

12/14/2006

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

RIGHT NUMBER: 67-14809

NAME AND ADDRESS: MINK LAND & LIVESTOCK CO  
2920 HWY 95  
CAMBRIDGE ID 83610

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.125 CFS

PRIORITY DATE: 05/01/1902

POINT OF DIVERSION:

T14N R02W S6 NESWNW Lot 5 Within WASHINGTON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/15 10/31          | 0.125 CFS       |
| STOCKWATER            | 03/15 10/31          | 0.020 CFS       |

PLACE OF USE: IRRIGATION in WASHINGTON County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T14N R03W S11 | NWNE | 15.00 | T14N R03W S11 | SWNE | 40.00 |
| T14N R03W S11 | NENW | 1.70  | T14N R03W S11 | SENW | 19.00 |

STOCKWATER same as IRRIGATION

75.7 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 75.7 acres in a single irrigation season. Combined Right Nos.: 67-26G, 67-14809, & 67-14810

This right is limited to the irrigation of 10.0 acres within the place of use described above in a single irrigation season.

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 - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



# Idaho Department of Water Resources

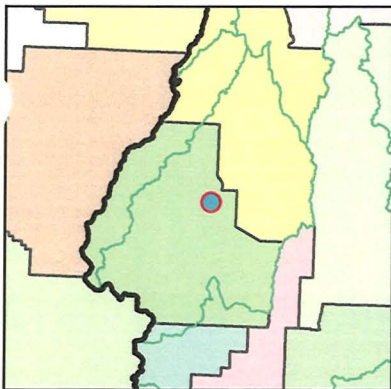
SRBA Recommendation:

**67-14809**

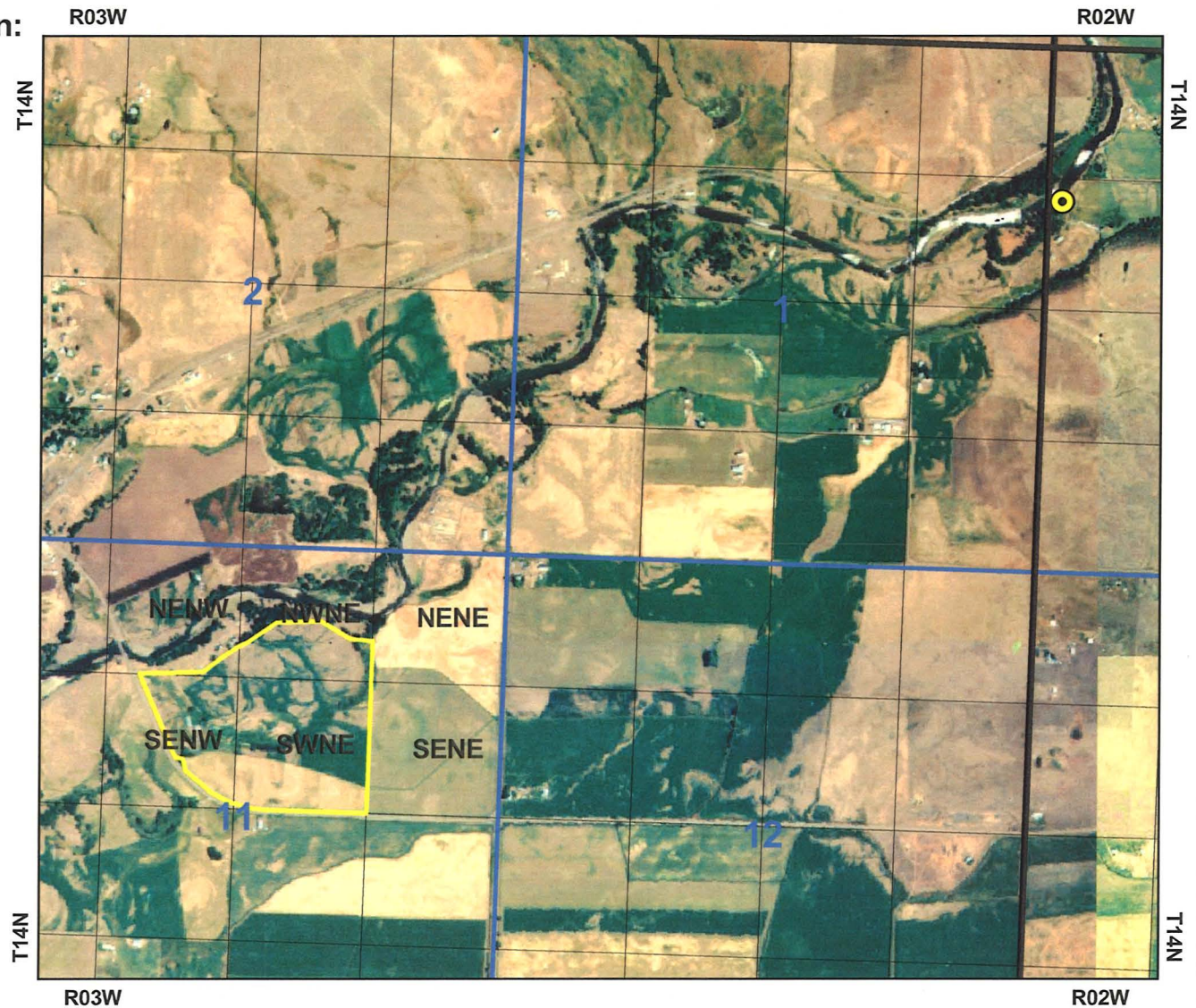
(Irrigation)

## Legend

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



Washington County  
IDWR Basin 67



0 0.7 1.4 Miles

Prepared by IDWR State Office  
On Thursday, December 14, 2006  
1987/88 Aerial Photography

67-14809



## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14809 V1

WATER RIGHT NUMBER: 67-14809 V1

|                   |                                                                |
|-------------------|----------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                        |
| Current Owner     | MINK LAND & LIVESTOCK CO<br>2920 HWY 95<br>CAMBRIDGE, ID 83610 |

Priority Date: 05/01/1902

Basis: Decreed

Status: Active

|               |                  |
|---------------|------------------|
| <u>Source</u> | <u>Tributary</u> |
| WEISER RIVER  | SNAKE RIVER      |

|                       |                         |                       |                      |
|-----------------------|-------------------------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| IRRIGATION            | 03/15 to 10/31          | 0.125 CFS             |                      |
| STOCKWATER            | 03/15 to 10/31          | 0.020 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.125 CFS             |                      |

Location of Point(s) of Diversion

|                   |                      |         |          |               |
|-------------------|----------------------|---------|----------|---------------|
| WEISER RIVER      | L5 (NE1/4SW1/4NW1/4) | Sec. 6, | Twp 14N, | Rge 02W, B.M. |
| WASHINGTON County |                      |         |          |               |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |      |      |    | NW  |    |    |      | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|------|------|----|-----|----|----|------|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW   | SW   | SE | NE  | NW | SW | SE   | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 14N | 03W | 11  |    | 15.0 | 40.0 |    | 1.7 |    |    | 19.0 |    |    |    |    |    |    |    |    | 75.7   |

Total Acres: 75.7

STOCKWATER same as IRRIGATIONConditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 75.7 acres in a single irrigation season. Combined Right Nos.: 67-26G, 67-14809, & 67-14810
2. K06 This right is limited to the irrigation of 10.0 acres within the place of use described above in a single irrigation season.
3. 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.
4. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Remarks:

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-14809 V1

Comments:

1. csaxton 12/14/2006 NOE

Comment: Filed due to NOE. This claim is for a portion of 67-27.

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:  
 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> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Summary        |                           |                 | 12/14/2006                | csaxton         | Active        |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------|------------------------|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POD            | 12/14/2006 4:35:31 PM  | csaxton         | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| POD            | 12/14/2006 4:35:40 PM  | csaxton         | Updated PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Summary        | 12/14/2006 4:37:42 PM  | csaxton         | (Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?<br>(Yes) 5. Does this right have any combined use limits with other rights?<br>(Yes) 6. Is an additional remark and/or condition required?<br>(Yes) 7. Would you like to view the recommended right?<br>(Yes) 8. Is this a split or combined right?<br>(No) 9. Do you have documents you would like to attach or link to the file?<br>(Yes) 10. Would you like to set the verification date? |

Water Supply Bank:

Split history for Decreed Right 67-26 & 67-27

WR History

|                                                    |         |            |        |          |       |            |          |        |
|----------------------------------------------------|---------|------------|--------|----------|-------|------------|----------|--------|
| 67-26                                              | Allison | TR<br>2528 | 67-26A | Allison  | 1.177 | 67-26A&27A | Allison  | 2.112  |
|                                                    |         |            |        |          | 167.2 |            |          | 167.2  |
|                                                    |         |            |        |          | 0.007 |            |          | 0.0126 |
|                                                    |         |            | 67-26B | Hemenway | 0.183 |            |          | 0.007  |
| 1.36                                               | cfs     |            |        |          | 28    |            |          |        |
| 108.8                                              | ac      |            |        |          |       |            |          |        |
| 0                                                  | af      |            |        |          |       |            |          |        |
| * calculated at 5/8 inches per acre<br>or = 0.0125 |         |            |        |          |       |            |          |        |
| 67-27                                              | Allison | TR<br>2528 | 67-27A | Allison  | 0.935 | 67-26B&27B | Hemenway | 0.328  |
|                                                    |         |            |        |          | 167.2 |            |          | 28     |
|                                                    |         |            |        |          | 0.006 |            |          | 0.0117 |
|                                                    |         |            | 67-27B | Hemenway | 0.145 |            |          | 0.005  |
| 1.08                                               | cfs     |            |        |          | 28    |            |          |        |
| 86.4                                               | ac      |            |        |          |       |            |          |        |
| 0                                                  | af      |            |        |          |       |            |          |        |
| * calculated at 5/8 inches per acre                |         |            |        |          |       |            |          |        |
| Total CFS =                                        |         |            | 2.44   |          |       |            |          |        |
| Total Acres =                                      |         |            | 195.2  |          |       |            |          |        |

Claim History

|          |           |       |
|----------|-----------|-------|
| 67-26A   | Westfall  | 0.378 |
|          |           | 62    |
| 67-26C   | Barton    | 0.85  |
|          |           | 68    |
| 67-26D   | Braun     | 0.15  |
|          |           | 10    |
| 67-14619 | Jones     | 0.070 |
|          |           | 10    |
| 67-26F   | Brandt    | 0.2   |
|          |           | 19    |
| 67-26G   | Mink Land | 0.78  |
|          |           | 72    |
| 67-26E   | Jaeger    | 0.183 |
|          |           | 120   |
| 67-26B   | Danielson | 0.122 |
|          |           | 20    |

Claim History

|          |           |       |       |
|----------|-----------|-------|-------|
| 67-27A   | Westfall  | 0.296 | 0.674 |
|          |           | 62    |       |
| 67-27C   | Barton    | 0.85  | 0.705 |
|          |           | 68    |       |
| 67-14620 | Braun     | 0.07  | 0.22  |
|          |           | 10    |       |
| 67-27D   | Jones     | 0.15  | 0.220 |
|          |           | 10    | 0.440 |
| 67-27F   | Brandt    | 0.2   | 0.4   |
|          |           | 19    |       |
| 67-14809 | Mink      | 0.28  | 0.295 |
|          |           | 75.7  |       |
| 67-27E   | Jaeger    | 0.145 | 0.328 |
|          |           | 120   |       |
| 67-27B   | Danielson | 0.096 | 0.218 |
|          |           | 20    |       |

Recommendation

|          |           |       |         |          |           |       |         |
|----------|-----------|-------|---------|----------|-----------|-------|---------|
| 67-26A   | Westfall  | 0.370 |         | 67-27A   | Westfall  | 0.30  |         |
|          |           | 29.6  |         |          |           | 24    |         |
| 67-26C   | Barton    | 0.198 |         | 67-27C   | Barton    | 0.152 |         |
|          |           | 15.8  |         |          |           | 15.8  |         |
| 67-26D   | Braun     | 0.083 | 0.558 % | 67-14620 | Braun     | 0.065 | 0.442 % |
|          |           | 10    | 6.6     |          |           | 10    | 5.2     |
| 67-14619 | Jones     | 0.083 | 0.558 % | 67-27D   | Jones     | 0.065 | 0.442 % |
|          |           | 10    | 6.6     |          |           | 10    | 5.2     |
| 67-26F   | Brandt    | 0.165 | 0.558 % | 67-27F   | Brandt    | 0.131 | 0.442 % |
|          |           | 19    | 13.21   |          |           | 19    | 10.459  |
| 67-26G   | Mink Land | 0.158 | 12.4    | 67-14809 | Mink Land | 0.125 | 10.0    |
|          |           | 22.4  |         |          |           | 22.4  |         |
| 67-26E   | Jaeger    | 0.183 |         | 67-27E   | Jaeger    | 0.145 |         |
|          |           | 28    |         |          |           | 28    |         |
| 67-26B   | Danielson | 0.121 | 9.7     | 67-27B   | Danielson | 0.096 | 7.6947  |
|          |           | 17.2  |         |          |           | 17.2  |         |

Total Recommendation per acre

|           |                    |       |        |        |
|-----------|--------------------|-------|--------|--------|
| Westfall  | Less than Deliver  | 0.918 | 0.670  | 0.0125 |
|           |                    | 53.6  |        |        |
| Barton    | Not Delivered      | 0.350 | 0.0221 |        |
|           |                    | 15.8  |        |        |
| Braun     | As delivered, less | 0.148 | 0.148  | 0.0148 |
|           |                    | 10    |        |        |
| Jones     | As delivered, less | 0.148 | 0.148  | 0.0148 |
|           |                    | 10    |        |        |
|           |                    | 0.296 | 0.296  |        |
| Brandt    | As delivered, less | 0.296 | 0.296  | 0.0156 |
|           |                    | 19    |        |        |
| Mink Land | Not Delivered      | 0.28  | 0.0126 |        |
|           |                    | 22.4  |        |        |
| Jaeger    | As delivered,      | 0.328 | 0.328  | 0.0117 |
|           |                    | 28    |        |        |
| Danielson | Less than deliver  | 0.296 | 0.217  |        |
|           |                    | 17.2  |        |        |

\*Last updated 10-5-05 (csaxton)

For digital copy of Excel spreadsheet file: See Craig L. Saxton

|           |       |
|-----------|-------|
| Sum CFS = | 2.663 |
| Sum Ac =  | 371   |
| Sum AF =  |       |

|           |       |
|-----------|-------|
| Sum CFS = | 2.087 |
| Sum Ac =  | 384.7 |
| Sum AF =  |       |

|           |        |
|-----------|--------|
| Sum CFS = | 1.360  |
| Sum Ac =  | 152.04 |
| Sum AF =  |        |

|           |        |
|-----------|--------|
| Sum CFS = | 1.080  |
| Sum Ac =  | 146.44 |
| Sum AF =  |        |

|           |       |
|-----------|-------|
| Sum CFS = | 2.440 |
| Sum Ac =  | 176.0 |
| Sum AF =  |       |

|             |        |
|-------------|--------|
| Extra CFS = | -0.551 |
| Extra Ac =  | -203.8 |
| Extra AFA = |        |

|             |        |
|-------------|--------|
| Extra CFS = | -1.759 |
| Extra Ac =  | -356.7 |
| Extra AFA = |        |

|             |       |
|-------------|-------|
| Extra CFS = | 0.000 |
| Extra Ac =  | 43.2  |
| Extra AFA = |       |

|             |       |
|-------------|-------|
| Extra CFS = | 0.000 |
| Extra Ac =  | 48.8  |
| Extra AFA = |       |

|             |       |
|-------------|-------|
| Extra CFS = | 0.000 |
| Extra Ac =  | 19.2  |
| Extra AFA = |       |

Disallow

Ready to go

Seems ready to go - not verified

How the recommendation should look if claims are amended or new claim filed.

From Allison Jewell Ditch  
% John Sachtyen  
2757 Burton Ln 1993

To \_\_\_\_\_  
Address Mink \_\_\_\_\_  
City \_\_\_\_\_  
Terms \_\_\_\_\_

SCANNED

DEC 15 1966

Allison Jewell Ditch  
 % John Sachtjen  
 Rte 1 Box 75  
 Cambridge Id 83610  
**STATEMENT**

Mink

1990

L

PLEASE RETURN THIS STUB WITH YOUR REMITTANCE. YOUR CANCELLED CHECK IS YOUR RECEIPT.

\$ \_\_\_\_\_

| DATE | DESCRIPTION     | CHARGES  | CREDITS | BALANCE |
|------|-----------------|----------|---------|---------|
| 1990 | K Mink          |          |         |         |
|      | 40 inches x .75 | \$ 30    |         |         |
|      |                 |          |         |         |
|      | Mink L & L      |          |         |         |
|      | 14 inches x .75 | \$ 10.50 |         |         |
|      |                 |          |         |         |
|      |                 |          |         |         |
|      |                 |          |         |         |
|      |                 |          |         |         |

PAY LAST AMOUNT IN BALANCE COLUMN

REDIFORM® 8K872

SCANNED

HP-6 15 2886

# STATEMENT

From Allison Jewell Ditch  
% John Sachtjen  
2757 Burton Ln 19

To Mink

**Address** \_\_\_\_\_

City \_\_\_\_\_

## Terms

|                 |  |     |
|-----------------|--|-----|
| 1994 Assessment |  |     |
| K Mink          |  | 40  |
| R Mink          |  | 14  |
| Panak           |  | 45  |
| 20. 3/15/95     |  | 499 |
| 3099            |  |     |

SCANNED

APR 15 2006

RECEIVED

DEC 14 2006

DEPARTMENT OF

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 67-14809  
Date Received: 12/14/2006  
Receipt No: C082827  
Received By: amb

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

MINK LAND & LIVESTOCK CO Phone:

2920 HWY 95  
CAMBRIDGE ID USA 83610

2. Date of Priority: 05/01/1902

3. Source: WEISER RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County     | Type |
|----------|-------|---------|-----------------------|------------|------|
| 14N      | 02W   | 6       | SW NW                 | WASHINGTON |      |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 03/15 | 10/31 | 0.28   |            |
| STOCKWATER | 03/15 | 10/31 | 0.02   |            |

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

8. Total consumptive use:

9. Non-irrigation uses:  
Number of other uses: 50

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 Lot | Use        | Acres |
|----------|-------|---------|----------------|------------|-------|
| 14N      | 03W   | 11      | NW NE          | IRRIGATION | 15    |
|          |       |         | SW NE          | IRRIGATION | 40    |
|          |       |         | NE NW          | IRRIGATION | 1.7   |

SE NW

IRRIGATION 19

Section Acres 75.7

Total Acres 75.7

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:

This claims a portion of decreed right 67-27.

15. Basis of Claim: Decreed

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 SEC. TREAS. of  
Title  
Mink Land + Livestock Co., that I have signed the foregoing  
Organization  
document in the space below as SEC. TREAS. of  
Title  
Mink Land + Livestock Co. and that the statements contained in the  
Organization  
foregoing document are true and correct. [Signature]

Signature of Authorized Agent

SEC. TREAS. Mink Land + Livestock Co.  
Title and Organization

12 / 14 / 06  
Date

State of Idaho )  
County of Adair ) SS.

Subscribed and sworn (or affirmed) before me this 14<sup>th</sup>  
of December 2006 [Signature]

Notary Public

Residing at Boise ID

My commission Expires 8/14/07

