

RECEIVED

NOV 24 2006

DEPARTMENT OF
WATER RESOURCES

11/14/2006

NOTICE OF ERROR
REPLY

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

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-10013

SOULEN LIVESTOCK CO

1760 FAIRMONT

WEISER ID 83672

Telephone Number: (208)549-1878

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

2. Describe the changes you wish to make in the proposed recommendation:

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

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

DATE:

11/20/06

SIGNATURE:

Harry C. Soulen

Please print your name:

Harry C. Soulen

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED

NOV 28 2006

06/05/2006

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

RIGHT NUMBER: 67-10013

NAME AND ADDRESS: SOULEN LIVESTOCK CO
1760 FAIRMONT
WEISER ID 83672

SOURCE: SOUTH CRANE CREEK

TRIBUTARY: CRANE CREEK

QUANTITY: 630.000 AFY

PRIORITY DATE: 12/31/1935

POINT OF DIVERSION:

T11N R02W S34 NESWNW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION FROM STORAGE	03/15 10/31	630.00 AFY
IRRIGATION STORAGE	01/01 12/31	630.00 AFY

PLACE OF USE: IRRIGATION FROM STORAGE Within WASHINGTON County

T11N R02W S22	SENW	13.00	T11N R02W S22	NESW	21.00
T11N R02W S22	SESW	16.00	T11N R02W S22	SWSE	14.00
T11N R02W S27	NENE	14.00	T11N R02W S27	NWNE	35.00
T11N R02W S27	SWNE	21.00	T11N R02W S27	SENE	22.00
T11N R02W S27	NENW	11.00	T11N R02W S27	SENW	10.00
T11N R02W S27	NESW	12.00	T11N R02W S27	NWSE	11.00

200 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10013 V1

WATER RIGHT NUMBER: 67-10013 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SOULEN LIVESTOCK CO 1760 FAIRMONT WEISER, ID 83672 (208)549-1878

Priority Date: 12/31/1935

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SOUTH CRANE CREEK	CRANE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION FROM STORAGE	03/15 to 10/31		630.00 AF
IRRIGATION STORAGE	01/01 to 12/31		630.00 AF
	<u>Total Diversion:</u>		630.00 AF

Location of Point(s) of Diversion

SOUTH CRANE CREEK	NE1/4SW1/4NW1/4	Sec. 34, Twp 11N, Rge 02W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
11N	02W	22									13.0	21.0			16.0				14.0	64.0
11N	02W	27	14.0	35.0	21.0	22.0	11.0				10.0	12.0							11.0	136.0

Total Acres: 200

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-10013 V1

Comments:

1. csaxton 6/5/2006 Dam Safety Report

Comment: Dam safety report evidences priority date and confirms claimed storage capacity.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	6/5/2006 11:33:16 AM	csaxton			Active
Priority Date	6/5/2006 11:34:06 AM	csaxton			Active
POD	6/5/2006 11:34:16 AM	csaxton			Active
Source	6/5/2006 12:00:30 PM	csaxton			Active
POU	6/5/2006 12:02:08 PM	csaxton			Active
Use	6/5/2006 12:02:26 PM	csaxton			Active
Season	6/5/2006 12:02:42 PM	csaxton			Active
Quantity	6/5/2006 12:03:53 PM	csaxton			Active
Summary			06/05/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	6/5/2006 11:33:26 AM	csaxton	(No) 1. Do you want to schedule an appointment?
			Comment for 1: Desktop Review

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10013 V1

General	6/5/2006 11:34:16 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Dam safety Report shows construction of the dam at 1935.
POD	6/5/2006 11:34:26 AM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	6/5/2006 11:37:38 AM	csaxton	Updated shape
POD	6/5/2006 11:38:03 AM	csaxton	Updated PLS
POU	6/5/2006 12:01:48 PM	csaxton	Updated PLS for Active POU
Source	6/5/2006 12:00:44 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - USGS quad attribute information defines the source as S. Crane Creek.
POU	6/5/2006 12:02:22 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Aerial photography and claimant map.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10013 V1

Use	6/5/2006 12:02:40 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Desktop Review
Season	6/5/2006 12:02:56 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (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? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	6/5/2006 12:04:08 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Storage capacity verified by dam safety report.
Summary	6/5/2006 12:05:27 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	6/5/2006 12:01:38 PM	csaxton	Updated shape for Active POU



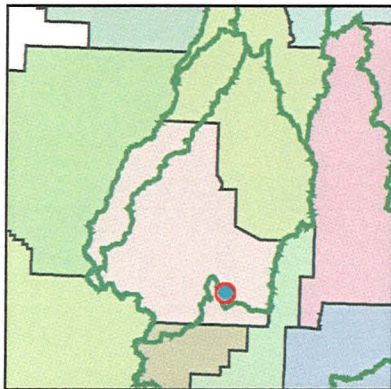
Idaho Department of Water Resources

SRBA Recommendation:

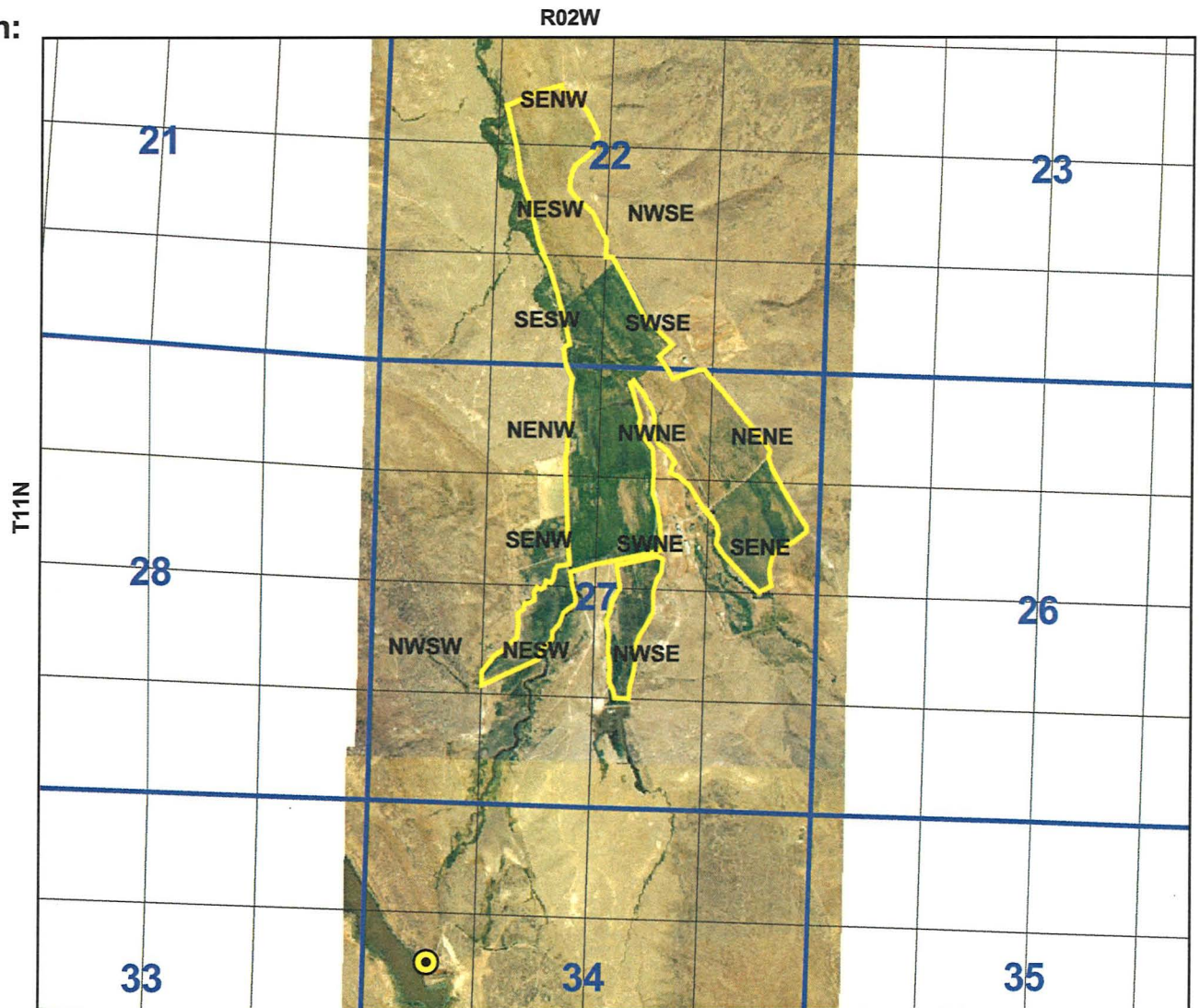
67-10013

Legend

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

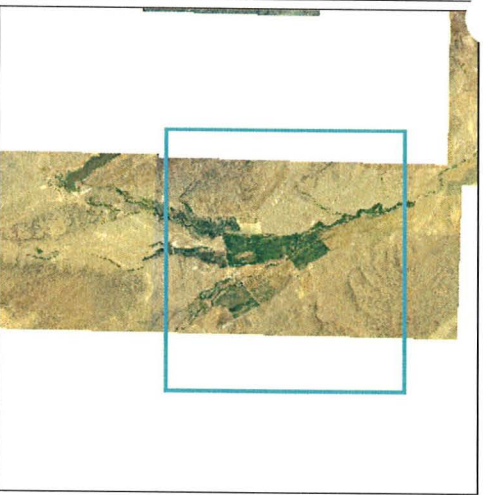
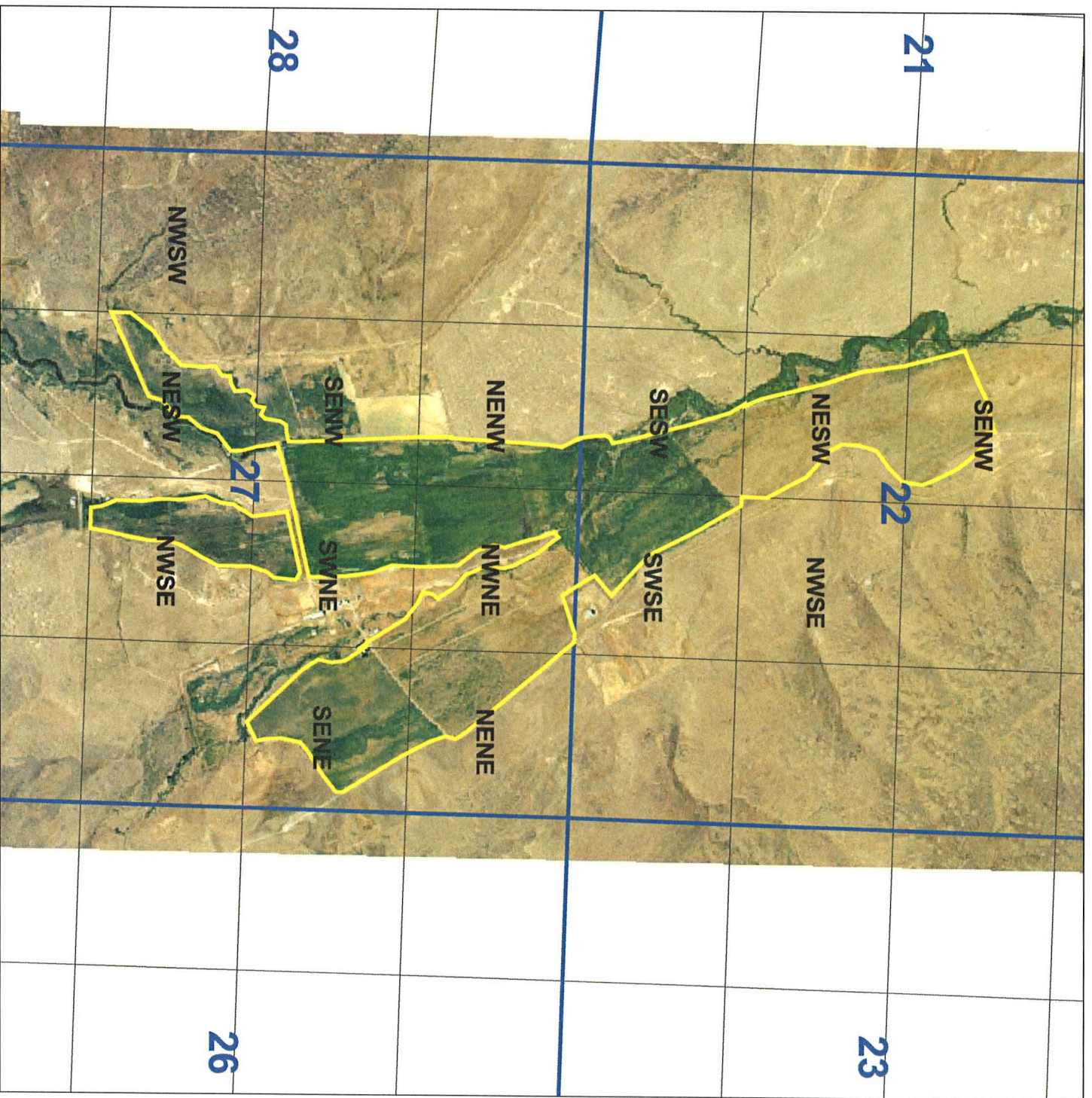


Washington County
IDWR Basin 67



Prepared by C. Saxton
On Monday, June 5, 2006
1987/88 Aerial Photography

67-10013



DAM SUMMARY INVENTORY SHEET

SOULEN

Printed: Oct 17, 2005

67 - XX06A1

Updated: Oct 17, 2005

<table> <tr><td>STATUS</td><td>A</td></tr> <tr><td>BASIN</td><td>67</td></tr> <tr><td>DAM_NUMBER</td><td>XX06A1</td></tr> <tr><td>FEDERAL ID NUMBER</td><td>ID00419</td></tr> <tr><td>DAM NAME</td><td>SOULEN</td></tr> <tr><td>COUNTY</td><td>WASHINGTON</td></tr> <tr><td>STREAM</td><td>S FK CRANE CREEK</td></tr> <tr><td>REGION</td><td>W</td></tr> <tr><td>PURPOSE</td><td>I</td></tr> <tr><td>RISK CATEGORY</td><td>2</td></tr> <tr><td>SIZE CATEGORY</td><td>2</td></tr> <tr><td>Q Q SECTION</td><td>SWNW</td></tr> <tr><td>SECTION</td><td>34</td></tr> <tr><td>TOWNSHIP</td><td>11N</td></tr> <tr><td>RANGE</td><td>02W</td></tr> <tr><td>LATITUDE DEC</td><td>44.2476</td></tr> <tr><td>LONGITUDE DEC</td><td>116.5691</td></tr> <tr><td>DAM TYPE</td><td>EARTH</td></tr> <tr><td>STORAGE CAPACITY</td><td>630</td><td>AcFT</td></tr> <tr><td>HEIGHT</td><td>16</td><td>Ft</td></tr> <tr><td>DRAINAGE AREA</td><td>1.8</td><td>SqMi</td></tr> <tr><td>RESERVOIR AREA</td><td>113</td><td>Ac</td></tr> <tr><td>YEAR COMPLETED</td><td>1935</td></tr> <tr><td>CREST ELEVATION</td><td>3480</td><td>Msl</td></tr> <tr><td>CREST LENGTH</td><td>680</td><td>Ft</td></tr> <tr><td>SPILLWAY TYPE</td><td>CHNAFD</td></tr> <tr><td>SPILLWAY DEPTH</td><td>2.4</td><td>Ft</td></tr> <tr><td>SPILLWAY CAPACITY</td><td>0</td><td>Cfs</td></tr> <tr><td>SPILLWAY CONDITION</td><td>GD</td></tr> <tr><td>SPILLWAY GATE COND</td><td>NA</td></tr> <tr><td>OUTLET TYPE</td><td>SYPHON</td></tr> <tr><td>OUTLET SIZE</td><td>8</td><td>In</td></tr> <tr><td>OUTLET CAPACITY</td><td>4</td><td>Cfs</td></tr> </table>	STATUS	A	BASIN	67	DAM_NUMBER	XX06A1	FEDERAL ID NUMBER	ID00419	DAM NAME	SOULEN	COUNTY	WASHINGTON	STREAM	S FK CRANE CREEK	REGION	W	PURPOSE	I	RISK CATEGORY	2	SIZE CATEGORY	2	Q Q SECTION	SWNW	SECTION	34	TOWNSHIP	11N	RANGE	02W	LATITUDE DEC	44.2476	LONGITUDE DEC	116.5691	DAM TYPE	EARTH	STORAGE CAPACITY	630	AcFT	HEIGHT	16	Ft	DRAINAGE AREA	1.8	SqMi	RESERVOIR AREA	113	Ac	YEAR COMPLETED	1935	CREST ELEVATION	3480	Msl	CREST LENGTH	680	Ft	SPILLWAY TYPE	CHNAFD	SPILLWAY DEPTH	2.4	Ft	SPILLWAY CAPACITY	0	Cfs	SPILLWAY CONDITION	GD	SPILLWAY GATE COND	NA	OUTLET TYPE	SYPHON	OUTLET SIZE	8	In	OUTLET CAPACITY	4	Cfs	<table> <tr><td>OUTLET CONDITION</td><td>GD</td></tr> <tr><td>OUTLET GATE CONDITION</td><td>NA</td></tr> <tr><td>LAST OUTLET EXAM</td><td></td></tr> <tr><td>OUTLET INSP INTERVAL</td><td></td></tr> <tr><td>IDF</td><td>Q500</td></tr> <tr><td>IDF MAGNITUDE</td><td>310</td><td>Cfs</td></tr> <tr><td>RELEASE CAPACITY</td><td>4</td><td>Cfs</td></tr> <tr><td>OVERALL COND</td><td>FR</td></tr> <tr><td>MAINTENANCE</td><td>ROUTINE</td></tr> <tr><td>INSPECTION DATE</td><td>9/8/2005</td><td>Mo/Yr</td></tr> <tr><td>CERT ISSUE DATE</td><td>9/29/2003</td><td>Mo/dd/yr</td></tr> <tr><td>STORAGE AUTH DATE</td><td>10/14/2005</td><td>Mo/dd/yr</td></tr> <tr><td>STORAGE EXP DATE</td><td>11/01/2007</td><td>Mo/dd/yr</td></tr> <tr><td>SURVEY DATE</td><td>8/15/2000</td><td>Mo/dd/yr</td></tr> <tr><td>CALL UP DATE</td><td></td><td>Mo/dd/yr</td></tr> <tr><td>INSP INTERVAL</td><td>2</td><td>Yr</td></tr> <tr><td>PHASE 1 INSP DATE</td><td></td></tr> <tr><td>OPERATION PLAN</td><td>N</td></tr> <tr><td>STATIC STABILITY</td><td></td></tr> <tr><td>SEISMIC STABILITY</td><td>N</td></tr> <tr><td>RESTRICTED</td><td>Y</td></tr> <tr><td>BOND</td><td>NA</td></tr> <tr><td>JOINT INSPECTION</td><td></td></tr> <tr><td>QUAD NUMBER</td><td>V6</td></tr> <tr><td>QUAD NAME</td><td>PADDOCK VALLEY RES</td></tr> <tr><td>DAM OWNER</td><td>SOULEN LIVESTOCK COMPANY</td></tr> <tr><td>ADDRESS-1</td><td>C/O PHIL SOULEN</td></tr> <tr><td>ADDRESS-2</td><td>PO BOX 827</td></tr> <tr><td>CITY</td><td>WEISER</td></tr> <tr><td>STATE</td><td>ID</td></tr> <tr><td>ZIP CODE</td><td>83672</td></tr> <tr><td>ZIP SUFFIX</td><td></td></tr> <tr><td>PHONE</td><td>5491878</td></tr> <tr><td>AREA COD</td><td>208</td></tr> </table>	OUTLET CONDITION	GD	OUTLET GATE CONDITION	NA	LAST OUTLET EXAM		OUTLET INSP INTERVAL		IDF	Q500	IDF MAGNITUDE	310	Cfs	RELEASE CAPACITY	4	Cfs	OVERALL COND	FR	MAINTENANCE	ROUTINE	INSPECTION DATE	9/8/2005	Mo/Yr	CERT ISSUE DATE	9/29/2003	Mo/dd/yr	STORAGE AUTH DATE	10/14/2005	Mo/dd/yr	STORAGE EXP DATE	11/01/2007	Mo/dd/yr	SURVEY DATE	8/15/2000	Mo/dd/yr	CALL UP DATE		Mo/dd/yr	INSP INTERVAL	2	Yr	PHASE 1 INSP DATE		OPERATION PLAN	N	STATIC STABILITY		SEISMIC STABILITY	N	RESTRICTED	Y	BOND	NA	JOINT INSPECTION		QUAD NUMBER	V6	QUAD NAME	PADDOCK VALLEY RES	DAM OWNER	SOULEN LIVESTOCK COMPANY	ADDRESS-1	C/O PHIL SOULEN	ADDRESS-2	PO BOX 827	CITY	WEISER	STATE	ID	ZIP CODE	83672	ZIP SUFFIX		PHONE	5491878	AREA COD	208
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AREA COD	208																																																																																																																																																									

GEN_REMARK	NOTE : PART OF RESERVOIR ALSO SHOWN ON QUAD MAP U56-CRANE CREEK RESERVOIR.
TEC_REMARK	SPILLWAY IS RKCHAN NEAR SOUTH DIKE. SPILLWAY & RELEASE CAP ARE WITH 2.5' FREEBOARD. FLOOD ROUTING THRU RESERVOIR REDUCES Q OUTFLOW TO APPROX 37 CFS. SPILLWAY WILL PASS Q OUTFLOW WITH APPROX.2.0' FREEBOARD.
RESTRICT	A MINIMUM OF 2 FEET OF FREEBOARD SHALL BE MAINTAINED ON THE DAM AND AUXILIARY DAM AT ALL TIMES.
ALT_CONT	
BOND_SUM	

67-2021

unnamed stream trib to Star Butte Creek

diversion to storage
irrigation from storage
irrigation storage

PODs: 12N 3W 14 SW NE
NESW
NWSE
SE NW } "also known as
Little Crane Creek
Reservoir"

PO4: 12N 3W 13 NWSW 20
SW SW 20

67-7226

unnamed streams trib to Cove Creek

diversion to storage
irrigation from storage
stock storage
stock from storage
irrigation storage

PODs: 11N 3W 23 NWSW
26 SWSW

"See field exam on file for maps of irrigated
lands."

217 ac. 11N 3W 22
23
27
28
33
34

67-10013 B-Use

unnamed stream trib. to South Crane Creek
irrigation from storage
irrigation storage

P&D: 11 N 2W 34 NESWNW

200 ac 11 N 2W 22
27

"Reservoir known as Phil Soulen Dam"

67-10049 B-Use

Sturgill Creek trib. to Snake River
irrigation 1.72 cfs
power 4.00 cfs
4.00 cfs

1rr 86 ac 15 N 6 W 3
15 N 6 W 10

Pwr 15 W 6 W 3 SWSE

power wheel - needs FM

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: A67-10013
Date Received: 7/02/1989 7-3-89
Receipt No: C008000
Received By: har

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SOULEN LIVESTOCK CO. 208-549-1878
Address: 1760 FAIRMONT
WEISER, ID 83672
2. Date of Priority: DEC 31, 1935
3. Source: UNNAMED STREAM Trib. to: CRANE CREEK, SOUTH FORK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 11N | 02W | 34 | NE | SW | NW | | WASHINGTON |
5. Description of diverting works:
DAM, TWO PIPELINES RUN OUT OF RESERVOIR INTO AN OPEN DITCH
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|-------------------------|-------|-------|-------|------|--------|
| IRRIGATION STORAGE | 01/01 | 12/31 | | | 630.00 |
| IRRIGATION FROM STORAGE | 03/15 | 11/15 | | | 630.00 |
7. Total Quantity Appropriated is:
C.F.S. (and/or) 630.00 A.F.A.
8. Total consumptive use is 700.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	02W	22	SE	NW		IRR FS	11.0
			NE	SW		IRR FS	20.0
			SE	SW		IRR FS	16.0

A67-10013

Page 1

Date: 07/03/89

SCANNED
MAY 10 2004
MICROFILMED
OCT 02 1992

1100 800

Section Acres 60.0

Section Acres 140.0

Total Acres 200.0

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

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am Vice-President of _____ Title

Soolen Livestock Co., that I have signed the foregoing Organization

document in the space below as Vice-President of Title

Soolen Livestock Co. and that the statements contained in the Organization

foregoing document are true and correct.

Harry C. Soolen
Signature of Authorized Agent

Vice-President of Soolen Livestock Co.
Title and Organization

July 3, 1989
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 3rd day

of July 19 89

Seal

Helen Harrington
Notary Public

My Commission Expires December 1, 1994

Residing at _____

My Commission Expires _____

POD
MICROFILMED
OCT 6 2 1992