

11/05/2006

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

RIGHT NUMBER: 67-14513

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

SOURCE: SPRING

TRIBUTARY: STAR BUTTE CREEK

QUANTITY: 0.120 CFS

PRIORITY DATE: 06/12/1935

POINT OF DIVERSION:

T12N R03W S23 SWNE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.120 CFS

PLACE OF USE: STOCKWATER in WASHINGTON County

T12N R03W S23 SWNE

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

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

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

PIN NO. RP12N03W230600.

Stockwater use is for 500 range cattle.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-14513

WATER RIGHT NUMBER: 67-14513 ✓

Owner Type Name and Address
 Current Owner SOULEN LIVESTOCK CO ✓
 1760 FAIRMONT DR
 WEISER, ID 83672
 (208)549-1878

Priority Date: 06/12/1935 ✓
 Basis: Beneficial Use ✓
 Status: Active

Source Tributary
 SPRING ✓ STAR BUTTE CREEK ✓

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER ✓	01/01 to 12/31 ✓	0.120 CFS ✓	_____
	<u>Total Diversion:</u>	0.120 CFS ✓	_____

Location of Point(s) of Diversion
 SPRING SW1/4NE1/4 ✓ Sec. 23, Twp 12N, Rge 03W, B.M. ✓
 WASHINGTON County ✓

Place of Use
 STOCKWATER ✓

Twp	Rge	Sec	NE ✓				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
✓ 12N	03W	23			X														

Conditions of Approval:

ADD X02- Stock water use is for 500 range cattle.

Remarks:Comments:

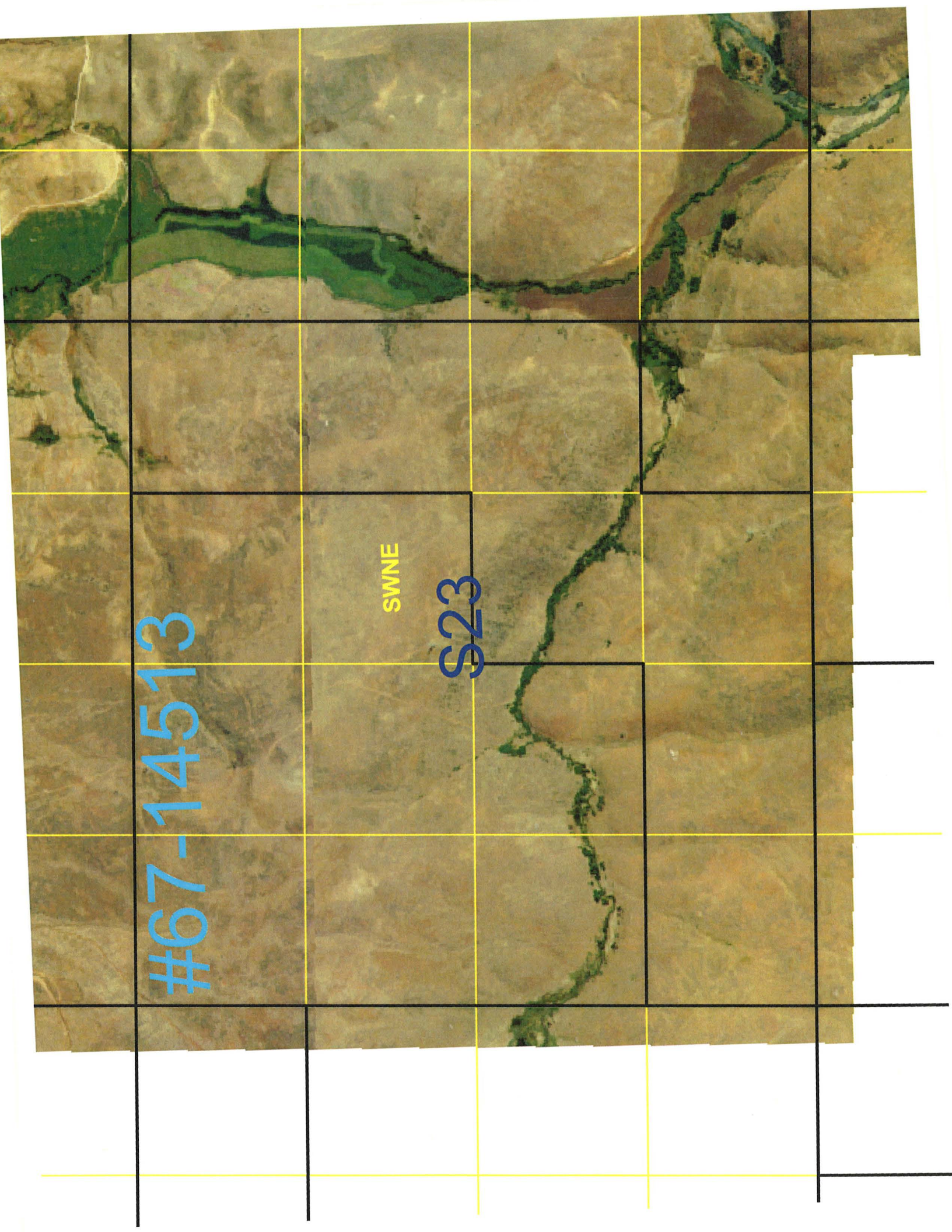
ADD N11 -

Pin# RP12N03W230600. (380.5 acres)

#67-14513

SWNE

S23



IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 67-14513

11/05/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
14513	Claim	12N	03W	23	SW	NE		STOCKWATER		SOULEN LIVESTOCK CO

no overlap

April 7, 1975

OPERATIONS DIVISION
ADMINISTRATOR'S MEMORANDUM

TO: District Office
FROM: A. Kenneth Dunn
SUBJECT: Annual Use of Water for Stockwater Purposes

No. of Stock (head)	RANGE CATTLE		DAIRY CATTLE	
	Rate* c.f.s. (1)	Volume AF/yr. (1)	Rate* c.f.s. (2)	Volume AF/yr. (2)
0 - 10	0.02	0.2	0.02	0.4
11 - 25	0.02	0.4	0.02	1.0
26 - 50	0.02	0.7	0.04	2.0
51 - 100	0.03	1.4	0.07	4.0
101 - 200	0.05	2.7	0.13	7.9
201 - 300	0.07	4.1	0.20	12.0
301 - 400	0.09	5.4	0.26	16.0
401 - 500	0.12	6.7	0.33	20.0
501 - 600	0.14	8.1	0.39	24.0
601 - 700	0.16	9.4	0.46	28.0
701 - 800	0.19	11.0	0.52	32.0
801 - 900	0.20	12.0	0.58	36.0
901 - 1000	0.23	14.0	0.65	40.0
1001 - up (3)				

(1) The amounts shown are based on 12 gpd/head with a 12 month period of use. (i.e. for range cattle, horses and mules). The amount does not include a loss (i.e. thru conveyance, etc.)

2. The amounts shown are based on 35 gpd/head with a 12 month period of use. (i.e. for dairy cattle). The amount does not include a loss. (i.e. thru conveyance, etc.).

3. For annual use calculations which involve more than 1000 head, round the number of head up to the next even one hundred, and

Volume

- a) for livestock use @ 12 gpd/hd, N (0.0134).
b) for dairy use @ 35 gpd/hd, N (0.0391).

Rate

- a) for livestock use @ 12 gpd/hd, N (0.00022).
b) for dairy use @ 35 gpd/hd, N (0.00065).

The answer should be rounded up to the nearest whole acre-foot.

*The rate is based upon approx. 2 hr/day diversion to obtain daily requirement.

12,500 gpd
12 gal/day/head
A. Kenneth Dunn

Receipt Details for ID W032558

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/27/2005 12:37:57 PM	1/27/2005 2:45:46 PM	WESTERN	\$75.00	Check
Payer		SOULEN LIVESTOCK COMPANY		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
9585			
Card Expiration Date	Credit Card Transaction #		

Comment (3) ADJUDICATION CLAIMS - BASIN 67

3 x \$ 25.00

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$75.00	ADJUDICATION FILING FEE	42503	0337			1155

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
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[Print Report](#)

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 67-14513
Date Received: 1/27/2005
Receipt No: W032558
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SOULEN LIVESTOCK CO Phone: (208)549-1878
1760 FAIRMONT DR
WEISER ID USA 83672

2. Date of Priority: 06/12/1935

3. Source: SPRING Trib. to: STAR BUTTE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
12N	03W	23	SW NE	WASHINGTON	

5. Description of diverting works:

One water tank on Star Butte Creek.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.12	

7. Total Quantity Appropriated is:
0.12 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 500 Range Cattle

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12N	03W	23	SW	NE	STOCKWATER	

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

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

Identification No. AG7-14513Date Received 1-27-05Receipt Number W032558
2

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

JAN 27 2005

WATER RESOURCES
WESTERN REGION

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Soulen livestock Co Phone (208) 549-1878Mailing Address 1760 Fairmont Dr. Weiser, Id Zip 836722. Date of Priority (Only one per claim) 6/12/35 Month/Day/Year3. Source of water supply (Check one) () Groundwater or Other (X) (a) Spring
Name or kind of sourcewhich is tributary to (b) Star Butte Creek4. Location of point of diversion is: Township 12 N Range 03 WSection 23, SW 1/4 of NE 1/4 of ~~SW~~ 1/4, Govt. Lot , BM.,County of WashingtonAdditional points of diversion if any: 5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. There is 1 water Tank
on Star Butte Creek.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Stockwater purposes from 1/1 Month/Day to 12/31 Month/Day amount (cfs)For purposes from to (Both dates are inclusive) amount 7. Total quantity claimed .12 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Stockwater: cattle 500 hd.

10. Place of use is: Township: 12 N Range 03 W

Section 23, SW 1/4 of N.E. 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

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

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

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

X None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 _____

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

Signature of Claimant (s) Harry C. Soulen Date 1/26/05

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title _____, that I have signed the foregoing

Organization _____

document in the space below as _____ of _____

Title _____

Organization _____

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Ada) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 26 day of January 19 2005

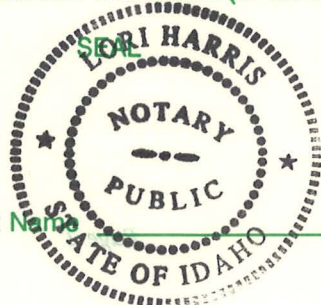
Notary Public Lori Harris

Residing at Boise, Idaho

My Commission Expires 12-8-06

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant



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: 67-14513

SOULEN LIVESTOCK CO

1760 FAIRMONT DR

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