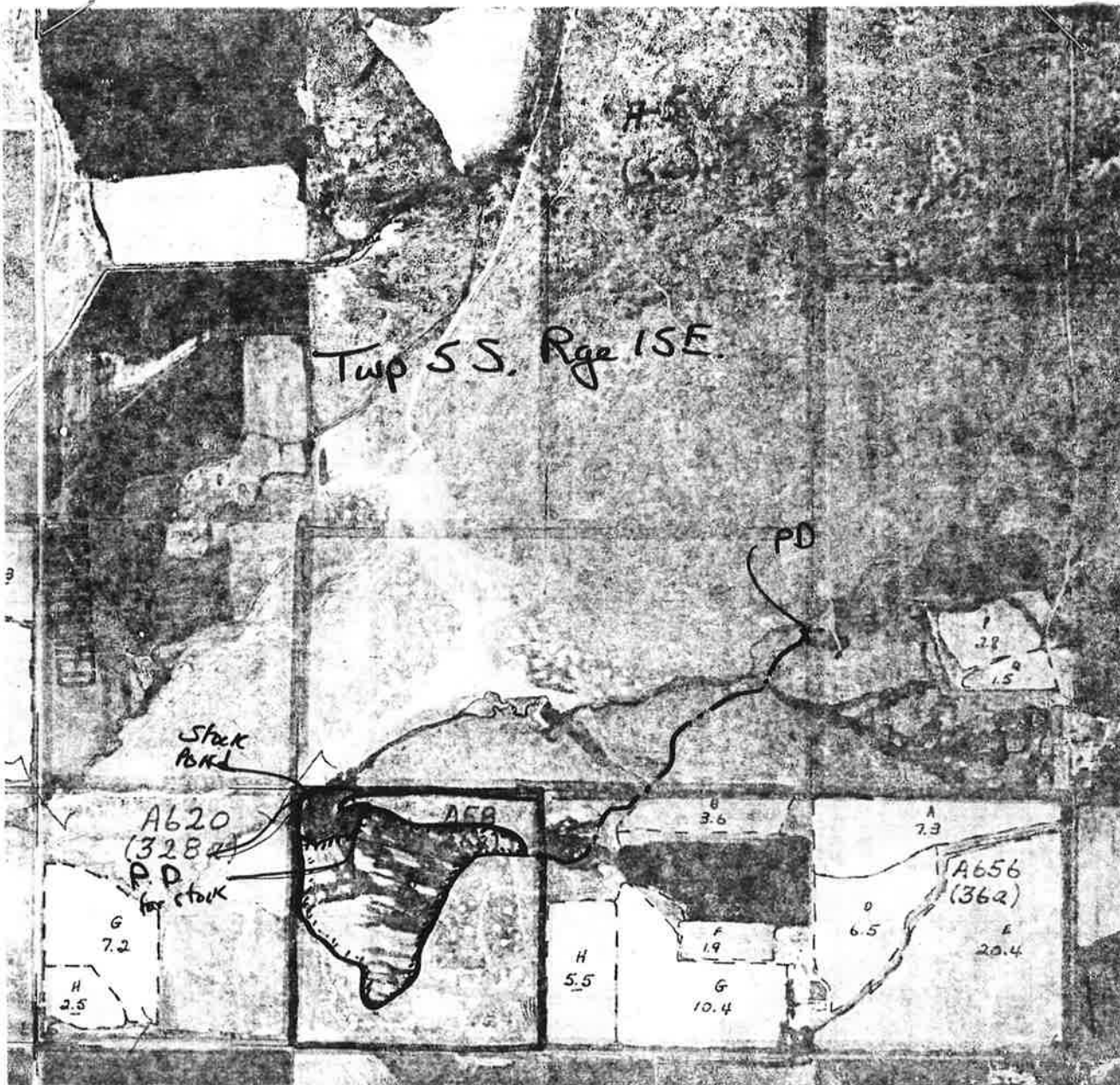
[illegible]

No. of acres 14

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

NOTE: Include here the type and number of stock watered: 200 hd Rec Cattle

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



State of Idaho)

County of Twain Falls) ss.

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

Mark McRae, Jr.
Bill McRae, Jr.
(Claimant)

Sworn to before me this 25 day of May, 1983.

Loren O'Halloran
Notary Public
Residing at Twain Falls, ID

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by TLO-B Date 5-25-83 Exception filed by: _____ Date _____
Prelim. check by Q Date 6-1-83 claimant by: _____
\$30.00 fee received by TLO-B Date 5-25-83 # 27399
Published in Booming County Recorder
Dates 6/29 & 7/6/83