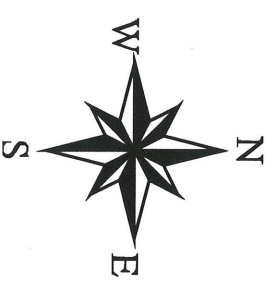
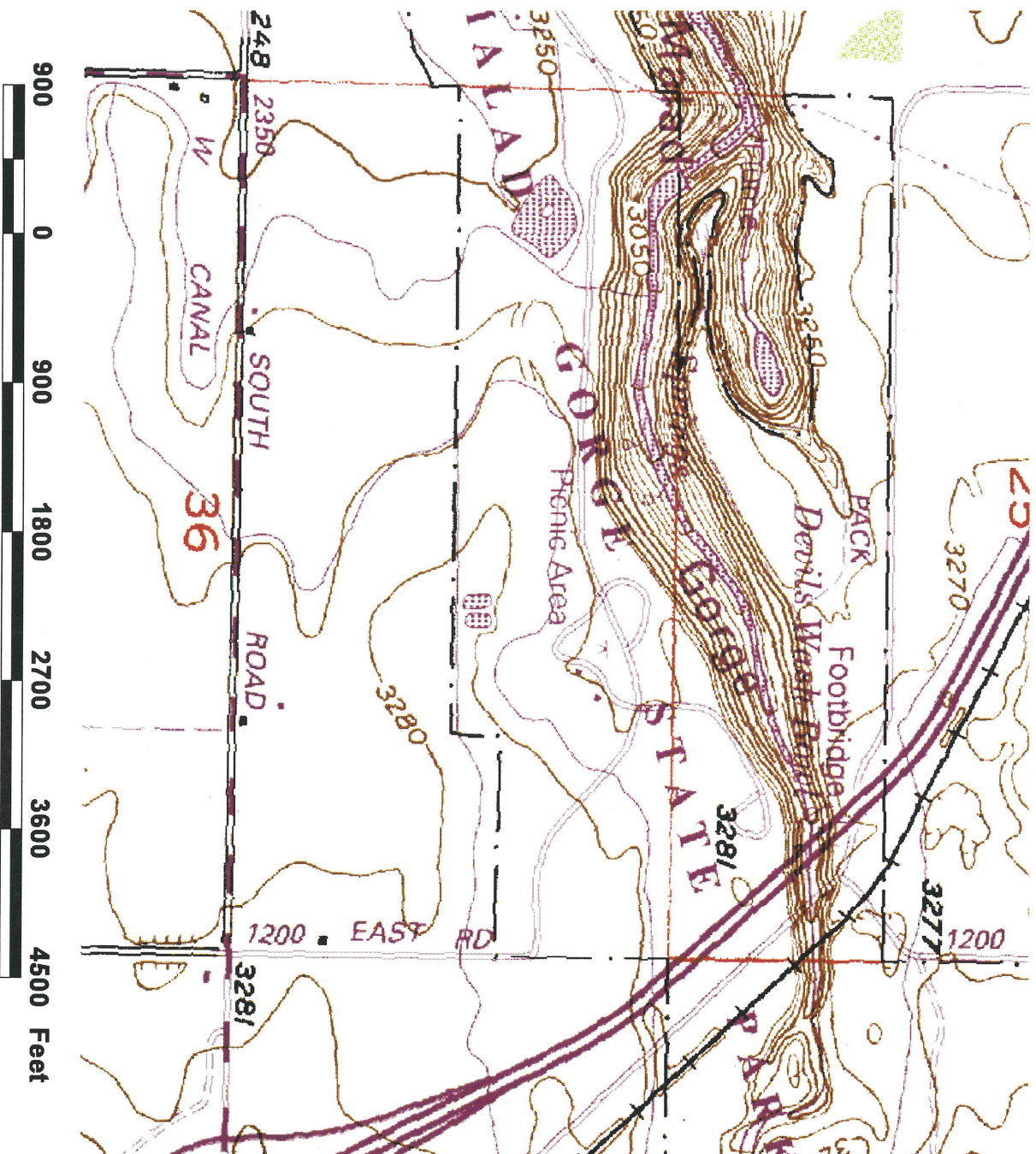


37-7421

T06S R13E
S36



Topo AA 70

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

11/26/2001

RIGHT NUMBER: 37-7421

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF PARKS & RECREATION
STATEHOUSE MAIL
PO BOX 83720
BOISE ID 837200065

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.30 CFS
2.0 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/28/1975

POINT OF DIVERSION:

T06S R13E S36 NWNE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.300 CFS 2.00 AFY
DOMESTIC USE AT MALAD GORGE STATE PARK.		

PLACE OF USE: DOMESTIC Within GOODING County
T06S R13E S36 NWNE

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: License

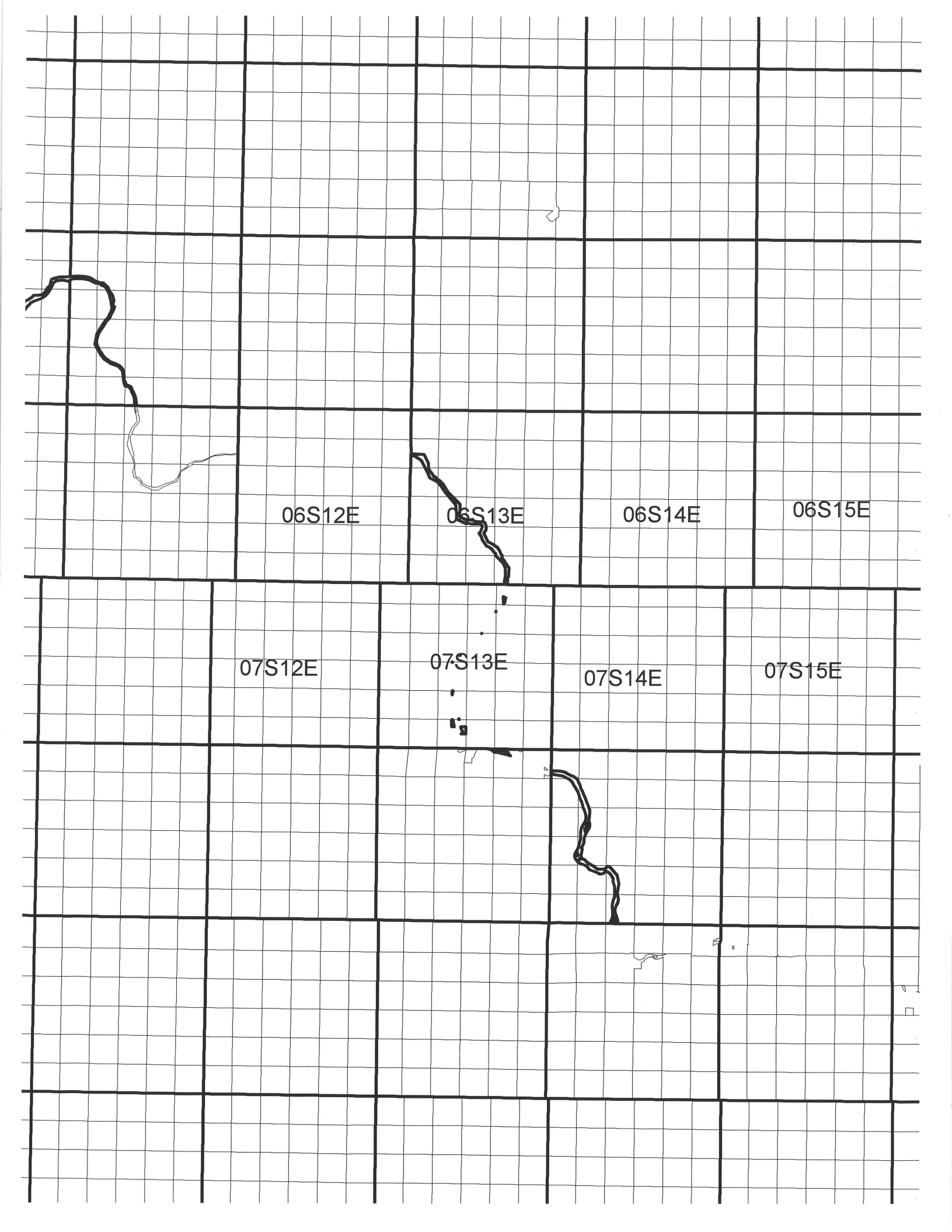
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

37-7421

5-16-1992



1 Meter Resolution



A hand-drawn map on a grid. The map is divided into two main horizontal sections by a thick line. The top section contains four rectangular areas labeled 06S12E, 06S13E, 06S14E, and 06S15E. The bottom section contains four rectangular areas labeled 07S12E, 07S13E, 07S14E, and 07S15E. A winding path is drawn across the map, starting from the left edge, passing through 06S12E, 06S13E, and 07S14E. There are also some small, faint markings and a small square symbol in the bottom right corner.

06S12E

06S13E

06S14E

06S15E

07S12E

07S13E

07S14E

07S15E



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST SUITE 200
TWIN FALLS ID 83301-3380
(208) 736-3033 FAX (208) 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

September 22, 1998

State of Idaho
Department of Parks & Recreation
Statehouse Mail
Boise, Idaho 83720

C O P Y
FOR YOUR FILES

*This is a copy of
Waiver Letter for Water
Right # A37-07421 from
West ESPA Measurement District.*

Ladies and Gentlemen,

I recently went to the Malad Gorge State Park to perform the meter calibration for the West ESPA Measurement District for water right # A37-07421. During my visit I discovered that this well was only used to supply water to the park's rest rooms and drinking fountains. I decided at that time to postpone the meter calibration until I could research these water rights further.

*Daniel A. Nelson
9-22-98*

My research revealed that the adjudication claim for this water right is a de-minimis claim. This means that this water right is limited to a maximum diversion of 13,000 gallons per day. I then researched the original license and discovered that this water right was licensed for a maximum annual volume of 2 acre feet of water. 2 annual acre feet of water multiplied by 325,850 gallons per acre foot of water divided by 356 days leaves an average daily use of 1,831 gallons per day. If the total use of water was used only during 3 months of the year it would still only have an average of 7,241 gallons per day. These figures reveal that this water right is a de-minimis claim.

According to Idaho Code 42-701, subsection 7, domestic water uses limited to 13,000 gallons per day are not required to be apart of the West ESPA Measurement District. Therefore, Water Right # A37-07421 has been waived from the West ESPA Measurement District. You will no longer be required to report the annual volume of the Malad Gorge Park Well or pay an annual assessment.

If you have any question please contact me at the above address or telephone number.

Sincerely,

Daniel A. Nelson
Water Resource Agent
Southern Office
Idaho Department of Water Resources

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE

September 22, 1998 4:17pm

CUSTOMER

Randi @ Jim Speck's Office

SUBJECT: A37-08011, -08011B Water Rights 37-08011A, -08011B
phone call (x) walk-in (.)

Per request, enclosed are the profile reports of the above rights, plus the Application for Transfer #3692, and the Beneficial Use Field Report for 37-08011.

Let me know if I can be of more assistance.

6/9/94

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20

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: A37-07421
Date Received: 8/10/1989
Receipt No: C016662
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

AUG 14 1990

Department of Water Resources
Southern Region Office

1. Name: STATE OF IDAHO
Address: DEPT. OF PARKS & RECREATION
STATEHOUSE
BOISE, ID

83720

2. Date of Priority: JAN 28, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	14E	36	NW		NE		GOODING

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.300		2.00

7. Total Quantity Appropriated is:
0.300 C.F.S. (and/or) 2.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	14E	36	NW	NE		DOMEST	

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:

14. Remarks:

MALAD GORGE

DAY USE DOMESTIC WELL

15. Basis of Claim: LICENSE

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 _____

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

ID Dept. Parks & Rec.

CLAIM IDENT. NO.

A37-07421

DATE RECEIVED

CK #

AMOUNT \$ 25 applied

YES

NO

Require Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A ☒ YES ☐ NO *
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 ☒ YES ☐ NO *
- Is the consumptive use correct? ☒ YES ☐ NO N/A ☒ YES ☐ NO *
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 ☒ YES ☐ NO *
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 ☒ YES ☐ NO *
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 ☒ YES ☐ NO *
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 ☒ YES ☐ NO *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A ☒ YES ☐ NO *
22. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by: RatDate: 8-13-90

Claim must be returned to claimant:

(Yes) ☒ (No) ☐

Claimant must be notified of modifications:

(Yes) ☒ (No) ☐

Receipt Prepared by:

Claim data entered by: Rat

Sent to claimant by:

Date:

Date:

Date:

Checked by: RatDate: 8-13-90

Comments:

MICROFILMED
FEB 24 1993

MALAD GORGE
DRAINAGE DOMESTIC WELL

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: A37-07421
Date Received: ~~8/30/1988~~ 8/10/89
Receipt No: 0016662
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
AUG 10 1989

1. Name: STATE OF IDAHO
Address: DEPT. OF PARKS
STATEHOUSE
BOISE, ID

A37-07421
\$25
2 restrooms, fountain
no camping
Malad Gorge St. Plc.

Department of Water Resources

2. Date of Priority:

3. Source: GROUNDWATER

4. Point of Diversion:

Township Range Sec
06S 14E

County
GOODING

5. Description of divert

6. Water is used for the

Purpose
DOMESTIC

FROM 01/01 12/31

(or) 0.300

A.F.A.
2.00

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

2.00 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	14E	36	NW	NE		DOMEST	

11. Place of use in counties: GOODING

A37-07421

Page 1

Date: 11/29/88

MICROFILMED
FEB 24 1993

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE

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 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: _____

For Organizations:

I do solemnly swear or affirm that I am DEVELOPMENT CHIEF of
Title
IDAHO DEPT OF PARKS & RECREATION that I have signed the foregoing
Organization
document in the space below as DEVELOPMENT CHIEF of
Title
IDPR and that the statements contained in the
Organization
foregoing document are true and correct.

Shelley A. Mewer
Signature of Authorized Agent

DEVELOPMENT CHIEF IDPR
Title and Organization

8/7/89
Date

MICROFILMED
FEB 24 1993

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 7th day

of August 19 89

Bulah M. Betts
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires 8-23-94

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7421 Priority Jan. 28, 1975 Amount 0.30 cfs

THIS IS TO CERTIFY, that the State of Idaho, Department of Parks & Recreation
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 37-7421 issued pursuant to Application for Permit dated January 28, 1975,
and has submitted proof to the Department of Water Resources on February 10, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.30 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u>	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.30</u> cfs and	<u>2 acre feet</u>
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.30 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 36,
Twp. 6 S, Rge. 14 E, B.M. in the County of Gooding

Description and location of place of use: (Malad Gorge State Park)

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 S	14 E	36	X																

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 22 day of
October, 19 76.

Director

DATE OF EXAM 5-26-76

ACREAGE

Found ✓
Recommended ✓

Irrigation Requirement ✓ Ac Ft/Ac

USE

Irrigation Q = c.f.s. V = AF/Ann. from to
Domestic Q = .27 c.f.s. V = 195.1 AF/Ann. from Jan. 1 to Dec. 31
Livestock Q = c.f.s. V = AF/Ann. from to

Is water co-mingled? yes no ✓

Name source:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Exchange? yes no ✓

Name source exchanged with:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Point of injection:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Point of exchange:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Total Q measured Method of measurement

Total Q recommended .27 cfs. Meter No. Type Condition

Total V recommended 195.1 Ac.Ft./ANN.

Recommended Amendments:

P.D. ✓
Place of Use ✓
Other
None

MEASUREMENT CALCULATION:

$Q = .27 \text{ cfs. } (120 \text{ gal/min}) \div (448.8 \frac{\text{gpm}}{\text{cfs}})$
 $V = 195.1 \text{ Ac.Ft./ANN. } (.27 \text{ cfs.}) (1.98 \frac{\text{AF}}{\text{cfs}(\text{days})}) (365 \text{ day/ANN.})$

SYSTEM DESCRIPTION:

Jacuzzi Submersible Motor & Pump 15Hp #1536 M6-T2
(120 gal/min.) Capacity of Motor & Pump.

REMARKS:

(2) Rest Rooms - Drinking water - Mobile Camping facility
No hookups available - BDE

Examiner's Signature Dan Lunderburg Date 6-7-76

Checked by Terry A Blum Date 8-19-1976

Approved by Date

Records of Parks & Recreation indicate 49,000 visitors
this year since April and up to September 31

Assume 100,000 visitors per year @ 5 gal per visitor

500,000 gallons per year volume = 1.54 ac ft

Therefore allow 2 acre feet per year