

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: A36-02711
Date Received: 2/15/1989
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

83707

2. Date of Priority: OCT 23, 1956

3. Source: NIAGARA SPRINGS

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	15E	11	NW	NW		3	GOODING

5. Description of diverting works: *Water from spring comes up into headbox and flows into a 6" pipe, then to sprinkler system and water fountain in the park*

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	4/1	10/31	0.800		
DOMESTIC	1/1	12/31	0.020		

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

A.F.A.

8. Total consumptive use is 36 Acre Feet Per Annum.

9. Non-irrigation uses: *Domestic use is for water fountain at Pugmire Park.*

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	15E	11	NE	NW	10	IRR	2
			NW	NW	3	IRR	

A36-02711

Page 1

Date: 02/15/89

MICROFILMED

JAN 28 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	15E	11	SW NW	11	IRR	10

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:

AC. IRR. = ~~45~~ 12

15. Basis of Claim: LICENSE

Water Right Number: 26586

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: _____

For Organizations:

I do solemnly swear or affirm that I am Assistant Director of
Idaho Dept. of Fish & Game (IDFG) that I have signed the foregoing
Organization document in the space below as Acting Director of
IDFG Organization and that the statements contained in the
foregoing document are true and correct.

Kenneth Morris
Signature of Authorized Agent
Assistant Director
IDFG
Title and Organization
3-15-90
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of March 19 90
Dorothy J Baker
Notary Public

Seal

Residing at Emmett Idaho

A36-02711

Page

My Commission Expires 10/31/1991
3 Date: 02/15/89

MACROFILMED
JAN 28 1993

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: A36-02711

Date Received:

Receipt No: C018457

Received By:

DEC 10 1990

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

83707

2. Date of Priority: OCT 23, 1956

3. Source: NIAGARA SPRINGS

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	15E	11	NW	NW	NW	3	GOODING

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.800		
DOMESTIC	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is 36.0 Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC/WATER FOUNTAIN AT PUGMIRE PARK

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	15E	11	NE	NW	10	IRR	2.0
			SW	NW	11	IRR	10.0

A36-02711

Page 1

Date: 07/16/90

MICROFILMED
JAN 28 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	12.0
					Total Acres	12.0

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:

AC. IRR. = 12.

DIVERTING WORKS: WATER FORM SPRING COMES UP INTO HEADBOX AND
FLOWS INTO A 6" PIPE, THEN TO SPRINKLER SYSTEM AND WATER FOUNTAIN
IN THE PARK.

15. Basis of Claim: LICENSE

Water Right Number: 26586

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

JAN 28 1993

9/28/1990

IDAHO, STATE OF

ADJUDICATION FEE/FISH & GAME

410162 9337 6490

16,936.09

WARRANT

35599

\$16,936.09

Water Right Numbers

A63-03125	A35-02048	A31-02448	A71-10189	- A36-02159
- A36-02158	- A36-02056	- A36-02055	A35-03021	A31-02316
A21-02159	A35-00053	A21-02153	A35-02054A	A35-02890
A35-02050	A65-12828	A21-04006	A34-00861B	- A36-00049A
A85-04232	A85-11789	- A36-00028	A37-00426B	A71-07078
A34-10919	A71-10170	A72-10491	A72-10492	A72-10493
A72-10494	A72-10495	A72-10496	A75-10937	A03-02059
A21-00014	A21-00015	A21-02040	A21-02099	A21-02100
A34-00861A	A35-02916	A35-08631	- A36-02706	- A36-02711
- A36-04020	- A36-04065	- A36-07234	- A36-07249	A37-02489
A37-02695	A37-07038	A37-08271	A63-00132K	A63-00133K
A63-02191	A63-07879	A63-09194	A63-10220	A71-02088
A71-07079	A72-07185	A74-07010	A75-02142	A75-02154
A77-02083	A77-02121	A77-02124	A77-02135	A77-02138
A77-07078	A82-07048	A82-07156	A85-02123	A63-00132L

Region: STATE

Signature: _____

MICROFILMED
JAN 28 1993

Log for claim 36-02711

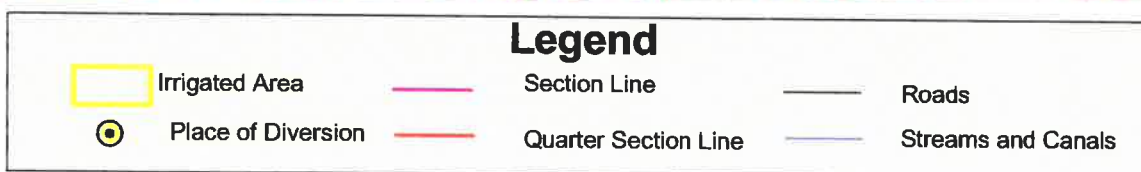
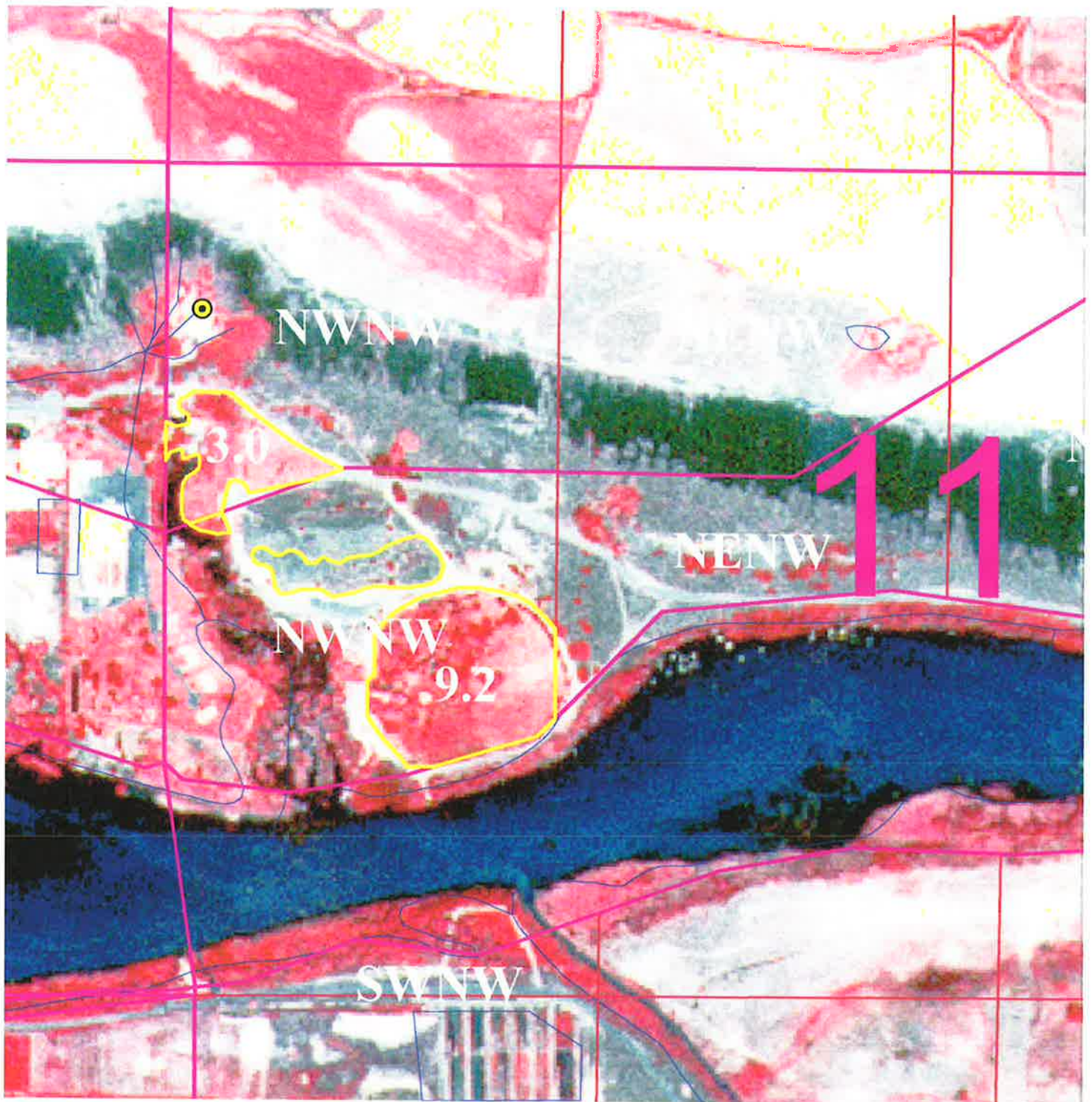
Spatial Dynamics BTD

12/19/01

TR	SEC	QQ	Acres Recommended	Acres Shaped	COMMENT
09s15e	11	NWNW	10	9.2	
09s15e	11	NWNW	2	3	
Totals:			12	12.2	

Water Right Number 36-02711
Townships , 8S14E, 9S15E

12/19/2001



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 the Rights to the Use of Water)
from the Snake River Basin)
Water System)
_____)

Case No. 36-02711 -0001

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)

RESPONSE TO OBJECTION

Petitioner,)

vs.)

The United States; the State)
of Idaho; and all Claimants to)
the use of water from the Snake)
River Basin Water System,)
_____)

Respondents.)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

2. Person who filed objection:

Name: IDAHO POWER CO
Address: PO BOX 70
BOISE ID 83707-0070

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER
Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

14. ☒ Other: I respond to the objection concerning:

PENDING SUB-CASE REGARDING NIAGARA SPRINGS
BETWEEN RIM VIEW TROUT COMPANY AND THE IDAHO
DEPARTMENT OF FISH AND GAME.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection item 14 and all allegations of the objection regarding this item, IDWR responds as follows:

The objection fails to allege any errors in the director's report or any portions of the director's report that should be changed, and therefore should be dismissed.

In the alternative, IDWR responds as follows: Idaho Power Company, Rim View Trout Company, and the Idaho Department of Fish and Game are the only claimants of rights to water from Niagara Springs; each of IDWR's recommendations of claims to water from Niagara Springs are contested by one or more of these three claimants; the use of water from Niagara Springs is a source of long-standing dispute among these three claimants; and Idaho Power Company has made the same objection to each right recommended to Rim View Trout Company and the Idaho Department of

Fish and Game. If this objection is not dismissed, then IDWR concurs that all issues as to the description of the water rights from Niagara Springs raised by the objections should be determined at the same time, by consolidation into a single sub-case.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

No. of
Pages

Notice of Claim No. A36-02711

3

(Over)

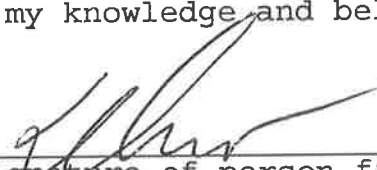
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

David B. Shaw, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



Signature of person filing response

By:



(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 30th day of August,
1993.



Notary Public for Idaho

Residing at:

My Commission Expires

~~Danni Smith, Notary Public~~
~~Residing at Boise, Idaho~~

My Commission Expires December 5, 1994

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of August, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared 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. One copy to the owner of the water right, and you must fill in the following information:

Name: IDAHO DEPT OF FISH & GAME
Address: PO BOX 25
BOISE ID 83707

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: JAMES C TUCKER
Address: PO BOX 2139
BOISE ID 83701-2139

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734


Signature of Respondent or attorney
mailing on Respondent's behalf

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: A36-02711

Date Received: 2/15/1989

Receipt No: _____

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

83707

2. Date of Priority: OCT 23, 1956

3. Source: NIAGARA SPRINGS

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	15E	11	NW	NW		3	GOODING

5. Description of diverting works: *Water from spring comes up into headbox and flows into a 6" pipe, then to sprinkler system and water fountain in the park*

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	4/1	10/31	0.800		
DOMESTIC	1/1	12/31	0.020		

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

A.F.A.

8. Total consumptive use is 36 Acre Feet Per Annum.

9. Non-irrigation uses: *Domestic use is for water fountain at Pugmire Park.*

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	15E	11	NE	NW	10	IRR	2
			NW	NW	3	IRR	

A36-02711

Page 1

Date: 02/15/89

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JAN 28 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	15E	11	SW	NW	11	IRR	10

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:

AC. IRR. = ~~45~~ 12

15. Basis of Claim: LICENSE

Water Right Number: 26586

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: _____

For Organizations:

I do solemnly swear or affirm that I am Assistant Director of Idaho Dept. of Fish & Game (IDFG) that I have signed the foregoing document in the space below as Acting Director of IDFG and that the statements contained in the foregoing document are true and correct.

Kimberly Morris
Signature of Authorized Agent
Assistant Director
IDFG
Title and Organization
3-15-90
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of March 19 90

Dorothy J. Baker
Notary Public

Seal

Residing at Emmett Idaho

A36-02711

Page

My Commission Expires 10/31/1991
3 Date: 02/15/89

MICROFILMED

JAN 28 1993

Any party physically filing 25 (twenty-five) or more objections must make an appointment with a Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: IDAHO POWER COMPANY
Address: P.O. Box 70
Boise, Idaho 83707-0070

Briefly describe your interest in this water right:

The diversion associated with this right is from the same source and in close proximity to a right claimed by the objector.

2. Owner of the water right:

Name: STATE OF IDAHO DEPARTMENT OF FISH & GAME
Address: P.O. Box 25
Boise, Idaho 83707

3. If this objection is filed by an attorney:

Attorney Name: James C. Tucker
Attorney Address: P.O. Box 2139
Boise, Idaho 83701-2139
Attorney Phone No.: (208) 336-0700

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☐ Quantity: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☐ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☐ Place of use: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right.

(Over)

12. ☐ Water Right Recommendation: I object to:
- ☐ this water right being recommended at all; or
 - ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☒ Other: I object to:

This right being decreed as recommended, or as claimed, until all issues pending, or subsequently raised, before the Court in *Rim View Trout Co., Inc. v. Idaho Department of Fish & Game and Idaho Department of Water Resources*, a subcases(s) in Civil No. 39576, are resolved either through litigation or negotiation.

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages, if necessary.

Box 14: Litigation between Rim View Trout Company and Idaho Department of Fish and Game has not been concluded.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages, if necessary.

Recommendation of this right should be withheld until the completion of litigation involving this right.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

- ☐ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary. _____
- _____
- _____

VERIFICATION (Must be Completed)

State of Idaho

County of Ada

Patrick D. Madigan, being first duly sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Signature of person filing objection

By: Patrick Madigan
(Attorney signing in representative capacity)

Subscribed and sworn to before me this 20th day of APRIL, 1993.



Darla Joyce
Notary Public for Idaho
Residing at: Boise
My commission expires: 4-21-95

(Over)

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of April, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct 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. One copy to the owner of the water right, and you must fill in the following information:

Owner name: STATE OF IDAHO DEPARTMENT OF FISH & GAME
Owner's address: P.O. Box 25
Boise, Idaho 83707

3. One copy to:

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

4. One copy to:

United States Department of Justice
Environmental and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83724

Patricia Madsen
Signature of Objector or attorney
mailing on Objector's behalf

R PROOF

CVR

MAPS

PHOTOS

MISC



MICROFILMED

JAN 28 1993

VERIFIED BY

See

Water Right Number - R36-02711

Prefix Translation: RESEARCH

Old (D) Number - 26586

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
STATE OF IDAHO1 - DEPT OF FISH & GAME
2 - PO BOX 25
3 -
City- BOISE
Phone - 208-334-3700

State- ID Zip- 83707

*** K - ALSO KNOWN AS ***
FISH & GAME1 -
2 -
3 -
City- BOISE
Phone - 208-000-0000

State- ID Zip- 83707

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
10/23/1956 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
NIAGARA SPRINGS SNAKE RIVER+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
09S 15E 11 NW NW NW 3 (47) GOODING+ - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.240 48.00
43 - DOMESTIC 01/01 12/31 0.020 0.60+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.240 48.60 36.0+ - - - - - - - - - - - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
09S 15E 11 NE NW 10 2.0 01 IRRIGATION (47) GOODING
09S 15E 11 SW NW 11 10.0 01 IRRIGATION (47) GOODING
09S 15E 11 SW NW 11 43 DOMESTIC (47) GOODING

Total Acres: 12.0

+ - - Diversion Means - CONCRETE COLLECTION BOX TO 8" PIPELINE TO 6" PIPE TO SPRINKLERS

+ - - Non-Irrigation Use - DOMESTIC, WATER FOUNTAIN AT PUGMIRE PARK

+ - - Other Rights for Same Use - NONE

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APR 8 7 1991

Water right number - R36-02711

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - -
PLACE OF USE IS ALSO KNOWN AS PUGMIRE PARK.

+ - - - - Old Water Right Numbers - - - - -
3602711

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - - +
06/04/92 CLELLAND

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 04/29/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 06/04/1992	Old Judicial District	-
Claim Received Date	- 06/26/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C018457	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:21:46
12/05/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02711

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			4-29-91 SCC	N	.	SCC 6-4-92	SCC 4-29-91	SCC 6-4-92
POINT OF DIV	(Y)			(Y) 10AC.	1456			
SOURCE				N				
PLACE OF USE	(Y)			(Y)	1456			
DIV. AMOUNT CFS/VOLUME	Y			(Y)				
CONSUMPTIVE USE	-			(Y)				
PURPOSES	(X)			(N)				
PERIOD OF USE	Y			N				
BASIS OF CLAIM				N				
REMARKS	Y			(Y)	6.			

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

RECEIVED

DEC 12 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:21:46
12/05/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02711

LAST: FISH & GAME FIRST:
ADDRESS:
CITY: BOISE STATE: ID ZIP: 83707
PHONE NUMBER: 208-000-0000
OWNER CODE: K

LAST: STATE OF IDAHO FIRST:
ADDRESS: DEPT. OF FISH & GAME
BOX 25
CITY: BOISE STATE: ID ZIP: 83707
PHONE NUMBER: 208-000-0000

OWNER CODE: C

FIELD EXAM REQUIRED?	DATABASE	FIELD EXAMINER
VERIFICATION REQUIRED DUE TO REMARKS?	Y	

CLAIM REMARKS: AC. IRR. = 12.
DIVERTING WORKS: WATER FORM SPRING COMES UP INTO HEADBOX AND
FLOWS INTO A 6" PIPE, THEN TO SPRINKLER SYSTEM AND WATER FOUNTAIN
IN THE PARK.

field exam shows 8" Diversion pipe to filter then to 6" pipe
to sprinklers

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CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED
FEB 8 7 1971

A. AJ CLAIM: # A36-02711 PRIORITY DATE: 10-23-1956 STAGE: L
B. WR RECORD: # 36-02711 PRIORITY DATE: 10-23-1956 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN.

REMARKS:

=====

RECOMMENDED PRIORITY DATE:
10-23-1956

REVIEWED BY

Jcc

DATE

12-10-90

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JAN 28 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02711	09S	15E	11		NW	NW	3	GOODING

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT

36-07628
36-07789
36-07983

SOURCE: NIAGARA SPRINGS

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02711	09S	15E	11		NW	NW	3	GOODING

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-07628
36-07789
36-07983

NONE NONE

SOURCE: NIAGARA SPRINGS

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER
N
N

REMARKS:

Add 10 Ac 1/4

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JAN 8 1994

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
---	---	---	NW	---	---	---	---

SOURCE: NIAGARA SPRINGS

TRIB: SNAKE RIVER

REVIEWED BY:

JCC

DATE:

4-18-91

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JAN 28 1993

A. ROOT WATER RIGHT NUMBERS: A36-02711

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09S	15E	11	NE	NW	10	FISH & GAME	A36-02711 / 2.0	36-02711		2.0	2.0
09S	15E	11	SW	NW	11	FISH & GAME STATE OF IDAHO	A36-02711 / 10.0	36-02711 36-08347	23.0	10.0	10.0
TOTAL ACRES							A36-02711	12.00	23.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

PRESUMPTION FLAG:

REMARKS:

not licensed for irrigation? (OR)

Acres confirmed by NAAPP photos

Add

S. 11

SW

NW

Lot 11

Domestic

By Dep. B

4-18-91

RECOMMENDATIONS:

TOTAL ACRES: 10.0 12.0

REVIEWED BY: See

DATE: 4-18-91

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-02711 IRRIGATION	FROM 04-01 TO 10-31	.800 CFS
A36-02711 DOMESTIC	FROM 01-01 TO 12-31	.020 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.800 CFS

OK

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-02711 IRRIGATION	FROM TO	.800 CFS
36-02711 DOMESTIC	FROM TO	.800 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.800 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<u>N</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	<u>N</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	<u>N</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(X) N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N(X) Explain in remarks, below.

REMARKS:

3/15 to 4/15

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(~~X~~) N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.800 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.800 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y N

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N(~~X~~) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 10 x 0.02 CFS/ACRE = 0.20 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(X) N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N(X) ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 36.0 AF/A

ACRES 10 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 30 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 10 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 40 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

Licensed Rate $\frac{0.800 \text{ cfs}}{45 \text{ Ac}} = 0.0177 \text{ cfs/Ac}$

12.0 Acres x 0.0177 cfs/Acre =

~~0.21 cfs~~

12 x 0.02 = 0.24 (allowed rate)

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 10-31	DATABASE EXAMINER ~~0.800~~ <u>0.24</u>	DATABASE EXAMINER ~~48.0~~ <u>48.0</u>	DATABASE EXAMINER ~~36.0~~ <u>36.0</u>
DOMESTIC	01-01 12-31	0.020 <u>0.02</u>	<u>0.6</u>	
TOTAL FOR THIS RIGHT		~~0.800~~ <u>0.24</u>	<u>48.6</u>	
REVIEWED BY: <u>SCC</u>	DATE: <u>4-18-91</u>			

J01 (variation)
Pugmire Park

Volumes included
on Niagara Rights.

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JAN 2 1991

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(X)	()
FORFEIT/ABANDON _____	()	(X)
ADDITIONAL DIV. AMOUNT _____	(X)	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02711

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.800

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-02711	0.800	-		36-02711	0.800
TOTAL CFS		0.800				0.800

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

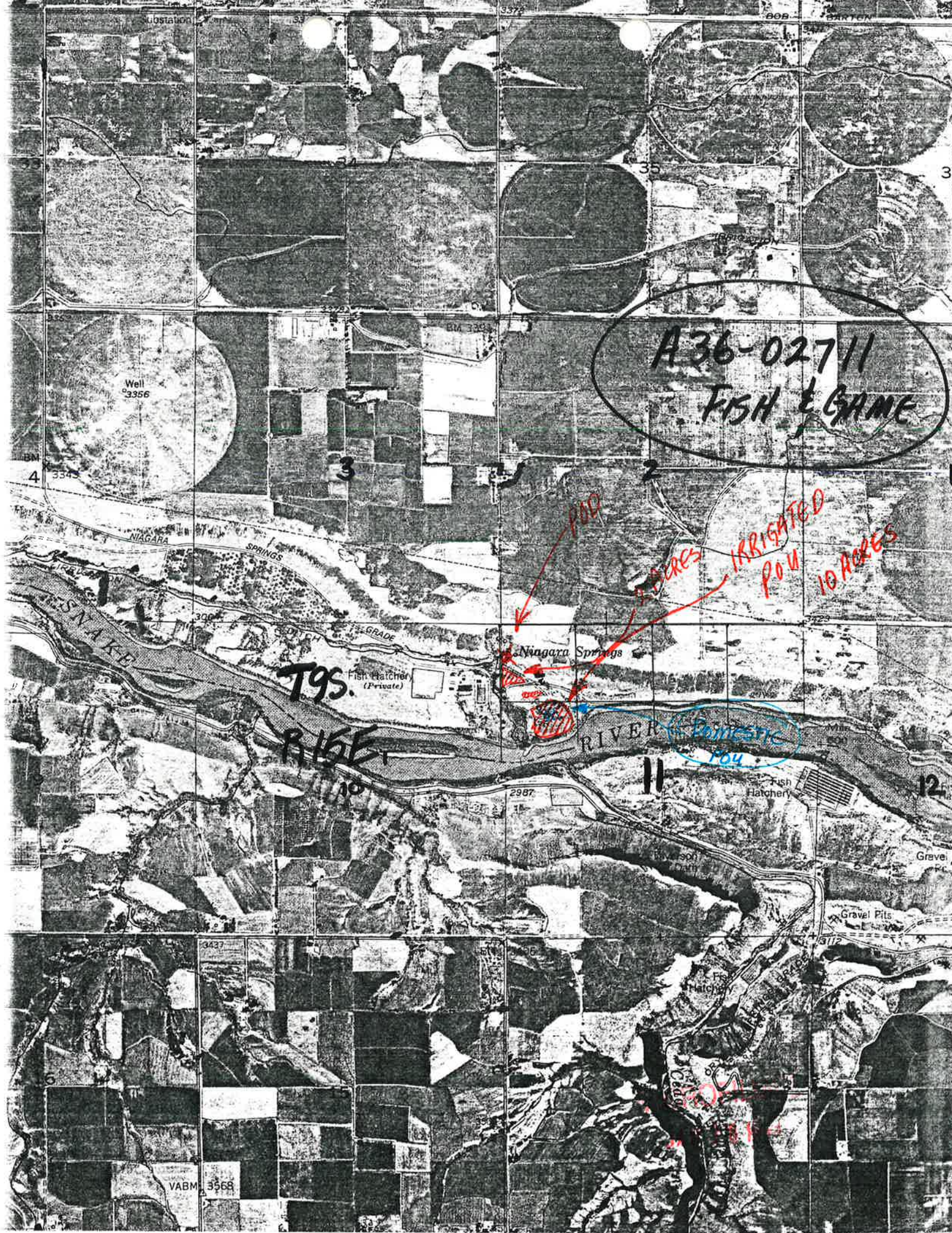
SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

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JAN 28 1993



A36-02711
FISH & GAME

T95
R15E

POU
IRRIGATED
POU
10 ACRES

Niagara Springs

Domestic
POU

Fish Hatchery

Gravel Pits

Well
3356

VABM 3568

NIAGARA SPRING PIPELINES

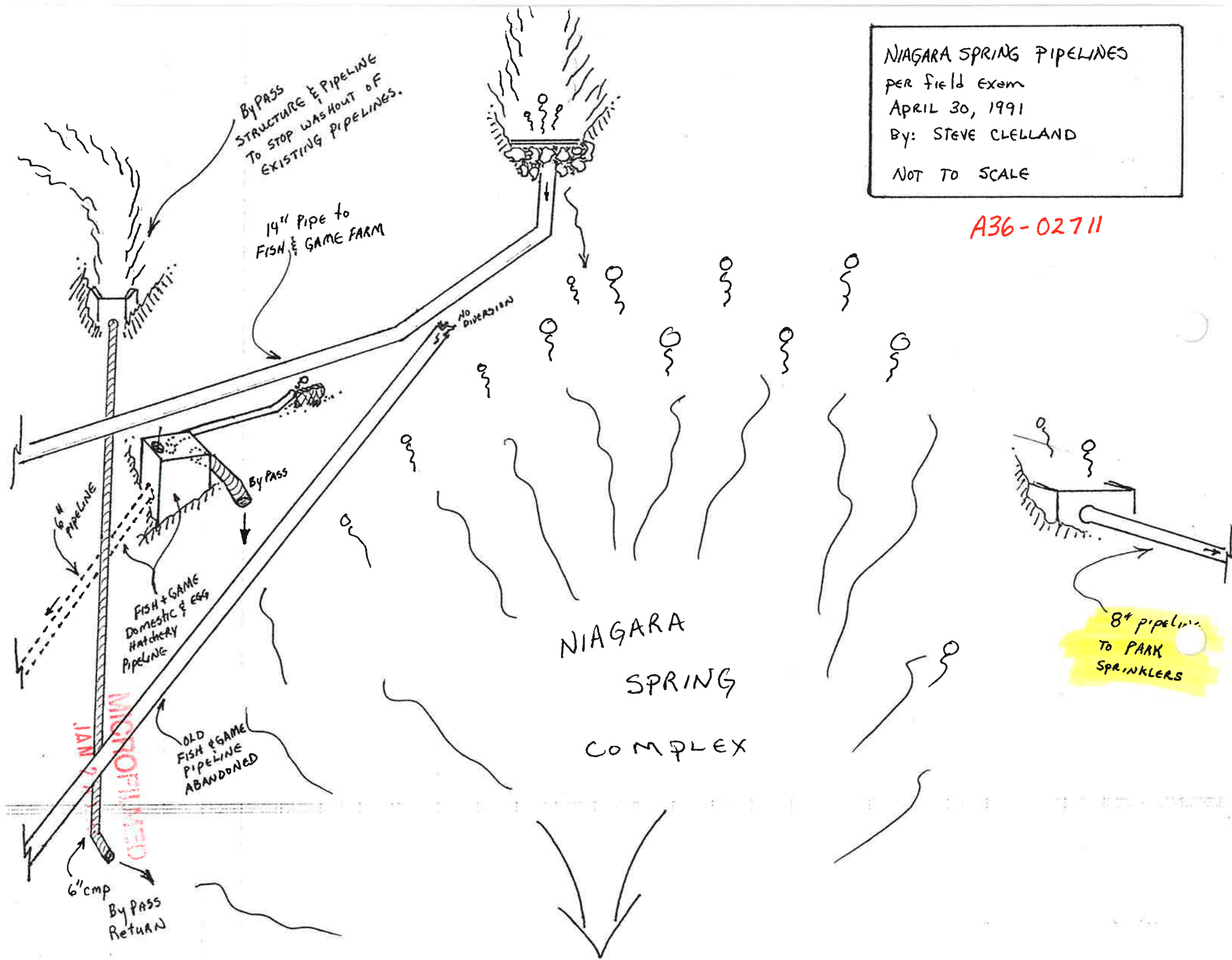
per field exam

APRIL 30, 1991

By: STEVE CLELLAND

NOT TO SCALE

A36-02711



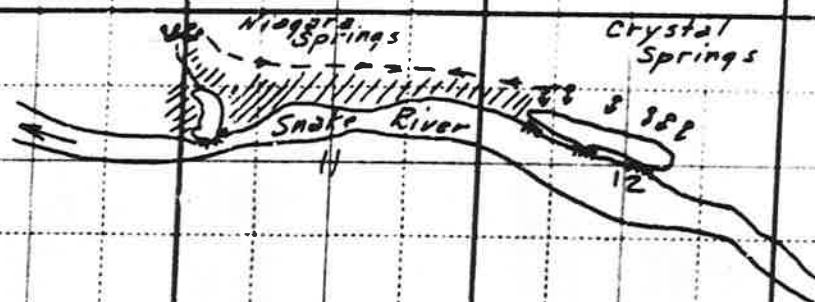
NAME OF APPLICANT

State of Idaho, Dept of Fish & Game

Form No. 0

T9S, R15E B 11

N
↑
0
↓
N



LEGEND

--- Proposed dams or dikes

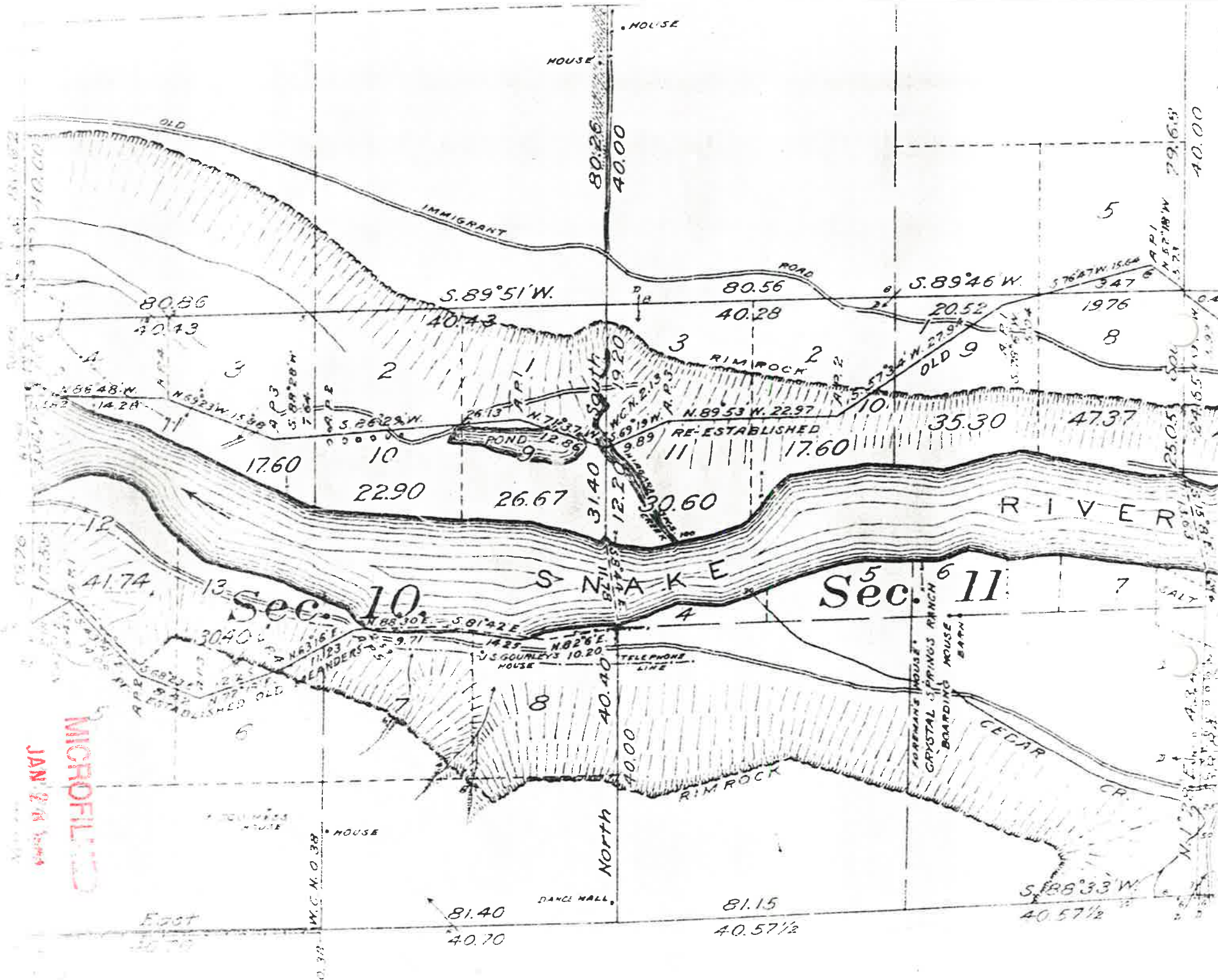
⊕ Springs

- - - Canals

||||| Irrigated lands

36-2711

JAN 28 1964



80.00

D

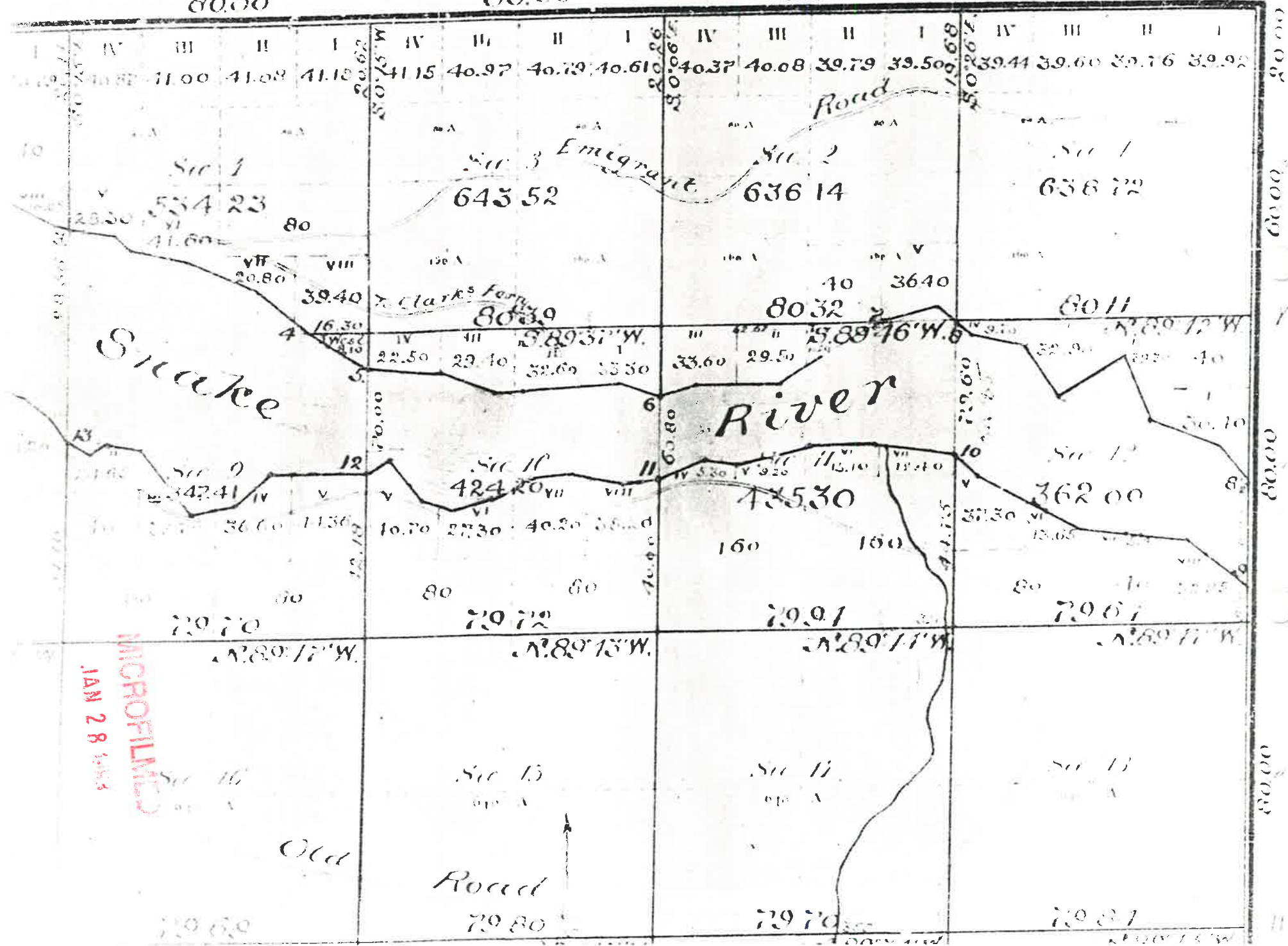
80.00

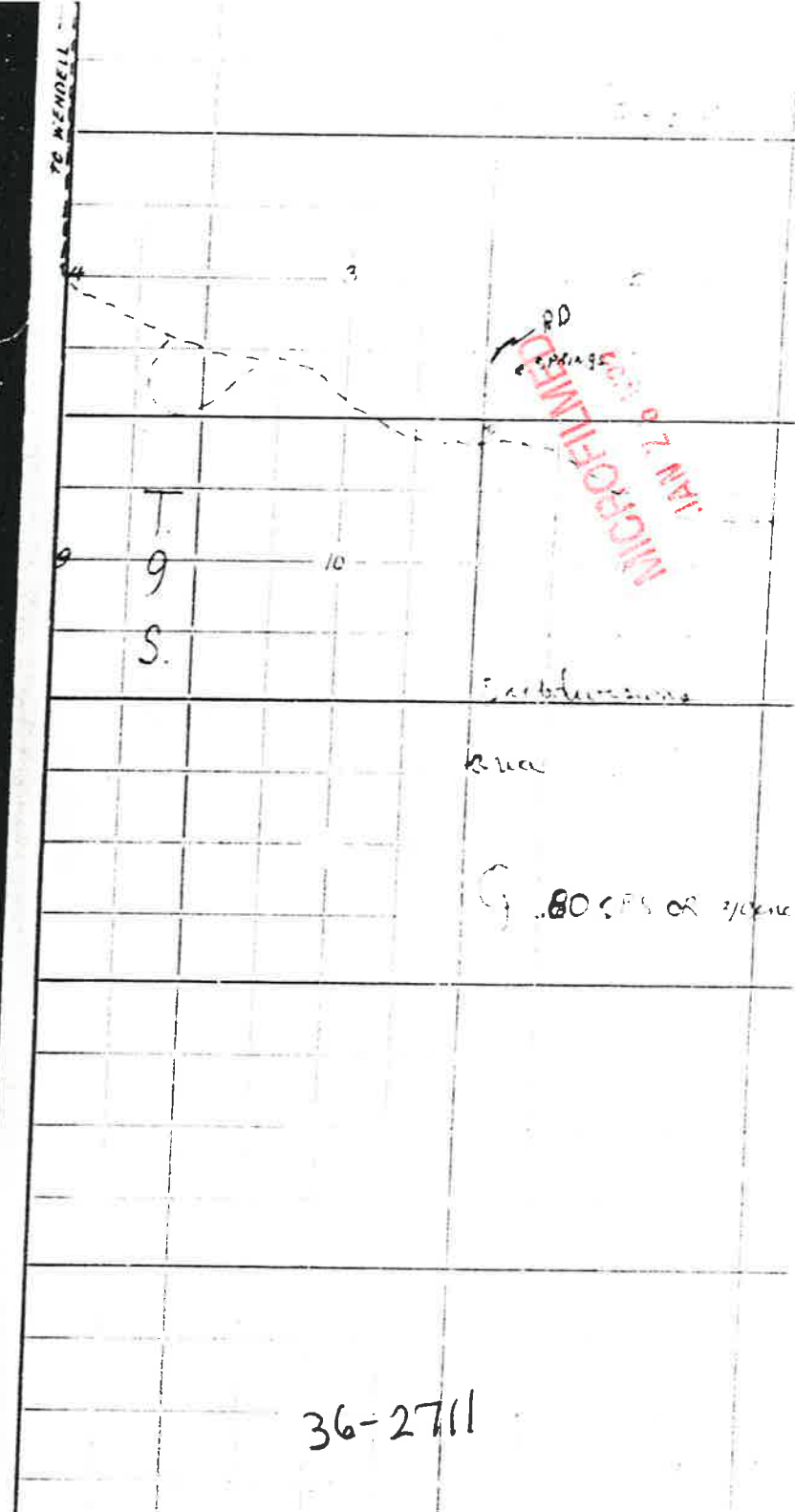
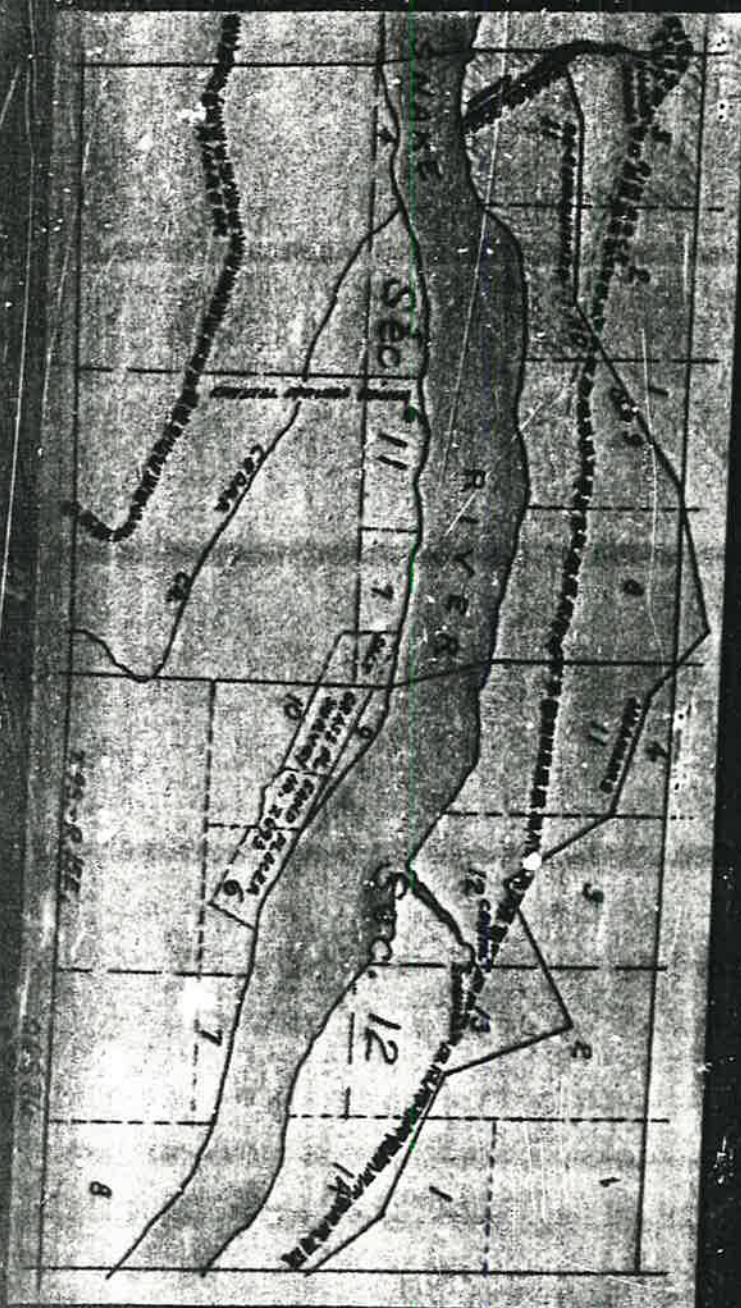
C

80.00

B

80.00 289° 52' W





A36-2711
IDFG

PARK
AREAS



DIVERSION WITH 8" PIPELINE
@ NIAGARA SPRINGS.

PARK AREA IN BACKGROUND



SAME PHOTO
w/o WRITING

PHOTOS BY STEVE CLELLAND 4-30-91

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JAN 28 1993

Water Right Number - A36-02711

Adj. Flag Translation: Adjudication Temporary Work Area

Old (D) Number - 26586

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
STATE OF IDAHO

1 - DEPT. OF FISH & GAME
2 - BOX 25
3 -
City- BOISE State- ID Zip- 83707
Phone - 208-000-0000

*** K - ALSO KNOWN AS ***
FISH & GAME

1 -
2 -
3 -
City- BOISE State- ID Zip- 83707
Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
10/23/1956 17 ERROR IN REGION L - LICENSE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
NIAGARA SPRINGS SNAKE RIVER

Twn	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Stream Index (Blank if no Index Code)
09S	15E	11	NW NW	3	(47)	GOODING		

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31	0.800	
43 - DOMESTIC		01/01	12/31	0.020	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.800 36.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	15E	11	NE NW	10	2.0	01	IRRIGATION	(47) GOODING
09S	15E	11	SW NW	11	10.0	01	IRRIGATION	(47) GOODING

Total Acres: 12.0

+ - Diversion Means - SEE REMARKS

+ - Non-Irrigation Use - DOMESTIC/WATER FOUNTAIN AT PUGMIRE PARK

+ - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
AC. IRR. = 12.
DIVERTING WORKS: WATER FORM SPRING COMES UP INTO HEADBOX AND
FLOWS INTO A 6" PIPE, THEN TO SPRINKLER SYSTEM AND WATER FOUNTAIN

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JAN 28 1994

ADJUDICATION CLAIMS PROOF READING REPORT

Page 4

Adj. flag translation: Adjudication Temporary Work Area

IN THE PARK.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff

+ - - - - Decree Defendant

+ - Decree Date - +
00/00/0000

-Comments:

No Comments Found

Audit Fields - 07/25/90

11/27/90

STERLING

Adjudication Rights Dates and Flags Area

- 00/00/0000

- 00/00/0000

- 00/00/0000

- 06/26/1990

—

—

- 00/00/0000

—

- 00/00/0000

- 00/00/0000

- C018457

- Y

1

Civil Case Number - 39576

Old Case Number _____

Old Judicial District -

Temporary Right - P

Water District -

Federal/State Indicator - S

Presumption Flag -

JAN 28 1964

MICROFILM

3602711

State of Idaho

License and Certificate of Water Right

Water License No. 26586

Amount .80 c.f.s.

Water District No.

Priority October 23, 1956

ROSS LEONARD, Acting for and in behalf of the State of Idaho
THIS IS TO CERTIFY that for the use and benefit of the DEPARTMENT OF FISH AND GAME
of Boise, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 23, 1956; that Permit No. 26586
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.80 second feet, was issued thereunder on July 23, 1962, showing that said works
were completed on the 9th day of October, 1961; and that on the 9th
day of October, 1961, ROSS LEONARD, Acting for and in behalf of the
STATE OF IDAHO, for the use and benefit of the DEPARTMENT OF FISH AND GAME

of Boise, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Niagara Springs
, a tributary of Snake River, for the purpose of irrigation & domestic
use, under Use Permit No. 26586 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7347, on the 23 day of July, 1962;

The right hereby confirmed dates from October 23, 1956;

The Point of Diversion is located Lot 3

In the 1/4 Sec. 11, Tp. 9 S., R. 15 E., B. McGooding County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed .80 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	15 E.	11	Lots 3 10 11	55	45

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
23rd day of July, 1962.

(SEAL)

RALPH W. THOMAS
Deputy State Reclamation Engineer

36 2711

36-12711

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 34498
PERMIT No. 26586
DISTRICT No.

Idaho Department of Fish and Game
518 Front Street
Boise, Idaho

1. Name of Applicant: ROSS LEONARD, ACTING FOR AND IN BEHALF OF THE STATE OF IDAHO, FOR THE USE AND BENEFIT OF THE DEPARTMENT OF FISH AND GAME

Postoffice address: Boise County: Ada State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
(b) Amount of capital stock:
(c) Amount paid in:
(d) Names and addresses of directors:

- II. The financial resources of the applicant are:
(b) Treasury stock:
(d) Other resources:

- (a) Cash on hand:
(c) Bonds to be issued:

2. Quantity of water claimed: three cubic feet per second.

3. Source of water supply: Niagara Springs which is a tributary of Snake River

4. Location of point of diversion: S. 22° E. 350 feet distant from the northwest corner of Section 11, T. 9 S., R. 15 E., B.M., and is in the Lot 11 of Section 11, T. 9 S., R. 15 E., B.M., County of Gooding

5. Water is to be used for Irrigation and domestic use

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: feet distant from corner of Section T. , R. , B.M., in the of Section , T. , R. , B.M.

- (b) Amount of power generated: H.P., under feet head.

- (c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B.M., in the of Section , T. , R. , B.M.

7. Estimated cost of works: \$1500.00

8. Kind of works: Canal and pipe lines

9. Height of dam feet; length of dam at top feet; length of dam at bottom feet; material used in dam:

10. Size of headgate: Width two feet; height two feet.

11. Ditch: Width at bottom one feet; width at water line two feet; depth of water one feet; dimensions of flume:

Diameter of pipe one inches; length of conduit three-fourths miles.

Average grade per mile two feet.

12. The time required for the completion of such work is five years.

13. The time required for the complete application of the water to the proposed use is two additional years.

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JAN 28 1993

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

STATE OF IDAHO, Department of Fish and / Game *Applicant.*

By ROSS LEONARD
Director

Accepted

Date of first receipt at Department of Reclamation: 8:00 A.M. October 23, 1956

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 26586

Recorded in Book 94 Page 26586 Approved Oct. 25, 1956

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before December 25, 1956 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before April 25, 1959

The whole of said work to be completed on or before October 25, 1961

Beneficial use of water appropriated in accordance herewith, to be made on or before October 25, 1963

WITNESS My hand this 25th day of October, 1956

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, _____ ROBERT E. SMYLIE _____, Governor of the State of Idaho,

and JAS. H. YOUNG, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 25th

day of October, 19 56

STATE OF IDAHO

By ROBERT E. SMYLIE

(SEAL)

By JAS. H. YOUNG

Governor.

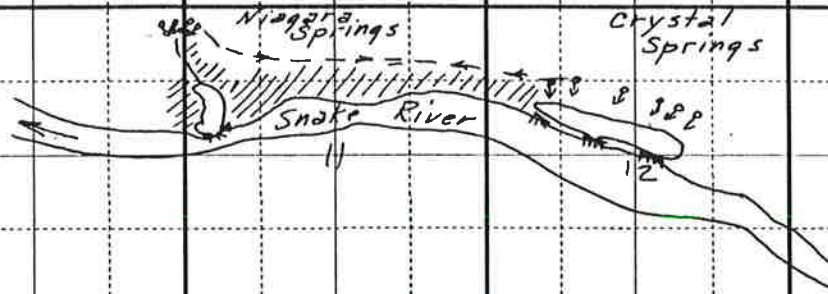
Secretary of State.

REMARKS: Waters of Niagara Springs at its east spring would be conveyed easterly by canal and pipe line, where needed to its places of use. A pipe line would also be installed for convenience in domestic use of the waters.

14.

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 $\frac{1}{4}$	
9 S.	15 E.	11	X X	X X X X			55
AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS I, Ross Leonard, acting for and in behalf of the State of Idaho, Department of Fish and Game, state of Idaho, do hereby certify that the Dept. of Fish and Game is the licensee of the land on which the spring mentioned in the application is located, to-wit: Niagara Springs, East 427 feet of Lots 1 & 9, Sec. 10, and Lots 3 & 11, Sec. 11, T. 9 S., R. 15 E., B.E. ROSS LEONARD Ross Leonard, Director IDAHO DEPARTMENT OF FISH AND GAME STATE OF IDAHO) County of Ada) ss. On this _____ day of _____ 195____, before me, a Notary Public for the State of Idaho, residing at Boise, Idaho, personally appeared ROSS LEONARD known to me to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that he executed the same. Witness my hand and seal, the day and year in this certificate first above written. My commission expires _____ _____ Notary Public							

T9S, R15E B M

N
↑
0
↓

LEGEND

m Proposed dams or dikes

o Springs

→ Canals

||||| Irrigated lands

Permit Map No. 28586

As Approved 1/5/54

MARK R. KULP

State Reclamation Engineer

JAN 28 1954

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. Domestic use by the public

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. 0.05 c.f.s.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Waters were diverted in August of 1960 in the amount of 3 c.f.s. by gravity flowthrough the above designated pipeline and sprinkling system.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None

STATE OF IDAHO, Dept. of Fish and Game
(Sign) By Ross Leonard
Ross Leonard, Director

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise, County of Ada, State of Idaho, on this 9th day of October, A. D. 1961.

John L. Ladeau

My commission expires Nov. 21, 1964

26586
MICROFILMED
JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 26586

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant Idaho State Department of Fish and Game
2. Source of water supply: Niagara Springs
3. Location of point of diversion: Is in the Lot 3 of Section 11
T. 9 S. R. 15 E.B.M. County of Gooding
4. Describe works as they exist, giving dimensions and capacities of same: 500' of 6" main line to the park, gravity forced water through a sprinkler system
5. Water is used for: irrigation and domestic
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

55 acres in W¹/₄ NE¹/₄, NW¹/₄ Sec. 11., Twp. 9 S., Rge. 15 E.B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mr. Tony Gates along

measurement was made by taking pressure readings along
each lateral 3 lines 4.3 nozzles size 3/4
also an additional 10" for a overflow into open ditch

This examination was made on the July day of 1962

(Signed)

Rav. Hebo

Examiner.

26586

JAN 28 1963

Ross Leonard, Director, Idaho Dep't. Fish & Game
518 Front Street, Boise, Idaho

Permit No. 26586

Examination for Completion of Works & Beneficial Use

County Gooding

Sec. 11 T. 9 S. R. 15 E. B. M.

Quantity: 3.0 c.f.s.

Source: Niagara Springs

P.D.: Lot 3, Sec. 11, T. 9 S. - R. 15 E. B. M.

Use: Irrigation & Domestic

Filed: Oct. 23, 1956

Due: Oct. 25, 1962

Extension: —

Completion of Works: —

Other Rights: Probably a one
right by Judge Mays in
bygone days.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

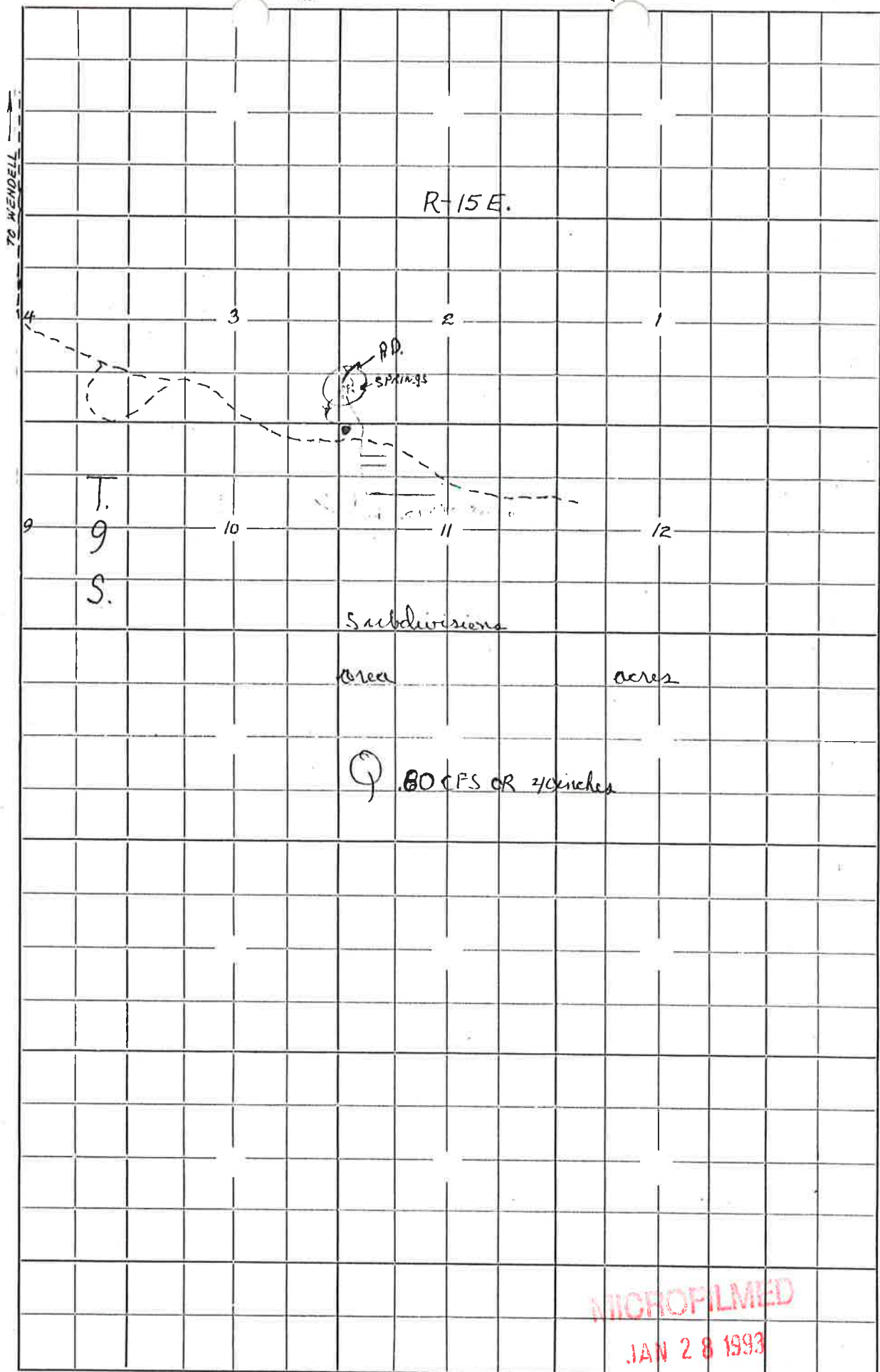
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Department of Reclamation

RECORDED
JAN 28 1963

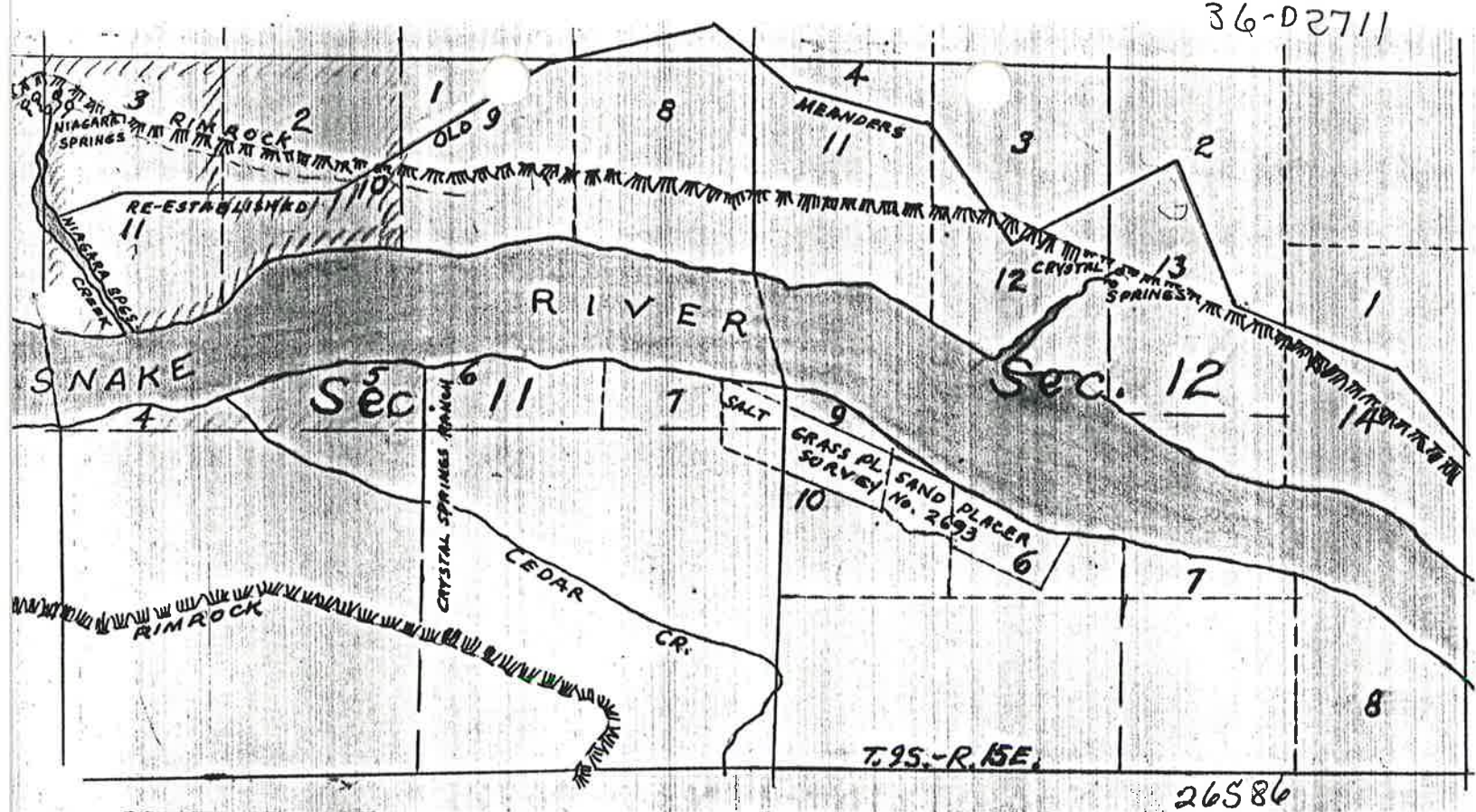
36-02711

36-02711



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

26586



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JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

36-02711
RECEIVED
OCT 10 1961
Department of Reclamation

Permit No. 26586

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Ross Leonard, 518 Front St., Boise, acting for and in behalf of the Idaho Department of Fish and Game, as its Director.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No. 26586 dated October 25, 1956. The Department proposes to establish priority date of October 23, 1956.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Source of water is Niagara Springs. The point of diversion is S. 22° E. a distance of 350 feet from the northwest corner of Section 11, Township 9 South, Range 15 East, Boise Meridian, and is in Lot 3 of said Section 11.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. A concrete collection box, 1000 feet of 6-inch pipe and 1200 feet of 4-inch sprinkler pipe with 20 nozzles. Operating head is 150 feet of drop within the 1000 feet of 6-inch pipe and also an open ditch one foot wide at bottom, 2 feet wide at water level. The works are capable of conducting 3 c.f.s. of water to its place of use.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation and domestic uses. Lands are irrigated in Lots 3, 10, and 11, Sec. 11, T. 9S., R. 15E. Approximately 55 acres are irrigated.

(as per telephone call 10/10/61 R)

Ques. 6-a If this is a ground water permit, give name and address of person that drilled the well.

Ans. _____

26586

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JAN 28 1962